

WP0485C-ORD  
10/03/95

# ORIGINAL

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 4805

AN ORDINANCE approving the preliminary and final development plans for a planned unit development to be located at 15220 Main Street, upon application of Resurrection Housing Foundation; PFPUD 92-9674.

WHEREAS, Resurrection Housing Foundation has submitted an application for approval of preliminary and final development plans for a planned unit development for low-income affordable housing for adults 55 years or older to be located at 15220 Main Street; and

WHEREAS, on August 31, 1995, a public hearing as held thereon by the Hearing Examiner upon proper notice to all interested persons; and

WHEREAS, the Hearing Examiner has reviewed said preliminary and final development plans for a planned unit development to determine whether said preliminary and final development plans are in conformance with the general purposes and policies of the Comprehensive Plan and meet the planned unit development standards of the City; and

WHEREAS, on September 15, 1995, the Hearing Examiner recommended conditional approval of the preliminary and final development plans for a planned unit development and made and entered findings of fact and conclusions based thereon in support of the 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 State Environmental Policy Act and the Bellevue 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 based thereon made and entered by the Hearing Examiner in support of his recommendation to the City 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 Resurrection Housing Foundation For approval of a 20-unit Planned Unit Development for low-income affordable

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housing for adults 55 years or older, and associated parking, on a site shared with an existing church, File No. PFPUD-92-9674."

Section 2. The City Council hereby approves, with conditions, the preliminary and final development plans for a planned unit development to be located at 15220 Main Street, and more particularly described as:

Portion of the southeast quarter of the northwest quarter of Section 35, Township 25 North, Range 5 East, W.M., in King County, Washington, described as follows:

Beginning at the southwest corner of said subdivision; thence south  $88^{\circ}38'51''$  east along the south line thereof 360 feet; thence north  $0^{\circ}4'20''$  west parallel with the west line of said subdivision 380 feet; thence northwesterly to intersect with the west line of said subdivision at a point from where the point of beginning lies south  $0^{\circ}4'20''$  east 831 feet thereon; thence south  $0^{\circ}04'20''$  east 831 feet to point of beginning; EXCEPT the south 30 feet thereof; AND EXCEPT that portion thereof described as follows:

That portion of the southeast quarter of the northwest quarter of Section 35, Township 25 North, Range 5 East, W.M., in King County, Washington, described as follows:

Beginning at the southwest corner of said subdivision; thence north  $0^{\circ}04'20''$  west 831 feet to the TRUE POINT OF BEGINNING; thence south  $38^{\circ}06'49''$  east 117.2 feet, more or less, along the westerly line of Lake Hills No. 53, according to the plat thereof recorded in Volume 66 of Plats, page 31, in King County, Washington, to the most southerly corner of Lot 6, Bloc 2, of said Lake Hills No. 53; thence south  $51^{\circ}53'11''$  west 91.7 feet, more or less, along an extension of the southeasterly line of said Lot 6, Block 2, of said Lake Hills No. 53, to an intersection with the westerly line of said first mentioned subdivision; thence north  $0^{\circ}04'20''$  west 148.8 feet, more or less, to the TRUE POINT OF BEGINNING.

provided that approval of said preliminary and final development plans for a planned unit development is conditioned on full compliance by the owner or owners of the property described herein, developer or developers, and their heirs, assigns, grantees, and successors in interest herewith:

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A. These conditions must be complied with prior to issuance of any clear and grading permit for this proposal.

1. Affordable Housing

To ensure compliance with the City's requirement for affordable housing, the applicant shall sign an affordable housing agreement.

2. Covenants and Restrictions Established

To ensure adherence to the PUD approval and to maintain the community landscape and recreations space, the applicant shall establish covenants and restrictions which maintain the PUD approval and outline routine maintenance schedules of buildings, utilities, and landscaping. The covenants and restrictions shall be submitted to the DCD for review and approval. Prior to issuance of any development permits, the covenants and restrictions shall be recorded with the King County Division of Records and Elections and the City Clerk and placed on the face of the Final PUD.

3. Design of Recreational Amenities

To ensure compliance with the PUD requirements for recreation space, the applicant shall submit a final design for all recreational amenities proposed, including the picnic area, to the DCD for review and approval.

4. Construction Noise Mitigations and Restrictions

To mitigate adverse construction noise impacts on nearby residents, the following mitigating measures should be listed by the applicant on the face of the construction and engineering drawings submitted to the City for utility work, clearing and grading, and building permit approval.

All contractors shall comply with the BCC 9.18 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

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weekends and federal holidays), except expanded hours of operation may be authorized by the Director of the DCD. Sound produced by construction at any other time is not exempt and is subject to the limitations of BCC 9.18.020 and 9.18.030.

## 5. Right-of-Way Use Permit Required

Prior to issuance of the clear and grade permit, the applicant shall secure a right-of-way use permit which includes:

- a. Designated truck hauling routes;
- b. Truck loading and unloading activities;
- c. Hours of construction and hauling;
- d. Maintenance of pedestrian access;
- e. Provisions for street sweeping, excavation and construction;
- f. Construction signing and pedestrian detour routing;
- g. All other construction activities as they affect the public street system.

## 6. Geotechnical Report Required

To mitigate potential adverse impacts to earth resources, including slope stability and erosion, the applicant shall submit to DCD a report prepared by the geotechnical engineer of record based on the final site plan. This report should specifically address the following subjects:

- a. Stability of proposed slopes and post-construction foundation, vault, and utility trench impacts to said stability;
- b. Interrupted groundwater patterns on the site;
- c. Recommendations for the design of foundations, rockeries, and utility trenches;

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d. Recommendations for the collection and disposal of groundwater by dewatering of foundations, vault walls, and trenches;

e. Recommendations for the permanent restoration of all cut and fill slopes to prevent future erosion and instability;

f. Recommendations for the design of any rockeries, reinforced fill slopes, and/or retaining structures which may be used;

g. Recommendations for the design and installation of dewatering and footing drains for the walls of the storm water detention vault.

(This project is vested under a previous version of the Clearing and Grading Code.)

## 7. Construction Easements Required

Necessary easements for construction should be provided prior to approval of the clearing and grading permit.

## 8. Clearing and Grading Limits

To mitigate erosion and sedimentation impacts, clearing and grading limits should be clearly identified on construction plans. All clearing limits should be staked and fenced in the field and reviewed by the clearing and grading inspector prior to commencing construction. As directed by the DCD, clearing limits adjacent to any sensitive areas are to be fenced with a method and design approved with the engineering construction drawings. (This project is vested under a previous version of the Clearing and Grading Code.)

## 9. Dry Soil Conditions or Protective Mat Required

To mitigate possible adverse sedimentation impacts due to mud caused by equipment disrupting moisture-sensitive glacial soil, construction shall take place during dry soil conditions, or a substantial layer of pea gravel, crushed rock, asphalt, or a lean concrete mud mat should be placed over prepared subgrade as soon as possible. (This project is vested under a previous version of the Clearing and Grading Code.)

10. Geotechnical Monitoring Required

To mitigate potential adverse impacts to earth resources, including slope stability and erosion, and to ensure conformance with the recommendations in the geotechnical report to be submitted for the proposed project, site earthwork, drainage control, foundation placement and retaining wall construction shall be monitored by a professional geotechnical engineer per the Conditions of Approval for the clearing and grading and building permits and reported to DCD on a daily or weekly basis, as determined by the clearing and grading inspector. (This project is vested under a previous version of the Clearing and Grading Code.)

11. Moisture Content of Fill Certified by Geotechnical Engineer

To mitigate adverse impacts of inadequate compaction and stability of fill from on-site soils due to moisture sensitivity, on-site soils should be used as fill only under optimum moisture conditions as certified by geotechnical engineers. (This project is vested under a previous version of the Clearing and Grading Code and the Comprehensive Plan.)

12. Tree Protection

Details for the protection of significant trees to be retained through construction shall appear on the face of the drawings submitted for clearing and grading and building permit approval. The following notes shall appear on the face of the Temporary Erosion and Sedimentation (TESC) and landscape plans:

- a. Clearing limits shall be established at or outside of driplines;
- b. No excavation shall be performed within driplines except as specifically approved on plans. Approved work shall be done by hand to avoid damage to roots and shall be done under the supervision of an applicant-selected arborist approved by the City.

B. This condition must be complied with prior to issuance of any building permit and/or demolition permit for the proposal.

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## 1. Color and Material Samples Required

The applicant shall submit color samples and materials for the building exteriors for review and approval of the DCD. (LUC 20.30D.150.H)

C. This condition must be complied with prior to issuance of any occupancy permits for the development.

## 1. Separate Sign Approval Required

Separate sign design review approval must be obtained for all signs associated with this project.

D. This condition must be complied with during the operation of the project.

1. The 11 parking spaces along the eastern border of the project area shall be used for overflow parking only. Access to these spaces shall be blocked off at all times when their use is not actually needed. When these spaces are used, they shall be used for back-in parking only. Appropriate signage shall be installed to provide notice of these restrictions.

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

14. Any submittal or revision submittal made to the City of Bellevue in response to compliance with these conditions of approval shall include direct and specific reference to the conditions of approval being addressed. Such reference shall take the form of a copy of the page or pages including the condition, and shall be submitted with any drawings.

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

Section 4. This ordinance shall take effect and be in force five (5) days after passage and legal publication.

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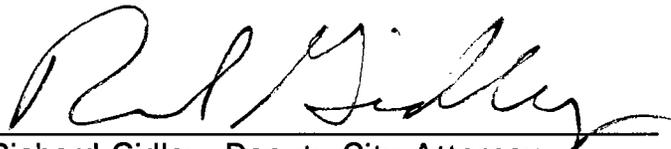
PASSED by the City Council this 23rd day of October, 1995, and signed in authentication of its passage this 23rd day of October, 1995.

(SEAL)

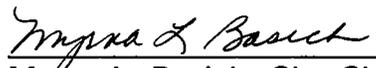
  
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Donald S. Davidson, DDS, Mayor

Approved as to form:

Richard L. Andrews, City Attorney

  
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Richard L. Andrews, City Attorney

Attest:

  
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Myrna L. Basich, City Clerk

Published October 27, 1995