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CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 3474

AN ORDINANCE approving the conditional use permit application of the City of Bellevue Department of Parks and Recreation for the Goldsmith neighborhood park located at 14475 N.E. 35th on the south side of N.E. 35th, approximately 1000 feet west of 148th Avenue N.E.

WHEREAS, the City of Bellevue Department of Parks and Recreation has filed a conditional use permit application for the Goldsmith neighborhood park located on 6.5 acres at 14475 N.E. 35th on the south side of N.E. 35th, approximately 1000 feet west of 148th Avenue N.E.; and

WHEREAS, on December 6, 1984, a public hearing was held thereon by the Hearing Examiner pursuant to notice required by law; and

WHEREAS, on January 2, 1985, the Hearing Examiner recommended approval of said conditional use permit application with conditions and made and entered findings of fact and conclusions based thereon in support of her recommendation; and

WHEREAS, requests for reconsideration of the Hearing Examiner's decision were filed by the City of Bellevue Storm and Surface Water Utility and Calico Management; and

WHEREAS, on January 29, 1985, the Hearing Examiner responded to the requests for reconsideration and entered her Order Upon Reconsideration; and

WHEREAS, on February 11, 1985, for purposes of clarification, the Hearing Examiner entered her Order Amending Findings and Recommendation; and

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

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

Section 1. The City Council adopts the findings of fact and conclusions made and entered by the Hearing Examiner in support of her recommendation to the Council in this matter as set forth in "Findings and Recommendation," "Order Upon Reconsideration" and "Order Amending Findings and Recommendation of the Hearing Examiner for the City of Bellevue, In the Matter of the Application of City of Bellevue, Department of Parks and Recreation For a Conditional Use, File No. HE-D 84-16."

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Section 2. The City Council hereby approves the conditional use permit application of the City of Bellevue Department of Parks and Recreation for the Goldsmith neighborhood park located at 14475 N.E. 35th on the south side of N.E. 35th, approximately 1000 feet west of 148th Avenue N.E., and more particularly described as:

The West 1/2 of the South 1/2 of the North 1/2 of the West 1/2 of the Southeast 1/4 of the Northeast 1/4 of Section 22, Township 25 North, Range 5 East, W.M.;
EXCEPT the West 30 feet for road;

TOGETHER WITH an easement for ingress and egress over a strip of land 60 feet in width, being 30 feet on each side of the following described center line;

Beginning at a point on the Easterly line of the Southeast 1/4 of the Northeast 1/4 of Section 22, Township 25 North, Range 5 East, W.M., which is North 01°14'50" East 1016.04 feet from the Southeast corner of said subdivision;
thence North 88°20'44" West 1306.24 feet to a point on the Westerly line of said subdivision;
EXCEPT that portion in 148th Avenue Northeast;

Situate in the City of Bellevue, County of King, State of Washington.

Provided this conditional use permit application is subject to the following conditions:

1. Planning Department conditions shall be imposed including:
 - A. If during construction the existing vegetation to be retained in the 1800 square foot planting strip next to the parking area cannot be preserved, the applicant must submit and have approved substitute landscaping plans. These plans must conform with the requirements of Section 20.20.520, Paragraph G.5 of the Land Use Code.
2. Storm and Surface Water Utility requirements will be conditions of approval including:
 - A. All construction shall be in accordance with the current edition of the Public Works and Utilities Development Standards and all other applicable codes, ordinances, and policies.
 - B. The recommendation of a licensed civil engineer

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- qualified and experienced in the field of soils engineering shall be incorporated into the design of the parking lot and sport court for this project.
- C. The Parks Department shall obtain all necessary easements and shall construct the necessary improvements to convey existing off-site drainage through the site via a system of swales and vegetation lined channels to the nearest convenient storm drain or creek.
3. The recommendations of the Transportation Division of the Public Works Department shall be conditions of approval including:
 - A. Park frontage along N.E. 35th Street shall be improved in accordance with City of Bellevue Development Standards. Curbs, gutter and additional pavement are required to provide a 28-foot-wide street. Sidewalk on the south side of the roadway is optional since a sidewalk already exists on the north side of the roadway.
 - B. All curbs, sidewalks, and permanent landscaping on the site shall be installed outside of the thirty foot access easement located on the easterly property line.
 - C. Construction of pedestrian connections to adjoining properties is encouraged wherever easements can be obtained.
 4. The parking to be provided at Goldsmith Park shall be limited to six stalls, one of which shall be for handicapped, and no overflow parking shall be allowed in the 30 foot access easement located on the easterly property line.
 5. If the proposal to retain existing trees upon the western perimeter of the park will not result in at least one-half of the existing vegetation being nondeciduous species at least six-foot high, the Park Department shall provide screening along the western perimeter of the park so that the western perimeter consists of at least one-half nondeciduous plantings at least six feet high.
 6. Parking shall be reviewed in six month intervals to determine if additional parking is necessary.

Provided further that this approval of said conditional use permit application is conditioned on full compliance by the owner or owners, developer and developers, and their heirs, assigns, grantees and successors in interest with the plans and attachments, conditions,

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commitments, reports and other documents relating to this application, given Clerk's Receiving No. 10138 which are hereby by this reference fully incorporated herein.

Section 3. The conditional use permit application granted herein is subject to all federal, state and local laws, rules and regulations, including but not limited to Bellevue Land Use Code Sections 20.30.875, 20.30.880, and 20.30.885.

Section 4. This ordinance shall take effect and be in force five days after its passage and legal publication.

PASSED by the City Council this 4th day of January, 1985, and signed in authentication of its passage this 4th day of January, 1985.

(SEAL)

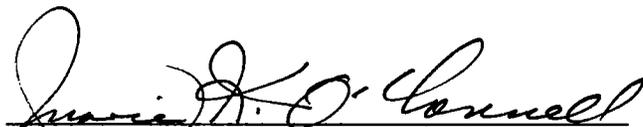

Cary E. Bozeman, Mayor

Approved as to form:

Richard L. Andrews, City Attorney


Richard L. Andrews, City Attorney

Attest:


Marie K. O'Connell, City Clerk

Published March 10, 1985