

RESOLUTION NO. R-2716

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING THE PRELIMINARY SUBDIVISION AND PRELIMINARY PLAT OF COPPER WOOD AS APPLIED FOR BY ENVIRONMENT NORTHWEST, INC. BEING DEPARTMENT OF COMMUNITY DEVELOPMENT FILE NO. P-SUB-79-127(P) AND SETTING FORTH CONDITIONS TO WHICH SUCH PRELIMINARY PLAT SHALL BE SUBJECT.

WHEREAS, the Department of Community Development has received application for a subdivision and preliminary plat of property within a Residential Single Family 8,500 zone and said application having been made by Environment Northwest, Inc. the owner of the real property described in said application; and

WHEREAS, said application has been assigned Department of Community Development File No. P-SUB-79-127(P); 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 proposal for subdivision and preliminary plat has been submitted to the Kirkland Planning Commission who held public hearings thereon at their regular meeting of March 20, 1980; 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 subdivision and the preliminary plat subject to the specific conditions set forth in said recommendation.

Section 1. The Findings, Conclusions and Recommendations of the Kirkland Planning Commission as signed by the Chairperson thereof and filed in Department of Community Development File No. P-SUB-79-127(P) are hereby adopted by the Kirkland City Council as though fully set forth herein.

Section 2. The subdivision and preliminary plat of Copper Wood 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 the preliminary approval of said subdivision and preliminary plat to be delivered to the applicant.

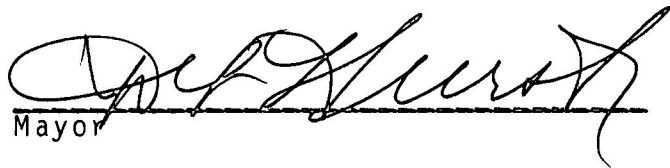
Section 4. Nothing in this Resolution shall be construed as excusing the applicant from compliance with all federal, state, or local statutes, ordinances, or regulations applicable to this subdivision other than as expressly set forth herein.

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) Department of Project and Construction Management for the City of Kirkland
- (e) Public Service Department for the City of Kirkland.
- (f) Office of the Director of Administration and Finance (ex officio City Clerk) for the City of Kirkland

PASSED by the Kirkland City Council in regular meeting on the 7th day of April, 1980.

SIGNED IN AUTHENTICATION thereof on the 7th day of April, 1980.

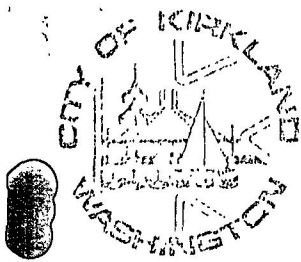


Mayor



Director of Administration & Finance
(ex officio City Clerk)

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DEPARTMENT OF COMMUNITY DEVELOPMENT

ADVISORY REPORT
FINDINGS, CONCLUSIONS AND RECOMMENDATIONS

____ PREPARED BY _____ DATE _____
XX RECOMMENDED BY _____ DATE March 20, 1980
____ ADOPTED BY _____ DATE _____

____ STAFF _____

____ BOARD OF ADJUSTMENT _____

____ HOUGHTON COMMUNITY COUNCIL _____

XX PLANNING COMMISSION _____

Kay Haenggi
Kay Haenggi, Chairwoman

____ CITY COUNCIL AS INCORPORATED IN _____

____ RESOLUTION _____ ORDINANCE

NUMBER _____

DATE _____

FILE NUMBER P-SUB-79-127(P)

APPLICANT Environment Northwest, Inc.

PROPERTY LOCATION S. side 116th St. & 113th Pl. NE, E. of Heatherbrook Subdiv.

SUBJECT PRELIMINARY SUBDIVISION OF COPPER WOODS

HEARING/MEETING DATE April 7, 1980

BEFORE KIRKLAND CITY COUNCIL

EXHIBITS ATTACHED "A" Application "B" Environmental Information "C" Vicinity Map
"D" Site Plan & Topography Map "E" Entrance Planter Island "G" Improvements to Site Plan
& Natural Drainage Course

I. SUMMARY

A. DESCRIPTION OF PROPOSED ACTION:

1. This is an application for a Preliminary Subdivision to divide a 4.78 acre parcel into 18 single family residential lots in an RS 8500 zone.
2. The applicant is Environment Northwest, Inc.
3. The property is located at the south side of 116th Street and 113th Pl. N.E., east of the recently approved Heatherbrook Subdivision.
4. The property has been designated in the Land Use Policies Plan for low density residential at 5 lots per acre.

Some of the major issues are the pedestrian walkway to an elementary school, tree retention, street tree planting, street improvements, storm retention and traffic.

B. RECOMMENDATIONS:

Based on the major issues, facts and conclusions contained herein, we hereby recommend approval of this application subject to the following conditions and Exhibits "A" through "G".

1. This application is subject to the various requirements contained in the Land Use Policies Plan, the Kirkland Zoning Ordinance, and the Kirkland Subdivision Ordinance. It is the responsibility of the applicant to assure compliance with the various provisions contained in these ordinances.
2. On the final plat linen, the applicant shall:
 - a. Dedicate the pedestrian walkway to the City.
 - b. Designate the planter islands to be owned and maintained by lot owners in the subdivision.
 - c. Widen the entrance planter island to provide a minimum of 8 feet from the fir trees to the curb and move the road over accordingly (see Exhibit "F").

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- d. Extend the 5 foot wide concrete sidewalk to taper off at Lot 6 (see Exhibit "G"), and
 - e. Note that Lots 1 and 18 shall not have vehicular access from N.E. 116th St. (see Exhibit "B").
3. Prior to City Council approval of the Final Subdivision, the applicant shall either submit a security or shall:
- a. Install a 10 foot wide pedestrian walkway between Lots 8 and 9 and across the corner of the Heatherbrook Subdivision Lot 8. There shall be a concrete walkway with bollards at each end, 6 foot high cyclone fences on each side and pyramidalis planted 3 feet on center along the outside of the entire length of the fence as approved by the Department of Community Development. The pedestrian path shall link up with the sidewalk in the cul-de-sac (see Exhibit "G").
 - b. Install a gravel walkway along N.E. 116th St. in front of the subject property as required by the Public Service Department (see Exhibit "G").
 - c. Submit a frontage fee of \$10 per linear foot of property along N.E. 116th St. for street improvements, and shall
 - d. Submit a landscaping plan for the entrance and the cul-de-sac planter islands to the Department of Community Development for their approval. The applicant shall supplement the entrance planter island with additional vegetation (see Exhibit "D").
4. Prior to issuance of a Grading Permit, the applicant shall:
- a. Stake and string brightly colored construction tape around the edge of the entrance planter island and the driplines of the 3 cedar trees on Lot 6 (see Exhibit "D"). The staking shall be inspected and approved by the Department of Community Development staff before any on-site grading is allowed.

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- b. Note on the road construction plans that the entrance roadway shall be installed with a minimal amount of excavation so that the pavement is at the existing grade of the 8 Douglas Fir trees, and
 - c. Submit a detailed storm drainage retention plan that minimizes storm runoff to the natural drainage way south of the property and receive approval of the plans from the Department of Public Service.
5. Prior to recording of the final plat linen, the applicant shall either submit a security or shall:
- a. Plant 2-2 1/2 foot high Norway maple street trees approximately 30 feet on center on both sides of 113th Place N.E. as approved by the Parks Department (see Exhibit "G").
 - b. Plant 2 1/2 - 3" in caliper London Plane street trees approximately 30 feet on center on Lots 1 and 18 along N.E. 116th except where there is an existing tree as approved by the Parks Department (see Exhibit "G").
 - c. Plant the approved landscaping plan in the planter islands, and
 - d. Submit a two-year maintenance bond for the street trees and the vegetation in the planter islands as determined by the Department of Community Development which commences after completion and approval of all required improvements.

II. MAJOR ISSUES, FACTS, CONCLUSIONS

A. PEDESTRIAN WALKWAY

1. Statements of Fact.

- a. The proposed development is northeast of Alexander Graham Bell Elementary School.
- b. Directly north of the elementary school is the proposed Heatherbrook Subdivision which recently received preliminary approval (File No. P-SUB-79-90). The applicant, Fred Burnstead of Finer Homes, will dedicate the southeastern corner portion of Heatherbrook, Lot 8 to the City so that the Copper Wood pedestrian right-of-way will abut the elementary school property (see Exhibit "E").

- c. Children living around N.E. 116th St. walk down 120th Ave. or through 110th Ave. N.E. to get to the elementary school.
- d. In the Land Use Policies Plan, there is a special concern for the safe movement of children to and from school (p. 366).
- e. Section 2.11.3(e) of the Kirkland Subdivision Ordinance states that "when necessary for public convenience and safety, pedestrian ways may be required to facilitate pedestrian access through a subdivision."

2. Conclusions.

- a. A pedestrian walkway installed between Lots 8 and 9 would provide safe and convenient movement for school children coming from the area around N.E. 116th St.
- b. Since Fred Burnstead of Finer Homes is willing to dedicate a portion of the Heatherbrook property to the City linking the walkway to the elementary school, the applicant should be responsible for completion of the improvements across the to-be-deeded Heatherbrook pedestrian path.

B. TREE RETENTION

1. Statements of Fact.

- a. The property has eight first-growth fir trees bordering N.E. 116th, three 30" cedar trees on Lot 6, a 24" cedar tree on Lot 4, an 8" fir tree on Lot 16 and a 6" fir tree on Lot 17. In addition, there are numerous fruit and deciduous trees on the site (see Exhibit "D").
- b. Kirkland Subdivision Ordinance Section 2.10.5 provides that "natural features such as trees shall be preserved and kept in a natural state to the maximum extent possible."

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- c. The location of the entrance planter island provides 3 to 5 feet from seven of the eight Douglas Fir trees and the curb.
- d. A minimum distance of 8 feet from the Douglas Fir trees to the curb is required to avoid root destruction and tree soil disruption.
- e. Grading and excavation near the Douglas Firs would alter the water table, compress the soil, and damage the trees.

2. Conclusions.

- a. The eight fir trees and the three 30" cedar trees (30" caliper) should be retained. Before any grading occurs, stakes and construction tape should be placed around the dripline of the cedar trees and around the edge of the Douglas Fir planter island.
- b. The trees on Lots 4, 16 and 17 may have to be removed depending on the location of the homes.

C. STREET TREE PLANTING

1. Statements of Fact.

- a. As noted on the site plan, there will not be many trees retained on the site other than the cedar trees on Lot 6 and the eight fir trees at the center of the entrance to the property (see Exhibit "D").
- b. As part of public improvements, the City of Kirkland has recently been requiring street trees along public right-of-ways and side streets. The Parks Department recommends that street trees be planted down 113th Pl. N.E.
- c. London Planes are fast-growing, sturdy street trees which have been planted on some main roads in the City. Norway Maples are inexpensive and popular side street trees.

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2. Conclusions.

- a. Planting London Plane trees along N.E. 116th St. and Norway Maple trees along 113th Pl. N.E. would significantly promote natural site design, increase area vegetation, provide sun shade, block winds and continue the public improvement project. Long-term public benefits obtained from the street trees would outweigh the applicant's cost of planting the trees.

D. STREET IMPROVEMENTS

1. Statements of Fact.

- a. There are no sidewalks near the subject property on either side of N.E. 116th Street.
- b. To improve pedestrian access, the recently approved preliminary subdivision of Heatherbrook was required to install a 5 foot wide gravel walkway along the south side of N.E. 116th St.
- c. The City of Kirkland is scheduled to improve N.E. 116th St. and is requiring a \$10 per linear foot frontage fee for all developments along the street.

2. Conclusions.

- a. The Public Service Department has recommended that a 5 foot gravel sidewalk be installed in the public right-of-way in front of the subject property (see Exhibit "G").
- b. The Public Service Department has requested a frontage fee for street improvements.

E. STORM RETENTION

1. Statements of Fact.

- a. The subject property slopes to the southeast. The southeast corner of the property has an 8% stable slope (see Exhibit "D").

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- b. The off-site drainage course flows southwest to N.E. 112th St. There are catch basins east of 112th Ave. N.E. on both sides of N.E. 112th St. (see Exhibit "G").
- c. Property owners along N.E. 112th south of the subject property have on-site storm drainage problems.
- d. Kirkland Subdivision Ordinance Section 2.9.1(n) requires drainage and drainage retention structure plans to be submitted to the City council at the time of the final plat approval.

2. Conclusions.

- a. The Public Service Department has indicated that the storm drainage flow from the subject property south to the natural water course must be minimized with an extensive on-site drainage retention system.
- b. The Public Service Department will require detailed storm drainage retention and natural drainage way plans at the time of Final Subdivision approval.

F. TRAFFIC

1. Statements of Fact.

- a. N.E. 116th St., designated as a second arterial in the Land Use Policies Plan, serves all the north-south feeder streets in the Juanita Heights area.
- b. Traffic count for N.E. 116th St. from 100th to 120th Ave. N.E.

1976	1979	1980	FUTURE
8,586 cars a day	+9.3% 1976 traffic + approved site traffic = 9,229 cars a day	+ .09% 1976 traffic + approved site + Copper Woods Subdiv. traffic = 9,409 cars a day	+8.6% Future maximum single family density traffic = 10,783 cars a day.

Approved sites include Hogue, Shangri-La, Juanita Bay Associates and Heatherbrook.

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(The traffic projections are based on 10 vehicular trip ends a day for each detached single family home and 5.6 vehicular trip ends a day for each attached multiple family home.)

- c. The area north of N.E. 116th is in King County. Traffic generation for this neighboring area is approximately 1,950 cars per day. There is some undeveloped land along N.E. 116th that could be developed and generate additional traffic.
- d. In the near future, the Public Service Department will be making improvements along N.E. 116th St.

2. Conclusions.

The proposed subdivision will only increase traffic on N.E. 116th St. by .09%. The proposed subdivision should not cause a dramatic increase in traffic. However, as the neighborhood is developed to its maximum density, the future traffic flow on N.E. 116th may become a problem.

III. BACKGROUND

A. NEIGHBORHOOD

1. Statements of Fact.

a. Area.

The property is located in the Juanita Heights area which is predominantly a single family residential section in Kirkland. To the east of the property there are single family homes and an open field. The proposed subdivision of Heatherbrook, which received preliminary approval on November 5, 1979, is to the west. To the southwest is the Alexander Graham Bell Elementary School. Across the street from the property are single family homes and pasture land of King County.

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b. Vehicular Circulation.

At the north boundary of the property, vehicular circulation patterns in the Juanita Heights area are well established along N.E. 116th Street.

2. Conclusions.

- a. The proposed subdivision maintains the low residential density indicated by the Kirkland Zoning Ordinance and the Land Use Policies Plan.
- b. The secondary arterial at N.E. 116th St. is adequate to handle the relatively moderate increase in traffic flow.

B. EXISTING PHYSICAL CHARACTERISTICS:

1. Statements of Fact.

- a. There are first-growth Douglas Fir, fruit and deciduous trees on the northern portion of the property. The center of the property is sparsely vegetated with four cedar trees. The southern border of the property is vegetated with coniferous and deciduous trees.
- b. Topography.

The southeast corner of the property has a naturally stable slope of 8%. The applicant has indicated that fill will be placed on Lots 10 and 11 to level the building area (see Exhibit "D").

IV. ALTERNATIVES

1. Statements of Fact.

- a. No action. This alternative would retain the property as underdeveloped land with an old house and dirt driveway.
- b. Maximum development. Under a Planned Unit Development, the applicant could propose a 5-unit per acre development as provided in the Land Use Policies Plan. With 4.78 acres, the applicant could plan a 20-unit residential P.U.D.

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- c. Reduce number of lots. The applicant could reduce the number of lots in the subdivision to increase the open space and setback areas and to reduce the generation of vehicular traffic on N.E. 116th St.

V. DEVELOPMENT STANDARDS

The following development standards, policies and regulations pertain to the development on the property. However, the list does not include all of the requirements and it is the responsibility of the applicant to assure compliance with all provisions contained in the Land Use Policies Plan, the Kirkland Zoning and Subdivision Ordinance and the Uniform Building Code.

1. Statements of Fact.

a. Land Use Policies Plan.

The following policies address the Juanita Heights area, and the subject property:

Page 352: The low density residential character is to be maintained.

Page 364: During development, tree cutting should be minimized.

Page 365: New developments are to have public services adequate to meet the requirements of designated land uses for the area in operation.

Page 366: Provisions for a pedestrian/bicycle way must be included within the right-of-way.

Page 366: Figure 42 for this area does not include sidewalks and other lesser elements of the path system. Of special concern is the safe movement of children to and from the neighborhood elementary school.

b. Kirkland Subdivision Ordinance.

Section 2.5.5: Tree cutting plans for all developments shall be prepared indicating trees over 6" in caliper and indicating which will be cut and which will remain.

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

Section 2.9.1(e): Proposed street names and subdivision, blocks and lot names and numbers shall be approved by the Public Service Department.

Section 2.9.1(n): Street profiles and cross-sections shall be prepared on standard plan and profile paper and shall indicate the location and sizes of catch basins, culverts, drainage and drainage retention structures, water distribution system, sewage collection system, and shall be submitted for the approval of the City Engineer. All site improvements shall be designed in accordance with adopted standard plans and specifications of the City of Kirkland.

c. Kirkland Zoning Ordinance

Section 23.08.050: The minimum lot width at the building line shall be 70 feet in width.

d. Uniform Building Code.

Chapter 14, Section 1413: Every dwelling unit shall have a smoke detector in conformance with the UBC standards.

2. Conclusions.

a. The proposed subdivision is consistent with the Land Use Policies Plan provision of maintaining the single family character of the Juanita Heights area.

b. With the grading permit, the applicant shall submit a tree retention plan for all trees of 6" in caliper or greater. Tree protection measures shall be taken to ensure that trees are not damaged during construction.

c. On the final plat linen, the applicant shall designate the street as 113th Place N.E. as required by the Public Service Department.

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- d. Prior to approval of the Final Subdivision, the applicant shall install a fire hydrant on the edge of Lot 15 and adjacent to 113th Pl. N.E., as designated by the Fire Department (see Exhibit "D"), and insure that the fire hydrant be charged and fully operational with a minimum fire flow of 1500 gpm.
- e. The required fire hydrant shall be installed, charged and fully operational before the framing stage of the construction on any one or all of the building lots.
- f. Smoke detectors shall be installed in each dwelling unit.
- g. The sidewalk along the east side of 113th Pl. N.E. and around the cul-de-sac and the pedestrian walkway between Lots .8 and 9 will provide a pedestrian/bicycle way and offer safe movement of children to and from A.G. Bell Elementary School.
- h. All lots are 8,500 square feet in area or greater and have minimum widths at street line of 30 feet.
- i. Prior to recording of Final Subdivision, the applicant shall submit funds to the Fee-in-Lieu of open space account of either \$200 per newly created lot or 10% of the assessed valuation of the entire property, whichever is greater. A statement of assessed valuation from the King County Comptroller's office should be submitted with the payment of the fee-in-lieu funds.
- j. All utilities should be undergrounded at the developer's expense to meet the standards and specifications of the serving utility.
- k. Prior to issuance of a grading permit, the applicant shall submit a detailed street profile and cross-sections of the drainage and drainage retention structures, sewage collector system and catch basins.

VI. APPENDICES

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

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