

March 25, 2019

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

King County Courthouse
516 Third Avenue Room 1200
Seattle, Washington 98104
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www.kingcounty.gov/independent/hearing-examiner

REPORT AND DECISION

SUBJECT: Department of Local Services file no. **PLAT170010**
Proposed ordinance no.: **2019-0070**

KENSINGTON ENCLAVE
Preliminary Plat Application

Location: East side of 244th Avenue NE, Redmond

Applicant: Kensington Builders LLC
represented by **Todd Levitt**
14410 Bel-Red Road
Bellevue, WA 98007
Telephone: (425) 644-2323
Email: toddl@murrayfranklyn.com

King County: Department of Local Services
represented by **Kevin LeClair**
35030 SE Douglas Street Suite 210
Snoqualmie, WA 98065
Telephone: (206) 477-2717
Email: kevin.leclair@kingcounty.gov

SUMMARY OF RECOMMENDATIONS/DECISION:

Department's Preliminary Recommendation:	Approve, subject to conditions
Department's Final Recommendation:	Approve, subject to conditions
Examiner's Decision:	Approve, subject to conditions

EXAMINER PROCEEDINGS:

Hearing Opened: March 12, 2019
Hearing Closed: March 13, 2019

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

FINDINGS:

1. General Information:

Date of application:	December 21, 2017
Application completeness Date:	January 18, 2018
Applicant:	Kensington Builders, LLC Todd Levitt 14410 Bel-Red Road Bellevue, WA 98007
Engineer:	Core Design, Inc. James Olsen 14711 NE 29th Place, Suite 101 Bellevue, WA 98007
STR:	26-25-06
Location:	East side of 244th Avenue NE on eight lots accessed from NE 19th Street and two additional lots accessed from NE 18th Street. Parcel nos.: 2625069028, -9087, -9088, -9089, -9093, -9094, -9095, -9096, -9100, and -9101
Postal City:	Sammamish
Zoning:	R-4
Acreage:	11.72
Number of Lots:	43
Density:	3.7 dwelling units per acre
Average Lot Size:	7,335 square feet
Proposed Use:	Detached single-family dwellings
Sewage Disposal:	Sammamish Plateau Water and Sewer
Water Supply:	Sammamish Plateau Water and Sewer
Fire District:	King County Fire Protection District no. 10
School District:	Lake Washington School District no. 414

2. The site is in unincorporated King County and comprises ten parcels, each with a single family residence. Single family residential development, a municipal operations facility and church, along with R-1, R-4, and R-1-P zoning surround the site. The City of Sammamish is to the North and West. The plat would allow for 33 additional homes, and replace the existing ten, for 43 units, meeting both minimum and maximum density requirements.
3. At the hearing, the Department of Local Services, Permitting Division (“Permitting”), through Kevin LeClair, summarized the proposal. The Applicant, through Todd Levitt, provided further detail, including on the revised layout. The revisions resulted from coordination with neighboring residents to address their concerns. Modification included removing direct driveway access onto NE 18th Street and providing access through an internal loop, and addressing tree retention concerns, as detailed in Exhibit 27. Likely due to this coordination, these neighbors did not testify in opposition to the proposal. The Applicant was careful to clarify that it is the Exhibit 27 layout presented to the Examiner for approval, not earlier iterations.
4. Larry Herrick, who lives nearby, was not opposed to the site layout revisions, but had several questions. Mr. Herrick's questions addressed numerous concerns, including on stormwater management, culvert adequacy, transportation matters, sewer line location, and critical area buffer adequacy. The Applicant, through Mr. Levitt and Holly Hearvin, a civil engineer, provided responses. Permitting, through Mr. LeClair and Ms. Casey, also provided clarification. However, to ensure sufficient time for answers to the questions to be obtained and any further concerns raised, the record was kept open for one day. Mr. Herrick submitted an additional exhibit (Exhibit 29), which was admitted.
5. Various state and local agencies reviewed the project, including Lake Washington School District no. 414, Washington State Department of Fish and Wildlife (WDFW) (consultation included a site meeting with the agency), various County departments, and Sammamish Plateau Water and Sewer District.¹ The project includes mitigation to address identified concerns.
6. State Environmental Policy Act, Ch. 43.21C RCW review was completed through a Determination of Non-Significance, which was not appealed.²
7. There are no critical areas on site. There is a Type F stream and a Category II wetland off site. They are protected through buffering (165 feet for the stream and 147.5 feet for the wetland), with the King County Code allowing some deviation through buffer averaging and mitigation. No threatened, endangered or otherwise protected wildlife are mapped by County GIS or WDFW as being onsite. Analysis prepared by qualified professionals details these resources and their management. A Level 3 downstream drainage analysis

¹ Exhibit 2 (Staff Report), pgs. 2 and 8.

² Exhibit 2 (Staff Report), pg. 2, as corrected.

was also prepared, and the project will provide Level 3 Flow Control for on-site and downstream protection due to downstream flooding issues.³

8. Required urban services and facilities will be provided. Transportation improvements, including landscaping and sidewalks along NE 18th and 244th Avenue NE, and along the internal access street, were described at the hearing and in the Staff Report.⁴ No concerns were identified with these improvements,⁵ which are designed to mitigate project impacts, meet code requirements, and ensure adequate ingress and egress.
9. The Applicant demonstrated that fire safety, sewage, and water supply requirements can be met.⁶ To address school district concerns, traffic impact fees are being paid.⁷ And, with 31,306 square feet of recreation space, the project is providing close to double the 390 square feet per unit required.⁸
10. Except as modified by this Decision, the Staff Report,⁹ which provides considerable detail, is incorporated by reference. The Staff Report includes recommended conditions, which should be included to support Decision findings and ensure KCC requirements are met. A few minor grammatical/typographic changes were made (*e.g.*, removing the word “short” at Condition 8.B). But, as the conditions address code compliance as well as most of the citizen questions raised at the hearing, the conditions were not substantively revised.

CONCLUSIONS:

1. A preliminary plat cannot be approved unless:
 - 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 wastes, parks and recreation, playgrounds, schools and school grounds and all other relevant facts, including sidewalks and other planning features that assure safe walking conditions for students who only walk to and from school; and
 - B. The public use and interest will be served by platting the subdivision and dedication.¹⁰
2. These criteria have been met. The proposed subdivision, as conditioned below, and as reflected in the revised site plan, would conform to land use controls. The use, density,

³ Exhibit 2 (Staff Report), pg. 6, Hearing Testimony from Mr. LeClair, Mr. Levitt, and Ms. Hearvin.

⁴ Exhibit 2 (Staff Report), pgs. 5-6, as corrected and Hearing Testimony from Mr. LeClair and Mr. Levitt.

⁵ The Applicant clarified the scope of the NE 18th improvements (half street), which is consistent with the proposed condition language.

⁶ Exhibits 15 and 16 (certificates of water and sewer availability; fire flow was found to be sufficient).

⁷ Exhibit 2 (Staff Report), pg. 7.

⁸ *See* Exhibit 2 (Staff Report), pg. 7, for a more detailed description.

⁹ Exhibit 2 (incorporation is of the corrected version).

¹⁰ KCC 20.22.180.

and scale of the project are permitted in the R-4 zone, and the project is supported with adequate landscaping, infrastructure, street improvements, and other mitigation, to ensure the project meets KCC requirements.

3. If approved subject to the below conditions, the subdivision adequately addresses the issues identified in RCW 58.17.110 and KCC 20.22.180 and it will serve the public health, safety and welfare, and the public use and interest.
4. The below conditions for final plat approval are reasonable and serve the public interest.

DECISION:

1. The Kensington Enclave preliminary plat is APPROVED, subject to these conditions.
2. Compliance with all platting provisions of Title 19A of the King County Code.
3. All persons having an ownership interest in the subject property shall sign on the face of the final plat a dedication that includes the language set forth in King County Council Motion No. 5952.
4. The plat shall comply with the density requirements of the R-4 zone classifications. All lots shall meet the minimum dimensional requirements of the R-4 zone classification or shall be as shown on the face of the approved preliminary plat, whichever is larger, except that minor revisions to the plat which do not result in substantial changes may be approved at Permitting's discretion in accordance with KCC 19A.12.030.
5. All construction and upgrading of public and private roads shall be done in accordance with the 2016 King County Road Design and Construction Standards (KCRDCS) established and adopted by Ordinance 18420, as amended.
6. The Applicant must obtain the approval of the King County Fire Protection Engineer for the adequacy of the fire hydrant, water main, and fire flow standards of KCC Chapter 17.08.
7. Final plat approval shall require full compliance with the drainage provisions set forth in KCC 9.04. Compliance may result in reducing the number and/or location of lots as shown on the preliminary approved plat. Preliminary review has identified the following conditions of approval which represent portions of the drainage requirements. All other applicable requirements in KCC 9.04 and the 2016 King County Surface Water Design Manual (KCSWDM) must also be satisfied during engineering and final review.
 - A. Drainage plans and analysis shall comply with the KCSWDM and applicable updates adopted by King County. Permitting approval of the drainage and roadway plans is required prior to any construction.
 - B. Current standard plan notes and erosion and sedimentation control notes, as established by Engineering Review, shall be shown on the engineering plans.

- C. 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 drawings # (Permitting-issued plan record number to be inserted in space provided) on file with King County Department of Local Services Permitting Division and/or the King County Department of Local Services Road Services Division. This plan shall be submitted with the application of any building permit. All connections of the drains must be constructed and approved prior to the final building inspection approval. For those lots that are designated for individual lot infiltration systems, the systems shall be constructed at the time of the building permit and shall comply with plans on file.”

- D. The drainage facilities shall meet the requirements of the KCSWDM. The site is subject to the Conservation Flow Control and Basic Water Quality requirements in the KCSWDM. A Level 3 Flow Control is required for both on-site basins to address downstream drainage problems in the Allen Lake Outlet Channel.
- E. A culvert crossing under 244th Avenue NE shall be provided to convey the drainage flows from the west basin facility to the west side of 244th Avenue NE as indicated on the design plans received October 30, 2018. The culvert improvement shall require approval from the City of Sammamish. A hold harmless agreement shall be in place such that the City will not be responsible for surface water mitigation.
- F. To implement the required Best Management Practices (BMPs) for treatment of stormwater, the final engineering plans and technical information report shall clearly demonstrate compliance with all applicable design standards. The requirements for best management practices are outlined in Section 1.2.9 of the KCSWDM. The design engineer shall address the applicable requirements on the final engineering plans and provide all necessary documents for implementation. The final recorded plat shall include all required covenants, easements, notes, and other details to implement the required BMPs for site development.

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

8. The proposed subdivision shall comply with the KCRDCS, including the following requirements:
- A. The proposed internal loop road shall be improved at a minimum to the urban subaccess street standards with curb, gutter, and sidewalks on both sides.

- B. NE 18th Street frontage: The NE 18th Street frontage shall be improved at a minimum to the urban subcollector street standards, on the north side, including concrete curb, gutter, sidewalk and adequate right-of-way dedication for the improvement. The sidewalk shall be at a minimum five-foot wide per Section 3.02 of the KCRDCS. The pavement widening shall meet the overlay provisions of Section 4.03 of the KCRDCS.
 - C. 244th Avenue NE frontage: The 244th Avenue NE frontage shall be improved at a minimum to the City of Sammamish minor arterial standards on the east side. The improvements shall include necessary pavement widening, concrete curb, gutter, planter strip, sidewalk and adequate right-of-way dedication. The planter strip shall be at a minimum five-foot wide with street trees, and the sidewalk shall be at a minimum six-foot wide per City of Sammamish 2016 Public Works Standards.
 - D. A 30-foot right-of-way dedication shall be required on NE 18th Street for parcels 2625069093 and 2625069094 per KCRDCS. An additional five-foot right-of-way shall be dedicated along the 244th Avenue NE frontage per the City of Sammamish requirements.
 - E. The private access tracts shall be designed and constructed per Section 2.09 of the KCRDCS.
 - F. The access easement tract shall be improved per Section 3.01 of the KCRDCS. It shall provide sufficient driving surface to accommodate maintenance vehicles serving the facilities on Tract G.
 - G. Paired curb ramps at the intersection of 244th Avenue NE and NE 18th Street shall be ADA compliant.
 - H. Prior to final plat recording, KCRDCS roadway improvements shall be provided to serve the 43 new lots.
 - I. Modifications to the above road conditions may be considered according to the variance provisions in Section 1.12 of the KCRDCS.
9. Critical areas: The proposed subdivision shall comply with the Critical Areas Code as outlined in KCC 21A.24. Impacts to critical areas shall be avoided where possible, and compensatory mitigation is required for approved adverse impacts. Preliminary plat review has identified the following specific requirements that apply to this project. All other applicable requirements from KCC 21A.24 shall also be addressed by the applicant.
- A. Wetland category, aquatic area type, and buffers (KCC 21A.24.325 and 21A.24.358): There is a Type F aquatic area (outlet from Allen Lake) to the east and northeast of the proposed subdivision site. An associated Category II wetland is located between the aquatic area and the development site. KCC

requires a standard 147.5-foot buffer from the wetland edge, and a 165-foot buffer from the ordinary high water mark of the aquatic area.

- B. Critical areas tract (KCC 21A.24.180). The buffers from the off-site wetland and aquatic area on this property shall be placed in a critical areas tract to be shown on the engineering plans and final plat. The critical areas tract shall be held in an undivided interest by each owner of a building lot within the development, with this ownership interest passing with the ownership of the lot, or shall be held by an incorporated homeowner's association or other legal entity that ensures the ownership, maintenance and protection of the tract.
- C. A minimum building setback line of 15 feet shall be required from all edges of the buffer (KCC 21A.24.200).
- D. Permanent survey marking, and signs shall be installed prior to final plat approval (KCC 21A.24.160).
- E. Prior to any clearing and grading on the site, the tract/critical area and buffer and the area of development activity must be marked or otherwise flagged to the satisfaction of King County. The required marking or flagging shall remain in place until all development proposal activities in the vicinity of the critical area are completed. Additional erosion and sedimentation control measures may also be required per the KCSWDM and clearing and grading regulations.
- F. The following note shall be shown on the final engineering plan and recorded plat:

RESTRICTIONS FOR CRITICAL AREA TRACTS AND CRITICAL AREAS AND BUFFERS

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

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

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

- G. No adverse impact to wetland hydrology shall result from this proposal. Calculations shall be provided with the engineering plans to demonstrate that the pre-existing wetland hydrology will be maintained following construction of the development. Wetland water volume should not be increased or decreased by more than the recommendations in Reference 5 SWDM Guide Sheet 3B, that calls for no more than 20% higher or lower total volume of stormwater runoff to the wetland during a single precipitation event, and no more than 15% higher or lower total volume to the wetland in any one month.
 - H. Buffer averaging (KCC 21A.24.325.C): Buffer averaging is proposed to allow minor encroachment into the buffer by plat boundaries in a couple of locations. Equivalent or greater buffer additions are proposed to compensate for these encroachments.
 - I. Wetland buffer reduction (KCC 21A.24.325A3) may be used instead of buffer averaging for property within the urban growth area. The wetland buffer may be reduced by 25 feet when the measures to minimize impacts in KCC 21A.24.325.A.3.b are used.
 - J. Buffer alterations and water quality and quantity (KCC 21A.24.045): Stormwater dispersion trenches and associated pipes are allowed within the wetland buffers. This allowed alteration will be reviewed with the engineering plans, and must meet the criteria in KCC 21A.24.045.D.38 to minimize wetland impact and protect wetland water quality, quantity and habitat.
 - K. Compensatory mitigation (KCC 21A.24.340): A compensatory mitigation plan shall be provided for Permitting review and approval prior to engineering plan approval, for any temporary or permanent impacts from installation of the dispersion trenches into the wetland buffer. A financial guarantee may be required to ensure successful implementation of the approved mitigation plan.
10. All utilities within proposed rights-of-way must be included within a franchise approved by the King County Council prior to final plat recording.

11. Lots within this subdivision are subject to KCC 21A.43, which imposes impact fees to fund school system improvements needed to serve new development. As a condition of final approval, fifty percent of the impact fees due for the plat shall be assessed and collected immediately prior to the recording, using the fee schedules in effect when the plat receives final approval. The balance of the assessed fee shall be allocated evenly to the dwelling units in the plat and shall be collected prior to building permit issuance.
12. Suitable recreation space shall be provided consistent with the requirements of KCC 21A.14.180 and KCC 21A.14.190 (i.e., sport court[s], children’s play equipment, picnic table[s], benches, etc.).
 - A. A detailed recreation space plan (i.e. area calculations, dimensions, landscape specifications, equipment specifications, etc.) shall be submitted for review and approval by Permitting concurrent with the submittal of the engineering plan.
 - B. A performance bond for recreation space improvements shall be posted prior to recording of the plat.
13. A homeowners’ association or other workable organization shall be established to the satisfaction of Permitting which provides for the ownership and continued maintenance of the recreation, open space and/or critical area tract(s).
14. Street trees shall be provided as follows (per KCRDCS 5.03 and KCC 21A.16.050):
 - A. Trees shall be planted at a rate of one tree for every 40 feet of frontage along all roads. Spacing may be modified to accommodate sight distance requirements for driveways and intersections.
 - B. Trees shall be located within the street right-of-way and planted in accordance with Section 5.03 and Drawings 5-009 through 5-013 of the KCRDCS, unless the King County Department of Local Services Roads Services Division determines that trees should not be located in the street right-of-way.
 - C. If King County determines that the required street trees should not be located within the right-of-way, they shall be located no more than 20 feet from the street right-of-way line.
 - D. The trees shall be owned and maintained by the abutting lot owners or the homeowners association or other workable organization unless the County has adopted a maintenance program. Ownership and maintenance shall be noted on the face of the final recorded plat.
 - E. The species of trees shall be approved by Permitting if located within the right-of-way, and shall comply with KCRDCS 5.03L, M, and N. They shall not include species the County determines has the potential to disrupt utilities or impact roadway improvements. All tree planting in the right-of-way shall include the

installation of an approved root barrier adjacent to walks and curbs for each tree, unless otherwise approved by the County road engineer.

- F. The Applicant shall submit a street tree plan and bond quantity worksheet for review and approval by Permitting prior to engineering plan approval (if required), or if engineering plans are not required, at the time of the required pre-construction meeting (see Condition 4 above).
- G. The street trees must be installed and inspected, or a performance bond posted prior to recording of the plat. If a performance bond is posted, the street trees must be installed and inspected within one year of recording of the plat. At the time of inspection, if the trees are found to be installed per the approved plan, a maintenance bond must be submitted and held for one year. After one year, the maintenance bond may be released after Permitting has completed a second inspection and determined that the trees have been kept healthy and thriving.
- H. A landscape inspection fee shall also be submitted prior to plat recording. The inspection fee is subject to change based on the current County fees.
15. Sprinkler requirement: Any future residences are required to be equipped with fire sprinklers per National Fire Protection Association 13D unless the requirement is removed by the King County Fire Marshal or his/her designee. The Fire Code requires all portions of the exterior walls of structures to be within 150 feet (as a person would walk via an approved route around the building) from a minimum 20-foot wide, unobstructed driving surface. To qualify for removal of the sprinkler requirement the driving surface of the new roadway has to be a minimum of 28 feet in width if parking is allowed on one side of the roadway, and at least 36 feet in width if parking is permitted on both sides.

DATED March 25, 2019.



Susan Drummond
King County Hearing Examiner *pro tem*

NOTICE OF RIGHT TO APPEAL

A person appeals this Examiner decision by following the steps described in KCC 20.22.230, including filing with the Clerk of the Council a sufficient appeal statement and a \$250 appeal fee (check payable to the King County FBOD). Appeal statements may refer only to facts contained in the hearing record; new facts may not be presented on appeal. KCC 20.22.230 also requires that the appellant provide copies of the appeal statement to the Examiner and to any named parties listed on the front page of the Examiner's decision.

Prior to the close of business (4:30 p.m.) on *April 18, 2019*, an electronic copy of the appeal statement must be sent to Clerk.Council@kingcounty.gov and a paper copy of the appeal statement must be delivered to the Clerk of the Council's Office, Room 1200, King County Courthouse, 516 Third Avenue, Seattle, Washington 98104. Prior mailing is not sufficient if actual receipt by the Clerk does not occur within the applicable time period. If the Office of the Clerk is not officially open on the specified closing date, delivery prior to the close of business on the next business day is sufficient to meet the filing requirement.

Unless both a timely and sufficient appeal statement and filing fee are filed by *April 18, 2019*, the Examiner's decision becomes final.

If both a timely and sufficient appeal statement and filing fee are filed by *April 18, 2019*, the Examiner will notify all parties and interested persons and provide information about “next steps.”

MINUTES OF THE MARCH 12, 2019, HEARING ON PRELIMINARY PLAT APPLICATION KENSINGTON ENCLAVE, DEPARTMENT OF LOCAL SERVICES FILE NO. PLAT170010, PROPOSED ORDINANCE NO. 2019-0070

Susan Drummond was the Hearing Examiner in this matter. Participating in the hearing were Kevin LeClair, Todd Levitt, Larry Herrick, Holli Hearvin, and Laura Casey.

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

Exhibit no. 1	Department of Local Services file no. PLAT170010
Exhibit no. 2	Preliminary department report, transmitted to the Examiner on February 26, 2019
Exhibit no. 3	Land use permit application, received December 21, 2017
Exhibit no. 4	State Environmental Policy Act (SEPA) checklist, dated December 21, 2017
Exhibit no. 5	SEPA determination of non-significance, issued January 28, 2019
Exhibit no. 6	Affidavit of posting of notice of permit application, posted on January 26, 2018
Exhibit no. 7	Notice of application, mailed on February 1, 2018
Exhibit no. 8	Revised preliminary plat map; boundary and topographic survey map; legal description and restrictions; grading and utilities map; road section and details map; road plan and profile map; road plan and channelization map; tree retention plan; streetscape plan; recreation space plan; and schedule and details map; dated October 29, 2018
Exhibit no. 9	Revised technical information report by Core Design, dated October 30, 2018
Exhibit no. 10	Level 3 downstream drainage analysis/Allen Lake outlet channel hydraulic assessment by Ed McCarthy, dated August 15, 2018
Exhibit no. 11	Subdivision density and dimension calculations, dated December 13, 2017

- Exhibit no. 12 Carson Elementary School transportation information, received December 21, 2017
- Exhibit no. 13 Carson Elementary School transportation information, dated January 16, 2019
- Exhibit no. 14 ALTA commitment for title insurance, dated December 15, 2017
- Exhibit no. 15 Certificate of water availability by Sammamish Plateau Water & Sewer District, dated October 24, 2017
- Exhibit no. 16 Certificate of sewer availability by Sammamish Plateau water & Sewer District, dated October 23, 2017
- Exhibit no. 17 Fire district receipt by Eastside Fire & Rescue, dated November 14, 2017
- Exhibit no. 18 Revised critical area report by Raedeke Associates, Inc, dated October 30, 2018
- Exhibit no. 19 Response to King County comments by Raedeke, dated August 17, 2018
- Exhibit no. 20 Revised geotechnical report by Terra Associates, Inc, dated July 27, 2018
- Exhibit no. 21 Revised arborist report by Greenforest, Inc, dated August 27, 2018
- Exhibit no. 22 Critical areas review by Watershed Company, dated May 21, 2018
- Exhibit no. 23 Letter from Washington Department of Fish and Wildlife to Patrick Husting and Connor Valentine with site visit report, dated March 19, 2018
- Exhibit no. 24 Updated transportation impact analysis by Transportation Engineering Northwest, dated August 22, 2018
- Exhibit no. 25 Lake Washington School District response to request for school information, dated March 7, 2018
- Exhibit no. 26 Revised preliminary plat map “exhibit A”, dated February 19, 2019
- Exhibit no. 27 Revised preliminary plat map, dated March 11, 2019
- Exhibit no. 28 Excerpts (figure 13, figure 14, and table 4) of Allen Lake technical memo by Jeff Burkey, dated September 1, 2017

The following exhibit was offered and entered into the hearing record on March 13, 2019:

- Exhibit no. 29 Email from Larry Herrick with public comments, dated March 13, 2019

SD/ld

March 25, 2019

**OFFICE OF THE HEARING EXAMINER
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CERTIFICATE OF SERVICE

SUBJECT: Department of Local Services file no. **PLAT170010**
Proposed ordinance no.: **2019-0070**

KENSINGTON ENCLAVE
Preliminary Plat Application

I, Liz Dop, certify under penalty of perjury under the laws of the State of Washington that I transmitted the **REPORT AND DECISION** to those listed on the attached page as follows:

- EMAILED to all County staff listed as parties/interested persons and parties with e-mail addresses on record.
- placed with the United States Postal Service, with sufficient postage, as FIRST CLASS MAIL in an envelope addressed to the non-County employee parties/interested persons to addresses on record.

DATED March 25, 2019.



Liz Dop
Legislative Secretary

Archuleta, Wally
Department of Local Services

Bhat, Thirumalesh

Bottheim, Steve
Department of Local Services

Bryant, Katherine
Hardcopy

Carlson, Joanne
Department of Local Services

Casey, Laura
Department of Local Services

Ciliberti, Molly
Hardcopy

Clark, Maureen/Todd
Hardcopy

Darnell, Denise
Hardcopy

Eichelsdoerfer, Robert
Department of Local Services

Ellis, Brian and Erica
Hardcopy

Flaker, Michael

Floyd, Hank and Tami
Hardcopy

Goll, Shirley
Department of Local Services

Hanley, Jeff

Herrick, Larry
Hardcopy

Husting, Patrick/Jennifer
Hardcopy

LeClair, Kevin
Department of Local Services

Levitt, Todd
Kensington Builders LLC
Hardcopy

Martin, Barbara/Scott
Hardcopy

McIntosh, Brandon
Hardcopy

Middleton, Zak/Kimberley
Hardcopy

Morales, Maria

Olsen, Jim
Core Design
Hardcopy

Parammel, Vineetha
Hardcopy

Peterson, Ty
Department of Local Services

Pyle, David
City of Sammamish
Hardcopy

Robertson, Keith/Angela
Hardcopy

Schropp, Jack
Hardcopy

Selby, Scott
Hardcopy

Simone, Dino
Hardcopy

Smith, Gary and K
Hardcopy

Spielvogel, Heather
Hardcopy

Steele, Lisa
Hardcopy

Stock, Brandon
Hardcopy

Sung, Huey-yi
Department of Local Services

Taylor, Mark

Valentine, Connor

West, Mark/Maryann
Hardcopy

West, Robert D
Core Design
Hardcopy