

1 Introduced by: BERNICE STERN

2 79-613

3 MOTION NO. 4207

4 A MOTION clarifying the adoption of find-  
5 ings and conclusions contained in the  
6 Deputy Zoning and Subdivision Examiner's  
7 amended report for the proposed plat of  
8 Sunrise, designated Building and Land  
9 Development Division File No. 877-10.

10 WHEREAS, the Land Use Appeal Committee on August 21, 1978,  
11 moved, seconded, and unanimously recommended to the full Council  
12 "DO PASS on the Proposed Substitute Motion No. 78-494 concurring  
13 with the findings, conclusions and recommendation of the Deputy  
14 Examiner's August 18, 1978, amended report," (copy of minutes  
15 attached) with one condition revised, and

16 WHEREAS, the King County Council on September 5, 1978,  
17 passed unanimously Motion 3708 approving the Proposed Plat of  
18 Sunrise, designated Building and Land Development File No. 877-10,  
19 subject to conditions, and

20 WHEREAS, Motion 3708 (copy attached) states that:

21 The Proposed Plat of SUNRISE, designated  
22 Building and Land Development File No.  
23 877-10, is approved subject to the condi-  
24 tions recommended by the Deputy Zoning and  
25 Subdivision Examiner in his amended report  
26 and recommendation to the King County Coun-  
27 cil dated August 18, 1978, subject to the  
28 following revision to recommended Condition  
29 No. 20, . . .

30 WHEREAS, the August 18, 1978, amended report and recommenda-  
31 tion of the hearing examiner in this matter contains findings,  
32 conclusions and recommended conditions, all of which constitute  
33 the "amended report and recommendation" in this matter, and

WHEREAS, a question has arisen in Superior Court litigation,  
King County Cause No. 851284, regarding the effect of Motion 3708  
in adopting Council findings and conclusions.

NOW, THEREFORE, BE IT MOVED by the King County Council for  
clarification:

The adoption by the King County Council of Motion 3708 on

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September 5, 1978, which therein states the Proposed Plat of  
SUNRISE:

[I]s approved subject to the conditions recommended by the Deputy Zoning and Sub-division Examiner in his amended report and recommendation to the King County Council dated August 18, 1978, . . .

subject to one revised condition, constituted an adoption by the Council as its own, the findings, conclusions and conditions contained in said amended report and recommendation on the plat of Sunrise, designated Building and Land Development File No. 877-10. A copy of said amended report and recommendation including the findings, conclusions and conditions therein is attached hereto and incorporated herein by this reference.

PASSED at a regular meeting of the King County Council  
this 30<sup>th</sup> day of April, 1979.

KING COUNTY COUNCIL  
KING COUNTY, WASHINGTON

*Ruby Chow*  
Chairman

ATTEST:

*Dorothy M. Arena* DEPUTY  
Clerk of the Council

## LAND USE APPEAL COMMITTEE

AUGUST 21, 1978 MEETING

MEMBERS PRESENT: Bernice Stern, Chairman  
 Ruby Chow, Vice Chairman  
 Mike Lowry, Member Pro Tem

MEMBERS EXCUSED: Paul Barden  
 Gary Grant  
 Bill Reams

The meeting was called to order at 2:20 P.M. in the Council Chambers by the Chairman and the following agenda items were considered:

1. Appeal and Proposed Motion Nos. 78-622 and 78-621 on the Examiner's report and recommendation on the Proposed Plats of SKY MOUNTAIN and VUEMONT.

The following individuals spoke on this matter:

Joseph F. Lightfoot, Deputy Zoning and Subdivision Examiner  
 Joel Haggard, attorney representing applicants and appellants  
 Gerald Harkleroad, representing applicants and appellants  
 Ed Dean, representing applicants and appellants  
 Gerritt Moore, representing opponents  
 Gene Wanglie, representing opponents  
 Larry Faucher, Building and Land Development Division

Mr. Lightfoot explained that this is an appeal on a partial report on two plats; one of 88 acres located between 172nd Avenue S. E. and 180th Avenue S. E., (if both were extended) and between S. E. 45th and S. E. 48th Streets (if both were extended), and an 88.5 acre plat located between S. E. 44th and S. E. 46th Streets, east of 168th Avenue S. E. and extending east to within 500 feet southwest of S. E. 90th, for a total of 481 lots in an SR (Suburban Residential) zone. He advised that these plats had been filed in the summer of 1976; an Environmental Impact Statement has been prepared; and that his report was delayed for receipt of the Health Department approval. The Building and Land Development Division did not concur with the approval from the Health Department and a hearing was held on that matter, Mr. Lightfoot advised. He explained that his report recommends the Council deny the plats for lack of compliance with Ordinance No. 3579, or remand the plats to the Examiner pending adoption of a community plan for the area by the Council. He further explained that this recommendation was based on a literal interpretation of Ordinance No. 3579 due to a lack of adequate water service, and the fact that the Water District's Comprehensive Plan has not been approved.

Mr. Haggard explained that the applicant would agree that the plat not be approved until the 250 feet of the 4 inch line serving subject property is replaced with a larger line. He asserted that the plat meets the intent of Ordinance No. 3579 and should be approved. Less than 6% of the length of the water line is undersized and will have to be replaced to serve these plats, Mr. Haggard explained, and this line will have to be replaced, regardless of the Council's action on this matter, for fire flow purposes.

Mr. Harkleroad explained that developers typically allow one year for processing a subdivision and it was expected this property would be ready for marketing in the summer of 1977. He advised that this is strictly a technicality which should be readily resolved. He explained that the applicant has offered to reduce the density to two units per acre. He explained that all conditions and requests made by the County to date have been met. He asserted that the applicant has been

Land Use Appeal Committee  
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unfairly denied the right to develop his property.

Mr. Dean advised that the Health Department approval pursuant to Ordinance No. 3579 had been contested by the Building and Land Development Division because of the deficiency of 250 feet of water line which the City of Bellevue Water District advised they would remedy as they were unaware of the deficiency. He contended there there is a housing deficiency of 16,000+ homes which causes housing inflation and a gross injustice to the citizens of King County. This plat will provide housing, causing used houses to be available to lower and middle class income families, Mr. Dean asserted. This plat is in compliance with the proposed Newcastle Communities Plan, he explained.

Mr. Moore asserted that Ordinance No. 3579 assures the use of a community plan and that too is important to the citizens of the County. He advised that the City of Bellevue Utilities Department does not intend to replace the 250 foot water line as they feel it is an adequate line for their present service area. He stated that he concurs with the Hearing Examiner's recommendation.

Mr. Faucher advised that he was under the impression that the Comprehensive Plan for the City of Bellevue Water District has not been submitted to the County for approval, but he was not certain.

Mr. Haggard asserted that the intent of Ordinance No. 3579, as understood by Building and Land Development and the Health Department, is to approve all facilities in the ground and the Comprehensive Plans on Exhibit A and B of the ordinance, and the plats approved by the County within 330 feet.

Mr. Moore advised that the City of Bellevue Utilities Department advised him that new facilities are required to provide water service to the subject plats.

ACTION: It was moved by Mrs. Chow, seconded by Mrs. Stern, the Committee remand this matter to the Deputy Examiner with the understanding the plat is in compliance with Ordinance No. 3579 with the condition the existing water line can adequately serve the plat. No vote was taken on the motion.

As a result of the discussion on the above motion, the Committee agreed to continue this matter to this Committee's next regular meeting in order to obtain information from the Bellevue Water District regarding their ability to serve the subject plats.

2. Appeal and Proposed Motion No. 78-539 on the Examiner's report and recommendation on the Proposed Plat of EMERALD DOWNS, File No. 278-24.

The following individuals spoke on this matter:

James N. O'Connor, Deputy Zoning and Subdivision Examiner  
 Quintin Lee, representing the appellant, the Kent School District  
 Dennis Smith, attorney representing applicant  
 Larry Faucher, Building and Land Development Division

Mr. O'Connor explained that this is a 66.4 acre, 106 lot subdivision lying east of 164th Avenue S. E., approximately between S. E. 248th and S. E. 252nd Streets (if both were extended), in G (General) and SR (Suburban Residential) zones. Mr. O'Connor advised that this plat lies within the Soos Creek Communities Plan area and is in conflict with that plan which proposes one unit per five acres, whereas the plat proposes in the westerly portion 1 unit per acre and in the easterly part, two units per acre. The appeal, he advised, is not on the merits of the plat, but rather requests subdivision of

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the westerly 25 acres be deferred pending negotiations for its acquisition for a school site.

Mr. Lee advised that he does not question the Examiner's recommendation, but the School District's concerns are that they would like to use a portion of this property for a school site. Mr. Lee advised that due to new home construction in the area and projected future construction totaling 4000 to 5000 homes, a new school site is required. He explained that the School District has been involved in extensive negotiations with the applicant since February to obtain 24 to 25 acres of the property, adjacent to 164th Avenue S. E. He asserted that time is of the essence and if the property cannot be acquired within a few days, the School Board will be asked to authorize the District to take legal action to acquire the site through condemnation procedures. He argued that approval of the plat will be detrimental to their negotiations and pointed out that if the site is acquired the plat would have to be revised.

Mr. Smith questioned whether this is an appeal as there are no issues taken with any of the Examiner's findings. He asserted that the School District feels it will be in a better bargaining position to purchase this property if the preliminary plat approval is not given. The plat is consistent with the local utility district's comprehensive plans, the Zoning Code and Comprehensive Plan, he argued. The developer is willing to comply with the Examiner's recommendation, he advised. Mr. Smith explained that a different proposal will have to be submitted if the applicant and the school district come to an agreement regarding the desired school site.

Mr. Faucher stated concerns that if a portion of the site is sold to the School District, major revisions to the street system would be required.

Mr. Smith advised that his concerns will have to be addressed, and the applicant has prepared revisions to the plat with the potential School District acquisition.

Mr. Faucher advised that the Subdivision Technical Committee's recommendation was to deny because the plat is in conflict with the Soos Creek Communities Plan.

Mrs. Stern questioned the Examiner concerning this conflict and he summarized the findings which had lead him to conclude that the preliminary plat should be approved. Mrs. Stern noted that no appeal had been taken by any party concerning the Examiner's recommendation as it related to the density of development proposed for the property.

ACTION: It was moved by Mr. Lowry, seconded by Mrs. Chow, the Committee recommend DO PASS on Proposed Motion No. 78-539 concurring with the findings, conclusions and recommendation of the Deputy Examiner to approve the plat subject to conditions. The motion passed unanimously.

3. Appeal and Proposed Motion No. 78-681 on the Examiner's report and recommendation on the Proposed Plat of SHAUNA DOWNS, File No. 577-3.

The following individuals spoke on this matter:

Robert A. Eveleigh, Deputy Zoning and Subdivision Examiner  
 John Cary, attorney representing opponent and appellant  
 Richard Chapin, attorney representing applicant

Mr. Evelcigh explained that this is a 90 lot subdivision on 89 acres lying between 100th Avenue N. E. and 105th Avenue N. E. and north of N. E. 145th Street in RS 15,000 (Single Family) and SR (Suburban Residential) zones. He further explained that a revised plat under the same file number was submitted by the applicant based upon a

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a request of Building and Land Development to the Council to remand the plat to consider it in light of more detailed topographic information. He advised that he had concluded that the revised plat was substantially reduced in size and direct impact. He further concluded that the Environmental Impact Statement for the original plat adequately considered the possibility of a Planned Unit Development on Tract A, but that a supplemental Environmental Impact Statement should be required for future development of Tract A. He advised that construction of homes in the northerly portion of the plat and any development of Tract A would require the applicant's securing a second access to the west.

Mr. Cary advised that he represents Ronald C. Reed, a resident of Norway Hill since 1969. He further advised that the revisions essentially constitute a new plat and that, in recognition of that fact, the Examiner had allowed at the remanded hearing discussion of the merits of the new plat, not merely the topography which was the reason for the remand. Mr. Cary argued that this plat violates the Northshore Communities Plan which requires preservation of the rural values, and the imposing of an urban development in a rural area. He argued that the concern is with the interpretation and implementation of the Northshore Communities Plan. He asserted that the Northshore Communities Plan requires retaining the rural qualities of the area, the provision of walkways and bikeways and consideration given to aesthetic matters. Mr. Cary contended that this is a considerably different application as Building and Land Development has requested another look at this matter in light of the new topographic information and that subsequently the plat was revised, as over half of the property does not now have lots.

Mr. Chapin argued that this is in fact one developer fighting another. The appellant, he advised, owns 160 acres of the total 600 acres on Norway Hill and has plans for the subject property which incorporates multi-family housing and a golf course. There is less impact from this plat in its present form, than the original plat approved by the Council, Mr. Chapin asserted. He argued that this plat is in no way in conflict with the Northshore Communities Plan.

ACTION: It was moved by Mr. Lowry, seconded by Mrs. Chow, the Committee recommend DO PASS on Proposed Motion No. 78-681 concurring in the findings, conclusions and recommendation of the Deputy Examiner to approve the plat subject to conditions. The motion passed unanimously.

4. Appeal and Proposed Motion No. 78-494 on the Examiner's report and recommendation on the Proposed Plat of SUNRISE, File No. 877-10.

The following individuals spoke on this matter:

James N. O'Connor, Deputy Zoning and Subdivision Examiner  
 Larry Faucher, Building and Land Development Division  
 Hugh Goldsmith, engineer representing applicant and appellant  
 Janet Quimby, attorney representing opponents

Mrs. Stern explained the status of this matter, stating that the appeal had been considered and acted upon by the Committee in July, and the Deputy Examiner had been directed to prepare an amended report which was now before the Committee for review.

Mr. O'Connor advised that he had responded to the Land Use Appeal Committee's concerns at the July 17, 1978 meeting in Conditions 1, 10, 11, 20 and 21 in his amended report dated August 18, 1978. He advised that no condition was provided which would require dedication of the school site because nothing in the record indicates the specific and definite needs of the School District.

Land Use Appeal Committee  
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Mr. Faucher advised the Committee how Condition No. 21 of the Examiner's report dated August 18, 1978 would be enforced.

Mr. Goldsmith advised that the issue is not the proposed three year phasing, but when that phasing actually begins. He further advised that homes will not be constructed until 1980. He explained that the second phase will not be built until late 1981 and early 1982 and Division 3 will begin in 1982-83.

Mr. Faucher advised that the three year phasing as proposed is satisfactory to the Northshore School District if the first phase includes dedication of a school site and the necessary utilities and roads.

Mr. Goldsmith advised that the applicant does not oppose the requirement of school dedication in the first phase. He suggested that the Council require that the first phase not be recorded prior to October 1979 and the second phase not be recorded prior to February 1981.

ACTION: It was moved by Mrs. Chow, seconded by Mr. Lowry, the Committee recommend DO PASS on Proposed Substitute Motion No. 78-494 concurring with the findings, conclusions and recommendation of the Deputy Examiner's August 18, 1978 amended report with Condition No. 20 to be revised to provide:

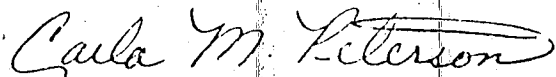
"Development of the plat shall be phased, with not more than 216 lots to be recorded prior to October 1979, and not more than 200 additional lots to be recorded prior to February 1981. Conveyance of the designated school site to the Northshore School District and the installation of streets and utilities necessary to serve the school site shall be included in the first phase of development. The limitations upon development stated in this condition are in addition to the limitation upon the recording of lots prior to availability of appropriate access. Development of the plat shall be phased in accordance with the most restrictive applicable condition."

The motion passed unanimously.

The Committee directed that this matter be placed on the Council's agenda of September 5, 1978.

The meeting was adjourned at 5:00 P.M.

Respectfully submitted,



Carla M. Peterson  
SECRETARY

9-5-78

Introduced by: Councilman Dunn  
78-494

MOTION NO. 3708

A MOTION concurring with the amended recommendation of the Zoning and Subdivision Examiner on the application for approval of the Proposed Plat of SUNRISE, designated Building and Land Development Division File No. 877-10, and revising a condition thereto.

WHEREAS, the Deputy Zoning and Subdivision Examiner, by amended report and recommendation to the King County Council dated August 18, 1978 has recommended that the Proposed Plat of SUNRISE, designated Building and Land Development File No. 877-10, be approved subject to conditions, and

WHEREAS, the Deputy Examiner's prior report and recommendation to the King County Council dated May 16, 1978 had been appealed by the applicant, and

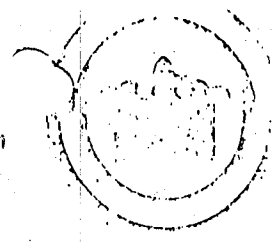
WHEREAS, the King County Council reviewed the May 16, 1978 report and recommendation and the record and written appeal arguments in this matter, and instructed the Deputy Examiner to consider the approval of the subject plat with conditions for phasing of development, restricting sewers in the adjacent area, further limiting the density of development, and revising the proposed access, and

WHEREAS, the Deputy Examiner reopened the public hearing for the submission of documentary evidence and written statements pertinent to the foregoing matters, received and entered into the record fourteen additional exhibits relating thereto, and prepared an amended report and recommendation to the King County Council based on said additional evidence.

NOW THEREFORE, BE IT MOVED by the Council of King County:



ROBERT B. DUNN, Dist. No. 2  
BILL BEAMS, Dist. No. 3  
BERNICE STERN, Dist. No. 4  
RUBY CHOW, Dist. No. 5  
MIKE LOWRY, Dist. No. 6  
PAUL BARDEN, Dist. No. 7  
BOB GREIVE, Dist. No. 8  
GARY GRANT, Dist. No. 9



KING COUNTY COUNCIL  
Bruce C. Laing, Zoning & Subdivision Examiner 4207

Room E-189, King County Courthouse  
Seattle, Washington 98104  
344-3460 -

September 20, 1978

NOTICE OF ACTION BY THE KING COUNTY  
COUNCIL ON RECOMMENDATIONS OF THE  
ZONING AND SUBDIVISION EXAMINER

RE: Building and Land Development File No. 877-10  
Proposed Plat of SUNRISE

On \_\_\_\_\_, 19\_\_\_\_ the Council by Motion No. \_\_\_\_\_  
concurrent in the Examiner's recommendation and denied the  
above-referenced preliminary plat.

On September 5, 1978 the Council, by Motion No. 3708  
concurrent in the Examiner's recommendation and approved the  
above-referenced preliminary plat subject to the conditions  
contained in the Examiner's report.

Bruce C. Laing  
ZONING & SUBDIVISION EXAMINER

BCL:klh

cc: Building and Land Development Division  
Parties of Record

Transmitted to:  
Patricia Stern  
Jack Tonkin  
Diane Brewington  
David Shipway, M/M  
Margaret McEachern  
Jack Lynch, K. C. Plan. & Comm. Dev.  
Susan Godfrey, American Journal  
Steve Kuszpit  
R. Bell  
Dr. T. Kelley  
A. Pratt  
Betty Camblin  
Florence Oates  
M/M Friel  
Seattle-K. C. Dept. of Health  
M/M Dallas H. Pasley  
Donovan & Carole Olson, Hollywood Hill Assoc.  
M/M Earl Cisco  
M/M E. Bob Martin  
M/M Larry Jackson  
City of Redmond, Julian Sayers  
C. Sabich  
R. Stabbert  
R. Kloepfer  
C. McKee  
M/M Harvey Hosey  
M/M James Kraft

Lynn Wuscher  
Ronald & Rosemary Zeutschel  
Don Hultgren  
Penley Leonard  
Carlos Velategui  
Cindy Bordner  
Scott Bigbie  
Phyllis Keller  
Peg Sparkman  
Douglas Bailey  
Margaret Ellsworth  
Carl Sheve  
Lee Olwell  
Roger Anderson  
John Valenta  
W. Paulus  
James Arntson  
M/M Jack Himer  
Northshore School District, Dr.  
Thomas Cooper  
Louise Buschman  
Donal R. Sparkman  
U. S. Environmental Protection Agency  
Carl A. McDanold  
M/M Romeo Gonyea, Jr.  
M. E. Phares

(over) 2

August 18, 1978

OFFICE OF THE ZONING AND SUBDIVISION EXAMINER  
KING COUNTY, WASHINGTON

AMENDED REPORT AND RECOMMENDATION TO THE KING COUNTY COUNCIL.

SUBJECT: Building and Land Development File No. 877-10  
Proposed Plat of SUNRISE  
 206.9 acres lying between 168th Avenue N. E.  
 and 180th Avenue N. E. and south of N. E. 145th  
 Street.

SUMMARY OF RECOMMENDATIONS:

Technical Committee preliminary:	Approve subject to conditions.
Technical Committee final:	Deny.
Examiner's initial:	Deny.
Examiner's final:	Approve subject to conditions.

PROCEEDINGS:

The record of the proceedings with respect to the subject matter, set forth at pages 4 through 11 of the May 16, 1978 report and recommendation to the King County Council are incorporated herein by this reference. The following proceedings occurred subsequent to the initial closing of the hearing on Item 877-10 at 4:30 P.M. on March 31, 1978.

An appeal of the Examiner's recommendation to the King County Council was filed with the Clerk of the King County Council on behalf of the applicant, written statements in support of and in opposition to the appeal were filed, and the appeal was considered by the Land Use Appeal Committee of the King County Council at its regularly scheduled meeting on Monday, July 17, 1978. Upon consideration of the written appeal arguments and the record, and after having heard oral argument on behalf of the appellant and the parties in opposition to the application, the Committee remanded this matter to the Deputy Examiner to consider, with the Technical Committee's assistance, the following items in connection with approval of the plat:

- (1) phasing of the development, including dedication of the school site in the first phase,
- (2) restricting sewers to the SR zoned properties and protecting surrounding areas not zoned SR from required hook-ups,
- (3) restricting the density to 2.64 units per acre, and
- (4) approval of the proposed secondary access to the south from the necessary agencies.

The Land Use Appeal Committee further directed that this matter be brought back to them in approximately one month.

On July 20, 1978 a notice of remand and a notice of appeal (continued) was mailed to all parties of record. Opportunity was provided to all interested persons to submit additional exhibits, written statements, affidavits and briefs, which would be accepted for entry into the record through the close of business on August 11, 1978. Pursuant to that opportunity, the following items were received and have been entered into the record as exhibits:

- EXHIBIT NO. 47 Revised preliminary plat of SUNRISE, with cover letter addressed to Building and Land Development Division from Hugh G. Goldsmith, and Associates, Inc., received July 13, 1978.
- EXHIBIT NO. 48 Letter dated July 12, 1978, addressed to the King County Council Land Use Committee by Wilfred J. and Marjorie I. Lund.
- EXHIBIT NO. 49 Letter dated August 9, 1978 addressed to the Subdivision Technical Committee by Mrs. Diane Brewington.
- EXHIBIT NO. 50 Letter dated August 11, 1978 addressed to the Zoning and Subdivision Examiner from Janet E. Quimby.
- EXHIBIT NO. 51 Letter dated August 9, 1978 to James N. O'Connor from Lee Olwell.
- EXHIBIT NO. 52 Letter dated August 6, 1978 addressed to James N. O'Connor from Mr. & Mrs. Jack Himes.
- EXHIBIT NO. 53 Letter dated July 19, 1978 addressed to the Building and Land Development Division by Hugh G. Goldsmith & Associates, Inc., with attached letters from J. G. Peterson, Wilfred J. and Marjorie I. Lund, Prestige Homes, Inc. (with attached sketch), received July 19, 1978.
- EXHIBIT NO. 54 Letter dated July 24, 1978, addressed to the Building and Land Development Division by Hugh G. Goldsmith & Associates, Inc., relating to phasing of development, received July 24, 1978.
- EXHIBIT NO. 55 Letter dated July 24, 1978 addressed to the Building and Land Development Division by Hugh G. Goldsmith & Associates, Inc., with revised preliminary plat and revised Comprehensive Land Use and Circulation Plan dated July 12, 1978, received July 24, 1978.
- EXHIBIT NO. 56 Letter dated August 2, 1978 addressed to the Building and Land Development Division by King County Fire Protection District No. 36, received August 4, 1978.
- EXHIBIT NO. 57 Letter dated July 29, 1978 addressed to Water District No. 104 by Hugh G. Goldsmith & Associates, Inc.
- EXHIBIT NO. 58 "Sunrise: Phasing Plan", dated July 24, 1978, proposed by the applicant.
- EXHIBIT NO. 59 Revised Preliminary Plat of Sunrise with color codes, as displayed to the King County Council Land Use Appeal Committee July 17, 1978 by Hugh G. Goldsmith.
- EXHIBIT NO. 60 Memorandum dated August 15, 1978 addressed to the Deputy Zoning & Subdivision Examiner by the Building and Land Development Division.

The public hearing on Item 877-10 was closed by the Deputy Examiner at 8:30 A.M., August 14, 1978.

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

FINDINGS:

1. General Information:

Zoning:	SR
STR:	24-26-5
Location:	Lying between 168th Avenue N. E. and 180th Avenue N. E. and south of N. E. 145th Street, approximately 2000 feet north of N. E. 128th Street (N. E. 124th Street extension)
No. of Lots:	547, plus 10 tracts
Sewage Disposal:	Water District #104
Water Supply:	Water District #104
Fire District:	#36
School District:	#417

2. Findings Nos. 2, 3, 5, 8, 9, 10, 12, 15, 16, 17, 18, 19, 23 and 24, as contained in the May 16, 1978 report and recommendation to the King County Council, are hereby reaffirmed and are incorporated herein by this reference.
3. The King County Comprehensive Plan, adopted in 1964 and readopted in 1969, is based upon the "urban center development concept". That concept encourages lower residential densities where the existing pattern of development warrants permanent protection, and in those areas located at a greater distance from the focal points of community activity, major transportation routes, and primary employment centers. (See King County Comprehensive Plan, page 30).

The Plan provides, with respect to single family residential areas, that, "because of the amount of land affected by residential development, the location of various densities is an important factor in the achievement of the urban center development concept. As such, residential densities should decrease at greater distances from an urban center." (Page 115)

The following policies of the King County Comprehensive Plan are relevant to this proposal:

D-2: "Land which is suitable for residential use in terms of physical characteristics, but which is beyond the foreseeable urban area, should be considered as a residential reserve and be subject to special analysis to determine proper timing of urban-type development."

D-4: "Residential areas shall have varying densities dependent upon the type of development, location, and degree of improvements."

D-6: "Outlying areas susceptible to transition to urban residential use shall have an allowed density of up to five housing units per gross acre provided that the standards required for such density in urban areas can be met. Otherwise, the maximum allowed density shall be one housing unit per five gross acres."

D-7: "In those portions of the County now predominantly rural in character, residential densities of three or more housing units per acre shall be encouraged only adjoining existing town center development."

The King County Council, in adopting the Northshore Communities Development Plan, determined that the subject property is suitable for residential use in terms of its physical characteristics, and is now ready to be utilized for urban-type development. The development of the subject property at the revised proposed density of 2.64 units per acre, with the improvements, utilities and access routes proposed and currently available, is consistent with the foregoing policies.

4. The July 1978 revised plat of the subject property, which establishes lots having a minimum size of 35,000 square feet (nominal one acre size) along the easterly border of the subject plat, provides a reasonable buffer between the adjacent property to the east and the more dense development to the west within the subject plat. The area immediately east of the subject property is zoned G (General), and development of the property to the east has been at a typical density of one dwelling unit per five acres, which is consistent with the Bear Creek Middle Plan.
5. On August 10, 1977 King County Ordinance No. 3325, adopting the Northshore Communities Plan was approved. The Planning and Community Development Committee of the King County Council and the full Council at its public hearings on the Northshore Communities Development Plan, gave specific consideration to the SR zoned property on south Hollywood Hill (which encompasses the subject property). As finally adopted by the Council, the Northshore Communities Development Plan provides that this property may be developed at a "net density limited to three dwellings per acre", if certain conditions are met. This provision was adopted as a limitation upon the density of 4 to 5 dwelling units per acre permitted by the present zoning (SR) when urban improvements are provided; no limitation upon the time (or requirement for deferral) of development of this property was incorporated into the Northshore Communities Development Plan as adopted. The proposed preliminary plat of Sunrise conforms to the specific policies of the Northshore Communities Development Plan which were established for the purpose of controlling the development of the SR zoned property on south Hollywood Hill. These policies are set forth as paragraphs a through n of section 14, "Hollywood Hill Plan Proposal", at pages 78 - 79 of the Northshore Communities Development Plan.
6. The Examiner has taken official notice of action taken by the King County Council on April 4, 1977 adopting Motion No. 2950 approving the preliminary plat of Mount Clare Estates, Building and Land Development Division File No. 277-1. The preliminary plat of Mount Clare Estates consists of 81 lots on 80 acres, lying south of the proposed preliminary plat of Sunrise and north of N. E. 128th Street (N. E. 124th Street extension). There is a 660 foot common boundary between the two plats (Sunrise and Mount Clare Estates) at N. E. 136th Street as proposed, across from Lots 508 - 514 on the July 1978 revised preliminary plat of Sunrise, and there is a second 660 foot common boundary between the two plats south of N. E. 136th Street, abutting Lots 515 and 535 - 540 of Sunrise.

Approval of the preliminary plat of Mount Clare Estates was made subject to conditions, including one requiring that access be over a full width County road, dedicated and improved to County standards. The road to be improved to meet this condition is 172nd Avenue N. E. which will bring full width improvement of 172nd Avenue N. E. approximately half way from the N. E. 124th Street extension to the proposed plat of Sunrise. The developer of Mount Clare Estates is also requested to improve 172nd Avenue N. E. to County standards for a half street to the northerly border of the plat of Mount Clare Estates (within approximately 660 feet of the southerly boundary of Sunrise).

7. The revised Land Use and Circulation Plan for Sunrise proposes access points to the plat of Sunrise which are consistent with the approved preliminary plat of Mount Clare Estates. The July revisions to the proposed preliminary plat of Sunrise, providing larger lots where the plat of Sunrise abuts the proposed preliminary plat of Mount Clare Estates, establishes a reasonably harmonious and compatible development where the two plats abut.
8. The proposed development of Sunrise is likely to encourage more rapid commitment of the surrounding area to suburban land use. The additional population likely to inhabit the area within the plat of Sunrise will be approximately 2000 persons, who will arrive between 1979 and 1982 if the property is developed at the schedule initially proposed by the applicant. Sunrise will also have a significant impact upon an 800 acre influence area, consisting of all the undeveloped land within 3/4's of a mile of Sunrise (not including that property which is limited by topographic or man-made restrictions). That impact will likely result in the construction of 1500 additional housing units, with 5000 additional persons. The additional population in the impact area will include approximately 2000 school age children.

It is the desire of the current residents of this area that the present rural nature of the community be retained. Although the approval of this application and the likely secondary impacts from that approval will result in a substantial change in the nature of the area, from rural to suburban, the adverse impacts upon government services and facilities resulting from this change can be somewhat mitigated by phasing the development. The applicant has proposed that the development of Sunrise be phased over a three year period, with 216 lots proposed to be finished in 1979, 200 in 1980, and 131 in 1981.

9. The phasing proposed by the applicant would result in the development of the property at a rate faster than government services and facilities can be expanded to adequately serve the residents of the subject property. However, no alternative phasing or scheduling has been proposed, nor has other evidence been offered which would enable the Examiner to recommend a phasing schedule more likely to be consistent with the development of government services and facilities to support the additional population anticipated within the area. Persons purchasing homes within the plat of Sunrise, as it is developed, will have the opportunity to observe and evaluate the extent to which government services are present and available, and to make decisions as to whether or not they wish to occupy residences within the plat of Sunrise based upon the information available to them at that time.
10. On May 9, 1967 the property subject to this application, together with approximately 70 additional acres in the vicinity, was reclassified from G (General) to SR (Suburban Residential) by the King County Planning Commission. Although the stated reasoning for the reclassification at that time may have been based upon erroneous information, the action taken by the Planning Commission was within the Commission's jurisdiction and that action has never been invalidated. Accordingly, the proposed subdivision of the subject property is consistent with the present SR zoning of the property.
11. The existing intersection of N. E. 124th Street and the Woodinville-Redmond Road is controlled only by stop signs for traffic travelling east or west on N. E. 124th Street. N. E. 124th Street, the Woodinville-Redmond Road and Avondale Road are adequately designed and constructed for present traffic volumes, which are light by urban standards, and N. E. 124th Street can readily absorb the increased traffic volume which will result from the proposed development of Sunrise. However, the intersection of N. E. 124th Street with the Redmond-Woodinville Road is not designed or controlled so as to be suitable for a substantially increased volume of traffic. The proposed development of Sunrise will generate approximately 4500 additional average vehicle trips per

day on N. E. 124th Street through the intersection at the Woodinville-Redmond Road. This additional traffic load is likely to cause congestion, which the King County Department of Public Works, Division of Traffic and Planning, can address as a part of its regular responsibilities.

12. The applicant has proposed to provide sewer service to this plat by entering into a Utilities Local Improvement District or a Developer's Extension Agreement with Water District No. 104. The applicant is willing to provide, through such agreement, that sewer service will not be made available as a result of this improvement to properties other than those zoned SR. The making of such a commitment, however, is beyond the authority and responsibility of the applicant and can be controlled by the King County Council.

#### CONCLUSIONS:

1. The applicant and the Building and Land Development Division have met all requirements of the Washington State Environmental Policy Act (SEPA) and Guidelines issued pursuant thereto by the Council on environmental policy and Department of Ecology.
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 for final plat approval recommended below are in the public interest and are reasonable requirements.

#### RECOMMENDATION:

The subject subdivision, as revised and received by the Building and Land Development Division on July 13, 1978, should be granted preliminary approval subject to the following conditions for final plat approval:

1. The net density of the subject property should not be greater than 2.64 dwelling units per acre. This condition will be met by the final plat conforming to the July 1978 revised preliminary plat application. The dimensions of all lots shall meet the minimum requirements of the SR zone classification, as applicable, or shall be as shown on the face of the July 1978 preliminary plat, whichever is greater. (Minor lot line revisions are permitted).
2. Compliance with all platting regulations of Resolution No. 11048 and subject to standard conditions of preliminary plat approval.
3. Storm drainage plans shall be approved by the Department of Public Works, Hydraulics Division. Said drainage plans shall comply with King County Ordinance No. 2281 and 2812 (King County Code Chapter 20.50).
4. Provide and maintain pollution separation facilities to insure pollutants from the site do not enter the natural drainage system.
5. Provide and maintain temporary sedimentation collection facilities

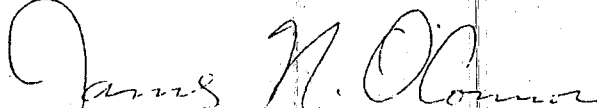
- to insure sediment laden water does not enter the natural drainage system. These facilities must be in operation prior to clearing and building construction, and satisfactorily maintained until construction and landscaping are completed and the potential for on-site erosion has passed.
6. All retention/detention 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 foot crushed rock roadway within an easement for ingress and egress will be required between the pond and a roadway.
  7. 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.
  8. All permanent storm water control facilities required under Ordinance No. 2281 and 2812 must be in operation prior to recording of the final plat, unless otherwise approved by the Division of Hydraulics.
  9. The applicant must obtain approval of the King County Fire Marshal for the adequacy of the water supply in regards to fire flow under the standards of King County Ordinance No. 3087.
  10. Access to the subdivision shall be by way of two full width roads, improved to County standards and dedicated to King County which shall carry traffic from the southerly portion of the proposed plat to N. E. 128th Street, using 172nd Avenue N. E. and 178th Avenue N. E., as shown on the revised Land Use and Circulation Plan for Sunrise, received by the Building and Land Development Division July 13, 1978. In addition, an access restricted to emergency vehicle use only shall be provided at the northerly portion of the proposed plat, leading from 168th Avenue N. E. between N. E. 145th Street and N. E. 143rd Street, and connecting with the internal road system of the proposed plat in a manner approved by the Subdivision Technical Committee.
  11. No more than 100 lots may be recorded until both principal access roads are constructed and dedicated, and no lots may be recorded north of N. E. 143rd Street until the emergency vehicle access to the north portion of the plat is constructed and available for use.
  12. The principal collector route through the subject plat shall be improved to King County standards for rural open ditch section streets, with paved shoulders on the east and south sides. All other streets within the subdivision shall be improved to King County standards for urban streets with curbs and gutters, and with sidewalks as required by King County Code Section 19.12.030.
  13. Temporary turn-arounds shall be provided at street ends located at the borders of the plat, as required by the Subdivision Technical Committee.
  14. Maintenance of landscaping in the traffic islands shall be the responsibility of lot owners adjoining those islands, and said responsibility shall be shown on the final plat.
  15. There shall be no direct vehicular access to 172nd Avenue N. E. and to 174th Place N. E. from lots abutting those streets, which have alternate access. This restriction shall be shown on the final plat. Buffers and transition sections shown on the Master Plan Map (Exhibit No. 8) shall be required for all perimeter lots of the subdivision, and the easements and restrictions shown



thereon shall be shown on the final plat, except to the extent that the need therefore has been eliminated by the July 1978 revision to the plat.

16. All trails within the subdivision shall be improved with materials suitable to their purpose and signed as to their use. The requirement for meeting this condition shall be approved by the King County Department of Public Works.
17. All storm drainage facilities co-located with open spaces shall be designed in a manner compatible with the surrounding open space and residential uses. A landscape/improvement plan shall be submitted for approval to the Building and Land Development Division prior to final recording of the plat. A bond to insure compliance may be required.
18. The King County Subdivision Technical Committee shall determine which tracts shall be counted for purposes of meeting the open space requirements, and may require additional open space if tracts designated for dual use (storm water retention and open space) are not suitable for such dual purpose use.
19. A homeowners' organization shall be established to accept dedication of open space and common facilities (including storm water drainage and retention facilities) and to insure the maintenance thereof.
20. Development of the plat shall be phased over a period of not less than three years. Not more than 216 lots may be recorded for the purpose of the issuance of building permits in 1979, and not more than an additional 200 may be recorded in 1980. This requirement is in addition to the limitation upon the recording of lots prior to availability of appropriate access. Development of the plat shall be phased in accordance with the most restrictive applicable condition.
21. The provision of public sanitary sewage disposal service for the subject plat shall be conditioned upon King County, Metro and Water District #104 (or alternative proprietor), together with the applicant, executing agreements that assure King County that sewage disposal service will be provided only to the subject property and neighboring properties currently zoned SR. This condition may be modified by subsequent action of the King County Council with respect to the provision of sewage disposal service, but no financial gain or benefit shall be available or accrue to the applicant from any future expansion of the area to be served by public sanitary sewage disposal facilities.

ORDERED THIS 18th day of August, 1978.

  
 James N. O'Connor  
 DEPUTY ZONING & SUBDIVISION EXAMINER

TRANSMITTED THIS 18th day of August, 1978 to the following:

Margaret McEachern  
 Mr. & Mrs. David Shipway  
 Diane Brewington  
 Jack Tonkin  
 Patricia Stern  
 W. Paulus

R. Stabbert  
 C. Sabbich  
 Mr. & Mrs. E. Bob Martin  
 Mr. & Mrs. Earl Cisco  
 Mr. & Mrs. Dallas H. Pasley  
 Florence Oates  
 A. Pratt  
 Dr. T. Kelley  
 Steve Kuszpit  
 Lee Kriger, Coldwell Banker  
 Mr. & Mrs. Larry Jackson  
 Donovan & Carole Olson, Hollywood Hill Associates  
 Mr. & Mrs. Friel  
 Betty Camblin  
 R. Bell  
 Carl A. McDanold  
 Donal R. Sparkman  
 Louise Buschman  
 Mr. & Mrs. Jack Himer  
 James Arntson  
 Mr. & Mrs. James Kraft  
 C. McKee  
 R. Kloepfer  
 John Valenta  
 Roger Anderson  
 Lee Olwell  
 Carl Sheve  
 Margaret Ellsworth  
 Douglas Bailey  
 Peg Sparkman  
 Phyllis Keller  
 Scott Bigbie  
 Cindy Bordner  
 Carlos Velategui  
 Penley Leonard  
 Don Hultgren  
 Ronald & Rosemary Zeutschel  
 Lynn Wuscher  
 Mr. & Mrs. Harry Hosey  
 M. E. Phares  
 Mr. & Mrs. Romeo Gonyea, Jr.  
 Bayview Farms  
 Ann Webster, Shapiro & Associates  
 Ray Dawson  
 Joanne Hiersch  
 James LoGerfo, M.D.  
 Frank Baker  
 Richard Sprague, Bogle & Gates  
 Hugh Goldsmith  
 Maxine Keesling  
 Ginger Dunmire  
 Janet Quimby

TRANSMITTED this 18th day of August, 1973 to the following:

King County Building and Land Development Division  
 King County Department of Public Works & Transportation  
 King County Department of Health  
 Washington State Highway Department, District #1  
 King County Water District #104, Attention: Clarence Grening  
 King County Fire Protection District #36, Attention: Robert L.  
 Corner  
 Washington State Department of Fisheries, Attention: Grant Fiscus  
 U. S. Environmental Protection Agency  
 Northshore School District, Attention: Dr. Thomas Cooper  
 City of Redmond, Attention: Julian Sayers  
 Seattle-King County Department of Health, Attention: Ann Jensen  
 King County Planning Division, Attention: Jack Lynch  
 Susan Godfrey, Eastside Daily Journal American