



DEVELOPMENT SERVICES DEPARTMENT
 ENVIRONMENTAL COORDINATOR
 450 110th Ave NE
 BELLEVUE, WA 98009-9012

DETERMINATION OF NON-SIGNIFICANCE

PROPONENT: Andrew Finch

LOCATION OF PROPOSAL: 1650 W. Lake Sammamish Pkwy

DESCRIPTION OF PROPOSAL: Applicant seeks a Critical Areas Land Use Permit to modify the toe-of-slope and shoreline structure setback and buffer to accommodate a new house and associated site improvements. The new structure's footprint is significantly larger than the existing cabin and would, if approved, eliminate much of the required structure setback from the toe of the existing steep slope. Two cantilevered decks and a large patio are proposed for a portion of the 25-foot shoreline structure setback. A stairway at grade and a modest pathway to the existing dock will traverse the shoreline buffer. A conceptual mitigation plan is included in conjunction with a shoreline restoration plan.

FILE NUMBERS: 14-141868-LO **PLANNER:** Michael Paine

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 Development Services Department. This information is available to the public on request.

- There is no comment period for this DNS. There is a 14-day appeal period. Only persons who submitted written comments before the DNS was issued may appeal the decision. A written appeal must be filed in the City Clerk's office by 5:00 p.m. on _____.
- This DNS is issued after using the optional DNS process in WAC 197-11-355. There is no further comment period on the DNS. There is a 14-day appeal period. Only persons who submitted written comments before the DNS was issued may appeal the decision. A written appeal must be filed in the City Clerk's Office by 5 p.m. on Click here to enter a date. **2/26/2015**
- 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 5:00 p.m. on _____.

This DNS may be withdrawn at any time if the proposal is modified so as to have significant adverse environmental impacts; if there is significant new information indicating a proposals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.

Elk Steen for CAROL HELAND Click here to enter a date. 2/26/2015
 Environmental Coordinator Date

OTHERS TO RECEIVE THIS DOCUMENT:

- State Department of Fish and Wildlife / Stewart.Reinbold@dfw.gov; Christa.Heller@dfw.wa.gov;
- State Department of Ecology, Shoreline Planner N.W. Region / Jobu461@ecy.wa.gov; sepaunit@ecy.wa.gov
- Army Corps of Engineers Susan.M.Powell@nws02.usace.army.mil
- Attorney General ecyolyef@atg.wa.gov
- Muckleshoot Indian Tribe Karen.Walter@muckleshoot.nsn.us; Fisheries.fileroom@muckleshoot.nsn.us



City of Bellevue
Development Services Department
Land Use Staff Report

Proposal Name: Moen Residence

Proposal Address: 1650 W. Lake Sammamish Pkwy NE

Proposal Description: Applicant seeks a Critical Areas Land Use Permit to modify the toe-of-slope and shoreline structure setback and buffer to accommodate a new house and associated site improvements. The new structure's footprint is significantly larger than the existing cabin and would, if approved, eliminate much of the required structure setback from the toe of the existing steep slope. Two cantilevered decks and a large patio are proposed for a portion of the 25-foot shoreline structure setback. A stairway at grade and a modest pathway to the existing dock will traverse the shoreline buffer. A conceptual mitigation plan is included in conjunction with a shoreline restoration plan.

File Number: 14-141868-LO

Applicant: Andrew Finch, Finch Design & Production

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

Planner: Michael Paine, Environmental Planning Manager

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

E. J. Stead for
Carol V. Helland, Environmental Coordinator
Development Services Department

Director's Decision: Approval with Conditions
Michael A. Brennan, Director
Development Services Department
By: *E. J. Stead for*
Carol V. Helland, Land Use Director

Application Date: September 29, 2014
Notice of Application Date: October 30, 2014
Decision Publication Date: December 4, 2014
SEPA and CALUP Appeal Deadline: December 18 (14-days from publication date)

For information on how to appeal a project proposal, visit the Permit Center at City Hall or call 425-452-6800. Appeal of the SEPA Threshold Determination and Critical Areas Land Use Permit must be made to the City of Bellevue City Clerk's Office by 5 p.m. on the date noted above for SEPA appeal deadline.

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Attachments

1. SEPA Environmental Checklist – Attached
2. Critical Areas Report and Addendum Letter – Attached
3. Permit forms and documents – In File

I. Proposal Description

The applicant proposes to build a new single-family house totaling 5076 square feet. The house supplants a much smaller lake front cottage built in 1943. Excluding allowed overhangs and proposed cantilevered decks, the new primary structure is positioned marginally closer to ordinary high water (elevation 31.8 NAVD 88) than the footprint of the existing cottage as permitted by LUC 20.25H.115.C.3.a. Two cantilevered decks, and a large patio and fire pit are planned in the 25-foot structure setback. Intrusions into the required 25-foot shoreline buffer are confined to a concrete stair on grade and a permeable paver walkway to the existing pier. Mitigation plantings of roughly 1,200 square feet, located mostly in the shoreline buffer area, offset the impacts associated with decks, patio and fire pit, and stairs at edge of the shoreline buffer.

Figure 1: Site Context



Figure 2: Existing Development



A critical areas permit and critical areas report is required because the proposed structure, as designed, significantly reduces the toe-of-slope structure setback and the proposed cantilevered decks, patio, and stairs to dock extend into the required shoreline setback and small portion of the buffer. Modification of slope structure setback is allowed provided any hazard associated with the slope is mitigated such that the hazard is equal or less than would have occurred naturally and that the associated habitat is not adversely impacted. Likewise, development in the shoreline structure setback is allowed for the primary structure using the so-called "string test" as described at LUC 20.25H.115.C.3.a. Additional disturbance of the structure setback for development outside the footprint of the primary structure is permitted so long as the impacts to shoreline functions are adequately mitigated.

II. Site Description, Zoning, and Land Use

A. Site Description

The existing cottage is located on a flat bench at the base of the steep slope near the shoreline at the eastern extent of a long narrow lot on Lake Sammamish. Access is via a joint-use access easement from Mallard Lane. Excluding the existing covered deck, the cottage appears to be situated between 40-to-45 feet from the Ordinary High Water Mark (OHWM) measured from the required elevation at

31.8 NAVD 88. The buffer area between the home and the bulkhead is maintained as turf; a small beach exists below the bulkhead. A mitigation planting area associated with new dock construction is also evident closer to the water. The critical areas report submitted in support of the proposal identifies the upper or western portion of the site as heavily forested and contains typical species found in residual examples of Puget Lowland Forest including western red cedar, Douglas fir, big leaf maple, oak spruce, grand fir. Shrub species include hazelnut, pacific ninebark, Himalayan blackberry, and sword fern. In addition, a mat of English ivy predominates and infests many of the trees on the site. Absent the ivy, this habitat type is associated with Pileated woodpeckers and other species on the City of Bellevue's Species of Local Importance list.

B. Site Planning

Site planning is constrained by the steep slopes to the west, a shared access easement, and the shoreline buffer and structure setback measured from the ordinary high water mark at the shoreline edge. The location of steep slope Critical Areas (40 percent or greater slope) at the western third of the site precludes development in that area, and none is proposed for that portion of the site. The location of the Shorelines Critical Area and its associated buffer and structure setback at the eastern end of the site preclude building development at the eastern end of the site. Roughly the middle third of the site remains for consideration as building footprint, assuming relief is granted from the required 75' Critical Area Setback at the Toe-of-Slope. A parking pad/turnaround area is proposed immediately adjacent to the site access point. Pedestrian circulation on the site is accomplished by a staircase running east-west, parallel to the south wall of the house. Mitigation plantings are proposed adjacent to the garage, and within the 25-foot wide Shorelines Critical Area Buffer. A pathway constructed from pavers is proposed within the buffer to allow access to the existing dock constructed in 2013. A fire pit and seating area are proposed landward of the modified Shorelines Critical Area Structure Setback.

C. Design Considerations

According to the architect, the proposed design of the house has been planned to make the most efficient use of site area possible within the relatively confined area available. The other primary design goal was to reduce the visual mass of the building by articulating its components into three sections of varying height, that step down the slope of the site in a tiered fashion as required by the City of Bellevue's performance standards. Care has been taken to ensure that the proposed design fits within the available height envelope determined by the prescriptive regulations for the Shorelines Overlay District. A one-story attached garage, providing two automobile parking spaces and one boat storage space, is proposed immediately adjacent to the parking pad. An intermediate volume, consisting of a subterranean mechanical room and a mid-level entry, mediates between the garage and the mass of the house. The remaining habitable portions of the house are arranged within a three-story volume oriented in the north-south direction to maximize exposure to and views of the lake from within the home. There are cantilevered decks off the east face of the house at the main level and at the upper level of the home.

D. Impact to Critical Areas

Based on review of the site plan, it appears that some care has been exercised to minimize encroachment into steep slope and shorelines critical areas given the scale of the proposed construction. The entire house and garage will be built on grade beams and piles, which will reduce the amount of excavation that would have been required for traditional footings. The footprint of the garage is located so that minimal disturbance to the regulated critical area slope is anticipated in order to place the piles and grade beams. In addition, its eastern wall will function as a surge barrier to limit and retain any soil movement that may occur. The eastern face of the main three-story volume of the house is held back approximately 5'-0" at the southeast corner, and approximately 11'-9" at the northeast corner, from the allowable limit of the adjusted Shorelines Critical Area Structure Setback, to reduce excavation impacts in this area, and to increase open area at grade adjacent to the shoreline buffer. The cantilevered deck which is proposed for the east face of the house minimizes excavation impacts near the modified setback, and allows for unobstructed views at ground level along the shoreline from adjacent properties.

E. Land Use Context

The property has a Comprehensive plan Land Use Designation of SF-L (Single Family Low Density). The project is consistent with this land use. The property is zoned R-2.5, single-family residential. The use is allowed in this zone.

F. Critical Areas

a. **Geologic Hazard Areas**

Geologic hazards pose a threat to the health and safety of citizens when commercial, residential, or industrial development is inappropriately sited in areas of significant hazard. Some geologic hazards can be reduced or mitigated by engineering, design, or modified construction practices. When technology cannot reduce risks to acceptable levels, building in geologically hazardous areas is best avoided (WAC 365-190).

Steep slopes may serve several other functions and possess other values for the City and its residents. Several of Bellevue's remaining large blocks of forest are located in steep slope areas, providing habitat for a variety of wildlife species and important linkages between habitat areas in the City. These steep slope areas also act as conduits for groundwater, which drains from hillsides to provide a water source for the City's wetlands and stream systems. Vegetated steep slopes also provide a visual amenity in the City, providing a "green" backdrop for urbanized areas enhancing property values and buffering urban development.

b. **Shorelines**

Shorelines provide a variety of functions including shade, temperature control, water purification, woody debris recruitment, channel, bank and beach erosion, sediment delivery, and terrestrial-based food supply (Gregory et al. 1991; Naiman et al. 1993; Spence et

al.1996).

Shorelines provide a wide variety of functions related to aquatic and riparian habitat, flood control and water quality, economic resources, and recreation, among others. Each function is a product of physical, chemical, and biological processes at work within the overall landscape. In lakes, these processes take place within an integrated system (ecosystem) of coupled aquatic and riparian habitats (Schindler and Scheuerell 2002). Hence, it is important to have an ecosystem approach which incorporates an understanding of shoreline functions and values.

The project area is within Lake Sammamish. Lake Sammamish is known to contain migrating adult and juvenile Chinook salmon (listed as Threatened under the Federal Endangered Species Act). Lake Sammamish also contains Coho salmon (listed as Species of Concern under the Federal Endangered Species Act). The Lake is also potential habitat for bull trout, a salmonid listed as Threatened under the Federal Endangered Species Act.

II. Consistency with Land Use Code Requirements:

A. Zoning District Dimensional Requirements:

The R-2.5 zoning dimensional requirements found in LUC 20.20.010 apply to the proposed house. The plans as submitted generally demonstrate conformance with zoning dimensional standards; however, actual conformance with all required dimensional standards will be verified during building permit review.

B. Critical Areas Overlay District LUC 20.25H and Shoreline Performance Standards LUC 20.25E

The City of Bellevue Land Use Code Critical Areas Overlay District (LUC 20.25H) establishes performance standards and procedures that apply to development on any site which contains in whole or in part any portion designated as critical area, critical area buffer or structure setback from a critical area or buffer. The proposed residence will modify steep slope and the associated 75-foot structure setback. The project is subject to the following performance standards found in LUC 20.25H.125.

i. Consistency with LUC 20.25H.125

No development within a landslide hazard or steep slope critical area or associated critical area buffers of such hazards will occur with this proposal. Development occurs within the toe-of-slope structure setback only making the requirements of this section unnecessary

ii. Consistency with LUC 20.25H.140 and LUC 20.25H.145

Modification of a steep slope geologic hazard toe-of-slope setback requires a critical areas report as part of the application for a Critical Area Land Use Permit. The applicant has obtained the services of a qualified geotechnical engineering company to study the site and document the

observed conditions.

The Geotechnical Engineering Study prepared by Geotech Consultants, Inc. for the prior owner of the property concludes that soft organic soils extending to six feet underlie the gravel surfacing of the parking area. The soil is reported to become dense below 15 feet. Ground water was also found near the surface. As a consequence, the report recommends a pile-supported foundation system consisting of small-diameter steel pipe piles driven into dense soils. The report also concludes that, from a geotechnical point-of-view, the project "will not adversely impact slope stability on the site or adjoining properties." The use of shoring at the toe-of-slope and new drainage systems will increase overall stability of the slope. The report recognizes that the applicant must obtain a critical area modification as required by LUC 20.25H.230. In addition, the report includes detailed recommendations regarding foundation design, shoring requirements, drainage, site stormwater, and recommended plantings on the steep slope. As typically the case, projects to modify steep slope buffers or protective structure setbacks or steep slope critical areas require the proponent to complete a *Hold Harmless Agreement with the City*. The agreement is required to be completed prior to building permit issuance on a form provided by the City. See Conditions of Approval in Section X of this report.

III. Public Notice and Comment

Application Date:	September 29, 2014
Public Notice (500 feet):	October 30, 2014
Minimum SEPA and CALUP Comment Period:	November 13, 2014
Decision Publication Date:	February 26, 2014
SEPA and CALUP Appeal Deadline:	March 12, 2014 (14-days from publication date)

The Notice of Application for this project was published in the City of Bellevue weekly permit bulletin on October 30, 2014. It was mailed to property owners within 500 feet of the project site. No comments were received.

IV. Summary of Technical Reviews

A. Clearing and Grading

The Clearing and Grading Division of the Development Services Department has reviewed the proposed site development for compliance with Clearing and Grading codes and standards and approved the application.

V. State Environmental Policy Act (SEPA)

The environmental review indicates no probability of significant adverse environmental impacts occurring as a result of the proposal. The Environmental Checklist submitted with the application

adequately discloses expected environmental impacts associated with the project. The City codes and requirements, including the Clear and Grade Code, Utility Code, Land Use Code, Noise Ordinance, Building Code and other construction codes are expected to mitigate potential environmental impacts. Therefore, issuance of a Determination of Non-Significance (DNS) is the appropriate threshold determination under the State Environmental Policy Act (SEPA) requirements.

A. Earth and Water

Given the proximity to Lake Sammamish, the building permit shall include the full range of erosion control Best Management Practices. The applicant may also be required to perform turbidity monitoring during construction to ensure suspended sediment is contained to the work area. The applicant is also required to adhere to the City Environmental Best Management Practices related to the use of pesticides, insecticides, and fertilizers to avoid impacts to water resources. See Section X for a related condition of approval.

B. Animals

The project area is on the shores of Lake Sammamish. Lake Sammamish is known to contain migrating adult and juvenile Puget Sound Chinook salmon (listed as Threatened under the Federal Endangered Species Act). Lake Sammamish also contains Coho salmon (listed as Species of Concern under the Federal Endangered Species Act). The Lake is also potential habitat for bull trout, a salmonid listed as Threatened under the Federal Endangered Species Act. Kokanee are also found in Lake Sammamish along with a number of other species. In addition, the east-facing steep slope above the shoreline is heavily vegetated with typical lowland Puget Sound forest species like western red cedar, Douglas fir, big-leaf maple, oak, spruce, grand fir, hazelnut, Pacific ninebark, Himalayan blackberry and sword fern. The larger specimens provide potential perching habitat for Bald Eagles and Ospreys while also supporting foraging habitat for keystone species like Pileated woodpeckers and other forest birds. Removal of a number of these larger trees may adversely affect the species listed.

C. Plants

To mitigate the loss of the habitat listed above, the proposal includes a plan for the installation of native tree, shrubs and ground covers to mitigate impacts to habitat from construction within the steep slope structure setback. Similarly, impacts to shoreline setback from overhead decks and paved patios are mitigated by a planting plan in the shoreline area complying with LUC 20.25H.210. The plan also includes specification for maintenance and monitoring. See Section X for related conditions of approval.

D. Noise

Impacts are adequately mitigated by the City's Noise Ordinance (Chapter 9.18 BCC) which limits construction hours. Construction noise will be concentrated between 7:00 am to 6:00 pm, Monday through Friday and between 9:00 am to 6:00 pm on Saturday. See Section X for related conditions of approval.

IV. Changes to Proposal Due to Staff Review

The applicant was required to submit a more detailed site plan and an appropriately detailed critical areas report. Additional detail about the proposed shoreline restoration was also required.

V. Decision Criteria

A. 20.25H.255.A Critical Areas Report – Decision Criteria

Except for the proposals described in 20.25H.255.B, The Director may approve, or approve with modifications, the proposed modification where the applicant demonstrates:

- 1. 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.**

With the modifications suggested, including proposed conceptual mitigation plan, restoration in the shoreline, greater planting density and structural complexity, more complete site rehabilitation and preparation, and with the addition of irrigation to assist in establishment, there will be a net gain in overall critical area function over time.

- 2. Adequate resources to ensure completion of any required restoration, mitigation and monitoring.**

Adequate resources are available

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

There is no evidence that the modifications included in this proposal, impacts primarily confined to the geohazard critical area setback, will have a detrimental effect on neighboring critical area and buffer functions offsite.

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

The proposed development is in keeping with the size and scale of existing and proposed neighboring development.

B. Critical Areas Report Decision Criteria – LUC 20.25H.255.B

The Director may approve, or approve with modifications, a proposal to reduce the regulated critical area buffer on a site where the applicant demonstrates the following. This project involves two modest intrusions requiring critical area or buffer modifications; one into the steep slope critical area and another in the shoreline buffer.

- (1) 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.**

Two modest incursions are planned. The first is to allow placement of the piles and beams for the garage and is considered temporary disturbance. The second is involves replacement of an existing stair in the shoreline buffer with a larger concrete stair at grade. Mitigation is provided for both that demonstrates a measurable improvement in critical area and buffer functions.

- (2) 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;**

The proposed mitigation plan includes substantial planting in the shoreline buffer coupled with the introduction of a modest gravel beach combined with intermittent boulders and emergent plant material. The treatment qualifies as restoration under 20.25H and soft stabilization under LUC 20.25E. All of these elements represent a significant improvement in shoreline habitat functions.

- (3) The proposal includes a net gain in stormwater quality function by the critical area buffer or the elements of the development proposal outside of the reduced regulated critical area buffer;**

Improved soil and mitigation plantings in the buffer partially offset loss of permeable surfaces associated with new construction and offset water quality losses due to harden surfaces outside the primary structure. Driveway surfaces and roof drains will be routed to water quality treatment prior to discharge to lake.

- (4) Adequate resources to ensure completion of any required restoration, mitigation and monitoring.**

Adequate resources are available.

- (5) 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**

The proposed modifications are not detrimental to functions and values of critical area and critical area buffers off-site. In fact they represent a significant improvement in function compared with abutting properties.

- (6) The resulting development is compatible with other uses and development in the same land use district.**

The proposed development is compatible with adjacent single-family residential development.

1) 20.30P.140 Critical Area Land Use Permit Decision Criteria – Decision Criteria

The Director may approve, or approve with modifications an application for a Critical Area Land Use Permit if:

- 1. The proposal obtains all other permits required by the Land Use Code;**
The applicant must obtain a building permit or other development permits before beginning any work. The project must obtain any Federal and State Permits required and a copy of these approvals shall be submitted to the City prior to building permit issuance. **See Conditions of Approval in Section X of this report.**
- 2. 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;**
The project uses the best available construction techniques, including beam and pile construction, and the choice to build into the toe-of-the-slope results in significant additional protection of the sensitive shoreline area.
- 3. The proposal incorporates the performance standards of Part 20.25H to the maximum extent applicable, and ;**
As discussed in Section II of this report, the performance standards of LUC 20.25H are incorporated in the proposal.
- 4. The proposal will be served by adequate public facilities including street, fire protection, and utilities;**
The proposed activity does not significantly impact the provision of public services or facilities.
- 5. The proposal includes a mitigation or restoration plan consistent with the requirements of LUC Section 20.25H.210; and**
Proposed mitigation includes a planting plan designed to offset the impact to existing critical area habitat as required at LUC 20.25H.150 and LUC 20.25H.230.
- 6. The proposal complies with other applicable requirements of this code.**
With respect to the footprint location of the proposed structure and conformance with the requirements of the LUC 20.25H, the proposal complies with the requirements of the Land Use Code. However, the applicant has not provided a level of detail sufficient to ascertain whether all applicable requirements of the code are met. These issues will be determined during building permit review.

VI. 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 the Development Services Department does hereby **approve with conditions** the Critical Areas Land Use Permit to make improvements within the geohazard critical area and shoreline structure setback and buffer described in this report. **A building permit is required and all plans are subject to review for compliance with applicable City of Bellevue codes and standards.**

Note - Expiration of Critical Area Permit 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 building permit or other necessary development permits within **one year** of the effective date of the approval. The permit may be extended an additional year provided the request is made prior to expiration of the one year time frame.

VII. Conditions of Approval

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

Applicable Ordinances	Contact Person
Clearing and Grading Code- BCC 23.76	Tom McFarlane, 425-452-5207
Land Use Code- BCC Title 20	Michael Paine, 425-452-2739
Noise Control- BCC 9.18	Michael Paine, 425-452-2739

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

- 1. Building/Utility Permit Required:** Approval of this Critical Areas Land Use Permit does not constitute an approval of a building or utility permit. Applications for development permits must be submitted and approved. Plans submitted as part of subsequent permit applications shall be consistent with the scope and conditions authorized under this approval. Reported dimensions and calculations regarding height, impervious surface, structure coverage, floor area ratio, and façade height must be confirmed by survey at the time of building review.

Authority: Land Use Code 20.30P.140
Reviewer: Michael Paine, Development Services Department

- 2. Survey Required:** Prior to beginning construction on the site, locate, survey, stake, and fence the the 25-foot shoreline buffer line from OHWM (31.8 NAVD 88) to prevent disturbance of the buffer area until mitigation planting occurs.

Authority: Land Use Code 20.30P.140
Reviewer: Michael Paine, Development Services Department

3. **Hold Harmless Agreement Required:** Prior to building permit approval, the applicant or property owner shall submit a hold harmless agreement releasing the City of Bellevue from any and all liability associated with the installation of the tram. The agreement must meet city requirements and must be reviewed by the City Attorney's Office for formal approval.

Authority: Land Use Code 20.30P.140
Reviewer: Michael Paine, Development Services Department

4. **Rainy Season Restrictions:** Due to the proximity to a steep slope and shoreline of Lake Sammamish, no clearing and grading activity may occur during the rainy season, which is defined as October 1 through April 30 without written authorization of the Development Services Department. 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, Clearing and Grading

5. **Geotechnical Requirements—Letter Required:** To mitigate impacts associated with potential for increased risk due to reduced setbacks from critical slopes, future residential construction must comply with all recommendations of the geotechnical report from the Geotechnical Engineering Study prepared by Geotech Consultants, Inc. as amended including, but not limited to, requirements for foundation development, structural fill placement, and drainage systems. The geotechnical engineer of record shall review design and location of future development to ensure conformity with these recommendations. A letter certifying compliance must be submitted to Building Permit reviewer prior to foundation inspection.
6. **Final Mitigation Plan Required:** The applicant shall submit, in concert with the building permit, a final mitigation plan, prepared by a qualified professional and conforming to the requirements of LUC 20.25H.220 (Mitigation and Restoration Plan Requirements) that offsets the impacts lost as a result of removing the geohazard structure setback and intruding into the shoreline structure setback and buffer. This plan should elaborate on the proposed conceptual mitigation plan by including a written report identifying environmental goals and objectives of the plan while meeting or exceeding the recommended minimum density, spacing, and habitat diversity for a steep slope site and shoreline buffer as outlined in the City of Bellevue's Critical Area Handbook. Necessary details include specifics on site preparation and planting specifications, including information on proposed fertilizer use, removal of invasive plants sufficient to guarantee a healthy

and improved plant community.

Authority: Land Use Code 20.25H.210
Reviewer: Michael Paine, Development Services Department

7. **Final Restoration Plan Required:** The applicant shall submit, in concert with the building permit, a final restoration plan, prepared by a qualified professional conforming to the requirements of LUC 20.25H.220 (Mitigation and Restoration Plan Requirements) that demonstrates an improvement to functions and values of the critical area buffer. The design needs to incorporate a specific design objective and must include a narrative that addresses the functional improvement directly. A focus on shoreline plantings, beach nourishment, and creation of a significant shallow water habitat must accompany any shoreline protection placed at ordinary high water or below. The plan must make clear which areas are parts of the restoration effort compared with the required mitigation. Particular attention needs be placed on offshore rock and emergent plant placement with special attention to design and longevity.

Authority: Land Use Code 20.25H.210
Reviewer: Michael Paine, Development Services Department

8. **Temporary Irrigation Required:** The mitigation and restoration plan shall include provision for temporary or permanent irrigation sufficient to guarantee establishment success of all mitigation and restoration areas.

Authority: Land Use Code 20.25H.210
Reviewer: Michael Paine, Development Services Department

9. **Land Use Inspection Required:** Inspection of the house location, setbacks, and installation of the associated mitigation must be completed by the land use planner as part of the building permit inspection process. (See how to request a land use inspection by reviewing your options at http://www.bellevuewa.gov/schedule_an_inspection.htm) Land Use inspection is also required to release the maintenance surety at the end of the 5-year monitoring period. Release of the maintenance surety is contingent upon successful monitoring and maintenance and submittal of the annual monitoring reports.

Authority: Land Use Code 20.25H.210
Reviewer: Michael Paine, Development Services Department

10. **Maintenance and Monitoring:** The planting area outlined in the mitigation and restoration plan shall be maintained and monitored for a total of five (5) years. Annual monitoring reports by a qualified professional must to be submitted to the Land Use Division for five years at the end of each growing season. Photos from designated photo points approved by the City shall be included

in the monitoring reports to document the planting. The monitoring may be discontinued after three years if, in the opinion of the Department, the long-term success of the mitigation is assured. The following schedule and performance standards apply and are evaluated in the report for each year:

Year 1 (from date of plant installation)

- 100% survival of all installed plants and/or replanting in following dormant season to reestablish 100%
- 0% coverage of invasive plants in planting area

Year 2 (from date of plant installation)

- At least 90% survival of all installed material
- Less than 5% coverage of planting area by invasive species or non-native/ornamental vegetation

Year 3, 4, & 5 (from date of plant installation)

- At least 85% survival of all installed material
- At least 35% (Yr3), 50% (Yr4), 70% (Yr5) coverage of the planting area by native plants in each year respectively
- Less than 5% coverage by invasive species or non-native/ornamental vegetation

The reports, along with a copy of the restoration plan, can be sent to Michael Paine at mpaine@bellevuewa.gov or to the address below:

Environmental Planning Manager
Development Services Department
City of Bellevue
PO Box 90012
Bellevue, WA 98009-9012

Authority: Land Use Code 20.25H.220.D

Reviewer: Michael Paine, Development Services Department

- 11. Maintenance Assurance Device:** A maintenance assurance device in an amount equal to 30 percent of the cost of labor and materials for required maintenance and monitoring shall be held for a period of five years from installation. Amount is established based on itemized contractual agreement for monitoring and maintenance to be provided to the Department prior to approval of the building permit. Release of this assurance device is contingent upon receipt of documentation reporting successful establishment in compliance with the approved management plan. Land Use inspection of the planting after 3 years is required to release the surety. The maintenance surety must be submitted prior to building permit issuance.

Authority: Land Use Code 20.25H.220.F
Reviewer: Michael Paine, Development Services Department

- 12. Noise Control:** Noise related to construction is exempt from the provisions of BCC 9.18 between the 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. Noise emanating from construction is prohibited on Sundays or legal holidays unless expanded hours of operation are specifically authorized in advance. Requests for construction hour extension must be done in advance with submittal of a construction noise expanded exempt hours permit.

Authority: Bellevue City Code 9.18
Reviewer: Michael Paine, Development Services Department

COB #14-141868-LO

REVISED 1-27-2015
REVISED 10-27-2014

City of Bellevue Submittal Requirements

27

ENVIRONMENTAL CHECKLIST

10/9/2009

Thank you in advance for your cooperation and adherence to these procedures. If you need assistance in completing the checklist or have any questions regarding the environmental review process, please visit or call Development Services (425-452-6800) between 8 a.m. and 4 p.m., Monday through Friday (Wednesday, 10 to 4). Assistance for the hearing impaired: Dial 711 (Telecommunications Relay Service).

INTRODUCTION

Purpose of the Checklist:

The State Environmental Policy Act (SEPA), Chapter 43.21c RCW, requires all governmental agencies to consider the environmental impacts of a proposal before making decisions. An environmental impact statement (EIS) must be prepared for all proposals with probable significant adverse impacts on the quality of the environment. The purpose of this checklist is to provide information to help you and the City of Bellevue identify impacts from your proposal (and to reduce or avoid impacts from the proposal, if it can be done) and to help the City decide whether an EIS is required.

Instructions for Applicants:

This environmental checklist asks you to describe some basic information about your proposal. Answer the questions briefly, with the most precise information known, or give the best description you can. You must answer each question accurately and carefully, to the best of your knowledge. In most cases, you should be able to answer the questions from your own observations or project plans without the need to hire experts. If you really do not know the answer or if a question does not apply to your proposal, write "do not know" or "does not apply." Giving complete answers to the questions now may avoid unnecessary delays later.

Some questions ask about governmental regulations such as zoning, shoreline, and landmark designations. Answer these questions if you can. If you have problems, the Planner in the Permit Center can assist you.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. Include reference to any reports on studies that you are aware of which are relevant to the answers you provide. The City may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impacts.

Use of a Checklist for Nonproject Proposals: *A nonproject proposal includes plans, policies, and programs where actions are different or broader than a single site-specific proposal.*

For nonproject proposals, complete the Environmental Checklist even though you may answer "does not apply" to most questions. In addition, complete the Supplemental Sheet for Nonproject Actions available from Permit Processing.

For nonproject actions, the references in the checklist to the words *project*, *applicant*, and *property* or *site* should be read as *proposal*, *proposer*, and *affected geographic area*, respectively.

Attach an 8 ½" x 11 vicinity map which accurately locates the proposed site.

ENVIRONMENTAL CHECKLIST

4/11/2013

If you need assistance in completing the checklist or have any questions regarding the environmental review process, please visit or call Development Services (425-452-6800) between 8 a.m. and 4 p.m., Monday through Friday (Wednesday, 10 to 4). Assistance for the hearing impaired: Dial 711 (Telecommunications Relay Service).

BACKGROUND INFORMATION

Property Owner: Eric and Kim Moen

Proponent: Finch Design & Production, Inc.

Contact Person: Andrew Finch

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

Address: 5927 Atlas Place SW, Seattle, WA 98136

Phone: 206.633.1333

Proposal Title: The Moen Residence

Proposal Location: 1650 W Lake Sammamish Parkway NE, Bellevue, WA (on Mallard Lane, a private way)
(Street address and nearest cross street or intersection) Provide a legal description if available.

Please attach an 8 ½" x 11" vicinity map that accurately locates the proposal site.

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

1. General description: Demolish existing single-family residence; construct new single-family residence.
2. Acreage of site: 0.32
3. Number of dwelling units/buildings to be demolished: 1 Dwelling Unit
4. Number of dwelling units/buildings to be constructed: 1 Dwelling Unit
5. Square footage of buildings to be demolished: +/- 511 sf, habitable, plus covered porch and carport
6. Square footage of buildings to be constructed: 4,460 sf, including attached garage
7. Quantity of earth movement (in cubic yards): 177 cu yds cut, 284 cu yds fill
8. Proposed land use: Single-family residence
9. Design features, including building height, number of stories and proposed exterior materials:
Three-story residence with attached single-story garage, joined by a two-story volume containing mechanical and entry spaces. Major materials include corrugated steel siding, cement fiberboard siding, and metal roofing.
10. Other
Site work includes new parking area, planters and stairs, a fire pit feature, and landscaping/mitigation plantings.

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

Construction duration estimated to be approx. 14 months after permit issuance (anticipated late spring 2015).

Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.

None.

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

Geo-technical report, prepared by Geotech Consultants Inc., dated June 13, 2013. Follow-up letter by Geotech Consultants dated September 15, 2014. Site Evaluation Notes by Williamson Landscape Architecture, LLC, dated September 24, 2014.

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.

Owner is preparing permit application for installation of boat lift at existing dock. Additionally, the adjacent property owners directly to the south, (1630 W. Lake Sammamish Parkway NE), are preparing re-development plans for their property, to include demolition of existing house and construction of a new single-family residence.

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 (COB #14-141868-LO, application date September 29, 2014), Single Family Combo Permit. Additionally, Army Corps of Engineers review required for work at the Lake Sammamish shoreline.

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)?
Approx. 50%
- 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.
Soft organic silt to a depth of 6', with loose silty sand and gravel below that to a depth of 15'.

ms
2/22/2014

- 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.

Approx. 177 cubic yards cut required to create level, cleared areas for garage and main house slabs on grade. Approx. 284 cubic yards fill required to create level parking pad in front of garage and fill under eastern portion of garage slab, as well as grading modifications at south side yard between house and south property line.

Mitigation
B.C.C. 23.76
BMPs

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

Erosion will be controlled by silt fences between excavated area and critical area buffer.

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

Approx. 42% of the site will be covered by impervious surfaces.

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

Erosion will be controlled by during construction by BMP measures to be identified on a Construction Stormwater Pollution Prevention Plan, to be submitted with building permit application. Permanent erosion control by stormwater measures per drainage plan, and by proposed landscaping in on-site mitigation areas.

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.

Minor quantities of dust will be created by demolition of the existing cottage, to be controlled by wetting the house and construction debris as demolition occurs. Minor quantities of dust will be created during initial clearing and grading, and excavation for footings and pilings.

Mitigation
B.C.C. 23.76

- 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:

Wetting of house during demolition as described above.

Handwritten mark

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.

The eastern edge of the property abuts and extends into Lake Sammamish.

- (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.

Excavation and construction will generally occur within 25' to 115' of the OHWM. Landscaping and site mitigation will occur from the OHWM to approx. 125' from the OHWM. See attached plans.

- (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.

No dredging or fill is proposed within Lake Sammamish or the 25' shoreline critical area buffer, other than the placement of a minor amount (up to 16 cubic yards) of gravel mix to establish the proposed gravel beach at the shoreline.

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

The current cottage draws water for domestic use from Lake Sammamish. The proposed house will draw domestic water from a new connection to municipal water service, but will continue to draw site irrigation water from Lake Sammamish, per existing Water Claim Certificate.

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

Landscaping/mitigation planting is proposed within the 100-year floodplain. See attached plans.

- (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 waste materials will be discharged to surface waters.

*Reviewed
for
EUC 20256*

b. Ground

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

No ground water will be withdrawn, nor will water be discharged to ground water.

- (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.

The site is served by the City of Bellevue sanitary sewer, so no waste material other than stormwater will be discharged into the ground.

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.

Storm water will be collected from the roofs by gutters and roof drains, and will be tight-lined to the existing stormwater outfall located in the shoreline buffer. Storm water intercepted by the trench drain at the driveway will pass through an oil separator, and then be tight-lined to the existing stormwater outfall at the shoreline buffer.

- (2) Could waste materials enter ground or surface waters? If so, generally describe.
None anticipated.

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

Extensive landscaping and mitigation plantings are proposed for the steep slope area and for the shorelines critical area buffer, as well as areas around the immediate perimeter of the house. The landscaping will serve to minimize ground water runoff to the lake.

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?

Existing non-native plants throughout the site, particularly at the steep slopes, will be removed as part of the proposed landscaping and mitigation plan. Two significant trees, a 48" caliper maple and a 14" caliper American chestnut, will also be removed.

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:

Extensive landscaping and mitigation will be installed as part of the proposed landscaping and mitigation plan. Mitigation plantings will feature use of native plant species.

5. ANIMALS

a. Check or circle any birds and animals which have been observed on or near the site or are known to be on or near the site:

Birds: hawk, heron, eagle, songbirds, other:

Mammals: deer, bear, elk, beaver, other:

Fish: bass, salmon, trout, herring, shellfish, other:

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

None known.

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

Birds congregate at various various points along Lake Sammamish; not known if a migration route per se.

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

Proposed planting of native species at the steep slopes and shoreline critical area buffer will benefit wildlife.

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.

Electric and natural gas as supplied by City utility companies, for residential use.

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

No impacts anticipated.

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:

Minimal glazing to south and west. Large overhangs at east- and west-facing windows.

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 health hazards anticipated.

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

None anticipated.

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

None proposed, other than standard good construction practices and conformance with regulations for control of stormwater run-off.

b. Noise

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

Minor noise generated by traffic along nearby West Lake Sammamish Parkway NE.

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

Typical construction noise generated by demolition, excavation, and construction for duration of project, mostly occurring in early stages of project. Construction anticipated to occur during normal weekday working hours of 7 am to 6 pm; occasionally on Saturdays between 9 am to 6 pm.

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

Limit construction hours and days to those permitted by City ordinance.

Mitigated
by B.L.L.
9.18

8. Land and Shoreline Use

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

Single-family residential use on site, and at adjacent properties to north and south.

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

Not in recent history; existing house has been on site for 50+ years.

- c. Describe any structures on the site.

Existing house is a small, single-story lake-front cottage of approx. 500 square feet, with an attached covered carport and a wooden deck. There is a small foundation for a greenhouse that was formerly on site.

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

All existing structures will be demolished - house, carport, deck, and foundation for greenhouse.

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

R-2.5, Single Family Residential

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

SF-M, Single Family Residential, Medium Density

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

Shoreline Overlay District

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

Shorelines critical area buffer and setback, and two steep slopes with buffers and setbacks.

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

Two full-time residents.

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

None; the existing cottage is not occupied at this time.

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

None proposed.

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

Proposed single-family residence is compatible with adjacent single-family residential uses.

9. Housing

- a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.
Proposal is for one single-family residence for owner-occupants.

- b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.
Proposed development will replace one single-family residence on the site.

- c. Proposed measures to reduce or control housing impacts, if any:
None proposed.

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?
35'-0" +/- at high point of roof to adj. grade; cement fiber boards, metal siding, metal roofing
- b. What views in the immediate vicinity would be altered or obstructed?
No additional obstruction, as landscaping currently blocks views of water from the private access road.
- c. Proposed measures to reduce or control aesthetic impacts, if any:
Installation of landscaping per proposed plans.

11. Light and Glare

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur?
Potential for early-morning reflections/glare from east-facing windows.
- b. Could light or glare from the finished project be a safety hazard or interfere with views?
Not anticipated to be a hazard, or to interfere with views, as the primary views are toward the east.

- c. What existing off-site sources of light or glare may affect your proposal?
None known.
- d. Proposed measures to reduce or control light or glare impacts, if any:
None proposed.

12. Recreation

- a. What designated and informal recreational opportunities are in the immediate vicinity?
Boating, fishing, and swimming on Lake Sammamish.
- b. Would the proposed project displace any existing recreational uses? If so, describe.
Project will not result in any displacement of recreational uses.
- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:
None proposed.

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.
None known.
- b. Generally describe any landmarks or evidence of historic, archeological, scientific, or cultural importance known to be on or next to the site.
None known.
- c. Proposed measures to reduce or control impacts, if any:
None proposed.

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.
Private road "Mallard Lane" gives access to West Lake Sammamish Parkway NE.
- b. Is site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?
Yes, nearest bus stop is at W. Lake Sammamish Pkwy NE and NE 15th Pl, less than 1/4 mile away.
- c. How many parking spaces would be completed project have? How many would the project eliminate?
Completed project will have two parking spaces; no spaces are eliminated by proposal.
- 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).
None required.
- e. Will the project use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.
Project is not immediately adjacent to water, rail, or air transportation.
- f. How many vehicular trips per day would be generated by the completed project? If known, indicate when peak volumes would occur.
Standard residential usage (2-4 round trips per day at variable times, including commuter hours).
- g. Proposed measures to reduce or control transportation impacts, if any:
None proposed.

15. Public Services

a. Would the project result in an increased need for the public services (for example: fire protection, police protection, health care, schools, other)? If so, generally describe.

No additional need for public services is anticipated.

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

None proposed.

16. Utilities

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

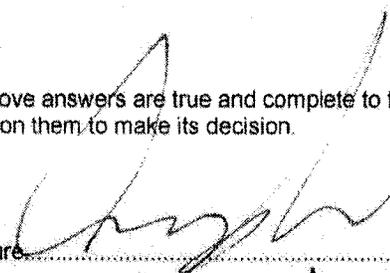
Electricity, natural gas, water, refuse service, telephone, sanitary sewer, cable tv/internet.

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.

Project will require same utility services currently available on site.

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 9.26.14

REVISED 10.27.14 JAF
REVISED 1.27.15 JAF

ATTACHMENTS TO SEPA CHECKLIST

Project Name: The Moen Residence
Project Tracking Number: 14-141868-LO
Site Address: 1650 West Lake Sammamish Parkway NE
Bellevue, WA 98008

LEGAL DESCRIPTION

Lot B, City of Bellevue Short Plat No. 75-11, recorded under Recording No. 7509220481, Records of King County, Washington; situate in the County of King, State of Washington.

ACCESS EASEMENT

Reciprocal Driveway Easement Agreement, recorded under Recording No. 20140527000731, Records of King County, Washington; situate in the County of King, State of Washington.

TRANSMITTAL / COVER LETTER

Date: 28 January 2015
To: City of Bellevue , Development Services Department
Attn: Michael Paine, Environmental Planning Manager
Project: The Moen Residence
1650 W. Lake Sammamish Parkway NE
Bellevue, WA 98008
Permit Number: **14-141868-LO**
Subject : Revisions to Land Use Permit Submittal

Dear Michael:

Enclosed please find two copies of the following documents and drawings, to supersede drawings previously submitted on September 23, 2014, and subsequently revised on October 27, 2014. I am also enclosing a CD with copies of all the enclosed materials.

Documents:

Application for Land Use Approval	January 27, 2015	revised
Statistical Information Sheet	January 27, 2015	Rev. 2
Environmental Checklist (SEPA)	January 27, 2015	Rev. 2
Critical Areas Report	January 27, 2015	Rev. 2

Drawings:

MRP-1 Landscape, Mitigation, and Erosion Control Plan	January 27, 2015	(new)
MRP-2 Landscape Planting Plan and Shoreline Mitigation	January 27, 2015	(new)
A1.0 Site Plan	January 27, 2015	Rev. 2
A1.01 Code Analysis	January 27, 2015	Rev. 2
A1.02 Critical Areas Mitigation Analysis	January 27, 2015	(new)
A1.1 Lower Floor Plan	January 27, 2015	Rev. 2
A1.2 Main Floor Plan	January 27, 2015	Rev. 2
A1.3 Upper Floor Plan	January 27, 2015	Rev. 2
A1.4 Roof Plan	January 27, 2015	Rev. 2
A2.0 Exterior Elevations	January 27, 2015	Rev. 2
A2.1 Exterior Elevations	January 27, 2015	Rev. 2
A2.2 Exterior Elevations	January 27, 2015	Rev. 2
A2.3 Exterior Elevations	January 27, 2015	Rev. 2
A4.0 Building Sections	January 27, 2015	Rev. 2
A4.1 Building Sections	January 27, 2015	Rev. 2
A4.2 Building Sections	January 27, 2015	Rev. 2

CD:

Digital copies of all documents and drawings above.

Summary of Revisions to the Building Design:

1. Reduced the footprint of the garage.
2. Reduced the size of Deck #1 (cantilevered deck at the main floor).
3. Reduced the size of Deck #2 (cantilevered deck at the upper floor).
4. Reduced ceiling height at the lower floor, and raised the slab elevation.
5. Reduced ceiling height at the main floor, and lowered the upper floor and roof.
6. Reduced the roof height at the garage, and deleted the storage loft.

Summary of Revisions to the Site Design and Features:

1. Moved the entire house and garage one foot south; and changed the side yard setbacks. (This allowed for greater depth at the fireplace/water pump, which protrude into the north side yard).
2. Modified the removal of Significant Tree #4, to leave the existing stump/roots in place.
3. Modified the retaining wall at the west side of the parking pad (toe of Steep Slope #1).
4. Deleted the stepped planters along the south property line.
5. Reduced the footprint of Terrace #1 at grade.
6. Deleted the concrete bench adjacent to the fire pit seating area.
7. Revised the description of the modified Shoreline Structure Setback (diagonal string-line) to pertain only to the primary structure, and identified the proposed non-primary structure elements within the 25' Shoreline Structure Setback requiring mitigation.
8. Established a Steep Slope Mitigation Area adjacent to the Garage to mitigate for a minor incursion into the toe of Steep Slope #1, and for the reduction in the Toe of Steep Slope Buffer.
9. Established a Shoreline Mitigation Area, within and adjacent to the Shoreline Buffer, to mitigate for specific proposed features within the Shoreline Structure Setback, and for a minor incursion into the Shoreline Buffer by the proposed concrete stair. This area also incorporates the work proposed for Replacement Dock Mitigation, to replace the existing mitigation work previously installed pursuant to construction of the dock.
10. Modified the plant schedules and plant layouts at both Mitigation Areas to incorporate a revised range of native plant materials.
11. Modified the depiction of the boulders and gravel beach within the Shoreline Buffer.
12. Added boulders and emergent plants at two locations water-ward of the OHWM.
13. Added a narrative, prepared by EcoPacific, to support and augment the proposed mitigation and restoration efforts.

Summary of Revisions to Consultants and Documents:

1. Hired Tom Morrison of EcoPacific to help refine aspects of the proposed landscaping design and mitigation, and to prepare the mitigation and restoration narrative.
2. Deleted the two landscape drawings, L1 and L2, and substituted the new MRP drawings.
3. Added the following Mitigation and Restoration drawings:
 - a. MRP-0: Critical Areas Mitigation Analysis
 - b. MRP-1: Mitigation and Restoration Plan
 - c. MRP-2: Mitigation and Restoration Notes & Narrative

4. Revised the Critical Areas Report, Statistical Information Sheet, and the Environmental Checklist (SEPA) for consistency with the design changes noted above, as well as the new Mitigation and Restoration drawings and narrative.

Please do not hesitate to contact me for any additional information you might require in the course of your review. Thank you for your assistance!

Sincerely,



Scott D. Lewis
Finch Design & Production
206.633.1333

scott@finchlikethebird.com

CRITICAL AREAS REPORT – THE MOEN RESIDENCE

REVISION #2 – JANUARY 27, 2015

Project Tracking Number: 14-141868-LO

Site Address: 1650 West Lake Sammamish Parkway NE
Bellevue, WA 98008

Property Owners: Eric and Kim Moen

Architect: Andrew Finch, Finch Design & Production
5927 Atlas Pl SW
Seattle, WA 98136
206-633-1333
andrew@finchlikethebird.com

Date: September 23, 2014

Revision #1: October 27, 2014

Revision #2: January 27, 2015

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- A. Proposal Outline
- B. Site Description, Zoning, and Land Use
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 - 3. Extant Landscaping
 - 4. Habitat for Species of Local Importance
 - 5. Zoning and Land Use
 - 6. Critical Areas
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 - 1. Zoning District Building Setbacks
 - 2. Critical Areas Overlay District
 - a. Consistency with LUC 20.25H
 - b. Consistency with LUC 20.25H.125
 - c. Consistency with LUC 20.25H.230

E. Decision Criteria

1. Critical Areas Report Decision Criteria – 20.25H.255.B
2. Critical Area Land Use Permit Decision Criteria – 20.30P.140

F. Appendix - Site Documentation

1. Aerial Site Photo
2. Site Photos

ACCOMPANYING DRAWING SUBMITTAL:

(All drawings are by Finch Production & Design, revision dated January 27, 2015, unless noted otherwise).

1. Cover Sheet
2. Topographic & Steep Slope Survey, Crones Land Surveyors, 8/25/14 revision
- ~~3. L1, Landscape Mitigation and Erosion Control Plan, Williamson Landscape Architecture, revision date October 27, 2014~~
- ~~4. L2, Landscape Planting Plan and Shoreline Mitigation, Williamson Landscape Architecture, revision dated October 27, 2014~~
3. MRP-0, Critical Areas Mitigation Analysis
4. MRP-1, Mitigation & Restoration Plan, EcoPacific Environmental Services / Williamson Landscape Architecture, dated January 27, 2015
5. MPR-2, Mitigation & Restoration Notes and Narrative, EcoPacific Environmental Services / Williamson Landscape Architecture, dated January 27, 2105
- ~~5-6.~~ A1.0, Site Plan
7. A1.01, Code Analysis
- ~~6-8.~~ A1.1, Lower Floor Plan
- ~~7-9.~~ A1.2, Main Floor Plan
- ~~8-10.~~ A1.3, Upper Floor Plan
- ~~9-11.~~ A1.4, Roof Plan
- ~~10-12.~~ A2.0, Exterior Elevations
- ~~11-13.~~ A2.1, Exterior Elevations
- ~~12-14.~~ A2.2, Exterior Elevations
- ~~13-15.~~ A2.3, Exterior Elevations
- ~~14-16.~~ A4.0, Building Sections
- ~~15-17.~~ A4.1, Building Sections
- ~~16-18.~~ A4.2, Building Sections

A. PROPOSAL OUTLINE

The Owners of the property located at 1650 West Lake Sammamish Parkway NE, Kim and Eric Moen, propose to demolish an existing single-family residence occupying the site, and to construct a new single-family home which they will occupy as their primary residence.

The subject site, which abuts Mallard Lane at its western end and Lake Sammamish at its eastern end, lies within the Shoreline Overlay District. It also contains two steep slope critical areas at its western end. The site is encumbered by an access easement for Mallard Lane, a private road that crosses the eastern end of the site. There is also a private access easement for a driveway shared with the adjoining property to the south. The required setbacks for the toe of the steep slope and the shoreline structure setback overlap, leaving only the small footprint of the existing cottage as allowable building area. The constricted size and odd configuration of that footprint are not suitable for the development of a new residence. In addition, the poor quality of construction for the existing structure precludes its rehabilitation.

Utilizing the Critical Areas Report process, the applicant proposes to establish a larger allowable building footprint for the primary structure, on the site, as well as allow for the construction of various other non-primary structure improvements proposed for the protected areas of the site and depicted on the Drawings, utilizing the following:

1. Modification of the Shoreline ~~critical area setback~~ Structure Setback for the primary structure, per the procedure outline in LUC 20.25H.115.C.3.a.,
- 1-2. Modification of the 25' Shoreline Structure Setback to permit construction of non-primary structure elements within the setback, to include an at-grade terrace, fire pit/seating area, and two overhanging decks at the main and upper floors, in accordance with LUC 20.25H.120.C.3.
- 2-3. Reduction of the required setback from the toe of the steep slope, from 75' to approximately ~~0' 4"~~, 2'-8", for the primary structure.
3. On-site mitigation at the Shoreline Critical Area Buffer and at the Steep Slope Critical Areas, as represented by the attached mitigation plan, to offset the reduction of critical area setbacks, and improve the critical area functions and values beyond their current level of performance.
4. Creation of a new Steep Slope Mitigation Area, to offset the proposed reduction in the Toe of Steep Slope Setback, as well as the impacts of the proposed construction within the setback.
5. Creation of a new Shoreline Mitigation Area, to offset the impact of the proposed improvements within the 25' Shoreline Setback and the Shoreline Buffer. This Shoreline Mitigation Area will also serve to replace the existing Dock Mitigation installed in 2013 pursuant to the construction of a dock on Lake Washington (Permit Number 14-129507-BR), which has subsequently failed.

B. SITE DESCRIPTION, ZONING, AND LAND USE

1. **General Site Configuration and Access:** The property is accessed via Mallard Lane, a private road providing access from West Lake Sammamish Parkway NE to several adjacent properties. The easement for Mallard Lane crosses the property at its western end. In addition, there is an access easement for a shared driveway at the southwestern portion of the site, providing access to the subject property as well as the neighbor to the south. The eastern end of the site abuts and extends into Lake Sammamish. The property is approximately 230 feet long by 60 feet wide.
2. **Existing Development:** The existing development on the property consists of a roughly 511 square foot cottage built in 1943, containing a single bedroom and a single bathroom, with an attached, covered carport. The low profile and simple design suggest that it was likely constructed as an unheated, seasonal cottage, and has not been improved substantially since its construction. The cottage is served by municipal electric and sanitary sewer service, but draws its domestic water directly from Lake Sammamish. ~~later winterized for year round occupancy.~~ There is an attached wood deck and terraced steps on the eastern side of the house which will be removed concurrent with the demolition of the house. There is an existing greenhouse foundation west of the house which will also be removed. The previous property Owners constructed a new dock on Lake Sammamish in 2013 that will remain.
3. **Extant Landscaping:** The eastern portion of the site, occupied by the house and adjacent to the lake, is composed of lawn area and ornamental planting beds. Mitigation landscaping was installed in a roughly 10-foot wide band adjacent to the Ordinary High Water Mark, as part of work required for the installation of the dock by the previous property owners. That landscaping has suffered damage due to winter storms and wave action. A proposed re-design of this area is included as part of this proposal. The western portion of the site, where the two steep slope areas are located, has two significant trees which will require removal for the planned development. Mitigation for the removal of these two trees is included as part of this proposal. Other landscaping in this area is of marginal quality, including non-native and invasive species. Invasive species present on the site include Himalayan Blackberry, Old Man's Beard, and English Ivy. Removal of invasive, non-native species for a portion of Steep Slope #1 is proposed on the attached landscape drawings. Reference is also made to the site evaluation notes and recommendations contained in a letter by landscape architect Bill Williamson, dated September 24, 2014.
4. **Habitat for Species of Local Importance:** The site does not feature any of the recognized types of protected habitats for species of local importance, (ponds, concentrations of dead trees, caves and roosting structures, or large stands of conifers).
5. **Zoning and Land Use:** The property is zoned R-2.5, single family residential. The property has a Comprehensive Plan Land Use Designation of SF-M, Single Family Medium Density. The proposed house and improvements are consistent with allowed uses in this zone and with this land use designation.

6. Critical Areas:

- a. Shoreline Overlay District: The property abuts and extends into Lake Sammamish at its eastern end.
- b. Geologic Hazard (Steep Slope): The survey identifies three steep slope areas, only two of which – Steep Slope #1 and Steep Slope #2 - represent critical areas as defined by the City of Bellevue. Steep Slope #3 is mostly separated from Steep Slope #2 by intervening terrain, and does not constitute a 10' rise in elevation, nor does it exceed 1,000 s.f. in area.

C. PROPOSAL DESCRIPTION

1. **Site Planning:** Access to the property was pre-determined, given that there has historically been a shared access agreement with the adjoining property to the immediate south to jointly use an existing driveway that negotiates the steep slope between Mallard Lane and the more level areas of the site where the two existing cottages are located. The previously-existing access agreement was recently renegotiated between the two property owners in anticipation of redevelopment of each property by its respective landowner. A copy of that revised agreement is included with the submitted materials. The site access occurs roughly at the mid-point of the southern property line, just east of the toes of Steep Slope #1 and Steep Slope #2. The location of the two Steep Slope Critical Areas at the western third of the site precludes development in that area, and none is proposed for that portion of the site. The location of the Shorelines Critical Area and its associated buffer and structure setback at the eastern end of the site preclude building development at the eastern end of the site. Roughly the middle third of the site remains for consideration as building footprint, provided relief is granted from the required 75' Critical Area Setback at the Toe of Slope. Otherwise, development would be limited to the rather awkward 500 s.f. footprint of the existing cottage. A parking pad/turn-around area is proposed immediately adjacent to the site access point. Pedestrian circulation on the site is accomplished by ~~a staircase~~ an exterior stair running east-west, parallel to the south wall of the house. ~~Mitigation plantings are proposed within the Shorelines Critical Area Buffer, (Mitigation Area "A", and for an area adjacent to the garage, (Mitigation Area "B"). A paved pathway is proposed with the buffer to allow access to the existing dock. A fire pit and seating area are proposed landward of the modified Shorelines Critical Area Structure Setback.~~ An at-grade terrace and a fire pit/seating area, as well as two cantilevered decks, are proposed within the Shoreline Structure Setback. A concrete stair on grade and a permeable paver pathway are proposed within the shorelines buffer to allow access to the existing dock. Mitigation plantings and other enhancements are to be installed as part of the proposed Mitigation Areas described below.
2. **Proposed Building Design:** The proposed design of the house has been planned to make the most efficient use of site area possible within the relatively confined area available. The other primary design goal was to reduce the apparent visual mass of the building by articulating its components into three sections of varying height, that step down the slope of the site in a tiered fashion. Care has been taken to ensure that the proposed design fits within the available height

envelope determined by the prescriptive regulations for the Shorelines Overlay District. A one-story attached garage, providing two automobile parking spaces ~~and one boat storage space~~, is proposed immediately adjacent to the parking pad. An intermediate volume, consisting of a subterranean mechanical room and a mid-level entry, mediates between the garage and the mass of the house. The remaining habitable portions of the house are arranged within a three-story volume oriented in the north-south direction to maximize exposure to and views of the lake from within the home. There are cantilevered decks off the east face of the house at the main level and at the upper level of the home.

3. Impact to Critical Areas: Care has been taken to minimize impact on and encroachment into the steep slope and shorelines critical areas. The entire house and garage will be built on grade beams and piles, which will reduce the amount of excavation that would have been required for traditional footings. The footprint of the garage is located so that minimal disturbance to Steep Slope #1 is anticipated in order to place the piles and grade beams. In addition, its eastern wall will function as a surge barrier to limit and retain any soil movement that may occur at Steep Slope #1. The eastern face of the main three-story volume of the house is held back approximately ~~5'-2"~~ 5'-0" at the southeast corner, and approximately 11'-9" at the northeast corner, from the allowable limit of the modified Shorelines Critical Area Setback, to reduce excavation impacts in this area, and to increase open area at grade adjacent to the shoreline buffer. The cantilevered deck which is proposed for the east face of the house minimizes excavation impacts near the modified setback, and allows for unobstructed views at ground level along the shoreline from adjacent properties.

4. Design Alternatives Considered: Due to the geometry of the site, the location of critical areas, and the pre-determined location of site access due to the shared driveway and access easement, available design alternatives were limited to two. The first alternative would have been to incorporate all program areas, (garage and house), into a rectangular, 3-story volume oriented east-west along the north property line. The orientation of most rooms would have been to the adjacent northern property or toward the adjacent southern property, with only the end rooms having views of or exposure to the lake and shoreline. That alternative offered little potential for modulating the mass of the building to make a pleasing fit with the site. The proposed design allowed for a better modulation of building mass, as well as a better configuration of building mass with respect to the sloped nature of the site. In addition, it allowed for optimization of orientation of the interior spaces toward the shoreline and the lake. Placement of habitable spaces in a three-story structure rather than a two-story structure has resulted in meeting the Owner's program for living spaces, while reducing the resulting footprint that would have been required for a two-story structure of similar square footage.

5. Critical Areas Mitigation: ~~The proposal includes three areas of mitigation plantings as follows:~~

~~a. **Existing Shoreline Mitigation:** The property includes an existing 10' wide zone of shoreline mitigation that was installed in 2013 as part of an approved application for the construction of a dock. That landscaping was subsequently damaged by winter storms and wave action, and has failed to establish itself in a permanent fashion. This proposal includes provisions to~~

~~replace the existing mitigation scheme with the establishment of a new stretch of sandy beach and the installation of protective boulders. Those features are intended to re-establish a naturalistic shoreline, and to provide for better protection of proposed new plant materials immediately adjacent to the shoreline. This work is described on drawings L1 and L2.~~

- ~~b. **Mitigation Area "A":** Mitigation Area "A" is located in a 15' swath of land in the Shoreline Critical Area Buffer, lying between the Existing Shoreline Mitigation, (see above), and the modified Shoreline Critical Area Structure Setback. It consists of proposed new native trees, shrubs, perennials, and groundcover in an area of approximately 804 square feet, not including the proposed paving leading to the dock. The purpose of this mitigation area is to address the proposed incursion by the cantilevered deck at the main floor level of the house, (one story above the adjacent grade), into the modified Structure Setback.~~

- ~~c. **Mitigation Area "B":** Mitigation Area "B", an area of approximately 540 square feet, is located in a 10' swath of land adjacent to the west face of the garage. Mitigation Area "B" addresses the requested reduction in the Critical Area Structure Setback at the Toe of Steep Slope #1 from 75' to less than 1'. In addition, it addresses the temporary ground disturbance for excavation for grade beams at the west wall of the garage, as well as the placement of a retaining wall and a small area of paving within the lowest portion of Steep Slope #1. Existing invasive and non-native plant materials will be removed, and any existing native specimens will be retained. New landscape materials will be installed in accordance with the "Conceptual Restoration Planting Plan" on drawing L1, as well as plants indicated on the Planting Plan, drawing L2. This area includes the provision of Mitigation Trees #1 and #2, which compensate for the resulting shortfall in retained caliper caused by the proposed removal of Significant Trees #4 and #5.~~

The proposal includes the establishment of two Mitigation Areas on site to offset the proposed reductions in critical area setbacks, mitigate for the impacts of construction of the primary structure and associated site improvements, and to improve the critical area functions and values beyond their current level of performance.

- a. **Steep Slope Mitigation Area:** Establishment of a mitigation area of approximately 546 square feet, located immediately adjacent to the west face of the garage, at and adjacent to the toe of Steep Slope #1. This area will serve to mitigate for the reduction in the Steep Slope Toe of Buffer Setback from the required 75' to approximately 2'-8" for the primary structure, as well as the minor incursion into the toe of the slope for the construction of a retaining wall and a small piece of the parking pad. The proposed mitigation will also address the unavoidable need to construct the primary residence and related site features entirely within the boundary of the Toe of Slope Buffer. Existing invasive and non-native plant materials will be removed, and any existing native specimens will be retained. New landscape materials will be installed per the attached mitigation drawings. This area also accommodates the provision of replacement trees, required to mitigate for the removal of two significant trees in this area of the site.

b. Shoreline Mitigation Area: Establishment of a mitigation area of approximately 1,206 square feet, primarily within the Shoreline Buffer, to mitigate for the construction of the at-grade terrace, fire pit/seating area, and two cantilevered docks within the 25' Shoreline Structure Setback, as well as the minor incursion of the proposed concrete steps within the Shoreline Buffer. This area also accommodates the necessary and desirable replacement of the previously-established dock mitigation. Additional mitigation totaling approximately 60 square feet, above and beyond the previous requirements, is proposed waterward of the Ordinary High Water Mark.

D. CONSISTENCY WITH LAND USE CODE REQUIREMENTS

As noted above, this is a site with a large number of competing constraints, due to multiple access easements, the Shoreline critical area, and the two steep slope areas on site. The net result of the various easements, critical area buffers and critical area structure setbacks is a site with no buildable land area, save the footprint of the extant (tiny) cottage on the site.

1. Dimensional Requirements per R-2.5 Zoning:

	Required	Proposed / Existing
a. Front Yard ¹	20' Required	67'-10" ± <u>80'-2 ½"*</u>
b. Rear Yard ²	25'-0" Required	29'-5" 30'-8" ± to deck; 40'-3" ± to primary structure
c. Side Yard	5'-0" Required	6'-0" 7'-0" at north yard 9'-0" 8'-0" at south yard
d. Combined Side Yards	15'-0"	15'-0"
e. Minimum Lot Area ³	13,500 sf	10,840 sf
f. Maximum Dwelling Units per Acre:	(1) allowed	(1) proposed
g. Minimum width of street frontage:	30'	60'
h. Minimum width of lot: ⁴	80'	60' ⁴
i. Minimum depth of lot:	80'	225.66' at south line 234.18' at north line
j. Maximum Building Height:	35' ⁵ 30' ⁶	34'-4 ¾" <u>33'-7"</u> ⁷ 29'-10 7/8" <u>29'-1 1/8"</u> ⁷
k. Maximum Lot Coverage by Structures ⁸	35 %	30.9 <u>29.4%</u>

l. Maximum Impervious Surface	50 %	44.4 41.9 %
m. Minimum Greenscape % of Front Yard ⁹	50 %	75 %
n. Tree Retention	30 %	27.9 % ¹⁰

*Previous front yard setback was found to be dimensioned incorrectly on site plan. Previous front yard setback was actually 76'-2 ½" from the access easement to the northwest corner of the garage, measured parallel to the property line.

Footnotes:

- ¹ Set back from private road access easement, per LUC 20.20.030.D.
- ² Set back from Ordinary High Water Mark; identical to 25' Critical Area Shoreline Setback.
- ³ Reduced by area of flood plain and submerged lands at lake, and private access road. Existing non-conformance established at time of original short plat.
- ⁴ Existing non-conformance established at time of original short plat.
- ⁵ Average existing grade to top of a pitched or flat roof.
- ⁶ Average finished grade to the midpoint of a pitched roof.
- ⁷ Based on preliminary design; to be re-confirmed at time of building permit submittal.
- ⁸ Reduced by area of flood plain and submerged lands, steep slopes, and private road.
- ⁹ Reduced by area of access drive; area of Mallard Lane easement disregarded.
- ¹⁰ Additional mitigation proposed elsewhere in document.

General Note: Compliance with all dimensional requirements shall be re-confirmed ~~upon completion of architectural design, and~~ by subsequent application for a building permit.

2. Compliance with requirements of LUC 20.25E - Shoreline Overlay District

1. Shoreline Performance Standards:

- a. Per requirements of Section 20.25E.080.B.3, the application includes a plan indicating methods of preserving shoreline vegetation, and control of erosion during and following construction.
- b. No work is proposed within the shoreline critical area or critical area buffer, except as indicated on the landscaping plan, and the erosion control plan and mitigation plan.

3. Compliance with requirements of LUC 20.25H – Critical Areas Overlay District

a. Dimensional Requirements per Shoreline Overlay District:

	Required	Proposed
1. Shoreline Critical Area Buffer:	25'	25'
2. Shoreline Critical Area Structure Setback:	25'	Modified per (4) below

b. Dimensional Requirements per Geologic Hazard Overlay District (Steep Slopes)

	Required	Proposed
1. Critical Area Buffer at Top of Slope	50'	50'

2. Critical Area Structure Setback at Top of Slope	None	NA
3. Critical Area Buffer at Toe of Slope	None	NA
4. Critical Area Structure Setback at Toe of Slope	75'	0'-4" 2'-8" (approx.)

4. Modifications to Critical Area Structure Setback – LUC_20.25H.115.C.3.a

Modification of the Critical Area Structure Setback is allowed for the primary structure only, when existing development on the immediately adjacent properties extends into the required Structure Setback of 25' from the Shoreline Critical Area Buffer, which is the case for the subject property. A line drawn between the portion of each adjacent primary structure that most encroaches into the required structure setback yields the resultant shoreline critical area structure setback for this site, as shown on the site plan. The southeast corner of the proposed primary structure (to foundation) is located approximately ~~5'-2" 5'-0"~~ landward of the modified structure setback at its southeast corner, and approximately 11'-9" landward of the modified structure setback at its northeast corner. The proposed modification of the primary structure setback is permissible under the zoning code, and does not require any mitigation.

~~The proposed cantilevered terrace at the main floor level, one floor above grade at the east elevation, falls mostly landward of the modified structure setback; it extends into the setback approximately 6'-2" at its southeast corner and approximately 2'-3" at its northeast corner. Approval for the incursion into the modified structure setback is requested on the basis of three factors:~~

- ~~a. The primary structure is held back landward from the modified structure setback by a considerable distance;~~
- ~~b. The proposed deck is cantilevered from the face of the primary structure one floor above grade, minimizing ground disturbance and allowing for clear views along the face of the primary structure without intervening structural posts or supporting walls;~~
- ~~c. Mitigation plantings are proposed for a 15'-0" swath of land located between the existing shoreline mitigation and the modified structure setback. (See paragraph C.5.b above for further information.)~~

The modification to the primary structure setback as described above does not also extend to non-primary structure elements. Those elements include a paved terrace at grade, and an adjacent fire pit/seating area. Above grade, there are cantilevered decks at the main and upper floors that are entirely within the 25' Shoreline Setback. Approval for the construction of these elements is therefore requested under the Critical Areas process. Mitigation is proposed for all these elements, within the newly established Shoreline Mitigation Area described above. Additional factors include the following:

- a. The primary structure has been held back from the allowable limit set by the modified shoreline structure setback, by 5'-0" at the southeast corner, and 11'-8" at the northeast corner. That has lessened the excavation required within the 25' width of

the structure setback, has lessened the impact to view corridors for adjacent properties, and has lessened the impact of structure shadowing in the Critical Areas buffer and at the shoreline.

- b. The proposed decks at the main and upper floors have been cantilevered from the face of the building, eliminating structural posts. That has lessened the excavation impact on the ground surface, and improved the view corridor from adjacent properties.
- c. There have been reductions to the area of the terrace at grade, as well as both of the cantilevered decks. In addition, a concrete bench has been deleted adjacent to the fire pit feature. Those reductions have increased available planting area within the structure setback, and reduced the potential for shadowing within the shoreline buffer.

5. Performance Standards – Landslide Hazards and Steep Slopes – LUC 20.25H.125

~~d.b.~~ *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. The primary portion of the residence is positioned to take advantage of the flattest part of the existing topography of the site, where the existing cottage is currently located. The garage, which abuts Steep Slope #1, is placed vertically at Elevation 50 in order to minimize excavation adjacent to the steep slope as much as possible. The west wall of the garage will be designed as a retaining wall to allow the retention of the existing grades in that area, and will be designed with additional height to act as a surge barrier to resist potential soil movement. Locating the garage and entry foyer at the mid-level allows for stepping down of the foundation to the lower level, as the natural grade falls toward the lake. Placement of the mechanical room under the entry foyer reduces fill that otherwise would have been required in this area. Some compacted fill will however be necessary under the garage, and in order to construct the parking pad and walkway approach to the entry foyer. The footprint of the house was minimized as much as possible by the design of a three-story structure, which has resulted in a smaller footprint than would be required for a two-story structure of the same program and square footage.*

~~e.c.~~ *Structures and improvements shall be located to preserve the most critical portion of the site and its natural landforms and vegetation. The garage abuts the lowest portion of the steep slope, but is situated to minimize contact with the steep slope area itself. Excavation at this area will be limited to the trenching necessary to construct the retaining wall at the west wall of the garage. Minor excavation at the bottom of Steep Slope #1 is indicated to facilitate the movement of vehicles into the garage, and to accommodate the movement of vehicles within the shared access easement. Backfilling in this area will restore the natural contour of the land. Vegetation in this area of the site (westward of the garage) is currently comprised of invasive and non-native species, and will be improved in its performance characteristics per the accompanying mitigation plans. The primary portion of the residence is placed to coincide with the footprint of the existing house as much as possible, and additional site disturbance within the modified shorelines structure setback is minimized as much as feasible. To this*

end, the primary exterior living area is located at the main level, a story above grade, and is cantilevered over the topography below, lessening the disturbance to the ground plane in this area, and allowing for increased opportunities for vegetation and improved sightlines along the shoreline for the adjacent properties. The lack of supporting posts will also minimize ground disturbance and visual distraction in this area.

~~f.d.~~ *The proposed development shall not result in greater risk or a need for increased buffers on neighboring properties. The proposal does not engender any increased risk for adjacent properties. Minimal alterations to grades are proposed along the north property line, where the setback is narrower. In addition, an An existing retaining wall roughly parallel with the property line is scheduled to remain at its eastern end, but a portion at its western end will be removed where modification of the grade upward will negate the necessity of the wall in that area. At the south property line, final grades at the parking pad and the adjacent exterior stairs will be coordinated with the adjacent neighbors, who are simultaneously developing plans for the redevelopment of their property. (Permit Number 13-136011 LO)*

~~g.e.~~ *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. The west wall of the proposed garage will serve to maintain the existing natural slope at the toe of Steep Slope Area #1. The foundation wall along the west wall of the subterranean mechanical room will retain the filled soil necessary to support the garage slab. Along the north property line, the existing grades are being retained with minor modifications. Along the south property line, a proposed stair will act as a retaining system to make the transition in finished grade elevation from the parking area to the natural grade along the south side of the main part of the house. A narrow rockery area will be developed to allow for final coordination of grade between the site stair and the concurrent re-grading at the adjacent property.*

~~h.f.~~ *Development shall be designed to minimize impervious surfaces within the critical area and critical area buffer. No new impervious surfaces are proposed within the required buffer at the top of the steep slope critical area. Minor incursion of new impervious surface, amounting to about 40_20 square feet, is proposed at the very bottom of Steep Slope #1. New impervious surfaces at the shorelines critical area and buffer are limited to a new path to access the dock, concrete stair at a sloping section of the buffer; permeable pavers are indicated for the relatively flat portion adjacent to the dock.*

~~i.g.~~ *Where change in grade outside the building footprint is necessary, the site retention system should be stepped and re-grading should be designed to minimize topographic modification. As described previously, re-grading at the north side yard is minimal in nature, and conforms fairly closely to the existing grades. At the south side yard, the fill necessary to create a more or less level parking pad in front of the garage will be matched by anticipated development at the adjacent property. The proposed exterior stair will act as a stepped retaining system to form the grade transition from the parking area down to naturally-occurring grades adjacent to the southeast corner of the main residence. A narrow rockery will be incorporated to allow*

coordination with new grades at the adjoining property. Very minimal re-grading is anticipated between the east face of the new house and the edge of the critical area buffer. There is no proposed re-grading within the Shorelines Critical Area buffer, **with the exception of the placement of a small amount of gravel mix to create a naturalized beach area, as described on the attached mitigation drawings.**

j.h. *Building foundation walls shall be utilized as retaining walls rather than rockeries or retaining structures built separately away from the building whenever possible. The west wall of the garage serves to retain the toe of Steep Slope Area #1, and to act as a surge barrier in the event of soils movement at the steep slope. The retaining wall at the west wall of the subterranean Mechanical Room will retain the area of structurally-compacted fill at the garage and the parking pad. Because of the shared access easement with the adjoining neighbor to the south, the parking and turn-around area must be built up to approximate elevation 50 to provide access to both parking garages. The site stair system south of the house entry will serve as a terraced retaining feature between the house and the south property line, to make the transition between the raised area of the parking pad and the natural topography south of the primary residence. Rockeries shall be limited to a narrow band between the site stair and the property line. -There are no additional retaining systems proposed separate from the building footprint.*

k.i. *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. The proposed structure is configured and located to avoid the area of steep slope in excess of 40 percent.*

l.j. *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. The proposed structure is configured and located to avoid the area of steep slope in excess of 40 percent, with the exception of a minor portion of the toe of Steep Slope #1, comprising approximately 20 sf. Mitigation is proposed for this minor incursion at the adjacent mitigation area.*

m.k. *_____ 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 2025H.210. The accompanying Mitigation and Restoration Plan was developed to address the following issues:*

1. Reduction of the steep slope setback from the required 75' from toe of slope to less than one foot.
2. Minor disturbance to the lowest portion of Steep Slope #1, for excavation and placement of the retaining/catchment wall at the west wall of the garage and the western edge of the driveway approach to the garage.
3. **Establishment of the new Steep Slope Mitigation Area, which will include Removal removal of non-native and invasive vegetation at that portion of Steep Slope #1 that**

will be disturbed by excavation and construction activities, and replacement with native landscaping materials.

- ~~4. Installation of new planting materials at the Shoreline Critical Area Buffer to mitigate for the proposed incursion of the cantilevered deck beyond the modified Shoreline Critical Area Structure Setback.~~
- ~~5. The re-design and replacement of previously installed mitigation along the shoreline, installed to satisfy permit requirements for the construction of a new dock, which has subsequently suffered wave damage and appears to be failing.~~
4. Establishment of the new Shoreline Mitigation Area, which will include mitigation for proposed site improvements within the 25' Shoreline Structure Setback and Buffer. This area will also replace the existing Dock Mitigation area that was established under previous permit for the construction of the dock.
- ~~6.5.~~ The replacement of caliper inches to satisfy the requirements for tree retention, due to the removal of two of the three significant trees on the site.

6. Consistency with LUC 20.25H.230

“The critical areas report is intended to provide flexibility for sites where the expected critical area functions and values are not present due to degraded conditions or other unique site characteristics, or for proposals providing unique design or protection of critical area functions and values not anticipated by this part.” ... “Generally, the critical areas report must demonstrate that the proposal with the requested modifications leads to equivalent or better protection of critical area functions and values than would result from the application of the standard requirements. Where the proposal involved restoration of degraded conditions in exchange for a reduction in regulated critical area buffer on a site the critical areas report must demonstrate a net increase in certain critical area functions.” **With respect to the Steep Slopes, the proposal does not adversely affect slope stability or degrade critical area function. The proposal will in effect improve the critical area function by providing additional protection against soil movement by virtue of the catchment wall at the west side of the garage. The proposed mitigation plantings will offer improved habitat for birds and small wildlife, and increase precipitation interception, increasing slope stability and lessening run-off in the direction of Lake Sammamish. Additional mitigation plantings at the Shorelines Critical Area Buffer will increase soil stability, lessen run-off in the direction of Lake Sammamish, and improve opportunities for wildlife feeding and sheltering within direct proximity to the Lake. These improvements would not take place on this site without the granting of relief from the setback requirement from the toe of the steep slope setback, as development of this site would not be economically feasible if it were limited to the minimal and poorly-configured footprint available under the standard application of development guidelines.**

E. DECISION CRITERIA

1. Critical Areas Report Decision Criteria – LUC 20.25H.255.B

- 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.*

The mitigation plan represents an improvement to the quality and functions of the plantings currently existing at the front yard, at steep slope #1, as well as the shorelines critical area buffer.

- b. *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. The proposal represents an improvement in critical area functions. The stability of Steep Slope #1 is enhanced by the incorporation of the proposed surge wall at the west wall of the garage, which will restrain any uncontrolled movement of the slope. The proposed re-introduction of a gravel beach and intermittently-spaced boulders at the shoreline will serve to stabilize the floodplain and adjacent slope, and reduce erosion caused by wave action. Additional measures are noted in Part 1.c below.*
- c. *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. The removal of non-native and invasive species at a portion of Steep Slope #1, and replacement with native species per the landscaping and mitigation plans, represent improvements to a degraded critical area. The proposed planting of native materials at the Shorelines Critical Area Buffer to replace the existing grass turf represent improvements in critical area buffer functions, and should result in increased rainwater retention and decreased silting into the lake, as well as improved habitat for shore birds and other lake-associated wildlife. The introduction of a modest gravel beach, intermittent boulders on or adjacent to the Ordinary High Water Mark, and the introduction of emergent plant materials waterward of the OHWM ~~The proposed improvements at the Existing Mitigation Area, immediately adjacent to the shoreline,~~ represent substantial improvement to the sustainability of the shoreline, as well as improved habitat for both fish and birds.*
- d. *The proposal includes a net gain in storm water quality function by the critical area buffer or by elements of the development proposal outside of the reduced regulated critical area buffer. The proposed restoration plantings at the Shoreline Critical Area Buffer will increase the storm water quality function of the buffer, due to the slowing and lessening of storm water run-off, and the increased filtering capacity of the plantings resulting in less sediment discharge to the lake. Additional proposed plantings outside of the critical areas will also contribute to precipitation interception.*
- e. *Adequate resources to ensure completion of any required restoration, mitigation, and monitoring efforts. The applicant will perform the restoration and mitigation shown on the mitigation plan, and will comply with reasonable requirements imposed by the City for mitigation/restoration monitoring or performance bonds.*
- f. *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 proposed development does not create negative impacts to adjacent critical area and critical area buffers.*
- g. *The resulting development is compatible with other uses and development in the same land use district. The proposed development for an owner-occupied single-family residence is compatible with the surrounding single-family homes in this area.*

2. Critical Area Land Use Permit Decision Criteria – 20.30P.140

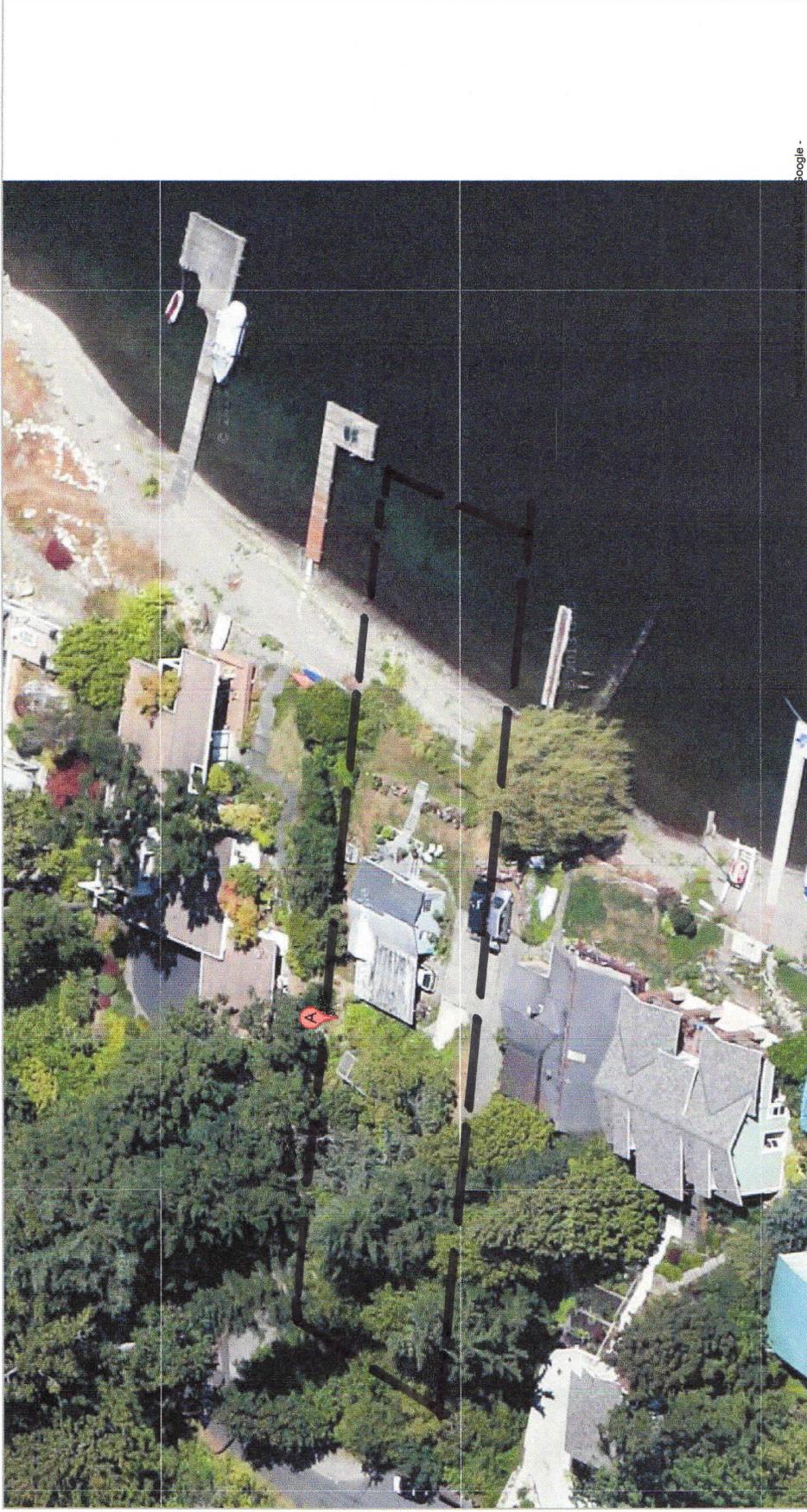
- a. The proposal obtains all other permits required by the Land Use Code. **Upon approval of the Critical Area Land Use Permit, the applicant will apply for and obtain a building permit and any other associated permits prior to beginning construction.**
- b. The proposal utilizes to the maximum extent possible the best available construction, design, and development techniques which result in the least impact on the critical area and critical area buffer. **The proposal has endeavored to minimize the impacts on the steep slope and shoreline critical areas to the maximum extent possible. Placement of the garage was made to minimize impacts upon the Steep Slope critical areas, in plan and section. Placement of the main portion of the residence was made to site it in the flattest part of the site, and with respect to the modified Shorelines Critical Area Structure Setback.**
- c. The proposal incorporates the performance standards of Part 20.25H to the maximum extent applicable. **The proposal has endeavored to meet the performance standards of LUC 20.25H to the greatest extent possible, given the multiple conflicting requirements imposed on the site.**
- d. The proposal will be served by adequate public facilities including street, fire protection, and utilities. **The proposed development for a single-family residence, replacing the existing single-family residence on the site, will not impose any additional burden or impact to the provision of City services.**
- e. The proposal includes a mitigation or restoration plan consistent with the requirements of LUC Section 20.25H.210. **Mitigation is proposed for the Shoreline Critical Area Buffer, ~~(Mitigation Area “A”)~~, as well as the Steep Slope Critical Areas, ~~(Mitigation Area “B”)~~. Additional mitigation is proposed directly adjacent to the shoreline, to address the failure of mitigation work previously installed under separate permit. All mitigation work will be installed in accordance with the mitigation drawings and narrative on the attached Drawings MRP-1 and MRP-2, ~~landscape drawings L1 and L2.~~**
- f. The proposal complies with other applicable requirements of this code. **The proposal complies with all other applicable requirements of the Land Use Code, and will demonstrate full compliance with all applicable requirements of the land use and building codes at the submission for building permit.**

F. APPENDIX – SITE DOCUMENTATION

1. Aerial Photo of Site (boundaries of site delineated)
2. Photo – Looking west from shoreline (Shorelines Critical Area Buffer and Setback)
3. Photo – Looking north along shoreline (Shorelines Critical Area Buffer and Setback)
4. Photo – Looking northwest from southwest corner of site (Toe of Steep Slope #1)



To see all the details that are visible on the screen, use the "Print" link next to the map.





1650 W. Lake Sammamish Parkway NE, Bellevue, WA
Looking west from shoreline



1650 W. Lake Sammamish Parkway NE, Bellevue, WA
Looking North along shoreline



1650 W. Lake Sammamish Parkway NE, Bellevue, WA
Looking Northwest from Southwest corner of site