CITY OF BURIEN, WASHINGTON

ORDINANCE NO. 525

AN ORDINANCE OF THE CITY OF BURIEN, WASHINGTON, CONCURRING WITH CITY OF BURIEN'S PRELIMINARY APPROVAL AND RECOMMENDATION FOR FINAL APPROVAL, SUBJECT TO CONDITIONS, OF THE SUBDIVISION KNOWN AS DES MOINES ESTATES.

WHEREAS, on August 18, 2003, application was made to the City of Burien for the preliminary approval for a subdivision known as Des Moines Estates; and

WHEREAS, on December 15, 2003, the City of Burien preliminarily approved the Des Moines Estates subdivision subject to conditions; and

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

Section 1: Adoption. The City Council adopts and incorporates herein the findings, recommendations, and conclusions contained in the report of the City of Burien Hearing Examiner as amended by City of Burien Resolution 188, (attached hereto as Exhibit A) dated December 15, 2003, for final approval, subject to conditions, of the Des Moines Estates subdivision.

Section 2: Severability. Should any section, subsection, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 3: Savings. The enactments of this ordinance shall not affect any case, proceeding, appeal or other matter currently pending in any court or in any way modify any right or liability, civil or criminal, which may be in existence on the effective date of this ordinance.

Section 4: Effective Date. This ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication.

ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 26TH DAY OF OCTOBER, 2009, AND SIGNED IN AUTHENTICATION OF ITS PASSAGE THIS 26TH DAY OF OCTOBER, 2009.

CITY OF BURIEN
/s/ Joan McGilton, Mayor

ATTEST/AUTHENTICATED:
/s/ Monica Lusk, City Clerk

Approved as to form:
/s/ Christopher Bacha, Burien City Attorney

Filed with the City Clerk: October 19, 2009
Passed by the City Council: October 26, 2009
Ordinance No. 525
Date of Publication: October 30, 2009

CITY OF BURIEN, WASHINGTON

RESOLUTION NO. 188

A RESOLUTION OF THE CITY OF BURIEN, WASHINGTON, ENTERING FINDINGS OF FACT AND CONCLUSIONS OF LAW REGARDING THE DES MOINES ESTATES SUBDIVISION

WHEREAS, the City of Burien Hearing Examiner conducted an open record public hearing on December 8, 2003 at which testimony from city staff and the applicant was heard regarding the preliminary plat approval of the Des Moines Estates Subdivision; and,

WHEREAS, on December 9, 2003 the Hearing Examiner made a recommendation to the City Council; and,

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

Section 1. The City Council, having considered the Des Moines Estates preliminary plat application and the Hearing Examiner's recommendation, conditionally approves the Des Moines Estates preliminary plat and adopts the Hearing Examiner's findings and conclusions attached as Exhibit "A", as fully incorporated herein as if fully set forth.

PASSED BY THE CITY COUNCIL OF THE CITY OF BURIEN, WASHINGTON, WASHINGTON, AT A REGULAR MEETING THEREOF THIS 15TH DAY OF DECEMBER, 2003.

CITY OF BURIEN, WASHINGTON

_____
Wing Woo, Mayor

ATTEST/AUTHENTICATED:

_____
Jan Roegner, City Clerk

Approved as to form:

_____
Lisa Marshall, City Attorney

Filed with the City Clerk: December 15, 2003
Passed by the City Council: December 15, 2003
Resolution No.: 188

CITY OF BURIEN

HEARING EXAMINER
FINDINGS, CONCLUSIONS AND RECOMMENDATION

FILE NO:	LU 03-0217A
APPLICANT:	Baldev Raj
APPLICATION:	Subdivide a 72,333-square-foot residential lot into 8 lots, ranging in size from 7,200 square feet to 8,805 square feet.
LOCATION:	16223 Des Moines Memorial Drive, Burien, WA (See Exhibit 1, Attachment 1)
PARCEL:	725000-0136
HEARING DATE:	December 8, 2003
DECISION ISSUED:	December 9, 2003
STAFF RECOMMENDATION:	Approve with conditions
HEARING EXAMINER RECOMMENDATION:	Approve with conditions
STAFF REPRESENTATIVES:	Patrick Smith, Planner John Maddock, Development Engineer
APPLICANT:	Mazen Haider, Engineer
PUBLIC COMMENTS:	No one from the general public attended the public hearing.

A tape recording of the hearing is available in the Department of Community Development.

PROJECT SUMMARY:

The applicant is proposing an 8-lot subdivision of 1 lot, which is 72,333 square feet in size (see Exhibit 1, Attachment 3). The site is zoned RS-7,200 Residential Single-Family. All lots would have access via a new public cul-de-sac. The single-family home located on the parcel would be platted as Lot 1. Lots 2-8 would be available for residential development.

The application was submitted on August 18, 2003 and was deemed complete for processing on August 26, 2003. The public comment period ran from September 5, 2003 to October 5, 2003. No comment letters were received.

Notice of the public hearing was given on November 10, 2003. The notice was posted on site, published in the newspaper, and copies were mailed to property owners within 500 feet of the site and parties of record.

FINDINGS OF FACT AND CONCLUSIONS:

1. The findings and conclusions recommended by the Department of Community Development, as set forth on pages 3 to 10 of the Department's Advisory Report (Exhibit 1), accurately set forth the findings and conclusions of the Hearing Examiner, and by this reference, are adopted as the Hearing Examiner's findings and conclusions. A copy of said report is available in the Department of Community Development.

RECOMMENDATION:

Based on the foregoing Findings of Fact and Conclusions, it is recommended that the application be approved subject to the following conditions:

1. This application is subject to the applicable requirements contained in the Burien Municipal Code (including but not limited to the Zoning Code, Building Code and Fire Code), the King County Surface Water Design Manual and the King County Road Standards. It is the responsibility of the applicant to ensure compliance with the various provisions contained in these documents. Exhibit 1, Attachment 2, Development Requirements, is provided to familiarize the applicant with some of the additional requirements that may apply to the project. This attachment does not include all of the additional requirements. When a condition of approval below conflicts with a development requirement in Exhibit 1, Attachment 2, the condition of approval shall be followed (see Exhibit 1, Conclusion II.D.1).

2. Prior to recording the final plat, the applicant shall:

   a. Apply for and obtain a right-of-way construction permit for work to be completed in the public right-of-way (see Exhibit 1, Conclusion II.D.3).

   b. Submit detailed street and access improvement plans for Public Works Dept. review that includes the design of the new public road. Plans for this work shall be prepared by a Civil Engineer, licensed in the State of Washington (see Exhibit 1, Conclusion II.D.3).

   c. Submit a revised plat map with the following changes:

      i. showing any utility easements, including side sewer and water utility, necessary to provide service to the referenced lots (see Exhibit 1, Conclusion II.D.4).

      ii. adding the plat number: 03-0217 (see Exhibit 1, Conclusion II.E.1).

iii. showing the boundary lines and zoning for adjacent parcels, north and south and east of the property for a distance of at least 100 feet. Show current ownerships of these properties (see Exhibit 1, Conclusion II.E.1).

iv. providing signature lines for all persons having an ownership in the property, City Engineer's approval, county assessor's approval, the City's Director of Community Development's approval and other signatures as required by City ordinance or State law (see Exhibit 1, Conclusion II.E.1).

v. obtaining signatures of all persons having ownership in the property (see Exhibit 1, Conclusion II.E.1).

vi. indicating that houses on Lots 3-8 require sprinkling (see, Exhibit 1, Conclusion II.B.2).

d. Submit a letter from the City of SeaTac outlining the required improvements along Des Moines Memorial Way (see Exhibit 1, Conclusion II.D.3).

e. Pay a fee in lieu of providing 390 square feet of open space on the property for each new lot. The fee shall be 390 x the current assessed value per square foot of the property (see Exhibit 1, Conclusion II.D.6).

f. Install utilities approved by the appropriate District (see Exhibit 1, Conclusion II.D.4).

g. Submit a landscaping plan for the street trees indicating size, species, and location to be approved by the City (see Exhibit 1, Conclusion II.D.7).

h. Submit final storm water plans designed according to the King County Surface Water Design Manual to the Public Works Department for review and approval (see Exhibit 1, Conclusion II.D.5).

i. Install the drainage facilities as approved or provide an approved bond or other security method guaranteeing installation within one year of the date of plat approval (see Exhibit 1, Conclusions II.C.1 and II.D.1).

j. Dedicate the right-of-way for the new public street to the City of Burien in a manner acceptable to the City (see Exhibit 1, Conclusion II.D.3).

k. Install, or provide an approved bond or other security method for, improvements to the new public street as required by the Public Works Department and consistent with Subdivision Code Sections 17.25.010 and 17.30.040 (see Exhibit 1, Conclusion II.D.3).

3. Prior to the issuance of development permits for any development on Lots 2-8, the applicant shall:

a. Submit erosion control plans for City review and approval (see Exhibit 1, Conclusion II.D.5).

b. Submit a significant tree retention plan identifying trees to remain and protective measures for review and approval by the Department of Community Development. (see Exhibit 1, Development Regulations, Attachment 2, and Conclusion II.D.7).

c. Protect all significant trees identified in the tree retention plan at the drip line by a temporary five-foot high chain link or plastic net fence prior to grading of the site. Tree protection measures as outlined in BMC Section 19.25 shall be followed prior to and during construction. (see Exhibit 1, Conclusion II.D.7).

4. A sidewalk, five (5) foot in width, shall be installed on the northerly and westerly perimeter of the proposed access street (BMC17.15.170). The sidewalk shall be located four and one half feet (4½) from the back of the curb, to provide a planter strip for street trees and ground cover.

5. Street trees shall be planted in the planter strip (BMC 19.25.060), and as specified on Dwg. No. 5-009 of the 1993 edition of the King County Road Standards.

6. A utility owned, operated and maintained streetlight shall be installed at the end of the cul de sac access street.

7. Access to Lot 1 shall be only from the tract street and not form Des Moines Memorial Drive S.

8. In lieu of installing the street improvements and streetlight, requested in items 4, 5 and 6, the applicant may post a performance bond (17.25.010) or other approved security in an amount satisfactory to the City, which will guarantee installation within one year of the date of plat approval.

Dated this 9th day of December 2003.

Ron McConnell, FAICP
Hearing Examiner

CITY COUNCIL REVIEW AND DECISION:

The City Council will take final action on this application in accordance with the provisions of BMC 19.65.075.

JUDICIAL REVIEW:

The following is a summary of the deadlines and procedures for judicial review.

BMC 19.65.060 allows the city's final decision to be appealed by filing a land use petition in King County Superior Court. Such petition must be filed within 21 days after issuance of the decision, as provided in RCW 36.70C. Requirements for fully exhausting City administrative appeal opportunities must first be fulfilled.

LAPSE OF APPROVAL:

Under BMC 17.40.040(4), subdivision preliminary approvals shall be valid for 36 months. If any condition is not satisfied and the final plat is not recorded within the 36-month period the preliminary subdivision approval shall be null and void. If all conditions have been satisfied and all required documents have been submitted within the 36-month period, the city may grant a single extension of up to 90 days to obtain additional information or for the processing and recording of final plat documents. Applicants will have a maximum of 30 days to comply with requests for additional information made within the extension period.

EXHIBITS:

The following exhibits were offered and entered into the record:

1. Staff Advisory Report, with attachments
2. Memo from John Maddock, Development Engineer, dated 12/5/03

PARTIES OF RECORD:

Baldev Raj	16223 Des Moines Memorial Dr. Burien, WA 98148
Mazen Haider	PO Box 50524 Bellevue, WA 98015

Department of Community Development
Department of Public Works

EXHIBIT 1

CITY OF BURIEN, WASHINGTON
Department of Community Development
415 SW 150th Street, Burien, Washington 98166
Phone: (206) 241-4647 Fax: (206) 248-5539

TYPE 3 LAND USE REVIEW
STAFF RECOMMENDATION TO THE HEARING EXAMINER

DATE: December 1, 2003

FILE NO.: LU 03-0217 A

APPLICANT: Baldev Raj

REQUEST: Subdivide a 72,333-square-foot residential lot into 8 lots, ranging in size from 7,200 square feet to 8,805 square feet.

LOCATION: 16223 Des Moines Memorial Drive (see Attachment 1)

PARCEL: 725000-0136

APPLICATION SUBMITTED: August 18, 2003

APPLICATION COMPLETE: August 26, 2003

RECOMMENDATION: Approval with conditions

DECISION MAKER: City Council

HEARING EXAMINER DATE: December 8, 2003, at 9:00 a.m.

PROJECT PLANNER: Patrick Smith, Planner

I. INTRODUCTION

A. PROJECT SUMMARY

The applicant is proposing an 8-lot subdivision of 1 lot, which is 72,333 square feet in size (see Attachment 3). The site is zoned RS-7,200 Residential Single-Family. All lots would have access via a new public cul-de-sac. The single-family home located on the parcel would be platted as Lot 1. Lots 2-8 would be available for residential development.

The application was submitted on August 18, 2003 and was deemed complete for processing on August 26, 2003. The public comment period ran from September 5, 2003 to October 5, 2003. No comment letters were received.

Notice of the public hearing was given on November 10, 2003. The notice was posted on site, published in the newspaper, and copies were mailed to property owners within 500 feet of the site and parties of record.

B. RECOMMENDATION

Based on the Findings of Fact and Conclusions (Section II) and Attachments to this report, the Hearing Examiner should recommend that the City Council approve the application subject to the following conditions:

1. This application is subject to the applicable requirements contained in the Burien Municipal Code (including but not limited to the Zoning Code, Building Code and Fire Code), the King County Surface Water Design Manual and the King County Road Standards. It is the responsibility of the applicant to ensure compliance with the various provisions contained in these documents. Attachment 2, Development Requirements, is provided in this report to familiarize the applicant with some of the additional requirements that may apply to the project. This attachment does not include all of the additional requirements. When a condition of approval below conflicts with a development requirement in Attachment 2, the condition of approval shall be followed (see Conclusion II.D.1).

2. Prior to recording the final plat, the applicant shall:

   a. Apply for and obtain a right-of-way construction permit for work to be completed in the public right-of-way (see Conclusion II.D.3).
   b. Submit detailed street and access improvement plans for Public Works Dept. review that include the design of the new public road. Plans for this work shall be prepared by a Civil Engineer, licensed in the State of Washington (see Conclusion II.D.3).
   c. Submit a revised plat map with the following changes:
      i. showing any utility easements, including side sewer and water utility, necessary to provide service to the referenced lots (see Conclusion II.D.4).
      ii. adding the plat number: 03-0217 (see Conclusion II.E.1).
      iii. showing the boundary lines and zoning for adjacent parcels, north and south and east of the property for a distance of at least 100 feet. Show current ownerships of these properties (see Conclusion II.E.1).
      iv. providing signature lines for all persons having an ownership in the property, City Engineer's approval, county assessor's approval, the City's Director of Community Development's approval and other signatures as required by City ordinance or State law (see Conclusion II.E.1).
      v. obtaining signatures of all persons having ownership in the property (see Conclusion II.E.1).
      vi. indicating that houses on Lots 3-8 require sprinkling (see Conclusion II.B.2).
   d. Submit a letter from the City of SeaTac outlining the required improvements along Des Moines Memorial Way (see Conclusion II.D.3).

60.

e. Pay a fee in lieu of providing 390 square feet of open space on the property for each new lot. The fee shall be 390 x the current assessed value per square foot of the property (see Conclusion II.D.6).
f. Install utilities approved by the appropriate District (see Conclusion II.D.4).
g. Submit a landscaping plan for the street trees indicating size, species, and location to be approved by the City (see Conclusion II.D.7).
h. Submit final storm water plans designed according to the King County Surface Water Design Manual to the Public Works Department for review and approval (see Conclusion II.D.5).
i. Install the drainage facilities as approved or provide an approved bond or other security method guaranteeing installation within one year of the date of plat approval (see Conclusion II.C.1 and II.D.1).
j. Dedicate the right-of-way for the new public street to the City of Burien in a manner acceptable to the City (see Conclusion II.D.3).
k. Install, or provide an approved bond or other security method for, improvements to the new public street as required by the Public Works Department and consistent with Subdivision Code Sections 17.25.010 and 17.30.040 (see Conclusion II.D.3).

3. Prior to the issuance of development permits for any development on Lots 2-8, the applicant shall:

a. Submit erosion control plans for City review and approval (see Conclusion II.D.5).
b. Submit a significant tree retention plan identifying trees to remain and protective measures for review and approval by the Department of Community Development. (see Development Regulations, Attachment 2, and Conclusion II.D.7).
c. Protect all significant trees identified in the tree retention plan at the drip line by a temporary five-foot high chain link or plastic net fence prior to grading of the site. Tree protection measures as outlined in BMC Section 19.25 shall be followed prior to and during construction. (see Conclusion II.D.7).

II. FINDINGS OF FACT AND CONCLUSIONS

A. SITE DESCRIPTION

1. Site Development and Zoning:

a. Facts:

(1) Size: 72,333 square feet

(2) Land Use: Single-family residence

(3) Zoning: RS-7,200 Single-family residential

(4) Terrain: The site is relatively flat.

(5) Vegetation: The site is heavily covered with significant evergreen and deciduous trees (see Attachment 3).

b. Conclusions:

Size, land use, zoning, and terrain are not constraining factors in the consideration of this application.

2. Neighboring Development and Zoning:

a. Facts: The subject property is in the middle of a single-family residential neighborhood

b. Conclusion: The applicant is proposing a subdivision to create seven new lots, which would allow for the construction of seven single-family residences. Therefore, this application is consistent with neighboring development and zoning.

B. PUBLIC AND AGENCY COMMENT

1. Public Comments

Facts: Public notice of this application was posted on the site, published in the newspaper and mailed to all property owners within 500 feet of the site on September 5, 2003. No comments were received during the 30-day comment period, which ended October 5, 2003.

2. Public Agency and City Department Comments

a. Facts: On September 3, 2003, notice of this application was distributed to Fire District 2; Water District 49; Southwest Suburban Sewer District; and City of SeaTac. Fire District 2 is requesting a full cul-de-sac or buildings for Lots 3-8 be sprinkled. No comments were received from SeaTac. Notice of this application was distributed to the City of Burien Public Works Department on November 3, 2003.

b. Conclusions: A condition of approval is that residences on Lots 3 -8 shall be sprinkled. There were no agency comments during the comment period. The respective water, sewer and fire districts have completed availability forms with comments (see Section D.4). Please see following sections for discussion and analysis of Public Works related items (see Sections D3 and D4).

C. APPROVAL CRITERIA

1. Subdivision Code Compliance

a. Facts: The Burien Subdivision Code outlines various standards which are to be met when creating a subdivision. The purpose of the City of Burien's subdivision regulations is to:

- Set forth the rules and regulations for the division of real property into subdivisions;

- Provide for the proper location and width of streets, building lines; open spaces, safety and recreation facilities, utilities, and drainage;
- Provide for the avoidance of congestion of population through requirements of minimum lot width, depth, and area and compatibility of design;
- Require and fix the extent to which and the manner in which streets shall be graded and improved, and water, sewer, drainage, and other utility mains and piping or connections of other physical improvements shall be installed; and
- Provide for and secure the actual construction of such physical improvements.

The subdivision application complies with the Burien Municipal Code as conditioned (see Section II.D). The City will require a bond to ensure installation of the physical improvements within one year of final plat approval.

b. Conclusions: The application, as conditioned, meets the subdivision standards.

2. Revised Code of Washington Section 58.17.110

a. Facts:

(1) RCW 58.17.110, as amended, states that "A proposed subdivision shall not be approved unless the city... makes written findings that:

i) Appropriate provisions are made for the public health, safety, and general welfare and for such open spaces, drainage ways, streets or roads, alleys, other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation, playgrounds, schools and school grounds and all other relevant facts...; and
ii) The public use and interest will be served by the platting of such subdivision and dedication."

(2) Pursuant to BMC 17.35.120.2 the preliminary plat decision shall be based on conformance to adopted city rules and regulations and RCW 58.17.110 states that prior to approval of the subdivision the city must find that the public use and interest must be served by the platting of such subdivision.

b. Conclusions: The proposal, as conditioned, complies with RCW 58.17.110. As conditioned, it will serve the public use and interest and is consistent with the public health, safety, and general welfare because it will contribute to the community's ability to provide additional single-family residential units and additional home ownership opportunities within the community. The property

will develop in accordance with the Comprehensive Plan for this area (see Section II.F).

D. DEVELOPMENT REGULATIONS

1. General Compliance

   a. Fact: This application is subject to the applicable requirements contained in the Burien Municipal Code (including but not limited to the Zoning Code, Building Code and Fire Code), the King County Surface Water Design Manual and the King County Road Standards. Except as noted in Section II.D.3, the proposal complies with the applicable requirements contained in the documents referenced above.

   b. Conclusion: It is the responsibility of the applicant to ensure compliance with the various provisions contained in the Burien Municipal Code (including but not limited to the Zoning Code, Building Code and Fire Code), the King County Surface Water Design Manual and the King County Road Standards. Attachment 2, Development Requirements, is provided to familiarize the applicant with some of the additional requirements that may apply to the project. This attachment does not include all of the additional requirements. When a condition of approval below conflicts with a development requirement in Attachment 2, the condition of approval shall be followed.

2. Lot Size and Layout

   a. Facts: Zoning is RS-7,200, minimum lot size 7,200 square feet. The proposal is for eight lots. Lot 1 will be 8,805 square feet, Lot 2 will be 7,200 square feet, Lot 3 will be 7,200 square feet, Lot 4 will be 7,267 square feet, Lot 5 will be 7,200 square feet, Lot 6 will be 7,200 square feet, Lot 7 will be 7,240 square feet and Lot 8 will be 7,500 square feet in size.

   b. Conclusion: The proposed preliminary plat satisfies the minimum lot size requirements for the RS-7,200 zone without using the lot averaging provision.

3. Street Improvements, Access and Parking

   a. Facts: City of Burien Municipal Code section 17.35.120 requires that access and street improvements comply with the 1993 King County Road Standards. The City of Burien Public Works department has provided comments regarding road and access improvements (see Attachment 9). The City and the Public Works Department has identified the following conditions:

      (1) The new street accessing the development should be dedicated to the City for public use, and should be constructed to the standards of a Minor Access Street (Residential) as defined in Section 2.03 of the 1993 King

County Road Standards. The street would have curb and gutter, landscaping strip with street trees, and sidewalk on the north side.

(2) BMC 17.40.020(3) requires names on new streets to be indicated on the plat.

(3) Lot 1 will have access from Des Moines Memorial Dr., while Lots 2-8 will access the new public cul-de-sac. KCRS section 3.01 requires that driveways serving a single-family residence shall be 5 feet from property lines with a minimum pavement width of 10 feet.

(4) Des Moines Memorial Way right-of-way is in the city limits of SeaTac. Required frontage improvements along Des Moines Memorial Drive is determined by SeaTac.

(5) BMC 17.35.080(2) requires that a right-of-way permit be obtained for any work within City of Burien right-of-way. BMC 17.25 requires that all street improvements, including associated drainage controls, be installed prior to final approval of the plat.

b. Conclusions:

(1) A new public street shall be dedicated to the City and improved to the standards identified by the Public Works Department.

(2) Driveways accessing the properties shall be constructed in conformance with the 1993 King County Road Standards drawing No. 3-004.

(3) An engineer licensed in the State of Washington shall prepare all plans for right-of-way improvements. A right-of-way construction permit is required prior to any work in the right-of-way. Improvements as required by preliminary plat approval shall be installed and accepted by the City prior to final plat approval.

(4) Prior to final plat approval, the applicant shall submit a letter from SeaTac Public Works Department, outlining what frontage improvements, if any, will be required along Des Moines Memorial Drive.

(5) The final plat should include the name of the public street.

4. Utilities

a. Facts:

(1) King County Water District #49 provides water service. According to the Certificate of Water Availability (see Attachment 5), a water line needs to be extended to the development.

(2) SW Suburban Sewer District provides sanitary sewer service. According to the Certificate of Sewer Availability (Attachment 6), sewer service will be provided to the new lot.

(3) The Fire District #2 provides fire protection to the area. A new fire hydrant is required in the cul-de-sac, and residential sprinklers required for lots 3-8 or the plans be redesigned to accommodate a full-sized cul-de-sac (see Attachment 7).

b. Conclusion: Prior to approval of the final plat, water and sewer service should be provided to each lot, or a bond submitted, consistent with the requirements of the serving utility and the Subdivision Code. Prior to recording of the short plat, the applicant shall show any access and utility easements or reference documents pertaining to side sewer and water utility easements, which are necessary to provide service to the referenced lot.

5. Surface Water Management

a. Facts: BMC 13.10.020 adopts the 1998 King County Surface Water Design Manual as the City of Burien's drainage control regulation.

b. Conclusions: Final storm water plans designed according to the King County Surface Water Design Manual shall be submitted for Public Works approval prior to issuance of a building permit. Prior to issuance of development permits, erosion control plans shall be submitted to the City for review and approval.

6. Fee-In-Lieu of Open Space

a. Facts: The Burien Interim Zoning Code requires residential developments to provide on-site recreational areas. When this area is not provided on site the applicant shall pay fees-in-lieu of actual recreational space (BMC 18.35.170). The Burien Municipal Code Chapter 18.35.210 sets the criteria for the payment of fees-in-lieu of open space. Since no on-site recreation space is being provided, a fee in-lieu of open space will be required. The applicant shall pay for 390 square feet of open space for each additional lot being created. This fee shall be based on 390 multiplied by the assessed value per square foot of the land at the time of recording.

b. Conclusions: To comply with the requirements of BMC 18.35.170 & 18.35.210, the applicant shall pay a fee in lieu of providing 390 square feet of open space on the property for each new lot. The fee shall be 390 x the current assessed value per square foot of the property. The fee shall be paid prior to recording the short plat.

7. Tree Retention and Landscaping

a. Facts:

(1) At the time that this application was deemed complete, significant tree retention was required by BMC 19.25.120 and a significant tree retention plan was required by BMC 19.25.130. BMC 19.25.120 requires that 30% of significant trees shall be retained on a site. The applicant is retaining all the significant trees except for the trees located in the proposed right-of-way.

(2) BMC 17.40.020(1) requires a tree planting plan at time of application.

b. Conclusions:

(1) The individual home builders will need to submit tree preservation plans for their respective properties prior to issuance of any building permits. Protective measures shall comply with the requirements of the BMC Chapter 19.25 (see Development Regulations, Attachment 2).

(2) Prior to recording of the final plat, the applicant shall submit a landscaping plan for the street trees.

F. PRELIMINARY PLAT MAP

1. Facts: BMC 17.40.020(2) requires preliminary plats to show the boundary lines and zoning for adjacent parcels for a distance of at least 100 feet and current ownership of these properties. The Subdivision ordinance is unclear which signatures are required to approve the final plat. However, the following signatures were listed on past approved plats: the City Engineer, City's Director of Community Development, City Clerk, Mayor, county assessor, county finance department, and all persons having an ownership in the property. The City will inform the applicant which signatures are required.

2. Conclusions: Prior to recording of the final plat, a revised plat map shall be submitted to the City with the following changes:

a. Adding the plat number: 03-0217.
b. Showing the boundary lines and zoning for adjacent parcels, north and south and east of the property for a distance of at least 100 feet. Show current ownerships of these properties.
c. Providing signature lines for all persons having an ownership in the property, City Engineer's approval, county assessor's approval, the City's Director of Community Development's approval, and other signatures as required by City ordinance or State law.

d. Obtaining signatures of all persons having ownership in the property.

E. COMPREHENSIVE PLAN

1. Facts: The subject property is designated Low Density Residential Neighborhood.

2. Conclusion: The proposed subdivision is consistent with the land use designation. As conditioned, the proposal complies with the Comprehensive Plan.

III. APPEALS AND JUDICIAL REVIEW

State law allows the city's final decision to be appealed by a party of record with standing to file a land use petition in King County superior court. Such petition must be filed within 21 days after issuance of the decision, as provided in RCW 36.70C.

IV. LAPSE OF APPROVAL

Under BMC 17.40.040(4), subdivision preliminary approvals shall be valid for 36 months. If any condition is not satisfied and the final plat is not recorded within the 36-month period the preliminary subdivision approval shall be null and void. If all conditions have been satisfied and all required documents have been submitted within the 36-month period, the city may grant a single extension of up to 90 days to obtain additional information or for the processing and recording of final plat documents. Applicants will have a maximum of 30 days to comply with requests for additional information made within the extension period.

V. APPENDICES

Attachments 1 through 9 are attached.

1. Vicinity Map
2. Development Requirements
3. Preliminary Plat Map
4. Preliminary Drainage Report by Medina Consulting Engineers, dated July 25, 2003
5. Certificate of Water Availability
6. Certificate of Sewer Availability
7. Certificate of Fire Hydrant Availability
8. Email dated November 11, 2003, from Bill Harms, Fire Marshall
9. Memo dated November 10, 2003, from John Maddock, Development Engineer

VI. PARTIES OF RECORD

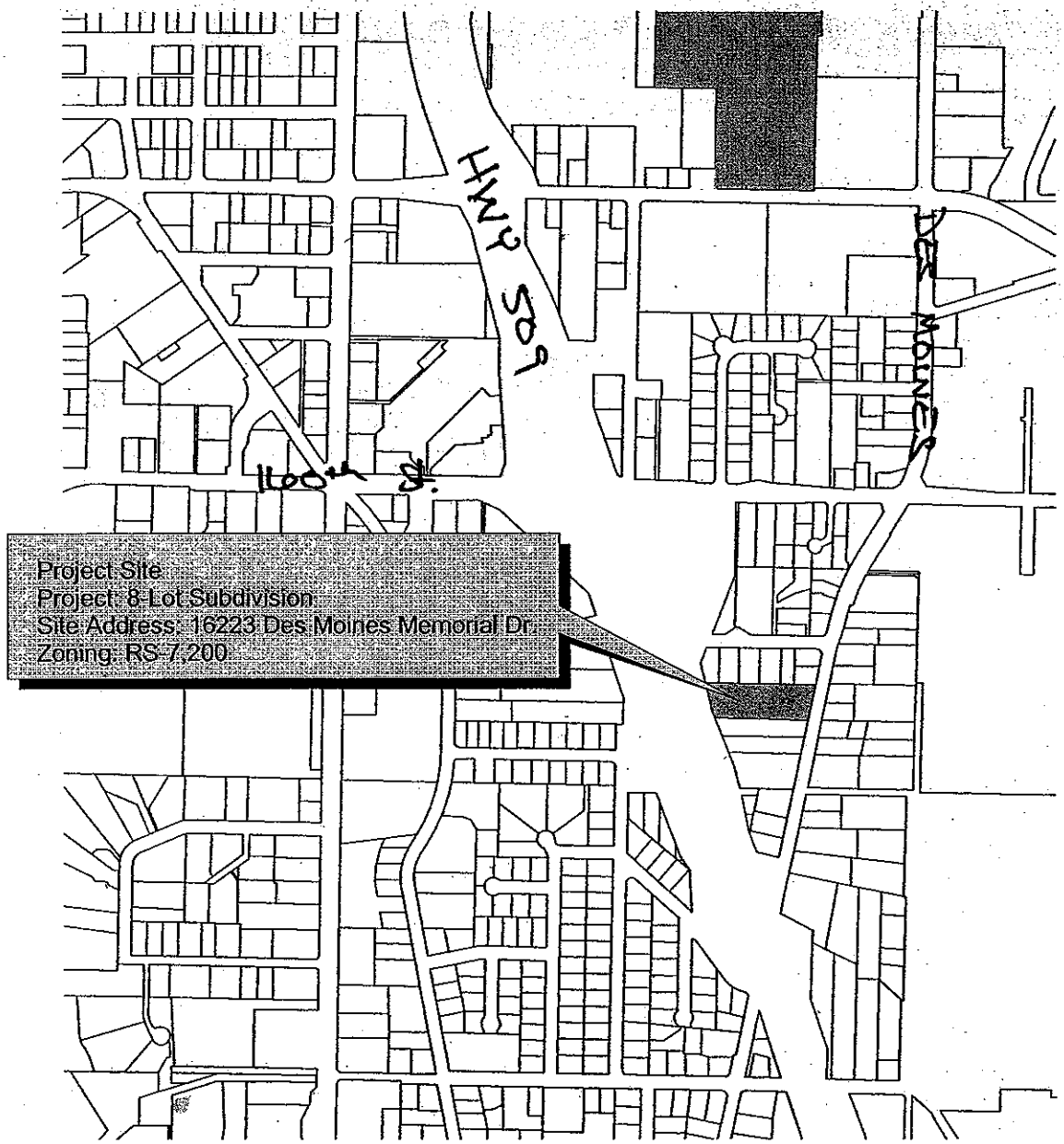
Name	Address
Baldev Raj	16223 Des Moines Memorial Dr. Burien, WA 98148

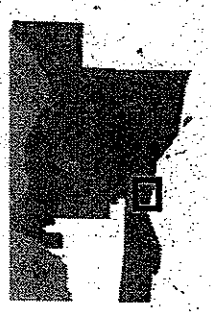
Dated this 1st day of December, 2003.

Scott Greenberg, AICP
Director of Community Development

ATTACHMENT #1

Des Moines Estates Subdivision
LU 03-0217





BURIEN

70.

RESIDENTIAL SUBDIVISION DEVELOPMENT REQUIREMENTS
Des Moines Estate Subdivision, LU 03-0217 A

Subdivision Code

17.15.280 Sewage disposal.
Prior to recording the final plat, either the approved public sewage system shall be installed to serve each lot, or a bond or similar security shall be deposited with the city of Burien and may be assigned to a purveyor to assure the construction of such facilities within two years of the date of plat recording.
17.15.290 Water supply.
Prior to recording the final plat, the approved public water system shall be installed to serve each lot unless a bond or similar security has been deposited with the city of Burien in a form and amount, and with conditions satisfactory to the city of Burien to provide for the construction of required water facilities in Group A systems as defined by board of health regulations, within two years of the date of plat recording.
17.25.010 Streets.
Prior to approval of the final plat, all streets shall be improved in full compliance with and pursuant to a construction permit issued by the city of Burien. In lieu of the full compliance herewith, the plattor may deposit a performance bond with the city in an amount equal to the cost as a guarantee that the plattor will, within one year from the date of acceptance of the plat, fully comply with all the requirements set forth to the satisfaction of the development engineer.
17.30.040 Private street plats: improvements.
Prior to recording the final plat, all pavements, grading, planting, fencing and other improvements which are made a part of the approval of the plat shall be completed at the expense of the plattor. In the event the plattor shall be unable to install said improvements prior to recording, the plattor shall grant to the city by proper instrument duly recorded the right to enter upon the property to be platted and install said improvements and the plattor shall furnish to the city a good and sufficient performance bond to cover the cost of installing said improvements within a one-year period.
17.40.040.3 Qualifications governing preliminary plat approval.
Prior to approval of the final plat, engineering details of the proposed streets, storm drainage, sanitary sewer and water systems and other proposed public facilities shall be approved by the city engineer and the King County department of public health.
17.40.040.4 Approval time.
Preliminary plat approval shall be effective for a period of 36 months unless an extension is received.
17.45.030 Monuments.
All monuments shall be set after the grading of the streets. In case the plat be approved before the grading is complete, the grading shall be done and the monuments shall be set before the release of the road guarantee bond.
17.55.070 Performance Bond.
A performance bond or other satisfactory security shall be submitted to secure the successful operation of improvements for a period of 12 months in an amount and form

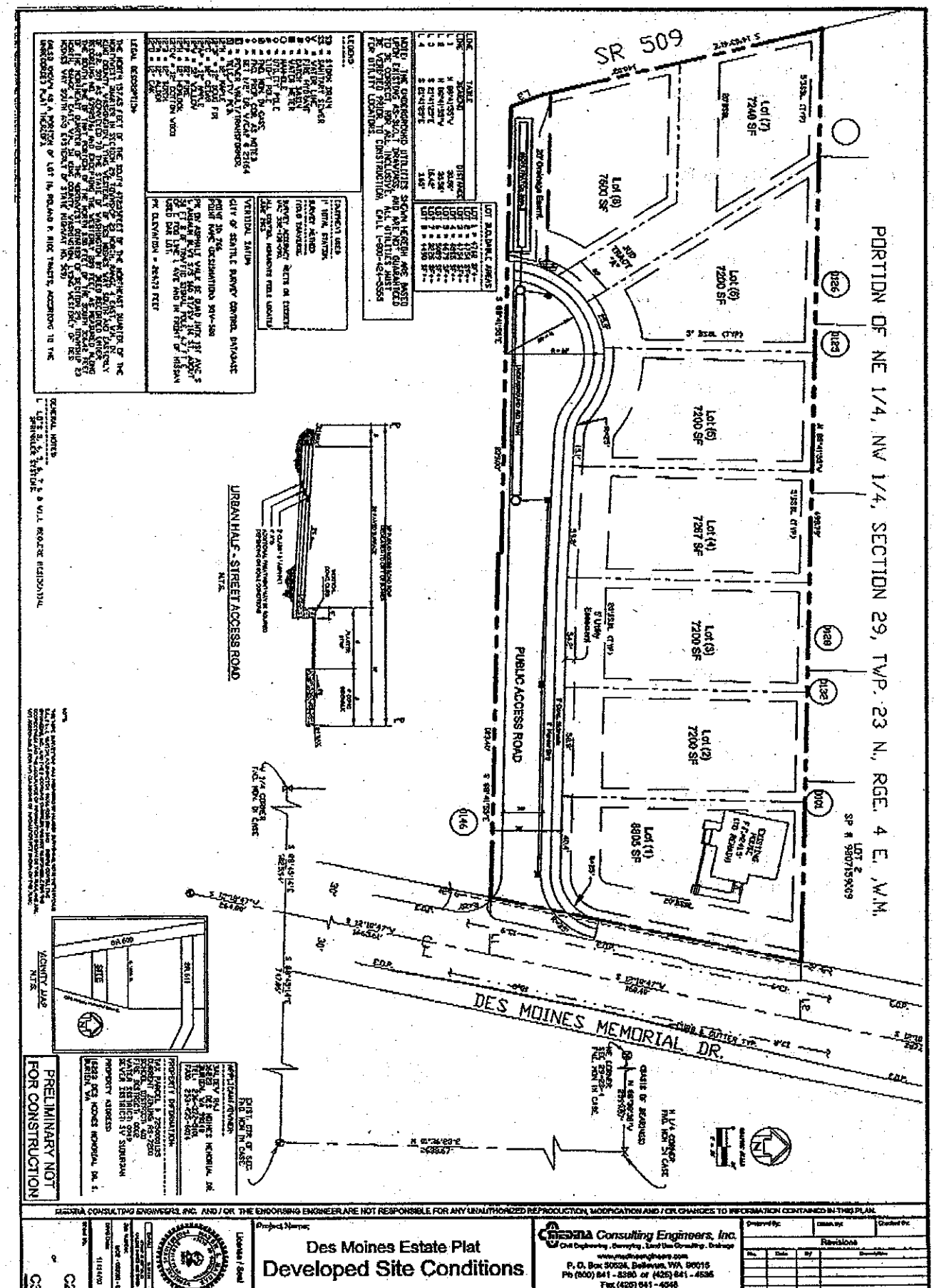
satisfactory to the city. Such bond or security shall cover workmanship and materials, damage from reasonable expected usage and damage due to construction activities.

Zoning Code

19.10.265 Structure height.
Structure height is the vertical distance measured from average natural grade to the highest point of the structure. Natural grade is the topography of the lot immediately prior to any site preparation or grading, including excavation or filling. Prior to issuance of any development permits for the site, the city must have on file a topographic survey showing natural grade of the site prior to any development activity.
19.17.050 Undergrounding of utilities.
All utility lines on a site must be undergrounded. All existing overhead utility lines in the right-of-way adjacent to the site must be undergrounded unless the Public Works Director determines that this is infeasible. If this is infeasible, the property owner must sign a concomitant agreement for future undergrounding.
19.20.100.10 Parking for single detached dwelling units.
All vehicle parking and storage must be in a garage, carport or on an approved impervious surface. Any impervious surface used for vehicle parking or storage must have direct and unobstructed driveway access. Parking spaces shall be adequately sized and located to accommodate a standard-sized vehicle without the vehicle extending into the vehicular access tract.
19.25.060 Landscaping – street frontages (street trees).
Perimeter landscaping along street frontages shall be provided as follows: Trees shall be planted at the rate of one tree for every fifty feet of frontage along a neighborhood collector street and 40' of frontage along an arterial street. Trees shall be located in the right-of-way if permitted by the Dept. of Public Works, no more than 20' from the right-of-way, maintained by adjacent landowner, and a species approved by the city. The trees may be spaced at irregular intervals in order to accommodate sight distance requirements.
19.40.070.5 Construction requirements.
Existing vegetation shall be retained until building permits are approved for development.
19.40.070.6 Indemnification.
A hold harmless agreement shall be required for all clearing, grading or construction on lots containing critical areas. The form shall be executed prior to issuance of any permits for development of the site.
19.40.120 Notice on title.
Prior to recording the plat, the owner shall record a notice informing the public of the presence of critical areas and buffers on the site and the requirements for engineered structure design.
18.35.200 Fee in lieu of on-site recreation space.
In lieu of providing 390 square feet of on-site recreation space for each new lot created, the applicant shall pay a fee in lieu.
18.35.250(1) Fences.
Fences exceeding a height of six feet shall comply with the applicable street and interior setbacks of the zone in which the property is located.

18.60.130 and 18.60.140 Mitigation, maintenance, monitoring and contingency.
Mitigation, maintenance and monitoring measures shall be in place to protect sensitive areas and buffers from alterations occurring on the development proposal site. Where monitoring reveals a significant deviation from predicted impacts or a failure of mitigation or maintenance measures, the applicant shall be responsible for appropriate corrective action. The applicant shall post a performance and/or maintenance/monitoring bond to guarantee satisfactory workmanship on, materials in and performance of or related to structures and improvements allowed or required by this chapter for a period of up to five years.
18.60.150 Vegetation management plan.
Clearing limits shall be marked in the field in a prominent and durable manner prior to any site alteration. Field marking shall remain in place until the certificate of occupancy or final project approval is granted.
18.60.160 Sensitive area markers and signs.
Permanent survey stakes shall be set between adjoining property and sensitive area tracts. The boundary shall be identified with permanent signs.
18.60.170 Notice on title.
The owner shall file a notice informing the public of the presence of sensitive areas and buffers on the property and that limitations on actions may exist.
18.60.180 Sensitive area tracts.
Sensitive area tracts shall be used to delineate and protect sensitive areas and buffers and shall be recorded on all documents of title of record. Any required sensitive area tract shall be held in an undivided interest by each owner of the development or shall be held by an incorporated homeowner's association or other legal entity which assures the ownership, maintenance and protection of the tract.
18.60.190 Building setbacks.
Buildings and other structures shall be set back a distance of 15' from the edge of the buffer. Landscaping, uncovered decks, 18" building overhangs and impervious ground surfaces, may be allowed in the building setback area.
18.60.310.4 Hazardous substances.
The use of hazardous substances, pesticides and fertilizers in the wetland and its buffer may be prohibited by the city of Burien.
18.70.050 Surface water management.
All new development shall be served by an adequate surface water management system approved by the department as being consistent with the design, operating and procedural requirements of the Surface Water Design Manual and KCC Title 9.
18.70.120 Vehicular access.
All new development shall be served by adequate vehicular access meeting the standards of this section.
18.70.130 Adequate fire protection.
All new development shall be served by adequate fire protection. The water supply system must provide at least minimum fire flow and the road system must provide life safety/rescue access. Other fire protection requirements for buildings must be met as required by the fire code and UBC, and building and construction standards.

ATTACHMENT #3



ATTACHMENT #4

MEDINA Consulting Engineers, Inc.
Civil Engineering Surveying Land Use Consulting Drainage
P. O. Box 50524, Bellevue, WA 98015, Ph (425) 641 - 4535, Fax (425) 641 - 4548
www.medinaengineers.com

LU 03-0217 A

PRELIMINARY DRAINAGE REPORT FOR DES MOINES ESTATE PLAT

(OWNER)
Mr. Baldev Raj
16223 Des Moines Memorial Drive
Burien, WA 98148
(206) 372 - 5101

RECEIVED
AUG 18 2003
CITY OF BURIEN

Prepared By:

Mazen Haidar, P.E.
MEDINA Consulting Engineers, Inc.
P. O. Box 50524
Bellevue, WA 98015

MAZEN S. HAIDAR
STATE OF WASHINGTON
36034
REGISTERED PROFESSIONAL ENGINEER

EXPIRES 5/27/04
STAMP IS NOT VALID UNLESS SIGNED AND DATED

Date Prepared:

July 25th, 2003

ATTACHMENT #5

Water District 85 P O Box 824 Seahurst Seattle, WA 98062 243-4377	Highline Water District P O Box 3867 Kent, WA 98032 824-0375	Water District 49 415 SW 153rd St. Burien, WA 98166 242-8535	12006 1st AV S Burien, WA 98168 243-3990	710 2nd AV, 10th FL Dexter Building Seattle, WA 98104 684-5900

CITY OF BURIEN CERTIFICATE OF WATER AVAILABILITY

Part A (To Be Completed by Applicant)

Purpose of Certificate:

- ☐ Building Permit
- ☐ Short Subdivision
- ☑ Preliminary Plat or PUD
- ☐ Rezone or other_____

Applicant's Name BALDEV RAJ

Proposed Use DOMESTIC

Location 16223 DESMOINES MEM. DR BURIEN WA 98148

(Attach map and legal description if necessary)

The following structure or building shall have a **cross connection inspection** by the water purveyor WAC 246-290-490 because of the following item: (1) **Fire Protection System**, (2) **Boiler**, it shall be the requirement of the owner to notify the Water District. This is a requirement of the State of Washington and shall be complied with.

Part B: (To Be Completed By Water Purveyor)

1. a. ☐ Water will be provided by service connection only to an existing _____ (size) water main _____ feet from the site.

   or

   b. ☒ Water service will require an improvement to the water system of:
   - ☑ (1) D.E. _____ fee of water main to reach the site; and/or
   - ☐ (2) The construction of a distribution system on the site; and/or
   - ☐ (3) Other (describe)_____

2. a. ☒ The water service is in conformance with a County-approved water comprehensive plan.

   or

   b. ☐ The water system improvement will require a water comprehensive plan amendment

3. a. ☒ The proposed project is within the corporate limits of the district, or has been granted Boundary Review Board (BRB) approval for extension of service outside the district or city, or is within the County-approved service area of a private water purveyor.

   or

   b. ☐ Annexation or BRB approval will be necessary to provide service.

4. a. ☒ Water is/or will be available at the rate of flow and duration indicated below at no less than ~~20 psi~~ measured at the nearest fire hydrant 100 feet from the ~~building~~/property (or as marked on the attached map): NE CORNER

Rate of Flow		Duration
☐ less than 500 gpm (approx. _____ gpm)		☐ less than 1 hour
☐ 500 to 999 gpm		☐ 1 hour to 2 hours
☒ 1,000 gpm or more	FOR	☐ 2 hours or more
☐ flow test of _____ gpm		☐ Other_____
☐ calculation of _____ gpm		

(Commercial Building Permits require flow test or calculation)

   or

   b. ☐ Water system is not capable of providing fire flow.

SUBJECT TO FACILITIES CHARGE

COMMENTS/CONDITIONS DEVELOPER EXTENSION NEEDED FROM WD #49 NUMBER OF HYDRANTS + LOCATION FOR FIRE MARSHAL

I hereby certify that the above water purveyor information is true. This certification shall be valid for one year form date of signature.

KING COUNTY WATER DISTRICT NO. 49	Dale A. Cap
(Agency Name)	(Print Name)
General Manager	Dale A. Cap 07/29/03
(Title)	(Signature/Date)

(GOOD FOR SIX MONTHS) D.A.C.

76.

SW Suburb ewer District
431 SW Am. m Blvd.
Burien, WA 98166
(206) 244-9575

Midway Sewer District
3030 So. 240th St.
Kent, WA
(206) 824-4960

TTACHMENT #6

Tukwila, WA 98168 (206) 242-3236

CITY OF BURIEN CERTIFICATE OF SEWER AVAILABILITY/NON-AVAILABILITY

☒ Certificate of Sewer Availability ☐ Certificate of Sewer Non-Availability

Part A (To Be Completed by Applicant)

Purpose of Certificate:

☐ Building Permit ☐ Preliminary Plat or PUD
☒ Short Plat ☐ Rezone or other _____

Applicant's Name BALDEV RAJ Phone 206-431-3297

Proposed Use 7 LOT SHORT PLAT FOR SINGLE FAMILY RESIDENCES

Location 16223 DES MOINES MEM. DR. BURIEN 98148

(Attach map and legal description if necessary)

Part B: (To Be Completed By Sewer Agency)

1. a. ☐ Sewer service will be provided by side sewer connection only to an existing _____ size sewer _____ feet from the site and the sewer system has the capacity to serve the proposed use.

Or b. ☒ Sewer service will require an improvement to the sewer system of:
☐ (1) _____ feet of sewer trunk or lateral to reach the site; and/or
☐ (2) The construction of a collection system on the site; and/or
☒ (3) Other (describe) SATISFACTORY COMPLETION OF A DEVELOPER EXTENSION

2. (Must be completed if 1.b above is checked)
a. ☒ The sewer system improvement is in conformance with a City-approved sewer comprehensive plan.

Or b. ☐ The sewer system improvement will require a sewer comprehensive plan amendment

3. a. ☒ The proposed project is within the corporate limits of the district, or has been granted Boundary Review Board (BRB) approval for extension of service outside the district or city.

Or b. ☐ Annexation or BRB approval will be necessary to provide service.

4. A sanitary sewer easement encumbers this property. Yes ☐ No ☒

5. This property is subject to Shoreline approval. Yes ☐ No ☒

6. Service is subject to the following:
a. District Connection Charges due prior to connection: TO BE DETERMINED

GFC: $_____ SFC: $_____ UNIT: $_____

Treatment Capacity Charge: $_____ TOTAL: $_____
(Subject to Change on January 1st)

b. Easements: ☒ Required ☐ May be Required

c. Other: _____

COMMENTS/CONDITIONS _____

I hereby certify that the above sewer agency information is true. This certification shall be valid for one year form date of signature.

S.W. SUBURBAN SEWER DISTRICT
(Agency Name)

GENERAL MANAGER
(Title)

DONALD F. BAER
(Print Name)

D F Baer 7-29-03
(Signature/Date)

ADDITIONAL TERMS AND CONDITIONS TO CERTIFICATE ON REVERSE SIDE

77

FIRE HYDRANT AVAILABILITY ATTACHMENT #7

WATER AVAILABILITY FORM MUST ACCOMPANY THIS FORM TO FIRE DEPARTMENT.
A plot plan showing lot dimensions, building dimensions, placement of existing structures and streets is also required.
One (1) set of construction plans is required for all construction projects. ***Plan Must be Drawn to Scale.***

he purpose of this form is to help the Fire Department in determining the requirements for Fire Hydrants, Fire Sprinkler Systems and Fire larm Systems associated with your project.

Please place check [x] to appropriate jurisdiction:

[ ] King County Fire District #2 15100 8th Avenue SW Burien, WA 98166-2244 (206) 242-2040 / Fax: 433-6042	[ ] North Highline Fire District 1243 SW 112th Seattle, WA 98146 (206) 243-0330 / Fax: 244-8418

PLAN REVIEW #: _____ **BLDG. PERMIT #:** _____
APPLICATION DATE: 8 / 1 / 03 **DATE RECEIVED FD:** ___ / ___ / ___

Complete The Following For Proper Routing and Determinations:

Property Address: 16223 DES MOINES MEM. DRIVE
BURIEN WA 98148
Legal Description: _____
Contact Person: DAVE RAJ
Contact Phone: 206-431-3297
Approximate Total Square Footage of Bldg.: _____
Specific Bldg. Use: PRELIMINARY SUBDIVISION
Bldg. Occupancy Classification: _____
Type of Bldg. Construction: _____
If you have trouble determining these item, ask for assistance.
Your Fire Sprinkler System requires an Inspection by the Water Purveyor

Please Check One [x]:
Water District Serving Property
[ ] Water Dist. #20
[X] Water Dist. #49
[ ] Water Dist. #85
[ ] Water Dist. #125
[ ] Highline Water Dist.
[ ] City of Seattle

FIRE DEPARTMENT USE ONLY DATE 8/7/03

VATER FLOW: Gallons Per Minute Required 1000 Gallons Per Minute Available 1000+
pproved [X] Not Approved [ ]

YDRANT SPACING: Distance to Nearest Hydrant VARIES ft
pproved [X] Not Approved [ ]
w/new Hydrant

IRE DEPARTMENT ACCESS
pproved [ ] Not Approved [X]

50 Feet Maximum Travel Distance for *Residential* to Hydrant)
50 Feet Maximum Travel Distance for *Commercial* to Hydrant)
ire Department Access and Turn Around Required if Over 150 Feet From the Main Roadway.
See Fire Department for details)
ire Department Comments:
NEW FIRE HYDRANT REQUIRED IN CULDESAC (LOT #8) 1/2 TURNAROUND
INADEQUATE RESIDENTIAL SPRINKLERS REQUIRED FOR LOTS 3,4,5,6,7
#8

PPROVED BY: [signature] ASNOTED NOT APPROVED BY:
District Fire Marshal/Plans Examiner District Fire Marshal/Plans Examiner

ord\forms\hyd.cg Revised: 9/2002

78.

ATTACHMENT #8

Patrick Smith

From: Bill Harm [bharm@burienfire.org]
Sent: Tuesday, November 11, 2003 4:18 PM
To: Patrick Smith
Subject: FW: Baldev 8 lot short plat

Different email address, hope you get this.

Bill J Harm

-----Original Message-----
From: Bill Harm
Sent: Tuesday, November 11, 2003 4:15 PM
To: 'Pats@ci.burien.wa.us'
Subject: Baldev 8 lot short plat

Pat, I did a fire hydrant availability for this project in August. Because the ½ cul-de-sac does not meet the requirements for Fire Department access, residential fire sprinklers would be required for any home built on lots 3,4,5,6,7 and 8.

I made a copy of the fire hydrant availability sheet and gave to John Maddox last week.

If you have any other questions, please call or email.

Thanks, Bill

Bill J Harm
Fire Marshal
Burien/Normandy Park Fire Department
15100 8th Ave SW
Burien, WA 98166
206 242-2040

City of Burien

ATTACHMENT #9

MEMORANDUM

TO: Patrick Smith, Planner

FROM: John Maddock, Maintenance Supervisor/Development Engineer.
Dan Bath, Public Works Engineer

DATE: November 10, 2003

SUBJECT: **03-0217 SUB A Raj Des Moines Estates**

I have reviewed the Preliminary Plat of this eight lot subdivision, for conformance to the requirements of the Burien Municipal Code (BMC) Title 17, Chapter 17.40, Preliminary Plats. I also reviewed the three page set of preliminary and civil drawings. Please forward the following comments to the Project surveyor and engineer.

Preliminary Plat Map:

1. Show the boundary lines and zoning for adjacent parcels, north and south and east of the property, for a distance of at least 100 feet. Show current ownerships of these properties. Refer to BMC 17.40.020 (2) (e) and (f) for specifics.

2. The plat shows the access road as a private road. BMC 17.30.010, Permitted Conditions, requires City Council approval for private streets, unless adequate service cannot be provided by a public street. If a private street is desired, its need will have to be proven.

3. Contact King County for a tentative name for the access street. will be named before Recording Final Plat

4. Dimension the width of the driveway intended to serve proposed Lot 7.

5. Provide dimensions for building setback lines.

6. The half cul de sac is not acceptable to the Burien Fire Department. Unless a full circle is provided, there must be a statement on the map stating that homes built on Lots 3, 4, 5, 6, 7, and 8 will require residential sprinkler systems.

Civil Plans:

Consider revising the project design, to a full cul de sac, for the reasons cited in Comment 6.

Sheet C1 of 3:

No comment.

Sheet C2 of 3:

1. Much of the data in the lower left and right corners is redundant, as it is already included on Sheet C1.

80.

2. The access road will require a station line, advancing easterly and a profile.

3. Reference KCRS Dwg. No. 3-002 for the curb/gutter and sidewalk details.

4. The curb return at the intersection with Des Moines Memorial Dr. S will require an ADA ramp meeting current standards.

5. Clearly show existing utilities within Des Moines Memorial Dr. S and the proposed locations on the access street.

6. Des Moines Memorial Dr. S is in the jurisdiction of the City of SeaTac. What frontage improvements, if any, will be required by that City? Please provide a letter, with the next submittal, from the SeaTac Public Works Department.

Sheet C3 of 3:

1. See comment 1 above.

2. The drainage system could be included on Sheet C1 of 3.

3. A profile of the storm drain system will be required along with design details for the underground D/R tank, manholes CBs and pipe.

4. Reference KCRS Dwg. Nos. for details related to drainage, including 2-016, 017 and 018 for CB frames and grates.

5. The typical street section is redundant on this page.

6. There is not sufficient information provided to determine approximate size and space requirements for the design of the detention tank and Biofiltration swale. Given the requirement for level II detention, a more detailed evaluation (using KCRTS) will have to be provided, with all necessary assumptions listed and discussed.

7. The recommended Interceptor Drain System, along the north and part of the south side of the property, will have to be included in the plans. See Conclusions and Recommendations, "Subsurface Exploration and Surficial Hydrologic Study" by Associated Earth Sciences, Inc., October 17, 1989, pages 6 and 7.

8. An erosion control plan will be needed for the road grading.

Two complete sets of plans will be needed for the next review of this project.

Cc: Dan Bath, Public Works Engineer
Public Works Reading File

81.

82.

City of Burien

EXHIBIT 2

MEMORANDUM

TO: Ronald McConnell, Hearing Examiner

FROM: John Maddock, Development Engineer.
Patrick Smith, Planner

DATE: December 5, 2003

SUBJECT: **03-0217 SUB A Raj.**

The City requests that the following conditions be added to the requirements for approval of this subdivision.

1. Sidewalk, five (5) foot in width, shall be installed on the northerly and westerly perimeter of the proposed access street (BMC17.15.170). The sidewalk shall be located four and one half feet (4½) from the back of the curb, to provide a planter strip for street trees and ground cover.

2. Street trees shall be planted in the planter strip (BMC 19.25.060), and as specified on Dwg. No. 5-009 of the 1993 edition of the King County Road Standards.

3. A utility owned, operated and maintained street light shall be installed at the end of the cul de sac access street.

4. Access to Lot 1 shall be only from the tract street and not form Des Moines Memorial Drive S.

5. In lieu of installing the street improvements and street light, requested in items 1, 2 and 3, the applicant may post a performance bond (17.25.010) or other approved security in an amount satisfactory to the City, which will guarantee installation within one year of the date of plat approval.

Cc: File 03-0217 SUB A Raj
Public Works Reading File

R:\PW\JohnM\03-0217 SUB A Raj #2.doc

84.