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Introduced by: Councilwoman Stern

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MOTION NO. _____

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A MOTION concurring with the recommendation of the Zoning and Subdivision Examiner regarding the Preliminary Plat of ARROWHEAD CREEK, designated File No. 476-6.

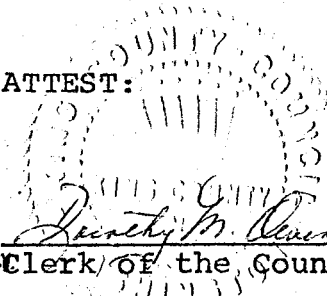
THE KING COUNTY COUNCIL, by this Motion, does hereby adopt and incorporate herein as its own findings and conclusions the findings and conclusions contained in the report of the Zoning and Subdivision Examiner dated March 22, 1977, which was filed with the Clerk of the Council on April 6, 1977 regarding the Preliminary Plat of ARROWHEAD CREEK designated by the Building and Land Development Division, Department of Planning and Community Development File No. 476-6, and the Council does concur with the recommendations contained in said report.

PASSED at a regular meeting of the King County Council: this 11th day of April, 1977.

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

Dick Lowry
Chairman

ATTEST:


Dorothy M. Owen
Clerk of the Council

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March 22, 1977

OFFICE OF THE ZONING AND SUBDIVISION EXAMINER
KING COUNTY, WASHINGTON

REPORT AND RECOMMENDATION TO THE KING COUNTY COUNCIL ON A REVISED APPLICATION.

SUBJECT: Building and Land Development File No. 476-6
(Revised)

Proposed Plat of ARROWHEAD CREEK

4.2 acres located on the west side of 62nd Avenue N.E., if extended, and on the south side of N.E. 150th Street; Zoning: RS-15,000; No. of Lots: 3.

SUMMARY OF RECOMMENDATIONS:

- Technical Committee preliminary: Approve subject to conditions.
- Technical Committee final: Approve subject to conditions (modified).
- Examiner: Approve subject to conditions (modified).

PRELIMINARY REPORT: The Technical Committee Addendum report was received by the Examiner on February 22, 1977.

PUBLIC HEARING: After reviewing the Technical Committee Addendum report, examining available information on file with the application and visiting the subject property and surrounding area, the Examiner conducted a public hearing on the application as follows:

The hearing on Item 476-6 was reopened by the Examiner at 11:50 A.M., March 1, 1977, the matter having been remanded to the Examiner by the Council.

All parties having indicated that they were familiar with the Technical Committee's addendum report dated March 1, 1977, said report was entered in the record by reference.

The Technical Committee made the following modifications:

Page 3, Item C-2 should read: The proposed access road to Lot 2 utilizes for the most part an existing roadbed, crossing the stream over the existing culvert and dropping 12 vertical feet in a distance of 50 horizontal feet.....

Page 4, Condition #7 add the following: "... unless otherwise approved by the Division of Hydraulics".

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02963

Page 2 476-6

Correspondence received by the Technical Committee, but not summarized in their preliminary report is as follows:

- 1 - Rolfe R. Eckman and Bill Newman stating concerns, dated February 27, 1977.
- 2 - John R. Holloran and Darcy Holloran stating concerns, dated February 25, 1977.

Technical Committee offered the following exhibits:

- Exhibit #8 - Two sheets of plans:
 8-1: Revised plat dated January 10, 1977.
 8-2: Proposed development of Lot No. 2.
- Exhibit #9 - Topography map submitted by the engineer representing applicant.
- Exhibit #10 - Four Land Use Sheets:
 10-1: 410 E
 10-2: 410 W
 10-3: 415 E
 10-4: 420 W
 (to be retained in the Division's permanent working file)

Mr. Brunner, Technical Committee, made the following addition to the conditions on Page 4 of the addendum report:

Add Condition No. 12: In the interest of providing proper neighborhood circulation by allowing for a potential extension of Chieftain Drive S.E. southerly to Juanita Drive it is recommended that the applicant extend Chieftain Drive southerly across the site in the vicinity of the proposed easement road. The width of dedicated right-of-way and level of improvements shall be further worked out with the Technical Committee.

The Examiner directed questions to the Technical Committee.

Speaking in support was:

William C. Rowlands, engineer representing applicant
 6141 N.E. Bothell Way
 Seattle, Washington

Mr. Rowlands stated concurrence with the Technical Committee's preliminary report and recommendation.

Speaking in opposition was:

Bill Newmann
 14921 58th Lane N.E.
 Bothell, WA 98011

The Examiner directed questions to Mr. Newmann and to the Technical Committee.

Also speaking in opposition was:

Everett Minard
 6505 N.E. Windermere
 Seattle, WA 98721

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Page 3 476-6

Mr. Brunner, Technical Committee, and the Examiner responded to questions.

Speaking regarding this matter was:

James Goldsmith
Hugh G. Goldsmith & Associates
501 Lyon Building
Seattle, WA 98104

The Examiner directed questions to the Technical Committee.

All proponents and opponents having given their presentation, the participants responded with cross-examination and rebuttal.

The Examiner directed questions to the participants.

Technical Committee's final recommendation was as stated in their preliminary report together with the above stated modification to Condition No. 7 and the addition of Condition No. 12.

The hearing on Item 476-6 was closed by the Examiner at 12:33 P.M., March 1, 1977.

FINDINGS, CONCLUSIONS & RECOMMENDATIONS: Having reviewed the record in this matter, the Examiner now makes and enters the following:

FINDINGS:

1. On August 23, 1976 the Council remanded the proposed plat of Arrowhead Creek to the applicant for modification. The applicant has revised the plat by reducing the number of lots from six to three and he has provided information required by the Council.
2. The facts contained in the Environmental Assessment, Pages 1 to 3 of the Division of Building and Land Development addendum report dated March 1, 1977 are incorporated here by reference.
3. Approval of this application will constitute a "major action" under the provisions of R.C.W. 43.21C, and W.A.C. 197-10. The applicant submitted an environmental check list with the application. After reviewing the environmental check list, the Manager of the Building and Land Development Division made a threshold determination that approval of this application will not have a significant adverse impact upon the quality of the environment and that an environmental impact statement is not required. The Building and Land Development Division transmitted a proposed declaration of non-significance to other agencies with jurisdiction on January 17, 1977. After the elapse of fifteen days following the transmittal and after reviewing comments submitted by agencies with jurisdiction and by other interested parties, the Manager of the Building and Land Development Division adopted the proposed declaration as a final declaration of non-significance. At the public hearing on this application a representative of the Building and Land Development Division reported that having considered the comments and testimony by agencies with jurisdiction and by other parties, having visited the subject property, and having evaluated the natural, physical and social systems related to this application, the Building and Land Development Division reaffirms its determination that approval of this application will not have a significant adverse impact on the quality of the environment and an environmental impact statement is not required.

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Page 4 476-6

4. The Subdivision Technical Committee recommended that the preliminary plat be approved as revised and submitted January 10, 1977, subject to the following conditions:
- a. Compliance with all platting regulations of Resolution No. 11048 and subject to standard conditions of preliminary plat approval.
 - b. The dimensions of all lots shall meet the minimum requirements of the RS-9600 zone classification, or shall be as shown on the face of the approved preliminary plat, whichever is greater.
 - c. Storm drainage plans shall be approved by the Department of Public Works, Hydraulic Division. Said drainage plans shall comply with King County Ordinance No. 2281. Temporary storm water retention/detention facilities must be constructed and in operation prior to land clearing and/or other construction unless otherwise approved by the Division of Hydraulics.
 - d. Provide and maintain pollution separation facilities to insure pollutants from the site do not enter the natural drainage system.
 - e. Provide and maintain temporary sedimentation collection facilities to insure sediment laden water does not enter the natural drainage system. These facilities must be in operation prior to clearing and building construction, and satisfactorily maintained until construction and landscaping are completed and the potential for on-site erosion has passed.
 - f. All retention/detention ponds required pursuant to Ordinances No. 2281 and 2812 may be required to be located in separate tracts with a drainage easement for maintenance. If the pond is not adjacent to a roadway, a fifteen (15) foot crushed rock roadway within an easement for ingress and egress will be required between the pond and a roadway.
 - g. All retention/detention ponds required pursuant to Ordinance 2281 must be in operation prior to recording of the final plat, unless otherwise approved by the Division of Hydraulics.
 - h. The limit of the 25-year frequency flood plain for the unnamed creek must be determined and may be required to be shown on the final plat. No permanent structure or obstructions can be constructed within the 25-year frequency flood plain. In addition, all structures shall be setback a minimum of 15' from the top of the bank of the unnamed creek.
 - i. A restriction shall be shown on the face of the final plat requiring that an application for a building permit on Lot 3 shall be accompanied by a site and foundation plan approved by a professional engineer knowledgeable in earth sciences, certifying the suitability of the lot for the proposed development.
 - j. Access to Lots 2 and 3 shall be shown on the plan and profile and shall be subject to the approval of the Technical Committee.
 - k. The water supply of this subdivision must have the approval of the King County Fire Marshal indicating its adequacy under King County Ordinance No. 468.

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Page 5 476-6

1. Extend Chieftain Drive southerly across the site in the vicinity of the proposed easement road. The width of dedicated right-of-way and level of improvements shall be further worked out with the Technical Committee.
5. The applicant concurs with the Technical Committee recommendation.
6. The computations of stream capacity and flood volumes submitted with the modified plat differ from those submitted with the original application. Owners downstream from the site request that the Division of Hydraulics verify the dimensions of the stream at its critical cross-section in order to assure that the stream can carry a 100 year stream flow. The applicant has no objection to such a condition and is willing to provide engineering field notes to the Division of Hydraulics on the location and dimensions of the critical cross-section.
7. The owner of property adjacent to the south boundary of the site requests that the extension of Chieftain Drive remain as a private easement road rather than be a public road. The Technical Committee recommended a public road so that this segment would be open to serve such southerly extension of the road as may occur in the future. The change from private easement to public road would not change the width or improvement standard which will be required.
8. Owners of neighboring property requested that restrictions on the face of the plat be utilized to assure that storm water retention is provided, tree removal and downhill dumping during construction is controlled, and the location of houses within Lots No. 1 & No. 2 is controlled. Storm water retention is required by Ordinance No. 2281 and 2812. The location of dwellings on Lots No. 1 and No. 2 is controlled by the Zoning Code and by Condition 4-h of findings above. The identification of limitations on grading and tree removal during construction on Lot No. 3 will be stipulated by a soils engineer in the site plan required by Condition No. 4-i of findings above.

CONCLUSIONS:

1. Based upon the whole record, and according substantial weight to the determination of environmental significance made by the Division of Building and Land Development, it is concluded that approval of this subdivision as recommended below would not have a significant adverse effect on the quality of the environment. All evidence of environmental impact relating to the proposed action and reasonable alternatives to the proposed action have been included in the review and consideration of this action.
2. If approved subject to the conditions recommended below, the proposed subdivision will comply with the goals and objectives of the Comprehensive Plan, Subdivision and Zoning Codes, and other official land use controls and policies of King County.
3. If approved subject to the conditions recommended below, this proposed subdivision will make appropriate provision for the public health, safety and general welfare and for drainage ways, streets, other public ways, water supply, and sanitary wastes; and it will serve the public use and interest.
4. The conditions recommended by the Subdivision Technical Committee are in the public interest and are reasonable requirements. An additional condition should be added which requires verification of the dimensions and flow capacity of the critical cross-section of the stream.

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RECOMMENDATION:

Approve the revised preliminary plat as submitted January 10, 1977, subject to the conditions set forth in Findings 4-a through 4-l above, and subject to the following additional condition:

The applicant shall submit to the King County Division of Hydraulics field notes showing the location and dimensions of the critical cross-section of the stream. The Division of Hydraulics shall verify the dimensions at the critical cross-section in order to assure that the development of this subdivision, including the enlargement of an existing culvert at Chieftain Drive, will not cause flooding downstream from the site.

ORDERED THIS 22nd day of March, 1977.



Bruce C. Laing
ZONING & SUBDIVISION EXAMINER

TRANSMITTED THIS 22nd day of March, 1977 by certified mail to the parties of record:

William C. Rowlands
Bill Newmann
Everett Minard
James Goldsmith
R. B. Hevly, Inc.
James Eaton
Darcy Halloran

Mary Lou Schoening
Berit Nyleerg McAlister
Daryl A. Trezise
Association Management, Inc.
Mary Sterling
Rolfe Eckman

TRANSMITTED THIS 22nd day of March, 1977 to the following:

King County Division of Building & Land Development
King County Department of Public Works & Transportation
King County Department of Health
Washington State Highway Commission, District #1
Washington State Department of Fisheries
Soil Conservation Service

Pursuant to Ordinance 263, Article 5, Sections 15 and 17, as amended, request for reconsideration or notice of appeal must be filed in writing on or before April 5, 1977. If a notice of appeal is filed on or before April 5, 1977, the appellant will have until April 12, 1977 to file written appeal arguments. The original and 15 copies of said arguments shall be filed with the Clerk of the Council.

Pursuant to Ordinance 263, Article 5, Section 19. "Action of the Council Final. The action of the Council approving or rejecting a decision of the Examiner shall be final and conclusive unless within twenty (20) days from the date of the action an aggrieved party or person obtains a writ of certiorari from the Superior Court in and for the County of King, State of Washington, for the purpose of review of the action taken."

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