

RESOLUTION NO. R- 2562

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING THE FINAL PLAT OF JUANITA VIEW BEING DEPARTMENT OF COMMUNITY DEVELOPMENT FILE NO. F-SUB-78-51(P) AND SETTING FORTH CONDITIONS TO WHICH SUCH FINAL PLAT SHALL BE SUBJECT.

WHEREAS, a Preliminary Plat of Juanita View was approved by Resolution No. R-2471, and

WHEREAS, the Department of Community Development has received an application for a Final Plat, said application having been made by Ron Stewart, Pacesetter Construction, and said property as legally described in the application is within an RS 35,000 zone, and an RS 8,500 zone, and

WHEREAS, the application has been submitted to the Kirkland Planning Commission who held public hearing thereon at their regular meeting of October 12, 1978, and

WHEREAS, pursuant to City of Kirkland Ordinance No. 0-2319 concerning environmental policy and the State Environmental Policy Act, an environmental checklist 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 checklist 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 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-78-51(P) are hereby adopted by the Kirkland City Council as though fully set forth herein.

Section 2. Approval of the Final Plat of Juanita View 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 Service 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 Service as to amount and form.

Section 3. A certified copy of this Resolution, along with the Findings, Conclusions and Recommendations hereinabove adopted shall be delivered to the applicant.

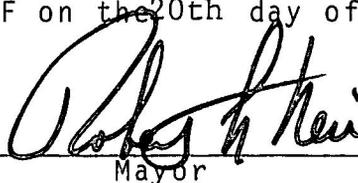
Section 4. Nothing in this Resolution shall be construed as excusing the applicant from compliance with all federal, state or local statutes, ordinances or regulations applicable to this project, other than as expressly set forth herein.

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. Fire and Building Department for the City of Kirkland
- D. Park 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 20th day of November , 1978.

SIGNED IN AUTHENTICATION THEREOF on the 20th day of November , 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 October 12, 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-78-51(P)
APPLICANT Ron Stewart
PROPERTY LOCATION N.E. 104th St. & 112th Ave. N.E.
SUBJECT Final Subdivision of "Juanita View"
HEARING/MEETING DATE November 5, 1978
BEFORE KIRKLAND CITY COUNCIL

EXHIBITS ATTACHED "A" Application "B" Vicinity Map "C" Site Plan "D" Notice of Approval "E" Memo from Fire Dept. "F" Existing Vegetation Map

I. SUMMARY

A. DESCRIPTION OF THE PROPOSED ACTION:

1. This is an application for a Final Subdivision of property at N.E. 104th Street and 110th Avenue N.E. The project is known as "Juanita View" and the applicant is Ron Stewart.
2. This subdivision would create 22 lots on a parcel in excess of 5.9 acres. Approximately two-thirds of the site lies to the south of N.E. 104th Street, and receives access from two Y-shaped roads, 112th Ave. N.E. and 112th Pl. N.E. The remaining third of the site is located on the northeast corner of N.E. 104th Street and 111th Ave. N.E. This portion receives access off of 111th Ave. N.E. via N.E. 104th Place.
3. The applicant is applying for this property subdivision together with a proposed Rezone application for the final plat, due to the fact that the portion of this property which lies north of N.E. 104th Street is currently zoned Single Family Residential (RS 35,000) whereas the portion of the subject property lying south of N.E. 104th Street is zoned Single Family Residential (RS 8500). The proposed Rezone from RS 35000 to RS 8500 would apply to the land north of N.E. 104th Street only.

B. RECOMMENDATIONS:

Subject to the Findings of Fact, Conclusions, and Exhibits "A" through "F", we hereby recommend approval of the subdivision known as "Juanita View", with the following conditions:

1. Tree retention shall be reviewed at the time of Building Permit, using the map of existing vegetation provided by Subdivision Management.
2. A Rezone application shall be approved prior to issuance of any Building Permit.
3. Improvements shall be made and notations made on the face of the plat map in conformance with the conditions of approval for the Preliminary Plat as noted on Exhibit "D".
4. Prior to issuance of Building Permit, applicant shall submit for review and approval by the Public Service Department a construction erosion prevention plan. Said plan will indicate the location, nature and timing of techniques and practices to minimize erosion impacts.
5. Prior to issuance of Building Permit, applicant shall meet with Public Service, Fire and Police Department representatives to discuss that portion of the right-of-way of N.E. 104th which lies between this plat and Hidden Hills Div. 2

I. B. 5. (Cont'd)

If it is determined that grading or tree removal in that area will be necessary to secure safe and reasonable access to the plat via N.E. 104th, then the applicant shall accomplish same prior to issuance of permits. No off-site street improvements in the right-of-way will be required.

6. Prior to final City Council approval, applicant shall meet with the Public Service and Community Development Departments for the purpose of determining what, if any, improvements or easements should be made conditions of this plat with respect to the provision of sewer service to the property immediately to the northeast (Barta). Also, Public Service shall consider the matter of the final grade of N.E. 104th and public safety concerns that may arise from an uneven, albeit ungraded, right-of-way. Public Service shall determine what, if any, action is to be taken by the applicant to deal with this matter.

II. See next page.

II. MAJOR STATEMENTS OF FACT AND CONCLUSIONS:

A. HISTORICAL BACKGROUND:

1. The Preliminary Plat of "Juanita View" was approved by Resolution No. R-2471 on November 7, 1977. The conditions accompanying the Preliminary Plat are found in the Notice of Approval, Exhibit "D".

B. GOVERNMENTAL COORDINATION:

1. Statements of Fact:

- a. Kirkland Police Department. "Access to these properties is adequate."
- b. Parks Department. "Sidewalk should be required on 104th Street and on one side of each cul-de-sac, and on 111th. Street trees should be planted 30 feet on center on all streets."
- c. Building Department. "No relevant building code requirements for this project. The grading permit is still in effect."
- d. Fire Department: "Adequacy of Emergency Access: Until more detailed site plan drawings are provided, we are unable to determine if the "as shown" emergency access is adequate for emergency vehicles. Fire Hydrants: Fire hydrants will be required. Specific location of the required hydrants can be provided when more detailed comprehensive drawings of the subject site are submitted to the Fire Department. Adequacy of Fire Flow: A water system shall be provided that will flow at any of the required fire hydrants a minimum fire flow of 1,000 gallons per minute. The water system and fire hydrants shall be installed and fully operational before the framing stage of construction." Other: See attached memorandum dated 3 October 1977." (See Exhibit "E")
- e. Public Service Department. "All Public Service Department requirements not completed at time of final review of this plat will be bonded in full at a dollar amount set by the Public Service Department to be received prior to date of hearing."

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II. B. 2. Conclusions:

- a. Sidewalks, fire hydrants, and any Public Service Department requirements will be included in a bond to be received prior to the date of hearing for final plat review and shall be of a dollar amount set by the Department of Public Service.

C. EXISTING PHYSICAL CHARACTERISTICS:

1. Statements of Fact.

- a. Topography. The majority of the southern section of the proposed plat has a topography of approximately 10%, sloping downward in a westerly direction. proposed lots 1 through 3 have slopes of approximately 20%. The northern section of the proposed plat is characterized by much steeper slopes. There is a slope of approximately 50% on the northern portion of proposed Lot 22, and between Lots 21 and 22. Proposed Lots 17 and 18 contain slopes of up to 45%.
- b. Soils/Geology. The applicant submitted a soils report with the Preliminary Plat application from Cascade Testing Laboratories, Inc., dated August 4, 1977. The subject property appears to be within an Indianola Loamy Fine Sand (InC) and Ragnar Fine Sandy Loam (RdE) soils classification. Local geologic mapping indicate the subject property to be within a Vashon Till (Qt) unit.
- c. Vegetation. General vegetation on the subject property includes a wide variety of evergreen and deciduous materials, along with the normally associated ground-cover. (See Exhibit "F" - tree location map).

2. Conclusions.

- a. Topography. The soils report submitted with the Preliminary Plat application indicated that minor surficial soil movement had occurred on some portions of the subject property. However, the report concluded that if the development recommendations included in the soils report were followed, adequate development on this plat would be achieved. In development of this plat, the builder should be required to follow all recommendations included in the soils report submitted with the preliminary application.

- II. C. 2. b. Soils/Geology. Should the recommendations included in the soils report dated August 4, 1977, be followed with development of this plat, there would appear to be no major soil or geologic constraints with such development.
- c. Vegetation. A map locating major vegetation on the site has been submitted by Subdivision Management. Maximum vegetation should be retained on this site, and such determination will be made when applications for Building Permits are received by the Department of Community Development.

D. PUBLIC UTILITIES:

1. Statements of Fact.

- a. Streets. The approved Preliminary Plat stated that the final slope of N.E. 104th St. would range from 8 to 19 percent. The portion of N.E. 104th St. serving 112th Pl. NE would not exceed 16 percent slope. All interior streets for the plat would be private roadways not exceeding a slope of 15 percent. All private roads, easements, and other developed right-of-ways would be required to be upgraded to minimum City specifications.
- b. Pedestrian ways. Sidewalks were required along both sides of N.E. 104th St., where the plat abuts said street. Sidewalks were also required along one side of 112th Pl. N.E. and 112th Ave. N.E. Sidewalks should be concrete and 5 feet in width.
- c. Sewers. Both sanitary and storm sewers are required by the Preliminary Plat.

2. Conclusions.

- a. Streets. Rough grading on the streets has been completed. Remaining improvements to roadways in the area will be included in the bond required by the Public Service Department.
- b. Pedestrian Ways. Funds for construction of sidewalk will be included in the bond required by the Public Service Department.

- II. D. 2. c. Sewers. The sewer has been installed at this time but has not been inspected by the Department of Public Service. Until the sewers have been inspected, the bond value set by the Public Service Department must include the cost of installing these sewers.

E. NEIGHBORHOOD CHARACTERISTICS:

1. Statements of Fact.

- a. Zoning. The portion of the subject property which lies north of N.E. 104th St. is presently zoned Residential Single Family 35,000 square feet. The portion of the subject property lying south of N.E. 104th Street is zoned Residential Single Family 8500 square feet. A Rezone application from RS 35000 to RS 8500 has been filed.
- b. Land Use. The subject property is currently undeveloped, except for improvements made as per the Preliminary Plat. To the south of the proposed plat is the partially developed plat of Dogwood View. To the east and south-east of the subject property is a combination of properties which are presently undeveloped and properties which are presently under development. The property to the west and north of the subject property is almost totally undeveloped.

2. Conclusions.

- a. A Rezone application has been filed with this application for a Final Plat. The Comprehensive Plan designates this general area for a maximum of five dwelling units per acre. However, due to the topography and the slope characteristics of the area, the Land Use Policies Plan sets out special conditions for allowing a density beyond three dwelling units per acre.

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

1. Statements of Fact.

- a. The Kirkland Land Use Policies Plan speaks to this area as follows:

"The functional integrity of watercourses is to be maintained or improved.

Portions of three small streams exist in the Highlands area as indicated in Figure 34. These streams are to be maintained in a natural condition and should allow for natural drainage (see Natural Elements Policies l.c., 3 and 4).

II. F. 1. a. (Cont'd)

If landslide or drainage problems are likely to occur as a result of the proposed development (on or near the slope), then the type, design and/or density of land use should be restricted as necessary to avoid the problems (see Natural Elements Policy 1.b.). Existing vegetation in these areas should be preserved to the greatest extent feasible in order to help stabilize the slope and maintain drainage patterns (see Natural Elements Policy 5.b.).

There is a substantial area of identified unstable slope, as shown in Figure 33. Due to the increased risk to life and property through the cumulative effects of high density development, the base density for residential development on the unstable slope is 1 to 3 dwelling units per acre subject to the following standards:

Residential development will be severely limited on the unstable slope area. Base density of 1 to 3 dwelling units per acre permitted according to standards.

- (1) Soils analysis is required.
- (2) Clustering of structures is encouraged.
- (3) The maintenance of maximum vegetative cover is required.
- (4) Watercourses are to be retained in a natural state.
- (5) Surface runoff is to be controlled at predevelopment levels.
- (6) Points of access are to be minimized.
- (7) There is to be a special review of all development plans.

b. The proposed development as approved in the Preliminary Plat is generally consistent with the Kirkland Subdivision Ordinance No. 2178.

2. Conclusions.

a. The developer has sufficiently met the criteria spelled out in the Land Use Policies Plan to allow for the six units proposed to the north of N.E. 104th Street.

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III. APPENDICES:

Exhibits "A" through "F" are attached.

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