



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

Proposal Name: Palmer Preliminary Short Plat

Proposal Address: 15330 SE 22nd Street

Proposal Description: To short plat one residential lot (14,640 square feet) into two residential lots (7832 square feet and 6808 square feet) within the R-5 zoning district.

File Number: 12-124733-LN

Applicant: Doug Palmer

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

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

Department Decision: Approval with Conditions

Carol Hamlin

Carol Hamlin, Senior Planner
Development Services Department

Notice of Application: 11/01/12
Minimum Comment Period: 11/15/12
Decision Publication Date: 04/25/13
Appeal Deadline: 05/09/13

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 p.m. on the date noted for appeal of the decision.

I. DESCRIPTION OF PROPOSASL

The applicant is proposing to short plat one residential lot (14,640 square feet) into two residential lots (7832 square feet and 6808 square feet) within the single family R-5 zoning district. The project is exempt from environmental review (no critical areas). There is an existing house on the property that will be demolished prior to final short plat approval. Refer to Conditions of Approval regarding the Land Use Division in Section IX.

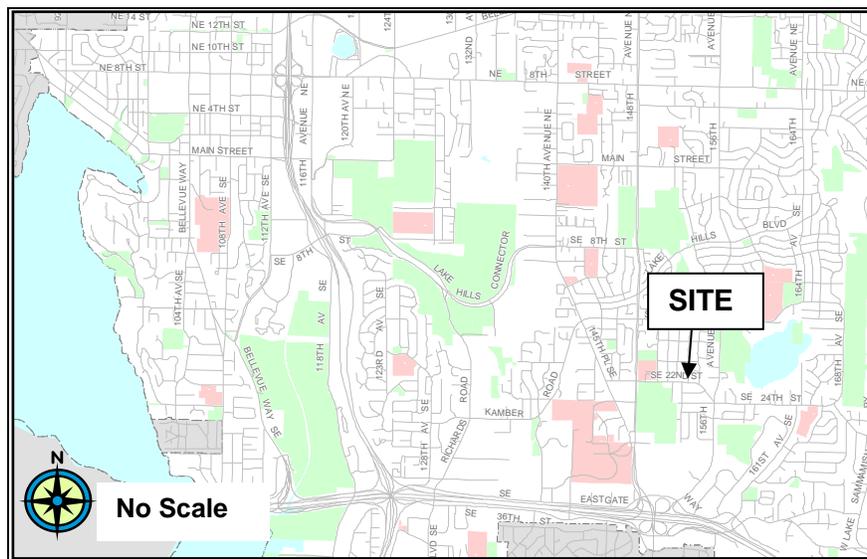
The two lots will gain access from an existing driveway, 153rd Lane SE, which will be constructed to city standards. Refer to Conditions of Approval regarding the Transportation Department in Section IX.

See Attachment A, Short Plat Drawings.

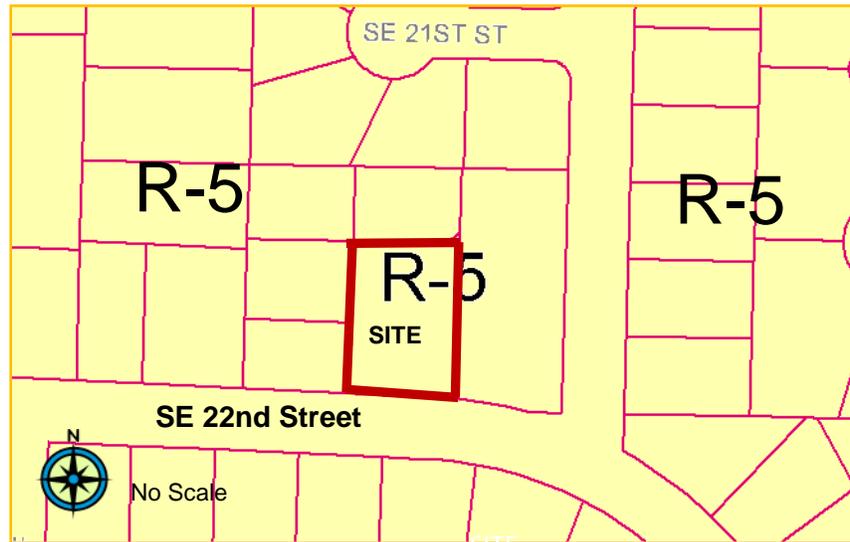
II. SITE DESCRIPTION AND CONTEXT

The site is located in the West Lake Hills neighborhood, about ½ mile southeast of Phantom Lake. The site is surrounded by single family homes to the north, south, east and west, all within the R-5 zoning district. See Vicinity Map, Zoning Map and Aerial Photograph below.

Vicinity Map



Zoning Map



Aerial Photograph



The site is generally flat with an elevation change of about 9 feet (under 5% slope) for the short plat property. There are no slopes exceeding 15% onsite. There are no critical areas onsite. The site contains 2 existing significant trees, 1 of which will be retained along the street frontage.

III. CONSISTENCY WITH LAND USE CODE/ZONING REQUIREMENTS

Consistency with Standard Land Use Code Requirements

Table 1
 Dimensional Requirements

| BASIC INFORMATION | | |
|--------------------------|--------------------|--|
| Zoning District | R-5 | |
| Gross Site Area | 14,640 square feet | |
| ITEM | REQ'D/ALLOWED | PROPOSED |
| Minimum Lot Area | 7,200 Square Feet | The applicant is using the lot averaging provision per LUC 20.20.017: Lot 1: 7,832 Square Feet Lot 2: 6,808 Square Feet As proposed, the application meets the provisions of LUC 20.20.017: 7,200 square feet minus 720 square feet (10% reduction) = 6,480 square feet minimum. The smallest lot proposed is 6,808 square feet so meets this requirement. 7,200 square feet x 2 lots =14,400 square feet. The applicant has 14,640 square feet so the proposal meets the minimum square foot requirement. |
| Minimum Lot Width | 60 Feet | Lot 1: 77 Feet Lot 2: 67 Feet |
| Minimum Lot Depth | 80 Feet | Lot 1: 88 Feet Lot 2: 88 Feet |
| Minimum Street Frontage | 30 Feet | Lot 1: 30 Feet Lot 2: NA |
| Building Setbacks | | The existing house straddles the new property line. The house will need to be demolished prior to final short plat recording. <u>Refer to Conditions of Approval regarding the Land Use Division in Section IX.</u> |
| Front Yard | 20 Feet | Not to exceed with future homes (separate from this short plat action): 20 Feet 20 Feet 5 Feet 15 Feet 10 Feet Setback designations shall be portrayed on face of the short plat. <u>Refer to Conditions of Approval regarding the Land Use Division in Section IX.</u> |
| Rear Yard | 20 Feet | |
| Min. Side Yard | 5 Feet | |
| 2 Side Yards | 15 Feet | |
| Access Easement | 10 Feet | |

| | | |
|---------------------------|---|---|
| Lot Coverage | 40% | Not to exceed 40% with future homes (separate from this short plat action): |
| Impervious Surface | 55% | Not to exceed 55% with future homes (separate from this short plat action): |
| Tree Retention | 30% or 23 Diameter Inches out of a total of 76 Diameter Inches of Significant Trees Onsite. <u>Refer to Conditions of Approval regarding the Land Use Division in Section IX.</u> | 50% or 38 Diameter Inches |

IV. STATE ENVIRONMENTAL POLICY ACT (SEPA)

This project does not require review under SEPA. Short Plats not containing Critical Areas are exempt from SEPA review pursuant to WAC 197-11-800(6)(a), BCC 22.02.032.

V. SUMMARY OF TECHNICAL REVIEWS

A. Clear/Grade Review

The plans and materials submitted for the project are sufficient for the Clearing and Grading section to approve the Design Review. Technical review will occur through the Clearing and Grading Permit.

B. Utilities Review

The City has adequate capacity for providing water, sanitary sewer and storm drainage service for this proposal. The Utility Department approval of the preliminary short plat application is based on the conceptual utility design only. This conceptual review of the proposal has no implied approvals of the engineering design and specifications. Changes to the site layout shall be required to accommodate all water, sewer and storm drainage design review, plan approval and field inspection shall be performed under a separate utility permit process.

Refer to Conditions of Approval regarding the Utilities Department in Section IX.

C. Fire Department Review

The Fire Department has reviewed the proposal and has recommended a condition of approval that the access road shall be posted and marked "Fire Lane-No Parking" per the Bellevue Fire Department Standards.

Refer to Conditions of Approval regarding the Fire Department in Section IX.

D. Transportation Department Review

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

Access to Lots 1 and 2 will be from a joint use driveway connecting to SE 22nd Street. The joint use driveway will run along the eastern property lines in a north-south direction. Required minimum paved width is 16 feet set within a 20 foot access easement (where applicable). The 16 foot paved width of the joint use driveway must be maintained to northern property line of lot 2. No other access connection to city right-of-way is authorized.

The joint use driveway will connect to SE 22nd Street via a driveway approach per Transportation Design Manual drawing DEV-7A. Required subgrade and asphalt thickness for the joint use driveway must be as specified in Transportation Design Manual DEV-8.

The joint use driveway will be named 153rd Lane SE. Lots 1 and 2 of the Palmer Short Plat (12 124733 LN) will all be addressed off of 153rd Lane SE. The new addresses for the Palmer Short Plat (12 124733 LN) are:

Lot 1: 2189 153rd Lane SE
Lot 2: 2147 153rd Lane SE

Street Frontage Improvements

Existing street frontage improvements adjacent to the project site have been found to be in satisfactory condition. Therefore no additional street frontage improvements will be required other than what is necessary to provide access to the new lots and restoration of city infrastructure impacted by construction activity related to this application.

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, Grind and Overlay Required, and Standard Trench Restoration. Each category has different trench restoration requirements associated with it. Adjacent to the development site SE 22nd Street is classified as a "Grind and Overlay" required street. Limits of restoration will be specified by the Transportation Inspector at the time of construction for this short plat.

Sight Distance

The access design shall meet the sight distance requirements of BCC 14.60.240.

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 low volumes of background traffic of SE 22nd Street, minimal new trip generation from this short plat (1 new pm peak hour trip), good sight distance at the connection to SE 22nd Street and low accident history in the vicinity of the development, anticipated traffic impacts will be negligible.

Refer to Conditions of Approval regarding the Transportation Department in Section IX.

VI. PUBLIC COMMENT

Notice of Application was published in the City of Bellevue's *Land Use Bulletin* and the *Seattle Times* on November 1, 2012. The notice was mailed to property owners within 500 feet of the project site and a Public Information Signs was installed on the project site on the same day.

One neighbor, Martha Morrissey, contacted the city regarding the driveway access and asked if the house would be demolished. City staff reviewed the concerns with her.

The project was presented to the East Bellevue Community Council (EBCC) at a meeting on January 2, 2013 under "Department Reports." There was general discussion from the EBCC members. The applicant was unable to attend this meeting to hear neighbor concerns in person.

As of the writing of this staff report, no further comments, emails or letters have been received regarding this application.

VII. DECISION CRITERIA

Land Use Code Section 20.45B.130B Decision Criteria for a Preliminary Short Plat:

The Director may approve or approve with modifications an application for a Preliminary Short Plat if:

1. **The Preliminary Short Plat makes appropriate provisions for, but not limited to, the public health, safety and general welfare, for open spaces, drainage ways, streets, sidewalks, alleys, other public ways, water supplies, sanitary waste.**

Finding: City codes ensure public health, safety and general welfare through development code requirements. Both lots will be accessed via one improved driveway, as approved by the Transportation Department. Existing utilities have been deemed adequate to serve the proposed development, with required connections and permits by the Utilities Department.

2. **The public interest is served by the short subdivision.**

Finding: The public interest is served by providing additional housing opportunities where urban level services already exist 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 along the street frontage which will continue the wooded character of the neighborhood.

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

Development Standards

Finding: As conditioned, the proposal complies with the Land Use Code requirements for the R-5 zoning district, the Utility Code and the City of Bellevue Development Standards.

Land Use Code Requirements

A. Dimensional Requirements: Refer to Section III. for dimensional requirements.

Finding: As conditioned, all of the lots can be developed in accordance with the City of Bellevue Land Use Code requirements including the R-5 dimensional requirements.

B. Significant Tree Preservation: Tree preservation requirements pursuant to LUC Section 20.20.900.D require the retention of a minimum of 30% of the diameter inches of significant trees on the site. In order to meet the 30% minimum retention requirement, the project must retain a minimum of 23 diameter inches of significant trees.

Finding: The applicant proposes to preserve a total of 38 diameter inches or 50% of the significant trees onsite. This meets and exceeds the minimum 30% of diameter inches of significant tree retention requirements. Refer to Conditions of Approval regarding the Land Use Division in Section IX.

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

Finding: The site is located within the Southeast Bellevue Subarea. The Comprehensive Plan specifies Single-Family High Density development for this property which is consistent with the R-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 single family 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 a healthy significant existing tree on-site (which meets the tree retention requirements).

6. **Each lot in the proposal can reasonably be developed in conformance with current Land Use Code requirements without requiring a variance.**

Finding: As conditioned, each lot can reasonably be developed to current R-5 zoning standards without requiring a variance. Refer to Conditions of Approval regarding the Land Use Division Section IX.

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, necessary sidewalk easements and other required improvements are existing, planned or conditioned as part of this approval to accommodate the use of these lots.

VIII. Conclusion and Decision:

After conducting the various administrative reviews associated with this proposal, including applicable Land Use consistency, City Code, and standard compliance reviews, the Director of the Development Services Department does hereby **approve** the Palmer 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:

A. GENERAL CONDITIONS:

1. UTILITIES DEPARTMENT

Utilities Department approval is based on the preliminary utility design only. Final civil engineering of the utility design shall 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 Department design review, plan approval, and field inspection is performed under a separate utility permit process.

AUTHORITY: Bellevue City Code 24.02, 24.04, 24.06
REVIEWER: Brad Ayers, 425-6054

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.

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

The Transportation Department will not require engineering plans for this short plat due to the limited scope of transportation improvements required. Construction of the joint use driveway (including driveway approach) and other transportation improvements will

be regulated with building (BS) and ROW Use (TG) permits. Transportation improvements include:

- a) Joint use driveway with a paved width of 16 feet. Subgrade and asphalt thickness per DEV-8.
- b) Street signing (including installation) to identify the joint use driveway as 153rd Lane SE per Transportation Design Manual drawings TE-23B and TE-22B.

Additional design criteria for access:

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. Maximum joint use driveway grade set at 15%.

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; and Transportation Department Design Manual Standard Drawings DEV-7A and DEV-8.
REVIEWER: Ray Godinez, Transportation Department (425) 452-7915

4. PAVEMENT RESTORATION

The city's pavement manager has determined that SE 22nd Street adjacent to the project site 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 building and right of way use permit plans.

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

5. ACCESS DESIGN AND MAINTENANCE

The final subdivision map must include a note that specifies that the owners of all lots served by the joint use driveway are responsible in equal share for maintenance and repair responsibilities of the joint use driveway. Also, the final Subdivision map must include a note that specifies that the 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

6. PIPE MONUMENTS

Permanent pipe monuments shall be set along the street centerline at all intersections, curve tangent points, and cul-de-sac radius points. Said pipe monuments shall be a Bertsen A130 Aluminum Standard Monument (30" long), or equivalent, together with standard iron casting case and cover. These materials and specifications are shown in City of Bellevue Standard Drawing DEV-12 (Cap Detail B).

AUTHORITY: LUC 20.45A.030; RCW 58.17.240

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

C. PRIOR TO FINAL SHORT PLAT APPROVAL:

1. TREE RETENTION

The final short plat shall portray a minimum of 23 diameter inches of existing significant trees to remain. A Tree Preservation Plan that portrays the drip-line, the diameter size, and common name of each significant tree to be retained must be recorded with the final short plat mylar. The 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."

An arborist report shall be provided to document the health of each tree to be saved. During plat engineering, the dripline of the trees to be saved shall be fenced to prevent clearing & grading activities within the dripline area.

AUTHORITY: Land Use Code 20.20.900.D

REVIEWER: Carol Hamlin, 425-452-2731

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: Carol Hamlin, 425-452-2731

3. SETBACK DESIGNATIONS

Setback designations shall be portrayed on the face of the short plat.

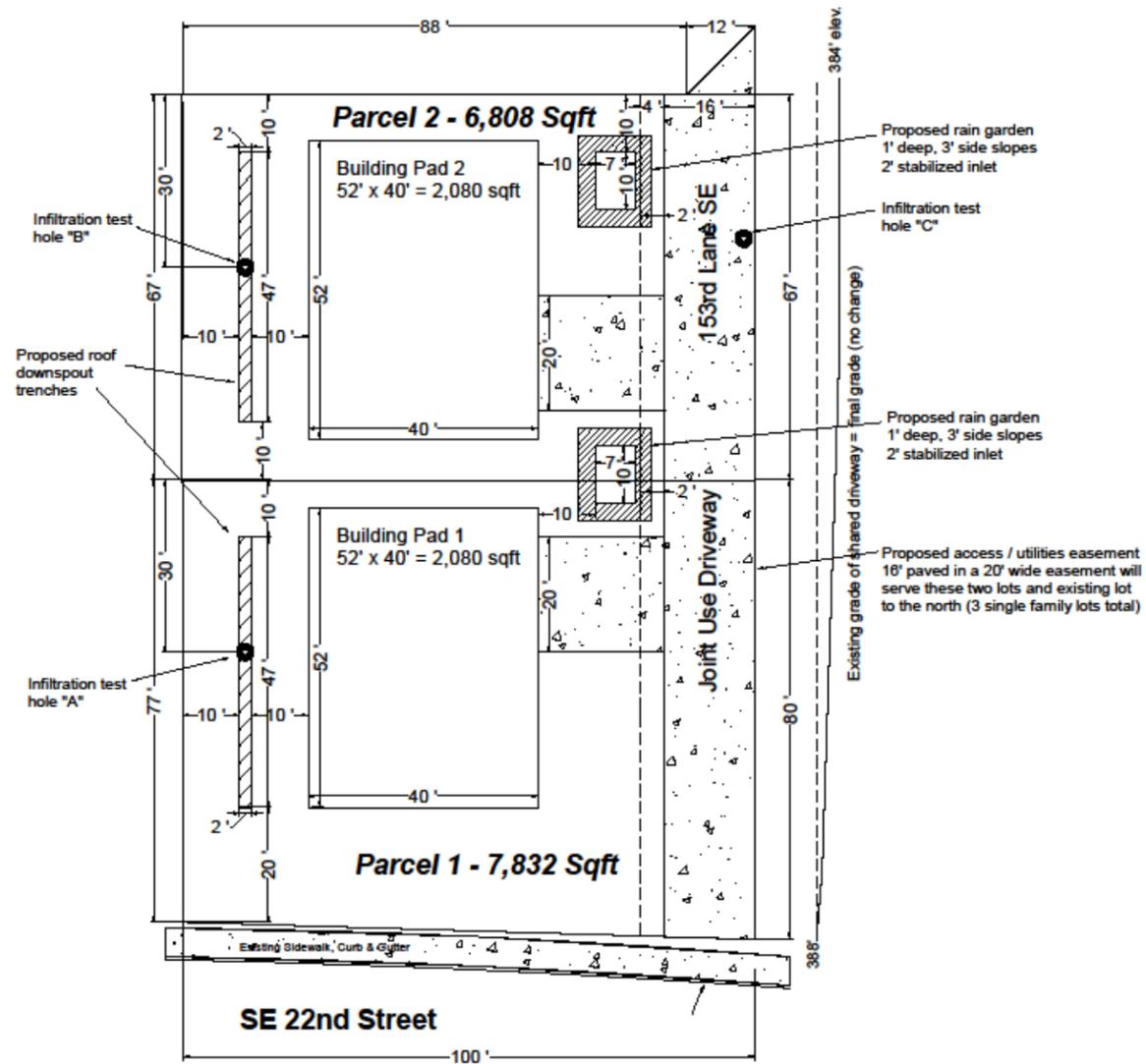
AUTHORITY: Land Use Code 20.20.010

REVIEWER: Carol Hamlin, 425-452-2731

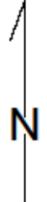
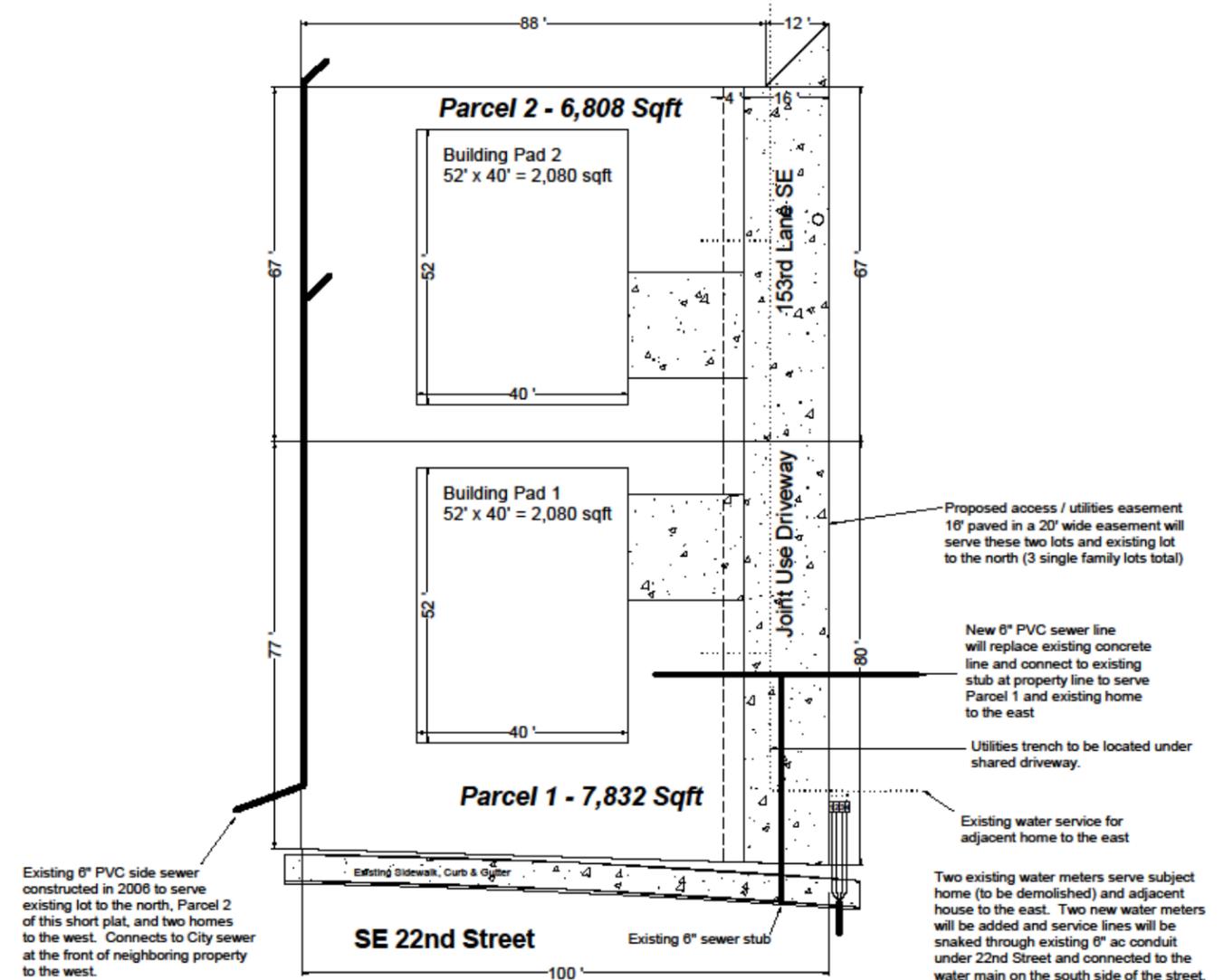
LIST OF ATTACHMENTS

Short Plat Drawings

Stormwater



Water and Sewer



PALMER PRELIMINARY SHORT PLAT

Project Address: 15330 SE 22nd Street

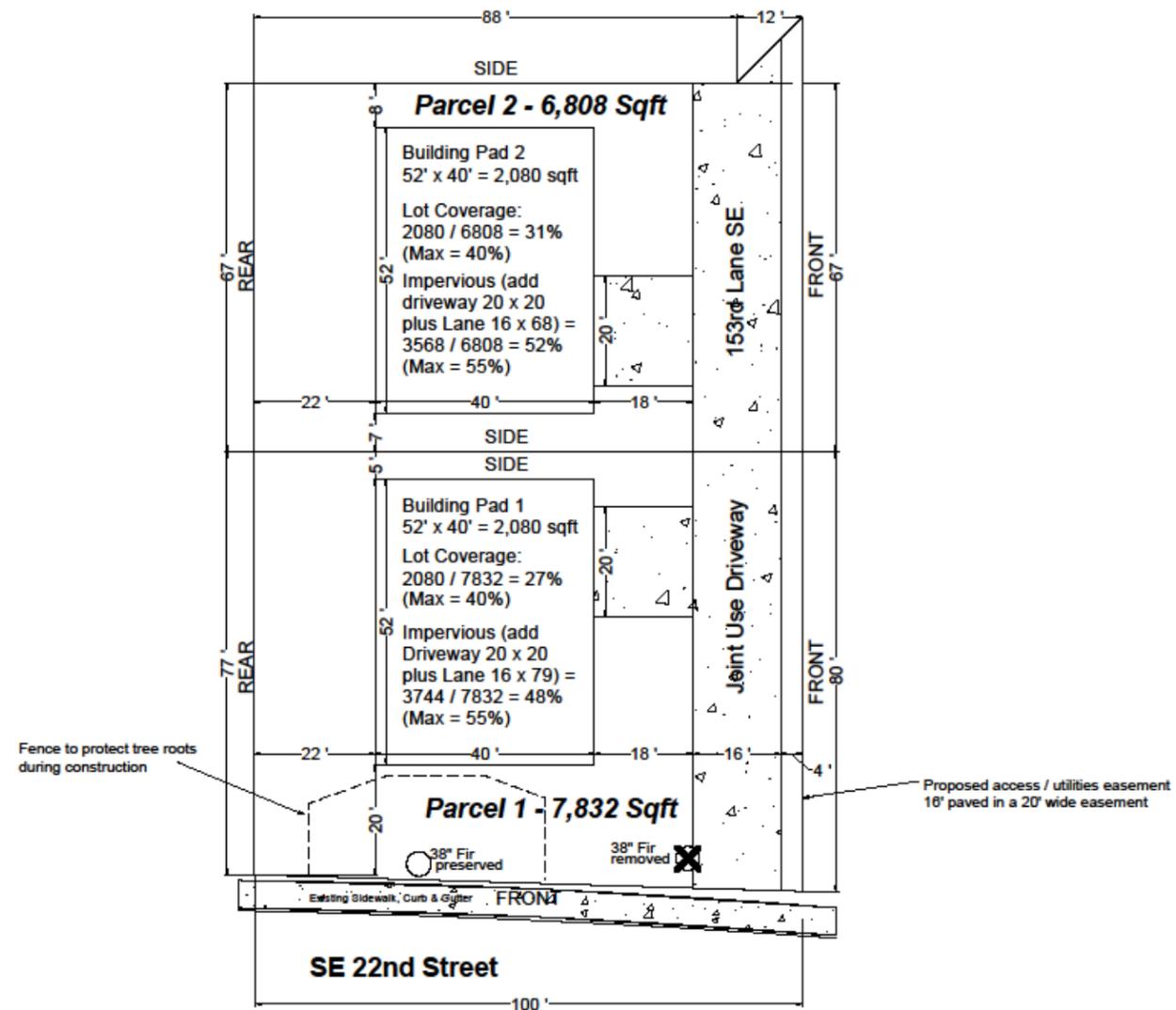
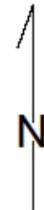
SITE PLAN - UTILITIES

Contact:
Doug Palmer
425-351-9181
dpe56@hotmail.com

Scale: 1" = 20'

Revision Date: 2/19/2013
Sheet No. 1 of 1

12-124733-LN



PALMER PRELIMINARY SHORT PLAT

Project Address: 15330 SE 22nd Street

SITE PLAN - LAND USE

Contact:
Doug Palmer
425-351-9181
dpe56@hotmail.com

Scale: 1" = 20'
Revision Date: 1/3/2013
Sheet No. 1 of 1

12-124733-LN

