



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

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**Proposal Name:** Butte Short Plat

**Proposal Address:** 1857 173<sup>rd</sup> Ave NE

**Proposal Description:** Application for Preliminary Short Plat approval to subdivide an existing 21,924 square foot lot (0.50 acre) into 3 single-family lots, located in the R-5 land use district.

**File Number:** 15-125885-LN

**Applicant:** Greg Seiler

**Decisions Included:** Preliminary Short Plat (Process II)

**Planner:** Nick Whipple, Associate Planner

**State Environmental Policy Act Threshold Determination:** Exempt

**Department Decision:** Approval with Conditions

By:   
Nick Whipple, Associate Planner  
Development Services Department

Application Date: October 27, 2015  
Notice of Application: November 25, 2015  
Minimum Comment Period: December 10, 2015 (15 days due to Thanksgiving Day)  
Decision Publication Date: March 16, 2017  
Appeal Deadline: March 30, 2017

## TABLE OF CONTENTS

I.	Description of Proposal .....	Pg 3
II.	Site Description and Context .....	Pg 3
III.	Consistency with Zoning and Land Use Code Requirements .....	Pg 4
IV.	State Environmental Policy Act (SEPA) .....	Pg 6
V.	Changes to Proposal Due to Staff Review .....	Pg 6
VI.	Summary of Technical Reviews .....	Pg 6
VII.	Public Comment .....	Pg 9
VIII.	Decision Criteria .....	Pg 9
IX.	Conclusion and Decision .....	Pg 11
X.	Conditions of Approval .....	Pg 11

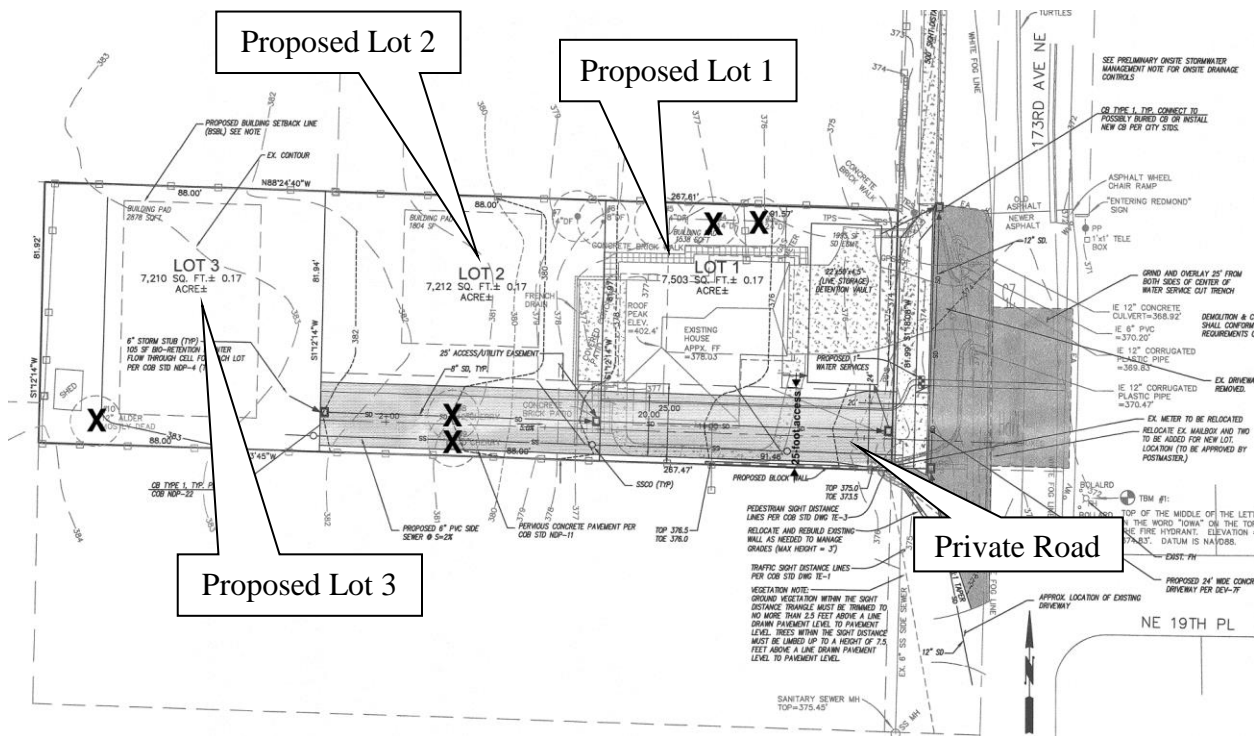
Attachments:  
Project Drawings

## I. DESCRIPTION OF PROPOSAL

The applicant is proposing to short plat an existing 21,924 square foot lot (approximately 0.50 acres) into three single-family lots resulting in a 7,503 square foot (.17 acre) lot, a 7,212 square foot (.17 acre) lot, and a 7,210 square foot (.17 acre) lot. Each lot will be developed in the future with one single-family dwelling (not part of this short plat approval). The subject site is located within the R-5 land use district, and within the Northeast Bellevue subarea. The site contains an existing single-family dwelling which will be demolished as a result of this short plat proposal. An access easement for the benefit of the west lots, lot 2 and lot 3, will be established off of 173<sup>rd</sup> Ave NE.

As defined by Land Use Code 20.25H, the site does not contain any critical areas on-site; however, the property contains 8 significant trees totaling 102 diameter inches. The applicant proposes to retain 3 of these trees, or 36 diameter inches, which equates to approximately 35% of the total diameter inches of the significant trees on the site.

Figure 1 – Preliminary Short Plat Proposal



## II. SITE DESCRIPTION AND CONTEXT

The subject site is at 1857 173<sup>rd</sup> Ave NE and is within an existing single-family neighborhood bordered by single-family dwellings to the north, south, east and west. Immediately north of the property is the City of Redmond boundary. The Butte property is zoned R-5 and has a Comprehensive Plan designation of Single-Family High.

The site is relatively flat with a 5% gradient from 173<sup>rd</sup> Ave NE (east to west). Currently, one single-family dwelling is on the site, which is accessed via a driveway curb cut off of 173<sup>rd</sup> Ave NE. There are a sidewalk immediately north of the subject site, within the City of Redmond, which ends in front of the Butte property.

**Figure 2 – Aerial Photograph**



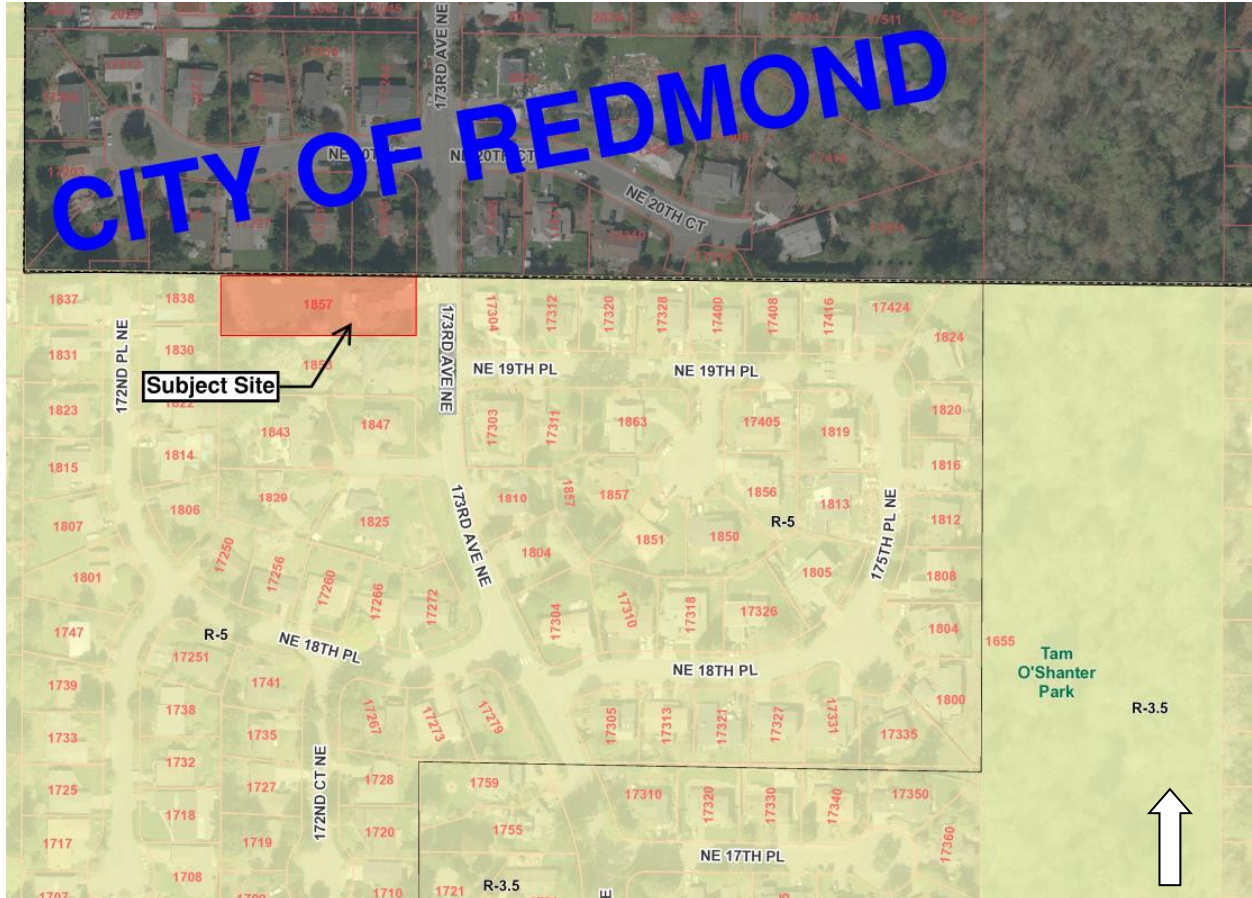
### **III. CONSISTENCY WITH ZONING AND LAND USE CODE REQUIREMENTS**

#### **A. Zoning**

The three lots proposed with this short plat application are permitted within the R-5 land use district. Refer to Table 1 of Section III.B below for discussion of dimensional requirements.



Figure 3 – Zoning Map



**B. Consistency with Standard Land Use Code Requirements**

Table 1 – Dimensional Requirements

<b><u>BASIC INFORMATION</u></b>		
<b>Zoning District</b>	R-5 Northeast Bellevue Subarea Comprehensive Plan Designation: Single-Family High	
<b>Gross Site Area</b>	21, 924 square feet (approx. 0.50 acre)	
<b>ITEM</b>	<b>REQ'D/ALLOWED</b>	<b>PROPOSED</b>
<b>Minimum Lot Area</b>	7,200 Square Feet	Lot 1: 7,503 Square Feet Lot 2: 7,212 Square Feet Lot 3: 7,210 Square Feet
<b>Minimum Lot Width</b>	60 Feet	Lot 1: 81.99 Feet (approx.) Lot 2: 81.97 Feet (approx.) Lot 3: 81.94 Feet (approx.)
<b>Minimum Lot Depth</b>	80 Feet	Lot 1: 91.57 Feet (approx.) Lot 2: 88.00 Feet (approx.) Lot 3: 88.00 Feet (approx.)

<b>Building Setbacks</b>		
Front Yard	20 Feet	20 Feet
Rear Yard	20 Feet	20 Feet
Min. Side Yard	5 Feet	5 Feet
2 Side Yards	15 Feet	15 Feet (5 ft. + 10 ft.)
<b>Tree Retention</b>	30% of 102 Diameter Inches = 30.6 Diameter Inches	36 Diameter Inches or 35.3% on-site.

#### IV. STATE ENVIRONMENTAL POLICY ACT (SEPA)

There are no critical areas within or immediately adjacent to the proposal site. Short Plats which do not contain Critical Areas are exempt from SEPA review pursuant to WAC 197-11-800(6)(a), BCC 22.02.032. Thus, the project proposal is Exempt.

#### V. CHANGES TO PROPOSAL BECAUSE OF STAFF REVIEW

The applicant's originally proposed a 2-lot short plat with a desired access location along the north property line. The proposed access location would necessitate the removal of mature conifers and the partial demolition of the existing home due to the required 10-foot setback from the access easement. The city requested that the applicant locate the driveway along the south property line to preserve desirable trees and comply with LUC 20.20.900.

The applicant's realization that the home would need to be partially demolished in order to meet the required setback from the access easement made the applicant reconsider retaining the existing home and instead proposed a 3-lot short plat rather than a 2-lot short plat.

A proposal for a 3-lot short plat was submitted to the City on August 8, 2016. The plan retains mature and healthy trees to comply with LUC 20.20.900.

#### VI. SUMMARY OF TECHNICAL REVIEWS

##### A. Utilities Review

Water – The proposed water services (2 each) including the meters will need to be located within the public right-of-way. A fire sprinkler system or high plumbing fixture count may warrant a larger water service. All new proposed water services will have to be installed under separate water service applications for each connection. A private water service easement will be required to serve Lots 2 and 3 and shall be included on the face of the final short plat.

Sewer Service – Sewer service for the Butte Short Plat will require an extension of the existing 8-inch sewer main along 173<sup>rd</sup> Ave NE to approximately the northeast corner of the property through a Developer Extension Agreement. A 6-inch multi-use side sewer permit will be needed to install the shared portion of the sewer line. The proposed joint use side sewer stub will be owned and maintained by all three benefiting properties. Each residence will require a separate side sewer permit (UA). A sewer easement and a joint use sewer maintenance agreement will be required before the final plat is recorded.

Storm Drainage – The project triggers minimum requirements 1-9 from the 2005 Department of Ecology Stormwater Management Manual for Western Washington. A storm drainage report and stormwater site plan will be required with each building permit submittal, and a final storm Developer Extension Agreement (UE) will be required before the final short plat application can be approved. The project proposes a 4,950 cubic feet detention tank. A storm drainage easement will also be required to accommodate the detention vault and the individual lot connection(s).

**See Section X of this report for Utilities Department related Conditions of Approval.**

**B. Fire Department Review**

The Fire Department has approved the preliminary short plat with a condition that the private road be marked as a fire lane. Fire sprinkler determination will be made upon submittal of the building plans.

**See Section X of this report for Fire Department related Conditions of Approval.**

**C. Transportation Review**

The Transportation Department has reviewed the plans submitted for the preliminary short plat and recommends approval. The final engineering plans must show all transportation-related improvements and must be consistent with the Transportation Development Code (BCC 14.60) and the Transportation Department Design Manual prior to approval of the plat infrastructure permit. Prior to final short plat approval, the developer must provide all transportation improvements at the developer's expense (BCC 14.60.110) or provide an acceptable financial assurance device equivalent to 150% of the cost of unfinished improvements.

Under BCC 22.16, payment of the transportation impact fee for each new home prior to building permit issuance will adequately mitigate off-site transportation impacts. The fee amount is subject to periodic revision by the City Council. Builders will pay the fee in effect at the time of building permit issuance.

**See Section X of this report for Transportation Department related Conditions of Approval.**

**Site Access**

Access to Lots 1, 2, and 3 will be from the public road, 173<sup>rd</sup> Ave NE, as shown on the approved plans. No other access connection to city right-of-way is authorized. The existing driveway on 173<sup>rd</sup> Ave NE, which serves the existing house, must be removed. The driveway approach for the new access shall be 24 feet wide and built per Standard Plan DEV-7F.

The private road serving Lots 1, 2, and 3 shall have a minimum pavement width of 20 feet within a 25-foot wide easement. The joint use driveway serving Lot 2 and Lot 3

shall have a minimum pavement width of 16 feet within a 20-foot wide access easement. The driveway serving Lot 3 shall have a minimum pavement width of 10 feet.

Street names and site addresses will be determined by the City's Parcel and Address Coordinator.

**See Section X of this report for Transportation Department related Conditions of Approval.**

### **Street Frontage Improvements**

In order to provide safe pedestrian and vehicular access in the vicinity of the site and to provide infrastructure improvements with a consistent and attractive appearance, the construction of street frontage improvements on 173<sup>rd</sup> Avenue NE are required as a condition of development approval. The design of the improvements must conform to the requirements of the Americans with Disabilities Act, the Transportation Development Code (BCC 14.60), and the provisions of the Transportation Department Design Manual.

The jurisdictional boundary between Bellevue and Redmond is at the north property line, and the existing 173<sup>rd</sup> Avenue NE was constructed on a different alignment in Redmond than in Bellevue. The applicant shall match the alignment of the concrete curb and gutter to the north, extending the Hot Mix Asphalt (HMA) pavement and concrete curb and gutter for the length of the short plat. The pavement will then taper back into the existing road section south of the frontage.

Located behind the concrete curb and gutter shall be a minimum 4-foot wide planter strip. The concrete curb and gutter shall not be included in the 4-foot dimensions.

Located behind the planter strip shall be a 6-foot wide concrete sidewalk. The sidewalk shall connect to the existing sidewalk north of the short plat and shall extend along the frontage of the short plat. South of the short plat the sidewalk shall taper back into the existing road section with HMA pavement.

**See Section X of this report for Transportation Department related Conditions of Approval.**

### **Use of the Right of Way**

Applicants often request use of the right of way and of pedestrian easements for materials storage, construction trailers, hauling routes, fencing, barricades, loading and unloading, and other temporary uses as well as for construction of utilities and street improvements. A Right of Way Use Permit for such activities must be acquired prior to issuance of any construction permit, including demolition permit.

This project is located on the border with the City of Redmond. Traffic control and other work taking place within Redmond may require additional permits from the City of Redmond. It is the applicant's responsibility to apply for any applicable Redmond permits.



**See Section X of this report for Transportation Department related Conditions of Approval.**

#### **Pavement Restoration**

The City of Bellevue has established the Trench Restoration Program to provide developers with guidance as to the extent of resurfacing required when a street has been damaged by trenching or other activities. Near the development site, 173<sup>rd</sup> Avenue NE is classified as requiring a grind and overlay.

**See Section X of this report for Transportation Department related Conditions of Approval.**

#### **Sight Distance**

The access design shall meet the sight distance requirements of BCC 14.60.240. Vegetation shall be trimmed as needed within the sight triangle.

**See Section X of this report for Transportation Department related Conditions of Approval.**

### **VII. PUBLIC COMMENT**

The City initially notified the public of this proposal on November 26, 2015, with mailed notice and publication in the Weekly Permit Bulletin. A public information sign was installed on the site the same day. Two written comments were received regarding the proposal. One comment raised questions related to drainage requirements which have been addressed in Section VI above. The second commenter inquired about the lot configuration and future home layout.

### **VIII. DECISION CRITERIA:**

Land Use Code 20.45B.130B Decision Criteria for a Preliminary Short Plat:

The Director may approve or approve with modifications an application for a Preliminary Short Plat if:

- 1. The Preliminary Short Plat makes appropriate provisions for, but not limited to, the public health, safety and general welfare, for open spaces, drainage ways, streets, sidewalks, alleys, other public ways, water supplies, sanitary waste.**

***Finding:*** City codes ensure public health, safety and general welfare through development code requirements. Existing public water and sewer facilities have been deemed adequate to serve the proposed development. The applicant will be required to provide drainage improvements designed to service the drainage needs of the site. In addition, the proposed lots will gain access via a private road from 173<sup>rd</sup> Ave NE. There are no existing sidewalks along this portion of 173<sup>rd</sup> Ave NE. Therefore, the applicant is required to install sidewalk and a landscaping planter along the frontage of the short plat site.

**Refer to Condition of Approval regarding Frontage Improvements in Section X of this report.**

**2. The public interest is served by the short subdivision.**

***Finding:*** The public interest is served by providing additional housing opportunities in accordance with the Comprehensive Plan, while ensuring compliance with City codes and standards.

**3. The preliminary short plat appropriately considers the physical characteristics of the proposed short subdivision site.**

***Finding:*** There are no critical areas on this site that require further protection. The preliminary short plat considers the physical characteristics of the site by establishing tree retention which is consistent with the vegetated character of the surrounding neighborhood.

**4. The proposal complies with all applicable provisions of the Land Use Code (BCC Title 20), the Utility Code (BCC Title 24), and the City of Bellevue Development Standards.**

***Finding:*** As conditioned, the proposal complies with the Land Use Code requirements for the R-5 land use district, the Utility Codes and the City of Bellevue Development Standards.

**Land Use Code Requirements:**

**Dimensional Requirements:** Refer to Section III.B of this report for dimensional requirements.

**Response:** All of the lots shown can be developed in accordance with the City of Bellevue Land Use Code requirements, including the R-5 land use district dimensional requirements.

**Significant Tree Preservation:** *Tree preservation requirements pursuant to LUC Section 20.20.900.D.3 require the retention of 30% of the diameter inches of significant trees on the site.*

**Response:** The applicant proposes to preserve a total of 36 diameter inches on-site or 35%. This satisfies the LUC 20.20.900.D.3. **Refer to project drawings attached to this report and Conditions of Approval regarding tree protection and tree retention in Section X of this report.**

**5. The proposal is in accord with the Comprehensive Plan (BCC Title 21).**

***Finding:*** The site is located within the Northeast Bellevue subarea. The Comprehensive Plan specifies Single-Family High Density development for this property, which is consistent with the R-5 land use designation. In addition, the

proposal complies with applicable Comprehensive Plan policies City-wide and for this Subarea, including the following:

The single family homes are, by use type, compatible with surrounding neighborhoods. The proposal provides new housing as encouraged by the Comprehensive Plan (LU-6). The proposed short plat provides housing for Bellevue's share of the regionally adopted demand forecasts for residential uses for the next 20 years (LU-5).

The proposal meets utility standards (UT-1), provides development through infill for under-utilized sites with adequate urban services (HO-17), and meets the Neighborhood Quality goal (Housing Element) by providing compatible housing (single-family in single-family district) (LU-13).

- 6. Each lot in the proposal can reasonably be developed in conformance with current Land Use Code requirements without requiring a variance.**

***Finding:*** As conditioned, each lot (proposed Lots 1, 2, and 3) can reasonably be developed to current R-5 dimensional standards without requiring a variance. There are no site constraints or critical areas which inhibit the development of this property that would warrant a variance. **Refer to Condition of Approval regarding the variance restriction in Section X of this report.**

- 7. All necessary utilities, streets or access, drainage and improvements are planned to accommodate the potential use of the entire property.**

***Finding:*** The Utilities and Transportation Departments have reviewed the preliminary short plat and determined that all necessary utilities, drainage, driveway access locations, and other required improvements are either existing, planned or conditioned as part of this approval, to accommodate the use of these lots. **Refer to Conditions of Approval regarding infrastructure improvements and access design and maintenance in Section X of this report.**

**IX. CONCLUSION AND DECISION:**

After conducting the various administrative reviews associated with this proposal, including applicable Land Use consistency, City Code, and standard compliance reviews, the Director of the Development Services Department does hereby **APPROVE** the Butte Preliminary Short Plat **WITH CONDITIONS**.

This approval automatically expires and is void if the applicant fails to file for approval of the final short plat within one year of the effective date of approval unless the applicant files for an extension at least 30 days prior to the expiration and the extension is granted pursuant to LUC 20.45B.150 and 160.

**X. CONDITIONS OF APPROVAL:**

The following conditions are imposed under authority referenced:

## **COMPLIANCE WITH BELLEVUE CITY CODES AND ORDINANCES**

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

<b>Applicable Codes, Standards &amp; Ordinances</b>	<b>Contact Person</b>
Clearing & Grading Code – BCC 23.76	Janney Gwo, (425) 452-6190
Construction Codes – BCC Title 23	Building Division, (425) 452-6864
Fire Code – BCC 23.11	Sean Nichols, (425) 452-2926
Land Use Code – BCC Title 20	Nick Whipple, (425) 452-4578
Noise Control – BCC 9.18	Nick Whipple, (425) 452-4578
Transportation Develop. Code – BCC 14.60	Ryan K. Miller, (425) 452-7915
Transportation Develop. Code – BCC 14.60	Ryan K. Miller, (425) 452-7915
Right-of-Way Use Code 14.30	Tim Stever, (425) 452-4294
Utility Code – BCC Title 24	Arturo Chi, (425) 452-4119

### **A. GENERAL CONDITIONS:**

#### **1. UTILITIES**

Utility Department approval of the short plat application (15-125885 LN) is based on the conceptual design only. Changes to the site layout may be required to accommodate the utilities after utility engineering is approved.

AUTHORITY: Bellevue City Code Title 24.02, 24.04, 24.06  
REVIEWER: Arturo Chi, Utilities Department

#### **2. DEVELOPER EXTENSION AGREEMENT**

A Utility Developer Extension Agreement application is required for the engineering review and inspection of the water, sewer and storm drainage improvements per Utility Codes 24.02, 24.04 and 24.06. All design review, plan approval, and field inspection shall be performed under the Utility Developer Extension Agreement application. The applicant will be required to apply for a Developer Extension Agreement for sewer and storm. The Developer Extension Agreement booklets and submittal requirements are available online and from the Utility Representative at the Permit Center.

AUTHORITY: Bellevue City Code Title 24.02, 24.04, 24.06.120  
REVIEWER: Arturo Chi, Utilities Department

#### **3. FIRE**

The private road shall be marked as a fire land in accordance with IFC 503.2

AUTHORITY: International Fire Code 503.2  
REVIEWER: Sean Nichols, Fire Department

#### **4. VARIANCE RESTRICTION**

Approval by the City of this short plat is a determination that each lot in the short plat can be reasonably developed in conformance with the Land Use Code requirements

in effect at the time of preliminary short plat approval without requiring a variance.

AUTHORITY: Land Use Code 20.45B.130.A.6  
REVIEWER: Nick Whipple, Development Services Department

#### **5. NOISE - CONSTRUCTION HOURS**

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

AUTHORITY: Bellevue City Code 9.18  
REVIEWER: Nick Whipple, Development Services Department

### **B. CONDITIONS PRIOR TO ISSUANCE OF ANY PLAT ENGINEERING/CLEAR AND GRADE PERMIT:**

#### **1. TREE PROTECTION**

To mitigate adverse impacts during construction to trees to be retained, the applicant must comply with the following:

- a) Clearing limits shall be established for retained trees within the developed portion of the site, outside of the drip lines. Six-foot chain link fencing with driven posts, or an approved alternative, shall be installed at the clearing limits (outside of the driplines) prior to initiation of any clearing and grading.
- b) No excavation or clearing should be performed within drip lines of retained trees except as specifically approved on plans. All such work shall be done by hand to avoid damage to roots and shall be done under the supervision of an arborist approved by the City.

AUTHORITY: Bellevue City Code 23.76.060  
REVIEWER: Nick Whipple, Development Services Department

#### **2. RIGHT-OF-WAY USE PERMIT**

The applicant is required to apply for a Right of Way Use Permit before the issuance of any clearing and grading, building, foundation, or demolition permit. In some cases, more than one Right of Way Use Permit may be required, such as one for hauling and one for construction work within the right of way. A Right of Way Use Permit regulates activity within the city right of way, including but not limited to the following:

- a) Designated truck hauling routes.
- b) Truck loading and unloading activities.
- c) Hours of construction and hauling.
- d) Continuity of pedestrian facilities.
- e) Temporary traffic control and pedestrian detour routing for construction activities.
- f) Street sweeping and maintenance during excavation and construction.

- g) Location of construction fences.
- h) Parking for construction workers.
- i) Construction vehicles, equipment, and materials in the right of way.
- j) All other construction activities as they affect the public street system.

In addition, the applicant shall submit for review and approval a plan for providing pedestrian access during construction of this project. Access shall be provided at all times during the construction process, except when specific construction activities such as shoring, foundation work, and construction of frontage improvements prevent access. General materials storage and contractor convenience are not reasons for preventing access.

AUTHORITY: Bellevue City Code 14.30

REVIEWER: Ryan K. Miller, Transportation Department

### **3. OFF-STREET PARKING**

The applicant must secure sufficient off-street parking for construction workers, equipment, and materials storage before the issuance of a clearing and grading, building, foundation, or demolition permit.

AUTHORITY: Bellevue City Code 14.30

REVIEWER: Ryan K. Miller, Transportation Department

### **4. ENGINEERING PLANS**

A street lighting plan, channelization plan, and site (civil engineering) plan produced by a qualified engineer must be approved by the City prior to clear and grading permit approval. The design of all street frontage improvements must be in conformance with the requirements of the Americans with Disabilities Act, the Transportation Development Code, and the provisions of the Transportation Department Design Manual. The engineering plans must correctly show all transportation related engineering details, including but not limited to, the design of the private road, shared driveway, the connection to 173<sup>rd</sup> Avenue NE, pavement restoration in 173<sup>rd</sup> Avenue NE, mailbox location, and sight distance. Appropriate standard drawings from the Transportation Department Design Manual must be included in the engineering plans.

Frontage improvement requirements are detailed below:

- Widening of 173<sup>rd</sup> Avenue NE and installation of concrete curb and gutter to match the existing road section to the north.
- Installation of a 4-foot wide planter with landscaping.
- Installation of a 6-foot wide sidewalk.
- Channelization.
- Street lighting to Bellevue street light standards.

Construction of all street and street frontage improvements must be completed prior to closing the clear and grade permit and right of way use permit for this project. A Design Justification Form must be provided to the Transportation



Department for any aspect of any pedestrian route adjacent to or across any street that cannot feasibly be made to comply with ADA standards. Forms must be provided prior to approval of the clear and grade plans for any deviations from standards that are known in advance. Forms provided in advance may need to be updated prior to project completion. For any deviations from standards that are not known in advance, Forms must be provided prior to project completion.

AUTHORITY: Bellevue City Code 14.60; Transportation Department Design Manual; and Transportation Department Design Manual Standard Drawings; Americans with Disabilities Act.  
REVIEWER: Ryan K. Miller, Transportation Department

## **5. SIGHT DISTANCE**

If necessary to meet the sight distance requirements of BCC 14.60.240 and standard drawing TE-1, existing vegetation near the access point onto 173<sup>rd</sup> Avenue NE must be trimmed. Ground vegetation within the sight triangle must be trimmed to no more than 2.5 feet above a line drawn from pavement level to pavement level. Trees within the sight triangle must be limbed up to a height of 7.5 feet above a line drawn from pavement level to pavement level. A description of any required vegetation trimming must be shown on a sheet of the clearing and grading plan set.

AUTHORITY: Bellevue City Code 14.60.240  
REVIEWER: Ryan K. Miller, Transportation Department

## **6. PAVEMENT RESTORATION**

The city's pavement manager has determined that this segment of 173<sup>rd</sup> Avenue NE will require a grind and overlay for any utility connections or other digging in the street surface. Trench restoration must meet the requirements of Section 21 of the Design Manual and standard drawings ROW-1 through ROW-5. Exact copies of the appropriate trench restoration drawing(s) must be included in the final engineering plans.

AUTHORITY: Bellevue City Code 14.60.250 and Design Manual Design Standard #23  
REVIEWER: Ryan K. Miller, Transportation Department

## **C. PRIOR TO FINAL SHORT PLAT APPROVAL:**

### **1. INFRASTRUCTURE IMPROVEMENTS**

All street frontage and infrastructure improvements shown in the final engineering plans or required by city codes and standards must either be completed prior to approval of the final short plat or provided for with a financial assurance device. Completion of the top lift and all other transportation infrastructure items prior to completion of the homes associated with the development is allowed.

Transportation Development Code Section 14.60.260 provides for a developer to obtain final short plat approval prior to finishing improvements with provision of an acceptable financial assurance device equivalent to 150% of the cost of unfinished

infrastructure improvements. Provision of such an assurance device requires completion of the improvements by the developer within two years of final short plat approval. Installation of improvements that would negatively affect safety if left unfinished may not be delayed through use of a financial assurance device. Partial reductions of the financial assurance device will not be approved except in special circumstances, determined in advance, such as phased projects.

Improvements must be approved by the Transportation Department inspector before they are deemed complete. At completion of all transportation infrastructure items, the developer must provide a one year maintenance assurance device equivalent to 20% of the value of the transportation infrastructure improvements, dating from the acceptance of the improvements.

AUTHORITY: Bellevue City Code 14.60.100, 110, 130, 150, 170, 190, 210, 240, 241, 260 Transportation Department Design Manual Sections 3, 4, 5, 7, 11, 14, 19  
REVIEWER: Ryan K. Miller, Transportation Department

## **2. ACCESS DESIGN AND MAINTENANCE**

The final short plat map must include a note that specifies that the owners of lots served by the private road are jointly responsible for maintenance and repair of the private road. Also, the final short plat map must include a note that specifies that the private road will remain open at all times for emergency and public service vehicles and shall not be gated or obstructed.

AUTHORITY: Bellevue City Code 14.60.130  
REVIEWER: Ryan K. Miller, Transportation Department

## **3. TREE RETENTION**

The City of Bellevue urges the applicant to save as many trees as possible. The final short plat shall portray a minimum of 36 diameter inches of existing significant trees to remain, as proposed. A Tree Preservation Plan that portrays the drip-line, the diameter size, and common name of each significant tree to be retained must be recorded with the *final short plat mylar* (recorded with King County). This Tree Preservation Plan must also contain the following note:

***“Designation of trees on the Tree Preservation Plan establishes a covenant by the owner to leave undisturbed all trees as shown on the Tree Preservation Plan. This covenant shall run with the land and shall be binding upon all future owners. No tree topping, tree cutting or tree removal shall occur unless required or approved by the City. Except for ordinary landscape maintenance, no construction, clearing or land alteration activities shall occur within the drip-line of trees shown on the Tree Preservation Plan, unless required or approved by the City. Activities in violation of this covenant are subject to penalty, including without limitation, fines, and mitigation requirements. The City of Bellevue shall have the right, but not the obligation, to enforce the requirements, terms and conditions of this covenant by any method available under law. It is the obligation of the owner to comply with the terms of the Tree Preservation Plan and this covenant.”***

During construction, the dripline of the trees to be saved shall be fenced to prevent clearing & grading activities within the dripline area.

AUTHORITY: Land Use Code 20.20.900.D  
REVIEWER: Nick Whipple, Development Services Department

**4. DEMOLITION OF EXISTING STRUCTURE**

Prior to recording of the final short plat, the applicant shall demolish the existing single-family dwelling on site.

AUTHORITY: Land Use Code 20.20.560  
REVIEWER: Nick Whipple, Development Services Department

**ATTACHMENTS**

Project Drawings