

June 8, 1993  
ORD (VN)

Introduced by: PAUL BARDEN

Proposed No.: 93-471

ORDINANCE NO. 10895

AN ORDINANCE granting an extension of preliminary approval for the PLAT of Emerald Meadows (BALD File No. S89P0097).

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Findings. The council finds that:

A. The applicant has timely filed a written request for an extension of twelve months for preliminary plat approval.

B. The applicant has complied with and met the provisions of the King County Code and state law.

C. The applicant has acted in good faith and made substantial progress in complying with the conditions of preliminary approval.

D. It would be inequitable to require the applicant to reapply.

SECTION 2. Preliminary approval for the plat of Emerald Meadow (BALD File No. S89P0097) is granted an extension to expire on July 16, 1994.

INTRODUCED AND READ for the first time this 14<sup>th</sup> day

10895  
RECEIVED

93 JUN 10 AM 9:26

CLERK  
KING COUNTY COUNCIL

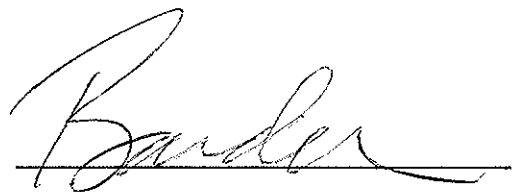
KING COUNTY COUNCIL

Introduction Slip

To: Clerk of the Council

From: Paul Barden

RE: Introduction of Proposed  
Motion/Ordinance No. \_\_\_\_\_

  
\_\_\_\_\_

10895

M E M O R A N D U M

TO: Paul Barden, Councilmember Dist.7  
FROM: Vaughan Norris, Council Staff  
DATE: June 8, 1993  
SUBJECT: Granting a One-Year Extension for the Preliminary  
Plat of Emerald Meadows

This is for your introduction consideration as this plat is in your district. The plat consist of 56 lots on 16.5 acres and the zoning at the time of preliminary plat approval was SR 9600.

The developer requests a one year extension for this plat, expiring on July 16, 1994 subject to the conditions granted by Ordinance 9536.

To date, the site has been surveyed and preliminary engineering is underway. A conceptual wetland impact mitigation plan has been prepared.

It is my opinion that the developer has met the test of "substantial progress" as contained in K.C.C. 19.28.040 (D). It would be inequitable and unfair to deny the extension.

STAFF RECOMMENDATION: Introduce the attached ordinance.

ATTACHMENTS:

- A. PROPOSED ORDINANCE GRANTING A ONE YEAR EXTENSION
- B. APPLICANT'S LETTER
- C. ORDINANCE No. 9536
- D. PLAT MAP

10895

RECEIVED  
KING COUNTY COUNCILMAN  
JUN 7 1993

June 3, 1993

The Honorable Paul Barden  
402 King County Courthouse  
Seattle, Washington 98104

Re: Request for 4th year extension - Plat of Emerald Meadows  
K.C. File #S89P0097

Mr. Barden:

I am writing to request a 4th year extension for the plat of Emerald Meadows. The project's 36 month expiration date is July 16, 1993.

Background: This project is a 56 lot plat, zoned SR 9600, located near the intersection of Kitts Corner Road (SR 161) and Military Road in south King County. Ordinance #9536, granting preliminary approval to the project, was adopted July 16, 1990.

The project is currently undergoing county staff review for administrative approval of a Plat Revision and for variances from the county Road Standards. This review/approval process was precipitated by the recent identification of a large wetland area on the site necessitating a reconfiguration of the plat. I anticipate obtaining staff approvals within the next 30 days.

The site has been completely surveyed and preliminary engineering is underway by Pacific Engineering Design, Inc.. A conceptual wetland impact mitigation plan has been prepared by B-Twelve Associates and is undergoing review by county staff. The go-ahead for final design work awaits only staff approval of the submittals before them (staff contact: Mr. Pete Dye, Subdivisions Section, D.D.E.S.).

Rationale for Extension: The one-year extension is necessary to allow sufficient time to receive staff approvals of the plat revision, prepare and receive approvals for plat engineering design drawings, build-out the plat improvements and record the Final Plat.

Please petition the County Council to approve this request for a

10895

July 12, 1990  
4015D/53

Introduced by Lois North

Proposed No. 90-408

**9536**

ORDINANCE NO.                     

AN ORDINANCE concurring with the recommendation of the Zoning and Subdivision Examiner to approve subject to conditions (modified) the Preliminary Plat of EMERALD MEADOWS, designated Building and Land Development File No. S89P0097.

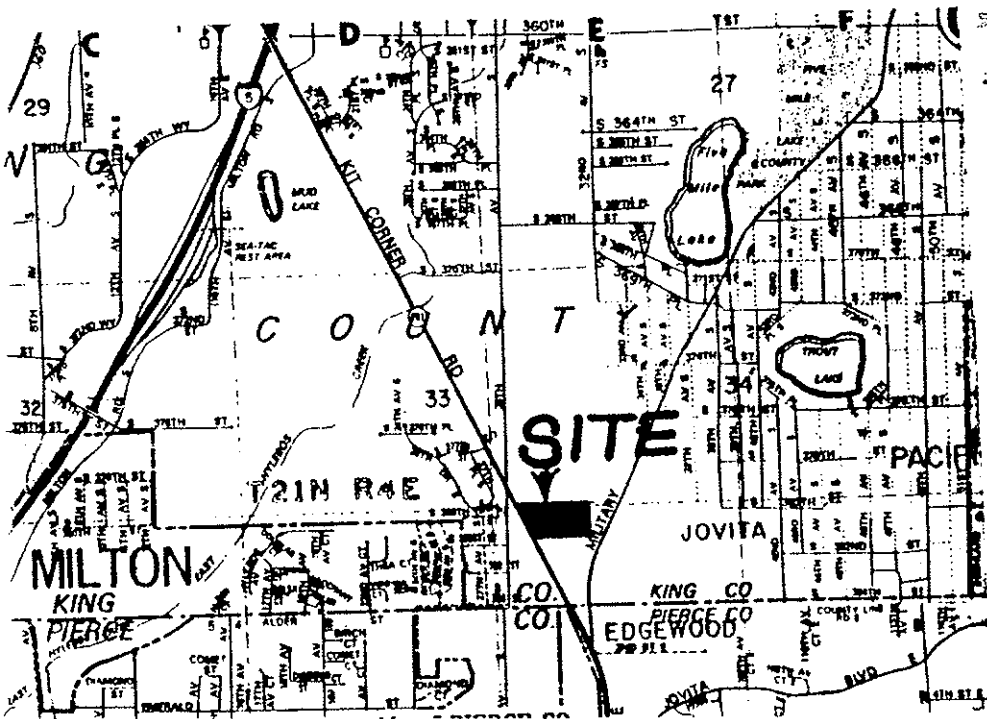
BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

This ordinance does hereby adopt and incorporate herein the findings and conclusions contained in the amended report of the zoning and subdivision examiner dated June 22, 1990 which was filed with the clerk of the council on July 12, 1990 to approve subject to condtions (modified) the preliminary plat of Emerald Meadows, designated by the building and land development division, file no. S89P0097, and the council does hereby adopt as its action the recommendation(s) contained in said report.

INTRODUCED AND READ for the first time this 7<sup>th</sup> day of May, 1990.

PASSED this 16<sup>th</sup> day of July, 1990.

KING COUNTY COUNCIL  
KING COUNTY, WASHINGTON



10895

DESIGN L.H.  
 DRAWN J.S.  
 CHECKED \_\_\_\_\_  
 SEC 33 T 21N R 4E  
 FIELD BK \_\_\_\_\_ DATE 9/  
 SCALE 1" = 100'

VICINITY MAP  
 SCALE: 1" = 1/2 MILE

## AL DESCRIPTION

THE SOUTH THREE QUARTERS OF THE NORTHEAST QUARTER  
 ST QUARTER OF SECTION 33. TOWNSHIP 21 NORTH, RANGE  
 IN KING COUNTY, WASHINGTON, LYING EASTERLY OF  
 HIGHWAY NO. 5-D;

TH 660 FEET THEREOF,  
 CITY ROAD; ALSO

THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF  
 3, LYING EASTERLY OF SECONDARY STATE HIGHWAY NO. 5-  
 EDGEWOOD COUNTY ROAD (NOW KNOWN AS MILITARY ROAD)  
 OF THE FOLLOWING DESCRIBED LINE.

NO	REVISION DESCRIPTION	DATE	BY
		5-10-90	CAJL

REVISED ROADWAY LAYOUT

RECEIVED

JUL 9 1990

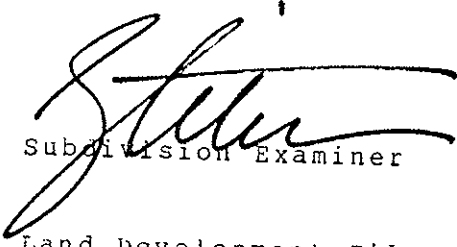
PAC-TECH

July 6, 1990

10895

OFFICE OF THE ZONING AND SUBDIVISION EXAMINER  
KING COUNTY, WASHINGTON

TO: Parties of Record  
FROM: R. S. Titus  
Deputy Zoning and Subdivision Examiner



SUBJECT: Building and Land Development File No. S89P0097  
Proposed Ordinance No. 90-408

Proposed Plat of EMERALD MEADOWS

16.5 acres lying generally between Kit Corner Road South and 32nd Avenue South (if extended) and generally between South 380th Street and South 381st Street (if extended)

Recommended Condition No. 10.a, as contained in the Examiner's June 22, 1990 report and decision on this matter, should read as follows:

A grasslined swale shall be designed and constructed to collect the off-site flows. ((~~as recommended in Section 7 of the May 22, 1990 geotechnical report prepared by Associated Earth Sciences, Inc.~~))

This clarification is consistent with the June 22, 1990 findings and conclusions and with the Division's final recommendation to the Examiner. No new appeal period is required.

TRANSMITTED this 6th day of July, 1990 to the following parties of record:

Jim Adams

10895

July 12, 1990  
4015D/53

Introduced by Lois North

Proposed No. 90-408

**9536**

ORDINANCE NO. 9536

AN ORDINANCE concurring with the recommendation of the Zoning and Subdivision Examiner to approve subject to conditions (modified) the Preliminary Plat of EMERALD MEADOWS, designated Building and Land Development File No. S89P0097.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

This ordinance does hereby adopt and incorporate herein the findings and conclusions contained in the amended report of the zoning and subdivision examiner dated June 22, 1990 which was filed with the clerk of the council on July 12, 1990 to approve subject to conditions (modified) the preliminary plat of Emerald Meadows, designated by the building and land development division, file no. S89P0097, and the council does hereby adopt as its action the recommendation(s) contained in said report.

INTRODUCED AND READ for the first time this 7<sup>th</sup> day of May, 1990.

PASSED this 10<sup>th</sup> day of July, 1990.

KING COUNTY COUNCIL  
KING COUNTY, WASHINGTON



June 22, 1990

10895

OFFICE OF THE ZONING AND SUBDIVISION EXAMINER  
KING COUNTY, WASHINGTON

REPORT AND RECOMMENDATION TO THE KING COUNTY COUNCIL.

SUBJECT: Building and Land Development File No. S89P0097  
Proposed Ordinance No. 90-408

Proposed Plat of EMERALD MEADOWS

16.5 acres lying generally between Kit Corner  
Road South and 32nd Avenue South (if extended)  
and generally between South 380th Street and  
South 381st Street (if extended)

SUMMARY OF RECOMMENDATIONS:

Division's Preliminary:	Approve subject to conditions (modified)
Division's Final:	Approve subject to conditions (modified)
Examiner:	Approve subject to conditions (modified)

PRELIMINARY REPORT:

The Building and Land Development Division's Preliminary Report on Item No. S89P0097 was received by the Examiner on May 24, 1990.

PUBLIC HEARING:

After reviewing the Building and Land Development

Location: Generally between Kit Corner Road South and 32nd Avenue South (if extended) and generally between South 380th Street and South 381st Street (if extended).

Zoning: SR 9600

Acreage: 16.5

Number of Lots: 56

Typical Lot Size: 9,600 square feet per lot

Proposed Use: Detached single-family residences

Sewage Disposal: Federal Way Sewer & Water District

Water Supply: Federal Way Sewer & Water District

Fire District: #39 - Federal Way

School District: #417 - Fife

2. The applicant proposes to subdivide a 16.5 acre parcel, classified SR 9600, into 56 single family residential building lots. The typical lot size is proposed to be 9600 square feet.
3. An environmental impact statement is not required. See Section D, pages 1 and 2, preliminary report to the Zoning and Subdivision Examiner dated June 7, 1990 (Exhibit No. 1) and the Division's mitigated determination of non-significance dated May 15, 1990 (Exhibit No. 4). The mitigated determination of non-significance requires a 6 foot high, solid wood fence along the west boundary of the proposed plat in order to deflect noise in the immediate area of SR 161. The MDNS also requires payment of any development fees for school impacts if a relevant fee schedule is adopted by the King County Council prior to final plat approval.
4. The Division recommends approval of the proposed plat subject to 22 conditions of final plat approval. Twenty one of those conditions are set forth on pages 5 through 11 of the Division's June 7, 1990 preliminary report to the examiner. Condition No. 22 is contained in Exhibit No. 19. Additionally, the Division's final

get  
of financial

Emerald Point will benefit from this reconstruction and asks that the Emerald Point developer pay one third of the SR 161/28th Avenue South intersection improvements. The applicant responds that Regency Woods is a substantially larger development than Emerald Point and that therefore it would be unfair to the Emerald Point developer to bear one third of the intersection improvement cost burden. The Division recommends that the applicant submit an addendum traffic analysis which addresses the trip distribution and which recommends mitigations based on the revised preliminary plat dated May 11, 1990. The Division recommends that, if it is shown that pro-rata share is required for the SR 161/28th Avenue South intersection, then the applicant should pay the pro-rata share required by KCC 21.49 as determined by the Washington State Department of Transportation.

b. 32nd Avenue South extension impacts.

Two property owners located immediately east of the subject property, Luce and Corthell/Huss, express concern regarding the location of five proposed urban density subdivision lots along the east boundary of the subject property in addition to extending 32nd Avenue South as a stub street to the northeast corner of the subject property (adjacent) to the Luce property. The owners of these neighboring properties have no present intention to subdivide. However, the properties are classified SR (9600). This classification may yield 4.5 dwelling units per acre when developed, but is more likely to yield 3 to 4 dwelling units per acre. Thus, the 2.59 acre Luce property may be expected one day to be developed as approximately 9 homesites and the 0.6 acre Corthell/Huss property as 2 homesites.

A 30 foot wide County right-of-way divides the subject property from the Luce and Corthell/Huss properties. This street right-of-way would provide the

they argue, the livestock present on the Luce property is a "different use" just as the golf course is a different use. The property is presently fenced with a hogwire fence, a wood post two-strand fence. The top strand is barbed wire.

Both Luce and Corthell/Huss ask for a "privacy fence" to discourage unauthorized access to their properties and to provide "esthetic enhancement" of the 32nd Avenue South stub street. As an alternative to a fence, the Luce's request requiring a greenbelt around the northeast perimeter of the subdivision. King County has no policy authorizing new developments to be fenced when abutting identically zoned and used properties.

c. North boundary fencing.

A golf range and nine hole golf course abuts the subject property along its north boundary. The owner of the golf range/course (Christy) believes that the proposed stub street would cause loss of two holes on the golf course. However, the entire street development which is recommended at this time would be located either on County right-of-way or on the subject property. It would not be extended further northward until the Christy golf range were redeveloped. It is classified SR (9600).

Additionally, the Christy golf range owner recommends that the developer keep existing trees to screen the north property line, in order prevent problems with golf range night lights. Golf balls were found on the subject property during on-site investigations. The Division recommends that a fence be installed along the north property line to mitigate golf range impacts on the subject property and to buffer conflicting land uses. Although the applicant does not object, the applicant observes that the Division's recommendation to provide a grasslined drainage swale along the north boundary together with a fence, eliminates any opportunity to provide a tree/vegetative visual screen along the north side of the subject property. The Division contends that

street which will actually abut the Luce property will provide that property with a cost efficient opportunity to develop consistent with existing zoning that here-to-fore did not exist. Thus, the 32nd Avenue South stub street presents an economic windfall gain to the Luce property. Although the owners of the easterly abutting properties do not presently intend to subdivide those properties, that intension cannot be guaranteed over the next 100 years. The streets and lot lines created through subdivision will probably last at least that long.

There is no policy in the Comprehensive Plan which authorizes applicants to provide fencing to provide additional privacy for identically classified neighboring properties. In this case, the 30 foot wide generally undeveloped County right-of-way will provide a generous buffer between the subject property and the easterly neighboring properties. For all of these reasons, the requests for fencing along the east boundary should be denied. However, because of the eventual development of the northerly abutting property cannot be predicted, the barricade at the end of 32nd Avenue South should be permanently installed--not temporarily (with sandbags) as recommended by the Division.

2. Recommended condition no. 22, below, will adequately address the SR 161/28th Avenue South intersection impact resulting from this proposed plat. The recommendation is consistent with KCC 21.49 and should be approved. The intersection financing proposal suggested by the developers of Regency Woods Division IV is not consistent with KCC 21.49 and therefore should not be approved.
3. Fencing along the north boundary of the subject property will not adequately protect the proposed subdivision from the negative impacts of the golf range located along the north boundary. However, fencing is the best available mitigating measure possible. It is required for the same reason that fencing along the west boundary is also required--in order to mitigate severe use conflicts (on the north, a golf range; on the west, a State highway). Considering the 30 foot wide public right-of-way buffer, existing fencing, and the general similarity

and sanitary wastes; and it will serve the public use and interest.

7. The conditions recommended in the Division of Building and Land Development's Preliminary Report as amended below are in the public interest and are reasonable requirements.

RECOMMENDATION:

GRANT preliminary approval to the proposed plat of Emerald Meadows, as depicted in Exhibit No. 6 of this hearing record, subject to the following conditions of final plat 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 S-R 9600 zone classification or shall be as shown on the face of the approved preliminary plat, whichever is larger. (Minor revisions may be considered.)
4. The applicant must obtain final approval from the King County Health Department.
5. All construction and upgrading of public and private roads shall be done in accordance with the King County Road Standards established and adopted by Ordinance No. 8041.
6. 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.
7. 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.

STD RESUBMIT  
if county  
will  
redept

10. Off-site flows from the upstream property enter the proposed subdivision along the north property line via several 4-inch diameter culverts and an open channel. To provide for future conveyance of these flows, the following shall be satisfied:
  - a. A grasslined swale shall be designed and constructed to collect the off-site flows, as recommended in Section 7 of the May 22, 1990 geotechnical report prepared by Associated Earth Sciences, Inc.
  - b. The swale shall be located in a 15-foot wide minimum drainage easement with appropriate building setback line (BSBL) and shall be designed with sufficient capacity to convey at least a 25 year storm.
  - c. The off-site flows shall bypass the future drainage facilities for the proposed subdivision unless the existing peak runoff rate from the off-site contributing area is less than 50% of the proposed subdivision post-developed peak runoff rate.
  - d. The following statement shall be shown on the engineering plan and recorded document: "By restriction no structure, fill, or obstruction, including but not limited to decks, patios, out-buildings, or overhangs shall be permitted beyond the drainage easements and building setbacks as shown, unless otherwise approved by King County."
11. Off-site surface water flowing from the east naturally drains toward lot nos. 52 through 56, as numbered on the May 11, 1990 preliminary plat plan. An interceptor, designed as recommended in the May 22, 1990 geotechnical report, shall be constructed along the east property line of the proposed subdivision. It shall be located at least 5 feet away from the property line and placed in a 15-foot minimum drainage easement with appropriate BSBL.
12. An addendum to the Associated Earth Sciences geotechnical report dated May 22, 1990 is required to address how the soil-bearing capacity noted in Section 8 and the liquefaction noted in Section 9...





ORDERED this 22nd day of June, 1990.



R. S. Tinsley  
Deputy Zoning and Subdivision  
Examiner

TRANSMITTED this 22nd day of June, 1990, by certified mail, to the following parties of record:

Jim Adams	Kim Adams
Louis Boitano	Mark H. Calkins, Ph.D.
George & Arlene Christy	Tony Huss/Lisa Corthell
Ken Luce	Brad Merkle
Ray Mohr	Pac-Tech, L. Heires/B. Harron
Robert Flitton, Parklane Ventures	

TRANSMITTED this 22nd day of June, 1990, to the following:

Lydia Reynolds, Building and Land Development Division  
Fereshteh Dehkordi, Building and Land Development Division  
Rich Hudson, Building and Land Development Division  
Steve Townsend, Building and Land Development Division  
Dept. of Wildlife, Tony Oppermann  
Christopher Brown  
Gail Bruce, John L. Scott, Inc.  
King County Cons. Dist.  
Diana Kinared, Windemere Real Estate  
New Constr. Serv., Alex White  
Transamerica Title Ins., Tom Kollogg

NOTICE OF  
RIGHT TO APPEAL AND ADDITIONAL ACTION REQUIRED

In order to appeal the recommendation of the Examiner, written notice of appeal must be filed with the Clerk of the King County Council with a fee of \$70.00 (check payable to King County Office of Finance) on or before July 6, 1990. If a notice of appeal is filed, the original...

Action of the Council Final. The action of the Council approving or adopting a recommendation of the Examiner shall be final and conclusive unless within thirty (30) days from the date of the action an aggrieved party or person applies for 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.

MINUTES OF THE PUBLIC HEARING ON BALD FILE NO. S89P0097 -  
EMERALD MEADOWS

R. S. Titus was the hearing examiner in this matter. Participating in the hearing were Lydia Reynolds and Fereshteh Dehkordi representing the Building and Land Development Division, Robert Flitton, Tony Huss, Larry Keires, Arlene Christy and Mark Calkins.

The following exhibits were offered and entered into the record:

- Exhibit No. 1 Building and Land Development's preliminary report, dated June 7, 1990
- Exhibit No. 2 Application, dated October 19, 1989
- Exhibit No. 3 Environmental Checklist, dated October 19, 1989
- Exhibit No. 4 Mitigated Declaration of Non-significance, dated May 15, 1990
- Exhibit No. 5 Affidavit of Posting indicating May 4, 1990 as date of posting and indicating May 10, 1990 as date affidavit was received by Building and Land Development
- Exhibit No. 6 Revised plat, dated May 11, 1990
- Exhibit No. 7 Assessors maps SW 34-21-4, SE 33-21-4
- Exhibit No. 8 Kroll map pages 753E & 753W
- Exhibit No. 9 Traffic study by Christopher Brown & Associates, dated December 27, 1989
- Exhibit No. 10 Geologic Hazard report by Associated Earth Sciences, Inc., dated May 22, 1990
- Exhibit No. 11 Letter from Department of Wildlife, dated May 23, 1990
- Exhibit No. 12 Letter from Mr. George Christy, dated May 23, 1990
- Exhibit No. 13 Letter from Louis Boitano, dated May 29, 1990
- Exhibit No. 14

11/89

Exhibit A  
Standard Storm Drainage Requirements (Portion Only)

- a. BALD approval of the drainage and roadway plans is required prior to any construction.
- b. A separate ESC plan for this project shall be submitted with the engineering plans. The plan shall show areas to be cleared (limits of clearing) and provide a schedule for 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.
- 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-outs 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.

- 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 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 approve 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 and 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.

10895

DATE INTRODUCED 06-14-93 PROPOSED ORDINANCE NO. 93-0471

INTRODUCED BY PB REFERRED TO \_\_\_\_\_ COMMITTEE

TITLE: AN ORDINANCE granting an extension of preliminary approval for  
the PLAT of EMERALD MEADOWS (BALD File No. S89P0097)

RECEIVED  
JUN 25 1993

KING COUNTY EXECUTIVE

NEEDS ADVERTISING \_\_\_\_\_ COMMENTS \_\_\_\_\_

CARD FILE TITLE \_\_\_\_\_