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CITY OF BELLEVUE, WASHINGTON

RESOLUTION NO. 5429

A RESOLUTION approving the preliminary plat of Lakewood Park on approximately 4.63 acres of property located north of N.E. 30th Street at approximately 171st Avenue N.E., upon application of McKenzie Homes, Inc.; File No. PP-89-4502.

WHEREAS, McKenzie Homes, Inc. has submitted an application for approval of a preliminary plat; and

WHEREAS, said application for approval of preliminary plat is submitted in order to develop a plat of fourteen single family lots on approximately 4.63 acres of property located at north of N.E. 30th Street at approximately 171st Avenue N.E.; and

WHEREAS, on June 6, 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 July 1, 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 Lakewood Park, 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 a Matter of the

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Application of McKenzie Homes, Inc., for Approval of a Preliminary Plat for Lakewood Park, File No. PP 89-4502."

Section 2. The City Council hereby approves, with conditions, the preliminary plat of Lakewood Park upon application of McKenzie Homes, Inc., said plat containing approximately 4.63 acres of property located at north of N.E. 30th Street at approximately 171st Avenue N.E., and more particularly described as:

A portion of the N.E. quarter of the N.E. quarter of the S.W. quarter of Section 24, Township 25 north, Range 5 East, W. M., Lot 2 of Bellevue Short Plat 78-48, recorded under King County Recording No. 7808020998, and corrected under King County Recording Nos. 8011100828 and 8103160640.

Provided that approval of said preliminary plat of Lakewood Park 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. The following conditions are imposed to ensure compliance with provisions of cited Code or to mitigate adverse environmental impacts which are otherwise not addressed through applicable code provision. These conditions must be complied with prior to issuance of any clearing and grading permit for the proposal:

A. ON-SITE GEOGRAPHICAL ENGINEER MONITORING REQUIRED: To ensure conformance with the recommendations in the geotechnical report dated 9/24/90 by Terra Associates; site earthwork, drainage control, foundation placement and retaining wall construction shall be monitored by a professional geotechnical engineer and reported to the Storm and Surface Water Utility on a daily basis. BCC 22.02.005; Comp. Plan 21.D.200.C3, D4.

B. SEASONAL CONSTRUCTION LIMITATIONS IMPOSED: All clearing and grading activities shall be limited to dry weather, i.e., May 1 through October 31. Due to the extreme moisture sensitivity of soils and slopes, plat infrastructure shall be constructed during one dry season followed by construction of homes on individual lots during a subsequent dry season. BCC 23.76.030

C. DUST CONTROL REQUIRED: Construction areas shall be watered to suppress dust entrainment. In order to reduce potential surface and ground water contamination, chemical dust suppressants shall not be used. BCC 22.02.005 .

D. TREE PROTECTION MEASURES REQUIRED: Details for the retention and protection of significant trees and other vegetation within the Native Growth Protection Easement (NGPE) during construction shall

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appear on the face of the clearing and grading and temporary erosion and sedimentation control plans as follows:

1) A temporary six-foot-high chain link fence shall be installed at the limits of disturbance.

2) The applicant shall notify the Design and Development Department and the Storm and Surface Water Utility for required inspection and approval of the fencing. LUC 20.45A.280

E. CONSTRUCTION HOURS LIMITATION IMPOSED: The notes shall be listed by the applicant on the face of the construction drawings submitted to the City for plat infrastructure and building permit approval:

1) Prior to issuance of any permit, the contractor shall submit a letter to the Department of Design and Development certifying that all diesel, gasoline and airpowered equipment is properly muffled or silenced.

2) Construction shall be limited to between the hours of 7 a.m. and 6 p.m. Monday through Friday and prohibited on weekends and Federal holidays.

3) A sign shall be erected near the entrance to the site in view of contractors and the public which states: "All diesel, gasoline and air-powered equipment used on site shall be properly muffled or silenced. Construction hours are 7:00 a.m. to 6:00 p.m., Monday through Friday and prohibited on weekends, and Federal holidays. Comp. Plan 21.G.100.B.1; BCC 22.02.005.

2. The following conditions are imposed to ensure compliance with provisions of cited Code or to mitigate adverse environmental impacts which are otherwise not addressed through applicable code provision. These conditions must be complied with prior to Final Plat approval:

A. NATIVE GROWTH PROTECTION EASEMENT DELINEATED: A Native Growth Protection Easement (NGPE) shall be established on the west slopes including the wetland and open space of Tract A. This easement shall include all of Tract A and all property generally west of the "limits of disturbance" line shown on the slope analysis sheet. The exact location of this line shall be determined by the Storm and Surface Water Utility and Department of Design Development and established by a survey prior to submittal of the Final Plat mylar. The purpose of the NGPE shall be noted on the face of the Final Plat mylar in language approved by the Storm and Surface Water Utility and Department of Design and Development. BCC 23.76.030, LUC 20.45A.280

B. DETAILED LEGAL AGREEMENT FOR AFFORDABLE HOUSING TO BE EXECUTED AND RECORDED: Prior to Final Plat approval, a detailed legal

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agreement to provide one (1) unit of affordable housing shall be executed and recorded. Comp. Plan 21.G.125.C.2

C. THREE-YEAR PERFORMANCE BOND FOR STORM DRAINAGE SYSTEM REQUIRED: A three-year performance bond shall be posted to insure the long-term integrity of the drainage system. BCC 23.76.050, LUC 20.40.490

D. TRAFFIC IMPACT FEE PAYMENT REQUIRED: The current traffic impact fee shall be paid prior to final plat approval, however, the applicant may elect to defer payment of the fee to issuance of building permits. In this instance the requirement of payment of the fee shall be noted on the face of the Final Plat. The actual fee to be paid should be based on the fee schedule which is in effect at the time of payment. Ordinance No. 4139.

E. COMPLIANCE WITH DEVELOPMENT STANDARDS FOR INTERNAL PLAT ROADWAY REQUIRED: Fifty feet (50') of right-of-way shall be dedicated for the internal plat roadway. The roadway shall be constructed to City of Bellevue Development Standards, with a 28 foot width of two 1.5 inch lifts of asphalt over four (4) inches of asphalt treated base. Street improvements shall include rolled curb, gutter, storm drainage, five foot sidewalk on both sides, and street lighting. The street lighting must be designed by Puget Power and installed with the street improvements. The cul-de-sac shall be 48 feet in diameter, with a planter island with landscaping to be maintained by adjacent homeowners. Dev. Stds. 3A.06, 3A.07, 3A.29, 3B.05; Comp. Plan 21.M.210, 21.M.215

F. FULL FRONTAGE IMPROVEMENTS ON N.E. 30TH STREET REQUIRED: The N.E. 30th Street pavement shall be widened approximately 16 feet from the right-of-way centerline. Vertical curb, gutter, a five foot sidewalk, planting strip, storm drainage, and Puget Power street lights shall be installed. Dev. Stds. 3A.06, 3A.29, 3B.05; Comp. Plan 21.M.210(5), 21.M.215

G. PEDESTRIAN TRAIL EASEMENT REQUIRED: A 10-foot wide pedestrian trail easement between Lots 8 and 9 and along the north property line of Lot 8 shall be provided. The trail shall be six (6) feet wide, hard-surfaced, and fenced with a low post and rail fence. The easement shall be shown and language describing the purpose of the easement shall be noted on the face of the Final Plat mylar. This note shall state that the maintenance of the trail is the responsibility of the City of Bellevue, Department of Public Works. Comp. Plan 21.M.210(5), 21.M.215(4).

H. UNDEVELOPED RIGHT-OF-WAY IMPROVEMENT REQUIRED: The 30-foot wide section of unimproved right-of-way shall be paved with a 20-foot width of two inch (2") Class B asphalt over four inches (4") of ATB over an acceptable subgrade. The 20-foot section shall be constructed with a crown slope and thickened edge for drainage. Drainage requirements shall be as specified by the Storm and Surface Water Utility. Dev. Stds. 3A.06, 4A.07, 4B.02.v.

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I. GEOTECHNICAL REPORT FOR EACH LOT REQUIRED: The following note shall be shown on the face of the Final Plat mylar. "Prior to issuance of a building permit, a geotechnical report shall be submitted for each individual lot with lot specific subsurface exploration. A geotechnical engineer shall be required to review all grading, drainage, and foundation plans." BCC 23.76.030

J. REVISED LEGAL DESCRIPTION ON PLAT MYLAR REQUIRED: The legal description on the final mylar shall be corrected to match the legal description in the Plat Certificate.

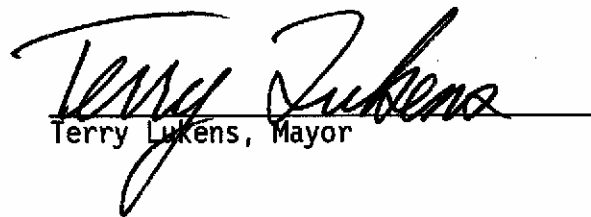
3. In order to facilitate timely permit issuance, any submittal required by the City of Bellevue as a condition of permit approval shall be submitted to the Design and Development Department, Permit Processing Division, a minimum of 30 days prior to the anticipated permit issuance date.

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 9th day of September, 1991, and signed in authentication of its passage this 9th day of September, 1991.

(SEAL)


Terry Lukens, Mayor

Attest:


Marie K. O'Connell, City Clerk