



City of Bellevue
Development Services Department
Land Use Staff Report

Proposal Name: Wiper Residence

Proposal Address: 85 Cascade Key

Proposal Description: Application for a Critical Areas Land Use Permit to modify 411 square feet of the 25-foot shoreline setback for construction of a new patio and reduction of an existing patio within the 25-foot shoreline buffer. Improvements are associated with construction of a new single-family residence.

File Number: 12-128009-LO

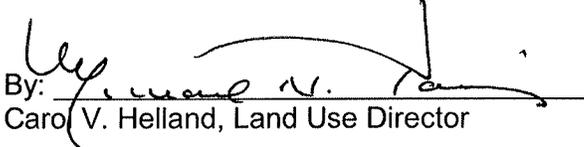
Applicant: Bryan Krannitz, Krannitz Gehl Architects

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

Planner: Reilly Pittman, Land Use Planner

**State Environmental Policy Act
Threshold Determination:** Exempt Per WAC 197-11-800(1)

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

By: 
Carol V. Helland, Land Use Director

Application Date: November 6, 2012
Notice of Application Date: November 21, 2012
Decision Publication Date: February 14, 2013
Project Appeal Deadline: February 28, 2013

For information on how to appeal a proposal, visit Development Services Center at City Hall or call (425) 452-6800. Appeal of the Decision must be received in the City's Clerk's Office by 5 PM on the date noted for appeal of the decision.

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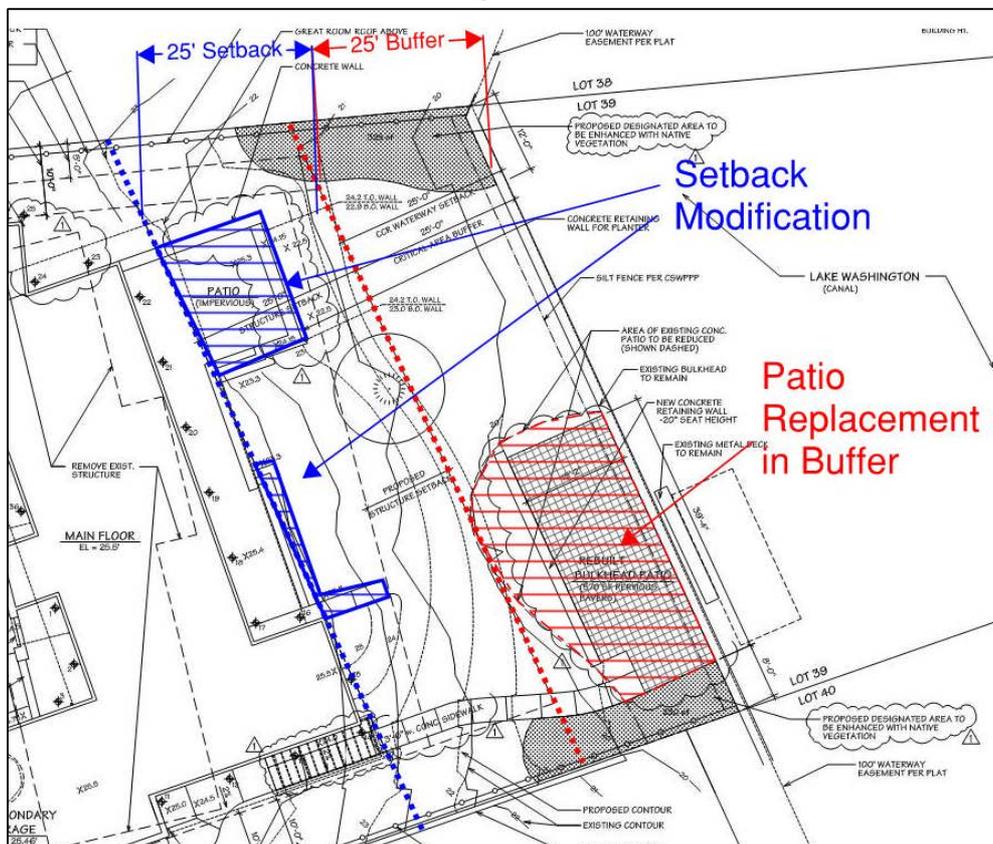
Attachments

1. Site Plan – Enclosed
2. Critical Areas Report, Mitigation, and Monitoring plan revised January 29, 2013 – In File
3. Property Survey – In File
4. Application Forms and Materials – In File

I. Proposal Description

The applicant proposes to demolish and reconstruct a single-family residence. A 411 square foot portion of a new patio associated with the residence is proposed within the 25-shoreline setback. The area surrounding the patio, within the shoreline setback, is currently lawn and ornamental planting and is proposed to be regraded and replanted. An existing patio at the edge of the canal bulkhead, within the shoreline buffer, will be reduced in size and replaced with pervious pavers. The replaced patio will be 570 square feet compared to the existing impervious patio which is 957 square feet. 555 square feet of mitigation planting is proposed within the shoreline buffer. A Critical Areas Land Use Permit is required to approve the above activities. See Figure 1 showing the proposed activities and Attachment 1 for the project site plan and Attachment 2 for the project critical areas report.

Figure 1



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

A. Site Description

The project site is located at 85 Cascade Key in the Factoria subarea of the City. This single-family residential neighborhood is characterized by the canals that lead to Lake Washington. Other single-family zoned property is adjacent to the north and south of the site. Street frontage on Cascade Key is to the west and a canal is to the east. See Figure 2 for existing site condition.

Figure 2



B. Zoning

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

C. Land Use Context

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

D. Critical Areas On-Site and Regulations

i. Shorelines

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

Shorelines provide a wide variety of functions related to aquatic and riparian habitat, flood control and water quality, economic resources, and recreation, among others. Each function is a product of physical, chemical, and biological processes at work within the overall landscape. In lakes, these processes take place within an integrated system (ecosystem) of coupled aquatic and riparian habitats (Schindler and Scheuerell 2002). Hence, it is important to have an ecosystem approach which incorporates an understanding of shoreline functions and values.

III. Consistency with Land Use Code Requirements:

A. Zoning District Dimensional Requirements:

The proposal generally meets the R-2.5 zoning dimensional requirements found in LUC 20.20.010. Impervious surface coverage on the site is proposed at 46 percent. Some surfaces are proposed to be converted to a pervious paver system that allows water to infiltrate. The combined coverage of hardscape, which includes both impervious and pervious surfaces, is proposed to be 49.9 percent. Verification by survey of the amount of impervious and pervious surface may be required as part of the building permit for the house.

B. Critical Areas Requirements LUC 20.25H:

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

Critical Area	Shorelines
Performance Standards	20.25E.080.Q

i. Consistency With LUC 20.25E.080.Q

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

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

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

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

A 957 square foot concrete patio currently exists within the shoreline buffer. This patio will be removed and replaced with a 570 square foot pervious paver patio. The patio is located adjacent to the boat lift and is meant to provide access to the shoreline to load and unload. The proposed patios are modifying the shoreline setback and buffer through a critical areas report as allowed subject to requirements in LUC 20.25H.

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

No new fences are proposed as part of this approval.

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

Proposed structures comply with the 35 foot height limit on residential uses in the shoreline jurisdiction.

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

The only existing vegetation adjacent to the shoreline of this property is lawn currently. 555 square feet of mitigation planting will be installed in exchange for the proposed patios which will provide vegetation adjacent to the shoreline.

IV. Public Notice and Comment

Application Date:	November 6, 2012
Public Notice (500 feet):	November 21, 2012
Minimum Comment Period:	December 5, 2012

The Notice of Application for this project was published the City of Bellevue weekly permit bulletin and Seattle Times on November 21, 2012. It was mailed to property owners within 500 feet of the project site. No comments were received.

V. Summary of Technical Reviews

A. Clearing and Grading

The Clearing and Grading Division of the Development Services Department has reviewed the proposed site development for compliance with Clearing and Grading codes and standards. The Clearing and Grading staff found no issues with the proposed development and has approved the application.

VI. Changes to Proposal Due to Staff Review

Staff requested additional mitigation planting to address the impact within the shoreline buffer as a result of the replaced patio. The amount of hardscape on the property was reduced so that combined impervious and pervious surfaces do not exceed 50 percent of the land area of the property in order to avoid the need for a recorded maintenance agreement for the pervious surfaces.

VII. Decision Criteria

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

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

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

Per page 2 of the critical areas report, the existing shoreline buffer has “very low functional value” as it lacks vegetation that would provide “shade, temperature control, water purification, woody debris recruitment...” etc. The existing concrete patio within the buffer is being removed and replaced with a smaller and pervious paver patio. 555 square feet of native will be installed within the shoreline buffer, replacing ornamental lawn previously adjacent to the shoreline. The planting will improve the shoreline buffer function above what previously existed by extending “over the bulkhead” to “create some overhead cover while contributing detritus and other desirable allochthonous inputs in to the aquatic environment.” The pervious patio will increase stormwater functions by allowing “infiltration and pollutant removal” before water reaches the lake.

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

Reduction of impervious surface and establishing native vegetation in the shoreline buffer will improve habitat and stormwater functions which are the most important on

this shoreline property.

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

Stormwater quality will be improved by the reduction of impervious surface, the use of pervious surfaces and the installation of mitigation planting.

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

Mitigation planting is required and found with the critical areas report. The planting will be maintained and monitored for a period of at least five years. The monitoring may be discontinued in year 3 if all of the performance standards are found to be met. A maintenance surety will be required based on the submitted cost estimate. The surety will be released after a final inspection by Land Use staff that finds the project has met the performance standards of

- **Objective A:** Increase the structural and plant species diversity within the mitigation area.

Performance Standard: Following every monitoring event for a period of five years (or three years if the site is meeting all performance standards and the City grants early sign-off), the mitigation areas will contain a total of at least 5 native plant species. In addition, there will be 100% survival of all woody planted species throughout the mitigation area at the end of the first year of planting. Following Year 1, success will be based on an 80% survival rate or similar number of recolonized native woody plants.

- **Objective B:** Limit the amount of invasive and exotic species within the mitigation area.

Performance Standard: After construction and following every monitoring event for a period of five years (or three years if the site is meeting all performance standards and the City grants early sign-off), exotic and invasive plant species will be maintained at levels below 10% total cover in the designated mitigation area. Invasive species include, but are not limited to, Himalayan and evergreen blackberry, Japanese knotweed, and English ivy.

An annual monitoring report shall be submitted to Land Use staff which documents the mitigation success in meeting the performance standards above, any maintenance activities, and any replanting or replacement of plants that occurs. The mitigation and monitoring plan can be found in the Critical Areas Report which is Attachment 2. See Conditions of Approval in Section IX of this report.

5. The modifications and performance standards included in the proposal are not

detrimental to the functions and values of critical area and critical area buffers off-site; and

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

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

The residential development is compatible with the other residential uses in this land use district.

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

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

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

Finding: Building permit application 12-128006-BS and any other required permit shall be issued for construction to begin. See Conditions of Approval in Section IX of this report.

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

Finding: The proposal is consistent with required performance standards for projects in the shoreline overlay district. The resulting development will improve stormwater quality and provide vegetation in the shoreline buffer which is an improvement over the existing condition.

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

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

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

Finding: The proposed home will not affect public services or facilities above the current demand created by the existing house.

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

Finding: A mitigation plan consistent with LUC 20.25H.210 has been submitted to plant 555 square feet of new mitigation planting on the property and is Attachment 2 of this report.

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

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

VIII. Conclusion and Decision

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

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

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

IX. Conditions of Approval

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

<u>Applicable Ordinances</u>	<u>Contact Person</u>
Clearing and Grading Code- BCC 23.76	Savina Uzunow, 425-452-7860
Land Use Code- BCC Title 20	Reilly Pittman, 425-452-4350
Noise Control- BCC 9.18	Reilly Pittman, 425-452-2973

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

- 1. Building Permit Required:** Approval of this Critical Areas Land Use Permit does not constitute an approval of a development permit. Building permit 12-128006-BS is required to be issued. Plans submitted as part of the permit application shall be consistent with the plans reviewed for this approval.

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

- 2. Maintenance and Monitoring:** The following monitoring plan is required for the maintenance and monitoring of the mitigation planting associated with this approval. Annual monitoring reports are required to be submitted to Land Use staff. The reports shall include photos of the planting areas to document their growth over time. The reports shall also discuss the progress on meeting the performance standards, any maintenance, or replacement of vegetation. Per the submitted critical areas report the objectives and performance standards for the mitigation planting are below.

Objective A: Increase the structural and plant species diversity within the mitigation area.

Performance Standard: Following every monitoring event for a period of five years (or three years if the site is meeting all performance standards and the City grants early sign-off), the mitigation areas will contain a total of at least 5 native plant species. In addition, there will be 100% survival of all woody planted species throughout the mitigation area at the end of the first year of planting. Following Year 1, success will be based on an 80% survival rate or similar number of recolonized native woody plants.

Objective B: Limit the amount of invasive and exotic species within the mitigation area.

Performance Standard: After construction and following every monitoring event for a period of five years (or three years if the site is meeting all performance standards and the City grants early sign-off), exotic and invasive plant species will be maintained at levels below 10% total cover in the designated mitigation area. Invasive species include, but are not limited to, Himalayan and evergreen blackberry, Japanese knotweed, and English ivy.

Monitoring reports should be mailed to:

Environmental Planning Manager
Development Services Department
City of Bellevue
PO Box 90012
Bellevue, WA 98009-9012

- 3. Maintenance Surety:** Based on the submitted cost estimate for maintenance and monitoring a maintenance surety in the amount of \$832.56 is required which is 20 percent of the total cost estimate. The maintenance surety is required prior to building permit issuance.

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

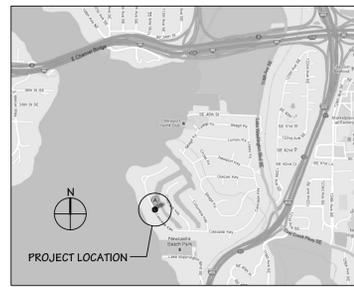
- 4. Land Use Inspection:** Following installation of planting the applicant shall contact Land Use staff to inspect the planting area. At the end of 5 years inspection by Land Use staff is required to release the maintenance surety. Staff will need to find that the plants are in a healthy and growing condition and the mitigation plan is successful per the established performance standards in the monitoring plan. Monitoring may end in year 3 if the planting is inspected and found to be sufficiently established and meets the performance standards. Throughout the monitoring period Land Use staff has the right to enter the property to inspect the planting.

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

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

Authority: Bellevue City Code 9.18
Reviewer: Reilly Pittman, Development Services Department

VICINITY MAP



COVERAGE CALCULATIONS

- SEE SHEET TO.O FOR ADDITIONAL INFORMATION

	LOT 39 TOTAL	LOT w/o WATER
LOT SIZE:		
- AREA SQ FOOTAGE	±22,132 SF	±15,602 SF
GREEN AREA:		
- SETBACK AREA		50% MIN. (1,265 SF)
- GREEN AREA		2,530 SF
- PERCENTAGE		1,271 SF
		72.8%
LOT COVERAGE:		
- TOTAL	4,409 SF	35% MAX. (5,461 SF)
- PERCENTAGE	19.9%	4,409 SF
		28.3%
IMPERVIOUS:		
- EXISTING	7,642 SF	50% MAX. (7,801 SF)
- EXISTING %	34.5%	
- PROPOSED TOTAL	7,222 SF	7,222 SF
- PERCENTAGE	32.6%	46.3%
HARD SURFACE (IMPERVIOUS + PAVEMENT):		
- EXISTING	7,222 SF	7,222 SF
- IMPERVIOUS	570 SF	570 SF
- PAVEMENT	7,792 SF	7,792 SF
- PERCENTAGE	35.2%	49.9%

SIGNIFICANT TREES

- THERE ARE NO SIGNIFICANT TREES ON THE SITE THAT ARE BEING REMOVED.
- ALL TREES INDICATED AS BEING REMOVED ARE 6" OR LESS IN DIAMETER.

STRUCTURE HEIGHT

1	25.5	25.5
2	25.5	25.5
3	25.4	25.4
4	24.8	23.4
5	25.0	25.0
6	25.2	23.9
7	25.4	24.4
8	24.8	24.8
9	24.6	25.1
10	24.4	25.2
11	25.5	25.3
12	24.1	25.3
13	23.9	25.3
14	23.3	25.3
15	24.5	25.3
16	25.5	25.3
17	25.5	25.3
18	25.5	25.3
19	25.5	24.6
20	25.5	24.6
AVG. GRADE		25.0

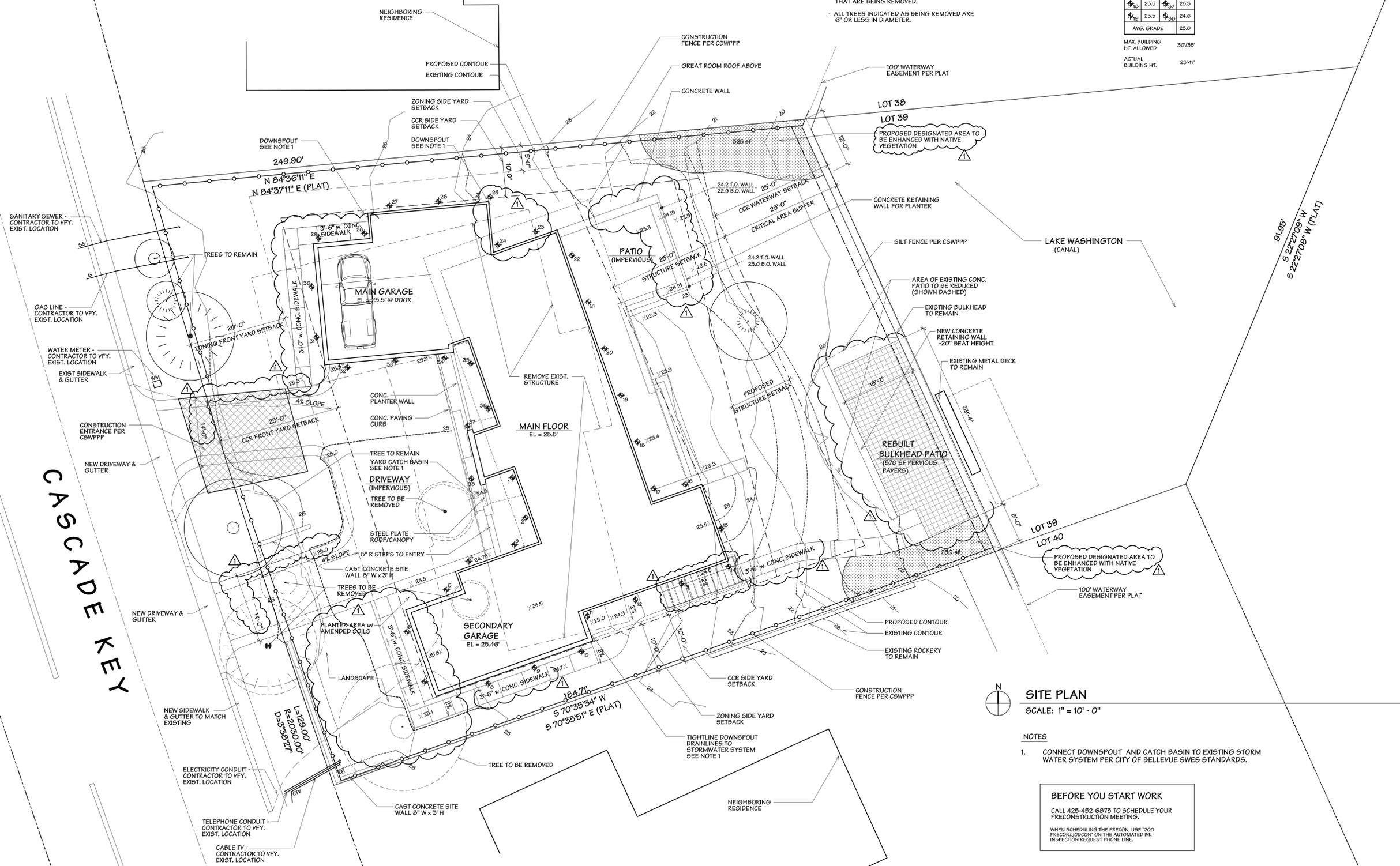
MAX. BUILDING HT. ALLOWED 30'/35'
ACTUAL BUILDING HT. 23'-11"

KRANNITZ GEHL ARCHITECTS

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(206) 547-8233
(206) 547-8219 Fax
www.krannitzgehl.com



WIPER RESIDENCE
85 CASCADE KEY, NEWPORT SHORES
BELLEVUE, WASHINGTON



SITE PLAN

SCALE: 1" = 10' - 0"

NOTES

- CONNECT DOWNSPOUT AND CATCH BASIN TO EXISTING STORM WATER SYSTEM PER CITY OF BELLEVUE SWES STANDARDS.

BEFORE YOU START WORK
CALL 425-452-6875 TO SCHEDULE YOUR PRECONSTRUCTION MEETING.
WHEN SCHEDULING THE PRECON. USE "200 PRECONJOBCON" ON THE AUTOMATED IVR INSPECTION REQUEST PHONE LINE.

DD PRICING - 11/16/2012
INITIAL SUBMITTALS
BLDG PERMIT - 11/06/2012
LAND USE PERMIT - 11/06/2012
PREDEVELOPMENT REVIEW - 7/19/2012

Number	Date	By	Description of Revisions
1.31.13			LAND USE PERMIT RESUBMITTAL

Sheet Title
SITE PLAN

Scale AS NOTED
Designed KGA Draw KGA
Date 11/16/12 Checked KGA
Approved Job Number

Sheet Number

Wiper Residence
File Number: 12-128009-LO

