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CITY OF BELLEVUE, WASHINGTON

RESOLUTION NO. 4990B

A RESOLUTION approving the preliminary plat of Marwood Estates, located in the Bridle Trails Subarea on 9.55 acres of property, zoned R-1, on the west side of 140th Avenue N.E. addressed as 3025 - 140th Avenue N.E., upon application of Christine C. Rotermund, by her agents Marshall and Marsha Vangemert; File No. PP 87-5432.

WHEREAS, Christine C. Rotermund, by her agents Marshall and Marsha Vangemert, has submitted an application for approval for a preliminary plat; and

WHEREAS, said application for approval of a preliminary plat is submitted in order to develop a plat of ten single family lots located on the west side of 140th Avenue N.E. addressed as 3025 - 140th Avenue N.E., in the City of Bellevue; and

WHEREAS, on February 25, 1988, a public hearing was held therein by the Hearing Examiner upon proper notice to all interested persons; and

WHEREAS, the Hearing Examiner has reviewed said preliminary plat application to determine whether said proposed subdivision is in conformance with the general purposes and policies of the Comprehensive Plan and meets the platting standards and specifications of the City; and

WHEREAS, the Design and Development Department recommended conditional approval; and

WHEREAS, on March 16, 1988, the Hearing Examiner recommended to the City Council conditional approval of the preliminary plat application and made and entered findings of fact and conclusions based thereon in support of his recommendation; and

WHEREAS, the City Council concurs in the findings of fact and conclusions of the Hearing Examiner, and wishes to enter additional findings of fact and conclusions; and

WHEREAS, the City has complied with the State Environmental Policy Act and the Bellevue Environmental Procedures Code; now, therefore

THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES RESOLVE AS FOLLOWS:

Section 1. The City Council adopts the findings of fact and

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conclusions based thereon made and entered by the Hearing Examiner in support of his recommendation to the City Council in this matter as set forth in "Findings and Recommendation of the Hearing Examiner for the City of Bellevue, In the Matter of the Application of Christine C. Rotermund, by Marshall and Marsha Vangemert, for approval of the Preliminary Plat of Marwood Estates, File No. PP 87-5432", and enters the following additional findings of fact and conclusions herein:

FINDINGS OF FACT

1. Adding a 15-foot-wide trail easement along the south property line would add to the pedestrian and equestrian trail system in the vicinity;
2. Acquisition of the easement now will not conflict with the needed drainage improvements because the drainage system can be designed to accommodate equestrian use of the easement;
3. The applicant is willing to voluntarily dedicate, but not build or maintain the easement, and the easement, if used as an equestrian trail, could be used in its natural state and would not have to be built or maintained, except for the drainage improvements; and
4. Securing this easement now will preserve the City's option of completing the trail connection to the west at a future time when it may be available.

CONCLUSIONS

1. The acceptance of the voluntarily offered 15-foot-wide equestrian trail easement along the south property line of the plat is consistent with and will further the policies of the Comprehensive Plan; and
2. The City should accept the applicant's voluntary offer to dedicate, but not build or maintain, a 15-foot-wide equestrian trail easement along the south property line of the plat.

Section 2. The City Council hereby approves the preliminary plat of Marwood Estates, upon application of Christine C. Rotermund, by her agents Marshall and Marsha Vangemert, said plat being located on the west side of 140th Avenue N.E. and addressed as 3025 - 140th Avenue N.E., and more particularly described as:

The North 1/2 of the East 1/2 of the Northeast 1/4 of the Southwest 1/4 of Section 22, Township 25 North, Range 5 East, W.M., in King Co., Washington; except the East 30 feet for road.

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Provided that approval of said preliminary plat of Marwood Estates, shall be subject to the following terms and conditions, and this approval thereof is conditioned on full compliance by the owner or owners, developer or developers, and their heirs, assigns, grantees, and successors in interest herewith:

1. All plat improvements except curbs and gutters, including but not limited to roads, utilities, storm drainage conveyance and detention including a storm water interceptor system, clearing, grading, and all necessary and required appurtenances, shall be constructed in conformance with the City of Bellevue Public Works and Utilities Development Standards, edition current at the time of application for permits, the City of Bellevue Clearing and Grading Code and all other codes, ordinances and policies. Plans for said improvements shall be approved by the applicable City departments prior to the issuance of any clearing and grading permits for plat improvements. Said plat improvements shall be installed prior to final plat approval or an assurance device in the amount of 150% of the cost of improvements must be submitted to the City to guarantee installation of improvements within one year from final plat approval.

2. At the plat owner's option, curbs and gutters may be those common to the Bridle Trails community rather than those required by the edition of the Development Standards current at the time of application for permits.

3. A storm water interception system reviewed and approved in advance by the appropriate City of Bellevue departments shall be installed as part of the utility infrastructure and no prior clearing and grading activities shall be permitted except those necessary to the installation of that interception system.

4. Initial clearing and grading activities shall be limited to those necessary to install the plat roadway, frontage improvements and utility infrastructure. No clearing or grading shall occur on the individual lots until such time as individual building permits and clearing and grading permits are issued for each lot.

5. A storm drain stub out shall be provided to each individual lot for connection of the roof and footing drains. A note shall be added to the face of the plat stating that all roof, footing and driveway drains shall be positively connected to the plat storm drainage system.

6. Prior to discharge from the storm drainage system, a baffle type oil/water separator or adequate vegetative biofiltration shall be provided for pollution treatment.

7. A geotechnical report shall be submitted with the clearing

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and grading permit application for plat improvements. The report shall contain as a minimum:

- a. Subsurface geology of the plat. If colluvial soils are discovered these deposits shall be accurately mapped.
- b. Suitability of the site for the proposed development.
- c. Design recommendations for plat improvements.
- d. Groundwater and recommendations for interception and disposal.
- e. Special site conditions of note.

8. Any and all permits required by other agencies with jurisdiction shall be obtained by the developer prior to issuance of a clearing and grading permit by the City.

9. Frontage improvements on 140th Avenue N.E. shall include pavement widening to 21 feet from centerline, curb, gutter, storm drainage, four-foot planting strip, street trees (English Oak), irrigation and six-foot sidewalk. A pedestrian easement shall be granted to the City of Bellevue for approximately one and one-half feet of sidewalk. A cross section showing the above shall be added to the engineering drawings.

10. The applicant shall pay for the installation of a maximum of two street lights on existing poles fronting the east side of 140th Avenue N.E. The cost of these lights is \$262.00 each. Payment of street light installation shall be required prior to final plat approval.

11. N.E. 31st Street shall be designated N.E. 31st Place on the final plat. The applicant shall provide N.E. 31st Place and 140th Avenue N.E. street signs.

12. The N.E. 31st Place road section currently shown on the preliminary plat shall show the following: a two percent slope from the crown, four-inch asphalt treated base rather than four-inch crushed rock, a four-foot planting strip and a five-foot-wide, four-inch-thick Portland cement concrete sidewalk. The design of N.E. 31st Place shall be incorporated in the engineering drawings for plat improvements.

13. The following note shall be added to the engineering drawings: Puget Power to design and install streetlighting system at developer/owner cost. Design to be approved by City of Bellevue prior to installation. Poles shall be installed in conjunction with N.E. 31st Place roadway improvements.

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14. A landscaped planter island shall be built in the N.E. 31st Place cul-de-sac. A 28-foot-wide driving lane must be maintained.

15. The sidewalk shall extend to the beginning of the cul-de-sac

16. There shall be no access to 140th Avenue N.E. by individual lots. This restriction shall be noted on the face of the final plat.

17. To mitigate adverse construction noise impacts, the following mitigating measures shall be listed by the applicant on the face of the plat improvement engineering drawings submitted to the City for permit approval:

a. The contractor shall provide certification that all diesel, gasoline and air-powered equipment is properly muffled or silenced.

b. Any construction and any exterior work on plat improvements or to single-family residences, including, but not limited to, excavation, foundation, and framing shall be limited to between the hours of 7:00 a.m. and 6:00 p.m., Monday through Friday and prohibited on weekends. (This condition shall be noted on the face of the final plat.)

18. Water service will require a developer extension agreement to extend one eight-inch water main onto the site and to the extreme west of the property. Services for each lot, plus fire hydrant shall be installed along the eight-inch water main.

19. Sanitary sewer service will require a developer extension agreement to bring an eight-inch main sewer line onto the site. A stub shall be provided to each lot.

20. To mitigate impacts to the existing well, the sewer easement shall be moved or the well abandoned according to State regulations prior to final plat approval.

21. To mitigate construction impacts on significant trees, details for their retention and protection during construction shall appear on the face of the plans submitted for engineering plan approval.

22. To mitigate noise levels from 140th Avenue N.E. to Lots 1 and 10, the applicant shall submit, prior to final plat approval, an acoustical study containing recommendations sufficient to reduce noise levels on these lots to 55 dBA Ldn at exterior recreational areas associated with residences on these lots. The design of single-family residences on Lots 1 and 10 and/or the design of plat improvements shall incorporate the recommendations of the acoustical study. If the design of single-family homes is required to incorporate noise mitigation

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measures, this condition shall be noted on the face of the final plat.

23. The applicant shall dedicate, as offered by the applicant, but not build or maintain, a 15-foot-wide equestrian trail easement along the entire south property line of the plat.

Provided further that this approval of the preliminary plat of Marwood Estates upon application of Christine C. Rotermund, by her agents Marshall and Marsha Vangemert, is also conditioned on full compliance by the owner or owners, developer or developers, and their heirs, assigns, grantees, and successors in interest with the plans and attachments, conditions, commitments, reports, and other documents relating to this preliminary plat, given Clerk's Receiving No. 13405 which is hereby approved and by this reference fully incorporated herein.

This resolution shall be recorded with the King County Department of Records and Elections.

Further, it shall be noted on the face of the final plat that said plat is subject to the conditions contained in this resolution.

PASSED by the City Council this 18th day of April, 1988, and signed in authentication of its passage this 18th day of April, 1988.

(SEAL)

Nan Campbell
Nan Campbell, Mayor

Attest:

Marie K. O'Connell
Marie K. O'Connell, City Clerk