



NOTICE OF DECISION City of Woodinville

Development Services Department

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

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

The City of Woodinville has issued a Notice of Hearing Examiner Decision for the following project:

Project Name: Church/Parkwood Subdivision

Project PPA14001 / SEP14017

Number(s):

Description of Proposal: Preliminary Plat Application to subdivide two lots 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 drainage improvements. Environmental (SEPA) review is required for developments of five or more lots and when critical areas exist on the site.

Location of Proposal: 20325 136th Avenue NE and 13457 NE 205th Street

Proponent: Quadrant Corporation
14725 SE 36th Street, #100
Bellevue, WA 98006

Contact: Geoff Tamble;
The Blueline Group
25 Central Way, #400
Kirkland, WA 98033

Project Decision: Approved with Conditions

SUMMARY OF PROJECT DECISION

A public hearing was held before the Woodinville Hearing Examiner on August 20, 2015 for review of the Preliminary Plat application. After considering comments by the public, City staff, and outside agencies, the project was approved with conditions by the Woodinville Hearing Examiner, subject to the attached Findings of Fact, Conclusions, and Decision.

The Preliminary Plat shall be valid for seven (7) years from the date of this Notice of Decision. If a final plat is not obtained within this period, the Preliminary Plat shall become null and void, and a new application would need to be submitted.

Notice of Decision Date: September 21, 2015

End of Appeal Period Date/Time: October 5, 2015 by 4:00 p.m.

Project Permit Expiration Date: September 21, 2022

~~The Preliminary Plat shall also be declared void if there is a failure to comply with the approved plans or conditions of approval.~~

CONTACT INFORMATION

The application, supporting documents, and studies are available for review at the City of Woodinville, 17301 133rd Avenue NE, Woodinville, WA 98072. Contact: Agnes Kowacz, Project Manager, at (425) 877-2293. Email address: agnesk@ci.woodinville.wa.us.

APPEALS

A Party of Record must file an appeal of this decision within fourteen (14) days from date of this Notice of Decision. The final decision of the Hearing Examiner's Decision is appealable to the Woodinville City Council. Appeals must be delivered to the City of Woodinville and must be filed no later than Monday, October 5, 2015, by 4:00 p.m.

Appellants must be a party of record. To receive additional information on appeals for this application, please contact the Project Manager listed above.

Affected property owners may request a change in valuation with King County for property tax purposes notwithstanding any program of revaluation. For information regarding property valuations and/or assessments, contact the King County Assessor's Office at 206-296-7300.

A handwritten signature in black ink, appearing to read "David Kuhl", written over a horizontal line.

David Kuhl, Development Services Director

Date: September 21, 2015

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BEFORE THE HEARING EXAMINER FOR THE CITY OF WOODINVILLE

RE: Parkwood Terrace)	
)	
Preliminary Plat)	FINDINGS OF FACT, CONCLUSIONS OF
)	LAW AND FINAL DECISION
PPA14001/SEP14017)	
)	
)	

Summary

The applicant has applied for approval of a preliminary plat composed of 15 single-family residential lots on 2.98 acres located at 13457 NE 205th St. The application is approved subject to conditions.

Testimony

Agnes Kowacz, City of Woodinville Associate Planner, summarized the proposal.

Tom Hansen, Public Works Director, in response to examiner questions stated that the Public Works Department had assessed site distance at the 136th/205th and Road A/136th intersections and found no site distance safety problems. Mr. Hanson also clarified that there’s a project in the current budget to study the SR 522 intersection but no improvement project currently funded. The deviations identified in the staff report have not been consolidated into the preliminary plat hearing examiner review.

Jenny Ngo, City of Woodinville senior planner, in response to examiner questions clarified that the information in the staff report on prior determinations of no fish present in the project Type III stream were for other projects on the same stream, but WDFW does not use those prior determinations to assess the presence of fish on new projects. Also, the information in the staff report on barriers preventing the presence of fish is based upon barriers identified in WDFW inventories. The barriers are on private property and could not be verified by staff.

1
2 Matt Perkins, applicant, noted that on page 2 of the staff report is incorrect and that there are two, not one
3 single-family residences on the western parcel of the project.

4 Richard Jacobs, neighbor, inquired about the timeline for the project and Mr. Perkins noted land
5 development may commence at the end of the year and home construction next year. He also asked
6 about the distance of new homes from the project perimeter and was advised that rear yard setbacks are
7 five feet, but that the applicant would probably build further from the property lines than that.

8 **Exhibits**

9 The twenty-four exhibits identified at page 19-20 of the August 13, 2015 staff report were admitted
10 into the record during the August 20, 2015 hearing. In addition, the following exhibits were also
11 admitted during the hearing:

12 Ex. 29: Corrections to staff report
13 Ex. 30: Staff's PowerPoint Presentation August 20, 2015

14 **FINDINGS OF FACT**

15 **Procedural:**

- 16 1. Applicant. Quadrant Corporation.
17 2. Hearing. The hearing on the subject application was held on August 20, 2015 at noon in the
18 Woodinville City Hall Council Chambers.

19 **Substantive:**

20 3. Project Description. The applicant has applied for approval of a preliminary plat
21 composed of 15 single-family residential lots on 2.98 acres located at 13457 NE 205th St. The site
22 consists of two parcels. The western parcel addressed as 13457 NE 205th Street (identified as Parcel 'A'
23 in the staff report) is 50,464 square feet (1.16 acres) in size and is currently developed with two single-
24 family residences, a detached garage and a shed. The eastern parcel addressed as 20325 136th Avenue
25 NE (identified as Parcel 'B'), is located to the east of Parcel 'A' and is 79,290 square feet (1.82 acres).
26 The lot is currently developed with one single-family residence, a detached garage and a shed. 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.

Proposed site work includes construction of a stormwater detention vault, a recreational tract, street
improvements on NE 205th Street and 136th Avenue NE, installation of internal streets, utilities, and
combined excavation and estimated fill to total 12,400 cubic yards. The proposed 15 lots will be

1 accessed through a single public ending in a cul-de-sac, currently identified as Road A. Road A is 300
2 feet long and connects to 136th Avenue NE.

3
4 4. Surrounding Area. The surrounding area is comprised of properties zoned and developed with
single-family homes.

5 5. Adverse Impacts. There are no significant adverse impacts associated with the project.
6 Adequacy of infrastructure is addressed in Finding of Fact (“FOF”) No. 6. Remaining impacts of note
are specifically addressed as follows:

7
8 A. Critical Areas. The project site has resources protected under the City’s critical areas
ordinance as streams and geologically hazardous areas:

9
10 a. Stream. The site contains a stream that will not be subjected to any significant adverse
impacts from the proposal as conditioned. The unnamed stream runs south to north on the
11 northwestern portion of the property into a culvert crossing NE 205th Street, and then flows
east to Little Bear Creek (Exhibits 5 and 9). Two fish passage blockages located in the
12 unnamed stream beyond the project site were identified in Washington Department of Fish
and Wildlife data. The fish passage blockages downstream preclude the presence of
13 salmonids, therefore, this stream is classified as a Type III. The Muckleshoot Tribe
submitted comments questioning this determination, but did not provide any evidence more
14 compelling than the data relied upon the City. It is determined that the unnamed stream does
not have fish. Type III streams are required to have a standard 75-foot buffer, which may be
15 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
16 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
17 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
18 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. The
19 recommendations of the report are made a condition of approval.

20
21 b. Geologically Hazardous Area. The project site contains steep slopes that qualify as landslide
hazard areas (a subset of geologically hazardous areas) under the City’s critical areas
22 ordinance. The proposal is sufficiently designed to prevent any significant adverse impacts in
association with the slopes, as the applicant essentially proposes to remove them. The north
23 and east portions of the property contain over 40 percent slopes approximately 10 to 14 feet
in height (Exhibit 10). Slopes exceeding 40% qualify as landslide hazard areas under the
24 City’s critical areas ordinance. The 40% slopes in the project area appear to be created by
actions of man as they are cut slopes from natural topography to the existing grade of NE
25 205th Street and 136th Avenue NE. In order to eliminate or minimize the risk of property
damage, death or injury resulting from an erosion or landslide hazard area, WMC
26 21.24.310(1)(a) requires a minimum buffer to be established from all edges of the

1 geologically hazard area. This project proposes engineered retaining walls, rockeries, and
2 grading that will eliminate the steep slope condition and remove the geologically hazard
3 areas. No geologically hazardous areas will be present once the project is complete and
therefore no minimum buffer is required.

4 B. Compatibility. The proposal is surrounded by single-family development and the
applicant proposes single-family development. The proposal is fully compatible with
5 surrounding uses.

6 C. Trees. The proposal provides for adequate protection of trees as dictated by the City's
tree protection standards. The applicant has submitted landscape plans and a tree
7 preservation plan (Ex. 6 and 15) that staff have found to conform to applicable City standards
as detailed at p. 10 of the staff report.

8
9 6. Adequacy of Infrastructure/Public Services. As conditioned, the project will be served by
10 adequate/appropriate infrastructure and public services as follows:

11 A. Water and Sewer Service. The Woodinville Water District provides both water and sewer
12 service to the project site. The District has issued certificates of water and sewer availability
for the project. For these reasons, it is determined that the proposal will be served by
13 adequate/appropriate water and sewer.

14 B. Police and Fire Protection. The proposal is within the service area of the Woodinville Fire
15 and Rescue. As noted in the comprehensive plan, Woodinville provides police services
through a contract with the King County Sheriff's Office. City staff have reviewed the
16 proposal for consistency with Uniform Fire Code standards to the extent pertinent during
subdivision review (with more detailed review to be undertaken during building permit
17 review) and have found the project to be consistent, most notably determining that the
proposal is served by adequate fire access. For these reasons, it is determined that the
18 proposal is served by adequate/appropriate fire access.

19
20 C. Drainage. Staff have reviewed and found the applicant's preliminary drainage design to be
21 consistent with the 2009 King County Surface Water Design Manual and Chapter 14.09
WMC , with final drainage plans to be reviewed for consistency during final plat review.
22 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
23 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. For these
24 reasons, it is determined that the proposal provides for adequate/appropriate drainage and
25 stormwater control.
26

1 D. Parks/Open Space. The plat includes one on-site recreation tract, Tract 999, and a native
2 growth protection easement to protect the stream. The applicant will also be required to pay
3 park impact fees at building permit issuance as required by Chapter 3.36 WMC. Tract 999
4 was included in part to comply with WMC 20.06.170, which requires all subdivisions to
5 provide on-site recreation and trail corridors. Given these park and open space amenities, as
6 well as the lack of any code requirements for the dedication of open space in subdivisions in
any specific amount, it is concluded that the proposal provides for adequate/appropriate
parks and open space.

7 E. Streets. Staff have determined that the proposed street improvements and traffic impacts are
8 consistent with City of Woodinville public infrastructure standards and specifications. Given
9 the absence of any compelling evidence to the contrary and the traffic analysis and street
10 improvements identified below, it is concluded that the proposal provides for
adequate/appropriate street improvements and is served by adequate/appropriate
11 transportation infrastructure.

12 The applicant submitted a Transportation Impact Analysis prepared by Transpo Group,
13 which has been reviewed and approved by the Woodinville Public Works Department.
(Exhibit 11). The report evaluated existing roadway network, anticipated future conditions,
14 traffic operations at study intersections, sight distance requirements and traffic impacts and
mitigation requirements for study intersections. The report states that the proposed
15 subdivision will generate 11 additional AM peak-hour trips, 15 additional PM peak-hour
trips and a total of 142 average daily trips. The report concluded that the proposal would not
16 lower level of service (“LOS”) for any affected intersection below LOS E (the City’s
17 adopted LOS) , although the northbound left-turn lane from the SR 522 off-ramp will
operate at LOS F with or without project conditions. No change in the SRR 522 intersection
18 LOS or delay is anticipated from this project. The applicant will also be required to pay
19 traffic impact fees at the time of building permit issuance in order to assure that the applicant
20 contributes its pro-rata share for needed transportation system improvements.

21 Street improvements are proposed along 136th Avenue NE and NE 205th Street consistent
22 with the adopted roadway section for high density (zoning greater than R-4) residential
streets (TISS Standard 104A). Improvements on the west side of 136th Avenue NE include
23 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 205th
24 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
25 14-foot wide travel lanes, curbs, gutter, 6-foot wide sidewalks and 5.5-foot wide (excluding
26 curb) planter strip on both sides. A crosswalk will be provided across the internal road at
the intersection of 136th Avenue NE.

1
2 The proposed street system is also determined to provide for the safe, orderly and efficient
3 circulation of traffic. Staff reached this conclusion after finding conformance with
4 applicable City standards and exercising the expertise of the Public Works Department.
5 There being no compelling evidence to the contrary, the findings of staff are taken as a
6 verity on these issues.

7 A written comment was submitted expressing concern about site distance safety at project
8 intersections. The City’s public works department has investigated the intersections and
9 found adequate site distance. Given the expertise of the public works department, it must
10 be determined that the intersections provide for safe site distance.

11 F. Schools. Adequate/appropriate provision is made for schools. The subdivision is served by
12 Woodin Elementary, Leota Junior High School, and Woodinville High School. School
13 impact fees are imposed pursuant to Chapter WMC 22.20 to assure adequacy of school
14 capital facilities. As conditioned, the proposal also provides for adequate/appropriate
15 walking conditions to and from school. The applicant submitted a School Walk Safety
16 Assessment that evaluates the walking routes to the nearby elementary and high school
17 (Exhibit 14). Based on the report, the existing pedestrian infrastructure does not support safe
18 walking conditions to and from the subdivision. Additional facilities will be provided with
19 the subdivision as a condition of approval, including a 5-foot wide paved path running
20 approximately 335 feet along the west side of NE 136th Avenue just south of the subdivision.
21 The path will connect two existing sidewalks to provide a safe walk route. Pursuant to the
22 conditions of approval, “No Parking” signs shall be installed along the entire length of the
23 path.

24 **Conclusions of Law**

25 1. Authority. WMC 17.07.030 classifies preliminary plat applications as Type III processes.
26 WMC 17.07.030 authorizes the hearing examiner to hold open record hearings on Type III permits and
issue a final decision, subject to closed record appeal to the City Council.

2. Zoning/Comprehensive Plan Designations. The subject property is Zoned R-6. The
comprehensive plan land use designation is moderate density residential.

3. Review Criteria. WMC 20.06.020(1) governs the criteria for preliminary plat review All
applicable criteria are quoted below in italics and applied through corresponding conclusions of law.

1 **WMC 22.06.020(1)(a):** *The proposal conforms to the goals, policies, criteria and plans set forth in*
2 *the City of Woodinville Comprehensive Plan, community urban forestry plan, and parks, recreation,*
3 *and open space plan;*

4 4. The proposal is consistent with the comprehensive plan for the reasons identified at Pages 4-5 of
5 the staff report. The staff report notes at Page 14 that tree preservation has been considered in
6 accordance with the community forest plan. Although specific provisions of the forest plan were not
7 identified in the staff report, the applicant's extensive tree preservation efforts as identified in FOF No.
8 5(C) of this decision in addition to staff's finding of consistency are sufficient to establish consistency
9 with the community forest plan. Similarly, consistency is found with the parks, recreation and open
10 space plan due to staff's finding of consistency, the payment of park impact fees that implements the plan
11 and compliance with applicable park/open space standards.

12 **WMC 22.06.020(1)(b):** *The proposal conforms to the development standards set forth in WMC*
13 *Title 21, Zoning;*

14 5. The proposal proposes single-family use in a single-family zoning district (R-6) at densities
15 authorized in that district. The staff report FOF No. 17-26 provides a more specific analysis of
16 consistency with applicable zoning standards. For the reasons identified in the staff report FOF No. 17-
17 26, the proposal is found to conform to the development standards set forth in Tile 21 WMC.

18 **WMC 22.06.020(1)(c):** *The proposal conforms to the requirements of this section and those set*
19 *forth in this chapter and WMC 17.09.020;*

20 6. The criterion is met. This decision assess compliance with all of WMC 22.06.020 as it pertains
21 to preliminary plat hearing examiner review (specifically WMC 22.06.020(1)) and concludes all criteria
22 are met. The remaining subsections of WMC 22.06.020 apply to final plat review and will be addressed
23 by City staff during final plat review. WMC 17.09.020 requires the proposal to be processed in
24 conformance with City permit processing requirements. Given all the information presented in the staff
25 report, it is concluded that the proposal has been processed according to City standards as required by
26 WMC 17.09.020.

27 **WMC 22.06.020(1)(d):** *The proposed street system conforms to the City of Woodinville public*
28 *infrastructure standards and specifications and neighborhood street plans, and is laid out in such a*
29 *manner as to provide for the safe, orderly and efficient circulation of traffic;*

30 7. The criterion is met. As determined in FOF No. 6(E), the proposal provides for
31 adequate/appropriate transportation infrastructure. Much of this finding was based upon the analysis of
32 the City's public works department, which based its review on a finding of compliance with the City's
33 public infrastructure standards and street plans. As further determined in FOF No. 6(E), the proposal
34 provides for the safe, orderly and efficient circulation of traffic.

1 **WMC 22.06.020(1)(e):** *The proposed subdivision or short subdivision will be adequately*
2 *served with City-approved water and sewer, and other utilities appropriate to the nature of the*
3 *subdivision or short subdivision;*

4 8. The proposal will be served by adequate utilities and public infrastructure as determined in FOF
5 No. 6. The criterion is met.

6 **WMC 22.06.020(1)(f):** *The layout of lots, and their size and dimensions, take into account*
7 *topography and vegetation on the site in order that buildings may be reasonably sited, and that the*
8 *least disruption of the site, topography, trees and vegetation will result from development of the lots;*

9 9. The proposal involves significant disruption of topography due to the removal of steep slopes.
10 However, this disruption is reasonably justified in order to remove geological hazards from the site.
11 Trees are adequately protected by conformance to the City's tree protection standards as outlined in the
12 staff report. Vegetation is otherwise adequately protected by the imposition of buffers and enhancement
13 conditions to the on-site stream. For all these reasons, the criterion is met.

14 **WMC 22.06.020(1)(g):** *Identified hazards and limitations to development have been*
15 *considered in the design of streets and lot layout to assure street and building sites are on*
16 *geologically stable soil considering the stress and loads to which the soil may be subjected;*

17 10. The criterion is met. The project has been subjected to geotechnical review (Ex. 10) and the
18 project has been graded in order to avoid geological hazards.

19 **WMC 22.06.020(1)(h):** *Safe walk to school procedures, as established by the City, have been met;*

20 11. As determined in FOF No. 6(F), the proposal provides for safe walking conditions to and from
21 school as conditioned. The applicant has complied with all applicable procedures to provide for these
22 safe walking conditions.

23 **WMC 22.06.020(1)(i):** *Tree preservation has been considered in accordance with the community*
24 *urban forestry plan and tree preservation requirements have been adequately met.*

25 12. As determined in FOF No. 5 (C) and COL No. 4, the proposal provides for tree preservation
26 as required by the City's tree preservation standards and the community urban forestry plan. The
criterion is met.

DECISION

Preliminary Plat Application PPA14001/SEP14017 satisfies all preliminary plat criteria as
determined in the Conclusions of Law of this decision and is therefore approved subject to the following
conditions:

1 FINAL PLAT/SITE PLAN

- 2 1. All improvements shall be constructed in accordance with the approved Preliminary Plat
3 Map submitted July 23, 2015. The Planning Director and/or Public Works Director may
4 approve minor modifications of the plans submitted if the modifications do not change the
5 Findings of Fact or the Conditions of Approval.
- 6 2. The following notes and information shall appear on the face of the final plat map. All
7 signature blocks shall be in accordance with City Standards.
- 8 a. "The use and development of the property included within this plat shall be governed
9 by the Conditions of Approval imposed through File Number PPA14001/SEP14017
10 and shall be binding upon the land until that approval is amended, revoked or
11 expires."
 - 12 b. A free consent statement in conformance with City of Woodinville standards shall be
13 acknowledged by property owners and shall be notarized.
 - 14 c. "Building setbacks, driveway length, building height, building coverage, impervious
15 surface coverage, and parking for this plat are subject to the standards in place at the
16 time of a complete application for the single-family residential building permits.
17 Applicants should have their site plan verified for compliance with these standards
18 prior to submitting plans for a building permit."
 - 19 d. "All property owners shall maintain, in a uniform manner, the City right-of-way
20 located between their property lines and the back of adjacent curbs or street lines to
21 the maintenance level or standard applied to City parks. In such cases where the
22 City is required to perform such maintenance, the City shall bill the property owners
23 for the cost of such maintenance, including administration costs".
 - 24 e. A private road agreement for Tracts 997 and 998 must be designated on the face of
25 the plat and must specify the use and maintenance of the private facilities.
 - 26 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 205th Street or 136th 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.

- 1 g. The NGPA will remain undisturbed by future property owners
- 2 4. A ten foot utility easement along the public and private street frontage shall be dedicated as
- 3 part of the plat, with the exception of easement approved through the deviation (File No.
- 4 DEC14012).
- 5 5. The right-of-way and the improvements for Road A shall be dedicated to the public as part
- 6 of the final plat approval.
- 7 6. The following items are required to be shown on the face of both the final plat map and
- 8 supplemental map prior to final approval. The required language for these items may be
- 9 obtained from the City:
- 10 a. Surveyor Certificate;
- 11 b. Owners Statement;
- 12 c. All new easement(s) over the property, their legal description(s) and associated
- 13 dedication block(s);
- 14 d. Native growth protection area tract shall be maintained by the homeowners
- 15 association;
- 16 e. Recording block/Certification block for Planning Director and Public Works
- 17 Director approval;
- 18 f. Certification of Payment of Taxes and Assessments;
- 19 g. Auditor's Certificate;
- 20 h. North arrow;
- 21 i. The survey control scheme, monumentation, monuments to be set, and references.
- 22 7. Prior to final plat approval, a copy of the covenants, conditions and restrictions with the final
- 23 plat application shall be submitted for review and approval.
- 24 8. As-builts shall be submitted showing all public improvements with application for final plat.
- 25 The submitted as-builts shall be in the format required by the City's Infrastructure Design
- 26 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 205th Street and 136th 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

1 on the preliminary plans dated July 23, 2015 or minor modifications as approved by
2 the Public Works Director.

- 3 b. Homeowners association (lot owners) shall maintain all landscaping in drainage tract
4 and public right of way, including NE 205th Street and 136th Avenue NE.
5

6 SITE DEVELOPMENT

- 7
- 8 1. All improvements shall be constructed in accordance with the conditions of this
9 approval, approved site development plans and right-of-way construction plans. The
10 right-of-way permit must include a traffic control plan, erosion control plan, and all
11 frontage improvements proposed for the site. The site development permit shall include
12 site, drainage, landscaping, mitigation and utility improvements. All improvements shall
13 be installed prior to final plat approval. A financial security may be posted for final
14 asphalt lift and landscaping pursuant to WMC 20.06.210 as approved by the
15 Development Services and Public Works Directors.
16
 - 17 2. The applicant must obtain all necessary state and federal permits and approvals, including a
18 Forest Practice Permit, prior to starting of any construction activities.
19
 - 20 3. A Heavy Hauling permit from the City of Woodinville will be required.
21
 - 22 4. All walls over four (4) feet in height or that carry a surcharge require a separate building
23 permit. Such walls must be designed by a professional engineer licensed in the State of
24 Washington. Permits for the walls shall be submitted, reviewed and approved prior to
25 construction of the wall.
26
 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 205th Street and 136th 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

1 Hour Parking Limit on school days during school hours” signs shall be placed along the
2 north and east side of Road A. “No Parking” signs shall also be placed along the frontage of
3 the project on 136th Avenue NE and along the length of the safe walk route improvements.
Sign placement will be noted in final approval of construction drawings.

4 10. A final tree preservation, maintenance agreement and replanting plan for the individual lots
5 shall be submitted to the City for review and approval prior to final plat approval. The tree
6 plan shall be designed in conformance with the City’s Municipal Code and Infrastructure
7 Standards. The lot and tracts are 2.06 acres and the applicant is required to provide a total
8 of 80.75 tree credits through replanting or other mitigation requirements consistent with
9 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.

10 11. The applicant shall submit a revised landscaping plan showing street trees along the entire
11 length of the property on NE 205th Street.

12 12. The applicant shall submit a revised site plan to reflect the setbacks for double and triple
13 frontage lots and corner lots (lot 1, 7, 11, 12, 13, 14 and 15).

14 13. The clearing limits of the approved plans shall be clearly delineated in the field. Where such
15 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.

16 14. All development shall proceed in accordance with the recommendations listed in the Critical
17 Area Assessment prepared by Raedeke Associates, Inc. and any further addendums as
18 accepted by the Development Services Director.

19 a. Under the City’s substantive authority under SEPA (Chapter 197-11 WAC), the
20 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.

21 b. The monitoring reports for the stream mitigation shall begin with a baseline report,
22 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
23 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.

24 15. All development shall proceed in accordance with the recommendations listed in the
25 Geotechnical Report dated October 31, 2014, prepared by Terra Associates, Inc and any
26 further addendums as accepted by the Public Works Director.

- 1 16. Construction noise is not permitted anytime on Sundays and holidays, and outside the hours
2 of 7:00 AM. through 7:00 PM, Monday through Friday and 9:00 AM through 5:00 PM on
3 Saturday; or, from Memorial Day to Labor Day, outside the hours of 7:00 AM through 9:00
4 PM, Monday through Friday and 9:00 AM through 5:00 PM on Saturday.
- 5 17. The Development Services Director and/or the Public Works Director shall have the
6 authority to direct the developer or the developer's on-site representative to immediately
7 cease activities and redirect their attention to resolving any problem, particularly any
8 environmental degradation, which in the Director's opinion needs immediate resolution.
9 Failure of the developer or his representative to redirect such labor and equipment shall
10 result in immediate project closure and resolution of the problem by the City.
- 11 18. Should archaeological materials (e.g. bones, shell, stone tools, beads, ceramics, old bottles,
12 hearths, etc.) or human remains be observed during project activities, all work in the
13 immediate vicinity should stop. The State Department of Archaeology and Historic
14 Preservation (360-586-3065), the City planning office, the affected Tribe(s) and the county
15 coroner should be contacted immediately in order to help assess the situation and determine
16 how to preserve the resource(s). Compliance with all applicable laws pertaining to
17 archaeological resources (RCW 27.53, 27.44 and WAC 25-48) is required. Failure to
18 comply with this requirement could constitute a Class C Felony.
- 19 19. If at any time during clearing, grading and construction the streets are not kept clean and
20 clear, all work will stop until the streets are cleaned and maintained in a manner acceptable
21 to the Public Works Director in accordance with the Woodinville Municipal Code.
- 22 20. The applicant and contractor shall attend a pre-construction meeting with City staff to
23 discuss expectations and limitations of the project permit before starting the project.
- 24 21. One week prior to starting construction on the site, the applicant shall notify all neighboring
25 property owners within 300 feet that the work will be occurring within the neighborhood.
- 26 22. All construction traffic shall take access off 136th 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,

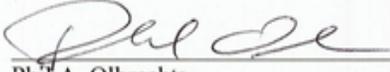
1 landscaping, tree planting, and stream mitigation) as determined by the City, shall be
2 submitted by the applicant prior to site development permit issuance.

3 25. A maintenance guarantee, in the form of an assignment of funds or cash deposit, in the
4 amount of 20 percent of the total project (public and private improvements, landscaping, tree
5 planting, and stream mitigation) as determined by the City, shall be submitted by the
6 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.

7 26. Maintenance periods shall begin when the City has accepted all required site improvements.
8 The maintenance periods are as follows, and may be extended by the City if on-site
conditions warrant an extension:

- 9 ○ Site, frontage, and lighting improvements – Two (2) years
- 10 ○ Landscaping & Irrigation – Three (3) years
- 11 ○ Tree Protection – Five (5) years
- 12 ○ Stream Mitigation – Five (5) years

13 DATED this 3rd day of September, 2015.

14
15 
16 Phil A. Olbrechts

17 Woodinville Hearing Examiner

18
19 **Appeal Right and Valuation Notices**

20 WMC 17.07.030 provides that the final decision of the Hearing Examiner is subject to appeal to the
21 Woodinville City Council. WMC 17.17.040(1) requires appeals of the Hearing Examiner's decision
22 to be filed within fourteen (14) calendar days from the date of the Hearing Examiner's decision.

23 Affected property owners may request a change in valuation for property tax purposes notwithstanding
24 any program of revaluation.
25
26