



City of Bellevue
Department of Planning and Community Development
Development Services Staff Report

Proposal Name: Sibleywood Residence Slope Buffer Modification

Proposal Address: 209 Northside Road

Proposal Description: This is an application for Critical Areas Land Use Permit to reduce the top of slope Geologic Hazard Area buffer associated with a 1,048 SF protected slope area. The applicant is proposing a reduction of slope buffer to allow for the development of a new single family residence with a portion of the buffer area. To improve the condition of the remaining buffer area, the applicant is proposing to restore portions of the site through the planting of native vegetation. The protected slope area will not be modified.

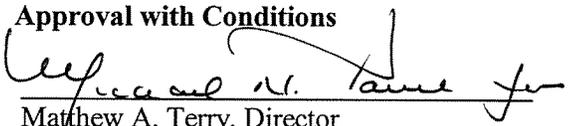
File Number: 07-111529-LO

Applicant: Surekha Redy, Property Owner

Decisions Included: Critical Areas Land Use Permit
(Process II - LUC 20.30P)

Planner: David Pyle, Senior Land Use Planner

**State Environmental Policy Act
Threshold Determination:** Exempt – BCC 22.02 (Not in defined Critical Area)

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

Matthew A. Terry, Director
Department of Planning and Community Development

Application Date:	03/27/2007
Date Application Deemed Complete:	06/26/2007
Notice of Application Publication Date:	07/12/2007
Decision Publication Date:	11/01/2007
Project Appeal Deadline:	11/15/2007

For information on how to appeal a proposal, visit Development Services at City Hall or call (425) 452-6800. Appeal of the Decision must be received in the City's Clerk's Office by 5 PM on the date noted for appeal of the decision.

I. Background

A. Site Description

The Surekha Reddy property is located at 209 Northside Road in the NW quadrant of Section 5, Township 24 North, Range 5 East. The site is within the Southwest Bellevue Subarea of the Comprehensive Plan, is designated as Single Family Low Density, and is zoned Single-Family Residential (R-1.8). The property is currently built out with one single family residence and an open sided garage/carport that is located under the residence and toed into the slope. The existing structure is situated on a flat bench area between two gentle slopes that undulate downhill from west to east across the site and constrain the useable area of the site. A portion of the slope area to the east of the existing residence along the eastern property line is regulated as a steep slope critical area, and appears to have been previously modified as part of the construction of Northside Road. The regulated slope along this portion of the property boundary is approximately 1,048 sq ft in area and is characterized by vegetation that consists of mature Douglas fir, big-leaf maple, and Pacific madrone, as well as English ivy and swordfern. Vehicle access to the site is currently provided by an existing paved driveway that connects the existing residence to the City Right of Way crossing directly through the top of slope buffer, effectively isolating the patch of protected vegetated slope from the remainder of the site and degrading the quality of the buffer (pavement). Site plans depicting the existing site conditions, as well as a Geotechnical Engineering Study, and Habitat Assessment are available in the project file.

B. Project Description

This is a proposal to reduce the required top of slope buffer from 50 feet to 20 feet to allow for the demolition and reconstruction of the existing residence, relocation of the existing driveway from its current location to the north of the project site, and an expansion of the structure footprint. No modification of the protected slope area is proposed or allowed as part of this application, and the applicant is proposing to replant/restore the slope buffer with native vegetation after the driveway had been relocated to the north end of the site and out of the protected slope buffer area. The new proposed residence will generally be built in the same location as the existing residence, although an expansion of the footprint to accommodate a new garage has been requested. Site plans depicting the existing and proposed site conditions are available in the project file.

II. Consistency with Land Use Code Requirements:

A. Zoning District Dimensional Requirements

This is a proposal to reduce the required top of slope buffer from 50 feet to 20 feet to allow for the demolition and reconstruction of the existing residence with an increase in structure footprint. To accomplish the desired expansion of structure footprint, the applicant is proposing a reduction of the top of slope buffer. No requests have been made to reduce the required structure setbacks, lot coverage, or other dimensional standards for

the R-1.8 zone. The proposed single family construction will be subject to complete site review for compliance with the Land Use Code during building permit review. See Conditions of Approval in Section VIII of this report.

B. Critical Areas

1) Steep Slopes- Steep Slopes are generally defined by section 20.25H.120.A.2 of 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. Portions of the subject site are characterized by a regulated slope area. The project proposal consists of two components: 1) To reduce the required 50 foot top of slope buffer to 20 feet; and 2) To remove the existing driveway that currently crosses through the top of slope buffer and restore the slope and buffer area with native plantings.

To allow for the reduction of the steep slope hazard area buffer, the applicant has submitted a geotechnical assessment of the site and slope area prepared by Geotech Consultants, Inc. that addresses slope stability and identifies construction practices and structure design that will help limit the potential for increased hazard associated with this slope. Review of the Geotechnical Report indicates the proposal to reduce the buffer to 20 feet is appropriate for this site due to lack of slope instability. A copy of the project geotechnical report is available in the project file.

2) Habitat - Habitat associated with species of local importance is protected by the City of Bellevue Land Use Code section 20.25H.150. When habitat associated with a listed species (listed in the City's Land Use Code) is present, specific performance standards must be followed as identified in LUC 20.25H.160. Review of the Washington State Department of Fish and Wildlife (WDFW) PHS database indicates the presence of a bald eagle nest within less than .5 miles of the project site. Due to the presence of the eagle nest, the WDFW performance standards must be met, and the applicant must provide an approved eagle management plan as required by WDFW. See related Conditions of Approval in Section VIII of this report.

As part of the application materials, the applicant has also provided a habitat assessment for the subject property prepared by a qualified consultant (available in the project file). Within this report the biologist identifies the existing slope area as being part of a modified urban landscape where patches of vegetation exist that could support urban adapted wildlife species, although the vegetated patch that is protected as steep slope hazard area is in degraded condition, is too small, and is too isolated to provide habitat for species of local importance, outside of the bald eagle habitat association previously identified. Furthermore, the habitat report identifies the top of slope buffer as being modified by residential construction and characterized by an asphalt driveway, rockery, staircase, and mowed lawn area that lacks structure to provide habitat. In the habitat report, the biologist suggests that the entire site does not contain sufficient vegetation to support habitat for species of local importance, and

that in it's current condition the site would not likely develop associated habitat due to the presence of an asphalt driveway, mowed lawn, and other maintained landscaping. To enhance the site's ability and potential to provide habitat in the future, the applicant has provided a conceptual restoration / replanting plan to restore the degraded condition of the protected slope buffer area after the driveway has been moved. All buffer restoration and replanting will meet the requirements of LUC 20.25H.210 - .225. See related Conditions of Approval in Section VIII of this report.

III. Consistency With Land Use Code Critical Areas Performance Standards – Modification of Steep Slope Critical Areas and Buffers:

A. 20.25H.125 Performance standards - Landslide hazards and steep slopes.

Development within a landslide hazard or 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:

- 1) 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: Much of the proposed structure is sited within the footprint of the existing structure in an effort to minimize additional alterations to the natural contour of the slope. The garage foundation has been tiered to conform to the existing topography. The house foundation functions as a retaining wall on the south side to accommodate a daylight basement as does the existing structure. The applicant has submitted a geotechnical assessment of the site and slope area prepared by Geotech Consultants, Inc. that addresses slope stability and identifies construction practices and structure design that will help limit the potential for increased hazard associated with this slope. The applicant is required to conform to the requirements of the geotechnical study – see Conditions of Approval in Section VIII of this report.

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

Finding: The majority of the proposed structure is sited within the footprint of the existing structure to minimize additional alterations to the natural contour of the slope. Portions of the proposed structure that extend beyond the footprint of the existing structure are located further away from the most critical portion of the site with respect to both slope and vegetation.

- 3) The proposed development shall not result in greater risk or a need for increased buffers on neighboring properties;
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Finding: The proposed development is located 50 feet from the West and 80 feet from the South boundaries of the neighboring properties. While the south wall of the proposed garage is located 10 feet from the south property boundary, this is the area of least slope on the site and is outside the regulated critical area and its buffer.

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

Finding: Retaining walls are employed to maintain the existing natural slope around the proposed development wherever possible. The house foundation is a retaining wall along its south face to accommodate a daylight basement and allows the floor levels of the residence to respond to the existing natural slope. Much of the excavation for this retaining wall has already been established by the existing structure. A retaining wall is employed at the south and west edges of the driveway and parking area to allow the existing natural slope to remain intact in adjacent areas. This is also the case for two small retaining walls near the northwest corner of the proposed residence, which allow for an accessory parking area.

5) Development shall be designed to minimize impervious surfaces within the critical area and critical area buffer;

Finding: The proposed development actually reduces impervious surfaces within the critical area buffer. The proposed residence is to be largely constructed within the footprint of the existing residence. The existing asphalt driveway, which is currently located adjacent to the top of the steep slope critical area and entirely within the critical area buffer, is proposed to be removed and the area restored with native vegetation. A new driveway is proposed on the North and West edges of the property outside the critical area buffer and at the maximum distance possible from the steep slope critical area.

6) 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: No grading is proposed within the steep slope critical area. The only significant change in grade outside the proposed building footprint is along the South and West edges of the proposed driveway and parking area where a retaining wall is employed. Site limitations preclude the stepping of this retaining wall.

7) 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 primary retaining wall for the proposed development is the foundation wall at the south side of the house, which accommodates the daylight basement. Three freestanding retaining walls are proposed - two to the north of the house and one to the south. These walls cannot be designed as structural elements of the building foundation and have been designed to be as minimal as possible and to allow the existing natural slope of the site to be maintained.

8) 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: Not applicable - no portion of the existing development is proposed on slopes in excess of 40 percent.

9) 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; and

Finding: Not applicable - no portion of the existing development is proposed on slopes in excess of 40 percent.

10) 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: Mitigation will be provided by removing the existing asphalt driveway located within the critical area buffer and replanting this area with native species. See Conditions of Approval in Section VIII of this report.

B. 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:

1) 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 applicant has submitted a geotechnical assessment of the site and slope area prepared by Geotech Consultants, Inc. that addresses slope stability and identifies construction practices and structure design that will help limit the potential for increased hazard associated with this slope. The applicant is required to conform to the requirements of the geotechnical study – see Conditions of Approval in Section VIII of this report.

- 2) Will not adversely impact other critical areas;

Finding: This is an application to reduce the top of slope buffer of an isolated slope area from 50 feet to 20 feet. The protected slope area and associated vegetation will not be modified as part of this proposal. There are no additional adjacent critical areas that will be affected by this project.

- 3) 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 proposed development is designed to minimize new impacts and reduce existing impacts to the critical area. No development is proposed within the steep slope critical area. The majority of the steep slope buffer is currently developed either with the existing residence, the existing asphalt driveway or existing rockeries and non-native landscape planting. Much of the proposed development will be constructed within the footprint of the existing residence on the site. Areas of the proposed development extending beyond the footprint of the existing residence are located well away from the critical area and entirely outside the critical area buffer. The existing asphalt driveway, which is located adjacent to the top of the steep slope critical area, and entirely within the critical area buffer will be removed and the area restored with native vegetation. A new driveway is proposed on the north end of the property away from the critical area and outside the critical area buffer. The Geotechnical Engineer of record has concluded that the existing steep slope critical area poses no hazard to the development assuming a reduced buffer of 20 feet from top of slope. A copy of the project geotechnical report is available in the project file.

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

Finding: The applicant has submitted a geotechnical assessment of the site and slope area prepared by Geotech Consultants, Inc. that addresses slope stability and identifies construction practices and structure design that will help limit the potential for increased hazard associated with this slope. The applicant is required to conform to the requirements of the geotechnical study – see Conditions of Approval in Section

VIII of this report.

5) 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;

Finding: The applicant has submitted a geotechnical assessment of the site and slope area prepared by Geotech Consultants, Inc. that addresses slope stability and identifies construction practices and structure design that will help limit the potential for increased hazard associated with this slope. The applicant is required to conform to the requirements of the geotechnical study – see Conditions of Approval in Section VIII of this report.

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

Finding: The applicant has submitted a geotechnical assessment of the site and slope area prepared by Geotech Consultants, Inc. that addresses slope stability and identifies construction practices and structure design that will help limit the potential for increased hazard associated with this slope. The applicant is required to conform to the requirements of the geotechnical study – see Conditions of Approval in Section VIII of this report.

7) 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 to the critical area buffer does not impact habitat associated with species of local importance. See section II.B.2 of this report and Wildlife Habitat Assessment available in the project file. The applicant will be required to provide an approved WDFW Eagle Management Plan prior to issuance of the single family building permit for demolition or construction. See Conditions of Approval in Section VIII of this report

IV. Public Notice and Comment

Application Date:	March 27, 2007
Public Notice (500 feet):	July 12, 2007
Minimum Comment Period:	July 26, 2007

The Notice of Application for this project was published in the Seattle Times and the City of Bellevue weekly permit bulletin on July 12, 2007. It was mailed to property owners within 500 feet of the project site. No written comments were received regarding this proposal.

V. Decision Criteria

A. 20.25H.255 Critical areas report – Decision criteria.

1) General -

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 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. Much of the proposed development will take place within the footprint of the existing residence on the site. This location is outside the modified critical area buffer proposed by the enclosed Geotechnical analysis. The proposed development maintains the natural slope of the site to the extent possible through the use of retaining walls, the principal of which is comprised of the South foundation wall of the proposed residence. The remaining portions of the building foundation will be tiered with the natural slope of the site. The existing asphalt driveway, which is adjacent to the top of the steep slope critical area and entirely within the steep slope buffer will be removed and the area restored with appropriate native vegetation as required. A new driveway will be constructed away from the critical area and entirely outside the critical area buffer. The proposed driveway largely follows the existing natural slope of the site. Other aspects of the proposed development, including foundation design and grading, conform with the enclosed Geotechnical analysis and recommendations. All clearing and grading will be in compliance with the City of Bellevue Clearing and Grading Code, Clearing and Grading Erosion Control Standard Details, Development Standards, and Land Use Code. See Conditions of Approval in Section VIII of this report.

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

Finding: To ensure proper resources are available to complete the five year

maintenance and monitoring report, a five year maintenance and monitoring will be required as part of this project approval. See Conditions of Approval in Section VIII of this report.

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: There is no expected impact to the functions and values of the steep slope critical area located along the eastern portion of this site. There are no significant trees located within the proposed limits of buffer reduction, and there are few significant trees located on the site in general. Due to the degraded condition of the site (the site is landscaped and with normal residential landscaping of grass and shrubs) the potential to provide habitat is limited. The removal of the asphalt driveway within the steep slope buffer and the replanting with native trees and shrubs (including the completion of a five year maintenance and monitoring plan) will help restore to the site and provide habitat where previously limited. Aside from documented bald eagle presence, no threatened or endangered species are expected to be present in the project vicinity and the area is fully developed with residential uses. Submittal of a bald eagle management plan will be required prior to single family building permit issuance (including demolition). See related Conditions of Approval in Section VIII of this report.

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

Finding: The resulting development is compatible with other uses and development in the same land use district. The proposed development consists of a single family residence and attached garage. This is consistent with the uses on all adjacent parcels.

2) Decision Criteria – Proposals to Reduce Regulated Critical Area Buffer.

The Director may approve, or approve with modifications, a proposal to reduce the regulated critical area buffer on a site where the applicant demonstrates:

a. The proposal includes plans for restoration of degraded critical area or critical area buffer functions which demonstrate a net gain in overall critical area or critical area buffer functions;

Finding: The proposal includes plans for restoration of degraded critical area or critical area buffer functions which demonstrate a net gain in overall critical area

or critical area buffer functions. The existing asphalt driveway, located within the critical area buffer, will be removed and the area restored with appropriate native vegetation as outlined in the Wildlife Habitat Assessment enclosed. See Conditions of Approval in Section VIII of this report.

b. The proposal includes plans for restoration of degraded critical area or critical area buffer functions which demonstrate a net gain in the most important critical area or critical area buffer functions to the ecosystem in which they exist;

Finding: See #1 above.

c. The proposal includes a net gain in stormwater quality function by the critical area buffer or by elements of the development proposal outside of the reduced regulated critical area buffer;

Finding: The proposal includes a net gain in storm water quality function by the critical area buffer. The existing asphalt driveway, which is within the critical area buffer, will be removed and the area restored with native vegetation thus reducing the net impervious area of the proposed development. See Conditions of Approval in Section VIII of this report.

d. Adequate resources to ensure completion of any required restoration, mitigation and monitoring efforts;

Finding: Adequate resources will be available to ensure completion of proposed restoration of critical area buffer outlined above. No mitigation or monitoring efforts are required. See Conditions of Approval in Section VIII of this report.

e. 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 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. The only off-site critical area is the continuation of the critical area referenced above located between the subject property's east boundary and Northside Road. The modifications and performance standards included in the proposal apply to this area as well. No modification to the protected slope area is proposed or allowed as part of this proposal.

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

Finding: The resulting development is compatible with other uses and development in the same land use district. The proposed development consists of

a detached, single family residence and attached garage. This is consistent with the uses on all adjacent parcels.

B. 20.30.P Critical Areas Land Use Permit - Decision criteria.

1) General -

The Director may approve, or approve with modifications, the proposed modification where the applicant demonstrates:

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

Finding: The applicant must obtain a building permit before beginning any work. See Conditions of Approval in Section VIII of this report.

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

Finding: The applicant has submitted a geotechnical assessment of the site and slope area prepared by Geotech Consultants, Inc. that addresses slope stability and identifies construction practices and structure design that will help limit the potential for increased hazard associated with this slope. The applicant is required to conform to the requirements of the geotechnical study. See Conditions of Approval in Section VIII of this report.

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 meets the performance standards of LUC Section 20.25H.125 for areas of geological hazards. The proposal also meets the Critical Areas Report criteria required to reduce the top of slope buffer from 50 feet to 20 feet.

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

Finding: The subject site is served by adequate public facilities. This is a proposal to demolish and reconstruct an existing single family residence, and will not require a change in the level of service provided by public facilities.

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

Finding: An acceptable Temporary Erosion Sedimentation Control Plan will be required as part the building permit submittal and approval. A complete restoration and replanting plan will also be required as part of the building permit submittal and must include a maintenance and monitoring plan. The applicant shall also submit restoration / replanting / maintenance cost estimates to be used in determining the amount of the assignment of savings financial security device that will be required prior to permit issuance. See Conditions of Approval in Section VIII of this report regarding the required restoration plan.

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

Finding: As discussed in Sections II, III, and V of this report, the proposal complies with all other applicable requirements of the Land Use Code.

VI. Summary of Technical Reviews

A. Clearing and Grading:

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.

VII. Conclusion and Decision

After conducting the various administrative reviews associated with this proposal, including Land Use Code consistency, SEPA, City Code and Standard compliance reviews, the Director of Planning and Community Development does hereby approve with conditions the proposal to reduce the top of slope buffer from 50 feet to 20 feet and restore the remaining buffer with native vegetation. Approval of this Critical Areas Land Use Permit does not constitute a permit for construction. A building permit is required and all plans are subject to review for compliance with applicable City of Bellevue codes and standards. The retaining wall design must be approved as part of a building permit and is subject to building permit inspections.

Note- Expiration of Approval: In accordance with LUC 20.30P.150 a Critical Areas Land Use Permit automatically expires and is void if the applicant fails to file for a Clearing and Grading Permit or other necessary development permits within one year of the effective date of the approval.

Approval of this Critical Areas Land Use Permit does not constitute a permit for construction. A building permit is required and all plans are subject to review for compliance with applicable City of Bellevue codes and standards. Home design,

including the use of any proposed shoring or retaining walls must be approved as part of a building permit and is subject to building permit inspections.

VIII. Conditions of Approval

The applicant shall comply with all applicable Bellevue City Codes 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	David Pyle, 425-452-2973
Noise Control- BCC 9.18	David Pyle, 425-452-2973

The following conditions are imposed under the Bellevue City Code authority referenced:

- 1. Engineered Wall Design Requirement:** A detailed plan any engineered foundation / shoring design that has been recommended in the geotechnical report is required to be submitted for review and approval by the City of Bellevue Building Department prior to the issuance of any building permit for construction at this site.

Authority: Land Use Code 20.25H.125

Reviewer: David Pyle, Planning and Community Development Department

- 2. Critical Area Buffer Restoration and Replanting:** A complete buffer restoration and replanting plan that meets the requirements of LUC 20.25H.220 shall be submitted and approved prior to the issuance of any building permits for construction on this site. Buffer planting shall be of kind and character so as to ensure a net gain in buffer function.

Authority: Land Use Code 20.25H.220

Reviewer: David Pyle, Planning and Community Development Department

- 3. Maintenance and Monitoring Plan:** A complete maintenance and monitoring plan outlining how the restored area will be maintained and monitored for a period of five years shall be submitted and approved prior to the issuance of any building permits for construction on this site. The maintenance and monitoring plan shall, at a minimum, require two entries for maintenance per year. Monitoring reports shall be submitted annually, and must be completed in a format acceptable to the City Land Use Division.

Authority: Land Use Code 20.25H.220

Reviewer: David Pyle, Planning and Community Development Department

- 4. Assignment of Savings Financial Security Device:** As part of the building permit application the applicant shall submit restoration / replanting / maintenance plan cost estimates to be used in determining the amount of the assignment of savings financial security device that will be required prior to permit issuance. A complete assignment of savings financial security device in the amount determined by the project planner must be submitted prior to building permit issuance.

Authority: Land Use Code 20.25H.220.F

Reviewer: David Pyle, Planning and Community Development Department

- 5. Rainy Season Restrictions:** Due to the proximity to 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: David Pyle, 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.

Authority: Bellevue City Code 9.18

Reviewer: David Pyle, Planning and Community Development Department

- 7. Eagle Management Plan:** A copy of the approved WDFW Bald Eagle Management Plan must be submitted prior to issuance of the clearing and grading permit and prior to the commencement of any development activity associated with this project. The approved management plan shall be implemented with the proposed development activity.

Authority: Land Use Code 20.25H.160

Reviewer: David Pyle, Planning and Community Development Department

- 8. Building Permit Required:** Prior to the commencement of any development activity on this site, the applicant shall submit application for single family building permit and shall include with the application for City review a copy of the proposed mitigation, restoration, maintenance, and monitoring plan, as well as the engineered
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retaining wall and foundation shoring design. The proposed development must comply with the requirements of LUC 20.20.010 and is subject to standard single family review.

Authority: Land Use Code 20.30P.140

Reviewer: David Pyle, Planning and Community Development Department

IX. Attachments:

1. **Site Map-** In File
 2. **Site Plans-** In File
 3. **Geotechnical Report and Site Assessment -** In File
 4. **Habitat Study –** In File
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