



**City of Bellevue  
Development Services Department  
Land Use Staff Report**

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**Proposal Name:** Lot 52 Forest Hill # 3

**Proposal Address:** 13608 SE 51st Place

**Proposal Description:** This is an application for Critical Areas Land Use Permit approval to construct a driveway within a steep slope critical area and a Critical Areas Report for the reduction of steep slope critical area structure setbacks to construct a new single family home.

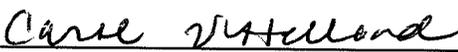
**File Number:** 07-108191-LO

**Applicant:** George Sheng

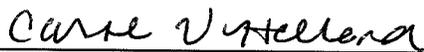
**Decisions Included:** Critical Areas Land Use Permit  
(Process II. LUC 20.30P)

**Planner:** Drew Folsom , Assistant Planner

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

  
\_\_\_\_\_  
Carol V. Helland, Environmental Coordinator  
Development Services Department

**Director's Recommendation:** **Approval with Conditions**  
Michael A. Brennan, Director  
Development Services Department

By:   
\_\_\_\_\_  
Carol V. Helland, Land Use Director

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Application Date: March 5, 2007  
Notice of Application Publication Date: May 3, 2007  
Decision Publication Date: January 29, 2009  
Project/SEPA Appeal Deadline: February 12, 2009

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For information on how to appeal a proposal, visit Development Services Center at City Hall or call (425) 452-6800. Comments on State Environmental Policy Act (SEPA) Determinations can be made with or without appealing the proposal within the noted comment period for a SEPA Determination. Appeal of the Decision must be received in the City's Clerk's Office by 5 PM on the date noted for appeal of the decision.

**I. Proposal Description**

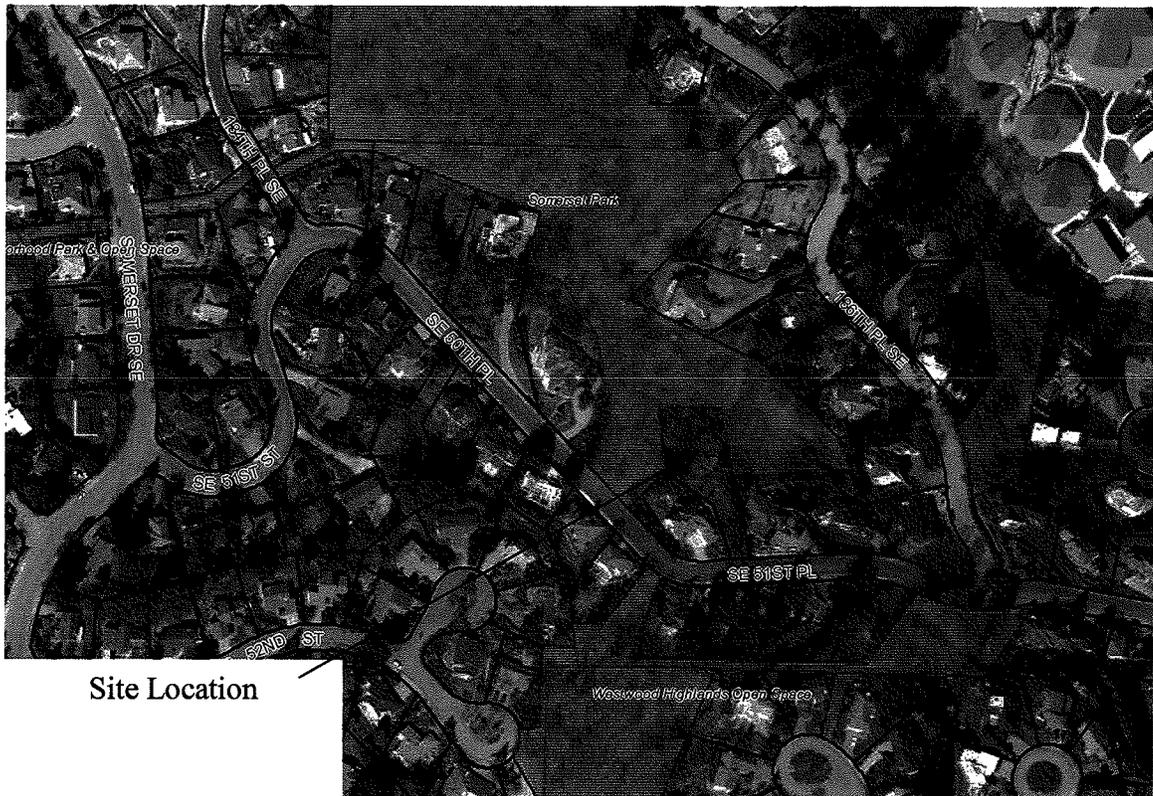
The applicant proposes to construct a new single family home at 13608 SE 51<sup>st</sup> Place. The property is an undeveloped lot located in the R-3.5 single family residential zoning district. Vehicle access to the home will be gained via a proposed driveway located within a 2,050 square foot steep slope critical area, and within toe-of slope structural setback from steep slope critical areas. The proposed 10 foot wide driveway and associated rockeries are located in the only area which is possible to gain vehicular access to the lot via SE 51<sup>st</sup> Place. The driveway and associated rockeries are an allowed use per LUC 20.25H.055 and require approval of a Critical Areas Land Use Permit per the decision criteria of LUC 20.30P.

The proposed single family residence will be located within toe of slope structural setbacks from steep slope critical areas located on the north and eastern edges of the property. The proposed residence is located in the southern central portion of the lot in an area of approximately 15 - 35 percent grade. The proposal will modify the northern slope setback to 20 feet and the eastern slope setback at the closest point to 10 feet. Pursuant to Land Use Code (LUC) 20.25H.015.B, any disturbance or modifications of a critical area structure setbacks requires a Critical Areas Report and review and approval of a Critical Areas Land Use Permit per the decision criteria of LUC 20.30P.

## II. Site Description, Zoning, Land Use and Critical Areas

### A. Site Description

#### Vicinity Map



The subject property is identified by King County tax parcel number 2600020520. It is located at 13608 SE 51<sup>st</sup> Place. The lot is approximately 237' wide by 97' deep including a southern panhandle and is 16,950 square feet in area.

### B. Zoning

The subject property is zoned R-3.5, Single Family Residential. The site lies within the Newport Hills subarea and has a Comprehensive Plan land use designation of Single Family Medium.

### **C. Land Use Context**

The property is located in an area developed with existing single family residences. Access to the site is provided by SE 51st Place from the south. The site is bordered on the north, and portions of the east and west by an undeveloped natural area, Somerset Park. Somerset Park is owned and managed by the City of Bellevue.

### **D. Critical Areas Functions and Values**

**Geologic Hazard Area - Steep Slopes:** Geologic Hazard Areas (GHAs) are defined by the City of Bellevue Land Use Code as: those areas with slopes of 40 percent or more that have a rise of at least 10 feet and exceed 1,000 square feet in area. The property contains portions of three slopes with greater than 40% grade.

The first steep slope critical area is at the south end of the property and is located within the only area the lot can reasonably gain access. There is an existing 8 -10 foot concrete retaining wall at the east side of this slope, and a slope cut rockery wall at the west side.

The second steep slope critical area is along the east property line. The toe of this slope is predominately located about 25 feet from the eastern edge of the property line with a small area of approximately 336 square feet extending into the property.

The third steep slope critical area is along the northern edge of the property. Approximately 965 square feet of the slope is located in the northwest edge of the property and the remaining portion is located 15 - 25 feet from the north property line.

The driveways and associated rockeries will be located within the south steep slope critical area and within the toe of slope setback from the eastern slope to a distance of 10 feet. The proposed house is located within the toe of slope structure setback from the eastern and northern slope. The proposal will modify the eastern toe of slope setback to 15 feet and the northern slope setback to 20 feet.

The south slope is the only critical area or critical area buffer to be disturbed as part of this proposal.

**III. Consistency with Land Use Code Requirements:**

**A. Zoning District Dimensional Requirements:**

The property is zoned R-3.5. The proposal is consistent with the underlying zoning district and applicable dimensional requirements based on the materials submitted.

<b>BASIC INFORMATION</b>			
<b>Zoning District</b>	R-3.5		
<b>Gross Site Area</b>	16,950 square feet		
<b>Critical Area or Critical Area Buffer</b>	3,411 square feet (steep slope)		
<b>ITEM</b>	<b>REQ'D/ALLOWE D</b>	<b>PROPOSED</b>	<b>COMMENT</b>
<b>Building Setbacks</b>			Dimensional requirements may be modified pursuant to 20.25H.040 to avoid critical area impacts
Front Yard	20 feet	20 feet	
Rear Yard	25 feet	25 feet or greater	
Min. Side Yard	5 feet	5 feet or greater	
2 Side Yard	15 feet	15 feet or greater	
Access Easement	10-feet	10 feet or greater	

**B. Critical Areas Requirements LUC 20.25H:**

Bellevue's Land Use Code (LUC) Section 20.25H.120 designates steep slopes of 40 percent or greater that have a rise of at least 10 feet and exceed 1,000 square feet in area as critical areas. The proposed driveway and retaining walls are allowed uses per LUC 20.25.055. All development within the steep slope critical area structure setback must meet the requirements of 20.25H.120.C.

**Performance Standards for Specific Uses or Development LUC Section 20.25H.055**

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

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

**Finding:** The proposal is designed to minimize alterations to the steep slope critical areas and critical area buffers. The disturbance of steep slope critical area and critical area buffer is limited to the driveway and

associated rockeries. The design of the proposed home uses a tiered foundation to conform to the existing topography.

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

**Finding:** The proposal is designed to limit the disturbance of the critical area and critical buffer to the area where disturbance is necessary for driveway access.

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

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

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

**Finding:** Rockeries and retaining walls have been proposed to limit the disturbance of steep slope critical area and buffers.

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

**Finding:** Impervious surfaces within the critical area and critical area buffer is limited to approximately 700 square feet and is only located in the area necessary to gain access.

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

**Finding:** Retaining walls are stepped and designed to minimize topographic modification. Regrading is minimized and the only proposed grading on slopes in excess of 40 percent is for the driveway access.

- g) Building foundation walls shall be utilized as retaining walls rather than rockeries or retaining structures built separately and away from the building wherever feasible. Freestanding retaining**

**devices are only permitted when they cannot be designed as structural elements of the building foundation;**

**Finding:** Freestanding retaining devices within the critical area or critical area buffers are limited to those necessary to gain access to the property.

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

**Finding:** This proposal does not include construction within 40% percent slopes beyond the proposed driveway and associated rockeries.

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

**Finding:** This proposal does not include garages or parking on slopes in excess of 40 percent.

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

**Finding:** All areas of temporary and permanent disturbance within the critical area and critical area buffer will be restored per a restoration and mitigation plan. This plan is required to follow template A-1 in the critical areas handbook for sunny steep slopes. See related condition of approval in Section IX

**LUC Section 20.25H.120.C:**

There are no specific performance standards associated with critical area structure setbacks, however, the proposal must comply with the stated intent of the structure setback pursuant to LUC 20.25H.120.C.

- a. Minimize long-term impacts of development adjacent to critical areas and critical area buffers**

**Finding:** The supporting geotechnical documentation concludes that placement of the proposed development within structure setback poses no impact to the slope.

**b. Protect critical areas and critical area buffers from adverse impacts during construction.**

**Finding:** No disturbance of the critical area or critical area buffer is proposed or will be allowed as part of this permit except for the driveway and associated rockeries as an allowed use. A temporary erosion and sedimentation control plan must be implemented with the review and approval of the associated combination building permit. See related condition of approval in Section IX.

**IV. Consistency with Critical Areas Report LUC 20.25.230.**

The applicant supplied a critical areas report detailing the geotechnical impacts of the proposal prepared by Earth Consultants, Inc, a qualified professional. The report met the minimum requirements in LUC 20.25H.250. The development must be constructed in accordance with the recommendations presented in the geotechnical report. See related condition of approval in Section IX

**V. Public Notice and Comment**

Application Date: March 5, 2007  
Public Notice (500 feet): May 3, 2007  
Minimum Comment Period: May 17, 2007

The Notice of Application for this project was published in the King County Journal and the City of Bellevue weekly permit bulletin on May 3, 2007. It was mailed to property owners within 500 feet of the project site. One comment has been received from the public as of the writing of this staff report.

Comment was received regarding the proposal's impact on neighboring critical areas, an old growth snag on the property, and impervious surface.

• **Impact on neighboring critical areas:**

**City Response:** Disturbance of critical area and critical area buffer is limited to the southern steep slope area. This disturbance is necessary to gain access to the property and is limited to the driveway and associated rockeries. Disturbance of this area will be mitigated by replanting the remaining area of the steep slope with native vegetation. No disturbance of the remaining critical area or critical area buffers is proposed on the property.

A geotechnical report was prepared by Earth Consultants, Inc. which showed the proposal could be completed with no negative impact to the stability of the critical areas located on and off site. The applicant also provided supporting engineering detail for the driveway showing the proposal will increase the passive earth resistance to the existing retaining wall located north of the property. See related conditions of approval in Section IX

- **Old growth snag on property**

**City Response:** A snag is located in the southeast corner of the property. The location of the snag is approximately 10 feet from the proposed house and access driveway. The proposed new single family building permit and revegetation plans must demonstrate that the snag will be preserved. See related conditions of approval in Section IX

- **Impervious Surface:**

**City Response:** The proposal originally stated that the impervious surface would be 48 percent. The method to calculate impervious surface was incorrect. A redesign of the proposal and recalculation of the impervious surface show that the proposed impervious surface will be 38 percent. The maximum allowed impervious surface for the R-3.5 zoning district is 50 percent.

## **VI. Summary of Technical Reviews**

### **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. The Clearing and Grading staff found no issues with the proposed development and concurred with the findings within the Geotechnical Report.

## **VII. 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**

The proposed project will require disturbance of a steep slope critical area in order to construct a driveway and associated rockeries. The proposal will also modify steep slope critical area structure setbacks. The geotechnical report completed by Earth Consultants Inc., in 2004, with addendums in 2007 identified the soils as generally underlain by glacial overridden deposits. The grade of the slope on site ranges from 15 - 50 percent. The geotechnical engineer provides suggestions regarding erosion and sediment control best management practices (BMPs).

Approval for specific erosion control BMPs will be part of the combination building and clearing and grading permit review and approval process.

Site analysis was completed by Earth Consultants, Inc in 2004, with addendums in 2007. The most recent addendum dated March 1, 2007 analyzed the current proposal and probable impacts to driveway and rockery locations within the 2,050 square foot steep slope critical area, and the rockery and house location which would modify the 75-foot steep slope toe of slope structural setback in accordance with the requirements of LUC Section 20.25H. As part of the assessment, Earth Consultants, Inc. performed a review of the pertinent geological maps, conducted a site reconnaissance to observe local topographic features, and excavated three borings to delineate the site soil conditions. No ground water seeps or surface water erosions were seen on the site. The geotechnical engineer assessed the potential for deep-seated rotational instability of the slopes and found no signs of deep-seated rotational failures, such as slumps or hummocky terrain. The engineer concluded that the construction of the driveway and location of the single family residence will not increase the potential for deep-seated rotational failure or compromise the safety of the site and surrounding properties provided the development of the driveway and residence is conducted in accordance with the recommendations presented in the 2004 geotechnical report and subsequent addendum dated March 1, 2007. The applicant has proposed to mitigate permanent disturbance of the steep slope critical area by providing a native plant restoration on the disturbed steep slope. This plan includes new shrubs and ground cover based on the templates in the City of Bellevue Critical Areas Handbook.

See related Conditions of Approval in Section IX

## **B. Animals**

The subject property is adjacent to Somerset Park, a forested open space property owned and managed by the City of Bellevue Parks Department. The vegetation on the site and the adjacent properties is characterized by mixed, mature, and semi-mature evergreen and deciduous trees typical of the Puget Sound lowlands. The surrounding land uses are primarily residential and urban open space.

The vegetation within the adjacent park provides habitat suitable for animal use. The City of Bellevue identifies a number of wildlife species as being locally important. There are several significant trees located on the subject property which may provide some habitat for species of local importance. As mitigation the applicant is proposing to submit a revegetation plan for the areas permanently and temporarily disturbed during construction. At a minimum, the plan must include the creation of two 20-foot snags with a minimum width of 20 inches, and planting of seven trees of the Big-leaf maple, Red Alder, and or Western red cedar variety.

The proposed development of the single family residence will permanently disturb critical area for the driveway and associated rockeries allowed by the Land Use Code. Construction on the site would likely result in rapid and predictable reduction in numbers of animals and the loss of some species within selected

habitats due to habitat destruction, fragmentation, acceleration of edge and distance effects, and human disturbance. These impacts, though adverse, are not environmentally significant and will be mitigated to some extent by the creation of two new snags, and replanting of the disturbed critical area with native vegetation.

The introduction of two new snags is consistent with Washington Department of Wildlife recommendations. All areas of permanent and temporary disturbance will be restored and monitored pursuant to an approved restoration and monitoring plan. See Conditions of Approval in Section IX of this report.

### **C. Plants**

The vegetation on the site consists of a mixed conifer/deciduous forest. The predominant overstory tree species are big leaf maple (*Acer macrophyllum*), Douglas-fir (*Pseudotsuga menziesii*), and Madrona (*Arbutus menziesii*). There is a wide range of sizes, with the predominate number of trees being 8" to 28" in diameter at breast height. The understory is typical of the Puget Sound lowlands with a high occurrence of sword fern (*Polystichum munitum*), and Oregon grape (*Mahonia nervosa*).

Seven significant trees will be removed as part of the proposal including: 8, 10, 16, 38, and 40 inch width Madrona, a 60 inch twin maple, and a 50 inch maple cluster. All proposed tree removal will be outside the critical area or critical area buffers. The applicant is required to submit a revegetation plan for the areas temporarily disturbed during construction. This plan is required to follow template A-1 in the critical areas handbook for sunny steep slopes.

The applicant is proposing to retain six significant trees located on the northern half of the property, adjacent to neighboring property (Somerset Park). Two of the trees located closest to the proposed building site will become 20 foot snags if damaged during construction. See Conditions of Approval in Section IX of this report.

### **D. Noise**

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

**VII. Decision Criteria**

**A. Critical Areas Report Decision Criteria- General Criteria LUC 20.25H.255**

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;**

**Finding:** As demonstrated in the geotechnical report completed by Earth Consultants, Inc in 2004, with addendums in 2007, and the required revegetation plan the proposed reduction of critical area structure setbacks will lead to levels of protection of the critical area steep slope at least as protective as the application of the regulations and standards of land use code 20.25H.

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

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

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

**Finding:** As demonstrated in the geotechnical report completed by Earth Consultants, Inc in 2004, with addendums in 2007 the proposed reduction of critical area structure setbacks are not detrimental to the functions of the critical area and critical area buffers off-site.

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

**Finding:** The proposed development of a single family home and access driveway is compatible with other uses and development in the R-3.5 zoning district.

**B. Critical Areas Land Use Permit Decision Criteria 20.30P**

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

- 1. The proposal obtains all other permits required by the Land Use Code;**

**Finding:** The applicant must obtain a new single family combination building permit prior to implementation of the project.

- 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;**

**Finding:** The proposal is designed to impact the critical area and critical area buffer only where necessary to gain access to the property.

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

**Finding:** As discussed in Section III above, the proposal incorporates the performance standards of land use code section 20.25H to the maximum extent possible.

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

**Finding:** The site is adequately served by existing public facilities.

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

**Finding:** The applicant will be required to implement the site mitigation/restoration plan. See related condition of approval in Section IX.

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

**Finding:** As conditioned and discussed in this report, the proposal complies with all applicable code requirements.

**VIII. 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 proposal to construct a driveway within a 2,050 SF protected slope area and reduce the Critical Area Structure setbacks to construct a new single family home.

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

**IX. Conditions of Approval**

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

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

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

**1. Restoration and Mitigation Plan:** A restoration and mitigation plan is required to be submitted for review and approval by the City of Bellevue as a component of the Single-Family Building Permit. The plan shall identify the full areas of impacts expected by the construction of the single-family residence and driveway and rocky walls. The restoration and mitigation measures should, to the maximum extent feasible, attempt to mimic the existing desirable on-site conditions prior to any disturbance. This plan is required to follow template A-1 in the critical areas handbook for sunny steep slopes. A minimum of 7 trees of the Big-leaf maple, Red Alder, or Western red cedar variety, and two 20 foot snags with a minimum width of 20 inches will need to be included in this plan. The preservation of the existing snag located approximately 10 feet from the proposed house and access driveway will need to be indicated on the plan. The monitoring plan shall establish site-specific performance standards for the restoration efforts to ensure compliance with

applicable performance standards set forth in LUC 20.25H. The area will be monitored for a period of not less than five (5) years.

Authority: Land Use Code 20.25H.220.H  
Reviewer: Drew Folsom, Development Services Department

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

Authority: Land Use Code Section 20.25H.125.J and 20.25H.220.F  
Reviewer: Drew Folsom, Development Services Department

**3. Rainy Season restrictions:** Due to the proximity to a steep slope critical area, no clearing and grading activity may occur during the rainy season, which is defined as November 1 through April 30 without written authorization of the 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, Development Services Department

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

Authority: Land Use Code 20.30P.140  
Reviewer: Drew Folsom, Development Services Department

**5. Noise Control:** The proposal will be subject to noise control hours of 7 am to 6 pm Monday through Friday and 9 am to 6 pm on Saturdays, except for Federal holidays and as further defined by the Bellevue City Code. Upon written request to the Development Services Department, work hours may be extended to 10 pm if the criteria for extension of work hours as stated in BCC 9.18 can be met.

Authority: Bellevue City Code 9.18  
Reviewer: Drew Folsom, Development Services Department

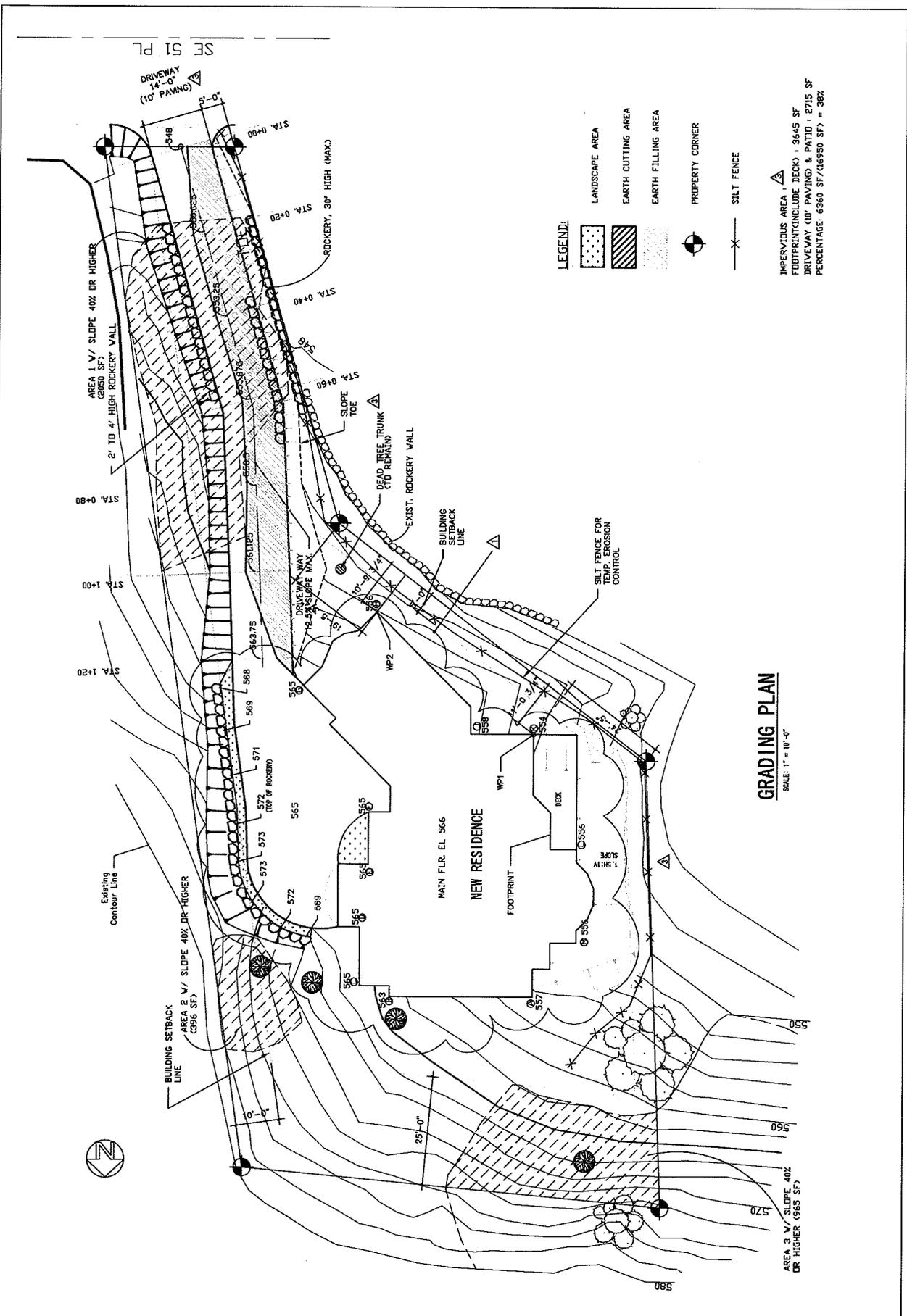
Lot 52 Forest Hill #3  
13608 SE 51<sup>st</sup> Place  
07-108191-LO  
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**6. Geotechnical Recommendations:** The project geotechnical engineer or his representative must be onsite during critical earthwork operations. The engineer must submit field reports in writing to the clear and grade inspector for soils verification and construction. The development must be constructed in accordance with the recommendations presented in the geotechnical report prepared by Earth Consultants Inc.

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

#### **Attachments**

1. Environmental Checklist
2. Site Plan



LEGEND:

- LANDSCAPE AREA
- EARTH CUTTING AREA
- EARTH FILLING AREA
- PROPERTY CORNER
- SILT FENCE

IMPERVIOUS AREA: ▲  
 FOOTPRINT (INCLUDE DECK): 3,645 SF  
 DRIVEWAY (10' PAVING) & PATIO: 2,715 SF  
 PERCENTAGE: 6,360 SF / (16,950 SF) = 38%

**GRADING PLAN**  
SCALE: 1" = 10'-0"

AREA 1 W/ SLOPE 40% DR HIGHER (6050 SF)  
 2' TO 4' HIGH ROCKERY WALL  
 AREA 2 W/ SLOPE 40% DR HIGHER (396 SF)  
 AREA 3 W/ SLOPE 40% DR HIGHER (565 SF)

SE 51 PL

DRIVEWAY 14'-0" (10' PAVING)

AREA 1 W/ SLOPE 40% DR HIGHER (6050 SF)  
2' TO 4' HIGH ROCKERY WALL

AREA 2 W/ SLOPE 40% DR HIGHER (396 SF)

AREA 3 W/ SLOPE 40% DR HIGHER (565 SF)

EXIST. ROCKERY WALL

DEAD TREE TRUNK (TO REMAIN)

EXIST. ROCKERY WALL

NEW RESIDENCE

MAIN FLR. EL. 566

FOOTPRINT

DECK

SILT FENCE FOR TEMP. EROSION CONTROL

SCALE: 1" = 10'-0"



DEVELOPMENT SERVICES DEPARTMENT  
ENVIRONMENTAL COORDINATOR  
450 100<sup>th</sup> Ave NE., P.O. BOX 90012  
BELLEVUE, WA 98009-9012

## DETERMINATION OF NON-SIGNIFICANCE

**PROPONENT:** George Sheng

**LOCATION OF PROPOSAL:** 13608 SE 51<sup>st</sup> Place

### NAME & DESCRIPTION OF PROPOSAL:

This is an application for Critical Areas Land Use Permit approval to construct a driveway within a steep slope critical area and a Critical Areas Report for the reduction of steep slope critical area structure setbacks to construct a new single family home.

**FILE NUMBER:** 07-108191-LO

The Environmental Coordinator of the City of Bellevue has determined that this proposal does not have a probable significant adverse impact upon the environment. An Environmental Impact Statement (EIS) is not required under RCW 43.21C.030(2)(C). This decision was made after the Bellevue Environmental Coordinator reviewed the completed environmental checklist and information filed with the Land Use Division of the 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 February 12, 2009.
- This DNS is issued under WAC 197-11-340(2) and is subject to a 14-day comment period from the date below. Comments must be submitted by 5 p.m. on \_\_\_\_\_. This DNS is also subject to appeal. A written appeal must be filed in the City Clerk's Office by 5 p.m. on \_\_\_\_\_.

This DNS may be withdrawn at any time if the proposal is modified so that it is likely to have significant adverse environmental impacts; if there is significant new information indicating, or on, a proposals probable significant adverse environmental impacts (unless a non-exempt license has been issued if the proposal is a private project); or if the DNS was procured by misrepresentation or lack of material disclosure.

Carol V. Holland  
Environmental Coordinator

01/29/09  
Date

### OTHERS TO RECEIVE THIS DOCUMENT:

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

## ENVIRONMENTAL CHECKLIST

4/18/02

If you need assistance in completing the checklist or have any questions regarding the environmental review process, please visit or call the Permit Center (425-452-6864) between 8 a.m. and 4 p.m., Monday through Friday (Wednesday, 10 to 4). Our TTY number is 425-452-4636.

## BACKGROUND INFORMATION

Property Owner: Yuanjing Sheng  
 Proponent: Yuanjing Sheng  
 Contact Person: Yuanjing Sheng  
 (If different from the owner. All questions and correspondence will be directed to the individual listed.)  
 Address: 4946 131st PL. SE  
 Phone: 425 865 0401

Proposal Title: Sheng Residence  
 Proposal Location: 13608 SE 51st PL. Bellevue, WA 98006  
 (Street address and nearest cross street or intersection) Provide a legal description if available.

Please attach an 8 1/2" x 11" vicinity map that accurately locates the proposal site.

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

1. General description: TO BUILD A NEW SINGLE-FAMILY RESIDENCE ON THE VACANT LOT. TWO-STORY WITH A DAYLIGHT BASEMENT.
2. Acreage of site: 0.389 ACRE
3. Number of dwelling units/buildings to be demolished: NONE
4. Number of dwelling units/buildings to be constructed: ONE
5. Square footage of buildings to be demolished: NONE
6. Square footage of buildings to be constructed: 3492 SF
7. Quantity of earth movement (in cubic yards): 500 CY
8. Proposed land use: RESIDENTIAL (SINGLE FAMILY)
9. Design features, including building height, number of stories and proposed exterior materials:  
30' BUILDING HEIGHT, 2-STORY W/ A DAYLIGHT BASEMENT, 3-CAR GARAGE, STUCCO & WOOD SIDINGS
10. Other

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

MARCH OF 2008

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

NO

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

IN SOME AREA OF THE LOT, SLOPE OVER 40%. GEOTECHNICAL STUDY HAS BEEN PERFORMED TO DEVELOP THIS SITE

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.

NO

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.

- ① CRITICAL AREAS LAND USE PERMIT
- ② BUILDING PERMIT

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 N/A
- Preliminary Plat or Planned Unit Development Preliminary plat map N/A
- Clearing & Grading Permit Plan of existing and proposed grading Development plans N/A
- Building Permit (or Design Review)
  - Site plan
  - Clearing & grading plan
- Shoreline Management Permit Site plan N/A

A. ENVIRONMENTAL ELEMENTS

1. Earth

a. General description of the site:  Flat  Rolling  Hilly  Steep slopes  Mountains  Other

b. What is the steepest slope on the site (approximate percent slope)?

40%

c. What general types of soil are found on the site (for example, clay, sand, gravel, peat, and muck)? If you know the classification of agricultural soils, specify them and note any prime farmland.

DENSE TO VERY DENSE NATIVE SOIL W/ LARGE GRAVELS AND COBBLES

ALSO SEE GEOTECHNICAL REPORT DATED MARCH 1, 2007

D.F. 4/3/07

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

NO

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

CUT & FILL IS REQUIRED TO CONSTRUCT THE DRIVEWAY & FILLING IS REQUIRED AT THE BACK OF THE BUILDING TO GRADE THE SLOPE. FILL SOIL WILL COME FROM THE CUTTING (ON SITE).

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

BECAUSE THE SITE IS SLOPED, EROSION WILL OCCUR DURING CLEARING & GRADING STAGE. SILT FENCE WILL BE USED FOR TEMP. EROSION CONTROL

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

20% DRIVEWAY ( CONCRETE OR ASPHALT )

20% BUILDING ( INCLUDE DECK )

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

SILT FENCE WILL BE INSTALLED. PILE OF SOIL WILL BE COVERED DURING CONSTRUCTION.

EROSION FURTHER  
MITIGATED PER  
BCC 93.076.090  
"EROSION AND SEDIMENT CONTROL"

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.

DO NOT KNOW

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

DO NOT KNOW

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

DO NOT KNOW

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

NO

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appropriate, state what stream or river it flows into.

NO

- (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.

NO

- (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.

N/A

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

N/A

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

NO

- (6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

NO

b. Ground

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

NO

- (2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals...; agricultural; etc.) Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

NO

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 FROM ROOF & PAVED DRIVEWAY WILL BE COLLECTED AND DISCHARGED INTO CITY'S storm drain system.

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

NO

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

TO COVER THE UNPAVED SURFACE WITH PLANTS & VEGETATIONS

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?

2 MAPLE CLUSTERS, 2 FIRS (26"~28"Ø), 6 Madronas

REPLANT WITH NATIVE  
VEGETATION PER

20.25H.21D  
DH

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

NO

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

Keep native plants along the driveway and on the slope  
Plant new vegetations for landscaping around the building

PD. 4/5/07

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:

SITE ADJUT SOMERSET M.L.K.

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

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

DO NOT KNOW

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

DO NOT KNOW

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

DO NOT KNOW

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, NATURAL GAS AND SOLAR WILL BE USED FOR HEATING, COOKING & LIGHTING.

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

NO

c. What kinds of energy conservation features are included in the plans of the proposal? List other proposed measures to reduce or control energy impacts, if any:

THE PROJECT WILL COMPLY WITH THE LATEST BUILDING CODE TO ACHIEVE MAX. ENERGY CONSERVATION

7. Environmental Health

a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, describe.

NO

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

NO

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

N/A

Dir 4/3/07

b. Noise

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

NO

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

CONSTRUCTION ACTIVIT (EQUIPMENT OPERATION)

7:30 AM — 4:30 PM

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

NO

NOISE CONTROL  
FURTHER MITIGATED  
PER BCC 9.58  
"NOISE CONTROL"

8. Land and Shoreline Use

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

VACANT SINGLE-FAMILY LOT, RESIDENTIAL

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

NO

- c. Describe any structures on the site.

NONE

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

N/A

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

R-3.5

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

DO NOT KNOW

SINGLE FAMILY RESID

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

N/A

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

DO NOT KNOW

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

FOUR TO SIX

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

NONE

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

N/A

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

N/A

## 9. Housing

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

ONE SINGLE FAMILY HOUSE , MIDDLE TO HIGH - INCOME HOUSING.

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

NONE

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

N/A

## 10. Aesthetics

- a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?

CHIMNEY - 31'-8" (FROM AVERAGE GRADE), WOOD AND STUCCO SIDINGS.

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

NO

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

CAREFULLY POSITIONING THE HOUSE IN THE DESIGN TO CONTROL AESTHETIC IMPACT.

## 11. Light and Glare

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

LIGHTING OF THE HOUSE - NIGHT TIME

REFLECTION OF THE SUNLIGHT FROM WINDOWS - LIMITED BY WOODS - MORNING & NOON TIME.

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

NO

DT 4/3/07

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

DO NOT KNOW

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

DO NOT KNOW

## 12. Recreation

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

PARK TRAILS

b. Would the proposed project displace any existing recreational uses? If so, describe.

NO

c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:

N/A

## 13. Historic and Cultural Preservation

a. Are there any places or objects listed on, or proposed for, national, state, or local preservation registers known to be on or next to the site? If so, generally describe.

NO

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

NO

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

N/A

## 14. Transportation

a. Identify public streets and highways serving the site, and describe proposed access to the existing street system. Show on site plans, if any.

S.E. 51<sup>ST</sup> PLACE IS THE STREET THE DRIVEWAY ACCESS TO

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

NO, 1.0 miles to the transit stop on Forest Dr. SE.

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

N/A

d. Will the proposal require any new roads or streets, or improvements to existing roads or streets, not including driveways? If so, generally describe (indicate whether public or private).

NO

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

NO

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

4 to 8 trips per day for two cars per household

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

NO

15. Public Services

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

NO

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

NO

16. Utilities

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

b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

utilities circled in "a"

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..... Yuanjing Sheng, March 5, 2007

Date Submitted.....

DD 4/3/07