

RESOLUTION NO. R-2832

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING THE PRELIMINARY SUBDIVISION AND PRELIMINARY PLAT OF YARROW HILL AS APPLIED FOR BY KESTER BROTHERS, INC. BEING DEPARTMENT OF COMMUNITY DEVELOPMENT FILE NO. SP-81-32 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 12,500 (S - PUD) zone and said application having been made by Kester Brothers, Inc. the owner of the real property described in said application; 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 proposal for subdivision and preliminary plat has been submitted to the Kirkland Planning Commission who held public hearing thereon at their regular meeting of May 21, 1981; 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-SF-81-32 are hereby adopted by the Kirkland City Council as though fully set forth herein.

Section 2. The subdivision and preliminary plat of Yarrow Hill 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. Notwithstanding any recommendation heretofore given by the Houghton Community Council, the subject matter of this Resolution and the preliminary plat approval herein authorized are, pursuant to Ordinance No. 2001, subject to the disapproval jurisdiction of the Houghton Community Council and this Resolution shall not become effective within the Houghton Community, except upon the approval of the Houghton Community Council or the failure of said Community Council to disapprove this Resolution within 60 days from the date of passage hereof.

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 majority vote of the Kirkland City Council in regular, open meeting on the 26th day of May, 1981.

SIGNED IN AUTHENTICATION thereof on the 26th day of May, 1981.


MAYOR

ATTEST:

Director of Administration and Finance
(ex officio City Clerk)

5340A



DEPARTMENT OF COMMUNITY DEVELOPMENT

ADVISORY REPORT
FINDINGS, CONCLUSIONS AND RECOMMENDATIONS

PREPARED BY _____ DATE _____
XX RECOMMENDED BY _____ DATE May 21, 1981
ADOPTED BY _____ DATE _____

STAFF _____
BOARD OF ADJUSTMENT _____
HOUGHTON COMMUNITY COUNCIL _____
XX PLANNING COMMISSION Carol Goddard
CITY COUNCIL AS INCORPORATED IN Carol Goddard, Chairperson
RESOLUTION _____ ORDINANCE _____
NUMBER _____
DATE _____

FILE NUMBER SP-SF-81-32

APPLICANT Kester Bros., Inc.

PROPERTY LOCATION S. of NE 52nd St., betw. BNRR tracks & Lake Wa. Blvd.

SUBJECT PRELIMINARY & FINAL SUBDIVISION & MODIFICATION FOR "YARROW HILL"

HEARING/MEETING DATE June 1, 1981

BEFORE Kirkland City Council

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

I. SUMMARY

A. DESCRIPTION OF PROPOSED ACTION

This is an application by Kester Brothers, Inc. for Preliminary and Final Subdivision to create 35 residential lots in conjunction with the approved Planned Unit Development of Yarrow Hill (City Council Resolution No. R-2557) and modifying the minimum lot width requirement of Section 2.11.8(d) and the minimum lot area requirement of Section 2.11.8(h) of the Subdivision Ordinance. The site is located approximately south of N.E. 52nd St. between the Burlington Northern Railroad tracks and Lake Washington Boulevard.

This application for Preliminary and Final Subdivision and modification concerns only a portion of the entire area approved with the Final Planned Unit Development for Yarrow Hill. Phase I (north of this site) has been completed and was subdivided in a similar manner in July of 1979. In addition to 35 residential lots which will be beneath the building pads for the approved townhouse structures, there is Tract A (a private roadway within the development); Tract B and Tract C (common open areas within the development) and Tracts J, K, and L, which are garages to serve certain units.

The applicant has made concurrent applications for both Preliminary and Final Subdivision. Section 2.6 of the Subdivision Ordinance requires that a Final Subdivision is reviewed by the Director of the Department of Community Development and passed directly to the City Council. However, staff has elected to prepare a single report covering both Preliminary and Final Subdivision applications together. The Community Council and Planning Commission should only pass a motion on the Preliminary Subdivision. The Final Subdivision application will be decided upon by the City Council.

In summary, the application for Preliminary and Final Subdivision together with modification to the square footage requirements of the Subdivision Ordinance is a very straightforward and mechanical action. No improvements or impacts will be associated with this application that have not already been spoken to, evaluated and stipulated with the Planned Unit Development of Yarrow Hill.

5/21/81 (P.C.)
5/5/81 (HCC)
4/28/81/4791A/bk

The major issues are: Modification requests and historical background.

B. RECOMMENDATIONS

Based upon the Statements of Fact, Conclusions, and Exhibits "A" through "D" attached herein, we hereby recommend approval of this application for Preliminary Subdivision as well as requests for modification from the Subdivision Ordinance, subject to the following condition:

All of the conditions of approval for the Final Planned Unit Development of Yarrow Hill (City Council Resolution R-2557 and Department of Community Development File F-PUD-78-46(H)) shall continue to apply, except as modified by Resolution R-2810.

II. MAJOR ISSUES, FACTS AND CONCLUSIONS

A. MODIFICATION REQUESTS

1. Statements of Fact

- a. The applicant has applied for a modifications from Section 2.11.8(d) to reduce minimum lot width (90 feet is required) and Section 2.11.8(h) to reduce the minimum lot area per lot (12,500 square feet is required). Proposed square footages and lot widths vary with building type and layout.
- b. Subdivision Ordinance Section 2.13.2 permits modifications of the ordinance if the subdivision is considered in conjunction with a Planned Unit Development for the same piece of property.
- c. The Yarrow Hill Planned Unit Development was approved on October 2, 1978.

2. Conclusions

The applicant has complied with Section 2.13.2 of the Subdivision Ordinance which allows modifications of the Ordinance if the modification is considered in conjunction with a Planned Unit Development. Therefore, the modifications should be granted.

5/21/81 (P.C.)
5/5/81 (HCC)
4/28/81/4791A/bk

B. HISTORICAL BACKGROUND

1. Statements of Fact

- a. The Kirkland City Council adopted resolution R-2557 at their meeting of October 2, 1978. That resolution granted approval for the Final Planned Unit Development of Yarrow Hill. The final unit count, location and height of structures, and location and nature of private and public improvements (both roadway and utilities) were reviewed in great detail and subjected to intense scrutiny and analysis. The applicant has received Building Permits for all structures within Phase II of Yarrow Hill. A number of these units along the west side of 102nd Lane N.E. have been completed.
- b. On July 2, 1979, the City Council adopted resolutions R-2631 and R-2632 approving the Preliminary and Final Subdivisions with modifications for Phase I of Yarrow Hill.
- c. On April 6, 1981, the City Council adopted Resolution R-2810 which approved an additional structure in Phase II, set back 12 feet from the eastern property line (25 feet was originally required).

2. Conclusions

- a. All of the conditions of the Notice of Approval for the Final Planned Unit Development of Yarrow Hill continue to apply except as modified by Resolution R-2810. The approval of this application for Preliminary and Final Subdivision and Modification to the square footage and lot width requirements of the Subdivision Ordinance will not negate any of the conditions of the Planned Unit Development. These conditions, which were recorded with the Phase I subdivision, are referenced by recording number on the face of this plat.

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- b. The processing of the applications for Preliminary and Final Subdivision subsequent to the approval and initiation of construction for the Planned Unit Development does not represent a legal or procedural constraint. So long as the proposed plat overlays the subject property of the Planned Unit Development and so long as it does not negate or otherwise modify the conditions of approval for the Planned Unit Development, then the plat is not incompatible.

III. NEIGHBORHOOD AND ZONING

The subject property is zoned RS 12,500(s) as are properties to the west, south and north. Properties to the east, across the railroad right-of-way, are zoned RS 8500. The properties to the west of Lake Washington Boulevard are zoned WD I. The abutting property to the north is Phase I of Yarrow Hill which contains 31 attached townhouse units and has been subdivided in a similar manner. Lands to the east and west are either undeveloped or have single family homes.

IV. ALTERNATIVES

If each individual building lot was not subdivided, the project could still be developed and sold.

V. APPENDICES

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

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