



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

Proposal Name: Bel-Kirk Office Park

Proposal Address: 11100 NE 33rd Place

Proposal Description: The applicant requests a Rezone from Light Industrial (LI) to Office (O) to be consistent with a Comprehensive Plan Amendment previously approved to change the Comprehensive Plan designation from LI to O zoning.

File Number: 13-106133-LQ

Applicant: Jack Burns

Decisions Included: Rezone
(Process III LUC 20.30P)

Planner: Leah Chulsky, Assistant Land Use Planner

**State Environmental Policy Act
Threshold Determination:** **DNS Issued on October 13, 2013 (File 13-106131-AC)**

Carol V. Helland, Environmental Coordinator
Development Services Department

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

By:

Carol V. Helland, Land Use Director,

Application Date: January 29, 2014
Notice of Application Publication Date: April 10, 2014
Decision Publication Date: September 18, 2014
Project Appeal Deadline: October 2, 2014

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

I. PROPOSAL DESCRIPTION

The applicant is proposing to rezone a single parcel within the Light Industrial (LI) zoning district to Office (O). This rezone will align the parcel's Land Use zoning designation with the recently amended Comprehensive Plan Designation which was updated from LI to O.

Required Land Use Approvals

Rezoning is a Process III decision (LUC 20.35.300), which quasi-judicial decisions are made by the City Council. Decision criteria and decision criteria compliance is discussed in Section VIII. The Hearing Examiner holds a public hearing and takes testimony from the public on the proposal and recommends an action to the City Council. The City Council makes a final decision based on the record established by the Hearing Examiner.

II. SITE DESCRIPTION AND CONTEXT

Background: The site was originally zoned LI, most likely due to the confluence of the road and a rail access. This site was the location of the Bel-Kirk Drive-In Movie Theater from approximately 1965 to 1985. The existing structure was constructed in 1988. A privately-initiated site-specific Comprehensive Plan Amendment was reviewed under 13-103131-AC. The City Council on December 9, 2013 adopted proposed amendments to the Comprehensive Plan including the designation of the subject parcel from LI to O as part of the 2013 Annual Amendments to the Comprehensive Plan to assure that the Plan continues to comply with the requirements of the Growth Management Act (GMA).

Existing Site Conditions: The site is 7.62 acres in size. This site is developed as a building complex with two existing structures. The site is located between NE 33rd Place and the Burlington Northern Santa Fe (BNSF) rail right-of-way, and more generally between State Route (SR) 520 and I-405, near the intersection of the two highways. The site is encumbered with an area of Critical Slope which runs the entire length of the eastern property line. The site also contains a piped Type F stream, a portion of which is daylighted for approximately 140 feet along 33rd Place where it goes back into a pipe which is located in the middle of the property under the one of the buildings onsite.

III. CONSISTENCY WITH LAND USE CODE/ZONING REQUIREMENTS

A. General Provisions of Land Use Code

The site is currently developed in conformance with the general provisions of the Land Use Code. No redevelopment is proposed or approved under this application. Any future redevelopment is required to comply with all applicable Land Use Code requirements.

IV. STATE ENVIRONMENTAL POLICY ACT

A Determination of Non Significance for Non-Project Action was issued October 13, 2013 under 13-106131-AC. If the Rezone is approved, any future redevelopment proposed for this site would be subject to project-specific SEPA review, and required approvals under the Bellevue City Code.

V. SUMMARY OF TECHNICAL REVIEWS

A. Utilities Review

Utilities Department technical staff confirms that there is sufficient capacity in existing utilities to provide service to this site, and there are no utilities related concerns regarding the proposed Rezone.

B. Transportation Department Review

Under current LI Zoning the maximum building footprint based on Land Use Dimensional Standards would be approximately 156,660.5 gross square feet (GSF). Based on the allowed height, the approximately maximum total building gross square footage could be approximately 626,642 GSF. The LI Zone would permit various Wholesale, Retail, Service, Manufacturing and Transportation Services. Given the wide variety of permissible uses under the current LI zoning at this location, possible trip generation varies greatly. For example, trip volumes in the p.m. peak hour could vary from a low of 144 for a 626,000 GSF furniture store, to 607 for a similarly sized light industry/manufacturing use. The trip rates for auto sales and an auto parts store are much higher, resulting in 1297 and 1535 trips, if the maximum size facility is constructed. Under the proposed Office zoning for this parcel, and given the required setbacks and height limitations which result in a maximum building size of 329,000 GSF, the anticipated volume of p.m. peak hour trips is 441. If the Rezone is approved, any future redevelopment proposed for this site would be subject to project-specific Concurrency review, and other required approvals under the Bellevue City Code.

Therefore, the Transportation Department has no need for further requirements, and has no Conditions of Approval for the proposed rezone, 13-106133-LQ.

VI. PUBLIC COMMENT AND RESPONSE

<i>Application Date:</i>	January 29, 2014
<i>Public Notice (500 feet):</i>	April 10, 2014 (Includes sign installation at the site)
<i>Public Meeting Date:</i>	April 23, 2014

Notice of Application was published in the City of Bellevue's *Weekly Permit Bulletin* and the *Seattle Times* on April 10, 2014. It was mailed to property owners within 500 feet of the project site and a Public Information Sign was installed on the project site on the same day. A public meeting was held on April 23, 2014. No citizens attended the meeting and no comments were received.

VII. CHANGES TO THE PROPOSAL DUE TO STAFF REVIEW

None

VIII. APPLICABLE DECISION CRITERIA

The Director may approve or approve with modifications an application for a Rezone if the decision criteria listed in LUC Section 20.30A.140 can be met.

A. The rezone is consistent with the Comprehensive Plan; and

The site is located within the North Bellevue Subarea described within the City's Comprehensive Plan.

Following is a summary of relevant Comprehensive Plan policies.

Land Use Element Policies:

Policy LU-5. Ensure enough properly-zoned land to provide for Bellevue's share of the regionally-adopted demand forecasts for residential, commercial and industrial uses for the next 20 years.

Policy LU-31. Encourage and foster economic development in areas designated for commercial uses.

Policy LU-36. Encourage continued development of office uses in designated districts.

Finding: The proposal is consistent with the Land Use Element Policies. The Rezone will allow the site to meet the changing needs of Bellevue by expanding uses and redevelopment potential for the site. This rezone ensures consistency with the Land Use Map for the North Bellevue Subarea that identified this as appropriate for Office zoning in the Comprehensive Plan Amendments approved in December 2013 (File 13-106131-AC).

North Bellevue Subarea Policies:

Urban Design:

S-NB-38. Provide for Administrative Design Review as a condition of any rezones to an office, retail, or multi-family residential land use district. Incorporate site-specific design review criteria into any condition to ensure that development is compatible with its neighborhood, and that it conforms to the policies of this plan.

S-NB-41. Retain existing forest land between the Burlington Northern Railroad right-of-way and I-405 in its current rural, natural, and wooded state through careful planning.

Finding: The proposal is consistent with the North Bellevue Subarea Plan by encouraging redevelopment and revitalization in an existing commercial site to allow for continued economic growth. In order to be consistent with S-NB-38 any future development will require Administrative Design Review to ensure compatibility with neighboring areas both commercial and residential development. **See Section X of this report for conditions of approval.**

B. The rezone bears a substantial relation to the public health, safety, or welfare; and

The Rezone proposal promotes the public welfare by permitting additional commercial uses within an existing commercial center. The surrounding area has already been developed and has received significant transportation and infrastructure improvements to support

commercial uses. The proposal will not require new public facilities because there is capacity within the transportation network, the utility system, and other public services such as fire and police to accommodate additional development.

- C. The rezone is warranted in order to achieve consistency with the Comprehensive Plan or because of a need for additional property in the proposed land use district classification or because the proposed zoning classification is appropriate for reasonable development of the subject property; and**

A Rezone is warranted to achieve consistency with the Comprehensive Plan and Land Use Code. The Comprehensive Plan was previous updates to change the parcel designation from Light Industrial to Office (File 13-106131-AC). The approved Rezone will align the Land Use zoning designation with the updated Comprehensive Plan.

- D. The rezone will not be materially detrimental to uses or property in the immediate vicinity of the subject property; and**

The rezone will not be materially detrimental to the surrounding uses or properties. No redevelopment is proposed at this time and any future changes to the site will require Design Review approval. The rezone is consistent and compatible with the surrounding area and achieves many of the City's goals and policies as described in this report.

- E. The rezone has merit and value for the community as a whole.**

The rezone will promote redevelopment and revitalization of an older industrial area and to help maintain its vitality by expanding its land use and economic development potential within the existing developed area. Redevelopment also lowers the public cost of extending expensive infrastructure improvements to areas currently undeveloped.

IX. RECOMMENDATION OF THE DIRECTOR

After conducting the various reviews associated with this proposal, including applicable Land Use consistency, SEPA, and City Code and Standard compliance reviews, the Director of Planning and Community Development does hereby **RECOMMEND APPROVAL** of the Bel-Kirk Office Complex Rezone.

X. CONDITIONS OF APPROVAL

1. Development or redevelopment is subject to Design Review approval.

Reviewer: Leah Chulsky
Authority: Land Use Code 20.30A.140.A

Attachments

- A. Zoning Map**
- B. Vicinity Map**
- C. Ordinances**
- D. SEPA DNS**



City of Bellevue
Development Services Department
State Environmental Policy Act Threshold Determination

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Proposal Name: Bel-Kirk Office Park Comprehensive Plan Amendment

Proposal Address: A 7.62-acre site located at 11100 NE 33rd Pl.

Proposal Description: This application proposes to change the Comprehensive Plan designation for a 7.62-acre site from Light Industrial (LI) to Office (O). This change would support a future rezone of the property to Office.

File Number: 13-106131 AC

Applicant: Seelig and Burns

Decisions Included: SEPA Threshold Determination

Planner: Nicholas Matz AICP, Senior Planner

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

Carol V Helland

Carol Helland,
Environmental Coordinator

Public Hearing Date: October 23, 2013

Appeal Deadline: An appeal shall be filed together with an appeal of the underlying Process IV action. The appeal shall be by petition to the Growth Management Hearings Board and shall be filed within the 60-day time period set forth in RCW 36.70A.290.

For information on how to appeal a proposal, visit the Permit Center at City Hall or call (425) 452-6800.

I. Proposal Description and Objectives

This application proposes to change the Comprehensive Plan designation for a 7.62-acre site from Light Industrial (LI) to Office (O). This change would support a future rezone of the property to Office. Office Districts provide areas for business, financial and professional service offices, located on arterial or commercial access streets. In the proximity of other major business and commercial districts, this district may serve as a buffer between residential areas and more intensive commercial districts. The property owner may seek to rezone the property immediately following the potential approval of the Comprehensive Plan amendment.

The proposal's objectives are to align the existing uses and building with an Office zone.

II. Environmental Record

The environmental review consisted of analysis based on the following documents included in the environmental record or incorporated by reference if so noted:

- Environmental checklist for the proposal dated January 2013 and submitted 29-1-2013.
- City of Bellevue Comprehensive Plan
- Determination of Non-Significance – Comprehensive Plan Update (Bellevue) – fall 2004

III. Proposed Timing and Phasing

The Bellevue Planning Commission is scheduled to hold public hearings on the amendment on October 23, 2013. The City Council will likely act on the amendment in the last quarter of 2013.

Additional environmental review will be phased as outlined at WAC 197-11-060(5). Actual development will be subject to environmental review at the time a specific application for development is made.

IV. Environmental Summary

Purpose and Need to Which the Proposal is Responding

The applicants are seeking to respond to their belief that the uses and structure on a site should align with the underlying zoning.



DATE: October 3, 2013

TO: Chair Tebelius
Bellevue Planning Commission

FROM: Nicholas Matz, Senior Planner 452-5371
nmatz@bellevuewa.gov

SUBJECT: Bel-Kirk Office Park Comprehensive Plan Amendment (13-106131 AC)
October 23, 2013, Final Review Public Hearing (LUC 20.30LA.1.b)

I. PROPOSAL

This privately-initiated site-specific application would amend the map designation on a 7.62-acre site from Light Industrial (LI) to Office (O). See Attachment 1 for a location map. The application was not recommended for geographic expansion.

Permit Number: 13 106131 AC
Subarea: Northwest Bellevue
Address: 11100 NE 33rd Pl
Applicant: Seelig-Burns

II. STAFF RECOMMENDATION

This proposal satisfies the Decision Criteria for a Comprehensive Plan Amendment and **staff recommends approval of the Comprehensive Plan Amendment to:**

- Amend the map designation on a 7.62-acre site from Light Industrial (LI) to Office (O).

III. BACKGROUND

The City Council directed the application for Final Review following Threshold Review of the privately-initiated Bel-Kirk Office Park Comprehensive Plan Amendment (CPA) on July 8, 2013.

This site is developed with an existing two-building office complex located between NE 33rd Pl and the former BNSF rail right-of-way, and more generally between SR 520 and I-405, approximately 4/10ths of a mile northwest of the intersection of those highways.

During the threshold review commissioners asked about the impacts of a comprehensive plan change to zoning for existing uses. In other words, would a change from LI to Office result in nonconforming uses?

Bellevue's zoning code primarily intends office districts (LUC 20.10.260) to provide areas for business, financial and professional services. The code expects to find such uses in areas located on arterial or commercial access streets. When they are near other major business and commercial areas, these districts may buffer residential areas from more intensive commercial districts.

Light industrial (20.10.330) zones, in contrast, provide for the location of a broad array of manufacturing, wholesale trade and distribution activities. Offices are allowed if they support the primary activities or functions of the light industrial district.

The LI designations in this area occurred likely because of the confluence of road and rail access. This specific site was the Bel-Kirk drive-in movie theatre from approximately 1965 to 1985. The existing building was constructed in 1988. The type of construction and the presence of some warehouse space in it suggest that various light industrial and ancillary uses have occupied the interior space over its lifetime. We don't really know the extent of multiple uses of the building or whether it functioned as a precursor to the modern "flex-tech" type of hybrid industrial-office space.

Comparing the buildings existing uses to the non-residential Services section of the Land Use Code at 20.10.440 was necessarily limited, but we can conclude that for existing uses identifying a change to Office would not create any nonconformity. They are all allowed in Office zones:

Existing Bel-Kirk Office Park uses

- Certified public accountant - *Professional Services, Other – Permitted in LI if in multi-function* building, Permitted in O*
- Construction company offices - *Professional Services, Other – Permitted in LI if in multi-function* building, Permitted in O*
- Multi-business lines including software sales, training, and product consulting - *Administrative Office – General: Permitted in LI if in multi-function building, Permitted in O*
- Community and non-retail banking - *Finance – Must be commercially or industrially related in LI, Permitted in O*
- Engineering, investment advising and professional consulting - *Professional Services, Other – Permitted in LI if in multi-function building, Permitted in O*
- Business law - *Professional Services, Other – Permitted in LI if in multi-function building, Permitted in O*
- 3D mechanical design, simulation, publishing and data management software products - *Administrative Office – General: Permitted in LI if in multi-function building, Permitted in O*
- Producer and manufacturer of innovative nonfiction books for adults and book and toy products for kids - *Administrative Office – General: Permitted in LI if in multi-function building, Permitted in O*

*In the Land Use Code a multifunction building would include the primary light industrial activity permitted by right and the office that supports it.

If the CPA were adopted the site could then be rezoned to allow general office redevelopment. The applicant's stated purpose is to align the Comprehensive Plan designation with the existing land use.

IV. DECISION CRITERIA

The Decision Criteria for a Comprehensive Plan Amendment are set forth in the Land Use Code, Section 20.301.150. Based on the criteria, Department of Planning and Community Development staff recommends **approval** of the proposed amendment. This conclusion is based on the following analysis:

A. There exists obvious technical error in the pertinent Comprehensive Plan provision, or

Not applicable to this proposal.

V. STATE ENVIRONMENTAL POLICY ACT

The Environmental Coordinator for the City of Bellevue has determined that this proposal will not result in any probable, significant adverse environmental impacts. A final threshold determination of non-significance (DNS) will be issued on October 3, 2013.

VI. PUBLIC NOTICE AND COMMENT

Notice of the Application was published in the Weekly Permit Bulletin and in the Seattle Times on March 7, 2013. Notice of the Public Hearing before the Planning Commission was published in the Weekly Permit Bulletin and in the Seattle Times on October 3, 2013.

Pursuant to the requirements of the Growth Management Act, state agencies must be given 60 days to review and comment on proposed amendments to the Comprehensive Plan. A list of the 2013 amendments to the Bellevue Comprehensive Plan was provided to state agencies on October 3, 2013, for review.

VII. NEXT STEPS

We request you conduct and close the public hearing, discuss the proposal, ask questions of staff, and make a recommendation.

VIII. ATTACHMENTS

1. Location map
2. Final Review Decision Criteria
3. Northwest Bellevue Subarea



ATTACHMENT 2

20.30I.150 Final review decision criteria

The Planning Commission may recommend and the City Council may adopt or adopt with modifications an amendment to the Comprehensive Plan if:

A. There exists obvious technical error in the pertinent Comprehensive Plan provision; or

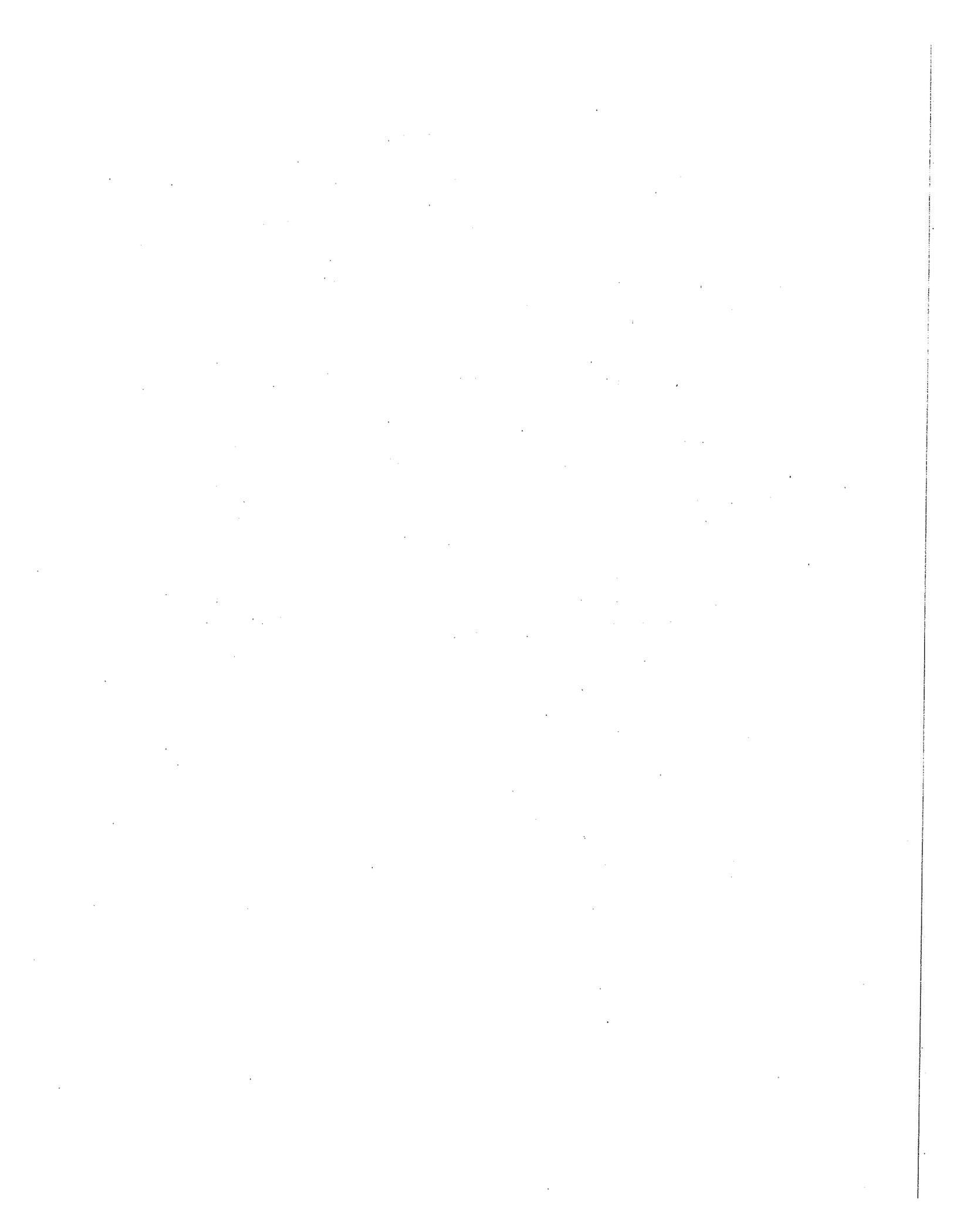
B. The following criteria have been met:

1. The proposed amendment is consistent with the Comprehensive Plan and other goals and policies of the City, the Countywide Planning Policies, the Growth Management Act and other applicable law; and
2. The proposed amendment addresses the interests and changed needs of the entire City as identified in its long-range planning and policy documents; and
3. The proposed amendment addresses significantly changed conditions since the last time the pertinent Comprehensive Plan map or text was amended. See LUC 20.50.046 for the definition of "Significantly Changed Conditions;" and

Significantly Changed Conditions Demonstrating evidence of change such as unanticipated consequences of an adopted policy, or changed conditions on the subject property or its surrounding area, or changes related to the pertinent plan map or text; where such change has implications of a magnitude that need to be addressed for the Comprehensive Plan to function as an integrated whole. This definition applies only to Part 20.30I LUC, Amendment and Review of the Comprehensive Plan.

4. If a site-specific proposed amendment, the subject property is suitable for development in general conformance with adjacent land use and the surrounding development pattern, and with zoning standards under the potential zoning classifications; and
5. The proposed amendment demonstrates a public benefit and enhances the public health, safety and welfare of the City.

(Ord. 5650, 1-3-06, § 2)



Significantly changed conditions are defined as: Demonstrating evidence of change such as unanticipated consequences of an adopted policy, or changed conditions on the subject property or its surrounding area, or changes related to the pertinent Plan map or text; where such change has implications of a magnitude that need to be addressed for the Comprehensive Plan to function as an integrated whole. *This definition applies only to Part 20.30I Amendment and Review of the Comprehensive Plan (LUC 20.50.046).*

The proposal does address significantly changed conditions.

The North Bellevue Subarea Plan has not anticipated the area's land use designations and road infrastructure adapting from an industrial orientation to a developed and existing land use pattern that is predominantly non-industrial. Approving this amendment does not threaten other light industrially-designated land in the area nor does it influence policy for appropriately retaining industrial land in the city, since this property was never developed for industrial use.

The expansion of SR 520; a 2001 CPA to amend the Light Industrial designation on property to the northeast that had developed as multifamily; the proximity of the Kirkland TOD site as an indicator of changing access and land use patterns; and the repurposing of the BNSF rail corridor all speak to a pattern of adaptive land use changes whose effect together has not been anticipated by the North Bellevue Subarea Plan for this existing office development.

- B4. If a site-specific proposed amendment, the subject property is suitable for development in general conformance with adjacent land use and the surrounding development pattern, and with zoning standards under the potential zoning classifications; and**

The subject property is suitable for development in general conformance with adjacent land use and the surrounding development pattern, and with zoning standards under the potential zoning classifications.

There are steep slope critical areas on this site due to the adjacent rail corridor right-of-way (the railroad is higher than the property). Such critical areas must be accounted for in redevelopment, but in assessing redevelopment staff suggests that up to 78,000 square feet of office could be built on this site. The existing complex has about 59,000 square feet of building. While office would potentially allow for more intensive use than is permitted by the Light Industrial zoning, traffic impacts would be analyzed and mitigated if additional development were proposed. At this time the property owner has not proposed expansion of the site's office uses.

- B5. The proposed amendment demonstrates a public benefit and enhances the public health, safety and welfare of the city.**

The proposal demonstrates a public benefit by aligning with policies for urban growth areas redevelopment by clarifying the relationship between this site's designation and actual use. As such it is clear about the buffering function it performs between residential to the northeast and non-residential to the southwest. It positions office uses and their workers within walking distance of future non-motorized use of the BNSF right-of-way. It therefore enhances the public health, safety and welfare of the city and its residents.

- B1. The proposed amendment is consistent with the Comprehensive Plan and other goals and policies of the city, the Countywide Planning Policies (CPP), the Growth Management Act and other applicable law; and**

The proposed amendment is consistent with the Comprehensive Plan and other goals and policies of the City for urban growth areas redevelopment especially when weighing the ostensible conversion of industrial land, including:

Land Use Policy LU-34: Explore the appropriate long-term direction for the location of light industrial businesses such as light manufacturing and warehousing.

Land Use Policy LU-36: Encourage continued development of office uses in designated districts.

The Land Use Goal for the North Bellevue Subarea seeks to provide for land use which protects the predominantly single-family character of the subarea from encroachment by other uses. Policy supports scaling down multifamily and office development as it approaches the single-family areas so as to create an appropriate transition. This amendment contributes to that direction.

Growth Management Act

The proposal is consistent with GMA planning goals encouraging urban growth where adequate public facilities and services exist or can be provided in an efficient manner in specific areas, and by ensuring that those public facilities and services necessary to support development are adequate to serve the development at the time development is available for occupancy and use without decreasing current service levels below Bellevue standards.

Countywide Planning Policies

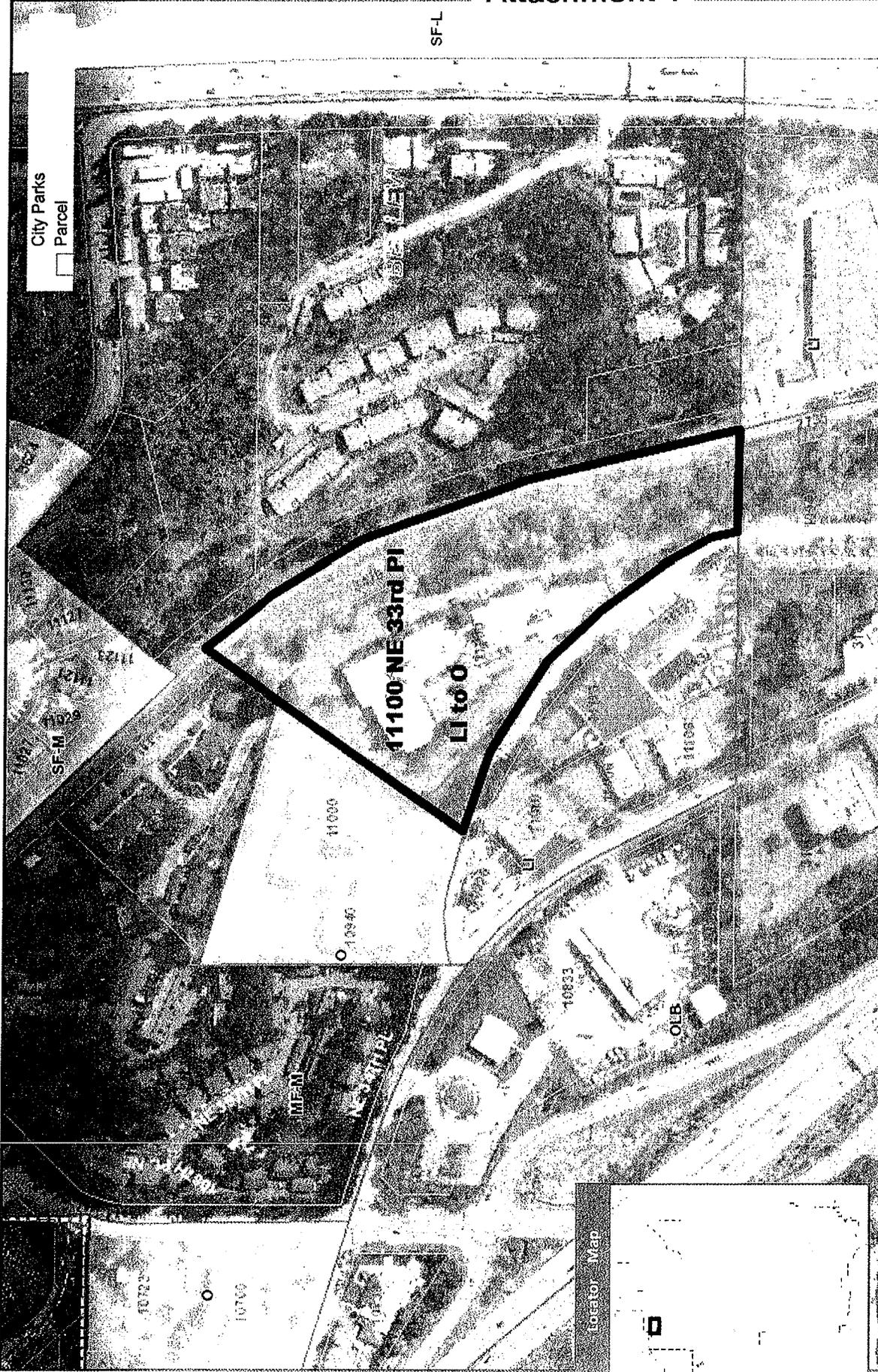
The Comprehensive Plan is consistent with the framework Countywide Planning Policies (CPP) for King County including critical areas, land use pattern, transportation, community character and open space, and contiguous and orderly development.

- B2. The proposed amendment addresses the interests and changed needs of the entire city as identified in its long-range planning and policy documents; and**

The proposed amendment addresses the interests and changed needs of the entire city. The area's land use designations and road infrastructure have adapted from an industrial orientation to a developed and existing land use pattern that is predominantly non-industrial. This is partly due to the changed condition represented by the BNSF railroad terminating operations through this corridor. The continuous trend in the area, documented by previous comprehensive plan amendment actions, has been to transition the area towards its recognized and existing land uses. Comprehensive Plan policies also assure careful consideration of changes in the city's light industrial-zoned land base. This is somewhat lessened here in that the site is not being used for industrial functions.

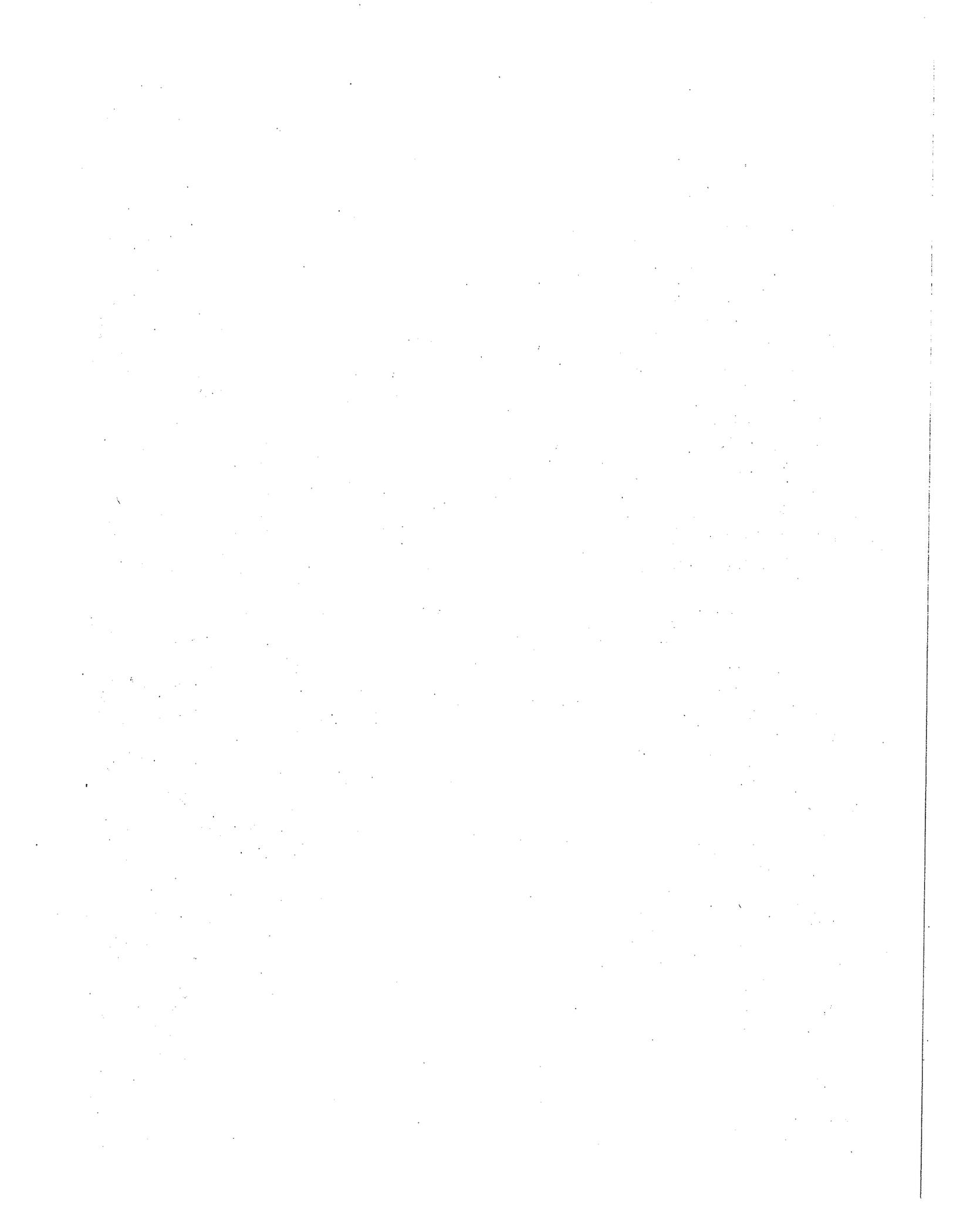
- B3. The proposed amendment addresses significantly changed conditions since the last time the pertinent Comprehensive Plan map or text was amended. See LUC 20.50.046 [below] for the definition of "significantly changed conditions"; and**

Attachment 1



Bel Kirk Office Park CPA







DEVELOPMENT SERVICES DEPARTMENT
ENVIRONMENTAL COORDINATOR
450 110th Ave NE., P.O. BOX 90012
BELLEVUE, WA 98009-9012

DETERMINATION OF NON-SIGNIFICANCE

PROPONENT: Bel-Kirk Office Park

LOCATION OF PROPOSAL: N/A

DESCRIPTION OF PROPOSAL: Proposed amendment of the Comprehensive Plan designation on a 7.62 acre site from Light Industrial (LI) to Office (O). This application is part of the 2013 Annual Amendments to the Comprehensive Plan, including a Work Program and proposed amendments to the Bellevue Comprehensive Plan for purposes of RCW 36.70A.130, assuring that the Plan continues to comply with the requirements of the GMA and including consideration of emerging local and regional needs, changes to state and federal laws, Bellevue's progress towards meeting GMA Goals, and whether the Plan is internally consistent.

FILE NUMBER(S): 13-106131 AC to amend the map designation on a 7.62-acre site from LI (Light Industrial) to O (Office) at 11100 NE 33rd Pl.

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 checklists and information filed with the Land Use Division. This information is available to the public on request.

- This DNS is issued after using the optional DNS process in WAC 197-11-355. There is no further comment period on the DNS.
- 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 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.

This DNS is only appealable as part of the City's action on the amendment to the Land Use Code. In order to comply with requirements of SEPA and the State of Washington Growth Management Act for coordination of hearings, any appeal of the SEPA threshold determination herein will be considered by the Growth Management Hearings Board along with an appeal of the City Council's action. See LUC 20.35.250C.

Carol V. Hella
Environmental Coordinator

October 3, 2013
Date

OTHERS TO RECEIVE THIS DOCUMENT:

State Department of Fish and Wildlife	King County
U.S. Army Corps of Engineers	Muckleshoot Indian Tribe
Attorney General	

M. J. [Signature] 10-2-13

City of Bellevue Submittal Requirements

27a

ENVIRONMENTAL CHECKLIST

4/18/02

If you need assistance in completing the checklist or have any questions regarding the environmental review process, please visit or call the Permit Center (425-452-6864) between 8 a.m. and 4 p.m., Monday through Friday (Wednesday, 10 to 4). Our TTY number is 425-452-4636.

BACKGROUND INFORMATION

Property Owner: MARSELE BURNS, RAYLAH HOLM, JACK R. BURNS, ANNICE B. SEELIG AND THE S.F. BURNS TESTAMENTARY TRUST

Proponent: JACK R. BURNS

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

Address: 1420-156TH AVE NE, SUITE D, BELLEVUE, WA 98007-4421

Phone: 425-454-0885

Proposal Title: BEL-KIRK OFFICE PARK COMP PLAN AMENDMENT AND CONCURRENT RE-ZONE

Proposal Location: 11120-11130 NE 33RD PLACE (Street address and nearest cross street or intersection) Provide a legal description if available. NE 33RD PLACE AND NORTHUP WAY Please attach an 8 1/2" x 11" vicinity map that accurately locates the proposal site.

Give an accurate, brief description of the proposal's scope and nature:

1. General description: AMEND COMPREHENSIVE PLAN AND RE-ZONE TO "OFFICE" SITE WITH EXISTING 22,600 SF OFFICE BUILDING
2. Acreage of site: 7.26
3. Number of dwelling units/buildings to be demolished: 0
4. Number of dwelling units/buildings to be constructed: 0
5. Square footage of buildings to be demolished: 0
6. Square footage of buildings to be constructed: 0
7. Quantity of earth movement (in cubic yards): 0
8. Proposed land use: OFFICE
9. Design features, including building height, number of stories and proposed exterior materials: TWO EXISTING OFFICE BUILDINGS, EACH 2 STORIES, PAINTED CONCRETE & GLASS EXTERIOR
10. Other: NONE

MS

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

DOES NOT APPLY

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

NO PLANS

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

DO NOT KNOW

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

NO

List any government approvals or permits that will be needed for your proposal, if known. If permits have been applied for, list application date and file numbers, if known.

COMP PLAN AMENDMENT
ZONING CHANGE

Please provide one or more of the following exhibits, if applicable to your proposal. (Please check appropriate box(es) for exhibits submitted with your proposal):

- Land Use Reclassification (rezone) Map of existing and proposed zoning CONCURRENT REZONE
12-132255 LQ
- Preliminary Plat or Planned Unit Development Preliminary plat map NA
- Clearing & Grading Permit Plan of existing and proposed grading Development plans NA
- Building Permit (or Design Review) Site plan Clearing & grading plan NA
- Shoreline Management Permit Site plan NA

A. ENVIRONMENTAL ELEMENTS

1. Earth

a. General description of the site: Flat Rolling Hilly Steep slopes Mountains Other

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

40% +/-

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

DO NOT KNOW

mg

SUPPLEMENTAL SHEET FOR NONPROJECT ACTION
Continuation of the Environmental Checklist

4/18/02

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment (see Environmental Checklist, B. Environmental Elements). When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms. If you have any questions, please contact the Development Services reviewer in the Permit Center (425-452-6864) between 8 a.m. and 4 p.m., Monday through Friday (Wednesday, 10 to 4). Our TTY number is 425-452-4636.

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

NA

Proposed measures to avoid or reduce such increases are:

NA

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

NA
NO SIGNIFICANT EFFECT

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

NA

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

INSIGNIFICANTLY

Proposed measures to protect or conserve energy or natural resources are:

NA

NO SIGNIFICANT EFFECT

MJ

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

NA

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

NA

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

NA

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

NA

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

NA

EXISTING FACILITIES ARE
ADEQUATE TO SERVE.

utilities? Proposed measures to reduce or respond to such demand(s) are:

NA

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

DO NOT KNOW

NONE

MJ

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

NO

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

NA

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

NA

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

NA

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

NA

2. AIR

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

NA

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

NA

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

NA

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

NO

appropriate, state what stream or river it flows into.

N/A

- (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.

NO

- (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.

NA

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

NO

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

NO

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

NO

b. Ground

- (1) Will ground water be withdrawn, or will water be discharged to ground water? Give general description.

NO

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

NA

NO

c. Water Runoff (Including storm water)

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

PRECIPITATION FALLING ON SITE IS GATHERED IN A COMBINATION OF CATCH BASINS & MANHOLES & IS CONDUCTED UNDERGROUND TO A STORM CULVERT AT THE WEST CORNER OF THE SITE.

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

NA

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

NA

4. Plants

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

- deciduous tree: alder, maple, aspen, other
 evergreen tree: fir, cedar, pine, other
 shrubs
 grass
 pasture
 crop or grain
 wet soil plants: cattail, buttercup, bulrush, skunk cabbage, other
 water plants: water lily, eelgrass, milfoil, other
 other types of vegetation

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

NA

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

DO NOT KNOW

NONE

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

NA

MO

6. ANIMALS

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

Birds: hawk, heron, eagle, songbirds, other:

Mammals: deer, bear, elk, beaver, other:

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

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

NONE

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

DO NOT KNOW

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

EXISTING VEGETATION / LANDSCAPING

6. Energy and Natural Resources

a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy need? Describe whether it will be used for heating, manufacturing, etc.

NA

b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

NO

c. What kinds of energy conservation features are included in the plans of the proposal? List other proposed measures to reduce or control energy impacts, if any:

NA

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.

NO

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

NA

(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)?

SR 520 TRAFFIC NOISE

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

NA

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

NA

8. Land and Shoreline Use

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

OFFICE, WHOLESALE, RETAIL

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

ORCHARD OVER 40 YEARS AGO

- c. Describe any structures on the site.

TWO BUILDINGS, EACH TWO STOREY
USED FOR OFFICE, 92,600 +/- NRSF

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

NO

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

LI

LIGHT INDUSTRIAL

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

LI

LIGHT INDUSTRIAL

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

NA

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

YES 40% SLOPE CREATED BY RAIL LINE

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

NA

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

NA

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

NA,

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

COMP PLAN REVIEW PROCESS
ASSURES COMPATIBILITY

9. Housing

- a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.

NA

- b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.

↑
NONE

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

NA

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?

NA

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

NA

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

NA

11. Light and Glare

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

NA

- 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?

SR 520

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

NA

12. Recreation

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

PROPOSED ADJACENT "RAILS TO TRAILS"

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

NO

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

NA

13. Historic and Cultural Preservation

a. Are there any places or objects listed on, or proposed for, national, state, or local preservation registers known to be on or next to the site? If so, generally describe.

NO

b. Generally describe any landmarks or evidence of historic, archeological, scientific, or cultural importance known to be on or next to the site.

DO NOT KNOW

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

NA

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.

NE 33RD PLACE, NORTHUP WAY, SR 520

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

YES 2/5 MILE

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

NA

d. Will the proposal require any new roads or streets, or improvements to existing roads or streets, not including driveways? If so, generally describe (indicate whether public or private).

NO

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

NO

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

NA

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

MEET ALL MITIGATION IMPACTS
PROXIMITY TO RAIL-TO-TRAIL CORRIDOR AND
KIRKLAND T.O.D.

15. Public Services

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

NO

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

NA

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.

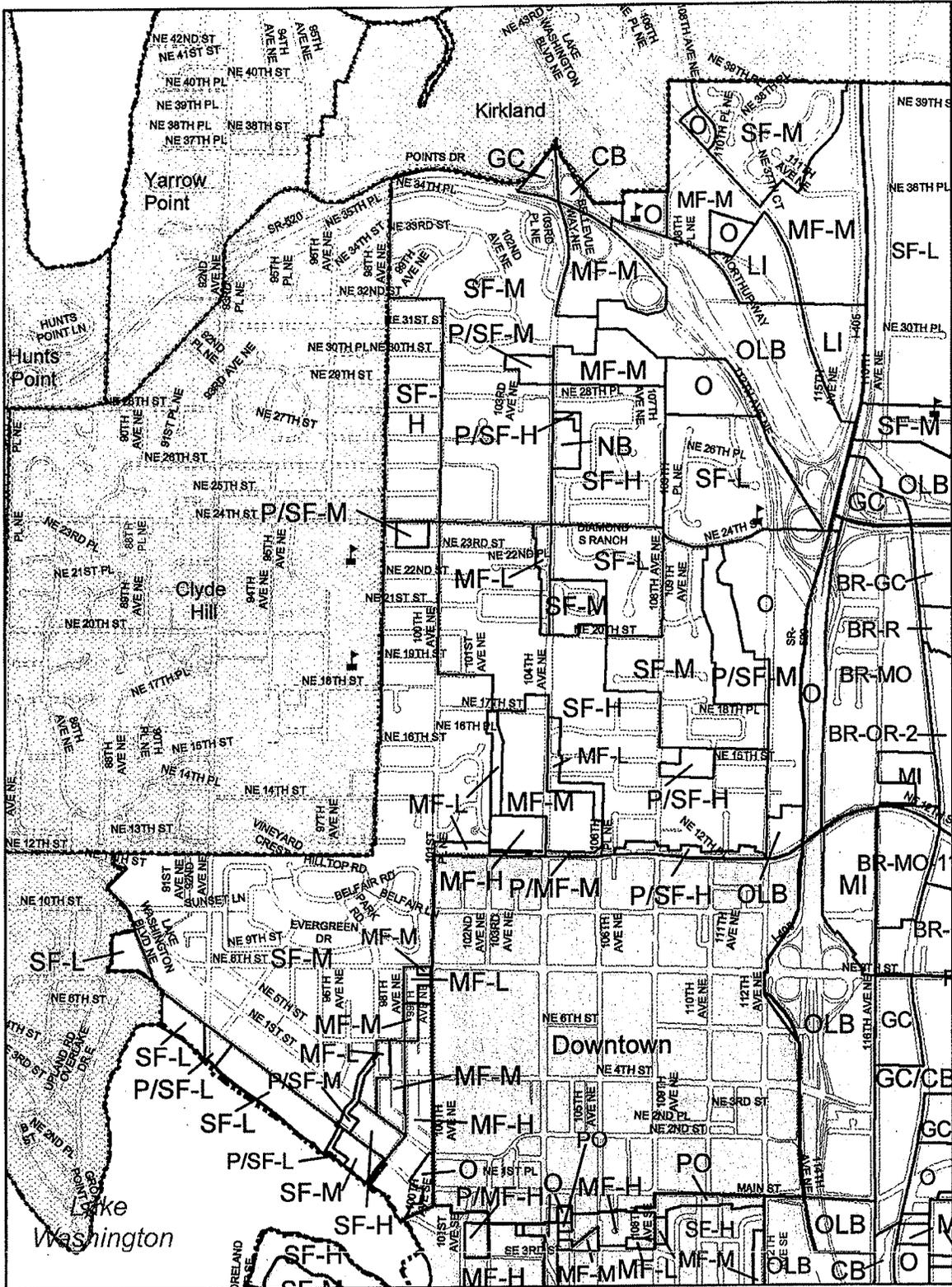
NA

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 John R. Krum
Date Submitted 29 JANUARY 2013

Attachment 3



**FIGURE S-NB.1
North Bellevue Land Use Plan**

- SF Single Family
- MF Multi Family
- L Low Density
- M Medium Density
- H High Density
- UR Urban Residential

- PO Professional Office
- O Office
- OLB Office, Limited Business
- OLB-OS Office, Open Space
- NB Neighborhood Business
- CB Community Business

- GC General Commercial
- LI Light Industrial
- PF Public Facility
- P Park

- ▲ Fire Stations
- ▣ Public Schools
- Bellevue City Limits (2008)
- Lakes

