



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

6

DETERMINATION OF NON-SIGNIFICANCE

PROPONENT: Robert Perry

LOCATION OF PROPOSAL: 6039 174th Ave SE

NAME & DESCRIPTION OF PROPOSAL: Perry Preliminary Short Plat

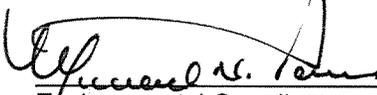
Land Use approval of preliminary short subdivision proposal to divide one existing 2.2 acre lot into 2 lots of 41,831 sf and 54,160 sf. Parcel is in the R-1 zoning district and contains a Steep Slope Critical Area and Type N Stream. Protected areas will be set aside as Native Growth Protection Easement (NGPE) across the two lots.

FILE NUMBER: 07-103755-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 March 16, 2006.
- 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 9/13/2007.
- 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This DNS may be withdrawn at any time if the proposal is modified so that it is likely to have significant adverse environmental impacts; if there is significant new information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

8/30/2007
 Date

OTHERS TO RECEIVE THIS DOCUMENT:

- State Department of Fish and Wildlife
- State Department of Ecology,
- Army Corps of Engineers
- Attorney General
- Muckleshoot Indian Tribe



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

Proposal Name: Perry Preliminary Short Plat

Proposal Address: 6039 174th Ave SE

Proposal Description: Subdivide one 2.2 acre lot in the R-1 land use district into two single family lots.

File Number: 07-103755-LN

Applicant: Robert Perry

Decisions Included: Administrative Decision for a Preliminary Short Plat LUC 20.30

**State Environmental Policy Act
Threshold Determination:**

Determination of Non-Significance

A handwritten signature in black ink, appearing to read "Carol V. Helland".

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

Department Decision:

Approval with Conditions

A handwritten signature in black ink, appearing to read "David Pyle".

David Pyle, Senior Planner
Dept. of Planning and Community Development

Application Date: January 9, 2007
Notice of Application: February 8, 2007
Decision Publication Date: August 30, 2007
Appeal Deadline: September 13, 2007

For information on how to appeal a proposal, visit the Permit Center at City Hall or call (425) 452-6864 [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 subdivide one existing parcel totaling 95,991 square feet (2.2 acres) into two single-family residential lots of 41,831 sf (Lot A) and 54,160 sf (Lot B) in the R-1 zoning district. The parcel is located at 6039 174th Ave SE and is currently developed with one single family residence that will remain on proposed Lot B. Small portions of the project site contain a protected steep slope critical area, a Type N stream and riparian area buffer. All known critical areas will remain on Lot B, which will be considered a developed lot. Lot A, following approval of the final short plat, will be considered an undeveloped lot for the purpose of applying development regulations. No modification of the documented steep slope, Type N stream, or stream buffer is proposed or will result from approval of this proposal.

II. Site Description and Context

Site Characteristics

The site is located in a community of single-family residential homes in the Newcastle Subarea of the Comprehensive Plan. Access to the site is gained from SE 60th Street by way of a private driveway that is named 174th Ave SE. The site slopes moderately to severely (portions of the site exceed 40% in slope) downhill from the southern property line towards SE 60th Street. The site does not have frontage on SE 60th Street. The site is currently developed and is landscaped with ornamental plants and a manicured lawn common to a single family development. The site is bordered by clusters of significant trees and the surrounding landscape is largely forested. An 11,410 sf area of protected steep slope has been identified on the southwest extreme of the property directly upslope from the existing residence. A known type N stream flows along the north west corner of the property. This stream system is discussed in greater detail below.

Site Design

This is a proposal to short subdivide one existing single family lot into two. Currently, the subject site is developed with one single family residence in the southwest corner of the site. The remainder of the property is kept as a maintained landscaped area (sloping lawn). This proposal would create a separate parcel out of this unused area and allow for the construction of an additional single family home.

CONSISTENCY WITH LAND USE CODE/ZONING REQUIREMENTS

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

Protected Areas

Steep Slope Critical Areas: A portion of this site contains a slope that meets the definition of a steep slope critical area as identified in LUC 20.25H.120.2. The applicant has completed a topographical survey of the site identifying the limits of the protected slope and has provided a site plan that delineates the 11,410 sf area of steep slope. No modification of the protected slope area is proposed as part of this short subdivision. All future development resulting from approval of this development

action will require the preservation of the steep slope area as a Native Growth Protection Easement (NGPE).

Steep Slope Critical Area Buffers: Steep slope critical areas are protected under LUC 20.25H.120.B through the application of a top of slope buffer. In this case, the subject site contains a protected steep slope critical area that extends to the southwest extreme of the property. The top of slope buffer for this documented slope extends off of the subject site in the south west corner. No impact to the top of slope buffer is proposed or will occur as part of this short subdivision proposal.

Steep Slope Critical Areas Structure Setbacks: Development at the bottom (toe) of the steep slope critical area on this site is restricted through a toe of slope structure setback as identified in LUC 20.25H.120.C. Although this site is developed with an existing residence within this required structure setback, the footprint of the existing residence is exempt from this required structure setback under LUC 20.25H.035.B. The future development of proposed Lot A will be required to comply with the 75 foot steep slope structure setback.

Stream and Stream Riparian Areas: The northwest corner of this site contains a known stream that flows north into the Lewis Creek drainage basin. This stream segment has been designated as a Type N stream based on the definition found in the City of Bellevue Land Use Code section 20.25H.075.B. This stream reach is also identified in the City of Bellevue Stream Typing Inventory as Segment ID# 95_04_14 and has been documented non-fish bearing. The Type N stream that flows across the northwest corner of this site flows through a short section of culvert the outlet of which drains onto the subject site (see site plans). The upstream portions of this stream do not impact the subject site and have been modified as part of separate land use action on a separate parcel of property under separate ownership. For more information on this stream modification / restoration, please see City of Bellevue File # 07-105201-LO.

Stream Riparian Area Buffers: Type N streams on developed sites are subject to a 25 foot stream buffer. The applicant has provided a site plan that identifies the stream channel (top-of-bank) and has identified the required 25 foot stream buffer. No impact to the stream or stream buffer is proposed or will occur as part of this short subdivision proposal.

Stream Riparian Area Buffer Structure Setbacks: In addition to the required 25 foot stream riparian area buffer previously identified, Type N streams on developed sites are subject to a restricted 25 foot structure setback that is measured from the edge of the identified buffer. Development activity is allowed within this setback area however the placement of structures is within this area is prohibited.

Density Calculation

LUC 20.25H.045.B requires that proposals to subdivide property within the Critical Areas Overlay District calculate allowed density (dwelling units per acre) after deducting the total critical area and critical area buffer. The maximum density allowed for a site in the Critical Areas Overlay District is equal to the number of

dwelling units per acre as specified in LUC 20.20.010, times the buildable area in acres, plus the dwelling units per acre times the total area of critical area and critical area buffer in acres times the development factor derived from LUC 20.25H.045.D. To calculate density, the following calculation is required:

$$[(DU/acre)(Buildable\ area\ in\ acres) + (DU/acre)(Total\ critical\ area\ and\ critical\ area\ buffer\ in\ acres)(Development\ factor)] = \text{Maximum dwelling unit potential}$$

This is a proposal to divide one 2.2 acre parcel in the R-1 zone (1 DU/Acre) into two lots. The site contains a total of .33 acres of critical area and critical area buffer and contains a total of 1.87 acres of buildable area. The following is the density calculation for this property:

$$[(1)(1.87)+(1)(.33)(.85)]=2.15$$

The maximum number of dwelling units for this site is 2. The proposal to divide this property into two lots is in compliance with the requirements of the Critical Areas Overlay District.

B. Consistency with Standard Land Use Code Requirements

BASIC INFORMATION		
Zoning District	R-1 (Single Family Residential 1 dwellings units per acre)	
Gross Site Area	99,991 square feet / 2.2 acres	
Protected Area	This site contains approximately 14,530 square feet (.33 acres) of protected area	
ITEM	REQ'D/ALLOWED	PROPOSED
Dwelling Units/Acre*	1 DU/Acre	.9 DU/Acre
Minimum Lot Area	35,000 square feet	41,831 (Lot A) and 54,160 (Lot B) square feet
Minimum Lot Width	100 feet	245 feet (Lot A) and 317 feet (Lot B)
Minimum Lot Depth	150 feet	250 feet (Lot A) and 305 feet (Lot B)
Building Setbacks		
Front Yard	30 feet	30 feet
Rear Yard	25 feet	25 feet
Min. Side Yard	5 feet	5 feet
2 Side Yard	20 feet	20 feet
Access Easement	20 feet	20 feet
Tree Retention	15% of existing DBH inches	24% or 505 diameter inches

***For sites in the Critical Areas Overlay District allowed density is determined through the density calculation found in LUC 20.25H.045.B. This is discussed in section II.A of this report.**

III. 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, Building Code and other construction codes adequately

mitigate expected environmental impacts.

Therefore, issuance of a Determination of Non-Significance (DNS) is the appropriate threshold determination under the State Environmental Policy Act (SEPA) requirements with the incorporation by reference of the *2004-2015 Transportation Facilities Plan Final Environmental Impact Statement* (TFP EIS) published June 10, 2004. This document is available in the Department of Planning and Community Development Records Room at Bellevue City Hall. Transportation-related impacts associated with the proposed Perry Short Plat are consistent with the potential projected impacts analyzed in the 2004-2015 TFP EIS

Earth and Water

The site contains moderate to severe (greater than 40%) slopes, with the highest points on the southwest corner of the property. The site also contains a known Type N stream that flows across the northwest corner of the property. In total, the site consists of 14,530 sf of critical area and critical area buffer. The main body of these sensitive features along with portions of their primary setbacks will be preserved through the establishment of a Native Growth Protection Easement to be located on Parcel B. The site's critical areas are addressed in greater detail in section II.A of this report. Limited grading will occur within the required stream buffer structure setback to widen the site's driveway and install required utility connections. No development activity (modification) is proposed within the site's critical areas or critical area buffers. See Section VIII for a related condition of approval.

The proposed development is expected to adversely affect the quality of surface water on the site. Pollutants such as sediment, oil, grease, herbicides, pesticides, and fertilizers could be expected to enter the storm water from the driving surfaces and any landscaped areas. However, the City's Utility Codes and Engineering Standards provide adequate direction to mitigate for both runoff control and water quality treatment for conventional pollutants.

The site is located in the Lewis Creek Basin, which is considered a sensitive drainage basin due to the presence of fish bearing streams at lower elevations. As such, the site is subject to rainy season restrictions for clearing and grading activities according to the Clearing and Grading Code. If clearing & grading activities are proposed during the rainy season, (Nov. 1 through April 30) a specific request from the development team must be submitted to the Clearing & Grading Section. If approval to perform clearing & grading activities during the rainy season is granted, the approval will be subject to several conditions directly aimed at minimizing the potential for construction site erosion and sedimentation. An augmented temporary erosion and sedimentation control plan may also be required when the request for rainy season construction is under consideration by Staff.

Plants and Animals

Development activity will be concentrated to areas that have been historically cleared. Several trees will be removed to facilitate the removal of the site's septic system and install the required sewer lines. Additionally, Construction on the site will likely result in a predictable reduction in the number of animals due to an increase in density and human presence. An increase in habitat fragmentation and acceleration of edge is also expected due to and increase in the probability of human disturbance to the surrounding landscape associated with an increase in density. These impacts are adverse, but they are not

environmentally significant (the site has historically been cleared) and will be partially mitigated through the retention of existing vegetation and wildlife habitat within the steep slope protected area, stream, and stream buffer. See Section VIII related conditions of approval.

Noise

The subject site is adjacent to single-family residences whose residents are most sensitive to disturbance from noise during evening, late night and weekend 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 normal hours for allowed generation of noise related to construction from 7:00 am to 6:00 pm Monday through Friday and 9:00 am to 6:00 pm on Saturday. See Section VIII for a related condition of approval.

IV. SUMMARY OF TECHNICAL REVIEWS

A. Utilities Review

The Preliminary Short Plat application has been reviewed and no further utility revisions are needed at this time. The Utility Department approval is based on the conceptual utility design only. Utility connection permits will be required when application is made for single family building permit. See Section VIII of this report for Utilities Department related Conditions of Approval.

B. Fire Department Review

The City of Bellevue Fire Department has reviewed the proposal for compliance with the Fire development codes and standards. As proposed, the Fire Department has no concerns with the project. Any future proposed single family development must comply with the City's Fire Code requirements. See Section VIII of this report for Fire Department related Conditions of Approval.

C. Transportation Review:

The Transportation Department has reviewed the plans submitted for the preliminary short plat and recommends approval. The final engineering plans must show all transportation-related improvements and must be consistent with the Transportation Development Code (BCC 14.60) and the Transportation Design Manual prior to approval of the plat infrastructure permit. Prior to final short plat approval, the developer must provide all transportation improvements at the developer's expense (BCC 14.60.110) or provide an acceptable financial assurance device equivalent to 150% of the cost of unfinished improvements.

Under BCC 22.16, payment of the transportation impact fee for each new house will adequately mitigate off-site transportation impacts. The fee amount is subject to periodic revision by the city council. Builders will pay the fee in effect at the time of building permit issuance. See Section VIII of this report for Transportation Department related Conditions of Approval.

Use of the Right of Way

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

Site Access and Access Improvements

The site will use a driveway shared by two lots, which connects to an existing private road known as 174th Avenue SE. 174th Ave intersects with SE 60th Street, a City of Bellevue public street right of way. The short plat site is not adjacent to SE 60th Street, nor to any other public right of way. Therefore, public street improvements are not required, unless the developer causes a need for pavement repair on SE 60th Street.

The developer submitted photographs showing that existing vehicle sight distance where the private road connects to SE 60th Street is adequate to meet the requirements of BCC 14.60.240.

The existing private road (174th) and shared driveway will require minor widening in some areas, as shown on the engineering plans submitted to the city on April 19, 2007, in order to achieve a minimum paved width of sixteen feet. The grade of the private road slightly exceeds the city's standard maximum of 15%; it averages 15.3%. However, because the existing private road already serves driveways connected at fixed elevations to other properties, the grade of the private road may remain as it is.

Bellevue city code (BCC 14.60.130) says that private roads, including shared driveways, must remain open at all times for emergency and public service vehicles, and that the affected property owners must be responsible for maintenance of the private road. Generally, such language is stated on the face of the final short plat. In this case, much of the private road is not under the control of the developer, so the required code language will only apply to that part of the private road and shared driveway that is included in the short plat site. See Section VIII of this report for Transportation Department related Conditions of Approval.

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. SE 60th Street is classified as "Standard Trench Restoration" at the point where the private road (174th Ave) connects to the street. Any trenching or repair of pavement damaged during

construction on SE 60th will require only standard restoration per standard drawings ROW-1 through ROW-5. Within the existing private road, any trenching or damaged pavement will require restoration appropriate to existing conditions, as determined by the Transportation Department inspector. See Section VIII of this report for Transportation Department related Conditions of Approval.

Transportation Impacts and Mitigation

The proposed short plat will create only one new residential lot. This will not have any significant off-site transportation impacts. No off-site transportation mitigation is required, other than payment of transportation impact fees at the time of building permit issuance. See Section VIII of this report for Transportation Department related Conditions of Approval.

V. PUBLIC NOTICE AND COMMUNITY INPUT

Application Date: January 9, 2007

Public Notice (200 feet): February 8, 2007

Minimum Comment Period: 14 day comment period closed February 22, 2007

Notice of Application was published in the City of Bellevue's *Land Use Bulletin* and the *King County Journal* on February 8, 2007. It was mailed to property owners within 500 feet of the project site and a Public Information Sign was installed at the entrance to the project site on the same day. Comment was received regarding the proposed project from one adjacent property owner. The issues identified in the comment letters included questions regarding the use of existing easements for access and utilities to the new lot. Concern over the location of the access and utilities easements, community well covenants, the location of paving within the easements, the location of sewer easements, the location of an existing public water line, and the location of a proposed fire hydrant were raised. In addition, issues surrounding sub-dividing this property associated with CC&R restrictions from past short plat activity was identified.

In response to these concerns, a request was submitted to the applicant to provide copies of the easements and other documents referenced in the properties title report. Copies of easements and other restrictions affecting this property have been added to the project file. Review of these easements indicates right to access and utilities within the described easement boundaries.

VI. Decision Criteria:

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. As discussed in section V of this report, the proposed short plat is consistent with City Codes and Standards. The site is accessed by SE 60th Street via 174th Ave SE, a private driveway. Existing public roads as well as public water and sewer facilities have been deemed adequate to serve the proposed development. See Section VIII of this report for related Conditions of Approval.

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 protecting critical areas and establishing a Native Growth Protection Easement to protect sensitive features within the site.

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

Development Standards

Finding: The proposal complies with the Land Use Code requirements for R-5 zoning, the Utility Code, and applicable City of Bellevue Development Standards.

Land Use Code Requirements

A. Dimensional Requirements: The site is currently zoned single-family R-1 which has a minimum lot size requirement of 35,000 square feet. The dimensional requirements for the R-1 zoning district include:

- 35' Front Yard Setback
- 25' Rear Yard Setback
- 5' Side Yard Setback
- 20' Two Side Yard Setback
- 30' Maximum Building Height
- 35% Maximum Lot Coverage by Structure
- 100' Minimum Lot Width
- 150' Minimum Lot Depth

B. Significant Tree Preservation: The tree preservation requirements under LUC Section 20.20.520 to save 15 percent of significant trees on the site apply to this proposal. The current condition of this developed site includes a total of 2,075 diameter inches. Site improvements proposed as part of this

short subdivision include the removal of a septic system, the installation of required utility lines, and the widening of a private driveway. Up to 1,570 diameter inches may be removed as part of this proposal. The applicant has identified several trees (equal to 505 diameter inches, or 24% retention) on the site that will be preserved. A tree retention plan has been submitted and indicates compliance with the City of Bellevue tree protection standards outlined in LUC 20.20.900.

- C. Critical Areas:** The site's critical areas will be protected through the establishment of an NGPE on proposed Lot B in accordance with LUC 20.25H.030.B. See conditions of approval in Section VIII.

Finding: All of the lots can be developed in accordance with the City of Bellevue Land Use Code requirements including the R-1 dimensional requirements. The LUC includes a requirement for the calculation of density for lots that contain critical areas. Under these provisions, the subject site may be divided into two residential lots. This is discussed in more detail in section II.A of this report.

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

Finding: The site is located within the Newcastle Subarea of the Comprehensive Plan. The Comprehensive Plan specifies single-family R-1 development for this property. 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-23). The proposed short plat provides housing for Bellevue's share of the regionally adopted demand forecasts for residential uses for the next 20 years (LU-3)

The proposal meets utility standards (UT-1), provides development through infill for under-utilized sites with adequate urban services (HO-12), and meets the Neighborhood Quality goal (Housing Element) by providing compatible housing (single family in single family district) and the protection of environmentally sensitive features (establishment of NGPE). By providing the preservation of healthy significant existing trees on-site through the retention of approximately 24% of the site's existing trees, the proposal will help maintain the landscape characteristics.

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

Finding: Each lot can reasonably be developed to current R-1 zoning standards and dimensional standards for the R-1 land use district without requiring a variance. The proposed lots meet the minimum standards for lot width, lot depth, and lot area in the R-1 land use district. There are no environmental factors which further inhibit the development of this property that would warrant a variance. See related conditions of approval in Section VIII.

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. The final short plat application may be made through the Revision process for this permit. . See conditions of approval in Section VIII.

VII. 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** the Perry 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. The final short plat application may be made through the Revision process for this permit.

VIII. Conditions of Approval:

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:

Applicable Codes, Standards and Ordinances	Contact Person
Clearing & Grading Code – BCC 23.76	Savina Uzunow, 425-452-7860
Construction Codes – BCC Title 23	Build. Division, 425-452-4121
Fire Code – BCC 23.11	Ted Erb, 425-452-6034
Land Use Code – BCC Title 20	David Pyle, 425-452-2973
Noise Control – BCC 9.18	David Pyle, 425-452-2973
Transportation Development Code – BCC 14.60	Carl Wilson, 425-452-4228
Right of Way Use Code – BCC 14.30	Jon Regalia, 425-452-4599
Transportation Department Design Manual	Carl Wilson, 425-452-4228
Traffic Standards Code 14.10	Carl Wilson, 425-452-4228
Utility Code – BCC Title 24	Don Rust, 425-452-4856

A. GENERAL CONDITIONS:

1. **NOISE / CONSTRUCTION HOURS** - All proposed development activity resulting

from approval of this land use action will be subject to normal construction hours of 7am to 6 pm Monday through Saturday except for Federal holidays and as further defined by the Bellevue City Code. Proximity to existing residential uses will be given special consideration. 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.

AUTHORITY: Bellevue City Code 9.18
REVIEWER: David Pyle, Planning and Community Development Department

2. TIME LIMITATION - This preliminary short plat 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 the preliminary short plat approval unless the applicant has received an extension for the preliminary short plat pursuant to Land Use Code Section 20.45B.160.

AUTHORITY: Land Use Code Section 20.45B.150; 20.45B.160
REVIEWER: David Pyle, Planning and Community Development Department

3. UTILITIES DEPARTMENT CONDITIONS - Utilities Department approval is based on the preliminary utility design only. Final civil engineering of the utility design may require changes to the site layout to accommodate the utilities.

AUTHORITY: Bellevue City Code Title 24
REVIEWER: Don Rust, Utilities Department

4. FIRE DEPARTMENT CONDITONS – General Conditions are as follows:

- a) Provide a 16 foot wide paved access when the new home is constructed.
- b) Automatic fire sprinklers may be required in the home depending on the gross square footage of the home and the available fire flow.
- c) Restrict parking along the access easement with no parking signs to maintain the full 20 feet of access.

AUTHORITY: Bellevue City Code 23.11
REVIEWER: Ted Erb, Fire Department

B. PRIOR TO ISSUANCE OF ANY PLAT ENGINEERING/CLEAR AND GRADE PERMIT:

1. RIGHT OF WAY USE PERMIT

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

- a) Designated truck hauling routes.
- b) Truck loading and unloading activities.

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

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

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

2. OFF-STREET PARKING

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

AUTHORITY: Bellevue City Code 14.30
REVIEWER: Jon Regalia, Transportation (425) 452-4599

3. ENGINEERING PLANS

A civil engineering plan produced by a qualified engineer must be approved by the City prior to clearing and grading permit issuance. The design of all transportation improvements must be in conformance with the requirements of the Transportation Development Code, the Transportation Department Design Manual, and any requirements stated elsewhere in this document. The engineering plans must correctly show all transportation-related engineering details, including but not limited to, the widening of the private road or shared driveway and construction of the turnaround. Appropriate standard drawings from the Transportation Department Design Manual must be included in the engineering plans where needed.

AUTHORITY: Bellevue City Code 14.60; Transportation Department Design Manual
REVIEWER: Carl Wilson, 425-452-4228

4. PAVEMENT RESTORATION

This segment of SE 60th Street will require standard trench restoration for any utility connections or other digging or pavement repair in the street surface. Trench restoration must meet the requirements of Section 21 of the Design Manual and standard drawings ROW-1 through ROW-5. Pavement restoration in the private road shall be appropriate for existing conditions, as determined by the Transportation Department inspector.

AUTHORITY: Bellevue City Code 14.60.250 and Design Manual Design Standard # 21
REVIEWER: Carl Wilson, 425-452-4228

5. UTILITY CONNECTIONS

- a) A water service for the new lot will be through the water application process and payment of any fees. Allow 8-12 weeks for installation.
- b) Side sewer permit application's, with payment of current fees and connection charges, are required to serve the property
- c) A storm drainage connection permit is required for the roof drains outfall.

AUTHORITY: Bellevue City Code Title 24
REVIEWER: Don Rust, Utilities Department

C. PRIOR TO FINAL SHORT PLAT APPROVAL:

1. INFRASTRUCTURE IMPROVEMENTS

All street frontage and infrastructure improvements shown in the final engineering plans or required by city codes and standards must be either completed prior to approval of the final short plat or provided for with a financial assurance device. Land Use Code Section 20.40.490 allows a developer to obtain final short plat approval prior to finishing improvements with provision of an acceptable financial assurance device equivalent to 150% of the cost of unfinished infrastructure improvements. Provision of such an assurance device requires completion of the improvements by the developer within two years of final short plat approval. Installation of improvements 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:

- The maximum cross slope of the turnaround shall not exceed 8%.
- The minimum paved width of the private road and shared driveway shall be sixteen feet.
- The shared driveway and that portion of the private road that is under the developer's control shall not be gated or obstructed and must remain open at all times for emergency and public service vehicles. A note to this effect shall be placed on the face of the final Subdivision map.
- The maintenance responsibility for the shared driveway and that portion of the private road that is under the developer's control shall be the shared responsibility of short plat's lot owners. A note to this effect must be indicated on the face of the final Subdivision map.

AUTHORITY: Bellevue City Code 14.60.100, 110, 130, 150, 170, 240; LUC 20.40.490; and
Transportation Department Design Manual Sections 4, 5, and 7
REVIEWER: Carl Wilson, 425-452-4228

2. DESIGNATION OF NGPE

All critical areas and critical area buffers shall be placed in an NGPE that meets the

requirements of LUC 20.25H.030.B. The NGPE must be included within the final short plat site plan.

AUTHORITY: Land Use Code 20.25H.030.B
REVIEWER: David Pyle, Planning and Community Development Department

3. IDENTIFICATION OF RETAINED TREES

All retained trees shall be identified on the face of the final plat and must be surveyed and marked with appropriate signage and/or fencing.

AUTHORITY: Land Use Code 20.20.900
REVIEWER: David Pyle, Planning and Community Development Department

4. NO PARKING

Identify on the face of the final plat that parking along the access easement shall be restricted with no parking signs to maintain the full 20 feet of access.

AUTHORITY: Bellevue City Code 23.11
REVIEWER: Ted Erb, Fire Department

6. VARIANCE/MODIFICATION RESTRICTION

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: David Pyle, Planning and Community Development Department

D. PRIOR TO ISSUANCE OF SINGLE FAMILY BUILDING PERMIT:

1. TRANSPORTATION IMPACT FEE

Payment of the traffic impact fee will be required at the time of single family building permit issuance. The impact fee is presently \$438.89 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: Carl Wilson, 425-452-4228

LIST OF ATTACHMENTS

- A. Plans and Drawings - In File
- B. Zoning Map - In File
- C. Vicinity Map - In File
- D. Environmental Checklist - In File

ENVIRONMENTAL CHECKLIST

File # 07-103755-LN
1/9/07

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: **Robert Perry**Proponent: **Robert Perry**Contact Person: **Nicole Mecum**

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

Address: **1375 NW Mall Street, Suite 3; Issaquah, WA 98027**Phone: **(425) 313-1078**Proposal Title: **Perry Short Plat**Proposal Location: **6039 174th Ave SE**

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

242405 35 LOT 1 KC SHORT PLAT #577037 REC AF #7807070659 SD SP DAF E 1/2 OF NW 1/4 OF SW 1/4 OF SE 1/4 LESS CO RDPlease attach an 8 1/2" x 11" vicinity map that accurately locates the proposal site. **See Figure 1: Vicinity Map**

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

1. General description: **The proposed project will be a 2 lot single family residential short plat. Access will be provided via a private access from 174th Avenue SE.**
2. Acreage of site: **2.2 Acres**
3. Number of dwelling units/buildings to be demolished: **0 single family residence**
4. Number of dwelling units/buildings to be constructed: **1 single family residences**
5. Square footage of buildings to be demolished: **N/A**
6. Square footage of buildings to be constructed:
7. Quantity of earth movement (in cubic yards): **Cut = 120 +/- CY, Fill = 120 +/- CY**
8. Proposed land use: **single family residential (R-1)**
9. Design features, including building height, number of stories and proposed exterior materials: **The proposed residence will be constructed per Bellevue requirements and current building codes.**
10. Other/

Reviewed By: *David Pyle*
City of Bellevue Land Use Division
(425) 452-2973
dpyle@ci.bellevue.wa.us

File No: 07-103755-LN

RECEIVED

JAN 09 2007

Permit Processing *D.P.*

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

Summer 2007

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.

Identification of stream top of bank dated December 19, 2006 by Evergreen Aquatic Resource Consultants, LLC

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
yes. SE 60th Sewer Extension
City of Bellevue File No. 06-121402-UE

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.

- Preliminary Short Plat**
- Final Short Plat**
- Construction Permits**
- Water and Sewer Services**
- NPDES**

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

DP

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)? **> 40 %**
- 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.

BeD – Beausite gravelly sandy loam with 15-30% slopes according to Natural Resources Conservation Services

- 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.

Trenching and excavation associated with utilities installation, road improvements, etc. Estimated earthwork quantities: 120 CY cut, 120 CY fill.

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

Yes, some erosion will occur during construction, erosion will be controlled.

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

Impervious surface will not exceed the maximum allowed for R-1 zoning per the City of Bellevue Land Use Code.

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

Exposed soils will be either re-vegetated or covered with impervious surface.

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, auto emissions

- b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

None known

- c. Proposed measures to reduce or control emissions or other impacts to the air, if any:

None at this time.

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 appropriate, state what stream or river it flows into. *Type IV Stream.*

There is a stream (0162D) located in the northeast corner of the property.

- (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. *Utility Connection May require*

The installation of essential utilities will occur within 200' of the stream.

- (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. *Crossing Under the Stream.*

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, according to King County IMap, this site does not lie within a 100 year floodplain.

- (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.

Not applicable

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.

The proposed stormwater system will maintain existing flow patterns.

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

Unknown Yes, erosion from construction.

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

The proposed stormwater system will maintain existing flow patterns.

cleaning and grading BMP's.

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?

Grass, trees and dense brush

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

None known

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

Grass and landscaping within disturbed areas.

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:

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

None known

D.P.

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

Not that is known.

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

None at this time.

6. Energy and Natural Resources

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

Electricity

b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

Not that is known.

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:

Standard energy conservation measures that are required by the Uniform Building Code for the construction of the houses.

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 environmental hazards are expected.

(1) Describe special emergency services that might be required

None beyond standard life safety services.

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

None at this time.

b. Noise

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

No significant noise impacts.

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

Construction per City of Bellevue noise ordinance.

*Bellevue City Code Section
9.18*

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

Observe City of Bellevue noise ordinance hours.

8. Land and Shoreline Use

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

Single family residential. The adjacent properties are all existing residential properties.

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

No

c. Describe any structures on the site.

One single family residence and garage.

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

No

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

R.1 35,000 sq ft lot size

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

Single family high (SF-L)

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.

The site contains a type "N" stream (0162D) / Steep Slope Critical Area

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

2+ residences/families

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

None

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

N/A

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

Meets land use code and comprehensive plan designation.

9. Housing

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

(1) Middle to high income home

D.P.

- 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:

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?

Buildings will not exceed the allowable maximum building height as defined by the land use code.

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

None known

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

Houses will be constructed to meet City of Bellevue codes, Zoning and Comprehensive Plan.

11. Light and Glare

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

Porch lights at night

- b. Could light or glare from the finished project be a safety hazard or interfere with views?

No significant impact expected.

- c. What existing off-site sources of light or glare may affect your proposal?

None known

- d. Proposed measures to reduce or control light or glare impacts, if any:

None at this time.

LUK 20.25H.080 Performance Standards.

12. Recreation

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

Cougar Mountain Regional Wildland Park, Lakemont Park and Trail

- 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 at this time.

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.

Not that is known.

- 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:

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.

The site is currently accessed via a private driveway off of 174th Ave SE. The existing driveway will be widened and extended to serve the new lot. A "Y" turnaround for fire access will be constructed as an extension to 174th Ave SE

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

Public transit is currently located along Lakemont Blvd SE and Forest Drive SE with a bus stop located approximately 1.11 mile from the site.

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

Completed project will provide 4-6 parking spaces. No parking spaces will be eliminated.

- 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.

Not that is known.

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

Approximately 2-4 trips during morning and evening peak hours would be generated by the completed project.

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

None

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.

General public services to accommodate (2) single family residences.

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

Payment of property taxes and other support fees.

16. Utilities

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

Sanitary sewer is not available until 06-12-1402 UE is approved.

- 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.

Storm water (connect to City of Bellevue drainage system) in addition to those listed above

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..... *[Handwritten Signature]*.....

Date Submitted..... *1/9/07*.....

[Handwritten Initials]