



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

Proposal Name: DSR 2 Lot Short Plat
Proposal Address: 2 Diamond S Ranch
Proposal Description: To subdivide 1.86 acres into two single-family lots.
File Number: LN-06-117486
Applicant: DSR II Ventures, LLC
Decisions Included: Preliminary Short Plat Decision (Process II)
Planner: Antoinette Pratt, Senior Planner

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

Department Decision: Approval with Conditions

Antoinette Pratt
Senior Planner
Department of Planning and Community Development

Application Date: July 6, 2006
Public Notice (500 feet): August 3, 2006
Minimum Comment Period: August 17, 1006
Bulletin Publication Date: **December 28, 2006**
Appeal Deadline: **January 11, 2007**

For information on how to appeal a proposal, visit the Permit Center at City Hall or call (425) 452-4570 (TTY (425) 452-4636). Appeal of this decision must be received in the City Clerk's Office, 450 110th Avenue NE, Bellevue, WA 98004 5 p.m. on the date noted for appeal of the decision.

I. PROPOSAL DESCRIPTION

The applicant has submitted a preliminary short plat application to subdivide 1.86 acres into two single-family lots. The property formerly contained a single-family residence and two sheds, which has since been demolished under BS-06-120440. A new single-family residence is now under construction on lot A of this short plat. Each lot will have its own separate driveway access. Lot B will be sold upon conclusion of this platting process.



II. CONSISTENCY WITH COMPREHENSIVE PLAN AND ZONING

A. Comprehensive Plan

The North Bellevue Subarea Plan of the Comprehensive Plan designates this area as Single-family, Low Density area.

The General Land Use Element of the Comprehensive Plan (Policy LU-3) ensures that enough properly zoned land is available for Bellevue's share of the regionally adopted demand forecasts for residential uses for the next 20 years.

B. Land Use Code Requirements

1. This site is currently zoned R-1 which is a low intensity single-family zoning district. The minimum lot size in this district is 35,000 square feet. The dimensional requirements for an R-1 zoning district are as follows:

- 35-foot front yard setback
- 25-foot rear yard setback
- 5-foot minimum one side yard with combined side yard setbacks of 20-feet
- 30-foot maximum building height
- 35 percent lot coverage by structure only
- 50 percent impervious surface

Lot sizes in this proposal are well over the minimum lot size of 35,000 square feet with lot A measuring 37,781 square feet and lot B measuring at 42,312 square feet. All lots meet the Bellevue Land Use Code requirements. Both lots will access their respective driveways from 106th Avenue NE.

The applicant has proposed a 2 lot short plat which corresponds to the 2.3 density maximum in an R-1 zoning district ($81,093/35,000=2.3$ or 2 units).



2. The provisions of LUC Section 20.20.900.D.2.a require the applicant to save 15 percent of the total diameter inches of significant trees (8-inches or larger) on-site. There are several existing significant trees on this site. The applicant has designated Tract X along the westerly property line as one area of tree protection and Tract Y at the southeast corner of the site. The applicant has fulfilled the 15 percent by designating 362 of 1,766 total diameter inches for tree retention. The applicant will be required to add tree preservation language to retain these trees in perpetuity. See Section VII for related condition.

III. Public Comments and Response:

As of the date of this report, no written comment letters have been received in regards to this proposal.

IV. Technical Review:

The Clear and Grade, Utility, Transportation, and Fire Departments have approved the preliminary short plat.

A. Transportation Department

The Transportation Department has reviewed the plans submitted for the Diamond S Ranch preliminary short plat application and recommends approval. The final engineering plans must show all driveway connections to 106th Avenue NE as well as its design (pavement depths, edge thickness, location and appropriate separation). Driveway construction must be consistent with the Transportation Development Code (BCC 14.60) and the Transportation Design Manual and shall be reviewed and accepted by the Transportation Department 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 house 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.

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 permit is issued directly by the Transportation Department.

Street Frontage Improvements

This project will not be required to install frontage improvements due to the following reasons:

- 1) There are no existing sidewalks nearby to connect to and the City does not plan on installing sidewalks in the foreseeable future.
- 2) Installing sidewalk, curb and gutter along the site frontage would be inconsistent with the existing character / theme of the surrounding neighborhood.
- 3) City publications (Pedestrian and Bicycle Transportation Update, Capital Investment Program Plan, Transportation Facilities Plan) listing street frontage projects do not show this site's frontage as needing improvements.

Site Access

Lots A and B of the Diamond S Ranch Short Plat shall have separate access connections to 106th Avenue NE via 16 foot wide paved driveways separated by an approximate distance of 55 feet. Combining access at the project site does not provide any benefit to traffic operations on 106th Avenue NE as this street is a low volume residential street with no history of accidents or traffic safety issues. Allowing separate driveways for this short plat is consistent with the overall character of the neighborhood as all homes in the vicinity have separate driveways as well.

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. Under the Trench Restoration Program, every public street in the City of Bellevue has been examined and placed in one of three categories based on the street's condition and the period of time since it was last resurfaced. These three categories are, "No Street Cuts Permitted", "Overlay Required", and "Standard Trench Restoration". Each category has different trench restoration requirements associated with it. Near the development site, 106th Avenue NE and Bellevue Way NE (north of NE 22nd Place) are classified as "Overlay Required" streets. Bellevue Way south of NE 22nd Place is classified as a "Standard Trench Restoration" street. For "Overlay Required" streets, a half-street or full-street (depending on the extent of street cuts or damage) grind and overlay will be required. For "Standard Trench Restoration" streets, pavement restoration requirements will be as described in Design Manual drawings ROW-1 through ROW-7. Specific pavement restoration requirements will be documented in the required Right-of-Way permit for this project (see section B.1 below).

Transportation Impacts and Mitigation

City staff has analyzed the potential short term operational impacts of this proposal in order to recommend mitigation if necessary. These impacts included traffic operations conditions during the a.m. and p.m. peak hours. This project will generate one new P.M. peak hour trip

and approximately 10 new daily trips. Access points for lots A and B have adequate sight distance, with no appurtenances within 10 feet of the driveway edges and are located on 106th Avenue NE. This street is a low volume residential street with no history of accidents or traffic safety issues. Anticipated traffic impacts caused by this short plat are negligible due to the above conditions and mitigation beyond the traffic impact fee assessment is not necessary.

See Section VIII for related conditions

B. Utilities Department

The Utilities Department reviewed the conceptual design only. Changes to the site layout may be required to accommodate the utilities after utility engineering is approved. All design review, plan approval, and field inspection shall be performed under the Developer Extension Agreements. See Section VIII for related conditions.

C. Clear and Grade

The Clear and Grade Division has approved this proposal and will conduct formal review of the project through the clear and grade permit process.

D. Fire Department

1. Provide approved fire access to each home.
2. Automatic fire sprinklers will be required in each home that is built on the new lots.

See Section VIII for related conditions.

V. STATE ENVIRONMENTAL POLICY ACT

This short plat is exempt from SEPA review as it does not contain any critical areas.

VI. DECISION CRITERIA:

The Director may approve or approve with modifications an application for a preliminary short plat if it conforms to the criteria of 20.45B.130.a:

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: The preliminary short plat makes provisions for all necessary utilities and by providing separate vehicular access for each lot. City codes will ensure that public health, safety and general welfare are provided for at the time of issuance of building permits for the new single-family home that will eventually be constructed on lot B.

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

Finding: The public interest is served by providing housing opportunities and ensuring that the preliminary short plat complies with City Code requirements.

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

Finding: No sensitive areas are located on this site so disturbance limitations are not applicable to this project. The preliminary short plat appropriately considers the physical characteristics of the site by identifying tree retention areas on lots A and B to fulfill the 15 percent tree retention requirement.

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: The proposal complies with the Land Use Code for R-1 zoning, the Utility Code, and the City of Bellevue Development standards.

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

Finding: The site is located within the North Bellevue Subarea. The Comprehensive Plan encourages single-family development at the proposed density for this site.

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

Finding: Lots A and B meet the dimensional requirements for a R-1 zone. A variance is not necessary to develop a single-family residence within this subdivision. See Section VIII for related condition.

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

Finding: Utilities are planned to serve both lots A and B. Access improvements are required as requested by the Department of Transportation. See Section VIII for related conditions.

VII. **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 Planning and Community Development does hereby **APPROVE** the subject Preliminary Short Plat. There are no factors limiting the authority of the Director of the Department of Planning and Community Development to consider the preliminary short plat proposal.

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.

VIII. CONDITIONS OF APPROVAL:

A. PRIOR TO ISSUANCE OF ANY PLAT ENGINEERING/CLEAR AND GRADE PERMIT:

1. Right of Way Use Permit

The applicant is required to apply for a right of way use permit from the City of Bellevue Transportation Department 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 prevents access. General materials storage and contractor convenience are not reasons for preventing access.

Authority: Bellevue City Code 14.30

Reviewer: Jon Regalia, Transportation Department, (425) 452-4599

2. 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: Jon Regalia, Transportation Department, (425) 452-4599

3. Engineering Plans

Engineering plans associated with transportation construction shall be produced and stamped by a qualified engineer and shall 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 driveways, the connection to 106th Avenue NE, pavement restoration in where applicable, mailbox location, and sight distance. Appropriate standard drawings from the Transportation Department Design Manual must be included in the engineering plans.

Authority: Bellevue City Code 14.60; Transportation Department Design Manual
Reviewer: Ray Godinez, (425) 452-7915

4. 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 on 106th 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: Ray Godinez, (425) 452-7915

5. Pavement Restoration

The city's pavement manager has determined that 106th Avenue NE and Bellevue Way NE near the project site will require trench restoration 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 # 21
Reviewer: Jon Regalia, 425-452-4599

6. Utilities Approval

Utility Department approval of this application 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: BCC Title 24.02, 24.04, 24.06
Reviewer: Don Rust, 452-4856

7. Developer Extension Agreement

The water, sewer, and storm drainage systems shall be designed per the current City of Bellevue Utility Codes and Utility Engineering Standards. All design review, plan approval, and field inspection shall be performed under the Utility Developer Extension Agreements.

Authority: BCC Title 24.02, 24.04, 24.06
Reviewer: Don Rust, 452-4856

B. PRIOR TO FINAL SHORT PLAT APPROVAL:

1. Infrastructure Improvements

All transportation related construction and infrastructure improvements shown in the final engineering plans or required by city codes and standards must be either completed prior to approval of the final short plat or provided for with a financial assurance device. Land Use Code Section 20.40.490 allows 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. Improvements must be approved by the Transportation Department inspector before they are deemed complete. Specific requirements are detailed below:

a) Site Specific Items:

- Driveway design for lots A and B.
- Driveway connection via the City's standard driveway approach as shown in Design Manual drawing DEV-7B.
- Driveway separation shall be greater than 20 feet.

b) Miscellaneous:

- Landings on sloping approaches are not to exceed a 10% slope for a distance of 20 feet approaching the nearest paved edge of 106th Avenue NE. Driveway grades must be designed to prevent vehicles from bottoming out due to abrupt changes in grade.
- The maximum longitudinal and cross-sectional grades shall not exceed 8%.
- Vehicle and pedestrian sight distance must be provided per BCC 14.60.240 and 14.60.241.
- Both driveways shall not be gated or obstructed and must remain open at all times for emergency and public service vehicles. A note to this effect shall be placed on the face of the final Subdivision map.

Authority: BCC 14.60.100, 110, 130, 150, 170, 190, 210, 240, 241; LUC 20.40.490,
Transportation Department Design Manual Sections 3, 4, 5, 7, 11, 14, 19
Reviewer: Ray Godinez, (425) 452-7915

2. Tree Preservation

To preserve trees, the following note shall be portrayed on the face of the short plat:

Designation of trees for retention establishes a covenant by the Owner to leave undisturbed all trees as shown on the site 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 dripline [defined as one foot for every one inch of tree diameter at breast height (dbh)] 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 this covenant.

Authority: LUC 20.20.900.D.2.a
Reviewer: Antoinette Pratt, (425) 452-5374

3. Prohibition of Variance

The final short plat shall include the following note:

"No variance from setbacks or dimensional standards to accommodate a building larger than will fit outside of building setbacks will be granted. All lots must meet lot coverage limitations for this zoning."

Authority: LUC Section 20.20.010
Reviewer: Antoinette Pratt, (425) 452-5374

4. Fire Access

Provide approved fire access to each home.

Authority: International Fire Code (IFC) 503
Reviewer: Adrian Jones, (425) 452-6032

C. PRIOR TO BUILDING PERMIT ISSUANCE:

1. Automatic Fire Sprinklers

Automatic fire sprinklers will be required in each home that is built on the new lots.

Authority: International Fire Code (IFC) Appendix B
Reviewer: Adrian Jones, (425) 452-6032

2. Impact Fee

Payment of the traffic impact fee will be required at the time of building permit issuance for individual lots. The impact fee is estimated to be \$414.75 per new dwelling. 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 BCC 22.16
Reviewer: Ray Godinez, Transportation Department, (425) 452-7915

Attachments

Plan

