



**Project Site:  
67 Cascade Key**

*Lake Washington*

*Newcastle Beach Park*



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

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**Proposal Name:** Ridgeway Shoreline Buffer Modification

**Proposal Address:** 67 Cascade Key

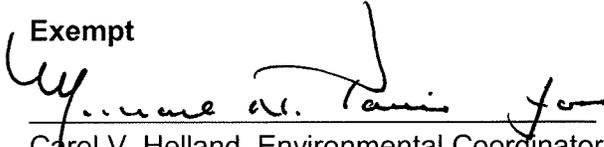
**Proposal Description:** Land Use review of a proposal to modify the shoreline buffer and structure setback by adding paved areas and a hot tub area. All existing and new paved areas will be changed to pervious systems. 950 square feet of restoration planting is proposed along with amendment of the soil in the planting areas. A separate shoreline exemption application (09-130270-WD) is associated with this proposal.

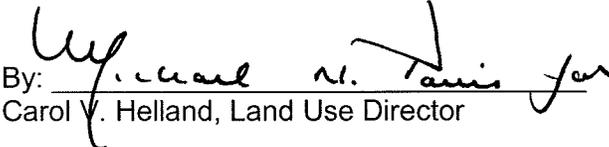
**File Number:** 09-130269-LO

**Applicant:** John Tellefson, SeaScape Homes LLC

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

**Planner:** Reilly Pittman, Land Use Planner

**State Environmental Policy Act  
Threshold Determination:** Exempt  
  
Carol V. Helland, Environmental Coordinator  
Development Services Department

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

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**Application Date:** November 19, 2009  
**Notice of Application Date:** December 10, 2009  
**Decision Publication Date:** January 21, 2010  
**Project/SEPA Appeal Deadline:** February 4, 2010

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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.

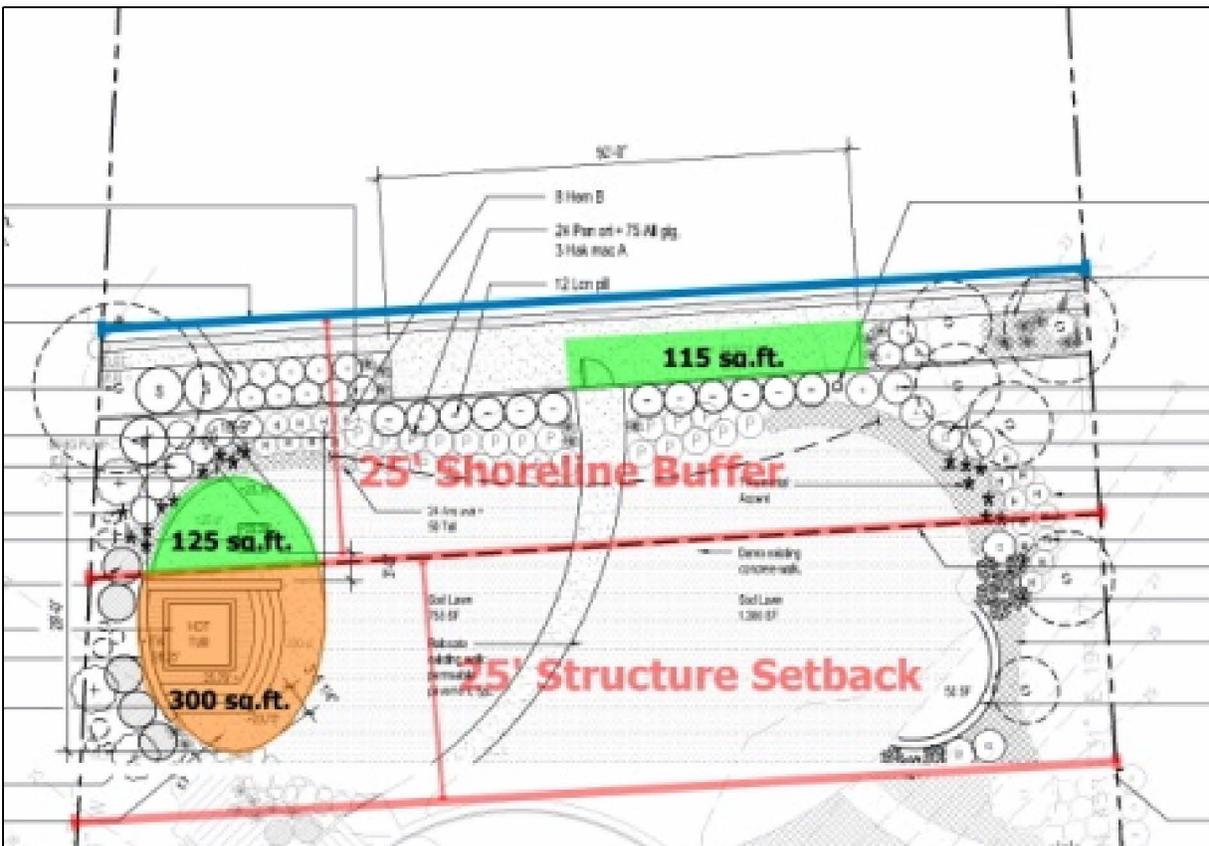
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### I. Proposal Description

The applicant proposes to convert existing paved surfaces within the shoreline buffer and structure setback to pervious paving systems. An additional 115 square-foot area of pervious bulkhead walkway and a 125 square-foot pervious paved area are proposed in the shoreline buffer. A hot tub and pervious paved area of approximately 300 square feet are proposed in the shoreline structure setback. 950 square feet of planting and soil amendment is proposed as mitigation for the expansion of the paved areas. A Critical Areas Land Use Permit is required to approve the above activities. See Figure 1 below for a site plan showing the proposed activities.

Figure 1



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

#### A. Site Description

The project site is located at 67 Cascade Key in the Newport area of the City. The site is located in the NE quadrant of Section 17, Township 24 North, Range 5 East. The site is surrounded by other single-family zoned property to the north and south and obtains vehicle access from Cascade Key to the west. The eastern property boundary is the shoreline frontage along the canals which lead to Lake Washington. A building permit for expansion of the existing house was issued in 2008. See figure 2 for existing site condition.

Figure 2



#### **B. Zoning**

The property and surrounding properties are zoned R-2.5, single-family residential. The proposed work is allowed in this zone.

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

The property has a Comprehensive Plan Land Use Designation of SF-M (Single-Family Medium Density).

#### **D. Critical Areas On-Site and Regulations**

##### **i. Shorelines**

Shorelines provide a variety of functions including shade, temperature control, water purification, woody debris recruitment, channel, bank and beach erosion, sediment delivery, and terrestrial-based food supply (Gregory et al. 1991; Naiman et al. 1993; Spence et al. 1996).

Shorelines provide a wide variety of functions related to aquatic and riparian habitat, flood control and water quality, economic resources, and recreation, among others. Each function is a product of physical, chemical, and biological processes at work within the overall landscape. In lakes, these processes take place within an

integrated system (ecosystem) of coupled aquatic and riparian habitats (Schindler and Scheuerell 2002). Hence, it is important to have an ecosystem approach which incorporates an understanding of shoreline functions and values. The discussion presented herein emphasizes this ecosystem approach.

**ii. Shoreline Overlay District/Shoreline Substantial Development Permit**

The property has frontage along a canal of Lake Washington and is within the Shoreline Overlay District which regulates areas within 200-feet of the Ordinary High Water Mark. The Shoreline Overlay District regulations (LUC 20.25E) allow for uses associated with single-family development which are exempt from the requirement for a Shoreline Substantial Development Permit. A shoreline exemption permit (09-130270-WD) has been applied for which is associated with this approval.

**iii. Critical Areas Overlay District/Critical Area Land Use Permit**

A Critical Area Land Use Permit (CALUP) is required as the applicant is requesting to modify portions of the 25-foot shoreline buffer and 25-foot structure setback from the buffer. These modifications can only be approved through a critical area report submitted under a CALUP.

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

**A. Zoning District Dimensional Requirements:**

The proposal generally meets the R-2.5 zoning dimensional requirements found in LUC 20.20.010. Impervious surfaces are being replaced with pervious paving systems which will reduce the total amount of impervious surface coverage on the site. Per LUC 20.20.460.G, innovative techniques such as pervious pavement are not counted as impervious surface provided they are engineered. The proposal will be evaluated for conformance with zoning requirements as part of the required building permit review. See Conditions of Approval in Section IX of this report.

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

The City of Bellevue Land Use Code Critical Areas Overlay District (LUC 20.25H) establishes performance standards and procedures that apply to development on any site which contains in whole or in part any portion designated as critical area, critical area buffer or structure setback from a critical area or buffer. The site is also located within the Shoreline Overlay District and is also subject to the requirements in LUC 20.25E. The performance standards found in LUC 20.25E as specified in the table below are applicable:

Critical Area	Geologic Hazard-Steep Slopes
Performance Standards	20.25E.080.Q

**i. Consistency With LUC 20.25E.080.Q**

**Residential Development Regulations. For purposes of this section, accessory structures shall include swimming pools, tennis courts, spas, greenhouses and similar facilities.**

- 1. No boat, houseboat or watercraft moored seaward of the ordinary high water mark shall be used as a permanent residence.**

A boat is moored along the bulkhead in the canal adjacent to the property. No proposal to use the boat as a residence is included in this approval.

- 2. All structures, accessory buildings and ancillary facilities, other than those related to water use (such as moorage) shall be located outside of the shoreline critical area and shoreline critical area buffer, except stairs, handrails, and a trail or path providing access to the shoreline. The requirements of this subsection may be modified through a critical areas report, LUC 20.25H.230.**

An existing walkway from the residence to the shoreline will be removed and converted to pervious pavement. Reasonable access to the shoreline from a residence is allowed. Expansion of the bulkhead walkway and other paving areas in the shoreline buffer and structure setback is proposed through the critical areas report process. No structures over 30" will be allowed within the shoreline setback. See Conditions of Approval in Section IX of this report.

- 3. Fences essentially parallel with the shoreline are not permitted within critical area buffer or critical area structure setback.**

A fence exists along the shoreline which is proposed to be replaced. Per this performance standard no fences are allowed within the buffer or structure setback which are parallel to the shoreline. The existing fence may remain, however no new fences are allowed as part of this approval. See Conditions of Approval in Section IX of this report.

- 4. Maximum building height in those areas of the Shoreline Overlay District which are zoned for residential uses shall be 35 feet, except in land use districts where more restrictive height limitations exist.**

No structure is proposed as part of this approval.

- 5. All residential development shall be accompanied by a plan indicating methods for preserving shoreline vegetation and control of erosion during and following construction as required by City of Bellevue clearing and grading regulations, Chapter 23.76 BCC, and the Comprehensive Plan.**

Erosion control already exists on the site as a result of previous permit approvals. Existing trees are being retained and 950 square feet of landscaping and soil amendment is being provided per the submitted landscaping plan as Attachment 1. The plants within the first 15 feet from the shoreline are defined on the plans as a habitat buffer as this area has the only opportunity on the site to input into the water. As a result, this 15-foot planting area needs to be planted with native plants. See Conditions of Approval in Section IX of this report.

#### **IV. Public Notice and Comment**

Application Date:	November 19, 2009
Public Notice (500 feet):	December 10, 2009
Minimum Comment Period:	December 24, 2009

The Notice of Application for this project was published the City of Bellevue weekly permit bulletin on December 10, 2009. It was mailed to property owners within 500 feet of the project site. Comments were received from Karen Walter with the Muckleshoot Indian Tribe regarding the proposed planting plan and the use of non-native plants as depicted on the plan. A condition of approval will require the use of native plants within the first 15 feet landward of the shoreline which is called the "habitat buffer" on the planting plan. See Conditions of Approval in Section IX of this report.

#### **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.

#### **VI. Changes to Proposal Due to Staff Review**

Staff did not request any revision to the submitted plans. However conditions of approval have been applied regarding the use of native plant species and fencing along the shoreline. See Conditions of Approval in Section IX of this report.

#### **VII. Decision Criteria**

##### **A. 20.25H.255.B Critical Areas Report Decision Criteria**

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

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

The proposed plan improves the shoreline from current conditions through stormwater filtration/reduction strategies, new native plantings for habitat benefit and visual edge softening, and balance between residential recreation and ecological function. See Conditions of Approval in Section IX of this report.

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

**exist;**

Amendment of the soil will improve stormwater filtration and retention on the site and reduce runoff into the lake. The replacement of the existing paved surfaces with pervious pavement will also reduce runoff and increase infiltration above what previously existed.

- 3. 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;**

The rate of water infiltration should increase resulting in less runoff and improved stormwater quality resulting from the use of pervious pavement and soil amendment.

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

Restoration is required to be maintained and monitored for a period of at least three years. A performance surety will be required based on the cost estimate on the installed cost of materials and labor. The performance surety will be released after three years assuming restoration has been successful. See Conditions of Approval in Section IX of this report.

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

The modifications and performance measures in this proposal are not detrimental to the functions and values of the shoreline.

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

The proposed modifications to the yard area within the shoreline buffer and structure setback are allowed in this zone and are compatible with adjacent land uses in the Cascade Key waterfront environment.

#### **B. 20.30P.140 Critical Area Land Use Permit Decision Criteria – Decision Criteria**

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

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

The applicant must revise an existing building permit (08-123116-BR) or apply for a new clearing and grading permit. See Conditions of Approval in Section IX of this report.

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

The proposal is consistent with required performance standards for projects in the shoreline overlay district. The resulting development will improve stormwater infiltration and retention above the current site condition.

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

As discussed in Section III of this report, the applicable performance standards are being met.

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

The proposed activity will not affect public services or facilities.

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

A mitigation planting plan has been submitted to plant 950 square feet of the property. A 15-foot habitat buffer adjacent to the shoreline will be planted with native plants for shoreline habitat improvement. Maintenance and monitoring is required and will be guaranteed by a performance surety. A yearly monitoring report with photograph documentation shall be submitted in order to achieve release of the performance surety after a period of three years. See Conditions of Approval in Section IX of this report.

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

As discussed in this report, the proposal complies with all other applicable requirements of the Land Use Code.

## VIII. Conclusion and Decision

After conducting the various administrative reviews associated with this proposal, including Land Use Code consistency, City Code and Standard compliance reviews, the Director of the Development Services Department does hereby **approve with conditions** the modification of the shoreline buffer and structure setback to:

- Convert existing paved surfaces to pervious pavement
- Add 115 square feet of pervious bulkhead walkway in the shoreline buffer
- Add 125 square feet of pervious paved area in the shoreline buffer
- Add a hot tub and pervious paved area totaling approximately 300 square feet in the

shoreline structure setback

- 950 square feet of planting and soil amendment is proposed as mitigation for the expansion of the paved areas.

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

**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 building 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	Savina Uzunow, 425-452-7860
Land Use Code- BCC Title 20	Reilly Pittman, 425-452-4350
Noise Control- BCC 9.18	Reilly Pittman, 425-452-2973

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

- 1. Building Permit Revision:** Approval of this Critical Areas Land Use Permit does not constitute an approval of a development permit. The existing building permit 08-123116-BR needs to be revised or approval of a separate clearing and grading permit is required. Plans submitted as part of either permit application shall be consistent with the activity permitted under this approval.

Authority: Land Use Code 20.30P.140  
Reviewer: Reilly Pittman, Development Services Department

- 2. No Fence Replacement Allowed:** Per LUC 20.25E.080.Q no fence is allowed to be placed within the shoreline buffer or structure setback which is essentially parallel to the shoreline. The existing fence on site can be maintained and repaired but the proposed new fence is not allowed. Fences which are perpendicular to the shoreline are allowed. The plans must show no new fence proposed either through redline or plan revision in order for a development permit to be issued.

Authority: Land Use Code 20.30P.140  
Reviewer: Reilly Pittman, Development Services Department

- 3. Native Plants:** Native plants are required to be planted in the 15-foot habitat buffer along the shoreline. The mitigation planting plan must be revised to show only native plants and varieties before any development will be issued.

Authority: Land Use Code 20.30P.140  
Reviewer: Reilly Pittman, Development Services Department

- 4. Pervious Pavement:** The proposed pervious pavement is required to be designed by a professional engineer licensed in the State of Washington.

Authority: Land Use Code 20.20.460  
Reviewer: Reilly Pittman, Development Services Department

- 5. Structures within the Shoreline Structure Setback:** No walls, rockeries, or other structure associated with the hot tub to be located in the shoreline structure setback shall be over 30" in height.

Authority: Land Use Code 20.25E.080  
Reviewer: Reilly Pittman, Development Services Department

- 6. Cost Estimate and Performance Surety:** As part of the building permit revision a cost estimate based on the installed cost of labor and materials related to the mitigation plan will be required. This cost estimate will be the basis for determining the value needed for a required 3-year performance surety. The performance surety is required to be posted before issuance of the building permit can occur.

Authority: Land Use Code 20.30P.140  
Reviewer: Reilly Pittman, Development Services Department

- 7. Land Use Inspection:** Following installation of planting the applicant shall contact Land Use staff to inspect the planting area. At the end of 3 years you will need to call for an inspection by Land Use staff to release the surety. Staff will need to find that the plants are in a healthy and growing condition and are as proposed on the submitted plans.

Authority: Land Use Code 20.30P.140  
Reviewer: Reilly Pittman, Development Services Department

- 8. Maintenance and Monitoring:** A report on the mitigation planting with photo documentation shall be submitted yearly for three years. Reports shall be submitted to the Land Use Department in order to release the performance surety.

Authority: Land Use Code 20.30P.140  
Reviewer: Reilly Pittman, Development Services Department

- 9. Noise Control:** Noise related to construction is exempt from the provisions of BCC 9.18 between the hours of 7 am to 6 pm Monday through Friday and 9 am to 6 pm on Saturdays, except for Federal holidays and as further defined by the Bellevue City Code. Noise emanating from construction is prohibited on Sundays or legal holidays unless expanded hours of operation are specifically authorized in advance. Requests for construction hour extension must be done in advance with submittal of a construction noise expanded exempt hours permit.

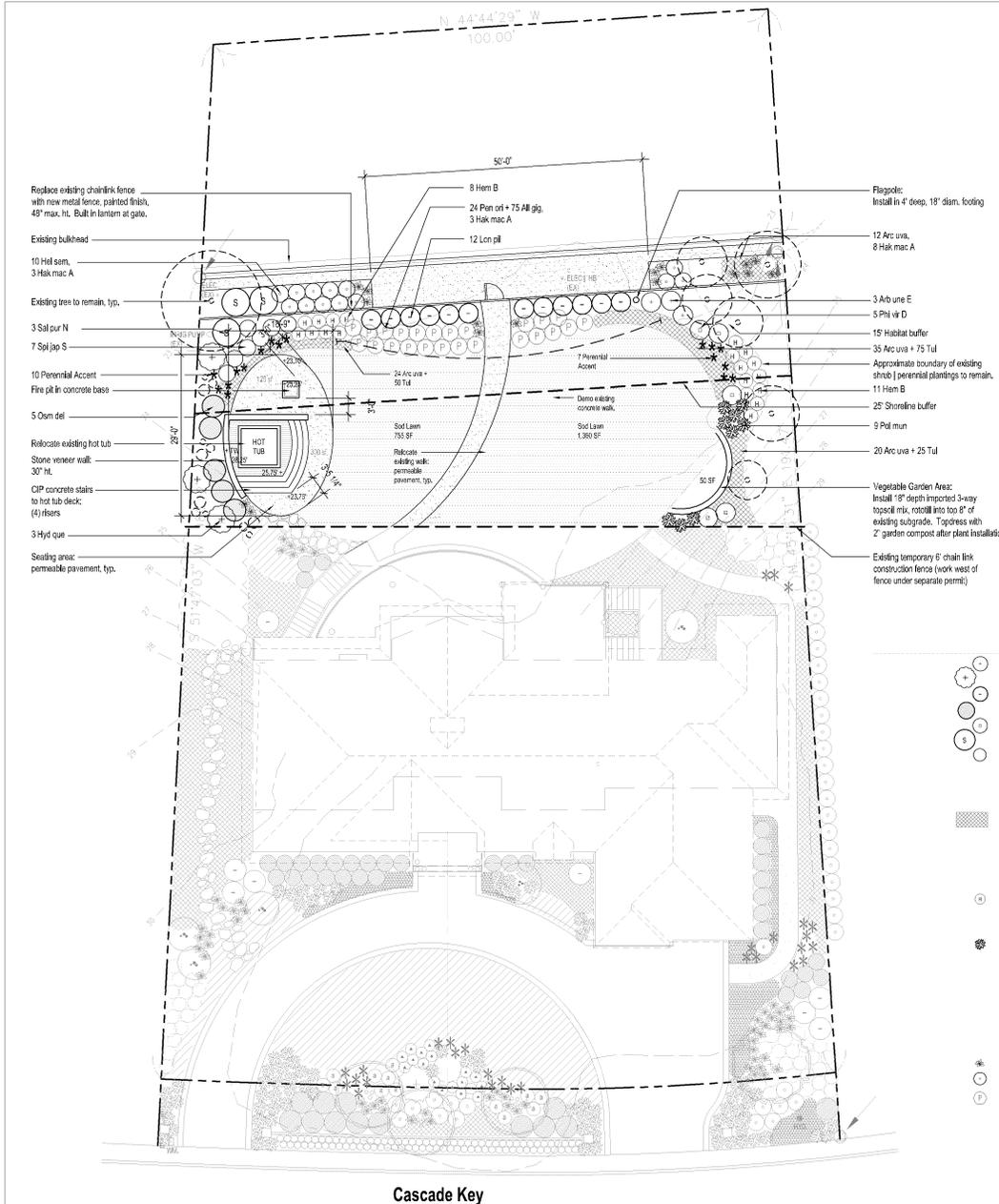
Authority: Bellevue City Code 9.18

Reviewer: Reilly Pittman, Development Services Department

**X. Attachments:**

1. Planting Enhancement Plan dated October 28, 2009 – Enclosed
2. Supplemental Critical Areas Report Information dated October 28, 2009 – In File
3. Application, existing site plan and other project information – In File

# Attachment 1



Cascade Key

## NOTES:

1. EROSION AND SEDIMENT CONTROL IN-PLACE PER APPROVED SEPARATE PERMIT.
2. INSTALL AMENDED TOPSOIL, 3-WAY MIX, IN ALL PLANTING AREAS AT 12" DEPTH. ROTOTILL INTO TOP 2" OF EXISTING SUBGRADE. INSTALL 18" SOIL DEPTH IN PLANTING AREAS WITHIN THE FIRST 15 FEET FROM EXISTING BULKHEAD. ROTOTILL INTO TOP 10" OF EXISTING SUBGRADE. INSTALL LAWN SOIL MIX IN NEW SOG LAWN AREAS AT 8" DEPTH. ROTOTILL INTO TOP 4" OF EXISTING SUBGRADE. LIGHTLY COMPACT WITH ROLLER PRIOR TO SOG INSTALLATION IN LAWN AREAS ONLY.
3. INSTALL COMPOSTED BARK MULCH IN ALL PLANTING BED AREAS AT 3" DEPTH.
4. ALL PLANTING AREAS TO RECEIVE PERMANENT IRRIGATION, POP-UP SPRAY HEAD SYSTEM. CONNECTION TO EXISTING PUMP.
5. FINAL PLANT LIST MAY VARY BASED ON NURSERY AVAILABILITY AND FINAL COLOR / TEXTURE SELECTION.
6. NEW PLANTING AREA = 1,496 SF. TOTAL IMPORTED TOPSOIL = 55 CY. TOTAL IMPORTED COMPOSTED MULCH = 13 CY.
7. NEW LAWN AREA = 2,115 SF TOTAL. IMPORTED TOPSOIL = 60 CY.

## PLANT LIST:

KEY	QTY	REC.	BOTANICAL NAME	COMMON NAME	SIZE	CONDITIONS	SPACING	COMMENTS
<b>TREES</b>								
NO NEW TREES, EXISTING TREES TO REMAIN.								
<b>SHRUBS</b>								
Alb une E	*		<i>Arbutus unedo</i> 'Efin King'	Dwarf Strawberrybush	18" ht.	container	42" o.c.	full, bushy to ground
Hyd que	*		<i>Hydrangea quercifolia</i>	Oakleaf Hydrangea	36-36" ht.	container or B&B	as shown	full, bushy, specimen form
Lon pil	*		<i>Lonicera pilosella</i>	Privet Honey-suckle	15"x15"	container	42" o.c.	full, bushy
Osm del	*		<i>Osmorhiza delavayi</i>	Delavay Osmorhiza	24"x24"	container	as shown	full, bushy to ground
Phi x vir D	*		<i>Philadelphus x virginicus</i> 'Dwarf Snowflake'	Dwarf Mock-orange	3 gal.	container	36" o.c.	full
Sal pur N	*		<i>Salix purpurea</i> 'Nana'	Blue Arctic Willow	18" ht.	container	as shown	full, bushy to ground
Spi jpo S	*		<i>Spirea japonica</i> 'Snowmound'	Snowmound Spirea	18" ht.	container	as shown	full, bushy to ground
<b>GROUNDCOVER, PERENNIALS and ACCENTS</b>								
All gig	*		<i>Allium giganteum</i>	Oriental Allium	3 cm.	bulb	as noted	randomly spaced, 3-5 bulb/dumps in Perennials
Arc uva	*		<i>Arctostaphylos uva-ursi</i>	Kinnikinnick	16" o.c.	container	as shown	full
As:	*		Aster species TBD	Aster			as shown	OPTION - perennial accent 1
As: x and	*		<i>Astibe x arandis</i> 'Deutschland' and 'Rheinland'	Astibe	1 gal.	container	as shown	blend of Deutschland and Rheinland varieties
Ble sp:	*		<i>Beckmannia spicata</i>	Deer Fern	1 gal.	container	12" o.c.	full, min. 7 fronds
Ech pur	*		<i>Echinacea purpurea</i>	Purple Coneflower	1 gal.	container	as shown	OPTION - perennial accent 1
Hem B	*		<i>Hemerocallis</i> 'Big Time Happy'	Daylily, repeat blooming	1 gal.	container	as shown	pink yellow repeat blooming
Hem O	*		<i>Hemerocallis</i> 'Obsidian'	Obsidian Hemerocallis	1 gal.	container	as shown	OPTION - perennial accent 1
Lup:	*		<i>Lupinus sp.</i>	Lupine	1 gal.	container	as noted	OPTION - perennial accent 1
Poi mun	*		<i>Polydichum munatum</i>	Sword Fern	1 gal.	container	as shown	min. 7 new fronds, remove brown fronds
Sag sub	*		<i>Sagina subulata</i>	Irish Moss	4"	pot	6" o.c.	between pavers, tolerant of medium foot traffic
Sal	*		Salvia species TBD	Perennial Salvia	1 gal.	container	as shown	OPTIONS - perennial accent 1
Thymus	*		Thymus blend - varieties TBD	Thyme blend - varieties TBD	4"	pot	varies	between pavers, tolerant of light foot traffic
Tul	*		Tulipa variety TBD	Tulip		bulb	as noted	randomly spaced, 3-5 bulb/dumps in groundcover
<b>GRASSES</b>								
Hak mac A	*		<i>Hakonechloa macra</i> 'Aureola'	Hakone Grass	1 gal.	container	as shown	full
Hol sem	*		<i>Helictotrichon sempervirens</i>	Blue Oat Grass	1 gal.	container	30" o.c.	full
Pen on	*		<i>Pennisetum orientale</i>	Oriental Fountain Grass	1 gal.	container	24" o.c.	full

\* indicates species from recommended plant list in the Crit. Cal. Areas Handbook. Other species selected in addition meet the handbook goals for drought tolerant, habitat supportive species to meet site condition. Plant list to demonstrate intended plant palette and layout for full coverage within two growing seasons. Final species selection may vary based on nursery availability.

PROJECT:  
Ridgeway  
Residence.  
LOCATION:  
67 Cascade Key  
Bellevue, WA

Ridgeway Residence

NO. \_\_\_\_\_ DATE \_\_\_\_\_ REVISION \_\_\_\_\_  
ISSUED FOR PERMIT 06/03/2009  
  
DESIGNER: ARCHITECT  
T. FRICK  
PROJECT ADDRESS  
6011 41ST AVE SW, SEATTLE  
206.850.2020  
UNUSUAL ADDRESS ONLY

## Planting | Enhancement Plan

PROJECT NO. \_\_\_\_\_  
DATE 28 October 2009  
PROJECT NETWORK PATH: \_\_\_\_\_

SHEET NUMBER  
**L1.1** SET  
CRITICAL AREAS  
PERMIT SUBMITTAL

## 1 PLANTING PLAN



## 2 PLANT LIST

N.T.S.