



**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR
OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

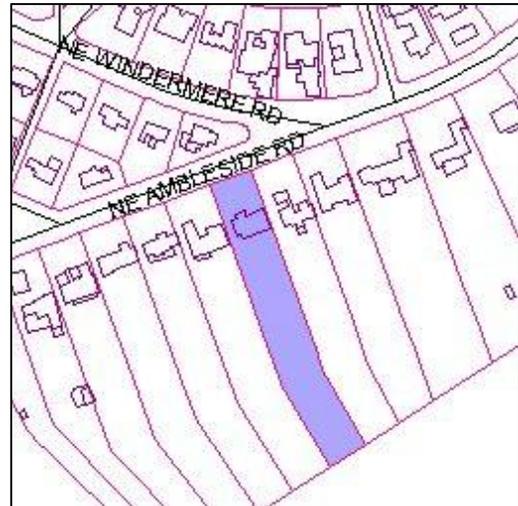
Application Number: 3011214
Applicant Name: Molly LaPatra, LaPatra Architects for
Brian McAndrews and Elise Holschuh
Address of Proposal: 5635 NE Ambleside Road

SUMMARY OF PROPOSED ACTION

Land Use Application to allow a new 6,450 sq. ft. single family structure, tram (cable lift from lower portion of site to upper portion of site) and 1,070 sq. ft. cabana in an environmentally critical area. Review includes landscaping, sport court and vegetation restoration plan. Existing structure(s) to be demolished.

The following approvals are required:

Environmentally Critical Area Variance to allow development in the steep slope and the steep slope buffer (0% allowed without variance, 4% proposed). Section 25.09.180E.



SEPA - Environmental Determination – SMC Chapter 25.05

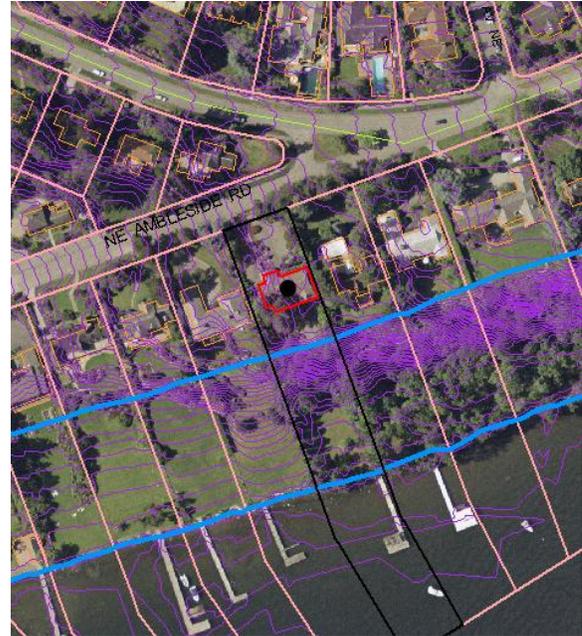
SEPA DETERMINATION: Exempt DNS MDNS EIS
 DNS with conditions
 DNS involving non-exempt grading or demolition, or involving another agency with jurisdiction.

BACKGROUND DATA

Site location and description:

The subject site is located at 5635 NE Ambleside Road on the western shoreline of Lake Washington. The property is zoned Single Family 9600. The submerged portion of this site is located in the Conservancy Recreation (CR) shoreline environment. The dry land portion of the site within 200 feet of ordinary high water is located in the Urban Residential (UR) shoreline environment. The property is developed with a single family residence on the dry land portion, outside the Shoreline District.

The site is bounded by single-family residences; the portion that is above water is 40,183 s. f. Another 25,009 s. f. extends into the lake. The property features 100 feet of frontage along Northeast Ambleside Road and a depth of approximately 400 feet to the shoreline; the lot extends an addition 260 feet into the lake.



The Site consists of three areas:

- 1) The upper, relatively flat portion of the lot where the new house will be constructed. This area comprises roughly half of the dry land area of the lot.
- 2) A central area of steep slopes – this area has a topographic change of roughly 50 feet within a 70 distance, an average of 70% slope. The upper portions are steeper, at 100% slope, while the lower portions transition to about a 50% slope. This area covers about one-quarter of the site's dry land and meets the definition of an environmentally critical area (steep slope) under Seattle's regulations for Environmentally Critical Areas.
- 3) A lowland area between the base of the steep slope and Lake Washington, where the cabana and sport court are proposed to be constructed. This area covers the remaining one-quarter of the dry land property, and slopes gently toward the Lake.

This project received a Shoreline exemption as this is for construction of an owner-occupied single family house. A related project (6231639) reconstructs the property's existing dock. Shoreline mitigation for construction of the dock is shown on the plans, including a cove to be created to enhance shoreline habitat.

Proposal Description:

The proposal for the upper area of the property includes demolishing the existing house and garage, except for the bearing walls of the garage, and the construction of a new 2-story single family residence with attached lower garage, upper garage and daylight basement, along with associated landscaping.

The proposal for the lower area of the property includes a new cabana, related utilities, sports court, landscaping, and access paths. Landscaping in this area and in the steep slope portion of the site includes extensive native plant revegetation as well as installation of hardscape, a small lawn area and walkways.

Within the steep slope area and buffers, the proposal is limited to installation of a cable tram, utility lines and access path in order to functionally connect the upper and lower regions as well as landscaping and vegetation mitigation measures.

Shoreline Exemption

A shoreline exemption permit was issued for the project as this is an owner-occupied single family residence and related appurtenances. The repair of the pier, under separate permit, is also exempt.

This entire project includes a number of development features, some of which are within the Shoreline District (i.e., within 200 feet from ordinary high water) and some of which are outside the Shoreline District.

- Actions outside the Shoreline District: demolition of the existing residence; construction of the new residence, garage and associated landscaping.
- Actions within the Shoreline District: construction of the pier, cabana, sport court, cable tram, utility routes, access pathway, and landscaping.

The use and development standards of the shoreline code (SMC 23.60) apply only to that part of the development that occurs within the Shoreline District unless the underlying zoning requires the entire development to comply with all or part of this chapter, per SMC 23.60.022.

Environmental review resulting in a Threshold Determination is required pursuant to the State Environmental Policy Act (SEPA), WAC 197-11, and the Seattle SEPA Ordinance (Seattle Municipal Code Chapter 25.05) due to the fact that the total proposed extent of the project, including revegetation exceeds 9,000 square feet and cannot be categorically exempt from SEPA review per SMC 25.09.908 C 1.

Public Comment:

The public notice of the application was published on 5/17/10 and the required public comment period ended on 5/30/10. Two public comments were received. The Muckleshoot Tribe requested copies of plans, reviewed the proposal and did not have concerns about the project. The other comment was from a neighbor who was in favor of the project as the property has been in disrepair for some time, and the new owner's proposal would substantially improve the property and result in better maintenance.

SMC 23.60.004 - Shoreline Policies

The Shoreline Goals and Policies which are part of the Seattle Comprehensive Plan's Land Use Element and the purpose and location criteria for each designated shoreline environment

contained in SMC 23.60.220 must be considered in making all discretionary decisions in the shoreline district. The purpose of the Urban Residential (UR) and Conservancy Recreation (CR) environments are stated in SMC 23.60.220.C.6 and C3:

- UR - to protect residential areas
- CR - to protect areas for environmentally related purposes, such as public and private parks, aquaculture areas, residential piers...

The proposed residence with associated development meets these purposes.

SMC 12.60.152 – General Development Standards in the Shoreline Environment

The general development standards emphasize that water quality in the shoreline environment is of utmost importance. Runoff is to be minimized, controlled, treated and released to the lake in a manner that minimizes impacts to fish and wildlife habitat. Grading and replanting must minimize alteration of natural drainage and landforms; when replanting, vegetation shall be chosen to minimize maintenance problems and adverse impacts on shoreline features. Development can be conditioned to mitigate impacts and ensure that fish and wildlife habitat functions are protected.

The proposal includes many features that improve water quality and reduce/slow the quantity of runoff, such as green roofs on the cabana and on the majority of the main house, drought tolerant plantings, and a cistern to collect rainwater for irrigation and toilet flushing. Reuse of existing materials, natural ventilation and efficient heating also reduce impacts to the environment.

The project has been reviewed by the City's Shoreline Planner to ensure that the development within the 200' shoreline district mitigates the impact of new impervious surfaces with native plantings and that such mitigation is not double-counted with cover and planting mitigation for the pier within the 25' shoreline buffer.

The development as proposed includes removal of non-native and invasive vegetation and installation of extensive native vegetation. The project, as conditioned should have minimal effects on the shoreline habitat ecological functions, including migratory fish routes.

SMC 23.60.570 and 23.60.390– Development standards for the UR & CR Environment

All development standards in the UR and CR environments are met, including height, lot coverage, view corridor (not required for single family), and public access (not required for single family). Within the CR environment, the reconstruction of the existing pier has been reviewed and conditioned under separate permit to meet code requirements and reduce/mitigate impacts. (The new pier will allow light to reach the water's surface, and will remove existing creosote-treated materials; the created cove will improve the aquatic environment for fish and wildlife.)

ANALYSIS – ECA STEEP SLOPE VARIANCE

The proposal requires an ECA Steep Slope Variance due to the proposed intrusion into the steep slope area for utilities and access (pedestrian cable tram and access path) in order to connect the upper and lower regions of the property.

The proposed residential development on this site is designed around two large flat regions within the principle building area of the lot: an upper region near NE Ambleside Road, and a lower region adjacent to Lake Washington. These two large areas are separated by a steep slope extending the full width (100 feet) of the property. The proposed features that require an intrusion into the buffer and slope are as follows:

Intrusion into Slope Buffer

- Installation and permanent location of platform for Cable Tram - 124 s. f.

Intrusion into Steep Slope

- Platform for Cable Tram (cantilevered) - 20 s. f.
- Cables for Tram (in air above slope) - 267 s. f.
- Utilities (below cable area; no additional disturbance square footage)
- Access Path - 225 s. f.
- Removal of existing stairs - -241 s. f.

Net disturbance of 271 s. f. within steep slope of 5,872 s. f. = 4.6% of steep slope

Net disturbance of 395 s. f. within steep slope and buffer of 9,575 s. f. = 4.1% of steep slope and buffer

The variance application asks for relief from hardships related to access and utility service for the lower portion of the site. The proposed access and utility service would limit intrusion into the ECA steep slope and buffer while providing for the long-term accessibility needs of the owners. The proposed pedestrian cable tram provides lake access while spanning over the hillside to the fullest extent possible, minimizing contact with the slope and buffer. The base termination of the tram is completely outside the ECA steep slope and buffer. The tram's upper foundation and landing extend into the slope and buffer the minimum amount necessary to provide support for the tram, and clearance between the cables and the existing slope. The top of the tram cantilevers from a foundation to reduce the need for excavation near the top of the slope. The intrusion of the tram into the steep slope itself is 20 s. f., all of it cantilevered; the intrusion into the steep slope buffer is 124 s. f. The proposed upper tram landing is the minimum width necessary for the tram car requirements and the proposed foundation minimizes the required excavation and disturbance within the buffer.

The existing wood stairs (241 s. f.) are proposed to be removed and this area replanted with native vegetation. In the review of the permit it was strongly suggested that there be a secondary means of access besides the tram between the upper and lower site. Such secondary access is necessary for maintenance of the slope, and potentially the tram, as well as for emergency access in the event the tram is not working or 911 responders need access to the lower portion of the site. The applicant will provide a path through the slope area that can be used dually for maintenance as well as secondary access. The path is proposed to be between 1.5 and 2 feet wide and cover about 225 s. f. total. The path would be bark, follow grade and require minimal to no grading; at most a log or stone step will be placed occasionally along the route for support.

The proposed underground utilities crossing the site will be bored beneath the steep slope to avoid any disturbance to the surface soil and hillside vegetation. A proposed surface mount stormwater line will ensure all storm water from the upper lot site development will be collected and diverted away from the hillside to Lake Washington. The sewer line pumping back up to the street will also be surface mounted. The type of pipe used in combination with soil anchors will provide an extremely durable drainage solution that can be easily maintained and inspected at anytime. The surface mounted drainpipe and sewer line will eliminate the need for trenching on the hillside and minimizes disturbance to the existing vegetation.

The proposed work within the ECA steep slope does not involve any ground disturbance for placement of impervious surfaces. The proposed intrusion including cantilevered tram platform, cable and utility lines, and access paths is between 4 and 5% of the steep slope on site, which is the minimum necessary to resolve access and utility service hardships.

Pursuant to SMC 25.09.180.E the Director may reduce the steep slope area buffer and authorize limited development in the steep slope area and buffer only when all of the facts and conditions stated in the numbered paragraphs below are found to exist:

SMC 25.09.180. E. Steep Slope Area Variance.

1. The Director may reduce the steep slope area buffer and may authorize limited intrusion into the steep slope area and steep slope buffer to the extent allowed in subsection E2 only when the applicant qualifies for a variance by demonstrating that:

a. the lot where the steep slope or steep slope buffer is located was in existence before October 31, 1992; and

The subject lot existed as a legal building site prior to October 31, 1992.

b. the proposed development otherwise meets the criteria for granting a variance under Section 25.09.280B, except that reducing the front or rear yard or setbacks will not both mitigate the hardship and maintain the full steep slope area buffer.

Modifying the yard and setback requirement would not resolve access and utility issues between the upper and lower portions of the principal building area on the site. The underlying zoning and Shoreline regulations permit development in the lower region but the ECA Ordinance (without a variance) causes unnecessary hardship given the extent and location of the slope on the site. This limits the ability to serve and safely access the lower region of the property. Responses to criteria in SMC 25.09.280 B are addressed below.

The sport court, originally proposed to extend a small amount into the steep slope buffer has been relocated so as to be totally outside the steep slope buffer.

2. If any buffer reduction or development in the critical area is authorized by a variance under subsection E1, it shall be the minimum to afford relief from the hardship and shall be in the following sequence of priority:

a. reduce the yards and setbacks, to the extent reducing the yards or setbacks is not injurious to safety;

- b. reduce the steep slope area buffer;
- c. allow an intrusion into not more than thirty percent (30%) of the steep slope area.

The applicant proposes no change to the required yards and setbacks on the property. Per covenants on the parcel, the side yard setback is 10 feet from the property line and the front yard setback is 50 feet measured from the streetline. The proposed development meets and exceeds SMC requirements. Modifying the yard and setback requirement would not resolve access and utility issues between the upper and lower portion of the principal building area on the site.

The proposal would provide for utilities and the foundation for the cable lift within the steep slope buffer. The May 6, 2010 addendum to geotechnical report states that these plans have been reviewed and that the foundation meets the geotechnical recommendations. The rest of the tram, including cables and landing at the bottom of the slope do not affect the steep slope or buffer.

The applicant only proposes to extend into the steep slope where absolutely necessary for utilities and access to the lower portion of the site, and for a limited 20 s. f. portion of the cable lift foundation that is cantilevered over the slope.

The following are criteria and responses for granting a variance found in SMC 25.09.280.B:

1. The lot has been in existence as a legal building site prior to October 31, 1992.

The subject lot existed as a legal building site prior to October 31, 1992.

2. Because of the location of the subject property in or abutting an environmentally critical area or areas and the size and extent of any required environmentally critical areas buffer, the strict application of the applicable yard or setback requirements of Title 23 would cause unnecessary hardship; and

Modifying the yard and setback requirement would not resolve access and utility issues between the upper and lower portions of the principal building area on the site. The underlying zoning and Shoreline regulations permit development in the lower region. Not allowing access to this area causes unnecessary hardship given the extent and location of the slope on the site.

3. The requested variance does not go beyond the minimum to stay out of the full width of the riparian management area or required buffer and to afford relief; and

There is no riparian management area on the lot. The proposed intrusion into the steep slope and buffer is the minimum necessary to resolve the access and utility issue, as described above.

The reorientation of the sport court outside the steep slope buffer, as has been done, is necessary given this criteria. While access through the steep slope to the shoreline is necessary and proposal is the minimum to afford relief, location of the sport court within this area is not necessary.

4. The granting of the variance will not be injurious to safety or to the property or improvements in the zone or vicinity in which the property is located; and

The applicant has provided a geotechnical report, dated October 8, 2009, with addendums dated February 3, March 23, and May 6, 2010, which provides findings and preliminary recommendations for development on the site in the steep slope area and buffer. The Department of Planning and Development (DPD) has reviewed the report and letter and finds the analysis to be acceptable. Assuming development is conducted in accordance with these recommendations such disturbance within the steep slope buffer should not be injurious to the property or to neighboring properties.

The removal of invasive ivy and other species and native revegetation will improve the long term stability of the trees and slope. The Geotechnical report addendum dated March 23, 2010 reviewed the revegetation plan prepared by Holly Iosso and dated March 24, 2010. The geotechnical consultants take no issue with the plan providing that it includes minimal to no grading on the slope.

5. The yard or setback reduction will not result in a development that is materially detrimental to the character, design and streetscape of the surrounding neighborhood, considering such factors as height, bulk, scale, yards, pedestrian environment, and amount of vegetation remaining; and

The applicants propose no change to the standard yard setback. The proposed residential development area is far below the allowable height and allowable area for this site.

6. The requested variance would be consistent with the spirit and purpose of the environmentally critical policies and regulations.

The environmentally critical policies and regulations were created to preserve existing environmentally critical areas while allowing reasonable use of existing parcels. The applicant proposes to build the cable tram so that it spans over the hillside to the fullest extent possible, minimizing contact with the slope and buffer and minimizing hillside vegetation removal. The top of the tram cantilevers from a foundation to reduce the need for excavation near the top of the slope. The base termination of the tram is completely outside the ECA steep slope and buffer.

The proposed underground utilities will be bored beneath the steep slope to avoid any disturbance to the surface soil and hillside vegetation. A surface mount stormwater line will ensure all storm water from the site development above is collected and diverted away from the hillside to Lake Washington. The sewer line from the cabana to the upper portion of the site will also be surface mounted. The type of pipe used in combination with soil anchors is intended to provide a durable drainage solution that can be easily maintained and inspected at anytime. The applicant also proposes to remove invasive non-native vegetation on site and replace with additional native trees and vegetation. The access path is a 1.5 to 2' wide bark path that allows for necessary maintenance and access. This is the minimum to afford a secondary access through the steep slope to the lower portion of the site. The proposal is consistent with the spirit and purpose of the environmentally critical policies and regulations, subject to the Conditions section below.

DECISION – VARIANCE

DPD **CONDITIONALLY APPROVES** the requested variance to allow a cable tram line, utility routes and access path within the steep slope and buffers.

ANALYSIS - SEPA

Environmental review resulting in a Threshold Determination is required pursuant to the Seattle State Environmental Policy Act (SEPA), WAC 197-11, and the Seattle SEPA Ordinance (Seattle Municipal Code Chapter 25.05). The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated 5/7/2010. The information in the checklist, public comment, and the experience of the lead agency with review of similar projects form the basis for this analysis and decision.

The development site is located within several Environmentally Critical Areas (ECAs), thus the application is not exempt from SEPA review. However, SMC 25.05.908 provides that the scope of environmental review of projects within critical areas shall be limited to:

- 1) Documenting whether the proposal is consistent with the City's ECA regulations in SMC 25.09; and
- 2) Evaluating potentially significant impacts on the critical area resource, in this case landslide-prone, steep slope, wildlife habitat and shoreline habitat buffer adequately addressed in the ECA regulations.

This review includes identifying additional mitigation measures needed to protect the ECA in order to achieve consistency with SEPA and other applicable environmental laws. Environmental impacts of the project that may affect the geologically hazardous area include an increased rate of stormwater runoff, loss of vegetation and increased water pollution.

The SEPA Overview Policy (SMC 25.05.665 D) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, certain neighborhood plans, and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority. The Overview Policy states, in part, that "Where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation" subject to some limitations. Under such limitations/circumstances (SMC 25.05.665 D1-7) mitigation can be considered.

Short-term Impacts

The following temporary or construction-related impacts are expected: risk of erosion during periods of earth disturbance, the possibility of construction-related landslide damage to the bluff and temporary loss of vegetation.

Several adopted codes and Director's Rules provide mitigation for some of the identified impacts. Under SMC 25.09.060 G grading in environmentally critical areas is limited to a

window between April 1st and October 31st. Due to the fact that grading will be undertaken during construction, additional analysis of earth and grading impacts is warranted.

Earth/Soils

The ECA Ordinance and Directors Rule (DR) 33-2006 and 3-2007 require submission of a soils report to evaluate the site conditions and provide recommendations for safe construction in areas with landslide potential and/or a history of unstable soil conditions. A “Geotechnical Engineering Study,” prepared by James H. Strange, Jr., PE, dated October 8, 2009, was submitted with this application and is being reviewed by DPD geotechnical engineers. The construction plans are receiving separate review by DPD. If any additional information is necessary to show conformance with applicable ordinances and codes (ECA Steep Slope ordinance, the Stormwater, Grading and Drainage Control Code, DR 33-2006 and 3-2007) it will be required prior to issuance of building permits. Applicable codes and ordinances provide extensive conditioning authority and prescriptive construction methodology to assure safe construction techniques are utilized; compliance with these applicable codes and ordinances will reduce or eliminate most short-term impacts to the ECA. However, the location adjacent the shoreline requires extra caution, including identification of Best Management Practices in construction documents.

Due to the location near the shoreline, appropriate Best Management Practices related to the shoreline shall be followed to prevent erosion and sediment from entering Lake Washington during construction and landscaping. Any debris that enters the water during construction shall be collected and disposed of in an appropriate upland facility.

Meander Buffer

The construction is within a historic shoreline. Therefore, in accordance with Director’s Rule 2-98, an assessment must be done of the likelihood of uncovering artifacts during construction. There are no known historic settlements in this area, although there are Native American place names within one mile of this location. The historic grade of this area relative to the shoreline was researched. The level of lake Washington was historically higher; thus the construction on the lower portion of the site is on soils that were historically under water. It is unlikely that any artifacts from settlements would be found in this area. Some minor construction for the tram platform will be done at the top of the slope. This area was previously graded when the existing house was constructed. As such it is unlikely that any evidence of a settlement would be found. However, standard policies are requirement by state and local regulations to be followed if any native artifacts are discovered. These policies are placed in the conditions section at the end of the decision.

Long-term Impacts

Long-term or use related impacts are also anticipated from the proposal and include: increased surface water runoff due to greater site coverage by impervious surfaces and reduced canopy coverage until the replacement trees have achieved a mature size. These long-term impacts are potentially significant without mitigation; therefore, merit a detailed discussion of the impacts and the required mitigation.

Earth/Soils

It is important that the slope, including elements that traverse it – cable tram, utilities, and access path, be maintained and any issues dealt with in a timely manner. The steep slope area will be staked with markers on site, and covenant recorded. A maintenance and monitoring plan is part of the revegetation within the steep slope area.

Greenhouse Gas Emissions and other Impacts

Emissions from the generation of greenhouse gas gases due to the increased energy and transportation demands may be adverse but are not expected to be significant due to the relatively minor contribution of emissions from this specific project. The other impacts such as but not limited to, increased ambient noise and increased demand on public services and utilities are mitigated by codes and are not sufficiently adverse to warrant further mitigation by condition.

Water Quality and Plants and Animals

Chinook salmon, a species listed as threatened under the Endangered Species Act (ESA) in March 1999, are known to inhabit Lake Washington including the proposed project area. Under the City of Seattle's Environmental Policies and Procedures 25.05.675 N (2) it states in part: *A high priority shall also be given to meeting the needs of state and federal threatened, endangered, and sensitive species of both plants and animals.*

Clearly identified long-term impacts on juvenile Chinook salmon and the aquatic environment include an increase in impervious surface near the shoreline. Increase in impervious surface can reduce habitat quality in the shoreline environment by increasing surface water runoff and reducing water quality.

As provided by SMC 25.05.350 A, when making a threshold determination the lead agency may consider mitigation measures that the agency or applicant will implement. Proposed mitigation measures may allow the lead agency to issue a Determination of Non-Significance (DNS). These mitigation measures can be in the form of clarification of the proposal, changes to the proposal, or the project may be conditioned to include the mitigation measures. The applicant has included mitigation measures in the project to offset the impacts of the proposed work as shown on Plan Sheets A2 and L1 through L5, and DPD has imposed conditions on this project. These mitigation measures and conditions are listed below.

- Removing non-native and invasive plant species directly adjacent to the shoreline and within 100 feet of the shoreline at the subject property;
- Planting native vegetation directly adjacent to the shoreline and within 100 feet of the shoreline at the subject property equal to the amount of impervious surface;
- No herbicides, pesticides or chemical fertilizers are to be used in the newly planted areas for the life of the project.

Separate mitigation has been provided for the replacement of the pier. Each of these mitigation measures and conditions are believed to minimize impacts on juvenile and adult salmonid habitat at the site and improve the aquatic habitat for juvenile Chinook salmon and other species.

Collectively, the mitigation measures described above will provide adequate mitigation.

DECISION

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirement of the State Environmental Policy Act (RCW 43.21.C), including the requirement to inform the public of agency decisions pursuant to SEPA.

- [X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21.030(2) (c).
- [] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW 43.21C.030 (2)(C).

CONDITIONS – SEPA and ECA Steep Slope Variance

Prior to Issuance of Any Construction Permits

The owner and/or responsible party shall:

1. Provide DPD with a statement that the contract documents for their general, excavation, and other subcontractors will include reference to regulations regarding archaeological resources (Chapters 27.34, 26.53, 27.44, 79.01, and 79.90 RCW, and Chapter 25.48 WAC as applicable) and that construction crews will be required to comply with those regulations.
2. Show on the site plan the location of permanent ECA markers, and the landscape plan and other mitigation measures described above.
3. Show on building plans the location of a temporary, durable, highly visible construction fence at the boundary between the construction activity area and areas of steep slope and steep slope buffer which are to be left undisturbed. (SMC 25.09.060)
4. Place permanent visible markers along the edge of the nondisturbance area as approved on the site plan. The markers shall be either reinforcing steel or metal pipe driven securely into the ground with a brass cap affixed to the top similar to survey monuments. The brass cap shall be visible at the ground surface and indicate the purpose of the marker. Markers shall be placed at all points along the edge of the nondisturbance line where the line changes direction. Markers should be detailed in accordance with description contained in Director's Rule 3-94.

During Construction

5. All grading, demolition, and other construction related earthwork must follow the recommendations contained in the geotechnical reports and memoranda prepared by Geotech Consultants Inc.
6. The landscape plan as detailed on Sheets L2- L5 shall be installed.
7. Any damage to vegetation caused by construction shall be mitigated/replaced at the completion of the project. Any vegetation must be replaced with native vegetation per SMC 25.09.200.A
8. The appropriate Best Management Practices (BMPs) shall be employed to prevent erosion and sediment from entering Lake Washington during construction and landscaping. Any debris that enters the water during construction shall be collected and disposed of in an appropriate upland facility.
9. If resources of potential archaeological significance are encountered during construction or excavation, the owner and/or responsible parties shall:
 - Stop work immediately and notify the DPD Land Use Planner and the Washington State Archaeologist at the State Office of Archaeology and Historic Preservation (OAHP). The procedures outlined in Appendix A of Director's Rule 2-98 for assessment and/or protection of potentially significant archeological resources shall be followed.
 - Abide by all regulations pertaining to discovery and excavation of archaeological resources, including but not limited to Chapters 27.34, 27.53, 27.44, 79.01 and 79.90 RCW and Chapter 25.48 WAC, as applicable, or their successors.

Life of the project

10. No chemical fertilizers, pesticides or herbicides shall be utilized in the newly planted areas; this shall be stated on the land use plans, construction plans, and monitoring or maintenance plans.

Signature: _____ (signature on file) Date: September 13, 2010
Holly E. Anderson, Land Use Planner
Department of Planning and Development

HEA:bg

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