



City Council, Regular Meeting

AGENDA

October 4, 2011

6:30 pm – 9:30 pm
Council Chambers

Call to Order

Roll Call/Pledge of Allegiance

Approval of Agenda

Student Liaison Reports

Presentations/Proclamations

- Presentation: Eagle Scout/Girl Scout Recognitions
- Presentation: Trail Steward Recognition
- Presentation: Government Finance Officers Association Distinguished Budget Award
- Presentation: Planning Commission Handoff – Housing Code

Public Comment

Note: *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.*

Consent Agenda

- Payroll for period ending September 15, 2011 for pay date September 20, 2011 in the amount of \$249,898.55
- 1. Approval: Claims for period ending October 4, 2011 in the amount of \$700,050.70 for Check No. 30299 through No.30409
- 2. Resolution: Final Plat Greenbriar Subdivision
- 3. Resolution: Pine Creek Subdivision
- 4. Approval: Notes from September 13, 2011 Study Session
- 5. Approval: Minutes from September 19,2011 Regular Meeting

Public Hearings - None

Unfinished Business - None

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.

New Business - None

Council Reports - None

City Manager Report

- Update of Lease Reard-Freed House

Executive Session – Property acquisition pursuant to RCW 42.30.110 (1) (b)

Adjournment

AGENDA CALENDAR

Oct. 2011			
Tues. 10/4	6:30 pm	Regular Meeting	Presentation: Eagle Scout/Girl Scout Recognitions Presentation: Trail Steward Recognition Presentation: Government Finance Officer's Association Distinguished Budget Award Presentation: Planning Commission Handoff – Housing Code Resolution: Final Plat Greenbriar Subdivision (consent) Resolution: Pine Creek Subdivision (consent) Lease: Reard-Freed House Update (City Manager Report) Executive Session: Property Aquisition
Tues. 10/11	6:30 pm	Study Session	Department Reports: Finance/Information Technology/Parks/Public Work Discussion: 2012 Budget Discussion: 228 th Avenue Operational Anaylsis Emergency Plan Commission Term Changes
Mon. 10/17	6:30 pm	Regular Meeting	Public Hearing Ordinance: First Reading Housing Codes Ordinance: First Reading Amending Terms for Council Commissions Contract: On-Call Fencing/TBD (consent)
Nov. 2011			
Tues. 11/1	6:30 pm	Regular	Ordinance: Second Reading Housing Codes Ordinance: Second Reading Amending Terms for Council Commissions Ordinance: First Reading School Impact Fees Contract: EnerGov
Tues. 11/08	6:30 pm	Study Session	Department Report: Department of Community Development
Mon. 11/14	5:30 pm	Regular Meeting/Joint Meeting with PC	Process:Critical Areas Ordinance Update (ss) Public Hearing Resolution: Lamb House Transfer Public Hearing First Reading: Wireless Facilities Code Amendments Ordinance:First Reading Amendment to Critical Areas Ordinance Sunset Clause Ordinance: First Reading 2012 Budget Ordinance: Second Reading School Impact Fees
Dec. 2011			
Tues. 12/6	6:30 pm	Regular	Ordinance: Second Reading: Wireless Facilities Code Amendments Resolution: Final Acceptance/2011 Pavement Overlay Ordinance: Second Reading 2012 Budget Second Reading: Amendment to Critical Areas Ordinance Sunset Clause Contract: Custodial Service/TBD Contract: Parks Maintenance Services/TBD
Tues. 12/13	6:30 pm	Study Session/Special Meeting	Discussion: Red Light Cameras
Mon. 12/19	6:30 pm	Regular Meeting	CANCELLED
Jan. 2012			
Tues. 1/3	6:30 pm	Regular	Public Hearing: Ordinance First Reading Colletive Gardens Moratorium

Tues. 1/10	6:30 pm	Study Session	Review: Parks, Recreation and Open Space Plan Commission Interviews
Mon. 1/16	6:30 pm	Holiday	Martin Luther King Day
Tues 1/17	6:30 pm	Special Meeting	Resolution: Appointing Members to the Planning Commission, Arts Commission, Parks & Recreation Commission and Beaver Lake Management District
Feb. 2012			
Tues. 2/7	6:30 pm	Regular	Ordinance Second Reading Colletive Gardens Moratorium
Tues. 2/14	6:30 pm	Study Session	
Mon. 2/20	6:30 pm	Regular Meeting	
Mar. 2012			
Tues. 3/6	6:30 pm	Regular	
Tues. 3/13	6:30 pm	Study Session	
Mon. 3/19	6:30 pm	Regular Meeting	
Apr. 2012			
Tues. 4/3	6:30 pm	Regular	
Tues. 4/10	6:30 pm	Study Session	
Mon. 4/16	6:30 pm	Regular Meeting	
May 2012			
Tues. 5/1	6:30 pm	Regular	
Tues. 5/8	6:30 pm	Study Session	
Mon. 5/14	6:30 pm	Regular Meeting	
June 2012			
Tues. 6/5	6:30 pm	Regular	
Tues. 6/12	6:30 pm	Study Session	
Mon. 6/18	6:30 pm	Regular Meeting	

To Be Scheduled	To Be Scheduled	Parked Items
Ordinance: Second Reading Puget Sound Energy Franchise Franchise: Cable TV Lease: Reard/Freed House/Sammamish Heritage Society Land/Lease: with Mary Pigott for Reard/Freed House	Final Acceptance: 244 th Avenue Improvement Project Final Acceptance: SE 20 th Street Non-motorized Improvement Project Level of Service/Concurrency	Joint Meeting/LWSD

<< September

October 2011

November >>

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
						1
2	3	4 6:30 p.m. City Council Meeting	5 6:30 p.m. Parks and Recreation Commission Meeting	6 4 p.m. Public Safety Committee Meeting 6:30 p.m. Planning Commission Meeting	7	8 9 a.m. Volunteer Event at Pine Lake Park 10 a.m. 5th Sammamish Art Fair
9 10 a.m. 5th Sammamish Art Fair	10	11 6:30 p.m. City Council Study Session	12 6 p.m. Sammamish Youth Board Meeting	13 6:30 p.m. Community Garden Steering Committee Meeting	14	15 9 a.m. Sammamish Recycling Collection Event 9 a.m. Volunteer Event at Jacobs Creek 10 a.m. Sammamish Walks
16	17 5:30 p.m. Finance Committee Meeting 6:30 p.m. City Council Meeting 6:30 p.m. Arts Commission Meeting	18 5:30 p.m. City Council Council Office Hour	19	20 6:30 p.m. Planning Commission Meeting	21	22 9 a.m. Volunteer Event at Illahee Trail
23	24	25	26	27 7 p.m. Jet City Improv	28	29
30	31	1	2	3	4	5

<< October

November 2011

December >>

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
		1 6:30 p.m. City Council Meeting	2 6:30 p.m. Parks and Recreation Commission Meeting	3 6:30 p.m. Planning Commission Meeting	4	5 11 a.m. Istanbul's Grand Bazaar - Turkish Cultural Event
6	7	8 6:30 p.m. City Council Study Session	9	10 6:30 p.m. Community Garden Steering Committee Meeting	11 8 a.m. Veterans' Day City offices closed	12
13	14 6:30 p.m. City Council Meeting	15 5:30 p.m. City Council Council Office Hour	16 6 p.m. Sammamish Youth Board Meeting	17 6:30 p.m. Planning Commission Meeting Canceled 7 p.m. Gardening With Native Plants	18	19 1 p.m. Volunteer Event at Lower Commons Park
20	21 5:30 p.m. Finance Committee Meeting 6:30 p.m. Arts Commission Meeting	22	23	24 8 a.m. Thanksgiving Holiday City offices closed	25 8 a.m. Thanksgiving Holiday City offices closed	26
27	28	29	30 5:30 p.m. City Holiday Lighting Ceremony			



Planning Commission

801 228th Avenue SE • Sammamish, WA 98075 • Phone: 425.295.0500 • Fax: 425.295.0600 • web: www.ci.sammamish.wa.us

TO: City Council

September 28, 2011

FM: Joe Lipinsky, Chair

RE: Housing Code Amendments

On behalf of the Planning Commission, I am pleased to forward our recommendations for amending the Sammamish Municipal Code requirements for Accessory Dwelling Units (ADUs) and Duplexes, and our recommendation to establish a pilot program for Cottage Housing. We look forward to discussing these recommendations at the City Council meeting on October 4, 2011.

These code amendments further implement the priorities in the Housing Strategy, adopted by the Council in 2006. They also will help ensure that our city code allows for a range of housing types consistent with market demand while ensuring compatibility with neighborhoods and our Comprehensive Plan. These amendments were discussed at eight Planning Commission sessions held from February through July, and a public hearing was on June 16, 2011. We received public testimony from two residents. The following are key aspects of our recommendations:

- Duplexes are now allowed only in the R-12 and R-18 zone, which means that few opportunities for this housing type exist in Sammamish given the limited area. Under our recommendations, duplexes would also be allowed in the R-8, R-6 and R-4 zones, but not in R-1. To ensure compatibility with nearby areas, we propose that duplexes be subject to the design standards in our adopted Town Center code (SMC 21B.30.270).
- ADUs would continue to be allowed in all residential zones, but we see an opportunity to refine our requirements so that unnecessary barriers are removed. We recommend that no additional parking be required if three spaces are already provided, and we recommend eliminating the minimum lot size for detached ADUs.
- Finally, we recommend that Sammamish create a pilot program to allow up to 50 Cottage Housing units to be built in the R-4 through R-18 zones over a period of five years. Again to ensure this housing type is a good fit in Sammamish, we recommend that these projects be subject to the design guidelines in the Town Center code (SMC 21B.30.280).

We look forward to presenting our recommendations and answering your questions. Please let staff know if you need more information or have questions.

ATTACHMENTS

1. Code amendments (showing edits)
2. Pilot program ordinance language
3. TC Duplex design standards
4. TC Cottage Housing design standards

Sammamish Accessory Dwelling Unit Code.**SMC 21A.20.030 Residential land uses.**

A. Table of Residential Land Uses.

KEY

P – Permitted Use

C – Conditional Use

S – Special Use

SIC#	SPECIFIC LAND USE	ZONE	RESIDENTIAL				
			Urban Residential		Neighborhood Business	Community Business	Office
			R-1 – R-8	R-12 – R-18	NB	CB	O
	DWELLING UNITS, TYPES:						
*	Single detached		P C9	P C9			
*	Townhouse		P10	P	P2	P2	P2
*	Apartment		P3	P	P2	P2	P2
*	Mobile home park		C6	P			
*	<u>Duplexes (17)</u>		<u>P16</u>	<u>P</u>	<u>P2</u>	<u>P2</u>	<u>P2</u>
	GROUP RESIDENCES:						
*	Community residential facility-I		C	P	P2	P2	P2
*	Community residential facility-II				P2	P2	P2
*	Dormitory		C4	P			
*	Senior citizen assisted housing			P	P2	P2	P2
	ACCESSORY USES:						
*	<i>Residential accessory uses</i>		<i>P5</i>	<i>P5</i>	<i>P5</i>	<i>P5</i>	<i>P5</i>
*	Home occupation		P	P	P	P	P
*	Home industry		C				

*	EV Charging Station 11, 12.	P13	P13	P	P	P
*	Rapid Charging Station 14	P15	P15	P	P	P
7011	Hotel/motel ⁽¹⁾				P	P
*	Bed and breakfast guesthouse	P7	P7	P7	P8	
7041	Organization hotel/lodging houses					

B. Development Conditions.

1. Except bed and breakfast guesthouses.

2. Only as part of a mixed use development subject to the conditions of Chapter 21A.30 SMC, except that in the NB zone on properties with a land use designation of commercial outside of center (CO) in the urban areas, stand-alone townhouse developments are permitted subject to the provisions of SMC 21A.25.040, 21A.30.020, 21A.30.040 and 21A.30.140.

3. Only in a building listed on the National Register as an historic site or designated as a landmark subject to the provisions of Chapter 21A.70 SMC.

4. Only as an accessory to a school, college/university, or church.

5. a. Accessory dwelling units:

(1) *Only one accessory dwelling per primary single detached dwelling unit;*

(2) *Only in the same building as the primary dwelling unit when ~~the lot is less than 10,000 square feet in area or when~~ there is more than one primary dwelling on a lot;*

(3) *The primary dwelling unit or the accessory dwelling unit shall be owner occupied;*

(a) ~~One of~~ *The dwelling units shall not exceed a floor area of 1,000 square feet when detached, except when one of the dwelling units is wholly contained within a basement or attic the existing residence then the floor area shall not exceed 40 percent of the floor area of the existing unit;*

(b) *When the primary and accessory dwelling units are located in the same building, only one entrance may be located on each street side of the building;*

(c) *The total number of occupants in both the primary residence and the accessory dwelling unit combined may not exceed the maximum number established by the definition of family in SMC 21A.15.450;*

(d) *Additions to an existing structure or the development of a newly constructed detached ADU shall be designed consistent with the existing facade, roof pitch, siding, and windows of the primary dwelling unit;*

(4) ~~One No~~ *additional off-street parking space shall be ~~provided~~ required when the parcel contains four (4) or more parking spaces. If there are three or fewer one new space must be provided;*

(5) *The accessory dwelling unit shall be converted to another permitted use or shall be removed if one of the dwelling units ceases to be owner occupied; and*

(6) *An applicant seeking to build an accessory dwelling unit shall file a notice approved by the department with the records and elections division that identifies the dwelling unit as accessory. The notice shall run with the land. The applicant shall submit proof that the notice was filed before the department shall approve any permit for the construction of the*

accessory dwelling unit. The required contents and form of the notice shall be set forth in administrative rules.

b. One single or twin engine, noncommercial aircraft shall be permitted only on lots that abut, or have a legal access that is not a City right-of-way, to a waterbody or landing field, provided:

(1) No aircraft sales, service, repair, charter, or rental; and

(2) No storage of aviation fuel except that contained in the tank or tanks of the aircraft.

6. Mobile home parks shall not be permitted in the R-1 zones.

7. Only as an accessory to the permanent residence of the operator, provided:

a. Serving meals to paying guests shall be limited to breakfast; and

b. The number of persons accommodated per night shall not exceed five, except that a structure which satisfies the standards of the Uniform Building Code as adopted by the City of Sammamish for R-1 occupancies may accommodate up to 10 persons per night.

8. Only when part of a mixed use development.

9. Required prior to approving more than one dwelling on individual lots, except on lots in subdivisions, short subdivisions, or binding site plans approved for multiple unit lots, and except as provided for accessory dwelling units in subsection (B)(5) of this section.

10. Only when done in accordance with the low impact development standards in SMC 21A.30.020 and Chapter 21A.85 SMC. (Ord. O2009-249 § 1; Ord. O2003-132 § 11)

11. Level 1 and Level 2 charging only.

12. Level 1 and Level 2 charging are permitted in critical aquifer recharge areas and in other critical areas when serving an existing use.

13. Allowed only as accessory to a primary permitted use or permitted conditional use.

14. The term “Rapid” is used interchangeably with Level 3 and Fast Charging.

15. Only as an “electric vehicle charging station-restricted”.

16. Duplexes are allowed in R-4, R-6 and R-8 zones only.

17. Subject to the design standards in 21B.30.270.

ATTACHMENT A

The following language will be put into the standard City Ordinance format.

Section 1. Pilot Program Established - Applicability. A pilot program is hereby established to allow cottage housing in the R-4 through R-18 zones as provided in the following sections of this Ordinance:

- a. The purpose of this Ordinance is to allow development of a limited number of cottage housing projects to evaluate opportunities to increase the availability of cottage housing in Sammamish neighborhoods.
- b. The goals of cottage housing demonstration projects are to:
 - i. Increase housing supply and the choice of housing styles available in the community
 - ii. Promote housing affordability and greater choice by encouraging smaller and more diverse home sizes and mixes of income levels.
 - iii. Promote high quality design
 - iv. Promote projects that are compatible with existing single-family developments
 - v. Evaluate results to determine if permanent zoning amendments are appropriate.
- c. Developments considered under the provisions of this Ordinance are subject to the development standards contained in SMC 21B and all other applicable sections of the Sammamish Municipal Code.
- d. Cottage housing projects in residential zones have not previously been developed in Sammamish and their development may result in traffic, and other impacts; therefore a pilot program is appropriate to allow a limited number of regulated cottage housing projects.

Section 2: Neighborhood Meeting Required.

- a. Developers of cottage housing projects proposed under this Ordinance shall schedule and host a neighborhood meeting following the procedures in SMC 20.05.035

Section 3. Permit Process

- a. Except for Cottage Housing Demonstration Projects that involve a subdivision as defined by the City of Sammamish Development Code, the City shall use a Type II Review process as described in Section SMC 20.05 of the Sammamish Municipal Code to review and decide on cottage housing demonstration projects, with the additional requirements as described in Section 6(c) of this Ordinance.
- b. For Cottage Housing Demonstration Projects that involve a subdivision as defined by Section SMC19A of the Sammamish Municipal Code, the City shall use a Type III Review process as described in Section SMC 20.05 of the Sammamish Municipal Code to review and decide on Cottage Housing Demonstration Projects, with the additional requirements as described in Section 6(c) of this Ordinance.

c. . The proposal must demonstrate compliance with the development guidelines for cottage housing as stated in Section 21B.30.280 of the Sammamish Development Code.

d. In addition, the applicant must demonstrate that:

- i. The impacts of the proposed development will be substantially similar to the impacts that would occur with a traditional development that could be constructed on the property.
- ii. Except as otherwise provided in this Ordinance, the proposal is compatible with surrounding development with respect to building heights, roof forms, property lines, parking location and screening, access, and lot coverage.
- iii. The proposal provides elements that contribute to a sense of community within the development by including elements such as front entry porches, common open space, and common buildings or common spaces within buildings.

d.. The City's approval of an cottage housing project does not constitute approval of a subdivision, a short plat, site plan entitlement, or a binding site plan, nor does it exempt the project from proceeding under the review requirements for a Type II or Type III Development Review process, whichever applies.

e. The City of Sammamish reserves the right to deny an application for development under this Ordinance without prejudice.

Section 4. Pilot Program monitoring. The Department of Community Development shall monitor the effect of cottage projects pursuant to the provisions of this pilot program. Such monitoring may include tracking any increase in traffic incidents, citizen comments or complaints, and any other information related to the cottage housing project. Following expiration of this ordinance, City staff shall produce a report evaluating how well the project achieved the goals of the ordinance.

Section 5 Duration of the Pilot Program. The City may approve cottage housing demonstration projects totaling up to 50 units. Except as noted in Section 3(a) of this Ordinance, applications to be part of the cottage housing demonstration program must be submitted within five calendar years from the effective date of this Ordinance on forms to be provided by the Department.

Duplex Code- Town Center.

21B.30.270

Single-Family and Duplexes – Lot and building design.

(1) Intent.

- (a) To enhance the character of the street;
- (b) To deemphasize garages and driveways as major visual elements along the street;
- (c) To provide usable yard space for residents; and
- (d) To emphasize landscaping in residential neighborhoods and minimize impervious surfaces.

(2) Garages placement and design.

- (a) Where lots front on a public street and where vehicular access is from the street, garages or carports shall be set back at least five feet behind the front wall of the house or front edge of an unenclosed porch. On corner lots, this standard shall only apply to the designated front yard;
- (b) The garage face shall occupy no more than 50 percent of the ground-level façade facing the street;
- (c) Where lots abut an alley, the garage or off-street parking area shall take access from the alley, unless precluded by steep topography; and
- (d) Garages facing the street shall have similar materials and building forms as the residence, and the front facades shall be enhanced with building details such as decorative lighting or a trellis.

(3) Driveway standards.

- (a) No more than one driveway per dwelling unit;
- (b) Driveways for individual lots 50 feet or wider may be up to 20 feet in width; and
- (c) Driveways for individual lots less than 50 feet wide may be up to 12 feet in width. Tandem parking configurations may be used to accommodate two-car garages.

(4) Covered entry.

All houses shall provide a covered entry with a minimum dimension of eight feet by six feet. Exceptions may be granted by the Director for the use of regional housing styles that do not traditionally contain such entries. Porches up to 200 square feet may project into the front yard. See SMC 21B.25.190.

(5) Windows on the street.

Transparent windows and/or doors are required on at least 15 percent of the facade (all vertical surfaces facing the street) as determined by the Director.

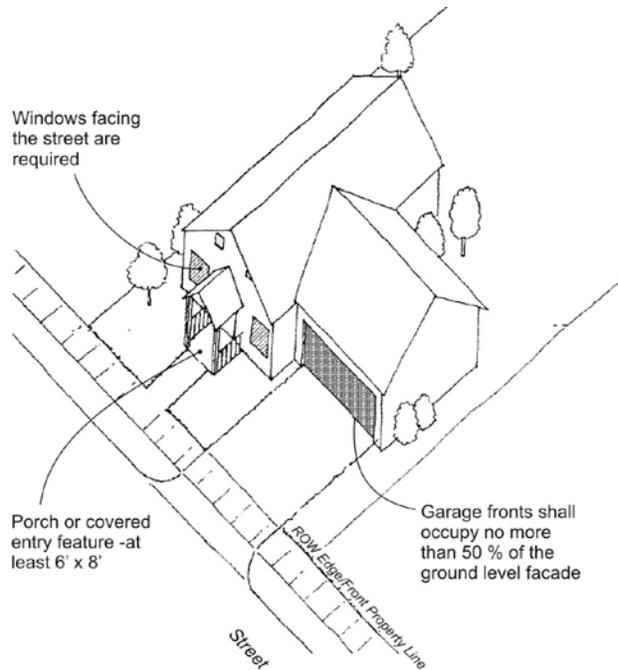


Figure 21B.30.270a. Some single-family design requirements.

(6) Stormwater management.

All developments shall adhere to sub-basin plans per SMC 21B.30.170.

(7) Minimum landscaped open space.

All single family housing lots shall provide landscaped open space at least equal to 40 percent of the lot area. See SMC 21B.30.160(1)(e) and 21B.35 for the definition and provisions for landscaped open space. Critical areas, naturally vegetated areas, and all other landscaped areas shall be counted as landscaped open space provided they are on the applicable lot.

(8) Minimum useable open space.

All residences with garages in the back yard shall provide a contiguous open space equivalent to 10 percent of the lot size. Such open space shall not be located within the front yard. The required open space shall feature a minimum dimension of 15 feet on all sides. For example, a 3,000 square foot lot would require a contiguous open space of at least 300 square feet, or 15 feet by 20 feet in area. Rooftop decks with direct and level access from dwelling units may be used to meet the requirements. Driveways shall not count in the calculations for usable open space. The Director may modify this requirement for angled building orientations, non-rectilinear or constrained (such as lots with steep topography) lots.

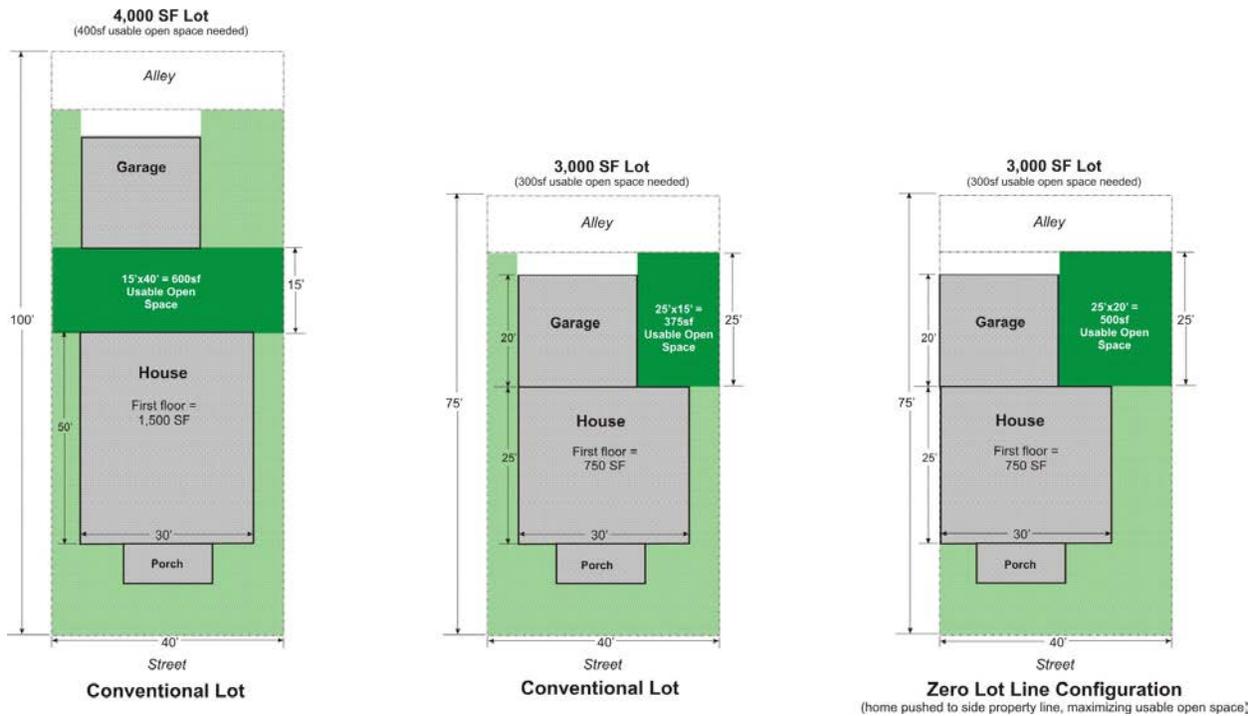


Figure 21B.30.270b. Open space requirements for alley-loaded lots.

(9) Duplex design standards.

Duplexes should be designed similar in nature to single-family homes and shall feature a visible entry and windows facing the street. The visibility of driveways and garages shall be minimized and sufficient private open space provided. Specifically, duplexes shall comply with subsections 21B.30.410 (1) through (6) above with the following exceptions and additional provisions:

- (a) Duplexes may include a 20-foot wide shared driveway or two 12-foot driveways on opposite ends of the lot;
- (b) Separate covered entries for each unit are required;
- (c) Duplexes on corner lots shall place pedestrian entries on opposite streets; and
- (d) At least 10 percent of the street-facing façade shall be windows or other glazing (e.g., door glazing).

TC Duplex Design Standards

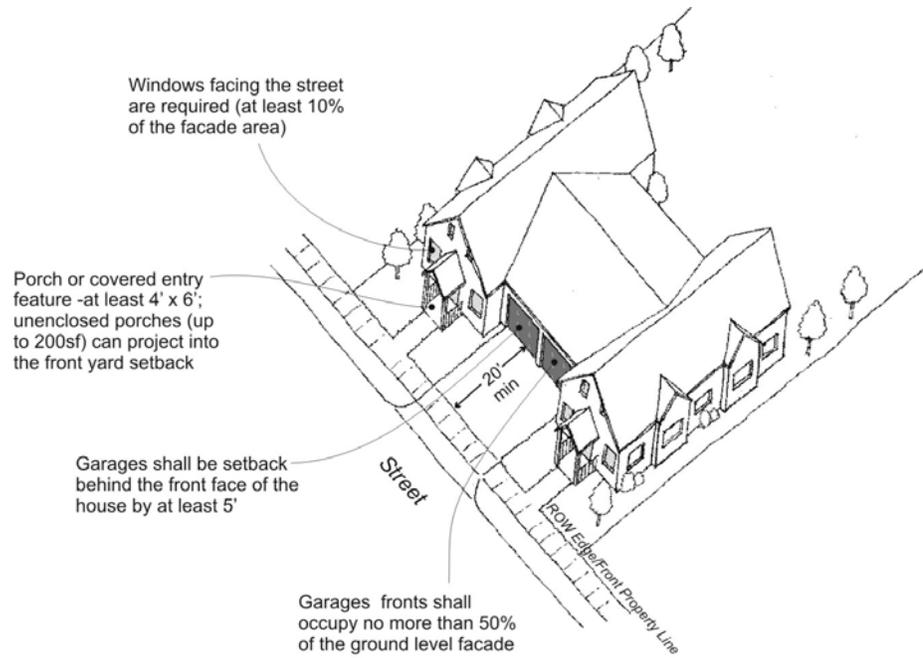


Figure 21B.30.270c. Diagram illustrating some duplex design standards.

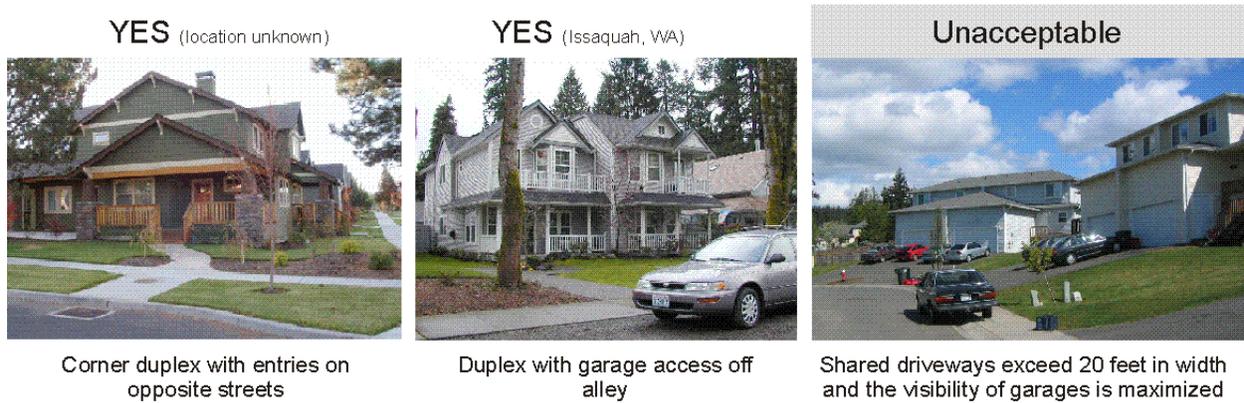


Figure 21B.30.270d. Examples of duplex standards.

TC Cottage Housing Code

21B.30.280

Single-Family – Cottage housing.

(1) Intent.

- (a) To provide an opportunity for small, detached housing types clustered around a common open space;
- (b) To ensure that cottage developments contribute to the overall character of the Town Center;
- (c) To provide for centrally located and functional common open space that fosters a sense of community;
- (d) To provide for semi-private area around individual cottages to enable diversity in landscape design and foster a sense of ownership;
- (e) To minimize visual impacts of parking areas on the street and adjacent properties and the visual setting for the development; and
- (f) To promote conservation of resources by providing for clusters of small dwelling units on a property.

(2) Description.

Cottage housing refers to clusters of small detached dwelling units arranged around a common open space.

(3) Lot configuration.

Cottages may be configured as condominiums or fee-simple lots provided they meet the standards herein.

(4) Density bonus.

Due to the smaller relative size of cottage units, each cottage shall be counted as one-half a dwelling unit for the purpose of calculating density. For example, a cluster of six cottages would be equivalent to three dwelling units.

(5) Table of dimensional standards.

Dimensional standards for cottages are identified below:

Standard	Requirement
Maximum Floor Area	1,200SF
Maximum Floor Area/Ground or Main Floor	800 SF
Minimum Common Space (See Design Standards below for more info)	400 SF/unit
Minimum Private Open Space (See Design Standards below for more info)	200 SF/unit

Standard	Requirement
Maximum Height for Cottages	25' (all parts of the roof above 18' shall be pitched with a minimum roof slope of 6:12)
Maximum Height for Cottage Accessory Structures	18'
Setbacks (to exterior property lines)	Same as Single-Family Detached (except as noted in 21B.30.420(6))
Minimum Landscaped Open Space [see SMC 21B.30.160(1)(e) and 21B.35]	40% of site
Minimum Distance Between Structures (Including accessory structures)	10'
Minimum Parking Spaces per Cottage:	1.5

(6) Units in each cluster.

Cottage housing developments shall contain a minimum of four and a maximum of 12 cottages located in a cluster to encourage a sense of community among the residents. A development site may contain more than one cottage housing development.

(7) Parking and driveway location and design.

- (a) Parking shall be located on the same property as the cottage development;
- (b) Parking areas shall be located to the side or rear of cottage clusters and not between the street and cottages. Parking is prohibited in the front and interior setback areas;
- (c) Parking and vehicular areas shall be screened from public street and adjacent residential uses by landscaping or architectural screens. For parking lots adjacent to the street, at least 10 feet of Type III landscaping shall be provided between the sidewalk and the parking area. For parking lots along adjacent residential uses, at least 5 feet of Type I, II, or III shall be required. The Director will consider alternative landscaping techniques provided they effectively mitigate views into the parking area from the street or adjacent residential uses and enhance the visual setting for the development;
- (d) Parking shall be located in clusters of not more than five adjoining uncovered spaces (except where adjacent to an alley). Exceptions will be considered by the Director provided alternative configurations improve the visual setting for development;
- (e) Garages may be attached to individual cottages provided all other standards herein are met and the footprint of the ground floor, including garage, does not exceed 1,000 square feet. Such garages shall be located away from the common open spaces; and
- (f) No more than one driveway per cottage cluster shall be permitted, except where clusters front onto more than one street.

(8) Common open space requirements.

- (a) Shall abut at least 50 percent of the cottages in a cottage housing development;
- (b) Shall have cottages abutting on at least two sides;

- (c) Cottages adjacent to common open space shall be oriented around and have the main entry from the common open space;
- (d) Cottages shall be within 60 feet walking distance of the common open space; and
- (e) Open space shall include at least one courtyard, plaza, garden, or other central open space, with access to all units. The minimum dimensions of this open space are 15 feet by 20 feet.

(9) Required private open space.

Required private open space shall be adjacent to each dwelling unit, for the exclusive use of the cottage resident(s). The space shall be usable (not on a steep slope) and oriented toward the common open space as much as possible, with no dimension less than 10 feet.

(10) Porches.

Cottage facades facing the common open space or common pathway shall feature a roofed porch at least 80 square feet in size with a minimum dimension of eight feet on any side.

(11) Covered entry and visual interest.

Cottages facing a public street shall provide:

- (a) A covered entry feature (with a minimum dimension of six feet by six feet) visible from the street;
- (b) At least 10 feet of landscaped open space between the residence and the street; and
- (c) At least two architectural details approved by the Director, such as:
 - (i) Decorative lighting;
 - (ii) Decorative trim;
 - (iii) Special door;
 - (iv) Trellis or decorative building element; and/or
 - (v) Bay window.

Alternative design treatments may be considered by the Director provided the design treatments provide visual interest to the pedestrian.

(12) Character and diversity.

Cottages and accessory buildings within a particular cluster shall be designed within the same “family” of architectural styles. Examples elements include:

- (a) Similar building/roof form and pitch;
- (b) Similar siding materials;
- (c) Similar porch detailing; and/or
- (d) Similar window trim;

TC Cottage Housing Design Standards

A diversity of cottages can be achieved within a “family” of styles by:

- (e) Alternating porch styles (such as roof forms);
- (f) Alternating siding details on facades and/or roof gables; and/or
- (g) Different siding color.

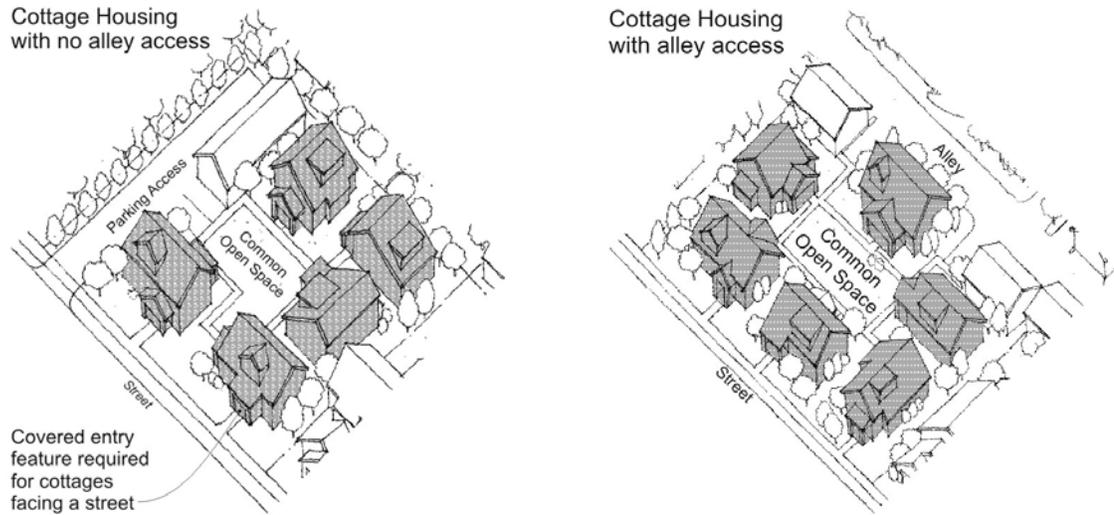


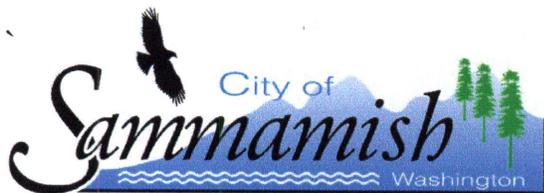
Figure 21B.30.280a. Typical cottage housing layouts.



Figure 21B.30.280b. Cottage housing examples.

(13) ADA Accessibility.

Developments are encouraged to maximize the number of units that are accessible per ADA requirements as provided in the adopted International Building Code.



MEMORANDUM

TO: Melonie Anderson/City Clerk
FROM: Marlene/Finance Department
DATE: September 29, 2011
RE: Claims for October 4, 2011

\$ 41,207.79
 130.76
 9,290.81
 470,520.85
 178,900.49

Top 5 Expense Items in Packet

King County Sheriff	\$353,826.75	Police Service August2011
King County Finance	\$57,635.65	Road Maint 8/11; Traffic contract July, 2011; Jail Contract Aug 2011
Toyota Lift NW	\$25,206.73	Forklift Purchase & Safety Training for Crew
Henderson Partners	\$22,990.00	Picnic Shelters @ Sammamish Landing
Westwater Construction	\$16,206.47	SE 32nd St Project

TOTAL: \$ 700,050.70

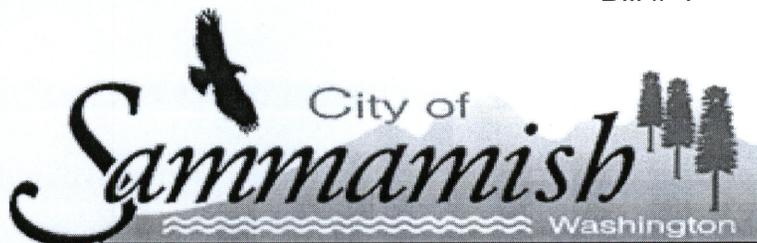
Check # 30299 through # 30409

41,207.79 +
 130.76 +
 9,290.81 +
 470,520.85 +
 178,900.49 +
 700,050.70 *

Accounts Payable

Check Register Totals Only

User: mdunham
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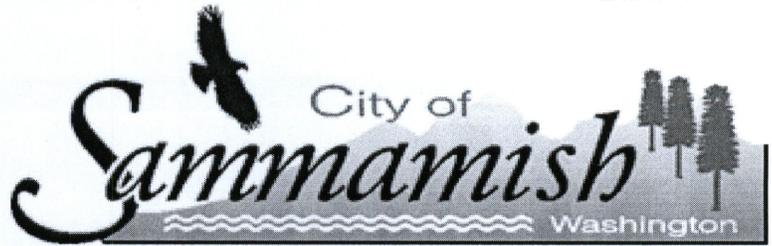


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30300	09/20/2011	CHAP13	Chapter 13 Trustee	1,100.00	0
30301	09/20/2011	ICMA401	ICMA 401	30,968.31	0
30302	09/20/2011	ICMA457	ICMA457	7,739.66	0
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Accounts Payable

Check Register Totals Only

User: mdunham
Printed: 9/19/2011 - 3:18 PM



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				<u>130.76</u>	
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Accounts Payable

Check Register Totals Only

User: mdunham
Printed: 9/26/2011 - 1:54 PM

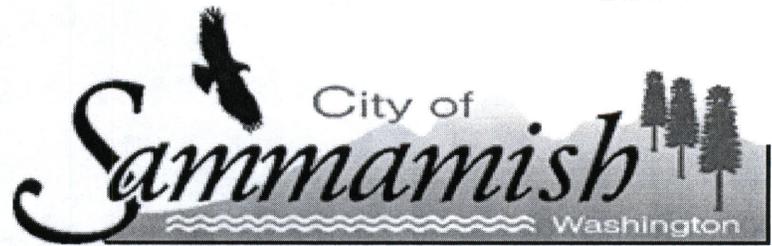


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Accounts Payable

Check Register Totals Only

User: mdunham
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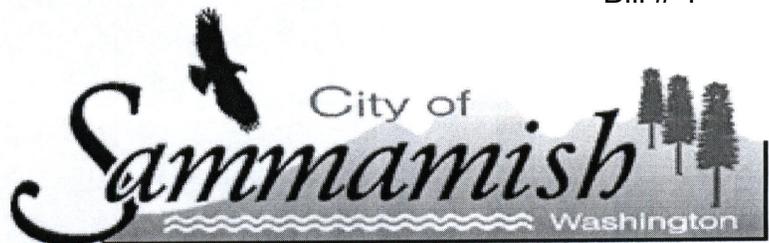
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30307	10/04/2011	ALLAROUN	All Around Fence Co	1,576.80	0
30308	10/04/2011	ATTLONG	AT&T	33.35	0
30309	10/04/2011	AUDIOAM	Eddie Bishop	219.00	0
30310	10/04/2011	AUTOADDI	Auto Additions, Inc.	178.71	0
30311	10/04/2011	BEST	Best Parking Lot Cleaning, Inc	2,149.64	0
30312	10/04/2011	BLUELINE	Blue Line Training	99.00	0
30313	10/04/2011	CADMAN	Cadman, Inc.	1,173.76	0
30314	10/04/2011	CAROLLO	Dan Carollo	100.00	0
30315	10/04/2011	COMSOUND	Commerical Sound & Video	205.32	0
30316	10/04/2011	EVERFORD	Evergreen Ford	3,552.12	0
30317	10/04/2011	EWINGIRR	Ewing Irrigation	577.76	0
30318	10/04/2011	FASTENAL	Fastenal Industrial Supplies	835.07	0
30319	10/04/2011	FRANCO	Francotyp-Postalia, Inc	643.20	0
30320	10/04/2011	GIANINI	Chris Gianini	195.99	0
30321	10/04/2011	GOODSON	David M. Goodson	175.00	0
30322	10/04/2011	GRAINGER	Grainger	134.42	0
30323	10/04/2011	HEBERT	Hebert Research, Inc.	621.00	0
30324	10/04/2011	HOWARD	Lyman Howard	54.39	0
30325	10/04/2011	ICMA	ICMA	5,550.00	0
30326	10/04/2011	INTEGRA	Integra Telecom	3,504.25	0
30327	10/04/2011	ISSAQI	Issaquah Press, Inc.	75.00	0
30328	10/04/2011	ISSCITY	City Of Issaquah	4,781.25	0
30329	10/04/2011	ISSIGNS	Issaquah Signs	488.37	0
30330	10/04/2011	ISSTROPH	Issaquah Trophy & Awards	162.06	0
30331	10/04/2011	KINGCONS	King Conservation District	533.25	0
30332	10/04/2011	KINGFI	King County Finance A/R	96.16	0
30333	10/04/2011	KINGSH	King County Sheriff's Office	353,826.75	0
30334	10/04/2011	KINGTREA	King County Treasurer	15,165.03	0
30335	10/04/2011	LESSCHWA	Les Schwab Tire Center	4,191.61	0
30336	10/04/2011	MINUTE	Minuteman Press	25.73	0
30337	10/04/2011	NAPA	Genuine Parts Company/Issaquah	51.85	0
30338	10/04/2011	NAPA/RED	Napa Auto Parts Redmond	855.31	0
30339	10/04/2011	NESBITT	Kenn Nesbitt	300.00	0
30340	10/04/2011	NETRUCK	North End Truck Equip Inc	2,083.94	0
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30342	10/04/2011	NWLSVC	NW Landscape Service	5,957.90	0
30343	10/04/2011	PACSOIL	Pacific Topsoils, Inc	1,785.91	0
30344	10/04/2011	PLATEAU	Plateau Motors	486.61	0
30345	10/04/2011	PSE	Puget Sound Energy	9,597.25	0
30346	10/04/2011	PSF	PSF Mechanical Inc	1,058.50	0
30347	10/04/2011	QBS	Quality Business Systems	20.78	0
30348	10/04/2011	QWEST	Century Link	211.20	0
30349	10/04/2011	RAINIER	Rainier Wood Recyclers Inc	11.50	0
30350	10/04/2011	RED-E	Red-E Topsoil	2,003.64	0
30351	10/04/2011	RUDOLPH	Emily Rudolph	50.00	0
30352	10/04/2011	SAM	Sammamish Plateau Water Sewer	769.38	0
30353	10/04/2011	SAUER	Mike Sauerwein	72.75	0
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30356	10/04/2011	SMITHBEN	Ben Smith/The Junk Chime	700.00	0
30357	10/04/2011	SMS	SMS Cleaning, Inc	8,628.75	0
30358	10/04/2011	SPRAGUE	SPRAGUE	91.98	0
30359	10/04/2011	SUBURB	Suburban Cities Association	90.00	0
30360	10/04/2011	THISTLE	Thistle Theatre	450.00	0
30361	10/04/2011	TOYOTA	Toyota Lift NW	25,206.73	0
30362	10/04/2011	UNITRENT	United Rentals NW, Inc	3,921.21	0
30363	10/04/2011	WAAUDIT	Wa State Auditor's Office	459.80	0
30364	10/04/2011	WED	Western Equipment Distributors	56.73	0
30365	10/04/2011	WYRSCH	Wyrsh's Towing	288.33	0
30366	10/04/2011	ZUMAR	Zumar Industries, Inc.	1,492.11	0
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Accounts Payable

Check Register Totals Only

User: mdunham
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30369	10/04/2011	AYERS	Megan Ayers	500.00	0
30370	10/04/2011	BMC	BMC Select	3,295.13	0
30371	10/04/2011	BODGANWM	William Bodgan	500.00	0
30372	10/04/2011	BUILDERS	Builders Exchange of WA	179.00	0
30373	10/04/2011	CADMAN	Cadman, Inc.	9,614.41	0
30374	10/04/2011	CALPORT	CalPortland Company	828.07	0
30375	10/04/2011	COMCAST2	COMCAST	99.95	0
30376	10/04/2011	EVANS	David Evans & Associates, Inc	5,521.10	0
30377	10/04/2011	GRAINGER	Grainger	494.99	0
30378	10/04/2011	GRAYOS	Gray & Osborne, Inc.	542.97	0
30379	10/04/2011	Hawley	Catherine Hawley	227.50	0
30380	10/04/2011	HENDERSO	Henderson Partners	22,990.00	0
30381	10/04/2011	HWA	HWA GeoSciences, Inc	13,988.55	0
30382	10/04/2011	ISD	Issaquah School District	337.36	0
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30384	10/04/2011	KCRADIO	King Cty Radio Comm Svcs	377.97	0
30385	10/04/2011	LPD	LPD Engineering PLLC	1,009.75	0
30386	10/04/2011	MACDONAL	MacDonald-Miller Facility Solutions	421.07	0
30387	10/04/2011	MOORERAC	Rachel Moore	500.00	0
30388	10/04/2011	NWCASC	Northwest Cascade, Inc.	1,557.44	0
30389	10/04/2011	NWPLAY	Northwest Playground Equipment	67.34	0
30390	10/04/2011	OILCAN	Oil Can Henry's	122.89	0
30391	10/04/2011	OTAK	Otak	1,773.52	0
30392	10/04/2011	PLANTJAM	Jamie Plant	500.00	0
30393	10/04/2011	PSE	Puget Sound Energy	365.39	0
30394	10/04/2011	QBS	Quality Business Systems	9.26	0
30395	10/04/2011	REDSIGNS	Redmond Signs	95.13	0
30396	10/04/2011	SAMCHAMB	Sammamish Chamber of Commerce	5,000.00	0
30397	10/04/2011	SAM	Sammamish Plateau Water Sewer	2,207.38	0
30398	10/04/2011	SERVICE	Service Paper Co	228.11	0
30399	10/04/2011	TADPOLE	Shirley Doolittle-Egerdahl	481.26	0
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30401	10/04/2011	COMPOFF	The Complete Office	79.48	0
30402	10/04/2011	MEETING	The Meeting Institute	1,635.48	0
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30408	10/04/2011	WESTWATE	Westwater Construction co.	16,206.47	0
30409	10/04/2011	WHPACIFI	WH Pacific, Inc.	2,936.66	0
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Check Total:				178,900.49	
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City Council Agenda Bill

Meeting Date: October 4, 2011

Date Submitted: September 28, 2011

Originating Department: Community Development

Clearances:

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

Subject: Resolution: Final Plat for GreenBriar Subdivision of 58 lots

Action Required: Motion to adopt resolution approving the subdivision

Exhibits:

1. Draft Resolution
2. Hearing Examiner Decision(s)
3. Matrix showing plat conditions and responses
4. Map of Final Plat

Budget: N/A Legislative Approval

Summary Statement:

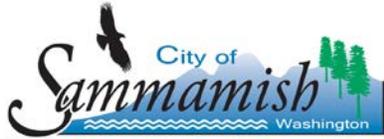
The developer of the GreenBriar development is seeking to record the GreenBriar subdivision, which was formerly known as GreenBriar divisions 1, 2, and 3.

Background:

Description:

The proposed final plat of GreenBriar is comprised of three preliminary plat approvals formerly known as GreenBriar Divisions 1, 2, and 3, which collectively authorized the creation of 58 lots. The preliminary plats of GreenBriar Division 1 and GreenBriar Division 2, which created 34 lots and 17 lots, were reviewed and granted preliminary plat approval by the City of Sammamish Hearing Examiner on August 6, 2008. The preliminary plats of GreenBriar Division 3, which created 7 lots, was reviewed and granted preliminary plat approval by the City of Sammamish Hearing Examiner on April 15, 2009. The Hearing Examiner acknowledged the integrated design of these divisions and the phased development of this subdivision. The applicant ultimately decided to record all three divisions concurrently as a single project.

The GreenBriar Division 1 subdivision application is vested to the City of Sammamish Municipal Code in effect on August 12, 2005 per a settlement agreement. The City of Sammamish has reviewed, and approved the installation of the required infrastructure (drainage facilities, streets, sidewalks, etc) improvements under plat construction and clear and grade permit. The improvements have been substantially completed and inspected. The final lift of asphalt, and street trees etc. have been bonded for (see below).



City Council Agenda Bill

Performance Bond:

The applicant has posted a bond for the installation of the remaining site improvements (including streets and other required drainage improvements) in the amount of \$709,987.30.

Landscaping Bond:

The applicant has posted a street landscaping, recreation improvement and tree retention performance bond in the amount of \$176,616.98.

Critical Areas Bonding:

Not applicable. There are no proposed impacts to critical areas requiring bonding.

Transportation Mitigation Fees:

The applicant has paid 30% percent of the traffic mitigation impact fee in the amount of \$192,005.20. The remaining fees will be collected at the time of building permit issuance or deferred to the point of sale if the applicant wishes 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 \$162,616 in addition to the current administration fee. The balance of the school impact fees shall be paid at the time of building permit issuance 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 and will be met in a timely manner.

Financial Impact: N/A

Recommended Motions: Approve the 58-lot GreenBriar subdivision, and authorize the mayor to sign the mylars for the final plat.

**CITY OF SAMMAMISH
WASHINGTON
Resolution No. R2011-___**

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

WHEREAS, the City Council has received recommendation of approval for the final plat of the GreenBriar 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 GreenBriar subdivision, formerly known as GreenBriar Divisions 1, 2, and 3;

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(s) of August 6, 2008 and April 15, 2009 for the preliminary plats of GreenBriar Divisions 1, 2, and 3.

Section 2. Grant of Approval. The City Council hereby grants final approval to the GreenBriar Division plat, which was formerly known as GreenBriar Division 1, 2, and 3.

**PASSED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON
THE 4th DAY OF OCTOBER 2011.**

CITY OF SAMMAMISH

Mayor Donald Gerend

ATTEST/AUTHENTICATED:

Melonie Anderson, City Clerk

Approved as to form:

Bruce L. Disend, City Attorney

Filed with the City Clerk:
Passed by the City Council:
Resolution No.:

BEFORE THE HEARING EXAMINER FOR THE CITY OF SAMMAMISH

Applications of Fred Herber, Bennett)) NOS. PLN 2006-00013,00058
Sherman LLC for Approval of the)) FINDINGS OF FACT,
Preliminary Plats of Greenbriar,)) CONCLUSIONS OF LAW
Divisions 1 and 2.)) AND DECISIONS

DECISION

The preliminary plats of Greenbriar, Divisions 1 and 2 are approved, subject to conditions.

INTRODUCTION

The applications of Fred Herber, Bennett Sherman LLC (Applicant) for approval of the preliminary plats of Greenbriar, Divisions 1 and 2 came on for hearing before Gordon F. Crandall, Hearing Examiner, on July 17, 2008 at 7:00 PM. The hearing was held at City Hall. Applicant was represented by Nancy Rogers, of Cairncross Hemplemann, attorneys. Evan Maxim, Senior Planner, presented the City's staff reports.

The following persons testified under oath:

Robert Armstrong,	Barghausen Consulting Engineers, Inc.
Ivana Halverson	Project Manager
Scott Dinkleman	Geotechnical Engineer
Evan Maxim	Senior City Planner
Clifford Cantor	627 208 th Avenue SE
Heather Frazier	611 208 th Avenue SE

The following exhibits were offered and admitted:

Exhibit No.	Description
--------------------	--------------------

1. Staff Report Recommendation, Division 1, July 3, 2008

Green Briar Preliminary Plats Divisions 1 and 2.	1
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Attachments:

- A. Base Land Use Application
 - B. Plans, Division 1
 - C. Agreement to Settle Claims and Litigation, and Addendum
 - D. Mitigated Determination of Nonsignificance, April 30, 2008
 - E. Specific Design Requirements
 - F. Addendum to Traffic Impact Analysis
 - G. Revised Traffic Impact Analysis
 - H. Affidavits of Posting, Mailing
 - I. Level 2 Offsite Drainage Analysis
2. Staff Report Recommendation, Division 2, July 3, 2008

Attachments:

- A. Base Land Use Application
 - B. Plans, Division 2
 - C. Specific Design Requirements
 - D. Revised Traffic Impact Analysis (See Exhibit 1 (G))
 - E. Wetland Determination, Excavated Pond
 - F. Affidavits of Posting, Mailing
 - G. Level 2 Offsite Drainage Analysis
3. Preliminary Geotechnical Engineering, Earth Consultants, Inc., August 12, 2005
4. Geotechnical Study, Earth Consultants, Inc. June 25, 2006
5. Infiltration Evaluation, Golder Associates, February 28, 2007
6. Visual Site Reconnaissance, Golder Associates, December 20, 2007
7. Geotechnical and Hydrogeologic Review, HWA Geosciences, April 16, 2008
8. Geotechnical and Hydrologic Review, HWA Geosciences, March 27, 2008
9. Final Plat: Greenbriar 1 & 2 (Superimposed on Photo)
10. Applicant's Revisions to Staff Report, Division 1
11. Applicant's Revisions to Staff Report, Division 2
12. Critical Areas Review, ESA Adolfson, May 4, 2007
13. Critical Areas Review, ESA Adolfson, July 19, 2007
14. City's Response to Neighbors Questions,

15. Technical Memorandum, Robert J. Armstrong, July 24, 2008
16. Technical Memorandum, Golder Associates, July 18, 2008
17. Email: Ivana Halverson's response to July 31 questions from Clifford Cantor.

At the conclusion of the public testimony the Examiner adjourned the public hearing, and requested that Applicant and the City respond in writing to the questions raised by Cantor and Frazier. On Friday, July 25, 2008, the Examiner received memoranda from Robert J. Armstrong, Scott Dinkleman and Evan Maxim in response to the Cantor/Frazier questions. Exhibits 14, 15, and 16. Cantor submitted additional questions, but Applicant replied that in its view its first submissions adequately addressed the questions posed at the public hearing and the additional questions, and that it had satisfied the requirements of state and local law. Exhibit 17. The record was then closed.

FINDINGS OF FACT

1. **Combined Decision.** The complete Greenbriar proposal consists of three divisions, 1, 2 and 3. It is understood that Applicant proposes to develop Divisions 1 and 2 together, as they are designed to complement each other regarding such elements as vehicular access, stormwater management and tree retention. For this reason, the findings, conclusions and decisions of both divisions will be discussed together. If Division 2 is not completed when Division 1 seeks approval of the final plat, the City will require modifications as to design, mitigation and/or bonding as necessary to permit approval of the final plat of Division 1 alone.
2. **Proposals.** Division 1 is a proposal to divide a 10.4 acre parcel into 34 single family residential lots. Division 2 is a proposal to divide two parcels with an area of 5.12 acres into 17 single family residential lots. Each division depends upon the other for approval. See the site plans for each division, attached as Attachments A and B.
3. **Location.** Division 1 is located west of 212th Avenue SE between SE 8th Street and SE 5th Place. Division 2 is located at approximately SE 7th Place and 212th Avenue SE,

southwest of Division 1. The sites are flat and are not affected by any sensitive areas. Access to the sites will be from 212th Avenue SE.

4. Notice and Public Comment. Notice of the applications and the public hearing was given as provided by ordinance. There were no written comments on the proposals prior to the hearing. At the hearing, two nearby residents raised specific questions concerning stormwater management and tree retention, which were answered in writing a week after the hearing.

5. **SEPA.** The City issued a mitigated determination of nonsignificance (MDNS) on April 30, 2008. Probable stormwater impacts were identified in the SEPA process. Applicant has proposed a stormwater infiltration system. Upstream of this facility will be a combined wet/detention pond to settle out solids which could plug up the infiltration system. Applicant has agreed to the following voluntary mitigation:

- a. The infiltration facility shall be designed to fully infiltrate the 100-year design storm using a 0.5 correction factor, and will be designed without berming of the facility. The Applicant has proposed to provide the following additional safety measures to reduce the potential for failure of the infiltration facility;
- b. The maintenance and defect period for the infiltration vault shall be extended through the build out of all homes on the plats (e.g., Division 1,2 and 3) that drain to the facility;
- c. A gravel cone riser will be designed and installed at the wetpond outlet as an additional measure that shall be maintained throughout the full build-out of the plats and all homes that drain to the facility; and
- d. A permanent “Stormfilter” vault will be installed in-line with the outlet of the wetpond to further filter sediments out of the stormwater prior to release into the infiltration facility. Filter fabric and a sand layer will be installed in the bottom of the infiltration vault that could be removed once the full build out of the plat is complete.

6. **Comprehensive Plan, Zoning.** Both sites are designated for urban residential uses and are zoned R-4.
7. **Recreation space.** Division 1 has set aside 21,776 square feet of open/recreation space in Tract B. Division 2 has 12,693 square feet of open/recreation space in Tract C. When combined, this will satisfy code requirements for such space. The sites are located along a trail corridor identified in the City's Trails, Bikeways and Paths Plan. Provision for a trail along 212th Avenue SE will be consistent with the Plan and can be accommodated within the required frontage improvement.
8. **Trees.** Applicant proposes to retain 20% of the existing significant trees in Division 1 and 56% of such trees in Division 2. The City requires retention of 25% of significant trees, and the two divisions will be treated together to satisfy this requirement.
9. **School Children.** Children living in the plats and attending public schools will attend Samantha Smith Elementary, Inglewood Junior High and Eastlake High Schools. All will be provided with bus service, and a sidewalk on 212th Avenue SE will provide a safe place to wait for the bus.
10. **Impact Fees.** Applicant will be required to pay impact fees for parks, schools and traffic. Traffic concurrency certificates were issued on May 12, 2006 for Division 1 and on June 27, 2006 for Division 2.
11. **Utilities.** Certificates of water and sewer service availability were issued on August 15, 2005 for Division 1 and on June 22, 2006 for Division 2. Other utilities are also available for the sites.
12. Any conclusion of law deemed to be a finding of fact is adopted as such.

CONCLUSIONS OF LAW

1. **Jurisdiction.** The Hearing Examiner is authorized by the Sammamish Municipal Code (SMC) to hear and decide an application for a preliminary plat, subject to appeal to Superior Court. SMC Ch 20.24; Section 20.20.020.

2. Factors for Approval. RCW 58.17.110 identifies the factors to be considered in evaluating an application for a preliminary plat.

The proposed subdivision and dedication shall not be approved unless the city, town or legislative body makes written findings that:

a. 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 waste, parks and recreation, playgrounds, schools and school grounds, and all other relevant factors, including sidewalks and other planning features that assure safe walking conditions for students who only walk to and from school; and

b. The public use and interest will be served by platting of such subdivision and dedication. If it finds that the proposed subdivision and dedication makes such appropriate provisions and that the public use and interest will be served then the legislative body shall approve the proposed subdivision and dedication.

3. SMC Chapter 19.20 provides general principles of acceptability for proposed subdivisions. These principles include (paraphrased):

The proposed plat and its ultimate use must be in the best interest of the public interest and the neighborhood development of the area. 19.20.040

Frontage on high volume traffic ways shall be provided with parallel service streets or other appropriate medium of access. 19.20.050

The streets of a subdivision must be connected by surfaced roads to an existing dedicated street. 19.20.090

Right of way needed for the City's street pattern shall be dedicated to the City, 19.20.100

Plats of four or more lots shall provide recreational space.

19.20.110. All plats shall conform to the uses, density, dimensional and other standards of the City's development code. 19.20.120

Due regard shall be given to topography of the area, the use of streets for utilities, and for rapid traffic purposes.

Intersections of streets with high volume traffic routes require special approval. Right angle intersections are preferred.

4. The only public responses to the proposal were from Clifford Cantor and Heather Frazier. Cantor's concerns centered on his fear that the infiltration system might exacerbate the natural erosion at the banks of Ebright Creek, and that the system might "silt-up" in 30 to 40 years. He was concerned as to who will maintain the stormwater system, and whether trees that were identified for retention could be maintained or removed. Frazier's concern was with the effect of the project on the culvert that crosses 208th Street SE, as well as for potential seepage on the banks of the Ebright Creek ravine.
5. Applicant's and the City's responses to the Cantor/Frazier questions concluded that:
 - Additional seepage in the Ebright Creek ravine slopes would be minimal and the potential for additional erosion negligible
 - The stormwater infiltration system will be set back 500 feet from the Ebright Creek ravine. The stormwater design manual requires a set back of only 60 feet.
 - Stormwater infiltrating from the project will be "attenuated", that is diminished by normal absorption on its way to the Ebright Creek ravine.
 - The infiltration system has been designed to mitigate the potential clogging by providing pretreatment, a cartridge filter and access for future maintenance. After construction, the City is required to maintain the stormwater system.
 - Tree retention and removal is governed by the Sammamish Municipal Code. City approval must be obtained to authorize removal of retained

trees and replacement is usually required. The Homeowners Association will be responsible for maintenance of the required trees.

5. Staff recommends approval of both divisions of Greenbriar, subject to conditions and subject to adjustments in the conditions for Division 1 if a final plat is requested before Division 2 is ready for approval. The Examiner concurs. The expert responses of Applicant and the City to the questions of Cantor and Frazier were sufficient to assure that the risk of erosion at the Ebright Creek ravine would be minimal. All of the general and specific criteria for approval of preliminary plats are satisfied. Both plats should be approved, subject to conditions.

6. Any finding of fact deemed to be a conclusion of law is adopted as such.

DECISION

The applications of Fred Herber, Bennett Sherman LLC for approval of the preliminary plats of Greenbriar, Divisions 1 and 2 are APPROVED, subject to the conditions in Attachments C and D.

DONE this 6th day of August, 2008



Gordon F. Crandall

Hearing Examiner

RECONSIDERATION

Any final action by the Hearing Examiner may be reconsidered by the Examiner if:

1. The action was based in whole or in part on erroneous facts or information;
2. The action when taken failed to comply with existing laws or regulations applicable thereto;
3. An error of procedure occurred which prevented consideration of the interests of persons directly affected by the action.

The Examiner shall reconsider a final decision pursuant to the rules of the Hearing Examiner.

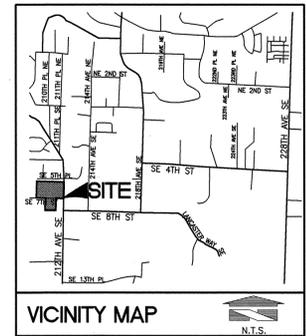
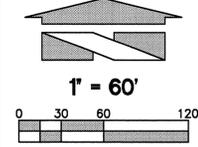
NOTICE OF RIGHT OF APPEAL

This is a Type 3 land use decision pursuant to SMC 20.05.020. Any person with standing to do so may appeal the decision of the Hearing Examiner by filing a Land Use Petition in the King County Superior court. Such a petition will be timely if filed with the Court Clerk and served on all parties within twenty-one (21) days of the issuance of the decision. See: RCW 36.70C

Exhibit 2A

PRELIMINARY PLAT FOR **GREENBRIAR 1**

A PORTION OF THE SE 1/4 OF SECTION 32, TOWNSHIP 25 N., RANGE 06 E., W.M.
SAMMAMISH, WASHINGTON



NOTES

1. TAX #: 322506-9253, 322506-9018, 322506-9070
2. SITE AREA: 453,632 SF. (10.41 AC.)
3. EXISTING USE: SINGLE FAMILY RESIDENCE
4. PROPOSED USE: 34-LOT SINGLE FAMILY SUBDIVISION
5. EXISTING ZONING: R-4 (4 DU/ACRE)
6. PROPOSED ZONING: R-4
7. EXISTING COMPREHENSIVE PLAN DESIGNATION: R-4 (4 DU/ACRE)
8. PROPOSED COMPREHENSIVE PLAN DESIGNATION: R-4
9. PROPOSED MIN. LOT WIDTH: 54 FEET
10. REQUIRED MIN. LOT WIDTH: 30 FEET
11. PROPOSED MIN. LOT AREA: 5,218 SF
12. PROJECT DENSITY: 3.64 DU/ACRE
13. REQUIRED MIN. SETBACKS:
 - STREET: 10 FEET
 - GARAGE: 20 FEET
 - INTERIOR: 7 FEET
 - REAR: 7 FEET
14. MAX BASE HEIGHT OF BUILDINGS: 35 FEET
15. SOURCE OF BOUNDARY AND TOPOGRAPHY: FIELD VERIFIED BY BARGHAUSEN CONSULTING ENGINEERS, INC. IN JULY 2005

UTILITIES/SERVICES

- WATER/SEWER:** SAMMAMISH PLATEAU WATER & SEWER DISTRICT
1510 228TH AVENUE S.E.
SAMMAMISH, WA 98075
- POWER:** PUGET SOUND ENERGY
105 156TH AVE NE
BELLEVUE, WA 98005
1 (800) 321-4321
- GAS:** PUGET SOUND ENERGY
105 156TH AVE NE
BELLEVUE, WA 98005
1 (800) 321-4321
- TELEPHONE:** QWEST COMMUNICATIONS
450 110TH AVE NE
PREMIS BUREAU, 4TH FLOOR
BELLEVUE, WA 98003
- CABLE:** COMCAST
4020 AUBURN WAY NORTH
PO BOX 1048
AUBURN, WA 98002
- FIRE:** EASTSIDE FIRE & RESCUE
FIRE STATION #81
2030 212TH AVENUE S.E.
SAMMAMISH, WA 98075
(425) 313-3381
- SCHOOL:** LAKE WASHINGTON SCHOOL DISTRICT No. 414
16250 N.E. 74TH STREET
P.O. BOX 97039
REDMOND, WA 98073
425-702-3200

DEVELOPER

BENNETT SHERMAN, LLC
12011 N.E. 1ST STREET, SUITE 309
BELLEVUE, WA 98005
(425) 709-6508
CONTACT: LISA BAKER

ENGINEER/PLANNER/SURVEYOR

BARGHAUSEN CONSULTING ENGINEERS, INC.
18215 72nd AVE. SOUTH
KENT, WA 98032
(425) 251-6222
FAX (425) 251-8782
CONTACT: ROB ARMSTRONG/WANA HALVORSEN/BILL WORKMAN

LEGAL DESCRIPTION

PARCEL A:
LOT 2, KING COUNTY SHORT PLAT NUMBER 481040, RECORDED UNDER RECORDING NUMBER 8204090601, IN KING COUNTY, WASHINGTON, BEING A PORTION OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 25 NORTH, RANGE 6 EAST, WILLAMETTE MERIDIAN, IN KING COUNTY, WASHINGTON; TOGETHER WITH AN EASEMENT FOR INGRESS, EGRESS AND UTILITIES AS DELINEATED ON SHORT PLAT NUMBER 481040; EXCEPT ANY PORTION LYING WITHIN THE RIGHT OF WAY OF SOUTHEAST 7TH PLACE.

PARCEL B:
LOT 2, KING COUNTY SHORT PLAT NUMBER 478102, RECORDED UNDER RECORDING NUMBER 7810240973, SAID SHORT PLAT BEING A SUBDIVISION OF A PORTION OF THE NORTH 300 FEET OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 25 NORTH, RANGE 6 EAST, WILLAMETTE MERIDIAN, IN KING COUNTY, WASHINGTON.

PARCEL C:
THE SOUTH 270 FEET OF THE NORTH 300 FEET OF THE EAST 645.338 FEET OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 25 NORTH, RANGE 6 EAST, WILLAMETTE MERIDIAN, IN KING COUNTY, WASHINGTON; EXCEPT THE EAST 30 FEET THEREOF CONVEYED TO KING COUNTY FOR ROAD PURPOSES BY DEED RECORDED UNDER RECORDING NUMBER 1056828. FOR FULL PARTICULARS

LOT #	AREA (S.F.)	LOT #	AREA (S.F.)
1	8,320	18	7,767
2	8,320	19	5,269
3	8,320	20	5,218
4	8,320	21	5,222
5	8,320	22	6,195
6	8,326	23	6,461
7	8,568	24	8,371
8	9,364	25	9,588
9	10,780	26	5,818
10	12,626	27	6,400
11	8,967	28	6,400
12	7,723	29	5,600
13	7,738	30	6,822
14	9,003	31	6,828
15	9,001	32	7,232
16	7,680	33	7,232
17	7,680	34	7,226
TOTAL LOT AREA	254,793 SF	5.85 AC.	
AVERAGE LOT AREA	7,494 SF		

TRACT	AREA (S.F.)
C (PARK)	12,693
REQUIRED (34 LOTS @ 390 S.F./LOT)	13,260
PROVIDED*	12,693
*REMAINDER OF PARK TO BE PROVIDED BY "FEE IN LIEU" PAYMENT.	

TRACT	USE	AREA (S.F.)
A	DRAINAGE FACILITY	81,415
B	FUTURE DEVELOPMENT	1,155
C	PARK	12,693
D	LANDSCAPING	1,684
E	LANDSCAPING	5,164
TOTAL AREA		110,025 SF
		2.53 AC.

ZONING DESIGNATION	R-4
GROSS SITE AREA	453,632 S.F. = 10.41 AC.
WETLAND AREAS & REQUIRED BUFFERS	0 S.F.
STEEP SLOPE AREAS & REQUIRED BUFFERS	0 S.F.
STREETS (ROAD A, B & R/W DEDICATION)	88,814 S.F.
NET SITE AREA	364,818 S.F. = 8.38 AC.
ALLOWABLE DWELLING UNITS	33.52 = 34 LOTS

1 OF 6	PRELIMINARY PLAT
2 OF 6	PRELIMINARY ROAD, DRAINAGE, AND GRADING PLAN
3 OF 6	PRELIMINARY WATER AND SEWER PLAN
4 OF 6	PRELIMINARY ROAD PROFILES
5 OF 6	PRELIMINARY TREE RETENTION PLAN
6 OF 6	PRELIMINARY LANDSCAPE AND RECREATION PLAN

PRELIMINARY PLAT FOR GREENBRIAR 1

BENNETT SHERMAN, LLC.
12011 N.E. 1ST STREET, SUITE 309
BELLEVUE, WA 98005
425-709-6508

For:

Scale: Horizontal 1"=60' Vertical N/A

Designed	By	Checked	By	Approved	By	Date
Drawn	By	Checked	By	Approved	By	12/25/07

18215 72ND AVENUE SOUTH
KENT, WA 98032
(425)251-6222 FAX
(425)251-8782
CIVIL ENGINEERING, LAND PLANNING,
SURVEYING, ENVIRONMENTAL SERVICES

Job Number: **11640** Sheet: **1 of 6**

Greenbriar Division I Conditions of Approval

General Conditions:

1. Per RCW 58.17.170 the Applicant shall comply with all county, state, and federal rules and regulations in effect on August 12, 2005, the vesting date of the subject application. However, please note that if the legislative body finds that a change in conditions creates a serious threat to the public health or safety in the subdivision, future development may be subject to updated construction codes, including but not limited to the International Building Code and the International Fire Code, as amended;
2. Probable storm water impacts were identified through the SEPA review process, which the applicant has proposed to eliminate through mitigation pursuant to WAC 197-11-350. The applicant has agreed to voluntary mitigation as follows:
 - a. The infiltration facility shall be designed to fully infiltrate the 100-year design storm using a 0.5 correction factor, and be designed without berming of the facility. The Applicant has proposed to provide the following additional safety measures to reduce the potential for failure of the infiltration facility;
 - b. An extension of the maintenance and defect period for the infiltration vault through the build out of all homes on the plats (e.g. Division 1, 2, and 3) that drain to the facility;
 - c. Design and installation of a gravel cone riser at the wetpond outlet as an additional measure that shall be maintained throughout the full build-out of the plat and all homes that drain to the facility; and,
 - d. Install a permanent Stormfilter vault in-line with the outlet of the wetpond to further filter sediments out of the stormwater prior to release into the infiltration facility. Install filter fabric and sand layer in the bottom of the infiltration vault that could be removed once the full build out of the plat is complete.
3. The plat configuration shall be developed in substantial conformance with the Site Plan sheets 1 through 6 by Barghausen Consulting Engineers, received May 9, 2008 (Exhibit B), subject to applicable conditions of approval specified by the Hearings Examiner;
4. Some infrastructure improvements necessary for the recording of Greenbriar Division 1 are contained within Greenbriar Division 2 (i.e. a portion of the required recreation space, a portion of the required tree retention, and a portion of the drainage facilities); consequently such infrastructure shall be approved during plat construction / final engineering review, and installed and accepted by the City of Sammamish prior to recording of Greenbriar Division 1. Bonding for necessary improvements will be evaluated on a case by case basis. In the event that Greenbriar Division 2 is not complete and ready to record at the time that Greenbriar Division I applies for final plat, the City will require modifications to design, mitigation, and / or bonding as necessary to Greenbriar Division I.

5. The applicant or subsequent owner(s) shall comply with the payment of Street Impact Fees in accordance to City of Sammamish Ordinance No 2006-208 as modified by the Settlement Agreement and the Addendum to the Settlement Agreement executed on November 21, 2006 between the City of Sammamish and two groups of property owners and developers known as the Sammamish Development Coalition and the Sammamish Plat Applicants Group. A deposit of \$23,674.64 was paid and shall be credited towards the impact fees for Greenbriar Division I.
6. Locate the flow control structure catch basin after the permanent stormfilter vault, which will reduce the amount of sediment of floatables from reaching the flow control structure/orifice;
7. Provide a welded wire fabric "cage" over the bottom orifice. The City standard for flow control structure is the bottom 1-fft section of flow control structure (with orifice plate) is removable for maintenance. Said "cage" is proposed to be welded to the 1-foot removable section using 1-inch grid welded wire fabric with the bottom of the "cage" at 1-foot below the orifice plate. Said "cage" provides extra screening to protect the orifice;
8. Provide an extra 1 foot of catch basin sump (as compared to code requirement) so there are 2 feet from bottom of "cage" to bottom of catch basin. That provides 3 feet from bottom of orifice plate to bottom of catchbasin (as compared to 2 feet code requirement) giving extra volume for sediment accumulation;
9. Provide a second orifice on the rise standpipe in the flow control structure. The preliminary design of the control structure is fitted with a 1.7-inch diameter orifice at 2 feet below invert (elevation 342.20) and a 1.0-inch second orifice at 2.8 feet above invert (elbow IE – 347.00) to control the rate of flow to the infiltration vault;

Conditions to appear on the face of the final plat:

10. The applicant shall include a note regarding the payment of all traffic impact fees on the subject site consistent with the provisions of the Settlement Agreement and the Addendum to the Settlement Agreement executed on November 21, 2006 between the City of Sammamish and two groups of property owners and developers known as the Sammamish Development Coalition and the Sammamish Plat Applicants Group. Specific language related to the payment of the traffic impact fees shall be reviewed and approved by the City prior to final plat approval;
11. Any Surface Water Management Facilities required for this subdivision shall be contained within a separate tract of land and shall be dedicated to the City of Sammamish for maintenance and operation. Language to this effect shall be shown on the face of the final plat;
12. 3.5-ft of ROW dedication on 212th Ave SE shall be indicated. All internal local roads shall be dedicated. Language indicating dedication is required on the face of the final plat;

13. Language indicating access/utility easement granted to the City of Sammamish for plat related stormwater facilities and conveyance systems shall be included on the plat;
14. Access to the plat shall be through the intersection of Road A and 212th Ave SE. No direct driveway access of any lots shall be allowed onto 212th Ave SE. Language to this effect shall be placed on the face of the final plat;
15. If plat construction approves the installation of infiltration or dispersion trenches, the following note shall be required: *"For Lot(s) _____, which contain or are adjacent to infiltration or dispersion trenches, these lots shall be graded such that top of trench is below bottom of foundation"*;
16. *"Stormwater facilities for this plat are designed to treat, detain, and infiltrate combined stormwater from Greenbriar Division 1, 2, and 3."*
17. *"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."*
18. *"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 Drawing on file with the City of Sammamish." This plan 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. For those lots that are designated for individual lot infiltration systems, the systems shall be designed and constructed as part of the building permit process and shall comply with the approved Construction Drawings on file with the City of Sammamish."*
19. If construction of Division 1 and Division 2 occurs in phases, the following note shall appear on the face of the plat: *"Temporary cul-de-sacs on Road A and Road C shall be placed in temporary public access easements until such time as the road is extended. Barricades and future road extension signs shall be placed at the end of these cul-de-sacs"*;
20. The Applicant shall comply with RCW 58.17.280, providing the appropriate *"addressing note"* with address ranges being on the final plat;
21. *"Maintenance and upkeep of the recreation space, open space, and landscaping contained within Tracts C, D, E shall be the responsibility of the Home Owners Association"*;
22. *"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”;*
23. *“The proposed subdivision is subject to school impact fees for Lake Washington School District, consistent with SMC 21A.105. At the time of building permit, the applicant shall pay one half of the required school impact fee, together with an administrative fee”;*
 24. *“The proposed subdivision is subject to parks impact fees, consistent with SMC 14A.20, which shall be paid at the time of building permit issuance together with an administrative fee”;*
 25. *“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”;*
 26. *“Per 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”.*
 27. *“Maintenance of landscaping on all stormwater facilities, except for interior pond embankments, shall be the responsibility of the Homeowner’s Association”;* and,
 28. *“For improvements on 212th Ave SE and on all internal plat roads, maintenance of landscape strips separating the sidewalk from the roadway, planter islands, and/or planted medians shall be the responsibility of the Homeowners Association. If the maintenance responsibilities are not addressed in the Homeowners Association covenants and restrictions, then the abutting property owner shall be responsible for the maintenance. Under no circumstances shall the City bear any maintenance responsibilities for landscaping strips, planter islands, or planted medians”;*

Greenbriar Division II Conditions

General Conditions:

1. Per RCW 58.17.170 the Applicant shall comply with all county, state, and federal rules and regulations in effect on June 26, 2006, the vesting date of the subject application. However, please note that if the legislative body finds that a change in conditions creates a serious threat to the public health or safety in the subdivision, future development may be subject to updated construction codes, including but not limited to the International Building Code and the International Fire Code, as amended;
2. Probable storm water impacts were identified through the SEPA review process, which the applicant has proposed to eliminate through mitigation pursuant to WAC 197-11-350. The applicant has agreed to voluntary mitigation as follows:
 - a. The infiltration facility shall be designed to fully infiltrate the 100-year design storm using a 0.5 correction factor, and be designed without berming of the facility. The Applicant has proposed to provide the following additional safety measures to reduce the potential for failure of the infiltration facility;
 - b. An extension of the maintenance and defect period for the infiltration vault through the build out of all homes on the plats (e.g. Division 1, 2, and 3) that drain to the facility;
 - c. Design and installation of a gravel cone riser at the wetpond outlet as an additional measure that shall be maintained throughout the full build-out of the plat and all homes that drain to the facility; and,
 - d. Install a permanent Stormfilter vault in-line with the outlet of the wetpond to further filter sediments out of the stormwater prior to release into the infiltration facility. Install filter fabric and sand layer in the bottom of the infiltration vault that could be removed once the full build out of the plat is complete.
 - e. Install filter fabric and sand layer in the bottom of the infiltration vault that could be removed once the full build out of the plat is complete.
3. The plat configuration shall be developed in substantial conformance with the Site Plan sheets 1 through 6 by Barghausen Consulting Engineers, received May 9, 2008 (Exhibit B), subject to applicable conditions of approval specified by the Hearings Examiner;
4. Locate the flow control structure catch basin after the permanent stormfilter vault, which will reduce the amount of sediment of floatables from reaching the flow control structure/orifice;
5. Provide a welded wire fabric "cage" over the bottom orifice. The City standard for flow control structure is the bottom 1-fft section of flow control structure (with orifice plate) is removable for maintenance. Said "cage" is proposed to be welded to the 1-foot removable section using 1-inch grid welded wire fabric with the bottom of the "cage" at 1-foot below the orifice plate. Said "cage" provides extra screening to protect the orifice;
6. Provide an extra 1 foot of catch basin sump (as compared to code requirement) so there are 2 feet from bottom of "cage" to bottom of catch

- basin. That provides 3 feet from bottom of orifice plate to bottom of catchbasin (as compared to 2 feet code requirement) giving extra volume for sediment accumulation;
7. Provide a second orifice on the rise standpipe in the flow control structure. The preliminary design of the control structure is fitted with a 1.7-inch diameter orifice at 2 feet below invert (elevation 342.20) and a 1.0-inch second orifice at 2.8 feet above invert (elbow IE – 347.00) to control the rate of flow to the infiltration vault;

Conditions to appear on the face of the final plat:

8. The applicant shall include a note regarding the payment of all traffic impact fees on the subject site consistent with the provisions of the City of Sammamish Ordinance No 2006-208. A deposit of \$11,455.47 was paid and shall be credited towards the impact fees for Greenbriar Division 2.
9. Any Surface Water Management Facilities required for this subdivision shall be contained within a separate tract of land and shall be dedicated to the City of Sammamish for maintenance and operation. Language to this effect shall be shown on the face of the final plat;
10. Language indicating access/utility easement granted to the City of Sammamish for plat related stormwater facilities and conveyance systems shall be included on the plat
11. If plat construction approves the installation of infiltration or dispersion trenches, the following note shall be required: *“For Lot(s) _____, which contain or are adjacent to infiltration or dispersion trenches, these lots shall be graded such that top of trench is below bottom of foundation”*;
12. *“Stormwater facilities for this plat are designed to treat, detain, and infiltrate combined stormwater from Greenbriar Division 1, 2, and 3.”*
13. *“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.”*
14. *“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 Drawing on file with the City of Sammamish.” This plan 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. For those lots that are designated for individual lot infiltration systems, the systems shall be designed and constructed as part of the building permit process and shall comply with the approved Construction Drawings on file with the City of Sammamish.”*

15. The Applicant shall comply with RCW 58.17.280, providing the appropriate “addressing note” with address ranges being on the final plat;
16. *“Maintenance and upkeep of the recreation space, open space, and sensitive areas and buffers contained within Tracts B, and C shall be the responsibility of the Home Owners Association”;*
17. *“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”;*
18. *“The proposed subdivision is subject to school impact fees for Issaquah School District, consistent with SMC 21A.105. At the time of building permit, the applicant shall pay one half of the required school impact fee, together with an administrative fee”;*
19. *“The proposed subdivision is subject to parks impact fees, consistent with SMC 14A.20, which shall be paid at the time of building permit issuance together with an administrative fee”;*
20. *“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”;*
21. *“Per 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”.*
22. *“Maintenance of landscaping on all stormwater facilities, except for interior pond embankments, shall be the responsibility of the Homeowner’s Association”;* and,
23. *“For improvements on all internal roads, maintenance of landscape strips separating the sidewalk from the roadway, planter islands, and/or planted medians shall be the responsibility of the Homeowners Association. If the maintenance responsibilities are not addressed in the Homeowners Association covenants and restrictions, then the abutting property owner shall be responsible for the maintenance. Under no circumstances shall the City bear any maintenance responsibilities for landscaping strips, planter islands, or planted medians”;*

BEFORE THE HEARING EXAMINER FOR THE CITY OF SAMMAMISH

In The Matter of the Application of)	File No. PLN 2008-00008
Bennett Sherman and Fred Herber for)	FINDINGS OF FACT
Approval of the Preliminary Plat of)	CONCLUSIONS OF LAW
Greenbriar Division III)	AND DECISION

DECISION

The preliminary plat of Greenbriar Division III is **APPROVED**, subject to conditions.

INTRODUCTION

The application of Bennett Sherman, LLC for approval of the preliminary plat of Greenbriar Division III came on for hearing before Gordon F. Crandall, Hearing Examiner, on March 24, 2009 at 6:00 p.m. The hearing was held at City Hall. Applicant was represented by Ivana Halvorsen. Project Manager. Evan Maxim, Senior Planner, presented the City's Staff Report.

The following persons testified under oath:

Evan Maxim	Senior Planner
Tawni Hoang	Development Review Engineer
Kathy Curry	Wetland Biologist, Senior Environmental Planner
Ivana Halvorsen	Project Manager, Barghausen Consulting Engineers, LLC
Fred Herber	Bennett Sherman
Mark Sumrok	Barghausen Consulting Engineers, LLC

Exhibit 2B

The following exhibits were offered and admitted:

1. Staff Report Recommendation to the Hearing Examiner
 - A. Base Land Use Application
 - B. Preliminary Plat, 3 pages
 - C. Hearing Examiner's Decision on Greenbriar Divisions I & II
 - D. Mitigated Determination of Non-Significance (MDNS)
 - E. Specific Design Regulations
 - F. Level 2 Off-Site Drainage Analysis
 - G. Traffic Impact Analysis
 - H. Affidavits of Mailing and Posting
2. Aerial Photograph
3. Memorandum (Staff Report Clarification) of Ivana Halvorsen,

The Examiner visited the site on March 22, 2009.

FINDINGS OF FACT

1. ***Greenbriar.*** Greenbriar consists of three divisions, I, II and III. Divisions I and II were approved on August 6, 2008, subject to conditions. This application is for approval of the remaining division III.
2. ***Proposal.*** Division III is a 2.12 acre site adjacent to the other divisions and is flat, rectangular and devoid of any sensitive areas or features. It lies west of 212th Avenue SE between SE 7th Street and SE 5th Place. A copy of the site plan is attached as Attachment A.
3. ***Comprehensive Plan-Zoning-Surroundings.*** The site is designated for Urban Residential 4-DU/acre uses and is zoned R-4. Parcels to the north, south and east are also zoned R-4 and parcels to the west are zoned R-1.
4. ***Integration with Divisions I & II.*** The proposed division three will be fully integrated with divisions I & II, previously approved, and together they will satisfy all code requirements such as for streets, stormwater, utilities, trees and recreation space. The site is subject to Level 3 flow control for stormwater and special

conditions have been imposed in the mitigated determination of non-significance to prevent erosion or flooding of downstream properties.

5. **Stormwater.** Stormwater will be managed by the three divisions together. The plat is subject to Level 3 flow control and disposal will be through an infiltration facility. Extra conditions imposed pursuant to SEPA will ensure that there will be no adverse downstream impacts from the plat.
6. **SEPA.** A mitigated determination of non-significance (MDNS) was issued for the proposal on October 28, 2008 which imposes four safety measure to reduce the potential for failure of the stormwater infiltration facility:
 - a. The infiltration facility shall be designed to fully infiltrate the 100-year design storm using a 0.5 correction factor, and be designed without berming of the facility. The Applicant has proposed to provide the following additional safety measures to reduce the potential for failure of the infiltration facility;
 - b. An extension of the maintenance and defect period for the infiltration vault through the build out of all homes on the plats (e.g. Division I, II and III) that drain to the facility;
 - c. Design and installation of a gravel cone riser at the wetpond outlet as an additional measure that shall be maintained throughout the full build-out of the plat and all homes that drain to the facility; and,
 - d. Install a permanent Stormfilter vault in-line with the outlet of the wetpond to further filter sediments out of the stormwater prior to release into the infiltration facility. Install filter fabric and sand layer in the bottom of the infiltration vault that could be removed once the full build out of the plat is complete
6. **School Children.** Children attending public school will have safe walking conditions through the plat to 212th Avenue SE, where frontage improvements will provide a safe waiting area for the school bus.
7. **Impact Fees.** Applicant will be required to pay impact fees for parks, schools, and traffic impacts, as well as a surface water system development charge.

8. **Traffic.** The plat will generate a total 67 weekday vehicle trips with 5 trips in the a.m. peak hour and 7 in the p.m. peak hour. Intersection site distance and stopping site distance requirements are met where vehicles from the plat meet 212th Avenue SE. No mitigation of traffic impacts was recommended, other than the construction of full-width street improvements on internal streets and payment of an impact fee.
9. **Amendments to Staff Report.** Applicant has requested several amendments to the staff report to clarify its responsibilities under the plat. (Exhibit 3) Staff has no objections to these amendments and they approved. No amendments to the plat conditions were proposed.
10. Any conclusion of law deemed to be a finding of fact is adopted as such.

CONCLUSIONS OF LAW

1. The Hearing Examiner is authorized by the Sammamish Municipal Code (SMC) to hear and decide an application for a preliminary plat, subject to appeal to Superior Court. SMC Ch 20.24; Section 20.20.020.
2. RCW 58.17.110 identifies the factors to be considered in evaluating an application for a preliminary plat.

The proposed subdivision and dedication shall not be approved unless the city, town or legislative body makes written findings that:

- a. 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 waste, parks and recreation, playgrounds, schools and school grounds, and all other relevant factors, including sidewalks and other planning features that assure safe walking conditions for students who only walk to and from school; and
- b. The public use and interest will be served by platting of such subdivision and dedication. If it finds that the proposed subdivision and dedication makes such appropriate provisions and that the public use and interest will be served then the legislative body shall approve the proposed subdivision and dedication.

3. SMC Chapter 19.20 provides general principles of acceptability for proposed subdivisions. These principles include (paraphrased):
The proposed plat and its ultimate use must be in the best interest of the public interest and the neighborhood development of the area. 19.20.040
Frontage on high volume traffic ways shall be provided with parallel service streets or other appropriate medium of access. 19.20.050
The streets of a subdivision must be connected by surfaced roads to an existing dedicated street. 19.20.090
Right of way needed for the City's street pattern shall be dedicated to the City, 19.20.100
Plats of four or more lots shall provide recreational space. 19.20.110 All plats shall conform to the uses, density, dimensional and other standards of the City's development code. 19.20.120
Due regard shall be given to topography of the area, the use of streets for utilities, and for rapid traffic purposes. Intersections of streets with high volume traffic routes require special approval. Right angle intersections are preferred.
4. Staff recommends approval Greenbriar Division III, subject to conditions and to specific design requirements identified in Exhibit 1(e). The Examiner concurs. This plat is the culmination of three segments of a larger development, and it conforms to the intent of the prior approvals. The plat should be approved subject to conditions in Attachment B.
5. Any finding of fact deemed to be a conclusion of law is adopted as such.

DECISION

The preliminary plat of Greenbriar Division III is **APPROVED**, subject to conditions in Attachment B and subject to specific design requirements in Exhibit 1(e).

DONE this 15th day of April, 2009.



Gordon. F. Crandall

Hearing Examiner

Attachment A	Site Plan
Attachment B	Conditions of Approval

RECONSIDERATION

Any final action by the Hearing Examiner may be reconsidered within 21 days of the issuance of the decision by the Examiner if:

1. The action was based in whole or in part on erroneous facts or information;
2. The action when taken failed to comply with existing laws or regulations applicable thereto;
3. An error of procedure occurred which prevented consideration of the interest of persons directly affected by the action.

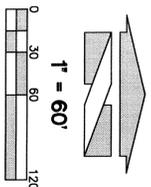
The Examiner shall reconsider a final decision pursuant to the rules of the Hearing Examiner.

NOTICE OF RIGHT OF APPEAL

This is a type 3 land use decision pursuant to SMC 20.05.020. Any person with standing to do so may appeal the decision of the Hearing Examiner by filing a Land Use Petition in the King County Superior Court. Such a petition will be timely if filed with the Court Clerk and served on all parties within twenty-one days of the issuance of the decision. See: RCW 36.70C

GREENBRIAR 3

A PORTION OF THE SE 1/4 OF SECTION 32, TWN. 25 NORTH, RANGE 6 EAST, W.M.
SAMMAMISH, WASHINGTON



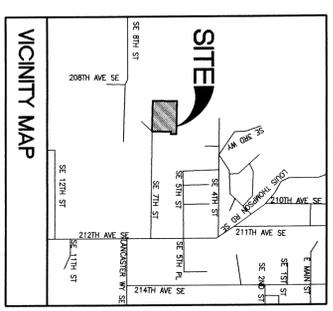
RECREATION SPACE TABLE	
TRACT	AREA (S.F.)
C OF SAMMAMISH HIGHLANDS DIV 1	12,693
REQUIRED: 17 LOTS @ 300 SF/LOT = 5,100 S.F.	
PROPOSED: SEE IN USE OF RECREATION SPACE	

LOT AREA TABLE	
LOT #	AREA (S.F.)
1	11,933
2	9,074
3	7,844
4	8,531
5	6,756
6	6,643
7	9,336
TOTAL LOT AREA	59,917 SF
AVERAGE LOT AREA	8,560 SF
	1.38 AC.

TRACT TABLE		
TRACT	USE	AREA (S.F.)
A	DRAINAGE FACILITY	11,075
B	UTILITY	1,662
TOTAL AREA		12,737 SF
		0.29 AC.

DENSITY CALCULATIONS	
(PER SMC 21A.25.090)	
ZONING DESIGNATION	R-4
GROSS SITE AREA	92,140 S.F. = 2.12 AC.
WETLAND AREAS & REQUIRED BUFFERS	0 S.F.
STREAMS & REQUIRED BUFFERS	0 S.F.
STEEP SLOPE AREAS & REQUIRED BUFFERS	0 S.F.
NET SITE AREA	72,653 S.F. = 1.67 AC.
ALLOWABLE DWELLING UNITS	6.88 = 7 LOTS

SHEET INDEX	
1 OF 4	PRELIMINARY PLAT
2 OF 4	PRELIMINARY ROAD, DRAINAGE, AND GRADING PLAN
3 OF 4	PRELIMINARY WATER AND SEWER PLAN
4 OF 4	PRELIMINARY TREE RETENTION PLAN
L1 OF 1	PRELIMINARY LANDSCAPE AND RECREATION PLAN



NOTES					
1.	TAX #:	322506-9208, 322506-9281			
2.	SITE AREA:	92,140 SF, (2.12 AC.)			
3.	EXISTING USE:	SINGLE FAMILY RESIDENCE			
4.	PROPOSED USE:	7-Lot SINGLE FAMILY SUBDIVISION			
5.	EXISTING ZONING:	R-4 (4 DU/ACRE)			
6.	PROPOSED ZONING:	R-4			
7.	EXISTING COMPREHENSIVE PLAN DESIGNATION:	R-4 (4 DU/ACRE)			
8.	PROPOSED COMPREHENSIVE PLAN DESIGNATION:	R-4			
9.	PROPOSED MIN. LOT WIDTH:	50 FEET			
10.	REQUIRED MIN. LOT WIDTH:	30 FEET			
11.	PROPOSED MIN. LOT AREA:	7,511 SF			
12.	PROJECT DENSITY:	3.30 DU/ACRE			
13.	MAXIMUM IMPERVIOUS SURFACE:	70 PERCENT			
14.	REQUIRED MIN. SETBACKS:				
	STREET:	10 FEET			
	GARAGE:	20 FEET			
	INTERIOR:	7 FEET			
	REAR:	7 FEET			
	CRITICAL AREA:	15 FEET			
15.	MAX BASE HEIGHT OF BUILDINGS:	35 FEET			
16.	SOURCE OF BOUNDARY AND TOPOGRAPHY FIELD VERIFIED BY:	BARGHAUSEN CONSULTING ENGINEERS, INC., AUGUST, 2007			

UTILITIES/SERVICES
 WATER/SEWER: SAMMAMISH PLATEAU WATER & SEWER DISTRICT
 1510 228TH AVENUE S.E.
 SAMMAMISH, WA 98075

POWER/GAS:
 PUGET SOUND ENERGY
 105 156TH AVE NE
 BELLEVUE, WA 98005
 1 (800) 321-4921

TELEPHONE:
 QWEST COMMUNICATIONS
 450 110TH AVE NE
 PUEBLO BURAU, 4TH FLOOR
 BELLEVUE, WA 98003

CABLE:
 COMCAST
 2000 BURBURN WAY NORTH
 P.O. BOX 9048
 ALABURN, WA 98002

FIRE:
 EASTSIDE FIRE & RESCUE
 2020 5120th AVENUE S.E.
 SAMMAMISH, WA 98075
 (425) 313-3381

SCHOOL:
 LAKE WASHINGTON SCHOOL DISTRICT No. 414
 16350 N. STATE STREET
 P.O. BOX 97039
 REDMOND, WA 98073
 425-02-5200

DEVELOPER
 BENNETT SHERMAN, LLC
 2100 124TH AVENUE N.E., SUITE 309
 BELLEVUE, WA 98005
 (425) 709-6500
 CONTACT: FRED HERBER

ENGINEER/PLANNER/SURVEYOR
 BARGHAUSEN CONSULTING ENGINEERS, INC.
 16350 N. STATE STREET
 KENT, WA 98032
 (425) 251-6222
 FAX: (425) 251-8182
 CONTACT: ROB AMSTRONG/MAVA HALVORSEN/DENNIS SULTS

LEGAL DESCRIPTION
 LOT 7A, TRACT C, GREENBRIAR 3, PRELIMINARY PLAT NO. 429102, RECORDED UNDER RECORDING NO. 26,000, BEING PART OF THE SE 1/4 OF SECTION 32, TOWNSHIP 25 NORTH, RANGE 6 EAST, WILLAMETTE MERIDIAN, IN KING COUNTY, WASHINGTON, TOGETHER WITH AN EASEMENT FOR INGRESS, EGRESS AND UTILITIES AS DELINEATED ON SAID SHOWN PLAT.

CITY E-MAIL COMMENTS DATED APRIL 29, 2008 PRELIMINARY PLAT SUBMITTAL					
No.	Date	By	Ckd.	Appr.	Revision
1	5/09/08	BS	IH	IH	
0	01/26/08	AJ	IH	IH	

Title:
 PRELIMINARY PLAT
 FOR
GREENBRIAR 3

For:
 BENNETT SHERMAN LLC
 2100 124TH AVENUE N.E., SUITE 100
 BELLEVUE, WA 98005
 CONTACT: FRED HERBER

Job Number 13159	Designed <u> </u> IH Drawn <u> </u> AJ Checked <u> </u> IH Approved <u> </u> IH Date <u>8/28/07</u>	Scale: Horizontal 1"=60' Vertical N/A		1 of 4
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18215 72ND AVENUE SOUTH
 KENT, WA 98032
 (425)251-6222
 (425)251-8782 FAX
 CIVIL ENGINEERING, LAND PLANNING,
 SURVEYING, ENVIRONMENTAL SERVICES

Exhibit 2B

GREENBRIAR CONDITIONS OF APPROVAL

The Applicant shall comply with the following condition/s:

General Conditions:

1. Per RCW 58.17.170 the Applicant shall comply with all county, state, and federal rules and regulations in effect on January 28, 2008, the vesting date of the subject application. However, please note that if the legislative body finds that a change in conditions creates a serious threat to the public health or safety in the subdivision, future development may be subject to updated construction codes, including but not limited to the International Building Code and the International Fire Code, as amended;

2. Probable storm water impacts were identified through the SEPA review process, which the applicant has proposed to eliminate through mitigation pursuant to WAC 197-11-350. The applicant has agreed to voluntary mitigation as follows:
 - a. The infiltration facility shall be designed to fully infiltrate the 100-year design storm using a 0.5 correction factor, and be designed without berming of the facility. The Applicant has proposed to provide the following additional safety measures to reduce the potential for failure of the infiltration facility;
 - b. An extension of the maintenance and defect period for the infiltration vault through the build out of all homes on the plats (e.g. Division 1, 2, and 3) that drain to the facility;
 - c. Design and installation of a gravel cone riser at the wetpond outlet as an additional measure that shall be maintained throughout the full build-out of the plat and all homes that drain to the facility; and,
 - d. Install a permanent Stormfilter vault in-line with the outlet of the wetpond to further filter sediments out of the stormwater prior to release into the infiltration facility. Install filter fabric and sand layer in the bottom of the infiltration vault that could be removed once the full build out of the plat is complete.

3. The plat configuration shall be developed in substantial conformance with the Site Plan sheets 1 through 4 and sheet L1 by Barghausen Consulting Engineers, received May 9, 2008 (Exhibit B), subject to applicable conditions of approval specified by the Hearings Examiner;

Exhibit 2B

4. Locate the flow control structure catch basin after the permanent stormfilter vault, which will reduce the amount of sediment of floatables from reaching the flow control structure/orifice;
5. Provide a welded wire fabric “cage” over the bottom orifice. The City standard for flow control structure is the bottom 1-ft section of flow control structure (with orifice plate) is removable for maintenance. Said “cage” is proposed to be welded to the 1-foot removable section using 1-inch grid welded wire fabric with the bottom of the “cage” at 1-foot below the orifice plate. Said “cage” provides extra screening to protect the orifice;
6. Provide an extra 1 foot of catch basin sump (as compared to code requirement) so there are 2 feet from bottom of “cage” to bottom of catch basin. That provides 3 feet from bottom of orifice plate to bottom of catchbasin (as compared to 2 feet code requirement) giving extra volume for sediment accumulation;
7. Provide a second orifice on the rise standpipe in the flow control structure. The preliminary design of the control structure is fitted with a 1.7-inch diameter orifice at 2 feet below invert (elevation 342.20) and a 1.0-inch second orifice at 2.8 feet above invert (elbow IE – 347.00) to control the rate of flow to the infiltration vault;

Conditions to appear on the face of the final plat:

8. The applicant shall include a note regarding the payment of all traffic impact fees on the subject site consistent with the provisions of the City of Sammamish Ordinance No 2006-208. A deposit of \$10,397.77 was paid and shall be credited towards the impact fees for Greenbriar Division 3;
9. Any Surface Water Management Facilities required for this subdivision shall be contained within a separate tract of land and shall be dedicated to the City of Sammamish for maintenance and operation. Language to this effect shall be shown on the face of the final plat;
10. Language indicating access/utility easement granted to the City of Sammamish for plat related stormwater facilities and conveyance systems shall be included on the plat
11. If plat construction approves the installation of infiltration or dispersion trenches, the following note shall be required: “For all lots that contain or are adjacent to infiltration or dispersion trenches, these lots shall be graded such that top of trench is below bottom of foundation”;
12. “Stormwater facilities for this plat are designed to treat, detain, and infiltrate combined stormwater from Greenbriar Division 1, 2, and 3.”
13. “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.”

Exhibit 2B

14. “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 Drawing on file with the City of Sammamish.” This plan 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. For those lots that are designated for individual lot infiltration systems, the systems shall be designed and constructed as part of the building permit process and shall comply with the approved Construction Drawings on file with the City of Sammamish.”
15. The Applicant shall comply with RCW 58.17.280, providing the appropriate “addressing note” with address ranges being on the final plat;
16. “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”;
17. “The proposed subdivision is subject to school impact fees for Lake Washington School District, consistent with SMC 21A.105. At the time of building permit, the applicant shall pay one half of the required school impact fee, together with an administrative fee”;
18. “The proposed subdivision is subject to parks impact fees, consistent with SMC 14A.20, which shall be paid at the time of building permit issuance together with an administrative fee”;
19. “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”;
20. “Per 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”.
21. “Maintenance of landscaping on all stormwater facilities, except for interior pond embankments, shall be the responsibility of the Homeowner’s Association”; and,
22. “For improvements on all internal roads, maintenance of landscape strips separating the sidewalk from the roadway, planter islands, and/or planted medians shall be the responsibility of the Homeowners Association. If the maintenance responsibilities are not addressed in the Homeowners Association covenants and restrictions, then the abutting property owner shall be responsible for the maintenance. Under no circumstances shall the City bear any maintenance responsibilities for landscaping strips, planter islands, or planted medians”;

**FINAL PLAT RESPONSES
HEARING EXAMINER CONDITIONS OF APPROVAL
GREENBRIAR DIVISION 1
OUR JOB NO. 13835**

CONDITION	RESPONSE
General Conditions:	
<p>1. <i>Per RCW 58.17.170 the Applicant shall comply with all county, state, and federal rules and regulations in effect on August 12, 2005, the vesting date of the subject application. However, please note that if the legislative body finds that a change in conditions creates a serious threat to the public health or safety in the subdivision, future development may be subject to updated construction codes, including but not limited to the International Building Code and the International Fire Code, as amended;</i></p>	<p>Acknowledged.</p>
<p>2. <i>Probable storm water impacts were identified through the SEPA review process, which the applicant has proposed to eliminate through mitigation pursuant to WAC 197-11-350. The applicant has agreed to voluntary mitigation as follows:</i></p> <p>a. <i>The infiltration facility shall be designed to fully infiltrate the 100-year design storm using a 0.5 correction factor, and be designed without berming of the facility. The Applicant has proposed to provide the following additional safety measures to reduce the potential for failure of the infiltration facility:</i></p>	<p>This condition was satisfied by approval of the engineering plans and stormwater drainage calculations. Please see a reduced copy of the approved engineering plans in Section 12.0 of the Final Plat Submittal binder.</p>
<p>b. <i>An extension of the maintenance and defect period for the infiltration vault through the build out of all homes on the plats (e.g. Division 1, 2, and 3) that drain to the facility;</i></p>	<p>Acknowledged.</p>
<p>c. <i>Design and installation of a gravel cone riser at the wetpond outlet as an additional measure that shall be maintained throughout the full build-out of the plat and all homes that drain to the facility; and,</i></p>	<p>The gravel cone riser has been installed per Sheets 10 and 11 of the approved engineering plans in Section 12.0 of the Final Plat Submittal binder.</p>
<p>d. <i>Install a permanent Stormfilter vault in-line with the outlet of the wetpond to further filter sediments out of the stormwater prior to release into the infiltration facility. Install filter fabric and sand layer in the bottom of the infiltration vault that could be removed once the full build out of the plat is complete.</i></p>	<p>This vault has been installed in accordance with the approved engineering plans. Please see Sheets 10 and 14 of the approved engineering plans in Section 12.0 of the Final Plat Submittal binder.</p>

Exhibit # 3

CONDITION	RESPONSE
<p>3. <i>The plat configuration shall be developed in substantial conformance with the Site Plan sheets 1 through 6 by Barghausen Consulting Engineers, received May 9, 2008 (Exhibit B), subject to applicable conditions of approval specified by the Hearings Examiner;</i></p>	<p>There were some minor modifications to the plat configuration as approved by the City of Sammamish during final engineering plan approval. The minor modifications included minor shifting of lot lines and reconfiguring the Tract A drainage facility at the northwest corner of the site.</p>
<p>4. <i>Some infrastructure improvements necessary for the recording of Greenbriar Division 1 are contained within Greenbriar Division 2 (i.e. a portion of the required recreation space, a portion of the required tree retention, and a portion of the drainage facilities); consequently such infrastructure shall be approved during plat construction / final engineering review, and installed and accepted by the City of Sammamish prior to recording of Greenbriar Division 1. Bonding for necessary improvements will be evaluated on a case by case basis. In the event that Greenbriar Division 2 is not complete and ready to record at the time that Greenbriar Division 1 applies for final plat, the City will require modifications to design, mitigation, and / or bonding as necessary to Greenbriar Division 1.</i></p>	<p>All improvements will either be fully constructed and inspected or guaranteed prior to final plat approval.</p>
<p>5. <i>The applicant or subsequent owner(s) shall comply with the payment of Street Impact Fees in accordance to City of Sammamish Ordinance No 2006-08 as modified by the Settlement Agreement and the Addendum to the Settlement Agreement executed on November 21, 2006 between the City of Sammamish and two groups of property owners and developers known as the Sammamish Development Coalition and the Sammamish Plat Applicants Group. A deposit of \$23,674.64 was paid and shall be credited towards the impact fees for Greenbriar Division 1.</i></p>	<p>The remaining Street Impact fees will be paid at building permit issuance consistent with the terms of the Settlement Agreement and Addendum. Please see Plat Note 19 on Sheet 3 of the final plat map.</p>
<p>6. <i>Locate the flow control structure catch basin after the permanent stormfilter vault, which will reduce the amount of sediment of floatables from reaching the flow control structure/orifice;</i></p>	<p>This condition was satisfied by approval of the engineering plans. Please see Sheet 10 of the approved engineering plans in Section 12.0 of the Final Plat Submittal binder.</p>
<p>7. <i>Provide a welded wire fabric "cage" over the bottom orifice. The City standard for flow control structure is the bottom 1-ft section of flow control structure (with orifice plate) is removable for maintenance. Said "cage" is proposed to be welded to the 1-foot removable section using 1-inch grid welded wire fabric with the bottom of the "cage" at 1-foot below the orifice plate. Said "cage" provides extra screening to protect the orifice;</i></p>	<p>The cage has been installed per the approved engineering plans. Please see Sheet 10 of the approved engineering plans in Section 12.0 of the Final Plat Submittal binder.</p>

Exhibit # 3

CONDITION	RESPONSE
<p>8. <i>Provide an extra 1 foot of catch basin sump (as compared to code requirement) so there are 2 feet from bottom of "cage" to bottom of catch basin. That provides 3 feet from bottom of orifice plate to bottom of catch basin (as compared to 2 feet code requirement) giving extra volume for sediment accumulation;</i></p>	<p>This catch basin has been stalled per the approved engineering plans. Please see Sheet 12 of the approved engineering plans in Section 12.0 of the Final Plat Submittal binder.</p>
<p>9. <i>Provide a second orifice on the rise standpipe in the flow control structure. The preliminary design of the control structure is fitted with a 1.7-inch diameter orifice at 2 feet below invert (elevation 342.20) and a 1.0-inch second orifice at 2.8 feet above invert (elbow IE – 347.00) to control the rate of flow to the infiltration vault;</i></p>	<p>This condition will be satisfied during construction per the approved engineering plans. Please see Sheet 12 of the approved engineering plans in Section 12.0 of the Final Plat Submittal binder.</p>
<p>Conditions to appear on the face of the final plat:</p>	
<p>10. <i>The applicant shall include a note regarding the payment of all traffic impact fees on the subject site consistent with the provisions of the Settlement Agreement and the Addendum to the Settlement Agreement executed on November 21, 2006 between the City of Sammamish and two groups of property owners and developers known as the Sammamish Development Coalition and the Sammamish Plat Applicants Group. Specific language related to the payment of the traffic impact fees shall be reviewed and approved by the City prior to final plat approval;</i></p>	<p>See Plat Note 21 on Sheet 3 of the final plat map.</p>
<p>11. <i>Any Surface Water Management Facilities required for this subdivision shall be contained within a separate tract of land and shall be dedicated to the City of Sammamish for maintenance and operation. Language to this effect shall be shown on the face of the final plat;</i></p>	<p>Tracts A and G contain the drainage facilities. Plat Note 3 on Sheet 3 of the final plat map dedicates the Tracts to the City for ownership and maintenance.</p>
<p>12. <i>3.5-ft of ROW dedication on 212th Ave SE shall be indicated. All internal local roads shall be dedicated. Language indicating dedication is required on the face of the final plat;</i></p>	<p>See DEDICATION on Sheet 2 of the final plat map for the dedication language, and Sheet 4 for the graphical depiction.</p>
<p>13. <i>Language indicating access/utility easement granted to the City of Sammamish for plat related stormwater facilities and conveyance systems shall be included on the plat;</i></p>	<p>See Plat Note 11, CITY OF SAMMAMISH DRAINAGE EASEMENT AND COVENANT, and CITY OF SAMMAMISH PRIVATE DRAINAGE EASEMENT AND COVENANT on Sheet 3 of the final plat map.</p>

Exhibit # 3

CONDITION	RESPONSE
<p>14. <i>Access to the plat shall be through the intersection of Road A and 212th Ave SE. No direct driveway access of any lots shall be allowed onto 212th Ave SE. Language to this effect shall be placed on the face of the final plat;</i></p>	<p>See Plat Note 18 on Sheet 3 of 6.</p>
<p>15. <i>If plat construction approves the installation of infiltration or dispersion trenches, the following note shall be required: "For Lot(s) _____, which contain or are adjacent to infiltration or dispersion trenches, these lots shall be graded such that top of trench is below bottom of foundation";</i></p>	<p>See Plat Note 33 on Sheet 3 of the final plat map.</p>
<p>16. <i>"Stormwater facilities for this plat are designed to treat, detain, and infiltrate combined stormwater from Greenbriar Division 1, 2, and 3."</i></p>	<p>See Plat Note 26 on Sheet 3 of the final plat map.</p>
<p>17. <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></p>	<p>See Plat Note 27 on Sheet 3 of the final plat map.</p>
<p>18. <i>"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 Drawing on file with the City of Sammamish." This plan 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. For those lots that are designated for individual lot infiltration systems, the systems shall be designed and constructed as part of the building permit process and shall comply with the approved Construction Drawings on file with the City of Sammamish."</i></p>	<p>See Plat Note 25 on Sheet 3 of the final plat map.</p>
<p>19. <i>If construction of Division 1 and Division 2 occurs in phases, the following note shall appear on the face of the plat: "Temporary cul-de-sacs on Road A and Road C shall be placed in temporary public access easements until such time as the road is extended. Barricades and future road extension signs shall be placed at the end of these cul-de-sacs";</i></p>	<p>The construction will not be done in phases.</p>

Exhibit # 3

CONDITION	RESPONSE
20. <i>The Applicant shall comply with RCW 58.17.280, providing the appropriate "addressing note" with address ranges being on the final plat;</i>	See Plat Note 17 on Sheet 3 of the final plat map.
21. <i>"Maintenance and upkeep of the recreation space, open space, and landscaping contained within Tracts C, D, E shall be the responsibility of the Home Owners Association";</i>	Tract B is a landscape and recreation tract. Tract C is a critical area tract. Tracts D and E are landscape tracts. See Plat Notes 4, 5, and 6, respectively, on Sheet 3 of the final plat map assigning maintenance to the Homeowners' Association.
22. <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, 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>	See Plat Note 29 on Sheet 3 of the final plat map.
23. <i>"The proposed subdivision is subject to school impact fees for Lake Washington School District, consistent with SMC 21A.105. At the time of building permit, the applicant shall pay one half of the required school impact fee, together with an administrative fee";</i>	See Plat Note 23 on Sheet 3 of the final plat map. The verbiage of this note has been modified per the comment letter from the City dated September 2, 2011 (Community Development Review Items, General Item No. 1).
24. <i>"The proposed subdivision is subject to parks impact fees, consistent with SMC 14A.20, which shall be paid at the time of building permit issuance together with an administrative fee";</i>	See Plat Note 22 on Sheet 3 of the final plat map.
25. <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>	See Plat Note 28 on Sheet 3 of the final plat map.
26. <i>"Per 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>	See Plat Note 24 on Sheet 3 of the final plat map.
27. <i>"Maintenance of landscaping on all stormwater facilities, except for interior pond embankments, shall be the responsibility of the Homeowner's Association"; and,</i>	See Plat Note 31 on Sheet 3 of the final plat map.

Exhibit # 3

CONDITION	RESPONSE
<p>28. <i>"For improvements on 212th Ave SE and on all internal plat roads, maintenance of landscape strips separating the sidewalk from the roadway, planter islands, and/or planted medians shall be the responsibility of the Homeowners Association. If the maintenance responsibilities are not addressed in the Homeowners Association covenants and restrictions, then the abutting property owner shall be responsible for the maintenance. Under no circumstances shall the City bear any maintenance responsibilities for landscaping strips, planter islands, or planted medians";</i></p>	<p>See Plat Note 30 on Sheet 3 of the final plat map.</p>

**FINAL PLAT RESPONSES
HEARING EXAMINER CONDITIONS OF APPROVAL
GREENBRIAR DIVISION 2
OUR JOB NO. 13835**

CONDITION	RESPONSE
General Conditions:	
<p>1. <i>Per RCW 58.17.170 the Applicant shall comply with all county, state, and federal rules and regulations in effect on June 26, 2006, the vesting date of the subject application. However, please note that if the legislative body finds that a change in conditions creates a serious threat to the public health or safety in the subdivision, future development may be subject to updated construction codes, including but not limited to the International Building Code and the International Fire Code, as amended;</i></p>	<p>Acknowledged.</p>
<p>2. <i>Probable storm water impacts were identified through the SEPA review process, which the applicant has proposed to eliminate through mitigation pursuant to WAC 197-11-350. The applicant has agreed to voluntary mitigation as follows:</i></p> <p>a. <i>The infiltration facility shall be designed to fully infiltrate the 100-year design storm using a 0.5 correction factor, and be designed without berming of the facility. The Applicant has proposed to provide the following additional safety measures to reduce the potential for failure of the infiltration facility;</i></p>	<p>This condition was satisfied by approval of the engineering plans and stormwater drainage calculations. Please see a reduced copy of the approved engineering plans in Section 12.0 of the Final Plat Submittal binder.</p>
<p>b. <i>An extension of the maintenance and defect period for the infiltration vault through the build out of all homes on the plats (e.g. Division 1, 2, and 3) that drain to the facility;</i></p>	<p>Acknowledged.</p>
<p>c. <i>Design and installation of a gravel cone riser at the wetpond outlet as an additional measure that shall be maintained throughout the full build-out of the plat and all homes that drain to the facility; and,</i></p>	<p>The gravel cone riser has been installed in accordance with the approved engineering plans. Please see Sheets 10 and 11 of the approved engineering plans in Section 12.0 of the Final Plat Submittal binder.</p>
<p>d. <i>Install a permanent Stormfilter vault in-line with the outlet of the wetpond to further filter sediments out of the stormwater prior to release into the infiltration facility. Install filter fabric and sand layer in the bottom of the infiltration vault that could be removed once the full build out of the plat is complete.</i></p>	<p>The vault has been installed in accordance with the approved engineering plans. Please see Sheets 10 and 14 of the approved engineering plans in Section 12.0 of the Final Plat Submittal binder.</p>

Exhibit # 3

CONDITION	RESPONSE
<p>e. <i>Install filter fabric and sand layer in the bottom of the infiltration vault that could be removed once the full build out of the plat is complete.</i></p>	<p>The fabric and sand have been installed in accordance with the approved engineering plans. Please see Sheet 13 of the approved engineering plans in Section 12.0 of the Final Plat Submittal binder.</p>
<p>3. <i>The plat configuration shall be developed in substantial conformance with the Site Plan sheets 1 through 6 by Barghausen Consulting Engineers, received May 9, 2008 (Exhibit B), subject to applicable conditions of approval specified by the Hearings Examiner;</i></p>	<p>There were some minor modifications to the plat configuration as approved by the City of Sammamish during final engineering plan approval. The minor modifications included minor shifting of lot lines and reconfiguring the Tract A drainage facility at the northwest corner of the site.</p>
<p>4. <i>Locate the flow control structure catch basin after the permanent stormfilter vault, which will reduce the amount of sediment of floatables from reaching the flow control structure/orifice;</i></p>	<p>This condition was satisfied by approval of the engineering plans. Please see Sheet 10 of the approved engineering plans in Section 12.0 of the Final Plat Submittal binder.</p>
<p>5. <i>Provide a welded wire fabric "cage" over the bottom orifice. The City standard for flow control structure is the bottom 1-fft section of flow control structure (with orifice plate) is removable for maintenance. Said "cage" is proposed to be welded to the 1-foot removable section using 1-inch grid welded wire fabric with the bottom of the "cage" at 1-foot below the orifice plate. Said "cage" provides extra screening to protect the orifice;</i></p>	<p>The cage has been installed per the approved engineering plans. Please see Sheet 10 of the approved engineering plans in Section 12.0 of the Final Plat Submittal binder.</p>
<p>6. <i>Provide an extra 1 foot of catch basin sump (as compared to code requirement) so there are 2 feet from bottom of "cage" to bottom of catch basin. That provides 3 feet from bottom of orifice plate to bottom of catchbasin (as compared to 2 feet code requirement) giving extra volume for sediment accumulation;</i></p>	<p>This catch basin has been installed per the approved engineering plans. Please see Sheet 12 of the approved engineering plans in Section 12.0 of the Final Plat Submittal binder.</p>
<p>7. <i>Provide a second orifice on the rise standpipe in the flow control structure. The preliminary design of the control structure is fitted with a 1.7-inch diameter orifice at 2 feet below invert (elevation 342.20) and a 1.0-inch second orifice at 2.8 feet above invert (elbow IE – 347.00) to control the rate of flow to the infiltration vault;</i></p>	<p>The flow control structure has been installed per the approved engineering plans. Please see Sheet 12 of the approved engineering plans in Section 12.0 of the Final Plat Submittal binder.</p>
<p>Conditions to appear on the face of the final plat:</p>	
<p>8. <i>The applicant shall include a note regarding the payment of all traffic impact fees on the subject site consistent with the provisions of the City of Sammamish Ordinance No 2006-208. A deposit of \$11,455.47 was paid and shall be credited towards the impact fees for Greenbriar Division 2.</i></p>	<p>See Plat Note 21 on Sheet 3 of the final plat map.</p>

Exhibit # 3

CONDITION	RESPONSE
9. <i>Any Surface Water Management Facilities required for this subdivision shall be contained within a separate tract of land and shall be dedicated to the City of Sammamish for maintenance and operation. Language to this effect shall be shown on the face of the final plat;</i>	Tracts A and G contain the drainage facilities. Plat Note 3 on Sheet 3 of the final plat map dedicates the Tracts to the City for ownership and maintenance.
10. <i>Language indicating access/utility easement granted to the City of Sammamish for plat related stormwater facilities and conveyance systems shall be included on the plat</i>	See Plat Note 11, CITY OF SAMMAMISH DRAINAGE EASEMENT AND COVENANT, and CITY OF SAMMAMISH PRIVATE DRAINAGE EASEMENT AND COVENANT on Sheet 3 of the final plat map.
11. <i>If plat construction approves the installation of infiltration or dispersion trenches, the following note shall be required: "For Lot(s) _____, which contain or are adjacent to infiltration or dispersion trenches, these lots shall be graded such that top of trench is below bottom of foundation";</i>	See Plat Note 33 on Sheet 3 of the final plat map.
12. <i>"Stormwater facilities for this plat are designed to treat, detain, and infiltrate combined stormwater from Greenbriar Division 1, 2, and 3."</i>	See Plat Note 26 on Sheet 3 of the final plat map.
13. <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>	See Plat Note 27 on Sheet 3 of the final plat map.
14. <i>"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 Drawing on file with the City of Sammamish." This plan 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. For those lots that are designated for individual lot infiltration systems, the systems shall be designed and constructed as part of the building permit process and shall comply with the approved Construction Drawings on file with the City of Sammamish."</i>	See Plat Note 25 on Sheet 3 of the final plat map.
15. <i>The Applicant shall comply with RCW 58.17.280, providing the appropriate "addressing note" with address ranges being on the final plat;</i>	See Plat Note 17 on Sheet 3 of the final plat map.

Exhibit # 3

CONDITION	RESPONSE
16. <i>"Maintenance and upkeep of the recreation space, open space, and sensitive areas and buffers contained within Tracts B, and C shall be the responsibility of the Home Owners Association";</i>	Tract B is a landscape and recreation tract. Tract C is a critical area tract. Tracts D and E are landscape tracts. See Plat Notes 4, 5, and 6, respectively, on Sheet 3 of the final plat map assigning maintenance to the Homeowners' Association.
17. <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, 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>	See Plat Note 29 on Sheet 3 of the final plat map.
18. <i>"The proposed subdivision is subject to school impact fees for Issaquah School District, consistent with SMC 21A.105. At the time of building permit, the applicant shall pay one half of the required school impact fee, together with an administrative fee";</i>	See Plat Note 23 on Sheet 3 of the final plat map. The verbiage of this note has been modified per the comment letter from the City dated September 2, 2011 (Community Development Review Items, General Item No. 1).
19. <i>"The proposed subdivision is subject to parks impact fees, consistent with SMC 14A.20, which shall be paid at the time of building permit issuance together with an administrative fee";</i>	See Plat Note 22 on Sheet 3 of the final plat map.
20. <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>	See Plat Note 28 on Sheet 3 of the final plat map.
21. <i>"Per 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>	See Plat Note 24 on Sheet 3 of the final plat map.
22. <i>"Maintenance of landscaping on all stormwater facilities, except for interior pond embankments, shall be the responsibility of the Homeowner's Association"; and,</i>	See Plat Note 31 on Sheet 3 of the final plat map.

Exhibit # 3

CONDITION	RESPONSE
<p>23. <i>"For improvements on all internal roads, maintenance of landscape strips separating the sidewalk from the roadway, planter islands, and/or planted medians shall be the responsibility of the Homeowners Association. If the maintenance responsibilities are not addressed in the Homeowners Association covenants and restrictions, then the abutting property owner shall be responsible for the maintenance. Under no circumstances shall the City bear any maintenance responsibilities for landscaping strips, planter islands, or planted medians";</i></p>	<p>See Plat Note 30 on Sheet 3 of the final plat map.</p>

**FINAL PLAT RESPONSES
HEARING EXAMINER CONDITIONS OF APPROVAL
GREENBRIAR DIVISION 3
OUR JOB NO. 13835**

CONDITION	RESPONSE
General Conditions:	
<p>1. <i>Per RCW 58.17.170 the Applicant shall comply with all county, state, and federal rules and regulations in effect on January 28, 2008, the vesting date of the subject application. However, please note that if the legislative body finds that a change in conditions creates a serious threat to the public health or safety in the subdivision, future development may be subject to updated construction codes, including but not limited to the International Building Code and the International Fire Code, as amended;</i></p>	<p>Acknowledged.</p>
<p>2. <i>Probable storm water impacts were identified through the SEPA review process, which the applicant has proposed to eliminate through mitigation pursuant to WAC 197-11-350. The applicant has agreed to voluntary mitigation as follows:</i></p> <p>a. <i>The infiltration facility shall be designed to fully infiltrate the 100-year design storm using a 0.5 correction factor, and be designed without berming of the facility. The Applicant has proposed to provide the following additional safety measures to reduce the potential for failure of the infiltration facility;</i></p>	<p>This condition was satisfied by approval of the engineering plans and stormwater drainage calculations. Please see a reduced copy of the approved engineering plans in Section 12.0 of the Final Plat Submittal binder.</p>
<p>b. <i>An extension of the maintenance and defect period for the infiltration vault through the build out of all homes on the plats (e.g. Division 1, 2, and 3) that drain to the facility;</i></p>	<p>Acknowledged.</p>
<p>c. <i>Design and installation of a gravel cone riser at the wetpond outlet as an additional measure that shall be maintained throughout the full build-out of the plat and all homes that drain to the facility; and,</i></p>	<p>The gravel cone has been installed in accordance with the approved engineering plans. Sheets 10 and 11 of the approved engineering plans in Section 12.0 of the Final Plat Submittal binder.</p>
<p>d. <i>Install a permanent Stormfilter vault in-line with the outlet of the wetpond to further filter sediments out of the stormwater prior to release into the infiltration facility. Install filter fabric and sand layer in the bottom of the infiltration vault that could be removed once the full build out of the plat is complete.</i></p>	<p>The vault has been installed in accordance with the approved engineering plans. Please see Sheets 10 and 14 of the approved engineering plans in Section 12.0 of the Final Plat Submittal binder.</p>

Exhibit # 3

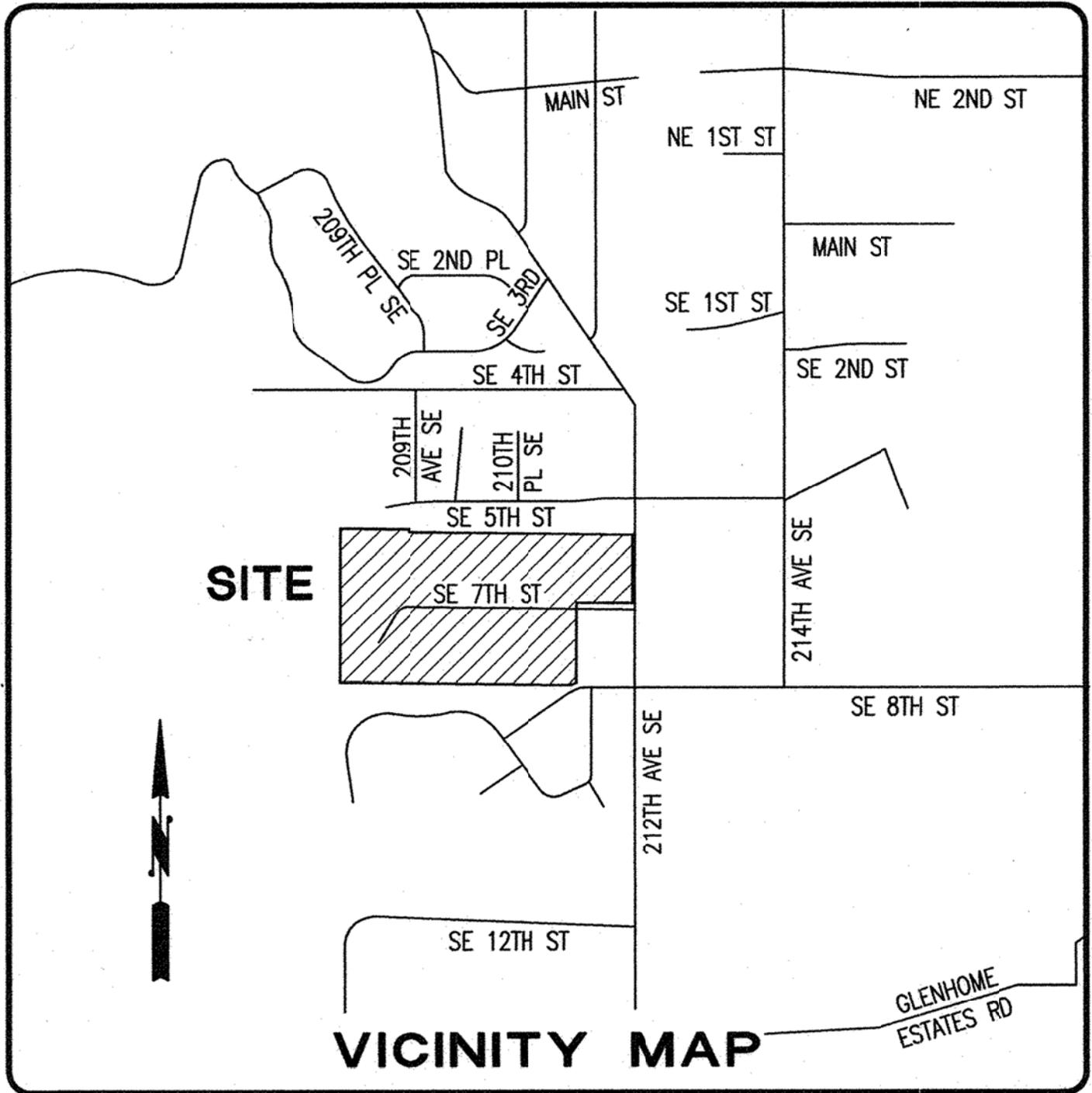
CONDITION	RESPONSE
<p>e. <i>Install filter fabric and sand layer in the bottom of the infiltration vault that could be removed once the full build out of the plat is complete.</i></p>	<p>The fabric and sand have been installed in accordance with the approved engineering plans. Please see Sheet 13 of the approved engineering plans in Section 12.0 of the Final Plat Submittal binder.</p>
<p>3. <i>The plat configuration shall be developed in substantial conformance with the Site Plan sheets 1 through 4 by Barghausen Consulting Engineers, received May 9, 2008 (Exhibit B), subject to applicable conditions of approval specified by the Hearings Examiner;</i></p>	<p>There were some minor modifications to the plat configuration as approved by the City of Sammamish during final engineering plan approval. The minor modifications included minor shifting of lot lines and reconfiguring the Tract A drainage facility at the northwest corner of the site.</p>
<p>4. <i>Locate the flow control structure catch basin after the permanent stormfilter vault, which will reduce the amount of sediment of floatables from reaching the flow control structure/orifice;</i></p>	<p>This condition was satisfied by approval of the engineering plans. Please see Sheet 10 of the approved engineering plans in Section 12.0 of the Final Plat Submittal binder.</p>
<p>5. <i>Provide a welded wire fabric "cage" over the bottom orifice. The City standard for flow control structure is the bottom 1-ft section of flow control structure (with orifice plate) is removable for maintenance. Said "cage" is proposed to be welded to the 1-foot removable section using 1-inch grid welded wire fabric with the bottom of the "cage" at 1-foot below the orifice plate. Said "cage" provides extra screening to protect the orifice;</i></p>	<p>The cage has been installed per the approved engineering plans. Please see Sheet 10 of the approved engineering plans in Section 12.0 of the Final Plat Submittal binder.</p>
<p>6. <i>Provide an extra 1 foot of catch basin sump (as compared to code requirement) so there are 2 feet from bottom of "cage" to bottom of catch basin. That provides 3 feet from bottom of orifice plate to bottom of catchbasin (as compared to 2 feet code requirement) giving extra volume for sediment accumulation;</i></p>	<p>This catch basin has been installed per the approved engineering plans. Please see Sheet 12 of the approved engineering plans in Section 12.0 of the Final Plat Submittal binder.</p>
<p>7. <i>Provide a second orifice on the rise standpipe in the flow control structure. The preliminary design of the control structure is fitted with a 1.7-inch diameter orifice at 2 feet below invert (elevation 342.20) and a 1.0-inch second orifice at 2.8 feet above invert (elbow IE – 347.00) to control the rate of flow to the infiltration vault;</i></p>	<p>The flow control structure has been installed per the approved engineering plans. Please see Sheet 12 of the approved engineering plans in Section 12.0 of the Final Plat Submittal binder.</p>
<p>Conditions to appear on the face of the final plat:</p>	
<p>8. <i>The applicant shall include a note regarding the payment of all traffic impact fees on the subject site consistent with the provisions of the City of Sammamish Ordinance No 2006-208. A deposit of \$10,397.777 was paid and shall be credited towards the impact fees for Greenbriar Division 3.</i></p>	<p>The remaining Street Impact fees will be paid at building permit issuance consistent with the terms of the Settlement Agreement and Addendum. Please see Plat Note 21 on Sheet 3 of the final plat map.</p>

Exhibit # 3

CONDITION	RESPONSE
9. <i>Any Surface Water Management Facilities required for this subdivision shall be contained within a separate tract of land and shall be dedicated to the City of Sammamish for maintenance and operation. Language to this effect shall be shown on the face of the final plat;</i>	Tracts A and G contain the drainage facilities. Plat Note 3 on Sheet 3 of the final plat map dedicates the Tracts to the City for ownership and maintenance.
10. <i>Language indicating access/utility easement granted to the City of Sammamish for plat related stormwater facilities and conveyance systems shall be included on the plat</i>	See Plat Note 11, CITY OF SAMMAMISH DRAINAGE EASEMENT AND COVENANT, and CITY OF SAMMAMISH PRIVATE DRAINAGE EASEMENT AND COVENANT on Sheet 3 of the final plat map.
11. <i>If plat construction approves the installation of infiltration or dispersion trenches, the following note shall be required: "For all lots that contain or are adjacent to infiltration or dispersion trenches, these lots shall be graded such that top of trench is below bottom of foundation";</i>	See Plat Note 33 on Sheet 3 of the final plat map.
12. <i>"Stormwater facilities for this plat are designed to treat, detain, and infiltrate combined stormwater from Greenbriar Division 1, 2, and 3."</i>	See Plat Note 26 on Sheet 3 of the final plat map.
13. <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>	See Plat Note 27 on Sheet 3 of the final plat map.
14. <i>"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 Drawing on file with the City of Sammamish." This plan 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. For those lots that are designated for individual lot infiltration systems, the systems shall be designed and constructed as part of the building permit process and shall comply with the approved Construction Drawings on file with the City of Sammamish."</i>	See Plat Note 25 on Sheet 3 of the final plat map.
15. <i>The Applicant shall comply with RCW 58.17.280, providing the appropriate "addressing note" with address ranges being on the final plat;</i>	See Plat Note 17 on Sheet 3 of the final plat map.

Exhibit # 3

CONDITION	RESPONSE
<p>16. <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, 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></p>	<p>See Plat Note 29 on Sheet 3 of the final plat map.</p>
<p>17. <i>"The proposed subdivision is subject to school impact fees for Lake Washington School District, consistent with SMC 21A.105. At the time of building permit, the applicant shall pay one half of the required school impact fee, together with an administrative fee";</i></p>	<p>See Plat Note 23 on Sheet 3 of the final plat map. The verbiage of this note has been modified per the comment letter from the City dated September 2, 2011 (Community Development Review Items, General Item No. 1).</p>
<p>18. <i>"The proposed subdivision is subject to parks impact fees, consistent with SMC 14A.20, which shall be paid at the time of building permit issuance together with an administrative fee";</i></p>	<p>See Plat Note 22 on Sheet 3 of the final plat map.</p>
<p>19. <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></p>	<p>See Plat Note 28 on Sheet 3 of the final plat map.</p>
<p>20. <i>"Per 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>See Plat Note 24 on Sheet 3 of the final plat map.</p>
<p>21. <i>"Maintenance of landscaping on all stormwater facilities, except for interior pond embankments, shall be the responsibility of the Homeowner's Association"; and,</i></p>	<p>See Plat Note 31 on Sheet 3 of the final plat map.</p>
<p>22. <i>"For improvements on all internal roads, maintenance of landscape strips separating the sidewalk from the roadway, planter islands, and/or planted medians shall be the responsibility of the Homeowners Association. If the maintenance responsibilities are not addressed in the Homeowners Association covenants and restrictions, then the abutting property owner shall be responsible for the maintenance. Under no circumstances shall the City bear any maintenance responsibilities for landscaping strips, planter islands, or planted medians";</i></p>	<p>See Plat Note 30 on Sheet 3 of the final plat map.</p>



GREENBRIAR

PORTION OF THE SE1/4 OF THE SE1/4 OF SECTION 32, T25N-R6E, W.M. CITY OF SAMMAMISH, KING COUNTY, WASHINGTON

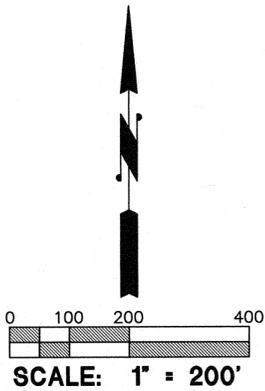
29
32
N1/4 CORNER
CALCULATED PER
KCS# #1076

2627.88'

S88°50'06"E 2636.02'

32 33

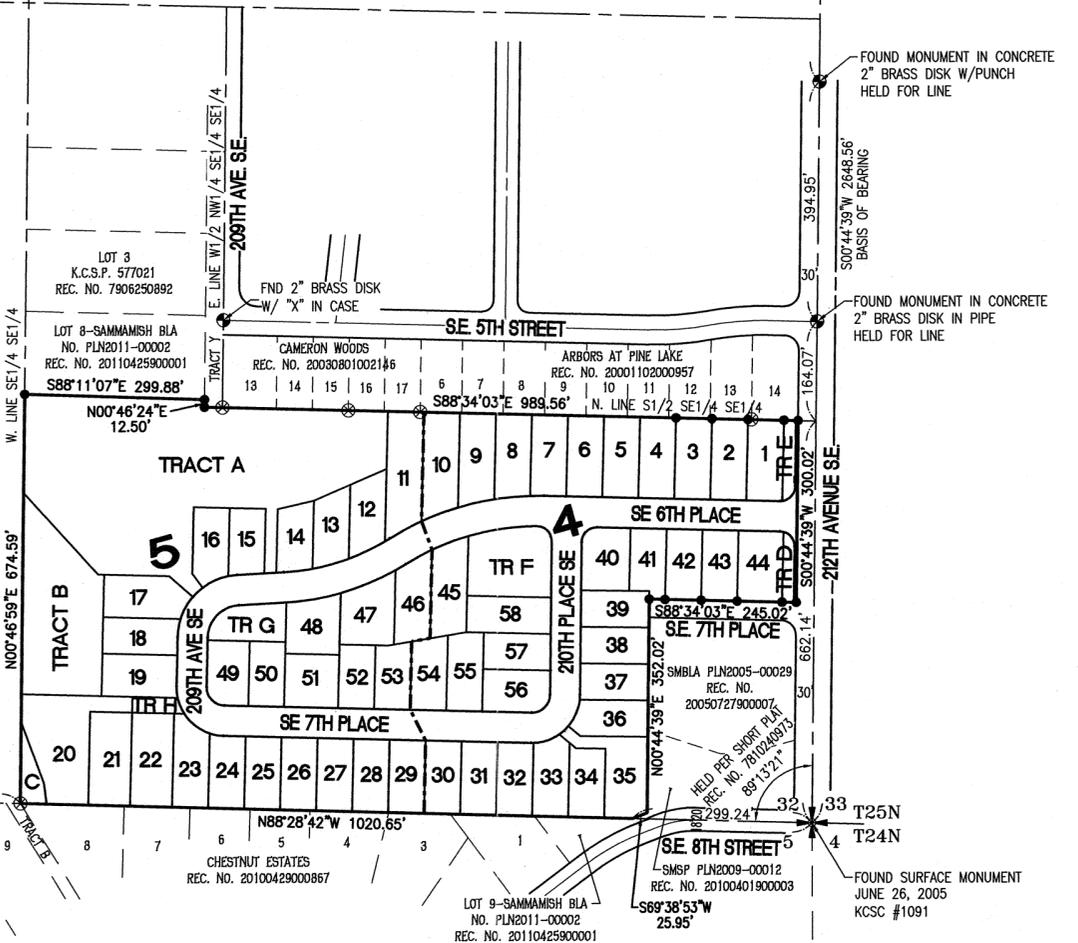
90°23'15"
HELD PER PLAT OF MONTAGE
VOL. 153, PGS. 47-56



LEGEND

- FOUND SECTION CORNER AS NOTED
- CALCULATED QUARTER CORNER
- FOUND MONUMENT AS NOTED
- FOUND REBAR/CAP - SEE SHEETS 4 AND 5 FOR DESCRIPTIONS
- CORNER SET FOR CITY OF SAMMAMISH
BLA NO. PLN2011-00002
REC. NO. 20110425900001

S0°49'20"W 5259.98'
2632.11'



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 GREENBRIAR is based upon an actual survey and subdivision of Section 32, Township 25 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.

 DENNIS J. SALTYS, PLS NO. 27328
 9/26/11
 Date



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
 SE1/4 OF SE1/4, SECTION 32, T25N-R6E, W.M.
SHEET 1 OF 6

JOB NO. 13835
 File:P:\13000s\13835\survey\plats\13835p101.dwg Date/Time:9/26/2011 9:12 AM Scale:1:1 KMASON Xref: ---
 398/3/10/11

GREENBRIAR

PORTION OF THE SE1/4 OF THE SE1/4 OF SECTION 32, T25N-R6E, W.M. CITY OF SAMMAMISH, KING COUNTY, WASHINGTON

LEGAL DESCRIPTION

LOTS 1 THROUGH 7 OF CITY OF SAMMAMISH BOUNDARY LINE ADJUSTMENT NO. PLN2011-00002, RECORDED UNDER RECORDING NO. 2011042590001, IN KING COUNTY, WASHINGTON.

KING COUNTY DEPARTMENT OF ASSESSMENTS

EXAMINED AND APPROVED THIS _____ DAY OF _____, 2011.

KING COUNTY ASSESSOR _____

DEPUTY KING COUNTY ASSESSOR _____

ACCOUNT NUMBERS 322506-9288-01, 322506-9321-00, 322506-9322-09, 322506-9323-08, 322506-9324-07, 322506-9253-02 & 322506-9325-06

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 _____, 2011.

FINANCE DIVISION

MANAGER, FINANCE DIVISION _____

DEPUTY _____

CITY OF SAMMAMISH APPROVALS

EXAMINED AND APPROVED PER SMC 19A.16 THIS _____ DAY OF _____, 2011.

DIRECTOR OF COMMUNITY DEVELOPMENT, CITY OF SAMMAMISH

EXAMINED AND APPROVED PER SMC 19A.16 THIS _____ DAY OF _____, 2011.

CITY ENGINEER, CITY OF SAMMAMISH

APPROVED PER SMC 19A.16 FOR RECORDING BY THE CITY COUNCIL THIS _____ DAY OF _____, 2011.

MAYOR, CITY OF SAMMAMISH _____

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 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 FEET OF LOTS AND TRACTS, PARALLEL WITH AND ADJOINING THE PROPOSED STREET FRONTAGE.
- EASEMENT FOR WATER & SEWER LINES OVER THE NORTH 26 FEET OF LOT 20.
- EASEMENT FOR WATER LINES OVER A 5 FEET X 5 FEET PORTION OF LOT 20.
- EASEMENT FOR WATER LINES OVER THE NORTH 5 FEET OF THE WEST 5 FEET OF LOT 21.
- EASEMENT FOR WATER LINES OVER THE NORTH 5 FEET OF THE EAST 5 FEET OF LOT 22.

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. NO STRUCTURES SHALL BE CONSTRUCTED WITHIN THESE EASEMENTS. THE GRANTOR COVENANTS THAT NO STRUCTURES WITHIN THESE EASEMENTS, INCLUDING FENCES OR ROCKERIES, SHALL BE ERRECTED OVER, UPON OR WITHIN, 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 PORTIONS OF LOT 20, SAMMAMISH PLATEAU WATER AND SEWER 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.

SURVEYOR'S NOTES:

PROCEDURE / NARRATIVE

A FIELD TRAVERSE USING A "LEICA TCR 703" TOTAL STATION, AND "TRIMBLE" DATA COLLECTOR SUPPLEMENTED WITH FIELD NOTES WAS PERFORMED, ESTABLISHING THE ANGULAR, DISTANCE, AND VERTICAL RELATIONSHIPS BETWEEN THE MONUMENTS, PROPERTY LINES, AND TOPOGRAPHIC FEATURES AS SHOWN HEREON. A "LIETZ B-2A" AUTOMATIC LEVEL WAS USED TO CHECK AND ESTABLISH THE ELEVATION OF BENCHMARKS AND CONTROL POINTS. THE RESULTING DATA MEETS OR EXCEEDS THE STANDARDS FOR LAND BOUNDARY SURVEYS AS SET FORTH IN WAC 332-130-090.

BASIS OF BEARING NAD83/91 (PER KING COUNTY)

PUBLISHED LOCATION OF KING COUNTY 3" BRASS DISK, POINT DESIGNATION 1091 WAS HELD FOR NAD83/91 PUBLISHED POSITION AT THE SE CORNER OF SECTION 32, TOWNSHIP 25 NORTH, RANGE 06 EAST, W.M. AND THE EAST LINE OF SAID SECTION 32 WAS CALCULATED TO THE PUBLISHED COORDINATE OF KING COUNTY CONTROL POINT 1075 AT THE NORTHEAST SECTION CORNER. THIS BEARING IS NORTH 00° 44' 39" EAST.

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:


 GREENBRIAR LAND, LLC,
 A WASHINGTON LIMITED LIABILITY COMPANY
 BY: RR East Associates, Inc.
 ITS: Managing Member
by: George Reece ITS: RR East Associates, Inc., President

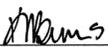

 BANNER BANK
 BY: Kirk V. Johnson
 ITS: Senior Vice President

ACKNOWLEDGMENTS

STATE OF WASHINGTON }
COUNTY OF KING } ss.

I CERTIFY THAT I KNOW OR HAVE SATISFACTORY EVIDENCE THAT George Reece IS THE PERSON WHO APPEARED BEFORE ME, AND SAID PERSON ACKNOWLEDGED THAT (S)HE SIGNED THIS INSTRUMENT, ON OATH STATED (S)HE WAS AUTHORIZED TO EXECUTE THE INSTRUMENT AND ACKNOWLEDGED IT AS THE President of Managing Member OF GREENBRIAR LAND, LLC, A WASHINGTON LIMITED LIABILITY COMPANY, TO BE THE FREE AND VOLUNTARY ACT OF SUCH PARTY FOR THE USES AND PURPOSES MENTIONED IN THE INSTRUMENT.

DATED THIS 26th DAY OF September, 2011.


 NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON
 RESIDING AT Kelso
 PRINTED NAME Kari Ann Burns
 COMMISSION EXPIRES 5/26/12

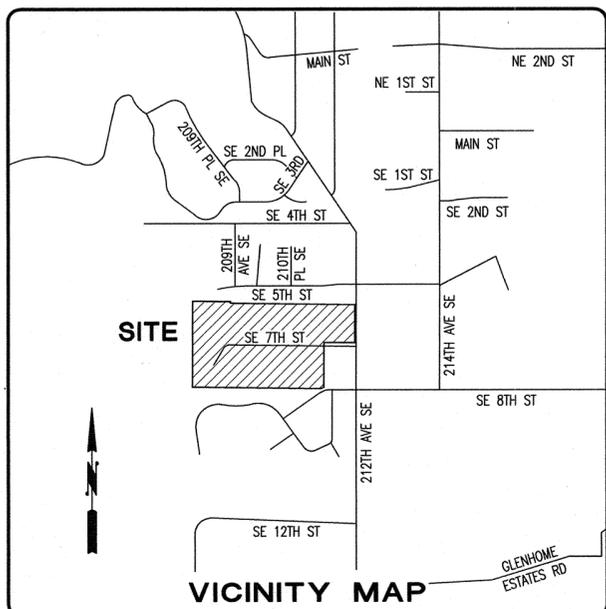


STATE OF WASHINGTON }
COUNTY OF KING } ss.

I CERTIFY THAT I KNOW OR HAVE SATISFACTORY EVIDENCE THAT Kirk V. Johnson IS THE PERSON WHO APPEARED BEFORE ME, AND SAID PERSON ACKNOWLEDGED THAT (S)HE SIGNED THIS INSTRUMENT, ON OATH STATED (S)HE WAS AUTHORIZED TO EXECUTE THE INSTRUMENT AND ACKNOWLEDGED IT AS THE Senior Vice President OF BANNER BANK, TO BE THE FREE AND VOLUNTARY ACT OF SUCH PARTY FOR THE USES AND PURPOSES MENTIONED IN THE INSTRUMENT.

DATED THIS 26th DAY OF September, 2011.


 NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON
 RESIDING AT Kelso
 PRINTED NAME Kari Ann Burns
 COMMISSION EXPIRES 5/26/12



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

SE1/4 OF SE1/4, SECTION 32, T25N-R6E, W.M.
 SHEET 2 OF 6

JOB NO. 13835

GREENBRIAR

PORTION OF THE SE1/4 OF THE SE1/4 OF SECTION 32, T25N-R6E, W.M.

CITY OF SAMMAMISH, KING COUNTY, WASHINGTON

PLAT NOTES:

1. THE ARTICLES OF INCORPORATION FOR THE GREENBRIAR 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. TRACTS "A" AND "G" ARE STORM DRAINAGE FACILITIES TRACTS AND ARE HEREBY CONVEYED TO THE CITY OF SAMMAMISH FOR OWNERSHIP AND MAINTENANCE PURPOSES. AN EASEMENT IS GRANTED TO THE GREENBRIAR HOMEOWNERS' ASSOCIATION OVER ENTIRE TRACT "C" FOR LANDSCAPE MAINTENANCE AND OPEN SPACE. AN EASEMENT IS HEREBY CONVEYED TO SAMMAMISH PLATEAU WATER AND SEWER DISTRICT FOR MAINTENANCE OF WATER FACILITIES ACROSS A NORTHERLY PORTION OF TRACT "A", AS GRAPHICALLY DEPICTED AND DIMENSIONED ON SHEET 6 OF 6. 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 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 LINES, THE SURFACING SHALL BE RESTORED AS NEARLY AS REASONABLY POSSIBLE TO ITS CONDITION PRIOR TO PLACEMENT OF THE WATER.
4. TRACT "B" IS A LANDSCAPE AND RECREATION TRACT AND IS HEREBY CONVEYED TO THE HOMEOWNERS' ASSOCIATION FOR OWNERSHIP AND MAINTENANCE PURPOSES. MAINTENANCE AND UPKEEP OF THE RECREATION SPACE CONTAINED WITHIN TRACT "B" SHALL BE THE RESPONSIBILITY OF THE HOMEOWNERS' ASSOCIATION IDENTIFIED IN NOTE 1, ABOVE. A SEWER ACCESS EASEMENT IS HEREBY CONVEYED TO SAMMAMISH PLATEAU WATER AND SEWER DISTRICT ACROSS A SOUTHERLY PORTION OF TRACT "B", AS GRAPHICALLY DEPICTED AND DIMENSIONED ON SHEET 6 OF 6, FOR ACCESS TO THE SEWER FACILITIES WITHIN TRACT "H" AND LOT 20. 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 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 SEWER LINES, THE SURFACING SHALL BE RESTORED AS NEARLY AS REASONABLY POSSIBLE TO ITS CONDITION PRIOR TO PLACEMENT OF THE SEWER.
5. TRACT "C" IS A CRITICAL AREA TRACT AND IS HEREBY CONVEYED TO THE HOMEOWNERS' ASSOCIATION IN NOTE 1, ABOVE, FOR OWNERSHIP AND MAINTENANCE PURPOSES.
6. TRACTS "D" AND "E" ARE LANDSCAPE TRACTS AND ARE HEREBY CONVEYED TO THE HOMEOWNERS' ASSOCIATION FOR OWNERSHIP AND MAINTENANCE PURPOSES. MAINTENANCE AND UPKEEP OF THE LANDSCAPING CONTAINED WITHIN TRACTS "D" AND "E" SHALL BE THE RESPONSIBILITY OF THE HOMEOWNERS' ASSOCIATION IDENTIFIED IN NOTE 1, ABOVE.
7. TRACT "F" IS A PARK TRACT AND IS HEREBY CONVEYED TO THE HOMEOWNERS' ASSOCIATION FOR OWNERSHIP AND MAINTENANCE PURPOSES. MAINTENANCE AND UPKEEP OF THE RECREATION SPACE CONTAINED WITHIN TRACT "F" SHALL BE THE RESPONSIBILITY OF THE HOMEOWNERS' ASSOCIATION IDENTIFIED IN NOTE 1, ABOVE.
8. TRACT "H" IS A PRIVATE ACCESS AND UTILITY TRACT AND IS HEREBY CONVEYED UNDIVIDED TO THE OWNERS OF LOTS 20, 21 AND 22 UPON THE RECORDING OF THIS PLAT FOR OWNERSHIP AND MAINTENANCE PURPOSES. SAID OWNERS ARE HEREBY RESPONSIBLE FOR THE MAINTENANCE OF ALL ACCESS AND PRIVATE FACILITIES WITHIN TRACT "H" AN OVERLYING EASEMENT IS HEREBY CONVEYED TO SAMMAMISH PLATEAU WATER AND SEWER DISTRICT FOR MAINTENANCE OF ANY WATER OR SEWER FACILITIES WITHIN TRACT "H". 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.
9. ALL WATERLINE EASEMENTS (WLE) ARE HEREBY CONVEYED TO SAMMAMISH PLATEAU WATER AND SEWER DISTRICT FOR THE PURPOSE OF SERVING THIS SUBDIVISION AND OTHER PROPERTY WITH WATER SERVICE. (SEE "WATER AND SEWER EASEMENT PROVISIONS", ON SHEET 2)
10. ALL 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 SANITARY SEWER SERVICE. (SEE "WATER AND SEWER EASEMENT PROVISIONS", ON SHEET 2)
11. ALL STORM DRAINAGE EASEMENTS (SDE) ARE HEREBY CONVEYED TO THE CITY OF SAMMAMISH FOR OWNERSHIP AND MAINTENANCE OF THE STORM DRAINAGE FACILITIES LYING WITHIN THE EASEMENT.
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.
13. THE SIDEWALK EASEMENT (SWE) SHOWN HEREON IS HEREBY DEDICATED TO THE PUBLIC FOR SIDEWALK PURPOSES. AN EASEMENT IS HEREBY GRANTED TO THE CITY OF SAMMAMISH AS NECESSARY FOR INSPECTION, MAINTENANCE, AND REPAIR OF THE SIDEWALK.
14. THE PRIVATE SANITARY SEWER EASEMENT (PSSE) WHICH LIES WITHIN LOTS 33, 34 AND 35 SHOWN HERE IS HEREBY CONVEYED TO THE OWNERS OF LOTS 33, 34 AND 35 AND SHALL BE EQUALLY RESPONSIBLE FOR THE MAINTENANCE AND REPAIR OF THE SANITARY SEWER FACILITIES WITHIN THE EASEMENT.
15. THE PRIVATE WATERLINE EASEMENT (PWLE) WHICH LIES WITHIN LOTS 33, 34 AND 35 SHOWN HERE IS HEREBY CONVEYED TO THE OWNERS OF LOTS 33, 34 AND 35 AND SHALL BE EQUALLY RESPONSIBLE FOR THE MAINTENANCE AND REPAIR OF THE WATERLINE FACILITIES WITHIN THE EASEMENT.
16. THE ENTRY MONUMENT EASEMENT (EME) SHOWN HEREON IS HEREBY CONVEYED TO THE GREENBRIAR HOMEOWNERS' ASSOCIATION FOR OWNERSHIP AND MAINTENANCE OF THE ENTRY MONUMENT.
17. HOUSE ADDRESSES WITHIN THIS PLAT SHALL BE ASSIGNED WITHIN THE RANGE OF 20904 TO 21198 ON SE 6TH PLACE, 701 TO 740 ON 209TH AVENUE SE, 701 TO 740 ON 210TH PLACE SE, AND 20805 TO 21088 ON SE 7TH PLACE. INDIVIDUAL ADDRESSES WILL BE ASSIGNED FOR EACH BUILDING AT THE TIME OF BUILDING PERMIT.
18. NO DIRECT ACCESS TO ANY LOTS WITHIN THE PLAT SHALL BE ALLOWED FROM 212TH AVENUE S.E.
19. NO LOT OR PORTION OF A LOT SHALL BE SUBDIVIDED AND SOLD, OR RESOLD, OR ITS OWNERSHIP CHANGED OR TRANSFERRED IN VIOLATION OF APPLICABLE CITY, COUNTY, STATE OR FEDERAL STANDARDS, RULES, REGULATIONS OR LAWS.
20. THE ROAD AND STORM DRAINAGE SYSTEMS SHALL BE CONSTRUCTED ACCORDING TO THE APPROVED PLAN AND PROFILE, ON FILE WITH THE CITY OF SAMMAMISH. ANY DEVIATION FROM THE APPROVED PLANS WILL REQUIRE WRITTEN APPROVAL FROM THE CITY OF SAMMAMISH, OR ITS SUCCESSOR AGENCY.
21. **GREENBRIAR DIVISION 1 (LOTS 1-16, 29-46 AND 54-58)** THESE LOTS ARE SUBJECT TO PAYMENT OF A PORTION OF STREET IMPACT FEES WHICH HAS BEEN DEFERRED TO THE TIME OF BUILDING PERMIT ISSUANCE CONSISTENT WITH ORDINANCE NO. 02006-208, AS MODIFIED BY THE SETTLEMENT AGREEMENT AND THE ADDENDUM TO THE SETTLEMENT AGREEMENT EXECUTED ON NOVEMBER 21, 2006. AT THE TIME OF BUILDING PERMIT ISSUANCE (ON A PER LOT BASIS), A STREET IMPACT FEE PAYMENT SHALL BE MADE SUCH THAT THE TOTAL DEPOSIT AMOUNT EQUALS ONE HUNDRED PERCENT (100%) OF THE REQUIRED STREET IMPACT FEE. IF PAYMENT OF THE STREET IMPACT FEE IS PAID WITHIN TWO (2) YEARS OF THE DATE OF FINAL PLAT, THE STREET IMPACT FEE AMOUNT SHALL BE 100% OF THE STREET IMPACT FEE IN EFFECT AT THE TIME OF PRELIMINARY PLAT APPLICATION LESS A CREDIT FOR PAST FEE PAYMENTS. IF PAYMENT OF THE STREET IMPACT FEE OCCURS AFTER TWO (2) YEARS OF THE DATE OF FINAL PLAT, THE STREET IMPACT FEE AMOUNT SHALL BE 100% OF THE THEN CURRENT STREET IMPACT FEE AMOUNT, LESS A CREDIT FOR PAST FEE PAYMENTS.
- GREENBRIAR DIVISION 2 & 3 (LOTS 17-28 AND 47-53)** THESE LOTS ARE SUBJECT TO PAYMENT OF ALL TRAFFIC IMPACT FEES CONSISTENT WITH THE PROVISIONS OF THE CITY OF SAMMAMISH ORDINANCE NO. 2006-208.
22. THE PROPOSED SUBDIVISION IS SUBJECT TO PARK IMPACT FEES, CONSISTENT WITH SMC 14A.20, WHICH SHALL BE PAID AT THE TIME OF BUILDING PERMIT ISSUANCE, TOGETHER WITH AN ADMINISTRATIVE FEE.
23. FIFTY PERCENT OF THE SCHOOL IMPACT FEE WAS PAID AT THE TIME OF FINAL PLAT. THE REMAINING 50% OF THE THEN CURRENT SCHOOL IMPACT FEE SHALL BE ASSESSED AND COLLECTED FOR EACH LOT, TOGETHER WITH AN ADMINISTRATIVE FEE, AT THE TIME OF BUILDING PERMIT ISSUANCE, PAID TO THE CITY OF SAMMAMISH.
24. PER 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.
25. 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 ON FILE WITH THE CITY OF SAMMAMISH. THIS PLAN SHALL BE SUBMITTED WITH THE APPLICATION OF ANY BUILDING PERMIT. ALL CONNECTIONS OF THE DRAINS SHALL BE CONSTRUCTED AND APPROVED PRIOR TO FINAL BUILDING INSPECTION APPROVAL. FOR THOSE LOTS THAT ARE DESIGNATED FOR INDIVIDUAL LOT INFILTRATION SYSTEMS, THE SYSTEMS SHALL BE DESIGNED AND CONSTRUCTED AS PART OF THE BUILDING PERMIT PROCESS AND SHALL COMPLY WITH THE APPROVED CONSTRUCTION DRAWINGS ON FILE WITH THE CITY OF SAMMAMISH.
26. STORMWATER FACILITIES FOR THIS PLAT ARE DESIGNED TO TREAT, DETAIN, AND INFILTRATE COMBINED STORMWATER FROM GREENBRIAR DIVISIONS 1, 2 AND 3.
27. 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.
28. LIGHTING WITHIN THE INTERNAL PLAT ROAD SHALL BE MAINTAINED BY THE GREENBRIAR HOMEOWNERS' ASSOCIATION OR EQUALLY AMONG INDIVIDUAL PROPERTY OWNERS IF THE HOMEOWNERS' ASSOCIATION DISSOLVES. LIGHTING ON 212TH AVENUE SE SHALL BE OWNED AND MAINTAINED BY THE CITY OF SAMMAMISH.
29. TREES IDENTIFIED ON THE FACE OF THIS PLAT HAVE BEEN RETAINED PURSUANT TO THE PROVISIONS OF SMC 21A.35.210 AND ARE SUBJECT TO TREE PROTECTION STANDARDS SET FORTH IN 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.
30. FOR IMPROVEMENTS ON 212TH AVENUE SE AND ON ALL INTERNAL PLAT ROADS, MAINTENANCE OF LANDSCAPE STRIPS SEPARATING THE SIDEWALK FROM THE ROADWAY, PLANTER ISLANDS, AND/OR PLANTED MEDIANS SHALL BE THE RESPONSIBILITY OF THE HOMEOWNERS' ASSOCIATION. IF THE MAINTENANCE RESPONSIBILITIES ARE NOT ADDRESSED IN THE HOMEOWNERS' ASSOCIATION COVENANTS AND RESTRICTIONS, THEN THE ABUTTING PROPERTY OWNER SHALL BE RESPONSIBLE FOR THE MAINTENANCE. UNDER NO CIRCUMSTANCES SHALL THE CITY BEAR ANY MAINTENANCE RESPONSIBILITIES FOR LANDSCAPING STRIPS, PLANTER ISLANDS, OR PLANTED MEDIANS.

CITY OF SAMMAMISH DRAINAGE EASEMENT AND COVENANT

ALL DRAINAGE EASEMENTS WITHIN THIS PLAT, EXCEPT THOSE LABELED AS "PRIVATE", ARE HEREBY GRANTED AND CONVEYED TO THE CITY OF SAMMAMISH, ITS SUCCESSORS OR ASSIGNS, FOR THE PURPOSE OF CONVEYING, STORING, MANAGING AND FACILITATING 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 INSPECTING, OPERATING, MAINTAINING, REPAIRING AND IMPROVING THE DRAINAGE FACILITIES CONTAINED THEREIN. NOTE THAT EXCEPT FOR THE FACILITIES WHICH HAVE BEEN FORMALLY ACCEPTED FOR MAINTENANCE BY THE CITY OF SAMMAMISH, MAINTENANCE OF DRAINAGE FACILITIES ON PRIVATE PROPERTY IS THE RESPONSIBILITY OF THE PROPERTY OWNER. THE OWNERS OF SAID PRIVATE PROPERTY ARE REQUIRED TO OBTAIN PRIOR WRITTEN APPROVAL FROM THE CITY OF SAMMAMISH, ITS SUCCESSORS OR ASSIGNS, AND ANY REQUIRED PERMITS FROM THE CITY OF SAMMAMISH, ITS SUCCESSORS OR ASSIGNS, SUCH AS CLEARING AND GRADING, 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 EASEMENT IS INTENDED TO FACILITATE REASONABLE ACCESS TO THE DRAINAGE FACILITIES. THIS EASEMENT AND COVENANT SHALL RUN WITH THE LAND AND IS BINDING UPON THE OWNERS OF SAID PRIVATE PROPERTY, THEIR HEIRS, SUCCESSORS AND ASSIGNS.

STRUCTURES, FILL, OR OBSTRUCTIONS (INCLUDING BUT NOT LIMITED TO DECKS, PATIOS, OUTBUILDINGS, OR OVERHANGS) SHALL NOT BE PERMITTED BEYOND THE BUILDING SETBACK LINE OF THE PUBLIC DRAINAGE EASEMENTS. ADDITIONALLY, GRADING SHALL NOT BE ALLOWED WITHIN THE PUBLIC DRAINAGE EASEMENTS SHOWN ON THIS PLAT MAP UNLESS OTHERWISE APPROVED BY THE CITY OF SAMMAMISH OR ITS SUCCESSOR AGENCY.

CITY OF SAMMAMISH PRIVATE DRAINAGE EASEMENT AND COVENANT

THE OWNERS OF PRIVATE PROPERTY WITHIN THIS PLAT ENCUMBERED WITH DRAINAGE EASEMENTS LABELED 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 NOTE

A TITLE REPORT PREPARED BY CHICAGO TITLE INSURANCE COMPANY, THEIR ORDER NO. 1323083 AND DATED JUNE 1, 2011, AND ALL SUPPLEMENTALS THEREOF, WERE RELIED UPON FOR RECORD ITEMS AFFECTING THIS SUBDIVISION. ACCORDING TO THESE DOCUMENTS, THE FOLLOWING ITEMS AFFECT THIS SITE:

1. COVENANTS, CONDITIONS, RESTRICTIONS, EASEMENTS, NOTES, DEDICATIONS AND SETBACKS, IF ANY, SET FORTH OR DELINEATED ON KING COUNTY SHORT PLAT NUMBER 478102, UNDER RECORDING NO. 7810240973. (SHOWN)
2. COVENANTS, CONDITIONS, RESTRICTIONS, EASEMENTS, NOTES, DEDICATIONS AND SETBACKS, IF ANY, SET FORTH OR DELINEATED ON KING COUNTY SHORT PLAT NUMBER 577021, UNDER RECORDING NO. 7906250892. (SHOWN)
3. COVENANTS, CONDITIONS, RESTRICTIONS, EASEMENTS, NOTES, DEDICATIONS AND SETBACKS, IF ANY, SET FORTH OR DELINEATED ON CITY OF SAMMAMISH BOUNDARY LINE ADJUSTMENT NO. PLN2011-00002, UNDER RECORDING NO. 20110425900001. (SHOWN) **NOTE: THE 50' INGRESS/EGRESS & UTILITY EASEMENT TO BENEFIT LOTS 2-7 OF THE BOUNDARY LINE ADJUSTMENT SHALL BE RELINQUISHED UPON THE RECORDING OF THIS PLAT.**
- 4-6. ELIMINATED FROM TITLE.
7. COVENANTS, CONDITIONS AND RESTRICTIONS, UNDER RECORDING NO. 8301120249.
8. RESTRICTIONS CONTAINED IN INSTRUMENT, UNDER RECORDING NO. 8304290659.
- 9-10. ELIMINATED FROM TITLE.
11. AGREEMENT AND TERMS AND CONDITIONS THEREOF TO KING COUNTY WATER DISTRICT NO. 82 FOR TEMPORARY WATER SERVICE, UNDER RECORDING NO. 8409040633.
12. MEMORANDUM OF DEVELOPER EXTENSION AGREEMENT AND NOTICE OF OBLIGATION TO CONSTRUCT WATER AND SEWER EXTENSION, UNDER RECORDING NO. 20090212000119.
13. MEMORANDUM OF DEVELOPER EXTENSION AGREEMENT AND NOTICE OF OBLIGATION TO CONSTRUCT WATER AND SEWER EXTENSION, UNDER RECORDING NO. 20090212000122.
14. MEMORANDUM OF DEVELOPER EXTENSION AGREEMENT AND NOTICE OF OBLIGATION TO CONSTRUCT WATER AND SEWER EXTENSION, UNDER RECORDING NO. 20090212000129.
15. REIMBURSEMENT AGREEMENT AND TERMS AND CONDITIONS THEREOF, UNDER RECORDING NO. 20110422000319.
16. REIMBURSEMENT AGREEMENT AND TERMS AND CONDITIONS THEREOF, UNDER RECORDING NO. 20110422000320.
17. MATTERS DISCLOSED BY A PHYSICAL INSPECTION OF THE PROPERTY ON DECEMBER 8, 2010 AND ON CITY OF SAMMAMISH BOUNDARY LINE ADJUSTMENT NO. PLN2011-00002, UNDER RECORDING NO. 20110425900001.
18. TERMS AND CONDITIONS OF NOTICES OF CONNECTION CHARGES BY SAMMAMISH PLATEAU WATER AND SEWER DISTRICT, UNDER RECORDING NOS. 9307301617, 9811051363, 9901150609, 20040414002865, 20041201000040 & 20060126001770.
- 19-29. NOT APPLICABLE TO BE SHOWN ON SURVEY.
30. LIEN FOR DEVELOPMENT FEES, UNDER RECORDING NO. 20110615000860.
31. EASEMENT AND THE TERMS AND CONDITIONS THEREOF TO PUGET SOUND ENERGY FOR UTILITY SYSTEMS FOR GAS AND ELECTRICITY, UNDER RECORDING NO. 20110818000241, AS GRAPHICALLY DEPICTED WITHIN LOTS 20-23, AND WITHIN LOTS 33-35, AND AS FOLLOWS:

- EASEMENT NO. 1: ALL STREET AND ROAD RIGHTS-OF-WAY (BOTH PRIVATE AND PUBLIC) AS NOW HEREAFTER DESIGNED, PLATTED, AND/OR CONSTRUCTED WITHIN THE HEREIN DESCRIBED PROPERTY. (WHEN SAID STREETS AND ROADS ARE DEDICATED TO THE PUBLIC, THIS CLAUSE SHALL BECOME NULL AND VOID)
- EASEMENT NO. 2: A STRIP OF LAND 10 FEET IN WIDTH ACROSS ALL LOTS, TRACTS AND OPEN SPACES LOCATED WITHIN THE HEREIN DESCRIBED PROPERTY BEING PARALLEL TO AND COINCIDENT WITH THE BOUNDARIES OF ALL PUBLIC STREETS AND ROAD RIGHTS-OF-WAY.
32. EASEMENT AND THE TERMS AND CONDITIONS THEREOF TO SAMMAMISH PLATEAU WATER & SEWER DISTRICT FOR WATER LINES AND APPURTENANCES, UNDER RECORDING NO. 20110921000632, AS GRAPHICALLY DEPICTED ON SHEET 6.
 33. EASEMENT AND THE TERMS AND CONDITIONS THEREOF TO SAMMAMISH PLATEAU WATER & SEWER DISTRICT FOR WATER LINES AND APPURTENANCES, UNDER RECORDING NO. 20110921000633, AS GRAPHICALLY DEPICTED ON SHEET 6.

PLAT NOTES: (CONTINUED)

31. MAINTENANCE OF LANDSCAPING ON ALL STORMWATER FACILITIES, EXCEPT FOR INTERIOR POND EMBANKMENTS, SHALL BE THE RESPONSIBILITY OF THE HOMEOWNERS' ASSOCIATION.
32. **SETBACKS-PROJECTIONS AND STRUCTURES ALLOWED (PER SMC 21A.25.190).** THE CITY HAS APPROVED AN ADMINISTRATIVE ADJUSTMENT OF INTERIOR SETBACKS FOR THE PLAT OF GREENBRIAR. LOTS CONTAINED WITHIN THE GREENBRIAR SUBDIVISION SHALL BE VESTED TO AND SUBJECT TO THE INTERIOR SETBACK REQUIREMENTS OF SMC 21A.25 IN EFFECT ON THE DATE OF RECORDING FOR SEVEN YEARS FROM THE DATE OF RECORDING, CONSISTENT WITH THE PROVISIONS OF RCW 58.17.170.
33. FOR LOT 20, WHICH CONTAIN OR ARE ADJACENT TO INFILTRATION OR DISPERSION TRENCHES, THESE LOTS SHALL BE GRADED SUCH THAT TOP OF TRENCH IS BELOW BOTTOM OF FOUNDATION.
34. THE 26 FOOT PRIVATE ACCESS AND UTILITY EASEMENT WITHIN LOT 20 IS FOR THE BENEFIT OF LOT 21. MAINTENANCE OF THE ROADWAY SURFACE LOCATED WITHIN THE EASEMENT SHALL BE SHARED EQUALLY BETWEEN LOTS 20 AND 21.
35. THE 20 FOOT PRIVATE ACCESS AND UTILITY EASEMENT WITHIN LOT 35 IS FOR THE BENEFIT OF LOT 34. MAINTENANCE OF THE ROADWAY SURFACE LOCATED WITHIN THE EASEMENT SHALL BE SHARED EQUALLY BETWEEN LOTS 34 AND 35.
36. ALL LOTS SHALL BE SUBJECT TO AN EASEMENT 2.5 FEET IN WIDTH, PARALLEL WITH AND ADJACENT TO ALL INTERIOR LOT LINES AND 5 FEET ALONG THE REAR LOT LINES, FOR THE PURPOSE OF PRIVATE DRAINAGE. IN THE EVENT LOT LINES ARE ADJUSTED AFTER THE RECORDING OF THIS PLAT, THE EASEMENTS SHALL MOVE WITH THE ADJUSTED LOT LINES. MAINTENANCE OF ALL PRIVATE DRAINAGE EASEMENTS ON THIS PLAT SHALL BE THE RESPONSIBILITY OF ALL LOTS DERIVING BENEFIT FROM SAID EASEMENT. NO STRUCTURE OTHER THAN FENCES SHALL BE CONSTRUCTED WITHIN THESE EASEMENTS.

JOB NO. 13835



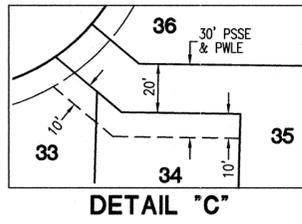
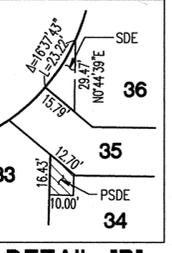
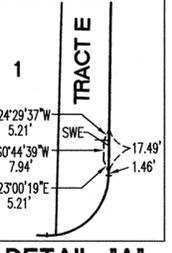
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SE1/4 OF SE1/4, SECTION 32, T25N-R6E, W.M.
SHEET 3 OF 6

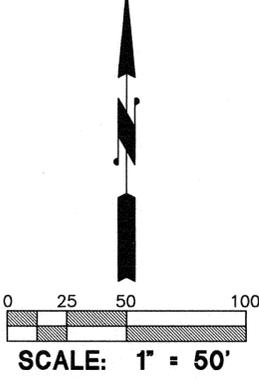
GREENBRIAR

PORTION OF THE SE1/4 OF THE SE1/4 OF SECTION 32, T25N-R6E, W.M.
CITY OF SAMMAMISH, KING COUNTY, WASHINGTON

ARBORS AT PINE LAKE REC. NO. 2000102000957



- LEGEND**
- ⊕ FOUND SECTION CORNER AS NOTED
 - ⊗ FOUND REBAR/CAP AS NOTED
 - CORNER SET FOR CITY OF SAMMAMISH BLA NO. PLN2011-00002 REC. NO. 20110425900001
 - ✱ CITY OF SAMMAMISH STANDARD ROAD MONUMENT TO BE SET UPON COMPLETION OF CONSTRUCTION
 - DRIP LINE OF RETAINED TREE
 - SDE STORM DRAINAGE EASEMENT (SEE NOTE 11, SHEET 3)
 - PSDE PRIVATE STORM DRAINAGE EASEMENT [HATCHED AREA] (SEE NOTE 14, SHEET 3)
 - SWE SIDEWALK EASEMENT (SEE NOTE 13, SHEET 3)
 - PSSE PRIVATE SANITARY SEWER EASEMENT (SEE NOTE 14, SHEET 3)
 - PWLE PRIVATE WATERLINE EASEMENT (SEE NOTE 15, SHEET 3)
 - EME ENTRY MONUMENT EASEMENT (SEE NOTE 16, SHEET 3)



CURVE #	LENGTH	RADIUS	DELTA
C1	35.86	25.00	82°11'43"
C2	3.71	25.00	8°29'35"
C3	5.98	25.00	13°42'21"
C4	32.99	25.00	75°36'21"
C5	22.46	465.00	2°46'01"
C6	39.57	25.00	90°41'18"
C7	39.61	25.00	90°46'35"
C22	47.48	30.00	90°41'18"
C23	4.31	80.00	3°05'10"
C24	45.50	80.00	32°35'05"
C25	20.30	80.00	14°32'29"
C26	48.56	80.00	34°46'49"
C27	7.95	80.00	5°41'45"

SEE SHEET 6 FOR WATERLINE & SANITARY SEWER EASEMENT LOCATIONS AND DIMENSIONS

ALL BACK LOT AND TRACT CORNERS WILL BE STAKED WITH A 1/2-INCH BY 24-INCH REBAR WITH PLASTIC CAP MARKED "BCE 27328" AS PLAT CONSTRUCTION IS COMPLETED. LOT AND TRACT CORNERS ABUTTING STREETS WERE NOT SET. THE STREETWARD PROJECTION OF THE LOT AND/OR TRACT LINES WILL BE REFERENCED BY A "P-K" BRAND MASONRY NAIL SET AT THE BACK OF THE CURB AT NO SPECIFIC DISTANCE FROM THE TRUE CORNER.



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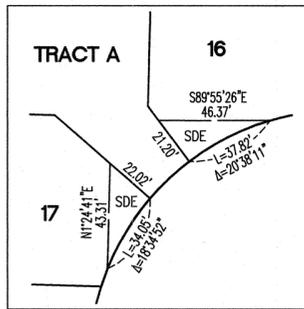
SE1/4 OF SE1/4, SECTION 32, T25N-R6E, W.M.
SHEET 4 OF 6

GREENBRIAR

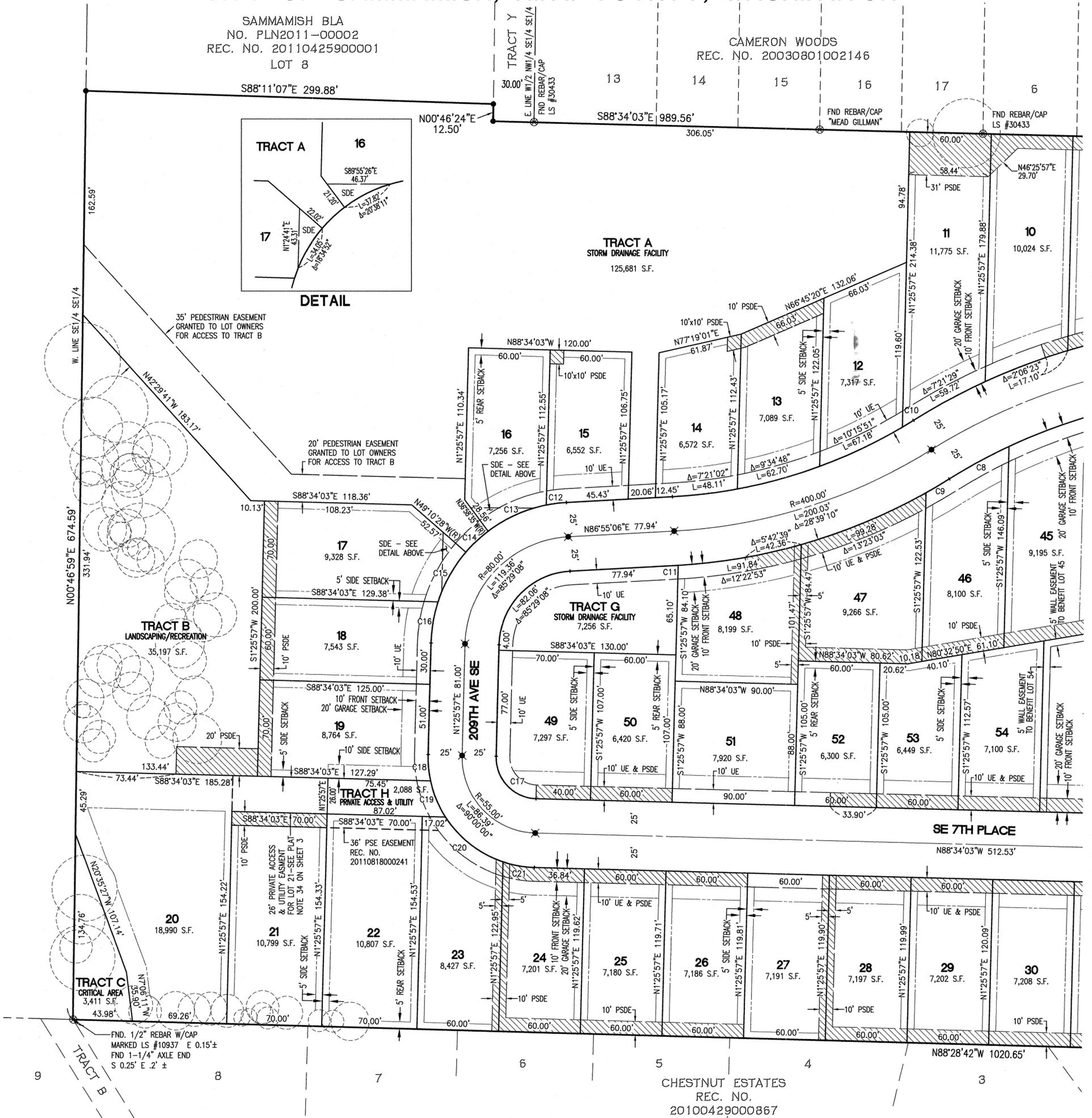
PORTION OF THE SE1/4 OF THE SE1/4 OF SECTION 32, T25N-R6E, W.M.
CITY OF SAMMAMISH, KING COUNTY, WASHINGTON

SAMMAMISH BLA
NO. PLN2011-00002
REC. NO. 20110425900001
LOT 8

CAMERON WOODS
REC. NO. 20030801002146



DETAIL



SEE SHEET 4

SEE SHEET 4

LEGEND

- ⊗ FOUND REBAR/CAP AS NOTED
- CORNER SET FOR CITY OF SAMMAMISH
BLA NO. PLN2011-00002
REC. NO. 20110425900001
- ✱ CITY OF SAMMAMISH STANDARD ROAD
MONUMENT TO BE SET UPON COMPLETION
OF CONSTRUCTION
- DRIP LINE OF RETAINED TREE
- SDE STORM DRAINAGE EASEMENT
(SEE NOTE 11, SHEET 3)
- PSDE PRIVATE STORM DRAINAGE EASEMENT
[HATCHED AREA] (SEE NOTE 12, SHEET 3)

CURVE TABLE			
CURVE #	LENGTH	RADIUS	DELTA
C8	49.77'	415.00'	6°52'18"
C9	19.78'	425.00'	2°40'01"
C10	9.54'	375.00'	1°27'29"
C11	1.63'	425.00'	0°13'13"
C12	14.89'	105.00'	8°07'36"
C13	47.22'	105.00'	25°46'05"
C14	22.35'	105.00'	12°11'53"
C15	41.77'	105.00'	22°47'29"
C16	30.42'	105.00'	16°36'06"
C17	47.12'	30.00'	90°00'00"
C18	19.18'	80.00'	13°44'21"
C19	28.61'	80.00'	20°29'23"
C20	54.38'	80.00'	38°56'36"
C21	23.50'	80.00'	16°49'40"

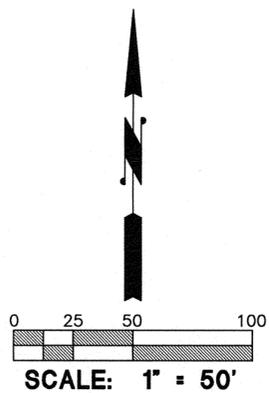
SEE SHEET 6 FOR WATERLINE & SANITARY SEWER EASEMENT LOCATIONS AND DIMENSIONS

ALL BACK LOT AND TRACT CORNERS WILL BE STAKED WITH A 1/2-INCH BY 24-INCH REBAR WITH PLASTIC CAP MARKED "BCE 27328" AS PLAT CONSTRUCTION IS COMPLETED. LOT AND TRACT CORNERS ABUTTING STREETS WERE NOT SET. THE STREETWARD PROJECTION OF THE LOT AND/OR TRACT LINES WILL BE 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. 13835



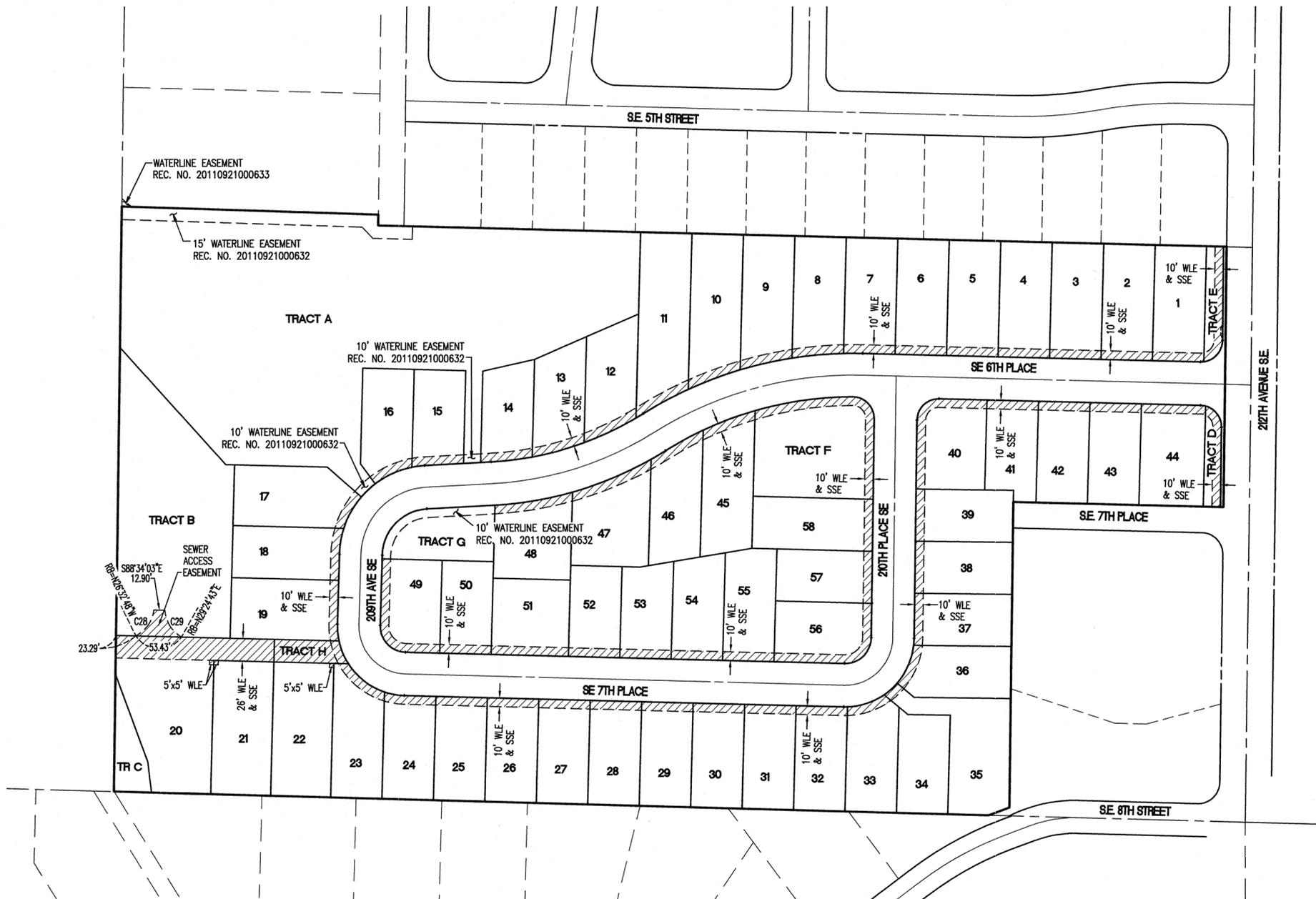
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SE1/4 OF SE1/4, SECTION 32, T25N-R6E, W.M.
SHEET 5 OF 6



GREENBRIAR

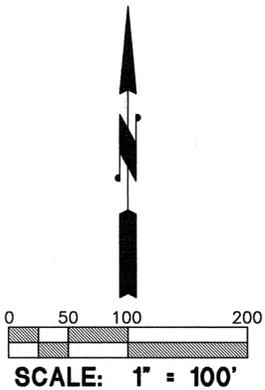
PORTION OF THE SE1/4 OF THE SE1/4 OF SECTION 32, T25N-R6E, W.M.
CITY OF SAMMAMISH, KING COUNTY, WASHINGTON



CURVE TABLE			
CURVE #	LENGTH	RADIUS	DELTA
C28	38.02	38.50	56°34'32"
C29	38.02	38.50	56°34'32"

LEGEND

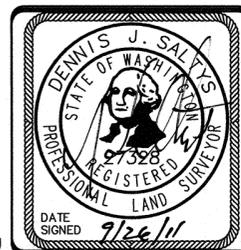
- WLE WATERLINE EASEMENT
(SEE NOTE 9, SHEET 3)
- SSE SANITARY SEWER EASEMENT
(SEE NOTE 10, SHEET 3)



**WATERLINE & SANITARY SEWER EASEMENT
LOCATIONS AND DIMENSIONS**

ALL BACK LOT AND TRACT CORNERS WILL BE STAKED WITH A 1/2-INCH BY 24-INCH REBAR WITH PLASTIC CAP MARKED "BCE 27328" AS PLAT CONSTRUCTION IS COMPLETED. LOT AND TRACT CORNERS ABUTTING STREETS WERE NOT SET. THE STREETWARD PROJECTION OF THE LOT AND/OR TRACT LINES WILL BE 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. 13835



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SE1/4 OF SE1/4, SECTION 32, T25N-R6E, W.M.
SHEET 6 OF 6

Exhibit 4



City Council Agenda Bill

Meeting Date: October 4, 2011

Date Submitted: September 28, 2011

Originating Department: Community Development

Clearances:

City Manager

Community Development

Parks & Recreation

Attorney

Finance & IT

Police

Admin Services

Fire

Public Works

Subject: Resolution: Final Plat for Pine Creek Subdivision of 15 lots

Action Required: Motion to adopt resolution approving the subdivision

Exhibits:

1. Draft Resolution
2. Hearing Examiner Decision
3. Matrix showing plat conditions and responses
4. Map of Final Plat
5. Vicinity Map

Budget: N/A Legislative Approval

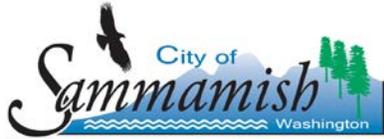
Summary Statement: The proposed Pine Creek subdivision to create 15 lots was reviewed and granted preliminary plat approval by the City of Sammamish Hearing Examiner on August 13, 2007. The proposed 15 lot subdivision is consistent with the approved plat.

Background: The subdivision application is vested to the City of Sammamish Municipal Code in effect on August 7, 2006. The City of Sammamish Hearing Examiner approved the preliminary plat on August 13, 2007 subject to conditions of approval. The City of Sammamish has reviewed, and approved the installation of the required infrastructure (drainage facilities, streets, sidewalks, etc.) improvements under plat construction and clear and grade permit BLD2007-01098. Subsequent to construction of frontage improvements the City has requested some adjustments to the channelization on 212th Avenue SE to improve safety for both motorized and non-motorized users. The developer has agreed make the modifications as requested and they are expected to be completed before council takes action on the final plat. The improvements have been substantially completed and inspected. The final lift of asphalt, and street trees etc. have been bonded for (see below).

The area of the site being subdivided is zoned Residential, 4 units per acre (R-4). The subject site is constrained by on-site wetland and stream areas, which will be located in a separate critical areas tract (Tract B). Access to the development on the site is via 212th Avenue SE.

Performance Bond:

The applicant has posted a bond for the installation of the remaining site improvements (including streets and other required drainage improvements) in the amount of \$222,113.60 (BOND2011-00034).



City Council Agenda Bill

Landscaping Bond:

The applicant has posted a street landscaping performance bond and a landscaping performance bond in the amount of \$40,763.11 (BOND2011-00035).

Critical Areas Bonding:

Not applicable. There are no proposed impacts to critical areas requiring bonding. Critical areas are in Tract B.

Transportation Mitigation Fees:

The applicant has paid 30% percent of the traffic mitigation impact fee in the amount of \$163,393.56. The remaining fees will be collected at the time of building permit issuance or deferred to the point of sale if the applicant wishes, 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 \$24,868.00 in addition to the current administration fee. The balance of the school impact fees shall be paid at the time of building permit issuance 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 15-lot Pine Creek subdivision, and authorize the mayor to sign the mylars for the final plat.

**CITY OF SAMMAMISH
WASHINGTON
Resolution No. R2011-____**

**A RESOLUTION OF THE CITY OF SAMMAMISH,
WASHINGTON, GRANTING FINAL PLAT APPROVAL TO
THE PLAT OF PINE CREEK**

WHEREAS, the City Council has received recommendation of approval for the final plat of the Pine Creek 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 (15-lot) plat of the Pine Creek 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 City of Sammamish Hearing Examiner's decision of August 13, 2007 for the preliminary plat of Pine Creek.

Section 2. Grant of Approval. The City Council hereby grants final approval to the Pine Creek final plat.

**PASSED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON
THE 4th DAY OF October 2011.**

CITY OF SAMMAMISH

Mayor Donald Gerend

ATTEST/AUTHENTICATED:

Melonie Anderson, City Clerk

Approved as to form:

Bruce L. Disend, City Attorney

Filed with the City Clerk:
Passed by the City Council:
Resolution No.:

BEFOE THE HEARING EXAMINER FOR THE CITY OF SAMMAMISH

In The Matter of the Application of)	File No. PLN2006-00057&00059
Pacific Properties for Approval of)	FINDINGS OF FACT
The Preliminary Plat of Pine Creek)	CONCLUSIONS OF LAW
	AND DECISION

DECISION

The preliminary plat of Pine Creek is approved, subject to conditions.

INTRODUCTION

The application of Pacific Properties for approval of the Pine Creek preliminary plat came on for hearing before Gordon F. Crandall, Hearing Examiner, on July 25, 2007 at 7:25 PM. The hearing was held at City Hall. Rob Garwood, Senior Planner presented the staff report recommendation to the Hearing Examiner. Bill Dunlap represented Pacific Properties.

The following person(s) testified under oath:

Rob Garwood	Senior Planner
Bill Dunlap	Pacific Properties
Michael Fitzgerald	2609 212 th Place SE
Bob Barnes	2427 215 th Avenue SE
Shirley Henderson	2427 215 th Avenue SE
Tawni Hoang	Development Review Engineer
Vince Geglia	TraffEx

The following exhibits were offered and admitted:

1. Staff Report with attachments
 - a. Base Land Use Application
 - b. Site Plan by Barghausen, received 03/05/07.

- c. SEPA Mitigated Determination of Non-significance (DNS) and Notice of Adoption, dated 06.04.07.
 - d. Fire Department approval, 03.13.07 and 07.06.07.
 - e. Public Works approval memorandum, dated April 25, 2007.
 - f. Concurrency Certificates dated June 23, 2006 and July 12, 2007.
 - g. Memorandum from Sarah Cooke dated 05.11.2007.
 - h. Letter (email) from Bill Dunlap to Rob Garwood, dated 007.06.07.
 - i. Sensitive Area Study by Wetland Resources, dated 08.24.05 and Addendum to that report by Talasea, dated 03.05.07.
 - j. Issaquah School District Review Form, dated 11.09.06.
 - k. Base Land Use Application for a Shoreline Substantial Development Permit.
 - l. Affidavit of the mailing, publishing and posting of the Notice of Application, April 16, 2007.
 - m. Affidavit of the mailing, publishing and posting of the Notice of Recommendation and Public Hearing, July 9, 2007.
 - n. Weir Easement for Dept of Fish and Wildlife.
2. Revised Traffic Impact Analysis (TIA), TraffEx
 3. Site Plan
 4. Aerial Photograph

The hearing adjourned at approximately 9:00 pm.

FINDINGS OF FACT

1. Pacific Properties, (Applicant) proposes to subdivide three parcels totaling 7.01 acres in area into 15 single-family residential lots. The site is on the east side of 212th Avenue SE and is identified as 2514 and 2528 212th Avenue SE. There is a Type F stream in the eastern portion of the site. A class 3 wetland is also located in the buffer for the stream, and its buffer is completely within the stream buffer. A Type F stream is one which flows year round during years of normal rain fall and is used by salmonids. SMC 21A.15.1240. In Sammamish, a Type F stream used by salmonids requires a 150 foot protected buffer which will be an

- environmentally sensitive area.. Buildings and other structures must be set back a distance of 15 feet from the edge of the buffer.
2. The site is surrounded on the south by the Quail Crest subdivision and the north by the Pine Woods plat and other single-family parcels. 212th Avenue SE on the west is a collector arterial with a speed limit of 35 miles per hour. A site plan is attached as Attachment A.
 3. The Sammamish Comprehensive Plan designates the site as appropriate for urban residential uses with a maximum of 4 dwellings units per acre. The site is zoned R-4.
 4. A SEPA determination of nonsignificance (DNS) was issued for the proposal on June 4, 2007. No comment letters were received.
 5. The wetland on the site is associated with Pine Lake and is therefore within a Rural Environment under the City's Shoreline Master Program. Any lot which has any buildable area within the wetland or its buffer is subject to the lot standards of the Master Program. However, none of the proposed lots have buildable area within the wetland or its buffer, so the lot standards will not apply to this subdivision. See: SMC25.25.080.
 6. Applicant will retain 21% of 123 trees significant trees on the site. Applicant will provide 12 replacement trees for those removed to satisfy the City's 25% minimum. .
 7. Notice of the application, the DNS and the public hearing was published, posted and mailed as required by ordinance. No comment letters concerning the proposal were received from the public.
 8. The proposal will gain access from 212th Avenue SE, a collector arterial. The project will generate a total of 144 average weekday trips, with 11 in the am peak hour and 15 in the pm peak hour. Sight distances for vehicles entering 212th Avenue SE from the project satisfy Sammamish requirements, although there may be some obstruction for motorists entering 212th and looking to the south. Stopping sight distances also satisfy code requirements from both north and south. See exhibit 2, Revised Traffic Impact Analysis (TIA). A certificate of traffic concurrency was issued for the proposal on June 23, 2006, which indicates that there is adequate vehicular capacity on the city's street network to support the traffic forecasted to be generated by the development.
 9. The internal road will connect with the existing internal road of Quail Crest. A citizen request that a barrier be placed between the plats was not granted. The city's comprehensive plan discourages unnecessary dead end streets and cul de sacs.

10. Applicant will provide full frontage improvements on 212th Avenue SE, and children will have a safe place to wait for the school bus.
11. Water and sewer service availability certificates have been issued by the Sammamish Plateau Water and Sewer District.
12. Applicant will provide open space/recreational space in Tract C with more than twice the minimum required by the city's code.
13. Stormwater will be collected and conveyed to Tract A in the northwest corner of the site where stormwater drainage facilities will be located. Required detention storage volumes and water quality will comply with the 1998 King County Surface Water Design Manual and the tract will be dedicated to the city for maintenance.
14. Applicant will pay impact fees for schools, parks and streets, as well as a charge for surface water system development.
15. Any conclusion of law deemed to be a finding of fact is adopted as such.

CONCLUSIONS OF LAW

1. The Hearing Examiner is authorized by the Sammamish Municipal Code (SMC) to hear and decide an application for a preliminary plat, subject to appeal to Superior Court. SMC Ch 20.24; Section 20.20.020.
2. RCW 58.17.110 identifies the factors to be considered in evaluating an application for a preliminary plat.

The proposed subdivision and dedication shall not be approved unless the city, town or legislative body makes written findings that:

- a. 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 waste, parks and recreation, playgrounds, schools and school grounds, and all other relevant factors,

including sidewalks and other planning features that assure safe walking conditions for students who only walk to and from school; and

b. The public use and interest will be served by platting of such subdivision and dedication. If it finds that the proposed subdivision and dedication makes such appropriate provisions and that the public use and interest will be served then the legislative body shall approve the proposed subdivision and dedication.

3. SMC Chapter 19.20 provides general principles of acceptability for proposed subdivisions. These principles include (paraphrased):

The proposed plat and its ultimate use must be in the best interest of the public interest and the neighborhood development of the area. SMC 19.20.040

Frontage on high volume traffic ways shall be provided with parallel service streets or other appropriate medium of access. 19.20.050

The streets of a subdivision must be connected by surfaced roads to an existing dedicated street. 19.20.090

Right of way needed for the City's street pattern shall be dedicated to the City, 19.20.100

Plats of four or more lots shall provide recreational space. 19.20.110 All plats shall conform to the uses, density, dimensional and other standards of the City's development code. 19.20.120

Due regard shall be given to topography of the area, the use of streets for utilities, and for rapid traffic purposes. Intersections of streets with high volume traffic routes require special approval. Right angle intersections are preferred.

4. The preliminary plat should be approved. Applicant has satisfied the statutory requirements of RCW 58.17.110 and the General Principles of Acceptability of the Sammamish Municipal Code. The proposal makes appropriate provision for all of the required components of the statute and the General Principles. Water and sewer service will be available. Internal streets

and frontage on 212th Avenue SE will have sidewalks. No lot will directly access 212th Avenue SE. Applicant will dedicate the necessary areas for streets and sidewalks. Required open and recreational spaces will be provided. Tree retention requirements will be met. Traffic concurrency has been tested and found to be in compliance. Impact fees will be paid. Stormwater will be managed and sensitive areas will be protected. Children will have a safe route to the school bus stop and a safe place to wait.

5. Any finding of fact deemed to be a conclusion of law is adopted as such.

DECISION

The preliminary plat of Pine Creek is approved, subject to the conditions in attachment B.

DONE this 13th day of August, 2007



Gordon. F. Crandall
Hearing Examiner

Attachment A	Site Plan
Attachment B	Conditions of Approval

RECONSIDERATION

Any final action by the Hearing Examiner may be reconsidered by the Examiner if:

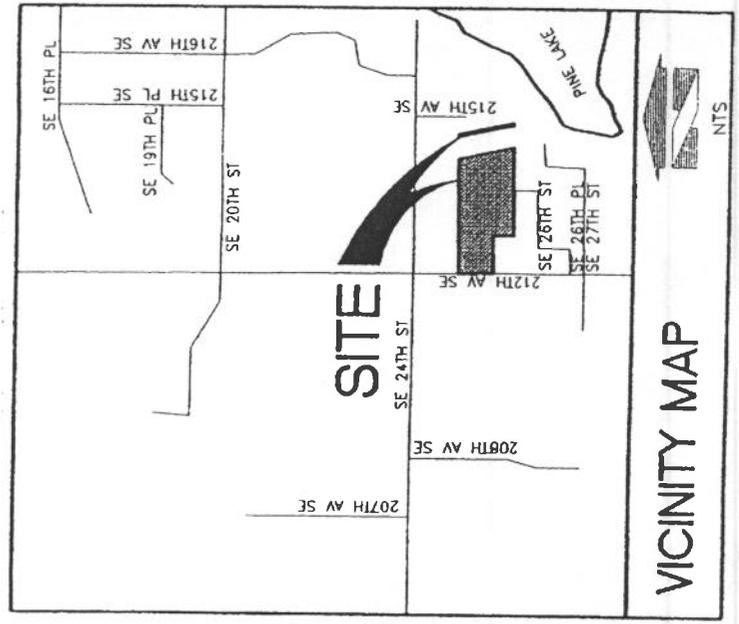
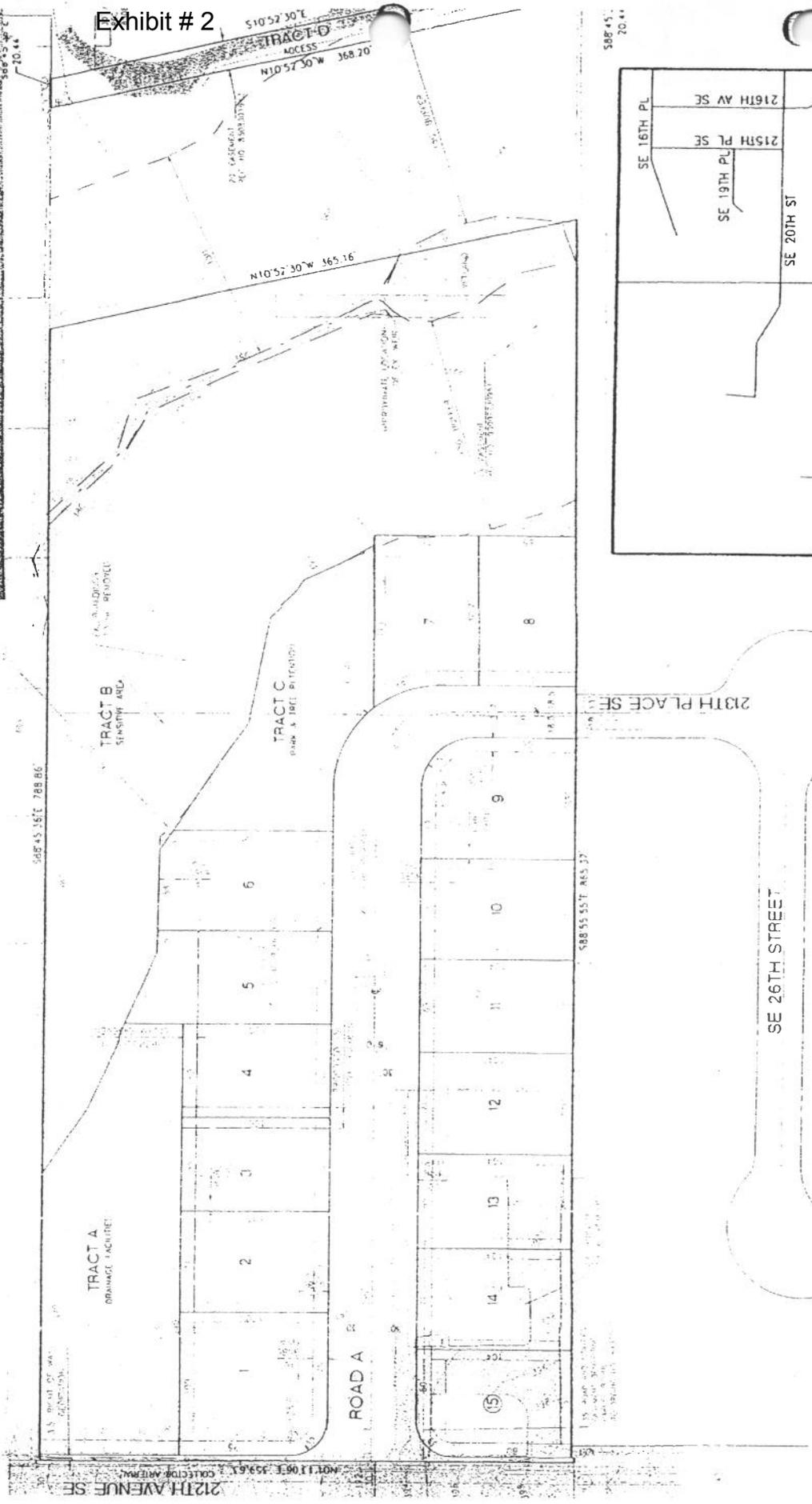
1. The action was based in whole or in part on erroneous facts or information;
2. The action when taken failed to comply with existing laws or regulations applicable thereto;
3. An error of procedure occurred which prevented consideration of the interest of persons directly affected by the action.

The Examiner shall reconsider a final decision pursuant to the rules of the Hearing Examiner.

NOTICE OF RIGHT OF APPEAL

This is a type 3 land use decision pursuant to SMC 20.05.020. Any person with standing to do so, may appeal the decision of the Hearing Examiner by filing a Land Use Petition in the King County Superior Court. Such a petition will be timely if filed with the Court Clerk and served on all parties within twenty-one days of the issuance of the decision. See: RCW 36.70C

Appeals from the final decision of the City with regard to shoreline management (Type 4) shall be governed solely by the provisions of RCW 90.58.180. The effective date of City's decision shall be the date of filing with the Department of Ecology as defined in RCW 90.58.140.



212TH AVENUE SE

COLLECTOR AVENUE

ROAD A

SE 26TH STREET

213TH PLACE SE

SE 26TH STREET

SITE

VICINITY MAP

NTS

Conditions of Approval

1. All construction and upgrading of public and private roads shall be done in accordance with the City of Sammamish Interim Public Works Standards (PWS). Compliance may result in reducing the number and/or location of lots as shown on the preliminary approved plat.
2. All temporary erosion and sediment control (TESC) plans shall be in accordance to the King County Surface Water Design Manual (KCSWDM 1998) Appendix D for all erosion and sediment control standards. TESC plans should show, as a minimum, clearing limits, cover measures, perimeter protection (silt fence), traffic area stabilization, sediment retention, surface water control, and dust control. Please note that the City prefers the use of catch basins inserts for storm water inlet protection.
3. Current City of Sammamish Standard Plan Notes and Erosion and Sediment Control (ESC) Notes shall be shown on the Engineering Plans submitted for approval.
4. 212th Ave SE is classified as a collector arterial. 3.5-ft of dedication and half street frontage improvements consistent with a collector arterial is required per PWS.15.110 and consistent with PWS Table 1 and PWS Figure 01-03.
5. Road A shall be improved as a local public road meeting all requirements of Interim PWS Table 1, Figure 01-05, and City Ordinance 2005-191.
6. 213th Place SE shall be improved as a local public road meeting all requirements of Interim PWS Table 1, Figure 01-05, and City Ordinance 2005-191. A variation to the local road standard is approved for 213th Place SE to match the existing paved width. No parking signs shall be installed on this road prior to final plat. Sidewalk and street trees are still required.
7. The final plat shall show a minimum 10-ft wide public access easement to the existing wood weir on Pine Lake Creek accessible from a publicly owned right of way (Exhibit N).
8. Drainage plans, Technical Information Reports, and analysis shall comply with the 1998 King County Surface Water Design Manual and the City of Sammamish Stormwater Management Comprehensive Plan.
9. Prior to final plat approval, all public and private stormwater facilities shall be constructed and in full operation. These facilities shall include the stormwater conveyance system, detention, water quality, and any required monitoring facilities. The conveyance system shall include all drainage structures, piping, ditching, curb, gutter, and road paving with the exception of the final lift of asphalt or as conditioned in the approved right-of-way permit.
10. Per SMC.21A.35.055, 10-ft of Type 1 landscaping is required to screen any stormwater facility from the public ROW. No variation from the half street frontage

improvement shall be granted in order to meet this requirement. Plat layout and number of lots may have to be adjusted to accommodate this requirement during final engineering.

11. Paved driveway apron and minimum 20-ft between back edge of sidewalk and bollards are required on the pond maintenance access road on 212th Ave SE. The intent of this requirement is to obtain adequate maintenance vehicle clearance from the pedestrian sidewalk.
12. Prior to final plat approval, 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. Public Works Inspector shall inspect and approve locations prior to final plat and easement recording.
13. Any Surface Water Management Facilities required for this subdivision shall be contained within a separate tract of land and shall be dedicated to the City of Sammamish for maintenance and operation. The size of the proposed drainage tracts may have to increase to accommodate the required detention storage volumes and water quality facilities.
14. As specified in section 5.1 of the KCSWDM manual, stormwater from roof drains shall be infiltrated, dispersed, or connected to the storm system with a perforated stub-out connection. The feasibility of the selected option shall be evaluated during final engineering. The resulting requirement shall be included on the final plat map to ensure compliance. No reduction in flow control facility is given for perforated stub-outs.
15. All new street construction for the plat shall include illumination per Article 5 of the City of Sammamish Interim Public Works Standards. Illumination along any City arterial shall meet the current City decorative standard. 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.
16. All new utility installation serving the subdivision within plat or along frontage shall be underground.
17. All utilities within proposed rights of way must be included within a franchise agreement approved by the City Council prior to Final Plat recording.
18. Street trees shall be provided per City of Sammamish Interim PWS.15.520.
19. Preserving existing significant trees in the future ROW shall be reviewed during Final Engineering. Realignment of sidewalks and planter strips will be considered. The final engineering plans shall include identification of any coniferous trees over 8-inch DBH and any deciduous trees over 12-inch DBH located in or adjacent to the future ROW.

20. The applicant or subsequent owner(s) shall comply with Street Impact Fees in accordance to the City of Sammamish Ordinance No 2006-208.
21. Public Works and Community Development approval of the applicant's final engineering (issued in the form of a clearing and grading permit) is required prior to initiation of any onsite construction.
22. The jurisdictional water and sewer district shall certify the adequacy of the fire hydrant(s), water main(s), and fire flow to meet current codes prior to final plat approval.
23. The Fire Marshall shall certify the adequacy of the fire turn-around and location of fire hydrant(s) to meet current codes prior to Clear and Grade Permit issuance.
24. Prior to Construction permit issuance the applicant shall pay a fee equal to 20% of the applicable street impact fees

Prior to recording:

1. Prior to final plat, temporary street name signs and no parking signs (if required on final engineering plans) shall be installed. Permanent street designation and traffic control signs, including poles and hardware, shall be installed following sidewalk installation. These items shall be paid for by the Applicant but shall be designed, furnished, and installed by the City to establish uniformity unless otherwise indicated by the City. Additional signage not shown on final engineering plans may be required based on site conditions as determined by Public Works. A written request must be submitted to the City PW Department when signing is needed and the Applicant will be billed upon completion. Street designation signs shall display street name or number.
2. The applicant shall obtain the approval of the Fire Marshal certifying location of the fire hydrant(s), and from the Sammamish Plateau Water and Sewer District the location of the water main(s), and fire flow to meet current codes prior to final plat approval.
3. Per SMC 21A.105, fifty percent of the school impact fees for lots 1-13 (the site has two existing residences), plus an administrative fee shall be paid prior to final plat recording.
4. SMC 14A.15.020 requires prior to recording of the final plat that a minimum of 30 % of the street impact fees must be paid prior to recording. However the applicant has the option to pay more. The applicant shall indicate on the face of the plat if any additional fees are owned by the lots in the plat. Also the applicant shall indicate that the Lots 1-13 are subject to any remaining street impact fees.

Conditions to appear on the face of the final plat:

1. The following note shall be shown on the final recorded plat: "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 Drawing on file with the City of Sammamish." This plan 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. For those lots that are designated for individual lot infiltration systems, the systems shall be designed and constructed as part of the building permit process and shall comply with the approved Construction Drawings on file with the City of Sammamish.
2. A Homeowners Association shall be created to be responsible for maintenance of all common areas. The covenants and restrictions of said homeowners association shall be filed for record at King County at the time of final plat recording.
3. Maintenance of landscape strips separating the sidewalk from the roadway, planter islands, and/or planted medians shall be the responsibility of the Homeowners Association. If the maintenance responsibilities are not addressed in the Homeowners Association covenants and restrictions, then the abutting property owner shall be responsible for the maintenance. Under no circumstances shall the City bear any maintenance responsibilities for landscaping strips, planter islands, or planted medians.
4. The final plat shall show a minimum 10-ft wide public access easement to the existing wood weir on Pine Lake Creek accessible by publicly owned land.
5. Direct driveway access to all lots shall be along "Road A" (future SE 25th Street). Language to this effect shall be shown on the face of the final plat.
6. The following note shall be shown on the face of the final recorded plat, "For all lots containing or adjacent to infiltration or dispersion trenches, lots shall be graded such that top of trench is below bottom of foundation."
7. The following note shall be shown on the final recorded plat, "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.
8. No lot or portion of a lot shall be subdivided and sold, or resold, or its ownership changed or transferred in violation of applicable city, county, state, or federal standards, rules, regulations or laws;
9. Maintenance and upkeep of the recreation space contained within Tract A shall be the responsibility of the Home Owners Association;
10. Trees identified on the tree retention plan of the preliminary plat have been retained pursuant to the provisions of SMC 21A.35.210. All trees shall be clearly tagged with numbers corresponding to the tree retention plan on file with the city. 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.”

11. 212th Ave SE is classified as a collector arterial. 3.5-ft of dedication shall be shown on the final plat drawing.
12. SMC 14A.15.020 requires that at the time of final plat that a minimum of 30 % of the impact fees must be paid prior to recording. However the applicant has the option to pay more. The applicant shall indicate on the face of the plat if any additional fees are owned by the lots in the plat. Also the applicant shall indicate that the Lots 1-13 are subject to any remaining street impact fees.
13. Per 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 Lots 1-13.
14. Per 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.
15. Lots 1-13 are subject to the park impact fees at the time of building permit issuance.

Exhibit 3

**HEARING EXAMINER CONDITIONS OF APPROVAL
PINE CREEK PRELIMINARY PLAT PLN2006-00057 FINAL PLAT MATRIX**

Condition:	Response:
<i>Conditions of Approval</i>	
1. All construction and upgrading of public and private roads shall be done in accordance with the City of Sammamish Interim Public Works Standards (PWS). Compliance may result in reducing the number and/or location of lots as shown on the preliminary approved plat.	This condition was satisfied by approval of the engineering plans under BLD2007-01098 (Clear and Grade).
2. All temporary erosion and sediment control (TESC) plans shall be in accordance to the King County Surface Water Design Manual (KCSWDM 1998) Appendix D for all erosion and sediment control standards. TESC plans should show, as a minimum, clearing limits, cover measures, perimeter protection (silt fence), traffic area stabilization, sediment retention, surface water control, and dust control. Please note that the City prefers the use of catch basins inserts for storm water inlet protection.	This condition was satisfied by approval of the engineering plans under BLD2007-01098 (Clear and Grade).
3. Current City of Sammamish Standard Plan Notes and Erosion and Sediment Control (ESC) Notes shall be shown on the Engineering Plans submitted for approval.	This condition was satisfied by approval of the engineering plans under BLD2007-01098 (Clear and Grade.)
4. 212th Ave SE is classified as a collector arterial. 3.5-ft of dedication and half street frontage improvements consistent with a collector arterial is required per PWS.15.110 and consistent with PWS Table 1 and PWS Figure 01-03.	The 3.5-foot right-of-way dedication is depicted on Sheet 4 of the final plat map, and dedication language is provided in the DEDICATION on Sheet 2. Final lift of asphalt has been bonded for under BND2011-00034 (\$222,113.60).
5. Road A shall be improved as a local public road meeting all requirements of Interim PWS Table 1, Figure 01-05, and City Ordinance 2005-191.	This condition was satisfied by approval of the engineering plans under BLD2007-01098 (Clear and Grade). Final lift of asphalt has been bonded for under BND2011-00034 (\$222,113.60).

Exhibit 3

Condition:	Response:
<p>6. 213th Place SE shall be improved as a local public road meeting all requirements of Interim PWS Table 1, Figure 01-05, and City Ordinance 2005-191. A variation to the local road standard is approved for 213th Place SE to match the existing paved width. No parking signs shall be installed on this road prior to final plat. Sidewalk and street trees are still required.</p>	<p>This condition was satisfied by approval of the engineering plans under BLD2007-01098 (Clear and Grade). "No Parking" signs have been installed prior to final plat approval.</p>
<p>7. The final plat shall show a minimum 10-ft wide public access easement to the existing wood weir on Pine Lake Creek accessible from a publicly owned right of way (Exhibit N).</p>	<p>A 15-foot-wide easement has been provided as shown on Sheet 4 of the final plat map in the southeast corner of Tract B. This easement is accessed through the City owned detention facility in Quail Crest (Tracts B and C).</p>
<p>8. Drainage plans, Technical Information Reports, and analysis shall comply with the 1998 King County Surface Water Design Manual and the City of Sammamish Stormwater Management Comprehensive Plan.</p>	<p>This condition was satisfied by approval of the engineering plans and Technical Information Report under BLD2007-01098 (Clear and Grade).</p>
<p>9. Prior to final plat approval, all public and private stormwater facilities shall be constructed and in full operation. These facilities shall include the stormwater conveyance system, detention, water quality, and any required monitoring facilities. The conveyance system shall include all drainage structures, piping, ditching, curb, gutter, and road paving with the exception of the final lift of asphalt or as conditioned in the approved right-of-way permit.</p>	<p>This condition has been satisfied prior to final plat approval. The system has been inspected and approved by the City's Public Works Construction Inspector.</p>
<p>10. Per SMC.21A.35.055, 10-ft of Type 1 landscaping is required to screen any stormwater facility from the public ROW. No variation from the half street frontage improvement shall be granted in order to meet this requirement. Plat layout and number of lots may have to be adjusted to accommodate this requirement during final engineering.</p>	<p>This condition was satisfied by approval of the engineering plans under BLD2007-01098 (Clear and Grade). The landscaping has been bonded for under Bond BND2011-00035 (\$40,763.11).</p>
<p>11. Paved driveway apron and minimum 20-ft between back edge of sidewalk and bollards are required on the pond maintenance access road on 212th Ave SE. The intent of this requirement is to obtain adequate maintenance vehicle clearance from the pedestrian sidewalk.</p>	<p>This condition was satisfied by approval of the engineering plans under BLD2007-01098 (Clear and Grade). Final lift of asphalt and other improvements has been bonded for under BND2011-00034 (\$222,113.60).</p>

Exhibit 3

Condition:	Response:
<p>12. Prior to final plat approval, 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. Public Works Inspector shall inspect and approve locations prior to final plat and easement recording.</p>	<p>A new 15-foot-wide public storm drainage easement with conveyance system is located between Lots 3 and 4. The plat's conveyance system and Tract A drainage facility were surveyed and staked by Barghausen Consulting Engineers, Inc. It has been inspected and approved by the City's Public Works Construction Inspector.</p>
<p>13. Any Surface Water Management Facilities required for this subdivision shall be contained within a separate tract of land and shall be dedicated to the City of Sammamish for maintenance and operation. The size of the proposed drainage tracts may have to increase to accommodate the required detention storage volumes and water quality facilities.</p>	<p>The drainage facility for this project is located within Tract A. Plat Note 3 on Sheet 3 of the final plat map dedicates Tract A to the City of Sammamish for ownership and maintenance.</p>
<p>14. As specified in section 5.1 of the KCSWDM manual, stormwater from roof drains shall be infiltrated, dispersed, or connected to the storm system with a perforated stub-out connection. The feasibility of the selected option shall be evaluated during final engineering. The resulting requirement shall be included on the final plat map to ensure compliance. No reduction in flow control facility is given for perforated stub-outs.</p>	<p>See Plat Note 25 on Sheet 3 of the final plat map.</p>
<p>15. All new street construction for the plat shall include illumination per Article 5 of the City of Sammamish Interim Public Works Standards. Illumination along any City arterial shall meet the current City decorative standard. 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.</p>	<p>The design portion of this condition was satisfied by the City's approval of the illumination plans prepared and submitted by IntoLight. Street lights are provided along S.E. 212th Avenue, which will be maintained by the City of Sammamish. S.E. 25th Street will not contain any street lighting; therefore, there are no provisions in the CC&Rs for the Homeowners' Association to maintain illumination. The illumination has been stubbed and final installation of the fixtures bonded for under BND2011-00034.</p>
<p>16. All new utility installation serving the subdivision within plat or along frontage shall be underground.</p>	<p>All new utility installation serving the subdivision have been placed be underground.</p>
<p>17. All utilities within proposed rights of way must be included within a franchise agreement approved by the City Council prior to Final Plat recording.</p>	<p>All utility purveyors are included within a franchise agreement with the City.</p>

Exhibit 3

Condition:	Response:
18. Street trees shall be provided per City of Sammamish Interim PWS.15.520.	This condition was satisfied by approval of the engineering plans under BLD2007-01098 (Clear and Grade under BLD2007-01098 (Clear and Grade). Final landscaping was bonded for under BND2011-00035.
19. Preserving existing significant trees in the future ROW shall be reviewed during Final Engineering. Realignment of sidewalks and planter strips will be considered. The final engineering plans shall include identification of any coniferous trees over 8-inch DBH and any deciduous trees over 12-inch DBH located in or adjacent to the future ROW.	This condition was satisfied by approval of the engineering plans under BLD2007-01098 (Clear and Grade).
20. The applicant or subsequent owner(s) shall comply with Street Impact Fees in accordance to the City of Sammamish Ordinance No 2006-208.	Impact fees of \$50,626.07 were paid as of 09/13/2011.(30% of \$163,393.56).
21. Public Works and Community Development approval of the applicant's final engineering (issued in the form of a clearing and grading permit) is required prior to initiation of any onsite construction.	This condition was satisfied by approval of the engineering plans under BLD2007-01098 (Clear and Grade).
22. The jurisdictional water and sewer district shall certify the adequacy of the fire hydrant(s), water main(s), and fire flow to meet current codes prior to final plat approval.	Sammamish Plateau Water and Sewer District approved the adequacy of the water mains and hydrants on August 19, 2011.
23. The Fire Marshall shall certify the adequacy of the fire turn-around and location of fire hydrant(s) to meet current codes prior to Clear and Grade Permit issuance.	This condition was satisfied prior to approval of the engineering plans under BLD2007-01098 (Clear and Grade).
24. Prior to Construction permit issuance the applicant shall pay a fee equal to 20% of the applicable street impact fees	This condition was satisfied prior to issuance of the engineering plans under BLD2007-01098 (Clear and Grade).

Exhibit 3

Condition:	Response:
<i>Prior to recording:</i>	
<p>1. Prior to final plat, temporary street name signs and no parking signs (if required on final engineering plans) shall be installed. Permanent street designation and traffic control signs, including poles and hardware, shall be installed following sidewalk installation. These items shall be paid for by the Applicant but shall be designed, furnished, and installed by the City to establish uniformity unless otherwise indicated by the City. Additional signage not shown on final engineering plans may be required based on site conditions as determined by Public Works. A written request must be submitted to the City PW Department when signing is needed and the Applicant will be billed upon completion. Street designation signs shall display street name or number.</p>	<p>Street name and "No Parking" signs have been installed and inspected by the Public Works Construction Inspector.</p>
<p>2. The applicant shall obtain the approval of the Fire Marshal certifying location of the fire hydrant(s), and from the Sammamish Plateau Water and Sewer District the location of the water main(s), and fire flow to meet current codes prior to final plat approval.</p>	<p>Sammamish Plateau Water & Sewer District approved the utility installation on August 19, 2011 for the District and the Fire Marshall.</p>
<p>3. Per SMC 21A.105, fifty percent of the school impact fees for lots 1-13 (the site has two existing residences), plus an administrative fee shall be paid prior to final plat recording.</p>	<p>50% of the school impact fees of \$24,868.00 were paid on 09/13/2011</p>
<p>4. SMC 14A.15.020 requires prior to recording of the final plat that a minimum of 30 % of the street impact fees must be paid prior to recording. However the applicant has the option to pay more. The applicant shall indicate on the face of the plat if any additional fees are owned by the lots in the plat. Also the applicant shall indicate that the Lots 1-13 are subject to any remaining street impact fees.</p>	<p>30 % of the impact fees of \$163,393.56 (\$50,626.07) were paid on 19/13/2011.</p>

Exhibit 3

Condition:	Response:
<i>Conditions to appear on the face of the final plat:</i>	
<p>1. The following note shall be shown on the final recorded plat: "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 Drawing on file with the City of Sammamish." This plan 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. For those lots that are designated for individual lot infiltration systems, the systems shall be designed and constructed as part of the building permit process and shall comply with the approved Construction Drawings on file with the City of Sammamish.</p>	<p>See Plat Note 20 on Sheet 3 of the final plat map.</p>
<p>2. A Homeowners Association shall be created to be responsible for maintenance of all common areas. The covenants and restrictions of said homeowners association shall be filed for record at King County at the time of final plat recording.</p>	<p>The Homeowners' Association, as identified in Plat Note 1 on Sheet 3 of the final plat map, will be incorporated prior to final plat recording. See Section 11.0 of the Final Plat Submittal binder for a copy of the proposed CC&Rs, which will be recorded concurrently with the final plat map. Section 2.1 on page 4 of the CC&Rs mandates that the Homeowners' Association shall be responsible for maintenance of all common areas.</p>
<p>3. Maintenance of landscape strips separating the sidewalk from the roadway, planter islands, and/or planted medians shall be the responsibility of the Homeowners Association. If the maintenance responsibilities are not addressed in the Homeowners Association covenants and restrictions, then the abutting property owner shall be responsible for the maintenance. Under no circumstances shall the City bear any maintenance responsibilities for landscaping strips, planter islands, or planted medians.</p>	<p>See Plat Note 24 on Sheet 3 of the final plat map.</p>
<p>4. The final plat shall show a minimum 10-ft wide public access easement to the existing wood weir on Pine Lake Creek accessible by publicly owned land.</p>	<p>A 15-foot-wide easement has been provided as shown on Sheet 4 of the final plat map in the southeast corner of Tract B. The easement is accessed through a City owner detention facility in Quail Crest (Tracts B and C).</p>

Exhibit 3

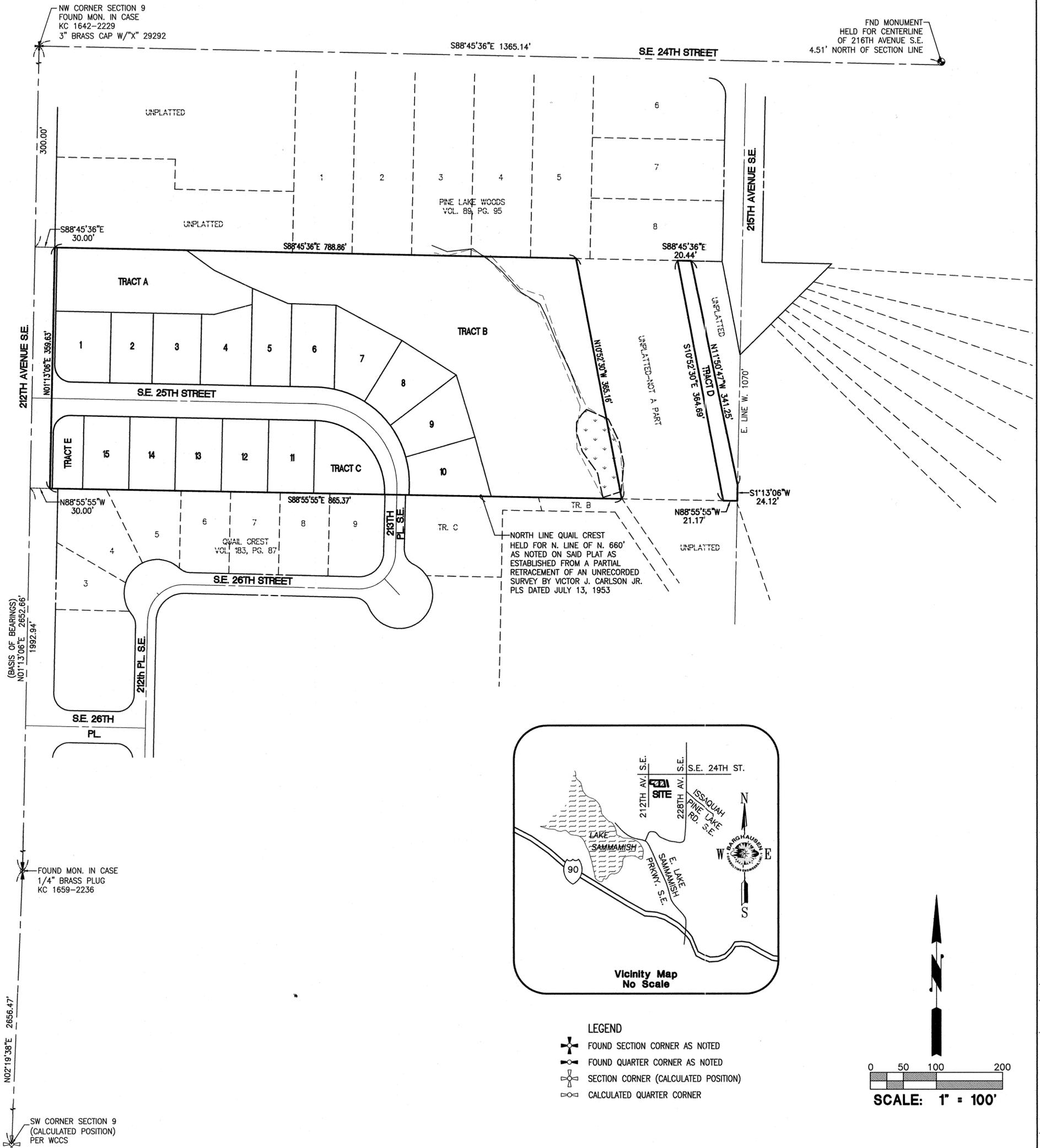
Condition:	Response:
5. Direct driveway access to all lots shall be along "Road A" (future SE 25th Street). Language to this effect shall be shown on the face of the final plat.	See Plat Note 13 on Sheet 3 of the final plat map, which prohibits access by any lot to 212th Avenue S.E.
6. The following note shall be shown on the face of the final recorded plat, "For all lots containing or adjacent to infiltration or dispersion trenches, lots shall be graded such that top of trench is below bottom of foundation."	See Plat Note 25 on Sheet 3 of the final plat map.
7. The following note shall be shown on the final recorded plat, "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.	See Plat Note 21 on Sheet 3 of the final plat map.
8. No lot or portion of a lot shall be subdivided and sold, or resold, or its ownership changed or transferred in violation of applicable city, county, state, or federal standards, rules, regulations or laws;	See Plat Note 14 on Sheet 3 of the final plat map.
9. Maintenance and upkeep of the recreation space contained within Tract A shall be the responsibility of the Home Owners Association;	Tract C is the recreation space. Plat Note 5 on Sheet 3 of the final plat map conveys Tract C to the Homeowners' Association for ownership and maintenance. Tract C is included in the definition of Common Areas on page 2 of the CC&Rs in Section 11 of the Final Plat Submittal binder, and Section 2.1 on page 4 of the CC&Rs mandates that the Homeowners' Association shall be responsible for maintenance of Tract C. The tract name was changed prior to final plat approval.
10. Trees identified on the tree retention plan of the preliminary plat have been retained pursuant to the provisions of SMC 21A.35.210. All trees shall be clearly tagged with numbers corresponding to the tree retention plan on file with the city. 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."	See Plat Note 23 on Sheet 3 of the final plat map.

Exhibit 3

Condition:	Response:
11. 212th Ave SE is classified as a collector arterial. 3.5-ft of dedication shall be shown on the final plat drawing.	The 3.5-foot right-of-way dedication is depicted on Sheet 4 of the final plat map, and dedication language is provided in the DEDICATION on Sheet 2.
12. SMC 14A.15.020 requires that at the time of final plat that a minimum of 30 % of the impact fees must be paid prior to recording. However the applicant has the option to pay more. The applicant shall indicate on the face of the plat if any additional fees are owned by the lots in the plat. Also the applicant shall indicate that the Lots 1-13 are subject to any remaining street impact fees.	See Plat Note 16 on Sheet 3 of the final plat map. 30 % of the impact fees of \$163,393.56 (\$50,626.07) were paid on 19/13/2011.
13. Per 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 Lots 1-13.	See Plat Note 18 on Sheet 3 of the final plat map. Impact fees of \$24,868.00 were paid on 09/13/2011.
14. Per 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.	See Plat Note 19 on Sheet 3 of the final plat map.
15. Lots 1-13 are subject to the park impact fees at the time of building permit issuance.	See Plat Note 17 on Sheet 3 of the final plat map.

PINE CREEK

PORTION OF GOV'T LOT 6, NW1/4 OF THE NW1/4, SECTION 9, T24N-R6E, W.M.
CITY OF SAMMAMISH, KING COUNTY, WASHINGTON



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 PINE CREEK 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 plotting regulations.

DENNIS J. SALTYS, PLS NO. 27528

9/26/11
Date



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

PORTION GOV'T LOT 6
NW1/4 OF NW1/4, SECTION 9, T24N-R6E, W.M.

SHEET 1 OF 5

JOB NO. 12275

PINE CREEK

PORTION OF GOV'T LOT 6, NW1/4 OF THE NW1/4, SECTION 9, T24N-R6E, W.M. CITY OF SAMMAMISH, KING COUNTY, WASHINGTON

LEGAL DESCRIPTIONS

PARCEL A:

THAT PORTION OF THE SOUTH 360 FEET, MEASURED PARALLEL WITH THE WEST LINE, OF THE NORTH 660 FEET, MEASURED PARALLEL WITH THE WEST LINE, OF SAID GOVERNMENT LOT 6, SECTION 9, TOWNSHIP 24 NORTH, RANGE 6 EAST, WILLAMETTE MERIDIAN, IN KING COUNTY, WASHINGTON, LYING WESTERLY OF A LINE DRAWN FROM A POINT 896 FEET EAST OF THE SOUTHWEST CORNER THEREOF, (SAID POINT BEING THE SOUTHWEST CORNER OF THAT CERTAIN TRACT OF LAND CONVEYED TO ILENE D. TANSKA, BY DEED RECORDED UNDER RECORDING NUMBER 4742742), TO A POINT 818.86 FEET EAST OF THE NORTHWEST CORNER THEREOF (SAID POINT BEING THE NORTHWEST CORNER OF SAID TANSKA TRACT), AND LYING EASTERLY OF THE WEST 552.85 FEET, AS MEASURED PARALLEL WITH THE NORTH LINE;

EXCEPT THAT PORTION THEREOF, IF ANY, LYING WITHIN THE PLAT OF QUAIL CREST, ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 183 OF PLATS, PAGES 85 THROUGH 87, IN KING COUNTY, WASHINGTON.

PARCEL B:

THAT PORTION OF GOVERNMENT LOT 6, SECTION 9, TOWNSHIP 24 NORTH, RANGE 6 EAST, WILLAMETTE MERIDIAN, IN KING COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT 300 FEET SOUTH OF THE NORTHWEST CORNER OF GOVERNMENT LOT 6;
THENCE SOUTH, ALONG THE WEST LINE OF SAID LOT, A DISTANCE OF 360 FEET;
THENCE EAST, PARALLEL TO THE NORTH LINE OF SAID LOT A DISTANCE OF 1070 FEET;
THENCE NORTH, PARALLEL TO THE WEST LINE OF SAID LOT, A DISTANCE OF 360 FEET;
THENCE WEST, PARALLEL TO THE NORTH LINE OF SAID LOT, A DISTANCE OF 1070 FEET TO THE POINT OF BEGINNING;

EXCEPT THAT PORTION THEREOF LYING WITHIN THE RIGHT OF WAY OF 212TH AVENUE SOUTHEAST;

ALSO EXCEPT THAT PORTION THEREOF LYING EAST OF THE WEST LINE OF THE TRACT CONVEYED TO ORLIE J. SALTARELLI BY DEED RECORDED UNDER RECORDING NUMBER 4288702, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 9;
THENCE EAST ALONG THE SECTION LINE A DISTANCE OF 992.86 FEET;
THENCE SOUTH PARALLEL TO THE WEST LINE OF SAID SECTION A DISTANCE OF 300 FEET TO THE TRUE POINT OF BEGINNING;
THENCE EAST PARALLEL TO SAID NORTH SECTION LINE A DISTANCE OF 60 FEET;
THENCE SOUTHERLY TO A POINT 1070.00 FEET EAST AND 440.00 FEET SOUTH, AS MEASURED ALONG AND PARALLEL TO SAID SECTION LINES;
THENCE SOUTH 19°00'00" EAST A DISTANCE OF 327.00 FEET TO THE SHORE ON PINE LAKE;
THENCE SOUTH 75°30'00" WEST A DISTANCE OF 67 FEET 7 INCHES, FOLLOWING SAID SHORE;
THENCE NORTH 19°30'00" WEST A DISTANCE OF 125 FEET 5 INCHES;
THENCE NORTHWESTERLY TO THE TRUE POINT OF BEGINNING;

ALSO EXCEPT THAT PORTION THEREOF CONVEYED TO ILENE D. TANSKA, BY DEED RECORDED UNDER RECORDING NUMBER 4742742, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID GOVERNMENT LOT 6;
THENCE EAST ALONG THE NORTH LINE THEREOF A DISTANCE OF 972.42 FEET;
THENCE SOUTHERLY AND PARALLEL WITH THE WEST LINE OF SAID GOVERNMENT LOT A DISTANCE OF 300.00 FEET TO THE TRUE POINT OF BEGINNING;
THENCE WEST A DISTANCE OF 153.56 FEET;
THENCE SOUTH 11°55'53" EAST A DISTANCE OF 367.95 FEET, MORE OR LESS, TO A POINT 660.00 FEET SOUTH OF THE NORTH LINE OF SAID GOVERNMENT LOT AS MEASURED PARALLEL WITH THE WEST LINE THEREOF;
THENCE EAST A DISTANCE OF 153.56 FEET, MORE OR LESS, TO A POINT 1049.56 FEET EAST OF THE WEST LINE OF SAID GOVERNMENT LOT;
THENCE NORTHWESTERLY A DISTANCE OF 367.95 FEET, MORE OR LESS, TO THE TRUE POINT OF BEGINNING;

ALSO EXCEPT THE SOUTH 135.00 FEET, MEASURED PARALLEL WITH THE WEST LINE, OF THE WEST 290.00 FEET, MEASURED PARALLEL WITH THE NORTH LINE, OF THE SOUTH 360.00 FEET, MEASURED PARALLEL WITH THE WEST LINE, OF THE NORTH 660.00 FEET, MEASURED PARALLEL WITH THE WEST LINE, OF GOVERNMENT LOT 6, EXCEPT THE WEST 30 FEET THEREOF FOR COUNTY ROAD, AS CONVEYED TO ROBERT J. TANSKA AND SUSAN L. TANSKA, BY QUIT CLAIM DEED RECORDED UNDER RECORDING NUMBER 6437953;

ALSO EXCEPT THAT PORTION THEREOF CONVEYED TO LINDA T. TRESTI, BY QUIT CLAIM DEED RECORDED UNDER RECORDING NUMBER 8805130925, DESCRIBED AS FOLLOWS:

THAT PORTION OF THE SOUTH 360 FEET, MEASURED PARALLEL WITH THE WEST LINE, OF THE NORTH 660 FEET, MEASURED PARALLEL WITH THE WEST LINE, OF SAID GOVERNMENT LOT 6, LYING WESTERLY OF A LINE DRAWN FROM A POINT 896 FEET EAST OF THE SOUTHWEST CORNER THEREOF, (SAID POINT BEING THE SOUTHWEST CORNER OF THAT CERTAIN TRACT OF LAND CONVEYED TO ILENE D. TANSKA, BY DEED RECORDED UNDER RECORDING NUMBER 4742742), TO A POINT 818.86 FEET EAST OF THE NORTHWEST CORNER THEREOF (SAID POINT BEING THE NORTHWEST CORNER OF SAID TANSKA TRACT), AND LYING EASTERLY OF THE WEST 552.85 FEET, AS MEASURED PARALLEL WITH THE NORTH LINE;

TOGETHER WITH AN EASEMENT FOR ROAD AND UTILITIES AS ESTABLISHED BY RESERVATION IN QUIT CLAIM DEED RECORDED UNDER RECORDING NUMBER 6437953;

EXCEPT THAT PORTION THEREOF, IF ANY, LYING WITHIN THE PLAT OF QUAIL CREST, ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 183 OF PLATS, PAGES 85 THROUGH 87, IN KING COUNTY, WASHINGTON.

PARCEL C

THE SOUTH 135.00 FEET OF THE WEST 290.00 FEET OF THE SOUTH 360.00 FEET OF THE NORTH 660.00 FEET OF GOVERNMENT LOT 6, SECTION 9, TOWNSHIP 24 NORTH, RANGE 6 EAST, WILLAMETTE MERIDIAN, IN KING COUNTY, WASHINGTON;

EXCEPT THE WESTERLY 30 FEET THEREOF LYING WITHIN THE RIGHT OF WAY OF 212TH AVENUE SOUTHEAST.

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:

Sch
LAUREL HILL PARTNERS, LLC,
A WASHINGTON LIMITED LIABILITY COMPANY
BY: *Madeleine Ames Fine*
ITS: *Meredith*
BY: *George Reece*
ITS: *President*

Karen McGriff
WASHINGTON FEDERAL SAVINGS
A UNITED STATES CORPORATION
BY: *KAREN MCGRIFF*
ITS: *Vice-President*

KING COUNTY DEPARTMENT OF ASSESSMENTS

EXAMINED AND APPROVED THIS _____ DAY OF _____, 2011.

KING COUNTY ASSESSOR _____ DEPUTY KING COUNTY ASSESSOR _____

ACCOUNT NUMBERS 092406-9037, 092406-9117 & 092406-9174

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 _____, 2011.

FINANCE DIVISION

MANAGER, FINANCE DIVISION _____ DEPUTY _____

CITY OF SAMMAMISH APPROVALS

EXAMINED AND APPROVED THIS _____ DAY OF _____, 2011.

DIRECTOR OF COMMUNITY DEVELOPMENT, CITY OF SAMMAMISH

EXAMINED AND APPROVED THIS _____ DAY OF _____, 2011.

CITY ENGINEER, CITY OF SAMMAMISH

APPROVED PER SMC 19A.16 FOR RECORDING BY THE CITY COUNCIL THIS _____ DAY OF _____, 2011.

MAYOR, CITY OF SAMMAMISH

ACKNOWLEDGMENTS

STATE OF WASHINGTON

SS.

COUNTY OF KING

I CERTIFY THAT I KNOW OR HAVE SATISFACTORY EVIDENCE THAT George Reece IS THE PERSON WHO APPEARED BEFORE ME, AND SAID PERSON ACKNOWLEDGED THAT (S)HE SIGNED THIS INSTRUMENT, ON OATH STATED (S)HE WAS AUTHORIZED TO EXECUTE THE INSTRUMENT AND ACKNOWLEDGED IT AS THE President of Manager OF LAUREL HILL PARTNERS, LLC, A WASHINGTON LIMITED LIABILITY COMPANY, TO BE THE FREE AND VOLUNTARY ACT OF SUCH PARTY FOR THE USES AND PURPOSES MENTIONED IN THE INSTRUMENT.

DATED THIS 26th DAY OF September, 2011.

K. Burns
NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON

RESIDING AT Redmond

PRINTED NAME Keri Ann Burns

COMMISSION EXPIRES 5/26/12



STATE OF WASHINGTON

SS.

COUNTY OF KING

I CERTIFY THAT I KNOW OR HAVE SATISFACTORY EVIDENCE THAT Karen McGriff IS THE PERSON WHO APPEARED BEFORE ME, AND SAID PERSON ACKNOWLEDGED THAT (S)HE SIGNED THIS INSTRUMENT, ON OATH STATED (S)HE WAS AUTHORIZED TO EXECUTE THE INSTRUMENT AND ACKNOWLEDGED IT AS THE _____ OF WASHINGTON FEDERAL SAVINGS, A UNITED STATES CORPORATION, TO BE THE FREE AND VOLUNTARY ACT OF SUCH PARTY FOR THE USES AND PURPOSES MENTIONED IN THE INSTRUMENT.

DATED THIS 27th DAY OF September, 2011.

K. Burns
NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON

RESIDING AT Redmond

PRINTED NAME Keri Ann Burns

COMMISSION EXPIRES 5/26/12



SURVEYOR'S NOTES

PROCEDURE / NARRATIVE

A FIELD TRAVERSE USING A "LEICA TCR 703" TOTAL STATION, AND "TRIMBLE" DATA COLLECTOR SUPPLEMENTED WITH FIELD NOTES WAS PERFORMED, ESTABLISHING THE ANGULAR, DISTANCE, AND VERTICAL RELATIONSHIPS BETWEEN THE MONUMENTS, PROPERTY LINES, AND TOPOGRAPHIC FEATURES AS SHOWN HEREON. A "LIETZ B-2A" AUTOMATIC LEVEL WAS USED TO CHECK AND ESTABLISH THE ELEVATION OF BENCHMARKS AND CONTROL POINTS. THE RESULTING DATA MEETS OR EXCEEDS THE STANDARDS FOR LAND BOUNDARY SURVEYS AS SET FORTH IN WAC 332-130-090.

BASIS OF BEARING NAD83/91 (PER KING COUNTY)

THE BASIS OF BEARINGS IS THE WEST LINE OF THE NORTHWEST QUARTER OF SECTION 9, TOWNSHIP 24 NORTH, RANGE 6 EAST, WM, (BEING KING COUNTY CONTROL POINTS 642 AND 1659) TAKEN AS NORTH 01°13'06" EAST, BASED UPON NORTH AMERICAN DATUM OF 1983 - NAD 83 (91) - WASHINGTON STATE PLANE COORDINATE SYSTEM, NORTH ZONE.



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

PORTION GOV'T LOT 6
NW1/4 OF NW1/4, SECTION 9, T24N-R6E, W.M.

SHEET 2 OF 5

JOB NO. 12275

PINE CREEK

PORTION OF GOV'T LOT 6, NW1/4 OF THE NW1/4, SECTION 9, T24N-R6E, W.M. CITY OF SAMMAMISH, KING COUNTY, WASHINGTON

PLAT NOTES:

- THE ARTICLES OF INCORPORATION FOR THE PINE CREEK HOMEOWNERS' ASSOCIATION ARE ON FILE WITH THE STATE OF WASHINGTON IN OLYMPIA.
- THIS PLAT IS SUBJECT TO COVENANTS, CONDITIONS AND RESTRICTIONS (CC&R'S) AS RECORDED UNDER RECORDING NO. _____.
- TRACT "A" IS A STORM DRAINAGE FACILITIES TRACT AND IS HEREBY CONVEYED TO THE CITY OF SAMMAMISH FOR OWNERSHIP AND MAINTENANCE PURPOSES.
- TRACT "B" IS A SENSITIVE AREA TRACT AND IS HEREBY CONVEYED TO THE HOMEOWNERS' ASSOCIATION IN NOTE 1, ABOVE, FOR OWNERSHIP AND MAINTENANCE PURPOSES.
- TRACT "C" IS A RECREATION TRACT AND IS HEREBY CONVEYED TO THE HOMEOWNERS' ASSOCIATION FOR OWNERSHIP AND MAINTENANCE PURPOSES. MAINTENANCE AND UPKEEP OF THE RECREATION SPACE CONTAINED WITHIN TRACT "C" SHALL BE THE RESPONSIBILITY OF THE HOMEOWNERS' ASSOCIATION IDENTIFIED IN NOTE 1, ABOVE.
- TRACT "D" IS AN OPEN SPACE TRACT AND IS HEREBY CONVEYED TO THE HOMEOWNERS' ASSOCIATION FOR OWNERSHIP AND MAINTENANCE PURPOSES.
- TRACT "E" IS AN OPEN SPACE AND TREE RETENTION TRACT AND IS HEREBY CONVEYED TO THE HOMEOWNERS' ASSOCIATION FOR OWNERSHIP AND MAINTENANCE PURPOSES.
- ALL STORM DRAINAGE EASEMENTS (SDE) ARE HEREBY CONVEYED TO THE CITY OF SAMMAMISH FOR THE OWNERSHIP AND MAINTENANCE OF THE STORM DRAINAGE FACILITIES LYING WITHIN THE EASEMENT.
- 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.
- ALL WATERLINE EASEMENTS (WLE) ARE HEREBY CONVEYED TO SAMMAMISH PLATEAU WATER AND SEWER DISTRICT FOR THE PURPOSE OF SERVING THIS SUBDIVISION AND OTHER PROPERTY WITH WATER SERVICE. (SEE "WATER AND SEWER EASEMENT PROVISIONS", AT RIGHT)
- ALL 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 SANITARY SEWER SERVICE. (SEE "WATER AND SEWER EASEMENT PROVISIONS", AT RIGHT)
- HOUSE ADDRESSES WITHIN THIS PLAT SHALL BE ASSIGNED WITHIN THE RANGE OF 21200 TO 21298 ON SE 25TH STREET AND WITHIN THE RANGE OF 2602 TO 2606 ON 213TH PLACE SE. INDIVIDUAL ADDRESSES WILL BE ASSIGNED FOR EACH BUILDING AT THE TIME OF BUILDING PERMIT.
- NO DIRECT ACCESS TO ANY LOTS WITHIN THE PLAT SHALL BE ALLOWED FROM 212TH AVENUE S.E.
- NO LOT OR PORTION OF A LOT SHALL BE SUBDIVIDED AND SOLD, OR RESOLD, OR ITS OWNERSHIP CHANGED OR TRANSFERRED IN VIOLATION OF APPLICABLE CITY, COUNTY, STATE OR FEDERAL STANDARDS, RULES, REGULATIONS OR LAWS.
- THE ROAD AND STORM DRAINAGE SYSTEMS SHALL BE CONSTRUCTED ACCORDING TO THE APPROVED PLAN AND PROFILE, ON FILE WITH THE CITY OF SAMMAMISH. ANY DEVIATION FROM THE APPROVED PLANS WILL REQUIRE WRITTEN APPROVAL FROM THE CITY OF SAMMAMISH, OR ITS SUCCESSOR AGENCY.
- LOTS 1-13 ARE SUBJECT TO STREET IMPACT FEES, CONSISTENT WITH SMC 14A.15.020, WHICH REQUIRES THAT AT THE TIME OF FINAL PLAT A MINIMUM OF 30% OF STREET IMPACT FEES MUST BE PAID PRIOR TO RECORDING.
- LOTS 1-13 ARE SUBJECT TO PARK IMPACT FEES, CONSISTENT WITH SMC 14A.20, WHICH SHALL BE PAID AT THE TIME OF BUILDING PERMIT ISSUANCE, TOGETHER WITH AN ADMINISTRATIVE FEE.
- LOTS 1-13 ARE SUBJECT TO SCHOOL IMPACT FEES FOR LAKE WASHINGTON SCHOOL DISTRICT, CONSISTENT WITH SMC 21A.105. AT THE TIME OF BUILDING PERMIT, THE APPLICANT SHALL PAY ONE HALF OF THE REQUIRED SCHOOL IMPACT FEE, TOGETHER WITH AN ADMINISTRATIVE FEE.
- PER 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.
- 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 ON FILE WITH THE CITY OF SAMMAMISH. THIS PLAN SHALL BE SUBMITTED WITH THE APPLICATION OF ANY BUILDING PERMIT. ALL CONNECTIONS OF THE DRAINS SHALL BE CONSTRUCTED AND APPROVED PRIOR TO FINAL BUILDING INSPECTION APPROVAL. FOR THOSE LOTS THAT ARE DESIGNATED FOR INDIVIDUAL LOT INFILTRATION SYSTEMS, THE SYSTEMS SHALL BE DESIGNED AND CONSTRUCTED AS PART OF THE BUILDING PERMIT PROCESS AND SHALL COMPLY WITH THE APPROVED CONSTRUCTION DRAWINGS ON FILE WITH THE CITY OF SAMMAMISH.
- 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.
- LIGHTING WITHIN THE INTERNAL PLAT ROAD SHALL BE MAINTAINED BY THE PINE CREEK HOMEOWNERS' ASSOCIATION OR EQUALLY AMONG INDIVIDUAL PROPERTY OWNERS IF THE HOMEOWNERS' ASSOCIATION DISSOLVES. LIGHTING ON 212TH AVENUE SE SHALL BE OWNED AND MAINTAINED BY THE CITY OF SAMMAMISH.
- TREES IDENTIFIED ON THE FACE OF THIS PLAT HAVE BEEN RETAINED PURSUANT TO THE PROVISIONS OF SMC 21A.35.210 AND ARE SUBJECT TO TREE PROTECTION STANDARDS SET FORTH IN 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.
- FOR IMPROVEMENTS ON 212TH AVENUE SE AND ON ALL INTERNAL PLAT ROADS, MAINTENANCE OF LANDSCAPE STRIPS SEPARATING THE SIDEWALK FROM THE ROADWAY, PLANTER ISLANDS, AND/OR PLANTED MEDIANS SHALL BE THE RESPONSIBILITY OF THE HOMEOWNERS' ASSOCIATION. IF THE MAINTENANCE RESPONSIBILITIES ARE NOT ADDRESSED IN THE HOMEOWNERS' ASSOCIATION COVENANTS AND RESTRICTIONS, THEN THE ABUTTING PROPERTY OWNER SHALL BE RESPONSIBLE FOR THE MAINTENANCE. UNDER NO CIRCUMSTANCES SHALL THE CITY BEAR ANY MAINTENANCE RESPONSIBILITIES FOR LANDSCAPING STRIPS, PLANTER ISLANDS, OR PLANTED MEDIANS.
- FOR ALL LOTS CONTAINING OR ADJACENT TO INFILTRATION OR DISPERSION TRENCHES, LOTS SHALL BE GRADED SUCH THAT TOP OF TRENCH IS BELOW BOTTOM OF FOUNDATION.
- SETBACKS-PROJECTIONS AND STRUCTURES ALLOWED (PER SMC 21A.25.190).** THE CITY HAS APPROVED AN ADMINISTRATIVE ADJUSTMENT OF INTERIOR SETBACKS FOR THE PLAT OF PINE CREEK. LOTS CONTAINED WITHIN THE PINE CREEK SUBDIVISION SHALL BE VESTED TO AND SUBJECT TO THE INTERIOR SETBACK REQUIREMENTS OF SMC 21A.25 IN EFFECT ON THE DATE OF RECORDING FOR SEVEN YEARS FROM THE DATE OF RECORDING, CONSISTENT WITH THE PROVISIONS OF RCW 58.17.170.
- ALL LOTS SHALL BE SUBJECT TO AN EASEMENT 2.5 FEET IN WIDTH, PARALLEL WITH AND ADJACENT TO ALL INTERIOR LOT LINES AND 5 FEET ALONG THE REAR LOT LINES, FOR THE PURPOSE OF PRIVATE DRAINAGE. IN THE EVENT LOT LINES ARE ADJUSTED AFTER THE RECORDING OF THIS PLAT, THE EASEMENTS SHALL MOVE WITH THE ADJUSTED LOT LINES. MAINTENANCE OF ALL PRIVATE DRAINAGE EASEMENTS ON THIS PLAT SHALL BE THE RESPONSIBILITY OF ALL LOTS DERIVING BENEFIT FROM SAID EASEMENT. NO STRUCTURE OTHER THAN FENCES SHALL BE CONSTRUCTED WITHIN THESE EASEMENTS.
- MAINTENANCE OF LANDSCAPING ON ALL STORMWATER FACILITIES, INCLUDING THE 10-FT OF TYPE 1 LANDSCAPING ADJACENT TO 212TH AVENUE SE AND EXCEPT FOR GRASS WITHIN THE INTERIOR POND EMBANKMENT, SHALL BE THE RESPONSIBILITY OF THE HOMEOWNERS' ASSOCIATION.

CITY OF SAMMAMISH PRIVATE DRAINAGE EASEMENT AND COVENANT

THE OWNERS OF PRIVATE PROPERTY WITHIN THIS PLAT ENCUMBERED 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.

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- FEET OF ALL LOTS AND TRACTS, PARALLEL WITH AND ADJOINING THE PROPOSED STREET FRONTAGE

EASEMENT FOR WATER & SEWER LINES ON THE WEST 10- FEET OF LOT 1 AND TRACTS "A" AND "E", ABUTTING 212TH AVENUE S.E.

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. NO STRUCTURES SHALL BE CONSTRUCTED WITHIN THESE EASEMENTS. THE GRANTOR COVENANTS THAT NO STRUCTURES WITHIN THESE EASEMENTS, INCLUDING FENCES OR ROCKERIES, SHALL BE ERECTED OVER, UPON OR WITHIN, 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.

TITLE EXCEPTIONS

A PLAT CERTIFICATE PROVIDED BY CHICAGO TITLE INSURANCE COMPANY, THEIR ORDER NO. 1323927 AND DATED JUNE 6, 2011, AND ALL SUPPLEMENTALS THEREOF, WERE RELIED UPON FOR RECORD INFORMATION AFFECTING THIS SURVEY. ACCORDING TO THESE DOCUMENT, THIS SITE IS SUBJECT TO THE FOLLOWING SPECIAL EXCEPTIONS:

- EASEMENT AND THE TERMS AND CONDITIONS THEREOF FOR INGRESS AND EGRESS, RECORDING NO. 4742742. (SHOWN)
- ELIMINATED FROM TITLE.
- EASEMENT AND THE TERMS AND CONDITIONS THEREOF FOR DRAINAGE PIPE, RECORDING NO. 8712150487. THIS DOCUMENT IS SUPERCEDED BY RECORDING NO. 9007230961.
- EASEMENT AND THE TERMS AND CONDITIONS THEREOF FOR DRAINAGE PIPE, RECORDING NO. 9007230961. (SHOWN)
- EASEMENT AND THE TERMS AND CONDITIONS THEREOF FOR GAS PIPELINES, RECORDING NO. 9512011112. (20' "AS CONSTRUCTED" OVER EASTERLY PORTION OF PARCEL B)
- EXCEPTIONS AND RESERVATIONS CONTAINED IN DEED REGARDING MINERAL RIGHTS, RECORDING NO. 352972.
- EXCEPTIONS AND RESERVATIONS CONTAINED IN DEED REGARDING COAL AND MINERALS, RECORDING NO. 2982198.
- AGREEMENT AND THE TERMS AND CONDITIONS THEREOF FOR THE RIGHT OF THE STATE OF WASHINGTON TO CONSTRUCT, OPERATE, MAINTAIN, REPAIR AND REPLACE A FISH WEIR AND SCREEN, TOGETHER WITH ALL NECESSARY OR CONVENIENT APPURTENANCES THERETO, RECORDING NO. 8230240452.
- TERMS AND CONDITIONS OF NOTICES OF CHARGES BY WATER, SEWER, AND/OR STORM AND SURFACE WATER UTILITIES, MADE BY SAMMAMISH PLATEAU WATER & SEWER DISTRICT, RECORDING NUMBERS 20040414002865, 20041201000040, AND 20060126001770.
- DEVELOPER EXTENSION AGREEMENT, INCLUDING THE TERMS AND CONDITIONS THEREOF BETWEEN MURRAY FRANKLYN COMPANIES AND SAMMAMISH PLATEAU WATER AND SEWER DISTRICT, RECORDING NO. 2008118001300.
- MATTERS DISCLOSED BY A SURVEY DRAFT OF SAID PREMISES BY BARGHAUSEN CONSULTING ENGINEERS, INC.
- THE FOLLOWING MATTERS DISCLOSED BY TITLE COMPANY INSPECTION ON JANUARY 23, 2007:
 - LOCATION OF 5' WIRE FENCE IN RELATION TO THE NORTH LINE, AND ANY ADVERSE RIGHTS STEMMING THEREFROM.
 - LOCATION OF WOOD FENCES IN RELATION TO SOUTH LINE, AND ANY ADVERSE RIGHTS STEMMING THEREFROM.
 - LOCATION OF 4' WOOD FENCE IN RELATION TO EAST LINE, AND ANY ADVERSE RIGHTS STEMMING THEREFROM.
- 13-17. NOT APPLICABLE TO BE SHOWN ON SURVEY.
- EASEMENT AND THE TERMS AND CONDITIONS THEREOF TO PUGET SOUND ENERGY FOR UTILITY SYSTEMS FOR GAS AND ELECTRICITY, RECORDING NO. 20110818000240, AS FOLLOWS:

EASEMENT NO. 1: ALL STREET AND ROAD RIGHTS-OF-WAY (BOTH PRIVATE AND PUBLIC) AS NOW HEREAFTER DESIGNED, PLATTED, AND/OR CONSTRUCTED WITHIN THE HEREIN DESCRIBED PROPERTY. (WHEN SAID STREETS AND ROADS ARE DEDICATED TO THE PUBLIC, THIS CLAUSE SHALL BECOME NULL AND VOID)

EASEMENT NO. 2: A STRIP OF LAND 10 FEET IN WIDTH ACROSS ALL LOTS, TRACTS AND OPEN SPACES LOCATED WITHIN THE HEREIN DESCRIBED PROPERTY BEING PARALLEL TO AND COINCIDENT WITH THE BOUNDARIES OF ALL PRIVATE AND PUBLIC STREETS AND ROAD RIGHTS-OF-WAY.

- NOT APPLICABLE TO BE SHOWN ON SURVEY.

PUBLIC DRAINAGE EASEMENT RESTRICTIONS

STRUCTURES, FILL, OR OBSTRUCTIONS (INCLUDING BUT NOT LIMITED TO DECKS, PATIOS, OUTBUILDINGS, OR OVERHANGS) SHALL NOT BE PERMITTED BEYOND THE BUILDING SETBACK LINE OF THE PUBLIC DRAINAGE EASEMENTS. ADDITIONALLY, GRADING AND CONSTRUCTION OF FENCING SHALL NOT BE ALLOWED WITHIN THE PUBLIC DRAINAGE EASEMENTS SHOWN ON THIS PLAT MAP UNLESS OTHERWISE APPROVED BY THE CITY OF SAMMAMISH OR ITS SUCCESSOR AGENCY.

CITY OF SAMMAMISH DRAINAGE EASEMENT AND COVENANT

ALL DRAINAGE EASEMENTS WITHIN THIS PLAT, NOT SHOWN AS "PRIVATE", ARE HEREBY GRANTED AND CONVEYED TO THE CITY OF SAMMAMISH, ITS SUCCESSORS OR ASSIGNS, FOR THE PURPOSE OF CONVEYING, STORING, MANAGING AND FACILITATING 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 INSPECTING, OPERATING, MAINTAINING, REPAIRING AND IMPROVING THE DRAINAGE FACILITIES CONTAINED THEREIN. NOTE THAT EXCEPT FOR THE FACILITIES WHICH HAVE BEEN FORMALLY ACCEPTED FOR MAINTENANCE BY THE CITY OF SAMMAMISH, MAINTENANCE OF DRAINAGE FACILITIES ON PRIVATE PROPERTY IS THE RESPONSIBILITY OF THE PROPERTY OWNER. THE OWNERS OF SAID PRIVATE PROPERTY ARE REQUIRED TO OBTAIN PRIOR WRITTEN APPROVAL FROM THE CITY OF SAMMAMISH, ITS SUCCESSORS OR ASSIGNS, AND ANY REQUIRED PERMITS FROM THE CITY OF SAMMAMISH, ITS SUCCESSORS OR ASSIGNS, SUCH AS CLEARING AND GRADING, 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 EASEMENT IS INTENDED TO FACILITATE REASONABLE ACCESS TO THE DRAINAGE FACILITIES. THIS EASEMENT AND COVENANT SHALL RUN WITH THE LAND AND IS BINDING UPON THE OWNERS OF SAID PRIVATE PROPERTY, THEIR HEIRS, SUCCESSORS AND ASSIGNS.

JOB NO. 12275



Barghausen Consulting Engineers, Inc.

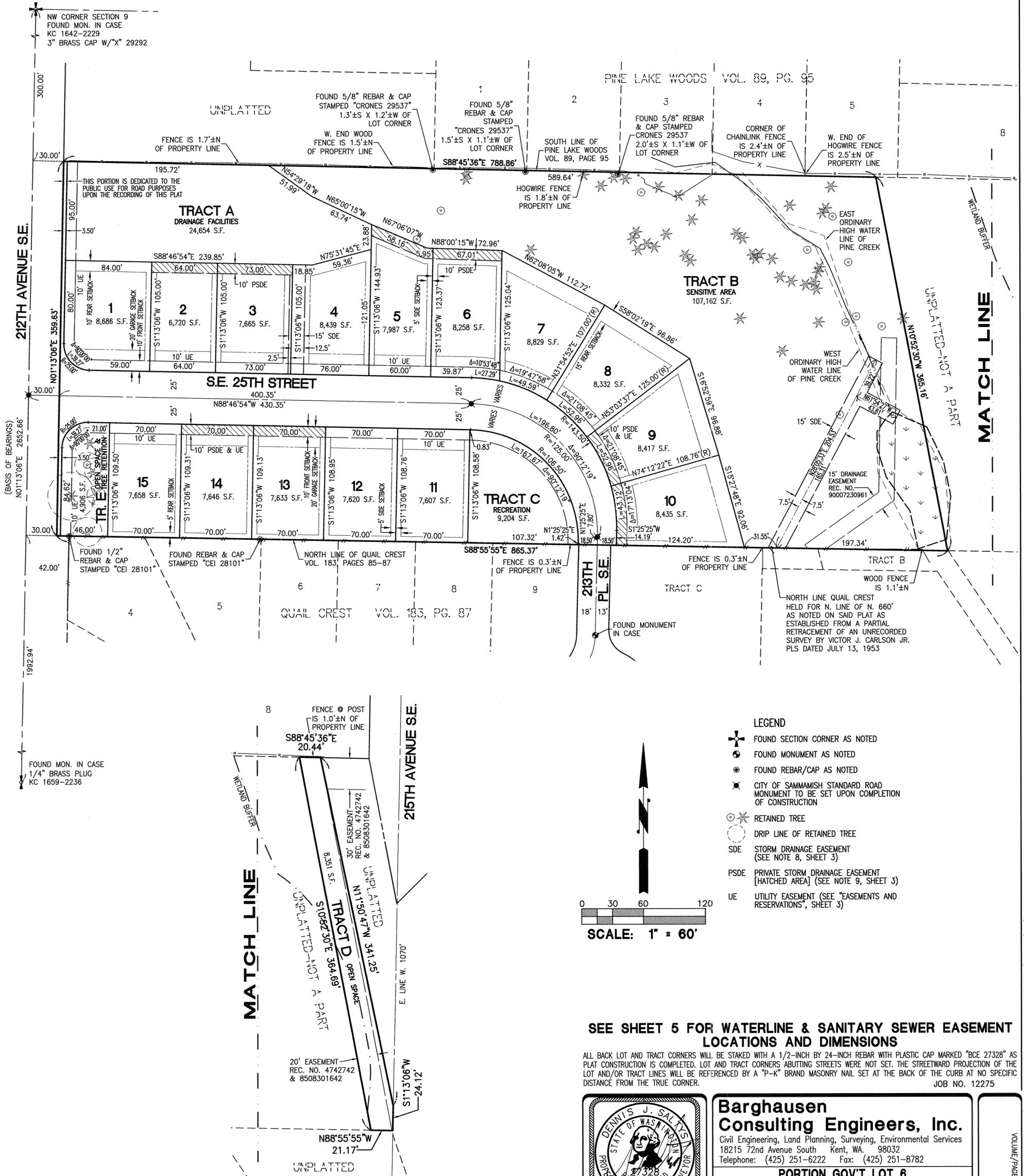
Civil Engineering, Land Planning, Surveying, Environmental Services
18215 72nd Avenue South Kent, WA. 98032
Telephone: (425) 251-6222 Fax: (425) 251-8782

PORTION GOV'T LOT 6
NW1/4 OF NW1/4, SECTION 9, T24N-R6E, W.M.
SHEET 3 OF 5

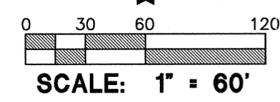
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PINE CREEK

PORTION OF GOV'T LOT 6, NW1/4 OF THE NW1/4, SECTION 9, T24N-R6E, W.M.
CITY OF SAMMAMISH, KING COUNTY, WASHINGTON



- LEGEND**
- ⊕ FOUND SECTION CORNER AS NOTED
 - ⊙ FOUND MONUMENT AS NOTED
 - ⊙ FOUND REBAR/CAP AS NOTED
 - ⊙ CITY OF SAMMAMISH STANDARD ROAD MONUMENT TO BE SET UPON COMPLETION OF CONSTRUCTION
 - ⊙ RETAINED TREE
 - DRIP LINE OF RETAINED TREE
 - SDE STORM DRAINAGE EASEMENT (SEE NOTE 8, SHEET 3)
 - PSDE PRIVATE STORM DRAINAGE EASEMENT [HATCHED AREA] (SEE NOTE 9, SHEET 3)
 - UE UTILITY EASEMENT (SEE "EASEMENTS AND RESERVATIONS", SHEET 3)



SEE SHEET 5 FOR WATERLINE & SANITARY SEWER EASEMENT LOCATIONS AND DIMENSIONS

ALL BACK LOT AND TRACT CORNERS WILL BE STAKED WITH A 1/2-INCH BY 24-INCH REBAR WITH PLASTIC CAP MARKED "BCE 27328" AS PLAT CONSTRUCTION IS COMPLETED. LOT AND TRACT CORNERS ABUTTING STREETS WERE NOT SET. THE STREETWARD PROJECTION OF THE LOT AND/OR TRACT LINES WILL BE REFERENCED BY A "P-K" BRAND MASONRY NAIL SET AT THE BACK OF THE CURB AT NO SPECIFIC DISTANCE FROM THE TRUE CORNER.

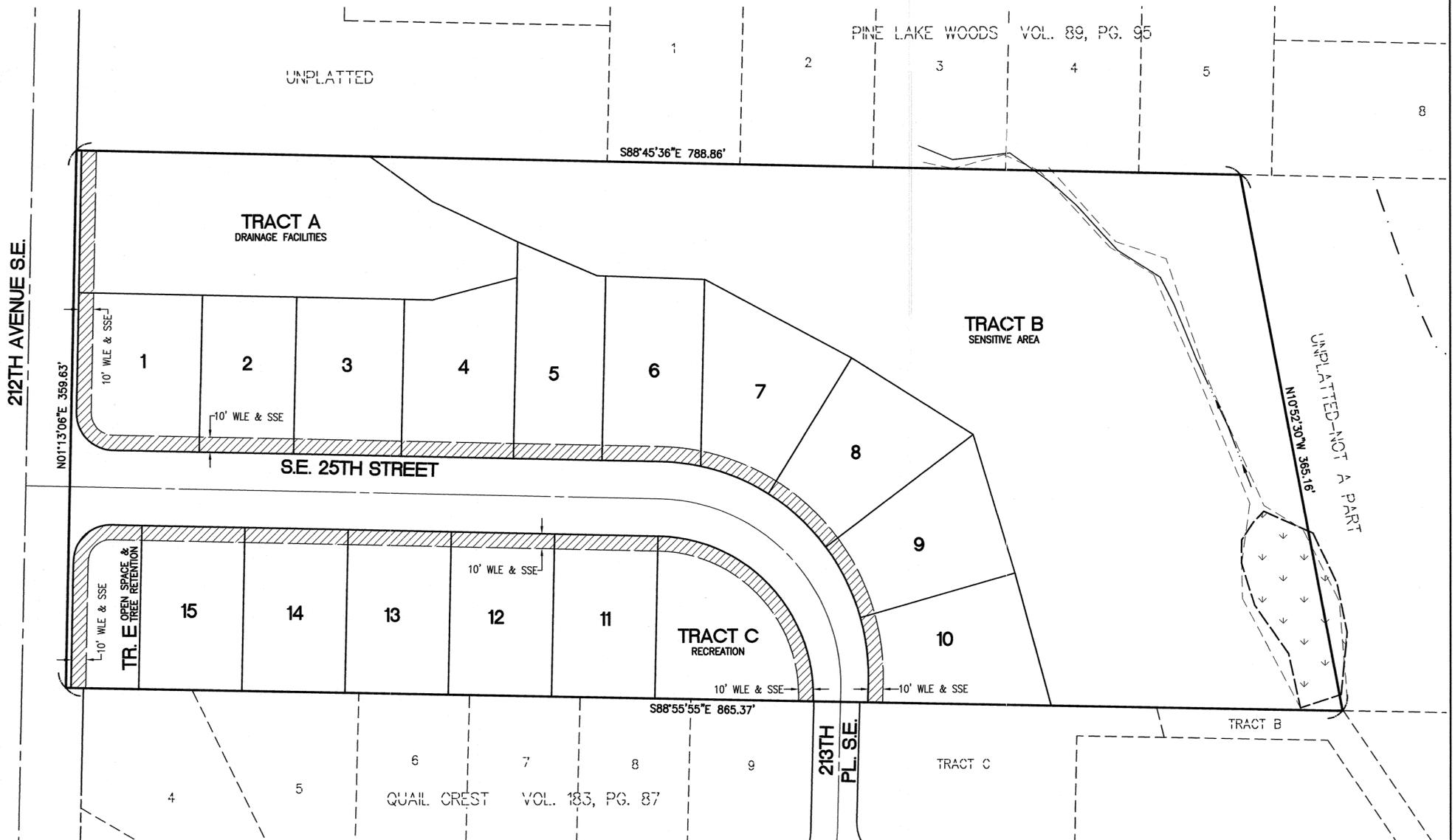


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**PORTION GOV'T LOT 6
NW1/4 OF NW1/4, SECTION 9, T24N-R6E, W.M.
SHEET 4 OF 5**

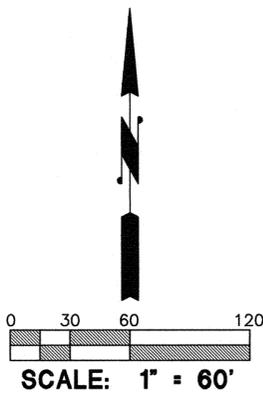
PINE CREEK

PORTION OF GOV'T LOT 6, NW1/4 OF THE NW1/4, SECTION 9, T24N-R6E, W.M.
CITY OF SAMMAMISH, KING COUNTY, WASHINGTON



LEGEND

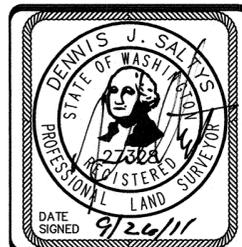
- ✱ CITY OF SAMMAMISH STANDARD ROAD MONUMENT TO BE SET UPON COMPLETION OF CONSTRUCTION
- WLE WATERLINE EASEMENT (SEE NOTE 10, SHEET 3)
- SSE SANITARY SEWER EASEMENT (SEE NOTE 11, SHEET 3)



WATERLINE & SANITARY SEWER EASEMENT LOCATIONS AND DIMENSIONS

ALL BACK LOT AND TRACT CORNERS WILL BE STAKED WITH A 1/2-INCH BY 24-INCH REBAR WITH PLASTIC CAP MARKED "BCE 27328" AS PLAT CONSTRUCTION IS COMPLETED. LOT AND TRACT CORNERS ABUTTING STREETS WERE NOT SET. THE STREETWARD PROJECTION OF THE LOT AND/OR TRACT LINES WILL BE 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. 12275



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PORTION GOV'T LOT 6
NW1/4 OF NW1/4, SECTION 9, T24N-R6E, W.M.
SHEET 5 OF 5

Pine Creek Vicinity Map Exhibit 5

SE 24TH ST

215TH AVE SE

212TH AVE SE

SE 26TH ST

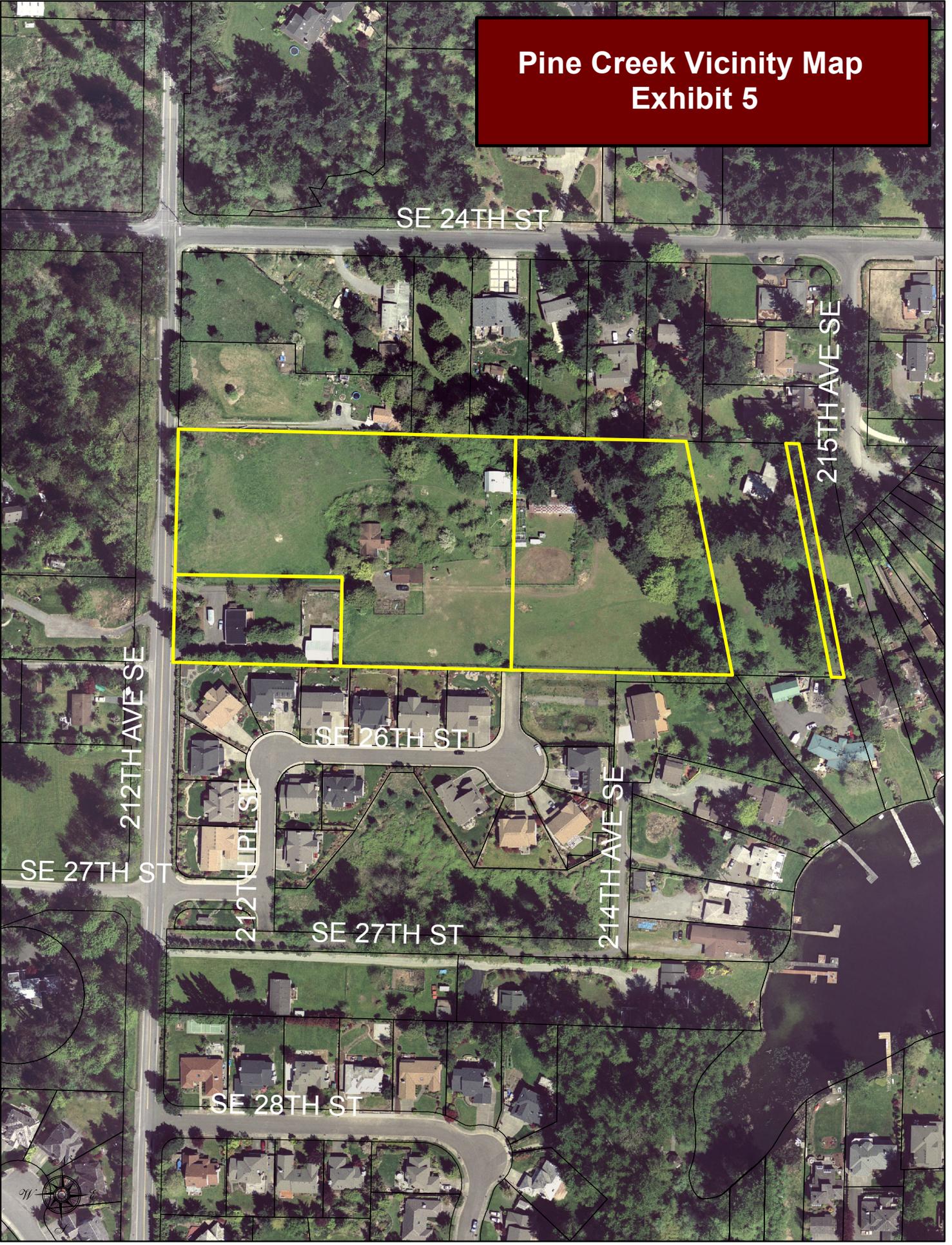
214TH AVE SE

SE 27TH ST

212TH DR SE

SE 27TH ST

SE 28TH ST





STUDY SESSION NOTES

Study Session September 13, 2011

Councilmember Nancy Whitten opened the study session of the Sammamish City Council at 6:30 p.m.

Open Study Session

6:30 pm

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.

No public comment

Topics

➤ **Quarterly Report for the Administrative Services Department**

- Administrative Services
- City Clerk
- Police Department
- Fire Department

Administrative Services Director Mike Sauerwein gave the staff report and presentation (*presentation available on the city's website at www.ci.sammamish.wa.us*)

➤ **Discussion Stormwater Management Plan Annual Report**

Senior Stormwater Program Engineer Eric LaFrance gave the staff report and presentation (*presentation available on the city's website at www.ci.sammamish.wa.us*).

➤ **Review Non-Motorized Transportation Program**

Public Works Director Laura Philpot gave the staff report and presentation (*presentation available on the city's website at www.ci.sammamish.wa.us*)

Adjournment

7:45 pm

COUNCIL  **MINUTES**

**Regular Meeting
September 19, 2011**

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 Tom Odell, Councilmembers Mark Cross (arrived 7:00 pm), John Curley, John James, Michele Petitti and Nancy Whitten.

Staff present: City Manager Ben Yazici, Public Works Director Laura Philpot, Assistant City Manager/Community Development Director Kamuron Gurol, Parks & Recreation Director Jessi Richardson, Administrative Services Director Mike Sauerwein, City Attorney Kari Sand, and City Clerk Melonie Anderson.

Roll Call/Pledge of Allegiance

Roll was called. Councilmember James led the pledge.

Approval of Agenda

MOTION: Councilmember James moved to approve the agenda. Councilmember Petitti seconded. Motion carried unanimously 6-0.

Student Liaison Reports

- Eastlake High School Student Liaison (Felipe Concha):
The school is preparing for the integration of a new freshman class for next year. The football team has won three games in a row.
- Skyline High School Student Liaisons (Kylie Gacek/Eric Thies):
Kylie reported that school is going well, although the football team is not doing well. The students are preparing for the Homecoming Parade in October. The students will be raising money for the Susan G. Koman fund during the football game against Redmond High School.

Presentations/Proclamations

- Presentation: Community Heroes
Greg Barton
Hal Goren

Mayor Don Gerend, Deputy Mayor Tom Odell, Fire Chief Lee Soptich, and EF & R Board President Ron Pedee presented the award to Mr. Barton and Mr. Goren. They were being honored for rescuing their neighbor from a very serious house fire.

- *Proclamation: Eastside Mayors' Month of Concern for the Hungry Food Drive*

Mayor Gerend read the proclamation and encouraged everyone to "Give What They Can" to the food drive. Mary Trask, of the ARAS Foundation explained that volunteers will be at the Safeway, Pine Lake QFC and Klahanie QFC to collect food donations. The drive will continue through October 22. There are drop-off sites at all the Fire Stations in Sammamish, City Hall, Plateau Chiropractic, both Mailpost locations and the TLC Academy. For more information go to <http://www.eastsideforum.org/fooddrive/>

Public Comment

Samuel Rodabough, 1905 216th Avenue SE, He explained that code cities, like Sammamish, have the ability to adopt the powers of initiative and referendum for their residents. If the Council adopted these powers, citizen could present initiatives to the city proposing certain legislation they feel is important as well as allowing voters to repeal legislation that they don't like. He asked the Council to consider adopting these powers (*handed out written comments which are available upon request of the City Clerk*). He feels that the power of initiative and referendum would protect the voters if the Council were to enact legislation they don't approve of.

Sherri Valderrama, NE 18th Place speaking on behalf of her husband Ramiro Valderrama, She also requested the Council adopt the powers of initiative and referendum.

Del Tingwall, 4134 205 Avenue SE, He supported the previous speakers' request. He wondered if this was just an oversight on the part of the Council.

Woody Hertzog, 4115 205th Avenue SE, (He was representing the Issaquah Tea Party) They are here to support the previous request. Their organization is in complete support of adopting the powers of initiative and referendum.

Frank Blau, 24742 SE 28th Place, He supports this proposal but he cautioned Council to adopt some safeguards regarding the writing and signature collection for initiatives and referendums. He feels these safeguards are necessary to protect against special interests groups taking advantage of the powers.

Brad Smith, 2110 236th Avenue NE, He spoke regarding the keeping of roosters in the City of Sammamish. His neighbor has a rooster that begins crowing at 5:00 am and continues throughout the morning. Because there are no prohibitions or regulations for keeping roosters, there is nothing they can do. They have tried to work out this issue with the neighbor but they have been unsuccessful. He requested the city institute a ban against the keeping of roosters.

CJ Kahler, 21911 SE 20th Street, He was reporting back to the Council on the actions of *Sammamish Cares* (www.Sammamishrotary.org) for the last eight months. They have received a \$4,600 grant. With this grant money and the help of volunteers, they have helped four clients so far. He suggested the city consider a reduced cost for permitting of projects for those who are in financial need.

Jesse Bornfreund, 21530 NE 29th Street, He encouraged Council to adopt the powers of initiative and referendum.

Jim Wasnick, He agreed with the previous speakers regarding the adoption of the powers of initiatives and referendums.

Mayor Gerend said the City Manager will schedule the initiative and referendum process at an upcoming study session.

Consent Calendar

1. Approval: Claims for period ending September 19, 2011 in the amount of \$1,877,538.06 for Check No.30169 through No. 30298
2. Memorandum of Understanding 2011: Pavement Management Program/North East Sammamish Sewer and Water District
3. Bid Award: Recreation Center Secondary Access Project/Tiger Construction
4. Approval: Minutes for the September 6, 2011 Regular Meeting

MOTION: Councilmember James moved to approve consent calendar. Deputy Mayor Odell seconded. Motion carried unanimously 6-0.

Unfinished Business

New Business

Contract: Plan Review Services/Beck Consulting
Contract: Temporary Inspection Services/Prothman

Assistant City Manager/Community Development Director Kamuron Gurol gave the staff report. Staff is recommending approval of these two contracts as they help to provide better customer service to developers and builders. Demand for plan review and inspection services has been much higher than anticipated.

MOTION: Councilmember Curley moved to approve the contract for Plan Review Services with Beck Consulting in an amount not to exceed \$80,000. Councilmember Whitten seconded. Motion carried unanimously 7-0.

MOTION: Councilmember Petitti moved to approve a contract temporary building inspection services with Prothman in an amount not to exceed \$65,000. Deputy Mayor Odell seconded. Motion carried unanimously 7-0.

Council Reports

Councilmember James reported that the Economic Development Committee meets quarterly. They have been working on reaching out to landowners, potential tenants and developers for the Town Center. The Committee is in "listening" mode currently.

Councilmember Curley reported that he would like to begin conversations about increasing tree retention requirements in developments. Council expressed consensus that this issue be pursued further.

Councilmember Whitten feels that there should be additional traffic mitigation on the west side of 32nd Street where the barricade was removed.

Councilmember Cross is attending the Growth Management Planning Council where they will be considering amendments to the county wide planning policies. This will involve the issue of schools near or outside the urban growth boundary and the requirement to hook up to sewer lines.

Mayor Gerend said Councilmembers should start to consider if they want to be on a regional committee.

City Manager Report

City Manager Ben Yazici reported that he and Councilmember Cross will be meeting with the superintendent of one of the local school districts to discuss the issue of schools hooking up to water and sewer.

Meeting adjourned at 7:51 pm

Melonie Anderson, City Clerk

Donald J. Gerend, Mayor