

RESOLUTION NO. R- 2349

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING THE FINAL PLAT OF FINKBEINER ADDITION TO KIRKLAND, BEING DEPARTMENT OF COMMUNITY DEVELOPMENT FILE NO. SUB-75-26(H), AND SETTING FORTH CONDITIONS TO WHICH SUCH FINAL PLAT SHALL BE SUBJECT.

WHEREAS, a Preliminary Plat of Finkbeiner Addition to Kirkland was approved by Resolution No. R-2314, and

WHEREAS, the Department of Community Development has received an application for a final plat, said application having been made by Stafford Hansell Company and said property as legally described in the application is within an RS 81.5 zone, and

WHEREAS, the application has been submitted to the Houghton Community Council and the Kirkland Planning Commission who held public hearings thereon at their regular meetings of January 6, 1976 and February 12, 1976 respectively, and

WHEREAS, pursuant to City of Kirkland Resolution No. 2181, concerning environmental policy and the State Environmental Policy Act, an environmental assessment has been submitted to the City of Kirkland, reviewed by the responsible official of the City of Kirkland and a negative declaration reached, and

WHEREAS, said environmental assessment and declaration have been available and accompanied the application throughout the entire review process, and

WHEREAS, the Houghton Community Council and Kirkland Planning Commission, after public hearings and consideration of the recommendations of the Department of Community Development, did adopt certain Findings, Conclusions and Recommendations and did recommend approval of the preliminary plat, subject to the specific conditions set forth in said recommendation.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Kirkland as follows:

Section 1. The Findings, Conclusions and Recommendations of the Kirkland Planning Commission as as signed by the Chairman thereof and filed in the Department of Community Development File No. SUB-75-26(H), are hereby adopted by the Kirkland City Council as though fully set forth herein.

Section 2. Approval of the final plat of Finkbeiner Addition to Kirkland is subject to the applicant's compliance with the conditions set forth in the Findings, Conclusions and Recommendations hereinabove adopted by the City Council and further conditioned upon the following:

A. A plat bond in an amount determined by the Director of Public Services in accordance with the requirements therefore in Ordinance No. 2178 shall be deposited with the City of Kirkland and be conditioned upon the completion and acceptance by the City of all public improvements within one year from the date of passage of this Resolution. No City official, including the Mayor, shall affix his signature to the final plat drawing until such time as the plat bond herein required has been deposited with the City and approved by the Director of Public Services as to amount and form.

Section 3. A certified copy of this Resolution, along with the Findings, Conclusions and Recommendations hereinabove adopted shall be delivered to the applicant.

Section 4. Nothing in this Resolution shall be construed as excusing the applicant from compliance with all federal, state or local statutes, ordinances or regulations applicable to this project, other than as expressly set forth herein.

Section 5. Notwithstanding the recommendations heretofore given by the Houghton Community Council, the subject matter of this Resolution and the final plat approval herein authorized are, pursuant to Ordinance No. 2001, subject to the disapproval jurisdiction of the Houghton Community Council and this Resolution shall become effective only upon the approval of the Houghton Community Council or the failure of said Community Council to disapprove this Resolution within sixty days from the date of passage hereof.

Section 6. Certified or conformed copies of this Resolution shall be delivered to the following:

- A. Applicant
- B. Department of Community Development for the City of Kirkland
- C. Building Department for the City of Kirkland
- D. Fire Department for the City of Kirkland
- E. Police Department for the City of Kirkland
- F. Public Service Department for the City of Kirkland
- G. Office of the Director of Administration and Finance (ex officio City Clerk) of the City of Kirkland

ADOPTED in regular meeting of the Kirkland City Council on the 1st day of March, 1976.



Mayor pro tem

ATTEST:


Director of Administration and Finance
(ex officio City Clerk)



DEPARTMENT OF COMMUNITY DEVELOPMENT
ADVISORY REPORT
FINDINGS, CONCLUSIONS AND RECOMMENDATIONS

PREPARED BY _____ DATE _____
 xx RECOMMENDED BY _____ DATE February 12, 1976
 ADOPTED BY _____ DATE _____

STAFF _____
 BOARD OF ADJUSTMENT _____
 HOUGHTON COMMUNITY COUNCIL _____
 xx PLANNING COMMISSION _____
 CITY COUNCIL AS INCORPORATED IN _____
 RESOLUTION _____ ORDINANCE _____

John Cushing
 JOHN CUSHING, Chairperson

FILE NUMBER SUB-75-26(H) FINAL
 APPLICANT Stafford Hansell Co./Subdiv. Mgt., Inc.
 PROPERTY LOCATION N.E. 60th & 58th St. & BNRR & 106th Ave. N.E.
 SUBJECT Applic. for Final Subdiv. of "Finkbeiner Add. to Kirkland".
 HEARING/MEETING DATE March 1, 1976
 BEFORE KIRKLAND CITY COUNCIL

EXHIBITS ATTACHED "A" Site Plan "B" Title Insurance Policy "C" Closure
 Printout "D" Assessment Report "E" Covenants "F" Soils Report on
 Tract A

FINDINGS:

A. SUMMARY OF THE PROPOSED ACTION:

1. This is an application for final approval of a formal subdivision of 21 lots to be located between N.E. 60th Street, N.E. 58th Street, and approximately 106th Ave. N.E. and the Burlington Northern Railroad tracks. The final subdivision is known as "Finkbeiner Addition to Kirkland" and is located within an RS 8.5 zone.

B. GOVERNMENTAL COORDINATION

2. Building Department. Memo from Bldg. Dept., 12/11/75: "I have received no applications for grading on these plats. I am assuming the Finkbeiner Plat was started before the enactment of the new grading ordinance. If this is the case, I suggest that we handle this in the same way that we did with Sandhurst III. That would mean removing only trees marked by you and no dirt be deposited on the lots. Grade changing to be done in the right of way area only."

3. Public Service Department. Memo from Public Service Director, 12/11/75. "The only addition to the above comments would be a caution to the developer that the City of Kirkland did install some water main improvements in the for of making their northerly connection on N.E. 60th prior to the paving of N.E. 60th. This work done in advance permits the completion of the water system without cutting into the new paving. City costs were: Material costs \$379.51 plus 10% for tax and handling \$37.93; Labor Costs \$247.28 plus 25% overhead \$60.57; Equipment rental \$128.04, Total \$948.13."

4. Department of Fire Services. Memo from Fire Dept. 12/15/75, "Fire Dept. approval contingent upon compliance with Item 2(d) of Notice of Approval. Developer to be advised that this system must be capable of supplying a minimum of 1,000 gallons per minute for fire protection."

C. HISTORICAL BACKGROUND

5. On July 7, 1975, the City Council of the City of Kirkland approved a preliminary subdivision for Finkbeiner Addition to Kirkland, in Resolution No. 2314. That resolution required the applicant to address the following items with respect to approval of a final subdivision on this plat.

Findings, Cont'd

- C. 5. "1. Prior to the installation of any required utilities, grading, clearing, or development within the preliminary plat, however excluding a building permit for Tract "A", the applicant shall submit engineering calculations, drawings, drainage design for the entire plat and design proposed storm water retention system and erosion measures to be taken during construction and after development so that the velocity and quantity of runoff from the site does not exceed the existing runoff from a 10 year, one-hour storm. This shall include a drainage easement along the undeveloped portion of N.E. 58th Street. Natural drainage controls will be preferred over structural methods within the plat.
- 2. Removal of vegetation shall be limited to those trees within the right-of-way, utility easements, and homesite clearing with individual trees within the proposed lots to be identified and tagged, and approved by the Department of Community Development prior to tree removal within these lots. Those trees within the landscaping island shall be retained.
- 3. The following utility improvements will be required to be installed prior to final plat approval, subject to approval by the Public Service Department:
 - a. Improve the south side of N.E. 60th St. for the length of the subject property to minimum 16 foot paved surface to include curbs, gutters and sidewalks to minimum City standards. Further, the south 20 feet of the subject property, including Tract A, along N.E. 58th St., will be required to be dedicated and improved, from the eastern corner of the subject property to the west corner of lot 12, Block 7, Burke and Farrar's Kirkland Addition to the City of Seattle, Div. 7, with 16 feet minimum paved surface, curb, gutter and sidewalk.
 - b. Grade the undeveloped portion of N.E. 58th St. to the approval of the Public Service Department.
 - c. 105th Ave. N.E. shall be dedicated and improved to minimum City standards with a sidewalk on the west side of the street. Beauty bark shall not be used in the landscaping island.
 - d. The applicant shall install a 6" water main and connect said main to the existing 6" mains on N.E. 60th St. and N.E. 58th St. Further, a fire hydrant shall be installed within the cul-de-sac.
 - e. The applicant shall provide the Department of Public Service with a plan for sanitary sewer hookup for the subject property.
 - f. All utilities shall be undergrounded. 2/12/76
1/6/76
12/29/75

Findings cont'd

- C. 5. 8. Provide a 10 foot pedestrian easement between lots 12 and 13; and 3 and 4, and improve this easement with a 5 foot wide concrete path, fencing both sides of the easements, to include a batfile system, and landscaping within the easement as indicated in Exhibit F.
- 6. Prior to review of the final plat the applicant shall be required to submit, or evidence thereof, the following:
 - a. Meet the requirements of Kirkland Subdivision Ordinance, Section 2.9.
 - b. Submission of a closure printout verifying lot area in conformance with the RS 8.5 zone, and lot averaging requirements found in Section 2.11.8(h) of the Kirkland Subdivision Ordinance.
 - c. Accurate assessment information from the King County Department of Assessments regarding assessed valuation of subject property less Tract "A" (on a square foot basis) and accompanied by a check to the City of Kirkland for the sum of not less than 10% of the assessed valuation to be placed in the "Fee in Lieu of Open Space" fund.
 - d. A copy of the covenants to be filed with subject properties shall be submitted to the Dept. of Community Development.
- 7. The following shall be indicated on the face of the final plat linen:
 - a. Maintenance of the island in the right-of-way shall be borne by property owners of Lots 10, 11, 12, 13, 14, 15, 16, and 17.
 - b. A minimum 10 foot pedestrian easement shall be required between lots 12 and 13; and 4 and 3 shall be fenced at the width of this easement.
 - 8. The westerly + 100 feet of Tract A shall not be developed, this to include vegetation or tree removal. At such time as future development is proposed for said area, a soils report by a licensed soils engineer or an engineering geologist will be required, indicating the engineering feasibility of the proposed development. This soils report shall be used by the Department of Community Development to evaluate any developmental proposals including landscaping and/or removal of vegetation for said westerly 100 feet.
 - 9. At such time as Tract A is re-subdivided (either formal or short plat), the applicant will be required to submit a soils report on the westerly + 100 feet of Tract A; and the following shall become conditions of approval. 2/12/76
1/6/76
12/29/75

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Findings Cont'd

- C. 9. a. Improve N.E. 58th St. west of the westerly property line of Lot 12, Block 7, Burke and Farrar's Kirkland Addition No. 10 for the remainder of that street with 16 foot paved surface, curbs, gutters and sidewalk.
- b. Deposit not less than 10% of the assessed valuation for Tract "A" in the Fee in Lieu of Open Space" fund, if subdivision is approved pursuant to the requirements of the Kirkland Subdivision Ordinance, Section 2.5.9(b)."

CONCLUSIONS

A. SUMMARY OF THE PROPOSED ACTION

1. This application is consistent with all existing and emerging policies and regulations.

B. GOVERNMENTAL COORDINATION

2. Bldg. Dept. See conclusion 5.

3. Public Service Dept. That the applicant shall be required to pay to the City of Kirkland the sum of \$948.13 for utility connection improvement, for this plat.

C. HISTORICAL BACKGROUND

4. At the present time subject property has not been graded or cleared, excluding Tract "A". The applicant has submitted engineering calculations, drawings, drainage design for the entire plat, and a proposed storm water retention system and erosion measures for the plat during and after construction. which have been approved by the Department of Community Development and the Public Service Department. The proposed system includes a structural method of storm retention for those properties which either front on N.E. 60th St. or the cul-de-sac, and groundwater recharge system for those proposed lots located on N.E. 58th Street.

5. No removal of vegetation has occurred at this point excluding that clearing which was accomplished for the placement of the housing site on Tract "A". The Department of Community Development would recommend that the developer and the Department of Community Development mutually agree upon a tree removal plan prior to the issuance of any building permits for Lots 1 through 20. This plan would be generally consistent with the method which was used in Sandhurst #3.

6. a. through c. - No comment.
d. See Governmental Coordination, Conclusion 3.
e. and f. No comment.

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1/6/76
12/29/75

Conclusions cont'd

- C. 6. g. The Department of Community Development and the Park Department would recommend the 10 foot pedestrian easement between Lots 12, 13, and 3 and 4 be improved with a concrete path, fencing on either side of easement, and that the area not to be paved between the path and the fence be graded and seeded with grass.
7. a. All the requirements of the Kirkland Subdivision Ordinance, Section 2.9 have been met. (See exhibit B)
- b. A closure printout has been enclosed (Exhibit C) which indicates a lot averaging requirement of Section 2.11.8(h) of the Kirkland Subdivision Ordinance has been met. Not more than 10% of the number are less than prescribed minimum for the zoning district, (Lots 3 and 4).
- c. Accurate information has been submitted to the City of Kirkland regarding the assessed valuation of the subject property per the requirements of Section 2.5.9 of the Kirkland Subdivision Ordinance. The applicant has submitted a check in the sum of \$8,150 which is 10% of the assessed valuation of the subject property less Tract "A" (on a square foot basis). (See Exhibit D).
- d. Please see Exhibit E which is a copy of the covenants to be filed with the subject properties.
8. At the time of preparation of this report, the following had not been accurately placed on the face of the plat linen.
- a. Maintenance of the island in the right-of-way shall be borne by property owners of Lots 10, 11, 12, 13, 14, 15, 16, and 17.
- b. A minimum 10 foot pedestrian easement shall be required between Lots 12 and 13, and 3 and 4; shall be fenced at the width of this easement and should be improved per conclusion 6.g..
9. Prior to the issuance of a building permit for Tract "A", the applicant did submit an engineering soils report on the westerly 100 feet ± of Tract "A". (Exhibit F).
10. The following should be placed on the face of the plat linen regarding Tract "A".
- "At such time as Tract "A" is re-subdivided, either formal or short plat, the following will be required:
- a. Improve N.E. 58th Street west of the property line of lot 12, Block 7, Burke and Farrar's Addition No. 10 for the remainder of the north side of that street with 16 foot paved surface, curbs, gutters and sidewalks.

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Conclusions cont'd

- C. 10. b. Tract "A" has been exempted for the provisions of open space or fee in lieu for this plat. At the time that Tract "A" is subdivided, open space or fee in lieu shall be required pursuant to section 2.5.9 of Ordinance 2178 or the applicable subdivision ordinance."

RECOMMENDATIONS

Based upon the foregoing Findings and Conclusions, we hereby recommend approval of this Final Plat of Finkbeiner Addition to Kirkland as identified in Exhibits "A" through "F", subject to the following condition:

Prior to review of this plat by the Kirkland Planning Commission the following shall be completed.

- 1. A plat bond in an amount determined by the Director of Public Service in accordance with section 2.12.1 of Ordinance 2178 shall be deposited with the City of Kirkland and be conditioned upon the completion and acceptance by the city of all public improvements within one year from the date of passage of a resolution for this plat by the Kirkland City Council.
- 2. That the applicant shall pay to the City of Kirkland the sum of \$948.13 for utility connection improvements for this plat.
- 3. That the following be indicated on the face of the plat linen:
 - A. Maintenance of the island in the right-of-way shall be borne by property owners of Lots 10, 11, 12, 13, 14, 15, 16, and 17.
 - B. A minimum 10 foot pedestrian easement shall be required between Lots 12 and 13, and 3 and 4. This easement shall be improved with a five foot wide concrete path, fencing on both sides of the easement, and include a baffie system at both ends of the easement to prohibit motorized traffic within this easement, and landscaping within the easement as indicated in Exhibit "F".
 - C. At such time as Tract "A" is re-subdivided, either formal or short plat, the following will be required:
 - 1. Improve N.E. 58th Street west of the property line of Lot 12, Block 7, Burke and Farrar's Addition No. 10 for the remainder of the north side of that street with 16 foot paved surface, curbs, gutters and sidewalks.
 - 2. Tract "A" has been exempted for the provisions of open space or fee in lieu for this plat. At the time that Tract "A" is subdivided, open space or fee in lieu shall be required pursuant to section 2.5.9 of Ordinance 2178 or the applicable subdivision ordinance.
 - D. The regular maintenance and repair of all storm water retention structures in this plat and located beneath the City right-of-way shall be accomplished by the City of Kirkland. The total cost of said maintenance and repair of all storm water retention structures shall be assessed against all property owners within the plat who are served by such, and each property owner served by said system shall be assessed 1/15th of the total costs.

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