

12/5/79

*Records have a  
copy of the  
attachment.*

Introduced by: Bill Reams

79-1298

MOTION NO. 4637

A MOTION relating to the Preliminary Plat of Sunrise, designated Building and Land Development File No. 877-10, and revising a condition of approval established by Motion No. 3708.

WHEREAS, Motion 3708 (attached hereto as Attachment I) adopted by the King County Council September 15, 1978, approved the Preliminary Plat of Sunrise subject to conditions recommended by the Deputy Zoning and Subdivision Examiner in his amended Report and Recommendation dated August 18, 1978, and revised Condition No. 20 of the Examiner's Report and Recommendation, and

WHEREAS, Condition No. 21, established by Motion No. 3708, conditioned the provision of public sanitary sewage disposal services upon the execution of agreements by King County, King County Water District No. 104, the applicant, and the Municipality of Metropolitan Seattle, which would give certain assurances regarding the area to be served, and financial benefits of any future expansion of the sewer service area, and

WHEREAS, the Municipality of Metropolitan Seattle has elected not to participate in the agreement regarding the provision of sanitary sewage disposal service for the plat and neighboring SR properties as contemplated by Condition No. 21, and

WHEREAS, an agreement (attached hereto as Attachment II) between King County, King County Water District No. 104, and the applicant, Bayview Farms, Incorporated, has been prepared and executed by Water District No. 104, and the applicant which meets the intent of Condition No. 21, and

WHEREAS, the Hollywood Hills Association challenged the preliminary plat approval granted the Plat of Sunrise by Motion No. 3708 under King County Superior Court Cause No. 851284, and subsequently the applicant, Bayview Farms, Incorporated, brought action against the Hollywood Hills Association under King County Superior Court Cause No. 79-2-00481-2, and

WHEREAS, a settlement agreement (attached hereto as Attachment III) between the applicant, Bayview Farms, Incorporated, and members of the Hollywood Hills Association has been negotiated and executed, which commits the applicant to measures which mitigate the impacts of the development on the surrounding community, and the members of the Hollywood Hills Association,

RECORDED  
INDEXED  
MAY 20

1 to no further opposition to the development of the subject property, and

2 WHEREAS, the applicant has submitted a revised plat, dated September 7,  
3 1979 which reflects the conditions contained in the settlement agreement by  
4 reducing the number of lots in the northern one-third of the site and adding  
5 ten acres of open space.

6 NOW THEREFORE, be it moved by the Council of King County:

7 Condition No. 21 of the Examiner's amended Report and Recommendation,  
8 dated August 18, 1978, as established by Motion No. 3708, granting preliminary  
9 approval to the Plat of Sunrise (Building and Land Development File No. 877-10)  
10 is hereby revised to read as follows:

11 21. The provision of public sanitary sewage disposal service for the  
12 subject plat shall be conditioned upon King County, ((METRO)) and Water  
13 District #104 (or alternative proprietor), together with the applicant,  
14 executing agreements that assure King County that sewage disposal service  
15 will be provided only to the subject property and neighboring properties  
16 currently zoned SR. This condition may be modified by subsequent action of  
17 the King County Council with respect to the provisions of sewage disposal  
18 service, but no financial gain or benefit shall be available or accrue to the  
19 applicant from any future expansion of the area to be served by public  
20 sanitary sewage disposal facilities.

21 BE IT FURTHER MOVED, the King County Executive is hereby authorized to  
22 execute the above referenced agreement in substantially the same form as  
23 attached hereto in Attachments II and IV regarding the provision  
24 of sanitary sewage service for the Plat of Sunrise.

25 PASSED this 10th day of December, 1979.

26 KING COUNTY COUNCIL  
27 KING COUNTY, WASHINGTON

28 Ruby Chow  
29 Chairman

30 ATTEST:

31 Dorothy M. Luoma  
32 Deputy Clerk of the Council  
33

# ATTACHMENT "A"

9-5-78

Introduced by: Councilman Dunn  
78-494

MOTION NO. 13708

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:

1 The Proposed Plat of SUNRISE, designated Building and Land  
2 Development Division File No. 877-10, is approved subject to the  
3 conditions recommended by the Deputy Zoning and Subdivision  
4 Examiner in his amended report and recommendation to the King  
5 County Council dated August 18, 1978, subject to the following  
6 revision to recommended Condition No. 20, which shall provide:

7 "Development of the plat shall be phased,  
8 with not more than 216 lots to be recorded  
9 prior to October, 1979, and not more than  
10 200 additional lots to be recorded prior to  
11 February 1981. Conveyance of the designated  
12 school site to the Northshore School District  
13 and the installation of streets and utilities  
14 necessary to serve the school site shall be  
15 included in the first phase of development.  
16 The limitations upon development stated in  
17 this condition are in addition to the  
18 limitation upon the recording of lots prior  
19 to availability of appropriate access.  
20 Development of the plat shall be phased  
21 in accordance with the most restrictive  
22 applicable condition."

23 PASSED at a regular meeting of the King County Council  
24 this 5<sup>th</sup> day of September, 1978.

25 KING COUNTY COUNCIL  
26 KING COUNTY, WASHINGTON

27 Bernice Stern  
28 Chairman

29 ATTEST:

30 [Signature]  
31 Clerk of the Council

AGREEMENT

WHEREAS, the King County Council on September 5, 1978 passed Motion No. 3708, entitled:

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.

a copy of which motion is attached as Attachment A and incorporated herein by this reference; and

WHEREAS the Amended Report and 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, a copy of which is attached hereto as Attachment B and incorporated herein by this reference, provided in paragraph 21 as follows:

21. The provision of public sanitary sewage disposal services 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 to accrue to the applicant from any future expansion of the area to be served by public sanitary sewage disposal facilities.

WHEREAS, King County Water District No. 104 and various landowners, including the applicant in Building and Land Development Division File No. 877-10, have entered into an agreement, a copy of which is attached hereto as Attachment C and incorporated herein by this reference, to give assurance to King County that 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,

NOW, THEREFORE, in consideration of the approval by the County of the preliminary Plat of Sunrise, the approval by the County of the Comprehensive Sewerage Plan--1979 of the District, and the execution of this Agreement by Bayview, including but not limited to the waiver by Bayview of the right to receive reimbursement from late comer charges, which consideration is hereby acknowledged, the parties mutually agree that each has the authority to and shall carry out the following terms and conditions of this Agreement:

1. Sewage disposal service will be provided only to the subject property as described in said Building and Land Development Division File No. 877-10 and neighboring properties currently zoned SR unless this condition is modified by subsequent action of the King County Council with respect to the provision of sewage disposal service.

The subject property is described in attachment D and incorporated herein by this reference.

The neighboring properties currently zoned SR are described in attachment E and incorporated herein by this reference.

2. 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 sewer disposal facilities.

3. The terms of each of the documents referred to in this agreement as Attachments A, B, C, D and E are incorporated herein by this reference and shall be binding upon all parties hereto.

4. Except for sewer service to the Sunrise Property and the S-R Properties (attachments D and E), no party to this Agreement shall permit, consent or otherwise allow sanitary sewer service to any other property, person, firm or entity through any

hook-up, or connection pursuant to state or local health regulations or otherwise, or through any extension or other utilization of any part of the sewer facility to be installed pursuant to this Agreement: Provided, however, that sewer service to such other property may be permitted through hook-up, connection, extension or other utilization at such time and to the extent consistent with subsequent designations by the County of local sewer service areas in the County's Sewerage General Plan, or upon a demonstrated health hazard or potential health hazard, and that alternative methods of sewage disposal are financially or technically infeasible or if no County Sewerage General Plan is in effect, when such properties are otherwise determined by the County to be appropriate for sewer service through County adoption of community plan amendments or zoning.

5. Nothing contained in this Agreement regarding the availability of sanitary sewer service to the S-R Properties, or the preliminary approval of the Sunrise Property, shall be construed as any type of commitment, assurance or other statement of approval of any plat proposals or other development applications for the S-R Properties which may be presented to King County. Any plat proposal or development application must comply with all laws, regulations and policies then applicable.

6. Recital of this agreement shall be shown on the face of the final plat of Sunrise.

7. This Agreement shall be binding on all parties, successors and assigns, and shall be a covenant running with the land constituting the Sunrise Property. Any transfer by the District of ownership of or responsibility for the sewer facilities to be installed pursuant to this Agreement shall be subject

to and consistent with this Agreement, including paragraph number 4, above.

DATED this 4<sup>th</sup> day of June, 1979.

KING CO. WATER DISTRICT NO. 104

By Louise Miller  
President

ATTEST: [Signature]

KING COUNTY

By [Signature]  
King County Executive

ATTEST: Dorothy M. Owens  
DEPUTY CLERK OF THE COUNCIL

BAYVIEW FARMS, INC.

By [Signature]  
PRESIDENT

ATTEST:

STATE OF WASHINGTON )  
County of Skagit ) ss.

On this day personally appeared before me W. K. Paulus ~~xxx~~  
[Signature], to me known to be the President ~~and Secretary~~  
~~respectively~~ of Bayview Farms, Inc., the corporation that  
executed the within and foregoing instrument, and acknowledged the said instrument to be  
the free and voluntary act and deed of said corporation, for the uses and purposes there-  
in mentioned, and on oath each stated that he was authorized to execute said instrument  
and that the seal affixed thereto is the corporate seal of said corporation.

GIVEN under my hand and official seal this 6 day of June, 1979.

George M. Dymes  
NOTARY PUBLIC in and for the State of Washington,  
residing at Mount Vernon

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# ATTACHMENT "B"

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

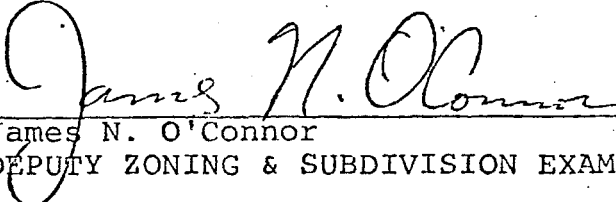
to insure sediment laden water does not enter the natural drainage system. These facilities must be in operation prior to clearing and building construction, and satisfactorily maintained until construction and landscaping are completed and the potential for on-site erosion has passed.

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

ATTACHMENT "C"

MODIFICATION OF AGREEMENT FOR WATER AND SEWER SERVICE

WHEREAS, King County Water District No. 104, a municipal corporation (hereinafter called the "District"), and Sunrise Property Owners' Association (hereinafter called the "Owner"), composed of the owners whose signatures are affixed hereto entered into AGREEMENT FOR WATER AND SEWER SERVICE dated November 7, 1977, the terms of which agreement are incorporated herein by this reference and

WHEREAS, the AMENDED REPORT AND RECOMMENDATION TO THE KING COUNTY COUNCIL, from the Office of the Zoning and Subdivision Examiner, King County, Washington, dated August 18, 1978, Building and Land Development File No. 877-10, provides in paragraph 21 of said amended report as follows:

21. The provision of public sanitary sewage disposal service for the subject plat shall be conditioned upon King County, Metro and Water District No. 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.

WHEREAS, the parties hereto wish to amend and modify the above referred to AGREEMENT FOR WATER AND SEWER SERVICE dated November 7, 1977, in order to comply with the provisions of paragraph 21 of the AMENDED REPORT AND RECOMMENDATION TO THE KING COUNTY COUNCIL dated August 18, 1978,

NOW THEREFORE,

IT IS HEREBY AGREED between the District and Sunrise Property Owners' Association composed of the owners whose signatures are affixed hereto as follows:

1. Notwithstanding any provision contained in the AGREEMENT FOR WATER AND SEWER SERVICE dated November 7, 1977, between the parties hereto, the Owner does hereby waive any rights to reimbursement as provided in said AGREEMENT FOR WATER AND SEWER SERVICE including but not limited to the right to receive a portion of any "in lieu of assessment charge" or a developer's extension charge as specified in paragraph IE. Nothing herein shall be read to prevent the District from making charges in lieu of assessment or developer extension charges in accordance with the terms of the agreement dated November 7, 1977.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on this 19 day of March, 1979.

DISTRICT  
KING COUNTY WATER DISTRICT NO. 104,  
a municipal corporation

By Louise Miller  
Its President

By Clarence S. Ghemig  
Its Secretary

OWNER  
SUNRISE PROPERTY OWNERS' ASSOCIATION

By [Signature]  
Its \_\_\_\_\_

J. W. MORRISON, INC.

By [Signature]  
Its \_\_\_\_\_

PRESTIGE HOMES, INC.

By [Signature]  
Its \_\_\_\_\_

BAYVIEW FARMS, INC.

By [Signature]  
Its \_\_\_\_\_

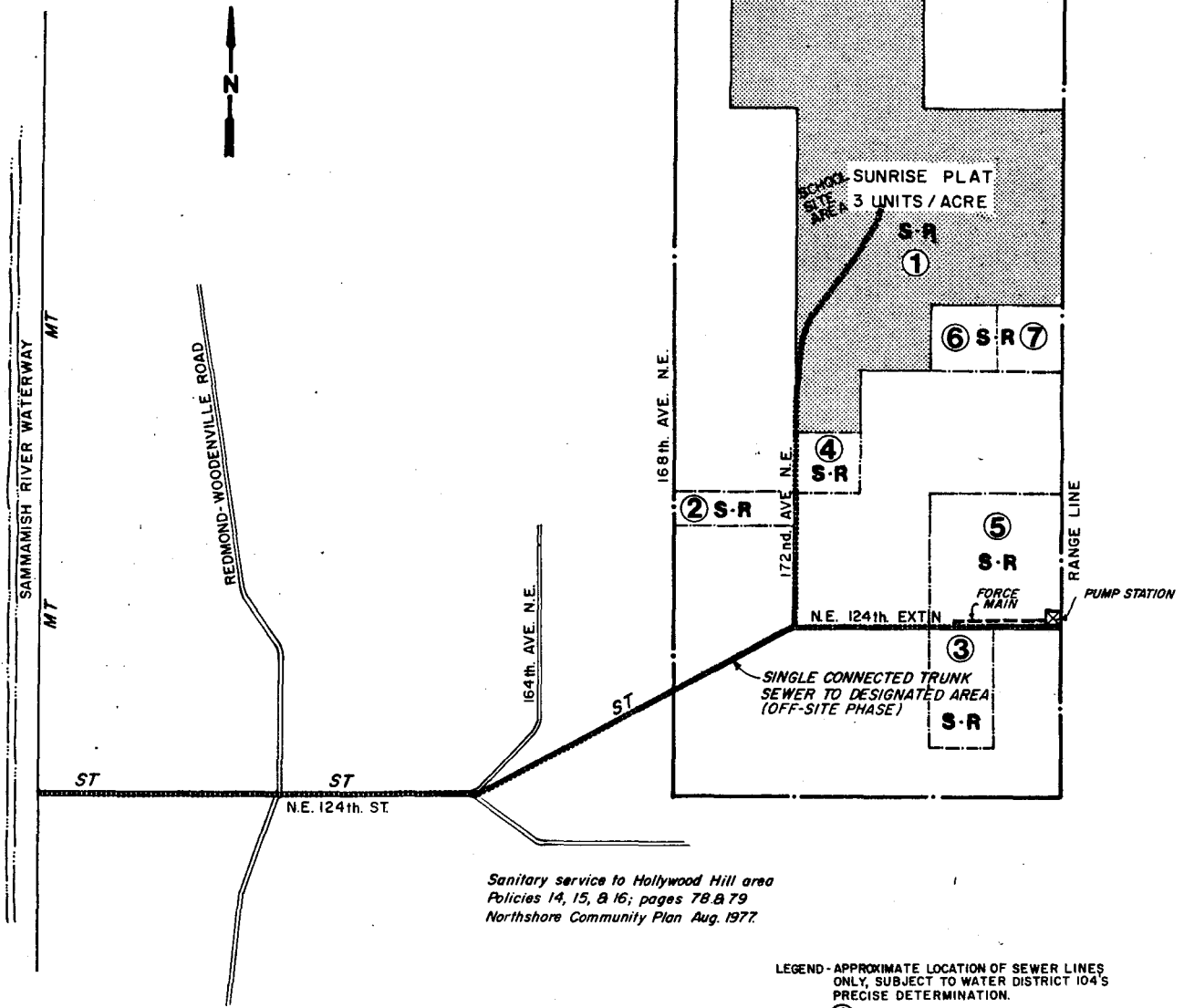
SUNRISE GROUP, LTD.

By [Signature]  
Its \_\_\_\_\_

Secretary

**DESIGNATED AREA FOR  
SANITARY SEWER  
NORTHSHORE COMMUNITY PLAN**

MT - METRO TRUNK  
ST - SANITARY TRUNK



*Sanitary service to Hollywood Hill area  
Policies 14, 15, & 16; pages 78 & 79  
Northshore Community Plan Aug. 1977.*

LEGEND - APPROXIMATE LOCATION OF SEWER LINES  
ONLY, SUBJECT TO WATER DISTRICT 104'S  
PRECISE DETERMINATION.

① PARCEL DESIGNATION  
(See Attachment "C" for Legal Description)

**SUNRISE - A Residential Community**

FOR: BAYVIEW FARMS, INC. BELLEVUE, WA.  
BY: HUGH G. GOLDSMITH & ASSOCIATES, INC.  
ENGINEERS-SURVEYORS-PLANNERS

**ATTACHMENT "D"**

Parcel (See Attachment  
"D" for location)

Description

# 1

All in Township 26 North, Range 5 East, W.M. in Section 24, Northwest 1/4 of the Northeast 1/4 and East 1/2 of the Northeast 1/4 of the Northwest 1/4, Southwest 1/4 of the Northeast 1/4 and the Southeast 1/4 of the Northeast 1/4; and the Northwest 1/4 of the Southeast 1/4; the North 30 feet of the Northeast 1/4 of the Southwest 1/4 EXCEPT the West 30 feet thereof; the Northwest 1/4 of the Southwest 1/4 of the Southeast 1/4, EXCEPT the South 9 feet thereof; the North 1/2 of the Northeast 1/4 of the Southeast 1/4, EXCEPT the East 30 feet thereof; AND EXCEPT County Roads;

Situated in the County of King, State of Washington.

# 2

The North 1/2 of the North 1/2 of the Northeast 1/4 of the Northwest 1/4 of Section 25, Township 26 North, Range 5 East, W.M. King County, Washington; LESS the North 30 feet thereof; AND LESS the East 30 feet thereof.

# 3

The West Half of the Southeast 1/4 of the Northeast 1/4 of Section 25, Township 26 North, Range 5 East, W.M., King County, Washington; LESS County Road.

# 4

The Southwest 1/4 of the Southwest 1/4 of the Southeast 1/4 of Section 24, Township 26 North, Range 5 East, W.M. King County, Washington; EXCEPT the South 30 feet thereof.

# 5

The Northeast 1/4 of the Northeast 1/4 of Section 25, Township 26 North, Range 5 East, W.M. King County, Washington; EXCEPT the South 30 feet thereof; EXCEPT the 60 foot wide right of way conveyed to King County for 178th Ave. N.E.

# 6

The Southwest 1/4 of the Northeast 1/4 of the Southeast 1/4 of Section 24, Township 26 North, Range 5 East, W.M., King County, Washington; LESS the South 30 ft. thereof.

# 7

The Southeast 1/4 of the Northeast 1/4 of the Southeast 1/4 of Section 24, Township 26 North, Range 5 East, W.M., King County, Washington; LESS the South 30 ft. thereof and LESS the east 30 ft. thereof.