



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

Proposal Name: Trinity Short Plat

Proposal Address: 13026 N.E. 8th Street
Proposal Description: Short plat an existing 1.2 acre single-family lot in the R-3.5 zoning district into five (5), single-family lots.

File Number: 07 123485-LN

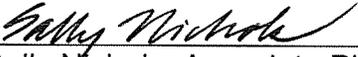
Applicant: Sergey Novikov

Decisions Included: Preliminary Short Plat (Process II)

Planner: Sally Nichols, Associate Planner

State Environmental Policy Act Threshold Determination: Exempt

Department Decision: Approval with Conditions



Sally Nichols, Associate Planner
Dept of Planning and Community Development

Application Date: June 26, 2007
Notice of Application: July 26, 2007
Minimum Comment Period: August 9, 2007 (14 days)
Decision Publication Date: November 1, 2007
Appeal Deadline: November 15, 2007

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 is proposing to short plat an existing 52,417 square foot (approximately 1.2 acres) lot into five single-family lots. The site contains an existing single-family residence and associated out-buildings; all of which will be demolished. Access to the five new lots and three existing properties to the east (13042, 13038 and 13030 N.E. 8th Street) will be provided via a new shared access easement and private road off of N.E. 8th Street. The easement will measure approximately 120 feet long by 20 feet wide. At the northern end of the easement, the new private road will shift entirely onto the proposal property. All proposed driveways to the new lots will connect to this private access road. The applicant proposes to retain approximately 16% of the total diameter inches of the significant trees on the site.

As defined by Land Use Code 20.25H, the site does not contain any critical or protected areas. **Refer to Attachment A: Preliminary Clearing, Grading, Utility and Road Plan and Section IV of this report.**

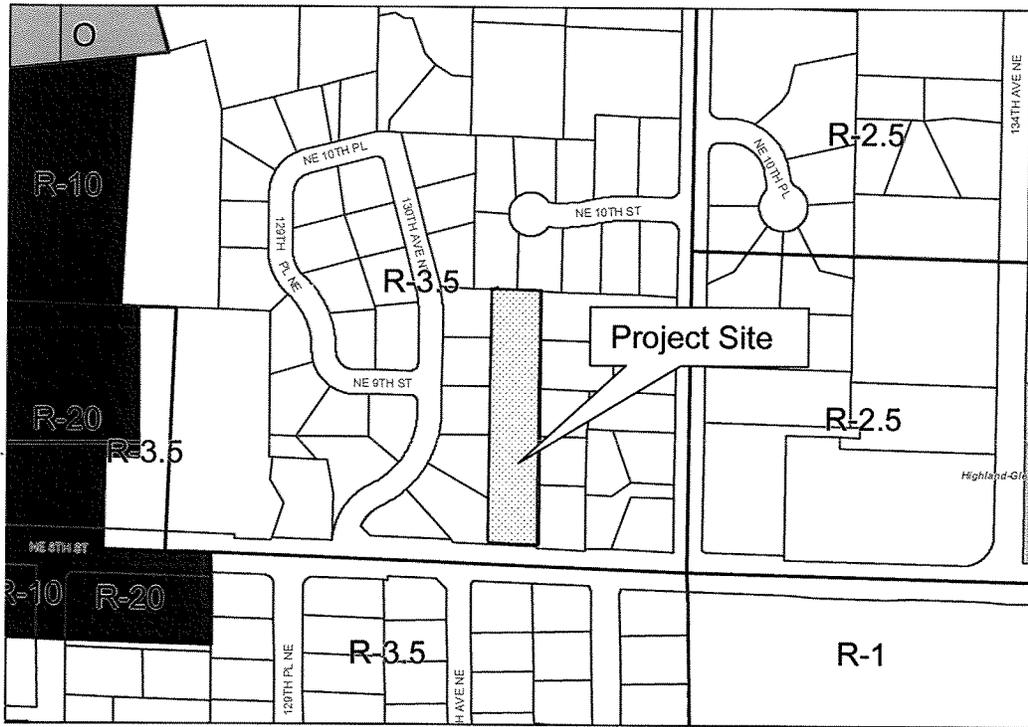
II. SITE DESCRIPTION AND CONTEXT

The site is located in the Wilburton/N.E. 8th Street Subarea in an R-3.5 single family zoning district. The Comprehensive Plan designation is Single-Family Medium. Currently, the site is occupied by one single family home, a detached garage, a pump house and a carport. The lot is bordered to the north by two single family homes and to the west by five existing single family homes. These western homes lie within the existing Tall Firs Estates Plat. This older development is characterized by stands of mature Douglas Fir trees throughout the neighborhood. To the east, the lot is bordered by two new single family homes (under construction) and three existing single family homes. Currently, there are two, side by side access driveways off of N.E. 8th Street. One serves the existing home on the proposal site and one serves the three adjacent properties to the east.

The proposal property is long and narrow and measures approximately 524 feet long by 100 feet wide. There is a decorative sound wall and street frontage improvements installed by the City of Bellevue along N.E. 8th Street. These improvements will remain in place. See Section V.C: Transportation Review of this report. The site itself is relatively flat, sloping approximately 20 feet over 500 feet. The existing single family home occupies the space that will become Lot 2. In addition, there is a pump house, carport and detached garage on the site.

The site contains approximately 912 diameter inches of existing, mature trees. These trees are primarily mature Douglas Firs (*Pseudotsuga menziesii*) and Red Cedars (*Thuja plicata*), with a few additional ornamental trees. The largest stand of approximately twenty trees is located directly to the north of the existing home. There is an additional stand of trees north of the existing wall along N.E. 8th Street. The northern third of the proposal site is relatively open and is overrun with blackberries, brush and wild grasses. In addition, there is a row of existing significant Douglas Firs on the neighboring properties to the west (shown as Trees 1-13 and 16-20 on the Tree Preservation Plan). These trees run along the property line of proposed Lots 1 and 2. **Refer to Attachments A: Preliminary Clearing, Grading, Utility & Road Plan, B: Preliminary Profile and Road Section, and C: Tree Retention Plan.**

Zoning Map



Aerial Photograph



III. CONSISTENCY WITH LAND USE CODE/ZONING REQUIREMENTS

A. Consistency with Standard Land Use Code Requirements

BASIC INFORMATION		
Zoning District	R-3.5 Wilburton/N.E. 8 th Street Subarea Comprehensive Plan Designation: Single-Family Medium	
Gross Site Area	52,417 Sq. Ft. (approximately 1.20 acres)	
ITEM	REQ'D/ALLOWED	PROPOSED
Minimum Lot Area	10,000 Square Feet	Lot 1: 10,707 Square Feet Lot 2: 10,003 Square Feet Lot 3: 10,803 Square Feet Lot 4: 10,904 Square Feet Lot 5: 10,000 Square Feet
Minimum Lot Width	60 Feet	Lot 1: 100 Feet (approx.) Lot 2: 100 Feet (approx.) Lot 3: 108 Feet (approx.) Lot 4: 109 Feet (approx.) Lot 5: 100 Feet (approx.)
Minimum Lot Depth	80 Feet	Lot 1: 107 Feet (approx.) Lot 2: 100 Feet (approx.) Lot 3: 100 Feet (approx.) Lot 4: 100 Feet (approx.) Lot 5: 100 Feet (approx.)
ITEM	REQ'D/ALLOWED	PROPOSED
Building Setbacks Front Yard Rear Yard Min. Side Yard 2 Side Yards	20 Feet 25 Feet 5 Feet 15 Feet	20 Feet 25 Feet 5 Feet 15 Feet (5 ft. + 10 ft.)
Access Easement Setback	10 Feet	10 Feet
Tree Retention	15% of 912 Diameter Inches = 137 Diameter Inches Minimum	146 Diameter Inches or 16 % Retained

IV. STATE ENVIRONMENTAL POLICY ACT (SEPA)

There are no critical areas on this proposal site. Short Plats not containing Critical Areas are exempt from SEPA review pursuant to WAC 197-11-800(6)(a), BCC 22.02.032. Thus, the project proposal is **EXEMPT**.

V. SUMMARY OF TECHNICAL REVIEWS

A. Utilities 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 and changes to the site layout may be required. 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 for each home and water application process. The applicant will need to submit the UE application as early in the process as possible prior to the plat engineering application. **Refer to Condition of Approval A.1 in Section IX of this report.**

B. Fire Department Review

No parking will be allowed on the 16 foot and 20 foot wide access road. It shall be posted and marked "NO Parking-Fire Lane" per Bellevue Standards. **Refer to Condition of Approval C.2 in Section IX of this report.**

C. Transportation Review:

The Transportation Department recommends approval subject to the review comments and conditions herein. 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. **Refer to Condition of Approval D.1 in Section IX of this report.**

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. **Refer to Condition of Approval B.1 in Section IX of this report.**

Street Frontage Improvements

The Trinity Short Plat is located adjacent to the north side of NE 8th Street between 130th Avenue NE and 132nd Avenue NE. Existing street frontage improvements there consist of a six foot wide concrete sidewalk with curb and gutter, planter strip and a driveway approach. There is sufficient existing street lighting to provide appropriate illumination at the driveway approach. All existing street frontage is in satisfactory condition and the City has no need for additional street improvements at this time. Therefore, the Trinity Short Plat shall not be required to construct additional street frontage improvements on NE 8th Street. The developer will be responsible for any damages to city infrastructure caused by construction activities stemming from this project.

The developer will document the pedestrian easement (recording # 9002220739) for the existing sidewalk located on the southern portion of the project site on the final plat mylars.

Site Access

Access for the Trinity Short Plat shall be provided by an existing private road connecting directly to NE 8th Street via an existing driveway approach. The private road will be modified to provide shared access for the existing properties located west of the short plat (13042, 13038 and 13030 NE 8th Street) with the new lots created by this short plat.

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. Adjacent to the short plat, NE 8th Street is classified as an "Overlay Required" street. Pavement restoration requirements will be specified by the Right-of-Way manager via the right-of-way permit (required for this project). **Refer to Condition of Approval B.1 and B.5 in Section IX of this report.**

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 at the access connection to NE 8th Street, on site circulation, and the short plat's impact to existing background traffic conditions adjacent to the site, especially during the a.m. and p.m. peak hours (7 to 9 am and 4 to 6 pm).

Previous to this short plat application, the Trinity Short Plat property and the existing properties to the west had separate access roads located side by side (approximately 10 feet apart) meeting at NE 8th Street at an existing driveway approach. The developer has agreed to combine these roads into one private road while keeping the driveway approach in the same location (some minor realignment will be allowed). Combining the private roads will vastly improve site circulation, driveway operations at the connection to NE 8th Street and overall driver comfort and safety.

The Trinity Short Plat will generate 4 new p.m. peak hour trips and 40 daily trips (trips outside of traffic peak hours). There is ample capacity on NE 8th Street and nearby system intersections to accommodate the new trips (peak and daily trips). Concurrency testing will not be required as the threshold for testing has not been triggered (new developments that generate 30 or more p.m. peak hour trips require concurrency testing). Sight distance, existing transportation geometrics at the access location and NE 8th Street, and the proposed combination / modifications to the existing private roads are in compliance with all Transportation Codes and Standards.

D. Clearing and Grading Department

The Clearing and Grading has approved the preliminary short plat without conditions. A Clearing and Grading Permit (GE Type) is required for the construction of the road, driveways and the utilities of this short plat.

E. Police Department

To promote Burglary Prevention, the Police Department recommends the following:

Site hardening to prevent forced entry:

- Install reinforced (4 or more screw) mortised or hidden dead bolt strike plates with minimum 3" screws at all locked external doors (metal door frame may be used in lieu)
- Use minimum 3" screws on all exterior door latch plates (metal door frame may be used in lieu)
- Minimum 6" vertical separation of center axis between door latch and dead bolt (no spacing requirements if metal door frame used)
- Install security films to applicable window/glazing on ground floor windows, doors and sidelite and upper level window, door and sidelite if accessible from ground via stairs or other purpose designed access. Applicable glazing surfaces include all windows; sidelites; inserted door glass panels and/or glazing of which the closest edge is within 3 feet to either the opening door edge or door handle and dead bolt. In lieu of security films, installation of double cylinder locks with "captured key" or "captured key thumb turn" features is acceptable. Installation of double cylinder locks without purpose specific "captured key" or "captured key/thumb turn" features is not recommended by police and final approval rests with International Fire Code or other Fire codes adopted by the City.
- Alter original equipment manufacturer's programmed security access codes for all remotely operated garage door openers
- Install single cylinder dead bolt on interior access door or access way to garage
- Install security hinges on exterior hinged doors that open outwards and have exposed hinge pins. Hinges with: fast-riveted "crimped" pins; hidden pin set screws; and/ or hinge plates equipped with interlocking safety studs are acceptable.

Landscaping & lighting - increasing "natural surveillance" by reducing concealment opportunities:

- Limit shrubby vegetation at doors, window and ingress/egress pathways to a maximum height of 24". Trees and shrubs should be pruned upwards to 84" above ground if feasible and practical
- Install photovoltaic switches and high efficiency lighting to outside lighting on front and sides of structure
- Design extra depth and/or width into the garage to facilitate both storage needs and parking in the garage so vehicles are not parked in the driveway

ID / Mail theft:

- Provide locking mailbox(s) of a design approved by US Postal Service. Single residential "vaults" or multi-family "banks with secure outgoing mail"

Locatable by emergency service:

- Install 4" tall or taller house address numbers to a high contrast background in accordance to IFC 4.01 Premise Identification. Avoid polished metal numbers like brass and chrome as they are difficult to read when a spotlight is shown on them at night. If the house is set back from the street, ensure the house numbers are larger in accordance to IFC 4.0 and install addressing at the street.

VI. PUBLIC COMMENT

The City initially notified the public of this proposal on July 26, 2007 with mailed notice and publication in the Weekly Permit Bulletin and Seattle Times. A public information sign was installed on the site the same day. Written comments were received from four citizens on the proposal (public comment letters are in the project file at City Hall) at the time of this writing. The following is a summary of the main issues identified by the individuals, along with the City's response.

1. **Issue/Question:** *There is concern regarding the protection of the stand of fir trees along the western property line, which are on the property at 832 130th Avenue N.E. and are not on the proposal site.*

Response: The applicant understands and has shown on the project drawings that these trees are not on the proposal site. However, it is important that this project minimize adverse impacts to adjacent properties. A sewer line that was originally proposed to run down the western property line and through the roots of these trees has been relocated to the eastern edge of the property. Furthermore, the applicant must provide protection around the driplines of these trees during construction. **Refer to Condition of Approval B.9 in Section IX of this report and Attachment C: Tree Retention Plan.**

2. **Issue/Question:** *What are the construction hours and how is construction noise and traffic regulated?*

Response: Construction hours and noise are regulated by BCC (Bellevue City Code) 9.18. In addition, to control construction traffic (among other things) the applicant is required to obtain a right-of-way use permit. **Refer to Conditions of Approval A.3, B.1 and B.2 in Section IX of this report.**

3. **Issue/Question:** *There may be a bald eagle nesting on the site.*

Response: Staff from the City of Bellevue visited the site and could not find any evidence of eagles on this site. The location of this property is not typical for nesting sites as there are no significant snags and the property is not close enough to a fish bearing water source. Additional conversations with neighbors has lead the City to believe that while there may be eagles in the general area, no eagles are present and/or nesting on the site.

4. **Issue/Question:** *There is concern about the size and scale of the new homes on the property and the proximity of the homes to the property lines of the adjacent neighbors.*

Response: Although there may be code changes forthcoming regarding the size and scale of single family homes, these codes changes (if any) will not be in place until 2008. Additionally, approval of the preliminary short plat and final short plat does not take into consideration the design of any future buildings. When the single family homes submit plans for permits, the structures must comply to the lot coverage by structure (35%) and maximum total impervious surface (50%) for the R-3.5 zoning district. Specific construction permits for new homes or home improvements would be subject to the construction codes in place at the time of application.

During the preliminary short plat review, the City does require the applicant to identify all applicable dimensional requirements including the setbacks for each lot to assure that each lot is of legal size during preliminary short plat review. In an R-3.5 zoning district, the required setbacks are as follows: Front – 20 feet, Rear – 25 feet, and Side – a minimum of 5 feet with the combined side setbacks equaling a minimum of 15 feet. The proposed lots also must meet the minimum lot size of 10,000 square feet. The setbacks and the size and configurations of the new lots are shown on the Preliminary Short Plat drawing. **Refer to Section III, Condition of Approval B.6 in Section IX of this report and Attachments A: Preliminary Clearing, Grading, Utility and Road Section, and D: Proposed Revised Setbacks.**

VII. DECISION CRITERIA:

Land Use Code 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. A new joint access easement will provide access off of N.E. 8th Street to Lots 1-5, as well as to the three adjacent lots to the east, thereby improving site circulation, driveway operations at the connection to N.E. 8th Street and overall driver comfort and safety. Existing public water and sewer facilities have been deemed adequate to serve the proposed development. The existing vacated single family home and associated out-buildings will be demolished. **Refer to Conditions of Approval A.1, B.3, B.4, B.5 and C.1 in Section IX of this report.**

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 and protection requirements which will maintain some of the vegetated character of the surrounding neighborhood. **Refer to Conditions of Approval B.7, B.8, B.9 and C.3 in Section IX of this report.**

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 R-3.5 zoning, the Utility Code and the City of Bellevue Development Standards.

Land Use Code Requirements

- A. Dimensional Requirements:** *Refer to Section III.A. of this report for dimensional requirements.*

Finding: All of the lots shown can be developed in accordance with the City of Bellevue Land Use Code requirements, including the R-3.5 zoning district dimensional requirements. **Refer to Condition of Approval B.6 in Section IX of this report.**

- B. Significant Tree Preservation:** *Tree preservation requirements pursuant to LUC Section 20.20.900.D require the retention of 15% of significant trees on the site. In order to meet the 15% minimum retention requirement, the project must retain a minimum of 137 diameter inches of the 912 diameter inches of the existing significant trees.*

Finding: The applicant proposes to preserve a total of 146 diameter inches or 16% of the significant trees onsite. This satisfies the minimum 15% tree retention requirements. **Refer to Conditions of Approval B.7, B., B.9 and C.3 in Section IX of this report and to Attachment C: Tree Retention Plan.**

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

Finding: The site is located within the Wilburton/N.E. 8th Street subarea. The Comprehensive Plan specifies Single-Family Medium Density development for this property, which is consistent with the R-3.5 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 (Lots 1-5) can reasonably be developed to current R-3.5 zoning standards without requiring a variance. There are no site constraints or critical areas which inhibit the development of this property that would warrant a

variance. Refer to **Condition of Approval A.2 in Section IX of this report.**

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 locations, necessary sidewalk easements and other required improvements are existing, planned or conditioned as part of this approval to accommodate the use of these lots. **Refer to Conditions of Approval A.1, B.3, B.4, and C.1 in Section IX of this report.**

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 Trinity 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:

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 & Ordinances

Clearing & Grading Code – BCC 23.76
Construction Codes – BCC Title 23
Fire Code – BCC 23.11
Land Use Code – BCC Title 20
Noise Control – BCC 9.18
Sign Code – BCC Title 22
Transportation Develop. Code – BCC 14.60
Traffic Standards Code 14.10
Right-of-Way Use Code 14.30
Utility Code – BCC Title 24

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A. GENERAL CONDITIONS:

1. Utilities

Water, sewer and storm drainage design review, plan approval and field inspection shall be conducted through the Utility Developer Extension Agreement (UE) process. The applicant will need to submit the UE application as early in the process as possible prior to the plat engineering application. Water services shall be separate taps off the water main and installed by the Developer's contractor with the UE. A joint use side sewer permit is required for the joint use side sewer. Individual side sewer permits are required for each home connection.

AUTHORITY: BCC 24.02, 24.04, 24.06
REVIEWER: Rob Hutchinson, Utilities Department, (425) 452-7903

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.

AUTHORITY: Land Use Code 20.45B.130.A.6
REVIEWER: Sally Nichols, Planning and Community Development Department,
(425) 452-2727

3. Noise – Construction Hours

The proposal will be subject to normal construction hours of 7 a.m. to 6 p.m., Monday through Friday and 9:00 a.m. to 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 10:00 p.m. if the criteria for extension of work hours as stated in BCC 9.18 can be met and the appropriate mitigation employed.

AUTHORITY: Bellevue City Code 9.18
REVIEWER: Sally Nichols, Planning and Community Development Department,
(425) 452-2727

B. CONDITIONS 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.
- k) Pavement restoration requirements for NE 8th Street (currently classified as an "Overlay Required" street).

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

Construction plans produced by a qualified engineer must be approved by the City prior to clearing and grading permit approval. The design of all infrastructure and 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 construction plans must correctly show all transportation-related engineering details, including but not limited to, the design of the private road, "Overlay Required" pavement restoration in NE 8th Street, mailbox locations sight distance, easements and existing street frontage. 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

To meet the sight distance requirements of BCC 14.60.240 and standard drawing TE-1, existing vegetation near the access point on NE 8th Street 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 the portion of NE 8th Street adjacent to the Trinity Short Plat will require an "Overlay" type pavement restoration for all trenching or damage to the street surface related to the project. Trench restoration must meet the requirements of Section 21 of the Design Manual and standard drawings ROW-1 through ROW-5 and the specific requirements of the right-of-way permit.

AUTHORITY: Bellevue City Code 14.60.250 and Design Manual Design Standard # 21
REVIEWER: Jon Regalia, Transportation Department, (425) 452-4599

6. Setbacks

Revise all drawings for any future submittals including plat engineering/clear and grade permits (GE and UE permits), to reflect the following:

- a) Any required setback shall be shown the full width of the setback from the edge of the private access road.
- b) The front setbacks for all five proposed lots shall be along the southern property line for each lot and the rear setbacks shall be along the northern property line for each lot.

AUTHORITY: Land Use Code 20.20.010
REVIEWER: Sally Nichols, Planning and Community Development Department, (425) 452-2727

7. Tree Retention

The Tree Retention Plan and any other plans that show trees to be retained shall be revised for any future submittals including plat engineering/clear and grade permits (GE and UE permits), to reflect the following:

- a) Retain Trees 15, 58 and 59. Show this on the plan and in the tree retention table.
- b) If necessary for construction purposes, the applicant may remove Trees 23, 62 and 63. Show these trees as either retained or removed on the plan and in the tree retention table.
- c) On the Tree Retention Plan, show the driplines for Trees 1-13 and 16-18. These trees are on adjacent properties, but have driplines that hang over the proposal site. The driplines of these trees will need to be protected as if they were on this site. **Also refer to Condition of Approval B.8 and B.9 below.**

AUTHORITY: Land Use Code 20.20.900.D
REVIEWER: Sally Nichols, Planning and Community Development Department,
(425) 452-2727

8. Tree Assessment

Prior to the issuance of the plat engineering/clear and grade permit (GE), the applicant must produce a tree assessment, prepared by a qualified professional, for all of the trees to be retained. This assessment must be reviewed by Land Use before the GE permit is issued.

AUTHORITY: Land Use Code 20.20.900.D
REVIEWER: Sally Nichols, Planning and Community Development Department,
(425) 452-2727

9. Tree Protection

To mitigate adverse impacts during construction to trees to be retained and trees on adjacent properties, the applicant must comply with the following:

- a) Clearing limits shall be established for retained trees within the developed portion of the site, **outside of the drip lines**. Six-foot chain link fencing with driven posts, or an approved alternative, shall be installed at the clearing limits (outside of the driplines) prior to initiation of any clearing and grading.
- b) No excavation or clearing shall be performed within drip lines of retained trees except as specifically approved on plans. All such work shall be done by hand to avoid damage to roots and shall be done under the supervision of an arborist approved by the City.
- c) Driplines shall be shown for Trees 1-13 and 16-20 on the Tree Retention Plan, and Tree Protection shall be provided for these trees. However, the protection fencing will only need to be constructed around the driplines that fall on the proposal site.

AUTHORITY: Bellevue City Code 23.76.060
REVIEWER: Sally Nichols, Planning and Community Development Department,
(425) 452-2727

C. PRIOR TO FINAL SHORT PLAT APPROVAL:

1. Infrastructure Improvements

All 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 or needed repairs to city right-of-way (caused by construction activities) 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:

- i) Modification of the existing private roads at the site to create one access route for the Trinity Short Plat and the existing properties located west of the project site (13042, 13038 and 13030 NE 8th Street). The private road must be designed per DEV-8 and connect to the existing driveway approach on NE 8th Street (minor realignment of the curb-cut will be allowed if needed). Minimum road and driveway approach width is 20 feet. The private road must be paved full-width, full-length.
- ii) The utility vault lid shall be designed to safely support all anticipated vehicular loads.

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.
- The internal private road 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 short plat map.
- The maintenance responsibility for the internal private road shall be the shared responsibility of all lot owners served by the private road. A note to this effect must be indicated on the face of the final Subdivision map.

AUTHORITY: Bellevue City Code 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, Transportation Department, (425) 452-7915

2. Fire Department Conditions

The final short plat shall portray the following note:

"No parking will be allowed on the 16 foot and 20 foot wide access road. It shall be posted and marked "NO Parking-Fire Lane" per Bellevue Standards."

AUTHORITY: International Fire Code (IFC) 5-8.3; IFC 505 & Bellevue Fire
Department Development Standards
REVIEWER: Adrian Jones, Fire Department, (425) 452-6032

3. Tree Retention/Final Short Plat

Existing trees contribute substantially to the effectiveness and health of this system. The City of Bellevue urges the applicant to save as many trees as possible. The final short plat shall portray a minimum of 137 diameter inches of existing significant trees to remain, as proposed. 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* (recorded with King County). This Tree Preservation Plan must also contain the following note:

"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."

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: Sally Nichols, Planning and Community Development Department,
(425) 452-2727

D. PRIOR TO ISSUANCE OF SINGLE FAMILY BUILDING PERMIT:

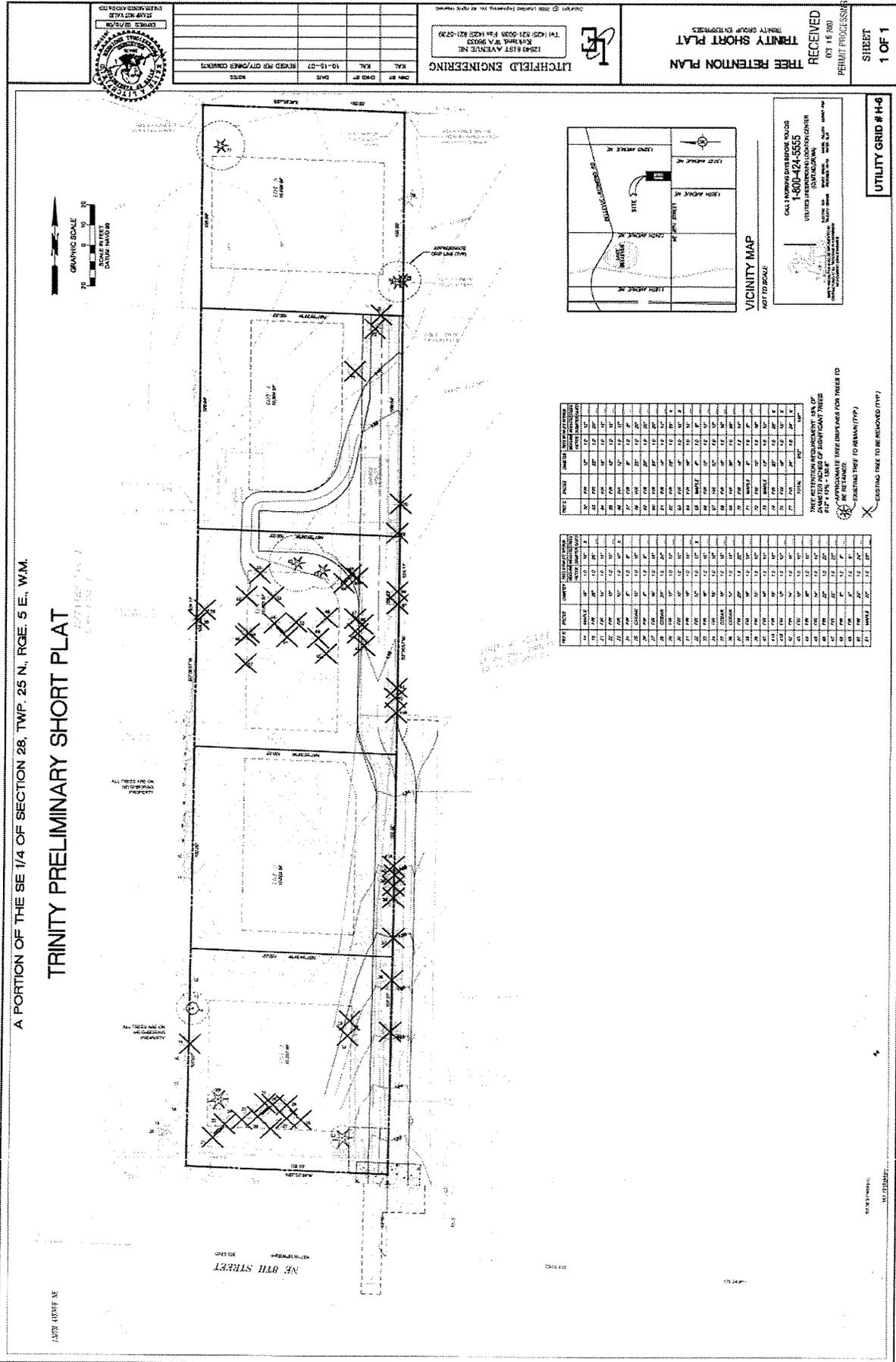
1. Transportation Impact Fee

The developer shall pay the Transportation Impact Fee prior to issuance of the final building permit. Impact Fee for this project is 402.67 per new home. This project is located in Impact Fee Area #8. Impact fees are subject to change, and therefore may increase at the time of building permit issuance. The developer will be responsible for the most current assessed fee.

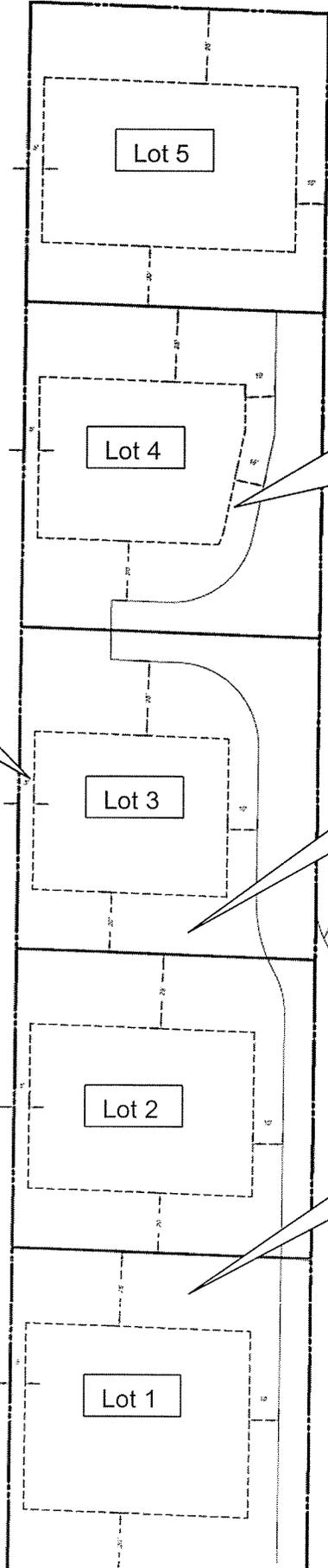
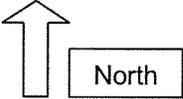
AUTHORITY: Bellevue City Code 22.16
REVIEWER: Ray Godinez, Transportation Department, (425) 452-7915

LIST OF ATTACHMENTS

- A. Preliminary Clearing, Grading, Utility & Road Plan
- B. Preliminary Profile and Road Section
- C. Tree Retention Plan
- D. Proposed Revised Setbacks



ATTACHMENT D: PROPOSED REVISED SETBACKS



Minimum 10 foot **side** setback from property line or private road along the eastern side of proposal property and each new lot

5 foot **side** setbacks along the western property line of proposal site and each new lot

20 foot **front** setbacks along southern property lines of each new lot

25 foot **rear** setbacks along northern property lines of each new lot