

Staff Report to Hearing Examiner

Exhibit 1



425-489-2754 • 17301 133rd Avenue NE • Woodinville, WA 98072

Desk Hours • Monday – Thursday 7:30am – 5:00pm • Friday 7:30am – 4:00pm

Development Services Department

PROJECT NAME: Brickyard Ridge Subdivision

FILE NUMBER: PPA13002/SEP13019

PROJECT DESCRIPTION: Preliminary plat application to subdivide an existing 6.12 acre property consisting of three (3) legal parcels into thirteen (13) single-family residential lots in the R-1 and R-6 zoning districts. Construction will include approximately 27,000 cubic yards of grading, erosion control, street frontage, tree protection, and drainage improvements. SEPA is required for developments of five or more lots.

DATE OF REPORT: March 5, 2014

DATE OF HEARING: March 12, 2014

APPLICANT/OWNER/CONTACT: Tom DeDonato, on behalf of Brickyard Ridge LLC
10257 NE 64th Street, Kirkland, WA 98033
425-417-3455, tjd@spro.net

LOCATION OF PROPOSAL: 15215 NE Woodinville Duvall Road

ASSESSOR'S PARCEL NUMBER(S): 3244500135, 3244500137, 1126059152, 1126059156

CURRENT USE: Single-Family Residence/Vacant

PROPERTY SIZE: Three parcels totaling 6.12 acres

CURRENT ZONING: Residential, 1 unit per acre (R-1) and Residential, 6 units per acre (R-6)

COMPREHENSIVE PLAN DESIGNATION: Low Density Residential and Moderate Density Residential

SHORELINE DESIGNATION: N/A

FIRE SERVICE: Woodinville Fire and Rescue

WATER SERVICE: Woodinville Water District

SCHOOL DISTRICT: Northshore School District

STAFF RECOMMENDATION: STAFF RECOMMENDS THAT THE HEARING EXAMINER APPROVE WITH CONDITIONS THE PROPOSED PRELIMINARY PLAT APPLICATION

STAFF CONTACT: Erin Martindale, Senior Planner
425-877-2283, erinm@ci.woodinville.wa.us *EMM*

Rick Roberts, PE, Assistant Public Works Director
425-877-2294, ricker@ci.woodinville.wa.us *RR*

PROJECT DESCRIPTION:

Location: 15215 NE Woodinville Duvall Road

Legally described as THE WEST 640 FEET OF LOT 2, BLOCK 5, HENDRICKSON'S REPLAT OF MCCLOY'S GARDEN TRACTS, ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 22 OF PLATS, PAGE 29, IN KING COUNTY, WASHINGTON; EXCEPT THE WEST 150 FEET THEREOF; AND EXCEPT THOSE PORTIONS CONVEYED TO KING COUNTY FOR ROAD PURPOSES BY DEEDS RECORDED UNDER RECORDING NUMBERS 2605346, 7608050028 AND BY CONDEMNATION DECREE ENTERED IN KING COUNTY SUPERIOR COURT CAUSE NUMBER 819321; AND EXCEPT THE SOUTH 30 FEET THEREOF; TOGETHER WITH VACATED PORTION OF ROADS NO. 1 056 AND NO. 537 VACATED UNDER ORDER ENTERED OCTOBER 24, 1949 IN VOLUME 48 OF COMMISSIONER'S RECORDS, PAGE 67, AS WOULD ATTACH PER OPERATION OF LAW. LOT 2, KING COUNTY SHORT PLAT NUMBER 675046, RECORDED UNDER RECORDING NUMBER 7605240533, IN KING COUNTY, WASHINGTON, EXCEPT THAT PORTION OF SAID LOT DEEDED TO KING COUNTY, WASHINGTON UNDER RECORDING NUMBER 7611240668; TOGETHER WITH ALL OF LOT 2, BLOCK 5, HENDRICKSON'S REPLAT OF MCCLOY'S GARDEN TRACTS, ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 22 OF PLATS, PAGE 29, IN KING COUNTY, WASHINGTON; AND VACATED PORTIONS OF ROADS NO. 1 056 AND 537 VACATED UNDER ORDER ENTERED OCTOBER 24, 1949, IN VOLUME 48 OF COMMISSIONER'S RECORDS, PAGE 67, AS WOULD ATTACH BY OPERATION OF LAW; EXCEPT THE WEST 640 FEET THEREOF, AS MEASURED ALONG THE SOUTH LINE OF SAID LOT 2. EXCEPT THAT PORTION OF SAID LOT DEEDED TO KING COUNTY, WASHINGTON UNDER RECORDING NUMBER 7611240668; TOGETHER WITH LOT 2, KING COUNTY SHORT PLAT NUMBER 675046, RECORDED UNDER RECORDING NUMBER 7605240533, IN KING COUNTY, WASHINGTON, TOGETHER WITH THAT PORTION OF TRACT 3, KING COUNTY SHORT PLAT NUMBER 775058, RECORDED UNDER RECORDING NUMBER 7605240532, IN KING COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF SAID TRACT 3; THENCE S88°01'28"E ALONG THE NORTH LINE THEREOF A DISTANCE OF 330.00' FEET TO THE NORTHEAST CORNER OF SAID TRACT; THENCE S0°03'47"W ALONG THE EAST LINE THEREOF A DISTANCE OF 329.74' FEET TO THE SOUTHEAST CORNER OF SAID TRACT; THENCE N87°59'50"W ALONG THE SOUTH LINE THEREOF A DISTANCE OF 34.71' FEET; THENCE N43°58'03"W A DISTANCE OF 424.59' FEET TO THE WEST LINE OF SAID TRACT; THENCE N0°03'44" E ALONG SAID LINE A DISTANCE OF 30.30' FEET TO THE POINT OF BEGINNING. TOGETHER WITH EASEMENTS FOR INGRESS, EGRESS AND UTILITIES AS FURTHER DESCRIBED BY RECORDING NUMBERS 7605170685 AND 7605170686; AND TOGETHER WITH EASEMENTS FOR INGRESS, EGRESS AND UTILITIES AS DESCRIBED IN KING COUNTY SHORT PLAT NUMBERS 775058 AND 675046 AS RECORDED UNDER RECORDING NUMBERS 7605240532 AND 7605240533 RESPECTIVELY; Woodinville, WA.

The property is within the Leota neighborhood.

Parcel Size: Parcel Nos. 3244500135 and 3244500137 (R-6 zone): 1.983 acres

Parcel No. 1126059156 (R-1 zone): 4.134 acres

Total Site Area: 6.117 acres

Site/Area Description:

The site consists of three separate legal parcels. There are currently two single-family residences; they are proposed to be removed and will be required to be removed prior to final plat approval. The site is otherwise vegetated with mature trees. The site has areas of slopes greater than 40%. There are no wetlands or streams on the property.

Utilities:

Available utilities include:

Water/Sewer: Woodinville Water District
Electricity/Gas: Puget Sound Energy
Telephone/Cable: Comcast and Frontier

Access/Street Improvements:

The new lots will access the public road system through NE 185th Court. NE 185th Court is currently being built through another project Woodridge and expected to be completed in 2014. NE 185th Court access 151st Avenue NE and NE Woodinville Duvall Road. Lots 1 through 9 will access a road developed to public road standards, while Lots 10 through 13 will access a road developed to private road standards (allowed for up to four lots). Street improvements are also proposed to NE Woodinville Duvall Road, although no access will occur directly to this road.

Surrounding Land Uses/Zoning:

North: Single Family Residences/Residential, 1 unit per acre (R-1)
South: Single Family Residences / Residential, 1 unit per acre (R-1)
West: Single Family Residences / Residential, 6 units per acre (R-6)
East: Single Family Residences / Residential, 1 unit per acre (R-1)

BACKGROUND:

A boundary line adjustment was recorded on August 28, 2013 that separated out a portion of the project, and which is not part of the proposed subdivision (This area is called out southwest of Lot 10 on the plans).

Tom DeDonato, on behalf of Brickyard Ridge LLC applied for a preliminary plat application on June 4, 2013. The application was complete that day, and a letter of complete application was sent on June 27, 2013. The City issued a Notice of Application (NOA) on July 8, 2013, with a 15-day comment period, which ended on July 22, 2013. A Determination of Nonsignificance was issued on February 3, 2014. A SEPA Addendum was issued on March 3, 2014, to correctly identify the number of properties and total property area.

Additional information was requested from the applicant at various points during the process. In each case, the applicant responded by submitting the necessary information.

COMPREHENSIVE PLAN:

The Comprehensive Plan encourages northwest woodland character design, promotes pedestrian friendliness and traffic linkages, encourages recreation space, and requires adequate infrastructure for development within the City limits. The City of Woodinville Comprehensive Plan designates this property as Low Density Residential

and Moderate Density Residential. Pursuant to WMC 17.13.010, the proposal complies with the intended goals, objectives and policies of the Comprehensive Plan. The following Comprehensive Plan Policies apply to this project:

- a. GOAL LU-1: To guide the City's population growth in a manner that maintains or improves Woodinville's quality of life, environmental attributes, and Northwest woodland character.
- b. Policy LU-1.2 Encourage future development in areas:
 - 1. With the capacity to absorb development (i.e., areas with vacant or underdeveloped land and available utility, street, park, and school capacity, or where such facilities can be cost effectively provided), and
 - 2. Where adverse environmental impacts can be minimized; and where such development will enhance the area's appearance or vitality
- c. Policy LU-3.1 Encourage development that complements the existing residential development patterns in Woodinville's neighborhoods.

ZONING /SUBDIVISION CODE:

In accordance with the consistency test outlined in the Growth Management Act (RCW 36.70B.040), prior to making a decision or recommendation on an application, the City must consider whether a project meets the adopted development regulations and/or Comprehensive Plan policies. The subject property is located in the R-1 and R-6 Zones and the following standards apply:

Regulation	Requirement	Submitted
Land Use:	Single-Family Residential	Single-Family residential homes are proposed.
Density:	<p><u>R-1</u> Base: 1 unit per acre Minimum: None</p> <p><u>R-6</u> Base: 6 units per acre Minimum: 75% of base density</p>	<p><u>R-1</u> Gross area: 4.13 acres Submerged lands area: 0 acres Base density: 1 x 4.13 = 4.13 (4 lots maximum) 4 lots proposed</p> <p><u>R-6</u> Gross area: 1.98 acres Submerged lands area: 0 acres Base density: 6 x 1.98=11.88 (12 lots maximum) Minimum density: 11.88 x 75% = 8.91 (8 lots minimum) 9 lots proposed</p>
Minimum lot area:	<p>R-1: 35,000 square feet</p> <p>R-6: 6,000 square feet</p>	<p><u>R-1</u> Lot sizes are all above 35,000 square feet</p> <p><u>R-6</u> Average lot area: 6,001 square feet</p>

	<p>With lot size averaging per WMC 21.12.180, a lot may be 0.85 times the minimum lot area.</p>	<p>Smallest lot size: 5,700 square feet, which is 0.98 times the minimum lot size.</p>
<p>Lot widths:</p>	<p><u>R-1</u> Lot width (circle): 100 feet Lot width at street: 100 feet (75ft on cul-de-sac)</p> <p><u>R-6</u> Lot width (circle): 50 feet Lot width at street: 50 feet</p>	<p>Range: At Street: 136 to 229 feet, Circle: 136 to 167 feet All lots have a minimum 100 foot lot width measured by lot width circle and lot width at the street.</p> <p>Range: At Street: 55 to 98 feet, Circle: 55 to 89 feet All lots have a minimum 50 foot lot width measured by lot width circle and lot width at the street.</p>
<p>Lot depths:</p>	<p>Minimum: Ratio of 1:1 with lot width</p>	<p>Depth Range: R-1: 265 to 310 feet; R-6: 73 to 115 feet Ratio Range: 1:1.03 to 1:2.25</p>
<p>Tree Retention & Landscaping</p>	<p>Street Frontage Landscaping: Street Trees required</p> <p>Tree Retention required: Tree Plan III required</p>	<p><u>Landscaping:</u> Street trees are proposed to be provided. Additionally, the perimeter of the drainage tract will be required to be landscaped with Type II landscaping; and the open space tract will be required to be re-vegetated with native vegetation after the grading is complete.</p> <p><u>Tree Retention:</u> The site area is 6.12 gross acres. After the right-of-way dedication, there will be 5.35 acres. A total of 321 tree credits are required. Outside the clearing limits, there will be a total of 526.8 tree credits. This excludes any replanting for the individual lots or for the stormwater drainage tract.</p> <p>A final tree plan is required to be submitted prior to site development permit that provides Tree Typing required per code for all trees on-site, that provides a plan showing which trees will be removed and which trees will be retained.</p> <p>The arborist submitted a memo regarding grading on Lots 8 and 9 and the impact to off-site trees, within unopened public right-of-way. A condition has been added requiring either conformance with that</p>

		memo, or some other protective measures, as accepted by the Public Works Director.
Critical areas:	<p>Protect critical areas, including wetlands, streams, steep slopes, and fish and wildlife habitat areas.</p> <p>There are areas of geologic hazard on the property.</p>	<p>The geotechnical report identified 13 areas of potential landslide hazard area. Figure 6 in the report shows these areas on a plan view. Areas A, B, C and D will be completely removed for site development. A portion of Area E is proposed to be modified for road construction. Areas G, H, I, J and K are manmade slopes created for an old road/driveway.</p> <p>The remaining portion of Area E, all of Areas F, L, and M are not proposed to be altered, and will have a Native Growth Protection Easement (NGPE) placed on top of them. A 10' buffer from these slopes will be required, and will also be part of the NGPE.</p> <p>The geotechnical report demonstrated that the alteration criteria in WMC 21.24.310(1)(b) have been met for those slope areas proposed to be altered. The other development criteria have been met. The subdivision design criteria in (1)(h) have been met, and the alterations for the slope areas shown to be altered are recommended to be approved.</p>
Lighting:	Street lights are required per the City of Woodinville Infrastructure Standards.	Street lighting is proposed to be installed as part of this project, and a final plan is required to be submitted prior to construction permit issuance. Street lights will be required to be installed, along with other frontage improvements, prior to plat recording, on NE 185 th Court and NE Woodinville Duvall Road.
Utilities:	Per the requirements of each utility provider.	Utilities are available from the providers. New and existing utilities are required to be placed underground, per WMC 15.39.010. This is required for on-site utilities as well as utilities on NE Woodinville Duvall Road.
Fire:	Meet the Fire Code requirements.	<p>Fire hydrants to be located in accordance with the International Fire Code (IFC).</p> <p>The required fire flow will be in accordance with Fire Department and</p>

		<p>Water District standards.</p> <p>The two turnarounds shown comply with the IFC Appendix D.</p>
<p>Drainage:</p>	<p>The drainage plan shall meet the criteria of the 2009 King County Surface Water Design Manual.</p>	<p>A detention vault is proposed to provide detention and water quality improvements for all the stormwater generated by this project. The system will connect to the City's existing storm drainage system on Woodinville-Duvall Road.</p> <p>The detention vault tract, will be dedicated to and maintained by the City. The homeowners association will be required to maintain the landscaping and lawn areas.</p>
<p>Public Street Improvements/Deviations:</p>	<p>Standard right-of-way width: 60 feet Standard roadway width: 36 feet Turnaround: Alternative 70-foot hammerhead (Appendix D of IFC)</p> <p>Design per public street standards as described in 1999 Transportation Infrastructure Standards and Specifications (TISS).</p>	<p>Lots 1 through 9 will be accessed via a public road, Lots 10 through 13 via a private road (partially within unopened right-of-way, partially within a separate tract).</p> <p>The applicant submitted, and the Public Works Director approved, a deviation to modify the standard public right-of-way improvements for the new internal public road. The applicant will be required to construct a roadway that includes a 5-foot sidewalk, 5.5-foot planter, 28-foot of pavement, and a 6.5-foot sidewalk on the south side of the road. Parking will be permitted along one side of the road.</p> <p>The private road will be developed with 23 to 26 feet of pavement, including two through lanes and a shoulder.</p> <p>Two hammerhead turnarounds are required to comply with distance requirements in the IFC. There is an existing turnaround on the western edge of this property, providing fire access to the Woodridge Plat to the west. This turnaround is required to remain in place until construction of the Brickyard fire turnarounds are completed and accepted by the City. The turnaround for Woodridge shall be extinguished once the Brickyard turnarounds are completed.</p>

		<p>Improvements to NE Woodinville Duvall Road are also required, including 20 feet of dedication, curb and gutter, a 6-foot planter, and 5-foot sidewalk.</p> <p>Final construction plans will be subject to review and approval prior to issuance of any development permits.</p>
Impact Fees:	Pay traffic and park impact fees	<p>Traffic and park impact mitigation fees will be required to be paid at the time of building permit issuance, for each new home. There will be credit for the two existing single family residences. A note will be placed on the face of the final plat to this effect.</p> <p>The traffic report submitted demonstrates that the project meets the level of service requirements required by Chapter 21.28 WMC.</p>
School Impact:	Address school impacts and safe walk routes to schools	<p>School attendance: Elementary School: Wellington Junior High School: Leota High School: Woodinville</p> <p>All students will be bussed to all three schools. The closest bus stop is at 151st Avenue NE and Woodinville-Duvall Road. After development of this plat, as well as the adjacent (to the west) Woodridge Plat, there will be a sidewalk on the public road system the entire way to this bus stop.</p>

AGENCY REVIEW:

Environmental Review: As the lead agency the City of Woodinville issued a Determination of Nonsignificance under Washington Administrative Code 197-11-340(2) on February 3, 2014. No appeals were filed and the Determination stands as issued. A SEPA Addendum was issued on March 3, 2014.

Notice: Notice of this application has been provided in accordance with the provisions of WMC Title 17. This project was circulated for review and comment on [date], by [publishing the Notice of Application in the newspaper of record; mailing a copy of the Notice to property owners within 500 feet of the project and interested agencies; and posting the Notice at the site and at the official locations for City Notices.

A Notice of Public Hearing was advertised in the same manner as the Notice of Application on February 24, 2014.

Agency Comments:

Agencies with no comments:

- Woodinville Police Department
- Woodinville Fire and Rescue

Agencies with comments:

- Woodinville Public Works Department
- Woodinville Building Department
- Woodinville Parks and Recreation Department
- Woodinville Water District

Public Comment:

One written public comment letter has been received in regards to this project, received from K&S Penny. The primary concerns expressed were regarding impacts from construction (noise, litter, access). The applicant has been required to address the impacts identified that are under the authority of the City.

DETERMINATION OF CONSISTENCY:

Revised Code of Washington 36.70B.040 – Determination of Consistency and WMC 17.13.100 requires that a proposed project shall be reviewed for consistency with a local government’s development regulations during project review by consideration of:

1. Type of land use;
2. Level of development, such as units per acre or other measures of density;
3. Infrastructure, including public facilities and services needed to serve the development; and
4. The characteristics of the development, such as development standards.

Based on the above analysis, and with the proposed conditions listed below, staff finds that the Brickyard Ridge has met the requirements of the City of Woodinville Infrastructure Standards, Comprehensive Plan, and Woodinville Municipal Code. The Preliminary Plat application has also made appropriate provisions for the public health, safety, and general welfare by:

1. Providing for storm drainage improvements;
2. Installing street improvements to meet the adopted Infrastructure Standards, including providing for sidewalks;
3. Paying mitigation fees for traffic and parks impacts; and
4. Improving the site with public water, sewer/septic, utilities, and street lighting.

STAFF RECOMMENDATION:

The proposed project was found to be consistent with and meet the intent of the Woodinville Comprehensive Plan and applicable development regulations; therefore, staff recommends **APPROVAL** of the Brickyard Ridge Subdivision (File No. PPA13002/SEP13019) subject to the following conditions:

Final Plat/Site Plan

1. All improvements shall be constructed in accordance with the approved Preliminary Plat Map submitted February 4, 2014. The Planning Director may approve minor modifications of the plans submitted if the modifications do not change the Findings of Fact or the Conditions of Approval.
2. The following notes and information shall appear on the face of the final plat map. All signature blocks shall be in accordance with City Standards.
 - a. "The use and development of the property included within this plat shall be governed by the Conditions of Approval imposed through File Number PPA13002/SEP13019 and shall be binding upon the land until that approval is amended, revoked or expires."
 - b. A free consent statement in conformance with City of Woodinville and King County standards shall be acknowledged by property owners and shall be notarized.
 - c. "All property owners shall maintain, in a uniform manner, the City right-of-way located between their property lines and the back of adjacent curbs or street lines to the maintenance level or standard applied to City parks. In such cases where the City is required to perform such maintenance, the City shall bill the property owners for the cost of such maintenance, including administration costs".
 - d. Designate on plat map which lots will receive traffic and park impact fee credit for the two existing homes.
 - e. A private road agreement must be designated on the face of the plat and must specify the use and maintenance of the private facilities.
 - f. "No lot may take direct access to NE Woodinville Duvall Road."
 - g. "With application for each building permit, a tree planting plan shall be submitted, in conformance with the approved planting plan, prepared by _____, and approved by the City on _____. The required trees shall be planted prior to final inspection for the residence."
3. The following changes shall be made to the final plat map:
 - a. Remove trees and topography from the map.
 - b. Remove setbacks, driveway lines, the street improvement details, and other items not relevant to the plat recording.
 - c. Add the bearings for the lot lines.
 - d. Show all existing and proposed easements and tracts; show the proposed easements and tract ownership and maintenance responsibilities.
 - e. If any financial institutions appear in the title report at the time of final plat application, their signature must be added to the plat map.
 - f. Include the requirement that the homeowners association is responsible for maintaining the landscaping in stormwater tract, and any irrigation systems in the planter strips and the stormwater tract, including payment for any water usage. The City will maintain the storm drainage vault/system within this tract.
4. A ten foot utility easement along all public street frontages shall be dedicated as part of the plat.
5. The portion of NE 185th Court that fronts Lots 1 through 9 shall be dedicated to the public prior to or as part of the final plat approval.
6. Dedication of 20' feet of frontage along NE Woodinville Duvall Road shall be completed prior to or as part of plat recording.

7. Prior to recording of the Brickyard Ridge Subdivision, NE 185th Court where it goes through the Woodridge Subdivision to the west must be dedicated as a public road.
8. There is an existing turnaround on the western edge of this property, providing fire access to the Woodridge Subdivision to the west. This turnaround shall remain in place until construction of the Brickyard fire turnarounds are completed and accepted by the City. The turnaround for Woodridge shall be extinguished once the Brickyard turnarounds are completed and accepted.
9. The following items are required to be shown on the face of both the final plat map and supplemental map prior to final approval. The required language for these items may be obtained from the City:
 - a. Surveyor Certificate;
 - b. Correct legal description of all lots;
 - c. Owners Statement;
 - d. All new easement(s) over the property, their legal description(s) and associated dedication block(s);
 - e. Recording block/Certification block for Planning Director and Public Works Director approval;
 - f. Certification of Payment of Taxes and Assessments;
 - g. Auditor's Certificate;
 - h. North arrow;
 - i. The survey control scheme, monumentation and references.
10. Submit a copy of the covenants, conditions and restrictions along with the application for final plat approval.
11. All improvements shall be constructed in accordance with the approved site development plans and shall be installed prior to final plat approval.
12. As-builts shall be submitted showing all public improvements with application for final plat. The submitted as-builts shall be in the format required by the City's Infrastructure Design Standards and Specifications. The applicant shall have a licensed surveyor or engineer prepare and/or supervise the preparation of record drawings to be reviewed, approved and signed by the Public Works Director upon satisfactory installation of the constructed infrastructure improvements and site work. The City will require one (1) reproducible (mylar), one (1) signed blue-line, one (1) 11" x 17" reduced copy, and one (1) electronic file in CAD format of the drawings shall be approved prior to final plat approval.
13. All permanent survey control monuments shall be provided in accordance with the City's Infrastructure Standards prior to final plat approval. Additional monumentation shall be installed as required by the Public Works Director.
14. Prior to acceptance of the improvements, a final inspection shall be completed by the Planning and Public Works Departments.

Site Development

15. All work within public right-of-way requires a right-of-way permit, including site, frontage and utility improvements. Right-of-way permits must include a traffic control plan, erosion control plan, and all frontage improvements proposed for the site.
16. All work on private property requires a site development permit, including site, drainage, landscaping, mitigation and utility improvements. The site development permit application shall conform to the conditions of approval in this decision.
17. Final civil plans depicting the proposed improvements and erosion control methods shall be submitted to the City for review and approval prior to issuance of any permits. The improvements shall be designed in conformance with the City's Municipal Code and Infrastructure Standards.
18. Construction vehicles are required park on the site. Construction vehicles may only directly access from NE Woodinville Duvall Rd with a specific plan and approval of the Public Works Director. All other construction access must be from NE 185th Court.

19. All walls over four (4) feet in height or that carry a surcharge require a separate building permit. Such walls must be designed by a professional engineer licensed in the State of Washington. Permits for the walls shall be submitted, reviewed and approved prior to construction of the wall. Walls within public rights-of-way shall have an architectural finish, climbing vines, and Type I landscaping screening, as approved by the Public Works Director.
20. The two existing single-family residences shall be removed prior to final plat. A demolition permit is required to complete this work.
21. The stormwater detention tract shall be landscaped on the border with NE Woodinville Duvall Road and Lot 7, by a minimum of 5-feet of Type II landscaping, as shown on the preliminary landscape plans. A final landscaping plan with detailed landscaping for this area shall be submitted to the City for review and approval prior to issuance of any permits. The landscaping and irrigation shall be designed in conformance with the City's Municipal Code and Infrastructure Standards. A final irrigation plan shall also be provided for this landscaping.
22. Permanent irrigation is required for the street tree planter within the public rights-of-way. A final irrigation plan shall be provided for these trees.
23. Provide a re-vegetation plan for the open space tract, using native vegetation appropriate for sloped areas. The geotechnical engineer shall review and provide an addendum on the landscaping plan.
24. Provide a re-vegetation plan for the area of the unopened right-of-way that will be disturbed by construction of this project.
25. A final tree retention, removal, and protection plan shall be submitted to the City for review and approval prior to issuance of any permits. The tree plan shall be designed in conformance with the City's Municipal Code and Infrastructure Standards. This project is subject to a Type III tree plan. The site area, after right-of-way dedication, is 5.35 acres. The site is required to have 321 tree credits, pursuant to Chapter 21.15 WMC. Outside the clearing limits, there will be a total of 526.8 tree credits. This excludes any replanting for the individual lots or for the stormwater drainage tract. The final plans shall include the following revisions:
 - a. Submit tree typing for all existing on-site trees. Trees designated as Type I trees per Chapter 21.15 WMC may be required to be retained.
 - b. If each lot will not meet tree credit requirements on their own, designate the tree credits required per lot on the final plat map.
 - c. Show clearly trees to be removed and trees to be retained on the civil plans.
 - d. Tree protection details shall be shown on the civil plans, per WMC 21.15.080. Tree protection for the trees on neighboring properties shall be called out specifically.
 - e. Revise the clearing and grading plan per arborist memo to show a 10 foot setback from any grading activities on Lots 8 and 9. Alternatively, some other protective measures may be proposed, subject to approval by the Public Works Director.
26. The stormwater detention design and stormwater discharge shall utilize the Best Management Practices of the 2009 King County Surface Water Design Manual and the current Department of Ecology National Pollutant Discharge Elimination System (NPDES). Drainage facilities must be designed for maximum impervious surfaces allowed, or a note shall be placed on the final plat map stating the impervious surface maximums allowed. All development shall proceed in accordance with the recommendations listed in the Preliminary Technical Information Report, prepared by CPH Consultants, dated May 30, 2013; Downstream Storm Drainage Capacity Analysis, prepared by CPH Consultants, dated February 4, 2014; Downstream Storm Drainage Conveyance Calculations, prepared by CPH Consultants, dated February 26, 2014; and Storm Drain Conveyance System Calculations, submitted March 4, 2014; and any further addendums as accepted by the Public Works Director. A final Technical Information Report shall be submitted, reviewed and approved prior to construction permit issuance.

27. All existing and proposed overhead utilities, both on site or on adjoining public rights-of-way, shall be placed underground, prior to final plat approval, as required under Chapter 15.39 WMC.
28. A temporary erosion and sedimentation control plan shall be submitted, reviewed and approved by the City, and prepared in accordance with the 2009 King County Surface Water Design Manual. Temporary erosion and sedimentation control measures shall be installed and inspected prior to commencing construction. Temporary erosion and sedimentation control measures shall be maintained at all times during construction.
29. The clearing limits of the approved plans shall be clearly delineated in the field. Where such limits are in proximity to property boundaries or NGPE's, barrier fencing or siltation fencing shall be installed before site disturbance in accordance with the approved temporary erosion and sedimentation control plan.
30. A minimum four (4) foot tall chain link fence, or another fence as approved by the Planning Director pursuant to WMC 21.15.080, shall be installed around all trees designated to remain on the Tree Plan. The fence shall be located five (5) feet beyond the driplines of retained trees and shall surround the protected area of all retained trees, groups of trees, and their understory. A sign shall be installed every 15 feet along the entirety of the fence that states "Tree Protection Area, Entrance Prohibited, call 425-489-2754 to Report Violations".
31. Prior to any tree removal, the contractor shall mark each tree to be removed, and the City shall inspect and approve the trees to be removed.
32. All development shall proceed in accordance with the recommendations listed in the Revised Geotechnical Report prepared by Robinson Noble, dated December 12, 2013; and Supplemental Slope Stability Letter, prepared by Robinson Noble, dated February 3, 2014; and any further addendums as accepted by the Public Works Director.
 - a. Areas E, F, L and M, as designed in Figure 6 in the geotechnical report, have a Native Growth Protection Easement (NGPE) designated on the final plat map. A 10' buffer from these slopes will be required, and the buffer shall be required to be part of the NGPE.
 - b. An addendum to the geotechnical report shall be submitted with the final stormwater design.
33. All construction shall meet the development criteria in WMC 21.24.310, including design standards, requirement for retaining vegetation, seasonal restrictions, utility lines and pipes, and point discharges.
34. All costs of any work, new or upgrade, to the existing utilities system and facilities that is required for this project shall be the responsibility of the applicant.
35. All construction of water and sewer facilities shall be in accordance with the standards, specifications and regulations of the Woodinville Water District. Written verification from the District stating that all required improvements have been installed shall be submitted with application for Final Plat.
36. The mailbox location shall be approved by the Woodinville postmaster and the City Engineer prior to installation to ensure there is no interference with traffic sight distances.
37. All construction shall proceed in conformance with the requirements of the International Fire Code, including water supply, hydrant, access, addressing, fire sprinkler, fire detection or alarms, and fire extinguishers. Additional fire protection conditions include the following:
 - a. Notify the Woodinville Fire and Rescue Fire Marshal's Office twenty-four (24) hours in advance before closing a lane of traffic or any water shut off. They may be contacted at 425-483-2131.
 - b. Fire turnarounds shall be in accordance with Appendix D of the 2012 International Fire Code.
 - c. Hydrant markers shall be installed in the roadway to indicate each fire hydrant location. It shall be placed directly across from the hydrant location, off set one (1) foot from the roadway center toward the hydrant.
38. All construction equipment, building materials, and debris shall be stored on the applicant's property, out of the public right-of-way. In no case shall the access to any private or public property be blocked or impinged upon without prior consent from the affected property owners and a right-of-way permit obtained from the City of Woodinville.

39. If at anytime during clearing, grading and construction the streets are not kept clean and clear, all work will stop until the streets are cleaned and maintained in a manner acceptable to the Public Works Director.
40. The applicant and contractor shall attend a pre-construction meeting with City staff to discuss expectations and limitations of the project permit before starting the project.
41. One week prior to starting construction on the site, the applicant shall provide written notification to all neighboring property owners within 300 feet, and all properties with access to the site through NE 185th Court and 151st Avenue from NE Woodinville Duvall Road (Woodridge and Tanglin Subdivisions), that the work will be occurring within the neighborhood. The notice shall include a description of the project, the name of the developer and contractor, and a 24-hour contact person with phone number and email. The applicant shall provide a declaration of mailing with a copy of the mailing labels to the City.
42. A Heavy Hauling permit will be required if there are more than five truck loads per day in to or out of the site.
43. A National Pollutant Discharge and Elimination System permit may be required from the Washington State Department of Ecology. This permit must be obtained prior to any site disturbance. All construction shall proceed in conformance with this permit. Please contact the state directly to determine their requirements and if a permit is required.
44. A Forest Practices Permit may be required from the Washington State Department of Natural Resources. This permit must be obtained prior to any site disturbance. All construction shall proceed in conformance with this permit. Please contact the state directly to determine their requirements and if a permit is required.
45. Construction noise is not permitted anytime on Sundays and holidays, and outside the hours of 7:00 a.m. through 7:00 p.m., Monday through Friday and 9:00 a.m. through 5:00 p.m. on Saturday; or, from Memorial Day to Labor Day, anytime on Sundays and holidays and outside the hours of 7:00 a.m. through 9:00 p.m., Monday through Friday and 9:00 a.m. through 5:00 p.m. on Saturday.
46. The Development Services Director and/or the Public Works Director shall have the authority to direct the developer or the developer's on-site representative to immediately cease activities and redirect their attention to resolving any problem, particularly any environmental degradation, which in the Director's opinion needs immediate resolution. Failure of the developer or his representative to redirect such labor and equipment shall result in immediate project closure and resolution of the problem by the City.
47. Should archaeological materials (e.g. bones, shell, stone tools, beads, ceramics, old bottles, hearths, etc.) or human remains be observed during project activities, all work in the immediate vicinity should stop. The State Department of Archaeology and Historic Preservation (360-586-3065), the City planning office, the affected Tribe(s) and the county coroner should be contacted immediately in order to help assess the situation and determine how to preserve the resource(s). Compliance with all applicable laws pertaining to archaeological resources (RCW 27.53, 27.44 and WAC 25-48) is required. Failure to comply with this requirement could constitute a Class C Felony.
48. Prior to final plat approval, the applicant shall provide, and record, a tree preservation and maintenance agreement, pursuant to WMC 21.15.100.
49. A performance guarantee, in the form of a surety bond, assignment of funds or cash deposit, in the amount of 150 percent of the total project (public and private improvements, landscaping, and tree planting) as determined by the City, shall be submitted by the applicant prior to site development permit issuance. The applicant shall submit a completed site improvement quantity worksheet as part of the site development permit for determination of the amount.
50. A maintenance guarantee, in the form of a surety bond, assignment of funds or cash deposit, in the amount of 20 percent of the total project (public and private improvements, landscaping, and tree planting) as determined by the City, shall be submitted by the applicant prior to City acceptance of the improvements and final plat recording.
51. Maintenance periods shall begin when the City has accepted all required site improvements. The maintenance periods are as follows, and may be extended by the City if on-site conditions warrant an extension:

- a. Site, frontage, and lighting improvements – Two (2) years
 - b. Landscaping & Irrigation – Three (3) years
 - c. Tree Protection – Five (5) years
52. The City shall inspect the infrastructure at the end of the maintenance period. Any infrastructure that appears defective or has deteriorated beyond the norm for the period of the guarantee, as determined by the Public Works Director, shall be repaired by the applicant to the satisfaction of the City.
53. A separate sign permit shall be required for any new or altered signs.
- Other
54. The applicant shall pay park impact mitigation fees or other forms of negotiated impact mitigation for all lots in accordance with WMC 3.36. Payment of the park impact mitigation shall be made to the City of Woodinville at the time of building permit issuance. The total fee or mitigation amount shall be based on the mitigation fee established in WMC 3.36 in effect at the time of fee payment. There shall be a credit for the two existing single family residences. Allocation of those credits shall be specified by the applicant on the final plat map.
55. The applicant shall pay transportation impact mitigation fees for each new average daily trip generated by the proposed development for all lots in accordance with WMC 3.39. Payment of the traffic impact mitigation shall be made to the City of Woodinville at the time of building permit issuance. The total fee or mitigation amount shall be based on the mitigation fee established in WMC 3.39 in effect at the time of fee payment. There shall be a credit for the two existing single family residences. Allocation of those credits shall be specified by the applicant on the final plat map.

EXHIBIT LIST:

Exhibit 1	Staff Report
Exhibit 2	Application forms received June 4, 2013
Exhibit 3	Preliminary Plat Map, Preliminary Civil Plans submitted June 4, 2013, December 16, 2013 and February 4, 2014, prepared by CPH Consultants; Preliminary Landscaping and Tree Plans submitted October 7, 2013 and December 16, 2013, prepared by Cramer Design Consultants
Exhibit 4	Certificate of Water Availability dated April 29, 2013
Exhibit 5	Certificate of Sewer Availability dated April 29, 2013
Exhibit 6	Northshore School District School Walk Safety Assessment submitted June 4, 2013
Exhibit 7	Declaration of Protective Covenants, Conditions and Restrictions of the Plat of Brickyard Ridge, submitted December 16, 2013
Exhibit 8	Title Reports submitted June 4, 2013 and October 7, 2013
Exhibit 9	Preliminary Technical Information Report, prepared by CPH Consultants, dated May 30, 2013
Exhibit 10	Downstream Storm Drainage Capacity Analysis, prepared by CPH Consultants, dated February 4, 2014
Exhibit 11	Downstream Storm Drainage Conveyance Calculations, prepared by CPH Consultants, dated February 26, 2014
Exhibit 12	Storm Drain Conveyance System Calculations, submitted March 4, 2014
Exhibit 13	Revised Geotechnical Report prepared by Robinson Noble, dated December 12, 2013
Exhibit 14	Supplemental Slope Stability Letter, prepared by Robinson Noble, dated February 3, 2014
Exhibit 15	Wetland Determination, prepared by Paul C. Hamidi, dated April 2, 2013
Exhibit 16	Fish and Wildlife Habitat Conservation Area Report, prepared by Talasaea Consultants, Inc. dated

	May 22, 2013
Exhibit 17	Updated Traffic Impact Analysis, prepared by Gibson Traffic dated September 2013
Exhibit 18	Arborist Report prepared by American Forest Management, updated September 17, 2013
Exhibit 19	Memo Regarding Neighboring Trees, prepared by American Forest Management, dated December 3, 2013
Exhibit 20	Letter of Complete Application issued June 27, 2013
Exhibit 21	Notice of Application issued July 8, 2013
Exhibit 22	Public Comments Received
Exhibit 23	Response to Public Comments, prepared by Tom DeDonato, submitted October 7, 2013
Exhibit 24	Minimum Lot Size Averaging Analysis prepared by CPH Consultants, dated September 24, 2013
Exhibit 25	Deviation Request/Approval
Exhibit 26	Agency Comments Received
Exhibit 27	Comment Response Letter, prepared by Tom DeDonato and Cramer Design Consultants, submitted October 7, 2013
Exhibit 28	Comment Response Letter, prepared by Tom DeDonato, submitted December 16, 2013
Exhibit 29	Retaining Wall Detail submitted December 16, 2013
Exhibit 30	SEPA Determination issued February 3, 2014 and SEPA Checklist dated June 4, 2013
Exhibit 31	SEPA Addendum issued March 3, 2014
Exhibit 32	Notice of Public Hearing issued February 24, 2014
Exhibit 33	Lot Dimension Calculations