



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

**DETERMINATION OF NON-SIGNIFICANCE**

**PROPONENT:** Mike Lee

**LOCATION OF PROPOSAL:** 3904 120<sup>th</sup> Ave. SE

**DESCRIPTION OF PROPOSAL:** Subdivide one existing 0.49 acre single family residential lot into two single family residential lots in the R-5 zoning district. The property includes a Type B wetland.

**FILE NUMBER:** 06-119906-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 **May 3, 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This DNS may be withdrawn at any time if the proposal is modified so that it is likely to have significant adverse environmental impacts; if there is significant new information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.

  
 Environmental Coordinator

April 19, 2007  
 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

**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.

7/19/07  
Carol Scanlon  
Land Use

**BACKGROUND INFORMATION**

Property Owner: SUNG NOK & YUMIKO HONG

Proponent:

Contact Person: MIKE LEE

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

Address: 26603 SE 31<sup>ST</sup> SAMMAMISH, WA 98075

Phone: (425) 557-8707

Proposal Title: HONG SHORT PLAT

Proposal Location: 3904

(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: SUBDIVIDE EXISTING LOT INTO 2 LOTS.
2. Acreage of site: 0.49 ACRES
3. Number of dwelling units/buildings to be demolished: Ø
4. Number of dwelling units/buildings to be constructed: None at this time
5. Square footage of buildings to be demolished: Ø
6. Square footage of buildings to be constructed: N/A
7. Quantity of earth movement (in cubic yards): N/A
8. Proposed land use: SINGLE FAMILY DWELLING
9. Design features, including building height, number of stories and proposed exterior materials:  
N/A
10. Other

1 SF taken on  
Parcel A

Protect wetland &  
primary setback by placing  
in Native Growth  
Protection Area.

Estimated date of completion of proposal or timing of phasing: *ASAP*

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

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

*Wetland/Soil Report has been submitted (with Pre-Application)*

*Wetland Report by  
Cooke Scientific  
Services, Inc.  
dated  
10/10/03.*

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.

*None known*

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.

*None known*

*Final Short Plat  
application*

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

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

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)?

*Flat, no steep slopes (all under 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, sand, gravel*

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

None known ✓

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

None proposed ✓

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

No ✓

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

Unknown

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

None ✓

Potential erosion of paving road + new SF lawn. Standard TESP req'd for erosion control. May 9500 R-5 →

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.

Dust, automobile odors

Air emissions from construction vehicles.

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 suppressant 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

Man-made pond (contained)  
3

Type B wetland

appropriate, : what stream or river it flows into.

- (2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If Yes, please describe and attach available plans.

No yes

Type B wetland

- (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

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

No

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

No

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

No

b. Ground

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

No

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

None

c. Water Runoff (Including storm water)

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

~~N/A~~

Runoff from  
houses/road

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

No

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

~~None~~

Roof & footing drains  
& energy dissipator  
(i.e. level spreader) prior  
to discharging to the  
ditch along 120th Ave SE

4. Plants

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

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

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

~~None~~

some trees for SF construction.

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

None

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

~~None~~

typical ornamental  
plantings for new  
SF home.

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:

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

*Animals typical to lowland forest. No native fish or pond.*

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:

*None*

*NEPA for Type B wetland.*

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.

*N/A*

*electricity + natural gas new SP work*

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*

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.

*None*

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

*None*

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

*None*

b. Noise

(1) What types of noise exist in the area which may affect your project (for example, traffic, equipment operation, other)?

~~None~~

Traffic from 120th Ave SE

(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.

~~None~~

Truck traffic noise & construction noise per City's Noise Ord. BCC 9-18

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

~~None~~

Limit hrs of construct per BCC 9-18

8. Land and Shoreline Use

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

single family dwellings

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

No

c. Describe any structures on the site.

2-story wood house (995 sq. ft. footprint)

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

No

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

R-5

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

SF

SF-H

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.

~~No~~

Type B wetland

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

2 new house & 4 existing SF

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

None

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

None

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

None

per  
Bellevue  
City Code

## 9. Housing

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

N/A

1 new SF

- 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:

None

## 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?

N/A

max 30'

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

N/A

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

N/A

None

## 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:

None

NewCastle Park

12. Recreation

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

None

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

No

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

None

13. Historic and Cultural Preservation

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

No

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

None

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

None

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.

See site plan

20<sup>th</sup> Ave SE

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

No; 1/2 mile

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

N/A

2 new stalls for SF

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

No

Paved driveway

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

No

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

Unknown

1 new PM peak hr trip

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

None

ROW use permit for hauling etc

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 are sufficient to accommodate this project.

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

None

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.

None proposed

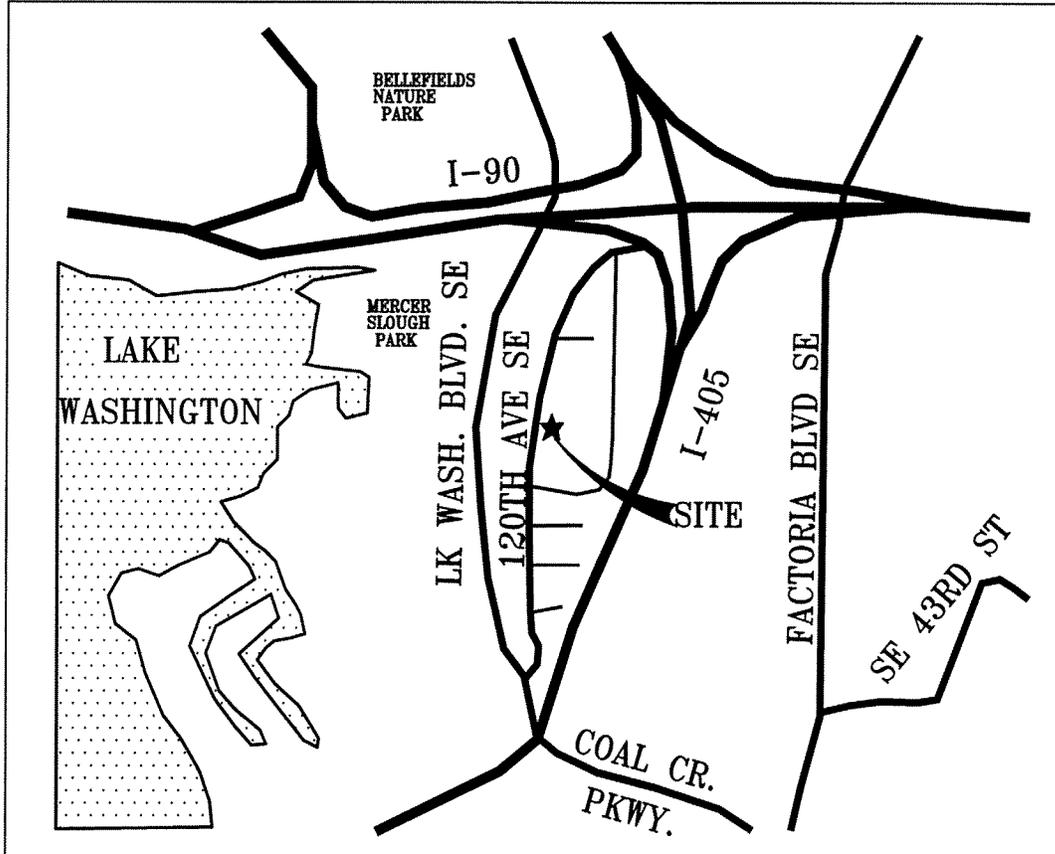
New ST home will have typical utilities -

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.....

Date Submitted..... 7/6/06



# VICINITY MAP

NOT TO SCALE



**Engineers**  
a Paraff company

PACIFIC PARK  
1412 - 112TH AVENUE NE, STE 102  
BELLEVUE, WASHINGTON 98004  
425.455.7822

**HONG SHORT PLAT**  
**3904 120TH AVE SE**  
**BELLEVUE, WASHINGTON 98006**

VICINITY MAP

DATE: JULY 7, 2006



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

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**Proposal Name:** Hong Preliminary Short Plat

**Proposal Address:** 3904 120<sup>th</sup> Ave. SE

**Proposal Description:** Subdivide one existing 0.49 acre single family residential lot into two single family residential lots in the R-5 zoning district. The property includes a Type B wetland.

**File Number:** 06-119906-LN

**Applicant:** Mike Lee

**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: 07/13/06  
Notice of Application: 08/17/06  
Minimum Comment Period: 08/31/06  
Decision Publication Date: 04/19/07  
Appeal Deadline: 05/03/07

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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 0.49 acre single family residential lot into two single family residential lots in the R-5 zoning district. The property includes a Type B wetland which will be protected by a Native Growth Protection Area (NGPA). There is an existing house on Parcel B. This house will remain. The existing private driveway will provide access to both lots and be improved to City standards for two lots. **See Attachment A – Preliminary Short Plat Drawings.**

**II. Site Description and Context**

The site is located on Greenwich Crest hill, about 1/3 mile west of Factoria Mall (west of I-405) and 1/3 mile east of Newport Shores marina (east of the railroad tracks). About 110 feet to the south is the Newport Presbyterian Church. The site is located within the Factoria Subarea. **See Attachment B – Vicinity Map.**

The proposed short plat is located within an established single family residential neighborhood zoned R-5. The entire Greenwich Crest hill is designated as R-5 zoning. **See Attachment C – Zoning Map.**

Access to the property is from 120<sup>th</sup> Ave. SE via an existing private driveway. This private driveway will serve both lots. A portion of this driveway is located on the neighbor's property to the south. The applicant has obtained a road and utilities easement from the neighbor (King County Recording Number 20061012001253).

The site is basically flat. It contains 18 significant trees. The applicant will save trees as required by code (see Section VII.4.B). The site also contains a Type B wetland on the eastern portion of the property which will be protected.

**III. CONSISTENCY WITH LAND USE CODE/ZONING REQUIREMENTS**

**A. Consistency with Standard Land Use Code Requirements**

<b>BASIC INFORMATION</b>		
<b>Zoning District</b>	R-5	
<b>Gross Site Area</b>	21,192 Square Feet or 0.49 Acres	
<b>ITEM</b>	<b>REQ'D/ALLOWED</b>	<b>PROPOSED</b>
<b>Minimum Lot Area</b>	7200 Square Feet	Parcel A: 7,200 Square Feet Parcel B: 13,992 Square Feet
<b>Minimum Parcel Width</b>	60 Feet	Parcels A & B: 75 Feet
<b>Minimum Parcel Depth</b>	80 Feet	Parcel A: 90 Feet Parcel B: 187 Feet
<b>Minimum Width Street Frontage</b>	30 feet	Parcel A: 76 feet Parcel B: Not applicable

ITEM	REQ'D/ALLOWED	PROPOSED
<b>Building Setbacks</b>		
Front Yard	20 Feet	Parcel A: 20 Feet, Parcel B: 42 Feet
Rear Yard	20 Feet	Parcel A: 20 Feet, Parcel B: 94 Feet
Min. Side Yard	5 Feet	Parcel A: 5 Feet, Parcel B: 7 Feet
2 Side Yard	15 Feet	Parcel A: 15 Feet, Parcel B: 49 Feet
Access Easement	10 Feet	Parcel A: 10 Feet, Parcel B: Not applicable
<b>Lot Coverage</b>	40% maximum	Parcel A: 40% maximum Parcel B: 20% maximum after subtracting protected areas
<b>Tree Retention</b>	15% or 39 Diameter Inches out of 260 total Diameter Inches	16% or 42 Diameter Inches

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

Note: This application is vested prior to the August 1, 2006 effective date of the new Critical Areas Ordinance. See condition IX.B.1.

The site contains a Type B wetland and associated primary setback. There are no slopes over 40%, no floodplains and no riparian corridors onsite.

The non-disturbance regulations of the Land Use Code require 552 square feet of non-disturbance (LUC 20.25H.110.D.1). The proposed 9,546 square foot Native Growth Protection Area (NGPA) for the wetland meets this requirement. The NGPA shall be portrayed on the face of the final short plat. See condition IX.B.2.

For discussion of the Type B wetland and associated primary setback, see Section IV below.

**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 Clear and Grade 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 incorporation by reference of the *2006-2017 Transportation Facilities Plan Final Environmental Impact Statement* (TFP EIS) updated November 2006. This document is available in the Department of Planning and Community Development Records Room, Bellevue City Hall, 450 110<sup>th</sup> Ave NE. Transportation-related impacts associated with the Hong Preliminary Short Plat project are consistent with the potential projected impacts analyzed in the 2006-2017 TFP EIS.

## Water

There is a Type B wetland and 25-foot primary setback located onsite for a total of 5,711 square feet. This area is located along the eastern portion of Parcel B. It is a man-made pond that is also located on the neighbor's property to the south.

The applicant provided a wetland report by Cooke Scientific Services Inc. dated October 10, 2003. The report discussed the vegetation, soil and hydrology of the subject wetland. This report classified it as a Type A wetland based upon the hydrological connection to Coal Creek, a Type A riparian corridor. Further analysis by the City indicates that Coal Creek is located approximately ½ mile to the south of the delineated wetland and does not meet the Land Use Code criteria for adjacent to or having a hydrologic connection to the stream. Therefore, this wetland is regulated as a Type B wetland for development purposes.

The existing house and upper floor deck intrude 3' into the 15-foot structure setback for a Type B wetland. There is also a shed and two raised planter islands within the Type B wetland and primary setback. The location of these structures are a legal non-conforming condition which may remain as vested under the Sensitive Areas Ordinance prior to August 1, 2006. After a period of five years from final short plat recording, any changes to these structures must meet the Critical Areas Ordinance adopted August 1, 2006 and receive Land Use approval. See condition IX.B.1.

There is the potential for temporary erosion and sedimentation into the wetland with the earth movement activities related to construction of the road and utilities. These impacts will be mitigated by temporary erosion and sedimentation controls (such as a filter fence along the NGPA line) required by the application of Clear and Grade Code Section 23.76.090. Furthermore, the site is subject to rainy season construction restrictions (i.e. no construction during the rainy season, subject to special exceptions) to prevent erosion and sedimentation impacts to water resources.

## Transportation

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. Due to the low volume of new trips generated by the Hong Short Plat (one new p.m. peak-hour trip), as well as adequate sight distance, flat grades, and the existing low volume of background traffic adjacent to the project site, no operational issues are anticipated.

## V. SUMMARY OF TECHNICAL REVIEWS

### A. Utilities Department Review

The City has adequate capacity for providing water, storm drainage service and sanitary sewer for this proposal. The applicant will be required to remove the existing septic system and connect to the City sewer system. Water service is available. A Storm permit will be required for connection of roof and footing drains to the existing ditch along 120th

Ave. SE. When discharging to an existing ditch, swale, or stream, energy dissipation is required to minimize erosion.

The Utilities Department approval of this preliminary short plat application is based on the preliminary utility design. Final civil engineering of the utility design may require changes to the site layout to accommodate the utilities. The applicant will be required to obtain storm permits for connection of roof and footing drains. In addition, side sewer permits and water service applications will be required.

See condition IX.A.1.

#### **B. Fire Department Review**

The Fire Department has reviewed the proposal. The Fire Department requires that the driveway be paved. See condition IX.B.3.

#### **C. Transportation Department Review**

The Transportation Department has reviewed the plans submitted for the Hong preliminary short plat and recommends approval. Final engineering plans will not be required as transportation-related construction for this project is minor and shall be specified within the conditions of approval of this report. Prior to final short plat approval, the developer must complete all transportation-related construction or provide an acceptable financial assurance device equivalent to 150% of the cost of unfinished improvements based on the applicant's engineer's estimate. The engineer's estimate will require a review and approval from the Transportation Department. See condition IX.B.4.

Under Bellevue City Code 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.C.1.

#### **Use of the Right of Way and Off Street Parking**

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 condition IX.C.2.a.

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. See condition IX.C.3.

#### **Street Frontage Improvements**

The Hong Short Plat will not be required to install street frontage improvements based on

allowances for waiver per City Code Section 14.60.110.E which states:

"The requirement for installation of frontage improvements may be waived by the review engineer under either of the following conditions:

1. Adjacent street frontage improvements are unlikely to be installed in the foreseeable future; or
2. The installation of the required improvement would cause significant adverse environmental impacts (Ord. 4822 § 1, 1995.)"

In the case of the Hong Short Plat, 14.60.110.E.1 applies.

#### **Site Access, Sight Distance and Driveway Maintenance**

Access to the new lot (Parcel A) shall be provided by an existing private driveway connecting to 120<sup>th</sup> Avenue SE. This driveway is required to be widened to a 16 foot paved width and shall operate as a joint-use driveway for the length where it serves both parcels of the Hong Short Plat. Said driveway shall connect to 120<sup>th</sup> Avenue SE via the City's standard driveway apron for streets with no curb (see Design Manual Drawing DEV-7B). See condition IX.B.4.

The Hong Short Plat will be required to meet the sight distance requirements of Bellevue City Code 14.60.240 and standard drawing TE-1. Existing vegetation will need to be trimmed and trees may need to be limbed. Other appurtenances obstructing sight distance shall be removed. See condition IX.C.2.b.

The final short plat must include a covenant that permanently binds the property owners to provide for maintenance and repair of the joint-use driveway, including a condition that the private road will remain open at all times for emergency and public service vehicles. See condition IX.B.5.

#### **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 120<sup>th</sup> Avenue SE is classified as "No Cut Street". Therefore, the applicant must apply for a waiver to trench in this street from the City's Right-of-Way Manager (see section VIII.B.1.k and VIII.B.4 of this report). See condition IX.C.2.c.

## **VI. PUBLIC COMMENT**

Notice of Application was published in the City of Bellevue's *Permit Bulletin* and the *King County Journal* on August 17, 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. There were no comments from the public. There are no parties of record.

**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 an existing private road from 120<sup>th</sup> Ave. SE. Existing public water and sewer facilities have been deemed adequate to serve the proposed development. Houses will be required to tightline roof and footing drains to an energy dissipater before discharging to the ditch along 120<sup>th</sup> Ave. SE.

- 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 B wetland, providing non-disturbance areas and establishing tree retention.

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

**Development Standards**

**Finding:** As conditioned and discussed in Sections III, IV and V, the proposal complies with the Land Use Code requirements for R-5 zoning, the Utility Code and the City of Bellevue Development Standards.

**Land Use Code Requirements**

**A. Dimensional Requirements:** The site is currently zoned R-5 which has a minimum lot size of 7200 square feet. The dimensional requirements for the R-5 zoning district are as follows:

7200 square feet Minimum Lot Size  
20' Front Yard Setback  
20' Rear Yard Setback  
5' Side Yard Setback  
15' Two Side Yard Setback  
30' Maximum Building Height  
40% Maximum Lot Coverage by Structure (after subtracting Protected Areas)  
60' 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-5 dimensional requirements.

**B. Significant Tree Preservation:** Tree preservation requirements pursuant to LUC Section 20.20.900.D require the retention of a minimum 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 39 diameter inches of significant trees.

**Finding:** The applicant proposes to preserve a total of 42 diameter inches or 16% of the significant trees onsite. This exceeds the minimum 15% tree retention requirements which is 39 diameter inches. No construction may occur within the dripline. See condition IX.B.6.

**C. Non-Disturbance:** The non-disturbance regulations of the Land Use Code require 552 square feet of non-disturbance.

**Finding:** The proposed 9,546 square foot Native Growth Protection Area (NGPA) for the wetland meets this requirement. The NGPA shall be portrayed on the face of the final short plat. See condition IX.B.2.

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

**Finding:** The site is located within the Factoria Subarea. The Comprehensive Plan specifies Single-Family High Density development for this property which is consistent with the R-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-5 zoning standards without requiring a variance. A 25-foot wetland buffer and associated 15-foot structure setback is located on Parcel B. There is an existing home on Parcel B which will remain. However, if it were to be demolished, a new home could be reasonably constructed on this lot without requiring a variance. See condition IX.B.7.

**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, necessary sidewalk easements 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 Hong 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. UTILITY DESIGN**

The Utilities approval of the Short Plat application is based on the preliminary utility design. Final civil engineering of the utility design may require changes to the site layout to accommodate the utilities.

AUTHORITY: Bellevue City Code Title 24.02, 24.04, 24.06  
REVIEWER: Rob Hutchinson, Utilities Department

**B. 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. NATIVE GROWTH PROTECTION AREA AND NON-DISTURBANCE**

The applicant shall preserve a minimum of 552 square feet within a Native Growth Protection Area (NGPA). The NGPA must include the wetland and wetland primary setback, but may not include the wetland structure setback. 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. The NGPA satisfies non-disturbance requirements.

AUTHORITY: Land Use Code 20.25H.110.D.1, 20.25H.070.A.3  
REVIEWER: Carol Saari, Department of Planning & Community Development

**3. PAVED ACCESS ROAD**

The access driveway off of 120th Ave. SE for Parcel A shall be paved from 120th Ave. SE to the common property line of Parcels A and B.

AUTHORITY: International Fire Code (IFC) 503, Ordinance 5676 & Bellevue Fire Department Development Standards Chapter 3  
REVIEWER: Adrian Jones, Fire Department

**4. INFRASTRUCTURE IMPROVEMENTS**

All transportation-related construction as shown on the preliminary drawings representing the Hong Short Plat shall be built per city codes and standards and must be either completed prior to approval of the final short plat or provided for with a financial assurance device (150% of approved engineer's estimate per Land Use Code Section 20.40.490). Provision of such an assurance device requires completion of the improvements by the developer within two years of final short plat approval. Installation of

transportation-related construction that would negatively affect safety if left unfinished may not be delayed through use of a financial assurance device. Improvements must be approved by the Transportation Department inspector before they are deemed complete. Specific requirements are detailed below:

a) Site Specific Items:

Joint-use driveway construction consisting of a 16-foot wide paved width up to the connection of the garage of Parcel A. Thereafter, the driveway may be reduced to a 12-foot width. Said driveway shall be paved full-width and full-length with a pavement and subgrade depths as follows:

- Four inches of class A asphalt as top course.
- Three inches of CSTC or ATB as subgrade.

The new driveway shall connect to 120<sup>th</sup> Avenue SE with the City's standard driveway apron for streets with no curb per Design Manual Drawing DEV-7B.

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%.

AUTHORITY: Transportation Design Standard S-I

REVIEWER: Ray Godinez, Transportation Department

## 5. 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 joint-use driveway, including a condition that the private road will remain open at all times for emergency and public service vehicles.

AUTHORITY: Bellevue City Code 14.60.130

REVIEWER: Ray Godinez, Transportation Department

## 6. 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 39 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

**7. 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

**C. 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 \$429.80 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, Transportation Department

**2. RIGHT OF WAY USE PERMIT**

- a. 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 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:

- i) Designated truck hauling routes.
- ii) Truck loading and unloading activities.
- iii) Hours of construction and hauling.
- iv) Continuity of pedestrian facilities.
- v) Temporary traffic control and pedestrian detour routing for construction activities.
- vi) Street sweeping and maintenance during excavation and construction.
- vii) Location of construction fences.
- viii) Parking for construction workers.
- ix) Construction vehicles, equipment, and materials in the right of way.
- x) All other construction activities as they affect the public street system.
- xi) Waiver request to trench a "No Cut" classified street.

In addition, pedestrian access shall not be obstructed at any time 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

- b. Sight Distance: The Hong Short Plat will be required to meet the sight distance requirements of Bellevue City Code 14.60.240 and standard drawing TE-1. Existing vegetation near the access point on 120<sup>th</sup> Avenue SE must be trimmed. Ground vegetation within the sight triangle must be trimmed to no more than 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. All appurtenances obstructing sight distance shall be removed.

AUTHORITY: Bellevue City Code 14.60.240  
REVIEWER: Ray Godinez, Transportation Department

- c. Pavement Restoration: The city's pavement manager has determined that this segment of 120<sup>th</sup> Avenue SE will require an application for waiver to trench a "No Cut" classified street. Trench limits and pavement restoration requirements shall be specified at the time of issue of the right-of-permit.

AUTHORITY: Bellevue City Code 14.60.250 and Design Manual Design Standard #  
21  
REVIEWER: Jon Regalia, Transportation Department

### 3. OFF-STREET PARKING

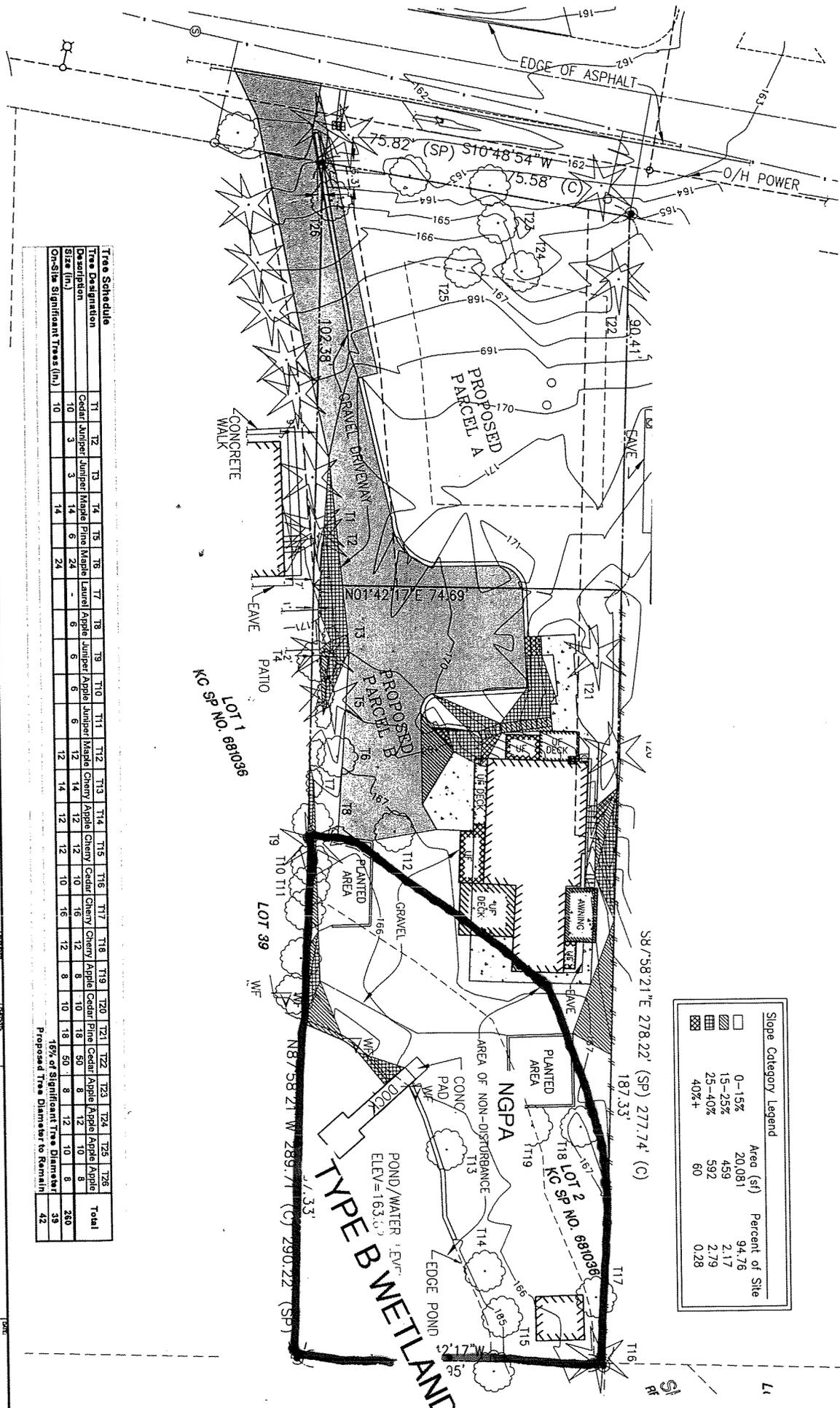
The applicant must secure sufficient off-street parking for construction workers, equipment, and materials storage before the issuance of a building, foundation or demolition permit.

AUTHORITY: Bellevue City Code 14.30  
REVIEWER: Jon Regalia, Transportation Department

**LIST OF ATTACHMENTS**

- A. Preliminary Short Plat Drawings
- B. Vicinity Map
- C. Zoning Map





**Tree Schedule**

Tree Designation	Tree Description	Size (in.)	On-Site Significant Trees (in.)
T1	Cedar	10	10
T2	Juniper	3	3
T3	Juniper	3	3
T4	Maple	14	14
T5	Maple	6	6
T6	Maple	24	24
T7	Laurel	6	6
T8	Apple	6	6
T9	Juniper	6	6
T10	Apple	6	6
T11	Juniper	6	6
T12	Maple	12	12
T13	Cherry	14	14
T14	Apple	12	12
T15	Cherry	12	12
T16	Cedar	10	10
T17	Cherry	16	16
T18	Cherry	12	12
T19	Apple	8	8
T20	Cedar	10	10
T21	Cedar	18	18
T22	Apple	8	8
T23	Apple	12	12
T24	Apple	10	10
T25	Apple	8	8
T26	Apple	10	10
T27	Apple	12	12
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T364	Apple	10	10
T365	Apple	12	12
T366	Apple	10	10
T367	Apple	12	12
T368	Apple	10	10
T36			

# Vicinity Map



# Zoning Map

