

RESOLUTION NO. R-2826

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING AN AMENDMENT TO THE SUBDIVISION AND FINAL PLAT OF JUANITA VIEW BEING DEPARTMENT OF COMMUNITY DEVELOPMENT FILE NO. F-SUBJ-78-51 (AMENDMENT) AND SETTING FORTH CONDITIONS TO WHICH SUCH SUBDIVISION AND FINAL PLAT SHALL BE SUBJECT.

WHEREAS, a subdivision and preliminary plat of Juanita View was approved by Resolution No. R-2471; and the Subdivision and Final Plat of Juanita View was approved by Resolution No. R-2562; and

WHEREAS, thereafter the Department of Community Development received an application for approval of an amendment to the subdivision and final plat, said application having been made by Cascade Pacific Development, the owner of the real property described in said application, which property is within a Residential Single Family RS 8,500 zone; and

WHEREAS, pursuant to City of Kirkland Ordinance No. 2473, as amended, 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 made available and accompanied the application throughout the entire review process; and

WHEREAS, the Director of the Department of Community Development did make certain Findings, Conclusions and Recommendations and did recommend approval of the amendment to the subdivision and the final plat, subject to 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 Director of the Department of Community Development, filed in Department of Community Development File No. F-SUB-78-51 (Amendment), are hereby adopted by the Kirkland City Council as though fully set forth herein.

Section 2. Approval of the amended subdivision and the final plat of Juanita View 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 or other approved security performance undertaking in an amount determined by the Director of Public Services in accordance with the requirements therefor 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 conditions of approval, including public improvements, within one year from the date of passage of this Resolution. No City official, including the Chairperson of the Planning Commission, the Mayor, or the City Engineer, shall affix his signature to the final plat drawing or easement until such time as the plat bond or other approved performance security undertaking herein required has been deposited with the City and approved by the Director of Public Services 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 subdivision, other than as expressly set forth herein.

Section 5. Certified or conformed copies of this Resolution shall be delivered to the following

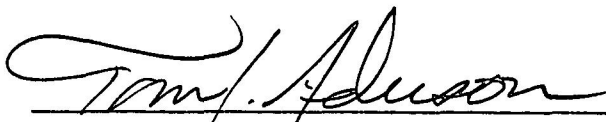
- (a) Applicant
- (b) Department of Community Development for the City of Kirkland
- (c) Fire and Building Department of the City of Kirkland
- (d) Public Services Department for the City of Kirkland
- (e) Project and Construction Management Department of the City of Kirkland
- (f) Office of the Director of Administration and Finance (ex officio City Clerk) of the City of Kirkland

PASSED in regular meeting of the Kirkland City Council on the 18th day of May, 1981

SIGNED IN AUTHENTICATION thereof on the 18th day of May, 1981

  
\_\_\_\_\_  
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 May 7, 1981  
ADOPTED BY \_\_\_\_\_ DATE \_\_\_\_\_

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

HOUGHTON COMMUNITY COUNCIL \_\_\_\_\_  
XX PLANNING COMMISSION Robert A. Burke  
CITY COUNCIL AS INCORPORATED IN for Carol Goddard, Chairperson

RESOLUTION \_\_\_\_\_ ORDINANCE \_\_\_\_\_  
NUMBER \_\_\_\_\_  
DATE \_\_\_\_\_

FILE NUMBER F-SUB-78-51 (Amendment)  
APPLICANT Cascade Pacific Development  
PROPERTY LOCATION N. side of NE 104th St., E. of 111th Ave. N.E.  
SUBJECT Final Subdivision Amendment for Easement in "Juanita View"  
HEARING/MEETING DATE May 18, 1981  
BEFORE Kirkland City Council

EXHIBITS ATTACHED "A" Application "B" Vicinity Map "C" Plat "D" Environmental Info.  
"E" Citizen Input

I. SUMMARY

A. DESCRIPTION OF PROPOSED ACTION

Cascade Pacific has applied for an amendment to the plat of Juanita View, for a 20 foot wide access easement across Lot 18 to serve Lots 18 and 19. Access to the easement would be from N.E. 104th Street. Presently, Lot 19 has access from N.E. 104th Way, while Lot 18 may access from either N.E. 104th St. or N.E. 104th Way.

The major issue is topography.

B. RECOMMENDATIONS

Based on the Statements of Fact, Conclusions and attached Exhibits, we recommend approval of this application, subject to the following conditions:

Prior to easement recording or issuance of Building Permits on Lots 18 and 19, whichever comes first, the applicant shall: Improve the easement as required in the Subdivision Ordinance, or, submit a monetary security approved by the Public Services Department. Easement grade shall comply with Fire Department requirements. Lot 18 shall access only from the easement.

II. MAJOR ISSUES, FACTS AND CONCLUSIONS

A. TOPOGRAPHY

1. Statements of Fact

- a. The finished grade of N.E. 104th Way is approximately 30 feet below the buildable areas on Lots 18 and 19. A 6 foot high rockery lies at the east end of N.E. 104th Way.
- b. N.E. 104th Street is on the same level as the buildable areas on Lots 18 and 19.
- c. These lots are designated as "Unstable Slope" on the Environmentally Sensitive Areas Map.

5/7/81 (P.C.)  
5/1/81/4952A/bk

- d. An existing house on the abutting property to the east is on the same level as the proposed easement. A number of significant coniferous trees on the abutting property lie directly east of the easement, between the easement and the existing house.

## 2. Conclusions

- a. Providing access from N.E. 104th Way to either lot 18 or 19 would necessitate substantial cuts in the unstable slope and rockery to provide an acceptable driveway grade. Access from N.E. 104th Street would involve relatively little earth moving, as the easement would be more on-grade with N.E. 104th St. than with N.E. 104th Way.
- b. The proposed easement would not substantially impact the single family home to the east. This home is well screened by existing vegetation. Also, the easement is serving only two residences - one more than a single family driveway.
- c. Lot 18 should access only from the easement, to minimize curb cuts on N.E. 104th Street.

## III. BACKGROUND

### A. HISTORY

The Preliminary Subdivision of Juanita View was approved by Resolution R-2471 on November 7, 1977.

The Final Subdivision of Juanita View was approved by Resolution R-2562 on November 20, 1978.

### B. NEIGHBORHOOD

A single-family home is located on a parcel to the east. Vacant land is located to the north, west and south. However, the City has received and/or issued Building Permit applications for Juanita View lots 3 through 16.

## IV. ALTERNATIVES

The major alternative is "no action", or denial. This would result in lot 19 accessing from N.E. 104th Way.

V. DEVELOPMENT STANDARDS

A. Kirkland Subdivision Ordinance

3.5.2 A private easement for ingress and egress shall serve no more than four parcels of land or potential building sites. Every easement for ingress and egress shall be established by a written document which shall declare said easement to be perpetual, and which shall contain a use and maintenance agreement as to said easement and its improvements. Said document shall be binding on all parties affected by said easements, their heirs and assigns, and shall be recorded with the King County Auditor.

3.5.3 Standards for Access Easements:

- (a) Access easements serving one lot shall not be less than 15 feet in width of which 10 feet shall be paved and five feet used for utilities. Access easements serving two to four lots or building sites shall not be less than 20 feet in width of which 12 feet shall be paved and 8 feet used for utilities. A concrete or rolled asphalt curb shall be required.
- (b) A turn-around is required when an easement serves one or more lots and is dead-ended; such turn-around shall be either a cul-de-sac or hammerhead designed to minimum City standards.
- (c) Easements will not be included in computations for lot area.
- (d) Where a dead-end access easement serves two to four lots, the subdivider shall install a fire hydrant, the location of which shall be approved by the Public Services and Fire Departments. Such fire hydrant shall be installed in accordance with minimum City standards.

5/7/81 (P.C.)  
5/1/81/4952A/bk

- (e) Dead-end access easements serving more than one lot shall be posted "No Parking - Fire Lane". Such signs shall be installed and maintained at the expense of the property owners abutting such access easement and shall meet the minimum requirements of the Public Services Department.
- (f) Addresses of occupants served by the dead-end easement shall be posted at the point of intersection of the access easement and the public right-of-way serving the subdivision, the location and size of such device to be approved by the Planning Department.
- (g) Lots served by dead-end easements shall be addressed off of the City public rights-of-way that serves said easement. House numbers are to be approved by the Police and Fire Departments.
- (h) Required dead-end access easements serving two to four lots shall be improved in accordance with the City of Kirkland standard specifications for such easements which include sub-base, asphaltic paving, curbs, storm drainage, utilities and fire hydrants.

VI. APPENDICES

Exhibits "A" through " E" are attached.

5/7/81 (P.C.)  
5/1/81/4952A/bk