



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

Proposal Name: Ongtenco Short Plat (KC L12S0006)

Proposal Address: 4010 146th Ave SE (KC Parcel # 2204500010)

Proposal Description: The applicant requests Preliminary Short Plat approval to subdivide a 0.26 acre (11,200 square feet) parcel in two, single-family residential parcels. Application is vested to King County regulations in effect, April 17, 2012 under King County file # L12S0006.

File Number: 14-126784-LN

Applicant: Shirley Ongtenco

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: David Wong, Planner

**State Environmental Policy Act
Threshold Determination:** Exempt

Department Decision: **Approval with Conditions**



David Wong, Associate Planner
Development Services Department

Application Date: April 17, 2012 by King County
Notice of Application Publication: June 28, 2012 by King County
Decision Publication Date: December 4, 2014 by City of Bellevue
Project Appeal Deadline: December 18, 2014 with City of Bellevue

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.

CONTENTS

I. Proposal Description	1
II. Consistency with Interlocal Annexation Agreement (Clerk's Receiving No. 48794): ..	1
III. Public Notice and Comment.....	1-2
IV. Summary of City of Bellevue Review	2-5
V. State Environmental Policy Act (SEPA).....	5
VI. Decision Criteria.....	5
VII. Conclusion and Decision.....	5
VIII. Conditions of Approval	5-9

Attachments

1. King County Short Plat Staff Report and Recommendation – Enclosed
2. Plans, Reports, Application Forms, Communications – In File

I. Proposal Description

The applicant is proposing to subdivide a 0.24 acre (11,200 square feet) parcel into two, single-family residential parcels. The property achieves 1.54 units of base density after calculation under the County's R-6 zoning designation. Chapter 21A.070D KCC indicates that the number of permitted dwelling units may be rounded-up in the Urban zone classifications, including the R-6 zone. The application is vested to King County regulations in effect on April 17, 2012 under King County file # L12S0006 in accordance with Chapter 58.17 RCW and the 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 ("ILA").

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

At the time the application was filed with King County on April 17, 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 ILA, 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 November 7, 2013.

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:	April 17, 2012 with King County
Completeness Date:	May 31 by King County
Public Notice (500 feet):	June 28, 2012 by King County

The Notice of Application for this project was publicly noticed by King County on May 30, 2012 in the Seattle Times and the Bellevue Reporter. A Land Use Notification sign was also erected at the site.

One email containing three comments was received from the public as of the writing of this report. The email is included in the project file that was forwarded to the City by King County. The commenter is included as a "party of record" and will receive notice of the final decision.

The comments received and city responses are listed below.

A. Allowance of Lots Under 6000 Square Feet

Comment Summary: Commenter states that allowing lots under 6000 square feet will violate the dimensional requirements found in chapter 21A.12.030 KCC.

Response: King County and City of Bellevue staff have determined that the project meets all of the following dimensional requirements of Chapter 21A.12.030:

Base Density: 1.54; Rounded to 2 (21A.070D KCC)

Lot Area: No minimum required

Lot Width: Proposed lot widths exceed 30-foot requirement

B. Property value is reduced

Comment Summary: The proposed short plat will reduce our property value because it will change the existing character and aesthetic of the neighborhood.

Response: The King County code does not have design standards or decision criteria which requires the short plat and future houses to have any particular architecture or reflect the existing character of the neighborhood. There is no code requirement applicable to this short plat that discusses property value. The only standards the short plat is required to meet are the zoning and subdivision requirements. King County staff found the project meets the county codes and have recommended approval of the short plat to the City.

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 Utilities Department Development Review Division has reviewed King County's recommendations, conditions of approval, and the associated technical information relative to the project's compliance with King County's Codes and Standards. The City of Bellevue Utility staff approves the preliminary short plat and will review any future engineering plans per the applicable King County code requirements. The applicant will be required to apply to the City for permits to construct any infrastructure including utilities.

C. Transportation

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.

This short plat was originally approved by King County per the "Report & Decision Short Subdivision File No. L12S0006" document published on April 17, 2012. The project site was annexed in into the City of Bellevue on June 1st, 2012. All transportation related approval conditions required by King County have been transferred to the approval conditions documented in this report.

1. Site Access and Street Frontage Improvements

Access to Lot 1 will be from the existing driveway off of 146th Avenue SE and access to Lot 2 will be from a new driveway connection off of 146th Avenue SE contained within a 10 foot wide access easement along the South property line as shown on the approved plans. No other access connection to city right-of-way is authorized. The existing driveway which serves the existing house on Lot 1 will remain to provide two parking spaces for Lot 1.

A vehicle turnaround area shall be provided with the building permit of a new single family house on Lot 2 so that passenger vehicles will drive forward to exit the driveway. A note shall be placed on the front of the final short plat that states "The driveway for lot 2 shall provide a location for passenger vehicles to turn around on the lot and drive forward to 146th Avenue SE".

Street frontage improvements matching adjacent improvements must be provided at the location of the new driveway. The new driveway width for Lot 2 shall be a minimum paved width of ten feet within a ten foot wide easement. The driveway must be built per the City's Transportation Department Design Manual Standard Drawing DEV-7C (Driveway Approach Where Curb-Gutter Exists No Sidewalk).

As noted in the King County conditions of approval, the developer of the Ongtenco Short Plat must restore and repair all existing curb and gutter on 146th Avenue SE adjacent to the property site per TE-10 (Cement Concrete Curb) as determined by the Transportation Department Inspector.

Relocation of the existing power pole at the connection of the new driveway for Lot 2 access is required to provide safe ingress and egress movements. Field verification that this condition has been satisfied prior to final short plat approval is required. The King County conditions specify that the power pole needs to be relocated to provide a ten foot minimum separation distance from the edge of

travelled way to the face of pole (KCRDCS Section 5.10). In addition, the City's Transportation Department Design Manual (Section 15.D.) specifies that fixed objects shall not be located closer than ten feet to the edge of a driveway. The King County separation requirement must be met as a condition of approval and the City's ten foot separation from a driveway edge should be met to the extent possible. Prior to final short plat approval, the developer must provide the noted street frontage improvements on 146th Avenue SE 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

Site addresses have been determined by the City's Parcel and Address Coordinator. Lot 1 has been addressed as 4008 146th Avenue SE. Lot 2 has been addressed as 4016 146th Avenue SE.

2. 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.

3. 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, 146th Avenue SE is classified as Standard Trench Restoration. 146th Avenue SE is listed as a pavement overlay candidate in 2016. A five year moratorium on pavement trenching is effective upon pavement overlay of an existing street at which time 146th Avenue SE would be classified as a "No Street Cuts Permitted" street. The "No Street Cuts Permitted" type of classification would require a waiver from the City's Right of Way Manager. Exact pavement restoration requirements will be specified in the right of way permit approval conditions to be issued with the building permit for this short plat.

4. 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.

5. 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 minimal amount of new trips generated by this short plat (one new p.m. peak hour trip and 10 new daily trips) and adequate capacity of SE 44th Street traffic impacts will be negligible.

V. State Environmental Policy Act (SEPA)

The proposed short subdivision is exempt per WAC 197-11-800 from review under the State Environmental Policy Act (SEPA), Chapter 43.21C RCW.

VI. Decision Criteria

The proposed two lot short plat is vested to the King County Code that was in place on April 17, 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 # 2204500010** at 4010 146th Ave SE into two single-family parcels.

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 of the conditions of approval contained within the attached preliminary short plat recommendation prepared by King County.

In addition to those in the attached recommendation, the following conditions of approval are imposed under the Bellevue City Code referenced.

A. GENERAL CONDITIONS:

1. Obtain Permits

Permits are required to construct or demolish infrastructure, utilities, buildings and other improvements. No construction may commence until the appropriate permit is issued.

AUTHORITY: Land Use Code 20.45B.130

REVIEWER: David Wong, Development Services Department

2. 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: David Wong, Land Use

B. CONDITIONS PRIOR TO ISSUANCE OF ANY DEVELOPMENT 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.

AUTHORITY: Bellevue City Code 14.30
REVIEWER: Tim Stever, Transportation Department

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

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 new driveway for Lot 2, the connection to 146th Avenue SE via DEV-7C, standard trench pavement restoration in 146th Avenue SE (prior to 2016), 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) Restore and replace curb and gutter along 146th Avenue SE adjacent to the project site as determined by the Transportation Department Inspector.
- ii) Install a driveway apron per DEV-7C at the connection of the new driveway for Lot 2 access.
- iii) Relocate the existing power pole to create a ten foot clear distance from the edge of travelled way to the face of pole, and also, to the extent possible, provide separation from the edge of the driveway with ten feet being the desired minimum. Field verification that this condition has been satisfied prior to final short plat approval is required.
- iv) A vehicle turnaround area shall be provided with the building permit of a new single family house on Lot 2 so that passenger vehicles will drive forward to exit the driveway. A note shall be placed on the front of the final short plat that will state "The driveway for lot 2 shall provide a location for passenger vehicles to turn around on the lot and drive forward to 146th Avenue SE".

AUTHORITY: Bellevue City Code 14.60; Transportation Department Design Manual

REVIEWER: Vanessa Humphreys, Transportation Department

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 point on SE 44th Street must be trimmed. Ground vegetation within the sight triangle must be trimmed to no more than 2.5 feet above a line drawn from pavement level to pavement level. Trees within the sight triangle must be limbed up to a height of 7.5 feet above a line drawn from pavement level to pavement level. A description of any

required vegetation trimming must be shown on a sheet of the clearing and grading plan set.

AUTHORITY: Bellevue City Code 14.60.240
REVIEWER: Vanessa Humphreys, Transportation Department

5. Pavement Restoration

The city's pavement manager has determined that the portion of SE 44th 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 pavement restoration limits must be shown on the building permit for lot B of the Jimmy Sy Short Plat.

AUTHORITY: Bellevue City Code 14.60.250 & Design Manual Design Standard # 23
REVIEWER: Tim Stever, Transportation Department

C. PRIOR TO APPROVAL OF FINAL SHORT PLAT:

1. Infrastructure Improvements

All street frontage and infrastructure improvements shown in the final engineering plans or required by city codes and standards must be either completed prior to approval of the final short plat or provided for with a financial assurance device. 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,

4, 5, 7, 11, 14, 19

REVIEWER: Vanessa Humphreys, Transportation Department

2. Access Design And Maintenance

The final Subdivision map must include a note that specifies the responsible party or parties for maintenance and repair of the driveway serving Lot 2. Also, the final Subdivision map must include a note that specifies that the driveway for Lot 2 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: Vanessa Humphreys, Transportation Department

REPORT AND DECISION
SHORT SUBDIVISION FILE NO. L12S0006

A. DESCRIPTION OF THE PROPOSED SHORT SUBDIVISION:

This is a proposal to subdivide approximately 0.26 acres (11,200 square feet) into two lots for detached single-family dwellings in the R-6 zone. The proposed lot sizes are 5,040 and 6,160 square feet, and the proposed density is approximately 6 dwelling units per acre. Refer to Attachment 1 of this report for a copy of the proposed short plat map.

It should be noted that the above-described application was filed with King County on April 17, 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 City 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: Shirley Ongtenco
c/o Shupe Holmberg
Encompass Engineering
165 NE Juniper Street, Suite 201
Issaquah, WA 98027

Engineer: Encompass Engineering & Surveying
165 NE Juniper Street, Suite 201
Issaquah, WA 98027

STR: Northwest ¼ of Sec. 15, Twp. 24, Range 5

Location: Lying on the east side of 146th Ave. SE at 4010 146th Ave. SE
Bellevue, WA

Zoning: R-6
Acreage: 0.26 acres (11,200 square feet)
Number of Lots: 2 lots
Density: Approximately 6 dwelling units per acre
Lot Size: 5,040 and 6,160 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 #14
School District: Bellevue School District #405
Complete Application (Vesting) Date: April 17, 2012

C. NATURAL ENVIRONMENT

1. Topography: The subject property contains gently sloping terrain, declining in elevation to the west.
2. Soils: Arents, Alderwood material (AmC) is found on this site, per the 1973 King County Soil Survey. This soil unit is located on 6-15% slopes. It consists of well drained and moderately well drained gravelly sandy loams and gravelly loams of the Alderwood, Beausite, and Ovall series and of the Arents, Alderwood material. Permeability is moderate to moderately rapid.

Alderwood soils are very slowly permeable in the substratum. Runoff is slow to medium, and the hazard of erosion is slight to moderate. In winter, water moves along the top of the substratum of Alderwood soils and Arents, Alderwood material.

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 basin.
4. Vegetation: The subject property contains residential landscaping, a grass lawn, and a few trees. The trees are located predominantly on the southern portion of the property (on proposed Lot 2).
5. Wildlife: It is likely that small birds and animals visit this site on occasion. No threatened or endangered species are known to exist on or near the property.
6. Mapped Critical Areas: King County's Geographic Information System (GIS) does not show any mapped Critical Areas on the site.

D. DESIGN FEATURES, UTILITIES AND SERVICES

1. Existing On-Site Improvements and Neighborhood Characteristics:
 - a. Subject Property: The site for the proposed short plat is located on a previously platted lot in a developed, single-family residential neighborhood. The lot (Lot 2, Block 1 of Eastgate Addition Division No. E) is developed with a detached single-family residence and two small "sheds" are also located on the property.

With regard to retention of the existing residence, per the applicant's site plan, the existing house is 14.7 feet from the south property line of the site. For access to the proposed, rear (eastern) lot of the short plat, the King County Department of Permitting and Environmental Review (DPER) requires a minimum of 15 feet between the existing residence and the south property line. Fifteen feet will provide sufficient room for a 10-foot-wide driveway easement, and a 5-foot building setback between the easement and the residence. Since sufficient room currently exists on the site for a 10-foot easement, but not a 5-foot building setback from the easement, the applicant has included the following notation on the proposed site plan: "Southern portion of existing house to be reconstructed to accommodate 10' easement & 5' BSBL or obtain setback variance."

- b. Neighborhood Characteristics: As noted above, the subject property lies within an existing, developed, single-family residential neighborhood. Lots in the neighborhood are similar in size to the subject property, and are developed with residences of a similar age.
2. 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-6, and under the County's Base Density provisions, 1.54 dwelling units are permitted on the property. KCC 21A.070D indicates that the number of permitted dwelling units may be rounded-up in the Urban zone classifications, including the R-6 zone. Thus, the total of two lots may be created in the subject short plat application.

Regarding lot width, the two proposed lots of the subject application meet the 30-foot lot width requirement of the King County Zoning Code (KCC 21A.12.030).

-
3. Access/Roadway Section: The short plat lot is located along 146th Avenue SE between SE 41st and SE 40th Streets. 146th Avenue SE was a King County

urban neighbor collector street with a 34 foot wide road with curbs on both sides of the roadway. No sidewalks were located in the area of this short plat. The curbing along 146th Ave SE is in fair conditions and may require some repairs. The existing house accesses at the northern side of the lot with a paved driveway to the garage. Access to proposed lot 2 would be in a 10 foot wide easement along the southern property line. The existing house is located in the building setback of this proposed driveway. The entering and stopping site distance will exceed standards at the proposed and existing driveways.

The applicant's proposal is to create a new driveway near the south boundary of the short plat to the proposed new lot 2 with a car turnaround on the lot so cars will be able enter 146th Avenue SE driving forward. The existing house will need to be modified to provide a 10 foot easement with a 5 foot building setback. Two parking spaces for the existing house shall be provided in the existing driveway and garage.

4. Drainage: The short plat is in the Mercer Slough river basin and drains into I-90 Drainage system. The site slopes downward between 2-5 percent from the east down to the west and the 146th Avenue SE. Some sheet flow may flow onto the site for the adjoining back yards to the north and east. The area south of the site slopes downward. The storm water drainage appears to sheet flow or infiltrate into the soil as no defined channels or evidence of concentrated flow were observed on the site. Any surface water runoff would flow into the street drainage system and to the south along 146th Avenue SE.

The applicant drainage proposal is to provide small project infiltration/dispersion BMPs on the site to control the storm water runoff from the new impervious surfaces.

5. 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 Eastgate Elementary, Tyee Middle School and Newport High School, all located within Bellevue School District No. 405.
 - b. School Impact Fees: The Bellevue School District currently does not have an adopted, development impact fee for funding school system improvements.

School Adequacy: The Bellevue School District has not submitted a capital improvement plan to King County for review and approval. Therefore, DPER has no information regarding the school district's ability to accommodate additional students. It should be noted that this application is exempt from King County's School Concurrency standard, since all short subdivision applications are exempt from this standard (KCC 21A.28.140).

- c. School Access: Per comments received from the Bellevue School District, children from the proposed short plat will be bussed to Eastgate Elementary, walk to Tyee Middle School and will take Metro buses to Newport High School. The District indicated that elementary student's bus stop will be at 146th Ave. SE and SE 40th Street.
6. 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 January 17, 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 January 17, 2012, which indicates the City has the ability to serve the short plat.
7. Fire Protection: Based on the Certificate of Water Availability completed by the City of Bellevue, sufficient water is available to the site to meet the King County fire flow requirements. Building permits for future residences constructed on the proposed lots will be reviewed by the City. The City may require the installation of fire protection sprinkler systems in these residences.
 8. 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 two lots, it is exempt from this code requirement.

E. SEPA THRESHOLD DETERMINATION:

This short subdivision application is exempt from review under the State Environmental Policy Act (SEPA), RCW 43.21C.

F. 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.

G. DECISION:

Short Plat File No. L12S0006, received November 2, 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 (KCC) 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 letter.
- c. The final review process must be completed prior to the recording of the short subdivision or the sale of any lots contained within. The Department of Permitting and Environmental Review (DPER) strongly recommends that the Final Short Plat review package be submitted to the department at least one year prior to the expiration date of the preliminary approval letter.
- 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 King County Council prior to final short plat recording. Prior to recording KCC 19A.08.160 requires that the following is required:
- f. Prior to recording KCC 19A.08.160 requires that the following site work is completed :
 1. Drainage best management practices (BMP's) facilities and erosion control measures are consistent with K.C.C. 9.04.090;
 2. Water mains and hydrants (if required) are installed and fire flow available;

3. Grading as necessary so that all lots are accessible by passenger vehicle;
4. Specific site improvements are completed that are required and conditioned prior to plat recording or required to remove any safety hazard;

2. Access requirements (Title 14 KCC) 2007 King County Roads Design and Construction Standards (KCRDCS) Subdivision Requirements

Any construction or upgrading of public and private roads shall comply with the 2007 KCRDCS established and adopted by Ordinance No. 15753, as amended. The proposed short subdivision shall comply with the KCRDCS including the following requirements, unless otherwise approved by DPER:

The existing curb shall be repaired and restored for the new driveway as necessary in its current location to meet 2007 KCRDCS standards (Section 2.03B).

The 10 foot wide access easement to proposed lot 2 will required a 5 foot building set back from the existing house. This will require the modification or removal of the existing house.

A turnaround shall be provided with the building permit of a new house on lot 2. A note shall be place on the front of the plat that will state "The driveway for lot 2 shall provide a location for passenger vehicles to turn around on the lot and drive forward to 146th Avenue SE".

The portion of existing porch roof that is located on the proposed lot shall be removed prior to recording

Two parking spaces shall be provided for proposed lot 1 that shall be accessed from the existing driveway.

The power poles located along the road frontage fall within the minimum clear zone for safety. They are required to be relocated prior to recording (KCRDCS Section 5.10). Field verification that this condition has been satisfied prior to final plat approval is required.

Modifications to the above road improvement conditions may be considered by King County pursuant to the variance procedures in KCRDCS 1.12. Any request for a road variance shall be submitted to DPER on the appropriate form and with the minimum fee deposit. Other engineering details that may be shown on the preliminary site plan with the exception of the above may not have been reviewed for compliance with KCRDCS. If differences exist, the final design shall be modified to meet KCRDCS. In addition to the above conditions, right-of-way construction permit is required for any utility work in County right-of-way

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

The extent of the proposed or conditioned improvements for this short plat qualify for Small Project drainage review, as outlined in SWDM Section 1.1.2.1. Best Management Practices (BMP's) are required for the new impervious surface (frontage improvements, driveways and new houses) created with this project. The review shall be included with the final platting submittal package (Title 19A). Alternatively, the lot improvements may be submitted and reviewed separately at the building permit stage.

To implement the required BMP's for treatment of storm water, the final plans and technical information report (TIR) shall clearly demonstrate compliance with all applicable design standards. As described in Chapter 5 of the drainage manual, a subdivision project may implement the required BMP's or defer the lot BMP requirements until future review of building permits. In

either case, the final plans shall clearly indicate the applicable BMP standards and requirements for implementation on the recorded plat.

If the subdivision applicant chooses to defer implementation of lot BMP's to the building permit process, 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 King County for compliance with Best Management Practices (BMP's) and other applicable drainage standards as specified in the SWDM. As determined by King County, 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. "

Consistent with authority and procedures outlined in Chapter 1.4 of the SWDM, drainage adjustments to any of the above requirements may be considered. Adjustments shall be submitted to DDES on the appropriate form and with the minimum fee deposit.

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

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 of 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)

- 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. 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-6 zone classification (KCC 21A.12).

B. Setbacks and Accessory Buildings (KCC 21A.06.020, KCC 21A.12.030, KCRDCS 3.01)

- i. To provide sufficient room for both a 10-foot-wide access easement and a 5-foot building setback, the existing residence shall either be removed from the site, or modified to provide at least 15 feet between the residence and the south property line of the subject property. Documentation shall be submitted from a licensed land surveyor to show this requirement has been met. Building permits shall be secured from the City of Bellevue, as needed.
- ii. Prior to recording the proposed short plat, all outbuildings shall be removed from the site.

C. Required Off-Street Parking (KCC 21A.18.120)

If the existing residence is retained on Lot 1, a paved parking area to accommodate two off-street parking spaces shall be provided west of the residence, and outside of the required 10-foot street setback. The two spaces can be placed in tandem; thus, they will measure 8.5 feet wide x 36 feet long.

D. 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 146th Avenue SE. 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 Lot 1 property owner 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 of the plat. If a performance bond is posted, the street trees must be installed and inspected within one-year of recording of the 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. 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, building permits, and other types of entitlements as necessitated by circumstances.
- B. Development of the subject property may require registration with the Washington State Department of Licensing, Real Estate Division.

Parties and Persons of Interest:

ENCOMPASS ENGINEERING & SURVEYING
BONNIE, BABCOCK
165 NE JUNIPER ST SUITE 201
ISSAQUAH WA 98027

ENCOMPASS ENGINEERING
165 NE JUNIPER ST SUITE 201
ISSAQUAH WA 98027

ONGTENCO
165 NE JUNIPER ST SUITE 201T
ISSAQUAH WA 98027

ONGTENCO SHIRLEY
4010 146TH AVE SE
ISSAQUAH WA 98027

BEASLEY KRISTEN
14248 SE EASTGATE DR
BELLEVUE WA 98006

LOSH PATTY
3793 146TH AVE SE
BELLEVUE WA 0

MCDERMOTT MICHAEL
4015 147TH AVE SE
BELLEVUE WA 98006

NOBLES BETTY
650 MONROE ST
UMATILLA OR 97882

CARLSON JOANNE
DEPT.OF PERMITTING & ENVIRONMENTAL REVIEW
MS: SNO-DP-0210

SANDSTROM DAVE
DEPT.OF PERMITTING & ENVIRONMENTAL REVIEW
MS: SNO-DP-0210

JOHNSON MOLLY SUPERVISING DEV ENGR
DEPT.OF PERMITTING & ENVIRONMENTAL REVIEW
MS: SNO-DP-0210

OSSEWAARDE MARK DEP FIRE MARSHALL
DEPT.OF PERMITTING & ENVIRONMENTAL REVIEW
MS: SNO-DP-0210

SIMMONS PAT PREL REV ENGR
DEPT.OF PERMITTING & ENVIRONMENTAL REVIEW
MS: SNO-DP-0210

Appeal Information

RIGHT TO APPEAL

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