

RESOLUTION NO. R-2543

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING THE FINAL PLAT OF KIRKWOOD MANOR BEING DEPARTMENT OF COMMUNITY DEVELOPMENT FILE NO. F-SUB-78-33(P) AND SETTING FORTH CONDITIONS TO WHICH SUCH FINAL PLAT SHALL BE SUBJECT.

WHEREAS, a Preliminary Plat of Kirkwood Manor was approved by Resolution No. R-2454, and

WHEREAS, the Department of Community Development has received an application for a final plat, said application having been made by Sherstad and Williams, Inc. and said property as legally described in the application is within an RS 35,000 zone, and

WHEREAS, the application has been submitted to the Kirkland Planning Commission who held public hearing thereon at their regular meeting of July 13, 1978, and

WHEREAS, pursuant to City of Kirkland Ordinance No. 2319 concerning environmental policy and the State Environmental Policy Act, an environmental checklist has been submitted to the City of Kirkland and a negative declaration reached, and

WHEREAS, said environmental checklist 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. F-SUB-78-33(P) are hereby adopted by the Kirkland City Council as though fully set forth herein, except for Recommendations 2 and 3.

Section 2. Approval of the final plat of Kirkwood Manor 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 the amount and form.

- B. Tract 'B' shall be eliminated and that land shall be incorporated into lots 32 and 33; a 10 foot wide pedestrian easement shall be recorded with the plat in the same location and configuration as Tract 'B'. Said easement shall be improved to City standard, including a 6 foot high sight-obscuring fence and motorcycle barriers, prior to issuance of building permits. Also, Tract 'A' shall be eliminated and the land incorporated into lots 21 and 22. A 10 foot wide pedestrian easement shall be recorded with the plat in the same general location and configuration as Tract 'A' and shall be improved to the above cited City standards prior to issuance of building permits.

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 of the City of Kirkland
- C. Building Department of the City of Kirkland
- D. Fire Department of the City of Kirkland
- E. Police Department of the City of Kirkland
- F. Parks Department of the City of Kirkland
- G. Public Service Department of the City of Kirkland
- H. Office of the Director of Administration and Finance (ex officio City Clerk) of the City of Kirkland

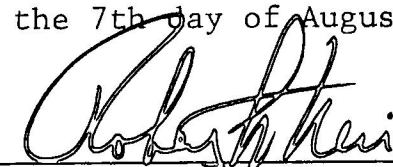
ADOPTED in regular meeting of the Kirkland City Council on the 7th day of August, 1978.

SIGNED IN AUTHENTICATION THEREOF on the 7th day of August, 1978.

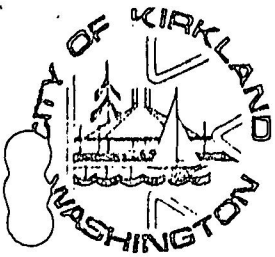
ATTEST:



Director of Administration and Finance
(ex officio City Clerk)



Mayor



DEPARTMENT OF COMMUNITY DEVELOPMENT

ADVISORY REPORT
FINDINGS, CONCLUSIONS AND RECOMMENDATIONS

___ PREPARED BY _____ DATE _____
XX RECOMMENDED BY _____ DATE July 13, 1978
___ 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 F-SUB-78-33(P)

APPLICANT SHERSTAD & WILLIAMS

PROPERTY LOCATION 116th Ave. N.E., between N.E. 103rd & N.E. 104th

SUBJECT FINAL SUBDIVISION OF "KIRKWOOD MANOR"

HEARING/MEETING DATE August 7, 1978

BEFORE KIRKLAND CITY COUNCIL

EXHIBITS ATTACHED "A" Vicinity Map "B" Notice of Approval "C" Proposed Plat "D" Applications: Final Subdivision & Rezone "E" Proposed Noise Berm and Jogging Trail "F" Letter to Mr. Williams from Emile VandenAkker "G" Letter to Mr. Goldsmith from Mr. Link "H" Plat Certificate

STATEMENTS OF FACT:

A. SUMMARY OF THE PROPOSED ACTION:

1. This is an application by Sherstad and Williams for Final Plat approval of Kirkwood Manor, generally located at N.E. 104th and 116th Ave. N.E. (See Exhibit "A" - Vicinity Map)
2. The applicant proposes to create 53 single family residential lots with a minimum lot size of 8500 square feet. The total parcel is 16.44 acres and is served by public water, sanitary sewers, dedicated streets, underground utilities, and a storm drainage system.
3. In addition to approval of the Final Plat, the applicant is applying for a rezone from the single family residential zone which requires a minimum of 35,000 square feet per lot to the single family zoning classification requiring a minimum of 8500 square feet per lot. The Comprehensive Plan Map indicates a density of 5 dwelling units per acre in this area.

B. HISTORICAL BACKGROUND:

4. On September 6, 1977, the Kirkland City Council approved the Preliminary Subdivision of Kirkwood Manor under Resolution No. R-2454. 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 and are referenced in Exhibit "B" - Notice of Approval, R-2454.)

C. EXISTING PHYSICAL CHARACTERISTICS:

5. Topography. The average slope of the majority of the subject property is approximately five to ten percent, rising from the northeast corner of the subject property to the southwest portion. There are two ravines located on the subject property, the larger being situated on the northeastern portion of the site with a slope of approximately fifteen to twenty percent. The second ravine is located in the north-central portion of the subject property and contains a slope of approximately ten to fifteen percent. The terrain drops suddenly from the northern property line of this plat onto the adjoining property to the north (the site of the Forbes Creek PUD), with a slope of approximately sixty to seventy percent. A tract of land owned by the City to the southeast of this plat is separated by a slope of approximately twenty to forty percent.
6. Hydrology. Forbes Creek is located to the northeast of the subject property, and travels in a northwesterly direction.
7. The subject property was originally a heavily wooded tract covered primarily with second growth evergreens, a number of deciduous trees, and native underbrush. The area used for roads and utilities has been graded and the vegetation has been removed. In addition to the vegetation on the site, there is a wooded buffer approximately twenty-five feet wide lying to

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Statements of Fact, Cont'd

C. 7. (Cont'd)

to the east of the proposed plat, located between the proposed plat and Interstate 405.

8. Noise. The applicant submitted an acoustic study with the Preliminary Plat proposal. This proposal, by Towne, Richards and Chaudiere, Inc., dated May 17, 1977, indicates that the predominant noise source affecting the site is traffic on Interstate 405, which is immediately east of the plat. The applicant has submitted a plan for proposed noise abatement of the noise generated by the freeway. (See Exhibit "E" - Proposed Noise Abatement Plans). This plan includes a landscaped 6' berm, and a report from Towne, Richards and Chaudiere with further technical details on the acoustic properties of the proposed berm will be distributed the evening of the hearing.

D. PUBLIC UTILITIES:

9. Streets. The subject property fronts on 116th Ave. N.E. and the right-of-way of Interstate 405. Within the plat, land has been cleared for fifty foot wide streets. Section 2.11.3 of the Kirkland Subdivision Ordinance designates 50 feet as the desired width for Minor Streets.
10. Pedestrian Ways. There are no existing sidewalks along 116th Ave. N.E. in this general area. The Land Use Policies Plan does not indicate 116th Ave. N.E. to be a primary pedestrian way, but as indicated in Exhibit "C" - Proposed Plat, the applicant is providing a pedestrian system for the interior of the plat. Under the Conditions of Approval for the Preliminary Plat, the developer is to provide a twenty foot pedestrian and emergency vehicle easement along the common property line of lots 20 and 21. This easement is to be gravelled, barricaded with motorcycle barriers, and provided with a 6 foot high, sight obscuring fence. In addition, the developer is to provide a ten foot pedestrian easement along the common property lines of lots 31 and 32. This pedestrian easement is to be fenced with a 6 foot high, sight-obscuring fence, and barricaded with motorcycle barriers. (Condition No. 3). The applicant has proposed a pedestrian way meandering along the exist-ng freeway right-of-way fence. This pedestrian way would be built as shown in Exhibit "E" - Proposed Noise Berm and Jogging Trail. The Park Department has indicated approval of such a trail with crushed rock and railroad ties.
11. Domestic Water/Fire Hydrant. An 8" water main is located in the right-of-way of 116th Ave. N.E., and the developer has extended this main to serve the proposed plat. Condition No. 11 from the Conditions of Approval of the Preliminary Plat requires the developer to work with the Fire Department regarding water line improvements and fire hydrant location. The Fire Department has approved plans submitted by the applicant and the required items have been installed.

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Statements of Fact, Cont'd

- D. 12. Sanitary Sewer. The developer has chosen to coordinate his sanitary sewer system with the neighboring property owner to the north of the plat. A gravity flow sewer line traverses the northern property (Forbes Creek PUD) in a northerly and westerly direction and connects to the existing City system at a lower elevation on 116th Ave. N.E. This connection point is approximately 800 feet north of the northern property line of the subject property. (Refer to Exhibit "G" - Letter from Mr. Hugh G. Goldsmith to Mr. Gerald F. Link, dated May 19, 1977.)
13. Storm Sewer. Storm sewer management for the development is near completion at this time. Most of the existing storm water runoff flows to the northeast corner of the subject property, and eventually empties into Forbes Creek. Frontage along 116th Ave. N.E. is served by an open ditch drainage system.

E. NEIGHBORHOOD CHARACTERISTICS:

14. Zoning. The subject property is presently zoned Residential Single Family with a minimum lot size of 35,000 square feet. The property directly to the north received approval for a Preliminary Planned Unit Development for 124 residential units at a density of approximately 8500 square feet per unit. Land to the south and to the northwest of the subject property is zoned Residential Single Family with a minimum lot size of 35,000 square feet per unit. Land to the west is zoned for residential use with a minimum lot size of 8500 square feet. To the east of the site, beyond Interstate 405, is King County.
15. Land Use. Until recently, most of the land in this neighborhood has remained undeveloped. The "Forbes Creek" development will add 124 new units to the area, and new development has occurred on the west side of 116th Ave. N.E. To the southeast of the subject property is an undeveloped tract of land owned by the City of Kirkland. This tract contains approximately 5 acres, and is presently intended for a future recreation area.
16. Public Recreation/Open Space. As indicated above, the City of Kirkland owns a tract of land to the southeast of the subject property which is now undeveloped but may be used in the future for public recreation. The nearest developed park is Highlands Park, located on 112th Ave. N.E. and N.E. 102nd St., approximately 800 feet southwest of the subject property. The Land Use Policies Plan has indicated the need for additional park and recreation facilities in this general neighborhood. Condition of Approval No. 9 states that prior to the City Council review of the Final Subdivision, the applicant shall be required to pay either 10% 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.

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Statements of Fact, Cont'd

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

17. The proposed development is required to be consistent with the Kirkland Subdivision Ordinance No. 2178. Section 2.9 of the Subdivision Ordinance enumerates the requirements of the Final Plat.

CONCLUSIONS:

A. SUMMARY OF THE PROPOSED ACTION:

1. This application was determined to be generally consistent with the Kirkland Subdivision Ordinance by the approval of the Preliminary Plat by the Kirkland City Council. The applicants have complied with the conditions laid out in the Notice of Approval or are in the process of complying with these conditions.

B. HISTORICAL BACKGROUND:

2. The applicant has met all requirements which were conditions of their Preliminary Plat approval, as listed in Resolution R-2454, and as identified in the following sections.

C. EXISTING PHYSICAL CHARACTERISTICS:

3. Topography/Hydrology. These items appear to have been taken into account in the design of the Plat and the utilities for the proposed development.
4. Vegetation. The applicant has proposed landscaped islands for the streets on the interior of the proposed plat. The applicants met with the Parks, Police, and Public Service Departments to determine the location and landscaping of the street planters proposed for the interior of the plat as required by Condition of Approval No. 7.

As noted in Condition of Approval No. 8, any builder shall be required to submit a tree cutting plan for each individual lot prior to receiving a Building Permit on said lot pursuant to Ordinance No. 2393.

D. PUBLIC UTILITIES:

5. Streets/Pedestrian Ways. The Public Service Department has reviewed and approved plans for the construction of these items. Construction of curb, gutter, sidewalk, and streets is underway at this time & the majority of this work should be complete by the final review of this plat by the Kirkland City Council. Any items still incomplete at that time must be bonded by the applicant, and the amount of that bond will be determined by the Department of Public Service.

CONCLUSIONS, CONT'D

- D. 6. Domestic Water/Fire Hydrants. The Public Service Department has received and approved designs for a water system to serve the plat. Any items not complete at the time of the final review of this plat by the Kirkland City Council must be bonded according to a figure set by the Department of Public Service.

The Fire Department has approved the plans submitted by the applicant and the required items have been installed.

7. Sanitary Sewer. The Public Service Department has received and approved designs for a sanitary sewer system to serve the proposed plat. The majority of this work is now complete, but any items left remaining at the time of the final review of this plat by the Kirkland City Council must be bonded for according to a figure to be determined by the Department of Public Service.

The applicant has included wording on the plat linen according to the requirements of the Conditions of Approval as follows:
"The regular maintenance and repair of all storm water retention structures in this plat or 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 shall be assessed 1/53rd of the total cost.

E. NEIGHBORHOOD CHARACTERISTICS:

8. Zoning/Land Use. The proposed subdivision and the proposed rezone from Single Family Residential with a minimum of 35,000 square feet per lot to Residential Single Family with a minimum lot size of 8500 square feet per lot are consistent with the designation for density in this area as shown in the Land Use Policies Plan.
9. 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 Parks and Municipal Facilities Cumulative Reserve Fund, an amount which is 10% of the assessed valuation of the subject property, or \$200 per lot, whichever is greater.

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

10. The applicant has met all the requirements of the Final Plat as listed in Section 2.9 of the Kirkland Subdivision Ordinance.

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RECOMMENDATIONS:

Subject to the foregoing Statements of Fact, Conclusions, and Exhibits "A" through "G", we hereby recommend approval of this Final Plat of Kirkwood Manor 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 Parks and Municipal Facilities Cumulative Reserve Fund, or \$200 per lot, whichever is greater.
2. If, prior to City Council consideration of the proposed plat, the applicants have reached an agreement with the developers of the Forbes Creek PUD to the north concerning the connection of an easterly jogging trail along I-405 at their common boundary, then the pedestrian easement shall be improved as proposed in Exhibit "E" and mapped in Exhibit "C". If this is the case, the pedestrian tracts ('A' and 'B' on Exhibit "C") between lots 32, 33 and 34 and between lots 21 and 22 shall be eliminated. If this agreement cannot be reached and documented by final City Council review, then the aforementioned tracts 'A' and 'B' will be retained as a part of the final plat of Kirkwood Manor and the jogging trail shown in Exhibit "E" will be deleted as a requirement.
2. The pedestrian easement provided by the developer shall be improved as proposed in Exhibit "E".
3. Provisions must be made for relieving the noise from Interstate 405 as shown in Exhibit "E".
4. All required utilities shall be undergrounded in accordance with the serving utilities' current standards and specifications.
5. Any builder for lots within the proposed subdivision shall be required to submit a tree cutting plan for each individual lot prior to receiving a Building Permit on said lot pursuant to Ordinance No. 2393.
6. Prior to final approval of this plat by the City Council, the applicant shall post a bond in an amount determined by the Department of Public Service for the completion of any remaining streets, improvements to sidewalk, storm sewer, sanitary sewer, and domestic water.

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