DECISION
LAND USE APPROVAL, SHORELINE SUBSTAINTIAL DEVELOPMENT, DESIGN REIVEW AND CRITICAL AREAS ALTERATION

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

Project Name:	The Reserve at Woodinville
Project Number(s):	LUA16001/SDP16001/CAA16001/DRA16002
Description of Proposal:	Land use approval to construct two warehouse buildings with a combined footprint of 201,350 square feet and 180-stall parking lot in the Industrial Zone. Construction includes grading and drainage improvements, street improvements, tree removal, landscaping installation, and shoreline enhancement and restoration. The site is within the shoreline jurisdiction and is subject to review under the Shoreline Master Program. SEPA review is required for buildings exceeding 4,000 square feet and construction of more than 20 parking stalls.
Address:	15902 Woodinville-Redmond Road; Woodinville, WA 98072
Proponent:	Matt Buchanan, Panattoni Development Co.
Staff Contact:	Amanda Almgren, Associate Planner at 425-877-2285 or amandaa@ci.woodinville.wa.us

SUMMARY OF PROJECT DECISION

Staff administratively reviewed this project for consistency with the policies, standards, and regulations of the City of Woodinville. After considering comments by the public or other agencies, the project permit is hereby approved with conditions based on the Findings of Fact, and subject to the Conditions of Approval.

Notice of Decision Date:	**Monday, October 3, 2016**
End of Local Appeal Period:	**Monday, October 17, 2016**
End of State Appeal Period:	**21 days from Date of Filing**
Project Permit Expiration Date:	**October 3, 2018**
Project Decision:	**Approved with Conditions**

APPEALS

Appeals: A party of record may appeal this decision to the Woodinville Hearing Examiner pursuant to Chapters 2.30 and 17.17 WMC. An appeal must be filed within 14 days of the date of issuance of this decision, by **4:00 p.m., on October 17, 2016**. Written appeals shall be submitted with the appropriate appeal fee to: Development Services Department in City Hall, 17301 133rd Avenue NE, Woodinville, WA 98072. Contact the planner listed above if you wish to file an appeal.

Pursuant to WAC 173-27-130, the City will file the decision with the Department of Ecology once the local appeal period is completed. The state appeal period for all shoreline permits is 21 days from the date of filing in accordance with RCW 90.58.180. The date of filing refers to the date of receipt by the Department of Ecology of the local government's final decision.

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 decision on a shoreline permit may be appealed to the shoreline hearings board within 21 days from the date of filing pursuant to RCW 90.58.180.

PROPERTY INFORMATION:

Legal Description: Parcel No. 1526059053: PCL B WOODINVILLE BLA #13001 REC #20131021900003 SD BLA LYING WLY OF SAMMAMISH RIVER AND ELY OF SR #2 HOLLYWOOD-REDMOND RD & NP RR R/W-NORTH BEND BRANCH NW 1/4 15-26-05

Parcel No. 1526059068: PCL C WOODINVILLE BLA #13001 REC #20131021900003 SD BLA LYING WLY OF SAMMAMISH RIVER AND ELY OF SR #2 HOLLYWOOD-REDMOND RD & NP RR R/W-NORTH BEND BRANCH NW 1/4 15-26-05

Zoning: Industrial (I)

Comprehensive Plan Designation: Industrial (I)

Shoreline Designation: Conservancy and Urban Conservancy

Critical Areas: Seismic Area, Frequently Flooded Area, Fish and Wildlife Habitat Area

Environmental (SEPA) Review: A Determination of Nonsignficance (DNS) was issued on July 5, 2016, pursuant to WAC 197-11-340.

Surrounding Zoning:
North: Industrial
East: Sammamish River
South: Industrial
West: Industrial, King County Parks

NOTICES AND PUBLIC COMMENT

The application was received on January 21, 2016. A notice of incomplete application was issued on February 4, 2016 pursuant to WMC 17.09.030. Revisions were received on February 4, 2016 and the application was determined complete on February 8, 2016 pursuant to WMC 17.09.030.

A Notice of Application was issued on February 15, 2016 within 14 days of the Determination of Completeness consistent with WMC 17.11.010. The Notice of Application was mailed to property owners within 500 feet pursuant to WMC 17.11.040(4), published in *The Woodinville Weekly* newspaper, and posted on the site and other public notices locations (City Hall, Post Office, and City of Woodinville website). Pursuant WMC 17.11.010(1)(c) a 30-day public comment period was utilized, ending on March 16, 2016.

A SEPA Determination of Nonsignificance was issued on July 5, 2016 for the project, pursuant to WMC 17.11.025 (Exhibit 29). The comment period ended on July 20, 2016 and was determined final.

Requests for additional information were sent on March 11, 2016; March 17, 2016; May 5, 2016; and May 25, 2016. Revisions were received on April 15, 2016, June 13, 2016, and September 21, 2016.

PUBLIC COMMENTS: No public comments were received.

AGENCY COMMENTS: One comment was received from Karen Walter of the Muckleshoot Tribe Fisheries Division on March 16, 2016 requesting additional information on the proposal including requesting additional riparian plantings, justification for the stream buffer reduction, mitigation for the planned pedestrian viewing platforms within buffer and plans for the permanent protection of the buffer.

COMPREHENSIVE PLAN

The Comprehensive Plan encourages northwest woodland character design, promotes pedestrian friendliness and traffic linkages, encourages recreation space, and requires adequate infrastructure for

development within the City limits. The City of Woodinville Comprehensive Plan Future Land Use Map designates this property as Central Business. Pursuant to WMC 17.13.010, the proposal complies with the intended goals, objectives, and policies of the Comprehensive Plan. The following Comprehensive Plan Policies apply to this project:

Goal E-1: To preserve and enhance aquatic and wildlife habitat.

Policy E-1.1: Identify and ensure the protection of fish and wildlife habitat conservation areas.

Policy E-1.2: Protect the functions and values of critical areas, including wetlands, streams, and lakes.

Policy E-1.10: Implement Woodinville's Shoreline Master Program to promote no-net-loss of shoreline ecological function, preferred uses, and public access. The Shoreline Master Program is part of this Comprehensive Plan and is hereby incorporated by reference.

Goal E-3: To protect and improve water quality and management of water quantity.

Policy E-3.3: Promote the enhancement or restoration of shorelines and waterways as adjacent development actives occur.

Goal LU-9: Establish a land use pattern that provides a broad range of commercial services and employment opportunities that serve the needs of residential neighborhoods, workplaces, and the

SHORELINE MASTER PROGRAM

The Shoreline Master Program (SMP) encourages shoreline protection and restoration, compatible uses, public access, economic development, and recreational opportunities. The goals and policies for development along Woodinville's shoreline are set forth in Chapter 3 of the SMP. Figure 5-2 of the SMP designates this property as within the Urban Conservancy zone. The following SMP goals and policies apply to this project:

Policy SU-1.1: When assigning environmental designations, determining permitted uses within the different designations and use categories, and reviewing individual applications, uses shall be preferred which are consistent with control of pollution and prevention of damage to the natural environment, or are unique to or dependent upon use of the state's shoreline. Alterations of the natural conditions of the shorelines of the state, in those limited instances when authorized, shall be given priority for:

1. Development that will provide an opportunity for substantial numbers of people to enjoy the shorelines of the state.
2. Shoreline recreation uses including but not limited to parks, marinas, piers, and other improvements facilitating public access to the shorelines of the state.
3. Shoreline and fish restoration activities including scientific research.
4. Industrial and commercial developments that are particularly dependent on their location or use of the shorelines of the state, or which provide significant public access opportunities.

Goal SU-1.5: Ensure that all uses on the shoreline will protect and improve water quality by property design of drainage, sewer connections and other measures made necessary by particular uses and locations.

Goal SED-2: To provide for and encourage economic activity and development of water-dependent uses and/or water-related uses in appropriate shoreline locations, which create the most positive impact on the environment and take into consideration the capacities of the area's natural resources, public services, and public facilities.

Policy SED-2.1 Ensure that industrial and commercial structures and site developments are in harmony with general design criteria to be established for the riverfront and river valley landscape in this Master Program, the Woodinville Comprehensive Plan, and development regulations.

Goal PA-1: To provide for an adequate amount of public access, both physical and visual, to the shorelines as part of a total system, consistent with the Woodinville Comprehensive Plan's Parks, Recreation and Open Space element, and the needs of other shoreline uses.

Policy PA-1.2 Private development on the shoreline shall provide as much visual and physical access as possible in line with reasonable needs for privacy.

Goal CIR-1: To plan and develop a balanced, efficient, and visually aesthetic circulation network which is most compatible with the shoreline environment.

Policy CIR-1.2 Parking areas shall be designed for minimal interference with the 100-year floodplain's hydrologic function, and the shoreline's aesthetic potential, and to minimize degradation of water quality.

Goal AH-1: To protect and restore those aspects, buildings, sites, and areas of shoreline having historic, cultural, scientific, or educational values or significance. [RCW 90.58.100(2)(g)]

Policy AH-1.1 The use regulations of this Master Program shall contain development regulations as necessary to encourage a compatible surrounding environment to ensure planning for the preservation of significant archaeological resources, especially Native American sites in river and stream corridors.

Goal FHM-1: To manage flood waters along the Sammamish River and Little Bear Creek in a manner which reflects and balances City goals and policies for water quality, fish and wildlife habitat, floor hazard management, recreations, aesthetics and other beneficial uses of the waterways and their shorelines.

Policy FHM-1.3 Control stormwater runoff in a manner which utilizes natural detention, retention, and recharge techniques to the maximum extent possible.

Policy FHM-1.4 Prohibit a development within the floodplain that would individually or cumulatively increase the base flood elevation and pursue the discontinuation of such uses which now exist in the floodplain as these uses lose their economic life.

Goal CON-1: To preserve nonrenewable resources and enhance and/or restore natural resources that make Woodinville shorelines uniquely attractive and valuable to a large ecosystem.

Policy CON-1.1 Protect, preserve, rehabilitate, and, where possible, enhance water and habitat quality in the Sammamish River and Little Bear Creek.

Policy CON-I.4 The City should ensure that development of private upland property maintains sufficient volumes of surface and subsurface drainage into the biological wetland areas associated with the shorelines, to sustain existing vegetation and wildlife habitat. The content and velocity of this drainage should be controlled by design, as required by engineering standards adopted and administered by the City's Department of Public Services, so that stream habitat and properties along the shoreline below will not be adversely affected.

Policy CON-I.5 Protect features along the shoreline that provide ecological or recreational benefits.

Policy CON-I.6 Uses or activities that substantially degrade natural resources should not be allowed.

Goal RES-3: To restore shoreline habitats that support listed endangered and threatened species, as well as other anadromous fisheries.

Goal RES-4: To upgrade and beautify the shoreline to a level commensurate with its public value.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

GENERAL:

1. Bob Fadden of Lance Mueller Architects, on behalf of Panattoni Development Company submitted an application for Land Use Approval, Critical Areas Alteration, Shoreline Substantial Development and Design Review at 15902 Woodinville-Redmond Road NE in Woodinville, Washington on January 21, 2016. The application was determined to be complete on February 8, 2016 and a letter sent on the same day. A Notice of Application for the proposal was published, mailed, and posted on February 15, 2016, within 14 days of the determination of completeness (Exhibit 28). The project was circulated for review in accordance with the City's normal review and permitting procedures pursuant to WMC 17.09.040, and WMC 17.11.010.

2. The proposal includes the construction of two warehouse buildings. Building A will be the larger of the two buildings with a footprint of 158,725 square feet and a gross floor area of 170,625 square feet. Building B will have a footprint of 42,625 square feet and a gross floor area of 45,822 square

feet. Associated site improvements include a 180-stall parking lot, stormwater facility, street improvements, tree removal, landscaping installation, and shoreline enhancement and restoration.

3. The property is zoned Industrial (I) and totals approximately 12.35 acres adjacent to the Sammamish River. The property is irregularly shaped and is approximately 700 feet wide and between 300 and 1,110 feet in depth. The property is generally flat and paved with one existing metal storage building in the shoreline jurisdiction, which will be demolished as part of the construction.

4. The property is bordered by industrial uses to the north and south. The Chrysalis School is located adjacent to the northwest of the property and is an institutional use. To the southwest is a rail line that is currently owned by King County Parks and contemplated for trail uses. The property is accessed from two driveways from Woodinville-Redmond Road (State Route 202), which is designated as a state transportation highway.

5. The site is bisected by the 200-foot shoreline jurisdiction boundary. The eastern 200 feet of the property is within the shoreline jurisdiction and the remaining 100 to 800 feet is located outside of the shoreline boundary. Pursuant to SMP Section 7.7, where parcels are divided by the shoreline boundary, only the portion of the parcel between the boundary and the water are subject to the Shoreline Master Program. The project is located within 200 feet of the ordinary high water mark of the Sammamish River. Pursuant to RCW 90.58.030(2)(d) and (e) and SMP Section 1.2, this area is defined as the shoreline jurisdiction and is subject to the Woodinville Shoreline Master Program (SMP).

6. The proposal is to construct two warehouse buildings totaling 216,447 square-feet with loading docks, parking, and associated site improvements. Pursuant to RCW 90.58.140(2), any activity in the shoreline jurisdiction that meets the definition of substantial development requires a permit. The proposal is not eligible for any exemptions listed in WAC 173-27-040(2)(g), and a substantial development permit is required. A shoreline substantial development permit is processed as a Type II application pursuant to WMC 17.07.030.

7. The proposal involves restoration work and public viewing platforms in the Conservancy Zone and buildings in the Urban Conservancy Zone. Pursuant to SMP Section 6.1, warehousing and light industrial activities are permitted in the Urban Conservancy designation. Pursuant to SMP Section 6.7, all developments are subject to the Shoreline Master Program, Comprehensive Plan, the underlying regulations and map contained in the Woodinville Zoning Code, and other applicable ordinances.

8. Pursuant to WAC 173-27-160, shoreline permits shall only be granted when the development proposed is consistent with the policies and procedures of the Shoreline Management Act, the provisions of Chapter 173-27 WAC, and the Woodinville Shoreline Master Program.

ZONING CODE:

9. Pursuant to WMC 21.44.020, land use project approval permit shall be granted by the City if the applicant demonstrates that the development is consistent with all of the City's development regulations as adopted in the Woodinville Municipal Code.

10. The applicant is proposing two warehouse buildings with associated office space. Pursuant to WMC 21.08.060, warehousing with accessory office is a permitted use in the Industrial Zone.

11. The proposed development is located in the Industrial Zoning District. The following standards in WMC 21.12.040 apply to the proposal:

a. The minimum street setback is 25 feet. The closest building is approximately 300 feet from the street. This criterion is met.
b. The minimum driveway length is 20 feet. The driveway length is approximately 170 feet.
c. There is no minimum interior setback for industrial properties adjoining other industrial zoned properties and a 10-foot landscape setback for industrial properties adjoining institutional uses. The buildings are setback at least 26 feet from the interior property lines. Paved areas are located at least five feet from the property line.
d. The base height is 45 feet, except where portions of the building in the shoreline jurisdiction are limited to 35 feet. The height of the building is 35 feet.
e. The maximum floor to lot ratio for industrial properties is 3 to 1. The proposal is approximately 0.5 to 1.
f. The maximum impervious surface is limited to 90 percent. The proposed impervious surface totals approximately 370,000 square feet or 69 percent.

SHORELINE MASTER PROGRAM:

12. The proposal is located within the Conservancy and Urban Conservancy shoreline environments. Pursuant to Section 5.2.4, the Conservancy designation is to "protect and restore ecological functions, while making the areas available for limited human use, when appropriate and non-destructive of critical areas" and the Urban Conservancy designation is to "protect and restore ecological functions of open space, flood plain and other sensitive lands where they exist in urban and developed settings, while allowing a variety of compatible uses as established by the Comprehensive Plan." SMP Section 6.1 identifies shoreline modification or uses compatible within the Conservancy and Urban Conservancy shoreline environment.

13. Under the Shoreline Use Matrix in Section 6.1, industrial uses, such as warehousing, are permitted uses in the Urban Conservancy designation. Parking and loading areas, which are listed as conditional uses, are not proposed in the Urban Conservancy designation.

14. SMP Section 6.1 requires all uses and developments to comply with the Shoreline Master Program and City's adopted development codes, including the Woodinville Zoning Code and Transportation Infrastructure Standards.

15. Pursuant to Section 6.16.2(1), future development or redevelopment of light manufacturing and industrial uses shall be located, designed, or constructed in a manner that assures no net loss of shoreline ecological function and such that it does not have significant adverse impacts to shoreline resources and values. The proposal will avoid adverse impact to the shoreline. The warehouse buildings are setback at least 140 feet from the shoreline and buffered by a 100-foot strip of restored native vegetation (Exhibits 5 and 8). The proposal includes mitigation measures to address stormwater runoff impacts, including a media filter strip along parking lot areas; a wetpool and wetland treatment complex; and rip rap to treat and disperse water collected on the site.

16. Pursuant to Section 6.16.2(2), future development/redevelopment of light manufacturing and industrial uses shall be designed to permit viewing of shoreline areas from viewpoints, waterfront restaurants and similar public facilities which should not interfere with business operations or endanger public health and safety. The proposal includes two public viewing platforms, providing views of the Sammamish River. The viewpoints are located in the critical area buffer and will not interfere with business operations nor endanger public life or safety.

17. Pursuant to Section 6.16.2(3), industrial development/redevelopment is encouraged to locate where environmental cleanup and restoration of the shoreline area can be incorporated. The parcel is located in a developed area of the Sammamish River. The applicant has incorporated extensive habitat restoration along the river in the design proposal (Exhibit 10).

18. Pursuant to Section 6.16.2(4), transportation and utility corridors serving industries and business parks located in shoreline areas shall follow guidelines provided under the section of this Master Program dealing with utilities and transportation facilities. No new transportation or utility corridors are proposed to serve the development. A portion of Woodinville-Redmond Road will be improved with the proposal. An existing utility easement that runs through the vegetated buffer will not be affected by the development.

19. Pursuant to Section 6.16.2(5), the public's enjoyment of the minimum shoreline buffer shall not be compromised by the effects of industrial activities occurring within the shoreline management corridor and, where possible and appropriate, public access shall be enhanced in accordance with the Woodinville Comprehensive Plan. The proposed industrial activities will not affect or compromise public enjoyment of the shoreline buffer. The proposal includes several public viewing platforms that will increase and enhance public access to the river and shoreline.

20. Pursuant to Section 6.16.2(6), buildings shall be sited to allow frequent visual access towards the shoreline from surrounding areas in accordance with Woodinville Zoning Code (WMC 21.16), or as may hereafter be amended. All vegetation shall be native, non-invasive species appropriate to stream banks and buffers. Visual access is provided by three viewpoints on the site. Proposed vegetation is native to the northwest and is suitable for stream restoration

21. Pursuant to Section 6.16.2(7), special care shall be taken to avoid uses characterized by noise, glare, dust, etc.

    Staff comment: The proposed buildings will be used for industrial and office uses, such as warehousing and manufacturing. All activities, with the exception of loading, will be located indoors and there are no opportunities on site for outdoor storage or manufacturing. The proposal should not generate excessive noise, glare, light, dust, or similar impacts. Once completed, the property will comply with the noise standards outlined in Chapter 8.08 WMC. The applicant has submitted a lighting plan that measures light intensity at night from the proposed lighting. The proposed lighting will be directed downwards and away from adjacent properties (Exhibit 19). The light intensity will meet the criteria in the Industrial Design Guidelines. The applicant has submitted temporary erosion control and demolition plans prepared by Barghausen Consulting Engineers, Inc., to control dust, mud, and other impacts to the Sammamish River (Exhibit 7).

22. SMP Section 6.16.2(8)(a) and RCW 90.58.320 restrict buildings and structures to 35 feet in height as measured from the average grade level, except when overriding considerations of the public interest will be served. SMP Section 6.16.2(8)(b) states that building shall not block the stream views of 10 or more existing residential units. WAC 173-27-030 defines average grade level to be the average of the existing topography which will be directly under the proposed building or structure. The average grade level elevation of Building A was calculated by the applicant at 31.54 feet. The average grade elevation of Building B was calculated by the applicant at 31.56 feet. The portions of Building A and B within the shoreline jurisdiction both have an elevation of 66.5 feet, or 34.96 above finished grade for Building A and 34.94 feet above finished grade for Building B. The proposal complies with this height requirement.

23. SMP Section 6.16.2(9): Standards for parking lot location and development are the same as for Commercial Development in Section 6.11:
    a. Parking lots are allowed only as an accessory use. Accessory parking lots for more than four vehicles must be landscaped and sight screened in accordance with the criteria set forth in WMC 21.16 of the Woodinville Zoning Code, or as may hereafter be amended. A berm or wall, in addition to landscaping, may be required to be placed along the waterward side of the parking lot.

Staff comment: The proposed parking is proposed outside of the shoreline jurisdiction and will support industrial and office uses, and is therefore an accessory use. Landscaping for the parking lot is required, meeting the criteria established in Chapter 21.16 WMC, as discussed in Findings 66-70.

b. Parking areas may not be located waterward of the development the parking serves.
Staff comment: No parking is proposed waterward of Buildings A and B. Buildings have been shifted east to provide the minimum necessary for a fire access lane. All parking is located outside of the shoreline jurisdiction.

c. Parking areas within the shoreline management area, because they accumulate sizable concentrations of oil, trash, dust, etc., must be designed and operated to avoid surface runoff of these contaminants into nearby watercourses, and their design shall be consistent with adopted City engineering and design standards.
Staff comment: The proposal includes water treatment measures consistent with adopted engineering standards. The proposal includes a landscaped filter strip along the length of the eastern edge of the impervious/paved area and a wetland treatment system on the southeast corner of the property to provide treatment for all stormwater prior to entering the Sammamish River.

d. To reduce the usage of scenic shoreline corridor property as surface parking area, the on-site parking requirements set forth in WMC 21.18 in the Woodinville Zoning Code or as hereafter amended, may, under certain circumstances, be reduced. Shoreline development applicants may submit proposals which accommodate some or all of their parking requirements by cooperative usage of parking spaces off the site, either within or outside of the shoreline management corridor.
Staff comment: The site is required to provide 251 parking spaces based on the calculations in Chapter 21.18 WMC. The applicant submitted a parking study, which recommended a minimum of 178 stalls. The applicant is requesting a parking standard reduction to 180 stalls pursuant to Chapter 21.18 WMC based on anticipated parking demand (see Finding 71). A cooperative parking agreement is not proposed.

e. Parking lot landscaping requirements of WMC 21.16 shall apply, except that:
   i. Landscaping shall be with Northwest native stock.
   ii. One tree with a minimum height of 4 feet shall be required for each 30 linear feet of planting area; and
   iii. The perimeter of any parking area must be maintained with a 5-foot wide minimum landscaping strip.
   Staff comment: The proposed parking lot landscaping meets this requirement, as discussed in Findings 66-70. All proposed plantings in the shoreline jurisdiction are native to the Pacific Northwest. The planting plan (Exhibit 8) includes trees that meet or exceed the minimum 4-foot height requirement and 30-foot distance requirements. Landscaping strips are located along the perimeter of the parking area and are five feet wide or larger.

f. Pervious surface materials are encouraged for parking areas in the shoreline management area.
Staff comment: No pervious materials were selected.

24. SMP Section 6.16.2(10): Standards for loading area location and development are the same as for Commercial Development in Section 6.11:
Loading Areas. To minimize the disturbing noise and visual effects of truck maneuvering or loading and unloading and thereby serving commercial activities in the shoreline management corridor, loading areas shall:

a. *Not be located waterward of commercial structures they serve and designed so as not to interfere with customer parking and access to the same structure.*
b. *If located in the side yard or waterward side of a structure, the loading area shall be screened from view of pedestrians on either side of the waterway, and be designed to muffle the noise of trucks maneuvering there. The visual screen shall be composed of a fence or wall with trees of sufficient height and density to soften the visual monotony of the fence or wall.*

Staff comment: The proposal includes loading areas in the center of the property between Buildings A and B. Noise and visual impacts should be minimized with the proposed location of the loading areas due to the location between buildings. Pedestrian circulation is planned with marked and raised crosswalks outside of the loading area. The area between the loading docks and the river will include significant habitat restoration, including trees, shrubs and other sight-obscuring vegetation.

25. Pursuant to SMP Section 6.16.2(11), the runoff from extensive roof areas and accessory parking lot surfaces shall be collected and treated as required by the King County Surface Water Design Manual and the City. Stormwater on the property will be collected and tightlined to one of two treatment areas. The applicant is proposing a stormwater wetland facility at the southeast corner of the property and a 600-foot vegetated filter strip is proposed on the eastern edge of the development that will provide water quality treatment (Exhibit 7). The proposal includes collection and treatment runoff consistent with the most current King County Surface Water Design Manual. The proposal will be reviewed and approved by the Public Works Department for consistency with applicable codes prior to permit issuance.

26. Pursuant to SMP Section 6.16.2(12), construction materials, colors and design shall be subject to the same criteria as set forth for commercial structures in Section 6.12.
    a. *The approval of specific commercial development plans shall ensure that earth tones (greens, browns, tans, dark reds, blues) and white or other compatible colors predominate.*
    b. *Construction materials to be encouraged in project design include natural colored wood and other materials of complementary texture and color such as anodized aluminum, wrought iron, copper, stucco, tile, and brick.*
    c. *Shiny metallic surfaces shall be discouraged or kept to a minimum, not covering more than 100 square feet of any one exposure of a commercial building.*
    d. *Walls facing the shoreline shall be treated with windows, details or modulation, or shall be subject to mitigation required by Section IV.F of the City's adopted Design Guidelines, or as may hereafter be amended.*

    Staff comment: The building will be finished with earth tones that are predominately tan and red (Exhibit 5). Architectural details include pre-finished metal canopies along the building. On the southwest building entry, the applicant is proposing exposed wood details and river rock stone detail. Metal canopies are proposed over loading dock areas. The metal canopies are designed to weather to a nonmetallic appearance and will avoid a shiny reflective surface. The eastern face of the building includes windows and building modulation. The proposal complies with the City's Industrial Design Guidelines.

27. Pursuant to SMP Section 6.16.2(13), commercial requirements for landscaping shall apply from Section 6.12.
    a. *All landscaping in the shoreline jurisdiction shall use northwest native plantings.*
    b. *Landscaping requirements of WMC 21.16 shall apply.*
    c. *Service areas, loading, storage, and other areas which tend to be unsightly shall be screened from view with landscaping and/or fencing of an attractive material.*
    d. *Mechanical equipment shall be screened with landscaping or attractive architectural features, or, if possible, integrated into the commercial structure itself. Mechanical equipment shall not project more than 10 feet above the commercial structure itself.*

Staff comment: Proposed vegetation consists of species native to the northwest. The proposal complies with Chapter 21.16 WMC, as discussed in Findings 23 and 66-70. Vegetation along the property line will screen the loading docks and service areas from view of the road. Mechanical equipment is proposed on the roof. The equipment will be painted to match the roof and will not be visible from the ground level.

28. Pursuant to SMP Section 6.16.2(14), development shall meet the requirements as commercial development in Section 6.11 (parking lot landscaping). The proposal meets this requirement as discussed in Findings 23 and 66-70.

29. Pursuant to SMP Section 6.16.2(15), outdoor storage of equipment, vehicles, materials, or supplies shall not be permitted in stream buffer areas and shall be landscaped to provide a visual barrier from public areas. No service or storage materials will be located in the stream buffer. The buffer will be separated from the development by a split rail fence. Additionally, landscaping will be provided on all property lines to provide a visual barrier from the street and other public areas.

30. Pursuant to SMP Section 6.16.2(16), public access to the shorelines within industrial areas is provided by an existing King County trail system on the east bank of the Sammamish River. Public access on the west bank of the Sammamish River shall be provided by a City proposed future trail, where portions of shoreline have already been dedicated to the City of Woodinville. Other access will be provided where possible and appropriate with the Woodinville Comprehensive Plan and the adopted Parks, Recreation & Open Space Plan as specified in Section 6.27 Public Access and Appendix 6 of this Master program. No trail is proposed through the property.

CRITICAL AREAS:

31. The proposal is regulated under the Shoreline Master Program, which adopts the 2004 critical areas ordinance (Ordinance No. 375). The proposal includes work within areas designated as critical areas, including streams, fish and wildlife habitat conservation areas, and flood hazard areas, defined in Chapter 21.24 WMC.

32. Pursuant to WMC 21.24.380 and 21.24.410, the Sammamish River is designated as a Type I stream. This stream area and buffer is, also, designated as a Fish and Wildlife Habitat Conservation Area pursuant to WMC 21.24.410. The Woodinville Municipal Code and SMP regulate development near and within critical areas to ensure the protection of the critical area as well as their habitat functions and values. Pursuant to WMC 21.24.380, Type I streams have a standard buffer of 115 feet, which may be reduced to 100 feet when a special study determines that functions achieved in 100 feet are equal to the functions achieved in 115 feet for the site.

33. A critical areas report is required for proposals that affect critical areas. The applicant submitted a critical areas report that evaluated the proposal for compliance with Chapter 21.24 WMC, including protection and restoration of native habitat, mitigating impacts on sensitive areas, and preventing cumulative adverse impact (Exhibits 8 and 9). The proposal includes restoring approximately 110,000 square feet of riparian habitat (100-foot stream buffer) through removal of invasive species, dense native vegetation, large woody debris, and creating a protective tract for the buffer. The proposed restoration will help support lower temperatures in the Sammamish River, provide native habitat, encourage woody debris recruitment, and nutrients for the stream. The critical areas report shows that the proposed restoration will accomplish functions that are equal to a 115-foot buffer, within the reduced 100-foot buffer.

34. As part of the buffer reduction supported by the critical areas report, the applicant will establish a monitoring and maintenance plan for the proposed mitigation.

35. A small portion of the site is within the 100-year floodplain. A habitat stream assessment was completed as part of the requirement to address development impacts on endangered or threatened species (Exhibit 9). No structures or buildings are proposed within this area. Due to construction impacts, compensatory storage totaling 5,430 cubic feet is being provided to mitigate for the loss of floodplain volume (approximately 3,740 cubic feet).

DESIGN REVIEW:

36. Pursuant to the City of Woodinville Industrial Design Guidelines, all new construction within the industrial zone shall be subject to design review under the Industrial Design Guidelines.

Site Planning:

37. Pursuant to Industrial Design Guideline I.1.2.1, parking located within the front yard and visible from a public right-of-way shall be screened by ten-foot wide landscaping. The proposal includes a 15-foot wide landscaping screen between the public right-of-way and the parking located in the front of the property.

38. Industrial Design Guideline I.1.2.6 requires new developments to provide a "gateway entrance/welcome" into the site obvious to arriving vehicles. The proposed development includes a welcome sign, which directs large vehicles to the loading docks and passenger vehicles to parking. Additionally, the welcome sign is designed to help direct large vehicles away from the adjacent private school to reduce any potential traffic impacts.

39. Pursuant to Industrial Design Guideline I.2.2.1, sites are required to establish a biofiltration swale and "greenrow" between adjacent properties. A "greenrow" is defined as a row of trees and other vegetation planted along a property line at least 20 feet wide and sufficient to create a year-around visual screen and function as a biofiltration swale. The proposed project includes a vegetative screen and sufficient onsite surface water treatment through a dedicated retention and treatment pond. A deviation was requested and granted from this requirement as the proposed site design meets the intent of the regulation. Additionally, Industrial Design Guideline I.5.2.1 requires that new proposals maximize biofiltration of surface water prior to discharge into the Sammamish River. The proposal does this through the proposed surface water retention pond on the southeast corner of the site. A deviation was requested and granted from the required 20-foot wide "greenrow" as the proposed site design meets the intent of the regulation.

40. Pursuant to Industrial Design Guideline I.3.2.1, proposed developments are encouraged to take advantage of special opportunities and mitigate impacts of large developments. Additionally, Industrial Design Guideline I.7.2.1, encourages developments to preserve recreation and habitat opportunities along the Sammamish River, including providing benches and trash cans where appropriate for pedestrian uses and providing public access to the Sammamish River. The proposed project takes advantage of its location along the Sammamish River and provides mitigation along the Sammamish River to enhance the buffer and habitat functions of the river. Additionally, the proposal provides pedestrian circulation and pathways to the river, with viewing points of the river. The proposal has located the loading docks and service areas to be the least impactful from the right-of-way and the Sammamish River. Additionally, the site provides on-site surface water treatment in the form of a surface water retention pond located on the southeast portion of the site.

41. Industrial Design Guideline I.3.2.2, suggests developers of large industrial sites to consider adjacent land uses. The proposed project intentionally directs traffic away from the adjacent private school and provides adequate screening to reduce visual impacts from the project on the school. Other adjacent land uses are industrial and the proposed development will have minimal impacts.

42. Pursuant to Industrial Design Guideline I.4.2.1, the proposal is required to reduce the impact of service areas and mechanical equipment. The proposed project provides loading docks and service

areas in the center of the property between the two proposed buildings, to reduce the impact they have on the Sammamish River environment, the right-of-way and adjacent properties. Additionally, service areas are provided and screened in accordance with WMC 21.14.250. WMC 21.14.250 requires that storage space for garbage and recycling be provided at a rate of six square feet per every 1,000 square feet of gross floor area in manufacturing and other nonresidential developments. The proposed buildings total approximately 201,000 square feet, which requires approximately 1,208 square feet of storage space. The proposal provides 1,250 square feet of space between two trash enclosures. Both enclosures will be screened with eight-foot high walls and five feet of type 1 landscaping as required by the code.

Pedestrian Access:

43. The Industrial Design Guidelines require new developments to pedestrian pathways and access through industrial sites. Pursuant to Industrial Design Guideline II.1.2.4, proposed developments are required to provide on-site pedestrian circulation concept plan in accordance with WMC 21.18.100. Additionally, walkways should be integrated with the required parking lot landscaping. The proposed development includes pedestrian walkways and marked raised crosswalks in compliance with WMC 21.18.100.

44. Pursuant to Industrial Design Guideline II.2.2.1, developments are required to provide a paved pedestrian path, at least 60 inches wide, from the street sidewalk to the main entry of all buildings. The proposal provides a 60-inch wide raised paved walkway from the sidewalk to the building entrance. The buildings have raised pedestrian walkways around three sides of each building and marked and raised pedestrian pathways through the parking lot where needed to connect the two buildings. The proposed project meets this requirement.

45. Pursuant to Industrial Design Guideline II.2.2.2.1 and II.4.2.4, landscaping and lighting should be incorporated into the pedestrian walkways. The development has landscaping and appropriate lighting along the pedestrian pathways that surround the structure and throughout the parking lot, which help provide pedestrian comfort.

46. Pursuant to Industrial Design Guideline II.3.2.1, a pedestrian paved crosswalk must be provided through parking lots greater than 150 feet long or more than two bays deep. The proposed parking is distributed around the proposed buildings in a manner where no parking stalls are more than 150 feet from a building or marked and raised paved crosswalk.

47. Pedestrian areas are required at building entries, these include providing features such as weather protection, landscaping, and bicycle parking. Pursuant to Industrial Design Guideline II.5.2.1 the primary public entries of all industrial businesses shall be enhanced by two or more pedestrian features. The proposed project includes weather protection, benches and trash cans at the primary public entries of both buildings.

Vehicular Access and Parking: (may combine with parking)

48. Pursuant to Industrial Design Guideline I.1.2.7, parking areas will be paved with asphalt or concrete. The proposal includes paving all parking areas.

49. Pursuant to Industrial Design Guideline III.1.2.1 parking areas should be minimized when possible through joint use and management. The proposed project does request a reduction from the standard parking requirements (see Analysis 71). Additionally, the proposed parking is distributed around the two proposed buildings in a way which reduces the potential impact to pedestrians.

50. Industrial Design Guideline III.2.2.1, requires that developers minimize driveway impacts, by having no more than one entrance per 300 linear feet of frontage. The proposed site has one driveway off of Woodinville-Redmond Road, which is located in the southwest corner of the property and about

431 feet from second driveway on the site, which services as the primary entrance for the private school at the front of the property and emergency access only for the proposed development.

Building Design

51. In order to visually integrate large industrial structures into the community when viewed from City streets and from residential areas that overlook industrial areas, large buildings are required to implement measures such as additional landscaping and blank wall treatments. Industrial Design Guideline IV.1.2.1.1 requires landscaped areas of at least 200 square feet, spaced not more than 50 feet apart, with three or more large scale trees that will grow to at least 20 feet tall within three years. The proposed project includes adequate screening with landscaping that includes a variety of large scale trees, including a variety of Oregon Ash (*Fraxinus Latifolia*) and Green Ash (*Fraxinus Pennsylvanica 'Summit')* trees planted along the sides of the buildings.

52. Industrial Design Guideline IV.1.2.1.3, requires developments to incorporate wall treatments so the maximum area of a blank wall is less than 600 square feet. Industrial Design Guideline IV.6.2.1 has additional requirements and treatments for blank walls that can be seen from public areas. Pursuant to Guideline IV.1.2.1.2, loading areas are not considered blank walls, therefore they do not have to comply with these regulations. The proposed project includes landscaped planting beds, with Type II landscaping around both buildings, which are eight feet, size inches wide (0.25 times the height of the wall) and complies with Industrial Design Guideline IV.6.2.1.2. Additionally, the proposed buildings have articulated vertical panel joints, which will be visible from 200 feet away in accordance with Guideline IV.1.2.1.3.a.

53. All new industrial developments must include two architectural scale components in accordance with Industrial Design Guideline IV.2.2.1. Options include reducing the height of the structure near residential areas or the street, reducing the space of blank walls and including sloped roofs over building elements facing the street. The proposal includes sloped roofs over the building entrances and measures such as changes in color and articulated panel joints to reduce the area of blank walls, particularly when seen from a public right-of-way or trail.

54. All new industrial buildings must incorporate human scale elements to recognize the human interaction with industrial buildings. Industrial Design Guidelines IV.3.2.1.1-3 require weather protection at all building entries, at least 200 square feet of pedestrian oriented space at the principal entries and that entries comply with accessibility requirement. The proposed project meets all of these requirements.

55. To ensure buildings are visually interesting when viewed from a public street, the Industrial Design Guidelines require three building details pursuant to Guideline IV.4.2.1.1. The proposal includes an entryway set back to provide a protected entry, articulated wall panels with accentuated joints, and transparent fenestrations over twenty percent of the building.

56. Pursuant to Industrial Design Guideline IV.4.2.1.3, the proposal provides a landscaped area between the exterior wall and pedestrian walkways around the buildings.

57. Industrial Design Guideline IV.5.2.2 encourages high-quality compatible materials and includes a list of prohibited materials. The proposal includes using concrete panels, with visible joints so that no panel exceed 200 square feet. Metal panels are used along the roof line of the structure and building details such as windows are spaced along the second story. Additionally, color is used to break up the bulk to the building. Dense clusters of windows, wood siding and weather protection are used to accent pedestrian entries. The project meets the requirements and intent of these regulations.

58. Pursuant to Industrial Design Guideline IV.7.2, the proposal must locate or screen roof mounted equipment so it can not be seen from the ground level or adjacent streets. This is accomplished

through parapet walls high enough to screen roof mounted equipment. Additionally, the Industrial Design Guidelines also require applicants to consider the view of the roof top in the Sammamish River Valley from the residential located up the hill. The proposal includes painted roof top equipment to match the roof color.

Landscaping and Site Design

59. Industrial Design Guideline V.1.2 discusses the importance of landscaping in the industrial area and requires screening from public right-of-way, enhanced vegetation in the Sammamish River buffer, and providing a larger scale of landscaping appropriate in industrial areas. The proposed project complies with all of these requirements.

60. Pursuant to Industrial Design Guideline V.2.2, plantings along the frontage will be coordinated and approved by the City.

61. Pursuant to Industrial Design Guidelines V.3.2 and V.4.2, the proposal includes surface parking area landscaping in accordance with 21.16 WMC and will adhere to the tree retention requirements of WMC 21.15.

62. Pursuant to Industrial Design Guideline V.5.2.1, the proposed development provides adequate lighting for pedestrian and automobiles. The applicant has submitted a lighting plan that measures light intensity at night from the proposed lighting. The proposed lighting provides adequate light onsite and will be directed downwards and away from adjacent properties (Exhibit 19). Additionally, pursuant to Guideline V.4.2.1.3, the proposed parking lot lighting fixtures are non-glare, with cut-off shields and are mounted at 25 feet.

LANDSCAPING:

63. Pursuant to WMC 21.15.060(3)(a)(i), permits for uses other than residential are subject to a Type II tree plan. The site area is 604,155 square feet, or 13.87 acres, and is required to have 832 tree credits, pursuant to Chapter 21.15 WMC. The applicant proposes to remove 17 trees. After the trees are removed, there will be 136.6 tree credits on-site and the applicant will be required to mitigate for 695.4 tree credits. The applicant has proposed planting 905 trees totaling 696.8 credits. Tree credits will be verified during site development and trees must be replanted onsite or meet the requirement through another method listed in WMC 21.15.070(2)(e).

64. Pursuant to WMC 21.16.050(2), ten feet of Type II landscaping must be included along the street frontage and interior lot lines. The interior lot lines are designed with Type II landscaping. An area on the western property line includes Type I landscaping, which provides more visual screening, to shield security fencing.

65. Pursuant to WMC 21.16.070, parking lots with more than 31 stalls are required to provide 25 square feet of Type IV landscaping per parking stall, and one tree per five parking stalls. Additionally, stalls are required to be no more than 65 feet from a required landscaping area. The parking lot consists of 180 stalls and requires 4,500 square feet of landscaping and 36 trees. The proposed parking lot includes 8,148 square feet of landscaping, 36 trees and no stall is more than 65 feet form a required landscaping area.

66. Pursuant to WMC 21.16.090(1), new landscaping materials must include native or non-invasive naturalized species at a percentage of 75 percent for groundcovers and shrubs and 50 percent for trees. 72 percent of proposed trees are native, and 96 percent of shrubs and groundcovers are native species. All plantings within 200 feet of the shoreline must be native and non-invasive species. The proposal complies with these requirements.

67. Pursuant to WMC 21.16.090(2), new landscaping materials must include 60 percent or more drought-tolerant species, except where site conditions assure adequate moisture for survival and growth. 92 percent of the proposed plants are drought tolerant species and an irrigation system will be installed as part of the proposal to provide adequate watering for the landscaping. The proposal meets this requirement.

68. All new landscaping is required to meet minimum size and spacing requirements pursuant to WMC 21.16.090. Shrubs will be in one gallon pots and spaced approximately four feet on center. Groundcovers are in 4-inch spaced 18 inches on center or 1-gallon pots spaced 24 inches on center. Broadleaf trees are a minimum of 2-inch caliper and evergreens are a minimum of 6 feet in height. Turf used in landscaping areas must be a minimum of five feet wide. The proposal complies with the spacing, size, and width requirements.

PARKING:

69. The standard for minimum parking is calculated based off square footage as described WMC 21.18.030, except when the applicant submits a study supporting a modification of the minimum parking pursuant to WMC 21.18.040(2). The applicant has submitted a Parking Demand Study prepared by Jake Traffic Engineering, Inc. (Exhibit 17), and requested the minimum parking ratio for offices to be 1 stall per 300 square feet and for warehouses to be 0.5 stalls per 1,000 square feet. The report tracked parking demand at three similar use buildings in Kent, WA and a similar warehouse owned by the applicant in Bellevue, WA (Exhibit 16). Using the proposed calculation, a total of 178 stalls is required for the development and 180 stalls are proposed. Based on Institute of Traffic Engineer (ITE) standards and comparison studies provided, the proposal will sufficient parking to meet expected demand.

70. Bicycle parking is required pursuant to WMC 21.18.030(4) at a rate of one stall per 12 spaces unless otherwise reduced by the Development Services Director. The proposed project will include 180 parking stalls, which would require 15 bike parking stalls. The proposal includes bicycle racks for 15 bicycles across the site.

71. Pursuant to WMC 21.18.060, seven accessible parking stalls must be provided in accordance with Section 7503 of the International Building Code. The proposal includes the seven required accessible parking stalls located on the shortest accessible route of travel from an adjacent parking area to an accessible building entrance.

72. Pursuant to WMC 21.18.100, pedestrian facilities must be incorporated in the parking lot design to provide safe access for pedestrians. Walkways are provided around the buildings with crosswalks to parking areas. All walkways shall be constructed in a manner that meets accessibility requirements.

OTHER:

73. Staff administratively reviewed this project for consistency with all applicable requirements of Chapter 12.09 WMC, Woodinville's Transportation Infrastructure Standards and Specifications, including, but not limited to, grading, erosion control, access and street standards. Preliminary construction plans (Exhibits 5 and 7) demonstrate that the proposal meets or exceeds the infrastructure standards outlined in TISS. Final construction plans will be subject to review and approval by the City of Woodinville prior to issuance of development permits.

74. The applicant is proposing several water quality and detention measures. Stormwater runoff from parking lot areas will drain into water quality filter media adjacent to the parking lot or tightlined to the stormwater pond prior to entering the Sammamish River. On-site stormwater detention and treatment was designed to meet the City's design standards per the current King County Surface Water Design Manual. The drainage permits are under review by the Public Works Department for compliance.

75. Utilities are available to serve the site. Water and sewer services are available from the Woodinville Water District. Electricity and natural gas are available from Puget Sound Energy.

76. The site is identified as being in an area that is known or highly suspected to contain archaeological artifacts. The applicant has submitted a Cultural Resource Investigation prepared by Tetra Tech and Inadvertent Discovery Plan to address potential archeological findings on site pursuant to SMP Section 6.5.

DECISION

Staff conducted an administrative review of this project pursuant to RCW 36.70B.040, including the Woodinville Municipal Code, SEPA, and other city codes. The Director has determined that development of the site is consistent with Woodinville's development regulations and will conform to all applicable zoning and development standards, and that as conditioned, the project will have no adverse impacts to the public health, safety and general welfare.

The Director hereby **APPROVES** Land Use Approval, Shoreline Substantial Development, Critical Areas Alteration, and Design Review for the Reserve at Woodinville project (File Nos. LUA16001, SDP16001, CAA16001, DRA16002), **subject to the following conditions**:

1. All necessary construction permits shall be obtained from the City for the scope of the project prior to any construction activities. Any conditions set forth in the construction permits shall be included as conditions for approving the substantial development permit.
2. All improvements shall be constructed in accordance with the approved Site Plan (Exhibit 7) submitted September 21, 2016. The Development Services Director may approve revisions to this approval pursuant to WAC 173-27-100 if the revisions do not change the Findings of Fact or the Conditions of Approval.
3. Stormwater best management practices shall be employed at all times during construction work. Extreme care shall be taken to ensure that no petroleum products, hydraulic fluid, or any other toxic or deleterious materials are allowed to enter or leach into surface waters. The permittee shall report all spills immediately to the Washington Department of Ecology (425-649-7000) and the City of Woodinville.
4. The façade shall be designed with the materials, spacing and proportions shown in the Land Use Approval Plans. Changes or substitutions to the façade materials shall require written approval by the Development Services Director. The exterior façade shall be constructed of materials specified in this land use approval and the submitted application materials.
5. Building height shall be limited to 35 feet above average finished grade pursuant to RCW 90.58.320.
6. All development shall proceed in accordance with the recommendations listed in the Geotechnical Engineering Report prepared by Terra Associates dated January 11, 2016 and any further addendums as accepted by the Planning Director.
7. All construction shall proceed with the approved tree retention, removal, and protection plan. The site must meet a minimum of 60 tree credits per acre, or 832 credits. The proposal includes the removal of 17 significant trees and planting of 905 trees. After the trees are removed and replanting is done, there will be 833 tree credits on-site. Size of trees and tree credits shall be verified at final inspection. Additional planting or payment into the tree fund may be required if plantings do not meet the approved planting plans.
8. The permit is granted pursuant to the Shoreline Management Act of 1971 and nothing in this permit shall excuse the applicant from compliance with any other federal, state or local statues, ordinances or regulations applicable to this project, but not inconsistent with Shoreline Management Act (RCW 90.58).

9. Construction pursuant to this permit will not begin or is not authorized until twenty-one (21) days from the date the permit decision was filed pursuant to RCW 90.58.140(6), except as provided for in RCW 90.58.140(5).
10. This permit may be rescinded pursuant to RCW 90.58.140(8) in the event the permittee fails to comply with the terms or condition thereof.
11. Construction activities shall be commenced within two years of the effective date as set forth in RCW 90.58.143. However, the City may authorize a single extension for a period not to exceed one year based on reasonable factors, if a request for extension has been filed before the expiration date and notice of the proposed extension is given to parties of record on the shoreline conditional use permit and to the Department of Ecology.
12. Revisions to this approval shall be reviewed pursuant to WAC 173-27-100. Substantial revisions of the shoreline conditional use permit shall require approval by the Director of Development Services as a Type III permit pursuant to WMC 17.07.030.
13. All mitigation shall be completed in accordance with the approved mitigation plans prepared by Talasaea Consultants, Inc., dated April 6, 2016. The monitoring reports of the buffer 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 report.
14. The stream buffer area shall be monitored for a period of no less than ten (10) years. 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. During the monitoring period, the following shall be completed:
    a. The stream consultant shall complete a full performance monitoring report once per year and at least four maintenance reviews per year.
    b. The consultant shall submit a full performance monitoring report to the City and the applicant once a year consistent with the monitoring methods in the Critical Areas Special Study (Exhibits 8 and 11).
    c. After each review, the consultant shall report to the City and applicant on the condition of the site and maintenance work necessary to ensure that the Critical Areas Report Special Study mitigation objectives and performance standards are met (Exhibits 8 and 11).
    d. The applicant shall perform all maintenance activities determined necessary by the consultant within one month of the consultant's inspection and determination.
15. The stormwater detention design and stormwater discharge shall utilize the Best Management Practices in the current 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. All development shall proceed in accordance with the recommendations listed in the Technical Information Report prepared by Barghausen, dated January 13, 2016 and any further addendums as accepted by the Public Works Director.
16. All existing and proposed utilities shall be placed underground, prior to final inspection, as required under Chapter 15.39 WMC.
17. All storage of construction materials and equipment shall be located outside of the 200-foot shoreline management area.
18. A performance guarantee, in the form acceptable to the City, 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.

19. A maintenance guarantee, in the form acceptable to the City, 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.

20. Maintenance periods shall begin when the City has accepted all required site improvements. The maintenance periods are as follows, and may be extended by the City if on-site conditions warrant an extension:
    a. Site, frontage, and lighting improvements – Two (2) years
    b. Landscaping & Irrigation – Three (3) years
    c. Stream Mitigation – Ten (10) years

21. Mechanical equipment shall not be visible from the street or ground level. Concealment measures (such as re-location and re-orientation of mechanical equipment, design of roof, screening, etc.) shall be employed to ensure that mechanical equipment shall not be visible from the street or ground level.

22. The project is required to comply with the maximum permissible noise levels at all times. Noise-generating mechanical equipment shall be enclosed within the building or sound walls shall be installed to ensure noise levels are compatible with the surrounding neighborhood. Noise testing may be required prior to finalizing building permits.

23. The applicant shall pay transportation impact mitigation fees for each new average daily trip generated by the proposed development accordance with Chapter 3.39 WMC. Payment of the traffic impact mitigation shall be made to the City of Woodinville at the time of building permit issuance. The total fee or mitigation amount shall be based on the mitigation fee established in WMC 3.39 in effect at the time of fee payment.

24. 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.

25. 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. Vegetative cover beyond construction limits shall not be disturbed.

26. 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.

27. The applicant shall obtain a permit from the City of Woodinville Public Works Department for the use of a public road for construction access. 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.

28. Additional construction permits, including, but not limited to, building, plumbing, mechanical, site development, right-of-way permits shall be obtained prior to construction work. Conditions of approval set forth in this decision shall be included as conditions for approving construction permits.

This land use approval shall be valid for two (2) years from the date of this Decision pursuant to WMC 17.09.020(5). If a construction permit is not obtained within this period, this land use approval shall become null and void, and a new land use application must be submitted. The Director may grant an extension to the approval date for a period of one (1) year if such is requested prior to the expiration of the Project Permit.

This land use approval shall also be declared void if there is a failure to comply with the approved plans or conditions of approval.

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Jennifer Jo for DK
David Kuhl, Development Services Director

October 3, 2016
Date

EXHIBITS

Exhibit 1	Application materials, water and sewer availability and title report submitted January 6, 2016
Exhibit 2	Project narrative and statement of decision criteria submitted January 6, 2016
Exhibit 3	Owner authorization forms dated January 6, 2016
Exhibit 4	SEPA Checklist, prepared by Bob Fadden, dated June 6, 2016
Exhibit 5	Site and Building Plans prepared by Lance Muller and Associates, received September 21, 2016
Exhibit 6	Geotechnical Report prepared by Terra Associates dated January 11, 2016
Exhibit 7	Civil Plans (TESC Plans, Grading Plan, Storm Drainage Plan and Frontage Improvement Plan), prepared by Ali Sadr of Barghausen Consulting Engineers, Inc. dated June 3, 2016
Exhibit 8	Critical Areas Special Study prepared by Talasaea Consultants, Inc., dated January 15, 2016
Exhibit 9	Floodplain Habitat Assessment Report, prepared by Talasaea Consultants, Inc., dated January 15, 2016
Exhibit 10	Stream Buffer Mitigation Plan, prepared by Talasaea Consultants, Inc., dated April 6, 2016
Exhibit 11	Landscaping Plans prepared by Lance Muller and Associates, received September 21, 2016
Exhibit 12	Tree Evaluation Report prepared by Brian Gilles of Gilles Consulting, dated June 6, 2016
Exhibit 13	Inadvertent Discovery Plan, undated
Exhibit 14	Cultural Resource Investigation, prepared by Frank Stipe of Tetra Tech, dated June 2013
Exhibit 15	Technical Information Report, prepared by Barghausen, dated January 13, 2016
Exhibit 16	Parking Demand Study, prepared by Mark Jacobs of Jake Traffic Engineering, Inc., dated June 14, 2013
Exhibit 17	Trip Generation and Parking Letter for The Reserve at Woodinville, dated April 8, 2016

Exhibit 18 South Driveway Vehicle Movement Exhibit prepared by Barghausen, dated September 24, 2013
Exhibit 19 Photometric (Lighting) Plan prepared by Olsen Electric, received April 6, 2016
Exhibit 20 Letter from Talasea responding to comments from Karen Walter of Muckleshoot Indian Tribe dated April 7, 2016
Exhibit 21 Response to Review Letter, prepared Lance Muller & Associates, dated May 12, 2016
Exhibit 22 Response to Review Letter, prepared Lance Muller & Associates, dated June 6, 2016
Exhibit 23 Comment Letter dated March 11, 2016
Exhibit 24 Comment Letter dated March 17, 2016
Exhibit 25 Comment Letter dated May 25, 2016
Exhibit 26 Email from Karen Walter of Muckleshoot Tribe dated March 16, 2016
Exhibit 27 Email from Karen Walter of Muckleshoot Tribe dated June 30, 2016
Exhibit 28 Public Notices
Exhibit 29 SEPA DNS