

RESOLUTION NO. R-2473

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING THE PRELIMINARY PLAT OF "SPIRITVIEW ESTATES" AS APPLIED FOR BY MOORE, WALLACE AND KENNEDY, INC., FOR HEBB AND NARODICK CONSTRUCTION COMPANY, BEING DEPARTMENT OF COMMUNITY DEVELOPMENT FILE NO. R-SUB-77-67(H) 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 Moore, Wallace and Kennedy, Inc. and said property as legally described in the application is within a RS 12.5 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 October 4, 1977 and October 27, 1977 respectively, and

WHEREAS, pursuant to City of Kirkland Ordinance No. 0-2319 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 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 signed by the Chairperson thereof and filed in the Department of Community Development File No. R-SUB-77-67(H) are hereby adopted by the Kirkland City Council as though fully set forth herein.

Section 2. The preliminary plat of "Spiritview Estates" is hereby given approval, subject to the conditions set forth in the Findings, Conclusions and Recommendations hereinabove adopted by the City Council. Furthermore, final plat approval will be contingent upon receiving an Intent to Rezone permit from RS 12,500 to RS 8500.

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. Notwithstanding the recommendations heretofore given by the Houghton Community Council, the subject matter of this Resolution and the preliminary 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 of the 7th day of November , 1977.


Mayor pro tem

ATTEST:


Director of Administration and Finance
(ex officio City Clerk)

FINDINGS:

A. SUMMARY OF THE PROPOSED ACTION:

1. This is an application for a Preliminary Plat Approval of "Spiritview Estates". The subject property is located on the northwest corner of the intersection of NE 62nd Street with the Burlington Northern Railroad. (Exhibit "A"-Vicinity Map).
2. The applicant proposes to create ten single family residential lots from a total parcel of 3.41 acres. The proposed parcels would range in size from approximately 8500 square feet to approximately 25,000 square feet. (Exhibit "B"-Proposed Plat).
3. The applicant is also requesting a rezone of the subject property from the present zoning of RS-12,500 to RS-8500. Although the overall density of the proposed plat is approximately three dwelling units to the acre, a rezone will be necessary to allow the smaller proposed lots. (Exhibit "C"-Rezone Application).

B. HISTORICAL BACKGROUND:

4. On July 15, 1974 the Kirkland City Council granted approval of a final Planned Unit Development for the subject property. That Planned Unit Development would have consisted of an 18 unit condominium development. The development approved under the Planned Unit Development never materialized, and the property has since been sold. (For a more complete history of "Woodbrook Estates" Planned Unit Development, see File No. R-PUD-74-2(H), available at City Hall).

C. GOVERNMENTAL COORDINATION:

5. The Kirkland Public Service Department has indicated that curb, gutter, and sidewalk improvements should be required along NE 62nd Street. Developers should be required to provide 16 feet of asphalt north of the center line of NE 62nd Street.
6. The Kirkland Parks Department has also indicated the need for a curb, gutter, and sidewalks along NE 62nd Street.
7. The Kirkland Building Department has stated that the proposed access route should be labeled as 103rd NE. Further, the Building Department indicates the need for a soils test on the steep portion of the site, especially on lots 6 and 7.

D. EXISTING PHYSICAL CHARACTERISTICS:

8. Topography. There is a steep ravine on the northeast corner of the proposed plat, the slope of which is approximately 50%. On the remainder of the eastern portion of the plat, slopes range from approximately 5 to 10 per cent. On the western portion of the proposed plat, slopes range from approximately 10 to 15 per cent.

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Findings, Continued

- 9. Hydrology. There is an existing creek in the bottom of the ravine located on the northeast portion of the site. The water enters the site through a culvert, which is located below the Burlington Northern Railroad track directly to the east of the site. The creek leaves the site near the center of the north property line, and re-enters the culvert to the west before going under Lakeview Drive and is in culvert all the way to an outflow at Lake Washington. There is a variety of debris located in and around the stream bed on the subject property, including a car body and some oil drums. A soils report submitted for the property indicates groundwater on the western portion of the site.
- 10. Soils/Geology. The subject property is located within an alder-wood gravelly sandy loam (AgC) classification. Soils investigation on the site shows the subject property to be quite sandy. A soils report has been submitted for the subject property (refer to Exhibit "D"-Soils Report).

Localized geologic mapping indicates the site to be located within a Vashon Till (Qt) unit.

- 11. Vegetation. Vegetation on the subject property consists of a combination of maple, fir, and alder trees, as well as the normally associated undergrowth. The southeast corner of the site was partially cleared at one time, and is covered with wild grass and leaves.

E. PUBLIC UTILITIES:

- 12. Streets. The subject property fronts on only one street, that being NE 62nd Street, which is improved to approximately 18 feet of its 60 foot wide right-of-way.
- 13. Pedestrian Ways. There are no existing sidewalks on NE 62nd Street.
- 14. Domestic Water. There is not adequate water to serve the proposed plat at this time.
- 15. Sanitary Sewers. There is an existing 6-inch sanitary sewer line located in the right-of-way of NE 62nd Street.
- 16. Storm Sewer. There are no storm sewer systems in the immediate vicinity.

F. NEIGHBORHOOD CHARACTERISTICS:

- 17. Zoning. The subject property is currently zoned single family residential 12,500 square feet as are the properties to the south of the plat and immediately north of the plat. Further north is RS-7200 zoning, while to the east of the subject property is RS-8500 zoning. To the west of the subject property is a combination of single family residential zoning and RM-3600 zoning.

Findings, Continued

18. Land Use. The subject property presently contains a single family residence. To the north of the subject property are some single family residences as well as some undeveloped lands. The property to the east and south of the subject property have been developed primarily as single family residences. To the west of the subject property is a combination of multi-family residences and single family residences.
19. Public Recreation/Open Space. The nearest public park is approximately one quarter mile to the west, that being Houghton Beach. A Land Use Policies Plan does not indicate potential acquisition of a portion of this site for public open space.

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

20. The applicant has submitted an environmental assessment which received a negative declaration from the Responsible Official on September 28, 1977.
21. The proposed development will be required to be consistent with the Kirkland Zoning Ordinance No. 2183 and the Kirkland Subdivision Ordinance No. 2178, with the following specifications noted for the applicant's benefit:
 - a. The use of water retention basins to minimize runoff for soil erosion potential may be required. (Section 2.5.6)
 - b. The applicant will be required to make an appropriate deposit into the "fee-in-lieu of open space" account of the Park and Municipal facility cumulative reserve fund. (Section 2.5.9).
 - c. All proposed streets within the subdivision must be constructed to city specifications. (Section 2.11.3).
 - d. Where a subdivision abuts existing roads, sidewalks or walkways will be required to be installed in or adjacent to the abutting right-of-way. (Section 2.11.9).
 - e. All required utilities shall be underground to current utilities specifications. (Section 2.12.3).

CONCLUSIONS:

A. SUMMARY OF THE PROPOSED ACTION:

1. This application is generally consistent with the Kirkland Zoning Ordinance and the Kirkland Subdivision Ordinance.

B. HISTORICAL BACKGROUND: (No relevant conclusions)

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Conclusions, Continued

C. GOVERNMENTAL COORDINATION:

2. Public Service Department. 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.
3. Kirkland Parks Department. The applicant shall satisfy the requirements of the Kirkland Parks Department, as indicated in the following sections.
4. Kirkland Building Department. The cul-de-sac serving the plat should be labeled as 103rd Place NE, in accordance with the Building Department's recommendations. Also, as requested by the Kirkland Building Department, soils information has been submitted for the subject property.

D. EXISTING PHYSICAL CHARACTERISTICS:

5. Topography. The topography of the majority of the subject property should not pose constraints toward development of this property. However, that portion of the subject property on which the ravine is located should have no development occur. We would recommend that an open space easement be recorded for the rear portions of lots 6 and 7. Said easement shall pertain to that area lying northeast of a line drawn from the northwest corner of lot 6 to the southeast corner of lot 7. Such easement would still allow adequate building area on both lots 6 and 7.
6. Hydrology. Due to the ground water encountered on the western portion of the subject property, the applicant should be required to provide an interceptor drainage system which will carry this water into the main storm drainage system to be provided for this plat. Also, the creek existing in the ravine on the northeasterly portion of the site shall be left in a natural condition. However, the applicant should be required to remove from the creek any car bodies, barrels, etc., which exist.
7. Soils/Geology. The applicant should be required to follow the recommendations included in the soils report which was conducted for the subject property, and dated May 2, 1974. Should these recommendations be followed in development of the plat, soils and geologic conditions should pose no constraint to such development.
8. Vegetation. Prior to any building permits being issued for the proposed plat, the applicant will be required to submit a tree cutting/retention plan to the Building Department, in accord-

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Conclusions, Continued

ance with the Land Surface Modification Ordinance. All vegetation which is located within the area to be defined by an open space easement should remain.

E. PUBLIC UTILITIES:

9. Streets. The applicant should be required to upgrade NE 62nd Street with curb, gutter, and sidewalk improvements. The applicant shall provide 16 feet of asphalt on the north side of center line of NE 62nd Street where the property abuts said street. These sidewalks shall consist of a 5 foot concrete section, and shall extend along NE 62nd Street for the full length of the plat. The cul-de-sac should also be provided with curb and gutter, and sidewalks along both sides.
10. Domestic Water/Sanitary Sewers. The above utilities will need to be upgraded at the developers expense to serve the proposed development.
11. Storm Sewer. Subsequent to the approval of this Preliminary Plat, and prior to construction of any improvements or development what so ever within this proposed plat, the applicant will be required to submit to and receive approval from the Department of Public Service engineering design and calculation for a storm water runoff system. The system shall be designed so that the quantity and quality of water leaving the site for a ten year storm after development will be the same as the quantity and quality of water leaving the site prior to development. Said system shall also include interceptor drainage to accomodate the water encountered on the western portion of the site. Said ground water will be diverted into the overall drainage system for the plat.

F. NEIGHBORHOOD CHARACTERISTICS:

12. Zoning. Because of the size of a number of the lots proposed it will be necessary for the applicant to obtain an "Intent to Rezone" of this property to RS-8500.
13. Land Use. The proposed subdivision is consistent with the development pattern of the surrounding land usages.

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

14. The applicant shall be required to provide the assessed valuation of the entire subdivision as determined by the King County Assessor for general tax purposes for the year during which the application is made. The applicant should be required to pay ten per cent of the assessed valuation of the proposed subdivision, or \$200 per lot, which ever is greater, into the Fee-in-Lieu of Open Space account of the Park and Municipal facilities cumulative reserve fund.

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Conclusions, Continued

15. All proposed streets shall be constructed to minimum city standards and Public Service Department recommendations.
16. Sidewalks should be required to be developed on the north side of NE 62nd, where this plat abuts said street.
17. All required utilities should be underground.

RECOMMENDATIONS:

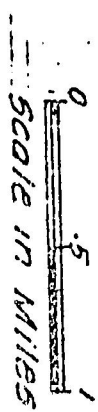
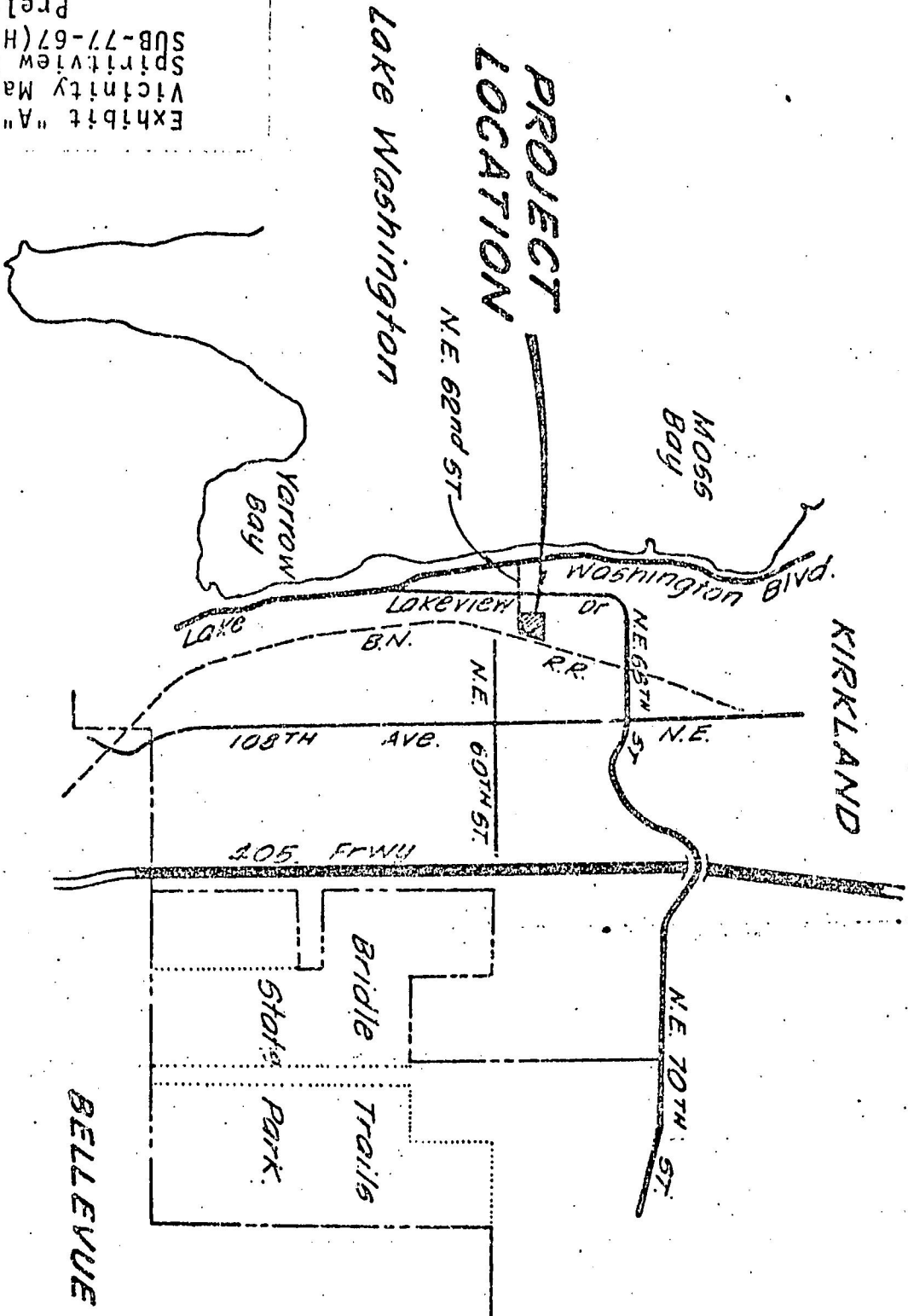
Subject to the foregoing Findings and Conclusions, and as identified in Exhibits "A" through "E", we hereby recommend that this Preliminary Plat of Spiritview Estates be approved subject to the following:

1. That the applicant shall meet with the Public Service Department to agree upon street, sanitary sewer, water, and storm drainage improvements for the proposed plat.
2. Prior to the installation of any required utilities, grading clearing or development within the proposed plat, the applicant shall submit to and receive approval from the Public Service Department, Engineering Calculations and Storm Drainage and Retention designs for the entire plat. Said systems shall be designed so that the quantity and quality of water leaving the site after development shall be the same as the quantity and quality leaving the site before development. This shall apply up to and include a ten year storm. Said system shall include an interceptor system to accommodate the ground water encountered on the western portion of the site. Said interceptor system shall divert the groundwater back in to the over all storm drainage system designed for this plat.
3. Prior to the review of the Final Plat of this subdivision, the applicant shall submit a copy of the King County Assessor's assessed valuation of the subject property for 1977. The applicant shall be required to deposit into the "fee-in-lieu of open space" account of the Park and Municipal Facilities cumulative reserve fund 10 per cent of the assessed valuation, or \$200 per lot, which ever is greater.
4. The applicant shall be required to develop NE 62nd Street with curbs, gutters, and sidewalks. The applicant shall provide sixteen feet of asphalt north of the center line of NE 62nd Street, where this plat abuts said street. In addition, the sidewalk shall be a 5-foot wide concrete section, and shall also extend the full length of the plat. The cul-de-sac serving the plat shall be provided with curb and gutter, and sidewalks on one or both sides.

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Exhibit "A"
Vicinity Map
Spritview Estates
SUB-77-67(H)
Preliminary



VICINITY MAP

Recommendations, Continued

5. All required utilities shall be undergrounded.
6. All recommendations of the soils report submitted for the subject property, conducted by James Eaton, engineer and geologist, and dated May 2, 1974 shall be adhered to with the development of this plat.
7. The applicant shall indicate on the face of the plat lines an open space greenbelt extending from the northwest corner of proposed lot 6 to the southeast corner of proposed lot 7. No clearing, building or alterations shall be allowed to occur in this area. Also, it shall also be noted that prior to doing any modification to land in the designated greenbelt, the proponent must first secure a land surface modification permit from the City.
8. Prior to construction of any residences on the proposed plat, the applicant shall submit to the Building Department a tree cutting and retention plan, in accordance with the Land Service Modification Ordinance. All vegetation located within the area to be defined by the open space greenbelt on the northeasterly portion of the plat shall remain.
9. The creek running through the northeasterly portion of the plat shall remain in a natural condition. However, the applicant shall be required to remove all car bodies, barrels, etc., which are presently in the ravine, prior to final plat approval.
10. Applicant shall adjust the line between Lots 6 and 7 so as to define a Lot 6 with more buildable area.

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