

3237c
5-26-88

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 3919

AN ORDINANCE approving the preliminary and final development plans for a Planned Unit Development in the matter of the application of South I-90 Limited Partnership, located south of Interstate 90 and east of 156th Avenue S.E. addressed as 3806 - 158th Avenue S.E.; File No. HE/PFPUD 87-2774.

WHEREAS, the South I-90 Limited Partnership has applied for approval for preliminary and final plans for a Planned Unit Development of an office building on 6.14 acres zoned Open Use located south of Interstate 90 and east of 156th Avenue S.E. addressed as 3806 - 158th Avenue S.E.; and

WHEREAS, on April 28, 1988, a public hearing was held thereon by the Hearing Examiner upon proper notice to all interested persons; and

WHEREAS, the application merges preliminary and final PUD review as allowed by LUC 20.30D.135; and

WHEREAS, the Hearing Examiner has reviewed the preliminary and final development plans for the Planned Unit Development to determine whether the proposed Planned Unit Development is in conformance with the general purposes and policies of the Comprehensive Plan and meets the standards and specifications of the City; and

WHEREAS, on May 18, 1988, the Hearing Examiner recommended approval of the preliminary and final development plans for the proposed Planned Unit Development 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

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 based thereon made and entered by the Hearing Examiner in support of his recommendation to the 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 South I-90 Limited

3237c
5-26-88

Partnership For Preliminary and Final Approval of a Planned Unit Development, File No. HE/PFPUD 87-2774."

Section 2. The City Council hereby approves the preliminary and final development plans for the Planned Unit Development on the property located at and more particularly described as:

Lot 1 of Short Plat 86-24 as recorded in King County, Washington. Rec. # 8612309004

Provided approval of the preliminary and final development plans for the Planned Unit Development are subject to the following conditions:

1. Prior to the issuance of the building permit, the property owner shall submit the following for review and approval by the Director of Design and Development:

a. Revised site and landscape plans showing the following:

(1) Landscaping areas, utility easements, car overhang areas, and parking lot areas must be accurately dimensioned on the site on landscape plans for the building permit. The parking stall and drive dimensions shall be reduced and additional area added to the landscape area adjacent to the single-family zoning as follows:

(a) The parking bay width from the western edge of the walkway adjacent to the building to the western edge of the parking lot be reduced to 56.5 feet adjacent to the building walkway, a 24-foot aisle width between stall lines, and one row of compact stalls dimensioned nine feet by fourteen feet.

(b) The 15-foot landscape buffer along the west property line shall be increased by 6.5 feet of additional planting area.

(c) A row of Hornbeam trees (16 minimum) shall be planted between the Puget Sound Power and Light easement and the western edge of the parking lot.

(d) The remainder of the additional planting area shall be planted with English Ivy.

(2) The landscape plan shall be revised to show the double row of Arborvitae along the west property line as being a minimum of six feet in height at planting. Any proposed substitution of plant varieties due to lack of availability shall be shown on a revised landscape plan and be subject to approval by the Director of the Design and Development Department.

3237c
5-26-88

(3) An automatic irrigation system for all new planting areas is required. Schematic plans are to be submitted as part of the building permit application. The applicant shall contact the Department of Design and Development for verification of the installation of the irrigation system a minimum of two days prior to covering of the system.

(4) To mitigate construction impacts on significant trees, details for their retention and protection during construction shall appear on the face of the landscape plan and drawings submitted for clearing and grading permit approval.

b. The applicant shall indicate the size, message, and proposed location for all proposed signage. Signs and locations shall comply with Section 22B.10.040 of the Sign Code.

c. For all proposed site lighting fixtures (building and pole mounted), the applicant shall provide copies of the manufacturer's information (catalog cuts) which indicate the general design of each fixture, including the cut off which prevents light spillover to abutting property and photometric calculations. The lighting shall be shielded and directed downward. The full height of the parking lot lighting fixtures and poles shall not exceed 20 feet from finished grade at the point of installation.

d. The applicant shall submit final exterior material samples for review and approval, if different from the material samples submitted with the design review application.

e. All primary and/or mechanical equipment shall be installed ground mounted. Site and landscape plans shall be revised to clearly indicate this and proposed screening. Any accessory mechanical equipment such as roof vents which shall penetrate the roof shall be clustered and reviewed and approved by the Department of Design and Development. Review shall ensure that the accessory mechanical equipment is not visible from the residential area to the west. To accomplish this, additional rooftop mechanical equipment screening may be required.

f. The property owner shall supply to the Department of Design and Development a written commitment from Puget Sound Power and Light indicating that Puget Sound Power and Light consents to the installation of required landscaping along the west property line and to its continuance during the life of the building. Puget Sound Power and Light may install and maintain equipment related to the provision of electrical power providing that all landscaping shall be maintained to the degree intended by the original design. Landscaping removed or damaged shall be restored by the owner with or without assistance from Puget Sound Power and Light.

3237c
5-26-88

g. The following construction noise mitigating measures shall be listed by the applicant on the face of the construction drawing submitted to the City for building permit approval:

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

(2) Exterior construction including, but not limited to, excavation, foundation and framing shall be limited to between the hours of 7 a.m. and 6 p.m., Monday through Friday, and prohibited on weekends.

2. Prior to issuance of the clearing and grading permit, the applicant shall submit the following for Storm and Surface Water Utility review and approval:

a. Revised engineering plans indicating that construction of the storm drainage discharge pipe to Vasa Creek, and all related restoration work within the native growth protection easement, shall be constructed between June 15 and September 15.

b. A valid hydraulic project approval from the Department of Fisheries approving the work within the native growth protection easement.

c. A letter from the project geotechnical engineer stating he has reviewed final design plans and they correctly incorporate his recommendations, or detailing specific design changes required to bring the plans into conformance.

d. A right-of-way use permit for the construction proposed in 156th Avenue S.E.

e. A landscape restoration plan for the buried sections of the stormwater discharge pipe to Vasa Creek and restoration procedures for any vegetation disturbed during installation of the above-ground sections of said pipe. The plan shall be prepared and signed by a licensed landscape architect with experience in design, installation and maintenance of riparian corridor vegetation.

f. Technical revisions to the grading and storm drainage plan, the temporary erosion and sedimentation control plan and the storm drainage notes and details plan (Sheets C-1, C-2, & C-3), as required for conformance with Chapters 2 and 4 of the Development Standards in effect at the time of project vesting.

g. Limits of clearing shall be identified correctly on both the grading plan and the temporary erosion and sedimentation

3237c
5-26-88

control plan. Fencing of limits of clearing shall be installed adjacent to the property lines, at the driplines of sensitive and/or significant vegetation, at the clearing limit for the building construction east of the building (ten feet from the building line, maximum) and adjacent to the native growth protection easement as identified in Short Plat 86-24, and otherwise as required at the discretion of the Storm and Surface Water Utility Department or the Department of Design and Development. All other clearing east of the building line (plus ten feet) shall be done for the purpose of landscaping installation and shall be done only with hand tools. Said fencing shall be installed prior to any clearing or grading on the site. To facilitate accurate field location of the fencing, the footprint of the structure shall be staked at the corners and at 30-foot intervals along the building edge. Fencing shall be maintained in place and in good repair by the owner until notified in writing by the Storm and Surface Water Utility Department of permission to remove the fencing.

All cleared areas left more than seven days shall be replanted with temporary or permanent erosion control seeding per the City of Bellevue Development Standards. Seed mixtures for permanent erosion control shall be selected on the basis of high wildlife value. This condition is not intended to interfere with ongoing construction activity in areas approved on the clear and grading plans.

h. To mitigate potential adverse impacts regarding foundation stability or improper loading of fill, a specific foundation and drainage design shall meet the appropriate safety factor; be reviewed and certified adequate by a qualified geotechnical engineer; and meet the approval of the Storm and Surface Water Utility Department prior to the issuance of a building or clearing and grading permit.

i. To mitigate impacts to moisture sensitive soil, clearing and grading operations shall be limited to the dry portions of the year, unless specifically approved for wet season work by the Storm and Surface Water Utility.

3. The applicant shall submit the following for review and approval by the Public Works Director prior to the issuance of a building permit unless otherwise specified:

a. Improvements to 156th Avenue S.E. are required and shall be shown on the building permit submittal plans. Improvements north of the intersection of 156th Avenue S.E. and S.E. 38th Street shall include: widening pavement to 28 feet, curb and gutter on both sides, six-foot sidewalk on one side and street lights to City standards. Improvements south of the intersection of 156th Avenue

3237c
5-26-88

S.E. and S.E. 38th Street shall include widening of pavement to 24 feet, curb and gutter both sides, five-foot sidewalk on one side and street lights to City standards. The improvements shall be installed between the frontage road and project entrance prior to issuance of temporary certificate of occupancy. Building permit drawing shall be modified to reflect these dimensions.

b. The owner shall sign an agreement not to protest the formation of any LID(s) for S.E. 36th Street/S.E. 38th Street including the S.E. 38th Street/150th Avenue S.E. and 150th Avenue S.E./I-90 ramps intersections, for pavement widening, signalization modifications, sidewalks, landscaping, street lighting, channelization, storm drainage and associated appurtenances. The agreement must be signed prior to issuance of a building permit.

c. To mitigate adverse impacts due to traffic generation, the proponent shall develop and implement a traffic management program acceptable to the City of Bellevue. Such plan shall be approved prior to issuance of any certificate of occupancy.

d. To mitigate adverse impacts from sight limitations, modification of the intersections of 156th Avenue S.E. and S.E. 36th Street shall be completed prior to issuance of a temporary certificate of occupancy.

e. To mitigate adverse impacts from increased trip generation, no access to the residential area on S.E. 38th Street shall be allowed from 156th Avenue S.E. pursuant to the short plat requirements for the property.

f. To mitigate adverse impacts to transportation, proper control signs that 156th Avenue S.E. is not a through street shall be indicated on the building permit submittal plans. Said signs shall be installed prior to issuance of a temporary certificate of occupancy.

g. Uses on the services chart shall be allowed on the subject property and so shall uses on the wholesale and retail chart except boats (retail) and garden supplies.

4. For timely permit issuance, any condition requiring approval by the City of Bellevue prior to the issuance of a building permit or any temporary or final certificate of occupancy shall be submitted for review by the appropriate department at least 30 days before the anticipated issuance date.

Provided further, that this approval of the preliminary and final development plans for the Planned Unit Development are conditioned on full compliance with the plans and attachments, conditions, commitments,

3237c
5-26-88

reports and other documents relating to the preliminary and final development plans for the Planned Unit Development, given Clerk's Receiving No. 13527, which are hereby approved and by this reference fully incorporated herein.

Section 3. This ordinance shall take effect and be in force five days after its passage and legal publication.

PASSED by the City Council this 15th day of June, 1988, and signed in authentication of its passage this 15th day of June, 1988.

(SEAL)

Nan Campbell
Nan Campbell, Mayor

Approved as to form:

Richard L. Andrews, City Attorney

Richard Gidley
Richard Gidley, Deputy City Attorney

Attest:

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

Published June 15, 1988