

RESOLUTION NO. R- 2481

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING THE PRELIMINARY PLAT OF DEVON LANE AS APPLIED FOR BY ED PACK AND NOORDIN SAYANI, BEING DEPARTMENT OF COMMUNITY DEVELOPMENT FILE NO. SUB-77-76(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 Ed Pack and Noordin Sayani and said property as legally described in the application is within an RS 8.5 zone, and

WHEREAS, the application has been submitted to the Kirkland Planning Commission who held public hearings thereon at their regular meeting of November 17, 1977, 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, 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. SUB-77-76(P) are hereby adopted by the Kirkland City Council as though fully set forth herein.

Section 2. The preliminary plat of Devon Lane 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:

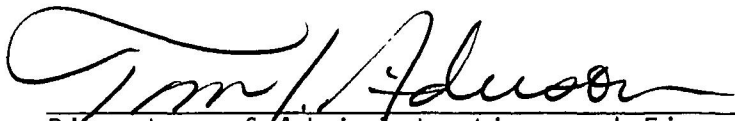
- A. Applicant
- B. Department of Community Development for the City of Kirkland
- C. Building Department for the City of Kirkland
- D. Fire Department for the City of Kirkland
- E. Police Department for the City of Kirkland
- F. Public Service Department for the City of Kirkland
- G. Office of the Director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

ADOPTED in regular meeting of the Kirkland City Council on the 5th day of December , 1977.



\_\_\_\_\_  
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 November 17, 1977  
\_\_\_\_ ADOPTED BY \_\_\_\_\_ DATE \_\_\_\_\_

\_\_\_\_ STAFF \_\_\_\_\_  
\_\_\_\_ BOARD OF ADJUSTMENT \_\_\_\_\_  
\_\_\_\_ HOUGHTON COMMUNITY COUNCIL \_\_\_\_\_  
XX PLANNING COMMISSION \_\_\_\_\_  
\_\_\_\_ CITY COUNCIL AS INCORPORATED IN \_\_\_\_\_

Robin S. Mullis  
Robin Mullis, Vice Chairperson, for:  
David Russell, Chairperson

X RESOLUTION \_\_\_\_\_ ORDINANCE \_\_\_\_\_  
NUMBER R-2481  
DATE \_\_\_\_\_

FILE NUMBER SUB-77-76(P)

APPLICANT ED PACK AND NOORDIN SAYANI

PROPERTY LOCATION 9th Ave. S., betw. 8th St. S. and 10th St. S.

SUBJECT Preliminary Subdivision of 17 lots

HEARING/MEETING DATE December 5, 1977

BEFORE KIRKLAND CITY COUNCIL

EXHIBITS ATTACHED "A" Vicinity Map "B" Site Plan "C" Current Zoning  
"D" Soils Report

STATEMENTS OF FACT:

A. SUMMARY OF THE PROPOSED ACTION:

1. This is an application for a Preliminary Plat of "Devon Lane" located on 9th Avenue South between 8th Street South and 10th Street South.
2. The applicant proposes to create 17 residential lots from a parcel containing approximately 4.4 acres.

B. HISTORICAL BACKGROUND:

3. During the public hearings for the Land Use Policies Plan in 1976 and 1977, there were requests by members of the south Everest residential area that their neighborhood be preserved by the new Land Use Plan and zoning. They were particularly concerned about encroachment of higher residential densities into the interior of the Everest area. Also, at that time there was a request by a number of property owners in the vicinity of the subject property who were asking the Land Use Policy Plan Commission to consider some higher density than conventional single family. Among those requests were ones for a designation of RS 5000 (up to 9 dwelling units per acre) rather than the RS 8500 (up to 5 dwelling units per acre) that was ultimately decided upon. The subject property has always been zoned and designated on comprehensive plans for the low density single family use.

C. EXISTING PHYSICAL CHARACTERISTICS:

4. Topography. The average slope of the subject property is approximately 5 to 10 percent, rising from the northwest corner of the subject property to the southeast portion. A swale runs from the northeast corner of the subject property to the mid-point of the southern property line.
5. Hydrology. On the east portion of the subject property there exists a large area of standing water. Due to the hydrological conditions on the subject property, a preliminary soils report was prepared and is included as Exhibit "D".
6. Vegetation. The subject property is heavily wooded on the eastern portion. The central portion of the subject property is principally pasture. The southwest portion of the subject property, identified as Tract A, contains a variety of trees surrounding a house and grassy lawn.

D. PUBLIC UTILITIES:

7. Streets. The subject property fronts on 8th St. S., 9th Ave. S., and 10th St. S. 8th St. So. is a 50 foot right-of-way which is partially improved. 9th Ave. S. is a 60 foot right-of-way and is partially improved. 10th St. So. is a 60 foot unimproved right-of-way.



Statements of Fact, Cont'd

- D. 8. Pedestrian Ways. There are no existing sidewalks along any of the three right-of-ways bordering the subject property.
9. Domestic Water/Fire Hydrant. There is an 8 inch water main in the right-of-way of 9th Ave. S., a 6 inch water main in the right-of-way of 8th St. S., and a 12 inch water main in the right-of-way of 10th St. S. The nearest fire hydrants are located at the southwest corner of the subject property, the southeast corner of the subject property, and midway along the southern property line.
10. Sanitary Sewer. There are existing 8 inch sanitary sewer lines within the right-of-ways of 8th St. S. and 9th Ave. S.
11. Storm Sewer. There is no existing storm sewer system in the immediate vicinity which would serve the proposed plat. Storm sewer management for development fronting on both 8th Street S. and 9th Avenue S. includes only an open ditch drainage system. Most of the existing storm water runoff flows to the northwest.

E. NEIGHBORHOOD CHARACTERISTICS:

12. Zoning. The subject property is currently zoned RS 8500. Properties to the north, east and west of the subject property are also zoned RS 8500. (See Exhibit "C"). Across 9th Avenue S. to the south are the Laurel Park Apartments and the Tiburon East Apartments. These properties are zoned RM 3600, although they were constructed at the RM 1800 density.
13. Land Use. The subject property is currently undeveloped except for an existing single family dwelling in the southwest corner and two outbuildings, one on proposed Lot 15 and one straddling the proposed property line between proposed Tract "A" and Lot 16. (See Exhibit "B"). Property to the east of the subject property is currently undeveloped. To the south of the subject property are the Laurel Park and Tiburon East Apartments as well as one single family home. To the west of the subject property across 8th St. S., are a number of single family homes. This single family residential area extends north beyond Everest Park and includes three single family homes which lay on the east side of 8th St. S., between the subject property and Everest Park.

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

14. The subject property is located in an area that is zoned for single family use (RS 8500) on the Kirkland Zoning Map and which is also so designated in the Land Use Policies Plan. The text of the Land Use Plan considering this area reads as follows:

Statements of Fact, Cont'd

F. 14. (Cont'd)

"Most of the Everest area is residential in character including older single family homes which add variety to Kirkland's housing supply by providing alternatives to multi-family units and newer single family homes (See Living Environment Goal 1 on Page 52). The residential land immediately west and south of Everest Park should be maintained at low residential densities (4 to 5 dwelling units per acre) in order to foster confidence in the area and thereby stimulate maintenance and improvements to existing homes (See Living Environment Policy 2 on Page 56, and Policy 3A on Page 58). New single family development could help stabilize and prolong single family use in this area."

CONCLUSIONS:

A. SUMMARY OF THE PROPOSED ACTION:

1. This application is generally consistent with the Kirkland Subdivision Ordinance as indicated in the following sections.

B. HISTORICAL BACKGROUND:

2. As a result of the testimony given at the Public Hearings for the Land Use Plan as well as recommendations from the staff, the Land Use Policies Plan Commission decided that continued single family designation for the subject property would be most appropriate. For these reasons, it would be appropriate to favorably consider proposed single family development of the subject property.

C. EXISTING PHYSICAL CHARACTERISTICS:

3. Topography. The general topography of the subject property is such that it poses few constraints to the design of the plat. The applicant's proposed plat appears to take into consideration the location of the swale running from the northeast corner of the subject property to a point midway along the southern property line. The final plat should indicate possible locations of buildings on Lots 9, 10, 6, 14, and 15, such that the swale remains undisturbed to the maximum extent possible.
4. Vegetation. At the time of Building Permit application, the Building Permit applicant should be required to submit a lot by lot tree retention plan.

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Conclusions, Cont'd

C. 5. Hydrology. Due to the preliminary nature of the soils report submitted and due to the hydrological conditions on site, the applicant should provide more detailed soils information at the time of application for final plat.

Specifically, the following information should be submitted:

- a. The source and quantity of the overland water flow entering the subject property from the east.
- b. Methods of handling this overland water flow from the east in a manner acceptable to the City.
- c. Methods of any de-watering that may be necessary. Such methods should be developed in consultation with Public Service Department and the Department of Community Development.
- d. A map showing the location of all test holes and vertical analysis of all test holes.
- e. Further information on conditions in the eastern part of the subject property to include: recommended foundation type of new construction and the design criteria for corrective measures including bearing capacity, excavations, filling, grading, subsurface drainage, and any other identified soil or subsurface constraint.

D. PUBLIC UTILITIES:

6. Streets. The applicant should be required to provide 16 feet of paving on 8th St. S., 9th Ave. S., and 10th St. S. where these right-of-ways abut the subject property. These improvements should include curb and gutter. The proposed street within the interior of the plat should be improved to a width of 28 feet and the cul-de-sac should be improved to the specifications of the Public Service Department.
7. Pedestrian Ways. A 5 foot wide concrete sidewalk should be provided in the following areas: along the south side of the interior street from the northwest corner of Lot 8 to 8th St. So. along the east side of 8th St. S. where that right-of-way abuts the subject property, along 9th Ave. S., where that right-of-way abuts the subject property, and along 10th St. S., where that right-of-way abuts the subject property.
8. Domestic Water/Fire Hydrants. The applicant will be required to provide appropriate fees for the extension of water service to the subject property. The Kirkland Department of Fire Services has indicated that an additional fire hydrant will be installed to serve the proposed plat.

Conclusions, Cont'd

- D. 9. Sanitary Sewer. The applicants should design a sanitary sewer system which meets the specifications of the Public Service Department.
10. Storm Sewers. Prior to the installation of any required utilities, grading, clearing or development within the plat, the applicant should be required to submit for review engineering calculations and plans for the storm water runoff and drainage system to the Department of Public Services and the Department of Community Development. The systems will be designed so that the water leaving the site from a storm having an intensity equal to or less than a ten-year storm will not have a lesser quality or greater quantity than that which currently leaves the site under identical storm conditions.
- E. NEIGHBORHOOD CHARACTERISTICS:
11. Zoning. The proposed subdivision is consistent with the density and standards contained in the Kirkland Zoning Ordinance.
12. Land Use. The development of 16 additional single family homes in the area would strengthen the commitment to continued single family use in the south Everest neighborhood.
- F. LOCAL ZONING AND/OR LAND USE POLICIES AND PLANS:
13. This proposal is consistent with the designation in the Kirkland Zoning Ordinance and Land Use Policies Plan for the south Everest area. The presence of a water talbe near the surface and some standing water in the eastern portion of the proposed plat as identified in Figure 25 of the Land Use Plan and Exhibit "D" of this application indicate that more detailed information and building recommendations should be forthcoming prior to consideration of final plat.

RECOMMENDATIONS:

Subject to the foregoing Statements of Fact, Conclusions and Exhibits "A" through "D", we hereby recommend that this Preliminary Plat of Devon Lane be approved subject to the following:

1. Prior to the installation of any required utilities, grading, clearing, or development within the plat, the applicant shall submit engineering calculations and a storm water runoff and drainage design for the entire plat. Said design shall be consistent with Conclusion No. 10 and shall include proposals for erosion measures to be taken during construction and after development. Said design shall be approved by the Public Service

Recommendations, Cont'd

1. (Cont'd)

Department and the Department of Community Development. The following shall be placed on the face of the plat linen:

"The regular maintenance and repair of all storm water retention structures in this plat which are 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 may be assessed to all property owners within the plat who are served by such, and each property owner served by said system may be assessed 1/16th of the total cost."

2. Pursuant to the recommended street improvements by the Public Service Department, 16 feet of asphalt paving shall be provided where the subject property abuts the right-of-ways of 8th St. S., 9th Ave. S., and 10th St. S. Said paving shall abut the center lines of the respective right-of-ways and extend 16 feet toward the subject property. In addition, the applicant shall provide curb, gutter, and a 5 foot concrete sidewalk in the same areas as the above paving.
3. Prior to final plat submittal, the applicant shall confer with the Department of Community Development and resolve the proper location and detail of the cul-de-sac improvement.
4. The builders shall be required to submit a tree retention plan for each individual lot prior to receiving a Building Permit on said lot pursuant to Ordinance No. 2393. Said plan shall show those trees over 6 inches in caliper which will be cut and which will remain. Vegetation and groundcover should be retained to the maximum possible extent.
5. Prior to the City Council review of the final subdivision, the applicant shall be required to pay either 10 percent of the assessed valuation of the proposed subdivision into the Fee-in-Lieu of Open Space Account of the Park and Municipal Facilities Cumulative Reserve Fund, or \$200 per residential lot, whichever is greater.
6. The applicant shall be required to meet with the Public Service Department and have that Department approve street, sanitary sewer, and domestic water improvements for the proposed plat.
7. The applicant will be required to work with the Fire Department regarding water line improvements and fire hydrant locations.
8. After preliminary plat approval, the land surface modification shall only be allowed within the proposed right-of-way as designated on the preliminary plat drawing, pursuant to Ordinance No. 0-2393.

Recommendations, Cont'd

9. All required utilities shall be undergrounded in accordance with the serving utilities' current standards and specifications.
10. At the time of application for the final plat, the applicant shall submit the following soils information:
  - a. The source and quantity of overland water flow entering the subject property from the east.
  - b. Methods of handling this overland water flow from the east in a manner acceptable to the City.
  - c. Methods of any de-watering that may be necessary. Such methods should be developed in consultation with Public Service Department and the Department of Community Development.
  - d. A map showing the location of all test holes and vertical analysis of all test holes.
  - e. Further information on conditions in the eastern part of the subject property to include recommended foundation types of new construction and the design criteria for corrective measures including bearing capacity, excavations, filling, grading, sub-surface drainage, and any other identified soil or subsurface constraint.
11. Applicant shall identify on the final plat map a non-buildable "greenbelt" area corresponding to the swale running through Lots 9, 10, 6, 14 and 15. This "greenbelt" shall remain in private ownership (no public access rights are implied but shall be left undisturbed by construction. This "greenbelt" feature and condition shall be noted on the face of the plat linen. Also, applicant shall indicate that adequate building sites will remain after designation of the non-buildable "greenbelt" swale. (Note - This is a "greenbelt" and not an easement. No setback from the greenbelt shall be required.)