



Staff Report to the Hearing Examiner Woodinville 10 Preliminary Plat

Date of Report: April 7, 2016
Date of Hearing: April 14, 2016

File Number: PPA15001/SEP15005/CAA15002

Project Description: Preliminary Plat Application to subdivide one existing parcel totaling 1.7 acres into 10 single-family residential lots in the R-6 zoning district. Construction will include grading, erosion control, street frontage improvements, tree protection, and stormwater/drainage improvements. SEPA is required for developments of five or more lots and when critical areas are present on-site.

Applicant & Contact: Southend Holdings, LLC
PO Box 430; Marysville, WA 98272

Brain Kalab of Insight Engineering
PO Box 1478; Everett, WA 98206
Brian@insightengineering.net

Property Owner: Bruce and Eunice Gendvil

Location Of Proposal: 13215 NE 205th Street; Woodinville, WA

Legal Description: Parcel No. 032605-9034: N 277.8 FT OF GL 4 LESS E 990 FT LESS N & W 30 FT THOF

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

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

PROJECT INFORMATION

Location: The property is located in the Wedge neighborhood along the north boundary of the city. The property is bounded by 132nd Avenue NE on the west and NE 205th Street to the north.

Property Size: 1.69 acres

Current Zoning: R-6 zoning district

Comprehensive Plan Designation: Moderate density residential

Site/Area Description:	The site consists one parcel that is developed with a single family residence. A Class 3 wetland is located on the south property line, near the center of the lot. The site is characterized as generally flat with slopes near and in the wetland, at the south center of the site. The site is vegetated with a few mature trees mostly along the northern and southern 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
Surrounding Land Uses/Zoning:	North: Snohomish County R-5, Single Family Residential South: R-6, Single-Family Residential (6 units per acre) East: R-6, Single-Family Residential (6 units per acre) West: R-6, Single-Family Residential (6 units per acre)

BACKGROUND

The site consists of one parcel located within the R-6 zoning district. The parcel addressed as 13215 NE 205th Street, is 73,754 square feet (1.69 acres) in size and is currently developed with one single-family residence, a detached garage and a shed.

The applicant wishes to obtain approval to subdivide the parcel into 10 lots for single-family residences. The applicant is proposing infrastructure improvements, including frontage improvements including sidewalks, planter strips, utilities and lighting, stormwater infiltration facilities, and buffer enhancement for a Class 3 wetland located on the site.

A SEPA Determination of Nonsignificance was issued on March 21, 2016. The comment and appeal periods ended on April 4, 2016. No appeals were received and the determination stands as issued.

NOTICE AND PUBLIC COMMENT

The applicant submitted an application for preliminary plat approval on July 2, 2015. The application was reviewed and determined complete on August 20, 2015.

A Notice of Application was issued on August 31, 2015, pursuant to WMC 17.11.010(1)(b). Pursuant to WMC 17.11.010(1)(c), a 15-day comment period was utilized ending on September 16, 2015. Notice was provided in accordance with the provisions of WMC Title 17, including publishing in the Woodinville Weekly; mailing the Notice to property owners within 500 feet of the project and interested agencies; and posting the Notice at the site and at the official locations for City Notices. Correction letters were sent on September 24, 2015, November 18, 2015 and January 22, 2016 requesting additional information, and revisions were received on October 27, 2015, December 17, 2015 and March 3, 2016.

A Notice of Public Hearing was issued on March 21, 2016, more than 15 days before the scheduled public hearing pursuant to WMC 17.11.030(3)(a). The notice was mailed to property owners pursuant to WMC 17.11.040(4), interested parties, published in the Woodinville Weekly, posted on-site and other official public notice locations.

<p>Agency Comments:</p>	<p>The following agencies had comments regarding the proposal (Exhibit 21):</p> <p>On September 8, 2015, a letter was received from Karen Mooseker of the Northshore School District stated the District's requirements for Standards Safe Walk Routes and that these should be considered during the decision making process.</p> <p>On September 8, 2015, a letter was received from Dee Lofstrom of the Woodinville Water District stating that a water and sewer main extension will be required as part of the proposed lot configuration.</p> <p>An email, received on September 15, 2015, November 12, 2015, and January 8, 2016 from Karen Walter of the Muckletshoot Tribes was received regarding concerns about critical areas. Ms. Walter states that the reports needs to include a figure of the delineated wetland and buffers and mitigation plantings and well as address mitigation sequencing. Ms. Walter also pointed out that the wetland may also meet the requirements for a stream, which need to be evaluated. Lastly, additional information should be provided to address how stormwater will be treated. A revised report was resubmitted with figures showing the wetland and mitigation planting as well as addressed mitigation sequencing. Staff visited the site and concluded that the critical area is not a stream. Public Works completed a review of the drainage design and found it to be preliminarily consistent with the city's stormwater requirements.</p>
<p>Public Comment:</p>	<p>The following public comment letters were received during the public comment period (Exhibit 22):</p> <p>On September 15, 2015, the City received a letter from Doug and Susie Smith. Mr. and Mrs. Smith had the following concerns regarding this proposal: the size and density of the project, limited parking, adequate utilities and installation of street improvements, adequate protection of the wetland and tree preservation, stormwater management, impacts on views and the need for additional recreation areas (parks). The letter also stated concerns regarding additional noise from HVAC or other mechanical equipment with the construction of the new residences.</p>

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.

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

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

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

Staff Comment: The proposal includes construction sidewalks along the frontage of 132nd Avenue NE and NE 205th Street. These sidewalks will connect to future sidewalk connections in the area. The proposal also includes a cross walk across 132nd Avenue NE at the intersection of NE 205th Street.

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

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

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

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

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

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

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

Staff Comment: The proposal will support development of moderately-dense housing consistent with the zoning of the surrounding community. The proposal meets the dimensional lot standards of the R-6 zoning districts (discussed in the Findings of Fact) and will be required to comply with bulk and height standards prior to issuance of construction permits. The proposal includes installation of street frontage and infrastructure improvements along 132nd Avenue NE and NE 205th Street. Additionally, the applicant is required to meet the requirements for tree retention and mitigation, which will help to preserve the neighborhood character and natural environment.

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

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

Staff Comment: The plat includes one on-site recreation tract, Tract 998, which will be a wood chipped dog run and a bench area. In addition, Tract 999 is a native growth protection easement to protect the Class 3 wetland.

FINDINGS OF FACT

GENERAL:

1. The subject site is located at 13215 NE 205th Street. According to the submitted permit application (Exhibit 2) and title report (Exhibit 3), Southend Holdings, LLC is the applicant and the property owner is Stephen Nelson. Brian Kalab of Insight Engineering Co. is designated as the key contact for the project.
2. The site is comprised of one parcel zoned as Residential R-6. The site is rectangular in shape and contains a total of 73,754 square feet (1.69 acres) of land area. The property is bordered by NE 205th Street to the north and 132nd Avenue to the west, which are designated as local streets pursuant to WMC 12.12.020. A Class 3 wetland is located on south property line, near the center of the lot.
3. The applicant is proposing to subdivide the site into 10 lots. Proposed site work includes street improvements on 132nd Avenue NE and NE 205th Street, installation of utilities and construction of infiltration trenches, a recreational tract, and critical area buffer enhancements. The estimated combined excavation and fill is a total 6,500 cubic yards. Pursuant to WMC 20.06.200, public street and site improvements are required to be constructed prior to final plat approval. A financial security is required to guarantee the construction of the improvements. Inspection of the improvements is required prior to acceptance of the improvements and final plat approval.
4. Pursuant to WMC 17.07.030, preliminary subdivisions are processed as a Type III decision. The Hearing Examiner is designated as the decision authority to decide preliminary subdivisions pursuant to WMC 20.08.030.
5. Pursuant to the consistency test outlined in Growth Management Act (RCW 36.70B.040), prior to making a decision or recommendation on an application, the City must consider whether a project meets the adopted development regulations and Comprehensive Plan policies. Additionally, WMC 20.06.020(1) requires that the proposal conform to the Woodinville Comprehensive Plan and other adopted plans, zoning and subdivision regulations in Titles 20 and 21 WMC.
6. Pursuant to WMC 21.04.080, the Urban Residential (R) zoning districts are intended to implement Comprehensive Plan goals and policies for housing quality, diversity, and affordability, and to efficiently use residential land, public services and energy.

CRITICAL AREAS:

Wetlands:

7. The property features a wetland, which is designated as critical areas pursuant to Chapter 21.24 WMC. Pursuant to WMC 21.24.020, the City of Woodinville shall not approve permits or other authorization to alter the condition of any land, water, or vegetation or to construct or alter any structure or improvement without first assuring compliance with the requirements of Chapter 21.24 WMC.

8. Pursuant to WMC 21.24.320, wetlands are defined as areas that are inundated or saturated by surface or ground water at a frequency and duration to support, and that under normal circumstances do support, a prevalence of vegetation adapted for life in saturated soil conditions. One wetland was identified on the site.
9. The wetland is located on the south property line, near the center of the lot and continues off-site onto the property to the south (Exhibits 5 and 9). Pursuant to WMC 21.24.320, the wetland does not qualify as a Class 1 or Class 2 wetland. Class 3 are those that do not meet the criteria for a Class 1 or Class 2 wetland. This wetland is considered to be a Class 3 as it is less than one acre in size, has less than three vegetation structures, is not associated with a Class 1 or Class 2 wetland or proximal and influenced by the Sammamish River or Little Bear Creek and does not have a forested or open water component.
10. Class 3 wetlands are required to have a standard 50-foot buffer, which may be reduced to 25 feet if the existing buffer is significantly degraded and enhancement measures are implemented to provide net improvement. Skagit Wetland & Critical Areas prepared a Wetland Delineation and Buffer Enhancement Plan that evaluated the Class 3 wetland and buffer (Exhibit 9). The report states that the wetland and its buffer have experienced significant degradation due to non-native and invasive species intruding in the buffer. A buffer restoration and enhancement plan is proposed that includes the removal of all existing invasive species in the buffer, planting of dense native trees and shrubs, installation of a split rail fence, and implementation of a five-year monitoring plan.
11. As part of the buffer reduction supported by the critical areas assessment, the applicant will mitigate through enhancement and restoration of the 25-foot buffer area, and establish a monitoring and maintenance plan. The reduced buffer varies between 25 feet to 35 feet in some areas. A 4,974 square foot critical area tract that includes the wetland and its buffer will be delineated as a Natural Growth Protection Area on the plat to protect the critical area from future development impacts pursuant to WMC 21.24.180. The proposal includes restoration and mitigation that will enhance the wetland and will result in improved ecological function (Exhibit 9).

Native Growth Protection Areas:

12. Tract 999 will be established as a native growth protection area (NGPA) to establish the buffer for and to protect the Class 3 wetland. Pursuant to WMC 20.06.060(4), NGPAs are granted where the preservation of native vegetation benefits the public health, safety and welfare, including control of surface water and erosion, maintenance or slope stability, visual and aural buffering, and protection of plant and animal habitat. A recommended condition of preliminary plat approval is that the NGPA will remain undisturbed by future property owners.

ZONING CODE:

13. Pursuant to WMC 20.06.040(1), lots are required to be such a size or design that will not be detrimental to the health, safety or sanitary needs of the subdivision. Furthermore, WMC 20.06.040(3) requires that no lot shall be established which is in violation of the Woodinville Municipal Code.
14. Pursuant to WMC 21.12.030(A), the standard minimum lot size in the R-6 zone is 6,000 square feet. Within the R-1 to R-8 zones, the lot areas in subdivisions and short plats may be averaged pursuant to WMC 21.12.180. if the following criteria are met:
 - a. The total number of lots in the development shall not exceed the base density pursuant to WMC 21.12.030 for the zone.

Staff Analysis: The base density for the R-6 zoning district is 6 du/acre. The proposed density is 5.9 du/acre, which does not exceed the base density. The proposal complies with this requirement.

- b. The average lot size shall not be less than that required in the zone. In computing the average lot size, no lot shall be credited with more than 1.15 times the minimum lot size. No lot shall be less than 0.85 times the minimum lot size.

Staff Analysis: The average lot size is 6,198 square feet, which is greater than the 6,000 square feet required in the R-6 zone. The smallest lot proposed is 5,377 square feet, or .90 times the minimum lot size. Lot 10 is greater than 1.15 times the minimum lot size (7,050 square feet), and was credited 1.15 times or 6,900 square feet in the lot averaging calculations. The proposal meets this requirement.

- c. Corner lots shall not be smaller than the required minimum lot size allowed in that zone.

Staff Analysis: All corner lots are a minimum of 6,000 square feet. The proposal meets this requirement.

- d. The provisions of WMC 21.12.100 shall also apply.

Staff Analysis: WMC 21.12.100 requires compliance with the minimum lot width and a minimum of 2,500 square feet of lot area for constructing. All lots comply with minimum lot area and minimum lot width requirements. This requirement is met.

- e. All other dimensional requirements of this code must be met.

Staff Analysis: The proposal meets all other applicable dimensional requirements, discussed in Analysis 15.

- f. Preliminary plats approved utilizing lot size averaging shall not receive final approval by divisions unless each division individually satisfies these provisions.

Staff Analysis: The proposed plat meets the requirements for lot size averaging.

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

Standard	R-6	Proposed
Base Density	6 du/acre	10 units
Minimum Density: 75% of Base	4.5 du/acre	5.9 du/acre
Standard Minimum Lot Area	6,000 sf	Smallest lot is 5,377 sf Average lot size is 6,198 sf
Reduced Minimum Lot Area for Critical Areas	5,000 sf	
Minimum Lot Width	50 feet	50 feet
Minimum Lot Width at Street	50 feet	50 feet
Minimum Street Setback	10 feet	10 feet
Interior Setback	5 feet	5 feet

Standard	R-6	Proposed
Maximum Building Coverage	50%	Established during building permit submittal
Maximum Impervious Surface	70%	
Maximum Building Height	35 feet	
Minimum Driveway Length	20 feet	
Minimum Garage Distance from Street Frontage	20 feet	

16. Pursuant to WMC 20.06.040(4), no lot shapes shall be designed to have awkward configuration or appendages. The proposed lots are generally rectangular with identifiable front, side, and rear property lines. Lot 8 has the most unique configuration with a long street frontage along Tract 997 and Tract 998, however it has sufficient space and a relatively logical configuration for development of a single-family residence. No properties have appendages.
17. Pursuant to WMC 20.06.040(6), each lot should have an average depth between the front and rear lot lines of not less than one-foot depth for each one foot of width. Lot 8 has a unique configuration due to the recreation tract (Tract 998), private road configuration (Tract 997) and the wetland to the south. On average, Lot 8 meets the average depth and width requirements.
18. Pursuant to WMC 20.06.040(7), corner lots, double frontage lots, and single frontage lots are required to have the front lot line be the property line(s) separating the lot from a street or vehicle access corridor. Lot 4 is a corner lot and Lots 6 and 7 are triple frontage lots. Corner lots and triple frontage lots will have the front lot line from all street fronts. Vehicle access to Lots 6 and 7 will be restricted to NE 205th Street only.
19. Pursuant to WMC 20.06.040(8), as much as possible, where topography and natural features permit, side lot lines should run at right angles to the street upon which the lot faces, except that on curved streets they shall be radial to the curve. The lots are laid so that the side lot lines are relatively at right angles to the street. The proposal meets this requirement.
20. Pursuant to WMC 20.06.040(9), where watercourses, topography, geology and soils, vegetation, utilities, lot configuration, or other unique circumstances dictate a different building envelope than that set by Chapter 21.12 WMC, building setback lines may be required to be shown on the final plat or short subdivision map and observed in the development of the lot. Building setbacks are shown on the preliminary plat map.

TREES:

21. WMC 20.06.175 requires a tree preservation and protection plan prior to approval of a preliminary plat approval in accordance with Chapter 21.15 WMC. Pursuant to WMC 21.15.060, new residential subdivisions are required to submit a Type III Tree Plan. The applicant submitted landscape plans and a Tree Inventory Report prepared by Robert W. Williams and Associates evaluating existing trees on site (Exhibits 6 and 12). Although no trees on the site are being preserved, the critical area tract and any neighboring trees shall be protected. The reports provides adequate information regarding tree protection measures, fencing, and construction techniques to prevent root damage, in accordance with WMC 21.15.080.
22. The site must meet the minimum tree density requirement pursuant to WMC 21.15.070(2). A minimum of 30 tree credits per acre are required on the single-family lots and all tracts. The lots and tracts are 1.69 acres (73,635 square feet) and requires a minimum of 50.7 tree credits. The tree inventory report states that the site currently has 10 trees which equal 40.5 tree credits. After site preparation and grading, all 10 trees will be removed. The landscaping plan (Exhibit 6, Sheet L1)

identifies 34 2.5-inch caliper trees will be planted on site, totaling 48.75 tree credits. Pursuant to WMC 21.15.070(2)(f), native trees receive an incentive that allows the tree credits to be based on the fifth year of growth of the tree. The applicant is proposing to plant all native trees, below is the tree density calculation:

Tree	# of trees	Tree Credit	Multiplier	Total Tree Credits
Western Red Cedar	14	1.25	1.2	21
Douglas Fir	9	1.25	1.0	11.25
Big Leaf Maple	11	1.25	1.2	16.5
TOTAL				48.75

The applicant will be required to mitigate for the remaining 1.95 tree credits through additional plantings, off-site mitigation or payment into the City Tree fund pursuant to WMC 21.15.070(2)(e)(i) prior to finaling of the site development permit.

23. Street trees are required on street frontages at a rate of one tree per 25 feet pursuant to WMC 2.24.100. The applicant is proposing to plant Sawleaf Zelkova (*Zelkova Serrata*) along NE 205th Street and 132nd Avenue NE (Exhibit 6, Sheet L1).

EASEMENTS:

24. WMC 20.06.060(1) requires that public easements for the construction and maintenance of utilities and public facilities will be granted to provide and maintain adequate utility service to each lot. The widths of the public easements shall be the minimum necessary as determined by the utility. The preliminary plat identifies utility easements throughout the property. These easements range from 10 to 20 feet, and are generally located along the front of rights-of-way or on tracts shared for private access. A ten foot public utility easement shall be provided along the frontage of 132nd Avenue NE and NE 205th Street.
25. Pursuant to WMC 20.06.060(5), the easements for utility mains or lines will be held to prohibit the placement of any building on or over the easement, but shall not preclude landscaping of an appropriate variety as determined by the City. WMC 20.06.060(6) states that easements shall be granted by the terms and conditions of such easements being shown on the final plat or short subdivision or by separate instrument.

TRANSPORTATION/STREET IMPROVEMENTS:

26. Pursuant to WMC 20.06.020(1)(d), the proposed street system is required to conform to City of Woodinville public infrastructure standards and specifications. The system should be laid out in a manner that provides for the safe, orderly and efficient circulation of traffic. The City of Woodinville adopts a Level of Service (LOS) E or better for adequate road capacity pursuant to WMC 21.28.070. LOS D or better is considered desirable, with average delays at unsignalized intersections at 25 to 35 seconds or better. LOS E is considered adequate and average delays at signalized intersections between 35 to 50 seconds, and LOS F is considered inadequate with delays greater than 50 seconds.
27. The applicant submitted a Transportation Impact Analysis prepared by Gibson Traffic Consultants, Inc. (Exhibit 11). The site currently has one single-family residential unit which will be removed and credited to the development; therefore, this report was completed for nine new single-family residential units. The report evaluated trip generation, trip distribution, access analysis and

mitigation determination for the proposed development. The report states that the proposed subdivision will generate 6.75 additional AM peak-hour trips, 9 additional PM peak-hour trips and a total of 85.68 average daily trips. No level of service analysis was completed as no intersections were impacted with more than 10 PM peak-hour trips.

28. The report determined trip distribution from the previously approved Georgian Heights development, just east of the site. It is estimated that 65 percent of the development's traffic will travel to and from the south along 136th Avenue NE, 8 percent will travel to and from the north along 58th Avenue NE, 20 percent will travel to and from the south along 130th Avenue NE and the remaining 7 percent will travel to and from the south along 51st Avenue SE.
29. The report states that with the frontage improvements there will be more than 350 feet of available sight distance along NE 205th Street and more than 250 feet of available sight distance along 132nd Avenue NE. The required sight distance for NE 205th Street is 325 feet and 200 feet for 132nd Avenue NE; therefore sight distance requirements are met.
30. The report concludes that the development does not significantly impact any City of Woodinville intersections with 10 or more PM peak-hour trip. Therefore, the development does not have to contribute additional improvements other than required frontage improvements and traffic impact fees.
31. The City of Woodinville Public Works Department reviewed and confirmed the findings of the submitted Transportation Impact Analysis prepared by Gibson Traffic Consultants, Inc.
32. Pursuant to WMC 20.06.130(1) and WMC 20.06.140(1), street improvements, grades and design in rights-of-way in or along the boundary of a subdivision will be required to comply with standard regulations and specifications set forth in Chapter 12.09 WMC, including the 1999 Transportation Infrastructure Standards and Specifications (TISS). The Public Works Department has reviewed the preliminary road plans and road profiles, and has determined preliminarily that they comply with TISS and other infrastructure standards. Final construction plans will be subject to review and approval prior to issuance of any development permits.
33. Street improvements are proposed along 132nd Avenue NE and NE 205th Street consistent with the adopted roadway section for high density (zoning greater than R-4) residential streets (TISS Standard 104A). Improvements on the west side of 132nd Avenue NE and south side of NE 205th Street include 18 feet of pavement width, curbs, gutter, 6-foot wide sidewalks and 5.5-foot wide (excluding curb) planter strip. A crosswalk will be provided across 132nd Avenue NE at the intersection of NE 205th Street.
34. A deviation (File No. DEC15006), was approved to allow a reduced separation between the driveways for Lot 3 and 4 and the intersection of 132nd Avenue NE and NE 205th Street. The proposed driveway for Lot 3 is approximately 95 feet and Lot 4 is 35 feet from the intersection. Due to the site constraints, access to most of the lots must be taken directly from the two streets bordering the site. There is an existing stop sign that slows vehicles down on 132nd Avenue approaching NE 205th Street, which makes the access point to Lot 3 and Lot 4 adequate for reasonable use even with the reduced separation.
35. Pursuant to WMC 20.06.130(2), when required by the City to mitigate anticipated impacts of a new subdivision or short plat, the developer shall incorporate features into the layout of the street circulation system to minimize cut-through traffic of the proposed development and/or surrounding neighborhoods. The subdivision includes only one access point into the development via a private access drive. No connections to adjacent neighborhood are proposed. Additionally, the street network includes some traffic calming measures, such as curb bulb-outs, that will help reduce traffic speeds.

36. Street lighting is required with the development of all new subdivisions in accordance with WMC 20.06.020(3)(d) and WMC 21.14.110. Street illumination is required on the east side of 132nd Avenue NE and the south side of NE 205th Street along the property frontage. The applicant is required to coordinate with Puget Sound Energy and the Public Works Department for design and installation of street lighting that meets the City's adopted standards prior to final plat approval. The applicant shall provide an updated plan showing street lighting at site development permit.
37. Pursuant to WMC 20.06.130(4), proposed single-access subdivision streets ending in cul-de-sacs, hammerheads or loop roads shall not exceed 990 lineal feet in length from the access point of the new subdivision and serve more than 75 proposed dwelling units unless a connection can be established to a second access right-of-way. The internal private access road is 140 feet long and will serve three lots. The subdivision includes one connection on NE 205th Street and meets this requirement.
38. Pursuant to WMC 20.06.170, all subdivisions are required provide on-site recreation and trail corridors. The subdivision will provide a recreational area for residents on Tract 998. The tract includes a wood chipped dog run and benches. The proposal meets this requirement.
39. WMC 20.06.180 states that when necessary for public convenience or safety, the developer shall improve and dedicate to the public accessways to connect to cul-de-sac streets, to pass through oddly shaped or unusually long blocks, to provide for networks of public paths creating access to schools, parks, shopping centers, transit stops, trails, or other community services. The layout of the subdivision provides access through the construction of frontage improvements on 132nd Avenue NE and NE 205th Street. The internal access is private, serves three residences and is only 140 feet long. Therefore, no additional accessways are required.
40. The subdivision is served by Woodin Elementary, Leota Junior High School, and Woodinville High School. WMC 20.06.020(1)(h) requires safe walk to school procedures to be followed for new subdivisions. The frontage improvements provided with the subdivision will connect to existing sidewalks to provide safe walking conditions to and from the subdivision. No other improvements are required.

UTILITIES:

41. WMC 21.28.020 requires new development proposals to be adequately served by utility facilities including sewage disposal, water supply, surface water management, road and access, fire protection and schools. Utility service is available at the site from utility providers. Pursuant WMC 20.06.110, new utilities are required to be placed underground consistent with WMC 15.39.010. The applicant is responsible for complying with the requirements of this section and making all necessary arrangements with the utility companies affected by installation. Staff recommends this be included as a condition of approval.
42. Pursuant to WMC 20.06.080 and WMC 21.28.030, all lots must be served by an existing disposal system consistent with the comprehensive sewer plan and approved by Woodinville Water District prior to preliminary plat approval. A current certificate of sewer availability was submitted as part of this application (Exhibit 15).
43. An adequate water supply is required for all new developments pursuant to WMC 21.28.040. The applicant obtained a certificate of water availability for the proposed lots (Exhibit 15). A water supply plan to serve each proposed lot is required to be approved by the Public Works Department and Woodinville Water District prior to final plat approval.
44. Pursuant to WMC 20.06.090(1), all lots shall be provided with adequate storm drainage connected to the storm drainage system of the City or other system approved by the City in conformance with the 2009 King County Surface Water Design Manual. The proposal includes a roof drain connecting

to an on-site infiltration trenches for each lot consistent with WMC 20.06.090(3) (Exhibit 13 and 14). All stormwater runoff from the public and private roads will be captured in storm drain conveyance pipes that will be routed to a large infiltration trench provided underneath the private access. The runoff will infiltrate and disperse through the lawn and on-site vegetation. Final plans will be reviewed for consistency with Chapter 14.09 WMC and the 2009 King County Surface Water Design Manual.

OTHER:

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

DETERMINATION OF CONSISTENCY

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

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

Based on the above analysis, and with the proposed conditions listed below, staff finds that the Woodinville 10 Preliminary Subdivision has met the requirements of the City of Woodinville Infrastructure Standards, 2015 Comprehensive Plan, and Woodinville Municipal Code. The Woodinville 10 Preliminary Plat proposal has made appropriate provisions for the public health, safety, and general welfare by:

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

CONCLUSION

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

1. The proposal conforms to the goals, policies, criteria and plans set forth in the City of Woodinville Comprehensive Plan, community urban forestry plan, and parks, recreation, and open space plan;
2. The proposal conforms to the development standards set forth in WMC Title 21, Zoning;
3. The proposal conforms to the requirements of this section and those set forth in this chapter and WMC 17.09.020;
4. The proposed street system conforms to the City of Woodinville public infrastructure standards and specifications and neighborhood street plans, and is laid out in such a manner as to provide for the safe, orderly and efficient circulation of traffic;

5. The proposed subdivision or short subdivision will be adequately served with City-approved water and sewer, and other utilities appropriate to the nature of the subdivision or short subdivision;
6. The layout of lots, and their size and dimensions, take into account topography and vegetation on the site in order that buildings may be reasonably sited, and that the least disruption of the site, topography, trees and vegetation will result from development of the lots;
7. Identified hazards and limitations to development have been considered in the design of streets and lot layout to assure street and building sites are on geologically stable soil considering the stress and loads to which the soil may be subjected;
8. Safe walk to school procedures, as established by the City, have been met;
9. Tree preservation has been considered in accordance with the community urban forestry plan and tree preservation requirements have been adequately met.

STAFF RECOMMENDATION

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 Woodinville 10 Preliminary Plat, subject to the following conditions:

FINAL PLAT/SITE PLAN

1. All improvements shall be constructed in accordance with the approved Preliminary Plat Map submitted March 3, 2016. The Planning Director and/or Public Works Director may approve minor modifications of the plans submitted if the modifications do not change the Findings of Fact or the Conditions of Approval.
2. The following notes and information shall appear on the face of the final plat map. All signature blocks shall be in accordance with City Standards.
 - a. "The use and development of the property included within this plat shall be governed by the Conditions of Approval imposed through File Number PPA15001 / SEP15005 / CAA15002 and shall be binding upon the land until that approval is amended, revoked or expires."
 - b. A free consent statement in conformance with City of Woodinville standards shall be acknowledged by property owners and shall be notarized.
 - c. "All property owners shall maintain, in a uniform manner, the City right-of-way located between their property lines and the back of adjacent curbs or street lines to the maintenance level or standard applied to City parks. In such cases where the City is required to perform such maintenance, the City shall bill the property owners for the cost of such maintenance, including administration costs".
 - d. A private road agreement for Tract 997 must be designated on the face of the plat and must specify the use and maintenance of the private facilities.
 - e. Provisions for maintenance and protection of Tracts 998 and 999 and public rights-of-way by the homeowner's association (lot owners) shall be designated on the face of the plat.
 - f. "With application for each building permit, a tree planting plan shall be submitted, in conformance with the approved planting plan, prepared by Insight Engineering Co, and approved by the City on _____. The required trees shall be planted prior to final inspection for the residence."
 - g. Vehicle access onto Tract 997 shall be limited to Lots 8, 9, and 10 only.

- h. Vehicle access to Lots 6 and 7 will be restricted to NE 205th Street only.
3. The following changes shall be made to the final plat map:
 - a. Remove trees and topography from the map.
 - b. Remove setbacks, driveway lines, the street improvement details, and other items not relevant to the plat recording.
 - c. Add the bearings for the lot lines.
 - d. Show all existing and proposed easements and tracts; show the easement and tract ownership and maintenance responsibilities.
 - e. If any financial institutions appear in the title report at the time of final plat application, their signature must be added to the plat map.
 - f. Include the requirement that the homeowners association is responsible for maintaining the landscaping and irrigation systems in the recreation tracts, stormwater tract, and planter strips adjacent to the tracts, including payment for any water usage.
 - g. The NGPA will remain undisturbed by future property owners.
4. A ten foot utility easement along the public street frontage shall be dedicated as part of the plat.
5. The following items are required to be shown on the face of both the final plat map and supplemental map prior to final approval. The required language for these items may be obtained from the City:
 - a. Surveyor Certificate;
 - b. Owners Statement;
 - c. All new easement(s) over the property, their legal description(s) and associated dedication block(s);
 - d. Native growth protection area tract shall be maintained by the homeowners association;
 - e. Recording block/Certification block for Planning Director and Public Works Director approval;
 - f. Certification of Payment of Taxes and Assessments;
 - g. Auditor's Certificate;
 - h. North arrow;
 - i. The survey control scheme, monumentation, monuments to be set, and references.
6. Prior to final plat approval, a copy of the covenants, conditions and restrictions with the final plat application shall be submitted for review and approval.
7. As-builts shall be submitted showing all public improvements with application for final plat. The submitted as-builts shall be in the format required by the City's Infrastructure Design Standards and Specifications. The applicant shall have a licensed surveyor or engineer prepare and/or supervise the preparation of record drawings to be reviewed, approved and signed by the Public Works Director upon satisfactory installation of the constructed infrastructure improvements and site work. The City shall require one (1) reproducible (mylar), one (1) signed blue line, one (1) 11" x 17" reduced copy, and one (1) electronic file in CAD format of the drawings shall be approved prior to final plat approval.
8. All permanent survey control monuments shall be provided in accordance with the City's Infrastructure Standards prior to final plat approval. Additional monumentation shall be installed as required by the Public Works Director.
9. Prior to acceptance of the improvements, a final inspection shall be completed by the Development Services and Public Works Departments.
10. The applicant shall be required to construct frontage improvements on 132nd Avenue NE and NE 205th Street for the length of the property including curb and gutter, road widening, enclosed

stormwater drainage, sidewalks, planter strips, street trees, street illumination, and landscaping as shown on the preliminary plans dated March 3, 2016 or minor modifications as approved by the Public Works Director.

SITE DEVELOPMENT

11. All improvements shall be constructed in accordance with the conditions of this approval, approved site development plans and right-of-way construction plans. The right-of-way permit must include a traffic control plan, erosion control plan, and all frontage improvements proposed for the site. The site development permit shall include site, drainage, landscaping, mitigation and utility improvements. All improvements shall be installed prior to final plat approval. A financial security may be posted for final asphalt lift and landscaping pursuant to WMC 20.06.210 as approved by the Development Services and Public Works Directors.
12. The applicant must obtain all necessary state and federal permits and approvals prior to starting of any construction activities.
13. A Heavy Hauling permit from the City of Woodinville will be required.
14. All walls over four (4) feet in height or that carry a surcharge require a separate building permit. Such walls must be designed by a professional engineer licensed in the State of Washington. Permits for the walls shall be submitted, reviewed and approved prior to construction of the wall.
15. A separate sign permit shall be required for any new signs.
16. The applicant must obtain updated water and sewer availability certificates prior to final plat approval.
17. The stormwater detention design and stormwater discharge shall utilize the Best Management Practices of the current adopted stormwater manual and the current Department of Ecology National Pollutant Discharge Elimination System (NPDES). Drainage facilities must be designed for maximum impervious surfaces allowed, or a note shall be placed on the final plat map stating the impervious surface maximums allowed. All development shall proceed in accordance with the recommendations listed in the Preliminary Technical Information Report dated June 25, 2015, prepared by Insight Engineering Co. and any further addendums as accepted by the Public Works Director.
18. All new utilities and existing utilities shall either be installed and/or relocated to an underground location within the development including existing utilities in the 136th Avenue NE and NE 205th Street rights of way that front this proposed subdivision prior to final plat approval per WMC 15.39.010.
19. The applicant shall provide an updated plan showing street lighting at site development permit. Lighting shall be installed according to the approved plan.
20. A final tree preservation, maintenance agreement and replanting plan for the individual lots shall be submitted to the City for review and approval prior to final plat approval. The tree plan shall be designed in conformance with the City's Municipal Code and Infrastructure Standards. The lot and tracts are 1.69 acres and the applicant is required to provide a total of 50.7 tree credits through replanting or other mitigation requirements consistent with WMC 21.15.070(2)(e). The final tree density credits totals will be evaluated in the landscape plan and tree inventory report submitted at final plat approval. The landscaping plan submitted by the applicant provides 48.75 credits. The

applicant shall comply with the requirements of Chapter 21.15 WMC by planting additional trees or paying in to the City tree fund for the 1.95 tree credits, prior to final plat approval.

21. 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.
22. All development shall proceed in accordance with the recommendations listed in the Wetland Delineation and Buffer Enhancement Plan prepared by Skagit Wetland & Critical Areas and any further addendums as accepted by the Development Services Director.
23. The monitoring reports for the stream mitigation shall begin with a baseline report, due at the time that the mitigation work is inspected and approved by the City, in conformance with the recommendation of the reports. Five (5) years of monitoring reports shall be submitted to the City on an annual basis after that date. The applicant shall be responsible for correcting any areas identified in those reports that are not in compliance with the goals and objectives stated in the mitigation plan.
24. All development shall proceed in accordance with the recommendations listed in the Geotechnical Report dated May 5, 2015, prepared by LIU & Associates, Inc. and any further addendums as accepted by the Public Works Director.
25. Construction noise is not permitted anytime on Sundays and holidays. Hours of construction are limited to the hours of 7:00 AM through 7:00 PM Monday through Friday, and 9:00 AM through 5:00 PM on Saturday; or, from Memorial Day to Labor Day, 7:00 AM through 9:00 PM Monday through Friday, and 9:00 AM through 5:00 PM on Saturday.
26. 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.
27. 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.
28. If at any time during clearing, grading and construction the streets are not kept clean and clear, all work will stop until the streets are cleaned and maintained in a manner acceptable to the Public Works Director in accordance with the Woodinville Municipal Code.
29. The applicant and contractor shall attend a pre-construction meeting with City staff to discuss expectations and limitations of the project permit before starting the project.
30. One week prior to starting construction on the site, the applicant shall notify all neighboring property owners within 300 feet that the work will be occurring within the neighborhood.
31. 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.

32. The applicant shall pay park and transportation impact mitigation fees or other forms of negotiated impact mitigation for all lots in accordance with WMC 3.36 and 3.39. Payment of the park and transportation impact mitigation fee or mitigation amount shall be made to the City of Woodinville at the time of building permit issuance. The total fee shall be based on the mitigation fee established in WMC 3.36 and 3.39. Impact fee credits will be established based on the requirements in WMC 3.36.110 and 3.39.110.
33. 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.
34. 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.
35. 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:
 - Site, frontage, and lighting improvements – Two (2) years
 - Landscaping & Irrigation – Three (3) years
 - Stream Mitigation – Five (5) years

EXHIBIT LIST

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|------------|---|
| Exhibit 1 | Staff Report |
| Exhibit 2 | Application materials, including application and project narrative, submitted July 2, 2015 |
| Exhibit 3 | Title Report, submitted July 2, 2016 |
| Exhibit 4 | Topographic/Boundary Survey, prepared by David West and Co., dated April 1, 2015 |
| Exhibit 5 | Preliminary Plat Plans, prepared by Insight Engineering Co, submitted March 3, 2016, including plat map, grading, utility, road, erosion control plans |
| Exhibit 6 | Landscape and Tree Retention Plans prepared by Insight Engineering Co., submitted March 3, 2016 |
| Exhibit 7 | Deviation Request submitted October 27, 2015 |
| Exhibit 8 | SEPA Checklist, prepared by Laurey Tobiason of Insight Engineering Co, submitted December 17, 2015 |
| Exhibit 9 | Wetland Delineation and Buffer Enhancement Plan, prepared by Skagit Wetlands and Critical Areas dated revised December 12, 2015 (submitted March 3, 2016) |
| Exhibit 10 | Geotechnical Report, prepared by LIU & Associates Inc., dated May 5, 2015 |
| Exhibit 11 | Transportation Impact Analysis, prepared by Gibson Traffic Consultants Inc., dated July 2015 |
| Exhibit 12 | Revised Tree Inventory Report, prepared by Robert W. Williams and Associates, dated June 1, 2015 (submitted October 27, 2015) |

- Exhibit 13 Preliminary Technical Information Report, prepared by Insight Engineering Co., dated June 25, 2015
- Exhibit 14 Memo on Impact of Infiltration Trenches on adjacent properties, prepared by LIU & Associates Inc. dated February 25, 2016
- Exhibit 15 Certificates of Water and Sewer Availability, submitted July 2, 2015
- Exhibit 16 Woodinville 10 Subdivision – Additional Information Request, prepared by Insight Engineering Co, dated October 23, 2015 and October 27, 2015
- Exhibit 17 Woodinville 10 Subdivision – Additional Information Request, prepared by Insight Engineering Co, dated December 1, 2015
- Exhibit 18 Woodinville 10 Subdivision – Additional Information Request, prepared by Insight Engineering Co, dated February 29, 2016
- Exhibit 19 Notice of Application issued August 31, 2015
- Exhibit 20 Combined Notice- SEPA Determination of Nonsignificance (DNS) and Notice of Public Hearing issued July 27, 2015 issued March 21, 2016
- Exhibit 21 Agency Comments
- Exhibit 22 Public Comments