



City of Bellevue
Development Services Department
Land Use Staff Report

Date of Receipt by Ecology:

**SHORELINE MANAGEMENT ACT
DECISION ON SHORELINE SUBSTANTIAL DEVELOPMENT PERMIT**

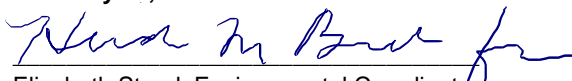
| | |
|---|--|
| File Number: | 19-124538-WG |
| Proposal Name: | Boat and Dual Jet Ski Lifts |
| Proposal Address and Location: | Section 8, Township 24, Range 5 |
| Water Body: | Lake Washington |
| Shoreline Environment Designation: | Shoreline Residential |
| Proposal Description: | Relocate and permit an existing dual jet ski lift and remove an existing 18-inch wide finger pier to the jet ski lift. Proposal is also to permit an existing boat lift located adjacent to the existing dock. |
| Applicant: <input checked="" type="checkbox"/> Applicant owns property | Mohamad Daher, 10015 SE 25 th Pl Bellevue WA 98004, 425-943-5597, adaher@denaliai.com |
| Applicant Representative: | William Gottlieb, Plan One, 206-612-8511, wmgottlieb@planone.biz |
| Application Date: | September 24, 2019 |
| Notice of Application Date: | October 17, 2019 |
| Notice of Decision Date: | January 30, 2020 |

SEPA Determination:

Determination of Non-Significance

SEPA Appeal Deadline:

February 13, 2020


Elizabeth Stead, Environmental Coordinator
Development Services Department

Decision on SSDP:

Approval with Conditions

Michael A. Brennan, Director
Development Services Department

By: 
Peter Rosen, Land Use Planner

The appeal period for a Shoreline Substantial Development Permit is 21 days from the "date of filing" with the Department of Ecology, as defined in RCW 90.58.140(6) and WAC 173-27-130. Appeal of the decision must be made to the Washington State Shoreline Hearings Board.

This permit is granted pursuant to the Shoreline Management Act of 1971 and nothing in this permit shall excuse the applicant from compliance with any other federal, state or local statutes, ordinances or regulations applicable to this project, but not inconsistent with the Shoreline Management Act (Chapter 90.58 RCW).

This permit may be rescinded pursuant to RCW 90.58.140(8) in the event the permittee fails to comply with the terms and conditions hereof. This permit approval will expire within two years of the date of filing unless the construction, use, or activity pursuant to this permit is commenced. Final expiration of this permit approval is five years from the date of filing. Request for extension of expiration is subject to LUC 20.25E.250.E.6.

Construction pursuant to this permit shall not begin or is not authorized until twenty-one (21) days from the date of filing or until all review proceedings initiated within twenty-one (21) days from the date of such filing have terminated; except as provided in RCW 90.58.140(5) (A) (B) (C) (D).



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

Proposal Name: Boat and Dual Jet Ski Lifts

Proposal Address: 10015 SE 25th St

Proposal Description: Shoreline Substantial Development Permit to relocate and permit an existing dual jet ski lift and to remove an existing 18-inch wide finger pier to the jet ski lift. Proposal is also to permit an existing boat lift located adjacent to the existing dock.

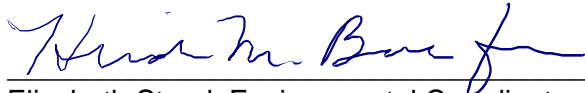
File Number: 19-124538-WG

Applicant: William Gottlieb, Plan One


Decisions Included: Shoreline Substantial Development Permit (Process II LUC 20.30R)

Planner: Peter Rosen, Senior Environmental Planner

**State Environmental Policy Act
Threshold Determination:** **Determination of Non-Significance**


Elizabeth Stead, Environmental Coordinator
Development Services Department

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

By: 
Elizabeth Stead, Land Use Director

Date of Application: September 24, 2019

Notice of Application: October 17, 2019

Notice of Decision: January 30, 2020

Deadline for Appeal of Process II Administrative Decisions:

SEPA Determination: February 13, 2020

Shoreline Substantial Development Permit: February 21, 2020 (21 days following publication of a notice of decision and date Ecology receives the decision)

For information on how to appeal a project proposal, visit the Permit Center at City Hall or call 425-452-6800. Appeal of any Process II Administrative decision must be made by 5 p.m. on the date noted for appeal of the decision. Appeal of the SEPA Threshold Determination must be made to the City of Bellevue City Clerk's Office. Appeal of the Shoreline Substantial Development Permit must be made to the Washington State Shoreline Hearings Board (contact the project planner for more information on how to file an appeal with the Shoreline Hearings Board).

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Attachments

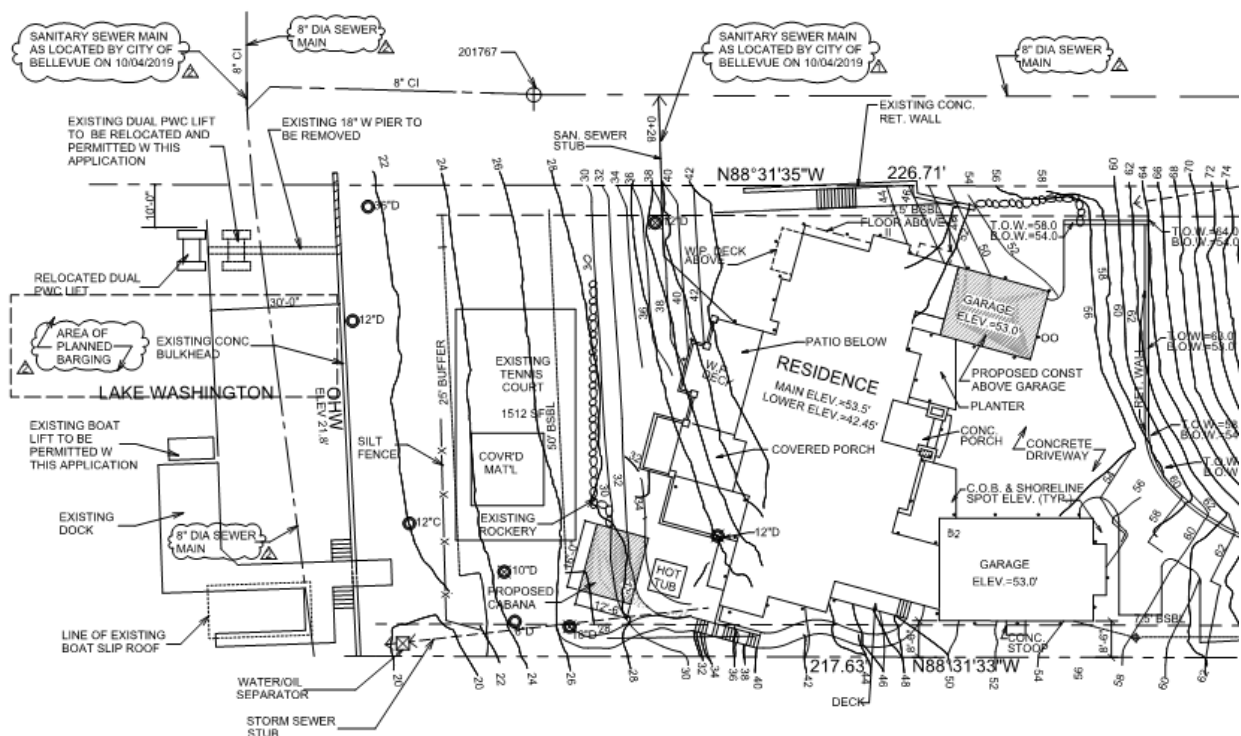
1. Project Plans – Attached

I. Proposal Description

Applicant requests approval of a Shoreline Substantial Development Permit to relocate and permit an existing dual jet ski lift and to remove an existing 18-inch wide finger pier to the jet ski lift. The existing dual jet ski lift would be relocated 30-feet waterward of the ordinary high water mark (OHWM) to comply with shoreline code requirements. The proposal is also to permit an existing boat lift located adjacent to the existing dock.

The permit is required in response to an enforcement action (19-120723-EA). The proposal requires a Shoreline Substantial Development Permit and SEPA review because it doesn't meet the specific exemptions in LUC 20.25E.170.C and WAC 173-27-040.

FIGURE 1 – SITE PLAN



II. Site Description, Zoning, Land Use and Shoreline Environment and Functions

A. Site Description

The project site is located at 10015 SE 25th St in the Southwest Bellevue subarea. The site is adjacent to Lake Washington and is developed with a single-family residence, which is setback approximately 67-100 feet from the existing concrete bulkhead fronting the lakeshore and the ordinary high-water mark (OHWM) of the lake. The rear yard facing the lake is improved with a tennis court, hot tub and ornamental landscaping.

The site's shoreline is presently improved with a concrete bulkhead, a dock, a boatlift adjacent to the dock, a dual jet ski lift setback 10-feet from the north property boundary, and a covered

boat slip located on the south portion of the site. An 8-inch sewer main is located in Lake Washington, approximately 10-15 feet waterward of the concrete bulkhead and OHWM.

There is a steep slope critical area (slopes over 40%) on the east portion of the site, the proposal would not impact the steep slope or steep slope structure setback.

The site is located directly south of the City-owned Chesterfield Beach park.

FIGURE 2 - SITE CONDITIONS



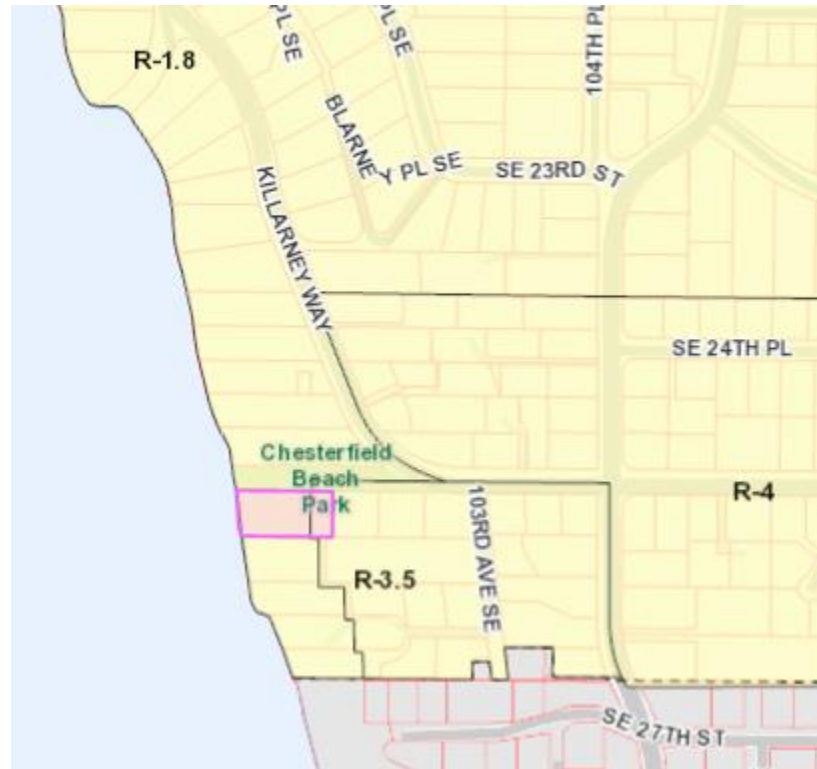
B. Zoning

The property is zoned R-1.8, a single-family residential zoning district. Surrounding properties along the shoreline are also zoned R-1.8 and developed with single-family residences and docks. To the east of the site is R-3.5 and R-4 zoning, also developed with single-family residences. See Figure 3 – Zoning Map

C. Land Use Context

The property has a Comprehensive Plan Land Use Designation of SF-Low (Single Family Low Density). The project is consistent with this land use designation.

FIGURE 3 - ZONING MAP



D. Shoreline Environment and Functions

The site is in the *Shoreline Residential* shoreline environment designation. The purpose of the *Shoreline Residential* environment is to accommodate single or multifamily residential development and appurtenant structures. The *Shoreline Residential* designation is assigned to shorelands which are predominantly characterized by residential development or planned for residential development and exhibit moderate to low levels of ecological functions because of historic shoreline modification activities.

Shorelines provide a variety of functions including shade, temperature control, water purification, woody debris recruitment, channel, bank and beach erosion, sediment delivery, and terrestrial-based food supply (Gregory et al. 1991; Naiman et al. 1993; Spence et al. 1996). Shorelines provide a wide variety of functions related to aquatic and riparian habitat, flood control and water quality, economic resources, and recreation, among others. Each function is a product of physical, chemical, and biological processes at work within the overall landscape. In lakes, these processes take place within an integrated system (ecosystem) of coupled aquatic and riparian habitats (Schindler and Scheuerell 2002). Hence, it is important to have an ecosystem approach which incorporates an understanding of shoreline functions and values.

III. Consistency with Land Use Code Requirements:

A. Zoning District Dimensional Requirements:

The site is located in the R-1.8 zoning district. Zoning dimensional standards do not apply to the proposed jet ski and boat lifts.

B. Shoreline Master Program Requirements LUC 20.25E:

LUC 20.25E.065 Residential Shoreline Regulations

LUC 20.25E.065.H Residential Moorage (Overwater Structures)

6. *Boat and Watercraft Lifts. To reduce disturbance of the lake substrate, attached boatlifts and watercraft lifts are preferred over freestanding lifts. Lifts are limited in the number allowed and location:*

Finding: The proposed dual jet ski lift is freestanding. The Washington State Department of Fish and Wildlife (WDFW) will require a Hydraulic Project Approval (HPA) permit, which will include standards to minimize disturbance of the lake substrate. An HPA permit approved by the Department of Fish and Wildlife (WDFW) must be submitted by the applicant prior to issuance of construction permits. **See Conditions of Approval requiring State and Federal Permits in Section IX.**

- a. *Number. The number of combined boat and watercraft lifts is limited to four per dock.*

Finding: Complies with standard. The proposal is to legally establish two (2) boat and watercraft lifts.

- b. *Location. The landward stanchion of any boat or watercraft lift shall be located more than 30 feet waterward of OHWM or within 30 feet waterward of OHWM if located in at least 9 feet of water depth when measured from the OHWM unless otherwise approved by State or Federal Agencies pursuant to LUC Chart 20.25E.065.H.4 Note 4.*

Finding: Complies with standard. One of the purposes of this application is to relocate an existing dual jet ski lift 30-feet waterward of the OHWM in order to comply with this standard.

- c. *Number of Lift Canopies Allowed. One fabric watercraft or boat lift canopy is allowed per single use dock. Two fabric watercraft or boat lift canopies are allowed per joint use dock. Canopy fabric shall be light-transmitting, unless alternative materials are approved by State or Federal Agencies pursuant to LUC Chart 20.25E.065.H.4 Note 4.*

Finding: No boat lift or watercraft lift canopies are proposed.

IV. Public Notice and Comment

| | |
|--------------------------------------|--------------------|
| Date of Application: | September 24, 2019 |
| Public Notice of Application: | October 17, 2019 |
| Minimum Comment Period: | November 18, 2019 |

The Notice of Application for this project was published in the City of Bellevue weekly permit bulletin. It was mailed to property owners within 500 feet of the project site. No comments were received.

V. Summary of Technical Reviews

Clearing and Grading:

The Clearing and Grading Division of the Development Services Department has reviewed and approved the proposed development for compliance with the code and standards.

Utilities Review has reviewed the proposal and requires a condition to protect the existing sewer main in the lake during construction activity. **See Conditions of Approval requiring Sewer Main Protection in Section IX.**

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

The applicant will be required to obtain a clearing and grading permit and follow erosion and sediment control best management practices to prevent potential sedimentation impacts. **See Conditions of Approval requiring Clearing and Grading Permit approval in Section IX.**

B. Animals

Lake Washington has documented Chinook and Coho salmon rearing habitat and the lake is used by juveniles for migration, although the lake itself does not provide spawning habitat. These fish species and their habitat will be protected during the project construction through the timing of in-water work. State and Federal permits will be required before construction may commence. All in-water work is required to occur within the construction window as established by state and federal agencies to minimize or avoid impacts to fish and wildlife. **See Conditions of Approval related to State and Federal Permits and In-Water Work Window in Section IX.**

VII. Decision Criteria

A. Shoreline Substantial Development Permit Decision Criteria - 20.25E.160.D

The Director may approve or approve with modifications a Shoreline Substantial Development Permit if:

1. The proposal is consistent with the policies and procedures of the Shoreline Management Act;

Finding: The proposal is consistent with applicable policies and procedures of the Shoreline Management Act (SMA). The SMA includes broad policies that give priority to uses that require a shoreline location and single-family residences are specifically identified as a preferred use. A goal also promotes shoreline enjoyment opportunities. (RCW 90.58.020).

2. The proposal is consistent with the provisions of Chapter 173-27 WAC;

Finding: The proposal is consistent with applicable provisions of Chapter 173-27 WAC, Shoreline Management Permit and Enforcement Procedures.

3. The proposal is consistent with the SMP;

Finding: As evaluated in Section III of this report, the applicant has submitted project plans that demonstrate the proposal's consistency with the policies and standards of the Shoreline Management Program (SMP).

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

Finding: The site is currently served by adequate public facilities and the proposal would not impact existing public facilities.

5. The proposal is consistent with the Bellevue Comprehensive Plan; and

Finding: **City of Bellevue Comprehensive Plan POLICY SH-9.**

Recognize residential development, appurtenant structures, and water-dependent and water-enjoyment recreation activities as preferred where they are appropriate and can be developed without significant impact to ecological functions identified in the Shoreline Analysis Report or displacement of water-dependent uses.

The proposal to permit an existing dual jet ski lift and boat lift would allow for water-enjoyment recreation activities supported by the Comprehensive Plan policy.

6. The proposal complies with applicable requirements of the Bellevue City Code.

Finding: As identified in Section III of this report the applicant has submitted project plans that demonstrate the proposal's compliance with the applicable City of Bellevue Codes and Standards.

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 proposal to relocate and permit an existing dual jet ski lift, to remove an existing 18-inch wide finger pier to the jet ski lift, and to permit an existing boat lift located adjacent to the existing dock.

Revisions to this approval shall be in accordance with LUC 20.25E.150.E.

Note- Expiration of Approval: In accordance with LUC 20.25E.250.C.2, a Shoreline Substantial Development Permit shall expire and is void two years from the effective date of the permit unless the applicant commences construction activity, or the applicant requests an extension of the shoreline permit.

In accordance with LUC 20.25E.250C.4 Final Expiration of Shoreline Permits. Permit authorization expires finally, despite commencement of construction, five years after the effective date of the relevant shoreline permit, unless the applicant has received an extension pursuant to subsection C.6 of this section.

IX. Conditions of Approval

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

| <u>Applicable Ordinances</u> | <u>Contact Person</u> |
|--------------------------------------|----------------------------|
| Land Use Code- BCC 20.25E | Peter Rosen 425-452-5210 |
| Utilities Code | Jason Felgar, 425-452-7851 |
| Clearing and Grading Code- BCC 23.76 | Janney Gwo, 425-452-6190 |

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

- 1. Clearing and Grading Permit Required:** Approval of a Clearing and Grading permit is required before construction can begin. Plans submitted as part of any permit application for this project shall be consistent with the activity permitted under this approval and must comply with the City of Bellevue Clearing and Grading Code (BCC 23.76).

Authority: Clearing & Grading Code 23.76.035

Reviewer: Janney Gwo, Development Services Department, Clearing & Grading

- 2. State and Federal Permits Required:** Permit approvals required from the Washington State Department of Fish and Wildlife (WDFW) and the U.S. Army Corps shall be obtained by the applicant and submitted to the City prior to issuance of construction permits.

Authority: Land Use Code 20.25E.250
Reviewer: Peter Rosen, Development Services Department

- 3. In-Water Work Window:** The applicant shall comply with the in-water work window as approved by the Washington State Department of Fish and Wildlife (WDFW). Any deviation from the approved schedule must be approved by WDFW and submitted to the City.

Authority: Land Use Code 20.25E.065.H
Reviewer: Peter Rosen, Development Services Department

- 4. Sewer Main Protection -** Field locate sewer main prior to construction. Construction must be at least 5' away from sewer main and outside easement. No anchoring or landing of any boats or barges at the beach on top of (or within 5 feet) of sewer main. No new piles within 5 feet of sewer main.

Authority: Utilities Code - BCC Title 24
Reviewer: Jason Felgar, Development Services Department, Land Use

| FAR CALCULATIONS | | |
|------------------|----------|---------|
| EXSITING HOUSE | | |
| MAIN LEVEL | 3230.9 | SQ. FT. |
| UPPER LEVEL | 3030.8 | SQ. FT. |
| LOWER LEVEL | 2736.9 | SQ. FT. |
| | | |
| GARAGE 1 | 916.3 | SQ. FT. |
| GARAGE 2 | 376.8 | SQ. FT. |
| TOTAL ENCLOSED | 10,291.7 | SQ. FT. |
| TOTAL LOT AREA | 25,141 | SQ. FT. |
| FLOOR AREA RATIO | 40.9 | % |

| FAR CALCULATIONS | | |
|------------------|----------|---------|
| PROPOSED HOUSE | | |
| MAIN LEVEL | 3230.9 | SQ. FT. |
| UPPER LEVEL | 3350.8 | SQ. FT. |
| LOWER LEVEL | 2736.9 | SQ. FT. |
| | | |
| GARAGE 1 | 916.3 | SQ. FT. |
| GARAGE 2 | 376.8 | SQ. FT. |
| TOTAL ENCLOSED | 10,611.7 | SQ. FT. |
| TOTAL LOT AREA | 25,141 | SQ. FT. |
| FLOOR AREA RATIO | 42.2 | % |

SHEET INDEX

| | |
|---------|---|
| SHEET 1 | SITE PLAN, PROJECT INFORMATION, DESIGN CRITERIA |
| SHEET 2 | AS-BUILT LOWER LEVEL FLOOR PLAN |
| SHEET 3 | AS-BUILT MAIN LEVEL FLOOR PLAN |
| SHEET 4 | AS-BUILT UPPER LEVEL FLOOR PLAN |
| SHEET 5 | PROPOSED LOWER LEVEL FLOOR PLAN |
| SHEET 6 | PROPOSED UPPER LEVEL FLOOR FRAMING PLAN |
| SHEET 7 | PROPOSED UPPER LEVEL FLOOR PLAN |
| SHEET 8 | PARTIAL PROPOSED ELEVATIONS & SECTION A |
| SHEET 9 | CABANA PLANS & ELEVATIONS |

SQUARE FOOTAGE

EXISTING HOUSE

| | | |
|---------------|--------|---------|
| MAIN LEVEL | 3230.9 | SQ. FT. |
| UPPER LEVEL | 2357.7 | SQ. FT. |
| LOWER LEVEL | 2736.9 | SQ. FT. |
| | | |
| TOTAL LIVABLE | 8325.5 | SQ. FT. |
| | | |
| GARAGE 1 | 916.3 | SQ. FT. |
| GARAGE 2 | 376.8 | SQ. FT. |
| | | |
| ML PORCHES | 305.5 | SQ. FT. |
| ML TERRACE | 337.5 | SQ. FT. |
| LL PORCHES | 541.2 | SQ. FT. |
| UL DECK | 50.0 | SQ. FT. |

SQUARE FOOTAGE

PROPOSED HOUSE

| | | |
|---------------|--------|---------|
| MAIN LEVEL | 3230.9 | SQ. FT. |
| UPPER LEVEL | 2677.7 | SQ. FT. |
| LOWER LEVEL | 2736.9 | SQ. FT. |
| | | |
| TOTAL LIVABLE | 8645.5 | SQ. FT. |
| | | |
| GARAGE 1 | 916.3 | SQ. FT. |
| GARAGE 2 | 376.8 | SQ. FT. |
| | | |
| ML PORCHES | 305.5 | SQ. FT. |
| ML TERRACE | 337.5 | SQ. FT. |
| LL PORCHES | 541.2 | SQ. FT. |
| UL DECK | 50.0 | SQ. FT. |

PROJECT INFORMATION

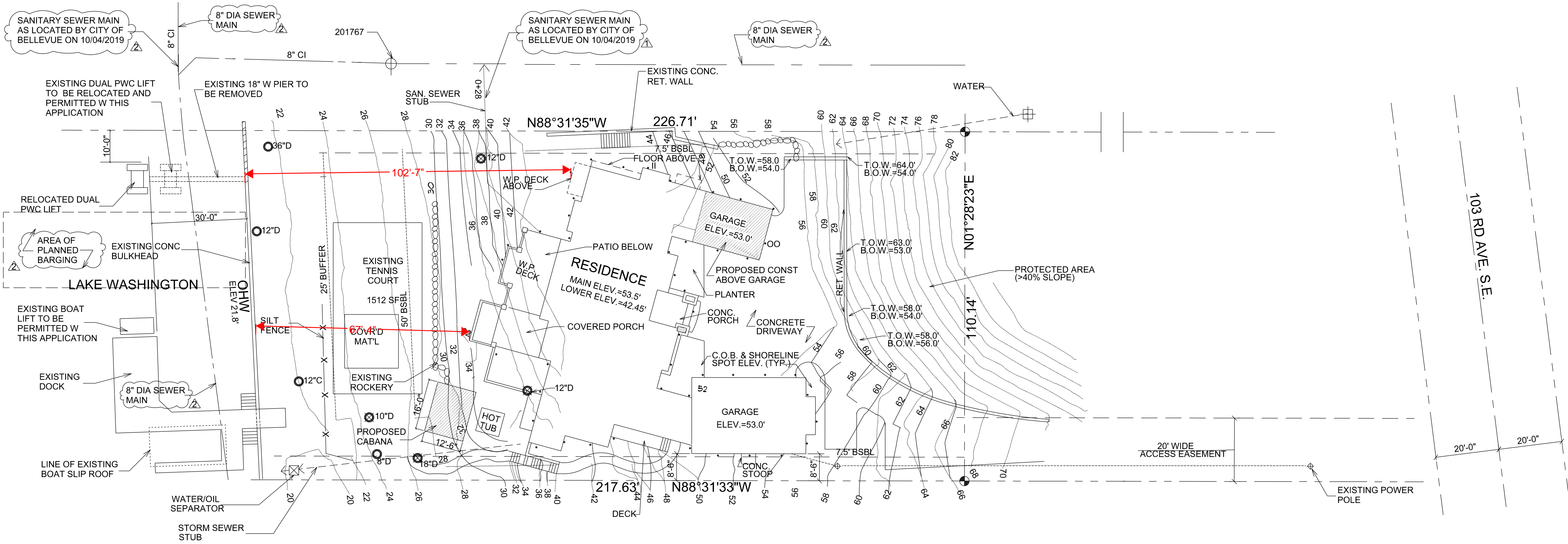
| | |
|---------------------|---|
| OWNER: | MOHAMAD & DAYANA DAHER 10015 SE 25TH STREET BELLEVUE, WA 98004 PHONE: (425) adaher@gmail.com |
| DESIGNER: | PLAN ONE 5125 47TH AVENUE S SEATTLE, WA. 98118 PHONE: (206) 612-8511 CONTACT: WILLIAM M. GOTTLIEB wmgottlieb@planone.biz |
| CONTRACTOR: | TBD |
| STRUCTURAL ENGINEER | B2 ENGINEERS 6738 15TH AVENUE NW SUITE 3 SEATTLE, WA 98117 PHONE: (206) 318-7047 CONTACT: ALEX LEBEDEV alex@b2engineers.com |
| PLAN REVIEW: | CITY OF BELLEVUE |
| INSPECTION: | CITY OF BELLEVUE |

DESIGN CRITERIA

| | |
|--------------------------|---|
| JURISDICTION: | CITY OF BELLEVUE, WA |
| LEGAL DESCRIPTION: | LOTS 1 & 2, WOLFE'S HOME TRACTS, ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 37 OF PLATS, PAGE 1, IN KING COUNTY, WASHINGTON. TOGETHER WITH SECOND CLASS SHORELANDS ADJOINING SAID LOT 1. AND TOGETHER WITH AN EASEMENT FOR INGRESS AND EGRESS OVER THE SOUTH 20 FEET OF LOTS 3 4,5,6,7 AND 8 OF SAID ADDITION. |
| PROPERTY ADDRESS: | 10015 SE 25TH STREET BELLEVUE, WA 98004 |
| TAX PARCEL NO: | 950220-0005 |
| EXISTING ZONING: | R-1 |
| LOT AREA: | 25,141 SQ. FT. (0.58 ACRE) |
| BUILDING CRITERIA CODES: | 2015 IRC 2015 WSEC |
| CONSTRUCTION TYPE: | VB |
| OCCUPANCY TYPE: | R-3 |

IMPERVIOUS SURFACES

| | | |
|---|--------|-----------------|
| LOT AREA: | 24,616 | SQ. FT. |
| EXISTING IMPERVIOUS SURFACES: | | |
| STRUCTURAL COVERAGE | 5668 | SQ. FT. |
| PARKING APRON & DRIVEWAY | 3376 | SQ. FT. |
| SIDEWALKS & STEPS | 309 | SQ. FT. |
| OVERHANG/GUTTER | 616 | SQ. FT. |
| TENNIS COURT | 1512 | SQ. FT. |
| TOTAL EXISTING IMPERVIOUS | 11,993 | SQ. FT. = 48.7% |
| ALLOWABLE IMPERVIOUS SURFACE AREA = 12,308 SQ. FT. (50% OF GROSS LOT AREA = 24,616 X .50) | | |
| PROPOSED IMPERVIOUS SURFACES: | | |
| STRUCTURAL COVERAGE | 5668 | SQ. FT. |
| PARKING APRON & DRIVEWAY | 3376 | SQ. FT. |
| SIDEWALKS & STEPS | 309 | SQ. FT. |
| OVERHANG/GUTTER | 616 | SQ. FT. |
| TENNIS COURT | 1512 | SQ. FT. |
| NEW CABANA | 200 | SQ. FT. |
| NEW HOT TUB | 56 | SQ. FT. |
| TOTAL EXISTING IMPERVIOUS | 12,249 | SQ. FT. |



SITE PLAN

SCALE: 1" = 20'-0"



PROPOSED BOAT AND DUAL JET SKI LIFT FOR:
MOHAMAD & DAYANA DAHER
10015 SE 25TH STREET
BELLEVUE, WA 98004

PLAN ONE
FINE HOME DESIGN
5125 47TH Avenue S
Seattle, Washington 98118
(206) 612-8511
www.planone.biz

DRAWN BY
WMG

DATE
NOVEMBER 30, 2019

PROJECT NO.

1

REVISIONS

| DATE | BY | WMG | REVISION |
|------------|----|-----|----------|
| 10/31/2019 | | | |
| 12/05/2019 | | | |

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