

ORDINANCE NO. **8561**

AN ORDINANCE concurring with the recommendation of the Zoning and Subdivision Examiner to approve subject to conditions (modified) the Preliminary Plat of GLENCARIN EAST, designated Building and Land Development File No. 188-21.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

This ordinance does hereby adopt and incorporate herein the findings and conclusions contained in the report of the zoning and subdivision examiner dated March 9, 1988 which was filed with the clerk of the council on March 24, 1988 to approve subject to conditions (modified) the preliminary plat of Glencarin East, designated by the building and land development division, file no. 188-21, and the council does hereby adopt as its action the recommendation(s) contained in said report, together with the attached conditions dated May 11, 1988 and the clarifications contained in the June 3, 1988 letter from Julian Hiraki to Robert Beaty and agreed to by all parties, as follows:

Condition 22: The number 15,000 should be deleted.

Condition 25: Obtain the right of way necessary to construct S.E. 216th Street as a full width street from 128th Place S.E. westerly to the existing S.E. 216th stub west of the site. If the right of way is unobtainable a half street may be permitted provided that the applicant can show that all reasonable offers were rejected.

1 Condition 26: Construct the north half of that portion of
2 S.E. 216th from 132nd Avenue S.E. to terminus point (cul-de-sac)
3 to county half street standards for a minor access street.

4 INTRODUCED AND READ for the first time this 21st day
5 of December, 1987.

6 PASSED this 20th day of June, 1988.

7 KING COUNTY COUNCIL
8 KING COUNTY, WASHINGTON

9 Gary Grant
10 Chair

11 ATTEST:

12 Dorothy M. Owens
13 Clerk of the Council

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PARKS, PLANNING AND RESOURCES DEPARTMENT
BUILDING AND LAND DEVELOPMENT DIVISION

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ADDENDUM REPORT TO THE ZONING AND SUBDIVISION EXAMINER
MAY 11, 1988 - PUBLIC HEARING

PROPOSED PLAT OF GLENCARIN EAST

FILE NO: 188-21

PROPOSED

ORDINANCE NO.: 88-7

A. SUMMARY OF PROPOSED ACTION:

This is a request for a subdivision of 19.6 Acres into 68 lots for detached single-family dwellings. The typical lot size ranges from 7200 to 11,000 square feet.

B. BACKGROUND:

On January 21, 1988, a public hearing was conducted for the proposed subdivision. The primary issue that was raised by the neighborhood was the need to discourage traffic from using streets in the Glencarin neighborhood as a bypass route to 116th Avenue Southeast.

The public hearing was continued for administrative purposes to February 18, 1988 to allow the applicant the opportunity to prepare a revised plat design which would discourage through traffic from the Glencarin neighborhood. The applicant submitted a revised plat design to the Subdivision Technical Committee (STC) and to a committee of 12 people representing the Glencarin neighborhood. On February 13, 1988, this revised design was accepted by the Committee and transmitted to the Examiner on February 18, 1988 (see Attachment 1):

Subsequently, on March 21, 1988 the Examiner received a letter from the applicant's engineer concerning the need to modify Condition 26 and 27 of the Examiner's Report and Recommendation to the County Council. This request was based on the applicant's inability to obtain the right-of-way needed to construct Southeast 216th Street as a full width street and some topographic constraints which would make it difficult to construct. The applicant felt that with these constraints it would again require the plat to be redesigned and he would submit several design alternatives to the STC. On April 14, 1988 the applicant's engineer met with the STC to discuss the merits of several revised plat designs. April 28, 1988, the STC again met with the applicant's engineer to review a more detailed plat design and concluded that the design which moved the primary access from Southeast 216th Road to the northeastern portion of the site was accepted by the Committee. The STC then advised the applicant to present this design to the citizen group representing the neighborhood concerns. On April 28, 1988, this group supported the revised plat design approved by the STC (see May 2, 1988 Revised plat design).

N. ANALYSIS:

The Subdivision Technical Committee reviewed the applicant's plat redesign and determined that the revised plat adequately addressed the primary issue raised by the Glencarin neighborhood group concerning the use of the Glencarin neighborhood as a by-pass route to 116th Avenue Southeast and encouraged the use of the existing arterials and neighborhood collector street. Therefore, the STC has no objection to the plat redesign provided that the applicant complied with the conditions of Final Plat Approval.

O. CONCLUSIONS:

Compliance: The subject plat redesign can comply with the principal objections of the neighborhood by discouraging

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bypass traffic through the Glencarin development to 116th Avenue Southeast from 132nd Avenue Southeast. It can comply with the goals and objectives of the King County Comprehensive Plan and other official land use controls and policies of King County, based on the conditions of final approval.

P. RECOMMENDATIONS:

It is recommended that the subject subdivision, revised and received May 2, 1988, be granted preliminary approval subject to the following conditions of final approval:

1. Compliance with all platting provisions of Title 19 of the King County Code.
2. All persons having an ownership interest in the subject property shall sign on the face of the final plat a dedication which includes the language set forth in King County Council Motion No. 5952.
3. The area and dimensions of all lots shall meet the minimum requirements of the zone classification, or shall be as shown on the face of the approved preliminary plat. (Minor revisions may be considered.)
4. All construction and upgrading of public and private roads shall be done in accordance to the standards established and adopted by Ordinance No. 8041.
5. If an area-wide fire protection assessment is authorized by King County prior to final recording of this plat, this plat shall be subject to any assessment provided by that ordinance.
6. The applicant must obtain the approval of the King County Fire Marshal for the adequacy of the fire hydrant, water main, and fire flow standards of Chapter 17.08 of the King County Code.
7. Final plat approval shall require full compliance with drainage provisions set forth in King County Code 9.04 and current storm drainage requirements and guidelines as established by Surface Water Management. Compliance may result in reducing the number and/or location of lots as shown on the preliminary approved plat. The following conditions represent portions of the Code and requirements and shall apply to all plats.
 - a. BALD approval of the drainage and roadway plans is required prior to any construction.
 - b. A separate Erosion and Sediment Control (ESC) plan for this project shall be submitted with the engineering plans. The plan shall show areas to be cleared (limits of the clearing) and provide a schedule of construction (construction sequence).
 - c. Retention/detention (R/D) facilities shall be located in tracts, unless located within improved King County rights-of-way. Maintenance access shall be provided to all facilities. This will require a 15-foot access roadway to all manholes (R/D). Access must also be provided for maintenance of the entire pond.
 - d. Prior to recording of the final plat those portions of the retention/detention facility necessary to control the flows discharging from the site shall be constructed and operational.

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- e. Oil/water separation facilities shall be provided at each point of permanent storm drainage release from the site so contaminants do not enter natural drainage features. In addition to standard King County oil/water separators, the applicant is required to provide biofiltration prior to discharge of stormwater into any sensitive area (e.g. streams, wetlands, lakes, etc.). Such biofiltration includes 200 feet of broad, flat-bottom, grass-lined swales) or equivalent systems.
- f. Drainage outlets (stub-outs) shall be provided for each individual lot, except for those lots approved for infiltration by King County. Stub-out shall be shown on the engineered plans and shall conform to the following:
- 1) Each outlet shall be suitably located at the lowest elevation on the lot, so as to service all future roof downspouts and footing drains, driveways, yard drains, and any other surface or subsurface drains necessary to render the lots suitable for their intended use. Each outlet shall have free-flowing, positive drainage to an approved stormwater conveyance system or to an approved outfall location.
 - 2) Outlets on each lot shall be located with a five-foot-high, 2" x 4" stake marked "storm" or "drain". The stub-out shall extend above surface level, be visible and be secured to the stake.
 - 3) Pipe material shall conform to underdrain specifications described in KCRS 7.04 and, if non-metallic, the pipe shall contain wire or other acceptable detection feature.
 - 4) Drainage easements are required for drainage systems designed to convey flows through more than one lot.
 - 5) The developer and/or contractor is responsible for coordinating the location of all stub-out conveyance lines with respect to the utilities (e.g. power, gas, telephone, television).
 - 6) All individual stub-outs shall be privately owned and maintained by the lot home owner.
- g. In some cases, on-site infiltration systems may be accepted for detention for the lots depending on soil conditions. To determine the suitability of the soil for infiltration systems, a soils report that includes percolation tests and a soil log taken at 6-foot minimum depth shall be submitted by a professional engineer, or soil specialist. This shall include, at a minimum, information on soil texture, depth to seasonal high water and the occurrence of mottling and impervious layers. The report shall also address potential down gradient impacts due to increased hydraulic loading on slopes and structures. Soil permeability data obtained from the design of the septic system may be used for the drywell retention system, provided data is submitted verifying that no impervious layer exists within 6 feet of the soil surface. If the soils report is approved, the infiltration systems shall be installed at the time of the building permit. A

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note to this effect shall be placed on the map page of the recorded document. The drainage plan and the recorded document shall indicate each lot approved for infiltration.

- h. Include with the drainage plan a downstream analysis. This analysis must extend for a minimum distance of 1/4 mile from the point of release of each flow discharging from the site. The analysis must address any existing problems with flooding, capacity, overtopping, scouring, sloughing, erosion or sedimentation of any drainage facility, whether natural or man-made. Probable impacts due to construction of the project must also be addressed with respect to these same concerns. Where this analysis reveals more restrictive conditions, more stringent drainage controls may be required than would otherwise be necessary for a project of this type. These controls may include additional on-site rate and/or volume controls, off-site improvements, or a combination of both. Any off-site improvements will require the approval of all affected property owners.
- i. Current standard notes and ESC notes, as established by BALD engineering review, shall be placed on the engineered plans.
- j. The following notes shall be provided on the map page of the recorded document:

"All building downspouts, footing drains and drains from all impervious surfaces such as patios and driveways shall be connected to the approved permanent storm drain outlet as shown on the approved construction drawings # _____ on file with the Department of Public Works. This plan shall be submitted with the application of any building permit. All connections of the drains must be constructed and approved prior to the final building inspection approval." Those lots that are designated for "Individual lot infiltration systems, the systems shall be constructed at the time of the building permit and shall comply with plans on file at the Public Works Record Center."
8. Due to the erosion hazard and/or the need for protection of proposed drainfield areas, clearing shall be limited to those areas required for construction of roadways and utilities prior to recording.
9. The engineering plan submittal shall include a detailed hydraulic analysis of the cross culvert under 132nd avenue Southeast. The analysis shall determine the limits of any backwater flooding onto the proposed subdivision. The analysis shall be based upon a 100-year design storm for the fully developed basin.
10. An unnamed tributary to Soos Creek enters the proposed subdivision near lots 55 and 68, as shown on the revised plat received May 2, 1988. the natural drainage course traverses the southeastern portion of the proposed subdivision, and exits the site via a cross under 132nd Avenue Southeast. Prior to entering the culvert the drainage course divides and braids into several smaller courses.

The following conditions shall be satisfied regarding this drainage course:

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- a. The braided portion of the drainage course may be realigned in a manner similar to that shown on the revised plan received December 14, 1987, provided the following requirements are satisfied.
 - 1) Piping of the drainage course shall be prohibited.
 - 2) The realigned drainage course shall reflect the open, vegetated character of the original course and shall provide biofiltration approximately equivalent to the original drainage course. The drainage plan shall include a revegetation plan, prepared by a professional biologist specializing in restoration and replanting of riparian vegetation.
 - 3) The realigned drainage course shall provide capacity for the 100-year design storm for a fully developed basin.
 - b. Whether the drainage course is realigned or left in its existing configuration, the 25-year floodplain shall be determined for its entire length within the proposed subdivision. The floodplain analysis shall be reviewed by the BALD Engineering Review Unit. Following the review, the area within the Final floodplain shall be designated as a Native Growth Protection Easement (NGPE) on the final plan and map page. At no point shall the NGPE associated within the drainage course be less than 30 feet in width, measured 15 feet from the centerline of the drainage course. The NGPE associated with the drainage course shall be located within a separate tract. An additional 15-foot Building Setback Line (BSBL) shall be designated along both sides of the NGPE on the final plan and map page.
11. Any area within the proposed subdivision having slopes of 40 percent or steeper shall be designated on the final plan and map page with appropriate Native Growth Protection Easements (NGPE) and Building Setback Liens (BSBL) in accordance with the King County "Administrative Guidelines for Building Setbacks from Hazardous Slopes on Plats and Short Plats.
 12. Locating the detention facility within the drainage course shall be prohibited, unless specifically approved by the BALD Engineering Review Unit.
 13. The following statement shall be shown on the final drainage plan and map page.

BUILDING SETBACKS AND NATIVE GROWTH PROTECTION EASEMENTS

Structures, fill and obstructions (including but not limited to decks, patios, outbuildings, or overhangs beyond 18 inches) are prohibited within the building setback line (BSBL) and restricted floodplains (if applicable), and within the Native Growth Protection Easement(s) as shown.

Dedication of a Native Growth Protection Easement (NGPE) conveys to the public a beneficial interest in the land within the easement. This interest includes the preservation of native vegetation for all purposes that benefit the public health, safety and welfare, including control of surface water and erosion, maintenance of slope stability, visual and aural buffering, and protection of

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plant and animal habitat. The NGPE imposes upon all present and future owners and occupiers of the land subject to the easement the obligation, enforceable on behalf of the public by King County, to leave undisturbed all trees and other vegetation within the easement. The vegetation within the easement may not be cut, pruned, covered by fill, removed or damaged without express permission from King County, which permission must be obtained in writing from the King County Building and Land Development Division or its successor agency.

Before and during the course of any grading, building construction, or other development activity on a lot subject to the NGPE the common boundary between the easement and the area of development activity must be fenced or otherwise marked to the satisfaction of King County.

14. There shall be no direct vehicular access to or from 132nd Avenue Southeast from those lots which abut it.
15. A Homeowners Association or other workable organization shall be established to the satisfaction of BALD which provides for the ownership and continued maintenance of the open space area(s).
16. The planter islands (if any) within the cul-de-sac shall be maintained by the abutting lot owners. This shall be stated on the face of the final plat.
17. The applicant shall comply with K.C.C. 19.38 by providing common open space within the subdivision. An open space plan shall be submitted for review and approval by BALD.
18. The applicant shall comply with K.C.C. 19.38 by paying a fee to the Parks Division in-lieu-of providing on site open space. (K.C.C. 19.38 establishes the formula for said fee amount.)
19. The applicants shall comply with King County Slope-Density Guidelines as provided in Attachment _____. This may result in the loss and/or reconfiguration of lots.
20. One Hundred Thirty-Second Avenue Southeast shall be improved with curb, gutter and sidewalk and an 8-foot paved shoulder where it abuts this site.
21. A planter island shall be provided within the 'eyebrow' serving lots 2, 3, 4, 5 and 6.
22. Determine the top of bank (40% slopes) by field survey. Provide a 50' building setback line from the top of bank. This may be reduced to 25' with the submittal of a satisfactory soils report. Each lot affected by a setback restriction shall have a minimum of (5,000) (15,000) square feet of usable building area. By restriction, there shall be no structure, fill or obstruction, including decks and patios, beyond the building setback line.
23. Provide a Native Growth Protection Easement (NGPE) below the top of bank. Covenants on the face of the plat shall prohibit the clearing or removal of trees or brush.
24. All lots adjoining an area or having area with a NGPE restriction shall be provided with an acceptable boundary delineation between the lot or portions of the boundary delineation shall be in place prior to anygrading or clearing of the subdivision and remain in

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place until a dwelling is constructed on the lot and ownership transferred to the first owner-occupant.

- 25. Obtain the right-of-way necessary to construct Southeast 216th Street to King County full-width road standards. If the applicant can prove that the right-of-way to construct this full width street is unobtainable, a half street will be permitted.
- 26. Construct the north half of that portion of Southeast 216th Street to terminous point to urban road standards and the south half of King county rural road standards for neighborhood collector street standards.
- 27. The lot area encumbered by the power line easement shall not be used for density transfer for the undersized lots.
- 28. As shown on the revised plat received May 2, 1988 grass-lined swales shall be constructed at the toe of the embankment along 132nd Avenue Southeast to provide biofiltration of storm water.

D. OTHER CONSIDERATIONS:

- 1. The subdivision shall conform to KCC 16.38 relating to grading on private property.
- 2. Development of the subject property may require registration with the Washington State Department of Licensing, Real Estate Division.
- 3. Preliminary approval of this application does not limit the applicant's responsibility to obtain any required permit or license from the State or other regulatory body.

TRANSMITTED to parties listed hereafter:

- K & K Properties
12261 Southeast 261st, Kent WA 98031
- ESM, Inc.
941 Powell Avenue Southwest, Suite 100, Renton WA 98055
- Pat Freitag
5608 - 89th Avenue Southeast, Mercer Island WA 98040]
- Linda Sera
12507 Southeast 216th Street, Kent WA 98031
- Wallace & Wheeler, Inc.
ATTN: Pete Hayes, Land Division
12443 Bel-Red Road, Suite F, Bldg. B, Bellevue WA 98005

JH:BT:jf
 May 11, 1988
 Attachments

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ESM inc.



A CIVIL ENGINEERING, LAND SURVEY, AND PROJECT MANAGEMENT CONSULTING FIRM

March 21, 1988
HAND CARRIED

RECEIVED
KING COUNTY ZONING &
SUBDIVISION EXAMINER

MAR 21 1988

AM 7:18:21 PM 3:45:6

Mr. Robert E. Beaty
Office of the Zoning & Subdivision Examiner
Room 300, King Co. Administration Bldg.
Seattle, Washington 98104

**Re: Proposed Plat of Glencarin East
BALD File No. 188-21**

Dear Sir:

In reviewing the Examiner's Recommendations dated March 9, 1988, under Condition 27 and the requirements under item 26 as recommended by the King County Staff, we feel that there is a potential problem. We have met with Mr. Riley who is the purported owner of the south half of the proposed right-of-way for S.E. 216th Street. He has indicated that he has no problem with dedicating the right-of-way for public use, however, if for some reason a glitch should transpire in this dedication taking place, we effectively have no alternative but to reopen the hearings and ask the Examiner to reconsider this condition.

As an alternative, we would like to suggest that the Examiner modify 26 and 27 to indicate that the north half of S.E. 216th would be improved to urban road standards and that the south half be built to King County rural road standards for neighborhood collector streets providing that the owners of the right-of-way of S.E. 216th Street agree to dedicate said property to the public use.

In the event that the existing owners refuse, then we feel it would be appropriate to provide sufficient right-of-way to allow the construction of a half street per the King County road standards on S.E. 216th Street. Given topographic constraints, this may require that an additional right-of-way on the north half be dedicated to the public use at this time.

Attachment #1

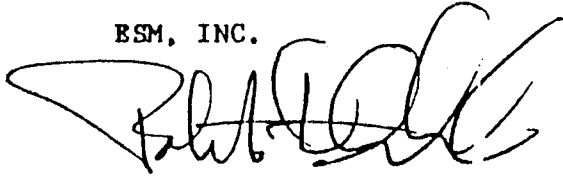
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Mr. Robert Beaty
March 21, 1988
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We would appreciate the Examiner's review of this request at an early date. Should you have any questions or wish to discuss the issue further, please feel free to contact this office.

Very truly yours,

ESM, INC.

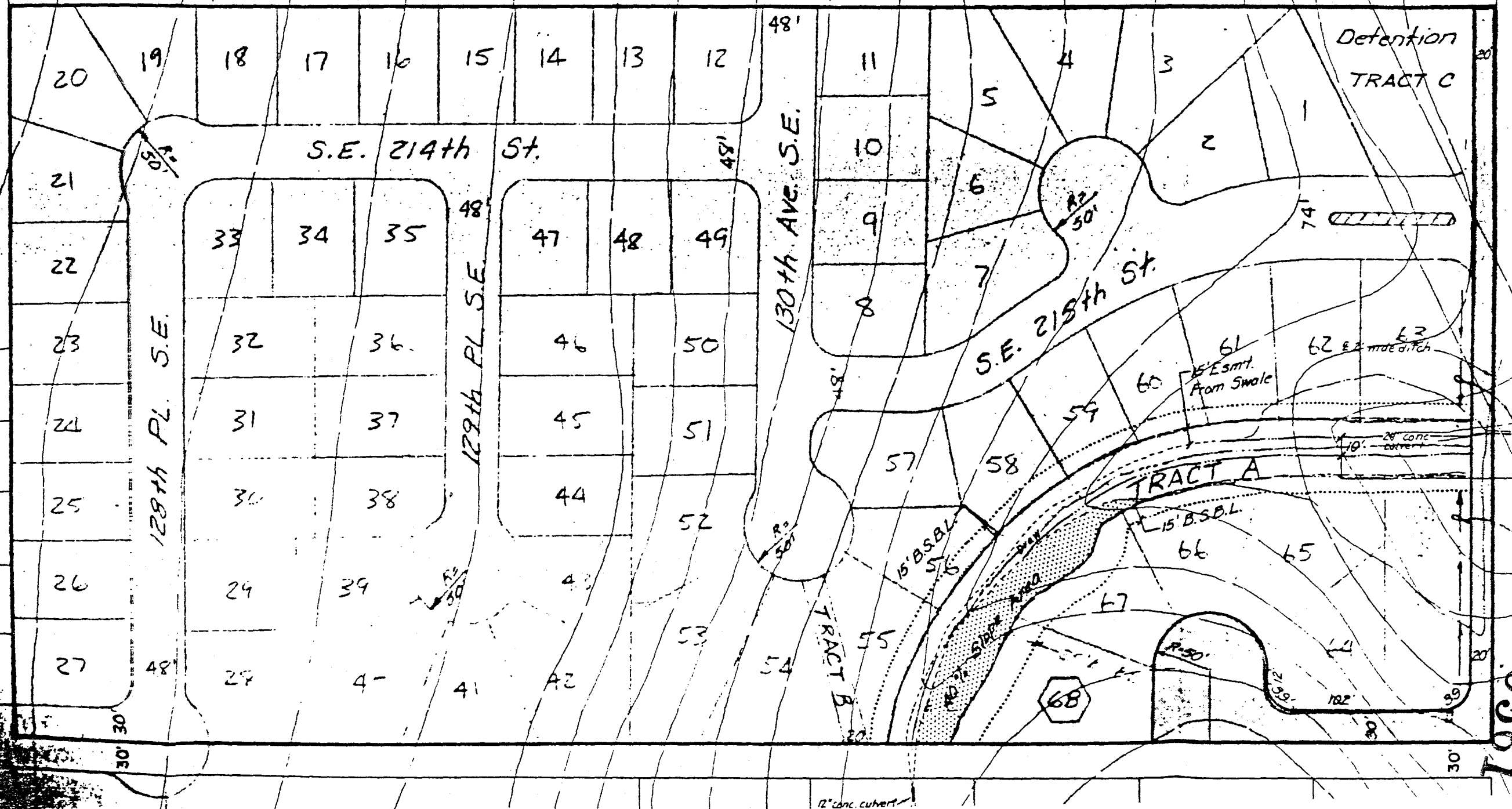


ROBERT D. SCHOLLES, P.E.
President

cc: Ms. Lily Kato

Attachment #1

Copy of the May 2, 1986 Revised Plat Design



1986

12" conc. culvert