

RESOLUTION NO. R-2623

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING THE PRELIMINARY PLAT OF WALENTA ADDITION AS APPLIED FOR BY RICHARD WALENTA, BEING DEPARTMENT OF COMMUNITY DEVELOPMENT FILE NO. P-SUB-79-29(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 Richard Walenta and said property as legally described in the application is within a Residential Single Family 8500 zone, and

WHEREAS, the application has been submitted to the Kirkland Planning Commission who held public hearing thereon at their regular meeting of May 17, 1979, and

WHEREAS, pursuant to City of Kirkland Ordinance 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. P-SUB-79-29(P) are hereby adopted by the Kirkland City Council as though fully set forth herein.

Section 2. The Preliminary Plat of Walenta Addition is hereby given approval, subject to the conditions set forth in the 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.

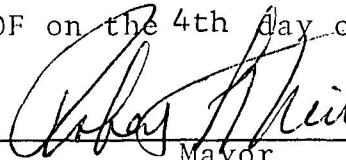
Section 4. Nothing in this Resolution shall be construed as excusing the applicant from compliance with all federal, state or local statutes, ordinances or regulations applicable to this project, other than as expressly set forth herein.

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) Parks Department for the City of Kirkland
- (d) Fire and Building Department for the City of Kirkland
- (e) Police Department for the City of Kirkland
- (f) Project and Construction Management Department for the City of Kirkland
- (g) Public Service Department for 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 4th day of June, 1979.

SIGNED IN AUTHENTICATION THEREOF on the 4th day of June, 1979.

  
\_\_\_\_\_  
Mayor

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 May 17, 1979

ADOPTED BY \_\_\_\_\_ DATE \_\_\_\_\_

STAFF \_\_\_\_\_

BOARD OF ADJUSTMENT \_\_\_\_\_

HOUGHTON COMMUNITY COUNCIL \_\_\_\_\_

XXX PLANNING COMMISSION \_\_\_\_\_

*Kay Haenggi*  
Kay Haenggi, Chairperson

CITY COUNCIL AS INCORPORATED IN \_\_\_\_\_

RESOLUTION \_\_\_\_\_ ORDINANCE \_\_\_\_\_

NUMBER \_\_\_\_\_

DATE \_\_\_\_\_

FILE NUMBER P-SUB-79-29 (P)

APPLICANT RICHARD WALENTA

PROPERTY LOCATION Between NE 110th & 108th Sts., at 106th Ave. N.E.

SUBJECT APPLICATION FOR PRELIMINARY SUBDIVISION OF "WALENTA ADDITION"

HEARING/MEETING DATE June 4, 1979

BEFORE KIRKLAND CITY COUNCIL

EXHIBITS ATTACHED "A" Application "B" Vicinity Map "C" Site Plan "D" Roadway  
Section "E" Environmental Information "F" Soils Report "G" Circulation  
"H" Citizen Input

I. SUMMARY

A. DESCRIPTION OF THE PROPOSED ACTION:

This is an application for Preliminary Subdivision of a two and one-quarter acre parcel into seven residential lots in an RS 8500 zone. This site is currently undeveloped and lies on a southerly-facing naturally stable slope. All lots meet or exceed the 8500 square foot lot size. Three lots would access via a 40-foot wide private road from N.E. 108th Street, ending in more or less of a hammerhead turn-around. The remaining four lots would access from an extension southward of 106th Avenue N.E., ending in a cul-de-sac turn-around. Refer to Exhibit "C" - Site Plan.

B. RECOMMENDATIONS:

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

1. The recommendations in the Soils Engineering Report shall be followed. Particular attention shall be paid to retaining existing vegetation, and rapidly replanting any denuded slopes as a result of construction. Building sites shall be designated on the site in such a manner as to minimize cut and fill. Material shall be submitted with Final Subdivision application describing and justifying the designated building sites.
2. The applicant shall provide the following roadway improvements:
  - a. N.E. 108th Street along the south frontage of the subject property: The 30-foot right-of-way will be improved, consisting of 18 feet of asphalt, a 2-foot shoulder, a 4-foot drainage ditch, and a 5-foot cement concrete sidewalk. A distance of one foot will be required between the drainage ditch and sidewalk. (See Exhibit "D" - Roadway Section for N.E. 108th).
  - b. Twenty feet of asphalt will be required in the N.E. 110th right-of-way running generally north-south to connect the proposed interior cul-de-sac with the existing 106th N.E. roadway improvement.
  - c. 106th Avenue N.E. southward from the northern property line: Box curb, gutter and 28 feet of asphalt curb-to-curb.
  - d. Private road off N.E. 108th Street: Straight-faced curb, gutter and 24 feet of asphalt curb-to-curb.
3. The maximum degree of incline and decline along the two accesses to the property shall be no greater than 15%, as approved by the City Engineer.
4. Lots 5, 6 and 7 shall be addressed off of N.E. 108th Street.



- I. B. 5. Utilities must be undergrounded at the developer's expense to meet the standards and specifications of the serving utility.
6. Prior to grading on the subject property, the applicant shall:
  - a. Submit a construction drainage plan conforming to the requirements of Ordinance 2430, and;
  - b. Submit for approval an application for a Land Surface Modification Permit.
7. Prior to approval of Final Subdivision, the applicant shall:
  - a. Submit funds to the "fee-in-lieu of open space" account either \$200 per newly created lot or 10% of the assessed valuation of the entire property, whichever is greater.
  - b. Submit engineering drawings for a retention system (including roof, driveway and all impervious surfaces) and roadway improvements for review and approval by the Department of Public Service. Drainage from roofs and all impervious surfaces shall be collected into pipes connected directly into the storm water retention system.
  - c. Submit a tree cutting plan indicating all trees of 6" caliper or greater which will be removed and which will remain, for review and approval by the Department of Community Development.
  - d. Pay appropriate water fee for Fire Zone III.

## II. MAJOR STATEMENTS OF FACT AND CONCLUSIONS:

### A. HISTORICAL BACKGROUND;

#### 1. Statements of Fact,

- a. The City last year processed an application for the plat of "Sunny Hills" just to the east of the subject property. The topography and vegetation were similar as was the zoning and Plan designations. That plat was approved with preservation of a maximum number of trees, access provided by cul-de-sacs, and the deletion of one lot on the upper slope to reduce impacts on existing vegetation, contours and runoff.
- b. The applicants initially submitted a plat showing eight rather than seven lots. In this pre-application stage the staff worked with the applicant and secured their agreement to delete one lot on the upper slope.

#### 2. Conclusions.

The seven lot configuration is consistent with the pattern set to the east and is the product of an evolutionary dialogue and analysis by staff.

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## B.. GOVERNMENTAL COORDINATION:

## 1. Statements of Fact.

- a. Police Department. Emergency access is adequate. Lots 5, 6 and 7 should be addressed off of N.E. 108th Street.
- b. Fire Department. The maximum degree of incline and decline on the accesses shall not exceed 15%. A fire hydrant will be required and shall be located on N.E. 110th Street approximately 660 feet east of the intersection of 104th Avenue N.E. A minimum fire flow of 1,000 gpm shall be required.
- c. Building Department. This project will be constructed in Fire Zone III. A Land Surface Modification Permit will be required.
- d. Public Service Department. Sanitary sewer: Adequate service exists at 104th Avenue N.E. and N.E. 108th Street. Domestic water: Will need to be extended from 104th N.E. and N.E. 108th Streets and from 106th N.E. and N.E. 110th. Storm water: Retention system required. Right-of-way improvements: Improvement shall be required on N.E. 108th St. for the frontage of the property. A 30-foot right-of-way will be required, consisting of 18 feet of asphalt, a 2-foot shoulder, a 4-foot drainage ditch, and a 5-foot cement concrete sidewalk. A distance of one foot will be required between the drainage ditch and sidewalk. (See Exhibit "D").  

Twenty feet of asphalt will be required on the southerly extension of 106th Ave. N.E. from the edge of the existing roadway to the northern property line of the subject property. From the northern property line southward, 106th Ave. N.E. shall be improved with straight-faced curb, gutter and 28 feet of asphalt curb-to-curb. The private road off N.E. 108th St. will require straight faced curb, gutter and 24 feet of asphalt curb-to-curb.
- e. Parks Department. No park concerns with this application.
- f. SEPA. This proposal has been determined to not have a significant adverse impact upon the environment. A Declaration of Non-Significance has been made by the Responsible Official on March 5, 1979.

2. Conclusions. The applicant must comply with the applicable Building and Fire Codes. Utilities are available subject to fees determined by the Public Service Department. The input received by the City of Kirkland Police, Parks, Building, Fire, and Public Service Departments, as listed in the Statements of Fact above, shall be complied with.

II. C. EXISTING PHYSICAL CHARACTERISTICS:

1. Statements of Fact.

- a. Topography. The parcel slopes generally to the southwest with an average slope of approximately 15.8 percent. Contour lines are shown on the site plan Exhibit "C".
- b. Soils. Land: Natural Elements indicates that the site is covered with alderwood gravelly sandy loam. Runoff is slow and erosion hazard is slight on this well-drained soil. This soil is defined as having severe limitations for home sites and low buildings. The Soils Engineering Report submitted with this application concludes that the proposed residential construction as planned is suitable and should remain stable if recommendations addressing foundations, drainage, structural filling, and roadway placement, as presented in the report, are utilized during development.
- c. Vegetation. The site is covered with native vegetation and substantial areas of large evergreen trees. The Soils Engineering Report recommends that "The existing vegetation should remain intact as much as possible to aid in reducing surface erosion", and that any excavations or slopes which are denuded, should be rapidly replanted.

2. Conclusions.

The physical characteristics of the site provide a constraint to development. The steep slope of the site, and potential soil-related hazards following development, necessitate certain actions outlined above, to minimize these hazards.

D. PUBLIC UTILITIES:

1. Statements of Fact.

- a. Streets. The subject property fronts on N.E. 110th Street on the north side which is an unimproved right-of-way currently being utilized as a pedestrian walkway. Access to the northern part of the subject property would be gained through an extension of 106th Avenue N.E. which currently ends approximately 60 feet north of the property. This street is currently a 60 foot right-of-way improved with 20 feet of asphalt paving. The southern boundary of the subject property fronts on N.E. 108th Street which is a 60 foot unimproved right-of-way.

- I. D. 1. b. Water. There is a 4" water main at 104th Avenue N.E. and N.E. 108th Street and an 8" water main at 106th Avenue N.E. and N.E. 110th Street.
- c. Sewer. There is an 8" sanitary sewer line at 104th N.E. and N.E. 108th.

2. Conclusions.

Utilities now exist and are available to the subject property. Street improvements should be made as described in II.A.1.d. Based on an area-wide circulation perspective, N.E. 110th Street should not be extended to the west edge of the subject property. (See Exhibit "G").

E. NEIGHBORHOOD CHARACTERISTICS:

1. Statements of Fact.

- a. Zoning. The subject property is zoned Residential Single Family with a density of 8500 square feet per unit. South of N.E. 108th Street the zoning is for Single Family with 35,000 square feet per unit.
- b. The subject property is vacant, and is adjacent to single family residences on the west and north sides of the property. The proposed Sunny Hills preliminary subdivision lies to the east of the subject property (See Exh. "G"). The area south of N.E. 108th Street to N.E. 104th Street, is largely vacant.

2. Conclusions.

This proposed development is consistent with the existing zoning and surrounding land use.

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

1. Statements of Fact.

- a. Kirkland Subdivision Ordinance. Section 2.10.5.  
Natural features such as trees, ridgelines, hill-tops, and views shall be preserved and kept in a natural state to the maximum extent possible.

2.11.4 Maximum Grades:

- (a) Major arterials, 7%  
(b) All other streets, alleys, etc., the maximum grades shall not exceed 10% unless otherwise approved by the City Engineer.

2.11.9 Sidewalks - Pedestrian Walkways - Urban Trails

(c) In any situation where the planning department, school district, city engineer, public works department or other reviewing agency recommend sidewalks to serve the public interest or obviate a potential safety hazard, the Planning Commission may require sidewalks to be installed.

2.12.3 General Principles of Design and Minimum Requirements for the Lay-out of Subdivisions. Site Improvements.

All subdivisions shall be provided with underground utility lines at the expense of the subdivider or developer in accordance with the serving utility's current standards and specifications. Utility lines include, but not limited to those for electricity, communications and street lighting.

2.5.5 Tree Cutting Plan: Landscaping, planting and tree cutting plans shall be prepared by a landscape architect and submitted to the Planning Department prior to the approval of the final plat on all areas which have been identified by the Kirkland Planning Department as having potentially hazardous geological conditions, soils limitations, or slopes equal to or greater than 15 per cent. In addition, tree cutting plans for all developments shall be required indicating trees over 6 inches in caliper and indicating which will be cut and which will remain.

2.5.9 Parks, recreation sites and open spaces:

(b) In lieu of the dedication of such area to the City of Kirkland the plattor may be required by the City to deposit in the "in lieu open space account" of the Park and Municipal Facilities Cumulative Reserve Fund an amount of money to be used solely for the purposes for which said fund was created by Chapter 5.72, Kirkland Municipal Code (Ordinance No. 1115). The amount to be so deposited shall be not less than 10% of the assessed valuation of the entire subdivision, or \$200 per new dwelling unit, whichever is greater.

II. F. 1. b. Kirkland Zoning Ordinance. The subdivision and any future construction on the new lots must conform to Chapter 23.08 of the Zoning Ordinance, Single Family Dwelling zone.

c. Land Use Policies Plan.

Natural Elements Policy 5b: Maintain existing vegetative cover to the greatest extent feasible. In cases where development necessitates removal of vegetation, a reasonable amount of landscaping should be required to replace trees, shrubs and groundcover removed during construction (page 39).

Juanita Heights Area: The major policy thrust for Juanita Heights is to maintain it as a low density residential area (page 360). New septic tanks are prohibited and hook-up to existing sewer service will be required (page 365).

2. Conclusions.

This proposal is generally consistent with the policies and ordinances of the City. The applicant must adhere to the ordinances and policies above, particularly those addressing retention of natural elements, submittal of a tree-cutting plan, and deposit of the "fee-in-lieu of open space". The City Engineer has approved a maximum 15% grade for the two accesses into the property, pursuant to Section 2.11.4(b) of the Subdivision Code.

By serving the lots from the roadway configurations shown, disruption of natural contours and vegetation will be minimized. This subdivision of development is compatible with the low density residential pattern described in the Land Use Policies Plan, and as exemplified by the recently approved adjacent Sunny Hills Subdivision (See Exhibit "G").

G. CITIZEN INPUT:

1. Statements of Fact:

a. Gary Clyde, 10616 N.E. 109th, read a statement (Exhibit H) signed by twelve families (residents of NE 109th St.). The statement expressed concerns for retention of a maximum number of trees to maintain the sound barrier and visual attractiveness of the neighborhood; runoff from the sloped site; the proposed utility easement on the west side would cause erosion of that hillside into adjoining properties. The statement commended the builder for proposing only 7 lots and for providing access from both north and south. They proposed that the utility easement be placed on the east side and that the first stand of trees on the west side be retained.

b. Dave Williams, 11020 106th NE, suggested that the Parks Department look at this site as there exists a path through this area which is used by school children for access from 110th to 108th. His other concerns addressed

II. G. 1. b. (Cont'd)

drainage and preservation of the site due to trees, the path and the creek below.

- b. Barb Wiswell (Lot 5), 10610 NE 109th, was concerned with water runoff from this site, indicating that her home already receives runoff from surrounding properties and asked that trees and vegetation be retained to the greatest extent possible.

2. Conclusions.

Citizen concerns mainly addressed tree retention and drainage on the site. The drainage concerns led the Planning Commission to recommend that roof and impervious surface drainage go directly into pipes connected to the storm water retention system and that plans for a retention system include roof and impervious surface runoff.

III. APPENDICES:

Exhibits "A" through "H" are attached.

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