



City Council, Joint Meeting with Issaquah School District/Special Meeting

AGENDA

June 27, 2017

5:30 pm – 10:00 pm

Joint Meeting with Dinner

5:30 pm – 7:00 pm

Topics

- **Transportation Master Plan**
 - Overview of Planning Effort
 - School District Participation in Process
 - AM Peak Congestion

- **Project and Operations Updates**
 - Bell-Time Change
 - Emergency Management Coordination
 - School Construction Updates
 - Issaquah Fall City Road Improvement Project
 - Other

Call to Order

7:00 pm – 10:00 pm

Roll Call

Pledge of Allegiance

Approval of Agenda

Estimate time

Presentations/Proclamations

- Update: Arts Commission **7:10 pm**

- Department Report: Police **7:20 pm**

- Emergency Management Update **7:40 pm**

Student Liaison Reports

Public Comment

8:00 pm

City Council meetings are wheelchair accessible. American Sign Language (ASL) interpretation is available upon request. Please phone (425) 295-0500 at least 48 hours in advance. Assisted Listening Devices are also available upon request.

Note: This is an opportunity for the public to address the Council. Three-minutes limit per person or five-minutes if representing the official position of a recognized community organization. If you would like to show a video or PowerPoint, it must be submitted or emailed by 5 pm, the end of the business day, to the City Clerk, Melonie Anderson at manderson@sammamish.us. Please be aware that Council meetings are videotaped and available to the public.

Consent Calendar

8:30 pm

- Payroll for period ending May 31, 2017 for pay date June 5, 2017 in the amount of \$ 378,237.91
- Payroll for period ending June 15, 2017 for pay date June 20, 2017 in the amount of \$ 392,409.32
- 1. **Approval:** Claims For Period Ending June 27, 2017 In The Amount Of \$5,125,144.25 For Check No. 47501 Through 47635
- 2. **Resolution:** Authorizing The Acceptance Of King County Youth And Amateur Sports Grant Funds
- 3. **Resolution:** Granting Final Plat Approval To The Plat Of Dalton Park
- 4. **Resolution:** Granting Final Plat Approval Of The Jacobs Landing Subdivision
- 5. **Approval:** Recreation Lead Reclass
- 6. **Bid Award:** Beaver Lake Way/Drive SE Neighborhood Traffic Improvement Project/TBD
- 7. **Approval:** Notes for June 5, 2017 City Council Study Session
- 8. **Approval:** Minutes for June 6, 2017 City Council Regular Meeting
- 9. **Approval:** Minutes for June 13, 2017 City Council Study Session

Public Hearings

8:40 pm

10. **Resolution:** Adopting An Updated Six-Year Transportation Improvement Plan For 2018-2023

Unfinished Business

New Business

Council Reports/ Council Committee Reports

9:00 pm

City Manager Report

9:30 pm

- Council Candidate Forum Request for Proposal

Executive Session – Potential Litigation pursuant to RCW 42.30.110(1)(i) and Potential Property Acquisition pursuant to RCW 42.30.110(1)(b)

9:40 pm

Adjournment

10:00 pm

City Council meetings are wheelchair accessible. American Sign Language (ASL) interpretation is available upon request. Please phone (425) 295-0500 at least 48 hours in advance. Assisted Listening Devices are also available upon request.

AGENDA CALENDAR

Meeting Date	Packet Material Due	Time	Meeting Type	Topics
June 2017				
Thurs 6/29		2:00 pm	Finance Retreat	Council Chambers
July 2017				
Mon 7/03	6/28	4:30 pm	Study Session	Meeting Cancelled
Weds 7/05	6/28	6:30 pm	Regular Meeting	Meeting Cancelled
Mon 7/10	7/05	4:30 pm 9:30 pm Dinner	Special Study Session	Presentation: Metro Community Connections Discussion: Human Services Needs Assessment Discussion: Transportation Master Plan Presentation: Traffic, Transportation & Concurrency Overview
Tues 7/11	7/05	4:00 pm – 7:00 pm	Special Joint Meeting	Public Hearing/Ordinance: First Reading Comprehensive Plan Amendments Transportation Element Presentation & Discussion: Introduction to Land Acquisition Policy <u>Consent:</u> Bid Award: Sahalee Way Stormwater Tightline Project (not related to Sahalee Way Project)/TBD
Tues 7/18	7/12	6:30 pm	Regular Meeting	Public Hearing: Erosion Hazard Near Sensitive Water Bodies Pilot Program Interim Regulations Ordinance: Second Reading Comprehensive Plan Amendments Transportation Element Resolution: Adopting a Land Acquisition Policy Discussion: Stormwater Rate Study Update Discussion: Stormwater 6-year Capital Plan Executive Session: Potential Land Acquisition <u>Consent:</u> Bid Award: 2017 Crack Seal/TBD Bid Award: 2017 Sidewalk Project/TBD Bid Award: SE 4 th Street Improvement Project/TBD
Aug 2017				
Sept 2017				
Mon 9/04	8/30	4:30 pm	Study Session	Cancelled
LABOR DAY				

Tues 9/05	8/30	6:30 pm	Regular Meeting	<p>Public Hearing/Ordinance: First Reading Stormwater Rate Update</p> <p>Public Hearing/Ordinance: First Reading Comprehensive Plan Amendments Capital Facilities Element</p> <p>Discussion: Inglewood Historic Plat Drainage Ordinance</p> <p>Ordinance: First Reading Redemption of Impounded Vehicles</p> <p>Ordinance: First Reading Parking Ordinance</p> <p><u>Consent:</u></p> <p>Resolution: Inglewood Hill Stormwater Quality Retrofit Project Acceptance</p> <p>Contract: Urban Forestry Management Plan Consultant/TBD</p> <p>Bid Award: Klahanie Park Drainage Improvements</p> <p>Contract: City Works Phase II</p>
Tues 9/12	9/06	6:30 pm	Study Session	<p>Discussion: Parks, Recreation and Open Space (PRO) Plan Update</p> <p>Discussion: Zackuse Creek Culvert Replacement Project & Basin Plan Update</p> <p>Discussion: Communications Strategic Plan</p> <p>Executive Session: Potential Land Acquisition</p>
Tues 9/19	9/13	6:30 pm	Regular Meeting	<p>Department Report: Public Works</p> <p>Department Report: Parks & Recreation</p> <p>Presentation: Health & Human Services Needs Assessment</p> <p>Resolution: Adopting Internet Usage & Social Media Policies</p> <p>Ordinance: Second Reading Comprehensive Plan Amendments Capital Facilities Element</p> <p>Ordinance: Second Reading Redemption of Impounded Vehicles</p> <p>Ordinance: Second Reading Parking Ordinance</p> <p><u>Consent:</u></p> <p>Contract: Zackuse Creek Basin Plan Consultant/TBD</p> <p>Ordinance: Second Reading Stormwater Rate Update</p> <p>Equipment surplus</p>
Oct 2017				
Mon 10/02	9/27	4:30 pm	Study Session	<p>Department Report: Police</p> <p>Discussion: Police Services Analysis</p> <p>Discussion: Inattentive Driving Ordinance</p>

Tues 10/03	9/27	6:30 pm	Regular Meeting	Public Hearing / Ordinance: First Reading Electronic Reader Board Signage Code Department Report: Fire Department Report: Administrative Services Ordinance: First Reading Inglewood Historic Plat Drainage Requirements Resolution: Adopting the Communications Strategic Plan <u>Consent:</u> Bid Award: City Hall Space Planning Project/TBD
Tues 10/10	10/04	6:30 pm	Study Session	Discussion: Electronic Reader Board Signage Code Discussion: Transportation Master Plan Discussion: Parks, Recreation and Open Space (PRO) Plan Update Discussion: Big Rock Park Site B Master Plan Update
Tues 10/17	10/11	6:30 pm	Regular Meeting	Department Report: Finance <u>Consent:</u> Ordinance: Second Reading Electronic Reader Board Signage Code Ordinance: Second Reading Inglewood Historic Plat Drainage Requirements Resolution: Beaver Lake Preserve Project Acceptance Resolution: Skyline High School Turf Replacement Project Acceptance
Nov 2017				
Mon 11/06	11/07	4:30 pm	Study Session	Discussion: Emergency Management Update Discussion: Business Continuity Plan (Information Technology) Discussion: 2018 Comprehensive Plan Amendments – Docket Requests <u>Consent:</u> Bid Award: 2017 Asphalt Patching/TBD

Tues 11/07	11/07	6:30 pm	Regular Meeting	<p>Public Hearing/Ordinance: First Reading School Impact Fee Update</p> <p>Public Hearing / Resolution: 2018 Comprehensive Plan Amendments – Docket Requests</p> <p>Public Hearing/Ordinance: First Reading Mid-Biennial Budget Update</p> <p>Public Hearing/Ordinance: First Reading and Public Hearing: 2018 Property Tax Levy</p> <p>Ordinance: First Reading City Parking Regulations</p> <p>Ordinance: First Reading Inattentive Driving Regulations</p> <p><u>Consent:</u></p> <p>Resolution: Sammamish Landing ADA Access Improvements Project Acceptance</p>
Tues 11/14	11/14	6:30 pm	Study Session	<p>Discussion: Erosion Hazard Near Sensitive Water Bodies Pilot Program Permanent Regulations</p> <p>Discussion: Parks, Recreation and Open Space (PRO) Plan Update</p> <p>Discussion: Parks 6-year Capital Plan</p> <p>Discussion: YMCA Property</p> <p>Discussion: Transportation Master Plan</p> <p>Presentation: Fleet Management Policy</p>
Tues 11/21	11/21	6:30 pm	Regular Meeting	<p>Public Hearing / Ordinance: First Reading Erosion Hazard Near Sensitive Water Bodies Pilot Program Permanent Regulations</p> <p>Discussion: Review Draft Humans Service Needs Assessment</p> <p><u>Consent:</u></p> <p>Ordinance: Second Reading City Parking Regulations</p> <p>Ordinance: Second Reading Inattentive Driving Regulation</p> <p>Ordinance: Third Reading Consolidated Annual Amendment of Comprehensive Plan</p> <p>Ordinance: Second Reading School Impact Fee Updates</p> <p>Ordinance: Second Reading Mid-Biennial Budget</p> <p>Ordinance: Second Reading Property Tax Levy Rate</p> <p>Resolution: Fee Schedule</p> <p>Resolution: Salary Schedule</p> <p>Resolution: Medical Premium Co-Pay</p> <p>Resolution: Beaver Lake Way/Drive SE Neighborhood Traffic Improvement Project Acceptance</p>
Dec 2017				

Mon 12/04	11/29	4:30 pm	Study Session	Department Report: Community Development Discussion: Erosion Hazard Near Sensitive Water Bodies Pilot Program Permanent Regulations Presentation: M & O Project update
Tues 12/05	11/29	5:00 pm 6:30 pm	Joint Study Session with Planning Commission Regular Meeting	Ordinance: Second Reading Erosion Hazard Near Sensitive Water Bodies Pilot Program Permanent Regulations <u>Consent:</u> Contract: Electrical Inspections/TBD Contract: Electrical Inspections (2)/TBD Contract: ADA Transition Plan Consultant/TBD Contract: Water Quality Monitoring Strategic Plan/TBD Contract: Park Landscape Maintenance/TBD Contract: ROW Landscape Maintenance/TBD Contract: ROW Slope Mowing/TBD Contract: Street & Park Sweeping/TBD Contract: Custodial Services/TBD Contract: Vactoring Services/TBD Contract: Tree Services/TBD Contract: Fence Repair/TBD M&O Vehicle Replacements
Mon 12/11		6:30 pm		Volunteer Recognition Banquet
Tues 12/12	12/06	6:30 pm	Special Meeting	Discussion: Parks, Recreation and Open Space (PRO) Plan Update Discussion: Parks 6-year Capital Plan Resolution: Adopting Human Service Needs Assessment Executive Session: Discussion Qualifications of Commission Applicants
Tues 12/19	12/13	6:30 pm	Regular Meeting	
Jan 2018				
Mon 1/1				New Year's Day – City Offices Closed
Tues 1/2	12/26	6:30 pm	Regular Meeting	Oath of Office – New Councilmembers Election: Mayor/Deputy Mayor Presentation: Safety Program Adoption <u>Consent</u> Contract: Beaver Lake Park Phase 1 Improvement Project Design Consultant/TBD
Tues 1/09	1/03	6:30 pm	Study Session	Interviews: Council Commission Interviews/Appointments Discussion: Fleet Management Policy

Tues 1/16	1/10	6:30 pm	Regular Meeting	
Feb 2018				
Mon 2/05	1/31	4:30 pm	Study Session	Discussion: Safety Program Adoption Presentation: Maintenance and Operations Strategic Plan
Tues 2/06	1/31	6:30 pm	Regular Meeting	<u>Consent</u> Fleet Management Policy
Tues 2/13	2/07	6:30 pm	Study Session	
Tues 2/20	2/14	6:30 pm	Regular Meeting	<u>Consent</u>
Mar 2018				
Mon 3/05	2/27	4:30 pm	Study Session	Presentation: Facility Assessment Discussion: Maintenance and Operations Strategic Plan
Tues 3/06	2/27	6:30 pm	Regular Meeting	<u>Consent</u> Safety Program Adoption (tentative)
Tues 3/13	2/07	6:30 pm	Study Session	
Tues 3/20	2/14	6:30 pm	Regular Meeting	<u>Consent</u>
Apr 2018				
Mon 4/02	1/31	4:30 pm	Study Session	
Tues 4/03	1/31	6:30 pm	Regular Meeting	Discussion: Facility Assessment <u>Consent:</u> Maintenance and Operations Strategic Plan
Tues 4/10	2/07	6:30 pm	Study Session	
Tues 4/17	2/14	6:30 pm	Regular Meeting	<u>Consent</u>
Mon 4/30	1/31	4:30 pm	Study Session	
May 2018				
Tues 5/01	1/31	6:30 pm	Regular Meeting	Facility Assessment (Direction) Presentation: Final Report on M & O Project <u>Consent</u>
Tues 5/08	2/07	6:30 pm	Study Session	
Tues 5/15	2/14	6:30 pm	Regular Meeting	<u>Consent</u>
To Be Scheduled			To Be Scheduled	Parked Items

	<ul style="list-style-type: none">• Lk. Sammamish Water Level• Growth Centers• Approval: 2017 Non-Motorized Transportation Project & Consultant Contract/TBD	<ul style="list-style-type: none">• Facility 6-year Capital Plan• Information Technology 6-year Capital Plan• Wildlife Corridors Discussion	<ul style="list-style-type: none">• Discussion: Inner City Bus Service• Good Samaritan Law• Recycled Bags• Drones in Parks• Mountains to Sound Greenway• Sustainability/Climate Change• Review of regulations regarding the overlay areas, low impact development and special protection areas for lakes
--	--	---	--

June 2017

Sun	Mon	Tue	Wed	Thu	Fri	Sat
28 8:30 am Trail Work at Beaver Lake Preserve	29 12:00 am Memorial Day (Observed) - City offices closed	30 9:00 am Public Safety Committee	31 4:00 pm Sammamish Farmers Market	1 6:00 pm Public Meeting 3: Issaquah Fall City Road Project - Phase I 6:30 pm Planning Commission Meeting	2 5:00 pm Skate Competition	3 9:00 am Volunteer at Lower Commons Park
4	5 4:30 pm City Council Study Session	6 5:00 pm City Council Office Hour 6:30 pm City Council Regular Meeting	7 12:00 pm Human Services Task Force Meeting 4:00 pm Sammamish Farmers Market 6:30 pm Parks and Recreation Commission Meeting	8	9	10
11	12	13 6:30 pm City Council Study Session	14 4:00 pm Sammamish Farmers Market 6:30 pm Land Acquisition Strategy Public Meeting #3	15 6:30 pm Planning Commission Meeting	16 9:00 am Transit Committee Meeting 10:00 am Finance Committee Meeting	17 9:00 am Volunteer at Lower Commons Park 10:00 am Sammamish Walks: Forest Trail Walk at Beaver Lake Preserve
18	19	20 6:30 pm City Council Regular Meeting - Canceled	21 4:00 pm Sammamish Farmers Market	22	23	24 9:00 am Volunteer at Lower Commons Park
25	26 6:00 pm Fourth on the Plateau Volunteer Orientation 6:30 pm Arts Commission Regular Meeting	27 9:00 am Human Services Committee / Human Services Task Force Joint Meeting 5:30 pm City Council Special Joint Meeting	28 8:30 am Art Exhibit 11:00 am Sammamish Business Recycling Collection Event 4:00 pm Sammamish Farmers Market	29 2:00 pm City Council Financial Retreat	30	1
2	3 4:30 pm City Council Study Session - Canceled	4 12:00 am Independence Day (Observed) - City offices closed 6:00 pm Fourth on the Plateau 6:30 pm City Council Regular Meeting - Canceled	5 10:00 am Fourth on the Plateau Clean-up! 4:00 pm Sammamish Farmers Market 6:30 pm City Council Special Meeting - Canceled 6:30 pm Parks and Recreation Commission Meeting - Canceled	6 6:30 pm Planning Commission Meeting	7	8 7:00 pm Shakespeare in the Park

July 2017

Sun	Mon	Tue	Wed	Thu	Fri	Sat
25	26 6:00 pm Fourth on the Plateau Volunteer Orientation 6:30 pm Arts Commission Regular Meeting	27 9:00 am Human Services Committee / Human Services Task Force Joint Meeting 5:30 pm City Council Special Joint Meeting	28 8:30 am Art Exhibit 11:00 am Sammamish Business Recycling Collection Event 4:00 pm Sammamish Farmers Market	29 2:00 pm City Council Financial Retreat	30	1
2	3 4:30 pm City Council Study Session - Canceled	4 12:00 am Independence Day (Observed) - City offices closed 6:00 pm Fourth on the Plateau 6:30 pm City Council Regular Meeting - Canceled	5 10:00 am Fourth on the Plateau Clean-up! 4:00 pm Sammamish Farmers Market 6:30 pm City Council Special Meeting - Canceled 6:30 pm Parks and Recreation Commission Meeting - Canceled	6 6:30 pm Planning Commission Meeting	7	8 7:00 pm Shakespeare in the Park
9	10 4:30 pm City Council Special Study Session	11 1:00 pm KidsFirst! 4:00 pm City Council Special Meeting	12 1:30 pm Human Services Task Force Meeting 4:00 pm Sammamish Farmers Market	13 6:30 pm Concerts in the Park	14	15 10:00 am Kung Fu Walk at Yellow Lake in Klahanie
16	17	18 1:00 pm KidsFirst! 6:30 pm City Council Regular Meeting	19 4:00 pm Sammamish Farmers Market	20 6:30 pm Planning Commission Meeting 6:30 pm Concerts in the Park	21	22 7:00 pm Shakespeare in the Park
23	24 5:00 pm Blood Drive with Bloodworks NW 6:30 pm Arts Commission Regular Meeting	25 1:00 pm KidsFirst!	26 4:00 pm Sammamish Farmers Market	27 6:30 pm Concerts in the Park	28	29 10:00 am Sammamish Landing History Walk
30	31	1 1:00 pm KidsFirst!	2 4:00 pm Sammamish Farmers Market 6:30 pm Parks and Recreation Commission Meeting	3 6:30 pm Concerts in the Park	4	5 10:00 am Evans Creek Plant Walk



Request for Permanent Art Funding

To further promote the mission of integrating art and culture to create a sense of place, civic identity and unique character, the Sammamish Arts Commission is requesting \$250,000 be made available for the procurement of permanent art within the City of Sammamish. These funds are to be allocated over a three-year period and will be slated as a Permanent Arts Fund independent of our current arts programming budget. We also ask the Council to review and consider the implementation of a designation of 1% for Public Art. Such a program would specify that 1% of eligible capital improvement funds be set aside for the commission, purchase and installation of artworks in a variety of City settings.

Sammamish is growing. Wherever we go, we see more construction, lots of fences, parking lots, more traffic and fewer trees. Our endeavor as the Sammamish Arts Commission is to provide space for beautification and reflection within our city. We value our culturally rich community and believe that by providing artistic creativity into all aspects of civic life, we will not only celebrate, but preserve our diverse culture and history in meaningful ways.

Within the constraints of our current budget, we have been limited in our call to artists. As an example, our 2015 installation of the Lower Community Garden Gates was fraught with budgetary complications. We were turned away by artists that might have otherwise considered a competitive bid for a prominent site. We have, however seen great success and feedback with our current installations. The recent installation of art by artist, Al Zold, in the roundabouts has garnered much admiration on Facebook and in public forums. We continue to receive requests for more structures of this quality, character and local flavor and have included many possible sites in this presentation. Our most recent request has been by the Stormwater Management Team for the Zackuse Creek Fish Passage Culvert and Stream Restoration Project. (See Attachment #1 for inventory of 12 different existing permanent art pieces located within the City).

The Art Commission has been comparing the permanent art pieces and art programs of Kirkland, Redmond and other cities in Washington with the situation of Sammamish. The residents of Sammamish deserve to be in line with permanent art and art programs of the surrounding areas. (See Attachment #2 for the States survey of 1% funding dedicated to arts).

Quote by Paula Spenser: "Feeling AWE may be the secret to health and happiness." Art, parks and an enjoyable environment will give us this feeling. (See Attachment #3 for possible locations to consider permanent art installations around the City.)

For further information we may provide:

- Mission Statement SAC <http://www.sammamish.us/Group.aspx?ID=3>:
- City of Sammamish Mission Statement
- Parks, Recreation and Open Space Plan (PRO Plan)
- Parks, Recreation and Open Space Plan (Comprehensive Plan)
<http://www.codepublishing.com/WA/Sammamish/?SammamishCP/SammamishCP.html>

- Ordinance 1640 - 1% for Public Art Redmond; public art in Redmond funded at \$1.50 per capita
- Redmond Art inventory
- SAC Budget 2016
- Programs/events of SAC in 2016
- Purchased Artwork in Sammamish
- Sammamish public art prices
- Example of places for Permanent Public Art in Sammamish
- The art should fit the theme/feel/purpose/environment of the location

The Commission thanks you in advance for your thoughtful consideration of this funding request to make permanent art a part of our community for years to come.

Sincerely,

Ramu Iyer

City of Sammamish Art Commission Chair

Margaret Rosenow

City of Sammamish Art Commissioner & Permanent Art Sub-Committee Chair

Inventory of Public Art in Sammamish:	Price:
1. Totem poles, David Boxley, Tsimshian tribe: Beaver Lake Park. (1992)	?
2. "Confluence" sculpture, Deb Young: Sammamish Commons Park Plaza (2007)	\$91,000.00
3. Four seasons mosaic mural: Sammamish Commons Park Plaza	?
4. Rooster: Lower Commons Sammamish Commons Park	
5. "Magnetic Drawing," Nola Avienne: Sammamish City Hall (2008)	\$2,199.00
6. "Late Summer," quilt, Ellin Larimer: Sammamish City Hall (2010)	\$2,737.00
Late Summer Case Plexicase for quilt	\$2,178.00
7. "Two Canoes" Nine piece photo/painting. Kathy Hastings (2011)	\$1,067.00
8. "Shadows Fall" Original paper cut. Hannah Viano. City Hall (in locked area)(2012)	\$760.00
9. Lower Community Garden gates. Garth Edwards. (2015)	\$8,000.00
10. Metal sculpture "The One Who Reached The Star". Michelle Van Slyke. City Hall Lobby. (2015)	\$1,500.00
11,12 & 13: Roundabouts Al Zold. (2016)	4 total \$4,000.00



1



2



3



4



5



2010 "Late Summer", Quilt by Ellen Larimer

6



2011 "Two Canoes", 9 piece photo/painting by Kathy Hastings

7



8



9



10

► "Forms In Flight"



11

► "11 Steps, Ladder 83"



12

► "Circle the Roundabout"



13

WA State_ Public Art Funding Matrix:

Arts Funding Matrix

Washington State Municipal Entities	Percent	Ordinance #	Year est.	Eligible projects
City of Auburn	1%	4546	2008	CIP "public building facilities"
City of Bainbridge Island	1%	92-30	1992	CIP paid for wholly or in part by the city's water and sewer capital funds for sewer and water facility construction. Reconstruction, renovation or remodel of any existing City street or sidewalk or repairs, maintenance, demolition projects equipment cost, real estate acquisitions, or underground utilities.
City of Bellevue	1.7% or up to \$100,000 + \$350K annual approp.	3712	1970's	CIP
City of Burien	1%	Ord 238/ Res 152	2002	Projects funded wholly or in part by the city for the construction or remodeling of government-owned public buildings, transit centers and parks
City of Edmonds	1%	1802	1975	
City of Everett	1%	1471-88		
City of Federal Way	2%			
City of Kent	\$2 per capita	2552	1985	As recommended by the Arts Commission in consultation with City Staff.
City of Lynnwood	1%	1745	1990	CIP paid for wholly or in part by the City of Lynnwood to construct or remodel any building, park, parking facility, or any portion thereof, within the limits of the City except for utilities, streets, sidewalks, walkways, tenant improvements, and furnishings.
City of Mercer Island	1%	A-108	1993	CIP funded wholly or in part by the City to construct or remodel any public project including building, decorative or commemorative structures, parks, or any portion thereof; and projects involving the construction, renovation or repair of public streets, sidewalks, parking facilities, and water sewer, and storm drainage improvements.
City of Mountlake Terrace	1%	10538		
City of Olympia	1% + \$1.00 per capita	5097	1990	1% of "qualifying" CIP's, excepting any City funded amount for the acquisition of real property, demolition, or equipment. 1% shall be based on construction cost identified at the time the project is funded. This shall be a fixed amount and shall not fluctuate with future project budget adjustments.
City of Redmond	1%	1640	1991	1% shall be based on construction cost identified at the time the project is funded. This shall be a fixed amount and shall not fluctuate with future project budget adjustments.
City of Renton	1%	3749		
City of Seattle	1%	Chapter 20.32		
City of Shoreline	1%	Ord 312	2002	capital construction projects funded wholly or in part by the City of Shoreline to construct any building, decorative or commemorative structure, park facility, street, sidewalk and parking facility, which is accessible to the public, or to repair or reconstruct any portion thereof where cost of construction exceeds 50% of the existing valuation of the structure
City of Spokane	1%	Sac 7.06.42	1981	
City of Wenatchee	1%	2197		
Council of the Municipality of Metropolitan Seattle (METRO)	1%	5661	1990	Transit construction for art and maintenance of art—any capital project to construct or remodel a building, structure, facility, roadway, sidewalk or utility. Water quality capital program will have a separate art budget. Art as mitigation will be considered on a project-by-project basis.
King County	1%	12089	1973	CIP projects that are visible, accessible or have a need for mitigation
Pierce County	1%		1979	CIP's of at least \$100,000; county owned buildings that involve new construction, or major remodel; construction of new parks or improvements, excluding golf courses. Not eligible are repair and maintenance, county road and sewer, surface water management, and land/building acquisitions.
Snohomish County	1%			
Washington State	¾%			

Example of places for Permanent Public Art in Sammamish

Mars Hill campus:



Inglewood Hill RD and East Lake Sammamish Parkway entrance:



Sammamish Landing & center islands on that roadway:



Bottom of Inglewood Hill Road parking lot near the path that leads to the Parkway Trail:



Along the East Lake Sammamish trail:



The utility box location at the intersection of Louis Thompson Hill RD and East Lake Sammamish Parkway:



East Lake Sammamish Shore Lane:



Ebright Creek Park:



Big Rock Park:



Lower Commons:



Beaver Lake Park - ballfields:



Beaver Lake Park:



The triangle belonging to the City on SE 24th near Beaver Lake:



Beaver Lake Preserve:



The barricade at Belvedere Way & Trossachs Blvd. (through walkway):



Entrance to Klahanie and other spaces in that area:



South Sammamish Park & Ride (228th SE & Issaquah-Pine lake Road SE):



228th (with platform):



Pine Lake Park:



Police Department Report

City Council - June 27, 2017

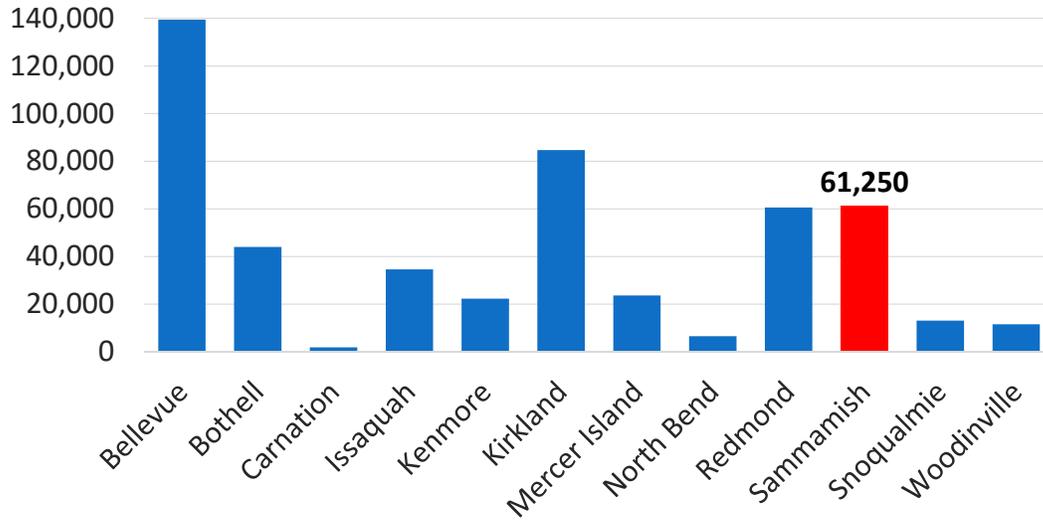
Chief Michelle Bennett

Police Department Update

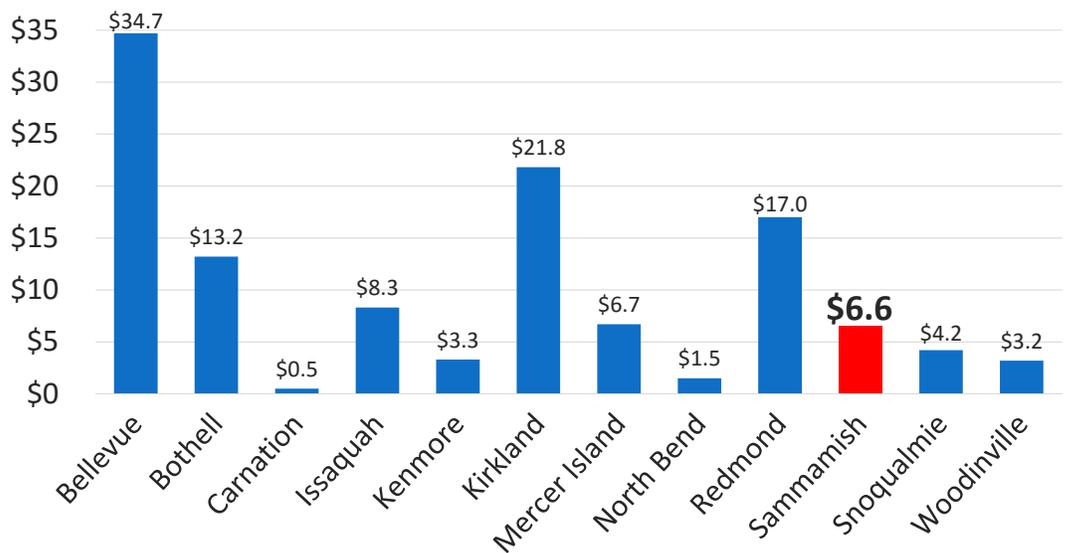
- Year-end 2016 Statistics
- Comparisons to past years
- 2017 Work Plan



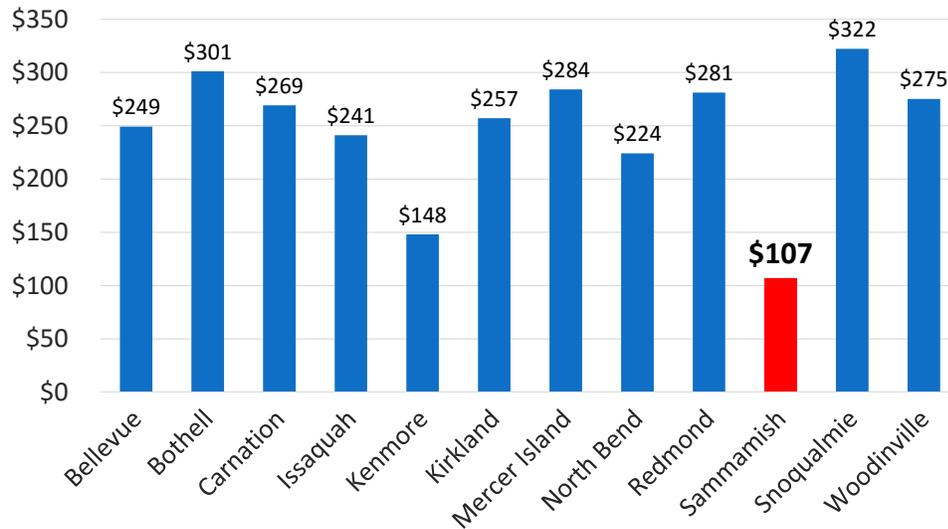
Population Comparison by City (2016)



Public Safety Budget Comparison by City (In millions, 2016)

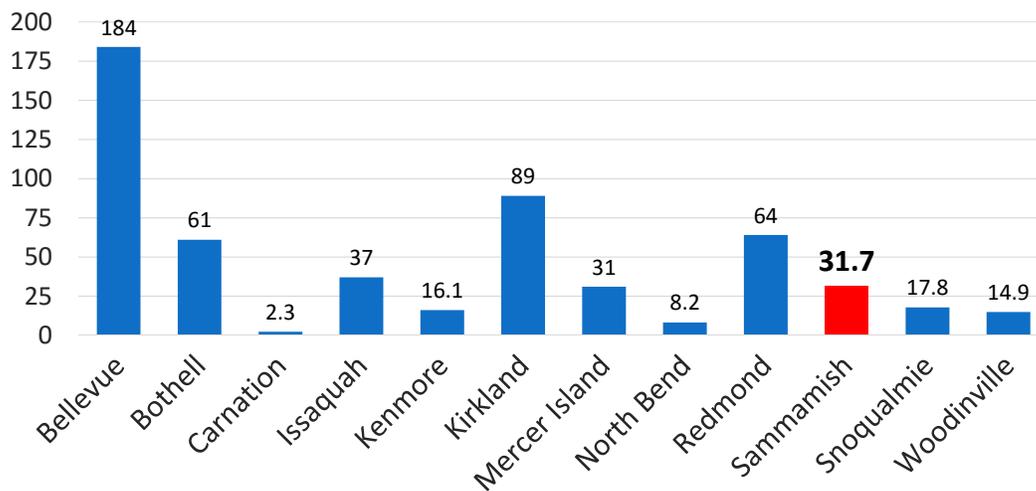


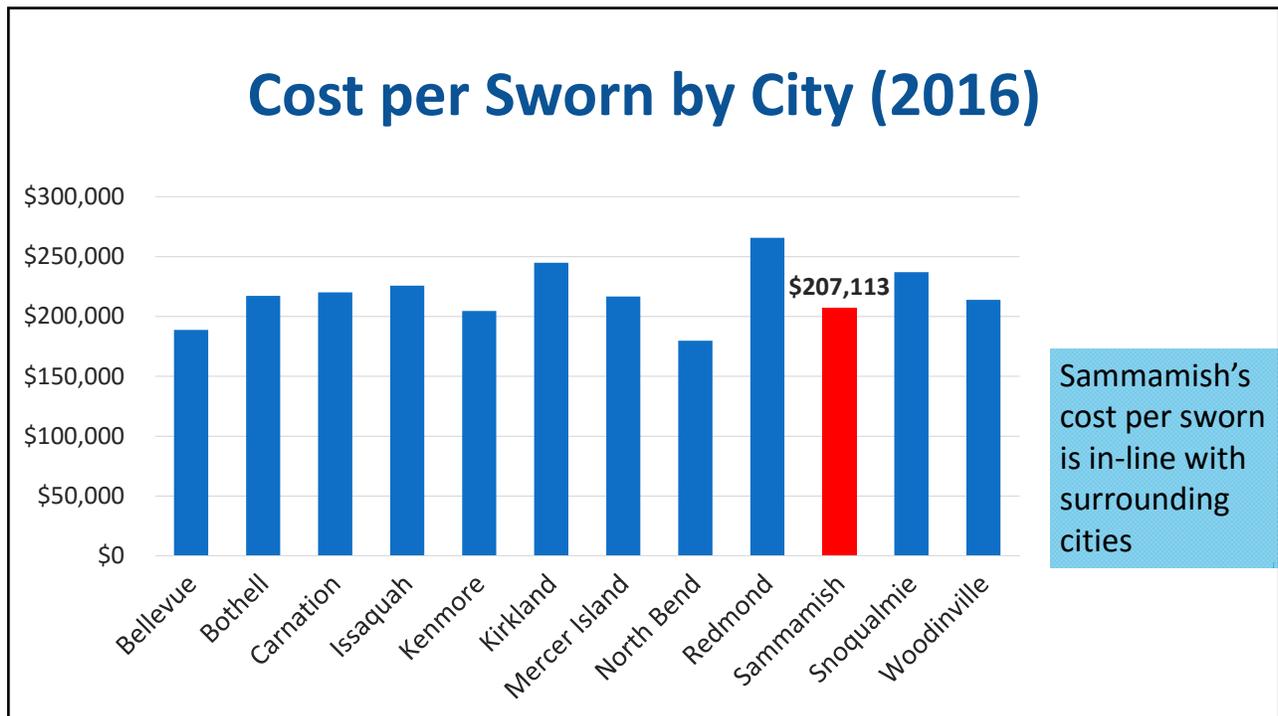
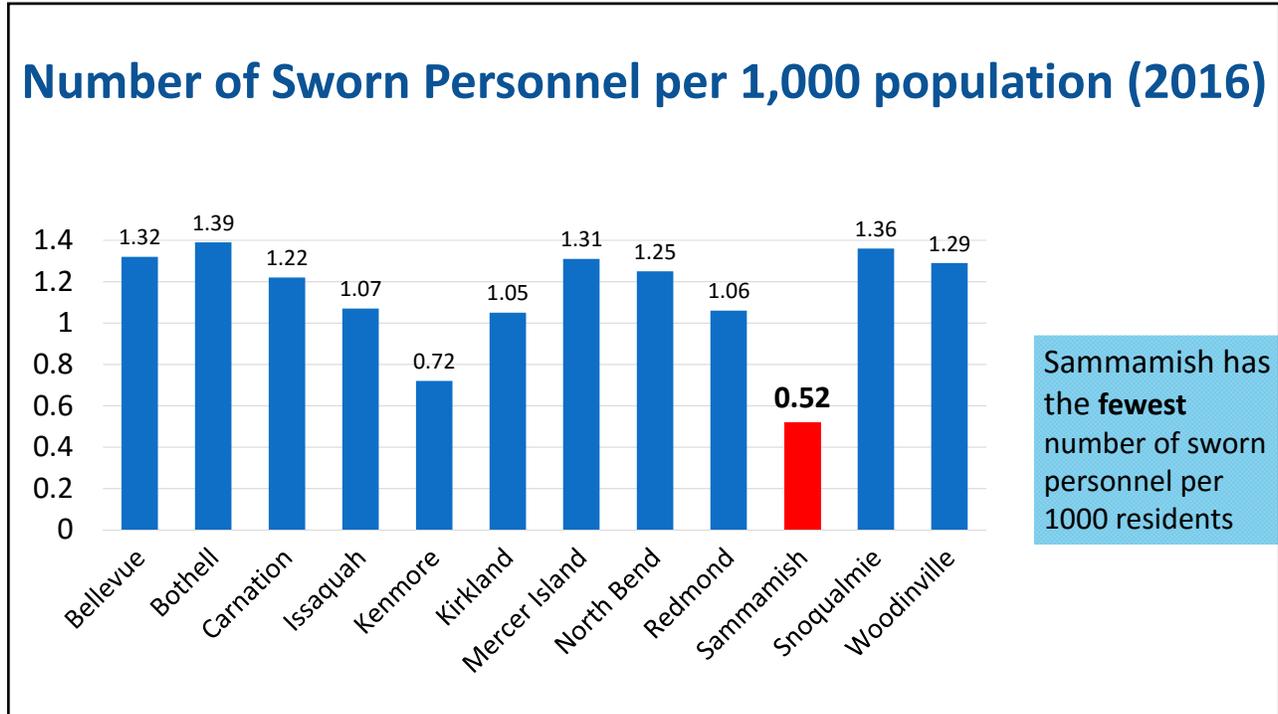
Public Safety Cost per Capita by City (2016)



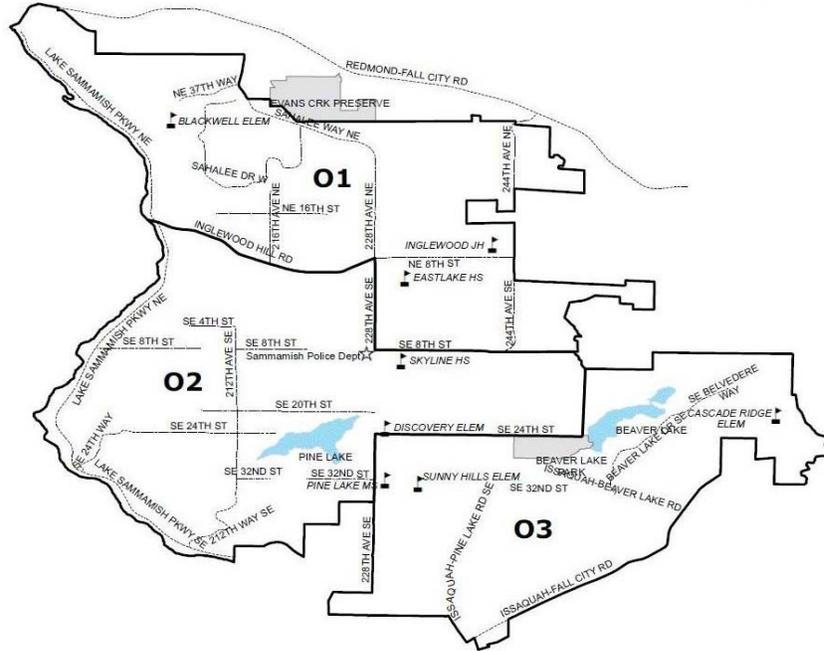
Sammamish residents pay much **less** for public safety than residents of surrounding cities.

Number of Sworn Personnel by City (2016)

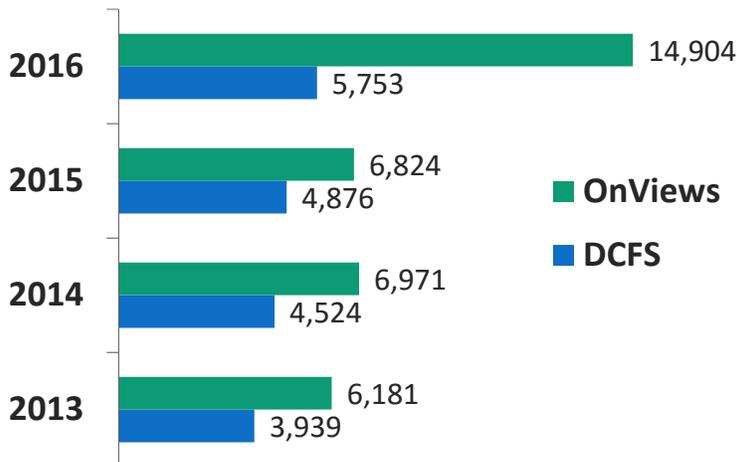




Sammamish Patrol Districts

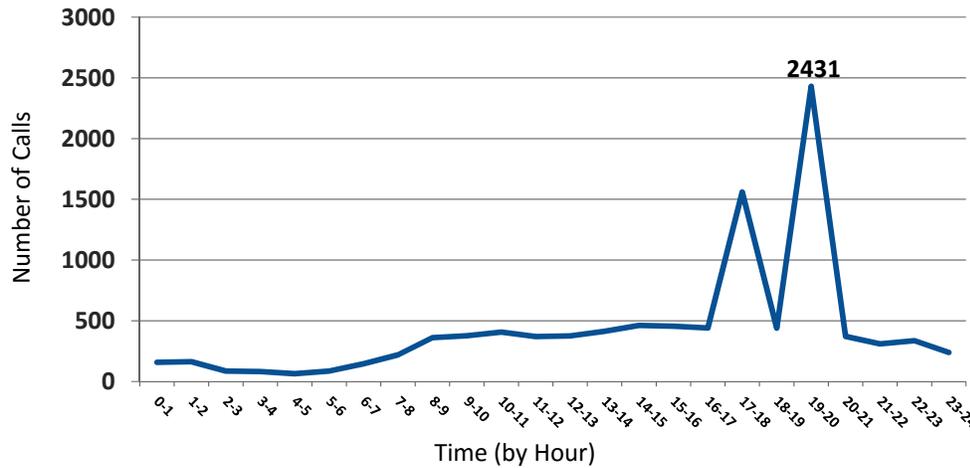


Dispatched Calls for Service (DCFS) versus Officer-Initiated (On-Views) by Year



From 2015 to 2016, the number of officer-initiated actions increased 159%.

Calls for Service by Hour of Day (Total Calls in 2016)



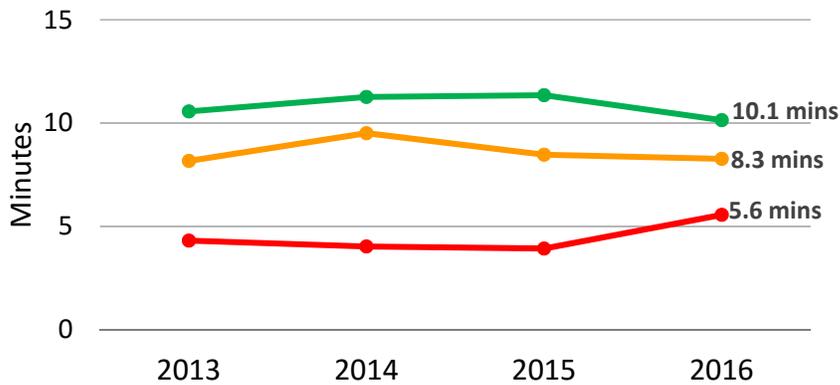
Call volumes spike between 5-6 PM and 7-8 PM.

Calls for Service by Hour of Day and Day of Week (Total Calls in 2016)

Note that peak call volumes occur between 5:00 – 6:00 PM and 7:00 – 8:00 PM

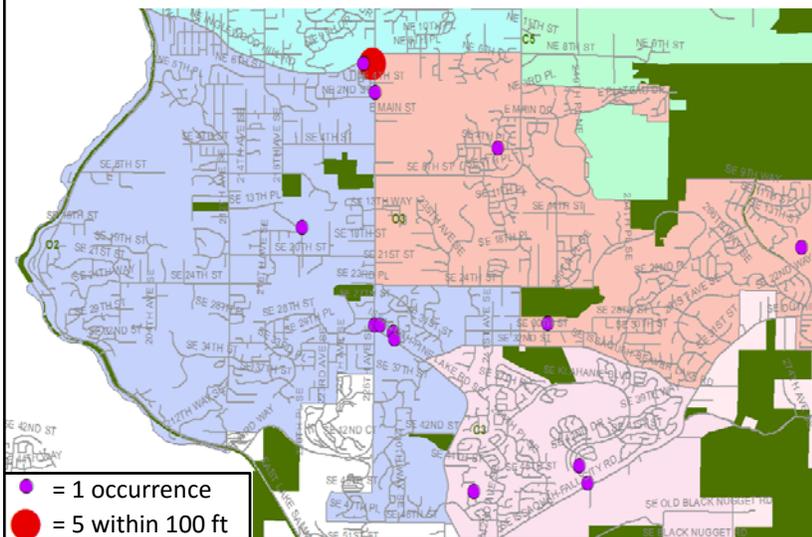
Hour of Day	0-1	1-2	2-3	3-4	4-5	5-6	6-7	7-8	8-9	9-10	10-11	11-12	12-13	13-14	14-15	15-16	16-17	17-18	18-19	19-20	20-21	21-22	22-23	23-24
SUN	30	30	18	12	10	7	10	15	24	48	40	46	43	46	67	39	46	201	67	352	41	41	48	25
MON	17	15	8	11	14	13	16	40	47	63	66	64	53	55	69	74	59	229	64	344	55	47	53	27
TUE	18	24	13	18	6	18	30	43	55	51	60	56	55	54	63	70	60	225	67	356	48	38	34	28
WED	18	25	7	9	10	9	21	22	65	47	67	63	56	79	76	66	67	223	67	345	55	43	40	31
THU	22	22	12	10	8	10	29	33	66	56	55	41	59	54	67	70	67	210	59	343	43	41	30	27
FRI	25	21	10	6	6	15	23	37	63	59	62	44	56	72	65	83	75	247	52	347	66	49	65	45
SAT	28	26	18	15	10	14	17	29	41	53	57	56	53	53	55	53	66	224	63	344	63	51	66	56
Total:	158	163	86	81	64	86	146	219	361	377	407	370	375	413	462	455	440	1559	439	2431	371	310	336	239

Average Response Times to High Priority Calls (in minutes)



- **Priority X** = Critical dispatches (e.g. shootings, stabbings and robberies)
- **Priority 1** = Immediate dispatches (e.g. silent alarms and injury traffic accidents)
- **Priority 2** = Prompt dispatches (e.g. verbal disturbances and blocking traffic accidents)

2016 Priority X Calls (Highest Priority)



18 Priority X calls in 2016

- 12 responses initiated from silent holdup alarms
- 3 responses initiated from robbery – just occurred
- 1 response each was initiated from:
 - Electronic tracking device
 - Larceny just occurred (cleared as a robbery)
 - Audible commercial alarm (cleared as silent hold up)

Part I Crimes:

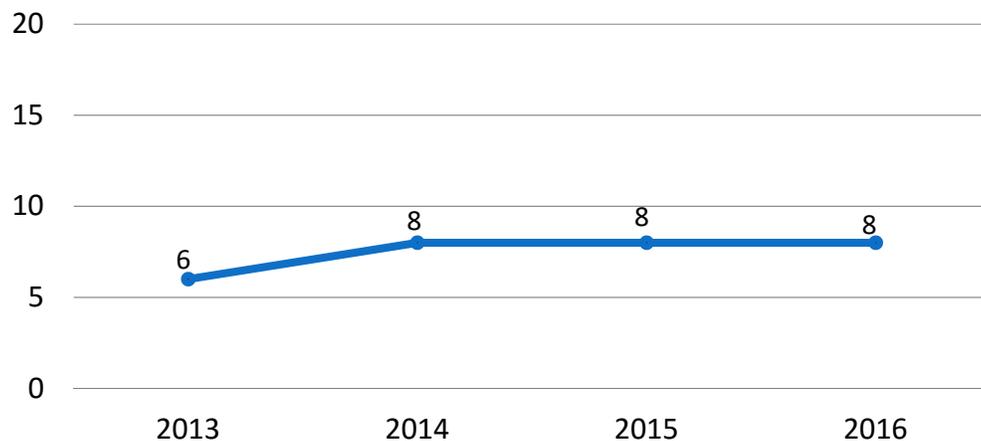
This category is commonly known as the "Crime Index" and includes:

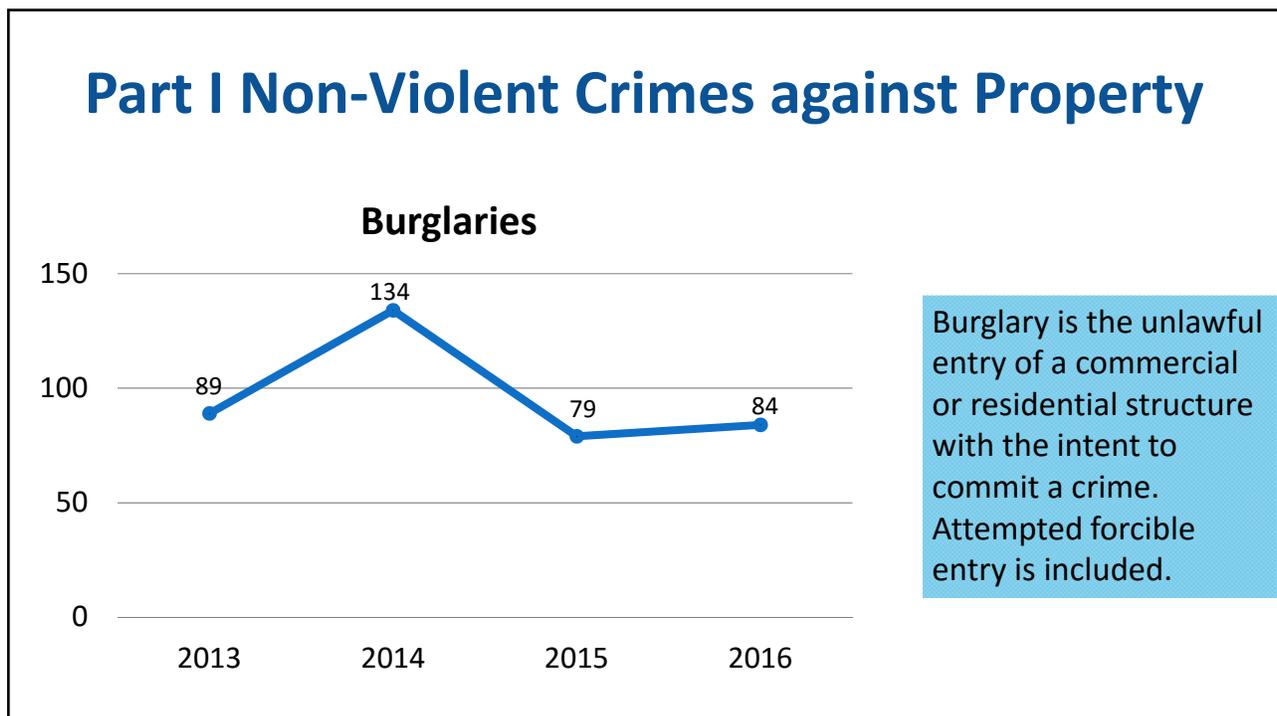
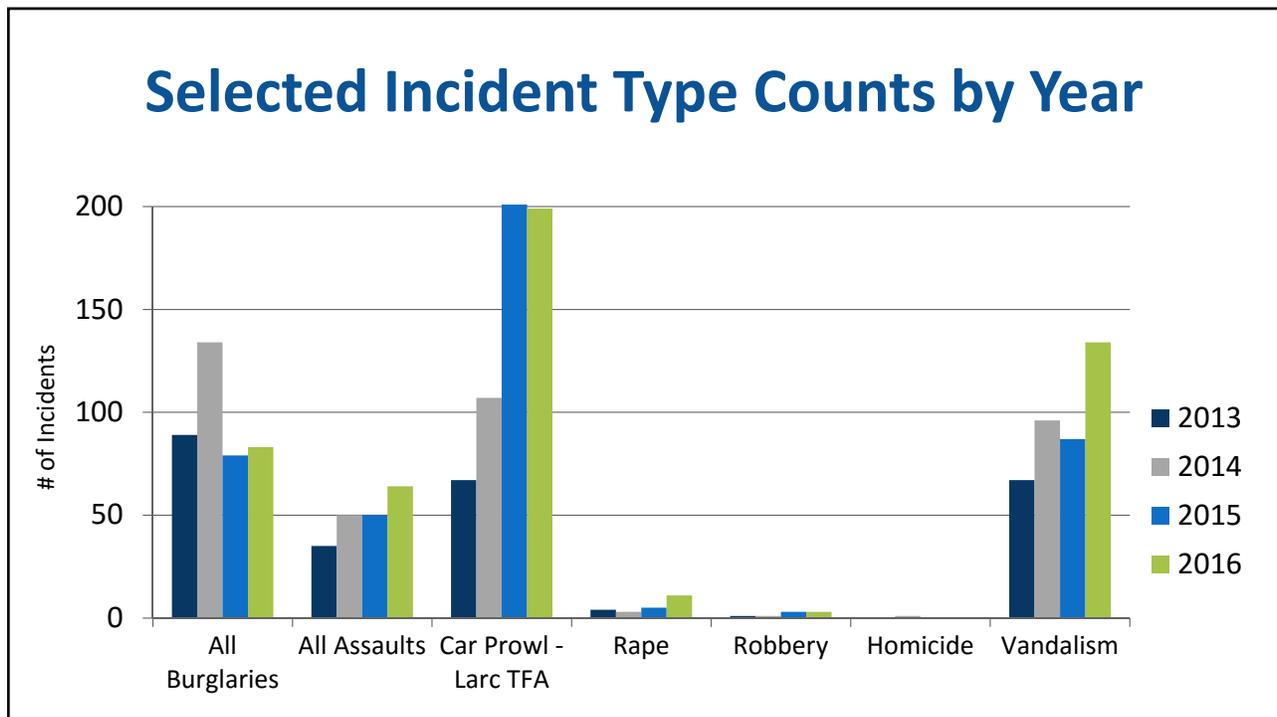
- Burglary, larceny (theft), motor vehicle theft and Arson

This category also includes violent crimes:

- Criminal homicide (Murder and Non-negligent manslaughter) but excludes deaths by negligence, attempts to kill, suicides, accidental deaths, justifiable homicide and traffic fatalities
- Rape
- Robbery
- Aggravated assault (excludes simple assaults)

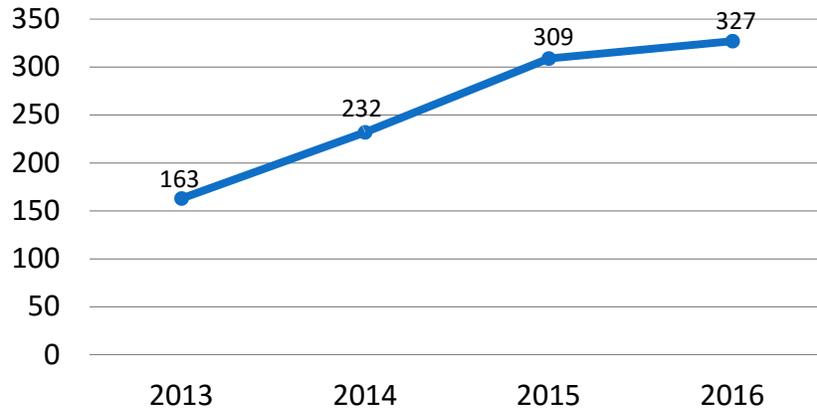
Sammamish's Crime Rate (Part 1 Crimes Per 1,000 Residents)





Part I Non-Violent Crimes against Property

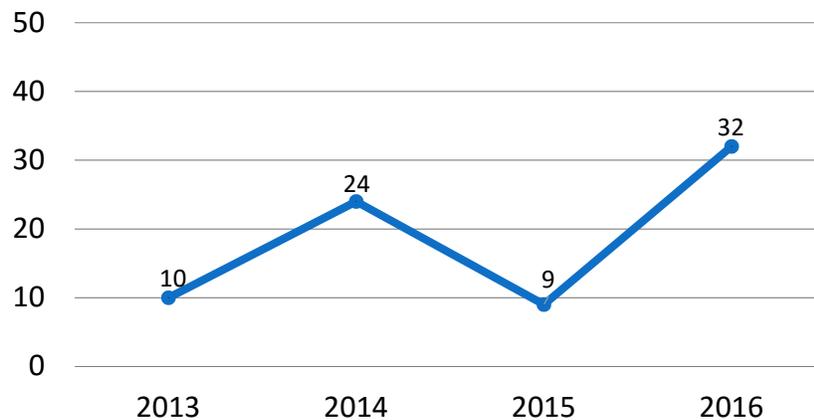
Larceny (Except Vehicles)



Larceny is the theft of personal property. Examples include bicycle theft, shoplifting, pocket-picking, or the stealing of property that is not taken by force or by fraud. Attempted larcenies are included.

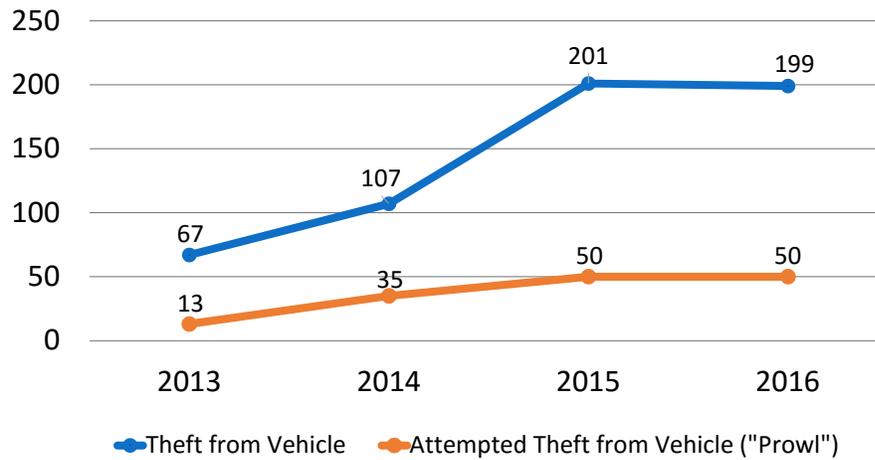
Part I Non-Violent Crimes against Property

Vehicle Theft



Part I Non-Violent Crimes against Property

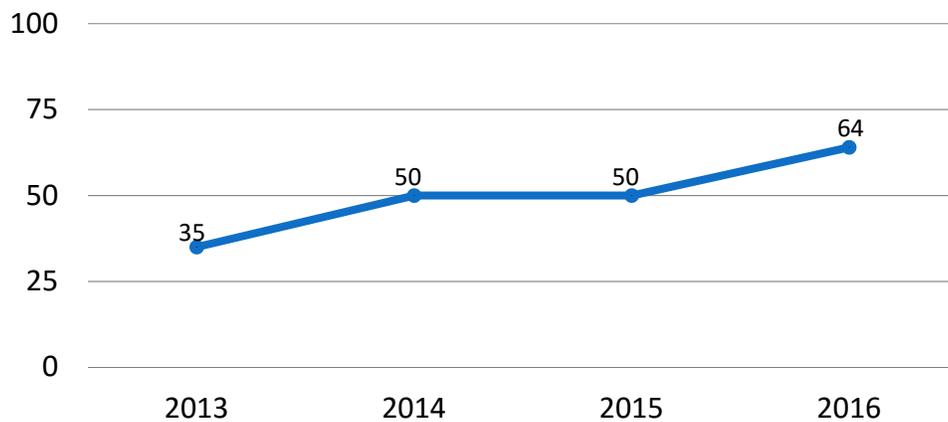
Thefts & Attempted Thefts from Vehicles



A theft or attempted theft ("prowl") from an automobile is the act or attempted act of taking something from the inside of an automobile.

Part I Violent Crimes

Assault

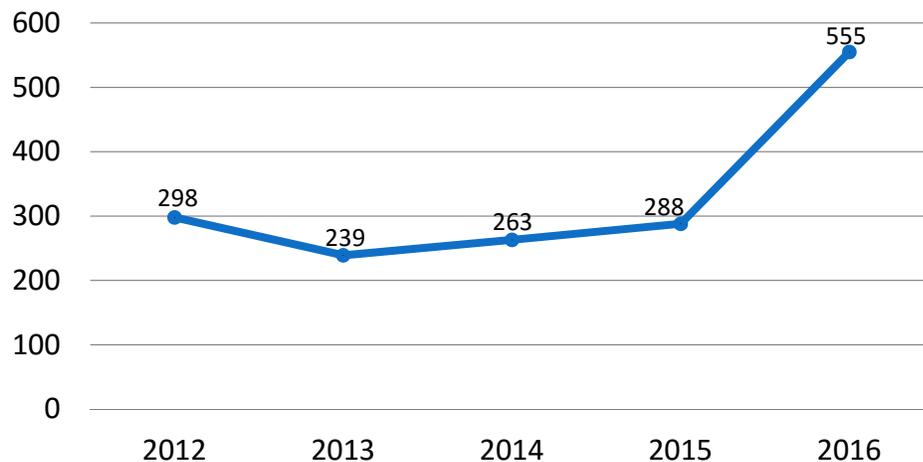


Part II Crimes:

This category includes all other crime classifications outside those defined as Part I, including, but not limited to:

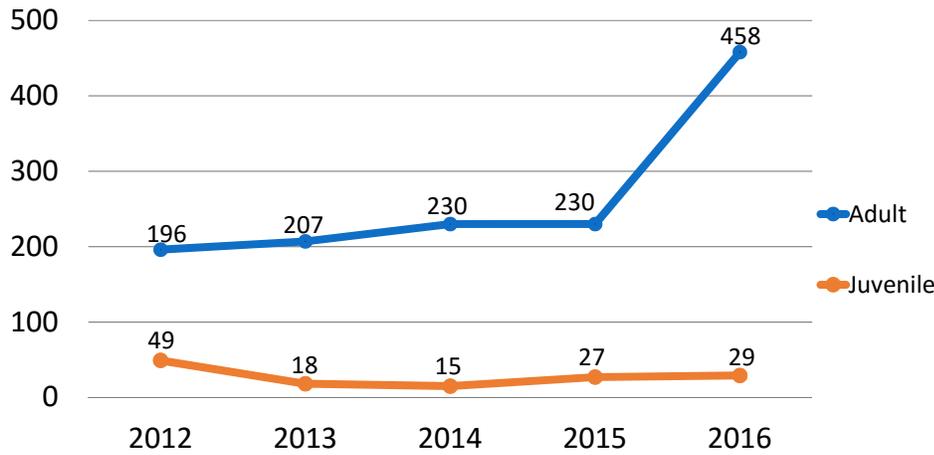
- Simple Assault
- Forgery
- Counterfeiting
- Fraud
- Embezzlement
- Buying/receiving and/or possessing Stolen Property
- Vandalism
- Weapons (carrying/possessing, etc.)
- Prostitution and Commercialized Vice
- Sex offenses (i.e. statutory rape, indecent exposure, indecent liberties, etc.)
- Drug violations
- Gambling
- Offenses against family and/or children
- Driving under the influence
- Liquor Violations
- Drunkenness
- Disorderly Conduct

Part I & 2 Cases Closed by Arrest



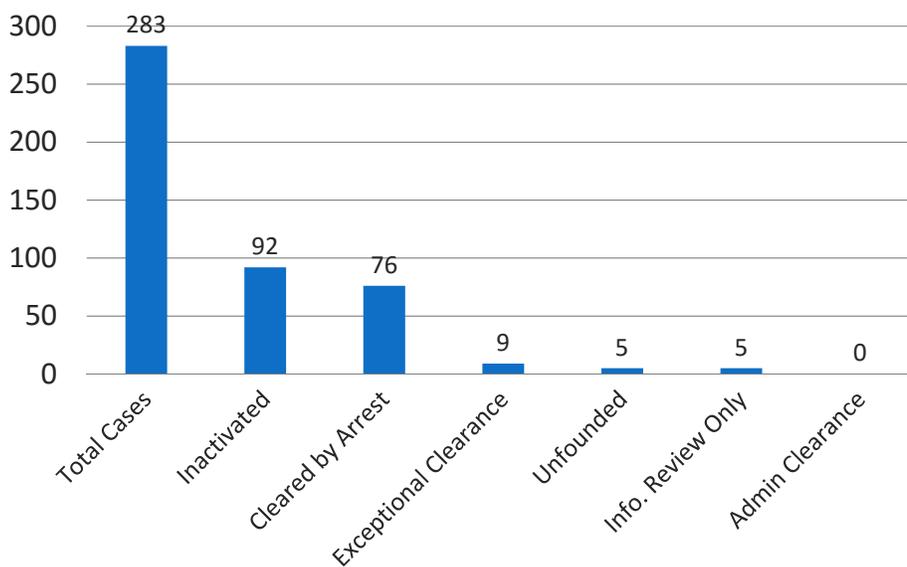
Represents incidents where an officer or detective has recommended that the King County Prosecutor's Office file criminal charges against the case suspect.

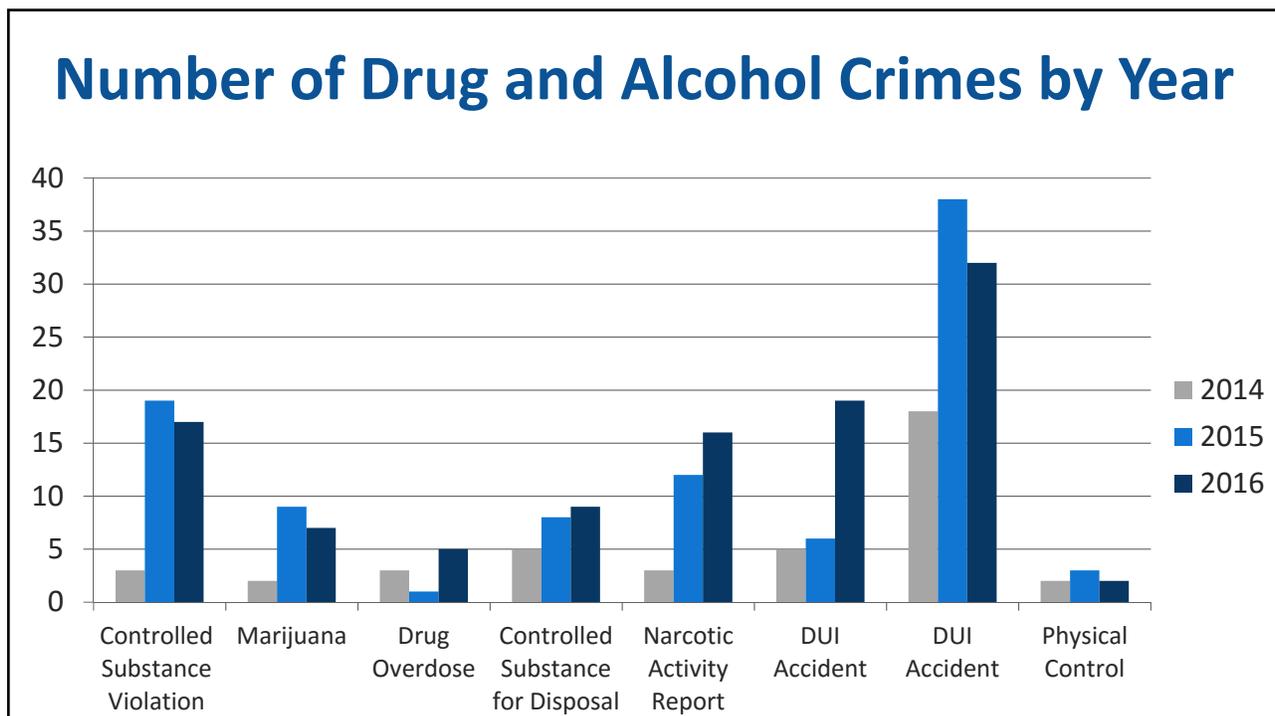
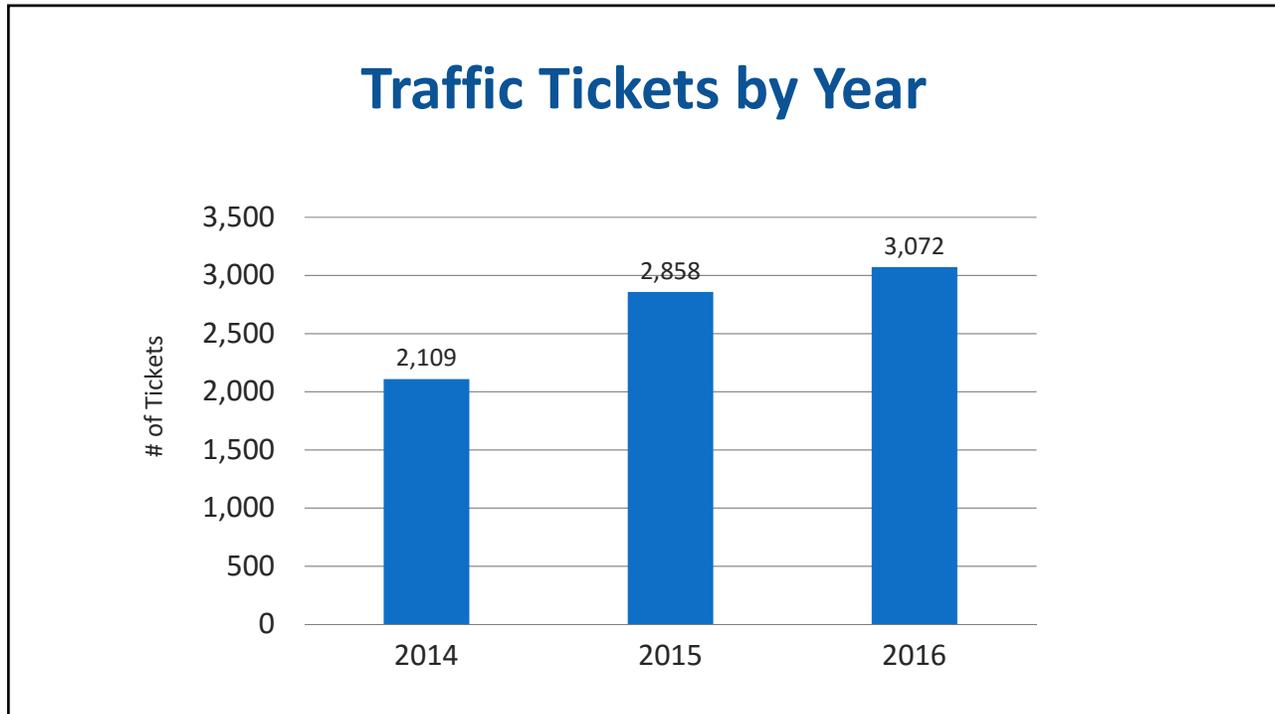
Number of felony and misdemeanor charges and arrests by adult and juvenile status



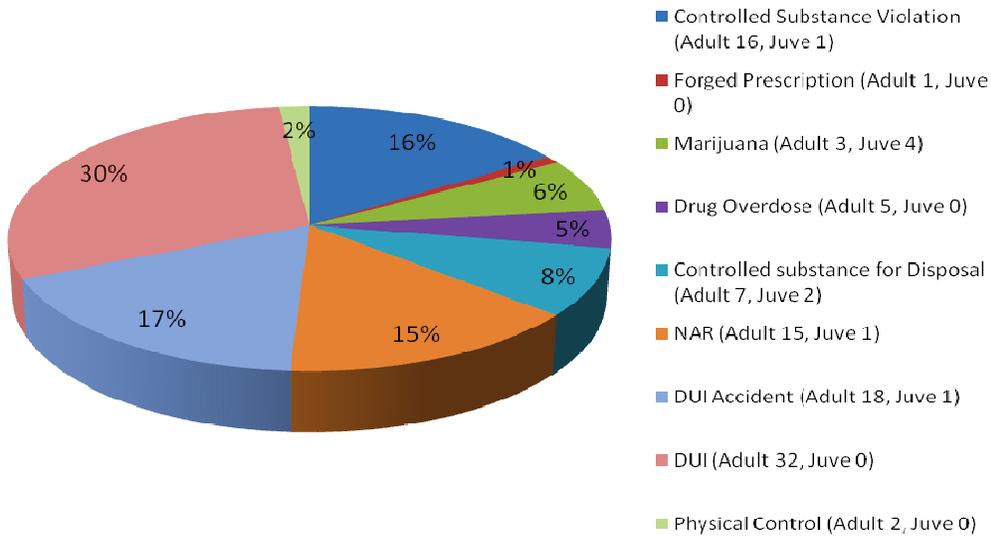
One or more charges can result from a single arrest. Charges also can be filed when probable cause exists against a person who may not have been arrested.

2016 Detective Clearance Rates





Drug Crimes 2016



Drugs & Paraphernalia



Drug Arrest - June 15, 2017



Drug Arrest - June 15, 2017



Drug Arrest - June 15, 2017



2017 Work Plan



2017 Work Plan

Drug Enforcement

- Data Gathering
- Education Programming
- Drug Enforcement Funds

Traffic Enforcement

- DUI Enforcement Liquor Control
- Transition one traffic officer to a motor officer
- Adding seven-day-a-week DUI and Traffic Officers
- Implement Commercial Vehicle Enforcement (CVE) program in conjunction with 2017 traffic officer addition



2017 Work Plan

Special Enforcement

- Enhanced fireworks, package theft and vehicle prowl education & enforcement
- Enhanced park patrols

Community Programs

- School & Community outreach
- Human resources outreach
- Diverse communities outreach



2017 Work Plan

Volunteers

- Volunteer Partnerships
- Volunteer Program Coordination

City Events

- Fourth on the Plateau
- Sammamish Days
- National night out
- Rig-a-Palooza
- Halloween Happening
- Disaster Preparedness Fair
- Very Merry Sammamish



2017 Work Plan

Ancillary Police Programs

- Reserve & Explorer Programs
- Citizen's Academy
- National Night Out
- Bike Rodeo
- Reinvigorate City Block Watch and Business Watch Programs
- Publications and Social Media
- Crime Free Multi-Housing
- Retail Theft Program
- ASAP or ALICE training



Sammamish Successes

- Holiday Package Theft Emphasis: 30% reduction
- Car Prowl/Package Theft Arrests
- Homeless Care Kits
- P.G.A.
- Collaboration with Eastside Fire & Rescue and the City to save ducklings from a sewer drain



Hidden in Plain Sight

- Event held on May 18 for parents to learn about adolescent development and common signs of substance use.
- Officers participated to help parents spot signs of at-risk behavior.



Homeless Care Kit Initiative

A collaborate effort resulted in each Sammamish Officer carrying Homeless Care Kits in the trunk of their patrol cars. We build relations and offer support to our homeless population by handing out care kits.



Handing out Homeless Care Kits



Looking Ahead

- Commercial vehicle enforcement
- Motorcycle
- Explorers
- Bicycles
- Police Services Study
- Public Safety Ordinances



SafeWise is proud to present this award to the city of

SAMMAMISH

for their efforts in **community safety** and **crime prevention**.

Sammamish was ranked the 4th safest city in Washington due to its commitment to the safety and security of its residents.

Clair Jones, Press and Strategic Partnerships



John Kinnear, President of SafeWise

Questions?





Memorandum

Date: June 21th, 2017

To: City of Sammamish – Honorable Mayor and City Council Members

From: Andrew Stevens, CEM – Emergency Manager

Re: Update Regarding City of Sammamish, Emergency Management Programs

Purpose

The purpose of this memo is to update the Mayor and City Council on the current status of the City's emergency management programs, as well as to provide the City Council with insight into the strategic plan to develop said programs in the short-term and long-term.

Background

In July of 2016, the City of Sammamish hired a consultant to conduct a thorough gap analysis of the City's emergency management programs, including how the city met, exceeded, or fell short of complying with Washington State law, RCW 38.52.070. The finding of this audit highlighted many shortcomings within the City's emergency management program, including the lack of state and federally required plans, the absence of a training and exercise program for those personnel assigned to critical emergency response functions, an overall shortage of community involvement into the disaster preparedness process, and a failure of the City to involve itself in the multi-jurisdiction planning efforts supported by King County Office of Emergency Management.

It was from this audit, and the recognition of these shortfalls, that resulted in the creation of the new position of Emergency Manager within the Office of the City Manager. On April 17, 2017, I assumed that full-time role. Over the past two months, I have conducted my own analysis of the City's emergency management initiatives, identified priority targets to be addressed in the near future, as well as identified long term strategic goals that will allow the City of Sammamish to fully embrace a culture of disaster resiliency and stand out among other jurisdictions as a best case example of emergency and disaster preparedness.

Program Update

Over the past two months, I have made much progress in establishing a plan of action for the City of Sammamish's emergency management programs and initiatives. Highlights of this progress includes:

- Drafting an Emergency Management Five-Year Strategic Plan that highlights specific goals, objectives, and responsible parties/timelines for all phases of the disaster management cycle.
- Inclusion of the City of Sammamish into King County's regional collaborative emergency management process. The City is now committed to the 2018 revision of the multi-jurisdictional hazard mitigation

plan, Sammamish is now participating in the King County Office of Emergency Management Training and Exercise Workgroup, and we are actively engaged with the Homeland Security Emergency Management (HSEM) Center for Excellence to develop an emergency management college internship program with Cascadia College.

- A thorough review and reassignment of city personnel assigned to the Emergency Operations Center has been conducted and positions/staff have been adjusted to best meet the concept of operations of the city during times of crisis, as well ensure continuity of essential governmental services.
- Key stakeholders have been identified for inclusion in the newly created Emergency Management Coordination Committee that will ensure whole community planning and strengthen overall disaster resiliency. Committee meetings are expected to begin in late summer/early fall of 2017.
- A training and exercise program has been developed to ensure the preparedness of city personnel. The program will include a robust position-specific credentialing program for city staff assigned to key roles in the Emergency Operations Center or departmental operations centers.
- The City has entered into a contract with an experienced consultant who will work alongside the Emergency manager to create a Continuity of Operations Plan (COOP), ensuring that essential personnel, services, and resources are identified to provide Sammamish residents with critical governmental services throughout any crisis.
- The Office of Emergency Management has been meeting with City departments and external agencies involved in the Fourth of July celebration. An overall incident action plan will be developed to ensure all stakeholders have a common operating picture.
- City is currently on track to pursue state and federal 2017-18 emergency management grants distributed through King County Office of Emergency Management. These resources can be used to support planning, training, or exercise efforts, as well as the purchase of the technical equipment to strengthen the capability of the City's Emergency Operations Center (EOC).
- We are currently working with State Emergency Management personnel to ensure the City's newly drafted Comprehensive Emergency Management Plan (CEMP) meets State standards.
- Recently, King County was added to the list of eligible recipients for FEMA Public Assistance for the presidentially declared disaster of the January 30 through February 22, 2017 Severe Winter Storms. The City of Sammamish will be seeking reimbursement for the \$108,000 spent in emergency protective measures during those storms.
- Reviewing and revising personnel policies and procedures relating to employee readiness and expectations during large scale emergencies and disasters. A "Responder Ready" program is under development to ensure personnel readiness and preparedness, both at home and in the workplace.
- With support of building facilities and IT, I have conducted an audit of the City's Emergency Operations Center, including space limitations, technology shortages, and identified areas requiring improvement or support.

These highlights hopefully provide the Council with a greater understanding of the tasks at hand. While there is considerable work yet to be accomplished, be assured that the city is taking measurable steps towards strengthening our overall community resiliency.



MEMORANDUM

TO: Melonie Anderson/City Clerk
FROM: Marlene/Finance Department
DATE: June 16, 2017
RE: Claims for June 20, 2017

\$ 825.00
 688,501.68
 13,658.89
 4,314,843.47
 88,029.47
 19,285.74

Top 10 Over \$10,000 Payments

King County Sheriff	\$2,649,223.25	Police Services January - May 2017
Eastside Fire & Rescue	\$598,337.66	Fire Services - June 2017
Wa Dept of Commerce	\$546,666.67	PW Trust Fund Payment
Marshbank Construction	\$117,834.06	Inglewood Hill Stormwater Project
Software One	\$56,415.18	Microsoft Licenses
NE Sam Water & Sewer	\$44,194.80	Sam Landing ADA Access & Restroom Improvements
Otak	\$31,974.49	City Sign Code Review & Land Acquisition Strategy
Conservation Technix	\$19,159.88	2018 Pro Plan Update
City Of Bellevue	\$17,336.50	ARCH Contribution 3rd Qtr 2017
HDR Engineering	\$16,836.82	Sam Landing ADA Access & Restroom Improvements

TOTAL \$ 5,125,144.25

CHECK # 47501 - # 47635

825.00 +
 688,501.68 +
 13,658.89 +
 4,314,843.47 +
 88,029.47 +
 19,285.74 +
 5,125,144.25 +

Accounts Payable

Check Register Totals Only

User: mdunham
Printed: 6/2/2017 - 12:29 PM



Check	Date	Vendor No	Vendor Name	Amount	Voucher
47501	06/02/2017	LIVESOU	Live Sound & Stage LLC	825.00	47,501
				<u>825.00</u>	
Check Total:				<u>825.00</u>	

Accounts Payable

Check Register Totals Only

User: mdunham
 Printed: 6/5/2017 - 10:29 AM



Check	Date	Vendor No	Vendor Name	Amount	Voucher
47502	06/05/2017	AWCLIF	Association of Washington Cities	231.60	47,502
47503	06/05/2017	AWCMED	AWC Employee BenefitsTrust	160,776.21	47,503
47504	06/05/2017	ICMA401	ICMA 401	52,052.92	47,504
47505	06/05/2017	ICMA457	ICMA457	16,852.81	47,505
47506	06/05/2017	IDHW	Idaho Child Support Receipting	200.00	47,506
47507	06/05/2017	ISD	Issaquah School District	162,380.50	47,507
47508	06/05/2017	KINGPET	King County Pet Licenses	195.00	47,508
47509	06/05/2017	LWSD	Lake Washington School Dist	292,690.00	47,509
47510	06/05/2017	LEGALSHI	Legal Shield	105.65	47,510
47511	06/05/2017	NAVIA	Navia Benefits Solution	2,281.59	47,511
47512	06/05/2017	PSE	Puget Sound Energy	154.83	47,512
47513	06/05/2017	WASUPPOR	Wa State Support Registry	580.57	47,513
Check Total:				688,501.68	

Accounts Payable
 Check Register Totals Only

User: mdunham
 Printed: 6/7/2017 - 10:23 AM



Check	Date	Vendor No	Vendor Name	Amount	Voucher
47514	06/07/2017	ALLIEDBO	Allied Body Works	3,124.00	47,514
47515	06/07/2017	1stAMERI	First American Title Company	1,321.20	47,515
47516	06/07/2017	PSE	Puget Sound Energy	9,213.69	47,516
Check Total:				13,658.89	

Accounts Payable

Check Register Totals Only

User: mdunham
 Printed: 6/14/2017 - 3:20 PM



Check	Date	Vendor No	Vendor Name	Amount	Voucher
47517	06/20/2017	ALLWEST	Allwest Underground, Inc.	1,231.61	47,517
47518	06/20/2017	ARC	ARC Architects	2,221.09	47,518
47519	06/20/2017	AST	Active Shooter Training LLC	1,725.00	47,519
47520	06/20/2017	BACKGROU	Background Source Intl	598.00	47,520
47521	06/20/2017	BADGLEY	Badgley Landscape LLC	15,484.70	47,521
47522	06/20/2017	BATTERIE	Batteries + Bulbs	116.55	47,522
47523	06/20/2017	BECHTEL	Anita Bechtel	183.00	47,523
47524	06/20/2017	BELLCITY	City Of Bellevue	17,336.50	47,524
47525	06/20/2017	BELZAK	Steve Belzak	40.12	47,525
47526	06/20/2017	BERK	Berk Consulting, Inc.	8,696.05	47,526
47527	06/20/2017	BEST	Best Parking Lot Cleaning, Inc	401.50	47,527
47528	06/20/2017	BLACKBUR	Kimberly Blackburn	300.00	47,528
47529	06/20/2017	BMC	BMC East LLC	199.89	47,529
47530	06/20/2017	BRIXTON	Brixton Homes, LLC	3,104.80	47,530
47531	06/20/2017	CALPORT	CalPortland Company	636.66	47,531
47532	06/20/2017	CARRIER	Simon Carrier	59.99	47,532
47533	06/20/2017	CDW	CDW Govt Inc	3,008.40	47,533
47534	06/20/2017	CLARITY	Clarity Consulting Engineers	6,275.04	47,534
47535	06/20/2017	COMATTRI	Community Attributes Inc	8,685.23	47,535
47536	06/20/2017	COMCAST2	Comcast	9.44	47,536
47537	06/20/2017	COMCAST3	Comcast	1,287.42	47,537
47538	06/20/2017	CONSERVA	Conservation Technix Inc	19,159.88	47,538
47539	06/20/2017	COSTCO	Costco Wholesale	750.01	47,539
47540	06/20/2017	CUNNINGH	J. A. Cunningham Consulting LLC	3,412.50	47,540
47541	06/20/2017	DEMARCHE	Demarche Consulting Group Inc	11,995.00	47,541
47542	06/20/2017	DODD	Tracey Dodd	601.53	47,542
47543	06/20/2017	DRHORTON	SSHI LLC dba D. R. Horton	7,500.00	47,543
47544	06/20/2017	DRSI	DRSI	524.54	47,544
47545	06/20/2017	EASTFIRE	Eastside Fire & Rescue	598,337.66	47,545
47546	06/20/2017	FASTENAL	Fastenal Industrial Supplies	2,640.62	47,546
47547	06/20/2017	FCS	FCS Group Inc.	4,240.00	47,547
47548	06/20/2017	FEHRPEER	Fehr & Peers	14,053.61	47,548
47549	06/20/2017	FIREPROT	Fire Protection, Inc.	878.87	47,549
47550	06/20/2017	FRONTIR2	Frontier	394.21	47,550
47551	06/20/2017	GALT	John E. Galt	1,337.50	47,551
47552	06/20/2017	GRAINGER	Grainger	2,337.88	47,552
47553	06/20/2017	GREATAME	Great America Financial Services	130.90	47,553
47554	06/20/2017	GRNCITY	Green City Heating & AC Inc	228.00	47,554
47555	06/20/2017	GUARDIAN	Guardian Security	78.00	47,555
47556	06/20/2017	HDR	HDR Engineering, Inc	16,836.82	47,556
47557	06/20/2017	HERMANO	Hermanson Co LLP	439.37	47,557
47558	06/20/2017	HOGAN	D. A. Hogan & Assoc., Inc	793.25	47,558
47559	06/20/2017	HOMEDE	Home Depot	2,268.07	47,559
47560	06/20/2017	HONDAKU	Issaquah Honda Kubota	330.23	47,560
47561	06/20/2017	KCRADIO	King Cty Radio Comm Svcs	1,072.50	47,561
47562	06/20/2017	KINGREAL	King County Real Estate Services	562.00	47,562
47563	06/20/2017	KINGSH	King County Sheriff's Office	2,649,223.25	47,563
47564	06/20/2017	KINGWAST	King County Finance	1,276.50	47,564
47565	06/20/2017	KPG	KPG Interdisciplinary Design	1,596.00	47,565
47566	06/20/2017	LAKESIDE	Lakeside Industries	5,474.47	47,566

Check	Date	Vendor No	Vendor Name	Amount	Voucher
47567	06/20/2017	LESSCHWA	Les Schwab Tire Center	3,261.03	47,567
47568	06/20/2017	LEXIS	Lexis Nexis Risk Data Mgmt	68.96	47,568
47569	06/20/2017	LongBAY	Long Bay Enterprises, Inc	802.50	47,569
47570	06/20/2017	MAILPO	Mail Post	8,822.33	47,570
47571	06/20/2017	MARSHBAN	Marshbank Construction	117,834.06	47,571
47572	06/20/2017	MILLERPA	Pam Miller	850.00	47,572
47573	06/20/2017	MINUTE	Minuteman Press	110.00	47,573
47574	06/20/2017	MITEL	Mitel Business Systems, Inc	7,343.08	47,574
47575	06/20/2017	MOBERLY	Lynn Moberly	12,570.00	47,575
47576	06/20/2017	MORUP	Morup Signs Inc	590.00	47,576
47577	06/20/2017	MRTRUCK	Mr. Truck Wash	3,864.44	47,577
47578	06/20/2017	MULTIVIS	Multivista	472.33	47,578
47579	06/20/2017	NESAM	NE Sammamish Sewer & Water	44,416.73	47,579
47580	06/20/2017	OLSONBIL	Bill Olson	500.00	47,580
47581	06/20/2017	OTAK	Otak	31,974.49	47,581
47582	06/20/2017	PACAIR	Pacific Air Control, Inc	8,567.45	47,582
47583	06/20/2017	PACSOIL	Pacific Topsoils, Inc	1,430.76	47,583
47584	06/20/2017	PARTWORK	The Part Works, Inc	59.27	47,584
47585	06/20/2017	PEARCEHE	Pearce Heating & Air Inc	93.00	47,585
47586	06/20/2017	PLANTSCA	Plantscapes, Inc	5,678.20	47,586
47587	06/20/2017	PLATT	Platt Electric Supply	94.60	47,587
47588	06/20/2017	POA	Pacific Office Automation	1,558.05	47,588
47589	06/20/2017	REDSIGNS	Redmond Signs	407.12	47,589
47590	06/20/2017	RICH	Rich Landscaping, Inc.	5,270.83	47,590
47591	06/20/2017	ROTARSAM	Rotary Club of Sammamish	351.00	47,591
47592	06/20/2017	SEATIM	Seattle Times	2,825.31	47,592
47593	06/20/2017	SEATIMES	Seattle Times NIE	770.00	47,593
47594	06/20/2017	SEILER	Rich Seiler	168.00	47,594
47595	06/20/2017	SEQUOYAH	Sequoyah Electric, LLC	4,052.09	47,595
47596	06/20/2017	SITE	Site Workshop	841.60	47,596
47597	06/20/2017	SPRINGST	Springsted Inc	11,225.00	47,597
47598	06/20/2017	STANTEC	Stantec Consulting Services	4,072.50	47,598
47599	06/20/2017	STAPLES	Staples Advantage	2,311.61	47,599
47600	06/20/2017	SUMNERLA	Sumner Lawn & Saw	276.90	47,600
47601	06/20/2017	SUNBELT	Sunbelt Rentals	3,290.43	47,601
47602	06/20/2017	SUPPLYWO	Supplyworks	601.13	47,602
47603	06/20/2017	SWIFTTRE	Swift Tree Care	220.00	47,603
47604	06/20/2017	THOMASJE	Jeff Thomas	886.78	47,604
47605	06/20/2017	TRAILER	Trailer Boss	8,183.24	47,605
47606	06/20/2017	TRANSOLU	Transportation Solutions, Inc	14,088.75	47,606
47607	06/20/2017	TRIANGLE	Triangle Associates, Inc	3,406.99	47,607
47608	06/20/2017	TUBEART	Tube Art Displays, Inc	12,840.50	47,608
47609	06/20/2017	ULINE	ULINE Shipping Supplies	1,158.63	47,609
47610	06/20/2017	UNITRENT	United Rentals NA, Inc	1,135.56	47,610
47611	06/20/2017	USBANKNA	US Bank N.A.	143.00	47,611
47612	06/20/2017	UTILITIE	Utilities Underground Location Ctr	788.19	47,612
47613	06/20/2017	VERIZON	Verizon Wireless	4,054.04	47,613
47614	06/20/2017	WABO1	Wa Assoc of Bldg Officials	50.00	47,614
47615	06/20/2017	WACTED	Wa Dept Of Commerce	546,666.67	47,615
47616	06/20/2017	WATERSH	The Watershed Company	3,969.04	47,616
47617	06/20/2017	WC3	West Coast Code Consultants, Inc	3,555.84	47,617
47618	06/20/2017	WESTERNE	Western Entrance Tech LLC	5,181.00	47,618
47619	06/20/2017	WFEA	Wa Festivals & Events Assoc	150.00	47,619
47620	06/20/2017	WORKSAFE	A Work Safe Service, Inc	110.00	47,620
47621	06/20/2017	ZUMAR	Zumar Industries, Inc.	756.28	47,621

Check Total: 4,314,843.47

Accounts Payable

Check Register Totals Only

User: mdunham
 Printed: 6/15/2017 - 2:55 PM



Check	Date	Vendor No	Vendor Name	Amount	Voucher
47622	06/20/2017	BRAUNROB	Robert Braun	4,215.20	47,622
47623	06/20/2017	CENTURY	Century Link	52.97	47,623
47624	06/20/2017	REDMOND	City Of Redmond	40.43	47,624
47625	06/20/2017	DRSI	DRSI	44.70	47,625
47626	06/20/2017	HUCK	Kathleen Huckabay	128.08	47,626
47627	06/20/2017	NESAM	NE Sammamish Sewer & Water	141.54	47,627
47628	06/20/2017	ODELL	Thomas Odell	42.92	47,628
47629	06/20/2017	PORTERKA	Karen Porterfield	9,000.00	47,629
47630	06/20/2017	PROVAC	PRO-VAC	16,576.12	47,630
47631	06/20/2017	SOFTWARE	Software One, Inc.	56,415.18	47,631
47632	06/20/2017	SOUNDPUB	Sound Publishing, Inc	1,254.50	47,632
47633	06/20/2017	WAWORK	Washington Workwear Stores Inc	117.83	47,633
				88,029.47	
Check Total:					

Accounts Payable

Check Register Totals Only

User: mdunham
 Printed: 6/16/2017 - 9:47 AM



Check	Date	Vendor No	Vendor Name	Amount	Voucher
47634	06/16/2017	PSE	Puget Sound Energy	13,739.33	47,634
47635	06/16/2017	SAM	Sammamish Plateau Water Sewer	5,546.41	47,635
Check Total:				19,285.74	



Meeting Date: June 27, 2017

Date Submitted: 6/21/2017

Originating Department: Parks and Recreation

Clearances:

- | | | |
|---|--|--|
| <input type="checkbox"/> Attorney | <input type="checkbox"/> Community Development | <input type="checkbox"/> Public Safety |
| <input type="checkbox"/> Admin Services | <input checked="" type="checkbox"/> Finance & IT | <input type="checkbox"/> Public Works |
| <input type="checkbox"/> City Manager | <input checked="" type="checkbox"/> Parks & Recreation | |

Subject: Acceptance of a King County Youth and Amateur Sports Facility grant of \$50,000 to be used for the Skyline High School community synthetic turf sports fields renovation project.

Action Required: Resolution approval

Exhibits:

1. Resolution
2. Grant Application Agreement

Budget: This \$50,000 grant will be applied towards the Skyline Community Field renovation project expenditures of \$210,000.

Summary Statement:

Staff recommends that the City Council adopt a resolution supporting the acceptance of a grant from King County for funds to be allocated to the Skyline Community Field Turf Renovation Project under the Youth and Amateur Sports Grant program.

Background:

King County Parks invests in youth and amateur athletics to support fit and healthy communities. In alignment with the County's Strategic Plan for Equity and Social Justice, funding is designed to remove barriers and increase access to recreation and athletics with a focus on equity.

The King County Youth Sports Facilities Grant program has new funds, made available in the 2017-2018 budget, from existing revenue freed up by retiring the debt on the Kingdome which was funded by car rental taxes collected in King County. In addition, the Council bonded against a portion of the future collections of the car rental taxes to pay for large capital projects in the near term.

In 2007, in partnership with the Issaquah School District, the City converted an existing, underutilized 4-acre grass practice field on the Skyline High School campus into two multi-use synthetic turf sports fields with lighting. These fields accommodate baseball, softball, football, lacrosse and soccer for adult and youth sports league practices and games as well as for students at Skyline High School. Having been in

use for nearly 10 years, the turf is showing signs of breakdown that can no longer be repaired and must be replaced in order to maintain safe playing conditions.

Having started in early June, the turf renovation project is currently in process and is slated for completion in early August.

Financial Impact:

The estimated overall project cost of the Skyline High School Turf renovation is \$1,300,000. The costs are shared with the Issaquah School District and the City's is portion of the project is \$210,000. This \$50,000 grant will apply towards the City's portion of the project.

Recommended Motion:

Approve the resolution authorizing and supporting the acceptance of \$50,000 from King County's Youth and Amateur Sports Grant Fund program.

**CITY OF SAMMAMISH
WASHINGTON
RESOLUTION NO. R2017-____**

**A RESOLUTION OF THE CITY OF SAMMAMISH,
WASHINGTON, AUTHORIZING THE ACCEPTANCE OF KING
COUNTY YOUTH AND AMATEUR SPORTS GRANT FUNDS.**

WHEREAS, in 2007, in partnership with the Issaquah School District (ISD), the City converted an existing, underutilized 4-acre grass practice field on the Skyline High School (SHS) campus into two multi-use, synthetic turf sports fields with lighting. These fields, also known as SHS Fields 1 and 2, accommodate baseball, softball, football, lacrosse and soccer for adult and youth sports leagues as well as for students at SHS; and

WHEREAS, having been in use for nearly 10 years, the turf is showing signs of breakdown that can no longer be repaired and must be replaced in order to provide safe playing conditions; and

WHEREAS, the City entered into a contract with Coast to Coast Turf, Inc. on April 18, 2017, for the removal and replacement of the multi-purpose synthetic turf field surface, installation of a new supplemental elastic layer pad system, replacement of sections of damaged chain link fencing fabric, irrigation system improvements and the installation of new soccer goals; and

WHEREAS, the City of Sammamish is eligible for \$50,000 in funding based on King County's Youth and Amateur Sports Grant requirements; and

WHEREAS, the City of Sammamish considers it in the best public interest to accept the funds to be applied to the Skyline Community Field Turf Renovation Project, and agree to the conditions of the King County Youth and Amateur Sports Grant;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAMMAMISH,
WASHINGTON, DOES RESOLVE AS FOLLOWS:**

Section 1. The City Manager is authorized to sign the grant application agreement.

Section 2. Any grant assistance received will be used in accordance with the Grant requirements set forth in the application.

**ADOPTED BY THE CITY COUNCIL AT A SPECIAL MEETING THEREOF ON
THE _____ DAY OF JUNE 2017.**

CITY OF SAMMAMISH

Mayor Donald J. Gerend

ATTEST/AUTHENTICATED:

Melonie Anderson, City Clerk

Approved as to form:

Michael R. Kenyon, City Attorney

Filed with the City Clerk: June 21, 2017
Passed by the City Council:
Resolution No: R2017-



Youth and Amateur Sports Grant Agreement

Get Active / Stay Active Program

Department/Division: Natural Resources and Parks / Parks and Recreation Division
 Agency: City of Sammamish
 Project: Skyline Field Turf Renovation
 Amount: \$50,000.00 Project: 1131903 Contract:
 Term Period: January 1, 2017 To December 31, 2018

THIS CONTRACT is entered into by KING COUNTY (the “County”), and City of Sammamish (the “Agency”), whose address is 801 228th Ave SE , Sammamish, WA 98075

WHEREAS, the Agency is either a public agency or a non-profit organization whose land or facility will provide youth or amateur sports opportunities;

WHEREAS, King County has selected the identified Agency to receive a Youth and Amateur Sports Fund (“YASF”) Grant award to assist in capital improvements for increased athletic opportunities for the citizens of King County, Washington;

WHEREAS, the Agency shall utilize the award to develop, program, operate, and/or maintain amenities that address an athletic need in King County; and

WHEREAS, King County is authorized to administer the YASF grant program and enter into agreements for the use of King County funds by public agencies or not-for-profit organizations to provide a service to the public under King County Ordinance 18409;

NOW THEREFORE, in consideration of payments, covenants, and agreements hereinafter mentioned, to be made and performed by the parties hereto, the parties covenant and do mutually agree as follows:

The Agency shall provide services and comply with the requirements set forth hereinafter and in the following attached exhibits, which are incorporated herein by reference:

<input checked="" type="checkbox"/>	Scope of Services	Attached hereto as Exhibit I
<input checked="" type="checkbox"/>	Budget	Attached hereto as Exhibit II

Exhibit 2

2. TERM OF CONTRACT

This Agreement shall commence on January 1, 2017, and shall expire on the December 31, 2018, unless extended or earlier terminated, pursuant to the terms and conditions of this Agreement.

3. PREMISES

This grant project is located at: 1122 228th Ave SE, Sammamish, WA. 98075

4. PARTIES

All communication, notices, coordination, and other tenets of this Agreement shall be managed by:

On behalf of County:

Butch Lovelace, YSFG Program Manager
King County Parks and Recreation Division
201 South Jackson Street, Suite 700
Seattle, WA 98104-3855

Email: butch.lovelace@kingcounty.gov
Phone: 206.477.4577

On behalf of Agency:

Angela Feser,
City of Sammamish
801 228th Ave SE
Sammamish, WA 98075

Email: afeser@sammamish.us
Phone: 425-295-0580

5. COMPENSATION AND METHOD OF PAYMENT

- A. The County shall reimburse the Agency for satisfactory completion of the services and requirements specified in this Agreement after the Agency submits an invoice and all accompanying reports as specified in the attached exhibits. The County will initiate authorization for payment after approval of corrected invoices and reports. The County shall make payment to the Agency not more than thirty (30) days after a complete and accurate invoice is received.
- B. The Agency shall submit its final invoice and all outstanding reports within fifteen (15) days of the date this Agreement expires or is terminated. If the Agency's final invoice and reports are not submitted by the day specified in this subsection, the County will be relieved of all liability for payment to the Agency of the amounts set forth in said invoice or any subsequent invoice.

Exhibit 2

6. OPERATING BUDGET

When a budget is attached hereto as Exhibit II, the Agency shall apply the funds received from the County under this Agreement in accordance with said budget. If, at any time during the Term of this Agreement, the Agency expects that the cumulative amount of transfers among the budget categories, i.e. Project Tasks, may exceed ten percent (10%) of the Agreement amount, then the Agency shall notify County to request approval. Supporting documents necessary to explain fully the nature and purpose of the change(s) and an amended budget must accompany each request for an amendment. County approval of any such amendment shall not be unreasonably withheld.

7. COMMUNICATION

The Agency shall recognize County as a fiscal sponsor for the grant project in the following manner:

- A. Plaque: At the time of project completion or dedication, whichever comes first, the Agency shall install on or near the improvement associated with this award a plaque provided by the County that acknowledges “King County Parks” as a fiscal sponsor. The Agency may provide an alternative recognition.
- B. Events: The Agency shall invite and recognize “King County Parks” at all events promoting the project, and at the final project dedication.
- C. Community Relations: The Agency shall recognize “King County Parks” as a fiscal sponsor in all social media, websites, brochures, banners, posters, press releases, and other promotional material related to the Project.

8. PRIORITY OF USE; PUBLIC ACCESS; SCHEDULING

These funds are provided for the purpose of developing or renovating sports facilities that provide sporting opportunities primarily, but not exclusively serving, persons under 21 years of age, and low and moderate income communities within King County. Fees for use of the facility or facility programming shall be no greater than those generally charged by public operators of similar facilities or activities in King County.

Notwithstanding temporary closure for required maintenance or repairs, the minimum period of time the Agency must ensure the facility is available for use is set forth in the table below. If the facility is retired or otherwise removed from use before the end of the specified period, then the Agency shall reimburse the County's funding on a pro rata basis, determined by dividing the number of years of lost public use by the total years of required dedication, multiplied by the total County grant amount. By way of example only, if the County makes a \$10,000 grant to Agency X, then the Agency's project must be dedicated to public use including priority of use by youth for a minimum of 5 years. If Agency X eliminates public access to the project after 3 years, such that 2 years of public access and youth priority are lost, then Agency X must repay the County \$4,000 ($2/5 * 10,000 = \$4,000$).

Exhibit 2

Grant Amount	Required Public Use & Youth Priority (in years)
\$5,000 - \$49,999	Five (5)
\$50,000 – \$99,999	Eight (8)
\$100,000 – \$149,999	Twelve (12)
\$150,000 – \$200,000	Fifteen (15)

If the completed project is subject to scheduling or reservation for use, then the Agency shall post the use schedule and the Agency's scheduling or reservation policies, practices, and information in a highly visible location near the project and/or on their website; and the Agency shall permit the public to schedule or reserve use of the completed project consistent with the requirements of this Section. **The Agency's duties under this Section will survive the expiration or earlier termination of this Agreement.**

9. GREEN BUILDING AND SUSTAINABLE DEVELOPMENT

King County is committed to promoting and using green building practices in construction projects. Though not required, King County strongly encourages practices that conserve resources, use recycled content materials, maximize energy efficiencies, and otherwise consider environmental, health, and social benefits in the design and construction of a capital project.

10. INTERNAL CONTROL AND ACCOUNTING SYSTEM

The Agency shall establish and maintain a system of accounting and internal controls which complies with applicable, generally accepted accounting principles, and governmental accounting and financial reporting standards in accordance with Revised Code of Washington (RCW) Chapter 40.14.

11. MAINTENANCE OF RECORDS

- A. The Agency shall maintain accounts and records, including personnel, property, financial, and programmatic records and other such records as may be deemed necessary by the County to ensure proper accounting for all Agreement funds and compliance with this Agreement.
- B. These records shall be maintained for a period of six (6) years after the expiration or earlier termination of this Agreement unless permission to destroy them is granted by the Office of the Archivist in accordance with RCW Chapter 40.14.
- C. The Agency shall inform the County in writing of the location, if different from the Agency address listed on page one of this Agreement, of the aforesaid books, records, documents, and other evidence and shall notify the County in writing of any changes in location within ten (10) working days of any such relocation.

12. RIGHT TO INSPECT

King County reserves the right to review and approve the performance of Agency with regard to this Agreement, and, at its sole discretion, to inspect or audit the Agency's records regarding this Agreement and the Project upon reasonable notice during normal business hours.

13. COMPLIANCE WITH ALL LAWS AND REGULATIONS

The Agency, in cooperation and agreement with the owners of the Premises, shall comply with all applicable laws, ordinances and regulations in using funds provided by the County, including, without limitation, those relating to providing a safe working environment to employees and, specifically, the requirements of the Washington Industrial Safety and Health Act (WISHA); and, to the extent applicable, those related to “public works,” payment of prevailing wages, and competitive bidding of contracts. The Agency specifically agrees to comply and pay all costs associated with achieving such compliance without notice from King County; and further agrees that King County, does not waive this Section by giving notice of demand for compliance in any instance. The Agency shall indemnify and defend the County should it be sued or made the subject of an administrative investigation or hearing for a violation of such laws related to this Agreement.

14. CORRECTIVE ACTION

- A. If the County determines that a breach of contract has occurred or does not approve of the Agency's performance, it will give the Agency written notification of unacceptable performance. The Agency will then take corrective action within a reasonable period of time, as may be defined by King County in its sole discretion in its written notification to the Agency.
- B. The County may withhold any payment owed the Agency until the County is satisfied that corrective action has been taken or completed.

15. TERMINATION

- A. The County may terminate this Agreement in whole or in part, with or without cause, at any time during the Term of this Agreement, by providing the Agency ten (10) days advance written notice of the termination.
- B. If the termination results from acts or omissions of the Agency, including but not limited to misappropriation, nonperformance of required services, or fiscal mismanagement, the Agency shall return to the County immediately any funds, misappropriated or unexpended, which have been paid to the Agency by the County.
- C. Any King County obligations under this Agreement beyond the current appropriation year are conditioned upon the County Council's appropriation of sufficient funds to support such obligations. If the Council does not approve such appropriation, then this Agreement will terminate automatically at the close of the current appropriation year.

16. FUTURE SUPPORT; UTILITIES AND SERVICE

The County makes no commitment to support the services contracted for herein and assumes no obligation for future support of the activity contracted for herein except as expressly set forth in this Agreement. The Agency understands, acknowledges, and agrees that the County shall not be liable to pay for or to provide any utilities or services in connection with the construction, operation, maintenance, or use of the Project contemplated herein.

17. HOLD HARMLESS AND INDEMNIFICATION

The Agency agrees for itself, its successors, and assigns, to defend, indemnify, and hold harmless King County, its appointed and elected officials, and employees from and against

Exhibit 2

liability for all claims, demands, suits, and judgments, including costs of defense thereof, for injury to persons, death, or property damage which is caused by, arises out of, or is incidental to any use of or occurrence on the Project that is the subject of this Agreement, or the Agency's exercise of rights and privileges granted by this Agreement, except to the extent of the County's sole negligence. The Agency's obligations under this Section shall include:

- A. The duty to promptly accept tender of defense and provide defense to the County at the Agency's own expense;
- B. Indemnification of claims made by the Agency's employees or agents; and
- C. Waiver of the Agency's immunity under the industrial insurance provisions of Title 51 RCW, but only to the extent necessary to indemnify King County, which waiver has been mutually negotiated by the parties.

In the event it is necessary for the County to incur attorney's fees, legal expenses or other costs to enforce the provisions of this Section, all such fees, expenses and costs shall be recoverable from the Agency.

In the event it is determined that RCW 4.24.115 applies to this Agreement, the Agency agrees to protect, defend, indemnify and save the County, its officers, officials, employees and agents from any and all claims, demands, suits, penalties, losses damages judgments, or costs of any kind whatsoever for bodily injury to persons or damage to property (hereinafter "claims"), arising out of or in any way resulting from the Agency's officers, employees, agents and/or subcontractors of all tiers, acts or omissions, performance of failure to perform the rights and privileges granted under this Agreement, to the maximum extent permitted by law or as defined by RCW 4.24.115, as now enacted or hereafter amended.

A hold harmless provision to protect King County similar to this provision shall be included in all Agreements or subcontractor Agreements entered into by Agency in conjunction with this Agreement. **The Agency's duties under this Section will survive the expiration or earlier termination of this Agreement.**

18. INSURANCE

- A. Liability Insurance Requirements. Notwithstanding any other provision within this Agreement, the Agency and its subcontractors shall procure and maintain coverage and limits for no less than the following:
 1. Commercial General Liability. Insurance Service "occurrence" form CG 00 01 (current edition), to include Products-Completed Operations, insurance against claims for injuries to persons or damages to property that may arise from or in connection with activities under this Agreement. The insurance coverage shall be no less than One Million Dollars (\$1,000,000) combined single limit per occurrence, and Two Million Dollars (\$2,000,000) in the aggregate.
 2. Automobile Liability. *If activities require vehicle usage*. Insurance Services form number CA 00 01 (current edition), covering BUSINESS AUTO COVERAGE, Symbol 1 "any auto". If the grant includes the use of automobiles, the Limit of Liability shall be no less than One Million Dollars (\$1,000,000) per occurrence.
 3. Workers Compensation/Stop Gap. *If the recipient or its contractor(s) has/have employees*. Statutory Workers Compensation coverage and Stop Gap Liability for a limit no less than One Million Dollars (\$1,000,000) per occurrence.

Exhibit 2

4. Professional Liability. *If the grant includes the use of Professional Services*. Professional Liability coverage shall be no less than One Million Dollars (\$1,000,000) per claim and in the aggregate.
 - B. If the grant involves the construction of a capital project or involves the purchase of equipment greater than Five Thousand (\$5,000) in value, the Agency shall provide “All Risk” Builders Risk or Property coverage for the full replacement value of the project/property built/purchased. King County shall be listed as an additional Loss payee as our interests may appear.
 - C. King County and its officers, officials, employees and agents shall be covered as additional insured on Agency’s and its contractor(s’) commercial general liability insurance and, if applicable, commercial auto liability insurance, with respect to liability arising out of activities performed by the Agency and its contractors. Additional Insured status shall include Products-Completed Operations.
 - D. To the extent of the Agency's or its contractor’s negligence, their insurance respectively shall be primary insurance with respect to the County, its officers, employees and agents. Any insurance or self-insurance maintained by the County, and its officers, officials, employees or agents shall not be subjected to contribution in favor of the Agency or its contractors insurance, and shall not benefit either in any way.

The Agency's and its contractors' insurance shall apply separately to each insured against whom a claim is made or a lawsuit is brought, subject to the limits of the insurer's liability.

- E. Coverage shall not be suspended, voided, canceled, reduced in coverage or in limits except by the reduction of the applicable aggregate limit by claims paid, until after thirty (30) days' prior written notice has been given to and change in coverage accepted by King County.
 - F. The insurance provider must be licensed to do business in the State of Washington and maintain a Best’s rating of no less than A-VIII. Within five (5) business days of County’s request, Agency must provide a Certificate of Insurance and Additional Insured Endorsement(s) (CG 20 10 11/85 or its equivalent) to the County. The Agency shall be responsible for the maintenance of their contractors' insurance documentation.
 - G. If the Agency is a municipal corporation or an agency of the State of Washington and is self-insured for any of the above insurance requirements, a certification of self-insurance shall be attached hereto and be incorporated by reference and shall constitute compliance with this Section.
 - H. **The Agency's duties under this Section shall survive the expiration or earlier termination of this Agreement.** The Agency understands, acknowledges and agrees that for the relevant period of public use set forth in Section 8, the Agency shall maintain insurance and name the County as an additional insured, all of which shall be consistent with the requirements of this Section.
19. ANTI-DISCRIMINATION

King County Code chapters 12.16, 12.17 through 12.18 apply to this Agreement and are incorporated by this reference as if fully set forth herein. In all hiring or employment made possible or resulting from this Agreement, there shall be no discrimination against any employee or applicant for employment because of sex, age, race, color, creed, religion, national origin,

Exhibit 2

sexual orientation, gender identity or expression, marital status or the presence of any sensory, mental, or physical disability unless based upon a bonafide occupational qualification, or age except by minimum age and retirement provisions, and this requirement shall apply to but not be limited to the following: employment, advertising, lay-off, or termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship. No person shall be denied or subjected to discrimination in receipt of the benefit of any services or activities made possible by or resulting from this Agreement on the grounds of sex, race, color, creed, national origin, religion, sexual orientation, gender identity or expression, age (except minimum age and retirement provisions), marital status, or the presence of any sensory, mental, or physical handicap. Any violation of this provision shall be considered a violation of a material provision of this Agreement and shall be grounds for cancellation, termination or suspension in whole or in part of this Agreement by King County and may result in ineligibility for further King County agreements. [Community Partner Name] shall also comply with all applicable anti-discrimination laws or requirements of any and all jurisdictions having authority.

20. CONFLICT OF INTEREST

KCC Chapter 3.04 (Employee Code of Ethics) is incorporated by reference as if fully set forth hence, and the Agency agrees to abide by all conditions of said chapter. Failure by the Agency to comply with any requirement of said KCC Chapter shall be a material breach of contract.

21. POLITICAL ACTIVITY PROHIBITED

None of the funds, materials, property, or services provided directly or indirectly under this Agreement shall be used for any partisan political activity or to further the election or defeat of any candidate for public office.

22. PROJECT MAINTENANCE; EQUIPMENT PURCHASE, MAINTENANCE, AND OWNERSHIP

A. As between the County and the Agency, the Agency shall be responsible to operate and maintain the completed project at its own sole expense and risk. The Agency shall maintain the completed project in good working condition consistent with applicable standards and guidelines. The Agency understands, acknowledges, and agrees that the County is not responsible to operate or to maintain the project in any way.

B. The Agency shall be responsible for all property purchased pursuant to this Agreement, including the proper care and maintenance of any equipment.

C. The Agency shall establish and maintain inventory records and transaction documents (purchase requisitions, packing slips, invoices, receipts) of equipment and materials purchased with Agreement funds. **The Agency's duties under this Section shall survive the expiration of this Agreement.**

23. NOTICES

Whenever this Agreement provides for notice to be provided by one party to another, such notice shall be in writing, and directed to the person specified in Section 4 of this Agreement. Any such notice shall be deemed to have been given on the date of delivery, if mailed, on the third (3rd) business day following the date of mailing; or, if sent by fax, on the first (1st) business day following the day of delivery thereof by fax. Notice sent solely by e-mail shall be deemed to have been given on the date of transmission. Either party may change its address, fax number,

Exhibit 2

email address, or the name of the person indicated as the recipient by notice to the other in the manner aforesaid.

24. ASSIGNMENT

The Agency shall not assign any portion of rights and obligations under this Agreement or transfer or assign any claim arising pursuant to this Agreement without the written consent of the County. The Agency must seek such consent in writing not less than fifteen (15) days prior to the date of any proposed assignment.

25. CONTRACT AMENDMENTS

This Agreement together with the attached exhibits expressly incorporated herein by reference and attached hereto shall constitute the whole Agreement between the Parties. Either party may request changes to this Agreement. No modifications or amendment of this Agreement shall be valid or effective unless evidenced by an Agreement in writing signed by the Parties.

26. WAIVER OF DEFAULT

Waiver of any default shall not be deemed to be a waiver of any subsequent default. Waiver or breach of any provision of the Agreement shall not be deemed to be a waiver of any other or subsequent breach and shall not be construed to be a modification of the terms of the Agreement unless stated to be such through written approval by the County, which shall be attached to the original Agreement.

27. TAXES

The Agency agrees to pay on a current basis all taxes or assessments levied on its activities and property, including, without limitation, any leasehold excise tax due under RCW Chapter 82.29A; PROVIDED, however, that nothing contained herein will modify the right of the Agency to contest any such tax, and the Agency will not be deemed to be in default as long as it will, in good faith, be contesting the validity or amount of any such taxes.

28. WASHINGTON LAW CONTROLLING; WHERE ACTIONS BROUGHT

This Agreement is made in and will be in accordance with the laws of the State of Washington, which will be controlling in any dispute that arises hereunder. Actions pertaining to this Agreement will be brought in King County Superior Court, King County, Washington.

29. PARAGRAPH HEADINGS

The paragraph headings contained herein are only for convenience and reference and are not intended to be a part of this Agreement or in any manner to define, limit, or describe the scope or intent of this Agreement or the particular paragraphs to which they refer.

30. PUBLIC DOCUMENT

This Agreement will be considered a public document and will be available for inspection and copying by the public.

31. LEGAL RELATIONS

Exhibit 2

Nothing contained herein will make, or be deemed to make, the County and the Agency a partner of one another, and this Agreement will not be construed as creating a partnership or joint venture. Nothing in this Agreement will create, or be deemed to create, any right, duty or obligation in any person or entity not a party to it.

32. SINGULAR AND PLURAL

Wherever the context will so require, the singular will include the plural and plural will include the singular.

33. PERMITS AND LICENSES

The Agency shall design, develop and construct the Project in accordance with all applicable laws and regulatory requirements including environmental considerations, permitting determinations, and other legal requirements. All activities and improvements shall be performed by Agency at its sole expense and liability. The Agency shall, at its sole cost and expense, apply for, obtain and comply with all necessary permits, licenses and approvals required for the Project,

34. INTERPRETATION OF COUNTY RULES AND REGULATIONS

If there is any question regarding the interpretation of any County rule or regulation, the County decision will govern and will be binding upon the Agency.

35. POLICE POWERS OF THE COUNTY

Nothing contained in this Agreement will diminish, or be deemed to diminish, the governmental or police powers of the County.

36. ENTIRE AGREEMENT

This Agreement, including its attachments, constitutes the entire Agreement between the County and the Agency. It supersedes all other agreements and understandings between them, whether written, oral or otherwise.

KING COUNTY

City of Sammamish

FOR

King County Executive

Signature

Date

NAME (Please type or print), Title

Date



Meeting Date: June 27, 2017

Date Submitted: June 19, 2017

Originating Department: Community Development

Clearances:

- | | | |
|--|---|--|
| <input type="checkbox"/> Attorney | <input checked="" type="checkbox"/> Community Development | <input type="checkbox"/> Parks & Recreation |
| <input type="checkbox"/> Admin Services | <input type="checkbox"/> Eastside Fire and Rescue | <input type="checkbox"/> Police |
| <input checked="" type="checkbox"/> City Manager | <input checked="" type="checkbox"/> Finance & IT | <input checked="" type="checkbox"/> Public Works |

Subject:. A Resolution approving the Final Plat for Dalton Park (FKA 223rd Assemblage) subdivision

Action Required: Approve Resolution

- Exhibits:**
1. Draft Resolution
 2. Hearing Examiner Decision
 3. Map of Final Plat
 4. Compliance Matrix
 5. Vicinity Map

Budget: N/A

Summary Statement:

The developer of the Dalton Park (FKA 223rd Assemblage) subdivision is seeking to record for final plat, which will create 39 single family lots from four existing parcels, equaling 4 acres zoned residential, 4 units per acre (R-4). The proposed resolution to approve the Final Plat is included as Exhibit 1.

Background:

The Dalton Park subdivision was reviewed and granted preliminary plat approval for the eventual creation of 39-lots by the Hearing Examiner on June 25, 2015. One June 10, 2015, the Examiner issued a decision to return the application to the developer for revision for "evidentiary inconsistencies, calculation errors and misapplication of adopted City code." On June 19, 2015 the Developer filed a Request for Reconsideration. The Request sought reconsideration under the criteria for erroneous facts and information, compliance with City regulations, and errors of procedure that prevented the consideration of the interests of the Developer in achieving the plat approval. The Examiner accepted the Request and amended his Decision on June 25, 2015. On July 9, 2015 the Hearing Examiner corrected a clerical error regarding per-lot impervious surface limitations Condition of Approval in the June 25, 2015 Decision - Amended after Reconsideration. The final Hearing Examiner Decision is attached as Exhibit 2. No appeals were filed during the process.

The property consists of four parcels with two pre-existing single-family residences located at the south end of 223rd Avenue SE, along the boundary between the cities of Sammamish and Issaquah. The King County Assessor's parcel numbers for this property are 0924069165, 0924069196, 0924069116, 0924069108. The proposed Final Plat Map is included as Exhibit 3.

The subdivision application vested to the Sammamish Municipal Code in effect on April 28, 2014. The City has reviewed and approved the installation of the required infrastructure (drainage facilities, streets, sidewalks, etc.) improvements under Site Development Permit SDP2015- 02058. The improvements have been substantially completed and inspected. A performance bond is in place for the remaining, uncompleted site improvements. A matrix outlining project compliance with the Hearing Examiner conditions of approval and required site improvements is included as Exhibit 4.

Tree Retention:

The application is vested to the City's former tree regulations found in SMC 21A.35.210. The tree retention regulations were established by Ordinance 2005-175 which requires 25% retention of significant trees outside critical areas and buffers on the subject site. A total of 426 trees were identified on the site, with a total of 110 trees located inside critical areas and buffers. The developer retained 100% of the trees within critical areas and buffers. A total of 79 trees are required to be retained. As allowed by SMC 21A.35.210, a 50% credit for retained trees in critical areas and buffers was applied. The applicant retained 67 significant trees outside critical areas and buffers and was credited with 55 significant trees inside the critical areas and buffer for a total of 122 trees retained in total. The Hearing Examiner Decision requires that the applicant record the tree retention plan as part of final plat.

Performance Bond:

The applicant posted a bond on June 2, 2017, in the amount of \$709,358.70 for the installation of the remaining site improvements (including streets and other required drainage improvements).

Landscaping Bond:

The applicant has installed landscaping and recreational facilities totaling \$6,204.27. No posting of a landscaping/recreation performance bond is required. No maintenance bond is required.

Critical Areas Bonding:

The applicant posted a performance bond on May 19, 2016, in the amount of \$71,248.20 for the installation of the remaining critical areas mitigation and restoration.

Transportation Mitigation Fees:

The applicant has paid 30% percent of the traffic mitigation impact fee in the amount of \$155,966.58. The remaining fees will be collected at the time of building permit issuance or deferred to the point of sale, as allowed by City code, on a per lot basis.

School Mitigation Fees paid to the City of Sammamish:

The applicant has paid fifty percent of the applicable Issaquah School District impact fees in the amount of \$142,578, in addition to the current administration fee. The balance of the school impact fees shall be paid at the time of building permit issuance or deferred to the point of sale, as allowed by city code, on a per lot basis.

Park Impact Fees:

Park Impact fees will be paid at the time of single family building permit issuance or deferred to the point of sale, as allowed by city code, on a per lot basis.

The applicant has demonstrated to the City of Sammamish that all of the preliminary plat approval conditions have either been met, or have been bonded for and will be met, in a timely manner.

Financial Impact: N/A

Recommended Motion: Approve the resolution for the 39-lot Dalton Park subdivision authorizing the Mayor to sign for the final plat.

**CITY OF SAMMAMISH
WASHINGTON
Resolution No. R2017-_____**

**A RESOLUTION OF THE CITY OF SAMMAMISH,
WASHINGTON, GRANTING FINAL PLAT APPROVAL TO THE
PLAT OF DALTON PARK**

WHEREAS, the City Council has received a recommendation of approval for the final plat of the Dalton Park subdivision; and

WHEREAS, the City Council has reviewed said plat and finds that it conforms to all terms of the preliminary plat approval and applicable land use laws and regulations; and

WHEREAS, the City Council desires to grant final approval to the 39-lot plat of Dalton Park;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAMMAMISH, WASHINGTON, DO RESOLVE AS FOLLOWS:

Section 1. Adoption of Hearing Examiner's Findings and Conclusions. The City Council hereby adopts the findings and conclusions included in the City of Sammamish Hearing Examiner's decision of June 25, 2015 and Hearing Examiner's clerical correction of July 9, 2015 for the preliminary plat of PSUB2014-00087 (Dalton Park FKA 223rd Assemblage).

Section 2. Grant of Approval. The City Council hereby grants final approval to the Dalton Park (39-lot) plat.

**PASSED BY THE CITY COUNCIL AT A SPECIAL MEETING THEREOF ON
THE 6th DAY OF JUNE 2017.**

CITY OF SAMMAMISH

Mayor Donald J. Gerend

Exhibit 1

ATTEST/AUTHENTICATED:

Melonie Anderson, City Clerk

Approved as to form:

Michael R. Kenyon, City Attorney

Filed with the City Clerk: June 21, 2017

Passed by the City Council:

Resolution No.: R2017-_____

**BEFORE THE HEARING EXAMINER for the
CITY of SAMMAMISH**

SECOND CLERICAL CORRECTION

FILE NUMBER: PSUB2014-00087

APPLICANT: 1402-WLD 223rd Assemblage, LLC
1010 Market Street
Kirkland, WA 98033

TYPE OF CASE: Preliminary subdivision (223rd Assemblage)

Authority: Rule of Procedure 508

WHEREAS, on June 29, 2015, the Department brought an obvious clerical error in the June 25, 2015, Decision – Amended After Reconsideration in the above-entitled matter to the City of Sammamish Hearing Examiner’s (Examiner’s) attention by E-mail (forwarded to the Examiner by the Deputy City Clerk): The per-lot impervious surface limitation in Condition D.18 was incorrect because it did not account for the reduction in the number of lots from 40 to 39. The impervious surface limitation requirement in SMC 21A.50.225(4)(c) is based upon the gross site area. Streets are obviously impervious surfaces. After subtracting streets from the gross area, the remaining allowed impervious area should be divided equally among the proposed lots. When the number of lots is reduced (without any change in road surface), the per-lot allowed impervious surface allowance would go up. (The calculation formula is explained in the Department’s Staff Report, Exhibit S-1, at pp. 7 and 8.) The Department’s Recommended Conditions were based upon a 40 lot proposal. When the Examiner approved a 39 lot proposal, he inadvertently failed to adjust the per-lot impervious surface allowance accordingly. The Department advised the Examiner in its June 29, 2015, E-mail that the correct figure was 3,444 square feet (SF) per lot; and

WHEREAS, on July 1, 2015 the Examiner issued a Clerical Correction as requested by the Department: The Examiner changed the per-lot impervious surface allowance in Condition D.18 to 3,444 SF; and

WHEREAS, on July 2, 2015, the Deputy City Clerk forwarded to the Examiner a July 1, 2015, E-mail from a representative of the new developer and a July 2, 2015, E-mail from the Department, both asking for a further Clerical Correction in the per-lot impervious surface allowance in Condition D.18: The new developer said it should be 3,628 SF and the Department said it should be 3,641 SF; and

WHEREAS, on July 2, 2015, in response to the two conflicting clerical correction requests, the Examiner sent an E-mail to the Deputy City Clerk containing the following instructions:

Tell [the Department] to get together with [the new developer] to compose a joint clerical correction request with which they both agree. That request must be based upon the evidence in the record and should cite specific exhibits by number. The request must be written and must come jointly from both with both agreeing on the formula, the data numbers, and the result. (I suggest that the joint request be PDFd to me.) If they can't do that, then it's not a clerical correction, it's a dispute resolution. I don't mind doing another clerical correction to correct a mistake made in the first correction, but I won't become involved in resolving disputes. It is way past the time for that in this case.

; and

WHEREAS, on July 9, 2015, the Deputy City Clerk forwarded to the Examiner a joint memorandum from the Department and the new developer in which, based upon record documents, they calculate the per-lot impervious surface allowance to be 3,623.21 SF – a number smaller than either of them had requested in their July 1 and 2, 2015, E-mails. The Examiner accepts the jointly-presented, new, lower calculation.

NOW, THEREFORE, the Hearing Examiner issues the following:

SECOND CLERICAL CORRECTION

Condition D.18 on page 17, as revised by Clerical Correction issued July 1, 2015, is further revised as follows (deletion denoted by ~~striketrough~~; addition underlined):

18. *The maximum impervious surface area allowed on any lot shall be ~~3,444~~ 3,623.21 square feet.*

The June 25, 2015, Decision – Amended After Reconsideration remains in full force and effect in all other respects. This correction, being non-substantive in nature, does not affect or alter the reconsideration and appeal deadlines as set forth in the Decision. The Examiner will not entertain any further requests for clerical correction to the June 25, 2015, Decision.

SECOND CLERICAL CORRECTION issued July 9, 2015.

\s\ John E. Galt (Signed original in official file)

JOHN E. GALT
Hearing Examiner

**BEFORE THE HEARING EXAMINER for the
CITY of SAMMAMISH**

CLERICAL CORRECTION

FILE NUMBER: PSUB2014-00087

APPLICANT: 1402-WLD 223rd Assemblage, LLC
1010 Market Street
Kirkland, WA 98033

TYPE OF CASE: Preliminary subdivision (223rd Assemblage)

Authority: Rule of Procedure 508

WHEREAS, an obvious clerical error in the June 25, 2015, Decision – Amended After Reconsideration in the above-entitled matter was brought to the City of Sammamish Hearing Examiner’s (Examiner’s) attention by the Department on June 29, 2015: The per-lot impervious surface limitation in Condition D.18 is incorrect. The impervious surface limitation requirement in SMC 21A.50.225(4)(c) is based upon the gross site area. Streets are obviously impervious surfaces. After subtracting streets from the gross area, the remaining allowed impervious area should be divided equally among the proposed lots. When the number of lots is reduced (without any change in road surface), the per-lot allowed impervious surface allowance would go up. (The calculation formula is explained in the Department’s Staff Report, Exhibit S-1, at pp. 7 and 8.) The Department’s Recommended Conditions were based upon a 40 lot proposal. When the Examiner approved a 39 lot proposal, he inadvertently failed to adjust the per-lot impervious surface allowance accordingly. The Department has indicated to the Examiner that the correct figure is 3,444 square feet per lot. Condition D.18 needs to be corrected accordingly.

NOW, THEREFORE, the Hearing Examiner issues the following:

CLERICAL CORRECTION

Condition D.18 on page 17 is revised as follows (deletion denoted by ~~striketrough~~; addition underlined):

18. *The maximum impervious surface area allowed on any lot shall be ~~3,358~~ 3,444 square feet.*

The June 25, 2015, Decision – Amended After Reconsideration remains in full force and effect in all other respects. This correction, being non-substantive in nature, does not affect or alter the reconsideration and appeal deadlines as set forth in the Decision.

CLERICAL CORRECTION issued July 1, 2015.

\s\ John E. Galt (Signed original in official file)

JOHN E. GALT
Hearing Examiner

**BEFORE the HEARING EXAMINER for the
CITY of SAMMAMISH**

DECISION – AMENDED AFTER RECONSIDERATION ¹

FILE NUMBER: PSUB2014-00087

APPLICANT: 1402-WLD 223rd Assemblage, LLC
1010 Market Street
Kirkland, WA 98033

TYPE OF CASE: Preliminary subdivision (223rd Assemblage)

STAFF RECOMMENDATION: Approve subject to conditions

EXAMINER DECISION: APPROVE subject to conditions

DATE OF DECISION: June 25, 2015

INTRODUCTION ²

1402-WLD 223rd Assemblage, LLC (the LLC ³) seeks preliminary approval of 223rd Assemblage, a 39-lot single-family residential subdivision of a 12.8 acre assemblage of four parcels, owned by the Mackal, Mullen, and Warren families, which is zoned R-4. (Exhibits S-1, S-1.3, and S-1.48 ⁴)

The LLC filed a Base Land Use Application on April 28, 2014, to subdivide the subject property into 38 single-family residential lots. (Exhibit S-1.3) The Sammamish Department of Community Development (the Department) deemed that application to be complete on April 30, 2014. (Exhibit S-1.7) On or about February 2, 2015, the LLC revised the application from 38 to 40 lots. (*Ibid.*) The LLC revised the number of requested lots down from 40 to 39 as part of its Request for Reconsideration (the Request) after issuance of the Sammamish Hearing Examiner's (Examiner's) initial Decision on June 10, 2015 (the June 10th Decision). (See Request for Reconsideration section, below; Exhibits S-9 and S-9a for identification)

¹ This Decision is a substantial revision of the original, June 10, 2015, Decision. Because the changes are so extensive, no attempt has been made to denote changes.

² Any statement in this section deemed to be either a Finding of Fact or a Conclusion of Law is hereby adopted as such.

³ The LLC is associated with Westcott Homes. (Testimony) Thus, some of the exhibits refer to Westcott Homes as the applicant or refer to the "Westcott Project." (E.g.: Exhibits S-1.6, S-1.41, and S-3)

⁴ Exhibit citations are provided for the reader's benefit and indicate: 1) The source of a quote or specific fact; and/or 2) The major document(s) upon which a stated fact is based. While the Examiner considers all relevant documents in the record, typically only major documents are cited. The Examiner's Decision is based upon all documents in the record.

HEARING EXAMINER DECISION – AMENDED AFTER RECONSIDERATION

RE: PSUB2014-00087 (223rd *Assemblage*)

June 25, 2015

Page 2 of 17

The subject property is located at the south end of 223rd Avenue SE, along the boundary between the Cities of Sammamish and Issaquah. (Exhibit S-1.48: The four parcels which comprise the subject property are outlined with a light blue line; the city limits are denoted by the heavier blue line)

The Examiner viewed the subject property on June 5, 2015.

The Examiner held an open record hearing on June 5, 2015. The Department gave notice of the hearing as required by the Sammamish Municipal Code (SMC). (Exhibit S-1.37)

Subsection 20.05.100(1) SMC requires that decisions on preliminary subdivision applications be issued within 120 net review days after the application is found to be complete. The open record hearing was held on or about net review day 365. The SMC provides two potential remedies for an untimely decision: A time extension mutually agreed upon by the City and the applicant [SMC 20.05.100(2)] or written notice from the Department explaining why the deadline was not met [SMC 20.05.100(3)]. The Department's Staff Report includes an explanation for the delay in bringing the application to hearing. (Exhibit 1, p. 5, Finding 6.C.b)

The following exhibits were entered into the hearing record during the hearing:

- Exhibit S-1: Departmental Staff Report
- Exhibits S-1.1 – S-1.48: As enumerated in Exhibit S-1
- Exhibit S-1.49: 2014 Notice of Application (38-lot proposal)
- Exhibit S-2: Letter, Nancy Bainbridge Rogers, Attorney for the LLC, to the Hearing Examiner, June 5, 2015, submitted at hearing
- Exhibit S-3: Safe School Walk exhibit, submitted at hearing
- Exhibit S-4: 223rd Road Sections, submitted at hearing
- Exhibit S-5: 223rd Road Improvements, submitted at hearing
- Exhibit S-6: Letter, Snoqualmie Tribe to the Department, dated May 29, 2014, submitted at hearing
- Exhibit S-7: Letter, Simone Oliver (Altmann Oliver Associates, LLC) to Kerek Edwards (Westcott Homes), June 5, 2015, submitted at hearing

REQUEST FOR RECONSIDERATION

On June 10, 2015, the Examiner issued a Decision to return the application to the LLC for revision (the June 10th Decision). The June 10th Decision returned the application because of “evidentiary inconsistencies, calculation errors, and mis-application of adopted City code”. (Exhibit S-8 for identification, p. 14, Conclusion of Law 1)

On June 19, 2015, the LLC filed the Request. The Request: “seeks reconsideration under the reconsideration criteria for erroneous facts and information, compliance with City regulations, and an error of procedure that prevented consideration of the interests of [the LLC] in achieving plat approval” (Exhibit S-9 for

HEARING EXAMINER DECISION – AMENDED AFTER RECONSIDERATION

RE: PSUB2014-00087 (223rd Assemblage)

June 25, 2015

Page 3 of 17

identification, p. 3, last paragraph); provides corrected site area figures (*Op. Cit.*, pp. 2 and 3); corrects tree retention numbers (*Op. Cit.*, pp. 3 – 5); uses the corrected site area and tree retention figures to recalculate yield (*Op. Cit.*, pp. 5 – 7); uses the corrected figures to recalculate compliance with the open space requirement (*Op. Cit.*, p. 7); and presents a 39-lot plat based upon the corrected calculations contained within the Request (Exhibit S-9a). The Request asks “the Examiner [to] enter a decision approving the preliminary plat subject to conditions that reduce the lot count to 39, so as to address each of the concerns raised in the [June 10th] Decision.” (Exhibit S-9 for identification; quote from p. 1)

The Request does not allege that the Examiner committed any errors in preparing the June 10th Decision. Rather, it essentially argues that the Examiner’s June 10th Decision was based upon correct application of the SMC to incorrect figures. It also asserts that some of those incorrect figures resulted from guidance provided to the LLC by the Department. (Exhibit S-9 for identification)

The three reconsideration criteria in SMC 20.10.260(1)(a) – (c) relate to the “final action by the hearing examiner”, not to actions taken by the City staff leading up to the Examiner’s hearing. Thus, the first criterion (“The action was based in whole or in part on erroneous facts or information”) would require an allegation that the Examiner relied on erroneous information in the hearing record; the second criterion (“The action when taken failed to comply with existing laws or regulations applicable thereto”) would require an allegation that the Examiner failed to follow applicable law, not that the staff failed to follow applicable law; and the third criterion (“An error of procedure occurred that prevented consideration of the interests of persons directly affected by the action”) would require an allegation that the Examiner committed a procedural error, not that the staff made a procedural error.

While the Request asserts all three criteria at one point or another, the only error it actually alleges the Examiner committed was reliance on erroneous facts and information. The Examiner has accepted the Request and issued this Amended Decision based solely upon that criterion.

The hearing record contains fully developed information and testimony regarding all areas of consideration in a preliminary subdivision application. Additional testimony or comment is not necessary. Therefore, the Examiner is issuing this Amended Decision pursuant to Sammamish Hearing Examiner Rule of Procedure 504(d)(2).

To facilitate record keeping and document citation, the Examiner has assigned the following exhibit numbers for identification to those documents involved in the reconsideration process:

Exhibit S-8:	Examiner Decision, issued June 10, 2015
Exhibit S-9:	Request for Reconsideration, received June 19, 2015
Exhibit S-9a:	39-lot plat alternative, received June 19, 2015

HEARING EXAMINER DECISION – AMENDED AFTER RECONSIDERATION

RE: PSUB2014-00087 (223rd Assemblage)

June 25, 2015

Page 4 of 17

The action taken herein and the requirements, limitations and/or conditions imposed by this decision are, to the best of the Examiner's knowledge or belief, only such as are lawful and within the authority of the Examiner to take pursuant to applicable law and policy.

FINDINGS OF FACT

1. The 223rd Assemblage site is comprised of four parcels generally located at the south end of 223rd Avenue SE, abutting the Issaquah City Limits. Two of the parcels are south of a private road commonly known as SE 38th Street, with one on either side of the 223rd Avenue SE alignment were it to be extended further to the south. The other two parcels lie north of SE 38th Street on the west side of 223rd Avenue SE. (Exhibits S-1.48 and S-3)

223rd Avenue SE in the vicinity of the subject property is a public street located partly within dedicated right-of-way and partly within a private easement. (Exhibit S-1.1, Sheet 2 of 14)

SE 38th Street currently exists within a 40 foot wide easement. (Exhibit S-1.1, Sheet 2 of 14) The Department of Public Works (Public Works) approved two Variations from the Interim Public Works Standards (PWS) that were requested by the LLC. One of those Variations was approved subject to a condition, among others, that the SE 38th Street easement be increased to 50 feet wide. (Exhibit S-1.14) Thus, even though that easement is presently only 40 feet wide, it will have to become 50 feet wide if this development goes forward as proposed.

The SE 38th Street easement is approximately 300 feet long between the west edge of the proposed 223rd Avenue SE right-of-way dedication within the subdivision and the west edge of the subdivision. (Exhibit S-1.1, Sheet 3 of 14) After being widened, the easement will contain approximately 14,635 SF. (Exhibit S-9 for identification, p. 6)

2. The subject property slopes generally towards the north and northwest. It contains three residences and associated accessory buildings. (Exhibit S-1.1, Sheet 2 of 14) The site is a combination of open pasture and wooded areas. (Exhibits S-1.1, Sheet L-1.01; and S-1.10) A very small portion of a major bog wetland encumbers the northwest corner of the site; the code-required buffer for that wetland encumbers approximately 2/3 of the property north of SE 38th Street. (Exhibits S-1.1, Sheets W1 and W2; S-1.43; and S-1.44)

The LLC's geotechnical report states that the glacial till soils underlying the site "are not a suitable infiltration receptor." (Exhibit S-1.41, p. 4) A supplement statement from the same consultant says that "the site soils are not suitable for the on-site infiltration of storm water." (Exhibit S-1.42) Neither document suggests that any portion of the site is suitable for on-site infiltration of runoff.

3. The subject property is bordered on the south and east by the Providence Point senior residential development in Issaquah. To the west are about 10 acreage parcels served by SE 38th Street. To the

HEARING EXAMINER DECISION – AMENDED AFTER RECONSIDERATION

RE: PSUB2014-00087 (223rd Assemblage)

June 25, 2015

Page 5 of 17

north of the east half of the site are four acreage parcels, each containing a single-family residence, located along the east side of 223rd Avenue SE. To the north of the west half of the site are two parcels along the west side of 223rd Avenue SE, one containing a single-family residence. Further to the north along the west side of 223rd Avenue SE is the 5 acre “Reid” property for which a 13 lot subdivision was approved in 2014. Across 223rd Avenue SE from the Reid property and continuing north to SE 32nd Street is *Laurel Hills*, a developed, single-family residential subdivision. (Exhibits S-1.10; S-1.48; and S-3; and testimony and official notice of Reid subdivision)

4. The 223rd Assemblage property is zoned R-4, as are the abutting properties within the City. (Exhibit S-1.48)
5. The yield that can be realized through subdivision results from a combination of factors: Density calculations pursuant to SMC 21A.25.070 *et seq.*⁵; tree retention requirements pursuant to SMC 21A.35.210 *et seq.*; and, because of the subject property’s location, Erosion Hazards Near Sensitive Water Bodies (EHNSWB) regulations contained in SMC 21A.50.225. The interplay of those requirements was discussed at length in the June 10th Decision. (Exhibit S-8 for identification) The LLC responded in its Request with corrected site area figures and clarified tree retention numbers. (Exhibit S-9 for identification)

Applying the above requirements as spelled out in the June 10th Decision, the maximum yield for the design proposed by the LLC is 39 lots. (Exhibit S-9 for identification)

6. The LLC has presented a 39 lot proposal which differs from the 40 lot proposal considered at the open record hearing in two ways: It eliminates Proposed Lot 40; and it combines Proposed Tract SA1 with Proposed Tract OS1. (Cf. Exhibit S-1.1 with Exhibit S-9a for identification) The 39-lot proposal meets critical area, tree retention, and EHNSWB open space requirements.

The basic concept envisions removal of all existing structures. 223rd Avenue SE will be extended into the property to terminate as a cul-de-sac. The LLC sought and obtained two PWS Variations, one to reduce the right-of-way and pavement widths within the plat to 50 feet and 28 feet, respectively (Exhibits S-1.11 and S-1.12) and the other to allow the cul-de-sac to exceed 600 feet in length (Exhibits S-1.13 and S-1.14). A Notice of Decision was issued for the two Variations. (Exhibit S-1.38) Neither Variation was appealed. (Testimony)

7. Public Works issued a Certificate of Concurrency for the 40-lot version of the subdivision on February 23, 2015.⁶ (Exhibit S-1.6)

⁵ Density calculations are iterative: A design with more street area reduces the yield while a design that reduces street area increases yield.

⁶ If the public street system has sufficient capacity to handle traffic from a 40-lot subdivision, it has sufficient capacity to handle traffic from a smaller, 39-lot subdivision.

HEARING EXAMINER DECISION – AMENDED AFTER RECONSIDERATION

RE: PSUB2014-00087 (223rd Assemblage)

June 25, 2015

Page 6 of 17

8. The Sammamish Plateau Water and Sewer District has stated that it is prepared to provide public water and sewer service to the proposed lots. (Exhibits S-1.16 – 1.18)
9. There are no sidewalks along 223rd Avenue SE from the *Laurel Hills* subdivision south to the subject property. The “Reid” subdivision will provide sidewalks along its frontage when it is built. Until that occurs, there is an approximate 450 foot gap between the sidewalk that the LLC will construct along its frontage on 223rd Avenue SE and the *Laurel Hills* sidewalk. (Exhibits S-3 and S-5)

The closest current school bus stop is at 22320 SE 30th Street for all grade levels. (Exhibits S-1.8, S-1.15, and S-3) The LLC has agreed to construct an off-site interim walkway if it develops before the “Reid” subdivision develops. (Exhibits S-2 and S-5)

10. The four acreage lots along the east side of 223rd Avenue SE between the subject property and *Laurel Hills* were created by a 1977 King County short subdivision. A requirement of that action was that the four lot owners dedicate the easement portion of 223rd Avenue SE which encumbers their lots as public right-of-way when it is needed for that purpose. The City has notified the four property owners that it wants the right-of-way dedicated now. Unfortunately, there is some potential uncertainty as to the width of right-of-way that must be dedicated under the terms of the short subdivision: 20 feet vs. 30 feet. The four owners have retained legal counsel. (Exhibits S-1, p. 3; S-1.21; S-1.47; and S-2, pp. 5 and 6; and testimony)
11. The subject property lies within the Monohon drainage subbasin and is subject to Conservation Flow Control (Level 2) and Sphagnum Bog Water Quality Treatment. The LLC’s preliminary drainage plans depict a treatment train consisting of a large wet-detention vault (in Tract SD1), a large sand filter and associated StormFilter cartridges (in Tract SD2), and dispersal through a dispersion trench just outside the wetland buffer. (Exhibits S-1, p. 4; S-1.1, Sheet 4 of 14; S-1.39; and S-9a)
12. The owner/resident of one of the acreage parcels northwest of the subject property (Andrews) is deeply concerned about the effect that development in the area is having on the water level in the wetland system and its effect on his property. (Exhibits S-1.19, S-1.22, S-1.31, and S-1.32 and testimony) The preliminary drainage plans fully comply with applicable regulations. (Exhibits S-1.1 and S-1.39)
13. The owners/residents of the acreage parcels on the east side of 223rd Avenue SE (Mayhall, Taylor, and Thorne) are concerned that improvements required along their section of 223rd Avenue SE could adversely affect their existing driveways. The LLC testified that the required improvements to 223rd Avenue SE can be accomplished within the portion of the easement which is not in dispute and that it would ensure that driveway approaches were blended into the new street. (Exhibits S-1.30, S-1.34, and S-1.35 and testimony)
14. The owner of the acreage parcels between the subject property and the “Reid” property on the west side of 223rd Avenue SE (Harding) wants a 20 foot buffer along his common boundary with the

HEARING EXAMINER DECISION – AMENDED AFTER RECONSIDERATION

RE: PSUB2014-00087 (223rd *Assemblage*)

June 25, 2015

Page 7 of 17

subject property. The Harding/LLC common boundary lies within the 215 foot wide wetland buffer, so nothing will be built anywhere near the common boundary on the LLC's property. Harding also would oppose removal of a large cedar tree, apparently within the public right-of-way, if 223rd Avenue SE were required to be widened. Public Works testified that it would love to save the old cedar, but it can't be done and improve the street at the same time: The City has tried similar preservation in other areas without success. (Exhibits S-1.27 and S-1.33; and testimony)

15. The record contains numerous letters, a petition, and a form letter opposing the proposal from Providence Point residents, most, if not all, written about one year ago. (Exhibits S-1.20, S-1.23 – S-1.26, S-1.28, S-1.29, and S-1.36) However, an official representative of Providence Point testified at hearing that it had resolved its differences with the LLC and no longer opposed the proposal. No Providence Point resident testified during the hearing.
16. Sammamish's State Environmental Policy Act (SEPA) Responsible Official issued a threshold Determination of Nonsignificance (DNS) for 223rd *Assemblage* on April 3, 2015. (Exhibit S-1.38) The DNS was not appealed. (Exhibit S-1, p. 2)
17. The Department recommended approval of the 40-lot version subject to 36 conditions. (Exhibit S-1, pp. 13 – 16) The LLC took exception, both major and minor in nature, to many of the recommended conditions. (Exhibit S-2) A considerable amount of time during the hearing was spent in a dialogue between those two parties seeking to find common ground on condition wording.
18. Any Conclusion of Law deemed to be a Finding of Fact is hereby adopted as such.

LEGAL FRAMEWORK ⁷

The Examiner is legally required to decide this case within the framework created by the following principles:

Authority

A preliminary subdivision is a Type 3 land use application. [SMC 20.05.020, Exhibit A] A Type 3 land use application requires an open record hearing before the Examiner. The Examiner makes a final decision on the application which is subject to the right of reconsideration and appeal to Superior Court. [SMC 20.05.020, 20.10.240, 20.10.250, and 20.10.260]

The Examiner's decision may be to grant or deny the application or appeal, or the examiner may grant the application or appeal with such conditions, modifications, and restrictions as the Examiner finds necessary to make the application or appeal compatible with the environment and carry out applicable state laws and regulations, including Chapter 43.21C RCW and the regulations, policies, objectives, and goals of the interim comprehensive plan

⁷ Any statement in this section deemed to be either a Finding of Fact or a Conclusion of Law is hereby adopted as such.

HEARING EXAMINER DECISION – AMENDED AFTER RECONSIDERATION

RE: PSUB2014-00087 (223rd Assemblage)

June 25, 2015

Page 8 of 17

or neighborhood plans, the development code, the subdivision code, and other official laws, policies and objectives of the City of Sammamish.

[SMC 20.10.070(2)]

Review Criteria

Section 20.10.200 SMC sets forth requirements applicable to all Examiner Decisions:

When the examiner renders a decision . . . , he or she shall make and enter findings of fact and conclusions from the record that support the decision, said findings and conclusions shall set forth and demonstrate the manner in which the decision . . . is consistent with, carries out, and helps implement applicable state laws and regulations and the regulations, policies, objectives, and goals of the interim comprehensive plan, the development code, and other official laws, policies, and objectives of the City of Sammamish, and that the recommendation or decision will not be unreasonably incompatible with or detrimental to affected properties and the general public.

Additional review criteria for preliminary subdivisions are set forth at SMC 20.10.220:

When the examiner makes a decision regarding an application for a proposed preliminary plat, the decision shall include additional findings as to whether:

- (1) Appropriate provisions are made for the public health, safety, and general welfare and for such open spaces, drainage ways, streets or roads, alleys, other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation, playgrounds, schools and school grounds and all other relevant facts, including sidewalks and other planning features that assure safe walking conditions for students who only walk to and from school; and
- (2) The public use and interest will be served by the platting of such subdivision and dedication.

Vested Rights

Sammamish has enacted a vested rights provision.

Applications for Type 1, 2, 3 and 4 land use decisions, except those that seek variance from or exception to land use regulations and substantive and procedural SEPA decisions shall be considered under the zoning and other land use control ordinances in effect on the date a complete application is filed meeting all the requirements of this chapter. The department's issuance of a notice of complete application as provided in this chapter, or the failure of the department to provide such a notice as provided in this chapter, shall cause an application to be conclusively deemed to be vested as provided herein.

HEARING EXAMINER DECISION – AMENDED AFTER RECONSIDERATION

RE: PSUB2014-00087 (*223rd Assemblage*)

June 25, 2015

Page 9 of 17

[SMC 20.05.070(1)] Therefore, this application is vested to the development regulations as they existed on April 30, 2014.

Standard of Review

The standard of review is preponderance of the evidence. The applicant has the burden of proof. [City of Sammamish Hearing Examiner Rule of Procedure 316(a)]

Scope of Consideration

The Examiner has considered: all of the evidence and testimony; applicable adopted laws, ordinances, plans, and policies; and the pleadings, positions, and arguments of the parties of record.

CONCLUSIONS OF LAW

1. Extensive, detailed conclusions regarding conformance with the criteria for approval are unnecessary since *223rd Assemblage* is in most respects now an uncontested case. The data inaccuracies and incorrect application of code requirements to the application that formed the basis for the June 10th Decision have been resolved by the provision of corrected data in the Request.
2. Based upon all the evidence in the record, the Examiner concludes that *223rd Assemblage* meets the considerations within SMC 20.10.200. All evidence demonstrates compliance with Comprehensive Plan policies and zoning code, subdivision code, and Environmentally Sensitive Areas regulations.
3. Given all the evidence in the record, the Examiner concludes that *223rd Assemblage* complies with the review criteria of SMC 20.10.220. The proposed subdivision allows development at the density expected under the Comprehensive Plan, does not thwart future development of surrounding properties, makes appropriate provision for all items listed in that code section, and will serve the public use and interest. With respect to drainage, all the Examiner can do is ensure compliance with applicable storm water control regulations. The preliminary drainage plans demonstrate that compliance.
4. The recommended conditions of approval as set forth in Exhibit S-1 are reasonable, supported by the evidence, and capable of accomplishment with the following changes:
 - A. The numbering system will be changed – not to solve a problem present in this case, but as a result of a problem that has occurred in other cases: Duplicate numbering. The solution which the Examiner will employ is to assign a letter to each of the sub-parts of the condition list (“A. General Conditions,” etc.) and then to number conditions within each section from 1 to *n*.

HEARING EXAMINER DECISION – AMENDED AFTER RECONSIDERATION

RE: PSUB2014-00087 (223rd Assemblage)

June 25, 2015

Page 10 of 17

- B. A condition will be added to the “General Conditions” section specifically calling out Exhibit S-1.1, as modified by Exhibit S-9a, as the approved preliminary plat and supporting preliminary plans.
- C. Recommended Conditions 3 and 4. As written, these conditions technically conflict with the record because they fail to acknowledge that two Variations to the PWS have been approved by Public Works. The LLC noted these shortcomings and proposed amendatory language. (Exhibit S-2, p. 7) Public Works accepts the LLC’s wording if “variances” is changed to “variations.” The LLC concurs. (Testimony) The revised wording will be used.
- D. Recommended Condition 11. This is the off-site school walkway condition. The staff starting point was to require about 450 feet of full off-site sidewalk. (Exhibit S-1, p. 14) The LLC suggested an interim/temporary four foot wide paved path separated from the travel lane with a painted fog line. (Exhibit S-2, p. 2) Public Works and the LLC compromised on a five foot wide paved path separated by an extruded curb constructed prior to final plat recordation. (Testimony)

The notion of deferring completion of the off-site walk path until “issuance of the first certificate of occupancy for the project” as requested by the LLC would not serve the public use and interest. (Exhibit S-2, p. 2) In the first place, the City does not issue Certificates of Occupancy for single-family residences. (Testimony) Thus, the trigger for completion is absent. But even more important, by the time houses are under construction, the subdivision developer may be far out of the picture. The City loses much control over the developer after the plat is recorded, especially if the plat developer were not to be the house builder.

The amended compromise will be employed and the condition will be moved into the “Prior to final plat” section.

- E. Recommended Condition 15. As proposed, this condition required all off-site improvements to be fully constructed prior to final plat recordation. (Exhibit S-1, p. 14) The LLC suggested that words be added to allow such improvements to be bonded in lieu of completion. (Exhibit S-2, p. 6) Public Works and the LLC compromised on wording that will require completion except for the final asphalt lift. (Testimony) That compromise will be employed.
- F. Recommended Conditions 20 – 22 and 28. The LLC requested minor wording changes to these conditions. The changes were not discussed. The revised wording will be employed except in Recommended Condition 20.

The changes requested to Recommended Condition 20 would not serve the public use and interest. The opening word “Any” is unnecessary and could lead to some confusion later. Striking the last sentence (which requires Public Works approval of the wording that is to appear on the face of the plat about maintenance of flow control BMPs) would arguably

HEARING EXAMINER DECISION – AMENDED AFTER RECONSIDERATION

RE: PSUB2014-00087 (223rd Assemblage)

June 25, 2015

Page 11 of 17

leave the Plator to write anything it wanted with impunity. Granted, the City has ultimate control over whether the final plat is approved, but it is best if these conditions make clear that Public Works is the department with the greatest input on the wording required to satisfy this condition.

- G. Recommended Condition 23. Public Works did not agree with the alternate wording proposed by the LLC. (Testimony) Public Works and the LLC compromised on wording to clarify where drainage pond landscaping is required. (Testimony) That compromise will be employed.
- H. Recommended Condition 25. The LLC recommended that this condition, regarding composted soil amendments, be deleted. Public Works objected to its deletion: The requirement is contained within the City's Addendum to the applicable surface water design manual. (Testimony) The condition will be retained.⁸
- I. Recommended Conditions 32 – 34. These conditions attempt to set a mechanism by which impact fee credits are allocated within the subdivision. The SMC provides that transportation, school, and park impact fees are subject to a residence-by-residence credit for existing residences. There are three active residences on the subject property. Therefore, the 39-lot plat would be subject to fees for only 36 lots. But the dilemma is: Which 36 lots pay the fees?

That question would be easily answered if the plat were retaining the three existing houses: They would be the lots to enjoy the credits as they already exist. But the situation is vastly different where, as here, all existing residences are to be demolished and replaced with new residences and where the lot configuration does not remotely follow the existing lot lines.

The Department's recommended wording assigns the credits to Lots 1 – 3 for no reason other than simplicity. (Exhibit S-1, p. 16; and testimony) The LLC proposes that the first three lots to obtain a building permit would enjoy the credit, regardless of which lots they might be. (Exhibit S-2, p. 8)

In two recent preliminary subdivision approvals (*Bain* and *Sienna Lane*) the Examiner addressed this quandary:

City code provides for credits against all types of impact fees for existing residences when property is subdivided. These three conditions provide for that credit, but they do so by specifying which two lots (Proposed Lots 1 and

⁸ Generally speaking, the Examiner prefers not to list as special conditions requirements that essentially restate adopted code or adopted standards requirements. However, that is not the philosophy which the City desires be followed. Therefore, even though this condition is apparently merely stating that which is required by a regulation/standard of mandatory applicability, it will be retained.

HEARING EXAMINER DECISION – AMENDED AFTER RECONSIDERATION

RE: PSUB2014-00087 (223rd *Assemblage*)

June 25, 2015

Page 12 of 17

9) don't have to pay the fees. There is no intrinsic basis in the record for picking winners and losers through the preliminary subdivision process. There is nothing special about Proposed Lot 1; unlike Proposed Lot 9, its existing residence is not being retained. In at least some previous cases (such as PSUB2013-00127, *Reese's Run*) the Examiner has simply indicated the number of lots which are subject to the fees, leaving division of the fees as an administrative action to be taken later. That procedure will be applied here as well.

Also, Recommended Conditions 41 and 42 contain the type of advisory that should appear on the face of the final plat. Therefore, they will be italicized.

[*Bain*, PSUB2014-00090, p. 14, Conclusion of Law 7.H] The Department testified in this hearing that it did not like the solution employed in *Reece's Run*, *Bain*, and *Sienna Lane*. (Testimony)

If the Examiner were the legislative authority, which he most assuredly is not, he would propose a code amendment that would assign the available credits first to houses that are actually going to be retained within the plat and then would apportion the remaining credits, if any, equally over the remaining lots.

The Examiner still finds the Department's scheme to be indefensible "winner" and "loser" picking and declines to follow that course. The *Bain* solution will be employed. The Examiner strongly encourages City staff to initiate a discussion of this situation with the City Council in an effort to find a more equitable way to allocate credits.

- J. New Condition X. The LLC suggested that an additional condition be added (Condition X) to address the right-of-way dedication situation involving the east portion of the 223rd Avenue SE right-of-way. (Exhibit S-2, pp. 5 and 6) Public Works sees no need to impose any condition on this subdivision regarding that right-of-way dedication. (Testimony) The Examiner agrees and will not impose Condition X.
- K. The word "applicant" will be changed to "plattor" wherever it appears in the conditions. "Applicant" could be construed to refer solely to the LLC, the entity which is the applicant for this preliminary subdivision approval. However, preliminary subdivision approval "runs with the land," meaning that the approval and its conditions pass to each successor in interest to the property during the term of the preliminary approval. Therefore, a more encompassing word is appropriate. The Examiner routinely uses the word "plattor" to refer to the party developing a subdivision. That term will be substituted here.

HEARING EXAMINER DECISION – AMENDED AFTER RECONSIDERATION

RE: PSUB2014-00087 (223rd *Assemblage*)

June 25, 2015

Page 13 of 17

- L. A few minor, non-substantive structure, grammar, and/or punctuation revisions to Recommended Conditions 1 – 6, 12 – 14, 31, and 36 will improve parallel construction, clarity, and flow within the conditions.⁹ Such changes will be made.
5. Any Finding of Fact deemed to be a Conclusion of Law is hereby adopted as such.

DECISION

Based upon the preceding Findings of Fact and Conclusions of Law, and the testimony and evidence submitted at the open record hearing, the Examiner **GRANTS** preliminary subdivision approval for 223rd *Assemblage* **SUBJECT TO THE ATTACHED CONDITIONS.**

Amended Decision issued June 25, 2015.


John E. Galt
Hearing Examiner

HEARING PARTICIPANTS¹⁰

Rob Garwood
Matt Hough
Patrick Rooney
Lee Andrews
Oliver Harding
Kathy Curry
Kerek Edwards

Nancy Bainbridge Rogers, unsworn counsel
Haim Strasbourger
Barbara Thorne
Chris Mayhall
Sonia Leyva
Tawni Dalziel

NOTICE of RIGHT of JUDICIAL REVIEW¹¹

This Decision is final and conclusive subject to the right of review in Superior Court in accordance with the procedures of Chapter 36.70C RCW, the Land Use Petition Act. See Chapter 36.70C RCW and SMC 20.10.250 for additional information and requirements regarding judicial review.

The following statement is provided pursuant to RCW 36.70B.130: “Affected property owners may request a change in valuation for property tax purposes notwithstanding any program of revaluation.”

⁹ The ending punctuation mark for many of the Recommended Conditions is a semi-colon. Those will all be replaced with periods although not individually listed in this sentence.

¹⁰ The official Parties of Record register is maintained by the City’s Hearing Clerk.

¹¹ “The Examiner’s action following reconsideration is not subject to further requests for reconsideration.” [Sammamish Hearing Examiner Rule of Procedure 504(f)]

CONDITIONS OF APPROVAL
223rd Assemblage
PSUB2014-00087

This Preliminary Subdivision is subject to compliance with all applicable provisions, requirements, and standards of the Sammamish Municipal Code, standards adopted pursuant thereto, and the following special conditions:

A. General Conditions:

1. Exhibit S-9a for identification is the approved preliminary plat and Exhibit S-1.1 (with all sheets subject to conformance with the number of lots and basic layout contained in Exhibit S-9a for identification) contains the supporting plans. Compliance with tree retention and open space requirements shall be based upon the corrected facts and calculations set forth in Exhibit S-9. Revisions to approved preliminary subdivisions are subject to the provisions of SMC 19A.12.040.
2. For the purpose of ensuring compliance with all conditions of approval and the standard requirements of the Sammamish Municipal Code (SMC), the Plator shall provide financial guarantees in conformance with Chapter 27A SMC and Interim Public Works Standards (PWS) Section 10.050(K). All improvements required pursuant to the PWS, SMC, or other applicable regulations, must be installed and approved, or bonded as specified for plats in Chapter 19A.16 SMC.
3. The Plator shall comply with the payment of street impact fees in accordance to City of Sammamish Municipal Code Title 14A.

B. Prior to City Acceptance of Improvements:

1. The internal plat roads serving more than four (4) dwelling units shall be consistent with the local road standards in accordance with PWS Table 1, PWS Figure 01-05, and adopted Public Works Standards, or as approved by the City Engineer during final engineering based on approved road standards Variations.
2. Half-street frontage improvements shall be provided on 223rd Avenue SE consistent with the local road standard and approved road standards Variations.
3. The cul-de-sac shall meet the requirements for Fire Turnaround for access and shall be approved by the Fire Marshal.
4. Illumination shall be provided in the plat and frontage roads consistent with the City's standards for average foot candles and uniformity for a local road. Luminaires shall be full cut-off and LED. Pole type and style shall be approved by Public Works.

HEARING EXAMINER DECISION – AMENDED AFTER RECONSIDERATION

RE: PSUB2014-00087 (223rd Assemblage)

June 25, 2015

Page 15 of 17

5. Drainage plans, Technical Information Reports, and analysis shall comply with the 2009 King County Surface Water Design Manual (KCSWDM), the City of Sammamish Addendum to the 2009 KCSWDM, and the City of Sammamish Stormwater Management Comprehensive Plan.
6. Prior to acceptance into the Maintenance and Defect period, the storm drain system shall be jetted, cleaned, and vactored and the system shall be televised for inspection.
7. Prior to acceptance into the Maintenance and Defect period, project close-out documents including as-builts and final corrected TIR shall be submitted to Public Works for approval.
8. The Plator shall purchase from the City and install drain markers on each catch basin within the plat (Only rain down the drain).

C. Prior to or Concurrent with Final Plat:

1. A safe accessible walking path to the nearest school bus stop shall be provided. The current, nearest school district bus pickup location is at 22320 SE 30th Street. If the frontage improvements for the “Reid” subdivision to the north (City File No. PLN2006-00039) have not been developed at the time the subject subdivision is being developed, then the Plator shall construct an interim 5-foot wide paved path separated from the edge of the near travel lane by an extruded curb from the end of the subdivision’s frontage improvements on the west side of 223rd Avenue SE north to the intersection with SE 34th Place. Alternatively, off-site path improvements would not be required if the Issaquah School District were to establish a school bus stop for all grades within the subdivision.
2. At a minimum, all stormwater facilities shall be constructed and online and operational. This includes construction of road ATB, curb, gutter, stormwater conveyance system, water quality treatment systems, and stormwater pond. The final lift of asphalt may be bonded except as indicated.
3. A licensed surveyor shall survey and stake all storm drain facilities and conveyance lines with associated easements and dedications not located within the public right-of-way. A Public Works Inspector shall inspect and approve locations prior to final plat and easement recording.
4. All new signs required in the public right-of-way must be installed by the City of Sammamish Public Works Department or at the direction of the City of Sammamish Traffic Engineer. Procurement and installation shall be paid for by the Developer. Contractor shall contact the Public Works Inspector to initiate signage installation a minimum of 6 WEEKS PRIOR TO FINAL PLAT. Temporary street signs may be required for internal plat roads for emergency vehicle access. Any *No Parking* signs shall be installed prior to final plat. *No Parking* signs shall be required on all proposed street and private roads with clear widths of 20-feet or less.
5. Any offsite improvements shall be fully constructed, except that the final lift of asphalt may be bonded.
6. No Parking signs shall be permanently installed.

HEARING EXAMINER DECISION – AMENDED AFTER RECONSIDERATION

RE: PSUB2014-00087 (223rd Assemblage)

June 25, 2015

Page 16 of 17

7. Illumination shall be fully installed or as approved by the City Engineer.
 8. Soil amendments shall be provided or bonded for in all common areas of the plat consistent with the requirements of the 2009 KCSWDM and the City of Sammamish Addendum.
 9. A Public Works performance bond shall be posted consistent with the 2009 KCSWDM.
- D. Conditions to appear on the face of the final plat (italicized words verbatim):**
1. Specific covenant and/or easement language pertaining to maintenance of individual lot and tracts with flow control BMPs shall be shown on the face of the final plat. Public Works shall approve the specific language prior to final plat.
 2. Any Surface Water Management Facilities required for this subdivision shall be contained within a separate tract of land which tract shall be dedicated to the City or an easement provided to the City of Sammamish for inspection, maintenance, operation, repair, and replacement. Language to this effect shall be shown on the face of the final plat.
 3. *Maintenance of all public roadway landscape strips along the plat internal road shall be the responsibility of the Homeowners Association. Under no circumstances shall the City bear any maintenance responsibilities for landscaping strips created by the plat.*
 4. *Maintenance of any required perimeter landscaping strips along the storm drainage tracts and/or storm drainage easement areas, other than the interior pond embankments, shall be the responsibility of the Homeowners Association.*
 5. *Individual lot flow control BMP's in accordance with the 2009 King County Surface Water Design Manual shall be provided with each single family residential building permit unless otherwise incorporated into the subdivision site development plans.*
 6. *All landscaped areas of the plat and individual lots shall include a minimum of 8-inches of composted soil amendment.*
 7. *Maintenance of illumination along all local and private roads shall be the responsibility of the Homeowners Association or jointly shared by the owners of the development.*
 8. *Metal products such as galvanized steel, copper, or zinc shall not be used in all building roofs, flashing, gutters, or downspouts unless they are treated to prevent metal leaching and sealed such that contact with storm water is prevented.*
 9. *Unless directed to individual on-lot flow control BMP's, all building downspouts, footing drains, and surface inlets from all impervious surfaces such as patios and driveways shall be connected to the permanent storm drain system as shown on the approved plat Site Development permit on file with the City of Sammamish. The connection to the storm system shall be through a perforated*

HEARING EXAMINER DECISION – AMENDED AFTER RECONSIDERATION

RE: PSUB2014-00087 (223rd Assemblage)

June 25, 2015

Page 17 of 17

tightline in accordance with the 2009 King County Surface Water Design Manual. The approved Site Development permit shall be submitted with the application for any building permit. All connections of the drains shall be constructed and approved prior to final building inspection approval.

10. *In accordance with City of Sammamish Ordinance No. 02002-112, a surface water system development charge shall be paid at the time of building permit issuance, for each new residential dwelling unit.*
11. *Illicit discharge of stormwater pollutants from pressure washing, car washing, and other routine maintenance of household appurtenances such as siding, roof, and windows shall be prevented from entering the storm drain system. Measures such as directing water to a green, vegetated area or covering the downstream catch basins shall be required and enforced pursuant to SMC 13.30.020.*
12. *Trees retained in accordance with SMC Chapter 21A.35.210 shall be identified on the face of the final plat for retention. Trees shall be tagged in the field and referenced on the face of the final plat with the applicable tag number.*
13. *Trees identified on the face of this plat have been retained pursuant to the provisions of SMC 21A.35.210. Retained trees are subject to the tree protection standards of SMC 21A.35.230. Removal of these trees is prohibited unless the tree is removed to prevent imminent danger or hazard to persons or property, and may be subject to a clearing and grading permit approved by the City of Sammamish. Trees removed subject to this provision shall be replaced in compliance with SMC 21A.35.240.*
14. *SMC 14A.15.020 requires that at the time of final plat a minimum of 30% of the impact fees must be paid prior to recording. However the Plator has the option to pay more. The Plator shall indicate on the face of the plat if any additional fees are owed by the lots in the plat. Also, the Plator shall indicate which 36 lots are subject to any remaining street impact fees.*
15. *Pursuant to SMC 21A.105, fifty percent of the school impact fees were paid at final plat. Fifty percent of the school impact fees, plus an administrative fee shall be paid prior to building permit issuance on 36 lots.*
16. *36 lots are subject to the park impact fees at the time of building permit issuance.*
17. *The plator shall show on the final plat drawing a 50-foot easement, adding 10 feet to the existing easement for SE 38th Street on the south side of the easement. There shall be a note added to that easement indicating that when the lots to the west develop, this easement will be dedicated to the City of Sammamish as public right-of-way.*
18. *The maximum impervious surface area allowed on any lot shall be 3,358 square feet.*

JUN 12 2015

CITY OF SAMMAMISH

**BEFORE the HEARING EXAMINER for the
CITY of SAMMAMISH**

DECISION

FILE NUMBER: PSUB2014-00087

APPLICANT: 1402-WLD 223rd Assemblage, LLC
1010 Market Street
Kirkland, WA 98033

TYPE OF CASE: Preliminary subdivision (223rd Assemblage)

STAFF RECOMMENDATION: Approve subject to conditions

EXAMINER DECISION: RETURN to the applicant FOR REVISION

DATE OF DECISION: June 10, 2015

INTRODUCTION ¹

1402-WLD 223rd Assemblage, LLC (the LLC ²) seeks preliminary approval of 223rd Assemblage, a 40-lot single-family residential subdivision of a 12.8 acre assemblage of four parcels, owned by the Mackal, Mullen, and Warren families, which is zoned R-4. (Exhibits S-1, S-1.3, and S-1.48 ³)

The LLC filed a Base Land Use Application on April 28, 2014, to subdivide the subject property into 38 single-family residential lots. (Exhibit S-1.3) The Sammamish Department of Community Development (the Department) deemed that application to be complete on April 30, 2014. (Exhibit S-1.7) On or about February 2, 2015, the LLC revised the application from 38 to 40 lots. (*Ibid.*)

¹ Any statement in this section deemed to be either a Finding of Fact or a Conclusion of Law is hereby adopted as such.
² The LLC is associated with Westcott Homes. (Testimony) Thus, some of the exhibits refer to Westcott Homes as the applicant or refer to the "Westcott Project." (E.g.: Exhibits S-1.6, S-1.41, and S-3)
³ Exhibit citations are provided for the reader's benefit and indicate: 1) The source of a quote or specific fact; and/or 2) The major document(s) upon which a stated fact is based. While the Examiner considers all relevant documents in the record, typically only major documents are cited. The Examiner's Decision is based upon all documents in the record.

HEARING EXAMINER DECISION
RE: PSUB2014-00087 (223rd Assemblage)
June 10, 2015
Page 2 of 15

The subject property is located at the south end of 223rd Avenue SE, along the boundary between the Cities of Sammamish and Issaquah. (Exhibit S-1.48: The four parcels which comprise the subject property are outlined with a light blue line; the city limits are denoted by the heavier blue line)

The Sammamish Hearing Examiner (Examiner) viewed the subject property on June 5, 2015.

The Examiner held an open record hearing on June 5, 2015. The Department gave notice of the hearing as required by the Sammamish Municipal Code (SMC). (Exhibit S-1.37)

Subsection 20.05.100(1) SMC requires that decisions on preliminary subdivision applications be issued within 120 net review days after the application is found to be complete. The open record hearing was held on or about net review day 365. The SMC provides two potential remedies for an untimely decision: A time extension mutually agreed upon by the City and the applicant [SMC 20.05.100(2)] or written notice from the Department explaining why the deadline was not met [SMC 20.05.100(3)]. The Department's Staff Report includes an explanation for the delay in bringing the application to hearing. (Exhibit 1, p. 5, Finding 6.C.b)

The following exhibits were entered into the hearing record during the hearing:

Exhibit S-1:	Departmental Staff Report
Exhibits S-1.1 – S-1.48:	As enumerated in Exhibit S-1
Exhibit S-1.49:	2014 Notice of Application (38-lot proposal)
Exhibit S-2:	Letter, Nancy Bainbridge Rogers, Attorney for the LLC, to the Hearing Examiner, June 5, 2015, submitted at hearing
Exhibit S-3:	Safe School Walk exhibit, submitted at hearing
Exhibit S-4:	223 rd Road Sections, submitted at hearing
Exhibit S-5:	223 rd Road Improvements, submitted at hearing
Exhibit S-6:	Letter, Snoqualmie Tribe to the Department, dated May 29, 2014, submitted at hearing
Exhibit S-7:	Letter, Simone Oliver (Altmann Oliver Associates, LLC) to Kerek Edwards (Westcott Homes), June 5, 2015, submitted at hearing

The action taken herein and the requirements, limitations and/or conditions imposed by this decision are, to the best of the Examiner's knowledge or belief, only such as are lawful and within the authority of the Examiner to take pursuant to applicable law and policy.

FINDINGS OF FACT

A. General

A.1. After listening to over four hours of testimony and having the opportunity after the hearing to read and study documents submitted during the open record hearing (including the textual content of the drainage report which had been left out of the copy of the document provided to the Examiner in

advance of the hearing), it is apparent that this application suffers from fundamental data discrepancies and code application errors to such an extent that a decision to either approve it or deny it cannot be made based upon the current record. Instead, the Examiner will identify in detail the data and code application errors, after which the application will be returned for revision.

- A.2. “[D]eference is accorded an agency’s interpretation only if (1) the particular agency is charged with the administration and enforcement of the statute, (2) the statute is ambiguous, and (3) the statute falls within the agency’s special expertise.” [*Bostain v. Food Exp., Inc.*, 159 Wn.2d 700, 716, 153 P.3d 846 (2007)] “[A]n agency interpretation that conflicts with a statute is given no deference.” [*Nelson v. Appleway Chevrolet, Inc.*, 160 Wn.2d 173, 184, 157 P.3d 847 (2007)] An agency interpretation or agency policy cannot work to effectively “amend” an ordinance or apply it in a manner that clearly exceeds its intended scope. [*Mall, Inc. v. City of Seattle*, 108 Wn.2d 369, 378, 739 P.2d 668 (1987)] “[Appellate courts] accord considerable deference to the examiner's construction of the ... zoning code.” [*Balser Investments, Inc. v. Snohomish Cty.*, 59 Wn. App. 29, 39, 795 P.2d 753 (1990); see also *City of Medina v. T-Mobile USA, Inc.*, 123 Wn. App. 19, 24, 95 P.3d 377 (2004)]
- A.3. The 223rd Assemblage site is comprised of four parcels generally located at the south end of 223rd Avenue SE, abutting the Issaquah City Limits. Two of the parcels are south of a private road commonly known as SE 38th Street, with one on either side of the 223rd Avenue SE alignment were it to be extended further to the south. The other two parcels lie north of SE 38th Street on the west side of 223rd Avenue SE. (Exhibits S-1.48 and S-3)
- A.4. The 223rd Assemblage property is zoned R-4. (Exhibit S-1.48)
- A.5. The Findings of Fact in this Decision are grouped by topic only for the reader's convenience. Such groupings do not indicate any limitation of applicability to the decision as a whole.
- A.6. Any Conclusion of Law deemed to be a Finding of Fact is hereby adopted as such.
- B. Data Inconsistencies**
- B.1. The plan set submitted by the LLC for approval (Exhibit S-1.1) lists two different figures for total site area – and then uses each for different calculations. No explanation for the difference is stated or intuitively obvious. Total site area needs to be accurately provided.
- B.2. Sheets 1 and 3 of Exhibit S-1.1 list “Total Site Area” in a section entitled “Site Development” as 556,083 square feet (SF) or 12.77 acres. That number is then used in making density calculations. (*Ibid.*)

The same sheets make the “Required Open Space (SMC 21A.50.225(4)(B))” calculation based on a different site area: 555,941 SF. The cited code section, SMC 21A.50.225(4)(B), requires, *inter alia*, that “[f]or the portions of proposed subdivisions ... that cannot infiltrate runoff up to the 100-year

peak flow, at least 25 percent of the portion of the site that cannot infiltrate shall remain undisturbed and set aside in an open space tract”

The LLC’s geotechnical report states that the glacial till soils underlying the site “are not a suitable infiltration receptor.” (Exhibit S-1.41, p. 4) A supplement statement from the same consultant says that “the site soils are not suitable for the on-site infiltration of storm water.” (Exhibit S-1.42) Neither document suggests that any portion of the site is suitable for on-site infiltration of runoff.

Given those reports, the only technical data in the record about infiltration, it would seem that the site area used for the open space calculation should be the same as the total site area since no portion of the site is suitable for infiltration. No explanation is present in the record for why it was not.

By using a smaller site area for the open space calculation, the LLC gains a smaller area of required open space. The record is without justification for the calculated figure. (See Part F, below.)

- B.3. The LLC’s arborist report states that “there are 426 trees within the entire assemblage, 316 are located outside of the [critical area tract].”⁴ (Exhibit S-1.46) Using the figures from that report, 110 trees would lie inside the critical areas tract. (426 – 316 = 110)

The Department’s Staff Report (Staff Report) says “[t]he site contains 316 significant trees, 120 of which are in the critical area buffer. This leaves 196 trees” outside of critical areas and their buffers. (Exhibit S-1.1, p. 6) The Staff Report’s figures are totally at odds with the arborist’s report. The record contains no explanation for this discrepancy. Since compliance with tree retention requirements as well as density bonuses depend upon an accurate count of the site’s significant trees, this discrepancy is not immaterial. (See Parts D and E, below.)

C. Density Calculations (Basic)

- C.1. The maximum permissible lot yield for a proposed subdivision is calculated by determining a base density and adding to it any “bonus or transfer units authorized by Chapter 21A.75 [Residential Density Incentives] or 21A.80 [Transfer of Development Rights] SMC”. [SMC 21A.25.070(1) and (2); quote from (2)] The base density is calculated by multiplying an adjusted site area “by the applicable residential base density number” obtained from SMC 21A.25.030(A). [SMC 21A.25.070(1)] Fractional results “of 0.50 or above shall be rounded up”, those “below 0.50 shall be rounded down.” [SMC 21A.25.070(4)]

- C.2. The adjusted site area is determined by taking the gross site area and subtracting and adding certain specified areas:

⁴ The arborist used an incorrect acronym in this sentence: “SAT” for “sensitive areas tract.” In Sammamish, areas which require special protection due to their environmental sensitivity, such as wetlands and streams, are referred to as “environmentally critical areas” [Chapter 21A.50 SMC] Tracts which are set aside to protect such areas are called “critical area tracts,” not “sensitive area tracts.” [SMC 21A.50.190 *et al.*]

HEARING EXAMINER DECISION
RE: PSUB2014-00087 (223rd Assemblage)
June 10, 2015
Page 5 of 15

(2) Existing submerged lands, steep slopes and buffers, Categories 1 – 4 wetlands and buffers, Types S, F, Np, and Ns streams and buffers, and property to be used as a street(s) shall not be credited toward base and maximum density or floor area calculations; provided, that subdivisions or short plats that meet the tree retention standards of SMC 21A.35.210(2), Tree retention requirements, shall be credited 10 percent of the environmentally sensitive areas and associated buffers identified above.

(a) The site has accumulated sufficient technique points pursuant to SMC 21A.85.070, preferred low impact development incentives, to allow for inclusion of such areas as set forth in that section; or

(b) The site meets the tree retention incentives of SMC 21A.35.220(2), in which case 10 percent of the critical areas and buffers identified above may be included in the site area used for calculating base and maximum density or floor area.

[SMC 21A.25.080(2)⁵]

C.3. The LLC has made the required calculation based upon the larger of the two site area figures it has provided. It has subtracted “ROW” (presumably an acronym for “right-of-way”) and “Buffer Area”⁶ as part of the calculation. (Exhibit S-1.1, Sheets 1 and 3)

But the code does not say that one is to subtract right-of-way, it says that one is to subtract “property to be used as a street(s)”. [SMC 21A.25.080(2)] That is a vastly different concept. Property to be used as streets would include not only proposed dedicated public rights-of-way within the site, but also all existing and proposed private streets and easement streets within the property to be subdivided.

C.4. As best the Examiner can determine from Exhibit S-1.1, the LLC did not subtract the 50 foot wide easement for SE 38th Street in making its density calculation. On Sheet 3, the LLC states that 64,419 SF or 1.48 acres is to be “Dedicated Public ROW.” That figure is precisely what the LLC subtracted when calculating density on Sheets 1 and 3.

SE 38th Street currently exists within a 40 foot wide easement. (Exhibit S-1.1, Sheet 2) The Department of Public Works (Public Works) approved two Variations from the Interim Public Works Standards (PWS) requested by the LLC. One of those variations was approved subject to a

⁵ This code section is confusingly drafted. The opening paragraph seems to suggest that a developer who meets the basic, minimum tree retention requirements of SMC 21A.35.210(2) automatically earns the 10% bonus, while subsection (b) indicates that one must meet the tree retention incentive requirements of SMC 21A.35.220(2) in order to earn the 10% bonus. It seems incomprehensible that the City Council would have intended to award a bonus for simply complying with the minimum requirements. Therefore, the Examiner will interpret this section as requiring fulfillment of the incentive requirement to earn the bonus.

⁶ A miniscule portion of a major nearby wetland encumbers the far northwest corner of the site. (Exhibit S-1.1, Sheet 3) The Examiner presumes that the LLC has included that small area in its figure for the vastly larger wetland buffer area which encumbers the site. The Examiner is not challenging the accuracy of the wetland/wetland buffer area figure.

condition, among others, that the SE 38th Street easement be increased to 50 feet wide. (Exhibit S-1.14) Thus, even though that easement is presently only 40 feet wide, it will have to become 50 feet wide if this development goes forward as proposed.

The SE 38th Street easement is 300 feet long between the west edge of the proposed 223rd Avenue SE right-of-way dedication within the subdivision and the west edge of the subdivision. (Exhibit S-1.1, Sheet 3) Thus, it will contain approximately 15,000 SF if the 223rd Assemblage is approved.

Based upon available information, the total site area to be used as streets will be 79,619 SF (64,619 + 15,000 = 79,619), not 64,619 SF.

C.5. Application of the above provisions to the subject proposal, using the larger of the two stated site areas but before consideration of tree retention incentives, yields the following:

Gross site area:	556,083	SF
- wetlands and buffers:	65,038	SF
- streams and buffers:	0	
- property to be used as streets:	79,619	SF
Adjusted site area before tree retention incentives:	411,426	SF
Convert to acres (÷ 43,560 square feet)	9.45	Acres
Times base density number for the R-4 zone:	4	DU/Acre
Base density before tree retention incentives:	37.8	Lots
Base density after rounding:	38	Lots

C.6. Whether that calculation is accurate depends upon information not presently in the record. The effect of tree retention incentives will be addressed after discussion of tree retention requirements.

D. Tree retention Requirements

D.1. The City has adopted tree retention requirements. [SMC 21A.35.210 - .240⁷] New subdivisions must retain at least 25% of all “significant” trees⁸ located “[w]ithin areas unconstrained by environmentally sensitive areas and associated buffers” [SMC 21A.35.210(2)(a)] and essentially all significant trees located within protected environmentally sensitive areas and associated buffers [SMC 21A.35.210(2)(b)].⁹ There is a proviso associated with the retention requirement: “trees retained within environmentally sensitive areas and associated buffers may be counted for up to 50 percent of the tree retention requirement in subsection (2)(a) of this section.” [SMC

⁷ The City Council amended SMC 21A.35.210, .230, and .240 by Ordinance No. O2015-390, effective April 14, 2015. The amendments encompassed in that ordinance may not be applied in the review of this application because of vested rights considerations: They became effective approximately one year after the application vested.

⁸ The SMC defines a “significant tree” as either a coniferous tree with a diameter at breast height (DBH) of 8” or more or a deciduous tree with a DBH of 12” or more. [SMC 21A.15.1333]

⁹ Sections 21A.35.210 and .220 SMC use outdated language: They still refer to “environmentally sensitive areas” whereas the comparable terminology in Chapter 21A.50 SMC, revised more recently than the adoption date of SMC 21A.35.210 and .220, is “environmentally critical areas.” The two terms are synonymous.

21A.35.210(2)(b)] Further, up to 50% of the trees to be retained may be replaced by new trees upon approval by the Department; replacement ratios range from 4:1 to 8:1 depending upon the size of the tree to be replaced. [SMC 21A.35.210(6) and .240(1)(c)]

The regulations include criteria for selecting which trees to retain on a development site:

- (a) Trees located within healthy, vegetated groups and stands rather than as isolated trees scattered throughout the site;
- (b) Trees that have a reasonable chance of survival once the site is developed;
- (c) Trees that will not pose a threat to persons or property;
- (d) Trees that can be incorporated into required landscaping or can be used to screen the site from adjacent properties;
- (e) Trees adjacent to open space, sensitive area buffers or sensitive area tracts;
- (f) Trees having a significant land stability function; or
- (g) Trees that meet the definition of heritage tree.

[SMC 21A.35.210(5)]

- D.2. As noted in Finding of Fact B.3, above, the record contains conflicting information regarding the number of significant trees on the site and where they are located. Since Exhibits S-1.1, Sheet L-1.02, and S-1.46 list only the trees that are proposed to be saved, there is no way to determine which figure for trees on site and trees within/without the environmentally sensitive areas and associated buffers is correct. This data void needs to be corrected.
- D.3. The LLC mis-states the tree retention requirement in Exhibit S-1.1. Sheet L-1.01 says that pursuant to “21A.35.220, new subdivisions are required to retain minimum 30% of significant trees that are outside of environmentally sensitive areas and associated buffers.” First, the cited code section is incorrect. Section 21A.35.220 SMC pertains to the tree retention incentive, not to the basic requirement for tree retention. The correct code citation is SMC 21A.35.210(2). Second, the required minimum retention percentage under the code to which this application is vested is 25%, not 30%. Finally, the code requires that essentially all significant trees within critical areas and their buffers be retained, not just significant trees outside such areas.

The Staff Report also mis-states the tree retention requirement. The Staff Report states that “SMC 21A.35.210(2) requires that subdivisions retain twenty-five percent (25%) of significant trees on the subject site” (Exhibit S-1, p. 6; bold omitted) That is a completely incorrect reading of the SMC. The code requires that “[w]ithin areas unconstrained by environmentally sensitive areas and associated buffers, a minimum of 25 percent of significant trees shall be retained.” [SMC 21A.35.210(2)(a)] The code language is clear and unambiguous; it is not amenable to multiple interpretations: The minimum requirement is retention of 25% of the significant trees outside of certain critical areas and their buffers plus retention of essentially all significant trees within certain critical areas and their buffers.

The code then provides that “trees retained within environmentally sensitive areas and associated buffers may be counted for up to 50 percent of the tree retention requirement in subsection (2)(a) of this section.” [SMC 21A.35.210(2)(b)]

Thus, the fundamental requirement of the code which governs this application is to preserve at least 25% of all significant trees outside of critical areas and their buffers together with essentially all significant trees within critical areas and their buffers, provided that up to half of the required number to be retained outside the critical areas and their buffers may be satisfied by trees within critical areas and their buffers.

- D.4. According to the LLC’s arborist, there are 110 significant trees within the critical areas tract, only 39 of which are proposed to be saved. What happened to the other 71 significant trees within the critical area and its buffer? This unanswered question must be answered.
- D.5. Assuming the arborist’s report is accurate, the subject property contains 426 significant trees of which none are dead. The number of live significant trees is 426, 316 of which are reportedly located outside of the wetland and its buffer. (Exhibit S-1.46) Pursuant to SMC 21A.35.210(2)(a), 79 (25% of 316) significant trees outside of the wetland and its buffer and the 110 significant trees within the wetland and its buffer must be retained. Pursuant to the proviso in SMC 21A.35.210(2)(b), the 110 trees within the wetland and its buffer may count for up to 39 (50%) of the 79 trees to be retained outside the wetland and its buffer. Thus, there could be as few as 40 significant trees preserved outside the wetland and its buffer if the above basic figures are correct.
- D.6. The Staff Report says that the site contains 316 significant trees, 120 of which are within the wetland and its buffer. The latter number differs from the supporting evidence supplied by the LLC. Justification for that difference is not provided in the Staff Report or elsewhere in the record. Supporting evidence is required for that number.

The Staff Report then calculates the required retention outside of the wetland and buffer as 49 ($316 - 120 = 196$; $25\% \text{ of } 196 = 49.0$). That calculation is erroneous because it is apparently using the wrong starting number.

The LLC submitted a letter during the hearing in which it disagrees with the Department’s calculation. According to the LLC’s letter, the site contains 316 significant trees, 25% of which (79) must be retained. (Presumably the LLC letter means that 316 trees are located outside the wetland and its buffer, although it doesn’t actually say that.) The LLC correctly concludes that 39 trees within the wetland and its buffer may be counted towards the 79 tree requirement outside of the wetland and its buffer. The LLC then says that it is proposing to save 72 trees outside the wetland and its buffer plus 39 trees within the wetland and its buffer (it never explains what happened to the other trees within the wetland and its buffer) for a total of 111 significant trees retained – 32 above the required minimum. (Exhibit S-2, p. 4)

HEARING EXAMINER DECISION
RE: PSUB2014-00087 (223rd Assemblage)
June 10, 2015
Page 9 of 15

To the extent that the LLC believes those 32 “extra” trees qualify it for a density bonus, it is incorrectly reading the SMC.

- D.7. Section 21A.35.220 SMC provides incentives to encourage retention of more trees than required by SMC 21A.35.210 “subject to City review and approval”. [SMC 21A.35.220] New subdivisions which retain “30 percent or more of significant trees (outside environmentally sensitive areas and associated buffers)” may reduce “recreation space by up to 10 percent”. [SMC 21A.35.220(1), emphasis added] New subdivisions which retain “35 percent or more of significant trees (outside environmentally sensitive areas and associated buffers)” may “include up to 10 percent of the area within environmentally sensitive areas towards site density calculations.” [SMC 21A.35.220(2), emphasis added]

The code language is clear and unambiguous; it is not amenable to multiple interpretations with but one exception. The key is that the incentive provision relates solely to trees actually saved outside critical areas and their buffers. The bonus provision does not allow trees within critical areas and their buffers to count towards earning the bonus.

The exception which could be subject to multiple interpretations is the phrase “up to 10 percent of the area within environmentally sensitive areas”. Read literally, that language would allow one to count only sensitive areas, not also their buffers, when determining how much density incentive is available. (Chapter 21A.50 SMC distinguishes between sensitive areas and sensitive area buffers.) In the present, tree retention context, where every other reference has included buffers with the sensitive areas, the Examiner concludes that the Council’s intent was to allow the bonus credit to be calculated using sensitive areas and their buffers, not just sensitive areas.¹⁰

With 316 significant trees reportedly located outside the wetland and its buffer, at least 111 ($316 \times 0.35 = 110.6$) significant trees would have to be preserved outside the critical areas and their buffers before any density incentive could be credited.

- D.8. Both the LLC and the Department have mis-read and mis-applied the tree retention provisions of the SMC.

E. Density Calculations (Bonus)

- E.1. The LLC has claimed credit for density under the tree retention bonus. (Exhibit S-1.1) The Department has agreed to the density bonus. (Exhibit S-1, p. 7) Both have based their actions on an incorrect reading of the SMC as outlined above.
- E.2. The record contains no evidence to support award of any density bonus for tree retention. Maximum permissible density based upon the evidence now in the record would be 38 lots, not 40 lots.

¹⁰ If only sensitive areas could be counted, then virtually no bonus would be available for this site under any circumstances as the actual wetland encumbrance is rather miniscule. (Exhibit S-1.1, Sheets 3 and W1)

HEARING EXAMINER DECISION

RE: PSUB2014-00087 (223rd Assemblage)

June 10, 2015

Page 10 of 15

- E.3. The following discussion, quoted from Conclusion of Law 14 (including the footnote which was Footnote 16 in the original document) in the Examiner's February 25, 2014, *Lake Vista* Decision (PLN2012-00046), is provided as future guidance for the parties.

[The Applicant's] inclusion of 10% of the environmentally critical area and its required buffer in the net area calculation is based upon the tree retention incentive of SMC 21A.35.220(2). The incentive contained in SMC 21A.35.220(2) may be awarded "subject to City review and approval". Unlike PWS variations, this provision is within the Examiner's jurisdiction when proposed as part of an application over which the Examiner has jurisdiction, such as a preliminary subdivision.¹¹

That code section ... allows subdivision developers to count "up to 10 percent" of the area of protected critical areas in the net area calculation if their proposal retains "35 percent or more of significant trees" outside critical areas and their buffers. Both elements of the formula contain sliding scale factors: 10% is the maximum incentive for saving at least 35% of significant trees. In *Lake Vista*, [the Applicant] proposes to take the maximum credit by saving the minimum qualifying number of trees. That is not what the code envisions. If the City awards the maximum benefit for saving the minimum qualifying number, what incentive exists to encourage greater tree retention? The obvious answer is None.

On the other hand, if the incentive granted does not provide an applicant with at least one additional lot (one cannot have fractional lots for obvious reasons), then the incentive would fail: Why preserve more trees than minimally required if you aren't going to gain any benefit in return? The obvious answer to this question is that there is no reason (unless you simply want to preserve trees).

Subsection 21A.35.220(2) SMC creates a sliding scale benefit: The more trees one saves over 35%, the more area may be counted in the net area calculation up to a maximum of 10%. In order for the incentive to work, a developer who saves the minimum should receive a minimum benefit of one additional lot. (If the benefit for minimum incentive preservation were zero, there would be no incentive to save 35% of significant trees.)

Lake Vista proposes to retain 35% of significant trees. That is 10% more trees than the basic standard requirement, but is also the minimum to qualify for the incentive. Instead of granting the full 10% incentive (in this case counting 9,562 SF of the critical areas as net area for density calculation purposes), it would be reasonable and

¹¹ Interpretation of SMC 21A.35.220(2) is a matter of first impression.

HEARING EXAMINER DECISION

RE: PSUB2014-00087 (223rd Assemblage)

June 10, 2015

Page 11 of 15

wholly consistent with the concept established by the adopted code language to grant 10% of the maximum incentive or 1% (956 SF).

However, the maximum lot yield with a 1% incentive is still 17 – the same yield realized without application of any tree retention incentive. (241,528 SF gross site area – 24,329 SF right-of-way – 95,642 SF critical areas and buffers = 121,557 SF net area + 956 SF tree retention incentive = 122,513 SF adjusted net area ÷ 43,560 SF = 2.81 acres adjusted net area x 6 dwelling units per net acre = 16.86 dwelling units, which rounds up to 17 dwelling units) The full 10% incentive yields just barely a one lot incentive. (121,557 SF net area + 9,564 SF tree retention incentive = 131,121 SF adjusted net area ÷ 43,560 SF = 3.01 acres adjusted net area x 6 dwelling units per net acre = 18.06 dwelling units, which rounds down to 18 dwelling units)

In this particular case, the math is such that nearly the full 10% incentive must be awarded to achieve even the smallest gain in yield. The City gets 10% more significant trees saved and the developer gets slightly less than a 10% increase in yield. Since the SMC encourages tree retention by offering increased yield, the one lot increase is consistent with the code's philosophy.

F. EHNSWB Open Space Requirement

- F.1. The 223rd Assemblage site is located within the Erosion Hazards Near Sensitive Water Bodies (EHNSWB) overlay area. (Exhibit S-1, pp. 7 and 8) Properties subject to that overlay must comply with SMC 21A.50.225.
- F.2. The EHNSWB regulations include something called “no-disturbance areas.” Those are portions of the EHNSWB where special, more stringent requirements apply. [SMC 21A.50.225(3) and (4)] Surface water runoff from the subject property drains to such a no-disturbance area. (Exhibit S-1, p. 8)
- F.3. One of the special requirements for proposed subdivisions which drain to a no-disturbance area is the following:

For the portions of proposed subdivisions, short subdivisions and binding site plans that cannot infiltrate runoff up to the 100-year peak flow, at least 25 percent of the portion of the site that cannot infiltrate shall remain undisturbed and set aside in an open space tract consistent with SMC 21A.50.160 through 21A.50.190. The open space tract shall be located adjacent to any required critical area tracts and shall be designed to maximize the amount of separation between the critical area and the proposed development. If no critical areas tracts are required, the open space tract shall be located to provide additional protection to the no-disturbance area.

HEARING EXAMINER DECISION
RE: PSUB2014-00087 (223rd *Assemblage*)
June 10, 2015
Page 12 of 15

[SMC 21A.50.225(4)(b), emphasis added] Since none of the site can infiltrate its runoff (See Finding of Fact B.2, above.), this requirement applies to the entirety of the 223rd *Assemblage*.

- F.4. Both the LLC and the Department have used the smaller of the two site area figures to calculate the required 25% open space figure. (Exhibits S-1, p. 8, and S-1.1, Sheets 1 and 3) The justification for using that smaller figure is not clear from the record and must be provided.
- F.5. Using that smaller site area figure, both the LLC and the Department correctly calculate the required 25% open space as 138,985 SF.¹² (Exhibits S-1, p. 8, and S-1.1, Sheets 1 and 3) Exhibit S-1.1 indicates that precisely that amount of open space is provided. That amount exactly matches the stated area of Tract OS1: 138,985 SF. But Tract OS1 includes the existing 40 foot wide easement for SE 38th Street (required to become a 50 foot wide easement under a condition of approval of one of the PWS Variations – which was not appealed). (Testimony)
- F.6. SE 38th Street exists today as a paved street serving about 10 parcels to the west of the subject property. It is not an “open space” in any commonly accepted sense of the word. Nor is it an undisturbed area.¹³ It is a street. Streets are not undisturbed areas and are not open spaces.
- F.7. The EHNSWB open space calculation must be corrected, first by using the full site area as the base for the calculation, and second by not counting the 15,000 SF within the 50 foot wide SE 38th Street easement as open space. The resulting open space will, given the evidence now in the record, need to be larger. Larger open space will affect the lot yield and, potentially, the design of the plat.

LEGAL FRAMEWORK¹⁴

The Examiner is legally required to decide this case within the framework created by the following principles:

Authority

A preliminary subdivision is a Type 3 land use application. [SMC 20.05.020, Exhibit A] A Type 3 land use application requires an open record hearing before the Examiner. The Examiner makes a final decision on the application which is subject to the right of reconsideration and appeal to Superior Court. [SMC 20.05.020, 20.10.240, 20.10.250, and 20.10.260]

The Examiner’s decision may be to grant or deny the application or appeal, or the examiner may grant the application or appeal with such conditions, modifications, and restrictions as the Examiner finds necessary to make the application or appeal compatible with the

¹² It would, of course, be greater if the larger site area figure were the one that had to be used.

¹³ The LLC may be planning to leave SE 38th Street just as it is today. In that sense, the LLC is not disturbing SE 38th Street, but SE 38th Street would not be an undisturbed area.

¹⁴ Any statement in this section deemed to be either a Finding of Fact or a Conclusion of Law is hereby adopted as such.

HEARING EXAMINER DECISION
RE: PSUB2014-00087 (223rd Assemblage)
June 10, 2015
Page 13 of 15

environment and carry out applicable state laws and regulations, including Chapter 43.21C RCW and the regulations, policies, objectives, and goals of the interim comprehensive plan or neighborhood plans, the development code, the subdivision code, and other official laws, policies and objectives of the City of Sammamish.

[SMC 20.10.070(2)]

Review Criteria

Section 20.10.200 SMC sets forth requirements applicable to all Examiner Decisions:

When the examiner renders a decision ..., he or she shall make and enter findings of fact and conclusions from the record that support the decision, said findings and conclusions shall set forth and demonstrate the manner in which the decision ... is consistent with, carries out, and helps implement applicable state laws and regulations and the regulations, policies, objectives, and goals of the interim comprehensive plan, the development code, and other official laws, policies, and objectives of the City of Sammamish, and that the recommendation or decision will not be unreasonably incompatible with or detrimental to affected properties and the general public.

Additional review criteria for preliminary subdivisions are set forth at SMC 20.10.220:

When the examiner makes a decision regarding an application for a proposed preliminary plat, the decision shall include additional findings as to whether:

- (1) Appropriate provisions are made for the public health, safety, and general welfare and for such open spaces, drainage ways, streets or roads, alleys, other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation, playgrounds, schools and school grounds and all other relevant facts, including sidewalks and other planning features that assure safe walking conditions for students who only walk to and from school; and
- (2) The public use and interest will be served by the platting of such subdivision and dedication.

Vested Rights

Sammamish has enacted a vested rights provision.

Applications for Type 1, 2, 3 and 4 land use decisions, except those that seek variance from or exception to land use regulations and substantive and procedural SEPA decisions shall be considered under the zoning and other land use control ordinances in effect on the date a complete application is filed meeting all the requirements of this chapter. The department's issuance of a notice of complete application as provided in this chapter, or the failure of the department to provide such a notice as provided in this chapter, shall cause an application to be conclusively deemed to be vested as provided herein.

HEARING EXAMINER DECISION
RE: PSUB2014-00087 (223rd Assemblage)
June 10, 2015
Page 14 of 15

[SMC 20.05.070(1)] Therefore, this application is vested to the development regulations as they existed on April 30, 2014.

Standard of Review

The standard of review is preponderance of the evidence. The applicant has the burden of proof. [City of Sammamish Hearing Examiner Rule of Procedure 316(a)]

Scope of Consideration

The Examiner has considered: all of the evidence and testimony; applicable adopted laws, ordinances, plans, and policies; and the pleadings, positions, and arguments of the parties of record.

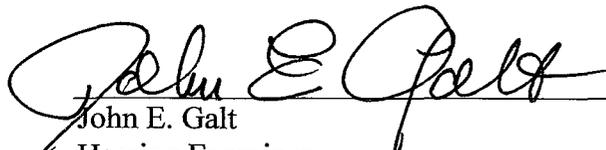
CONCLUSIONS OF LAW

1. The extent of evidentiary inconsistencies, calculation errors, and mis-application of adopted City code is such that approval of 223rd Assemblage at this time cannot be considered.
2. On the other hand, subdivision of the subject property is entirely possible under adopted City regulations – once they are employed correctly. Therefore, denial of the application is clearly not warranted.
3. The current deficiencies are of such a magnitude as to make it impossible to evaluate the remaining items normally considered in preliminary subdivision review.
4. Any Finding of Fact deemed to be a Conclusion of Law is hereby adopted as such.

DECISION

Based upon the preceding Findings of Fact and Conclusions of Law, and the testimony and evidence submitted at the open record hearing, the Examiner **RETURNS** the proposed 223rd Assemblage preliminary subdivision application **TO THE APPLICANT FOR REVISION** to correct the deficiencies set forth in the Findings of Fact, above.

Decision issued June 10, 2015.


John E. Galt
Hearing Examiner

HEARING EXAMINER DECISION
RE: PSUB2014-00087 (223rd Assemblage)
June 10, 2015
Page 15 of 15

HEARING PARTICIPANTS ¹⁵

Nancy Bainbridge Rogers, unsworn counsel	Rob Garwood
Matt Hough	Haim Strasbourger
Patrick Rooney	Barbara Thorne
Lee Andrews	Chris Mayhall
Oliver Harding	Sonia Leyva
Kathy Curry	Tawni Dalziel
Kerek Edwards	

NOTICE of RIGHT of RECONSIDERATION

This Decision is final subject to the right of any party of record to file with the Examiner (in care of the City of Sammamish, ATTN: Lita Hachey, 801 228th Avenue SE, Sammamish, WA 98075) a written request for reconsideration within 10 calendar days following the issuance of this Decision in accordance with the procedures of SMC 20.10.260 and Hearing Examiner Rule of Procedure 504. Any request for reconsideration shall specify the error which forms the basis of the request. See SMC 20.10.260 and Hearing Examiner Rule of Procedure 504 for additional information and requirements regarding reconsideration.

A request for reconsideration is not a prerequisite to judicial review of this Decision. [SMC 20.10.260(3)]

NOTICE of RIGHT of JUDICIAL REVIEW

This Decision is final and conclusive subject to the right of review in Superior Court in accordance with the procedures of Chapter 36.70C RCW, the Land Use Petition Act. See Chapter 36.70C RCW and SMC 20.10.250 for additional information and requirements regarding judicial review.

The following statement is provided pursuant to RCW 36.70B.130: "Affected property owners may request a change in valuation for property tax purposes notwithstanding any program of revaluation."

¹⁵ The official Parties of Record register is maintained by the City's Hearing Clerk.

DALTON PARK

PORTION OF THE SW1/4 & SE1/4 OF THE SE1/4, SECTION 9, T24N-R6E, W.M. CITY OF SAMMAMISH, KING COUNTY, WASHINGTON

LEGAL DESCRIPTIONS

TITLE PARCEL A:
THE WEST HALF OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 9, TOWNSHIP 24 NORTH, RANGE 6 EAST, W.M., IN KING COUNTY, WASHINGTON;
EXCEPT THE NORTH 315 FEET THEREOF; ALSO
EXCEPT THE WEST 165 FEET OF THE SOUTH 265 FEET OF SAID WEST HALF, AS DESCRIBED IN STATUTORY WARRANTY DEED RECORDED UNDER RECORDING NUMBER 6346169.
TOGETHER WITH AN EASEMENT FOR INGRESS, EGRESS AND UTILITIES OVER THE FOLLOWING DESCRIBED PROPERTY:
40 FEET IN WIDTH BEING 20 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:
BEGINNING AT THE NORTHWEST CORNER OF THE EAST HALF OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 9, TOWNSHIP 24 NORTH, RANGE 6 EAST, WILLAMETTE MERIDIAN, IN KING COUNTY, WASHINGTON;
RUNNING THENCE SOUTHERLY TO A POINT WHICH IS 20 FEET NORTH OF THE NORTHWEST CORNER OF THE EAST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 9;
THENCE RUNNING WESTERLY TO A POINT WHICH IS 40 FEET WEST AND 20 FEET NORTHERLY OF THE NORTHWEST CORNER OF THE EAST HALF OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 9;
EXCEPT ANY PORTION THEREOF LYING WITHIN THE ABOVE DESCRIBED MAIN TRACT.

TITLE PARCEL B:
THE WEST 165 FEET OF THE SOUTH 265 FEET OF THE WEST HALF OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 9, TOWNSHIP 24 NORTH, RANGE 6 EAST, W.M., IN KING COUNTY, WASHINGTON;
TOGETHER WITH AN EASEMENT FOR INGRESS, EGRESS AND UTILITIES OVER THE FOLLOWING DESCRIBED PROPERTY:
40 FEET IN WIDTH BEING 20 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:
BEGINNING AT THE NORTHWEST CORNER OF THE EAST HALF OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 9, TOWNSHIP 24 NORTH, RANGE 6 EAST, WILLAMETTE MERIDIAN, IN KING COUNTY, WASHINGTON;
RUNNING THENCE SOUTHERLY TO A POINT WHICH IS 20 FEET NORTH OF THE NORTHWEST CORNER OF THE EAST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 9;
THENCE RUNNING WESTERLY TO A POINT WHICH IS 40 FEET WEST AND 20 FEET NORTHERLY OF THE NORTHWEST CORNER OF THE EAST HALF OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 9;
EXCEPT ANY PORTION THEREOF LYING WITHIN THE ABOVE DESCRIBED MAIN TRACT.

TITLE PARCEL C:
THE WEST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 9, TOWNSHIP 24 NORTH, RANGE 6 EAST, WILLAMETTE MERIDIAN, IN KING COUNTY, WASHINGTON;
TOGETHER WITH AN EASEMENT FOR ROADWAY OVER 40 FEET IN WIDTH, THE CENTERLINE BEING DESCRIBED AS FOLLOWS:
BEGINNING AT THE NORTHWEST CORNER OF THE EAST HALF OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 9, TOWNSHIP 24 NORTH, RANGE 6 EAST, WILLAMETTE MERIDIAN, IN KING COUNTY, WASHINGTON;
THENCE SOUTHERLY TO A POINT 20 FEET NORTH OF THE NORTHWEST CORNER OF THE EAST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 9;
THENCE WESTERLY TO A POINT WHICH IS 20 FEET NORTHERLY OF THE NORTHWEST CORNER OF THE WEST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 9;
EXCEPT THAT PORTION DEEDED TO KING COUNTY FOR S.E. 32ND STREET BY INSTRUMENT RECORDED JANUARY 24, 1977 UNDER RECORDING NUMBER 7701240335.

TITLE PARCEL D:
THE EAST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 9, TOWNSHIP 24 NORTH, RANGE 6 EAST, WILLAMETTE MERIDIAN, IN KING COUNTY, WASHINGTON;
TOGETHER WITH AN EASEMENT FOR INGRESS, EGRESS AND UTILITIES OVER A STRIP OF LAND 40 FEET IN WIDTH HAVING 20 FEET ON EACH SIDE OF A CENTERLINE DESCRIBED AS FOLLOWS:
BEGINNING AT THE NORTHWEST CORNER OF THE EAST HALF OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 9;
RUNNING THENCE SOUTHERLY TO A POINT 20 FEET NORTH OF THE NORTHWEST CORNER OF THE EAST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 9;
THENCE WESTERLY TO A POINT WHICH IS 40 FEET WEST AND 20 FEET NORTHERLY OF THE NORTHWEST CORNER OF THE EAST HALF OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 9 AND THE TERMINUS OF SAID CENTERLINE.

DEDICATION

KNOW ALL PEOPLE BY THESE PRESENTS THAT WE, THE UNDERSIGNED OWNERS OF INTEREST IN THE LAND HEREBY SUBDIVIDED, HEREBY DECLARE THIS PLAT TO BE THE GRAPHIC REPRESENTATION OF THE SUBDIVISION MADE HEREBY, AND DO HEREBY DEDICATE TO THE USE OF THE PUBLIC FOREVER ALL STREETS AND AVENUES NOT SHOWN AS PRIVATE HEREON AND DEDICATE THE USE THEREOF FOR ALL PUBLIC PURPOSES NOT INCONSISTENT WITH THE USE THEREOF FOR PUBLIC HIGHWAY PURPOSES AND ALSO THE RIGHT TO MAKE ALL NECESSARY SLOPES FOR CUTS AND FILLS UPON THE LOTS AND TRACTS SHOWN THEREON IN THE ORIGINAL REASONABLE GRADING OF SAID STREETS AND AVENUES, AND FURTHER DEDICATE TO THE USE OF THE PUBLIC ALL THE EASEMENTS AND TRACTS SHOWN ON THIS PLAT FOR ALL PUBLIC PURPOSES AS INDICATED THEREON, INCLUDING BUT NOT LIMITED TO PARKS, OPEN SPACE, UTILITIES AND DRAINAGE UNLESS SUCH EASEMENTS OR TRACTS ARE SPECIFICALLY IDENTIFIED ON THIS PLAT AS BEING DEDICATED OR CONVEYED TO A PERSON OR ENTITY OTHER THAN THE PUBLIC, IN WHICH CASE WE DO HEREBY DEDICATE AND CONVEY SUCH STREETS, EASEMENTS, OR TRACTS TO THE PERSON OR ENTITY IDENTIFIED AND FOR THE PURPOSE STATED.

FURTHER, THE UNDERSIGNED OWNERS OF THE LAND HEREBY SUBDIVIDED, WAIVE FOR THEMSELVES, THEIR HEIRS AND ASSIGNS AND ANY PERSON OR ENTITY DERIVING TITLE FROM THE UNDERSIGNED, ANY AND ALL CLAIMS FOR DAMAGES AGAINST CITY OF SAMMAMISH, ITS SUCCESSORS AND ASSIGNS WHICH MAY BE OCCASIONED BY THE ESTABLISHMENT, CONSTRUCTION, OR MAINTENANCE OF ROADS AND/OR DRAINAGE SYSTEMS WITHIN THIS SUBDIVISION OTHER THAN CLAIMS RESULTING FROM INADEQUATE MAINTENANCE BY CITY OF SAMMAMISH, ITS SUCCESSORS OR ASSIGNS.

FURTHER, THE UNDERSIGNED OWNERS OF THE LAND HEREBY SUBDIVIDED, AGREE FOR THEMSELVES, THEIR HEIRS AND ASSIGNS TO INDEMNIFY AND HOLD CITY OF SAMMAMISH, ITS SUCCESSORS AND ASSIGNS, HARMLESS FROM ANY DAMAGE, INCLUDING ANY COSTS OF DEFENSE, CLAIMED BY PERSONS WITHIN OR WITHOUT THIS SUBDIVISION TO HAVE BEEN CAUSED BY ALTERATIONS OF THE GROUND SURFACE, VEGETATION, DRAINAGE, OR SURFACE OR SUBSURFACE WATER FLOWS WITHIN THIS SUBDIVISION OR BY ESTABLISHMENT, CONSTRUCTION OR MAINTENANCE OF THE ROADS WITHIN THIS SUBDIVISION. PROVIDED, THIS WAIVER AND INDEMNIFICATION SHALL NOT BE CONSTRUED AS RELEASING CITY OF SAMMAMISH, ITS SUCCESSORS OR ASSIGNS, FROM LIABILITY FOR DAMAGES, INCLUDING THE COST OF DEFENSE, RESULTING IN WHOLE OR IN PART FROM THE NEGLIGENCE OF CITY OF SAMMAMISH, ITS SUCCESSORS, OR ASSIGNS.

THIS SUBDIVISION, DEDICATION, WAIVER OF CLAIMS, AND AGREEMENT TO HOLD HARMLESS IS MADE WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF SAID OWNERS.

IN WITNESS WHEREOF WE SET OUR HANDS AND SEALS:

MAINVUE WA LLC,
A DELAWARE LIMITED LIABILITY COMPANY

SUMITOMO FORESTRY AMERICA, INC.
A WASHINGTON CORPORATION

BY: MAINVUE HOMES LLC,
A DELAWARE LIMITED LIABILITY COMPANY

Timothy Diller
BY: **TIMOTHY DILLER**
ITS: MANAGER

Daisuke Zooya
BY: **DAISUKE ZAOYA**
ITS: VICE PRESIDENT

THE BANK OF TOKYO-MITSUBISHI UFJ, LTD.
A JAPANESE BANKING CORPORATION

Naoyuki Sudo
BY: **Naoyuki Sudo**
ITS: **Managing Director**

SURVEYOR'S NOTES

BASIS OF BEARINGS:
BASIS OF BEARINGS FOR THIS SURVEY IS NAD 83/91, PER KING COUNTY CONTROL MONUMENT NO. 2247 WAS HELD FOR POSITION, AND A LINE BETWEEN SAID CONTROL MONUMENT NO. 2247 AND 2237 WAS HELD FOR ROTATION, BEING NORTH 01°27'15" EAST.

PROCEDURE / NARRATIVE:

A FIELD TRAVERSE USING A TOPCON QS ROBOTIC TOTAL STATION, TOPCON GR3 GPS, AND A SPECTRA PRECISION RANGER DATA COLLECTOR SUPPLEMENTED WITH FIELD NOTES WAS PERFORMED, ESTABLISHING THE ANGULAR AND DISTANCE RELATIONSHIPS BETWEEN THE MONUMENTS AND PROPERTY LINES AS SHOWN HEREON. THE RESULTING DATA MEETS OR EXCEEDS THE STANDARDS FOR LAND BOUNDARY SURVEYS AS SET FORTH IN WAC 332-130-090.

KING COUNTY DEPARTMENT OF ASSESSMENTS

EXAMINED AND APPROVED THIS _____ DAY OF _____, 2017.

KING COUNTY ASSESSOR _____ DEPUTY KING COUNTY ASSESSOR _____

ACCOUNT NUMBERS 092406-9108, 092406-9116, 092406-9165 & 092406-9196

KING COUNTY FINANCE DIVISION CERTIFICATE

I HEREBY CERTIFY THAT ALL PROPERTY TAXES ARE PAID, THAT THERE ARE NO DELINQUENT SPECIAL ASSESSMENTS CERTIFIED TO THIS OFFICE FOR COLLECTION AND THAT ALL SPECIAL ASSESSMENTS CERTIFIED TO THIS OFFICE FOR COLLECTION ON ANY OF THE PROPERTY HEREIN CONTAINED, DEDICATED AS STREETS, ALLEYS OR FOR ANY OTHER PUBLIC USE, ARE PAID IN FULL.

THIS _____ DAY OF _____, 2017.

FINANCE DIVISION

MANAGER, FINANCE DIVISION _____ DEPUTY _____

CITY OF SAMMAMISH APPROVALS

EXAMINED AND APPROVED THIS _____ DAY OF _____, 2017.

DIRECTOR OF COMMUNITY DEVELOPMENT, CITY OF SAMMAMISH _____

EXAMINED AND APPROVED THIS _____ DAY OF _____, 2017.

CITY ENGINEER, CITY OF SAMMAMISH _____

APPROVED PER SMC 19A.16 FOR RECORDING BY THE CITY COUNCIL THIS _____ DAY OF _____, 2017.

MAYOR, CITY OF SAMMAMISH _____

ACKNOWLEDGMENTS

STATE OF WASHINGTON)
COUNTY OF KING)

I DO HEREBY CERTIFY THAT TIMOTHY DILLER, PERSONALLY KNOWN TO ME TO BE THE CHIEF FINANCIAL OFFICER OF MAINVUE HOMES LLC, THE DELAWARE LIMITED LIABILITY COMPANY THAT IS THE MANAGER OF MAINVUE WA LLC, THE DELAWARE LIMITED LIABILITY COMPANY THAT EXECUTED THE WITHIN AND FOREGOING INSTRUMENT, AND ACKNOWLEDGED SAID INSTRUMENT TO BE THE FREE AND VOLUNTARY ACT AND DEED OF SAID LIMITED LIABILITY COMPANY, FOR THE USES AND PURPOSES THEREIN MENTIONED, AND ON OATH STATED THAT (S)HE IS AUTHORIZED TO EXECUTE SAID INSTRUMENT.

GIVEN UNDER MY HAND AND OFFICIAL SEAL THIS 2nd DAY OF JUNE, 2017.



Stephanie L. Karlsson
PRINT NAME STEPHANNE L. KARLSSON

NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON; RESIDING AT: NORTH BEND

MY COMMISSION EXPIRES: 5-16-19

STATE OF WASHINGTON)
COUNTY OF KING)

I DO HEREBY CERTIFY THAT DAISUKE ZAOYA, PERSONALLY KNOWN TO ME TO BE THE VICE PRESIDENT OF SUMITOMO FORESTRY AMERICA, INC., A WASHINGTON CORPORATION, THE COMPANY THAT EXECUTED THE WITHIN AND FOREGOING INSTRUMENT, AND ACKNOWLEDGED SAID INSTRUMENT TO BE THE FREE AND VOLUNTARY ACT AND DEED OF SAID COMPANY, FOR THE USES AND PURPOSES THEREIN MENTIONED, AND ON OATH STATED THAT (S)HE IS AUTHORIZED TO EXECUTE SAID INSTRUMENT.

GIVEN UNDER MY HAND AND OFFICIAL SEAL THIS 2nd DAY OF JUNE, 2017.



Stephanie L. Karlsson
PRINT NAME STEPHANNE L. KARLSSON

NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON; RESIDING AT: NORTH BEND

MY COMMISSION EXPIRES: 5-16-19

STATE OF CALIFORNIA)
COUNTY OF) LOS ANGELES

ON JUNE 01, 2017 BEFORE ME, Yonky Wowo Moersalim, Notary Public
Date Here Insert Name and Title of the Officer

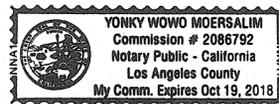
PERSONALLY APPEARED NAOYUKI SUDO
NAME(S) OF SIGNER(S)

WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/IT/ THEY EXECUTED THE SAME IN HIS/HER/IT/ THEIR AUTHORIZED CAPACITY(IES), AND THAT BY HIS/HER/IT/ THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND AND OFFICIAL SEAL.

SIGNATURE Yonky Wowo Moersalim
SIGNATURE OF NOTARY PUBLIC



CITY OF SAMMAMISH FILE NO. FSUB2017-00014

RECORDING CERTIFICATE:

Recording No. _____
Filed for record at the request of the City of Sammamish this _____ day of _____, 20____, at _____ minutes past _____ m. and recorded in Volume _____ of Plats at pages _____ through _____ records of King County, Washington.
DIVISION OF RECORDS AND ELECTIONS

Manager _____ Superintendent of Records _____

LAND SURVEYOR'S CERTIFICATE:

I hereby certify that this plat of DALTON PARK is based upon an actual survey and subdivision of Section 9, Township 24 North, Range 6 East, W.M., that the courses and distances are shown correctly thereon; that the monuments will be set and the lot and block corners will be staked correctly on the ground as construction is completed and that I have fully complied with the provisions of the platting regulations.

Brian D. Gilooly
BRIAN D. GILLOOLY, PLS NO. 46315 Date 5/31/17



Barghausen Consulting Engineers, Inc.

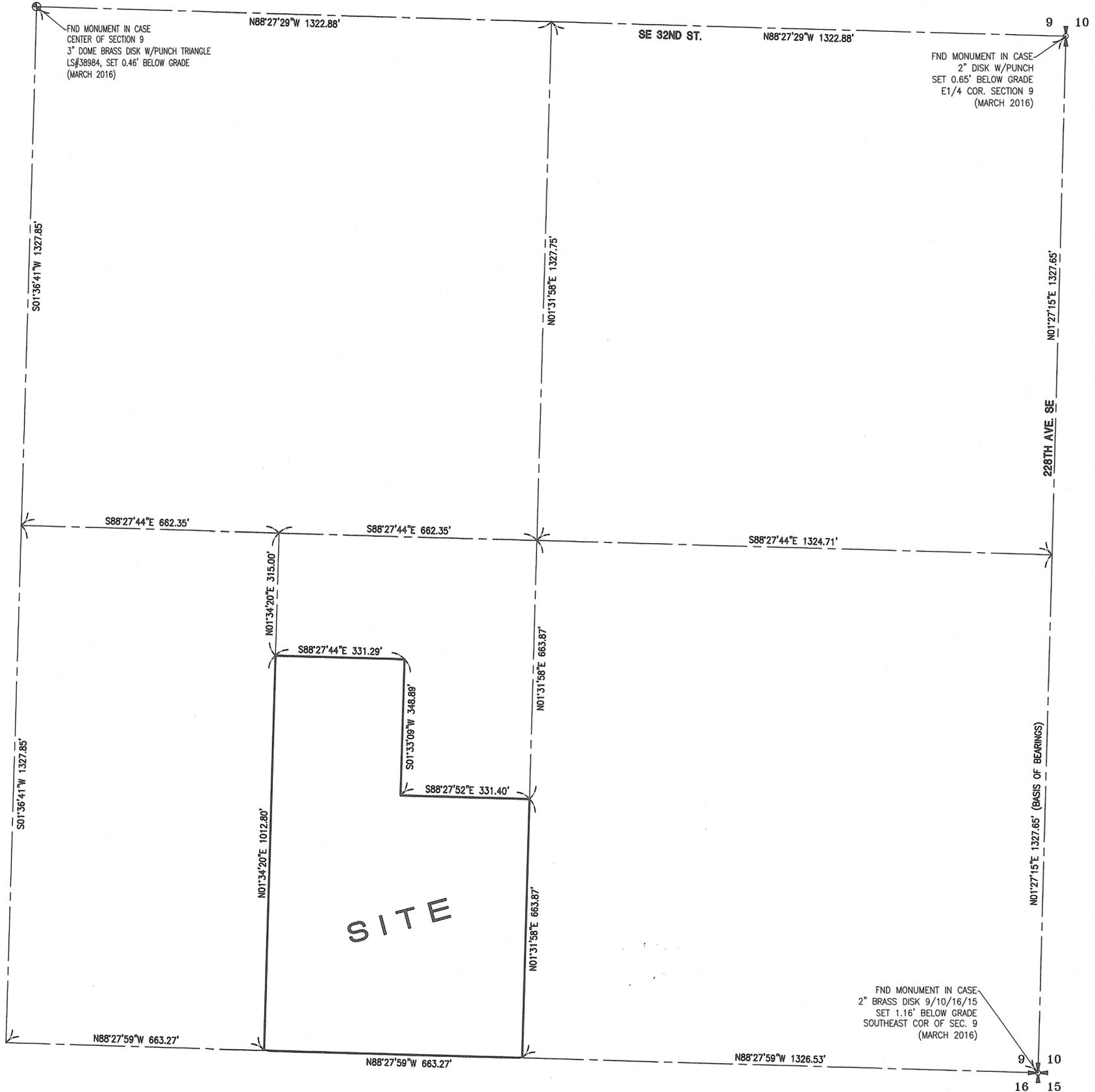
Civil Engineering, Land Planning, Surveying, Environmental Services
18215 72nd Avenue South Kent, WA 98032
Telephone: (425) 251-6222 Fax: (425) 251-8782

SW1/4 & SE1/4 OF SE1/4, SECTION 9, T24N-R6E, W.M.

SHEET 1 OF 6

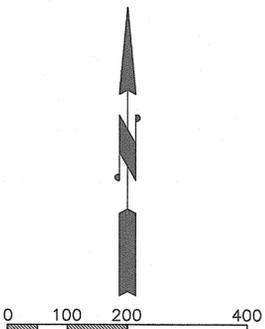
DALTON PARK

PORTION OF THE SW1/4 & SE1/4 OF THE SE1/4, SECTION 9, T24N-R6E, W.M.
CITY OF SAMMAMISH, KING COUNTY, WASHINGTON



LEGEND

- FOUND SECTION CORNER AS NOTED
- FOUND QUARTER CORNER AS NOTED
- FOUND MONUMENT AS NOTED



SCALE: 1" = 200'

CITY OF SAMMAMISH FILE NO. FSUB2017-00014



Barghausen Consulting Engineers, Inc.
 Civil Engineering, Land Planning, Surveying, Environmental Services
 18215 72nd Avenue South Kent, WA 98032
 Telephone: (425) 251-6222 Fax: (425) 251-8782

SW1/4 & SE1/4 OF SE1/4, SECTION 9, T24N-R6E, W.M.

SHEET 2 OF 6

JOB NO. 17290

DALTON PARK

PORTION OF THE SW1/4 & SE1/4 OF THE SE1/4, SECTION 9, T24N-R6E, W.M. CITY OF SAMMAMISH, KING COUNTY, WASHINGTON

PLAT NOTES:

1. THE ARTICLES OF INCORPORATION FOR THE DALTON PARK HOMEOWNERS' ASSOCIATION ARE ON FILE WITH THE STATE OF WASHINGTON IN OLYMPIA.
2. THIS PLAT IS SUBJECT TO COVENANTS, CONDITIONS AND RESTRICTIONS (CC&R'S) AS RECORDED UNDER RECORDING NO. _____.
3. TRACT "SD1" IS A PUBLIC STORM DRAINAGE FACILITIES TRACT AND IS HEREBY CONVEYED TO THE CITY OF SAMMAMISH FOR OWNERSHIP AND FOR THE PURPOSE OF INSPECTION, MAINTENANCE, OPERATION, REPAIR AND REPLACEMENT OF THE STORM DRAINAGE FACILITIES.
4. TRACT "SD2" IS A PUBLIC STORM DRAINAGE FACILITIES TRACT AND IS HEREBY CONVEYED TO THE CITY OF SAMMAMISH FOR OWNERSHIP AND FOR THE PURPOSE OF INSPECTION, MAINTENANCE, OPERATION, REPAIR AND REPLACEMENT OF THE STORM DRAINAGE FACILITIES.
5. TRACT "SA1" IS A SENSITIVE AREA TRACT AND IS HEREBY CONVEYED TO THE DALTON PARK HOMEOWNERS' ASSOCIATION FOR OWNERSHIP AND MAINTENANCE PURPOSES.
6. TRACTS "OS1" AND "OS2" ARE OPEN SPACE TRACTS AND ARE HEREBY CONVEYED TO THE DALTON PARK HOMEOWNERS' ASSOCIATION FOR OWNERSHIP AND MAINTENANCE PURPOSES.
7. TRACT "U100" IS A PRIVATE ACCESS AND UTILITY TRACT FOR THE BENEFIT OF LOTS 4 AND 5. OWNERSHIP OF LOTS 4 AND 5 SHALL INCLUDE AN EQUAL AND UNDIVIDED ONE-HALF INTEREST IN THE OWNERSHIP OF SAID TRACT "U100", WHICH INTEREST SHALL ATTACH TO SAID LOTS AND SHALL RUN WITH FUTURE CONVEYANCES THEREOF AND SHALL INCLUDE AN EQUAL AND UNDIVIDED ONE-HALF OBLIGATION IN THE MAINTENANCE RESPONSIBILITY FOR SAID TRACT "U100". ALL FUTURE CONVEYANCES OF EACH LOT MUST INCLUDE HALF INTEREST IN SAID TRACT.
8. TRACT "U200" IS A PRIVATE ACCESS AND UTILITY TRACT FOR THE BENEFIT OF LOTS 13 AND 14. OWNERSHIP OF LOTS 13 AND 14 SHALL INCLUDE AN EQUAL AND UNDIVIDED ONE-HALF INTEREST IN THE OWNERSHIP OF SAID TRACT "U200", WHICH INTEREST SHALL ATTACH TO SAID LOTS AND SHALL RUN WITH FUTURE CONVEYANCES THEREOF AND SHALL INCLUDE AN EQUAL AND UNDIVIDED ONE-HALF OBLIGATION IN THE MAINTENANCE RESPONSIBILITY FOR SAID TRACT "U200". ALL FUTURE CONVEYANCES OF EACH LOT MUST INCLUDE HALF INTEREST IN SAID TRACT.
9. TRACT "U300" IS A PRIVATE ACCESS AND UTILITY TRACT FOR THE BENEFIT OF LOTS 23 AND 24. OWNERSHIP OF LOTS 23 AND 24 SHALL INCLUDE AN EQUAL AND UNDIVIDED ONE-HALF INTEREST IN THE OWNERSHIP OF SAID TRACT "U300", WHICH INTEREST SHALL ATTACH TO SAID LOTS AND SHALL RUN WITH FUTURE CONVEYANCES THEREOF AND SHALL INCLUDE AN EQUAL AND UNDIVIDED ONE-HALF OBLIGATION IN THE MAINTENANCE RESPONSIBILITY FOR SAID TRACT "U300". ALL FUTURE CONVEYANCES OF EACH LOT MUST INCLUDE HALF INTEREST IN SAID TRACT.
10. TRACT "U400" IS A PRIVATE ACCESS AND UTILITY TRACT FOR THE BENEFIT OF LOTS 27 AND 28. OWNERSHIP OF LOTS 27 AND 28 SHALL INCLUDE AN EQUAL AND UNDIVIDED ONE-HALF INTEREST IN THE OWNERSHIP OF SAID TRACT "U400", WHICH INTEREST SHALL ATTACH TO SAID LOTS AND SHALL RUN WITH FUTURE CONVEYANCES THEREOF AND SHALL INCLUDE AN EQUAL AND UNDIVIDED ONE-HALF OBLIGATION IN THE MAINTENANCE RESPONSIBILITY FOR SAID TRACT "U400". ALL FUTURE CONVEYANCES OF EACH LOT MUST INCLUDE HALF INTEREST IN SAID TRACT.
11. THE MAXIMUM IMPERVIOUS SURFACE AREA ALLOWED ON ANY LOT SHALL BE 3,623 SQUARE FEET.
12. ALL PRIVATE STORM DRAINAGE EASEMENTS (PSDE) SHOWN HEREON ARE HEREBY CONVEYED TO THE LOT OWNER WHO WOULD BENEFIT FROM THE EASEMENT. THE OWNERS OF SAID LOTS HAVING BENEFIT SHALL BE EQUALLY RESPONSIBLE FOR THE MAINTENANCE AND REPAIR OF THE DRAINAGE FACILITIES WITHIN THE EASEMENT. THE UPSTREAM LOTS SHALL NOT BE RESPONSIBLE FOR MAINTENANCE BELOW THEIR POINT OF CONNECTION.
13. ALL WATERLINE EASEMENTS (WLE) AND SANITARY SEWER EASEMENTS (SSE) ARE HEREBY CONVEYED TO SAMMAMISH PLATEAU WATER AND SEWER DISTRICT FOR THE PURPOSE OF SERVING THIS SUBDIVISION AND OTHER PROPERTY WITH WATER AND SANITARY SEWER SERVICE. (SEE "WATER AND SEWER EASEMENT PROVISIONS", AT RIGHT)
14. HOUSE ADDRESSES WITHIN THIS PLAT SHALL BE ASSIGNED WITHIN THE RANGE OF 3802 TO 3898 ON 223RD AVENUE SE AND WITHIN THE RANGE OF 22207 TO 22365 ON SE 39TH PLACE. INDIVIDUAL ADDRESSES WILL BE ASSIGNED FOR EACH BUILDING AT THE TIME OF BUILDING PERMIT.
15. SMC 14A.15.020 REQUIRES THAT AT THE TIME OF FINAL PLAT A MINIMUM OF 30% OF THE STREET IMPACT FEES MUST BE PAID PRIOR TO RECORDING. HOWEVER, THE PLATTOR HAS THE OPTION TO PAY MORE. THIS PLAT SHALL RECEIVE CREDIT FOR 3 EXISTING RESIDENCES, AND THE FIRST 3 LOTS TO OBTAIN A BUILDING PERMIT WOULD RECEIVE THE CREDIT. THE REMAINING LOTS WILL BE SUBJECT TO ANY REMAINING STREET IMPACT FEES.
16. PURSUANT TO SMC 21A.105, FIFTY PERCENT OF THE SCHOOL IMPACT FEES WERE PAID AT FINAL PLAT. FIFTY PERCENT OF THE SCHOOL IMPACT FEES, PLUS AN ADMINISTRATIVE FEE SHALL BE PAID PRIOR TO BUILDING PERMIT ISSUANCE ON 36 LOTS.
17. 36 LOTS ARE SUBJECT TO THE PARK IMPACT FEES AT THE TIME OF BUILDING PERMIT ISSUANCE.
18. IN ACCORDANCE WITH CITY OF SAMMAMISH ORDINANCE NO. 02002-112, A SURFACE WATER SYSTEM DEVELOPMENT CHARGE SHALL BE PAID AT THE TIME OF BUILDING PERMIT ISSUANCE, FOR EACH NEW RESIDENTIAL DWELLING UNIT.
19. UNLESS DIRECTED TO INDIVIDUAL ON-LOT FLOW CONTROL BMP'S, ALL BUILDING DOWNSPOUTS, FOOTING DRAINS, AND SURFACE INLETS FROM ALL IMPERVIOUS SURFACES SUCH AS PATIOS AND DRIVEWAYS SHALL BE CONNECTED TO THE PERMANENT STORM DRAIN SYSTEM AS SHOWN ON THE APPROVED PLAT SITE DEVELOPMENT PERMIT ON FILE WITH THE CITY OF SAMMAMISH. THE CONNECTION TO THE STORM SYSTEM SHALL BE THROUGH A PERFORATED TIGHTLINE IN ACCORDANCE WITH THE 2009 KING COUNTY SURFACE WATER DESIGN MANUAL. THE APPROVED SITE DEVELOPMENT PERMIT SHALL BE SUBMITTED WITH THE APPLICATION FOR ANY BUILDING PERMIT. ALL CONNECTIONS OF THE DRAINS SHALL BE CONSTRUCTED AND APPROVED PRIOR TO FINAL BUILDING INSPECTION APPROVAL.
20. METAL PRODUCTS SUCH AS GALVANIZED STEEL, COPPER, OR ZINC SHALL NOT BE USED IN ALL BUILDING ROOFS, FLASHING, GUTTERS, OR DOWNSPOUTS UNLESS THEY ARE TREATED TO PREVENT METAL LEACHING AND SEALED SUCH THAT CONTACT WITH STORM WATER IS PREVENTED.
21. MAINTENANCE OF ILLUMINATION ALONG ALL LOCAL AND PRIVATE ROADS SHALL BE THE RESPONSIBILITY OF THE HOMEOWNERS' ASSOCIATION OR JOINTLY SHARED BY THE OWNERS OF THE DEVELOPMENT.
22. ILLICIT DISCHARGE OF STORMWATER POLLUTANTS FROM PRESSURE WASHING, CAR WASHING, AND OTHER ROUTINE MAINTENANCE OF HOUSEHOLD APPURTENANCES SUCH AS SIDING, ROOF, AND WINDOWS SHALL BE PREVENTED FROM ENTERING THE STORM DRAIN SYSTEM. MEASURES SUCH AS DIRECTING WATER TO A GREEN, VEGETATED AREA OR COVERING THE DOWNSIDE CATCH BASINS SHALL BE REQUIRED AND ENFORCED PURSUANT TO SMC 13.30.020.
23. TREES IDENTIFIED ON THE FACE OF THIS PLAT HAVE BEEN RETAINED PURSUANT TO THE PROVISIONS OF SMC 21A.35.210. RETAINED TREES ARE SUBJECT TO THE TREE PROTECTION STANDARDS OF SMC 21A.35.230. REMOVAL OF THESE TREES IS PROHIBITED UNLESS THE TREE IS REMOVED TO PREVENT IMMINENT DANGER OR HAZARD TO PERSONS OR PROPERTY, AND MAY BE SUBJECT TO A CLEARING AND GRADING PERMIT APPROVED BY THE CITY OF SAMMAMISH. TREES REMOVED SUBJECT TO THIS PROVISION SHALL BE REPLACED IN COMPLIANCE WITH SMC 21A.35.240.
24. MAINTENANCE OF ALL PUBLIC ROADWAY LANDSCAPE STRIPS ALONG THE PLAT INTERNAL ROAD SHALL BE THE RESPONSIBILITY OF THE HOMEOWNERS' ASSOCIATION. UNDER NO CIRCUMSTANCES SHALL THE CITY BEAR ANY MAINTENANCE RESPONSIBILITIES FOR LANDSCAPING STRIPS CREATED BY THE PLAT.
25. MAINTENANCE OF ANY REQUIRED PERIMETER LANDSCAPING STRIPS ALONG THE STORM DRAINAGE TRACTS AND/OR STORM DRAINAGE EASEMENT AREAS, OTHER THAN THE INTERIOR POND EMBANKMENTS, SHALL BE THE RESPONSIBILITY OF THE HOMEOWNERS' ASSOCIATION.
26. INDIVIDUAL LOT FLOW CONTROL BMP'S IN ACCORDANCE WITH THE 2009 KING COUNTY SURFACE WATER DESIGN MANUAL SHALL BE PROVIDED WITH EACH SINGLE FAMILY RESIDENTIAL BUILDING PERMIT UNLESS OTHERWISE INCORPORATED INTO THE SUBDIVISION SITE DEVELOPMENT PLANS.
27. ALL LANDSCAPED AREAS OF THE PLAT AND INDIVIDUAL LOTS SHALL INCLUDE A MINIMUM OF 8-INCHES OF COMPOSTED SOIL AMENDMENT.

EASEMENTS AND RESERVATIONS

AN EASEMENT IS HEREBY RESERVED FOR AND CONVEYED TO THE CITY OF SAMMAMISH, PUGET SOUND ENERGY, ANY TELEPHONE COMPANY, ANY CABLE COMPANY, SAMMAMISH PLATEAU WATER AND SEWER DISTRICT AND THEIR RESPECTIVE SUCCESSORS AND ASSIGNS, UNDER AND UPON THE EXTERIOR TEN (10) FEET OF ALL LOTS, TRACTS AND SPACES WITHIN THE PLAT LYING PARALLEL WITH AND ADJOINING ALL STREETS, IN WHICH TO CONSTRUCT, OPERATE, MAINTAIN, REPAIR, REPLACE AND ENLARGE UNDERGROUND PIPES, CONDUITS, CABLES, WIRES AND MAINS WITH ALL NECESSARY OR CONVENIENT UNDERGROUND OR GROUND-MOUNTED APPURTENANCES THERETO FOR THE PURPOSE OF SERVING THIS SUBDIVISION AND OTHER PROPERTY WITH ELECTRIC, GAS, TELEPHONE, TELEVISION, SANITARY SEWER, WATER AND OTHER UTILITY SERVICE, TOGETHER WITH THE RIGHT TO ENTER UPON THE STREETS, LOTS, TRACTS AND SPACES AT ALL TIMES FOR THE PURPOSE HEREIN STATED.

IN ADDITION TO THE BENEFICIARIES STATED ABOVE, THE UNDERLYING PROPERTY OWNERS ADJACENT TO SAID STRIPS SHALL HAVE THE RIGHT TO ENTER SAID STRIP TO PERFORM MAINTENANCE, REPAIR OR REPLACEMENT OF SANITARY SEWER SERVICE LINES AND WATER SERVICE LINES, FROM WHICH SAID PROPERTY OWNERS DIRECTLY BENEFIT, IN THE ORIGINAL "AS CONSTRUCTED" LOCATION.

THESE EASEMENTS ENTERED UPON FOR THESE PURPOSES SHALL BE RESTORED AS NEAR AS POSSIBLE TO THEIR ORIGINAL CONDITION BY THE UTILITY. NO LINES OR WIRES FOR THE TRANSMISSION OF ELECTRIC CURRENT, TELEPHONE OR CABLE TELEVISION SHALL BE PLACED OR BE PERMITTED TO BE PLACED UPON ANY LOT UNLESS THE SAME SHALL BE UNDERGROUND OR IN CONDUIT ATTACHED TO A BUILDING.

WATER AND SEWER EASEMENT PROVISIONS

AN EASEMENT IS HEREBY DEDICATED AND CONVEYED UPON THE RECORDING OF THIS PLAT TO THE SAMMAMISH PLATEAU WATER & SEWER DISTRICT OVER, UNDER, THROUGH AND UPON THE EASEMENTS SHOWN ON THIS PLAT DESCRIBED AS "SANITARY SEWER EASEMENT" (SSE) OR "WATERLINE EASEMENT" (WLE) AND AS DESCRIBED BELOW:

EASEMENT FOR WATER & SEWER LINES ON THE EXTERIOR 10-FOOT OF ALL LOTS AND TRACTS, PARALLEL WITH AND ADJOINING THE PROPOSED STREET FRONTAGE

15 FOOT EASEMENT FOR WATER LINES ON THE EAST AND SOUTHEASTERLY PORTIONS OF LOT 19

50 FOOT EASEMENT FOR WATER & SEWER LINES OVER THE NORTHERLY PORTION OF TRACT OS1 AND THE SOUTHWESTERLY PORTION OF TRACT SA1 (SE 38TH STREET)

18 FOOT EASEMENT FOR SEWER LINES OVER A SOUTHEASTERLY PORTION OF TRACT U400

IN WHICH TO INSTALL, LAY, CONSTRUCT, MAINTAIN, INSPECT, REPLACE, REPAIR, REMOVE, RENEW, USE AND OPERATE WATER AND SEWER SYSTEMS AND APPURTENANCES FOR THIS SUBDIVISION AND OTHER PROPERTY, TOGETHER WITH THE RIGHT TO ENTER UPON THE EASEMENT AT ALL TIMES WITH ALL NECESSARY MAINTENANCE AND CONSTRUCTION EQUIPMENT FOR THE PURPOSES STATED. THE GRANTOR COVENANTS THAT NO STRUCTURES SHALL BE CONSTRUCTED OR ERECTED OVER, UPON OR WITHIN THESE EASEMENTS, INCLUDING FENCES OR ROCKERIES, AND NO TREES, BUSHES OR OTHER SHRUBBERY SHALL BE PLANTED IN THE AREA OF GROUND FOR WHICH THE EASEMENT IN FAVOR OF SAMMAMISH PLATEAU WATER AND SEWER DISTRICT HAS BEEN APPROVED.

FOR THE EASEMENT ACROSS A PORTION OF TRACTS U400, OS1 AND SA1, THE DISTRICT SHALL NOT BE RESPONSIBLE FOR ANY COSTS OF PAVEMENT REPLACEMENT OR REPAIR NECESSITATED BY DAMAGE INCURRED THROUGH THE NORMAL OPERATION OR MAINTENANCE OF THE WATER AND/OR SEWER FACILITIES, EXCEPT THAT IN THE EVENT THAT THE SURFACING IS REMOVED BY THE GRANTEE FOR ANY UNDERGROUND CONSTRUCTION, UNDERGROUND REPAIR OR REPLACEMENT OF THE WATER AND/OR SEWER LINES, THE SURFACING SHALL BE RESTORED AS NEARLY AS REASONABLY POSSIBLE TO ITS CONDITIONS PRIOR TO PLACEMENT OF THE WATER OR SEWER.

CITY OF SAMMAMISH PRIVATE DRAINAGE EASEMENT AND COVENANT

THE OWNERS OF PRIVATE PROPERTY WITHIN THIS PLAT ENCLUMBERED WITH DRAINAGE EASEMENTS SHOWN AS "PRIVATE", HEREBY GRANT AND CONVEY TO THE CITY OF SAMMAMISH, ITS SUCCESSORS OR ASSIGNS, THE RIGHT, BUT NOT THE OBLIGATION TO CONVEY OR STORE STORM AND SURFACE WATER PER THE ENGINEERING PLANS APPROVED FOR THIS PLAT BY THE CITY OF SAMMAMISH, TOGETHER WITH THE RIGHT OF REASONABLE ACCESS (INGRESS AND EGRESS), TO ENTER SAID DRAINAGE EASEMENT FOR THE PURPOSE OF OBSERVING THAT THE OWNERS ARE PROPERLY OPERATING AND MAINTAINING THE DRAINAGE FACILITIES CONTAINED THEREIN. THE OWNERS OF SAID PRIVATE PROPERTY ARE RESPONSIBLE FOR OPERATING, MAINTAINING AND REPAIRING THE DRAINAGE FACILITIES CONTAINED WITHIN SAID DRAINAGE EASEMENT, AND ARE HEREBY REQUIRED TO OBTAIN ANY REQUIRED PERMITS, FROM THE CITY OF SAMMAMISH, ITS SUCCESSORS OR ASSIGNS, PRIOR TO FILLING, PIPING, CUTTING OR REMOVING VEGETATION (EXCEPT FOR ROUTINE LANDSCAPE MAINTENANCE SUCH AS LAWN MOWING) IN OPEN VEGETATED DRAINAGE FACILITIES (SUCH AS SWALES, CHANNELS, DITCHES, PONDS, ETC.), OR PERFORMING ANY ALTERATIONS OR MODIFICATIONS TO THE DRAINAGE FACILITIES, CONTAINED WITHIN SAID DRAINAGE EASEMENT. THIS COVENANT SHALL RUN WITH THE LAND AND IS BINDING UPON THE OWNERS OF SAID PRIVATE PROPERTY, THEIR HEIRS, SUCCESSORS AND ASSIGNS.

TITLE EXCEPTIONS

(PER CHICAGO TITLE COMPANY OF WASHINGTON SUBDIVISION GUARANTEE NO. 0076394-06 DATED DECEMBER 21, 2016)

1. EASEMENT(S) FOR THE PURPOSE(S) SHOWN BELOW AND RIGHTS INCIDENTAL THERETO, AS GRANTED IN A DOCUMENT: PURPOSE: INGRESS, EGRESS AND UTILITIES
RECORDING DATE: DECEMBER 2, 1965 RECORDING NO.: 5960578
AFFECTS: EAST 30 FEET AND THE SOUTH 20 FEET OF PARCELS A & B, AND OTHER PROPERTY (PLOTTED HEREON)

2-4. INTENTIONALLY DELETED FROM REPORT.

5. JOINT USE AND MUTUAL MAINTENANCE AGREEMENT
RECORDING DATE: OCTOBER 29, 1984 RECORDING NO.: 8410290355
AFFECTS: PARCELS C & D
PARCEL D IS BENEFITED BY EASEMENT(S) SHOWN THEREIN, BUT THE OWNERS OF SAID PREMISES DID NOT JOIN IN THE EXECUTION THEREOF.

6. ROAD MAINTENANCE AGREEMENT
RECORDING DATE: NOVEMBER 15, 1995 RECORDING NO.: 9511150547
AFFECTS: PARCELS A, B & D (PLOTTED HEREON)

7-8. INTENTIONALLY DELETED.

9. NOTICE OF OBLIGATION TO CONSTRUCT DEVELOPER EXTENSION AGREEMENT WATER AND SEWER IMPROVEMENTS
FILED BY: SAMMAMISH PLATEAU WATER AND SEWER DISTRICT
RECORDING DATE: SEPTEMBER 17, 2013 RECORDING NO.: 20130917001987
AFFECTS: PARCELS A, B, & C AND OTHER PROPERTY (NOT PLOTTABLE)

10. TERMS AND CONDITIONS OF NOTICE OF CHARGES BY WATER, SEWER, AND/OR STORM AND SURFACE WATER UTILITIES, RECORDED UNDER RECORDING NUMBERS 9307301617, 9811051363, 9901150609, 20040414002865, 20041201000040 AND 20060126001770 (NOT PLOTTABLE)

11-17. NOT SURVEY RELATED. SEE THE TITLE REPORT FOR THE DETAILS ON THESE ITEMS.

18. EASEMENT(S) FOR THE PURPOSE(S) SHOWN BELOW AND RIGHTS INCIDENTAL THERETO, AS GRANTED IN A DOCUMENT: GRANTED TO: PUGET SOUND ENERGY PURPOSE: UTILITIES
RECORDING DATE: OCTOBER 13, 2016 RECORDING NO.: 20161013001538
AFFECTS: PORTIONS OF PARCELS C AND D AS DESCRIBED THEREIN (PLOTTED HEREON, TOGETHER WITH A 5' "AS CONSTRUCTED" EASEMENT AND ADJACENT VAULT EASEMENT - SEE DOCUMENT FOR DETAILS)



Barghausen Consulting Engineers, Inc.
Civil Engineering, Land Planning, Surveying, Environmental Services
18215 72nd Avenue South Kent, WA 98032
Telephone: (425) 251-6222 Fax: (425) 251-8782

SW1/4 & SE1/4 OF SE1/4, SECTION 9, T24N-R6E, W.M.

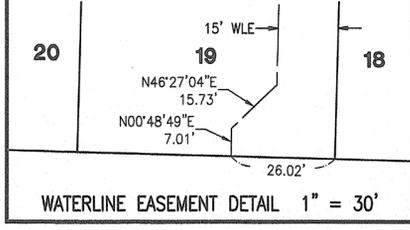
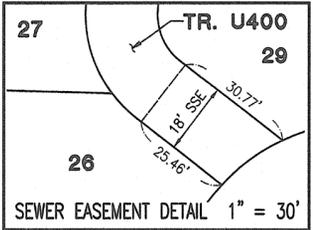
SHEET 3 OF 6

DALTON PARK

PORTION OF THE SW1/4 & SE1/4 OF THE SE1/4, SECTION 9, T24N-R6E, W.M. CITY OF SAMMAMISH, KING COUNTY, WASHINGTON SEE SHEET 5



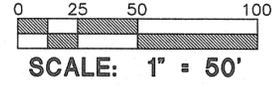
- LEGEND**
- FOUND REBAR/CAP AS NOTED
 - △ FOUND NAIL/WASHER AS NOTED
 - CITY OF SAMMAMISH STANDARD ROAD MONUMENT TO BE SET UPON COMPLETION OF CONSTRUCTION
 - SET REBAR/CAP "BCE 46315"
 - ✱ SET PK NAIL OFFSET TO FRONT PROPERTY CORNER
 - UE UTILITY EASEMENT (SEE "EASEMENTS AND RESERVATIONS", SHEET 3)
 - PSDE PRIVATE STORM DRAINAGE EASEMENT [HATCHED AREA] (SEE NOTE 12, SHEET 3)
 - WLE PUBLIC WATERLINE EASEMENT (SEE NOTE 13, SHEET 3)
 - SSE PUBLIC SANITARY SEWER EASEMENT (SEE NOTE 13, SHEET 3)
 - TRE TREE RETENTION EASEMENT (SEE TREE RETENTION NOTE ON SHEET 6)
 - PSE PUGET SOUND ENERGY EASEMENT REC. NO. 20161013001538



Barghausen Consulting Engineers, Inc.
Civil Engineering, Land Planning, Surveying, Environmental Services
18215 72nd Avenue South Kent, WA. 98032
Telephone: (425) 251-6222 Fax: (425) 251-8782

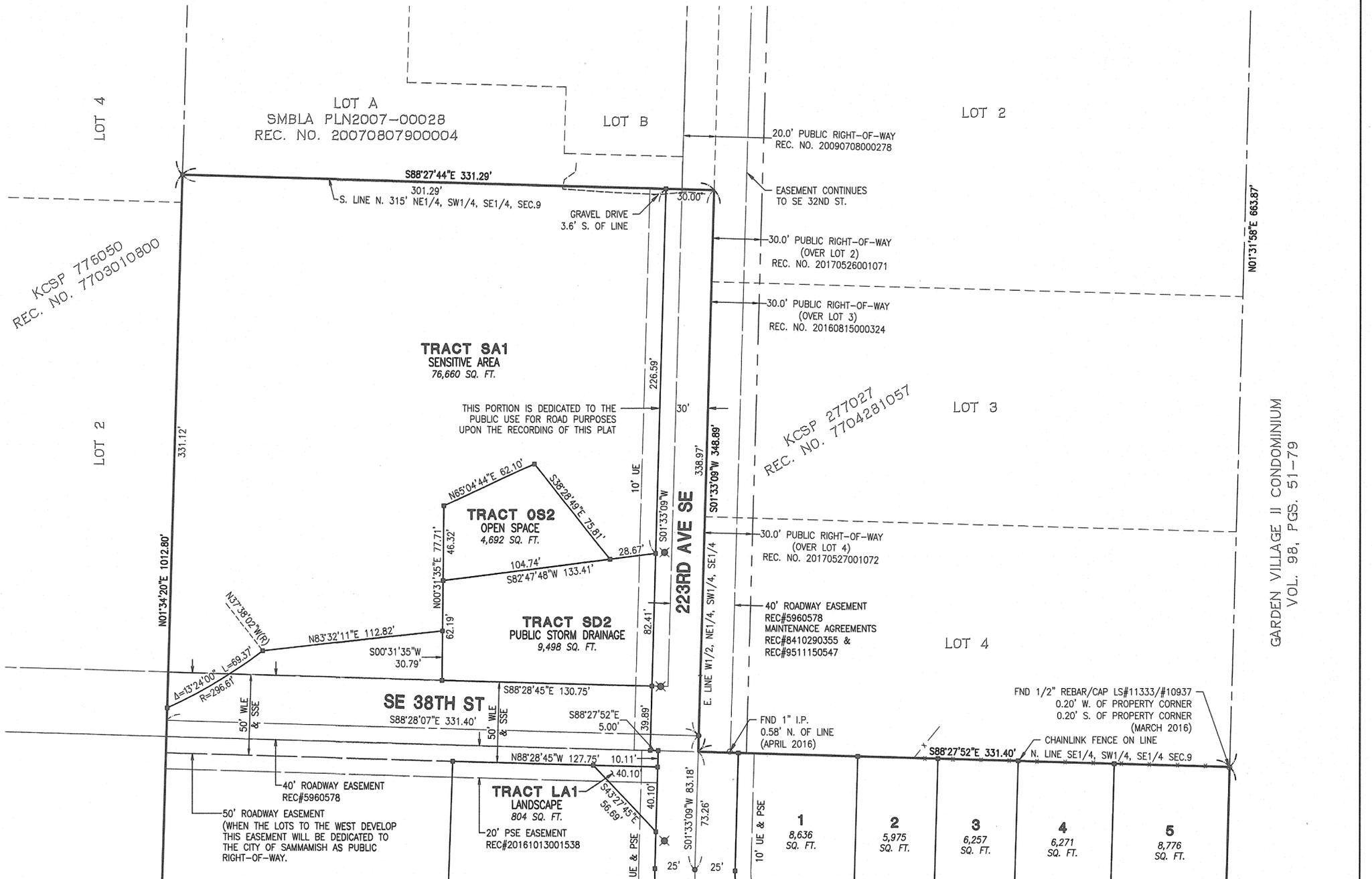
SW1/4 & SE1/4 OF SE1/4, SECTION 9, T24N-R6E, W.M.

SHEET 4 OF 6



DALTON PARK

PORTION OF THE SW1/4 & SE1/4 OF THE SE1/4, SECTION 9, T24N-R6E, W.M.
CITY OF SAMMAMISH, KING COUNTY, WASHINGTON



SEE SHEET 4

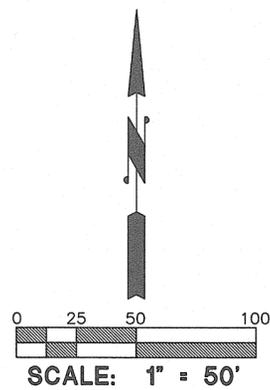
SEE SHEET 4

CURVE	DELTA	RADIUS	LENGTH
C1	90°01'54"	50.00'	78.57'
C2	10°05'44"	100.00'	17.62'
C3	32°27'24"	29.00'	16.43'
C4	54°40'25"	51.00'	48.67'
C5	22°42'35"	51.00'	20.21'
C6	29°50'44"	51.00'	26.57'
C7	27°31'31"	51.00'	24.50'
C8	32°27'24"	29.00'	16.43'
C9	10°05'44"	100.00'	17.62'
C10	90°00'43"	50.00'	78.55'
C11	18°15'28"	29.00'	9.24'
C12	26°51'44"	51.00'	23.91'
C13	34°40'13"	51.00'	30.86'
C14	20°19'57"	51.00'	18.10'
C15	33°55'45"	51.00'	30.20'
C16	10°44'00"	51.00'	9.55'
C17	18°15'28"	29.00'	9.24'
C18	18°10'45"	29.00'	9.20'
C19	6°30'15"	51.00'	5.79'
C20	38°36'22"	51.00'	34.36'
C21	20°20'43"	51.00'	18.11'
C22	33°46'40"	51.00'	30.07'
C23	27°19'36"	51.00'	24.32'
C24	18°17'41"	28.00'	8.94'

CURVE	DELTA	RADIUS	LENGTH
C25	90°05'10"	50.00'	78.61'
C26	37°29'20"	25.00'	16.36'
C27	33°02'24"	25.00'	14.42'
C28	62°35'22"	50.00'	54.62'
C29	34°39'42"	50.00'	30.25'
C30	21°38'09"	50.00'	18.88'
C31	34°36'22"	50.00'	30.20'
C32	34°58'43"	50.00'	30.52'
C33	20°44'53"	50.00'	18.11'
C34	35°15'14"	50.00'	30.76'
C35	6°03'18"	50.00'	5.28'
C36	2°33'52"	33.00'	1.48'
C37	35°08'01"	33.00'	20.24'
C38	37°41'53"	15.00'	9.87'
C39	34°47'50"	15.00'	9.11'
C40	3°31'21"	33.00'	2.03'
C41	31°16'29"	33.00'	18.01'
C42	29°36'49"	33.00'	17.06'
C43	6°58'16"	33.00'	4.02'
C44	36°35'05"	15.00'	9.58'
C45	15°28'10"	33.00'	8.91'
C46	38°25'38"	33.00'	22.13'
C47	53°53'49"	15.00'	14.11'

LOT ADDRESSES:

LOT#	ADDRESS
1	3802 223RD AVE SE
2	3810 223RD AVE SE
3	3818 223RD AVE SE
4	3824 223RD AVE SE
5	3836 223RD AVE SE
6	3840 223RD AVE SE
7	3844 223RD AVE SE
8	3852 223RD AVE SE
9	3866 223RD AVE SE
10	3870 223RD AVE SE
11	3884 223RD AVE SE
12	3898 223RD AVE SE
13	22365 SE 39TH PL
14	22347 SE 39TH PL
15	22339 SE 39TH PL
16	22325 SE 39TH PL
17	22311 SE 39TH PL
18	22297 SE 39TH PL
19	22273 SE 39TH PL
20	22259 SE 39TH PL
21	22241 SE 39TH PL
22	22233 SE 39TH PL
23	22225 SE 39TH PL
24	22219 SE 39TH PL
25	22207 SE 39TH PL
26	22210 SE 39TH PL
27	22222 SE 39TH PL
28	22230 SE 39TH PL
29	22242 SE 39TH PL
30	22254 SE 39TH PL
31	22270 SE 39TH PL
32	22288 SE 39TH PL
33	3875 223RD AVE SE
34	3861 223RD AVE SE
35	3853 223RD AVE SE
36	3845 223RD AVE SE
37	3837 223RD AVE SE
38	3821 223RD AVE SE
39	3813 223RD AVE SE



- LEGEND
- FOUND REBAR/CAP AS NOTED
 - CITY OF SAMMAMISH STANDARD ROAD MONUMENT TO BE SET UPON COMPLETION OF CONSTRUCTION
 - SET REBAR/CAP "BCE 46315"
 - ✕ SET PK NAIL OFFSET TO FRONT PROPERTY CORNER
 - UE UTILITY EASEMENT (SEE "EASEMENTS AND RESERVATIONS", SHEET 3)
 - PSE PUGET SOUND ENERGY EASEMENT REC. NO. 20161013001538
 - WLE PUBLIC WATERLINE EASEMENT (SEE NOTE 13, SHEET 3)
 - SSE PUBLIC SANITARY SEWER EASEMENT (SEE NOTE 13, SHEET 3)

NOTE: ALL LOT AND TRACT CORNERS HAVE BEEN STAKED WITH A 1/2-INCH BY 24-INCH REBAR WITH PLASTIC CAP MARKED "BCE 46315". THE STREETWARD PROJECTION OF THE LOT AND/OR TRACT LINES HAVE BEEN REFERENCED BY A "P-K" BRAND MASONRY NAIL SET AT THE BACK OF THE CURB AT NO SPECIFIC DISTANCE FROM THE TRUE CORNER.

JOB NO. 17290



Barghausen Consulting Engineers, Inc.
Civil Engineering, Land Planning, Surveying, Environmental Services
18215 72nd Avenue South Kent, WA. 98032
Telephone: (425) 251-6222 Fax: (425) 251-8782

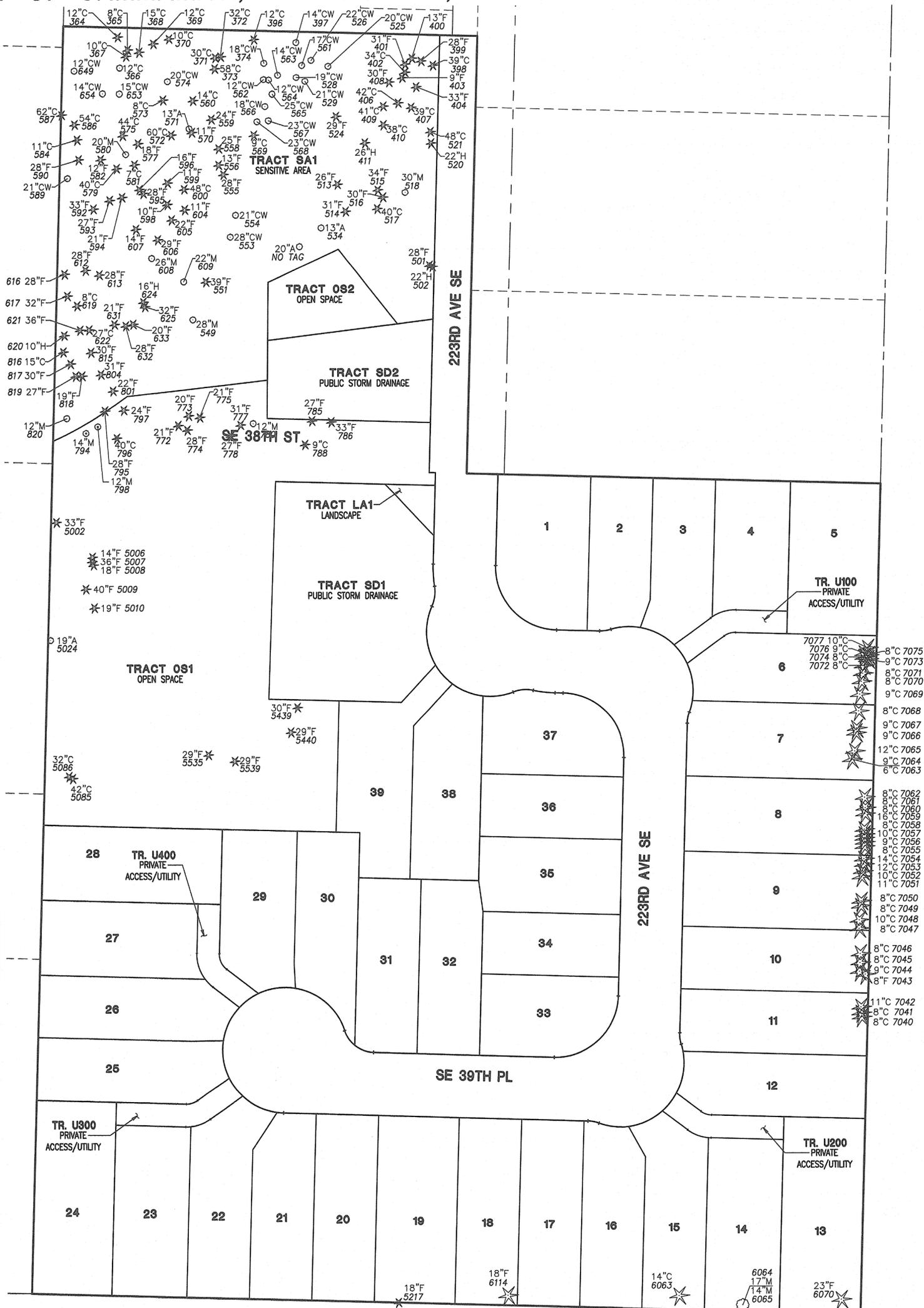
SW1/4 & SE1/4 OF SE1/4, SECTION 9, T24N-R6E, W.M.

SHEET 5 OF 6

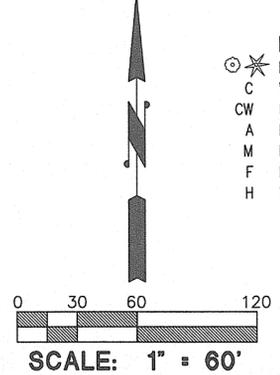
DALTON PARK

PORTION OF THE SW1/4 & SE1/4 OF THE SE1/4, SECTION 9, T24N-R6E, W.M.
CITY OF SAMMAMISH, KING COUNTY, WASHINGTON

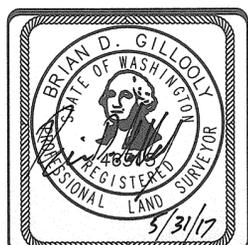
TAG#	CODE	SPECIES	DIA.	TAG#	CODE	SPECIES	DIA.
364	C	WESTERN RED CEDAR	12"	620	H	WESTERN HEMLOCK	10"
365	C	WESTERN RED CEDAR	8"	621	F	DOUGLAS FIR	36"
366	C	WESTERN RED CEDAR	12"	622	C	WESTERN RED CEDAR	27"
367	C	WESTERN RED CEDAR	10"	624	H	WESTERN HEMLOCK	16"
368	C	WESTERN RED CEDAR	15"	625	F	DOUGLAS FIR	32"
369	C	WESTERN RED CEDAR	12"	631	F	DOUGLAS FIR	21"
370	C	WESTERN RED CEDAR	10"	632	F	DOUGLAS FIR	28"
371	C	WESTERN RED CEDAR	30"	633	F	DOUGLAS FIR	20"
372	C	WESTERN RED CEDAR	32"	649	CW	BLACK COTTONWOOD	12"
373	C	WESTERN RED CEDAR	58"	653	CW	BLACK COTTONWOOD	15"
374	CW	BLACK COTTONWOOD	18"	654	CW	BLACK COTTONWOOD	14"
396	C	WESTERN RED CEDAR	12"	772	F	DOUGLAS FIR	21"
397	CW	BLACK COTTONWOOD	14"	773	F	DOUGLAS FIR	20"
398	C	WESTERN RED CEDAR	39"	774	F	DOUGLAS FIR	28"
399	F	DOUGLAS FIR	28"	775	F	DOUGLAS FIR	21"
400	F	DOUGLAS FIR	13"	777	F	DOUGLAS FIR	31"
401	F	DOUGLAS FIR	31"	778	F	DOUGLAS FIR	27"
402	C	WESTERN RED CEDAR	34"	780	M	BIGLEAF MAPLE	12"
403	F	DOUGLAS FIR	9"	785	F	DOUGLAS FIR	27"
404	F	DOUGLAS FIR	33"	786	F	DOUGLAS FIR	33"
406	C	WESTERN RED CEDAR	42"	788	C	WESTERN RED CEDAR	9"
407	C	WESTERN RED CEDAR	39"	794	M	BIGLEAF MAPLE	28"
408	F	DOUGLAS FIR	30"	795	M	BIGLEAF MAPLE	12"
409	C	WESTERN RED CEDAR	41"	796	C	WESTERN RED CEDAR	40"
410	C	WESTERN RED CEDAR	38"	797	F	DOUGLAS FIR	24"
411	H	WESTERN HEMLOCK	26"	798	F	DOUGLAS FIR	28"
501	F	DOUGLAS FIR	28"	801	F	DOUGLAS FIR	22"
502	H	WESTERN HEMLOCK	22"	804	F	DOUGLAS FIR	31"
513	F	DOUGLAS FIR	26"	815	F	DOUGLAS FIR	30"
514	F	DOUGLAS FIR	31"	816	C	WESTERN RED CEDAR	15"
515	F	DOUGLAS FIR	34"	817	F	DOUGLAS FIR	30"
516	F	DOUGLAS FIR	30"	818	F	DOUGLAS FIR	19"
517	C	WESTERN RED CEDAR	40"	819	F	DOUGLAS FIR	27"
518	M	BIGLEAF MAPLE	30"	820	M	BIGLEAF MAPLE	12"
520	H	WESTERN HEMLOCK	22"	5002	F	DOUGLAS FIR	33"
521	C	WESTERN RED CEDAR	48"	5006	F	DOUGLAS FIR	14"
524	F	DOUGLAS FIR	29"	5007	F	DOUGLAS FIR	36"
525	CW	BLACK COTTONWOOD	20"	5008	F	DOUGLAS FIR	18"
526	CW	BLACK COTTONWOOD	22"	5009	F	DOUGLAS FIR	40"
528	CW	BLACK COTTONWOOD	19"	5010	F	DOUGLAS FIR	19"
529	CW	BLACK COTTONWOOD	21"	5024	A	RED ALDER	19"
534	A	RED ALDER	13"	5085	C	WESTERN RED CEDAR	42"
549	M	BIGLEAF MAPLE	28"	5086	C	WESTERN RED CEDAR	32"
551	F	DOUGLAS FIR	39"	5217	F	DOUGLAS FIR	18"
553	CW	BLACK COTTONWOOD	28"	5439	F	DOUGLAS FIR	30"
554	CW	BLACK COTTONWOOD	21"	5440	F	DOUGLAS FIR	29"
555	F	DOUGLAS FIR	28"	5535	F	DOUGLAS FIR	29"
556	F	DOUGLAS FIR	13"	5539	F	DOUGLAS FIR	29"
558	F	DOUGLAS FIR	25"	6063	C	WESTERN RED CEDAR	14"
559	F	DOUGLAS FIR	24"	6064	M	BIGLEAF MAPLE	17"
560	C	WESTERN RED CEDAR	14"	6065	M	BIGLEAF MAPLE	14"
561	CW	BLACK COTTONWOOD	17"	6070	F	DOUGLAS FIR	23"
562	CW	BLACK COTTONWOOD	12"	6114	F	DOUGLAS FIR	18"
563	CW	BLACK COTTONWOOD	14"	7040	C	WESTERN RED CEDAR	8"
564	CW	BLACK COTTONWOOD	12"	7041	C	WESTERN RED CEDAR	8"
565	CW	BLACK COTTONWOOD	25"	7042	C	WESTERN RED CEDAR	11"
566	CW	BLACK COTTONWOOD	18"	7043	F	DOUGLAS FIR	8"
567	CW	BLACK COTTONWOOD	23"	7044	C	WESTERN RED CEDAR	9"
568	CW	BLACK COTTONWOOD	23"	7045	C	WESTERN RED CEDAR	8"
569	C	WESTERN RED CEDAR	9"	7046	C	WESTERN RED CEDAR	8"
570	F	DOUGLAS FIR	11"	7047	C	WESTERN RED CEDAR	8"
571	A	RED ALDER	13"	7048	C	WESTERN RED CEDAR	10"
572	C	WESTERN RED CEDAR	60"	7049	C	WESTERN RED CEDAR	8"
573	C	WESTERN RED CEDAR	8"	7050	C	WESTERN RED CEDAR	8"
574	CW	BLACK COTTONWOOD	20"	7051	C	WESTERN RED CEDAR	11"
575	C	WESTERN RED CEDAR	44"	7052	C	WESTERN RED CEDAR	10"
577	F	DOUGLAS FIR	18"	7053	C	WESTERN RED CEDAR	12"
579	C	WESTERN RED CEDAR	54"	7054	C	WESTERN RED CEDAR	14"
580	M	BIGLEAF MAPLE	20"	7055	C	WESTERN RED CEDAR	8"
581	C	WESTERN RED CEDAR	7"	7056	C	WESTERN RED CEDAR	9"
582	F	DOUGLAS FIR	12"	7057	C	WESTERN RED CEDAR	10"
584	C	WESTERN RED CEDAR	11"	7058	C	WESTERN RED CEDAR	8"
586	C	WESTERN RED CEDAR	54"	7059	C	WESTERN RED CEDAR	16"
587	C	WESTERN RED CEDAR	62"	7060	C	WESTERN RED CEDAR	8"
589	CW	BLACK COTTONWOOD	21"	7061	C	WESTERN RED CEDAR	8"
590	F	DOUGLAS FIR	28"	7062	C	WESTERN RED CEDAR	8"
592	F	DOUGLAS FIR	33"	7063	C	WESTERN RED CEDAR	6"
593	F	DOUGLAS FIR	27"	7064	C	WESTERN RED CEDAR	9"
594	F	DOUGLAS FIR	21"	7065	C	WESTERN RED CEDAR	12"
595	F	DOUGLAS FIR	28"	7066	C	WESTERN RED CEDAR	9"
596	F	DOUGLAS FIR	16"	7067	C	WESTERN RED CEDAR	9"
598	F	DOUGLAS FIR	10"	7068	C	WESTERN RED CEDAR	8"
599	F	DOUGLAS FIR	11"	7069	C	WESTERN RED CEDAR	9"
600	C	WESTERN RED CEDAR	48"	7070	C	WESTERN RED CEDAR	8"
604	F	DOUGLAS FIR	11"	7071	C	WESTERN RED CEDAR	8"
605	F	DOUGLAS FIR	22"	7072	C	WESTERN RED CEDAR	8"
606	F	DOUGLAS FIR	29"	7073	C	WESTERN RED CEDAR	9"
607	F	DOUGLAS FIR	14"	7074	C	WESTERN RED CEDAR	8"
608	M	BIGLEAF MAPLE	26"	7075	C	WESTERN RED CEDAR	8"
609	M	BIGLEAF MAPLE	22"	7076	C	WESTERN RED CEDAR	9"
612	F	DOUGLAS FIR	28"	7077	C	WESTERN RED CEDAR	10"
613	F	DOUGLAS FIR	28"	N/A	A	RED ALDER	20"
616	F	DOUGLAS FIR	32"				
617	F	DOUGLAS FIR	32"				
619	C	WESTERN RED CEDAR	8"				



- LEGEND**
- ⊙ * RETAINED TREE (SEE TABLE ABOVE)
 - C WESTERN RED CEDAR
 - CW BLACK COTTONWOOD
 - A RED ALDER
 - M BIGLEAF MAPLE
 - F DOUGLAS FIR
 - H WESTERN HEMLOCK



TREE RETENTION NOTE
TREES IDENTIFIED ON THE FACE OF THIS PLAT HAVE BEEN RETAINED PURSUANT TO THE PROVISIONS OF SMC 21A.35.210. RETAINED TREES ARE SUBJECT TO THE TREE PROTECTION STANDARDS OF SMC 21A.35.230. REMOVAL OF THESE TREES IS PROHIBITED UNLESS THE TREE IS REMOVED TO PREVENT IMMINENT DANGER OR HAZARD TO PERSONS OR PROPERTY, SUBJECT TO A CLEARING AND GRADING PERMIT APPROVED BY THE CITY OF SAMMAMISH. TREES REMOVED SUBJECT TO THIS PROVISION SHALL BE REPLACED IN COMPLIANCE WITH SMC 21A.35.240.



Barghausen Consulting Engineers, Inc.
Civil Engineering, Land Planning, Surveying, Environmental Services
18215 72nd Avenue South Kent, WA. 98032
Telephone: (425) 251-6222 Fax: (425) 251-8782

SW1/4 & SE1/4 OF SE1/4, SECTION 9, T24N-R6E, W.M.

SHEET 6 OF 6

**CONDITION COMPLIANCE MATRIX
DALTON PARK FINAL PLAT FSUB2017-00014**

HEARING EXAMINER CONDITIONS OF APPROVAL

Exhibit 4

Condition:	Applicant Response (01/10/17):	City Comments (02/15/17):
A. General Conditions		
<p>1. Exhibit S-9a for identification is the approved preliminary plat and Exhibit S-1.1 (with all sheets subject to conformance with the number of lots and basic layout contained in Exhibit S-9a for identification) contains the supporting plans. Compliance with tree retention and open space requirements shall be based upon the corrected facts and calculations set forth in Exhibit S-9. Revisions to approved preliminary subdivisions are subject to the provisions of SMC 19A.12.040.</p>	<p>The final plat layout is based on the 39-lot preliminary plat configuration approved by the Hearing Examiner (Exhibit S-9a) on June 25, 2015.</p> <p>Substantial completion of plat construction for submittal of the final plat was approved by the planner and the site inspector. As-builts should be submitted by January 16, 2017.</p> <p>Tree retention is acknowledge and is being complied with.</p>	<p>Done.</p>
<p>2. For the purpose of ensuring compliance with all conditions of approval and the standard requirements of the Sammamish Municipal Code (SMC), the Plator shall provide financial guarantees in conformance with Chapter 27A SMC and Interim Public Works Standards (PWS) Section 10.050(K). All improvements required pursuant to the PWS, SMC, or other applicable regulations, must be installed and approved, or bonded as specified for plats in Chapter 19A.16 SMC.</p>	<p>The Bond Quantities Worksheet has been prepared by the plat engineer, CPH Consultants, and is included with this final plat submittal.</p> <p>With City staff approval of the bond amounts, plat bonds will be prepared and submitted prior to final plat approval.</p>	<p>Done.</p>
<p>3. The Plator shall comply with the payment of street impact fees in accordance to City of Sammamish Municipal Code Title 14A.</p>	<p>Acknowledged. Street impact mitigation fees will be paid as required.</p>	<p>Done.</p>
B. Prior to City Acceptance of Improvements		
<p>1. The internal plat roads serving more than four (4) dwelling units shall be consistent with the local road standards in accordance with PWS Table 1, PWS Figure 01-05, and adopted Public Works Standards, or as approved by the City Engineer during final engineering based on approved road standards Variations.</p>	<p>The new plat roads of SE 39th Place and 223rd Avenue SE have been designed and constructed to City standards as shown on the approved construction plans. The proposed right-of-way will be dedicated to the City at the time of final plat acceptance and recording.</p>	<p>Done.</p>

**CONDITION COMPLIANCE MATRIX
DALTON PARK FINAL PLAT FSUB2017-00014**

HEARING EXAMINER CONDITIONS OF APPROVAL

Condition:	Applicant Response (01/10/17):	City Comments (02/15/17):
2. Half-street frontage improvements shall be provided on 223rd Avenue SE consistent with the local road standard and approved road standards Variations.	The half-street frontage improvements have been designed and constructed on 223rd Avenue SE to City standards as shown on the approved construction plans.	Done.
3. The cul-de-sac shall meet the requirements for Fire Turnaround for access and shall be approved by the Fire Marshal.	The 50-foot radius cul-de-sac has been designed to city standards and can accommodate the necessary emergency vehicle turnaround.	Done.
4. Illumination shall be provided in the plat and frontage roads consistent with the City's standards for average foot candles and uniformity for a local road. Luminaires shall be full cut-off and LED. Pole type and style shall be approved by Public Works.	Acknowledged per approved plat construction plans. Also, see Note #19 on Sheet 3 of 6 of the Final Plat.	Done.
5. Drainage plans, Technical Information Reports, and analysis shall comply with the 2009 King County Surface Water Design Manual (KCSWDM), the City of Sammamish Addendum to the 2009 KCSWDM, and the City of Sammamish Stormwater Management Comprehensive Plan.	Acknowledged per approved plat construction plans.	Done.
6. Prior to acceptance into the Maintenance and Defect period, the storm drain system shall be jetted, cleaned, and vactored and the system shall be televised for inspection.	Acknowledged. Standard procedure for final plat construction acceptance.	Not Applicable.
7. Prior to acceptance into the Maintenance and Defect period, project close-out documents including as-builts and final corrected TIR shall be submitted to Public Works for approval.	Acknowledged. As-built approval and punchlist completion shall occur for performance bonds being replaced by maintenance bonds.	Not applicable.
8. The Plator shall purchase from the City and install drain markers on each catch basin within the plat (Only rain down the drain).	These markers will be purchased from the City and installed at the time of final lift. The final lift will be under performance bond at the time of final plat approval.	Done.
C. Prior to or Concurrent with Final Plat:		

Exhibit 4

**CONDITION COMPLIANCE MATRIX
DALTON PARK FINAL PLAT FSUB2017-00014**

HEARING EXAMINER CONDITIONS OF APPROVAL

Condition:	Applicant Response (01/10/17):	City Comments (02/15/17):
<p>1. A safe accessible walking path to the nearest school bus stop shall be provided. The current, nearest school district bus pickup location is at 22320 SE 30th Street. If the frontage improvements for the “Reid” subdivision to the north (City File No. PLN2006-00039) have not been developed at the time the subject subdivision is being developed, then the Plator shall construct an interim 5-foot wide paved path separated from the edge of the near travel lane by an extruded curb from the end of the subdivision’s frontage improvements on the west side of 223rd Avenue SE north to the intersection with SE 34th Place. Alternatively, off-site path improvements would not be required if the Issaquah School District were to establish a school bus stop for all grades within the subdivision.</p>	<p>This specified walkway is nearing construction completion.</p>	<p>Done.</p>
<p>2. At a minimum, all stormwater facilities shall be constructed and online and operational. This includes construction of road ATB, curb, gutter, stormwater conveyance system, water quality treatment systems, and stormwater pond. The final lift of asphalt may be bonded except as indicated.</p>	<p>The plat storm drainage system (collection, conveyance and detention) has been constructed per approved plans. The conveyance system will be cleaned and flushed prior to plat construction acceptance.</p>	<p>Done.</p>
<p>3. A licensed surveyor shall survey and stake all storm drain facilities and conveyance lines with associated easements and dedications not located within the public right-of-way. A Public Works Inspector shall inspect and approve locations prior to final plat and easement recording.</p>	<p>Storm drainage collection, conveyance and detention will be surveyed for as-built drawings.</p>	<p>Done.</p>

Exhibit 4

**CONDITION COMPLIANCE MATRIX
DALTON PARK FINAL PLAT FSUB2017-00014**

HEARING EXAMINER CONDITIONS OF APPROVAL

Exhibit 4

Condition:	Applicant Response (01/10/17):	City Comments (02/15/17):
4. All new signs required in the public right-of-way must be installed by the City of Sammamish Public Works Department or at the direction of the City of Sammamish Traffic Engineer. Procurement and installation shall be paid for by the Developer. Contractor shall contact the Public Works Inspector to initiate signage installation a minimum of 6 WEEKS PRIOR TO FINAL PLAT. Temporary street signs may be required for internal plat roads for emergency vehicle access. Any No Parking signs shall be installed prior to final plat. No Parking signs shall be required on all proposed street and private roads with clear widths of 20-feet or less.	Acknowledged. This task is to be accomplished by City of Sammamish Public Works Department or at the direction of the City of Sammamish Traffic Engineer.	Done.
5. Any offsite improvements shall be fully constructed, except that the final lift of asphalt may be bonded.	Acknowledged. Off-site improvements have been constructed per approved plat construction (final engineering) plans.	Done.
6. No Parking signs shall be permanently installed.	Acknowledged. To be installed per approved construction plans.	Done.
7. Illumination shall be fully installed or as approved by the City Engineer.	Acknowledged. To be installed per approved construction plans. See also, Note #19 on Sheet 3 of 6 of the Final Plat.	Done.
8. Soil amendments shall be provided or bonded for in all common areas of the plat consistent with the requirements of the 2009 KCSWDM and the City of Sammamish Addendum.	Acknowledged. To be installed per approved construction plans. See also, Note #25 on Sheet 3 of 6 of the Final Plat.	Done.
9. A Public Works performance bond shall be posted consistent with the 2009 KCSWDM.	Acknowledged. See previous response to A.2.	Done.
D. Conditions to appear on the face of the final plat (italicized words verbatim):		
1. Specific covenant and/or easement language pertaining to maintenance of individual lot and tracts with flow control BMPs shall be shown on the face of the final plat. Public Works shall approve the specific language prior to final plat.	Completed. See Note #24, Sheet 3 of 6 of the Final Plat.	Done.

**CONDITION COMPLIANCE MATRIX
DALTON PARK FINAL PLAT FSUB2017-00014**

HEARING EXAMINER CONDITIONS OF APPROVAL

Condition:	Applicant Response (01/10/17):	City Comments (02/15/17):
2. Any Surface Water Management Facilities required for this subdivision shall be contained within a separate tract of land which tract shall be dedicated to the City or an easement provided to the City of Sammamish for inspection, maintenance, operation, repair, and replacement. Language to this effect shall be shown on the face of the final plat.		Done.
3. <i>Maintenance of all public roadway landscape strips along the plat internal road shall be the responsibility of the Homeowners Association. Under no circumstances shall the City bear any maintenance responsibilities for landscaping strips created by the plat.</i>	Completed. See Note #22, Sheet 3 of 6 of the Final Plat.	Done.
4. <i>Maintenance of any required perimeter landscaping strips along the storm drainage tracts and/or storm drainage easement areas, other than the interior pond embankments, shall be the responsibility of the Homeowners Association.</i>	Completed. See Note #23, Sheet 3 of 6 of the Final Plat.	Done.
5. <i>Individual lot flow control BMP's in accordance with the 2009 King County Surface Water Design Manual shall be provided with each single family residential building permit unless otherwise incorporated into the subdivision site development plans.</i>	Completed. See Note #24, Sheet 3 of 6 of the Final Plat.	Done.
6. <i>All landscaped areas of the plat and individual lots shall include a minimum of 8-inches of composted soil amendment.</i>	Completed. See Note #25, Sheet 3 of 6 of the Final Plat.	Done.
7. <i>Maintenance of illumination along all local and private roads shall be the responsibility of the Homeowners Association or jointly shared by the owners of the development.</i>	Completed. See Note #19, Sheet 3 of 6 of the Final Plat.	Done.
8. <i>Metal products such as galvanized steel, copper, or zinc shall not be used in all building roofs, flashing, gutters, or downspouts unless they are treated to prevent metal leaching and sealed such that contact with storm water is prevented.</i>	Completed. See Note #18, Sheet 3 of 6 of the Final Plat.	Done.

Exhibit 4

**CONDITION COMPLIANCE MATRIX
DALTON PARK FINAL PLAT FSUB2017-00014**

HEARING EXAMINER CONDITIONS OF APPROVAL

Condition:	Applicant Response (01/10/17):	City Comments (02/15/17):
<p>9. <i>Unless directed to individual on-lot flow control BMP's, all building downspouts, footing drains, and surface inlets from all impervious surfaces such as patios and driveways shall be connected to the permanent storm drain system as shown on the approved plat Site Development permit on file with the City of Sammamish. The connection to the storm system shall be through a perforated tightline in accordance with the 2009 King County Surface Water Design Manual. The approved Site Development permit shall be submitted with the application for any building permit. All connections of the drains shall be constructed and approved prior to final building inspection approval.</i></p>	<p>Completed. See Note #17, Sheet 3 of 6 of the Final Plat.</p>	<p>Done.</p>
<p>10. <i>In accordance with City of Sammamish Ordinance No. 02002-112, a surface water system development charge shall be paid at the time of building permit issuance, for each new residential dwelling unit.</i></p>	<p>Completed. See Note #16, Sheet 3 of 6 of the Final Plat.</p>	<p>Done.</p>
<p>11. <i>Illicit discharge of stormwater pollutants from pressure washing, car washing, and other routine maintenance of household appurtenances such as siding, roof, and windows shall be prevented from entering the storm drain system. Measures such as directing water to a green, vegetated area or covering the downstream catch basins shall be required and enforced pursuant to SMC 13.30.020.</i></p>	<p>Completed. See Note #20, Sheet 3 of 6 of the Final Plat.</p>	<p>Done.</p>
<p>12. <i>Trees retained in accordance with SMC Chapter 21A.35.210 shall be identified on the face of the final plat for retention. Trees shall be tagged in the field and referenced on the face of the final plat with the applicable tag number.</i></p>	<p>Completed. See Note #21, Sheet 3 of 6 of the Final Plat.</p>	<p>Done.</p>

Exhibit 4

**CONDITION COMPLIANCE MATRIX
DALTON PARK FINAL PLAT FSUB2017-00014**

HEARING EXAMINER CONDITIONS OF APPROVAL

Exhibit 4

Condition:	Applicant Response (01/10/17):	City Comments (02/15/17):
13. <i>Trees identified on the face of this plat have been retained pursuant to the provisions of SMC 21A.35.210. Retained trees are subject to the tree protection standards of SMC 21A.35.230. Removal of these trees is prohibited unless the tree is removed to prevent imminent danger or hazard to persons or property, and may be subject to a clearing and grading permit approved by the City of Sammamish. Trees removed subject to this provision shall be replaced in compliance with SMC 21A.35.240.</i>	Completed. See Note #21, Sheet 3 of 6 of the Final Plat.	Done.
14. SMC 14A.15.020 requires that at the time of final plat a minimum of 30% of the impact fees must be paid prior to recording. However the Plator has the option to pay more. The Plator shall indicate on the face of the plat if any additional fees are owed by the lots in the plat. Also, the Plator shall indicate which 36 lots are subject to any remaining street impact fees.	Completed. See Notes #13, 14 and 15, Sheet 3 of 6 of the Final Plat.	Done.
15. <i>Pursuant to SMC 21A.105, fifty percent of the school impact fees were paid at final plat. Fifty percent of the school impact fees, plus an administrative fee shall be paid prior to building permit issuance on 36 lots.</i>	Completed. See Note #14, Sheet 3 of 6 of the Final Plat.	Done.
16. <i>36 lots are subject to the park impact fees at the time of building permit issuance.</i>	Completed. See Note #15, Sheet 3 of 6 of the Final Plat.	Done.
17. The plator shall show on the final plat drawing a 50-foot easement, adding 10 feet to the existing easement for SE 38th Street on the south side of the easement. There shall be a note added to that easement indicating that when the lots to the west develop, this easement will be dedicated to the City of Sammamish as public right-of-way.	Completed. Note added in upper left corner of Sheet 4 of 6 of the Final Plat.	Done.
18. <i>The maximum impervious surface area allowed on any lot shall be 3,358 square feet.</i>	Completed. See Note #26, Sheet 3 of 6 of the Final Plat.	Done.

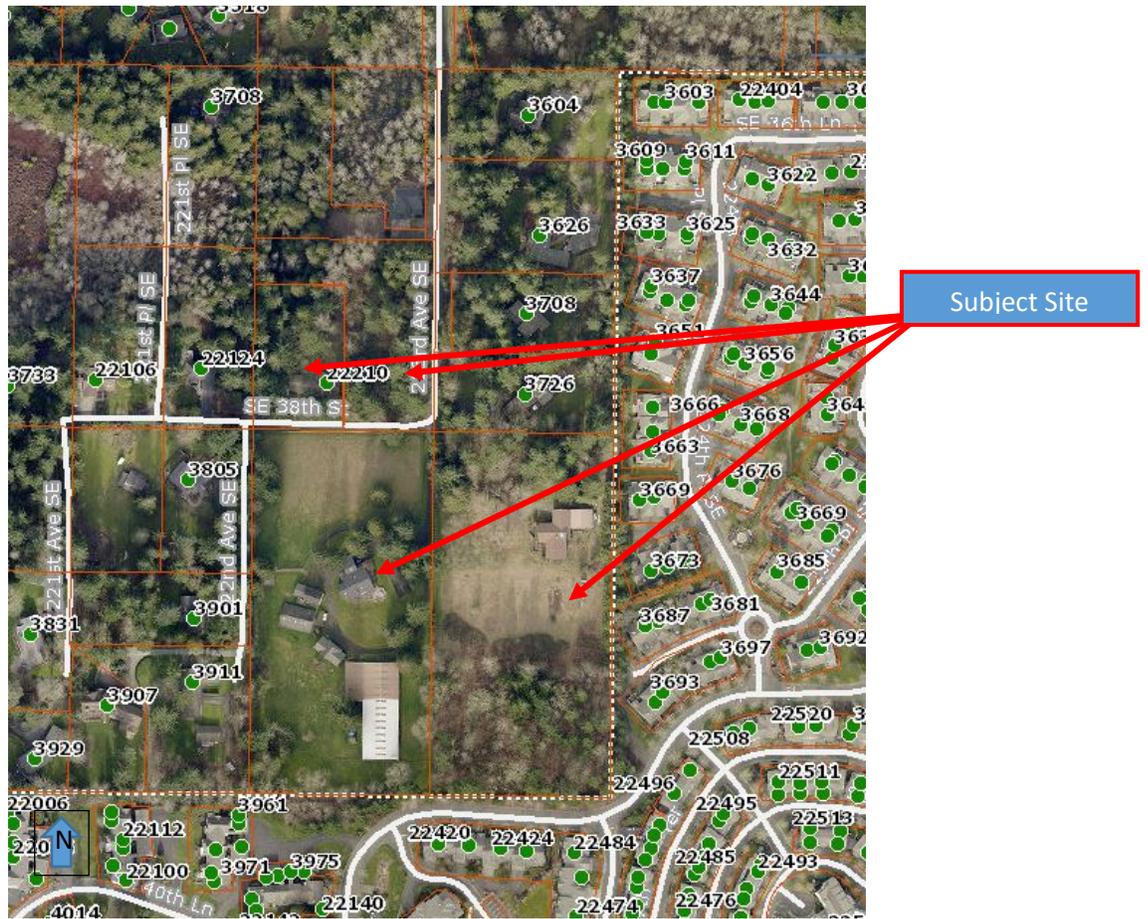


Exhibit 5



City Council Agenda Bill

Meeting Date: June 27, 2017

Date Submitted: June 19, 2017

Originating Department: Community Development

Clearances:

- | | | |
|--|---|--|
| <input type="checkbox"/> Attorney | <input checked="" type="checkbox"/> Community Development | <input type="checkbox"/> Parks & Recreation |
| <input type="checkbox"/> Admin Services | <input type="checkbox"/> Eastside Fire and Rescue | <input type="checkbox"/> Police |
| <input checked="" type="checkbox"/> City Manager | <input type="checkbox"/> Finance & IT | <input checked="" type="checkbox"/> Public Works |

Subject: A Resolution approving the 20-lot Final Plat for Jacobs Landing subdivision.

Action Required: Approve Resolution

- Exhibits:**
1. Resolution
 2. King County Hearing Examiner Report and Decision
 3. King County Recommendation of Final Plat Approval
 4. Compliance Matrix
 5. Map of Final Plat
 6. Vicinity Map

Budget: N/A

Summary Statement: The developer of the Jacobs Landing subdivision is seeking to record for Final Plat, which will create 20 single family lots from three existing parcels comprising 4.67 acres zoned residential, 6 units per acre (R-6). The subdivision will allow for detached single-family residential development and sets aside separate tracts for access and utility (Tract A), joint use driveway and utility (Tract B), landscaped open space (Tract C), storm detention and utility (Tract D), and critical area preservation and buffering (Tract E).

The property is located on the east side of Issaquah-Pine Lake Road SE, south of SE 32nd Way, Sammamish WA 98029 and further identified by King County Assessor Parcel Numbers 102406-9172, 102406-9171, and 102406-9170.

Background: The Jacobs Landing subdivision is located wholly within the Klahanie Annexation area and was incorporated into the City of Sammamish on January 1, 2016 as part of the Klahanie Annexation under Ordinance No. O2015-393. The preliminary plat was processed by King County upon receipt of complete application for subdivision in June 2015 and was approved by the King County Hearing Examiner on November 9, 2015. Prior to subdivision, the 3 parcels included 3 pre-existing single-family residences. The King County Hearing Examiner Report and Decision is included as Exhibit 2. The preliminary plat was designed and approved to be constructed in a single phase.

Project SEPA review was conducted by King County with review of the application for subdivision. A SEPA Determination of Non-significance (DNS) was issued for the proposal on August 14, 2015, which provided a 21-day appeal period. No appeals of the SEPA DNS were filed.

Following King County Hearing Examiner approval, project construction began through issuance of construction permits by King County. In accordance with the Klahanie Annexation Interlocal Agreement between the City and King County, all vested subdivisions that have received preliminary approval prior to the annexation are to be completed by King County through the point of recommendation to the City on Final Plat approval. As the area has been annexed into the City, the County cannot authorize Final Plat approval, Final Plat approval must be authorized by the City. The applicant has applied for Final Plat approval with the City, such that the Jacobs Landing Final Plat may be recorded. King County has provided a recommendation of Final Plat approval. See Exhibit 3.

Tree Retention:

The Jacobs Landing subdivision application is vested and subject to King County's tree retention requirements in effect on June 5, 2014. Review of project compliance with County tree retention requirements was completed by King County through review and approval of project construction permits prior to the City's annexation of the property. The applicant was required to retain 43 significant trees and was able to retain 44 trees through construction. No replacement trees were required. Tree retention compliance included the installation of 26 trees street trees with 10 street trees installed along SE 32nd Way and 16 street trees installed along 234th PL SE. A performance financial guarantee in the amount of \$5,476 for the street tree replacement was posted with King County.

Site Improvements Installation:

The applicant has agreed to complete site improvements. A performance financial guarantee in the amount of \$278,115 for the completion of the right-of-way and site restoration was posted with King County.

Substantial Completion:

The applicant has agreed to construct right of way improvements, drainage facilities and private improvements for substantial completion of Jacobs Landing subdivision. A performance financial guarantee in the amount of \$54,768 to construct right of way improvements, drainage facilities and private improvements was posted with King County.

Critical Areas Restoration and Mitigation:

The Final Plat includes one Critical Area Tract (Tract E) for wetland protection. A protective fence and signage was required along the edge of Tract E and has been installed.

Critical Areas Bond:

The applicant has agreed to complete critical area mitigation and/or restoration and a performance guarantee for \$19,301 for critical area restoration was posted with King County.

Impact Fees:

Pursuant to the Interlocal Agreement with King County regarding the Klahanie Potential Annexation Area (passed by Resolution R2015-648), the City shall assess, collect, and distribute all impact fees after the effective date of annexation for 17 new lots. The 3 pre-existing single-family residences will receive impact fee credit.

Street Impact Fees:

The applicant has deferred the collection of street impact fee to either final inspection or the closing of the first sale of the property, whichever occurs first, on a per lot basis.

School Impact Fees paid to the City of Sammamish:

The applicant has deferred the collection of school impact fees to either final inspection or the closing of the first sale of the property, whichever occurs first, on a per lot basis.

Park Impact Fees:

The applicant has deferred the collection of park impact fees to either final inspection or the closing of the first sale of the property, whichever occurs first, on a per lot basis.

Conclusion: The applicant has demonstrated to the City of Sammamish that all of the Preliminary Plat approval conditions for the Jacobs Landing subdivision have been met.

Financial Impact: N/A

Recommended Motion: Approve the Resolution for the 20-lot Final Plat for Jacobs Landing subdivision, authorizing the Mayor to sign the Final Plat.

**CITY OF SAMMAMISH
WASHINGTON
Resolution No. R2017-_____**

**A RESOLUTION OF THE CITY OF SAMMAMISH,
WASHINGTON, GRANTING FINAL PLAT APPROVAL OF THE
JACOBS LANDING SUBDIVISION**

WHEREAS, the City Council has received a recommendation of approval for the final plat of the Jacobs Landing subdivision; and

WHEREAS, the City Council has reviewed said plat and finds that it conforms to all terms of the preliminary plat approval and applicable land use laws and regulations; and

WHEREAS, the City Council desires to grant final approval to the 20-lot plat of the Jacobs Landing Subdivision;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAMMAMISH,
WASHINGTON, DO RESOLVE AS FOLLOWS:**

Section 1. Adoption of Hearing Examiner's Findings and Conclusions. The City Council hereby adopts the findings and conclusions included in the King County Hearing Examiner's decision of November 9, 2015 for the preliminary plat approval of the Jacobs Landing Subdivision PLAT140005.

Section 2. Grant of Approval. The City Council hereby grants final approval to the plat of the Jacobs Landing Subdivision (20-lots).

**PASSED BY THE CITY COUNCIL AT A SPECIAL MEETING THEREOF ON
THE _____ DAY OF JUNE 2017.**

CITY OF SAMMAMISH

Mayor Donald J. Gerend

Exhibit 1

ATTEST/AUTHENTICATED:

Melonie Anderson, City Clerk

Approved as to form:

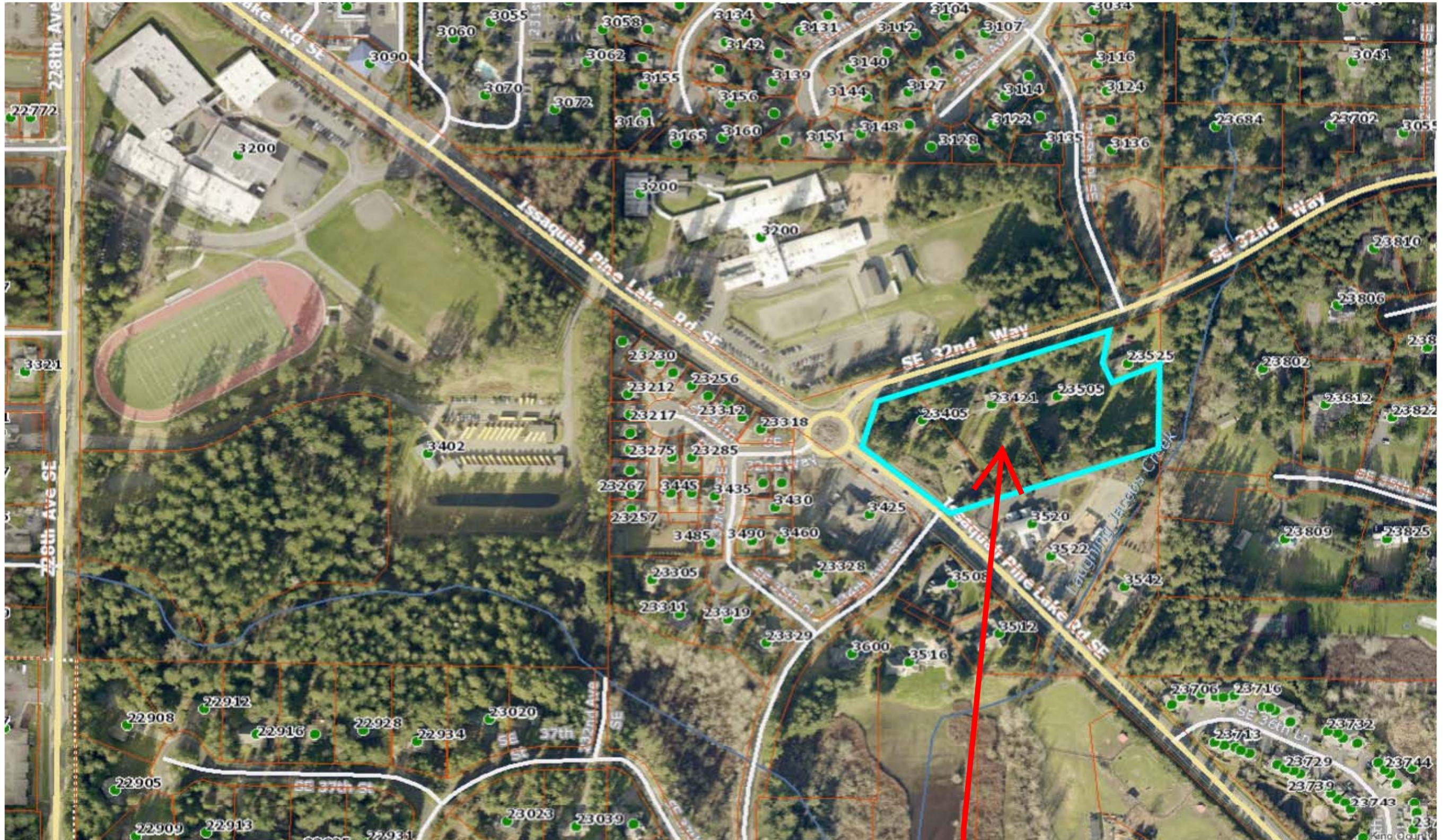
Michael Kenyon, City Attorney

Filed with the City Clerk: June 21, 2017

Passed by the City Council:

Resolution No.: R2017-_____

Exhibit 6: Vicinity Map



Jacob's Landing
Final Plat

Source: King County iMap

Exhibit 2

November 9, 2015

**OFFICE OF THE HEARING EXAMINER
KING COUNTY, WASHINGTON**

400 Yesler Way, Suite 240
Seattle, Washington 98104
Telephone (206) 477-0860
Facsimile (206) 296-0198
hearingexaminer@kingcounty.gov

REPORT AND DECISION

SUBJECT: Department of Permitting and Environmental Review file no. **PLAT140005**
Proposed ordinance no. **2015-0334**

JACOB'S LANDING
Preliminary Plat Application

Location: East of Issaquah-Pink Lake Road, south of SE 32nd Way, Issaquah

Applicant: Quadrant Corporation
represented by **Matt Perkins**
14725 SE 36th Street Suite 200
Bellevue, WA 98006
Telephone: (425) 452-6542

King County: Department of Permitting and Environmental Review
represented by **Kimberly Claussen**
35030 SE Douglas Street Suite 210
Snoqualmie, WA 98065
Telephone(206) 477-0329
Email: kimberly.claussen@kingcounty.gov

SUMMARY OF RECOMMENDATIONS/DECISION:

Department's Preliminary Recommendation:	Approve, with conditions
Department's Final Recommendation:	Approve, with amended conditions
Examiner's Decision:	Approve, with amended conditions

EXAMINER PROCEEDINGS:

Hearing Opened:	October 28, 2015
Hearing Closed:	October 28, 2015

Participants at the public hearing and the exhibits offered and entered are listed in the attached minutes. A verbatim recording of the hearing is available in the Hearing Examiner's Office.

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

FINDINGS:

1. General Information:

Owner/Developer:	Quadrant Homes Attn. Matt Perkins 14725 SE 36th Street, Suite 200 Bellevue WA 98006 (425) 452-6542
Engineer:	Goldsmith Land Development Services Attn. Trish Clements PO Box 3565 Bellevue WA 98008 (425) 462-1080
STR:	10-24-06
Location:	The site is located east of Issaquah-Pine Lake Road SE, on the south side of SE 32nd Way, Sammamish
Tax Parcels:	102406-9009, -9170, -9171, -9172
Zoning:	R-6 and R-6 SO
Acreage:	4.67 acres (after BLA), 5.10 (pre-BLA)
Number of Lots:	20
Density:	Approximately 4.6 units per acre
Lot Size:	Lot size is approximately 5,300-11,000 square feet
Proposed Use:	Single Family Detached Dwellings
Sewage Disposal:	Sammamish Plateau Water & Sewer District
Water Supply:	Sammamish Plateau Water & Sewer District
Fire District:	Eastside Fire and Rescue
School District:	Issaquah School District #411
Complete Application Date:	Plat – November 21, 2014 (filed) CAEX May 15, 2015 (date filed), June 5, 2015 (complete)

2. Except as modified herein, the facts set forth in the Department of Permitting and Environmental Review (DPER) reports to the Examiner and the DPER and King County Department of Transportation (KCDOT) testimony are found to be correct and are incorporated herein by reference.
3. We decide here whether to approve Quadrant Homes’ (Quadrant’s) preliminary plat application to create 20 residential lots on the inside of the acute angle where SE 32nd Way meets Issaquah–Pine Lake Road SE. The proposed plat, Jacob’s Landing, is generally straight-forward; we focus on the issues we, Quadrant, DPER, KCDOT, and the

two neighbors who appeared at hearing raised. (Although non-parties do not have a right to cross-examination, we nonetheless allowed the neighbors to question each of the DPER, KCDOT, and Quadrant witnesses, promoting fuller public participation and a better review of the issues.)

4. Although currently abutting the City of Sammamish (Sammamish) and slated to actually join Sammamish in less than eight weeks, the area is still unincorporated King County. Per state law, a subdivision proposal shall be considered under the land use controls in effect at the time (2014) Quadrant submitted its fully completed preliminary plat application to the County. *See* RCW 58.17.033(1). Thus, Jacob’s Landing is reviewed under the County’s—not Sammamish’s—regulations. This is less important for Jacob’s Landing than for the other Klahanie Potential Annexation Area preliminary plats proposed and approved in recent years that each allowed greater density (i.e., more homes) than Sammamish would have allowed, for here Jacob’s Landing’s 20-lot proposal is *less* than the 23-lot density Sammamish calculated it would allow per its codes.
5. Jacob’s Landing’s land comes from four lots originally short platted in 1978 (#1177104). All are zoned R-6 (six dwelling units per acre), and each has an existing single family residence. The western three 1978 lots have unexceptional zoning, and each will be completely incorporated into Jacob’s Landing, with the 3, existing homes removed, meaning that Jacob’s Landing is adding 17 homes (the 20 new homes replacing the 3 current ones). Zoning on Lot 4 (parcel 102406-9009) is more complicated. First, it has a special district overlay (SO-180) that restricts the impervious surface area to eight percent of the gross acreage. Second, Quadrant recorded a Boundary Line Adjustment (BLAD14-040), that segments off the northwest corner of Lot 4 and its existing home, reducing Jacob’s Landing’s site from 5.1 to 4.7 acres.
6. That sliced-off Lot 4 homesite is now beyond the scope of Jacob’s Landing, except that the total, combined impervious surface for the sliced off portion of Lot 4 *plus* any Jacob’s Landing-related impervious surface on the retained portion of Lot 4 must not exceed eight percent. Quadrant proposes recreational, storm detention, and critical areas tracts for the retained Lot 4 area, adding little impervious surface. Quadrant has shown, sufficient for preliminary plat purposes, that it can meet SO-180’s requirements.
7. Traffic is the most significant concern. The majority of Jacob’s Landing traffic would use the adjacent roundabout at SE 32nd Way and Issaquah–Pine Lake Road SE. The roundabout is currently at level-of-service (LOS) “C” in the a.m. peak hour and “D” in the p.m. peak. The neighbors described the “mess” and gridlock that area traffic has become. And absent road improvements in the interim—and with or without Jacob’s Landing—projected area growth rates are expected to worsen the LOS to “D” (a.m.) and “F” (p.m.).
8. The neighbors’ suggestion at hearing that the roundabout should be dealt with before approving more development makes some sense. And per County regulations, LOS “F” can forestall development. Yet the actual County-adopted test defines a “significant adverse impact” as a:

A roadway intersection that provides access to a proposed development, and that will function at a level of service worse than “E” [i.e., “F”], and that will carry thirty (30) or more added vehicles in any one hour period as a direct impact of the proposed development, and that will be impacted by at least twenty (20) percent of the new traffic generated from the proposed development in that same one hour period.

KCC 14.80.030.

9. Here Jacob’s Landing is only expected to generate 17 p.m. peak hour trips; even if all 17 of those trips use the roundabout, Jacob’s Landing would not be adding anywhere near the 30 trips that could trigger a finding of significance.¹ The County’s code could be tightened in the future, as the neighbors argued for, but such an amendment would not impact Jacob’s Landing (it being vested to the 2014 code). Indeed, as the area shortly annexes into Sammamish, such a change would not impact future Klahanie developments.
10. Sammamish plans to construct a “slip lane” on the Jacob’s Landing side of the roundabout. That is, vehicles traveling on Issaquah–Pine Lake Road SE will be able to make the sharp right turn onto SE 32nd Way (and towards Jacob’s Landing) without needing to fully enter the roundabout (where they would be impinged by, and would impinge, other traffic). Quadrant has agreed to dedicate to Sammamish the frontage/easement necessary for such a slip lane.² The timing of construction will be up to Sammamish, but Quadrant’s dedication is sufficient, in light of the adopted standards.³ That is not to discount the neighbors’ valid concerns; they are real (with or without Jacob’s Landing). But per the lens we have to review Jacob’s Landing, Quadrant is entitled to proceed.
11. A portion of the property sits within the 115-foot buffer of a Type F stream to the east. The stream also marks the center line of a County wildlife habitat corridor. Per code, to the maximum extent practical the corridor should be 300 feet wide, and at no point less than 150 feet. KCC 21A.24.386(B)(2). With the corridor center tracing the stream, Quadrant must provide at least 75 feet and potentially up to 150 feet on its side. Quadrant proposes to adopt the stream’s setback as the lateral extent of the corridor—115 feet, with a 15-foot building setback line on top of that. DPER concurs. That makes sense here because (a) directly to the north, the existing house on the portion of the old Lot 4 segmented off by the boundary line adjustment sits slightly within the 115-foot plus 15-foot building setback line, and (b) directly to the south, the property has improved surface (and chain link fencing) extending almost to the stream’s edge. Thus setting the lateral extent at 115 feet on Quadrant’s side (plus a 15-foot building setback line) would not bottleneck or limit a wider available corridor.

¹ Quadrant’s traffic engineer estimated that about 90% of plat traffic would use the roundabout.

² Exhibit 12B and its attachments.

³ In addition, Jacob’s Landing will need to pay the required Mitigation Payment System (MPS) fees, fees used for transportation-related improvements.

12. Jacob’s Landing slopes gently, with little or no runoff leaving the site and entering downstream properties. Post-construction, plat runoff (including from the houses) would be collected in a closed conveyance system, pre-treated, and routed to an infiltration pond. In high storm events, water will flow to an overflow pond sized to handle a 100-year storm event. The file shows considerable DPER probing and Quadrant analysis on the drainage topic; Quadrant has already performed two rounds of subsurface exploration. DPER is requiring a third review during this winter’s wet season (October 1–April 30), to verify the site’s infiltration capabilities.
13. The neighbors’ request that, given the previous low moisture year, the plat be put on hold and such tests run in a later, more normal year, is not unreasonable. But ultimately, per the persuasive testimony (subject to cross examination by the neighbors) of Quadrant’s drainage engineer that the soils lend themselves to infiltration, with the barrier level (hardpan) several feet below the lowest excavation of the pond, such a condition is not warranted, given the impact such a lengthy delay would create.⁴ The results of this winter’s test may result in a larger (or different) drainage facility, and or require a re-configuration (or loss) of lots, but there is insufficient justification (based on the current record) to hold out for the 2016-2017 wet season.
14. The neighbors assert that Jacob’s Landing should do a full Environmental Impact Statement (EIS) under the State Environmental Policy Act (SEPA, Chapter 43.21C RCW). On August 15, 2015, DPER issued a determination of non-significance (DNS), finding that the plat, along with the critical areas alteration exception discussed directly below, would not pose a probable, significant adverse impact to the environment and thus did not require an EIS or other mitigating conditions. The period for appealing DPER’s DNS and requesting an EIS expired at the end of August, putting the question beyond our review.
15. As just noted, Jacob’s Landing received a critical areas alteration exception (CAEX15-003) to run the plat’s sewer line to a pre-existing sewer main that currently sits in the stream’s buffer and runs the length of the site’s east boundary. Quadrant’s construction would not create any new, permanent, surface improvements in this area, and Quadrant will restore and enhance a greater square footage (at a 1.5-to-1 ratio) to compensate for temporary construction disturbances from laying the pipe. The neighbors expressed concern with this, and posed several questions to the experts. It may be that the main sewer line and manhole should not have been allowed in the corridor and stream buffer in 1997, but that is not our issue. Our issue is the more limited one of whether crossing the buffer to tap into this existing sewer main is acceptable. In light of the facts adduced at hearing and because the SEPA DNS definitely determined that such an intrusion would not pose a probable, significant adverse impact to the environment, the sewer configuration is appropriate.

⁴ Icing the project for a year is not the same calculus as, for example, if the question were whether, while testing for X and Y this winter season, Quadrant should also test for Z.

16. The neighbors expressed concern about tree removal, especially given Sammamish’s new, restrictive tree retention ordinance. No. O2015 – 395.⁵ The pertinent tree removal code for purposes of reviewing Jacob’s Landing is the County’s KCC 16.82.156, which is not as restrictive as Sammamish’s. Although the final calculations on retention/replacement will be part of final engineering plans, Quadrant has shown that its proposal can feasibly meet the pertinent standard, KCC 16.82.156.
17. Jacob’s Landing’s school-age children will be bussed to Skyline High School, will walk to Sunny Hills elementary school directly across SE 32nd Way, and will walk to Pine Lake Middle Schools a short distance to the northwest. As Sammamish controls SE 32nd Way, Sammamish decides exactly what sidewalk or other frontage improvements are necessary, but Quadrant is providing the required easements and improvements. Prior to final plat approval, DPER will need to ensure that the final configuration assures safe walking conditions for students. RCW 58.17.110(2). But unlike some previous preliminary plat applications where student safety seemed to us problematic, here the proposal makes what (when constructed) would be appropriate provisions.
18. Quadrant proposes to meet the requirement for on-site recreation space in Tract C, the northeast portion of Jacob’s Landing. That current configuration would run afoul of the requirement that such a space “be centrally located with good visibility of the site from roads and sidewalks” (as DPER notes) and potentially of being “accessible and convenient to all residents within the development.” KCC 21A.14.180(C)(4) & (8). Centrality, accessibility (in terms of house-to-playground walking distance), and convenience seem less a concern than for a larger subdivision, although we leave that to DPER’s discretion. But visibility is a greater concern; as currently proposed, the recreation space is secluded behind a row of houses. DPER noted at hearing that there may be options, like opening up view corridors between houses. If not, it seems unlikely that Jacob’s Landing could be significantly reconfigured to, for example swap the recreation area for an impervious-surface-heavy homesite or two, given that the current recreation space footprint sits within the old Lot 4 and its eight percent impervious surface limit. But as Quadrant has the option of paying a fee-in-lieu (i.e., funding off-site recreation *instead* of providing on-site recreation beyond a minimum tot lot), Jacob’s Landing is feasible.

CONCLUSIONS:

1. The proposed subdivision, as conditioned below, would conform to applicable land use controls. In particular, the proposed type of development and overall density are specifically permitted under the R-6 zone.
2. If approved subject to the conditions below, the proposed subdivision will make appropriate provisions for the topical items enumerated within RCW 58.17.110, and will serve the public health, safety, and welfare, and the public use and interest.

⁵ Ordinance No. O2015 – 395.

3. The conditions for final plat approval set forth below are reasonable requirements and in the public interest.

DECISION:

The preliminary plat Jacob’s Landing is approved subject to the following conditions of approval.

1. Compliance with all platting provisions of Title 19A of the King County Code.
2. All persons having an ownership interest in the subject property shall sign on the face of the final plat a dedication that includes the language set forth in King County Council Motion No. 5952.
3. The plat shall comply with the base density and minimum density requirements of the R-6 & R-6 SO zone classification. All lots shall meet the minimum dimensional requirements of the R-6 & R-6 SO zone classification or shall be shown on the face of the approved preliminary plat, whichever is larger, except that minor revisions to the plat which do not result in substantial changes may be approved at the discretion of the Department of Permitting and Environmental Review.

Any/all plat boundary discrepancies shall be resolved to the satisfaction of DPER prior to the submittal of the final plat documents. As used in this condition, “discrepancy” is a boundary hiatus, an overlapping boundary, or a physical appurtenance which indicates an encroachment, lines of possession, or a conflict of title.

4. All construction and upgrading of public and private roads shall be done in accordance with the King County Road Design and Construction Standards established and adopted by Ordinance No. 15753, as amended (2007 KCRD&CS).
5. The applicant must obtain the approval of the King County Fire Marshal for the adequacy of the fire department access, fire hydrant locations, water main, and fire flow of the International Fire Code as amended by Chapter 17 of the King County Code and in accordance with King County Public Rules.
6. The drainage facilities shall meet the requirements of the 2009 King County Surface Water Design Manual (2009 KCSWDM). The site is subject to the KCSWDM’s Conservation Flow Control and Basic Water Requirements. The infiltration pond shall be designed to fully infiltrate the 100-year storm event, unless a safe conveyance of the 100-year storm is identified. As outlined in the geotechnical evaluation (Terra Associates dated September 23, 2015), further MODRET analysis is required for groundwater monitoring during the wet season October 1–April 30. The groundwater evaluation and final MODRET report shall be completed prior to approval of the engineering plans for site development. The applicant has the option of submitting engineering plans for review prior to completing the groundwater evaluation, with the understanding that it is the applicant’s responsibility to comply with the results. Any reconfiguration and additional review fees resulting from the groundwater evaluation shall be the applicant’s responsibility. The final analysis of the allowed infiltration rates may require a larger

pond, which may result in the reconfiguration and/or loss of lots. Note, minimum density requirements (KCC 21A.12.060) must still be met.

7. To implement the required Best Management Practices (BMPs) for treatment of storm water, the final engineering plans and technical information report (TIR) shall clearly demonstrate compliance with all applicable design standards. The requirements for best management practices are outlined in Chapter 5 of the 2009 KCSWDM. The design engineer shall address the applicable requirements on the final engineering plans and provide all necessary documents for implementation. The final recorded plat shall include all required covenants, easements, notes, and other details to implement the required BMPs for site development.

The required BMPs shall also be shown on the individual residential building permit applications upon submittal of the permits. The individual building permit applications shall also include the required covenants, easements, notes and other details to implement the BMP design.

8. The 100-year floodplain for any onsite or adjoining streams or wetlands shall be shown on the engineering plans and the final plat per Special Requirement 2 of the 2009 KCSWDM.
9. The proposed subdivision shall comply with the agreement between Quadrant and the City of Sammamish (described in Exhibit 12B and its attachments) and with the 2007 KCRD&CS and 2009 KCSWDM, including the following requirements:
 - A. Road A shall be improved at a minimum to the urban sub-access standard.
 - B. Any proposed joint use driveways or private access tracts shall be improved per Sections 3.01 and 2.09 of the 2007 KCRD&CS.
 - C. Frontage improvements (Issaquah-Pine Lake Road SE and SE 32nd Way) are located within the City of Sammamish. Access to SE 32nd Way, right-of-way dedication, if any, and improvements associated with Issaquah-Pine Lake Road SE and SE 32nd Way shall be subject to the City of Sammamish review and approval prior to engineering plan approval.
 - D. Modifications to the above road conditions may be considered according to the variance provisions in Section 1.12 of the 2007 KCRD&CS.
10. All utilities within proposed rights-of-way must be included within a franchise approved by the King County Council prior to final plat recording.
11. The applicant or subsequent owner shall comply with King County Code 14.75, Mitigation Payment System (MPS), by paying the required MPS fee and administration fee as determined by the applicable fee ordinance. (Note: as currently configured, Jacob’s Landing is adding 17 homes—20 new ones minus 3 existing homes to be removed prior to construction.) The applicant has the option to either: (1) pay the MPS fee at the final plat recording, or (2) pay the MPS fee at the time of building permit issuance. If the first

option is chosen, the fee paid shall be the fee in effect at the time of plat application and a note shall be placed on the face of the plat that reads, “All fees required by King County Code 14.75, Mitigation Payment System (MPS), have been paid.” If the second option is chosen, the fee paid shall be the amount in effect as of the date of building permit application.

12. Lots within this subdivision are subject to King County Code 21A.43, which imposes impact fees to fund school system improvements needed to serve new development. As a condition of final approval, 50 percent of the impact fees due for the plat shall be assessed and collected immediately prior to the recording, using the fee schedules in effect when the plat receives final approval. The balance of the assessed fee shall be allocated evenly to the plat’s dwelling units and shall be collected prior to building permit issuance.
13. The proposed subdivision shall comply with the Critical Areas code as outlined in KCC 21A.24. Permanent survey markings and signs, as specified in KCC 21A.24.160, shall also be addressed prior to final approval. Temporary marking of critical areas and their buffers (e.g., with bright orange construction fencing) shall be placed on the site and shall remain in place until all construction activities are complete.
14. Preliminary plat review has identified the following specific requirements which apply to this project. All other applicable requirements from KCC 21A.24 shall also be addressed by the applicant:
 - A. The Critical Areas/Wildlife Corridor shown on the site plan dated July 2, 2015, have been verified and approved by King County DPER staff.
 - B. The Type F stream shall have a 115-foot buffer as measured from the Ordinary High Water Mark (OWHM).
 - C. The stream, associated buffer and wildlife corridor shall be placed in Critical Area Tracts (CAT) for long term protection. Fencing (split rail or equivalent) of the CAT is required.
 - D. A 15-foot building set back line (BSBL) is required from the edge of the CAT and shown on all affected lots. The BSBL does not apply to paved roads, driveways and structural and non-structural fill.
 - E. The engineering plans shall be submitted and reviewed by Critical Areas Staff.
 - F. The following note shall be shown on the final engineering plan and recorded plat:

**RESTRICTIONS FOR CRITICAL AREA TRACTS AND
CRITICAL AREAS AND BUFFERS**

Dedication of a critical area tract/sensitive area and buffer conveys to the public a beneficial interest in the land within the

tract/critical area and buffer. This interest includes the preservation of native vegetation for all purposes that benefit the public health, safety and welfare, including control of surface water and erosion, maintenance of slope stability, and protection of plant and animal habitat. The critical area tract/critical area and buffer imposes upon all present and future owners and occupiers of the land subject to the tract/critical area and buffer the obligation, enforceable on behalf of the public by King County, to leave undisturbed all trees and other vegetation within the tract/critical area and buffer. The vegetation within the tract/critical area and buffer may not be cut, pruned, covered by fill, removed or damaged without approval in writing from the King County Department of Permitting and Environmental Review or its successor agency, unless otherwise provided by law.

The common boundary between the tract/critical area and buffer and the area of development activity must be marked or otherwise flagged to the satisfaction of King County prior to any clearing, grading, building construction or other development activity on a lot subject to the critical area tract/critical area and buffer. The required marking or flagging shall remain in place until all development proposal activities in the vicinity of the critical area are completed.

No building foundations are allowed beyond the required 15-foot building setback line, unless otherwise provided by law.

G. Critical Areas Alteration Exception

- i. If the application for a grading permit and/or engineering plans are not submitted to King County DPER and approved within four years of preliminary plat approval, the critical areas alteration exception shall become null and void.
- ii. The location of the proposed improvements shall be in substantial conformance with the proposed site plan (Attachment 1).
- iii. The final restoration plan/mitigation plan shall be submitted prior to issuance of a grading permit and/or engineering plan approval.
- iv. Prior to approval of a grading permit and/or engineering plan approval, the applicant may be required to submit a financial guarantee to assure the implementation of any on-site restoration. If any on-site restoration is approved it shall be monitored for a period of three years after completion to insure that the restoration/revegetation is successful. Monitoring reports

shall be submitted on the 1st, 2nd and 3rd years following restoration work completion.

15. In addition to all applicable requirements of K.C.C. chapter 21A.24, the following wetland management area district overlay development standards shall be applied to the area that was (prior to BLAD14-040, Ex. 9B, segmenting off part of parcel #102406-9009) “lot 4” of the July 28, 1978, short plat #1177104:

King County Code 21A.38.120 Special district overlay—Wetland management areas

1. All subdivisions and short subdivisions on residentially zoned properties that are identified in an adopted basin plan for impervious surface limitations shall have a maximum impervious surface area of eight percent of the gross acreage of the plat. For areas that are not covered by an adopted basin plan, this limit shall apply to all residentially zoned lands located within the wetland management area. Distribution of the allowable impervious area among the platted lots shall be recorded on the face of the plat. Impervious surface of existing roads need not be counted towards the allowable impervious area. This condition may be modified by the director for the minimum necessary to accommodate unusual site access conditions;
 2. All subdivisions and short subdivisions on properties identified in an adopted basin plan for clustering and set-aside requirements shall be required to cluster away from wetlands or the axis of corridors along stream tributaries and identified swales connecting wetlands in order to minimize land disturbance and maximize distance from these sensitive features. At least 65 percent of affected portions of RA-zoned properties and at least 50 percent of all other affected portions of the property shall be left in native vegetation, preferably forest, and placed in a permanent open space tract. In the absence of a basin plan, these requirements shall apply to all lands containing or adjacent to a wetland, a stream tributary corridor or a swale connecting wetlands; and
 3. Clearing and grading activity from October 1 through March 31 shall meet the provisions of K.C.C. 16.82.150D wherever not already applicable. (Ord. 13307 § 1, 1998; Ord. 12823 § 14, 1997; Ord. 12809 § 5, 1997).
16. A homeowners’ association or other workable organization shall be established to the satisfaction of DPER which provides for the ownership and continued maintenance of the recreation and critical area tracts.
17. Suitable recreation space shall be provided consistent with the requirements of KCC 21A.14.180 and KCC 21A. 14.190 (i.e., sport court[s], children’s play equipment, picnic table[s], benches, etc.), requiring either of the following:
- A. On-site recreation:
 - i. The location of the recreation tract and/or lots shall be reconfigured to provide, at a minimum, sufficient visibility. This may result in reconfiguring and/or losing lots.
 - ii. A detailed recreation space plan (i.e., location, area calculations, dimensions, landscape specs, equipment specs, etc.) shall be submitted for

review and approval by DPER and King County Parks prior to or concurrent with the submittal of engineering plans. The plans must include additional landscaping and fencing adjacent to roads.

- iii. A performance bond for recreation space improvements shall be posted prior to plat recording.

OR

- B. Fee-in-lieu: The applicant shall pay a fee-in-lieu of on-site recreation space to King County, prior to final approval/recording. The amount of the fee shall be determined by the King County Department of Natural Resources and Parks, consistent with the provisions of K.C.C. 21A.14.185.

18. Street trees shall be provided as follows (per 2007 KCRD&CS 5.03 and KCC 21A.16.050):

- A. Trees shall be planted at a rate of one tree for every 40 feet of frontage along all roads. Spacing may be modified to accommodate sight distance requirements for driveways and intersections.
- B. Trees shall be located within the street right-of-way and planted in accordance with Drawing No. 5-009 of the 2007 KCRD&CS, unless the King County Department of Transportation determines that trees should not be located in the street right-of-way.
- C. If King County determines that the required street trees should not be located within the right-of-way, they shall be located no more than 20 feet from the street right-of-way line.
- D. The trees shall be owned and maintained by the abutting lot owners *or* the homeowners’ association or other workable organization unless the county has adopted a maintenance program. Ownership and maintenance shall be noted on the face of the final recorded plat.
- E. The species of trees shall be approved by DPER if located within the right-of-way, and shall not include poplar, cottonwood, soft maples, gum, any fruit-bearing trees, or any other tree or shrub whose roots are likely to obstruct sanitary or storm sewers, or that is not compatible with overhead utility lines.
- F. The applicant shall submit a street tree plan and bond quantity sheet for review and approval by DPER prior to engineering plan approval.
- G. The applicant shall contact Metro Service Planning at (206) 684–1622 to determine if any roads are on a bus route. If so, the street tree plan shall also be reviewed by Metro.
- H. The street trees must be installed and inspected, or a performance bond posted prior to recording the plat. If a performance bond is posted, the street trees must

be installed and inspected within one year of recording the plat. At the time of inspection, if the trees are found to be installed per the approved plan, a maintenance bond must be submitted or the performance bond replaced with a maintenance bond, and held for one year. After one year, the maintenance bond may be released after DPER has completed a second inspection and determined that the trees have been kept healthy and thriving.

A landscape inspection fee shall also be submitted prior to plat recording. The inspection fee is subject to change based on the current county fees.

19. The MPS (road) fees, and any fee-in-lieu of recreation space, shall be collected and distributed in accordance with the terms of the Interlocal Agreement (Klahanie Annexation) between King County and the City of Sammamish.

DATED November 9, 2015.



David Spohr
King County Hearing Examiner

DS/vsm

NOTICE OF RIGHT TO APPEAL

In order to appeal the decision of the Hearing Examiner, written notice of appeal must be filed with the Clerk of the King County Council with a fee of \$250 (check payable to King County Office of Finance) on or before **November 23, 2015**. If a notice of appeal is filed, the original two copies of a written appeal statement specifying the basis for the appeal and argument in support of the appeal must be filed with the Clerk of the King County Council on or before **November 30, 2015**. Appeal statements may refer only to facts contained in the hearing record; new facts may not be presented on appeal.

Filing requires actual delivery to the Clerk of the Council’s Office, Room 1200, King County Courthouse, 516 Third Avenue, Seattle, Washington 98104, prior to the close of business (4:30) p.m. on the date due. Prior mailing is not sufficient if actual receipt by the Clerk does not occur within the applicable time period. If the Office of the Clerk is not officially open on the specified closing date, delivery prior to the close of business on the next business day is sufficient to meet the filing requirement.

If a written notice of appeal and filing fee are not filed within 14 calendar days of the date of this report, or if a written appeal statement and argument are not filed within 21 calendar days of the date of this report, the decision of the Hearing Examiner contained herein shall be the final decision of King County without the need for further action by the Council.

MINUTES OF THE OCTOBER 29, 2015, HEARING ON DEPARTMENT OF PERMITTING AND ENVIRONMENTAL REVIEW FILE NO. PLAT140005, PROPOSED ORDINANCE NO. 2015-0334.

David Spohr was the Hearing Examiner in this matter. Participating in the hearing were: Kimberly Claussen, Scott Kim, Carolyn Decker, John Miller, Nancy Anderson, Matt Perkins, Patrick Simmons, Nick Gillen, Jeff Schramm, and Robert Eichelsdoerfer.

The following exhibits were offered and entered into the hearing record:

- Exhibit no. 1 DPER files
 - A. Preliminary plat, file no. PLAT140005
 - B. Critical areas alteration exception, file no. CAEX150003
- Exhibit no. 2 Preliminary department report, transmitted to the Examiner on October 16, 2015
- Exhibit no. 3 Application for Land Use Permits
 - A. Preliminary plat, filed November 21, 2014
 - B. Critical areas alteration exception, filed May 15, 2015
- Exhibit no. 4 State Environmental Policy Act (SEPA) checklist
 - A. Preliminary plat, filed November 21, 2014
 - B. Critical areas alteration exception, filed May 15, 2015
- Exhibit no. 5 SEPA Determination of Non-Significance, issued August 14, 2015
- Exhibit no. 6 Affidavits of posting
 - A. Preliminary plat, posted December 12, 2014
 - B. Critical areas alteration exception, posted June 4, 2015
- Exhibit no. 7 Preliminary plat map, filed July 2, 2015
- Exhibit no. 8 Assessors maps SW 10-24-06 and SE 10-24-06
- Exhibit no. 9 Boundary line adjustment maps
 - A. Full-size map
 - B. Recorded map
- Exhibit no. 10 Critical Areas
 - A. Report, filed November 21, 2014
 - B. Technical memorandum, dated February 25, 2015
- Exhibit no. 11 Residential traffic impact analysis, filed November 21, 2014
- Exhibit no. 12 City of Sammamish letters
 - A. filed February 2, 2015 (dated January 30, 2015)
 - B. filed September 2, 2015 (dated August 28, 2015)
- Exhibit no. 13 Revised Level One downstream analysis and preliminary drainage control plan, filed July 2, 2015
- Exhibit no. 14 Goldsmith supplemental memorandum regarding infiltration testing, filed July 2, 2015
- Exhibit no. 15 Geotechnical
 - A. Preliminary report, filed November 21, 2014
 - B. Supplemental memorandum, filed September 23, 2015
- Exhibit no. 16 School information provided by Issaquah School District, filed December 5, 2014

Exhibit 3

PLAT140005–Jacob’s Landing

15

Exhibit no. 17	School walkway map, filed November 21, 2014
Exhibit no. 18	Proposed modifications to DPER conditions
Exhibit no. 19	Proposed modifications to DPER condition no. 6
Exhibit no. 20	New condition regarding MPS fees

Exhibit 3

Exhibit 4



King County

**Department of Permitting
and Environmental Review**

35030 SE Douglas St., Ste. 210
Snoqualmie, WA 98065-9266
206-296-6600 TTY Relay: 711
www.kingcounty.gov

May 26, 2017

David Pyle, Deputy Director
801 228th Avenue SE
Sammamish, WA 98075

Dear Mr. Pyle:

The Department of Permitting and Environmental Review has completed the review of the final map pages and supporting documents for recording for the plat of Jacob's Landing (PLAT14-0005). This agency's review was performed pursuant to the interlocal agreement between the City of Sammamish and King County. The review has determined that the final map pages meets all applicable regulations and conditions of approval.

The county has inspected the construction of the improvement of the plat and determined the amount of financial guarantees required for the recording of the plat. We has received the following:

An agreement to complete subdivision plan improvement and a performance financial guarantee in the amount of \$278,115 including \$7,500 cash for the completion of the right of way and site restoration (5/25/2017).

A substantial Completion agreement and cash deposit for the items not complete prior to recording for the amount of \$54,768.00.

A fee is to be paid to the city of Sammamish in lieu of providing recreation space.

An agreement to install and maintain street trees and a surety bond of \$5,476.00 (Received 5/25/17).

An agreement to complete critical area mitigation and/or restoration and a performance guarantee for \$19,301 for critical are restoration (Received 5/25/2017).

The county recommends the final map page mylars be approved and signed by the City; then forwarded to the Records and Elections Office to be recorded.

If you have any questions regarding this letter, please contact Pat Simmons at 206-477-0340.

After obtaining the city approvals, please deliver the plat mylars together with one copy, and a copy of this letter to the King County Assessors Office for processing. For information call Nimpa Gueco at 206- 205-5735.

Sincerely,

Wally Ashlock for

Scott Smith, P.E.
Development Engineer
cc: Applicant

Exhibit 4

Jacobs Landing Final Plat
Conditions of Approval - Compliance Matrix (Statement of Fact)
(Preliminary Plat Conditions of Approval November 9, 2015)
May 2017
(KC File # FNRW 17-0001 / City of Sammamish File # FSUB2017-0072)

	Plat Condition	Applicant Response	King County Comment
1.	Compliance with all platting provisions of Title 19A of the King County Code.	Condition acknowledged. Recommendation of Approval to Record Final Plat by King County.	The plat is in compliance
2.	All persons having an ownership interest in the subject property shall sign on the face of the final plat a dedication that includes the language set forth in King County Council Motion No. 5952.	Signatures for all ownership parties are identified on the Declaration Page Sheet 1 of 6.	Signatures are on the final mylar
3.	The plat shall comply with the base density and minimum density requirements of the R-6 & R-6 SO zone classification. All lots shall meet the minimum dimensional requirements of the R-6 & R-6 SO zone classification or shall be shown on the face of the approved preliminary plat, whichever is larger, except that minor revisions to the plat which do not result in substantial changes may be approved at the discretion of the Department of Permitting and Environmental Review.	The plat complies with the zoning requirements.	The lots as shown on the plat are in compliance and consistent with the preliminary plat.
	Any/all plat boundary discrepancy shall be resolved to the satisfaction of DPER prior to the submittal of the final plat documents. As used in this condition, "discrepancy" is a boundary hiatus, an overlapping boundary or a physical appurtenance which indicates an encroachment, lines of possession or a conflict of title.	Condition Acknowledged.	The boundary of the plat has been resolved with possible encroachments
4.	All construction and upgrading of public and private roads shall be done in accordance with the King County Road Design and Construction Standards established and adopted by Ordinance No. 15753, as amended (2007 KCRD&CS).	Condition acknowledged. The internal public road is constructed in accordance with plat condition as identified in SEPA.	The engineering plans are approved. The roads are designed to King County Standards
5.	The applicant must obtain the approval of the King County Fire Marshal for the adequacy of the fire department access, fire hydrant locations, water main, and fire flow of the International Fire Code as amended by Chapter 17 of the King County Code and in accordance with King County Public Rules.	Fire Permit Approval was issued on May 11, 2017 for watermain extension and hydrants by King County Fire Marshal and Sammamish Plateau Water District. Signed permit submitted to King County May 15, 2017. Water System Improvement Plans approved by Sammamish Plateau Water District (October 5, 2016).	The King County Fire Marshall has approved the location of the fire hydrants

6.	<p>The drainage facilities shall meet the requirements of the 2009 King County Surface Water Design Manual (KCSWDM). The site is subject to the KCSWDM's Conservation Flow Control and Basic Water Requirements. The infiltration pond shall be designed to fully infiltrate the 100-year storm event, unless a safe conveyance of the 100-year storm is identified. As outlined in the geotechnical evaluation (Terra Associates dated September 23, 2015), further MODRET analysis is required for groundwater monitoring during the wet season October 1 - April 30. The groundwater evaluation and final MODRET report shall be completed prior to approval of the engineering plans for site development. The applicant has the option of submitting engineering plans for review prior to completing the groundwater evaluation, with the understanding that it is the applicant's responsibility to comply with the results. Any reconfiguration and additional review fees resulting from the groundwater evaluation shall be the responsibility of the developer.</p>	<p>Completed during review and approval of Road and Storm Plans. (Sept. 14, 2016). An Infiltration Pond Testing Memo prepared by Terra Associates, Inc. was issued on May 8, 2017 confirming performance testing of the infiltration pond meets the minimum performance criteria. Memo was transmitted to King County on May 15, 2017.</p>	<p>The approved engineering plans are compliant with the 2009 Drainage Manual. The MODRET testing confirmed the use of infiltration on the site for the 100 year flood event.</p>
	<p>The final analysis of the allowed infiltration rates may require a larger pond, which may result in the reconfiguration and/or loss of lots. Note, minimum density requirements (KCC 21A.12.060) must still be met.</p>	<p>Completed during review and approval of Road and Storm Plans. (Sept. 14, 2016) An Infiltration Pond Testing Memo prepared by Terra Associates, Inc. was issued on May 8, 2017 confirming performance testing of the infiltration pond meets the minimum performance criteria. Memo was transmitted to King County on May 15, 2017.</p>	<p>The infiltration rates submitted on May 15, 2017 confirmed the size of the pond did not have to be enlarged.</p>
7.	<p>To implement the required Best Management Practices (BMPs) for treatment of storm water, the final engineering plans and technical information report (TIR) shall clearly demonstrate compliance with all applicable design standards. The requirements for best management practices are outlined in Chapter 5 of the 2009 KCSWDM. The design engineer shall address the applicable requirements on the final engineering plans and provide all necessary documents for implementation. The final recorded plat shall include all required covenants, easements, notes, and other details to implement the required BMPs for site development.</p>	<p>The Approved engineering plans reflect BMP requirements. BMPs will be included on building permits as required. An Infiltration Pond Testing Memo prepared by Terra Associates, Inc. was issued on May 8, 2017 confirming performance testing of the infiltration pond meets the minimum performance criteria. Memo was transmitted to King County on May 15, 2017.</p>	<p>The approved engineering plans and TIR confirm the BMP requirement in Chapter 5 have been met.</p>
	<p>The required BMPs shall also be shown on the individual residential building permit applications upon submittal of the permits. The individual building permit applications shall also include the required covenants, easements, notes and other details to implement the BMP design.</p>	<p>Acknowledged.</p>	<p>Building permits to be reviewed by City of Sammamish</p>

8.	The 100-year floodplain for any onsite or adjoining streams or wetlands shall be shown on the engineering plans and the final plat per Special Requirement 2 of the 2009 KCSWDM.	The 100-year floodplain was reviewed and approved with the Road and Storm Plans (Sept. 14, 2016); and specifically, Appendix A and Exhibit 1 of the Jacobs Landing TIR Report (August 2016). The 100-year floodplain is outside the boundary of the plat.	The boundary of the 100 Flood Plan is outside of the boundary of the plat.
9.	The proposed subdivision shall comply with the agreement between Quadrant and the City of Sammamish (described in Exhibit 12B and its attachments) and with the 2007 KCRD&CS and 2009 KCSWDM, including the following requirements:	Roads designed and approved per Road and Storm Improvement Plans (STRV16-0003) (Sept. 14, 2016). Frontage Improvement Plans on SE 32nd Way were approved by the City of Sammamish on Sept. 6, 2016.	The City of Sammamish approved the frontage plans per the agreement.
	A. Road A shall be improved at a minimum to the urban sub-access standard.	Roads designed and approved per Road and Storm Improvement Plans (STRV16-0003) (Sept. 14, 2016). Roadway width and vertical curb were designed and constructed per City of Sammamish standards in accordance with SEPA conditions.	Road A (234th Place SE) is designed to meet King County urban sub access standards.
	B. Any proposed joint use driveways or private access tracts shall be improved per Sections 3.01 and 2.09 of the 2007 KCRD&CS.	Approved by King County with the Road and Storm Improvement Plans (STRV16-0003) September 2016. Joint Use Driveways and Private Access Tracts have been constructed in accordance with Approved Plans.	The joint use driveways are designed to meet King County standards.
	C. Frontage improvements (Issaquah-Pine Lake & SE 32nd Way) are located within the City of Sammamish. Access to SE 32 nd Way, right-of-way dedication, if any, and improvements associated with Issaquah-Pine Lake Road and SE 32 nd Way shall be subject to the City of Sammamish review and approval prior to engineering plan approval.	Roads designed and approved per Road and Storm Improvement Plans (Sept. 14, 2016). Frontage Improvement Plans on SE 32nd Way were approved by the City of Sammamish on Sept. 6, 2016. Bonding is in place for the Frontage Improvements per Permit No. ROW2016-00548.	The City of Sammamish approved the frontage and access plans.
	D. Modifications to the above road conditions may be considered according to the variance provisions in Section 1.12 of the KCRD&CS.	Not applicable.	No modifications were requested.
10.	All utilities within proposed rights-of-way must be included within a franchise approved by the King County Council prior to final plat recording.	Acknowledged. Rights-of-Way and utility franchises are managed by the City of Sammamish jurisdiction.	Public Concur that the utility are franchise approved.

11.	The applicant or subsequent owner shall comply with King County Code 14.75, Mitigation Payment System (MPS), by paying the required MPS fee and administration fee as determined by the applicable fee ordinance. (Note: as currently configured, Jacob's Landing is adding 17 homes-20 new ones minus 3 existing homes to be removed prior to construction.) The applicant has the option to either: (1) pay the MPS fee at the final plat recording, or (2) pay the MPS fee at the time of building permit issuance. If the first option is chosen, the fee paid shall be the fee in effect at the time of plat application and a note shall be placed on the face of the plat that reads, "All fees required by King County Code 14.75, Mitigation Payment System (MPS), have been paid." If the second option is chosen, the fee paid shall be the amount in effect as of the date of building permit application.	Traffic/Street Impact Fees will be paid in accordance with City of Sammamish Street Impact Fee Title 14A.15 (City Ord. #02013-342) and the Interlocal Agreement between King County and City of Sammamish. The Applicant elects to pay the street impact fees at Building Permit. A Declaration of Assessment and Collection of Impact Fees was submitted to the City of Sammamish on February 16, 2017 declaring payment of impact fees at building permit.	Any roads fees are deferred to the building permit with the City of Sammamish, per note 1.3 on sheet 5 of the plat.
12.	Lots within this subdivision are subject to King County Code 21A.43, which imposes impact fees to fund school system improvements needed to serve new development. As a condition of final approval, fifty percent of the impact fees due for the plat shall be assessed and collected immediately prior to the recording, using the fee schedules in effect when the plat receives final approval. The balance of the assessed fee shall be allocated evenly to the plat's dwelling units and shall be collected prior to building permit issuance.	School Impact fees will be paid in accordance with City of Sammamish Code 21A.105.060., and the Interlocal Agreement between King County and City of Sammamish. A Declaration of Assessment and Collection of Impact Fees was submitted to the City of Sammamish on February 16, 2017. The Applicant has elected to pay the school impact fees at building permit in accordance with City of Sammamish Municipal Code 21A.105.060.(2)(b).	Any school fees are deferred to the building permit with the City of Sammamish, per note 1.3 on sheet 5 of the plat.
13.	The proposed subdivision shall comply with the Critical Areas code as outlined in KCC 21A.24. Permanent survey markings and signs, as specified in KCC 21A.24.160, shall also be addressed prior to final approval. Temporary marking of critical areas and their buffers (e.g., with bright orange construction fencing) shall be placed on the site and shall remain in place until all construction activities are complete.	A separate CAT is identified as Tract E. See 2.0 C.A restriction notes (Sheet 5 of 7).	The Critical area of the plat have been place in a Critical Area Tract and fences are constructed per King County Code.
14.	Preliminary plat review has identified the following specific requirements which apply to this project. All other applicable requirements from KCC 21A.24 shall also be addressed by the applicant:	Notes are shown on the final plat. All elements of this condition of approval have been addressed on the engineering plans, and/or will be addressed as part of the final plat, as applicable.	The critical area within the plat has been protected per King County Code.
	A. The Critical Areas/Wildlife corridor shown on the site plan dated July 2, 2015 have been verified and approved by King County DPER staff.	A separate CAT is identified as Tract E. See 2.0 C.A restriction notes (Sheet 5 of 7).	The King County DPER staff has verified and approved the Critical Area/wildlife corridor.

B. The Type F stream shall have a 115-foot buffer as measured from the Ordinary High Water Mark (OWHM).	A separate CAT is identified as Tract E. See 2.0 C.A restriction notes (Sheet 5 of 7).	Tract E of the plat contains the 115 foot buffer from the Ordinary High Water Mark.
C. The stream, associated buffer and wildlife corridor shall be placed in Critical Area Tracts (CAT) for long term protection. Fencing (split rail or equivalent) of the CAT is required.	A separate CAT is identified as Tract E. See 2.0 C.A restriction notes (Sheet 5 of 7).	The area is within Tract "E" and a fence has been built.
D. A 15-foot building set back line (BSBL) is required from the edge of the CAT and shown on all affected lots. The BSBL does not apply to paved roads, driveways and structural and non-structural fill.	A separate CAT is identified as Tract E. See 2.0 C.A restriction notes (Sheet 5 of 7).	The 15 foot BSBL is shown on the plat sheet 6.
E. The engineering plans shall be submitted and reviewed by Critical Areas Staff.	Approved with King County with the Road and Storm Improvement Plans (STRV16-0003) in September 2016.	King County Critical area staff have reviewed and approved the engineering and buffer restoration plans
<p>F. The following note shall be shown on the final engineering plan and recorded plat:</p> <p>RESTRICTIONS FOR CRITICAL AREA TRACTS AND CRITICAL AREAS AND BUFFERS</p> <p>Dedication of a critical area tract/sensitive area and buffer conveys to the public a beneficial interest in the land within the tract/critical area and buffer. This interest includes the preservation of native vegetation for all purposes that benefit the public health, safety and welfare, including control of surface water and erosion, maintenance of slope stability, and protection of plant and animal habitat. The critical area tract/critical area and buffer imposes upon all present and future owners and occupiers of the land subject to the tract/critical area and buffer the obligation, enforceable on behalf of the public by King County, to leave undisturbed all trees and other vegetation within the tract/critical area and buffer. The vegetation within the tract/critical area and buffer may not be cut, pruned, covered by fill, removed or damaged without approval in writing from the King County Department of Permitting and Environmental Review or its successor agency, unless otherwise provided by law.</p>	See Sheet 5 of 7 of the Final Plat.	This note is on sheet 5 of 7 of the plat

	The common boundary between the tract/critical area and buffer and the area of development activity must be marked or otherwise flagged to the satisfaction of King County prior to any clearing, grading, building construction or other development activity on a lot subject to the critical area tract/critical area and buffer. The required marking or flagging shall remain in place until all development proposal activities in the vicinity of the critical area are completed.	Completed with Approved King County Road and Storm Improvement Plans (STRV16-0003) in September 2016.	The boundary between the critical area and development activity was flagged prior to beginning construction
	No building foundations are allowed beyond the required 15-foot building setback line, unless otherwise provided by law.	Condition acknowledged. To be finalized with individual building permits.	The building set backs are shown on sheet 6 of 7 on the final plat map
	G. Critical Areas Alteration Exception	Bonding has been posted in conjunction of final plat inspection approval with King County.	Bond FING17-0045 of \$19,301 has been posted with the county
	i. The application for a grading permit and/or engineering plans are not submitted to King County DPER and <u>approved</u> within four years of preliminary plat approval, the critical areas alteration exception shall become null and void.	N/A	Engineering plans were approved within 4 years of the preliminary approval
	ii. The location of the proposed improvements shall be in substantial conformance with the proposed site plan (Attachment 1).	Approved with King County Final Plat Inspection Approval.	Improvements are in compliance with the proposed site plan per the approved engineering plans.
	iii. The final restoration plan/mitigation plan shall be submitted prior to issuance of a grading permit and/or engineering plan approval.	Restoration/Mitigation Plan included in Approved King County Road and Storm Improvement Plans (STRV16-0003) in September 2016.	The restoration/Mitigation plan was approved with the engineering plans
	iv. Prior to approval of a grading permit and/or engineering plan approval, the applicant may be required submit a financial guarantee to assure the implementation of any on-site restoration. If any on-site restoration is approved it shall be monitored for a period of three years after completion to insure that the restoration/revegetation is successful. Monitoring reports shall be submitted on the 1 st , 2 nd and 3 rd years following restoration work completion.	Condition acknowledged. Restoration Bond was posted with King County with Engineering Approval in Sept 2016. A Site Performance Bond has been posted to King County.	Bond FING17-0045 of \$19,301 has been posted with the county. The on site restoration shall be monitored for 3 years.
15	In addition to all applicable requirements of K.C.C. chapter 21A.24, the following wetland management area district overlay development standards shall be applied to the area that was (prior to BLAD14-040, Ex. 9B, segmenting off part of parcel #102406-9009) "lot 4" of the July 28, 1978, short plat #1177104:	All elements of this condition have been completed with Approved King County Road and Storm Improvement Plans (STRV16-0003) in September 2016.	Concur, The condition was reviewed and the approved engineering plans comply with the condition.

King County Code 21A.38.120 Special district overlay-Wetland management areas	All elements of this condition have been completed with Approved King County Road and Storm Improvement Plans (STRV16-0003) in September 2016.	Concur, The condition was reviewed and the approved engineering plans comply with the condition.
The following development standards shall be applied in addition to all applicable requirements of K.C.C. chapter 21A.24 to development proposals located within a wetland management area district overlay:	All elements of this condition have been completed with Approved King County Road and Storm Improvement Plans (STRV16-0003) in September 2016.	Concur, The condition was reviewed and the approved engineering plans comply with the condition.
1. All subdivisions and short subdivisions on residentially zoned properties that are identified in an adopted basin plan for impervious surface limitations shall have a maximum impervious surface area of eight percent of the gross acreage of the plat. For areas that are not covered by an adopted basin plan, this limit shall apply to all residentially zoned lands located within the wetland management area. Distribution of the allowable impervious area among the platted lots shall be recorded on the face of the plat. Impervious surface of existing roads need not be counted towards the allowable impervious area. This condition may be modified by the director for the minimum necessary to accommodate unusual site access conditions;	All elements of this condition have been completed with Approved King County Road and Storm Improvement Plans (STRV16-0003) in September 2016.	The condition was reviewed and the approved engineering plans comply with the condition.
2. All subdivisions and short subdivisions on properties identified in an adopted basin plan for clustering and set aside requirements shall be required to cluster away from wetlands or the axis of corridors along stream tributaries and identified swales connecting wetlands in order to minimize land disturbance and maximize distance from these sensitive features. At least 65 percent of affected portions of RA-zoned properties and at least 50 percent of all other affected portions of the property shall be left in native vegetation, preferably forest, and placed in a permanent open space tract. In the absence of a basin plan, these requirements shall apply to all lands containing or adjacent to a wetland, a stream tributary corridor or a swale connecting wetlands; and	All elements of this condition have been completed with Approved King County Road and Storm Improvement Plans (STRV16-0003) in September 2016.	The condition was reviewed and the approved engineering plans comply with the condition.
3. Clearing and grading activity from October 1 through March 31 shall meet the provisions of K.C.C. 16.82.150D wherever not already applicable. (Ord. 13307 § 1, 1998: Ord. 12823 § 14, 1997: Ord. 12809 § 5, 1997).	Condition acknowledged.	The clearing and grading complied with this condition during the construction.

16.	A homeowners' association or other workable organization shall be established to the satisfaction of DPER which provides for the ownership and continued maintenance of the recreation and critical area tracts.	A copy of the Homeowners' Association Formation Certificate is submitted with the final plat.	The Jacobs Landing Homeowners Association was created on October 30, 2014
17.	Suitable recreation space shall be provided consistent with the requirements of K.C.C. 21A.14.180 and K.C.C. 21A. 14.190 (i.e., sport court[s], children's play equipment, picnic table[s], benches, etc.), requiring either of the following:	<p>The City of Sammamish is requiring that Park Mitigation fees be paid in accordance with City of Sammamish Municipal Code (SMC14A.20.110) as a direct result of the Klahanie Annexation.</p> <p>The Applicant elects to pay the park impact fees at Building Permit. A Declaration of Assessment and Collection of Impact Fees was submitted to the City of Sammamish on February 16, 2017 declaring payment of impact fees at building permit. The Park Impact fee will be paid at Building Permit Issuance per the Applicant's request.</p>	The Applicant proposed to pay park impact fee per note Note 3.1 on sheet 5
A. On-site recreation:			
	i. The location of the recreation tract and/or lots shall be reconfigured to provide a more centrally located tract with improved visibility from the future lots. This may result in the reconfiguration of lots.	<p>Applicant has opted to comply with Condition 17.B.</p> <p>The City of Sammamish is requiring that Park Mitigation fees be paid in accordance with City of Sammamish Municipal Code (SMC14A.20.110) as a direct result of the Klahanie Annexation.</p> <p>The Applicant elects to pay the park impact fees at Building Permit. A Declaration of Assessment and Collection of Impact Fees was submitted to the City of Sammamish on February 16, 2017 declaring payment of impact fees at building permit. The Park Impact fee will be paid at Building Permit Issuance per the Applicant's request.</p>	The applicant proposes to pay a park impact fee
	ii. A detailed recreation space plan (i.e., location, area calculations, dimensions, landscape specs, equipment specs, etc.) shall be submitted for review and approval by DPER and King County Parks prior to or concurrent with the submittal of engineering plans. The plans must include additional, landscaping and fencing adjacent to roads. OR	<p>Applicant has opted to comply with Condition 17.B.</p> <p>The City of Sammamish is requiring that Park Mitigation fees be paid in accordance with City of Sammamish Municipal Code (SMC14A.20.110) as a direct result of the Klahanie Annexation. Therefore, Applicant will pay the City's Park Mitigation fee per SMC14A.20.110.</p>	The applicant proposes to pay a park impact fee. See note 1.3 sheet 5 of 7

	iii. A performance bond for recreation space improvements shall be posted prior to plat recording.	<p>No Bond Required. The City of Sammamish is requiring that Park Mitigation fees be paid in accordance with City of Sammamish Municipal Code (SMC14A.20.110) as a direct result of the Klahanie Annexation.</p> <p>The Applicant elects to pay the park impact fees at Building Permit. A Declaration of Assessment and Collection of Impact Fees was submitted to the City of Sammamish on February 16, 2017 declaring payment of impact fees at building permit. The Park Impact fee will be paid at Building Permit Issuance per the Applicant's request.</p>	The applicant proposes to pay a park impact fee
OR			
	B. Fee-in-lieu: The applicant shall pay a fee-in-lieu of on-site recreation space to King County, prior to final approval/recording. The amount of the fee shall be determined by the King County Department of Natural Resources and Parks, consistent with the provisions of K.C.C. 21A.14.185.	<p>The City of Sammamish is requiring that Park Mitigation fees be paid in accordance with City of Sammamish Municipal Code (SMC14A.20.110) as a direct result of the Klahanie Annexation. The Park Impact fee will be paid at Building Permit Issuance per the Applicant's request.</p> <p>The Applicant elects to pay the park impact fees at Building Permit. A Declaration of Assessment and Collection of Impact Fees was submitted to the City of Sammamish on February 16, 2017 declaring payment of impact fees at building permit. The Park Impact fee will be paid at Building Permit Issuance per the Applicant's request.</p>	The applicant proposes to pay a park impact fee
18.	Street trees shall be provided as follows (per KCRD & CS 5.03 and K.C.C. 21A.16.050):		Bond (FING17-0046) has been posted for the installation and monitor of required street trees.
	A. Trees shall be planted at a rate of one tree for every 40 feet of frontage along all roads. Spacing may be modified to accommodate sight distance requirements for driveways and intersections.	Street trees were reviewed and approved by King County with the Road and Storm Improvement Plans (STRV16-0003) in October 2016. Sheets L-1 and L-2.	Street tree plan was reviewed and approved with the engineering plans.
	B. Trees shall be located within the street right-of-way and planted in accordance with Drawing No. 5-009 of the 2007 KCRD&CS, unless King County Department of Transportation determines that trees should not be located in the street right-of-way.	Street trees were reviewed and approved by King County with the Road and Storm Improvement Plans (STRV16-0003) in October 2016. Sheets L-1 and L-2. Street trees are to be planted on the lots.	Street tree plan was reviewed and approved with the engineering plans.

C. If King County determines that the required street trees should not be located within the right-of-way, they shall be located no more than 20 feet from the street right-of-way line.	Street trees were reviewed and approved by King County with the Road and Storm Improvement Plans (STRV16-0003) in September 2016. Sheets L-1 and L-2. Street trees will be planted on the lots. Bonds are posted with King County for the street trees.	Street tree plan was reviewed and approved with the engineering plans.
D. The trees shall be owned and maintained by the abutting lot owners or the homeowners' association or other workable organization unless the county has adopted a maintenance program. Ownership and maintenance shall be noted on the face of the final recorded plat.	See Note 1.8 on Sheet 5 of 7.	See note 1.8 on sheet 5 of 7
E. The species of trees shall be approved by DPER if located within the right-of-way, and shall not include poplar, cottonwood, soft maples, gum, any fruit-bearing trees, or any other tree or shrub whose roots are likely to obstruct sanitary or storm sewers, or that is not compatible with overhead utility lines.	Street trees were reviewed and approved by King County with the Road and Storm Improvement Plans (STRV16-0003) in September 2016. Sheets L-1 and L-2.	Street tree plan was reviewed and approved with the engineering plans.
F. The applicant shall submit a street tree plan and bond quantity sheet for review and approval by DPER prior to engineering plan approval.	Both Landscape and Street Tree Bonds have been posted to King County.	The bond quantity worksheet was submitted and approved. Bond FING17-0045 was posted
G. The applicant shall contact Metro Service Planning at (206) 684-1622 to determine if any roads are on a bus route. If so, the street tree plan shall also be reviewed by Metro.	Not applicable.	N/A
H. The street trees must be installed and inspected, or a performance bond posted prior to recording of the plat. If a performance bond is posted, the street trees must be installed and inspected within one year of recording of the plat. At the time of inspection, if the trees are found to be installed per the approved plan, a maintenance bond must be submitted or the performance bond replaced with a maintenance bond, and held for one year. After one year, the maintenance bond may be released after DPER has completed a second inspection and determined that the trees have been kept healthy and thriving.	A Performance bond for the Street Trees has been posted with King County. Condition acknowledged. The Applicant elects to pay the street impact fees at Building Permit. A Declaration of Assessment and Collection of Impact Fees was submitted to the City of Sammamish on February 16, 2017 declaring payment of impact fees at building permit.	Street trees shall be monitored for 1 year
A landscape inspection fee shall also be submitted prior to plat recording. The inspection fee is subject to change based on the current county fees.	The Landscape Bond has been posted with King County.	A landscaping inspection fee was paid to the county.

19.	The MPS (road) fees, and any fee-in-lieu of recreation space, shall be collected and distributed in accordance with the terms of the Interlocal Agreement (Klahanie Annexation) between King County and the City of Sammamish.	<p>Condition acknowledged. Impact fees for streets and parks will be paid to the City of Sammamish per the ILA, and in accordance with the City of Sammamish Municipal Code Chapter 14A.15 and 14A.20 respectively.</p> <p>The Applicant elects to pay the street and park impact fees at Building Permit. A Declaration of Assessment and Collection of Impact Fees was submitted to the City of Sammamish on February 16, 2017 declaring payment of impact fees at building permit.</p>	Note 3.1 on sheet 5 of the plat deferred the road, recreation and school fee per the interlocal agreement.

Exhibit 5

JACOBS LANDING

PORTION OF THE NE 1/4 OF THE SW 1/4 OF SECTION 10, TOWNSHIP 24 N, RANGE 6 E, W.M.
CITY OF SAMMAMISH, KING COUNTY, WASHINGTON

DEDICATION

KNOW ALL PEOPLE BY THESE PRESENTS THAT WE, THE UNDERSIGNED OWNERS OF INTEREST IN THE LAND HEREBY SUBDIVIDED, HEREBY DECLARE THIS PLAT TO BE THE GRAPHIC REPRESENTATION OF THE SUBDIVISION MADE HEREBY, AND DO HEREBY DEDICATE TO THE USE OF THE PUBLIC FOREVER ALL STREETS AND AVENUES NOT SHOWN AS PRIVATE HEREON AND AREAS SHOWN AS PUBLIC ROW DEDICATION HEREON AND DEDICATE THE USE THEREOF FOR ALL PUBLIC PURPOSES NOT INCONSISTENT WITH THE USE THEREOF FOR PUBLIC HIGHWAY PURPOSES, AND ALSO THE RIGHT TO MAKE ALL NECESSARY SLOPES FOR CUTS AND FILLS UPON THE LOTS SHOWN THEREON IN THE ORIGINAL REASONABLE GRADING OF SAID STREETS AND AVENUES, AND FURTHER DEDICATE TO THE USE OF THE PUBLIC ALL THE EASEMENTS AND TRACTS SHOWN ON THIS PLAT FOR ALL PUBLIC PURPOSES AS INDICATED THEREON, INCLUDING BUT NOT LIMITED TO PARKS, OPEN SPACE, UTILITIES AND DRAINAGE UNLESS SUCH EASEMENTS OR TRACTS ARE SPECIFICALLY IDENTIFIED ON THIS PLAT AS BEING DEDICATED OR CONVEYED TO A PERSON OR ENTITY OTHER THAN THE PUBLIC, IN WHICH CASE WE DO HEREBY DEDICATE SUCH STREETS, EASEMENTS, OR TRACTS TO THE PERSON OR ENTITY IDENTIFIED AND FOR THE PURPOSE STATED.

FURTHER, THE UNDERSIGNED OWNERS OF THE LAND HEREBY SUBDIVIDED, WAIVE FOR THEMSELVES, THEIR HEIRS AND ASSIGNS AND ANY PERSON OR ENTITY DERIVING TITLE FROM THE UNDERSIGNED, ANY AND ALL CLAIMS FOR DAMAGES AGAINST CITY OF SAMMAMISH, ITS SUCCESSORS AND ASSIGNS WHICH MAY BE OCCASIONED BY THE ESTABLISHMENT, CONSTRUCTION, OR MAINTENANCE OF ROADS AND/OR DRAINAGE SYSTEMS WITHIN THIS SUBDIVISION OTHER THAN CLAIMS RESULTING FROM INADEQUATE MAINTENANCE BY CITY OF SAMMAMISH.

FURTHER, THE UNDERSIGNED OWNERS OF THE LAND HEREBY SUBDIVIDED, AGREE FOR THEMSELVES, THEIR HEIRS AND ASSIGNS TO INDEMNIFY AND HOLD CITY OF SAMMAMISH, ITS SUCCESSORS AND ASSIGNS, HARMLESS FROM ANY DAMAGE, INCLUDING ANY COSTS OF DEFENSE, CLAIMED BY PERSONS WITHIN OR WITHOUT THIS SUBDIVISION TO HAVE BEEN CAUSED BY ALTERATIONS OF THE GROUND SURFACE, VEGETATION, DRAINAGE, OR SURFACE OR SUBSURFACE WATER FLOWS WITHIN THIS SUBDIVISION OR BY ESTABLISHMENT, CONSTRUCTION OR MAINTENANCE OF THE ROADS WITHIN THIS SUBDIVISION. PROVIDED, THIS WAIVER AND INDEMNIFICATION SHALL NOT BE CONSTRUED AS RELEASING CITY OF SAMMAMISH, ITS SUCCESSORS OR ASSIGNS, FROM LIABILITY FOR DAMAGES, INCLUDING THE COST OF DEFENSE, RESULTING IN WHOLE OR IN PART FROM THE NEGLIGENCE OF KING COUNTY, ITS SUCCESSORS, OR ASSIGNS.

THIS SUBDIVISION, DEDICATION, WAIVER OF CLAIMS AND AGREEMENT TO HOLD HARMLESS IS MADE WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF SAID OWNERS.

IN WITNESS WHEREOF, WE SET OUR HANDS AND SEALS:

THE QUADRANT CORPORATION, A WASHINGTON CORPORATION

BY: 
TITLE: Sr. Vice President

ACKNOWLEDGMENT

STATE OF WASHINGTON

COUNTY OF King

I CERTIFY THAT I KNOW OR HAVE SATISFACTORY EVIDENCE THAT Bonnie Geers
SIGNED THIS INSTRUMENT, ON OATH STATED THAT HE/SHE WAS AUTHORIZED TO EXECUTE THE INSTRUMENT AND ACKNOWLEDGED IT AS THE Sr. Vice President OF THE QUADRANT CORPORATION, A WASHINGTON CORPORATION, TO BE THE FREE AND VOLUNTARY ACT OF SUCH PARTY FOR THE USES AND PURPOSES MENTIONED IN THE INSTRUMENT.

DATED: 5/25/17
SIGNATURE OF NOTARY PUBLIC: Patricia E. Hackett
PRINTED NAME OF NOTARY PUBLIC: Patricia E. Hackett
RESIDING AT: Renton WA
MY APPOINTMENT EXPIRES: 10/6/19



APPROVALS

CITY OF SAMMAMISH

EXAMINED AND APPROVED PER SMC 19A.16 THIS DAY OF 2017

.....
DIRECTOR OF COMMUNITY DEVELOPMENT, CITY OF SAMMAMISH

.....
CITY ENGINEER, CITY OF SAMMAMISH

.....
MAYOR, CITY OF SAMMAMISH

KING COUNTY DEPARTMENT OF ASSESSMENTS

EXAMINED AND APPROVED THIS DAY OF 2017

.....
KING COUNTY ASSESSOR DEPUTY KING COUNTY ASSESSOR

ACCOUNT NUMBERS: 1024069172, 1024069171, 1024069170

FINANCE DIVISION CERTIFICATE

I HEREBY CERTIFY THAT ALL PROPERTY TAXES ARE PAID, THAT THERE ARE NO DELINQUENT SPECIAL ASSESSMENTS CERTIFIED TO THIS OFFICE FOR COLLECTION AND THAT ALL SPECIAL ASSESSMENTS CERTIFIED TO THIS OFFICE FOR COLLECTION ON ANY OF THE PROPERTY HEREIN CONTAINED DEDICATED AS STREETS, ALLEYS, OR FOR ANY OTHER PUBLIC USE, ARE PAID IN FULL.

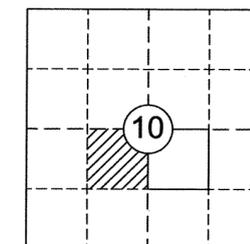
THIS DAY OF 2017

.....
MANAGER, FINANCE DIVISION

.....
DEPUTY

SHEET INDEX

- SHEET 1 - DEDICATION & SIGNATURES
- SHEET 2 - SURVEY CONTROL, LEGAL DESCRIPTIONS & SURVEY NOTES
- SHEET 3 - SURVEY NOTES, RECORD MATTERS
- SHEET 4 - EASEMENT PROVISIONS
- SHEET 5 - GENERAL RESTRICTIONS
- SHEET 6 - MAP SHEET
- SHEET 7 - EASEMENT DETAILS



TWP. 24N., R. 6E., W.M.

PORTION OF THE NE 1/4 OF THE SW 1/4 OF SECTION 10, TOWNSHIP 24N., RANGE 6E., WM

 **GOLDSMITH**
LAND DEVELOPMENT SERVICES
1215 114th Ave SE, Bellevue, WA 98004 | PO Box 3565, Bellevue, WA 98009
T 425 462 1080 F 425 462 7719 www.goldsmithengineering.com

VOL./PAGE

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THIS PLAT OF JACOBS LANDING IS BASED UPON AN ACTUAL SURVEY AND SUBDIVISION OF SECTION 10, TOWNSHIP 24 NORTH, RANGE 6 EAST, WILLAMETTE MERIDIAN, THAT THE COURSES AND DISTANCES ARE SHOWN CORRECTLY THEREON; THAT THE MONUMENTS WILL BE SET AND THE LOTS AND TRACTS WILL BE STAKED CORRECTLY ON THE GROUND AS CONSTRUCTION IS COMPLETED; AND THAT I HAVE FULLY COMPLIED WITH THE PROVISIONS OF THE PLATTING REGULATIONS.


LEE D. NYQUIST, PROFESSIONAL LAND SURVEYOR
CERTIFICATE NO. 38984



5-25-17
DATE

AUDITOR'S CERTIFICATE

FILED FOR RECORD THIS DAY OF, 20....., AT M IN BOOK

OF, AT PAGE AT THE REQUEST OF HUGH G. GOLDSMITH &

ASSOCIATES, INC.

.....
COUNTY AUDITOR

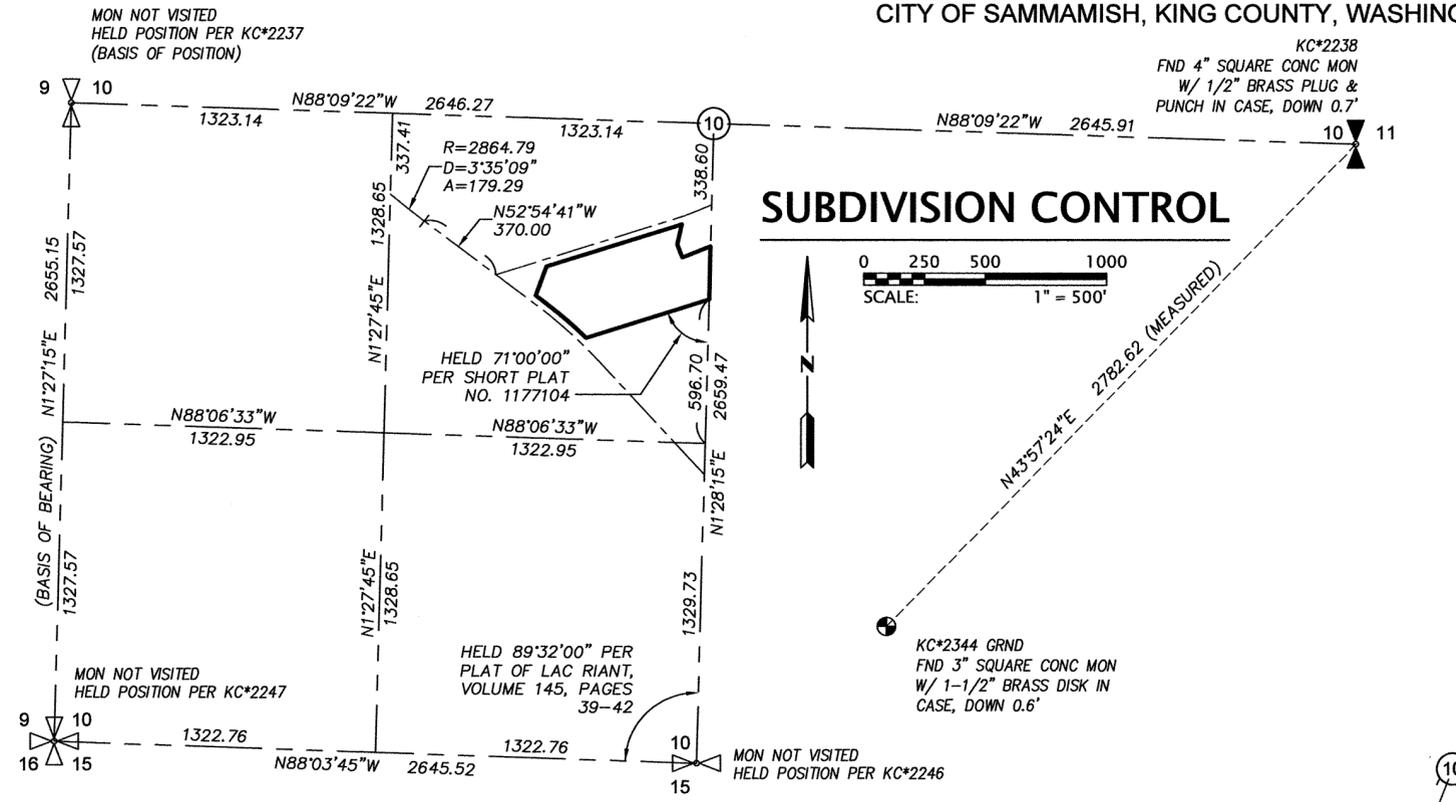
CITY OF SAMMAMISH FILE NO. FSUB2017-00072
KING COUNTY FILE NO. FNRW17-0001
DPER FILE NO. PLAT140005

M:\ACAD\SURVEY\14114108\Final Plat\14108 F01-1.dwg Erica Malim 2017-05-25 7:56 AM

M:\ACAD\SURVEY\14114108\Final Plat\14108 F01-1.dwg Erica Malim 2017-05-25 7:56 AM

JACOBS LANDING

PORTION OF THE NE 1/4 OF THE SW 1/4 OF SECTION 10, TOWNSHIP 24 N, RANGE 6 E, W.M.
CITY OF SAMMAMISH, KING COUNTY, WASHINGTON



LEGAL DESCRIPTION

PARCEL A

LOT 1 OF KING COUNTY SHORT PLAT NUMBER 1177104, RECORDED UNDER RECORDING NUMBER 7807280954, SAID SHORT PLAT BEING A PORTION OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 10, TOWNSHIP 24 NORTH, RANGE 6 EAST, WILLAMETTE MERIDIAN, IN KING COUNTY, WASHINGTON.

PARCEL B

LOT 2 OF KING COUNTY SHORT PLAT NUMBER 1177104, RECORDED UNDER RECORDING NUMBER 7807280954, SAID SHORT PLAT BEING A PORTION OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 10, TOWNSHIP 24 NORTH, RANGE 6 EAST, WILLAMETTE MERIDIAN, IN KING COUNTY, WASHINGTON.

PARCEL C

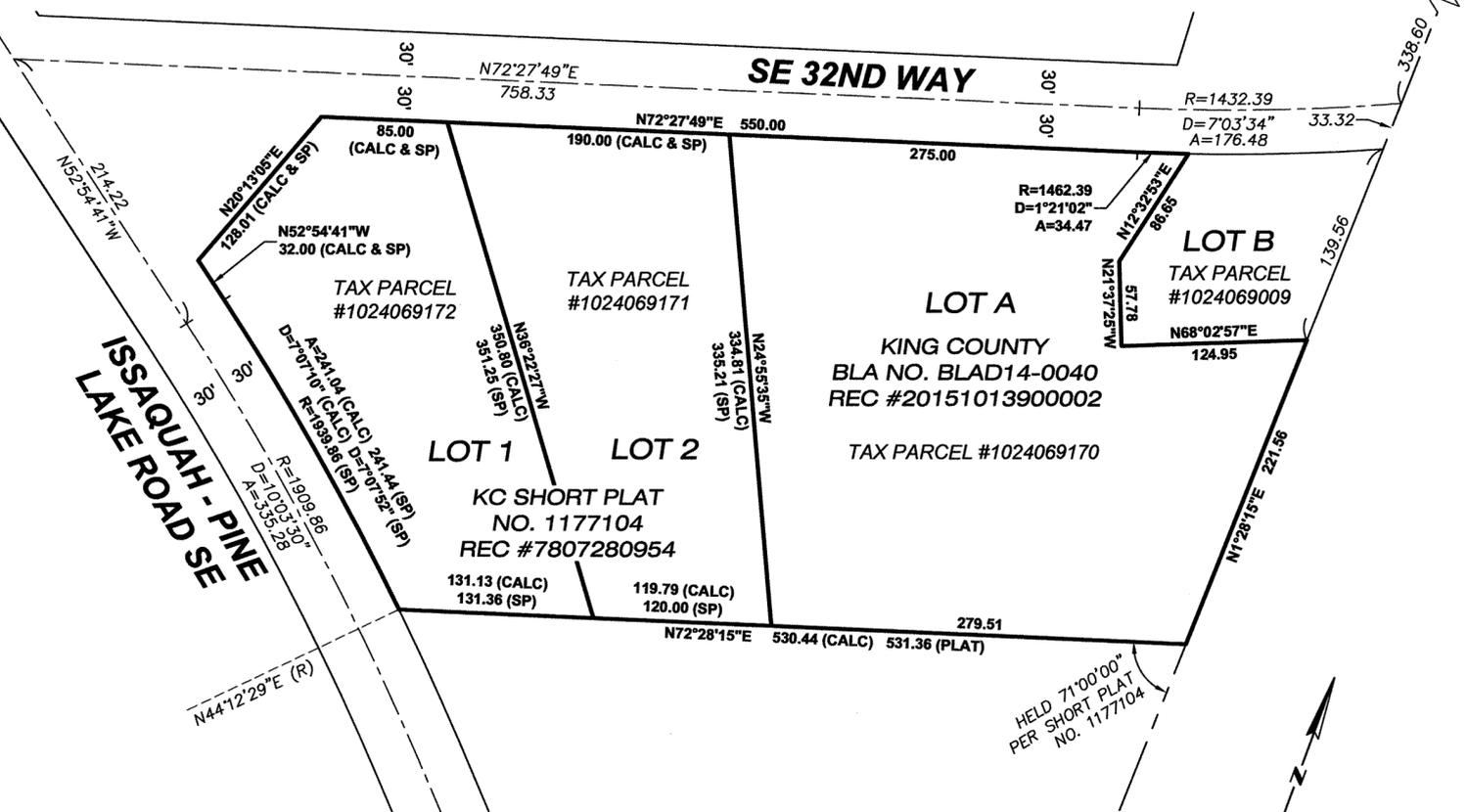
LOT A OF KING COUNTY BOUNDARY LINE ADJUSTMENT NO. BLAD14-0040, RECORDED UNDER RECORDING NUMBER 20151013900002.

SITUATED IN THE COUNTY OF KING, STATE OF WASHINGTON.

SURVEY PROCEDURE AND PRECISION NOTES

- HORIZONTAL DATUM: NAD 83/91 - WASHINGTON NORTH ZONE BASED ON KING COUNTY SURVEY CONTROL.
- BASIS OF POSITION: HELD KC*2237 (ALSO KNOWN AS THE WEST QUARTER CORNER OF SECTION 10, TOWNSHIP 24 NORTH, RANGE 6 EAST) (N 214,235.718, E 1,343,703.714 - GRID).
- BASIS OF BEARING: HELD BEARING BETWEEN THE ABOVE NOTED BASIS OF POSITION AND KC*2247 (ALSO KNOWN AS THE SOUTHWEST CORNER OF SAID SECTION 10) (N 211,581.510, E 1,343,636.339 GRID, N 211,581.427, E 1,343,636.337 GROUND) TO BE S 01°27'15" W PER DIRECT INVERSE.
- TO SET THE BOUNDARY SHOWN HEREON, GOLDSMITH OCCUPIED AND USED KING COUNTY SURVEY CONTROL POINTS KC*2344 (N 212,062.320, E 1,347,061.696 - GROUND) A 4"x4" CONCRETE MONUMENT WITH A 2" BRASS DISK WITH "+" SET 0.65 FEET BELOW GRADE IN A CASE IN THE CENTERLINE OF SOUTHEAST 37TH PLACE, EAST OF PLANTER AT WEST END OF ROAD, AND KC*2238 (N 214,065.435, E 1,348,993.154 - GROUND) A 4"x4" CONCRETE MONUMENT WITH A BRASS PLUG SET 0.7 FEET BELOW GRADE IN A CASE IN THE CENTERLINE OF 244TH AVENUE SOUTHEAST AND 2.0 FEET NORTH OF THE CENTERLINE OF SOUTHEAST 32ND STREET. SAID POINTS DIRECTLY RELATE TO THE ABOVE NOTED BASIS OF POSITION AND BEARINGS.
- THE BOUNDARY SHOWN HEREON REFERENCED THE FOLLOWING SURVEY SOURCES:
 - KING COUNTY SHORT PLAT NO. 1177104 AS RECORDED UNDER RECORDING NUMBER 7807280954, RECORDS OF KING COUNTY, WASHINGTON. HELD FOR THE BOUNDARY SHOWN HEREON AND ROTATED + 00°00'31" TO BE ON THE ABOVE NOTED HORIZONTAL DATUM.
 - PLAT OF LAC RIANI AS RECORDED IN VOLUME 145 OF PLATS, PAGES 39 THROUGH 43, RECORDS OF KING COUNTY, WASHINGTON.
 - RECORD OF SURVEY AS RECORDED IN VOLUME 104 OF SURVEYS, PAGE 9, RECORDS OF KING COUNTY, WASHINGTON.
 - RECORD OF SURVEY AS RECORDED IN VOLUME 80 OF SURVEYS, PAGE 119, RECORDS OF KING COUNTY, WASHINGTON.
 - PLAT OF BELCARA AS RECORDED IN VOLUME 251 OF PLATS, PAGES 4 THROUGH 8, RECORDS OF KING COUNTY, WASHINGTON.
 - KING COUNTY ENGINEERING PLANS PINE LAKE ROAD TO 228TH AVE. SE AND NE, SHEETS 1 AND 2 OF 5, DATED JANUARY 27, 1958.
 - KING COUNTY ENGINEERING PLANS SE 32ND STREET (ISSAQUAH-PINE LAKE ROAD TO EAST BEAVER LAKE ROAD) SURVEY NO. 10-24-6-4A, SHEETS 1 AND 2 OF 3, DATED AUGUST 20, 1962.
 - WGS SURVEY DATA WAREHOUSE DATABASE.
 - KING COUNTY ASSESSOR'S MAP FOR THE SOUTHWEST QUARTER OF SECTION 10, TOWNSHIP 24 NORTH, RANGE 6 EAST, W.M.

SURVEY NOTES CONTINUED ON SHEET 3 OF 7



Erica Malin 2017-05-25 1:48 PM
M:\ACAD\SURVEY\14\14108\Final\Plat\14108 F01-2.dwg

CITY OF SAMMAMISH FILE NO. FSUB2017-00072
KING COUNTY FILE NO. FNRW17-0001
DPER FILE NO. PLAT140005



GOLDSMITH

LAND DEVELOPMENT SERVICES

1215 114th Ave SE, Bellevue, WA 98004 | PO Box 3565, Bellevue, WA 98009
T 425 462 1080 F 425 462 7719 www.goldsmitthengineering.com

JACOBS LANDING

PORTION OF THE NE 1/4 OF THE SW 1/4 OF SECTION 10, TOWNSHIP 24 N, RANGE 6 E, W.M.
CITY OF SAMMAMISH, KING COUNTY, WASHINGTON

RECORD MATTERS

SURVEY NOTES CONTINUED FROM SHEET 2 OF 7

6. THE FOLLOWING DECISIONS WERE MADE TO DETERMINE THE BOUNDARY SHOWN HEREON:

- A) HELD THE KING COUNTY GPS SURVEY CONTROL LOCATIONS FOR THE WEST QUARTER CORNER OF SAID SECTION 10 (KC*2237), THE SOUTHWEST CORNER OF SAID SECTION (KC*2247), THE SOUTH QUARTER CORNER OF SAID SECTION (KC*2246) AND THE EAST QUARTER CORNER OF SAID SECTION (KC*2238) TO ESTABLISH THE SOUTHWEST QUARTER OF SAID SECTION SHOWN HEREON.
- B) GRID COORDINATES WERE REDUCED TO GROUND COORDINATES HOLDING A COMBINATION FACTOR OF 0.999968660 WHERE GRID DISTANCE DIVIDED BY THE COMBINATION FACTOR EQUALS GROUND DISTANCE RELATIVE TO KC*2237 (ALSO KNOWN AS THE WEST QUARTER CORNER OF SECTION 10, TOWNSHIP 24 NORTH, RANGE 6 EAST) (N 214,235.718, E 1,343,703.714 - GRID). ADDITIONALLY GROUND COORDINATES WERE DERIVED FOR KING COUNTY GPS CONTROL POINT KC*2344 WHICH DIRECTLY RELATE TO SAID WEST QUARTER CORNER.
- C) PER THE PLAT SUNRIDGE ESTATES AS RECORDED IN VOLUME 127 PAGES 72 AND 73, THE NORTH QUARTER CORNER OF SECTION 10 WAS NOT FOUND. THEREFORE THE NORTH-SOUTH CENTER OF SECTION LINE WAS ESTABLISHED HOLDING THE CALCULATED ANGLE OF 89°32'00" PER THE ABOVE NOTED PLAT OF LAC RIANAT AT THE SOUTH QUARTER CORNER OF SAID SECTION.
- D) HELD THE ABOVE NOTED RECORD OF SURVEY (VOL. 104, PG 9) TO CALCULATE CENTERLINE OF SE 32ND WAY AND ISSAQUAH-PINE LAKE ROAD. ALSO REFERENCED THE ABOVE NOTED KING COUNTY ENGINEERING PLANS FOR THE CENTERLINE OF ISSAQUAH-PINE LAKE ROAD SOUTH OF THE INTERSECTION WITH SE 32ND WAY.
- E) CALCULATED THE OVERALL BOUNDARY OF THE ABOVE NOTED SHORT PLAT NO. 1177104 HOLDING THE LEGAL DESCRIPTION SHOWN ON SAID SHORT PLAT. THE RESULTANT CALCULATED DIMENSIONS OF THE EXTERIOR BOUNDARY OF THE SHORT PLAT WERE AT VARIANCE WITH RECORD DIMENSIONS SO INTERIOR LOTS LINES WERE PRORATED TO FIT THE REVISED EXTERIOR DIMENSIONS.
- F) HELD TWO KING COUNTY GPS SURVEY CONTROL POINTS (SEE BASIS OF POSITION AND BASIS OF BEARING NOTES) THAT DIRECTLY RELATE TO THE SUBDIVISION CORNERS NOTED ABOVE TO LOCATE THE BOUNDARY CORNERS AND OCCUPATION SHOWN HEREON.

7. MONUMENTATION NOTED AS FOUND WAS FIELD VISITED ON MAY 23 AND 30, 2014.

8. SURVEY WORK PERFORMED IN CONJUNCTION WITH THIS SURVEY UTILIZED ONE OR MORE OF THE FOLLOWING SURVEY INSTRUMENTS AND PROCEDURES:

- A) FIELD TRAVERSE AND / OR GLOBAL NAVIGATION SATELLITE SYSTEM (GNSS) POSITIONING SYSTEM SURVEY.
- B) ELECTRONIC TOTAL STATIONS, INCLUDING TOPCON GPT 3005, TOPCON PS-103A, NIKON DTM-430, NIKON DTM-530 OR LEICA TCRP1201+.
- C) TOPCON HIPER LITE PLUS GNSS EQUIPMENT.
- D) TOPCON GR-3 GNSS EQUIPMENT.
- E) ALL FIELD TRAVERSE WORK COMPLIES WITH CURRENT STANDARDS AS OUTLINED IN WAC 332-130-070, 080 AND 090. ALL INSTRUMENTS MAINTAINED TO MANUFACTURER'S SPECIFICATIONS AS REQUIRED BY WAC 332-130-100.

9. THE OVERALL SUBJECT PROPERTY CONTAINS 204,556 SQUARE FEET OR 4.69 ACRES.

10. ALL UNITS SHOWN ARE EXPRESSED IN U.S. SURVEY FEET (GROUND DISTANCES, NOT GRID DISTANCES) UNLESS OTHERWISE SPECIFIED.

11. PARCEL, TRACT CORNER, AND STREET MONUMENT DESIGNATIONS:

- REAR CORNERS: 1/2" DIAMETER 24" LONG REBAR WITH CAP PLS 28070, 29277, 38984.
- FRONT CORNERS: LEAD AND TACK WITH WASHER IN CONCRETE CURB, ON PROPERTY LINE EXTENDED PLS 38984.
- FILLET FRONTING STREET RIGHTS-OF-WAY ARE NOT DELINEATED WITH CORNER MARKERS.
- STREET MONUMENTS: CONCRETE MONUMENT WITH 3" BRASS DISK, STAMPED PLS 38984.

IF, AT THE TIME OF RECORDING OF THIS PLAT, THE FINAL LIFT OF PAVEMENT IS NOT IN PLACE, TEMPORARY MONUMENTS WILL BE SET IN THE SAME POSITIONS AS THE PERMANENT MONUMENTS OR AS SHOWN HEREON. TEMPORARY MONUMENTS WILL CONSIST OF MASONRY NAIL WITH WASHER STAMPED 29277, 38984, 28070.

CITY OF SAMMAMISH FILE NO. FSUB2017-00072
KING COUNTY FILE NO. FNRW17-0001
DPER FILE NO. PLAT140005

ALL TITLE INFORMATION SHOWN ON THIS MAP HAS BEEN EXTRACTED FROM INFORMATION CONTAINED IN CHICAGO TITLE INSURANCE COMPANY, PLAT CERTIFICATE, ORDER NO. 0083602-06, DATED JANUARY 4, 2017, AND SUPPLEMENTAL COMMITMENTS THERETO DATED PRIOR TO THE RECORDING OF THIS PLAT. IN PREPARING THIS MAP, HUGH G. GOLDSMITH AND ASSOCIATES, INC., CONDUCTED NO INDEPENDENT TITLE SEARCH, NOR IS HUGH G. GOLDSMITH AND ASSOCIATES, INC., AWARE OF ANY TITLE ISSUES AFFECTING THE PROPERTY OTHER THAN THOSE SHOWN ON THE MAP AND DISCLOSED BY THE REFERENCED PLAT CERTIFICATE. HUGH G. GOLDSMITH AND ASSOCIATES, INC., HAS RELIED WHOLLY ON CHICAGO TITLE'S REPRESENTATION OF THE TITLE'S CONDITION TO PREPARE THIS SURVEY AND THEREFORE HUGH G. GOLDSMITH AND ASSOCIATES, INC., QUALIFIES THE MAP'S ACCURACY AND COMPLETENESS TO THAT EXTENT.

EXCEPTIONS:

1. RIGHT TO ENTER THE LAND TO MAKE REPAIRS AND TO CUT BRUSH AND TREES WHICH CONSTITUTE A MENACE OR DANGER TO THE ELECTRIC TRANSMISSION LINE LOCATED IN THE STREET OR ROAD ADJOINING SAID LAND, AS GRANTED BY INSTRUMENT:
RECORDING DATE: FEBRUARY 17, 1956
RECORDING NO.: 4665150
IN FAVOR OF: PUGET SOUND POWER & LIGHT COMPANY
AFFECTS: PORTION OF SAID PREMISES ADJOINING ROAD(S)

INSTRUMENT ESTABLISHES RIGHTS THAT CANNOT BE PLOTTED.

2. EXCEPTIONS AND RESERVATIONS CONTAINED IN DEED
FROM: HAROLD HESTNES
RECORDING DATE: SEPTEMBER 16, 1954
RECORDING NO.: 4486693

AS FOLLOWS: ALL ORES AND MINERALS OF ANY NATURE WHATSOEVER IN OR UPON SAID LAND, INCLUDING BUT NOT LIMITED TO COAL, OIL AND GAS, TOGETHER WITH THE RIGHT TO ENTER UPON SAID LANDS FOR THE PURPOSES OF EXPLORING THE SAME FOR SUCH ORES AND MINERALS AND FOR THE PURPOSES OF DRILLING, OPENING, DEVELOPING AND WORKING MINES AND WELLS THEREOF AND TAKING OUT AND REMOVING THEREFROM ALL SUCH ORES AND MINERALS, AND TO OCCUPY AND MAKE USE OF SO MUCH OF THE SURFACE OF SAID LAND AS MAY BE REASONABLY NECESSARY FOR SAID PURPOSES; PROVIDED THAT THE GRANTOR AND GRANTOR'S HEIRS, REPRESENTATIVES, SUCCESSORS AND ASSIGNS, SHALL BE PAID JUST AND REASONABLE COMPENSATION FOR ANY INJURY OR DAMAGE TO THE SURFACE OF THE SAID LAND, TO THE CROPS OR TO THE IMPROVEMENTS THEREON CAUSED BY THE EXERCISE OF ANY RIGHTS HEREIN RESERVED; PROVIDED FURTHER THAT THE EXERCISE OF SUCH RIGHTS BY THE GRANTEE SHALL NOT BE POSTPONED OR DELAYED PENDING REASONABLE EFFORTS TO AGREE UPON OR HAVE DETERMINED SUCH JUST AND REASONABLE COMPENSATION.

INSTRUMENT ESTABLISHES RIGHTS THAT CANNOT BE PLOTTED.

3. RIGHT TO MAKE NECESSARY SLOPES FOR CUTS OR FILLS UPON PROPERTY HEREIN DESCRIBED AS GRANTED OR RESERVED IN DEED
IN FAVOR OF: KING COUNTY
RECORDING DATE: MAY 21, 1958
RECORDING NUMBER: 4903725
AFFECTS: PARCEL A

INSTRUMENT ESTABLISHES THE RIGHT OF WAY FOR THE ISSAQUAH-PINE LAKE ROAD. THE AMOUNT OF CUTS AND FILLS FOR THE ROAD ARE NOT DETERMINED.

4. RIGHT TO MAKE NECESSARY SLOPES FOR CUTS OR FILLS UPON PROPERTY HEREIN DESCRIBED AS GRANTED OR RESERVED IN DEED
IN FAVOR OF: KING COUNTY
RECORDING DATE: AUGUST 29, 1962
RECORDING NUMBER: 5472956

INSTRUMENT ESTABLISHES THE RIGHT OF WAY FOR SE 32ND STREET. THE AMOUNT OF CUT AND FILL FOR THE ROAD ARE NOT DETERMINED

5. RIGHT TO MAKE NECESSARY SLOPES FOR CUTS OR FILLS UPON PROPERTY HEREIN DESCRIBED AS GRANTED OR RESERVED IN DEED
IN FAVOR OF: KING COUNTY
RECORDING DATE: JULY 13, 1978
RECORDING NUMBER: 7807130727
AFFECTS: PARCEL A

INSTRUMENT ESTABLISHES A RIGHT OF WAY SOUTH AND EAST OF ISSAQUAH FALL CITY ROAD AND SOUTH OF SE 32ND STREET. THE AMOUNT OF CUT AND FILL FOR THIS RIGHT OF WAY ARE NOT DETERMINED.

6. TERMS AND CONDITIONS OF NOTICES OF CHARGES BY WATER, SEWER, AND/OR STORM AND SURFACE WATER UTILITIES, RECORDED UNDER RECORDING NUMBERS 9307301617, 9811051363, 9901150609, 20040414002865 AND 20060126001770.
INSTRUMENT ESTABLISHES RIGHTS THAT CANNOT BE PLOTTED.

7. INTENTIONALLY DELETED

8. EASEMENT(S) FOR THE PURPOSE(S) SHOWN BELOW AND RIGHTS INCIDENTAL THERETO, AS GRANTED IN A DOCUMENT:

GRANTED TO: SAMMAMISH PLATEAU WATER AND SEWER DISTRICT
PURPOSE: SANITARY SEWER LINES
RECORDING DATE: MAY 28, 1993
RECORDING NO.: 9305281797
AFFECTS: PORTION OF PARCEL C

SAID INSTRUMENT INCLUDES A TEMPORARY EASEMENT OVER THE WEST 20 FEET OF THE EAST 35 FEET OF SAID PREMISES.

EASEMENT IS PLOTTED HEREON.

9. MEMORANDUM OF DEVELOPER EXTENSION AGREEMENT AND NOTICE OF OBLIGATION TO CONSTRUCT WATER AND SEWER EXTENSION IMPROVEMENTS

EXECUTED BY: SAMMAMISH PLATEAU WATER AND SEWER DISTRICT
DEVELOPER: QUADRANT CORPORATION
RECORDING DATE: DECEMBER 16, 2014
RECORDING NO.: 20141216000825
AFFECTS: PARCELS A AND C

INSTRUMENT ESTABLISHES RIGHTS THAT CANNOT BE PLOTTED.

10. INTENTIONALLY DELETED

11. COVENANTS, CONDITIONS, RESTRICTIONS, RECITALS, RESERVATIONS, EASEMENTS, EASEMENT PROVISIONS, DEDICATIONS, BUILDING SETBACK LINES, NOTES, STATEMENTS, AND OTHER MATTERS, IF ANY, BUT OMITTING ANY COVENANTS OR RESTRICTIONS, IF ANY, INCLUDING BUT NOT LIMITED TO THOSE BASED UPON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, FAMILIAL STATUS, MARITAL STATUS, DISABILITY, HANDICAP, NATIONAL ORIGIN, ANCESTRY, OR SOURCE OF INCOME, AS SET FORTH IN APPLICABLE STATE OR FEDERAL LAWS, EXCEPT TO THE EXTENT THAT SAID COVENANT OR RESTRICTION IS PERMITTED BY APPLICABLE LAW, AS SET FORTH ON: KING COUNTY BOUNDARY LINE ADJUSTMENT NO. BLAD14-0040

RECORDING NO: 151013900002

INSTRUMENT ESTABLISHES RIGHTS THAT CANNOT BE PLOTTED.

12. INTENTIONALLY DELETED

13. OIL, GAS AND MINERAL LEASE WITH CERTAIN TERMS, COVENANTS, CONDITIONS AND PROVISIONS SET FORTH THEREIN.

DATED: APRIL 7, 1972
LESSOR: EMIL O. E. GAUPHOLM, A WIDOWER
LESSEE: CITIES SERVICE OIL COMPANY, A DELAWARE CORPORATION
RECORDING DATE: MAY 8, 1972
RECORDING NO.: 7205080352
AFFECTS: PARCELS A AND B

INSTRUMENT ESTABLISHES RIGHTS THAT CANNOT BE PLOTTED.

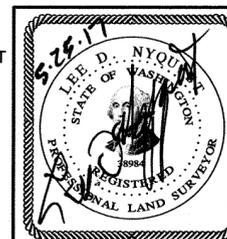
EXCEPTIONS 14, 15 AND 16 ARE FISCAL IN NATURE.

17. INTENTIONALLY DELETED

18. INTENTIONALLY DELETED

19. EASEMENT(S) FOR THE PURPOSE(S) SHOWN BELOW AND RIGHTS INCIDENTAL THERETO, AS GRANTED IN A DOCUMENT:

GRANTED TO: PUGET SOUND ENERGY, INC.
PURPOSE: UTILITY SYSTEMS
RECORDED: MARCH 2, 2017
RECORDING NO.: 20170302001266
AFFECTS: AS DESCRIBED THEREIN



GOLDSMITH

LAND DEVELOPMENT SERVICES

1215 114th Ave SE, Bellevue, WA 98004 | PO Box 3565, Bellevue, WA 98009
T 425 462 1080 F 425 462 7719 www.goldsmithengineering.com

JACOBS LANDING

PORTION OF THE NE 1/4 OF THE SW 1/4 OF SECTION 10, TOWNSHIP 24 N, RANGE 6 E, W.M.
CITY OF SAMMAMISH, KING COUNTY, WASHINGTON

UTILITY EASEMENT PROVISIONS

AN EASEMENT IS HEREBY RESERVED FOR AND GRANTED TO THE REGIONAL TELEPHONE PROVIDER, REGIONAL CABLE TELEVISION PROVIDER, PUGET SOUND ENERGY, SAMMAMISH PLATEAU WATER AND SEWER DISTRICT, THE JACOBS LANDING HOMEOWNERS ASSOCIATION, THE CITY OF SAMMAMISH AND KING COUNTY, AND THEIR RESPECTIVE SUCCESSORS AND ASSIGNS, UNDER AND UPON A STRIP OF LAND BEING 10 FEET IN WIDTH WITHIN ALL LOTS, PARCELS AND TRACTS, PARALLEL WITH AND ADJOINING THE FRONTAGE OF ALL STREETS DEDICATED AS A PART OF THIS PLAT, IN WHICH TO INSTALL, LAY, CONSTRUCT, RENEW, OPERATE AND MAINTAIN WATER SYSTEM FACILITIES, SEWER SYSTEM FACILITIES, STORM DRAINAGE FACILITIES, IRRIGATION SYSTEMS, ROAD AND SIDEWALK IMPROVEMENTS, UNDERGROUND CONDUITS, MAINS, CABLES AND WIRES WITH NECESSARY FACILITIES AND OTHER EQUIPMENT FOR THE PURPOSE OF SERVING THIS SUBDIVISION AND OTHER PROPERTY WITH ELECTRIC, TELEPHONE, TV, GAS, WATER, SEWER, STORM DRAINAGE AND OTHER UTILITY SERVICE, TOGETHER WITH THE RIGHT TO ENTER UPON THE EASEMENTS AT ALL TIMES FOR THE PURPOSE HEREIN STATED.

IN ADDITION TO THE BENEFICIARIES STATED ABOVE, THE UNDERLYING PROPERTY OWNERS ADJACENT TO SAID EASEMENTS SHALL HAVE THE RIGHT TO ENTER SAID EASEMENT TO PERFORM MAINTENANCE, REPAIR OR REPLACEMENT OF SANITARY SEWER SERVICE LINES AND WATER SERVICE LINES AND ROOF/YARD/STORM DRAINAGE LINES, FROM WHICH SAID PROPERTY OWNERS DIRECTLY BENEFIT, IN THE ORIGINAL "AS CONSTRUCTED" LOCATION.

THESE EASEMENTS ENTERED UPON FOR THESE PURPOSES SHALL BE RESTORED AS NEAR AS POSSIBLE TO THEIR ORIGINAL CONDITION BY SAID ENTERING ENTITY. NO LINES OR WIRES FOR THE TRANSMISSION OF ELECTRIC CURRENT, TELEPHONE OR CABLE TV SHALL BE PLACED OR BE PERMITTED TO BE PLACED UPON ANY LOT UNLESS THE SAME SHALL BE UNDERGROUND OR IN CONDUIT ATTACHED TO A BUILDING.

PRIVATE DRAINAGE EASEMENTS

THE FOLLOWING LISTED LOTS ARE SUBJECT TO A PRIVATE DRAINAGE EASEMENT COINCIDENT WITH THE ABUTTING UTILITY EASEMENT, AS SHOWN HEREON. SAID PRIVATE DRAINAGE EASEMENTS ARE FOR THE PURPOSE OF INSTALLING AND MAINTAINING PRIVATE DRAINAGE FACILITIES WITHIN SAID EASEMENTS. SAID EASEMENTS ARE IN FAVOR OF THE LOTS LISTED BELOW AS DERIVING BENEFIT. THE OWNERS OF SAID LOTS DERIVING BENEFIT SHALL BE RESPONSIBLE FOR THE MAINTENANCE, REPAIRS OR RECONSTRUCTION OF THAT PORTION OF THE PRIVATE DRAINAGE FACILITIES BELOW THEIR RESPECTIVE POINT OF CONNECTION. PRIVATE DRAINAGE FACILITIES INCLUDE ROOF DOWNSPOUT, MINOR YARD, AND FOOTING DRAINS, NO BUILDING SETBACK LINE (BSBL) IS REQUIRED FROM EASEMENTS PROVIDED FOR THESE PRIVATE DRAINAGE FACILITIES.

EASEMENTS LOCATED ON	BENEFITTING
LOTS 2, 3	LOTS 1, 2, 3
LOT 3	LOT 4
LOT 5	LOTS 5, 6
LOTS 7, 8, 9	LOTS 7, 8, 9, 10
LOTS 13, 14	LOTS 13, 14, 15
TRACT A, LOT 16	LOTS 16, 17
LOTS 18, 19	LOTS 18, 19, 20

PRIVATE DRAINAGE EASEMENT COVENANT

THE OWNERS OF PRIVATE PROPERTY WITHIN THIS PLAT ENCUMBERED WITH DRAINAGE EASEMENTS NOTED AS "PRIVATE", HEREBY GRANT AND CONVEY TO THE CITY OF SAMMAMISH, A POLITICAL SUBDIVISION OF THE STATE OF WASHINGTON, THE RIGHT, BUT NOT THE OBLIGATION TO CONVEY OR STORE STORM AND SURFACE WATER PER THE ENGINEERING PLANS APPROVED FOR THIS PLAT BY THE CITY OF SAMMAMISH, TOGETHER WITH THE RIGHT OF REASONABLE ACCESS (INGRESS AND EGRESS), TO ENTER SAID DRAINAGE EASEMENTS FOR THE PURPOSE OF OBSERVING THAT THE OWNERS ARE PROPERLY OPERATING AND MAINTAINING THE DRAINAGE FACILITIES CONTAINED HEREIN.

THE BENEFICIARIES OF SAID PRIVATE DRAINAGE EASEMENTS ARE RESPONSIBLE FOR OPERATING, MAINTAINING AND REPAIRING THE DRAINAGE FACILITIES CONTAINED WITHIN SAID DRAINAGE EASEMENTS, AND ARE HEREBY REQUIRED TO OBTAIN ANY REQUIRED PERMITS, FROM THE CITY OF SAMMAMISH PRIOR TO FILLING, PIPING, CUTTING OR REMOVING VEGETATION (EXCEPT FOR ROUTINE LANDSCAPE MAINTENANCE SUCH AS LAWN MOWING) IN OPEN VEGETATED DRAINAGE FACILITIES (SUCH AS SWALES, CHANNELS, DITCHES, PONDS, ETC.), OR PERFORMING ANY ALTERATIONS OR MODIFICATIONS TO THE DRAINAGE FACILITIES, CONTAINED WITHIN SAID DRAINAGE EASEMENTS.

THIS COVENANT SHALL RUN WITH THE LAND AND IS BINDING UPON THE OWNERS OF SAID PRIVATE PROPERTY, THEIR HEIRS, SUCCESSORS AND ASSIGNS.

WATER AND SEWER EASEMENT PROVISIONS

AN EASEMENT IS HEREBY DEDICATED AND CONVEYED UPON THE RECORDING OF THIS PLAT TO THE SAMMAMISH PLATEAU WATER AND SEWER DISTRICT OVER, UNDER, THROUGH AND UPON THE EASEMENTS SHOWN ON THIS PLAT DESCRIBED AS "WATER EASEMENT" OR "SEWER EASEMENT" AND AS DESCRIBED BELOW:

1. A 15' WIDE STRIP OF LAND ACROSS TRACTS D AND E AS SHOWN HEREON.
2. A 15' WIDE STRIP OF LAND ACROSS LOT 15 AS SHOWN HEREON.
3. OVER AND ACROSS TRACTS A AND B.

IN WHICH TO INSTALL, LAY, CONSTRUCT, MAINTAIN, INSPECT, REPLACE, REPAIR, REMOVE, RENEW, USE AND OPERATE WATER AND SEWER SYSTEMS AND APPURTENANCES FOR THIS PLAT AND OTHER PROPERTY, TOGETHER WITH THE RIGHT TO ENTER UPON SAID EASEMENT AT ALL TIMES WITH ALL NECESSARY MAINTENANCE AND CONSTRUCTION EQUIPMENT FOR THE PURPOSES STATED. THE GRANTOR COVENANTS THAT NO STRUCTURES SHALL BE CONSTRUCTED OR ERRECTED OVER, UPON OR WITHIN THESE EASEMENTS, INCLUDING FENCES OR ROCKERIES, AND NO TREES, BUSHES OR OTHER SHRUBBERY SHALL BE PLANTED IN THE AREA OF GROUND FOR WHICH THE EASEMENT IN FAVOR OF SAMMAMISH PLATEAU WATER AND SEWER DISTRICT HAS BEEN APPROVED.

FOR EASEMENTS ACROSS THE ENTIRETY OF TRACT A AND TRACT B (I.E. PRIVATE ACCESS AND JOINT USE DRIVEWAY TRACTS FOR INGRESS, EGRESS, UTILITIES AND PRIVATE DRAINAGE) THE DISTRICT SHALL NOT BE RESPONSIBLE FOR ANY COSTS OF PAVEMENT REPLACEMENT OR REPAIR NECESSITATED BY DAMAGE INCURRED THROUGH THE NORMAL OPERATION OR MAINTENANCE OF THE WATER AND/OR SEWER FACILITIES, EXCEPT THAT IN THE EVENT THAT THE SURFACING IS REMOVED BY THE GRANTEE FOR ANY UNDERGROUND CONSTRUCTION, UNDERGROUND REPAIR OR REPLACEMENT OF THE WATER AND/OR SEWER LINES, THE SURFACING SHALL BE RESTORED AS NEARLY AS REASONABLY POSSIBLE TO ITS CONDITION PRIOR TO PLACEMENT OF THE WATER OR SEWER.

PRIVATE RETAINING WALL AND ROCKERY EASEMENTS

PRIVATE EASEMENTS FOR RETAINING WALLS AND ROCKERIES ARE ESTABLISHED UPON THE RECORDING OF THIS PLAT.

THE FOLLOWING LOTS ARE SUBJECT TO SAID RETAINING WALL AND ROCKERY EASEMENT AS SHOWN HEREON:

LOTS 2, 3, 4, 14, 15, 16, 17, 18, 19 AND 20

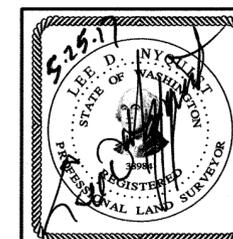
SAID PRIVATE EASEMENTS ARE FOR THE PURPOSE OF INSTALLING AND MAINTAINING PRIVATE RETAINING WALLS, ROCKERIES, FENCING AND DRAINAGE FACILITIES WITHIN SAID EASEMENTS. NO STRUCTURES OTHER THAN RETAINING WALLS, ROCKERIES, FENCES OR DRAINAGE FACILITIES SHALL BE CONSTRUCTED WITHIN THESE EASEMENTS. THE PURPOSE OF THESE EASEMENTS IS TO ESTABLISH CORRIDORS AND MAINTENANCE RESPONSIBILITY FOR THE WALLS, ROCKERIES, FENCING AND PIPING CONVEYING DRAINAGE FROM THE WALLS AND ROCKERIES CONTAINED WITHIN SAID EASEMENTS.

THE OWNER(S) OF THE LOT ON WHICH THE PRIVATE RETAINING WALLS, ROCKERIES, FENCING AND DRAINAGE FACILITIES ARE LOCATED SHALL BE RESPONSIBLE FOR THE MAINTENANCE, REPAIRS OR RECONSTRUCTION OF SAID FACILITIES. THE ABUTTING LOT SHALL HAVE THE RIGHT, BUT NOT THE OBLIGATION, TO CONDUCT MAINTENANCE, REPAIRS OR RECONSTRUCTION OF SAID FACILITIES.

FACILITIES LOCATED ON	ABUTTING LOT
LOT 2	LOT 1
LOT 3	LOT 2
LOT 4	LOT 3
LOT 14	LOT 15
LOT 18, 19, 20	LOTS 17
LOT 18	LOT 19
LOT 19	LOT 20

Erica Malin 2017-05-25 1:48 PM

M:\ACAD\SURVEY\141\14108\Final Plat\14108 F01-4.dwg



GOLDSMITH

LAND DEVELOPMENT SERVICES

1215 114th Ave SE, Bellevue, WA 98004 | PO Box 3565, Bellevue, WA 98009
T 425 462.1080 F 425 462.7719 www.goldsmithengineering.com

JACOBS LANDING

PORTION OF THE NE 1/4 OF THE SW 1/4 OF SECTION 10, TOWNSHIP 24 N, RANGE 6 E, W.M.
CITY OF SAMMAMISH, KING COUNTY, WASHINGTON

1.0 GENERAL RESTRICTIONS

- 1.1 A PRELIMINARY PLAT FOR JACOBS LANDING WAS APPROVED BY KING COUNTY (DPER FILE NO. PLAT140005) ON NOVEMBER 5, 2015 PRIOR TO THE FORMAL INCORPORATION OF THE KLAHANIE ANNEXATION AREA (KAA) INTO THE CITY OF SAMMAMISH ON JANUARY 1, 2016. AN INTERLOCAL AGREEMENT BETWEEN KING COUNTY AND THE CITY OF SAMMAMISH WAS EXECUTED ON DECEMBER 16, 2016. THE INTERLOCAL AGREEMENT ESTABLISHED THE PROCESS FOR REVIEW AND APPROVAL OF THE FINAL PLAT.
- 1.2 ALL BUILDING DOWNSPOUTS, FOOTING DRAINS, AND DRAINS FROM ALL IMPERVIOUS SURFACES SUCH AS PATIOS AND DRIVEWAYS SHALL BE CONNECTED TO THE PERMANENT STORM DRAIN OUTLET AS SHOWN ON THE APPROVED CONSTRUCTION DRAWINGS UNDER KING COUNTY ACTIVITY NO. STRV16-0003 ON FILE WITH KING COUNTY DEPARTMENT OF PERMITTING AND ENVIRONMENTAL REVIEW AND/OR THE DEPARTMENT OF TRANSPORTATION AND/OR THE CITY OF SAMMAMISH. THIS PLAN SHALL BE SUBMITTED WITH THE APPLICATION FOR ANY BUILDING PERMIT. ALL CONNECTIONS OF THE DRAINS MUST BE CONSTRUCTED AND APPROVED PRIOR TO THE FINAL BUILDING INSPECTION APPROVAL. FOR THOSE LOTS THAT ARE DESIGNATED FOR INDIVIDUAL LOT INFILTRATION SYSTEMS, THE SYSTEMS SHALL BE CONSTRUCTED AT THE TIME OF THE BUILDING PERMIT AND SHALL COMPLY WITH SAID PLANS. ALL INDIVIDUAL STUB-OUTS AND INFILTRATION SYSTEMS SHALL BE PRIVATELY OWNED AND MAINTAINED BY THE LOT OWNER.
- 1.3 OWNER(S) OF ANY LOTS(S) CONTAINED WITHIN THIS PLAT SHALL COMPLY WITH THE PAYMENT OF THE STREET IMPACT FEES, IMPACT FEE FOR THE PARK AND RECREATION FACILITIES, AND SCHOOL IMPACT FEES IN ACCORDANCE WITH SMC CHAPTER 14A.15. 14A.20 AND 21A.105 RESPECTIVELY.
- 1.4 THE ROAD AND STORM DRAINAGE SYSTEMS SHALL BE CONSTRUCTED ACCORDING TO THE APPROVED PLAN AND PROFILE, PLAN NO. STRV16-0003 ON FILE WITH KING COUNTY DEPARTMENT OF PERMITTING AND ENVIRONMENTAL REVIEW. ANY DEVIATION FROM THE APPROVED PLANS WILL REQUIRE WRITTEN APPROVAL FROM THE PROPER AGENCY, CURRENTLY DEPARTMENT OF PERMITTING AND ENVIRONMENTAL REVIEW.
- 1.5 THE HOUSE ADDRESS SYSTEM FOR THIS PLAT SHALL BE AS FOLLOWS: ADDRESSES SHALL BE ASSIGNED WITHIN THE RANGE OF 3202 TO 3397 234TH PL SE. INDIVIDUAL ADDRESSES WILL BE ASSIGNED TO THE PRINCIPAL ENTRANCE OF EACH RESIDENCE OR BUILDING IN ACCORDANCE WITH KING COUNTY CODE 16.08.
- 1.6 ALL PLANTER STRIPS, MEDIANS, CUL-DE-SAC LANDSCAPING, IRRIGATION SYSTEMS AND STREET TREES THEREIN SHALL BE MAINTAINED BY THE JACOBS LANDING HOMEOWNERS ASSOCIATION.
- 1.7 NO PARKING IS ALLOWED AT ANY TIME ALONG THE EAST OR NORTH SIDE OF 234TH PLACE SE, AS DESIGNATED BY KING COUNTY. THE PURPOSE OF THIS RESTRICTION IS TO PROVIDE ADEQUATE ROAD WIDTH FOR THE ACCESS OF EMERGENCY VEHICLES. THIS PARKING RESTRICTION MAY ONLY BE REMOVED IF ALL RESIDENCES ALONG AN EMERGENCY VEHICLE ROUTE HAVE INSTALLED A NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) STANDARD 13D SPRINKLER SYSTEM OR AS MAY BE APPROVED BY THE KING COUNTY FIRE MARSHAL OR HIS/HER DESIGNEE.
- 1.8 STREET TREES LOCATED WITHIN THIS PLAT SHALL BE MAINTAINED BY THE JACOBS LANDING HOMEOWNERS ASSOCIATION, UNLESS THE CITY OF SAMMAMISH OR ITS SUCCESSORS AND ASSIGNS ADOPTS A MAINTENANCE PROGRAM.
- 1.9 PURSUANT TO KCC 21A.38.230 AN APPROVED TREE RETENTION PLAN IS ON FILE WITH THE PERMITTING RECORDS CENTER ON SHEET TR-1 OF THE APPROVED ENGINEERING PLANS UNDER STRV16-0003. LOTS 8, 9, 10, 11, 14, 15, AND TRACT E WITHIN THE PLAT EITHER CONTAIN TREES THAT MUST BE MAINTAINED OR MUST BE PLANTED/REPLACED PER SAID APPROVED TREE RETENTION PLAN. ANY PROPOSED GRADING OR CONSTRUCTION ACTIVITIES THAT WILL IMPACT A SIGNIFICANT TREE WITHIN SAID LOTS MUST BE REVIEWED AND APPROVED BY THE CITY OF SAMMAMISH DEPARTMENT OF COMMUNITY DEVELOPMENT, OR ITS SUCCESSOR AGENCY, FOR COMPLIANCE WITH SAID TREE RETENTION PLAN.
- 1.10 LOTS 1, 11 THROUGH 17 (INCLUSIVE) AND 20 SHALL HAVE NO DIRECT ACCESS TO SE 32ND WAY OR ISSAQUAH PINE LAKE ROAD. ACCESS SHALL BE FROM 234TH PLACE SE.
- 1.11 THE OWNER(S) OF LOTS 1 THROUGH 20 (INCLUSIVE) ARE RESPONSIBLE FOR PROVIDING THAT THE JACOBS LANDING HOMEOWNERS ASSOCIATION CONTINUES TO BE A VIABLE LEGAL ENTITY. SAID HOMEOWNERS ASSOCIATION SHALL OWN AND MAINTAIN THE TRACTS AND EASEMENTS AS INDICATED AND CONVEYED HEREIN, UNLESS OTHERWISE APPROVED BY THE CITY OF SAMMAMISH OR SUCCESSOR AGENCY. THIS COVENANT SHALL RUN WITH THE LAND.
- 1.12 THE JACOBS LANDING HOMEOWNERS ASSOCIATION WAS ESTABLISHED WITH THE SECRETARY OF STATE ON OCTOBER 30, 2014. ALL LOTS IN THIS SUBDIVISION ARE SUBJECT TO THE COVENANTS, CONDITIONS AND RESTRICTIONS FOR JACOBS LANDING, RECORDED UNDER KING COUNTY RECORDING NUMBER _____.

2.0 CRITICAL AREA RESTRICTIONS

- 2.1 CRITICAL AREA TRACT E, UPON THE RECORDING OF THIS PLAT, IS HEREBY CONVEYED TO THE JACOBS LANDING HOMEOWNERS ASSOCIATION AS A CRITICAL AREA TRACT. THIS CRITICAL AREA TRACT SHALL BE HELD BY THE JACOBS LANDING HOMEOWNERS ASSOCIATION, OR OTHER LEGAL ENTITY WHICH ASSURES THE OWNERSHIP, MAINTENANCE AND PROTECTION OF THE TRACT. THIS TRACT SHALL BE SUBJECT TO THE FOLLOWING RESTRICTIVE COVENANT WHICH IS A RUNNING COVENANT, BURDENING AND BENEFITING EACH LOT WITHIN THE SUBDIVISION, THEIR PARTIES, SUCCESSORS AND ASSIGNS. THE COVENANT IMPOSES UPON ALL PRESENT AND FUTURE OWNERS AND OCCUPIERS OF EACH LOT THE OBLIGATION TO LEAVE THE TRACT UNDISTURBED INCLUDING, BUT NOT LIMITED TO, ALL TREES AND OTHER VEGETATION UNLESS OTHERWISE ALLOWED BY LAW AND APPROVED IN WRITING BY THE KING COUNTY DEPARTMENT OF PERMITTING AND ENVIRONMENTAL REVIEW, OR ITS SUCCESSOR AGENCY. THIS OBLIGATION SHALL BE ENFORCEABLE BY THE INDIVIDUAL LOT OWNERS, THE JACOBS LANDING HOMEOWNERS ASSOCIATION, OR OTHER LEGAL ENTITY HAVING OWNERSHIP INTEREST, OR BY KING COUNTY AS A CONDITION OF SUBDIVISION OR OTHER PERMIT APPROVAL. VIOLATIONS OF THIS COVENANT SHALL CONSTITUTE A CRITICAL AREAS VIOLATION AND MAY SUBJECT THE OWNER TO IMPOSITION OF CRITICAL AREAS PENALTIES (OR CIVIL PENALTIES) AS OUTLINED IN KING COUNTY CODE TITLE 23.
 - 2.1.1 THIS COVENANT BENEFITS AND PROTECTS THE PUBLIC HEALTH, SAFETY AND WELFARE BY MAINTAINING THE NATURAL ENVIRONMENT AND CHARACTER OF THE CRITICAL AREA THROUGH THE PRESERVATION OF NATIVE VEGETATION FOR THE CONTROL OF SURFACE WATER AND EROSION, MAINTENANCE OF SLOPE STABILITY, AND PROTECTION OF PLANT AND ANIMAL HABITAT.
 - 2.1.2 THE COMMON BOUNDARY BETWEEN THE CRITICAL AREA TRACTS AND THE AREA OF DEVELOPMENT ACTIVITY SHALL BE MARKED TO THE SATISFACTION OF KING COUNTY PRIOR TO ANY CLEARING, GRADING, BUILDING CONSTRUCTION OR OTHER DEVELOPMENT ACTIVITY ON THE LOTS ADJACENT TO THE CRITICAL AREA TRACTS. THE REQUIRED MARKING SHALL REMAIN IN PLACE UNTIL ALL DEVELOPMENT PROPOSAL ACTIVITIES ADJACENT TO THE CRITICAL AREA TRACTS ARE COMPLETED. NO BUILDING FOUNDATIONS ARE ALLOWED BEYOND THE REQUIRED BUILDING SETBACK LINE (BSBL), UNLESS OTHERWISE PROVIDED BY LAW.
 - 2.1.3 PERMANENT CRITICAL AREAS MARKERS AND SIGNS SHALL BE PROVIDED AS REQUIRED BY KING COUNTY CODE 21A.24, AS MODIFIED BY THE KING COUNTY CRITICAL AREAS ORDINANCE (ORD. 15051) FOR ALL PORTIONS OF THIS PLAT ADJOINING THE CRITICAL AREAS.

3.0 TRACT AND PARCEL OWNERSHIP AND SPECIAL USES LOT RESTRICTIONS

- 3.1 TRACT(S) "A", "B", "C", "D" AND "E" ARE CONSIDERED "TRACT(S)" PURSUANT TO KCC 19A.04.330; A "TRACT" IS LAND RESERVED FOR SPECIFIED USES INCLUDING, BUT NOT LIMITED TO, RESERVE TRACTS, RECREATION, OPEN SPACE, SENSITIVE AREAS, SURFACE WATER RETENTION, UTILITY FACILITIES AND ACCESS. TRACTS ARE NOT CONSIDERED LOTS OR BUILDING SITES FOR PURPOSES OF RESIDENTIAL DWELLING CONSTRUCTION.
- 3.2 TRACT "A" IS A PRIVATE ACCESS TRACT FOR INGRESS, EGRESS, AND UTILITIES FOR THE BENEFIT OF THE OWNERS OF LOTS 13, 14, 15 AND 16 WITHIN THIS PLAT. OWNERSHIP OF LOTS 13, 14, 15 AND 16 WITHIN THIS PLAT SHALL INCLUDE AN EQUAL AND UNDIVIDED OWNERSHIP INTEREST IN TRACT "A", AND AN EQUAL AND UNDIVIDED RESPONSIBILITY FOR THE MAINTENANCE OF THE FACILITIES WITHIN SAID TRACT "A". ALL CONVEYANCES OF SAID LOTS 13, 14, 15 AND 16 MUST INCLUDE THEIR JOINT FRACTIONAL INTEREST IN TRACT "A".
 - 3.2.1 TRACT "A" IS SUBJECT TO A UTILITY EASEMENT OVER AND ACROSS ITS ENTIRETY. SAID EASEMENT IS IN FAVOR OF THE ENTITIES LISTED IN THE UTILITY EASEMENT PROVISIONS. SEE UTILITY EASEMENT PROVISIONS ON SHEET 4.
 - 3.2.2 TRACT "A" IS SUBJECT TO A WATER AND SEWER EASEMENT OVER AND ACROSS ITS ENTIRETY. SAID EASEMENT IS IN FAVOR OF THE SAMMAMISH PLATEAU WATER AND SEWER DISTRICT. SEE WATER AND SEWER EASEMENT PROVISIONS SHEET 4.
 - 3.2.3 TRACT "A" IS SUBJECT TO A PRIVATE DRAINAGE EASEMENT. SEE PRIVATE DRAINAGE EASEMENT PROVISIONS ON SHEET 4.

- 3.3 TRACT "B" IS A PRIVATE JOINT USE DRIVEWAY TRACT FOR INGRESS, EGRESS, AND UTILITIES FOR THE BENEFIT OF THE OWNERS OF LOTS 5 AND 6 WITHIN THIS PLAT. OWNERSHIP OF LOTS 5 AND 6 WITHIN THIS PLAT SHALL INCLUDE AN EQUAL AND UNDIVIDED OWNERSHIP INTEREST IN TRACT "B", AND AN EQUAL AND UNDIVIDED RESPONSIBILITY FOR THE MAINTENANCE OF THE FACILITIES WITHIN SAID TRACT "B". ALL CONVEYANCES OF SAID LOTS 5 AND 6 MUST INCLUDE THEIR JOINT FRACTIONAL INTEREST IN TRACT "B".
 - 3.3.1 TRACT "B" IS SUBJECT TO A UTILITY EASEMENT OVER AND ACROSS ITS ENTIRETY. SAID EASEMENT IS IN FAVOR OF THE ENTITIES LISTED IN THE UTILITY EASEMENT PROVISIONS. SEE UTILITY EASEMENT PROVISIONS ON SHEET 4.
 - 3.3.2 TRACT "B" IS SUBJECT TO A WATER AND SEWER EASEMENT OVER AND ACROSS ITS ENTIRETY. SAID EASEMENT IS IN FAVOR OF THE SAMMAMISH PLATEAU WATER AND SEWER DISTRICT. SEE WATER AND SEWER EASEMENT PROVISIONS SHEET 4.
 - 3.3.3 TRACT "B" IS SUBJECT TO AN ACCESS EASEMENT OVER AND ACROSS ITS ENTIRETY. SAID EASEMENT IS IN FAVOR OF THE JACOBS LANDING HOMEOWNERS ASSOCIATION FOR PURPOSES OF ACCESS TO TRACT "E". SEE NOTE 3.5 HEREON.
- 3.4 TRACT "C" IS A LANDSCAPED OPEN SPACE TRACT PURSUANT TO SMC21B.30.090(E) FOR BENEFIT OF THE OWNERS OF LOT 1 THROUGH 20 (INCLUSIVE) OF THIS PLAT. OWNERSHIP OF THE TRACT IS CONVEYED TO JACOBS LANDING HOMEOWNERS ASSOCIATION UPON RECORDING OF THIS PLAT. THE JACOBS LANDING HOMEOWNERS ASSOCIATION SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF SAID TRACT "C". HOWEVER, SHOULD THE HOMEOWNERS ASSOCIATION FAIL TO PROPERLY MAINTAIN TRACT "C", THEN THE OWNERS OF LOTS 1 THROUGH 20 (INCLUSIVE) SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF SAID TRACT "C". ALL CONVEYANCES OF SAID LOTS MUST INCLUDE THEIR JOINT FRACTIONAL INTEREST IN TRACT "C".
- 3.5 TRACT "D", UPON THE RECORDING OF THIS PLAT, IS HEREBY CONVEYED TO THE CITY OF SAMMAMISH FOR STORM DETENTION AND UTILITY PURPOSES. THE CITY OF SAMMAMISH SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF SAID TRACT.
 - 3.5.1 TRACT "D" IS SUBJECT TO A SEWER EASEMENT AS SHOWN HEREON. SAID EASEMENT IS IN FAVOR OF THE SAMMAMISH PLATEAU WATER AND SEWER DISTRICT. SEE WATER AND SEWER EASEMENT PROVISIONS SHEET 4.
 - 3.5.2 TRACT "D" IS SUBJECT TO AN ACCESS EASEMENT OVER AND ACROSS ITS ENTIRETY. SAID EASEMENT IS IN FAVOR OF THE JACOBS LANDING HOMEOWNERS ASSOCIATION FOR PURPOSES OF ACCESS TO TRACT "E". SEE NOTE 3.5 HEREON.
- 3.6 TRACT "E", UPON THE RECORDING OF THIS PLAT, IS HEREBY CONVEYED TO THE JACOBS LANDING HOMEOWNERS ASSOCIATION AS A CRITICAL AREA TRACT, SEE SECTION 2.0, CRITICAL AREA RESTRICTIONS THIS SHEET. THE JACOBS LANDING HOMEOWNERS ASSOCIATION SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF SAID TRACT. HOWEVER, SHOULD THE HOMEOWNERS ASSOCIATION FAIL TO PROPERLY MAINTAIN TRACT "E", THEN THE OWNERS OF LOTS 1 THROUGH 20 (INCLUSIVE) SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF SAID TRACT "E".
 - 3.6.1 TRACT "E" IS SUBJECT TO A SEWER EASEMENT AS SHOWN HEREON. SAID EASEMENT IS IN FAVOR OF THE SAMMAMISH PLATEAU WATER AND SEWER DISTRICT. SEE WATER AND SEWER EASEMENT PROVISIONS SHEET 4.
- 3.7 LOT 15 IS SUBJECT TO A WATER EASEMENT AS SHOWN HEREON. SAID EASEMENT IS IN FAVOR OF THE SAMMAMISH PLATEAU WATER AND SEWER DISTRICT. SEE WATER AND SEWER EASEMENT PROVISIONS SHEET 4.
- 3.8 LOTS 2, 3, 5, 7, 8, 9, 13, 14, 16 18 AND 19 ARE SUBJECT TO A PRIVATE DRAINAGE EASEMENT. SEE PRIVATE DRAINAGE EASEMENT PROVISIONS ON SHEET 4.
- 3.9 LOTS 2, 3, 4, 14, 15, 16, 17, 18, 19 AND 20 ARE SUBJECT TO A PRIVATE RETAINING WALL AND ROCKERY EASEMENT. SEE PRIVATE RETAINING WALL AND ROCKERY EASEMENT PROVISIONS ON SHEET 4.

M:\ACAD\SURVEY\14\14108\Final\Plat\14108.F01-5.dwg Erica Malin 2017-05-25 1:49 PM



JACOBS LANDING

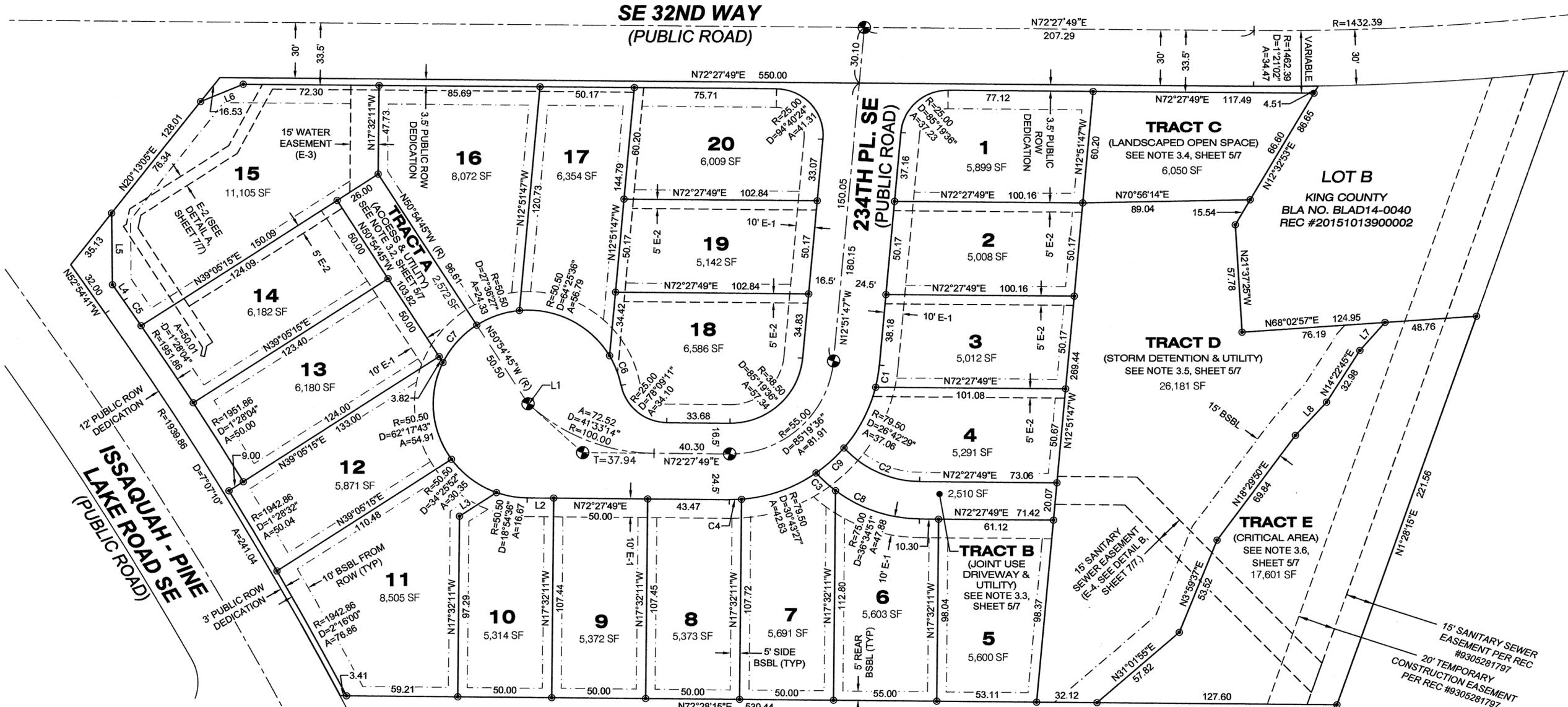
PORTION OF THE NE 1/4 OF THE SW 1/4 OF SECTION 10, TOWNSHIP 24 N, RANGE 6 E, W.M.
CITY OF SAMMAMISH, KING COUNTY, WASHINGTON

235TH PLACE SE

SE 32ND WAY
(PUBLIC ROAD)

234TH PL. SE
(PUBLIC ROAD)

ISSAQUAH - PINE
(PUBLIC ROAD)



LEGEND

- R= RADIUS
- D= DELTA
- A= ARC LENGTH
- E-1 UTILITY EASEMENT. SEE NOTE, SHEET 4/7.
- E-2 PRIVATE RETAINING WALL AND ROCKERY EASEMENT. SEE NOTE SHEET 4/7.
- E-3 WATER EASEMENT. SEE NOTE SHEET 4/7.
- E-4 SANITARY SEWER EASEMENT. SEE NOTE SHEET 4/7.
- ROW RIGHT OF WAY
- TYP TYPICAL
- MONUMENT TO BE SET PER THIS PLAT
- LOT CORNER PER THIS PLAT. SEE "SURVEY PROCEDURE & PRECISION" NOTE NO. 11, SHEET 3 OF 7.

- EASEMENT LINE
- BUILDING SETBACK LINE (BSBL)



CURVE TABLE			
CURVE NO.	RADIUS	DELTA ANGLE	ARC LENGTH
C1	R=79.50	D=8°43'45"	12.11
C2	R=55.00	D=47°18'37"	45.41
C3	R=75.00	D=10°44'11"	14.05
C4	R=79.50	D=4°42'47"	6.54
C5	R=1951.86	D=0°28'56"	16.43
C6	R=50.50	D=19°29'42"	17.18
C7	R=50.50	D=30°59'15"	27.31
C8	R=75.00	D=47°19'02"	61.94
C9	R=79.50	D=14°27'08"	20.05

LINE TABLE		
LINE NO.	BEARING	DISTANCE
L1	N65° 58' 57"W	1.26
L2	N72° 27' 49"E	14.10
L3	N39° 05' 15"E	23.39
L4	N52° 54' 41"W	10.40
L5	N18° 41' 34"W	38.45
L6	N49° 27' 24"E	24.49
L7	N23° 35' 11"E	20.09
L8	N24° 44' 33"E	24.39



GOLDSMITH
LAND DEVELOPMENT SERVICES
1215 114th Ave SE, Bellevue, WA 98004 | PO Box 3565, Bellevue, WA 98009
T 425 462 1080 F 425 462 7719 www.goldsmithengineering.com

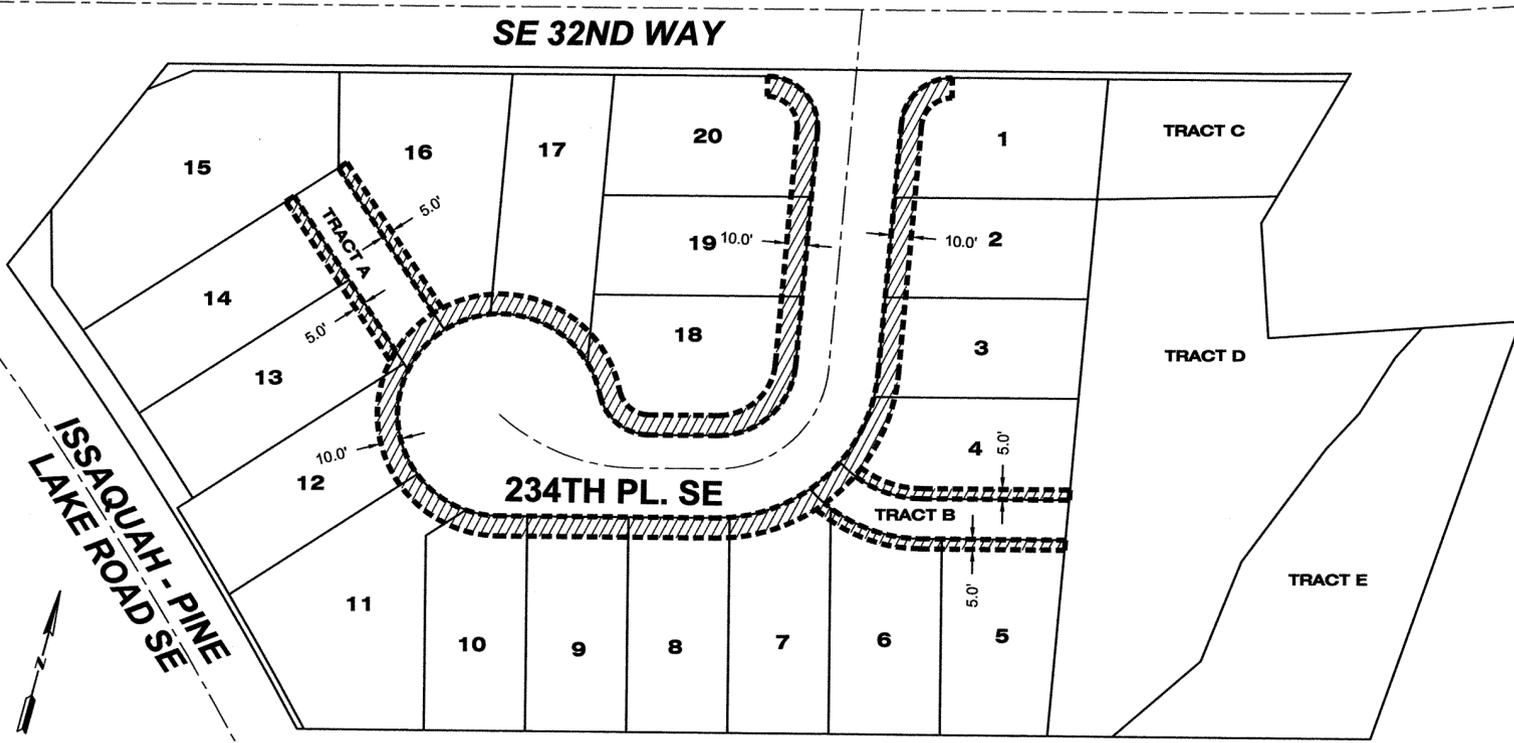
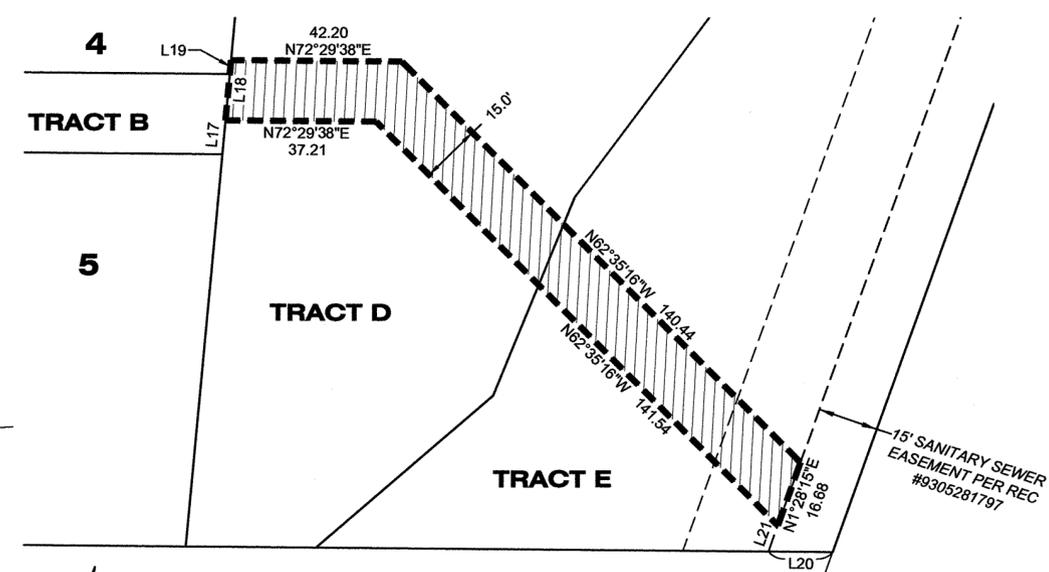
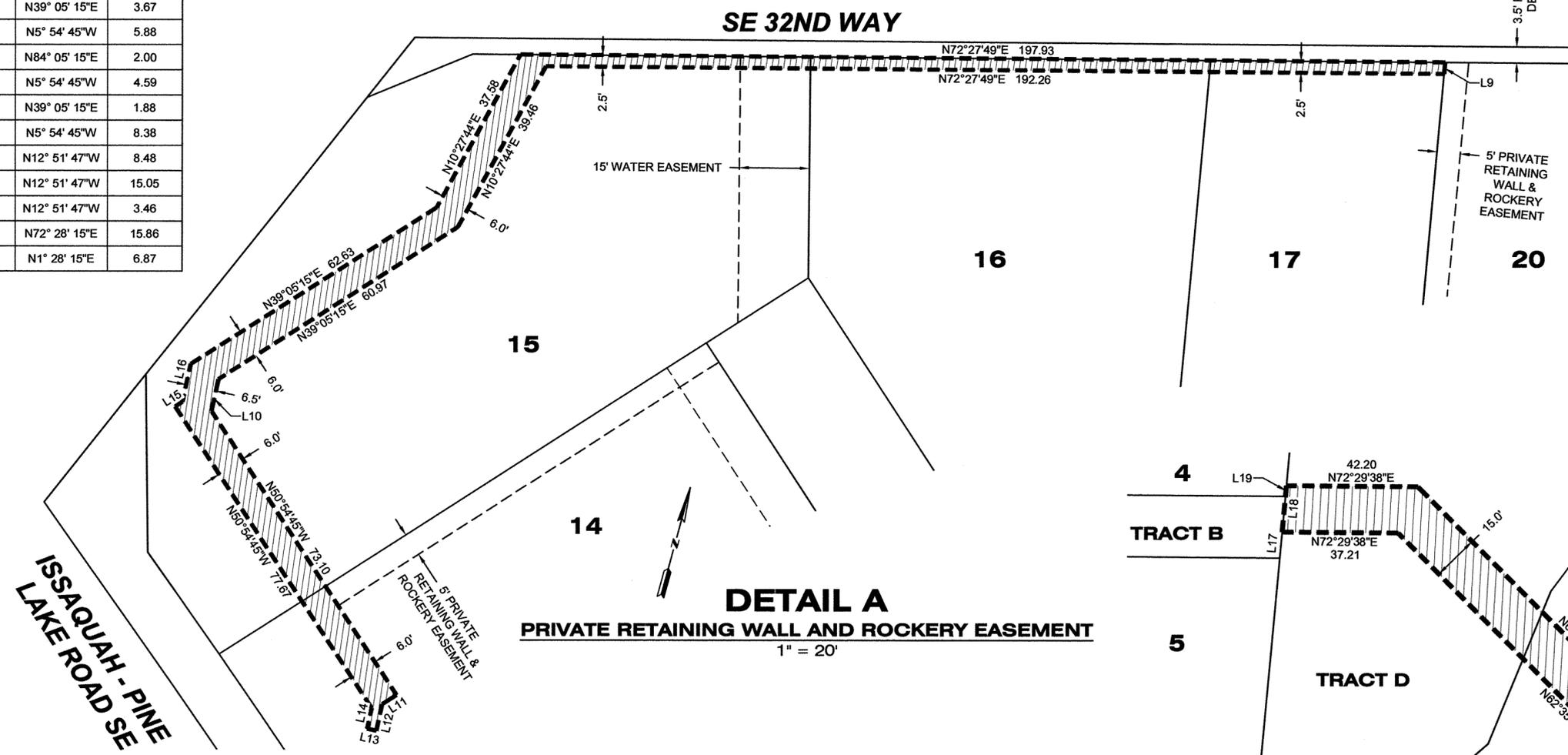
M:\ACAD\SURVEY\14114108\Final\Plat\14108 F02-1.dwg Erica Malim 2017-05-25 1:49 PM

CITY OF SAMMAMISH FILE NO. FSUB2017-00072
KING COUNTY FILE NO. FNRW17-0001
DPER FILE NO. PLAT140005

JACOBS LANDING

PORTION OF THE NE 1/4 OF THE SW 1/4 OF SECTION 10, TOWNSHIP 24 N, RANGE 6 E, W.M.
CITY OF SAMMAMISH, KING COUNTY, WASHINGTON

LINE TABLE		
LINE NO.	BEARING	DISTANCE
L9	N12° 51' 47"W	2.51
L10	N5° 54' 45"W	7.07
L11	N39° 05' 15"E	3.67
L12	N5° 54' 45"W	5.88
L13	N84° 05' 15"E	2.00
L14	N5° 54' 45"W	4.59
L15	N39° 05' 15"E	1.88
L16	N5° 54' 45"W	8.38
L17	N12° 51' 47"W	8.48
L18	N12° 51' 47"W	15.05
L19	N12° 51' 47"W	3.46
L20	N72° 28' 15"E	15.86
L21	N1° 28' 15"E	6.87



Erica Malin 2017-05-25 1:49 PM
M:\ACAD\SURVEY\14\14108\Final Plat\14108 F02-2.dwg

CITY OF SAMMAMISH FILE NO. FSUB2017-00072
KING COUNTY FILE NO. FNRW17-0001
DPER FILE NO. PLAT140005

PUGET SOUND ENEGERY EASEMENT PER REC #20170302001266
1" = 60'



GOLDSMITH
LAND DEVELOPMENT SERVICES
1215 114th Ave SE, Bellevue, WA 98004 | PO Box 3565, Bellevue, WA 98009
T 425 462 1080 F 425 462 7719 www.goldsmithengineering.com



Meeting Date: June 27, 2017

Date Submitted: 6/21/2017

Originating Department: Parks and Recreation

Clearances:

- | | | |
|--|--|--|
| <input type="checkbox"/> Attorney | <input type="checkbox"/> Community Development | <input type="checkbox"/> Public Safety |
| <input checked="" type="checkbox"/> Admin Services | <input checked="" type="checkbox"/> Finance & IT | <input type="checkbox"/> Public Works |
| <input checked="" type="checkbox"/> City Manager | <input checked="" type="checkbox"/> Parks & Recreation | |

Subject: Reclassification of position: Recreation Supervisor to Recreation Manager

Action Required: Authorize the reclassification of the Recreation Supervisor position to a Recreation Manager position

Exhibits:

1. Parks & Recreation Department Reorganization Chart
2. Recreation Manager Position Salary Analysis

Budget: Cost for the remainder of 2017 will be absorbed through general fund salary and benefit savings from the top of range Recreation Supervisor's salary being mid-range of the new Recreation Manager position. Appropriation for the ongoing cost of the position will be included in the 2017-2018 budget adjustment.

Summary Statement:

This agenda bill recommends the reclassification of the currently vacant Recreation Supervisor position to a Recreation Manager position due to increased work demands from steadily increasing recreation programming expansion, community partnerships, facility rentals and a need to staff and support the Arts Commission within the Parks & Recreation Department.

Background:

The City's recreation programming and facility rental program has experienced significant growth over the past years due to continued program expansion as well as the City's 2016 annexation of Klahanie. The City's special event programs have grown in both program complexity and attendance. The number of directly provided events has increased to 53 annually in addition to another 14 events the City partners with other groups to provide. The City's largest special event, the *Fourth on the Plateau*, serves more than 10,000 attendees.

The facility rental and reservation program has grown to nearly \$500,000 in revenues and includes year-round scheduling of six athletic fields, the Lodge at Beaver Lake, the Beaver Lake Pavilion and five picnic shelters.

Another factor is the City's Arts Commission, which is currently housed within the Finance Department but is being staffed by the Maintenance and Operation Center's Administrative Assistant. This structure makes supporting the Commission somewhat challenging. The work, programs and staff support of the Arts Commission are better suited within the Parks & Recreation Department and will be moved to the Recreation Manager under this reclassification proposal.

Re-classifying the Recreation Supervisor position to a Recreation Manager will attract more qualified candidates. The ideal candidate will have extensive skill in recreation programming, experience with community partners and facility rentals. We are also seeking someone with arts experience to support the Arts Commission. This position will continue to supervise the Recreation and Volunteer Coordinators and their respective programs, as well as the lifeguarding program and interns.

More specifically, the new Recreation Manager will have the following responsibilities:

- Management of the Recreation Division, the Volunteer Division and the Cultural Arts Division.
- Staff and support the City's Arts Commission and related work plan.
- Develop and administer program budgets; track revenue and expenditures; recommend adjustments; and, establish revenue goals.
- Plan, organize, coordinate, assign and evaluate the work of employees (full-time and part-time/seasonal); provide training and counseling as needed; and, maintain all personnel and financial records.
- Contract for services with suppliers, vendors and organizations; monitor contract performance; and, decide on all purchases of recreation equipment and major supplies.
- Coordinate program activities with other departments, community groups, schools, non-profits and service area organizations. This includes management of all department partnerships (Sammamish Symphony, Heritage Society, Farmers Market, Nightmare at Beaver Lake, etc.) and the special event sponsorship program.
- Seek out community feedback on all programs, services and events and ensure timely response to all inquiries, concerns and complaints. Takes corrective action as needed to ensure community needs are met through current and future program and service offerings.
- Assures compliance with all legal, safety and health regulations and guidelines.
- Participates in short and long-range planning to enhance or improve programs and services.
- Provides thorough analysis and prepares written reports for the Director, Deputy Director, City Manager, Parks & Recreation Commission, City Council and others as needed. Prepares various recommendations for recreation programs, events and other services offered by the department.
- Attends and presents to Parks & Recreation Commission and City Council meetings as needed. Serves as department staff in support of the Arts Commission.
- Oversees department marketing to include preparation and production of news releases, the Department's City website, social media marketing, technical presentations, newsletter articles, flyers and posters, the Recreation Guide and other promotional items and processes.
- Reviews, evaluates and develops policies for recreation activities, facility rentals, and recreation programs.
- Serve as the City liaison to inter-governmental partnerships.
- Oversee all major City special events (i.e. Rigapalooza, Fourth on the Plateau, Sammamish Days, Very Merry Sammamish and Volunteer Recognition Dinner).

Given all of this information, we are recommending the creation of a new position: Recreation Manager and elimination of the existing, but vacant, Recreation Supervisor position. This re-classification will ensure the City is able to attract a talented and qualified individual to support the growing recreation program and perform essential management duties for the Parks & Recreation Department.

Financial Impact:

An analysis of internal and external positions was completed and the recommendation is to place this position at Grade O. This pay grade is consistent with the other management positions within the City such as Communications, Emergency Management and the Project Managers. This proposed grade is comparable to the pay grades of similar positions in nearby jurisdictions. (See Attached Recreation Manager Position Salary Analysis)

The current Recreation Supervisor position is at Grade L with a range of \$63,229 - \$86,533. The Recreation Manager position is proposed at Grade O with a range of \$77,024 – 105,413. The difference between the two ranges is \$13,795 – \$18,880.

The 2017 costs related to this change will be absorbed through general fund salary and benefit savings in the Parks and Recreation Department that resulted from the reclassification (downgrade) of two parks maintenances positions. Specifically, a parks maintenance lead position and a Maintenance Worker II position were both downgraded to Maintenance Worker I positions. These permanent salary savings are more than sufficient to cover the cost of the proposed position re-classification.

In addition, because this is a reclassification, it does not increase the City's FTE count.

This proposal was reviewed and generally support by the Finance Committee at their meeting on June 16, 2017.

Recommended Motion:

Move to authorize the reclassification of the Recreation Supervisor position to a Recreation Manager position and Grade O.

Effective: June 19, 2017

Parks and Recreation Department Proposed Reorganization

Version 4 - Option

New positions

eliminated

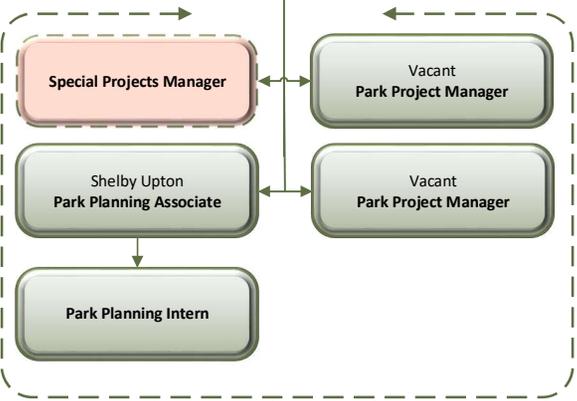
Board/Commission

Janie Jackson
Administrative Assistant

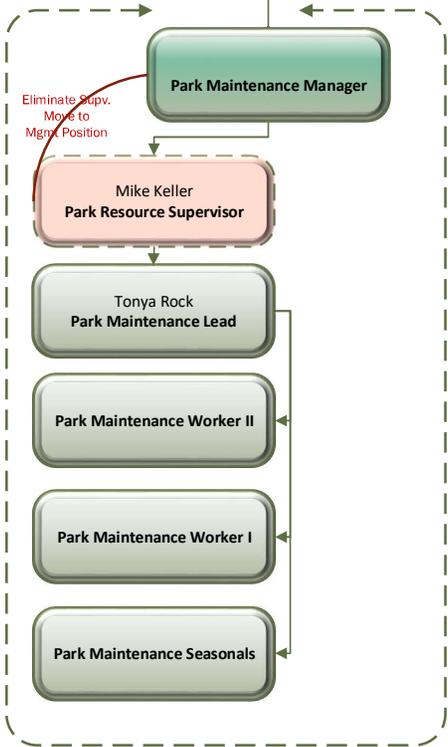
Anjali Myer
(Interim) Deputy Director,
Parks and Recreation

Angela Feser
Director of Parks and
Recreation

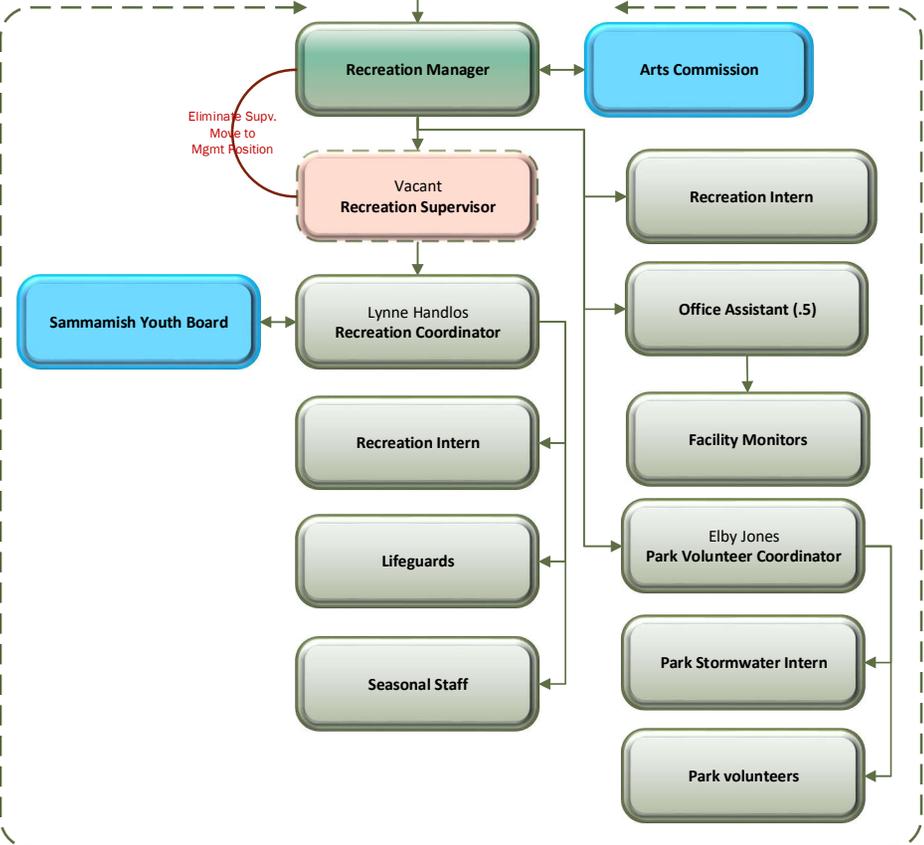
Parks and Recreation
Commission



Planning and Development Team



Maintenance Team



Recreation Team

Recreation Manager Position Salary Analysis

Comparison to Eastside Cities

City	Position	Population*	Low Range	High Range
Bellevue	Community Services Supervisor	135,000	\$ 6,811	\$ 9,397
Kirkland	Recreation Manager	83,460	\$ 7,419	\$ 9,572
Redmond	Recreation Division Manager	59,180	\$ 8,461	\$ 11,157
Issaquah	Recreation Supervisor	33,330	\$ 7,879	\$ 10,059
Mercer Island	Recreation Superintendent	23,480	\$ 8,263	\$ 10,667
		Average	\$ 7,767	\$ 10,170

Proposed Grade O	\$ 6,419	\$ 8,784
-------------------------	-----------------	-----------------

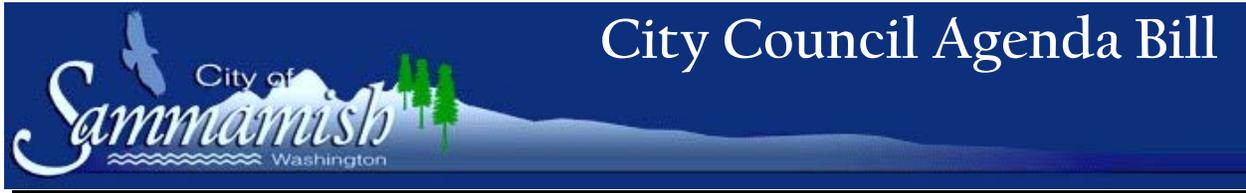
Comparison to Other Cities

City	Position	Population*	Low Range	High Range
Burien	Recreation Manager	48,810	\$ 7,567	\$ 9,198
Covington	Recreation Manager	18,500	\$ 7,311	\$ 8,729
Edmonds	Recreation Services Manager	40,490	\$ 7,107	\$ 9,524
Lynnwood	Recreation Supervisor	36,420	\$ 6,424	\$ 8,127
Maple Valley	Recreation Manager	24,700	\$ 6,492	\$ 8,253
Olympia	Program Manager	51,020	\$ 6,642	\$ 8,075
Puyallup	Recreation Program Supervisor	38,950	\$ 5,008	\$ 6,509
SeaTac	Recreation Supervisor	27,650	\$ 6,030	\$ 7,719
Tukwila	Recreation Superintendent	19,300	\$ 7,643	\$ 9,291
		Average	\$ 6,691	\$ 8,381

Proposed Grade O	\$ 6,419	\$ 8,784
-------------------------	-----------------	-----------------

*2015 Population

2015 AWC Salary Survey with COLAs of 1.93% from 2015 to 2016 and 1.7% from 2016 to 2017



Meeting Date: June 27, 2017

Date Submitted: June 21, 2017

Originating Department: Public Works

Clearances:

- | | | |
|--|--|--|
| <input type="checkbox"/> Attorney | <input type="checkbox"/> Community Development | <input type="checkbox"/> Public Safety |
| <input type="checkbox"/> Admin Services | <input type="checkbox"/> Finance & IT | <input checked="" type="checkbox"/> Public Works |
| <input checked="" type="checkbox"/> City Manager | <input type="checkbox"/> Parks & Recreation | |

Subject: E Beaver Lake Drive/Way SE Neighborhood Traffic Management Project Construction Contract Award

Action Required: Authorize the City Manager to award and execute a contract with Iron Creek Construction, LLC for construction of the E Beaver Lake Drive/Way SE Neighborhood Traffic Management Project in the amount of \$254,400 and administer a construction contingency in the amount of \$25,400.

Exhibits:

1. Bid Summary
2. Vicinity Map

Budget: \$300,000 budgeted in the adopted 2017 Intersection Improvements and Neighborhood Projects Transportation Capital Improvement Fund

Summary Statement: The Public Works Department recommends that the City Council authorize the City Manager to award and execute a contract with Iron Creek Construction for construction of the E Beaver Lake Drive/Way SE Neighborhood Traffic Management Project. The work consists of constructing traffic calming management features and roadway shoulder widening on East Beaver Lake Drive/Way SE from SE Issaquah Beaver Lake Rd to SE 23rd Place.

Staff designed the project in house and advertised the project for bid on the Small Works Roster program on June 6, 2017. One bid was received and opened on June 16, 2017. Iron Creek Construction, LLC was deemed responsible and responsive in their bid of \$254,400.00. The Engineer's estimate for this project is \$246,000.00.

Background: The goal of the City's Neighborhood Traffic Management Program (NTMP) is to work with local residents to mitigate the impacts of traffic speeds and volumes, and to increase safety on residential streets. The program consists of a process to identify and address traffic concerns in a phased approach, and includes funds to construct physical traffic calming measures such as striping, installing curbs, traffic circles, stop signs, speed radar signs, etc., as needed.

Residents on E Beaver Lake Drive/Way SE and in the surrounding neighborhoods approached the City with concerns about speeding in 2013. Staff worked with the neighbors during the first phase which emphasizes education, public awareness, enforcement and passive measures. There was limited success in reductions in speeds, which were short-lived. The community subsequently requested that Public Works move to the second phase of the NTMP, which entails formal public outreach and development and design of physical traffic calming features. In addition, the community must obtain approval from 60% of the affected neighborhood before the city will consider funding the project.

A public meeting was held on May 25, 2016 to inform residents of the project and gather public input on the proposed improvements. Based on the feedback received, staff modified the project plan to develop a final recommendation of improvements. The proposed improvements include installation of traffic circles, roadway shoulder widening, traffic curbs, sidewalk rain garden curb extensions, roadside planter strips, stationary speed radar sign, stop controlled crosswalks, pavement markings, and traffic control signage. Residents circulated a ballot in support of the proposed improvements in the fall of 2016 and successfully secured the required number of signatures. This project will provide a safer non-motorized environment, which has been a priority concern of the neighborhood especially for students and parents walking or biking to the schools in this area. The project will be mostly complete by the end of August.

The project will be funded through the 2017 adopted Intersection Improvements and Neighborhood Projects in the Transportation Capital Improvement Fund. Staff recommends authorization of a construction contingency to address any unanticipated items that may be identified during project construction. Construction management for this project will be provided by existing City staff.

More information about the City’s Neighborhood Traffic Management Program can be found at <https://www.sammamish.us/government/departments/public-works/current-projects/neighborhood-traffic-management-program-ntmp/>.

Financial Impact:

The work to be performed is budgeted in the following adopted 2017 Transportation Capital Improvement Fund accounts.

Neighborhood Projects (340-117-595-30-63-00):	\$ 100,000
Intersection Improvement Program (340-115-595-30-63-00):	\$ 200,000
TOTAL BUDGET:	\$ 300,000
Construction Contract:	\$ 254,400
Construction Contingency (10%):	\$ 25,400
TOTAL CONSTRUCTION ESTIMATED COST:	\$ 279,800

Recommended Motion:

Move to authorize the City Manager to award and execute a construction contract with Iron Creek Construction for construction of E Beaver Lake Drive/Way Neighborhood Traffic Management Project in the amount of \$254,400.00, and to administer a project construction contingency in the amount of \$25,400.



Bid Opening

City of Sammamish Public Works Department

Project: **E Beaver Lake Drive/Way SE NTMP**

Bid Date & Time: **June 16th, 2017, 2:00 pm**

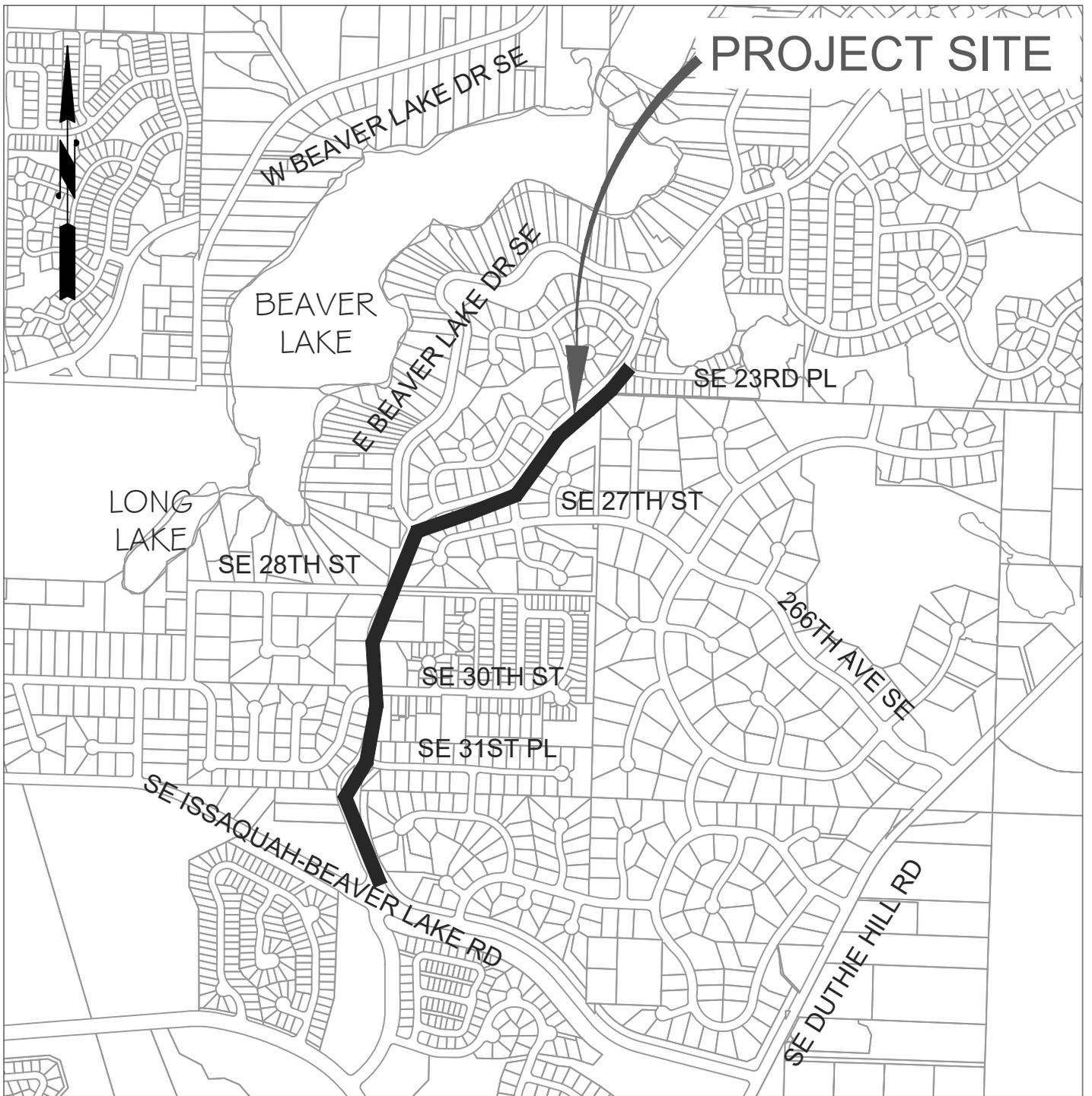
Signed Proposal
 Schedule of Prices
 Bid Security Form
 Acknowledgement of Receipt of Addenda
 Bidder Information and Signature
 Non-Collusion and Debarment Affidavit
 Minimum Wage Affidavit
¹List of Subcontractors
²Statement of Bidder's Qualifications
²Responsible Bidder Criteria

Bidder													Total Bid Price
1	Iron Creek Construction LLC	X	X	X	X	X	X	X	X		X	X	\$254,400.00
2													
3													
4													
5													
6													
7													
8													

Engineer's Estimate: \$246,000.00

¹Form must be submitted within one hour after published bid submittal time.

²Form must be submitted within 48 hours after the published bid submittal time.



EAST BEAVER LAKE DRIVE/WAY SE NTMP

VICINITY MAP

(NOT TO SCALE)

Exhibit 2



STUDY SESSION NOTES

Study Session

June 5, 2017

Mayor opened the study session of the Sammamish City Council at 4:30 p.m.

Topics

- **Department Report:** Community Development

Jeff Thomas, Director of Community Development, David Pyle, Deputy Director of Community Development and David Goodman, Management Analyst gave a staff update and showed a presentation (*Available on the City website at www.sammamish.us*)

- **Discussion:** R-1 Land Use Density Analysis

Jeff Thomas, Director of Community Development, David Pyle, Deputy Director of Community Development, David Goodman, Management Analyst gave a staff update and showed a presentation (*Available on the City website at www.sammamish.us*)

- **Discussion:** Urban Forestry Management Plan

David Goodman, Management Analyst and David Pyle, Deputy Director of Community Development and David Pyle, Deputy Director of Community Development gave a staff update and showed a presentation (*Available on the City website at www.sammamish.us*)

Adjournment

6:30 pm

COUNCIL  *MINUTES*

Regular Meeting
June 6, 2017

Mayor Don Gerend called the regular meeting of the Sammamish City Council to order at 6:30 pm.

Councilmembers present:

Mayor Don Gerend
Deputy Mayor Bob Keller
Councilmember Tom Hornish
Councilmember Kathy Huckabay
Councilmember Christie Malchow
Councilmember Tom Odell
Councilmember Ramiro Valderrama

Staff present:

Lyman Howard, City Manager
Jessi Bon, Deputy City Manager
Jeff Thomas, Community Development Director
Mike Sugg, Management Analyst
Aaron Antin, Finance/IT Director
Angie Feser, Parks & Recreation Director
Steve Leniszewski, Public Works Director
Tim Larson, Communications Manager
Kim Adams Pratt, City Attorney
Melonie Anderson, City Clerk

Roll Call/Pledge of Allegiance

Roll was called. Councilmember Malchow led the pledge.

Approval of Agenda

City Manager Lyman Howard added an Executive Session for Potential Litigation at the end of the meeting.

MOTION: Councilmember Valderrama moved to approve the agenda as amended. Councilmember Odell seconded. Motion carried unanimously 7-0.

Presentations/Proclamations

- **Update:** Habitat for Humanity Project – Gail Luxenberg, Executive Director Habitat for Humanity gave the presentation. She spoke about the project in Sammamish and explained how the homeowners are selected and described the strict regulations that apply to the sale of the homes. There is only one homeowner left to be selected for the Sammamish project. Many goods and services are donated to build the homes. They have reached out to over 30 faith-

based groups and individual volunteers to help build the homes. They are now ready to start construction. Sanitary sewers, sidewalks and utilities are complete. The grading work is nearly finished. It will take about 12 months to construct the homes.

- **Presentation & Discussion:** Health & Human Services Needs Assessment – Parks & Recreation Director Angie Feser introduced the consultants, Allegra Calder and Erika Rhett, from Berk Associates. They explained the Needs Assessment Process and showed a PowerPoint presentation (*available on the City's website at www.sammamish.us*).
- **Final Report:** Economic Development Analysis – Kellye Hilde introduced Mark Goodman from Community Attributes. He showed a PowerPoint presentation outlining the final deliverables of the project (*presentation available on the City's website at www.sammamish.wa.us*).

City Manager Lyman Howard addressed allegations made in a presentation given at the Citizens for Sammamish meeting. The presentation asserts that the City has been less than transparent in terms of concurrency and development. Mr. Howard went through the presentation and corrected many incorrect assertions and explained why they were wrong.

Public Comment

Deb Sogge, Sammamish Chamber of Commerce, announced that the Chamber will put a link on their webpage to the City's new Business Portal. She also gave an update on the Farmers Market. She reported that they have received several requests to have wine tasting at the Market.

Debbie Treen, 1825 East Lake Sammamish Parkway SE, spoke regarding the Growth Management Act. She does not feel that the City is using all the tools they could to limit the growth in Sammamish.

Michael Seals, 2880 244th Avenue NE, requested that Council not institute another moratorium.

Chris Gregson, 2948 224th Place SE, spoke regarding the Growth Management Act. He feels the Council is behind the curve on traffic and concurrency and needs to change

Robert Gilmore 1024 216th Avenue NE, spoke on behalf of his Mother. She is very concerned that some work is being done near her property without the proper permitting.

Ajay Gothikonda, 1207 211th Place NE, spoke regarding the amount of time he spends on his commute. He suggested the City try to find more public transportation.

Scott Fivash, 4440 Preston Fall City Road, Fall City, He requested the Council to allow his company to do wine tasting at the Farmers Markets.

John Metcalf 700 235th Avenue NE, he is not supportive of a moratorium to resolve concurrency issues.

Sharon Steinbus, 24933 SE 14th St, Representing Sammamish Wildlife Steward Group, She urged the Council to keep Sammamish green.

David Doyle, 22520 SE 18th Street, hopes that something can be done about the traffic and development in the City.

Jolie Imperatori, 745 2nd Avenue NE, Issaquah, she is not supportive of a moratorium. She feels a moratorium just pushes problems into the future.

Mary Jo Kahler, 21911 SE 20th Street, shared her experience with traffic congestion.

David Gowing, 4051 232nd Avenue SE, he is frustrated at what has happened to the Issaquah Pine Lake Road.

Karen Lee, 582 240th Avenue NE, spoke regarding saving Providence Heights Campus. She suggested the buildings there could be used to house the homeless. She encouraged Sammamish to partner with Issaquah to purchase the property.

Casey Thompson, 19818 SE 19th Street, feels a review of the City's zoning would help with future problems.

Council recessed from 8:45 pm to 9:00 pm

Consent Agenda

- Payroll for period ending May 15, 2017 for pay date May 19, 2017 in the amount of \$ 359,358.79

Approval: Claims For Period Ending June 6, 2017 In The Amount Of \$3,601,980.41 For Check No. 47327 Through 47500

Proclamation: Honor Guard Day

WHEREAS, Honor Guards of America, consisting of former and retired military, police, fire fighters, emergency medical service (EMS) responders, chiefs, and other agency personnel, and their families and communities face an increasingly difficult role as they protect and serve the nation and public; and

WHEREAS, in 2016, 16 military, 140 law enforcement officers, 68 firefighters, 15 EMS personnel, and 7 chiefs across the nation lost their lives in the line of duty, representing the highest line of duty death (LODD) in years; and

WHEREAS, the men and women who wear these uniforms understand the dangers of their job, but they heed call to serve and willingly face those risks every day in order to create a safe nation and communities for all Americans; and

WHEREAS, Honor Guards Day honors the sacrifices made by those who wear the uniform; plan the services for our fallen; march and present the colors with honor; stand watch over our fallen in all weather; and comfort those in duress; and

WHEREAS, the City of Sammamish recognizes and appreciates the sacrifices of Honor Guards and their families and supports their efforts to keep the state of Washington a safe place to work, live and visit;

NOW, THEREFORE, I, Don Gerend, Mayor, on behalf of the Sammamish City Council does hereby proclaim the day of July 1, 2017, as Honor Guards Day

Proclamation: Girl Scout Gold Award Day

WHEREAS, Each year, hundreds of Girl Scouts contribute more than 10,000 hours of service while

earning the Gold and Silver Awards.

WHEREAS, Whether they're working to eliminate traffic collisions, building libraries near and far, or energizing folks to donate blood,

WHEREAS, Girl Scouts are making the world a better place for all of us.

WHEREAS, A Gold Award Gala will be held on Saturday, June 10th at the Museum of Flight on 9404 E Marginal Way S in Seattle. Check in time of 5:30 pm with the Award Ceremony held at 6:00 pm

NOW, THEREFORE BE IT RESOLVED that I, Mayor Donald Gerend, on behalf of the Sammamish City Council, do hereby proclaim Saturday, June 10, 2017 as Girl Scouts Gold Award Day in the City of Sammamish, and urge all employees and residents to participate in acknowledging our Girl Scout Troops.

Ordinance: Second Reading: Amending Ordinance No. O2016-423, The 2017-2018 City Budget, For The Purpose Of Revising The 2017-2018 Biennial Budget; (O2017-439)

Ordinance: Second Reading: Adopting The Sammamish Electrical Code; Amending Title 16, Buildings And Construction, Of The Sammamish Municipal Code By Amending Chapter 16.05, Construction Codes; 16.20, Construction Administrative Code; And 16.25 Building And Property Maintenance Code; Providing For Severability; And Establishing An Effective Date (O2017-440)

Ordinance: Second Reading: Vacating a Portion of 215th Avenue NE (O2017-441)

Bid Award: 212th Non-Motorized Project/Trimaxx Construction

Bid Award: 2017 Citywide Pavement Overlay/Watson

Contract: 2017 Citywide Pavement Overlay Construction Support/KBA, Inc.

Interlocal: 2017-2018 Citywide Pavement Overlay/Sammamish Plateau Water

Interlocal: 2017-2018 Citywide Pavement Overlay/North East Sammamish Sewer and Water

Interlocal: SE 4th Street Project - Terms of Sale Agreement to Use King County's Mitigation Reserves Program

Bid Award: Bark Delivery and Placement for Parks/Pacific Topsoil

Amendment: 212th Way SE Roadway Project Construction Support /Gray and Osborne

Approval: Notes for the May 9, 2017 Joint Study Session

Approval: Minutes for the May 16, 2017 Regular Meeting

Approval: Minutes for the May 22, 2017 Special Meeting

MOTION: Councilmember Hornish moved to approve the Consent Agenda. Councilmember Odell seconded. Motion carried unanimously 7-0.

Mr. Howard suggested having a discussion regarding the issues raised today regarding the Growth Management Act, traffic modeling and concurrency at the July 10, 2017, City Council meeting.

Public Hearing

Resolution: Approving Public Benefit Rating System, Current Use Assessment For The Pfaffe Property-King County Tax Parcel(S) No. 2025069108 & 2025069129

David Pyle, Deputy Director of Community Development and Chris Hankins, Code Compliance Officer, gave the staff report and showed a PowerPoint presentation (*available on the City's website at www.sammamish.us*).

Public Hearing opened at 9:26 pm and closed with no public comment.

MOTION: Councilmember Odell moved to adopt the resolution approving the Public Benefit Rating System request for the Pfaffe property. Councilmember Valderrama seconded. Motion carried unanimously 7-0 (R2017-739).

Resolution: Adopting an Updated Six-Year Transportation Improvement Plan for 2018-2023

Steve Leniszewski, Public Works Director, gave the staff report, along with Finance Director Aaron Antin (*Presentation available on the City's website at www.sammamish.us*).

Public Hearing opened at 9:42 pm and was closed and continued to June 27, 2017

Unfinished Business

Funding Request: Sammamish Heritage Society

Ms. Feser gave the staff report and showed a PowerPoint presentation (*available on the City's website at www.sammamish.us*). The Heritage Society is asking for an additional \$15,000 in 2017 and \$5,000 in 2018. The funding would be used for operating expenses. The City has previously given the Society \$5,000 in annual funding since 2010 totally \$35,000 and \$106,635 for repairs to the Freed House for a total City-contribution to the Heritage Society of \$141,635 to date.

MOTION: Councilmember Valderrama moved to extend the meeting to 10:45 pm. Councilmember Malchow seconded. Motion carried unanimously 7-0.

MOTION: Councilmember Malchow moved to approve the additional funding of \$15,000 in 2017 and \$5,000 in 2018. Councilmember Huckabay seconded.

AMENDMENT: Councilmember Hornish moved to amend the motion to include a discussion on the funding policy within 12 months. Councilmember Odell seconded. Motion carried unanimously 7-0.

MAIN MOTION: Motion carried as amended 6-1 with Councilmember Odell dissenting.

Councilmember Odell feels the Society needs to be more self-sustaining by raising their own funds. He would support matching funds but he is not in favor of underwriting the whole request.

New Business - None

Council Reports/Committee Reports

Councilmember Valderrama attended the Public Safety Committee meeting on May 30, 2017.

Councilmember Hornish attended a Seattle King County Realtors meeting on affordable housing.

Deputy Mayor Keller reported on the *Hidden in Plain Sight* program. He attended the King County Construction Demolition and Waste Forum. He also attended Central Washington University's *Running Start* presentation.

Councilmember Huckabay reported Eastside Fire & Rescue is doing an inventory of all the fire stations. They will also be working on a process for compensating the Fire Chief.

Mayor Gerend attended the North End Mayors meeting.

City Manager Report

- **Wine Sampling at Farmers Market**

Mr. Howard gave the staff report and showed a PowerPoint presentation (*available on the City's website at www.sammamish.us*).

MOTION: Councilmember Valderrama moved to allow wine tasting at the Farmer's Market for a one-year trial. Councilmember Odell seconded. Motion carried unanimously 7-0.

MOTION: Councilmember Odell moved to extend the meeting to 11:00 pm. Councilmember Hornish seconded. Motion carried unanimously 7-0.

Executive Session – Potential Litigation pursuant to RCW 42.30.110(1)(i)

Council adjourned to Executive Session at 10:45 pm and returned at 11:00 pm. They took no action.

Meeting adjourned at 11:00 pm

Melonie Anderson, City Clerk

Donald J. Gerend, Mayor



STUDY SESSION NOTES

Study Session

June 13, 2017

Mayor opened the study session of the Sammamish City Council at 6:30 p.m.

Public Comment

This is an opportunity for the public to address the Council. Three-minutes limit per person or 5 minutes if representing the official position of a recognized community organization.

Mary Wictor, 408 208th Ave NE, spoke about Curitiba Brazil, award winning urban planning and the video "Happy". Submitted documents

Topics

- **Presentation:** One Center City/Sound Transit, Metro, City of Seattle

Cheryl Paston, Deputy Director of Public Works introduced Candida Lorenzano, City of Seattle and Bill Bryant, King County Metro and Wesley King, Sound Transit (*presentation available on the City website at www.sammamish.us*)

- **Discussion:** Land Acquisition Strategy & Policy

Angie Feser, Parks and Recreation Director introduced Anjali Meyer, Parks and Recreation, Project Manager, who gave a staff update and showed a presentation. (*presentation available on the City website at www.sammamish.us*)

- **Discussion:** Council Candidate Forum

Jessi Bon, Deputy City Manager, led a discussion on a Council Candidate Forum at City Hall. City Council reached a consensus to support a forum providing the venue and a recording for YOUTUBE. Possible dates discussed were July 10, 12, 13, 17, 19 and 21.

Adjournment

9:30 pm



Meeting Date: June 27, 2017

Date Submitted: June 13, 2017

Originating Department: Public Works

Clearances:

- | | | |
|--|---|--|
| <input checked="" type="checkbox"/> Attorney | <input type="checkbox"/> Community Development | <input type="checkbox"/> Parks & Recreation |
| <input type="checkbox"/> Admin Services | <input type="checkbox"/> Eastside Fire and Rescue | <input type="checkbox"/> Police |
| <input checked="" type="checkbox"/> City Manager | <input type="checkbox"/> Finance & IT | <input checked="" type="checkbox"/> Public Works |

Subject: 2018-2023 Six-Year Transportation Improvement Plan (TIP)

Action Required: Continue public hearing and consider action on Six-Year TIP

- Exhibits:**
1. Resolution adopting the 2018-2023 Six (6)-year TIP
 2. 2018-2023 TIP Project List
 3. 2018-2023 TIP Project Map
 4. Current 20 year transportation CIP

Budget: N/A

Summary Statement:

The City Council had the introduction and first hearing on the 2018-2023 Six-Year Transportation Improvement Plan (TIP) on June 6, 2017. Based on the first review and hearing, only typographical changes have been made and no other substantive changes are being proposed.

All cities are required by state law (RCW Chapter 35.77) to have a Six-Year TIP and to adopt an updated TIP annually. These updates must be pursuant to one or more public hearings, shall be consistent with the City's Comprehensive Plan and shall be adopted by July 1st of each year. The annual TIP must be filed with the Secretary of Transportation no later than 30 days after adoption.

The TIP is a planning document that identifies transportation capital improvement programs and projects the City foresees undertaking over the next 6 years. The TIP by itself does not authorize projects to move forward nor does it provide funding for any of the listed projects; for that to occur individual projects must be funded through the City's normal biennial budget process.

The format of the TIP has changed this year. In the projects section, a new category was created for projects that are not fully funded in this TIP. These projects were included in the previous TIP and remain in the document for further discussion. The revenue section of the TIP has been expanded considerably, separating out the restricted funds from the unrestricted funds and identifying the estimated fund balance for each. A full explanation of the revenue section was provided at the June 6, 2017 City Council meeting.

Background:

This is an annual adoption that is required by State law. Resolution R2016-687 adopting the 2017-2022 TIP was approved at the June 21, 2016 City Council Meeting and included \$94.8 million in transportation improvements. The 2018-2023 TIP includes \$87.5 million in transportation improvement projects.

This year's update to the TIP is fairly minimal and includes removal of completed projects, updated project costs and an expanded revenue section. Future updates to the TIP will coincide with the development of the Transportation Master Plan (TMP).

In 2016 the City consulted with David Evans & Associates to re-evaluate and update the conceptual project costs used in developing the TIP update. Financial changes were reflected last year and therefore only known changes have been included in this year's update. Notable changes to the TIP include the following:

Project / Program Changes

Removed items (3)

- TR-25 REMOVED - 212th Way SE (Snake Hill) Improvements
 - *Estimated to be completed in 2017.*
- TR-10 REMOVED - 212th Ave SE Gap Project
 - *Estimated to be completed in 2017.*
- TR-06 REMOVED - 228th Ave SE: SE 32nd St. to Issaquah-Pine Lake Rd
 - *Project evaluated and recommended to be included in a larger capital project, timing is to be determined.*

Revised Costs (3)

- TR-01 – SE 4th Street: 218th Ave to 228th Ave SE
 - *The project costs on the TIP have increased by approximately \$2 Million becoming consistent with the updated 90% design cost estimate, recognizing costs of contribution from the storm drainage fund, updating the of cost for ROW acquisition, design contract amendments and estimated construction management.*
- TR-05 – Sahalee Way NE: NE 25th Way to North City Limits
 - *The project is on hold. The estimated project costs, however were updated and reflect a slight reduction in cost. The decrease is due to reduced expenditures in 2017 and fewer actual expenditures through 2016. The funds estimated for 2018-20 remain the same.*
- TR-07 – Issaquah-Fall City Rd: 42nd Avenue SE to Klahanie Dr SE
 - *The project costs on the TIP have increased by approximately \$5 Million becoming consistent with the 10% design cost estimate, design changes related to the selection of a bridge section through the sensitive areas, ROW acquisition, design contract amendments and estimated construction management.*

Projects Moved to "Projects to be Funded" Section (2):

A new section was created in the TIP to indicate projects that are only partially funded at this time. These projects, further described below, were included in in the previous TIP. These projects will be included in the staff presentation at the June 6 Council Meeting.

- TR-02 – Issaquah-Pine Lake Rd: Klahanie Dr SE to Issaquah-Beaver Lk Rd
 - *Moved to the unfunded project section, project costs have been rounded.*
- TR-08 – Issaquah-Fall City Rd: Klahanie Dr SE to Issaquah-Beaver Lk Rd (Phase II)
 - *Moved to the unfunded project section. The project costs have been updated based on information from the Issaquah Fall City Phase I Project, which is currently under design.*

Financial Impact:

The 6-year TIP is a planning document and as such does not commit the City to any financial obligations. Council will encounter and address the financial impacts in the future as they appropriate funding for the various projects listed in the 6-year TIP. Listing a project on the TIP allows it to be eligible for grant funding.

There is no financial impact at this time.

Recommended Motion:

Continue the public hearing on the 2018-2023 Six-Year Transportation Improvement Plan and then close the hearing. Move to approve the resolution adopting the 2018-2023 Six-Year Transportation Improvement Plan (TIP).

**CITY OF SAMMAMISH
WASHINGTON
RESOLUTION NO. R2017_____**

**A RESOLUTION OF THE CITY OF SAMMAMISH,
WASHINGTON, ADOPTING AN UPDATED SIX-YEAR
TRANSPORTATION IMPROVEMENT PLAN FOR 2018-2023**

WHEREAS, state law requires the legislative body of each city to prepare and adopt a comprehensive transportation improvement plan for the ensuing six years; and

WHEREAS, the purpose of such plan is to ensure that each city shall have plans looking to the future, for not less than six years, as a guide in carrying out a coordinated transportation program; and

WHEREAS, if a city has adopted a comprehensive plan, state law provides that the transportation improvement plan shall be consistent with the comprehensive plan; and

WHEREAS, the adoption of a transportation improvement plan will allow the City to coordinate planning efforts, mitigate certain transportation impacts, and pursue grant funding for transportation projects; and

WHEREAS, the updated plan is consistent with recent changes to RCW 35.77.010 and incorporates urban planning approaches that promote physical activity and non-motorized and transit oriented projects; and

WHEREAS, the City Council has conducted a public hearing to receive comments on the proposed plan;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAMMAMISH,
WASHINGTON, DOES RESOLVE AS FOLLOWS:**

Section 1. Adoption of Transportation Improvement Plan. The City hereby adopts the Six-Year Transportation Improvement Plan, 2018 - 2023, attached hereto as Exhibit "A" and incorporated herein by reference.

Section 2. Severability. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

**PASSED BY THE CITY COUNCIL AT A SPECIAL MEETING THEREOF ON THE
_____ DAY OF JUNE, 2017.**

CITY OF SAMMAMISH

Mayor Donald J. Gerend

ATTEST/AUTHENTICATED:

Melonie Anderson, City Clerk

Approved as to form:

Michael R. Kenyon, City Attorney

Filed with the City Clerk: June 1, 2017

Passed by the City Council:

Resolution No.: R2017-_____

Exhibit A
2018-2023 SIX-YEAR TRANSPORTATION CAPITAL IMPROVEMENT PLAN (Fund 340)
 Adopted by the City Council: June XX, 2017 (R2017-###)

I/F Funding %	#	PROJECT	2018	2019	2020	2021	2022	2023	FUND 340 PROJECT COSTS				Fund 438 Total Costs	Total Project Costs
									6-Year Total	Prior Years	Future Years	Fund 340 Total Costs		
TIP CONCURRENCY PROJECTS														
83%	TR-01	SE 4th Street: 218th Ave SE to 228th Ave SE Widen to 3 lanes with bike lanes, curb, gutter and sidewalk.	3,612,768	460,000	0	0	0	0	4,072,768	12,520,413	0	16,593,181	816,740	17,409,921
95%	TR-05	Sahalee Way NE: NE 25th Way to North City Limits Widen to 3 lanes with bike lanes, curb, gutter and sidewalk	3,500,000	7,600,000	1,400,000	0	0	0	12,500,000	2,858,020	0	15,400,000	490,000	15,890,000
Not yet in Fee Study	TR-34	228th Avenue SE & SE 8th Street Intersection Improve intersection LOS by widening/adding lanes or installing a 2-lane roundabout. Engineering analysis to be performed and will include the 228th Avenue SE & SE 4th Street Intersection (TR-33) and the 228th Ave SE & SE 10th Intersection.	750,000	3,000,000	0	0	0	0	3,750,000	850,000	0	4,600,000	0	4,600,000
36%	TR-03	Issaquah-Pine Lake Rd: SE 48th St to Klahanie Blvd Widen to 5 lanes with bike lanes, curb, gutter and sidewalk	0	0	0	0	0	0	0	0	19,524,420	19,500,000	690,000	20,190,000
48%	TR-04	East Lake Sammamish Parkway SE / SE 24th St Intersection Construct traffic signal, turn lanes, curb, gutter and sidewalk	0	0	0	0	0	0	0	0	3,614,505	3,600,000	60,000	3,660,000
(A) SUBTOTAL TIP CONCURRENCY PROJECTS			7,862,768	11,060,000	1,400,000	0	0	0	20,322,768	16,228,433	23,138,925	59,693,181	2,056,740	61,749,921
TIP GENERAL TRANSPORTATION PROJECTS														
	TR-07	Issaquah-Fall City Rd: 42nd Avenue SE to Klahanie Dr SE Widen to 5 lanes with bike lanes, curb, gutter and sidewalk	15,000,000	7,000,000	0	0	0	0	22,000,000	5,600,000	0	27,600,000	206,795	27,806,795
	TR-20	SE 14th Street Extension: Lawson Park Plat to 248th Ave SE Construct 2 lane interim roadway connection with walking path on north side of street	0	200,000	0	0	0	0	200,000	37,507	0	240,000	40,000	280,000
	TR-19	Intelligent Transportation System (ITS) Phase 2 of the 228th Ave/Sahalee Way ITS project from NE 12th St to SR 202, connect to WSDOT & Redmond systems.	317,000	1,900,000	0	0	0	0	2,217,000	950,505	0	3,200,000	0	3,200,000
	TR-18	SE 8th Street/218th Avenue SE: 212th Avenue SE to SE 4th Street Analyze capacity and safety improvements needed along this roadway to accommodate increased traffic volumes and pedestrian use.	150,000	0	0	0	0	0	150,000	0	13,269,153	13,400,000	1,500,000	14,900,000
	TR-42	218th Avenue SE/216th Avenue SE: SE 4th Street to Inglewood Hill Road NE Analysis Analyze capacity and safety improvements needed along this roadway to accommodate increased traffic volumes and pedestrian use.	150,000	0	0	0	0	0	150,000	0	6,000,000	6,200,000	1,000,000	7,200,000
(B1) SUBTOTAL TIP GENERAL TRANSPORTATION PROJECTS			15,617,000	9,100,000	0	0	0	0	24,717,000	13,767,531	19,269,153	57,808,000	4,916,812	62,724,812

I/F Funding %	#	PROJECT	2018	2019	2020	2021	2022	2023	FUND 340 PROJECT COSTS				Fund 438 Total Costs	Total Project Costs
									6-Year Total	Prior Years	Future Years	Fund 340 Total Costs		
Projects to be Funded														
50%	TR-02	Issaquah-Pine Lake Rd: Klahanie Blvd to SE 32nd Widen to 3 lanes with bike lanes, curb, gutter, sidewalk and roundabout	0	0	1,000,000	1,500,000	4,500,000	5,700,000	12,700,000	0		12,700,000	640,000	13,340,000
	TR-08	Issaquah-Fall City Rd: Klahanie Dr SE to Issaquah-Beaver Lk Rd Widen to 3 lanes with bike lanes, curb, gutter and sidewalk	1,000,000	2,000,000	7,000,000	7,000,000	0	0	17,000,000	0	0	17,000,000	0	17,000,000
(B2) SUBTOTAL PROJECTS TO BE FUNDED			1,000,000	2,000,000	8,000,000	8,500,000	4,500,000	5,700,000	29,700,000	0	0	29,700,000	640,000	30,340,000
(C) TOTAL TIP PROJECTS (A+B)			24,479,768	22,160,000	9,400,000	8,500,000	4,500,000	5,700,000	74,739,768	29,995,964	42,408,078	147,201,181	7,613,552	154,814,733
OTHER TIP PROGRAMS														
	TR-A	Public Works Trust Fund Loan Repayment 228th Ave NE Improvements	544,000	541,333	538,667	536,000	0	0	2,160,000	8,386,410	0	10,546,410	0	10,546,410
	TR-B	Non-motorized Transportation Projects Sidewalks, trails, bikeways and paths, etc.	750,000	750,000	750,000	750,000	750,000	750,000	4,500,000				750,000	
	TR-C	Sidewalk Projects Various sidewalk projects, includes gap projects, extensions, safety improvements.	160,000	160,000	160,000	160,000	160,000	160,000	960,000				150,000	
	TR-D	Intersection and Safety Improvements Intersection/other safety improvements, including channelization, signing, signalization, and/or other traffic control devices.	200,000	200,000	200,000	200,000	200,000	200,000	1,200,000				150,000	
	TR-E	Neighborhood CIP Safety improvements including gap projects, bike routes, pedestrian safety and school zone safety.	100,000	100,000	100,000	100,000	100,000	100,000	600,000				90,000	
	TR-F	Street Lighting Program Provide street lighting at high priority locations with significant safety issues that can be addressed through better street lighting.	15,000	15,000	15,000	15,000	15,000	15,000	90,000				0	
	TR-G	School Zone Safety Improvements In conjunction with Issaquah & Lake Washington School Districts, provide safety improvements in the City's various school zones.	50,000	50,000	50,000	50,000	50,000	50,000	300,000				0	
	TR-H	Capital Contingency Reserve Placeholder Reserve fund for capital projects and to address other unforeseen circumstances that may arise.	500,000	500,000	500,000	500,000	500,000	500,000	3,000,000				0	
(D) SUBTOTAL OTHER TIP PROGRAMS			2,319,000	2,316,333	2,313,667	2,311,000	1,775,000	1,775,000	12,810,000	8,386,410	0	10,546,410	1,140,000	10,546,410
(E) TOTAL TIP EXPENDITURES (C+D)			26,798,768	24,476,333	11,713,667	10,811,000	6,275,000	7,475,000	87,549,768					

PROJECT	2018	2019	2020	2021	2022	2023	6-Year Total
Impact Fee Funding							TOTAL
Beginning Impact Fee Restricted Fund Balance	\$ 8,516,209	\$ 6,442,612	\$ (159,188)	\$ 2,010,812	\$ 5,510,812	\$ 9,010,812	\$ 8,516,209
Impact Fee Revenue	5,000,000	4,000,000	3,500,000	3,500,000	3,500,000	3,500,000	23,000,000
SE 4th St. (83%)	(2,998,597)	(381,800)	-	-	-	-	(3,380,397)
Sahalee Way (95%)	(3,325,000)	(7,220,000)	(1,330,000)	-	-	-	(11,875,000)
228th & SE 8th (assuming 100%)	(750,000)	(3,000,000)	-	-	-	-	(3,750,000)
Ending Impact Fee Restricted Fund Balance	\$ 6,442,612	\$ (159,188)	\$ 2,010,812	\$ 5,510,812	\$ 9,010,812	\$ 12,510,812	\$ 12,510,812

Projects With Funding To Be Determined							
TR-08 Anticipated Connecting WA Grant			\$ 1,500,000				\$ 1,500,000
* TR-02 Iss.-Pine Lake Rd: Klahanie Blvd to SE 32nd (50%)	-	-	(1,000,000)	(1,500,000)	(4,500,000)	(5,700,000)	(12,700,000)
TR-08 Issaquah-Fall City Rd: Klahanie Dr SE to Iss/Bvr Lk Rd	(1,000,000)	(2,000,000)	(7,000,000)	(7,000,000)	-	-	(17,000,000)
Total Projects to be Funded	\$ (1,000,000)	\$ (2,000,000)	\$ (6,500,000)	\$ (8,500,000)	\$ (4,500,000)	\$ (5,700,000)	\$ (28,200,000)

*TR-02 Issaquah-Pine Lake Road: Klahanie Blvd. to SE 32nd is eligible for 50% impact fee funding. Full project cost is shown here noting 50% would be paid with impact fees.

Unrestricted Funding							
Beginning Unrestricted Fund Balance	\$ 5,314,031	\$ 843,060	\$ (5,185,673)	\$ (3,362,840)	\$ (2,673,340)	\$ (1,447,840)	\$ 5,314,031
REET (Updated forecast based on recent 2015-2016 actuals)	3,000,000	3,000,000	3,000,000	3,000,000	3,000,000	3,000,000	18,000,000
SEPA/Mitigation Fees for Mystic Lake/Jacobs Landing	1,250,000						1,250,000
Operating Transfer Estimate (crossover in 2020)	1,200,000	1,200,000	1,200,000				3,600,000
TR-07 TIB Grant Proposed	5,000,000						5,000,000
TR-07 Anticipated Connecting WA Grant	3,500,000						3,500,000
PSRC Grants for Regional ITS Project (TR-19)	274,200	1,630,800	-	-	-	-	1,905,000
Interest	30,000	15,000	6,500	500	500	500	53,000
Other TIP Expenditures	(18,725,171)	(11,874,533)	(2,383,667)	(2,311,000)	(1,775,000)	(1,775,000)	(38,844,371)
Ending Unrestricted Fund Balance	\$ 843,060	\$ (5,185,673)	\$ (3,362,840)	\$ (2,673,340)	\$ (1,447,840)	\$ (222,340)	\$ (222,340)
Total Fund Balance	\$ 7,285,672	\$ (5,344,861)	\$ (1,352,028)	\$ 2,837,472	\$ 7,562,972	\$ 12,288,472	\$ 12,288,472

Notes:
 1. REET increased to \$3M per year (was \$2.45M)
 2. Project costs are increased \$3.2M from 2016 adopted TIP
 3. Zero percent cost inflator after 2018 (Budget)

2018 Total BFB \$ 13,830,240

2018 Unrestricted BFB \$ 5,314,031

2018 Concurrency BFB Calc

2017 BFB	\$ 9,154,209	At end of 2016 - restricted impact fee balance portion
2017 Impact Fees	4,662,000	
SE 4th	(2,075,000)	\$6,500,000 less \$4M grant times 83%
Sahalee Way	(2,375,000)	95% impact fee funding
228th & SE 8th	(850,000)	assumes 100% impact fee funding
2017 EFB/2018 BFB	\$ 8,516,209	Restricted to Impact Fee eligible projects

Exhibit A
2018-2023 SIX-YEAR TRANSPORTATION CAPITAL IMPROVEMENT PLAN (Fund 340)
 Adopted by the City Council: June XX, 2017 (R2017-###)

I/F Funding %	#	PROJECT	2018	2019	2020	2021	2022	2023	FUND 340 PROJECT COSTS				Fund 438 Total Costs	Total Project Costs
									6-Year Total	Prior Years	Future Years	Fund 340 Total Costs		
TIP CONCURRENCY PROJECTS														
83%	TR-01	SE 4th Street: 218th Ave SE to 228th Ave SE Widen to 3 lanes with bike lanes, curb, gutter and sidewalk.	3,612,768	460,000	0	0	0	0	4,072,768	12,520,413	0	16,593,181	816,740	17,409,921
95%	TR-05	Sahalee Way NE: NE 25th Way to North City Limits Widen to 3 lanes with bike lanes, curb, gutter and sidewalk	3,500,000	7,600,000	1,400,000	0	0	0	12,500,000	2,858,020	0	15,400,000	490,000	15,890,000
Not yet in Fee Study	TR-34	228th Avenue SE & SE 8th Street Intersection Improve intersection LOS by widening/adding lanes or installing a 2-lane roundabout. Engineering analysis to be performed and will include the 228th Avenue SE & SE 4th Street Intersection (TR-33) and the 228th Ave SE & SE 10th Intersection.	750,000	3,000,000	0	0	0	0	3,750,000	850,000	0	4,600,000	0	4,600,000
36%	TR-03	Issaquah-Pine Lake Rd: SE 48th St to Klahanie Blvd Widen to 5 lanes with bike lanes, curb, gutter and sidewalk	0	0	0	0	0	0	0	0	19,524,420	19,500,000	690,000	20,190,000
48%	TR-04	East Lake Sammamish Parkway SE / SE 24th St Intersection Construct traffic signal, turn lanes, curb, gutter and sidewalk	0	0	0	0	0	0	0	0	3,614,505	3,600,000	60,000	3,660,000
(A) SUBTOTAL TIP CONCURRENCY PROJECTS			7,862,768	11,060,000	1,400,000	0	0	0	20,322,768	16,228,433	23,138,925	59,693,181	2,056,740	61,749,921
TIP GENERAL TRANSPORTATION PROJECTS														
	TR-07	Issaquah-Fall City Rd: 42nd Avenue SE to Klahanie Dr SE Widen to 5 lanes with bike lanes, curb, gutter and sidewalk	15,000,000	7,000,000	0	0	0	0	22,000,000	5,600,000	0	27,600,000	206,795	27,806,795
	TR-25	212th Way (Snake Hill) Improvements Stabilize roadway by constructing retaining walls, minor shoulder-widening, drainage and repaving.	0	0	0	0	0	0	0	6,507,822	0	6,500,000	2,170,017	8,670,017
	TR-20	SE 14th Street Extension: Lawson Park Plat to 248th Ave SE Construct 2 lane interim roadway connection with walking path on north side of street	0	200,000	0	0	0	0	200,000	37,507	0	240,000	40,000	280,000
	TR-10	212th Ave SE Gap Project - SE 24th St to Crossings Subdivision Provide non-motorized facilities	0	0	0	0	0	0	0	573,697	0	570,000	0	570,000
	TR-19	Intelligent Transportation System (ITS) Phase 2 of the 228th Ave/Sahalee Way ITS project from NE 12th St to SR 202, connect to WSDOT & Redmond systems.	317,000	1,900,000	0	0	0	0	2,217,000	950,505	0	3,200,000	0	3,200,000
	TR-18	SE 8th Street/218th Avenue SE: 212th Avenue SE to SE 4th Street Analyze capacity and safety improvements needed along this roadway to accommodate increased traffic volumes and pedestrian use.	150,000	0	0	0	0	0	150,000	0	13,269,153	13,400,000	1,500,000	14,900,000
	TR-42	218th Avenue SE/216th Avenue SE: SE 4th Street to Inglewood Hill Road NE Analysis Analyze capacity and safety improvements needed along this roadway to accommodate increased traffic volumes and pedestrian use.	150,000	0	0	0	0	0	150,000	0	6,000,000	6,200,000	1,000,000	7,200,000
	TR-06	228th Ave SE: SE 32nd St. to Issaquah-Pine Lake Rd Provide additional southbound through lane	0	0	0	0	0	0	0	98,000	0	98,000	0	98,000
(B1) SUBTOTAL TIP GENERAL TRANSPORTATION PROJECTS			15,617,000	9,100,000	0	0	0	0	24,717,000	13,767,531	19,269,153	57,808,000	4,916,812	62,724,812

I/F Funding %	#	PROJECT	2018	2019	2020	2021	2022	2023	FUND 340 PROJECT COSTS				Fund 438 Total Costs	Total Project Costs
									6-Year Total	Prior Years	Future Years	Fund 340 Total Costs		
Projects to be Funded														
50%	TR-02	Issaquah-Pine Lake Rd: Klahanie Blvd to SE 32nd Widen to 3 lanes with bike lanes, curb, gutter, sidewalk and roundabout	0	0	1,000,000	1,500,000	4,500,000	5,700,000	12,700,000	0		12,700,000	640,000	13,340,000
	TR-08	Issaquah-Fall City Rd: Klahanie Dr SE to Issaquah-Beaver Lk Rd Widen to 3 lanes with bike lanes, curb, gutter and sidewalk	1,000,000	2,000,000	7,000,000	7,000,000	0	0	17,000,000	0	0	17,000,000	0	17,000,000
(B2) SUBTOTAL PROJECTS TO BE FUNDED			1,000,000	2,000,000	8,000,000	8,500,000	4,500,000	5,700,000	29,700,000	0	0	29,700,000	640,000	30,340,000
(C) TOTAL TIP PROJECTS (A+B)			24,479,768	22,160,000	9,400,000	8,500,000	4,500,000	5,700,000	74,739,768	29,995,964	42,408,078	147,201,181	7,613,552	154,814,733
OTHER TIP PROGRAMS														
TR-A	Public Works Trust Fund Loan Repayment 228th Ave NE Improvements		544,000	541,333	538,667	536,000	0	0	2,160,000	8,386,410	0	10,546,410	0	10,546,410
TR-B	Non-motorized Transportation Projects Sidewalks, trails, bikeways and paths, etc.		750,000	750,000	750,000	750,000	750,000	750,000	4,500,000				750,000	
TR-C	Sidewalk Projects Various sidewalk projects, includes gap projects, extensions, safety improvements.		160,000	160,000	160,000	160,000	160,000	160,000	960,000				150,000	
TR-D	Intersection and Safety Improvements Intersection/other safety improvements, including channelization, signing, signalization, and/or other traffic control devices.		200,000	200,000	200,000	200,000	200,000	200,000	1,200,000				150,000	
TR-E	Neighborhood CIP Safety improvements including gap projects, bike routes, pedestrian safety and school zone safety.		100,000	100,000	100,000	100,000	100,000	100,000	600,000				90,000	
TR-F	Street Lighting Program Provide street lighting at high priority locations with significant safety issues that can be addressed through better street lighting.		15,000	15,000	15,000	15,000	15,000	15,000	90,000				0	
TR-G	School Zone Safety Improvements In conjunction with Issaquah & Lake Washington School Districts, provide safety improvements in the City's various school zones.		50,000	50,000	50,000	50,000	50,000	50,000	300,000				0	
TR-H	Capital Contingency Reserve Placeholder Reserve fund for capital projects and to address other unforeseen circumstances that may arise.		500,000	500,000	500,000	500,000	500,000	500,000	3,000,000				0	
(D) SUBTOTAL OTHER TIP PROGRAMS			2,319,000	2,316,333	2,313,667	2,311,000	1,775,000	1,775,000	12,810,000	8,386,410	0	10,546,410	1,140,000	10,546,410
(E) TOTAL TIP EXPENDITURES (C+D)			26,798,768	24,476,333	11,713,667	10,811,000	6,275,000	7,475,000	87,549,768					

PROJECT	2018	2019	2020	2021	2022	2023	6-Year Total
Impact Fee Funding							TOTAL
Beginning Impact Fee Restricted Fund Balance	\$ 8,516,209	\$ 6,442,612	\$ (159,188)	\$ 2,010,812	\$ 5,510,812	\$ 9,010,812	\$ 8,516,209
Impact Fee Revenue	5,000,000	4,000,000	3,500,000	3,500,000	3,500,000	3,500,000	23,000,000
SE 4th St. (83%)	(2,998,597)	(381,800)	-	-	-	-	(3,380,397)
Sahalee Way (95%)	(3,325,000)	(7,220,000)	(1,330,000)	-	-	-	(11,875,000)
228th & SE 8th (assuming 100%)	(750,000)	(3,000,000)	-	-	-	-	(3,750,000)
Ending Impact Fee Restricted Fund Balance	\$ 6,442,612	\$ (159,188)	\$ 2,010,812	\$ 5,510,812	\$ 9,010,812	\$ 12,510,812	\$ 12,510,812

Projects With Funding To Be Determined							
TR-08 Anticipated Connecting WA Grant			\$ 1,500,000				\$ 1,500,000
* TR-02 Iss.-Pine Lake Rd: Klahanie Blvd to SE 32nd (50%)	-	-	(1,000,000)	(1,500,000)	(4,500,000)	(5,700,000)	(12,700,000)
TR-08 Issaquah-Fall City Rd: Klahanie Dr SE to Iss/Bvr Lk Rd	(1,000,000)	(2,000,000)	(7,000,000)	(7,000,000)	-	-	(17,000,000)
Total Projects to be Funded	\$ (1,000,000)	\$ (2,000,000)	\$ (6,500,000)	\$ (8,500,000)	\$ (4,500,000)	\$ (5,700,000)	\$ (28,200,000)

*TR-02 Issaquah-Pine Lake Road: Klahanie Blvd. to SE 32nd is eligible for 50% impact fee funding. Full project cost is shown here noting 50% would be paid with impact fees.

Unrestricted Funding							
Beginning Unrestricted Fund Balance	\$ 5,314,031	\$ 843,060	\$ (5,185,673)	\$ (3,362,840)	\$ (2,673,340)	\$ (1,447,840)	\$ 5,314,031
REET (Updated forecast based on recent 2015-2016 actuals)	3,000,000	3,000,000	3,000,000	3,000,000	3,000,000	3,000,000	18,000,000
SEPA/Mitigation Fees for Mystic Lake/Jacobs Landing	1,250,000						1,250,000
Operating Transfer Estimate (crossover in 2020)	1,200,000	1,200,000	1,200,000				3,600,000
TR-07 TIB Grant Proposed	5,000,000						5,000,000
TR-07 Anticipated Connecting WA Grant	3,500,000						3,500,000
PSRC Grants for Regional ITS Project (TR-19)	274,200	1,630,800	-	-	-	-	1,905,000
Interest	30,000	15,000	6,500	500	500	500	53,000
Other TIP Expenditures	(18,725,171)	(11,874,533)	(2,383,667)	(2,311,000)	(1,775,000)	(1,775,000)	(38,844,371)
Ending Unrestricted Fund Balance	\$ 843,060	\$ (5,185,673)	\$ (3,362,840)	\$ (2,673,340)	\$ (1,447,840)	\$ (222,340)	\$ (222,340)
Total Fund Balance	\$ 7,285,672	\$ (5,344,861)	\$ (1,352,028)	\$ 2,837,472	\$ 7,562,972	\$ 12,288,472	\$ 12,288,472

Notes:
 1. REET increased to \$3M per year (was \$2.45M)
 2. Project costs are increased \$3.2M from 2016 adopted TIP
 3. Zero percent cost inflator after 2018 (Budget)

2018 Total BFB \$ 13,830,240

2018 Unrestricted BFB \$ 5,314,031

2018 Concurrency BFB Calc

2017 BFB	\$ 9,154,209	At end of 2016 - restricted impact fee balance portion
2017 Impact Fees	4,662,000	
SE 4th	(2,075,000)	\$6,500,000 less \$4M grant times 83%
Sahalee Way	(2,375,000)	95% impact fee funding
228th & SE 8th	(850,000)	assumes 100% impact fee funding
2017 EFB/2018 BFB	\$ 8,516,209	Restricted to Impact Fee eligible projects

