

RESOLUTION NO. R- 2593

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING THE FINAL PLAT OF "HALLMARK ESTATES", BEING DEPARTMENT OF COMMUNITY DEVELOPMENT FILE NO. F-SUB-78-90(P) AND SETTING FORTH CONDITIONS TO WHICH SUCH FINAL PLAT SHALL BE SUBJECT.

WHEREAS, a Preliminary Plat of "Hallmark Estates" was approved by Resolution No. R-2540, and

WHEREAS, the Department of Community Development has received an application for a Final Plat, said application having been made by Dave Dorland and George Miller and said property as legally described in the application is within a Residential Single Family 8,500 zone, 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, 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-78-90(P) are hereby adopted by the Kirkland City Council as though fully set forth herein, except for 1b(3) which is deleted and 2a(3) which is replaced as noted in Section 2.

Section 2. Approval of the Final Plat of Hallmark Estates is subject to the applicant's compliance with the conditions set forth in the 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 Project and Construction Management 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 Project and Construction Management as to amount and form.

b. A new condition 2a(3) is adopted to read: "Said tree retention plan shall indicate the retention of 65% of the trees 18 inches in caliper or greater.

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 of the City of Kirkland
- d. Parks Department of the City of Kirkland
- e. Police Department of the City of Kirkland
- f. Public Service Department of the City of Kirkland
- g. Project and Construction Management 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 5th day of March, 1979.

SIGNED IN AUTHENTICATION THEREOF on the 5th day of March, 1979.



Mayor pro tem

ATTEST:



Director of Administration and Finance
(ex officio City Clerk)



DEPARTMENT OF COMMUNITY DEVELOPMENT

ADVISORY REPORT
FINDINGS, CONCLUSIONS AND RECOMMENDATIONS

PREPARED BY _____ DATE _____

XXX RECOMMENDED BY _____ DATE February 15, 1979

ADOPTED BY _____ DATE _____

STAFF _____

BOARD OF ADJUSTMENT _____

HOUGHTON COMMUNITY COUNCIL _____

XXX PLANNING COMMISSION Kay Haenggri
Kay Haenggri, Chairperson

CITY COUNCIL AS INCORPORATED IN _____

RESOLUTION _____ ORDINANCE _____

NUMBER _____

DATE _____

FILE NUMBER F-SUB-78-90 (P)

APPLICANT D. DORLAND AND G. MILLER

PROPERTY LOCATION 108th Ave. N.E. and N.E. 116th Street

SUBJECT APPLICATION FOR FINAL SUBDIVISION OF "HALLMARK ESTATES"

HEARING/MEETING DATE March 5, 1979

BEFORE KIRKLAND CITY COUNCIL

EXHIBITS ATTACHED "A" Application "B" Vicinity Map "C" Proposed Final Plat
"D" Approved Preliminary Plat "E" Existing Vegetation Survey
"F" Notice of Approval for Preliminary "G" Environmental Information

- I. B. 1. b. (4) Designate a 20 foot open space easement on the face of the plat linen around the north, west and south perimeter. A note shall also appear stating "NO REMOVAL IS PERMITTED OF TREES 18" OR LARGER IN CALIPER WITHOUT THE EXPRESSED CONSENT OF THE CITY. NO STRUCTURE MAY BE LOCATED WITHIN THE 20 FOOT OPEN SPACE EASEMENT ON LOTS 7, 8 & 9.
2. Prior to issuance of building or grading permits on the subject property, the applicant shall:
- a. Submit for review and approval by the Department of Community Development a tree retention plan. Said plan shall indicate:
- (1) All vegetation 6" or greater in caliper and stating which are to be removed and which are to be retained.
- (2) The location of potential structures on all 11 lots.
- (3) That 75% of the trees 18 inches in caliper or greater are to be retained.
- b. Physically stake all trees identified for retention, subject to inspection and approval by the Department of Community Development. Furthermore, staking and/or fencing of all trees 18 inches in caliper or greater shall be required to the specifications of that Department.
- c. Submit a storm drainage plan to the specifications of Ordinance 2430.
3. Improvements within the plat shall be:
- a. A five foot concrete sidewalk on 108th Ave. N.E. and where Lots 1, 10, and 11 abut N.E. 114th Place, provided that no sidewalk will be installed west of the easternmost part of Tract A.
- b. Forty (40) feet of asphalt roadway shall be poured in the cul-de-sac right-of-way, except for Tract "A", which will be straddled by twenty (20) feet of asphalt driving surface on either side.
- c. "NO PARKING - FIRE LANE" signs shall be posted on the perimeter of Tract "A" to the specifications of the Fire Department. Also, ONE-WAY 'anti-clockwise' arrows shall be painted on N.E. 114th Pl. north and west of Tract "A".

II. MAJOR STATEMENTS OF FACT AND CONCLUSIONS:

A. HISTORICAL BACKGROUND:

1. Statements of Fact.

Preliminary Subdivision approval on this property was received on July 10, 1978 through City Council Resolution R-2540. A copy of the Notice of Approval is included as Exhibit "F".

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I. SUMMARY:

A. DESCRIPTION OF THE PROPOSED ACTION:

1. This is a request for Final Subdivision of Hallmark Estates submitted by David Dorland and George Miller. The proposed subdivision would divide a 2.87 acre parcel into eleven residential lots. One lot is less than 8500 square feet (Lot 9) having approximately 8340 square feet. The remaining 10 lots are above 8500 square feet in area each and vary between approximately 8500 square feet and, in the case of Lot 8, approximately 11,600. The applicant proposes a double cul-de-sac design for right-of-way with an island in the center. This island is intended to preserve a stand of large coniferous trees.
2. The subject property is located on 108th Ave. N.E., between N.E. 112th and N.E. 116th Streets.

B. RECOMMENDATIONS:

Based on the Statements of Fact, Conclusions, and Exhibits "A" through "G" included in this report, we hereby recommend approval of this application subject to the following conditions:

1. Prior to City Council review of the proposed final plat, the applicant shall:
 - a. Deposit a check for \$2200 into the "fee-in-lieu of open space" account of the Park and Municipal Facilities Cumulative Reserve Fund.
 - b. Make the following changes to the face of the plat linen:
 - (1) Reconfigure Lots 1, 3 and 9 in order to save as many trees as possible.
 - (2) Designate the landscaped island on the face of the plat linen as "Tract A" with notation thereon stating:

"LOTS 1 THROUGH 11 HAVE AN EQUAL AND UNDIVIDED 1/11 INTEREST IN TRACT "A" SUBJECT TO EASEMENT RIGHTS OVER, UNDER AND ACROSS FOR DRAINAGE AND UTILITIES, IN FAVOR OF THE CITY OF KIRKLAND, WASHINGTON. NO REMOVAL IS PERMITTED OF TREES 18 INCHES OR LARGER IN CALIPER WITHOUT THE EXPRESSED CONSENT OF THE CITY."
 - (3) Any other changes to the lot configurations as may be necessary, while remaining consistent with all zoning criteria, to assure the retention of 75% of the trees 18 inches in caliper or greater.

I. B. EXISTING PHYSICAL CHARACTERISTICS:

1. Statements of Fact.

- a. Topography. The subject property slopes down gently from northeast to southwest.
- b. Soils/Geology. The subject property is located in an area which contains soil classified as Alderwood Gravelly Sandy Loam.
- c. Hydrology. Runoff from this area drains toward the west. To control runoff during construction, hay bales have been staked on the property.
- d. Vegetation. The Land Use Policies Plan indicates that this property is a "significant woodland". Numerous large trees cover the site, including cedar, fir, maple, and dogwood. The location of these trees has been mapped on Exhibit "E".

2. Conclusions.

Tree retention and drainage are the primary physical characteristics at issue. Storm drainage plans should be implemented and the maximum amount of significant vegetation retained.

C. PUBLIC UTILITIES:

1. Statements of Fact.

- a. Streets. The subject property fronts on 108th Ave. N.E., which is a 60-foot right-of-way improved with approximately 24 feet of asphalt paving. N.E. 114th Place is a double cul-de-sac proposed as access for the subdivision. N.E. 114th Place is 50 feet wide at the intersection of 108th Ave. N.E. and fans out into a double cul-de-sac. (See Exhibit "c" - Plat Map).

In the approved preliminary drawings, the applicant showed sidewalk around the entire cul-de-sac and approximately 26 feet of asphalt paving which split around a landscape island. (See Exhibit "D"). In the new proposal, the entrance to N.E. 114th Place is paved with 40 feet of asphalt pavement narrowing to 16 feet near the landscaped island. (See Exhibit "C").

- b. Water/Sewer. Within the right-of-way of 108th Ave. N.E., there currently exists an 8" sewer line and a 6" water line. Also, to the southwest of the subject property, within the right-of-way of 106th Ave. N.E. there currently exists an 8" sewer line and a 2" water line.

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II. C. 2. Conclusions.

The paved area in N.E. 114th Place should be adequate for emergency access. The Fire Department feels that 20 feet, rather than 16 feet, is necessary. We conclude that emergency access is more important than the sidewalks in that area and that the latter be deleted in favor of 20 feet of asphalt driving surface.

D. NEIGHBORHOOD CHARACTERISTICS:

1. Statements of Fact.

- a. Zoning. The subject property is zoned Residential Single Family 8500 square feet minimum lot area as are all properties immediately surrounding the subject property.
- b. Land Use. A variety of single family houses surrounds the property on all sides. The subject property is presently vacant, but work has begun on the roadway.

2. Conclusions.

A single family subdivision with a minimum lot size of 8500 square feet is consistent with existing and planned land use in the area.

E. GOVERNMENTAL COORDINATION:

1. Statements of Fact.

- a. Parks Department. Retain trees and island as much as possible and still meet street requirements. Recommend we eliminate pathways in island. Sidewalk all the way around cul-de-sac as planned if possible to retain trees.
- b. Fire Department. Reduce island to provide minimum of 20 feet paved surface for ingress-egress routes.
- c. Police Department. We are concerned with the large island in the street. As drawn, it will encourage people and children to use the paths which come out into the street. A narrow roadway will present parking problems unless no parking is allowed.
- d. Building Department. (No comments).
- e. Public Service Department. (No comments).

II. E. 2. Conclusions.

The original plan showed sidewalk along the cul-de-sac, asphalt pavement and the landscaped island. However, the original amount of asphalt pavement (16 feet wide minimum) is not adequate according to the Fire Department. (They prefer 20 feet). We conclude that the retention of the major vegetation in the landscape island is of more importance than the sidewalk in this particular instance due to the fact that this is a dead-end cul-de-sac, the vegetation is of such magnitude, and was identified as a major value by both the Land Use Plan and neighborhood residents. A cleared double cul-de-sac may be slightly safer due to increased visibility, but removal of the island would result in an expansive asphalted area, increased impervious surface area, and the removal of approximately 10 substantial trees.

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

1. Statements of Fact:

a. Land Use Policies Plan. The Land Use Policies Plan designates the subject property as being part of a "significant woodland". The use indicated for this area is single family at a density of 5 dwelling units per acre (RS 8500).

2. Conclusions.

The fact that this area is noted as a "significant woodland" places a strong emphasis on the retention of trees. Whereas the subdivision may meet the lot area restrictions for this zone, the importance of the policy concerning the existing vegetation should be adhered to as well.

G. CITIZEN INPUT:

1. Statements of Fact.

The existing excerpts are taken from the minutes of the Planning Commission meeting of June 29, 1978. Mr. John Oh, one of the applicants, asked approval of the application pointing out that the property is covered with nice large trees and that it has not been greatly changed. He stated that tree cutting and earth removal will be minimized and contended that 77% of the existing trees can be saved with 11 homes on the lot. He stated that they had no objections to the recommendations of the Advisory Report.

Mr. Rex Carlton commented that his main concern was with the loss of the existing forest.

II. G. 1. (Cont'd)

Mr. Don Dicks stated that there are existing drainage problems on this site, particularly on Lots 7, 8, and 9 which are in a low area. Further, he was concerned with loss of trees at the back of Lots 8 and 9 which adjoin his property and asked that consideration be given to retaining those particular trees.

At the public hearing conducted by the Planning Commission on February 15, 1979, Mr. Don Dicks again spoke. He asked about the 20 foot buffer discussed at the preliminary plat hearing abutting Lots 7, 8, and 9. He commented that homes should be placed close to the cul-de-sac in order to save trees.

2. Conclusions.

The preliminary subdivision of this property was approved based on statements of the applicant indicating that 77% of the trees could be retained with 11 homes on the lots. Residents in the area were concerned primarily with retaining existing vegetation and eliminating drainage problems. A buffer area should be made part of the plat in order to protect adjoining neighborhoods.

III. APPENDICES:

Exhibits "A" through "G" are attached as a part of this report.