



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

Proposal Name: Bartl Short Plat

Proposal Address: 3122 112th Ave SE and 3115 113th Ave SE

Proposal Description: The applicant is proposing a short subdivision to subdivide two, adjacent parcels totaling 43,278 square feet into four single-family residential parcels.

File Number: 12-123791-LN

Applicant: Ronald Bartl

Decisions Included: Preliminary Short Subdivision
(Process II. LUC 20.45B)

Planner: Heidi M. Bedwell, Senior Planner

**State Environmental Policy Act
Threshold Determination:** Exempt per WAC 197-11-800

Director's Decision: Approval with Conditions

Heidi M. Bedwell, Senior Planner
Development Services Department

Application Date: August 29, 2012
Notice of Application Publication Date: December 6, 2012
Decision Publication Date: September 19, 2013
Project Appeal Deadline: October 6, 2013

For information on how to appeal a proposal, visit Development Services Center at City Hall or call (425) 452-6800. Appeal of the Decision must be received in the City's Clerk's Office by 5 PM on the date noted for appeal of the decision.

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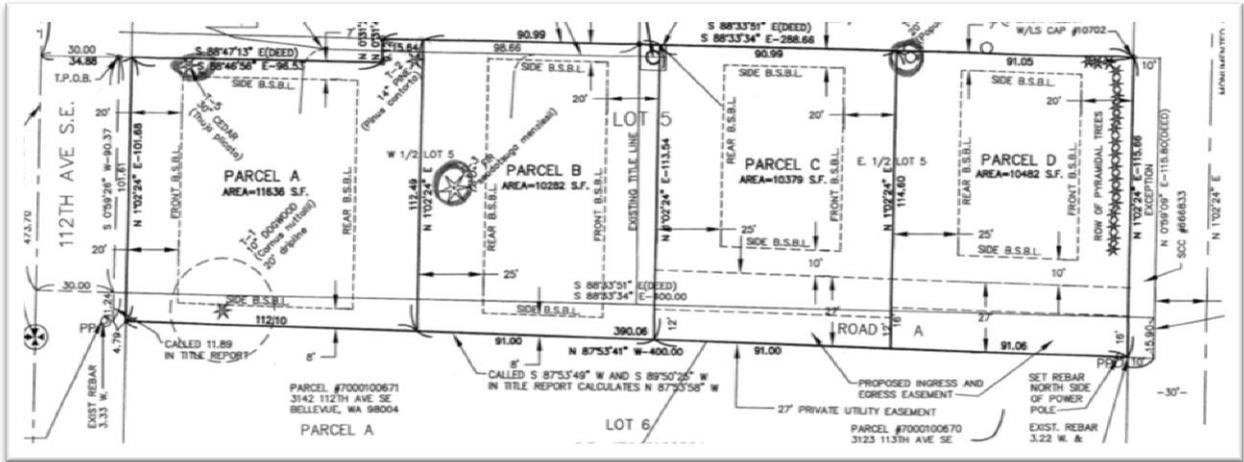
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Attachments

1. Preliminary Short Plat Plan - in file
2. Preliminary Grading Plan – in file
3. Preliminary Storm Drainage Plan – in file

I. Proposal Description

The applicant is proposing to subdivide two parcels totaling 43,278 square feet into four single-family residential parcels. Proposed lots range in size from 10,282 square feet to 11,636 square feet. Minimum lot area for the zoning district is 10,000 square feet. There is an existing single family residence on the site which is proposed to be removed.



Proposals for subdivision of land into nine or few lots is subject to the provisions in LUC 20.45B, short plats and subdivisions.

II. Site Description, Zoning, and Land Use Context

A. Site Description

The properties are located at 3122 112th Ave SE and 3115 113th Ave SE. (King County parcels # 7000100661 and 7000100660). Together they measure 43,278 square feet in size. The property is approximately 110 feet wide and 515 feet deep.



Figure 1: Property Map

The properties are adjacent to the public rights-of-way of both 112th Ave SE on the west and 113th Ave SE on the east. They abuts other single-family residential properties on both the north and south sides.

The western property is currently developed with a single-family residence on its western half. The eastern property is undeveloped with the exception of a some rockery retaining walls.

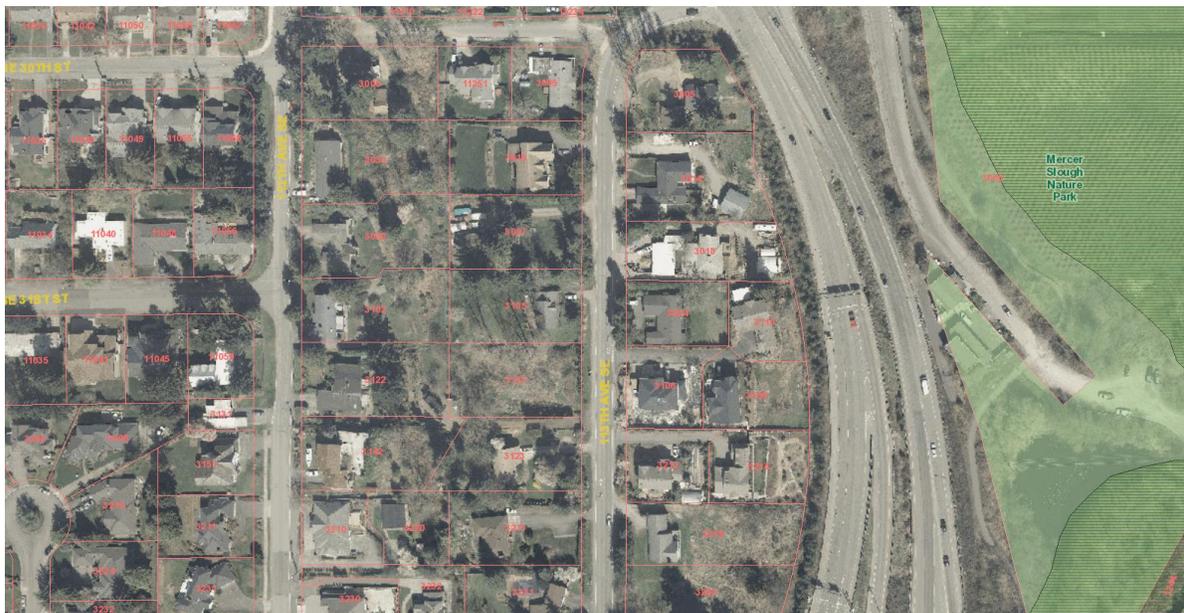
The site slope down from west to east, with some embankments approaching 40% in slope. The vegetation on the property is primarily suburban residential landscaping with some areas of rough-mown grasses. There are 5 significant trees on the property.

B. Zoning

The subject site is zoned R-3.5, a single family residential zoning district. Single-Family Residential Districts provide for residential areas of low to moderate densities (2.5, 3.5, 4, 5 and 7.5 dwellings per acre), and permit compatible, related activities.

C. Land Use Context

The land use context of the property is that of medium density single-family residential properties. The surrounding single-family properties are all situated on east facing slopes overlooking the south end of the Mercer Slough Nature Park. To the west is an area of slightly more dense, R-4 single-family residential land.



III. Consistency with Land Use Code Requirements:

A. Zoning District Dimensional Requirements LUC 20.20.010:

The site is located in the R-3.5 zoning district. The following table describes the applicable dimensional standards for the land use zoning district.

	Standard	Proposed				Complies?
		Parcel A	Parcel B	Parcel C	Parcel D	
Front Yard Structure Setback (feet)	20	20	20	20	20	Can comply with standard
Rear Yard Structure Setback (feet)	25	25	25	25	25	Can comply with standard
Side Yard Structure Setback (feet)	5	5	5	5	5	Can comply with standard
2 Side Yards Structure Setback (feet)	15	15	15	15	15	Can comply with standard
Minimum Lot Area (square feet)	10,000	12,134	10,283	10,379	10,482	Complies with standard
Maximum Lot Coverage Allowed	35%	35%	35%	35%	35%	Can comply with standard
Maximum Impervious Surface Allowed	50%	50%	50%	50%	50%	Can comply with standard
Width Required in Lot (feet)	70	90	112	113	114	Complies with standard
Depth Required in Lot (feet)	80	117	91	91	91	Complies with standard
Minimum Width of Street Frontage (feet)	30	90 provided	Accessed from easement	Accessed from easement	115 provided	Complies with standard

B. Tree Retention LUC 20.20.900

For subdivisions, short subdivisions, and planned unit developments, the applicant shall retain a minimum of 30 percent of the diameter inches of significant trees existing on the total site area of the development; provided, that alder and cottonwood trees' diameter inches shall be discounted by a factor of 0.5.

The property contains five significant trees, including one cottonwood. The total weighted diameter of trees is 107 inches. The applicant is required to retain a minimum of 30% of the diameter inches, or 32.1 diameter inches. The applicant is proposing to retain a total of 40 diameter inches. The proposal complies with the requirements for tree retention.

The trees identified for retention shall be included on a tree retention plan to be recorded with the final short plat. See Section X for condition of approval.

IV. Public Notice and Comment

Application Date:	August 29, 2012
Public Notice (500 feet):	December 6, 2012
Minimum Comment Period:	December 20, 2012

The Notice of Application for this project was published in the City of Bellevue weekly permit bulletin on December 6, 2012. It was mailed to property owners within 500 feet of the project site. No comments were received from the public as of the writing of this staff report.

V. State Environmental Policy Act (SEPA)

The proposal for a short subdivision is categorically exempt from SEPA Environmental Review in accordance with Bellevue's Environmental Procedures Code, BCC 22.02B and WAC 197-11-800.

VI. Summary of Technical Review

A. Utilities Department

The Utilities Department approval of the preliminary short plat application is based on the conceptual design only.

B. Transportation Department

The Transportation Department has reviewed the plans submitted for the preliminary short plat and recommends approval. The final engineering plans must show all transportation-related improvements and must be consistent with the Transportation Development Code (BCC 14.60) and the Transportation Department 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 home prior to building permit issuance 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.

Site Access

Lots 2 and 3 will access 113th Avenue SE via a joint use driveway (SE 32nd Lane). Lot 1 will access 113th Avenue SE directly via a private driveway connection. Lot 1 will retain its private driveway connection to 112th Avenue SE. No other access connection to city right-of-way is authorized.

The joint use driveway width will be a minimum of sixteen feet with Fire Department Approval and must be built per the applicable Transportation design standards.

Street names and site addresses will be determined by the City's Parcel and Address Coordinator and will be listed on the final short plat map for this development.

Street Frontage Improvements

Street frontage improvements for this project will consist of street name signing (for the joint use driveway), a driveway apron for lot 4 and mitigation for construction impacts to adjacent right of way. Prior to final short plat approval, the developer must complete all transportation related 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 frontage improvements. The final engineering plans showing those frontage improvements must be consistent with the Transportation Development Code (BCC 14.60) and the Transportation Department Design Manual prior to approval of the plat infrastructure (GE) permit.

Specific engineering requirements include: joint use driveway, single driveway, necessary mitigation for street cuts, disturbance to adjacent right of way, street name signing, mailbox cluster relocation and other minor improvements at the discretion of the Transportation Inspector to be determined during construction.

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.

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 113th Avenue SE is classified as an Overlay Required Street. Pavement restoration limits will be determined by the Transportation Inspector during the building permit phase of this project.

Sight Distance

The access design shall meet the sight distance requirements of BCC 14.60.240. Vegetation shall be trimmed as needed within the sight triangle.

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. Due to the low amount of new trips generated by the Bartl Short Plat and the adequate capacity of the adjacent street system transportation impacts from this development will be negligible.

C. Fire Department

Demolition and construction shall conform to the requirements of International Fire Code Chapter 14

The short plat itself does not require any lots to be sprinklered however a Fire Sprinkler determination will be made on a lot by lot basis when residential building permits are submitted.

VII. Changes to proposal as a result of city review

No significant changes have been made to the applicant's proposal to subdivide the two parcels into four parcels.

VIII. Decision Criteria

A. Preliminary Short Plat Decision Criteria 20.45B.130.A

The Director may approve or approve with modifications if:

1. The preliminary short plat makes appropriate provision 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; and

Finding: City codes ensure public health, safety and general welfare through development code requirements. Project review by all review divisions has found the project to be in compliance with City codes and the project approval includes specific conditions to ensure standards are met.

2. The public interest is served by the short subdivision; and

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; and

Finding: The preliminary short plat considers the physical characteristics of the site and configuration of the original lots by providing access to the lots by a driveway that traverses across Parcels C and D.

4. The proposal complies with all applicable provisions of the Land Use Code, BCC Title 20, the Utility Codes, BCC Title 24, and the City of Bellevue Development Standards; and

Finding: As discussed in Section III of this report, the proposal complies with the Land Use Code requirements for R-3.5 zoning district. The proposal has also been

reviewed and determined to be in compliance with the Bellevue Utilities Code and the Bellevue Transportation Development Standards.

5. The proposal is in accord with the Comprehensive Plan, BCC Title 21; and

Finding: The site is located within the Southwest Bellevue Subarea of the Comprehensive Plan. The Comprehensive Plan specifies single-family medium density development for this area of the city. The proposal complies with applicable Comprehensive Plan policies city-wide and for this Subarea:

Single family homes are, by use type, compatible with the surrounding neighborhoods. This 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 preserve existing vegetation on-site (EN-19), maintain good surface water quality (EN-33), restrict surface water runoff to predevelopment levels (EN-39), and provide traffic mitigation (TR-37).

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

6. Each lot in the proposal can reasonably be developed in conformance with current Land Use Code requirements without requiring a variance; however requests for modification to the requirements of Part 20.25H LUC, where allowed under the provision of that part, may be considered together with an application for preliminary short plat so long as the resulting lots may each be developed without individually requiring a variance; and

Finding: No lot in the proposed subdivision will require a variance to be reasonably developed with a single family residence.

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

Finding: As discussed in Section III of this report, the proposal complies with all other applicable requirements of the Land Use Code.

IX. Conclusion and Decision

After conducting the various administrative reviews associated with this proposal, including Land Use Code consistency, SEPA, City Code and Standard compliance reviews, the Director of Planning and Community Development does hereby **approve with conditions** the proposal to subdivide two parcels into four single-family

residential properties.

Note- Expiration of Approval: In accordance with LUC 20.45B.150 a preliminary short plat approval expires and is void if the applicant fails to file for approval of the final short plat within one year of the effective date of the preliminary short plat, unless an extension has been granted or a greater time frame has been provided.

X. Conditions of Approval

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

<u>Applicable Ordinances</u>	<u>Contact Person</u>
Clearing and Grading Code- BCC 23.76	Janney Gwo, 425-452-6190
Land Use Code- BCC Title 20	Heidi M. Bedwell, 425-452-4862
Noise Control- BCC 9.18	Heidi M. Bedwell, 425-452-4862
Transportation Code- BCC 14.60	Ray Godinez, 425-452-7915
Utilities Code- BCC Title 24.02, 24.04, 24.06	Brad Ayers (425) 452-6054
Fire Code- BCC 23.11	Kevin Carolan, 425

The following conditions are imposed under the Bellevue City Code authority referenced:

A. GENERAL CONDITIONS

1. **UTILITIES CONCEPTUAL DESIGN:** The Utilities Department approval of the preliminary short plat application is based on the conceptual design only. Final engineering may require changes to the site layout to accommodate the utilities.

AUTHORITY: BCC Title 24.02, 24.04, 24.06
REVIEWER: Brad Ayers (425) 452-6054

2. The water, sewer, and storm drainage systems shall be designed per the current City of Bellevue Utility Codes and Utility Engineering Standards. Utilities Department design review, plan approval, and field inspection of the water, sewer and storm drainage systems will be conducted under separate UC (water), UA (sewer) and UE (storm drainage) permit applications.

AUTHORITY: BCC Title 24.02, 24.04, 24.06
REVIEWER: Brad Ayers, (425) 452-6054

3. **TREE PROTECTION:** In order to comply with the tree retention standards and preserve the Pacific Northwest character of the neighborhood, a minimum of 30% of the weighted diameter inches on the two parcels shall be shown on clearing and grading plans and protected from disturbance in accordance with the clearing and

grading development standards. These trees shall also be identified on the final plat as "Retention Trees" to be preserved.

AUTHORITY: Land Use Code 20.20.900 and Bellevue City Code 23.76

REVIEWER: Heidi M. Bedwell, Land Use

4. RAINY SEASON RESTRICTION: To control erosion and sedimentation, no clearing and grading activity may occur during the rainy season, which is defined as October 1 through April 30 without written authorization of the Development Services Department. Should approval be granted for work during the rainy season, increased erosion and sedimentation measures, representing the best available technology must be implemented prior to beginning or resuming site work.

AUTHORITY: Bellevue City Code 23.76.093.A,

REVIEWER: Janney Gwo, Clearing and Grading

5. NOISE CONTROL: Noise related to construction is exempt from the provisions of BCC 9.18 between the hours of 7 am to 6 pm Monday through Friday and 9 am to 6 pm on Saturdays, except for Federal holidays and as further defined by the Bellevue City Code. Noise emanating from construction is prohibited on Sundays or legal holidays unless expanded hours of operation are specifically authorized in advance. Requests for construction hour extension must be done in advance with submittal of a construction noise expanded exempt hours permit.

AUTHORITY: Bellevue City Code 9.18

REVIEWER: Heidi M. Bedwell, Land Use

6. TIME LIMITATION : This preliminary short plat approval automatically expires and is void if the applicant does not file a complete final short plat application within one (1) year of the effective date of the preliminary short plat approval. However, the applicant may apply for an extension of the preliminary short plat pursuant to the provisions of Land Use Code Section 20.45B.160.

AUTHORITY: Land Use Code, Section 20.45b.150; 20.45b.160

REVIEWER: Heidi M. Bedwell, Land Use

B. PRIOR TO ISSUANCE OF ANY PLAT ENGINEERING/CLEAR AND GRADE PERMIT:

1. RIGHT OF WAY USE PERMIT

The applicant is required to apply for a Right of Way Use Permit 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 limits.

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: Tim Stever, Transportation Department (425) 452-4294

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: Tim Stever, Transportation Department (425) 452-4294

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 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 engineering plans must correctly show all transportation-related engineering details, including but not limited to, the design of the joint use driveway, all access connections to 113th Avenue SE, pavement restoration on 113th Avenue SE, new mailbox location, and sight distance. Appropriate standard drawings from the Transportation Department Design Manual must be included in the engineering plans.

Specific requirements are detailed below:

a) Site Specific Items:

- i) Joint Use Driveway (pavement / subgrade depths, street name signing, guard rails, etc.)
- ii) Private driveway connection for lot 4 (per DEV-7B).
- iii) New Mailbox Box Location.
- iv) Pavement restoration on 113th Avenue SE.
- v) Power pole and other utility relocation (if needed).

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 cross grade of a street at the street end shall be 8%.
- Vehicle and pedestrian sight distance must be provided per BCC 14.60.240 and 14.60.241.

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 113th Avenue SE 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 113th Avenue SE will require a full grind and overlay trench restoration for any utility connections or other digging in the street surface. Trench restoration must meet the requirements of Section 21 of the Design Manual and standard drawings ROW-1 through ROW-5. Exact copies of the appropriate trench restoration drawing(s) must be included in the final engineering plans.

AUTHORITY: Bellevue City Code 14.60.250 and Design Manual Design Standard #21
REVIEWER: Tim Stever, Transportation Department (425) 452-4294

**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. Completion of the top lift and all other transportation infrastructure items prior to completion of the homes associated with the development is allowed.

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. Partial reductions of the financial assurance device will not be approved except in special circumstances, determined in advance, such as phased projects.

Improvements must be approved by the Transportation Department inspector before they are deemed complete. At completion of all transportation infrastructure items, the developer must provide a one year maintenance assurance device equivalent to 20% of the value of the transportation infrastructure improvements, dating from the acceptance of the improvements.

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- 5, 7, 11, 14, 19
REVIEWER: Ray Godinez, Transportation Department (425-452-7915)

2. ACCESS DESIGN AND MAINTENANCE

The final Subdivision map must include a note that specifies that the owners of lots served by the joint use driveway are jointly responsible for maintenance and repair of the private joint use driveway. Also, the final Subdivision map must include a note that specifies that the private joint use driveway will remain open at all times for emergency and public service vehicles and shall not be gated or obstructed.

AUTHORITY: BCC 14.60.130
REVIEWER: Ray Godinez, Transportation Department (425-452-7915)

3. VARIANCE / MODIFICATION RESTRICTION: Approval by the City of this short plat is a determination that each lot in the short plat can be reasonably developed in conformance with the Land Use Code requirements in effect at the time of preliminary short plat approval without requiring a variance.

AUTHORITY: Land Use Code 20.45B.130.A.6
REVIEWER: Heidi M. Bedwell, Land Use