

RESOLUTION NO. R-2634

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING THE PRELIMINARY PLAT OF "SHANGRI-LA" AS APPLIED FOR BY RICHARD WILLIAMS, BEING DEPARTMENT OF COMMUNITY DEVELOPMENT FILE NO. P-SUB-79-35(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 Williams and said property as legally described in the application is within a Residential Single Family 8,500 zone, and

WHEREAS, the application has been submitted to the Kirkland Planning Commission who held public hearings thereon at their regular meeting of June 21, 1979, 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. P-SUB-79-35(P) are hereby adopted by the Kirkland City Council as though fully set forth herein except recommendations No. IB8b and No. IB12.

Section 2. The preliminary plat of Shangri-La is hereby given approval, subject to the conditions set forth in the Recommendations hereinabove adopted by the City Council and conditioned further, that in the subdivision design submitted for final approval, all standards set forth in Conclusion No. IIC2a-e shall be satisfied.

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.

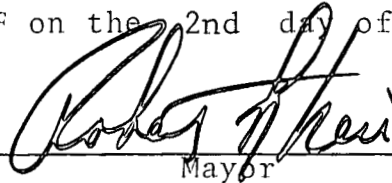
Section 4. Nothing in this Resolution shall be construed as excusing the applicant from compliance with all federal, state or local statutes, ordinances or regulations applicable to this project, other than as expressly set forth herein.

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 and Fire Department of the City of Kirkland
- d. Police Department of the City of Kirkland
- e. Police Department of the City of Kirkland
- f. Parks Department of the City of Kirkland
- g. Department of Project and Construction Management of the City of Kirkland
- h. Public Service Department of the City of Kirkland
- i. Office of the Director of Administration and Finance (ex officio City Clerk) of the City of Kirkland

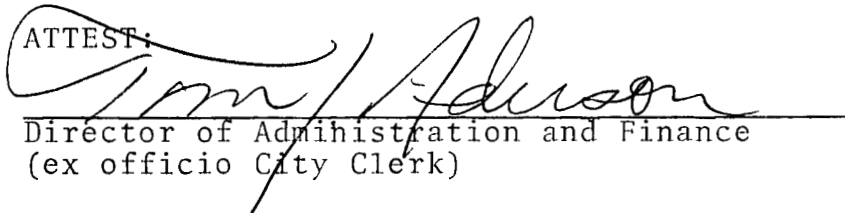
ADOPTED in regular meeting of the Kirkland City Council on the 2nd day of July, 1979.

SIGNED IN AUTHENTICATION THEREOF on the 2nd day of July, 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 _____

XX RECOMMENDED BY _____ DATE June 21, 1979

___ ADOPTED BY _____ DATE _____

___ STAFF _____

___ BOARD OF ADJUSTMENT _____

___ HOUGHTON COMMUNITY COUNCIL _____

XX PLANNING COMMISSION Kay Haenggi
Kay Haenggi, Chairperson

___ CITY COUNCIL AS INCORPORATED IN _____

___ RESOLUTION _____ ORDINANCE

NUMBER _____

DATE _____

FILE NUMBER P-SUB-79.-35 (P)

APPLICANT RICHARD WILLIAMS

PROPERTY LOCATION One block south of NE 116th St - on an extension of 101st Pl. N.E.

SUBJECT PRELIMINARY SUBDIVISION OF "SHANGRI-LA"

HEARING/MEETING DATE July 2, 1979

BEFORE KIRKLAND CITY COUNCIL

EXHIBITS ATTACHED "A" Application "B" Vicinity Map "C" Site Plan "D" Existing Trees "E" Environmental Information "F" Soils Report

I. SUMMARY:

A. DESCRIPTION OF THE PROPOSAL:

This is an application for a Preliminary Subdivision to divide a 1.89 acre parcel into seven lots. The proposed lots would access from a proposed extension to 101st Place N.E. The subject property is located south of the end of 101st Place N.E. just south of N.E. 116th Street, south of the newly constructed Baycrest Townhouses.

B. RECOMMENDATIONS:

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

1. The applicant shall extend existing sewer and water lines to serve the subject property.
2. The applicant shall construct a storm water retention system.
3. The applicant shall extend 101st Place N.E. and provide the following improvements in the 101st Place N.E. right-of-way, south of the Baycrest Townhouses entrance driveway:
 - a. 24 feet of asphalt to the cul-de-sac;
 - b. A 5 foot wide concrete sidewalk along the west side, ending as shown in the Site Plan (Exhibit "C");
 - c. Curb and gutter along the west side to the northern property line of the subject property, and along both sides of the roadway within the subject property.
 - d. Provide a pedestrian barrier along the western edge of the sidewalk where the sidewalk crosses over the culvert opening,
 - e. Provide an asphalt patch between the asphalt roadway and the edge of the driveway of Lot 5, Juanita Bay View.
4. The stream in the northern part of the subject property shall be maintained in an open, undisturbed, natural state.
5. Utilities shall be undergrounded at the developer's expense to meet the standards and specifications of the serving utility.
6. The recommendations in the Soils Report shall be followed.
7. Prior to issuance of a grading permit for 101st Pl. N.E. right-of-way, the applicant shall submit for review and approval by the Department of Public Service:
 - a. Utility plans (sewer and water).
 - b. Roadway and sidewalk plans, including plans for a retaining wall or riprap structure above the outlet of the culvert at the entry of the site from 101st Pl. N.E.

6/21/79
6/15/79 bk

R-2634

- I. B. 7. c. Construction drainage plans, conforming to City standards and recommendations in the Soils Report (Exhibit "F"). Runoff shall be minimized.
- d. Plans for any retaining structures, as recommended in the Soils Report, along the 101st Pl. N.E. right-of-way.
8. Prior to Final Subdivision application, the applicant shall:
 - a. Meet with the City, Mr. Vincent Anderson, Mr. Stanley Rex, and Mr. and Mrs. Robert Paduano to discuss measures to be taken to improve the condition of the culvert for the stream along the northern part of the subject property;
 - b. Meet with the City and the owner of Lot 9, Block 1, Juanita Heights Division 3 to discuss the desirability and feasibility of a pedestrian easement through Lot 9 and the subject property connecting N.E. 113th Place and 101st Place N.E.

If a walkway is proposed, the City shall mail notice of Final Subdivision Hearing to property owners of Juanita Heights Division 2, Lots 1-10 and Juanita Heights Division 3, Lots 1-10.
9. With the Final Subdivision application, the applicant shall:
 - a. Redesign the location of the proposed 101st Pl. N.E. improvements to allow the steep northwest corner of the preliminary right-of-way (over the culvert outlet) to remain undisturbed by pedestrian and motor vehicle traffic.
 - b. Submit an exhibit showing and evaluating various site plan alternatives for each lot. Building sites should be designed to minimize cut and fill.
 - c. Redesign the width at street front for Lot #5 to be a minimum of 30 feet.
10. Prior to Final Subdivision approval, the applicant shall submit:
 - a. Engineering drawings for a storm water retention system and required right-of-way improvements;
 - b. A tree-cutting plan indicating all trees of 6" in caliper or greater which will be removed and which will be retained, for review and approval by the Department of Community Development;
 - c. 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 subdivision, whichever is greater.
 - d. Pay the water fee for Fire Zone III.

I. B. 11. Prior to issuance of Building Permits on Lots 1 and 7, the Building Permit applicant shall submit a more detailed Soils Report prepared by a licensed soils engineer, addressing placement of footings in the shaded area on Figure 1 of Exhibit "F". The recommendations in the additional soils report shall be followed.

12. The number of lots shall be reduced from 7 to 6.

II. MAJOR STATEMENTS OF FACT AND CONCLUSIONS:

A. HISTORICAL BACKGROUND:

1. Statements of Fact. In 1977, the applicant filed application for a Planned Unit Development for this property. The application was voided due to lack of the three acre minimum required for a P.U.D. In 1978, the applicant filed for a Variance from the three acre minimum and was denied.
2. Conclusions. A Planned Unit Development is not appropriate for this 1.89 acre parcel.

B. GOVERNMENTAL COORDINATION:

1. Statements of Fact.

- a. Kirkland Police Department. Access to all lots as shown is adequate.
- b. Kirkland Fire Department. The access easement as shown is adequate for emergency apparatus. A fire hydrant with minimum fire flow of 1,000 gpm shall be installed by the City approximately 250 feet south of N.E. 116th Street on 101st Place N.E. The required fire hydrant shall be installed, charged and fully operational before the framing stage of construction commences.
- c. Building Department. The subdivision is located in Fire Zone III. A grading permit is required for land surface modification in the right-of-way. No work is permitted on individual lots.
- d. Public Service Department. The applicant must extend existing sewer and water to service the proposed subdivision. A storm water retention system is required. Applicant must extend 101st Pl. N.E. with 24 feet of asphalt to the cul-de-sac. Sidewalk along west side of 101st Pl. N.E. is adequate as shown on the site plan. (See Exhibit "C"). Curb and gutter should be extended south along the west side of 101st Pl. N.E., around the cul-de-sac, and northward along the eastern side of 101st Pl. N.E. to the northern boundary of the plat.
- e. Parks Department. A pedestrian walkway connecting 101st PL. N.E. with N.E. 113th Pl. (to the south) should be examined.
- f. SEPA. The Final Declaration of Non-Significance has been signed by the Responsible Official on March 27, 1979.

6/21/79
6/15/79 bk

II. B. 2. Conclusions.

- a. The City will program for the required fire hydrant and minimum fire flow.
- b. The applicant should extend existing sewer and water; construct a storm water retention system; extend 101st Place N.E. southward with:
 - (1) 24 feet of asphalt to the cul-de-sac;
 - (2) A five foot wide concrete sidewalk along the west side, as shown on the site plan (Exhibit "C").
 - (3) Curb and gutter along the west side, around the cul-de-sac, and northward along the eastern side to the northern plat boundary.
- c. Prior to issuance of a grading permit for the 101st Pl. N.E. right-of-way, the applicant must submit construction drainage plans, utility plans (sewer and water), and right-of-way improvement plans for review and approval by the Public Service Department.
- d. Prior to Final Subdivision application, the applicant shall meet with the Departments of Community Development and Parks and Recreation to investigate the feasibility and desirability of a pedestrian walkway connecting 101st Pl. N.E. with N.E. 113th Place to the south.
- e. Prior to Final Subdivision approval, the applicant must submit storm water retention system plans for review and approval by the Department of Public Service.
- f. Prior to Final Subdivision approval, the subdivision applicant must pay the water fee for Fire Zone III.
- g. This proposal has been determined to not have a significant adverse impact upon the environment.

C. EXISTING PHYSICAL CHARACTERISTICS:

1. Statements of Fact.

- a. Topography and soils. The subject property slopes down steeply from east to west. At the north end of the property there is a gully containing a stream.

Lots 1 through 5 have severe slope problems (16-22%). The northwest corner of the proposed asphalt for the 101st Pl. N.E. right-of-way sits on a 125% slope. Substantial fill would be necessary to place the roadway and sidewalk over this small area.

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

The Soils Report (Exhibit "F") addresses placement, size and type of footings to be used; erosion protection techniques to be used during construction; and, slope retention above the outlet of the culvert at the northern edge of the property. Figure 1 of Exhibit "F" shows the area in which footings should not be placed without further soil investigation. This restriction applies to Lots #1 and #7.

b. Vegetation. The subject property contains a thick growth of maple, cedar, alder, and hemlock. (See Exhibit "D" - Existing Trees).

2. Conclusions.

a. The stream should not be disturbed and should remain in a natural state.

b. The proposed 101st Street improvements should be relocated prior to Final Subdivision application, to allow the steep northwest corner of the current proposed right-of-way to remain undisturbed by pedestrian and motor vehicle traffic.

c. Building sites should be designed to minimize cut and fill. Material should be submitted with Final Subdivision application describing and justifying the designated building sites. This shall include an exhibit showing and evaluating various site plan alternatives for each lot.

d. The recommendations in the Soils Report should be followed, including, but not limited to:

(1) Design, type and location of footings;

(2) Maximum slope cuts to be three horizontal to one vertical, without retaining structure;

(3) Erosion protection techniques should be used;

(4) A retaining wall or riprap structure should be placed along the slope above the culvert opening on the northern edge of the property;

(5) Construction runoff should be minimized.

e. Prior to issuance of Building Permits on Lots 1 and 7, a more detailed soils report should be prepared by a licensed soils engineer addressing placement of footings in the shaded area on Figure 1 of Exhibit "F".

f. Due to the slope and heavy vegetation on the subject property, the number of lots should be reduced from 7 to 6.

D. PUBLIC UTILITIES:

1. Statements of Fact.

a. Streets. 101st Pl. N.E. is a 60 foot right-of-way north of the subject property. This right-of-way will

6/21/79 6/15/79 bk

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

be improved as part of the Baycrest Townhouse development to the west, with 28 feet of asphalt, together with curb, gutter and sidewalk on the west side to the southern edge of the entrance driveway to the Baycrest Townhouses.

b. Water. An 8" line is available in 101st Place N.E.

c. Sewer. An 8" sanitary sewer line is available in 101st Place N.E.

d. Storm Drainage. The stream located at the northern part of the property serves as a natural drainage channel for the area.

2. Conclusions.

Public Utilities are available for extension to this development.

E. NEIGHBORHOOD CHARACTERISTICS:

1. Statements of Fact.

a. Zoning. The subject property, as well as all properties to the north, south, east, and west are zoned Residential Single Family 8500 square feet minimum lot size. Large parcels of land which front on N.E. 116th Street may be able to obtain densities of up to 7 dwelling units per acre, as a Planned Unit Development.

b. Land Use. The subject property is currently vacant. There are scattered single family residences to the east, north, and west of the subject property. Four single family residences accessing off of N.E. 113th Place abut the southern edge of the subject property. The 23-unit Baycrest Townhouses Planned Unit Development lies to the northwest of the subject property, and accesses off of 101st Pl. N.E.

2. Conclusions.

The proposed subdivision is compatible with the pattern of land use and zoning in the area.

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

1. Statements of Fact.

- a. Land Use Policies Plan. The following policies address the Juanita Heights area, and the subject property.

Page 361: The unnamed stream that flows in the north-west corner of this area should be preserved and maintained in its natural state not only to provide storage and flow for natural runoff, but to provide natural amenities in this area.

Page 365: Future development adjacent to this stream must maintain the stream in an open, natural configuration or restore the stream if necessary.

Figure 39 on Page 355 designates the maximum density on the subject property as 5 dwelling units per acre, with the possibility of 7 dwelling units per acre under a Planned Unit Development.

- b. Kirkland Subdivision Ordinance. Section 2.5.5. Tree cutting plans for all developments shall be required indicating trees over 6" in caliper and indicating which will be cut and which will remain.

Section 2.5.9(b). In lieu of the dedication of open space area to the City of Kirkland, the platter 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 not less than 10% of the assessed valuation of the entire subdivision, or \$200 per new dwelling unit, whichever is greater.

Section 2.11.8(d). All lots shall have a minimum width at the street line of 30 feet.

Section 2.12.3. 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.

2. Conclusions.

- a. The stream in the northern part of the subject property must be maintained in an open, natural state.

6/21/79

6/15/79 bk

R-2634

- II. F. 2. b. Prior to the approval of the Final Subdivision, the applicant shall submit a tree cutting plan indicating all trees of 6" in caliper or greater which will be removed and which will be retained, for review and approval by the Department of Community Development.
- c. Prior to approval of Final Subdivision, the applicant shall 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.
- d. With application for Final Subdivision, the applicant shall change the width at the street line of Lot No. 5 to be a minimum of 30 feet.
- e. Utilities must be undergrounded at the developer's expense to meet the standards and specifications of the serving utility.

G. CITIZEN INPUT:

1. Statements of Fact.

Property owners adjacent to the proposed subdivision spoke about the stream, drainage and fill materials surrounding the site.

Mr. Stanley Rex, owner of the Baycrest Condominiums to the northwest, was concerned about fill materials sliding into the stream.

Mr. Darrell Syferd, 10126 N.E. 113th Place, was concerned about large numbers of people walking through his neighborhood as a result of a possible walkway connecting N.E. 113th Pl. with 101st Pl. NE. through the subject property. He was also concerned that area residents would have no input on the walkway.

Mrs. Crisp, 10159 N.E. 116th St., a former owner of the subject property, also expressed concern about fill and the disrepair of the culvert.

Mr. Vincent Anderson, property owner to the west spoke on the stream and drainage to his property, as a result of the proposed subdivision. He mentioned that the culvert ending was falling apart and that a waterfall was forming at that point, eroding the stream bed.

Mr. and Mrs. Robert Paduano, 11430 101st Pl. NE., to the southeast, concurred with the recommendation that an asphalt patch be provided between their driveway and roadway. They were concerned with the culvert and outfall.

6/21/79
6/15/79 bk

II. G. 2. Conclusions.

Input from concerned citizens surrounding the proposed subdivision mainly addressed drainage, the condition of the stream and culvert, and extension of an asphalt patch to a driveway along 101st N.E.

A meeting involving the City, Mr. Vincent Anderson, Mr. Rex, Mr. and Mrs. Paduano and the developer to discuss the condition of the culvert and measures to be taken to improve the culvert and stream, should be held prior to Final Subdivision application.

A meeting involving the City, the developer, and the owner of Juanita Heights Division 3, Block 1, Lot 9 should be held prior to Final Subdivision application to discuss the desirability and feasibility of a pedestrian easement through Lot 9 and the subject property connecting N.E. 113th Place with 101st Pl. NE. Lot 9 is the only vacant property abutting the south property lines of the developments between Springtree and the western City limits at 100th N.E. Previous P.U.D.'s could not provide such an access due to single family homes abutting their south property lines. The result of this meeting should be included in the Final Subdivision staff report. If a walkway will be proposed, notice of the Final Subdivision hearing should be mailed to the property owners of Juanita Heights Division 2, Lots 1-10 and Juanita Heights Division 3, Lots 1-10 (see Exhibit "B").

III. APPENDICES:

Exhibits "A" through "F" are attached.