

#### **DETERMINATION OF NON-SIGNIFICANCE**

PROPONENT: John McCullough				
LOCATION OF PROPOSAL: 15325-15395 SE 30 <sup>th</sup> PI, 15400 and 15500 SE 30 <sup>th</sup> PI				
DESCRIPTION OF PROPOSAL: Eastgate Office Park - 2017 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. Map change of 21 acres from Office (O) to Office Limited Business (OLB).				
FILE NUMBERS: 16-123765 AC PLANNER: Nicholas Matz AICP				
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. Only persons who submitted written comments before the DNS was issued may appeal the decision. 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. For information on how to appeal a proposal, visit the Permit Center at City Hall or call (425) 452-4188.				
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 5:00 p.m. on				
This DNS may be withdrawn at any time if the proposal is modified so as to have significant adverse environmental impacts; if there is significant new information indicating 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.				
Environmental Coordinator Date				
OTHERS TO RECEIVE THIS DOCUMENT:  State Department of Fish and Wildlife / Stewart.Reinbold@dfw.gov; Christa.Heller@dfw.wa.gov;  State Department of Ecology, Shoreline Planner N.W. Region / Jobu461@ecy.wa.gov; sepaunit@ecy.wa.gov  Army Corps of Engineers Susan.M.Powell@nws02.usace.army.mil  Attorney General ecyolyef@atg.wa.gov  Muckleshoot Indian Tribe Karen.Walter@muckleshoot.nsn.us; Fisheries.fileroom@muckleshoot.nsn.us				





### 2017 Comprehensive Plan Amendments PO Box 90012 Bellevue Washington 98009 9021

## **Planning Staff Report**

DATE: October 12, 2017

TO: Chair Walter, Bellevue Planning Commissioners

FROM: Nicholas Matz AICP, Senior Planner 452-5371

nmatz@bellevuewa.gov

SUBJECT: Eastgate Office Park Comprehensive Plan Amendment (16-123765 AC)

October 25, 2017 Final Review Public Hearing (<u>LUC 20.30I.A.1.b</u>)

#### I. PROPOSAL

The Eastgate Office Park CPA (15325-15395 SE 30<sup>th</sup> Pl, 15400 and 15500 SE 30<sup>th</sup> Pl) proposes a 21-acre map change on three sites from Office (O) to Office Limited Business (OLB). The original, privately-initiated proposal on 14 acres was expanded by the Planning Commission through geographic scoping (LUC 20.30I.130.A.1.a.ii.). The sites are developed with low-rise office buildings and surface-and under-building parking. See Attachment A.

Permit Number: 16-123765 AC

Subarea: Eastgate

Address: 15325-15395 SE 30<sup>th</sup> Pl, 15400 and 15500 SE 30<sup>th</sup> Pl

Applicant(s): Eastgate Office Park Property LLC

#### II. STAFF RECOMMENDATION SUMMARY

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 21 acres from Office (O) to Office Limited Business (OLB).

- √ The proposed amendment is **consistent with the Comprehensive Plan** because it *balances growth* in specific areas while maintaining the environment and assuring the health and vitality of established neighborhoods (Land Use Vision p.4 and Land Use Strategies p. 41);
- The proposed amendment **addresses the interests and changed needs of the entire city** because it aligns with Eastgate's corridor-wide policy themes of: coherent natural and urban design elements, goods and services provided through greater mixed uses close to workers and residents, allowed development intensity in exchange for public amenities, and improved transportation connectivity within the area (Eastgate/I-90 Land Use and Transportation Project);
- The proposed amendment addresses significantly changed conditions (since the last time the pertinent CP map or text was amended) because Eastgate Land Use and Transportation Project changes to the pertinent Eastgate Subarea map and text were not considered for the site, overlooking the historical, geographical and developmental characteristics it holds in common with nearby OLB-designated areas (Eastgate Land Use Plan p. 131);
- √ The subject property **could be suitably developed** under the potential zoning classifications because the site can be developed consistently with what's around it as well as what could be developed on it (Eastgate Land Use Code Amendments staff report 12-132861 AD pp. 7-10);
- √ The proposed amendment **demonstrates a public benefit** because it *builds on the employment* center success of the Eastgate corridor by allowing a greater mix of complementary land uses, intends modest but effective motorized and non-motorized transportation improvements, and

supports appropriate increased development intensity to meet demand for continued job and economic growth (Eastgate Subarea Plan p. 124).

#### III. BACKGROUND

The City Council directed Final Review of the privately-initiated Eastgate Office Park Comprehensive Plan Amendment (CPA), on July 18, 2016.

Relationship to the Eastgate/I-90 Land Use and Transportation Project and the 2015 Eastgate CPU
The site is part of the Eastgate/I-90 corridor, site of 2017 Land Use Code amendments and 2015
Comprehensive Plan amendments from the 2012 Eastgate/I-90 Land Use and Transportation Project.
This Citizen Advisory Committee-led project recommended changes in the overall study area designed to bolster its economic health and enhance its character.

The Eastgate Office Park site was included in the Project's economic development analysis, but was not recommended for land use changes. These are the likely reasons:

- The site appeared fully built out based on building and parking assumptions for its development type;
- The property's age and condition did not suggest it would redevelop in the foreseeable future;
- Public engagement did not identify a need for change on this site;
- Despite extensive outreach to stakeholders, ownership at the time did not come forward to identify an interest in amending the designation for this site; and
- This was not considered a critical location for implementing the overall CAC direction for Eastgate.

OLB Comprehensive Plan designation—zoning implications
The Comprehensive Plan Glossary defines Office and Office-Limited Business:

*Office* — A land use designation that provides for the location of business, financial, administrative and professional services.

**Office, Limited Business (OLB)** — A land use designation that provides areas for office, hotels, or motels. Uses such as eating establishments, retail sales, and services are permitted to provide the amenity of shopping and services within easy walking distance to support nearby businesses and employees.

Both Office (O) and Office, Limited Business (OLB) provide for a variety of office uses. OLB differs from O in that it also provides for hotels and motels, as well as retail uses and amenities that provide nearby services to office workers. The OLB designation would be consistent with two possible zoning districts—OLB and OLB-2—whose development standards in Eastgate have been adopted through Ordinance No. 6366:

- OLB is an existing zoning designation. Land use intensity is capped at 0.5 Floor Area Ratio (FAR).
- OLB-2 is a new zoning designation from the Eastgate/I-90 Land Use and Transportation Project. In addition to all the uses permitted under the older OLB zoning designation, it also allows retail and service uses to meet the needs of localized employees and reduce the number of auto trips needed to meet the daily needs of OLB-area workers. OLB-2 allows up to 1.0 FAR.

The staff recommendation to change the Comprehensive Plan designation does not presuppose whether the site is more appropriate for the OLB or OLB-2 zoning designation. As noted above, both zoning categories are consistent with an OLB Comprehensive Plan designation. If the CPA is approved, a

separate property-specific rezone will follow. This Process III action entails a public hearing and recommendation of a City Hearing Examiner, and a final decision by the City Council.

#### IV. DECISION CRITERIA

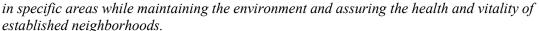
The Decision Criteria for a Comprehensive Plan Amendment are set forth in the Land Use Code, Section 20.30I.150. Based on the criteria, Department of Planning and Community Development staff recommends **approval** of the proposed amendment. This conclusion is based on the following analysis:

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

*Not applicable to this proposal.* 

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 because it balances growth





This is implemented through strategy and policy which assure that "land use policies support a clear strategy for managing growth and development in a manner consistent with the city's economic strategy, while working to protect and enhance neighborhoods." See Attachment B.

The OLB designation would manage redevelopment at capacities appropriate for Eastgate's Employment Center designation. This is consistent with redevelopment study economics recognized for nearby OLB-designated areas, and in the balance of the I-90 business area of which this site is part. The OLB designation protects and enhances adjacent neighborhoods with site design requirements, transition area standards, and increased trail connectivity.

#### **Growth Management Act**

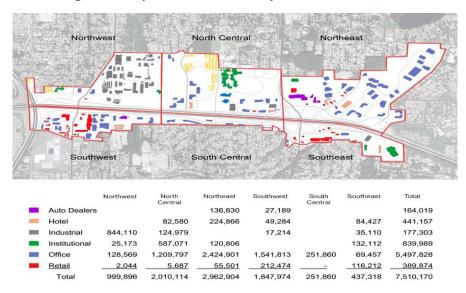
The proposal is consistent with GMA planning goals encouraging urban growth where adequate public facilities and services exist or can be provided in an efficient manner in specific areas, and by ensuring that those public facilities and services necessary to support development are adequate to serve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

#### **Countywide Planning Policies**

The proposed CPA is consistent with Countywide Planning Policies for:

**DP-4:** Concentrate housing and employment growth within the designated Urban Growth Area. Focus housing growth within countywide designated Urban Centers and locally designated local centers. Focus employment growth within countywide designated Urban and Manufacturing/Industrial Centers and within locally designated local centers.

**DP-39:** Develop neighborhood planning and design processes that encourage infill development, redevelopment, and reuse of existing buildings and that, where appropriate based on local plans, enhance the existing community character and mix of uses.



Existing land uses – 2010 (Spinnaker Strategies)

# 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 because it aligns with Eastgate's corridor-wide policy themes of: coherent natural and urban design elements, goods and services provided through greater mixed uses close to workers and residents, more intensity in exchange for public amenities, and improved transportation connectivity within the area (Eastgate/I-90 Land Use and Transportation Project).

# 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

**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 proposed amendment addresses significantly changed conditions where changes related to the pertinent Plan map or text have implications of a magnitude that need to be addressed for the Comprehensive Plan to function as an integrated whole because Eastgate Land Use and Transportation Project changes to the pertinent Eastgate Subarea map and text were not considered for the site, overlooking the historical, geographical and developmental characteristics it holds in common with nearby OLB-designated areas (Eastgate Land Use Plan p. 131);

The Eastgate Subarea Land Use Plan map shows the Office-designated area as part of Planning District 2 where office and commercial uses have historically been concentrated. The sites were originally subdivided as a contained part of the I-90 Business Park, located predominantly east of 156th Ave SE. The Eastgate Office Park sites on the west of 156th Ave SE share common elements of access to freeways and to supporting retail as well as deference to adjacent residential.

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 could be suitably developed under potential zoning classifications because the site can be developed consistently with what's around it as well as what could be on it.

2 standards share dimensional similarities.

Eastgate Land Use Plan The subject property is suitable for development in general conformance with adjacent land use and the surrounding development pattern consisting of commercial zoning to the west, east and south, and residential zoning to the north and northwest, and with zoning standards under the potential OLB and OLB-2 zoning classification. OLB and OLB-

The CAC recommendation from the Eastgate Land Use and Transportation Study focused on the I-90 Office park which "comprises the corridor's greatest concentration of office development and largest employment center. This district has an expanded mix of retail and service uses from Office and Limited Business to serve those who are employed in the area...the purpose of the OLB-2 District is to provide an area of integrated complexes made up of offices, hotels, or motels, eating and drinking establishments, and retail sales within walking distance to support business and employees. The OLB-2 District has greater intensity and a larger mix of uses than the OLB District. Such districts are located in areas that abut and have convenient access to freeways, major highways, and transit..."

Using information provided about likely redevelopment of the site under the proposal, the applicant worked with city staff to analyze potential traffic impacts using the city's transportation planning model. The Transportation Department reviewed this analysis and concluded that the proposal would increase pm peak trips in the system but would not exceed the congestion allowance threshold in any area. A more detailed analysis would be required with a development application, examining operational impacts to see if mitigation were needed.

The Utilities Department reviewed the proposed amendment for water, sewer and drainage capacity concerns, concluding that no impacts are expected to water supply; that assuming maximum density, additional peak flow could exacerbate a potential capacity issue downstream but that more analysis of a specific development or project proposal could determine if mitigation were needed; and that no impacts are expected to surface water drainage.

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

The proposed amendment demonstrates a public benefit because it builds on the employment and office center success hoped for in redevelopment of the Eastgate corridor. The proposal enhances the public health, safety and welfare of the city by allowing a greater mix of complementary land uses, modest but effective motorized and non-motorized transportation improvements, and appropriate increased development intensity to meet demand for continued job and economic growth.

#### 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 Threshold Determination of Non-Significance (DNS) was issued on October 12, 2017. See Attachment E.

#### VI. PUBLIC NOTICE AND COMMENT

The application was introduced to the Planning Commission at a March 9, 2016 study session. Notice of the Application was published in the Weekly Permit Bulletin on February 18, 2016, and mailed and posted as required by LUC 20.35.420. Notice of the June 1, 2016, Threshold Review Public Hearing before the Planning Commission was published in the Weekly Permit Bulletin on May 12, 2016. The application was deferred to the 2017 CPA work program. Notice of the November 1, 2017, Final Review Public Hearing before the Planning Commission was published in the Weekly Permit Bulletin on October 12, 2017, and included notice sent to parties of record.

Public comment letters were submitted for Final Review.

- Selected pages from the Eastgate/I-90 Land Use and Transportation Project Report and maps of the I-90 corridor titled 'Bellevue Traffic' were submitted.
- A series of emails were submitted discussing the potential location of and potential environmental impacts to nesting sites of great horned owls in the area. At the city's request, the applicant retained a consultant to conduct an owl habitat assessment. After describing the great horned owl as one of the most common owls in North America and noting how urban development has affected owl habitat, the consultant's report detailed their field review and assessment, concluding that any proposed land use alterations on the properties would not significantly affect great horned owls that might be living in the general vicinity of the subject property. See Attachment X.

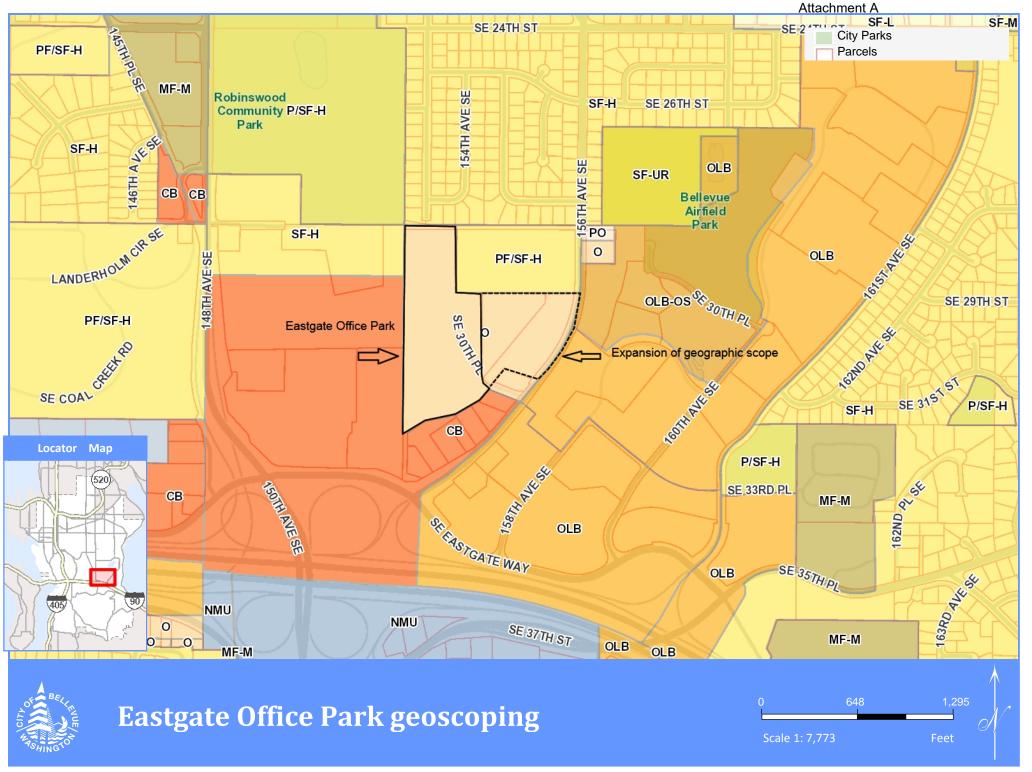
Pursuant to the requirements of the Growth Management Act, state agencies must be given 60 days to review and comment on proposed amendments to the Comprehensive Plan. The 2016 amendments to the Bellevue Comprehensive Plan were provided to state agencies on September 18, 2017, for review.

#### VII. NEXT STEPS

We request you conduct and close the public hearing, study the proposal, and make a recommendation.

#### VIII. ATTACHMENTS

- A. Eastgate Office Park site and location map
- B. Applicable Comprehensive Plan and Eastgate Subarea Plan policies
- C. Eastgate Subarea Plan map
- D. Public comments received since June 16, 2016
- E. SEPA Threshold Determination



#### LAND USE VISION (p. 4)

"Bellevue grows in a manner that enhances the livability of the community, while maintaining the elements that residents cherish. Growth in Bellevue is focused in denser mixed use centers, like Downtown, BelRed and Eastgate, while maintaining the city's outstanding natural environment and the health and vitality of established residential neighborhoods."

**POLICY LU-1.** Promote a clear strategy for focusing the city's growth and development as follows:

- 1. Direct most of the city's growth to the Downtown regional growth center and to other areas designated for compact, mixed use development served by a full range of transportation options.
- 2. Enhance the health and vitality of existing single family and multifamily residential neighborhoods.
- 3. Continue to provide for commercial uses and development that serve community needs.

**POLICY LU-25.** Assess the compatibility of commercial uses and other more intense uses when located in mixed use and predominantly residential areas. LU-26. Access high-traffic generating land uses from arterials whenever possible. If this is not possible, provide mitigation to address access impacts.

#### LAND USE STRATEGY (p. 41)

Bellevue's adopted Land Use Strategy assures that "land use policies support a clear strategy for managing growth and development in a manner that is consistent with the city's economic strategy, while working to protect and enhance neighborhoods. Bellevue's land use strategy will help prepare the city for expected growth." The growth strategy for Bellevue:

- Directs most of the city's growth to Downtown and other areas designated for compact, mixed use development served by a full range of transportation options, such as BelRed and Eastgate.
- Enhances the health and vitality of existing single family and multifamily residential neighborhoods.
- Provides for commercial uses and development that serve community needs.

#### TRANSPORTATION VISION (p. 6)

"Moving into, around and through Bellevue is reliable and predictable. Bellevue is connected to the region, enabling local and regional access for businesses and neighborhoods. Safe and reliable mobility options, including walking, biking, transit and car, take people where they need to go. The city's transportation system integrates leading safety and efficiency technology."

**POLICY TR-1.** Integrate land use and transportation decisions to ensure that the two mutually support the Comprehensive Plan.

**POLICY TR-2.** Strive to reduce congestion and improve mobility.

**POLICY TR-3.** Direct transportation investments and service to support the Urban Centers growth strategy of the Countywide Planning Policies

**POLICY TR-35.** Review transportation system impacts of proposed developments and require appropriate mitigation as necessary. Prohibit development approval if the development will cause the area level of service in one or more Mobility Management Areas to fall below the adopted standard, unless demand management or other system improvements are provided to mitigate the transportation impacts.

**POLICY TR-36.** Require transportation system mitigation to offset the adverse impacts of development with regard to level-of service, safety, access and neighborhoods.

**POLICY TR-107.** Obtain sidewalk and trail improvements and easements, and on-site bicycle parking consistent with the Pedestrian and Bicycle Transportation Plan and the Land Use Code through development review.

[Transportation] NEIGHBORHOOD PROTECTION: Two types of transportation system impacts are of special concern to neighborhood quality of life:

- Cut-through traffic and spillover parking on residential streets that may create noise and safety issues.
- Roadway projects in and near residential areas that may affect neighborhood appearance, character, and livability.

Employing transportation system management tools and implementing a traffic safety program maintains mobility and minimizes traffic impacts on neighborhoods. Approaches may include appropriately scaled and designed roadway improvements, traffic safety measures on neighborhood streets, and prioritized mobility modes along corridors that are compatible with neighborhood character and quality of life.

#### ECONOMIC DEVELOPMENT VISION (p. 6)

"Bellevue is a hub for global business and innovation. Its economic strength is built on the creativity, innovation, and hard work of its people. Bellevue works to attract innovative and entrepreneurial businesses through ensuring that our neighborhoods, cultural amenities, public schools, digital infrastructure and business climate are among the nation's best."

**POLICY ED-15.** Encourage high quality design and urban amenities for public and private development, maintaining development standards to recognize that a quality built environment helps attract the talented workers who will sustain economic growth.

#### **ENVIRONMENT VISION (p. 6)**

"Bellevue embraces its stewardship of the environment by protecting and retaining natural systems, and building for a sustainable future. As growth and development occurs, Bellevue is working to build a healthier, greener and more sustainable future for generations to come. New buildings are designed to protect and even restore natural systems. The community highly values

and celebrates the results, such as reduced energy use and greenhouse gas emissions, increasing tree canopy and more salmon in local creeks."

#### ENVIRONMENTAL ELEMENT: WHAT DOES IT MEAN? (p. 231)

- Continuing growth and development in Bellevue has the potential to negatively affect the city's environmental resources, particularly natural open spaces, water quality, and tree cover. Protection of environmental resources helps maintain community livability, as well as Bellevue's image as a "City in a Park."
- Increasing automobile travel and greater energy consumption has the potential to result in increased air pollution and carbon emissions.
- A growing array of tools and strategies exist to help mitigate the effects of urban development on the environment, and Bellevue is making use of many of these tools. Examples include Low Impact Development (LID) techniques for managing stormwater and green building standards for sustainable use of energy and resources in building construction.

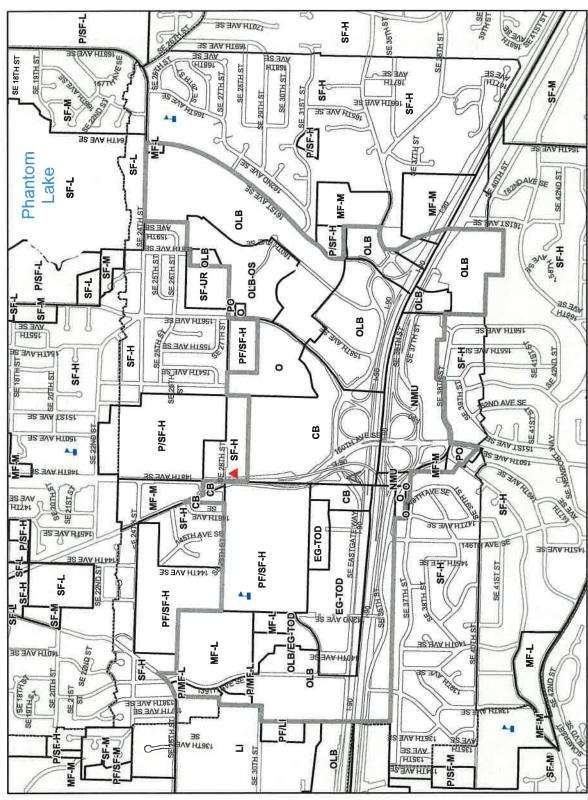
**POLICY EN-4.** Promote and invest in energy efficiency and renewable energy resources as an alternative to non-renewable resources.

**POLICY EN-5.** Protect air, water, land, and energy resources consistent with Bellevue's role in the regional growth strategy.

**POLICY EN-24.** Reduce runoff from streets, parking lots and other impervious surfaces and improve surface water quality by utilizing low impact development techniques in new development and redevelopment.

**POLICY EN-36.** Require an analysis of soil liquefaction potential where appropriate, in the siting and design of structures and infrastructure.

**POLICY EN-44.** Provide land use incentives to minimize the amount of impervious surface area below that allowed through prescriptive standards, in new development, redevelopment, and existing development citywide.



# Eastgate Land Use Plan

Fire Stations SF MF -L Single Family Multi Family Professional Office General Commercial PO Public Schools Light Industrial Public Facility Office Office, Limited Business PF Low Density OLB Planning Districts OLB-OS Office, Open Space NB Neighborhood Business Medium Density NMU Neighborhood Mixed Use EG-TOD Eastgate-Transit Oriented Development OLB/EG-TOD OLB and Eastgate-Transit Oriented Bellevue City Limits (2015) High Density Urban Residential NMU EG-TOD Community Business Lakes Outside of Bellevue Development





29 September 2016

TAL-1625

Ian Morrison, Esq. McCulloughHill Leary, PS 701 Fifth Avenue Suite 6600 Seattle, Washington 98104

REFERENCE:

15325 SE 30th Place Property (King County Tax Parcel #

128360060) Owl Habitat Assessment

SUBJECT:

Owl Habitat Assessment

Dear lan:

At your request, Talasaea Consultants, Inc. reviewed the property located at 15323 SE 30<sup>th</sup> Place (King County tax parcel number 128360060) and adjacent properties (**Figure 1**) for evidence of great horned owl (*Bubo virginianus*) nesting or roosting. We limited our assessment of privately owned properties to what could be readily seen from the subject property. We did perform a reconnaissance and assessment of the Robinswood property, which is located northwest of the subject property.

The subject property is an approximately 14-acre parcel that was developed in 1984 as a business park (**Figure 2**). There are currently four buildings on the property. Parking is provided in a curvilinear fashion spaced around the remainder of the property. Islands and drive isles are landscaped with a mixture of deciduous and coniferous trees. Properties to the east, southeast, and southwest are developed as office buildings. The property to the west is owned by the Church of Jesus Christ of the Latter Day Saints and is partially developed. The portion of the church property adjacent to the subject property is mostly undeveloped with portions along the church property's northeast corner still forested.

Great horned owls are one of the most common owls in North America (Smith, Bosakowski and Devine 1999, Wikipedia 2016). Their preferred habitat is along the edges of forests where they can roost during the day and hunt during the night. They are described as fierce predators that will take almost any small- to medium-sized mammal and birds (Johnson 1992). Studies of the nesting behavior of great horned owls indicate that habitat fragmentation caused by humans (rural and urban) is providing additional hunting habitat for the owls (Smith, Bosakowski and Devine 1999).

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Farming, logging, and urban development have expanded the availability of foraging habitat for the owls, often at the expense of other species, such as the northern spotted owl. The population of great horned owls is not being impacted by development and, therefore, is considered healthy. Great horned owls are not Federally- or State-listed as endangered, threatened, or even a species of concern. Additionally, the great horned owl is not listed as a species of local importance by the City of Bellevue (20.25H.150.A).

We reviewed the subject property and surrounding properties for evidence of great horned owl. Our evaluation included looking for concentrations of bird droppings (white wash) on shrubs around trees, owl pellets, nests, and feathers. Our observations included the use of a Swift spotting scope mounted on a Manfrotto tripod. The spotting scope was used to search for birds and nests in trees.

We did note a concentration of Stellar's jay and American crow on the LDS property near the northwest corner of the subject property (**Figure 2**). Corvids, such as jays and crows, often congregate and harass birds of prey. We concentrated our observations in this area, but were unable to determine the reason for this concentration of jays and crows. The corvids scattered after about ten minutes of observation, and a thorough visual investigation of the general area of their activity did not reveal the presence of any birds of prey.

In general, we found no evidence of presence of birds of prey in the general vicinity of the subject property. We did note that osprey appear to be using a communications tower located on the Washington State Patrol property to the east of the subject property (**Figure 2**). The one feather that we found on the subject property appeared to be an osprey belly feather.

We expanded our review to include the forested portion of Robinswood Park (**Figure 3**). The park has an extensive trail system and open fields that would provide some foraging habitat for great horned owls. We located many nests within the forest portion of Robinswood Park. However, none of these nests appeared to be of a size suitable for great horned owls and none of the vegetation below the nest trees was coated with white wash.

We were unable to conclusively whether great horned owls use the subject property, or nearby adjacent properties. We cannot conclude that the owls are not present at some time of the year. Robinswood Park likely provides roosting, nesting, and foraging opportunities for the owls. However, we believe that any proposed land use changes on the subject property is not likely to impact any great horned owls that may be occupying the forested areas adjacent to the subject property. While potential roosting and nesting trees can be found immediately adjacent to the subject property, the prime foraging habitat is the open area of Robinswood Park, which is 950 feet to the northwest. It is also likely that any owls living within the Robinswood Park forest are well adapted to frequent human activities, including traffic and construction. It is our professional conclusion that any proposed land use alterations on the subject property will not

Mr. Ian Morrison, Esq. 28 September 2016 Page 3 of 4

significantly affect great horned owls that may be living in the general vicinity of the subject property.

We trust that this evaluation of potential great horned owl habitat is sufficient for your current needs. If you have any questions or require additional information, please contact Bill Shiels or me at (425) 861-7550.

Sincerely,

TALASAEA CONSUDFANTS, INC.

David R. Teesdale, PWS

Senior Ecologist

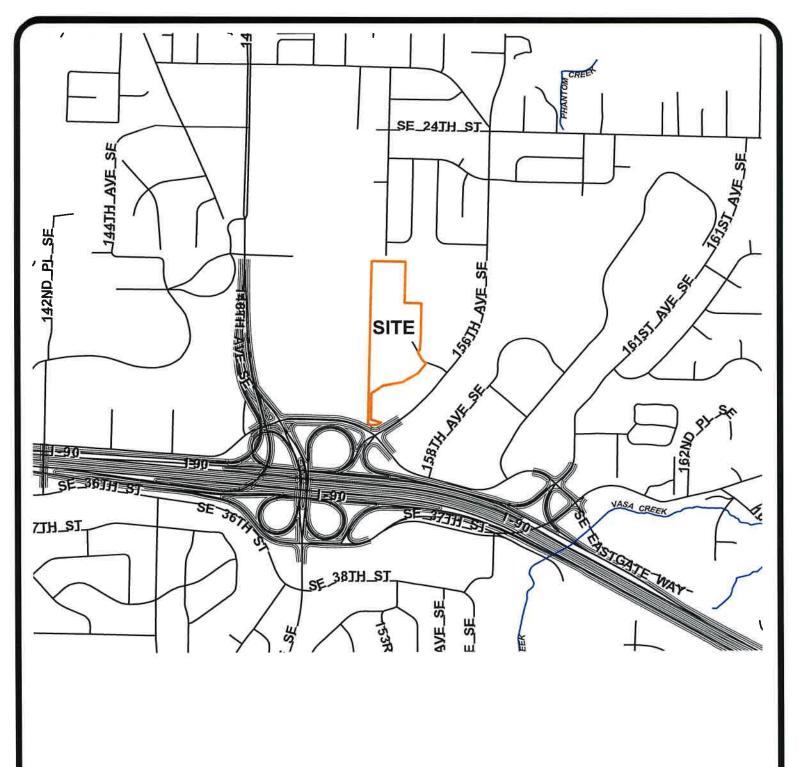
Attachments: Figure 1 – Vicinity Map

Figure 2 – Existing Conditions Site Map Figure 3 – Potential Owl Habitat Map

Mr. Ian Morrison, Esq. 28 September 2016 Page 4 of 4

#### REFERENCES

- Code Publishing. 2016. *Bellevue*. May 16. Accessed September 20, 2016. http://www.codepublishing.com/WA/Bellevue/.
- Johnson, H J. 1992. Spotted Owls, Great Horned Owls, and Forest Fragmentation in Central Oregon Cascades. Masters Thesis, Corvallis: Oregon State University.
- Smith, D G, and J R Murphy. 1973. "Breeding Ecology of Raptors in the Eastern Great Basin of Utah." *Brigham Young University Science Bulletin* (Brigham Young University) 18 (3).
- Smith, D G, T Bosakowski, and A Devine. 1999. "Nest Site Selection by Urban and Rural Great Horned Owls in the Northeast." *Journal of Field Ornithology*, 535-542.
- 2016. Wikipedia. September 20. Accessed September 21, 2016. https://en.wikipedia.org/w/index.php?title=Great\_horned\_owl&oldid=740587570.



N

Reference: Parcel, road, watercourse, and trail data from City of Bellevue GIS, 2014.



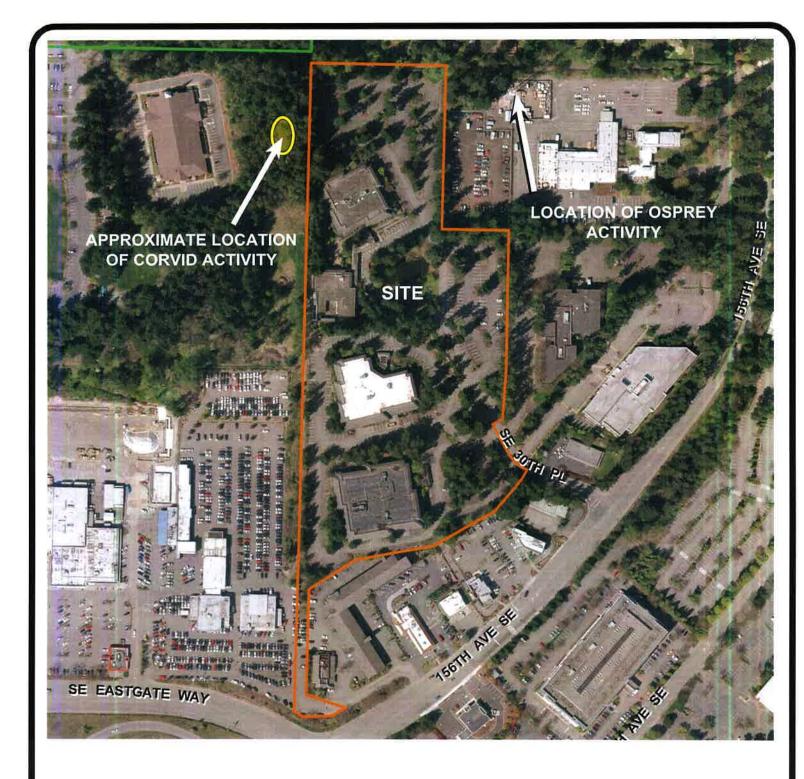
15020 Bear Creek Road Northeast Woodinville, Washington 98077 Bus (425)861-7550 - Fax (425)861-7549 FIGURE 1

VICINITY MAP 15325 SE 30th PLACE PROPERTY OWL HABITAT ASSESSMENT BELLEVUE, WASHINGTON DESIGN DRAWN DRT 1625

SCALE
1 in: 1000 ft

DATE
26 SEPT 2016

REVISED





Reference: Parcel, road, and trail data from City of Bellevue GIS, 2014. Aerial image 2012 from Earth Explorer, downloaded 2016.



15020 Bear Creek Road Northeast Woodinville, Washington 98077 Bus (425)861-7550 - Fax (425)861-7549 FIGURE 2

EXISTING SITE CONDITIONS MAP 15325 SE 30th PLACE PROPERTY OWL HABITAT ASSESSMENT BELLEVUE, WASHINGTON

	DESIGN	DRAWN DRT	<b>PROJECT</b> 1625	
	SCALE 1 in : 250 ft			
ĺ	DATE 26 SEP	Г 2016 (	2	
	REVISED			



N

Reference: Parcel, road, and trail data from City of Bellevue GIS, 2014. Aerial image 2012 from Earth Explorer, downloaded 2016.



15020 Bear Creek Road Northeast Woodinville, Washington 98077 Bus (425)861-7550 - Fax (425)861-7549

#### FIGURE 3

POTENTIAL OWL HABITAT MAP 15325 SE 30th PLACE PROPERTY OWL HABITAT ASSESSMENT BELLEVUE, WASHINGTON

DESIGN	DRAWN DRT	<b>PROJECT</b> 1625	
SCALE 1 in : 600 ft			
26 SEPT 2016 ( <b>3</b> )			
REVISED			

		x = 0=

From:

Gerald Hughes <ghughes@isomedia.com>

Sent:

Sunday, September 18, 2016 17:35

To: Cc: Steven H Kasner

Subject:

Matz, Nicholas Great Horned Owl

Steve

Northern species wander large distances after their young mature. For those at Eastgate we saw them when the babies first left the nest, about 3 weeks old. They matured in June or July. Since they do not build nests, you would see any evidence of them once they leave until early winter, perhaps the first week of January when they return.

Of course, if one had gone there in April through mid-June you could not have missed them. They are a main predator of crows and the cacophony of crows could be heard all day.

So naturally, your friend would not see them if he went in late July or later. Nevertheless, I find it offensive for you to imply that they were not there from January through June. I saw them along with many others and we took photographs. But then again, as you know I feel there is a bias in Bellevue towards developers rather than the rest of us. You do not agree.

http://www.birdweb.org/birdweb/bird/great\_horned\_owl

Gerry

Sent from my iPad

From: Gerald Hughes <ghughes@isomedia.com>

Sent: Wednesday, September 14, 2016 12:13

To: Matz, Nicholas; wbcarron@msn.com; lynnerpt@live.com

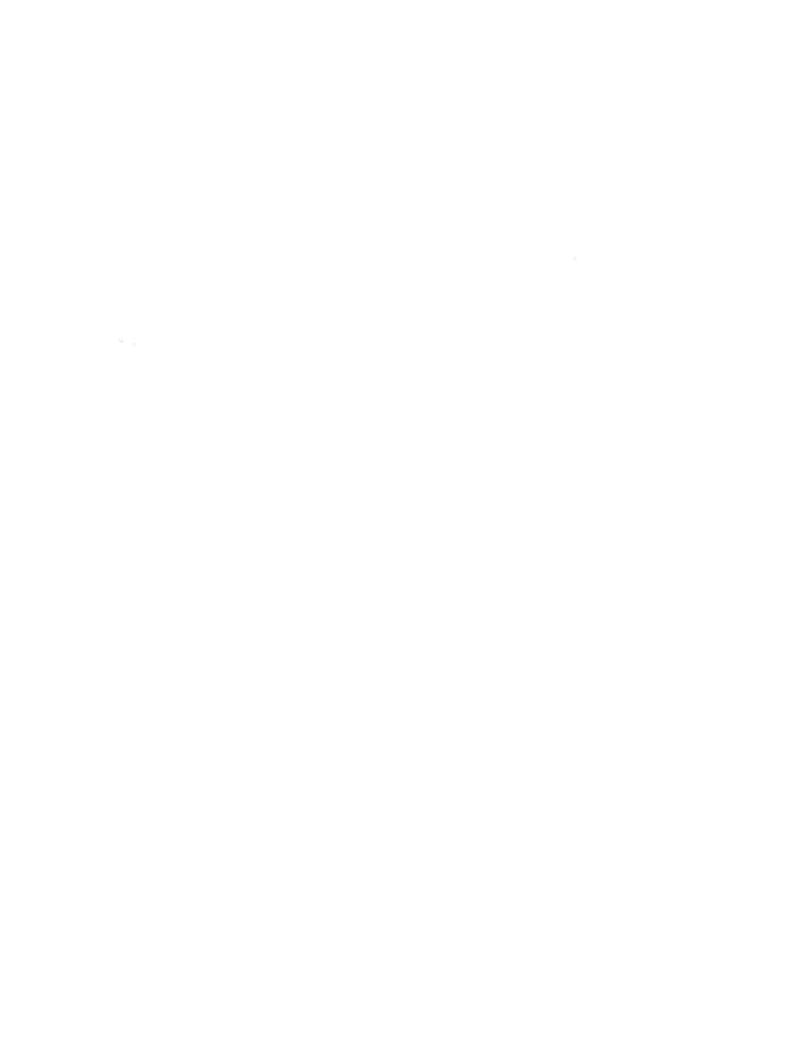
Cc: Steven H Kasner

Subject:Horned owls at EastgateAttachments:image1.JPG; ATT00001.txt

I do not know what the developer's found but the Reporter in their annual review has accepted there are horned owls nesting at Eastgate. They published a photo with a caption.

How is the City addressing this issue? What is the developer doing about this issue?

Gerry Hughes Member EBCC



From: Gerald Hughes <ghughes@isomedia.com>

Sent: Wednesday, August 17, 2016 16:08

To: Matz, Nicholas

**Cc:** mpcross07@gmail.com; Arredondo, Charmaine; IMorrison@mhseattle.com;

RICHARD.SCRIVNER@dnr.wa.gov; wbcarron@msn.com; Jane Throckmorton

Subject: Eastgate Office Park CPA and environmental impacts to birds

Photos by Peter Bangayon, most if not all, from the Eastgate Office Park site.

https://www.flickr.com/photos/peterbangayan/albums/72157668004907930

Gerry Hughes

Sent from my iPad

On Aug 17, 2016, at 12:46 PM, <NMatz@bellevuewa.gov> <NMatz@bellevuewa.gov> wrote:

Ms. Cross and Community Councilmember Hughes:

Here is an update on the review of the potential environmental impact you have identified regarding a Great Horned owl nesting site. You have provided this as part of public comment to the Eastgate Office Park Comprehensive Plan Amendment (16-123765 AC) which makes you both individual parties of record.

The city is working with the applicant to identify the actual location of any nesting sites. As you are already aware, the proposed change to the Comprehensive Plan designation (from Office Limited Business to Office Limited Business-2) on the Eastgate Office Park site at 15325-15395 SE 30<sup>th</sup> Place does not involve a development proposal on this 14-acre site with its existing 280,000 square feet of office buildings and extensive surface parking. As part of information to inform the environmental checklist, though, the applicant has engaged the services of a wildlife biologist to survey the site, as well as adjacent private property owned by the Church of Jesus Christ of Latter-Day Saints, and city-owned park property at Robinswood Park. If an actual nesting site is located—and right now there appears to be some confusion about the property—then the specificity of environmental review through the State Environmental Policy Act (SEPA) will allow for the identification of potential impacts to animals such as birds, including threatened or endangered species known to be on or near a proposed site, whether a site is part of a migration route, and how such impacts might be reduced or avoided. This information gathering is valuable in light of the Washington Fish and Wildlife Department's Living With Wildlife statements about Great Horned owls, noting that "they customarily usurp the previous-year nests made by a red-tailed hawk, crow, magpie, great blue heron, or tree squirrel"; and "seldom use the same nest more than once, because trampling by the young usually reduces any nest to a disintegrating mass of sticks."

Both of you have provided photos to the record. These photos consist of close-ups of owls, as well as the informal path along the west edge of the Eastgate Office Park, and the city trail from 156<sup>th</sup> Ave SE to Robinswood Park path access. None of these photos (two of which appear to be stock) provide

information about a nesting location. Both of you have also provided references to information that the Fish and Wildlife Service provides online regarding the Migratory Bird Treaty Act, and a reference to information contained on the Washington Department of Fish and Wildlife regarding the legal status of owls when intent to lethally control these species is contemplated. Finally, you also quote information about Great Horned owls from the Nature Conservancy web site.

Since you have already provided references to the federal and state laws that protect great horned owls I will not repeat that here. I have included a link to the Department of Fish and Wildlife's web site called Living with Wildlife and the owls page: http://wdfw.wa.gov/living/owls.html.

Articles that are written for publication are usually best served by having documentable facts supporting them. I can assure you that the City intends to identify and gather the actual facts of this issue, and to ensure that SEPA review identifies potential cumulative impacts and mitigation of a Comprehensive Plan amendment proposal action.

As a party of record you will continue to receive information regarding the dates for input on the environmental review. The initial February 18, 2016 Weekly Permit Bulletin notice of this application advised that a Determination of Non-Significance (DNS) threshold determination is likely; you may comment on this and review the environmental checklist at any time up to the point action is taken on the CPA.

Nicholas Matz AICP Senior Planner 425 452-5371 <image002.png>

From: Gerald Hughes <ghughes@isomedia.com>

Sent: Wednesday, August 17, 2016 15:46

To: Matz, Nicholas

**Cc:** mpcross07@gmail.com; Arredondo, Charmaine; IMorrison@mhseattle.com;

RICHARD.SCRIVNER@dnr.wa.gov; Jane Throckmorton

**Subject:** Eastgate Office Park CPA and environmental impacts to birds

If you want proof of the nesting site, choose a person to take you there, there are many of us. It is only 15 minutes from city hall. The pictures have the name of the photographer on them and he has a website. You could contact him also. My daughter, Jane Throckmorton, and I were with him when he took the photos.

It would take less time to check out the nesting site than to write this letter below. It is not in the applicant's best interest to locate the nesting site. It is like putting the fox in the hen house. Why is the city not checking this out? Do you work for the citizens or the developer?

You could have checked this out in less than an hour over a month ago. The young owls are grown now I am sure.

Gerry Hughes Member EBCC

Sent from my iPad

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Nicholas Matz AICP Senior Planner 425 452-5371 <image002.png>

From:

Martha Cross < mpcross07@gmail.com>

Sent:

Wednesday, August 17, 2016 8:37

To:

Matz, Nicholas

Cc:

Gerald Hughes

Subject:

Re: Great Horned Owl family living on Eastgate parcel

Dear Mr. Matz,

Thank you for considering me a party of record for the Planning Commission. I'm really hoping that whatever the outcome, the Great Horned Owl won't lose too much of their breeding ground. I don't know how big this project will be, but it will still impact the owl's habitat.

Do the U.S. Fish and Wildlife Services know this parcel is a nesting territory for the Great Horned Owl?

Sincerely,

Martha Cross

On Wed, Aug 17, 2016 at 8:24 AM, Martha Cross < mpcross 07@gmail.com > wrote: Dear Gerry.

Writing an article would be a great idea. I took the liberty to do some research about the Migratory Bird Treaty Act, and here are my findings. I don't know if Mr. Matz already responded to your email. If anybody else knows of other laws, please feel free to share.

"Migratory Birds (eagles, owls, hawks, falcons, crows, shorebirds, woodpeckers, songbirds, etc.) and active nests are protected from harm or harassment by the Migratory Bird Treaty Act (MBTA), and all Washington State native birds are also protected. The U.S. Fish & Wildlife Service will issue citations and levy fines to individuals and companies that blatantly disregard the regulations."

Here is more information regarding the MBTA:

https://www.fws.gov/birds/policies-and-regulations/laws-legislations/migratory-bird-treaty-act.php

Also, according to the Washington Department of Fish and Wildlife:

"Legal Status: Owls are federally protected under the Migratory Bird Treaty Act. Any permit to lethally control these species would need to be issued from the U.S. Fish and Wildlife Service, and would only be issued in very extreme cases. Under federal and state law it is illegal for anyone to injure, harass, kill, or possess a bird of prey."

Currently Great Horned Owls are not classified as endangered species; however, I strongly feel that the number one threat they face is habitat loss. I hope this helps. Thank you for your time and attention to this matter.

Sincerely,

Martha

On Mon, Aug 15, 2016 at 10:31 PM, Gerald Hughes < ghughes@isomedia.com > wrote:

You could respond to me and our community by explaining if and what are the federal and state laws that protect great horned owls. There are many concerned citizens who would like this project either stopped or modified to protect the owls.

Sorry about misspelling your name.

Gerry Hughes

Member EBCC

Sent from my iPad

On Aug 15, 2016, at 2:58 PM, <<u>NMatz@bellevuewa.gov</u>> <<u>NMatz@bellevuewa.gov</u>> wrote:

Community Councilmember Hughes-

Assistant Director Charmaine Arredondo forwarded your email to me at your request. What can I do for you?

BTW my name is spelled with an 'M'.

Nicholas Matz AICP

Senior Planner

425 452-5371

<image001.png>

From: Gerald Hughes [mailto:ghughes@isomedia.com]

Sent: Thursday, August 04, 2016 10:15 AM

To: EBCC < EBCC@bellevuewa.gov>

Cc: Jane Throckmorton < jane.throckmorton@comcast.net>; Martha Cross < mpcross07@gmail.com>;

Wes Clarke < byzantiumwms@hotmail.com>; adroker@waterrockglobal.com; Bob Leingang

< RJLeing@aol.com >

Subject: Great Horned Owl family living on Eastgate parcel

Yes but ..... I have talked to several people who walk this area and none are aware this development is under consideration. Maybe Mr. Katz could send me a clear description of this project and I could write an article for the Reporter with photos of the birds.

Could he suggest a source to look at Federal Laws regarding protected bird species?

Gerry

Sent from my iPad

On Aug 4, 2016, at 9:59 AM, <<u>EBCC@bellevuewa.gov</u>> <<u>EBCC@bellevuewa.gov</u>> wrote:

Nicholas Matz is the lead on the Comprehensive Plan amendments and so he is the best contact. His information is below. However, according to his email he is already making Ms. Cross a party of record in the Planning Commission's review of the proposed amendments, which means she will receive notification about any public hearings, etc. that are occurring at the Planning Commission. She can fully participate throughout the process.

Charmaine Arredondo

Assistant Director ~ City Clerk's Office

425-452-6466

From: Gerald Hughes [mailto:ghughes@isomedia.com]

Sent: Wednesday, August 03, 2016 10:54 PM

To: EBCC < EBCC@bellevuewa.gov > Cc: Martha Cross < mpcross07@gmail.com >

Subject: Re: Great Horned Owl family living on Eastgate parcel

How does she keep track of the dates for input on the environmental review? This tract is not in the EBCC jurisdiction as you know.

I can assure you she is not the only person concerned about this issue.

Gerry

Gerry

Sent from my iPad

On Aug 3, 2016, at 2:13 PM, <<u>EBCC@bellevuewa.gov</u>> <EBCC@bellevuewa.gov> wrote:

FYI – The below email was sent to Ms. Cross regarding the Great Horned Owl.

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425-452-6466

From: Matz, Nicholas

Sent: Wednesday, August 03, 2016 8:13 AM

To: mpcross07@gmail.com

Cc: Council < Council @bellevuewa.gov>; EBCC

<<u>EBCC@bellevuewa.gov</u>>; Miyake, Brad

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<MKBerens@bellevuewa.gov>; Arredondo, Charmaine

<CArredondo@bellevuewa.gov>; Stannert, Kyle

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Thank you for identifying this concern, Ms. Cross.

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Nicholas Matz AICP

Senior Planner

425 452-5371

From: Gerald Hughes [mailto:ghughes@isomedia.com]

**Sent:** Friday, July 29, 2016 3:56 PM

To: City Manager < CityManager@bellevuewa.gov>
Co: Steven H Kasner < kasnerbruskland@comcast.net>;
Arredondo, Charmaine < CArredondo@bellevuewa.gov>;
William B Capron < wbcarron@msn.com>; Lynne Robinson < lynnerpt@live.com>; Council < Council@bellevuewa.gov>;
rvgooding@comcast.net; betsihummer@yahoo.com

Subject: : Great Horned Owl family living on Eastgate parcel

Brad

I do not know who to contact regarding this issue. I think it will be discussed at the EBCC meeting on Tuesday. It is of serious concern I believe.

Gerry Hughes

#### Member EBCC

From: Martha Cross < mpcross07@gmail.com >

The

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According to The Nature Conservancy website:

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There aren't many birds or mammals that prey on the Great Horned Owl, but it does have its threats. Like most species, man plays a role in threatening the population of Great Horned owls. Loss of habitat through urban sprawl decreases the owl's nesting and hunting territories. Certain agricultural practices such as the use of insecticides and pesticides can harm owls that feed on the insects and rodents, reducing their natural food supply. We do our part to protect these owls by purchasing and conserving land. In doing so, we provide a stable habitat for them for generations to come.

I already contacted this organization, I hope they get back to me soon.

Over the years, I have seen so many green areas with beautiful trees and vast wildlife in the city of Bellevue get turned into housing/office developments. It seems to me that wildlife always loses no matter what. Please don't let this be the case for the owls' nesting site. I always thought that this parcel was part of the Robinswood Park. The Great Horned Owl rarely migrates in the Northwest, so building in this area directly impacts their habitat and their nesting site. Thank you so much for your time and consideration.

Sincerely,

Martha Cross

Behind Mormon Church bordering on Robinswood Park

From:

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Sent:

Monday, August 15, 2016 22:31

To:

Matz, Nicholas

Cc:

Martha Cross; Arredondo, Charmaine; wbcarron@msn.com

Subject:

Great Horned Owl family living on Eastgate parcel

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To:

mpcross07@gmail.com

Cc:

Council; EBCC; Miyake, Brad; Berens, Mary Kate; Arredondo, Charmaine; Stannert, Kyle

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Subject: Re: Great Horned Owl family living on Eastgate parcel

Dear Gerry,

Unfortunately, I'm out of town right now, and I won't get back until next Friday. Would an email to the EBCC suffice to voice my concerns? Is it too late to save this Great Horned Owl family's habitat? I'm sure that if people who live in the Lake Hills neighborhood found out about the perilous situation the owls are in, they would completely oppose to this project. Besides, owls are federally protected under the Migratory Bird Treaty Act.

According to The Nature Conservancy website:

Great Horned owls start nesting in January, raising their families in the dead of winter. The female will incubate the eggs while her mate brings her food. Within a month, up to five eggs will hatch and the owlets will be closely guarded by their parents. Six weeks after hatching, the owlets will leave the nest and walk around. In another three weeks, the young owls will already have learned to fly. The parents will continue to feed and care for their offspring for several months, often as late as October. It is **wise to stay away from young owls** and their nests as Great Horned Owls are not afraid to attack if they feel their family is threatened.

There aren't many birds or mammals that prey on the Great Horned Owl, but it does have its threats. Like most species, man plays a role in threatening the population of Great Horned owls. Loss of habitat through urban sprawl decreases the owl's nesting and hunting territories. Certain agricultural practices such as the use of insecticides and pesticides can harm owls that feed on the insects and rodents, reducing their natural food supply. We do our part to protect these owls by purchasing and conserving land. In doing so, we provide a stable habitat for them for generations to come.

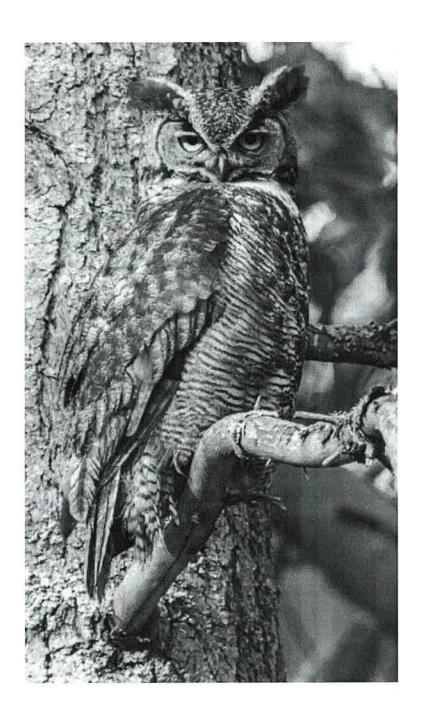
I already contacted this organization, I hope they get back to me soon.

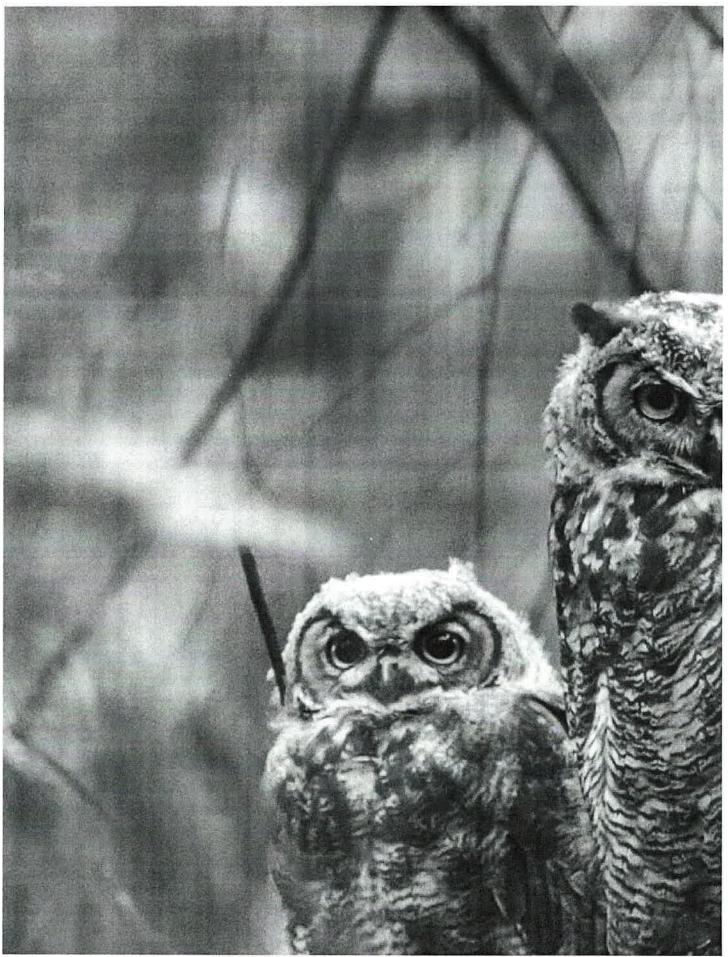
Over the years, I have seen so many green areas with beautiful trees and vast wildlife in the city of Bellevue get turned into housing/office developments. It seems to me that wildlife always loses no matter what. Please don't let this be the case for the owls' nesting site. I always thought that this parcel was part of the Robinswood Park. The Great Horned Owl rarely migrates in the Northwest, so building in this area directly impacts their habitat and their nesting site. Thank you so much for your time and consideration.

Sincerely,

Martha Cross

Behind Mormon Church bordering on Robinswood Park





Public Comment Michelle Wonnenaker

SUNSET VILLAGE

## CHARACTER

The site's excellent visibility and access is a major reason for the success of the existing auto dealerships. Therefore, street landscaping and improvements to SE Eastgate Way should allow visibility of the dealerships' signs and products. When redevelopment occurs, the area's character can be designed to provide an attractive landscaped (perhaps parklike) setting with ample amenities for the new businesses.

The Eastgate interchange area is enhanced with natural landscaping, particularly trees, to: enhance the ecological functions of the corridor (in particular air quality and stormwater management), add visual height to the gateway, improve the automobile entry to Eastgate, and strengthen the "city in a park" feeling.

# ATTRIBUTES AND STRATEGIES

- Support the present mix of auto dealerships and small retail services.
- Plan for and encourage a more diverse mix of community and specialty based retail along with office uses if and when redevelopment of this area becomes appropriate.
- If redevelopment of this area occurs, encourage the development of an internal street system to improve pedestrian and vehicle traffic to and through the area, and to create a pedestrian-scale employment and retail neighborhood with high quality urban design.
- Ensure that new development maximizes the opportunity to unify the Eastgate area and substantially upgrade the area's identity and connections to surrounding neighborhoods.
- Encourage WSDOT to construct eastbound and westbound auxiliary lanes on I-90 between 150th Avenue SE and Lakemont Boulevard to help minimize/eliminate the resulting queuing and congestion on City streets that lead to key on-ramps at the Eastgate Interchange.

- Improve 148th/150th Avenue SE traffic flow with a third continuous southbound through lane from SE Eastgate Way to SE 38th Street.
- Construct streetscape improvements on 148th /150th Avenue SE to improve the visual coherence and attractiveness of the corridor and reinforce the image of Bellevue as a "city in a park".
- Improve intersection capacity at SE Eastgate
  Way and 150th Ave SE to address peak
  hour traffic volumes that affect mobility in
  the corridor with either a.) widening and
  channelization improvements or b.) a multilane roundabout.
- Improve intersection capacity at 156th Ave SE and SE Eastgate Way to address peak hour traffic volumes that affect mobility in the corridor with either a.) widening and channelization improvements or b.) a multilane roundabout.
- Enhance access and connectivity in the corridor with bicycle lanes on SE Eastgate Way.
- Improve the pedestrian environment along Eastgate Way.

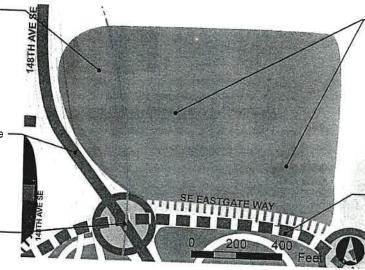
Support existing retail and make use of freeway exposure.

Promote an internal circulation system that allows safe and convenient pedestrian and vehicular movement and creates a pleasant working and shopping environment.

Highlight Bellevue's green character and promote non-motorized transportation with a boulevard treatment.

Widen southbound lane to reduce travel time with increasing traffic volumes.

Improve intersection to accommodate increasing traffic volumes.



Encourage auto dealerships to adopt a green look (e.g., green walls and roofs) that emphasizes their interest in reducing air pollution and gasoline use and adds to the "city in a park" feel.

Add bike lanes on the north and south sides of Eastgate Way.



Non-motorized improvement

Intersection improvement

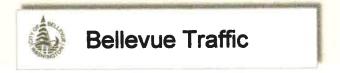
Green I-90 right-of-way

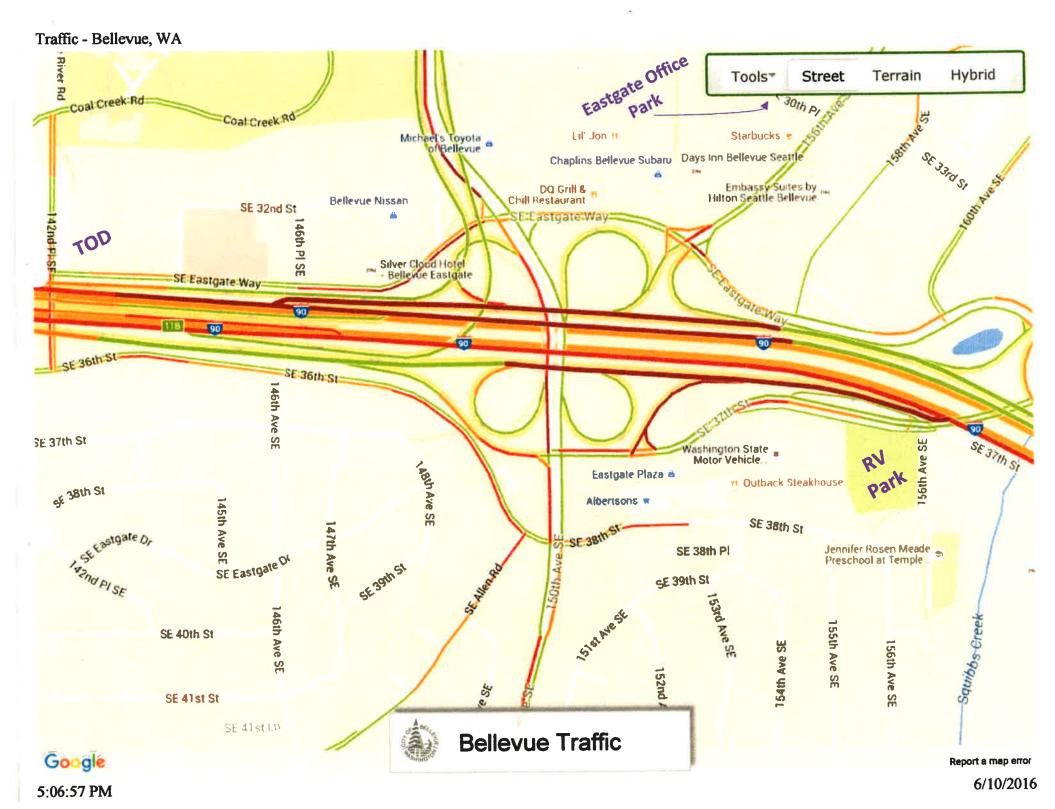
Gateway

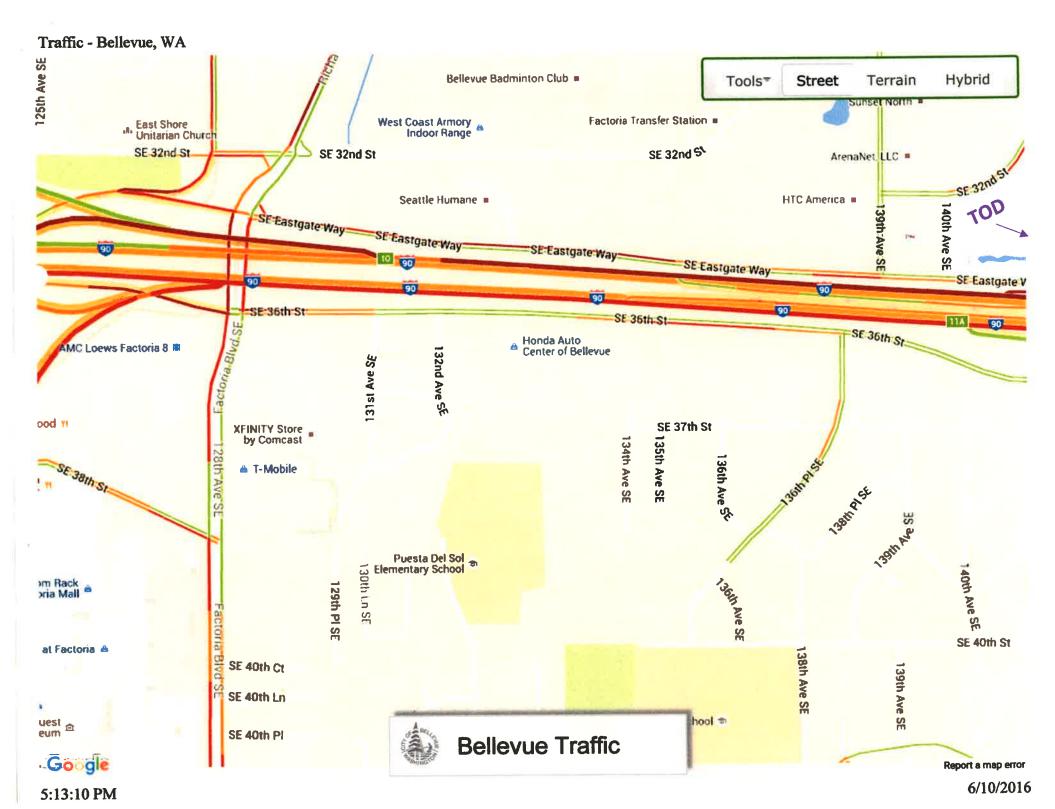


Existing conditions

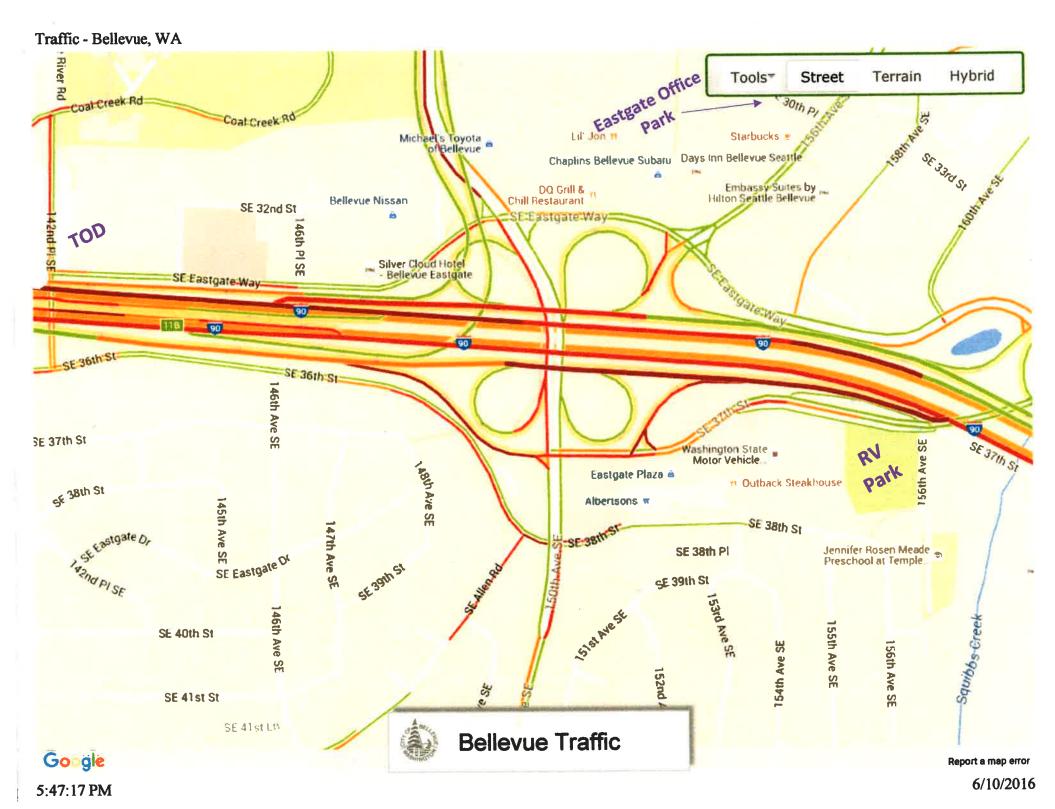


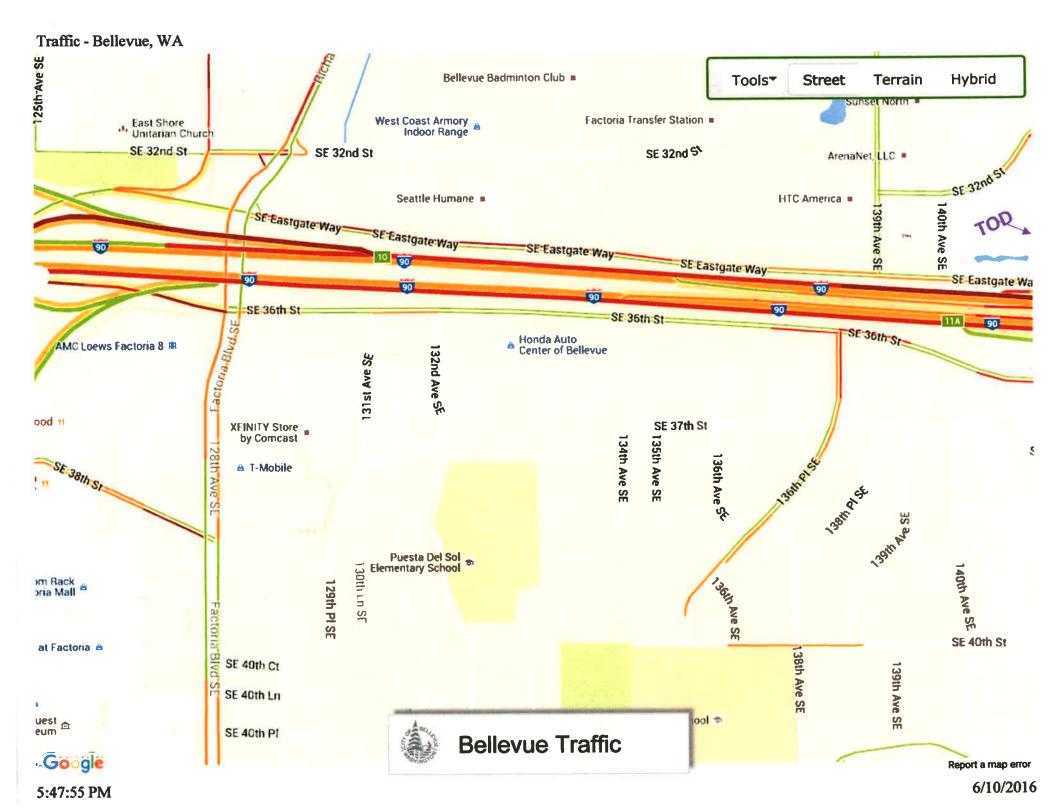


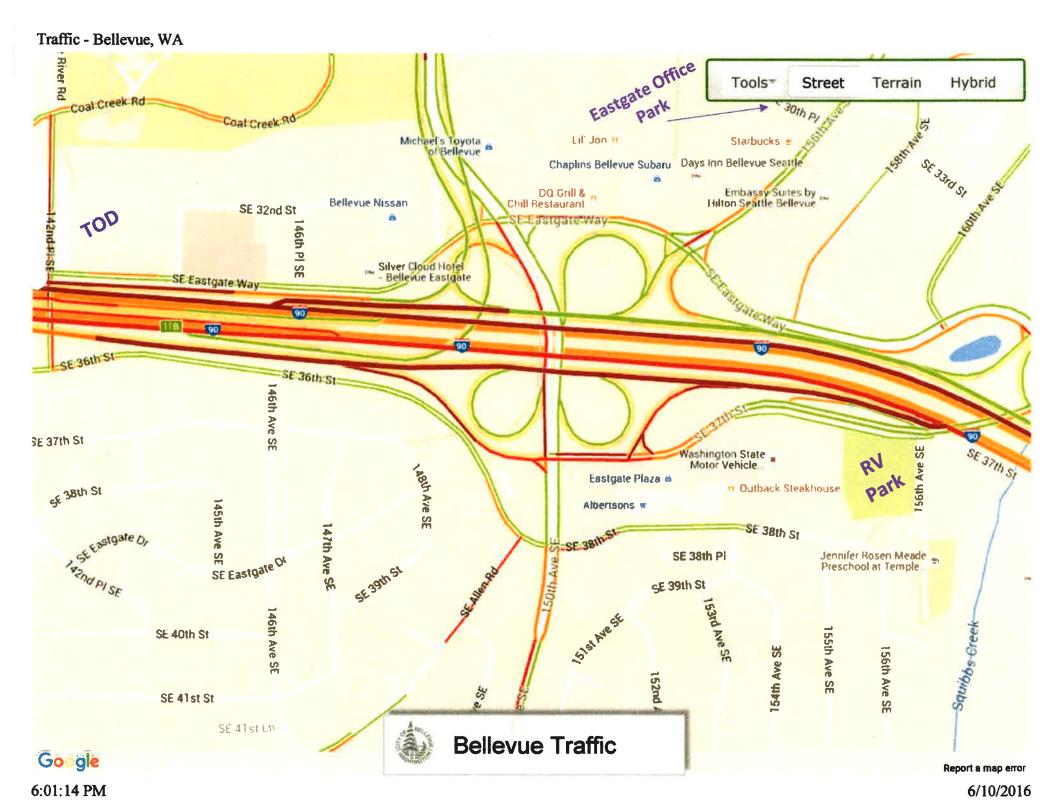












Traffic - Bellevue, WA SE 16th St Tools\* Street Hybrid Terrain 146th Ave SE SE 17th PI th Ave SE 153rd Ave 154th Ave nd Ave 151St Av 147th PI SE SE 18th S 40th Ave SE 145th Ave SE SE 20th St SE 20th St 1394. 13E 44th Ave SE 137th pisk 1351h P! SE SE 22nd St 151MP1 SE "" US-Gree n Eastside Christian School SE 23rd St 138th Ave SE SE 24th St SE 24th St 153rd Ave SE Robinswood Park SE 25th SI Kelsey Creek Rd SE 25th St SE 26th St 154th Ave SE SE 26th St 55th Ave SE 26th St Snoqualmie River SE SE 28th St ⇒ Bellevue College Eastgate Office Rd Seattle Washington **Boeing Bellevuk** Sunset North Coal Creek? Michael's Toyota of Bellevue SE 32nd St Embassy Suites by Hilton Seattle Bellevue SE 32nd St 90 90 SE 36th S 134th Ave SE 136th Ave SE 37th St 138th PISE RV 56 381h St Park 139th A 1 10th Ave SE 47th Ave SE SE Easigale DI SE 38th St 142 nd PISE SE 39th 51 146th 155th Ave SE 138th 54th Ave SE 156th Ave SE SE 40th St 152nd Ave SE AVC SE SE 41st St iddle School ® 151st Ave SE Chembort Ave SE SE Allen Rd Newport Way SE 42nd SI SE 42nd & SE 42nd St SE 42nd Pl S NewportMa SE 43rd St SE 43rd St Google Report a map error

6:07:39 PM 6/10/2016

### Matz, Nicholas

From:

Martha Cross <mpcross07@gmail.com>

Sent:

Wednesday, October 04, 2017 9:52

To:

Matz, Nicholas

Subject:

Re: 2017 Eastgate Office Park Comprehensive Plan Amendment Final Review Study

Session by Bellevue Planning Commission

**Attachments:** 

Talasaea Owl Report Map Fig 2.pdf

Mr. Matz,

I just wanted to make a few corrections on my previous email. I'm sorry, I was typing really fast. Also English is my second language, so please bear with me.

"The map attached to the report was really helpful. When I first observed the GHO, and I saw two owlets perched on the chain-link fence by the trail east of 15325 30th Place Property..."

The owlets were perched on the chain-link fence by the trail **west** of 15325 30th Place Property. I also wanted to emphasize that when I said the GHO had been nesting there for years, I was referring to the property east of the Seattle Family Discovery Center (SFDC). My observations were made during breeding season, and I got to see both the GHO parents and their owlets. Several people also saw them.

I was unable to pinpoint the exact location of the nest because this forested area (parcels: 1124059119 and 1124059091) is private property surrounded by a chain-link fence. I also saw evidence that someone placed a platform, or perch for the GHO on a tree northeast of the SFDC. It looked like it had been there for years because it was so deteriorated. So, the GHO no longer used it anymore. I was also told by a resident nearby that the breeding pair of GHO's would come to that site (parcels: 1124059119 and 1124059091) every year for nesting season.

If the construction project will only take place inside the 14 acre parcel, I don't think it will have a significant impact on the GHO's nesting territory. Please if possible provide some buffer when reconstructing both the northwest and west trails of the Eastgate Office Park. I have attached a copy of the map from the Talasaea report, where I highlighted the possible location of the nest. Thank you for your time.

Sincerely,

Martha

On Tue, Oct 3, 2017 at 3:09 PM, Martha Cross <mpcross07@gmail.com > wrote:

Dear Mr. Matz,

Thank you so much for sending me the Talasea Owl Report. I'm sorry I missed it.

I wished the Talasea Company had inspected the parcel when there was more Great Horned Owl (GHO) activity; that's during nesting season. Why wasn't this report done during breeding season?

While it is true that farming, logging, and urban development have expanded availability of foraging for the GHO, it is also true that such actions are detrimental because they destroy its nesting and hunting territory. In my humble opinion, destruction of habitat causes significant impact on owls or any birds. Additionally, there is no mention in the report that the GHO is federally protected under the Migratory Bird Treaty Act. Just because the company was unable to conclude the presence of the GHO after nesting season, that's not an indication the nesting site doesn't exist.

The map attached to the report was really helpful. When I first observed the GHO, and I saw two owlets perched on the chain-link fence by the trail east of 15325 30th Place Property, I thought the nest was going to be located somewhere in the area where the corvid activity occurred (See map attached in the Talasea Owl Report, Figure 2). Pardon my ignorance, will

this area (where corvid activity occurred) be affected by the future Eastgate Office Park CPA? I'm not opposed to urban development. However, it if there is wildlife present or large raptors that only use the land during nesting season, why can't we share a bit with them? Why do we have to use every inch of land for profits? Thank you again.
Sincerely,

On Tue, Oct 3, 2017 at 8:21 AM, <NMatz@bellevuewa.gov> wrote:

Ms. Cross-

Martha

My apologies for the delay in acknowledging your comments. They will become part of the public record of the Eastgate Office Park CPA. As you are likely aware, the City asked the applicant to commission an independent examination of owl habitat assessment on the site and in the vicinity. I have attached that assessment here; as part of the public record it will also be included in the State Environmental Policy Act (SEPA) determination documentation for use by our environmental planners in evaluating the environmental impact of the proposed CPA.

You have been receiving information about the Planning Commission's study (September meeting rescheduled to October 4, 2017 and public hearing scheduled for November 1, 2017.) Please let me know what else I can provide.

Nicholas Matz AICP

Senior Planner

425 452-5371



Please be aware that email communication with City staff is a public record and is subject to disclosure upon request.

From: Martha Cross [mailto:mpcross07@gmail.com]

**Sent:** Thursday, September 28, 2017 12:55 **To:** Matz, Nicholas < NMatz@bellevuewa.gov >

Subject: Re: 2017 Eastgate Office Park Comprehensive Plan Amendment Final Review Study Session by Bellevue

**Planning Commission** 

Dear Mr. Matz,

I contacted you in the past regarding a breeding pair of Great Horned Owls in the parcel near the temple of The Church of Jesus Christ of Latter-day Saints. I would like to know if the owl's nesting site will be saved.

Unlike European Starlings that may take over occupied nests, owls only take abandoned nests or cavities that were built by another species from previous nesting seasons. Based on my observations, this particular pair of owls has been nesting in that area for years. Please don't allow their nesting territory to be destroyed. The future offices could benefit from keeping the owls around as they provide natural rodent control (no need for toxic rodenticides). It would also show the public that the Eastgate Office Park business are good stewards of the land and kind to the owls. Thank you for your time.

Sincerely,

Martha

On Tue, Sep 26, 2017 at 12:24 PM, < NMatz@bellevuewa.gov > wrote:

Eastgate Office Park Comp Plan Amendment Parties of Record-

This is a reminder—since you will have already received an Alert update regarding the Planning Commission's September 27, 2017 agenda for this item—that the Commission will take up Final Review of the Eastgate Office Park CPA at its September 27 Study Session. Staff will request a November 1, 2017 Final Review Public Hearing date.

Please contact me with questions or issues.

Nicholas Matz AICP

Senior Planner

425 452-5371



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### Matz, Nicholas

From:

Matz, Nicholas

Sent:

Tuesday, October 03, 2017 8:21

To:

'Martha Cross'

Subject:

RE: 2017 Eastgate Office Park Comprehensive Plan Amendment Final Review Study

Session by Bellevue Planning Commission

Attachments:

Talasea owl report.pdf

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Nicholas Matz AICP Senior Planner 425 452-5371



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