



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

Proposal Name: Auto-Court Expansion and Shoring Wall

Proposal Address: 405 Shoreland Drive SE

Proposal Description: Critical Areas Land Use Permit to work within a Geologic Hazard Area for an expanded single family driveway area. The project proposes to remove an existing retaining wall, and construct a new 8-foot high shoring wall. The shoring wall construction will take place within a steep slope critical area. The proposal will remove a portion of the slope, regrade the slope above the wall, and restore the slope with native vegetation.

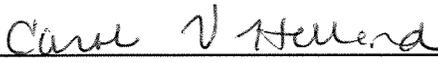
File Number: 06-124083-GH

Applicant: Peter Sundt

Decisions Included: Administrative Decision for a Critical Areas Land Use Permit (Process II LUC 20.30P)

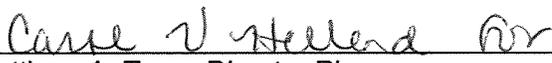
Planner: Drew Folsom, Assistant Planner

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



Carol V. Helland
Environmental Coordinator
Dept. of Planning & Community Development

Director's Decision: **Approval with Conditions**



Matthew A. Terry, Director Planner
Dept. of Planning and Community Development

Application Date: October 10, 2006
Notice of Application Publication Date: October 25, 2006
Decision Publication Date: March 29, 2007
Project/SEPA Appeal Deadline: April 12, 2007

I. DESCRIPTION OF PROPOSAL

The applicant is requesting approval of a Critical Areas Land Use Permit and Critical Area Report to expand an existing driveway area into a 40% or greater slope; this slope is designated as a geological hazard per Land Use Code 20.25H.120. The disturbed portion of the slope is approximately 6,000 square feet. The slope in the project area is between an access easement to east and existing driveway to the west, with a connecting driveway to the south. This slope is sparsely vegetated with ivy, blackberries, a few small fruit trees and lawn.

The applicant is proposing to expand an existing driveway by encroaching 30 feet into the toe of the 40% slope. The project will replace an existing 5-foot retaining wall with an 8-foot soldier-pile wall. A gravel parking area will be removed and two additional 30 inch rockeries will be installed in the sloped area above the soldier pile wall. The slope area affected by the project will be regraded and planted with native vegetation. The proposed construction will affect an area of approximately 7,200 square feet. The new construction will require removal of approximately 700 cubic yards of soil from the toe of the hillside and will increase the impervious surface by about 2,400 square feet.

An analysis of this site was completed by PanGeo Inc., dated March 1, 2006. An addendum to the report was completed September 29, 2006. The report and addendum analyzed the proposal and all probable impacts to the critical slope in accordance with the requirements of Land Use Code (LUC) Section 20.25H. As part of the assessment, PanGeo Inc. performed a review of the pertinent geological maps, conducted a site reconnaissance on February 4, 2005 to observe overall indication of the stability of the slope and assess general feasibility of the proposal. Four borings were drilled to depths of 36 ½ feet to 61 ½ feet below the existing ground surface. No groundwater seeps or recent instability were observed on the slope.

The applicant has submitted a critical area report which demonstrates the project will lead to an increase in slope stability per the letter submitted by PanGeo dated September 29, 2006. The static and dynamic factors of safety for the new construction of 2.35 and 1.42 respectively are greater than the existing factors of 2.05 and 1.27 per the letter submitted by PanGeo dated September 29, 2006.

The replanting of the slope with native vegetation will increase habitat for the slope. The current slope mainly consists of grass, ivy, low shrubs and a few fruit trees. No significant trees will be removed as part of the proposal. The area is bordered by an existing paved driveway to the south and west, and a paved access easement to the east. A portion of the slope has a gravel parking area, which will be removed and replanted with native vegetation.

II. SITE DESCRIPTION AND CONTEXT

The site is located within the Southwest Bellevue Subarea with a Comprehensive Plan Designation of Single-Family Low. The site abuts Lake Washington and lies within the Shoreline Overlay District. The site is developed with a single family residence under construction, paved driveways and access easement, guest house and pool. The site has a

steep westerly facing slope bisected by an existing access easement and driveway. The lower, westerly portion of the slope has a parking area and driveway serving an existing single family residence. This slope is currently vegetated with English ivy, grass, and 3 small deciduous trees. There are no significant trees on the slope. The proposal to expand the existing driveway and replace a 5 foot retaining wall with an 8 foot soldier pile wall will take place on this portion of the slope.

Critical Areas:

Shoreline- The project lies within the Shoreline Overlay District. There is a Shoreline Critical Area buffer of 25-feet and an additional structure setback of 25'. The proposed project is located approximately 125' from the shoreline. The shoreline critical area has not been assessed as part of the critical areas report that was submitted and is not required as direct impacts to the shoreline associated with this project are not expected.

Geological Hazards- Geological Hazards are defined by the City of Bellevue Land Use Code as: Those areas with slopes of 40 percent or more that have a rise of at least 10 feet and exceed 1,000 square feet in area. A steep slope exists on the western portion of the property. The project will take place on the western portion of the slope between an existing paved easement and an existing driveway. The slope in this area is currently graded at 50% to 30% above existing rockeries and ecology blocks. The slope in this area is of minimal, degraded vegetation, maintained as lawn and gravel parking. No significant trees will be disturbed as part of the proposal. The project proposes to replace an existing 5-foot retaining wall with an 8-foot soldier-pile wall. Two additional 30-inch rockeries will be installed in the sloped area above the soldier pile wall. This area will be regraded and planted with native vegetation. The proposed construction will affect an area of approximately 7,200 square feet and will increase the impervious surface by about 2,400 square feet. The new construction will require removal of approximately 700 cubic yards of soil from the toe of the hillside.

Property to the north, south, and east of this site is developed and contain single-family homes. A steep slope continues to the east of the site and is vegetated by mixed deciduous/coniferous trees with moderately thick to thick brush. Lake Washington borders the western edge of the property.

III. CONSISTENCY WITH LAND USE CODE/ZONING

A. Special District Requirements (Critical Area Overlay District LUC. 20.25H)

Bellevue's Land Use Code (LUC) Section 20.25H.120 designates steep slopes of 40 percent or greater that have a rise of at least 10 feet and exceed 1,000 square feet in area as critical areas. The proposed new construction, a new or expanded driveway, is an allowed activity, and shall meet the requirements of 20.25H.055.C which establishes performance standards for new development into critical area buffers; and LUC Section 20.25H.125 which establishes performance standards for geological hazard areas.

LUC Section 20.25H.055.C.2.a & b:

- a. New facilities and systems are allowed within the critical area or critical area buffer only where no technically feasible alternative with less impact on the critical area or critical area buffer exists. A determination of technically feasible alternatives will consider:
 - ii. the function or objective of the proposed new facility;
 - iii. demonstration that no alternative location or configuration outside of the critical area or critical area buffer achieves the stated function or objective, including construction of new facilities or systems outside of the critical area;
 - iv. whether the cost of avoiding disturbance is substantially disproportionate as compared to the environmental impact of proposed disturbance; and
 - v. the ability of both permanent and temporary disturbance to be mitigated.

Finding: The applicant proposes to expand an existing driveway, to create a turnaround area. The current driveway area is bordered by a single family residence to the north and west and the slope to be disturbed to the east. This turnaround will permanently disturb approximately 2,400 square feet of the critical slope. The project cannot be located outside the critical area, and the applicant has submitted a critical area report demonstrating that the proposal with the requested modifications leads to equivalent or better protection of critical area functions and values. The applicant is mitigating the impact to the slope buffer through an 3-tiered native vegetation restoration plan equal to the area disturbed for the construction of the turnaround.

- b. If the applicant demonstrates no technically feasible alternative with less impact on the critical area or critical area buffer exists, then the applicant shall comply with the following:
 - i. location and design shall result in the least impacts on the critical area or critical area buffer;
 - ii. Disturbance of the critical area and critical are buffer, including disturbance of vegetation and soils, shall be minimized;
 - v. all work shall be consistent with applicable City of Bellevue codes and standards;
 - vii. associated parking and other support functions, including, for example mechanical equipment and maintenance sheds, must be located outside the critical area or critical area buffer except where no feasible alternative exists; and
 - viii. areas of new permanent disturbance and all areas of temporary disturbance shall be mitigated and/or restored pursuant to a mitigation and restoration plan meeting the requirements of LUC 20.25H.210.

Finding: Placement of the turnaround will be within the critical area. The Critical Area Report recognizes that a critical area will be permanently disturbed. Disturbance of soil and vegetation will occur within the steep slope and buffer. This disturbance will lead to increase function of the critical area due to the introduction of native vegetation and an increase in slope stability as documented in the letter by PanGeo dated September 29, 2006. No significant trees will be removed. As mitigation, native trees and associated native shrub and ground cover will be planted on the property.

LUC Section 20.25H.125 Performance Standards – Steep Slopes. In addition to generally applicable performance standards, development within a steep slope critical area or the critical area buffers of such hazards shall incorporate the following additional performance standards in design of the development, as applicable. The requirements for long-term slope stability shall exclude designs that require regular and periodic maintenance to maintain their level of function.

- a. Structures and improvements shall minimize alterations to the natural contour of the slope, and foundations shall be tiered where possible to conform to existing topography;

Finding: The proposed project involves regrading a portion of the slope and placing tiered 30 inch rockeries and an 8 foot soldier pile wall. As documented by the geotechnical engineer this will lead to greater stability than the existing slope and is possible through a critical areas report .

- b. Structures and improvements shall be located to preserve the most critical portion of the site and its natural landforms and vegetation;

Finding: The portion of critical slope with native vegetation are left undisturbed with this proposal. The project area will be replanted per the restoration plan which includes native trees, shrubs and ground cover.

- c. The proposed development shall not result in greater risk or a need for increased buffers on neighboring properties.

Finding: As demonstrated in the supporting geotechnical documentation, the stability of adjacent critical slope areas will not result in a greater risk or a need for increase buffers on neighboring properties as a result of the proposed development.

- d. The use of retaining walls that allow the maintenance of existing natural slope areas is preferred over graded artificial slopes where graded slopes would result in increased disturbance as compared to use of retaining wall;

Finding: The project proposes an eight foot soldier pile wall and two 30 inch rockeries. Portions of the slope will be regraded. As documented by the geotechnical engineer this will result in an increase in slope stability.

- e. Development shall be designed to minimize impervious surfaces within the critical area and critical area buffer;

Finding: An existing gravel parking area of approximately 4,000 square feet will be removed and replanted with native vegetation. The proposed auto court area will be located in an area removed from critical area status through the use of a critical areas report.

- f. Where change in grade outside the building footprint is necessary, the site retention system should be stepped and regrading should be designed to minimize topographic modification. On slopes in excess of 40 percent, grading for yard area may be disallowed where inconsistent with this criteria;

Finding: Retaining walls are stepped to minimize topographic modification and satisfy this requirement. Grading for yard area is not proposed.

- g. Building foundation walls shall be utilized as retaining walls rather than rockeries or retaining structures built separately and away from the building wherever feasible. Freestanding retaining devices are only permitted when they cannot be designed as structural elements of the building foundation;

Finding: The current residence is located on the west side of the existing driveway. It is not feasible to utilize the residential structure for this project.

- h. On slopes in excess of 40 percent, use of pole-type construction which conforms to the existing topography is required where feasible. If pole-type construction is not technically feasible, the structure must be tiered to conform to the existing topography and to minimize topographic modification;

Finding: The proposal is for a retaining wall for a driveway and does not include construction of a structure on slopes in excess of 40 percent.

- i. On slopes in excess of 40 percent, piled deck support structures are required where technically feasible for parking or garages over fill-based construction types;

Finding: This proposal does not include fill-based construction.

- j. Areas of new permanent disturbance and all areas of temporary disturbance shall be mitigated and/or restored pursuant to a mitigation and restoration plan meeting the requirements of LUC 20.25H.210.

Finding: The applicant has provided a site restoration plan that will be required as a condition of approval of this permit.

B. Consistency with Standard Land Use Code Requirements

BASIC INFORMATION			
Zoning District	R-1.8		
Gross Site Area	113,161 Square Feet		
Critical Area	Approximately 90,000 square feet (critical slope and 50-ft top of slope buffer, shoreline and 25 ft buffer)		
ITEM	REQ'D/ALLOWED	PROPOSED	COMMENT
Dwelling Units/Acre	1.8	1	
Building Setbacks			Dimensional requirements may be modified pursuant to 20.25H.040 to avoid critical area impacts
Front Yard	30 feet (25 feet)	30+ feet	
Rear Yard	25 feet (20 feet)	25+ feet	
Min. Side Yard	5 feet (5 feet)	5+ feet	
2 Side Yard	15 feet (15 feet)	15+ feet	
Access Easement	10-feet	10+ feet	
Minimum Lot Coverage	35 percent	22 percent	

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 & Grade Code, Utility Code, Land Use Code, Noise Ordinance, Building Code and other construction codes adequately mitigate potential environmental impacts.

Therefore, issuance of a Determination of Non-Significance (DNS) is the appropriate threshold determination under the Stat Environmental Policy Act (SEPA) requirements.

A. Earth and Water

The proposed project will require disturbance of a geological hazard 40% slope in order to facilitate expansion of an auto court. When completed, the remaining slope in the area of disturbance will be replanted with native vegetation.

An eight foot soldier pile wall will replace an existing 5-foot wall. Two 30 inch rockeries will be installed on the slope above the proposed eight foot wall. The proposed construction will affect an area of approximately 7,200 square feet and will increase the impervious surface by about 2,400 square feet. The new construction will require removal of approximately 700 cubic yards of soil from the toe of the

hillside. Storm water will be collected from impervious surfaces, including the expanded driveway area and discharged into an approved storm drainage system. Consequently, discharge of concentrated flows from the impervious surfaces will be avoided. A Temporary Erosion Sedimentation Control Plan is included in the project plans, and addresses all requirements for restoring the site to its current condition as well as erosion and sedimentation management practices. Existing codes and standards adequately mitigate expected impacts to earth and water resources. See related Condition of Approval in Section IX.

B. Animals

Eagles use the existing shoreline of Lake Washington as habitat. No evidence of eagle nesting has been identified in the project area. The potential project impact to the use of the site are favorable due to an increase in native vegetation. Numerous small animals and birds either use this site or are in close proximity. Other large animals such as deer, bear, and cougars have historically been present in the general vicinity. Construction on the site will likely result in the loss of some small species within selected habitats due to habitat destruction and human disturbance. These impacts are adverse, but they are not environmentally significant due to the lack of native vegetation and will be mitigated through the introduction of native vegetation as proposed in the replanting plan.

C. Plants

The vegetation is distinct on the developed western portion of the site and the eastern portion. These portions are divided by an existing paved easement serving the properties to the north and south. Vegetation on the western portion mainly consists of grass and deciduous trees near the residence. The slopes in this area are predominately covered by ivy with a few small deciduous trees. There are some larger deciduous trees located on the north portion of the slope, well outside the area proposed to be disturbed. Portions of the slope in this area also contain blackberries and grass. This vegetation pattern continues on the properties to the north and south.

Development of the proposal will involve removal of ivy, brush and small fruit trees in and around the area of the proposed wall. The applicant has submitted a 3-tiered restoration plan that includes native trees, shrubs and ground cover to mitigate the loss of vegetation due to the proposal. In addition, the applicant must submit a combined Landscape Installation and Maintenance Security in the amount of 100 percent of the costs of site restoration, including labor, materials. See related Conditions of Approval in Section IX.

D. Noise

The site is adjacent to single-family residences whose residents are most sensitive to disturbance from noise during evening, late night and week end hours when they are likely to be at home. Construction noise will be limited by the City's Noise Ordinance (Chapter 9.18 BCC) which regulates construction hours and noise levels. See related Conditions of Approval in Section IX of this report.

V. SUMMARY OF TECHNICAL REVIEWS

A. Clearing & Grading Review

The Clearing and Grading Division of the Planning and Community Development Department has reviewed the proposed site development for compliance with Clearing and Grading codes and standards. The Clearing and Grading staff found no issues with the proposed development and concurred with the findings within the Geotechnical Report.

VI. PUBLIC NOTICE AND COMMUNITY INPUT

Application Date: October 10, 2006
Public Notice (500 feet): November 26, 2006
Minimum Comment Period: December 9, 2006

Notice of Application was published in the City of Bellevue's *Land Use Bulletin* and the *King County Journal* on November 26, 2006. It was mailed to property owners within 500 feet of the project site. No comments were received from the public as of the writing of this staff report.

VII. DECISION CRITERIA

Land Use Code Decision Criteria LUC 20.30P.140 - Critical Areas Land Use Permit

- a. The proposal obtains all other permits required by the Land Use Code; and

Finding: The applicant has already applied for necessary combination new single family building and clearing and grading permits.

- b. The proposal utilizes to the maximum extent possible, the best available construction and design & development techniques which result in the least impact on the critical area and critical area buffer; and

Finding: The applicant will be using retaining foundation walls and all other retaining walls will adhere to all applicable performance standards of the Land Use Code.

- c. The proposal incorporates the performance standards of Part 20.25H to the maximum extent applicable, and;

Finding: As discussed in Section III of this report, the proposal incorporates performance standards of LUC Section 20.25H.055.C.2 for expansion of facilities into a critical area or it's buffer and LUC Section 20.25H.125 for areas of geological hazards. Any modification of the standards are addressed as part of the critical areas report.

- d. The proposal will be served by adequate public facilities including street, fire protection and utilities; and

Finding: The site is adequately served by existing public facilities and vehicular access will be designed to meet city standards for emergency access.

- e. The proposal includes a mitigation or restoration plan consistent with the requirements of LUC Section 20.25H.210; and

Finding: The applicant will be required to implement the Site Restoration as a condition of approval of this permit.

- f. The proposal complies with other applicable requirements of this code.

Finding: As conditioned and discussed in this report, the proposal complies with all applicable code requirements including, but not limited to, performance standards for development in geologic hazard areas, critical area report requirements, and Critical Areas Land Use Permit decision criteria.

20.25H.255 Critical areas report – Decision criteria.

A. General.

Except for the proposals described in subsection B of this section, the Director may approve, or approve with modifications, the proposed modification where the applicant demonstrates:

- a. The modifications and performance standards included in the proposal lead to levels of protection of critical area functions and values at least as protective as application of the regulations and standards of this code;

Finding: The critical area report demonstrates the project will lead to an increase in slope stability. The static and dynamic factors of safety for the new construction of 2.35 and 1.42 respectively are greater than the existing factors of 2.05 and 1.27 per the letter submitted by PanGeo dated September 29, 2006.

The replanting of the existing grass and gravel covered slope with native vegetation will increase habitat for the slope. The introduction of native including trees, shrubs, and groundcover will provide an improved habitat greater than the existing grass covered slope.

- b. Adequate resources to ensure completion of any required mitigation and monitoring efforts;

Finding: An assurance device in the amount of 150 percent of the cost of materials and installation labor for preparing and planting the site with the required revegetation plan will be required. See Conditions of Approval in Section IX of this report regarding the required restoration plan.

- c. The modifications and performance standards included in the proposal are not detrimental to the functions and values of critical area and critical area buffers off-site; and

Finding: The proposal will not be detrimental to the critical slopes and buffers offsite. The proposal will increase stability of the existing slope and the revegetation of the slope will increase habitat function.

- d. The resulting development is compatible with other uses and development in the same land use district.

Finding: The proposal is compatible with other uses in the area. The properties in the area are developed with residential uses. The proposed turnaround will likely contain use to the existing property and decrease impacts on the property to the south.

20.25H.145 Critical areas report – Approval of modification.

Modifications to geologic hazard critical areas and critical area buffers shall only be approved if the Director determines that the modification:

- a. Will not increase the threat of the geological hazard to adjacent properties over conditions that would exist if the provisions of this part were not modified;

Finding: The critical area report demonstrates the project will lead to an increase in slope stability. The static and dynamic factors of safety for the new construction of 2.35 and 1.42 respectively are greater than the existing factors of 2.05 and 1.27 per the letter submitted by PanGeo dated September 29, 2006. The increase of static and dynamic safety factors will provide more stability and less threat of geological hazard to adjacent geological hazards than the existing slope in an unmodified state.

- b. Will not adversely impact other critical areas;

Finding: The proposal will not adversely impact other critical areas such as the remaining steep slopes and the shoreline. The critical area report demonstrates the project will lead to an increase in slope stability. The replanting of the slope with native vegetation will increase habitat and improve drainage of the slope.

- c. Is designed so that the hazard to the project is eliminated or mitigated to a level equal to or less than would exist if the provisions of this part were not modified;

Finding: The design of the proposed soldier pile wall and regrading of the steep slope will lead to an increase in slope stability. The resulting safety factors will be increased to a greater level than would exist if the critical area was not modified.

- d. Is certified as safe as designed and under anticipated conditions by a qualified engineer or geologist, licensed in the state of Washington;

Finding: The project is certified as safe as designed and installed under anticipated conditions per the geotechnical report prepared by PanGeo Incorporated dated March 1, 2006 and the letter of addendum dated September 29, 2006.

- e. The applicant provides a geotechnical report prepared by a qualified professional demonstrating that modification of the critical area or critical area buffer will have no adverse impacts on stability of any adjacent slopes, and will not impact stability of any existing structures. Geotechnical reporting standards shall comply with requirements developed by the Director in City of Bellevue Submittal Requirements Sheet 25, Geotechnical Report and Stability Analysis Requirements, now or as hereafter amended;

Finding: A geotechnical report prepared by PanGeo Incorporated dated March 1, 2006 and letter of addendum dated September 29, 2006 were provided stating "the proposed modifications will have no adverse impacts on stability of any adjacent slopes, and will not impact stability of any existing structures." This report complies with the requirements developed by the Director in City of Bellevue Submittal Requirements Sheet 25, Geotechnical Report and Stability Analysis Requirements.

- f. Any modification complies with recommendations of the geotechnical support with respect to best management practices, construction techniques or other recommendations; and

Finding: The proposed modification will be required to comply with the best management practices and construction techniques recommended by PanGeo Incorporated in the Geotechnical Report prepared March 1, 2006. As part of the approval of the clear and grade permit associated with the project, there will be a requirement for the project's geotechnical engineer or his representative to be onsite during critical earthwork operations.

- g. The proposed modification to the critical area or critical area buffer with any associated mitigation does not significantly impact habitat associated with species of local importance, or such habitat that could reasonably be expected to exist during the anticipated life of the development proposal if the area were regulated under this part.

Finding: The proposed modification does not significantly impact habitat

associated with species of local importance. The existing vegetation in the proposed area of disturbance is minimal, mainly consisting of grass, ivy, blackberries and gravel. The impact upon existing species of local importance is insignificant. Due to the current use of the area, its proximity to the existing driveway and easements, and the current vegetation it is unlikely that the critical area would revegetate with habitat providing a function greater than that proposed by the applicant.

VIII. CONCLUSION AND DECISION

After conducting the various administrative reviews associated with this proposal, including applicable Land Use consistency, SEPA, City Code, and standard compliance reviews, the Director of Planning and Community Development does hereby **approve with conditions**, the proposed removal and regarding of a portion critical slope and slope critical area buffer for the autocourt expansion.

A Critical Areas Land Use Permit setback modification automatically expires and is void if the applicant fails to file for a building permit or other necessary development permits within one year of the effective date of the approval pursuant to LUC 20.30P.150.

IX. CONDITIONS OF APPROVAL

A. The following conditions are imposed under authority referenced:

Compliance with Bellevue City Codes and Ordinances.

The applicant shall comply with all applicable Bellevue City Codes, Standards, and Ordinances including but not limited to:

<u>Applicable Ordinances</u>	<u>Contact Person</u>
Clearing and Grading Code- BCC 23.76	Tom McFarlane, 425-452-5207
Land Use Code- BCC Title 20.25H	Drew Folsom, 425-452-4441
Noise Control- BCC 9.18	Drew Folsom, 425-452-4441

B. General Conditions:

The following conditions are imposed under the Bellevue City Code Referenced:

- 1. Geotechnical Recommendations:** The wall and slope regrading must be constructed in accordance with the recommendations presented in the March 1, 2005 geotechnical report and subsequent letter dated September 29, 2006, prepared by PanGeo, Inc.

Authority: Land Use Code Section 20.25H.125
Reviewer: Drew Folsom, Planning and Community Development Department

- 2. Area of Modification:** The modification of critical area is limited to the slope removal and regrading depicted on the site plan dated August 22, 2006.

Authority: Land Use Code Section 20.25H.140
Reviewer: Drew Folsom, Planning and Community Development Department

3. **Rainy Season restrictions:** Due to the presence of a steep slope, no clearing and grading activity may occur during the rainy season, which is defined as November 1 through April 30 without written authorization of the Department of Planning and Community Development. Should approval be granted for work during the rainy season, increased erosion and sedimentation measures, representing the best available technology must be implemented prior to beginning or resuming site work.

Authority: Bellevue City Code 23.76.093.A,
Reviewer: Tom McFarlane, Planning and Community Development Department

4. **Restoration Plan:** The applicant shall implement the Site Restoration Plan that includes mitigation planting for impacts to the site associated with the removal and regrading of slope critical area . Any modifications to this plan must be reviewed and approved by the Planning and Community Development Department.

Authority: Land Use Code Section 20.25H.210
Reviewer: Drew Folsom, Planning and Community Development Department

5. **Landscape Maintenance Security:** The applicant must submit a combined Landscape Installation and Maintenance Security in the amount of 150 percent of the costs of site restoration, including labor, materials. The security may be released after the vegetation has successfully been installed and maintained for a period of three years.

Authority: Land Use Code Section 20.25H.125.J and 20.25H.220.D
Reviewer: Drew Folsom, Planning and Community Development Department

6. **Noise Control:** The proposal will be subject to normal construction hours of 7 am to 6 pm Monday through Friday and 9 am to 6 pm on Saturdays, except for Federal holidays and as further defined by the Bellevue City Code. Upon written request to PCD, work hours may be extended to 10 pm if the criteria for extension of work hours as stated in BCC 9.18 can be met. Use of heavy equipment will be prohibited outside of normal construction hours.

Authority: Bellevue City Code 9.18
Reviewer: Drew Folsom, Planning and Community Development Department

ATTACHMENTS

- A. Zoning Map/Vicinity Map
- B. Environmental Checklist
- C. Critical Areas Report

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: JOHN & DONNA LUGER

Proprietor: PETER SUNOT (OWNER'S AGENT)

Contact Person: PETER SUNOT

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

Address: 15609 NE 91ST WAY, REDMOND, WA 98052

Phone: 425 591 5017 - EMAIL: drejer@comcast.net

Proposal Title: LUGER AUTO COURT

Proposal Location: 405 SHORELAND DRIVE SE., BELLEVUE, WA 98052
(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: EXCAVATION / SHORING / RE-GRADING FOR AUTOCOURT
2. Acreage of site: 2 ACRES (+/-)
3. Number of dwelling units/buildings to be demolished: \emptyset
4. Number of dwelling units/buildings to be constructed: \emptyset
5. Square footage of buildings to be demolished: NA
6. Square footage of buildings to be constructed: NA
7. Quantity of earth movement (in cubic yards): 700 CY
8. Proposed land use: AUTO-COURT / LANDSCAPING
9. Design features, including building height, number of stories and proposed exterior materials:
9' HIGH SHORING WALL, STONE CLAD, NATIVE SPECIES LANDSCAPING.
10. Other
SEE PERMITS, SPECS, ETC SUBMITTED

RECEIVED

OCT 1 2006

PERMIT PROCESSING
DT. 10/25/06

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

ASAP - 3 MONTHS FROM PERMIT

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.

TECHNICAL REPORTS ONLY (STRUCTURE, GEOTECH, ARCH.)

GEOTECHNICAL REPORT
PREPARED BY PAJGEO

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.

DON'T KNOW

B.

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.

FILING A "GH" PERMIT w/ C.O.B. CURRENTLY

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

NA

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)? 60%

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.

SEE GEOTECHNICAL REPORT

D.D. 10/25/06

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

DON'T KNOW

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

SEE GRADING PLAN FOR EXCAVATION BEHIND SHORING WALL -

12" TOP SOIL FILL PRIOR TO PLANTING NATIVE SPECIES -

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

SEE DRAINAGE PLAN

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

2400 SF NEW

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

GEO-TECH WILL MONITOR SITE AND RECOMMEND MEASURES -

FURTHER MITIGATED PER BCC.076.090 EROSION AND SEDIMENT CONTROL PLAN

CLARIFIED
SOIL
LOSS TO 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.

DON'T KNOW -

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:

COVERING SOILS, CLEANING STREETS

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

LAKE WASHINGTON, SWIMMING POOL, GARDEN POND (SMALL MAN-MADE)

D.7. 10/25/06

appropriate, state 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.

SEE SITE PLAN

PROPOSED WALL ASSUMING WORK OVER 100' FROM SHORELINE

- (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 / N/A

SEE ATTACHED SITE PLAN

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

NO

PROPOSED WALL ASSUMING WORK OVER 100' FROM SHORELINE

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

DONT KNOW

PROPOSAL IS NOT IN 100 FLOOD PLAIN

PROPOSED WALL ASSUMING WORK OVER 100' FROM SHORELINE

- (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

NA

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

PROPOSED WALL ASSUMING WORK OVER 100' FROM SHORELINE

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.

SEE DRAINAGE PLAN

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

DON'T KNOW - GEO-TECH WILL MONITOR SITE DURING CONSTRUCTION

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

SEE DRAINAGE PLAN / GEO-TECH MONITORING

4. Plants

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

- deciduous tree: alder, maple, aspen, other SEVERAL SMALL (10" OR LESS) DECIDUOUS TREES - FRUIT TREES
- evergreen tree: fir, cedar, pine, other
- shrubs GROUND COVERING IVY
- 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?

IVY, SEVERAL SMALL DECIDUOUS TREES

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:

NATIVE PLANTS / GROUND COVERS (SEE LANDSCAPE PLAN)

D.D. 10/15/04

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: (DOGS !)
- Fish: bass, salmon, trout, herring, shellfish, other:

NO NESTING IN PROJECT AREA. EAGLES USE ENTIRE SHORELINE AS HABITAT.

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

DONT KNOW

EAGLES

c. Is the site part of a migration route? If so, explain.

DONT KNOW

d. Proposed measures to preserve or enhance wildlife, if any:

NONE

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.

NONE

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:

N/A

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.

N/A

(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)?

QUIET PRIVATE RESIDENTIAL AREA

- (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.

24 AUGER CAST PILES - (1 WEEK)
EXCAVATION EQUIPMENT
TRUCKING

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

WORK QUIETLY, WITHIN

PERMITTED NOISE HOURS
FURTHER MITIGATED
PLA SCC 9.18
"NOISE CONTROL"

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.

1 HOUSE, 1 CARPARK HOUSE (3 CAR GARAGE)

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

NO

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

SINGLE FAMILY R-1

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

DON'T KNOW SINGLE FAMILY LOW DENSITY

- g. If applicable, what is the current shoreline master program designation of the site?

DON'T KNOW

- h. Has any part of the site been classified as an "environmentally sensitive" area? If so, specify.

STEEP SLOPES ON EAST SIDE OF SITE

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

2

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

0

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

N/A

D.A. 10/25/04

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

MONITOR CONSTRUCTION TO COMPLY W/ PERMIT REGULATIONS.

9. Housing

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

0

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

N/A

- 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?

9' SHORING WALL AT BASE

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

NONE

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

RE PAINTING / MAINTAINING

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?

NONE / N/A

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:

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.

NO

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

N/A

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.

SEE SITE PLAN

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

NO 1 DON'T KNOW

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

8

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

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

N/A

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

SAME AS BEFORE PROJECT

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

N/A

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

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.

NONE

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..... 10/7/09

