



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

DETERMINATION OF NON-SIGNIFICANCE

PROPONENT: Dan McCartney

LOCATION OF PROPOSAL: 17523 SE 60th Street

NAME & DESCRIPTION OF PROPOSAL:

McCartney Preliminary Conservation Short Plat
 Preliminary Conservation Short Plat and Critical Areas Land Use Permit to subdivide an approximately 7.82-acre parcel in the R-1 land use district into 4 single family lots. The site contains a steep slope, with associated buffers, and a type N stream with associated buffers. The site is to be developed as a conservation short plat because of the presence of critical areas. The proposal includes a critical area report with a request to reduce steep slope critical area buffer and structure setbacks, and type N stream structure setbacks.

FILE NUMBER: 08-132746-LN and 10-109232-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. _____.
- 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 April 15, 2010.
- 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This DNS may be withdrawn at any time if the proposal is modified so that it is likely to have significant adverse environmental impacts; if there is significant new information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.

 4/1/10
 Environmental Coordinator Date

OTHERS TO RECEIVE THIS DOCUMENT:

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



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

Proposal Name: McCartney Preliminary Conservation Short Plat

Proposal Address: 17523 SE 60th Street

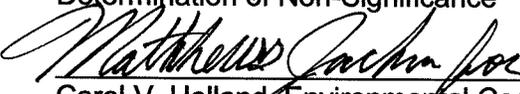
Proposal Description: Preliminary Conservation Short Plat and Critical Areas Land Use Permit to subdivide an approximately 7.82-acre parcel in the R-1 land use district into 4 single family lots. The site contains a steep slope, with associated buffers, and a type N stream with associated buffers. The site is to be developed as a conservation short plat because of the presence of critical areas. The proposal includes a critical area report with a request to reduce steep slope critical area buffer and structure setbacks, and type N stream structure setbacks.

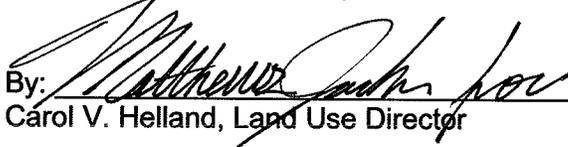
File Numbers: 08-132746-LN
10-109232-LO

Applicant: Dan McCartney

Decisions Included: Preliminary Short Plat (Process II)
Critical Area Land Use Permit (Process II)

Planner: Drew Folsom, Land Use Planner

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

Carol V. Helland, Environmental Coordinator
Development Services Department

Department Decision(s): **Approval with Conditions**
Michael A. Brennan, Director
Development Services Department

By: Carol V. Helland, Land Use Director

Application Date: September 8, 2008
Notice of Application: May 21, 2009
Decision Publication Date: April 1, 2010
Appeal Deadline: April 15, 2010 5:00 PM

For information on how to appeal a proposal, visit the Permit Center at City Hall or call (425) 452-6800 [TTY (425) 452-4636]. Appeal of the Decision must be made with the City Clerk by 5 PM on the date noted for appeal of the decision.

TABLE OF CONTENTS

I.	Proposal Description.....	Pg 3
II.	Site Description, Zoning & Land Use Context.....	Pg 3
III.	Consistency with Land Use Code Requirements.....	Pg 7
IV.	Public Notice & Comment.....	Pg 12
V.	Summary of Technical Review.....	Pg 12
VI.	SEPA Environmental Policy Act.....	Pg 15
VII.	Changes to Proposal Due to Staff Review.....	Pg 16
VIII.	Decision Criteria.....	Pg 16
IX.	Conclusion and Decision.....	Pg 23
X.	Conditions of Approval.....	Pg 24

I. PROPOSAL DESCRIPTION

A. Project Description

The applicant proposes to short plat 1 parcel totaling 7.82-acre in the R-1 land use district into 4 single family lots. The proposal requires review as a Conservation Subdivision under LUC Section 20.45B.055 due to the presence of on-site and off-site critical areas. The parcel is located at 17523 SE 60th Street and contains one single family home which will remain on the site. The site contains several areas of steep slope critical area. In addition, along the western edge of the site is a critical area with a sloped ravine that contains a type N stream. The proposal includes a critical areas report with a request to reduce or disturb steep slope critical area buffer, structure setback, and type N stream structure setback. The critical area report proposes to remove a total of 3,012 square feet of critical area steep slope buffer with low habitat value from critical area status. The proposal also seeks to modify structure setbacks for the type N stream and steep slope. The remaining critical areas and buffers will be placed in three Native Growth Protection Area (NGPA) tracts. As mitigation, the critical areas report proposes replanting the steep slope with native vegetation and designating additional adjacent forested areas with high habitat value to be added to NGPA tracts A and B. These areas and the remaining NGPA tracts contain significant native vegetation and habitat.

The site contains 346 significant trees which may provide habitat for some species of local importance. The applicant is proposing to save 118 trees, including all of the trees within Tracts A and B. No trees within any existing critical area or critical area buffer are proposed to be removed.

The existing mobile home located on Lot 4 will be removed. The site will gain access via a shared driveway gaining access via SE 60th Street.

B. Permits Required

Due to the location of critical areas and associated buffers the project must be processed as a Conservation Short Plat. The project must include a critical areas land use permit with critical areas report due the reduction steep slope critical area buffers and structure setbacks and the modification of stream structure setbacks.

II. SITE DESCRIPTION, ZONING, LAND USE CONTEXT, AND CRITICAL AREAS

A. Site Description

The site is located in a community of single family residential homes in the Newcastle Subarea of the Comprehensive Plan. Access to the site is gained via SE 60th Street. The western portion of the site contains a sloped ravine that contains a type N stream and critical slope. The southeast portion of the site contains several forested steep slopes. A small steep slope is located in the north central portion of site. The parcel slopes uphill from SE 60th street to the

southern edge of the property. The existing home located near SE 60th street will remain. An existing mobile home is located in the center of the site. This home is not currently used and will be demolished as part of the proposal.

There are a number of significant trees on-site supported by an established understory of mixed trees. The property has been identified by staff as having a potential and ability to provide habitat for local and migratory species due to landscape position, proximity to other forested patches, and current intact forested structure. The applicant is required to preserve 15% of the diameter inches of significant trees (dbh) per (LUC 20.20.900). To meet this requirement and preserve habitat features, the applicant is proposing to retain a total of 62% percent diameter inches of the site's significant trees for habitat protection (LUC 20.25H). See related conditions of approval in Section X below.

Figure 1 – Site Aerial



B. Zoning

The property is zoned R-1, single-family residential, which requires a minimum lot area of 35,000 square feet. Due to the presence of steep slope and stream buffer critical area, this application is processed as a Conservation Short Subdivision (LUC 20.45B.055) which allows a minimum lot size of 22,750 square feet in order to avoid impacts on critical areas and critical area buffers. Additional flexibility in other dimensional requirements is also provided with conservation short subdivisions.

C. Land Use Context

The property has a Comprehensive plan Land Use Designation of SF-L (Single Family Low Density) and is located in the Newcastle subarea. The proposed activity is consistent with single-family development and is allowed in the single-family comprehensive plan land use designation. The surrounding neighborhood context is entirely single-family residential.

D. Critical Areas Functions and Values

i. Streams and Riparian Areas

Most of the elements necessary for a healthy aquatic environment rely on processes sustained by dynamic interaction between the stream and the adjacent riparian area (Naiman et al., 1992). Riparian vegetation in floodplains and along stream banks provides a buffer to help mitigate the impacts of urbanization (Finkenbine et al., 2000 *in* Bolton and Shellberg, 2001). Riparian areas support healthy stream conditions.

Riparian vegetation, particularly forested riparian areas, affect water temperature by providing shade to reduce solar exposure and regulate high ambient air temperatures, slowing or preventing increases in water temperature (Brazier and Brown, 1973; Corbett and Lynch, 1985).

Upland and wetland riparian areas retain sediments, nutrients, pesticides, pathogens, and other pollutants that may be present in runoff, protecting water quality in streams (Ecology, 2001; City of Portland 2001). The roots of riparian plants also hold soil and prevent erosion and sedimentation that may affect spawning success or other behaviors, such as feeding.

Both upland and wetland riparian areas reduce the effects of flood flows. Riparian areas and wetlands reduce and desynchronize peak crests and flow rates of floods (Novitzki, 1979; Verry and Boelter, 1979 *in* Mitsch and Gosselink, 1993). Upland and wetland areas can infiltrate floodflows, which in turn, are released to the stream as baseflow

Stream riparian areas, or buffers, can be a significant factor in determining the quality of wildlife habitat. For example, buffers comprised of native vegetation with multi-canopy structure, snags, and down logs provide habitat for the greatest range of wildlife species (McMillan, 2000). Vegetated riparian areas also provide a source of large woody debris that helps create and

maintain diverse in-stream habitat, as well as create woody debris jams that store sediments and moderate flood velocities.

Sparsely vegetated or vegetated buffers with non-native species may not perform the needed functions of stream buffers. In cases where the buffer is not well vegetated, it is necessary to either increase the buffer width or require that the standard buffer width be restored or revegetated (May 2003). Until the newly planted buffer is established the near term goals for buffer functions may not be attained.

Riparian areas often have shallow groundwater tables, as well as areas where groundwater and surface waters interact. Groundwater flows out of riparian wetlands, seeps, and springs to support stream baseflows. Surface water that flows into riparian areas during floods or as direct precipitation infiltrates into groundwater in riparian areas and is stored for later discharge to the stream (Ecology, 2001; City of Portland, 2001).

ii. 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.

iii. Habitat Associated with Species of Local Important LUC 20.25H.150.A

Habitat associated with species of local importance is protected by the City of Bellevue Land Use Code section 20.25H.150. When habitat associated with a listed species (listed in the City's Land Use Code) is present, specific performance standards must be followed as identified in LUC 20.25H.160.

III. CONSISTENCY WITH LAND USE CODE REQUIREMENTS

A. Zoning District Dimensional Requirements

The site is located in the R-1 zoning district. The proposed short plat is in conformance with the general dimensional requirements of the zone as outlined below.

B. Special requirements for Short plats with critical areas or critical area buffers

A. Density Calculation

LUC 20.25H.045.B requires that proposals to subdivide property within the Critical Areas Overlay District calculate allowed density (dwelling units per acre) after deducting the total critical area and critical area buffer. The maximum density allowed for a site in the Critical Areas Overlay District is equal to the number of dwelling units per acre as specified in LUC 20.20.010, times the buildable area in acres, plus the dwelling units per acre times the total area of critical area and critical area buffer in acres times the development factor derived from LUC 20.25H.045.D. To calculate density, the following calculation is required:

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

This is a proposal to short plat a parcel totaling 7.82 acres in the R-1 land use districts into 4 single family lots. The site contains a total of 2.52 acres of critical area and critical area buffer and contains a total of 5.3 acres of buildable area. The following is the density calculation for this property:

$$(1.0)(5.3) + (1.0) (2.52) (.67)] = 6.98 \text{ DUs}$$

6.98 = 6 Allowed Dwelling Units

The maximum number of dwelling units for this site is six. The proposal to divide the properties into 4 lots is in compliance with the requirements of the Critical Areas Overlay District.

B. Conservation Short Subdivision.

- 1) A conservation short plat is required for residential short subdivisions within the Critical Areas Overlay district when:
 - a) The amount of critical area and critical area buffer on the site totals at least one acre; or
 - b) The site abuts a known salmon-bearing stream; or

- c) The critical area or critical area buffer on the site abuts a critical area or critical area buffer on another site, or a site owned or managed by the City or other public agency for open space or park uses.

Finding: The proposed short plat contains 2.52 acres of critical area and critical area buffer and therefore is required to be processed as a conservation short subdivision.

- 2) Tracts Required. The property owner receiving approval of a residential short subdivision shall delineate the critical areas and critical area buffers and set aside such areas in separate tracts, designated as Native Growth Protection Area (s) (NGPA) on the face of the final short plat.

Finding: The applicant will designate three NGPA tracts totaling 4.12 acres containing all critical areas and remaining critical area buffers unmodified by the critical areas report. See Section X of this report for related Conditions of Approval.

- 3) Dimensional Standards per LUC 20.20.010 and Modification per LUC 20.45B.055.C.3:

BASIC INFORMATION		
Zoning District(s)	R-1	
Gross Site Area	7.82 acres	
Critical Area	This site contains 2.52 acres of critical area and or critical area buffer	
ITEM	REQ'D/ALLOWED	PROPOSED
Dwelling Units/Acre	6.98 DU/Acre	4 DU/Acre
Minimum Lot Area modified with a Conservation Subdivision	22,750 sf As allowed with conservation short plats.	22,750 sf or greater
Minimum Lot Width	100 ft	Minimum Proposed 100 ft
Minimum Lot Depth	150 ft	Minimum Proposed 150 ft
Building Setbacks modified with a Conservation Subdivision		
Front Yard	25 ft	25 ft
Rear Yard	20 ft	20 ft
Min. Side Yard	5 ft.	5 ft.
2 Side Yard	15 ft	15 ft
Access Easement	10 ft	10 ft
	As allowed with conservation short plats.	
Tree Retention	15% of existing DBH inches	62% or 2,858" diameter inches

4) Site Design:

- a) Roads must be designed parallel to contours with consideration to maintaining consolidated areas of natural topography and vegetation. Access must be located in the least sensitive area feasible; and
- b) Change in grade, cleared area and volume of cut or fill on the site must be minimized; and
- c) Utilities and other facilities should be located to utilize common corridors wherever possible; and
- d) Each lot with slopes in excess of 25 percent shall demonstrate provision for feasible driveway access to a future residence not to exceed 15 percent or provide for meeting emergency access and fire protection by other means allowed by applicable codes, and shall demonstrate feasibility of construction of a residence on the lot through a design consistent with the standards of this code. Shared driveway access and private roads should be utilized where significant reduction of grading can be accomplished compared to separate driveway access for each individual lot.

Finding: The short plat access road is located near the existing access to the property. The majority of this area is located outside the critical area and critical area buffers. Utilities will have a consolidated location in the joint ingress/egress and utility easement where feasible. Development is in areas which preserve large portions of the highest value habitat on the site and property and grade changes associated with the proposal will be minimized to those necessary to gain access to the site.

The proposed lots have been located in the least sensitive portions of the site to avoid impacts to the existing high value habitat located in the western, southern, and eastern edges of the property. The remaining areas will be placed in NGPA tracts.

B. Consistency with Critical Areas Overlay District Requirements

All critical areas and buffers must be placed into tracts unless reduced or modified by a Critical Areas Report. To meet the Conservation Short Plat requirements the applicant proposes to place all critical areas and stream buffer in three Native Growth Protection Area (NGPA) tracts. The applicant proposes to remove a steep slope buffer associated with a small steep slope of 4,912 square feet from critical area status. The remaining steep slope critical area buffers will be placed within NGPA tracts. As mitigation for the steep slope critical area buffer modification, the report proposes additional adjacent forested areas with high habitat value to be added to NGPA tracts A and B. These areas and the remaining NGPA tracts contain significant native vegetation and habitat. See related conditions of approval in Section X below.

C. Consistency with Critical Areas Performance Standards LUC 20.25H

1. 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: Alteration to the natural contours of the site will be limited to the minimum necessary to provide access and utilities to the proposal.

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

Finding: Disturbance of the most critical areas of the site, containing the highest value habitat, will be minimized to areas providing access. The most critical portion of the site containing the highest value habitat will be placed in 3 NGPA's totaling 4.12 acres.

- 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 proposal will not result in a greater risk or a need for increased 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 will be used when possible to avoid excessive grading, such as the ones associated with the access easement.

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

Finding: No impervious surface is proposed within critical areas or unmodified critical area buffers.

- 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: Change in grade outside the building footprint is limited to that necessary to install access to the site. All new homes associated with the project will be subject to the performance standards of LUC 20.20.460.E- Impervious Surface.

- 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: Homes will be required to meet the performance standards of 20.20.460E which will minimize topographic modifications.

- 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 on slopes in excess of 40 percent.

- 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 parking or construction 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: Disturbance of critical area will be limited to the replanting of NGPA tract C with native vegetation.

See Section X of this report for related Conditions of Approval.

2. LUC 20.25H.160 Performance standards. - Habitat

If habitat associated with species of local importance will be impacted by a proposal, the proposal shall implement the wildlife management plan developed by the Department of Fish and Wildlife for such species. Where the habitat does not include any other critical area or critical area buffer, compliance with the wildlife management plan shall constitute compliance with this part. See Section X of this report for related Conditions of Approval

IV. PUBLIC NOTICE AND COMMUNITY INPUT

Application Date:	September 8, 2008
Public Notice (500 feet):	May 21, 2009 (Includes sign installation at the site)
Minimum Comment Period:	June 4, 2009

Notice of Application was published in the City of Bellevue's Weekly Permit Bulletin and the Seattle Times on May 21, 2009. It was mailed to property owners within 500 feet of the project site and a Public Information Sign was installed on the project site on the same day. At the time of this staff report, no written public comments were received.

V. 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. The Clearing and Grading staff found no issues with the proposed development and has approved the application without any conditions of approval.

C. Fire Department:

The City of Bellevue Fire Department has reviewed the proposal for compliance with the Fire development codes and standards. As proposed, the Fire Department has no concerns with the project. As proposed the site development plans for this decision generally conform to Fire Code requirements. However, there are a number of conditions that must be met prior to issuance of building permits. Any future proposed single family development must comply with the City's Fire Code requirements. Automatic fire sprinklers will be required on lots 3 and 4 and may be required on lots 1 and 2 depending on proposed home gross square footage and the available fire flow. Final short plat plans should note that "No Parking" will be allowed along the access driveway or fire turnaround areas. These areas must be posted and marked "Fire Lane-No Parking".

As part of the plat engineering the applicant must provide a 4 inch dry standpipe from an approved location on SE 60th with dual 2 1/2 inch outlets. The dry standpipe can be routed in the same trench as the sanitary sewer line. Included

with any building application applicants must provide dual valved outlets at an approved location at each home on lots 3 & 4. The IFC requires a fire hydrant within 600 feet of the most remote portion of any sprinklered building (IFC 508 Bellevue Amendment). Providing a fire hydrant at these locations will not have enough water or pressure for firefighting so the dry standpipe will be an approved alternative. See Section X of this report for Fire Department related Conditions of Approval.

D. Transportation Review

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

Under BCC 22.16, payment of the transportation impact fee for each new home prior to building permit issuance will adequately mitigate off-site transportation impacts. The fee amount is subject to periodic revision by the city council. Builders will pay the fee in effect at the time of building permit issuance.

Site Access

Access to Lots 1, 3, and 4 will be from a private road, named 175th LN SE, off of SE 60th Street as shown on the approved plans. Lot 2, which has an existing house, will continue to access SE 60th Street by means of the existing driveway. No other access connection to city right-of-way is authorized.

The private road 175th LN SE with a minimum paved width of 20 feet within a 25 feet wide private access easement must meet with Fire Department approval and must be built per the City's Transportation Department Design standards. A minimum depth of 4 inches of crushed surfacing top course beneath the pavement layer and beneath the curb and gutter must be provided. A driveway approach as per Transportation Department Standard drawing DEV-7B is to be provided at the entrance to the private road 175th LN SE from SE 60th Street.

Lot 2 will also have a 10 feet access easement along the north property line to serve the adjacent property located at 17611 SE 60th Street.

Street Frontage Improvements

The sites adjacent to the proposed McCartney short plat do not have curb, gutter, and sidewalk in their property frontage and no improvements by the City are included in the current City plans. Therefore, curb, gutter and sidewalk are not required to be built by this development.

If there is no existing street light near the proposed entrance of the private road 175th LN SE from SE 60th Street, a street light must be provided. The street light is to be located at a minimum distance of 10 feet away from the driveway edge. All utilities serving the short plat must be undergrounded.

Prior to final short plat approval, the developer must provide the above mentioned improvements at the developer's expense (BCC 14.60.110) or provide an acceptable financial assurance device equivalent to 150% of the cost of unfinished transportation improvements. Bonding will not be allowed for transportation elements that will affect traffic safety. The final engineering plans showing those transportation improvements must be consistent with the Transportation Development Code (BCC 14.60) and the Transportation Department Design Manual prior to approval of the plat infrastructure (GE) permit. Specific engineering requirements include: location of street light, and undergrounding of utilities serving the site.

Use of the Right of Way

Applicants often request use of the right of way and of pedestrian easements for materials storage, construction trailers, hauling routes, fencing, barricades, loading and unloading, and other temporary uses as well as for construction of utilities and street improvements. A Right of Way Use Permit for such activities must be acquired prior to issuance of any construction permit including demolition permit.

Pavement Restoration

The City of Bellevue has established the Trench Restoration Program to provide developers with guidance as to the extent of resurfacing required when a street has been damaged by trenching or other activities. Under the Trench Restoration Program, every public street in the City of Bellevue has been examined and placed in one of three categories based on the street's condition and the period of time since it was last resurfaced. These three categories are No Street Cuts Permitted, Overlay Required, and Standard Trench Restoration. Each category has different trench restoration requirements associated with it. Near the development site SE 60th Street is classified as Overlay Required.

Transportation Impacts and Mitigation

City staff has analyzed the potential short term operational impacts of this proposal in order to recommend mitigation if necessary. These impacts included traffic operations conditions during the peak hours. The proposed four lot short plat has an existing house in Lot 2. Therefore, this short plat includes the addition of trips from three new single family houses which leads to the increase of approximately three new trips in the peak hours. The addition of the three new trips is not expected to have a significant impact on the traffic operations on the roadway system.

E. Utilities Review

The preliminary short plat application has been reviewed and no further utility revisions are needed at this time. The Utility Department approval of the preliminary short plat application is based on the conceptual utility design only. This conceptual review of the proposal has no implied approvals of the engineering design and specifications.

VI. STATE ENVIRONMENTAL POLICY ACT (SEPA) REVIEW

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

A temporary erosion and sedimentation control plan is included in the project plans, and addresses all requirements for restoring the site to its current condition as well as erosion and sedimentation management practices. Erosion and sediment control best management practices include the installation of silt fencing around the work area and covering exposed soils to prevent migration of soils. The project is designed to avoid disturbance of the type N stream and associated buffers and all steep slopes. See Section X for related conditions of approval.

B. Animals

The project site is part of a larger natural area that contains quality habitat for birds and mammals. The mature vegetation on the site could provide potential habitat to bald eagles and pileated woodpeckers who are known to be in the vicinity. The applicant is required to implement the required performance standards identified by WDFW for these species. These impacts will be minimized by the creation of three Native Growth Protection Area tracts. See Section X for related conditions of approval.

C. Plants

The southern and western portions of the site are densely vegetated with Douglas Fir, alder, hemlock, maple, and the occasional western red cedar. Many of the mature trees are taller than 70 feet. Typical native understory in this area consists of salaal, sword fern, and red huckleberry. The majority of this area will be preserved as an NGPA tract. The central and north eastern areas of the site are mainly grass with moderate to low understory and few trees. Mitigation for temporary and permanent disturbance will be approved pursuant to an approved re-vegetation and monitoring plan. See Section X for related conditions of approval.

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. See Section X for a related condition of approval

VII. CHANGES TO PROPOSAL DUE TO CITY REVIEW

Staff have reviewed the resources located on the property and have identified the property as having the ability to provide habitat for species of local importance, as regulated by LUC 20.25H.150, due to the presence of intact canopy structure and other large potential habitat patches. To preserve the site's habitat structure and some of the features identified as habitat, staff have worked with the applicant to protect additional areas located near the two high habitat value designated critical areas by including adjacent areas as part of the Tract A and B NGPA's. An additional 32,451 square feet was added to Tract B NGPA and 42,397 square feet was added to tract A.

See related conditions of approval in Section X below.

VIII. DECISION CRITERIA

A. 20.25H.145 Critical areas report – Geological Hazards – Approval of modification – Decision Criteria

Modifications to geologic hazard critical areas and critical area buffers shall only be approved if the Director determines that the modification:

- a. Will not increase the threat of the geological hazard to adjacent properties over conditions that would exist if the provisions of this part were not modified;**

Finding: The critical area report demonstrates the project will not increase the threat of a geological hazard as stated in the geotechnical report prepared by Geotechnical Consultants, Inc.

b. Will not adversely impact other critical areas;

Finding: The proposal will not adversely impact other critical areas as demonstrated in the critical areas report prepared by Geotechnical Consultants, Inc.

c. Is designed so that the hazard to the project is eliminated or mitigated to a level equal to or less than would exist if the provisions of this part were not modified;

Finding: The design of the short plat eliminates the hazard of the steep slope and associated buffer as demonstrated by the geotechnical report prepared by Geotechnical Consultants, Inc.

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

Finding: The project and proposed removal of steep slope critical area buffer is certified as safe as designed and installed under anticipated conditions per the geotechnical report prepared Geotechnical Consultants, Inc

e. The applicant provides a geotechnical report prepared by a qualified professional demonstrating that modification of the critical area or critical area buffer will have no adverse impacts on stability of any adjacent slopes, and will not impact stability of any existing structures. Geotechnical reporting standards shall comply with requirements developed by the Director in City of Bellevue Submittal Requirements Sheet 25, Geotechnical Report and Stability Analysis Requirements, now or as hereafter amended;

Finding: A geotechnical report prepared by Geotechnical Consultants, Inc was provided stating the modification will not adversely impact the stability of any adjacent slopes, and will not impact stability of any existing structures. This report complies with the requirements developed by the Director in City of Bellevue Submittal Requirements Sheet 25, Geotechnical Report and Stability Analysis Requirements.

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

Finding: The proposed modification will be required to comply with the best management practices and construction techniques recommended

by Geotechnical Consultants, Inc. As part of the approval of the clear and grade permit associated with the project, there will be a requirement for the project's geotechnical engineer or his representative to be onsite during critical earthwork operations. See Section X of this report for a related Condition of Approval.

- g. The proposed modification to the critical area or critical area buffer with any associated mitigation does not significantly impact habitat associated with species of local importance, or such habitat that could reasonably be expected to exist during the anticipated life of the development proposal if the area were regulated under this part.**

Finding: The proposed modification does not significantly impact habitat associated with species of local importance. The existing vegetation in the proposed area of modification is minimal, mainly consisting of undergrowth and an existing path. As mitigation for the modified steep slope critical area buffer the associated steep slope will be replanted with native vegetation and an additional 74,848 square feet of higher value habitat to be added to NGPA tracts A and B.

See Section X of this report for a related Condition of Approval.

20.25H.255 Proposals to Reduce Regulated Critical Area Buffer - Decision Criteria

The critical areas report proposes to remove 4,753 square feet of, top of steep slope buffer and toe of slope structure setback, and stream riparian structure setback buffer from critical area status.

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

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

Finding: The total reduced area to be removed from critical area buffer and structure setbacks is 4,753 square feet. The critical area report demonstrates the critical area functions and values will be improved effectively per the report submitted by NovaDyne, llc.

As mitigation for the modified critical area buffer and structure setbacks the applicant proposes to revegetate the steep slope designated as NGPA Tract C. The proposal also designates an additional 32,451 square feet to be added to the Tract B NGPA and 42,397 square feet to be added to the Tract A NGPA. These areas contain dense vegetation with numerous significant trees.

The mitigation plan is designed to maximize potential habitat and provide a net gain in overall critical area and buffer function. See Section X of this report for a related Condition of Approval.

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

Finding: The applicant proposes to revegetate the steep slope designated as NGPA Tract C. The proposal will also designate an additional 32,451 square feet to be added to the Tract B NGPA and 42,397 square feet to be added to the Tract A NGPA. These areas contain dense vegetation with numerous significant trees.

The mitigation plan is designed to maximize potential habitat and provide a net gain in overall critical area and buffer function.

The additional 42,397 square foot area to be added to the Tract A is bordering the most important critical area located on site which contains the type N stream and provides connectivity to the off-site critical areas See Section X of this report for a related Condition of Approval.

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

Finding: The proposal includes plans for restoration of degraded critical area buffer functions which per the critical area report demonstrate a net gain in overall critical area or critical area buffer functions. The retention of significant trees in Tracts A and B and planting of the modified NGPA Tract C with native vegetation along with the required storm detention system will improve drainage and water quality. See Section X of this report for related Conditions of Approval

- d. Adequate resources to ensure completion of any required restoration, 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 X of this report.

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

Finding: The proposal will not be detrimental to the slope and stream

buffer. The retention of significant trees in Tracts A and B and planting of the modified NGPA Tract C with native vegetation will increase the critical area function by improving habitat and drainage water quality.

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

Finding: The proposal is compatible with other uses in the area. The properties in the area are developed with residential uses.

LUC 20.30P.140 Critical Areas Land Use Permit - Decision Criteria

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

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

Finding: The applicant will be required to obtain all necessary permits related to the subdivision.

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

Finding: Through the approval of related construction permits the applicant will be required to adhere to all applicable best management practices as required by city codes.

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

Finding: Future development of the short plat and single family homes will be required to meet the performance standards of LUC Section 20.25H.125 for development within a steep slope critical area or the critical area buffer. This requirement is further discussed in section III.

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 and vehicular access will be designed to meet city standards for emergency access.

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 a restoration plan

for the steep slope known as Tract C as a condition of approval for this permit. See Conditions of Approval in Section X of this report

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 including, but not limited

to, performance standards for development in geologic hazard areas, critical area report requirements, and Critical Areas Land Use Permit decision criteria.

B. Preliminary Conservation Short Subdivision Decision Criteria

The Director may approve or approve with modifications an application for a Preliminary Short Plat if:

1. The Preliminary Short Plat makes appropriate provisions for, but not limited to, the public health, safety and general welfare, for open spaces, drainage ways, streets, sidewalks, alleys, other public ways, water supplies, sanitary waste.

Finding: City codes ensure public health, safety and general welfare through development code requirements. Existing public streets, water, and sewer facilities have been deemed adequate to serve the proposed development.

2. The public interest is served by the short subdivision.

Finding: The public interest is served by providing additional housing opportunities in accordance with the Comprehensive Plan while ensuring compliance with City codes and standards.

3. The preliminary short plat appropriately considers the physical characteristics of the proposed short subdivision site.

Finding: The preliminary short plat considers the physical characteristics of the site by protecting critical areas and establishing three Native Growth Protection Areas to protect critical features within the site. Adequate habitat will be provided within the NGPA's. Particularly the largest NGPA Tract A which is located adjacent to neighboring critical areas and forested areas and has several significant mature trees and a type N stream.

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

Land Use Code Requirements

Dimensional Requirements: *Refer to Section III of this report for conformance with both conventional and conservation dimensional requirements for the R-1 zone.*

Finding: All of the lots shown can be developed in accordance with the City of Bellevue Land Use Code requirements, including the R-1 zoning district dimensional requirements. See related conditions of approval in Section X of this report.

Significant Tree Preservation: *Tree preservation requirements pursuant to LUC Section 20.20.900.D require the retention of 15% of significant trees on the site. In order to meet the 15% minimum retention requirement, the project must retain a minimum of 687 diameter inches of the 4,583 diameter inches of the existing significant trees.*

Finding: The applicant proposes to preserve a total of 2858 diameter inches or 62% of the significant trees onsite. This satisfies the minimum 15% tree retention requirements. See related conditions of approval in Section X of this report.

Utility Codes and City Development Standards

Finding: As conditioned, the proposal complies with the Utility Code and the City of Bellevue Development Standards. See related conditions of approval in Section X of this report.

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

Finding: The site is located within the Newcastle Subarea of the Comprehensive Plan. The Comprehensive Plan specifies single-family low use development for this property. The proposal complies with applicable Comprehensive Plan policies City-wide and for this Subarea, including the following:

Land Use Policy LU-3: *Accommodate growth targets of 10,117 additional households and 40,000 additional jobs for the 2001-2022 period. These targets represent the city's commitment to develop the zoning and infrastructure to accommodate this level of growth; they are not a commitment that the market will deliver these numbers.*

Finding: This short plat will provide three additional lots for future single family residential development which will help to meet Bellevue's share of the regionally adopted demand forecasts for residential uses for the next 13 years

Housing Policy HO-17: *Encourage infill development on vacant or under-utilized site that have adequate urban services and ensure that the infill is compatible with the surrounding neighborhoods.*

Finding: This project will create three new lots which are, by use type, compatible with the surrounding single-family neighborhoods. The proposal provides development on an infill or under-utilized site with adequate urban services and meets the Housing Element Neighborhood Quality & Vitality goal of ensuring compatible housing and environmentally sensitive features by preserving healthy, significant, existing trees on-site.

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

Finding: As conditioned, each lot can reasonably be developed to current R-1 zoning standards without requiring a variance. There are no site constraints identified on the proposed lot outside of required NGPA tracts that would inhibit the development of this property or would warrant a variance. See related conditions of approval in Section X of this report.

6. **All necessary utilities, streets or access, drainage and improvements are planned to accommodate the potential use of the entire property.**

Finding: The Utilities and Transportation Departments have reviewed the preliminary short plat and determined that all necessary utilities, drainage, driveway access location, and other required improvements exist, planned or conditioned as part of this approval to accommodate the use of these lots. See related conditions of approval in Section X of this report.

IX. CONCLUSION AND DECISION:

After conducting the various administrative reviews associated with this proposal, including applicable Land Use consistency, City Code, and standard compliance reviews, the Director of the Development Services Department does hereby **APPROVE** the McCartney Preliminary Conservation Short Plat Development Permit **WITH CONDITIONS**.

Note on expiration of Preliminary Short Plat Approval: Approval of the preliminary Conservation Short Plat automatically expires and is void if the applicant fails to file for approval of the final short plat within one year of the effective date of approval unless the applicant files for an extension at least 30 days prior to the expiration and the extension is granted pursuant to LUC 20.45B.150 and 160.

X. CONDITIONS OF APPROVAL:

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

Applicable Codes and Ordinances	Contact Person	Phone
Clearing and Grading Code – BCC 23.76	Savina Uzunow	425-452-7860
Construction Codes – BCC Title 23	Building Division	425-452-6864
Fire Code – BCC 23.11	Adrian Jones	425-452-6032
Land Use Code – BCC Title 20	Drew Folsom	425-452-2973
Noise Control – BCC 9.18	Drew Folsom	425-452-2973
Trans. Development. Code – BCC 14.60	Rohini Nair	425-452-2569
Traffic Standards Code – BCC 14.10	Rohini Nair	425-452-2569
Right-of-Way Use Code – BCC 14.30	Tim Stever	425-452-4294
Utility Code – BCC Title 24	Rob Hutchinson	425-452-7903

A. GENERAL CONDITIONS:

1. Variance Restriction

Approval by the City of this short plat is a determination that each lot in the short plat can be reasonably developed in conformance with the Land Use Code requirements in effect at the time of preliminary short plat approval without requiring a variance.

AUTHORITY: Land Use Code 20.45B.130.A.6
 REVIEWER: Drew Folsom, Development Services Department

2. Noise – Construction Hours

Construction will be subject to normal operation hours of 7 a.m. to 6 p.m., Monday through Friday and 9:00 a.m. to 6:00 p.m. on Saturdays, except for Federal holidays and as further defined by the Bellevue City Code. Proximity to existing residential uses will be given special consideration. Upon written request to DSD, work hours may be extended to 10:00 p.m. if the criteria for extension of work hours as stated in BCC 9.18 can be met and the appropriate mitigation employed.

AUTHORITY: Bellevue City Code 9.18
 REVIEWER: Drew Folsom, Development Services Department

3. Utilities Department Approval

Utilities Department approval is based on the preliminary utility design only. Final civil engineering of the utility design may require changes to the site layout to accommodate the utilities. Water, Sewer and Storm Developer Extension Agreements are required for the engineering review and inspection of the Short Plat Utility improvements. Extension to the extreme for Sewer to the South property line is required along with detention, water quality and nutrient treatment for the Storm system. The Developer Extension Agreement booklet(s) and submittal requirements are available from the Utility Representative at the Permit Center at any time. A 4"

dry standpipe Siamese connection is required to provide fire protection to the upper two lots 3 & 4.

AUTHORITY: Bellevue City Code Title 24.02, 24.04, 24.06.120
REVIEWER: Rob Hutchinson, Utilities Department

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

1. Right of Way use Permit

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

- a. Designated truck hauling routes.
- b. Truck loading and unloading activities.
- c. Hours of construction and hauling.
- d. Street sweeping and maintenance during excavation and construction.
- e. Location of construction fences.
- f. Parking for construction workers.
- g. Construction vehicles, equipment, and materials in the right of way.
- h. All other construction activities as they affect the public street system.

Access shall be provided at all times during the construction process. General materials storage and contractor convenience are not reasons for preventing access.

AUTHORITY: Bellevue City Code 14.30
REVIEWER: Tim Stever, Transportation Department

2. Off Street Parking

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

AUTHORITY: Bellevue City Code 14.30
REVIEWER: Tim Stever, Transportation Department

3. Engineering Plans

A site (civil engineering) plan produced by a qualified engineer must be approved by the City prior to clear and grading permit approval. The design of all transportation improvements must be in conformance with the requirements of the Americans with Disabilities Act, the Transportation Development Code and the provisions of the Transportation Department Design Manual. The engineering plans must correctly show all transportation-related engineering details, including but not limited to, driveway connection to 106th Ave SE, pavement restoration in 106th Ave SE, earth

berm removal, and removal of paved parking surface in property frontage, mailbox location, and sight distance. Appropriate standard drawings from the Transportation Department Design Manual must be included in the engineering plans.

Specific requirements are detailed below:

- Landings on sloping approaches are not to exceed a 10% slope for the first 20 feet.
- Vehicle sight distance must be provided per BCC 14.60.240. A note regarding sight distance must be provided on the plan sheet
- Removal of the existing earth berm on 106th Ave SE
- Relocation of mail boxes on 106th Ave SE to provide necessary sight distance. Coordinate with the Post Master regarding the new location and show it in the plans.
- New driveway to Lot 2. The driveway must be constructed as per standard drawing DEV 7B
- Transportation Department Standard Construction notes must be provided on the plans

AUTHORITY: Bellevue City Code 14.60; Transportation Department Design Manual; and Transportation Department Design Manual Standard Drawings DEV 7B.

REVIEWER: Rohini Nair, Transportation Department

4. Sight Distance

If necessary to meet the sight distance requirements of BCC 14.60.240 and standard drawing TE-1, existing vegetation near the access points on 106th Ave SE must be trimmed and obstacles to the sight distance must be removed or relocated. Ground vegetation within the sight triangle must be trimmed to no more than 2.5 feet above a line drawn from pavement level to pavement level. Trees within the sight triangle must be limbed up to a height of 7.5 feet above a line drawn from pavement level to pavement level. A description of any required vegetation trimming and/or obstacle removal and relocation must be shown on a sheet of the clearing and grading plan set.

AUTHORITY: Bellevue City Code 14.60.240

REVIEWER: Rohini Nair, Transportation Department

5. Pavement Restoration

The city's pavement manager has determined that this segment of 106th Avenue SE will require Standard Trench Restoration for any utility connections or other digging in the street surface. Trench restoration must meet the requirements of Section 21 of the Design Manual and standard drawings ROW-1 through ROW-5. Exact copies

of the appropriate trench restoration drawing(s) must be included in the final engineering plans.

AUTHORITY: Bellevue City Code 14.60.250 and Design Manual Design Standard # 21
REVIEWER: Tim Stever, Transportation Department

6. Sprinklers

Automatic fire sprinklers will be required for lots 3 and 4 and may be required for lots 1 and 2 depending on the gross square footage of the proposed home and the available fire flow.

AUTHORITY: IFC 508.3 & Appendix B
REVIEWER: Adrian Jones, Fire Department

7. Fire Access Road and Turnarounds

Fire access roads and turnaround areas shall be marked "Fire Lane-No Parking" per Fire Department Standards. The access road and all detention vaults and pipes located in the roadway shall be capable of supporting fire apparatus with a gross weight of 64,000 lbs. (rear axle=48,000 lbs and front axle=19,000 lbs) and shall support the weight of the ladder truck outrigger which is 45,000 lbs over an 18 inch square.

AUTHORITY: IFC 503, BFDDS, BDI, and BCC 5675
REVIEWER: Adrian Jones, Fire Department

8. Dry Standpipe

As part of the plat engineering the applicant must provide a 4 inch dry standpipe from an approved location on SE 60th with dual 2 1/2 inch outlets. The dry standpipe can be routed in the same trench as the sanitary sewer line. Included with any building application applicants must provide dual valved outlets at an approved location at each home on lots 3 & 4.

AUTHORITY: IFC 508
REVIEWER: Adrian Jones, Fire Department

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

AUTHORITY: Land Use Code Section 20.25H.160
REVIEWER: Drew Folsom, Development Services Department

10. Landscape Installation/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 three years.

AUTHORITY: Land Use Code Section 20.25H.125.J and 20.25H.220.D
REVIEWER: Drew Folsom, Development Services Department

C. PRIOR TO FINAL SHORT PLAT APPROVAL:

1. Infrastructure Improvements

All transportation improvements shown in the final engineering plans or required by city codes and standards must be either completed prior to approval of the final short plat or provided for with a financial assurance device. Completion of the top lift and all other transportation infrastructure items prior to completion of the homes associated with the development is allowed.

Land Use Code Section 20.40.490 allows a developer to obtain final short plat approval prior to finishing improvements with provision of an acceptable financial assurance device equivalent to 150% of the cost of unfinished infrastructure improvements. Provision of such an assurance device requires completion of the improvements by the developer within two years of final short plat approval. Installation of improvements that would negatively affect safety if left unfinished may not be delayed through use of a financial assurance device. Partial reductions of the financial assurance device will not be approved except in special circumstances, determined in advance, such as phased projects.

Improvements must be approved by the Transportation Department inspector before they are deemed complete. At completion of all transportation infrastructure items, the developer must provide a two year maintenance assurance device equivalent to 20% of the value of the transportation infrastructure improvements, dating from the acceptance of the improvements.

AUTHORITY: Bellevue City Code 14.60.100, 110, 130, 150, 170, 190, 210, 240, 241; LUC 20.40.490, Transportation Department Design Manual Sections 3, 4, 5, 7, 11, 14, 19
REVIEWER: Rohini Nair, Transportation Department

2. Areas of Non-Disturbance

Areas of non-disturbance shall be designated on the face of the Final Short Plat as separate Native Growth Protection Areas (NGPA's) tracts. The boundaries of the

NGPA tracts must be surveyed and fenced. The following note is required to be placed on the final short plat:

NATIVE GROWTH PROTECTION AREA (NGPA) TRACT

DEDICATION OF NATIVE GROWTH PROTECTION AREAS (NGPA) ESTABLISHES, ON ALL PRESENT AND FUTURE OWNERS AND USERS OF THE LAND, AN OBLIGATION TO LEAVE UNDISTURBED ALL TREES AND OTHER VEGETATION WITHIN THE AREA, FOR THE PURPOSE OF PREVENTING HARM TO, PROPERTY AND ENVIRONMENT, INCLUDING BUT NOT LIMITED TO CONTROLLING SURFACE WATER RUNOFF AND EROSION, MAINTAINING SLOPE STABILITY, BUFFERING AND PROTECTING PLANTS AND ANIMAL HABITAT, EXCEPT, FOR THE REMOVAL, OF DISEASED OR DYING VEGETATION WHICH PRESENTS A HAZARD OR IMPLEMENTATION OF AN ENHANCEMENT PLAN REQUIRED OR APPROVED BY THE CITY. ANY WORK, INCLUDING REMOVAL OF DEAD, DISEASED, OR DYING VEGETATION, IS SUBJECT TO PERMIT REQUIREMENTS OF THE CITY OF BELLEVUE CODES. THE OBLIGATION TO ENSURE THAT ALL TERMS OF THE NGPA ARE MET IS THE RESPONSIBILITY OF THE OWNERS OF LOTS 1 THROUGH 4. THE CITY OF BELLEVUE SHALL HAVE THE RIGHT, BUT NOT THE OBLIGATION, TO ENFORCE THE REQUIREMENTS, TERMS, AND CONDITIONS OF THIS RESTRICTION BY ANY, METHOD AVAILABLE UNDER LAW.

AUTHORITY: Land Use Code 20.45B.055.B.2
REVIEWER: Drew Folsom, Development Services Department

Attachments:

1. Site Plan
2. Environmental Checklist

WAC 197-11-960 Environmental checklist.

ENVIRONMENTAL CHECKLIST

Purpose of 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 agency identify impacts from your proposal (and to reduce or avoid impacts from the proposal, if it can be done) and to help the agency decide whether an EIS is required.

Instructions for applicants:

This environmental checklist asks you to describe some basic information about your proposal. Governmental agencies use this checklist to determine whether the environmental impacts of your proposal are significant, requiring preparation of an EIS. 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." 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 governmental agencies 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. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

Use of checklist for nonproject proposals:

Complete this checklist for nonproject proposals, even though questions may be answered "does not apply." IN ADDITION, complete the SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS (part D).

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.

BELLEVUE ADAPTATION

A. BACKGROUND INFORMATION.

PROPERTY OWNER: MR. DANIEL MCCARTNEY

PROPONENT: SAME

CONTACT PERSON: DON SCARBERRY, PE

ADDRESS: NOVADYNE ENGINEERING
11510 25TH ST NE
SEATTLE, WA 98125

PHONE: 425 883 8388

RECEIVED
SEP 10 2004
PERMIT PROCESSING
D.L. 5/16/04

PROPOSAL TITLE:: MCCARTNEY SHORT PLAT

PROPOSAL LOCATION: 17306 SE 60TH ST, BELLEVUE, WA

REFER TO LEGAL DESCRIPTION BELOW.

VICINITY MAP ATTACHED

D. S. B. / 07

1. General Description:

The proposal is to short plat LOT 1 of Bellevue BLA 07-133119-LW, Rec. No. 20080521900001, into 3 new building lots. Please see attached Preliminary Short Plat.

Location: Portion of the SW1/4 of the SE1/4 and SE1/4 of the SE1/4, Section 24, T.24 N., R.. 5 E. ,W.M.

2. Acreage of site: 7.824 Acres

3. Number of dwelling units / building to be demolished: None. **EXISTING RESIDENCE TO REMAIN. - MOBILE HOME TO BE REMOVED - D1.**

4. Number of dwelling units / buildings to be constructed: ~~Two~~ **THREE** [Separate Future Building Permit].

5. Square footage of buildings to be demolished: NA

6. Square footage of buildings to be constructed: Est. 10,000 [future].

7. Quantity of earth movement (in cubic yards.): Estimated – Cut 6135 cy, Fill 708 cy
Net Estimated Cut – 5427 cy.

8. Proposed Land Use: Single Family Residential.

9. Design features, including building height, number of stories and proposed exterior materials.

To be furnished.

TO BE REVIEWED UNDER SEPARATE BUILDING PERMITS

10. Other. None at this time.

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

Construction – Spring 2009.

Do you have any plans for future additions, expansion, or future activity related to or connected with this proposal?

Future Homes as Noted.

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

Wetland & Stream Analysis, Delineation, Map and Report.
Geotechnical Report.
Drainage Analysis and Report
Water Quality Features Design

D. J. 5/15/09

Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.

No

List any government approvals or permits that will be needed for your proposal, if known.

SEPA Checklist

~~Preliminary Plat~~ CONSERVATION PRELIMINARY SHORT PLAT 04

Wetland Analysis, Delineation, Map and Report

Construction Plans and Construction Process

Final Plat

Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)

Develop the 7.824 Acres into 3 new single family residential lots to include access road and driveway connections. Sanitary sewer connection to City of Bellevue sewer; Water services to existing Bellevue water lines in SE 60th St.; Construct new access road for the lots; Construct storm drainage system for the new road with lot extensions; Construct storm drainage detention and water quality facilities for the project; Platting process and recorded Final Plat to create 3 legal building lots.

Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

Legal Description: The proposal is to short plat Tract 1 of Bellevue BLA 07-133119-LW, Rec. No. 20080521900001, into 3 new building lots. Please see Preliminary Short Plat.

Location: Portion of the SW1/4 of the SE1/4 and SE1/4 of the SE1/4, Section 24, T.24 N., R.. 5 E. ,W.M.

Site Plan: Attached.

Vicinity Map: Attached.

Topography Map: Preliminary Plat Attached.

DA 5/18/07

B. ENVIRONMENTAL ELEMENTS

1. **Earth**

a. General description of the site (circle one): Flat, rolling, hilly, steep slopes, mountainous, other

b. What is the steepest slope on the site (approximate percent slope)? Approx. 40%

The site must have an analysis using the “Disturbance Equation – please see attached slope plan.

See Slope Categories Drawing in the plan submittal set.

c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any prime farmland. Alderwood; See attached Geo-tech report.

The Geo-tech report for the site indicates the site soils to be:

Surface to 1-ft depth: Forest Duff overlying Topsoil.

1ft to 4ft depth: Weathered Till – loose conglomerate of sand with gravel, cobbles, and angular rock fragments.

Below 4 to 6ft: Silty, sandy, Sandstone bed rock – highly fractured and weathered, friable to weak hardness.

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

None observed (per Geotech report).

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

Cuts and fills to construct the access road and access to the lots.

Fill will come from on-site native materials.

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

Yes, the side-hill character of the site raises the possibility of erosion. The earthwork design will include BMP’s and procedures to limit and control erosion.

24 5/19/09

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

About 12 % - for road, houses, driveways, aprons, etc. (Estimated 0.9 Ac. impervious to be added with the future homes)

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

Comply with State and local erosion control BMP requirements.

EROSION CONTROL FURTHER
MITIGATED PER DCC 23.76.090
"EROSION AND SEDIMENTATION
CONTROL" 04.

a. Air

a. What types of emissions to the air would result from the proposal (i.e., dust, automobile, odors, industrial wood smoke) during construction and when the project is completed? If any, generally describe and give approximate quantities if known.

Construction Period: Dust, Smoke, Equipment exhaust

Completion: Emissions normal to a residential area – vehicle exhaust, fireplace smoke.

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

No Known.

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

Compliance with Federal and State emission control statutes.

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.

Yes – Class C5, seasonal, unnamed tributary in NW corner of the proposal site. A riparian corridor must be established with a 10-ft primary setback from the top of the bank at all locations.

TYPE 1 STREAMS LOCATED ALONG WESTERN EDGE OF SITE. 50-FOOT CRITICAL AREA BUFFER / 15-FOOT STRUCTURE SETBACK. O.A.

If appropriate, state what stream or river it flows into.

Tributary to Lewis Creek – flows to 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.

No work in the set-back for the unnamed tributary.

- 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 fill or removal.

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

No withdrawals or diversions.

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

No – not within 100yr floodplain.

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

No discharges to surface water.

b. Ground:

- 1) Will ground water be withdrawn, or will water be discharged to ground water? Give general description, purpose, and approximate quantities if known.

D.A. 5/18/09

No groundwater withdrawals or discharges.

- 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 discharges proposed or associated with project work or the completed project..

c. Water runoff (including stormwater):

- 1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known).

Surface water runoff will be generated from the sloping site surfaces during natural precipitation events. The runoff will be collected in BMP collection channels during construction and routed to erosion control and treatment BMP features, then released to the natural drainage features.

When the project is completed, the surface runoff will flow in the drainage control features – curb gutters, channels, detention, water quality treatment channels, etc.

Where will this water flow? To the storm system in SE 60th St.

Will this water flow into other waters? If so, describe.

Yes, to the downstream system.

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

The project design will include BMP features to reduce such entry.

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

Comply with Federal, State, and Local statutes related to such reductions – erosion control measures, water quality treatment requirements, and detention requirements.

4. **Plants**

- a. Check or circle types of vegetation found on the site:

- X deciduous tree: alder, maple, aspen, other **HEMLOCK**
- X evergreen tree: fir, cedar, pine, other
- X shrubs
- X grass

- _____ pasture
- _____ crop or grain
- _____ wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
- _____ water plants: water lily, eelgrass, milfoil, other
- _____ other types of vegetation **DEER**

**DEVILS CLUB, SALMON BERRY, SUND FERN,
 REDD PRICKLY CURRANT, INDIAN PLUM, OREGON
 GRAPE, SALAL, RED HUCKLEBERRY, PACIFIC
 DEWBERRY
 D.T.**

b. What kind and amount of vegetation will be removed or altered?

A small portion of the site trees as needed to construct the road, access driveways and homes.

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:

Much of the site is left natural. Some new landscaping and ornamental trees and shrubs, as typical.

5. Animals

a. 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: **SMALL TYP BIRDS - PILEATED WOODPECKER**
 mammals: deer, bear, elk, beaver, other: **DEER SIGNS**
 fish: bass, salmon, trout, herring, shellfish, other: **NONE OBSERVED**

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

None to knowledge - **PILEATED WOODPECKER HABITAT OBSERVED.**

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

No knowledge.

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

None indicated. - **CREATION OF NATIVE GROWTH PROTECTION AREA TRACCS**

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 needs? Describe whether it will be used for heating, manufacturing, etc.

Electric and Natural Gas – some wood use is possible, but solar is unlikely. The site is on a north-facing slope.

D.T. 5/18/09

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

No.

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

The current conservation programs and mandates by public and private utilities will be incorporated for the future new homes.

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.

Short term – construction – emergency treatment and evacuation is possible in the event of an accident during construction. State law and procedures require that Contractors plan and are prepared for this contingency.

Long term – emergency services provided for medical and other possible events will be available to this location.

- 2) Proposed measures to reduce or control environmental health hazards, if any:

Emergency planning and preparation – awareness and training.

b. Noise

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

Equipment noise during construction.

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

Short term – construction – equipment and truck operations during working hours.

DA 5/18/08

Long term – normal to single family residential zones.

D.A. 5/18/09

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

None indicated.

NOISE MITIGATED PER
BCC. 9.18 "NOISE CONTROL"

8. Land and shoreline use

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

Single Family Residential.

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

No.

c. Describe any structures on the site.

A single family home and a separate garage structure as well as a canopy for a mobile home.

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

No. - CANDY FOR MOBILE HOME

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

Single Family Residential. R1 - 1 DU per Acre.

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

Same. SINGLE FAMILY LOW

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

Not applicable.

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

Yes - some steep slope, 40%, exists on the site.
TRENCH - STREAM BED; BUFFERS

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

7 families - 9 to 15 people.
4 12 TO 16 PEOPLE

D. J. 3/18/09

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

None.

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

None indicated.

DA. 5/15/03

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

9. Housing

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

1 Existing plus 3 new DU's in the future.

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

None eliminated.

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

None indicated.

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?

To be furnished – the site is the north-facing slope of a high hill. New homes are likely to be 2 to 3 levels plus roof. No views are likely to be impacted.

Exterior building material to be determined at house design.

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

No views are likely to be affected by this proposal.

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

None indicated.

11. Light and glare

P.J. 5/10/09

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

Light and glare normal to single family residential area – Street lighting and parking apron lighting mounted on garage walls or short poles.

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

Not likely.

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

None evident at this time.

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

None indicated.

12. Recreation

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

Parks along Lakemont Blvd – approx. 1 mile.

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

No – will not displace.

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

None indicated.

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, archaeological, 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 indicated.

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.

Please see Vicinity Map and Site Plan.

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

No, not known.

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

Two will be created for each of the new building sites — ~~4~~⁶ new spaces added.

None will be eliminated.

The completed project will have ~~8~~⁸ spaces.

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

Yes — new access road for all ~~7~~⁴ lots — 1 existing and ~~7~~³ new.

D.A. 5/18/09

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

Will not use water, rail, or air transportation.

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

Estimated ³⁶27 trips - ¹²7 per DU.

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

None indicated.

15. Public services

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

Yes – all of the above.

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

None indicated – the existing and new homes will enter the tax support system for these services.

16. Utilities

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

All will be used, except septic – extensions must be constructed for sewer and water.

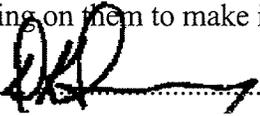
- b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

New construction of sewer, water, storm drain, and power/gas will be needed. Some of the work will occur in existing SE 60th St. - UTILITY DETENTION VAULT

DA 5/18/09

C. 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: 9/10/2008

D.F. 5/18/09