

RESOLUTION NO. R- 2667

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING THE FINAL PLAT OF "TOTEM WOODS", BEING DEPARTMENT OF COMMUNITY DEVELOPMENT FILE NO. F-SUB-79-80(P) AND SETTING FORTH CONDITIONS TO WHICH SUCH FINAL PLAT SHALL BE SUBJECT.

WHEREAS, a Preliminary Plat of "Totem Woods" was approved by Resolution No. R-2578, and

WHEREAS, the Department of Community Development has received an application for a Final Plat, said application having been made by Tom Lash, G. T. Properties, and said property as legally described in the application is within a RS 8500 zone, and

WHEREAS, the application has been submitted to the Kirkland Planning Commission who held public hearings thereon at their regular meeting of September 6, 1979, and

WHEREAS, pursuant to City of Kirkland Ordinance No. 2473 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 Final 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-79-80(P) are hereby adopted by the Kirkland City Council as though fully set forth herein.

Section 2. Approval of the Final Plat of Totem Woods 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.

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

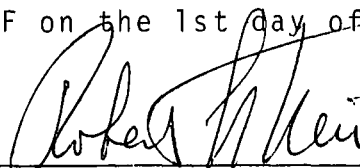
Section 4. Nothing in this Resolution shall be construed as excusing the applicant from compliance with all federal, state or local statutes, ordinances or regulations applicable to this project, other than as expressly set forth herein.

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) Public Service Department of the City of Kirkland
- (e) Office of the Director of Administration and Finance (ex officio City Clerk)

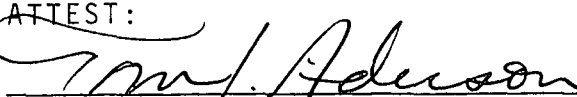
ADOPTED in regular meeting of the Kirkland City Council on the 1st day of October, 1979.

SIGNED IN AUTHENTICATION THEREOF on the 1st day of October, 1979.

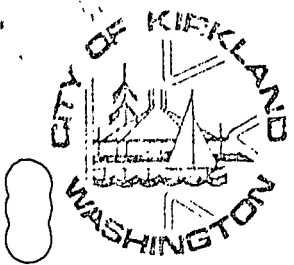


Mayor

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 September 6, 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 F-SUB-79-80(P)

APPLICANT TOM LASH

PROPERTY LOCATION 117th Ave. N.E. and N.E. 112th Street

SUBJECT APPLICATION FOR FINAL SUBDIVISION OF "TOTEM WOODS"

HEARING/MEETING DATE October 1, 1979

BEFORE KIRKLAND CITY COUNCIL

EXHIBITS ATTACHED "A" Application " B" Vicinity Map "C" Plat Plan
"D" Soils Report "E" Tree Retention Plan "F" Notice of Approval for
Preliminary Plat "G" Environmental Information "H" Letter from applicants
dated 9/4/79.

I. SUMMARY

A. DESCRIPTION OF THE PROPOSAL

This is an application for Final Subdivision of a 4.15 acre parcel into a 16-lot single family plat known as "Totem Woods", submitted by Tom Lash. The subdivision would receive access from a cul-de-sac off of N.E. 112th Street. (See Exhibit "C" - Site Plan). The subject property is located approximately at 117th Avenue and N.E. 112th Street.

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 for Final Subdivision, subject to the following conditions:

1. Prior to the issuance of Building Permits for those lots with trees to be saved as per Exhibit "E", those trees to be saved shall be fenced no closer than the drip line. The fencing shall be inspected by the Department of Community Development.
2. Building plans shall incorporate all recommendations of the Soils Report, Exhibit "D".
3. Prior to release of the final plat lines the applicant shall submit \$3,540.00 to the "In Lieu Open Space" account.
4. There shall be a guaranteed financial obligation by the developer to complete required public improvements prior to release of the plat lines.

II. MAJOR STATEMENTS OF FACT AND CONCLUSIONS:

A. HISTORICAL BACKGROUND:

1. Statements of Fact.

- a. The subject property was annexed to the City of Kirkland from King County by Ordinance 1099 on July 17, 1967. The designated zoning was RS 8500.
- b. This plat received preliminary approval on December 18, 1979. The Notice of Approval for that preliminary plat application is included as Exhibit "F". The subject of extending 116th Ave. N.E. was discussed with the preliminary plat and the decision not to continue the road was made at that time.

II. A. 2. Conclusions.

- a. Because this property was formerly part of unincorporated King County, no right-of-way for the continuation of 116th Avenue N.E. exists on the east side of the center line as extended northward from the existing 116th Ave. N.E.

However, through the approval of the preliminary plat, the possibility of extending 116th N.E. no longer exists.

- b. The applicant has an approved preliminary subdivision and appears to have met the conditions of that approval.

B. GOVERNMENTAL COORDINATION:

1. Statements of Fact.

- a. Fire Department. The emergency access as shown is adequate for emergency vehicles. Existing fire hydrants and proposed hydrant location on Lot 2 are adequate. A minimum fire flow of 1500 gpm shall be provided. Smoke detectors per 1976 Edition of the Uniform Building Code will be required. The proposed fire hydrant shall be installed, connected, operational, and wet before the framing stage of construction.
- b. Public Service Department. The sanitary sewer, domestic water, storm water, and right-of-way improvements have been approved by the Department of Public Service. The temporary storm water control facility shall be satisfactorily maintained until the construction and landscaping are completed and the potential for on-site erosion has passed.
- c. Building Department. Buildings built in this subdivision will be in Fire Zone III.
- d. Police Department. No Police Department concerns with this final plat.
- e. Parks Department. No Parks Department concerns with this final plat.

II. B. 2. Conclusions.

The utilities plans have been completed in accordance with the requirements of the Public Service Department and the approved Preliminary Subdivision. The temporary storm water erosion control facility must be maintained until all potential for on-site erosion has passed. The fire hydrant required by the Fire Department must be fully operational before the framing stage of construction.

C. EXISTING PHYSICAL CHARACTERISTICS:

1. Statements of Fact.

- a. Topography. The subject property has gentle to moderate slopes falling generally to the south. The maximum slope on any part of the lot is approximately 25%.
- b. Soils. The underlying soil is glacial till made up of very dense gravelly silty sand. Above the till lies a looser material made up of silty sand and roots. The soils report, Exhibit "D", has found that the subject property is suitable for the construction of single family residences using conventional foundations.
- c. Vegetation. A portion of the lot is a clear grassy field. Second growth native trees stand on the southern and western portions of the subject property. Vegetation is shown on Exhibit "E", with trees to be removed indicated.

2. Conclusions.

The topography and soils are suitable for residential development. The large trees standing on the property should be retained as indicated on Exhibit "E".

D. PUBLIC UTILITIES:

1. Statements of Fact.

- a. Sanitary Sewer. Sewer can be extended from N.E. 112th Street and approximately 117th Ave. N.E. Plans for this extension have been approved by the Public Service Department.

- II. D. 1. b. Water. A six inch water main now exists on N.E. 112th Street.
- c. Streets. N.E. 112th St. and 116th Ave. N.E., are both 60 foot rights-of-way designated as collector arterials. At the present time, 116th Ave. N.E. does not continue north of N.E. 112th Street. Thirty feet of right-of-way was dedicated with the Beverly Place plat, but is not open.
2. Conclusions.
- a. Water and sewer facilities are available to the plat, with approved plans.
- b. A continuation of 116th Ave. N.E. has been considered and found to be undesirable due to its impact on the existing neighborhood.

E. NEIGHBORHOOD CHARACTERISTICS:

1. Statements of Fact.
- a. Zoning. The subject property and the land to the south and east are zoned for residential single family development with a minimum of 8500 square feet per lot. The property to the north is zoned Planned Area 11, allowing light industrial use, and land not far to the west is also zoned for light industry.
- b. Land Use. The property directly to the west is developed as a single family plat, and land to the south is developed with scattered single family homes. Alexander Graham Bell School lies a short distance to the west. The property to the northeast is presently used for light industrial use. The City of Kirkland owns a 200 foot strip of land running directly north of the property. To the east lies a vacant parcel and ParMac Industrial Park.

2. Conclusions.

The subject property lies between established residential and industrial uses. Houses near industrial areas should be placed so that the impact of the industrial area is as small as possible.

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

1. Statements of Fact.

a. Kirkland Land Use Policies Plan.

The circulation patterns in the Juanita Slough currently are restricted to a single main road that runs up the valley. (Page 377)

There are few residences in the Par Mac area with most homes located along N.E. 112th Street. There is little opportunity for expansion of these uses, but existing homes are to be protected from the noise, visual and traffic impacts of adjacent higher intensity activities. Residences along N.E. 112th St. can be effectively separated from industrial activities by vegetative buffers and existing topographic features. Residential units in this pocket of homes will remain at low density (5 dwelling units per acre). (Page 382)

N.E. 116th Street is to remain as an arterial and is redesignated as a secondary arterial. Modifications could be made within the existing right-of-way to facilitate left turns to adjacent properties and side streets. Provision for a pedestrian/bicycle way must be included within the right-of-way.

N.E. 112th Street should remain as a collector arterial. Trucks serving the industrial area to the east should be prohibited. Also, provisions for a pedestrian/bicycle way must be included, especially to provide access to the elementary school. Although the possibility of extending 116th Ave. N.E. through to connect with N.E. 116th Street is not addressed in the Land Use Policies Plan, the staff examined this issue and presented the alternative at hearing. Staff pointed out that, in view of future development in Juanita Slough, the City should examine the existing and potential street system to handle such traffic volumes. They did point out that the route through Par Mac (east on N.E. 112th, then north on 120th Ave. N.E.) was the only route from the Slough area to Totem Lake and the I-405 on-ramps, and that it does have limitations. In their assessment at full development roughly 5000 additional vehicle trips per day could be expected between the slough and the northern destinations. The choice would be to continue to use the N.E. 112th/120th N.E. route or to create a new route via 116th N.E.

II. F. 1. b. Kirkland Subdivision Ordinance.

The applicant has satisfied all items listed in Section 2.6, Requirements for Approval of the Final Plat. However, at the time of public hearing for Final Subdivision recommendation, construction cleanup and repair work had not been completed. This work includes: Repair of neighborhood drive-ways and mailboxes, street patching, ditch drainage improvement, and replacing a street sign. Section 2.12.1 allows for the developer to deposit a performance and maintenance bond with the City of Kirkland in lieu of completion of required public improvements.

(b) In lieu of the dedication of such area to the City of Kirkland the plat 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. For the purposes of this subsection, "Assessed Valuation" shall mean the greater of (i) the assessed value as determined by the King County Assessor for general tax purposes for the year during which the subdivision plat is recorded, or (ii) the most recent taxable sale price of the property being subdivided according to the 1% real estate excise tax records for King County." Provided, however, that the valuation (Land and Improvement) for any lot improved with an existing residence included within the proposed subdivision shall be excluded from the calculation of "Assessed Valuation". (Section 2.5.9(b))

2. Conclusions.

The Land Use Policies Plan does not call for opening 116th Ave. N.E.

The low density residential character of this development is consistent with the policies found in the Comprehensive Plan.

10% of the assessed valuation of the property (\$35,400) is \$3,540; \$200 per new dwelling unit (10 new units) is \$3,200. Prior to release of plat lines, the applicant should submit \$3,540 to the In Lieu of Open Space Account.

If public improvements are not completed a guaranteed financial obligation by the developer is required prior to release of the plat lines.

9/6/79
7/20/79 bk

II. 3. CITIZEN INPUT

1. Statements of Fact.

- a. At the preliminary subdivision hearings of November 16 and December 7, 1978, many comments were made by residents of the area. The majority of these supported the proposed subdivision and expressed extreme concern about the possibility of 116th Ave N.E. connecting through to N.E. 116th Street. Many residents felt that the noise and traffic from such an arterial would create serious negative impacts on an established single family neighborhood.
- b. During the public hearing on September 6, 1979 for Final Plat review and recommendation several citizens rose to speak;

Tom Deebach, 11418 N.E. 112th pointed out that neighboring driveways and mailboxes had not been repaired to their original condition.

Janice Mayer, 11616 N.E. 112th, had the same concerns as Mr. Deebach.

Harold Oabitech, 11258 N.E. 112th, was concerned with drainage onto his property.

Neil Beck, 11406 N.E. 112th, contended that he will be directly affected by water being sent down 112th from this project.

Alan Gamidge, 11420 N.E. 112th, was also concerned with driveway and mailbox repairs, as well as potential drainage problems.

Tom Lash, the applicant, stated he was aware of the situation and the driveways will be patched. He added that a storm water system has been designed for this project to handle a 100 year storm.

- c. A letter had been received by Triad Associates requesting that a condition for asphalt sidewalk be substituted for the earlier preliminary subdivision condition for concrete sidewalk. The letter is included in this report as Exhibit "H".

2. Conclusions.

- a. Making an arterial connection through to N.E. 116th St. would create unacceptable impacts on the residential neighborhood. The cul-de-sac has been approved for this reason.
- b. Staff has followed up on citizen concerns and after a site inspection has identified to the applicant the various items that are in need of repair or improvement. These items will be corrected prior to City Council approval of the application for Final Subdivision. The Planning Commission had made a second motion on September 6, 1979 which reads: "That the staff be requested to review the drainage plans and the construction of drainage and sewer and other public improvements on the Totem Woods project and a plan for appropriate corrective measures be agreed upon prior to the Final

II. G. 2. b. (Cont'd)

Subdivision going to City Council."

- c. The request for asphalt as a substitute material for sidewalk improvements was not approved. Asphalt is considered as a temporary improvement and is not as permanent as concrete materials.

III. APPENDICES:

Exhibits "A" through "H" are attached.