



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

Proposal Name: **Coastline Preliminary Short Plat**

Proposal Address: **16619 SE 43rd Street (KC Parcel # 1324059140)**

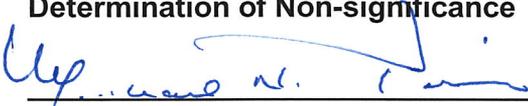
Proposal Description: The applicant requests Preliminary Short Plat approval to subdivide a 0.465-acre (20,777 square feet) parcel in three, single-family residential parcels. Application is vested to King County regulations in effect, March 7, 2012 under King County file # L12S0001.

File Number: **12-125046-LN**

Applicant: **John Mastandrea, Coastline Enterprises**

Decisions Included: Preliminary Short Plat
(Process II. LUC 20.45B & Interlocal Agreement Between the City of Bellevue and King County Relating to the South Bellevue Annexation, Effective June 1, 2012, Bellevue Clerk's Receiving No. 48794)

Planner: Kevin LeClair, Planner

**State Environmental Policy Act
Threshold Determination:** **Determination of Non-significance**


Carol V. Helland, Land Use Director
Development Services Department

Director's Decision: **Approval with Conditions**


For Carol V. Helland, Land Use Director
Development Services Department

Application Date: March 7, 2012 with King County
Notice of Application Publication Date: April 11, 2012 and April 18, 2012 by King County
Decision Publication Date: November 1, 2012 by City of Bellevue
Project/SEPA Appeal Deadline: November 15, 2012 with City of Bellevue

For information on how to appeal a proposal, visit Development Services Center at City Hall or call (425) 452-6800. Comments on State Environmental Policy Act (SEPA) Determinations can be made with or without appealing the proposal within the noted comment period for a SEPA Determination. 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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Attachments

1. King County Short Plat Staff Report and Recommendation
2. King County SEPA Threshold Determination Recommendation

I. Proposal Description

The applicant is proposing to subdivide a 0.465-acre (20,777 square feet) parcel into three, single-family residential parcels. The property is allowed two units under the base density calculation under the County's R-4 zoning designation. An additional dwelling unit was obtain through King County's Transfer of Development Rights (TDR) Program, KCC 21A.37. Application is vested to King County regulations in effect on March 7, 2012 under King County file # L12S0001 in accordance with RCW 58.17.

II. Consistency with Interlocal Annexation Agreement (Clerk's Receiving No. 48794):

At the time the application was filed with King County on March 7, 2012, the property was located in unincorporated King County. On June 1, 2012, the property was annexed into the City of Bellevue.

In accordance with the Interlocal Annexation Agreement between King County and City of Bellevue, land use permits filed with King County prior to the annexation effective date shall be reviewed by King County up to the point that King County is ready to make a final decision. King County shall then forward their recommendation to the City of Bellevue. King County forwarded their recommendation on the proposed subdivision on September 25, 2012.

The City of Bellevue has reviewed King County's attached recommendation and is issuing the final decision. Any subsequent appeals on this decision will be processed by the City of Bellevue Hearing Examiner.

III. Public Notice and Comment

Application Date:	March 7, 2012 with King County
Completeness Date:	March 29, 2012 by King County
Public Notice (500 feet):	April 11, 2012 and April 18, 2012 by King County

The Notice of Application for this project was publicly noticed by King County on April 11, 2012 in the Issaquah Press and April 18, 2012 in the Seattle Times. A Land Use Notification sign was also erected at the site.

Three comments were received from the public as of the writing of this report. The comments are included in the project file that was forward to the City by King County. The commenters are included as "parties of record" and will receive notice of the final decision.

All of the comment letters addressed the transfer of development rights on the subject property, resulting in the addition of a dwelling unit above the allowed base density of two units. The commenters all felt that the additional density would negatively impact the character of the neighborhood.

King County has provided an explanation in their recommendation that the site qualifies as a receiving site under King County's Transfer of Development Rights Program described in KCC 21A.37.

The comment letters also expressed concern over the loss of significant trees and the ability of the sloped site to handle the stormwater runoff following development single-

family residences.

The proposal will be required to submit a tree retention plan that complies with KCC 16.82.156.B.2 for review and approval prior approval of the final short plat.

The proposal was reviewed for compliance with the King County Surface Water Manual by King County's development review engineer. The proposed short plat will be required to demonstrate compliance with KCC Title 9 prior to approval of the final short plat.

IV. Summary of City of Bellevue Review

A. Clearing and Grading:

The Clearing and Grading Division of the Development Services Department has reviewed the proposed subdivision. The Clearing and Grading staff found no issues with the proposed subdivision.

B. Utilities

The Bellevue Utilities Department's Development Review Division has reviewed the King County's recommendation and the associated technical information relative to the project's compliance with King County's Codes and Standards. The Utilities Development Review made the following comments on the proposal.

The preliminary Storm Drainage Report (SDR) shall include the relocated driveway to the west and any required the frontage improvements. All new and/or replaced impervious areas associated with this project should be taken into account including tracts and easements. Only NGPA tracts are exempt. The project area is that portion of a property, properties, or right of way subject to land disturbing activities, new impervious surfaces, or replaced impervious surfaces.

The storm drainage easement or tract shall be identified as either private or public and shall also be identified as either an easement or a tract.

Prior to recording, clarification shall be provided on how the dispersion areas were sized and more detail will be required, such as cross section views, setbacks, O&M requirements.

The preliminary short plat 12-125046-LN indicates a new storm line under the sidewalk on SE 43rd Street. If the line is to be installed, more information is required, including cross section views, invert elevations, pipe specs call outs, etc.

C. Transportation

The Transportation Department's Development Review Division has reviewed the proposed subdivision. The Transportation Department found that a condition of approval (Condition H.2.a in King County's recommendation) to provide "urban frontage" improvements (curb, gutter and sidewalk) along SE 43rd Street was not consistent with Bellevue Transportation's foreseeable plans for this roadway. Therefore, the Transportation Department has modified this condition of approval. The Transportation Department found no other issues with the proposed development. See Conditions of Approval in Section VIII of this report.

V. State Environmental Policy Act (SEPA)

The environmental review indicates no probability of significant adverse environmental impacts occurring as a result of the proposal. The Environmental Checklist submitted with the application adequately discloses expected environmental impacts associated with the project. The King County codes and requirements, City codes and requirements, including the Clear and Grade Code, Utility Code, Land Use Code, Noise Ordinance, Building Code and other construction codes are expected to mitigate potential environmental impacts. Therefore, issuance of a Determination of Non-Significance (DNS) is the appropriate threshold determination under the State Environmental Policy Act (SEPA) requirements.

VI. Decision Criteria

The proposed three lot short plat is vested to the King County Code that was in place on March 7, 2012.

VII. Conclusion and Decision

After conducting the various administrative reviews associated with this proposal, including consistency with King County Code, Interlocal Annexation Agreement between King County and City of Bellevue, City Code and Standard compliance reviews, the Director of the Development Services Department does hereby **approve with conditions** the proposal to subdivide **KC Parcel # 1324059140** into three single-family parcels, a private access tract and a storm drainage tract.

Note- Expiration of Approval: In accordance with King County Land Segregation Code Title 19A.12.040, the approved preliminary short plat is valid for a period of 84-months. If the final short plat is not filed before such time, the preliminary approval shall expire and be void.

VIII. Conditions of Approval

This approval adopts by reference all but one of the conditions of approval contained within the attached preliminary short plat recommendation and SEPA threshold determination prepared by King County.

The City of Bellevue Transportation Department has reviewed the proposal and associated recommendation and conditions prepared by King County. King County required that the short plat provide "urban frontage" improvements on SE 43rd Street. Based on City of Bellevue Code Section 14.60.110.E.1, it is unlikely that adjacent frontage improvements will be constructed in the foreseeable future. Therefore, the Bellevue Transportation is modifying the King County requirement for frontage improvements for the Coastline Short Plat. The frontage improvements requirement for the Coastline Short Plat is hereby waived based on the City Code section cited above. The frontage will be restored per the required right-of-way use permit associated with the plat infrastructure.



King County

Department of Development and Environmental Services

900 Oakesdale Avenue Southwest
Renton, WA 98057-5212

206-296-6600 TTY: Relay 711

www.kingcounty.gov

September 19, 2012

Kevin LeClair
Development Services Department
City of Bellevue
450 – 110th Avenue Northeast
Bellevue, WA 98004

RE: Preliminary Approval for Short Subdivision Application L12S0001
Coastline Enterprises/John Mastandrea

Dear Mr. LeClair:

The King County Department of Development and Environmental Services (DDES) has completed its review of the above-noted, short subdivision application. DDES staff have determined the proposed short plat can comply with the King County Land Segregation Code (Title 19A), the King County Zoning Code (Title 21A), and other applicable land-use regulations.

Pursuant to the provisions of the interlocal agreement between the City and our department for the review of pending applications in the Bellevue annexation areas, DDES recommends this short subdivision application be granted preliminary approval, subject to conditions. Enclosed you will find the following documents:

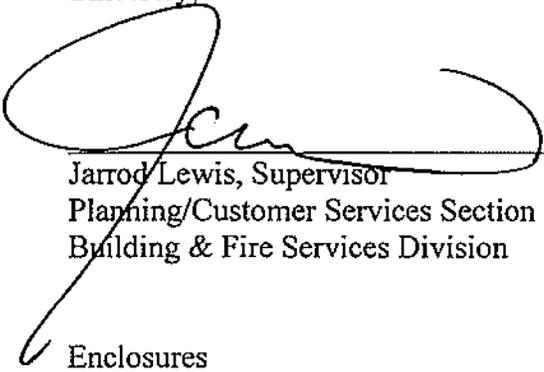
- Draft Report and Decision *
- Draft DNS SEPA Determination *
- Labels for Parties of Record and 500 foot radius list
- The official DDES file.

* *An electronic copy of both our draft report and draft SEPA determination will also be forwarded to the City.*

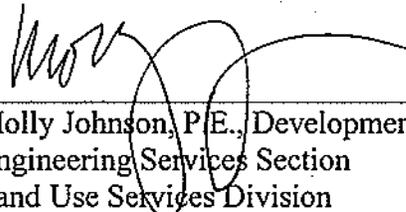
If you have any questions regarding this application, please contact either Lanny Henoch, Project Manager, at 206-296-6632 or by e-mail at lanny.henoch@kingcounty.gov, or Pat Simmons, Engineer II, at 206-296-6636 or by e-mail at pat.simmons@kingcounty.gov.

Following the completion of your review and the publication of your decision on the application, please forward a copy of the City's decision to Mr. Henoeh. In addition, following the close of the appeal period, please send confirmation as to whether any appeals of the City's decision were filed, and a copy of any subsequent appeal decision issued by the City.

Sincerely,



Jarrod Lewis, Supervisor
Planning/Customer Services Section
Building & Fire Services Division



Molly Johnson, P.E., Development Engineer
Engineering Services Section
Land Use Services Division

Enclosures

cc: Lanny Henoeh, PPM III, BFS, DDES
Pat Simmons, Engineer II, LUSD, DDES
John Mastandrea, Coastline Enterprises LLC, Applicant/Property Owner
Mark Plog P.E. PLS, MXP Consulting Inc.

DRAFT

**REPORT AND DECISION
SHORT SUBDIVISION FILE NO. L12S0001**

A. DESCRIPTION OF THE PROPOSED SHORT SUBDIVISION:

This is a proposal to subdivide 0.465 acres (20,277 square feet) into three lots for detached single-family dwellings in the R-4 zone. The proposed lot sizes range from 3,892 to 6,000 square feet, and the proposed density is approximately 6.45 dwelling units per acre. This proposal includes the transfer of development rights, as permitted by King County Code (KCC) 21A.37, to add one additional lot to the two lots permitted for this site under the Base Density provisions for the R-4 zone (KCC 21A.12.030). Refer to Attachment 1 of this report for a copy of the proposed short plat map.

It should be noted that the subject application was filed with King County on March 7, 2012, and at that time, the property was located in unincorporated King County. Subsequently, on June 1, 2012, the property was annexed into the City of Bellevue. Under state law, since the application vested prior to June 1, 2012, it is subject to King County regulations, rather than the City of Bellevue regulations. However, since the property now lies within the City, the City is the decision-maker on this application, not King County.

B. GENERAL INFORMATION:

Owner/Applicant: John Mastandrea
Coastline Enterprises LLC
11108 SE 61st Place
Bellevue, WA 98006

Engineer: Mark X. Plog, PE, PLS
MXP Consulting, Inc.
P.O. Box 1637
Issaquah, WA 98027

STR: Northwest ¼ of Sec. 13, Twp. 24, Range 5

Location: Lying on the south side of SE 43rd Street, approximately 100 feet west of the intersection of SE 43rd St./167th Ct. SE.

Zoning: R-4
Acreage: 0.465 acres (20,277 square feet)
Number of Lots: 3 lots
Density: 6.45 dwelling units per acre
Lot Sizes: Ranges from 3,892 to 6,000 square feet
Proposed Use: Detached single-family residences

Sewage Disposal: City of Bellevue
Water Supply: City of Bellevue
Fire District: King County Fire Protection District #10
School District: Issaquah School District #411
Complete Application (Vesting) Date: March 7, 2012

C. NATURAL ENVIRONMENT

1. Topography: The subject property contains moderately sloping terrain, with some areas of steep slopes on the western and southern portions of the property. The site declines in elevation to the north. Slopes range from approximately 23 to 59 percent. The steep areas are less than 20 feet in vertical relief.

2. Soils: AgD, Alderwood gravelly, sandy loam soils are found on this site, per the 1973 King County Soil Survey. Runoff is medium and the erosion hazard is severe. Per the Soil Survey, the slippage potential is moderate.

A geo-technical evaluation of the site was prepared by the applicant's consultant, Earth Solutions NW, at the request of the King County Department of Development and Environmental Services (DDES). The evaluation is dated June 17, 2012. It contained the following remarks and conclusions:

"Steep slopes are discontinuous throughout the site, with well defined 'breaks' in steep slope topography.

"Identified steep slopes throughout the site possess a vertical rise of greater than ten feet, but less than 20 feet..."

"Geologic Map of King County... identifies glacial till (Qvt) deposits throughout the site..."

"Based on the above, and review of overall site conditions, development of the short plat as proposed is feasible from a geotechnical standpoint. The glacial till (Alderwood) deposits exhibit good soil strength characteristics, and overall existing stability of the site is good. From our review, the residential development as proposed will not adversely impact the existing stability of the site... [T]hrough appropriate BMP management, erosion hazards can be managed or adequately mitigated. In this respect, based on our geotechnical assessment, steep slope buffers/setbacks for the proposed short plat can be eliminated."

A DDES staff geologist, Dr. Greg Wessel, has visited the site and reviewed the above-noted geotechnical evaluation. Dr. Wessel concurs with the conclusions contained in the Earth Solutions report, and recommends that engineering geotechnical review and approval be required for any development plans for the site.

3. Wetland/Streams: No hydrologic features were observed on this site at the time of the King County staff field investigation. The site lies within the West Lake Sammamish drainage sub-basin.
4. Vegetation: The subject property is moderately densely wooded with deciduous and coniferous trees. Native shrubs and blackberry vines, as well as some cleared areas, exist on the southern portion of the site.
5. Wildlife: Small birds and animals undoubtedly inhabit this site. Larger species may visit it on occasion, though probably infrequently. No threatened or endangered species are known to exist on or near the property.
6. Mapped Critical Areas: King County's Geographic Information System shows the site in Erosion Hazard and Steep Slope/Landslide Hazard areas.

D. SITE AND NEIGHBORHOOD CHARACTERISTICS

1. On-Site Improvements: The eastern edge of the subject property is developed with a 20-foot-wide concrete roadway in a 30-foot-wide easement, which currently serves two existing residences lying immediately south and southeast of the subject property (Tax Lots 132405-9141 and 132405-9142). An existing gravel driveway serving another residence to the south of the site (Tax Lot 132405-9054) encroaches onto the western margin of the subject property. The septic drainfield for this residence also lies on the western portion of the subject property, within a 40-foot-wide easement. This drainfield easement occupies the westerly 2/3 of proposed Lot 1 of the

subject short plat. The applicant has entered into an agreement with the owner of Tax Lot 132405-9054 to:

- re-locate the encroaching driveway,
- vacate the existing drainfield easement,
- abandon and de-commission the drainfield, and
- hook the residence on Tax Lot 132405-9054 to the public sewer system in SE 43rd St.

With the exception of the on-site improvements noted above, the subject property is undeveloped.

2. Neighborhood Characteristics: As noted above, the subject property lies within an area which was recently annexed into the City of Bellevue. Bellevue's zoning of this area (lying both north and south of SE 43rd St.) is R-3.5. This zone classification has a minimum lot size of 10,000 square feet, though lot size averaging is permitted.

The area along SE 43rd St. is substantially developed with single-family residences on lots generally ranging in size from 9,000 square feet to an acre. Some larger parcels also exist along SE 43rd St., approximately 1 ½ to 4 ½ acres in size, that have the potential to be subdivided under the R-3.5 zone classification. In addition to the subject application, there are two other pending short subdivision applications located along SE 43rd St. that are currently under review (L12S0002 and L11S0008). These two applications, if completed, will create 15 additional lots, that range in size from approximately 7,000 to 22,000 square feet.

E. ZONING CODE COMPLIANCE, DESIGN FEATURES, UTILITIES AND SERVICES

1. Comprehensive Plan, Zoning, Density and Lot Width: The King County Comprehensive Plan land-use designation for the site is "um" (Urban Residential 4 – 12 du/ac). The zoning of the site is R-4, and under the County's Base Density provisions, four dwelling units per acre are allowed in the R-4 zone classification (KCC 21A.12.030A).

The King County Zoning Code permits the Base Density to be exceeded in the County's urban zone classifications, including in the R-4 zone, to achieve what the code identifies as Maximum Density. Maximum Density can be achieved either through compliance with the Residential Density Incentives (RDI) of KCC 21A.34, or the Transfer Development Rights (TDR) provisions of KCC 21A.37. As noted above, the applicant is proposing to increase the density of the proposed short plat above the Base Density through a Development Rights transfer.

The applicant has purchased 0.5 Rural Development Rights. Per KCC 21A.37.040I, 0.5 Rural Development Rights are equivalent to one additional dwelling unit above the permitted Base Density for the subject property. The permitted Base Density for the site is 1.86 dwelling units (0.465 acres x 4 dwelling units per acre = 1.86 dwelling units). With the addition of one dwelling unit, the yield for the site becomes 2.86 dwelling units. Per KCC 21A.12.070, when a density calculation results in a fraction, 0.50 dwelling units or higher can be rounded up. Therefore, with the Transferred Development Right, 2.86 dwelling units allows the creation of three lots in the subject short plat application.

Regarding lot width, the three proposed lots of the subject short plat application meet the 30-foot lot width requirement of the King County Zoning Code (KCC 21A.37.030B and 21A.12.030).

2. Access/Roadway Section: The subject property is located on the south side of SE 43rd St., east of 164th Ave. SE. Southeast 43rd St. has been classified by DDES as an urban subcollector street, and has been developed with a 20

– 22 foot wide roadway and 1 – 2 foot wide gravel shoulders along the site's frontage. The road pavement for SE 43rd St. is located off-center, such that the crown of the existing roadway lies about 3 to 4 feet south of the right-of-way centerline.

The applicant's proposal is to provide urban frontage improvements on SE 43rd St., including curb, gutter and sidewalk improvements. The face of the curb will be placed 14 feet from the crown of the existing roadway. As noted above, the existing off-site driveway which encroaches on the western margin of the subject property will be relocated off-site to eliminate the encroachment. The westerly lot of the proposed short plat, Lot 1, will have direct access to SE 43rd St., while the two other proposed lots, Lots 2 and 3, will gain access to SE 43rd St. via the existing 20-foot-wide concrete roadway which crosses the eastern margin of the short plat.

The existing 20-foot-wide roadway complies with the King County road standards for a Private Access Tract, except that it has not been constructed with a driveway drop at its intersection with SE 43rd St. In the subject proposal, the 20-foot-wide roadway will be placed in a separate access/utility tract. The future owners of Lots 2 and 3 of the subject short plat will be responsible for the maintenance of the access tract. Maintenance may also be shared with the existing, two off-site parcels (Lots 3 and 4 of Short Plat 180055), which currently use this roadway for access.

3. Drainage: The proposed short plat lies in the Lake Sammamish drainage basin, and the site is considered to be in a forested condition. The site declines in elevation to the north to SE 43rd St., and surface water runoff sheet flows across site into the SE 43rd St. open-ditch and culvert drainage system. Thereafter, the runoff is conveyed approximately 250-300 feet to the east where it enters a catch basin, flows into a crosspipe under SE 43rd St., and then into the downstream drainage system. A small retention/detention system was constructed in the past for the existing, 20-foot-wide concrete roadway along the east margin of the site. This R/D system outlets into a catch basin that is part of the SE 43rd St. roadside drainage system.

The applicant's proposal is to limit the total impervious surface of the short plat (including future residences) to below the 10,000 square foot threshold identified in the King County Surface Water Design Manual, or alternatively, the site will comply with the Manual's limitation of no more than a 0.1 cfs increase of the 100 year flood exemption by providing small project dispersion BMP's on the site to control storm water runoff. Future building permits for each lot of the short plat must include a limit on the amount of impervious surface, and show the proposed BMP's for each lot. The permitted amount of impervious surface for each lot will be established prior to the recording of the short plat. Any stormwater runoff overflow will be directed toward the street drainage system.

4. Schools: This proposal has been reviewed under RCW 58.17.110 and King County Code 21A.28 (School Adequacy).
 - a. School Facilities: The lots of the proposed short plat will be served by - Sunset Elementary, Pacific Cascade Middle School and Issaquah High School, all located within Issaquah School District No. 411.
 - b. School Impact Fees: The Issaquah School District currently has an adopted, development impact fee for funding school system improvements. That fee is \$3,568.00 per single-family residence. Under County Code, that fee is collected at the time of issuance of a building permit for a residence on the proposed lots.
 - c. School Adequacy: The Bellevue School District has submitted a capital facilities plan to King County for review, and this plan has been approved by the King County Council. The plan evaluates the adequacy of school

facilities to serve projected development in the District, and includes the above-noted school impact fee to help fund the construction of needed facilities. Per KCC 21A.28.140, short subdivision applications are exempt from review under King County's adopted school concurrency standard.

- a. School Access: Per comments received from the Bellevue School District (9/12/12 phone conversation, Gail Morgan, Transportation Routing Coordinator), children from the proposed short plat will be bussed to all three schools noted above. The bus stop location for all the schools will be at the intersection of SE 43rd St./164th Ave. SE.

5. Utilities:

- a. Sewage Disposal: The applicant has proposed to serve the proposed short plat with a public sewer system managed by the City of Bellevue. The City has completed a Certificate of Sewer Availability, dated February 29, 2012, which indicates the City has the ability to serve the short plat.
- b. Water Supply: The applicant has proposed to serve the proposed short plat with a public water system managed by the City of Bellevue. The City has completed a Certificate of Water Availability, dated February 29, 2012, which indicates the City has the ability to serve the short plat.

6. Fire Protection: Based on the Certificate of Water Availability completed by the City of Bellevue, insufficient water is available to the site to meet the King County fire flow requirements (1,000 gpm for two hours or more). Building permits for future residences constructed on the proposed lots will be reviewed by the City. Thus, the City may require the installation of fire protection sprinkler systems in these residences.

7. Recreation: KCC 21A.14 requires short subdivisions of five or more lots in the "Urban" designated area to provide on-site recreation space. Since the proposed short plat is for three lots, it is exempt from this code requirement.

F. SEPA THRESHOLD DETERMINATION:

Pursuant to the State Environmental Policy Act (SEPA), RCW 43.21C, the responsible official of the City of Bellevue issued a threshold determination of non-significance (DNS) for the proposed development on _____. This determination was based on the review of the environmental checklist and supporting documentation filed with the application, which resulted in the conclusion that the proposal would not cause probable significant adverse impacts on the environment, provided the measures which appear below are conditions of the project.

G. FINDINGS/CONCLUSIONS:

The subject application will comply with the goals and objectives of the King County Comprehensive Plan, the requirements of the King County Subdivision and Zoning Codes, and other official land use controls of King County (i.e. the 2007 Road Design and Construction Standards, the Surface Water Design Manual, etc.), based upon the following conditions for final short plat approval.

H. DECISION:

Short Plat File No. L12S0001, received March 7, 2012 and depicted on Attachment 1 to this report, is GRANTED PRELIMINARY APPROVAL; subject to the following conditions of final approval:

1. **KCC Title 19A – Compliance with Final Short Subdivision Requirements**

- A. Compliance with all of the Land Segregation provisions of King County Code Title 19A.
- B. The final short subdivision recording documents must be prepared by a professional land surveyor, licensed in the State of Washington. These documents shall comply with the conditions of approval listed in this report/decision.
- C. The final review process must be completed prior to the recording of the short subdivision or the sale of any lots contained within. It is strongly recommended that the Final Short Plat review package be submitted to the City of Bellevue at least one year prior to the expiration date of the preliminary approval decision.
- D. All persons having an ownership interest in the subject property shall sign on the face of the final short subdivision.
- E. All utilities within proposed rights-of-way must be included within a franchise approved by the City of Bellevue, prior to final short plat recording.
- F. Prior to recording, KCC 19A.08.160 requires that the following site work be completed:
 - 1. Drainage best management practices (BMP's) facilities and erosion control measures which are consistent with KCC 9.04.090;
 - 2. Water mains and hydrants are installed (if required), and fire flow is available unless waived by the City of Bellevue;
 - 3. Grading as necessary so that all lots are accessible by passenger vehicle;
 - 4. Specific site improvements that are required by this decision to be completed prior to recording, or are required to remove any safety hazard as determined by the City.

2. **Access Requirements – KCC Title 14, 2007 King County Road Design and Construction Standards (KCRDCS)**

Roadway improvements are required to address access requirements and impacts to existing roads and right-of-way. The extent of improvements requires the submittal of engineering plan and profiles and appropriate review fees. Plans shall be prepared and stamped by a professional engineer licensed in the State of Washington, and shall contain the applicable elements outlined in KCRDCS and the 2009 Surface Water Design Manual (see Section 2.2.2). Please note that the applicant should submit the plans a minimum of one year prior to the preliminary approval expiration date.

All construction and upgrading of public and private roads shall comply with the following conditions and the 2007 KCRDCS, unless otherwise approved by the City of Bellevue.

- a. SE 43rd St. is classified as a urban subcollector street (KCRDCS 2.03). Urban frontage improvements (including curb, gutter and sidewalk) shall be constructed along the entire frontage of this short plat. Access from the short plat to SE 43rd Streets shall be limited to one lot. A note shall be placed on the face of the short plat to limit access.

- b. Lot 1 shall construct a single driveway from SE 43rd St. Alternatively the lot can use the existing driveway to the west if the owner obtains an easement and the driveway is improved to meet joint use driveway standards.
- c. Lots 2 and 3 shall use the existing concrete road along the east side of the short plat for access. This road shall be shown in a tract on the recorded short plat, and the owners of Lots 2 and 3 shall share in the maintenance of the road. Road maintenance may also be shared with the owners of Tax Lots 132405-9141 and 132405-9142. The roadway shall be rebuilt, adjacent to SE 43rd St., to meet the KCRDCS Standards including an extension of curb, gutter and sidewalk across the private access tract frontage on SE 43rd St.

Modifications to the above road improvement conditions may be considered by the City of Bellevue, pursuant to the variance procedures in KCRDCS 1.12. Any request for a road variance shall be submitted to King County DDES or the City of Bellevue, on the appropriate form and with the minimum fee deposit.

Site design details may be shown on the preliminary site plan that have not been reviewed for compliance with KCRDCS. If differences exist between the site plan and the requirements of the KCRDCS, the final design shall be modified to meet KCRDCS, except as required by the above conditions.

**3. Surface Water Management Control – KCC Title 9
2009 King County Surface Water Design Manual (SWDM)**

Final short plat approval shall require full compliance with the drainage provisions set forth in King County Code (KCC) 9.04. Compliance may result in reducing the number and/or location of lots as shown on the preliminary approved plat. Preliminary review has identified the following conditions of approval, which represent portions of the drainage requirements. All other applicable requirements in KCC 9.04 and the SWDM must also be satisfied during engineering and final review, unless otherwise approved by the City of Bellevue.

- a. Drainage plans and analysis shall comply with the 2009 SWDM. Approval of the drainage and roadway plans by the City of Bellevue is required prior to any construction.
- b. Standard plan notes and a construction sequence as specified in the SWDM shall be shown on the engineering plans (Reference Section 7B).
- c. As required in Chapter 2 of the SWDM, a storm water pollution prevention and spill plan shall be included with the project engineering plans.
- d. The existing storm drainage system in the northeast corner of the short plat shall be placed in a tract, and conveyed to the City of Bellevue to allow for future maintenance.
- e. To implement the required Best Management Practices (BMP's) for the treatment of storm water, the final engineering plans and technical information report (TIR) shall clearly demonstrate compliance with all applicable design standards. As described in Chapter 5 of the SWDM, a subdivision project may implement the required BMP's or defer the BMP requirements until the future review of building permits. In either case, the final engineering plans shall clearly indicate the applicable BMP standards and requirements for implementation on the recorded

plat. Any proposed clearing and grading of the site shall also comply with the soil amendment requirements in KCC 16.82.100.

- f. A proposal to implement the required BMP's for the development of the subdivision and to receive credit in sizing the flow control facility should be included with the short plat engineering submittal. The engineering plans and technical information report shall provide all required design standards and procedures for implementing the BMPs when applied. During engineering review, the applicant may also choose alternative designs for best management practices as allowed by the SWDM. The final recorded plat shall include covenants, easements, notes, and other details to implement the BMP's for site development when applied, including limitations on the maximum amount of impervious surface permitted on each of the three lots of the short plat, if appropriate.
- g. Storm water facilities shall be designed using the KCRTS Conservation flow control standard. Water quality facilities shall also be provided using the sensitive lake protection menu. All runoff control facilities shall be located in a separate tract and/or right-of-way dedicated to the City of Bellevue, or if road right-of way is privately maintained, a public drainage easement shall be provided. If required, the size of the proposed drainage tracts may have to increase to accommodate the required detention storage volumes and water quality facilities
- h. If the storm water BMP's are deferred until building permit review, the following note shall be shown on the final recorded plat:

“Permit applications for buildings or other improvements constructed on lots created by this subdivision must be reviewed by the City of Bellevue for compliance with Best Management Practices (BMP's) and other applicable drainage standards as specified in the SWDM. As determined by the City, the permit applicant for each lot must prepare a drainage site plan with procedures for design and maintenance details, and record a declaration of covenant and grant of easement for implementation of the BMPs.”

4. Site Improvement Inspections, Fees and Financial Guarantees (KCC Title 19 & 27)

An inspection fee and applicable financial guarantees are required prior to either starting construction or recording this short plat. Please contact the City of Bellevue to request the initiation of the fee estimate and financial guarantee paperwork process and to request a pre-construction meeting.

5. Health/Utilities (KCC 13)

This project is exempt from King County Health Department review. However, if sewer and/or water improvements are required by the City of Bellevue to serve this proposed short plat, then the applicant shall provide documentation to verify the improvements have been bonded or installed, prior to recording the short plat.

6. Building and Construction Standards (Title 16)

The applicant shall comply with all applicable provisions of KCC Chapter 16.82, including KCC 16.82.156 concerning the preservation of “significant trees” on short subdivisions located in the King County “Urban” designated area. A detailed tree retention plan, which complies with KCC 16.82.156B2 and other applicable requirements of this code section, shall be submitted for review and approval prior to final short plat approval. Bonding may be

required by the City of Bellevue to assure implementation of the tree retention/replacement plan. No clearing or grading of the site shall occur until the City of Bellevue approves the detailed tree retention plan.

7. Zoning Code (KCC 21A)

A. Density and Dimensions (KCC 21A.12 and 21A.37)

- i. All lots shall meet the dimensional requirements of the R-6 zone classification or shall be as shown on the face of the approved preliminary short subdivision, whichever is larger (see KCC 21A.37.030B). Minor revisions to the short subdivision, which do not result in substantial changes and do not create additional lots may be approved by the City of Bellevue.
- ii. The subject short plat application shall comply with the density requirements of the R-4 zone classification (KCC 21A.12) and the Transfer Development Rights provisions (KCC 21A.37). The applicant has proposed to create one additional lot through the transfer of development rights, besides the two lots permitted under the Base Density provisions of the R-4 zone classification. Per KCC 21A.37.080A3, the applicant shall deliver Transfer of Development Rights Certificate Number 205 (or other appropriate certificate) to the City of Bellevue to demonstrate compliance with the zoning density requirements in KCC 21A.12.070. The applicant shall also complete Section B on page 4 of the certificate, prior to delivering the certificate to the City. (Note that, per KCC 21A.37.040I, 0.5 Rural Development Rights is equivalent to one lot/dwelling unit.) Following the recording of the short plat, in order to remove the certificate from circulation and ensure it is no longer used, the City is requested to transmit the certificate (6 pages) to the TDR Program Manager, Darren Greve, King County Water and Land Resources Division, 201 S. Jackson St., Seattle, WA 98104.

B. Street Trees (KCC 21A.16) – Street trees shall be provided as follows (per KCRDCS 5.03 and KCC 21A.16.050):

- i. Trees shall be planted at a rate of one tree for every 40 feet of frontage along SE 43rd St. along the frontage of the site. The requirement for these trees may be waived or the 40-foot spacing modified to accommodate sight distance requirements for driveways and intersections.
- ii. Trees shall be located within the street right-of-way and planted in accordance with Sec. 5.03 and Drawings 5-009 through 5-013 of the 2007 King County Road Design and Construction Standards (KCRDCS), unless the City of Bellevue determines that trees should not be located in the street right-of-way.
- iii. If the City determines that the required street trees should not be located within the right-of-way, they shall be located no more than 20-feet from the street right-of-way line.
- iv. The trees shall be owned and maintained by the individual, adjacent lot owners, unless the City has adopted a maintenance program. Ownership and maintenance shall be noted on the face of the final recorded plat.
- v. The species of trees shall be approved by the City if located within the right-of-way, and shall comply with KCRDCS 5.03L, M, and N. They shall not include species the City determines has the potential to disrupt utilities or impact roadway

improvements. All tree planting in the right-of-way shall include the installation of an approved root barrier adjacent to walks and curbs for each tree, unless otherwise approved by the City.

- vi. The applicant shall submit a street tree plan and bond quantity worksheet for review and approval by the City.
- vii. The street trees must be installed and inspected, or a performance bond posted prior to recording the short plat. If a performance bond is posted, the street trees must be installed and inspected within one-year of recording of the short plat. At the time of inspection, if the trees are found to be installed per the approved plan, a maintenance bond must be submitted and held for one-year. After one-year, the maintenance bond may be released after the City has completed a second inspection and determined that the trees have been kept healthy and thriving.

8. Drainfield and Sewer Service for Tax Lot 132405-9054

The following shall be completed prior to recording the subject short plat:

- A. A 40-foot-wide easement crosses Lot 1 of the short plat, which allows the placement of a septic drainfield serving Tax Lot 132405-9054 on Lot 1. This easement shall be vacated.
- B. The existing drainfield on Lot 1 and any related improvements (including a septic tank, if present) shall be removed from the subject property. The requirements of King County Board of Health 13.04.054 shall be met, if a septic tank is present.
- C. The existing residence on Tax Lot 132405-9054 shall be hooked to the City of Bellevue public sewer system and any related facilities installed, as required by the City.

All permits required to complete the above three items shall be acquired by the applicant (or his authorized representative). Documentation shall be provided to the City to demonstrate the above requirements have been satisfied.

9. Driveway Encroachment

An existing driveway serving Tax Lot 132405-9054 encroaches onto the western margin of the subject property. This driveway shall be removed from the subject property. The re-located driveway shall conform with any applicable setback requirements of the City of Bellevue.

10. Geo-Technical Review

For any development proposal on Lot 1, the proposed development must be reviewed and approved by an engineering geologist or geological/geotechnical engineer. The engineer's approval must be presented to the City of Bellevue with the permit application. A note to this effect shall appear on the recorded short plat.

11. Road Mitigation Payment System (KCC 14.75)

The applicant or subsequent owner shall comply with the Road Mitigation Payment System (MPS), King County Code 14.75, by paying the required MPS fee and administration fee. The applicant or subsequent owner has an option to either:

- A. Pay the MPS fee at final short plat recording, or

- B. Pay the MPS fee at the time of building permit issuance.

If the first option is chosen, the fee paid shall be the fee in effect at the time of short plat application and a note shall be placed on the face of the recorded short plat that reads, "All fees required by King County Code 14.75, Mitigation Payment System (MPS) have been paid." If the second option is chosen, the fee paid shall be the amount in effect as of the date of the building permit application.

Other Considerations

- A. Preliminary approval of this application does not limit the applicant's responsibility to obtain any required permit or license from the State or other regulatory body. This may include, but not be limited to, obtaining a forest practice permit, an HPA permit, and building permits.
- B. Development of the subject property may require registration with the Washington State Department of Licensing, Real Estate Division.

Parties and Persons of Interest:

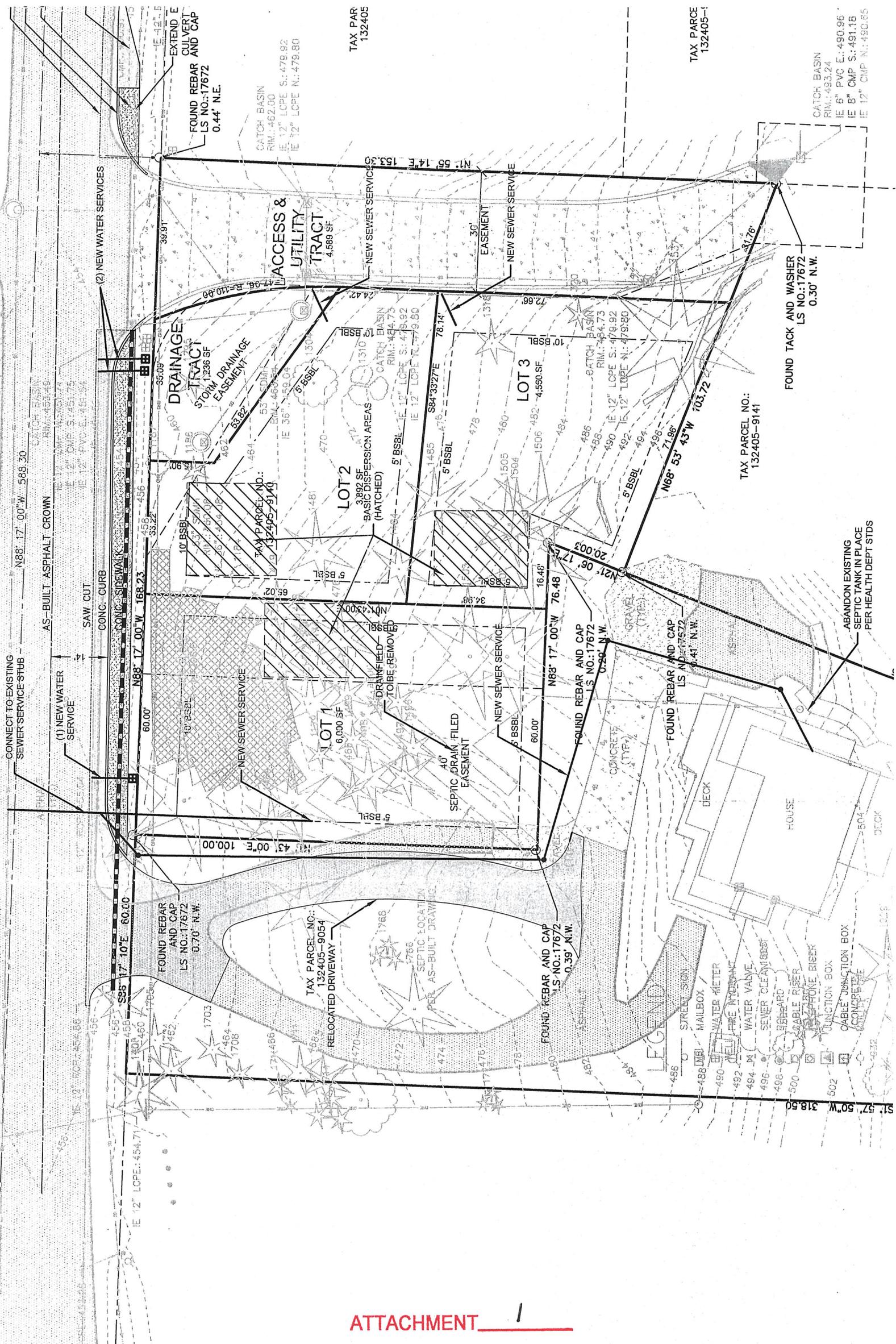
Coastline Enterprises, applicant
John Mastandrea, applicant
Mike Schreck
Kathleen Soelter
Mark Plog, MXP Consulting, Inc.
Beverly Akers
Russell & Saghafi
Paul Kaald
Greg Wessel, Geologist, Critical Areas Section, King County DDES
Fatin Kara, Supervising Engineer, Road Services Division, KCDOT
Lanny Henoach, PPM III, King County DDES
Pat Simmons, Engineer, King County DDES
Joanne Carlson, AS II, King County DDES
Molly Johnson, Supervising Development Engr, King County DDES
Jarrod Lewis, Supervisor, PCS Section, King County DDES

Appeal Information

RIGHT TO APPEAL

(The City of Bellevue appeal procedures and related fees should appear here.)

S.E. 43RD STREET



State Environmental Policy Act (SEPA)

DRAFT

Determination Of Non-Significance for Short Plat L12S0001

Date of Issuance: _____

Project: This is a proposal to subdivide 0.465 acres (20,277 square feet) into three lots for detached single-family dwellings in the R-4 zone. The proposed lot sizes range from 3,892 to 6,000 square feet, and the proposed density is approximately 6.45 dwelling units per acre. This proposal includes the transfer of development rights, as permitted by King County Code (KCC) 21A.37, to add one additional lot to the two lots permitted for this site under the Base Density provisions of the R-4 zone classification (KCC 21A.12.030).

Location: The site lies on the south side of SE 43rd Street, approximately 100 feet west of the intersection of SE 43rd St./167th Ct. SE.

King County Permits: Short Subdivision L12S0001

City Contact: _____

Proponent: Coastline Enterprises, LLC
Attn: John Mastandrea
11108 SE 61st Place
Bellevue, WA 98006
206-276-7124

Zoning: R-4
Drainage Subbasin: West Lake Sammamish
Section/Township/Range: Northwest ¼ of Sec. 13, Twp. 24, Range 5

Notes:

- A. This determination is based on the review of the project site plan received August 30, 2012, the Environmental Checklist received March 7, 2012, the Storm Drainage Design Preliminary Technical Information Report received March 7, 2012, the Geotechnical Assessment – Steep Slopes dated June 17, 2012, and other documents in the file.
- B. Short Plat Application L12S0001 was filed with King County on March 7, 2012, and County staff determined it was complete on the date of its submittal. The subject property was subsequently annexed to the City of Bellevue on June 1, 2012. Under state law (RCW 58.17.033), the application is vested to and will be reviewed under the County regulations in effect on March 7, 2012.

- C. Issuance of this threshold determination does not constitute approval of the subject application. The subject application has been reviewed for compliance with all applicable King County codes that regulate development activities, including KCC Title 21A (Zoning Code), the International Fire Code, the King County Road Design and Construction Standards, the King County Surface Water Design Manual, and the Critical Area regulations.

Threshold Determination

The responsible official finds that the above described proposal does not pose a probable significant adverse impact to the environment.

This finding is made pursuant to RCW 43.21C, KCC 20.44 and WAC 197-11 after reviewing the environmental checklist and other information on file with the lead agency and considering mitigation measures which the agency or the applicant will implement as part of the proposal. The responsible official finds this information reasonably sufficient to evaluate the environmental impact of this proposal.

The lead agency has determined that the requirements for environmental analysis, protection, and mitigation measures have been adequately addressed in the development regulations and comprehensive plan adopted under chapter 36.70A RCW, and in other applicable local, state, or federal laws or rules, as provided by RCW 43.21C.240 and WAC 197-11-158. Our agency will not require any additional mitigation measures under SEPA.

Comments and Appeals

Written comments or any appeal of this threshold determination must be stamped received by the **City of Bellevue before ____ PM on _____, 2012.** Appeals must be accompanied by a nonrefundable filing fee. Please reference the file numbers when corresponding.

Appeals must be in writing and state the perceived errors in the threshold determination, specific reasons why the determination should be reversed or modified, the harm the appellant will suffer if the threshold determination remains unchanged, and the desired outcome of the appeal. If the appellant is a group, the harm to any one or more members must be stated. Failure to meet these requirements may result in dismissal of the appeal.

Comment/appeal deadline: _____

Appeal filing fee: \$___ check or money order made out to the _____

Address for comment/appeal: City of Bellevue

Responsible Official:

_____ Date

Date Mailed: _____