City of Bellevue
Development Services Department
Land Use Staff Report

Proposal Name:	Belvedere Lot 7 Critical Area Modification and Height Variance
Proposal Address:	5133 145th Place SE
Proposal Description:	Critical Areas Land Use Permit for the construction of a single family residence. Proposal includes disturbance of steep slope critical area and critical area buffer; and height variance to increase height by 11 feet to a maximum building height of 46 feet from average existing grade.
File Number:	17-111555-LO and 17-113262-LS
Applicant:	GIS International Group
Decisions Included	Critical Areas Land Use Permit (Process II 20.30.P) Administrative Variance (Process II 20.30G)
Planner:	Drew Folsom, Land Use Planner
State Environmental Policy Act Threshold Determination:	**Exempt per WAC 197-11-800**
Director's Decision:	**Approval with Conditions** Michael A. Brennan, Director Development Services Department

By: _____
Liz Stead, Land Use Director

Application Date:	May 9, 2017
Notice of Application Date:	June 1, 2017
Decision Publication Date:	October 11, 2017
Project/ Appeal Deadline:	October 25, 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

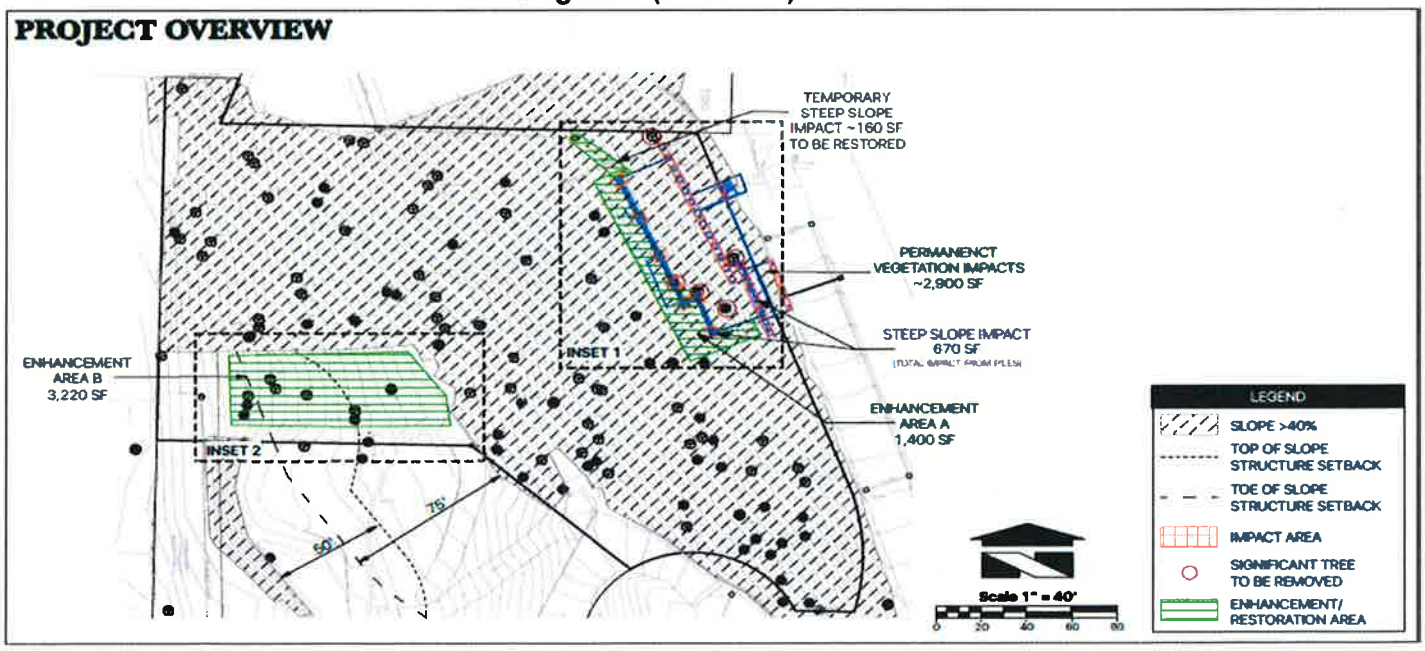
1. Mitigation Plan – Enclosed
2. Critical Areas Report by Wetland Resources, Inc. – In File
3. Geotechnical Report and addendum by Geotech Consultants, Inc. – In File
4. Building Elevation – In File

I. Proposal Description

The applicant proposes to build a single family residence on a vacant lot located at 5133 145th Place SE. In order to construct the home, the proposal includes a request to disturb and modify a steep slope critical area, and steep slope critical area buffer. The application includes a critical areas report in support of this request. The applicant also requests a Variance from the Land Use Code to increase the allowed maximum building height from 35 to 46 feet (measured from average existing grade).

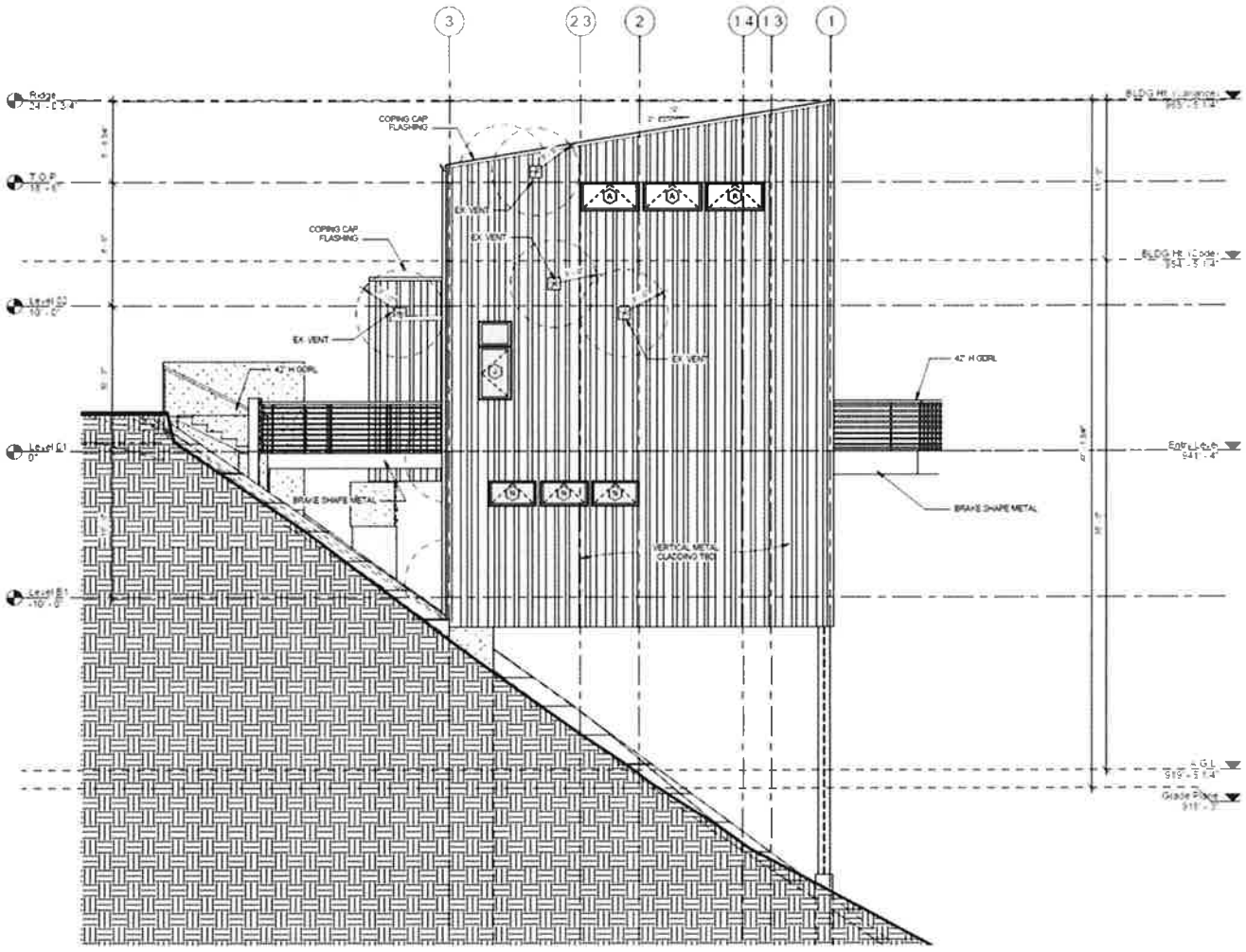
A Critical Areas Land Use Permit (CALUP) is required to modify steep slopes and buffers. The critical areas report proposes to: remove 3,125 square feet of steep slope and associated buffer to construct a single family home and associated driveway. The development will take place in the eastern portion of the lot adjacent to 145th Place SE. The proposal will temporarily impact 180 square feet of steep slope to construct a sewer line connection. No tree removal is proposed or necessary for the sewer line connection. Approximately 5 trees will be removed to construct the residence and driveway. As part of the mitigation plan, 4,620 square feet of steep slope, steep slope buffer, and toe of slope structure setback west of the residence will be enhanced with native vegetation. The mitigation planting plan includes the installation of over 40 native trees.

Figure 1 (Site Plan)



The proposal is to construct a new single family home on a property where steeps slopes of 40% or greater are present on approximately 85% of the site. The steepness of the site sets the average grade significantly lower than the street level. The applicant proposes pole-type construction as required on slopes in excess of 40 percent per LUC 20.25H.125. Because of this required design technique, the underlying loose soils, and the significant slope on the lot, the average existing grade is much lower than the lowest level of the proposed home. The variance requests additional height in order to construct a three-story house with a pitch roof as shown on the elevation in figure 2 below (see also Attachment 3).

Figure 2 (Building Elevation)



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

A. Site Description

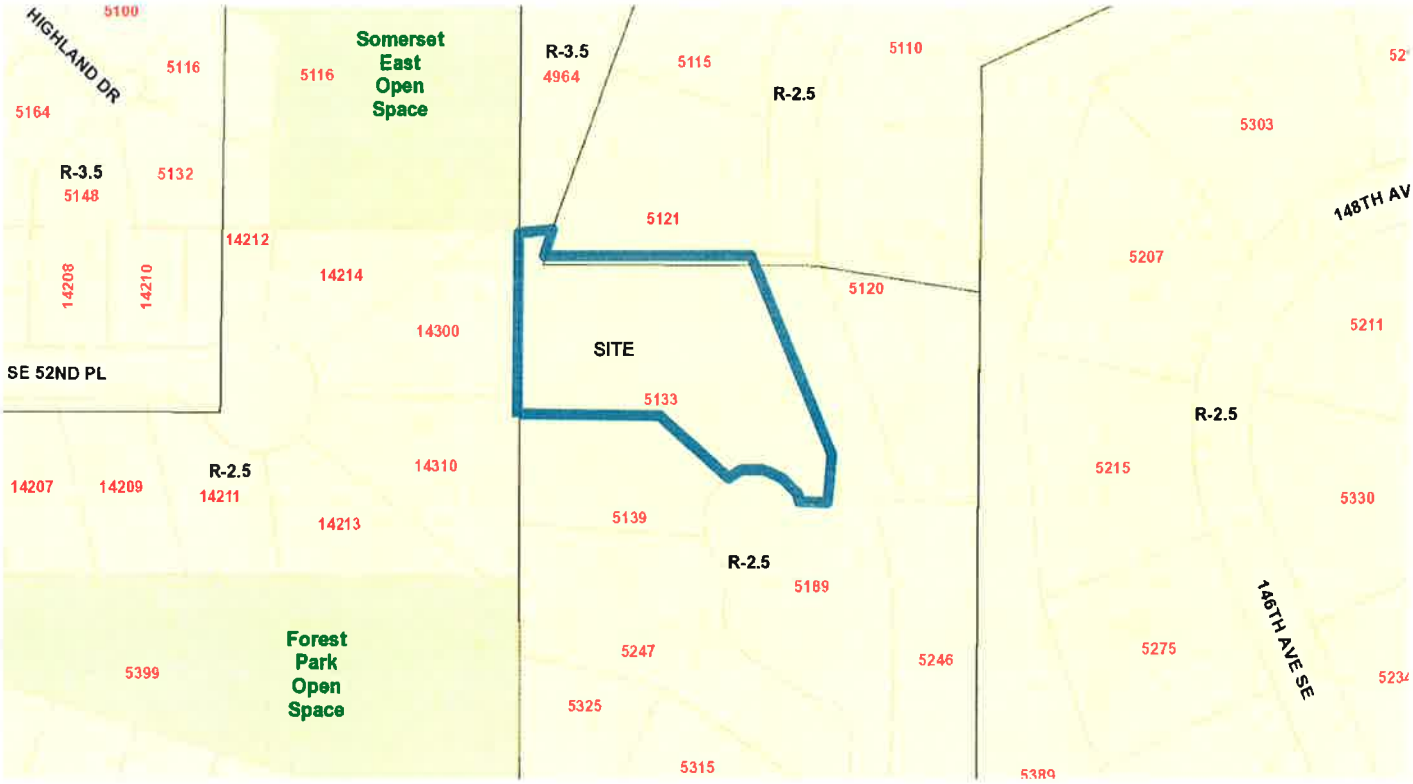
The project site is located in a community of single family homes in the Factoria Subarea of the City. The lot was created in 1990 and has remained vacant since platting. Access to the site is gained via 145th Pl SE, a private road. The topography of the sight slopes steeply from east to west. Approximately 43,395 square feet, or 85%, of the site meets the definition of steep slopes and steep slope critical area buffers under LUC 20.25H. A significant portion of the site is forested. The forested portion of the site is high quality habitat, dominated by native upland vegetation. Vegetation on the site includes: Douglas fir, big leaf maple, western hazelnut, holly, Oso berry, red huckleberry, western sword fern, and Oregon dull grape. An aerial photograph of the site is included as figure 3.

Figure 3 (Aerial Photograph)

B. Zoning

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

Figure 4 (Zoning Map)



C. Land Use Context

The property has a Comprehensive Plan Land Use Designation of SF-M (Single-Family Medium Density) and the subject site and surrounding properties are developed with single family homes.

D. Critical Areas On-Site and Regulations

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. 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:

Zoning District Dimensional Requirements:

The R-2.5 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 34.9 percent and the impervious surface coverage will be approximately 5.4 percent. The garage will be located 5 feet from property line to construct a driveway with a slope less than 15% to the dwelling level as allowed per LUC 20.20.025.B. The plans submitted generally demonstrate conformance with zoning dimensional standards, with the exception of the proposed building height (the subject of the variance request in this application).

A. Critical Areas Requirements LUC 20.25H:

The City of Bellevue Land Use Code Critical Areas Overlay District (LUC 20.25H) establishes performance standards and procedures that apply to development on any site which contains in whole or in part any portion designated as critical area, critical area buffer, or structure setback from a critical area or buffer.

i. Consistency with LUC 20.25H.125

The steep slopes performance standards are incorporated into the project as found in the submitted critical areas report in Attachment 2 of this staff report. The proposal is designed to minimize alterations to the steep slope critical areas and buffers. The structure is built on reinforced piles to minimize disturbance of the slope. Permanent disturbance of the steep slope critical area and critical area buffers is limited to the residence, and driveway. As demonstrated in the geotechnical report and addendum dated July 11, 2017, the proposed development will not result in a greater risk or a need for increased buffers on neighboring properties. Disturbed areas will be mitigated by a replanting plan. **See Conditions of Approval in Section IX of this report.**

ii. Consistency with Critical Areas Report 20.25H.140 and 145 Critical areas report – Approval of modification.

The application includes a copy of the site plans for the proposal and a topographic survey. A geotechnical report was prepared by Geotech Consultants, Inc. The report includes an analysis of the site's geological characteristics and the proposed project. The report notes that the project will be supported on closely spaced reinforced piles and will stabilize the loose fill soil present adjacent to 145th Place SE. The geotechnical engineer states: "The closely spaced stabilization piles used for the east side of the house will actually increase stability of adjacent eastern land."

The proposal will remove 5 significant trees and understory vegetation in the western portion of the lot. This area of the lot is bordered by 145th Place SE and has fewer significant trees and sparser vegetation than other portions of the site. These impacts are not environmentally significant and will be mitigated by the planting of 4,620 square feet of steep slope, steep slope buffer, and toe of slope structure setback west of the residence with native vegetation including over 40 native trees. **See Conditions of Approval in Section IX of this report.**

IV. Public Notice and Comment

Application Date:	May 9, 2017
Public Notice (500 feet):	June 1, 2017
Minimum Comment Period:	June 15, 2017

The Notice of Application for this project was published the City of Bellevue Weekly Permit Bulletin on October 29, 2015. It was mailed to property owners within 500 feet of the project site. One written comment was received expressing support for the application and emphasized the project seems well-thought out and reasonable.

V. Summary of Technical Reviews

A. Clearing and Grading

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

and has approved the application. Associated single family building permit (17-119331-BS) must comply with Clearing and Grading best management practices and standards and codes.

B. Utilities

The Utilities Department has reviewed and approved the proposed site development for conceptual design. Associated single family building permit (17-119331-BS) must comply with the Utility Surface Water Engineering Standards and codes.

C. Transportation

The Transportation Department has reviewed and approved the proposed site development for conceptual design. Associated single family building permit (17-119331-BS) must comply with the Utility Surface Water Engineering Standards and codes

See Conditions of Approval in Section IX of this report.

VI. State Environmental Policy Act (SEPA)

The proposal is exempt from SEPA review, per WAC 197-11-800 and BCC 22.02.032. Construction of a single family residence, even when located in a critical area, is a categorical exemption.

VII. Decision Criteria

A. 20.25H.255B. Decision Criteria – Proposals to Reduce Regulated Critical Area Buffer.

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

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

Finding: As described within the Critical Areas Report prepared by Wetland Resources, Inc., the project proposes to develop a single family residence and access driveway. The development activity will take place on a steep slope with an elevated house placed on reinforced piling. Development within this area will consist of excavating for pile placement, piles placed into the slope, minor grading for connection between the driveway and the road, and vegetation removal. The placement of reinforced piles will increase stability along the eastern edge of the site. As a result of the proposed mitigation plan the property will gain an increase in structural and biological diversity in the form of additional plantings which increase remaining habitat value and water quality functions. The project will result in an increase in ecological value to the property over what is existing. **See Conditions of Approval in Section IX of this report.**

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

   Finding: The proposal includes plans to enhance 4,620 square feet of steep slope, steep slope buffer, and toe of slope structure setback west of the residence with native vegetation including over 40 native trees. Per the critical areas report prepared by Wetland Resources, Inc., and the geotechnical report prepared by Geotech Consultants, Inc., the water quality and habitat functions on this site will be improved. **See Conditions of Approval in Section IX of this report.**

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

   Finding: Per the critical areas report prepared by Wetland Resources, Inc., and the geotechnical report prepared by Geotech Consultants, Inc., as a result of the enhancement of the remaining steep slopes, slope buffer, and toe of slope structure setback the proposal will achieve a net gain in stormwater quality function. The project will be subject to the City's existing stormwater regulations.

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

   Finding: Per LUC 20.40.490 a monitoring and maintenance assurance device is required to ensure completion of the five-year monitoring period of the mitigation plan submitted in the critical areas report. **See Conditions of Approval in Section IX of this report.**

5. **The modifications and performance standards included in the proposal are not detrimental to the functions and values of critical area and critical area buffers off-site; and**

   Finding: As detailed in the critical areas report prepared by Wetland Resources, Inc., and the geotechnical report prepared by Geotech Consultants, Inc., with the implementation of the enhancement plan there will be no overall detrimental effect to the functions and values of the critical area and critical area buffer. An increase in value of the water quality, habitat, and functions of the steep slope are expected as a result of the proposed planting.

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

   Finding: The proposal is requested in order to construct a single-family home which is a compatible use with the adjacent single-family residences.

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

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

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

   Finding: Associated single family building permit (17-119331-BS) must be approved to construct the home. **See Conditions of Approval in Section IX of this report.**

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

   Finding: The proposal is consistent with the required performance standards as discussed in Section III of this report. The proposed development activity has been limited to areas necessary to construct and gain access to a single family home. As discussed in the Critical Areas Report prepared by Wetland Resources, Inc., the proposal evaluated alternative locations for the home. The report compares impacts to steep slopes, buffers, structure setbacks, and habitat for species of local importance. All proposed locations required disturbance of steep slopes due to house placement or driveway access.

   As detailed in the Critical Areas Report prepared by Wetland Resources, Inc., and the geotechnical report prepared by Geotech Consultants, Inc., the slope is underlain with up to 10 feet of loose soil. The house will be constructed above the ground surface and supported on piles. This type of construction will not only preserve the slope, but will provide increased stability to the steep slope area.

   The proposed location results in the least impacts to critical area functions and consolidates the remainder of the site in a large protected Native Growth Protection Easement (NGPE). The resulting mitigation will remove existing invasive plants and replant the steep slope adjacent to the proposed home and steep slope buffer and toe of slope structure setbacks in the southwest portion of the property. **See Conditions of Approval in Section IX 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 proposed development is adequately served by existing public facilities.

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

   Finding: A mitigation plan consistent with LUC 20.25H.210 has been submitted to plant 4,620 square feet of steep slope, steep slope buffer, and toe of slope structure setback west of the residence with native vegetation including over 40 native trees. The project is required to be monitored for five years. The monitoring, maintenance, and reporting schedule will be as proposed in the mitigation plan. **See Conditions of Approval in Section IX of this report.**

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

   Finding: The applicant submitted documentation consistent with the requirement to demonstrate compliance with the requirements of LUC 20.30P, and 20.25H. Staff has reviewed these documents and finds that the proposal complies with all other applicable requirements of the Land Use Code. **See Conditions of Approval in Section IX of this report.**

C. LUC 20.30G.140. A Variance from the Land Use Code – Decision Criteria – General The Director may approve, or approve with modifications an application for a variance from the provisions of the Land Use Code if:

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.**

   Finding: Approval of a variance to the height will result in a single family home consistent with the height and visual appearance of existing properties in the vicinity. The homes on properties in the vicinity of the site have multiple floors and provide context for this request to build a three story house. The bulk and scale from the street side will be of a two-story house that sits partially below the street level. Views of the downhill side of the structure are limited because of surrounding lot configuration and the presence of mature vegetation.

   The applicant supplied several examples of street-facing three story or greater homes in the vicinity. The adjacent property north of the site is developed with a four-story home supported by reinforced poles. The proposed variance does not grant a special privilege to the subject site that is not enjoyed by properties in the vicinity.

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.**

   Finding: The variance is necessary due to the topography and configuration of the subject property. The steepness of the topography sets the average existing grade

far below the street level. The presence of fill soil on the slope prohibits a design which partially buries the lower floor in the hillside. The proposed pole-type construction is required due to the presence of steep slopes per LUC 20.25H.

The proposed building height of 46 feet at the highest peak from average existing grade will achieve a building mass and floor area consistent with new development in the immediate vicinity. The proposed residence will be required to conform to all other dimensional standards such as setbacks, lot coverage, impervious surface, floor area ratio, and greenscape requirements.

If the variance is not granted the application of the code allowed 35 foot height limit would result in a home out of character from the 3 and 4 story homes in the immediate vicinity. The bulk and scale when viewed from the street would be of a one story home sitting partially below street level.

This variance is necessary for the property to enjoy a similar house design and floor area that are available to other properties in the neighborhood and found elsewhere in the City of Bellevue.

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

Finding: The proposal is not detrimental to the property or improvements in the vicinity of the property. The proposed building height of 46 feet at the highest peak from average existing grade will achieve a building mass and floor area consistent with new development in the immediate vicinity. Street view appearance of the proposed home will not vary from building designs in the vicinity of the subject lot.

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

Finding: The variance is not inconsistent with the Comprehensive Plan. The site is located in the Factoria subarea and has a Single-Family Medium Density Comprehensive Plan land use designation. The proposed home is consistent with the low-density use intended. The following policies are applicable to this proposal:

POLICY LU-11: Maintain stability and improve the vitality of residential neighborhoods through adherence to, and enforcement of, the City's codes.

POLICY LU-29: Help communities to maintain their local, distinctive neighborhood character, while recognizing that some neighborhoods may evolve.

POLICY EN-37: Use geotechnical information and an analysis of critical areas functions and values to evaluate the geologic and environmental risks of potential development on slopes between 15% and 40% and implement appropriate controls on development.

POLICY S-FA-10: Encourage the use of a variety of site development options to conserve the natural land features in wetlands or steep slopes.

The proposal is an allowed use in the R-2.5 zone and complies with the zoning standards in the area which are the only limitations on design of single family homes. The variance request will complement the neighborhood by allowing the construction of a new house that is compatible in size, scale, and character with the surrounding redevelopment. The application shall record the variance with the King County Department of Records within 60 days from the date of variance approval.

See Conditions of Approval in Section IX of this report.

VIII. 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 removal of a 3,125 steep slope, and associated buffer from critical area status to construct a single family home and associated driveway, with at least 4,620 square feet of mitigation planting; and Variance from the Land Use Code for the proposed house of 46 feet measured from average existing grade to the highest peak.

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

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

IX. Conditions of Approval

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

Applicable Ordinances	Contact Person
Clearing and Grading Code- BCC 23.76	Tom McFarlane, 425-452-5207
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. Building Permit (type BS) approval is required. Plans submitted as part of permit application shall be consistent with the plans, dated June 23, 2017 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 Review:** The project geotechnical engineer must review the final plans, including all foundation, pile, retaining wall, shoring, and vault designs. A letter from the geotechnical stating that the plans conform to the recommendations in the geotechnical report and any addendums and supplements must be submitted to the clearing and grading section prior to issuance of the construction permit.

   Authority: Clearing & Grading Code 23.76.050
   Reviewer: Tom McFarlane, Development Services Department, Clearing & Grading Section

4. **Maintenance and Monitoring:** The proposed planting (Attachment 1 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 5 reports total; one after the first growing season. Reports shall comprise of 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 20.30P.140; Land Use Code 20.25H.220.F
   Reviewer: Drew Folsom, Development Services Department

5. **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

6. **Native Growth Protection Easement:** The perimeter of the modified slope, buffers and the Native Growth Protection Easement shall be surveyed and shall have fencing and signage noting its status as a Native Growth Protection Easement. The NGPE shall be recorded with King County and shall have language which contains at minimum:

    i. An assurance that the NGPE will be kept free from all development and disturbance except where allowed or required for habitat improvement projects and vegetation management, existing topography, and other natural features will be preserved for the purpose of preventing harm to property and the environment, including, but not limited to, controlling surface water runoff and erosion, maintaining slope stability, and buffering and protecting plants and animal habitat.
    ii. The right of the city of Bellevue to enter to the property to investigate the condition of the NGPE upon reasonable notice;
    iii. The right of the City of Bellevue to enforce the terms of the restriction; and, A management plan for the NGPE designating future management responsibility

    Authority: Land Use Code 20.25H.255.B, and 20.30P.140.2
    Reviewer: Drew Folsom, Development Services Department

7. **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

8. **Land Use Inspections:** Following installation of 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

9. **Height:** The proposal is limited to a maximum height of 46 feet measured from average existing grade to the highest peak as shown on the exterior elevations sheet A.03.00 dated June 23, 2017.

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

10. **Variance Recorded:** 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 prior to building permit issuance.

    Authority: Land Use Code 20.40.500
    Reviewer: Drew Folsom, Development Services Department

11. **Rainy Season restrictions:** Due to the proximity of this project to a steep slope critical area, no clearing and grading activity may occur during the rainy season, which is defined as October 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: Tom McFarlane, Clearing and Grading

12. **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.

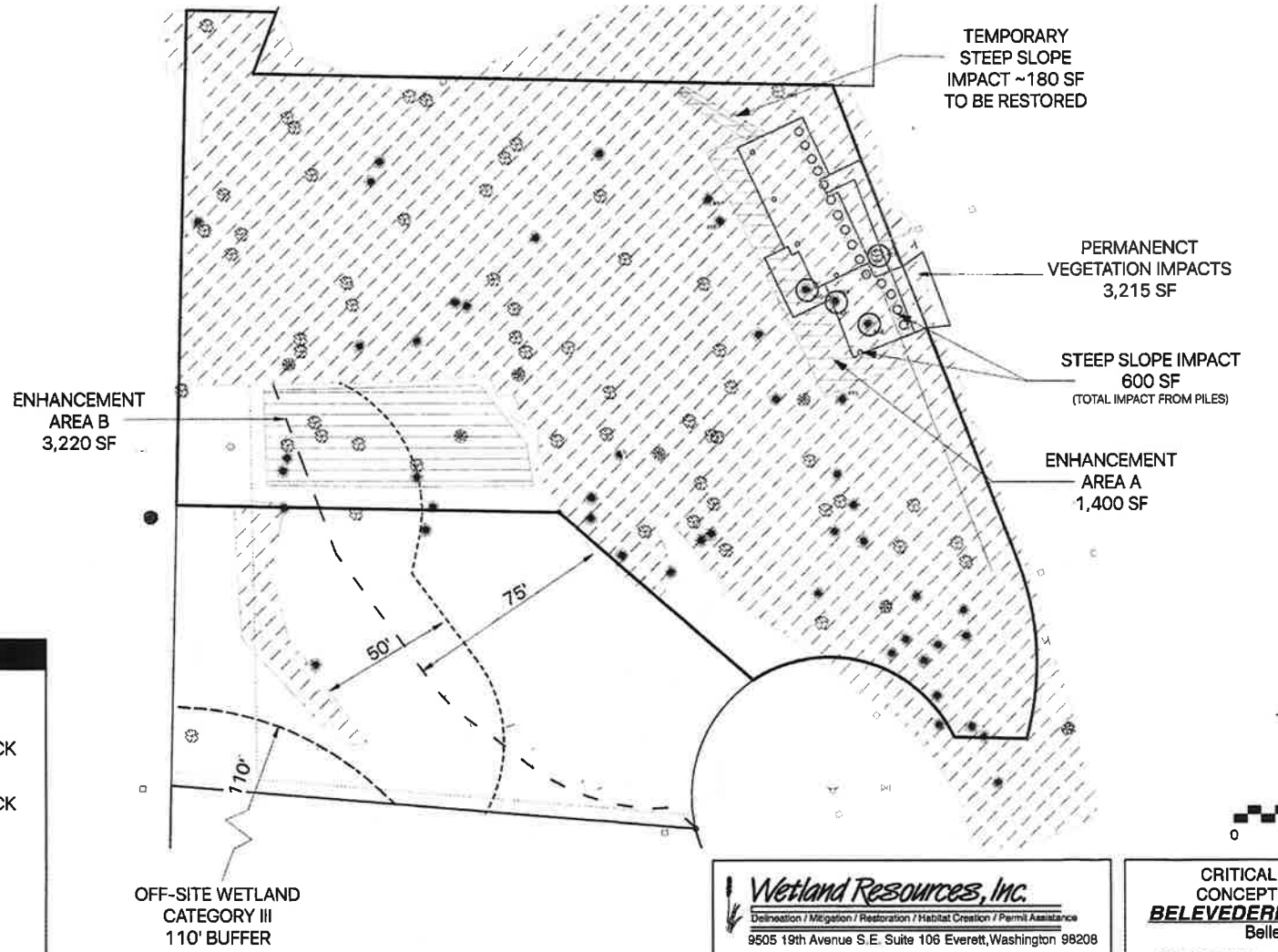
    Authority: Bellevue City Code 9.18
    Reviewer: Drew Folsom, Development Services Department

ATTACHMENT 1

CRITICAL AREAS REPORT AND CONCEPTUAL MITIGATION PLAN

BELEVEDERE - 145TH PL SE, LOT 7

PORTION OF SECTION 22, TOWNSHIP 24N, RANGE 5E, W.M.



LEGEND

- SLOPE >40%
- TOP OF SLOPE STRUCTURE SETBACK
- TOE OF SLOPE STRUCTURE SETBACK
- OFF-SITE WETLAND BUFFER
- IMPACT AREA
- SIGNIFICANT TREE TO BE REMOVED
- ENHANCEMENT/ RESTORATION AREA

PLEASE NOTE: THIS MAP DEPICTS AN ***APPROXIMATE*** WETLAND BUFFER LOCATION FOR THE OFF SITE WETLAND.

Scale 1" = 50'

0 25 50 75 100

Wetland Resources, Inc.
Delineation / Mitigation / Restoration / Habitat Creation / Permit Assistance
9505 19th Avenue S.E. Suite 106 Everett, Washington 98208
Phone: (425) 337-3174
Fax: (425) 337-3045
Email: mailbox@wetlandresources.com

CRITICAL AREAS REPORT AND CONCEPTUAL MITIGATON PLAN
BELEVEDERE - 145TH PL SE, LOT 7
Bellevue, Washington

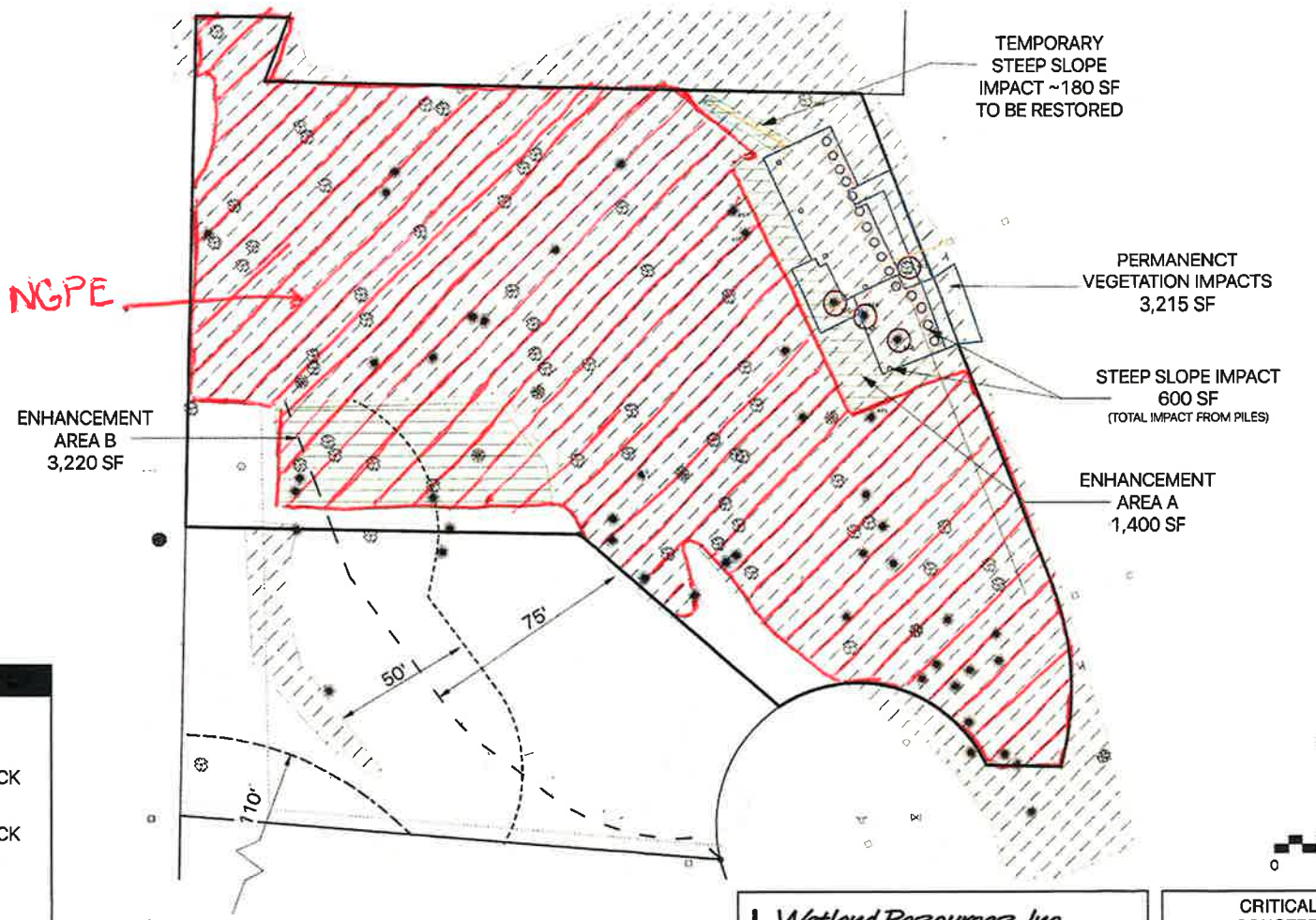
GIS Development
Attn: Ryan Grams
2737 152nd Ave NE, Suite 5D
Redmond, WA 98052

Sheet 1/1
WRI Job # 16103
Drawn by: MK
Date: 04.26.2017

CRITICAL AREAS REPORT AND CONCEPTUAL MITIGATION PLAN

BELEVEDERE - 145TH PL SE, LOT 7

PORTION OF SECTION 22, TOWNSHIP 24N, RANGE 5E, W.M.



LEGEND

- SLOPE >40%
- TOP OF SLOPE STRUCTURE SETBACK
- TOE OF SLOPE STRUCTURE SETBACK
- OFF-SITE WETLAND BUFFER
- IMPACT AREA
- SIGNIFICANT TREE TO BE REMOVED
- ENHANCEMENT/ RESTORATION AREA

Scale 1" = 50'

0 25 50 75 100

PLEASE NOTE: THIS MAP DEPICTS AN ***APPROXIMATE*** WETLAND BUFFER LOCATION FOR THE OFF SITE WETLAND.

Wetland Resources, Inc.
Delineation / Mitigation / Restoration / Habitat Creation / Permit Assistance
9505 19th Avenue S.E. Suite 106 Everett, Washington 98208
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CRITICAL AREAS REPORT AND CONCEPTUAL MITIGATON PLAN
BELEVEDERE - 145TH PL SE, LOT 7
Bellevue, Washington

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