

ORDINANCE NO. 5306

AN ORDINANCE reversing the recommendation of the Zoning and Subdivision Examiner and approving the Preliminary Plat of REDLOW ADDITION, designated Building and Land Development File No. 480-23.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. This Ordinance does hereby replace the findings and conclusions contained in the report of the Zoning and Subdivision Examiner dated November 5, 1980, which was filed with the Clerk of the Council on November 20, 1980, with the following:

FINDINGS:

1. General Information:

- Location: East side of 59th Ave. So., north of So. 114th St.
- STR: E 11-23-4
- Zoning: RS 7200
- Acreage: 1.6
- Number of Lots: 8 (revised)
- Typical Lot Area: 5,000 square feet (revised)
- Proposed Use: Townhouses
- Sewage Disposal: City of Seattle
- Water Supply: City of Seattle
- Fire District: #20
- School District: #403

2. The major issue of contention at public hearing on this matter was access to the site as it relates to the existing road system.

3. Existing opened roads giving access to the site are 59th Avenue South, which comes from the south, and South Avon Street, which comes from the west. South Avon Street terminates at the property line, while 59th Avenue South exists but is not opened north of South Avon Street. South Avon Street and 59th Avenue South function as one continuous road with a 90 degree turn at this juncture.

4. Two alternatives for access to the site were proposed by the developer.

A. In the first version, 59th Avenue South would be extended north for

1 200-300 feet to transmission line easements lying north of the subject
2 property, and then a road easement would give access to five of two lots.
3 Lots 1 and 2 would access directly to 59th Avenue South. At the intersection
4 of the easement road and the proposed extended 59th Avenue South, 59th South
5 presently has a grade of 19.5%. This grade is in excess of the 15% standard
6 for Minor Access Streets established in Section 3.02 of Ordinance No. 4463
7 (King County Road Standards); however, the Engineer can waive this standard for
8 short distances. The intersection of 59th Avenue South with the easement road
9 would be a difficult turn for emergency vehicles. The City of Seattle has
10 expressed concern about the road easement which would be located partly in
11 the City's easement.

12 B. The alternative access scheme was developed at the request of the
13 Subdivision Technical Committee. Access would be by private road to 59th
14 Avenue South, just south of South Avon Street, with a slightly shorter
15 easement in the City of Seattle easement. This access would also involve
16 grades of 18 - 19%. This access point does not align directly with South
17 Avon Street, but rather would enter 59th Avenue South, just south of the
18 point where 59th Avenue South makes a sharp 90 degree turn into South Avon
19 Street.

20 5. The Building and Land Development Division staff testified at
21 public hearing that the Subdivision Technical Committee was willing to approve
22 the access in the revised proposal because it was necessary to approve some
23 form of access so that the property could be subdivided and traffic in the
24 area is minimal.

25 6. The Examiner continued the hearing for administrative purposes to
26 allow time for the applicant and the Subdivision Technical Committee to
27 explore the possibility of access via South Leo Street, which is presently
28 unopened for part of its length, and is located in the City of Seattle
29 easement. The Department of Public Works has concluded that the South Leo
30 Street alternative is difficult for the following reasons:

31 Leo Street is unimproved from 57th Avenue South. Most of the right-of-
32 way lies within the power line easement at this location.

33 Where Leo Street terminates at 57th Avenue South it is a narrow

1 substandard street that will support only the existing local traffic.

2 To extend Leo Street to the east to serve the proposed plat would
3 removed all privacy to two homes now being served at its present terminus.

4 Testimony at the public hearing indicated concern for paving a road under
5 the Seattle City Light Transmission Line easement. (Memorandum to Julie
6 Macrae from Owen Rawsthorne dated October 8, 1980).

7 7. The applicant originally proposed to subdivide the subject property
8 in a conventional manner, with detached homes and no common open space. The
9 revised plat proposed attached units on smaller lots with substantial common
10 open space. The latter proposal reduces the physical impact of site develop-
11 ment by preserving significant vegetation and minimizing the amount of land
12 to be cleared.

13 8. The information set out in the Environmental Assessment portion of
14 the Building and Land Development Division Report on this matter, dated for
15 a June 5, 1980 public hearing, is incorporated herein by reference.

16 CONCLUSIONS:

17 1. The cluster plat layout and design in the revised proposal dated
18 May 9, 1980, is preferable to the standard subdivision originally proposed.

19 2. Based upon the whole record, and according substantial weight to
20 the determination of environmental significance made by the Division of
21 Building and Land Development, it is concluded that approval of this
22 subdivision would not constitute a major action significantly affecting the
23 quality of the environment. All evidence of environmental impact relating to
24 the proposed action and reasonable alternatives to the proposed action have
25 been included in the review and consideration of this action.

26 3. If approved subject to the conditions recommended below, the
27 proposed subdivision will comply with the goals and objectives of the
28 Comprehensive Plan, Subdivision and Zoning Codes, and other official land use
29 controls and policies of King County.

30 4. If approved subject to the conditions recommended below, this
31 proposed subdivision will make appropriate provision for the public health,
32 safety and general welfare and for drainage ways, streets, other public ways,
33 water supply, and sanitary wastes; and it will serve the public use and

1 interest.

2 5. The conditions recommended in the Division of Building and Land
3 Development's preliminary report as amended below are in the public interest
4 and are reasonable requirements.

5 SECTION 2. The Preliminary Plat of REDLOW ADDITION is hereby
6 approved, subject to the following conditions:

7 1. Compliance with all platting provisions of Title 19 of King County
8 Code and subject to standard procedures and conditions of preliminary plat
9 approval.

10 2. The dimensions of all lots shall meet the minimum requirements of
11 the RS 7200 zone classification, or shall be as shown on the face of the
12 approved preliminary plat, whichever is greater. (Minor lot-line revisions
13 are permitted).

14 3. Storm drainage plans shall be approved by the Department of Public
15 Works, Hydraulics Division. Said drainage plans shall comply with the
16 provisions of Chapter 20.50 of the King County Code.

17 4. Provide and maintain oil/sediment separation facilities to insure
18 such contaminants from the site do not enter the natural drainage system.

19 5. Provide and maintain temporary sedimentation collection facilities
20 to insure sediment laden water does not enter the natural drainage system.
21 A Temporary Erosion and Sedimentation Control Plan (TESCP) shall be submitted
22 to and by the King County Soil Conservation District prior to submittal to the
23 Department of Public Works, Division of Hydraulics. These facilities must be
24 in operation prior to clearing and building construction, and satisfactorily
25 maintained until construction and landscaping are completed and the potential
26 for on-site erosion has passed.

27 6. All retention/detention ponds required pursuant to Chapter 20.50
28 of the King County Code may be required to be located in separate tracts
29 with a drainage easement for maintenance. If the pond is not adjacent to a
30 roadway, a fifteen (15) foot crushed rock roadway within an easement for
31 ingress and egress will be required between the pond and a roadway.

32 7. Temporary storm water retention/detention facilities must be
33 constructed and in operation prior to land clearing or other construction,
34 unless otherwise approved by the Department of Public Works.

1 8. All permanent storm water control facilities required under
2 Chapter 20.50 of the King County Code must be in operation prior to
3 recording the final plat, unless otherwise approved by the Department of
4 Public Works.

5 9. The applicant must obtain the approval of the King County Fire
6 Marshal for the adequacy of the fire hydrant, water main, and fire flow
7 standards of Chapter 17.08 of the King County Code.

8 10. Section 20.50.080 King County Code authorizes, but does not
9 require, King County to assume maintenance of storm water retention/
10 detention facilities under certain circumstances. The King County Council is
11 reviewing various methods of providing for the perpetual maintenance of
12 retention/detention facilities. If King County does not assume maintenance of
13 the storm water retention/detention facilities in this subdivision, the
14 applicant will be responsible for providing the perpetual maintenance of those
15 facilities, and such manner of provision shall be identified by King County
16 prior to final plat approval.

17 11. If King County decides it will not assume maintenance of the storm
18 water retention/detention facilities in this subdivision, the County will not
19 accept ownership or maintenance of open space tracts which include storm
20 water retention/detention facilities.

21 12. All construction and upgrading of public and private roads shall
22 be done in accordance to the standards established and adopted by
23 Ordinance #4463.

24 13. The cul-de-sac street shall be improved as a private street with
25 28' of right-of-way, and 22' of paving, curb to curb. The curb shall be
26 constructed around the circumference of the cul-de-sac. A five foot
27 sidewalk shall be provided on one side of the street.

28 14. The easement road shall be improved with 24' of right-of-way,
29 22' of paving and a curb on the property side.

30 15. Four off street parking spaces shall be provided for each lot.

31 16. A Homeowner's Association shall be formed for the maintenance and
32 responsibility of the permanent open space areas.
33

1 17. The applicant shall preserve where possible all trees 12" in
2 diameter and greater to maintain their function as a buffer. A clearing
3 plan shall be submitted and approved by the Building and Land Development
4 Division.

5 18. Building envelopes shall be shown on the final plat.

6 19. Covenants shall be provided and approved by the Building and Land
7 Development Division to allow for maintenance of the single-family attached
8 residential structures.

9 20. A landscape plan shall be submitted and approved by the Building
10 and Land Development Division for the westerly 150' of the north side of
11 cul-de-sac. The plan may include a rockery.

12 INTRODUCED AND READ for the first time this 24th day of
13 March, 1980.

14 PASSED this 26th day of January, 1981.

15 KING COUNTY COUNCIL
16 KING COUNTY, WASHINGTON

17 Paul Bauer
18 Chairman

19 ATTEST:

20 Dorothy M. Owens
21 DEPUTY Clerk of the Council

22
23 APPROVED this _____ day of _____, 1981.

24 DEEMED ENACTED WITHOUT
25 COUNTY EXECUTIVE'S SIGNATURE.

26 DATED: 2/16/81
27 King County Executive