

RESOLUTION NO. R-2766

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING THE PRELIMINARY SUBDIVISION AND PRELIMINARY PLAT OF MC ECHERN PLACE AS APPLIED FOR BY ARNOLD FREDRICKSON BEING DEPARTMENT OF COMMUNITY DEVELOPMENT FILE NO. SP-80-58 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 7200 zone and said application having been made by Arnold Fredrickson the owner of the real property described in said application; 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 hearing thereon at their regular meeting of October 16, 1980; and

WHEREAS, the Kirkland Planning Commission, after public hearing 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, and

WHEREAS, the City Council, in regular meeting, did consider the environmental documents received from the responsible official, together with the recommendation of the Planning Commission.

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 Department of Community Development File No. SP-80-58 are hereby adopted by the Kirkland City Council as though fully set forth herein.

Section 2. The subdivision and preliminary plat of McEchern Place 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 Services Department of 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 3rd day of November, 1980.

SIGNED IN AUTHENTICATION thereof on the 3rd day of November, 1980.


MAYOR

ATTEST:


Director of Administration and Finance
(ex officio City Clerk)

3162A



DEPARTMENT OF COMMUNITY DEVELOPMENT

ADVISORY REPORT
FINDINGS, CONCLUSIONS AND RECOMMENDATIONS

____ PREPARED BY _____ DATE _____
XX RECOMMENDED BY _____ DATE October 16, 1980
____ 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 SP-80-58

APPLICANT Arnold Fredrickson

PROPERTY LOCATION N.E. 75th Place and 116th Ave. N.E.

SUBJECT Preliminary Subdivision of 76,680 Sq. Ft. into 7 lots "McEchern Place"

HEARING/MEETING DATE November 3, 1980

BEFORE KIRKLAND CITY COUNCIL

EXHIBITS ATTACHED "A" Application "B" Environmental Checklist & Declaration
"C" Vicinity Map, Proposed Plat & Tree Plan "D" Evergreen Buffer along N.E. 75th
Place; "E" Traffic Pattern "F" Greenbelt Easement & Tree Retention

I. SUMMARY

A. DESCRIPTION OF PROPOSED ACTION:

Arnold Fredrickson has submitted an application for a Preliminary Subdivision to divide a 1.76 acre parcel into 7 single family residential lots in an RS 7200 zone. The property is located east of 116th Ave. N.E. at N.E. 75th Place. The property has been designated in the Land Use Policies Plan for low density residential use at 5 lots per acre.

Some of the major issues are tree retention, buffering of N.E. 75th Place, street improvements on 116th Ave. N.E., minimum lot width in a cul-desac 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 "F".

1. This application is subject to the various requirements contained in the Land Use Policies Plan, the Kirkland Zoning Ordinance and the Subdivision Ordinance. It is the responsibility of the applicant to assure compliance with the various provisions contained in these ordinances.
2. Prior to approval of the Final Subdivision, the applicant shall:
 - a. Redesign lots 5, 6 and 7 to provide a minimum 30 foot lot width entirely throughout each lot.
 - b. Install or submit a performance monetary security device for a 5 foot wide concrete sidewalk along the south side of N.E. 75th Place ending at the northwest corner of Lot 4 (see Exhibit "C").
 - c. Submit a frontage fee of \$11 per linear foot of property along 116th Ave. N.E. for street improvements.

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- d. Submit a detailed road construction plan of the N.E. 75th Place, the 3 Doug Fir trees and all trees 6" in caliper or greater, located along the seven lot front edges that can be saved. A minimum 8 feet of undisturbed ground shall be provided from the edge of the roadway pavement to the 3 Doug Fir trees, unless lack of distance between the street improvements and the trees makes it completely unfeasible (see Exhibits "C" and "F").
- e. Note on the road construction plans that the N.E. 75th Place entrance road shall be installed with a minimal amount of excavation so that the roadway pavement is at the existing grade of the 3 Doug Fir trees (see Exhibit "C").
- f. Stake and rope around the 3 Doug Fir trees, located in entrance of N.E. 75th Place, at a distance of 8 feet from the base of the trees (see Exhibit "C"). The staking shall be inspected and approved by the Department of Community Development staff before any on-site grading occurs.
- g. Stake and rope around the dripline of all trees 6" in caliper or greater, located along the edge of the seven lot fronts abutting N.E. 75th Place, that can be preserved and around the 15 foot wide greenbelt easement. The staking shall be inspected and approved by the Department of Community Development staff before any on-site grading occurs (see Exhibit "F").
- h. Submit detailed interim and permanent storm drainage retention plans that minimize storm runoff to the 3 Doug Fir trees and receive approval of the plans from the Departments of Public Services and Community Development. No grading and excavation for installation of water, sewer or storm retention shall occur within 8 feet of the 3 Doug Fir trees (see Exhibit "C").

- i. Show on the final plat linen a 15 foot wide by 165 foot long greenbelt along the rear property lines of Lots 5, 6 and 7. Note on the final plat linen that no grading, clearing, construction or excavation can occur within the greenbelt, except for normal landscaping or upon approval by the Building and Community Development Departments (see Exhibit "F").
 - j. Reduce the roadway pavement width to 24 feet for minimal disruption of the tree areas (see Exhibit "C").
3. Prior to recording of the final plat linen, the applicant shall:
- a. Submit a landscape plan with adequate evergreen buffering along the north side of N.E. 15th Place for approval by the Parks and Community Development departments. Plant or submit a performance monetary security device for the approved evergreen buffer. (See Exhibit "D")
 - b. Submit a two-year maintenance bond for the approved evergreen buffer along the north side of N.E. 75th Place in the amount determined by the Department of Community Development. The maintenance bond will commence after completion and approval of the evergreen buffer installation.

II. MAJOR ISSUES, FACTS AND CONCLUSIONS

A. TREE RETENTION

1. Statements of Fact

- a. Kirkland Subdivision Ordinance - Section 2.10.5 requires that "natural features such as trees shall be preserved and kept in the natural state to the maximum extent possible."
- b. The property has 3 Doug Fir trees, 1 1/2 ft. to 2 1/2 ft. in diameter, near the entrance of N.E. 75th Place. The property is 60 feet wide where the trees are located (see Exhibit "C").

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- c. The exact location of the 3 Doug Fir trees from the edge of the N.E. 75th Place curb and roadway is unknown. Residential street improvements are usually 33 1/2 feet in width (28 feet of road, 5 feet of sidewalk and 1/2 foot of utility), but the minimum standard is 29 1/2 feet in width (24 feet of road, 5 feet of sidewalk and 1/2 foot of utility)(see Exhibit "C").
- d. A minimum distance of 8 feet from the 3 Doug Fir trees to the curb and roadway are required to avoid root destruction and tree soil disruption (see Exhibits "C" and "F").
- e. Grading, excavation, and increased drainage flow near the Doug Fir trees would alter the water table, compress the soil and damage the trees (see Exhibit "C").
- f. There are many 1 1/2 to 2' in diameter Doug Fir trees along the edge of the seven lots abutting N.E. 75th Place. A detailed tree retention plan has not been submitted because the exact locations of the trees from the edge of the street improvement are not known (see Exhibit "E").
- g. The rear property areas of Lots 5, 6 and 7 are densely vegetated with 1' to 2' in diameter Doug Fir and deciduous trees and a 4' in diameter Maple tree (see Exhibits "C" and "F")
- h. Approximately 10 feet of the rear property areas of Lots 5, 6 and 7, measured from the east property lines, are on a steep westerly slope (see Exhibit "C").
- i. A 15 foot wide greenbelt easement is necessary to preserve the trees along the rear property areas of Lots 5, 6 and 7, and still ensure adequate rear yard areas for locating the residences on the lot. The Department of Community Development staff inspected these rear property areas and found several large Doug Fir trees within the 15 foot wide strip proposed as a greenbelt easement (see Exhibit "F").

- j. Lake Washington Senior High School is located directly east of Lots 5, 6 and 7. The school parking lot faces towards Lots 5, 6 and 7 and is separated from the subdivision by a cyclone fence and an open lawn area (see Exhibit "C").
- k. The City of Kirkland has required greenbelts around several previous subdivisions to ensure retention of significant vegetation, to provide buffering of adjacent homes and to offer privacy for the new homeowners.

2. Conclusions

- a. The 3 Doug Fir trees shall be retained. Before any grading occurs, stakes and rope should be placed around the trees at a minimum distance of 8 feet from the base of the trees (see Exhibit "C").
- b. A detailed construction plan of the roadway entrance and the 3 Doug Fir trees shall be submitted. A minimum 8 feet of undisturbed ground must be provided between the trees and the curb. The road pavement shall be reduced to 24 feet in width for minimal disruption of the tree area.
- c. The detailed construction plan must show a minimal amount of excavation for the roadway pavement so that the pavement is at the existing grade of the 3 Doug Fir trees to avoid damaging the trees (see Exhibit "C").
- d. The interim and permanent storm drainage retention plans must minimize storm runoff to the 3 Doug Fir trees to avoid damaging the trees. No grading or excavation for installation of water, sewer or storm retention must occur within 8 feet of the trees to preserve the trees (see Exhibit "C").

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- e. The trees along the seven lot front edges should be saved if possible. Before any grading occurs, stakes and rope must be placed around the dripline of the trees (see Exhibit "F").
- f. To ensure retention of as many of the trees along the seven lot front edges as possible, the road pavement shall be reduced to 24 feet in width for minimal disruption of the tree areas.
- g. A detailed construction plan of the street improvements and the trees that can be saved shall be submitted prior to approval of the Final Subdivision.
- h. To ensure retention of the trees along the rear property areas of Lots 5, 6 and 7, to buffer the subdivision homeowners from the parking lot activities, to provide privacy for the residents of Lots 6 and 7, to preserve the steep slope but still provide adequate rear yard areas for locating the residences on the lot, a 15 foot wide by 165 foot long greenbelt easement must be recorded on the final plat linen. No grading, clearing, construction or excavation can occur in the greenbelt, except normal landscaping or by approval of the Building and Community Development Departments. The greenbelt must be staked and roped before any grading occurs on the site (see Exhibit "F").

B. BUFFERING OF N.E. 75TH PLACE

1. Statements of Fact

- a. The road installation may require the trees along the northern border of the road to be removed. Other than the 3 Doug Fir trees near the entrance roadway, there will not be many trees retained along the north side of N.E. 75th Place (see Exhibit "C").

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- b. Under the authority of the Public Improvements Ordinance No. 2431, the City of Kirkland has recently been requiring vegetation planted along residential right-of-ways.
- c. N.E. 75th Place will abut next to the existing single family residents to the north (see Exhibit "C").
- d. The subdivision contains predominantly evergreen trees, and the westerly slope provides a view potential to the northwest (see Exhibit "C").

2. Conclusions

Planting an evergreen vegetative buffer along the north side of N.E. 75th Place would provide privacy to the surrounding residents, would screen traffic along the street from the residents to the north and would be harmonious with the retained evergreen trees. A low evergreen buffer would not block the northwest view potential from the lots. A landscape plan shall be submitted to the Parks and Community Development Departments for their approval showing an adequate evergreen buffer along the north side of N.E. 75th Place. (See Exhibit "D").

C. STREET IMPROVEMENTS

1. Statements of Fact

- a. There are no sidewalks near the subject property on either side of 116th Ave. N.E.
- b. The City of Kirkland is scheduled to improve 116th Ave. N.E. between 1984 and 1986 as part of the 6-year Road Improvement Plan. The City is requiring an \$11 per linear foot frontage fee of \$11 per linear foot for all developments along the street.

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2. Conclusions

The Public Service Department has requested a frontage fee for street improvements.

D. MINIMUM LOT WIDTH IN A CUL-DE-SAC

1. Statements of Fact

a. Kirkland Subdivision Ordinance

Section 2.11.8(a) The size, shape and orientation of lots should be appropriate for the location of the proposed subdivision and for the type of development contemplated.

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

Section 2.11.8(h) In multiple lot subdivision, the minimum lot area shall be 7,200 square feet.

b. Kirkland Zoning Ordinance - Section 23.34.040 (5) - Driveway dimensions shall be a minimum width of 12 feet.

c. The intent of Section 2.11.8(d) is to have a minimum 30 foot lot width for the entire lot, not just where the lot abuts the cul-de-sac. The purpose of the 30 foot minimum lot width is to provide adequate distance between the required minimum 12 foot wide driveway and the side yards for landscaping or open space. The 30 foot minimum lot width avoids traffic problems and contiguous strips of pavement by not having driveways placed side by side.

d. Consistently the City has interpreted Section 2.11.8(d) to require a minimum and continuous 30 foot lot width for the entire lot.

e. The applicant proposes to design Lot 6 with a 30 foot lot width for only 12 feet, narrow the lot width to 15 feet for 63 feet, and then square the lot to 72 ft. in width (see Exhibit "C").

- f. A 12 foot wide driveway on Lot 6 will only leave 1 1/2 feet of space between the pavement and the property line (see Exhibit "C").
- g. Lot 6 has 8,315 square feet, Lot 5 has 7,544 square feet and Lot 7 has 8,622 square feet of lot area. Lot 7 has 70 feet and Lot 5 has 31 feet of lot width (see Exhibit "C").
- h. Platting Lot 6 with a long narrow strip back to a squared-off buildable area would result in the residence facing the back of the residence on Lot 5 or the side of the residence on Lot 7 (see Exhibit "C") With the main viewing windows facing towards the rear and/or side windows of the adjacent residences, privacy is reduced..
- i. Lot 6 is on a 15% westerly slope with a view to the west towards Kirkland (see Exhibit "C").
- j. With the front of the residence facing north toward Lot 7, the westerly view would be from the side of the house rather than from the front and would be fully or partially blocked. The residence would be built sideways on a 15% slope. With the front of the residence facing west towards Lot 5, the westerly view would be partially or fully blocked (see Exhibit "C").

2. Conclusions

- a. To be in conformance with the Subdivision Ordinance and the City's interpretation of the Code, lots 5, 6 and 7 must be redesigned so that all three lots have a continuous minimum lot width of 30 feet and still have a minimum lot area of 7,200 square feet.

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- b. To protect the public safety and to avoid the unaesthetic appearance of side by side driveway pavements, the lot width of Lot 6 must be a minimum and continuous 30 feet in assuring adequate distance for a 12 foot wide driveway and 18 feet for open space or landscaping.
- c. Facing all of the residences on Lots 5, 6, 7 towards the cul-de-sac avoids the blocking of views, ensures privacy of windows not facing each other and provides a more uniformly appropriate orientation of the development.

E. TRAFFIC

1. Statements of Fact

- a. 116th Ave. N.E., designed as a secondary arterial in the Land Use Policies Plan, serves all the east-west feeder streets south of N.E. 85th St. and east of I-405 in the N.E. 85th Interchange area, and traffic to and from I-405.
- b. 14 lots access directly onto 116th Ave. N.E. between N.E. 80th St. and N.E. 75th Street. A four-way light has been recently installed at the intersection of 116th Ave. N.E. and N.E. 70th St. (see Exhibit "E").
- c. Once the lots are developed, the seven lot subdivision will result in a small percentage increase in local traffic on 116th Ave. N.E. Most of the current traffic is generated by access to and from I-405 and by circulation to and from N.E. 70th Street (see Exhibit "E").
- d. Between 1984 and 1986, the City of Kirkland will make improvements along 116th Ave. N.E. as part of the 6-year Road Improvement Plan.

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2. Conclusions

The proposed subdivision will increase traffic on 116th Ave. N.E. by only a small percentage and should not cause a dramatic increase in traffic. However, as the neighborhood is developed to its maximum density and the I-405 traffic increases to and from N.E. 70th Street, the future traffic flow on 116th Ave. N.E. may become a problem.

III. BACKGROUND

A. SITE AND NEIGHBORHOOD

1. Statements of Fact

The property is located in the N.E. 85th Interchange area which contains commercial development and single family residential neighborhoods. The Land Use Policies Plan has designated the area around the property as low density residential at 5 lots per acre. The property is zoned at RS 7200. To the west is I-405 and to the east is Lake Washington Senior High School. To the north and south are low density single family homes (see Exhibits "C" and "E").

2. Conclusions

The proposed subdivision maintains the low density residential use indicated by the Zoning Ordinance and the Land Use Policies Plan.

IV. CITIZEN INPUT

1. Statements of Fact

- a. Arnold Fredrickson inspected the 4 foot in diameter Maple tree on the rear property area of lot 6 and indicated that he thought the tree is rotting and should be removed (see Exhibit "F").
- b. Dean Chaussee, a resident living directly south of Lots 1, 2, 3 and 4, indicated that he has no objections to the subdivision. He also stated that he believed the Maple tree is decaying and should not be retained (see Exhibit "F").

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2. Conclusions

Upon approval from the Parks and Community Development Departments, the 4 foot in diameter Maple tree should be removed if the tree is decaying.

V. ALTERNATIVES

1. Statements of Fact

- a. No action. This alternative would retain the vacant property as undeveloped.
- b. 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 116th Ave. N.E.

VI. 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. 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.

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" an amount of money to be used solely for the purpose for which said fund was created. The amount to be so deposited shall be \$350.00 per new lot created.

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

Section 2.12.3: All subdivisions shall be provided with underground utility lines at the expense of the subdivider or developer.

2. Conclusions

Prior to approval of the Final Subdivision, the applicant shall:

- a. Stake and rope around the 3 Doug Fir trees at the entrance of N.E. 75th Place at a minimum distance of 8 feet, along the greenbelt easement and around the trees located near the seven lot front edges that can be saved (see Exhibit "F").
- b. Submit funds to the Fee-in-Lieu of Open Space account of \$350 per newly created lot at a total of \$2,450.
- c. Note on the final plat linen the name of the street as N.E. 75th Place.
- d. Install or submit a performance security device for a fire hydrant on the edge of Lot 2 abutting N.E. 75th Place and ensure that the fire hydrant be charged and fully operational with a minimum fire flow of 1500 gpm. The required fire hydrant shall be installed, charged and fully operational before the framing stage of the construction on any one or all the building lots.

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- e. Submit a detailed street profile and cross-sections of the drainage and drainage retention structures, sewage collector system and catch basins.
2. All utilities should be undergrounded at the developer's expense to meet the standards and specifications of the serving utility.

VII. APPENDICES

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