





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

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**Proposal Name:** Shamitoff Preliminary Short Plat

**Proposal Address:** 228 141<sup>st</sup> Ave. NE

**Proposal Description:** To subdivide an existing 0.83 acre single family lot into 4 single family lots in the R-4 zoning district

**File Number:** 06-133252-LN

**Applicant:** John Harkness, CamWest Development

**Decisions Included:** Administrative Decision for a Preliminary Short Plat through Process II, Land Use Code 20.35.200

**State Environmental Policy Act Threshold Determination:** **SEPA Exempt pursuant to WAC 197-11-800(6)(a), BCC 22.02.032**

**Department Decision:** **Approval with Conditions**

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Carol Saari, Associate Planner  
Department of Planning and Community Development

Application Date: 11/13/06  
Notice of Application: 12/28/06  
Minimum Comment Period: 01/11/07  
Decision Publication Date: 05/03/07  
Appeal Deadline: 05/17/07

For information on how to appeal a proposal, visit the Permit Center at City Hall or call (425) 452-6800 [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.

**I. Description of Proposal**

The applicant proposes to short plat 0.83 acres into 4 single family lots. The site is located at 228 141<sup>st</sup> Ave. NE. The property is located in the R-4 zoning district with a minimum lot size of 8,500 square feet. The applicant proposes the following:

- Lot 1: 9,054 square feet
- Lot 2: 9,012 square feet
- Lot 3: 9,119 square feet
- Lot 4: 9,175 square feet

The existing farm house will be demolished. Two new private driveways will provide access to the 4 new single family lots. City water and sewer will serve the site. Storm water runoff will be collected to an underground tank and treated prior to discharge to the City storm drainage system located in 141st Ave NE. **See Attachment A - Plans.**

**II. Site Description and Context**

The site is located in the Wilburton/NE 8<sup>th</sup> Subarea on the east side of 140<sup>th</sup> Ave. NE at NE 3<sup>rd</sup> Street. **See Attachment B - Vicinity Map.** The site is Lot 37 within the established single family neighborhood of Whispering Glen Estates, all zoned R-4. **See Attachment C - Zoning Map.**

Whispering Glen Estates was platted into 37 single family lots in 1977 with the original farm house (built approximately 1950) on Lot 37. The owners at that time left Lot 37 as the largest lot in the subdivision at 36,361 square feet. Adjacent lot sizes range in size from 9296 (lots to the east) to 17,020 (one lot to the south).

The closest commercial area is the intersection where Walgreen's is located at NE 8<sup>th</sup> Street and 140<sup>th</sup> Ave. NE (about 1/3 mile to the north). A church is located just south of Walgreen's. Other single family neighborhoods are located to the north and west. To the south, there is a multi-family neighborhood. The Odle Middle School field track is located to the east of the Whispering Glen neighborhood. **See Attachment D – Aerial Photograph.**

The site is basically flat. There are no critical areas onsite (no wetlands, riparian corridors, floodplains or steep slopes).

**III. CONSISTENCY WITH LAND USE CODE/ZONING REQUIREMENTS**

<b>BASIC INFORMATION</b>	
<b>Zoning District</b>	R-4
<b>Gross Site Area</b>	0.83 acres (36,361square feet)

ITEM	REQ'D/ALLOWED	PROPOSED
<b>Minimum Lot Area</b>	8,500 Square Feet	Lot 1: 9,054 square feet Lot 2: 9,012 square feet Lot 3: 9,119 square feet Lot 4: 9,175 square feet
<b>Minimum Lot Width</b>	65 Feet	Lot 1: 92 Feet (includes 20' wide access easement) Lot 2: 92 Feet Lot 3: 93 Feet Lot 4: 93 Feet (includes 20' wide access easement)
<b>Minimum Width Street Frontage</b> (adjacent to public right-of-way)	30 feet	Lot 1: 92 feet Lot 2: NA Lot 3: NA Lot 4: 93 feet
<b>Minimum Lot Depth</b>	80 Feet	Lot 1: 98 Feet Lot 2: 98 Feet Lot 3: 98 Feet Lot 4: 99 Feet
<b>Building Setbacks</b> Front Yard Rear Yard Min. Side Yard 2 Side Yard Access Easement	20 Feet 20 Feet 5 Feet 15 Feet 10 Feet	<u>Future lots:</u> 20 Feet 20 Feet 5 Feet 15 Feet 10 Feet
<b>Tree Retention</b>	15% or 42 Diameter Inches	22% or 62 Diameter Inches
<b>Impervious Surface</b>	50% maximum	50% maximum for future lots
<b>Lot Coverage</b>	35% maximum	35% for future lots

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

Short Plats not containing Critical Areas are exempt from SEPA review pursuant to WAC 197-11-800(6)(a), BCC 22.02.032. The project proposal is exempt.

**V. SUMMARY OF TECHNICAL REVIEWS**

**A. Utilities Department Review**

The City has adequate capacity for providing water, sanitary sewer and storm drainage service for this proposal.

The water, sewer and storm drainage systems have been reviewed on a conceptual basis only. There are no implied approvals of the engineering specifications for the water, sanitary sewer and/or storm drainage for the site. Water, sewer and storm drainage design review, plan approval and field inspection shall be conducted through the Utility Developer Extension Agreement (UE) process or Side Sewer Permits and Water Service Applications. All parts of Lots 2 and 3 shall drain to the storm system including the eastern most edge bordering Lots 29, 30 and 31 of Whispering Glen Estates. See condition IX.A.1.

**B. Fire Department Review**

The Fire Department has reviewed the proposal and finds that the proposal meets Fire Department requirements. No conditions of approval are necessary.

**C. Transportation Department Review**

The Transportation Department has reviewed the preliminary plans submitted for the Shamitoff Short Plat and recommends approval based on the conditions listed in Section IX. of this report. The final engineering plans (submitted during the clear and grade permit phase) 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 (also known as the clear and grade 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. See condition IX.C.1.

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. See condition IX.D.1.

**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 and off-street parking for construction workers. 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. See conditions IX.B.1 & 2.

**Street Frontage Improvements**

This project will not be required to install street frontage improvements as sidewalk with rolled curb and gutter have been previously installed adjacent to the site's frontage area.

The applicant will be responsible for all damage to existing frontage improvements

caused by the construction of this project.

### **Site Access**

Access to the site will be provided by two joint-use driveways located at the northern and southern sides of the project site. Each driveway shall have a paved width of 16 feet set within a 20 foot easement and will serve two lots. A covenant for maintenance and repair shall be provided by the applicant.

Driveways shall connect directly to 141st Avenue NE in the same manner as other driveways located in the neighborhood. Driveway aprons as shown in the Transportation Design Manual are not required. Sight distance shall be maintained.

See conditions IX.B.3, B.4 & C.2.

### **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, 141st Street NE is classified as a "No Street Cuts Permitted" street. The applicant must coordinate with the City's Right-of-Way division to obtain permission for all needed street cuts into 141st Avenue NE. Contact Jon Regalia at 425-452-4599 ([jregalia@bellevuewa.gov](mailto:jregalia@bellevuewa.gov)) or Tim Stever at 425-452-4294 ([tstever@bellevuewa.gov](mailto:tstever@bellevuewa.gov)) to coordinate permission for street cuts. See condition IX.B.5.

### **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 3 new p.m. peak hour trips and therefore, will not require concurrency testing (threshold amount of new p.m. peak hour trips to trigger concurrency testing is 30).

Traffic analysis was performed by transportation staff to determine potential safety concerns caused by aligning the joint-use driveway for Lots 1 and 2 with NE 3rd Street and the limited spacing distance from the joint-use driveway for Lots 3 and 4 with NE 3rd Street.

Analysis shows that due to the low volumes of traffic using NE 3rd Street, and excellent sight distance to NE 3rd Street from both joint-use driveways, the proposed access

design is acceptable to the Transportation Department. (NE 3<sup>rd</sup> Street is a connecting street that runs perpendicular to 141<sup>st</sup> Avenue NE.)

**B. Clearing & Grading Review**

The applicant will be required to obtain a clearing & grading permit and meet the requirements of the Clearing and Grading Code.

**VI. PUBLIC COMMENT**

Notice of Application was published in the City of Bellevue's *Land Use Bulletin* and the *King County Journal* on December 28, 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.

City staff presented the project as a courtesy meeting under "Department Reports" to the East Bellevue Community Council at the Lake Hills Community Club at their regular meeting of February 6, 2007.

City staff held a second optional public meeting at City Hall on February 28, 2007 for the neighborhood to specifically discuss the concerns of drainage and traffic, as expressed at the East Bellevue Community Council. The Utilities and Transportation city staff reviewers were at the second meeting to discuss the details of the drainage and traffic concerns. A police officer who regularly patrols the area was also in attendance.

The following is a list of neighbor concerns and staff response.

**A. Traffic:**

Neighbors were concerned about the increase in traffic volumes and the potential for traffic accidents. They were also concerned about their children getting hit by the new cars associated with this short plat development.

Response: This project will generate 3 new p.m. peak hour trips. According to the Transportation Department, current capacity of the City's transportation network is sufficient to accommodate these additional trips.

Transportation staff went out to the site several times to observe traffic flow and talked to the police officer who regularly patrols this neighborhood. The incident of traffic accidents is low. The addition of 3 new p.m. peak hour trips is not expected to significantly affect the level of traffic accidents in the area.

**B. Drainage:**

Neighbors to the east are concerned about the increased storm water runoff into their properties as a result of this short plat development.

Response: Storm water runoff currently sheet flows downhill to the east. There is a drop in grade of less than 2% slope from the west (high) to the east (low). The developer of this short plat/future home builder (CamWest Development) will install roof and footing drains, catch basins and an underground tank to collect storm water and treat it prior to discharging into the City system within 141<sup>st</sup> Ave. NE. The City will require all parts of Lots 2 and 3 to drain to the City's storm system, including the eastern most edge bordering Lots 29, 30 and 31 of Whispering Glen Estates. See condition IX.A.1.

**C. Bulk of houses and loss of sunlight:**

Neighbors to the east are concerned about the bulk of houses and loss of sunlight.

Response: The City's Land Use Code requires certain setbacks, height limits and maximum lot coverage to address the issue of the bulk of houses (which leads to a loss of sunlight if the house is too large). The zoning of this property is R-4 which requires a minimum 20 foot rear yard setback (which would be adjacent to the lots to the east). With the required rear yard setback of 20 feet for the neighbor to the east, there is a 40 foot setback between the two houses. This provides room for sunlight. The height limit of 30 feet (to the top of a flat roof or mid-point of a pitched roof) provides a maximum bulk to which all houses in the R-4 must meet. In addition, maximum lot coverage of 35% in the R-4 zone limits the bulk of structures onsite.

**D. Incompatible New House Designs:**

At both of the meetings, neighbors expressed concerns that new houses will be incompatible with the existing homes in the neighborhood.

Response: The City Council has not adopted Design Review for single family home development. Therefore, a property owner may propose a home design of their choice as long as it meets the Land Use Code requirements for setbacks, height, lot coverage, impervious surface etc.

**E. Tree preservation:**

An adjacent neighbor was concerned about the removal of trees and how it will alter the character of the property as it currently exists.

Response: For short plats, the Land Use Code requires the applicant to save 15% of the diameter inches of significant trees onsite. The applicant proposes to save 22% of the diameter inches of significant trees onsite. All of the trees to be saved will be along the east property line so as to not alter the wooded character. These trees (3 evergreen, 1 deciduous) will be placed in special tree preservation plan and shown on the face of the short plat mylar. See condition IX.C.3.

**VII. Decision Criteria:**

Land Use Code Section 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 lots will be accessed from two new private driveways, each driveway serving two lots. Existing public water, sewer and storm drainage 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 establishing tree retention (3 evergreen, 1 deciduous) along property lines. This will continue the existing tree buffer for the adjacent lots. See condition IX.C.3.

- 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.**

**Development Standards**

**Finding:** As conditioned, the proposal complies with the Land Use Code requirements for the R-4 zoning district, the Utility Code and the City of Bellevue Development Standards.

**Land Use Code Requirements**

- A. Dimensional Requirements:** The site is currently zoned R-4 which has a minimum lot size of 8,500 square feet. The dimensional requirements for the R-4 zoning district are as follows:

- 8,500 sf Minimum Lot Size
- 20' Front Yard Setback
- 20' Rear Yard Setback
- 5' Side Yard Setback
- 15' Two Side Yard Setback
- 10' Setback from the edge of an access easement
- 30' Maximum Building Height
- 35% Maximum Lot Coverage by Structures
- 65' Minimum Lot Width
- 80' Minimum Lot Depth

**Finding:** As conditioned, all of the lots can be developed in accordance with the City of Bellevue Land Use Code requirements including the R-4 dimensional requirements.

**B. Significant Tree Preservation:** Tree preservation requirements pursuant to LUC Section 20.20.900.D require the retention of 15% of the diameter inches of significant trees on the site. In order to meet the 15% minimum retention requirement, the project must retain a minimum of 42 diameter inches of significant trees.

**Finding:** The applicant proposes to preserve a total of 62 diameter inches or 22% of the diameter inches of significant trees onsite. No construction may occur within the dripline of significant trees to be saved. See condition IX.C.3.

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

**Finding:** The site is located within the Wilburton/NE 8th Street Subarea. The Comprehensive Plan specifies Single-Family High Density development for this property which is consistent with the R-4 zoning designation. The proposal complies with applicable Comprehensive Plan policies City-wide and for this Subarea.

The single family homes are, by use type, compatible with surrounding neighborhoods. The proposal provides new housing as encouraged by the Comprehensive Plan (Policy LU-3) and helps meet Bellevue's share of the regionally adopted demand forecasts for residential uses for the next 20 years (LU-5).

The proposal 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 preserving 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:** As conditioned, each lot can reasonably be developed to current R-4 zoning standards without requiring a variance. See condition IX.C.4.

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

**Finding:** The Utilities, Transportation and Fire Departments have reviewed the preliminary short plat and determined that all necessary utilities, drainage, driveway access and other required improvements are existing, planned or conditioned as part of this approval to accommodate the use of these lots.

**VIII. 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 Shamitoff 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.

**IX. Conditions of Approval:**

**A. GENERAL CONDITIONS:**

**1. WATER, SEWER AND STORM DRAINAGE**

Water, sewer and storm drainage design review, plan approval and field inspection shall be conducted through the Utility Developer Extension Agreement (UE) process, Side Sewer Permits and Water Service Applications. All parts of Lots 2 and 3 shall drain to the storm system including the eastern most edge bordering Lots 29, 30 and 31 of Whispering Glen Estates.

AUTHORITY: Bellevue City Code 24.02, 24.04; 24.06

REVIEWER: Mark Dewey, Utilities Department (425) 452- 6179

**B. PRIOR TO ISSUANCE OF ANY PLAT ENGINEERING/CLEARING AND GRADING 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**

A 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 transportation-related 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 shared driveways, the connection to 141<sup>st</sup> Avenue NE, pavement restoration in 141<sup>st</sup> Avenue NE, 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, Transportation Department (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 points on 141<sup>st</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: Ray Godinez, Transportation Department (425) 452- 7915

#### 5. PAVEMENT RESTORATION

The city's pavement manager has determined that this segment of 141<sup>st</sup> Avenue NE will require grind and overlay trench restoration for any utility connections or other digging in the street surface. Trench restoration must meet the requirements as specified by the Right-of-Way Supervisor per the right-of-way permit for this project. At a minimum, pavement restoration requirements will be a full grind and overlay extending 50 feet from each side of the street cut for the full width of the street.

AUTHORITY: Bellevue City Code 14.60.250 and Design Manual Design Standard # 21

REVIEWER: Jon Regalia, Transportation Department 425-452-4599

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

#### 1. INFRASTRUCTURE IMPROVEMENTS

All transportation-related 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 as follows:

##### a) Site Specific Items:

16 foot wide joint-use driveways, paved full-width, full-length. Driveway sub-grade and asphalt thickness must be designed by a licensed geotechnical engineer with 2 inch thick asphalt concrete over 4 inch thick ATB sub-base material over 4 inches of CSTC as a minimum. The final 2 inches of the top course shall be installed after all construction on the site is completed.

Driveways shall connect directly to 141<sup>st</sup> Avenue NE in the same manner as other driveways located in the neighborhood. Driveway aprons as shown in the Transportation Design Manual are not required.

No fixed objects, including fire hydrants and streetlight poles, are allowed within ten feet of a driveway edge, identified as Point A in standard drawings Dev-5 and Dev-6. Fixed objects are defined as anything with breakaway characteristics greater than a 4" by 4" wooden post.

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%.

Vehicle and pedestrian sight distance must be provided per BCC 14.60.240 and 14.60.241.

AUTHORITY: Bellevue City Code 14.60.100, 110, 150, 240, 241; LUC 20.40.490;  
Transportation Department Design Manual Section 5

REVIEWER: Ray Godinez, Transportation Department (425) 452- 7915

## 2. COVENANT FOR MAINTENANCE AND REPAIR

The final short plat must include a covenant that permanently binds the property owners to provide for maintenance and repair of the joint-use driveway from which they use to gain access to their respective lots, as well as a condition that the joint-use driveways will remain open at all times for emergency and public service vehicles.

]AUTHORITY: Bellevue City Code 14.60.130

REVIEWER: Ray Godinez, Transportation Department (425) 452- 7915

## 3. TREE PRESERVATION PLAN

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. The dripline shall be determined by an arborist or surveyor. The Tree Preservation Plan must portray a minimum of 42 diameter inches of existing significant trees to remain contain the following note:

"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.”

An arborist report shall document the dripline of each tree to be saved and also provide a report to document the health of each tree to be saved. During plat engineering, 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: Carol Saari, Department of Planning & Community Development (425)  
452-2731

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

The final short plat shall portray the following: “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 Saari, Department of Planning & Community Development (425)  
452-2731

#### **D. PRIOR TO ISSUANCE OF SINGLE FAMILY BUILDING PERMIT:**

##### **1. TRANSPORTATION IMPACT FEE**

Payment of traffic impact fees will be required at the time the applicant is issued a building permit. Traffic impact fees for single family use in area #9 are currently 464.71 per unit. This fee is subject to change and the most current fee schedule in effect at the time of permit issuance will apply.

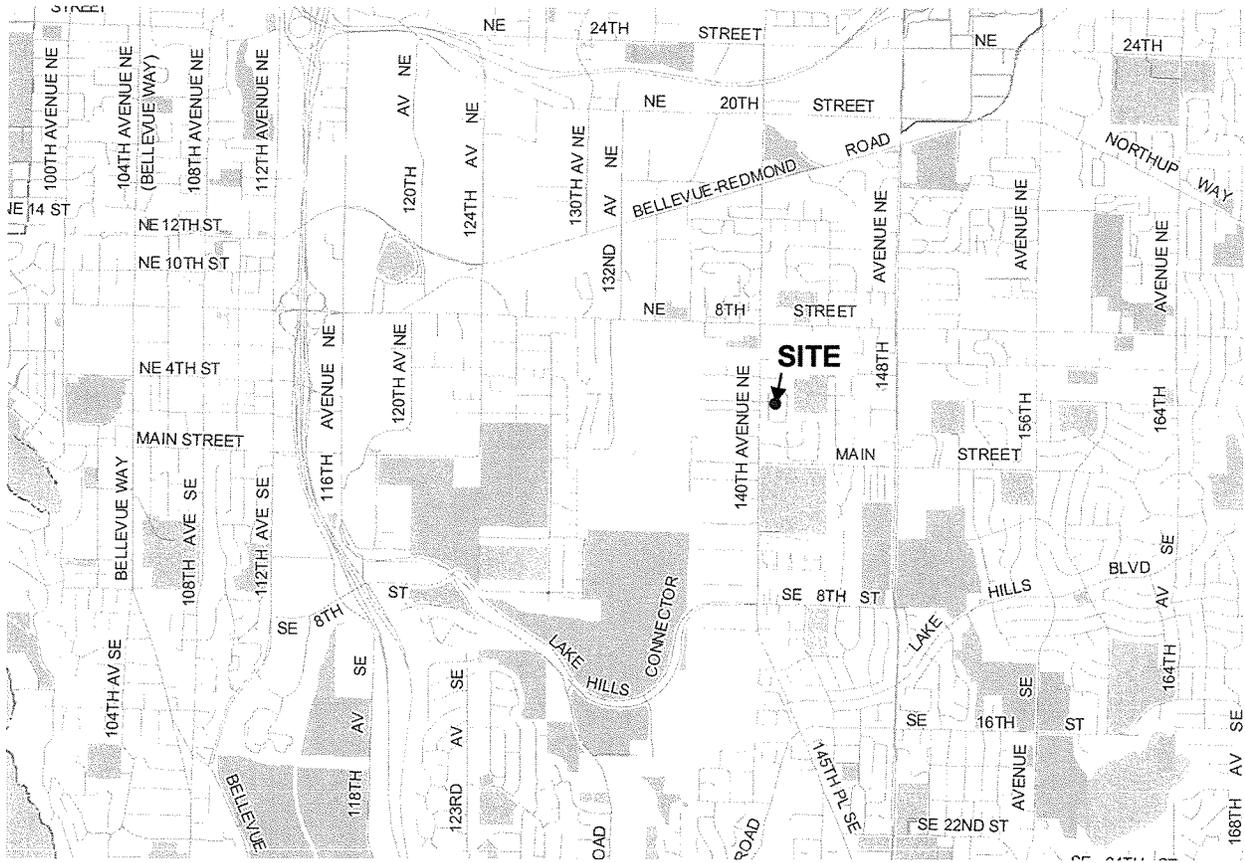
Credit for the existing home on the project site will apply to either Lot 1 or Lot 2 (applicant's preference).

AUTHORITY: Bellevue City Code 22.16  
REVIEWER: Ray Godinez, Transportation Department (425) 452- 7915

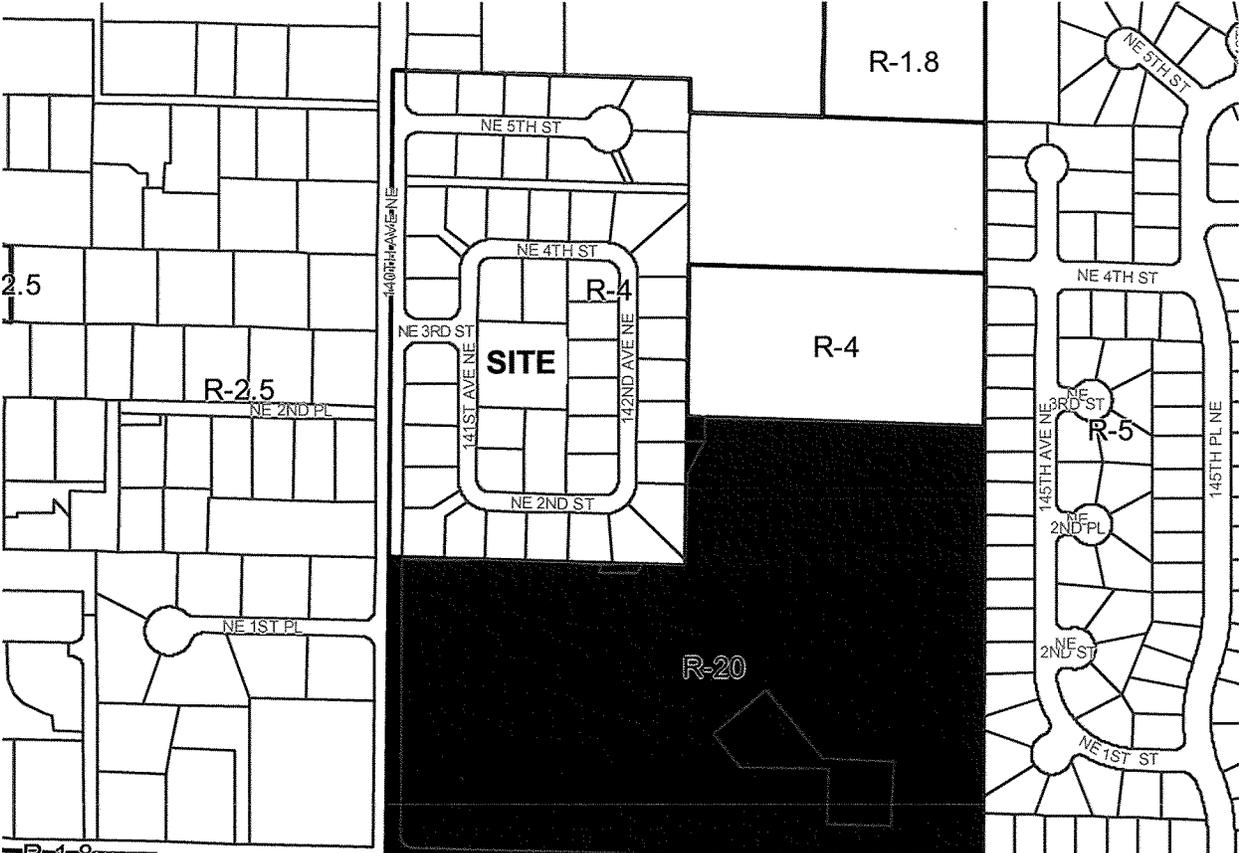
#### **LIST OF ATTACHMENTS**

- A. Plans
- B. Vicinity Map
- C. Zoning Map
- D. Aerial Photograph

# Vicinity Map



# Zoning Map



# Aerial Photograph















