



# CITY OF MEDINA

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**Date:** May 9, 2022  
**To:** Honorable Mayor and City Council  
**Via:** Stephen R. Burns, Interim City Manager  
**From:** Steven R. Wilcox, Development Services Department Director  
**Subject:** Development Services Department Monthly Report

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## Permit Activity

Local construction industry professionals remain busy which is one indicator of future work for the Development Services Department.

We continue to watch construction activity carefully as it has affect on our workload and department budgeting.

The first quarter of 2022 was slow for permit activity which has direct affect on our budget. The first quarter of a year is typically busy as people are preparing to begin projects in Spring and Summer. There was no reason to anticipate the significant reduction in permit activity that we encountered in January through March of this year. The 2022 Development Services budget prediction followed historical annual trends in activity with a close look at 2021, and other years back to 2018.

We do not yet have detailed financial data to provide you, but Development Services did observe an increase in new home building permit applications in April over the previous 3-months. We are hoping to have financial data including revenue/expense comparisons for the past 5-years to better understand and show what is happening in 2022.

The current thought is that it will take a significant change in permit activity to make up for the slow first quarter of 2022 and achieve anticipated budget revenues. There will likely need to be a budget amendment of some degree for Development Services, but the decision on this should not be made until the second quarter activity of 2022 is known. With financial data and trends we will need to make decisions in June and July regarding the remainder of 2022.

## **Permit Fees**

A Development Services “fee study” has been discussed for some time and this year we are working on at least some important aspects of it.

What we do in 2022 may not turn out to be a complete study of permit fees charged vs. services. Administrative changes to address the way we are now organized, our new Development Services Fund, potential budget concerns, and managing increases in consultant costs will be the focus this year.

Costs of consulting services are increasing. We are going to need to modify our approach to assuring that consultant costs are covered by permit fees or otherwise reimbursed. An approach we have used since 2010 is where a fairly small fee is charged for a permit then an additional Advanced Deposit account is also established. The intent of the Advanced Deposit account is to allow for easy payment of cost of services which exceed the permit fee. This AD system works fairly well for us and it is needed, but the process also has flaws. The most important first step to a review of costs and services is to adjust our Advanced Deposit process to eliminate any problems and make it even easier to use.

Prior to implementing the AD process the city would invoice permit holders for additional costs of service above permit fees paid. The invoice process did not work very well. The AD process is described in our ordinance and will require some formal amendments which should be to Council in June, or July at latest.

## **Tree Management Code Enforcement**

Our new Tree Code Consultant, Andrea Starbird began work with us in March. Unfortunately, within two weeks of starting with us under contract through Tree Solutions Inc. Andrea announced that she was leaving her employer for a new position at another company.

Tree Solutions assigned Sean Dugan to replace Andrea. Sean is a part owner of Tree Solutions Inc. and has been with them for about 20-years. Sean is highly qualified and experienced.

The cost of enforcing our Tree Management Code will be increasing significantly. For the most part we will be relying upon our Advanced Deposit process to recover the cost of Tree Solutions and Sean Dugan’s services. But, we will need to also evaluate services vs. fees as well. I anticipate that our tree activity permit fees and the fee structure itself will need to be changed at least to some extent.

The costs of enforcing our tree code are increasing on an hourly basis from Tom Early and Otak at \$120/hour in 2021 to Sean Dugan and Tree Solutions at \$160/hour. Additionally, Sean is being asked to perform more work for us to assure that issued tree permits conform to the approvals throughout the development process.

Development Services is taking the opportunity of the change to a new tree code consultant to implement new approaches to enforcement. Over the summer we will be implementing some new pre-application process, inspections and inspections process, methods of notifications of tree removals and pending tree permits. We will be improving tree code enforcement where we are able to and where most of the problems have been which is with development project permitting. We will also look at improving supplemental tree retention enforcement. Code enforcement associated with those who remove trees without permits will need to be looked at too. Additionally, we are looking at a new threshold and potentially new permit for tree protection during construction that would not currently trigger a tree activity permit. Tree protection during construction is a significant issue for tree health and viability.

### **Planning Commission**

At the April 26<sup>th</sup> Planning Commission meeting our Planning Manager gave a presentation on the topic “Housing Needs Assessment”. This was the same presentation given to Council on April 25<sup>th</sup> by our planning consultants from Blueline.

Additionally, discussion continued regarding a potential change from our original grade determination method of establishing a building height baseline, to another approach.

### **Permit Tracking and Portal**

We are continuing to work with our permit portal vendor to repair some issues that users are having. Some permit applicants are unable to submit permits independent of help from our staff.

Our permit tracking software and public portal are called “SmartGov”. SmartGov has transitioned ownership over the years from Palladin, to Dude Solutions and now recently to Brightly.

### **Code Enforcement**

Please see the April 2022 Code Enforcement report provided. The report shows much of the monthly code enforcement activity performed by Development Services. We perform many investigations either by complaint, or because of things we notice such as construction parking in the public right of way or advertising signs.

Coldwell Banker Real Estate has a new sign they use to advertise homes for sale. We found one of these new signs on Evergreen Point Road and discovered that it was about twice the size allowed by our Municipal Code. We informed the agent and asked for the sign to be removed, but we had to do the removal ourselves. Each time we see one of these new signs we will remove it and ask the agent listed to

come get it at City Hall. We typically remove any non-compliant sign and then inform the owner to come get pick it up at City Hall within 10-days.

## **Hearing Examiner**

We have contracted with the Sound Law Center for several years for hearing examiner services. Sound Law has performed well for us. Our contract with Sound Law will be expiring soon and we have been informed that we will be asked to work under a new fee schedule and fee format.

Part of the new fee format is a \$825/month retainer. Sound Law says that the retainer fee will include a training session if we choose. In addition to the new retainer fee the costs of service have also increased along with a new hourly fee to be charged in certain circumstances. Apparently, we are the first existing contract jurisdiction that Sound Law has presented this new fee schedule to.

Our contract with Sound Law expires on May 31, 2022, but there is a clause which allows for a month-to-month extension pending termination. We will exercise the month-to-month clause while exploring other potential options. There are not many hearing examiner options for us, but we will need to confirm before agreeing to the new Sound Law fees. Our hearing examiner fees could need a significant increase.

## **Training**

Development Services Director, Steve Wilcox began the Association of Washington Cities series "Certificate of Municipal Leadership" in April. The first of four seminars was titled "Roles, responsibilities, and legal requirements". This series is intended to primarily benefit newly elected officials and others, but provides excellent background for the department director.

## **Bellevue Fire Marshal**

We will be meeting with the Bellevue Fire Marshal's Office ("Office of Fire Prevention") to talk about how our departments are working together. We occasionally meet with the Fire Marshal's staff to assure that our codes are still correct as Bellevue modifies their Municipal Code. We also want to assure that Bellevue is following our Municipal Code. Administration and staff changes also require us to meet and make adjustments from time to time.

## **Firework Display**

The Overlake Golf and Country Club asked us about having a private fireworks display. Private fireworks displays over land that involve aerials over 8'-0 above the ground are not allowed by our Municipal Code.

## Monthly Applications Submitted

04/01/2022 – 04/30/2022

Permit Type	Submitted Date	Permit Number	Total Valuation	Address
ADVANCE DEPOSIT	04/06/2022	DEP00174		530 87th Ave NE
ADVANCE DEPOSIT	04/28/2022	DEP00175		3243 Evergreen Point Rd
ADVANCE DEPOSIT	04/28/2022	DEP00176		8458 NE 9TH ST
ADVANCE DEPOSIT	04/28/2022	DEP00177		550 OVERLAKE DR E
<b>TOTAL ADVANCE DEPOSIT:</b>	<b>4</b>		<b>\$0.00</b>	
B-ADD/ALT	04/05/2022	B-22-046	\$9,646.62	2841 Evergreen Point Rd
B-ADD/ALT	04/06/2022	B-22-049	\$7,500.00	101 OVERLAKE DR E
B-ADD/ALT	04/06/2022	B-22-050	\$100,000.00	8435 MIDLAND RD
B-ADD/ALT	04/21/2022	B-22-061		2005 EVERGREEN POINT RD
<b>TOTAL B-ADD/ALT:</b>	<b>4</b>		<b>\$117,146.62</b>	
B-DECK	04/26/2022	B-22-062	\$10,500.00	7530 NE 28TH PL
<b>TOTAL B-DECK:</b>	<b>1</b>		<b>\$10,500.00</b>	
B-DEM	04/04/2022	D-22-005		3243 EVERGREEN POINT RD
B-DEM	04/04/2022	D-22-006		8467 MIDLAND RD
B-DEM	04/06/2022	D-22-007		2426 80TH AVE NE

B-DEM	04/08/2022	D-22-008		8458 NE 9TH ST
B-DEM	04/13/2022	D-22-009		530 87th Ave NE
B-DEM	04/18/2022	D-22-010		550 OVERLAKE DR E
<b>TOTAL B-DEM:</b>	<b>6</b>		<b>\$0.00</b>	
B-FENCE	04/12/2022	B-22-053	\$10,000.00	8000 NE 16TH ST
B-FENCE	04/21/2022	B-22-060	\$200.00	3621 EVERGREEN POINT RD
<b>TOTAL B-FENCE:</b>	<b>2</b>		<b>\$10,200.00</b>	
B-GAS	04/07/2022	G-22-012		2036 EVERGREEN POINT RD
B-GAS	04/11/2022	G-22-013		707 OVERLAKE DR E
B-GAS	04/27/2022	G-22-014		442 87TH AVE NE
<b>TOTAL B-GAS:</b>	<b>3</b>		<b>\$0.00</b>	
B-GATE	04/04/2022	B-22-042	\$20,000.00	202 OVERLAKE DR E
<b>TOTAL B-GATE:</b>	<b>1</b>		<b>\$20,000.00</b>	
B-MECHANICAL	04/18/2022	M-22-033		707 OVERLAKE DR E
B-MECHANICAL	04/04/2022	M-22-043		1827 EVERGREEN POINT RD
B-MECHANICAL	04/05/2022	M-22-044		8001 NE 8th St

B-MECHANICAL	04/07/2022	M-22-045		2450 78TH AVE NE
B-MECHANICAL	04/05/2022	M-22-046		7914 NE 26TH ST
B-MECHANICAL	04/14/2022	M-22-048		7749 NE 8TH ST
B-MECHANICAL	04/12/2022	M-22-049		8000 NE 16TH ST
B-MECHANICAL	04/14/2022	M-22-051		402 UPLAND RD
B-MECHANICAL	04/16/2022	M-22-052		3268 EVERGREEN POINT RD
B-MECHANICAL	04/18/2022	M-22-053		8419 NE 10TH ST
B-MECHANICAL	04/18/2022	M-22-054		8425 RIDGE RD
B-MECHANICAL	04/21/2022	M-22-055		7871 NE 21ST ST
B-MECHANICAL	04/25/2022	M-22-056		3212 EVERGREEN POINT RD
B-MECHANICAL	04/27/2022	M-22-057		7545 NE 28TH PL
<b>TOTAL B-MECHANICAL:</b>	<b>14</b>		<b>\$0.00</b>	
B-PIER	04/28/2022	B-22-063	\$276,632.00	8835 OVERLAKE DR W
<b>TOTAL B-PIER:</b>	<b>1</b>		<b>\$276,632.00</b>	
B-PLUMBING	04/05/2022	P-22-015		8001 NE 8th St
B-PLUMBING	04/25/2022	P-22-020		8905 Groat Point Dr

B-PLUMBING	04/30/2022	P-22-021		7829 NE 14TH ST
<b>TOTAL B-PLUMBING:</b>	<b>3</b>		<b>\$0.00</b>	
B-SFR	04/06/2022	B-22-016	\$948,500.00	2426 80TH AVE NE
B-SFR	04/01/2022	B-22-030	\$1,500,000.00	8467 MIDLAND RD
B-SFR	04/08/2022	B-22-033	\$1,533,140.00	8458 NE 9TH ST
B-SFR	04/14/2022	B-22-055		2231 78TH AVE NE
B-SFR	04/18/2022	B-22-057	\$2,000,000.00	550 OVERLAKE DR E
B-SFR	04/20/2022	B-22-059		1655 73rd Ave NE
<b>TOTAL B-SFR:</b>	<b>6</b>		<b>\$5,981,640.00</b>	
CAP - CONSTRUCTION ACTIVITY PERMIT	04/04/2022	CAP-22-010		3243 EVERGREEN POINT RD
CAP - CONSTRUCTION ACTIVITY PERMIT	04/04/2022	CAP-22-011		8467 MIDLAND RD
CAP - CONSTRUCTION ACTIVITY PERMIT	04/06/2022	CAP-22-013		2426 80TH AVE NE
CAP - CONSTRUCTION ACTIVITY PERMIT	04/08/2022	CAP-22-014		8458 NE 9TH ST
CAP - CONSTRUCTION ACTIVITY PERMIT	04/13/2022	CAP-22-015		530 87th Ave NE
CAP - CONSTRUCTION ACTIVITY PERMIT	04/18/2022	CAP-22-016		550 OVERLAKE DR E
<b>TOTAL CAP - CONSTRUCTION ACTIVITY PERMIT:</b>	<b>6</b>		<b>\$0.00</b>	

ENG-GRADING/DRAINAGE	04/04/2022	ENG-GD-22-005		8467 MIDLAND RD
ENG-GRADING/DRAINAGE	04/06/2022	ENG-GD-22-006		2426 80TH AVE NE
ENG-GRADING/DRAINAGE	04/08/2022	ENG-GD-22-007		8458 NE 9TH ST
ENG-GRADING/DRAINAGE	04/08/2022	ENG-GD-22-008		202 Overlake Dr E
ENG-GRADING/DRAINAGE	04/18/2022	ENG-GD-22-011		550 OVERLAKE DR E
ENG-GRADING/DRAINAGE	04/14/2022	ENG-GD-22-012		2231 78TH AVE NE
ENG-GRADING/DRAINAGE	04/21/2022	ENG-GD-22-013		7749 NE 8TH ST
<b>TOTAL ENG-GRADING/DRAINAGE:</b>	<b>7</b>		<b>\$0.00</b>	
P-MINOR DEVIATION	04/08/2022	P-22-012		2839 EVERGREEN POINT RD
<b>TOTAL P-MINOR DEVIATION:</b>	<b>1</b>		<b>\$0.00</b>	
P-NON ADMIN SUBSTANTIAL DEV	04/07/2022	P-22-016		130 OVERLAKE DR E
<b>TOTAL P-NON ADMIN SUBSTANTIAL DEV:</b>	<b>1</b>		<b>\$0.00</b>	
P-SEPA THRESHOLD	04/07/2022	P-22-017		130 OVERLAKE DR E
<b>TOTAL P-SEPA THRESHOLD:</b>	<b>1</b>		<b>\$0.00</b>	
PW-RIGHT OF WAY	04/01/2022	PW-ROW-22-038		2231 78TH AVE NE
PW-RIGHT OF WAY	04/18/2022	PW-ROW-22-043		8458 NE 9TH ST

PW-RIGHT OF WAY	04/19/2022	PW-ROW-22-044		7844 NE 10TH ST
PW-RIGHT OF WAY	04/28/2022	PW-ROW-22-045		1312 76TH AVE NE
<b>TOTAL PW-RIGHT OF WAY:</b>	<b>4</b>		<b>\$0.00</b>	
TREE-ADMIN ROW TREE REMOVAL	04/01/2022	TREE-22-028		8467 MIDLAND RD
TREE-ADMIN ROW TREE REMOVAL	04/22/2022	TREE-22-040		1018 84TH AVE NE
<b>TOTAL TREE-ADMIN ROW TREE REMOVAL:</b>	<b>2</b>		<b>\$0.00</b>	
TREE-PERFORMANCE	04/14/2022	TREE-22-036		1034 Evergreen Point Rd
<b>TOTAL TREE-PERFORMANCE:</b>	<b>1</b>		<b>\$0.00</b>	
TREE-RESTORATION	04/14/2022	TREE-22-034		8300 NE 24TH ST
<b>TOTAL TREE-RESTORATION:</b>	<b>1</b>		<b>\$0.00</b>	
TREE-WITH BUILDING/DEVELOPMENT	04/06/2022	TREE-22-012		2426 80TH AVE NE
TREE-WITH BUILDING/DEVELOPMENT	04/01/2022	TREE-22-027		8467 MIDLAND RD
TREE-WITH BUILDING/DEVELOPMENT	04/08/2022	TREE-22-029		8458 NE 9TH ST
TREE-WITH BUILDING/DEVELOPMENT	04/08/2022	TREE-22-030		202 OVERLAKE DR E
TREE-WITH BUILDING/DEVELOPMENT	04/18/2022	TREE-22-032		550 OVERLAKE DR E
<b>TOTAL TREE-WITH BUILDING/DEVELOPMENT:</b>	<b>5</b>		<b>\$0.00</b>	
<b>Total # of Permits</b>	<b>74</b>		<b>\$6,416,118.62</b>	



# Monthly Issued Permit Report

April, 2022

Construction Value:	April 2022	April 2021	2022 YTM	2021 YTM	Difference
Accessory Structure	-	-	\$70,000.00	-	\$70,000.00
Addition / Alteration	\$1,108,916.62	\$1,121,100.00	\$2,003,951.62	\$3,716,622.94	(\$1,712,671.32)
Fence / Wall	\$10,200.00	\$15,000.00	\$88,700.00	\$32,100.00	\$56,600.00
New Construction	\$5,664,000.00	\$3,396,746.00	\$15,217,837.00	\$8,741,321.00	\$6,476,516.00
Repair / Replace	-	-	-	-	\$0.00
Wireless Comm. Facility	-	-	\$70,000.00	-	\$70,000.00
<b>Total Value:</b>	<b>\$6,783,116.62</b>	<b>\$4,532,846.00</b>	<b>\$17,450,488.62</b>	<b>\$12,490,043.94</b>	<b>\$4,960,444.68</b>

Permits Issued:	April 2022	April 2021	2022 YTM	2021 YTM	Difference
New Construction	2	2	6	4	2
Permit Extension	4	1	15	25	(10)
Accessory Structure	-	-	1	-	1
Addition / Alteration	5	5	8	13	(5)
Construction Activity Permit	2	5	10	9	1
Demolition	-	2	5	5	0
Fence / Wall	2	1	5	4	1
Grading / Drainage	2	4	7	6	1
Mechanical	14	12	46	34	12
Other - Moving	-	-	-	-	0
Plumbing / Gas	5	4	19	27	(8)
Repair / Replace	-	-	-	-	0
Reroof	-	-	-	-	0
Right of Way Use	7	11	30	31	(1)
Tree Mitigation	3	9	22	22	0
Wireless Comm. Facility	-	-	1	-	1
<b>Total Permits:</b>	<b>46</b>	<b>56</b>	<b>175</b>	<b>180</b>	<b>(5)</b>

Inspections:	April 2022	April 2021	2022 YTM	2021 YTM	Difference
Building	114	87	377	313	64
	22	27	87	81	6
Engineering/Other	6	3	23	13	10
Tree	5	3	26	8	18
<b>Total Inspections:</b>	<b>147</b>	<b>120</b>	<b>513</b>	<b>415</b>	<b>98</b>



# Code Enforcement for April

Report run on: 05/02/2022 10:23 AM

Case Number	Case Type	Case Status	Assigned To	Address	Case Text
CC-2022-042	GENERAL	COMPLETED	Rob Kilmer	631 84TH AVE NE	<p>Description: Apparently construction related vehicles parked along Right of Way</p> <p>Action Taken: Spoke with homeowner. One vehicle is related to maintenance work that does not require a permit. The other vehicle is privately owned.</p>
CC-2022-043	GENERAL	COMPLETED	Rob Kilmer	3319 Evergreen Point Rd	<p>Description: Report of an illicit discharge.</p> <p>Action Taken: Investigated issue and spoke with homeowner. No signs could be found that the water caused erosion or reached the lake. The water would have had to travel a 200+ feet and cross an open field of grass and brush. Advised the homeowner that water should be discharged into the public sewer system.</p>
CC-2022-044	GENERAL	COMPLETED	Rob Kilmer	2227 78TH AVE NE	<p>Description: Received call regarding a fence that is falling over</p> <p>Action Taken: Investigated issue, spoke with both parties, and notified project Agent that they need to address the issue with the fence owner.</p>
CC-2022-045	INITIAL WARNING	COMPLETED	Rob Kilmer	2221 78TH AVE NE	<p>Description: Construction related vehicles in ROW</p> <p>Action Taken: Spoke with project Agent to give an initial warning. Also spoke with project manager and excavating subcontractor regarding parking rules.</p>
CC-2022-046	GENERAL	COMPLETED	Rob Kilmer	824 76TH AVE NE	<p>Description: Portable Toilet placed on sidewalk in ROW</p> <p>Action Taken: Spoke with homeowner. They've requested their workers move it onto the property. Portable was removed by the following day.</p>
CC-2022-047	GENERAL	COMPLETED	Rob Kilmer	2890 Evergreen Point Road	<p>Description: Potential construction-related vehicles parked at Park &amp; Ride</p> <p>Action Taken: Photographed and left warning notices. Vehicles were no longer present by the time I returned to the area.</p>



# Code Enforcement for April

Report run on: 05/02/2022 10:23 AM

Case Number	Case Type	Case Status	Assigned To	Address	Case Text
CC-2022-048	GENERAL	COMPLETED	Rob Kilmer	7648 NE 12TH ST	<p>Description: Concrete work vehicle parked along ROW. It's not clear where work is taking place as no work was visible from street.</p> <p>Action Taken: Photographed and left warning.</p>
CC-2022-049	GENERAL	COMPLETED	Rob Kilmer	8865 OVERLAKE DR W	<p>Description: Possible construction-related vehicle parked along ROW. Vehicle may be landscaping related.</p> <p>Action Taken: Photographed and left warning.</p>
CC-2022-050	STOP WORK ORDER	COMPLETED	Rob Kilmer	2451 78TH AVE NE	<p>Description: Report of work performed without a permit.</p> <p>Action Taken: Issued Stop Work Order to homeowner and requested that they submit information regarding the project for review.</p>
CC-2022-051	SIGN VIOLATION	COMPLETED	Rob Kilmer	2500 EVERGREEN POINT RD	<p>Description: Real Estate Agent sign placed in ROW that exceeds allowable size (sign is approximately 10 square feet in size).</p> <p>Action Taken: Notified Real Estate Agent that the sign must be removed/replaced with one that complies with the MMC requirements. Agent responded that the sign would be removed promptly. Sign was not removed after three days so we removed the sign and notified Agent that it could be picked up at City Hall.</p>
CC-2022-052	NOTICE OF VIOLATION	COMPLETED	Rob Kilmer	2451 78TH AVE NE	<p>Description: Notice of Violation needed to go with Stop Work Order issued 04/18/2022</p> <p>Action Taken: Notice of Violation issued. Delivered in person and via email 4/22/22 by Rob Kilmer. Copy of Notice attached to this record. 4/28/22 Met with homeowner and confirmed that required changes have made to bring project into compliance with zoning rules.</p>
CC-2022-053	GENERAL	COMPLETED	Rob Kilmer	1034 76TH AVE NE	<p>Description: Report of tree removal taking place</p> <p>Action Taken: Confirmed that a tree-removal permit had been issued. Work is permitted under TREE-22-036 for the removal of 3 trees.</p>



## Code Enforcement for April

Report run on: 05/02/2022 10:23 AM

Case Number	Case Type	Case Status	Assigned To	Address	Case Text
CC-2022-055	SIGN VIOLATION	COMPLETED	Rob Kilmer	8300 NE 24TH ST	<p>Description: Commercial advertising sign attached to utility pole by Right of Way</p> <p>Action Taken: Removed sign and contacted company to inform them of the municipal code rules regarding sign restrictions in Medina.</p>
CC-2022-056	GENERAL	COMPLETED	Rob Kilmer	7627 NE 10TH ST	<p>Description: Construction work observed that appears to require a building permit.</p> <p>Action Taken: Investigated and spoke with project manager about the scope of work being performed. Project is being required to apply for a building permit to ensure compliance with building code.</p>