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CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 4426

AN ORDINANCE approving the conditional use permit application of the City of Bellevue Fire Department to construct a fire station located at 5701 Lakemont Boulevard S.E., with conditions; File No. CUDN 92-1396.

WHEREAS, the City of Bellevue Fire Department has applied to the City for a conditional use permit to construct a fire station at 5701 Lakemont Boulevard S.E.; and

WHEREAS, on July 2, 1992, a public hearing was held thereon by the Hearing Examiner Pro Tempore pursuant to notice required by law; and

WHEREAS, on August 18, 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, Washington, In the Matter of the Application of the City of Bellevue Fire Department for Approval of a Conditional Use, File No. CUDN 92-1396"

Section 2. The Council adopts the following additional finding of fact:

The elimination of the meeting room would result in a net reduction in impacts on the surrounding neighborhoods, because it would result in a reduction in the size of the building and in the amount of parking on the site, even though it will result in the loss of a public meeting space on the site.

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Section 3. The Council reaches the following additional conclusion:

With or without the public meeting room, the use serves the public interest and meets the decision criteria of Land Use Code 20.30B.140.

Section 4. The City Council hereby approves the conditional use permit application, with conditions, of the City of Bellevue Fire Department to construct a fire station on property located at 5701 Lakemont Boulevard, and more particularly described as follows:

That portion of the North half of the Northeast quarter of the Southeast quarter of Section 23, Township 24 North, Range 5 East, W.M., King County, Washington, lying Westerly of the West margin of Lakemont Boulevard Southeast (Newport-Issaquah Road to Cougar Mountain Boulevard)

which by this reference is fully incorporated herein, provided the city administration may, at its option, delete the proposed meeting room. Provided further, that approval of the conditional use permit application is subject to the following conditions:

A. In order to facilitate timely permit issuance, any submittal required by condition for approval by the City of Bellevue prior to the issuance of a Clear and Grade Permit, Building Permit, or any (Final or Partial) Certificate of Occupancy, shall be submitted for review by the appropriate department a minimum of 30 days prior to the anticipated permit issuance date.

B. 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 provisions. The conclusions and recommendations of the Determination of Non-Significance are adopted by reference.

C. The following conditions (1 through 20) must be complied with prior to issuance of any clear and grade permit for the proposal. Grading, site and landscape plans shall be revised as necessary to reflect the following conditions.

1. IMPROVEMENTS TO LAKEMONT BOULEVARD: The applicant shall provide full frontage improvements on Lakemont Boulevard S.E., including but not limited to storm drainage, pavement widening to accomplish 22 feet of half roadway, 6 inches of curb and Type "A" gutter, 12.5 feet of grass-lined swale where applicable, 8 feet of concrete sidewalk and street lighting.

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The street lighting plan shall be prepared by a qualified engineer familiar with street lighting design. Installation and design shall be per the City of Bellevue's Design Guide and Street Lighting Criteria. (Comp. Plan Policy 21.M.210.C.5, 21.M.215.C.2; and Development Standards 3A.29.E and 3B.28)

2. CURB CUT REQUIREMENTS: Public access driveway shall be 30 feet wide per the City of Bellevue Development Standards (3C-10A). Parking stalls shall not be located any closer than 30 feet from the back edge of the driveway apron. (Development Standards 3C.10A)

3. RIGHT-OF-WAY USE PERMIT REQUIRED: The applicant shall secure a right-of-way use permit from the City of Bellevue PW/T Division, prior to issuance of a clearing and grading, building, foundation or demolition permit which includes, but is not limited to:

- a. Designated truck hauling routes.
- b. Truck loading and unloading activities.
- c. Location of construction fences.
- d. Maintain required pedestrian continuity.
- e. Provides for mechanical street sweeping and maintenance during excavation and construction.
- f. Construction signing and pedestrian detour routing.
- g. Hours of construction and hauling.

(Comprehensive Plan Policy 21.M.210.1C.7)

4. CONSTRUCTION WORKER PARKING REQUIRED: The applicant shall secure sufficient off-street parking for construction workers prior to the issuance of a clearing and grading, building, foundation or demolition permit. (Comprehensive Plan Policy 21.M.210.C.7)

5. EROSION CONTROL PLANS REQUIRED: Erosion control plans and conditions shall be approved by the SSWU as part of Clearing and Grading Permit approval. (BCC 22.02.005; Comprehensive Plan 21.D200.C1, C4)

6. SEASONAL CONSTRUCTION LIMITATIONS: Clearing and grading activities shall be limited to dry weather, i.e., May 1 through October 1. Exceptions to the time schedule may be allowed after review by SSWU based on the specific activity proposed and precipitation and soil conditions. (BCC 23.76.046)

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7. **MONITORING BY GEOTECH ENGINEER:** The geotechnical report addendum dated March 20, 1992, by Earth Consultants, Inc., 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 regular basis, as determined by the SSWU inspector. (BCC 22.02.005; Comp. Plan 21.D.200.C3, D4)

8. **GROUNDWATER/STRUCTURAL STABILITY:** Engineering plans shall be reviewed and approved for groundwater and structural stability design by a geotechnical engineer licensed in the State of Washington. A report on the design by the geotechnical engineer shall be submitted to the SSWU prior to issuance of the Clear and Grade permit.

9. **ON-SITE FILL LIMITATION:** On-site soils shall be used as fill only under optimum moisture conditions as certified by geotechnical engineers. (BCC 22.02.005; Comp. Plan 21.D.200.C3, D4)

10. **DUST SUPPRESSION:** Construction areas shall be regularly treated with a dust suppressant entrainment approved by the City of Bellevue. Petrochemical dust suppressants shall not be used. (BCC 22.02.005)

11. **DOWNSTREAM ANALYSIS REQUIRED:** Runoff release rates and volumes for the contributing basin shall be analyzed for potential downstream impacts. Designs for corrections to conveyance, if any, which are needed to a point up to 1/4 mile downstream from the site shall be submitted to the SSWU for review. (Bcc 23.76.030; Development Standards 4B-01)

12. **GROUNDWATER COLLECTION SYSTEM REQUIRED:** A groundwater collection and conveyance system shall be included in the engineering design for the buildings and parking areas. (Comprehensive Plan 21.D.100.D; Development Standards 2B.08.b.iii)

13. **BIOFILTRATION AND OIL/WATER SEPARATOR REQUIRED:** Biofiltration and an oil/water separator system for treatment of runoff prior to discharge into the storm drainage system shall be incorporated into the site design through the coordinated efforts of the applicant and SSWU. (Comp. Plan 21.1D.100.D.2, 3; BCC 23.76.030)

14. **OIL/WATER SEPARATOR AT FUEL PUMP ISLAND:** The area associated with fuel pump islands and fill and extraction valves and all interior drains, shall be connected to the sanitary sewer via an oil/water separator per Water and Sewer Utility Department Standards, and isolated from the storm drainage systems. Exterior areas tributary to the sanitary sewer system shall be limited to no more than 200 square feet. Fill valves shall include automatic overflow prevention valves and be located within containment sumps. (Comp. Plan 21.D.100.D.2, 3, 7; BCC 23.76.030; BCC 22.02.005(c) and BCC 23.64.030)

15. TRUCK WASHING AREA RESTRICTED: Emergency service vehicles shall be washed only indoors or in areas where discharge from washing will drain to the sanitary sewer system. (Comp. Plan 21.D.100.D.2, 3, 7; BCC 23.76.030; BCC 22.02.005(c) and BCC 23.64.030)

16. SIDEWALK/LANDSCAPING AND SWALE RELOCATION: Final sidewalk and swale locations on the south end of the site shall be revised. Ten feet of Type III landscaping shall be installed west of the sidewalk. (Comp. Plan 21. Goal Q-1, Q-3, Policies Q-7, Q-9, Q-10, Q-53, Q-81)

17. ARBORIST REQUIRED: A qualified arborist shall be retained to verify the health of retained trees and develop specific tree retention plans to appear on landscape and clearing and grading plans, temporary erosion and sedimentation control, including the following minimum requirements:

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 DDD.

c. Pruning of big-leaf maple trees by a qualified arborist approved by the DDD.

d. Any additional conditions identified by the arborist and approved by the City.

(Comp. Plan 21. Goal Q-1, Q-3, Policies Q-7, Q-9, Q-10, Q-53, Q-81)

18. CONSTRUCTION NOISE RESTRICTIONS: All contractors shall comply with the City of Bellevue Noise Ordinance regarding construction noise and hours of construction. The following shall appear on the face of the construction drawings submitted to the City for building permit approval:

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). Expanded hours of operation may be authorized by the Director of the DDD through advanced written request. Sound produced by

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construction at other times is not exempt and is subject to the limitations of the Noise Ordinance, Section 9.18.030. (BCC 9.18)

19. GRADING WEST OF BUILDING: Modifications to the grading west of the building shall be studied to limit grading to 10 feet beyond the light well wall. The alternative resulting in the least amount of disturbance shall be incorporated into the project.

20. PARKING LOT PONDING DETENTION: Parking lot ponding shall be incorporated into the detention storage facility system if feasible. Designs for the parking lot detention ponding shall conform to the section in the City of Bellevue Development Standards 4B.02.d.i. The designed maximum water depth shall not exceed one foot in any parking area during a major storm event. The design shall be approved by the SSWU prior to Clear and Grade permit issuance. When the public parking area is used for ponding, manual barricading of the ponded area shall occur. Specifications set out in Development Standards 4B.02.d.i shall be incorporated into the design and approved by the SSWU. (Dev. Standards 4B.02.d.i)

D. The following conditions (21 through 29) must be complied with prior to issuance of any building permit for the proposal. Plans and specifications shall be revised to reflect these conditions.

21. PLANT SPECIES LIMITATIONS: Landscape plans shall limit turf, utilize native species requiring a minimum of fertilizer, herbicides, other chemical treatment and are drought tolerant. Plantings in biofiltration swales shall be moisture tolerant. (See Attachment D to the DDD Staff Report for a list of moisture tolerant plants.) (Comp. Plan 21.D.100.D.2, 3, 7; BCC 23.76.030; BCC 22.02.005(c); BCC 23.64.030 and LUC 20.20.520I)

22. LAKEMONT BOULEVARD STREETSCAPE COMPATIBILITY: Landscaping within the Lakemont Boulevard S.E. right-of-way shall be designed to be compatible with the existing Lakemont Boulevard S.E. streetscape while meeting the requirements of Condition Nos. 23 and 21 of this section. (LUC 20.30.B.140)

23. TREE PLANTING AT BIOFILTRATION SWALE: Trees located in right-of-way landscaping which includes biofiltration swales shall be located above the two-year design storm water elevation of the swale. Trees shall be located in a minimum four-foot-wide planting strip, and be planted in informal groupings rather than evenly spaced. (Comp. Plan 21.D.100.D.2, 3, 7; BCC 23.76.030; BCC 22.02.005(c) and BCC 23.64.030)

24. FUEL VAPOR CONTROL: A Stage II vapor recovery system shall be installed. Plans and specifications shall be included in mechanical permit plans. (BCC 22.02.005)

25. FUEL AND WASTE OIL RESTRICTIONS: Fuel storage tanks and connecting piping shall meet all National and State standards for underground storage tanks including cathodic protection. Fuel storage tanks shall be double walled. (Comp. Plan 21.D.100.D.2, 3, 7; BCC 23.76.030; BCC 22.02.005(c) and BCC 23.64.030)

26. FUEL PUMP AREAS DRAINAGE CONTROL: Fuel pump areas and fill valves shall drain to a sanitary sewer connection. Outdoor areas tributary to any such drain shall be limited to no more than 200 square feet. Fill valves shall include automatic overflow prevention valves and be located within containment sumps. (Comp. Plan 21.D.100.D.2, 3, 7; BCC 23.76.030; BCC 22.02.005(c) and BCC 23.64.030)

27. IN-TANK MONITORING SYSTEM: An in-tank monitoring system capable of determining leakage shall be installed. Specifications for the monitoring system or containment system shall be included in mechanical permit plans together with a description of the inventory reconciliation system. (BCC 22.02.005; Comp. Plan 21.D.100.D.2, 7)

28. MONITORING WELLS REQUIRED: At least two monitoring wells shall be installed. At least one shall be installed on the down gradient side of the tank excavation/fill. Wells shall be monitored regularly. Operators shall keep a log of the monitoring results. (Comp. Plan 21.D.100.D.2, 3, 7; BCC 23.76.030; BCC 22.02.005(c) and BCC 23.64.030)

29. SITE LIGHTING PLAN REQUIRED: A lighting plan with fixture specifications shall be submitted for review and approval indicating exterior lighting is shielded and directed downward away from adjoining properties. (Comp. Plan Policy 21.B.005)

Section 5. This ordinance shall be recorded with the King County Department of Records and Elections.

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Section 6. This ordinance shall take effect and be in force five days after its passage and legal publication.

PASSED by the City Council this 12th day of October, 1992, and signed in authentication of its passage this 19th day of October, 1992.

(SEAL)



Cary Bozeman, Mayor

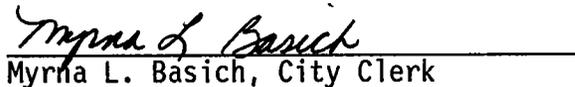
Approved as to form:

Richard L. Andrews, City Attorney



Richard Gidley, Deputy City Attorney

Attest:



Myrna L. Basich, City Clerk

Published October 23, 1992