



DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT  
 ENVIRONMENTAL COORDINATOR  
 11511 MAIN ST., P.O. BOX 90012  
 BELLEVUE, WA 98009-9012

## DETERMINATION OF NON-SIGNIFICANCE

**PROPONENT:** Evan McMullan, William Chatalas & Partners

**LOCATION OF PROPOSAL:** 1405 148<sup>th</sup> Ave. NE

**DESCRIPTION OF PROPOSAL:** Subdivide an existing 3.7 acre single family residential lot into 7 single family residential lots in the R-2.5 zoning district.

**FILE NUMBER:** 06-108752-LN

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 Department of Planning & Community Development. This information is available to the public on request.

- There is no comment period for this DNS. There is a 14-day appeal period. Only persons who submitted written comments before the DNS was issued may appeal the decision. A written appeal must be filed in the City Clerk's office by 5:00 p.m. on \_\_\_\_\_.
- This DNS is issued after using the optional DNS process in WAC 197-11-355. There is no further comment period on the DNS. There is a 14-day appeal period. Only persons who submitted written comments before the DNS was issued may appeal the decision. A written appeal must be filed in the City Clerk's Office by 5 p.m. on April 19, 2007.
- This DNS is issued under WAC 197-11-340(2) and is subject to a 14-day comment period from the date below. Comments must be submitted by 5 p.m. on \_\_\_\_\_. This DNS is also subject to appeal. A written appeal must be filed in the City Clerk's Office by 5 p.m. on \_\_\_\_\_.

This DNS may be withdrawn at any time if the proposal is modified so that it is likely to have significant adverse environmental impacts; if there is significant new information indicating, or on, a proposals probable significant adverse environmental impacts (unless a non-exempt license has been issued if the proposal is a private project); or if the DNS was procured by misrepresentation or lack of material disclosure.

  
 \_\_\_\_\_ April 5, 2007  
 Environmental Coordinator Date

**OTHERS TO RECEIVE THIS DOCUMENT:**  
 State Department of Fish and Wildlife  
 State Department of Ecology, Shoreline Planner N.W. Region  
 Army Corps of Engineers  
 Attorney General  
 Muckleshoot Indian Tribe

RECEIVED

MAR 27 2006

4/5/07  
C Saari  
Land Use

City of Bellevue Submittal Requirements

PERMIT PROCESSING

27a

ENVIRONMENTAL CHECKLIST

4/18/02

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

BACKGROUND INFORMATION

Property Owner: William Chatalas and Partners

(\*) see below

Proprietor & Contact:  
Evan McMillan & William Chatalas Partners

Proponent:

Contact Person: Patrick Foley

(If different from the owner. All questions and correspondence will be directed to the individual listed.)

Address: The Justen Company  
506 2nd Ave, Suite 1020

11642 NE 13th Place  
Bellevue, WA 98007

Phone: 206-452-4137

Proposal Title: Griffith Short Plat

Griffith Preliminary Short Plat

Proposal Location: 1405 148th Ave NE

(Street address and nearest cross street or intersection) Provide a legal description if available.

\* Please attach an 8 1/2" x 11" vicinity map that accurately locates the proposal site.

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

1. General description: Develop short Plat of seven lots.

\* 2. Acreage of site: 4.37 Acres.

3.7 acres  
after BLA  
approved  
9/6/06

3. Number of dwelling units/buildings to be demolished: 0

4. Number of dwelling units/buildings to be constructed: 7

5. Square footage of buildings to be demolished: N/A

6. Square footage of buildings to be constructed: 3,500 - 5,000

7. Quantity of earth movement (in cubic yards):

Approx 3100 cu  
total

8. Proposed land use: Single family

9. Design features, including building height, number of stories and proposed exterior materials:  
FBD

10. Other

→ Protect wetland & stream by placing these areas within a Native Growth Protection Area.

Engineer: Mark Keller, Triad Assoc.  
Property Owners:  
① Evan McMillan  
② Graham Gaiser  
③ Dale Griffith  
④ William Chatalas  
⑤ Carol Gaiser

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

Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain. ~~NO~~

Construction of new SF home

List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal. Wetland Delineation report by Eco Pacific Consultants dated 11-4-2005. Geo Tech report by Pan Geo, Inc. \* See below

Geotech repts. dated 9-11-06 & 11-4-05

Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain. List dates applied for and file numbers, if known. NO

List any government approvals or permits that will be needed for your proposal, if known. If permits have been applied for, list application date and file numbers, if known. Land Use / Preliminary Short Plat approval.

- ① Preliminary Short Plat
- ② Plat Engineering
- ③ Final Short Plat

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

see updated plat sheets in file

Land Use Reclassification (rezone) Map of existing and proposed zoning

Preliminary Plat or Planned Unit Development Preliminary plat map

Preliminary Short Plat map dated 3/27/06 by Triad Associates

Clearing & Grading Permit Plan of existing and proposed grading Development plans

Preliminary grading / TESC Plans dated 3/23/06 by Triad Associates

Building Permit (or Design Review) Site plan Clearing & grading plan

Shoreline Management Permit Site plan

Some slopes 25-40% category. No over 40% slopes

A. ENVIRONMENTAL ELEMENTS

1. Earth

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

b. What is the steepest slope on the site (approximate percent slope)? 10%

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

Glacial Till + sand + gravel

\* Arborist repts dated 9-5-06 by Brian Gilles, Certified Arborist

Straw bales. Cover exposed soils with plastic. Inspection by CG inspector. Turbidity monitoring. double filter fence outside season restriction Hand excavate for sewer line + vegetate.

Potential for erosion/sedimentation into wetland/stream. TESP controls req'd be 41 + 60 percent, including a double filter fence of NAPA line. Subject to rainy season restriction

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe. No

e. Describe the purpose, type, and approximate quantities of any filling or grading proposed. Indicate source of fill. Purpose of fill is to construct the access road

Fill 673 CY  
Cut 103 CY

Approx. 3400 ccy total earth movement. Source of fill: to be determined

f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe. Erosion control BMP will be installed prior to grading the site. Control measures include interceptor ditches, filter fabric fences, catch basin inlet protection,

g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)? 58% of site will be impervious surfaces at build out. Impervious surfaces include roof tops, driveways, patios & road.

h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any: City requirements will be adhered to for erosion control measures described in item F. Measures shall be inspected daily & repaired immediately as needed. Additional measures shall be installed as the site construction progresses & weather warrants.

2. AIR

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

Air emissions from construction vehicles. See also # F above

b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe. NO

c. Proposed measures to reduce or control emissions or other impacts to the air, if any: None.

Construction dust suppression measures per BCC 23.76 Clearing & Grading Code

3. WATER

a. Surface

(1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If seasonal water in the base of the wetland that eventually becomes Kelsey Creek,

Type A wetland 2 non-protected Type C wetland riparian corridor. Type B

appropriate, state what stream or river it flows into. *Kelsey Creek*

- (2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If Yes, please describe and attach available plans. *Yes.*
- (3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material. *None. However, there are 2 small unrequited wetlands that will be filled. Refer to the wetland Delineation report.*
- (4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known. *No.*
- (5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan. *No.*
- (6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge. *No.*

*Source of fill:  
To be determined*

*52 cy fill  
for 2 Type C  
non-protected  
wetlands*

*294 cy  
sewer line  
work in  
Type A  
wetland.*

b. Ground

- (1) Will ground water be withdrawn, or will water be discharged to ground water? Give general description. *No.*
- (2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals...; agricultural; etc.) Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve. *N/A*

c. Water Runoff (Including storm water)

Runoff to detention vault -

Runoff from homes/road.

water quality will occur prior to being released at a controlled rate to level spreader before displaying to wetlands.

- (1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe. source is rainfall & hose run-off from gardening watering. In existing conditions, the site flows into wetlands at the southern limits of the site. In developed conditions, the site run-off will disperse into the wetlands. Item (D) describes run off control.
- (2) Could waste materials enter ground or surface waters? If so, generally describe. NO.

BCC 24.06

Storm drainage detention per COB + DOE requirements standard managed for Puget Sound, subject to seasonal restrictions standard erosion control measures per BCC 23.76. straw bales & double fence

- d. Proposed measures to reduce or control surface, ground, and runoff water impacts, if any: runoff will be collected by a catch basin conveyance system & will be routed through a detention vault. runoff from the detention vault will discharge at a controlled release rate based on DOE requirements. ~~Some areas cannot be collected by the conveyance system & vault. These areas are bypass areas. vault is designed to account for the bypass areas.~~ ~~By pass areas include previous surfaces & are considered to be pin-like in existing conditions & will not permit discharge in developed conditions.~~ runoff from detention vault will discharge to a level spreader prior to dispersing into wetlands.

4. Plants

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

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

Min. 15 to diameter in. of sign. trees to be saved per LUC 20.20.900.D. Applicant proposes to save 29% diameter inch of sign. trees. Significant trees not located at the NAPA to be removed or potentially removed for road/utility construction + SF home/lot develop.

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

Black Berries & some deciduous trees.

- c. List threatened or endangered species known to be on or near the site. None known.

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

Landscaping is TBD. Native plants in some capacity will be used. This issue will be handled at final short plat approval.

Revegetation of disturbed areas of NAPA - revegetate with native plants per wetland mitigation.

5. ANIMALS

a. Check or circle any birds and animals which have been observed on or near the site or are known to be on or near the site: *None observed.*

- Birds: hawk, heron, eagle, songbirds, other:
- Mammals: deer, bear, elk, beaver, other:
- Fish: bass, salmon, trout, herring, shellfish, other:

*animals typical to inland forest*

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

*None*

c. Is the site part of a migration route? If so, explain. *No.*

d. Proposed measures to preserve or enhance wildlife, if any: *N/A*

6. Energy and Natural Resources

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

b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe. *No.*

c. What kinds of energy conservation features are included in the plans of the proposal? List other proposed measures to reduce or control energy impacts, if any: ~~None~~ *TBD.*

7. Environmental Health

a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, describe.

*No.*

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

*None*

(2) Proposed measures to reduce or control environmental health hazards, if any.

*N/A*

b. Noise

(1) What types of noise exist in the area which may affect your project (for example, traffic, equipment, operation, other)? *Traffic from 148<sup>th</sup> st.*

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

(3) Proposed measures to reduce or control noise impacts, if any: *None.*

*Truck traffic noise  
and construction noise  
per city's Noise  
Ordinance  
BCC 9.18*

8. Land and Shoreline Use

a. What is the current use of the site and adjacent properties? *single family.*

b. Has the site been used for agriculture? If so, describe. *No*

c. Describe any structures on the site. *None.*

d. Will any structures be demolished? If so, what? *No.*

e. What is the current zoning classification of the site? *single family (R-2.5)*

\* f. What is the current comprehensive plan designation of the site? *SF-M*

g. If applicable, what is the current shoreline master program designation of the site? *N/A*

h. Has any part of the site been classified as an "environmentally sensitive" area? If so, specify. *Yes, wetland  
on the southern edge of the property.*

i. Approximately how many people would reside or work in the completed project? *14 - 20*

j. Approximately how many people would the completed project displace? *None*

k. Proposed measures to avoid or reduce displacement impacts, if any: *N/A*

*site-vacant  
adj. - SF*

*Type A wetland  
Type B riparian  
consider*

- i. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any: *work within Bellevue City code.*

## 9. Housing

- a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing. *7 units, middle-high.*
- b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing. *None.*
- c. Proposed measures to reduce or control housing impacts, if any: *N/A*

## 10. Aesthetics

- a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed? *TB.*
- b. What views in the immediate vicinity would be altered or obstructed? *None.*
- c. Proposed measures to reduce or control aesthetic impacts, if any: *N/A*

*views to greenbelt from north S+W.*  
*R-3.5 max 30' ht from all fur grad to mid pt pitched roof*

## 11. Light and Glare

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur? *None.*
- b. Could light or glare from the finished project be a safety hazard or interfere with views? *NO*

- c. What existing off-site sources of light or glare may affect your proposal? *None.*
- d. Proposed measures to reduce or control light or glare impacts, if any: *N/A*

**12. Recreation**

- a. What designated and informal recreational opportunities are in the immediate vicinity? *City Parks.*
- b. Would the proposed project displace any existing recreational uses? If so, describe. *None.*
- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any: *N/A*

**13. Historic and Cultural Preservation**

- a. Are there any places or objects listed on, or proposed for, national, state, or local preservation registers known to be on or next to the site? If so, generally describe. *None known.*
- b. Generally describe any landmarks or evidence of historic, archeological, scientific, or cultural importance known to be on or next to the site. *None known.*
- c. Proposed measures to reduce or control impacts, if any: *N/A*

**14. Transportation**

- a. Identify public streets and highways serving the site, and describe proposed access to the existing street system. Show on site plans, if any. *148th Street.*
- b. Is site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?  
*Yes. 100 feet.*
- c. How many parking spaces would be completed project have? How many would the project eliminate?  
*14 plus street parking. Estimated total 25*
- d. Will the proposal require any new roads or streets, or improvements to existing roads or streets, not including driveways? If so, generally describe (indicate whether public or private). *yes, public road w/ turn around.*
- e. Will the project use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe. *No.*

*New private road from 148th Ave NE  
New road per COB stand + sig: 15*

✓

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

~~10~~ ~~trips~~ trips per day per lot.

07 pm peak hrs. trip  
70 trips daily

g. Proposed measures to reduce or control transportation impacts, if any: N/A

ROW  
use permit  
for hauling, etc.

According to the Transp. Dept  
the City's transportation network  
is sufficient to accommodate  
these additional trips.

15. Public Services

a. Would the project result in an increased need for the public services (for example: fire protection, police protection, health care, schools, other)? If so, generally describe. No.

Existing public services  
sufficient to accommodate  
this project.

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

16. Utilities

a. Circle utilities currently available at the site: electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other.

b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

Extend to existing water & sewer within the area/ site.  
Electricity off 148<sup>th</sup> St. from PSE

Storm detection  
per CDB RDOES  
req't.  
BCC 24.06

Signature

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature..... Patel, Faraj

Date Submitted..... 3/26/06



**City of Bellevue  
Department of Planning & Community Development  
Land Use Division Staff Report**

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**Proposal Name:** Griffith Preliminary Short Plat

**Proposal Address:** 1405 148<sup>th</sup> Ave. NE

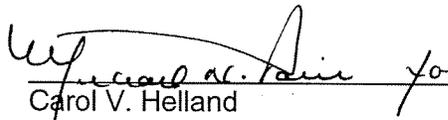
**Proposal Description:** Subdivide an existing 3.7 acre single family residential lot into 7 single family residential lots in the R-2.5 zoning district.

**File Number:** 06-108752-LN

**Applicant:** Evan McMullan, William Chatalas & Partners

**Decisions Included:** Administrative Decision for a Preliminary Short Plat through Process II, Land Use Code 20.35.200

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

  
\_\_\_\_\_  
Carol V. Helland  
Environmental Coordinator  
Department of Planning and Community Development

**Department Decision:** **Approval with Conditions**

  
\_\_\_\_\_  
Carol Saari, Associate Planner  
Department of Planning and Community Development

Application Date: 03/27/06  
Notice of Application: 04/27/06  
Minimum Comment Period: 05/11/06  
Decision Publication Date: 04/05/07  
Appeal Deadline: 04/19/07

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For information on how to appeal a proposal, visit the Permit Center at City Hall or call (425) 452-6800 [TTY (425) 452-4636]. Appeal of the Decision must be made with the City Clerk by 5 PM on the date noted for appeal of the decision.

**I. Description of Proposal**

The applicant proposes to short plat an existing 3.7<sup>1</sup> acre single family residential lot into 7 single family residential lots in the R-2.5 zoning district. The property is located along the west side of 148<sup>th</sup> Ave. NE, just north of NE 13<sup>th</sup> Place. **See Attachment A - Plans.**

There are no structures onsite; the site is wooded and vacant. The site slopes from the northeast corner (high) to the southwest corner (low) with an elevation drop of 54 feet over 580 lineal feet (slope of about 9%). There is a Type A wetland and Type B riparian corridor onsite.

A new driveway access will be provided from 148<sup>th</sup> Ave. NE. This will be a private access road (easement) which will serve all seven lots. A split rail fence will be located along the southern edge of the road.

City water and sewer will serve the site. Storm water detention will be required.

**II. Site Description and Context**

The site is located in the Wilburton/NE 8<sup>th</sup> Street Subarea about 1/3 mile north of the intersection of NE 8<sup>th</sup> Street and 148<sup>th</sup> Ave. NE. The site is the vacant wooded site behind the dilapidated solid wood fence along the west side of 148<sup>th</sup> Ave. NE. It is one of the last vacant parcels along 148<sup>th</sup> Ave. NE between NE 8<sup>th</sup> Street and Bel-Red Road. **See Attachment B - Vicinity Map.**

The site is surrounded by established single family neighborhoods, zoned R-2.5 (south & west) and R-5 (north & east). **See Attachments C - Zoning Map and D – Aerial Photograph.** There are commercial areas within one mile of the site, located at the intersections of 148<sup>th</sup> Ave. NE & NE 8<sup>th</sup> (Car Wash) and 148<sup>th</sup> Ave. NE & Bel-Red Road (Jack in the Box).

As mentioned in Section I above, a wetland and riparian corridor (stream) are located on the property. The stream eventually connects with Kelsey Creek which is a fish bearing stream.

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<sup>1</sup> A Boundary Line Adjustment was approved on September 6, 2006 (File Number 06-108750-LW). The original acreage of the subject short plat property was 4.37 acres and was reduced by 0.67 acres to a new site area of 3.7 acres. The subject drawings in this staff report reflect the new property line per the approved Boundary Line Adjustment and the new lot area of 3.7 acres.

III. CONSISTENCY WITH LAND USE CODE/ZONING REQUIREMENTS

A. Consistency with Standard Land Use Code Requirements

BASIC INFORMATION		
Zoning District	R-2.5	
Gross Site Area	3.7 acres	
ITEM	REQ'D/ALLOWED	PROPOSED
Minimum Lot Area	13,500 Square Feet (may be reduced to 11,475 Square Feet under the lot averaging provision of LUC 20.20.017)	Lots range in size from 11,495 Square Feet to 17,685 Square Feet. <u>Note</u> : The applicant is using lot averaging correctly per LUC 20.20.017.  The separate NGPA tract is 66,305 square feet (1.52 acres).
Minimum Lot Width	80 Feet	Lots range in width from 80 Feet to 171 Feet
Minimum Lot Depth	80 Feet	Lots range in depth size from 126 Feet to 188 Feet
Minimum Width Street Frontage	30 feet	Lots range in street frontage width from 84 Feet to 181 Feet
ITEM	REQ'D/ALLOWED	PROPOSED
Building Setbacks		For future lots:
Front Yard	20 Feet	20 Feet
Rear Yard	25 Feet	25 Feet
Min. Side Yard	5 Feet	5 Feet
2 Side Yard	15 Feet	15 Feet
Access Easement	10 Feet	10 Feet
Lot Coverage	35% maximum	35% for future lots
Impervious Surface	50% maximum	50% maximum for future lots
Tree Retention	15% or 514 Diameter Inches of significant trees out of 3,427 total Diameter Inches of significant trees onsite	29% or 1,001 Diameter Inches of significant trees within the NGPA

B. Special District Requirements (Sensitive Area Overlay District LUC. 20.25H)

**Note:** The application is vested prior to the August 1, 2006 effective date of the new Critical Areas Ordinance since the application was submitted and deemed complete prior to this date. See condition IX.C.1.

The site contains a Type A wetland and Type B riparian corridor. The applicant proposes to protect these areas and associated primary setbacks within a Native Growth Protection Area (NGPA). The NGPA will include approximately 66,305 square feet (1.52 acres) of the 3.7 acres total, amounting to about 40% of the total site area to be set aside as an NGPA.

There are two Type C non-protected wetlands (approximately 2,853 square feet and 737 square feet) located on the site. Type C wetlands are those wetlands less than 7,200 square feet in area and not associated with a Type A or B stream (LUC 20.50.054). Type

C wetlands are not regulated as protected areas, per LUC 20.25H.070.A.3, and may be filled. The applicant proposes to fill these two Type C wetlands.

There are no slopes over 40% onsite. However, there are slopes within slope categories under 40%. As such, the applicant is required to meet the non-disturbance regulations of the Land Use Code (for properties with slopes over 15%). These regulations require 15,438 square feet of non-disturbance on the site, per LUC 20.25H.110.D.1. The applicant proposes 66,305 square feet which meets this requirement. The proposed non-disturbance is 3x more than that required by code. The non-disturbance area will be placed in a Native Growth Protection Area (NGPA). See condition IX.C.2.

#### IV. STATE ENVIRONMENTAL POLICY ACT (SEPA)

The environmental review indicates no probability of significant adverse environmental impacts occurring as a result of the proposal. The Environmental Checklist submitted with the application adequately discloses expected environmental impacts associated with the project. The City codes and requirements, including the Clearing and Grading Code, Utility Code, Land Use Code, Noise Ordinance, Transportation Standards and Codes, Building Code and other construction codes adequately mitigate expected environmental impacts.

Therefore, issuance of a Determination of Non-Significance (DNS) is the appropriate threshold determination under the State Environmental Policy Act (SEPA) requirements with the incorporation by reference of the *2006-2017 Transportation Facilities Plan Final Environmental Impact Statement* (TFP EIS) published November 2006. This document is available in the Records Room, Bellevue City Hall, 450 110<sup>th</sup> Ave. NE. Transportation-related impacts associated with the Griffith Preliminary Short Plat are consistent with the potential projected impacts analyzed in the 2006-2017 TFP EIS.

#### Water

Surface water runoff will be collected via catch basins from the road and house roof / footing drains by a piped conveyance system which will be routed to a detention vault. Water quality treatment is required and will remove pollutants in accordance with Engineering Standards. From the detention vault, surface water runoff will be discharged at a controlled release rate (per City of Bellevue requirements) to a level spreader prior to dispersing into the existing wetlands.

The applicant provided a report titled, "Wetland Delineation Report, 148 Avenue Project Site, Bellevue, WA," dated November 2005 prepared by EcoPacific Environmental Services. As outlined in the report, the site contains a Type A wetland and a Type B riparian corridor.

The site is located within the Kelsey Creek Drainage Basin. The Type B riparian corridor onsite eventually connects with Kelsey Creek which is a fish bearing stream. The applicant proposes to protect the Type A wetland and Type B riparian corridor by placing these areas and associated primary setbacks within a Native Growth Protection Area (NGPA). The NGPA will include approximately 66,305 square feet (1.52 acres). The two Type C wetlands

(approximately 2,853 square feet and 737 square feet) are not protected and will be filled since these wetlands are not protected areas, per LUC 20.25H.070.A.3.

There is the potential for contaminated surface water runoff to flow into the wetland and degrade the wetland function and stream which eventually connects to Kelsey Creek and could affect the fish habitat. This potential impact will be mitigated by the developer installing permanent runoff control and meeting the water quality requirements of the City of Bellevue Engineering Standards.

The project will require a sewer line connection to the Metro sewer man hole located in the southwest corner of the property. This will be installed within the wetland / riparian corridor and is allowed as an essential public utility where no feasible alternative location exists. Installation of the sewer line has the potential to impact the wetland and riparian corridor (plantings and water elements). To mitigate the potential impacts to the wetland and riparian corridor, the applicant will be required to hand excavate the work within this area and provide a revegetation plan prepared by a wetland biologist. A three year monitoring plan of plantings will be required. See condition IX.B.1.

There is the potential for temporary erosion and sedimentation into the wetland / riparian corridor with the earth movement activities related to construction of the road and utilities. These potential impacts will be mitigated by temporary erosion and sedimentation controls required by the Clearing and Grading Code Section 23.76.090. A double filter fence will be required to be installed just outside of the NGPA (see drawings sheet 2 of 5) so construction of the road and utilities (except the sewer line within the NGPA) will not impede the NGPA. See condition IX.B.2. Furthermore, the site is subject to rainy season construction restrictions (subject to special exceptions) intended to prevent erosion and sedimentation impacts to the water resources.

### **Transportation Impacts and Mitigation**

City staff has analyzed the potential short term operational impacts of this proposal in order to recommend mitigation if necessary. These impacts included traffic operations conditions during the a.m. and p.m. peak hours. This project will generate 7 new p.m. peak hour trips and 70 new daily trips. Current capacity of the City's transportation network is sufficient to accommodate these additional trips.

Sight distance is limited at the access location (short by approximately 50 feet to the north sight lines) due to an existing rockery. The rockery cannot be modified as it was built to preserve a large, historic sequoia tree. To compensate for the lack of sight distance the developer will install a 12 foot wide deceleration / acceleration lane for ingress / egress from the private road to 148<sup>th</sup> Avenue NE. The new lane will connect to an existing deceleration / acceleration lane located south of the site.

The access location is restricted to right-in / right-out only by an existing landscaped median. No modifications to the existing access restrictions are authorized with the approval of this short plat application.

## V. SUMMARY OF TECHNICAL REVIEWS

### A. Utilities Department Review

The City has adequate capacity for providing water, sanitary sewer and storm drainage service for this proposal.

The water, sewer and storm drainage systems have been reviewed on a conceptual basis only. There are no implied approvals of the engineering specifications for the water, sanitary sewer and/or storm drainage for the site. Water, sewer and storm drainage design review, plan approval and field inspection shall be conducted through the Utility Developer Extension Agreement (UE) process or Side Sewer Permits and Water Service Applications. See condition IX.A.1.

### B. Fire Department Review

The Fire Department has reviewed the proposal and finds that the proposal meets Fire Department requirements. No conditions of approval are necessary.

### C. Transportation Department Review

The Transportation Department has reviewed the plans submitted for the Griffith Short Plat and recommends approval with conditions as listed in this report. The final engineering plans must show all transportation-related improvements and must be consistent with the Transportation Development Code (BCC 14.60) and the Transportation Design Manual prior to approval of the plat infrastructure permit. Prior to final short plat approval, the developer must provide all transportation improvements at the developer's expense (BCC 14.60.110) or provide an acceptable financial assurance device equivalent to 150% of the cost of unfinished improvements. All transportation-related improvements that constitute safety issues cannot be delayed by a financial device once begun. See condition IX.C.3.

Under BCC 22.16, payment of the transportation impact fee for each new house will adequately mitigate off-site transportation impacts. The fee amount is subject to periodic revision by the city council. Builders will pay the fee in effect at the time of building permit issuance. See condition IX.D.1.

### Use of the Right of Way

Applicants often request use of the right of way and of pedestrian easements for materials storage, construction trailers, hauling routes, fencing, barricades, loading and unloading and other temporary uses as well as for construction of utilities and street improvements. A Right of Way Use Permit for such activities must be acquired prior to issuance of any construction permit including demolition permit. This permit is issued

directly by the Transportation Department. See conditions IX.B.3 & B.4.

### **Street Frontage Improvements**

Prior to final short plat approval, the developer must relocate existing street frontage improvements on 148<sup>th</sup> Avenue NE at the developer's expense (BCC 14.60.110). This work cannot be delayed by a financial device once begun. The final engineering plans showing the relocation of the existing frontage improvements must be consistent with the Transportation Development Code (BCC 14.60) and the Transportation Design Manual prior to approval of the plat infrastructure (GE) permit.

Additional street frontage improvements include, but not limited to:

- 1) Installation of a 12 foot wide deceleration / acceleration lane adjacent to the east property line of the site (this work will require the relocation of existing street frontage).
- 2) Relocation of all above and below grade utilities and appurtenances impacted by the relocation of the existing street frontage.
- 3) Landscaping of planter strip at new location (may include replacement of street trees).
- 4) Replacement of all existing fencing, sound barrier walls impacted by the relocation of the street frontage.
- 5) Street signing at plat access location (stop sign, street name sign, etc.).
- 6) All other work needed to facilitate relocation of existing street frontage.
- 7) Installation of driveway apron as specified by Design Manual drawing DEV-7E

See conditions IX.B.5, B.6 & C.3.

### **Site Access**

Access to the site will be from a private road connecting to 148<sup>th</sup> Avenue NE. Private road width has been set at 24 feet (12 foot wide travel lanes) and shall be paved full-width, full-length with curb and gutter on both sides. Connection to 148<sup>th</sup> Avenue NE shall be via the City's standard driveway apron as specified in Design Manual drawing DEV-7E (see "Transportation Impacts and Mitigation" for traffic analysis results of site access).

The final short plat must include a covenant that permanently binds the property owners to provide for maintenance and repair of the private road, including a condition that the private road will remain open at all times for emergency and public service vehicles.

See conditions IX.B.5 & C.4.

### **Pavement Restoration**

The City of Bellevue has established the Trench Restoration Program to provide developers with guidance as to the extent of resurfacing required when a street has been damaged by trenching or other activities. Under the Trench Restoration Program, every

public street in the City of Bellevue has been examined and placed in one of three categories based on the street's condition and the period of time since it was last resurfaced. These three categories are, "No Street Cuts Permitted", "Overlay Required", and "Standard Trench Restoration". Each category has different trench restoration requirements associated with it. Near the development site 148<sup>th</sup> Avenue NE is classified as an "Overlay Required Street". The applicant shall comply with all requirements for pavement restoration as specified by the Right-of-Way division of the Transportation Department per right-of-way permitting coordination and application. See condition IX.B.7.

#### **D. Clearing & Grading Review**

The applicant will be required to meet the requirements of the Clearing and Grading Code. A double filter fence will be required outside of the NGPA line. See condition IX.B.2.

### **VI. PUBLIC COMMENT**

Notice of Application was published in the City of Bellevue's *Land Use Bulletin* and the *King County Journal* on April 27, 2006. It was mailed to property owners within 500 feet of the project site and a Public Information Sign was installed on the project site on the same day. Staff received two written comments: one from an adjacent neighbor, Mr. Canzano (see comments below) and another from the Muckleshoot Indian Tribe requesting a copy of the drawings to clarify the location of the wetland.

Mr. Canzano lives adjacent to the north of the proposed Lot 4.

#### **A. Tree preservation:**

Mr. Canzano is concerned that the project is not saving the required trees per code, in particular trees along the perimeter (north and east boundaries) and within the wetlands. He cites LUC 20.20.520.E. Removal of trees will alter the character of the property as it currently exists. He is also concerned about his view and noise as relates to tree preservation.

Response: For short plats, the Land Use Code requires the applicant to save 15% of the diameter inches of significant trees onsite. The applicant proposes to save 29% of the diameter inches of significant trees onsite. This is almost twice the amount required by code. All of these trees to be saved are within the wetland which will be designated on the face of the short plat as a permanent Native Growth Protection Area (NGPA).

The code does not require the applicant to save all of the perimeter trees. Single family zoned properties (such as this property) are not subject to the perimeter tree retention requirements of LUC 20.20.520.E.1. Only those properties designated multi-family, commercial and industrial, as indicated in Table LUC 20.20.520.F.1, are subject to the perimeter tree retention requirement. These zones have specific perimeter widths specified (i.e. 8' wide, 10' wide). No where

in the code is there a width indicated for a perimeter landscaping or tree retention requirement for single family zoned properties.

The City does not have code authority to require a tree to be saved for the purpose to preserving a greenbelt view or providing a noise buffer for an adjacent neighbor. The City Council has not adopted a view preservation ordinance (i.e. views of the lake or views of forests). The City Council has adopted Noise Control Ordinance BCC 9.18. This ordinance regulates noise emanating from residences to a maximum noise level of 55 dBA (daytime) and 45 dBA (evening). For reference, 55 dBA is comparable to a quiet office and 45 dBA is comparable to a refrigerator humming. Hours of construction are limited to weekdays 7am to 6pm and Saturdays 9am to 5pm. No construction work is allowed at other times (BCC 9.18.020.C). If there is construction noise outside of those hours or if there is noise emanating from the new residences which exceed maximum allowable noise levels, 911 should be called for enforcement.

Another issue mentioned by Mr. Canzano is that the removal of trees will alter the character of the property as it currently exists. The property is zoned R-2.5 which is single family zoning. The applicant has the right to develop the property, subject to meeting applicable City codes and standards. The circumstances regarding the development of this property are consistent with pre-existing conditions of other properties in the vicinity and region which were once largely lowland forest. Mr. Canzano's lot is Lot 19 of the Butler Estates Plat (37 lots) which was recorded 10 years ago (in 1997). The same regulations were imposed on Butler Estates (37 lots) as are being imposed on the Griffith Short Plat (7 lots).

**B. Wetlands:**

Mr. Canzano states that the two Type C wetlands should be protected since they appear to be hydrologically connected to the Type A wetland. Also, Mr. Canzano purports that the access road and underground utilities are considered structures and therefore must meet the 20-foot structure setback from the wetland. Utilities run through the wetland and this violates code since no alternative routes have been considered. And, there will be runoff from the road and development that will degrade water quality within the wetland.

Response: The two Type C wetlands have been evaluated by a wetland biologist and City staff. Type C wetlands are those wetlands less than 7200 square feet which are not adjacent to or otherwise hydrologically related with a Type A or B riparian corridor. Based upon the City's classification system, these wetlands are Type C wetlands. See "Definition: Wetlands, Type C" per LUC 20.50.054 (prior to August 1, 2006), as follows:

**Wetlands, Type C**

Those wetlands with an area of less than 7,200 square feet which do not include, are not adjacent to, or are not otherwise hydrologically related with a Type A or B Riparian Corridor.

City staff concurs with the wetland biologist's report and findings. The subject wetlands are under 7200 square feet in size and are not hydrologically related to a Type A or B riparian corridor. The Land Use Code does not speak to a relationship between wetlands in regards to establishing wetland type.

The access road and utilities are not considered structures and therefore do not need to meet the structure setback for the Type A wetland. See the definition of "Structure" per LUC 20.50.046, as follows:

**Structure**

A combination of materials constructed and erected permanently on or under the ground or attached to something having a permanent location on or under the ground. Not included are residential fences, retaining walls less than 30 inches in height, rockeries less than 30 inches in height and similar improvements of a minor character. For the purposes of Part 20.25E LUC, regulations for the Shoreline Overlay District, a different definition applies. See LUC 20.25E.017.C.

The City of Bellevue has never regulated roads and utilities as "structures" which need to meet structure setbacks.

The only location for the sewer line to connect to the Metro sewer line is through the wetland. This is the most direct route for the sewer line and is the lowest grade elevation to connect to the Metro sewer line. Alternative routes to relocate the line farther to the south would disturb more of the wetland. Another route would be to run up through Lot 6 out of the wetland area, but this is not feasible since the elevation rises uphill and the sewer line requires gravity flow (downhill). Mitigation of the disturbed wetland will be required with new wetland plantings. See condition IX.B.1.

Water quality treatment will be required for the storm water runoff from the road and future development. The applicant proposes a wet vault which has been "sized" by a licensed civil engineer according to City codes and standards. The wet vault will be large enough to accommodate anticipated storm water runoff. As noted in the "Water" discussion of Section IV above, surface water runoff will be collected via catch basins from the road and house roof / footing drains by a piped conveyance system which will be routed to a detention vault (wet vault). Water quality treatment will occur within the wet vault to collect sediment (with attached pollutants). From the detention vault, surface water runoff from the detention vault will be discharged at a controlled release rate (per City of Bellevue requirements) to a level spreader prior to dispersing into the existing wetlands.

**C. Riparian Corridor designation:**

In Mr. Canzano's letter, he disagrees with our typing of the riparian corridor as a Type B riparian corridor. Instead, he says it should be a Type A since it is hydrologically related to the wetland. Also, he says that the 2005 Preapplication letter sent by the City said it was a Type A riparian corridor. He references the

riparian corridor as "Ashley Creek."

Response: Even though the riparian corridor is hydrologically related to the wetland, it does not automatically classify it as a Type A riparian corridor. A Type A riparian corridor has several criteria, one of which is, that it provides breeding and rearing areas for aquatic and terrestrial animals (i.e. salmon spawning in Kelsey Creek). See "Definitions: Riparian Corridor, Type A" LUC 20.50.044 (prior to August 1, 2006), as follows:

#### **Riparian Corridor, Type A**

Type A riparian corridors: Are stable and established corridors which have an established floodplain as mapped by FEMA National Flood Insurance Program, or generally satisfy the following conditions:

1. Include Riparian habitat, as distinguished from other terrestrial habitats, which includes a vegetation community that is integrated with the stream ecosystem and provides food, shelter, breeding and rearing areas for aquatic and terrestrial animals. Type A Riparian Corridors are measured from the top of each stream bank and include a primary setback which extends away from the stream on each side a distance of 50 feet;
2. May contribute to or establish a natural open space character; and
3. Scored 40 or less on the City of Bellevue Storm and Surface Water Utility Department Comprehensive Watercourse Inventory, or are bounded upstream and downstream by corridor reaches with scores of 40 or less (unless the subject reach is longer than the sum of the lengths of adjacent upstream and downstream reaches).

The riparian corridor onsite does not have an established floodplain mapped by FEMA. It also not provide rearing areas for aquatic animals, i.e. fish rearing. Therefore, it is not classified as a Type A riparian corridor. (Note: Even if the subject riparian corridor were classified as a Type A riparian corridor, the Type A riparian corridor 50-foot primary setback and 20-foot structure setback would still fall within the proposed NGPA and be protected).

The 2005 Preapplication letter noted a Type A riparian corridor onsite. The 2006 Preapplication letter revised that designation to a Type B riparian corridor by the City's Senior Environmental Planner. City staff (including the Senior Environmental Planner) have visited the site twice and still concur that it is a Type B riparian corridor, not a Type A. The City of Bellevue Sensitive Areas Notebook (1987) designates the riparian corridor as a Type B riparian corridor #0267A (Wilburton Subarea Riparian Corridors).

There are no Land Use records which indicate that the subject Type B riparian corridor has the name of "Ashley Creek." This may be a local / neighborhood name for the riparian corridor.

**D. Erosion and sedimentation into the wetland during construction activities:**

Mr. Canzano is concerned that construction activities would cause erosion and sedimentation into the wetland and degrade the quality of the wetland. He says the City should consider relocating the road to protect the potential negative water quality impacts to the wetland.

Response: The City of Bellevue has stringent requirements regarding construction adjacent to protected areas, including wetlands and riparian corridors. This area is a designated Native Growth Protection Area (NGPA). As shown on sheet 2 of 5, the applicant has proposed a double filter fence. This double filter fence will be located outside of the NGPA so as to assure that there is no disturbance to the NGPA. See condition IX.B.2. This erosion control measure as well as those imposed with the clearing and grading permit will adequately mitigate potential erosion and sedimentation impacts to the NGPA. Other erosion control measures to be placed on the clearing and grading permit include the following:

- Turbidity monitoring to obtain samples of the surface water runoff and analyze the amount of sedimentation in the sample. If the level of sediment is too high, additional erosion control measures will be taken. The frequency of turbidity monitoring is determined by the Clearing and Grading Inspector.
- Restricting work to occur outside of the rainy season (November 1<sup>st</sup> through April 30<sup>th</sup>), unless extraordinary erosion control measures are approved by the City and in place prior to the start of any earth movement.
- Frequent inspections by the Clearing and Grading Inspector and if needed inspections to be on a daily basis during critical times of the earth movement activities.
- Straw bales outside of the NGPA to collect surface water runoff.
- Plastic covering of exposed soils.

The City will not require the applicant to relocate the road. In fact, if the road were relocated farther north, there could potentially be more noise impacts to Mr. Canzano since vehicular traffic would be closer to his house.

**E. Traffic:**

Mr. Canzano states that the additional traffic generated from this project will add additional traffic onto 148<sup>th</sup> Ave. NE which is already at capacity. Also visibility is a problem for exiting vehicles looking north due to the height with sidewalk (with the sequoia tree).

Response: This project will generate 7 new p.m. peak hour trips and 70 new daily trips. According to the Transportation Department, current capacity of the City's transportation network is sufficient to accommodate these additional trips.

The Transportation Department worked several months with the applicant to analyze several design options to create a safer driveway for the short plat and create a safer sight distance to 148<sup>th</sup> Ave. NE. As noted in Section IV "Transportation" above, the access location is restricted to right-in / right-out only. Sight distance is limited at the access location (short by approximately 50 feet to the north sight lines) due to an existing rockery. The rockery cannot be modified as it was built to preserve a large, historic sequoia tree. To compensate for the lack of sight distance the developer will install a 12 foot wide deceleration / acceleration lane for ingress / egress from the private road to 148<sup>th</sup> Avenue NE. The new lane will connect to an existing deceleration / acceleration lane located south of the site.

**F. Loss of "Greenbelt" Area:**

There will be a loss of the "greenbelt." And, the new housing development will lower their property value.

Response: Many new neighbors buy their homes thinking there is a permanent "greenbelt" behind their house. If the City does not own the adjacent property as open space or the neighbor has not purchased the adjacent property, there is no guarantee that the private property will remain undeveloped. The Griffith short plat site is zoned for single family homes, therefore the owner of the undeveloped property has the right to develop single family homes according to City codes and regulations. Lot 4 is adjacent to Mr. Canzano's property. Lot 4 is 13,941 square feet (R-2.5 zoning district), whereas Mr. Canzano's lot is 7,150 square feet (R-5 zoning district). Lot 4 is almost twice the size of Mr. Canzano's lot. If the Griffith site had the same zoning as Mr. Canzano's lot, there could be almost two houses behind his lot, instead of just Lot 4.

The City of Bellevue does not analyze adjacent property values before and after a development is built.

**VII. Decision Criteria:**

Land Use Code Section 20.45B.130B Decision Criteria for a Preliminary Short Plat:

The Director may approve or approve with modifications an application for a Preliminary Short Plat if:

- 1. The Preliminary Short Plat makes appropriate provisions for, but not limited to, the public health, safety and general welfare, for open spaces, drainage ways, streets, sidewalks, alleys, other public ways, water supplies, sanitary waste.**

**Finding:** City codes ensure public health, safety and general welfare through development code requirements. The lots will be accessed via a new private road from 148<sup>th</sup> Ave. NE. Existing public water and sewer facilities have been deemed adequate to serve the proposed development. A storm detention vault

(wet vault) and level spreader will be installed for storm water runoff.

**2. The public interest is served by the short subdivision.**

**Finding:** The public interest is served by providing additional housing opportunities in accordance with the Comprehensive Plan while ensuring compliance with City codes and standards.

**3. The preliminary short plat appropriately considers the physical characteristics of the proposed short subdivision site.**

**Finding:** The preliminary short plat considers the physical characteristics of the site by preserving the Type A wetland and Type B riparian corridor. The short plat will also provide non-disturbance areas and establish tree retention.

**4. The proposal complies with all applicable provisions of the Land Use Code (BCC Title 20), the Utility Code (BCC Title 24), and the City of Bellevue Development Standards.**

**Development Standards**

**Finding:** As conditioned, the proposal complies with the Land Use Code requirements for the R-2.5 zoning district, the Utility Code and the City of Bellevue Development Standards.

**Land Use Code Requirements**

**A. Dimensional Requirements:** The site is currently zoned R-2.5 which has a minimum lot size of 13,500 square feet. The dimensional requirements for the R-2.5 zoning district are as follows:

13,500 sf	Minimum Lot Size
20'	Front Yard Setback
25'	Rear Yard Setback
5'	Side Yard Setback
15'	Two Side Yard Setback
30'	Maximum Building Height
35%	Maximum Lot Coverage by Structure
80'	Minimum Lot Width
80'	Minimum Lot Depth

**Finding:** As conditioned, all of the lots can be developed in accordance with the City of Bellevue Land Use Code requirements including the R-2.5 dimensional requirements.

**B. Significant Tree Preservation:** Tree preservation requirements pursuant to LUC Section 20.20.900.D require the retention of 15% of the diameter inches of significant trees on the site. In order to meet the 15% minimum retention

requirement, the project must retain a minimum of 514 diameter inches of significant trees.

**Finding:** The applicant proposes to preserve a total of 1,001 diameter inches or 29% of the diameter inches of significant trees onsite. At 29%, the applicant proposes to save almost twice the code requirement of a minimum of 15% of the diameter inches of significant trees onsite. No construction may occur within the dripline of significant trees to be saved. See condition IX.C.5.

**C. Non-Disturbance:** The non-disturbance regulations of the Land Use Code require 15,438 square feet of non-disturbance.

**Finding:** The applicant proposes 66,305 square feet of non-disturbance which meets this requirement by more than three times. The non-disturbance area shall be placed in the proposed Native Growth Protection Area (NGPA). See condition IX.C.2.

**5. The proposal is in accord with the Comprehensive Plan (BCC Title 21).**

**Finding:** The site is located within the Wilburton/NE 8th Street Subarea. The Comprehensive Plan specifies Single-Family Medium Density development for this property which is consistent with the R-2.5 zoning designation. The proposal complies with applicable Comprehensive Plan policies City-wide and for this Subarea.

The single family homes are, by use type, compatible with surrounding neighborhoods. The proposal provides new housing as encouraged by the Comprehensive Plan (Policy LU-3) and helps meet Bellevue's share of the regionally adopted demand forecasts for residential uses for the next 20 years (LU-5).

The proposal provides development on infill or under-utilized sites with adequate urban services (HO-17) and meets the Neighborhood Quality goal (Housing Element) to ensure compatible housing and environmentally sensitive features by preserving healthy significant existing trees on-site.

**6. Each lot in the proposal can reasonably be developed in conformance with current Land Use Code requirements without requiring a variance.**

**Finding:** As conditioned, each lot can reasonably be developed to current R-2.5 zoning standards without requiring a variance. See condition IX.C.6.

**7. All necessary utilities, streets or access, drainage and improvements are planned to accommodate the potential use of the entire property.**

**Finding:** The Utilities and Transportation Departments have reviewed the preliminary short plat and determined that all necessary utilities, drainage,

driveway access and other required improvements are existing, planned or conditioned as part of this approval to accommodate the use of these lots.

**VIII. Conclusion and Decision:**

After conducting the various administrative reviews associated with this proposal, including applicable Land Use consistency, City Code, and standard compliance reviews, the Director of Planning and Community Development does hereby **approve** the Griffith Preliminary Short Plat **with conditions**.

This approval automatically expires and is void if the applicant fails to file for approval of the final short plat within one year of the effective date of approval unless the applicant files for an extension at least 30 days prior to the expiration and the extension is granted pursuant to LUC 20.45B.150 and .160.

**IX. Conditions of Approval:**

**A. GENERAL CONDITIONS:**

**1. WATER, SEWER AND STORM DRAINAGE**

Water, sewer and storm drainage design review, plan approval and field inspection shall be conducted through the Utility Developer Extension Agreement (UE) process, Side Sewer Permits and Water Service Applications.

AUTHORITY: Bellevue City Code 24.02, 24.04, 24.06

REVIEWER: Kim Serwold, Utilities Department

**B. PRIOR TO ISSUANCE OF ANY PLAT ENGINEERING/CLEARING AND GRADING PERMIT:**

**1. NGPA SEWER LINE EXCAVATION AND REVEGETATION PLAN**

For the sewer line, the applicant shall hand excavate all work within the NGPA. The applicant shall submit for approval a revegetation plan of disturbed areas within the NGPA. The revegetation plan shall be prepared by a wetland biologist. A three year monitoring plan of plantings will be required.

AUTHORITY: Land Use Code 20.25.110.B.4,7 & C.2

REVIEWERS: Carol Saari, Department of Planning & Community Development

**2. NGPA PROTECTION**

A double filter fence shall be installed just outside of the NGPA so construction of the road and utilities (except the sewer line within the NGPA) will not impact the NGPA.

AUTHORITY: Land Use Code 20.25.110.B.4, 5, Clearing and Grading Code 23.76.090

REVIEWERS: Carol Saari & Janney Gwo, Dept. of Planning & Community Development

### 3. RIGHT OF WAY USE PERMIT

The applicant is required to apply for a right of way use permit from the City of Bellevue Transportation Department before the issuance of any clearing and grading, building, foundation, or demolition permit. In some cases, more than one right of way use permit may be required, such as one for hauling and one for construction work within the right of way. A right of way use permit regulates activity within the city right of way, including but not limited to the following:

- a) Designated truck hauling routes.
- b) Truck loading and unloading activities.
- c) Hours of construction and hauling.
- d) Continuity of pedestrian facilities.
- e) Temporary traffic control and pedestrian detour routing for construction activities.
- f) Street sweeping and maintenance during excavation and construction.
- g) Location of construction fences.
- h) Parking for construction workers.
- i) Construction vehicles, equipment, and materials in the right of way.
- j) All other construction activities as they affect the public street system.

In addition, the applicant shall submit for review and approval a plan for providing pedestrian access during construction of this project. Access shall be provided at all times during the construction process, except when specific construction activities such as shoring, foundation work, and construction of frontage improvements prevents access. General materials storage and contractor convenience are not reasons for preventing access.

AUTHORITY: Bellevue City Code 14.30

REVIEWER: Jon Regalia, Transportation Department

### 4. OFF-STREET PARKING

The applicant must secure sufficient off-street parking for construction workers, equipment, and materials storage before the issuance of a clearing and grading, building, foundation or demolition permit.

AUTHORITY: Bellevue City Code 14.30

REVIEWER: Jon Regalia, Transportation (425) 452-4599

### 5. ENGINEERING PLANS

A street lighting plan, channelization plan, and site (civil engineering) plan produced by a qualified engineer must be approved by the City prior to clear and grading permit approval. The design of all street frontage improvements must be in conformance with the requirements of the Americans with Disabilities Act, the Transportation Development Code and the provisions of the Transportation Department Design Manual. The engineering plans must correctly show all transportation-related engineering details, including but not limited to, the design of the private road, the connection to 148<sup>th</sup> Avenue

NE via the City's standard driveway apron (per Design Manual DEV-7E) and new deceleration / acceleration lane, pavement restoration in 148<sup>th</sup> Avenue NE, mailbox location, and sight distance. Appropriate standard drawings from the Transportation Department Design Manual must be included in the engineering plans.

AUTHORITY: Bellevue City Code 14.60; Transportation Department Design Manual  
REVIEWER: Ray Godinez

## **6. SIGHT DISTANCE**

To compensate for lack of sight distance as specified by sight distance requirements of BCC 14.60.240 and standard drawing TE-1, existing street frontage will be relocated for the installation of a new deceleration / acceleration lane. Once begun, this work cannot be delayed by a financial device.

All vegetation, structures, and other appurtenances adjacent to the access location and within the sight distance lines shall be trimmed or relocated appropriately. Ground vegetation within the sight triangle shall have a maximum, mature height of 2.5 feet above a line drawn from pavement level to pavement level. Trees within the sight triangle must be limbed up to a height of 7.5 feet above a line drawn from pavement level to pavement level. A description of any required vegetation trimming must be shown on a sheet of the clearing and grading plan set.

AUTHORITY: Bellevue City Code 14.60.240  
REVIEWER: Ray Godinez

## **7. PAVEMENT RESTORATION**

The city's pavement manager has determined that this segment of 148<sup>th</sup> Avenue NE will require a full Grind and Overlay pavement restoration for any utility connections or other digging in the street surface. Pavement restoration will be specified by the Right-of-Way division as a part of the right-of-way permitting. Exact copies of the appropriate trench restoration drawing(s), as shown in the Design Manual, must be included in the final engineering plans.

AUTHORITY: Bellevue City Code 14.60.250 and Design Manual Design Standard # 21  
REVIEWER: Jon Regalia, 425-452-4599

### **C. PRIOR TO FINAL SHORT PLAT APPROVAL:**

#### **1. VESTING**

The final short plat shall portray the following:

"Per LUC 20.40.500.B, lots in a subdivision or short subdivision shall be vested against changes in the Land Use Code, including the Critical Areas Ordinance adopted August 1, 2006, except for changes that address a serious threat to the public health or safety as found by the City Council when such change is

adopted, for a period of five years following the date of recording of the final plat or final short plat.”

AUTHORITY: Land Use Code LUC 20.40.500.B

REVIEWER: Carol Saari, Department of Planning & Community Development

## **2. NON-DISTURBANCE**

The applicant shall preserve a minimum of 15,438 square feet within a Native Growth Protection Area (NGPA). The final short plat shall portray the standard NGPA wording. The NGPA shall be marked with permanent information stakes at the property line and at each angle point not on a property line.

AUTHORITY: Land Use Code 20.25H.110.D.1

REVIEWER: Carol Saari, Department of Planning & Community Development

## **3. INFRASTRUCTURE IMPROVEMENTS**

All street frontage and infrastructure improvements shown in the final engineering plans or required by city codes and standards must be either completed or provided for with a financial assurance device prior to approval of the final short plat. Land Use Code Section 20.40.490 allows a developer to obtain final plat approval prior to finishing improvements with the provision of an acceptable financial assurance device equivalent to 150% of the cost of unfinished infrastructure improvements (per the developer's estimate stamped by a Professional Civil Engineer, and accepted by the City). Any improvement that constitutes safety issues cannot be delayed once construction of said improvement has begun. The developer will complete all improvements which negatively impact safety in a timely manner, at the discretion of the City. This is the case for all access-related construction for this site: the installation of the new deceleration / acceleration lane cannot be postponed by a financial device once started. All other improvements may be completed within two years of final short plat approval. Improvements must be approved by the Transportation Department inspector before they are deemed complete. Specific requirements are detailed below:

### **a) Site Specific Items:**

- i) Installation of a 12 foot wide deceleration / acceleration lane adjacent to the east property line of the site (this work will require the relocation of existing street frontage). Exact location of this lane shall be specified during the clear and grade review for this project.
- ii) Relocation of all above and below grade utilities and appurtenances impacted by the relocation of the existing street frontage. This includes, but limited to, street lights, catch basins, power vaults, etc.)
- iii) Landscaping of planter strip at new location (may include replacement of street trees) at the discretion of the City.
- iv) Replacement of all existing fencing, sound barrier walls impacted by the relocation of the street frontage.
- v) Street signing at plat access location (stop sign, street name sign, etc.).

- vi) All other work needed to facilitate relocation of existing street frontage.
- vii) Installation of driveway apron as specified by Design Manual drawing DEV-7E.
- viii) 24-foot wide private road with curb and gutter on both sides and paved full-width, full-length. Pavement and sub-grade depths shall be per Design Manual drawing DEV-8.

b) Miscellaneous:

- Landings on sloping approaches are not to exceed a 10% slope for a distance of 20 feet approaching the back edge of sidewalks. Driveway grades must be designed to prevent vehicles from bottoming out due to abrupt changes in grade.
- The maximum longitudinal and cross-sectional grades shall not exceed 8%.
- Vehicle and pedestrian sight distance must be provided per BCC 14.60.240 and 14.60.241.

AUTHORITY: Bellevue City Code 14.60.100, 110, 130, 150, 170, 190, 210, 240, 241; LUC 20.40.490; Transportation Department Design Manual Sections 3, 4, 5, 7, 11, 14, 19

REVIEWER: Ray Godinez

#### **4. COVENANT FOR MAINTENANCE AND REPAIR**

The final short plat must include a covenant that permanently binds the property owners to provide for maintenance and repair of the private road, including a condition that the private road will remain open at all times for emergency and public service vehicles.

REVIEWER: Ray Godinez

AUTHORITY: BCC 14.60.130

#### **5. TREE PRESERVATION PLAN**

A Tree Preservation Plan that portrays the drip-line, the diameter size, and common name of each significant tree to be retained must be recorded with the final short plat mylar. The dripline shall be determined by an arborist or surveyor. The Tree Preservation Plan must portray a minimum of 5 1/4 diameter inches of existing significant trees to remain contain the following note:

"Tree Preservation Plan:

Designation of trees on the Tree Preservation Plan establishes a covenant by the owner to leave undisturbed all trees as shown on the Tree Preservation Plan. This covenant shall run with the land and shall be binding upon all future owners. No tree topping, tree cutting or tree removal shall occur unless required or approved by the City. Except for ordinary landscape maintenance, no construction, clearing or land alteration activities shall occur within the drip-line of trees shown on the Tree Preservation Plan, unless required or approved by the City. Activities in violation of this covenant are subject to

penalty, including without limitation, fines and mitigation requirements. The City of Bellevue shall have the right, but not the obligation, to enforce the requirements, terms and conditions of this covenant by any method available under law. It is the obligation of the owner to comply with the terms of the Tree Preservation Plan and this covenant.”

An arborist report shall document the dripline of each tree to be saved and also provide a report to document the health of each tree to be saved. During plat engineering, the dripline of the trees to be saved shall be fenced to prevent clearing & grading activities within the dripline area.

AUTHORITY: Land Use Code 20.20.900.D  
REVIEWER: Carol Saari, Department of Planning & Community Development

## **6. VARIANCE RESTRICTION**

The final short plat shall portray the following: “Approval by the City of this short plat is a determination that each lot in the short plat can be reasonably developed in conformance with the Land Use Code requirements in effect at the time of preliminary short plat approval without requiring a variance.”

AUTHORITY: Land Use Code 20.45B.130.A.6  
REVIEWER: Carol Saari, Department of Planning & Community Development

## **D. PRIOR TO ISSUANCE OF SINGLE FAMILY BUILDING PERMIT:**

### **1. TRANSPORTATION IMPACT FEE**

Payment of the traffic impact fee will be required at the time of single family building permit issuance. The impact fee is estimated to be \$464.71 per new dwelling. This fee is subject to change and the fee schedule in effect at the time of building permit issuance will apply.

AUTHORITY: Bellevue City Code 22.16  
REVIEWER: Ray Godinez

## **LIST OF ATTACHMENTS**

- A. Plans
- B. Vicinity Map
- C. Zoning Map
- D. Aerial Photograph

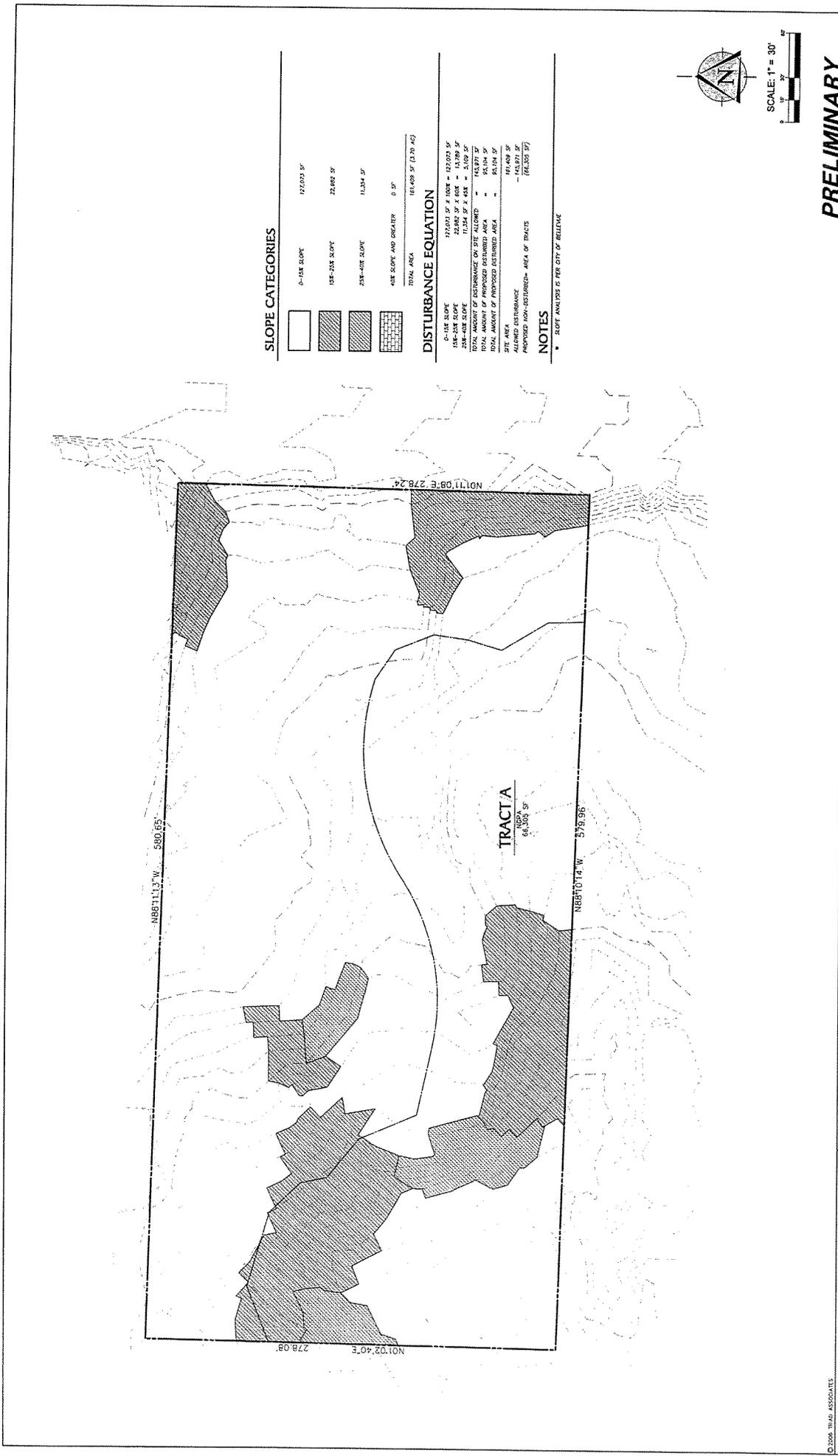






**SIGNIFICANT TREE DIAMETER CALCULATION:**

TREES WITHIN SITE INTERIOR		TREES WITHIN SITE INTERIOR	
TREE #	TREE SPECIES	DIAMETER (INCHES)	WEIGHTING FACTOR
1	AC	12	1
2	AC	14	1
3	AC	16	1
4	AC	18	1
5	AC	20	1
6	AC	22	1
7	AC	24	1
8	AC	26	1
9	AC	28	1
10	AC	30	1
11	AC	32	1
12	AC	34	1
13	AC	36	1
14	AC	38	1
15	AC	40	1
16	AC	42	1
17	AC	44	1
18	AC	46	1
19	AC	48	1
20	AC	50	1
21	AC	52	1
22	AC	54	1
23	AC	56	1
24	AC	58	1
25	AC	60	1
26	AC	62	1
27	AC	64	1
28	AC	66	1
29	AC	68	1
30	AC	70	1
31	AC	72	1
32	AC	74	1
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34	AC	78	1
35	AC	80	1
36	AC	82	1
37	AC	84	1
38	AC	86	1
39	AC	88	1
40	AC	90	1
41	AC	92	1
42	AC	94	1
43	AC	96	1
44	AC	98	1
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47	AC	104	1
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57	AC	124	1
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374	AC	758	1
375			



**SLOPE CATEGORIES**

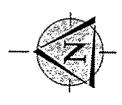
0-15% SLOPE	12,023 SF
15%-25% SLOPE	23,492 SF
25%-45% SLOPE	11,334 SF
45% SLOPE AND GREATER	0 SF
<b>TOTAL AREA</b>	<b>46,849 SF (1.20 AC)</b>

**DISTURBANCE EQUATION**

0-15% SLOPE	12,023 SF x 100% = 12,023 SF
15%-25% SLOPE	23,492 SF x 100% = 23,492 SF
25%-45% SLOPE	11,334 SF x 100% = 11,334 SF
45% SLOPE AND GREATER	0 SF x 100% = 0 SF
<b>TOTAL AMOUNT OF DISTURBANCE ON SITE ALLOWED</b>	<b>46,849 SF</b>
<b>TOTAL AMOUNT OF PROPOSED DISTURBED AREA</b>	<b>46,849 SF</b>
<b>TOTAL AMOUNT OF PROPOSED RESTORED AREA</b>	<b>0 SF</b>
<b>SITE AREA</b>	<b>46,849 SF</b>
<b>ALLOWED DISTURBANCE</b>	<b>46,849 SF</b>
<b>PROPOSED RESTORED AREA OF TRACTS</b>	<b>0 SF</b>
<b>PROPOSED DISTURBED AREA OF TRACTS</b>	<b>46,849 SF</b>

**NOTES**

- SLOPE ANALYSIS IS PER CITY OF BELLEVUE



SCALE: 1" = 30'

REVISIONS	DATE	BY	REVISIONS

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 LANDSCAPE ARCHITECT  
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 ARCHITECT

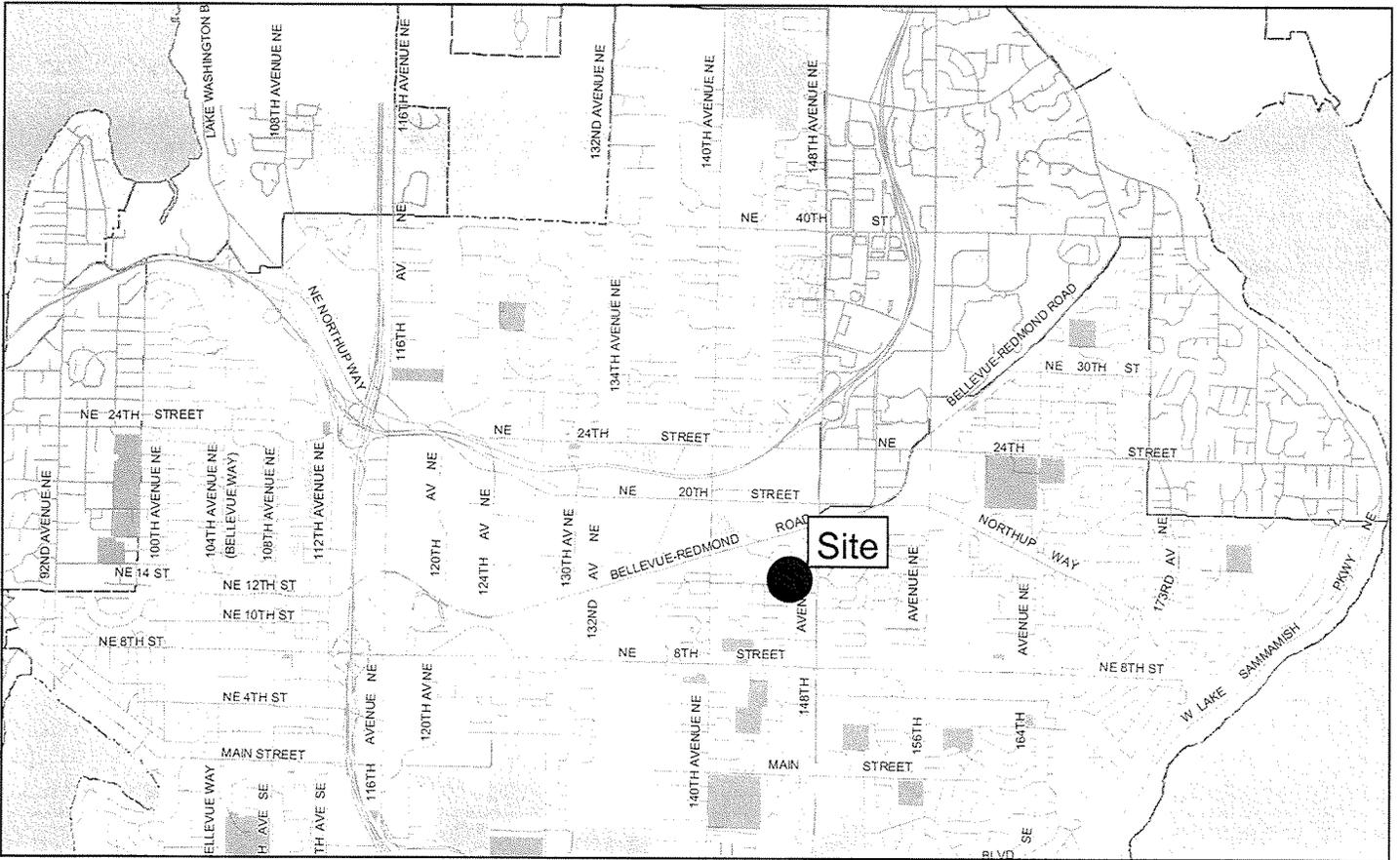
CITY OF BELLEVUE, WASHINGTON

**GRIFFITH**

**PRELIMINARY**

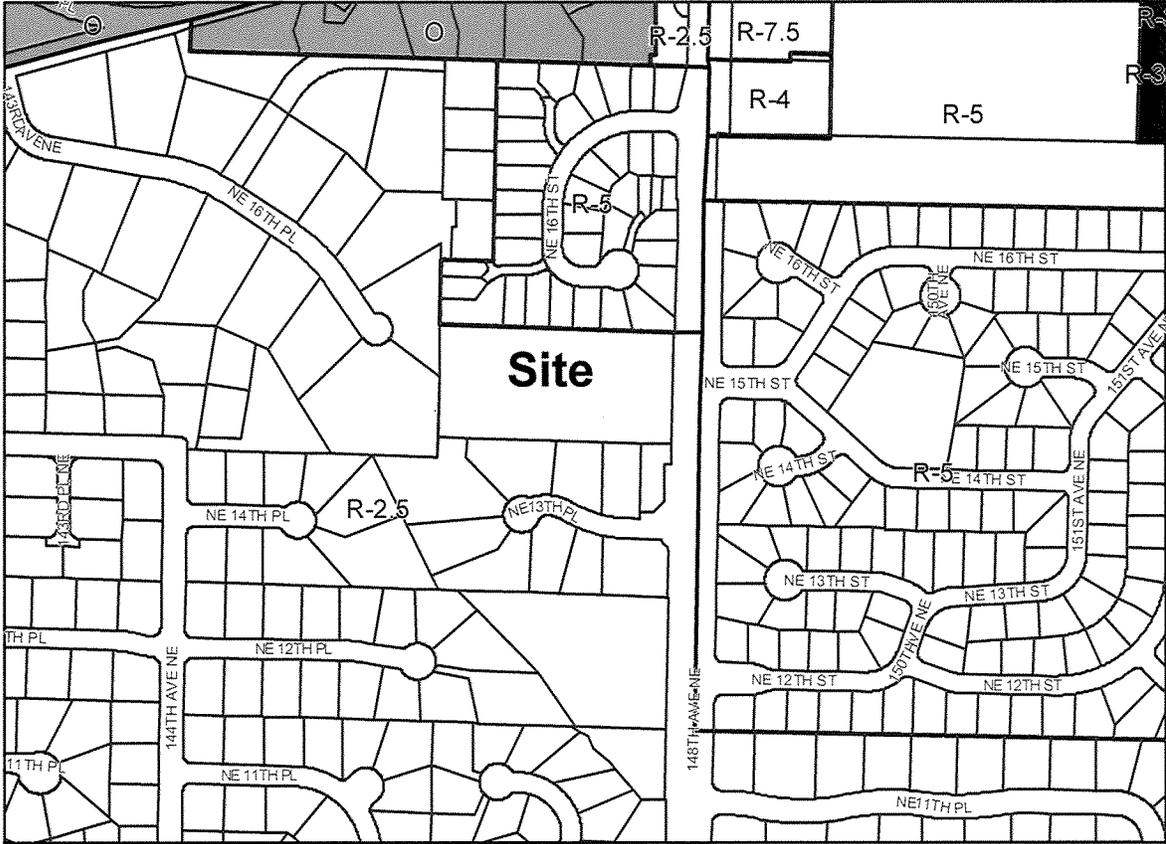
DRAINAGE MAP #	GRID J-0
WATER GRID #	J-0
SEWER GRID #	J-0
<b>SLOPE CATEGORIES MAP</b>	
JOB NUMBER:	<b>05-289</b>
SEC. 23, TWP. 28, RGE. 6	SHT. <b>5</b> OF <b>5</b>

# Vicinity Map



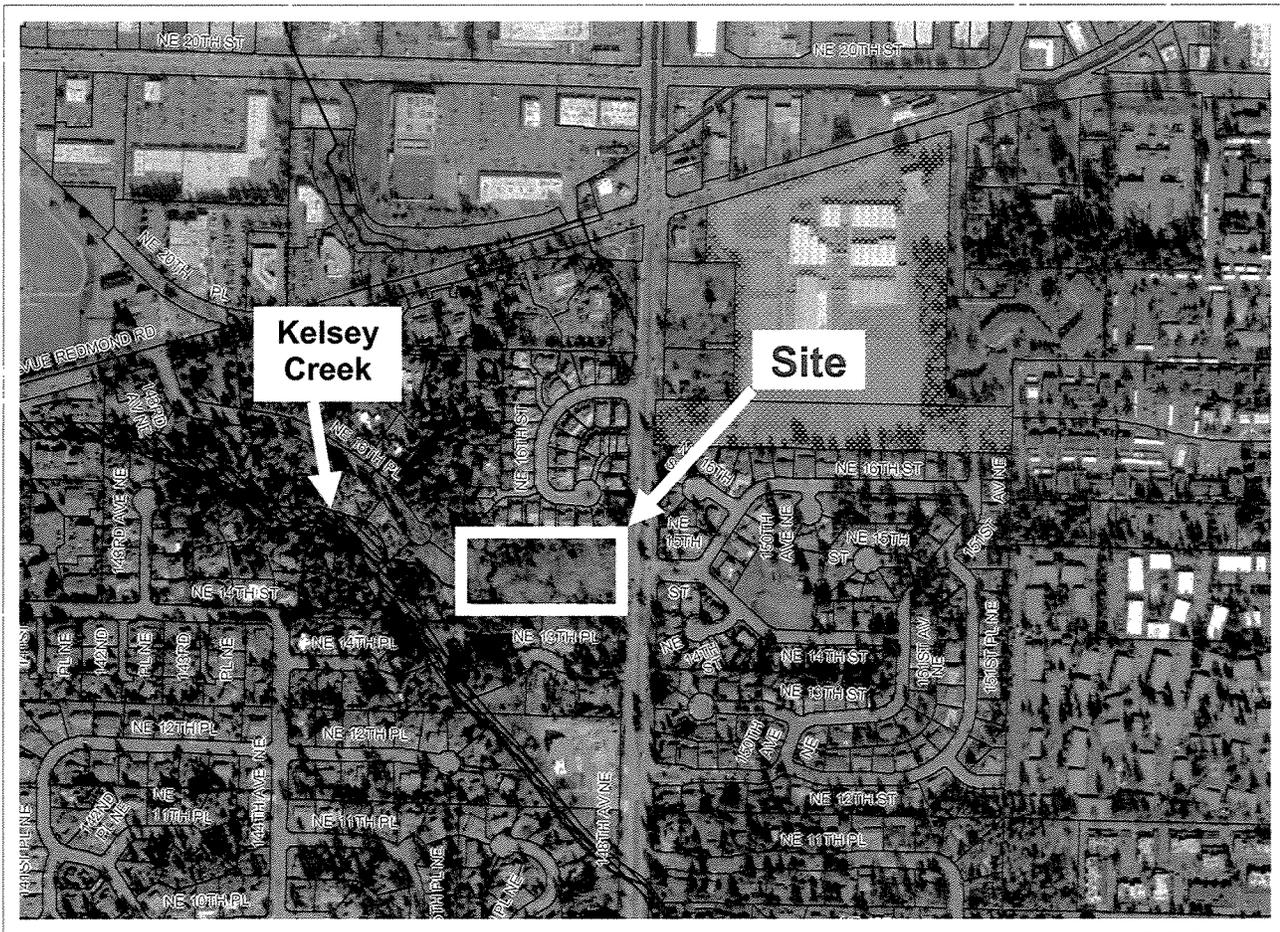
The Griffith Short Plat is located along 148th Ave. NE, just north of NE 8th Street.

# Zoning Map



The Griffith Short Plat site is surrounded by established neighborhoods.

# Aerial Photograph



The Griffith Short Plat site is the vacant parcel north of Kelsey Creek.