



**City of Bellevue  
Development Services Department  
Land Use Division Staff Report**

---

**Proposal Name:** Pham Short Plat Amendment

**Proposal Address:** 3531 and 3541 122<sup>nd</sup> Ave SE

**Proposal Description:** Application for a Short Plat Amendment to provide replacement trees for those trees removed that were required to be retained under the original Short Plat approval.

**File Number:** 16-134358-LF

**Applicant:** Thuong Pham

**Decisions Included:** Administrative Decision for a Modification to an approved Final Short Plat through Process II, Land Use Code 20.45B.240.

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

**Department Decision:**

**Approval with Conditions**

\_\_\_\_\_  
Carol L. Orr  
Development Services Department

Application Date: 6-6-2016  
Notice of Application: 8-11-2016  
Decision Publication Date: 10-20-2016  
Appeal Deadline: 11-3-2016

---

For information on how to appeal a proposal, visit Development Services 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**

Application for a Final Short Plat Amendment to revise the tree retention table of the recorded Final Short Plat. The two lot short plat was originally recorded in 2007. The applicant is proposing to replant 45 diameter inches of trees to replace those removed on site since the recording of the original short plat. Only one of the trees required to be retained on site remains at this time. The proposed tree replacement plan is adequate to mitigate for the diameter inches lost on site, and meets the intent of the Land Use Code for the original final short plat approval.

**II. Site Description and Context**

The existing lots are located off of 122<sup>nd</sup> Ave. SE, and are accessed directly from the Right of Way. Lot 2 also has access off of 120<sup>th</sup> Ave. SE via a narrow strip of land extending to that Right of Way. The surrounding area is zoned single family residential. The lot is bordered on the north and the south by single family residences. The residential community is designated as part of the Factoria Subarea of the Comprehensive Plan which consists mostly of single family residences with some multi-family located at the outer edge.

**III. Consistency with Land Use Code/Zoning**

The proposed short plat amendment will not have any affect on required Land Use Code dimensional requirements or density for the R-5 zoning district as applied to these lots.

**IV. Summary of Technical Reviews**

The Fire, Utilities, Transportation and Clear and Grade Departments have no concerns regarding this Administrative Amendment.

**V. Public Notice**

*Application Date:* June 6, 2016

*Public Notice (500 feet):* August 11, 2016 (Includes sign installation at the site)

*Minimum Comment Period:* August 25, 2016

Notice of Application was published in the City of Bellevue's *Weekly Permit Bulletin* and the *Seattle Times* on August 11, 2016. It was mailed to property owners within 500 feet of the project site and a Public Information Sign was installed on the project site on the same day. No comments were received from the public regarding this application.

**VI. Decision Criteria:**

**20.45B.240 Final short plat – Revision.**

**B. Short subdivisions may be revised in accordance with the following requirements:**

**1. All affected ownership interests within the originally recorded short subdivision must be a party to the revision application, or must express written agreement to the proposed revision, including written agreement to accept ownership of any property, or to transfer or convey ownership of any property, which may be necessary as a result of the revision.**

**Finding:** The applicant is the owner of both lots within this recorded short subdivision. As such, this application serves as written agreement of all affected ownership interests being party to the requested revision. No transfer of property is proposed or necessary.

**2. Any features contained in the original short subdivision which have been relied upon in subsequent land development or land use planning decisions and which are still applicable at the time of application shall be incorporated in the short subdivision revision, unless such features are provided by other legal means at the time of short subdivision revision.**

**Finding:** All features contained in the original final short plat approval, including the revised tree retention table, are required to be incorporated into the final short plat mylar which shall be titled Supplemental Declaration of Pham Short Plat. See Conditions of Approval in Section VIII.

**3. Procedures and requirements established by this chapter for preliminary short subdivision approval shall be applicable to revision requests. Revisions shall comply with applicable conditions and provisions of the original plat or short plat and shall not adversely affect access, easements, or any land use requirements as provided for in the laws of the City.**

**Finding:** The Pham Final Short Plat Amendment was processed per the requirements of LUC20.45B.080. The short plat amendment complies with all applicable conditions and provisions of the original short plat. The amendment to show the location of all replacement trees on both lots will not adversely affect access, easements, or any land use requirements. Land Use has reviewed the replacement trees for location, size and species. See Conditions of Approval in Section VIII.

**4. Approval of any revision shall be filed and recorded as a supplemental declaration of short subdivision which shall contain the adjusted legal description and shall be effective upon being recorded by the Department of Planning and Community Development with the King County Department of Records and Elections and upon receipt of proof of recording.**

**Finding:** The applicant is required to record a supplemental declaration of short subdivision containing the adjusted tree retention table as a condition of approval of this permit. See Conditions of Approval in section VIII.

**VII. Conclusion and Decision:**

After conducting the various administrative reviews associated with this proposal, including applicable Land Use consistency, City Code, and standard compliance reviews, the Development Services Director does hereby **approve** the Pham Final Short Plat Amendment with conditions.

**VIII. Conditions of Approval:**

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

**1. Incorporation of Features in Original Pham Short Plat**

All features contained in the original final short plat approval, in addition to the revised Tree Retention information, shall be incorporated into the amended final short plat mylar.

AUTHORITY: Land Use Code 20.45B.240  
REVIEWER: Carol L. Orr, Development Services Department

**2. Recording of the Supplemental Declaration of Pham Short Plat**

The applicant shall record the Supplemental Declaration of Pham Short Plat mylar with the King County Department of Records and Elections.

AUTHORITY: Land Use Code 20.45B.240  
REVIEWER: Carol L. Orr, Development Services Department

**3. Installation of Replacement Trees**

The applicant shall install all replacement trees, as shown on the Pham Short Plat Mylar prior to Final Building inspection for the home proposed on Lot 1, under permit # 15-126103-BS. Final Land Use approval of the building permit shall not be given until the replacement trees have been planted. Applicant shall call for a #600 Land Use Inspection to verify the placement and health of the replacement trees.

AUTHORITY: Land Use Code 20.20.900  
REVIEWER: Carol L. Orr, Development Services Department

**LIST OF ATTACHMENTS**

- A. Zoning Map
- B. Vicinity Map





- Floodplain Boundaries
- City Parks
- Parcels



**Applicant: Thuong Pham**  
 3554 120th Ave SE  
 Bellevue, Washington, 98006  
 425-829-7317 or tomcentralisland@gmail.com



# 16-134358-LF

## Pham Short Plat Amendment

### 3531 and 3541 122nd Ave SE

