



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

Proposal Name: Murphy Short Plat
Proposal Address: 9827 NE 14th St
Proposal Description: Subdivide one 24,006 square foot parcel in the R-3.5 zoning district into two single family lots.
File Number: 06-136277-LN
Applicant: David Martin
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))

Department Decision: **Approval with Conditions**

Drew Folsom, Assistant Planner
Dept. of Planning and Community Development

Application Date: December 8, 2006
Notice of Application: January 25, 2007
Decision Publication Date October 4, 2007
Appeal Deadline: October 18, 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.

I. Description of Proposal

The applicant proposes to short plat an existing 24,0006 square foot (.55-acre) parcel into two single-family residential lots in the R-3.5 zoning district which has a minimum lot size of 10,000 square feet. Lot 1 of the short plat will be 11,273 square feet and Lot 2 is proposed to be 12,733 square feet. The site contains minimal slopes (less than 10% in grade), and does not contain any critical areas. The existing house on Lot 1 will be removed as part of the proposal. Access for Lot 1 shall be via the existing private driveway connecting to NE 14th Street. Access for Lot 2 shall be via a private driveway connecting to an existing private road connecting to NE 14th Street.

II. Site Description and Context

Site Characteristics

The site is located in a community of single-family residential homes in the North Bellevue Subarea. The site is currently accessed via NE 14th Street. The site also has access to an existing private driveway. The site slopes minimally to the Northwest. The site has several significant trees including cedar, spruce and various fruit trees.

The existing lot has a gradual upward slope (less than 10%). The site is located in the Meydenbauer Creek Drainage Basin. The applicant is proposing all lots be served by sewer.

Site Design

The Murphy Short Plat proposes to subdivide an existing parcel into 2 single family lots. Access for Lot 1 shall be via the existing private driveway connecting to NE 14th Street. Access for Lot 2 shall be via a private driveway connecting to an existing private road connecting to NE 14th Street. Located along the western edge of proposed lots 1 and 2 is an existing 25 foot wide ingress/egress and utility easement. The proposal will retain 20 diameter inches of significant trees. The minimum lot size of the zoning district is 10,000 square feet. The proposed lot size for lot 1 is 11,273 square and for lot 2 is 12,733 square feet. The average lot size for the short plat is 12,003 square feet.

III. CONSISTENCY WITH LAND USE CODE/ZONING REQUIREMENTS

A. Special District Requirements (Critical Area Overlay District LUC. 20.25H)

Critical Areas – There are no critical areas on this site.

B. Consistency with Standard Land Use Code Requirements

BASIC INFORMATION		
Zoning District	R 3.5	
Gross Site Area	24,006 square feet	
Critical Area	None	
ITEM	REQ'D/ALLOWED	PROPOSED
Dwelling Units/Acre	3.5	3.5
Minimum Lot Area	10,000 square feet	11,273 and 12,733 square feet
Minimum Lot Width	70-feet	70-feet or greater
Minimum Lot Depth	80-feet	80-feet or greater
Building Setbacks		
Front Yard	20-feet	20-feet
Rear Yard	25-feet	25-feet
Min. Side Yard	5-feet	5-feet
2 Side Yard	15-feet	15-feet
Tree Retention	15 % of significant trees, 19.2"	15.6 % of significant trees, 20"

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 preliminary short plat application has been reviewed and no further utility revisions are needed at this time.

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

B. Fire Department Review

The Fire Department has no concerns regarding this proposal. Any new homes may require sprinklers depending on the gross square footage of the homes, access and water supply available. This will be determined during the building permit stage.

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

C. Transportation Review:

The Transportation Department has reviewed the plans submitted for the Murphy preliminary short plat and recommends approval. Final engineering plans will not be required as transportation-related improvements are minor (one new driveway connection to an existing private road). The developer is responsible to ensure that all transportation-related improvements will be consistent with the Transportation Development Code (BCC 14.60) and the Transportation Design Manual at the completion of all construction for this short plat.

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 permits. This permit is issued directly by the Transportation Department.

Street Frontage Improvements

The Murphy Short Plat will not be required to install street frontage improvements per Transportation Code Section 14.60.110.E.1 which states that frontage improvement requirements may be waived if adjacent frontage improvements will not be installed in the foreseeable future. Such is the case for the Murphy Short Plat. The applicant shall be responsible for all damage to city right-of-way caused by construction of this short plat.

Site Access

Access for Lot 1 shall remain the same: private driveway connecting to NE 14th Street. Access for Lot 2 shall be via a private driveway connecting to an existing private road connecting to NE 14th Street. Driveway connections shall be per DEV-7B.

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, NE 14th Street is classified as "No-Cut" Street. The applicant must submit for a waiver to the City's Right-of-Way Manager to make cuts into this street. Pavement restoration requirements will be specified as a part of this process. Said restoration may include grind and overlay for 50 feet each side of the trench cut, for the full width of the street.

Right-of-Way contact Information:

Jon Regalia (425-452-4599)
Tim Stever (425-452-4294)

Transportation Impacts and Mitigation

This project will generate 1 new p.m. peak hour trip and therefore, will not require concurrency testing (threshold amount of new p.m. peak trips to trigger concurrency testing is 30).

Traffic analysis was performed by transportation staff to determine potential safety concerns caused by this short plat.

Analysis shows that due to the low trip generation, the location of the project (off of a low-volume residential street) and adequate sight distance at the site, transportation impacts will be negligible.

VI. PUBLIC NOTICE AND COMMUNITY INPUT

Application Date: December 8, 2006

Public Notice (500 feet): January 25, 2007 (Includes sign installation at the site)

Minimum Comment Period: February 9, 2007

Notice of Application was published in the City of Bellevue's *Land Use Bulletin* and the *Seattle Times* on January 25, 2007. 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 either in support of or objection to were received regarding this application.

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

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. Access for Lot 1 shall be via the existing private driveway connecting to NE 14th Street. Access for Lot 2 shall be via a private driveway connecting to an existing private road. 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 20 diameter inches of significant trees.

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: The proposal complies with the Land Use Code requirements for R-3.5 zoning, the Utility Code and the City of Bellevue Development Standards.

Land Use Code Requirements

A. Dimensional Requirements: The site is currently zoned single-family R-3.5 which has a minimum lot size requirement of 10,000 square feet. The dimensional requirements for the R-3.5 zoning district include:

- 20' Front Yard Setback
- 25' Rear Yard Setback
- 5' Side Yard Setback
- 15' Two Side Yard Setback
- 30' Maximum Building Height
- 35% Maximum Lot Coverage by Structure
- 50% Maximum Impervious Surface
- 70' Minimum Lot Width
- 80' Minimum Lot Depth

Finding: All of the lots can be developed in accordance with the City of Bellevue

Land Use Code requirements including the R-3.5 dimensional requirements.

- B. Significant Tree Preservation:** The tree preservation requirements under LUC Section 20.20.520 to save 15 percent of the diameter inches of significant trees on the site apply to this proposal. The applicant has identified 9 significant trees on the site with a total of 128 diameter inches. In order to meet the 15% minimum retention requirement, the project must retain 19.2 diameter inches of significant trees.

Finding: The applicant proposes to preserve 2 tree that comprise a total of 20 diameter inches, or 15.6% of significant trees. This satisfies minimum tree retention requirements.

See Section VIII for a related condition of approval.

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

Finding: The site is located within the North Bellevue Subarea of the Comprehensive Plan. The Comprehensive Plan specifies single-family low development for this property. 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-4). The proposed short plat provides housing for Bellevue's share of the regionally adopted demand forecasts for residential uses for the next 20 years (LU-3).

The proposal meets Comprehensive Plan polices to maintain good surface water quality (EN-33).

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-3.5 zoning standards without requiring a variance. The proposed lots meet minimum standards for lot width, lot depth, and lot area of the R-3.5 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, ingress / egress, necessary 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 Murphy 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:

COMPLIANCE WITH BELLEVUE CITY CODES AND ORDINANCES

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

Applicable Codes, Standards and Ordinances	Contact Person	
Clearing & Grading Code – BCC 23.76	Savina Uzunow,	425-452-7860
Construction Codes – BCC Title 23	Build. Division,	425-452-6864
Fire Code – BCC 23.11	Adrian Jones,	425-452-6032
Land Use Code – BCC Title 20	Drew Folsom,	425-452-4441
Noise Control – BCC 9.18	Drew Folsom,	425-452-4441
Sign Code – BCC Title 22	Drew Folsom,	425-452-4441
Transportation Development Code – BCC 14.60	Ray Godinez,	425-452-7915
Right of Way Use Code – BCC 14.30	Jon Regalia,	425-452-4599
Transportation Department Design Manual	Ray Godinez,	425-452-7915
Traffic Standards Code 14.10	Ray Godinez,	425-452-7915
Utility Code – BCC Title 24	Joy Ramshur,	425-452-2921

A. GENERAL CONDITIONS

1. UTILITIES DEPARTMENT APPROVAL

The Utilities Department approval of the Preliminary Short Plat Application is based on the preliminary utility design that reflects the creation of less than 5,000 sq. ft. of new impervious area. Final civil engineering of utility infrastructure 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. Utilities design review and plan approval of the water, sewer and storm drainage connections will be performed through the Utilities Permitting Process upon application for those permits.

AUTHORITY: BCC Title 24.02, 24.04, 24.06
REVIEWER: Joy Ramshur, (425) 452-2921

2. NOISE - CONSTRUCTION HOURS

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

AUTHORITY: Bellevue City Code 9.18
REVIEWER: Drew Folsom, Planning and Community Development Department

3. TRANSPORTATION IMPACT FEE

Payment of the traffic impact fee will be required at the time of single family building permit issuance. The impact fee is estimated to be \$414.75 per new dwelling. This fee is subject to change and the fee schedule in effect at the time of building permit issuance will apply.

AUTHORITY: Bellevue City Code 22.16
REVIEWER: Ray Godinez

4. 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.
- k) Pavement Restoration:

The city's pavement manager has determined that this segment of NE 14th Street is classified as "No-Cut" Street. The applicant must submit for a waiver to the City's Right-of-Way Manager to make cuts into this street. Pavement restoration requirements will be specified as a part of this process. Said restoration may include grind and overlay for 50 feet each side of the trench cut, for the full width of the street. Contact:

Jon Regalia (425-452-4599)
Tim Stever (425-452-4294)

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

4. 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 (425) 452-4599

5. PAVEMENT RESTORATION

The city's pavement manager has determined that this segment of NE 14th Street is classified as "No-Cut" Street. The applicant must submit for a waiver to the City's Right-of-Way Manager to make cuts into this street. Pavement restoration requirements will be specified as a part of this process. Said restoration may include grind and overlay for 50 feet each side of the trench cut, for the full width of the street.

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

B. PRIOR TO FINAL SHORT PLAT APPROVAL:

1. UTILITY EASEMENTS

All water, sewer and storm easements shall be recorded on the face of the final short plat document.

AUTHORITY: BCC Title 24.02, 24.04, 24.06
REVIEWER: Joy Ramshur, (425) 452-2921

2. VARIANCE RESTRICTION

Approval by the City of this short plat is a determination that each lot in the short plat can be reasonably developed in conformance with the Land Use Code requirements in effect at the time of preliminary short plat approval without requiring a variance. The following language shall be placed on the final short plat document:

“Variance restriction: Approval by the City of this short plat is a determination that each lot in the short plat can be reasonably developed in conformance with the Land Use Code requirements in effect at the time of preliminary short plat approval without requiring a variance.”

AUTHORITY: Land Use Code 20.45B.130.A.6
REVIEWER: Drew Folsom, Planning and Community Development Department

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 plat mylar. The Tree Preservation Plan must 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.”

AUTHORITY: Land Use Code 20.20.900D.E
REVIEWER: Drew Folsom, Planning and Community Development Department

4. COVENANT FOR MAINTENANCE AND REPAIR

The final short plat map must include a covenant that permanently binds the property owners to provide for maintenance and repair of the existing private access road, including a

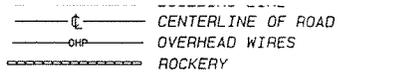
Murphy Short Plat
06-136277-LN
Page 12 of 12

condition that the private road will remain open at all times for emergency and public service vehicles.

Reviewer: Ray Godinez
Authority: BCC 14.60.130

LIST ATTACHMENTS

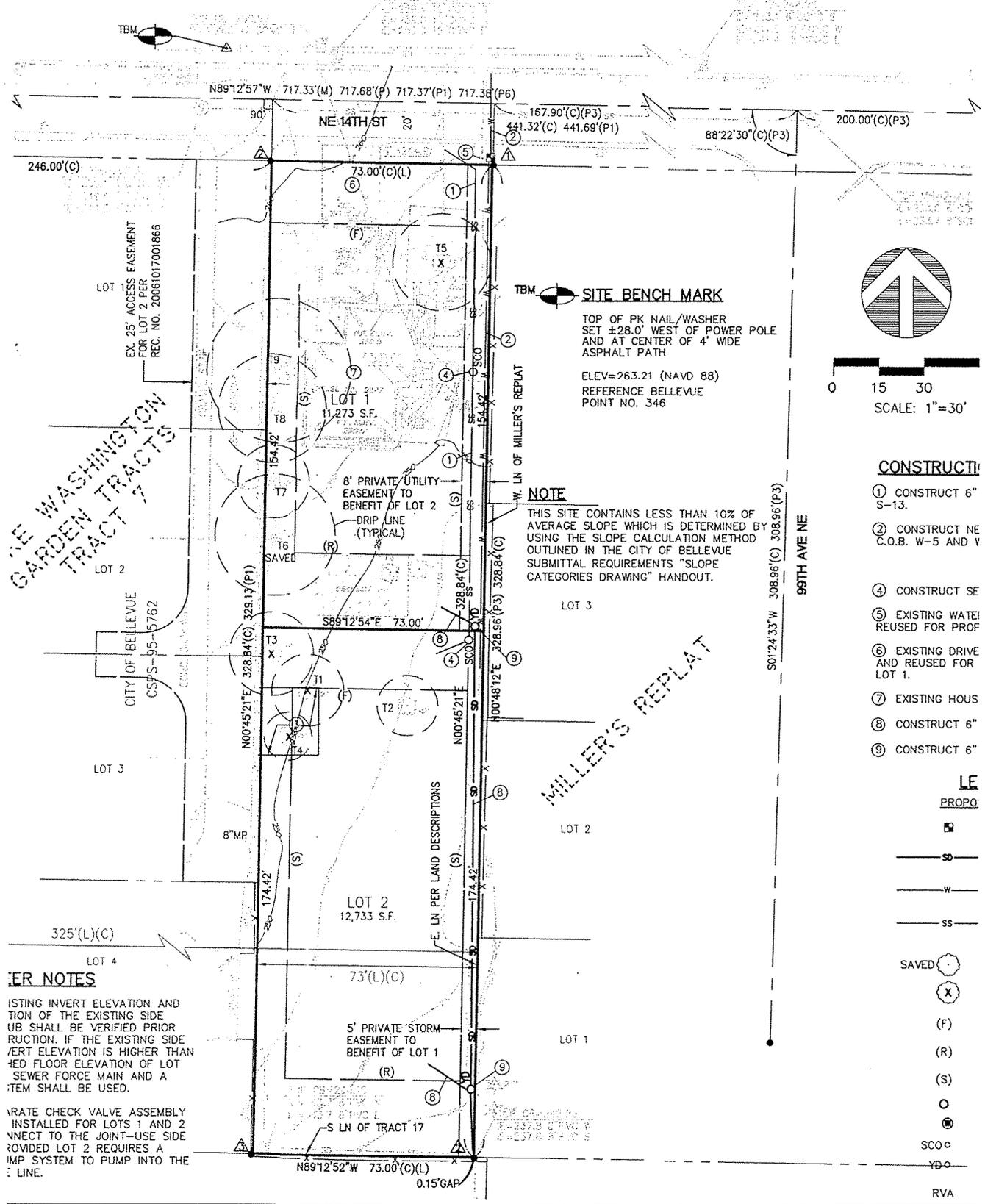
A. Plans and Drawings



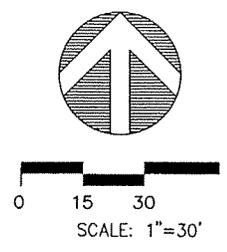
N CONC PAD CONC CONCRETE
 R-O-W RIGHT-OF-WAY
 () RECORD
 ○ DECIDUOUS TREE (NOT SHOWN TO SCALE)
 TRUNK DIA SHOWN IN INCHES.
 ☆ CONIFER TREE (NOT SHOWN TO SCALE)
 TRUNK DIA SHOWN IN INCHES.
 T.P. NO. TAX PARCEL NUMBER

△ FOUND REBAR AND CAP, STAMPED "GEOD 15025"
 △ FOUND REBAR AND CAP, STAMPED "GEOD 15025" (0.6'W)
 ▣ CATCH BASIN
 (S) SANITARY SEWER MANHOLE
 EP EDGE OF PAVEMENT
 CLF CHAIN LINK FENCE
 C.O.B. CITY OF BELLEVUE
 L LAND DESCRIPTION
 C CALCULATED DISTANCE
 M MEASURED DISTANCE

P3 CORRECTION PLAT OF MILLER'S REPLAT VOL. 47 OF PLATS, PAGE 80.
 P6 CITY OF BELLEVUE SHORT PLAT NO. CSPS-91-6136, REC. 9202079002
 ⊗ WV WATER VALVE
 —SS— SEWER LINE
 —SD— STORM DRAIN LINE
 —W— WATER LINE
 —X—X— FENCE AS NOTED
 - - - - FLOWLINE



SITE BENCH MARK
 TOP OF PK NAIL/WASHER SET ±28.0' WEST OF POWER POLE AND AT CENTER OF 4' WIDE ASPHALT PATH
 ELEV=263.21 (NAVD 88)
 REFERENCE BELLEVUE POINT NO. 346



NOTE
 THIS SITE CONTAINS LESS THAN 10% OF AVERAGE SLOPE WHICH IS DETERMINED BY USING THE SLOPE CALCULATION METHOD OUTLINED IN THE CITY OF BELLEVUE SUBMITTAL REQUIREMENTS "SLOPE CATEGORIES DRAWING" HANDOUT.

CONSTRUCTION

- ① CONSTRUCT 6" S-13.
- ② CONSTRUCT NE C.O.B. W-5 AND V
- ④ CONSTRUCT SE
- ⑤ EXISTING WATER REUSED FOR PROP
- ⑥ EXISTING DRIVE AND REUSED FOR LOT 1.
- ⑦ EXISTING HOUSE
- ⑧ CONSTRUCT 6"
- ⑨ CONSTRUCT 6"

LEGEND

- PROPO
- ▣
- SD—
- W—
- SS—
- SAVED ○
-
-
- (F)
- (R)
- (S)
-
- ⊗
- SCOC
- YD
- RVA

OTHER NOTES
 EXISTING INVERT ELEVATION AND LOCATION OF THE EXISTING SIDE DRAIN SHALL BE VERIFIED PRIOR TO CONSTRUCTION. IF THE EXISTING SIDE DRAIN INVERT ELEVATION IS HIGHER THAN THE FLOOR ELEVATION OF LOT 2, A SEWER FORCE MAIN AND A PUMP ASSEMBLY SHALL BE USED.
 PRIVATE CHECK VALVE ASSEMBLY TO BE INSTALLED FOR LOTS 1 AND 2 AND CONNECT TO THE JOINT-USE SIDE DRAIN. PROVIDED LOT 2 REQUIRES A PUMP SYSTEM TO PUMP INTO THE SIDE DRAIN.