



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

**Staff Report to the Hearing Examiner
Vinterra Plat Major Modification**

Date of Report: October 20, 2015
Date of Hearing: October 27, 2015

File Number: MMA15001/SEP15003

Project Description: Plat Major Modification to remove Condition 24 of the Preliminary Plat decision and to re-vest the application under codes adopted through June 15, 2015.

Applicant: Jennifer Reiner of DR Horton

Property Owner: SSHI LLC dba DR Horton
12910 Totem Lake Blvd NE, Suite 220, Kirkland, WA 98034
425-821-3400
jreiner@drhorton.com

Location Of Proposal: 15025 124th Avenue NE (Parcel 'A') and 12825 NE 151st Street (Parcel 'B')

Legal Description: Parcel No. 162605-9017: THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 16, TOWNSHIP 26 NORTH, RANGE 5 EAST, W.M., IN KING COUNTY, WASHINGTON; EXCEPT THE NORTH 10 ACRES THEREOF; EXCEPT PORTION CONDEMNED IN KING COUNTY SUPERIOR COURT CAUSE NUMBER 514489, FOR PIPE LINE RIGHT OF WAY "TOLT RIVER PIPELINE"; AND EXCEPT PORTION LYING WITHIN COUNTY ROAD "124TH AVENUE NORTHEAST"

Parcel No. 162605-9077: WEST 300 FEET OF SOUTH 300 FEET OF NORTHEAST QUARTER OF SOUTHEAST QUARTER

Current Use: Vacant

Property Size: Total size is 33.35 acres
Parcel 'A' is 31.29 acres
Parcel 'B' is 2.07 acres

Current Zoning: Parcel 'A' is in the R-6 zoning district
Parcel 'B' is in the R-4 zoning district

Comprehensive Plan Designation: Low to moderate density residential

Staff Recommendation: Staff recommends approval of the major modification, subject to conditions.

Staff Contact: Jenny Ngo, AICP, Senior Planner
425-877-2283
jennyn@ci.woodinville.wa.us

PROJECT DESCRIPTION

- Location:** The property is located in the Upper West Ridge neighborhood. The property is bounded by 124th Avenue NE on the west and 12000 block of the Tolt Pipeline Trail to the south, with NE 154th Street and NE 151st to the north.
- Site Description:** The site is currently under development for the Vinterra subdivision, including grading and utility installation. Parcel 'A' was previously developed as the "Vibrants Plant" commercial nursery and Parcel 'B' was a single-family residence. A small Type III wetland is located along the south property line adjacent to the Tolt Pipeline Trail. The site generally slopes east to west, with some steep slope areas. The site is vegetated with mature trees on the northern and eastern property lines.
- Available Utilities:** Water: Woodinville Water District
Sewer: Woodinville Water District
Electricity: Puget Sound Energy
Natural Gas: Puget Sound Energy
Telephone/Cable: Frontier and Comcast
- Fire Service:** Woodinville Fire and Rescue
- Access/Street Improvements:** The subdivision will have access to the public road network by construction of a new intersection on 124th Avenue NE (Road A on the plat maps). All internal roads in the subdivision will connect to Road A. A second access point off NE 153rd Place will provide a connection to other subdivisions. Two emergency access points will be provided connecting Road F to NE 127th Place and connecting Road B to NE 151st Street.
- The internal road network (Road A through G) and the east side of 124th Avenue NE will include road improvements, including curbs, gutters, sidewalks, and planter strips. The following lots will be accessed via private lanes: Lots 7-8 through Tract 987, Lots 33-35 through Tract 990, Lots 140-141 through Tract 996, Lots 51 through 54 through Tract 992, Lots 79 to 81 through Tract 993, and Lots 143-146 through Tract 997.
- Surrounding Land Uses/Zoning:** North: R-6, Single-Family Residential (6 units per acre)
South: Tolt Pipeline Trail; R-6, Single-Family Residential (6 units per acre)
East: R-4, Single-Family Residential (4 units per acre)
West: City of Kirkland RSA 6, Single-Family Residential (6 units per acre)

COMPREHENSIVE PLAN

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

GOAL LU-1: To guide the City's population growth in a manner that maintains or improves Woodinville's quality of life, environmental attributes, and Northwest woodland character.

- LU-1.1** Preserve the character of existing neighborhoods in Woodinville while accommodating the state's 20-year growth forecasts for Woodinville.
- LU-1.2** Encourage future development in areas:

1. With the capacity to absorb development (i.e., areas with vacant or underdeveloped land and available utility, street, park, and school capacity, or where such facilities can be cost effectively provided), and
2. Where adverse environmental impacts can be minimized; and where such development will enhance the area's appearance or vitality.

LU-1.3 Phase development and supporting municipal services together in an organized, cost-effective manner.

LU-1.4 Coordinate with adjacent jurisdictions to ensure compatible land uses in areas along contiguous boundaries.

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

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

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

LU-3.1 Encourage development that complements the existing residential development patterns in Woodinville's neighborhoods.

LU-3.2 Preserve the existing natural environment of Woodinville's neighborhoods.

LU-3.3 Maintain each residential area as a safe, pleasant, and enjoyable place to live.

LU-3.4 Provide controls to minimize encroachment by incompatible land uses within and between zoning districts.

LU-3.6 Encourage moderate (5-8 d.u.) and medium (9-18 d.u.) density housing throughout the community where sufficient public facilities and services are available, where the land is capable of supporting such uses, and where compatible with adjacent land uses.

LU-3.7 Permit a range of densities to encourage a variety of housing types that meet the housing needs of residents with a range of incomes.

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

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

NOTICES AND PUBLIC COMMENT

The major modification application was submitted on June 15, 2015. The application was determined complete on June 15, 2015 and a letter of complete application was sent the same day. Pursuant to WMC 20.08.030(2), WMC 17.09.040, and WMC 17.11.010, a Notice of Application for the proposal was published, mailed and posted on June 22, 2015 and the project was circulated for review in accordance with the City's normal review and permitting procedures. No public comments were received.

STAFF ANALYSIS

GENERAL:

1. On January 16, 2014, the Hearing Examiner approved a preliminary plat (File No. PPA12003) to subdivide two properties located at 15025 124th Avenue NE and 12825 NE 151st Street into 157 lots (Exhibit 4). The plat includes associated site improvements such as constructing an internal road network and emergency access points, road improvements on 124th Ave NE, stormwater

facilities and drainage improvements, recreational tracts, and landscaping, and underground of utilities. An appeal was filed by the City of Woodinville (File No. APP14001) regarding Conditions of Approval 2.c. and 22 regarding vesting of zoning standards and requirement for fencing along the property perimeter. Under a stipulation agreement approved by the City Council on March 6, 2014, the subject conditions were removed and the preliminary plat remains in effect (Exhibit 5).

2. The site development permit (File No. SDL14001) and right-of-way permit (File No. ROW14067) associated with the plat were issued on July 15, 2014 and July 23, 2014 respectively. The proposal was determined to substantially comply with those plans submitted under the preliminary plat. Site work is currently underway on the property.
3. On May 5, 2015, the Woodinville City Council passed Ordinance No. 602 regarding underground utility requirements in WMC 15.39.010. Under this ordinance, certain utility features and apparatuses (such as meters, transformers, and similar equipment) are allowed to be placed above ground provided certain landscaping requirements are met. The Vinterra preliminary plat was approved under Ordinance No. 517 with Condition of Approval 24 stipulating that all utilities were required to be underground.
4. The applicant submitted a deviation request on March 11, 2015 requesting a deviation from the underground utility provisions in Ordinance No. 517 citing infrastructure regulation conflicts, serving utility company recommendations, and upholding public health, safety and welfare. On May 5, 2015, the City granted a deviation allowing only fire hydrants, and gas and electrical meters installed on the side of houses.
5. The applicant submitted an application for a major plat modification on June 11, 2015. The application includes removal Condition 24 of the Preliminary Plat decision and re-vesting the application under codes adopted through June 15, 2015. The following changes from the approved preliminary plat are proposed:
 - a. Remove Condition 24 from the Hearing Examiner decision: *"All new utilities and existing utilities shall be installed and/or relocated underground within the development, including electrical transformers, telephone pedestals, cable splice cabinets, and those in the 124th Avenue NE frontage prior to final plat approval per WMC 15.39.010."*
 - b. Re-vest the application to June 15, 2015, the date of complete application for the plat major modification.
 - c. Modify lot sizes and dimensions for 37 lots and seven tracts (Analysis 11).
 - d. Creation of Tract 986 for use by Woodinville Water District for sewer, located to the south of Tract 998 adjacent to 124th Ave NE.
 - e. Installation of a sewer lift station, electrical transformers and electrical and gas meters above ground with associated landscaping.
 - f. Minor revisions to road profiles and sections, including changes in grade and material depths.
 - g. Revisions to building pad elevations and to the location and heights of retaining walls between lots.
6. The Development Services Director determined that the proposal to re-vest the preliminary plat application and remove a condition from the plat decision qualifies as major modification. Pursuant to WMC 17.07.030 WMC 20.08.060, alterations, or modifications of subdivisions shall be processed as a Type III application. The Hearing Examiner is designated as the decision authority to decide major modifications pursuant to WMC 20.08.030.

ENVIRONMENTAL:

7. The site features a wetland on the south property line, which is designated as a critical area pursuant to Chapter 21.24 WMC. No alterations to the wetland are proposed. The wetland is approximately 483 square feet and is classified as a Class 3 wetland. Class 3 wetlands have a

standard buffer of 50 feet, which may be reduced to 25 feet for those wetlands that are significantly degraded and enhancement measures are proposed. The wetland and its buffer have experienced significant degradation due to past grading and paving and qualify for the reduced buffer. The wetland and buffer will be placed in a 4,175 square foot critical area tract (Tract 989). No changes to the wetland, buffer, or tract are proposed.

8. The application was administratively reviewed to determine if the proposal substantially changes the analysis of significant impacts and alternatives under the SEPA determination (File No. SEP12036). The SEPA Responsible Official determined that no new significant adverse impacts resulted from the proposal and the SEPA Addendum was issued on June 17, 2015.

ZONING:

9. Pursuant to WMC 20.06.040, lots must be configured in a manner that is not detrimental to the health, safety, or sanitary needs of residents of the subdivision. Lots must be platted in conformance to the development standards in Chapter 20.06 and Title 21 WMC. Pursuant to WMC 21.12.030, lots must be designed in a manner that complies with all dimensional standards including base density, lot width, depth to width ratio, lot shape configuration, and building setbacks. No ordinance changes to the dimensional standards have occurred since the preliminary plat approval.
10. The property qualifies for reduced minimum lot size and density transfer under WMC 21.24.085 consistent with the preliminary plat approval (Exhibit 4). The reduced minimum lot size is 7,200 square feet for lots in R-4 zone and 5,000 square feet for lots in the R-6 zone. In the preliminary plat approval, the lots were determined to meet the dimensional standards for properties in the R-4 and R-6 zones pursuant to WMC 21.12.030 and WMC 21.24.085.
11. The applicant is proposing changes to the dimension and sizes to 37 lots and. The average lot size for lots in the R-4 is 9,128 square feet and the smallest lot is 7,219 square feet, meeting the minimum size requirement. The average lot for the R-6 is 5,711 square feet and the smallest lot is 5,000 square feet, meeting the minimum size requirement. No additional lots will be created as a result of the major modification. Table 1 provides a list of those lots proposed to change, including lot sizes approved in the preliminary plat and proposed sizes in the major modification. Table 2 provides a list of those tracts proposed to change.

Table 1 – Lot Sizes

Lot Number	Preliminary Plat Approval	Major Modification	Difference
1	6,331 sf	6,668 sf	337 sf
2	5,000 sf	5,350 sf	350 sf
3	5,000 sf	5,350 sf	350 sf
4	5,000 sf	5,100 sf	100 sf
5	5,022 sf	5,122 sf	100 sf
6	5,471 sf	5,668 sf	197 sf
7	5,084 sf	6,516 sf	1,432 sf
8	7,413 sf	8,205 sf	792 sf
9	7,550 sf	5,893 sf	(1,657 sf)
22	6,195 sf	5,216 sf	(979 sf)
23	6,090 sf	5,004 sf	(1,089 sf)
24	5,836 sf	5,223 sf	(613 sf)
25	6,728 sf	6,821 sf	93 sf
26	6,417 sf	7,728 sf	1,311 sf
27	6,338 sf	7,615 sf	1,277 sf
28	6,259 sf	7,501 sf	1,242 sf
29	6,180 sf	6,164 sf	(16 sf)
30	7,312 sf	6,085 sf	(1,227 sf)

48	5,377 sf	6,378 sf	1,001 sf
77	5,000 sf	5030 sf	30 sf
78	5,001 sf	5,203 sf	202 sf
79	5,457 sf	5,515 sf	58 sf
126	5,861 sf	5,839 sf	(22 sf)
127	7,737 sf	7,619 sf	(118 sf)
128	5,070 sf	5,014 sf	(56 sf)
129	5,357 sf	5,308 sf	(49 sf)
133	6,006 sf	7,208 sf	1,202 sf
137	6,006 sf	6,003 sf	(3 sf)
138	5,457 sf	5,147 sf	(310 sf)
139	5,277 sf	5,360 sf	83 sf
140	8,492 sf	7,893 sf	(599 sf)
141	6,536 sf	6,027 sf	(509 sf)
142	6,852 sf	6,677 sf	(175 sf)
146	9,422 sf	9,962 sf	540 sf
147	5,005 sf	5,402 sf	397 sf
152	5,453 sf	5,056 sf	(397 sf)
157	8,198 sf	8,094 sf	(104 sf)

Table 2 – Tract Sizes

Tract Number	Purpose	Preliminary Plat Approval	Major Modification	Difference
986	Sewer (WWD)	NEW	3,843 sf	3,843 sf
987	Private access/utility	1,118 sf	625 sf	493 sf
993	Private access/utility	1,207 sf	1,229 sf	22 sf
994	Drainage	61,081 sf	60,482 sf	599 sf
996	Private access/utility	1,059 sf	1,212 sf	153 sf
997	Private access/utility	2,752 sf	2,729 sf	23 sf
998	Drainage	37,007 sf	31,105 sf	5,902 sf

12. The minimum lot width and minimum lot width at street is 60 feet for lots in the R-4 zone and 50 feet for lots in the R-6 zone. No changes to the lot widths are proposed for lots in the R-4 zone (Lots 31 through 38). Changes to the lot width are proposed for lots in the R-4 zone; however, no lot width or lot width at street is less than 50 feet. The lot widths for the following lots have changed: Lots 1, 8, 9, 22, 23, 24, 25, 26, 27, 28, 30, 47, 48, 96, 146, 147, and 152. All lots meet the minimum lot width and comply with this standard.
13. The street setback is 10 feet and the interior setback is 5 feet for lots in the R-4 and R-6 zones. The major modification identifies setbacks on all lots as 10 feet and 5 feet respectively, meeting this requirement. Compliance with the setback standards will be re-evaluated for under the building permits for each lot. Maximum impervious surface, maximum building coverage, maximum building height, and minimum driveway length standards in the preliminary plat application remain the same. These standards will be verified during building permit submittal.

STREET STANDARDS:

14. No changes are proposed to the proposed street system or trip generation under this major modification. The level of service conditions established under the preliminary plat remains the same.
15. Minor changes to the road plans and details are proposed as part of the plat modification. Within the site, these changes include increasing the street radii to better meet fire access standards, moving curb cuts in the internal street network, revisions to the road construction materials, and elevation changes to road profile elevations to better meet pad elevations. On 124th Ave NE, proposed changes include converting the center turn lane into a left-hand turn pocket and moving

the pedestrian crosswalk. The revisions were reviewed by the Public Works Director and determined to comply with the City's adopted Transportation Infrastructure Standards and Specifications.

UTILITIES:

16. On May 5, 2015, the Woodinville City Council passed Ordinance Number 602 amending underground utility regulations in WMC 15.39.010. The prior regulations, adopted under Ordinance Number 517 in 2010, required the undergrounding of all new and existing utilities for qualifying development activities. The passing of Ordinance Number 602 exempted certain utility features and apparatuses (such as electrical transformers or telephone pedestals) from being placed below ground. These facilities can be placed above ground pursuant to WMC 15.39.010 provided that certain distances are maintained and landscaping requirements are met.
17. The applicant is requesting to utilize the code adopted under Ordinance Number 602 through re-vesting of the project application through June 15, 2015 to current adopted codes. The proposal also includes removal of Condition 24 of the preliminary plat, which is associated with undergrounding of utilities.
18. Aboveground electrical transformers are proposed as part of the plat modification. Landscaping will be provided around the transformers meeting the landscaping standards in WMC 15.39.010, including spacing and quantity (Exhibit 11). Gas and electrical meters will be required to be placed on the side of buildings.
19. An aboveground sewer lift station is proposed on Tract 986 as required by Woodinville Water District. Tract 986 is a new tract resulting from a reduction of stormwater Tract 998 directly to the north. The proposed sewer lift station is approximately 1,250 square feet and approximately 6.5 feet above ground. The structure itself and utility company need for the structure was determined to meet the criteria for a deviation pursuant to WMC 15.39.010. Staff recommends as a condition of approval installation of a six-foot high wood fence and dense landscaping surrounding the sewer lift station to conceal the structure from the street and nearby residences.

CONCLUSIONS

WMC 20.06.020(1) and (2) state that each proposed subdivision must meet the following criteria:

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

8. Safe walk to school procedures, as established by the City, have been met;
9. Tree preservation has been considered in accordance with the community urban forestry plan and tree preservation requirements have been adequately met.

STAFF RECOMMENDATION

The proposed project was found to be consistent with and meet the intent of the Woodinville Comprehensive Plan, and applicable development regulations; therefore, staff recommends **APPROVAL** of the Major Modification, as follows:

- A. The preliminary plat (PPA12003) is vested to the land use statutes and ordinances in effect on June 15, 2015
- B. Condition 24 of the preliminary plat is removed
- C. Condition 51 is added to the preliminary plat stating "The sewer lift station on Tract 986 shall be screened through a six-foot tall wood fence and decorative landscaping."

EXHIBITS

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|------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Exhibit 1 | Staff Report |
| Exhibit 2 | Application and project narrative, submitted June 11, 2015 |
| Exhibit 3 | Plat Modification Plans, prepared by Blueline Group, dated received September 16, 2015, including plat map, grading, utility, road, and erosion control plans |
| Exhibit 4 | Hearing Examiner Decision (File No. PPA12003) dated January 16, 2014 |
| Exhibit 5 | Stipulation and Decision (File No. APP14011) dated March 6, 2014 |
| Exhibit 6 | PPA12003 Hearing Staff Report |
| Exhibit 7 | PPA12003 approved Preliminary Plat Plans |
| Exhibit 8 | Utility Deviation (File No. DEC15002) dated approved May 5, 2015 |
| Exhibit 9 | SEPA Addendum dated June 17, 2015 |
| Exhibit 10 | Lot size calculations prepared by DR Horton |
| Exhibit 11 | Plant detail for above ground utility boxes prepared by Todd Oberg of Blueline Group, dated September 16, 2015 |
| Exhibit 12 | Vinterra WWD Vector Truck Auto Turn Analysis |
| Exhibit 13 | Response to Request for Additional Information, prepared by Todd Oberg of Blueline Group, dated September 16, 2015 |
| Exhibit 14 | Vinterra Sanitary Sewer Lift Station plans and landscaping plans |
| Exhibit 15 | Ordinance No. 602 |
| Exhibit 16 | Ordinance No. 517 |
| Exhibit 17 | Public Notices |