



DEVELOPMENT SERVICES DEPARTMENT  
ENVIRONMENTAL COORDINATOR  
450 110<sup>th</sup> Ave NE  
BELLEVUE, WA 98009-9012

### DETERMINATION OF NON-SIGNIFICANCE

**PROPONENT:** Amrik Kamoh, Property Owner

**LOCATION OF PROPOSAL:** 439 West Lake Sammamish Pkwy SE

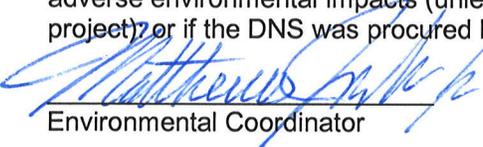
**DESCRIPTION OF PROPOSAL:** Critical Areas Land Use Permit to obtain a reasonable use exception for the construction of a single-family residence within the maximum allowed 3,000 square foot permanent disturbance area and an application for a Land Use Code Variance to increase the structural lot coverage to accommodate a building footprint of 2,492SF. The site is more than 99% encumbered with critical areas.

**FILE NUMBERS:** 14-141838-LO & 14-141875-LS      **PLANNER:** Nicholas Whipple

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

- There is no comment period for this DNS. There is a 14-day appeal period. Only persons who submitted written comments before the DNS was issued may appeal the decision. A written appeal must be filed in the City Clerk's office by 5:00 p.m. on \_\_\_\_\_.
- This DNS is issued after using the optional DNS process in WAC 197-11-355. There is no further comment period on the DNS. There is a 14-day appeal period. Only persons who submitted written comments before the DNS was issued may appeal the decision. A written appeal must be filed in the City Clerk's Office by 5 p.m. on **1/29/2015**
- 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 5:00 p.m. on \_\_\_\_\_.

This DNS may be withdrawn at any time if the proposal is modified so as to have significant adverse environmental impacts; if there is significant new information indicating a proposals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.

  
Environmental Coordinator

1/15/2015

Date

**OTHERS TO RECEIVE THIS DOCUMENT:**

- State Department of Fish and Wildlife / [Stewart.Reinbold@dfw.gov](mailto:Stewart.Reinbold@dfw.gov); [Christa.Heller@dfw.wa.gov](mailto:Christa.Heller@dfw.wa.gov);
- Army Corps of Engineers [Susan.M.Powell@nws02.usace.army.mil](mailto:Susan.M.Powell@nws02.usace.army.mil)
- Attorney General [ecvolyef@atg.wa.gov](mailto:ecvolyef@atg.wa.gov)
- Muckleshoot Indian Tribe [Karen.Walter@muckleshoot.nsn.us](mailto:Karen.Walter@muckleshoot.nsn.us); [Fisheries.fileroom@muckleshoot.nsn.us](mailto:Fisheries.fileroom@muckleshoot.nsn.us)



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

---

**Proposal Name:** Kamoh Residence- Reasonable Use Exception & Variance

**Proposal Address:** 439 W. Lake Sammamish Pkwy SE

**Proposal Description:** This is an application for a Critical Areas Land Use Permit to obtain a reasonable use exception for the construction of a single-family residence within the maximum allowed 3,000 square foot permanent disturbance area and an application for a Land Use Code Variance to increase the structural lot coverage. The site is more than 99% encumbered with critical areas.

**File Number:** 14-141838-LO & 14-141875-LS

**Applicant:** Amrik Kamoh, Property Owner

**Decisions Included:** Critical Areas Land Use Permit (Process II. LUC 20.30P)  
Land Use Code Variance (Process II. LUC 20.30G)

**Planner:** Nick Whipple, Land Use Planner

**State Environmental Policy Act  
Threshold Determination:**

**Determination of Non-Significance**

Carol V. Helland, Environmental Coordinator  
Development Services Department

**Director's Decision:**

**Approval with Conditions**

Mike Brennan, Director  
Development Services Department

By:   
Carol V. Helland, Land Use Director

---

Application Date:	<u>09/29/14</u>
Notice of Application Publication Date:	<u>10/30/14</u>
Decision Publication Date:	<u>01/15/15</u>
Project/SEPA Appeal Deadline:	<u>01/29/15</u>

---

For information on how to appeal a proposal, visit Development Services Center at City Hall or call (425) 452-6800. Comments on State Environmental Policy Act (SEPA) Determinations can be made with or without appealing the proposal within the noted comment period for a SEPA Determination. Appeal of the Decision must be received in the City's Clerk's Office by 5 PM on the date noted for appeal of the decision.

## CONTENTS

I.	Proposal Description.....	Pg 3
II.	Site Description, Zoning & Land Use Context.....	Pg 3
III.	Site Context.....	Pg 4
IV.	State Environmental Policy Act (SEPA).....	Pg 5
V.	Consistency with Land Use Code Requirements:.....	Pg 7
VI.	Summary of Technical Review.....	Pg 13
VII.	Public Notice and Comment.....	Pg 13
VIII.	Decision Criteria.....	Pg 14
IX.	Conclusion and Decision.....	Pg 16
X.	Conditions of Approval.....	Pg 16

### Attachments:

1. Project Plans – Enclosed
2. Environmental Checklist – Enclosed
3. Environmental and Geotechnical Support Materials - In File
4. Performance Standards Narrative- In File

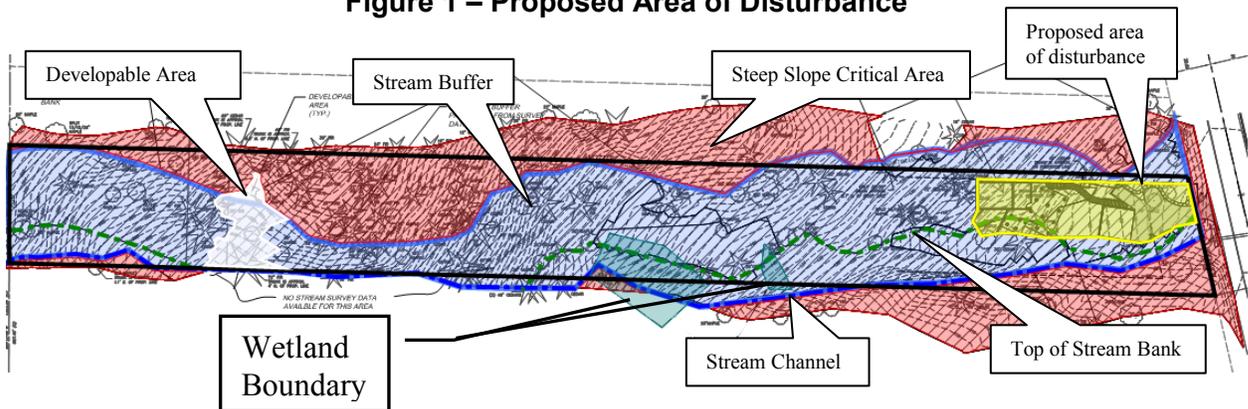
## I. Proposal Description

The applicant is proposing to construct one single family residence at 439 W. Lake Sammamish Pkwy SE. This site is more than 99% encumbered by critical areas and critical area buffers with only 216 square feet (less than 1% of total site area) outside of any critical area or critical area stream buffer. Due to the extent and location of the regulated critical areas on-site, the property owner has requested a reasonable use exception through a critical areas land use permit.

Pursuant to LUC 20.20.010(13) lot coverage is calculated after subtracting all critical areas and stream buffers. When all critical areas and stream buffers have been subtracted the remaining property to be developed per LUC 20.20.010(13) is approximately 216 square feet. In order to accommodate a reasonable building footprint the applicant has requested a Land Use Code Variance to allow a maximum 2,492 square foot building footprint which equates to approximately 4% of the total gross site area and 83% of the 3,000 square foot permanent disturbance area.

To mitigate impacts the applicant is proposing a riparian enhancement plan. Mitigation efforts are anticipated to improve the site's conditions and will provide for a net increase in ecological function over existing conditions. A Critical Areas Land Use Permit with a Critical Areas Report is required when a project proposes to modify the prescriptive code standards. This permit establishes conditions and performance standards designed to avoid and minimize impact to the site's sensitive features which must be met in order to obtain subsequent permits for construction of the single family residence on the property.

**Figure 1 – Proposed Area of Disturbance**



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

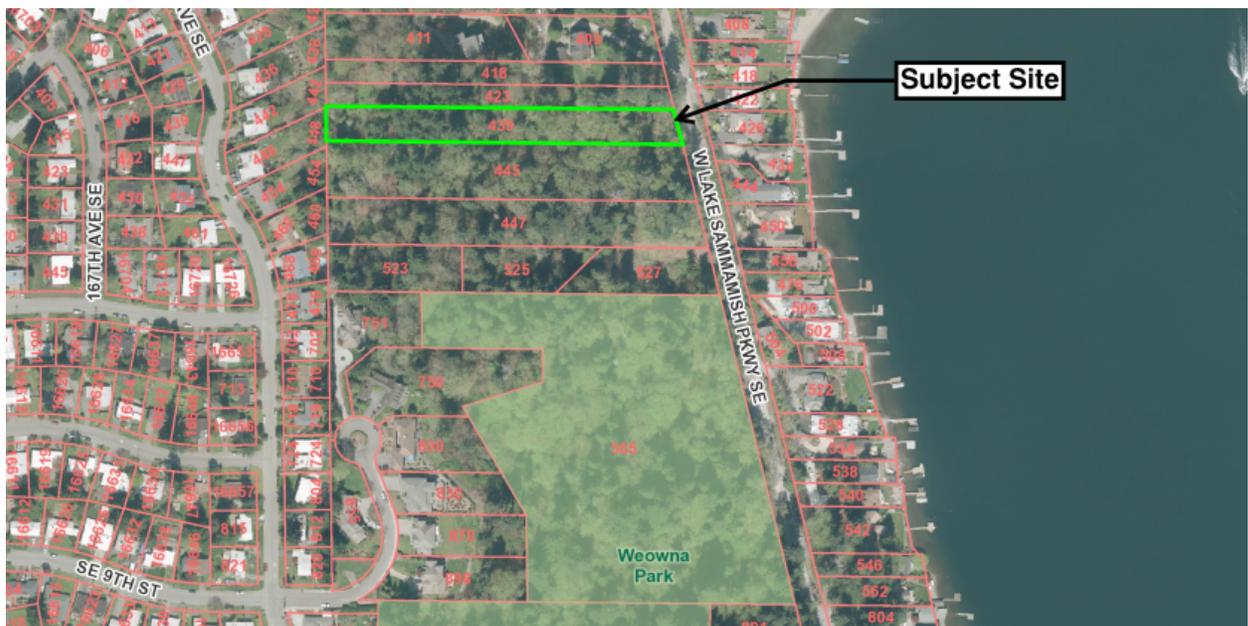
The project site is at 439 W. Lake Sammamish Pkwy SE, on the west side of W. Lake Sammamish Pkwy SE, roughly 2.4 miles north of Interstate-90 and uphill from Lake Sammamish. The lot is approximately 56,772 square feet in size. The underlying zoning of the property is R-1.8 and the Comprehensive Plan Land Use Designation is Single Family Residential Low Density (SF-L). The property is within the Southeast Bellevue comprehensive planning subarea.

The property is bordered on the north and south by undeveloped forested parcels and to

the west by two existing single family residences, the rear portions of which are characterized by conditions similar to the Kamoh property. West Lake Sammamish Pkwy SE borders the site on the east.

The vegetation on the site is typical of native mixed conifer/deciduous forest in the Puget Sound. There are a number of mature native conifers and deciduous trees and a diversity of native understory species present. The site contains a Type N stream along the south property line that flows from west to east through two Type IV wetlands. The slopes on-site generally face southeast and are mostly characterized by a grade steeper than 40% with more than 10 feet of rise.

**Figure 2 – Aerial Photograph**



### III. Site Context

#### A. Critical Areas:

1. **Steep Slopes:** LUC 20.25H.120.A.2 defines steep slope areas as those areas that contain slopes of greater than 40%, have a rise of at least 10 feet, and exceed 1,000 sf in area. The applicant has submitted a topographical site survey and site map identifying several areas within the property that are 40% or greater in slope, have a rise of greater than 10 feet in elevation, and cover more than 1,000 square feet in area. These slope areas meet the definition outlined in LUC 20.25H.120.A.2 and are regulated as critical areas. Additionally, under LUC 20.25H.120.B.1, regulated steep slopes are protected by a 50 foot top of slope buffer and a 75 foot toe of slope structure setback. The applicant has worked with a licensed surveyor to identify the steep slope areas on the project site plans and has labeled the associated buffers and setbacks.

2. **Wetlands:** The subject site was evaluated for the presence of wetlands. During the field investigations, two wetlands were identified, delineated, and rated as required by the

City of Bellevue Land Use Code. Both wetlands were found to be less than 2,500 sf in size and documented as Category IV wetlands with low functional scores. Due to the size, functional score, and category of the wetlands, they are not regulated under LUC 20.25H.095.C and no buffer is applied to these wetlands. The applicant identified the location of the wetlands on the project site plans and the wetland delineation reports are available in the project file. Although these wetlands are not regulated, they are located entirely within the stream riparian area buffer and are protected by stream buffer regulations.

**3. Streams:** LUC 20.25H.075 defines streams as aquatic areas where surface water produces a channel. One watercourse that drains from west to east across the site was identified during site field evaluation. This stream originates at the top of the slope areas and appears to convey surface and ground water from the uphill single family development to the west draining into Lake Sammamish through a system of surface channels and culverts (under W. Lake Sammamish Pkwy SE and under an adjacent single family residence). This stream has been designated as a Type N stream. Under LUC 20.25H.075.C Type N streams on undeveloped sites are protected by a 50 foot buffer and a 15 foot structure setback. A large portion of this site is occupied by stream channel and stream buffer. The applicant has identified the location of the Type N stream and has provided a copy of the stream assessment report. The site plan and stream report are available in the project file.

**4. Wildlife Habitat:** Fish and wildlife habitat associated with a species listed as being of local importance is protected by LUC 20.25H.155. Due to the quality of the forested landscape that characterizes this site, the potential this property provides habitat associated with a species of local importance is high. A fish and wildlife habitat assessment study was conducted for the subject property and was completed in accordance with the City of Bellevue Habitat Assessment guidelines outlined in LUC 20.25H.165.A. The study found the site is suitable habitat for terrestrial and avian species but does not provide a corridor to or from adjacent tracts of much larger habitats. There are large trees suitable for red-tailed hawk, bald eagle, pileated woodpecker, and owl nesting, but no nesting activities by these species is occurring.

City staff has determined a sufficient connection exists to other potential habitat units and the upper reaches of this site provide the opportunity to function as quality habitat. Under LUC 20.25H.155 the development of site under the reasonable use exception (LUC 20.25H.200) is allowed, and is subject to compliance with the performance standards and management plans designed by WDFW for pileated woodpecker and red tailed hawk (PHS management requirements) to avoid and minimize impact to the site's habitat resources. The applicant has provided a copy of the habitat study which is available in the project file. See Conditions of Approval in Section X of this report for conditions related to the preservation of habitat.

#### **IV. State Environmental Policy Act (SEPA)**

The environmental review indicates no probability of significant adverse environmental impacts as a result of the proposal based on compliance with the City's codes and standards. The Environmental Checklist submitted with the application adequately discloses expected environmental impacts associated with the project. City codes and requirements, including the Clearing and Grading Code, Utility Code, Land Use Code,

Noise Ordinance, Building Code and other construction codes are expected to mitigate potential environmental impacts.

### **A. Earth and Water**

The site contains southeast facing slopes ranging from 20% to 60%. The soils are generally classified as Everett (EvD) and Alderwood (AgD) soil series, as mapped by the Soil Conservation Service. A Type N stream traverses the site flowing from west to east draining into Lake Sammamish. The site also contains two Category IV wetlands on the site that are not regulated by the land use code but are protected by the overlapping stream riparian area buffer.

A geotechnical investigation and engineering study was conducted to determine the impact-minimization measures for the project. The study concludes the proposed project is feasible if the guidelines outlined for design and construction of the proposed residence are followed. The applicant provided a copy of the geotechnical study which is available in the project file.

No permanent disturbance is proposed to occur within the stream channel, or associated wetlands. The applicant evaluated the site and is proposing to locate the residence where it will be the least impactful to the documented resources. The development of this site will require the permanent modification of 3,000 sf of forested stream buffer and steep slope. All areas of temporary disturbance outside the allowed 3,000 sf will be minimized, and when unavoidable restored and monitored pursuant to an approved restoration and monitoring plan. See Conditions of Approval in Section X of this report for conditions related to the restoration of areas of temporary disturbance.

### **B. Animals**

A fish and wildlife habitat assessment study was conducted for the subject property and the proposed activity. The habitat report identifies the site may be used by pileated woodpecker through a habitat association, and does provide suitable nesting habitat for red tailed hawk. All future plans for construction on this site will be required to comply with the WDFW management guidelines for pileated woodpecker and red tailed hawk to ensure that any habitat associated with these species will be preserved (see conditions of approval in Section X of this report). Also enhancing the site's potential to provide habitat is the presence of a Type N stream that is connected to Lake Sammamish by surface water. Although this stream flows into Lake Sammamish which is known to support Chinook salmon (*Oncorhynchus tshawitscha*), Coho salmon (*Oncorhynchus kisutch*) and bull trout (*Salvelinus confluentus*), the presence of a fish passage barrier and the lack of sufficient habitat features do not support the probability of the presence of fish within this documented stream. Further analysis of this stream is found in the Critical Areas Report that was submitted by the applicant and is available in the project file.

The proposed development of the single family residence is not expected to impact the upper reaches of the property, where habitat values are higher and the connectivity to other similar properties is greater. The applicant provided a conceptual mitigation plan for the project vicinity that includes the enhancement of the stream riparian area through planting (enhancing habitat structure and water quality improvement structure) and woody debris retention (wood recruitment), the supplemental planting of the forested

slope (middle and understory), and the restoration and monitoring of all areas of temporary disturbance. The applicant will be required to provide a complete mitigation and restoration plan that meets the requirements of LUC 20.25H.210-.225 at the time of building permit submittal, and will require a five year monitoring plan. See Conditions of Approval in Section X of this report.

### **C. Plants**

The subject property is adjacent (north) to Weowna Park, a 92-acre forested, open space property located along W. Lake Sammamish Pkwy SE that is owned and maintained by the City. The vegetation on the site and the adjacent properties is characterized by mixed, mature and semi-mature evergreen and deciduous trees typical of the Puget Sound lowlands.

The predominant overstory tree species are western red cedar (*Thuja plicata*), Douglas-fir (*Pseudotsuga menziesii*) and bigleaf maple (*Acer macrophyllum*). There is a wide range of sizes, but a majority of the trees are considered mature. The understory consists of sword fern (*Polystichum munitum*), Oregon grape (*Mahonia nervosa*), hazelnut (*Corylus cornuta*) and red huckleberry (*Vaccinium ovatum*). There are also several invasive exotic species present on-site including Himalayan blackberry and English ivy.

All areas of temporary disturbance will be restored and monitored pursuant to an approved restoration and monitoring plan. See Conditions of Approval in Section X of this report.

### **D. Noise**

The site is adjacent to single-family residences whose residents are most sensitive to disturbance from noise during evening, late night and weekend hours when they are likely to be at home. Construction noise will be limited by the City's Noise Ordinance (Chapter 9.18 BCC) which regulates construction hours and noise levels. Construction noise impacts will also be regulated by the applicable performance standards for habitat of species of local importance as established by WDFW. See Conditions of Approval in Section X of this report.

## **V. Consistency with Land Use Code Requirements:**

### **A. Zoning District Dimensional Requirements:**

This is a proposal to obtain a reasonable use exception for the construction of one single family residence on a legally established lot that is more than 99% encumbered by critical areas. The property is within the R-1.8 zoning district. This proposal is consistent with the underlying zoning district and generally consistent with the dimensional requirements based on the materials submitted. Aside from the request for reasonable use exception from the critical areas standards of the Land Use Code, the applicant is seeking a variance from the Land Use Code to exceed the allowable lot coverage of 216 square feet (35 percent of the lot area after critical areas and the stream buffer were subtracted) to a maximum lot coverage of 2,492 square feet (approximately 4% of the gross lot area and 83% of the approved permanent disturbance area). Additional review of the

proposed development for consistency with the dimensional standards in LUC 20.20.010 will be completed upon submittal of the single family building permit application. See Conditions of Approval in Section X of this report.

### **B. Consistency with LUC 20.25H.200 Reasonable Use Exception – Applicability**

1. A reasonable use exception may be granted when no other reasonable use of property exists by the application of the regulations of LUC 20.25H.200. Based on the application of the required critical area and critical area buffer restrictions, this site is more than 99% encumbered by critical areas and critical area buffers. When the development density calculation identified in LUC 20.25H.045 is applied to this property, and considering the zoning district in which the property is located (R-1.8), the density allowed on this site is one single dwelling unit, classifying this site as “small lot” as defined in LUC 20.25H.200.A.2.a. Under this definition, a lot in the R-1.8 land use district with less than 3,000 square feet of development area on the site is considered to have no reasonable use and qualifies for a reasonable use exception. When eligible for the reasonable use exception, a lot in the R-1.8 district is granted up to 3,000 sf of developable area (permanent impact) if the applicable performance standards listed in LUC 20.25H.055.B are met.

**Finding:** The subject property is more than 99% encumbered by critical areas and critical area buffers and contains 216 sf of buildable area. Due to the extent of the critical areas documented across the site, the property qualifies for a reasonable use exception subject to compliance with the applicable performance standards.

### **C. Consistency with LUC 20.25H.080.A and LUC 20.25H.100 Streams and Wetlands – Performance Standards – General**

#### **1. Lights shall be directed away from the stream.**

**Finding:** The proposed development will have no exterior lighting directed toward the stream and wetland.

#### **2. Activity that generates noise such as parking lots, generators, and residential uses shall be located away from the stream or any noise shall be minimized through use of design and insulation techniques.**

**Finding:** During construction, activities that generate noise will be the minimum necessary to construct and develop the site. After construction, noise from the residential use will be minimal. Noise levels will be typical for a single-family residence and will not be more than ambient noise from adjacent roadway (W. Lake Sammamish Pkwy SE). Preserved significant vegetation and restoration plantings will serve to buffer noise impacts. See Conditions of Approval in Section X of this report.

#### **3. Toxic runoff from new impervious area shall be routed away from the stream.**

**Finding:** Toxic runoff from the new impervious surfaces at the residence will be directed into the existing storm drainage system and will not be directed into the stream or critical area buffers.

**4. Treated water may be allowed to enter the stream critical area buffer.**

**Finding:** No treated water sources will be created. Stormwater collected from the impervious surface areas will be directed to the City's surface water conveyance system.

**5. The outer edge of the stream critical area buffer shall be planted with dense vegetation to limit pet or human use.**

**Finding:** Vegetation within the outer edge of the stream buffer will be enhanced with dense plantings of native vegetation to limit impact from human activity and pet traffic into the critical area and critical area buffer. See Conditions of Approval in Section X of this report.

**6. Use of pesticides, insecticides, and fertilizers within 150 feet of the edge of the stream critical area buffer shall be in accordance with the City of Bellevue's "Environmental Best Management Practices," now or as hereafter amended.**

**Finding:** Pesticides, herbicides, insecticides, and fertilizers will be prohibited within the proposed development site for the life of the development. Invasive species and weed control in establishment of restoration areas will be done manually. See Conditions of Approval in Section X of this report.

**D. Consistency with LUC 20.25H.125 Landslide Hazards and Steep Slopes – Performance Standards**

**1. Structures and improvements shall minimize alterations to the natural contour of the slope, and foundations shall be tiered where possible to conform to existing topography;**

**Finding:** This is an application for reasonable use exception. The preliminary stated design of the proposed structure minimizes alteration of the natural contours of the site to the greatest extent possible within the allowance of the Land Use Code. The preliminary design was made after review of site resources and restrictions and a site planning exercise that located the proposed development in the area of least impact to the stream, slopes, and habitat.

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

**Finding:** The structure will be located as depicted in the site plans approved under this Critical Areas Land Use Permit and Variance. The development will be as close to W. Lake Sammamish Pkwy SE as possible given the site topography, access drive grade requirements, and engineering limits. The development will also be sited as far north in the side yard setback as possible to avoid impact to the Type N stream. See Conditions of Approval in Section X of this report.

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

**Finding:** Due to the landscape characteristics of this site, the location of the proposed residence, the proposed foundation and shoring design, and the findings of the geotechnical report the proposed structure or development will not increase the potential for slope failure on the adjacent properties.

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

**Finding:** A Geotechnical Report and Analysis for this site has been prepared by a licensed Engineer. Within the report, recommendations are made for specific foundation, retaining wall, and shoring design. To ensure that the impact to the surrounding landscape is minimized and is contained within the allowed permanent disturbance area, the applicant will be required to follow the design recommendations of the project geotechnical report, which includes the use of engineered retaining walls to minimize the extent of artificial grading. See Conditions of Approval in Section X of this report.

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

**Finding:** The location of the development area has been designed to minimize impact to the Critical Areas and associated buffers. The total area to be impacted will not exceed 3,000 sf, or 5% of the total site area. Through site evaluation and planning, the location of the proposed development has been designed in the area of least impact to the resources that characterize the site. See Conditions of Approval in Section X of this report.

**6. Where change in grade outside the building footprint is necessary, the site retention system should be stepped and regrading should be designed to minimize topographic modification. On slopes in excess of 40 percent, grading for yard area may be disallowed where inconsistent with this criteria;**

**Finding:** No changes in grade outside the allowed developable area are proposed, other than what is absolutely necessary for the construction of the retaining walls for the foundation and the construction of the residence itself. The driveway access will be located at the front edge of the property, adjacent to W. Lake Sammamish Pkwy SE. See Conditions of Approval in Section X of this report.

**7. Building foundation walls shall be utilized as retaining walls rather than rockeries or retaining structures built separately and away from the building wherever feasible. Freestanding retaining devices are only permitted when they cannot be designed as structural elements of the building foundation;**

**Finding:** Foundation walls will also serve as retaining walls and will be incorporated into the structure of the residence. Freestanding walls will only be allowed when no feasible alternative with less impact exists. See Conditions of Approval in Section X of this report.

**8. On slopes in excess of 40 percent, use of pole-type construction which conforms to the existing topography is required where feasible. If pole-type construction is not technically feasible, the structure must be tiered to conform to the existing topography and to minimize topographic modification;**

**Finding:** The house will be built in a tiered fashion to conform to the existing topography and minimize topographic modification. See Conditions of Approval in Section X of this report.

**9. On slopes in excess of 40 percent, piled deck support structures are required where technically feasible for parking or garages over fill-based construction types; and**

**Finding:** There will be no deck structures that extend beyond the building footprint and foundation. This proposed development will access the site from the bottom of the slope and will not require fill-based construction to create parking area. See Conditions of Approval in Section X of this report.

**10. Areas of new permanent disturbance and all areas of temporary disturbance shall be mitigated and/or restored pursuant to a mitigation and restoration plan meeting the requirements of LUC 20.25H.210.**

**Finding:** The proposed development of the single family residence will permanently disturb the maximum allowed 3,000 square feet allowed by the Land Use Code. All areas of temporary disturbance and permanent disturbance will be restored, mitigated, and monitored pursuant to the approved restoration, mitigation, and monitoring plan. See Conditions of Approval in Section X of this report.

#### **E. Consistency with LUC 20.25H.160**

**1. Habitat Associated with Species of Local Importance – Performance Standards**  
**If habitat associated with species of local importance will be impacted by a proposal, the proposal shall implement the wildlife management plan developed by the Department of Fish and Wildlife for such species. Where the habitat does not include any other critical area or critical area buffer, compliance with the wildlife management plan shall constitute compliance.**

**Finding:** The subject property contains habitat associated with pileated woodpecker and red tailed hawk, both City of Bellevue listed species of local importance. Development activity must follow the management recommendations prepared by the WDFW. A signed management recommendation form shall be submitted with the application for building permit. The proposed project is consistent with the performance standards set forth in LUC 20.25H.160. See conditions of approval in Section X of this report.

#### **F. Consistency with LUC 20.25H.205 Reasonable Use Exception – Performance Standards**

**1. The structure shall be located on the site in order to minimize the impact on the**

**critical area or critical area buffer, including modifying the non-critical area setbacks to the maximum extent allowed under LUC 20.25H.040;**

**Finding:** The structure will be located to the eastern extreme of the property as far as possible given the engineering challenges to make the required driveway grade from the level of W. Lake Sammamish Pkwy SE. The applicant has also designed the location of the proposed development to be as far from the stream as possible. The permanent disturbance on the site will be at or below the maximum 3,000 sf allowed under the reasonable use exception. See Conditions of Approval in Section X of this report.

**2. Ground floor access points on portions of the structure adjacent to undisturbed critical area or critical area buffer shall be limited to the minimum necessary to comply with the requirements of the International Building Code and International Fire Code, as adopted and amended by the City of Bellevue;**

**Finding:** The access points for the new structure will be from the east side of the structure which provides access to W. Lake Sammamish Pkwy SE through the garage and driveway. Any other access points will be situated to minimize disturbance to the adjacent critical area buffer, but shall comply with International Building Code and International Fire Code requirements adopted by the City of Bellevue. See Conditions of Approval in Section X of this report.

**3. Associated development, including access driveways and utility infrastructure shall be located outside of the critical area or critical area buffer to the maximum extent technically feasible;**

**Finding:** The access drive will be on the east side of the structure on the north end of the street frontage, adjacent to W. Lake Sammamish Pkwy SE. This is the location furthest from the most sensitive areas of the property. See Conditions of Approval in Section X of this report.

**4. Areas of disturbance for associated development, including access and utility infrastructure shall be consolidated to the maximum extent technically feasible;**

**Finding:** The applicant has submitted a restoration and monitoring plan for the subject property. The proposed development of the single family residence will permanently disturb the maximum 3,000 square feet allowed by the Land Use Code. All areas of temporary disturbance will be minimized and when unavoidable restored and monitored pursuant to the approved restoration and monitoring plan. See Conditions of Approval in Section X of this report.

**5. All areas of temporary disturbance associated with utility installation, construction staging and other development shall be determined by the Director and delineated in the field prior to construction and temporary disturbance shall be restored pursuant to a restoration plan meeting the requirements of LUC 20.25H.210;**

**Finding:** The applicant has submitted a mitigation, restoration, and monitoring plan for the subject property. Utility connections and staging areas will be located within the

permanent disturbance areas and impact to the sites protected areas will be avoided. See Conditions of Approval in Section X of this report.

**6. Areas of permanent disturbance shall be mitigated to the maximum extent feasible on-site pursuant to a mitigation plan meeting the requirements of LUC 20.25H.210; and**

**Finding:** The applicant has submitted a mitigation, restoration, and monitoring plan for the subject property and proposed development. Four to six significant trees will be removed as part of this proposal and will be replanted with a minimum 12 trees outside of the development area. All areas of temporary disturbance will be restored and monitored pursuant to the approved restoration and monitoring plan. See Conditions of Approval in Section X of this report.

**7. Fencing, signage and/or additional buffer plantings should be incorporated into the site development in order to prevent long-term disturbance within the critical area or critical area buffer. (Ord. 5680, 6-26-06, § 3)**

**Finding:** Vegetation within the outer edge of the stream buffer will be enhanced with dense plantings of native vegetation to limit impact from human activity and pet traffic into the critical area and critical area buffer. See Conditions of Approval in Section X of this report.

**VI. 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 concurred with the findings within the Geotechnical Report.

**B. Transportation:**

The Transportation Department has reviewed the plans submitted for the Variance application for compliance with the Transportation codes and standards. The Transportation staff has the following requirements: Access to the proposed lot will be from a residential driveway off of W. Lake Sammamish Parkway SE as shown on the approved plans. No other access connection to City right-of-way is authorized. The driveway width will be a minimum of ten feet, but not more than 30 feet, and must be built per the City's Transportation Department Design Manual. The driveway shall be limited to a grade of 10% or less for the first 20 feet from the edge of the City right-of-way, and shall be limited to a maximum grade of 15% thereafter. See related conditions of approval in Section X of this report.

**VII. Public Notice and Comment**

Application Date:	September 29, 2014
Public Notice (500 feet):	October 30, 2014
Minimum Comment Period:	November 13, 2014

The project was publicly noticed in the City's Weekly Permit Bulletin and Seattle Times on October 30, 2014 with notice mailed to property owners within 500 feet of the project site. A public information sign was installed on the site the same day. No written comments were received regarding the proposal, and there are no parties of record besides the applicant.

## **VIII. Decision Criteria**

The proposal, as conditioned below, meets the applicable regulations and decision criteria for a Critical Areas Land Use Permit and Land Use Code Variance pursuant to LUC Sections 20.30P and 20.30G.

### **A. Critical Areas Land Use Permit Decision Criteria 20.30P**

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

**Finding:** The applicant must obtain a Single-Family Building Permit before beginning any work. See Conditions of Approval in Section X 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 proposed slope modification and structure construction will follow the design guidelines and requirements identified in the project geotechnical report. All walls and foundations must be designed by a licensed engineer and are subject to review and approval as part of the building permit review. See Conditions of Approval in Section X of this report.

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

**Finding:** As discussed in Section V of this report, the proposal meets, or as conditioned will meet, the performance standards of LUC 20.25H.080.A, LUC 20.25H.125, LUC 20.25H.160 and LUC 20.25H.205. See Section X of this report for a list of conditions associated with the required performance standards.

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

**Finding:** The proposed single-family residence is consistent with surrounding land uses and is adequately served by public facilities. All necessary services and ancillary utilities are currently available on-site via W. Lake Sammamish Pkwy SE.

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

**Finding:** All areas of temporary disturbance associated with the construction and staging of the new single-family residence outside of the allowed 3,000 sf of permanent

disturbance will be restored per an approved restoration and mitigation plan. Permanent disturbance will be limited to 3,000 square feet allowed under 20.25H.190. The applicant is proposing mitigation for the 3,000 sf of permanent disturbance through middle and understory plantings within the area surrounding the development area, the enhancement of the stream riparian area, and the long term maintenance and removal of invasive species within the lower portion of the property that is most impacted by this proposal. The submittal of a complete mitigation and restoration plan and associated financial security device that meets the standards of LUC 20.25H.210-.225 is required and must be approved prior to the issuance of the single family building permit. See Conditions of Approval in Section X of this report regarding the required restoration plan.

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

**Finding:** As discussed in Section IV & V of this report, the proposal complies with all other applicable requirements of the Land Use Code. Additional review of the proposed development for consistency with the required conditions of this approval will be done during review of the application for building permit. The proposed development must also comply with the standards of LUC 20.20.010 for the R-1.8 zoning district that are not modified under this approval. See Conditions of Approval in Section X of this report.

**B. Land Use Code Variance Decision Criteria 20.30G**

**1. The variance will not constitute a grant of special privilege inconsistent with the limitation upon uses of other properties in the vicinity and land use district of the subject property; and**

**Finding:** This request does not constitute a grant of special privilege and is more restrictive than what is provided for in the existing built environment adjacent to the site. The property owner is unable to develop the site without modifying the structural lot coverage limits.

**2. The variance is necessary because of special circumstances relating to the size, shape, topography, location or surroundings of the subject property to provide it with use rights and privileges permitted to other properties in the vicinity and in the land use district of the subject property; and**

**Finding:** This property is 99% encumbered by critical areas and critical area buffers. Due to the topography and presence of critical areas, a variance to increase the structural lot coverage is necessary to achieve reasonable use of the subject property. The home proposed by the applicant will not be out of proportion with the existing residences in the R-1.8 zone in Bellevue and in the project vicinity.

**3. The granting of the variance will not be materially detrimental to property or improvements in the immediate vicinity of the subject property; and**

**Finding:** The increase in lot coverage to a maximum 2,492 square feet requested by the applicant is well below the otherwise allowed lot coverage of 19,000 square feet for a lot of this size when no critical areas are present. The proposed lot coverage will not negatively affect the adjacent properties or development in the project vicinity and the

scale of development will be comparable to the surrounding homes in the vicinity.

**4. The variance is not inconsistent with the Comprehensive Plan; and**

**Finding:** The variance is not inconsistent with the Comprehensive Plan. The site is located in the Southeast subarea and has a Comprehensive Plan Designation of Single-Family Low Density. The proposed home is consistent with the low density use intended.

**IX. Conclusion and Decision**

After conducting the various administrative reviews associated with this proposal, including Land Use Code consistency, SEPA, City Code and Standard compliance reviews, the Director of Development Services does hereby **approve with conditions** this application for a Variance from the Land Use Code and Critical Areas Land Use Permit to establish a 2,492 square foot building footprint within a 3,000 square foot area of permanent disturbance on the property located at 439 West Lake Sammamish Parkway SE.

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

**X. Conditions of Approval**

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

<b>Applicable Codes or Ordinances</b>	<b>Contact Person</b>
Clearing and Grading Code – BCC 23.76	Savina Uzunow, 425-452-7860
Land Use Code – LUC 20.25H	Nick Whipple, 425-452-4578
Noise Control – BCC 9.18	Nick Whipple, 425-452-4578
Construction Code – BCC 23	Building Division, 425-452-4121
Transportation Code – BCC 14.30	Vanessa Humphries, 425-452-2569

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

- 1. Building Permit Required:** Prior to the commencement of any development activity on this site, the applicant shall submit a single family building permit application and shall include with the application a copy of the proposed mitigation, restoration, maintenance, and monitoring plan. The proposed development must comply with the requirements of LUC 20.20.010, with the exception of the lot coverage allowance modified through this permit, and is subject to standard single family review.

Authority: Land Use Code 20.30P.140  
Reviewer: Nick Whipple, Development Services Department

2. **Driveway Requirements:** The driveway shall be limited to a grade of 10% or less for the first 20 feet from the edge of the City right-of-way, and shall be limited to a maximum grade of 15% thereafter.

Authority: Bellevue City Code 14.60; Transportation Department Design Manual  
Reviewer: Vanessa Humphreys, Transportation Department

3. **Variance Limitation:** The lot coverage by structures is limited to a maximum 2,492 square feet and the placement of structures shall be limited to the area of permanent disturbance approved and authorized by the reasonable use exception decision contained herein.

Authority: Land Use Code 20.30G.140.A.1  
Reviewer: Nick Whipple, Development Services Department

4. **Variance Recording Required:** The approved variance shall be recorded with the King County Department of Records within 60 days from the date of variance approval. The document shall be submitted for Land Use review prior to recording and a copy of the recorded variance provided with the building permit application.

Authority: Land Use Code 20.40.500  
Reviewer: Nick Whipple, Development Services Department

5. **Mitigation, Restoration, and Monitoring Plan for Areas of Permanent and Temporary Disturbance:** A restoration plan for all areas of permanent and temporary disturbance that meets the requirements of LUC 20.25H.220 is required to be submitted for review and approval by the City of Bellevue prior to the issuance of the Single-Family Building Permit. The plan shall identify the full areas of permanent and temporary impacts expected during and after the construction of the single-family residence. The restoration measures should, to the maximum extent feasible, attempt to mimic the existing desirable on-site conditions prior to any disturbance. The monitoring plan shall establish site-specific performance standards for the restoration efforts to ensure compliance with applicable performance standards set forth in LUC 20.25H. Building permit issuance shall not be granted until an acceptable security device for the installation of site mitigation and restoration and five years of maintenance and monitoring has been submitted. All areas requiring restoration or receiving mitigation improvements shall be monitored for a period of not less than five (5) years.

Authority: Land Use Code 20.25H.220.H  
Reviewer: Nick Whipple, Development Services Department

6. **Maintenance Surety:** In order to ensure the mitigation and restoration successfully establishes, a maintenance assurance device that is equal to 100% of the cost of plants, installation, and monitoring is required to be held for a period of five years from the date of successful installation. Five years of maintenance and monitoring is required. The maintenance assurance device will be released to the applicant upon receipt of documentation of reporting successful establishment in compliance with the performance standards described below.

Authority: Land Use Code 20.30P.140  
Reviewer: Nick Whipple, Development Services Department

- 7. Maintenance and Monitoring:** The planting area shall be maintained and monitored for 5 years as required by LUC 20.25H.220. Annual monitoring reports are to be submitted to Land Use each of the five years at the beginning (March 24<sup>th</sup>) and end of each growing season (October 31<sup>st</sup>). Photos from selected photo points will be included in the monitoring reports to document the planting. The following schedule and performance standards apply and are evaluated in the report for each year:

**Year 1** (from date of plant installation)

- 100% survival of all installed plants and/or replanting in following dormant season to reestablish 100%
- 10% coverage of invasive plants in planting area

**Year 2** (from date of plant installation)

- At least 90% survival of all installed material
- Less than 10% coverage of planting area by invasive species or non-native/ornamental vegetation

**Year 3, 4, & 5** (from date of plant installation)

- At least 85% survival of all installed material
- Less than 10% coverage by invasive species or non-native/ornamental vegetation

Annual monitoring reports are to be submitted to Land Use each of the five years. The reports, along with a copy of the planting plan, can be sent to Nick Whipple at [nwhipple@bellevuewa.gov](mailto:nwhipple@bellevuewa.gov) or to the address below:

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

Authority: Land Use Code 20.30P.140; 20.25H.220

Reviewer: Nick Whipple, Development Services Department

- 8. Land Use Inspection Required:** Inspection of the mitigation planting shall be completed by the Land Use Planner as part of the building permit inspection process. A Land Use inspection will be added to the building permit.

Authority: Land Use Code 20.25H.210

Reviewer: Nick Whipple, Development Services Department

- 9. Restoration for Temporary Disturbance Outside of Allowed Impact Area:** The reasonable use exception that has been granted to develop this site limits impact to 3,000 sf. All temporary impact outside of this allowed impact area must be identified on the approved site plans and shall only be allowed when no feasible alternative exists. All areas of temporary disturbance shall be photo documented before disturbance occurs and shall be restored to the original condition subject to the approved mitigation, restoration, maintenance and monitoring plan. Occupancy of the residence shall be withheld until restoration of areas of temporary disturbance has been completed

(installed) and an acceptable financial security device has been submitted. All restored areas of temporary disturbance are subject to five years of maintenance and monitoring.

Authority: Land Use Code 20.25H.220.H  
Reviewer: Nick Whipple, Development Services Department

- 10. Rainy Season Restrictions:** Due to the proximity to a steep slope and wetland buffers, no clearing and grading activity may occur during the rainy season, which is defined as November 1 through April 30 without written authorization of the Development Services Department. Should approval be granted for work during the rainy season, increased erosion and sedimentation measures, representing the best available technology must be implemented prior to beginning or resuming site work.

Authority: Bellevue City Code 23.76.093.A,  
Reviewer: Savina Uzunow, Clearing and Grading Division

- 11. Geotechnical Recommendations:** All recommendations from the geotechnical engineer shall be incorporated into the project and followed as needed. On-site monitoring of the construction and review of plan changes should occur by the geotech as recommended. Prior to final land use inspection of the building permit a letter from the geotech is required to ensure that the site is stable and meets their approval.

Authority: Land Use Code 20.30P.140  
Reviewer: Nick Whipple, Development Services Department

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

Authority: Bellevue City Code 9.18  
Reviewer: Nick Whipple, Development Services Department

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

Authority: Land Use Code 20.25H.160  
Reviewer: Nick Whipple, Development Services Department

- 14. Compliance with Performance Standards – Design of Single Family Residence:**  
The proposed home design must comply, to the fullest extent possible, with the performance standards outlined in Section V of this report. A full review of the proposed development will be completed at the time of submittal for single family building permit

and compliance with these standards will be verified. The permit for single family construction will not be granted until City staff has verified that the applicable performance standards (as identified in Section V of this report) have been met.

Authority: Land Use Code 20.25H.080.A, 20.25H.125, 20.25H.160, and 20.25H.205  
Reviewer: Nick Whipple, Development Services Department

- 15. Site Design:** To minimize impact to the surrounding landscape and sensitive features, the proposed structure must be located as depicted on the approved site plan plotted 6/28/2007 1:26:42 PM.

Authority: Land Use Code 20.25H.080.A, 20.25H.125, 20.25H.160, and 20.25H.205  
Reviewer: Nick Whipple, Development Services Department

- 16. Native Growth Protection Easement:** The applicant shall prepare and record with King County a site plan and easement document that clearly delineates the area of permanent disturbance (up to 3,000 sf), the location of the critical areas and critical area buffers on the property, and shall place that portion of the property not included in the area of permanent disturbance into “Native Growth Protection Easement”. The NGPE must be reviewed and approved by the City before recording with King County. Final Inspection shall not be granted until the easement has been recorded.

Authority: Land Use Code 20.25H.030.B  
Reviewer: Nick Whipple, Development Services Department

- 17. Hold Harmless Agreement:** Prior to building permit or clearing and grading permit approval, the property owner or his/her agent shall submit a hold harmless agreement releasing the City of Bellevue from any and all liability associated with the installation of slope stabilization measures. The agreement must meet city requirements and must be reviewed by the City Attorney’s Office for formal approval.

Authority: Land Use Code 20.30P.170  
Reviewer: Nick Whipple, Development Services Department

- 18. Limits of Disturbance:** Prior to issuance of the single family building permit, the applicant shall identify on an acceptable site plan the extent of the limits of temporary disturbance. Prior to beginning construction, the applicant shall install a protective barrier or fence that surrounds the area of construction and protects the site’s fragile resources. No impact outside the established disturbance area will be allowed, and any impact outside of this area will be classified as a violation of the City of Bellevue Land Use Code Critical Areas requirements and a Stop Work Order will be issued. The protective barrier must be inspected by the Land Use Division prior to the commencement of construction.

Authority: Land Use Code 20.25H.205  
Reviewer: Nick Whipple, Development Services Department



**BACKGROUND INFORMATION**

Property Owner: Amrik Kamoh

Proponent: Amrik Kamoh

Contact Person: Carl Hadley, Cedarock Consultants

(If different from the owner. All questions and correspondence will be directed to the individual listed.)

Address: 19609 244th Avenue NE  
Woodinville, WA 98077

Phone: (425) 788-0961

Proposal Title: Kamoh Residence Critical Areas Land Use Permit

Proposal Location: 439 West Lake Sammamish Parkway SE

(Street address and nearest cross street or intersection) Provide a legal description if available.

362505-9169 (see Vicinity Map for legal description).  
Please attach an 8 ½" x 11" vicinity map that accurately locates the proposal site.

Give an accurate, brief description of the proposal's scope and nature:

1. General description: Construct single-family residence within a maximum 3,000 sq.ft. area on a 56,772 sq.ft. lot. Site is >99% encumbered. Development will require a reasonable use exception.
2. Acreage of site: 1.30
3. Number of dwelling units/buildings to be demolished: 0
4. Number of dwelling units/buildings to be constructed: 1
5. Square footage of buildings to be demolished: N/A
6. Square footage of buildings to be constructed: Unknown at this time
7. Quantity of earth movement (in cubic yards): <100
8. Proposed land use: Single-family residential
9. Design features, including building height, number of stories and proposed exterior materials:  
Garage and multi-story house to be designed after land-use approval.
10. Other  
Maximum permanent disturbance less than 3,000 square feet. Maximum temporary disturbance less than 3,700 square feet.

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

Construction scheduled for spring-summer 2016. No phasing is required.

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

No.

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

Critical Areas Report prepared by Cedarock Consultants, Inc. dated July 2007, with September 2014 update. Wetland and Wildlife Report by Resource Analysis and Management dated October 2006, with September 2014 update. Geotechnical Report by Associated Earth Sciences, Inc dated August 2006, with September 2014 update.

Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain. List dates applied for and file numbers, if known.

None known.

List any government approvals or permits that will be needed for your proposal, if known. If permits have been applied for, list application date and file numbers, if known.

Critical Areas Land Use Permit (Reasonable Use)  
Building Permit  
Utility Connection Permits

Please provide one or more of the following exhibits, if applicable to your proposal. (Please check appropriate box(es) for exhibits submitted with your proposal):

- Land Use Reclassification (rezone) Map of existing and proposed zoning
- Preliminary Plat or Planned Unit Development  
Preliminary plat map
- Clearing & Grading Permit  
Plan of existing and proposed grading  
Development plans
- Building Permit (or Design Review)  
Site plan  
Clearing & grading plan
- Shoreline Management Permit  
Site plan

#### A. ENVIRONMENTAL ELEMENTS

##### 1. Earth

a. General description of the site:  Flat  Rolling  Hilly  Steep slopes  Mountains  Other

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

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

Alderwood gravelly sandy loam (AgC) per NRCS mapping.

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

None known (see AESI 2006).

NW 11/6/14

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

Excavation of less than 100 cubic yards will be conducted to create buildable area on the slopes. No fill is proposed.

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

Erosion is possible during construction due to exposed soils.

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

Impervious surface will not exceed that allowed under City codes (a maximum of 3,000 sq.ft. or 5.5% of site).

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

Clearing and Grading and Construction BMPs will be incorporated into the final project design. All areas of temporary disturbance will be re-vegetated as will be identified in the site restoration plan. Permanent disturbance will be limited to no greater than 3,000 sq.ft. Site inspection will be conducted by City clearing and grading inspectors.

**Erosion Control per BCC 23.76**

## 2. AIR

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

Construction dust will be controlled as part of construction BMPs. Emissions from autos and trucks are regulated by state and federal agencies.

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

None known.

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

Construction dust will be controlled as part of construction BMPs. Emissions from autos and trucks are regulated by state and federal agencies.

## 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 into.

A Type N stream was identified crossing the property (Cedarock 2014, City of Bellevue Stream Typing Inventory Reach No 90-22). The stream is a tributary to Lake Sammamish. Two category IV wetlands are also found on the site (RAM 2014).

- (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.

Yes, clearing, grading, and construction will occur within 200-feet of the stream and wetlands. No direct disturbance is proposed.

**NW 11/6/14**

- (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.

None.

- (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.

No. (reference: City of Bellevue GIS floodplain data).

- (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.

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.

c. Water Runoff (Including storm water)

- (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.

Stormwater from the site will be minimized by maintaining approximately 94.5 percent of the lot as pervious soil. Runoff from new impervious surface will be routed to the existing storm drain system along W. Lk. Sammamish Parkway.

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

Yes. The steep site drains toward the Type N stream which is relatively close to the proposed construction disturbance.

NW 11/6/14

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

Construction is proposed for the summer dry season. Site disturbance will be minimized. Stormwater runoff will be controlled with construction BMPs to be developed based on site-specific recommendations from the geotechnical engineers and the City of Bellevue Clearing and Grading Department, and the Utilities Departments upon development of the final site plan.

Impacts minimized per BCC 23.76

#### 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, bulrush, 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?

Native and non-native shrubs and forbs will be cleared from less than 3,700 sq.ft. of the site. Tree clearing will be minimized with an expected removal of only about 6 trees >6" DBH.

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

None known.

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

Native plants will be used to revegetate all areas of temporary disturbance including the riparian buffer adjacent to the Type N stream. Landscaping will also consist of predominantly native vegetation.

#### 5. ANIMALS

a. Check or 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: crows, ravens, pigeons, doves, owls, woodpeckers.
- Mammals: deer, bear, elk, beaver, other: chipmunks, squirrels, rabbits, raccoons, coyotes.
- Fish: bass, salmon, trout, herring, shellfish, other:

NW 11/6/14

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:

94 percent of the site will be left untouched including the more heavily forested upper part.

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

Electricity and natural gas

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 the proposal? List other proposed measures to reduce or control energy impacts, if any:

Standard UBC requirements.

## 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.

None known.

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

None expected

(2) Proposed measures to reduce or control environmental health hazards, if any.

Standard construction BMPs.

b. Noise

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

Traffic.

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

Standard traffic and construction noise associated with development of a single family home. No long unusual term noises would be created.

**Use of any diesel, pneumatic, or gasoline-powered equipment that is not properly muffled or silenced is prohibited.**

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

Standard City of Bellevue noise regulations will be observed.

**Sounds created by construction activity are limited to the hours between 7 a.m. to 6 p.m. on weekdays and 9 a.m. and 6 p.m. on Saturdays and prohibited on Sundays and other legal holidays (See BCC 9.18)**

8. Land and Shoreline Use

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

The site and all adjacent properties are either undeveloped or contain single-family residences.

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

No.

- c. Describe any structures on the site.

None.

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

No.

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

R.1.8

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

Single-Family Low

- 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.

Yes. Type N stream, two Cat. IV wetlands, steep slopes.

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

One single family residence.

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

None.

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

N/A

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

Compliance with City of Bellevue codes.

## 9. Housing

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

1 moderate/high income residence

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

None.

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?

Building will not exceed allowable maximum building height. The house has not yet been designed.

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

None.

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

None.

## 11. Light and Glare

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur?  
Standard porch, driveway, landscaping, and security lighting may be used as allowed by code.
- b. Could light or glare from the finished project be a safety hazard or interfere with views?  
No.
- c. What existing off-site sources of light or glare may affect your proposal?  
None known,
- d. Proposed measures to reduce or control light or glare impacts, if any:  
None.

## 12. Recreation

- a. What designated and informal recreational opportunities are in the immediate vicinity?  
Two city parks (Weowna and Lake Hills Community)
- b. Would the proposed project displace any existing recreational uses? If so, describe.  
No.
- 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.  
None known.
- b. Generally describe any landmarks or evidence of historic, archeological, 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.  
West Lake Sammamish Parkway will be accessed with a driveway.
- b. Is site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?  
Public busses currently run along West Lake Sammamish Parkway with the nearest stop approximately 1/3 mile away.
- c. How many parking spaces would be completed project have? How many would the project eliminate?  
3-4 parking places will be provided. None will be eliminated.

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).

No.

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.

2 to 4.

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

None.

**15. Public Services**

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

Increase as needed to provide service for one single-family residence.

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.

Electricity, refuse, telephone, sanitary sewer.

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.

Electricity, refuse, telephone, sanitary sewer, and stormwater

**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.....09/23/2014

NW 11/6/14

Proposed Kamoh Single Family Residence  
439 West Lake Sammamish Parkway SE  
POR OF FOLG DESC LY WLY OF CO RD - S 75 FT OF N 335.7 FT OF GL 4 IN SEC 36-25-5

