



Technical Committee  
Seritage BSP LAND-2020-00044 Type II Notice of Decision  
Transmittal Letter

September 8, 2022

Bart Balko  
Coughlin Porter Lundeen  
801 Second Ave Unit 900  
Seattle, WA 98104

**Subject: Seritage BSP, LAND-2020-00044,**

Location: 2200 148<sup>th</sup> Ave NE, Parcel No. 262505-9276

Dear Mr. Balko:

The City of Redmond Technical Committee has reviewed and approved the above-referenced proposal for a binding site plan for the Seritage Master Plan, Development Agreement, and Site Plan Entitlement to set property corners and define future right of ways and easements. Attached to this letter is the Technical Committee's Notice of Decision including Conditions of Approval (see [Section X]) for this project.

**NEXT STEPS**

Final recording of the binding site plan mylars must be completed within two years of the date of this letter. Extensions may be granted on a yearly basis if a written request for extension is submitted to the Technical Committee at least 30 calendar days prior to the expiration date and one or more of the following conditions is justified by the applicant: (1) economic hardship, (2) change of ownership, (3) unanticipated construction and/or site design problems, or (4) other circumstances beyond the control of the applicant as determined acceptable by the Technical Committee. Failure to record the mylars within one year (or within the approved timeframe if an extension is granted) will result in the expiration of the approval and loss of vesting. Please note that until the approved Binding Site Plan mylar is recorded with King County:

- The Binding Site Plan is not legally complete.
- The proposed lots will not exist, and therefore cannot be sold.
- No application for building permits can be submitted for the newly created lots.

**City Hall**

15670 NE 85th Street  
PO Box 97010  
Redmond, WA  
98073-9710

To record the Binding Site Plan the following actions must be completed:

1. Final Mylar Review and Recording. The Binding Site Plan mylars are the documents that will ultimately be recorded with King County in order to create legal lots for development. Before the final Binding Site Plan can be recorded it must be reviewed and determined to be in compliance with all conditions of the Binding Site Plan approval. Once the draft of the final Binding Site Plan has been found to be in an approvable format, the applicant will be notified to produce and submit mylars to the City of Redmond. The City will process the mylars for final signatures and then release the executed document to the applicant so they can deliver the document first to the King County Assessor and then to the King County Recorder's Office for recording of the Binding Site Plan mylars. The applicant is responsible for the delivery of executed Binding Site Plan mylars, recording of the mylars, and payment of the applicable recording fees.

If you have questions regarding process or the Notice of Decision Conditions of Approval, please contact the staff person for the appropriate City Department/Division listed below.

Department- Division	Contact	Title	Phone	Email
Planning- Development Engineering/Transportation & Engineering	Pat Lyga	Senior Engineering Technician	425.556.2747	plyga@redmond.gov
Planning – Development Review	David Lee	Planning Manager	425.556.2480	dlee@redmond.gov


The City's Development Review Staff are available to meet with you regarding the development review process. Please contact David Lee, Planning Manager at 425-556-2462 or dlee@redmond.gov or the appropriate Development Review Staff member listed above for additional information.

Sincerely,




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Carol V. Helland, Director  
 Department of Planning and  
 Community Development




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Aaron Bert, Director  
 Public Works Department

**Technical Committee Type II Binding Site Plan**  
**Notice of Decision**

**Project Name:** Seritage BSP Type II Binding Site Plan

**Location:** 2200 148<sup>th</sup> Ave NE

**Project File Number:** LAND-2020-00044

**Project Description:** A binding site plan for the Seritage Master Plan, Development Agreement, and Site Plan Entitlement(s) to set property corners and define future rights of way and easements.

**Technical Committee Decision**  
**Approval with Conditions**

**Decision Date:** September 8, 2022  
**Appeal Deadline:** September 29, 2022

This decision may be appealed to the Hearing Examiner by filing an appeal with the Office of the City Clerk within 14 calendar days of the date of this decision. Appeal forms are available on-line at <https://www.redmond.gov/913/Request-for-Reconsideration-or-Appeal>. A completed appeal form must be submitted by 5:00 p.m. on the last day of the appeal period. If you have any questions, please contact David Lee, Planning Manager at 425 556-2462 or [dlee@redmond.gov](mailto:dlee@redmond.gov).



Carol V. Helland, Director  
Department of Planning and  
Community Development



Aaron Bert, Director  
Public Works Department

**Project Review Authority and Procedures**

The City of Redmond **Technical Committee** is comprised of staff from different departments and disciplines who analyze project applications for compliance with City codes and regulations. Based on this analysis, the **Technical Committee** make the final decision to approve, approve with conditions, or deny the application: LAND-2020-00044.

**Key Dates**

Application/Completeness Date: February 5, 2020

Technical Committee Recommendation: August 15, 2022

**I. Proposal Summary**

A binding site plan for the Seritage Master Plan, Development Agreement, and Site Plan Entitlement to set property corners and define future rights of way and easements.

**II. Site Description and Context**

The project is located at 2200 148TH Ave NE within the Overlake neighborhood, or as commonly referred to as “The Sears” site. The parcel is zoned as Overlake Village 3 (OV3), and is bordered by OV2 to the north, OV1 to the east, Bellevue to the south (zoned “O”), and Bellevue to the west (zoned “BR-CR”). The site is bounded by NE 24th Street (north), NE 20th St (south), 148th Ave NE (west), and the undeveloped DaVinci Avenue (east).

The project site is currently developed as multi-tenant shopping center, with Sears as the major tenant. The Sears building was built in 1971. The Master Plan and Development Agreement were approved by Redmond City Council on September 28, 2018.

**III. Public Notice and Comment**

Requirements for public notice are contained in RZC 21.76.080.

**A. Notice of Application:**

The Notice of Application for this proposal was published on February 19, 2020. The notice was posted at City Hall, the Redmond Regional Library, and one notice sign was posted on the property. A notice was also mailed to property owners within 500 feet of the site.

Public Input: During the Notice of Application public comment period and throughout the project review no comments were received.

**IV. State Environmental Policy Act**

The State Environmental Policy Act (SEPA) requires applicants to disclose potential impacts to the environment that may occur as a result of their project. The Environmental Checklist submitted by the applicant adequately discloses anticipated environmental impacts as a result of this project. City of Redmond codes and regulations; including those contained within the Zoning Code, Streets and Sidewalks, Water and Sewer, and Building and Construction Codes adequately

mitigate for these anticipated environmental impacts. This project is covered by the Overlake Planned Action FSEIS, SEPA# 2017-01044.

**V. Criteria Applicable to all Land Use Permits:**

Proposed land use actions within the city must comply with the criteria listed in RZC 21.76.070.B.3.a. These criteria are applicable to all land use permits to ensure overall consistency between proposed land use permits, applicable regulations, and the Comprehensive Plan. Staff's analysis of whether the proposal meets the decision criteria is below.

- i. A proposed project's consistency with the City's development regulations shall be determined by consideration of:
  - A. The type of land use;
  - B. The level of development, such as units per acre or other measures of density;
  - C. Availability of infrastructure, including public facilities and services needed to serve the development; and
  - D. The character of the development, such as development standards.

**Staff Response:** Both the Master Plan and Site Plan Entitlement have been reviewed for compliance under RZC 21.12 (Overlake Standards and Incentives) for density and dimensional standards. Per the Seritage Master Plan, infrastructure, including public facilities and services will be developed and constructed in conjunction with each appropriate phase. The character of the development is in line with the approved Master Plan, which documented adherence to the vision and goals of the Comprehensive Plan and the Overlake Neighborhood Plan.

- ii. Upon review of a land use permit and accompanying site plan, the decision maker shall determine whether building design and/or site design complies with the following provisions:
  - A. The Comprehensive Plan, RZC 21.02, *Preface*, RZC Article I, *Zone-Based Regulations*, RZC Article II, *Citywide Regulations*, and the Appendices that carry out these titles;
  - B. The provisions of RMC Title 15, *Buildings and Construction*, that affect building location and general site design;
  - C. The Washington State Environmental Policy Act (SEPA) if not otherwise satisfied;
  - D. RZC Article VI, *Review Procedures*, to the extent it provides the procedures to ensure compliance with the requirements in subsections B.3.a.ii.B and B.3.a.ii.C of this section;
  - E. Both within and outside the Transition Overlays, decision makers authorized by the RZC to decide upon discretionary approvals may

condition such approvals and development permits, including but not limited to site plan approvals, to minimize adverse impacts on other properties and uses, and to carry out the policies of the Comprehensive Plan.

**Staff Response:** Seritage Binding Site Plan is consistent with the Overlake Neighborhood Plan and City of Redmond Comprehensive Plan. Policies N-OV-59, N-OV-60, N-OV-62, N-OV-63 support the development of the project as presented. Plans have been checked for compliance with RMC Title 15 and will be reviewed for compliance with applicable building codes at the time of building permit review. The project was determined to be covered under the SEPA Overlake Project Action under RZC 21.70.110. The project was reviewed under a Type II Binding Site Plan and satisfies RZC Article VI. Conditions of approval are enumerated later in this decision that minimize adverse impacts on other properties and uses and carries out the policies of the Comprehensive Plan.

#### VI. Binding Site Plan Decision Criteria

Per RZC 21.74.030 each proposed binding site plan shall be reviewed to ensure that:

- a. The proposal complies with the general criteria applicable to all land use permits set forth in RZC 21.76.070.B, *Criteria Applicable to All Land Use Permits*;
- b. The proposal conforms to the site requirements for the zoning district in which the property is located;
- c. The proposal conforms to the requirements of this chapter;
- d. The proposed binding site plan:
  - i. Makes adequate provision for streets, roads, alleys, other public ways, and transit stops as required by this chapter; and the proposed street system conforms to the City of Redmond Transportation Master Plan and Neighborhood Street Plan, and is laid out in such a manner as to provide for the safe, orderly, and efficient circulation of traffic;
  - ii. Will be adequately served with water, sewer, storm drainage, and other utilities appropriate to the nature of the subdivision or short subdivision;
  - iii. Makes adequate provision for parks, recreation, and playgrounds, as required by this chapter;
  - iv. Makes adequate provision for schools and school grounds;

- v. Makes adequate provisions for sidewalks and other planning features that meet the requirements of this chapter and that provide safe walking conditions for students who walk to and from school;
- vi. Serves the public interest and makes appropriate provisions for the public health, safety, and welfare.

**Staff Response:** The Binding Site Plan complies with the general criteria applicable to all land use permits set forth in RZC 21.76.070.B as analyzed in Section V of this report. The Binding Site Plan conforms to the Seritage Master Plan, which made adequate provisions for infrastructure (including utilities), conformed to the Redmond Transportation Master Plan, Neighborhood Street Plan, Comprehensive Plan, PARCC Plan, and Overlake Neighborhood Plan. The Seritage Master Plan has been found to serve the public interest and makes appropriate provisions for public health, safety and welfare.

#### **VII. Vesting/Approval Expiration**

This decision is not vested to the development regulations in effect until a complete building permit application is submitted. The approval of this project shall expire two years from the date of this decision, unless an approval extension is granted. Extensions can be requested on a yearly basis if proper justification is demonstrated (see RZC 21.76.090(C)(2)). Requests for extensions must be submitted in writing to the Technical Committee via the project planner at least 30 days prior to the approval expiration date.

#### **VIII. Conditions of Approval**

- A. The following conditions shall be reflected on the Civil Construction Review, unless otherwise noted:

- 1. **Development Engineering**

Reviewer: Pat Lyga, Senior Engineering Technician

Phone: 425-556-2747

Email: [plyga@redmond.gov](mailto:plyga@redmond.gov)

- a. On Sheet 1 of 5 “City of Redmond Restrictions and Conditions of Approval,” Paragraph 3, the date and subject matter shall be filled in where provided prior to delivery of the BSP to the City for signing by City officials.

**B. Compliance with City of Redmond Codes and Standards**

This approval is subject to all applicable City of Redmond codes and standards, including the following:

**Transportation and Engineering**

City of Redmond	Record Drawing Requirements, February 2021
City of Redmond	Standard Specifications and Details (current edition at the time of this approval letter issued)

**Water and Sewer**

RZC 21.54.010	Adequate Public Facilities and Services Required
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**Stormwater/Clearing and Grading**

City of Redmond	Standard Specifications and Details (current edition at the time of this approval letter issued)
City of Redmond	Stormwater Technical Notebook, Issue No. 8, Amended June 5, 2019
Department of Ecology	Stormwater Management Manual for Western Washington (amended December 2017)

**Fire**

RMC 15.06	Fire Code
RZC Appendix 2	Construction Specification and Design Standards for Streets and Access
City of Redmond	Fire Department Design and Construction Guide
City of Redmond	Fire Department Standards

**Development Agreement**

Seritage Master Plan & Development Agreement