

RESOLUTION NO. R-2453

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING THE FINAL PLAT OF HIDDEN HILLS DIV. 2 BEING DEPARTMENT OF COMMUNITY DEVELOPMENT FILE NO. SUB-77-45(P) AND SETTING FORTH CONDITIONS TO WHICH SUCH FINAL PLAT SHALL BE SUBJECT.

WHEREAS, a Preliminary Plat of Hidden Hills Div. 2 was approved by Resolution No. 2376, and

WHEREAS, the Department of Community Development has received an application for a final 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 August 11, 1977, and

WHEREAS, the Kirkland City Council referred the matter back to the Kirkland Planning Commission for further consideration and the Kirkland Planning Commission held public hearing thereon at their regular meeting of February 9, 1978, and

WHEREAS, pursuant to City of Kirkland Ordinance No. O-2319, 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 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 final 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. SUB-77-45(P) are hereby adopted by the Kirkland City Council as though fully set forth herein.

Section 2. Approval of the Final Plat of Hidden Hills Division 2 is subject to the applicant's compliance with 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 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 February, 1978.



Mayor

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 August 11, 1977
ADOPTED BY DATE

STAFF
BOARD OF ADJUSTMENT
HOUGHTON COMMUNITY COUNCIL
XX PLANNING COMMISSION David Russell, Chairperson
CITY COUNCIL AS INCORPORATED IN

RESOLUTION ORDINANCE
NUMBER
DATE

FILE NUMBER R-SUB-77-45(P)
APPLICANT DONALD S. HILL

PROPERTY LOCATION No. of NE 103rd St. & west of 116th Ave. N.E.
SUBJECT Applic. for Rezone from RS 35 to RS 8.5 and the Final Subdivision of HIDDEN HILLS, DIV. NO. 2.

HEARING/MEETING DATE
BEFORE KIRKLAND CITY COUNCIL

EXHIBITS ATTACHED "A" Rezone Application "B" Vicinity Map "C" Plot Plan
"D" Notice of Approval "E" Soils Report

FINDINGS:

A. SUMMARY OF THE PROPOSED ACTION:

1. This is an application for Final Plat approval of Hidden Hills Division #2, generally located north of NE 103rd Street and West of 116th Avenue NE. (Refer to Exhibit "A" - Rezone Application).
2. The applicant proposes to create 19 residential lots in three tracts from a total of approximately 15 acres.
3. The applicant is applying for a rezone for the portion of the subject property lying north of NE 104th Street from single family residential, 35,000 square feet, to single family residential, 8500 square feet.

B. HISTORICAL BACKGROUND:

4. On June 21, 1976, the Kirkland City Council approved the Preliminary Subdivision of Hidden Hills Division #2, under Resolution No. R-2376. At that time, the applicants were required to satisfy a number of conditions prior to final approval of this plat. These conditions are addressed in the following sections. (Exhibit "D" - Notice of Approval, R-2376).

C. EXISTING PHYSICAL CHARACTERISTICS:

5. Topography. The existing topography of this subject property is generally rolling with a northwest slope ranging between five and fifteen percent.
6. Soils/Geology. The applicant has submitted a report from Long Brothers Engineering, Inc. dated March 5, 1976, regarding soils on the subject property (Exhibit "E" - 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.
- 7.. 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. As recommended in the Preliminary Plat approval of Hidden Hills Division #2, the applicant will be required to submit a tree cutting plan as required by Ordinance 2193, prior to the issuance of any building permit for the proposed plat.

D. PUBLIC UTILITIES:

8. Streets. As previously required, the parcel of property originally identified as Tract "B" has been identified as a dedicated right of way with a "T" shaped turnaround. Also, as previously required, all developed rights of way will be required to be upgraded to minimum City specifications.

Findings, Continued

9. Pedestrian Ways. As previously required, provision is to be made for sidewalks and pedestrian ways within the plat. The applicant has proposed a five foot wide concrete sidewalk along the west side of 115th Place NE, as well as both sides of NE 104th Street. In addition, a five foot wide concrete sidewalk has been proposed for the western edge of 116th Avenue NE. In the preliminary application, there was a 10' easement proposed between Lots 6 & 7 but this has been deleted on the final plat.
10. Domestic Water/Fire Hydrants. As required with the Preliminary Plat approval of this subdivision, the applicant will be required to upgrade the existing water facilities in the area, so that they will adequately serve the proposed plat. As further required, the applicant is to work with the Fire Department regarding water line improvements and fire hydrant location. Also, the applicant must meet with the Public Service Department to have that Department approve all domestic water improvements for the proposed plat.
11. Sanitary Sewer. As required with the Preliminary Plat approval of this Subdivision, the applicant will be required to provide sanitary sewer for the subject property. Said sanitary sewer system is subject to the approval of the Public Service Department.
12. Storm Sewer. As previously required, prior to the installation of any required utilities, grading, clearing or development within the plat, the applicant will be required to submit and receive approval from the Department of Public Service and the Department of Community Development an engineering design and calculations for storm water runoff. Said system shall be designed for a minimum of a ten year storm, and shall include methods for handling storm water runoff during construction and after the proposed development.

E. NEIGHBORHOOD CHARACTERISTICS:

13. Zoning. The subject property is zoned a combination of Residential Single Family, 35,000 square feet, and Residential Single Family, 8,500 square feet. Generally, the lack of utilities account for the differences in the zoning. Most properties on the east side of 116th Avenue NE have no access to sewer lines as those to the north of 104th Avenue NE. The applicant will be remedying this situation with the proposed sewer extension to the north along 116th Avenue NE.
14. 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-8500 square feet. Properties to the west and north of the plat are undeveloped. The properties to the east of the proposed plat contain a small number of single family residences.

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Findings, Continued

- E. 15. Parks/Recreation Areas. Highlands Park, which fronts on 112th Avenue NE and NE 102nd Street, is approximately 2,000 feet pedestrian distance to the southwest. The Land Use Policies Plan indicates a need for another park facility somewhere within the general area of this plat.

As previously required, the applicant will be required to provide 10% of the assessed valuation of the entire subdivision as determined by the King County Assessors Office for general tax purposes in the City of Kirkland Park and Municipal Facilities Cumulative Reserve Fund. (Due to the date of the application of their Preliminary Plat of this subdivision, the currently required \$200 per lot rate will not apply.)

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

16. The proposed development is generally consistent with the Kirkland Subdivision Ordinance No. 2178 with the following sections noted for the applicant's benefit:

- a. The use of water retention basins to minimize runoff or soil erosion potential may be required. (Section 2.5.6)
- b. 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)
- c. Provisions shall be made for sidewalks and pedestrian ways within the plat. (Section 2.11.9)
- d. All required utilities shall be undergrounded to current utility specifications. (Section 2.12.3)
- e. The Land Use Policies Plan indicates that the subject property is within an area of low density residential development, at approximately four to five dwelling units per acre, which is consistent with RS-8.5 zoning.
- f. As indicated in the Advisory Report for the Preliminary Plat of this subdivision, the Kirkland Land Use Policies 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 all the 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.

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CONCLUSIONS:

A. SUMMARY OF THE PROPOSED ACTION:

1. This application is generally consistent with the Kirkland Subdivision Ordinance as indicated in the remainder of this report.

B. HISTORICAL BACKGROUND:

2. The applicant has met all requirements which were conditions of their Preliminary Plat approval, as listed in Resolution No. 2376, and as identified in the following sections.

C. EXISTING PHYSICAL CHARACTERISTICS:

3. Topography/Soils/Geology. None of the aforementioned factors should constrain the Kirkland Planning Commission from making either a positive or a negative decision on this application.
4. Vegetation. The applicant has proposed landscaped islands for the streets on the interior of the proposed plat. Per the City's request, the applicant has included wording on the face linen to state: "It shall be the responsibility of the owners of lots 1 through 12 to maintain the planter islands in front of said lots." The applicant should be further required to remove the landscaping island he has installed in N.E. 104th Street because of potential sight and maneuverability problems.

Prior to the issuance of any building permits for the proposed plat, the applicant will be required to submit a tree cutting plan to the Department of Community Development pursuant to the Land Surface Modification Ordinance 0-2193 of all trees six inches or greater in caliper.

D. PUBLIC UTILITIES:

5. Streets/Pedestrian Ways. The Public Service Department has reviewed and approved plans for the construction of these two items. At this time, construction of streets and pedestrian ways are approximately 30% complete. The applicant should be required to bond the remainder of these improvements prior to final review of this plat by the Kirkland City Council. A 10' pedestrian easement shall be reinstalled between Lots 5 & 6 and improved to Public Service Department standards.
6. Domestic Water/Fire Hydrants. The Public Service Department has received and approved designs for a water system to serve the plat. At this time, construction of these improvements are approximately 70% complete. The applicant should be required to bond the remainder of these improvements prior to final review of this plat by the Kirkland City Council.
7. Sanitary Sewer. The Public Service Department has received and approved designs for a sanitary sewer system to serve the proposed plat. At this time, construction of this system is approximately 50% complete. The applicant should be required to bond the remainder of these improvements prior to final review of this plat by the Kirkland City Council.

Conclusions, Continued

D. 8. Storm Sewers. The Public Service Department has reviewed and approved storm sewer calculations and plans for the proposed plat. At this time, said system is approximately 50% complete. The applicant should be required to bond the remainder of these improvements prior to final review of this plat by the Kirkland City Council.

E. NEIGHBORHOOD CHARACTERISTICS:

9. Zoning/Land Use. The proposed subdivision is consistent with existing zoning and adjacent land use.

10. Parks/Recreation. Prior to approval of this Final Plat by the Kirkland City Council, the applicant should be required to deposit into the "Fee in Lieu of Open Space" account of the Kirkland Park and Municipal Facilities Cumulative Reserve Fund an amount which is 10% of the assessed valuation of the subject property.

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

11. All proposed dedicated rights of way shall be constructed to minimum City standards, and will be subject to review and approval by the Public Service Department and Department of Fire Services.

12. All required utilities shall be undergrounded. The following restrictions shall be placed on the face of the Final Plat linen:

a. All lots which front on both 116th Avenue NE and 115th Avenue NE shall have access only to 115th Avenue NE. Said lots shall be either heavily landscaped along 116th Avenue NE or fenced with a six foot high fence (due to double fronted situation).

b. No buildings shall be built over either of the "manmade ponds". Further, the physical size and/or usability of this pond for a storm retention system shall not be diminished in any way.

RECOMMENDATIONS:

Subject to the foregoing Findings, Conclusions and Exhibits "A" through "E", we hereby recommend approval of this Final Plat of Hidden Hills Division No. 2, subject to the following conditions:

1. Prior to the review of the Final Plat by the City Council, the applicant shall deposit an amount of 10% of the assessed valuation of the subject property into the Park and Municipal Facilities Cumulative Reserve Fund.

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Recommendations, Continued

2. All required utilities shall be undergrounded.
3. Any improvements to 116th Avenue NE shall also be extended to 10311 - 116th Avenue NE.
4. All lots which front on both 116th Avenue NE and 115th Avenue NE shall have access only to 115th Avenue NE. Said lots shall either be heavily landscaped along 116th Avenue NE or fenced with a six foot high fence (due to double fronted situation).
5. No buildings shall be built over either of the manmade ponds. Further, the size of the storm drainage easement and the usability of this system shall not be diminished in any way.
6. A tree cutting plan shall be provided as required by Ordinance 2193.
7. Prior to final approval of this plat by the City Council, the applicant shall post a bond in an amount determined by the Public Service Department for the completion of street, sidewalk, storm sewer, sanitary sewer and water improvements.
8. The following shall be placed on the face of the plat linen:
 - a. "Those islands in the right-of-way shall be identified as tracts commonly owned by all the property owners."
 - b. "A 10 foot pedestrian easement shall be installed between Lots 5 and 6."