

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE: Adoption of Resolution No. 238, Approving the Final Plat for the Urban Trails Townhomes (Whitman Town Homes) Subdivision on N 145th Lane at Whitman Ave N.
DEPARTMENT: Planning and Development Services
PRESENTED BY: Paul Cohen, Planning and Development Services

PROBLEM/ISSUE STATEMENT:

The decision before the Council is the approval of the Urban Trails Townhomes subdivision (preliminary subdivision previously known as the Whitman Town Homes) proposed by Nolan Homes located on N 145th Lane at Whitman Ave N. The proposal would create from one lot, two open space tracts, one public right-of-way tract, and nineteen (19) single family residential building lots – totaling .54 acres. The lot sizes range from 527 to 662 square feet (See Attachment A for final plat drawings).

The City Council approved the subject preliminary plat on August 23, 2004 under Ordinance No. 360 (See Attachment B). The approval followed a public hearing held by the Planning Commission on July 1, 2004. The Planning Commission submitted a recommendation for approval after the public hearing. The Planning Commission recommendation for approval was subject to nine (9) conditions, which are listed later in this report.

The engineering plans have been reviewed and approved by staff. A site development permit has been approved. All required site development including, utility and drainage improvements, road and pedestrian improvements, and landscaping improvements have been guaranteed with a performance bond, with improvements to be completed within two years of final plat approval. The applicant has met the conditions of the preliminary subdivision approval.

The applicant complied with all requirements of the City of Shoreline Code and the Council is asked to approve the final plat by adopting Resolution No. 238 (see Attachment C) and authorize the Mayor to sign the final plat. After signing it will be recorded with King County Records and Elections Division.

RECOMMENDATION

Staff recommends the adoption of Resolution No. 238, which will approve the nineteen (19) lot final plat of the Urban Trails Townhomes subdivision along N 145th Lane at Whitman Ave N and authorize the Mayor to sign the final plat.

Approved By:

City Manager

City Attorney

INTRODUCTION

Project Address: N 145th Lane and Whitman Ave N, Shoreline, WA 98177
Zoning: R-48 Residential (48 dwelling units per acre)
Property Size: 23,522 Square Feet (.54 Acres)
Number of Proposed Lots: Nineteen (19) residential lots, two open space tracts, and one public right-of-way tract.
Proposed Lot Sizes: Range from 527 to 660 Sq. Ft
Comprehensive Plan
Designation: Mixed Use
Subdivision: Urban Trails Townhomes Subdivision
Application No.: 2002-201310
Applicant: Nolan Homes
Property Owner: Nolan Homes

BACKGROUND

Action	Review Authority	Appeal Authority and Decision – Making Body
Preliminary Long Plat (Subdivision)	Planning Commission – Public hearing: July 1, 2004 The Planning Commission submitted a recommendation for approval.	City Council – Public Meeting: August 23, 2004 Decision: Preliminary Subdivision Approval
Final Long Plat (Subdivision)	Director – Recommendation of approval to the City Council	City Council – Public Meeting: November 28, 2005 Decision: Final Plat Approval

The preliminary subdivision approval process required public notification of the proposal, followed by an open record public hearing in front of the Planning Commission. The Planning Commission and staff forwarded a recommendation to Council for approval subject to nine (9) conditions to the City Council. The City Council made a decision to approve the project subject to nine (9) conditions.

Site development engineering plans were created to show how the subdivision will comply with the preliminary approval conditions and code requirements. The Planning and Development Services Department issued a Site Development Permit authorizing the developer to fulfill the preliminary approval requirements, such as the installation of site utilities and roads. Site development work that is not completed has been guaranteed by performance bond in the amount of \$50,810. This financial guarantee assures that the construction as shown on the site development plans will be constructed.

The final plat is the final document, which actually creates the new lots of a new subdivision. The final plat must be reviewed, approved, all taxes paid, and recorded, before any lots are sold, or building permits for the new lots are issued. Staff reviewed the final subdivision, and verified that all conditions of the preliminary approval have been fulfilled. Based upon this review, the Director makes this recommendation to the City Council for approval.

ANALYSIS

On August 23, 2004 the Council reviewed and approved this preliminary subdivision subject to the following conditions.

(The compliance with each condition is stated in italic.):

1. Create a maximum of nineteen lots and three private land tracts, one for access (Joint Use Tract B) and two for open space (Joint Use Tracts A and C) according to the sizes and dimensions shown in Ordinance No. 360 Attachment B (Preliminary Plat Approval). The sizes and the assigned addresses for the lots shall be shown on the Final Plat. The delineation and sizes of all private land tracts shall be declared on all plans submitted for the Site Development Permit and also shown on the face of the Final Plat.

Sheet # 2 of the Final Plat and Sheet # CD 1.2 of the Site Development Permit indicate the lots, tracts and their dimensions as shown on Attachment B 2.

2. Owners shall include a covenant requiring the establishment and maintenance of a Homeowner's Association. The Association shall hold an undivided interest in the Private Land Tracts for open space (Joint Use Tracts A and C); and access (Joint Use Tract B). The Association shall be responsible for maintaining, repairing and/or rebuilding landscaping, infrastructure, and utilities in all common area tracts. The Homeowner's Association shall also be responsible for prevention of temporary or permanent encroachment of structures or personal property (e.g., boats, recreational vehicles) into the access and open space tracts.

Sheet 1 of the Final Plat under Restrictions and Covenants # 1 through 8 creates the Homeowner's Association covenant as described by this condition.

3. A maximum of nineteen zero lot line town homes are permitted as proposed by Attachment B.

Sheet 1 under Restrictions and Covenants #2 restricts development to nineteen zero lot line homes.

4. The following language shall be shown on the face of the Final Plat, "Any further proposed subdivision or adjustment to the lot lines within this plat must use all lots of this plat for calculation of the density and dimensional requirements of the Shoreline Municipal Code."

Sheet 1 of the Final Plat under Restrictions and Covenants #3 carries this language.

5. Developer shall have a Site Development Permit reviewed and approved by the City of Shoreline that includes (a) all onsite engineering and utility installation, (b) the delineation and sizes of all private land tracts, (c) all onsite landscaping, including the Type II landscaping requirement and specifications and (d) all required tree replacement and specifications for the tree retention exception. The completion of this work shall be secured by a plat performance financial guarantee.

Site Development Permit # 106083 was issued June 27, 2005. A performance bond for \$50,810 was submitted.

6. Developer shall dedicate the eastern most 6' of the existing lot to the City of Shoreline or the applicant will need to enter an easement agreement for the eastern most 6' of the existing lot with the City of Shoreline as described and depicted in Ordinance No. 360 Attachment B, which shall become effective upon recording of the Final Plat.

Sheet 1 and 2 of the Final Plat describe and show a dedicated 6 feet to street right-of-Way.

7. Developer shall have a Right-of-Way Use Permit for frontage improvements reviewed and approved by the City of Shoreline that includes (a) pedestrian sidewalk, (b) planting strip, (c) non-glare street lighting and (d) curb and gutters for installation on Whitman Avenue North adjacent to the project site. The completion of this work shall be secured by a plat performance financial guarantee.

Right-of-Way Use Permit #106586 was issued July 20, 2005.

8. Developer shall meet any required conditions established by the Seattle Public Utilities Water Availability Certificates.

A water availability certificate has been obtained with no added conditions.

9. Developer shall meet any required conditions established by the Ronald Wastewater District Sewer Availability Certificates.

A sewer availability certificate has been obtained with no added conditions.

SEPA

A SEPA Determination of Non-Significance was issued January 14, 2004.

RECOMMENDATION

Staff recommends the adoption of Resolution No. 238, approving the Final Plat of the Urban Trails Townhomes subdivision along N 145th Lane at Whitman Ave N and authorizing the Mayor to sign the plat.

ATTACHMENTS

Attachment A:	Copies of the final plat drawings. (Copies of the approved site development permit drawings are available at the Planning and Development Services Department.)
Attachment B:	Preliminary Plat Ordinance No. 360
Attachment C:	Resolution No. 238

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URBAN TRAIL TOWNHOMES

ALL THINGS TO THE GARNTEE, ITS SUCCESSORS AND ASSIGNS, OR NEEDED TO AND EXPENSE FROM SAID EASEMENT AGREES WITH SAID PLAT.

2. THE CITY OF ITS AGENTS SHALL HAVE THE RIGHT WITHOUT PRIOR INSTITUTION OF ANY SUIT OR PROCEEDING AT LAW, AT SUCH TIMES AS MAY BE NECESSARY, TO ENTER UPON SAID EASEMENT AGREEMENT FOR THE PURPOSES HEREIN DESCRIBED, WITHOUT NOTICE TO THE GARNTEE, AND WITHOUT LIABILITY THEREFOR, AND THE CITY SHALL NOT BE RESPONSIBLE FOR THE RESTORATION OR REPAIR OF ANY OF GARNTEE'S IMPROVEMENTS DESTROYED OR DAMAGED BY FLOODING AND WATER SERVICE UTILITIES EXCEPT THAT WHEN RESTORATION IS REQUIRED IN RESTORE THE SAME ASKING STANDARD CITY/COUNTY FLOODING PROCEDURES. GARNTEES SHALL BE RESPONSIBLE FOR ALL OTHER ROAD RESTORATION.

NEW LEGAL DESCRIPTION

PLANNED, OR ANY LOT SURVEYED, PLACED WITHIN THE BOUNDARIES OF SAID EASEMENT AREA, WITHOUT THE WRITTEN PERMISSION OF THE CITY OF CHICAGO, SHALL BE CONSIDERED A VIOLATION. NO EASEMENT SHALL BE MADE WITHIN THREE FEET OF SAID WATER MAIN, AND THAT THE EARTH COVER OVER SAID WATER MAIN SHALL BE MAINTAINED AT NO LESS THAN 35 INCHES FROM THE SURFACE OF THE GROUND.

5. GRANTEES HEREBY AGREE THAT NO OTHER PERSONS SHALL BE PERMITTED TO INSTALL OR REPAIR ANY UTILITIES, SUCH AS WATER MAINS, SEWER LINES, OR PRIVATE, WELL, BE INSTALLED WITHIN FEET (5) OF THE BOUNDARIES OF SAID EASEMENT AREA. ALL CROSSINGS MUST MAINTAIN A MINIMUM VERTICAL CLEARANCE OF 18 INCHES OVER SAID WATER MAIN. CROSSING OF SAID UTILITIES UNDER VERTICAL CLEARANCE OF 18 INCHES FROM THE SURFACE OF THE GROUND SHALL BE CONSIDERED A VIOLATION.

PARCEL B

DAMAGE TO SAID VEHICLE OR VEHICLE.
7. IN AN EMERGENCY THE CITY SHALL HAVE THE RIGHT TO CLOSE THE EXISTING HIGHWAY AND TO CUT INTO ANY CLOSED ROADWAY WITHOUT PRIOR NOTICE.

8. GRANTORS WAIVE ANY PRESENT OR FUTURE CLAIM AGAINST THE CITY RELATING TO HAZARDOUS SUBSTANCES, POLLUTANTS OR CONTAMINANTS, AND SHALL INDEMNIFY THE CITY FROM ANY SUCH CLAIM, INCLUDING THE DEFENSE COSTS OF THE CITY IN SUCH LITIGATION, AND THE CITY FROM ANY SUCH REGULATORY AGENCY, UNLESS THE HAZARDOUS SUBSTANCES, POLLUTANTS OR CONTAMINANTS RESULT FROM THE CITY'S OPERATIONS.

9. THE AGREEMENT AND EACH OF THE TERMS, PROVISIONS, CONDITIONS AND COVENANTS HEREIN, SHALL BE BINDING UPON AND HINGE TO THE FULFILLMENT OF THE OBLIGATIONS OF THE GRANTING OF THIS AGREEMENT AND ASSURES.

RECORDING CERTIFICATE

FILED FOR RECORD BY _____ THIS _____ DAY
OF _____, 2004, A.D. AT _____ MINUTES PAST _____ O'CLOCK
AND RECORDED IN VOLUME _____ OF SURVEYS, ON PAGE _____, RECORDS OF
KING COUNTY, WASHINGTON.

SUBSYSTEMS CAPABILITIES

THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH THE REQUIREMENTS OF THE SURVEY RECORDING ACT AT THE REQUEST OF _____
THIS _____ DAY OF _____, 2006.



RECEIVED
OCT 17 2005

DATE	CHECKED	DATE	FILE NO.	SHEET NO.
<p>PORTIONS OF SEAS 1/4 SW 1/4, SEC. 18, T 26N, R 4E., W. 1/2 CITY OF SHORELINE KING COUNTY, WASHINGTON</p>				

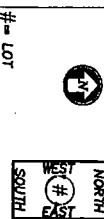
SHORT PLAT NO.
SHP-
CITY OF SHORELINE,
WASHINGTON

URBAN TRAIL TOWNHOMES

RECORDING NO.

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SCALE : 1 INCH = 30 FT.



NORTH

SOUTH

LOT #	NORTH	WEST	SOUTH	EAST	SQ. FT. (S)	AREA (AC)
LOT 1	20.02'	32.98'	20.03'	32.94'	659.7 SF	0.015 AC
LOT 2	18.98'	32.94'	20.02'	32.94'	658.3 SF	0.015 AC
LOT 3	18.01'	32.94'	16.00'	32.89'	526.7 SF	0.012 AC
LOT 4	16.01'	32.89'	16.01'	32.89'	526.6 SF	0.012 AC
LOT 5	18.97'	32.90'	20.00'	32.88'	657.3 SF	0.015 AC
LOT 6	20.07'	33.02'	18.99'	33.01'	661.4 SF	0.015 AC
LOT 7	16.03'	33.01'	16.00'	32.98'	526.6 SF	0.012 AC
LOT 8	15.92'	32.99'	16.00'	32.99'	526.6 SF	0.012 AC
LOT 9	20.08'	32.98'	18.97'	32.98'	660.4 SF	0.015 AC
LOT 10	20.00'	32.97'	20.02'	32.98'	659.8 SF	0.015 AC
LOT 11	16.01'	32.98'	16.01'	32.98'	527.5 SF	0.012 AC
LOT 12	15.95'	32.98'	16.00'	32.98'	527.2 SF	0.012 AC
LOT 13	19.95'	33.00'	19.97'	33.02'	658.8 SF	0.015 AC
LOT 14	20.00'	33.02'	20.05'	33.04'	662.9 SF	0.015 AC
LOT 15	18.03'	33.04'	15.93'	33.05'	526.0 SF	0.012 AC
LOT 16	20.01'	32.98'	19.99'	33.00'	659.8 SF	0.015 AC
LOT 17	15.98'	33.00'	15.99'	33.01'	527.6 SF	0.012 AC
LOT 18	16.01'	33.01'	16.00'	33.04'	526.2 SF	0.012 AC
LOT 19	20.00'	33.00'	20.05'	33.00'	660.8 SF	0.015 AC

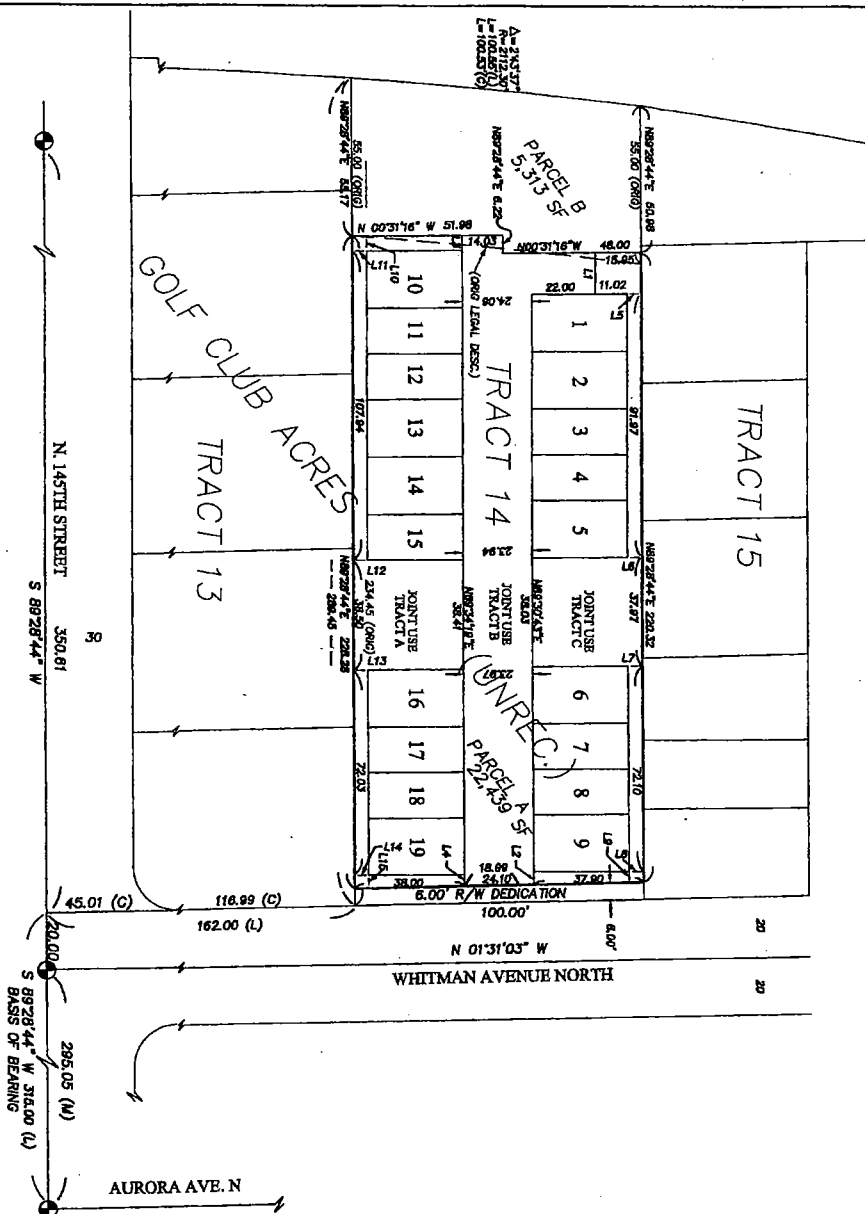
LEGEND

- FOUND STREET MONUMENT
- SET 5/8" REB. & CAP
- LS23710, SET 8/25/98.
- FOUND REBAR AND CAP
- CENTERLINE
- FENCE
- (M) MEASURED BRG. & DIST.
- (C) CALCULATED BRG. & DIST.
- (L) BEARING & DISTANCE FROM LEGAL DESCRIPTION

LINE TABLE

L1	S89°28'44"W	14.44'	L5	S00°31'16"W	5.00'	L9	N89°28'57"E	3.91'	L13	S00°31'16"E	5.00'
L2	S89°28'57"W	4.94'	L6	N00°31'16"W	5.12'	L10	S89°28'44"W	5.20'	L14	S00°31'16"E	5.00'
L3	S89°25'59"W	5.18'	L7	N00°31'16"W	5.00'	L11	S00°31'16"E	5.00'	L15	S00°31'16"E	4.52'
L4	S89°28'57"W	4.00'	L8	N00°31'16"W	5.00'	L12	S00°31'16"E	5.00'			

* PERMIT STRIP



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www.kdd.com



PORTIONS OF: SE 1/4, SW 1/4, SEC. 18, T 26N, R 4E, W.M.
CITY OF SHORELINE
KING COUNTY, WASHINGTON



DATE	BY	DATE	BY
10/17/08	URBAN-PLAT-07	10/17/08	URBAN-PLAT-07

URBAN TRAIL TOWNHOMES

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AS FOLLOWS:

THE BOUNDS OF THIS EASEMENT SHALL BE SO Delineated AS TO IDENTIFY THE LOTS OF LAND TO BE SO EASEMENTED SO THAT THERE WILL BE NO DOUBT AS TO THE LOTS OF LAND TO BE SO EASEMENTED. THE BOUNDS OF THE EASEMENT SHALL BE SO Delineated AS TO IDENTIFY THE LOTS OF LAND TO BE SO EASEMENTED. THE BOUNDS OF THE EASEMENT SHALL BE SO Delineated AS TO IDENTIFY THE LOTS OF LAND TO BE SO EASEMENTED.

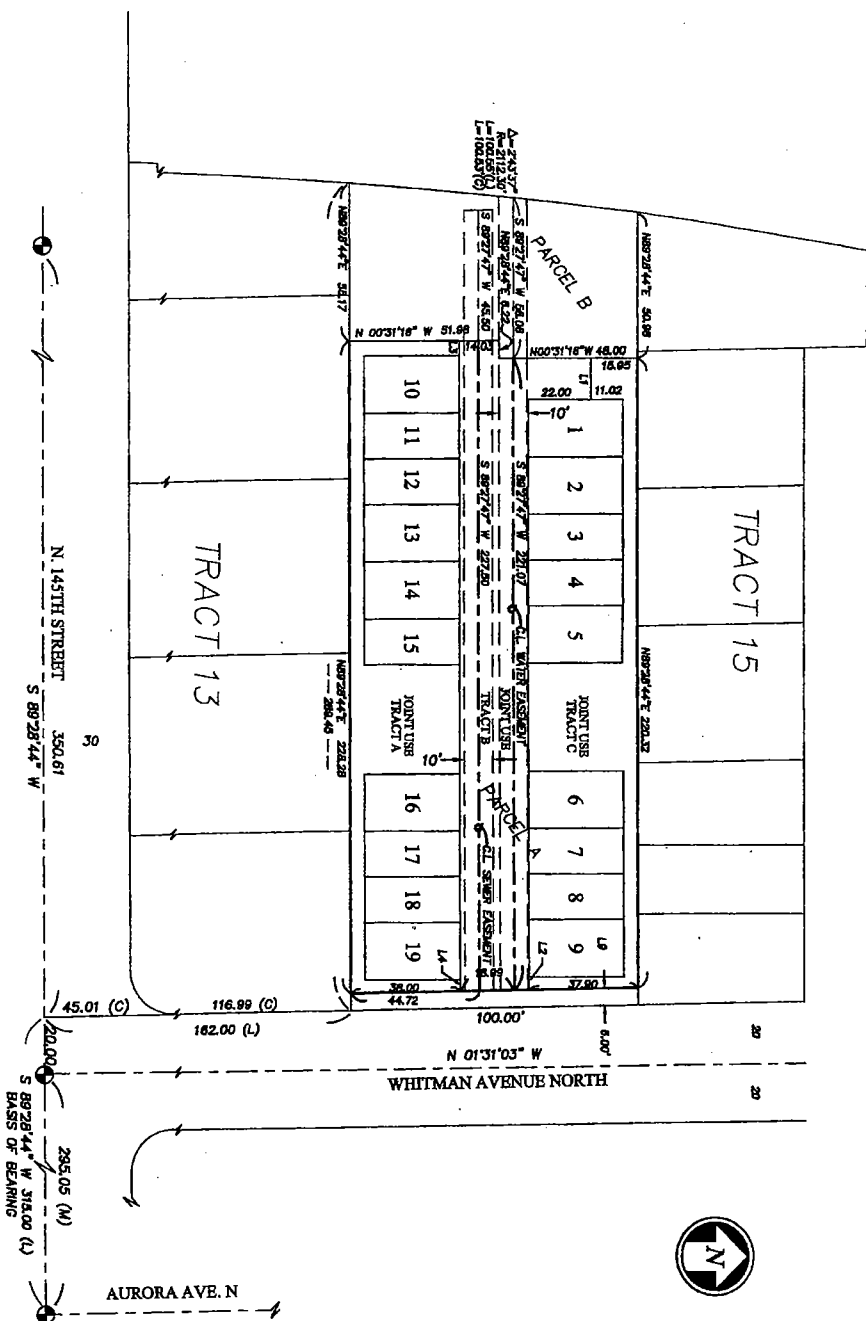
PARCEL A DESCRIPTION:

BEGINNING AT A POINT WHICH BEARS FROM THE SOUTH QUARTER CORNER OF SECTION 16, TOWNSHIP 36 NORTH, RANGE 4 EAST, THENCE NORTH 89°24'44" WEST 315 FEET AND NORTH 17°30' WEST 145 FEET; THENCE SOUTH 89°44'44" WEST 315 FEET TO A POINT ON THE EASTERN 1/4 LINE OF THE NORTH OF WAY OF THE PACIFIC NORTHWEST TRAILROAD CO. HEREINAFTER REFERRED TO AS POINT A; THENCE SOUTH 17°30' WEST 145 FEET TO A POINT ON THE WESTERN 1/4 LINE OF THE PACIFIC NORTHWEST TRAILROAD CO. HEREINAFTER REFERRED TO AS POINT B; THENCE NORTH 89°24'44" EAST 272.86 FEET; THENCE SOUTH 17°30' EAST 100 FEET TO THE POINT OF BEGINNING AND EXCEPT THAT PORTION LINED AND WESTERN OF THE FOLLOWING 1/4 SECTIONED LAND:

BEING KNOWN AS A PORTION OF TRACT 14, GOLF CLUB ACRES, ACCORDING TO THE UNDERSIGNED PLAT THEREOF.

A SEVEN EASEMENT 10 FEET WIDE, THE CENTERLINE OF WHICH IS DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE SAID PARCEL;
THENCE NORTH 01°37'03" WEST 44.72 FEET ALONG THE EASTERNLY LINE
OF SAID PARCEL TO THE TRUE POINT OF BEGINNING;
THENCE SOUTH 88°27'41" WEST 227.50 FEET TO THE REMAINS OF SAID



FEASIBILITY

- | | |
|-----|--|
| ④ | FOUND STREET MONUMENT |
| ● | SET 5/8" REB. & CAP
LS23710, SET 8/25/98. |
| ○ | FOUND REBAR AND CAP |
| — | CENTURLINE |
| *—* | FENCE |
| (M) | MEASURED BRG. & DIST. |
| (C) | CALCULATED BRG. & DIST. |
| (L) | BEARING & DISTANCE FROM
LEGAL DESCRIPTION |

SHORELINE DEVELOPMENT CODE - COMPLIANCE (R-48 ZONE)

ALLOWED LOT COVERAGE - 70% BUILDINGS
 LOT AREA = 22,430 SF
 LOT COVERAGE ALLOWED = 15,708 SF (70%)
 LOT COVERAGE CALCULATED = 11346 SF (50.5%)
 IMPROVISED AREA:
 MANHOLE - 80%
 PROPOSED - 86%
 SETBACKS:
 FRONT = 10 FEET (INCLUDING 6 FEET R/W DEDICATION)

OPEN SPACE

COLLISION OPEN SPACE REQUIRED - 24.70 SF
COLLISION OPEN SPACE PROVIDED - 25.22 SF

PRIVATE OPEN SPACE

A UNITS - 144 S
B UNITS - 100 S



DATE	ORDERED	DATE	TRA. NO.	REPORT NO.
DEC	MCS	10/17/05	URBAN-PLAY-07	3 OF 3

ATTACHMENT B

ORDINANCE NO. 360

AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON APPROVING A PRELIMINARY FORMAL SUBDIVISION FOR NINETEEN LOTS AND THREE PRIVATE LAND TRACTS LOCATED AT 14515 WHITMAN AVENUE NORTH.

WHEREAS, owners of certain properties, with parcel number 2827100076, have filed a preliminary long plat application for nineteen building lots and two open space tracts and one access tract located at 14515 Whitman Avenue North; and

WHEREAS, on July 1, 2004, a public hearing on the application for the preliminary long plat was held before the Planning Commission for the City of Shoreline pursuant to notice as required by law; and

WHEREAS, on July 1 2004, the Planning Commission recommended approval of the preliminary long plat and entered findings of fact and conclusions based thereon in support of that recommendation; and

WHEREAS, the City Council does concur with the Findings and Recommendation of the Planning Commission, specifically that the preliminary long plat of certain properties, located at 14515 Whitman Avenue North (with parcel number 2827100076) is consistent with both the City of Shoreline Comprehensive Plan and Development Code and is appropriate for this site;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SHORELINE DO ORDAIN AS FOLLOWS:

Section 1. Findings. The Findings and Conclusion on Project No. 201310, as set forth in Part I, Planning Commission Findings, Conclusion and Recommendation dated July 29, 2004, attached hereto as Exhibit A are hereby adopted.

Section 2. Preliminary Formal Subdivision Adoption. The Whitman Avenue Townhomes Preliminary Long Plat, Project No. 201310, as further described and depicted in Exhibit B attached hereto is hereby adopted subject to the conditions set forth in Part II, Planning Commission Findings, Conclusion and Recommendation dated July 29, 2004 and attached hereto as Exhibit A.

Section 3. Severability. If any provision of this ordinance or the application of a provision to any person or circumstance, is declared invalid, then the remainder of this ordinance, or the application of such provision to other persons or circumstances, shall not be affected.

Section 4. Effective Date. This ordinance shall go into effect five days after passage

and publication of the title as a summary of this ordinance.

PASSED BY THE CITY COUNCIL ON AUGUST 23, 2004.

Mayor Ronald B. Hansen

ATTEST:

APPROVED AS TO FORM:

Sharon Mattioli, MMC
City Clerk

Ian Sievers
City Attorney

Date of Publication: August 28, 2004
Effective Date: September 2, 2004

RESOLUTION NO. 238

**A RESOLUTION OF THE CITY OF SHORELINE, WASHINGTON,
APPROVING THE FINAL PLAT OF URBAN TRAILS TOWNHOMES
SUBDIVISION.**

WHEREAS, the applicant has made application for final plat of the Urban Trails Townhomes subdivision, a nineteen lot subdivision; and

WHEREAS, the City Council approved the preliminary plat of Whitman Townhomes (now known as Urban Trails Townhomes) Subdivision on August 23, 2004, and

WHEREAS, a public hearing was held by the Planning Commission on July 1, 2004, 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 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, WASHINGTON AS FOLLOWS:

Section 1. The Council finds that the final plat of Urban Trails Townhomes 1) complies with the City's zoning and land use regulations, 2) that the public interest will be served by the subdivision, and 3) satisfies conditions of preliminary plat approval and recording the final plat have been satisfied.

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

ADOPTED BY THE CITY COUNCIL ON November 28, 2005.

Mayor Ronald B. Hansen

ATTEST:

Scott Passey, City Clerk