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CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 4386

AN ORDINANCE approving the conditional use permit application of the Church of Jesus Christ of the Latter Day Saints (LDS) to facilitate the construction of a stake center located at 2808 - 148th Avenue S.E.

WHEREAS, the Church of Jesus Christ of the Latter Day Saints (LDS) has applied to the City for a conditional use permit to facilitate construction of a stake center located at 2808 - 148th Avenue S.E.; and

WHEREAS, on May 14, 1992, a public hearing was held thereon by the Hearing Examiner Pro Tempore pursuant to notice required by law; and

WHEREAS, on June 5, 1992, the Hearing Examiner Pro Tempore recommended approval, with conditions of said 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

WHEREAS, the City of Bellevue has complied with the requirements of the State Environmental Policy Act and the City Environmental Procedures Code; 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 Pro Tempore in support of his recommendation to the Council in this matter as set forth in "Findings, Conclusions and Recommendation of the Hearing Examiner for the City of Bellevue, In the Matter of the Application of the Church of Jesus Christ of the Latter Day Saints (LDS) for a Conditional Use Permit, File No. CUDN 91-5123."

Section 2. The City Council hereby approves the conditional use permit application, with conditions, of the Church of Jesus Christ of the Latter Day Saints (LDS) to facilitate construction of a stake center located at 2808 - 148th Avenue S.E. and more particularly described as follows:

The Southwest quarter of the Northwest quarter of Section 11, Township 24 North, Range 5 East, Willamette Meridian, in

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King County, Washington; except that portion described as follows:

Beginning at the Southwest corner of said subdivision;
Thence south 88°37'41" East along the South Line thereof
1332.63 feet to the Southeast corner of said subdivision;
Thence North 01°28'05" East along the East line thereof
498.32 feet;
Thence North 89°43'56" West 1332.55 feet to a point on the
west line of said subdivision which is 472.64 feet northerly
from the southwest corner thereof;
Thence South 01°30'50" West along said west line 472.64 feet
to the point of beginning of this exception;
Also except the west 220 feet of the north 180 feet of said
subdivision;
Also except that portion conveyed to the State of Washington
for highway purposes.

This approval is subject to the following conditions:

In order to facilitate timely permit issuance, any submittal required by condition for approval by the City of Bellevue prior to the issuance of any permit or any certificate of occupancy, shall be submitted for review to the appropriate department a minimum of 30 days prior to the anticipated permit issuance date.

The following conditions are imposed by referenced permit authorities 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 approval of a clear-and-grade permit for the proposal:

1. To mitigate adverse siltation impacts due to mud caused by equipment disrupting moisture sensitive glacial soil, a thin layer of pea gravel, crushed rock, asphalt, or an asphalt treated sub-base shall be placed over prepared subgrade as soon as possible. (Comp. Plan 21.D.200.C3, D4; BCC 23.76.030)

2. To mitigate adverse impacts of inadequate compaction and stability of fill from on-site soils due to moisture sensitivity, site soils shall be used for fill only under optimum moisture conditions as certified by geotechnical consultants. (Comp. Plan 21.D.200.C3; BCC 22.02.005)

3. To mitigate siltation and erosion from excavation and construction, temporary erosion and sedimentation control measures shall be reviewed and approved by Storm and Surface Water Utility (SSWU). (BCC 23.76.030)

4. To mitigate potential adverse impacts to earth resources, including slope stability and erosion, and to ensure conformance with the recommendations in the geotechnical report dated March 27, 1991 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 SSWU on a daily basis. (BCC 22.02.005; Comp. Plan 21.D.200.C3, D4)

5. To mitigate adverse air impacts due to dust during dry weather, construction areas should be watered to suppress dust entrainment. In order to reduce potential surface and groundwater contamination, chemical dust suppressants shall not be used. (BCC 22.02.005)

6. To minimize impacts to water quality entering the stormwater system, storm water detention shall be provided through a pond to remove sediments and provide for biofiltration. (Comp. Plan 21.D.100.D.2, D.3; BCC 23.76.030)

7. To mitigate impacts to water quality from siltation impacts, temporary siltation control measures shall be reviewed and approved by the SSWU prior to issuance of a clearing and grading permit. (Comp. Plan 21.D.100.B.2, 3; BCC 23.76.030)

8. To mitigate adverse water quality impact associated with increased impervious surfacing, the feasibility of incorporating biofiltration of runoff prior to discharge into the storm drainage system shall be investigated by the applicant and SSWU prior to issuance of the clearing and grading permit. (Comp. Plan 21.D.100.D.2, 3; BCC 23.76.030)

9. To mitigate adverse water quality impacts to the stormwater system from sedimentation caused by mud clinging to the wheels of vehicles during construction, a tracking pad for trucks shall be installed on the site and affected catch basins should be protected by filter fabric where mud is likely to collect. (Comp. Plan 21.D.100.D.2, 3; BCC 23.76.030)

10. To mitigate adverse impacts to trees to be saved from construction, the following conditions shall appear on the face of, or be referenced on the face of, the clearing and grading, temporary erosion and sedimentation control, and landscaping plans. (LUC 20.20.520)

a. Clearing limits shall be established at or outside of drip lines and six foot high chain link fencing shall be installed at the clearing limits prior to initiation of clearing and grading.

b. No excavation or clearing shall be performed within drip lines except as specifically approved on plans. All such work shall be done by hand to avoid damage to roots and shall be done under the supervision of an arborist approved by the City. (LUC 20.20.520)

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11. All contractors shall comply with the City of Bellevue noise ordinance regarding construction noise and hours of construction, summarized as follows:

a. Contractors shall not operate or permit the operation of any diesel, pneumatic or gasoline-powered equipment that is not equipped with a sound-reducing or noise-attenuating device.

b. Sounds created by construction equipment and emanating from construction sites are exempt from the provisions of the noise ordinance between the hours of 7:00 a.m. and 6:00 p.m. on weekdays (excluding weekends and federal holidays), except expanded hours may be authorized by the Director of Design and Development. Sound produced by construction at any other time is not exempt and is subject to the limitations of the noise ordinance. (BCC 9.18)

12. To mitigate impacts of the proposal on existing open space, vegetation which is a component of skyline views and mature vegetation which is a visual relief for the surrounding development, the proposal shall incorporate the retention of all significant vegetation outside of the proposed disturbance limits on the eastern and northern portions of the site. (Comp. Plan 21.Q-1)

13. To mitigate light and glare impacts from outdoor lighting sources affecting highway, road or residential uses, lighting shall be shielded and directed downward away from adjoining properties. (Comp. Plan 21.B.005)

14. To mitigate potential impacts to archeological resources which may be discovered during excavation, the project engineer shall stop work if such materials are discovered and immediately contact the State Historic Preservation Officer. (BCC 22.02.005)

15. To mitigate potential water quality degradation if a sewer line were broken during construction, utilities shall be "field located" prior to construction activities. (Comp. Plan 21.D.100.D.2)

16. The applicant shall secure a right-of-way use permit from the City of Bellevue Public Works Department, Transportation Division, prior to issuance of a clear-and-grade permit which will include:

- a. Designated truck hauling routes;
- b. Truck loading and unloading activities;
- c. Location of construction fences;
- d. Hours of construction and hauling; and

- e. All other construction activities that affect the public street system.

(BCC 14.30)

17. Approval of the Conditional Use Permit and issuance of any construction or clear-and-grade permits is subject to prior approval of the design review application for this project. (LUC 20.30F.115)

18. No construction parking, LDS stake center parking, or LDS temple parking will be allowed to occur in the adjoining residential areas located northeast of the LDS site. (Comp. Plan 21.V.EG-12)

The following conditions are imposed by referenced permit authorities to ensure compliance with provisions of cited code or to mitigate adverse environmental impacts which are otherwise not addressed through code provision. These conditions must be complied with prior to issuance of a building permit for the proposal:

1. To mitigate traffic impacts, the N.E. 28th Street driveway entrance shall be constructed with appropriate pavement markings, channelization and traffic signs. (Comp. Plan 21.M.210.C.5, 15)

2. To mitigate traffic impacts, the applicant is required to pay the Transportation Impact Fee in effect at the time of building permit issuance. Presently, the fee is \$9,880.00. (City of Bellevue Ordinance No. 4161)

3. To mitigate impacts on pedestrians due to increased automobile trip generation, the applicant shall provide a 10 foot trail easement along the property's east property line. (Comp. Plan 21.M.215.C.2, 5)

4. The applicant shall provide an off-duty police officer to facilitate safe pedestrian and vehicular movements at the site driveway (S.E. 28th Street and 148th Avenue S.E.) during major activities (semi-annual stake center conferences), when on-site parking is expected to be at or near capacity (90% or more). (Comp. Plan 21.M.105.C.1, 2)

5. The property owner shall submit application and receive approval of a variance from the maximum building height permitted by the Land Use Code for the proposed church spire, or revise the design to meet the Land Use Code building height limit. (LUC 20.30.G.115)

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

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

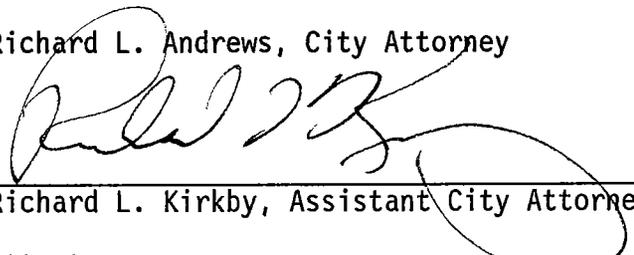
PASSED by the City Council this 13th day of July, 1992, and signed in authentication of its passage this 13th day of July, 1992.

(SEAL)

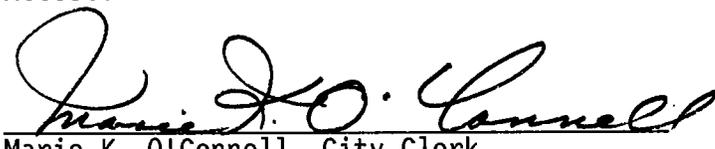

Cary Bozeman, Mayor

Approved as to form:

Richard L. Andrews, City Attorney


Richard L. Kirkby, Assistant City Attorney

Attest:


Marie K. O'Connell, City Clerk

Published July 17, 1992