



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

Proposal Name: Lui Short Plat
Proposal Address: 16411 SE 24th St
Proposal Description: Subdivide one 16,998 square foot lot, zoned R-5 into two lots.
File Number: 06-120901-LN
Applicant: Oswald Chow
Decisions Included: Administrative Decision for a Preliminary Short Plat through Process II, Land Use Code 20.35.200.

**State Environmental Policy Act Exempt (WAC 197-11-800(6)(a))
Threshold Determination:**

Department Decision: **Approval with Conditions**

Carol L. Orr, Assistant Land Use Planner
Dept. of Planning and Community Development

Application Date: 8/3/2006
Notice of Application: 8/31/2006
Decision Publication Date: 2/15/2007
Appeal Deadline: 3/1/2007

For information on how to appeal a proposal, visit the Permit Center at City Hall or call (425) 452-6864 [TTY (425) 452-4636]. Appeal of the Decision must be made with the City Clerk by 5 PM on the date noted for appeal of the decision.

IV. STATE ENVIRONMENTAL POLICY ACT (SEPA)

There are no Critical Areas located on the subject property. Short Plats not containing Critical Areas are exempt from SEPA review pursuant to WAC 197-11-800(6)(a).

V. SUMMARY OF TECHNICAL REVIEWS

A. Utilities Review

The water, sanitary sewer and storm drainage systems have adequate capacities for the proposed use.

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

B. Fire Department Review

This project is approved without comment.

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

C. Transportation Department Review

The Transportation Department has reviewed the plans submitted for the Lui 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 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 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

Needed street frontage improvements for the Lui Short Plat is related with the requirement of removing the existing driveway located along the eastern property line of the site. Due to

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

VI. PUBLIC NOTICE AND COMMUNITY INPUT

Application Date: 8/3/2006

Public Notice (500 feet): 8/24/2006 (Includes sign installation at the site)

Minimum Comment Period: 14 days

Notice of Application was published in the City of Bellevue's *Land Use Bulletin* and the *King County Journal* on 8/24/2006. It was mailed to property owners within 500 feet of the project site and a Public Information Sign was installed on the project site on the same day. No comments were received.

VII. Decision Criteria:

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. The site is accessed via SE 24th St., an improved public street. The applicant will be required to provide drainage improvements designed to service the drainage needs of the site. Existing public water and sewer facilities have been deemed adequate to serve the proposed development.

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: The preliminary short plat considers the physical characteristics of the site by retaining 63% of the existing diameter inches of trees on site.

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.**

The proposal meets Comprehensive Plan polices to preserve existing vegetation on-site (EN-19, 21, 27; UD-16, 18), preserve sensitive areas on-site (EN-21, 22, 23), maintain good surface water quality (EN-33), restrict surface water runoff to predevelopment levels (EN-39), and provide traffic mitigation (TR-37).

The proposal meets utility standards (UT-1), provides development on infill or under-utilized sites with adequate urban services (HO-17), and meets the Neighborhood Quality goal (Housing Element) to ensure compatible housing and environmentally sensitive features, by providing the preservation of healthy significant existing trees on-site.

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

Finding: Each lot can reasonably be developed to current R-5 zoning standards and dimensional requirements without requiring a variance. The proposed lots meet minimum standards for lot width, lot depth, and lot area of the R-5 land use district. There are no environmental factors which further inhibit the development of this property that would warrant a variance.

See related condition of approval in Section VIII.

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, necessary sidewalk easements and other required improvements are existing, planned or conditioned as part of this approval to accommodate the use of these lots.

VII. Conclusion and Decision:

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

VIII. Conditions of Approval:

The following conditions are imposed under authority referenced:

2. DEVELOPER EXTENSION AGREEMENT

Water, Sewer and Storm Developer Extension Agreements are required for the engineering review and inspection of the water, sewer and storm drainage improvements treatment per Utility Code 24.06.120 C. The Developer Extension Agreement booklet(s) and submittal requirements are available from the Utility Representative at the Permit Center at any time.

AUTHORITY: Bellevue City Code Title 24.02, 24.04, 24.06.120

REVIEWER: Don Rust, Utilities Department

3. NOISE - CONSTRUCTION HOURS

The proposal will be subject to normal construction hours of 7am to 6 pm Monday through Saturday 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 PCD, work hours may be extended no later than 10 pm if the criteria for extension of work hours as stated in BCC 9.18 can be met. A sign providing notice of the limitation on construction hours contained in this chapter shall be posted on construction sites prior to commencement of any new commercial or single family construction or commercial addition., per BCC 9.18.044.

AUTHORITY: Bellevue City Code 9.18

REVIEWER: Carol L Orr, Planning and Community Development Department

4. TIME LIMITATION

This preliminary short plat 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 the preliminary short plat approval unless the applicant has received an extension for the preliminary short plat pursuant to Land Use Code Section 20.45B.160.

AUTHORITY: Land Use Code Section 20.45B.150; 20.45B.160

REVIEWER: Carol L. Orr, Planning and Community Development Department

B. 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:

4. PAVEMENT RESTORATION

The city's pavement manager has determined that this segment of SE 24th Street will require standard 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-7. Exact copies of the appropriate trench restoration drawing(s) must be included or called-out in the final engineering plans.

Authority: Bellevue City Code 14.60.250 and Design Manual Design Standard # 21
Reviewer: Jon Regalia, 425-452-4599

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 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:

Abandonment of the existing driveway located along the eastern property line of the site. This work includes installing a matching planter strip (depth and vegetation type) removal of existing concrete strips used to delineate said driveway from the existing asphalt walkway, and restoring asphalt walkway to the satisfaction of the Transportation Department.

Installation of a 16 foot wide joint-use driveway along the western property line of the site. This work includes installing a driveway apron per Transportation Design Manual drawing DEV 7-B, installing concrete strips for delineation between the driveway and the existing asphalt walkway, and restoring the asphalt walkway to the satisfaction of the Transportation Department.

b) Miscellaneous:

- Landings on sloping approaches are not to exceed a 10% slope for a distance of 20 feet approaching the back edge of sidewalks. 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%.

“Tree Preservation Plan”:

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.”

3B. Tree tags shall be installed on each tree required for retention. Installation of these tags shall be inspected by the land use planner prior to final short plat approval. Contact Carol L. Orr at 425-452-2896 and/or corr@bellevuewa.gov to schedule the tree tag inspection. Note: tree tags can be obtained from the land use planner.

AUTHORITY: Land Use Code 20.20.520.E
REVIEWER: Carol L. Orr, Planning and Community Development Department

4. VARIANCE/MODIFICATION 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. The following language shall be placed on the final short plat document:

“Variance/modification 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: Carol L. Orr, Planning and Community Development Department

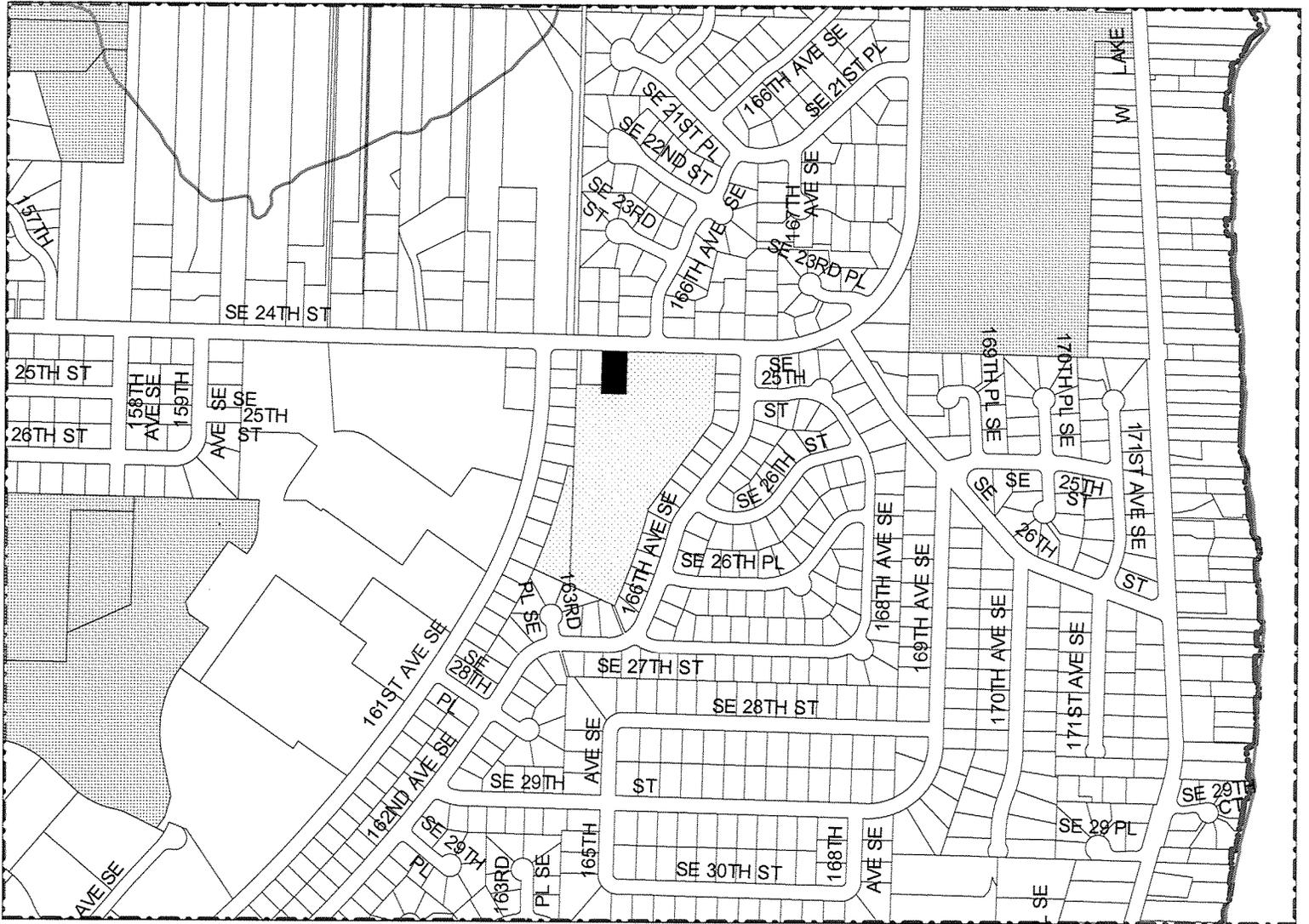
LIST OF ATTACHMENTS

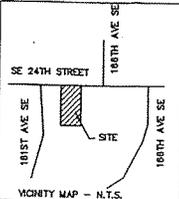
- A. Plans and Drawings
- B. Zoning Map
- C. Vicinity Map

16411 SE 24th St - Lui Short Plat

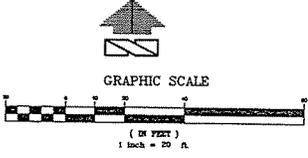


16411 SE 24th St - Lui Short Plat





SURVEY NOTES
 INSTRUMENT: TOPCON GPT 3000W TOTAL STATION
 METHOD USED: FIELD TRAVERSE WITH ACTUAL
 FIELD MEASUREMENTS AND ANGLES
 WAC 332-130-090
 DATE OF SURVEY: DECEMBER 2005
 BASIS OF BEARING: SE 24th STREET (N 88°37'27"W)
 BENCHMARK: CITY OF BELLEVUE BM #115
 FOUND CONCRETE MON W/ LEAD
 & TACK IN CASE AT THE INTER.
 SE 24th STREET & 166th STREET SE
 ELEVATION = 341.76 (MAYO 1986)



NW1/4, NW 1/4, SEC. #12 T.24 N., R.5 E.W.M.

TRANSPORTATION DEPARTMENT

EXAMINED AND APPROVED: _____ DATE _____
 REAL PROPERTY & SURVEY _____ DATE _____
 DEVELOPMENT REVIEW _____ DATE _____

UTILITIES DEPARTMENT

EXAMINED AND APPROVED: _____ DATE _____
 ADMINISTRATOR _____ DATE _____

PLANNING & COMMUNITY DEVELOPMENT

EXAMINED AND APPROVED: _____ DATE _____
 ADMINISTRATOR _____ DATE _____

KING CO. DEPT. OF ASSESSMENTS

EXAMINED AND APPROVED THIS ____ DAY OF _____, 20____
 ASSESSOR _____ DEPUTY ASSESSOR _____
 ACCOUNT NO. _____

RECORDER'S CERTIFICATE

FILED FOR RECORD THIS ____ DAY OF _____, 20____
 AT ____ M. IN BOOK ____ OF SURVEYS AT PAGE(S) ____
 AT THE REQUEST OF THE CITY OF BELLEVUE.
 MANAGER _____ SUPT. OF RECORDS _____
 RECORDING NO. _____

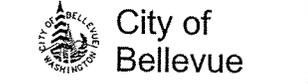
SURVEYOR'S CERTIFICATE

THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME OR
 UNDER MY DIRECTION IN CONFORMANCE WITH THE
 REQUIREMENTS OF THE SURVEY RECORDING ACT AT THE
 REQUEST OF OSWALD CHOW, NOVEMBER, 2005

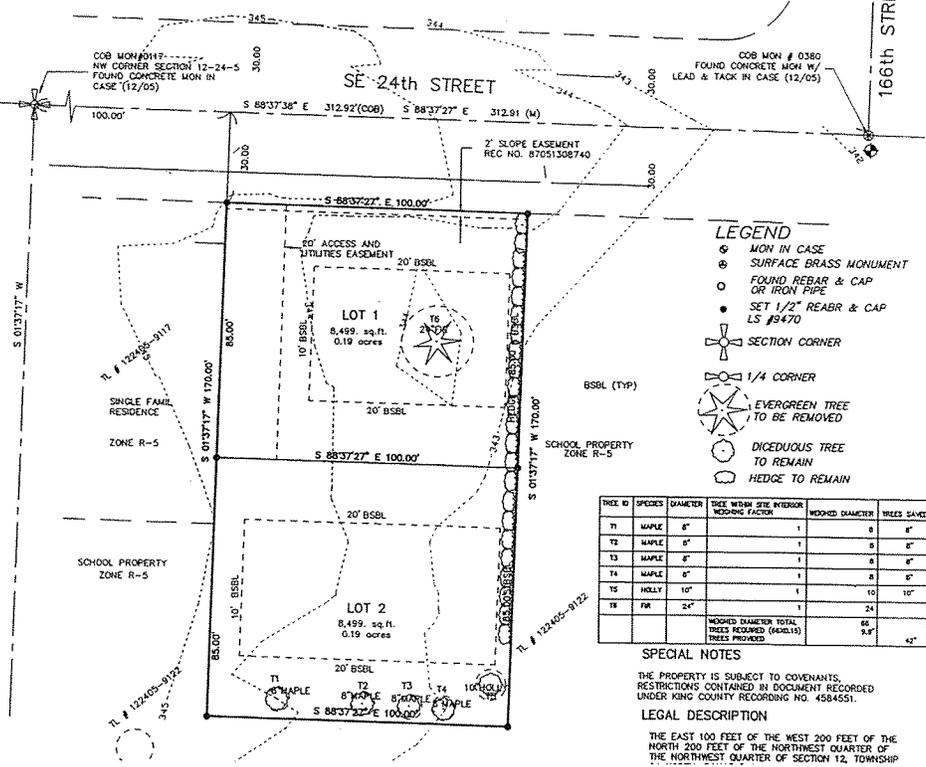


TEOMA ENGINEERS & LAND SURVEYORS
 6632 SOUTH 191ST PLACE, SUITE E-102
 KENT, WASHINGTON 98032
 PHONE (425) 251-0665
 FAX (425) 251-0625

DATE: _____



SHORT PLAT NO. _____ RECEIVED
 JAN 6 5 2007



- LEGEND**
- MON IN CASE
 - ⊙ SURFACE BRASS MONUMENT
 - FOUND REBAR & CAP OR IRON PIPE
 - SET 1/2" REBAR & CAP LS #9470
 - ⊕ SECTION CORNER
 - ⊕ 1/4 CORNER
 - ⊕ EVERGREEN TREE TO BE REMOVED
 - ⊕ DECIDUOUS TREE TO REMAIN
 - ⊕ HEDGE TO REMAIN

TREE ID	SPECIES	DIAMETER	SIZE WITHIN SITE INTERIOR	WORKING FACTOR	WIDENED DIAMETER	TREES SAVED
T1	MAPLE	8"		1	8	8"
T2	MAPLE	8"		1	8	8"
T3	MAPLE	8"		1	8	8"
T4	MAPLE	8"		1	8	8"
T5	HOLLY	10"		1	10	10"
T6	FR	24"		1	24	24"
WIDENED DIAMETER TOTAL TREES REQUIRED (R00L15)					66	
TREES PROVIDED					66	42"

SPECIAL NOTES
 THE PROPERTY IS SUBJECT TO COVENANTS, RESTRICTIONS CONTAINED IN DOCUMENT RECORDED UNDER KING COUNTY RECORDING NO. 4584551.

LEGAL DESCRIPTION
 THE EAST 100 FEET OF THE WEST 200 FEET OF THE NORTH 200 FEET OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP