



DEVELOPMENT SERVICES DEPARTMENT  
ENVIRONMENTAL COORDINATOR  
450 110<sup>th</sup> AVENUE NE  
BELLEVUE, WA 98009-9012

## DETERMINATION OF NON-SIGNIFICANCE

**PROPONENT:** United States Post Office

**LOCATION OF PROPOSAL:** 11405 NE 2<sup>nd</sup> Place

**DESCRIPTION OF PROPOSAL:** Application for a Critical Areas Land Use Permit to demolish the existing United States Post Office and construct a five story hotel. The applicant requests modification of the Type F critical area buffer to Sturtevant Creek.

**FILE NUMBER:** 11-119320 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 \_\_\_\_\_.
- 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 October 27, 2011.
- 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This DNS may be withdrawn at any time if the proposal is modified so that it is likely to have significant adverse environmental impacts; if there is significant new information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.

Carole V. Hellenand  
Environmental Coordinator

10/13/11  
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



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

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**Proposal Name:** United States Post Office

**Proposal Address:** 11405 NE 2<sup>nd</sup> Place

**Proposal Description:** Application for a Critical Areas Land Use Permit to demolish the existing United States Post Office and construct a five story hotel. The applicant requests modification of the Type F critical area buffer to Sturtevant Creek via a critical areas report.

**File Number:** 11-119320-LO

**Applicant:** OTO Development, LLC

**Decisions Included:** Critical Areas Land Use Permit  
(Process II. 20.30P)

**Planner:** Antoinette Pratt, Senior Planner

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

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

**Director's Decision:** **Approval with Conditions**

**Michael A. Brennan, Director**  
Development Services Department

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

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**Application Date:** July 21, 2011  
**Notice of Application Publication:** August 11, 2011  
**Decision Publication Date:** October 13, 2011  
**Project/SEPA Appeal Deadline:** October 27, 2011

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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.

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## I. PROPOSAL DESCRIPTION

The applicant has submitted a Critical Areas Land Use Permit (CALUP) to demolish the existing United States Post Office (USPO) and construct a five story hotel. The applicant requests modification of the Type F critical area buffer to Sturtevant Creek. Upon approval of this permit, the applicant will submit a building permit in the first quarter of 2012 to demolish the existing USPO building to construct 128 hotel rooms along with parking for 122 vehicles. Access to the hotel will be from two existing access points that will be modified for the hotel development from 116<sup>th</sup> Avenue NE and off of NE 2<sup>nd</sup> Street. The remaining two of the three existing access points off of NE 2<sup>nd</sup> Street will be closed.

## II. SITE DESCRIPTION, ZONING, LAND USE AND CRITICAL AREAS

### A. SITE DESCRIPTION



The project site is located at 11405 NE 2<sup>nd</sup> Place in the Wilburton/NE 8<sup>th</sup> Subarea of the City. The site is considered a double fronting lot with frontages on both NE 2<sup>nd</sup> Place and 116<sup>th</sup> Avenue NE. The property is adjacent to other commercial sites along its north and south property boundaries. It is also adjacent to 114<sup>th</sup> Avenue NE and 116<sup>th</sup> Avenue NE at its west and east property lines respectively. The site contains four curb cuts: three on NE 2<sup>nd</sup> Place and one on 116<sup>th</sup> Avenue NE. There is

an existing Type F stream (Sturtevant Creek) on-site that bisects the site near the northwest property line which flows south into a wetland on the BRE/ESA Properties. A portion of the stream is piped beneath the parking lot area with open channel in two areas: a landscaped area adjacent to NE 2<sup>nd</sup> Place and the latter in a landscape area near the west building elevation.

The Type F stream located on this site is considered the middle reach of Sturtevant Creek. This property is considered a developed site due to the existing USPO facility. Accordingly, Land Use Code (LUC) 20.25H.075 C ii requires a 50-foot buffer and a 50-foot structure setback from Type F streams. Buffer reduction is only possible with a critical areas report per LUC 20.25H.230. There is also an existing wetland that was determined to be located on the property south of the Site. The off-site critical areas were previously recorded in a Native Growth Protection Area (NGPA); therefore, the City has determined that the buffer for the off-site wetland ends at the south property line per LUC 20.25H.095C.i.ii.

As currently exists, the USPO does not provide the standard 50-foot buffer or the 50-foot structure setback from the creek. The applicant's proposal will not directly impact Sturtevant Creek; however, the west wall of the hotel will encroach 30 feet (from top of bank) into the 50 foot buffer setback (see sheet A-1). Total building encroachment from the hotel amounts to 204 square feet west of the existing USPO footprint. To mitigate for this 204 square foot encroachment, mitigation is proposed within the open channel areas of Sturtevant Creek

along with additional landscaping at the south property boundary. See Section III.B for further discussion regarding the applicant's mitigation plan.

The current use for this property is a Post Office that has been in service since 1997. Staff understands that this use has been scheduled for discontinuation within approximately one to two years.

## **B. ZONING**

The subject site and surrounding properties to the north and south are Office/Limited Business (OLB) while the properties to the east across 116<sup>th</sup> Avenue NE are zoned General Commercial. Hotels/Motels are permitted outright within the OLB land use district.

## **C. LAND USE CONTEXT**

The property is located within an established commercial district that is adjacent to I-405. The proximity of this hotel to the freeway will provide adequate vehicular access for the traveling public.

## **D. CRITICAL AREAS FUNCTION AND VALUE, REGULATIONS**

### **i. Streams and Riparian Areas**

Most of the elements necessary for a healthy aquatic environment rely on a dynamic interaction between the stream and the adjacent riparian area. The closure of streams in pipes or culverts interrupts this relationship and severely degrades, if not completely eliminates the functions and values provided.

Riparian vegetation along stream banks mitigates the impacts of urbanization and supports healthy stream conditions. Riparian vegetation affects water temperature by providing shade to reduce solar exposure and regulate high ambient air temperatures, slowing or preventing increases in water temperature. The roots of riparian plants also hold soil and prevent erosion and sedimentation that may affect spawning success or other behaviors, such as feeding.

Both upland and wetland riparian areas reduce the effects of flood flows. Riparian areas and wetlands reduce and desynchronize peak crests and flow rates of floods. Upland and wetland areas can infiltrate flood flows, which in turn, are released to the stream as base flow.

Stream riparian areas, or buffers, can be a significant factor in determining the quality of wildlife habitat. For example, buffers comprised of native vegetation with multi-canopy structure, snags, and down logs provide habitat for the greatest range of wildlife species. Vegetated riparian areas also provide a source of large woody debris that helps create and maintain diverse in-stream habitat, as well as create woody debris jams that store sediments and moderate flood velocities.

Sparsely vegetated or vegetated buffers with non-native species may not perform the needed functions of stream buffers. In cases where the buffer is not well vegetated, it is necessary to either increase the buffer width or require that the standard buffer width be restored or re-vegetated. Until the newly planted buffer is established the near term goals for buffer functions may not be attained.

Riparian areas often have shallow groundwater tables, as well as areas where groundwater and surface waters interact. Groundwater flows out of riparian wetlands, seeps, and springs to support stream base flows. Surface water flows in to riparian

areas during floods or as direct precipitation, infiltrates into groundwater and is stored for later discharge to the stream.

**ii. 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 (McKinney 2002, Blair 2004, Marzluff 2005 Munns 2006), is a major cause of native species local extinctions (Czech et al 2000), and is likely to become the primary cause of extinctions in the coming century (Marzluff et al. 2001a). Cities are typically located along rivers, on coastlines, or near large bodies of water. The associated floodplains and riparian systems make up a relatively small percentage of land cover in the western United States, yet they provide habitat for rich wildlife communities (Knopf et al. 1988), 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 (Blair 1999, Marzluff 2005). 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 (Shaughnessy and O'Neil 2001). 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 (Rojas 2007). Urban habitat is a vital link in the process of wildlife conservation in the U.S.

**iii. Critical Areas Overlay District/Critical Area Land Use Permit**

A CALUP is required to encroach into required stream buffer areas.

**III. CONSISTENCY WITH LAND USE CODE REQUIREMENTS:**

**A. ZONING DISTRICT DIMENSIONAL REQUIREMENTS:**

The dimensional standards of the OLB land use district will be applicable upon submittal of the building permit for this hotel. Dimensional standards can be found in LUC 20.20.010.

**B. CRITICAL AREAS REQUIREMENTS LUC 20.25H:**

The City of Bellevue Land Use Code Critical Areas Overlay District (LUC 20.25H) establishes standards and procedures that apply to development on any site which contains in whole or in part any portion designated as critical area or critical area buffer.

The proposed hotel will encroach into the required buffer setback by 204 square feet west of the existing footprint of the USPO facility. The following performance standard applies:

<b>Critical Area</b>	<b>Stream</b>
<b>Performance Standards</b>	20.25H.080

**LUC 20.25H.080: Performance Standards – Stream Performance Standards:**

The performance standards for streams described in LUC 20.25H.080.A, will be met as a condition of approval of the subsequent clearing and grading permit to implement the stream rehabilitation.

The performance standards for development on a site with a Type F stream, or an associated critical area buffer are being met as follows:

- Parking lot lighting will meet the standards of LUC 20.20.522 which prohibits spillover lighting onto adjacent properties. This is of particular concern to limit lighting intrusions into the off-site wetland to the south.
- The hotel will be connected to the existing City system that is currently utilized by the USPO so there will be no changes with this connection.
- A significant number of native plantings will be installed in the two open segments of Sturtevant Creek and along the south property boundary. Fencing along with plantings will limit pet and human use in these areas.
- Use of pesticides, insecticides and fertilizers within 150 feet of the stream shall be in accordance with the City of Bellevue's "Environmental Best Management Practices".

#### **LUC 20.25H.220: Mitigation and Restoration Plan requirements.**



The applicant hired Talasaea Consultants, Inc. to review site conditions at the USPO site and create a Critical Areas Report per LUC 20.25H.230. Talasaea Consultants, Inc submitted a Critical Areas Report and Mitigation Plan dated July 20, 2011 (see project file). Site reconnaissance took place on August 24, 2010 and June 30, 2011. Talasaea documented that there are no wetlands on

this site but they do exist south of this property. A determination was made by Development Services (11-111524 DC) that the associated buffer for this wetland ends at the south property line per LUC 20.25H.095.C.i.ii.

The parcel is 2.3 acres and rectangular in size. The redevelopment will reduce the overall impervious surfaces from 76 percent to 72 percent within the property limits. The existing impervious areas within the existing stream buffers (7,401 square feet) will be reduced by an overall 17 percent (6,115 square feet) for these areas.

Twenty-seven (27) significant trees were located and identified on the Site. All significant trees will be retained except for one non-native black locust located in the lower stream enclosure. It will be removed because it is a non-native species growing in a natural area.

This site is located within the Sturtevant Creek Storm Drainage Basin. Talasaea reviewed the middle reach of Sturtevant Creek at the USPS location. They found substantial flow, which is presumably stormwater runoff given that the upper reach of Sturtevant barely has a flow. No fish were found in this segment.

While on-site, Talasaea conducted a habitat study and found a diverse habitat within the off-site wetland to the south based upon vegetation and hydrology. Table 1, Pages 5 through 8 of the Talasaea report detail the local species reviewed (see project file). The off-site wetland received a rating of 22 out of 50 which essentially means that while the

habitat is present, the likelihood of wildlife using it is low due to the presence of urban development adjacent to this area. There is no habitat or species of importance on the USPO site.

The applicant has proposed mitigation for the hotel development that will include riparian corridor restoration, enhancement along the south property line for the off-site NGPA area, and reduction in impervious surfaces. Mitigation areas include 5,678 square feet of riparian corridor restoration, 5,221 square feet on the project site and 457 square feet within the right-of-way for NE 2<sup>nd</sup> Street, and 4,939 square feet of native buffer enhancement along a 10-foot strip on the south property line. Mitigation measures will include:

- Removal of all non-native and invasive weedy species within the existing riparian corridors and buffer enhancement areas along the south property line.
- Restoration planting of the riparian corridors with native evergreen and deciduous trees, shrubs and groundcovers.
- Enhancement planting of the 10-foot buffer area with a variety of native evergreen and deciduous trees, shrubs and groundcovers.
- Placement of topsoil in all cleared and grubbed restoration/enhancement areas.
- Placement of 3 inches of mulch over all restored and enhanced areas,
- Installation of a split-rail fence around the on-site portion of the restored riparian areas.
- All mitigation areas will be monitored for five years post construction. The monitoring report will include the goals of the mitigation plan, performance standards, monitoring methodology, the results of the monitoring, photographic documentation, and any contingency needed. See Section IX for related condition.

In sum, staff has reviewed and approved the critical areas report submitted by Talasaea Consultants, Inc.

#### **IV. PUBLIC NOTICE AND COMMENT**

Application Date:	July 21, 2011
Public Notice (500 feet):	August 11, 2011
Minimum Comment Period:	August 25, 2011

##### Written correspondence

As of the date of this staff report, staff received two emails from individuals who simply desired to be parties of record for this project. No questions or concerns were raised other than their request.

In addition to the above, the City did receive a public comment from Karen Walters, Watershed and Land Use Team Leader with the Muckleshoot Indian Tribe. Ms. Walter's comments are noted below along with the City response:

##### **1. Fish use in Sturtevant Creek**

The City has documented Chinook use in Sturtevant Creek downstream of the site (Kit Paulsen, pers. Comm.). The Salmon Watchers Program in King County also documented adult Chinook in Sturtevant Creek below I-405 in 2005. The Critical Areas Report only discusses Coho use and should be updated accordingly. We recommend that Kit Paulsen in the City's Utility Program be consulted for additional fish use distribution.

Response (Kit Paulsen): There is documented Chinook use below I-405 to the culvert. It is episodic, not consistent each year, but both Laurie Devereaux and I have witnessed/photographed them personally. I have asked GIS to update our fish use maps and we recently updated our basin fact sheets to reflect this earlier error. The regional salmon recovery maps have not been updated since they were first developed, which is where many people get their information.

## **2. Sturtevant Creek Culverts**

According to Bellevue's Fish Passage Assessment map (2000) the existing culverts conveying Sturtevant Creek at this site are "definite" fish passage barriers. If this is the case, then we recommend that both existing culverts be replaced with bridges or fish passable culverts based on WDFW's "Stream Simulations Design" (2003), as part of this redevelopment proposal. Since the existing buildings will be demolished and there will be construction equipment on site, it makes sense to replace these culverts now before the new Hotel and parking areas are constructed. Replacing these culverts now will also bring the site into compliance with the State's Hydraulic Code.

Response: We understand that removal of culverts on-site is desirable. However, the City cannot require an applicant to replace a culvert with a fish-passable culvert unless the culvert is expanded or replaced which is not the case with this application. In this reach of Sturtevant, there are still several areas downstream such as the Lexus site and the I-405 freeway that have existing culverts that present intervening barriers to upstream fish passage.

## **3. Stormwater**

We recommend that the stormwater be fully treated using "enhanced" water quality measures (vs. basic treatment) and that the site use low impact development techniques to reduce stormwater runoff generated from the site and discharged to Sturtevant Creek. Furthermore, whatever treated stormwater is discharged from the site should be directed to the stream and wetland buffer and not directly into the stream to avoid impacting salmon and their habitats directly.

Response: The site is located within Cedar River/Lake Washington (LW) watershed (see attached KCGIS data). It means that the site runoff is tributary (indirectly) to LW; therefore, the basic water quality menu based on Appendix V-A of 2005 DOE manual which lists Lake Washington as Basic Treatment Receiving Waters is appropriate. StormFilter (ZPG media filter) facilities provide the necessary water quality for the site.

## **4. Proposed mitigation planting along Sturtevant Creek**

The proposed planting plan shown on Sheet W2.0 in the Critical Areas report is fine.

Response: No comment.

# **V. SUMMARY OF TECHNICAL REVIEWS**

## **A. CLEARING AND GRADING**

The Clearing and Grading Division of the Development Services Department has reviewed and approved this application.

## **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, AIR, AND WATER**

No large-scale earthmoving activity is proposed with this application but will occur with the subsequent building permit. Erosion and sedimentation control requirements and BMPs will be reviewed by the Clearing and Grading Department as part of a clearing and grading permit.

### **B. NOISE**

Any noise generated is regulated by Chapter 9.18 BCC. See Section IX for a related condition of approval.

### **C. TRANSPORTATION**

#### **Long Term Impacts and Mitigation**

The long-term transportation impacts of development projected to occur in the City by 2020 have been addressed in the City's Transportation Facilities Plan EIS. The impacts of growth projected by 2020 are evaluated on the roadway network assuming that all the transportation improvement projects proposed in the City's current Transportation Facilities Plan are in place. The Transportation Facilities Plan EIS divides the City into several Mobility Management Areas (MMAs) for analysis purposes. The hotel proposed at the post office site at 11405 NE 2<sup>nd</sup> Place lies within MMA #4, which has a 2020 total growth projection of 250 new hotel rooms. This development proposes 128 new hotel rooms. Therefore, the proposed development is within the assumptions of the Transportation Facilities Plan EIS.

Traffic impact fees are used by the City to fund street improvement projects to alleviate traffic congestion caused by the cumulative impacts of development throughout the City. Payment of the transportation impact fee, as required by BCC 22.16, contributes to the financing of transportation improvement projects in the current adopted Transportation Facilities Plan, and is considered to be adequate mitigation of long-term traffic impacts. Fee payment is required at the time of building permit issuance. Impact fee credit may be granted for removal of the post office, if the post office has been vacant for less than two years at the time of a complete building permit submittal for the proposed hotel.

The applicant is hereby informed that the Washington State Department of Transportation has a long-range conceptual plan for improvements to I-405, including additional street crossings of I-405. One proposal in that plan shows an extension of NE 2<sup>nd</sup> Street crossing I-405 immediately south of the post office site. That plan is very preliminary and is subject to change and subject to financial constraints. It is possible that future changes to the WSDOT plan could directly impact the post office site.

The applicant is hereby informed that the 2009 City of Bellevue Pedestrian and Bicycle Plan identifies a bike lane to be installed on the frontage of 116<sup>th</sup> Ave. This would require widening 116<sup>th</sup> Avenue on the site's frontage by about 5 feet. The developer is not required to do this

widening, but is informed that a City project might change the street frontage in the future. The project is not presently scheduled or funded.

### **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 net new PM peak hour trips undergo a traffic impact analysis to determine if the concurrency requirements of the State Growth Management Act are maintained.

Using the City's standard trip generation rate of 0.43 PM peak hour trips per room, a hotel with 128 rooms would generate 55 PM peak hour trips. In comparison, the existing post office with 14,320 square feet would generate 159 PM peak hour trips, based on the Institute of Transportation Engineers' rate of 11.12 trips per 1000 square feet. Thus, the proposed hotel would generate a net decrease of 104 PM peak hour trips at the site.

Due to the net decrease in trip generation, the proposed hotel will not be subject to the concurrency testing requirement of the Traffic Standards Code, and no further traffic impact analysis will be required. However, if the post office has been vacant for two years or more at the time of a complete building permit application, then concurrency testing and traffic impact analysis may need to be reconsidered.

### **Short Term Operational Impacts and Mitigation**

Since the proposed hotel will generate a net reduction in trips, no short term traffic mitigation is required. However, the applicant has proposed to revise the existing driveway connection on 116<sup>th</sup> Avenue and to revise one driveway connection on NE 2<sup>nd</sup> Place and to close another driveway on NE 2<sup>nd</sup> Place. Within the City street rights of way, these proposed driveway revisions must meet the Transportation Department's latest standards. Public sidewalk crossings of the driveways and the closed driveway location must achieve ADA compliance. The specific engineering design for these revisions will be reviewed during technical review of subsequent construction permits.

The existing curb and sidewalk on NE 2<sup>nd</sup> Place meander around an open segment of Sturtevant Creek. In order to protect the creek, the existing curb alignment and the sidewalk width may remain as they are in the vicinity of the creek crossing.

## **VII. DECISION CRITERIA**

### **A. 20.30P.140 CRITICAL AREA LAND USE PERMIT DECISION CRITERIA**

The Director may approve, or approve with modifications an application for a Critical Area Land Use Permit if:

#### **i. The proposal obtains all other permits required by the Land Use Code;**

Finding: The applicant must obtain building and clearing and grading permits prior to construction. Upon review and approval of this permit, the applicant will submit for all ancillary permits.

- ii. **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 hotel will be placed in the same vicinity as the USPS building footprint. The hotel will extend 204 square feet west of USPO's exterior wall. The existing USPO facility encroaches within the required 50 foot buffer setback and the 50 foot structure setback. The applicant proposes to compensate for this encroachment based upon mitigations listed in Section III.B (see above).

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

Finding: As discussed in Section III of this report, the applicable performance standards of LUC 20.25H.080 and LUC 20.25H.220 are being met.

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

Finding: The proposed activity will not affect public services or facilities.

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

Finding: Talasaea Consultants, Inc. has proposed a mitigation plan for the two open segments of Sturtevant Creek and the landscaping buffer along the south property line. Staff has reviewed and approved the plantings noted on Sheets W2.0 and W2.1. Upon installation, staff will review for compliance with submitted plans. The applicant will be required to provide a landscape assurance device to ensure plant survival upon installation. See Section IX for related conditions.

- vi. **The proposal complies with other applicable requirements of this code.**

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

## VIII. **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 Development Services Department does hereby **approve with conditions** the modifications of stream buffer to Sturtevant Creek. **Approval of this Critical Areas Land Use Permit does not constitute a permit for construction. A Clearing and Grading permit is required and all plans are subject to review for compliance with applicable City of Bellevue codes and standards.**

**Note- Expiration of Approval:** In accordance with LUC 20.30P.150 a CALUP 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.

**IX. CONDITIONS OF APPROVAL**

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

<u>Applicable Ordinances</u>	<u>Contact Person</u>
Clearing and Grading Code- BCC 23.76	Janney Gwo, 425-452-6190
Land Use Code- BCC Title 20	Antoinette Pratt, 425-452-5374
Noise Control- BCC 9.18	Antoinette Pratt, 425-452-5374

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

- 1. Building and Clearing/Grading Permits Required:** Approval of this Critical Areas Land Use Permit does not constitute an approval of a clearing and grading permit. Application for a clearing and grading permit must be submitted and approved prior to work commencing.

Authority: LUC 20.30P.140  
Reviewer: Antoinette Pratt

- 2. Mitigation Planting and Monitoring:** Mitigation planting shall be undertaken within the stream critical area buffer to mitigate for the impacts associated with the construction of the hotel within the stream buffer of Sturtevant Creek along with identified mitigation. The mitigation planting shall, at a minimum, contain the plants and quantities specified in the approved mitigation planting plans as prepared by Talasaea Consultants, Inc. and submitted to the City of Bellevue on July 20, 2011. The mitigation plantings shall be monitored for a period of five years, consistent with a monitoring plan approved pursuant to LUC 20.25H.210. A report on plan health, survival, and maintenance activity shall be submitted every year for 5 years to verify that the plan is performing as proposed. Reports shall be submitted to the Development Services Department per Chapter 9, Monitoring Methods, pages 12 through 14, Critical Areas Report and Mitigation Plan.

Authority: Land Use Code 20.30P.140  
Reviewer: Antoinette Pratt

- 3. Land Use Inspection:** Following installation of planting the applicant shall contact Land Use staff to inspect the planting area as part of the clearing and grading permit process.

Authority: LUC 20.30P.140  
Reviewer: Antoinette Pratt

- 4. Landscape Installation Assurance Device:** If a Temporary Certificate of Occupancy is requested prior to completion of the landscaping installation the applicant shall file with DSD a landscape installation assurance device equal to 150% of the cost of labor and materials for any landscaping that has not yet been installed.

Authority: LUC 20.40.490  
Reviewer: Antoinette Pratt

- 5. Landscape Maintenance Assurance Device:** To ensure a proper maintenance schedule is followed after the mitigation plantings have been installed, an assignment of savings or bond financial security device for landscape maintenance equal to 20% of the cost of the labor and materials is required. This device shall be released upon conclusion of the five year mitigation period to ensure that plants are alive and well.

Authority: LUC 20.40.490

Reviewer: Antoinette Pratt

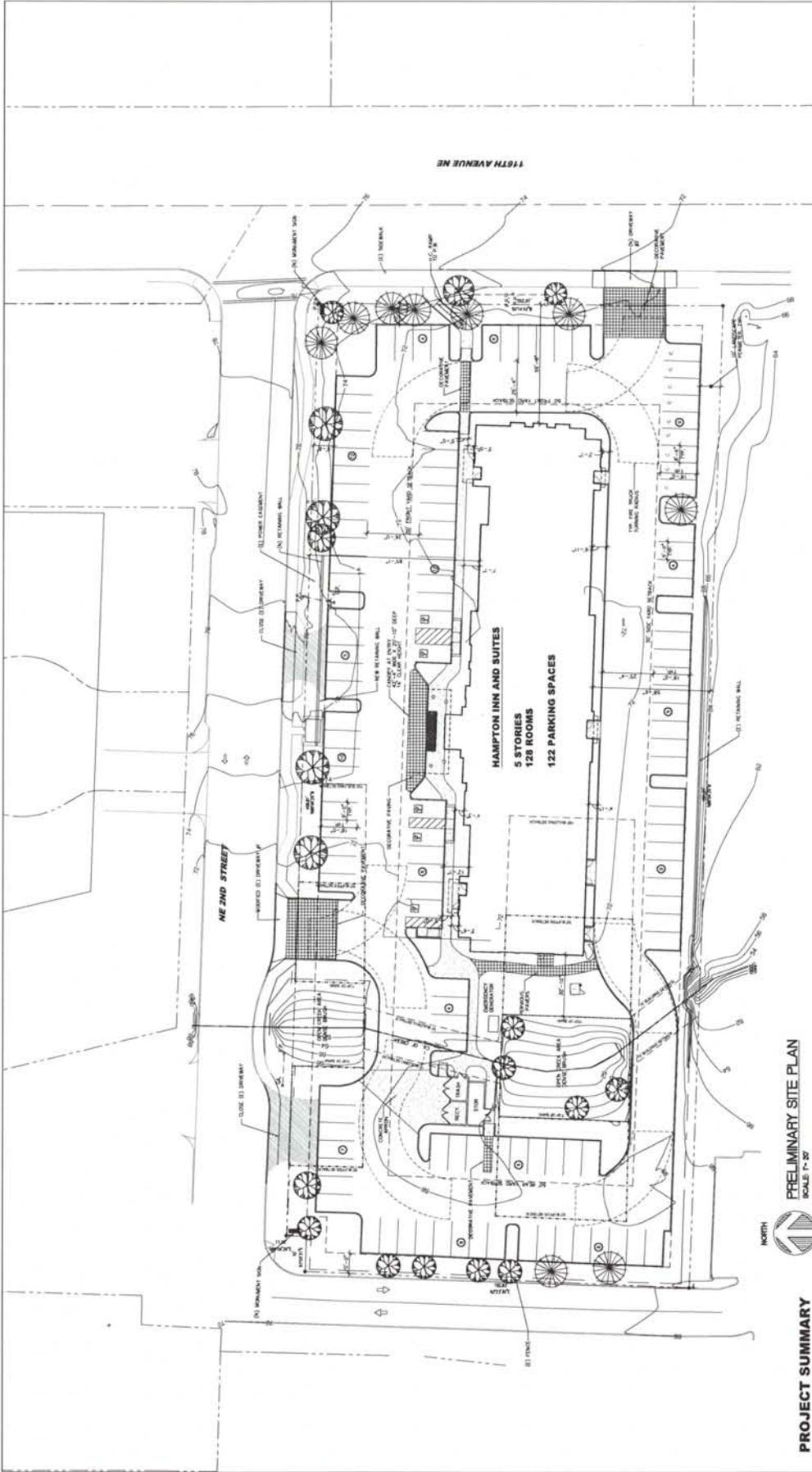
- 6. Noise Control:** Noise related to construction is exempt from the provisions of BCC 9.18 between the hours of 7 am to 6 pm Monday through Friday and 9 am to 6 pm on Saturdays, except for Federal holidays and as further defined by the Bellevue City Code. Noise emanating from construction is prohibited 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: Antoinette Pratt,

## **ATTACHMENTS**

Project Plans



PRELIMINARY SITE PLAN  
 SCALE 1" = 20'  
 0' 10' 20' 40'

PROJECT SUMMARY

HAMPTON INN & SUITES HOTEL  
 5 STORY  
 128 ROOMS  
 1222 PARKING SPACES  
 CONSTRUCTION TYPE: TYPE 2B

NET SITE AREA: 89,246 S.F. (2.31 ACRES)  
 CRITICAL AREA: 13,270 S.F.  
 NET SITE AREA: 45,486 S.F.  
 ALLOWABLE MAX. BUILDING COVERAGE: 35% OF NET SITE (30,095 S.F.)  
 ALLOWABLE MAXIMUM HEIGHT: 75 FEET  
 ALLOWABLE MAXIMUM IMPERVIOUS AREA: 4.83%

LANDSCAPE CALCULATIONS  
 REQUIRED PARKING LANDSCAPING: 35 SF PER PARKING SPACE  
 122 SPACES X 35 SF = 4,270 SF REQUIRED  
 PROPOSED LANDSCAPE AREA: 27,866 SF  
 PERIMETER: 13,593 SF  
 REMAINDER: 9,796 SF

PROPOSED IMPERVIOUS AREA = 71,300 SF (72% APPROX.)

ROOM SUMMARY

FLOOR	PKG. STUDIOS	ACC. KING STUDIOS	KINGS	ACC. KING	DOUBLE QUEEN	ACC. DBL. QUEEN	TOTAL
1ST	3	1	4	0	0	0	8
2ND	6	0	11	1	0	0	18
3RD	6	0	11	1	0	0	18
4TH	6	0	11	1	0	0	18
5TH	6	0	11	1	0	0	18
TOTAL	29	1	44	4	0	0	82

PROPOSED BLDG. COVERAGE: 145,000 S.F. (INCL. TRASH AND STORAGE)  
 PROPOSED BUILDING HT.: 144 FEET

LANDSCAPE CALCULATIONS

REQUIRED PARKING LANDSCAPING: 35 SF PER PARKING SPACE  
 122 SPACES X 35 SF = 4,270 SF REQUIRED  
 PROPOSED LANDSCAPE AREA: 27,866 SF  
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PROJECT SUMMARY

HAMPTON INN & SUITES HOTEL  
 5 STORY  
 128 ROOMS  
 1222 PARKING SPACES  
 CONSTRUCTION TYPE: TYPE 2B

NET SITE AREA: 89,246 S.F. (2.31 ACRES)  
 CRITICAL AREA: 13,270 S.F.  
 NET SITE AREA: 45,486 S.F.  
 ALLOWABLE MAX. BUILDING COVERAGE: 35% OF NET SITE (30,095 S.F.)  
 ALLOWABLE MAXIMUM HEIGHT: 75 FEET  
 ALLOWABLE MAXIMUM IMPERVIOUS AREA: 4.83%

LANDSCAPE CALCULATIONS  
 REQUIRED PARKING LANDSCAPING: 35 SF PER PARKING SPACE  
 122 SPACES X 35 SF = 4,270 SF REQUIRED  
 PROPOSED LANDSCAPE AREA: 27,866 SF  
 PERIMETER: 13,593 SF  
 REMAINDER: 9,796 SF

PROPOSED IMPERVIOUS AREA = 71,300 SF (72% APPROX.)

ROOM SUMMARY

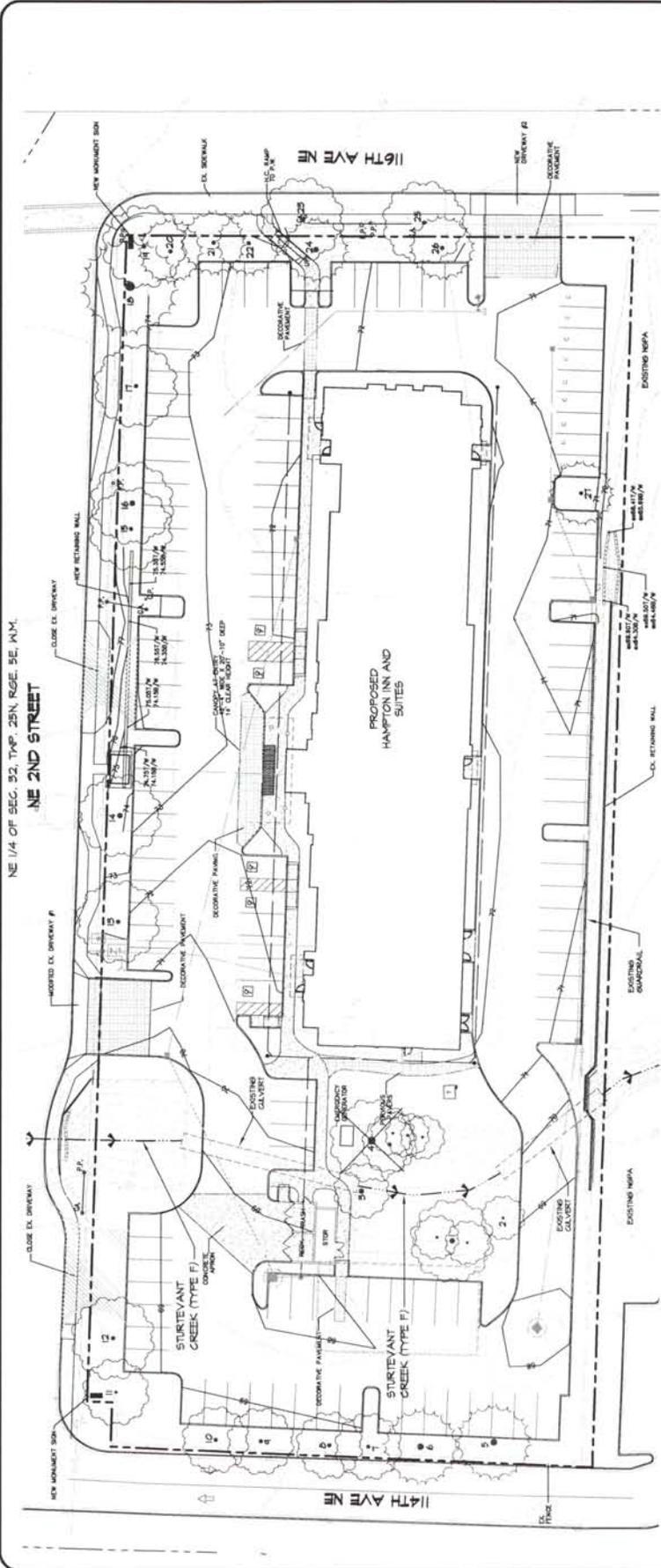
FLOOR	PKG. STUDIOS	ACC. KING STUDIOS	KINGS	ACC. KING	DOUBLE QUEEN	ACC. DBL. QUEEN	TOTAL
1ST	3	1	4	0	0	0	8
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TOTAL	29	1	44	4	0	0	82

PROPOSED BLDG. COVERAGE: 145,000 S.F. (INCL. TRASH AND STORAGE)  
 PROPOSED BUILDING HT.: 144 FEET

VICINITY MAP



PROJECT



SIGNIFICANT TREE RETENTION PLAN

GRAPHIC SCALE  
(1 INCH = 20 FEET)  
SCALE: 1"=20'

PLAN LEGEND

- PROPERTY LINE
- STREAM CENTERLINE
- EXISTING CENTERLINE
- EXISTING CANAL/LINK FENCE
- EXISTING CONSPICUOUS TREE
- EXISTING DECIDUOUS TREE TO BE REMOVED

NOTE:  
EXISTING TREES SHOWN THAT ARE NOT NUMBERED ABOVE GRADE PER BELLEVUE MUNICIPAL CODE 2006.046

SIGNIFICANT TREE INVENTORY

TREE #	SPECIES	DBH (INCHES)	TO BE RETAINED	NOT TO BE REMOVED	NOTES
1	BLACK COTTONWOOD	9.2	X	X	GOOD HEALTH
2	RED ALDER	10.3	X	X	GOOD HEALTH BOOTHED AT TOP OF STREAMBANK NEXT TO OUTFLUSH
3	PACIFIC WILLOW	12.4	X	X	GOOD HEALTH
4	BLACK LOCUST	8.4	X	X	GOOD HEALTH
5	DOUGLAS FIR	9.0	X	X	GOOD HEALTH TRUNK DIVORCED AT -4.5'
6	DOUGLAS FIR	8.0	X	X	GOOD HEALTH
7	SLASHING ASPEN	6.6, 1.1	X	X	THO TRUNKS BOTH HEALTHY
8	SLASHING ASPEN	10.3	X	X	THO TRUNKS FROM SAME ROOTSTOCK, FOUR TRUNKS FROM SAME ROOTSTOCK, TRUNK DIVORCED AT -4.5', ALL HEALTHY
9	SLASHING ASPEN	1.1, 6.0, 6.4, 6.5, 6.4, 6.6, 4.0	X	X	THREE TRUNKS FROM SAME ROOTSTOCK, ALL HEALTHY
10	SLASHING ASPEN	6.2, 5.0	X	X	THO TRUNKS FROM SAME ROOTSTOCK, ONE TRUNK DIVORCED AT -5.5' GOOD HEALTH
11	DECIDUOUS ORNAMENTAL	8.5	X	X	GOOD HEALTH
12	DECIDUOUS ORNAMENTAL	10.1	X	X	GOOD HEALTH
13	DECIDUOUS ORNAMENTAL	12.8	X	X	GOOD HEALTH
14	DECIDUOUS ORNAMENTAL	8.7	X	X	GOOD HEALTH
15	DECIDUOUS ORNAMENTAL	8.1	X	X	GOOD HEALTH
16	DECIDUOUS ORNAMENTAL	12.9	X	X	GOOD HEALTH

NOTE: ALL TREES TO BE REMOVED ARE NUMBERED IN THIS INVENTORY. TREES NOT NUMBERED IN THIS INVENTORY ARE BEING PROVIDED IN CASE THESE TREES DO NOT SURVIVE AND MUST BE REMOVED POST-CONSTRUCTION.

TREE REPLACEMENT CALCULATIONS

TREE #	SPECIES	DBH (INCHES)	TO BE RETAINED	NOT TO BE REMOVED	NOTES
17	DECIDUOUS ORNAMENTAL	10.4	X	X	GOOD HEALTH
18	DOUGLAS FIR	20.8	X	X	THREE STEPS AT 4.5', MIDDLE STEPS NEAR TRUNK
19	BLACK LOCUST	6.4	X	X	CURRENTLY HEALTHY, HAS BRUSH CUT ON TRUNK
20	DOUGLAS FIR	6.6, 7.6, 8.1, 12.8	X	X	TRUNK DIVORCED AT -4.5', GOOD HEALTH
21	DOUGLAS FIR	9.3, 9.1, 9.3, 9.1, 4.1	X	X	TRUNK DIVORCED AT -4' INTO FOUR STEPS, GOOD HEALTH
22	DOUGLAS FIR	7.8, 8.5	X	X	THO TRUNKS, GOOD HEALTH
23	BLACK LOCUST	13.1	X	X	GOOD HEALTH
24	DOUGLAS FIR	3.2, 1.5, 3.2, 1.9	X	X	TRUNK SPLIT INTO TWO STEPS AT -4', GOOD HEALTH
25	BLACK LOCUST	10	X	X	GOOD HEALTH
26	DOUGLAS FIR	7.6, 8.4	X	X	THO TWO STEPS AT -2.5', GOOD HEALTH
27	DOUGLAS FIR	6.6, 17.1, 5.4, 17.0	X	X	TRUNK SPLIT AT -4.5', SPLIT AGAIN AT -5.9'

NOTE: ALL TREES TO BE REMOVED ARE NUMBERED IN THIS INVENTORY. TREES NOT NUMBERED IN THIS INVENTORY ARE BEING PROVIDED IN CASE THESE TREES DO NOT SURVIVE AND MUST BE REMOVED POST-CONSTRUCTION.

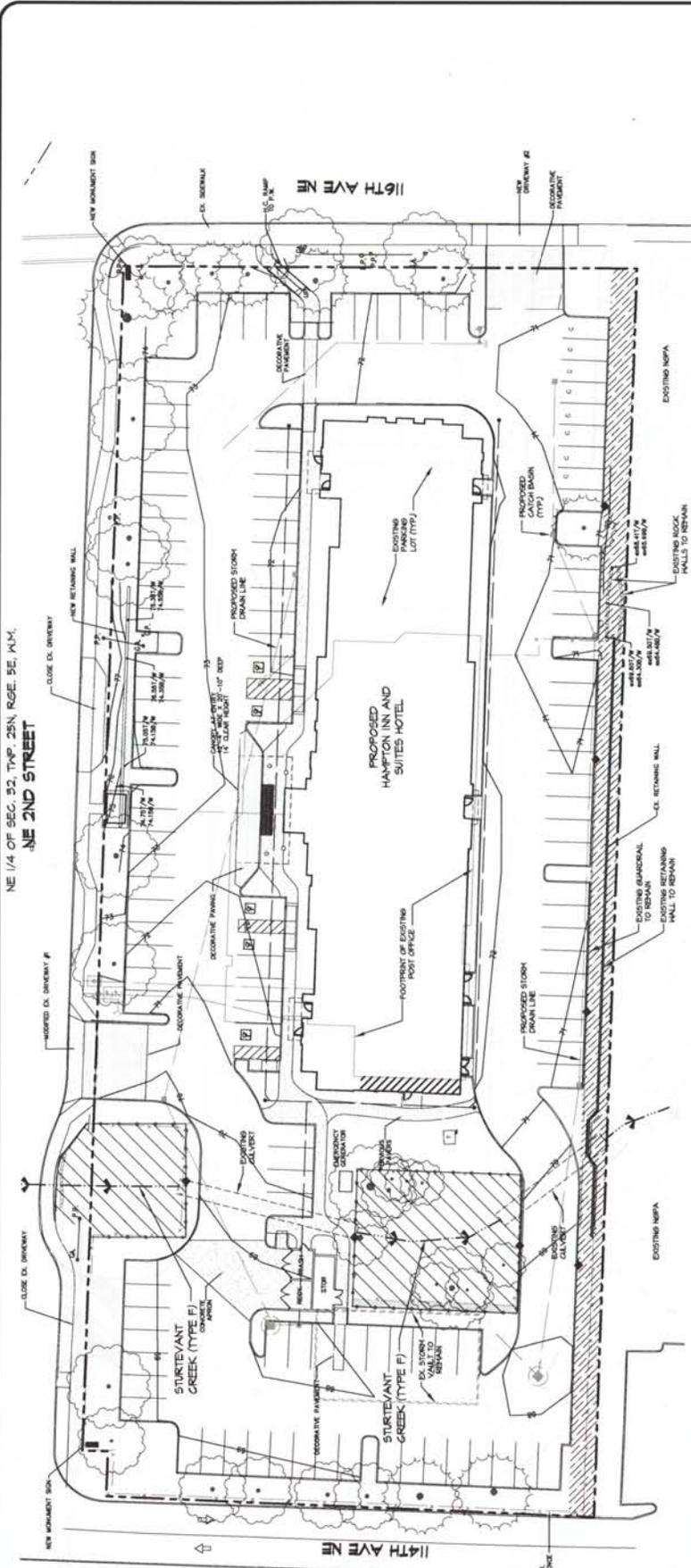


APPROVED FOR CONSTRUCTION  
DATE: \_\_\_\_\_  
BY: \_\_\_\_\_  
CITY OF BELLEVUE DEPARTMENT OF PLANNING

Call before you dig.  
811

SAFETY PROVIDED BY: D.A. BIRBA, INC., 81 S. 80TH ST., SUITE 100, BELLEVUE, WA 98003  
SITE PLAN PROVIDED BY: AGRI-CULTURAL OPERATORS, 800 1ST AVE, SUITE 201, PALMYRA, CA 94648  
DRAWING PROVIDED BY: TALENTED DESIGN, 1000 1ST AVE, SUITE 1000, BELLEVUE, WA 98003  
DRAWING PROVIDED BY: JAMES W. HANSEN, 1000 1ST AVE, SUITE 1000, BELLEVUE, WA 98003  
SOURCE DRAWINGS PROVIDED BY: TALASABA CONSULTANTS, INC., 1000 1ST AVE, SUITE 1000, BERKELEY, CA 94704  
REPORT AND RETENTION PLAN PREPARED BY: TALASABA CONSULTANTS, INC., 1000 1ST AVE, SUITE 1000, BERKELEY, CA 94704

DATE	
REVISIONS	
DATE	
DESIGNED BY	
CHECKED BY	
APPROVED BY	
PROJECT #	0322
SHEET #	M.0



**PROPOSED SITE PLAN & MITIGATION OVERVIEW**

GRAPHIC SCALE  
1" = 40'  
SCALE: 1"=30'

**PLAN LEGEND**

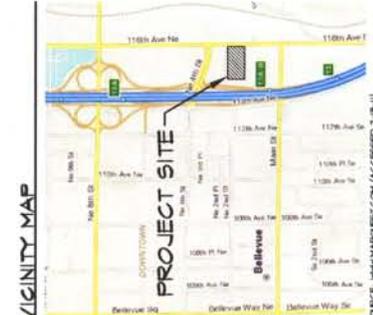
- PROPERTY LINE
- EXISTING CONTOUR
- PROPOSED CONTOUR
- EXISTING CHAIN-LINK FENCE
- PROPOSED CHAIN-LINK FENCE
- EXISTING UTILITY-RAIL FENCE
- PROPOSED UTILITY-RAIL FENCE
- SEE DETAIL
- EXISTING CRITICAL AREAS
- PROPOSED CRITICAL AREAS
- EXISTING CONIFEROUS TREE
- PROPOSED CONIFEROUS TREE
- EXISTING DECIDUOUS TREE
- PROPOSED DECIDUOUS TREE

**IMPACT LEGEND**

- 10 PER-METER NATIVE VEGETATION 204 SF
- REPLACEMENT AREA 204 SF

**MITIGATION LEGEND**

- RESTORATION 4,694 SF
- 52,615 SF TOTAL
- 10 PER-METER NATIVE VEGETATION 4,694 SF
- 4 OFF-SITE RESTORATION LOCATIONS OF THE EXISTING VEGETATED RIPARIAN CORRIDOR ASSOCIATED WITH THE OPEN STREAM CHANNEL WITHIN THE 2ND ST. M.O.A.



**CONTACTS**

NAME:	11405 NE 2ND, LLC
ADDRESS:	1225 26 8TH STREET, SUITE 205
PHONE:	(425) 462-0004
CONTACT:	JAY JOHNSON
NAME:	D.A. RENAS, INC.
ADDRESS:	811 S 40TH ST
PHONE:	(206) 474-3209
CONTACT:	DANIEL A. RENAS, P.L.S.
NAME:	HARKER ENGINEERING
ADDRESS:	615 HANCOCK, WA 98003
PHONE:	(206) 869-0971
CONTACT:	BOZENA A. SZERNO, P.E.
NAME:	ARCHITECTURAL DIMENSIONS
ADDRESS:	1400 17TH AVENUE, SUITE 275
PHONE:	(425) 452-8851
CONTACT:	JEFFREY S. HALL, AIA
NAME:	ENVIRONMENTAL CONSULTANTS
ADDRESS:	16000 BROAD CREEK RD NE
PHONE:	(425) 864-7900
CONTACT:	CHRISTOPHER A. SENIOR, PROJECT MANAGER

**SHEET INDEX**

SHEET NUMBER	M.0
SHEET TITLE	PROPOSED SITE PLAN & MITIGATION OVERVIEW
SHEET NUMBER	M.1
SHEET TITLE	PLANTING PLAN, PLANTING NOTES, & PLANT SCHEDULE
SHEET NUMBER	M.2
SHEET TITLE	PLANTING SPECIFICATIONS & DETAILS
SHEET NUMBER	T.1.0
SHEET TITLE	TREE RETENTION PLAN

**NOTES**

1. DRAWING PROVIDED BY D.A. RENAS, INC. ON 9/20/11.
2. TACOMA, WA (M.O.A.) 2003 14-3209.
3. 114TH STREET, SUITE 275, HANCOCK, WA 98003.
4. CIVIL ENGINEERING PLAN PROVIDED BY HARKER ENGINEERING, INC. ON 9/20/11.
5. M.A. 52000, 2003 06-0971.
6. FOR USE OF ENVIRONMENTAL CONSULTANTS.
7. THIS PLAN IS AN ATTACHMENT TO THE CRITICAL AREAS MITIGATION PLAN PROVIDED BY TACOMA CONSULTANTS IN JULY 2011.

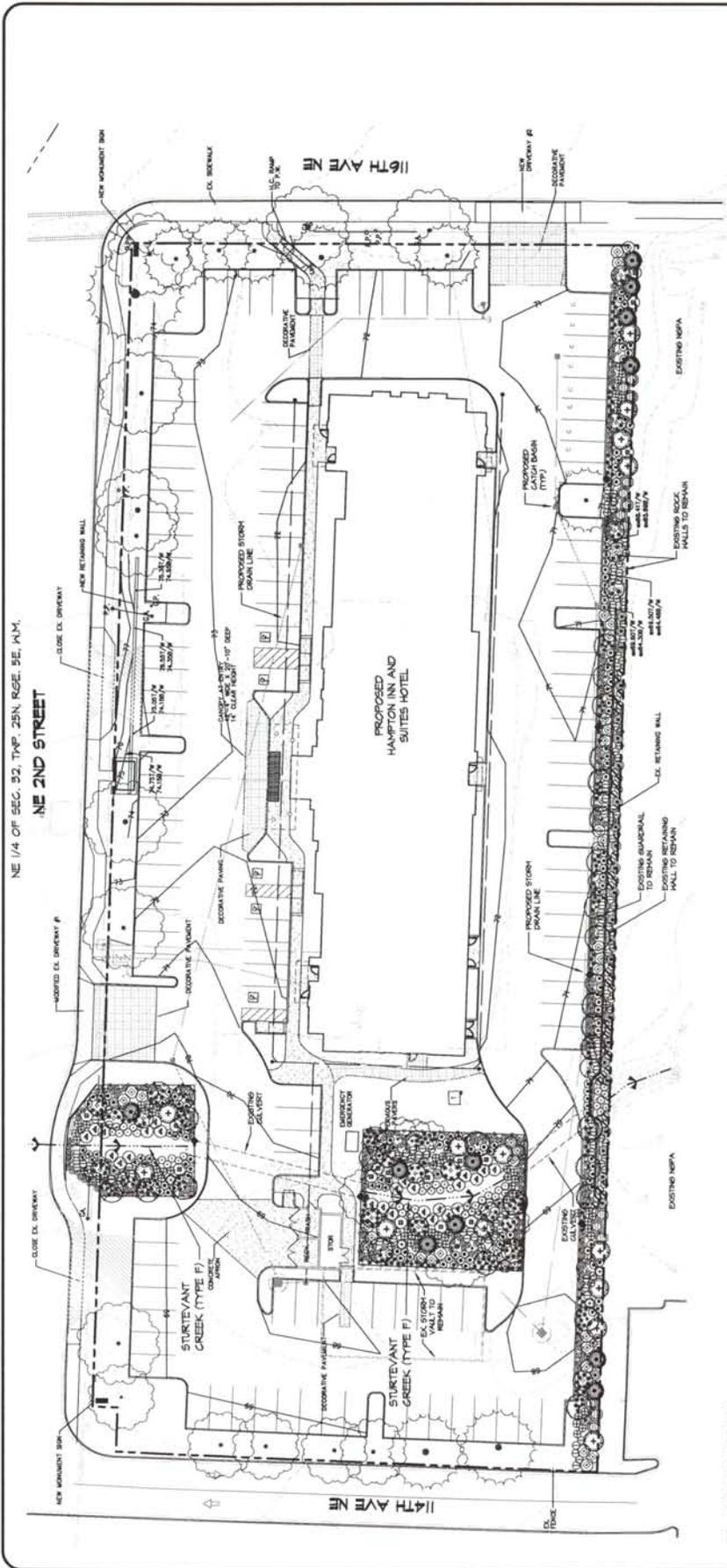
APPROVED FOR CONSTRUCTION

CITY OF BELLEVUE DEPARTMENT OF PLANNING

DATE:



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**GENERAL PLANT INSTALLATION NOTES**

1. PLANT TREES AND/OR SHRUBS 1' HIGHER THAN DEPTH GROWN AT NURSERY.
2. PRIOR TO PLANTING, BUTTERFLY ROOTBALL OR ROOT GARDEN IS EVIDENT.
3. STAKE TREES IMMEDIATELY AFTER PLANTING. PLACE STAKES AT THE OUTER EDGE OF THE ROOTS OR ROOTBALL IN LINE WITH THE PREVAILING WIND AND ATTACHED USING CHAIN-LOCK TREE TIES TO ALLOW FOR SOME TRUNK MOVEMENT.
4. TREE STAKES TO BE VERTICAL, PARALLEL, EVEN-TOPPED UNCLAMPED AND DRIVEN INTO UNDISTURBED SUBGRADE REMOVE AFTER ONE YEAR.
5. MULCH WITH 2" DEEP LAYER OF MULCH. WATER REGULARLY TO KEEP MOISTURE ON A TEMPORARY IRRIGATION SYSTEM AS DIRECTED IN THE PLANTING PLAN. FERTILIZER AS DIRECTED IN THE PLANTING PLAN. WATER REGULARLY FOR THE FIRST YEAR.
6. FERTILIZER ALL TREES AND SHRUBS AS DIRECTED IN THE PLANTING SPECIFICATIONS.

**NOTES**

1. THIS PLAN IS AN ATTACHMENT TO THE CRITICAL AREAS MITIGATION PLAN FOR THE HAMPTON INN AND SUITES HOTEL, BELLEVUE, WASHINGTON.
2. THIS PLAN IS AN ATTACHMENT TO THE CRITICAL AREAS MITIGATION PLAN FOR THE HAMPTON INN AND SUITES HOTEL, BELLEVUE, WASHINGTON.
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**PLANT SCHEDULE**

TREES	SCIENTIFIC NAME	COMMON NAME	HL STATUS	SPACING	QTY	SIZE (IN)	NOTES
①	CORNUS NUTTALLI	PACIFIC DOGWOOD	NL	AS SHOWN	8	8' FT.	SINGLE TRUNK, KELL BRANCHED, 1" MIN. CALIPER*
②	POPULUS TREPALLOIDES	QUAKING ASPEN	FAC	AS SHOWN	12	4-5' FT.	SINGLE TRUNK, KELL BRANCHED
③	TRIFOLIUM MONSIEURII	BITTERCHERRY	FAC	AS SHOWN	6	4-5' FT.	SINGLE TRUNK, KELL BRANCHED
④	FRAXINUS AMERICANA	DOUGLAS FIR	FAC	AS SHOWN	14	8' FT.	2 1/2" FULL 1 BUSHY
⑤	PRUNELLA SP.	DOUGLAS FIR	FAC	AS SHOWN	4	2-3' FT.	2 1/2" FULL 1 BUSHY
⑥	PRUNELLA SP.	WESTERN RED CEDAR	FAC	AS SHOWN	30	2-3' FT.	2 1/2" FULL 1 BUSHY
⑦	PRUNELLA SP.	WESTERN RED CEDAR	FAC	AS SHOWN	11	8' FT.	1 1/2" FULL 1 BUSHY

SMALL TREES & LARGE SHRUBS	SCIENTIFIC NAME	COMMON NAME	HL STATUS	SPACING	QTY	SIZE (IN)	NOTES
⑧	ACER CINCINATINUM	VINE MAPLE	FAC	AS SHOWN	21	4' FT.	MULTI-STEM (B INU)
⑨	PHYTOCAMPARUS LANTANUS	PACIFIC WHEATBERRY	FAC	5' O.C.	26	24" FT.	MULTI-CANE (B INU)
⑩	PHYTOCAMPARUS LANTANUS	PACIFIC WHEATBERRY	NL	5' O.C.	14	24" FT.	FULL 1 BUSHY
⑪	SPARGANGLIUM	RED GIBBART	NL	5' O.C.	36	24" FT.	MULTI-CANE (B INU)
⑫	SPARGANGLIUM	RED GIBBART	NL	5' O.C.	36	24" FT.	MULTI-CANE (B INU)

MASSING SHRUBS	SCIENTIFIC NAME	COMMON NAME	HL STATUS	SPACING	QTY	SIZE (IN)	NOTES
⑬	GALTRERIA SHALLOON	WINTER DOGWOOD	NL	24" O.C.	226	1 1/2' FT.	MULTI-CANE (B INU)
⑭	LONGICHA INVOLUTATA	BLACK THORN-BERRY	FAC	5' O.C.	22	18" FT.	FULL 1 BUSHY
⑮	MAHONIA AQUIFOLIUM	OREGONIANE	NL	5' O.C.	50	18" FT.	FULL 1 BUSHY
⑯	ROSA NUTKANENSIS	ROSA	FAC	5' O.C.	63	18" FT.	FULL 1 BUSHY
⑰	ROSA NUTKANENSIS	ROSA	FAC	5' O.C.	31	18" FT.	FULL 1 BUSHY
⑱	STYRACAGARPOS ALBIS	COMMON SMOKEBERRY	FAC	5' O.C.	36	18" FT.	FULL 1 BUSHY
⑲	STYRACAGARPOS ALBIS	COMMON SMOKEBERRY	NL	5' O.C.	36	18" FT.	FULL 1 BUSHY

**PLANTING PLAN**

