



DEVELOPMENT SERVICES DEPARTMENT  
 ENVIRONMENTAL COORDINATOR  
 11511 MAIN ST., P.O. BOX 90012  
 BELLEVUE, WA 98009-9012

## DETERMINATION OF NON-SIGNIFICANCE

**PROPONENT:** David Shih

**LOCATION OF PROPOSAL:** 11050 SE 60<sup>th</sup> St.

**NAME & DESCRIPTION OF PROPOSAL:** Kimberlee Park III PUD and Conservation Subdivision

Proposal to divide one 7.47 acre parcel in the R-3.5 land use district into seventeen (17) buildable lots, two (2) private road tracts, one drainage tract, and four Native Growth Protection Area (NGPA) tracts by means of a Planned Unit Development and Preliminary Conservation Subdivision. Proposed lot sizes range from 5,043 S.F. to 9,844 S.F. The proposed plat is located within the Critical Areas Overlay District (Streams and Steep Slopes) and also requires approval of a Critical Areas Land Use Permit.

**FILE NUMBER:** 08-135645-LK, 11-103630-LO

The Environmental Coordinator of the City of Bellevue has determined that this proposal does not have a probable significant adverse impact upon the environment. An Environmental Impact Statement (EIS) is not required under RCW 43.21C.030(2)(C). This decision was made after the Bellevue Environmental Coordinator reviewed the completed environmental checklist and information filed with the Land Use Division of the Development Services Department. This information is available to the public on request.

- There is no comment period for this DNS. There is a 14-day appeal period. Only persons who submitted written comments before the DNS was issued may appeal the decision. A written appeal must be filed in the City Clerk's office by 5:00 p.m. on \_\_\_\_\_.
- This DNS is issued after using the optional DNS process in WAC 197-11-355. There is no further comment period on the DNS. There is a 14-day appeal period. Only persons who submitted written comments before the DNS was issued may appeal the decision. A written appeal must be filed in the City Clerk's Office by 5 p.m. on 5/26/11.
- 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This DNS may be withdrawn at any time if the proposal is modified so that it is likely to have significant adverse environmental impacts; if there is significant new information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.

Care Vetterlind  
 Environmental Coordinator

5/12/11  
 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 Staff Report**

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**Proposal Name:** Kimberlee Park III PUD and Preliminary Conservation Subdivision

**Proposal Address:** 11050 SE 60<sup>th</sup> St.

**Proposal Description:** Proposal to divide one 7.47 acre parcel in the R-3.5 land use district into seventeen (17) buildable lots, two (2) private road tracts, one drainage tract, and four Native Growth Protection Area (NGPA) tracts by means of a Planned Unit Development and Preliminary Conservation Subdivision. Proposed lot sizes range from 5,043 S.F. to 9,844 S.F. The proposed plat is located within the Critical Areas Overlay District (Streams and Steep Slopes) and also requires approval of a Critical Areas Land Use Permit.

**File Number:** 08-135645-LK, 11-103630-LO

**Applicant:** Shih Family Ltd. Partnership, David Shih

**Recommendations Included:** **Process I**  
Planned Unit Development (LUC 20.30D)  
Preliminary Plat (LUC 20.45A)

**Decisions Included:** **Process II**  
Critical Areas Land Use Permit (LUC 20.30P)  
SEPA (BCC 22.02)

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

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

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

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

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

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<b>Application Date</b> .....	November 21, 2008
<b>Notice of Application Publication Date</b> .....	January 8, 2009
<b>Decision Publication Date</b> .....	May 12, 2011
<b>SEPA Appeal Deadline</b> .....	May 26, 2011 5 pm
<b>Hearing Date</b> .....	June 16, 2011 7 pm

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For information on how to appeal a proposal, visit the 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 Clerk's Office by 5 PM on the date noted for appeal of the decision

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## ATTACHMENTS

1. Site Plan – Enclosed
2. Critical Areas Exhibit – Enclosed
3. Landscaping Plan – Enclosed
4. Home Floor Plans and Elevations – Enclosed
5. Preliminary Plat – Enclosed
6. Impervious Surfaces – Enclosed
7. Tree Retention – Enclosed
8. Critical Areas Impacts – Enclosed
9. Responses to Public Comments – Enclosed
10. Comprehensive Plan Policy Review – Enclosed
11. Mitigation Plan – Enclosed
12. All Critical Areas Studies, SEPA Checklist, Materials, Plans – In File 11-103630-LO
13. All Comments, Forms, and other Material – In File 08-135645-LK

I. REQUEST / REVIEW PROCESS

A. REQUEST

The applicant requests approvals of a Planned Unit Development (PUD), Preliminary Conservation Subdivision (Preliminary Plat), and Critical Areas Land Use Permit (CALUP) with review under the State Environmental Policy Act (SEPA) to divide one 7.47 acre parcel in the R-3.5 land use district into seventeen (17) buildable lots, two tracts which provide access by private road, and 4 native growth protection area (NGPA) tracts. The lots range in size from 5,043 square feet to 9,844 square feet. Critical areas found on the site include a stream and steep slopes which place 3.99 acres of the site under Critical Areas Overlay District regulations. After the proposed modifications under the Critical Areas Land Use Permit the site will retain 89 percent or 3.55 acres of critical area and buffer. The proposed PUD maintains single-family housing on the site and requests flexibility in zoning dimensional standards found in LUC 20.20.010. **See Attachment 1 for a site plan of the proposed subdivision and Figures 1, 1a, and 1b below.**

Figure 1: Proposed Subdivision/PUD

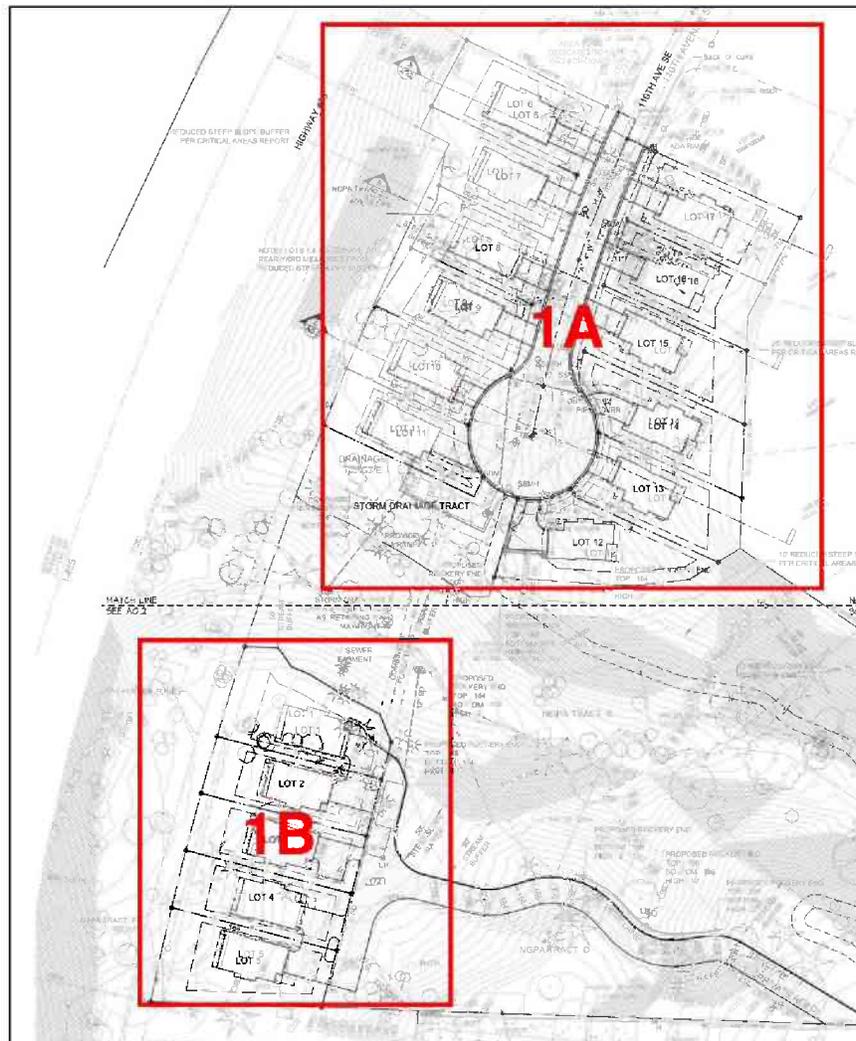


Figure 1b: Lots 6-17

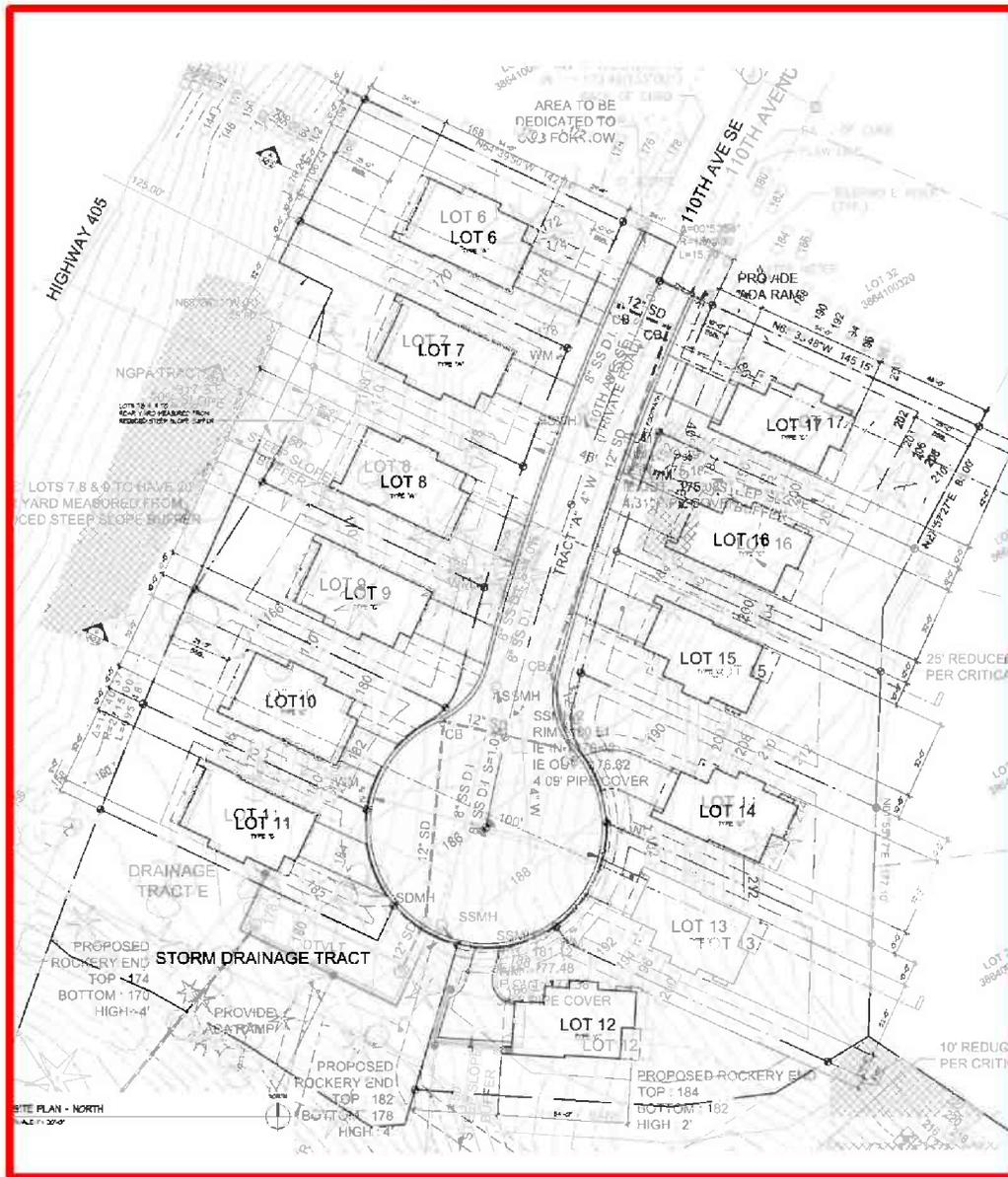




Figure 2: Zoning Map



The site directly abuts I-405 along the western property line and SE 60<sup>th</sup> Street right-of-way along the southern property line. SE 60<sup>th</sup> St. right-of-way is partially improved; the improved section ends approximately 220 feet from the edge of I-405 right-of-way. At the north end of the site, 110<sup>th</sup> Avenue SE ends at the property line. **See Figure 3 below for existing site condition.**

Figure 3



The site directly abuts existing residential development zoned R-3.5 to the north and northeast. The project site is vacant, but has been used for unauthorized recreation and illegal dumping area of yard debris and other garbage. The site is covered primarily in a forested overstory consisting of maple, fir, alder, cottonwood, madrone, and cedar trees with an understory of native shrubs and invasive species, especially where clearing and dumping has occurred. The topography of the site generally slopes from east to west toward I-405. A ravine feature containing a stream which drains in an east to west direction is on the site. Steep slopes of 40 percent or greater form the sides of the ravine and direct drainage down into the stream. The stream and slopes are in the south and eastern most portions of the site and effectively splits the site into two separate areas of development potential. See Attachment 2 and Figure 4 below for critical areas on the site.

**Figure 4: Extent of Critical Areas on Site (blue)**



### III. PROPOSED DEVELOPMENT

#### A. GENERAL PROVISIONS OF THE LAND USE CODE

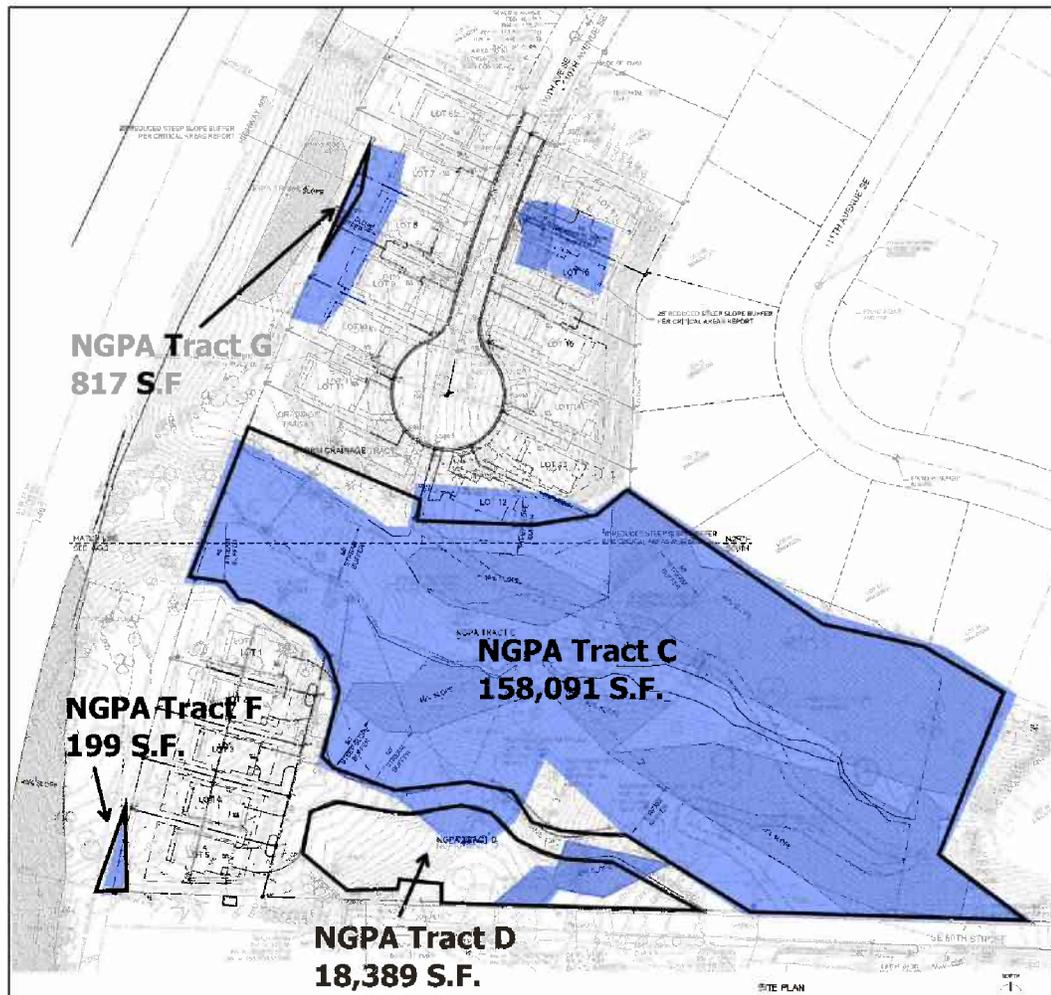
##### 1. Use

Residential uses are regulated by *LUC 20.10.400* (Use Charts). The proposed uses (single-family residences) are permitted in this R-3.5 zone.

## 2. Site Design

The site is generally shaped like an “L” and is bounded by private development to the north and east, by SE 60<sup>th</sup> St. to the south, and by Interstate 405 to the west. The steep slope critical areas and stream form a ravine which runs east to west across the southeastern portion of the site. **The steep slope critical areas, stream, and buffers will be located in the following tracts in Figure 5 below:**

Figure 5: NGPA Tracts



These tracts will be designated as Native Growth Protection Areas (NGPA) and will contain a majority of the retained trees. Critical areas shown in blue in Figure 5 above which are not within a tract are proposed for modification as discussed later in this report. Type 3 perimeter landscaping will provide a landscaped transition and buffer between the proposed development and existing development. Lots which directly abut existing development are lots 5, 6, and 13 through 17. These lots are landscaped the full width of the rear and side setbacks where they abut existing adjacent lots, creating landscape buffers 10 to 15 feet in width. Interior landscaping is also proposed between each lot and in the front yards. This landscaping is

provided in order to satisfy PUD decision criteria in LUC 20.30D.150.E, that landscaping is superior to that normally required. More detailed landscaping plans will be required as part of the plat infrastructure. Some general spacing and density of planting was provided but specific spacing and plant quantities will be required on a final planting plan submitted during infrastructure permitting in order to ensure plant density. When planting is inspected by Land Use staff additional planting may also be required in order to ensure sufficient density is provided. **See conditions of approval in Section XI related to the landscaping and Attachment 3 for landscaping plan.**

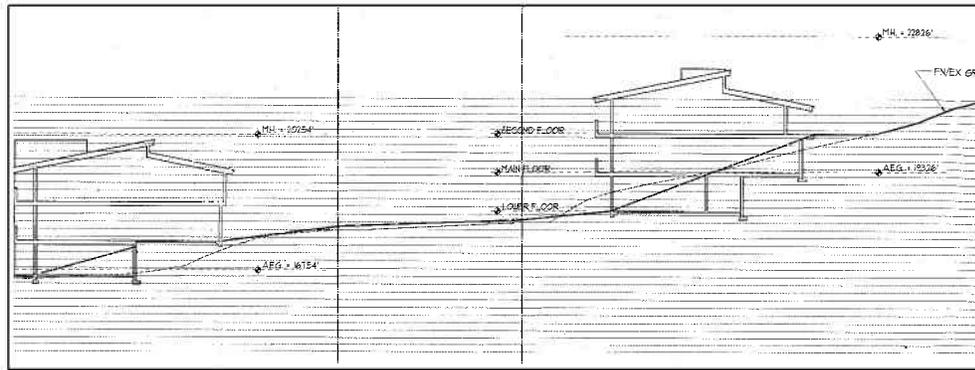
As shown on the site plan (**Attachment 1**), access to the project will be provided by private roads labeled as Tracts A and B on the project plans. Tract A is extending 110<sup>th</sup> Avenue SE onto the site and ending it with a cul-de-sac. Tract A will serve lots 6 through 17. Tract B is a smaller driveway which serves lots 1 through 5 and connects to SE 60<sup>th</sup> Street. The route of Tract B has been chosen to meet transportation design standards and Fire Department requirements for road slope. In addition, the route is intended to limit tree removal and impacts to critical areas as much as possible. Access is also provided by a trail easement through Tract C which will provide a pedestrian path between Tract A and SE 60<sup>th</sup> Street. Stormwater detention will be provided within detention vaults located in Tract E and under the turn-around serving lots 1 through 5. The proposed detention vaults will outfall to the stream on-site.

Each property will have a separate driveway. Required parking is accommodated in garages with additional parking on each driveway. Because of Fire Code requirements (see section VI of this report), there is no parking permitted on the proposed private access roads. A designated parking area will be available along SE 60<sup>th</sup> for lots 1 through 5 and guests. This parking area is detailed further by Transportation Review in section VI of this report. **See conditions of approval in Section XI related to the parking area on SE 60<sup>th</sup> St.**

### **3. Building Design**

The current house designs have been revised to include three different layout options (A, B, and C) in order to respond to the code constraints and site conditions. The target square footage of proposed house types is between 3,000 and 3,200 square feet. In order to maintain existing grade as much as possible the house foundations have been keyed into the existing topography as much as possible. As a result, either the front or back façade of the home will be one or two floors in height while the opposite side will be three floors in order to maintain the grade. **See Figure 6 below for a section view of the proposed houses.**

**Figure 6**



Pitched roofs are proposed with a low slope of 2:12; low-slope roofs are not usually covered in composite or cedar shingles and therefore the proposed roof material is metal with matte-finish of a neutral color. Exterior materials include horizontal siding, low emissivity (low-E) glazing, and masonry materials. The unit layouts have been revised to accommodate the different site slopes by relocating windows and modifying or removing living elements. The applicant estimates the target prices of these homes will be comparable to or higher than the surrounding neighborhoods. **See Attachment 4 for proposed floor plans and elevations.**

**IV. CONSISTENCY WITH LAND USE CODE REQUIREMENTS**

**A. STANDARD REQUIREMENTS AND DIMENSIONS**

This project includes an application for a Planned Unit Development. An approved PUD can modify zoning dimensional requirements found in LUC 20.20.010 subject to requirements in LUC 20.30D.170. The applicant requests modification of the lot area, lot width, and structure setbacks through the PUD process. The project qualifies as a conservation subdivision which automatically reduces required lot size, setbacks, and provides alternative calculation of lot coverage and impervious surface in order to consolidate development away from critical areas. With the exception of lot width, the project already complies with the conservation standards. However, the PUD is the overall application and proposed modifications have been reviewed under the PUD requirements. Except where noted, the chart below shows the standard R-3.5 requirement (LUC 20.20.010) and the proposed development standards for the new lots.

Development Standard	Required by LUC 20.20.010 Or Allowed by LUC 20.45A.060 (Conservation Subdivision)	Proposed Standards
Front Yard	10' Conservation Subdivision	10'

Rear Yard	15' Conservation Subdivision	25'  Except lots 7, 8, and 9 have a rear setback of 20'																																				
Side Yard	5' Conservation Subdivision	5'																																				
2 Side Yards	10' Conservation Subdivision	10'																																				
Minimum Lot Area Acres (A) or Sq. Ft.	6,500 SF Conservation Subdivision	Average: 6,449 SF Smallest: 5,043 SF  Modified by PUD																																				
Maximum Lot Coverage by Structures (percent)	See LUC 20.45A.060.B.3.(5) for maximum lot coverage calculations  Lot Coverage = .35 x Lot Coverage Factor  Lot Coverage Factor = 1 + ((10,000 - actual lot size)/10,000)  Conservation Subdivision	Lot Coverage by Structures from 36% to 51% of lot area  <table border="1"> <thead> <tr> <th>Lot</th> <th>Max Lot Coverage</th> </tr> </thead> <tbody> <tr><td>1</td><td>.43</td></tr> <tr><td>2</td><td>.50</td></tr> <tr><td>3</td><td>.49</td></tr> <tr><td>4</td><td>.49</td></tr> <tr><td>5</td><td>.44</td></tr> <tr><td>6</td><td>.46</td></tr> <tr><td>7</td><td>.50</td></tr> <tr><td>8</td><td>.52</td></tr> <tr><td>9</td><td>.50</td></tr> <tr><td>10</td><td>.51</td></tr> <tr><td>11</td><td>.51</td></tr> <tr><td>12</td><td>.36</td></tr> <tr><td>13</td><td>.46</td></tr> <tr><td>14</td><td>.46</td></tr> <tr><td>15</td><td>.47</td></tr> <tr><td>16</td><td>.49</td></tr> <tr><td>17</td><td>.46</td></tr> </tbody> </table>	Lot	Max Lot Coverage	1	.43	2	.50	3	.49	4	.49	5	.44	6	.46	7	.50	8	.52	9	.50	10	.51	11	.51	12	.36	13	.46	14	.46	15	.47	16	.49	17	.46
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Impervious Surface (percent)	Maximum Impervious Surface coverage is 50% of total site per 20.45A.060.B.3.(6)  Conservation Subdivision	Total Site Impervious Coverage: 61,456 SF or (18.8%)																																				

Lot Width	70'	Lot widths are 45' wide or greater  Modified by PUD
Lot Depth	80'	All lots at least 80'
Maximum Building Height	30'	30' measured from average existing grade to the mean height between the eave and the ridge
Dwelling Units/Acre	Density per LUC 20.25H.045	
	R-3.5	3.5 units per acre
	Gross Site Area	7.47 acres
	Total Critical Area	3.99 acres
	Buildable Area	3.48 acres
	Development Factor	.46
(3.5 x 3.48) + (3.5 x 3.99 x .46) = 18.6 or <b>18 units allowed</b>		Proposed = <b>17 units</b> No bonus density proposed under PUD
Tree Retention	15% of total diameter inches	<b>57%</b>

**1. Setbacks**

The applicant is using the front and side setbacks per LUC 20.45A.060.B.3. The rear setback for lots 13-17 is required to be 25 feet per LUC 20.45.060.B.3.(4), due to adjacent development. In order to locate the homes on lots 6-11 away from adjacent steep slopes and the freeway as much as possible these lots are proposed to have a 25-foot rear setback. Lots 7, 8, and 9 are proposed to have a rear setback of 20 feet measured from the boundary of NGPA Tract G which is located along the rear of these three lots. **See conditions in Section XI for rear setbacks and Attachment 1 for setbacks.**

**2. Lot Area and Width**

The applicant has proposed a reduction in the minimum lot area and lot width through the PUD Process. The minimum lot size required in the R-3.5 zone for a conservation subdivision is 6,500 square feet. The average requested lot size is 6,449 square feet and based on the table below, lots 2, 3, 4, 7, 8, 9, 10, 11, and 16

have lot areas smaller than 6,500 square feet. **See Attachment 5 for Lot Area and Width on the Preliminary Plat.**

<b>Lot 1</b>	7,679	<b>Lot 10</b>	5,442
<b>Lot 2</b>	5,850	<b>Lot 11</b>	5,465
<b>Lot 3</b>	5,874	<b>Lot 12</b>	9,844
<b>Lot 4</b>	5,864	<b>Lot 13</b>	6,773
<b>Lot 5</b>	7,494	<b>Lot 14</b>	6,823
<b>Lot 6</b>	6,856	<b>Lot 15</b>	6,616
<b>Lot 7</b>	5,598	<b>Lot 16</b>	5,983
<b>Lot 8</b>	5,043	<b>Lot 17</b>	6,774
<b>Lot 9</b>	5,654		

The width of the proposed lots is less than 70' as required in LUC 20.20.010. The PUD proposes to modify the minimum lot width as found on the Site Plan as Attachment 1. The smallest lot width proposed is 45 feet wide on lots 2, 3, and 4.

### 3. Structural Lot Coverage

The maximum structural lot coverage is calculated by the equation found in LUC 20.45A.060. From the equation the maximum allowed lot coverage of each lot ranges from 36 percent to 51 percent of the lot area.

### Impervious Surface Coverage

4. Per the calculations provided on the Impervious Surfaces plan the largest surface coverage percentage proposed on an individual lot is 40.1 percent. Total site impervious surface coverage is limited to 50 percent of the gross site area and includes any private roads. The Impervious Surfaces plan shows that the proposed total site coverage is 18.8 percent. Each lot is required to have the maximum impervious surface stated on the final plat per LUC 20.45A.060. **See conditions in Section XI for impervious surface coverage on final plat and Attachment 6 for impervious surface and lot coverage.**

### 5. Conservation and Recreation Space

LUC 20.30D.160 requires at least 40 percent of the gross project area be designated as conservation design features which can also include any critical areas; over 40 percent of the gross project area is proposed to be placed into Native Growth Protection Area (NPGA) tracts. The NPGAs meet the requirement for 40 percent conservation design features. In addition, a PUD must have 10 percent of the gross project area set aside as common recreation space; however, the requirement for recreation space may be waived if the total of critical area and critical area buffer equals at least 40 percent of the gross land area. As the total amount of critical areas and buffer is 3.99 acres or 53 percent of the project site no common recreation space is required.

## 6. Tree Preservation

Fifteen percent of the diameter inches of significant trees on the site are required to be retained. The proposed tree retention is 57 percent. Trees are required to be protected per City BMP T101. See conditions of approval in Section XI for tree protection requirements and Attachment 7 for the Tree Retention Plan.

## B. CRITICAL AREAS REQUIREMENTS LUC 20.25H

### 1. Critical Areas Functions and Values

The project has steep slopes and stream critical areas on-site which have habitat value. The Land Use Code protects critical areas and their important 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 Importance**

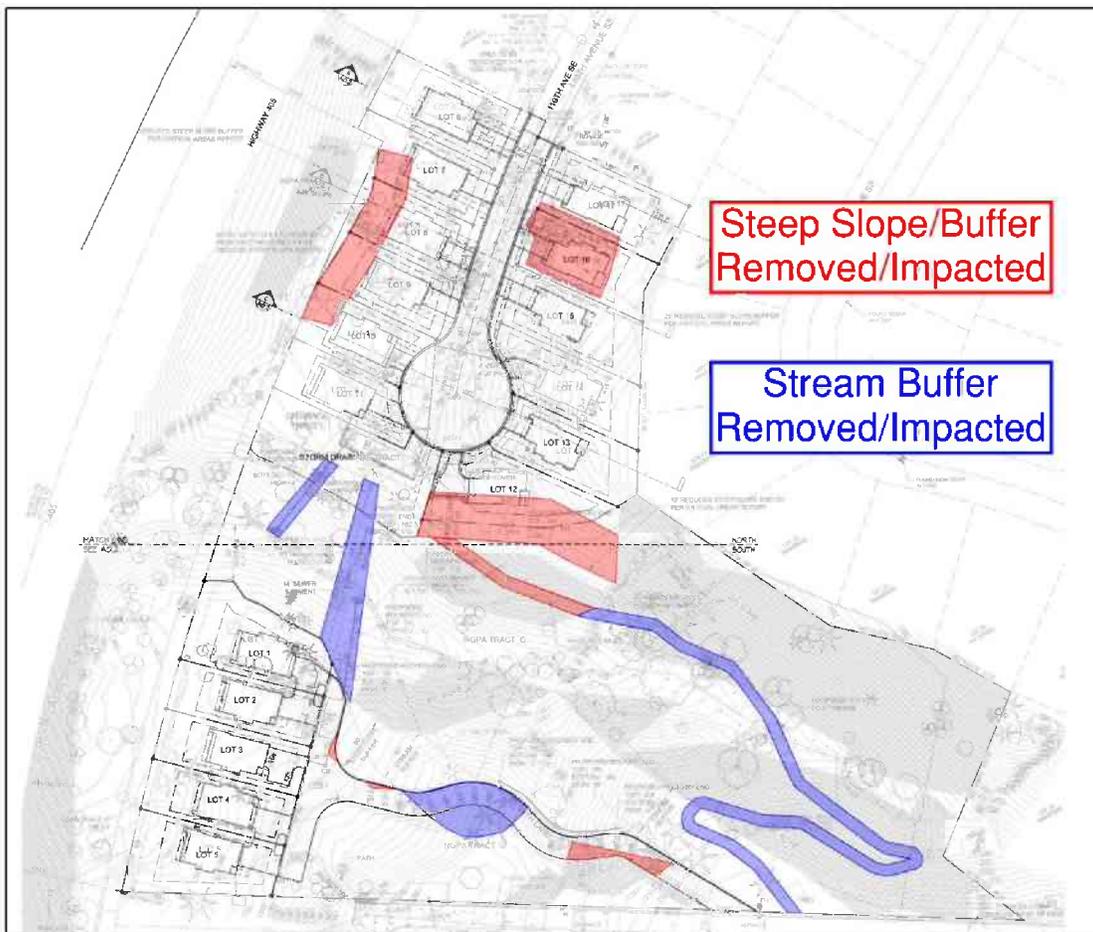
Urbanization, the increase in human settlement density and associated intensification of land use, has a profound and lasting effect on the natural environment and wildlife habitat (McKinney 2002, Blair 2004, Marzluff 2005, Munns 2006), is a major cause of native species local extinctions (Czech et al 2000), and is likely to become the primary cause of extinctions in the coming century (Marzluff et al. 2001a). Cities are typically located along rivers, on coastlines, or near large bodies of water. The associated floodplains and riparian systems make up a relatively small percentage of land cover in the western United States, yet they provide habitat for rich wildlife communities (Knopf et al. 1988), which in turn provide a source for urban habitat patches or reserves. Consequently, urban areas can support rich wildlife communities. In fact, species richness peaks for some groups, including songbirds, at an intermediate level of development (Blair 1999, Marzluff 2005). Protected wild areas alone cannot be depended on to conserve wildlife species. Impacts from catastrophic events, environmental changes, and evolutionary processes (genetic drift, inbreeding, colonization) can be magnified when a

taxonomic group or unit is confined to a specific area, and no one area or group of areas is likely to support the biological processes necessary to maintain biodiversity over a range of geographic scales (Shaughnessy and O'Neil 2001). As well, typological approaches to taxonomy or the use of indicators present the risk that evolutionary potential will be lost when depending on reserves for preservation (Rojas 2007). Urban habitat is a vital link in the process of wildlife conservation in the U.S.

## 2. Critical Areas Impacts

Pursuant to Land Use Code (LUC) Section 20.25H, steep slope critical areas and stream critical area and their buffers constitute 3.99 acres or 53 percent of the gross site area. The applicant is proposing modifications through a Critical Areas Land Use Permit and Critical Areas Report. See Figure 7 below for critical areas impacts.

Figure 7: Critical Areas Impacts



Total Critical Areas Modifications proposed under LUC 20.25H.055 and by Critical Areas Report include:

- 2,193 square feet of steep slopes,

- 12,819 square feet of slope buffer,
  - 3,960 square feet of stream buffer
- 18,972 total square feet proposed for modification**

After the proposed modifications above, the site will retain 88 percent of the critical areas and buffer (3.55 acres). These remaining critical areas will be placed into Native Growth Protection Area (NGPA) tracts that will protect 4.07 acres or 54 percent of the gross site area from future development.

### **3. Conformance with Critical Areas Performance Standards**

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 steep slope critical area, stream, or buffer. LUC 20.25H.055 establishes certain uses which are allowed in critical areas. Uses which are not specifically allowed, require evaluation through a critical areas report. This project proposes to modify steep slopes, slope buffers, and stream buffer under the allowed use provisions and through evaluation under a critical areas report. The applicant has prepared the following information related to critical areas on-site:

- i. Geotechnical Engineering Study by Earth Consulting Inc. dated April 3, 2008**
- ii. Wetland and Stream Analysis Report by Sewall Wetland Consulting Inc. dated September 25, 2008**
- iii. Wildlife Habitat Assessment by Sewall Wetland Consulting Inc. dated September 22, 2008**
- iv. Stream Bank Exhibit received September 16, 2009**
- v. Mitigation, Maintenance, and Monitoring Plan prepared by Sewall Wetland Consulting revised August 2009**
- vi. Critical Areas Response Form Addendum to Critical Areas Report dated September 16, 2009**
- vii. Justification for Proposed Impacts to Critical Areas and Buffers dated September 16, 2009**

- In addition, staff also reviewed the following information regarding the stream on-site:
- viii. 2009 City of Bellevue Stream Typing Inventory by The Watershed Company**
  - ix. March 2006 Fish and Aquatic Resources Discipline Report as part of the I-405 Renton to Bellevue Project Environmental Analysis**

The project elements are subject to the requirements found in LUC 20.25H as specified below:

Proposed Improvement	Critical Area Impacted	Code Requirement
Private Road Access Pedestrian Trail	Stream Buffer Steep Slope Steep Slope Buffer	20.25H.055.C.2.a 20.25H.055.C.2.b 20.25H.055.C.3.f 20.25H.055.C.3.g
Utilities and Drainage	Stream Stream Buffer	20.25H.075.D.3
Single-Family Development	Slope Buffer	20.25H.125 20.25H.140 20.25H.145

**i. Consistency with LUC 20.25H.055.C.2.a (Private Road Access and Pedestrian Trail)**

**New and Expanded Uses or Development.** New or expanded facilities and systems are allowed within the critical area or critical area buffer only where no technically feasible alternative with less impact on the critical area or critical area buffer exists. A determination of technically feasible alternatives will consider:

**a. The location of existing infrastructure;**

No existing infrastructure exists on the site. Public roads adjacent to the site are 110<sup>th</sup> Avenue SE and SE 60<sup>th</sup> Street which provide the only means for vehicular access to the property. Access is proposed from SE 60<sup>th</sup> to serve the 5 lots south of the stream on-site in order to avoid construction of a permanent stream crossing which would be required if access was provided only from 110<sup>th</sup> Ave. SE. The proposed access road was located in a manner to have the least impact on the stream and buffer. **See project site plan in Attachment 1 for road locations.**

**b. The function or objective of the proposed new or expanded facility or system;**

The proposed road is required for the development of the subject property. Access can be provided from two locations: 110<sup>th</sup> Avenue SE or SE 60<sup>th</sup> Street. The proposed road is designed to serve lots 1 through 5 and is located in order to do so with the least impact possible on critical areas as compared to the only other option which is to bridge the stream and steep slopes and access onto 110<sup>th</sup> Ave. SE.

**c. Demonstration that no alternative location or configuration outside of the critical area or critical area buffer achieves the stated function or objective,**

**including construction of new or expanded facilities or systems outside of the critical area;**

Due to the overlapping nature and location of critical areas on the site, there is no alternative that would allow the road access to lots 1 through 5 to be located outside the critical areas as required by LUC 20.25H.055.C.2. The road access for lots 1 through 5 was previously designed to cross the stream via a bridge. The access has been redesigned to avoid the stream and buffer to the extent possible.

**d. Whether the cost of avoiding disturbance is substantially disproportionate as compared to the environmental impact of proposed disturbance; and**

The alternative bridge across the stream versus the proposed road for lots 1 through 5 would result in much more substantial design and construction costs than the proposed road connection to SE 60<sup>th</sup> St. The bridge would also require on-going maintenance while the proposed road could just be paved when needed. The bridge would also be a permanent impact to the stream by locating a pollution generating surface directly over a stream. The proposed road only impacts a portion of the stream buffer and does not cross the stream. Therefore, the proposed road access to lots 1 through 5 results in a lesser environmental impact compared to the alternatives available.

**e. The ability of both permanent and temporary disturbance to be mitigated.**

Restoration planting is proposed to restore areas of the stream buffer as mitigation for all project impacts to critical areas and stream buffer which include impacts to critical areas caused by the road access to lots 1 through 5.

**ii. Consistency with LUC 20.25H.055.C.3.f and LUC 20.25H.055.C.3.g (Pedestrian Trail)**

**Private Nonmotorized Trails.** New nonmotorized trails within the critical area or critical area buffer are limited to those serving nonresidential uses, multifamily residential uses, and more than one single-family lot. Private nonmotorized trails shall comply with the performance standards for trails in subsection LUC 20.25H.055.C.3.g as follows:

**a. Trail location and design shall result in the least impacts on the critical area or critical area buffer;**

The trail provides a pedestrian connection between 110<sup>th</sup> Ave SE and SE 60<sup>th</sup> St. In order to provide this connection it will be necessary for the trail to cross steep slopes, slope buffers, the stream buffer, and the stream itself. The trail is required to be composed of mulch or wood chips and is limited to being 6 feet wide. The trail also cannot result in the removal of any significant trees and will need to be meandered or modified to avoid tree removal. The location of the trail

will need to be inspected by Land Use staff prior to installation. The proposed footbridge shall be no more than 6 feet wide, matching the trail width, and any abutments shall be above the top-of-bank elevations. The trail will be included within a 10' wide public easement within Native Growth Protection Area Tract C so that the trail can be used by the surrounding neighborhood. Access easements to the trail along the extension of 110<sup>th</sup> Ave. SE will also be required **See conditions in Section XI for trail requirement.**

- b. Trails shall be designed to complement and enhance the environmental, educational, and social functions and values of the critical area with trail design and construction focused on managing and controlling public access and limiting uncontrolled access;**

The trail is required to be constructed out of bark or mulch in order to limit impacts, prevent any impervious surfaces in the critical areas, and avoid tree removal. This trail will provide a pedestrian connection between 110<sup>th</sup> Ave. SE and SE 60<sup>th</sup> St. which currently does not exist and will be for the proposed homes as well as the surrounding neighborhood. This trail will be privately owned and maintained and given its small size is not intended to have a user base outside of the immediate neighborhood.

- c. Trails shall be designed to avoid disturbance of significant trees and to limit disturbance of native understory vegetation;**

The trail shall not result in the removal of any significant trees and will need to be meandered or modified to avoid tree removal. The location of the trail will need to be inspected by Land Use staff prior to installation.

- d. Trails shall be designed to avoid disturbance of habitat used for salmonid rearing or spawning or by any species of local importance;**

The stream on-site has been identified as a Type-N stream which does not support fish habitat which is discussed later in this report. However, the bridge crossing is required to be no wider than 6 feet, which is the maximum width of the trail, and any abutments are required to be above the stream top-of-bank.

- e. The trail shall be the minimum width necessary to accommodate the intended function or objective;**

The trail is limited to being 6 feet in width which is the minimum necessary for its intended use.

- f. All work shall be consistent with the City of Bellevue's "Environmental Best Management Practices" and all applicable City of Bellevue codes and standards, now or as hereafter amended;**

Review under required infrastructure permits will ensure all applicable BMPs and codes are met.

- g. The facility shall not significantly change or diminish overall aquatic area flow peaks, duration or volume or flood storage capacity, or hydroperiod;**

The footbridge and its supports are required to be located above the top-of-bank of the stream.

- h. Where feasible and consistent with any accessibility requirements, any trail shall be constructed of pervious materials;**

The trail is required to be composed of mulch, woodchips, or other similar material.

- i. Crossings over and penetrations into wetlands and streams shall be generally perpendicular to the critical area, and shall be accomplished by bridging or other technique designed to minimize critical area disturbance considering the entire trail segment and function;**

The footbridge proposed is as perpendicular to the stream as it can be while still avoiding existing vegetation and providing a trail which is usable despite the significant grade changes. The pedestrian path has a proposed foot bridge over the existing stream, which has been orientated nearly perpendicular to the stream channel. The slight angle has been utilized to avoid impacts to existing native vegetation. See conditions of approval in Section XI for conditions on the footbridge.

- 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.**

The proposed restoration planting provides mitigation for permanent disturbance and restoration for temporary impacts. See conditions of approval in Section XI for conditions on the mitigation plan.

**iii. Consistency with LUC 20.25H.055.C.2.b (Private Road and Access and Pedestrian Trail)**

**New and Expanded Uses or Development.** If the applicant demonstrates that no technically feasible alternative with less impact on the critical area or critical area buffer exists, then the applicant shall comply with the following:

- a. Location and design shall result in the least impacts on the critical area or critical area buffer;**

The proposed access for lots 1 through 5 was chosen to avoid impacting the stream and to limit tree removal. The road impacts an outer portion of the stream buffer measuring 3,960 square feet. Given existing grades and the location of existing public streets the proposed access road is in one of the only suitable locations on the site.

- b. Disturbance of the critical area and critical area buffer, including disturbance of vegetation and soils, shall be minimized;**

This has been done by careful placement and design of the improvements associated with this development. The temporarily disturbed areas will be restored with plantings as appropriate. Only the minimum necessary earth work will be conducted. Due to the slopes which the trail must cross, a more direct walking path would limit disturbance but would also limit the usability of the trail.

- c. Disturbance shall not occur in habitat used for salmonid rearing or spawning or by any species of local importance unless no other technically feasible location exists;**

The stream has been examined several times and visited by staff over the course of the project review. No salmonid species or other fish were found as the stream lacks consistent water flow and is primarily the result of storm run-off from surrounding surfaces. No species of local importance were documented in the submitted habitat analysis or stream reports; however, the site does provide habitat. The majority of the property is being maintained in a natural state as it currently exists which maintains the habitat values provided by the large significant trees on-site. The road is located as much as possible in areas outside of stream buffer which are closer to the perimeter of the site and have been historically disturbed.

- d. Any crossing over of a wetland or stream shall be designed to minimize critical area and critical area buffer coverage and critical area and critical area buffer disturbance, for example by use of bridge, boring, or open cut and perpendicular crossings, and shall be the minimum width necessary to accommodate the intended function or objective; provided, that the Director may require that the facility be designed to accommodate additional facilities where the likelihood of additional facilities exists, and one consolidated corridor would result in fewer**

The proposed road access of lots 1 through 5 to SE 60<sup>th</sup> St. is an alternative access to crossing over the stream on-site to access to 110<sup>th</sup> Ave. SE. The proposed access avoids creating a crossing over a stream.

- e. All work shall be consistent with applicable City of Bellevue codes and**

**standards;**

The proposed improvements are either allowed uses consistent with the code or have been demonstrated to cause the least impact to critical areas, consistent with the code.

- f. The facility or system shall not have a significant adverse impact on overall aquatic area flow peaks, duration or volume or flood storage capacity, or hydroperiod;**

By restoring the temporarily impacted areas and providing buffer enhancement to offset minor impacts to the buffer from the pedestrian walkway, it is not anticipated that the proposed buffer modifications will have any impact on the aquatic area flows, duration or volume, or flood storage capacity, or hydroperiod. The proposed storm drainage systems include storage vaults to hold and slow the release of storm water to the stream over time. This project is vested to the 2009 stormwater regulations. As the majority of the site is being left undisturbed the existing drainage characteristics should be maintained. However, any development will result in some change of flows and storage capacity. The infrastructure and utility systems will be designed to mimic the existing conditions.

- g. Associated parking and other support functions, including, for example, mechanical equipment and maintenance sheds, must be located outside critical area or critical area buffer except where no feasible alternative exists; and**

No parking is allowed on the access road serving lots 1 through 5. All other infrastructure will be placed within the paved area of this road or will be outside of any buffers in order to avoid further impacts.

- h. 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.**

All areas of buffer reduction will be mitigated by a minimum 1:1 mitigation ratio. The impacts to the stream and slope buffer from the access road to lots 1 through 5 will be mitigated by enhancing the existing critical area buffer with native plantings. The critical area buffers to be enhanced are degraded with non-native invasive Himalayan blackberry and other weeds, debris, and garbage. Part of the mitigation proposed includes removal of the weeds, debris, and garbage from the Native Growth Protection Area tracts. A final mitigation plan is required to be submitted as part of plat clearing and grading to address the following:

- Ensure mitigation planting is at least 18,972 square feet in area based on

the amount of critical areas and buffer being modified and ensure plans show all critical area and buffer modifications as found in **Attachment 8**.

- Specify plant spacing which must be at least 9 to 12 feet on center for trees, 4 to 6 feet on center for shrubs, and 2 feet spacing for ground covers.
- Ensure plant quantity is sufficient to achieve the required density and area coverage which should for each 1,000 square feet should generally achieve 8 trees, 30 shrubs, and 285 ground covers. At least 18,972 square feet must be planted.
- Separate any areas of temporary disturbance resulting from the sewer and storm lines crossing the stream or from road and trail construction. Show how these areas will be restored. Restoration of temporary disturbance is separate from mitigation.
- Areas of invasive species and debris removal must be identified.
- Update the plan to show the proposed development approved by this review.
- Provide a cost estimate to carry out the mitigation.

**See conditions in Section XI for final mitigation plan requirements.**

**iv. LUC 20.25H.075.D.3 (Utilities and Drainage)**

**Structure Setback Modification - Open Streams on Undeveloped Sites.** The Director may waive or modify the structure setback on an undeveloped site as part of the permit or approval for the underlying proposal if the applicant demonstrates that:

- a. Water quality, or slope stability as documented in a geotechnical report, will not be adversely affected;**

Water quality and slope stability as documented in a geotechnical report, will not be adversely affected as water from impervious surfaces should be "tightlined to a permanent storm drainage facility" so that water does not "discharge onto slopes" (Geotech Report, Pg. 8). The proposed storm system will drain to the stream through a system of drains and underground vaults, reducing potential for uncontrolled inputs to the stream. The slopes which drain to the stream are being left undisturbed and fully vegetated. A sewer crossing is proposed to cross the stream and should be bored under in order to avoid any disturbance to the stream. If boring is demonstrated to not be feasible, other means may be proposed, provided that only temporary disturbance of the buffer and critical area is proposed. No sewer utility is located on SE 60<sup>th</sup> St and the only connections in the vicinity are in 110<sup>th</sup> Ave. SE or within I-405 right-of-way to the south. The proposed sewer line utility connects to sewer located in 110<sup>th</sup> Avenue SE as the I-405 connection is over 500 feet away and would impact other critical areas if connection to that facility was proposed. **See conditions of approval in section XI for utility boring.**

- b. Encroachment into the structure setback will not disturb habitat of a species of local importance within a critical area or critical area buffer;**

No species of local importance were identified on the site; however, the site does provide sufficient vegetation coverage that the potential for species to use this site exists. As a result, a majority of the site is being maintained and protected in tracts to keep existing habitat and protect critical areas. The proposed sewer crossing could impact riparian habitat; however, the requirement to bore the sewer under the stream should prevent any disturbance. An analysis of the only other viable route for sewer showed that much more critical area is impacted by connecting to the south than by crossing the stream to the north. The proposed sewer line is located in the most direct orientation to achieve the minimum impact and still function as needed.

- c. Vegetation in the critical area and critical area buffer will not be disturbed by construction, development or maintenance activities and will be maintained in a healthy condition for the anticipated life of the development; and**

No structures are proposed within the structure setback from the stream that will remove vegetation. As discussed above, this proposed access is the feasible alternative to construction of a bridge across the stream which would result in more disturbance than the proposed road. All areas adjacent to the private road will be placed into Native Growth Protection Area Tracts to restrict future development. Critical area signs are required to be posted at the boundary of the development to inform the public and to keep unauthorized activity out. One sign is required adjacent to any abutting residential properties or spaced at 100 feet when not adjacent to residential properties. Split rail fencing along NGPA tract boundaries is required in order to visually separate the restricted areas. **See conditions of approval in Section XI.**

- d. Enhancement planting on the boundary between the structure setback and the critical area buffer will reduce impacts of development within the structure setback.**

Landscaping is proposed around the perimeter of the developed lots. Existing vegetation will be left undisturbed outside of the developed lots. In addition, mitigation planting is proposed along the stream corridor and slopes. **See conditions of approval in Section XI.**

- v. Consistency with LUC 20.25H.125 (Single-Family Development)**

**Performance standards – Landslide hazards and steep slopes.** In addition to generally applicable performance standards set forth in LUC 20.25H.055, development within a landslide hazard or 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 requirement for long-term slope stability shall exclude designs that require regular and periodic maintenance to maintain their level of function.

Per the submitted geotech report by Earth Consulting Inc. dated April 3, 2008 and the critical areas report addendum dated September 9, 2009 the project's engineers and geotech have stated that the project has been designed to fit the topography of the site, "to the extent practical." The development on the site has been located and clustered to avoid most of the critical areas on the site.

- 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;**

"The proposed structures for this site have been designed, to the extent practical, to fit the topography of this site." (Addendum, Pg. 8). The only steep slopes proposed for modification are to allow for access road construction and grading associated with home construction. The slopes to be modified are found in the "northern portion of the site and one in the south-central portion of the site" as reviewed by the geotech and each "appears to have been created through previous grading activity" (Geotech Report, Pg. 7). The northern slope area is isolated on the site and is recommended to be regraded to match the "contours of the natural slope" adjacent (Geotech Report, Pg. 7). The proposed access road to lots 1 through 5 is modifying the southern steep slope. This roadway was found "feasible" by the geotech provided the surrounding yard waste is removed from the slope area, the slope area regraded and vegetation restored.

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

The development on this site has been clustered to avoid most of the major critical areas on the property. Trees have been retained wherever possible and impacts to critical areas have been designed to achieve the least impact possible. A majority of the property area will be placed into protected tracts which will maintain the most significant topography, vegetation, and habitat features.

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

The proposal does not increase the need for increased buffers or increase the risk for neighboring properties, as no critical areas or buffer adjacent to neighboring properties are being impacted or modified. All proposed impacts are contained on the site with the exception of the buffer reduction from the slope above I-405.

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

Retaining walls have been used adjacent to the access road to minimize impacts on the critical area buffer. Other smaller retaining walls may be needed around housing units to adjust topography. No significantly large retaining walls or significant fill/excavation is proposed to alter topography between the proposed housing units and adjacent neighboring properties. The existing topography is being maintained to the maximum extent possible because proposed homes will be constructed to fit into the existing topography.

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

The project is designed to avoid placement of impervious surfaces within critical areas and buffers and modifies buffers where avoidance is not possible. The pedestrian trail and footbridge will cross the stream, but will be constructed out of pervious materials to maintain existing infiltration and limit disturbance.

- 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;**

This site layout and housing designs have been modified to minimize the use of retaining walls and significant fill/excavation. The proposal will most maintain existing grades where adjacent to neighboring properties. Grading and walls may be necessary for access road construction and driveway access as part of the plat infrastructure construction.

- 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;**

The housing designs have been modified to allow the houses to maintain existing topography and fit the foundations into the existing grades as much as possible. These modifications avoid the previously proposed large freestanding retaining walls around the site perimeter and avoid significant excavation and fill.

- 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;**

No construction is being proposed 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; and**

No construction is being proposed 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.**

A mitigation plan has been provided which restores temporary disturbance and mitigates for proposed buffer reductions.

**vi. Consistency with LUC 20.25H.140 (Single-Family Development)**

**Critical areas report – Additional provisions for landslide hazards and steep slopes.** In addition to the general requirements of LUC 20.25H.230, the following areas shall be addressed in a critical areas report for geologically hazardous areas:

- a. Site and Construction Plans. The report shall include a copy of the site plans for the proposal and a topographic survey;**

Refer to the plans submitted with the application and the report.

- b. Assessment of Geological Characteristics. The report shall include an assessment of the geologic characteristics of the soils, sediments, and/or rock of the project area and potentially affected adjacent properties, and a review of the site history regarding landslides, erosion, and prior grading. Soils analysis shall be accomplished in accordance with accepted classification systems in use in the region;**

Refer to the submitted geotechnical report by Earth Consulting Inc. dated April 3, 2008. The assessment of the geological characteristics begins on Page 2 and addresses the above site characteristics.

- c. Analysis of Proposal. The report shall contain a hazards analysis including a detailed description of the project, its relationship to the geologic hazard(s), and its potential impact upon the hazard area, the subject property, and affected adjacent properties; and**

Refer to the previously submitted geotechnical report by Earth Consulting Incorporated dated April 3, 2008, and Critical Areas Report Addendum dated September 16, 2009. These documents review the proposed modifications to steep slopes and buffers, recommend minimum buffers, and make recommendations for construction.

- d. **Minimum Critical Area Buffer and Building Setback.** The report shall make a recommendation for a minimum geologic hazard critical area buffer, if any, and minimum building setback, if any, from any geologic hazard based upon the geotechnical analysis.

The geotech found the site is stable in its current configuration, and recommended that concentrated runoff is not directed towards the steep slopes and that structures are located “no less than 20 feet from the steep slope adjacent to I-405 and a “minimum of 10 feet” from the slope adjacent to lot 12 (Addendum, Pg. 5). **See Attachment 8 for critical area impacts.** Based on their review and recommendations, the geotech found that “the potential risks to the development due to slope instability are low” (Addendum, Pg.6). **See conditions of approval in section XI.**

vii. **LUC 20.25H.145 (Single-Family Development)**

**Critical areas report – Approval of modification.** 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;**

The modifications to slopes and slope buffers are restricted to the project site. The western portion of the site was identified as having areas of steep slopes which are “not a landslide hazard area” (Addendum, Pg. 6). Steep slopes on the eastern portion of the site are not proposed to be modified. The slope modification proposed by this project is to modify:

- 1,355 square feet of steep slope and 2,834 square feet of buffer from this slope on lots 16 and 17
- 4,862 square feet of slope buffer from steep slopes adjacent to I-405 on lots 7, 8, and 9
- 4,929 square feet of slope buffer from steep slopes adjacent to lot 12
- 838 square feet of steep slope and 194 square feet of slope buffer for proposed road access to lots 1 through 5.
- **Total: 2,193 square feet of steep slope and 12,819 square feet of slope buffer removed**

As mentioned above, the slope buffers where not totally removed from critical area status will be reduced to 20 feet or 10 feet.

**b. Will not adversely impact other critical areas;**

Most of the proposed changes and impacts are to steep slopes and buffers in order to avoid the most important critical area on site which is the stream and riparian corridor. The majority of the site is being left undisturbed in Native Growth Protection Area tracts which leave significant trees and vegetation undisturbed. Proposed mitigation will also enhance the riparian corridor and improve vegetation diversity. No unintended impacts to other critical areas are anticipated.

**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;**

“Surface flows from the developed portion of the site are directed away from the critical areas, and will not increase the likelihood of erosion of soils and discharge of sediment or saturation of the soils where steep slopes are present” (Addendum, Pg. 10). The geotech has found, that provided their recommendations are followed, that the project can be constructed and not “reduce the stability” of slopes on the site (Geotech Report, Pg. 7).

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

Refer to the previously submitted geotechnical report by Earth Consulting Incorporated dated April 3, 2008. The geotech has found, that provided their recommendations are followed, that “the proposed development can be completed as planned and should not reduce the stability of the site slopes” (Geotech Report, Pg. 7). As required in LUC 20.30P.170, the applicant shall submit a hold harmless agreement in a form approved by the City Attorney which releases the City from liability for any damage arising from the location of improvements within a critical area buffer. The hold harmless agreement is required to be recorded with King County prior to plat infrastructure permit issuance. See Section XI of this report for conditions on hold harmless requirements.

**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;**

The applicant submitted a geotechnical report by Earth Consulting Incorporated dated April 3, 2008, and an addendum dated September 16, 2009. The geotech has found, that provided their recommendations are followed, that the project can be constructed and not “reduce the stability” of slopes on the site (Geotech Report, Pg. 7). The geotech recommends “maintaining vegetation, revegetating regraded or cleared slopes, and controlling surface water runoff” on slopes adjacent to development (Geotech Report, Pg. 7).

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

The geotech has found that “the proposed development can be completed as planned and should not reduce the stability of the site slopes” (Geotech Report, Pg. 7). The geotech reviewed the proposed slope and buffer modifications and gave recommendations for reduced minimum buffer widths.

- 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.**

There were no species of local importance found on the site; however, the site does provide habitat. The proposal will improve the quality of habitat within the critical areas through mitigation of the riparian corridor. The proposal will not inhibit the opportunity for any species of local importance to occupy the critical areas, and will improve vegetation quality by removing invasive species and vegetation diversity. The proposal will also place most of the site into protected tracts which are restricted from future development and vegetation alteration.

## **V. PUBLIC NOTICE AND COMMENT**

Application Date:	November 21, 2008
Notice of Application:	January 8, 2009
Public Notice Sign:	January 8, 2009
Minimum Comment Period:	January 22, 2009

Although the minimum required public comment period ended on January 22, 2009 comments were accepted up to the date of this recommendation and decision. There were numerous comments received, mostly from property owners and the neighborhood association of the

adjacent neighborhood to the northeast. **See summarized comments in Attachment 9 of this staff report along with City staff responses to the comments. The original letters and emails can be found in the project file.** The public notice period included both the PUD/Plat and Critical Areas Land Use Permit and comments were received concerning both requested approvals. Responses are provided below regarding these frequent concerns:

**A. Traffic Increase**

The Transportation Department has reviewed the project and has found that the 17 new pm peak hour trips generated by the development are already accounted for within the anticipated growth of this area and does not require additional study. The Transportation Department found the increase in traffic resulting from this development falls within the range of acceptance by the Transportation Department based on its Codes and Standards.

**B. Conformance with Comprehensive Plan**

The decision criteria in LUC 20.30D.150 for Planned Unit Developments has requirements for the development to be consistent with the City's Comprehensive Plan. Many comments were submitted which stated the project was not in conformance with the comprehensive plan, but provided limited explanation regarding lack of project conformance. The Comprehensive Plan is comprised of goals and policies which are implemented by the Land Use Code and other City of Bellevue codes. Conformance with the codes and consistency with the Comprehensive Plan is required for project approval. The Comprehensive Plan is a document with goals to guide staff to achieve a desired vision for the City. **See Attachment 10 and Section IX below for review of project consistency with the Comprehensive Plan.**

**C. Neighborhood Character and Compatibility**

The existing neighborhood is single-family residential with individual, detached houses on separate lots. The proposed development maintains this development pattern. The surrounding houses are multi-floor structures with pitched roofs (gable, gambrel, and hipped,) with overhangs and varying exterior cladding materials and accessory decks and patios. The proposed development is consistent with these features. Where adjacent to existing development, perimeter landscaping is provided to buffer the development from adjacent properties. Each lot in the surrounding neighborhood is serviced by an individual driveway and garage which the proposed development also provides. Some houses also gain access to the public right-of-way via private roads, similar to what is proposed. The proposed road extension of 110<sup>th</sup> Ave SE matches the existing road for width and provides a turn-around for the use of not only future residents but those living adjacent to this site.

**D. Applicability of Planned Unit Development, Rezone, and Density**

The purpose of this Planned Unit Development is to facilitate development on the least sensitive area of a site and to preserve critical areas. The project is not proposing alternative housing types or increased density which can also be a function of the PUD process. This is not a rezone or land use change as the project is required to meet density requirements and use restrictions of the R-3.5 zone. No bonus density has been requested, although it is available through the PUD approval process. Calculating density considers the entire property and not only portions of it; the proposed density meets requirements of the code. No multi-family or

attached units are proposed, and the single-family land use design is maintained. The proposed development is clustered to avoid critical areas, and does not constitute a density transfer as the density proposed is on the same land as the critical areas. A density transfer leaves a site undeveloped in exchange for increased density on an off-site location. The proposed development is on one property and meets the maximum allowed density of 18 units, because 17 are proposed.

#### **E. Encroachment of Existing Uses onto the Site**

Public comments have stated there are accesses, structures, utilities, or other existing improvements encroaching onto the subject property of this proposal. Continuance or removal of these encroachments would be an issue addressed between the project applicant and the adjacent private property owners affected. There are no regulations enforced by the City which facilitate a private property owner to maintain improvements on property which is owned by another private owner. If there are improvements within unimproved City right-of-way, continuance of these improvements would be subject to approval by the Right-of-Way Use Division of the City's Transportation Department.

#### **F. Stream Typing and Buffer Disturbances**

Comments were received from the Muckleshoot Indian Tribe concerning the typing of the stream on the site and the proposed improvements within buffers. As discussed throughout this report, the stream was reviewed by separate entities over the course of several years. The stream was consistently identified as a Type-N stream which was supported by staff visits to the site over the course of this project. Over 4.07 acres of the site are being placed into Native Growth Protection Area tracts, which include the stream and almost the entire buffer except for where a driveway is proposed to access lots 1-5. This driveway is an alternative to construction of a bridge over the stream and was identified as an alternative with less impact. Utilities are proposed to cross the stream and are required to be bored, unless a demonstration of infeasibility can be made.

### **VI. TECHNICAL REVIEW**

#### **A. CLEARING & 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. **See Section XI of this report for Clearing & Grading related Conditions of Approval.**

#### **B. UTILITIES**

The Utilities Department has reviewed and approved the current application (08-135645-LK) only. There are no implied approvals of the utility engineering. Changes to the site layout may be required to accommodate all water, sewer, and storm drainage. Design review, plan approval, and field inspection shall be done through the Utility Developer Extension Agreement process, water application process, side sewer permit(s) and/or storm drainage connection permits. **See Section XI of this report for Utilities related Conditions of Approval.**

## **C. TRANSPORTATION REVIEW**

### **1. 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.

### **2. Easements**

The applicant shall provide private access easements to serve all proposed lots within the Kimberlee Park III PUD development. A public pedestrian easement must be provided along the private portion of 110<sup>th</sup> Avenue SE and the trail connection between 110<sup>th</sup> Avenue SE and SE 60<sup>th</sup> Street.

### **3. Transportation Improvements**

In order to provide safe pedestrian and vehicular access in the vicinity of the site, and to provide infrastructure improvements with a consistent and attractive appearance, the construction of Transportation improvements are required as a condition of development approval. The design of the improvements must conform to the requirements of the Americans with Disabilities Act and the Transportation Development Code (BCC 14.60), and the provisions of the Transportation Department Design Manual.

#### **i. SE 60<sup>th</sup> Street**

The applicant is responsible for pavement widening to create a 24 foot paved street width (two 10 foot travel lanes and a 4 foot wide shoulder). The applicant is responsible for channelization along SE 60<sup>th</sup> Street to create two 10 foot travel lanes and a 4 foot paved shoulder for pedestrian use. Guardrail installation will be determined by the transportation inspector.

#### **ii. Intersection of SE 60<sup>th</sup> Street and Lake Washington Boulevard SE**

The applicant is responsible for intersection improvements at SE 60<sup>th</sup> Street and Lake Washington Boulevard SE to improve sight distance. This work will include the installation of new pavement markings and traffic signs; removal of existing pavement markings and traffic signs; removal of existing vegetation and restoration of green spaces as needed. The transportation inspector may require more work items during construction deemed necessary by the engineer.

#### **iii. 110<sup>th</sup> Avenue SE:**

The applicant will be responsible for the extension of 110<sup>th</sup> Avenue SE with a cul-de-sac street end. The street extension will match the existing street width of 110<sup>th</sup> Avenue SE with pedestrian facilities located on the east side of the street. Said extension will be private road.

#### **4. Right of Way Dedication**

The developer is required to dedicate a small portion of 110<sup>th</sup> Avenue NE that is currently located on private property.

#### **5. Site Access**

Access to the proposed project will be provided via two private roads. Lots 1 through 5 will gain access to SE 60<sup>th</sup> Street via a 20 foot wide private road called "SE 60<sup>th</sup> Lane." Lots 1 through 5 will be addressed off of SE 60<sup>th</sup> Lane. In response to neighborhood concerns, the applicant is responsible for creating a private parking area for five passenger vehicles west of the intersection of SE 60<sup>th</sup> Lane to SE 60<sup>th</sup> Street. Each parking space will be 9 feet by 16 feet with appropriate signing and channelization. The City will not enforce parking restrictions for this parking area. This parking area cannot be located on city right of way.

Lots 6 through 17 will gain access to 110<sup>th</sup> Avenue SE via a private road extending south from the current end of this street. The street extension will be private and will be called "110<sup>th</sup> Avenue SE – Private Street". Lots 6 through 17 will be addressed off of the private portion of 110<sup>th</sup> Avenue SE. The street extension will match the existing width of 110<sup>th</sup> Avenue NE (approx. 28 feet) with additional width along the eastern side for a five foot wide concrete sidewalk. The street extension will terminate with a cul-de-sac type street end. The street extension will be designed to incorporate street lights as determined by the City's Street Light Engineer. No other access connection to city right-of-way is authorized. Upon completion of construction activity related to the Kimberlee Park III PUD, no loading or unloading activities on city right of way will be authorized.

#### **6. 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 has last been 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. Damage to the street can be mitigated by placing an asphalt overlay well beyond the limits of the trench walls to produce a more durable surface without the unsightly piecemeal look that often comes with small strip patching.

Near the development site, both 110<sup>th</sup> Avenue SE and SE 60<sup>th</sup> Street are classified as "Overlay Required." Minimum pavement restoration will extend 25 feet from each side of any street cut.

#### **7. Transportation Impacts and Mitigation**

To mitigate this proposal's contribution of increased traffic to the cumulative traffic in the area, **the Transportation Department recommends the conditions of approval located in Section XI of this report.**

#### **D. Fire**

The Fire Department has reviewed and approved the application with conditions for parking restrictions, fire hydrant locations, and vehicle turnaround requirements. **See Section XI of this report for Fire related Conditions of Approval.**

### **VII. STATE ENVIRONMENTAL POLICY ACT (SEPA)**

The environmental review indicates no probability of significant adverse environmental impacts occurring as a result of the proposal. The Environmental Checklist submitted with the application adequately discloses expected environmental impacts associated with the project. The City codes and requirements, including the Clear and Grade Code, Utility Code, Land Use Code, Noise Ordinance, Building Code and other construction codes are expected to mitigate potential environmental impacts. Therefore, issuance of an optional Determination of Non-Significance (DNS) is the appropriate threshold determination under the State Environmental Policy Act (SEPA) requirements with the incorporation by reference of the 2009-2020 Transportation Facilities Plan Final Environmental Impact Statement (TFP EIS), dated April 2009 (available in the Records Office at City Hall). This document analyzes the transportation and air quality impacts of the City's Traffic Task Force recommendations to meet the Comprehensive Plan, Transportation Element, and Mobility Management goals.

#### **A. EARTH AND WATER**

The submitted geotechnical report by Earth Consulting Incorporated, dated April 3, 2008 found the site covered in a 4 to 10 inch thick layer of topsoil and forested duff and fill material overlaying loose to medium dense silty sand with gravel. Glacial till was found under the sand/gravel layers at a depth of 9.5 feet. Based on the findings from the test pits and soil mapping of the site and immediate vicinity, the soils were identified to be advance outwash deposits consisting of sand and gravel, with glacial till below existing grade.

Light ground water seepage was found where soils were relatively clean sand and gravel. Based on observations the geotech found the seepage to be likely a result of water collecting above areas of low permeability soil. Ground water levels were found to fluctuate depending upon the season, amount of rainfall, runoff and is higher in the winter months and the report provides recommendations for home construction.

The project proposes to remove an isolated area of steep slope which was found to be remnant fill material stored on the site and historical yard debris dumping. In addition, slopes and slope buffers are proposed to be modified for access and home construction. The majority of the slopes on site which are critical areas are proposed to be placed within protected tracts which will prevent future modification.

The stream on-site has been identified and typed as a Type-N stream which starts on the site from off-site drainage and then flows under I-405 via a culvert and into Lake Washington. The stream has been examined as part of the following studies:

- 2001 field investigation contained in 2009 City of Bellevue Stream Typing Inventory by Watershed Company (on-site stream identified as 86\_21, 86\_22, 86\_23)
- March 2006 Fish and Aquatic Resources Discipline Report as part of the I-405 Renton to Bellevue Project Environmental Analysis (identified stream as 08.LW-8.7)
- September 2008 Wetland and Stream Report by Sewall Wetland Consulting submitted with the current project application

These studies all determined that the stream was a Type-N or equivalent. They report that there is a defined stream channel in the easterly portion of the Kimberlee Park III site where it enters via a culvert. This was confirmed by staff during a site investigation where water was seen in this upstream area following a snow event. However, from approximately the middle of the site to I-405, there was no water visible and intermittent evidence of a defined channel and sediment deposits leading to a chain link fence along the western property boundary. The stream disappears into the sediments at the location of the chain link fence. Between the chain link fence and I-405 (WSDOT ROW) there was no visible evidence of a stream, sediments, or any recent movement of water. The WSDOT report concluded there was an overall lack of a stream channel and due to several culverts (some under houses, roads, and I-405) that the stream at time of study does not provide habitat for fish based on existing conditions. While fish can and do access intermittent seasonal streams, fish use of the stream on the Kimberlee Park III site does not appear to be occurring or possible.

## **B. PLANTS AND ANIMALS**

Construction will require removal of some existing trees and vegetation to allow for the proposed homes and access roads. However, 57 percent of the total diameter inches of trees on site are proposed to be retained. There is use by smaller mammals which is consistent with forested areas in an urban setting. However the nature of this vegetation is isolated and significantly impacted as it is totally surrounded by existing development and roads on two of the site's three sides; one side being I-405.

Over 4.07 acres of the site is to be placed into permanent Native Growth Protection Area Tracts. These tracts will contain the stream, steep slopes, and significant trees which have the most habitat potential based on evidence of woodpeckers and the proximity of Lake Washington making any large trees potential perches for avian species. As mitigation for the impacts to critical areas described above from the proposed development, planting mitigation is proposed within the riparian corridor of the stream. Perimeter landscaping for the plat will provide additional tree planting on the developed properties. Fencing and signage demarking the boundary of the native growth protection area tracts is required as a condition of approval. Clearing limits and construction fencing will need to be verified by land use staff to ensure tree preservation. **See Conditions of Approval in Section XI of**

**this report for tree protection.**

**C. NOISE**

While construction noise and increased vehicle trips are expected during the construction period, the Bellevue Noise Control Ordinance, Bellevue City Code 9.18, regulates hours of construction-related noise emanating from the site. The Ordinance provides for an exemption from the noise restrictions for the hours of 7:00 a.m. to 6:00 p.m. weekdays and 9:00 a.m. to 6:00 p.m. on Saturdays which are not legal holidays. Therefore, no specific measures to reduce noise during this period are proposed.

**D. TRANSPORTATION**

**1. Long Term Impacts**

The long-term impacts of development projected to occur in the City by 2020 have been addressed in the City's Transportation Facilities Plan EIS. The impacts of growth which are projected to occur within the City by 2020 are evaluated on the roadway network assuming that all the transportation improvement projects proposed in the City's current Transportation Facilities Plan are in place. The Transportation Facilities Plan EIS divides the City into Mobility Management Areas (MMA) for analysis purposes. The Kimberlee Park III PUD lies within MMA # 14 (Newport Hills), which has a 2020 total growth projection of 111 single family dwelling units. This development proposes 17 new single family dwelling units. Therefore, the volume of proposed development is within the assumptions of the Transportation Facilities Plan EIS.

**2. Mid-Range Impacts**

Project impacts anticipated to occur in the next six years are assessed through a concurrency analysis. The Traffic Standards Code (BCC 14.10) requires that development proposals generating 30 or more p.m. peak hour trips must undergo a traffic impact analysis to determine if the concurrency requirements of the State Growth Management Act are maintained. This development will generate approximately 17 new p.m. peak hour trips; therefore a concurrency analysis is not required.

**3. Short Term Operational Impacts**

City staff analyzed the short term operational impacts of this proposal in order to recommend mitigation if necessary. These impacts included traffic operations conditions during the a.m. and p.m. peak hours. This development will distribute 12 new p.m. peak hour trips onto 110<sup>th</sup> Avenue SE and 5 new p.m. peak hour trips onto SE 60<sup>th</sup> Street via two private access roads. Due to the low volume of new trip generation created by this development, and the ample amount of additional traffic capacity at the nearby system intersections and city streets, short term operational impacts are anticipated to be negligible.

## VIII. CHANGES TO PROPOSAL DUE TO CITY REVIEW

### A. SITE ACCESS

Initially, access for the entire project was proposed from 110<sup>th</sup> Ave. SE for all lots; lots 1 through 5 were accessed by a bridge across the stream. Due to staff review, the access was changed to remove the bridge and have lots 1 through 5 accessed from SE 60<sup>th</sup> Street via a private road. This road was determined to have less of an impact to the stream on-site than a bridge crossing and is cheaper for future residents to maintain.

### B. SITE CLEARING AND GRADING

Early iterations of the proposal included large retaining walls or steep artificial slopes without retaining walls. Public comments were received with concern about the wall heights and slope stability of the artificial slopes. In addition, City codes limit the amount of excavation and fill outside of a house footprint, unless necessary for access. The current proposal now has removed the large retaining walls around the perimeter of the development and will maintain the existing grades. Between lots 12 through 17 and the existing development up-slope to the east the existing grade is proposed to be maintained and not require walls. Some walls may be necessary, but will be smaller and isolated on-site. Some excavation and fill is still needed, but it is associated with plat infrastructure construction for access to meet grade requirements. In addition, the road grade for access Tract A, which is the extension of 110<sup>th</sup> Ave SE, has been adjusted to aid the retention of site topography and reduce the demand for excavation and fill.

### C. HOUSE PLANS

The proposed homes have been modified slightly from their original configuration and style. These changes were a result of the limitation on excavation and fill and the homes have been designed to better fit into the existing topography and retain the slopes. Each house now has individual driveways and more traditional front facing garages as a result of the limitation on excavation and fill.

### D. PEDESTRIAN TRAIL

The applicant is constructing a pedestrian trail to connect from 110<sup>th</sup> Ave SE to SE 60<sup>th</sup> St which will cross through Tract C. This recognizes an informal existing trail which has been created overtime by residents living in the adjacent neighborhood. The trail will have a public easement over it so that residents of the surrounding neighborhood can use the trail in addition to the future residents of the plat. The future homeowner association of this plat will be responsible for maintaining the trail. If no HOA is formed the trail and all tracts will be owned in undivided interest by all property owners of the plat. **See Conditions of Approval in Section XI of this report related to the trail easement.**

## IX. DECISION CRITERIA

### A. 20.25H.255 CRITICAL AREAS REPORT DECISION CRITERIA

The Director may approve, or approve with modifications, the proposed modification 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 critical area buffer is generally comprised of a forested canopy with a shrub under story comprised dominantly of Himalayan blackberry. It is proposed that 1:1 mitigation be provided for all permanent disturbance and any areas of temporary impact. The mitigation will provide enhancement of the stream buffer, remove non-native invasive species (Himalayan blackberry) and debris by planting the buffer with native tree and shrub species. The stream and riparian corridor will gain species, density and greater structural diversity.

- 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;**

Species within the area use the critical areas for refuge, food sources, and water. By increasing the plant species diversity within the shrub layer, better shelter and a more diverse food source will be provided. Plantings have been proposed adjacent to the stream to provide better access to the water source by eliminating blackberry in these areas and by providing cover for animals. Part of the mitigation plan will include removal of dumped material and debris on the site in and around the stream in order to improve this critical area.

- 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;**

Installation of tree and shrub plantings on the banks and steep slopes will promote slope stability, which helps reduce the amount of bank sloughing and turbidity within the stream channel. The submitted planting mitigation plan proposes to improve the functions and values of the stream on-site which is the most important feature as well as provide understory planting to improve vegetation diversity. As mentioned previously, the geotech has stated that "surface flows from the developed portion of the site are directed away from the critical areas and will not increase the likelihood of erosion of soils and discharge of sediment or saturation of the soils where steep slopes are present" (Addendum, Pg. 10).

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

Mitigation planting is required to be maintained and monitored for five years. Installation of mitigation planting will be required to occur as part of the plat

infrastructure construction. Sureties will be required to ensure installation and maintenance which will be based on the cost estimate of plants and materials for the mitigation planting. The installation performance surety will be released upon Land Use inspection which verifies plants were installed per plan. The maintenance surety will be released after five years assuming restoration has been successful per the submitted maintenance and monitoring provisions. The installation and maintenance sureties for the mitigation planting are separate from the requirements of the perimeter landscaping. **See Conditions of Approval in Section XI 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 steep slopes and stream on-site. The mitigation plans specify performance standards to ensure that the mitigation area meets the intended goals of the project. The geotechnical engineer has provided recommendations for construction and buffer reduction on the site.

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

The proposal is compatible with the single-family uses in this land use district.

#### **B. 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;**

The applicant must obtain development permits to construct all of the proposed infrastructure and houses which include clearing and grading, utility, building, and other permits. Plans submitted for the development permits must reflect the plans reviewed under this approval. **See Conditions of Approval in Section XI 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 steep slope critical areas and streams. The development has been located on the least sensitive area of the site to avoid critical areas. 4.07 acres of the site is to be placed into Native Growth Protection Area Tracts which restrict future development. **See Conditions of Approval in Section XI of this report.**

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

As discussed in Section IV of this report, the applicable performance standards of LUC Section 20.25H are being met.

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

The site will be adequately served by existing public facilities.

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

The submitted restoration plan proposes to enhance 20,800 square feet with native planting, including trees, shrubs, and stake emergent planting per the submitted mitigation plan by Sewall Wetland Consulting dated August 2009. **See attachment 11 for mitigation plan.** Maintenance and monitoring will occur for a 5-year period. Monitoring will occur once each year with a monitoring report submitted following each monitoring visit. This plan will result in a 100 percent survival rate of all planted woody vegetation by the end of year 1 and 80 percent survival for all planted woody vegetation by year 5. All invasive species will be removed from the mitigation area at planting and not more than 15 percent of the mitigation area will be covered in non-native invasive species. All litter, paper, plastic, debris, garbage, etc. will be removed and future dumping on the site will be prevented by permanent fencing and signage. If plants are installed during summer months a temporary irrigation system is required. Maintenance and monitoring will be guaranteed by an installation surety which will be released after plant installation and a maintenance surety will be held for a 5 year period. As previously stated the submitted mitigation plan is a conceptual plan and a final mitigation plan is required to be submitted as part of future clearing and grading permits. **See Conditions of Approval in Section XI of this report.**

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

The proposal complies with all other applicable code requirements as approved or conditioned.

#### **C. 20.30D.150 PLANNED UNIT DEVELOPMENT PLAN DECISION CRITERIA**

This section includes a discussion of the Decision Criteria for Planned Unit Development action (20.30D.150). The Director may approve or approve with modifications an application for a Planned Unit Development if the approval criteria are met.

1. **The Planned Unit Development is consistent with the Comprehensive Plan**

Finding: The site is located in the Newport Hills Subarea, and designated Single-Family Medium Density (SF-M) per the Comprehensive Plan. The overall density of the proposal complies with the Newport Hills Subarea Plan and the site's SF-M designation. The proposal is supported by the following goals and policies of the Comprehensive Plan and as described further in Attachment 10 of this report.

### **Subarea Goals and Policies**

**POLICY S-NH-1.** Encourage developers of subdivisions or commercial buildings to engage in early communications with nearby residents and community groups to identify issues and opportunities.

**POLICY S-NH-5.** Encourage new development to use the Planned Unit Development (PUD) mechanism to preserve the visual character of existing open space and protect environmentally-sensitive areas in new subdivisions by clustering housing on the least sensitive portions of a site.

**POLICY S-NH-8.** Protect significant trees and environmentally-sensitive areas (steep slopes, riparian corridors, and wetlands) in accordance with the provisions of the Land Use Code.

**POLICY S-NH-15.** Develop an off-street trail system within the Newport Hills Subarea, upgrade the existing trail segments to standards, and construct new segments as land and funding becomes available.

**POLICY S-NH-30.** Protect and enhance fish and wildlife habitat in environmentally sensitive areas.

**POLICY S-NH-33.** Install signs on the perimeter of designated native growth protection easements to inform residents of the protected status of these areas.

**POLICY S-NH-54.** Preserve existing visual features such as trees and hilltops, views of water, and passive open space in new development when feasible.

### **Environmental Policies**

**POLICY EN-14.** Implement monitoring and adaptive management plans for critical areas mitigation projects to ensure that the intended functions are maintained or enhanced over time.

**POLICY EN-39.** Restrict the runoff rate, volume, and quality to predevelopment levels for all new development and redevelopment.

**POLICY EN-41.** Preserve and maintain fish and wildlife habitat conservation areas

and wetlands in a natural state and restore similar areas that have become degraded.

**POLICY EN-45.** Protect geologically hazardous areas, especially forested steep slopes, recognizing that these areas provide multiple critical areas functions.

**POLICY EN-54.** Utilize specific criteria in decisions to exempt specific small, isolated, or artificially created steep slopes from critical areas designation.

**POLICY EN-55.** Minimize and control soil erosion during and after development through the use of the best available technology and other development restrictions.

**POLICY EN-67.** Preserve a proportion of the significant trees throughout the city in order to sustain fish and wildlife habitat.

### **Urban Design Policies**

**POLICY UD-3.** Encourage a variety of site and building designs which are compatible and consistent with surrounding development and that implement the policies of this Plan.

**POLICY UD-16.** Exemplify the Pacific Northwest character through the retention of existing vegetation and through use of native plants in new landscaping. Encourage water conservation in landscape designs.

**POLICY UD-17.** Consider the maintenance of existing and added vegetation in site design and development.

**POLICY UD-18.** Preserve significant trees and mature vegetation, with special consideration given to the protection of groups of trees and associated undergrowth, specimen trees, and evergreen trees.

**POLICY UD-19.** Preserve trees as a component of the skyline to retain the image of a "City in a Park."

**POLICY UD-20.** Preserve and encourage open space as a dominant element of the community's character.

**POLICY UD-22.** Foster and value private open space as a contribution to the visual character of the community.

**POLICY UD-51.** Encourage dense plantings, hedges, or large, fast-growing trees to act as visual screens at locations where existing views of or from freeways are unappealing.

**POLICY UD-52.** Ensure that all development abutting the freeway corridors includes special design features which provide an attractive entrance to the city and presents the city in an attractive manner.

**POLICY UD-61.** Encourage the green and wooded character of existing neighborhoods.

### **Housing Policies**

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

**POLICY HO-18.** Provide opportunities and incentives through the Planned Unit Development (PUD) process for a variety of housing types and site planning techniques that can achieve the maximum housing potential of the site.

### **Land Use Policies:**

**POLICY LU-2.** Support the state Growth Management Act by developing and implementing a land use vision that is consistent with the GMA goals, the regional Vision 2020, and the King County Countywide Planning Policies.

**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.

**POLICY LU-4.** Encourage new residential development to achieve a substantial portion of the maximum density allowed on the net buildable acreage.

**POLICY LU-5.** Ensure enough properly-zoned land to provide for Bellevue's share of the regionally-adopted demand forecasts for residential, commercial, and industrial uses for the next 20 years.

**POLICY LU-9.** Maintain compatible use and design with the surrounding built environment when considering new development or redevelopment within an already developed area.

**POLICY LU-15.** Encourage dedication of open space and preservation and restoration of trees and vegetation to perpetuate Bellevue's park-like setting and enhance the city's natural environment.

**POLICY LU-16.** Promote a variety of techniques to preserve open space and key natural features, such as sensitive site planning, conservation easements, and open

space taxation.

**POLICY LU-19.** Maintain stability and improve the vitality of residential neighborhoods through adherence to, and enforcement of, the city's land use regulations.

**POLICY LU-23.** Provide, through land use regulation, the potential for a broad range of housing choices to meet the changing needs of the community.

**POLICY LU-24.** Encourage adequate pedestrian connections with nearby neighborhood and transit facilities in all residential site development.

- 2. The Planned Unit Development accomplishes, by the use of permitted flexibility and variation in design, a development that is better than that resulting from traditional development. Net benefit to the City may be demonstrated by one or more of the following:**
  - i. Placement, type or reduced bulk of structures, or**
  - ii. Interconnected usable open space, or**
  - iii. Recreation facilities, or**
  - iv. Other public facilities, or**
  - v. Conservation of natural features, or**
  - vi. Conservation of critical areas and critical area buffers beyond that required under Part 20.25H LUC, or**
  - vii. Aesthetic features and harmonious design, or**
  - viii. Energy efficient site design or building features, or**
  - ix. Use of *low impact development techniques*; and**

Finding: The proposed project is superior to traditional development as the project locates development on the least sensitive portions of the site and is preserving over 4.07 acres in Native Growth Protection Area tracts. These tracts will be provided with signs which note their status as protected areas. Fifty-seven percent of the trees on site are being retained. A trail is being provided through the largest tract on-site which allows access and recreational use of this large tract and is for the use of residents in the surrounding neighborhood and future residents of this plat. The perimeter of the development is being landscaped to soften the transition to existing adjacent residences. The development has also been designed to maintain existing topography where possible. The houses have been designed to fit into the existing topography rather than requiring the construction of large retaining walls and significant excavation. The proposed homes are detached and served by individual driveways which maintains the existing single-family character of the neighborhood. The homes are 2 to 3 floors and have pitched roofs which can be found in the surrounding neighborhoods.

- 3. The Planned Unit Development results in no greater burden on present and projected public utilities than would result from traditional development and**

**the Planned Unit Development will be served by adequate public or private facilities including streets, fire protection, and utilities.**

Finding: The project will connect to existing public utilities. The proposed development efficiently takes advantage of existing urban levels of service for the surrounding community. The Utility, Transportation, and Fire Departments have reviewed the development and have found the project to be in conformance with their codes or have required the project to make improvements where necessary.

- 4. The perimeter of the Planned Unit Development is compatible with the existing land use or property that abuts or is directly across the street from the subject property. Compatibility includes, but is not limited to, size, scale, mass and architectural design.**

Finding: See discussion above in Section V regarding compatibility and character. The proposed development is detached homes on individual lots which is compatible with the existing single-family uses adjacent to the site. The surrounding houses are multi-floor structures with pitched roofs and varying exterior materials. The proposed development is consistent with these housing features. The development also provides perimeter landscaping to buffer the development from adjacent properties. Part of the Newport Hills area character is the large trees found there; this project maintains a majority of the site's tree canopy and coverage which improves the compatibility of the project with the surrounding neighborhood.

- 7. Landscaping within and along the perimeter of the Planned Unit Development is superior to that required by the Code (Section 20.20.520) and enhances the visual compatibility of the development with the surrounding neighborhood.**

Finding: Landscaping for single-family development is not typically required. However, as part of the PUD requirements, a Type 3 landscaping buffer is proposed around the perimeter of the development to soften the visual transition to adjacent existing development. In addition, a large portion of the site will remain undisturbed abutting adjacent properties.

- 8. At least one major circulation point is functionally connected to a public right-of-way.**

Finding: Access to the development will be provided by private roads which connect to 110<sup>th</sup> Ave SE and SE 60<sup>th</sup> St.

- 9. Open space within the Planned Unit Development is an integrated part of the project rather than an isolated element of the project.**

Finding: Over 4.07 acres of the property is being preserved in Native Growth Protection Area tracts which are adjacent to most of the development. The largest

tract has a trail crossing through it for integration into the development and pedestrian connection between 110<sup>th</sup> Ave SE and SE 60<sup>th</sup> St. The location of the open space is largely determined by the location of critical areas which are required to be preserved and protected.

**10. The design is compatible with and responds to the existing or intended character, appearance, quality of development and physical characteristics of the subject property and immediate vicinity.**

Finding: See discussion in Sections V and IX above and in the Attachments 4, 9, and 10. As designed this development will maintain the existing development pattern, compliment, and add diversity to the existing housing stock in the vicinity.

**11. That part of a Planned Unit Development in a Transition Area meets the Transition Area requirements, LUC 20.25B, although the specific dimensional requirements of Part LUC 20.25B may be modified through the Planned Unit Development process.**

Finding: Transition Area requirements do not apply in single-family zoned districts.

**12. Roads and streets, whether public or private, within and contiguous to the site comply with Department of Transportation and Utilities guidelines for construction of streets.**

Finding: Internal circulation meets or exceeds City standards. The site will be served by two private roads, one an extension of 110<sup>th</sup> Ave. SE, and the other a private driveway which connects to SE 60<sup>th</sup> Street. Transportation review has required an additional parking area to serve lots 1 through 5 in an area adjacent to SE 60<sup>th</sup>. Per LUC 20.20.590 the dimensions of the parking stalls are required to be at least 8'8" wide by at least 16' long for parking stalls perpendicular to the travel way. The applicant is extending 110<sup>th</sup> Ave. SE onto the site as a private road and is constructing a turnaround for the use of property owners and the public. SE 60<sup>th</sup> Street is also required to be widened to provide two 10-foot wide travel lanes and a 4-foot paved shoulder. Improvements to the intersection of SE 60<sup>th</sup> Street and Lake Washington Boulevard are also required which will improve signage, pavement markings, and sight distance. **See conditions of approval in Section XI.**

**13. Streets and sidewalks, existing and proposed, are suitable and adequate to carry anticipated traffic within the proposed project and in the vicinity of the proposed project.**

Finding: Per Transportation Department review the project's trip generation is within that anticipated by the City's Transportation Facilities Plan EIS. The proposal does not generate sufficient trips to require concurrency review, and will have minimal impact on the capacity at intersections and on streets nearby. No sidewalks exist in

the vicinity of the project on adjacent public streets 110<sup>th</sup> Ave SE or SE 60<sup>th</sup> St. The extension of 110<sup>th</sup> Ave SE onto the site includes a sidewalk on the east side of the private road which connects to the proposed trail at the bottom of the cul-de-sac turnaround. No sidewalks are proposed along SE 60<sup>th</sup> St but a 4-foot wide shoulder is required.

- 14. Each phase of the proposed development, as it is planned to be completed, contains the required parking spaces, open space, recreation space, landscaping and utility area necessary for creating and sustaining a desirable and stable environment.**

Finding: Phasing is not proposed.

#### **D. 20.45A.130 PRELIMINARY PLAT DECISION CRITERIA**

The City may approve or approve with modifications a preliminary plat if:

- 1. The preliminary 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, parks, playgrounds, sites for schools and school grounds; and**

Finding: As discussed the project includes open space and amenities available to existing and future residents and the site has access to existing public facilities and improvements.

- 2. The public use and interest is served by the platting of the subdivision; and**

Finding: The preliminary plat serves the public interest by increasing the supply of homes in accordance with the Comprehensive Plan, by ensuring that environmental impacts are mitigated, by ensuring compliance with Land Use Code requirements and conformance with Comprehensive Plan policies, and by incorporating design measures that will minimize visual impacts of the development to the residents of nearby properties.

- 3. The preliminary plat appropriately considers the physical characteristics of the proposed subdivision site; and**

Finding: The preliminary plat considers the physical characteristics of the site by establishing Native Growth Protection Area tracts for the steep slope critical area and critical area buffer, and the stream on the site. In addition, the site and proposed houses are designed to maintain existing topography to the maximum extent possible by minimizing excavation and fill outside of the footprint of the proposed homes.

- 4. The proposal complies with all applicable provisions of the Land Use Code,**

**BCC Title 20, the Utility Codes, BCC Title 24, the City of Bellevue Development Standards and Chapter 58.17 RCW; and**

Finding: This decision includes approval of a PUD, which allows for flexibility in the Land Use Code dimensional requirements. As conditioned by this decision, the proposal complies with all applicable codes and standards as discussed previously in this report.

**5. The proposal is in accord with the Comprehensive Plan, BCC Title 21; and**

Finding: As previously discussed under the PUD decision criteria in Section IX and in Attachment 10, the proposal is in accord with the Comprehensive Plan. The overall density of the proposal is in compliance with the Newport Hills Subarea Plan designation of the site as Single-Family Medium Density. Preservation of the most environmentally sensitive portions of the project area and significant preservation of trees, by utilizing the PUD process, complies with the Environmental Element Policies which are intended to integrate the natural and built environments to create a sustainable urban habitat and livable community (S-NH-5). The PUD process allows a substantial portion of the maximum density to be developed on a property that is constrained by critical areas (LU-4 and HO-18). And, the proposed project provides variety and increased availability in Bellevue's housing stock which is supported by the Housing and Land Use Elements (HO-18 and LU-4).

**6. Each lot in the proposal can reasonably be developed in conformance with current Land Use Code requirements without requiring a variance, however requests for modifications to the requirements of Part 20.25H, where allowed under the provisions of that Part, may be considered together with an application for a plat so long as the resulting lots may each be developed without individually requiring a variance; and**

Finding: Each lot can be developed in compliance with the site development plans approved under the PUD, which do not require a variance. The property is subject to the Critical Areas Overlay (Part 20.25H), and critical areas on site are being placed into separate Native Growth Protection Area tracts. Some critical areas and buffer are being modified by the proposal in order for the development to occur as discussed in Section IV above. Over 4.07 acres of the site are being preserved and protected in the NGPA tracts and 57 percent of the significant trees on site are being preserved. See conditions in Section XI for restrictions on future variances.

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

Finding: All necessary utilities and access are available to the property. The applicant is installing storage vaults to retain storm water that will drain to the stream on-site. All other utilities are connecting to public services.

**X. CONCLUSION AND DECISION/RECOMMENDATION**

After conducting the various administrative reviews associated with this proposal, including Land Use consistency, SEPA and City Code and Standard compliance reviews, the Director of the Development Services Department does hereby **approve with conditions** the Critical Areas Land Use Permit with SEPA. This approval modifies steep slopes, slope buffers, and modifies a stream buffer for access and utilities.

In addition, after conducting the various administrative reviews associated with this proposal, including Land Use consistency and City Code and Standard compliance reviews, the Director of the Development Services Department does hereby **recommend approval with conditions** of the Planned Unit Development and Preliminary Conservation Subdivision.

**Note - Expiration of Approval:** The Critical Areas Land Use Permit is combined with and subordinate to the larger Planned Unit Development and Subdivision which if approved by the Hearing Examiner will expire 5 years from the date of approval. Therefore, the Critical Areas Land Use Permit approval expires and is void if the applicant fails to file for a clearing and grading permit or other necessary development permits within 5 years of the effective date of the approval of the Planned Unit Development and Subdivision.

**XI. CONDITIONS OF APPROVAL**

**Codes & Ordinances**

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

<b>Applicable Ordinances</b>	<b>Contact Person</b>
Clearing and Grading Code- BCC 23.76	Savina Uzunow, 425-452-7860
Construction Codes- BCC Title 23	Bldg. Division, 425-452-6864
Fire Code- BCC 23.11	Adrian Jones, 425-452-6032
Land Use Code- BCC Title 20	Reilly Pittman, 425-452-4350
Noise Control- BCC 9.18	Reilly Pittman, 425-452-4350
Sign Code- BCC Title 22B	Reilly Pittman, 425-452-4350
Transportation Code- BCC 14.60	Ray Godinez, 425-452-7915
Right of Way Use Code- BCC 14.30	Tim Stever, 425-452-4294
Utility Code- BCC Title 24	Arturo Chi, 425-452-4119

**A. GENERAL CONDITIONS**

**The following conditions apply to all phases of development.**

**1. Variance Restriction**

Approval by the City of this plat and PUD (including dimensional modifications) is a determination that each lot can be reasonably developed in conformance with the

Land Use Code in effect at the time of this approval without requiring a variance. No future variance application will be accepted.

**PERMIT:** 08-135645-LK  
**AUTHORITY:** Land Use Code 20.45B.130.A.6  
**REVIEWER:** Reilly Pittman, Development Services Department

**2. Obtain Permits**

The applicant shall obtain all other permits for infrastructure, utilities, building and other improvements. No construction may commence until the appropriate permit is issued.

**PERMIT:** 08-135645-LK, 11-103630-LO  
**AUTHORITY:** Land Use Code 20.30P  
**REVIEWER:** Reilly Pittman, Development Services Department

**3. Structure Setbacks**

The rear setback on all lots shall be 25 feet except for lots 7, 8, and 9 which have a 20-foot rear setback and is required to be noted on the face of the final plat.

**PERMIT:** 08-135645-LK  
**AUTHORITY:** Land Use Code 20.30D.150  
**REVIEWER:** Reilly Pittman, Development Services Department

**4. Construction Hours**

Noise related to construction is allowed from 7:00 a.m. to 6:00 p.m. Monday through Friday and 9:00 a.m. to 6:00 p.m. on Saturday. Exceptions to the construction noise hours limitation contained in the Noise Control Code MAY be granted pursuant to BCC 9.18.020C.1 when necessary to accommodate construction which cannot be undertaken during exempt hours. Prolonged exposure to noise created by extended hour construction activity is likely to have a significant impact on inhabitants of surrounding residential properties during the proposed timeline for construction. In order to minimize detriment on residential uses in the immediate vicinity of the project, the Contractor shall not rely on City issuance of a blanket exemption from the Noise Control Code during the construction period. Allowances for short term work outside of normal construction hours shall be limited and will be reviewed on a case by case basis to verify necessity and ensure appropriate noise mitigation is utilized to protect surrounding uses and properties. Written requests for exemption from the Noise Control Code must be submitted two weeks prior to the scheduled onset of extended hour construction activity. Such request shall include a noise analysis prepared by a noise consultant, including recommendations for achieving the noise limitations of the Noise Ordinance for new residential construction.

**PERMIT:** 08-135645-LK, 11-103630-LO  
**AUTHORITY:** Bellevue City Code 9.18.040

**REVIEWER:** Reilly Pittman, Development Services Department

**5. Geotechnical Recommendations**

The project shall be constructed per the recommendations of the geotechnical engineer as found in the submitted geotechnical report dated April 3, 2008 and the critical areas report addendum dated September 16, 2009.

**PERMIT:** 11-103630-LO

**AUTHORITY:** Land Use Code 20.30P.140

**REVIEWER:** Reilly Pittman, Development Services Department

**6. Tree Protection Requirements**

To mitigate adverse impacts to nondisturbed areas and trees to be retained during construction, conformance with BMP T101 for tree protection is required which includes:

- Clearing limits shall be established at the limit of nondisturbed areas and for retained trees within the developed portion of the site, outside of drip lines. Six-foot chain link fencing with driven posts, or an alternative approved by the Clear and Grade Inspector, shall be installed at the clearing limits prior to initiation of clearing and grading.
- No excavation or clearing should be performed within drip lines of retained trees, except as specifically approved on plans. All such work shall be done by hand to avoid damage to roots and shall be done under the supervision of an arborist approved by the city.

**PERMIT:** 08-135645-LK, 11-103630-LO

**AUTHORITY:** Land Use Code 20.20.520, Bellevue City Code 23.76.060

**REVIEWER:** Reilly Pittman, Development Services Department

**7. Utilities**

The Utilities Department has approved the Preliminary Plat proposal only. There are no implied approvals of the utility engineering. Changes to the site layout may be required to accommodate the utilities. All water, sewer & storm drainage design review, plan approval and field inspection shall be done through the Utility Developer Extension Agreement process, water application process, side sewer permit(s), and/or storm drainage connection permits.

**PERMIT:** 08-135645-LK

**Authority:** Bellevue City Code 24.02, 24.04, 24.06

**Reviewer:** Arturo Chi, 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:

- Designated truck hauling routes.
- Truck loading and unloading activities.
- Hours of construction and hauling.
- Continuity of pedestrian facilities.
- Temporary traffic control and pedestrian detour routing for construction activities.
- Street sweeping and maintenance during excavation and construction.
- Location of construction fences.
- Parking for construction workers.
- Construction vehicles, equipment, and materials in the right of way.
- All other construction activities as they affect the public street system.

**PERMIT:** 08-135645-LK  
**AUTHORITY:** Bellevue City Code 14.30  
**REVIEWER:** Tim Stever, Transportation Department

### 2. Site (Civil Engineering) Plans

A street lighting plan and 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 street frontage improvements must be in conformance with the requirements of the Americans with Disabilities Act and the Transportation Development Code, and the provisions of the Transportation Department Design Manual.

**PERMIT:** 08-135645-LK  
**AUTHORITY:** Bellevue City Code 14.60.210; Transportation Department Design Manual  
**REVIEWER:** Ray Godinez, Transportation Department

### 3. Final Landscaping Plan

A final plat landscaping plan is required to be submitted which includes specific plant quantities and spacing listed in the plant schedule.

**PERMIT:** 08-135645-LK, 11-103630-LO  
**AUTHORITY:** Land Use Code 20.30D.150  
**REVIEWER:** Reilly Pittman, Development Services Department

**4. Trail and footbridge design, inspection, and easement**

The trail is required to be composed of mulch or wood chips and is limited to 6 feet in width. The trail cannot result in the removal of any significant trees and will need to be meandered or modified to avoid tree removal. The location of the trail shall be inspected by Land Use staff prior to installation. The proposed footbridge shall be no more than 6 feet wide, matching the trail width, and any abutments shall be above the top-of-bank elevations. The trail shall be included within a 10' wide public easement within Native Growth Protection Area Tract C so that the trail can be used by residents of the surrounding neighborhood. Access easements to the trail along the extension of 110<sup>th</sup> Ave SE will be required. The trail will be maintained by the Homeowner's Association or owned in undivided interest by all owners of lots 1 through 17 of this subdivision.

**PERMIT:** 08-135645-LK, 11-103630-LO

**AUTHORITY:** Land Use Code 20.30D.150

**REVIEWER:** Reilly Pittman, Development Services Department

**5. NGPA Fencing and Signage**

The site plan submitted as part of the plat infrastructure permits shall depict split rail or other fencing on the perimeter of all NGPA tracts. One sign denoting the area is protected is required to be placed adjacent to every residential lot or spaced every 100 feet where fencing does not abut a residential lot. Signage and fencing will be verified during Land Use inspection of the landscaping and mitigation planting.

**PERMIT:** 11-103630-LO

**AUTHORITY:** Land Use Code 20.30P.140

**REVIEWER:** Reilly Pittman, Development Services Department

**6. Utility Stream Crossing**

Any sewer utility lines crossing the stream should be bored under the stream to prevent disturbance. If boring is not feasible, a full dewatering plan with turbidity monitoring, erosion control, etc. may be required as part of future infrastructure permits. Sufficient evidence will need to be presented in order to show that boring is not feasible.

**PERMIT:** 08-135645-LK, 11-103630-LO

**AUTHORITY:** Land Use Code 20.30P.140

**REVIEWER:** Reilly Pittman, Development Services Department

**7. Installation Performance Sureties for Plat Landscaping and Mitigation**

An installation performance surety is required based on 150 percent of the installed cost of the plat landscaping and mitigation planting. The amount of the surety is determined by a cost estimate submitted as part of the clearing and grading permit for plat infrastructure. The installation surety will be released upon successful Land

Use inspection of the planting.

**PERMIT:** 11-103630-LO  
**AUTHORITY:** Land Use Code 20.30P.140  
**REVIEWER:** Reilly Pittman, Development Services Department

#### **8. Maintenance Surety and 5-Year Monitoring**

A maintenance surety for the mitigation planting is required based on the cost estimate for mitigation planting which includes all costs associated with maintenance and monitoring for 5 years for monitoring, maintenance activity, plant replacement, contingencies. The amount of the surety is determined by a cost estimate submitted as part of the clearing and grading permit for plat infrastructure. The maintenance surety will be released upon successful completion of the 5-year maintenance and monitoring period as detailed in the approved conceptual mitigation plan.

**PERMIT:** 11-103630-LO  
**AUTHORITY:** Land Use Code 20.30P.140  
**REVIEWER:** Reilly Pittman, Development Services Department

#### **9. Final Mitigation Plan**

The submitted mitigation plan is considered a conceptual mitigation plan. A final mitigation plan is required to be submitted as part of future clearing and grading permits which will document any changes since this plan was created, correct typos, and address the following:

- Ensure mitigation planting is at least 18,972 square feet in area based on the amount of critical areas and buffer being modified and ensure plans show all critical area and buffer modifications as found in Attachment 8.
- Specify plant spacing which must be at least 9 to 12 feet on center for trees, 4 to 6 feet on center for shrubs, and 2 feet spacing for ground covers
- Ensure plant quantity is sufficient to achieve the required density and area coverage which should for each 1,000 square feet should generally achieve 8 trees, 30 shrubs, and 285 ground covers. At least 18,972 square feet must be planted.
- Separate any areas of temporary disturbance resulting from the sewer and storm lines crossing the stream or from road and trail construction. Show how these areas will be restored. Restoration of temporary disturbance is separate from mitigation.
- Areas of invasive species and debris removal must be identified.
- Update the plan to show the proposed development approved by this review.
- Provide a cost estimate to carry out the mitigation.

**PERMIT:** 11-103630-LO  
**AUTHORITY:** Land Use Code 20.30P.140  
**REVIEWER:** Reilly Pittman, Development Services Department

#### 10. Hold Harmless Agreement

The applicant shall submit a hold harmless agreement in a form approved by the City Attorney which releases the City from liability for any damage arising from the location of improvements within a critical area buffer in accordance with LUC 20.30P.170. The hold harmless agreement is required to be recorded with King County prior infrastructure permit issuance.

**PERMIT:** 11-103630-LO  
**AUTHORITY:** Land Use Code 20.30P.170  
**REVIEWER:** Reilly Pittman, Development Services Department

#### C. PRIOR TO FINAL PLAT APPROVAL

##### 1. Fire Hydrant Location, No Parking, and Cul-de-Sac

Provide a fire hydrant at an approved location at the turnaround for lots 1, 2, 3, 4, & 5 (IFC 508). The access road to the lots 6 through 17 will be posted on both sides "Fire Lane-No Parking" (IFC Bellevue Amendment 503). The cul-de-sac shall have a minimum paved surface diameter of 96 feet. (Bellevue Fire Department Development Standards 3.05).

**PERMIT:** 08-135645-LK  
**AUTHORITY:** International Fire Code 508, International Fire Code Bellevue Amendment 503, Bellevue Fire Department Development Standards 3.05  
**REVIEWER:** Adrian Jones, Fire Department

##### 2. Street Frontage Improvement

All street frontage improvements and other required transportation elements including street lighting must be constructed by the applicant and accepted by the Transportation Department prior to final plat approval, except as provided for in BCC 20.40.490. Specific requirements are detailed below:

###### i. Site Specific Items:

- Extension of 110<sup>th</sup> Avenue SE with curb, gutter, five foot wide concrete sidewalk, street signing, and channelization. Width of street extension will match the existing street width of 110<sup>th</sup> Avenue SE.
- Five foot wide concrete sidewalk along the east side of the private portion of 110<sup>th</sup> Avenue SE.
- Cul-de-sac street end at the termination of the private portion of 110<sup>th</sup> Avenue SE.
- Street lights along the extended portion of 110<sup>th</sup> Avenue SE (as determined by the City's Street Light Engineer).

- 20 foot wide private road (SE 60<sup>th</sup> Lane) with curb, gutter and street signing connecting to SE 60<sup>th</sup> Street.
- Street light installation at the intersection of SE 60<sup>th</sup> Lane and SE 60<sup>th</sup> Street.
- Pavement widening and channelization along SE 60<sup>th</sup> Street to provide for a 24 foot wide street width (two 10 foot wide travel lanes plus a 4 foot shoulder along the northern side for pedestrian access). Length of pavement widening shall be from the intersection of SE 60<sup>th</sup> Lane to Lake Washington Boulevard SE.
- Intersection improvements at SE 60<sup>th</sup> Street and Lake Washington Boulevard SE to improve sight distance. This work will include installation of new pavement markings and traffic signs; removal of existing pavement markings and old traffic signs; removal of existing vegetation and restoration of greenscape as needed. The transportation inspector may require more work items during construction as deemed necessary by the engineer or the Transportation Inspector.
- Trail connection between 110<sup>th</sup> Avenue SE and SE 60<sup>th</sup> Street (including all needed public pedestrian access easements).
- Right of way dedication at the termination of the existing length of 110<sup>th</sup> Avenue SE.
- A private parking area for five passenger cars to be located west of the intersection of SE 60<sup>th</sup> Lane to SE 60<sup>th</sup> Street. Each space will require a 9 foot width by a 16 foot length. The parking area will be signed as private. Each space will be delineated by appropriate pavement markings. The City will not enforce parking restrictions here. This parking area cannot be located on city right of way.
- Hard surface trail (with stairs) connecting the SE 60<sup>th</sup> Street private parking area to lots 1 through 5.
- Sub grades for all private access roads shall be per DEV-8.

ii. Miscellaneous:

- Landings on sloping approaches are not to exceed a 10% slope for a distance of 20 feet approaching the back edge of sidewalks. Driveway grades must be designed to prevent vehicles from bottoming out due to abrupt changes in grade.
- The maximum cross grade of a street at the street end shall be 8%.
- Vehicle and pedestrian sight distance must be provided per BCC 14.60.240 and 14.60.241.
- The private road shall not be gated or obstructed and must remain open at all times for emergency and public service vehicles. A note to this effect shall be placed on the face of the final Subdivision map.
- The maintenance responsibility for both private access roads (110<sup>th</sup> Avenue SE extension and SE 60<sup>th</sup> Lane) will assigned to the appropriate homeowners (lots 1 through 5 will be responsible for maintenance and repair of SE 60<sup>th</sup> Lane; lots 6 through 17 will be responsible for maintenance and

repair of the private portion of 110th Avenue SE). A note to this effect must be indicated on the face of the final Subdivision map.

**PERMIT:** 08-135645-LK  
**AUTHORITY:** Bellevue City Code 14.60.100, 110, 130, 150, 170, 190, 210, 240, 241; Transportation Department Design Manual Sections 3, 4, 5, 7, 11, 14, 19  
**REVIEWER:** Ray Godinez, Transportation Department

### 3. Pavement Restoration

Pavement restoration associated with street frontage improvements or to repair damaged street surfaces shall be provided as follows:

110<sup>th</sup> Avenue SE: Based on this street's excellent condition, it is classified with the City's overlay program as "Overlay Required." Street cutting is permitted only with extraordinary pavement restoration. Pavement restoration requirements are 25 feet from each side of the street cut for the full width of the street.

SE 60<sup>th</sup> Street: Based on this street's excellent condition, it is classified with the City's overlay program as "Overlay Required." Street cutting is permitted only with extraordinary pavement restoration. Pavement restoration requirements are 25 feet from each side of the street cut for the full width of the street.

**PERMIT:** 08-135645-LK  
**AUTHORITY:** Bellevue City Code 14.60. 250; Design Manual Design Standard #21  
**REVIEWER:** Tim Stever, Transportation Department

### 4. Impervious Surface

The maximum impervious surface coverage for each lot is required to be shown on the final plat. The impervious surface coverage based on the gross site area is also required to be shown and must be less than 50 percent.

**PERMIT:** 08-135645-LK  
**AUTHORITY:** Land Use Code 20.30D.150  
**REVIEWER:** Reilly Pittman, Development Services Department

### 5. Inspection of Landscaping and Mitigation Planting

An inspection by Land Use staff of all plat landscaping and mitigation planting is required prior to final plat approval. Additional plant quantities may be required to ensure sufficient density is achieved as stated in the report. This inspection will also check NGPA signage and fencing.

**PERMIT:** 08-135645-LK, 11-103630-LO  
**AUTHORITY:** Land Use Code 20.30D.150

**REVIEWER:** Reilly Pittman, Development Services Department

**6. Native Growth Protection Areas**

Tracts C, D, F, and G are to be labeled as Native Growth Protection Area tracts on the final plat. The following note is required to be placed on the final 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 17. 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.**

**PERMIT:** 08-135645-LK, 11-103630-LO

**AUTHORITY:** Land Use Code 20.25H.030

**REVIEWER:** Reilly Pittman, Development Services Department

## **Attachment 1 Site Plan**



## **Attachment 2 Critical Areas Exhibit**



## **Attachment 3 Landscaping Plan**

NW 1/4, NE 1/4, SEC. 20, TWP. 24, RCE. 5E, W.M.

**PLANT SCHEDULE**

Qty.	Symbol/COMMON NAME	Size/Remarks
	<b>TREES</b>	
	Acer campestre / QUERCUS BLANDIFLORA / HEDERA HELIX	min. 2" cal.
	Acer palmatum / JAPANESE MAPLE or Acer canadense / REDBUD	min. 1-1/2" cal.
	Cornus canadensis / CORNUS	min. 6" hgt.
	Hamamelis virginica / DOUGLAS FIR or RED CEDAR or Quercus bicolor / INCENSE CEDAR	min. 42" hgt. / sp.
	Cornus amomum / WESTERN HAZELHUT or Cornus canadensis / REDTING DOGWOOD	min. 42" hgt.
	Cornus coccinea / SMOKE TREE	min. 18" sp.
	Ilex c. 'Coville' / BOMLEAF JAPANESE HOLLY or Viburnum acerifolium / STRAWBERRY TREE	min. 42" hgt.
	Nandina d. 'Compacta'	min. 24" hgt.
	Polystichum maximum / SWING FERN	2 gal.
	Ribes sanguineum / FLOWERING RED CURRANT	min. 36" hgt.
	Rhododendron 'Coppertina' / 'Nancho' or Kalnia latifolia / WAX LAUREL	min. 21" sp.
	Symphoricarpos albus / SMOEBERRY	min. 24" hgt.
	Spiraea douglasii / WESTERN SPIREA	2 gal.
	Taxus b. 'repandens' / SPOKINGEN CEDAR	min. 24" hgt.
	Vaccinium ovatum / EVERGREEN Huckleberry	min. 24" hgt.
	<b>LAWN</b>	
	<b>ORNAMENTAL SHRUBS:</b>	
	BRADY'S CUP	4" pots @ 24" o.c.
	<b>NATURAL GRASSES:</b>	
	POA ALTA / MOUNTAIN BLUEGRASS	1 gal. @ 30" o.c.
	POA TENNIS / TENNIS REDTING DOGWOOD	

\* Plant sizes are specified for the American Standard for Nursery Stock, May 2, 1995 - sponsored by the American Association of Nurserymen, Inc.

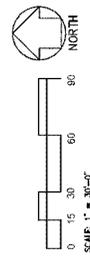
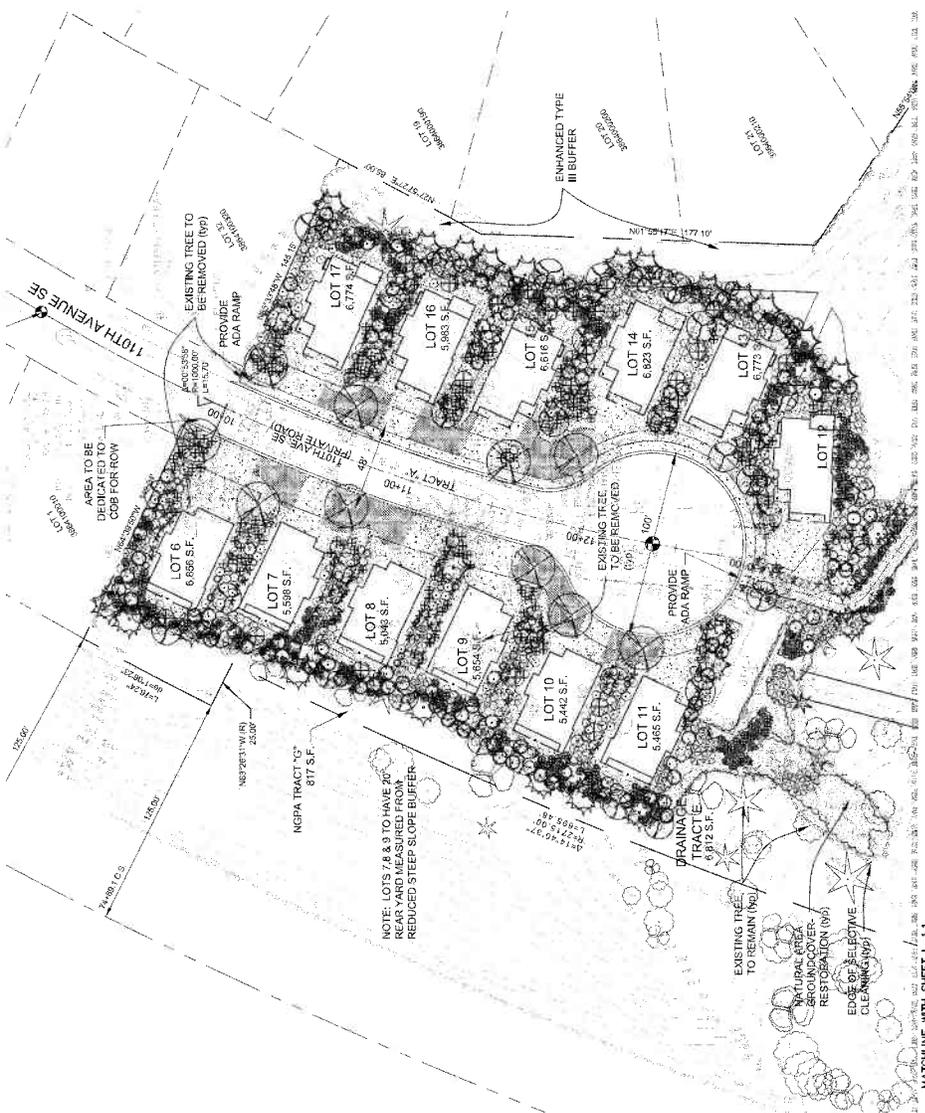
**GENERAL NOTES:**  
 1. All other trades to be completed. Determine location of underground utilities and perform work in a manner which will avoid possible damage. Coordinate with Utilities Underground Location Center and Owner for location of existing underground utilities, etc. Service or route through the site. All work shall be completed prior to the start of construction. The Contractor shall pay for any such damage at no additional cost to the Owner.  
 2. During construction, keep pavements, building clean. Protect site and adjacent properties from damage due to construction operations. Operations by other Contractors/Trades and trespassers. Unfinished and completed work shall be protected to protect the public.  
 3. Staking and Layout: Immediately notify Owners Representative in writing of any variance between plans and actual site. Landscape Architect has the right to plant growth/constructed elements, are encountered such as rubble fill, adverse conditions, or obstructions, notify Owners Representative.  
**EXISTING NOTES:**  
 1. All trees/shrubs shall be checked as they are excavated, subjected to field testing and appropriate Compact shall be well decomposed, hammer-like material produced at a permitted solid waste composting facility. Compost to be approved by Owners Representative prior to the commencement of grading.  
 2. Soil Preparation: Cultivate planting pit/ subgrade to a minimum depth of ten inches (10") and clear/remove all rocks, roots, debris over two inches in diameter. Lay a two inch (2") depth of compost into hole/ over grade on the same as plants but add a three inch (3") depth of an approved heavy mix soil over grade and fill thoroughly into cultivated soil.  
 3. Substitutions or changes in materials and placement shall be made only on the written change orders to signed between Contractor, Landscape Architect and Owner.  
 4. Match all plants with a minimum four inch (4") depth of approved wood chip mulch as needed.  
 5. Owners Representative retains the right to request trees, shrubs and groundcover for compliance with requirements for plant size and quality at any time during the project. All trees, shrubs and groundcover to be installed, root systems, insects, latent diseases and defects. Remove rejected material immediately from project site.



Client: [Name]  
 Location: [Address]  
 Date: [Date]  
 Scale: [Scale]

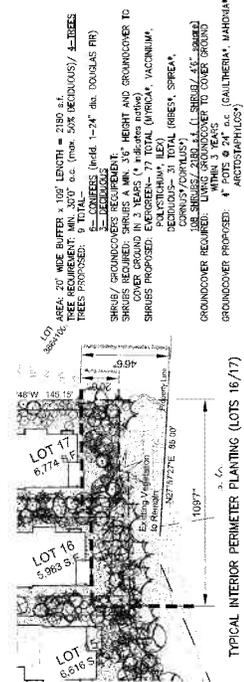
**KIMBERLEE PARK III**  
 11050 SE 60th Street  
 Bellevue, WA

**Planting Plan - Northern Portion (Preliminary)**



Project No.:	03-0000000000000000
Drawn:	GT
Checked:	GT
Drawing Issue:	3.12.20
Revisions:	2.11.11
Revisions:	5.16.10 Rev. Site Plan
Revisions:	2.25.11 Rev. Site Plan II
Revisions:	2.11.11 Title

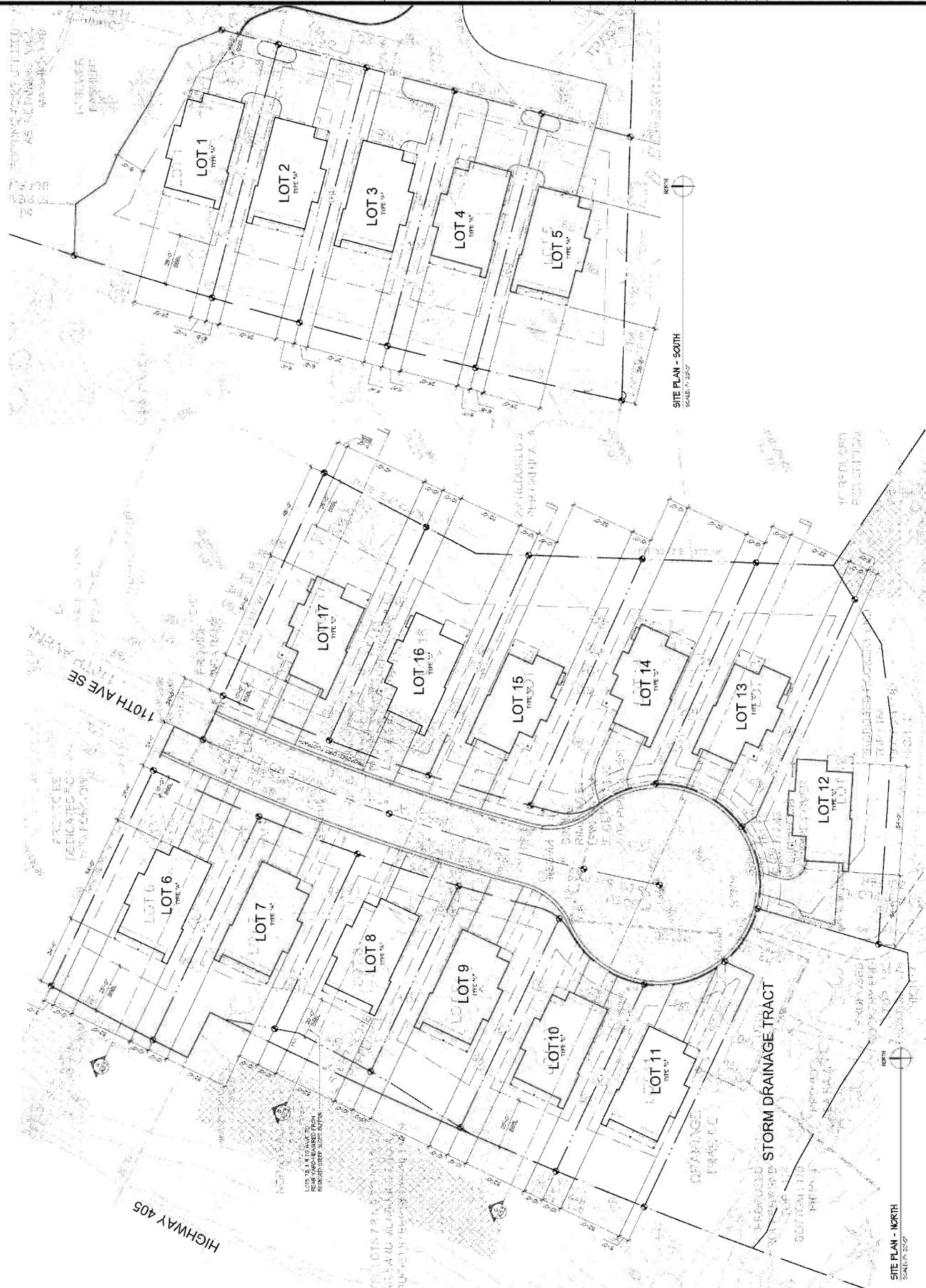
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**L-1.0**





## **Attachment 4 Home Floor Plans and Elevations**

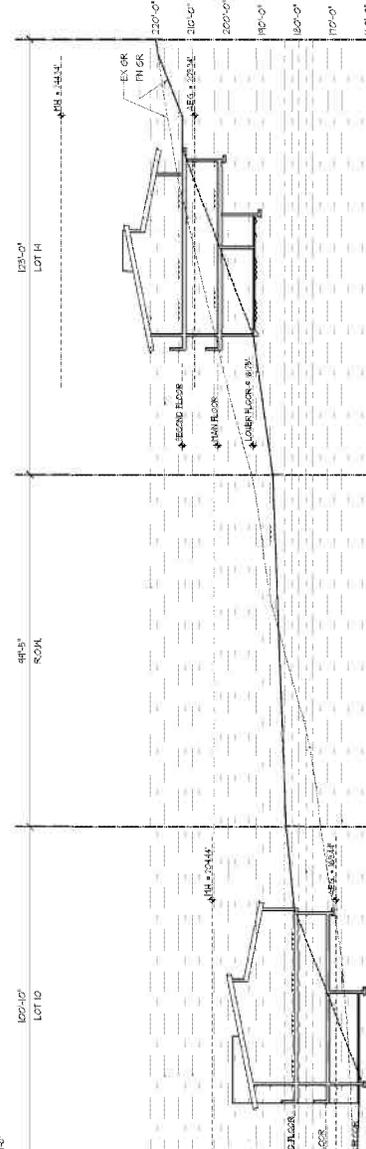
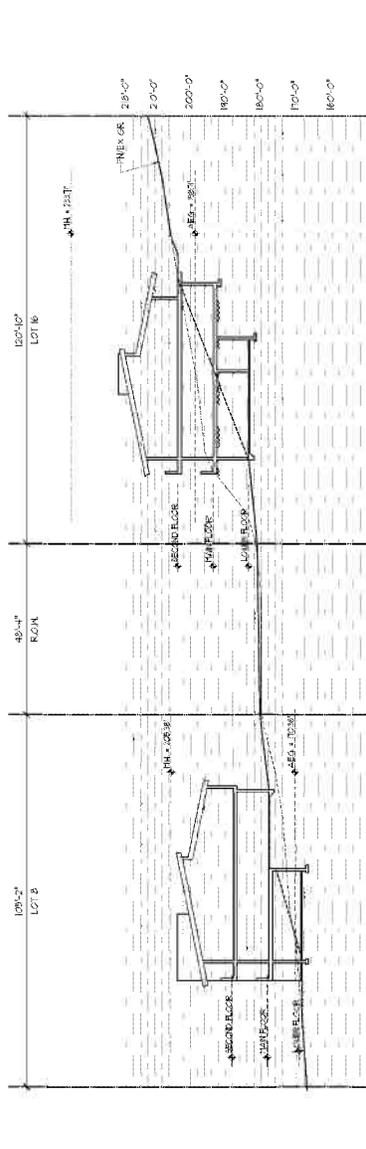
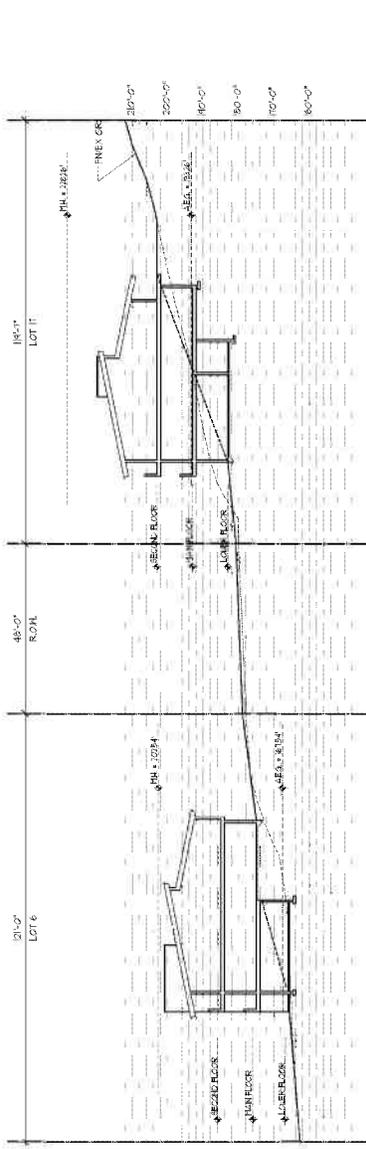




SITE PLAN - SOUTH  
 SCALE 1"=20'

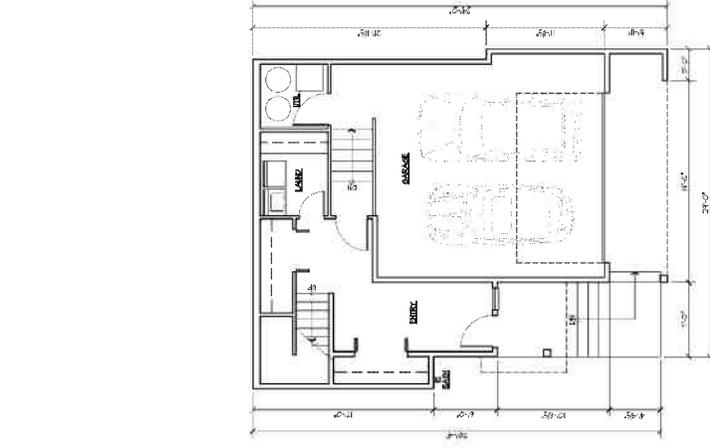
SITE PLAN - NORTH  
 SCALE 1"=20'

NO. 001	1-28-18 PND CORRECTIVE
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NO. 003	
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NO. 099	
NO. 100	

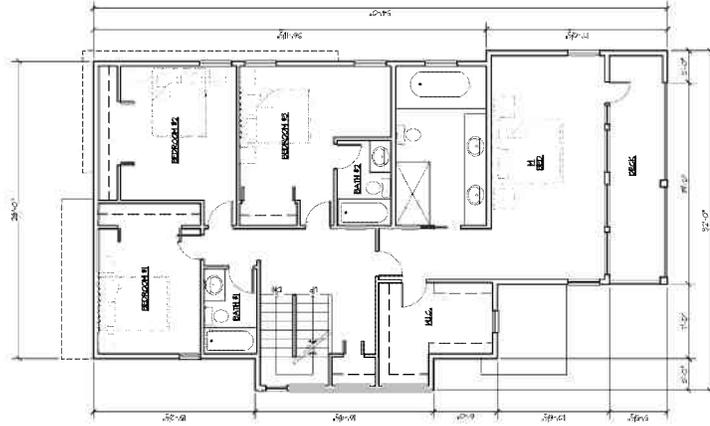




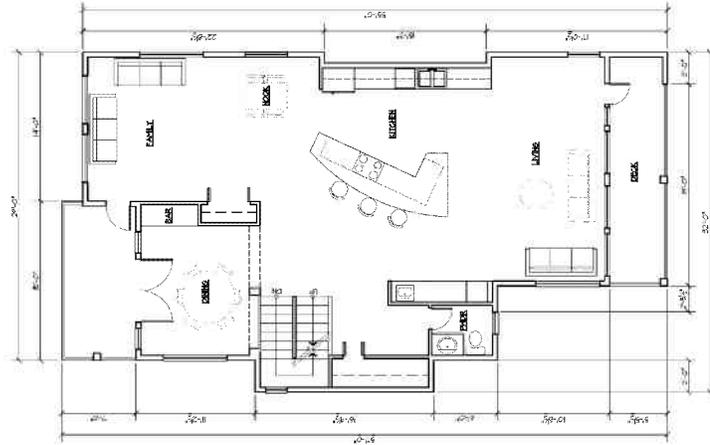
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TYPE "B"  
 LOWER FLOOR PLAN  
 SCALE 3/8" = 1'-0"



TYPE "B"  
 FIRST FLOOR PLAN  
 SCALE 3/8" = 1'-0"



TYPE "B"  
 SECOND FLOOR PLAN  
 SCALE 3/8" = 1'-0"

TYPE "C"

PROJECT  
**Kimberlee  
 Park**

PROFESSIONAL  
 1800 10TH STREET  
 SEASIDE, WA

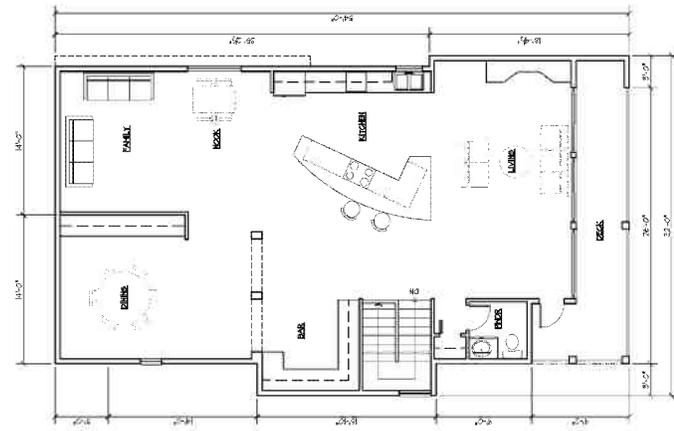
DATE  
 2-18-18

REVISION  
 1-28-18 PWD CORRECTIONS

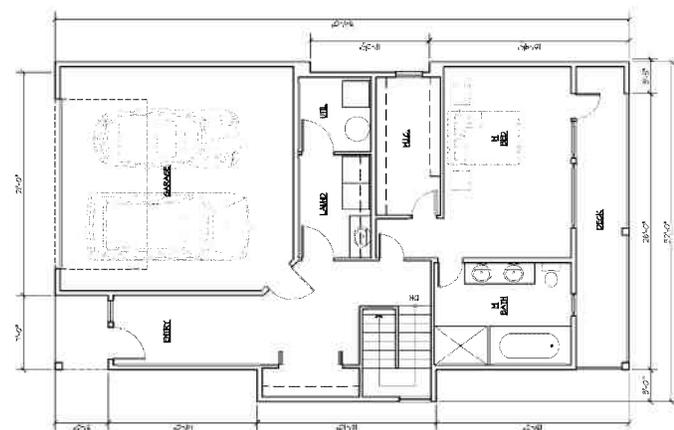
DATE  
 2-18-18

PROJECT  
 L204

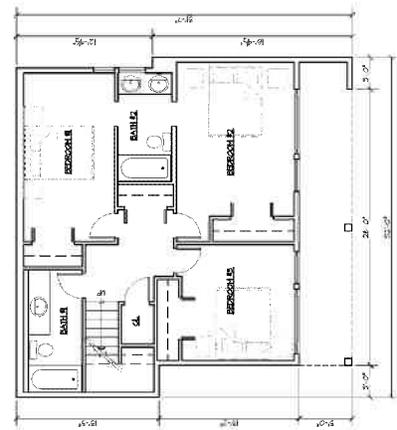
AI.2



TYPE "C"  
**FIRST FLOOR PLAN**  
 SCALE 3/8" = 1'-0"



TYPE "C"  
**SECOND FLOOR PLAN**  
 SCALE 3/8" = 1'-0"



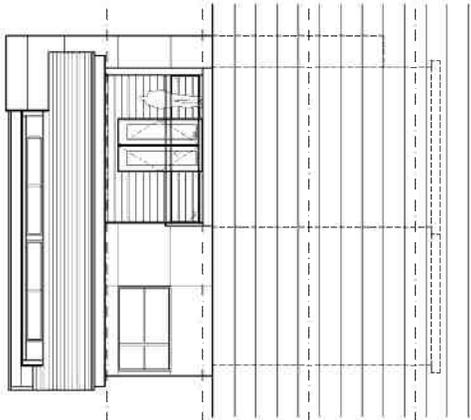
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 SCALE 3/8" = 1'-0"

DATE  
 2-18-18

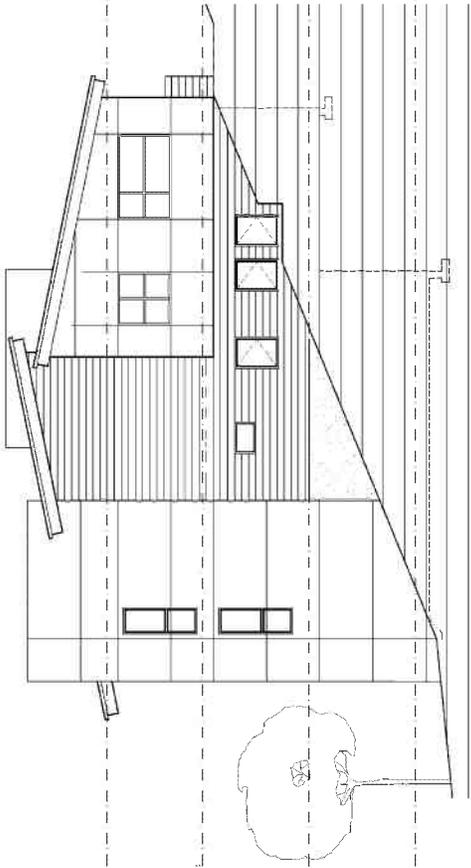
PROJECT  
 L204



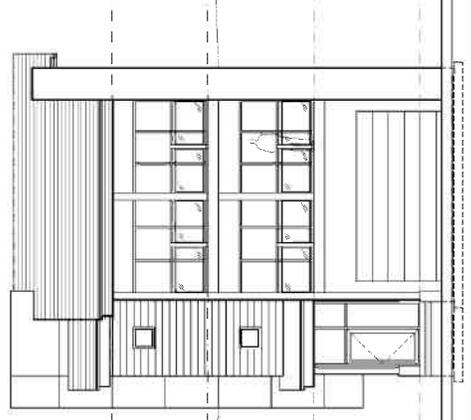
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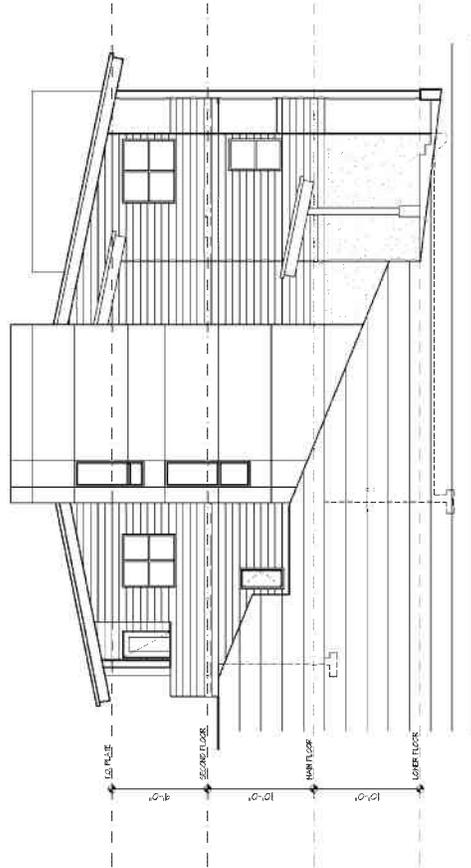
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 FRONT ELEVATION  
 SCALE: 3/8" = 1'-0"



TYPE "B"  
 SIDE ELEVATION  
 SCALE: 3/8" = 1'-0"

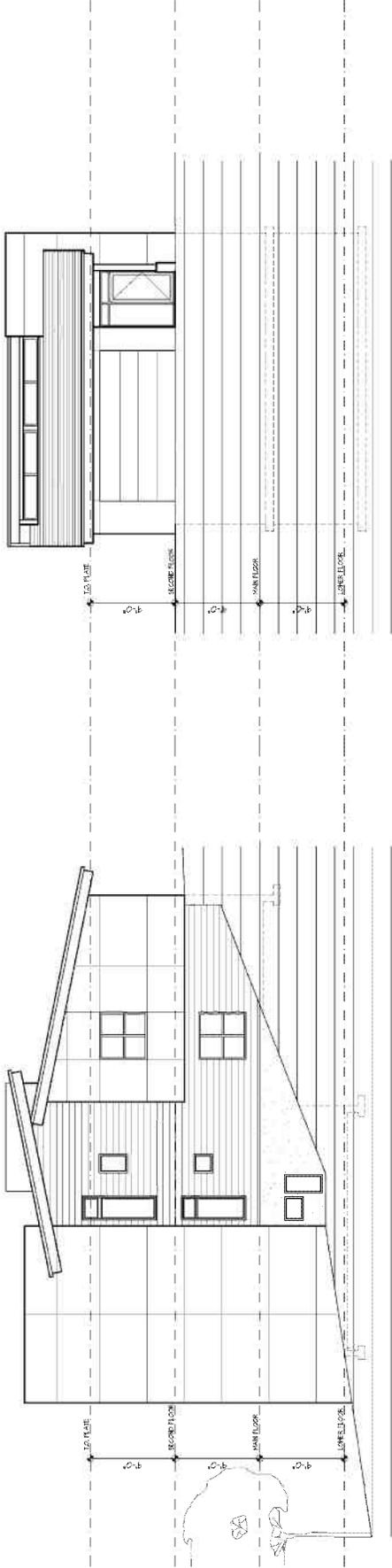


TYPE "B"  
 REAR ELEVATION  
 SCALE: 3/8" = 1'-0"



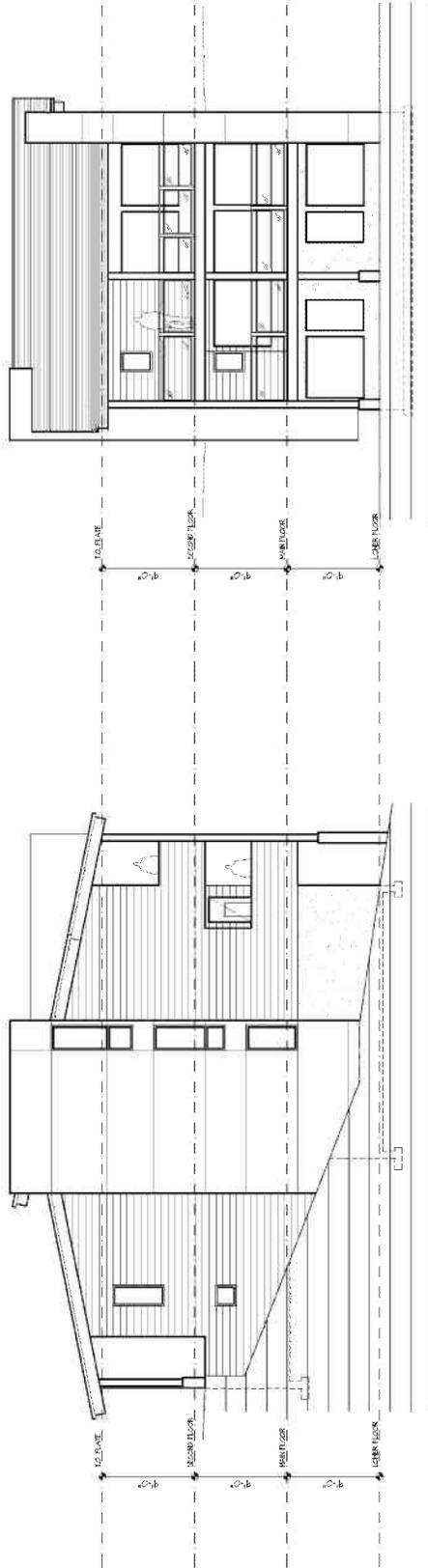
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 SCALE: 3/8" = 1'-0"

TYPE "C"



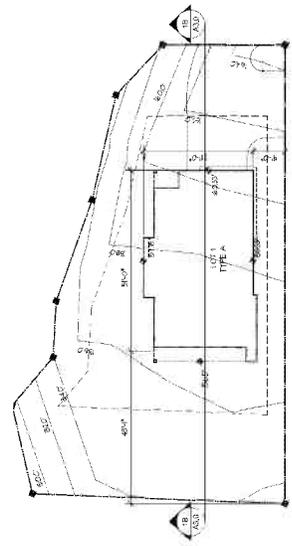
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 SCALE: 3/8" = 1'-0"

SIDE ELEVATION  
 SCALE: 3/8" = 1'-0"

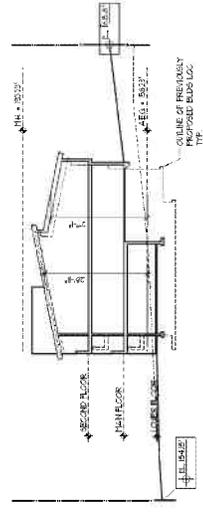


REAR ELEVATION  
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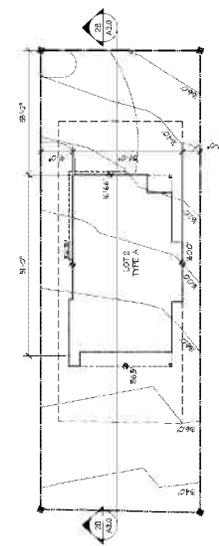
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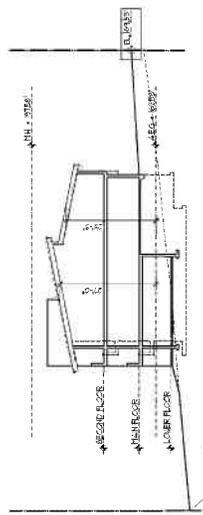
**LOT 1 SITE PLAN**  
 SCALE: 1/8" = 1'-0"  
 AVERAGE EXISTING GRADE = 188.23'  
 MAXIMUM HEIGHT = 193.23'



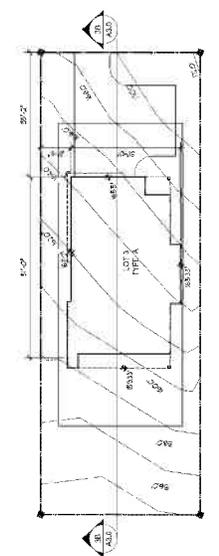
**LOT 1 SITE SECTION**  
 SCALE: 1/8" = 1'-0"



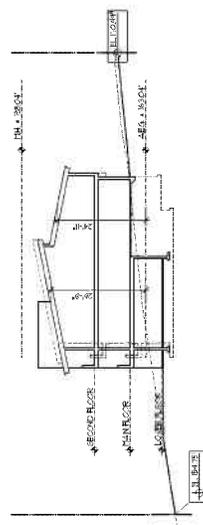
**LOT 2 SITE PLAN**  
 SCALE: 1/8" = 1'-0"  
 AVERAGE EXISTING GRADE = 182.58'  
 MAXIMUM HEIGHT = 197.58'



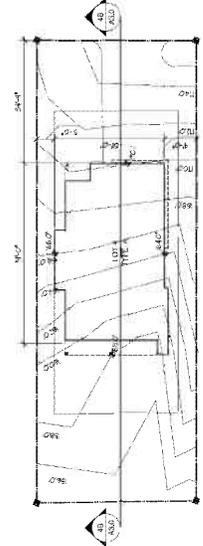
**LOT 2 SITE SECTION**  
 SCALE: 1/8" = 1'-0"



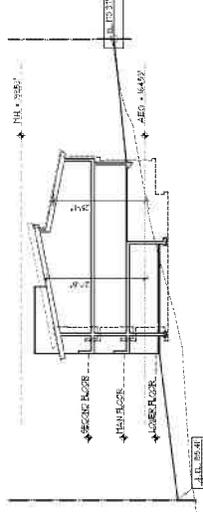
**LOT 3 SITE PLAN**  
 SCALE: 1/8" = 1'-0"  
 AVERAGE EXISTING GRADE = 185.04'  
 MAXIMUM HEIGHT = 198.04'



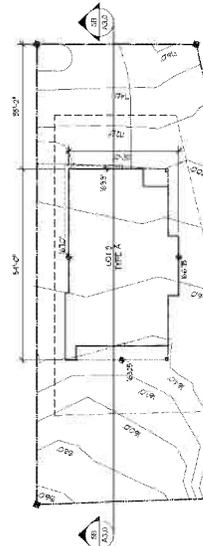
**LOT 3 SITE SECTION**  
 SCALE: 1/8" = 1'-0"



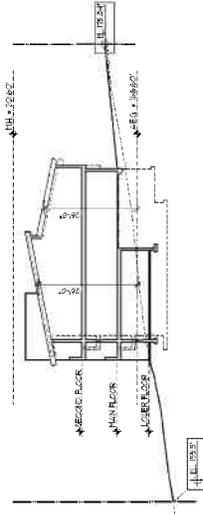
**LOT 4 SITE PLAN**  
 SCALE: 1/8" = 1'-0"  
 AVERAGE EXISTING GRADE = 184.53'  
 MAXIMUM HEIGHT = 196.53'



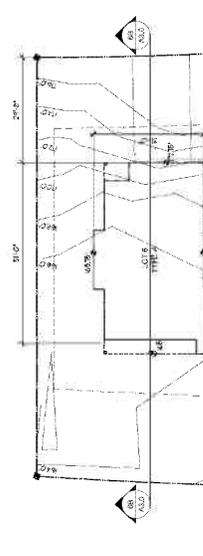
**LOT 4 SITE SECTION**  
 SCALE: 1/8" = 1'-0"



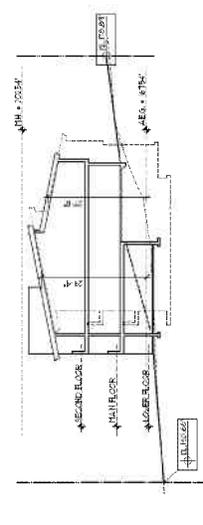
**LOT 5 SITE PLAN**  
 SCALE: 1/8" = 1'-0"  
 AVERAGE EXISTING GRADE = 186.80'  
 MAXIMUM HEIGHT = 201.80'



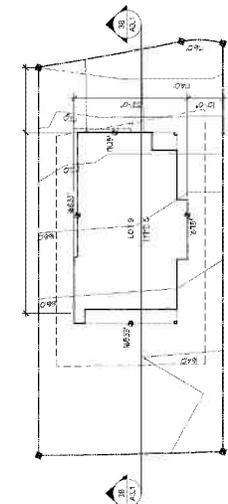
**LOT 5 SITE SECTION**  
 SCALE: 1/8" = 1'-0"



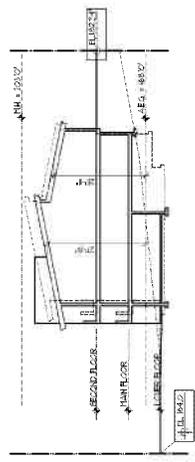
**LOT 6 SITE PLAN**  
 SCALE: 1/8" = 1'-0"  
 AVERAGE EXISTING GRADE = 187.54'  
 MAXIMUM HEIGHT = 202.54'



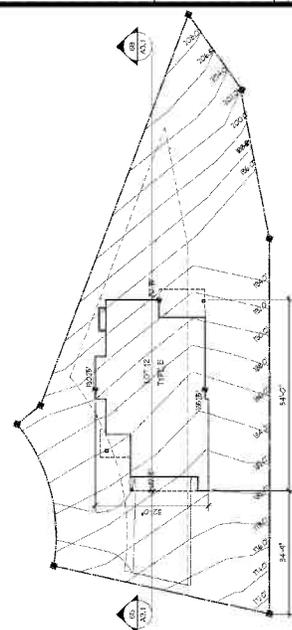
**LOT 6 SITE SECTION**  
 SCALE: 1/8" = 1'-0"



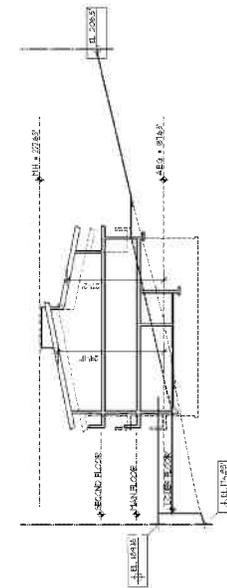
**LOT 9 SITE PLAN**  
 SCALE: 1/8" = 1'-0"  
 AVERAGE EXISTING GRADE = 186.10'  
 MAXIMUM HEIGHT = 203.10'



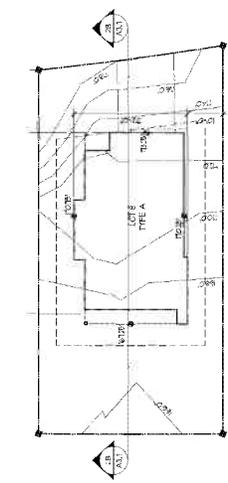
**LOT 9 SITE SECTION**  
 SCALE: 1/8" = 1'-0"



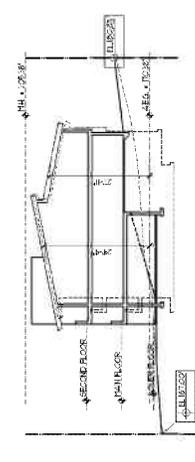
**LOT 12 SITE PLAN**  
 SCALE: 1/8" = 1'-0"  
 AVERAGE EXISTING GRADE = 187.83'  
 MAXIMUM HEIGHT = 222.63'



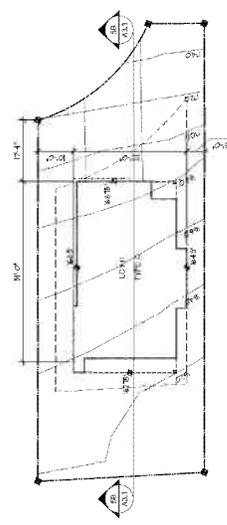
**LOT 12 SITE SECTION**  
 SCALE: 1/8" = 1'-0"



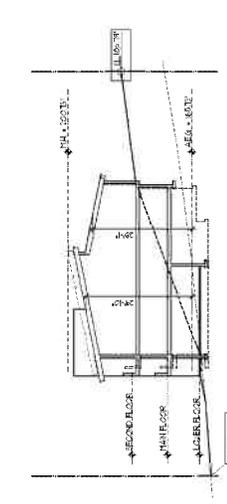
**LOT 8 SITE PLAN**  
 SCALE: 1/8" = 1'-0"  
 AVERAGE EXISTING GRADE = 170.38'  
 MAXIMUM HEIGHT = 188.38'



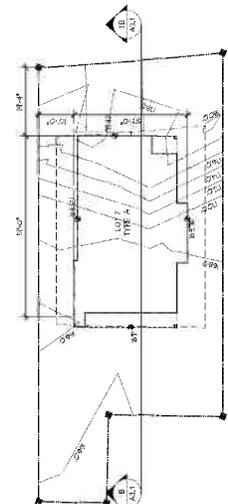
**LOT 8 SITE SECTION**  
 SCALE: 1/8" = 1'-0"



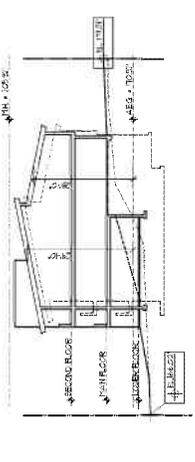
**LOT 11 SITE PLAN**  
 SCALE: 1/8" = 1'-0"  
 AVERAGE EXISTING GRADE = 165.73'  
 MAXIMUM HEIGHT = 180.73'



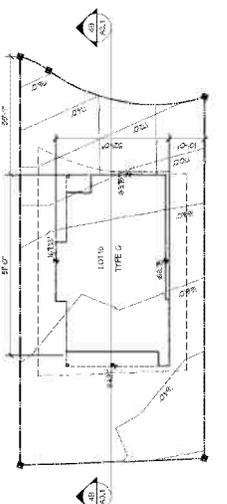
**LOT 11 SITE SECTION**  
 SCALE: 1/8" = 1'-0"



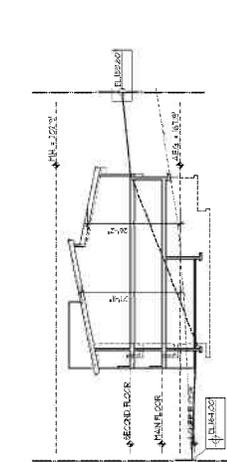
**LOT 7 SITE PLAN**  
 SCALE: 1/8" = 1'-0"  
 AVERAGE EXISTING GRADE = 170.52'  
 MAXIMUM HEIGHT = 188.52'



**LOT 7 SITE SECTION**  
 SCALE: 1/8" = 1'-0"



**LOT 10 SITE PLAN**  
 SCALE: 1/8" = 1'-0"  
 AVERAGE EXISTING GRADE = 167.19'  
 MAXIMUM HEIGHT = 182.18'



**LOT 10 SITE SECTION**  
 SCALE: 1/8" = 1'-0"



**Attachment 5**  
**Preliminary Plat**



## **Attachment 6 Impervious Surfaces**



## **Attachment 7 Tree Retention**

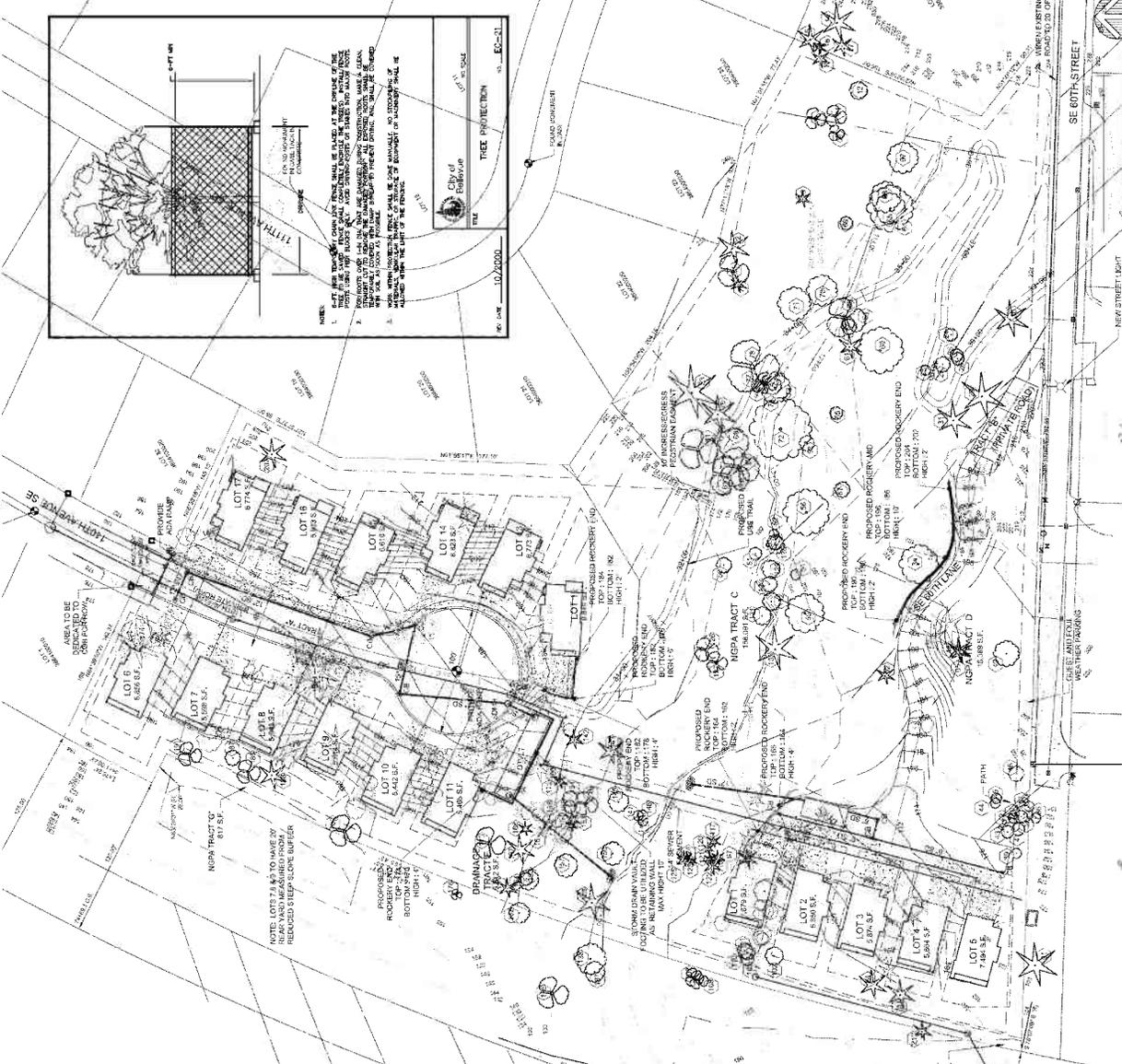
NW 1/4, NE 1/4, SEC. 20, TWP. 24, RCE. 5E, W.M.

**SIGNIFICANT TREE SCHEDULE**  
1.2.5.1.1 rev. 11.11

SPECIES	TABLE TAG No.	STATUS	PROTECTION	REASON	REMARKS
1 Cedar	1	Save	Y	Large tree	
2 Elm	2	Save	Y	Large tree	
3 Maple	3	Save	Y	Large tree	
4 Alder	4	Save	Y	Large tree	
5 Dogwood	5	Save	Y	Large tree	
6 Birch	6	Save	Y	Large tree	
7 Oak	7	Save	Y	Large tree	
8 Redwood	8	Save	Y	Large tree	
9 Red Pine	9	Save	Y	Large tree	
10 Spruce	10	Save	Y	Large tree	
11 Fir	11	Save	Y	Large tree	
12 Juniper	12	Save	Y	Large tree	
13 Yew	13	Save	Y	Large tree	
14 Cypress	14	Save	Y	Large tree	
15 Palm	15	Save	Y	Large tree	
16 Magnolia	16	Save	Y	Large tree	
17 Sycamore	17	Save	Y	Large tree	
18 Poplar	18	Save	Y	Large tree	
19 Willow	19	Save	Y	Large tree	
20 Hawthorn	20	Save	Y	Large tree	
21 Dogwood	21	Save	Y	Large tree	
22 Elm	22	Save	Y	Large tree	
23 Maple	23	Save	Y	Large tree	
24 Alder	24	Save	Y	Large tree	
25 Dogwood	25	Save	Y	Large tree	
26 Birch	26	Save	Y	Large tree	
27 Oak	27	Save	Y	Large tree	
28 Redwood	28	Save	Y	Large tree	
29 Red Pine	29	Save	Y	Large tree	
30 Spruce	30	Save	Y	Large tree	
31 Fir	31	Save	Y	Large tree	
32 Juniper	32	Save	Y	Large tree	
33 Yew	33	Save	Y	Large tree	
34 Cypress	34	Save	Y	Large tree	
35 Palm	35	Save	Y	Large tree	
36 Magnolia	36	Save	Y	Large tree	
37 Sycamore	37	Save	Y	Large tree	
38 Poplar	38	Save	Y	Large tree	
39 Willow	39	Save	Y	Large tree	
40 Hawthorn	40	Save	Y	Large tree	
41 Dogwood	41	Save	Y	Large tree	
42 Elm	42	Save	Y	Large tree	
43 Maple	43	Save	Y	Large tree	
44 Alder	44	Save	Y	Large tree	
45 Dogwood	45	Save	Y	Large tree	
46 Birch	46	Save	Y	Large tree	
47 Oak	47	Save	Y	Large tree	
48 Redwood	48	Save	Y	Large tree	
49 Red Pine	49	Save	Y	Large tree	
50 Spruce	50	Save	Y	Large tree	
51 Fir	51	Save	Y	Large tree	
52 Juniper	52	Save	Y	Large tree	
53 Yew	53	Save	Y	Large tree	
54 Cypress	54	Save	Y	Large tree	
55 Palm	55	Save	Y	Large tree	
56 Magnolia	56	Save	Y	Large tree	
57 Sycamore	57	Save	Y	Large tree	
58 Poplar	58	Save	Y	Large tree	
59 Willow	59	Save	Y	Large tree	
60 Hawthorn	60	Save	Y	Large tree	
61 Dogwood	61	Save	Y	Large tree	
62 Elm	62	Save	Y	Large tree	
63 Maple	63	Save	Y	Large tree	
64 Alder	64	Save	Y	Large tree	
65 Dogwood	65	Save	Y	Large tree	
66 Birch	66	Save	Y	Large tree	
67 Oak	67	Save	Y	Large tree	
68 Redwood	68	Save	Y	Large tree	
69 Red Pine	69	Save	Y	Large tree	
70 Spruce	70	Save	Y	Large tree	
71 Fir	71	Save	Y	Large tree	
72 Juniper	72	Save	Y	Large tree	
73 Yew	73	Save	Y	Large tree	
74 Cypress	74	Save	Y	Large tree	
75 Palm	75	Save	Y	Large tree	
76 Magnolia	76	Save	Y	Large tree	
77 Sycamore	77	Save	Y	Large tree	
78 Poplar	78	Save	Y	Large tree	
79 Willow	79	Save	Y	Large tree	
80 Hawthorn	80	Save	Y	Large tree	
81 Dogwood	81	Save	Y	Large tree	
82 Elm	82	Save	Y	Large tree	
83 Maple	83	Save	Y	Large tree	
84 Alder	84	Save	Y	Large tree	
85 Dogwood	85	Save	Y	Large tree	
86 Birch	86	Save	Y	Large tree	
87 Oak	87	Save	Y	Large tree	
88 Redwood	88	Save	Y	Large tree	
89 Red Pine	89	Save	Y	Large tree	
90 Spruce	90	Save	Y	Large tree	
91 Fir	91	Save	Y	Large tree	
92 Juniper	92	Save	Y	Large tree	
93 Yew	93	Save	Y	Large tree	
94 Cypress	94	Save	Y	Large tree	
95 Palm	95	Save	Y	Large tree	
96 Magnolia	96	Save	Y	Large tree	
97 Sycamore	97	Save	Y	Large tree	
98 Poplar	98	Save	Y	Large tree	
99 Willow	99	Save	Y	Large tree	
100 Hawthorn	100	Save	Y	Large tree	

Tree Tag Number: 1-100  
Total Tree Height: 100-150 ft  
Total Tree Diameter: 10-15 in

- TREE LEGEND**  
Tree to be Saved/ Tree Tag Number:  
Deciduous  
Conifer  
Tree to be Removed/ Tree Tag Number:  
Deciduous  
Conifer



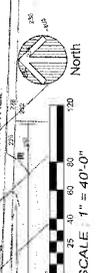
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**KIMBERLEE PARK III**  
11050 SE 60th Street  
Bellevue, WA

**TREE RETENTION**

Project No.: 21.11.11  
Drawn: ST  
Checked: ST  
Drawing Issue:  
2.1.11.11  
2.1.11.11  
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Sheet  
**TR-1.0**



## **Attachment 8**

### **Critical Areas Impacts**



## **Attachment 9**

### **Responses to Public Comments**

PUBLIC COMMENT	COMMENTER	LAND USE RESPONSE Pg. 1-11
house designs and lot size are inappropriate to the neighborhood	Wolborsky	The existing neighborhood is the same zone but does have different house styles and sizes as understandably happens over time as design tastes change. The proposed lot sizes are smaller than the surrounding neighborhood but the proposed development is relatively isolated at the end of two dead-end streets, separated by large open space tracts from existing development, and will have perimeter landscaping to buffer the proposed lots. The only people who will regularly see the proposed houses are those who live immediately adjacent to the development or overlook it. The proposed development complies or is conditioned to comply with all code requirements. Altering lot size is allowed by a PUD in exchange for preservation of critical areas which the proposed development achieves.
A forty foot green belt running the full length of the property along the north side of SE 60th Street.	Wolborsky	With the exception of lot 5 and the private driveway no development is occurring along SE 60 St. Most of the property adjacent to SE 60 <sup>th</sup> St. is placed into separate tracts protected from future development. Perimeter landscaping of the plat is proposed on lot 5 adjacent to the unimproved right-of-way of SE 60 <sup>th</sup> St.
In my initial review of the proposed P.D.D. and its accompanying subdivision, it does not appear that the proposal as submitted complies with Bellevue's Comprehensive Plan, (LU-9 maintain compatible use and design). (Goal: maintain ... character of Bellevue residential neighborhoods), PUD code (20.30D,150 PUD plan decision criteria. see highlighted attachment) and subdivision code (20.45A.020 Comprehensive Plan compliance).	Hiraki	The proposed development is single-family houses on individual lots. This is the same as the surrounding neighborhood. The codes and policies require development to be consolidated away from critical areas to retain as much of the site as possible in a natural state. Critical areas are required to be placed into tracts where not being modified which reduces the area available for development.
Based on Bellevue's Comprehensive Plan's goals and policies, and the codes that implement the comprehensive plan; cluster type of residential development in PUD and Conservation Subdivision are not really suitable for in-fill to complete an existing fully-developed conventional subdivision. This is especially true in a "closed" subdivision like Kimberlee Park with only one "gated" access and the neighborhood character is well established. PUDs should stand on its own with direct	Hiraki	The lots are placed on the buildable area of the site and outside of critical areas. The lots each have one house as does the existing neighborhood. All development in general is clustered in some aspect in order to avoid sensitive areas or because of zoning requirements. This development is not clustered in the sense that multiple units occupy a single lot. There are no gated accesses in the adjacent neighborhood as the roads are publicly owned and no gated access is proposed.

<p>access to a community collector road or an arterial, not through an existing residential subdivision. It should be an entity of itself.</p>	<p>Kim. Park Comm. Club</p>	<p>Per review of comprehensive plan the project meets requirements. See Comp. Plan review.</p>
<p>Negatively impacts existing neighborhood, incompatible with existing neighborhood, per comp. plan</p>	<p>Kim. Park Comm. Club</p>	<p>The proposed plat maintains the residential land use pattern and adds variety in Bellevue's housing choices. The project proposed single-family detached homes which maintains the existing residential pattern.</p>
<p>Goal of LU element in comp. plan is to develop and maintain a land use pattern... that maintains and strengthens the vitality, quality, and character of Bellevue's residential neighborhoods</p>	<p>Kim. Park Comm. Club</p>	<p>The proposed use is compatible as both adjacent and proposed uses are single-family residential homes. The design of the proposed homes is generally consistent with the design of the existing homes, i.e. pitched roofs, wood siding, similar building setbacks, individual driveways, multi-floor, etc. This development is occurring on an undeveloped property.</p>
<p>LU-9 maintain compatible use and design with the surrounding built environment when considering new development or redevelopment within an already developed area</p>	<p>Kim. Park Comm. Club</p>	<p>The proposed development is not altering adjacent neighborhoods and provides some transportation improvements along SE 60<sup>th</sup> and the intersection with Lake Washington Blvd. The proposed plat maintains the existing residential character.</p>
<p>comp. plan pg. 40 - Most Bellevue neighborhoods are stable, well-maintained and characterized by a healthy level of re-investment. Maintaining and enhancing these qualities is a primary concern. The city's land use strategies will be to ensure that new infill development fits into the neighborhoods.</p>	<p>Kim. Park Comm. Club</p>	<p>The proposed homes add variety of housing choice while still providing single-family detached homes with similar architectural features as existing adjacent homes.</p>
<p>comp. plan pg. 52 - One of Bellevue's roles in promoting neighborhood quality is to facilitate healthy change in a neighborhood while protecting residents from new housing that is out of character.</p>	<p>Kim. Park Comm. Club</p>	<p>Lots on the perimeter of the development will have perimeter landscaping. Proposed development on the site is directly adjacent to 5-6 properties. Lots on the perimeter are also the largest in the development in order to transition to a smaller lot size. The average lot size proposed is almost 6,500 square feet which is the</p>
<p>Proposed lots are half the size of the adjacent lots in Kimberlee Park II</p>	<p>Kim. Park Comm. Club</p>	<p>Lots on the perimeter of the development will have perimeter landscaping. Proposed development on the site is directly adjacent to 5-6 properties. Lots on the perimeter are also the largest in the development in order to transition to a smaller lot size. The average lot size proposed is almost 6,500 square feet which is the</p>

		maximum size allowed for conservation subdivisions.
homes densely clustered in contrast to adjacent neighborhood	Kim. Park Comm. Club	The homes are located on the buildable portion of the site to avoid critical areas. They are not clustered units located on one property as multi-family housing would be.
pervious areas are small compared to adjacent area	Kim. Park Comm. Club	4.07 acres or 54 percent of the site is placed into protected tracts which prevent future development and maintains drainage. Total site impervious surface coverage is 18.8 percent which includes roads. The maximum total impervious surface coverage of the site is 50 percent
proposed 16' wide driveways are narrower than existing adjacent	Kim. Park Comm. Club	proposed driveways meet current transportation design standards
proposed driveways are shared between two homes and do not work to provide the required parking and access	Kim. Park Comm. Club	Proposed driveways were revised to be individual and not shared. Each house will have an individual driveway.
the design and scale of the proposed homes is a sharp contrast to the adjacent existing homes in Kimberlee park	Kim. Park Comm. Club	The applicant has provided information that the proposed homes are of a comparable size and value of the existing neighborhood. The proposed development is between two significantly different neighborhoods which have different lot sizes, homes sizes and varying design and style due to different construction periods and individual additions made since the homes were built in the '60s and '70s.
repetitious design of homes vs. adjacent varied home designs creates a radically different uniform feel	Kim. Park Comm. Club	Development is at the end of the street and only directly adjacent to 5 or 6 homes. Most proposed homes are at least 60 feet away from existing homes except on lots 5, 6, and 17 where landscaping buffering will be used. Three house plans are proposed which will have different facades facing adjacent development. Houses are pitched roof, have front garages, individual driveways, porches, siding, and other elements which are similar to existing adjacent homes. Due to the daylight basements facing west toward I-405 the houses will be three floors tall on the western façade which does

<p>would at best detract aesthetically from our neighborhood and at worst negatively impact our home values.</p>		<p>greater building setbacks and comparable sizes and similar materials.</p>
<p>The perimeter of the proposed PUD is not compatible to the properties that about it in either scale, mass or architectural design. There is a sharp contrast between neighboring homes and the proposed development that does not appear compatible.</p>	<p>Natsis</p>	<p>The homes in the vicinity have similar elements, i.e. pitched roof, wood siding, decks, patios, windows, etc. But homes in the vicinity do have different styles as they were built at different times. The proposed homes are not attached and each have their own lots. The homes also have the same elements as do the surrounding homes.</p>
<p>The design of the proposed PUD is not compatible to the existing character, appearance or physical characteristics of the immediate vicinity. The proposed residences are referred to by the architect as "units". This term is very appropriate in describing their character because they appear as apartment units or townhome units and look totally out of place tacked on to our neighborhood. In fact, they are remarkably similar to a 12-unit condominium development in Tacoma designed by the same architect. Offering a row of six nearly identical "units" on each side of the street, varying only in their color schemes to differentiate them is way out of line with the uniquely varied architecture of the existing homes in our neighborhood. The street front facades on half of the proposed units are three stories tall unlike anything in Kimberlee Park. In addition the proposed materials (concrete, masonry block and cement fiber panels with metal roofing) are also completely out of character with existing homes. How anything about the proposed design can pass as compatible is beyond us.</p>	<p>Natsis</p>	<p>Each house is constructed on one lot and are not multifamily townhomes which are attached. The proposed homes have similar building setbacks as the existing neighborhood, but do have smaller front setbacks as the code allows. The proposed homes do have a smaller footprint, despite having similar floor areas. There are three different floor plans and each façade is different. The perimeter of the development will be planted with landscaping to provide visual separation from adjacent lots.</p>
<p>Property Value – Under the Conservation Subdivision rule the plats will be smaller with a home covering a larger percentage of the lot than is already established in the community of Kimberlee Park. This has a potential to affect our property values in the negative due to the higher density and given there is only one access point in and out of the Kimberlee Park area, increased traffic/ congestion within the community.</p>	<p>Eash</p>	<p>The applicant has provided information that the proposed homes are of a comparable size and value of the existing. The proposed development is between two different neighborhoods which have different lot sizes, homes sizes and values. The homes themselves are large enough to be a similar value to those adjacent. The Comprehensive Plan supports development of housing types and sizes that provide a range of affordability levels.</p>

<p>As presented, it negatively impacts and is truly incompatible with our established neighborhood and therefore is not "in accord" with the City's Comprehensive Plan</p>	<p>Uppendahl</p>	<p>The applicant has provided information that the proposed homes are of a comparable size and value of the existing. The proposed development is between two significantly different neighborhoods which have different lot sizes and homes sizes and values.</p>
<p>The appearance and quality of homes in the Kimberlee Park III proposal are not compatible with the existing homes in Kimberlee Park. Home buyers are attracted to Kimberlee Park because of the quality and variety of the homes in the neighborhood. The homes in the architect drawings do not appear to have the quality of existing homes and offer almost no variety. Construction of the proposed homes will impact the character of the neighborhood and lower the value of our homes. We understand your desire to increase housing density, but we demand that the architect develop a design that addresses the codified requirement that the proposed houses are consistent with existing homes in the neighborhood. The appearance and quality of homes in the Kimberlee Park III proposal are not compatible with the existing homes in Kimberlee Park.</p>	<p>Gustafson</p>	<p>The drawings provided are conceptual drawings. Actual construction drawings will be required when building permits are submitted. This proposal increases variety of the homes available in this area and in the City. The applicant has targeted home floor areas and values similar to existing adjacent homes. The proposed homes are consistent with the existing homes. Architectural quality and variety is not a regulated requirement such as safety or health.</p>
<p>this proposed subdivision in design and appearance does not fit with the neighborhood character of Kimberlee Park. The proposed lots are under 7000 sqft. I think the smallest lot currently is my lot at 9700 sqft. The new homes do not blend into the neighborhood. They look like large townhomes. If you look at any of the homes in the area they do not look anything like a townhome.</p>	<p>Sutherin</p>	<p>The proposed homes are detached and on individual lots. Townhomes are attached and on common lots. The proposed homes are not townhomes. The proposed architectural design provides alternative housing choices, updates housing stock, and provides comparable floor areas to those homes adjacent. Lots are smaller but are landscaped and structures generally meet the same setbacks as exist.</p>
<p>I would also like to understand what kind of criteria are used to determine if the project respects the PUD criteria. For example, 20.45A.060 specifies that the minimum lot size for a conservation plat in a R3.5 zone is 6,500 square feet; how small can a PUD go or how can a citizen figure out if the applicant's project is appropriate?</p>	<p>Blouin</p>	<p>There are two processes which can affect lot size and other zoning requirements: Subdivision and Planned Unit Development (PUD). LUC 20.45A.060 is in the code section on subdividing property and specifically applies to Conservation Subdivisions. All subdivisions (preliminary plats) may not qualify as a conservation subdivision (need at least 1 acre of critical areas). If a plat does qualify as a conservation subdivision the zoning requirements can be modified in the table found</p>

<p>I am also very concerned that the density proposed will result in houses that do not fit with the character of Kimberlee Park.</p> <p>This proposed subdivision just does not appear to fit into the neighborhood character of Kimberlee Park. We as homeowners wish to perpetuate the character and values grown over time in this special neighborhood. This proposed development just does not appear to accomplish that, specifically by design.</p> <p>The proposed architecture is totally "out-of-character" for our existing community. The City has prided itself (by code too) on 'infilling' that continues the existing character of a neighborhood or community. One major concern for out-of-character development is that it diminishes the value of an existing neighborhood, if it is not of a similar nature.</p> <p>This proposed subdivision in design and appearance does not fit with the neighborhood character of Kimberlee Park</p> <p>proposed homes not in character with existing</p>		<p>under LUC 20.45A.060.The PUD process allows modification of any zoning requirements and can further modify the allowances offered under the conservation subdivision process. Therefore when a PUD is combined with a conservation subdivision a lot size may be up to 6,500 sqft. or it can be reduced lower as allowed by a PUD. The trade-off is that the developer has additional decision criteria associated with the PUD applied to the project. These decision criteria concern protection of critical areas, neighborhood character, design, compatibility, etc. The applicant has to demonstrate that if certain zoning requirements are modified that these decision criteria are still met.</p>
	Halley	The density proposed is less than allowed by the code.
	Baker	Architectural character and value is not regulated. The proposed homes are on separate lots, have individual driveways and front garages, and are constructed of similar materials to those existing.
	Highsmith	The applicant has provided information that the proposed homes are of a comparable size and value of the existing. The proposed development is between two significantly different neighborhoods which have different lot sizes and homes sizes and values. The homes themselves are large enough to be a similar value to those adjacent. The Comprehensive Plan supports development of housing types and sizes that provide a range of affordability levels.
	Gibb	The proposed homes are on separate lots, have individual driveways and front garages, and are constructed of similar materials to those existing.
	Naab, Adams, Box, Smith, Friesen, Steinvall, Gibb, Highsmith, Baker,	The proposed homes are on separate lots, have individual driveways and front garages, and are constructed of similar materials to those existing.

<p>Specifically the three proposed three story structures are not in keeping with the 2 story structures allowed by Kimberly Park's bylaws.</p> <p>I'm extremely concerned about the impact of this proposed subdivision of 17 homes, especially the 12 homes which will immediately affect my neighborhood, Kimberlee Park. My deep concerns include (but are not limited to) the substantially increased traffic which this new subdivision will generate. By necessity, traffic from the 12 proposed homes will travel through the existing roads of Kimberlee Park. Our neighborhood has narrow streets, no sidewalks, and a dangerous curve/ steep hill combination. The impact of this substantially increased traffic poses sizable risk for neighborhood safety and emergency access. Furthermore, this proposed subdivision in design and appearance does not fit with the neighborhood character of Kimberlee Park.</p>	<p>Graham, Li, Halley, Frieber</p> <p>Nakata</p> <p>Freiber, Harrison, Sutherin, Adams, Box, Steinvall, Gibb, Friesen, Graham, Baker, Li, Wong, Nakata</p>	<p>The proposed home heights meet the maximum height restriction of 30 feet to which the existing homes are also subject. The adjacent homes may increase their height, subject to the max height limits. The property is not subject to any bylaws or other covenants which control the adjacent neighborhood.</p>
<p>Increased noise from I-405</p>	<p>Naab</p>	<p>Please review this matrix of comments which addresses these general comments.</p> <p>Existing vegetation is primarily deciduous and offers minimal existing sound buffer. New structures may better buffer sound. City regulates noise generation and allowed times in BCC 9.18. The development is not increasing noise generated on I-405.</p>
<p>Loss of trees</p>	<p>Naab</p>	<p>54 percent of site is remaining protected and 57 percent of the existing significant trees are being retained. Most tree retention is contained within the protected tract areas.</p>
<p>The developer has proposed a street surface that will allow water absorption in to the ground. There is concern that street water contaminants would enter the natural stream right next to it.</p>	<p>Graham</p>	<p>The only pervious surface proposed is for the pedestrian trail which is to be mulch or wood chips (Hog Fuel). Drainage is directed into storm collection systems for holding and treatment before it is sent to stream.</p>

<p>There will be increased pollution and waste in the present Kimberlee Park development from additional residents and motor vehicles. This is a quiet and small neighborhood with narrow streets that was built many years ago on the assumption that no further development could reasonably be contemplated.</p>	<p>Hammer</p>	<p>The proposed 17 lots will not noticeably increase pollution or waste generation beyond the levels of the existing development which is significantly more lots than 17 and adjacent to I-405. This property has also been used by the surrounding neighborhood for dumping garbage and yard waste which will be removed by this project.</p>
<p>There will be an increase in traffic from passage of vehicles resulting in further noise and congestion in the existing Kimberlee park development.</p>	<p>Hammer</p>	<p>The noise generated by traffic will not exceed the current generated by I-405 and existing development. Noise is regulated by BCC 9.18.</p>
<p>In the developer's DNS Checklist, under the Aesthetics section, it is represented that no views in the immediate vicinity would be altered or obstructed. The current proposal will in fact greatly alter my immediate view from my property. At the public meeting, the developers did not provide renderings of the view impact for the proposed houses that would affect my view.</p>	<p>Chiou</p>	<p>Protection of views is not a code requirement regulated by the City. The developer has made a significant effort to maintain views by designing the houses to have lower pitched roofs and fit into existing topography. Some trees and vegetation will be removed where the proposed houses are located which will probably result in some view improvement.</p>
<p>I have noted approximately 8 resident deer (3 bucks, 3 does, and 2 fawns) entering my property from the Shih proposed development. I have also seen coyotes, a fox, rabbits, raccoons, quail, and a red-tailed hawk. I was even told by neighbors that 2 years ago a black bear sow and its cubs were seen going through my backyard. The abundance of wildlife this close to the interstate was one of the reasons I was attracted to my house. I have even bought a game camera to keep track of the animals that reside in the area. I fear that this wildlife will be negatively impacted by the development of their forest habitat. With forested areas along I-405 already scarce, additional traffic and people from the Shih proposed development will push these animals elsewhere.</p>	<p>Chiou</p>	<p>No protected species have been found to be on-site. However the site does provide habitat to other species and has the potential to provide habitat to important species. 54 percent of site is remaining undisturbed which contains the majority of trees on-site, stream, steep slopes and other habitat features.</p>
<p>Is there a buffer planned along the fence that parallels I-405? Are there any plans to regulate the use of backyard</p>	<p>Chiou</p>	<p>Given this site is surround by existing development and is adjacent to I-405 the likely species to use this site will</p>

<p>fences in this development? Restrictions on the allowable landscaping could also preserve habitat. These options could potentially allow for the larger animals to travel across or live within the planned development area.</p>		<p>be avian species as the ground has considerable barriers to larger animals. Mitigation planting, invasive species removal, and cleanup of the stream corridor is proposed and required as mitigation for the impacts the development is causing. Perimeter landscaping around the development is also proposed to buffer the surrounding neighborhood from the new development.</p>
<p>Noise – There is already considerable road noise due to the proximity of I-405. Once the majority of trees and landscaping are cut down, outside of the Native Growth Protection Area Tract (NGPA), the “natural” noise filter/insulation will be gone. The decibel level of said road noise is sure to increase. By how much and for how long?</p>	<p>Eash</p>	<p>54 percent of the site is remaining undisturbed within Native Growth Protection Area tracts containing the majority of trees on-site. The proposed houses will provide a more substantial noise barrier between the freeway and the neighborhood above than the existing vegetation. Planting is also proposed on the perimeter of the development which will also provide some noise buffering.</p>
<p>Runoff/ stability: “Nature” has designed its own transport system for run off water in the form of the creek located in the NGPA. However once all the trees/vegetation are removed from the surrounding area, vegetation that would normally lessen the rainfall/ run off burden, then a situation will have been created to overly tax said creek. How will it carry the increased amount of run off, of which it wasn't designed to do, without impacting the NGPA that is supposedly being protected? Will this affect the stability of the slope in the “critical areas”?</p>	<p>Eash</p>	<p>The stream may pre-date the existing development but now is impacted by run-off which makes the stream flows flashy and storm dependent. The stream buffer steep slopes and 54 percent of the site are being left undisturbed and protect in separate tracts. Vegetation along the stream and on the steep slopes is to remain which will maintain slope stability and provide habitat. The development will also be required to provide storm drainage systems which hold water and restrict the rate of flow in order to maintain the existing stream flow. All surfaces will direct water away from slopes.</p>
<p>Dirt/Dust: Once the land is clear-cut and the grading process begins there will surely be a great deal of dust and dirt created. What mitigation or precautions will be put into place to combat the amount of dust in the air we and the local animals of the NGPA breathe in during construction? What about any mud being tracked in and out of the development area should the grading process take place during rainy months?</p>	<p>Eash</p>	<p>City regulations and clearing and grading best management practices prohibit these activities or limit these impacts to be as minimal as possible. 54% of the site is remaining in an undisturbed condition. Rainy season restrictions apply to the site which may restrict work during the rainy seasons or ensure the required erosion control measures are in place. All dirt, mud, etc is required to stay on-site and out of the road.</p>
<p>Pest Control: Once the land is cleared there is likely to be</p>	<p>Eash</p>	<p>54 percent of the site is remaining undisturbed which</p>

<p>a mass exodus of all the field mice and rats living in the brush. What mitigation or precautions will be taken to keep these pests from entering the already established homes of Kimberlee Park?</p>		<p>contains the majority of trees on-site. A substantial portion of the site is being left undeveloped. There are no proposed measures to control pests and none are required.</p>
<p>Habitat/Animals – There are several deer that live in the area of the proposed development. What impact studies, if any, have been done on how the proposed development will affect their habitat? Given that their area will be shrinking, will the NGPA be such that it can sustain the population of deer and other animals that currently reside therein?</p>	<p>Eash</p>	<p>No protected species have been found to be on-site per the submitted reports and staff visits. However the site does provide habitat to other species and has the potential to provide habitat to important species. 57 percent of the site is remaining undisturbed which contains the majority of trees on-site, stream, steep slopes and other habitat features.</p>
<p>The proposed development straddles a seasonal creek. The change in run off due to the cutting of trees and increase in impervious surface that result from the new development will undoubtedly change the flow characteristics of this creek. We can anticipate greater flows and greater erosion of the land immediately adjacent to the creek. The impact of this hydrological change has not been properly addressed. Further, urban wildlife corridors will be impacted or closed off by the proposed development. The potential for significant environmental effects of the proposed development warrants a thorough environmental assessment and publication of an environmental impact statement. To my knowledge no environmental study has been completed nor an impact statement been published.</p>	<p>Gustafson</p>	<p>No protected species have been show to be on-site. 54 percent of the site is remaining undisturbed which contains the majority of trees on-site, stream, steep slopes and other habitat features. Animals will be able to access and leave the site. The proposed development is required to be designed to maintain the existing drainage character of the site and cannot impact the hydrology of the stream. Required storm systems will control the flow of water into the stream. Drainage reports were provided. No environmental impact statement has been required as the project is not of a sufficient size and is not causing substantial impacts not otherwise addressed by City codes.</p>
<p>Our home is located directly east of the proposed development, and the hillside from our home down to and through the development area is a steep grade. We are concerned about the soil, grading and proposed retaining walls, and we are extremely concerned about bank retention. Reducing the stability of the slope would put our home at serious risk.</p>	<p>Kingma</p>	<p>The development is leaving almost all of the regulated steep slopes on site in protected Native Growth Protection Area tracts. Lots 12 through 17 are down-slope of existing development. These slopes are steep but are not enough to be regulated. However the construction is required by code to limit fill and excavation and is leaving the existing topography on the slope between the existing neighborhood and lots 12 through 17 undisturbed, maintaining the existing grades.</p>

PUBLIC COMMENT	COMMENTER	TRANSPORTATION RESPONSE Pg. 12-30
<p>1. SE 60th West of Lake Washington Blvd. to its termination.</p> <p>Two very steep blind hills with driveways.</p>	<p>Wolborsky</p>	<p>Notable grade of SE 60th Street extending 250' from Lake Hills Blvd. Lake Hills Blvd is approximately 10 % at its maximum. This grade is acceptable to the Transportation Dept. Two existing driveways along the 10% grade section of SE 60th Street. The 10% grade does not interfere with sight distance as there is no crest within the 10% slope section. No accidents in street history records caused by this grade. The second steep grade along SE 60th Street occurs at the dead end of street. No new access is plan for this area.</p>
<p>Blind entry from Lake Washington Blvd.</p>	<p>Wolborsky</p>	<p>The applicant will make improvements to the intersection to improve sight distance. These improvements consist of realignment of stop sign, stop bar and removal, pruning of vegetation. No accident history at this intersection relating to sight distance.</p>
<p>a. No stop light at 4 way intersection.</p>	<p>Wolborsky</p>	<p>This intersection does not meet the warrants of signal light installation. Existing traffic volumes are too low.</p>
<p>b. so" is offset from intersection and causes dangerous confusion.</p>	<p>Wolborsky</p>	<p>The applicant will make improvements to the intersection to improve sight distance. These improvements consist of realignment of stop sign, stop bar and removal, pruning of vegetation. No accident history at this intersection relating to sight distance.</p>
<p>c. It has no curbs.</p>	<p>Wolborsky</p>	<p>Curbs are not necessary on all public streets.</p>
<p>d. It is extremely narrow.</p>	<p>Wolborsky</p>	<p>The applicant is required to widen the pavement to create two 10 foot travel lanes and a 4 foot paved shoulder area.</p>
<p>e. There are no sidewalks.</p>	<p>Wolborsky</p>	<p>The applicant is required to widen the pavement to create a 4 foot paved shoulder area.</p>
<p>f. The road is in poor repair.</p>	<p>Wolborsky</p>	<p>The applicant will be required to improve the road.</p>

<p>g. There is no guard rail on a steep drop off.</p>	<p>Wolborsky</p>	<p>Guard rails will be installed where warranted.</p>
<p>h. With one car parked on the streets trucks, fire engines and ambulances cannot have access.</p>	<p>Wolborsky</p>	<p>There are no records of complaint from the Fire Department regarding limited access along SE 60 Street. The City has the option of restricting parking in the future if warranted. The applicant is required to provide additional width to accommodate five passenger cars west of the private road connection to SE 60th Street. This parking area will be located off of right of way and deemed private.</p>
<p>i. This is the only access for us and our neighbors  What we want.</p>	<p>Wolborsky</p>	<p>Per City policy developers cannot use right of way for construction staging unless specifically authorized by the Right of Way Manager.</p>
<p>a. No construction equipment or construction parking on SE so" West of Lake Washington</p>	<p>Wolborsky</p>	<p>It is the property owner's legal right to gain access to the city's street system.</p>
<p>b. No additional traffic from new homes-No access to SE so" for the proposed development.</p>	<p>Wolborsky</p>	<p>The applicant is required to widen the pavement to create two 10 foot travel lanes and a 4 foot paved shoulder area.</p>
<p>c. Barring this the developer or City can construct a wider, stronger road with curbs, sidewalks and guard rails.</p>	<p>Wolborsky</p>	<p>"Blocking" of any public street is prohibited by city code unless specifically authorized by the Right of Way Manager.</p>
<p>d. Absolutely no blocking of SE 60th for any length of time.</p>	<p>Wolborsky</p>	<p>Per City policy developers cannot use right of way for construction staging unless specifically authorized by the Right of Way Manager.</p>
<p>e. No storage of construction equipment or supplies on SE so" or within 40 feet of the roadway.</p>	<p>Wolborsky</p>	<p>With the exception of lot 5 and the private driveway no development is occurring along SE 60 St. Most of the property adjacent to SE 60<sup>th</sup> St. is placed into separate tracts protected from future development. Perimeter</p>
<p>f. A forty foot green belt running the full length of the property along the north side of SE 60th Street.</p>	<p>Wolborsky</p>	<p>Perimeter</p>

<p>In the event the Kimberlee Park III development is approved, the Wolborskys are concerned that access to their home will be blocked by construction equipment, employees' parked vehicles, or other construction related items. Again, not only will this cause a substantial inconvenience to the Wolborskys and their neighbors, but it could prevent emergency vehicles from accessing their homes resulting in a dangerous condition. The Wolborskys and their neighbors are also concerned that heavy construction equipment will damage the roadway that was intended only to serve as access to their homes.</p>		<p>landscaping of the plat is proposed on lot 5 adjacent to the unimproved right-of-way of SE 60<sup>th</sup> St.</p>
<p>In light of these concerns, the Wolborskys request assurances from the developer and the City that there will be no construction related activity on S.E. 60th Street from Lake Washington Blvd. S.E. west to its termination that would in any way delay or impede traffic on the street or otherwise damage the roadway. This would naturally include no parking on that roadway by employees or others associated with the construction work, no use of heavy construction equipment on the roadway, and no storing or parking of construction related equipment or materials on that roadway.</p>	<p>J. Robert Smith representing Wolborsky</p>	<p>Per City policy developers cannot use right of way for construction staging unless specifically authorized by the Right of Way Manager. Public right of way exists to serve the public. It cannot be assigned selectively for private use. If a resident wishes to claim public right of way for private use a street vacation process must be initiated. Generally all public streets are planned to serve all adjacent properties.</p>
<p>To the extent the developer and City are unwilling to provide the above assurances, then the Wolborsky's request that S.E. 60th Street west from Lake Washington Blvd. S.E. be widened and that any damage to the roadway or adjacent land resulting from the construction activities be the responsibility of the City.</p>	<p>J. Robert Smith representing Wolborsky</p>	<p>Per City policy developers cannot use right of way for construction staging unless specifically authorized by the Right of Way Manager. "Blocking" of any public street is prohibited by city code unless specifically authorized by the Right of Way Manager.</p>
<p>Therefore, please let us know what steps the City intends to take to ensure that access to the Worborsky's home is not impeded, delayed and/or damaged during the development of this project.</p>	<p>J. Robert Smith representing Wolborsky</p>	<p>Per City policy developers are responsible for all damages caused to public infrastructure related to their construction related activities.</p> <p>This project was approved with transportation conditions which assure public safety. During construction this project will be bound to right of way use conditions which are written with the intent of guarding public safety. A transportation inspector will be assign to the</p>

		project to provide oversight to ensure adherence to all conditions of approval, use of right of way and to act as a liaison between the developer and the public.
The problems with SE 60th Street are:		
<ul style="list-style-type: none"> <li>The steep grade at the entry and the angled offset make awareness and visibility difficult.</li> </ul>	Chiou	The applicant will make improvements to the intersection to improve sight distance. These improvements consist of realignment of stop sign, stop bar and removal, pruning of vegetation. No accident history at this intersection relating to sight distance.
<ul style="list-style-type: none"> <li>The lack of a turn signal makes entry and exit difficult as cars do not yield to you.</li> </ul>	Chiou	This intersection does not meet the warrants of signal light installation. Existing traffic volumes are too low. The applicant will make improvements to the intersection to improve sight distance. These improvements consist of realignment of stop sign, stop bar and removal, pruning of vegetation. No accident history at this intersection relating to sight distance.
<ul style="list-style-type: none"> <li>Increased traffic use as commuters bypass I-405 traffic by taking Lk Washington Blvd.</li> </ul>	Chiou	Public streets are designed for public use.
<ul style="list-style-type: none"> <li>Narrowness and lack of sidewalks would make the proposed access road and increased traffic volumes more hazardous to neighborhood pedestrians.</li> </ul>	Chiou	The applicant is required to widen the pavement to create two 10 foot travel lanes and a 4 foot paved shoulder area.
Allowing the additional resident traffic will make a bad situation worse, and as such, a solution to the road problems should be implemented before allowing more resident traffic through the Shih development proposal.	Chiou	This project was approved with transportation conditions which assure public safety. During construction this project will be bound to right of way use conditions which are written with the intent of guarding public safety. A transportation inspector will be assigned to the project to provide oversight to ensure adherence to all conditions of approval, use of right of way and to act as a liaison between the developer and the public.
The proposed access road to these lots creates very questionable safety and utility service to these lots. Medical Emergency units would not be able to safely navigate this	Traverso	This project was approved with transportation conditions which assure public safety. Emergency access issues have been analyzed by the Fire Department. Based on their experience and knowledge they have determined

<p>proposed substandard roadway.</p>		<p>the private access roads acceptable.</p>
<p>Substantial Increase in traffic through neighborhood (see standard letter)</p>	<p>Adams</p>	<p>Additional traffic volumes to be created by this development fall within the range of acceptance by the Transportation Department based on its Codes and Standards.</p>
<p>It is well known that the roads in Kimberlee Park were poorly designed and would not be permitted under current regulations. These roads appear to be at capacity with the current number of houses in Kimberlee Park. The addition of 12 more houses, at least 24 more cars on the roads, will result in an overly congested and dangerous traffic situation. Before any further development is done in Kimberlee Park there needs to be a thorough traffic assessment to establish how many more cars can be safely handled in the neighborhood.</p>	<p>Gustafson</p>	<p>Additional traffic volumes to be created by this development fall within the range of acceptance by the Transportation Department based on its Codes and Standards.</p>
<p>The increased traffic through all but two small branches of our cul-de-sac is greater than prudent because of the one access point on Lake Washington Blvd.</p>	<p>Highsmith</p>	<p>Additional traffic volumes to be created by this development fall within the range of acceptance by the Transportation Department based on its Codes and Standards.</p>
<p>I am concerned about the additional traffic this will impose on our only exit street which I must back into, on a hill, in order to leave my house.</p>	<p>Halley</p>	<p>Additional traffic volumes to be created by this development fall within the range of acceptance by the Transportation Department based on its Codes and Standards. Per City Code developers are not responsible for existing traffic conditions but rather are made to mitigate for impacts caused by their development.</p>
<p>The sole access for 12 of its lots are through Kimberlee Park's public roads that do not comply with Bellevue's standards. It is a very long cul-de-sac with 4 major flaws.</p>	<p>Hiraki</p>	<p>Given the constraint of existing topography (steep grades) along 110th Ave SE this street functions adequately per City standards. Paved width is more than 20 feet along its entire length.</p>
<p>1. There are no sidewalks.</p>	<p>Hiraki</p>	<p>Land development is the incorrect process to request sidewalks on existing public streets. Contact Karen Gonzalez at 425-452-4598 or</p>

<p>kgonzalez@bellevuewa.gov to petition the city for sidewalk installation.</p>		
<p>Given the constraint of existing topography (steep grades) along 110th Ave SE this street functions adequately per City standards. Paved width is more than 20 feet along its entire length. It is unfair to require the developer to correct all steep grades along 110th Ave SE. In addition, it is not feasible to regrade the entire neighborhood flat. It is hoped that all future tenants of this development who will occupy the new homes will do so with the understanding that their access will be comprised of steep grades and all the challenges that are associated with living on hills.</p>	<p>Hiraki</p>	<p>2. 111 Avenue S.E. has a very steep grade. Probably in excess of fire department standard of 15 per cent maximum grade. During snow and icy conditions residents in Kimberlee Park II including those on the steep grade are trapped. There is a scramble to find parking in Div. I during these periods.</p>
<p>Given the constraint of existing topography (steep grades) along 110th Ave SE this street functions adequately per City standards. Paved width is more than 20 feet along its entire length. It is unfair to require the developer to correct all steep grades along 110th Ave SE. In addition, it is not feasible to regrade the entire neighborhood flat. It is hoped that all future tenants of this development who will occupy the new homes will do so with the understanding that their access will be comprised of steep grades and all the challenges that are associated with living on hills.</p>	<p>Hiraki</p>	<p>3. Impairs sight distance by a short vertical curve radius at the top of the grade of 111 Avenue S.E. which is compounded by the horizontal curve of S.E. 59 Street as it connects to 111 Avenue S.E.</p>
<p>This intersection has been found to be adequate to provide safe ingress / egress for motorists. No major accident history exists there. Sight distance is adequate. Traffic volumes to be generated by the new development fall within an acceptable range per Transportation Code.</p>	<p>Hiraki</p>	<p>4. S.E. 59 Street intersects Lake Wash. Blvd. S.E. with a very short off-set with S.E. 60 Street, a community arterial. During peak hour, Lake Wash. Blvd. acts as a major arterial serving direct access to 1405 exits # 9 and 7. During AM peaks northbound traffic is backed up from exit #9 southerly toward exit #7. Lake Wash. Blvd. becomes virtually a by-pass lane for 405 making it very difficult to exit Kimberlee Park. Due to the heavy traffic, the state has recently placed two traffic control lights on the northbound exit #9, just like the exit leaving the CBD of Bellevue</p>

<p>Kimberlee Park's existing substandard streets do not meet current design standards for City of Bellevue public roads. Kimberlee Park has narrow roads, no sidewalks, and sharply impaired visibility from the neighborhood's steep vertical curve (hill), which is joined by a sharp horizontal curve. Kimberlee Park has had several accidents and countless near collisions as a result of the dangerous hill curve combination. When cars are parked on or near the hill, 11th Avenue SE becomes essentially a one-lane road with no room to avoid an accident. When cars are parked on the street, the visibility for pedestrians and other drivers alike is dramatically lessened.</p>	<p>Kim. Park Comm. Club</p>	<p>At the requests of residents on street parking along 110th Avenue SE can be restricted. Contact Karen Gonzalez at 425-452-4598 to initiate the process. It is unfair to require the developer to correct all steep grades along 110th Ave SE. In addition, it is not feasible to regrade the entire neighborhood flat. It is hoped that all future tenants of this development who will occupy the new homes will do so with the understanding that their access will be comprised of steep grades and all the challenges that are associated with living on hills.</p>
<p>The proposed development, however, proposes intensified housing density and access to its 12 new homes solely through Kimberlee Park. The proposal would add more than 20% more traffic to the vicinity's substandard and dangerous streets and would severely exacerbate existing problems. This is neither suitable nor adequate access. It is neither suitable nor adequate community planning.</p>	<p>Kim. Park Comm. Club</p>	<p>This development has been reviewed and approved with conditions of approval per City Codes and Standards. The applicant has been required to mitigate for impacts caused by said development. Given the constraint of existing topography (steep grades) along 110th Ave SE this street functions adequately per City standards. Paved width is more than 20 feet along its entire length. It is unfair to require the developer to correct all steep grades along 110th Ave SE. In addition, it is not feasible to regrade the entire neighborhood flat. It is hoped that all future tenants of this development who will occupy the new homes will do so with the understanding that their access will be comprised of steep grades and all the challenges that are associated with living on hills.</p>
<p>We are very concerned about the safety of pedestrians, particularly children who must use existing streets as their only "sidewalk." This proposal dramatically increases the traffic, the potential for accidents, and the probability of near collisions.</p>	<p>Kim. Park Comm. Club</p>	<p>The developer will install sidewalks and a pedestrian trail connecting to SE 60th Street. New traffic generation by this developer fall within an acceptable range per City Code.</p>
<p>Emergency access is a dramatic problem with the existing steep hill and narrow streets. The hill was closed to incoming and outgoing traffic during a recent fire.</p>	<p>Kim. Park Comm. Club</p>	<p>It is unfair to require the developer to correct all steep grades along 110th Ave SE. In addition, it is not feasible to regrade the entire neighborhood flat. It is hoped that all future tenants of this development who will occupy the new homes will do so with the understanding that</p>

<p>Many homeowners living on the 111th Avenue SE hill, on SE 57th Street, or on 110th Avenue SE park their cars on upper Kimberlee Park streets (above the hill) during snow and ice conditions because the hill is virtually impassible in icy conditions. Space to park cars is severely limited in the upper neighborhood, and parking is prohibited on much of Lake Washington Boulevard SE. As a consequence, residents park on both sides of the upper streets as well as cluster at the entrance to the neighborhood. The result is severely inadequate and constricted streets with highly dangerous conditions. The proposed development's increased density would disproportionately increase the demand for this severely limited street parking in inclement weather.</p>		<p>their access will be comprised of steep grades and all the challenges that are associated with living on hills.</p>
<p>Speeding is a more recent concern, and we have found it occurs more often with cars traveling to the more distant homes in the neighborhood. The proposed development intensifies density at the most distant point of the neighborhood.</p>	<p>Kim. Park Comm. Club</p>	<p>It is unfair to require the developer to correct all steep grades along 110th Ave SE. In addition, it is not feasible to regrade the entire neighborhood flat. It is hoped that all future tenants of this development who will occupy the new homes will do so with the understanding that their access will be comprised of steep grades and all the challenges that are associated with living on hills.</p>
<p>Kimberlee Park has but one neighborhood entrance and exit, an offset intersection from SE 59th Street onto Lake Washington Boulevard SE. (The significant intersection in the area is a stop sign/ flashing red light intersection, which is approximately 200 feet south at SE 60th Street and Lake Washington Boulevard SE.) Particularly in peak morning traffic times, egress from Kimberlee Park is fraught with hazard, as Lake Washington Boulevard SE serves as a collector / distributor for the area. Lake Washington Boulevard has also been serving a bypass to clogged 1-405, and cars come to rolling stops, streaming through the intersection. The City of Bellevue has been asked to fix this problem, but to date has not found a solution. Now the city is considering a proposal which adds substantially more</p>	<p>Kim. Park Comm. Club</p>	<p>Contact Karen Gonzalez at 425-452-4598 for speeding concerns.</p>
	<p>Kim. Park Comm. Club</p>	<p>This intersection has been found to be adequate to provide safe ingress / egress for motorists. No major accident history exists there. Sight distance is adequate. Traffic volumes to be generated by the new development fall within an acceptable range per Transportation Code.</p>

<p>traffic to exacerbate the problem.</p> <p>As Kimberley Park's road system, which has remained entirely an extended non-standard length cul-de-sac, was considered well beyond reasonable limits for fire safety and general traffic movement, there was a requirement for a second access. That second access was determined to be SE 60th Street, which was planned to be extended to serve both sides of the ravine as development proceeded. The cost of developing the northerly portion of the street was to be borne by the developer (the southerly portion was assumed to be the responsibility of those who would develop the property on the south side of the ravine).</p>	<p>Kloster</p>	<p>The Fire Department has reviewed this project for adequate access and approved accordingly. Secondary access to SE 60th Street was created in lieu of bridge construction. This decision by the applicant adhered to all City Codes and Standards.</p>
<p>A very important part of the county's decision to require a second access was based on the nonstandard slope of the hill that starts at 5802 111 th Avenue SE and extends down to 5712 111 th Avenue SE. This hill has historically been a source of serious problems; visibility for uphill and downhill traffic (it is not possible to see small children at or near the crest depending on the length of the car hood) and steepness (snow in the winter requires an who live below the crest to park at the top of the hill near 111th Place or along Lake Washington Boulevard, on which parking is now prohibited) are major problems. (Attached are pictures of the cars parked at the top of hill during the recent snow storm which lasted several days). There have been at least three accidents (that I have observed or attended to upon hearing the impact) on the bend near the top of the hill caused by excessive speed and inability to see oncoming traffic. I live on that bend.</p>	<p>Kloster</p>	<p>It is unfair to require the developer to correct all steep grades along 110th Ave SE. In addition, it is not feasible to regrade the entire neighborhood flat. It is hoped that all future tenants of this development who will occupy the new homes will do so with the understanding that their access will be comprised of steep grades and all the challenges that are associated with living on hills. For speeding issues contact Karen Gonzalez at 425-452-4598.</p>
<p>A recent fire in the house at 5728 111 th Avenue SE emphasizes the need for a second access. For six hours, no one in Kimberlee Park who lived downhill from this address (i.e., no one in the remaining homes on 111 th Avenue SE and no one in homes on SE 57th Street and 11 oth Avenue SE) was able to get past the fire trucks and all the hoses. The weather was cold enough that the flowing</p>	<p>Kloster</p>	<p>The development process is the incorrect process to address existing traffic issues. Contact Adrian Jones at 425-452-6032 for Emergency Access issues.</p>

<p>water froze on the street causing more than one person, including me, to slip and fall while trying to get past the ongoing blocking activity. There are no sidewalks in Kimberlee Park. During the fire emergency, a family near the bottom of the hill had a medical emergency and needed to transport an older adult out of the neighborhood. They had difficulty hiking up the hill and were required to depend on someone living close to the neighborhood entrance to assist in transporting the person.</p>		
<p>All of the activities described above show how important it is to have an alternative access into the neighborhood. To proceed with the development as proposed will only exacerbate the problem, and prevent it from ever being solved as was assumed in earlier decisions of the county planning department. The City has suggested that to create an overpass of the seasonal stream would be an undue cost to the developer of Kimberlee Park III and for that reason have allowed the two separate entrances to the neighborhood. The response to questions about this is that there are many similar situations in Bellevue that provide precedence for such a decision. I do not agree when there is a logical solution. Due to the recent development of the land in the southeast quadrant of Lake Washington Blvd. (110th Ave. SE) and SE 60th) which was the largest part of the drainage for this seasonal stream, and is now diverted to storm drains, the amount of flow in the remaining stream is minimal. Yes, the area is still a wetland but any flow that does not percolate into the water table could easily be handled by a small culvert under a new street crossing the small wetland area.</p>	<p style="text-align: center;">Kloster</p>	<p>New traffic to be generated by the development are within the acceptable range of the Transportation Department. It is unfair to require the developer to correct all steep grades along 110th Ave SE. In addition, it is not feasible to regrade the entire neighborhood flat. It is hoped that all future tenants of this development who will occupy the new homes will do so with the understanding that their access will be comprised of steep grades and all the challenges that are associated with living on hills.</p>
<p>There is the issue of the increased traffic flow in and out of the entrance to Kimberlee Park during commute times as Julian Hiraki discussed in our recent meeting with you at City Hall. He indicated that DOT is in effect using Lake Washington Blvd. as another lane for 1-405 and a feeder arterial from all the new neighborhoods in Newcastle. In fact DOT has recently installed two metered lanes and a</p>	<p style="text-align: center;">Kloster</p>	<p>New traffic to be generated by the development are within the acceptable range of the Transportation Department. It is hoped that all future tenants of this development who will occupy the new homes will do so with the understanding that their access will be comprised of high traffic volumes during the commute</p>

<p>HOV lane to access 1-405 at Exit No.9 in an attempt to encourage the use of Lake Washington Blvd. As the Kimberlee Park access is offset from SE 60th St. by less than 200 feet in can cause an extended delay for northbound access onto Lake Washington Blvd. A second access to Lake Washington Blvd. from Kimberlee Park at SE 60th St. would mitigate this problem significantly.</p>		<p>hours along Lake Washington Boulevard.</p>
<p>The PUD presents a burden on the present streets that serve Kimberlee Park. The hill and curve on 111th Ave SE &amp; SE 59th Street is substandard. There is limited visibility travelling around a corner and continuing down a very steep slope. It is currently of great concern to our neighborhood pedestrian and vehicular traffic. Especially to those of us who have children and use this existing street (without sidewalks) to get to the neighborhood park. Adding additional traffic to a pre-existing substandard situation would be extremely dangerous.</p>	<p>Natsis</p>	<p>New traffic to be generated by the development are within the acceptable range of the Transportation Department. It is hoped that all future tenants of this development who will occupy the new homes will do so with the understanding that their access will be comprised of high traffic volumes during the commute hours along Lake Washington Boulevard as well as steep grades and all the challenges associated with living on and adjacent to hilly terrain.</p>
<p>I live right next door to the proposed new development and my biggest concern is how it will affect my access to freeway facing side of my property. Currently, I'm able to drive a truck down to the back yard, push a lawn mower up and down the hill, or bring yard waste cans down to do yard work. I can do all of this through an existing dirt road on the adjacent property (the previous owners used the same road as access for over a decade before I moved in). I am worried that this may no longer be possible after the new homes go in and would like to be kept up to date on how close they plan to build to my property line.</p>	<p>Eash</p>	<p>All work performed by City staff related to the review and approval of Land Use Decisions are a matter of public record. You are welcomed to come to the City Hall at any time to review the project file.</p>
<p>How close does the proposed development plan of the lot adjacent to our home come to our property line. I am concerned that will effectively cut off access to our property.</p>	<p>Eash</p>	<p>All work performed by City staff related to the review and approval of Land Use Decisions are a matter of public record. You are welcomed to come to the City Hall at any time to review the project file.</p>
<p>Parking Overflow – Will there be sufficient parking for the new homes?</p>	<p>Eash</p>	<p>The applicant has been made to provide adequate parking per City Codes.</p>

<p>This increase diminishes the health and safety of the residents based on the "non-code" grade on 111th Ave SE (in front of my house). No such grade would be approved by the City today and we should not be punished for the City's previous oversight. Our neighborhood is cycling into a younger population and the increased, unrestricted traffic is a safety concern for our young residents as well as those adults that walk our "non-sidewalk" streets.</p>	<p>Highsmith</p> <p>New traffic to be generated by the development are within the acceptable range of the Transportation Department. Given the constraint of existing topography (steep grades) along 110th Ave SE this street functions adequately per City standards. Paved width is more than 20 feet along its entire length. It is unfair to require the developer to correct all steep grades along 110th Ave SE. In addition, it is not feasible to regrade the entire neighborhood flat. It is hoped that all future tenants of this development who will occupy the new homes will do so with the understanding that their access will be comprised of steep grades and all the challenges that are associated with living on hills. To petition the city for sidewalk installation contact Karen Gonzalez at 425-452-4598.</p>
<p>The increased traffic through all but two small branches of our cul-de-sac is greater than prudent because of the one access point on Lake Washington Blvd.</p>	<p>Highsmith</p> <p>New traffic to be generated by the development are within the acceptable range of the Transportation Department.</p>
<p>A safety hazard will result from the construction of additional dwellings. More dwellings will result in more traffic, and this will impact neighborhood safety as there are presently children and people walking pets that walk the few streets of this small development.</p>	<p>Hammer</p> <p>New traffic to be generated by the development are within the acceptable range of the Transportation Department. The petition the city for sidewalk installation contact Karen Gonzalez at 425-452-4598. The applicant will be installing sidewalk along the project's frontage as well as pedestrian trail connection to SE 60th Street.</p>
<p>I am concerned about the additional traffic this will impose on our only exit street which I must back into, on a hill, in order to leave my house.</p>	<p>Halley</p> <p>New traffic to be generated by the development are within the acceptable range of the Transportation Department.</p>
<p>Parking of construction vehicles in Right-of-way allowed?</p>	<p>Naab</p> <p>Per City policy developers cannot use right of way for construction staging unless specifically authorized by the Right of Way Manager.</p>
<p>Access not involving SE 60th Street was totally at the discretion of the developer prior to any formal communication with the City. I am guessing that they made</p>	<p>Traverso</p> <p>The proposed access to SE 60<sup>th</sup> is the alternative to crossing the stream and was proposed due to Land Use Code requirements protecting critical areas. The</p>

<p>the decision based on the following assumptions:</p> <ol style="list-style-type: none"> <li>1) Access through the sensitive area would not be allowed by the Land Use Planner.</li> <li>2) Access connection to SE 60th Street could not make the 15% maximum grade.</li> </ol>		<p>Transportation Department has approved the proposal with the current access for lots 1-5 connecting to SE 60<sup>th</sup> St.</p>
<p>I have attached the pre-application meeting comments for this project (meeting date: 4.23.08) which show that the Transportation Department required access for the all the lots south of the stream bed to be from SE 60th Street. See PDF attachment: "Kimberlee Park III Pre-app Comments" and "Kimberlee Park III Revision Letter 4".</p>	<p>Traverso</p>	<p>Pre-applications are subject to change and do not have the authority of actual conditions of approval published with Land Use Decisions. Projects are modified during the review process from their original design at pre-application.</p>
<p>It is most likely that the developer will be required to widen SE 60th Street to a minimum of 20 feet throughout its length. You should understand, that as a part of this requirement, removal of existing landscaping intruding into the right-of-way along SE 60th Street may have to be removed. See attached aerial showing ROW intrusions. This review will also prompt the ROW group to determine if any action will be necessary at this time to correct said ROW intrusion.</p>	<p>Traverso</p>	<p>This is correct. Use of public right of way for private purposes is not permitted per City Code.</p>
<p>"In the previous plan for this area there was no access issue on 60th"... "The previous plan indicated that 60th was a sub standard street for access (it is a 1/2 street and passing is a problem particularly near the intersection of 112th &amp; 60th)."</p>	<p>Traverso</p>	<p>The applicant is required to widen the pavement to create two 10 foot travel lanes and a 4 foot paved shoulder area.</p>
<p>Also when and what development is going to trigger a modification to the intersection of 112th &amp; 60th? Signal light?"</p>	<p>Traverso</p>	<p>Contact Mark Poch for the City's policy for signalizing intersections at 425-452-6137. This development has not triggered thresholds for consideration of signalization at SE 60th St.</p>
<p>With the current Shih proposal to add 17 new homes or approximately 34+ cars, we were told that the conditions of the road and entry ways would not be considered when evaluating the Shih proposal. My wife and I, along with our neighbors believe these issues need to be considered as</p>	<p>Chiou</p>	<p>The applicant has been required to provide an adequate access road fronting the development. In addition, the applicant will widen the pavement along SE 60th Street to create two 10 foot travel lanes and a 4 foot paved shoulder area. New traffic to be generated by the</p>

<p>one and the same.</p>	<p>development is within the acceptable range of the Transportation Department. Given the constraint of existing topography (steep grades) along 110th Ave SE this street functions adequately per City standards. Paved width is more than 20 feet along its entire length. It is unfair to require the developer to correct all steep grades along 110th Ave SE. In addition, it is not feasible to regrade the entire neighborhood flat. It is hoped that all future tenants of this development who will occupy the new homes will do so with the understanding that their access will be comprised of steep grades and all the challenges that are associated with living on hills. To petition the city for sidewalk installation contact Karen Gonzalez at 425-452-4598.</p>
<p>I'm extremely concerned about the impact of this proposed subdivision of 17 homes, especially the 12 homes which will immediately affect my neighborhood, Kimberlee Park. My deep concerns include (but are not limited to) the substantially increased traffic which this new subdivision will generate. By necessity, traffic from the 12 proposed homes will travel through the existing roads of Kimberlee Park. Our neighborhood has narrow streets, no sidewalks, and a dangerous curve/ steep hill combination. The impact of this substantially increased traffic poses sizable risk for neighborhood safety and emergency access.</p>	<p>New traffic to be generated by this development fall within the acceptable range per City Code. The applicant has been required to provide an adequate access road fronting the development. Given the constraint of existing topography (steep grades) along 110th Ave SE this street functions adequately per City standards. Paved width is more than 20 feet along its entire length. It is unfair to require the developer to correct all steep grades along 110th Ave SE. In addition, it is not feasible to regrade the entire neighborhood flat. It is hoped that all future tenants of this development who will occupy the new homes will do so with the understanding that their access will be comprised of steep grades and all the challenges that are associated with living on hills. The Fire Department has reviewed and approved this project regarding emergency access issues.</p>
<p>I have several concerns but the essential concern is the T intersection at 60th St. and 112 as it relates to the close proximity to the only entrance and exit for Kimberlee Park 1 and 11. It is only 150 feet from the stop sign. We already have a terrible situation at peak traffic times. I also have a hard time with the proposition that this has nothing to do</p>	<p>The applicant will make improvements to the intersection to improve sight distance. These improvements consist of realignment of stop sign, stop bar and removal, pruning of vegetation. No accident history at this intersection relating to sight distance. The applicant is required to widen the pavement to create</p>

<p>with this proposed new development</p>		<p>two 10 foot travel lanes and a 4 foot paved shoulder area.</p>
<p>My deep concerns include (but are not limited to) the substantially increased traffic which this new subdivision will generate. By necessity, traffic from the 12 proposed homes will travel through the existing roads of Kimberlee Park. Our neighborhood has narrow streets, no sidewalks, and a dangerous curve/ steep hill combination. The impact of this substantially increased traffic poses sizable risk for neighborhood safety and emergency access.</p>	<p>Nakata, Freiberg, Friesen, Wong, Li, Graham, Baker, Adams, Box</p>	<p>New traffic to be generated by this development fall within the acceptable range per City Code. The applicant has been required to provide an adequate access road fronting the development. Given the constraint of existing topography (steep grades) along 110th Ave SE this street functions adequately per City standards. Paved width is more than 20 feet along its entire length. It is unfair to require the developer to correct all steep grades along 110th Ave SE. In addition, it is not feasible to regrade the entire neighborhood flat. It is hoped that all future tenants of this development who will occupy the new homes will do so with the understanding that their access will be comprised of steep grades and all the challenges that are associated with living on hills. The Fire Department has reviewed and approved this project regarding emergency access issues.</p>
<p>Kimberlee Park streets do not meet current design standards for City of Bellevue public roads. Kimberlee Park has narrow roads, no sidewalks and sharply impaired visibility from the neighborhood's steep vertical curve (hill), which is joined by a sharp horizontal curve. There have been several accidents and innumerable near-collisions as a result of the dangerous hill-curve combination. Our home is located between the hill and curve, and we have two children and a small dog at home. We are very concerned about the safety of pedestrians, particularly our children and their friends, who must use the street as their only sidewalk. In addition, when cars are parked on the street the visibility for pedestrians and other drivers alike is dramatically reduced. In particular, with cars parked on or near the hill, 111th Avenue SE becomes essentially a one-lane road with no room to avoid an accident. We are also very concerned about emergency access.</p>	<p>Kingma</p>	<p>New traffic to be generated by this development fall within the acceptable range per City Code. The applicant has been required to provide an adequate access road fronting the development. Given the constraint of existing topography (steep grades) along 110th Ave SE this street functions adequately per City standards. Paved width is more than 20 feet along its entire length. It is unfair to require the developer to correct all steep grades along 110th Ave SE. In addition, it is not feasible to regrade the entire neighborhood flat. It is hoped that all future tenants of this development who will occupy the new homes will do so with the understanding that their access will be comprised of steep grades and all the challenges that are associated with living on hills. The Fire Department has reviewed and approved this project regarding emergency access issues.</p>

<p>The proposed development, however, adds over 20% more traffic to the neighborhood (proposed 12 homes added to the 54 homes within the entrance to Kimberlee Park). In addition, Kimberlee Park has but one neighborhood entrance and exit, an offset intersection from SE 59th Street onto Lake Washington Boulevard SE. The significant intersection in the area is a flashing red light intersection, which is approximately 200 feet south at SE 60th Street and Lake Washington Boulevard SE. Particularly in peak morning traffic times, egress from Kimberlee Park is fraught with hazard, as Lake Washington Boulevard SE serves as a collector/distributor for the area and also a bypass to clogged I-405. Now the city is considering a proposal which adds significantly more traffic to exacerbate the problem.</p>	<p>Kingma</p>	<p>New traffic to be generated by this development fall within the acceptable range per City Code.</p>
<p>...the street on the steep hill in Kimberlee Park is extremely difficult and dangerous to use when snow or icy road conditions exist. Over 60% of the existing homes in Kimberlee Park must use the street on this hill to access their homes. Many of these homeowners leave their cars above the hill when it has snowed, or when there is a threat of snow or icy road conditions. Since street parking is now prohibited on much of Lake Washington Boulevard, the majority of these cars park on Kimberlee Park streets above the hill. Cars parked on already dangerous streets during icy road conditions are not only a recipe for disaster, but they would make access for emergency vehicles extremely difficult (if not impossible), and yet the proposed development (which is currently planned to use the street on this hill) would increase the demand for this street parking in inclement weather by 40%!</p>	<p>Kingma</p>	<p>New traffic to be generated by this development fall within the acceptable range per City Code. The applicant has been required to provide an adequate access road fronting the development. Given the constraint of existing topography (steep grades) along 110th Ave SE this street functions adequately per City standards. Paved width is more than 20 feet along its entire length. It is unfair to require the developer to correct all steep grades along 110th Ave SE. In addition, it is not feasible to regrade the entire neighborhood flat. It is hoped that all future tenants of this development who will occupy the new homes will do so with the understanding that their access will be comprised of steep grades and all the challenges that are associated with living on hills. The Fire Department has reviewed and approved this project regarding emergency access issues.</p>
<p>There will be an increase in traffic from passage of vehicles resulting in further noise and congestion in the existing Kimberlee park development.</p>	<p>Hammer</p>	<p>New traffic to be generated by this development fall within the acceptable range per City Code.</p>

<p>A safety hazard will result from the construction of additional dwellings. More dwellings will result in more traffic, and this will impact neighborhood safety as there are presently children and people walking pets that walk the few streets of this small development. Such persons will be placed at an increased risk of being run over, with possible fatal results. As the present Kimberlee Park development has winding streets and is hilly with streets that veer at sharp turns, even a modest increase in the amount of traffic will cause an exponential risk that vehicle accidents (including the striking of pedestrians by vehicles) will occur. Clearly such a consequence cannot be satisfactory to the interest of public safety.</p>	<p>Hammer</p>	<p>New traffic to be generated by this development fall within the acceptable range per City Code. The applicant has been required to provide an adequate access road fronting the development. Given the constraint of existing topography (steep grades) along 110th Ave SE this street functions adequately per City standards. Paved width is more than 20 feet along its entire length. It is unfair to require the developer to correct all steep grades along 110th Ave SE. In addition, it is not feasible to regrade the entire neighborhood flat. It is hoped that all future tenants of this development who will occupy the new homes will do so with the understanding that their access will be comprised of steep grades and all the challenges that are associated with living on hills. The Fire Department has reviewed and approved this project regarding emergency access issues.</p>
<p>The slope of this street breaks very sharply from flat to a steep descent at the top of the hill. The yellow speed limit sign near the top of the hill recommends reducing vehicle speed to 15 mph. Numerous cars, especially in the afternoon after the high school kids are dismissed and into the evening, travel much faster than 15 mph when driving over this sharp break in the slope of the street. This creates two hazards:</p>	<p>Veitengruber</p>	<p>Contact Karen Gonzalez at 425-452-4598 for speeding concerns.</p>
<p>We have 5-6 homes located on this hill where the driveways require us to back out onto this steeply sloped street. I live at 5720 111th Ave. S.E. ... about 2/3 of the way down the hill. Every month I get surprised by a car coming over the crest too fast and being right on top of me when I back out of my driveway. Some of these encounters have resulted in near collisions.</p>	<p>Veitengruber</p>	<p>Contact Karen Gonzalez at 425-452-4598 for speeding concerns.</p>
<p>In the afternoon, the elementary and middle school kids get dropped off by the school bus at the entrance to Kimberlee Park. The kids that live either on the hill or below the hill usually walk in clusters of kids to their</p>	<p>Veitengruber</p>	<p>Contact Karen Gonzalez at 425-452-4598 for speeding concerns and to petition for sidewalks.</p>

<p>homes. Due to the fact that there are no sidewalks on this street, these kids often have to walk in the middle of the street to get around parked cars. The speeding cars coming over the crest of the hill cannot see these mid-street children until they are right on top of them. That situation will some day result in school children being run over.</p>		
<p>From the safety standpoint our neighborhood has narrow streets, no sidewalks, and a dangerous curve/steep hill combination where children are at risk Also the projected increase in traffic poses sizable risk for overall neighborhood and home/personal safety as well as emergency access.</p>	<p>Baker</p>	<p>New traffic to be generated by this development fall within the acceptable range per City Code. The applicant has been required to provide an adequate access road fronting the development. Given the constraint of existing topography (steep grades) along 110th Ave SE this street functions adequately per City standards. Paved width is more than 20 feet along its entire length. It is unfair to require the developer to correct all steep grades along 110th Ave SE. In addition, it is not feasible to regrade the entire neighborhood flat. It is hoped that all future tenants of this development who will occupy the new homes will do so with the understanding that their access will be comprised of steep grades and all the challenges that are associated with living on hills. The Fire Department has reviewed and approved this project regarding emergency access issues.</p>
<p>The neighborhood's existing substandard streets (which do not meet City of Bellevue's design standards) expose us to considerable safety risk. To exacerbate a bad situation by dramatically increasing density through artificial "maximum density" calculations without factoring in existing site context is to calculate in a vacuum. Kimberlee Park is not on a flat plane. The neighborhood is hilly, and the dangers in the steep hill/sharp curve combination are real. Just ask those of us living near these hazards. We all have been witness to near-collisions, near-accidents with pedestrians, and worse ... and we have expertise to speak on these issues.</p>	<p>Smith</p>	<p>New traffic to be generated by this development fall within the acceptable range per City Code. The applicant has been required to provide an adequate access road fronting the development. Given the constraint of existing topography (steep grades) along 110th Ave SE this street functions adequately per City standards. Paved width is more than 20 feet along its entire length. It is unfair to require the developer to correct all steep grades along 110th Ave SE. In addition, it is not feasible to regrade the entire neighborhood flat. It is hoped that all future tenants of this development who will occupy the new homes will do so with the understanding that their access will be</p>

		<p>comprised of steep grades and all the challenges that are associated with living on hills. The Fire Department has reviewed and approved this project regarding emergency access issues.</p>
<p>Concerns I have regarding this development are many. The first would be the increased traffic up and down the steep and winding hill on a road not of normal width and the traffic and parking that will certainly occur in front of our private park where the children play.</p>	<p>Naab</p>	<p>New traffic to be generated by this development fall within the acceptable range per City Code. The applicant has been required to provide an adequate access road fronting the development. Given the constraint of existing topography (steep grades) along 110th Ave SE this street functions adequately per City standards. Paved width is more than 20 feet along its entire length. It is unfair to require the developer to correct all steep grades along 110th Ave SE. In addition, it is not feasible to regrade the entire neighborhood flat. It is hoped that all future tenants of this development who will occupy the new homes will do so with the understanding that their access will be comprised of steep grades and all the challenges that are associated with living on hills. The Fire Department has reviewed and approved this project regarding emergency access issues. Contact Karen Gonzalez to initiate no on street parking restrictions.</p>
<p>With all the safety and weather issues on the hill already, what will happen when all the construction vehicles travel up and down it for the length of time it would take to construct that many homes. And where would all those vehicles and equipment be parked? I hope not in front of the park or in our cul-de-sac! There doesn't seem to be a plan.</p>	<p>Naab</p>	<p>Construction staging with right of way is not permitted without permission from the City's Right of Way Manager. The applicant will be responsible for all damages to city infrastructure caused by construction activity related to this project.</p>

## **Attachment 10**

### **Comprehensive Plan Policy Review**

## **Conformance with Comprehensive Plan Policies**

**LU-1. Support a diverse community in an open and natural setting comprised of strong residential communities composed of stable neighborhoods with a variety of housing types and densities; a vibrant, robust Downtown which serves as an urban center; other employment and commercial areas; and distinctive community and neighborhood retail districts. Implement land use strategies by balancing community and neighborhood values, the neighborhood's quality of life, the natural environment, and the economy.**

The Plat PUD is consolidating development away from critical areas to the maximum extent possible and is retaining 4.07 acres of the site in a natural condition. The proposed homes create variety in housing type when compared to the surrounding development. The proposal takes into account the surrounding neighborhood by preserving as much as possible the existing views of adjacent properties, having larger front setbacks similar to adjacent housing, and maintaining density.

**POLICY LU-2. Support the state Growth Management Act by developing and implementing a land use vision that is consistent with the GMA goals, the regional Vision 2020, and the King County Countywide Planning Policies.**

The proposal is consistent with GMA by providing further housing stock for Bellevue to grow and is furthering growth within an urban area.

**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.**

The proposed homes will aid in a small part the growth targets being achieved and will provide housing for middle to high income workers.

**POLICY LU-4. Encourage new residential development to achieve a substantial portion of the maximum density allowed on the net buildable acreage.**

The proposal achieves the maximum number of dwelling units that are practicable considering the limitations of the critical areas on the site and maintaining the character of the surrounding neighborhood as much as possible. The applicant has not chosen to request additional density as allowed under LUC 20.30D for PUDs.

**POLICY LU-9. Maintain compatible use and design with the surrounding built environment when considering new development or redevelopment within an already developed area.**

For the most part this proposal is not directly within an existing development. Previously developed neighborhoods surround the site, however the site is a separate property at the end of two streets serving the surrounding neighborhoods. The proposed areas of development with new homes are adjacent to only 6 existing houses. The area of development has been placed adjacent to I-405 as much as possible and 4.07 acres, 54 percent of the site, is to remain in a natural state within a Native Growth Protection Area Tract. The preservation of existing trees and vegetation largely preserves the existing character of this neighborhood and buffers the proposed development from adjacent homes. This area of the City is characterized by more significant trees and vegetation cover which this development is maintaining.

The surrounding properties are zoned R-3.5 however lots and homes sizes are inconsistent from neighborhood to neighborhood with lot sizes ranging from 4,286 square feet to 21,913 square feet. The neighborhood to the south almost achieves a lower density due to the development pattern of much larger lots and larger houses, despite having the same zoning designation. To the east of the project site are properties zoned R-5 that provide higher density. However the character of the surrounding neighborhood is single-family residential development with detached homes on individual lots. This development proposes detached homes on individual lots and does not propose multifamily housing units, attached units, shared lots, or other options which are more in character with multi-family zoning. The lots are square in shape which maintains the pattern and layout of the surrounding neighborhood.

The current house designs have been revised to include three different types (A, B, and C) of unit layout in order to respond to the code constraints and site conditions. The target square footage of proposed house types is between 3,000 and 3,200 square feet in order to have a similar floor area to homes in the vicinity. The orientation of the homes is such that one side of the home will be upslope of the other. This leads to the upslope side being one or two floors in height and the downslope side being three floors, including a daylight basement. Existing homes in the vicinity with similar change in topography typically have daylight basements on the downslope sides of the homes. All proposed homes have a daylight basement, adding a third floor on the west facades. The facades facing adjacent development properties are only one or two floors in height. The proposed houses meet the maximum height restriction, which is the same that is available to existing adjacent development. Existing adjacent homes also have pitched roofs of varying degree in slope and design including: gable, hip, or gambrel with large overhang. Pitched roofs are proposed on the new houses with a low slope of 2:12; low-slope roofs are not usually covered in composite or cedar shingles and therefore the proposed roof material is metal with matte-finish of a neutral color. The low slope of the roofs is intended to limit the impacts to view of existing properties above the project site. Exterior materials are proposed to be horizontal siding, low-E glazing, and masonry materials. The unit layouts have been revised to accommodate the different site slopes by relocating windows and modifying or removing living elements. Each house is proposed to have an individual driveway, which is a revision from the originally proposed shared driveways. These changes have allowed the houses to better fit into the existing topography of the site and have removed the need for either significant large retaining walls or significant grading and excavation. Based on the price of

adjacent comparable properties the applicant estimates that target prices of these homes will be comparable.

These homes have a different architectural style than those adjacent. When the adjacent homes were built they had a different architectural style than those which have historically existed in the northwest. Character is not the same as architecture, the City codes do not and cannot dictate styles or tastes but can require similar elements and configuration. The proposed development maintains the existing development pattern of the surrounding neighborhood.

**POLICY LU-10. Access high-traffic generating land uses from arterials whenever possible. If this is not possible, provide mitigation to address access impacts.**

The proposed development will generate 17 new p.m. peak hour trips and 170 daily trips. The City's Transportation Department has determined that nearby street capacity is sufficient to accommodate these new trips and anticipates negligible impacts to the existing traffic conditions in the vicinity of the project. However, the project is improving the intersection of SE 60<sup>th</sup> and Lake Washington Blvd. and is improving street frontage along SE 60<sup>th</sup> Street, between Lake Washington Blvd. and the project site.

**POLICY LU-11. Encourage the master planning of large developments which emphasize aesthetics and community compatibility. Include circulation, landscaping, open space, storm drainage, utilities, and building location and design in the master plan.**

The proposed project is utilizing the Planned Unit Development process which is essentially a master plan for the development of the property.

**POLICY LU-13. Reduce the regional consumption of undeveloped land by facilitating redevelopment of existing developed land when appropriate.**

While this is an undeveloped property, the site is surrounded by existing development and is highly urban. A majority of the property is being maintained as vegetated open space due to critical areas on the property.

**POLICY LU-15. Encourage dedication of open space and preservation and restoration of trees and vegetation to perpetuate Bellevue's park-like setting and enhance the city's natural environment.**

The project is placing 4.07 acres into protected open space tracts which will remain undisturbed, protecting existing vegetation and critical areas.

**POLICY LU-16. Promote a variety of techniques to preserve open space and key natural features, such as sensitive site planning, conservation easements, and open space taxation.**

4.07 acres of the site are being placed into protected open space tracts which will remain undisturbed, protecting existing vegetation and critical areas. The project also is using a more innovative approach to development as it includes the Planned Unit Development process to further limit the area of development while maintaining the potential density otherwise allowed if critical areas were not present.

**POLICY LU-17. Support provision of child care equitably throughout the city:**

**1. Allow family child care homes in residences in all single-family land use districts through a discretionary review process, unless otherwise required by state law or regulation.**

**2. Permit child care centers in all non-single-family land use districts and allow child care centers as part of a community facility as long as the center has been identified as part of any discretionary review permit.**

Child care would be allowed in the future homes as they are allowed in other existing single-family residences.

**POLICY LU-19. Maintain stability and improve the vitality of residential neighborhoods through adherence to, and enforcement of, the city's land use regulations.**

Based on staff review this preliminary plat proposal is in conformance with code requirements or has been conditioned to be in conformance. Future development will be subject to the City of Bellevue codes.

**POLICY LU-20. Promote maintenance and establishment of small-scale activity areas within neighborhoods that encourage pedestrian patronage and provide informal opportunities for residents to meet.**

The development has two dead-end trees which will help to foster a closer neighborhood. In addition a trail is proposed to cross the large Native Growth Protection Area tract on the property which can provide another means of access from 110<sup>th</sup> Ave. SE and SE 60<sup>th</sup> St. The trail would also provide opportunity for informal meetings between trail users.

**POLICY LU-22. Protect residential areas from the impacts of non-residential uses of a scale not appropriate to the neighborhood.**

The proposed development is for single-family residences on individual lots which maintains the existing zoning and land use policies and matches the existing residential scale as no multi-family or commercial development is proposed.

**POLICY LU-23. Provide, through land use regulation, the potential for a broad range of housing choices to meet the changing needs of the community.**

The land use regulations have allowed the project to provide an updated and alternative housing choice adjacent to a large and protected open space.

**POLICY LU-24. Encourage adequate pedestrian connections with nearby neighborhood and transit facilities in all residential site development.**

The proposed trail will allow residents within the proposed development and those who live adjacent to cross from 110<sup>th</sup> Ave. SE to SE 60<sup>th</sup> St.

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**POLICY HO-4. Initiate and encourage neighborhood and community involvement to foster a positive civic and neighborhood image through the Neighborhood Enhancement Program, or similar program.**

The proposed project has had considerable public comment and involvement. Some of the issues regarding traffic and access would be addressed through the Neighborhood Enhancement Program, or similar program and not part of the proposed development.

**POLICY HO-5. Assure that site and building design guidelines create an effective transition between substantially different land uses and densities.**

The single-family land use and density proposed is the same as exists adjacent to the site. Landscape buffers have been proposed around the perimeter of the development to provide screening. Most of the site will be left undisturbed in protected tracts which will maintain existing vegetation coverage and screen the development.

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

The proposal is to develop an undeveloped property surrounded by existing neighborhoods with existing urban services. A majority of the property is being left undisturbed due to critical areas on the site. The proposal maintains the existing single-family residential land use and detached housing on individual lots.

**POLICY HO-18. Provide opportunities and incentives through the Planned Unit Development (PUD) process for a variety of housing types and site planning techniques that can achieve the maximum housing potential of the site.**

The proposal is using the Planned Unit Development process in order to reduce lot size and width in order to achieve an alternate design which maintains density while protecting the critical areas on site. Additional density bonuses are available through a PUD, but no additional density bonus is requested by the applicant. The project proposes some innovative housing

features in order to adapt the development to fit the existing topography while maintaining comparable floor areas to the adjacent housing.

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**POLICY S-NH-1. Encourage developers of subdivisions or commercial buildings to engage in early communications with nearby residents and community groups to identify issues and opportunities.**

This project has had two public meetings and two public comment periods (due to separate permits) which have engaged the residents surrounding the site. In addition the project architects have met with surrounding residents.

**POLICY S-NH-5. Encourage new development to use the Planned Unit Development (PUD) mechanism to preserve the visual character of existing open space and protect environmentally-sensitive areas in new subdivisions by clustering housing on the least sensitive portions of a site.**

The project complies exactly with the policy as it uses the PUD process and is preserving a majority of the site as open space, protects critical areas and vegetation, and locates the development on the least sensitive portions of the site. Additional density is not being requested.

**POLICY S-NH-8. Protect significant trees and environmentally-sensitive areas (steep slopes, riparian corridors, and wetlands) in accordance with the provisions of the Land Use Code.**

A majority of the site is steep slope and riparian corridor which is being protected within Native Growth Protection Easements. Over 60 percent of the trees on-site are being retained.

**POLICY S-NH-15. Develop an off-street trail system within the Newport Hills Subarea, upgrade the existing trail segments to standards, and construct new segments as land and funding becomes available.**

The project proposes a trail to connect 110<sup>th</sup> Ave. SE and SE 60<sup>th</sup> St. This trail is not part of the pedestrian and bike plans and will be a private trail maintained by the Home Owners Association of this project. The trail will include an easement to allow public use by the surrounding neighborhood.

**POLICY S-NH-20. Address cut-through traffic, speeding, and other traffic control problems through the City of Bellevue's Neighborhood Traffic Control Program.**

Many of the public comments concerned speeding and unsafe road conditions which could be addressed through this program.

**POLICY S-NH-30. Protect and enhance fish and wildlife habitat in environmentally sensitive areas.**

The proposal is protecting 4.07 acres which included habitat and riparian corridor and includes restoration planting.

**POLICY S-NH-33. Install signs on the perimeter of designated native growth protection easements to inform residents of the protected status of these areas.**

The project will be required to post signs on the perimeter of the Native Growth Protection Area tracts and may be required to have some fencing in certain locations.

**POLICY S-NH-54. Preserve existing visual features such as trees and hilltops, views of water, and passive open space in new development when feasible.**

4.07 acres of the site is to be protected in separate tracts. 57 percent of the trees on-site are being retained. The proposed homes are designed to fit into existing topography and have lower profile roofs in order to preserve views of the adjacent housing which up-slope of the project site.

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**POLICY EN-13. Utilize science based mitigation for unavoidable adverse impacts to critical areas to protect overall critical areas function in the watershed.**

The project includes mitigation planting for the impacts to steep slopes and their buffers which the project proposes as designed by the project wetland biologist.

**POLICY EN-14. Implement monitoring and adaptive management plans for critical areas mitigation projects to ensure that the intended functions are maintained or enhanced over time.**

The project includes maintenance and monitoring for 5 years.

**POLICY EN-39. Restrict the runoff rate, volume, and quality to predevelopment levels for all new development and redevelopment.**

The project includes storm system designs which propose to collect runoff in storage vaults in order to restrict the rate of flow to the stream on-site.

**POLICY EN-41. Preserve and maintain fish and wildlife habitat conservation areas and wetlands in a natural state and restore similar areas that have become degraded.**

The project is preserving 4.07 acres of the site in Native Growth Protection Area Tracts.

**POLICY EN-45. Protect geologically hazardous areas, especially forested steep slopes, recognizing that these areas provide multiple critical areas functions.**

The protected tracts on the site consist of forested steep slopes which are being protected.

**POLICY EN-52. Utilize geotechnical information and an analysis of critical areas functions and values to evaluate the geologic and environmental risks of potential development on slopes between 15% and 40%, and implement appropriate controls on development.**

The project has been reviewed by a geotechnical engineer who made recommendations on construction and the buffer reduction and slope alteration proposed.

**POLICY EN-54. Utilize specific criteria in decisions to exempt specific small, isolated, or artificially created steep slopes from critical areas designation.**

The slopes being altered were identified as fill placed on the site from prior development. Some slope buffers are being reduced to allow for development and access to occur. The proposed alterations are mostly to slopes which are isolated and located on the project site.

**POLICY EN-55. Minimize and control soil erosion during and after development through the use of the best available technology and other development restrictions.**

The project will be required to comply with clearing and grading codes and best management practices as implemented by the Clearing and Grading Division of Development Services.

**POLICY EN-67. Preserve a proportion of the significant trees throughout the city in order to sustain fish and wildlife habitat.**

4.07 acres of the site is to be protected in separate tracts. 57 percent of the trees on-site are being retained.

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**POLICY UD-3. Encourage a variety of site and building designs which are compatible and consistent with surrounding development and that implement the policies of this Plan.**

The proposal provides variety to the neighborhood and updates Bellevue's housing stock.

**POLICY UD-16. Exemplify the Pacific Northwest character through the retention of existing vegetation and through use of native plants in new landscaping. Encourage water conservation in landscape designs.**

Proposed plantings are primarily native species.

**POLICY UD-18. Preserve significant trees and mature vegetation, with special consideration given to the protection of groups of trees and associated undergrowth, specimen trees, and evergreen trees.**

The protected tracts on the site consist of forested steep slopes which are being protected.

**POLICY UD-19. Preserve trees as a component of the skyline to retain the image of a “City in a Park.”**

The topography and significant trees on site are being largely maintained and will preserve the existing skyline of the neighborhood.

**POLICY UD-20. Preserve and encourage open space as a dominant element of the community’s character.**

The vegetation and significant trees on this property are an important part of the character of the neighborhood in this area. 4.07 acres of the site are being retained which preserves most of the trees and vegetation in separate and protected tracts that will be restricted from future development, preserving an important element of neighborhood character.

**POLICY UD-21. Encourage major development to integrate public and semipublic open spaces.**

The development provides pedestrian trail access through the large open space tract on the site. The trail is open to the public for the use of the surrounding neighborhood.

**POLICY UD-22. Foster and value private open space as a contribution to the visual character of the community.**

4.07 acres of the site are being retained which preserves most of the trees and vegetation in separate and protected tracts that, preserving an important element of neighborhood character.

**POLICY UD-51. Encourage dense plantings, hedges, or large, fast-growing trees to act as visual screens at locations where existing views of or from freeways are unappealing.**

The perimeter of the development is being landscaped to buffer the development from the existing neighborhood. The freeway side of the development is proposed to be landscaped as well.

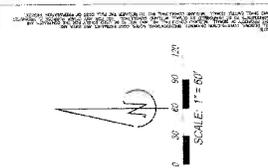
**POLICY UD-52. Ensure that all development abutting the freeway corridors includes special design features which provide an attractive entrance to the city and presents the city in an attractive manner.**

The site is currently undeveloped with vegetation visible to the freeway. Initially the houses constructed will be visible to the freeway which will lessen over time as perimeter landscaping and native vegetation grow.

**POLICY UD-61. Encourage the green and wooded character of existing neighborhoods.**

4.07 acres of the site are being retained which preserves most of the trees and vegetation in separate and protected tracts that will be restricted from future development, preserving an important element of neighborhood character.

## **Attachment 11 Mitigation Plan**



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▽	
▽	
▽	

REVISIONS

# KIMBERLEE PARK III PUD MITIGATION PLAN

Job No.	AS-544
Designed by	AW
Drawn by	AW
Checked by	AW
Date	11/26/2019
SHEET	19 of 19
OF	19 of 19



-  2,000 SF BUFFER RESTORATION
-  112 SF ENHANCEMENT W/ WILLOW & DOGWOOD STAKES
-  17,340 SF BUFFER IMPACT (Stream Buffer and Steep Slope Buffer)
-  18,678 SF BUFFER ENHANCEMENT

NOTE: BASE MAP PROVIDED BY GEOCONTOUR



Wetland Consulting, Inc.  
27601 Knappton Way SE, Ed. Compton, WA 98026-5854-0116 Fax: 253-863-4232



