



**Staff Report to the Hearing Examiner  
Parkwood Terrace Preliminary Plat**

**EXHIBIT**   1    
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Date of Report: August 13, 2015  
Date of Hearing: August 20, 2015

**File Number:** PPA14001/SEP14017

**Project Description:** Preliminary Plat Application to subdivide two existing parcels totaling 2.98 acres into 15 single-family residential lots in the R-6 zoning district. Construction will include grading, erosion control, street frontage improvements, tree protection, and stormwater/drainage improvements. SEPA is required for developments of five or more lots and when critical areas are present on-site.

**Applicant & Contact:** Quadrant Corporation  
14725 SE 36<sup>th</sup> Street, #200; Bellevue, WA 98006  
Matt.perkins@quadranthomes.com  
  
Geoff Tamble of Blueline Group  
25 Central Way, Suite 400; Kirkland, WA 98033  
Gtamble@thebluelinegroup.com

**Property Owner:** Quadrant Corporation and Emanuil and Elena Nutu

**Location Of Proposal:** 13457 NE 205<sup>th</sup> Street (Parcel 'A') and 20325 136<sup>th</sup> Avenue NE (Parcel 'B'); Woodinville, WA

**Legal Description:** The property consists of two legal parcels identified as 13457 NE 205<sup>th</sup> Street (Parcel 'A') and 20325 136<sup>th</sup> Avenue NE (Parcel 'B'). Legally described as:

**Parcel 'A':** Parcel No. 032605-9049: POR OF E 363 FT OF GL 4 BEG NW COR SD E 363 FT TH S 88-55-08 E ALG N LN 196.45 FT TH S 01-28-07 W 181 FT TH N 88-55-08 W 55.03 FT TH S 01-28-07 W 146.48 FT TH N 88-55-08 W 131.39 FT TO W LN SD E 363 FT TH N 01-17-10 W ALG SD W LN 327.57 FT TO POB LESS N 20 FT FOR RD"

**Parcel 'B':** Parcel No. 032605-9095: N 437 FT OF E 363 FT OF GL 4 LESS ST RD LESS CO RD LESS FOLG DESC POR BEG NW COR SD E 363 FT TH S 88-55-08 E ALG N LN 196.45 FT TH S 01-28-07 W 181 FT TH N 88-55-08 W 55.03 FT TH S 01-28-07 W 146.48 FT TH N 88-55-08 W 131.39 FT TO W LN SD E 363 FT TH N 01-17-10 W ALG SD W LN 327.57 FT TO POB.

**Staff Recommendation:** Staff recommends approval of the preliminary plat, subject to conditions.

**Staff Contact:** Agnes Kowacz, Associate Planner  
425-877-2293; agnesk@ci.woodinville.wa.us

## PROJECT INFORMATION

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<b>Location:</b>	The property is located in the Wedge neighborhood along the north boundary of the city. The property is bounded by 136 <sup>th</sup> Avenue NE on the east and NE 205 <sup>th</sup> Street to the north.
<b>Property Size:</b>	Total size is 2.98 acres Parcel 'A' is 1.16 acres Parcel 'B' is 1.82 acres
<b>Current Zoning:</b>	R-6 zoning district
<b>Comprehensive Plan Designation:</b>	Moderate density residential
<b>Site/Area Description:</b>	The site consists of two lots that are currently developed. Both Parcel 'A' and Parcel 'B' are developed with single-family residences. A Type III stream is located along the northwest corner of the site. The site is characterized as rolling, with some man made steep slope areas along the north and east perimeter, adjacent to public roads (NE 205 <sup>th</sup> Street and 136 <sup>th</sup> Avenue NE). The site is vegetated with mature trees on the northern, southern and eastern property lines.
<b>Available Utilities:</b>	Water: Woodinville Water District Sewer: Woodinville Water District Electricity: Puget Sound Energy Natural Gas: Puget Sound Energy Telephone/Cable: Frontier and Comcast
<b>Fire Service:</b>	Woodinville Fire and Rescue
<b>Surrounding Land Uses/Zoning:</b>	North: Snohomish County R-5, Single Family Residential South: R-6, Single-Family Residential (6 units per acre) East: R-6, Single-Family Residential (6 units per acre) West: R-6, Single-Family Residential (6 units per acre)

## BACKGROUND

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The site consists of two parcels located within the R-6 zoning district. The western parcel addressed as 13457 NE 205<sup>th</sup> Street (identified as Parcel 'A' in this staff report) is 50,464 square feet (1.16 acres) in size and is currently developed with one single-family residence, a detached garage and a shed. The eastern parcel addressed as 20325 136<sup>th</sup> Avenue NE (identified as Parcel 'B'), is located to the east of Parcel 'A' and is 79,290 square feet (1.82 acres). The lot is currently developed with one single-family residence, a detached garage and a shed.

The applicant wishes to obtain approval to subdivide the two parcels into 15 lots for single-family residences. The applicant is proposing infrastructure improvements, including frontage improvements, construction of streets, sidewalks, utilities and lighting for the subdivision, stormwater detention facilities, and buffer mitigation for a Type III stream located on the site.

A SEPA Determination of Nonsignificance was issued on June 8, 2015. The comment and appeal periods ended on June 23, 2015. No appeals were received and the determination stands as issued.

**NOTICE AND PUBLIC COMMENT**

The applicant submitted an application for preliminary plat approval on June 19, 2014. The application was reviewed and determined complete on July 17, 2014. The applicant submitted a letter on June 16, 2015 requesting to re-vest the plat to May 19, 2015. The re-vesting would allow the subdivision to meet the revised requirements for undergrounding new utilities as modified by Ordinance 602 adopted by the City on May 5, 2015. There have not been any other city code changes between the vesting date and May 19<sup>th</sup> that may affect this subdivision.

A Notice of Application was issued on July 28, 2014, pursuant to WMC 17.11.010(1)(b). A 15-day comment period was utilized, ending on August 12, 2014. Correction letters were sent on August 19, 2014, December 19, 2014, April 22, 2015 requesting additional information, and revisions were received on November 5, 2014, March 12, 2015 and June 2, 2015.

A Notice of Application was issued on July 28, 2014, pursuant to WMC 17.11.010(1)(b). Pursuant to WMC 17.11.010(1)(c), a 15-day comment period was utilized for the Notice of Application. Notice was provided in accordance with the provisions of WMC Title 17, including publishing in the Woodinville Weekly; mailing 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 issued on July 27, 2015, more than 15 days before the scheduled public hearing pursuant to WMC 17.11.030(3)(a). The notice was mailed to property owners pursuant to WMC 17.11.040(4), interested parties, published in the Woodinville Weekly, posted on-site and other official public notice locations.

<p>Agency Comments:</p>	<p>The following agencies had comments regarding the proposal:</p> <p>An email, August 12, 2014, from Karen Walter of the Muckletshoot Tribes was received regarding concerns about critical areas. Ms. Walter's concern related to stream typing (WAC 222-16-030) used by Department of Ecology, the buffer reduction and stormwater treatment. Mitigation will include the removal of all existing structures, access drives, and invasive species in the buffer; planting of dense native trees and shrubs; installation a split rail fence; and implementation of a five year monitoring plan. A contribution into the mitigation fund is also required for the 25 foot buffer reduction. (See Analysis 10 and 11.)</p>
<p>Public Comment:</p>	<p>The following public comment letters were received during the public comment period (Exhibit 27):</p> <p>On August 11 and 12, 2014, an email was received from Brian Heath inquiring about whether a park will be located near the Veranda Lane subdivision (just to the south), the time line for the project, tree removal along the south property line, and whether the subdivision will have a retention pond.</p> <p>On August 13, 2014, an email was received from Julia Schroder expressing concern about whether the cedar tree on the property just to the north of Ms. Schroder's residence may be potentially dangerous.</p>

	<p>On August 13, 2014, an email was received from Lani Savage-Leuchs expressing concerns about the following: low visibility at the intersection of NE 205<sup>th</sup> Street and 136<sup>th</sup> Avenue NE, no sidewalks at the intersection or connecting sidewalks along 136<sup>th</sup> Avenue NE, lack of speed limit signage, slow down speeding cars through speed bumps, signage caution lights, lower speed limit, and preservation of trees to protect stream area.</p> <p>On August 15, 2014, an email was received from Dianne Galante expressing concerns about protecting old growth trees and proper erosion control measures for the stream.</p> <p>On September 2, 2014, an email was received from Brittney Jones expressing concerns regarding preservation of the stream and the design of the intersection to make it safer.</p>
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**COMPREHENSIVE PLAN**

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This Preliminary Plat proposal, with conditions, complies with the Comprehensive Plan goals and policies. The following Comprehensive Plan goals and policies apply to the proposed project:

**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.**

- LU-1.1**     Preserve the character of existing neighborhoods in Woodinville while accommodating the state's 20-year growth forecasts for Woodinville.
- 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.
- LU-1.3**     Phase development and supporting municipal services together in an organized, cost-effective manner.
- LU-1.4**     Coordinate with adjacent jurisdictions to ensure compatible land uses in areas along contiguous boundaries.

Staff Comment: This plat is located on a property that has potential to support the single-family development. Utility providers have stated that utilities, including water, sewer and power, are available to support this development.

**GOAL LU-2: To establish land use patterns, densities, and site designs that encourage less reliance on single-occupant vehicle travel.**

- LU-2.2**     Connect residential, open space, and recreation areas by an appropriately planned network of streets, walkways, bicycle paths, and utility corridors.

Staff Comment: The proposal includes construction of an internal street network within the subdivision that will include sidewalks. The sidewalks will connect to new frontage improvements on 136<sup>th</sup> Avenue NE. A new asphalt path along the west side of 136<sup>th</sup> Avenue NE will

connect sidewalks (existing and new) to provide a continuous pedestrian facility from NE 205<sup>th</sup> Street to NE 195<sup>th</sup> Street and to Woodinville High School and Woodin Elementary School.

**GOAL LU-3: To attain a wide range of residential patterns, densities, and site designs consistent with Woodinville's identified needs and preferences.**

- LU-3.1** Encourage development that complements the existing residential development patterns in Woodinville's neighborhoods.
- LU-3.2** Preserve the existing natural environment of Woodinville's neighborhoods.
- LU-3.3** Maintain each residential area as a safe, pleasant, and enjoyable place to live.
- LU-3.4** Provide controls to minimize encroachment by incompatible land uses within and between zoning districts.
- LU-3.6** Encourage moderate (5-8 d.u.) and medium (9-18 d.u.) density housing throughout the community where sufficient public facilities and services are available, where the land is capable of supporting such uses, and where compatible with adjacent land uses.
- LU-3.7** Permit a range of densities to encourage a variety of housing types that meet the housing needs of residents with a range of incomes.

Staff Comment: The proposal will support development of moderately-dense housing consistent with the zoning of the surrounding community. The proposal meets the dimensional lot standards of the R-6 zoning districts (discussed in the Findings of Fact) and will be required to comply with bulk and height standards prior to issuance of construction permits. The proposal includes installation of street frontage and infrastructure improvements along NE 205<sup>th</sup> Street, 136<sup>th</sup> Avenue NE as well as internal streets. Additionally, the applicant is required to meet the requirements for tree retention and mitigation, which will help to preserve the neighborhood character and natural environment.

**GOAL H -2: To promote safe, physically accessible, and clean residential environments with associated open spaces.**

- H-2.1** Require common, convenient, and usable open space in residential development, such as on-site pocket parks or trails.

Staff Comment: The plat includes one on-site recreation tract, Tract 999, and a native growth protection easement to protect the stream.

**FINDINGS OF FACT**

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**GENERAL:**

1. The subject site is located at 13457 NE 205<sup>th</sup> Street and 20325 136<sup>th</sup> Avenue NE. According to the submitted permit application (Exhibit 2) and title report (Exhibit 3), Quadrant Corporation is the applicant and the property owners are Quadrant Corporation and Emanuil and Elena Nutu. Geoff Tamble of BlueLine Group is designated as the key contact for the project.
2. The site is comprised of two parcels (Parcel 'A' and 'B') both zoned as Residential R-6. The site is rectangular in shape and contains a total of 129,754 square feet (2.98 acres) of land area. The property is bordered by NE 205<sup>th</sup> Street to the north and 136<sup>th</sup> Avenue to the west, which are designated as local streets pursuant to WMC 12.12.020. Man made steep slope areas are present

along the north and east property lines, adjacent to the public roads. A Type III stream is located along the northwestern corner of the property.

3. The applicant is proposing to subdivide the site into 15 lots. Proposed site work includes construction of a stormwater detention vault, a recreational tract, street improvements on NE 205<sup>th</sup> Street and 136<sup>th</sup> Avenue NE, installation of internal streets, utilities, and combined excavation and estimated fill to total 12,400 cubic yards. Pursuant to WMC 20.06.200, improvements are required to be constructed prior to final plat approval. A financial security is required to guarantee the construction of the improvements. Inspection of the improvements is required prior to acceptance of the improvements and final plat approval.
4. Pursuant to WMC 17.07.030, preliminary subdivisions are processed as a Type III decision. The Hearing Examiner is designated as the decision authority to decide preliminary subdivisions pursuant to WMC 20.08.030.
5. Pursuant to the consistency test outlined in 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 Comprehensive Plan policies. Additionally, WMC 20.06.020(1) requires that the proposal conform to the Woodinville Comprehensive Plan and other adopted plans, zoning and subdivision regulations in Titles 20 and 21 WMC.
6. Pursuant to WMC 21.04.080, the Urban Residential (R) zoning districts are intended to implement Comprehensive Plan goals and policies for housing quality, diversity, and affordability, and to efficiently use residential land, public services and energy.

#### CRITICAL AREAS:

##### *Streams:*

7. The property features streams and land qualifying as geologically hazardous areas, which are designated as critical areas pursuant to Chapter 21.24 WMC. Pursuant to WMC 21.24.020, the City of Woodinville shall not approve permits or other authorization to alter the condition of any land, water, or vegetation or to construct or alter any structure or improvement without first assuring compliance with the requirements of Chapter 21.24 WMC.
8. The unnamed stream runs south to north on the northwestern portion of the property into a culvert crossing NE 205<sup>th</sup> Street, and then flows east to Little Bear Creek (Exhibits 5 and 9). Two fish passage blockages located in the unnamed stream beyond the project site were identified in Washington Department of Fish and Wildlife data. Pursuant to WMC 21.24.320, the stream does not qualify as a Type I or Type II stream. Type III streams are those that have perennial or intermittent flow and are used by fish other than salmonids. The fish passage blockages downstream preclude the presence of salmonids, therefore, this stream is classified as a Type III.
9. Type III streams are required to have a standard 75-foot buffer, which may be reduced to 50 feet if the existing buffer is significantly degraded and enhancement measures are implemented to provide net improvement. Raedeke Associates, Inc. prepared a Critical Area Assessment that evaluated the Type III stream and buffer (Exhibit 9). The report states that the stream and its buffer have experienced significant degradation due to large areas of paving, structures and non-native species intruding in the buffer. A buffer restoration and enhancement plan is proposed that includes the removal of all existing structures, access drives, and invasive species in the buffer; planting of dense native trees and shrubs; installation a split rail fence; and implementation of a five year monitoring plan.
10. During the SEPA noticing period, the City received a comment from Karen Walter of the Muckleshoot Indian Tribe Fisheries Division regarding the typing of the stream under both City's

typing system and the State's typing system under WAC 222-16-031 (Exhibit 26). The State's Interim Water Typing System implements best available science to classify stream types under WMC 21.06.052 and WAC 365-190-130. Under the Interim Water Typing System, if fish presence is not determined, factors including stream gradient and bankfull width are used to establish stream types. The stream meets the criteria of a Type 3 water and is presumed to have fish use under WAC 222-16-031(3)(b)(i), requiring additional mitigation measures. Under the City's substantive authority under SEPA (Chapter 197-11 WAC), the City has the authority to require additional mitigation for environmental impacts.

11. As part of the buffer reduction supported by the critical areas assessment, the applicant will mitigate through enhancement and restoration of the 50-foot buffer area, establish a monitoring and maintenance plan, and contribute into a mitigation fund for the cost of the 25 foot buffer reduction to support fish habitat restoration in Little Bear Creek. A 13,698 square foot critical area tract that includes the stream and its buffer will be delineated as a Natural Growth Protection Area on the plat to protect the critical area from future development impacts pursuant to WMC 21.24.180. The proposal includes restoration and mitigation that will enhance the stream and will result in improved ecological function (Exhibit 9).

*Geologically Hazardous Areas:*

12. The north and east portions of the property contain over 40 percent slopes approximately 10 to 14 feet in height (Exhibit 10). These slopes exceeding 40 percent with a vertical relief of more than 10 feet and qualify as landslide hazard areas, which are a type of geologically hazardous area pursuant to WMC 21.24.290(2). These slopes appear to be created by actions of man as they are cut slopes from natural topography to the existing grade of NE 205<sup>th</sup> Street and 136<sup>th</sup> Avenue NE.
13. Pursuant to WMC 21.24.300, geologically hazardous areas and associated buffers may be altered provided the alteration does not increase the threat to adjacent properties, will not impact other critical areas and the alteration is designed so that the hazard to the project is eliminated or mitigated. The proposal completely eliminated the geologically hazard areas with a grade transition supported by an engineered retaining wall.
14. In order to eliminate or minimize the risk of property damage, death or injury resulting from an erosion or landslide hazard area, WMC 21.24.310(1)(a) requires a minimum buffer to be established from all edges of the geologically hazard area. This project proposes engineered retaining walls, rockeries, and grading that will eliminate the steep slope condition and remove the geologically hazard areas. No geologically hazardous areas will be present once the project is complete and therefore no minimum buffer is required.
15. Pursuant to WMC 21.24.310(1)(b), Terra Associated Inc. prepared a Geotechnical Report (Exhibit 10) that evaluated the geologically hazardous areas on the site. The report concluded that no geotechnical considerations would preclude the development of the site as proposed and provided construction recommendations. The proposed grading for the road widening and frontage improvements will completely eliminate the landslide hazard area with a grade transition from the property to the new roadway grade supported by engineered retaining walls.
16. Pursuant to WMC 21.24.310(1)(h), land that is located partially within an erosion or landslide hazard area or its buffer may be divided; provided, that each resulting lot has sufficient buildable area outside of, and will not affect, the erosion or landslide hazard or its buffer. The project completely eliminated the landslide hazard area through the use of engineered retaining walls along the north and east perimeter of the property. All lots have sufficient buildable areas. The project meets the requirements for geologically hazard areas.

*Density and Native Growth Protection Areas:*

17. In order to preserve the critical areas and its buffers, WMC 21.24.085 allows for a transfer of density for subdivisions with critical areas. 12.8 percent (0.38 acres) of the site is constrained by critical areas and pursuant to WMC 21.24.085(1) up to 100 percent of the density that could be achieved on the constrained portion can be transferred to the nonsensitive area, not to exceed the base density. Up to 2.3 dwelling units (0.38 acres x 6 units/acre) in the constrained area may be transferred to the remainder of the property. Parcel 'A' and 'B', both zoned R-6, are permitted a base density up to 15.57 units exclusive of the critical area and buffer (2.6 acres x 6 units/acre). The applicant is proposing 15 units, which is below the base density and meets this requirement. Pursuant to WMC 21.24.085(2), minimum lot sizes and dimensional requirements were reduced to accommodate this transfer (see Analysis 20 and 21).
18. Tract 996 will be established as a native growth protection area (NGPA) to establish the buffer for the Type III stream. Pursuant to WMC 20.06.060(4), NGPAs are granted where the preservation of native vegetation benefits the public health, safety and welfare, including control of surface water and erosion, maintenance or slope stability, visual and aural buffering, and protection of plant and animal habitat. A recommended condition of preliminary plat approval is that the NGPA will remain undisturbed by future property owners.

ZONING CODE:

19. Pursuant to WMC 20.06.040(1), lots are required to be such a size or design that will not be detrimental to the health, safety or sanitary needs of the subdivision. Furthermore, WMC 20.06.040(3) requires that no lot shall be established which is in violation of the Woodinville Municipal Code.
20. Pursuant to WMC 21.12.030(A), the standard minimum lot size in the R-6 zone is 6,000 square feet. The minimum lot size may be reduced pursuant to WMC 21.24.085 if the property is constrained up to 50 percent by a critical area. The property is impacted by a Type III stream located at the south of the property, and qualifies for density transfer and reduced minimum lot sizes (see Analysis 17). Lots in the R-6 zone may be reduced to 5,000 square feet if the following criteria are met:
  - a. No additional density is allowed over the base density of the underlying zone.  
Staff Analysis: The base density for the R-6 zoning district is 6 du/acre, respectively. The proposed densities are 5 du/acre, which do not exceed the base density. The proposal complies with this requirement.
  - b. All other applicable dimensional requirements pursuant to WMC 21.12.030 shall be met.  
Staff Analysis: The proposal meets all other applicable dimensional requirements, discussed in Analysis 21.
  - c. The area to which the density is transferred shall not be constrained by another critical area regulation.  
Staff Analysis: No other critical areas are present on site. The proposal meets this requirement.
  - d. No portion of the critical area shall be included as part of the minimum lot size.

Staff Analysis: The critical area and its buffer has been set aside as a Natural Growth Protection Area (NGPA) tract. The critical area is not included as part of the minimum lot size for the proposed lots.

- e. Lot averaging as described in WMC 21.12.180 is not permitted.

Staff Analysis: No lot averaging is proposed for this application. This criterion does not apply.

- f. No panhandle lots are permitted.

Staff Analysis: The proposed lot configurations do not have panhandles or appendages.

- g. Density credit can only be transferred within the development proposal site.

Staff Analysis: No density credit is proposed off site.

21. WMC 20.06.040(5) requires each lot to have sufficient width, area, and frontage to comply with the minimum site requirements. Table A of WMC 21.12.030 and WMC 21.12.030(B)(8) establishes density and dimensional requirements for properties in the R-6 zoning district. The following table lists the required zoning standards and the proposed dimensions.

Standard	R-6	Proposed
Base Density	6 du/acre	15 units
Minimum Density: 75% of Base	4.5 du/acre	5 du/acre
Standard Minimum Lot Area	6,000 sf	Smallest lot is 5,005 sf
Reduced Minimum Lot Area for Critical Areas	5,000 sf	
Minimum Lot Width	50 feet	50 feet
Minimum Lot Width at Street	50 feet	50 feet
Minimum Street Setback	10 feet	10 feet
Interior Setback	5 feet	5 feet
Maximum Building Coverage	50%	Established during building permit submittal
Maximum Impervious Surface	70%	
Maximum Building Height	35 feet	
Minimum Driveway Length	20 feet	
Minimum Garage Distance from Street Frontage	20 feet	

22. Pursuant to WMC 20.06.040(4), no lot shapes shall be designed to have awkward configuration or appendages. The proposed lots are generally rectangular with identifiable front, side, and rear property lines. Lot 15 has the most unique configuration with street frontage on three sides, however it has sufficient space and a relatively logical configuration for development of a single-family residence. No properties have appendages.

23. Pursuant to WMC 20.06.040(6), each lot should have an average depth between the front and rear lot lines of not less than one-foot depth for each one foot of width. Lot 11 has a unique configuration due to the cul-de-sac and private road configuration off of Road A and the stream to the west. On average, Lot 11 meets the average depth and width requirements.

24. Pursuant to WMC 20.06.040(7), corner lots, double frontage lots, and single frontage lots are required to have the front lot line be the property line(s) separating the lot from a street or vehicle access corridor. Lots 11, 12 and 13 front Road A and NE 205<sup>th</sup> Street and qualify as double frontage lots. Front lot lines will be considered on both streets for these lots; however vehicle

access to the residences will be restricted to Road A only. Direct access to NE 205<sup>th</sup> Street or 136<sup>th</sup> Avenue NE will not be allowed. Additionally, Lots 1, 7 and 12 are corner lots and Lots 14 and 15 are triple frontage lots. Corner lots and triple frontage lots will have the front lot line from all street fronts.

25. Pursuant to WMC 20.06.040(8), as much as possible, where topography and natural features permit, side lot lines should run at right angles to the street upon which the lot faces, except that on curved streets they shall be radial to the curve. The lots are laid so that the side lot lines are relatively at right angles to the street. The proposal meets this requirement.
26. Pursuant to WMC 20.06.040(9), where watercourses, topography, geology and soils, vegetation, utilities, lot configuration, or other unique circumstances dictate a different building envelope than that set by Chapter 21.12 WMC, building setback lines may be required to be shown on the final plat or short subdivision map and observed in the development of the lot. Building setbacks are shown on the preliminary plat map. Revisions to the plat map at site development shall be submitted to reflect the setbacks for double and triple frontage lots and corner lots (lot 1, 7, 11, 12, 13, 14 and 15).

#### TREES:

27. WMC 20.06.175 requires a tree preservation and protection plan prior to approval of a preliminary plat approval in accordance with Chapter 21.15 WMC. Pursuant to WMC 21.15.060, new residential subdivisions are required to submit a Type III Tree Plan. The applicant submitted landscape plans and tree preservation plans (Exhibits 6 and 15). A Tree Inventory Report prepared by Schoffner Consulting was submitted evaluating existing trees on site. The submitted plans will provide adequate protection measures for existing trees, including establishing a tree protection area, fencing, signage, and construction techniques to prevent root damage, in accordance with WMC 21.15.080.
28. The site must meet the minimum tree density requirement pursuant to WMC 21.15.070(2). A minimum of 60 tree credits for the native growth protection tract (Tract 996) and a minimum of 30 tree credits per acre are required on the single-family lots and all other tracts. The native growth protection tract is 0.32 acres and requires a minimum of 19.01 tree credits. The lots and other tracts are 2.06 acres and requires a minimum of 61.74 tree credits. The site is required to provide a total of 80.75 tree credits. The tree inventory report states that the site currently has 77 trees which equal 339 tree credits. After site preparation and grading, 11 trees (64.25 tree credits) will remain on site. The landscaping plan (Exhibit 6, Sheet L1) identifies 63 2-inch caliper trees will be planted on site, totaling 13.76 tree credits. The applicant will be required to mitigate for the remaining 2.73 tree credits through off-site mitigation or payment into the City Tree fund pursuant to WMC 21.15.070(2)(e)(i) prior to finaling of the site development permit.
29. Street trees are required on street frontages at a rate of one tree per 25 feet pursuant to WMC 2.24.100. The applicant is proposing to plant Sunset red maples (*Acer rubrum* 'Red Sunset') along NE 205<sup>th</sup> Street and the internal street (Road A) and red oaks (*Quercus rubra*) along 136<sup>th</sup> Avenue NE at a rate of one tree per 25 feet (Exhibit 6, Sheet L1). A revision to the landscape plan shall be submitted showing street trees along the entire length of the property on NE 205<sup>th</sup> Street.

#### EASEMENTS:

30. WMC 20.06.060(1) requires that public easements for the construction and maintenance of utilities and public facilities will be granted to provide and maintain adequate utility service to each lot. The widths of the public easements shall be the minimum necessary as determined by the utility.

Pursuant to WMC 20.06.060(5), the easements for utility mains or lines will be held to prohibit the placement of any building on or over the easement, but shall not preclude landscaping of an appropriate variety as determined by the City.

31. The preliminary plat identifies utility easements throughout the property. These easements range from 10 to 15 feet, and are generally located along the front of rights-of-way or on tracts shared for private access. WMC 20.06.060(6) states that easements shall be granted by the terms and conditions of such easements being shown on the final plat or short subdivision or by separate instrument.
32. A deviation (File No. DEC14012) was approved for not requiring a ten foot utility easement along 136<sup>th</sup> Avenue NE for Lot 14 and partially Lot 15. The deviation is only for the area where the right-of-way jogs 20 feet to the west. There is approximately 27 feet of right of way from the back edge of the right of way to the lot lines, which provides adequate space for existing, new and future utility placements.

#### TRANSPORTATION/STREET IMPROVEMENTS:

33. Pursuant to WMC 20.06.020(1)(d), the proposed street system is required to conform to City of Woodinville public infrastructure standards and specifications. The system should be laid out in a manner that provides for the safe, orderly and efficient circulation of traffic. The City of Woodinville adopts a Level of Service (LOS) E or better for adequate road capacity pursuant to WMC 21.28.070. LOS D or better is considered desirable, with average delays at unsignalized intersections at 25 to 35 seconds or better. LOS E is considered adequate and average delays at signalized intersections between 35 to 50 seconds, and LOS F is considered inadequate with delays greater than 50 seconds.
34. The applicant submitted a Transportation Impact Analysis prepared by Transpo Group. (Exhibit 11). The report evaluated existing roadway network, anticipated future conditions with this development, traffic operations at study intersections, sight distance requirements and traffic impacts and mitigation requirements for study intersections. The report states that the proposed subdivision will generate 11 additional AM peak-hour trips, 15 additional PM peak-hour trips and a total of 142 average daily trips.
35. The report evaluated level of service impacts based on the new trips generated by the subdivision. The report reviewed existing, future, and future with project LOS conditions. The report evaluated conditions at the following intersections: NE 205<sup>th</sup> Street/136<sup>th</sup> Avenue NE, NE 195<sup>th</sup> Street/136<sup>th</sup> Avenue NE, NE 195<sup>th</sup> Street/WB SR 522 on-ramp, NE 195<sup>th</sup> Street/EB SR522 off-ramp, and NE 195<sup>th</sup> Street/Woodinville-Snohomish Road. With the exception of one intersection, the 2018 conditions at study intersections would operate at or above LOS E.
36. The northbound left-turn from the SR 522 off-ramp onto westbound NE 195<sup>th</sup> Street would operate at LOS F with or without project conditions. No change in intersection LOS or delay is anticipated from this project. The city's Transportation Improvement Project (TIP) project list identifies this intersection as a project to be completed a year after this development is built out. The report indicates that the project traffic constitutes 0.3% of the total intersection traffic volumes and all intersection with the exception of one will meet City's requirement of LOS E (WMC 21.28.070). Site access off 136<sup>th</sup> Avenue NE during AM peak-hours and PM peak-hours is predicted to be LOS B and LOS A respectively.
37. The City of Woodinville Public Works Department reviewed and confirmed the findings of the submitted Transportation Impact Analysis prepared by Transpo Group.
38. Pursuant to WMC 20.06.130(1) and WMC 20.06.140(1), street improvements, grades and design in rights-of-way in or along the boundary of a subdivision will be required to comply with standard

regulations and specifications set forth in Chapter 12.09 WMC, including the 1999 Transportation Infrastructure Standards and Specifications (TISS). The Public Works Department has reviewed the preliminary road plans and road profiles, and has determined preliminary that they comply with TISS and other infrastructure standards. Final construction plans will be subject to review and approval prior to issuance of any development permits.

39. Street improvements are proposed along 136<sup>th</sup> Avenue NE and NE 205<sup>th</sup> Street consistent with the adopted roadway section for high density (zoning greater than R-4) residential streets (TISS Standard 104A). Improvements west side of 136<sup>th</sup> Avenue NE includes a 21-foot wide travel lane, curbs, gutter, 6-foot wide sidewalks and 5.5-foot wide (excluding curb) planter strip. The street improvements along the south side of NE 205<sup>th</sup> Street include an 18-foot wide travel lane, curbs, gutter, 6-foot wide sidewalks and 5.5-foot wide (excluding curb) planter strip. The internal road is 55 feet in width, and includes two 14-foot wide travel lanes, curbs, gutter, 6-foot wide sidewalks and 5.5-foot wide (excluding curb) planter strip on both sides. A crosswalk will be provided across the internal road at the intersection of 136<sup>th</sup> Avenue NE.
40. A deviation (File No. DEC14011), was approved to reduce the separation between the top of the driveway apron transitions and the side property line from 5 feet to 4 feet for Lots 1, 2, and 8. The deviation also includes that the edge of the driveway apron transitions to have no offset required for the driveway aprons for Tracts 997 and 998. The deviation will eliminate unnecessary jogs in the driveways on the lots and allow a consistent width of the driveway and driveway apron for the two tracts. Both requests were approved as part of this deviation.
41. Pursuant to WMC 20.06.130(2), when required by the City to mitigate anticipated impacts of a new subdivision or short plat, the developer shall incorporate features into the layout of the street circulation system to minimize cut-through traffic of the proposed development and/or surrounding neighborhoods. The subdivision includes only one access point onto 136<sup>th</sup> Avenue NE. No connections to adjacent neighborhood are proposed. Additionally, the street network includes some traffic calming measures, such as curb bulb-outs, that will help reduce traffic speeds. The improvements at the intersection of NE 205<sup>th</sup> Street and 136<sup>th</sup> Avenue NE will result in improved sight distance.
42. Street lighting is required with the development of all new subdivisions in accordance with WMC 20.06.020(3)(d) and WMC 21.14.110. Street illumination is proposed throughout the subdivision, on the south side of NE 205<sup>th</sup> Street and on the west side of 136<sup>th</sup> Avenue NE along the property frontage. The applicant is required to coordinate with Puget Sound Energy and the Public Works Department for design and installation of street lighting that meets the City's adopted standards prior to final plat approval.
43. Pursuant to WMC 20.06.130(4), proposed single-access subdivision streets ending in cul-de-sacs, hammerheads or loop roads shall not exceed 990 lineal feet in length from the access point of the new subdivision and serve more than 75 proposed dwelling units unless a connection can be established to a second access right-of-way. The internal road is 300 feet long and serves 15 lot. The subdivision includes one connection, on 136<sup>th</sup> Avenue NE, and meets this requirement. An emergency vehicle access will be provided off 136<sup>th</sup> Avenue NE.
44. Pursuant to WMC 20.06.170, all subdivisions are required provide on-site recreation and trail corridors. The subdivision will provide a recreational area for residents on Tract 999, located above the detention vault. The proposal meets this requirement.
45. WMC 20.06.180 states that when necessary for public convenience or safety, the developer shall improve and dedicate to the public accessways to connect to cul-de-sac streets, to pass through oddly shaped or unusually long blocks, to provide for networks of public paths creating access to schools, parks, shopping centers, transit stops, trails, or other community services. The layout of

the subdivision provides access through the construction of frontage improvement on NE 205<sup>th</sup> Street and 136<sup>th</sup> Avenue NE and the new internal street. The proposed internal is approximately 300 feet long and topography prevents connections to the north. Therefore, no additional accessways are required.

46. The subdivision is served by Woodin Elementary, Leota Junior High School, and Woodinville High School. WMC 20.06.020(1)(h) requires safe walk to school procedures to be followed for new subdivisions. A School Walk Safety Assessment completed by the applicant evaluates the walking routes to the nearby elementary and high school (Exhibit 14). Based on the report, the existing pedestrian infrastructure does not support safe walking conditions to and from the subdivision. Additional facilities will be provided with the subdivision, including a 5-foot wide paved path running approximately 335 feet along the west side of NE 136<sup>th</sup> Avenue just south of the subdivision. The path will connect two new sidewalks with existing to provide a safe walk route. "No Parking" signs shall be installed along the entire length of the path.

#### UTILITIES:

47. WMC 21.28.020 requires new development proposals to be adequately served by utility facilities including sewage disposal, water supply, surface water management, road and access, fire protection and schools. Utility service is available at the site from utility providers. Pursuant WMC 20.06.110, new utilities are required to be placed underground consistent with WMC 15.39.010. The applicant is responsible for complying with the requirements of this section and making all necessary arrangements with the utility companies affected by installation. Staff recommends this be included as a condition of approval.
48. Pursuant to WMC 20.06.080 and WMC 21.28.030, all lots are must be served by an existing disposal system consistent with the comprehensive sewer plan and approved by Woodinville Water District prior to preliminary plat approval. A current certificate of sewer availability was submitted as part of this application (Exhibit 19).
49. An adequate water supply is required for all new developments pursuant to WMC 21.28.040. The applicant obtained a certificate of water availability for the proposed lots (Exhibit 19). A water supply plan to serve each proposed lot is required to be approved by the Public Works Department and Woodinville Water District prior to final plat approval.
50. Pursuant to WMC 20.06.090(1), all lots shall be provided with adequate storm drainage connected to the storm drainage system of the City or other system approved by the City in conformance with the 2009 King County Surface Water Design Manual. The proposal includes one on-site stormwater detention vault, located on Tract 999 immediately between Lot 14 and 15, consistent with WMC 20.06.090(3) (Exhibit 16). All stormwater runoff from the individual lots and the public and private roads will be captured in storm drain conveyance pipes that will be routed to the stormwater vault. Final plans will be reviewed for consistency with Chapter 14.09 WMC and the 2009 King County Surface Water Design Manual.

#### OTHER:

Pursuant to Chapters 3.36 and 3.39 WMC, park impact fees and traffic impacts fees are required for new single-family developments. Impact fees will be required based on the most current fee schedule in effect and collected prior to building permit issuance. Impact fee credits will be established based on the requirements in WMC 3.36.110 and 3.39.110.

#### **DETERMINATION OF CONSISTENCY**

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RCW 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;
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 Parkwood Terrace Preliminary Subdivision has met the requirements of the City of Woodinville Infrastructure Standards, 2009 Comprehensive Plan, and Woodinville Municipal Code. The Parkwood Terrace Preliminary Plat proposal has made appropriate provisions for the public health, safety, and general welfare by:

1. Providing stormwater drainage and treatment improvements;
2. Installing street improvements to meet the adopted transportation infrastructure standards;
3. Providing non-motorized transportation facilities, including sidewalks and crosswalks;
4. Protection of critical areas through site mitigation and ensuring no net loss of ecological function;
5. Providing adequate emergency and fire access.

**CONCLUSION**

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Staff has reviewed the proposal and based on the findings provided within this staff report, concludes that the proposal is consistent with the applicable criteria for approval in WMC 20.06.020(1) and (2):

1. The proposal conforms to the goals, policies, criteria and plans set forth in the City of Woodinville Comprehensive Plan, community urban forestry plan, and parks, recreation, and open space plan;
2. The proposal conforms to the development standards set forth in WMC Title 21, Zoning;
3. The proposal conforms to the requirements of this section and those set forth in this chapter and WMC 17.09.020;
4. The proposed street system conforms to the City of Woodinville public infrastructure standards and specifications and neighborhood street plans, and is laid out in such a manner as to provide for the safe, orderly and efficient circulation of traffic;
5. The proposed subdivision or short subdivision will be adequately served with City-approved water and sewer, and other utilities appropriate to the nature of the subdivision or short subdivision;
6. The layout of lots, and their size and dimensions, take into account topography and vegetation on the site in order that buildings may be reasonably sited, and that the least disruption of the site, topography, trees and vegetation will result from development of the lots;
7. Identified hazards and limitations to development have been considered in the design of streets and lot layout to assure street and building sites are on geologically stable soil considering the stress and loads to which the soil may be subjected;
8. Safe walk to school procedures, as established by the City, have been met;
9. Tree preservation has been considered in accordance with the community urban forestry plan and tree preservation requirements have been adequately met.

## STAFF RECOMMENDATION

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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 Parkwood Terrace Preliminary Plat, subject to the following conditions:

### FINAL PLAT/SITE PLAN

1. All improvements shall be constructed in accordance with the approved Preliminary Plat Map submitted July 23, 2015. The Planning Director and/or Public Works 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 PPA14001/SEP14017 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 standards shall be acknowledged by property owners and shall be notarized.
  - c. "Building setbacks, driveway length, building height, building coverage, impervious surface coverage, and parking for this plat are subject to the standards in place at the time of a complete application for the single-family residential building permits. Applicants should have their site plan verified for compliance with these standards prior to submitting plans for a building permit."
  - d. "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".
  - e. A private road agreement for Tracts 997 and 998 must be designated on the face of the plat and must specify the use and maintenance of the private facilities.
  - f. "With application for each building permit, a tree planting plan shall be submitted, in conformance with the approved planting plan, prepared by Andrews Landscape Architects, and approved by the City on \_\_\_\_\_. The required trees shall be planted prior to final inspection for the residence."
  - g. No lot shall have direct access to NE 205<sup>th</sup> Street or 136<sup>th</sup> Avenue NE.
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 easement 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 and irrigation systems in the recreation tracts, stormwater tract, and planter strips adjacent to the tracts, including payment for any water usage.
  - g. The NGPA will remain undisturbed by future property owners

4. A ten foot utility easement along the public and private street frontage shall be dedicated as part of the plat, with the exception of easement approved through the deviation (File No. DEC14012).
5. The right-of-way and the improvements for Road A shall be dedicated to the public as part of the final plat approval.
6. 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. Owners Statement;
  - c. All new easement(s) over the property, their legal description(s) and associated dedication block(s);
  - d. Native growth protection area tract shall be maintained by the homeowners association;
  - 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, monuments to be set, and references.
7. Prior to final plat approval, a copy of the covenants, conditions and restrictions with the final plat application shall be submitted for review and approval.
8. 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 blueline, 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.
9. 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.
10. Prior to acceptance of the improvements, a final inspection shall be completed by the Planning and Public Works Departments.
11. The applicant is required to:
  - a. Construct frontage on NE 205<sup>th</sup> Street and 136<sup>th</sup> Avenue NE for the length of the property including curb and gutter, road widening, enclosed stormwater drainage, sidewalks, planter strips, street trees, street illumination, and landscaping as shown on the preliminary plans dated July 23, 2015 or minor modifications as approved by the Public Works Director.
  - b. Homeowners association (lot owners) shall maintain all landscaping in drainage tract and public right of way, including NE 205<sup>th</sup> Street and 136<sup>th</sup> Avenue NE.

SITE DEVELOPMENT

1. All improvements shall be constructed in accordance with the conditions of this approval, approved site development plans and right-of-way construction plans. The right-of-way permit must include a traffic control plan, erosion control plan, and all frontage improvements proposed for the site. The site development permit shall include site, drainage, landscaping, mitigation and utility improvements. All improvements shall be installed prior to final plat approval. A financial security may be posted for final asphalt lift and landscaping pursuant to WMC 20.06.210 as approved by the Development Services and Public Works Directors.
2. The applicant must obtain all necessary state and federal permits and approvals, including a Forest Practice Permit, prior to starting of any construction activities.
3. A Heavy Hauling permit from the City of Woodinville will be required.
4. 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.
5. A separate sign permit shall be required for any new signs.
6. The applicant must obtain updated water and sewer availability certificates prior to final plat approval.
7. 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 dated March 12, 2015, prepared by Blueline Group and any further addendums as accepted by the Public Works Director.
8. All new utilities and existing utilities shall be installed and/or relocated underground within the development and those in the NE 205<sup>th</sup> Street and 136<sup>th</sup> Avenue NE right of way frontage prior to final plat approval per WMC 15.39.010.
9. Along the south and west side of Road A, including the cul-de-sac, the applicant shall install "No Parking" signs to keep the emergency vehicle turnaround clear of parked vehicles. "2 Hour Parking Limit on school days during school hours" signs shall be placed along the north and east side of Road A. "No Parking" signs shall also be placed along the frontage of the project on 136<sup>th</sup> Avenue NE and along the length of the safe walk route improvements. Sign placement will be noted in final approval of construction drawings.
10. A final tree preservation, maintenance agreement and replanting plan for the individual lots shall be submitted to the City for review and approval prior to final plat approval. The tree plan shall be designed in conformance with the City's Municipal Code and Infrastructure Standards. The lot and tracts are 2.06 acres and the applicant is required to provide a total of 80.75 tree credits through replanting or other mitigation requirements consistent with WMC 21.15.070(2)(e). The final tree density credits totals will be evaluated in the tree preservation plan, replanting plan and tree inventory report submitted at final plat approval. The landscaping plan submitted by the applicant provides 78.01 credits. The applicant shall comply with the requirements of Chapter 21.15 WMC by paying in to the City tree fund for the remaining 2.74 tree credits, prior to final plat approval.

11. The applicant shall submit a revised landscaping plan showing street trees along the entire length of the property on NE 205<sup>th</sup> Street.
12. The applicant shall submit a revised site plan to reflect the setbacks for double and triple frontage lots and corner lots (lot 1, 7, 11, 12, 13, 14 and 15).
13. The clearing limits of the approved plans shall be clearly delineated in the field. Where such limits are in proximity to property boundaries or NGPAs, barrier fencing or siltation fencing shall be installed before site disturbance in accordance with the approved temporary erosion and sedimentation control plan.
14. All development shall proceed in accordance with the recommendations listed in the Critical Area Assessment prepared by Raedeke Associates, Inc. and any further addendums as accepted by the Development Services Director.
  - a. Under the City's substantive authority under SEPA (Chapter 197-11 WAC), the City has the authority to require mitigation for environmental impacts. Prior to issuance of site development permit, the applicant shall pay a critical areas mitigation fee of \$40,414.32, based on amount shown on "Bond Quantity Worksheet for Critical Area Mitigations" submitted June 2, 2015 by the applicant.
  - b. The monitoring reports for the stream mitigation shall begin with a baseline report, due at the time that the mitigation work is inspected and approved by the City, in conformance with the recommendation of the reports. Five (5) years of monitoring reports shall be submitted to the City on an annual basis after that date. The applicant shall be responsible for correcting any areas identified in those reports that are not in compliance with the goals and objectives stated in the mitigation plan.
15. All development shall proceed in accordance with the recommendations listed in the Geotechnical Report dated October 31, 2014, prepared by Terra Associates, Inc and any further addendums as accepted by the Public Works Director.
16. Construction noise is not permitted anytime on Sundays and holidays, and outside the hours of 7:00 AM. through 7:00 PM, Monday through Friday and 9:00 AM through 5:00 PM on Saturday; or, from Memorial Day to Labor Day, outside the hours of 7:00 AM through 9:00 AM, Monday through Friday and 9:00 AM through 5:00 PM on Saturday.
17. 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.
18. 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.

19. If at any time 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 in accordance with the Woodinville Municipal Code.
20. 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.
21. One week prior to starting construction on the site, the applicant shall notify all neighboring property owners within 300 feet that the work will be occurring within the neighborhood.
22. All construction traffic shall take access off 136<sup>th</sup> Avenue NE. The applicant shall not use any other public road for construction access without a permit from the City of Woodinville Public Works Department. 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.
23. The applicant shall pay park and transportation impact mitigation fees or other forms of negotiated impact mitigation for all lots in accordance with WMC 3.36. Payment of the park and transportation impact mitigation fee or mitigation amount shall be made to the City of Woodinville at the time of building permit issuance. The total fee shall be based on the mitigation fee established in WMC 3.36. Impact fee credits will be established based on the requirements in WMC 3.36.110.
24. A performance guarantee, in the form of an assignment of funds or cash deposit, in the amount of 150 percent of the total project (public and private infrastructure improvements, landscaping, tree planting, and stream mitigation) as determined by the City, shall be submitted by the applicant prior to site development permit issuance.
25. A maintenance guarantee, in the form of an assignment of funds or cash deposit, in the amount of 20 percent of the total project (public and private improvements, landscaping, tree planting, and stream mitigation) as determined by the City, shall be submitted by the applicant prior to City acceptance of the improvements and final plat recording. The City shall inspect the infrastructure at the end of the maintenance period. Any infrastructure that appears defective or has deteriorated beyond normal wear for the period of the guarantee shall be repaired by the applicant to the satisfaction of the City.
26. 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:
  - o Site, frontage, and lighting improvements – Two (2) years
  - o Landscaping & Irrigation – Three (3) years
  - o Tree Protection – Five (5) years
  - o Stream Mitigation – Five (5) years

## EXHIBIT LIST

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- Exhibit 1 Staff Report
- Exhibit 2 Application materials, including application and project narrative, submitted June 19, 2014
- Exhibit 3 Title Report, submitted June 19, 2014
- Exhibit 4 Topographic/Boundary Survey, prepared by Axis Survey and Mapping, dated February 20, 2014

- Exhibit 5 Preliminary Plat Plans, prepared by Blueline Group, submitted July 23, 2015, including plat map, grading, utility, road, erosion control plans
- Exhibit 6 Landscape and Tree Retention Plans prepared by Andrews Landscape Architects., submitted June 2, 2015
- Exhibit 7 Deviation Requests submitted November 5, 2014
- Exhibit 8 SEPA Checklist, prepared by Matt Perkins of Quadrant Corporation, submitted November 5, 2014
- Exhibit 9 Critical Area Assessment, prepared by Raedeke Associates, Inc. dated revised May 15, 2015
- Exhibit 10 Geotechnical Report, prepared by Terra Associates, Inc., dated October 31,, 2014
- Exhibit 11 Transportation Impact Analysis, prepared by Transpo Group, dated June 2014
- Exhibit 12 Memorandum to Transportation Impact Analysis, prepared by Transpo Group, dated November 3, 2014
- Exhibit 13 Illumination Supporting Calculations, prepared by Transpo Group, dated October 27, 2014
- Exhibit 14 Safe Walk Report, Prepared by Blueline Group, dated March 10, 2015
- Exhibit 15 Revised Tree Inventory Report for Parkwood Terrace, prepared by Schoffner Consulting, revised April 14, 2015 (submitted June 2, 2015)
- Exhibit 16 Preliminary Technical Information Report, prepared by Blueline Group, dated March 12, 2015
- Exhibit 17 Revesting Letter, prepared by Blueline Group, dated June 16, 2015
- Exhibit 18 Bond Quantity Worksheet for Critical Area Mitigation, prepared by Matt Perkins of Quadrant Corporation, submitted June 2, 2015
- Exhibit 19 Certificates of Water and Sewer Availability, submitted June 19, 2014
- Exhibit 20 Parkwood Terrace Subdivision – Additional Information Request, prepared by Blueline Group, dated November 5, 2014
- Exhibit 21 Parkwood Terrace Subdivision – Additional Information Request, prepared by Blueline Group, dated March 12, 2015
- Exhibit 22 Parkwood Terrace Subdivision – Additional Information Request, prepared by Blueline Group, dated June 2, 2015
- Exhibit 23 SEPA Determination of Nonsignificance (DNS) issued June 8, 2015
- Exhibit 24 Notice of Application issued July 28, 2014
- Exhibit 25 Notice of Public Hearing issued July 27, 2015
- Exhibit 26 Agency Comments
- Exhibit 27 Public Comments