



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

DETERMINATION OF NON-SIGNIFICANCE

PROPONENT: Heather Washburn, Property Owner

LOCATION OF PROPOSAL: 439 West Lake Sammamish Parkway SE

NAME & DESCRIPTION OF PROPOSAL: Washburn Residence Critical Areas Land Use Permit

Approval of Critical Areas Land Use Permit for the development of one (1) new single family residence with a total of 3,000 sf of disturbance area on one (1) 55,162 sf (1.27 Acres) parcel that is zoned R 1.8 and is more than 99% encumbered. Permit is being granted under the reasonable use provisions of the City of Bellevue Land Use Code.

FILE NUMBER: 07-112007-LO

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 11/15/2007.
- 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This DNS may be withdrawn at any time if the proposal is modified so that it is likely to have significant adverse environmental impacts; if there is significant new information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.

Clifford N. Jones, Jr.

 Environmental Coordinator

11/01/2007

 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 and Community Development
Development Services Staff Report**

Proposal Name: Washburn Residence – Reasonable Use Exception

Proposal Address: 439 W. Lake Sammamish Pkwy SE

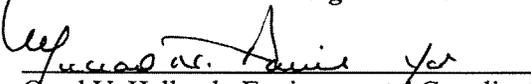
Proposal Description: This is an application for Critical Areas Land Use Permit to obtain a reasonable use exception under LUC 20.25H.200 for the construction of a single-family residence within the maximum allowed 3,000 square foot area on a 56,772 square foot lot in the R-1.8 zone that contains steep slope hazard areas, two category IV wetlands and a Type N stream and is more than 99% encumbered with critical areas.

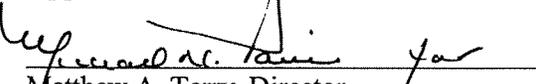
File Number: 07-112007-LO

Applicant: Heather Washburn, 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:** **Determination of Non-Significance**

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

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

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

Application Date:	<u>04/05/07</u>
Notice of Application Publication Date:	<u>05/24/07</u>
Decision Publication Date:	<u>11/01/07</u>
Project/SEPA Appeal Deadline:	<u>11/15/2007</u>

For information on how to appeal a proposal, visit Development Services at City Hall or call (425) 452-6800. Comments on State Environmental Policy Act (SEPA) Determinations can be made with or without appealing the proposal within the noted comment period for a SEPA Determination. 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. Project Description

The applicant is proposing to construct one single family residence on the property located at 439 West Lake Sammamish Parkway SE. This site is more than 99% encumbered by critical areas and critical area buffers with only 216 square feet (less than 1% of total site area) outside of any critical area or critical area buffer. Due to the extent and location of the regulated critical areas on this site, the property owner has requested consideration through application for critical areas land use permit for a reasonable use exception identified in the City of Bellevue Land Use Code (LUC) section 20.25H.200. The critical areas land use permit for reasonable use is intended to provide property owners of legally established lots that are considered undevelopable due to critical areas restrictions with reasonable use of their property. This permit establishes conditions and performance standards designed to avoid and minimize impact to the sites sensitive features that must be met in order to obtain subsequent permits for the construction of the single family residence on the subject property. The applicant is requesting the development of a portion of the site to accommodate a maximum of 3,000 sf of permanent impact area within the site's slopes and stream riparian area buffer.

B. Site Description

The subject property is identified by King County tax parcel number 3625059169. It is located at 439 West Lake Sammamish Parkway SE, on the west side of West Lake Sammamish Parkway SE, roughly 2.4 miles north of Interstate-90 and uphill from Lake Sammamish. The lot is approximately 75' wide by 765' deep, and is a total of 56,772 square feet in size. The underlying land use of the property is 1.8 DU/Acre (R-1.8) and the Comprehensive Plan Land Use Designation is Single Family Residential Low Density (SF-L). It lies within the Southeast Bellevue comprehensive planning subarea and within the Sammamish/East Lake Hills Neighborhood Enhancement Program (NEP) area.

The property is bordered on the north and south by undeveloped forested parcels and to the west by two properties with existing single family residences, the rear portions of which are characterized by conditions similar to the Washburn property. West Lake Sammamish Parkway borders the site on the east.

The vegetation on the site is typical of native mixed conifer/deciduous forest in the Puget Sound. There are a number of mature native conifers and deciduous trees and a diversity of native and exotic understory species present on the site. The site contains a stream that flows across the property from west to east through two wetlands. The slopes on the site generally face southeast and range from 20-60%.

II. Site Description and Context

A. Critical Areas:

1. **Steep Slopes:** LUC 20.25H.120.A.2 defines steep slope areas as those areas that contain slopes of greater than 40 % , have a rise of at least 10 feet, and exceed 1,000 sf in area. Steep slopes are typically identified through site topographical survey and are delineated on a site map. The applicant has submitted a topographical site survey and site map identifying several areas within the property that are 40% or greater in slope, have a rise of greater than 10 feet in elevation, and cover more than 1,000 square feet in area. These slope areas meet the definition outlined in LUC 20.25H.120.A.2 and are regulated as critical areas. Additionally, under LUC 20.25H.120.B.1, regulated steep slopes are protected by a 50 foot top of slope and a 75 foot toe of slope structure setback. The applicant has worked with a licensed surveyor to identify the steep slope areas on the project site plans and has labeled the associated regulatory buffers and setbacks.

2. **Wetlands:** Wetlands are regulated by the City of Bellevue under LUC 20.25H.095. Wetlands are typically documented through a field delineation based on the delineation techniques outlined in the Washington State Department of Ecology Wetland Delineation Manual (Ecology Publication #96-94) and categorized through the completion of the Western Washington Wetland Rating system (Ecology Publication #04-06-025). The subject site was evaluated for the presence of wetlands by Kenneth Neiman, Ecologist with Resource Analysis and Management. During the field investigations, two wetlands were identified, delineated, and rated as required by the City of Bellevue Land Use Code. Both wetlands were found to be less than 2,500 sf in size and documented as category IV wetlands with low functional scores (functional scores are documented at 22). Due to the size, functional score, and category of the wetlands, they are not regulated under LUC 20.25H.095.C and no buffer is applied to these wetlands based on this rating. The applicant has identified the location of the wetlands on the project site plans and the wetland delineation reports are available in the project file. Although these wetlands are not regulated, they are located entirely within the stream riparian area buffer and are protected by stream buffer regulations.

3. **Streams:** LUC 20.25H.075 defines streams as aquatic areas where surface water produces a channel. The site has been evaluated by Carl Hadley, Biologist, with Cedarrock Consultants. One watercourse that drains from west to east across the site was identified during site filed evaluation. This stream originates at the top of the slope areas and appears to convey surface and ground water from the uphill single family development to the west draining into Lake Sammamish through a system of surface channels and culverts (under West Lake Sammamish Parkway and under an adjacent single family residence). This stream has been designated as a Type N stream due to the physical above ground connection to Lake Washington. Under LUC 20.25H.075.C Type N streams on undeveloped sites are protected

by a 50 foot regulatory buffer and a 15 foot structure setback. A large portion of this site is occupied by stream channel and stream buffer. The applicant has identified the location of the Type N stream and has provided a copy of the stream assessment report. The site plan and stream report are available in the project file.

4. Wildlife Habitat: Fish and wildlife habitat associated with a species listed as being of local importance is protected by LUC 20.25H.155. Due to the quality of the forested landscape that characterizes this site, the potential that this property provides habitat associated with a species of local importance is high. To identify if and where units of habitat associated with a City of Bellevue listed species may exist, a fish and wildlife habitat assessment study was conducted for the subject property by Carl Hadley, Biologist, with Cedarock Consultants, and by Kenneth Neiman, Ecologist with Resource Analysis and Management. This study was completed in accordance with the City of Bellevue Habitat Assessment guidelines outlined in LUC 20.25H.165.A. The habitat report describes and analyzes the plant and animal communities present on the site and outlines additional background research that was done to query available Washington state Department of Fish and Wildlife (WDFW) habitat databases (PHS). The study concludes that this site, although suitable as wildlife habitat for terrestrial and avian species, lacks adequate landscape connection to afford the site the opportunity to provide the functions that it is structured to provide. The report identifies the site as being used intermittently by deer, bear, coyote, mountain beaver, eastern gray squirrel, various rodent species, raptors, woodpeckers, and song birds; although none are expected to use the site as long term habitat. The large trees within the site are also identified as short term perching sites for bald eagle and suitable nesting habitat for red-tailed hawk or owl; however no nesting activity was identified during the site study. Pileated woodpecker foraging activity was observed by the Ecologist, however it was noted that the site lacks pileated woodpecker nesting sites. Although the applicant's habitat study concludes that the site does not have the opportunity to provide habitat, City staff have determined that sufficient connection exists to other potential habitat units and the upper reaches of this site are provided the opportunity to function as quality habitat. Under LUC 20.25H.155 the development of site under the reasonable use exception (LUC 20.25H.200) is allowed, and is subject to compliance with the performance standards and management plans designed by WDFW for pileated woodpecker and red tailed hawk (PHS management requirements) to avoid and minimize impact to the site's habitat resources. The applicant has provided a copy of the habitat study which is available in the project file. See Conditions of Approval in Section X of this report for conditions related to the preservation of habitat.

II. State Environmental Policy Act (SEPA)

The environmental review indicates no probability of significant adverse environmental impacts occurring as a result of the proposal based on compliance with the City's codes and standards. The Environmental Checklist submitted with the application adequately discloses expected

environmental impacts associated with the project. City codes and requirements, including the Clearing and Grading Code, Utility Code, Land Use Code, Noise Ordinance, Building Code and other construction codes are expected to mitigate potential environmental impacts. Through review and compliance with these codes the issuance of a Determination of Non-Significance (DNS) is the appropriate threshold determination under State Environmental Policy Act (SEPA) requirements.

A. Earth and Water

The applicant is proposing to construct a single family residence on the property at 439 West Lake Sammamish Parkway. The site contains southeast facing slopes ranging from 20 to 60%. The soils are generally classified at Everett (EvD) and Alderwood (AgD) soil series, as mapped by the Soil Conservation Service. A Type N stream traverses the site flowing from west to east draining into Lake Sammamish. The site also contains two Category IV wetlands on the site that are not regulated by city code but that will be protected by the overlapping stream riparian area buffer.

Under this proposal the applicant is requesting a reasonable use exception to construct a single family residence on the subject property. The reasonable use statute allows the applicant a permanent disturbance on the site of no greater than 3,000 square feet in a location that avoids or minimizes disturbance to the site to the greatest extent possible. A geotechnical investigation and engineering study was conducted to determine the feasibility of and impact-minimization measures for such a project. The study concludes that the proposed project is feasible if the guidelines outlined for design and construction of the proposed project are followed. The applicant has provided a copy of the geotechnical study which is available in the project file.

No permanent disturbance is proposed to occur within the stream channel, or associated wetlands. The applicant has evaluated the site and is proposing to locate the residence within the site where it will be less impacting to the documented resources. The development of this site will require the permanent modification of 3,000 sf of forested stream buffer and steep slope. All areas of temporary disturbance outside the allowed 3,000 sf will be minimized, and when unavoidable restored and monitored pursuant to an approved restoration and monitoring plan. See Conditions of Approval in Section X of this report for conditions related to the restoration of areas of temporary disturbance.

B. Animals

The subject property is adjacent (north) to Weowna Park, a 92-acre forested, open space property located along West Lake Sammamish Parkway that is owned and maintained by the City of Bellevue Parks Department. The shoreline of Lake Sammamish is approximately 280 feet to the east of the subject property. The vegetation on the site and the adjacent properties is characterized by mixed, mature and semi-mature evergreen and deciduous trees typical of the Puget Sound lowlands. The surround land uses are primarily residential and urban open space, and WDFW has classified much of the adjacent hillside as Urban Natural Open Space (UNOS).

A fish and wildlife habitat assessment study was conducted for the subject property and the proposed activity (as described in section II.4 above). The study describes and analyzes the plant and animal communities that may be present on the site and identifies species that have a primary association with the habitat on-site. Although the report generally characterizes the site as consisting of “large trees and dens patches of vegetation that provide good urban wildlife habitat”, due to the isolation of the site from other large habitat units the opportunity for this site to provide habitat is limited by connectivity (aside from that associated with Weowna Park). The habitat report identifies that the site may be used by pileated woodpecker through a habitat association, and does provide suitable nesting habitat for red tailed hawk. All future plans for construction on this site will be required to comply with the WDFW management guidelines for pileated woodpecker and red tailed hawk to ensure that any habitat associated with these species will be preserved (see conditions of approval in Section X of this report). Also enhancing the site’s potential to provide habitat is the presence of a Type N stream that is connected to Lake Sammamish by surface water. Although this stream flows into Lake Sammamish which is known to support Chinook salmon (*Oncorhynchus tshawitscha*), Coho salmon (*Oncorhynchus kisutch*) and bull trout (*Salvelinus confluentus*), the presence of a fish passage barrier and the lack of sufficient habitat features do not support the probability of the presence of fish within this documented stream. Further analysis of this stream is found in the Critical Areas Report that was submitted by the applicant and is available in the project file.

The proposed development of the single family residence will permanently disturb only the maximum allowed 3,000 square feet allowed by the Land Use Code and is not expected to impact the upper reaches of the property, where habitat values are higher and the connectivity to other similar properties is greater. The applicant has provided a conceptual mitigation plan for the project vicinity (lower portion of the property) that includes the enhancement of the stream riparian area through planting (enhancing habitat structure and water quality improvement structure) and woody debris retention (wood recruitment), the supplemental planting of the forested slope (middle and understory), and the restoration and monitoring of all areas of temporary disturbance. The applicant will be required to provide a complete mitigation and restoration plan that meets the requirements of LUC 20.25H.210-.225 at the time of building permit submittal, and will require a five year monitoring plan. See Conditions of Approval in Section X of this report.

C. Plants

The vegetation on the site consists of a mixed conifer/deciduous forest. The predominant overstory tree species are western red cedar (*Thuja plicata*), Douglas-fir (*Pseudotsuga menziesii*) and bigleaf maple (*Acer macrophyllum*). There is a wide range of sizes, but a majority of the trees are considered mature. The understory is typical of the Puget Sound lowlands with a high occurrence of sword fern (*Polystichum munitum*), Oregon grape (*Mahonia nervosa*), hazelnut (*Corylus cornuta*) and red huckleberry (*Vaccinium ovatum*). There are also several invasive exotic species present on-site including Himalayan blackberry and English ivy.

The proposed development of the single family residence will permanently disturb only the maximum allowed 3,000 square feet allowed by the Land Use Code. All areas of temporary disturbance will be restored and monitored pursuant to an approved restoration and monitoring plan. See Conditions of Approval in Section X of this report.

D. Noise

The 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 construction hours and noise levels. Construction noise impacts will also be regulated by the applicable performance standards for habitat of species of local importance as established by WDFW. See Conditions of Approval in Section X of this report.

IV. Consistency with Land Use Code Requirements:

A. Zoning District Dimensional Requirements:

This is a proposal to obtain a reasonable use exception for the construction of one single family residence on a legally established lot that is more than 99% encumbered by critical areas. The property is located within the R-1.8 zoning district. This proposal is consistent with the underlying zoning district and applicable dimensional requirements based on the materials submitted. Aside from the request for reasonable use exception from the critical areas standards of the Land Use Code, no variance from the height, setback, lot coverage, impervious surface, or other dimensional standards of the Land Use Code has been requested. Additional review of the proposed development for consistency with the dimensional standards identified in LUC 20.20.010 will be completed upon submittal of the application for single family building permit. See Conditions of Approval in Section X of this report.

B. Critical Areas Requirements:

The City of Bellevue Land Use Code 20.25H.025 and 20.25H.035 designates streams, stream buffers, wetlands, wetland buffers, geologic hazard areas, and geologic hazard area buffers as regulated critical areas. Permanent and temporary disturbance or development activity within the designated critical areas and critical area buffers is prohibited by LUC 20.25H.050.B unless it is considered an allowed use under LUC 20.25H.055 or approved through the Critical Areas Report process identified in LUC 20.25H.230. Due to the extent of the regulated critical areas on this site (the site is more than 99% encumbered by streams, stream buffers, and steep slopes) the property qualifies for a reasonable use exception under LUC 20.25H.200. The reasonable use exception is considered an allowed use under LUC 20.25H.055 and all development must meet the performance standards outlined in LUC 20.25H.080.A (streams), LUC 20.25H.125 (slopes), LUC 20.25H.160 (habitat), and LUC 20.25H.205 (reasonable use).

1. Consistency with LUC 20.25H.200 Reasonable Use Exception – Applicability

A reasonable use exception may be granted when no other reasonable use of property exists by the application of the regulations of LUC 20.25H.200. Based on the application of the required critical area and critical area buffer restrictions, this site is more than 99% encumbered by critical areas and critical area buffers. When the development density calculation identified in LUC 20.25H.045 is applied to this property, and considering the zoning district in which the property is located (R-1.8), the density that is allowed on this site only allows for a single dwelling unit, classifying this site as “small lot” as defined in LUC 20.25H.200.A.2.a. Under this definition, a lot in the R-1.8 land use district with less than 3,000 square feet of development area on the site is considered to have no reasonable use and qualifies for a reasonable use exception. When eligible for the reasonable use exception, a lot in the R-1.8 district is granted up to 3,000 sf of developable area (permanent impact) if the applicable performance standards listed in LUC 20.25H.055.B are met.

Finding: The subject property is more than 99% encumbered by critical areas and critical area buffers and contains only 216 sf of buildable area. Due to the extent of the critical areas documented across the site, the property qualifies for a reasonable use exception subject to compliance with the applicable performance standards.

V. Consistency With Land Use Code Critical Areas Performance Standards:

The following is a list of the performance standards that apply to the reasonable use exception for the development of one single family residence on this site within 3,000 sf of developable area. Many of the performance standards listed are general, and apply to the design and construction of the structure and appurtenances within the allowed developable area. As this is a conceptual application (no building plans have been submitted at this time), required performance standards must be integrated into the design of the structure. When a performance standard is listed that pertains to the design and construction of the development, a condition of approval requiring consistency with that standard will be referenced. No building permit will be issued for the construction of this proposed development unless all conditions of approval have been met. See Section X of this report for a list of conditions of approval.

A. Consistency with LUC 20.25H.080.A

Streams and Wetlands – Performance Standards – General

1. Lights shall be directed away from the stream.

Finding: The proposed development will have no exterior lighting directed toward the stream and wetland. Pertains to the design of the development, see Conditions of Approval in Section X of this report.

2. Activity that generates noise such as parking lots, generators, and residential uses shall be located away from the stream or any noise shall be minimized through use of design and insulation techniques.

Finding: During construction, activities that generate noise will be the minimum necessary to construct and develop the site. After construction, noise from the residential use will be minimal. Noise levels will be typical for a single-family residence and will not be more than ambient noise from adjacent roadway (West Lake Sammamish Parkway SE). Preserved significant vegetation and restoration plantings will serve to buffer noise impacts. Pertains to the design of the development, see Conditions of Approval in Section X of this report.

3. Toxic runoff from new impervious area shall be routed away from the stream.

Finding: Toxic runoff from the new impervious surface (driveways) at the residence will be directed into the existing storm drainage system and will not be directed into the stream or critical area buffers. Pertains to the design of the development, see Conditions of Approval in Section X of this report.

4. Treated water may be allowed to enter the stream critical area buffer.

Finding: No treated water sources will be created. Runoff into the stream or wetland areas will be negligible and limited to sheetflow during storm events. Stormwater collected from the impervious surface areas will be directed to the City's surface water conveyance system. Pertains to the design of the development, see Conditions of Approval in Section X of this report.

5. The outer edge of the stream critical area buffer shall be planted with dense vegetation to limit pet or human use.

Finding: Vegetation within the outer edge of the stream buffer will be enhanced with dense plantings of native vegetation to limit impact from human activity and pet traffic into the critical area and critical area buffer. Pertains to the design of the development, see Conditions of Approval in Section X of this report.

6. Use of pesticides, insecticides, and fertilizers within 150 feet of the edge of the stream critical area buffer shall be in accordance with the City of Bellevue's "Environmental Best Management Practices," now or as hereafter amended.

Finding: Pesticides, herbicides, insecticides, and fertilizers will be prohibited within the proposed development site for the life of the development. Invasive species and weed control in establishment of restoration areas will be done manually. Pertains to the design of the

development, see Conditions of Approval in Section X of this report.

B. Consistency with LUC 20.25H.125

Landslide Hazards and Steep Slopes – Performance Standards

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: This is an application for reasonable use exception. The preliminary stated design of the proposed structure minimizes alteration of the natural contours of the site to the greatest extent possible within the allowance of the Land Use Code. The preliminary design was made after review of site resources and restrictions and a site planning exercise that located the proposed development in the area of least impact to the stream, slopes, and habitat.

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

Finding: The structure will be located as depicted in the site plans approved under this Critical Areas Land Use Permit. The development will be as close to West Lake Sammamish Parkway as possible given the site topography, access drive grade requirements, and engineering limits. The development will also be located as far north in the side yard setback as possible to avoid impact to the Type N stream. Pertains to the design of the development, see Conditions of Approval in Section X of this report.

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

Finding: Due to the landscape characteristics of this site, the location of the proposed residence, the proposed foundation and shoring design, and the findings of the geotechnical report the proposed structure or development will not increase the potential for slope failure on the adjacent properties. Pertains to the design of the development, see Conditions of Approval in Section X of this report.

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: A Geotechnical Report and Analysis for this site has been prepared by a licensed Engineer. Within the report, recommendations are made for specific foundation, retaining

wall, and shoring design. To ensure that the impact to the surrounding landscape is minimized and is contained within the allowed permanent disturbance area, the applicant will be required to follow the design recommendations of the project geotechnical report, which includes the use of engineered retaining walls to minimize the extent of artificial grading. Pertains to the design of the development, see Conditions of Approval in Section X of this report.

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

Finding: The location of the development area has been designed to minimize impact to the Critical Areas and associated buffers. The total area to be impacted will not exceed 3,000 sf, or 5% of the total site area. Through site evaluation and planning, the location of the proposed development has been designed in the area of least impact to the resources that characterize the site. Pertains to the design of the development, see Conditions of Approval in Section X of this report.

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 changes in grade outside the allowed developable area are proposed, other than what is absolutely necessary for the construction of the retaining walls for the foundation and the construction of the residence itself. The driveway access will be located at the front edge of the property, adjacent to West Lake Sammamish Parkway. Pertains to the design of the development, see Conditions of Approval in Section X of this report.

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: Foundation walls will also serve as retaining walls and will be incorporated into the structure of the residence. Freestanding walls will only be allowed when no feasible alternative with less impact exists. Pertains to the design of the development, see Conditions of Approval in Section X of this report.

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: The house will be built in a tiered fashion to conform to the existing topography and minimize topographic modification. Pertains to the design of the development, see Conditions of Approval in Section X of this report.

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: There will be no deck structures that extend beyond the building footprint and foundation. This proposed development will access the site from the bottom of the slope and will not require fill-based construction to create parking area. Pertains to the design of the development, see Conditions of Approval in Section X of this report.

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: The applicant has submitted a restoration and monitoring plan for the subject property. The proposed development of the single family residence will permanently disturb only the maximum allowed 3,000 square feet allowed by the Land Use Code. All areas of temporary disturbance will be restored and monitored pursuant to the approved restoration and monitoring plan. See Conditions of Approval in Section X of this report.

C. Consistency with LUC 20.25H.160

Habitat Associated with Species of Local Importance – Performance Standards
If habitat associated with species of local importance will be impacted by a proposal, the proposal shall implement the wildlife management plan developed by the Department of Fish and Wildlife for such species. Where the habitat does not include any other critical area or critical area buffer, compliance with the wildlife management plan shall constitute compliance.

Finding: The subject property and the project area contain habitat associated with pileated woodpecker and red tailed hawk, both City of Bellevue listed species of local importance. Development activity must follow the management recommendations prepared by the WDFW. A signed management recommendation form shall be submitted with the application for building permit. The proposed project is consistent with the performance standards set forth in LUC 20.25H.160. See conditions of approval in Section X of this report.

**D. Consistency with LUC 20.25H.205
Reasonable Use Exception – Performance Standards**

1. The structure shall be located on the site in order to minimize the impact on the critical area or critical area buffer, including modifying the non-critical area setbacks to the maximum extent allowed under LUC 20.25H.040;

Finding: The structure is being located to the eastern extreme of the property as far as possible given the engineering challenges to make the required driveway grade from the level of West Lake Sammamish Parkway. The proposed structure will conform to the standard 20' front yard setback (LUC 20.20.010). The applicant has also designed the location of the proposed development to be as far from the stream as possible. The permanent disturbance on the site will be at or below the maximum 3,000 sf allowed under the reasonable use exception. Pertains to the design of the development, see Conditions of Approval in Section X of this report.

2. Ground floor access points on portions of the structure adjacent to undisturbed critical area or critical area buffer shall be limited to the minimum necessary to comply with the requirements of the International Building Code and International Fire Code, as adopted and amended by the City of Bellevue;

Finding: The access points for the new structure will be from the east side of the structure which provides access to West Lake Sammamish Parkway through the garage and driveway. Any other access points will be situated to minimize disturbance to the adjacent critical area buffer, but shall comply with International Building Code and International Fire Code requirements adopted by the City of Bellevue. Pertains to the design of the development, see Conditions of Approval in Section X of this report.

3. Associated development, including access driveways and utility infrastructure shall be located outside of the critical area or critical area buffer to the maximum extent technically feasible;

Finding: The access drive will be on the east side of the structure on the north end of the street frontage, adjacent to West Lake Sammamish Parkway. This is the location furthest from the most sensitive areas of the property. Pertains to the design of the development, see Conditions of Approval in Section X of this report.

4. Areas of disturbance for associated development, including access and utility infrastructure shall be consolidated to the maximum extent technically feasible;

Finding: The applicant has submitted a restoration and monitoring plan for the subject

property. The proposed development of the single family residence will permanently disturb only the maximum allowed 3,000 square feet allowed by the Land Use Code. All areas of temporary disturbance will be minimized and when unavoidable restored and monitored pursuant to the approved restoration and monitoring plan. See Conditions of Approval in Section X of this report.

5. All areas of temporary disturbance associated with utility installation, construction staging and other development shall be determined by the Director and delineated in the field prior to construction and temporary disturbance shall be restored pursuant to a restoration plan meeting the requirements of LUC 20.25H.210;

Finding: The applicant has submitted a mitigation, restoration, and monitoring plan for the subject property. The proposed development of the single family residence will permanently disturb only the maximum allowed 3,000 square feet allowed by the Land Use Code. Utility connections and staging areas will be located within the permanent disturbance areas and impact to the sites protected areas will be avoided. When unavoidable, all areas of temporary disturbance will be restored and monitored pursuant to the approved restoration and monitoring plan. See Conditions of Approval in Section X of this report.

6. Areas of permanent disturbance shall be mitigated to the maximum extent feasible on-site pursuant to a mitigation plan meeting the requirements of LUC 20.25H.210; and

Finding: The applicant has submitted a mitigation, restoration, and monitoring plan for the subject property and proposed development. The proposed development of the single family residence will permanently disturb only the maximum allowed 3,000 square feet allowed by the Land Use Code. 4 significant trees will be removed as part of this proposal and will be replanted with 12 trees outside of the development area. All areas of temporary disturbance will be restored and monitored pursuant to the approved restoration and monitoring plan. See Conditions of Approval in Section X of this report.

7. Fencing, signage and/or additional buffer plantings should be incorporated into the site development in order to prevent long-term disturbance within the critical area or critical area buffer. (Ord. 5680, 6-26-06, § 3)

Finding: Vegetation within the outer edge of the stream buffer will be enhanced with dense plantings of native vegetation to limit impact from human activity and pet traffic into the critical area and critical area buffer. Pertains to the design of the development, see Conditions of Approval in Section X of this report.

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. Public Notice and Comment

Application Date:	April 5, 2007
Public Notice (500 feet):	May 24, 2007
Minimum Comment Period:	June 7, 2007

The Notice of Application for this project was published in the Seattle Times and the City of Bellevue weekly permit bulletin on May 24, 2007. It was mailed to property owners within 500 feet of the project site. Two written comments regarding this proposal were received, one from Karen Walter of the Muckleshoot Indian Tribe, and one from Frank Yarbrough and Penny Humphreys, adjacent neighbors. Karen Walter's comment was related to the presence / absence of fish in the Type N stream that flows through the site and was a request for more information on the presence of obstructions within the stream channel. Information was provided to Ms. Walter and here concerns were addressed. Mr. Yarbrough and Ms. Humphreys were concerned with the size of the home to be built adjacent to the Type N stream, and were in opposition to the proposed development. In their letter Mr. Yarbrough and Ms. Humphreys request that the current codes be respected and adhered to. This staff report documents how the proposed development adheres to the requirements of the Land Use Code. No further action was taken in response to this comment, as the proposal was found to be in compliance with the City's Land Use Code. In addition to these written comments, two phone calls regarding the condition of the stream were received. These callers identified past flooding conditions within the stream at the outfall of the under road culvert on the east side of West Lake Sammamish Parkway during storm events. The callers were encouraged to submit written comment on the application. No additional written comments were received.

VIII. Decision Criteria

The proposal, as conditioned below, meets the applicable regulations and decision criteria for a Critical Areas Land Use Permit pursuant to LUC Section 20.30P.

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

Finding: The applicant must obtain a Single-Family Building Permit before beginning any work. See Conditions of Approval in Section X 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 proposed slope modification and structure construction will follow the design guidelines and requirements identified in the project geotechnical report. All walls and foundations must be designed by a licensed engineer and are subject to review and approval as part of the building permit review. See Conditions of Approval in Section X of this report.

C. The proposal incorporates the performance standards of LUC 20.25H to the maximum extent applicable, and ;

Finding: As discussed in Section V of this report, the proposal meets, or as conditioned will meet, the performance standards of LUC 20.25H.080.A, LUC 20.25H.125, LUC 20.25H.160 and LUC 20.25H.205. See Section X of this report for a list of conditions associated with the required performance standards.

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

Finding: The proposed single-family residence is consistent with surrounding land uses and is adequately served by public facilities. All necessary services and ancillary utilities are currently available on-site via West Lake Sammamish Parkway.

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

Finding: All areas of temporary disturbance associated with the construction and staging of the new single-family residence outside of the allowed 3,000 sf of permanent disturbance will be restored per an approved restoration and mitigation plan. All permanent disturbance will be limited to the 3,000 square feet allowed under 20.25H.190. The applicant is proposing mitigation for the 3,000 sf of permanent disturbance through middle and understory plantings within the area surrounding the development area, the enhancement of the stream riparian area, and the long term maintenance and removal of invasive species within the lower portion of the property that is most impacted by this proposal. The submittal of a complete mitigation and restoration plan and associated financial security device that

meets the standards of LUC 20.25H.210-.225 is required and must be approved prior to the issuance of the single family building permit. See Conditions of Approval in Section X of this report regarding the required restoration plan.

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

Finding: As discussed in Section IV & V of this report, the proposal complies with all other applicable requirements of the Land Use Code. Additional review of the proposed development for consistency with the required conditions of this approval will be done during review of the application for building permit. The proposed development must also comply with the standards of LUC 20.20.010 for the R-1.8 zoning district. See Conditions of Approval in Section X of this report.

IX. 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** this application for reasonable use exception to establish 3,000 sf of developable area within the property located at 439 West Lake Sammamish Parkway SE.

Note- Expiration of Approval: In accordance with LUC 20.30P.150 a Critical Areas Land Use Permit for the modification of steep slopes 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.

X. Conditions of Approval

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

<u>Applicable Codes or Ordinances</u>	<u>Contact Person</u>
Clearing and Grading Code – BCC 23.76	Tom McFarlane, 425-452-5207
Land Use Code – BCC 20.25H	David Pyle, 425-452-2973
Noise Control – BCC 9.18	David Pyle, 425-452-2973
Construction Code – BCC 23	Building Division, 425-452-4121
Transportation Code – BCC 14.30	ROW Division, 425-452-6800

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

- 1. Retaining Wall / Engineering Requirement:** An updated plan and engineering study showing the retaining wall and soil anchor system that has been identified and recommended in the Geotechnical Report is required to be submitted for review and approval by the City of Bellevue Clearing and Grading Department or Building Department prior to the issuance of any Clearing and Grading or Building Permit.

Authority: Land Use Code 20.25H.125

Reviewer: David Pyle, Planning and Community Development Department

- 2. Mitigation, Restoration, and Monitoring Plan for Areas of Permanent and Temporary Disturbance:** A restoration plan for all areas of permanent and temporary disturbance that meets the requirements of LUC 20.25H.220 is required to be submitted for review and approval by the City of Bellevue prior to the issuance of the Single-Family Building Permit. The plan shall identify the full areas of permanent and temporary impacts expected during and after the construction of the single-family residence. The restoration measures should, to the maximum extent feasible, attempt to mimic the existing desirable on-site conditions prior to any disturbance. The monitoring plan shall establish site-specific performance standards for the restoration efforts to ensure compliance with applicable performance standards set forth in LUC 20.25H. Occupancy of the residence shall not be granted until an acceptable security device for the installation of site mitigation and restoration and five years of maintenance and monitoring has been submitted. All areas requiring restoration or receiving mitigation improvements shall be monitored for a period of not less than three (5) years.

Authority: Land Use Code 20.25H.220.H

Reviewer: David Pyle, Planning and Community Development Department

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

Authority: Bellevue City Code 23.76.093.A,

Reviewer: Tom McFarlane, Planning and Community Development Department

- 4. 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

- 5. WDFW Habitat Management Performance Standards:** Due to the documented presence of suitable habitat for pileated woodpecker and red tailed hawk, the applicant shall implement the required performance standards identified by WDFW for these species. Prior to building permit issuance, the applicant must review and sign the WDFW performance standards agreement and submit it to the City.

Authority: Land Use Code 20.25H.160
Reviewer: David Pyle, Planning and Community Development Department

- 6. Restoration for Temporary Disturbance Outside of Allowed Impact Area:** The reasonable use exception that has been granted to develop this site limits impact to 3,000 sf. All temporary impact outside of this allowed impact area must be identified on the approved site plans and shall only be allowed when no feasible alternative exists. All areas of temporary disturbance shall be photo documented before disturbance occurs and shall be restored to the original condition subject to the approved mitigation, restoration, maintenance and monitoring plan. Occupancy of the residence shall be withheld until restoration of areas of temporary disturbance has been completed (installed) and an acceptable assignment of savings financial security device has been submitted. All restored areas of temporary disturbance are subject to five years of maintenance and monitoring.

Authority: Land Use Code 20.25H.220.H
Reviewer: David Pyle, Planning and Community Development Department

- 7. 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 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

- 8. Compliance With Performance Standards – Design of Single Family Residence:** The proposed home design must comply to fullest extent possible with the performance standards
-

outlined in Section V of this report. A full review of the proposed development will be completed at the time of submittal for single family building permit and compliance with these standards will be verified. The permit for single family construction will not be granted until City staff have verified that the applicable performance standards (as identified in Section V of this report) have been met.

Authority: Land Use Code 20.25H.080.A, 20.25H.125, 20.25H.160, and 20.25H.205
Reviewer: David Pyle, Planning and Community Development Department

9. **Site Design:** To minimize impact to the surrounding landscape and sensitive features, the proposed structure must be located as depicted on the approved site plans.

Authority: Land Use Code 20.25H.080.A, 20.25H.125, 20.25H.160, and 20.25H.205
Reviewer: David Pyle, Planning and Community Development Department

10. **Native Growth Protection Easement:** The applicant shall prepare and record with King County a site plan and easement document that clearly delineates the area of permanent disturbance (up to 3,000 sf), the location of the critical areas and critical area buffers on the property, and shall place that portion of the property not included in the area of permanent disturbance into “Native Growth Protection Easement”. The NGPE must be reviewed and approved by the City before recording with King County. Certificate of occupancy shall not be granted until the easement has been recorded.

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

11. **Limits of Disturbance:** Prior to issuance of the single family building permit, the applicant shall identify on an acceptable site plan the extent of the limits of temporary disturbance. Prior to beginning construction, the applicant shall install a protective barrier or fence that surrounds the area of construction and protects the site’s fragile resources. No impact outside the established disturbance area will be allowed, and any impact outside of this area will be classified as a violation of the City of Bellevue Land Use Code Critical Areas requirements and a Stop Work Order will be issued. The protective barrier must be inspected by the Land Use Division prior to the commencement of construction.

Authority: Land Use Code 20.25H.205
Reviewer: David Pyle, Planning and Community Development Department

12. **Pre-Construction Meeting:** Prior to the commencement of construction, an on-site pre-construction meeting with the Project Planner, Clearing and Grading Inspector, Property
-

Owner, and Builder is required to review the approved disturbance areas, and identify required project best management practices.

Authority: Land Use Code 20.25H.205
Reviewer: David Pyle, Planning and Community Development Department

XI. Attachments:

1. Site context map- In File
 2. Environmental Checklist- In File
 3. Environmental and Geotechnical Support Materials - In File
 4. Performance Standards Narrative- In File
-

City of Bellevue Submittal Requirements	27a
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ENVIRONMENTAL CHECKLIST

5/18/07

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: **Heather Washburn**
 Proponent: **Heather Washburn**
 Contact Person: **Ed 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**

City of Bellevue File Number 07-112007-LO
 05/24/2007
 Washburn Residence Critical Areas Land Use Permit
 439 West Lake Sammamish Parkway SE
 SEPA Checklist Reviewed By:
 David Pyle, Senior Planner
 425-452-2973 - dpyle@bellevuewa.gov

Proposal Title: **Washburn Residence**

Proposal Location: **439 W Lk Sammamish Parkway SE (KC# 3625059169)**
 (Street address and nearest cross street or intersection) Provide a legal description if available.

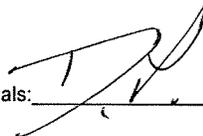
362505 169 POR OF FOLG DESC LY WLY OF CO RD - S 75 FT OF N 335.7 FT OF GL 4 IN SEC 36-25-5

Please 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 new single family residence requiring reasonable use exception from the City of Bellevue Critical Areas Code.**
2. Acreage of site: **1.27 Acres**
3. Number of dwelling units/buildings to be demolished: **0**
4. Number of dwelling units/buildings to be constructed: **1 single family residence.**
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 = 40 +/- CY, Fill = 0 +/- CY**
8. Proposed land use: **single family residential (R-1.8)**
9. Design features, including building height, number of stories and proposed exterior materials:
House will be constructed of sustainable materials and will incorporate solar power panels. The house will be 3 stories, approximately 30' tall in the front and 10' tall in the back.
10. Other

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

Reviewer Initials: 

House construction is scheduled for completion in summer of 2008

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.

Critical Areas Report prepared by Cedarock Consultants Inc. dated February 2007
Geotechnical Report
Stream Analysis

Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain. List dates applied for and file numbers, if known.

None known

List any government approvals or permits that will be needed for your proposal, if known. If permits have been applied for, list application date and file numbers, if known.

Critical Areas Land Use Permit (Reasonable Use)
Building Permit
Utility Connection Permits

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

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

A. ENVIRONMENTAL ELEMENTS

1. Earth

- a. General description of the site: Flat Rolling Hilly Steep slopes Mountains Other
- b. What is the steepest slope on the site (approximate percent slope)? **> 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.

Reviewer Initials: DP

Alderwood Gravelly Sandy Loam (AgC) per NRCS mapping. There is no prime farmland on the site.

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.

Estimated earthwork quantities: 40 CY cut, 0 CY fill.

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

Yes, erosion is possible during construction due to the exposed soils associated with construction sites, erosion will be controlled through standard BMPs.

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 that allowed by City of Bellevue.

Clearing and Grading and Construction BMP's for erosion control must be incorporated into the project design. Site inspections by the Clearing and Grading Inspectors will help eliminate potential for erosion.

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

Re-vegetate exposed soils or cover with impervious surfaces. During construction - construction exit, plastic cover, catch basin inserts.

All areas of temporary disturbance will be revegetated as identified in the site restoration plan. Permanent site disturbance will be limited to area necessary for the construction of the single family residence.

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

Dust will be controlled as part of Construction BMP's. Emissions from autos and equipment is regulated by State and Federal Agencies.

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.

Construction BMP's and adequate site management to reduce the amount of dust and other emissions.

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.

There is a stream, classified type N according to the City of Bellevue, located on-

As identified in the City of Bellevue Stream Typing Inventory, reach No. 90_22 of the North Sammamish Basin crosses this property. This stream flows under West Lake Sammamish Parkway and into Lake Sammamish. This stream has been identified as non fish bearing.

Reviewer Initials:

site. There are also two category IV wetlands.

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

Yes, clearing and construction associated with the new single family home will be adjacent to the stream and within the stream buffer and steep slopes.

- (3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

None

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

No.

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

No, according to King County iMap, this site does not lie within a 100 year floodplain.

The City of Bellevue GIS Floodplain layer does not indicate the presence of a floodplain on or adjacent to this site.

- (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.

Stormwater generated by the developed site will be reduced by maintaining much of the existing vegetation on site. Runoff generated by the impervious areas will be routed into the existing stormdrainage system within W. Lake Sammamish Way, just upstream from the Class 4 stream..

Reviewer Initials: DP

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

Unknown

Yes, due to the site's topography, the location of the stream, and the quantity of disturbance associated with the construction of a new single family residence, waste materials, if not properly managed, could enter the stream.

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

Stormwater runoff from the site will be reduced in quantity by maintaining much of the existing vegetation on the site.

Stormwater runoff will be controlled as part of Construction BMP's. BMP's will be developed based on site specific needs by the Clearing and Grading Department and the Utilities Department.

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 with trees and shrubs.

The use of native plants to restore areas of temporary disturbance and to landscape those areas of permanent disturbance are required by the Land Use Code. The edge of the riparian area adjacent to the stream will be replanted with dense native vegetation. See performance standards listed in LUC 20.25H.080.

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:

Use of this site or the surrounding landscape by Chipmunks, Coyotes, Deer or Elk, Rabbits, Raccoons, Squirrels, Eagles, Crows or Ravens, Doves or Pigeons, Hawks, Herons, Jays, Owls, and Woodpeckers is probable.

Reviewer Initials: D.R.

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

None known.

- 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.

The applicant has prepared a habitat assessment as part of the Critical Areas Report that may be viewed in the project file. This site is currently forested and does provide an extension of habitat from the adjacent forested landscape. The proposal to develop one single family residence would concentrate development activity adjacent to West Lake Sammamish Parkway where development has already occurred. The upper portion of the lot would remain forested and would not be developed.

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 and natural gas

- 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.

Standard construction management practices would be followed during construction to minimize the potential for environmental hazards.

- 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

Reviewer Initials: RP

would come from the site.

Construction per City of Bellevue noise ordinance.

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

Observe City of Bellevue noise ordinance hours.

Noise related to the construction of a single family residence is regulated by the Bellevue City Code Title 9.18.

8. Land and Shoreline Use

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

Single family residential. The site is bound by W Lk Samm Pkwy SE to the east. The properties to the north and south are single family residential but currently undeveloped. The property to the west is single family residential.

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

No

c. Describe any structures on the site.

The site is currently undeveloped.

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

No.

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

R.1.8

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

Single-Family Low (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, two category IV wetlands and steep slopes.

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

1 residence/family

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

0

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:

Reviewer Initials: DP

Compliance and approval through reasonable use critical areas land use permit with the City of Bellevue.

9. Housing

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

1 high income unit

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

0

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

None at this time.

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 City of Bellevue 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:

The proposed residence will be designed and constructed to limit impacts as outlined by the reasonable use critical areas land use permit conditions.

11. Light and Glare

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

Porch, driveway and landscaping 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.

City of Bellevue Land Use Code Performance Standards (LUC 20.25H.080) require lighting be screened or shaded.

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

None at this time.

12. Recreation



Reviewer Initials: _____

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

Weowna Beach Park, Lake Hills Community Park

- 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 proposed residence would be accessed from a driveway off of West Lk Samm Pkwy 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 West Lake Sammamish Parkway SE at NE 2nd PL approximately 1/3 mile from the project site..

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

Completed project will provide 2-3 parking spaces..

- 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.

2-4 during peak morning and afternoon/evening hours

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

Not at this time.

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 (1) 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.

Water and Sewer permits will be required for single family home construction.

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



Date Submitted **5/17/07**

Reviewer Initials:

