



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

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Proposal Name: Amend the Final Plat of Traditions at Lakemont  
(formerly Final Plat of Martin II, 10-130057-LG)

Proposal Address: 6031 168<sup>th</sup> Place SE

Proposal Description: Amend the Final Plat of Traditions at Lakemont to adjust  
the lot lines and private access tract/easements. No new  
lots will be created.

File Number: 11-119273-LG

Applicant: Mike Walsh

Decisions Included: Administrative Amendment to Final Plat  
Process II, Land Use Code 20.35.200

Planner: Carol Hamlin, Senior Planner *CHamlin*

State Environmental Policy Act  
Threshold Determination: Prior Determination of Non-Significance (DNS) issued on  
January 11, 2007 incorporated by reference

Director's Decision: **Approval with conditions**  
Michael A. Brennan, Director  
Development Services Department

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

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Notice of Application: 08-11-2011  
Notice of Decision: 09-29-2011  
Bulletin Publication Date: 09-29-2011  
Decision Appeal Deadline: 10-13-2011

For information on how to appeal a proposal, visit the Development Services Center at City Hall, 450 110<sup>th</sup> Avenue NE, or call 425-452-6800. Appeal of the decision must be received in the City's Clerk's Office by 5 p.m. on the date noted for appeal of the decision.

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## ATTACHMENTS

- A - Proposed Final Plat Layout
- B - Original Final Plat Approval Memo dated 4/26/11 (10-130057-LG) with attached Hearing Examiner Preliminary Plat decision dated 2/9/07 (05-135873-LL)

## I. PROPOSAL DESCRIPTION

The applicant requests approval to amend the Final Plat of Traditions at Lakemont (formerly Final Plat of Martin II, 10-130057-LG) to adjust the lot lines and private access tract/easements. No new lots will be created. See Attachment A. The existing final plat was recorded on May 3, 2011 with a private Tract A for vehicular access to the 11 lots within the subject final plat.

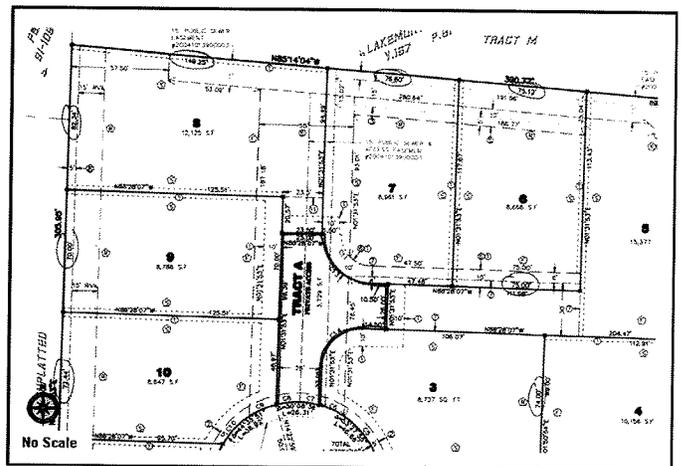
The applicant has proposed to revise the final plat layout to remove Tract A for vehicular access and instead use private access easements over the subject lots. The proposed amendment will eliminate Tract A and add that area to adjacent lots with a private access easement over the lots. (The Transportation Department approved the plat amendment as redesigned. See Section V.)

The larger lots with the final plat modification will allow the applicant additional flexibility as it pertains to lot coverage limitations without having to meet impervious surface requirements. The final plat is vested to prior regulations and not subject to impervious surface limitations.<sup>1</sup>

**Existing recorded final plat  
with Tract A for vehicular access**



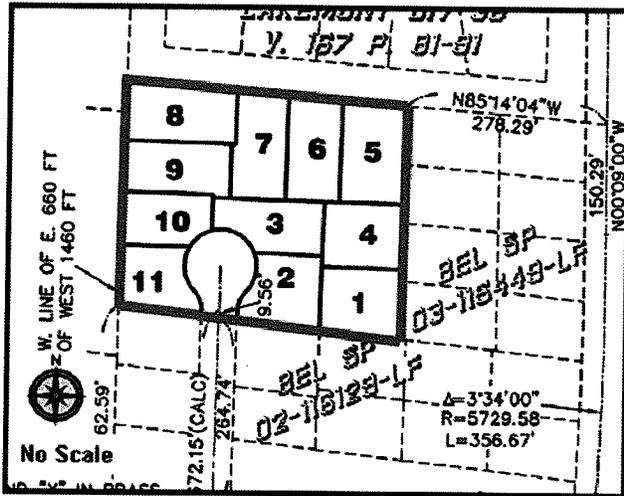
**Enlarged view of existing recorded final plat  
with Tract A for vehicular access**



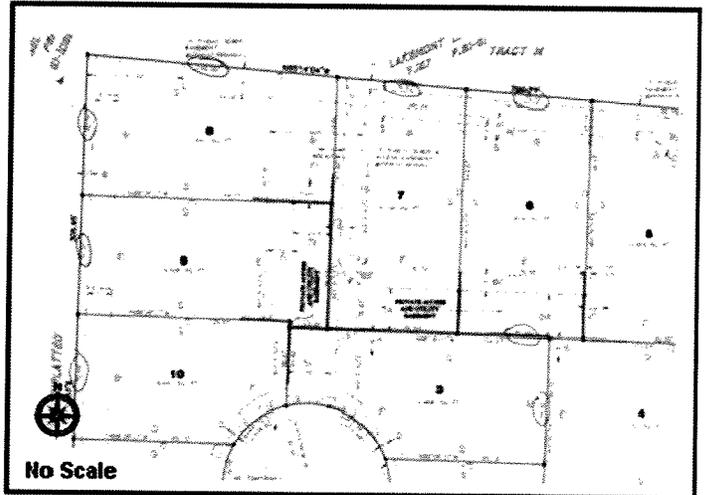
The owner has been completing final plat improvements and continuing to initiate the application process for new single family homes. One model home has been constructed on Lot 10. Other permits have been issued on lots not affected by this final plat amendment. However, single family permits in process on lots affected by this amendment will not be released until this final plat amendment has been approved and recorded. The applicant still owns all 11 lots within the subject final plat.

<sup>1</sup> The preliminary plat (05-135873-LL) was vested on 12/20/2005 (LUC 20.40.500). The impervious surface regulations were adopted on 6/26/2006 (Ordinance 5683). Applications vested prior to 6/26/2006 are not subject to the impervious surface regulations.

**Proposed final plat layout  
without Tract A for vehicular access**

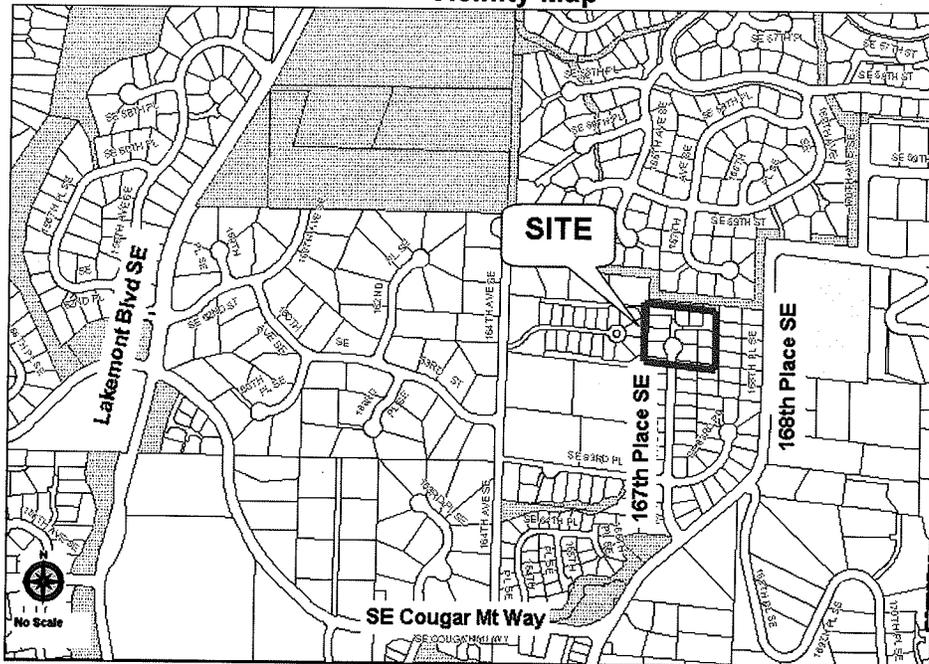


**Enlarged view of proposed final plat layout  
without Tract A for vehicular access**



**II. SITE DESCRIPTION AND CONTEXT**

**Vicinity Map**



The site is located in the Cougar Mountain neighborhood of Bellevue. This is an area of Bellevue (Cougar Mountain) that has previously experienced substantial subdivision activity with construction of larger new homes.

The final plat covers 2.82 acres with 11 lots in the R-3.5 zoning district. Overall, the slope within the final plat is fairly flat, under 5% slope. New landscaping was installed in the cul-de-sac island, as required by the prior preliminary plat approval. The site was essentially a grassy field which is now being converted to upscale single family homes.

### **III. CONSISTENCY WITH LAND USE CODE REQUIREMENTS**

The proposal complies with the Land Use Code requirements for the R-3.5 zoning district, as applicable. Single family homes are permitted in the R-3.5 zoning district. The proposal to eliminate access Tract A in lieu of private access easements will have no change to compliance of lots with the Land Use Code. Lot sizes will actually be larger under the final plat modification since access Tract A will now be within private access easements. Lots in the final plat modification range in size from 8,500 square feet (under lot averaging) to 12,464 square feet. The average lot size is approximately 10,356 square feet which exceeds the minimum lot size of 10,000 square feet in the R-3.5 zoning district. The lots within the proposed final plat modification will still meet all applicable Land Use Code requirements. Upon approval of this final plat modification, the application will be required to record the final plat with King County. See condition IX.A.

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

A prior Determination of Non-Significance (DNS) was issued on January 11, 2007 for the Preliminary Plat (05-135873-LL). This DNS is incorporated by reference to the subject final plat amendment. Documents are available in the Development Services Department, Records Room, Bellevue City Hall, 450 110<sup>th</sup> Ave NE.

### **V. SUMMARY OF TECHNICAL REVIEW**

This proposed final plat amendment has been reviewed for compliance with Fire, Utilities, Clearing & Grading, Transportation, and Land Use Codes and standards. There are no concerns with this proposal as it pertains to these codes and standards. The Transportation Department has worked with the applicant to design the access easements, together with the underlying and adjoining lots. The Survey Section has approved the geometry of the access easement over the lots.

**VI. PUBLIC NOTICE AND COMMENT**

Application Date: July 20, 2011  
Completion Date: August 1, 2011  
Notice of Application Date: August 11, 2011  
Mailing Public Notice (500 feet): August 11, 2011  
Minimum Comment Period: August 25, 2011  
Public Meeting: None requested (see discussion below)

The Notice of Application for this project was published on August 11, 2011. The notice was mailed to property owners within 500 feet of the project site and on this same date the public information sign was installed.

The Revised Code of Washington (RCW) 58.17.215 requires that notice be provided indicating that a hearing may be requested by any person receiving the notice within 14 days of the notice issuance. This was stated in the Notice of Application. No public hearing was requested for this project.

One phone call of a general nature was received. No written comments were received from the public as of the writing of this staff report. There are no parties of record.

**VII. DECISION CRITERIA**

**The Director shall approve or approve with modifications a proposed amendment to a final plat if (Land Use Code 20.45A.270.D):**

- A. The proposed amendment to a final 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.

Finding: The proposal will not change any of the original elements of the final plat, except the designation of the private access road from a tract to private access easements. The original final plat, as recorded, met the final plat subdivision requirements for appropriate provisions for the public health, safety, and general welfare, for open spaces, drainage ways, streets, sidewalks, alleys, other public ways, water supplies, sanitary waste, parks, playgrounds, and school sites. The proposed final plat will continue to meet these requirements, as outlined in the original final plat approval dated April 26, 2011 (10-130057-LG). See Attachment B. This prior approval remains in effect and is modified only as to the specific conditions in Section IX of this staff report. See condition IX.B.

- B. The public use and interest is served by the amendment.

Finding: The proposal will provide the residential lots within this final plat with the use rights of other properties in the R-3.5 zoning district. The public use and interest will be served by the amendment by providing single family lots for new residential homes. Additional flexibility for single family lots will facilitate development of new homes.

- C. The proposed amendment to a final plat appropriately considers the physical characteristics of the subdivision site.

Finding: The proposed amendment appropriately considers the physical characteristics of the site. The subject subdivision site does not have any critical areas onsite. The site has an overall slope of under 5%. The proposed amendment is consistent with current development patterns in adjacent neighborhoods with similar physical characteristics.

- D. The proposed amendment complies with all applicable provisions of the Land Use Code, the Bellevue City Code, and Chapter 58.17 RCW.

Finding: The proposed amendment complies with all applicable provisions of the Land Use Code, Bellevue City Code, and Chapter 58.17 of the Revised Code of Washington (RCW). The request is consistent with Land Use Code requirements.

- E. The proposal is consistent with the Comprehensive Plan, Bellevue City Code Title 21.

Finding: The proposed amendment is consistent with the Comprehensive Plan, Bellevue City Code Title 21. The Comprehensive Plan Newcastle Subarea map designation is Single-family medium density. The R-3.5 zoning of the property is consistent with the Subarea map designation. The proposal is consistent with policy S-NC-11 which promotes infill development at a density consistent with the existing character of established neighborhoods. All of the proposed lots are consistent in size and future homes with adjacent neighborhoods in Cougar Mountain.

- F. 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 Land Use Code, where allowed under the provisions of that part, may be considered together with an application for amendment to a final plat, provided the resulting lots may each be developed without individually requiring a variance.

Finding: The proposed amendment meets this criteria. Each lot in the proposal can reasonably be developed in conformance with current Land Use Code requirements without requiring a variance.

## VIII. CONCLUSION AND DECISION

After conducting the various administrative reviews associated with this proposal, including applicable Land Use consistency, and City Code and compliance reviews, the Director of the Development Services Department hereby **APPROVES the Final Plat Amendment of Traditions at Lakemont with conditions.**

**IX. CONDITIONS OF APPROVAL**

The following conditions are imposed under authority referenced:

**COMPLIANCE WITH BELLEVUE CITY CODES AND ORDINANCES**

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

<b>Applicable Codes, Standards and Ordinances</b>	<b>Contact Person</b>
Clearing & Grading Code – Bellevue City Code 23.76	Savina Uzunow, 425-452-7860
Construction Codes – Bellevue City Code Title 23	Building Division, 425-452-4121
Fire Code – Bellevue City Code 23.11	Adrian Jones, 425-452-6032
Land Use Code – Bellevue City Code Title 20	Carol Hamlin, 425-452-2731
Noise Control – Bellevue City Code 9.18	Carol Hamlin, 425-452-2731
Sign Code – Bellevue City Code Title 22B	Carol Hamlin, 425-452-2731
Transportation Code – Bellevue City Code 14.60	Rohini Nair, 425-452-2569
Right of Way Use Code – Bellevue City Code 14.30	Tim Stever, 425-452-4294
Design Manual, Transportation Dept.	Rohini Nair, 425-452-2569
Utility Code – Bellevue City Code Title 24	Don Rust, 425-452-4856

**CONDITIONS OF APPROVAL:**

**A. Recording Requirement:** The applicant shall record the final plat amendment with the King County Department of Records and Elections within 90 days after approval by the Hearing Examiner. If the final plat amendment is not recorded within this time frame, approval of the final plat amendment shall be null and void.

Authority: Land Use Code 20.45A.260.B  
Reviewer: Carol Hamlin, Development Services

**B. Prior Final Plat Conditions of Approval:** All conditions of the prior approved final plat (10-130057-LL) remain in effect and are modified only as to the specific final plat amendment of the subject application.

Authority: Land Use Code 20.45A.270  
Reviewer: Carol Hamlin, Development Services

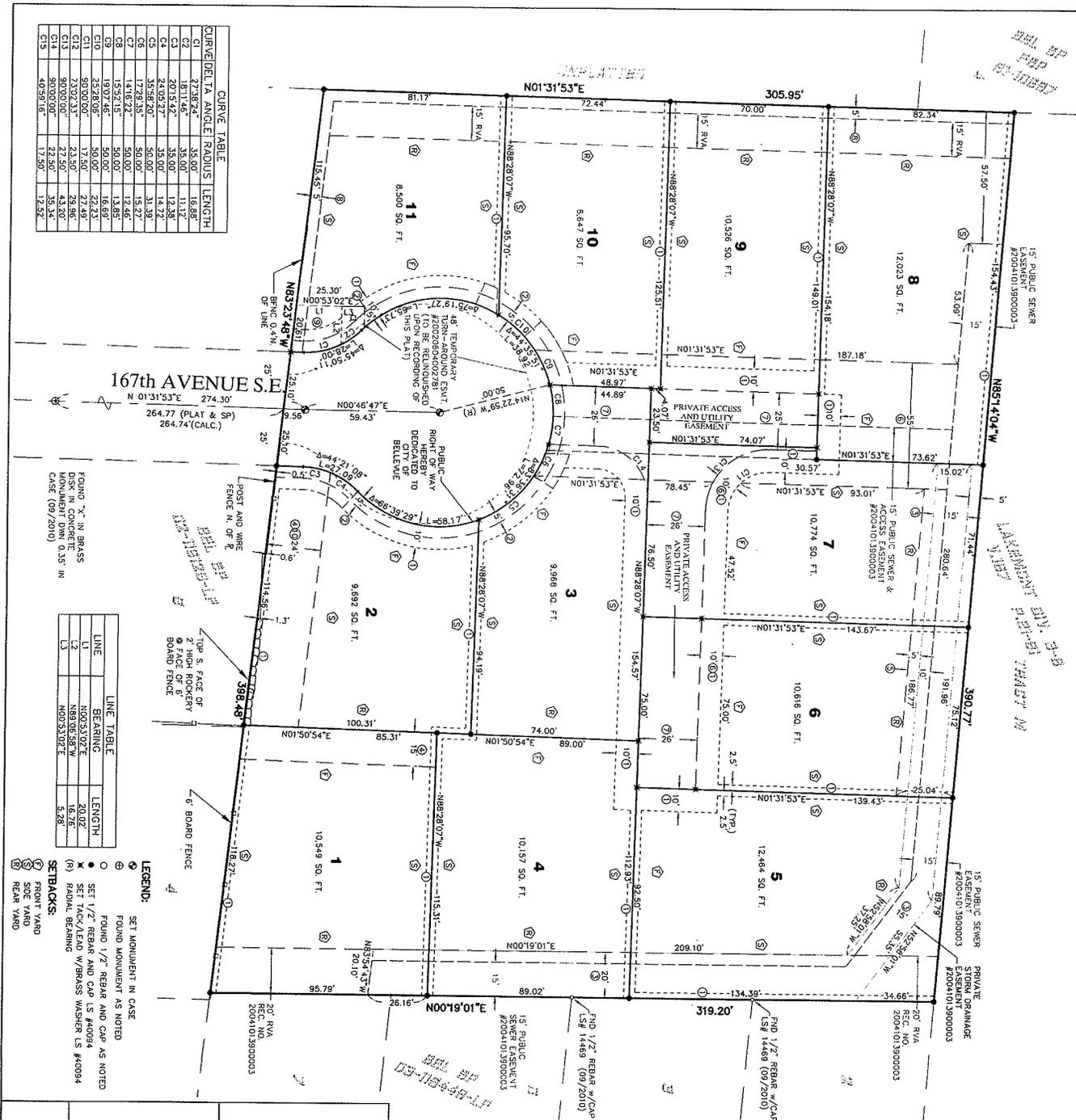
**Attachment A**  
**Proposed Final Plat Layout**





# TRADITIONS AT LAKEMONT PLAT AMENDMENT

SW 1/4, SW 1/4, SEC. 24  
TWP. 24 N., RGE. 5 E., W.M.



**CURVE TABLE**

CURVE DELTA ANGLE	RADIUS	LENGTH
C1	2738.24'	38.00'
C2	1811.46'	38.00'
C3	2015.42'	38.00'
C4	2405.27'	38.00'
C5	3558.20'	50.00'
C6	1478.35'	50.00'
C7	1522.15'	50.00'
C8	1907.46'	50.00'
C9	2528.06'	50.00'
C10	3700.00'	17.50'
C11	2972.31'	23.50'
C12	8000.00'	22.50'
C13	4099.16'	17.50'
C14	4099.16'	17.50'

**LINE TABLE**

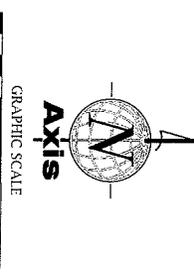
LINE	BEARING	LENGTH
L1	N00°33'02\"/>	

**LEGEND:**

- SET MONUMENT IN CASE
- FOUND MONUMENT AS NOTED
- FOUND 1/2\"/>

**SETBACKS:**

- FRONT YARD
- SIDE YARD
- REAR YARD



**BASIS OF BEARINGS:**  
 NORTH 83°23'48\"/>

- EASEMENTS:**
- ① PUBLIC UTILITY EASEMENT  
SEE EASEMENT PROVISION 1, 2 & 3
  - ② 5 FOOT WIDE PUBLIC SIDEWALK EASEMENT  
SEE EASEMENT PROVISION 5
  - ③ PRIVATE STORM DRAINAGE EASEMENT  
SEE EASEMENT PROVISION 6
  - ④ PRIVATE UTILITY EASEMENT  
SEE EASEMENT PROVISION 7, 10 & 16
  - ⑤ PRIVATE UTILITY EASEMENT  
SEE EASEMENT PROVISION 9
  - ⑥ PRIVATE UTILITY EASEMENT  
SEE EASEMENT PROVISION 8, 9, 11, 12 & 16
  - ⑦ PRIVATE ACCESS AND UTILITY EASEMENT  
SEE EASEMENT PROVISION 13
  - ⑧ NON-ADJACENT PUBLIC ACCESS TRAILS EASEMENT  
SEE TRAILS NOTE - PAGE 1
  - ⑨ PRIVATE LANDSCAPE EASEMENT  
SEE EASEMENT PROVISION 14
  - ⑩ 24 FOOT WIDE PRIVATE ACCESS EASEMENT  
SEE EASEMENT PROVISION 15



**AXIS**  
 Survey & Mapping

13005 NE 128th Pl.  
 Bellevue, WA 98005  
 TEL: 425-893-5700  
 FAX: 425-823-6700

PROJECT NUMBER: 10-072

**City of Bellevue**

AMENDED FINAL PLAT NO. 11-119273.LG

**Attachment B**  
**Original Final Plat Approval Memo dated 4/26/11 (10-130057-LG) with**  
**attached Hearing Examiner Preliminary Plat decision dated 2/9/07 (05135873-LL)**



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

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**DATE:** April 26, 2011  
**TO:** Gordon F. Crandall, Hearing Examiner  
**FROM:** Carol Hamlin, Senior Planner *CHamlin*  
**SUBJECT:** Final Plat of Martin Phase II (Traditions at Lakemont)  
6031 168<sup>th</sup> Place SE  
10-130057-LG

**I. Request**

The applicant requests approval for the final plat of Martin Phase II to subdivide 2.82 acres into eleven (11) single-family lots, pursuant to LUC section 20.45A.

**II. Prior Decision History**

The application for the preliminary plat was submitted on December 12, 2005. The Determination of Non-Significance (DNS) was issued on January 11, 2007. No appeals were filed to the DNS. A public hearing with the Hearing Examiner was held on February 1, 2007.

The Hearing Examiner entered a decision of approval with conditions for the project on February 9, 2007. See Attachment A - "Findings of Fact, Conclusions of Law and Decision" of the Hearing Examiner for the City of Bellevue. No appeals were filed and the decision became final on March 2, 2007.

On August 31, 2010, the applicant received approval of the clearing and grading permit for construction of plat infrastructure. On December 23, 2010, the applicant submitted the final plat application with the new name, Traditions at Lakemont.

The construction of the plat infrastructure (roads and utilities) is almost complete. The applicant submitted assurance devices in the amount of 150% for those required improvements not yet installed at the time of final plat approval and recording with King County.

**III. Consistency with the Preliminary Plat Conditions of Approval per the "Findings of Fact, Conclusions of Law and Decision" of the Hearing Examiner for the City of Bellevue**

The following are the specific conditions of approval for the preliminary plat and how the applicant has met these conditions.

**A. COMPLIANCE WITH BELLEVUE CITY CODES AND ORDINANCES**

THE APPLICANT SHALL COMPLY WITH ALL APPLICABLE BELLEVUE CITY CODES, STANDARDS, AND ORDINANCES INCLUDING BUT NOT LIMITED TO:

Applicable Codes, Standards and Ordinances

Clearing & Grading Code – BCC 23.76  
Construction Codes – BCC Title 23  
Fire Code – BCC 23.11  
Land Use Code – BCC Title 20  
Noise Control – BCC 9.18  
Sign Code – BCC Title 22  
Transportation Code – BCC 14.60  
Right of Way Use Code – BCC 14.30  
Design Manual, Transportation Dept.  
Utility Code – BCC Title 24

Response: The applicant has completed plat improvements or provided the required 150% assurance device.

**B. GENERAL CONDITIONS**

**1. UTILITIES DEPARTMENT APPROVAL**

All Water, Sewer and Storm Drainage design review, plan approval and field inspection shall be completed through the Developer Extension Agreement Process. There are no implied approvals of any portion of the utilities design.

Response: The applicant has completed utility improvements or provided the required 150% assurance device. Utility department staff reviewed and approved the utility plans; improvements were inspected per code.

**C. PRIOR TO ISSUANCE OF ANY PLAT ENGINEERING/CLEAR AND GRADE PERMIT:**

**1. TREE PROTECTION**

To mitigate adverse impacts to trees to be retained during construction:

- a. Clearing limits shall be established beyond the drip line of the retained apple tree. Six-foot chain link fencing with driven posts, or an approved alternative, shall be installed at the clearing limits prior to initiation of any clearing and grading.
- b. No excavation or clearing should be performed within drip line of the retained apple tree except as specifically approved on plans. All such work shall be completed by hand to avoid damage to roots and shall be done under the supervision of an arborist approved by the city.

Response: Due to the diseased/hazard nature of the one 18" apple tree to be saved, the applicant installed 3 trees (3-10' height evergreen trees) in place of the one tree to be saved. This was approved by city staff as appropriate mitigation. (Note: The applicant

provided a certified arborist report on the health of the existing tree.)

## 2. RIGHT OF WAY USE PERMIT

The applicant is required to apply for a right of way use permit from the City of Bellevue Transportation Department before the issuance of any clearing and grading, building, foundation, or demolition permit. No construction work or hauling may begin until the right of way use permit is issued. In some cases, more than one right of way use permit may be required, such as one for hauling and one for construction work within the right of way. A right of way use permit regulates activity within the city right of way, including but not limited to the following:

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

Response: The applicant obtained a right of way use permit (10-121131-TN) on August 30, 2010 as required.

## 3. OFF-STREET PARKING

The applicant must secure sufficient off-street parking for construction workers, equipment, and materials storage before the issuance of a clearing and grading, building, foundation or demolition permit; unless such activity is allowed within a city right of way by a right of way use permit.

Response: The applicant secured sufficient off-street parking for construction workers.

## 4. CIVIL ENGINEERING PLANS

Civil engineering plans produced by a qualified engineer and a street lighting plan and specifications from Puget Sound Energy must be approved by the Transportation Department prior to clearing and grading permit approval. The design of all transportation-related improvements must be in conformance with the requirements of the Americans with Disabilities Act, the Transportation Development Code, the Transportation Department Design Manual, and any requirements specified within this Staff Report. The engineering plans must correctly show all transportation-related engineering details, including the design of the private road and access easements, cul-de-sac design, improvements on 167<sup>th</sup> Avenue SE, pavement restoration in any affected street, mailbox location, signage requirements, required sight lines at any location where sight distance may be critical, and any other requirements specified in this Staff Report. In order to create a durable surface for the cul-de-sac, the surface of the existing temporary cul-de-sac must be reconstructed rather than added to. Appropriate standard drawings from the Transportation Department Design Manual must be included in the

engineering plans.

Response: The applicant received approval of the civil engineering plans (10-120160 GE). The applicant has completed transportation improvements or provided the required 150% assurance device.

**5. FIRE DEPARTMENT APPROVAL**

- a. Provide a fire hydrant at the north side of the cul-de-sac located at the west side of access Road A.
- b. The access road from Road A to lots 5 & 6 shall be paved a minimum of 16 feet wide.
- c. The detention vault in access Road A shall be capable of supporting fire apparatus with a gross weight of 64,000 lbs. (rear axle=48,000 lbs and front axle=19,000 lbs) and shall support the weight of the ladder truck outrigger which is 45,000 lbs over an 18 inch square.
- d. Prior to installation of the proposed parallel gate on Road A, the applicant shall obtain approval from the Fire Department.

Response: A fire hydrant was installed on the west side of the cul-de-sac as approved by the COB Fire Department August 4, 2010. The access Road B from Road A to lots 4, 5, 6 & 7 is 20' wide (site was reconfigured slightly from the time of the HE decision). The detention vault was designed to comply with the loading requirements as outlined by the HE decision per permit # 10-120164-UD. No gate will be installed on Road A. These conditions have been met by the applicant.

**D. PRIOR TO FINAL PLAT APPROVAL:**

**1. NON-DISTURBANCE**

The short plat shall include a minimum of 5,612 square feet of non-disturbance within Retained Vegetation Areas (RVAs). The standard RVA wording shall be portrayed on the face of the plat.

Response: The applicant provided 10,898 square feet of non-disturbance and the RVA wording on the face of the plat.

**2. TREE PRESERVATION PLAN**

A Tree Preservation Plan that portrays the drip-line, the diameter size, and common name of the significant tree to be retained must be recorded with the final plat mylar. The Tree Preservation Plan must contain the following note:

"Tree Preservation Plan:

Designation of the tree on the Tree Preservation Plan establishes a covenant by the owner to leave undisturbed the as shown on the Tree Preservation Plan. This covenant shall run with the land and shall be binding upon all future owners. No tree topping, tree cutting or tree removal shall occur unless required or approved by the City. Except for

ordinary landscape maintenance, no construction, clearing or land alteration activities shall occur within the drip-line of the tree shown on the Tree Preservation Plan, unless required or approved by the City. Activities in violation of this covenant are subject to penalty, including without limitation, fines and mitigation requirements. The City of Bellevue shall have the right, but not the obligation, to enforce the requirements, terms and conditions of this covenant by any method available under law. It is the obligation of the owner to comply with the terms of the Tree Preservation Plan and this covenant."

Response: Not applicable since the applicant removed the only tree onsite because it was diseased.

### 3. TRANSPORTATION INFRASTRUCTURE IMPROVEMENTS

All street frontage and transportation infrastructure improvements shown in the final engineering plans or required by city codes and standards or by requirements stated within this Staff Report must be either completed prior to approval of the final plat or provided for with a financial assurance device. Land Use Code Section 20.40.490 allows a developer to obtain final plat approval prior to finishing improvements with provision of an acceptable financial assurance device equivalent to 150% of the cost of unfinished infrastructure improvements. Provision of such an assurance device requires completion of the improvements by the developer within two years of final plat approval. Installation of improvements that would negatively affect safety if left unfinished may not be delayed through use of a financial assurance device. Improvements must be approved by the Transportation Department inspector before they are deemed complete. Specific requirements include:

- a) Construction of improvements on 167<sup>th</sup> Avenue SE and the cul-de-sac, per the approved engineering plans.
- b) Construction of the internal private road and access easements, per the approved engineering plans, with the following exception: For access easements serving no more than two lots, the applicant may choose to delay completion of the shared driveway in those easements, provided that the final plat document includes a requirement that neither house served by such an easement may be occupied until the shared portion of the driveway is completed. If such a requirement is imposed, then construction of the shared driveway will not be included in any financial assurance device that covers transportation infrastructure; in the same way that single driveways are not covered.
- c) Streetlight installation and undergrounding of franchise utility lines.
- d) Vehicle and pedestrian sight distance must be provided per BCC 14.60.240 and 14.60.241.
- e) Driveways and access roads shall be limited to a grade of 10% or less for 20 feet past the driveway approach or intersection, and shall be limited to a maximum grade of 15% thereafter. Driveway and road grades must be designed to prevent vehicles from bottoming out due to abrupt changes in grade.

Response: The applicant has completed the required transportation improvements or provided the required 150% assurance device. Transportation department staff reviewed and approved the civil plans; improvements were inspected per code.

#### 4. PAVEMENT RESTORATION

167<sup>th</sup> Avenue SE was recently overlaid and a five-year no-street cut moratorium is currently in effect. Should street cuts prove unavoidable or if the street surface is damaged in the construction process, a half-street or full-street (depending on the extent of damage) grind and overlay will be required, at the discretion of the Transportation Department Inspector.

Response: No street cuts in 167<sup>th</sup> Ave SE were necessary to facilitate plat construction, therefore no overlay was required.

#### 5. ISSAQUAH SCHOOL DISTRICT IMPACT FEES

Issaquah School Impact Fees are due at time of building permit issuance. The plat shall include the following language: "Issaquah School District Impact Fees will be required at the time of building permit issuance."

Response: "Issaquah School District Impact Fees will be required at the time of building permit issuance" has been included on the face of the final plat.

#### 6. VARIANCE RESTRICTION

The final plat shall include the following note:

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

Response: The note regarding the variance restriction has been included on the face of the final plat.

#### 7. ACCESS EASEMENTS

The face of the final plat shall include all private access and utility easements, as shown on the preliminary road plan submitted to the city on July 19, 2006. The final plat shall include a covenant requiring that the owners of affected private parcels will be responsible for permanent maintenance and repair for each private access easement, and that, after occupancy, all private access easements will kept open at all times for emergency and public service vehicles. The final plat shall designate which lot owners are responsible in what shares for each private easement.

The face of the final plat shall include a five-foot wide public sidewalk and utility easement for a sidewalk around the cul-de-sac, as shown on the preliminary road plan submitted to the city on July 19, 2006.

Response: The final plat portrays all private access and utility easements. The final plat includes a covenant for maintenance and repair of the private access, Sheet 1 of 3. The public sidewalk and utility easements are portrayed on the face of the plat, Sheet 3 of 3.

#### **8. RIGHT OF WAY DEDICATION**

The face of the final plat must include dedication of right of way for the extension of 167<sup>th</sup> Avenue SE and for the cul-de-sac. Dimensions and locations of said dedicated areas shall be as described under Summary of Technical Reviews above and as shown on the preliminary road plan submitted to the city on July 19, 2006.

The face of the final plat shall note that said right of way dedication and the associated extension of 167<sup>th</sup> Avenue SE replaces and makes null and void the previous temporary cul-de-sac easement under the terms of the easement document recorded at the King County Recorder's Office as public record # 20020604002781.

Response: The final plat portrays dedication of 167<sup>th</sup> Avenue SE, Sheet 3 of 3. Dedication wording is shown on the face of the plat, Sheet 1 of 3.

#### **9. TRAIL EASEMENT AND CONSTRUCTION**

Any public trail easement shall be designated on the face of the final plat as a "City of Bellevue Non-motorized Public Easement", and the face of the final plat shall specify the maintenance responsibility. Any such trail shall be constructed in a manner acceptable to the Parks Department, as described above under Summary of Technical Reviews, providing a connection from 167<sup>th</sup> Avenue SE to the existing city trail north of the site.

Response: The wording for the trail easement has been provided on the face of the plat, Sheet 1 of 3. The applicant has provided a 150% assurance device for any trail construction not yet installed at time of final plat recording.

#### **10. CUL-DE-SAC ISLAND**

The cul-de-sac island must be landscaped per the final landscaping plan. The face of the final plat must state that the homeowner's association is responsible to maintain the island landscaping. A monument may be allowed in the island, if it is not a commercial advertisement, if the homeowners are permanently bound to maintain it, and if a standard indemnification agreement (available from the Transportation Department) is executed and recorded at the County Recorder's Office to permanently protect the city from liability.

Response: The cul-de-sac landscaping is shown on the issued clearing and grading permit. The applicant has provided a 150% assurance device for any landscaping not yet installed at time of final plat recording.

#### **IV. Staff Recommendation**

City staff recommends to the Hearing Examiner approval of the final plat of Martin Phase II (Traditions at Lakemont).

Attachment: A - "Findings of Fact, Conclusions of Law and Decision" of the Hearing  
Examiner for the City of Bellevue  
B - Staff Report

RECEIVED

FEB 12 2007

Development Services

BEFORE THE HEARING EXAMINER FOR THE CITY OF BELLEVUE

In the Matter of the Application of )

MARTIN PHASE II )

(Cliff Mull, Mull Development Co.) )

FILE NOS: 05-135873-LL

For a proposal of an 11-lot single-family detached Preliminary Plat on 2.82 acres in the R-3.5 zoning district )

FINDINGS OF FACT  
CONCLUSIONS  
OF LAW AND DECISION

DECISION

The application for the Martin Phase II Preliminary Plat is approved, subjection to conditions.

INTRODUCTION

The application of Cliff Mull of Mull Development Co. (Applicant) for approval of the Preliminary Plat of Martin Phase II came on for public hearing before Gordon F. Crandall, Hearing Examiner, on February 1, 2007 at 7:00 p.m. Applicant was represented by Jerrit Jolma, P.E. of J3 Civil, PLLC. Carol Saari, Associate Planner, presented the Land Use Division Staff Report. Both testified under oath. No one from the public appeared at the hearing. The hearing adjourned about 7:30 p.m.

FINDINGS OF FACT

1. Applicant proposes to develop a 2.82 acre site at 6031 - 168<sup>th</sup> Place SE into 11 single-family lots. Martin Phase I, a nine-lot short plat, is located immediately to the east. The site for Martin Phase II is located on lot 9 of the Martin Phase I short plat.

2. Access to the Martin Phase II plat will be from 167<sup>th</sup> Avenue SE, which connects with SE Cougar Mountain Way. The access road will end in a cul-de-sac, from which private roads or driveway easements will extend to some of the individual lots not served from the cul-de-sac. A site plan is attached as Attachment A. The site will generate about 11 peak hour vehicle trips and a concurrency analysis was not required. Applicant will dedicate a 50-foot right-of-way for the extension of 167<sup>th</sup> Avenue SE. Street frontage improvements will be required, which will provide safe pedestrian and vehicular access to and from the site.

3. Storm water will be captured and routed to an underground detention vault. This vault will serve both Martin Phase I and II. Water from the vault will exit to the City's existing storm water system in 167<sup>th</sup> Avenue SE. There are no streams, wetlands, or other sensitive areas on the site.

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CITY OF BELLEVUE  
450 - 110<sup>th</sup> Avenue NE  
P. O. Box 90012  
Bellevue, WA 98009 9012

1 4. There is one significant tree on the site, an 18-inch apple tree. The tree will be retained,  
2 resulting in 100 percent retention of trees.

3 5. Applicant will be required to grant an easement to the City and construct a -soft-surface  
4 pedestrian trail between 167<sup>th</sup> Avenue SE and the existing City-owned trail through the north side of the  
5 site. The Parks Department will maintain the trail and provide signs and bollards.

6 6. The site is located in the Newcastle Subarea and designated for single-family medium density  
7 uses. The R-3.5 zoning of the site is consistent with this designation. The Newcastle Subarea Policies  
8 encourage in-fill development at a density consistent with the existing character of an established  
9 neighborhood, and encourages new subdivisions to create consolidated access points to SE Cougar  
10 Mountain Way. Surrounding uses are all single-family residences.

11 7. A Determination of Non-Significance (DNS) was issued for the proposal on January 11, 2007.  
12 There was no appeal. A public information meeting was held on January 12, 2006. No one from the  
13 public attended. Two comment letters were received from the public. Staff responses to these letters  
14 apparently satisfied their concerns.

15 8. The site has access to City water and sewer services. Other utilities such as telephone, cable  
16 television and electricity are available as well.

17 9. Applicant will be required to pay impact fees for transportation and schools.

18 10. The Land Use Division Staff Report is incorporated herein by reference as though set forth in  
19 full.

20 11. Any Finding of Fact deemed to be a Conclusion of Law is adopted as such.

#### 21 CONCLUSIONS OF LAW

22 1. A Preliminary Plat is a Process I Decision. (LUC 20.30D.96) A Process I Decision is made  
23 by the Hearing Examiner upon the recommendation of the Director of the Department of Planning and  
24 Community Development at a public hearing. The decision of the Hearing Examiner is appealable to the  
25 City Council. (LUC 20.35.100)

26 2. The decision criteria for approval of a Preliminary Plat are set forth in LUC 20.45A.130:

27 A. The preliminary plat makes appropriate provision for, but not limited to, the public  
28 health, safety, and general welfare, for open spaces, drainage ways, streets, sidewalks,  
29 alleys, other public ways, water supplies, sanitary waste, parks, playgrounds, sites for  
30 schools and school grounds; and

B. The public use and interest is served by the platting of the subdivision; and

C. The preliminary plat appropriately considers the physical characteristics of the  
proposed subdivision site; and

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1 D. The proposal complies with all applicable provisions of the Land Use Code, BCC  
2 Title 20, the Utilities Codes, BCC Title 24, the City of Bellevue Development Standards  
3 and Chapter 59,17 RCW; and

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

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

7 G. All necessary utilities, streets or access, drainage and improvements are planned to  
8 accommodate the potential use of the entire property. (Ord. 5232, 7-17-00, Section 14;  
9 Ord. 4972, 3-3-97, Section 29; Ord. 4816, 12-4-95, Section 128; Ord. 4638, 4-4-94,  
10 Section 3;Ord 3937, 7-18-88)

11 3. The Decision Criteria are analyzed by staff at pages 13 and 14 of the Land Use Division Staff  
12 Report. Staff concludes that all are satisfied, and the Hearing Examiner concurs.

13 4. Any finding herein which may be deemed a conclusion is hereby adopted as such.

### 14 DECISION

15 The application of Cliff Mull, of Mull Development Co., for approval of the Preliminary Plat of  
16 Martin Phase II is **APPROVED** subject to the following **CONDITIONS**:

#### 17 A. COMPLIANCE WITH BELLEVUE CITY CODES AND ORDINANCES

18 The applicant shall comply with all applicable Bellevue City Codes, Standards, and Ordinances  
19 including but not limited to

##### 20 **Applicable Codes, Standards and Ordinances**

21 Clearing & Grading Code – BCC 23.76

22 Construction Codes – BCC Title 23

23 Fire Code – BCC 23.11

24 Land Use Code – BCC Title 20

25 Noise Control – BCC 9.18

26 Sign Code – BCC Title 22

27 Transportation Code – BCC 14.60

28 Right of Way Use Code – BCC 14.30

29 Design Manual, Transportation Dept.

30 Utility Code – BCC Title 24

#### 31 B. GENERAL CONDITIONS

##### 32 1. UTILITIES DEPARTMENT APPROVAL

33 All Water, Sewer and Storm Drainage design review, plan approval and field inspection shall be  
34 completed through the Developer Extension Agreement Process. There are no implied approvals  
35 of any portion of the utilities design. (BCC 24.02, 24.04, 24.06)

#### 36 C. PRIOR TO ISSUANCE OF ANY PLAT ENGINEERING/CLEAR AND GRADE 37 PERMIT:

2/9/2007

1           **1. TREE PROTECTION**

2           To mitigate adverse impacts to trees to be retained during construction:

- 3           **a.** Clearing limits shall be established beyond the drip line of the retained apple tree. Six-foot chain link fencing with driven posts, or an approved alternative, shall be installed at the clearing limits prior to initiation of any clearing and grading.
- 4
- 5           **b.** No excavation or clearing should be performed within drip line of the retained apple tree except as specifically approved on plans. All such work shall be completed by hand to avoid damage to roots and shall be done under the supervision of an arborist approved by the city. (BCC 23.76.060, LUC 20.20.900.D.2.)
- 6
- 7

8           **2. RIGHT OF WAY USE PERMIT**

9           The applicant is required to apply for a right of way use permit from the City of Bellevue Transportation Department before the issuance of any clearing and grading, building, foundation, or demolition permit. No construction work or hauling may begin until the right of way use permit is issued. 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:

- 10
- 11
- 12
- 13           a) Designated truck hauling routes.
- 14           b) Truck loading and unloading activities.
- 15           c) Hours of construction and hauling.
- 16           d) Continuity of pedestrian facilities.
- 17           e) Temporary traffic control and pedestrian detour routing for construction activities.
- 18           f) Street sweeping and maintenance during excavation and construction.
- 19           g) Location of construction fences.
- 20           h) Parking for construction workers.
- 21           i) Construction vehicles, equipment, and materials in the right of way.
- 22           j) All other construction activities as they affect the public street system.
- 23           (BCC 14.30)

24           **3. OFF-STREET PARKING**

25           The applicant must secure sufficient off-street parking for construction workers, equipment, and materials storage before the issuance of a clearing and grading, building, foundation or demolition permit; unless such activity is allowed within a city right of way by a right of way use permit. (BCC 14.30)

26           **4. CIVIL ENGINEERING PLANS**

27           Civil engineering plans produced by a qualified engineer and a street lighting plan and specifications from Puget Sound Energy must be approved by the Transportation Department prior to clearing and grading permit approval. The design of all transportation-related improvements must be in conformance with the requirements of the Americans with Disabilities Act, the Transportation Development Code, the Transportation Department Design Manual, and any requirements specified within this Staff Report. The engineering plans must correctly show all transportation-related engineering details, including the design of the private road and access easements, cul-de-sac design, improvements on 167<sup>th</sup> Avenue SE, pavement restoration in any affected street, mailbox location, signage requirements, required sight lines at any location where sight distance may be critical, and any other requirements specified in this Staff Report. In order to create a durable surface for the cul-de-sac, the surface of the existing temporary cul-de-sac

1 must be reconstructed rather than added to. Appropriate standard drawings from the  
2 Transportation Department Design Manual must be included in the engineering plans. (BCC  
3 14.60; Transportation Department Design Manual)

4 **5. FIRE DEPARTMENT APPROVAL**

- 5 a. Provide a fire hydrant at the north side of the cul-de-sac located at the west side of access  
6 Road A.  
7 (International Fire code (IFC) 508.5 & Bellevue City Ordinance (BCO) 5529)
- 8 b. The access road from Road A to lots 5 & 6 shall be paved a minimum of 16 feet wide.  
9 (IFC 503 & BCO 5529)
- 10 c. The detention vault in access Road A shall be capable of supporting fire apparatus with a  
11 gross weight of 64,000 lbs. (rear axle=48,000 lbs and front axle=19,000 lbs) and shall  
12 support the weight of the ladder truck outrigger which is 45,000 lbs over an 18 inch  
13 square. (Bellevue Development Information-Structural Slab design Loads)
- 14 d. Prior to installation of the proposed parallel gate on Road A, the applicant shall obtain  
15 approval from the Fire Department. (IFC 503.6)

16 **D. PRIOR TO FINAL PLAT APPROVAL:**

17 **1. NON-DISTURBANCE**

18 The short plat shall include a minimum of 5,612 square feet of non-disturbance within Retained  
19 Vegetation Areas (RVAs). The standard RVA wording shall be portrayed on the face of the plat.  
20 (LUC 20.25.H.120)

21 **2. TREE PRESERVATION PLAN**

22 A Tree Preservation Plan that portrays the drip-line, the diameter size, and common name of the  
23 significant tree to be retained must be recorded with the final plat mylar. The Tree Preservation  
24 Plan must contain the following note:

25 "Tree Preservation Plan:

26 Designation of the tree on the Tree Preservation Plan establishes a covenant by the owner to leave  
27 undisturbed the as shown on the Tree Preservation Plan. This covenant shall run with the land  
28 and shall be binding upon all future owners. No tree topping, tree cutting or tree removal shall  
29 occur unless required or approved by the City. Except for ordinary landscape maintenance, no  
30 construction, clearing or land alteration activities shall occur within the drip-line of the tree  
shown on the Tree Preservation Plan, unless required or approved by the City. Activities in  
violation of this covenant are subject to penalty, including without limitation, fines and mitigation  
requirements. The City of Bellevue shall have the right, but not the obligation, to enforce the  
requirements, terms and conditions of this covenant by any method available under law. It is the  
obligation of the owner to comply with the terms of the Tree Preservation Plan and this  
covenant."

(LUC 20.20.900.D.2.a)

**3. TRANSPORTATION INFRASTRUCTURE IMPROVEMENTS**

All street frontage and transportation infrastructure improvements shown in the final engineering  
plans or required by city codes and standards or by requirements stated within this Staff Report  
must be either completed prior to approval of the final plat or provided for with a financial

1 assurance device. Land Use Code Section 20.40.490 allows a developer to obtain final plat  
2 approval prior to finishing improvements with provision of an acceptable financial assurance  
3 device equivalent to 150% of the cost of unfinished infrastructure improvements. Provision of  
4 such an assurance device requires completion of the improvements by the developer within two  
5 years of final plat approval. Installation of improvements that would negatively affect safety if  
6 left unfinished may not be delayed through use of a financial assurance device. Improvements  
7 must be approved by the Transportation Department inspector before they are deemed complete.  
8 Specific requirements include:

- 9 a) Construction of improvements on 167<sup>th</sup> Avenue SE and the cul-de-sac, per the approved  
10 engineering plans.
- 11 b) Construction of the internal private road and access easements, per the approved engineering  
12 plans, with the following exception: For access easements serving no more than two lots, the  
13 applicant may choose to delay completion of the shared driveway in those easements,  
14 provided that the final plat document includes a requirement that neither house served by  
15 such an easement may be occupied until the shared portion of the driveway is completed. If  
16 such a requirement is imposed, then construction of the shared driveway will not be included  
17 in any financial assurance device that covers transportation infrastructure; in the same way  
18 that single driveways are not covered.
- 19 c) Streetlight installation and undergrounding of franchise utility lines.
- 20 d) Vehicle and pedestrian sight distance must be provided per BCC 14.60.240 and 14.60.241.
- 21 e) Driveways and access roads shall be limited to a grade of 10% or less for 20 feet past the  
22 driveway approach or intersection, and shall be limited to a maximum grade of 15%  
23 thereafter. Driveway and road grades must be designed to prevent vehicles from bottoming  
24 out due to abrupt changes in grade.

(BCC 14.60.110, 120, 130, 150, 170, 190, 210, 240, 241, 250; Transportation Department Design  
Manual Sections 3, 4, 5, 7, 11, 14, 15, 19, 21)

#### 25 4. PAVEMENT RESTORATION

26 167<sup>th</sup> Avenue SE was recently overlaid and a five-year no-street cut moratorium is currently in  
27 effect. Should street cuts prove unavoidable or if the street surface is damaged in the construction  
28 process, a half-street or full-street (depending on the extent of damage) grind and overlay will be  
29 required, at the discretion of the Transportation Department Inspector. (BCC 14.60.250; Design  
30 Manual Design Standard #21)

#### 31 5. ISSAQUAH SCHOOL DISTRICT IMPACT FEES

32 Issaquah School Impact Fees are due at time of building permit issuance. The plat shall include  
33 the following language: "Issaquah School District Impact Fees will be required at the time of  
34 building permit issuance." (BCC 22.18.050.B & D)

#### 35 6. VARIANCE RESTRICTION

36 The final plat shall include the following note:

37 "Approval by the City of this plat is a determination that each lot in the plat can be reasonably  
38 developed in conformance with the Land Use Code requirements in effect at the time of  
39 preliminary plat approval without requiring a variance." (LUC 20.45A.130.F)

1           7.       **ACCESS EASEMENTS**

2       The face of the final plat shall include all private access and utility easements, as shown on the  
3       preliminary road plan submitted to the city on July 19, 2006. The final plat shall include a  
4       covenant requiring that the owners of affected private parcels will be responsible for permanent  
5       maintenance and repair for each private access easement, and that, after occupancy, all private  
6       access easements will kept open at all times for emergency and public service vehicles. The final  
7       plat shall designate which lot owners are responsible in what shares for each private easement.

8       The face of the final plat shall include a five-foot wide public sidewalk and utility easement for a  
9       sidewalk around the cul-de-sac, as shown on the preliminary road plan submitted to the city on  
10      July 19, 2006.

11      (BCC 14.60.100; Transportation Department Design Manual)

12           8.       **RIGHT OF WAY DEDICATION**

13      The face of the final plat must include dedication of right of way for the extension of 167<sup>th</sup>  
14      Avenue SE and for the cul-de-sac. Dimensions and locations of said dedicated areas shall be as  
15      described under Summary of Technical Reviews above and as shown on the preliminary road  
16      plan submitted to the city on July 19, 2006.

17      The face of the final plat shall note that said right of way dedication and the associated extension  
18      of 167<sup>th</sup> Avenue SE replaces and makes null and void the previous temporary cul-de-sac easement  
19      under the terms of the easement document recorded at the King County Recorder's Office as  
20      public record # 20020604002781.

21      (BCC 14.60.90; Transportation Department Design Manual)

22           9.       **TRAIL EASEMENT AND CONSTRUCTION**

23      Any public trail easement shall be designated on the face of the final plat as a "City of Bellevue  
24      Non-motorized Public Easement", and the face of the final plat shall specify the maintenance  
25      responsibility. Any such trail shall be constructed in a manner acceptable to the Parks  
26      Department, as described above under Summary of Technical Reviews, providing a connection  
27      from 167<sup>th</sup> Avenue SE to the existing city trail north of the site.

28      (BCC 14.60.100; Transportation Department Design Manual)

29           10.      **CUL-DE-SAC ISLAND**

30      The cul-de-sac island must be landscaped per the final landscaping plan. The face of the final  
    plat must state that the homeowner's association is responsible to maintain the island landscaping.  
    A monument may be allowed in the island, if it is not a commercial advertisement, if the  
    homeowners are permanently bound to maintain it, and if a standard indemnification agreement  
    (available from the Transportation Department) is executed and recorded at the County  
    Recorder's Office to permanently protect the city from liability. (BCC 14.60.170 D; BCC 14.30)

DONE this 9th day of February, 2007.

*Gordon F. Crandall*  
Gordon F. Crandall, Hearing Examiner   SG

2/9/2007

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**NOTICE OF RIGHT TO APPEAL**  
**(Pursuant to Resolution No. 5097)**

**RIGHT TO APPEAL – TIME LIMIT**

A person who submitted written comments to the Director prior to the hearing or submitted written comments or made oral comments during the hearing on this matter may appeal the decision of the Hearing Examiner to the Bellevue City Council by filing a written appeal statement of the Findings of Fact or Conclusions being appealed and paying the appeal fee no later than 14 calendar days following the date that the decision was mailed. The appeal must be received by the City Clerk by 5:00 p.m. on **March 2, 2007.**

**TRANSCRIPT OF HEARING – PAYMENT OF COST**

An appeal of the Hearing Examiner's decision requires the preparation of a transcript of the hearing before the Hearing Examiner. Therefore, the request for appeal must be accompanied by an initial deposit of \$100 for each tape. Should the actual cost be less than the amount of the deposit, any credit due shall be reimbursed to the appellant. Should the cost for transcript preparation be more than the deposit. The appellant will be additionally charged.

**WAIVER OF TRANSCRIPTION FEE**

Upon request, the City Clerk will waive the transcription fee upon submission by an appellant of the following documentation: a) an affidavit stating that the appellant's net financial worth does not exceed \$20,000; b) an affidavit stating that the appellant's annual income does not exceed \$5,200; c) a brief statement of the issues sought to be reviewed; d) a designation of those parts of the record the party thinks are necessary for review; and e) a statement that review is sought in good faith.

The transcription fee waiver is available to individuals over eighteen (18) years of age and is not available for corporations, companies, partnerships, or any business enterprises, community club or any social or recreational organization.

2/9/2007







DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT  
 ENVIRONMENTAL COORDINATOR  
 11511 MAIN ST., P.O. BOX 90012  
 BELLEVUE, WA 98009-9012

## DETERMINATION OF NON-SIGNIFICANCE

**PROPONENT:** Cliff Mull, Mull Development Co.

---

**LOCATION OF PROPOSAL:** 6031 168<sup>th</sup> Place SE

**DESCRIPTION OF PROPOSAL:** Proposed 11 lot single family detached preliminary plat on 2.82 acres in the R-3.5 zoning district.

**FILE NUMBER:** 05-135873-LL

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 Department of Planning & Community Development. 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 January 25, 2007.
- 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.

*Plush for CVH*  
 Environmental Coordinator

January 11, 2007  
 Date

**OTHERS TO RECEIVE THIS DOCUMENT:**  
 State Department of Fish and Wildlife  
 State Department of Ecology, Shoreline Planner N.W. Region  
 Army Corps of Engineers  
 Attorney General  
 Muckleshoot Indian Tribe



**City of Bellevue**  
**Department of Planning and Community Development**  
**Land Use Division Staff Report**

---

Proposal Name: Martin Phase II Preliminary Plat  
Proposal Address: 6031 168<sup>th</sup> Place SE  
Proposal Description: Proposed 11 lot single family detached preliminary plat on 2.82 acres in the R-3.5 zoning district.  
File Number: 05-135873-LL  
Applicant: Cliff Mull, Mull Development Co.  
Decisions Included: Preliminary Plat Approval (LUC 20.45A)  
Planner: Carol Saari *Saari*  
Associate Planner

State Environmental Policy Act  
Threshold Determination:

**Determination of Non-Significance (DNS)**

*Signature for C. Helland*

Carol V. Helland,  
Environmental Coordinator

Director's Recommendation:

**Approval with Conditions**

*Signature for M. Terry*

Matthew A. Terry,  
Director, Dept. of Planning & Community Development

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Application Date: 12/09/05  
Notice of Application Date: 12/29/05  
Notice of Recommendation: 01/11/07  
SEPA Appeal Deadline: 01/25/07 at 5pm  
Hearing Date: 02/01/07 at 7pm

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For information on how to appeal a proposal, visit the Permit Center at City Hall or call (425) 452-6880. Appeal of the SEPA decision must be filed with the City Clerk by 5 pm on the date noted for appeal of the decision.

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## I. PROPOSAL DESCRIPTION

The applicant proposes to develop an 11 lot single family detached residential community on 2.82 acres in the R-3.5 zoning district at 6031 168<sup>th</sup> Place SE. Access to the proposed project will be provided by a public road, 167<sup>th</sup> Ave. SE that connects to SE Cougar Mountain Way about 940 feet to the south. The proposal will extend 167<sup>th</sup> to the north to provide access to the new lots. A new cul-de-sac and a private road will be installed to provide access to individual lots. Curb and gutter, sidewalks, and street lighting will accompany the development. A new pedestrian trail (woodchip or crushed rock surface material) will be provided along the western and southern borders of the development. This trail will connect to 167<sup>th</sup> Ave. SE to the south to the existing trail to the north. There is only one significant tree on the site which will be preserved. New landscaping will be provided in the cul-de-sac and within the Retained Vegetated Areas which border the property on the west and east. See Attachment A for plans.

The application is vested prior to implementation of the Critical Areas Ordinance on August 1, 2006. All Sensitive Area requirements in effect prior to August 1, 2006 have been met for this project.

## II. SITE DESCRIPTION AND CONTEXT

### A. Site Characteristics

The site is currently vacant and is a large grassy area. There is one significant tree, an 18" apple tree, which is located in the southeast corner of the property. To the east is the Martin Phase I Short Plat of which this property is Lot 9. There are 8 single family lots to the east located within the Martin Phase I Short Plat, zoned R-3.5. To the north is an established single family neighborhood zoned R-5, to the south is an established single family neighborhood zoned R-3.5, and to the west is vacant land owned by CamWest Development zoned R-2.5.<sup>1</sup> See Attachments B and C for Zoning Map and Vicinity Map, respectively.

### B. Site Design

The proposal calls for 11 detached single family residential homes on lots ranging from 9,007 square feet to 12,280 square feet. The average lot size is 10,353 square feet which is consistent with the 10,000 square foot minimum requirement in the R-3.5 zoning district. The development will preserve the one significant tree on-site (100% retention). The project also includes two RVA areas along the east (15' wide) and west (20' wide) property lines and a landscaped cul-de-sac island. The pedestrian trail will be located in a separate tract running along the west and southwest property boundaries.

An existing detention pond currently provides detention and water quality treatment for Martin Short Plat Phase I. Martin Plat Phase II will subdivide the existing Lot 9, Martin Short Plat Phase I into 11 new lots. A detention vault and Stormwater360 media filter water quality vault is proposed to serve both Martin

<sup>1</sup> On this adjacent site, the Cole PUD application (06-121249-LK) for 17 detached single family homes was submitted on August 9, 2006. This application is still in process.

Plats Phases I & II. The new detention and water quality vaults will be located within Road A of Martin Short Plat Phase II. The new detention vault and Stormwater360 media filter vault will be reviewed, approved, constructed and accepted by the Utilities Department prior to taking the existing pond off-line and or being removed. The detention and water quality vaults will connect to the City's existing storm water system located in 167<sup>th</sup> Ave SE.

**III. CONSISTENCY WITH LAND USE CODE/ZONING REQUIREMENTS**

**A. Special District Requirements (Sensitive Area Overlay District LUC. 20.25H)**

**Note:** The application is vested prior to implementation of the Critical Areas Ordinance on August 1, 2006. All Sensitive Area requirements in effect prior to August 1, 2006 have been met for this project.

**Disturbance Limits**

The site has an overall slope of 10%, sloping from east (high) to west (low). There are slopes within slope categories 0-15%, 15-25%, and 25-40%. The required non-disturbance is 5,612 square feet. The applicant proposes non-disturbance of 10,970 square feet in the two Retained Vegetated Areas. See condition X.C.1.

**Protected Areas**

A review of existing environmental information and site visits indicates there are no protected areas located on the site.

**B. Consistency with Standard Land Use Code Requirements**

BASIC INFORMATION		
Zoning District	R-3.5	
Gross Site Area	2.82 acres, 122,898 Square Feet	
Protected Area	0 Square Feet	
ITEM	REQ'D/ALLOWED	PROPOSED
Minimum Lot Area	10,000 Square Feet	9,007 Square Feet to 12,280 Square Feet (with lot averaging)
Minimum Lot Width	70 Feet	70 Feet
Minimum Lot Depth	80 Feet	99 Feet
Minimum Street Frontage	30 feet	31 feet
Building Setbacks		
Front Yard	20 Feet	20 Feet
Rear Yard	25 Feet	25 Feet
Min. Side Yard	5 Feet	5 Feet
2 Side Yard	15 Feet	15 Feet
Access Easement	10 Feet	10 Feet
Tree Retention	15% diameter inches = 3 Inches	100% diameter inches or 18 Inches

#### IV. STATE ENVIRONMENTAL POLICY ACT

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, Transportation Development Code and other construction codes adequately mitigate expected environmental impacts.

Therefore, issuance of a 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 *2006-2017 Transportation Facilities Plan Final Environmental Impact Statement* (TFP EIS) published November 30, 2006. This document is available in the Records Room, Bellevue City Hall, 450 110<sup>th</sup> Ave. NE, Lobby Level. Transportation-related impacts associated with the Martin Phase 2 Preliminary Plat are consistent with the potential projected impacts analyzed in the 2006-2017 TFP EIS. The Environmental Checklist is attached to this report as Attachment D.

#### Transportation

##### 1. Long-Term Impacts

The long-term impacts of development projected to occur in the City by 2017 have been addressed in the City's Transportation Facilities Plan EIS. The impacts of growth which are projected to occur within the City by 2017 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 Transportation Analysis Zones for analysis purposes. The Martin Phase 2 Plat lies within TAZ # 173, which has a 2017 total growth projection of 40 new dwelling units. This development proposes 11 dwelling units. A PUD with 17 dwelling units is proposed on an adjacent parcel, bringing total proposed growth in the TAZ to 28 units. Therefore, the volume of proposed development is within the assumptions of the Transportation Facilities Plan EIS.

Traffic impact fees are used by the City to fund street improvement projects to alleviate traffic congestion caused by the cumulative impacts of development throughout the City. Payment of the transportation impact fee, as required by BCC 22.16, contributes to the financing of transportation improvement projects in the current adopted Transportation Facilities Plan. Fee payment is required at the time of building permit issuance for individual lots.

##### 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 11 new p.m. peak hour trips; therefore, a concurrency analysis is not required.

### **3. Short Term Operational Impacts**

Transportation Department staff analyzed the potential short-term operational impacts of this proposal in order to recommend mitigation if necessary. The proposed development will generate a net increase of only eleven new PM peak hour trips, on average. This is not a significant operational impact, so no mitigation is required, other than payment of transportation impact fees and construction of transportation infrastructure improvements described elsewhere in this document.

#### **Earth**

The subject property has an overall slope of about 10% with some areas of 15-25% and 25-40% slopes. The elevation is higher along the eastern property line (about elevation 1090 feet), then slopes down to the lower western property line (about elevation 1050 feet). According to the geotechnical report by Geotech Consultants, Inc. dated October 13, 2005, the site contains 1 - 3 feet of loose topsoil, and/or native silty sand directly underlying the surface. Beneath these loose soils was medium dense, gravelly, silty sand with weathered siltstone fragments. Native rock was found at depths of 4.5 – 10 feet.

Approximately 1,800 cubic yards of cut and 1,800 cubic yards of fill is anticipated in order to facilitate construction of required infrastructure. Soil erosion on the site from water and wind is likely when the site is graded for roads, utilities and home construction. However, as required by Chapter 23.76 of the Clearing & Grading Code, the contractor will be required to follow an approved erosion control plan during construction. Therefore, no mitigation measures are recommended, beyond existing code requirements.

#### **Water**

No surface water including streams or wetlands has been found on the site. The proposed development is expected to adversely affect the quality of surface water on the site. Pollutants such as sediment, oil, grease, herbicides, heavy metals, pesticides and fertilizers could be expected to enter the storm water from the driving surfaces and landscaped areas. However, the City's Utility Codes and Engineering Standards are sufficient to mitigate for both runoff control and water quality treatment for conventional pollutants. Therefore, no mitigation measures are recommended, beyond existing code requirements.

#### **Plants and Animals**

Construction on the site will likely result in a predictable reduction in the number of animals and the loss of some species within selected habitats due to habitat destruction, fragmentation, acceleration of edge and distance effects, and human disturbance. These impacts are adverse, but they are not environmentally significant and will be partially mitigated through the proposed retained vegetation areas.

One 18" apple tree is located onsite. The applicant proposes to save this tree. This tree and the new plant material in the Retained Vegetated Areas (RVAs) will provide habitat for the birds and animals that both inhabit and visit the site. See conditions X.B.1 and X.C.2.

**V. SUMMARY OF TECHNICAL REVIEW**

**A. Utility Code**

The Utilities Department review of the application is based on the conceptual site plan design only. This conceptual review of the proposal has no implied approvals of the utility engineering design and specifications. The review and approval of the utility engineering plans shall be under the Water, Sewer and Storm Drainage Developer Extension Agreements, which is the construction phase of the process. The Plat Engineering/Clear and Grade Permit must be submitted concurrently with the Utility Developer Extension Agreements (UE).

The site has access to City water and sewer. On-site stormwater generated as a result of this development will be collected and conveyed to a detention vault. Once treated, the stormwater will be discharged into the existing stormwater conveyance system located in 167<sup>th</sup> Ave. SE. For a more detailed discussion about stormwater, see Section 2.A "Site Design."

It is the Engineer's responsibility to demonstrate that the proposed design meets or exceeds the current Utility Codes and Utilities Engineering Standards.

See condition X.A.1.

**B. Clearing and Grading Code**

The Clearing & Grading reviewer has reviewed the Geotechnical study, as well as the Site and Grading Plans, and determined that the clearing and grading portion of this application can be approved. The future Plat Engineering/Clearing and Grading permit application for this project must meet the City of Bellevue's Clearing and Grading Code.

**C. Transportation Department**

**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 applied for prior to issuance of any construction permit including demolition permit. This permit is issued directly by the Transportation Department. See conditions X.B.2 and B.3.

**Site Access**

Access to the proposed project will be provided via a short extension of 167<sup>th</sup> Avenue SE, ending in a cul-de-sac. One private road in an easement (Road A) and two joint-use driveway easements will provide access to those lots that do have access directly on the cul-de-sac. See conditions X.B.4, X.C.3, X.C.7 and C.8.

### **Access Easements**

The applicant shall provide private access and utility easements, as shown on the preliminary road plan submitted to the city on July 19, 2006, to serve all lots that do not have direct access to the cul-de-sac. All such easements shall be shown on the face of the final plat. The final plat shall include a covenant requiring that the owners of affected private parcels will be responsible for permanent maintenance and repair for each private access easement, and that, after occupancy, all private access easements will kept open at all times for emergency and public service vehicles. The final plat shall designate which lot owners are responsible in what shares for each private easement.

The applicant shall provide a five-foot wide public sidewalk and utility easement for a sidewalk around the cul-de-sac, as shown on the preliminary road plan submitted to the city on July 19, 2006.

See condition X.C.7.

### **Trail Easement and Construction**

Provision of a pedestrian trail easement and construction of a trail between 167<sup>th</sup> Avenue SE and the existing city-owned trail adjacent to the north side of the site is required. Any such trail for public use must be constructed by the developer in a manner acceptable to the Parks Department. The trail shall have a woodchip or crushed rock surface consistent with standard drawings DEV-18 or DEV-19, to be determined in consultation with the Parks Department prior to construction. The Parks Department will provide bollards and signage for the trail entrance. The Parks Department will be responsible for maintenance of the trail. Per BCC 14.60.100 D, any such trail easement shall be designated on the face of the plat as a "City of Bellevue Non-motorized Public Easement," and the face of the plat shall specify the maintenance responsibility. See condition X.C.9.

### **Right of Way Dedication**

To incorporate street improvements necessary to provide adequate site access and mitigate the effects of the development, the developer is required to dedicate a 50-foot wide right of way for a short extension of 167<sup>th</sup> Avenue SE. The dedication must also include a circular right of way with a 50-foot radius and transition curves per standard drawing DEV-1 for a cul-de-sac at the new end of 167<sup>th</sup> Avenue SE.

Said right of way dedication will replace a previous temporary cul-de-sac easement, which was created by an easement document recorded at the King County Recorder's Office as public record # 20020604002781. Per the terms of that document, the temporary easement becomes null and void when 167<sup>th</sup> Avenue SE is extended north of its present ending point, and that extension is dedicated as a public roadway to the City of Bellevue.

See condition X.C.8.

### Transportation Infrastructure 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 street frontage improvements is 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. The developer must provide all such transportation infrastructure improvements at the developer's expense (BCC 14.60.110) or provide an acceptable financial assurance device equivalent to 150% of the cost of unfinished improvements (LUC 20.40.490). Required improvements include:

1. The extension of 167<sup>th</sup> Avenue SE shall have a paved width matching the existing width to the south (approximately 28 feet), with standard curb and gutter and a standard five-foot wide sidewalk on both sides matching the sidewalks to the south. Standard drawings TE-10 (for curb), TE-11 (for sidewalk), and DEV-8 shall be included in the engineering plans as needed.
2. The cul-de-sac shall be designed per standard drawing DEV-1, with an outer radius of 48 feet to the face of curb, and a landscaped center island. The cul-de-sac cross slope shall not exceed eight percent. The sidewalk shall extend around the cul-de-sac in a public sidewalk/utility easement. The developer must install landscaping in the island per the approved landscape plan. The face of the final plat must state that the homeowner's association is responsible to maintain the island landscaping.  
  
A monument may be allowed in the cul-de-sac island, provided that:
  - Any raised, fixed objects shall be at least three feet behind the curb,
  - Any monument is not a commercial advertisement,
  - The homeowners are permanently bound to maintain any fixtures in the island, and
  - A standard indemnification agreement (available from the Transportation Department) shall be executed and recorded at the County Recorder's Office to permanently protect the city from liability.
3. Existing pavement in the temporary cul-de-sac must be removed as needed to accommodate construction of the new cul-de-sac and frontage improvements.
4. Road A and any other access easement serving three or more lots shall be designed and constructed per Transportation Department Design Manual Section 4 and standard drawing DEV-8. The minimum paved width shall be 20 feet, in a tract or easement at least 25 feet wide.
5. Private access easements used by only two lots are considered joint use driveways, which must have a paved surface at least 16 feet wide in a 20-foot wide easement. The applicant may choose to delay completion of the joint use driveways in those easements, provided that the final plat document includes a requirement that neither house served by such an easement may be occupied until the shared portion of the driveway is completed. If such a requirement is imposed, then construction of the joint use driveway will not be included in any financial assurance device that covers transportation infrastructure; in the same way that single driveways are not covered.

6. All driveway approaches or access road approaches to 167<sup>th</sup> Avenue SE, the cul-de-sac, or Road A shall be constructed per standard drawings DEV-7A through 7C, and the appropriate standard drawings shall be included in the engineering plans.
7. No fixed objects, including fire hydrants, retaining walls, and streetlight poles, are allowed within ten feet of a driveway apron edge, identified as Point A in standard drawing DEV-7A. Fixed objects are defined as anything stronger than a 4" X 4" wooden post.
8. Installation of one or more streetlights in the public right of way is required. The developer must obtain a streetlight plan and specifications from Puget Sound Energy (PSE) or a qualified engineer acceptable to PSE, as part of the plat infrastructure permit. Streetlight installation will be at the developer's expense. For lights in the right of way or in an easement around the cul-de-sac, the cost of future maintenance and electricity will be paid by the city. If the developer chooses to provide additional streetlights on the private road or access easements, then the cost of future maintenance and electricity for those additional lights must be paid by the homeowner's association.
9. Mailboxes must be clustered, and the mailbox location(s), acceptable to both the Post Office and the Transportation Department, must be identified. Mailboxes must be located so that vehicles stopping at the boxes will not create unacceptable delay or hazard. Any mailboxes in a public right of way or private road must meet the requirements of Design Manual Section 17 and standard drawing DEV-11.
10. Bollards consistent with standard drawings DEV-13 and DEV-14 shall be installed at the north end of Road A. No other end of road markers are required.
11. Storm drainage facilities meeting the requirements of the Utilities Department must be provided by the developer for the public right of way and the private road and access easements within the site.
12. No overhead utility lines are allowed above any public right of way or access easement.
13. As much as feasible, metal covers for any utilities shall be located outside the expected vehicle tire paths within the paved surface of any street or private road, as described in Design Manual Section 18.
14. Maximum grade on any street, private road, access easement, or driveway shall not exceed 15 percent at any point. At grade changes, slope rounding is required so vehicles will not bottom out.
15. Vehicle and pedestrian sight distance, as required by BCC 14.60.240 and 241, must be provided where the easement to Lot 2 connects to the cul-de-sac. Vehicle sight distance, modified to correspond to the available north and south distance, must be provided where the easement to Lots 5 and 6 connects to Road A. Pedestrian sight distance must be provided where Road A meets the sidewalk around the cul-de-sac. No structure, fence, sign, landscaping, or other feature may create a sight obstruction that blocks the required sight lines.

See conditions X.B.4, X.C.3 and X.C.10.

### **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.

The cul-de-sac within the site will be reconstructed, so pavement restoration within the site is not an issue. South of the site, 167<sup>th</sup> Avenue SE is presently classified as "No Street Cuts Permitted" because the pavement is less than five years old. If all utility connections for the proposed plat can be made without cutting into the paved surface of 167<sup>th</sup> Ave south of the site's border, then no pavement restoration will be required on 167<sup>th</sup>, unless the street surface is damaged during construction. Restoration of any damage south of the site's border would require a grind and overlay at least 50 feet long for the full width of any affected lane.

See condition X.C.4.

### **D. Fire Department**

The site development plans for this decision generally conform to Fire Code requirements. In order to insure adequate emergency access to the development and the ability to fight fires, the Fire Department will require the following items: a fire hydrant at the north side of Road A; a paved access road that is a minimum of 16' wide, construction of a detention vault in access Road A that is capable of supporting fire apparatus and the weight of the ladder truck outrigger; and Fire Department approval prior to installation of the proposed gate on Road A. See condition X.B.5.

### **VI. PUBLIC NOTICE AND COMMENT**

Notice of Application was published in the City of Bellevue's *Land Use Bulletin* and the *King County Journal* on December 29, 2005. The Notice was mailed to property owners within 500 feet of the project site and a Public Information Sign was installed on the project site on the same day. An informational public meeting was held on January 12, 2006 in order to allow interested parties an opportunity to review the proposal and ask the applicant questions. No members of the public attended this meeting.

City staff received comments from two individuals. Please see below for public comment issues and staff response:

- **Confirm that the project will not need a forest practices permit.**  
No trees will be removed. A forest practice permit is not needed.
- **Address the issue of infill development and impacts to the forest and watershed. Previously approved Cougar Mountain projects have had impacts to traffic, excess paving and the quality of surface water runoff.**  
This project will meet City of Bellevue water quality and stormwater detention requirements. Future single family home development will be required to meet Land Use Code impervious surface requirements. The development will also be required to provide mitigation for traffic impacts through the payment of transportation impact fees and construction of transportation infrastructure improvements as described in this staff report.

#### VII. PROPOSAL CHANGES DUE TO STAFF REVIEW

At the request of staff, the applicant has provided a landscape plan for the RVA areas and the center of the cul-de-sac. In addition, staff requested a trail along the eastern property line to connect to the existing trail to the north (off-site) and connect to 167<sup>th</sup> Ave. SE.

#### VIII. DECISION CRITERIA

The proposal, as conditioned, complies with applicable Preliminary Plat Decision Criteria (LUC 20.45A.130).

##### Preliminary Plat Decision Criteria (LUC 20.45A.130)

- A. *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.*

As discussed in the body of this report, the proposal includes required tree retention, utilities, streets, sidewalks and is adequately served by other public services and facilities such as parks. Issaquah School District impact fees will be required. See condition X.C.5.

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

The preliminary plat serves the public interest by increasing the supply of homes in a part of the City that the Comprehensive Plan has designated for growth, by ensuring the environmental impacts are mitigated, and by ensuring compliance with Land Use Code requirements and conformance with Comprehensive Plan policies.

- C. *The preliminary plat appropriately considers the physical characteristics of the proposed subdivision site.*

The proposed site does not present significant environmental challenges. The site has an overall slope of about 10%. There are no critical areas. The proposed site plan is designed in a manner that responds to the current development pattern in this infill situation by making connections to the existing trail and using connections to existing utilities.

- D. *The proposal complies with all applicable provisions of the Land Use Code, BCC Title 20, the Utility Codes, BCC Title 24, and the City of Bellevue Development Standards and Chapter 58.17 RCW.*

As conditioned, the proposal complies with the all Code requirements and standards as discussed in Sections III, IV, and V of this report.

- E. *The proposal is in accord with the Comprehensive Plan.*

The site is located in the Newcastle Subarea and designated Single Family Medium density (SF-M) which is consistent with the R-3.5 zoning designation. The proposal is in accord with the following Comprehensive Plan and Subarea policies:

**Housing Element:**

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

The site is a vacant piece of property that is encouraged to be developed to single family medium density. The plat process will allow the site to develop with single family homes, as anticipated. The single family homes are, by use type, compatible with surrounding neighborhoods. The site has adequate urban services to serve this development.

**Land Use Element:**

**Policy LU-3:** Accommodate growth targets of 10,177 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 plat will help provide housing for Bellevue's share of the regionally adopted demand forecasts for residential 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.

The proposal will be compatible with the surrounding established single family homes.

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

The proposal meets this policy by providing a trail which will connect from 167<sup>th</sup> Ave. SE to the existing trail north of the property.

#### **Environmental Element**

**Policy EN-34:** Monitor surface water quality and implement measures to identify and address the sources of contamination.

The proposal meets this policy by installing a detention vault and Stormwater360 media filter water quality vault . The new detention vault and Stormwater360 media filter vault will be reviewed, approved, constructed and accepted by the Utilities Department.

#### **Transportation Element**

**Policy TR-38:** Require mitigation to provide safety and site access, and to mitigate neighborhood impacts as needed to address the effects of development.

As noted within the transportation discussion of this staff report, street frontage improvements will be required to provide a safe pedestrian and vehicular access. The extension of 167<sup>th</sup> Ave. SE will be paved to match existing. Sidewalks and streetlights will be provided. Mailboxes will be clustered and located so vehicles stopping at the boxes will not create an unacceptable delay or traffic hazard.

#### **Newcastle Subarea Policies**

**Policy S-NC-11:** Promote infill development at a density consistent with the existing character of established neighborhoods.

The proposal meets this policy by providing infill development at a density consistent with the existing neighborhoods to the south and east.

**Policy S-NC-19:** Encourage new subdivisions to create consolidated access points to SE Cougar Mountain Way.

The proposal meets this policy by utilizing an existing public street to access SE Cougar Mountain Way.

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

Each lot can be developed without requiring a variance from the Land Use Code requirements as indicated on the site plan. See condition X.C.6.

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

As conditioned, the required infrastructure improvements will be installed per City of Bellevue Codes and Development Standards. No significant future infrastructure improvements are anticipated as the site will be fully developed under the current zoning once the residences are built.

**IX. CONCLUSION AND RECOMMENDATION**

After conducting the various administrative reviews associated with this proposal, including applicable Land Use consistency, SEPA, and City Code and compliance reviews, the Director of the Planning and Community Development Department recommends **APPROVAL** of the **Martin Phase II Preliminary Plat** with the following conditions:

**X. CONDITIONS OF APPROVAL:**

The following conditions are imposed under authority referenced:

**COMPLIANCE WITH BELLEVUE CITY CODES AND ORDINANCES**

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

<b>Applicable Codes, Standards and Ordinances</b>	<b>Contact Person</b>
Clearing & Grading Code – BCC 23.76	Janney Gwo, 425-452-6190
Construction Codes – BCC Title 23	Building Division, 425-452-6880
Fire Code – BCC 23.11	Adrian Jones, 425-452-6032
Land Use Code – BCC Title 20	Carol Saari, 425-452-2731
Noise Control – BCC 9.18	Carol Saari, 425-452-2731
Sign Code – BCC Title 22	Carol Saari, 425-452-2731
Transportation Code – BCC 14.60	Carl Wilson, 425-452-4228
Right of Way Use Code – BCC 14.30	Jon Regalia, 425-452-4599
Design Manual, Transportation Dept.	Carl Wilson, 425-452-4228
Utility Code – BCC Title 24	Don Rust, 425-452-4856

**A. GENERAL CONDITIONS**

**1. UTILITIES DEPARTMENT APPROVAL**

All Water, Sewer and Storm Drainage design review, plan approval and field inspection shall be completed through the Developer Extension Agreement Process. There are no implied approvals of any portion of the utilities design.

**AUTHORITY:** Bellevue City Code 24.02, 24.04, 24.06  
**REVIEWER:** Don Rust, Utilities Dept., 425-452-4856

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

**1. TREE PROTECTION**

To mitigate adverse impacts to trees to be retained during construction:

- a. Clearing limits shall be established beyond the drip line of the retained apple tree. Six-foot chain link fencing with driven posts, or an approved alternative, shall be installed at the clearing limits prior to initiation of any clearing and grading.
- b. No excavation or clearing should be performed within drip line of the retained apple tree except as specifically approved on plans. All such work shall be completed by hand to avoid damage to roots and shall be done under the supervision of an arborist approved by the city.

AUTHORITY: Bellevue City Code 23.76.060, LUC 20.20.900.D.2.

REVIEWER: Carol Saari, Planning and Community Development Department,  
425-452-2731

**2. RIGHT OF WAY USE PERMIT**

The applicant is required to apply for a right of way use permit from the City of Bellevue Transportation Department before the issuance of any clearing and grading, building, foundation, or demolition permit. No construction work or hauling may begin until the right of way use permit is issued. In some cases, more than one right of way use permit may be required, such as one for hauling and one for construction work within the right of way. A right of way use permit regulates activity within the city right of way, including but not limited to the following:

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

AUTHORITY: Bellevue City Code 14.30

REVIEWER: Jon Regalia, Transportation Department, 425-452-4599

**3. OFF-STREET PARKING**

The applicant must secure sufficient off-street parking for construction workers, equipment, and materials storage before the issuance of a clearing and grading, building, foundation or demolition permit; unless such activity is allowed within a city right of way by a right of way use permit.

AUTHORITY: Bellevue City Code 14.30  
REVIEWER: Jon Regalia, Transportation Department, 425-452-4599

#### 4. CIVIL ENGINEERING PLANS

Civil engineering plans produced by a qualified engineer and a street lighting plan and specifications from Puget Sound Energy must be approved by the Transportation Department prior to clearing and grading permit approval. The design of all transportation-related improvements must be in conformance with the requirements of the Americans with Disabilities Act, the Transportation Development Code, the Transportation Department Design Manual, and any requirements specified within this Staff Report. The engineering plans must correctly show all transportation-related engineering details, including the design of the private road and access easements, cul-de-sac design, improvements on 167<sup>th</sup> Avenue SE, pavement restoration in any affected street, mailbox location, signage requirements, required sight lines at any location where sight distance may be critical, and any other requirements specified in this Staff Report. In order to create a durable surface for the cul-de-sac, the surface of the existing temporary cul-de-sac must be reconstructed rather than added to. Appropriate standard drawings from the Transportation Department Design Manual must be included in the engineering plans.

AUTHORITY: Bellevue City Code 14.60; Transportation Department Design Manual  
REVIEWER: Carl Wilson, Transportation Department, 425-452-4228

#### 5. FIRE DEPARTMENT APPROVAL

- a. Provide a fire hydrant at the north side of the cul-de-sac located at the west side of access Road A.

AUTHORITY: International Fire code (IFC) 508.5 & Bellevue City Ordinance (BCO) 5529

REVIEWER: Adrian Jones, Fire Dept., 452-452-6032

- b. The access road from Road A to lots 5 & 6 shall be paved a minimum of 16 feet wide.

AUTHORITY: IFC 503 & BCO 5529

REVIEWER: Adrian Jones, Fire Dept., 452-452-6032

- c. The detention vault in access Road A shall be capable of supporting fire apparatus with a gross weight of 64,000 lbs. (rear axle=48,000 lbs and front axle=19,000 lbs) and shall support the weight of the ladder truck outrigger which is 45,000 lbs over an 18 inch square.

AUTHORITY: Bellevue Development Information-Structural Slab design Loads

REVIEWER: Adrian Jones, Fire Dept., 452-452-6032

- d. Prior to installation of the proposed parallel gate on Road A, the applicant shall obtain approval from the Fire Department.

AUTHORITY: IFC 503.6  
REVIEWER: Adrian Jones, Fire Dept., 452-452-6032

**C. PRIOR TO FINAL PLAT APPROVAL:**

**1. NON-DISTURBANCE**

The short plat shall include a minimum of 5,612 square feet of non-disturbance within Retained Vegetation Areas (RVAs). The standard RVA wording shall be portrayed on the face of the plat.

AUTHORITY: LUC 20.25.H.120  
REVIEWER: Carol Saari, Planning and Community Development Department, 425-452-2731

**2. TREE PRESERVATION PLAN**

A Tree Preservation Plan that portrays the drip-line, the diameter size, and common name of the significant tree to be retained must be recorded with the final plat mylar. The Tree Preservation Plan must contain the following note:

"Tree Preservation Plan:

Designation of the tree on the Tree Preservation Plan establishes a covenant by the owner to leave undisturbed the as shown on the Tree Preservation Plan. This covenant shall run with the land and shall be binding upon all future owners. No tree topping, tree cutting or tree removal shall occur unless required or approved by the City. Except for ordinary landscape maintenance, no construction, clearing or land alteration activities shall occur within the drip-line of the tree shown on the Tree Preservation Plan, unless required or approved by the City. Activities in violation of this covenant are subject to penalty, including without limitation, fines and mitigation requirements. The City of Bellevue shall have the right, but not the obligation, to enforce the requirements, terms and conditions of this covenant by any method available under law. It is the obligation of the owner to comply with the terms of the Tree Preservation Plan and this covenant."

AUTHORITY: Land Use Code 20.20.900.D.2.a  
REVIEWER: Carol Saari, Planning and Community Development Department, 425-452-2731

**3. TRANSPORTATION INFRASTRUCTURE IMPROVEMENTS**

All street frontage and transportation infrastructure improvements shown in the final engineering plans or required by city codes and standards or by requirements stated within this Staff Report must be either completed prior to approval of the final plat or provided for with a financial assurance device. Land Use Code Section 20.40.490 allows a developer to obtain final plat approval prior to finishing improvements with provision of an acceptable financial assurance device equivalent to 150% of the cost of unfinished infrastructure improvements. Provision of such an assurance device requires completion of the improvements by the developer within two years of final plat approval. Installation of improvements that would negatively affect safety if left unfinished may not be delayed

through use of a financial assurance device. Improvements must be approved by the Transportation Department inspector before they are deemed complete. Specific requirements include:

- a) Construction of improvements on 167<sup>th</sup> Avenue SE and the cul-de-sac, per the approved engineering plans.
- b) Construction of the internal private road and access easements, per the approved engineering plans, with the following exception: For access easements serving no more than two lots, the applicant may choose to delay completion of the shared driveway in those easements, provided that the final plat document includes a requirement that neither house served by such an easement may be occupied until the shared portion of the driveway is completed. If such a requirement is imposed, then construction of the shared driveway will not be included in any financial assurance device that covers transportation infrastructure; in the same way that single driveways are not covered.
- c) Streetlight installation and undergrounding of franchise utility lines.
- d) Vehicle and pedestrian sight distance must be provided per BCC 14.60.240 and 14.60.241.
- e) Driveways and access roads shall be limited to a grade of 10% or less for 20 feet past the driveway approach or intersection, and shall be limited to a maximum grade of 15% thereafter. Driveway and road grades must be designed to prevent vehicles from bottoming out due to abrupt changes in grade.

AUTHORITY: Bellevue City Code 14.60.110, 120, 130, 150, 170, 190, 210, 240, 241, 250; Transportation Department Design Manual Sections 3, 4, 5, 7, 11, 14, 15, 19, 21.

REVIEWER: Carl Wilson, Transportation Department, 425-452-4228

#### **4. PAVEMENT RESTORATION**

167<sup>th</sup> Avenue SE was recently overlaid and a five-year no-street cut moratorium is currently in effect. Should street cuts prove unavoidable or if the street surface is damaged in the construction process, a half-street or full-street (depending on the extent of damage) grind and overlay will be required, at the discretion of the Transportation Department Inspector.

AUTHORITY: BCC 14.60.250; Design Manual Design Standard #21

REVIEWER: Jon Regalia, Transportation Department, 425-452-4599

#### **5. ISSAQUAH SCHOOL DISTRICT IMPACT FEES**

Issaquah School Impact Fees are due at time of building permit issuance. The plat shall include the following language: "Issaquah School District Impact Fees will be required at the time of building permit issuance."

AUTHORITY: BCC 22.18.050.B & D  
REVIEWER: Carol Saari, Planning and Community Development Department,  
425-452-2731

#### **6. VARIANCE RESTRICTION**

The final plat shall include the following note:

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

AUTHORITY: Land Use Code 20.45A.130.F  
REVIEWER: Carol Saari, Planning and Community Development Department,  
425-452-2731

#### **7. ACCESS EASEMENTS**

The face of the final plat shall include all private access and utility easements, as shown on the preliminary road plan submitted to the city on July 19, 2006. The final plat shall include a covenant requiring that the owners of affected private parcels will be responsible for permanent maintenance and repair for each private access easement, and that, after occupancy, all private access easements will be kept open at all times for emergency and public service vehicles. The final plat shall designate which lot owners are responsible in what shares for each private easement.

The face of the final plat shall include a five-foot wide public sidewalk and utility easement for a sidewalk around the cul-de-sac, as shown on the preliminary road plan submitted to the city on July 19, 2006.

AUTHORITY: Bellevue City Code 14.60.100; Transportation Department Design Manual  
REVIEWER: Carl Wilson, Transportation Department, 425-452-4228

#### **8. RIGHT OF WAY DEDICATION**

The face of the final plat must include dedication of right of way for the extension of 167<sup>th</sup> Avenue SE and for the cul-de-sac. Dimensions and locations of said dedicated areas shall be as described under Summary of Technical Reviews above and as shown on the preliminary road plan submitted to the city on July 19, 2006.

The face of the final plat shall note that said right of way dedication and the associated extension of 167<sup>th</sup> Avenue SE replaces and makes null and void the previous temporary cul-de-sac easement under the terms of the easement document recorded at the King County Recorder's Office as public record # 20020604002781.

AUTHORITY: Bellevue City Code 14.60.90; Transportation Department Design Manual  
REVIEWER: Carl Wilson, Transportation Department, 425-452-4228

#### **9. TRAIL EASEMENT AND CONSTRUCTION**

Any public trail easement shall be designated on the face of the final plat as a "City of Bellevue Non-motorized Public Easement", and the face of the final plat shall specify the maintenance responsibility. Any such trail shall be constructed in a manner acceptable to the Parks Department, as described above under Summary of Technical Reviews, providing a connection from 167<sup>th</sup> Avenue SE to the existing city trail north of the site.

AUTHORITY: Bellevue City Code 14.60.100; Transportation Department Design Manual  
REVIEWER: Carl Wilson, Transportation Department, 425-452-4228

#### **10. CUL-DE-SAC ISLAND**

The cul-de-sac island must be landscaped per the final landscaping plan. The face of the final plat must state that the homeowner's association is responsible to maintain the island landscaping. A monument may be allowed in the island, if it is not a commercial advertisement, if the homeowners are permanently bound to maintain it, and if a standard indemnification agreement (available from the Transportation Department) is executed and recorded at the County Recorder's Office to permanently protect the city from liability.

AUTHORITY: Bellevue City Code 14.60.170 D; BCC 14.30  
REVIEWER: Carl Wilson, Transportation Department, 425-452-4228

#### **LIST OF ATTACHMENTS**

- A. Plans and Drawings
- B. Vicinity Map
- C. Zoning Map
- D. Environmental Checklist







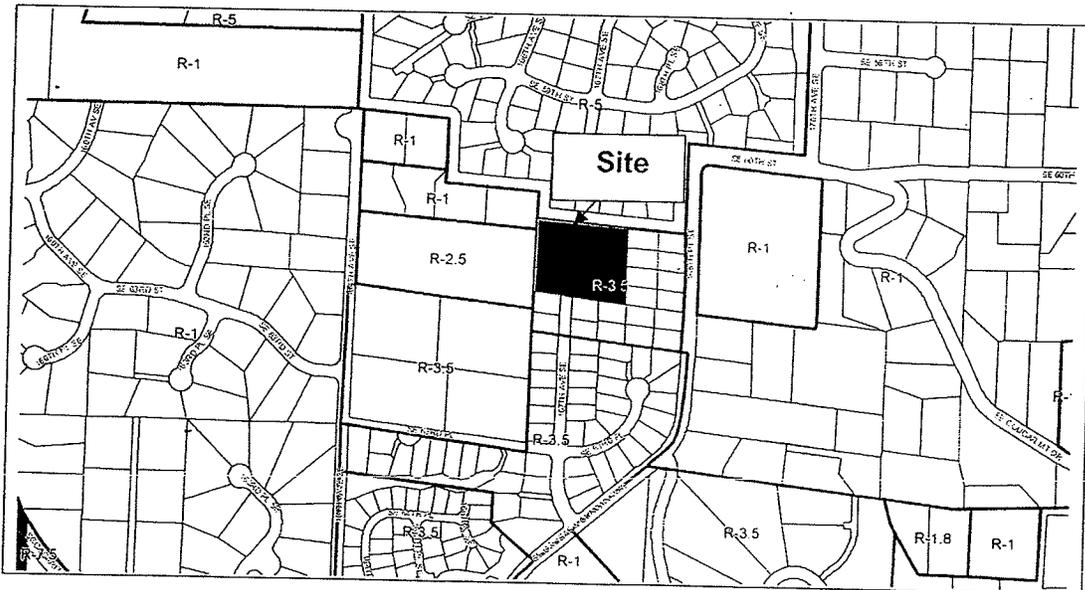
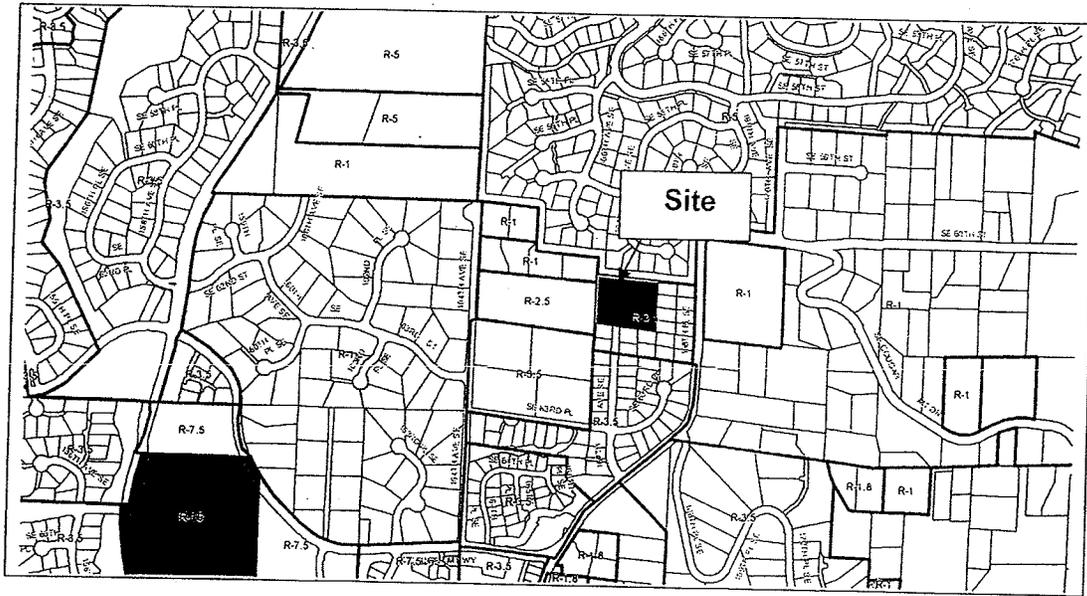








# ZONING MAP



ENVIRONMENTAL CHECKLIST

S  
5/11/07

*Purpose of checklist:*

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

*Instructions for applicants:*

This environmental checklist asks you to describe some basic information about your proposal. Governmental agencies use this checklist to determine whether the environmental impacts of your proposal are significant, requiring preparation of an EIS. Answer the questions briefly, with the most precise information known, or give the best description you can.

You must answer each question accurately and carefully, to the best of your knowledge. In most cases, you should be able to answer the questions from your own observations or project plans without the need to hire experts. If you really do not know the answer, or if a question does not apply to your proposal, write "do not know" or "does not apply." Complete answers to the questions now may avoid unnecessary delays later.

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

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

*Use of checklist for nonproject proposals:*

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

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

A. BACKGROUND

1. Name of proposed project, if applicable:

*Martin Phase 2*

2. Name of applicant:

*Mull Development Company*

RECEIVED  
MAY 11 2007

D

3. Address and phone number of applicant and contact person:

**Applicant**

Mull Development Co.  
Cliff Mull  
PO Box 2127  
Issaquah, WA 98027  
(206) 940-4052

**Contact**

J3 Civil, PLLC  
Jerrit Jolma, P.E.  
2425 185<sup>th</sup> Ave. E  
Lake Tapps, WA 98391  
(253) 862-0734

4. Date checklist prepared:

November 28, 2005

5. Agency requesting checklist:

City of Bellevue

6. Proposed timing or schedule (including phasing, if applicable):

Infrastructure construction anticipated to begin in the late Summer or Fall, ~~2006~~ 2007

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

No further expansions are anticipated at this time.

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

None.

Geotech  
rept by  
Geotech Consultant Inc  
dated 10/13/05

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

None known.

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

Preliminary Plat Approval, Construction Plan Approval, City of Bellevue Developer Extension Agreements, Final Plat Approval, and Individual Building Permits

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

6031 - 168<sup>th</sup> Place SE

The proposal is to develop 2.82 acres located at ~~6150 - 167<sup>th</sup> AVE SE~~ into an 11 lot single family development.

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

The property is located in the City of Bellevue, specifically at ~~6150 - 167<sup>th</sup> AVE SE~~. It is situated in the SE quarter of Section 20, Township 24, Range 5, in King County, Washington. The King County tax parcel number for the site is 2424059056 and the legal description for the property can be found on the Preliminary Plat Map. Please see attached site plan, vicinity map, and topographic map.

24

6031 - 168<sup>th</sup> Pl SE

Section  
24

## B. ENVIRONMENTAL ELEMENTS

### 1. Earth

- a. General description of the site (circle one): Flat, rolling, hilly, steep slopes, mountainous, other . . . . .
- b. What is the steepest slope on the site (approximate percent slope)?

The site contains slopes between 15-39%

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

The soils on site are mapped by the SCS soils survey as AgC, Alderwood.

See geotech  
rept. of  
record

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

No.

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

Grading will occur to install the infrastructure & to prepare lot building pads. On-site materials will be used to balance the grading if possible. Quantities are estimated to be 1,800 CY and the amount of material estimated for fill is 1,800 CY.

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

Due to site topography, and the existing surrounding land uses, it is not anticipated that long-term erosion could occur as a result of the proposed project. Minor disturbances during the construction phase will be addressed by a Temporary Erosion and Sedimentation Control Plan.

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

Approximately 40% of the site will be covered with impervious surfaces after project construction is complete.

per impervious surface req'ts outlined in the Land Use Code & stormwater chart

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

A Temporary Erosion and Sedimentation Control Plan consistent with the City of Bellevue's requirements would be prepared and approved for the site prior to construction. If the project cannot meet state water quality regulations with its construction period discharge and the City permits, additional erosion control measures may be employed such as Chemical Flocculents.

Erosion control per BCC 23.76, LG inspector and recommendations of geotech report per record. The site is subject to rainy restrictions.

a. **Air**

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

During project construction, heavy equipment operation and worker's vehicles would generate exhaust emissions into the local air. Construction activity on the site could also stir up exposed soils and generate fugitive dust and particulate matter into the local air. The completed project would result in a minor increase in the amount of exhaust related pollutants in the air from traffic related to the proposed buildings.

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

There are no known off-site sources of emissions or odors that are likely to impact this site.

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

N/A

*Construction dust  
suppression measures  
per BCC 23.76*

3. Water

- a. Surface:

- 1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows in to.

No.

- 2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

N/A

- 3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

N/A

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

No.

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

*The site is not located in any floodplains depicted in the King County Flood Insurance Rate Map (FIRM).*

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

No.

b. Ground:

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

No.

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

None.

*Storm drainage detention per City req's BCC 24.06 + DOE Stormwater Mgmt + marked for Puget Sound subject to rainy restrictions.*

c. Water runoff (including stormwater):

- 1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

*On-site stormwater generated as a result of this development will be collected in a series of catchbasins and pipes and conveyed to a detention/waterquality vault. Once treated, the stormwater will be discharged into the existing stormwater conveyance system located in 167<sup>th</sup> AVE SE.*

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

*Urban pollutants from automobiles and landscaping activities could enter the proposed stormwater drainage facilities and eventually be discharged into the City's conveyance system.*

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

*The proposed stormwater system for the site would detain the site's water and release the flows at a rate matching, or slightly less than the pre-development rate. In addition, water quality enhancement will be provided in accordance with City regulations.*

*Subject to rainy restrictions. Emission control per BCC 23.76, CG of inspector + recommended report of record*

4. Plants

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

deciduous tree: alder, maple, aspen, other

evergreen tree: fir, cedar, pine, other

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

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

*Some ground cover will be removed from the site during infrastructure construction in accordance with the Clearing and Grading Plan (see attached).*

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

*There are no known endangered species on or near the site.*

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

*Fifteen percent of the significant trees (based on inches-diameter) will be retained. Areas of non-disturbance ("RVA's") have been provided in previous phases and will remain.. In addition, homes will be landscaped to enhance site vegetation.*

*Tree retention per  
LIC 20.20.900  
D.2  
Landscaping in  
AVAs &  
cut-de-sec  
island.*

## 5. Animals

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

birds: hawk, heron, eagle, songbirds, other:  
mammals: deer, bear, elk, beaver, other: rodents  
fish: bass, salmon, trout, herring, shellfish, other:

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

*None known.*

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

*None known.*

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

*N/A*

**6. Energy and natural resources**

- a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

*The finished residences will utilize a combination of electricity and natural gas to provide for heating, lighting and other energy needs.*

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

No.

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

*Home plans will meet or exceed the then current Washington State Energy Code.*

**7. Environmental health**

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

No.

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

None.

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

N/A

**b. Noise**

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

*The site is located near Cougar Mountain Way and SE 60<sup>th</sup> St. The automobile traffic along these streets will account for the primary source of noise in the vicinity.*

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

Construction activity on the site would temporarily increase the peak on-site noise levels. All construction will be during City of Bellevue's approved hours. The completed project will result in a slight increase in ambient noise levels in the vicinity as is typical for a single-family neighborhood.

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

Construction activities will be limited to those hours of operation permitted by the City of Bellevue and construction equipment will not be allowed to idle for continuous periods of time, which will help to mitigate the impacts of potential construction noise.

Truck traffic noise and construction noise per City's Noise Ord. BCC 9.18.

### 8. Land and shoreline use

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

The site is vacant. All adjacent properties are single family residences.

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

Not to our knowledge.

- c. Describe any structures on the site.

A shed, dog kennel, and temporary construction trailer are currently located onsite.

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

The shed and dog kennel will be removed when required for home construction. The job trailer will be removed prior to infrastructure development.

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

The current zoning is R-3.5.

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

Parcel number is currently designated in Single Family Medium (up to 3.5 units per acre)

Newcastle Subarea

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

N/A

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

*15-feet along the west property line and 20-feet along the east property line have been designated as RVA areas during previous development stages.*

*not environmentally sensitive because not a steep slope, creates flood plain shoreline or wetland*

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

*Approximately 30 persons will reside in the finished development (based on 2.8 people per household).*

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

*None.*

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

*N/A*

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

*The project will be developed in accordance with it's zoning.*

## 9. Housing

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

*The finished project will be comprised of 11 single family homes in the middle to high income range.*

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

*N/A*

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

*None.*

## 10. Aesthetics

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

*Structures will not exceed the City of Bellevue's height limits for Single Family Residences. The exterior building materials may include manufactured composite siding, brick veneer, synthetic stucco and synthetic stone.*

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

*Views from the surrounding properties could be altered due to the nature of the proposal to add 11 new homes to the site.*

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

*Fifteen percent of the significant trees (based on inches-diameter) will be retained. Areas of non-disturbance ("RVA's") have been provided in previous phases and will remain. In addition, homes will be landscaped to enhance site vegetation.* ✓

## 11. Light and glare

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

*The proposed project will not produce glare. Lights from windows and headlights may be visible at night.*

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

*Not under normal circumstances.*

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

*None known.*

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

*None are proposed.*

*Cutoff shields as necessary*

## 12. Recreation

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

*Cougar Mountain Park is less than one mile from the property.*

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

*The project would not displace any existing public recreational uses.*

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

*None.*

### **13. Historic and cultural preservation**

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

*N/A*

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

*None known.*

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

*None.*

### **14. Transportation**

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

*The proposed site will be accessed from 167<sup>th</sup> AVE SE, please see attached Site Plan.*

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

*The site is not currently serviced by public transit. The nearest transit stop is approximately one mile from the site, near Lakemont Blvd.*

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

*The completed project will provide a minimum of two garage parking spaces per residence (total of 22) and two off street parking spaces in the driveway (total 22) for a total of 44 off street parking spaces. The project would not eliminate any parking spaces.*

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

*The proposal will require 167<sup>th</sup> AVE SE to be slightly extended into the site. The street will continue to be a dead-end with a cul-de-sac.*

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

*No.*

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

*The proposed project would generate approximately 110 vehicle trips per day with peak volumes occurring between the hours of 7:00am and 8:00 am and 5:00 pm and 6:00pm.*

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

*The proponent will pay any necessary transportation mitigation fees required by the City of Bellevue and will construct improvements noted on the site plans.*

#### 15. Public services

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

*The proposed project will require Fire, Police, and Emergency Medical services at a rate typical for a single family neighborhood. In addition, there will be a light increase in demands for schools, public library, public transportation and recreation services.*

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

*None.*

#### 16. Utilities

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

*(1 new PM peak hour trips  
New street improvements as req'd by the Town of Bellevue - see staff report for Code authority*

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

Sanitary Sewer:	City of Bellevue (on site)
Water:	City of Bellevue (on site)
Electricity:	Puget Sound Energy (on site)
Natural Gas:	Puget Sound Energy (on site)
Telephone:	Qwest & Comcast
Cable TV:	Comcast

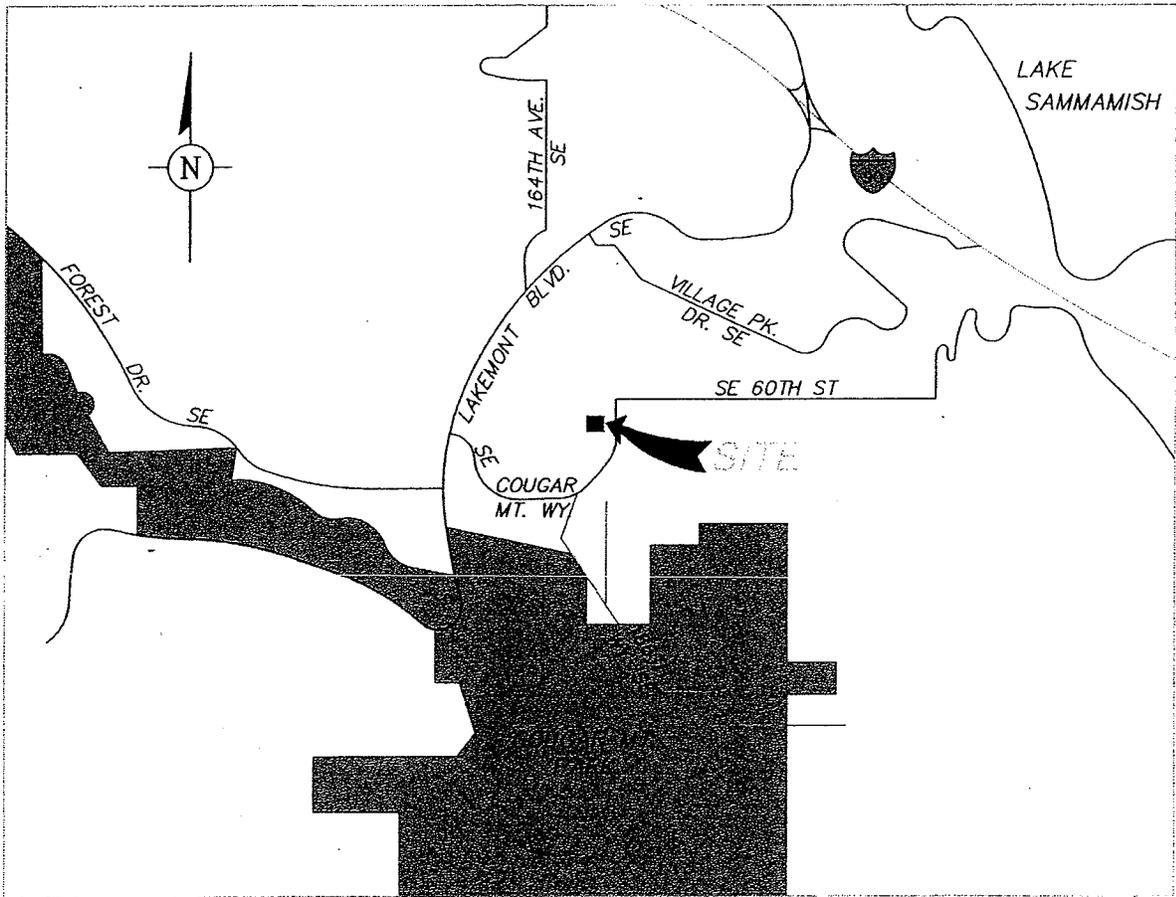
C. SIGNATURE

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature:

Date Submitted:

 12/4/05



VICINITY MAP