

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

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| AGENDA TITLE: Adoption of Resolution No. 297, Approving the Final Formal Plat for Briarcrest Townhomes at 14539 32 nd Avenue NE |
| DEPARTMENT: Planning and Development Services |
| PRESENTED BY: Joseph W. Tovar, FAICP, Director Brian Lee, Associate Planner |

PROBLEM/ISSUE STATEMENT:

The decision before the Council is the approval of Final Formal Plat for Briarcrest Townhomes. The proposal would finalize the creation of five (5) zero-lot-line building lots and one (1) access tract from one original parcel – totaling .2 acres. The lot sizes range from 874 to 1,300 square feet (Exhibit A).

Final Formal Plats are Quasi-judicial, Type C actions. All required review and public hearings were conducted previously during the Preliminary Formal Plat process. After an administrative review by the Director, the Final Formal Plat is presented to the City Council for final decision. When the City Council finds that the proposed subdivision conforms to all terms of the Preliminary Formal Plat, the City Manager signs the face of the plat signifying the City Council's approval of the Final Formal Plat. Final Formal Plats are not subject to public hearings and there is no administrative appeal of Type C decisions.

The City Council approved the subject Preliminary Formal Plat on October 12, 2009 under Resolution No. 291 (Exhibit B). The approval followed a public hearing held by the Hearing Examiner on September 10, 2009. The Hearing Examiner submitted a recommendation for approval after the public hearing. This recommendation was accepted by Resolution No. 291.

An approved Preliminary Formal Plat, along with any conditions, assures the feasibility of the project. Once approved the applicant must receive Site Development and Right-of-Way permits to ensure it meets the preliminary conditions and City code for roads, drainage, and utilities. The purpose of a Final Formal Plat permit is to assure that the conditions of the Preliminary Formal Plat have been met.

Engineering plans have been reviewed and approved by staff. Site Development, Right-of-Way, and building permits had been approved and issued prior to the preliminary plat application. All required site development including, utility and drainage improvements, road and pedestrian improvements, and landscaping improvements have been constructed, or are in final stages of completion. A financial guarantee has

been accepted to ensure completion and that plantings and subsequent monitoring will be done. The applicant has met the conditions of the Preliminary Formal Plat approval.

The applicant has complied with all requirements of Shoreline Development Code so the Council is asked to approve the Final Formal Plat by adopting Resolution No. 297 (Exhibit C) and authorize the City Manager to sign the Final Formal Plat. After signing it will be recorded with King County Records and Elections Division.

RECOMMENDATION

Staff recommends the adoption of Resolution No. 297, which will finalize the creation of five (5) lots, identified as Briarcrest Townhomes at 14539 32nd Avenue NE, and authorize the City Manager to sign the Final Formal Plat.

Approved By: City Manager  _____ City Attorney  _____

INTRODUCTION

Project Address: 14539 32nd Ave. NE, Shoreline, WA 98155
 Zoning: R-24 Residential (24 dwelling units per acre)
 Property Size: .2 Acres
 Number of Proposed Lots: 5 zero-lot-line townhouse lots; 1 access tract
 Proposed Lot Sizes: Range from 874 to 1,300 Sq. Ft
 Comprehensive Plan Designation: Mixed-Use
 Subdivision: Briarcrest Townhomes
 Application No.: 201791
 Applicant: Jay Finney, Real Property Development Co.
 Property Owner: Real Property Development Co., LLC

BACKGROUND

| Action | Review Authority | Decision Making Body |
|---------------------------------------|---|---|
| Preliminary Formal Plat (Subdivision) | Hearing Examiner – Public hearing: September 10, 2009 The Hearing Examiner submitted a recommendation for approval. | City Council – Public Meeting: October 12, 2009 Decision: Preliminary Formal Plat Approval. |
| Final Formal Plat (Subdivision) | Director – Recommendation of approval to the City Council. | City Council – Public Meeting: May 10, 2010 |

*There is no administrative appeal of Type C actions.

The Preliminary Formal Plat approval process required public notification of the proposal, followed by an open record public hearing in front of the Hearing Examiner. The Hearing Examiner and staff forwarded a recommendation to Council for approval. The City Council made a decision to approve the project.

Site development engineering plans were created for development which commenced prior to application for subdivision. The Planning and Development Services Department issued a Site Development Permit for the installation of site utilities and roads. Both performance and maintenance bonds have been accepted to guarantee the completion and monitoring of improvements required in the site development permit.

Notes have been added to the face of Final Formal Plat, memorializing code requirements for future developments on the newly created lots to meet zero-lot-line standards, that Tract A is an access tract with residential or commercial development permanently prohibited. A Declaration of Covenants, Conditions & Restrictions declaring undivided ownership, use, and maintenance responsibilities of the owners of the five zero-lot-line lots for the access and storm detention facilities has been recorded with King County as required by the development code for these shared facilities.

The Final Formal Plat is the final document which actually creates the new lots of a new subdivision. The Final Formal Plat must be reviewed, approved, all taxes paid, and recorded, before any lots are sold. Staff reviewed the Final Formal Plat and verified that the final plat complies with the preliminary approval. Based upon this review, the Director makes this recommendation to the City Council for approval.

ANALYSIS

On October 12, 2009 the Council reviewed and approved this Preliminary Formal Plat. All requirements of Shoreline Development Code have been met. The City has performance and maintenance bond monies in place to insure all required improvements will be completed and maintained after final plat approval.

SEPA

A SEPA Determination of Non-Significance was issued December 24, 2008. (Exhibit D)

RECOMMENDATION

Staff recommends the adoption of Resolution No. 297, approving the Final Formal Plat of Briarcrest Townhomes at 14539 32nd Avenue NE and authorizing the City Manager to sign the plat.

EXHIBITS

- Exhibit A: Reduced final plat drawing. (Copies of the full Final Plat drawings are available at City Hall.)
- Exhibit B: Preliminary Formal Plat Resolution No. 291
- Exhibit C: Resolution No. 297
- Exhibit D: SEPA Threshold Determination

BRIARCREST TOWNHOMES

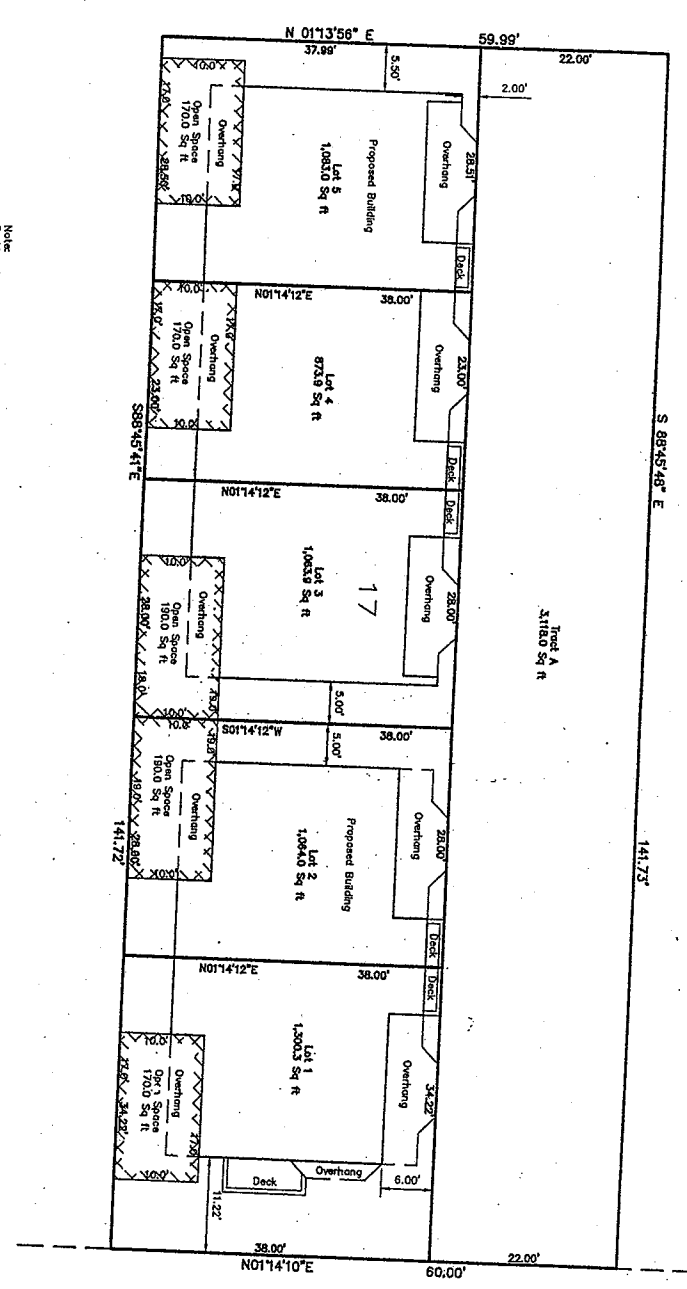
EMERALD LAND SURVEYING, INC.
BRENT L. EBLE, PLS
PO BOX 13894
MILL CREEK, WA 98002
(425) 358-7188

RECORDING NO.

VOL./PAGE

Red Property Development Co.
14539 32nd Ave NE
Shoreline, WA

SCALE : 1 INCH = 10 FT.



32nd Avenue Northeast

**MERIDIAN
NAD 83-91**

Note:
Paving for each Lot provided within the proposed buildings.
Tract A is for Imperv. Grass and Utilities. Lots within this subdivision shall have an undivided interest in Tract A on recording.

RECORDING CERTIFICATE
FILED FOR RECORD BY _____ THIS _____ DAY
OF _____ A.D. AT _____ MINUTES PAST _____ O'CLOCK, A.M.
AND RECORDED IN VOLUME _____ OF SURVEYS, ON PAGE _____ RECORDS OF
KING COUNTY, WASHINGTON.

SURVEYOR'S CERTIFICATE
THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER
MY DIRECTION IN COMPLIANCE WITH THE REQUIREMENTS OF THE SURVEY
RECORDING ACT AT THE REQUEST OF REAL PROPERTY DEVELOPMENT CO.
THIS 18th DAY OF JUNE, 2008.
L.S. NO. 30281



PORTIONS OF: SE 1/4, SE 1/4, SEC. 16, T 26N, R 4E
CITY OF SHORELINE, WASH.
KING COUNTY, WASH.

Sheet 3 of 3

EXHIBIT A

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ORIGINAL

EXHIBIT B

RESOLUTION NO. 291

**A RESOLUTION OF THE CITY OF SHORELINE, WASHINGTON
APPROVING A PRELIMINARY PLAT FOR FIVE LOTS AT 14539 32ND AVE
NE, SHORELINE, WASHINGTON**

WHEREAS, an application for a Preliminary plat approval for 5 zero-lot-line lots and 1 access tract was received for an R-24 zoned .2 acre property located at 14539 32nd Ave. NE in Shoreline; and

WHEREAS, A SEPA determination of non-significance was issued December 24, 2008 on the proposed action; and


WHEREAS, on September 10, 2009, a public hearing on the application ~~for~~ was held before the Hearing Examiner for the City of Shoreline pursuant to notice as required by law and the Hearing Examiner recommended approval of the preliminary plat ~~with~~ conditions; and

WHEREAS, upon consideration of the application the City Council has determined that the Preliminary Plat is consistent with the Comprehensive Plan, Shoreline Municipal Code, and appropriate for this site; NOW, THEREFORE,


**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SHORELINE AS
FOLLOWS:**

- 1. Section 1. Findings and Decision.** The Shoreline Hearing Examiner's Findings, Conclusions and Recommendation attached hereto as Exhibit 1 are hereby adopted, and a Preliminary Plat at 14539 32nd Ave. NE, Shoreline, Washington is approved.

ADOPTED BY THE CITY COUNCIL ON OCTOBER 12, 2009.


Cindy Ryu, Mayor

Attest:


Scott Passey, City Clerk

RESOLUTION NO. 297

**A RESOLUTION OF THE CITY OF SHORELINE, WASHINGTON
APPROVING THE FINAL PLAT OF BRIARCREST TOWNHOMES**

WHEREAS, the applicant has made application for final plat of the Briarcrest Townhomes, for five (5) zero-lot-line lots and one (1) access tract for an R-24 zoned .2 acre property located at 14539 32nd Ave. NE in Shoreline; and

WHEREAS, on October 12, 2009, the Shoreline City Council adopted Resolution No. 291 approving the preliminary plat, following a public hearing before the Hearing Examiner on September 10, 2009; and

WHEREAS, engineering and site development plans have been approved to construct all required plat improvements, which will satisfy all requirements for final plat; and

WHEREAS, all required site development including utility and drainage improvements, road and pedestrian improvements, and landscaping improvements have been constructed or are in the final stages of completion and have been guaranteed with a performance bond; and

WHEREAS, the final plat has been executed by the Director of Planning and Development Services as complying with the Shoreline Development Code and the City Engineer as complying with City and utility district standards for private roads and utility systems.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SHORELINE AS FOLLOWS:

Section 1. The Council finds that the final plat of Briarcrest Townhomes: 1) complies with the City's zoning and land use regulations, 2) serves the public interest, 3) meets the requirements of Chapter 58.17 RCW and other applicable state laws, and 4) conforms to the terms of the preliminary plat.

Section 2. The final plat of the Briarcrest Townhomes subdivision is approved, and the City Manager is authorized to sign the plat and record with the King County Records and Elections.

ADOPTED BY THE CITY COUNCIL ON MAY 10, 2010.

Keith McGlashan, Mayor

Attest:

Scott Passey, City Clerk



Planning and Development Services

17500 Midvale Avenue N.
Shoreline, WA 98133-4921
(206) 801-2500 ♦ Fax (206) 546-8761

**SEPA THRESHOLD DETERMINATION
DETERMINATION OF NONSIGNIFICANCE (DNS)**

Duplex and Triplex at 14539 32nd Ave NE

PROJECT INFORMATION

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|---|--|
| Date of Issuance: | December 24, 2008 |
| Proposed Project Description: | Site development and construction of a duplex and triplex (5 total units). |
| Project Number: | 112013 |
| Applicant: | City of Shoreline |
| Location: | 14539 32 nd Ave NE |
| Parcel Numbers: | 1568100330 |
| Current Zoning: | R-24 (Residential - 24 Units Per Acre) |
| Current Comprehensive Plan Land Use Designation: | Mixed Use |
| Appeal Deadline: | 5:00 p.m. January 7, 2009 |

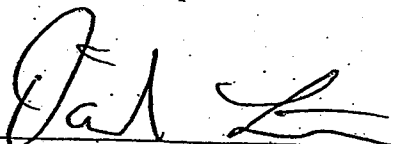
THRESHOLD DETERMINATION: Determination of Non-significance (DNS).

The City of Shoreline has determined that the project will not have a probable significant adverse impact on the environment and that an environmental impact statement is not required under RCW 43.21C.030(2)(c). This decision was made after visits to the project site and review of the environmental checklist, site plan, civil improvement plans and other information on file with the City. This information is available to the public upon request at no charge.

Pursuant to WAC 197-11-158 the City finds that additional environmental analysis, protection and mitigation measures have been adequately addressed in Shoreline development regulations and comprehensive plan adopted under chapter 36.70 RCW. The City will employ Best Management Practices (BMPs) to minimize any potential impacts.

APPEAL INFORMATION

The optional DNS process, as specified in WAC 197-11-355, has been used. A Notice of Application that stated the lead agency's intent to issue a DNS for this project was issued on January 3, 2008, followed by a 14-day comment period. There will be no additional public comment period for this DNS. Appeals of the SEPA threshold determination must be received by the City by 5:00 p.m. on January 7, 2009. Appeals must include a fee of \$420.75 and must comply with the General Provisions for Land Use Hearings and Appeals in sections 20.30.170-270 of the Shoreline Development Code.



David Levitan, Project Manager
Department of Planning and Development Services

12/24/08

Date

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