



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

OPTIONAL DETERMINATION OF NON-SIGNIFICANCE (DNS) NOTICE MATERIALS

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

File No. 14-130983-AD

Project Name/Address: Land Use Code Amendment to 1) allow retail uses in the CB District in the Wilburton Subarea to exceed 100,000 gross square feet and 2) to increase the height limit from 45 to 75 feet in the CB District in the Wilburton Subarea.

Planner: Sally Nichols, Senior Planner, DSD

Phone Number: 425-452-2727

Minimum Comment Period: June 5, 2014

Materials included in this Notice:

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

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BACKGROUND INFORMATION

PROPOSAL TITLE: Land Use Code Amendment to allow retail uses in the CB District in the Wilburton Subarea to exceed 100,000 gross square feet and to increase the height limit from 45 to 75 feet in the CB District in the Wilburton Subarea.

PROPERTY OWNERS' NAME: N/A; applies throughout the Wilburton Subarea

PROPOSAL LOCATION: Wilburton Subarea

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

CONTACT PERSON'S NAME: Sally Nichols, Senior Planner

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

CONTACT PERSON'S PHONE: 425-452-2727

BRIEF DESCRIPTION OF THE PROPOSAL'S SCOPE AND NATURE:

1. **General description:** Land Use Code Amendment (LUCA) to revise Footnote (36) in LUC 20.10.440 – Notes: Uses in land use districts – Wholesale and Retail. Amendment would allow retail uses in the CB District in the Wilburton Subarea to exceed 100,000 gross square feet.
2. **Site acreage:** Applies Wilburton Subdistrict-wide
3. **Number of dwelling units/buildings to be demolished:** N/A
4. **Number of dwelling units/buildings to be constructed:** N/A
5. **Square footage of buildings to be demolished:** N/A
6. **Square footage of buildings to be constructed:** N/A
7. **Quantity of earth movement (in cubic yards):** N/A
8. **Proposed land use:** Pertains only to CB Land Use District within the Wilburton Subarea
9. **Design features, including building height, number of stories and proposed exterior materials:** The proposal will not change any other Land Use Code requirements pertaining height, design,

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appearance, location on property, or other regulation affecting observable physical attributes of existing or proposed structures other than the overall size of the retail building.

10. Other: N/A

Proposed timing or schedule (including phasing, if applicable): Final action on the LUCA by the City Council is expected to occur in July, 2014.

Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain. The approval of this Land Use Code Amendment will allow the construction of a proposed Target store at 126 116th Avenue NE, with completion anticipated in fall of 2015.

List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal. None other than this SEPA checklist.

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.

13-130500-LQ: Rezone of property at 126 116th Avenue NE from GC to CB. Recommendation by DSD Director has been noticed and Public Hearing is scheduled for June 5, 2014.

13-131453-LD: Design Review for proposed Target retail store at 126 116th Avenue NE – currently in review.

Associated construction permits for the Target store have been submitted, but cannot be issued before Rezone, LUCA and Design Review are all approved.

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. N/A

A. ENVIRONMENTAL ELEMENTS

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

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

SUMMARY

Project Summary: Land Use Code Amendment to 1) amend Footnote (36) in LUC 20.10.440 – Wholesale and Retail Uses – to allow retail uses to exceed 100,000 gross square feet, and 2) allow a 75-foot height limit in the CB District within the Wilburton subarea.

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

State the proposal's objectives: The objective of the proposal is to allow retail uses in the CB District within the Wilburton subarea to exceed 100,000 gross square feet.

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Specify the purpose and need to which the proposal is responding:

Retail Size Limit Exceeding 100,000 gross square feet:

Wilburton Subarea Policy S-WI-3 allows for the rezone of properties “on the east side of 116th Avenue from about NE 4th to SE 1st Streets” to be rezoned to CB once NE 4th Street is extended from 116th Avenue NE to 120th Avenue NE in order to support the vision of a “retail village”. Phase 1 of this NE 4th Street extension is under construction and the City has secured the development rights for Phase 2.

Target would like to build a new 3-story retail store that would support the “retail village” vision. The proposal includes a Target retail store on the top floor, parking on the 2nd floor, and a separate retail space and additional parking on the ground floor. However, the following two actions need to take place in order for the proposal to move forward:

1. The property must be rezoned from the current GC to CB to allow Target’s “general merchandise” use. This rezone is currently under review (13-130500-LQ) and a Public Hearing is scheduled for June 5, 2014. The rezone is supported by Comprehensive Plan Policy S-WI-3.
2. Target requires a store that exceeds 100,000 gross square feet. Currently their proposal is for approximately 135,000 gross square feet. This Land Use Code Amendment would address that need and would apply to the entire CB District within the Wilburton Subarea.

The need for the Rezone and Land Use Code Amendment to allow retail uses to exceed 100,000 gross square feet have been vetted and may move forward as part of the Development Agreement associated with the agreement between the City and the property owner securing development rights for Phase 2 of the NE 4th Street Extension.

75-foot Height Increase:

Comprehensive Plan Policy S-WI-4 recognized that if Policy S-WI-3 was exercised, increased heights beyond the current 45-foot maximum would be appropriate in the areas rezoned to CB in the Wilburton Subarea in order to achieve the “retail village” vision.

State the major conclusions, significant areas of controversy and uncertainty: The two major areas of concern are the increased demand on public utilities (sewer) and the increase in traffic generated by large retail developments.

State the issues to be resolved, including the environmental choices to be made among alternative courses of action: No major issues to be resolved. The alternative course of action would be to not adopt the proposed LUCA. In terms of environmental impacts, the two alternatives are not significantly different.

State the impacts of the proposal, including any significant adverse impacts that cannot be mitigated: The proposal is a nonproject action to allow retail uses that are larger than 100,00 gross square feet as currently regulated in the Land Use Code. No significant adverse environmental impacts have been identified or are expected to result.

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Describe any proposed mitigation measures and their effectiveness: No specific development is being approved with this proposal. No significant environmental impacts have been identified, therefore no mitigation measures are proposed.

- 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?** Adoption of the proposed code amendment will not increase the potential impacts to water, air and earth resources or noise production. These impacts will also be evaluated on a project-specific basis as development occurs in the CB District in the Wilburton Subarea.

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

- 2. How would the proposal be likely to affect plants, animals, fish or marine life?** Adoption of the proposed code amendment will not increase the potential impacts to plants and animals.

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

- 3. How would the proposal be likely to deplete energy or natural resources?** No adverse impacts to energy or natural resources are anticipated by the adoption of the proposed code amendment.

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

- 4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?** Adoption of the proposed code amendment will not affect environmentally sensitive areas or areas designated or eligible for governmental protection.

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

- 5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?** Adoption of the proposed amendment will not affect any shoreline areas. The affected existing and/or proposed CB Districts within the Wilburton Subarea do not contain any shorelines.

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

- 6. How would the proposal be likely to increase demands on transportation or public services and utilities?** The proposed Land Use Code Amendment is not likely to increase demands on these services and utilities. Specific development projects within the CB District in the Wilburton subarea are required to undergo Design Review and SEPA review. The impacts of each specific project will be evaluated under these reviews.

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

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7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment. No conflicts are known or anticipated.
- D. The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature 

Date Submitted: May 16, 2014

Sally Nichols

