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CITY OF BELLEVUE, WASHINGTON

RESOLUTION NO. 5373

A RESOLUTION approving the preliminary plat of Bridleview South on approximately 3.3 acres of property located at 12929 N.E. 24th Street, upon application of Otak, Inc.; File No. PP 89-4266

WHEREAS, Otak, Inc. has submitted an application for approval of 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 on approximately 3.3 acres of property located at 12929 N.E. 24th Street; and

WHEREAS, on February 7, 1991, a public hearing was held thereon by the Hearing Examiner Pro Tempore upon proper notice to all interested persons; and

WHEREAS, the Hearing Examiner Pro Tempore 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, City staff recommended conditional approval; and

WHEREAS, on February 28, 1991, the Hearing Examiner Pro Tempore recommended 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 Pro Tempore and has determined that approval of the preliminary plat of Bridleview South, subject to certain conditions, is in the public interest; 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 conclusions based thereon made and entered by the Hearing Examiner Pro Tempore in support of his recommendation to the City Council in this matter as set forth in "Findings, Conclusions and Recommendation of the Hearing Examiner Pro Tempore for the City of Bellevue, In the Matter of the Application of Otak, Inc., for approval of a Preliminary Plat for

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Bridleview South, File No. PP 89-4266, except for recommended Condition No. 1."

Section 2. The City Council hereby approves, with conditions, the preliminary plat of Bridleview South upon application of Otak, Inc., said plat containing approximately 3.3 acres of property located at 12929 N.E. 24th Street, and more particularly described as:

The East 330 feet of that portion of the northwest quarter of the northeast quarter of Section 28, Township 25 North, Range 5 East, W.M., in King County, Washington, lying northerly of County Road No. 833;

EXCEPT the South 725 feet thereof;

AND EXCEPT that portion thereof as condemned in King County Superior Court Case No. 731953 for State Highway SR 520;

AND EXCEPT that portion thereof for Northeast 24th Street (County Road No. 85).

Provided that approval of said preliminary plat of Bridleview South 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 including, but not limited to roads, utilities, storm drainage conveyance and detention, clearing and grading, and all necessary and required appurtenances, shall be constructed in conformance with the City of Bellevue Land Use Code, Environmental Procedures Code, Development Standards edition current at the time of application for permits, Utility Codes, the Clearing and Grading Code, and all applicable permits, codes, ordinances, regulations, and policies of the City of Bellevue and all other agencies with jurisdiction. It is the responsibility of the applicant to ensure compliance with the various provisions contained in these ordinances.

2. Prior to submittal of the final plat or Clearing and Grading Permit, whichever comes first, the applicant shall submit for approval to the Director of Design and Development, a Tree Retention Agreement that will assure retention of no less than 30 percent of the "significant evergreen trees" on the interior of the site (excluding those trees located in the Native Growth Protection Easement [NGPE] and within the roadway). Significant evergreen trees shall be defined as healthy, eight inches in diameter or greater, measured four feet above existing grade. The agreement shall include reference to protection of not only the significant trees, but the measured dripline. Reference shall also be given to a preference for retention of groups of trees in a specific area as well as individual major-sized trees. The agreement shall specify that prior to approval of the final plat, an arborist, approved by the City, shall evaluate the significant evergreen trees on the site and identify 30 percent of those trees for retention. The approved agreement shall be recorded with King County Records and Elections prior to submittal of the

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final plat, and the recorded agreement number shall be shown on the final plat mylar. (See SEPA Condition D.1 & 2)

3. Prior to issuance of a Clearing and Grading Permit or plat engineering approval, the applicant shall:

A. Submit to the applicable City departments for approval of all plans for plat improvements. These plans shall be approved prior to issuance of any Clearing and Grading Permit. (BCC 23.76.025, .030A, .040)

B. Portray on the Grading Plan and Temporary Erosion Control Plan, the limits of clearing for plat improvements and the driplines of trees to be retained in compliance with Condition 3 and 4 above.

The following notes must appear on the Grading Plan:

1) A temporary six foot high chain link fence shall be installed at the dripline of trees or groups of trees to be retained. This fencing shall be installed prior to any clearing and grading of the site. (See SEPA Condition D.2.a)

2) The applicant shall notify the Design and Development Department and the Storm and Surface Water Utility for required inspection and approval of the tree fences. Notification shall precede clearing and grading of the site by a minimum of four working days. (BCC 23.76.030.B3 & 4, Comp. Plan 21.D.200 & 21.Q)

3) Only limited intrusions into the protected drip zones shall be allowed as specifically shown on the Grading and Landscaping Plans approved by the City. These intrusions shall be made by hand methods only. No stockpiling or equipment storage will be allowed within the drip zones. (See SEPA Condition D.2.b)

4) Roots exposed by excavation shall be neatly trimmed. Roots greater than one inch in diameter shall be treated with a root growth hormone. The exposed roots shall be covered with damp burlap and kept damp until expeditiously and permanently covered with earth. (Comp. Plan 21.D.200 & 21.Q)

C. Show limits of clearing and grading on grading and engineering plans. Clearing during plat development shall be limited to street and utility (infrastructure) construction only. All clearing limits shall be staked in the field, reviewed and approved by the Storm and Surface Water Utility Department prior to commencing construction. (BCC 23.76.030B)

D. Submit Temporary Erosion Control and Storm Drainage Plans that conform to the edition of the Development Standards current at the time of application for the Clearing and Grading Permits. The preliminary drainage plan and hydrologic report shall be revised to provide full detention capacity. (BCC 23.76.030.B, C, D, E)

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E. Provide easements for the storm drainage conveyance and detention system as may be necessary to construct and maintain the drainage system improvements. (BCC 23.76.030.D)

F. Identify on all construction drawings a tracking pad for trucks in the event construction occurs during wet conditions. Catch basins likely to be affected by mud clinging to wheels of vehicles should also be identified and protected by filter fabric where mud is likely to collect. (See SEPA Condition C.3)

G. Identify on the engineering drawings the specifications for the installation of the perimeter acoustical shielding for Lots 1 and 4 through 10. (See SEPA Condition E.1)

H. Show the following conditions on the face of the engineering drawings submitted:

1) Dust mitigation measure that will be taken when construction occurs during dry weather. Construction areas shall be swept and watered to suppress dust entrainment. Chemical dust suppressants should not be used. (See SEPA Condition B.1)

2) Noise mitigation measures as follows:

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

ii. Construction shall be limited to between the hours of 7:00 a.m. and 6:00 p.m., Monday through Friday, and prohibited on weekends.

iii. These conditions shall be prominently displayed at or near the entrance to the site in view of contractors and the public.

(See SEPA Condition E.2)

I. Applicant shall submit for review and approval by Storm and Surface Water Utility a 30-foot Native Growth Protection Easement (NGPE) along the north property line, less access to the site, and shall record the easement with King County Office of Records and Elections.

4. Prior to submittal of the final plat, the applicant shall:

A. State on the face of the final plat mylar that prior to issuance of Clearing and Grading Permits for construction on individual lots, the Grading Plans must identify all significant evergreen trees on the site, and indicate which trees are to be retained to comply with the minimum 30 percent retention figure required by the Tree Protection Agreement. The applicant shall retain an arborist approved by the City to

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identify the healthy significant evergreen trees, and prepare a Tree Retention Plan indicating specific trees to be retained on the interior of the site, subject to review and approval of the Design and Development Department. Development of the lots shall comply with the approved Tree Retention Plan. The trees to be retained shall be protected as outlined in Condition 4.B above.

B. State on the face of the final plat the following:

1) Development of any lot within this plat shall be subject to the Tree Retention Agreement (recording number) and subsequent Tree Retention Plan (recording number). Clearing and Grading within the measured dripline of the significant evergreen trees shall not be permitted unless reviewed and approved by the Design and Development Department.

2) The approved 30 foot Native Growth Protection Easement shall be recorded with King County Records and Elections and the recorded easement number shall be shown on the final plat mylar.

3) Maintenance of the Native Growth Protection Easement shall be the responsibility of the abutting property owners. However, clearing, pruning, or removal of vegetation shall be limited to only those trees which are a hazard and shall only be removed with prior approval from the Design and Development Department and the Storm and Surface Water Department.

4) Documentation from a qualified noise consultant, analyzing specific interior noise levels based on construction type, and such levels shall not exceed 45 Ldn dBA. Documentation that exterior noise levels of 55 Ldn DbA will not be exceeded shall be submitted with all subsequent building permit applications.

A specific noise analysis for each residential building shall be submitted at time of building permit application. The analysis shall be prepared by a qualified acoustical consultant and shall indicate the following:

i. Attenuation of specific construction type with windows closed and adequate fresh air ventilation provided will result in interior noise levels of 45 dBA Ldn or 40 dBA night time Leq.

ii. An exterior recreation area of at least 1,500 square feet has been provided within which projected noise levels would average 55 dBA Ldn or less. Acoustical shielding or placement of this area shall be specified.

A preliminary acoustical study was prepared by Michael Yantis and Associates for Lots 1 through 10. The study documents specify noise mitigation requirements which involve the construction of a noise barrier, such as a fence or wall around the perimeter, specific

orientation of buildings on lots, noise barriers for individual recreation spaces and special construction materials and methods are required to achieve a reduction in exterior and interior noise levels.

Acoustical shielding shall be provided in the form of a wall or fence on individual exterior spaces of at least 1,500 square feet or the buildings shall be oriented to provide noise attenuation to individual exterior recreation spaces in order to achieve the acceptable exterior noise levels of 55 dBA Ldn. (See SEPA Condition E.1)

5) Maintenance of fences along the Native Growth Protection Easement shall be the responsibility of the abutting property owner(s). (COB Dev. Stds. 3A.04)

6) Maintenance of the landscaped island in the cul-de-sac is the responsibility of the owners of Lots 1 through 10 or a Homeowner's Association, if formed. (COB Dev. Stds. 3A.07.A)

5. Prior to issuance of building permits or at the time of final plat, the applicant shall:

Pay transportation impact fees per City of Bellevue Ordinance No. 4161. These fees are due at the time of building permit issuance or can be paid at the time of final plat approval. This proposal is located in Impact Fee Area Four, the fee is \$1,727.91 per single-family dwelling, the total fee for nine lots is \$15,551.19. (COB Ordinance 4104 and 4161)

6. Prior to approval of the final plat, the applicant shall:

A. Install frontage improvements along N.E. 24th Street which include but are not limited to the following: installation of curb, gutter, 10 foot wide meandering crushed rock sidewalk, landscaping and street lighting. Items not within the right-of-way shall be on an easement. (COB Dev. Stds. 3)

B. Install a 50 foot wide internal plat dedicated right-of-way culminating in a 50 foot wide radius right-of-way for the cul-de-sac. The internal roadway shall be constructed to City of Bellevue Development Standards and be 28 feet wide, curb face to curb face; curb and gutter on both sides; a five foot wide sidewalk on one side and street lights. The cul-de-sac shall have a minimum outside curb radius of 48 feet and a landscaped island in the middle of the cul-de-sac with a 28 foot wide roadway maintained around the island. (COB Dev. Stds. 3)

C. Install appropriate street name signing which shall be supplied by the developer. (COB Dev. Stds. 3.30)

D. Coordinate installation, quantity and location of street lights with Puget Power and the City of Bellevue. Street lights shall be designed by Puget Power, approved by the City of Bellevue, and installed at developer expense. Street lighting shall be installed with roadway plat improvements. (COB Dev. Stds. 3.29)

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E. Complete extension agreements with the City of Bellevue, Utilities Division of the Public Works Department, for water and sewer services, including all requirements associated with the agreements, including payment of connection charges in lieu of assessment. (BCC 24.02.200 and BCC 22D.10.040)

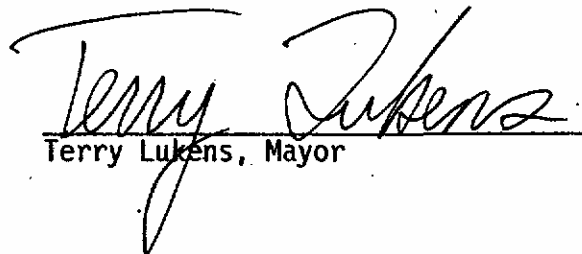
F. Install a perimeter acoustical barrier as specified in the noise study prepared by Michael R. Yantis Associates, dated January, 1990. (SEPA Condition D.2.b)

Section 3. This resolution shall be recorded with the King County Department of Records and Elections.

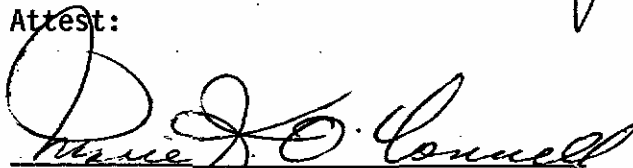
Section 4. It shall be noted on the face of the final plat that said final plat is subject to the conditions contained in this resolution.

PASSED by the City Council this ~~8~~⁷ day of April, 1991, and signed in authentication of its passage this 8th day of April, 1991.

(SEAL)


Terry Lukens, Mayor

Attest:


Marie K. O'Connell, City Clerk