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

DETERMINATION OF NON-SIGNIFICANCE

PROPONENT: Bernier/McCaw Critical Areas Land Use Permit

LOCATION OF PROPOSAL: 9627 Lake Washington Boulevard NE

DESCRIPTION OF PROPOSAL: Construct cabana, swimming pool, hot tub and landscaping features within shoreline and steep slope critical areas structure setbacks. Relocate a path and remove a hazardous tree within a shoreline critical area buffer. Install a tram and relocate a stone pathway and rockeries with a steep slope critical area. The proposal includes mitigation planting of native vegetation.

FILE NUMBERS: 16-137222-LO **PLANNER:** Drew Folsom

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 **11/9/2017**

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This DNS may be withdrawn at any time if the proposal is modified so as to have significant adverse environmental impacts; if there is significant new information indicating a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

10/26/2017
Date

OTHERS TO RECEIVE THIS DOCUMENT:

☒ State Department of Fish and Wildlife / Stewart.Reinbold@dfw.gov; Christa.Heller@dfw.wa.gov;
☒ State Department of Ecology, Shoreline Planner N.W. Region / Jobu461@ecy.wa.gov; sepaunit@ecy.wa.gov
☒ Army Corps of Engineers Susan.M.Powell@nws02.usace.army.mil
☒ Attorney General ecyolyef@atg.wa.gov
☒ Muckleshoot Indian Tribe Karen.Walter@muckleshoot.nsn.us; Fisheries.fileroom@muckleshoot.nsn.us

City of Bellevue
Development Services Department
Land Use Staff Report

Proposal Name:	**Bernier/McCaw Critical Areas Land Use Permit**
Proposal Address:	**9627 Lake Washington Boulevard NE**
Proposal Description:	The applicant requests approval of a Critical Areas Land Use Permit for the construction of a cabana, swimming pool, hot tub and landscaping features within a shoreline and toe of steep slope structure setback; and relocattion of a pathway and removal of a hazardous tree within a shoreline critical area buffer. The project will also install a tram and relocate an existing stone pathway and associated rockeries within steep stope critical areas and associated buffers. The proposal includes mitigation planting of native vegetation.
File Number:	**16-137222-LO**
Applicant:	**Michelle Cozza, Demetriou Architects**
Decisions Included:	Critical Areas Land Use Permit (Process II. LUC 20.30P)
Planner:	**Drew Folsom, 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** Michael A. Brennan, Director Development Services Department By: _____ Elizabeth Stead, Land Use Director

Application Date:	July 4, 2016
Notice of Application Publication Date:	August 25, 2016
Re-notice of Application Publication Date:	March 23, 2017
Decision Publication Date:	October 26, 2017
Project/SEPA Appeal Deadline:	November 9, 2017

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

Attachments:

1. Mitigation and Restoration Plans
2. SEPA Checklist
3. Arborist Report
4. Geotechnical Report – In file

I. Proposal Description

The proposal is a request for a Critical Areas Land Use Permit for the construction of a cabana, swimming pool, hot tub and landscaping features within a shoreline and toe of steep slope structure setback; and relocattion of a pathway and removal of a hazardous tree within a shoreline critical area buffer. The project will also install a tram and relocate an existing stone pathway, and associated rockeries within a steep stope critical area and associated buffers. The proposal includes mitigation planting of native vegetation.

The site contains shoreline critical area, geologic hazard critical areas and associated buffers, and structure setbacks. LUC 20.25H.115 prescribes a 25-foot critical area buffer and an additional 25-foot critical area structure setback from the ordinary high water mark of Lake Washington. LUC 20.25.120 prescribes a 50-foot critical area buffer from the top of slope and a 75-foot critical area structure setback from the toe of slope of the geologic hazard critical area-steep slope.

The proposed mitigation will restore approximately 7,190 of degraded shoreline buffer, shoreline structure setback, steep slope critical area, steep slope buffer, and steep slope structure setback. The proposed mitigation plan includes the planting of 32 native trees.

Modifications to or disturbance of the shoreline structure setback, geologic hazard critical areas and buffers, and geologic hazard structure setback may be considered through an approved Critical Areas Report consistent with LUC 20.25H.230. A Critical Areas Report is the mechanism to modify or disturb critical areas, and associated buffers if it is demonstrated that the proposal leads to equal or better critical area functions and values.

Figure 1: Proposed Structures and Pathways

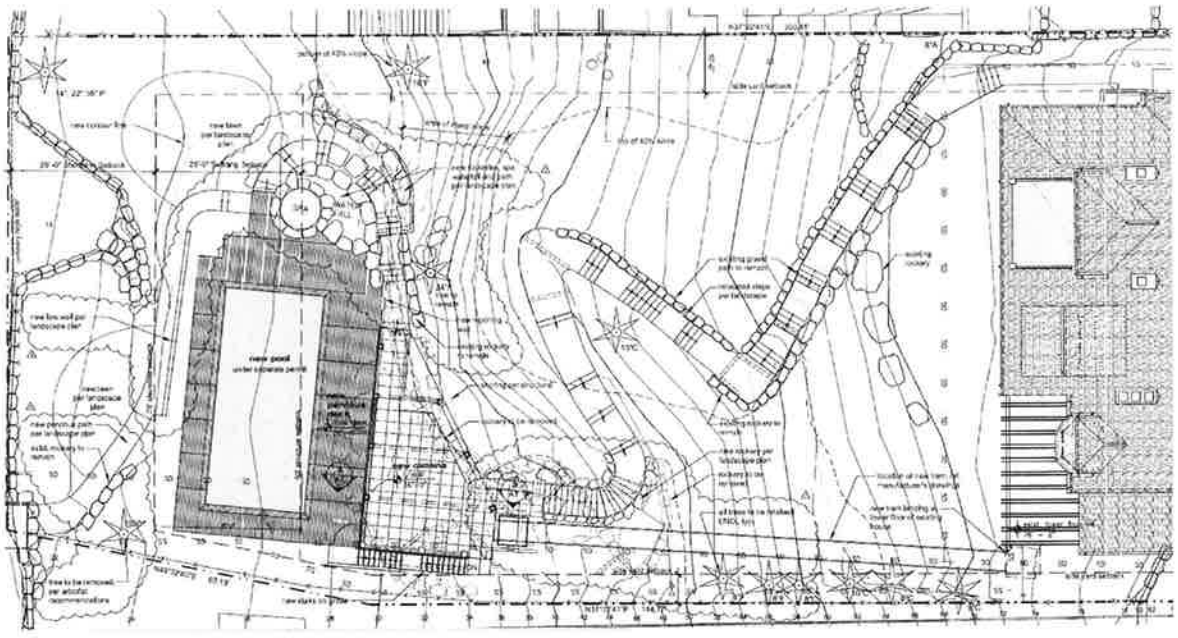
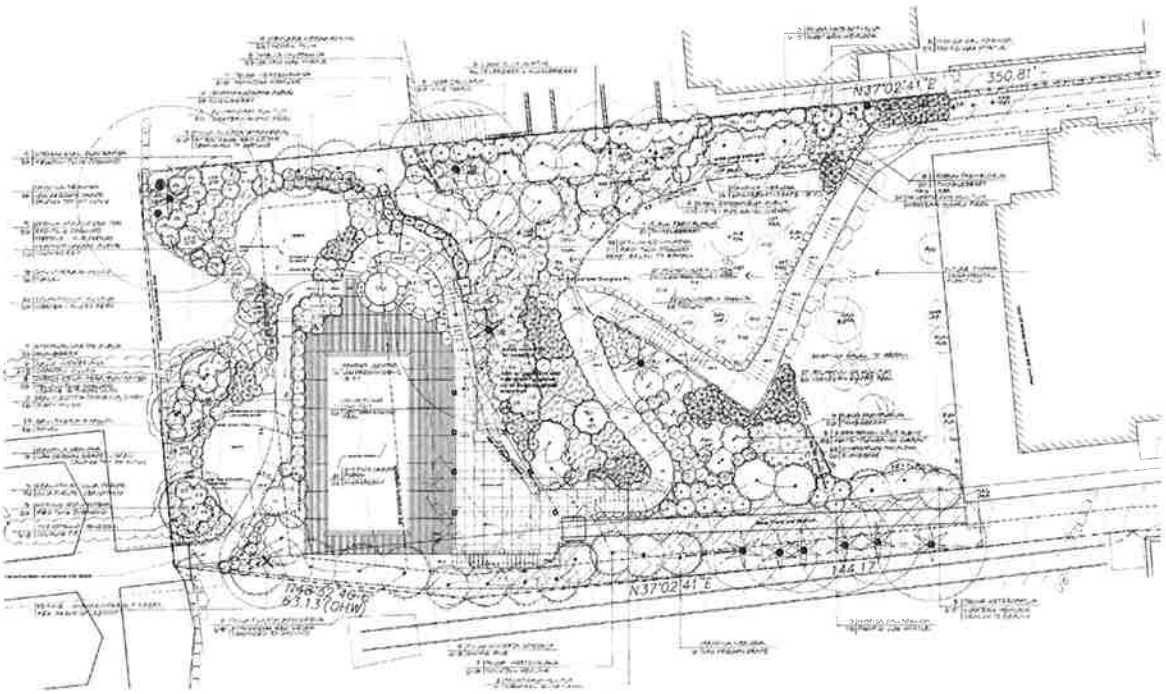


Figure 2: Proposed Mitigation



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

A. Site Description

The property is located at 9627 Lake Washington Boulevard NE in the North Bellevue subarea. The property is bounded on the northeast by Lake Washington Blvd. NE and to the southwest by Meydenbauer Bay on Lake Washington. The property is approximately 39,213 square feet in size. The site gains access from Lake Washington Boulevard NE. The site is developed with a single-family residence located on the relatively flat portion of the site near Lake Washington Boulevard NE.

Vegetation on the site consists primarily of non-maintained landscaping, invasive species such, English Ivy, and Himalayan blackberry and several native trees. An approximate two to three-foot high rock bulkhead and cove are located adjacent to the ordinary high water mark (OHWM) of Lake Washington. The first 25 feet upland of the bulkhead (Shoreline Buffer and Toe of Slope Structure Setback) is relatively flat and dominated by lawn and ornamental plants. Two significant native trees are present near the lake. One of the trees, a 36-inch Sawara Cypress, is deemed hazardous per the arborist report prepared by Favaro Greenforest, dated December 24, 2016. This tree will be removed as part of the proposal. A dock and boathouse are located waterward of the OHWM. This feature is shared with neighbors to the south.

The area between 25 feet and 50 feet from the OHWM (Shoreline and Toe of Slope Structure Setback) is also dominated by lawn and non-native plants. The gradient increases in this area to the toe of the slope which is supported by an existing rockery.

The remaining area from the toe of slope to the back of the house is relatively steep with several areas over 40 percent. With the exception of an existing trail, most of the slope is vegetated with predominantly non-native ground cover. Several significant native trees are present on the slope, especially on the north and south edges of the property. These trees are to remain as part of the proposal. An aerial photograph of the site is included in figures 3 and 4.

Figure 2: Bernier-Mccaw Slope and Shoreline Arial Photo

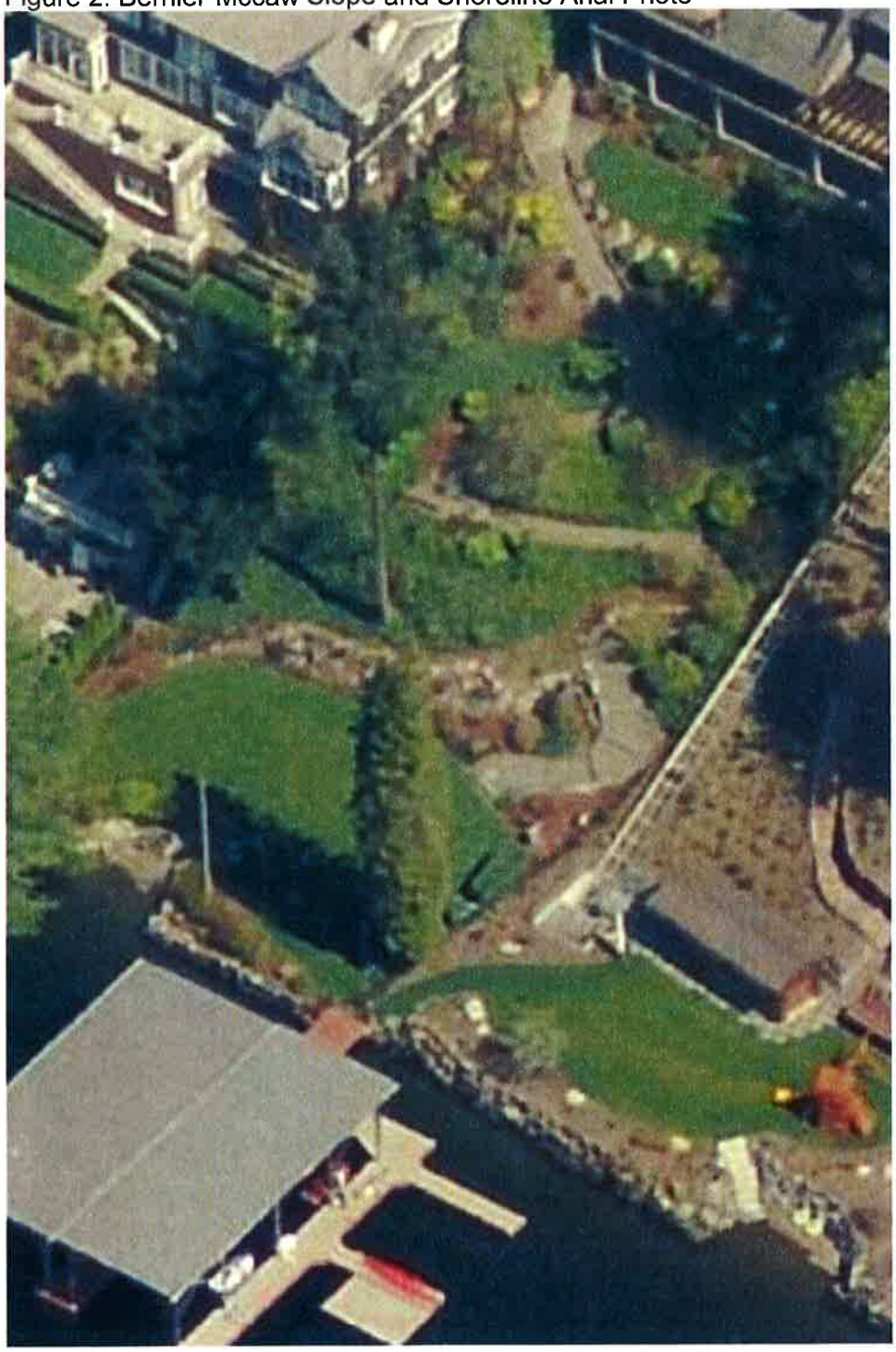


Figure 4 Site

B. Zoning

The property and surrounding properties are zoned R-1.8, a single-family residential district. The proposed work is permitted in this zoning district.

C. Land Use Context

The property has a Comprehensive Plan Land Use Designation of SF-Low (Single-Family Low Density), and the subject site and surrounding properties are developed with single-family homes. The proposed project is consistent with this designation.

D. Critical Areas Functions and Values

i. Geologic Hazard Areas

Geologic hazards pose a threat to the health and safety of citizens when commercial, residential, or industrial development is inappropriately sited in areas of significant hazard. Some geologic hazards can be reduced or mitigated by engineering, design, or modified construction practices. When technology cannot reduce risks to acceptable levels, building in geologically hazardous areas is best avoided (WAC 365-190).

Steep slopes may serve several other functions and possess other values for the City and its residents. Several of Bellevue's remaining large blocks of forest are located in steep slope areas, providing habitat for a variety of wildlife species and important linkages between habitat areas in the City. These steep slope areas also act as conduits for groundwater, which drains from hillsides to provide a water source for the City's wetlands and stream systems. Vegetated steep slopes also provide a visual amenity in the City, providing a "green" backdrop for urbanized areas enhancing property values and buffering urban development.

ii. Shorelines

Shorelines provide a wide variety of functions related to aquatic and riparian habitat, flood control, water quality, economic resources, and recreation. 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 of coupled aquatic and riparian habitats. Hence, it is important to have an ecosystem approach which incorporates an understanding of shoreline functions and values.

iii. Habitat Associated with Species of Local Important LUC 20.25H.150.A

Urbanization, the increase in human settlement density and associated intensification of land use, has a profound and lasting effect on the natural environment and wildlife habitat (McKinney 2002, Blair 2004, Marzluff 2005, Munns 2006), is a major cause of native species local extinctions (Czech et al 2000), and is likely to become the primary cause of extinctions in the coming century (Marzluff et al 2001a). Cities are typically located along rivers, on coastlines, or near large bodies of water. The associated floodplains and riparian systems make up a relatively small percentage of land cover in the western United States, yet they provide habitat for rich wildlife communities (Knopf et al. 1988), which in turn provide a source for urban habitat patches or reserves. Consequently, urban areas can support rich wildlife communities. In fact, species richness peaks for some groups, including songbirds, at an intermediate level of development (Blair 1999, Marzluff 2005). Protected wild areas alone cannot be depended on to conserve wildlife species. Impacts from catastrophic events, environmental changes, and evolutionary processes (genetic drift, inbreeding, colonization) can be magnified when a taxonomic group or unit is confined to a specific area, and no one area or group of areas is likely to support the biological processes necessary to maintain biodiversity over a range of geographic scales (Shaughnessy and O'Neil 2001). As well, typological approaches to taxonomy or the use of indicators present the risk that evolutionary potential will be lost when

depending on reserves for preservation (Rojas 2007). Urban habitat is a vital link in the process of wildlife conservation in the U.S.

III. Consistency with Land Use Code Requirements:

A. Zoning District Dimensional Requirements:

The R-1.8 zoning dimensional requirements found in LUC 20.20.010 apply to the proposed home construction. Based on the plans and information submitted the structural lot coverage will be approximately 25 percent and the impervious surface coverage will be approximately 35 percent. The plans submitted generally demonstrate conformance with zoning dimensional standards, however, conformance will be verified during building permit review. **See Conditions of Approval in Section X of this report.**

B. Critical Areas Requirements LUC 20.25H:

i. Consistency with performance standards for landslide hazards and steep slopes LUC 20.25H.125.

The applicant, through their critical areas report and associated development proposals have incorporated the following performance standards as applicable.

The proposed cabana and swimming pool are placed at the toe of the slope to minimize alterations to the slope, and the patio at the top of slope is tiered to conform to existing topography.

The structures and improvements are located to preserve the steepest, most-critical portion of the site and the most significant vegetation.

According to the applicant's geotechnical engineer, Carolyn Decker, in the geotechnical report dated March 25, 2016, and prepared by Terra Associates, Inc., the proposed development shall not result in greater risk or a need for increased buffers on neighboring properties.

ii. Consistency with performance standards for shoreline critical areas LUC 20.25E.080.B & .Q.

All federal and state water quality and effluent standards shall be met through reviewed and approved temporary erosion and sedimentation controls to be implemented by the applicant and inspected by the City of Bellevue.

The proposed development is within the Shoreline Overlay District. The proposed development is consistent with the Shoreline Master Program Policies to favor residential development, and recreational water uses in the shoreline overlay district.

The proposed development within the Shoreline Overlay District is accompanied by a plan to preserve desirable, native shoreline vegetation for control of erosion during and following construction, and habitat functions following construction. Care will be exercised to preserve desirable vegetation in the shoreline areas to prevent soil erosion. Removal of

vegetation from or disturbance of shoreline critical areas and shoreline critical area buffers, and from other critical area and critical area buffer is in conformance with LUC 20.25H and 20.25E as demonstrated herein.

The proposed development within the Shoreline Overlay District is required to also obtain applicable building permits to ensure compliance with other applicable Bellevue ordinances, including but not limited to the Bellevue Land Use Code, Building Code, Fire Code and clearing and grading regulations.

The proposed accessory structure will be located outside of the shoreline buffer. **See Conditions of Approval in Section X of this report.**

iii. Consistency with Critical Areas Report LUC 20.25.230.
The applicant supplied a complete critical areas report prepared by Brooks Kolb LLC Landscape Architecture and a geotechnical report by Carolyn Decker, P.E., Terra Associates, LLC, qualified professionals. The report meets the minimum requirements in LUC 20.25H.250.

iv. Consistency with Critical Areas Report – Additional provisions for geologic hazard critical areas LUC 20.25H.140.
The applicant has also addressed the additional provisions for a critical areas report regarding the geotechnical analysis of the project site and the proposed development's impact on the geologic hazard critical area. The applicant's geotechnical engineer, Carolyn Decker, in the geotechnical report dated March 25, 2016, prepared by Terra Associates, Inc, has proposed recommendations for the proposed development that minimize impacts to the slope and minimize risk associated with development adjacent to and within the slopes. **See Conditions of Approval in Section X of this report.**

IV. Public Notice and Comment

Application Date:	July 14, 2016
Public Notice and Renotice (500 feet):	August 26, 2016 and March 23, 2017
Minimum Comment Period:	April 6, 2017

The Notice of Application for this project was published the City of Bellevue weekly permit bulletin and Seattle Times on August 26, 2016. The project was re-noticed on March 23, 2017 to include the elevated tram and the removal of a hazardous tree. Public notice was mailed to property owners within 500 feet of the project site. Comments were received regarding the planting of trees and native vegetation.

City Response: The proposed mitigation plan was modified to include the planting of 2 coastal willows, and 1 Douglas fir trees within the shoreline buffer. Non-native ground cover has been replaced with native vegetation.

V. Summary of Technical Reviews

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.

VI. State Environmental Policy Act (SEPA)

The environmental review indicates no probability of significant adverse environmental impacts occurring as a result of the proposal. The Environmental Checklist submitted with the application adequately discloses expected environmental impacts associated with the project. The City codes and requirements, including the Clear and Grade Code, Utility Code, Land Use Code, Noise Ordinance, Building Code and other construction codes are expected to mitigate potential environmental impacts. Therefore, issuance of a Determination of Non-Significance (DNS) is the appropriate threshold determination under the State Environmental Policy Act (SEPA) requirements.

A. Earth and Water

A temporary erosion and sedimentation control plan will be included in the project plans for the underlying permit required to perform the construction of the cabana structure and restore the shoreline critical area buffer. It will address all requirements for restoring the site to the proposed condition, including erosion and sedimentation management practices. Erosion and sediment control best management practices include the installation of silt fencing around the work area and covering exposed soils to prevent migration of soils to the adjacent wetland. As discussed in the critical areas report prepared by Brooks Kolb, LLC, dated January 5, 2017, the proposed mitigation plan will improve drainage and water quality by removing lawn and replanting with native vegetation. The applicant will also be required to submit information regarding the use of pesticides, insecticides, and fertilizers to avoid impacts to water resources. **See Section X for a related condition of approval.**

B. Animals

The project site is part of a large shoreline environment that contains quality habitat for birds and mammals. The proposed removal of lawn and invasive species and replacement with native species will result in desirable conditions for most upland animals that would be expected to use the site. The mature vegetation on the site could provide potential habitat to bald eagles, and pileated woodpeckers who are known to be in the vicinity, no indication of eagle nesting or woodpecker activity was observed on the site as discussed in the critical areas report prepared by Brooks Kolb, LLC dated January 5, 2017. The removal of one significant tree, deemed a hazard, within the shoreline buffer will be mitigated by the planting of native vegetation, including three trees, within the shoreline buffer.

Lake Washington does support populations of Puget Sound Chinook Salmon and Steelhead. Both are listed as threatened species under the Endangered Species Act. The proposed project is not anticipated to have any adverse impact on these species, as no work will occur waterward of the ordinary high water mark. Also, mitigation and restoration will be occurring on the upland portion of the site to offset the potential impacts from the removal of the Sawara Cyprus and proposed development of the pool and cabana structure. **See Section X for a related condition of approval.**

C. Plants

Vegetation on the site consists primarily of non-maintained landscaping, invasive species such, English Ivy, and Himalayan blackberry and several native trees. The first 25 feet upland of the bulkhead (Shoreline Buffer and Toe of Slope Structure Setback) is relatively flat and dominated by lawn and ornamental plants. Two significant native trees are present near the lake. One of the trees, a 36-inch Sawara Cypress is deemed hazardous per the arborist report prepared by Favaro

Greenforest, dated December 24, 2016. This tree will be removed as part of the proposal.

The areas between 25 feet and 50 feet from the OHWM (Shoreline and Toe of Slope Structure Setback) is also dominated by lawn and non-native plants. The remaining area from the toe of slope to the back of the house is relatively steep with several areas over 40 percent. With the exception of an existing trail, most of the slope is vegetated with mostly non-native ground cover. Several significant native trees are present on the slope, especially on the north and south edges of the property. These trees are to remain as part of the proposal. An arborist report dated December 24, 2016, prepared by Favaro Greenforest provides recommendations of construction techniques to preserve all significant trees located on the steep slopes. A mitigation and restoration plan has been submitted as part of the approved critical areas report. **See Section X for related conditions of approval.**

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. **See Section X for a related condition of approval.**

VII. Changes to proposal as a result of City review

Following staff review of project plans, revisions were requested of the applicant with the intention of achieving consistency with City codes. Revisions requested were as follows (see revisions letters in the project file for complete list):

- Plant trees within the shoreline buffer
- Modify mitigation plan to include more native species
- Limit permanent disturbance within the shoreline buffer to a pervious pathway

VIII. Decision Criteria

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

The Director may approve, or approve with modifications, the proposed modification where the applicant demonstrates:

1. **The modifications and performance standards included in the proposal lead to levels of protection of critical area functions and values at least as protective as application of the regulations and standards of this code;**

   Finding: In the submitted critical areas report critical area functions were evaluated and compared to determine if the proposal would lead to a net gain in overall critical area or critical area buffer functions. Based on the analysis performed by the applicant's professional the functions of water quality, stormwater storage, and wildlife habitat value on the site would increase. This would primarily be accomplished with the removal of non-native, and invasive plants, and the installation of a diversity of native trees, shrubs and groundcovers. **See Conditions of Approval in Section X.**

2. **Adequate resources to ensure completion of any required mitigation and monitoring efforts;**

   Finding: The applicant will be required to provide a performance assurance device for the required mitigation measures associated with the proposed development within the shoreline buffer and structure setback. **See Conditions of Approval in Section X.**

3. **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;**

   Finding: The functions and values of the critical areas and critical area buffers on adjacent properties will be unaffected by the actions in the proposal. As discussed in Section III of this report, the applicable performance standards of LUC Section 20.25H are being met.

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

   Finding: The proposed project is to construct a pool, cabana, tram and walkway; and plant native vegetation. These uses are compatible with the surrounding residential development permitted in the same 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: A building permit application and any other required permit shall be issued for development to begin. **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 proposal is consistent with required performance standards for projects in the shoreline and critical areas overlay districts. The structure design and placement will limit disturbance of steep slopes and shoreline buffer. An arborist report dated December 24, 2016, prepared by Favaro Greenforest provides recommendations on the installation of the support poles for the tram and rockeries within the dripline of existing trees. These construction techniques will preserve all significant trees located on the steep slopes. The resulting development and mitigation plan will improve stormwater quality and provide vegetation in the shoreline buffer which is an improvement over the existing condition. **See Conditions of Approval in Section X of this report.**

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 proposal 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 and is Attachment 1 of this report. The proposed mitigation will restore approximately 7,190 of degraded shoreline buffer, shoreline structure setback, steep slope critical area, steep slope buffer, and steep slope structure setback. The proposed mitigation plan includes the planting of 32 native trees. A cost estimate for the planting will be required and a planting plan that shows all plants to be installed as required by this decision. Part of the permit inspection process will include an inspection by Land Use staff to ensure the planting is installed. **See Conditions of Approval in Section X.**

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.

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 the Development Services Department does hereby approve with conditions the modification and disturbance of steep slope, steep slope and shoreline buffers, and steep slope and shoreline structure to construct a cabana, swimming pool, elevated tram, and walkway. As part of the mitigation plan, 7,190 square feet of steep slope, steep slope and shoreline buffers, and structure setbacks will be replanted with native vegetation including 32 native trees.

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.

X. Conditions of Approval

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

Applicable Ordinances	Contact Person
Clearing and Grading Code- BCC 23.76	Tom McFarlane, 425-7860
Land Use Code- BCC Title 20	Drew Folsom, 425-452-4441
Noise Control- BCC 9.18	Drew Folsom, 425-452-4441

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

1. **Building Permit Required:** Approval of this Critical Areas Land Use Permit does not constitute an approval of a development permit. The submittal and approval of a building permit are required. Plans submitted as part of the permit application shall be consistent with the plan, dated December 23, 2016, reviewed as part of this approval.

   Authority: Land Use Code 20.30P.140
   Reviewer: Drew Folsom, Development Services Department

2. **Temporary Erosion and Sedimentation Control Plan:** A temporary erosion and sedimentation control plan will be required as part of the building permit application, and shall address all requirements for restoring areas of temporary construction disturbance, as well as erosion and sedimentation best management practices.

   Authority: Bellevue City Code 23.76
   Reviewer: Tom McFarlane, Development Services Department

3. **Geotechnical Recommendations and Inspection:** The project geotechnical engineer shall provide monitoring and testing of earthwork construction to verify the implementation of the recommended procedures and practices in the geotechnical report dated March 25, 2016, and prepared by Terra Associates, Inc. A report verifying the implementation of monitoring, testing, and inspection shall be submitted to Drew Folsom at dfolsom@bellevuewa.gov or to the address below:

   Drew Folsom, Associate Planner
   Development Services Department
   City of Bellevue
   PO Box 90012
   Bellevue, WA 98009-9012

   Authority: Land Use Code 20.30P.140
   Reviewer: Drew Folsom, Development Services Department

4. **Arborist Recommendations and Inspection:** The project arborist shall provide monitoring of construction activities to verify the implementation of the recommended

procedures in the arborist report dated December 24, 2016, and prepared by Greenforest Incorporated. In particular, the arborist must monitor and provide recommendations on the installation of the support poles for the tram and rockeries within the dripline of retained trees. A report verifying the implementation of inspection shall be submitted to Drew Folsom at dfolsom@bellevuewa.gov or to the address below:

Drew Folsom, Associate Planner
Development Services Department
City of Bellevue
PO Box 90012
Bellevue, WA 98009-9012

Authority: Land Use Code 20.30P.140
Reviewer: Drew Folsom, Development Services Department

5. **Pesticides, Insecticides, and Fertilizers:** The applicant must submit as part of the required single-family building permit information regarding the use of pesticides, insecticides, and fertilizers in accordance with the City of Bellevue's "Environmental Best Management Practices".

   Authority: Land Use Code 20.25H.100
   Reviewer: Drew Folsom, Development Services Department

6. **Maintenance and Monitoring:** The proposed planting (Attachment 1) to restore approximately 7,190 of degraded shoreline buffer, shoreline structure setback, steep slope critical area, steep slope buffer, and steep slope structure setback with the planting of native vegetation, including 32 native trees, will need to be included in this plan. The maintenance and monitoring plan approved establishes a 5-year monitoring period with goals, objectives, and performance standards. An annual monitoring report is to be submitted by December 31 of each year with established photo points and transects. There should be five reports total; one after the first growing season. Reports shall comprise all of the elements stated on the monitoring plan found as Attachment 1. Reports are to be submitted to Drew Folsom at dfolsom@bellevuewa.gov or to the address below:

   Drew Folsom, Associate Planner
   Development Services Department
   City of Bellevue
   PO Box 90012
   Bellevue, WA 98009-9012

   Authority: Land Use Code 20.25H.220
   Reviewer: Drew Folsom, Development Services Department

7. **Maintenance Device:** Prior to the final sign off of the building permit land use inspection, the applicant shall submit a restoration/replanting maintenance plan cost

estimate to be used in determining the amount of the assignment of the maintenance and monitoring financial security device that will be required prior to permit issuance. A complete assignment of savings financial security device in the amount determined by the project planner must be submitted prior to building permit or clearing and grading permit issuance. For the purpose of this permit, maintenance and monitoring shall be completed for a period of five growing seasons. Release of this assurance device is contingent upon receipt of documentation reporting successful establishment in compliance with the mitigation performance standards listed in the project mitigation plan included as Attachment 1. Land Use inspection of the planting after 5-years is required to release the surety.

Authority: Land Use Code 20.25H.125.J; Land Use Code 20.25H.220
Reviewer: Drew Folsom, Development Services Department

8. **Hold Harmless Agreement**
The applicant shall submit a hold harmless agreement in a form approve by the City Attorney which releases the City from liability for any damage arising from the location of improvements within a critical area, buffer, or structure setback in accordance with LUC 20.30P.170. The hold harmless agreement is required to be recorded with King County prior to building permit issuance. Staff will provide the applicant with the hold harmless form.

Authority: Land Use Code 20.30P.170
Reviewer: Drew Folsom, Development Services Department

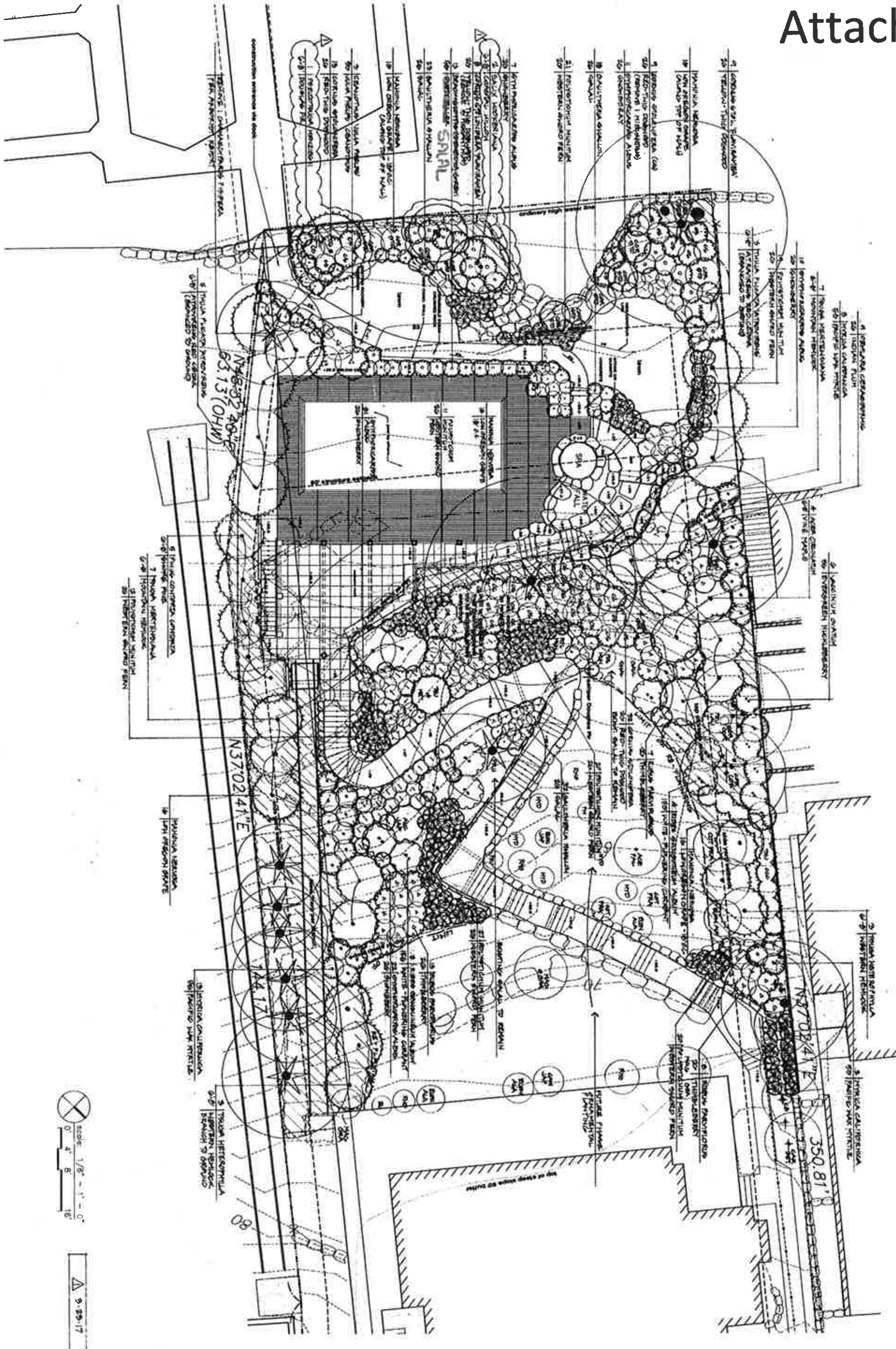
9. **Land Use Inspections:** Following installation of the mitigation planting the applicant shall contact Land Use staff to inspect the planting area to begin the 5-year monitoring period. The maintenance surety is required prior to Land Use staff inspection. At the end of 5 years, inspection by Land 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 goals, objectives and performance standards in the monitoring plan. To schedule an inspection, please call Drew Folsom at 425-452-4441.

Authority: Land Use Code 20.30P.140
Reviewer: Drew Folsom, Development Services Department

10. **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.

Authority: Bellevue City Code 9.18
Reviewer: Drew Folsom, Development Services Department

Attachment 1



SHEET # L1.0 — DATE 12-29-16 — Δ 9-29-17	**Vegetation Mitigation and Restoration Plan** — DRAWN BY: / CHECKED BY: / REVISION #:	Brooks Kolb, LLC Landscape Architecture 1101 East Pike Street Seattle, Washington 98122	**BERNIER/MCCAW RESIDENCE** 9627 Lake Washington Blvd. NE Belleview, Washington 98004

Vegetation Mitigation and Restoration Plant List

Quantity	Botanical Name	Common Name	Size	Spacing
4	Acer circinatum MT	Vine Maple (Multi-trunk)	6' – 8' ht.	varies
~~16~~	~~Brachygottis greyi~~	~~Dusty Miller~~	5 gallon	36"
	SALAL	SALAL		
3	Ceanothus 'Julia Phelps'	Julia Phelps Ceanothus	5 gallon	5'
54	Cornus stolonifera	Red-Twig Dogwood	2 gallon	48"
17	Cornus stolonifera 'Flaviramea'	Yellow-Twig Dogwood	2 gallon	48"
~~28~~ 80	Gaultheria shallon	Salal	2 gallon	30"
877	Mahonia nervosa	Low Oregon Grape	1 g or 4" pot	18"
24	Myrica californica	Pacific Wax Myrtle	5 gallon	42"
9	Oemlaria cerasiformis	Indian Plum	2 gallon	42"
5	Pinus contorta contorta	Shore Pine	6'-8' ht.	varies
112	Polystichum munitum	Western Sword Fern	2 gallon	36"
9	Ribes sanguineum	Red-Flowering Currant	15 gallon	varies
28	Rubus parviflorus	Thimbleberry	2 gallon	42"
81	Symphoricarpos albus	Snowberry	2 gallon	36"
8	Thuja plicata 'Atrovirens'	Atrovirens Western Red Cedar	6'-8'	varies
6	Tsuga heterophylla	Western Hemlock	6'-8' ht.	varies
14	Tsuga mertensiana	Mountain Hemlock	6'-8' ht.	varies
6	Vaccinium ovatum	Evergreen Huckleberry	5 gallon	4' – 5'

BERNIER/MCCAW RESIDENCE
9627 Lake Washington Blvd. NE
Bellevue, Washington 98004

Brooks Kolb, LLC
Landscape Architecture
1101 East Pike Street
Seattle, Washington 98122

DRAWN BY:
CHECKED BY:
REVISION #:

Planting Schedule

DATE: 12/23/15

SHEET #
L2

Greenforest Incorporated

Consulting Arborist

December 14, 2016

Brooks Kolb
Brooks Kolb, LLC
1101 E Pike Street
Seattle, WA 98122

Re: Bernier McCaw: Tree Report, 9627 Lake Washington Boulevard, Bellevue WA

Dear Mr. Kolb:

You contacted me and contracted my services as a consulting arborist. Proposed construction at the referenced site could impact existing trees. I met you on site last week to review the proposed improvements, and discuss two specific trees: both Douglas-firs (*Pseudotsuga menzeisii*). In addition, you requested that I visually assess other mature trees in the lower garden, and point out any with visible existing problems that could impact the proposed project, or the useful life of the tree. I identified one tree with visible structural defects.

Summary:

This report establishes that the proposed construction will have negligible impact on two fir trees. One cypress tree is at high risk of failure and removal is recommended.

Douglas-fir 1 has an 11" DBH and stands at the east parcel boundary toward the top of the garden. It stands in line with 5 other conifers in a hedgerow. Though never formally pruned a hedge, these trees screen the adjacent property.

A new tram is proposed west of this hedge from the SE corner of the house to the base of slope, paralleling the property line. Its alignment is angled west as it travels down the slope to lessen its impact on this fir tree. (See attached site plan.)

I understand that narrow steel piles shall be driven into the slope at intervals to support the tram. These piles are the extent of the soil disturbance near this tree and will cause none to negligible impact to the tree.

This tree (along with others in the hedgerow) is a young tree, and will tolerate some root disturbance and/or loss. Although, given the distance of the tram from this fir, it is very unlikely that structural roots will be injured at all, and total root disturbance will be limited to small absorbing roots in the topsoil.

I recommend that piles be installed at an equidistant location between the trunks of the existing trees to minimize the potential for root injury. Pruning of low branches will be necessary to create space for the tram to move unobstructed along the slope.

Douglas-fir 2 is a 27" DBH specimen standing near the toe of the slope in the center of the garden. It has a single trunk, healthy foliage and no visible defects. Improvements near this tree include a retaining wall installed below existing grade approximately 8 feet south of this tree, with a walkway at the top of the wall, on the uphill side.

Because of the steep slope, the cut for the retaining wall will be a considerable distance from the tree, and below an existing lower rockery that currently acts as a growth obstruction to structural roots. The area between the new walkway and the existing slope shall be filled with foam. (See attached sketch.)

I recommend the addition of a 3-inch layer of crushed gravel (no minus) be installed at the foam/soil interface to assure drainage and to allow for free movement of oxygen to the tree's roots. The project arborist should be on site during excavation to document any root disturbance or injury.

Chamaecyparis pisifera, Sawara cypress.
This tree stands at the SE corner of the parcel near the water. It has a 36" DBH and is 75 feet tall. The trunk divides into co-dominant stems twice along its axis: once 5 feet from grade, and again half way up the trunk. Each attachment consists of stems of similar diameter, with included bark. The presence of both conditions: similar size and included bark, puts this tree at an increased risk of failure. Additionally, one upper stem has an open wound with visible decay, response wood is visible at the lower attachment, and the trunk has been mutilated by sap-sucker activity.

I recommend this tree be removed as soon as is practical.

Sincerely,

GreenForest, Inc.

By Favero Greenforest, M. S.

ISA Certified Arborist # PN -0143A
ASCA Registered Consulting Arborist® #379
ISA Tree Risk Assessment Qualified

Attachments:

1. Assumptions & Limiting Conditions
2. Douglas-fir Sketch 1
3. Douglas-fir Sketch 2
4. Site Plan
5. ISA Basic Risk Assessment Form, Sawara cypress

Attachment No. 1 - Assumptions & Limiting Conditions

1) A field examination of the site was made 12/6/2016. My observations and conclusions are as of that date.

2) Care has been taken to obtain all information from reliable sources. All data has been verified insofar as possible; however, the consultant/arborist can neither guarantee nor be responsible for the accuracy of information provided by others.

3) Unless stated other wise: 1) information contained in this report covers only those trees that were examined and reflects the condition of those trees at the time of inspection; and 2) the inspection is limited to visual examination of the subject trees without dissection, excavation, probing, or coring. There is no warranty or guarantee, expressed or implied that problems or deficiencies of the subject tree may not arise in the future.

4) All trees possess the risk of failure. Trees can fail at any time, with or without obvious defects, and with or without applied stress. A complete evaluation of the potential for this (a) tree to fail requires excavation and examination of the base of the subject tree.

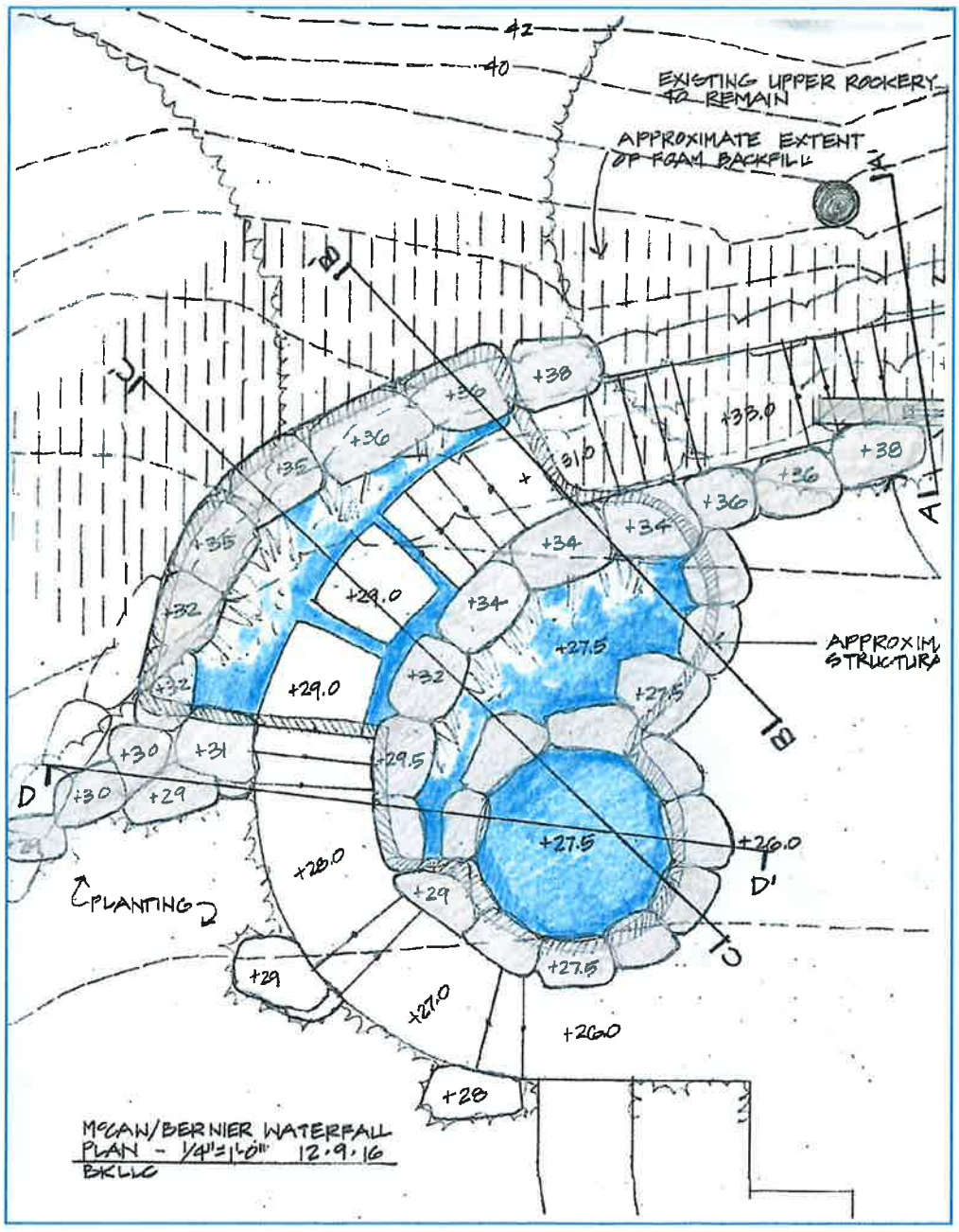
5) The consultant/appraiser shall not be required to give testimony or to attend court by reason of this report unless subsequent contractual arrangements are made.

6) This report and any values/opinions expressed herein represent the opinion of the consultant/appraiser, and the consultant's/appraiser's fee is in no way contingent upon the reporting of a specified value, a stipulated result, the occurrence of a subsequent event, nor upon any finding to be reported.

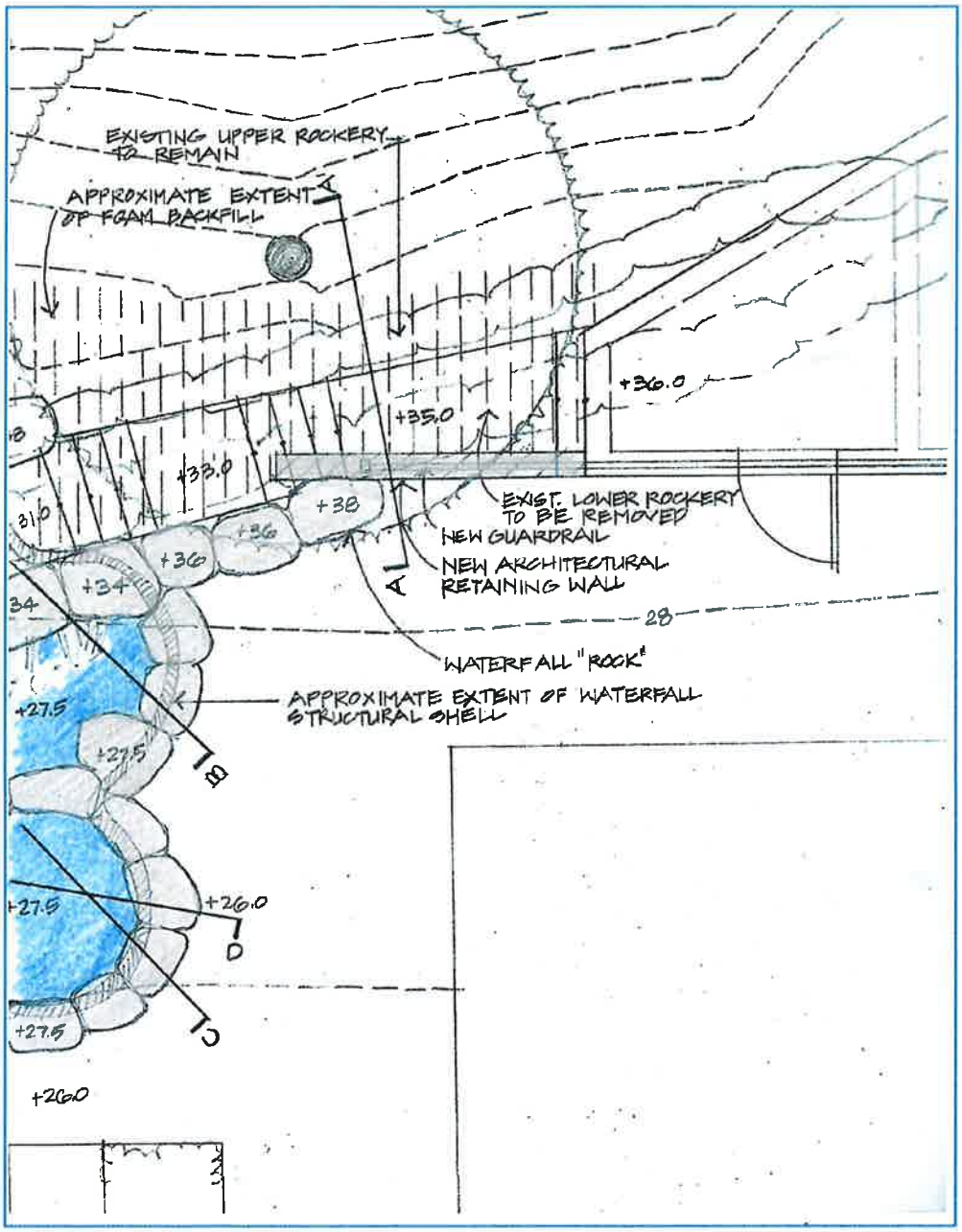
7) Construction activities can impact trees in unpredictable ways. All retained trees should be inspected at the completion of construction, and regularly thereafter as part of ongoing maintenance.

8) The consultant does not assume any liability for the subject tree and does not represent the transfer of such for any risks associated with the tree from the landowner to the consultant. **Risk management is solely the responsibility of the landowner.**

Attachment No. 2 – Douglas-fir Sketch 1

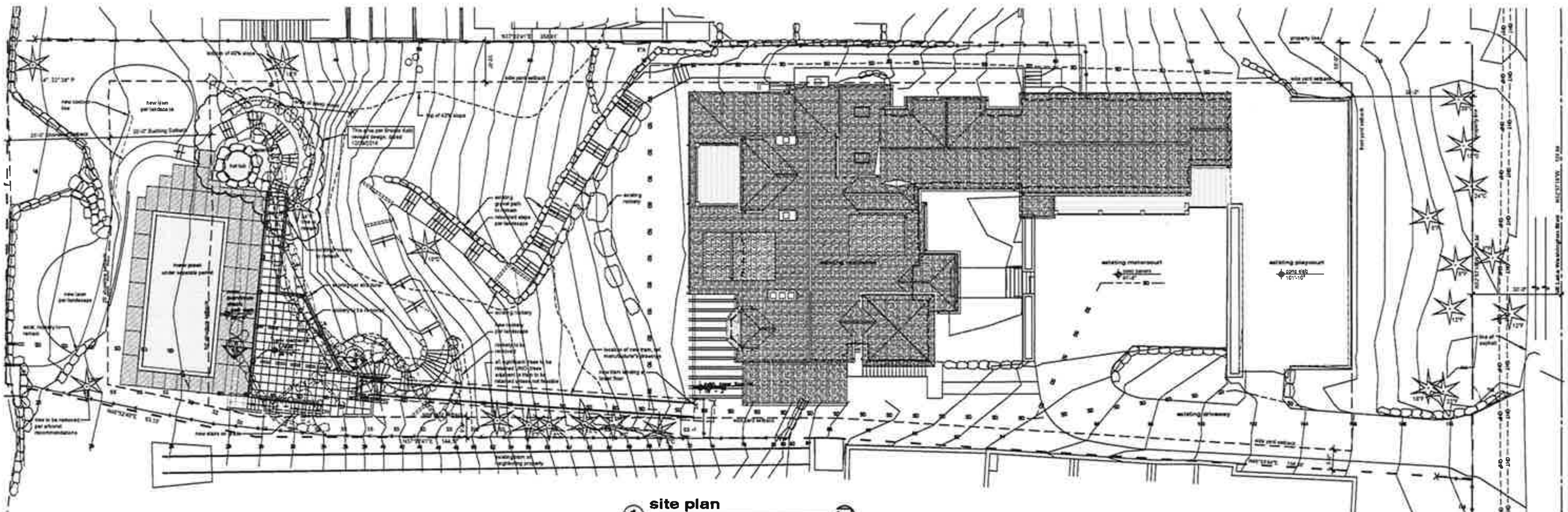


Attachment No. 3 – Douglas-fir Sketch 2



Bernier-McCaw Shoreline

Bellevue, Washington



① site plan
scale: 1 = 10' - 0"

Brooks Kolb, Brooks Kolb, LLC
Re: Bernier McCaw: Tree Report, 9627 Lake Washington Boulevard, Bellevue WA
December 14, 2016
Page 7 of 9
Attachment No. 4– Site Plan

Project Data:

Pool Building Height Calculations from Proposed Grade

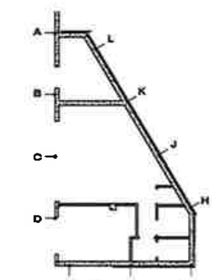
A	35.0'	FL	E	37.25'	FL	I	36.8'	FL
B	36.4'	FL	F	33.8'	FL	J	36.8'	FL
C	36.8'	FL	G	36.0'	FL	K	36.5'	FL
D	36.0'	FL	H	36.0'	FL			

sum of building corner elevations		342.75'
sum divided by number of measured corners=base elevation	Elev.	31.2'
allowable building height (15' + base elev) for detached accessory structures	Elev.	46.2'
proposed building height	Elev.	36.5'

Pool Building Height Calculations from Existing Grade

A	29.5'	FL	E	35.75'	FL	I	35.75'	FL
B	29.8'	FL	F	33.0'	FL	J	35.25'	FL
C	29.8'	FL	G	36.75'	FL	K	33.6'	FL
D	30.25'	FL	H	37.0'	FL			

sum of building corner elevations		357.25' FL
sum divided by number of measured corners=base elevation	Elev.	32.5'
allowable building height (15' + base elev) for detached accessory structures	Elev.	47.5'
proposed building height	Elev.	36.5'



③ ABE diagram
scale: 1 = 10' - 0"

Project Data:

Project Address: 9627 Lake Washington Blvd. NE, Bellevue, Washington 98004

Tax Parcel Number: 4389200045

Legal Description: LOCHLEVEN PCL B BELLEVUE BLA #01-116901 LW REC#20011204000020 TGW SH LDS ADJ Plat Block: 15 Plat Lot: 18-19

Zoning: R-1.8

Occupancy: R-3 Single Family Dwelling; U-1 Private Garage

Occupancy Separation: 1-hour separation at R-3 to U-1

Construction Type: Type V-N Hour

Gross Lot Area: 38073.8 sq. ft.

Setback requirements:
Front yard (N): 30'-0" from front property line
Side yards (E/W): sum to equal 15'-0" min, 5'-0" from south lot line, 10'-0" from north lot line
Rear yard (S): 25'-0" from rear property line

Allowed Lot Coverage:	35.00%
Gross Lot Area	38073.8 SF
- Protected Areas/Setbacks	10003.6 SF
Net Lot Area	28070.2 SF
35% of 28070.2 SF:	9824.6 SF
Lot Coverage by Structures:	
Existing House & Garage:	4568.6 SF
Existing Covered Porch:	1438.9 SF
Proposed Pool House:	600.0 SF
Total Lot Coverage:	6606.5 SF
Proposed Lot Coverage:	23.44%
Allowed Impervious Surface:	50.00%
50% of 38073.6 SF:	18037.0 SF
Impervious Surface Calculations	
Existing House and Garage Area	4565.6 SF
Existing Covered Porch Area	1438.9 SF
Existing Driveway, sportscourt, Pavers and Steps	6451.21 SF
Proposed Pool House	509.5 SF
Proposed Pool Vessel	780.5 SF
Proposed Sauna Vessel	44.2 SF
Total Impervious Surface Area	13830.6 SF
Proposed Impervious Surface:	35.6%

Significant Tree Calculation	
Inches of significant trees on site	338 in
30% min. inches required to be retained	101.4 in
Inches proposed to remain (1 8"F closest to tram cannot remain)	330 in
% Inches proposed to remain	97.6%

Project Contacts:

Owner: John Bernier & Beth McCaw, 9627 Lake Washington Blvd. NE, Bellevue, WA 98004

Architect: Demetriou Architects, 5555 Lakeview Drive, Suite 200, Kirkland, WA 98033, Project Manager: Michelle G. Cozza, (425) 827-1700

Structural Engineer: Dibble Engineers, Inc, 1029 Market Street, Kirkland Wa. 98033, Project Contact: Brian Lashbaugh, (425) 828-4200

Surveyor: Triad Associates, 12112 - 115th Avenue NE, Kirkland, WA 98034, (425) 821-8448

Geotechnical Engineer: Terra Associates, 9627 NE Lake Washington Boulevard, Bellevue, WA 98004, Project Contact: - Carolyn Decker, (425) 821-7777

Landscape Architect: Brooks Kolb, LLC Landscape Architect, 1101 East Pike Street, Seattle Wa. 98122, (206) 324-0888

Sheet Index:

Architectural:

A2.0	survey and slope categories
A2.1	site plan
A3.0	pool and cabana

Structural:

S-1	general structural notes, foundation & framing plan
S-2	structural sections and details
SH-1	shoring structural plan, elevation, sections & details

② vicinity map
NTS

Project: Bernier-McCaw Shoreline
9627 Lake Wa Blvd
Bellevue, Wa

Sheet Title: site plan

Project No.: 484.01

Sheet No.: A2

12/14/2016 A02_1 site_CD_at.dwg

ISA Basic Tree Risk Assessment Form

Client Brooks Kolb, Brooks Kolb, LLC Date 12/06/2016 Time 10:00 AM
Address/Tree location Cypress tree, 9627 Lake WA Blvd, Bellevue WA Tree no. 1 Sheet 1 of 1
Tree species Chamaecyparis pisifera dbh 36" Height 75' Crown spread dia. 14'
Assessor(s) Favero Greenforest Time frame 1 Yr. Tools used

Target Assessment

Target number	Target description	Target zone: Target within drip line	Target zone: Target within 1 x Ht.	Target zone: Target within 1.5 x Ht.	Occupancy rate (1–rare 2–occasional 3–frequent 4–constant)	Practical to move target?	Restriction practical?
1	Dock, boats, new cabana and pool	✓			4	N	N
2							
3							
4							

Site Factors

History of failures ONE UPPER BRANCH. **Topography** Flat ■ Slope ☐ _____% **Aspect** S
Site changes None ☐ Grade change ☐ Site clearing ☐ Changed soil hydrology ☐ Root cuts ☐ Describe
Soil conditions Limited volume ☐ Saturated ☐ Shallow ☐ Compacted ☐ Pavement over roots ☐ _____% Describe
Prevailing wind direction SW **Common weather** Strong winds ☐ Ice ☐ Snow ☐ Heavy rain ☐ Describe

Tree Health and Species Profile

Vigor Low ■ Normal ☐ High ☐ **Foliage** None (seasonal) ☐ None (dead) ☐ Normal 100 % Chlorotic _____% Necrotic _____%
Pests **Abiotic**
Species failure profile Branches ■ Trunk ☐ Roots ☐ Describe

Load Factors

Wind exposure Protected ☐ Partial ☐ Full ■ Wind funneling ☐ **Relative crown size** Small ☐ Medium ☐ Large ■
Crown density Sparse ☐ Normal ■ Dense ☐ **Interior branches** Few ☐ Normal ■ Dense ☐ **Vines/Mistletoe/Moss** ☐
Recent or planned change in load factors

Tree Defects and Conditions Affecting the Likelihood of Failure

— Crown and Branches —

Unbalanced crown ☐ LCR _____%
Dead twigs/branches ☐ ____% overall Max. dia. _____
Broken/Hangers Number _____ Max. dia. _____
Over-extended branches ☐
Pruning history
Crown cleaned ☐ Thinned ☐ Raised ■
Reduced ☐ Topped ☐ Lion-tailed ☐
Flush cuts ☐ Other

Cracks ☐ Lightning damage ☐
Codominant ■ Included bark ■
Weak attachments ☐ Cavity/Nest hole ____% circ.
Previous branch failures ☐ Similar branches present ☐
Dead/Missing bark ☐ Cankers/Galls/Burls ☐ Sapwood damage/decay ☐
Conks ☐ Heartwood decay ☐
Response growth

Main concern(s) FAILURE OF UPPER CO-COMINANT STEM.

Load on defect N/A ☐ Minor ☐ Moderate ■ Significant ☐
Likelihood of failure Improbable ☐ Possible ■ Probable ☐ Imminent ☐

— Trunk —

Dead/Missing bark ☐ Abnormal bark texture/color ☐
Codominant stems ☐ Included bark ■ Cracks ☐
Sapwood damage/decay ■ Cankers/Galls/Burls ☐ Sap ooze ☐
Lightning damage ☐ Heartwood decay ☐ Conks/Mushrooms ☐
Cavity/Nest hole _____% circ. Depth _____ Poor taper ☐
Lean _____° Corrected?

Response growth
Main concern(s) FAILURE OF CO-DOM STEM AT BASE OF TRUNK.

Load on defect N/A ☐ Minor ☐ Moderate ☐ Significant ■
Likelihood of failure
Improbable ☐ Possible ☐ Probable ■ Imminent ☐

— Roots and Root Collar —

Collar buried/Not visible ☐ Depth_____ Stem girdling ☐
Dead ☐ Decay ☐ Conks/Mushrooms ☐
Ooze ☐ Cavity ☐ _____% circ.
Cracks ☐ Cut/Damaged roots ☐ Distance from trunk _____
Root plate lifting ☐ Soil weakness ☐

Response growth
Main concern(s) NONE.

Load on defect N/A ☐ Minor ☐ Moderate ☐ Significant ☐
Likelihood of failure
Improbable ☐ Possible ☐ Probable ☐ Imminent ☐

Risk Categorization

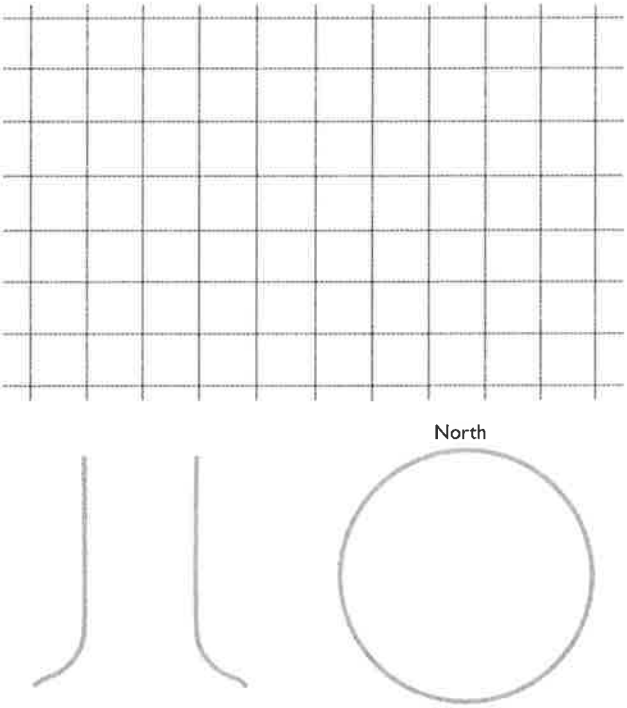
Condition number	Tree part	Conditions of concern	Part size	Fall distance	Target number	Target protection	Likelihood: Failure: Improbable	Likelihood: Failure: Possible	Likelihood: Failure: Probable	Likelihood: Failure: Imminent	Likelihood: Impact: Very low	Likelihood: Impact: Low	Likelihood: Impact: Medium	Likelihood: Impact: High	Likelihood: Failure & Impact (from Matrix 1): Unlikely	Likelihood: Failure & Impact (from Matrix 1): Somewhat	Likelihood: Failure & Impact (from Matrix 1): Likely	Likelihood: Failure & Impact (from Matrix 1): Very likely	Consequences: Negligible	Consequences: Minor	Consequences: Significant	Consequences: Severe	Risk rating of part (from Matrix 2)
1	TRUNK	FAILURE AT BASE	36"	75'	1	NONE	○	○	●	○	○	○	○	●	○	○	●	○	○	○	○	●	HIGH
							○	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○	
							○	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○	
2	UPPER STEM	FAILURE AT ATTACHMENT	11"	75'	1	NONE	○	●	○	○	○	○	○	●	○	●	○	○	○	●	○	○	LOW
							○	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○	
							○	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○	
3							○	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○	
							○	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○	
							○	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○	
4							○	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○	
							○	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○	
							○	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○	

Matrix 1. Likelihood matrix.

Likelihood of Failure	Likelihood of Impacting Target			
	Very low	Low	Medium	High
Imminent	Unlikely	Somewhat likely	Likely	Very likely
Probable	Unlikely	Unlikely	Somewhat likely	Likely
Possible	Unlikely	Unlikely	Unlikely	Somewhat likely
Improbable	Unlikely	Unlikely	Unlikely	Unlikely

Matrix 2. Risk rating matrix.

Likelihood of Failure & Impact	Consequences of Failure			
	Negligible	Minor	Significant	Severe
Very likely	Low	Moderate	High	Extreme
Likely	Low	Moderate	High	High
Somewhat likely	Low	Low	Moderate	Moderate
Unlikely	Low	Low	Low	Low



Notes, explanations, descriptions THIS ASSESSMENT ASSUMES THE PROPOSED IMPROVEMENTS AS TARGETS (THOIUGH NOT YET CONSTRUCTED), IN ADDITION TO EXISTING TARGETS ON SITE.

Mitigation options NO MITIGATION RECOMMENDATIONS **Residual risk** _____

Residual risk _____

Residual risk _____

Residual risk _____

Overall tree risk rating Low ☐ Moderate ☐ High ■ Extreme ☐ **Work priority** 1 ☐ 2 ☐ 3 ☐ 4 ☐

Overall residual risk Low ☐ Moderate ☐ High ☐ Extreme ☐ **Recommended inspection interval** _____

Data ■ Final ☐ Preliminary **Advanced assessment needed** ■ No ☐ Yes-Type/Reason _____

Inspection limitations ■ None ☐ Visibility ☐ Access ☐ Vines ☐ Root collar buried Describe _____

City of Bellevue Submittal Requirements	27

ENVIRONMENTAL CHECKLIST

10/9/2009

Thank you in advance for your cooperation and adherence to these procedures. If you need assistance in completing the checklist or have any questions regarding the environmental review process, please visit or call Development Services (425-452-6800) between 8 a.m. and 4 p.m., Monday through Friday (Wednesday, 10 to 4). Assistance for the hearing impaired: Dial 711 (Telecommunications Relay Service).

INTRODUCTION
Purpose of the Checklist:

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

Instructions for Applicants:

This environmental checklist asks you to describe some basic information about your proposal. Answer the questions briefly, with the most precise information known, or give the best description you can. You must answer each question accurately and carefully, to the best of your knowledge. In most cases, you should be able to answer the questions from your own observations or project plans without the need to hire experts. If you really do not know the answer or if a question does not apply to your proposal, write "do not know" or "does not apply." Giving complete answers to the questions now may avoid unnecessary delays later.

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

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. Include reference to any reports on studies that you are aware of which are relevant to the answers you provide. The City may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impacts.

Use of a Checklist for Nonproject Proposals: *A nonproject proposal includes plans, policies, and programs where actions are different or broader than a single site-specific proposal.*

For nonproject proposals, complete the Environmental Checklist even though you may answer "does not apply" to most questions. In addition, complete the Supplemental Sheet for Nonproject Actions available from Permit Processing.

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

Attach an 8 ½" x 11 vicinity map which accurately locates the proposed site.

Date 8/23/16
Date 10/20/17

BACKGROUND INFORMATION

Property Owner: Yahn Bernier and Beth McCaw

Proponent: Demetriou Architects

Contact Person: Michelle D. Cozza of Demetriou Architects
(If different from the owner. All questions and correspondence will be directed to the individual listed.)

Address: 5555 Lakeview Dr., Ste. 200, Kirkland, WA 98033

Phone: 425-827-1700

Proposal Title: Critical Area Buffer and Structure Setback Modification for construction of Pool and Pool Cabana

Proposal Location: 9627 Lake Washington Blvd NE, legal description attached
(Street address and nearest cross street or intersection) Provide a legal description if available.

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: Addition of pool house and pool accessory to existing single fam. residence at the base of steep slope, and tram connecting existing patio with top of proposed pool house.
2. Acreage of site: .828
3. Number of dwelling units/buildings to be demolished: 0
4. Number of dwelling units/buildings to be constructed: 0 dwelling units, 1 pool building, 1 tram
5. Square footage of buildings to be demolished: 0
6. Square footage of buildings to be constructed: 600
7. Quantity of earth movement (in cubic yards): 469
8. Proposed land use: existing to remain - Single Family Residential
9. Design features, including building height, number of stories and proposed exterior materials:
   Pool house will be one story 13'-3 1/2" high to top of railing, with exterior materials and detailing to match those on existing house (stone veneer and wood shingles).
10. Other

Estimated date of completion of the proposal or timing of phasing:
Project would commence as soon as CALUP and building permit approval are received. Completion date will depend on season and associated site conditions.

Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.
No.

DT 8/23/17
DT 10/24/17

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

1. Geotechnical Report prepared by Terra Associates
2. Existing conditions habitat assessment memorandum prepared by Cedarock Consultants
3. Critical Areas Report and Narrative, and Restoration/Mitigation plan prepared by Brooks Kolb
4. ARBORIST REPORT PREPARED BY FAVARO GREENFOREST

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.

No.

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 - this application
Single Family Addition construction permit - under separate application

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.

Soils generally consist of 1-3 ft. of dense inorganic fill overlaying dense sand with gravel.

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

No.

8/23/10

10/26/10

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

Proposed grading and filling is the minimum necessary to construct the pool house and retaining wall. Fill will be either clean granular fill or native soils depending on moisture content and weather conditions at time of construction per the geotechnical report.

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

Unlikely per the geotechnical report.

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

35.5%

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

Geotechnical Report recommendations, and BMP's C233 Silt Fence, C235 Straw Wattles, T101 Tree Protection Fencing per Sheet L1.1.

EROSION CONTROL FULTHER MITIGATED PER BCC 23.76.090 "EROSION AND SEDIMENTATION CONTROL"

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.

None

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

None

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

None

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.

The site borders on Lake Washington.

(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, the proposed work occurs within 200' of Lake Washington. See attached architectural, structural and landscape plans.

8/23/16

10/20/17

(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.

(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.

Storm water will be the sole source of runoff, and will be collected/disposed by expansion of existing water quality systems including gutters, and foundation/footing drains, and discharged to Lake Washington. Final exterior grades adjacent to a building will slope away at least 2%.

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

No.

D: [illegible] 8/23/16
[illegible] 10/26/17

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

Expansion of existing water quality systems.

4. Plants

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

- [X] deciduous tree: alder, maple, aspen, other
- [X] evergreen tree: fir, cedar, pine, other
- [X] shrubs
- [X] grass
- [ ] pasture
- [ ] crop or grain
- [ ] wet soil plants: cattail, buttercup, bulrush, skunk cabbage, other
- [ ] water plants: water lily, eelgrass, milfoil, other
- [X] other types of vegetation
  English Ivy

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

Invasive, non-native vegetation will be removed. 1 HAZARDOUS TREE (SAWARA CYPRESS) QJ

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

None on site. Eagle nest is known to be 1 mile south of site.

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

Vegetation will be mitigated and restored per Sheet L1.0 and L2. Area of mitigation/restoration exceeds area of disturbance.

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:

- [X] Birds: hawk, heron, eagle, songbirds, other:
- [ ] Mammals: deer, bear, elk, beaver, other:
- [X] Fish: bass, salmon, trout, herring, shellfish, other:

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

None.

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

Pacific flyway.

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

Removal of invasive vegetation and planting of native species per Sheets L1.0 and L2.

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 will be used for heating and lighting.

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:

Requirements of applicable Building Code and State Energy Code will be incorporated into the construction of the pool house.

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 known.

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

None.

D.R. 3/23/18
D.R. 10/26/17

b. Noise

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

Typical residential and lake-use related noise.

(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.

Minor construction and landscaping noise would come from the site during hours prescribed by the City of Bellevue noise ordinance.

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

Work will be done only during hours prescribed by City of Bellevue, muffler devices on equipment as feasible, and minimize idling time of equipment. NOISE FURTHER MITIGATED PER BCC 9.18 "NOISE CONTROL" D1

8. Land and Shoreline Use

a. What is the current use of the site and adjacent properties?
Current use of site and adjacent properties is single family residential. Adjacent properties have accessory structures and/or pool within shoreline/steep slope critical area buffers, similar to proposed work.

b. Has the site been used for agriculture? If so, describe.
No.

c. Describe any structures on the site.
Existing single family residence.

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?
Shoreline residential.

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

I. Approximately how many people would reside or work in the completed project?
None.

j. Approximately how many people would the completed project displace?
None.

D. Lee 4/23/14
D. Lee 10/24/17

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

None.

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

None. Proposal is consistent with existing land uses.

9. Housing

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

None.

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?

The pool house height is 13'-3 1/2" to top of guardrail posts. The exterior building materials are to be a combination of wood shingles and thin stone veneer.

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

None, the proposed work is significantly downhill of the existing residence, and will not interfere with views in the immediate vicinity.

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

The proposed pool house nestles into the existing rockery at the base of the hill, and the finished roof elevation is close to existing grade.

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11. Light and Glare

a. What type of light or glare will the proposal produce? What time of day would it mainly occur?
None, other than the reflection off of the pool water.

b. Could light or glare from the finished project be a safety hazard or interfere with views?
No, there is already the reflection of light off of Lake Washington.

c. What existing off-site sources of light or glare may affect your proposal?
None.

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?
Meydenbauer Park east of property, Lake Washington.

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.
No.

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.
Lake Washington Boulevard serves the site. Access will be via existing driveway.

b. Is site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?
No, the closest transit stop is on Bellevue Way.

c. How many parking spaces would be completed project have? How many would the project eliminate?
There will be no change to the existing number of parking spaces.

8/23/17

10/26/17

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.

None. Site is already developed with a single-family residence.

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.

No.

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.

All except septic system.

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.

No additional utilities will be required. The proposed project will use existing available utilities. Electricity provided by PSE, sanitary sewer and storm water connection by City of Bellevue.

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..6/16/16.....

D. Th 8/23/17
D. Th 10/24/17

LEGAL DESCRIPTION

THAT PORTION OF LOT 18 IN BLOCK 15 OF LOCHLEVEN, ACCORDING TO PLAT RECORDED IN VOLUME 16 OF PLATS AT PAGE(S) 46, IN KING COUNTY, WASHINGTON, LYING SOUTHWESTERLY OF NORTHEAST LAKE WASHINGTON BOULEVARD RIGHT-OF-WAY;

TOGETHER WITH SECOND CLASS SHORELANDS AS CONVEYED BY THE STATE OF WASHINTON SITUATE IN FRONT OF, ADJACENT TO OR ABUTTING THEREON;

SITUATE IN THE CITY OF BELLEVUE, COUNTY OF KING, STATE OF WASHINGTON.

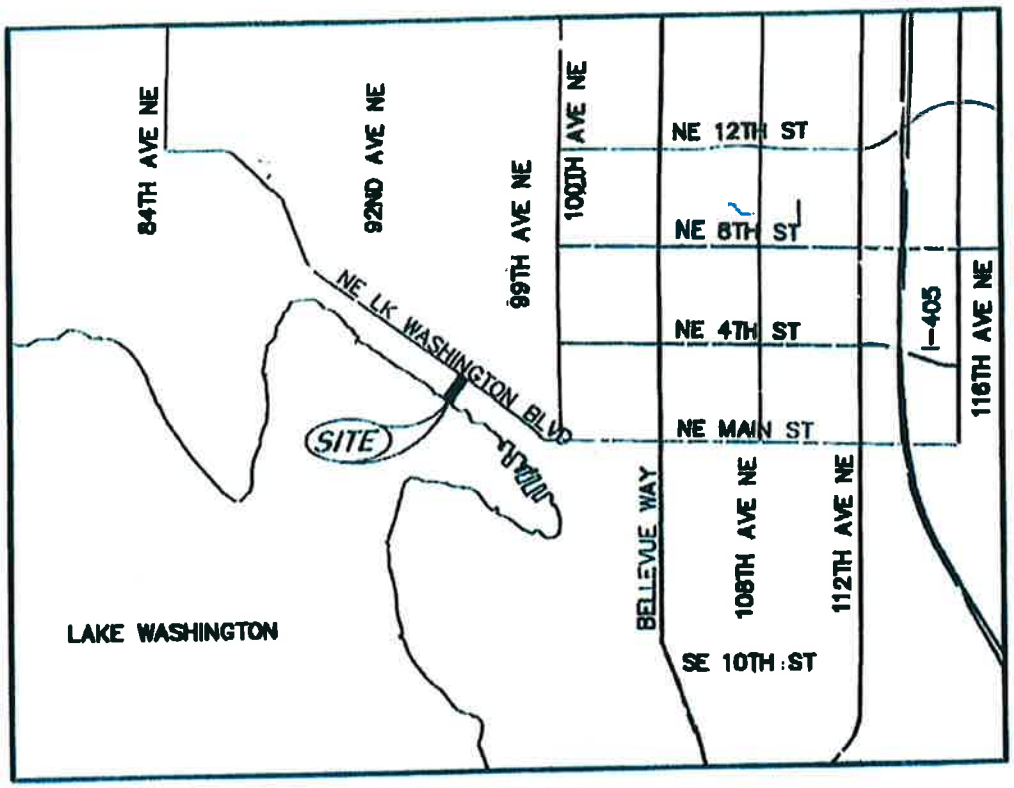
TOGETHER WITH THAT PORTION OF LOT 19 IN SAID BLOCK 15 OF LOCHLEVEN DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE NORTHWESTERLY LINE OF SAID LOT 19 IN SAID BLOCK 15 AND THE SOUTHWESTERLY RIGHT-OF-WAY OF NORTHEAST LAKE WASHINGTON BOULEVARD AS NOW LOCATED AND ESTABLISHED;

THENCE SOUTH 52°57'19" EAST ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY LINE 22.92 FEET,

THENCE SOUTH 40°38'46" WEST 158.88 FEET; THENCE SOUTH 37°02'41" WEST PARALLEL WITH THE WEST LINE OF LOT 18 IN SAID BLOCK 15 FOR A DISTANCE OF 144.17 FEET; THENCE SOUTH 48°52'40" WEST 63.13 FEET, MORE OR LESS, TO A POINT ON THE SHORE OF LAKE WASHINGTON WHICH BEARS SOUTH 37°02'41" WEST 364.53 FEET, MORE OF LESS, FROM THE POINT OF BEGINNING; THENCE NORTH 37°02'41" EAST 364.53 FEET TO THE POINT OF BEGINNING.

(ALSO KNOWN AS PARCEL B OF CITY OF BELLEVUE BOUNDARY LINE ADJUSTMENT NO. 01-116901 LW, RECORDED ON DECEMBER 04, 2001 UNDER RECORDING NO. 20011204900020, SITUATE IN THE CITY OF BELLEVUE, COUNTY OF KING, STATE OF WASHINGTON.)



VICINITY MAP

SCALE: 1" = 2400'