



**City of Bellevue
Department of Planning and Community Development
Land Use Division Staff Report**

PROPOSAL NAME: **Si-Chang Triplex**

PROPOSAL ADDRESS: 1638 104th Avenue N.E.

PROPOSAL DESCRIPTION: Demolition of one 1,270 square foot single family residence and construction of a two-story, three-unit townhouse building with 10 parking stalls, associated landscaping, and utilities in the R-10 zoning district. The site is located in the Single Family Transition Area Overlay District and the proposal includes a request for a variance to reduce the required 30-foot Transition Area structure setback to a proposed 25-foot setback along the rear property line.

FILE NUMBER: **06-117408 LD**

APPLICANT: Song Si-Chang

DECISIONS INCLUDED: Design Review (LUC 20.30F, Process II) with Variance (LUC 20.30G, Process II)

PLANNER: Carol Saari, Associate Planner *CSaari*

STATE ENVIRONMENTAL POLICY ACT THRESHOLD DETERMINATION: **Exempt per BCC 22.02.032.B.1**

DIRECTOR'S DECISION: **Approval with Conditions**

Carol V. Hilland BV

Matthew A. Terry, Director
Department of Planning & Community Development

Completeness Date: September 11, 2006
Notice of Application: September 28, 2006
Bulletin Decision Publication Date: October 25, 2007
Appeal Deadline Date: November 8, 2007

For information on how to appeal a proposal, visit the Permit Center at City Hall or call (425) 452-6880. Appeal of the Decision must be received in the City Clerk's Office by 5 p.m. on the date noted for appeal of the decision.

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ATTACHED:

- Exhibit A: Project Plans
- Exhibit B: Vicinity Map
- Exhibit C: Zoning Map
- Exhibit D: Comprehensive Plan Policies

I. REQUEST/PROPOSAL DESCRIPTION (See Exhibit A)

The applicant, Mr. Song Si-Chang, requests Design Review approval to demolish one 1,270 square foot single family residence (built in 1953) and construct a two-story, three-unit townhouse building with ten parking stalls and associated landscaping and utilities.

Included is a request for a variance from the 30-foot Single Family Transition Area setback of Land Use Code (LUC) 20.25B.040.B to approve a 25-foot rear setback from the east property line.



View from northwest corner of lot inside the fence looking southeast

A. Building Design

The building design is a typical contemporary house found in suburban areas in the Puget Sound area. The building consists of three identical two-story, three-bedroom, townhouse units. Each unit includes a two-car garage. The north unit faces toward N.E. 17th Street; the remaining two units face west toward Bellevue Way N.E. The roof pitch is 5/12 with the ridge oriented south-north. Each unit has a 10/12 pitch gable above the front second story bedroom. The roof material is composition shingles. The construction is wood-frame with wood shingles and hardiplank siding. Vertical siding predominates on the west and south elevations and horizontal siding predominates on the east and north elevations. Shingles are proposed for the gable ends. Vinyl windows will be installed.

The exterior colors will be shades of medium grey for the siding with white vinyl window frames. The garage doors will be light grey and the front doors will have an accent color of warm brick.

- Exterior siding as medium grey: Rodda 8295 “Cast in Stone” and Rodda 8297 “Platinum Plate.”
 - Garage doors as light grey: Rodda 8299, “Ice Age.”
 - Entry doors as warm brick: Rodda 8629 “Majestic Ridge.”
- See condition #X.C.1.

There will be no rooftop or wireless equipment. See condition #X.C.2.

B. Site Improvements

The existing house is in a state of disrepair and will be demolished. Site access (a paved driveway) will be from NE 17th Street. The paved internal driveway extends along the west side of the building. Two exterior parking spaces are proposed on grasscrete along the west side of the north unit. Two additional stalls are proposed on grasscrete in the northeast portion of the site with a retaining wall on the south and east sides of the grasscrete area to create a level area for the cars.

There will be substantial landscaping along the site perimeter as well as at the front door entrances of units and back patio areas. A 6' high solid wood fence will be installed along the east property line adjacent to single family zoning. A 4' high solid wood fence will be installed along the west property line adjacent to Bellevue Way NE.

II. LAND USE CONTEXT AND ZONING (See Attachments B, C)

The site is a 15,225 sq.ft. lot at the southeast corner of the intersection of Bellevue Way NE and N.E. 17th Street. It is located at the entrance to a single family neighborhood with well maintained homes. It is a corner lot which abuts Bellevue Way NE. There are multifamily homes along Bellevue Way NE.

The site is essentially flat with a slope of about 3-4%. The site slopes from the east property line (high) to Bellevue Way NE (low).

Zoning and land use in the vicinity is as follows:

East:	Single Family R-4 - developed with single family homes
West:	Multifamily R-20 - developed with multifamily homes
North:	Multifamily R-10 - developed with duplex
South:	Multifamily R-10 - developed with single family home

III. CONSISTENCY WITH LAND USE CODE/ZONING REQUIREMENTS:

A. General Requirements of the Land Use Code

The property is zoned multifamily R-10 and is within the Single Family Transition Area Overlay District. Attached dwelling units are a permitted use in the R-10 district. The Design Review requirements for the proposal are discussed in Section VIII.B of this report. All dimensional and parking requirements are met as described below, with the exception of the rear setback where a variance has been granted.

Table 1. Project Statistics and Land Use Code Dimensional Requirements

Item	Allowed/Req'd	Proposed	Comments
Zoning	R-10 multifamily	No change	
Proposed Land Use	Multifamily	3 multifamily units	Complies
Site Area	8500 SF minimum	15,225 SF (1/3 acre)	Complies
Density @ 10 units per acre	maximum 3 units	3 units	Complies
Setback: Front – North	minimum 20'	20'	Complies
Setback: Front - West	minimum 20'	20'	Complies
Setback: Rear - East	minimum 30'	25'	Variance requested and approved. <u>See Section VIII.A.</u>
Setback: Side - South	minimum 5'	5'	Complies
Maximum Bldg. Height Measured from average existing grade to midpoint of pitched roof (Transition Area)	maximum 30'	25'	Complies
Maximum Lot Coverage	maximum 35%	30.6 %	Complies.
Maximum Impervious Surface	maximum 80%	54%	Complies
Landscape Buffer – West and North	West Type III, 10' North Type III, 10'	West Type III, 10' North – 0 feet wide for 30 feet in length, balance Type III, 10'	West – Complies. North - Alternative Landscape Option requested and approved. <u>See Section III.C.</u>
Landscape Buffer – East Property Line	minimum 20' Transition Area buffer	10' Transition Area buffer	Alternative Landscape Option requested and approved. <u>See Section III.C.</u>
Landscape Buffer - South Property Line	Type III, 8'	Type III, 4' for 20 feet for in length, balance Type III, 8'	Alternative Landscape Option requested and approved. <u>See Section III.C.</u>

Item	Allowed/Req'd	Proposed	Comments
Retention of Significant Trees in perimeter	100%	100%	Complies. Arborist report required for diseased and/or unhealthy trees. <u>See condition #X.B.1.</u>
Retention of Significant Trees in interior	15%	0%	Alternative Landscape Option requested and approved. See <u>Section III.C.</u>
Parking - Min. Quantity 1.8 spaces per 3-bedroom multifamily unit	minimum 5 stalls	10 stalls	Complies.
Parking - Max. Compact 50 %	maximum 5 compact stalls	2 compact stalls	Complies.

B. Transition Area Development Standards

As conditioned, the proposal will comply with the Transition Area Development Standards (20.25B.040.A-G) and Design Guidelines (20.25B.050.A-B).

a. Building Height

Building height in a Transition Area is measured from average existing grade to the midpoint of a pitched roof (between ridge and eave). The proposal is 25 feet in height which is under the maximum 30 foot height limit in the R-10 Transition Area.

b. Structure Setback / Spacing

Primary structures may not be located closer than 30 feet from a zone receiving transition. The applicant is proposing a 25 foot setback to the adjacent single family zoned parcel adjacent to the east. See Section VIII.A for discussion regarding the variance request.

c. Landscaping and Significant Tree Protection:

A 20-foot landscape buffer is required from a property receiving transition. The applicant proposes a 10-foot buffer as an Alternative Landscape

Option. See Section III. C. Of the 13 significant trees within the site perimeter, 5 trees have been deemed unhealthy and/or diseased trees according to the arborist of record. An arborist report is required to document these unhealthy and/or diseased trees. See condition #X.B.1.

d. Site Design Standards

Screening of surface parking areas is required from ground level views of an abutting residential district. The screening may be accomplished by a berm, wall or hedge.

The proposal includes 4 surface parking stalls with grasscrete. (The other 6 stalls are located within the garages.) Screening of the surface parking stalls will be achieved through landscaping and a 6' solid fence to the abutting single family home to the east.

e. Site Design Guidelines

- 1) The proposed site circulation will not result in project traffic being directed through an abutting residential district of lower intensity. Site access will be from Bellevue Way NE to NE 17th Street, then immediately into the site driveway. Since this is a corner lot, traffic will not circulate through the neighborhood to gain access to the site.
- 2) Refuse and recycling containers will be located within each individual unit in order to reduce visual impact.
- 3) The applicant requests a reduction of the required landscape buffers and saved interior significant trees. See Section III.C.
- 4) The scale of the proposed development is compatible with the surrounding residential development. The building has a pitched roof and is generally of the same contemporary suburban style as adjacent single family homes.

f. Building Design Guidelines

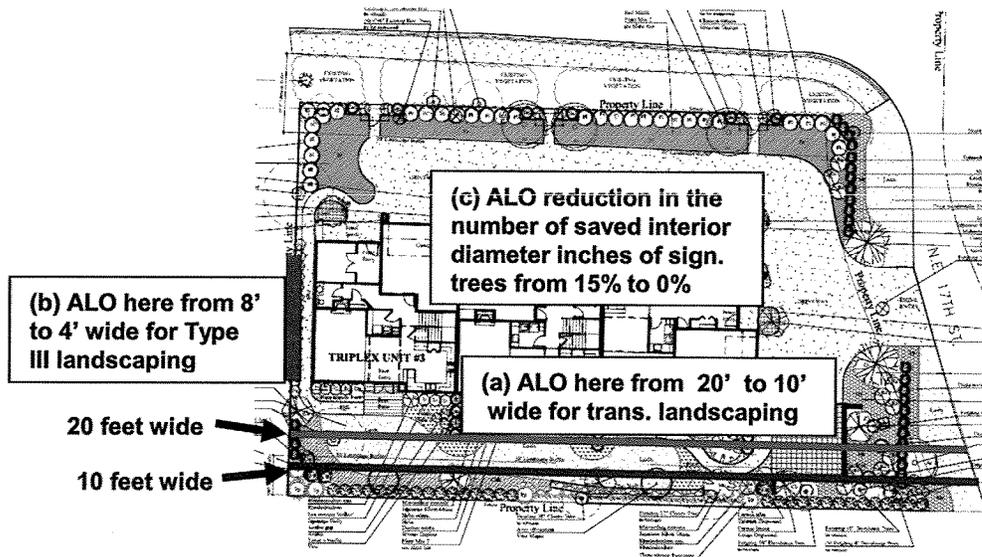
Two of the three units face Bellevue Way NE and the northern unit faces NE 17th Street. The architect has staggered the depths of the units facing Bellevue Way to provide sufficient modulation to differentiate separate units with colors and materials which are similar to and compatible with adjacent single family homes. To enhance the individual units and tie them to Bellevue Way NE (giving a sense of connection), the architect has provided a walkway path from each unit to the sidewalk along Bellevue Way NE.

- 1) Building Exterior Materials: The roof material is composition shingles. The construction is wood-frame with wood shingles and hardiplank siding. The applicant proposed both vertical and horizontal siding to break up the mass of the elevations and to provide visual interest. Shingles are proposed for the gable ends. Vinyl windows will be installed.

- 2) Exterior Wall Offsets: The proposed structure includes offsets within the exterior walls on three sides. The offsets will provide visual interest and consistency with the residential character of the area.
- 3) Communication Devices: Rooftop Communication devices are not included in the proposal. See condition #X.C.2.
- 4) Building Exterior Colors: To be more compatible with the neighborhood colors and to provide a more pleasing view from Bellevue Way NE, the exterior colors have been revised from the original submittal. (The original submittal showed darker shades of color which were too dark and imposing for the neighborhood.) The exterior colors will be shades of medium grey for the siding with white vinyl window frames. The garage doors will be light grey and the front doors will have an accent color of warm brick.
 - Exterior siding as medium grey: Rodda 8295 "Cast in Stone" and Rodda 8297 "Platinum Plate."
 - Garage doors as light grey: Rodda 8299, "Ice Age."
 - Entry doors as warm brick: Rodda 8629 "Majestic Ridge."See condition #X.C.1.

As conditioned, the project meets Transition Area requirements.

C. Alternative Landscape Option (ALO)



Landscape Plan

The applicant requests approval of Alternative Landscape Option, per Land Use Code 20.20.520.J, for three modifications:

- (a) a reduction in the width of the transition area landscape buffer (along the east property line) from 20' to 10' wide;

- (b) a reduction in the Type III perimeter landscape buffer along the south property line from 8' to 4' wide for a length of 20 feet; and
- (c) a reduction in the number of diameter inches of interior significant trees to be saved from 15% to 0%.

The Director may approve a modification if:

1. **The proposed landscaping represents an equal or better result than that which could be achieved by strictly following the requirements.**

The proposed landscape plan represents an equal or better result than that which could be achieved by strictly following the requirements of the code.

- (a) Transition Area Buffer: The applicant requests a reduction in the width of the 20' wide transition area landscape buffer (along the east property line) to 10' wide. The purpose of the transition area buffer is to provide more screening for adjacent lower intensity single family uses. In this case, there is a single family residence to the east. The applicant proposes to reduce the buffer area in order to obtain a small amount of private backyard for each triplex unit on this small 1/3 acre lot. In order to provide screening for the single family residence, the applicant has proposed a solid 6' high fence, as well as, about 1.5 times the number of required trees within the 10' buffer area (to be installed at a minimum of 10 feet high, as shown on the landscape plan). These trees will be a combination of native and ornamental species to provide visual interest during the different seasons of the year. Four existing significant trees will be saved along this perimeter. Additional ground plantings and a hedge are provided inside the fence to provide more plant material buffer. The proposed landscape plan provides a rich palate of native and ornamental plant material with seasonal color. This will result in a superior result to that which could be achieved by strictly following the requirements of the code.

- (b) Type III landscaping along the South Perimeter.

For a length of 20 feet along the south perimeter, the landscaping has been reduced from 8 feet in width to 4 feet in width to provide enough width for a walkway around the building. To compensate for the reduced landscape width, the applicant has provided bamboo with a root barrier (5 gallon), planted 3' on center. This will provide a softening effect to the view of the south elevation of the building from the single family home to the south (with multifamily zoning) as well as a dense buffer/screening. In other areas along this perimeter, additional shrubs will be planted to create a dense hedge buffer (Arborvitae planted at 6' height, over the code requirement of a minimum of 3.5 feet height) and new cedar trees will be planted at 6-8' heights (over the code requirement of a minimum of 6' height). Groundcover will be planted to complement the shrubs and trees. In addition, 2 existing significant trees will be saved. This landscape treatment will result in a superior result to that which could be achieved by strictly following the

requirements of the code.

- (c) Interior Significant Trees: The applicant requests to reduce the number of diameter inches of significant trees to be retained within the site interior from 15% (46 diameter inches) to 0%. The removal of interior trees is necessary in order to accommodate the required driveway width and parking stalls for the development. As mentioned earlier, the site area is 15,225 square feet (1/3 acre) and only 100 feet wide which is generally smaller than most triplex lots. Although the lot size meets code requirements, in this case it is difficult to design a project which accommodates the triplex building and associated amenities. The architect has already proposed two-story units in order to provide vertical expansion for unit space. In order to compensate for the loss of interior significant trees, the applicant has proposed generous landscaping at the front doors of units and in the backyards. Generous landscaping has been provided along the east property line (with about 1.5 times the required number of trees) to provide a buffer to the adjacent single family home. Within the site perimeter, 100% of the healthy diameter inches of significant trees will be saved per code requirements. For perimeter trees to be saved, tree protection will be required during clearing and grading activities. See condition #X.B.1.

Table 2. Alternative Landscape Option (ALO)
 Tree Mitigation

Tree Location	Diameter inches
Interior: Per code, 15% of the diameter inches of interior significant trees must be saved. The ALO request is to reduce this from 15% to 0%.	46 diameter inches x 15% required to be saved = 7 diameter inches of interior significant trees must be saved. The ALO request is to reduce this to 0 diameter inches.
East Property Line: Diameter inches of trees to be installed above that required by code.	60 diameter inches additional above code requirements. These trees to be located along the east property line to buffer the adjacent single family home.
Mitigation: Additional Diameter Inches.	53 additional diameter inches over that required to be saved for the interior.

As noted above, 60 diameter inches of trees will be installed as mitigation for the removal of the required 7 diameter inches of significant trees within the site interior which nets 53 additional diameter inches to be installed.

To assure landscape installation and maintenance, landscape assurance devices will be provided. See conditions #X.D.1 and #X.E.1. The proposal will result in a superior result than that which could be achieved by strictly following the requirements of the code.

- 2. The proposed landscaping complies with the stated purpose of subsection A and with the purpose and intent of paragraphs F.1 and G of this section.**

The proposed landscape plan complies with the stated purpose and intent of paragraphs F.1 and G of this section. The plan will provide a visual barrier of 10' high trees and a 6' solid wood fence adjacent to the single family residence to the east. This will provide a solid screening and buffer between the two properties. The 10' high trees along the east property line will provide a softening effect to the view of the east elevation. Additional plantings will be provided along NE 17th Street which will provide a more gracious entry into the neighborhood from Bellevue Way NE.

- 3. If a modification of any paragraph excluding subsection E of this section is requested, the proposed landscaping either:**

- (a) Incorporates the increased retention of significant trees and naturally occurring undergrowth, or**
- (b) Better accommodates or improves the existing physical conditions of the subject property, or**
- (c) Incorporates elements to provide for wind protection or to maintain solar access, or**
- (d) Incorporates elements to protect or improve water quality.**

The proposal meets 3(b) above. The proposal better accommodates the existing physical condition of the property by enhancing the vegetation onsite. Currently the site is generally rundown with little or no maintenance of the plant material. The proposal will remove unhealthy trees from the site, install new trees and provide a generous amount of native and ornamental plant material. This will result in a rich palate of plantings and year around seasonal color. The hedge, Northern Red Oak trees and other plantings along NE 17th Street will enhance the view of the property at this prominent entry corner to the neighborhood.

- 4. If a modification of subsection E of this section is requested, the proposal either:**

- (a) Incorporates the retention of significant trees equal in number to what would otherwise be required; or**
- (b) Incorporates the retention of other natural vegetation in consolidated locations which promotes the natural vegetated character of the site.**

The proposal meets 4(b) above. The site development landscape plan provides for native cedar trees in several consolidated locations along the east property line along with supplemental native vegetation. The new cedar trees will be installed at heights of 4-6 feet. The site does not have any native significant evergreen trees. The property was developed as a single family home. The native trees were removed and flowering fruit trees and other deciduous trees were planted at various locations on the property.

The proposed landscape plan will improve the landscaping onsite and will incorporate native cedar trees and other native vegetation.

Based upon the above, the three requests for Alternative Landscape Option have been approved.

IV. SUMMARY OF TECHNICAL REVIEW

A. Utility Code

The Utilities Department has reviewed the proposal and gives approval of the Design Review based on the conceptual utility design. The City has adequate capacity for providing water, sewer and storm drainage service for this proposal. Final civil engineering of the utility design may require changes to the site layout to accommodate the utilities. The water, sewer, and storm drainage systems shall be designed per the current City of Bellevue Utility Codes and Utility Engineering Standards. The Utilities Department design review, plan approval, and field inspection will be performed under the Utilities permit processes. A storm permit, side sewer permit, and water service permit will be required. See condition #X.A.1.

B. Clearing and Grading Code

The plans and materials submitted for the project are sufficient for the Clearing and Grading section to approve the Design Review application. Technical review will occur through the Clearing and Grading Permit. The site is not subject to rainy season restrictions.

C. Transportation Department

The Transportation Department has reviewed the proposal requires new frontage improvements to include a new 5' wide sidewalk, Type 1 Sidewalk Ramp, curb and gutter, and new driveway (per sheet C2.0 dated May 9, 2007). Other requirements include Right-of-Way Use permit, traffic impact fees, and pavement restoration. See conditions #X.B.2, C.3, D.2, D.3.

D. Fire Department

The Fire Department has reviewed the proposal and requires a proper address off of NE 17th Street for each of the units. See condition #X.E.2.

V. PUBLIC NOTICE AND COMMENT

Public notice of the proposal was mailed to all property owners within 500 feet of the site, notice was published in the King County Journal, and public notice signs were posted on the property on September 26, 2006. As of the writing of this staff report, one comment was received regarding this proposal. This resident was concerned about the continual encroachment of multifamily uses into the single family residential area. City staff discussed the multifamily zoning of this parcel and that for this parcel multifamily units are permitted, subject to City review and approval.

VI. STATE ENVIRONMENTAL POLICY ACT (SEPA)

The project is exempt from environmental review since the proposal is construction of 10 or less dwelling units and there are no critical areas onsite (BCC 22.02.032.B.1).

VII. PROPOSAL CHANGES DUE TO STAFF REVIEW

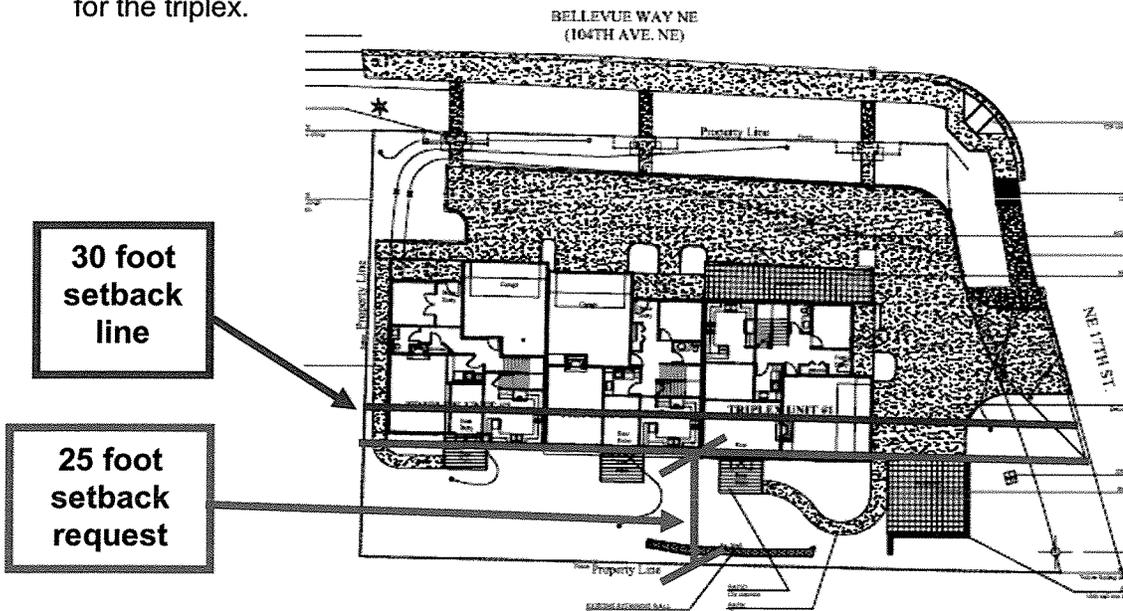
Changes to the proposal design as a result of staff review are:

- Changes to the building exterior design and colors.
- Addition of fencing.
- Additional landscaping along the east property line.
- Sidewalk transition from Bellevue Way to NE 17th Street.

VIII. DECISION CRITERIA

A. VARIANCE

The applicant requests approval of a variance from the 30-foot Single Family Transition Area setback of Land Use Code (LUC) 20.25B.040.B to approve a 25-foot rear setback from the east property line. This variance is requested in order to obtain a reasonable building pad for the new triplex. The lot is only 100 feet wide. With setbacks of 20 feet for the front yard and 30 feet for the Transition Area setback, there is only 50 feet wide for a building pad. If the subject setback is reduced by 5 feet to 25 feet, the applicant gains a more reasonable building pad of 55 feet wide for the triplex.



The Variance Decision Criteria per LAND USE CODE 20.30F.140 are met as follows:

The Director may approve, or approve with modifications, an application for a variance from the provisions of the Land Use Code if:

1. The variance will not constitute a grant of special privilege inconsistent with the limitation upon other properties in the vicinity and land use district of the subject property; and

The variance will not constitute a grant of special privilege. The variance request is for a 5 foot reduction in the rear yard Transition Area setback. The property is only 100 feet wide. With the required setbacks, it is difficult to design marketable triplex units. The variance will allow the developer to obtain a reasonable building pad for the proposed triplex. The property is zoned R-10 for multifamily residential. It is currently being used as a single family residence. The variance will allow the developer to use the property to its intended multifamily residential use.

2. The variance is necessary because of special circumstances relating to the size, shape, topography, location or surroundings of the subject property to provide it with use rights and privileges permitted to other properties in the vicinity and the land use district of the subject property; and

The variance is necessary because of special circumstances relating to the size, shape and location of the lot. It is a corner lot which has 2 front yard setbacks which dedicates a large amount of square footage to these setbacks. In addition, the lot is only 100 feet deep which makes it difficult to design a reasonable building pad for a multifamily unit, given the front and rear setback requirements. The lot is only 15,225 square feet which is less than 1/3 acre. This size of lot is unusually small for a property zoned R-10. Property zoned R-10 contemplates 10 units per acre. It is difficult to reach the maximum density contemplated by the zoning district and Comprehensive Plan with such a small lot. Therefore, the variance is warranted.

3. The granting of the variance will not be materially detrimental to property or improvements in the immediate vicinity of the site; and

The granting of the variance will not be materially detrimental to the area. A 6' high solid wood fence will be installed along the east property line to help provide buffer to the single family residence to the east. In addition trees will be planted along this east property line which will soften the view of the triplex, given that it will be 5 feet closer to the property line (and thus the adjacent house). In addition, a 4' high fence will be installed along the west property line adjacent to Bellevue Way. This will provide some buffer to those traveling north on Bellevue Way. See condition #X.C.4.

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

The variance is not inconsistent with the Comprehensive Plan. The proposal furthers the vision of the Comprehensive Plan by providing multifamily housing at this location, as designated in the Comprehensive Plan. By granting the variance, the developer can achieve more reasonable building pads which will meet market demands. Additional plantings and a 6' high solid wood fence will be installed along the east property line to provide buffer to the single family residence to the east.

B. DESIGN REVIEW

Design Review Decision Criteria per LAND USE CODE 20.30F.145 are met as follows:

The Director may approve, or approve with modifications, an application for Design Review if:

1. The proposal is consistent with the Comprehensive Plan. (See Exhibit D)

The site is designated Multifamily Low density within the North Bellevue Subarea of the Bellevue Comprehensive Plan. The property is zoned Multifamily R-10, which is consistent with the Multifamily Low Density Subarea Plan map designation.

Policies LU-3 and LU-4 encourage new residential development to provide new households to meet City targets for additional households. The proposal adds 2 new residential units which will help towards this goal (3 units in the triplex building minus one existing residence to be replaced = 2 new units).

The proposal is consistent with Policies HO-2 and HO-13 to promote quality multifamily development. This proposal includes a compatible building design with the surrounding single family neighborhood with generous landscaping and fencing as buffers.

2. The proposal complies with the applicable requirements of this Code.

See Section III of this report for a discussion of applicable code requirements and standards and how they are met. As conditioned in Section X, the proposal complies with applicable requirements of the Land Use Code. In order to mitigate the potential for noise impacts to adjacent residences, the applicant will be subject to the Noise Control Code, BCC 9.18. Hours of construction shall be limited and the best available noise abatement technology shall be used. See conditions #X.A.2, A.3, Onsite lighting and building-mounted lighting shall be shielded to prevent light spillover to adjacent properties. See condition #X.C.5.

3. The proposal addresses all applicable design guidelines or criteria of this Code in a manner which fulfills their purpose and intent.

See Section III.B for discussion about how the proposal complies with the design guidelines and standards of the Transition Area Overlay District.

4. The proposal is compatible with, and responds to, the existing or intended character, appearance, and quality of development and physical characteristics of the subject property and immediate vicinity.

The proposal is compatible with the existing character of the immediate single family neighborhood along NE 17th Street. The contemporary suburban style of the triplex, with a pitched roof and similar exterior materials/colors is consistent with the single family neighborhood homes.

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

The site has access to water, electrical and sewer utilities. The present street system is adequate to support the proposal. See conditions from the Transportation Department, Fire Department and Utilities Department, identified in Section X of this staff report.

IX. CONCLUSION AND DECISION

After conducting the various administrative reviews associated with this proposal, including applicable Land Use consistency, and City Code and Standard compliance reviews, the Director of Planning and Community Development does hereby **APPROVE** this proposal **with CONDITIONS**.

X. CONDITIONS OF APPROVAL:

The following conditions are imposed under authority referenced:

A. GENERAL CONDITIONS

1. STORM, SIDE SEWER AND WATER SERVICE PERMITS

a. Storm: The applicant shall obtain a storm permit for roof and footing drains.

Authority: Bellevue City Code Title, 24.06
Reviewer: Rob Hutchinson, Utilities Department

b. Sewer: The applicant shall obtain side sewer permits required to serve the property. A joint use side sewer maintenance agreement and side sewer easement is required.

Authority: Bellevue City Code Title, 24.04
Reviewer: Rob Hutchinson, Utilities Department

c. Water: The applicant shall obtain new water service permits and provide private utility easements for private water service lines.

Authority: Bellevue City Code Title, 24.02
Reviewer: Rob Hutchinson, Utilities Department

2. CONSTRUCTION HOURS

Noise related to construction is allowed from 7:00 a.m. to 6:00 p.m. Monday through Friday and 9:00 a.m. to 6:00 p.m. on Saturday. Noise related to construction is prohibited on Sundays and legal holidays.

Authority: Bellevue City Code 9.18.020
Reviewer: Carol Saari, Dept. of Planning & Community Development

3. USE OF THE BEST AVAILABLE NOISE ABATEMENT SYSTEMS DURING CONSTRUCTION ACTIVITIES

Noise created by construction activities (i.e. vehicle mufflers, idling motors, jack hammers, air compressors, nail guns, heavy equipment) shall be reduced as much as possible through use of the best noise abatement systems available for the vehicle/tool causing the construction noise impact. It is the responsibility of the developer to provide such documentation, if requested.

Authority: Bellevue City Code 9.18.020
Reviewer: Carol Saari, Dept. of Planning & Community Development

B. PRIOR TO ISSUANCE OF A CLEAR AND GRADE PERMIT:

1. TREE PROTECTION

Significant trees to be retained shall be shown on the clearing and grading plans. Include on the project plans tree preservation detail Drawing #35, Tree Protection, of the City of Bellevue Development Standards. A certified arborist shall evaluate unhealthy or diseased trees and provide a report with findings and conclusions. A tree hazard form by the International Society of Arborists (ISA) shall be submitted for each tree deemed a hazard.

Authority: Land Use Code 20.20.520, Land Use Code 20.20.900,
Bellevue City Code 23.76; Bellevue Development Standards
Reviewer: Carol Saari, Dept. of Planning & Community Development

2. RIGHT-OF-WAY USE PERMIT

Prior to issuance of any construction or clearing and grading permit, the applicant shall secure applicable right-of-way use permits from the City's Transportation Department, which may include:

- a) Designated truck hauling routes.
- b) Truck loading/unloading activities.
- c) Location of construction fences.
- d) Hours of construction and hauling.
- e) Requirements for leasing of right of way or pedestrian easements.
- f) Provisions for street sweeping, excavation and construction.
- g) Location of construction signing and pedestrian detour routes.
- h) 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 prevents

access. General materials storage and contractor convenience are not reasons for preventing access.

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

Authority: Bellevue City Code 11.70 & 14.30
Reviewer: Jon Regalia, Transportation Department

C. PRIOR TO ISSUANCE OF A BUILDING PERMIT

1. EXTERIOR BUILDING COLORS

The exterior building colors shall be revised as follows:

- Exterior siding as medium grey: Rodda 8295 "Cast in Stone" and Rodda 8297 "Platinum Plate."
- Garage doors as light grey: Rodda 8299, "Ice Age."
- Entry doors as warm brick: Rodda 8629 "Majestic Ridge."

Authority: Land Use Code 20.25B.050.B.5
Reviewer: Carol Saari, Dept. of Planning & Community Development

2. ROOFTOP EQUIPMENT OR WIRELESS EQUIPMENT

There shall be no rooftop equipment or wireless equipment located on the roof of the triplex.

Authority: Land Use Code 20.25B.040.D.E.
Reviewer: Carol Saari, Dept. of Planning & Community Development

3. TRANSPORTATION IMPACT FEE

Payment of the traffic impact fee will be required at the time of building permit issuance. The impact fee is estimated to be \$221.40. This fee is subject to change and the current fee schedule in effect at the time of building permit issuance will apply.

Authority: Bellevue City Code 22.16
Reviewer: Abdy Farid, Transportation Department

4. FENCE

The plans issued for the building permit shall portray a 6' high solid wood fence along the east property line and a 4' high solid wood fence along the west property line adjacent to Bellevue Way NE.

Authority: Land Use Code 20.25B.040.D
Reviewer: Carol Saari, Dept. of Planning & Community Development

5. SHIELDED SITE AND BUILDING LIGHTING

Onsite lighting and building-mounted lighting shall be shielded to prevent light spillover to adjacent properties.

Authority: Land Use Code 20.20.522
Reviewer: Carol Saari, Dept. of Planning & Community Development

D. PRIOR TO ISSUANCE OF A TEMPORARY CERTIFICATE OF OCCUPANCY

- 1. LANDSCAPE INSTALLATION ASSURANCE DEVICE:** If a Temporary Certificate of Occupancy is requested prior to completion of the landscape installation, the applicant shall file with PCD a landscape installation assurance device equal to 150% of the cost of labor and materials for any landscaping that has not yet been installed.

Authority: Land Use Code 20.40.490
Reviewer: Carol Saari, Dept. of Planning & Community Development

2. STREET FRONTAGE IMPROVEMENTS

All street frontage improvements and other required transportation elements, must be constructed by the applicant and accepted by the City Inspector. Transformers and utility vaults to serve the building shall be placed inside the building or below grade, to the extent feasible. Bonding or other types of assurance devices will not be accepted in lieu of construction. Specific requirements are detailed below.

The applicant shall provide new frontage improvements, to include a new 5' wide sidewalk, Type 1 Sidewalk Ramp, curb and gutter, and the new driveway (per sheet C2.0 dated May 9, 2007).

In addition, vehicle and pedestrian sight distance must be provided per Bellevue City Code 14.60.240 and 14.60.241. Sight distance triangles must be shown at all driveway locations and must consider all fixed objects and mature landscape vegetation. Vertical as well as horizontal line of sight must be considered when checking for sight distance.

Authority: Bellevue City Code 14.60.090, 110, 120, 150, 181, 200, 210, 240, 241
Reviewer: Abdy Farid, Transportation Department

3. PAVEMENT RESTORATION

Pavement restoration associated with street frontage improvements or to repair damaged street surfaces shall be provided as follows:

Bellevue Way and NE 17th: Based on these streets' excellent condition, it is classified with the City's overlay program as "Overlay Required." Street cutting is permitted only with extraordinary pavement restoration.

Authority: Bellevue City Code 14.60. 250; Design Manual Design Standard #21

Reviewer: Jon Regalia, Transportation Department

E. PRIOR TO ISSUANCE OF FINAL CERTIFICATE OF OCCUPANCY

1. **LANDSCAPE MAINTENANCE ASSURANCE DEVICE:** The applicant shall submit a cost estimate for all of the site landscaping, per the City approved landscape plan, and a notarized assignment of savings equal to 20% of the total cost of the landscaping (minus the cost of the irrigation system). Approximately one year after City approval of site landscape installation the City's project reviewer shall inspect the landscape (or upon commencement of the growing season if the one year period ends during the dormant period). After all damaged, dead or dying plants are replaced, the performance assurance device shall be released in full to the applicant. If the landscape is not restored within a reasonable period of time, the City may use the assignment to pay the cost of restoring the landscape per the approved plan.

Authority: Land Use Code 20.20.520.K.1 and 2

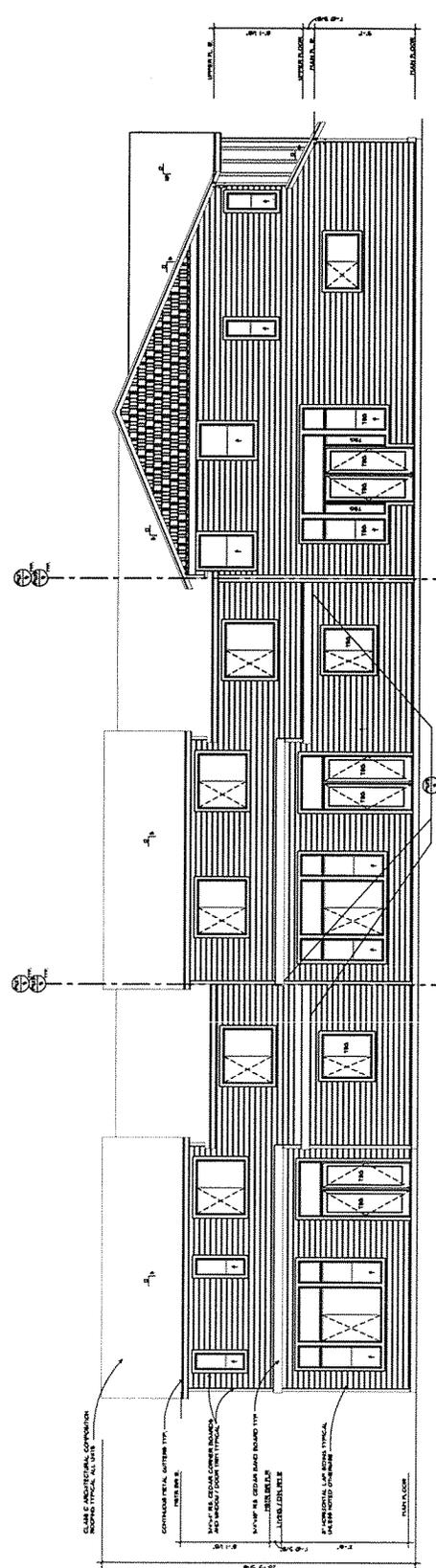
Reviewer: Carol Saari, Dept. of Planning & Community Development

2. ADDRESSES

Prior to final certificate of occupancy, the developer shall obtain an approved address for each unit which is addressed off of NE 17th Street.

Authority: International Fire Code 505

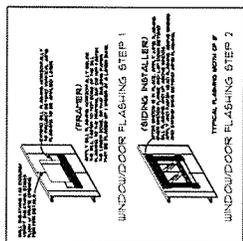
Reviewer: Adrian Jones, Fire Department



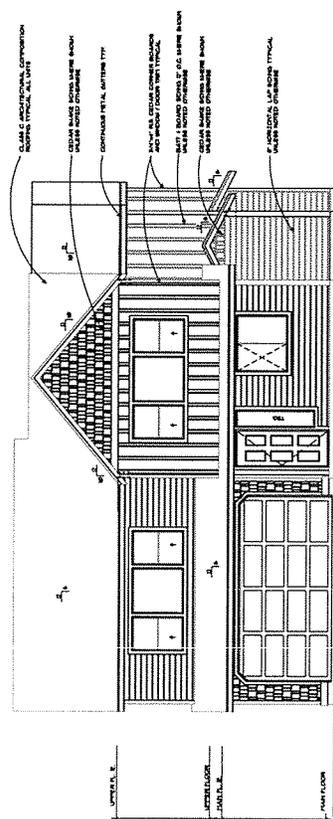
REAR (EAST) ELEVATION
 1/4" = 1'-0"

ALL FINISHES TO MATCH APPROVED COLOR SCHEDULES OF SUBMITTED COLOR BOARD PER PARAGRAPHS 6 AND 7 OF DESIGN AGREEMENT. SEE DESIGN AGREEMENT FOR QUESTIONS CONTACT CAROL ORR - 425.483.1996

• ALL UNITS TO BE IMPERMEABLE



NOTES:
 1. WINDOW/DOOR FLASHING TO BE PERFORMED AND FINISHED BY THE CONTRACTOR.
 2. ALL WINDOW/DOOR FLASHING TO BE PERFORMED IN ACCORDANCE WITH THE MANUFACTURER'S INSTALLATION INSTRUCTIONS.
 3. ALL WINDOW/DOOR FLASHING TO BE PERFORMED IN ACCORDANCE WITH THE MANUFACTURER'S INSTALLATION INSTRUCTIONS.
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 7. ALL WINDOW/DOOR FLASHING TO BE PERFORMED IN ACCORDANCE WITH THE MANUFACTURER'S INSTALLATION INSTRUCTIONS.



LEFT (NORTH) ELEVATION
 1/4" = 1'-0"

ALL FINISHES TO MATCH APPROVED COLOR SCHEDULES OF SUBMITTED COLOR BOARD PER PARAGRAPHS 6 AND 7 OF DESIGN AGREEMENT. SEE DESIGN AGREEMENT FOR QUESTIONS CONTACT CAROL ORR - 425.483.1996

• ALL UNITS TO BE IMPERMEABLE

Zoning Map



**Exhibit D
Comprehensive Plan Policies**

North Bellevue Subarea Plan

POLICY S-NB-3. Scale down multifamily and office development as it approaches single-family areas so as to create an appropriate transition.

POLICY S-NB-12. Encourage a variety of housing densities and types of residential areas so that there will be housing opportunities for a broader cross section of the community.

POLICY S-NB-14. Provide for development of multifamily densities and assisted housing without creating an imbalance of either.

The proposal meets the above policies by providing multi-family housing that is sensitive to the neighborhood. Fences and generous landscaping are being provided to create a buffer and transition to the adjacent single family neighborhood.

POLICY S-NB-27. Provide for internal circulation of vehicular traffic so as to minimize traffic impact of new development on surrounding residential areas.

POLICY S-NB-32. Provide safe and adequate sidewalks on all Subarea arterials.

The proposal meets the above policies by providing multi-family access immediately from the corner of Bellevue Way NE and NE 17th Street. Traffic will not be routed through the neighborhood.

POLICY S-NB-37. Buffer existing or new residential development from arterial streets or more intensive land uses through the use of landscape berms, setbacks, an preservation of existing vegetation or landscaping.

The proposal meets this policy by providing a buffer between the site and Bellevue Way (an arterial). The buffer consists of both a 4.5' high fence and landscaping. The buffer along the east property line consists of a 6' high fence and landscaping, including trees planted at 10' in height.

Housing Element

POLICY HO-2. Promote quality, community-friendly multifamily development, through features such as enhanced open space and pedestrian connectivity.

POLICY HO-13. Ensure that mixed-use development complements and enhances the character of the surrounding residential and commercial areas.

The proposal meets the policies of the Housing Element by providing multi-family development that will enhance the neighborhood by upgrading the current condition of the lot, providing new landscaped open space and providing a sidewalk connection to Bellevue Way NE.

Land Use Element

POLICY LU-3. Accommodate growth targets of 10,117 additional households and 40,000 additional jobs for the 2001- 2022 period. These targets represent the city's commitment to develop the zoning and infrastructure to accommodate this level of growth; they are not a commitment that the market will deliver these numbers.

POLICY LU-4. Encourage new residential development to achieve a substantial portion of the maximum density allowed on the net buildable acreage.

The proposal meets the policies of the Land Use Element by providing 3 new multi-family units to the housing stock of Bellevue.