

RESOLUTION NO. R-2376

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING THE PRELIMINARY PLAT OF HIDDEN HILLS DIVISION 2 AS APPLIED FOR BY DONALD S. HILL BEING DEPARTMENT OF COMMUNITY DEVELOPMENT FILE NO. R-SUB-76-18(P) AND SETTING FORTH CONDITIONS TO WHICH SUCH PRELIMINARY PLAT SHALL BE SUBJECT.

WHEREAS, the Department of Community Development has received an application for a preliminary plat, said application having been made by Donald S. Hill and said property as legally described in the application is within an RS 8.5 and RS 35 zone, and

WHEREAS, the application has been submitted to the Kirkland Planning Commission who held public hearing thereon at their regular meeting of June 10, 1976, 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, Kirkland Planning Commission, after public hearing 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 signed by the Chairperson thereof and filed in the Department of Community Development File No. R-SUB-76-18(P) are hereby adopted by the Kirkland City Council as though fully set forth herein.

Section 2. The preliminary plat of Hidden Hills Division No. 2 is hereby given approval, subject to the conditions set forth in the Findings, Conclusions and Recommendations hereinabove adopted by the City Council.

Section 3. A certified copy of this Resolution, along with the Findings, Conclusions and Recommendations hereinabove adopted shall be attached to and become a part of the evidence of preliminary approval of said preliminary plat to 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. Certified or conformed copies of this Resolution shall be delivered to the following:

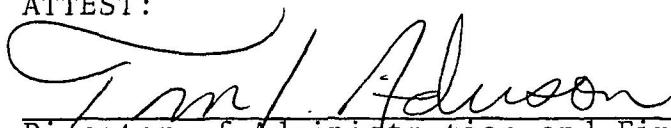
- a. Applicant
- b. Department of Community Development for the City of Kirkland
- c. Building Department for the City of Kirkland
- d. Fire Department for the City of Kirkland
- e. Police Department for the City of Kirkland
- f. Public Service Department for the City of Kirkland
- g. Office of the Director of Administration and Finance (ex officio City Clerk) of the City of Kirkland

ADOPTED in regular meeting of the Kirkland City Council on the 21st day of June, 1976.



Mayor

ATTEST:



Director of Administration and Finance
(ex officio City Clerk)

RECOMMENDATIONS:

Based upon the foregoing Findings and Conclusions, the Kirkland Planning Commission recommends approval of this Preliminary Plat of Hidden Hills Div. #2 subject to the following conditions:

1. All lots in the final plat will be numbered consecutively.
2. Any improvements to 116th Ave. N.E. shall also be extended to 10311 116th Ave. N.E.
3. In the final plat, Tract "B" shall be identified as a dedicated right-of-way with an approved "T" shaped turn-around.
4. Prior to any review of a final plat, or within 6 months of the approval of the preliminary plat, whichever is first, Tract C shall be improved as per Department of Fire Services recommendations and Public Service Department approval. Improvements shall include widening of the paved surface, installation of an approved turn-around, and installation of the "No Parking - Fire Lane" sign.
5. Subsequent to the approval of this preliminary plat and prior to construction on any improvements or developments whatsoever within this proposed plat, the applicant will be required to submit and receive approval from the Department of Public Service and Department of Community Development an engineering design and calculations for storm water runoff. Said system shall be designed for a minimum of a 10 year storm, and shall include methods for handling storm water runoff during construction and after proposed development.
6. The applicant shall be required to meet with the Department of Public Services to agree upon street, sanitary sewer, and domestic water design.
7. The applicant shall be required to install fire hydrants per Department of Fire Services approval. Further, prior to the issuance of any building permits, the applicant shall be required to develop, pursuant to Operating Policy 6, as indicated. The "No Parking - Fire Lane" sign for Tract C shall be physically installed prior to the issuance of any building permits.
8. The following shall be noted on the face of the plat linen:
 - a. Lots , (which are presently identified as Lots 1 and 6, Div. #2) shall have access to only N.E. 104th Street.
 - b. Lot (which is presently identified as Lot 11, Div. #2), shall have access only to N.E. 103rd Street.

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Recommendations, Cont'd

8. c. All lots which front on both 116th Ave. N.E. and 115th Ave. N.E. shall have access only to 115th Ave. N.E. These said lots shall be either heavily landscaped along 116th Ave. N.E. or fenced with a 6 foot fence (due to double frontage situation.)
- d. No buildings shall be built over either of the manmade ponds. Further, the physical size and/or the usability of this pond for a storm retention system shall not be diminished in any way.
9. The applicant shall install residential identification signs for Tracts "C" and "D", and these signs shall identify all addresses served by those private easements.
10. All utilities shall be undergrounded.
11. The applicant shall be required to provide 10% of the assessed valuation of the entire subdivision as determined by the King County Assessor's Office for general tax purposes in the City of Kirkland Park and Municipal Facilities Cumulative Reserve Fund. (The new rate shall not apply due to prior filing of this application.) (Section 2.5.9).
12. A tree cutting plan shall be provided as required by Ordinance 2193.
13. The applicant will be required to provide adequate water quality control measures for the manmade retention ponds along with the final plat design.
14. The City staff should give consideration to the location and surfacing material of both internal pedestrian easements and sidewalks in public rights-of-ways prior to final plat approval and make recommendation thereon to the Kirkland Planning Commission at the time of final plat review.

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Conclusions, Cont'd

C. 4. Department of Fire Services. The applicant shall be required to meet the requirements of Department of Fire Services with regard to width of paved easements, the installation of fire hydrants, and installation of "No Parking - Fire Lane" sign on access easements.

D. EXISTING PHYSICAL CHARACTERISTICS:

5. Slope. Based upon the topographic data supplied with this application, it would appear that the data does not currently reflect the true character of the plat. Prior to final plat review, the applicant should be required to submit an accurate topographic map of the subject property.
6. Soils/Geology. It does not appear that there will be any significant soil or geologic constraints with this application, however, the applicant should be prepared to provide additional soil and geologic information with any potential re-platting of Tract "A".
7. Vegetation. A tree cutting plan should be provided to the Department of Community Development pursuant to the Land Surface Modification Ordinance O-2193 of all trees 6" in caliper or greater.
8. Streets. N.E. 124th St., 116th Ave. N.E., all private easements, and any other developed rights-of-way will be required to be upgraded to minimum City specifications.
9. Pedestrian Ways. Sidewalks should be required with associated street improvements along 116th Ave. N.E., N.E. 104th Street, and 115th Pl. NE. Further, pedestrian walkways should be extended from Tract "C" to N.E. 104th St., from 115th Pl. N.E. to 116th Ave. NE., and from Tract "B" to Tract "A". These walkways should be a minimum of 5 feet wide, fenced with a 4-5 foot fence on either side and with motorcycle barriers at one end.
10. Domestic Sewers/Sanitary Sewers. These utilities shall be required to serve the proposed development.
11. Storm sewer. Subsequent to approval of this preliminary plat, and prior to construction of any improvements or developments whatsoever within this proposed plat, the applicant will be required to submit and receive approval from the Department of Public Services and the Department of Community Development an engineering design and calculations for storm water runoff. The system shall be designed for a 10 year storm, and shall include methods for handling said storm water runoff during construction and after proposed development.

Conclusions, Cont'd

F. NEIGHBORHOOD CHARACTERISTICS:

12. Zoning/Land Use. The proposed subdivision appears to be consistent with the emerging Land Use Policy Plan for this general area.

G. LOCAL ZONING AND/OR LAND USE POLICIES AND PLANS:

13. The applicant should be required to provide calculations and design drawings which will minimize soil erosion potential.
14. The applicant shall be required to provide 10% of the assessed valuation of the entire subdivision excluding tract "A" as determined by the King County Assessor's Office for general tax purposes as provided for in Section 2.5.9 of the City of Kirkland Subdivision Ordinance No. 2178.
15. All proposed dedicated Rights-of-Way shall be constructed to minimum City standards, whereas all private access easements shall be constructed to the specifications of the Public Service Department and Department of Fire Services.
16. Winding concrete sidewalks should be required to be developed along 116th Ave. N.E., along both sides of N.E. 104th St. and at least one side of 115th Pl. N.E.
17. All required utilities should be undergrounded.
18. The following restrictions shall be placed on the face of the final plat linen:
 - a. Lots _____, (which are presently identified as Lots 1 and 6 of Div. #2) shall have access to only N.E. 104th Street.
 - b. Lot _____ (which is presently identified as Lot 11, Div. 2) shall have access only to N.E. 103rd Street.
 - c. All lots which front on both 116th Ave. N.E. and 115th Ave. N.E. shall have access only to 115th Ave. N.E. These said lots shall be either heavily landscaped along 116th Ave. N.E. or fenced with a 6 foot fence (due to double frontage situation).
 - d. No buildings shall be built over either of the "man made ponds". Further the physical size and/or the usability of this pond for a storm retention system shall not be diminished in any way.

Findings, Cont'd

- B. 5. (3) The applicant should install all required utility improvements within one year of the date of approval from this hearing body. This should include but not be limited to the installation of the following to minimum City standards and pursuant to the Kirklund Subdivision Ordinance:

- a. Underground wiring to each building site.
 - b. A 20 foot dead-end access easement with a minimum paved surface of 12 feet to include a rolled asphalt or concrete curb.
 - c. Dry sewer for each residential structure.
 - d. Fire hydrant, and sign "No Parking - Fire Lane". Evidence shall be submitted to the City of a requirement to maintain said signing and to be included in the covenants to be filed with said plat.
 - e. Residential identification sign conforming to the Kirklund Zoning Ordinance Section 25.32 and approved by the Department of Community Development.
- (4) A copy of the approved short subdivision shall be recorded with the King County Department of Records and Elections in accordance with State and local regulations, before a building permit is granted. No City official shall issue a building permit on the short subdivision until a copy of that recording is submitted to the City of Kirklund, Department of Community Development.

C. GOVERNMENTAL COORDINATION:

6. The Kirklund Public Service Department has the following comments from memorandums dated March 16, 1976 and April 29, 1976: and May 18, 1976:

- "The proposed plat has many confusing features.
1. It appears that there has been a considerable amount of subdividing without benefit of a plat since the Plat of Hidden Hills was approved in 1971. Parcels A, B, C and D were all a part of Tract 34, therefore the public improvements should be provided as a part of the above proposed plat.
 2. The plan shows three private roads. These are not acceptable to the Public Service Department. Previous experience shows that the City has little control over improvements to privately owned tracts yet the City is held liable for damages such as flood waters, etc., because the City staff must approve the plat.

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Findings, Cont'd

- C. 6. 3. The lots north of N.E. 104th St. along the west side of 116th Ave. N.E. are all double frontage lots with back yards facing the main street in the area. This technique might be O.K. on a major arterial but is not desirable in this instance. Concrete curb, gutter and sidewalks will be required along 116th Ave. N.E. If these same lots have double frontage then the costs of public improvements are double for those lots.

4. The original plan that allowed the plat of Hidden Hills to develop was on condition that N.E. 103rd St. would become a loop roadway and be extended to the north.
5. The public improvement drawings are yet to be furnished. The only drawing the City has received is one showing a sanitary sewer trunk line designed to connect to the METRO connection north on 116th Ave. NE. at the vicinity of the railroad and extended southerly to the northeast of the proposed plat. Comments on the public improvements, including drainage, will not be made at this time pending reworking of the lot and street configurations and the furnishing of improvement drawings."

"The memorandum to Steve Morrison dated March 16, 1976 covered the total plat and the comments in that memo are still valid with the following exceptions:

1. Parcel D would be improved as a part of the street improvements.
 2. There is a need to show the improvements to lots 16, 17, and 18 access parcel. It still appears to be a private road.
 3. A positive drainage swale will be required as an outlet from the northerly pond. This swale must be identified and preserved.
 4. The sanitary sewer design is critical to the approval of the lot and without the sewer design a final approval of the lot configuration cannot be furnished. The dry sewers end at the westerly end of N.E. 103rd St., this dry system must be picked up and extended."
- "Your memo dated May 6, 1976 mentioned the two small roads remaining within the plat that would be private. I talked to Don Hill about this and advised him that some technique must be developed to hold the City harmless, in such situations, from flooding primarily. Don agreed that this should be worked out."

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DEPARTMENT OF COMMUNITY DEVELOPMENT
ADVISORY REPORT
FINDINGS, CONCLUSIONS AND RECOMMENDATIONS

PREPARED BY _____ DATE _____
RECOMMENDED BY _____ DATE June 10, 1976
ADOPTED BY _____ DATE _____

STAFF _____
BOARD OF ADJUSTMENT _____
HOUGHTON COMMUNITY COUNCIL _____
PLANNING COMMISSION _____
CITY COUNCIL AS INCORPORATED IN _____
John Cushing
John Cushing, Chairperson

RESOLUTION _____ ORDINANCE _____
NUMBER _____
DATE _____

FILE NUMBER R-SUB-76-18(P) Preliminary
APPLICANT DONALD S. HILL
PROPERTY LOCATION N.E. 104th St. and 110th Ave. N.E.
SUBJECT Application for Preliminary Plat. of Hidden Hills Div. 2

HEARING/MEETING DATE June 21, 1976
BEFORE KIRKLAND CITY COUNCIL

EXHIBITS ATTACHED - "A" Site Plan - Vicinity Map "B" Rezone Application
"C" Environmental Assessment and Declaration "D" Soils Report

FINDINGS:

A. SUMMARY OF THE PROPOSED ACTION:

1. This is an application for preliminary plat approval for property generally located north of N.E. 103rd St. and west of 116th Ave. N.E.; and consisting of the remainder of Tracts 34, 35 and 36 of Kirkland-Juanita Acre Tracts. (Exhibit "A" Vicinity Map - Proposed Plot Plan).
2. The applicant proposes to create a total of 30 lots and one tract from a total of approximately 13 acres.
3. The applicant is applying for this property subdivision and with a proposed rezone application for the final plat, due to the fact that Tracts 35 and 36, being north of N.E. 104th Street, are presently zoned Residential 35,000 square feet, whereas the rest of Tract 34 (south of N.E. 104th Street) is zoned Residential Single Family 8,500 square feet.

B. HISTORICAL BACKGROUND:

4. On April 19, 1976, the Kirkland City Council did approve a Waiver of Resolution 2249 for the subject property for the potentially unstable soils condition on the subject property and for the requested rezone from RS 35 to RS 8.5.
5. Portions of Tract 34 were informally subdivided on November 14, 1974 under DCD File No. KROLL 426E, whereas the findings were as follows:
 - (1) Any septic tank filter field system for proposed Lot A or proposed Lot C shall be constructed as indicated in the engineering report dated November 3, 1974 for Don Hill. The entire professional engineer's report of D. Cillings Martin for D. S. Hill c/o Venture Properties is hereby adopted as reference requirements for Lots A and C. In addition, the applicant shall be required to request that the Public Health Department analyze the drainage pond immediately and thereafter annually for E. COLI bacteria, to determine whether or not it is a significant health hazard. Said initial report shall be submitted to the Department of Community Development prior to the issuance of building permits. If initial test is above health standard levels, no building permit shall be approved unless a public sewer system is available.
 - (2) At the time when proposed Lot D is further subdivided, all utility improvements required for that parcel should be extended to include proposed Lot C.

Findings, Cont'd

E. 17. Storm Sewer. There are no storm sewer systems in this vicinity other than open drainage ditches.

F. NEIGHBORHOOD CHARACTERISTICS:

18. The subject property is zoned a combination of Residential Single Family 35,000 sq. ft. and Residential Single Family 8,500 sq. ft. Generally, the lack of utilities account for the differences in the zoning. Most properties on the east side of 116th Ave. N.E. have no access to sewer lines as those to the north of 104th Ave. N.E. The applicant will be remedying this situation with the proposed sewer extension to the north along 116th Ave. N.E.
19. Land Use. The subject property presently contains three single family residences, whereas the adjacent property to the south has been developed as single family density of RS 8,500 sq. ft. Properties to the west, north and east of the subject property are undeveloped.
20. Parks/Recreation Areas. Highlands Park which fronts on 112th Ave. N.E. and N.E. 102nd Street is approximately 2,000 ft. pedestrian distance to the southwest; whereas the emerging Land Use Policy Plan indicates a need for another park facility somewhere within the general area of this plat.

G. LOCAL ZONING AND/OR LAND USE POLICIES AND PLANS:

21. The applicant has submitted an environmental assessment which received a negative declaration from the Responsible Official on May 27, 1976.
22. The proposed development is generally consistent with the Kirkland Subdivision Ordinance No. 2178 with the following specifications noted for the applicant's benefit.

- a. Tree cutting plans for all developments shall be required indicating trees over 6" in caliper and indicating which will be cut and which will remain. (Section 2.5.5)
- b. The use of water retention basins to minimize runoff or soil erosion potential may be required. (Section 2.5.6).
- c. The applicant is proposing to deposit into the "Fee in Lieu of Open Space" account of the Park and Municipal Facilities Cumulative Reserve Fund, an amount not less than 10% of the assessed valuation of the entire subdivision.

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Findings, Cont'd

- G. 23. All dead-end streets shall terminate in an appropriate turn-around design having a minimum right-of-way diameter of 90 feet, unless the Planning Commission approves a "T" or "Y" shaped paved space in place of a turning circle. (Section 2.11.3)
24. Provision shall be made for sidewalks and pedestrian ways within the p.i.t. (Section 2.11.9).
25. All required utilities shall be undergrounded to current utilities specifications. (Section 2.12.3).
26. The emerging Land Use Policy Plan indicates that the subject property is within an area of low density residential development, at approximately 4-5 dwelling units per acre, which is consistent with RS 8.5 zoning.
27. The Kirkland Land Use Policy Plan Commission has raised the issue of local access to and from Rose Hill or Highlands Area under full development. The Department of Community Development has done a preliminary analysis with the Transportation Planners of Puget Sound Council of Governments and members of the Kirkland Public Service Department and have concluded that although street improvements and signalization may be needed in certain locations, that access to and from this general area should not be a significant item of concern for this application.

CONCLUSIONS:

A. SUMMARY OF THE PROPOSED ACTION:

1. This application is generally consistent with the Kirkland Subdivision Ordinance with exceptions as mentioned herein.

B. HISTORICAL BACKGROUND:

2. Pursuant to the Informal Subdivision approved under KROLL 420E and approved on November 14, 1974, a requirement of approval shall be that at such time as the rest of Tract 34 is further subdivided, that all utility improvements for that parcel shall be extended to Lot C of that short plat, which is addressed as 10313 116th Ave. N.E.

C. GOVERNMENTAL COORDINATION:

3. The applicant shall be required to meet with the Public Service Department to agree upon streets, water, sewer, and storm drainage improvements for the proposed plat. Further, due to the requirements of the previous short plat, the applicant should be required to bond for and improve Tract "C" within 6 months of approval of the Preliminary Plat, as agreed upon between the developer, the Department of Fire Services and the Public Service Director.

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Findings, Cont'd

- C. 6. The jog in the sanitary sewer just north of Tract D causes a maintenance problem; this concern has been expressed to Don Hill.
- The City has not seen the water system drawings. The six inch main constructed in NE 103rd St. was designed to be extended for fire flows. The Fire Department will need to be asked for their opinion on the dead-ending of this system.
- Eventually there will be need for more details of the storm drains as they empty into 116th Ave. N.E. at the northeast corner of the plat."
7. Department of Fire Services. (Memo dated May 24, 1976)
"In this case, Operating Policy No. 6 shall apply which includes the following:
- Access easements serving two or more lots shall not be less than 20 feet, of which no less than 15 feet will be paved.
 - All hydrants newly installed in single family residential areas shall be supplied by not less than 6" circulating mains. Dead-end mains supplying fire hydrants must be at least 8" in diameter, except hydrant leads not greater than 50 feet in length may be 6" in diameter.
 - Access easements serving two or more lots shall be posted "No Parking - Fire Lane". Such signs shall be installed and maintained at the expense of the property owners abutting such access easement. Such signs meet the minimum requirements of the Public Service Department.
- (Memo dated May 26, 1976) Fire hydrants shall be installed as shown on preliminary plat plan. These hydrants and supply mains shall be installed prior to beginning construction of the proposed houses."
8. Building Department. (Memo dated March 12, 1976)
"....The streets are not located on our normal 330 foot addressing grid lines. The street indicated as 115th Ave. N.E. should be listed as 115th Pl. N.E. The street listed as 113th Ave. N.E., because it is beyond the 114th St. grid line and again off of the grid line, should be listed as 114th Pl. N.E.
- I am assuming that this area is to be served by a sanitary sewer system and not provided with septic tanks. As you will remember, we have issued one building permit in what is listed as Tract 35. This permit was issued subject to the availability of sanitary sewer prior to occupancy.

- C. 8. I am assuming that the question of hazardous slope for the entire plat will be addressed upon plat review. This requirement, however, should not preclude the Building Department requiring soils investigation for individual lots based on problems that may arise in the future.
9. Police Department. (Memo dated May 6, 1976): "The proposal behind #34 is in as you stated. It is narrow, approximately 10 feet and looks like a private driveway. As I look at this map, it looks like it will serve 5 residences, and be their only access. The one behind #35 is not in and its kind of hard to say. It appears as though it also will serve 4 residences and it, like the other, be very narrow. I am concerned in the respect that they will each serve several residences. Being the only access, if parking becomes a problem, where do we stand if its a private road-way? (We can't do anything.) It doesn't matter to us if they are developed. If it is made a public access, does it conform to our standards as a public roadway?"
- D. EXISTING PHYSICAL CHARACTERISTICS:
10. Topography. The existing topography of the subject property is generally rolling with a northwest slope ranging between 5 and 15%.
11. Soils/Geology. The applicant has submitted a report from Long Bros. Engineering, Inc. dated March 5, 1976 regarding soils on the subject property (Exhibit "D" - Soils Report). The subject property appears to be of a generally gravelly sandy loam consistency (AgC 6-15%), whereas local geologic mapping indicates the subject property to be within a Vashon Till (Qt) unit.
12. Vegetation. General vegetation includes fir, cedar, hemlock, dogwood, alder, maple; whereas ground cover is generally composed of blackberry, sword ferns, oregon grape, salal and general brush.
- E. PUBLIC UTILITIES:
13. Streets. The subject property fronts on 116th Ave. NE., and on both sides of the undeveloped right-of-way of N.E. 104th Street.
14. Pedestrian Ways. There are no existing sidewalks along either N.E. 104th St. or 116th Ave. N.E.
15. Domestic Water. There is an existing 8" water main on 116th Ave. N.E.
16. Sanitary Sewer. The applicant proposes to run an 8" sanitary sewer line along 116th Ave. N.E. to connect to METRO sewer line along Burlington Northern Railroad Right-of-Way.