

PLANNING COMMISSION RESOLUTION NO. 2006-128

A RESOLUTION OF THE CITY OF MILL CREEK)
PLANNING COMMISSION, RECOMMENDING)
APPROVAL TO THE CITY COUNCIL OF THE CITY) FINDINGS,
OF MILL CREEK, WASHINGTON OF A) REASONS AND
PRELIMINARY PLAT FOR A 10-LOT SINGLE-) RECOMMENDATIONS
FAMILY SUBDIVISION, KNOWN AS THE)
HARTLEY PROPERTY, CASE FILE NUMBER)
PP 05-63)

WHEREAS, Alexander Reed Construction has submitted the required information to the City of Mill Creek for consideration of a Preliminary Plat for a 10-lot single-family subdivision pursuant to Chapters 16.04, 17.06, 18.04 and 18.06 MCMC; and

WHEREAS, on January 13, 2006, the City's Responsible Official signed and issued a Mitigated Determination of Non-Significance (MDNS) pursuant to RCW 43.21C and Chapter 18.04, MCMC; and

WHEREAS, on February 3, 2006, a legal notice stating the time, place and purpose of the public hearing was mailed to surrounding property owners within 500 feet of the site in accordance with MCMC 14.07.030(A)(2). The notice of public hearing was also posted on the property on February 2, 2006, pursuant to MCMC 14.07.030(A)(3); and

WHEREAS, on February 4, 2006, a legal notice stating the time, place and purpose of the public hearing was published in the Everett Herald; and

WHEREAS, the Planning Commission duly convened a public hearing on February 16, 2006, to consider the matter, take testimony and inquire into the facts of the proposal.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF MILL CREEK:


Section 1: The Planning Commission has considered the staff report, attached as Exhibit A, and the proposed Preliminary Plat, attached as Exhibit B, all incorporated herein, and the testimony and other facts elicited at the public hearing and finds that the proposed Preliminary Plat, as conditioned, is consistent with the Mill Creek Comprehensive Plan, the Mill Creek Subdivision, Zoning, and Environmental ordinances and makes appropriate provisions for the public health, safety and general welfare.

Section 2: The Planning Commission adopts the findings and recommendations as contained in Exhibit A, as they may be modified by the Planning Commission motion contained in Exhibit C, attached and incorporated herein.

Section 3: The Planning Commission, therefore, recommends to the City Council approval of the Preliminary Plat 05-63 for Alexander Reed Construction for the Hartley plat as fully described and conditioned in Exhibit A, Exhibit B, and Exhibit C.

Done and passed by majority vote, this sixteenth day of February 2006.

CITY OF MILL CREEK PLANNING COMMISSION



ROBERT COLLARD, CHAIR



SECRETARY OF THE PLANNING COMMISSION

ATTACHMENTS: Exhibit A - Staff Report
 Exhibit B – Preliminary Plat
 Exhibit C - Planning Commission Motion with Conditions

**EXHIBIT A
DEPARTMENT OF COMMUNITY DEVELOPMENT
STAFF REPORT
TO THE CITY OF MILL CREEK PLANNING COMMISSION**

PART I - SUMMARY INFORMATION

HEARING DATE: February 16, 2006

NAME OF PROJECT: Hartley Preliminary Plat
File No. PP 05-63

OWNER: Guy and Halfrid Hartley
16211 Market Street
Snohomish, Washington 98296

**DEVELOPER/
APPLICANT:** Gary Petershagen
Alexander Reed Construction
1027 State Avenue, Suite 101
Marysville, WA 98270

LOCATION: The site location is south of Seattle Hill Road at approximately the 2700 block (see **Attachment 1 – Vicinity Map**).

REQUESTED ACTION: Consideration of a Preliminary Plat for a 10-lot single-family subdivision on 2.8 acres. Access to the plat is proposed via a public road connected to 158th Place S.E. and to 27th Drive S.E.

COMPREHENSIVE PLAN DESIGNATION: Residential Low Density

ZONING DISTRICTS: Low Density Residential (LDR)

LEGAL DESCRIPTION: See **Attachment 2 – Legal Description**.

PART II - STATUTORY REQUIREMENTS

SEPA COMPLIANCE:

The proposed project is subject to the provisions of the State Environmental Policy Act (SEPA) and Chapter 17.48 of the Mill Creek Municipal Code (MCMC). The City's SEPA Official has determined that the proposal does not have a probable significant adverse impact on the environment. Therefore, on January 13, 2006, a Mitigated Determination of Non-Significance (MDNS) and Notice of Property Development Impact Mitigation were issued for the proposal. The MDNS contains conditions to mitigate impacts on specific elements of the environment that

may be affected by the proposal, including earth, air, water, plants, transportation, recreation, and public services (fire protection, schools, water and sewer). These conditions have been incorporated in the recommended Conditions of Approval, contained in Part V of this report.

INTERJURISDICTIONAL AGREEMENTS:

The City has adopted separate interlocal agreements with Snohomish County, Snohomish County Fire Protection District No. 7, and Everett School District regarding the joint review, comment, and imposition of appropriate mitigation measures to offset the potential impacts of proposed development. This application has been reviewed by Snohomish County, Fire District No. 7, and Everett School District. Required mitigation measures are discussed later in this report and are included in the recommended Conditions of Approval.

PUBLIC NOTICE:

Pursuant to Section 14.07.030 MCMC, notice of public hearing was mailed on February 3, 2006, directly to property owners of record within 500 feet of the proposed project and posted on the site on February 2, 2006. Notice of public hearing was published in the Everett Herald on February 4, 2006. All legal requirements for public notice have been satisfied.

PART III - BACKGROUND INFORMATION

EXISTING SITE CHARACTERISTICS:

The subject site is 2.8 acres and is generally flat with a gentle slope from the southwest to the northeast, with a low depression in the northeast corner, which contains a wetland. Vegetation on-site consists of wetland plants in the northeast corner, pasture grass and invasive herbs cover the northern portion of the site. A mixed forest is present in the southeastern portion of the property with a few scattered firs in the northeast corner. A concrete driveway is located off Seattle Hill Road and a gravel drive runs through the site.

SURROUNDING ZONING AND LAND USES:

Description of surrounding zoning and existing land uses are as follows:

- The surrounding properties are all zoned *Low Density Residential* and are occupied by single-family residences with Seattle Hill Road immediately to the north of the site.
 - North – Parkside subdivision (north of Seattle Hill Road)
 - South – The Highlands subdivision
 - East – The Springs subdivision
 - West – Mill Creek Estates

UTILITIES AND PUBLIC SERVICES:

- ❑ Water and Sewer - The subject site lies within the Alderwood Water and Wastewater District.
- ❑ Electrical - Electrical service to the site will be provided by the Snohomish County P.U.D. No. 1.
- ❑ Telephone - Telephone communication services to this site will be provided by Verizon.
- ❑ Fire Protection - Fire protection, suppression and emergency medical service will be provided by Snohomish County Fire Protection District No. 7.
- ❑ Police Protection - The City of Mill Creek Police Department will provide police protection and services.
- ❑ School District - This site is located within the Everett School District.

PART IV – PROJECT ANALYSIS

DEVELOPMENT REVIEW PROCESS:

The proposal is being processed in conformance with the provisions contained in Title 14 (Development Code Administration), Title 16 (Subdivisions and Plats), Title 17 (Zoning), and Title 18 (Environment) of the Mill Creek Municipal Code (MCMC). This proposal is vested under the City's development regulations in effect on July 26, 2005, when the project was deemed complete.

In accordance with MCMC Chapter 17.06, Low Density Residential (LDR), residential development is processed as a plat. A matrix demonstrating how the project complies with the applicable development regulations is included within this report beginning on page 15.

The proposed development is also subject to the City's Comprehensive Plan policies. Applicable policies include Land Use, Capital Facilities, Utilities, Transportation, and Environmental Features. A matrix demonstrating how the project complies with the applicable policies is included within this report beginning on page 9.

SITE DESIGN:

Project Density

Comprehensive Plan Gross Density - The property is designated Residential Low-Density on the Comprehensive Plan Land Use Map, which establishes a maximum density of four dwelling units per gross acre. The proposed plat has a density of 3.5 dwelling units per gross acre.

Zoning Code Net Density - The property is zoned Low Density Residential (LDR) on the Zoning Map. Section 16.12.050, MCMC establishes formulas to calculate the maximum density allowable in zone districts. The formula requires dividing the net developable area by the

minimum lot size required for the zone district. Utilizing this formula a maximum density of 11 lots is permitted. Ten lots are proposed; thus, the proposed plat does not exceed the maximum density of the LDR zone district.

Lot Size Averaging - MCMC Section 16.02.060 allows lots to be reduced below the minimum lot size of the zone district provided:

1. The total number of lots in the development shall not exceed the maximum density of the land use designation of the comprehensive plan.
2. The average lot size shall not be less than that required in the zone district. In computing the average lot size, no lot shall be credited with more than 1.25 times the minimum lot size.
3. No lot shall be less than 0.75 times the minimum lot size.

The minimum lot size in the LDR zone district 8,400 square feet. The proposed lot sizes range from 6,300 square feet to 10,542 square feet, consistent with MCMC 16.02.060; Lot 2 is credited a maximum of 10,500 square feet. The average lot size is 8,407 square feet. The plat meets the lot size averaging requirements and is consistent with the density of the land use designation of the Comprehensive Plan as noted above in the Comprehensive Plan Gross Density section.

Setbacks and Roadway Buffers

Within the LDR zone district, a minimum building setbacks of 20 feet is required for the front, both sides and rear of a building. This setback will provide a buffer to the existing homes in the adjacent neighborhoods of the Springs, Highlands, and Mill Creek Estates neighborhoods. This is all the buffer that is needed since the plat will function as an extension of the adjacent plats. Furthermore, as required by the Streetscape Element of the City's Comprehensive Plan, the plat has a 50-foot roadway buffer along Seattle Hill Road.

The Conditions of Approval require that the developer retain existing healthy trees where feasible around the perimeter of the site to provide screening between the proposed plat and surrounding homes. Conditions of Approval also require the roadway buffer adjacent to Seattle Hill Road to be enhanced with plantings to buffer the proposed homes from traffic and noise (see **Attachment 4 – Wetland Buffer Mitigation Plan**).

Wetland

There is a 0.40 acre wetland located on the northeast portion of the site adjacent to the Seattle Hill Road right-of-way (see **Attachment 3 - Preliminary Plat** and **Attachment 4 - Wetland Buffer Mitigation Plan**). A portion of this wetland continues off-site to the east into Tract A of the Springs subdivision. This wetland is hydraulically isolated and has a constricted overflow into the storm drains at the southeast corner of the wetland between Lots 8 and 9 of the Springs subdivision. Vegetation around the wetland consists of primarily Sitka Willow, a few Black Cottonwood trees, Douglas Spirea, Reed Canary Grass and other invasive species. The wetland has been evaluated under the MCMC Chapter 18.06 and is classified as a Category IV wetland requiring a 25-foot buffer adjacent to the roadway buffer Tract 999, which is classified as a low impact land use, and a 50-foot buffer adjacent to Lots 1 and 2, which is classified as a high impact land use.

This proposal incorporates a modification of the standard 50-foot buffer width to 25 feet adjacent to Lots 1 and 2 through buffer width averaging. Buffer width averaging may be allowed on a

case-by-case basis provided all of the buffer averaging criteria in MCMC Section 18.06.930.C are met. The code allows a wetland buffer to be reduced up to 50 percent with no buffer being less than 25 feet with the requirement that no reduction to the wetland functions or values occurs and that no more than 25 percent of the total buffer length is reduced. The applicant is proposing buffer averaging for 22 feet of the 90 foot buffer length, resulting in a 24 percent reduction meeting the requirements of MCMC Section 18.06.930.C.

As part of the buffer averaging proposal, the applicant is proposing both restoration and enhancement of the wetland buffer. Restoration is proposed by removing the invasive plants in the buffer and installing native plants and trees to improve the functions of the wetland. A bat box and salvaged logs will be placed throughout the wetland buffer to encourage wildlife habitat. The applicant is also proposing enhancement of the roadway buffer with native plants to complement the plantings in the adjacent wetland. Roof runoff from Lots 1 and 2 will be routed into the wetland buffer so no net reduction in surface water runoff into the wetland from the proposed development of the plat occurs. To help protect the wetland, a five-foot wood fence is proposed to be placed between Lots 1 and 2 and the wetland buffer. The proposed buffer averaging will result in an increase in buffer area from 5,838 square feet to 6,214 square feet, increasing the function and protection of the wetland.

The City's wetland consultant, Parametrix has reviewed and approved the mitigation concept as contained within the preliminary Critical Areas Report. As noted within the Conditions of Approval, a final critical area report shall be required along with a condition that a six-foot solid wood fence shall be installed between Lots 1 and 2 and the wetland buffer to protect function and habitat of Wetland A.

On-site Recreation and Open Space

MCMC Section 17.22.060 requires that single-family developments located more than one-quarter of a mile from a public park shall provide mini-parks and/or open space proportional to serve the density of the development and the need of the local residents. The Planning Commission is given the authority to review the plat to ensure that open space and recreational facilities are provided in accordance with the standards and criteria of Section 17.22.060.

This site is located less than a ¼ of a mile to Highlands Park and therefore is not required to provide a mini-park and/or open space to serve the residents. The proposed lot sizes allow sufficient size yards for passive play activities for the future residents. In addition, the applicant is proposing a pedestrian trail between Lots 3 and 4 to connect to the existing pedestrian walkway that connects to 161st Street SE and Seattle Hill Road. Also, the applicant will be making improvements to this existing trail. The applicant has indicated that this plat will establish their own Homeowners Association (HOA), which will maintain both the proposed trail between Lots 3 and 4, and the roadway buffer.

Parking

In accordance with Section 17.22.150, MCMC, a minimum of two off-street parking spaces per single-family dwelling are required. The project will provide a minimum of four parking spaces per lot (two in the garage and two in the driveway) for a total of 40 parking spaces. Thus, the proposed project will exceed the City's parking requirements by two stalls per unit. Additional

parking for guests will also be provided along both sides of the public roadway consistent with adjacent neighborhoods.

Stormwater

Existing Drainage

There are two separate drainage basins on the site. The runoff from the west side of the plat drains to the existing storm system in 27th Drive SE, which runs west through the Highlands into Nickel Creek. The east side drains to the existing storm system in 158th Place SE, which runs south through the Highlands into the Mays Pond area.

Proposed Stormwater Facilities

The new drainage and conveyance system for the proposed development will be designed to meet City standards and the requirements of the February 2005 Department of Ecology Stormwater Management Manual for Western Washington. In accordance with the DOE Manual, the runoff flow rate from the new development can be no greater than the existing, predeveloped runoff rate. In addition, there will be water quality treatment provided where none currently exists. Therefore, there will be no adverse downstream impacts from this project.

Roof runoff from Lots 1 and 2 will be directed into the adjacent wetland to maintain the predeveloped hydroperiod. A new conveyance system in the back of all the lots will collect runoff with grass swales and connect to catch basins in the roadway. All roadway runoff will be routed into two separate underground detention / water quality vaults located on-site in separate easements on Lots 1 and 8. See *attachment 5 – Preliminary Grading and Utility Plan*.

Site runoff from Lots 1, 2, 3, 8, 9, 10 and the new portion of the 158th Place SE roadway will be routed into an underground vault on Lot 1. This vault will discharge to the east into an existing catch basin in 158th Place SE. All runoff from Lots 4, 5, 6, 7 and the new portion of the 27th Drive SE roadway will be routed into an underground vault on Lot 8. This vault will discharge to the south into an existing catch basin in 27th Drive SE.

Therefore, the Conditions of Approval will require the maintenance of the drainage system outside the public right-of-way to be the responsibility of the homeowners association. The applicant shall be required to submit detailed procedures to the City for review prior to civil plan approval. In addition, the applicant shall submit a final drainage report during the civil plan review phase, and the final system design and drainage details will be addressed at that time.

Water and Sewer

The subject site lies within the Alderwood Water and Wastewater District. Extension of sewer and water are required to serve the proposed use. Connection to the existing eight-inch water and sewer mains within the 158th Place SE and 27th Drive SE rights-of-way will provide water to the proposed development.

The Conditions of Approval require the developer to be responsible for entering into an agreement, paying all fees and obtaining the required permits necessary to extend the water and sewer service to the subject site as required by the Alderwood Water and Wastewater District.

Access and Frontage Improvements

The applicant is required to construct the full width of a new public residential street between 158th Place SE and 27th Drive SE. The option of having two cul-de-sacs was considered in the early stages of project development, but a connecting street was determined to be the best option for traffic circulation and emergency vehicle access.

The new residential street will be required to match the width of the existing street at each end, which is 30 feet from back-of-curb to back-of-curb at the south end and 28 feet at the north end. To comply with current City standards, the staff recommendation and Condition of Approval is to require the applicant to construct vertical curb and gutter with five-foot wide planter strips and five-foot wide concrete sidewalks on both sides of the street.

As noted in the Conditions of Approval, additional roadway improvements will include signage, street lights and landscaping. Parking restrictions will be the same as in the surrounding neighborhoods, where 24-hour parking is allowed on both sides of the street. Frontage improvements will also be required along Seattle Hill Road to match the existing roadway facilities. This will mainly consist of removing the existing driveway and replacing it with a concrete sidewalk.

To maintain the pedestrian connection between the Highlands and Seattle Hill Road, a Condition of Approval has been added to require the applicant to reconstruct the existing six-foot wide asphalt pathway on the west side of the property. This pathway had been used as a driveway by the previous property owners, and needs to be fully reconstructed to eliminate pedestrian tripping hazards. In addition, the Conditions of Approval require a ten foot easement between Lots 3 and 4, and the installation of a six foot wide asphalt path to connect to the existing walkway to the west of the proposed plat.

DEVELOPMENT IMPACTS AND MITIGATION

Traffic - City of Mill Creek

The traffic study for the site indicates that the development is expected to generate an estimated 95 new daily trips and approximately 10 weekday PM peak hour trips. These new trips will travel on the existing 158th Place SE and 27th Drive SE roadways through the Highlands to access Seattle Hill Road at the intersection of 25th Avenue SE.

Due to the small number of new trips being added, this project will have no impact on the Level of Service (LOS) at the intersection of Seattle Hill Road and 25th Avenue SE. As designated in the 2004 City Comprehensive Plan, the minimum LOS at this intersection is an "E." The current LOS is also an "E." Since the area served by 25th Avenue SE will now be built out, the only reason the intersection LOS will decrease is due to increased traffic on Seattle Hill Road.

To address the impacts of increasing traffic along Seattle Hill Road, the City has included a series of intersection improvement projects along Seattle Hill Road in the approved 2005 – 2011 Capital Facility Plan. When warranted and funded, the City will construct a new traffic signal at the Highlands entrance on 25th Avenue SE to improve the LOS and traffic safety for the Highlands residents. The timing of the signal construction is unknown at this time.

To address the cumulative impacts of the added trips to the City roadway system, the applicant will provide a contribution toward the future improvement of the street segments and intersections identified in the City's Traffic Mitigation Program.

As a Condition of Approval the applicant shall mitigate the cumulative impacts of the added trips on the City roadway system. Therefore, the applicant will provide a \$17,928 contribution toward the future improvement of the street segments and intersections identified in the City's Traffic Mitigation Program.

Traffic - Snohomish County Transportation Impacts

In accordance with the interlocal agreement with Snohomish County for reciprocal assessment of traffic impact mitigation fees, the applicant is required to pay mitigation fees to offset the project's impacts to the County's Road System Capacity and for Transportation Demand Management.

Through the SEPA review process, Snohomish County has determined, based on adopted formulas, that \$13,408 is required to mitigate transportation impacts to the County road system.

The recommended Conditions of Approval include a requirement for the applicant to show proof of payment of transportation mitigation fees in the amount of \$13,408 to Snohomish County prior to Final Plat approval.

Fire District Impacts

The City of Mill Creek and Snohomish County Fire District No. 7 have executed an Interlocal Agreement for mitigation of development impacts on fire facilities/services. Mitigation fees are determined by the anticipated impact a development will have on District facilities. Based on the provisions of the agreement, the mitigation required is \$365.00 per residential lot. Assuming 10 new single-family units, \$3,650.00 is required to mitigate impacts to District facilities.

The recommended Conditions of Approval include the requirement for the applicant to pay fire district mitigation fees to Snohomish County Fire Protection District No. 7 and to provide proof of payment to the City prior to approval of the Final Plat.

School District Impacts

The proposed plat is located within the Everett School District boundary. The City of Mill Creek and the Everett School District have executed an Interlocal Agreement for mitigation of development impacts on district facilities. The Everett School District has determined that a contribution of \$4,449.92 is required to offset impacts of development on school facilities.

The recommended Conditions of Approval include the requirement for the applicant to enter into a voluntary mitigation agreement with the Everett School District. A copy of the executed agreement and proof of payment of the mitigation fees are required prior to the approval of the Final Plat.

City Park System Impacts

Approval of the Preliminary Plat would allow construction of 10 single-family units, which will increase the demand upon the City’s park and recreation facilities. Pursuant to MCMC Chapter 17.48, to mitigate the project’s impacts on these facilities, mitigation fees are required for the development of neighborhood parks (Cougar Park) and for the acquisition and development of community parks. Based upon the formula for calculating impact fees contained in Resolution 2005-347, the proposed project is required to pay the following fees to offset impacts to parks and recreation facilities:

- A. **Neighborhood Parks (development only):**
 $\$1,023.20/\text{single-family dwelling} \times 10 \text{ dwellings} = \$10,232.00$

- B. **Community Parks:**
 $\$1,791.64/\text{single-family dwelling} \times 10 \text{ dwelling} = \$17,916.40$

The Conditions of Approval require payment of park mitigation fees prior to Final Plat approval.

CONSISTENCY WITH THE MILL CREEK COMPREHENSIVE PLAN:

For development applications to be approved, the City must make a finding that the proposed development is consistent with the Land Use Map and applicable policies of the 2004 Comprehensive Plan. The proposed development has been reviewed by staff for consistency with the Comprehensive Plan. The following matrix identifies applicable policies with the City's response:

COMPREHENSIVE PLAN POLICIES		
POLICY	FOCUS	COMMENT
LAND USE ELEMENT		
<i>Land Use Map Designation</i>	The site is designated Low Density Residential.	The proposed single-family plat is consistent with the Low Density Residential designation on the Land Use Map.
<i>Policy 1.01</i>	The residential character of the City should be composed of a range of residential densities while maintaining and enhancing the City as a predominately single-family residential community.	The proposed single-family plat is consistent with this policy.
<i>Policy 1.09</i>	Low-density residential that does not exceed four (4) units per acre shall be the predominate density in single-family residential neighborhoods. Single-family detached and attached uses are typical low-density residential housing types.	The proposed plat does not exceed the four units per acre and detached single-family dwelling units are proposed to be constructed.

COMPREHENSIVE PLAN POLICIES

POLICY	FOCUS	COMMENT
<p><i>Policy 1.18</i></p>	<p>Future residential development shall be planned and designed to accomplish an identifiable neighborhood character. Entrances to residential areas shall be clearly identifiable and aesthetically pleasing. Arterial and collector streets in residential areas shall be designed to include greenways or landscape buffers consistent with the Streetscape Element to provide consistent streetscape character with the existing developed areas of the City. Elements of neighborhood development should include preservation of environmentally sensitive areas, existing vegetation and natural grades, underground utilities, building mass in scale with lot sizes, safe and efficient pedestrian and vehicular circulation and useable open space.</p>	<p>As noted in the Conditions of Approval, additional roadway improvements will include signage, street lights and landscaping. Parking restrictions will be the same as in the surrounding neighborhoods, where 24-hour parking is allowed on both sides of the street. Frontage improvements will also be required along Seattle Hill Road to match the existing roadway facilities. This will mainly consist of removing the existing driveway and replace with concrete sidewalk.</p> <p>To maintain the pedestrian connection between the Highlands and Seattle Hill Road, a Condition of Approval has been added to require the applicant to reconstruct the existing six-foot wide asphalt pathway on the west side of the property. This pathway had been used as a driveway by the previous property owners, and needs to be fully reconstructed to eliminate pedestrian tripping hazards.</p> <p>The 50-foot roadway buffer along Seattle Hill Road will be enhanced and restored after the removal of the existing driveway.</p> <p>The roadway buffer enhancement landscape plan is subject to review and approval by the Design Review Board. In addition, the trees along the rear of Lots 9 and 10 shall be preserved and the grass swale will meander around the trees.</p>
<p><i>Policy 1.19</i></p>	<p>New residential developments shall be designed to be compatible with similar uses and structures located within the subdivision or development as well as with adjacent developments. Compatibility should be measured in terms of structural mass, exterior building materials, landscaping and screening, vehicular and pedestrian circulation and</p>	<p>Within the proposed plat, lot sizes average 8,407 square feet, which is comparable to the surrounding single-family homes. In addition, the proposed extension of 158th Street S.E. and 27th Drive SE will utilize the same roadway design as the existing roadway, with the exception of a five-foot wide planter strips with street trees, which is the</p>

COMPREHENSIVE PLAN POLICIES		
POLICY	FOCUS	COMMENT
	similar restrictive covenants where appropriate.	adopted road standard by City Council.
CAPITAL FACILITIES ELEMENT		
<i>Policy 2.04</i>	The City shall require, as a condition of development approval, stormwater management facilities that incorporate treatment components, along with specific maintenance and management programs consistent with the current Department of Ecology Stormwater Manual for Western Washington.	The new drainage and conveyance system for the proposed development will be designed to meet City standards and the requirements of the February 2005 Department of Ecology Stormwater Management Manual for Western Washington. In accordance with the DOE Manual, the runoff flow rate from the new development can be no greater than the existing, predeveloped runoff rate. Furthermore, there will be water quality treatment provided where none currently exists. As a Condition of Approval the applicant is required to establish a homeowners association that will be required to maintain the stormwater facilities.
UTILITIES ELEMENT		
<i>Policy 1.01</i>	Urban development shall only be approved in those areas where services are available and are adequate to support the proposed demands without adversely affecting current users.	Utility services for water, sewer, telephones, gas, and power are available to serve the site. As a Condition of Approval the applicant shall obtain and pay for all permits to extend utilities as required by Alderwood Water and Wastewater District.
<i>Policy 1.09</i>	Development proponents shall be required to mitigate their proportional impacts on public utilities and to ensure that Levels of Service are not degraded below acceptable levels as a result of the proposed development.	The proponent is responsible for the costs associated with extending utilities to serve the site. In addition, mitigation fees are required to be paid to offset impacts to transportation, school, parks and fire services.
<i>Policy 1.10</i>	The City shall require, where possible, all new utility facilities to be located underground. In addition, the City shall require reasonable screening and/or the	As a Condition of Approval, all new utilities shall be located underground.

COMPREHENSIVE PLAN POLICIES

POLICY	FOCUS	COMMENT
	architecturally compatible design of all new aboveground utility facilities.	

TRANSPORTATION ELEMENT

<i>Policy 2.02</i>	Pursuant to the GMA, projects shall not be approved that reduce the Level of Service below established standards.	The City Engineer has determined that the project does not reduce Levels of Service below established standards.
<i>Policy 3.01</i>	Road improvements should enhance vehicular circulation throughout the City.	The proposed access will improve emergency access to the adjacent subdivisions and is consistent with this policy.
<i>Policy 3.03</i>	<p>Access onto all roadways should be regulated by the classification of the roadway as follows:</p> <ul style="list-style-type: none"> • Major and Minor Arterial Roadway - direct access on to major and minor arterials should only be allowed at cross-street intersections or where certain properties have no other alternative access opportunities. • Collector Roadway - direct access to collector streets should only be allowed by residential roadways, other collector roadways, controlled commercial access or where properties have no other access points. • Residential Roadway - direct access to residential streets should only be allowed by residential properties. <p>Private Roadway - direct access to private roadways should only be allowed in residential areas.</p>	When the Springs and Highlands subdivisions were platted, the vehicular circulation was designed to provide access to this parcel when it developed. Therefore, the proposed access drive to the plat from 158 th Street SE and 27 th Drive SE, is consistent with this policy.

<i>Policy 3.04</i>	All new access points should be located where a safe sight distance can be obtained, minimum disruption to traffic flow occurs, and no apparent safety issue exists.	The proposed access road is located to connect to the existing roadways and adequate site distance will be provided with no restrictions on turning movements.
<i>Policy 3.06</i>	To improve traffic flow and reduce vehicular conflicts on arterial streets, new development(s) shall utilize shared access and provide for internal circulation when practical and appropriate.	Access to the plat is proposed from both 158 th Street SE and 27 th Drive SE, which also provides access to the Springs, Mill Creek Estates and the Highlands subdivisions to Seattle Hill Road.
<i>Policy 4.01</i>	Pedestrian circulation should be provided by public sidewalks throughout the central business district and residential neighborhoods. Sidewalks should be located on both sides of all roadways, separated from the curb where appropriate and connected with other public/private trail systems. Sidewalks on arterial and collector streets should be consistent with the Streetscape Element of the Plan.	A five-foot sidewalk is proposed along both sides of the new roadway, which will connect to the existing 158 th Street SE and 27 th Drive SE. As a Condition of Approval, the developer shall install a six-foot wide pedestrian walkway between Lots 3 and 4 to connect to the existing pedestrian trail west of the plat. In addition, improvements to the existing trail and frontage improvements to Seattle Hill Road and the installation of a 50 foot roadway buffer are required as a Condition of Approval.
<i>Policy 4.02</i>	Where practical, sidewalks on arterial and collector streets should be separated with a planting strip to increase the safety and comfort of travel and avoid potential conflicts with vehicular movements. Sidewalks should be designed with a serpentine or meandering configuration to improve the aesthetic character of the streetscape and located in a way that promotes public safety.	The five-foot sidewalks along the new roadway through the plat will be separated from the roadway by a 5-foot wide planter strip. A meandering sidewalk along Seattle Hill Road is not proposed so as to minimize impacts to the wetland, which is adjacent to the roadway.
ENVIRONMENTAL FEATURES ELEMENT		
<i>Policy 1.01</i>	Land development should be encouraged to use low impact development techniques to minimize the amount of impervious surfaces, reduce stormwater runoff and to provide greater protection of surface and groundwater resources. Stormwater facilities shall meet the requirement of the DOE Stormwater Management Manual.	Back yard roof leader dispersion and grass swale collection systems will be utilized as low impact development techniques for this project. Two roof leaders per lot in the backyards will serve 700 square feet per splash block. Lots 1 and 2 will be tight-lined and dispersed to the wetland edge on a small rock pad to provide wetland recharge. As required by the Conditions of Approval the proposed stormwater

		facilities will meet the design standards of the Department of Ecology Stormwater Management Manual.
<i>Policy 1.02</i>	Land development shall include stormwater facilities that meet or exceed the requirements of the current Department of Ecology Stormwater Management Manual.	As required by the Conditions of Approval the proposed stormwater facilities will meet the design standards of the February 2005 Department of Ecology Stormwater Management Manual.
<i>Policy 2.02</i>	Wetlands, streams and associated buffers should be left in their natural state to preserve wildlife habitat and protect water quality and quantity values. The alteration of wetlands and streams through clearing, grading, draining and filling is discouraged.	The proposed buffer averaging is consistent with City regulations and the wetland shall be protected and preserved in a separate tract.
<i>Policy 2.03</i>	Buffer widths for streams and wetlands shall be the minimum width necessary to protect the integrity, function and value of the resource and shall be based upon Best Available Science rules adopted by the state of Washington (RCW 36.70A.172 and WAC 365-195, part 9).	The proposed buffer width averaging and critical areas report meets the City's environmental regulations.
<i>Policy 2.04</i>	Altering wetlands and streams shall only be allowed after it has been demonstrated that no design alternative exists to afford reasonable economic use of the property and when mitigation is provided that adequately compensates the water quality functions and values and lost wildlife habitat. Proposals to alter wetlands and streams shall be based upon Best Available Science.	The critical area report has been conceptually approved by the City's environmental consultant, Parametrix. No loss of function, value, or water quality will result from this proposal. As a Condition of Approval the applicant shall submit a final critical areas report.
<i>Policy 2.05</i>	Streams, wetlands, and their associated buffers shall be protected in perpetuity through the use of tracts, conservation easements or other means to achieve permanent protection.	The wetland shall be preserved in a separate tract as a Condition of Approval.
<i>Policy 4.01</i>	Land clearing, grading and filling practices shall minimize soil erosion and sedimentation into streams, wetlands and other watercourses. The City shall ensure that all required temporary and permanent erosion control measures are adequately installed to control water runoff prior to, during and after land clearing or disturbance activities.	Erosion control measures are required as a Condition of Approval.

<i>Policy 4.02</i>	Land development proposed on slopes over 15 percent is discouraged. Development on slopes between 15 – 40 percent may be permitted provided specific site engineering can demonstrate that subsequent development is safe and will not adversely affect drainage courses, vegetation or slope stability. Development on slopes 40 percent or greater shall not be allowed, and minimum setbacks shall be established to protect slope stability.	All development proposed is on slopes less than 15 percent. .
<i>Policy 5.04</i>	Wooded areas should be preserved, wherever possible, to ensure adequate habitat for wildlife.	As a Condition of Approval the trees on the rear of Lots 9 and 10 shall be retained and the grass swale shall meander around the trees. If the grading warrants, tree wells shall be provided to retain the trees.
<i>Policy 6.02</i>	Construction activities shall initiate "Best Management Practices" to reduce dust and suspended particulates during the construction process. Measures shall be taken to ensure that all construction related dust and dirt remain on-site.	Best Management Practices are required as Conditions of Approval.
<i>Policy 7.01</i>	Ensure that excessive noise does not impair the permitted land use activities in residential, commercial and industrial zoning districts.	Development activity is required to comply with the City's noise regulations.

CONSISTENCY WITH DEVELOPMENT REGULATIONS:

The following matrix evaluates the proposed project with the applicable development regulations.

DEVELOPMENT REGULATIONS		
SECTION	REQUIREMENT	COMMENT
<i>16.02.050</i>	Lots may be reduced below the minimum lot size of the zone district provided: A) The total number of lots do not exceed the maximum density of the land use designation of the Comprehensive Plan; B) The average lot size shall not be less than that required by the zone district; C) No lot shall be less than 0.75 times the minimum lot size.	Proposed lot sizes range from 6,300 square feet to 10,542 square feet; and Lot 2 is credited a maximum of 10,500 square feet. The minimum lot size in the LDR zone district 8,400 square feet. The average lot size is 8,407 square feet. The plat meets the lot size averaging requirements.

16.04.020	Minimum application submittal requirements established.	The applicant has submitted all required materials and information.
16.14.010	Requires that adequate provision be made for the public health, safety and general welfare, open spaces, drainage ways, streets and other public ways, transit stops, water supplies, sanitary wastes, parks and recreation facilities, playgrounds, sites for schools and school grounds, mitigation of adverse environmental impacts, protection of environmentally significant features and such other requirements as may avoid public harm or promote public health, safety and welfare.	Public streets and sidewalks will comply with standards recommended by the City Engineer. Mitigation is required to offset impacts of the development on parks and recreation facilities, identified City and County roadways, and fire protection facilities. Utilities are available with sufficient capacity to serve the proposed development contingent upon the developer obtaining the permits through Alderwood Water and Wastewater District. Stormwater detention and water quality treatment facilities proposed on-site will meet LOS standards as established within the Comprehensive Plan and the February 2005 Edition of the DOE Manual for Western Washington. As noted above in this section, a ten-foot pedestrian easement and six wide asphalt path between Lots 3 and 4 shall be provide by the applicant to provide access from the plat to the existing trail to the west of the plat as a Condition of Approval.
17.06.010	Single-family detached dwellings are permitted as a Principal Use in the Low Density Residential zone district.	The project proposes 10 single-family detached dwelling units.
17.06.040	Minimum lot size is 8,400 square feet.	As stated above, lot size averaging is proposed, consistent with MCMC 16.02.060. The average lot size is 8,407 square feet.
17.06.070	Maximum lot coverage: 35 percent.	The maximum lot coverage shall not exceed 35 percent.
17.06.060	Maximum building height: 35 feet.	No structure shall exceed 35 feet.
17.06.050	Minimum building setbacks: <i>Front:</i> 20 feet <i>Side:</i> 20 feet total, no side less than 5 feet <i>Rear:</i> 20 feet	Proposed setbacks: <i>Front:</i> 20 feet <i>Sides:</i> 20 feet total, no side less than 5 feet <i>Rear:</i> 20 feet
17.22.150.D	Minimum parking required: two spaces per unit for single-family dwellings.	Parking provided: A minimum of four spaces per dwelling unit will be provided (two in the garages and two in the driveways). Street parking will also be allowed on both sides of the roadway; parking provisions exceed the minimum requirements.
17.22.170	Undergrounding of new utilities required.	As a condition of project approval, utilities are required to be placed underground.

17.22.180	Comprehensive Plan concurrency and consistency required.	The City Engineer has determined that the project, as conditioned, does not lower the performance of the traffic system below established Level of Service standards. As discussed above, the project, as conditioned, is consistent with the Land Use Map and applicable goals and policies of the Comprehensive Plan.
-----------	--	---

**PART V—FINDINGS AND CONCLUSIONS, STAFF RECOMMENDATION, AND
CONDITIONS OF APPROVAL**

FINDINGS AND CONCLUSIONS:

Having viewed the property and reviewed the application and supporting materials, staff makes the following findings and conclusions:

1. The request is for the approval of a Preliminary Plat for 10 lots to be developed with single-family detached residences as depicted on the Preliminary Plat dated February 2, 2006, Exhibit B.
2. The proposed plat is located within a Low Density Residential zone district. Single-family residential development is a principal use in the Low Density Residential zone district.
3. Access to the proposed plat is from both 158th Street SE and 27th Drive SE, which will be constructed by the applicant.
4. The proposed project has been reviewed under the provisions of the State Environmental Policy Act (SEPA) and Chapter 17.48 MCMC, the Development Impact Mitigation Ordinance. This review has revealed that there will be an impact on the City and County street systems, the City parks and recreation system, Everett School District, and on Snohomish County Fire Protection District No. 7 facilities/services.
5. In accordance with the Mitigated Determination of Non-Significance and Notice of Property Development Impact Mitigation issued by the responsible official on January 13, 2006, impact mitigation agreements will be required to mitigate the identified impacts.
6. The proposed project is subject to an Interlocal Transportation Agreement between the City of Mill Creek and Snohomish County for the review and mitigation of development impacts on the County road system. The County has determined that mitigation of impacts occurring from this development is required.
7. The proposed project is subject to an interlocal agreement between the City of Mill Creek and Snohomish County Fire District No. 7 for the review and mitigation of development impacts on fire services. The district has determined that mitigation of impacts occurring from this development is required.

8. The proposed project is subject to an interlocal agreement between the City of Mill Creek and the Everett School District for the review and mitigation of development impacts on school district facilities. The district has determined that mitigation of impacts occurring from this development is required.
9. The proposed plat as conditioned has been reviewed and found to be consistent with the applicable policies and Land Use Map of the City of Mill Creek Comprehensive Plan.
10. The proposed plat as conditioned has been reviewed and found to be consistent with the applicable development regulations.
11. The proposed residential development has been reviewed in regard to the requirements of Section 16.14.010. The development, subject to the conditions below, is found to be beneficial to the public health, safety, and welfare and is in the public interest.
12. If approved subject to the conditions recommended below, the proposed plat will be consistent with the requirements of Titles 16 and 17.
13. The proposed project, as conditioned, will not reduce the Level of Service on the City's transportation system below the established minimum standards.
14. The statutory requirements for environmental review (Chapter 18.04 MCMC) and public notification have been duly satisfied.

STAFF RECOMMENDATION:

Based upon the findings and conclusions stated above, staff recommends approval of the Preliminary Plat subject to the following Conditions of Approval. Said Conditions of Approval shall be completed prior to occupancy of the first unit unless otherwise specified.

Preliminary Plat:

1. Development shall occur as portrayed on the Preliminary Plat map dated February 2, 2006 attached as Exhibit B to the Planning Commission Resolution, except as may be modified by conditions imposed by the Planning Commission.
2. The maximum number of building lots shall be ten. Construction shall be limited to one single-family detached residence per lot.
3. The subdivision shall be incorporated into a Homeowners Association, which will be responsible for the maintenance of all privately owned common facilities, such as the stormwater facilities, roadway buffer, wetland tract, and the pedestrian trail. The CC&R's shall be submitted to the City for review and approval prior to recording of the Final Plat.
4. The Developer may assign its rights and obligations under this development approval upon prior written notice to the City identifying the new entity and evidencing the transfer of obligations to the new entity.

Tree Retention:

5. Trees within the roadway buffer shall be preserved. Trees to be retained within the plat (on individual lots) shall be determined after a review of the tree survey, civil plans and on-site identification by City staff and the applicant. Preservation areas and individual trees identified to be saved shall be designated on a tree retention plan and protected from encroachment by vehicles, earth moving and excavating machinery and material storage by the erection of barrier fencing around the drip lines as approved by City staff. Failure to maintain, or removal of the barrier fencing prior to completion of construction without approval of the City, shall result in the issuance of a stop work order.
6. Trees designated for preservation that are damaged or removed shall be replaced at a ratio of 3:1. The replacement trees shall be a coniferous species and have a minimum height at planting of twelve feet. In addition, a penalty of \$1,000.00 per tree may be assessed for any trees that are removed or destroyed by the applicant or his agent without the express approval of the City, pursuant to MCMC Section 15.10.075. The City may, at its discretion, issue a stop work order for the construction until the penalty is paid.
7. The 50-foot roadway buffer along Seattle Hill Road and areas disturbed by the removal of the existing driveway shall be restored and revegetated with native vegetation. A final roadway buffer/streetscape planting plan shall be prepared by a licensed landscape architect and be submitted to the City for review and approval by both the City's environmental consultant, and then the City's Design Review Board prior to Final Plat approval. Improvements shall be installed or guaranteed by a security device acceptable to the City per, MCMC 16.16.005.
8. The final wetland buffer mitigation enhancement/restoration plan shall be prepared by a licensed landscape architect. The wetland buffer mitigation plan shall compliment the roadway buffer/streetscape planting plan and be submitted to the City for review and approval by both the City's environmental consultant, and then the City's Design Review Board prior to Final Plat approval. Improvements shall be installed or guaranteed by a security device acceptable to the City per, MCMC 16.16.005.

Street Trees/Landscaping:

9. The applicant shall submit for City approval a streetscape tree/planting plan for the public street. The planting plan shall be prepared by a licensed landscape architect and shall be reviewed and approved by the City's Design Review Board prior to Final Plat approval. Implementation of the landscape plan shall be guaranteed by a secured agreement and shall be completed prior to the occupancy of the last home, per MCMC 16.16.005.
10. All landscaped areas (roadway buffer and planter strips) shall be amended with a minimum thickness of four inches of compost mixed to a minimum depth of six inches to improve the on-site retention of stormwater.

Project Signage:

- 11. If an identification sign is proposed, the applicant shall submit, for City approval, plans for the subdivision identification sign. The plans shall be reviewed and approved by the City's Design Review Board prior to installation.

Parks and Recreation:

- 12. The applicant shall contribute \$28,148.40 to mitigate impacts on City park and recreation facilities. Of this amount, \$10,232.00 shall be used for the development of neighborhood parks (Cougar Park). The remaining portion, \$17,916.40 shall be used for the acquisition and development of community parks. Payment shall be made prior to Final Plat approval.

Roadway Design and Pedestrian Connections:

- 13. The applicant shall construct the full width of a new public residential street between 158th Place SE and 27th Drive SE. This work shall consist of all items within the public right-of-way, including, but not limited to the following elements and conditions:
 - A. The new street width shall be consistent with the existing roadway at each end. At 158th Place SE, the width shall be 28 feet from back-of-curb to back-of-curb. At 27th Drive SE, the width shall be 30 feet from back-of-curb to back-of-curb. The street width transition shall occur in the 90-degree turn near lots 2 and 3. Parking shall be allowed on both sides of the roadway, consistent with the adjacent neighborhoods.
 - B. Five-foot wide planter strips and five-foot wide concrete sidewalks on both sides of the street, vertical curb and gutter, signage, street lighting and landscaping.
 - C. Frontage improvements along Seattle Hill Road to match the existing roadway facilities consisting of, but not limited to, removing the existing driveway and replacing with concrete sidewalk.
- 14. The applicant shall reconstruct the existing asphalt trail on the west side of the property. The new trail shall be six feet wide.
- 15. The applicant shall provide a ten foot wide easement between Lots 3 and 4 and construct a six-foot wide asphalt and/or concrete path to connect to the existing pedestrian trail to the west of the proposed plat.

Traffic Mitigation:

- 16. The applicant shall contribute to the City's transportation mitigation program based on the preliminary traffic distribution outlined below:

Road Segment	# of Trips
Seattle Hill Road / Mill Creek Road	10
164th Street Southeast	4
Dumas Road	1

Main Street	0
North Creek Drive	0
Mill Creek Boulevard	1
Trillium Boulevard	0
Village Green Drive	1
9th Avenue SE	1
Old Seattle Hill Road	0
148th Street Southeast	0
TOTAL	18

At \$996 per PHT trip, this results in a traffic mitigation offer in the amount of \$17,928.00.

14. Snohomish County has reviewed the traffic study prepared by for the proposed development and concurs that the County traffic impact fee shall be \$13,408.58. Payment of traffic mitigation fees to the County is required prior to Final Plat.

Storm Drainage Facilities:

15. The applicant shall include all required public and private drainage improvements in the engineering design plans and stormwater report for the approval of the Director of Public Works. The approved stormwater system shall include the following elements and conditions:

- A. Detention and water quality treatment facilities with a conveyance system that meet the requirements of the City of Mill Creek and the February 2005 edition of the Washington State Department of Ecology Stormwater Management Manual for Western Washington.
- B. Requirements that the property owners are obligated to own maintain and operate the stormwater system outside the public right-of-way to the satisfaction of the City Engineer. Specific maintenance measures shall be indicated on the approved engineering plans and in the final drainage report.
- C. A final stormwater drainage report signed and stamped by a licensed professional engineer shall be submitted to the City Engineer for review and approval.
- D. Provisions on the Final Plat for maintenance of the stormwater system outside the public right-of-way, including, but not limited to adequate access to maintenance locations, provisions and easements that allow the City to inspect, maintain, and/or operate the detention and treatment system at its discretion, and adequate easement provisions to ensure uninterrupted function of the facilities for the proposed development.
- E. Runoff from roof drains on Lots 1 and 2 shall be routed to the adjacent wetland via a level spreader or approved equivalent to maintain the pre-developed hydroperiod.
- F. Runoff from roof drains on Lots 3 – 10 and footing drains on all lots shall be routed to the new storm drainage system.

- G. The grass swale on Lots 9 and 10 shall be designed to meander around the existing trees to be preserved on the lots. If required by the proposed grade, tree wells shall be utilized to retain the trees.

Utilities:

- 17. All utilities within the project and along all roadway frontage areas shall be placed underground in accordance with City Code. The applicant shall be responsible for all costs associated with undergrounding the utilities. No new utility poles shall be installed in the project site. Appropriate easements or right-of-way for all utilities shall be provided by the applicant as shown on the face of the Final Plat.
- 17. The developer shall be responsible for all fees and obtaining the required permits and agreements necessary to extend the water and sewer service to the subject site. Water and facilities shall be installed in accordance with plans reviewed and approved by the Alderwood Water and Wastewater District.

Wetland:

- 18. A final critical areas report shall be prepared in compliance with MCMC Chapter 18.06 and submitted to the City prior to approval of the civil engineering plans.
- 19. The wetland and wetland buffer shall be contained in a separate tract and shall be designated as a native growth protection area (NGPA) on the face of the plat, and shall be recorded on all documents of title for all affected lots or land areas, pursuant to MCMC Section 18.06.830. Tract restrictions shall include:
 - A. An assurance that native vegetation will be preserved for the purpose of preventing harm to property and the environment, including, but not limited to, controlling surface water runoff and erosion, maintaining slope stability, buffering, and protecting plants, fish, and animal habitat; and
 - B. The right of the City to enforce the terms of the restrictions.
- 20. The edge of the wetland buffer shall be clearly staked and flagged. Site clearing shall not commence until the applicant has submitted written notice to the Department of Community Development that the buffer requirements of MCMC Sections 18.06.810 and 18.06.930 (E) have been met.
- 21. The boundary at the edge of the wetland buffer shall be identified with signs or markers every 100 feet to clearly indicate the location of the wetland buffer, pursuant to MCMC Section 18.06.810.
- 22. A six-foot solid wood fence shall be installed between Lot 1 and 2 and the wetland buffer to protect function and habitat of Wetland A.

Site Clearing and Grading:

23. Grading, stormwater, and erosion control plans shall be approved by the Directors of Public Works and Community Development prior to any clearing or grading work on the site. All public improvement work shall be adequately secured through a secured agreement acceptable to the Director of Public Works prior to beginning construction.
24. The developer shall ensure that no grading or disturbances occur on adjacent properties.
25. A geotechnical study and recommendations regarding the construction of the fill slopes under the roadway and building pads shall be prepared by a licensed geotechnical engineer and submitted to the City Engineer for review prior to civil plan approval. All retaining walls and building foundations shall be founded on competent soil. All retaining walls over four feet in height and all building foundations must be approved by the City Building Official prior to construction.
26. Dust and erosion shall be controlled by promptly covering exposed stockpiles, watering areas of soil disturbance, using a street sweeper on adjacent roads, and other Best Management Practices as directed by the City Engineer.
27. Building plans will not be accepted until the Directors of Public Works and Community Development have approved the civil site construction plans.

Snohomish County Fire District No. 7:

28. The applicant shall contribute \$365.00 for each residential unit to mitigate impacts of the project on fire district facilities/services. Based upon 10 units, \$3,650.00 is required to offset impacts to Fire District facilities. Proof of payment of fire mitigation fees shall be made prior to Final Plat approval.
29. Fire hydrant design, location, and spacing shall be reviewed and approved by Snohomish County Fire District No. 7 and the Alderwood Water and Wastewater District. All hydrants shall be equipped with four-inch STORTZ adapters.

Schools:

30. The applicant shall contribute mitigation fees to offset impacts to Everett School District facilities. The applicant shall enter into a voluntary mitigation agreement with the Everett School District and pay mitigation fees totaling \$4,449.92. Proof of payment of school mitigation fees shall be made prior to Final Plat approval.

Miscellaneous:

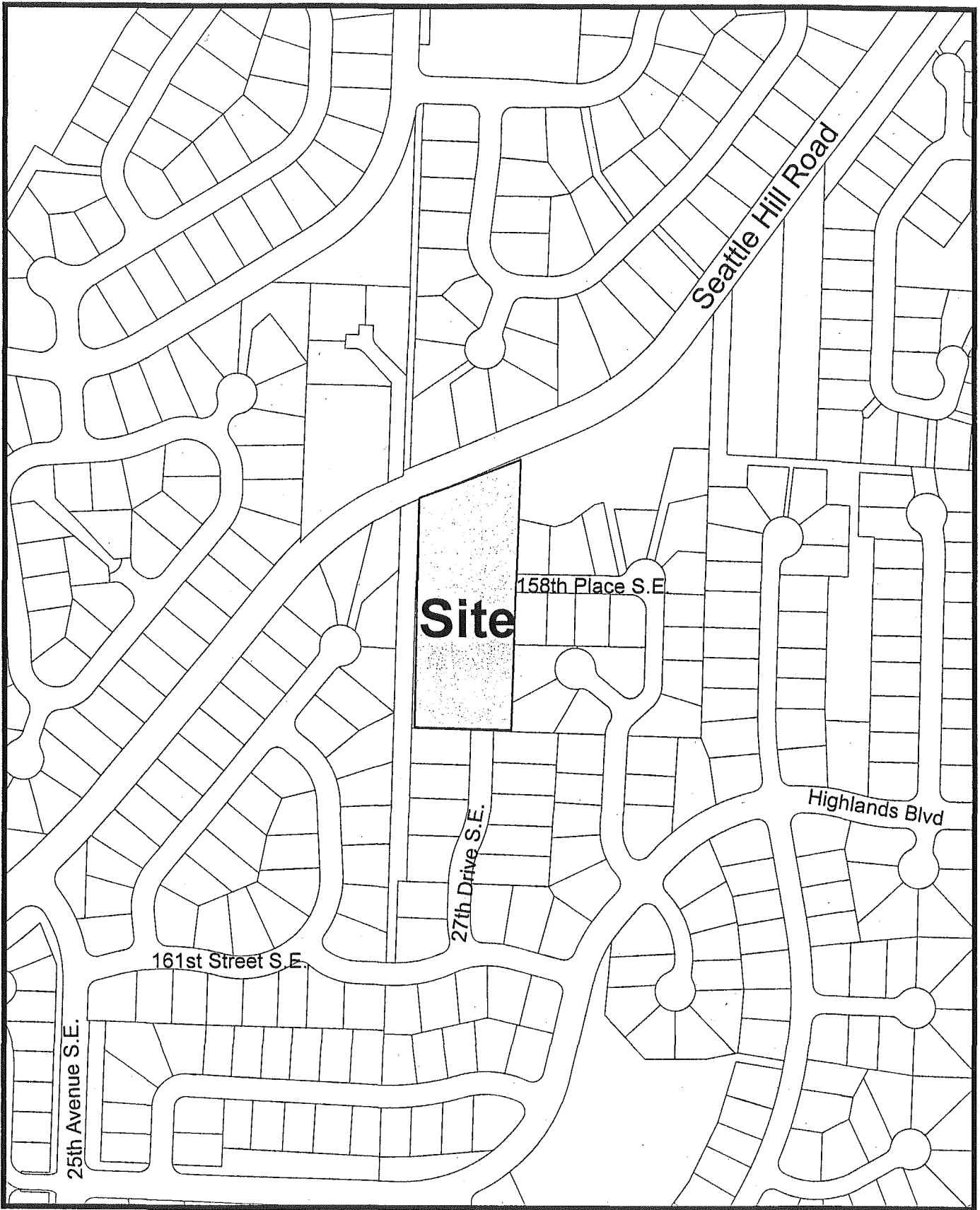
31. Mailboxes shall be grouped or clustered in lockable hutches in locations identified by the United States Postal Service. Structures shall be enclosed in a decorative wood enclosure pursuant to the City's May 2005 Design and Construction Standard Plans.

Attachments: Attachment 1 – Vicinity Map
Attachment 2 – Legal Description

Attachment 3 – Preliminary Plat
Attachment 4 – Wetland Buffer Mitigation Plan
Attachment 5 – Preliminary Grading and Utility Plan

G:\PLANNING\wp\Preliminary-Final Plats\Hartley\staff report Hartley Plat.doc

Attachment 1 - Vicinity Map



**The Hartley
Preliminary Plat, PP 05-63**



Attachment 2 – Legal Description

All that portion of the northwest quarter of the southeast quarter of Section 5, Township 27 North, Range 5 East, W.M., described as follows:

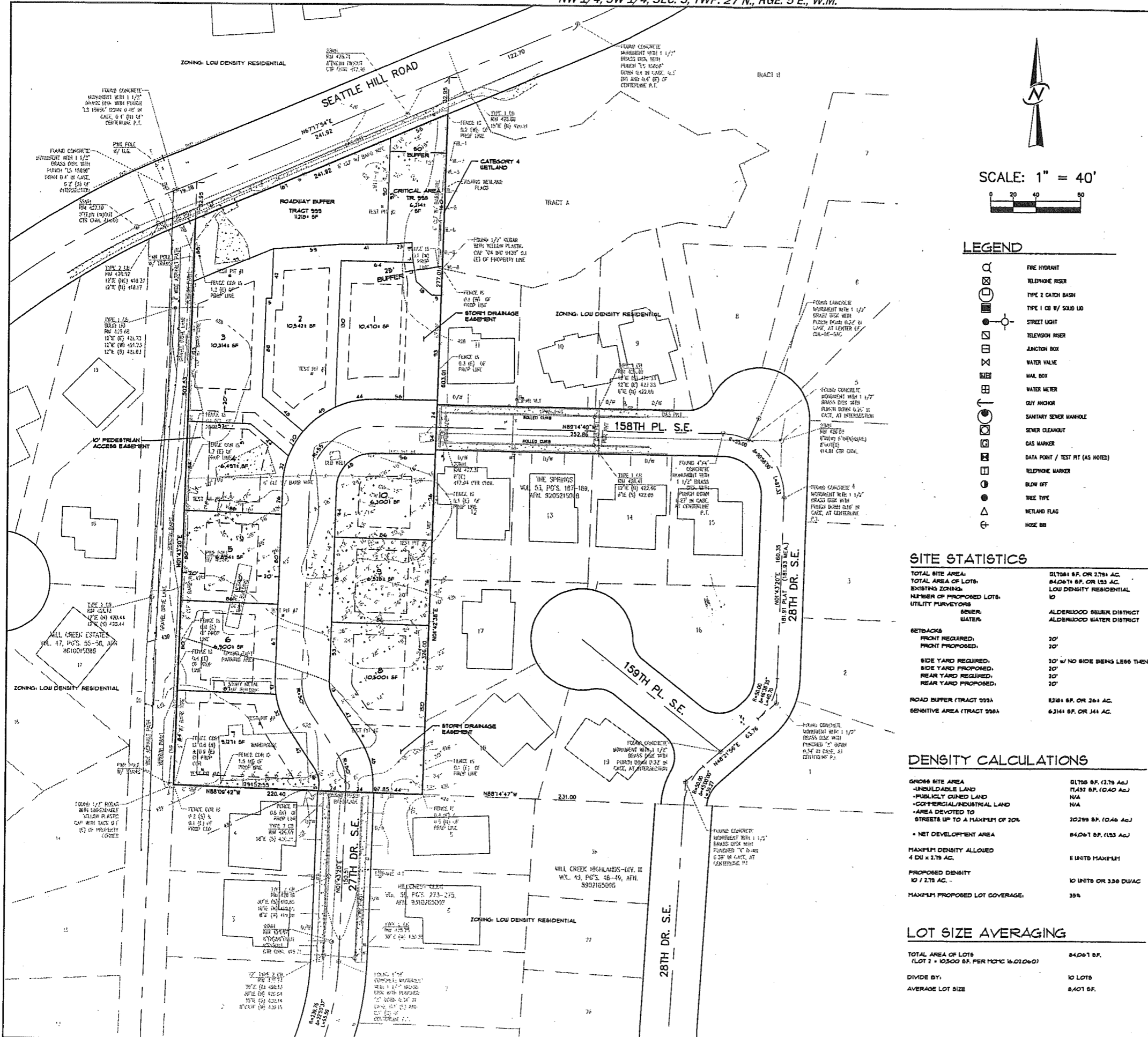
Beginning at the quarter section corner between Sections 5 and 8, Township 27 North, Range 5 East, W.M.; thence North $04^{\circ}37'35''$ East 538.18 feet; thence North $0^{\circ}24'22''$ East 1018.09 feet; thence South $89^{\circ}33'38''$ East 20 feet to the true point of beginning; thence continue South $89^{\circ}33'38''$ East 220.40 feet; thence North $0^{\circ}23'40''$ East 634.18 feet, more or less, to a point on the South line of the County Road, as now located; thence South $62^{\circ}46'00''$ West 247.68 feet along said South line of County Road; thence South $0^{\circ}24'22''$ West 518.92 feet to the true point of beginning.

EXHIBIT C

PLANNING COMMISSION MOTION

MOTION: Chair Collard moved, seconded by Commissioner deRoulet, to amend Conditions of Approval Numbers 10 and 15 as proposed by the applicant and agreed to by staff. The motion was approved unanimously.

MOTION: Commissioner deRoulet moved, seconded by Commissioner Snider, to adopt Resolution 2006-128 recommending approval of the Hartley Preliminary Plat, as conditioned, to the City Council. The motion was approved unanimously.



SCALE: 1" = 40'

LEGEND

- ⊕ FIRE HYDRANT
- ⊗ TELEPHONE RISER
- ⊖ TYPE 2 CATCH BASIN
- ⊙ TYPE 1 CB W/ SOUL LD
- ⊕ STREET LIGHT
- ⊗ TELEVISION RISER
- ⊖ JUNCTION BOX
- ⊙ WATER VALVE
- ⊕ MAIL BOX
- ⊗ WATER METER
- ⊖ GUY ANCHOR
- ⊙ SANITARY SINK MANHOLE
- ⊕ SINK CLEANOUT
- ⊗ GAS MARKER
- ⊖ DATA POINT / TEST PIT (AS NOTED)
- ⊙ TELEPHONE MARKER
- ⊕ BLDG FOOT
- ⊗ TREE TYPE
- ⊖ WETLAND FLAG
- ⊙ HOSE BB

SITE STATISTICS

TOTAL SITE AREA	81,788 SF, OR 2.78 AC.
TOTAL AREA OF LOTS	84,284 SF, OR 2.53 AC.
EXISTING ZONING	LOW DENSITY RESIDENTIAL
NUMBER OF PROPOSED LOTS	10
UTILITY PURVEYORS	SEWER: ALDERWOOD SEWER DISTRICT WATER: ALDERWOOD WATER DISTRICT
SETBACKS	
FRONT PROPOSED:	20'
SIDE YARD PROPOSED:	20' w/ NO SIDE BEING LESS THAN 5'
REAR YARD PROPOSED:	20'
ROAD BUFFER (TRACT 999)	1,201 SF, OR 261 AC.
SENSITIVE AREA (TRACT 998)	6,214 SF, OR 141 AC.

DENSITY CALCULATIONS

GROSS SITE AREA	81,788 SF, (2.78 AC.)
UNDEVELOPABLE LAND	17,432 SF, (0.49 AC.)
PUBLICLY OWNED LAND	N/A
COMMERCIAL/INDUSTRIAL LAND	N/A
AREA DEVOTED TO STREETS UP TO A MAXIMUM OF 10%	10,299 SF, (0.46 AC.)
NET DEVELOPMENT AREA	64,057 SF, (1.83 AC.)
MAXIMUM DENSITY ALLOWED	11 UNITS PER ACRE
PROPOSED DENSITY	10 UNITS OR 330 DU/AC
MAXIMUM PROPOSED LOT COVERAGE:	35%

LOT SIZE AVERAGING

TOTAL AREA OF LOTS	84,284 SF.
(LOT 2 = 10,500 SF, PER 10% 16,020 SF)	
DIVIDE BY:	10 LOTS
AVERAGE LOT SIZE	8,428 SF.

OWNER
GUY AND HALFRID HARTLEY
1611 MARKET ST.
BNOCKWICH, WASHINGTON 98276

APPLICANT
GARY PETERSHAGEN
ALEXANDER REED CONSTRUCTION
1011 STATE AVENUE, SUITE 101
MARYSVILLE, WASHINGTON 98270
(360) 851-1921

ENGINEER/SURVEYOR/PLANNER
CORE DESIGN INC.
14711 NE 27th Place, Suite 101
Bellevue, Washington 98007
(425) 885-7877
CONTACT: ROBERT H. STEVENS, P.E. - ENGINEER
STEPHEN J. SCHAEFF, P.L.S. - SURVEYOR
MICHAEL CHEN - PLANNER



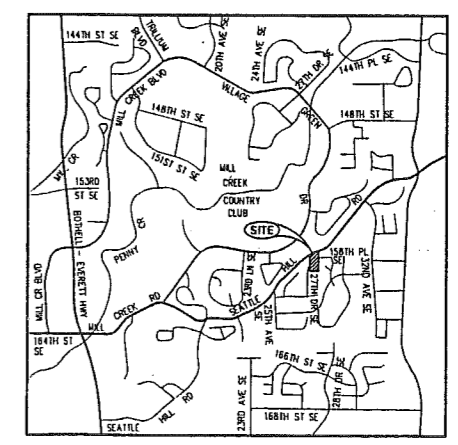
DATUM: NAVD 88 PER SNOHOMISH COUNTY VERTICAL CONTROL

BASIS OF BEARINGS
NAD 83 TO BE USED FOR THE MONUMENTS FOUND IN PLACE ALONG THE CENTERLINE OF 14TH DR. S.E. PER THE PLAT OF THE SURVEY RECORDED IN VOLUME 53, PAGES 161 THROUGH 164, UNDER SNOHOMISH COUNTY AUDITOR'S FILE NO. 5209180006, (REF. 1)

BENCHMARKS
1. MON. FOUND 3" BRASS DISK AT THE CENTER OF THE CUR. DS-64C AT THE WEST END OF 14TH PL. SE, 1410 FEET WEST OF THE INTERSECTION OF 28TH DR. SE. ELEVATION = 40.53 FEET

LEGAL DESCRIPTION
ALL THAT PORTION OF THE NORTHWEST QUARTER OF THE SOUTH-EAST QUARTER OF SECTION 8, TOWNSHIP 27 NORTH, RANGE 5 EAST, W.M., DESCRIBED AS FOLLOWS:
BEGINNING AT THE QUARTER SECTION CORNER BETWEEN SECTIONS 5 AND 8, TOWNSHIP 27 NORTH, RANGE 5 EAST, W.M.; THENCE NORTH 04°31'50" EAST 530.50 FEET; THENCE NORTH 07°14'32" EAST 1040.00 FEET; THENCE SOUTH 89°53'30" EAST 20.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUE SOUTH 89°53'30" EAST 220.00 FEET; THENCE NORTH 07°14'01" EAST 834.50 FEET, MORE OR LESS, TO A POINT ON THE SOUTH LINE OF THE COUNTY ROAD, AS NOW LOCATED; THENCE SOUTH 87°46'00" WEST 247.68 FEET ALONG SAID SOUTH LINE OF COUNTY ROAD; THENCE SOUTH 07°14'32" WEST 516.50 FEET TO THE TRUE POINT OF BEGINNING.

NOTES
1. ALL TITLE INFORMATION SHOWN ON THIS MAP HAS BEEN EXTRACTED FROM LAWYERS TITLE AGENCY OF WASHINGTON SECOND REPORT ORDER NO. 310456, DATED MARCH 3, 2005 IN PREPARATION OF THIS MAP. CORE DESIGN HAS CONDUCTED NO INDEPENDENT TITLE SEARCH NOR IS CORE DESIGN AWARE OF ANY TITLE ISSUES AFFECTING THE SURVEYED PROPERTY OTHER THAN THOSE SHOWN ON THE MAP AND DISCLOSED BY THE REFERENCED LAWYERS TITLE CERTIFICATE. CORE DESIGN HAS RELIED WHOLLY ON LAWYERS TITLE REPRESENTATIONS OF THE TITLE'S CONDITION TO PREPARE THIS SURVEY AND THEREFORE CORE DESIGN QUALIFIES THE MAP'S ACCURACY AND COMPLETENESS TO THAT EXTENT.
2. THIS SURVEY REPRESENTS VISIBLE PHYSICAL IMPROVEMENT CONDITIONS EXISTING ON APRIL 28, 2005. ALL SURVEY CONTROL INDICATED AS 'FOUND' WAS RECOVERED FOR THIS PROJECT IN APRIL, 2005.
3. PROPERTY AREA = 81,788 SQUARE FEET (2.78 ACRES).
4. ALL DISTANCES ARE IN FEET.
5. THIS IS A FIELD TRAVERSE SURVEY. A 2000A FIVE SECOND COMBINED ELECTRONIC TOTAL STATION WAS USED TO MEASURE THE ANGULAR AND DISTANCE RELATIONSHIPS BETWEEN THE CONTROLLING MONUMENTS AS SHOWN. CLOSURE RATIOS OF THE TRAVERSE MET OR EXCEEDED THOSE SPECIFIED IN IAGB 313-190-010. ALL MEASUREMENTS AND EQUIPMENT HAS BEEN MAINTAINED IN ADJUSTMENT ACCORDING TO MANUFACTURER'S SPECIFICATIONS WITHIN ONE YEAR OF THE DATE OF THIS SURVEY.
6. UTILITIES OTHER THAN THOSE SHOWN MAY EXIST ON THIS SITE. ONLY THOSE UTILITIES WITH EVIDENCE OF THEIR INSTALLATION VISIBLE AT GROUND SURFACE ARE SHOWN HEREIN. UNDERGROUND UTILITY LOCATIONS SHOWN ARE APPROXIMATE ONLY. UNDERGROUND CONNECTIONS ARE SHOWN AS STRAIGHT LINES BETWEEN SURFACE UTILITY LOCATIONS BUT MAY CONTAIN BENDS OR CURVES NOT SHOWN. SOME UNDERGROUND LOCATIONS SHOWN HEREON MAY HAVE BEEN TAKEN FROM PUBLIC RECORDS. CORE DESIGN ASSUMES NO LIABILITY FOR THE ACCURACY OF PUBLIC RECORDS.



VICINITY MAP
NTS

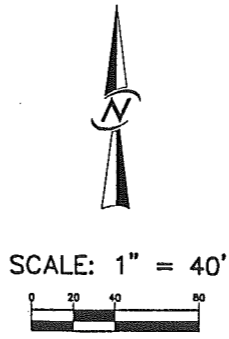
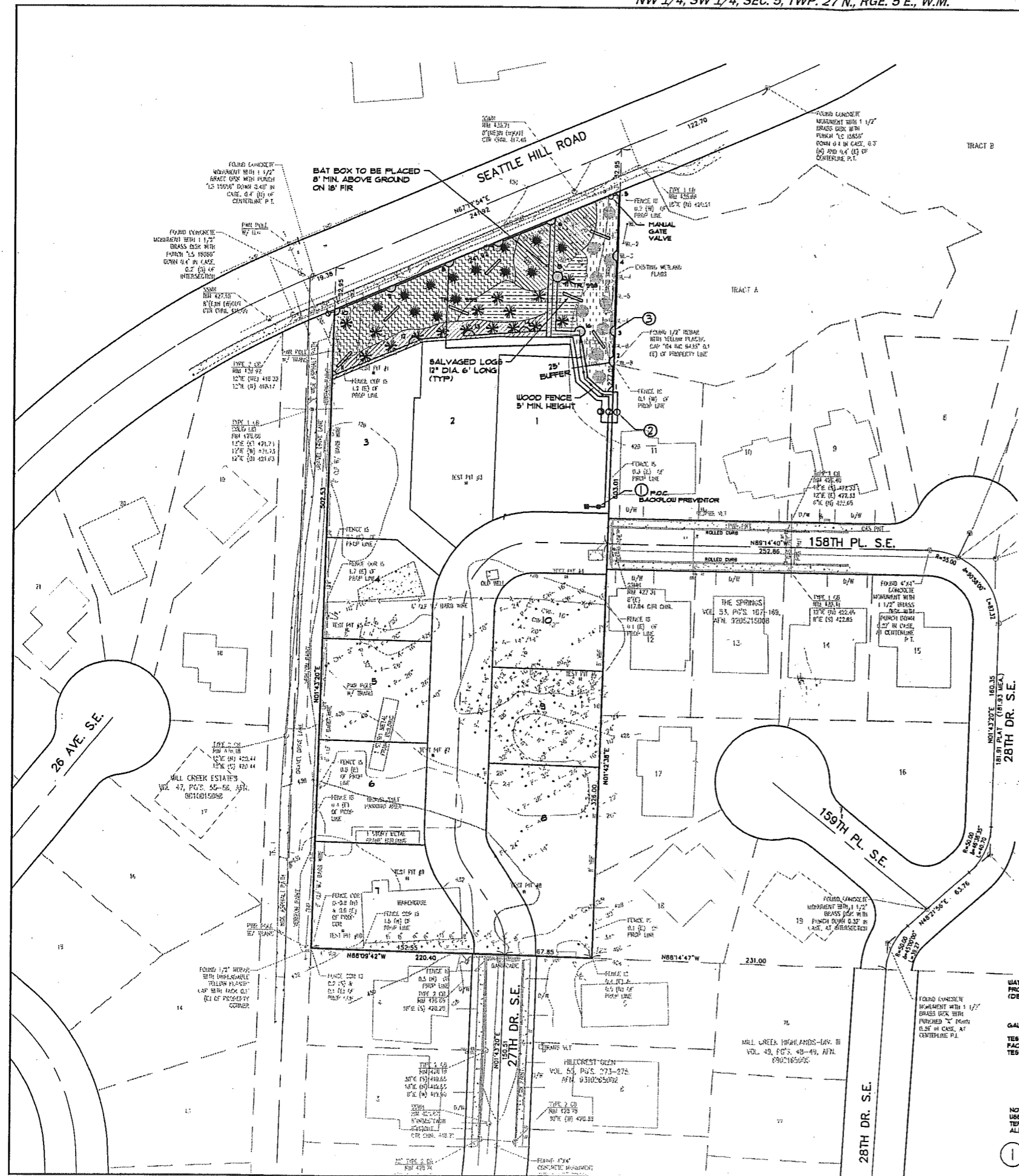
ATTACHMENT 3

14711 NE 27th Place, Suite 101
Bellevue, Washington 98007
425.885.7877 Fax 425.885.7953

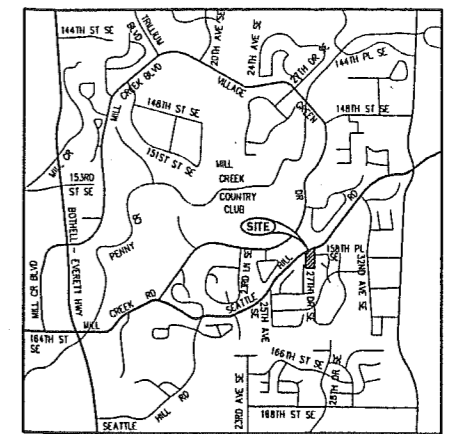
ENGINEERING · PLANNING · SURVEYING

PRELIMINARY PLAT
HARTLEY PROPERTY
ALEXANDER REED CONSTRUCTION
1027 STATE AVENUE, SUITE 101
MARYSVILLE, WA 98270

DATE	OCT 2005	SHEET	OF
DESIGNED BY	MC	1	1
DRAWN BY	LRB		
APPROVED BY	MC		
PROJECT MANAGER	MICHAEL CHEN		
PROJECT NUMBER	05037		



STATE OF WASHINGTON REGISTERED LANDSCAPE ARCHITECT
 JOSHUA PENNINGTON BEARD
 CERTIFICATE NO. 938



- ### IRRIGATION LEGEND
- MAIN LINE - SCH. 40 PVC
 - LATERAL LINE - SCH. 40 PVC
 - ⊕ DOUBLE CHECK VALVE
 - ⊕ VALVE WITH ACTUATOR (NELSON ROISE)
 - ⊕ SPRINKLER HEAD - TORO TRISORT
 - ⊕ MANUAL GATE VALVE
- NOTE:
 IRRIGATION DESIGN IS SCHEMATIC.
 ALL IRRIGATION WORK TO BE PERFORMED WITHIN TRACTS 998, 999 & 997.
 DURATION FOR TEMPORARY IRRIGATION WILL BE A MINIMUM OF TWO YEARS TO ENSURE ESTABLISHMENT OF PLANT MATERIALS.

PLANT LIST

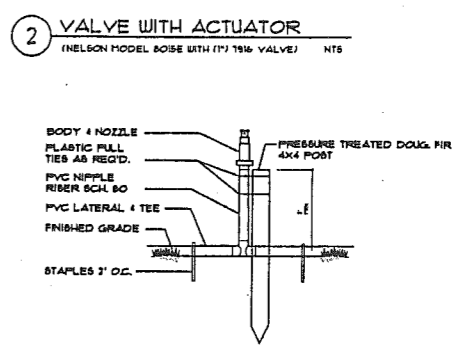
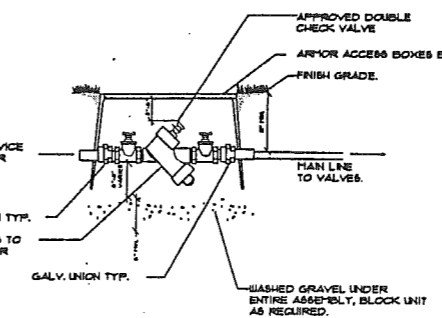
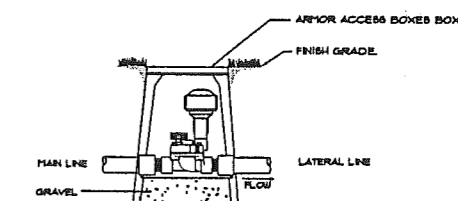
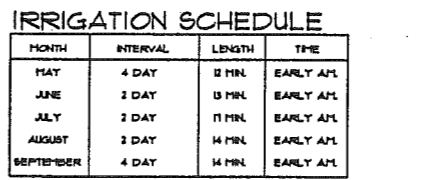
SYMBOL	BOTANICAL NAME / COMMON NAME	SIZE	APPROX. SPACING	QUANTITY
⊕	Pseudotsuga menziesii DOUGLAS FIR	3-4 ft.	10 ft. oc.	13
⊕	Pinus contorta WESTERN WHITE PINE	3-4 ft.	10 ft. oc.	11
⊕	Thuja plicata WESTERN RED CEDAR	3-4 ft.	10 ft. oc.	9
⊕	Polkonia nutans SILVER FERN	1 gal.	3 ft. oc.	132
⊕	Gaultheria shallon SALAL	1 gal.	3 ft. oc.	308
⊕	Mahonia aquifolium TALL OREGON GRAPE	1 gal.	6 ft. oc.	51
⊕	Rubus spectabilis SALMONBERRY	1 gal.	6 ft. oc.	55
⊕	Rosa nutkana HOOTKA ROSE	1 gal.	6 ft. oc.	14

SPRINKLER HEAD SCHEDULE

HEAD NO.	NOZZLE TYPE	RADIUS	ARC	TRAJECTORY	GPM/1"
1	1.0	25'	45°	25°	0.28
2	1.0	25'	150°	25°	0.35
3	1.0	25'	210°	25°	0.35
4	2.0	41'	150°	25°	5.4
5	2.0	41'	65°	25°	2.2
6	2.0	41'	150°	25°	5.4
7	2.0	41'	150°	25°	5.4
8	2.0	41'	150°	25°	5.4

IRRIGATION SCHEDULE

MONTH	INTERVAL	LENGTH	TIME
MAY	4 DAY	10 MIN.	EARLY AM.
JUNE	2 DAY	15 MIN.	EARLY AM.
JULY	2 DAY	17 MIN.	EARLY AM.
AUGUST	2 DAY	14 MIN.	EARLY AM.
SEPTEMBER	4 DAY	14 MIN.	EARLY AM.



NO. REVISIONS DATE
 1 REVISED PER CITY COMMENTS 10/10/05
 2 REVISED PER CITY COMMENTS 11/21/05
 3 REVISED PER CITY COMMENTS 12/05/05

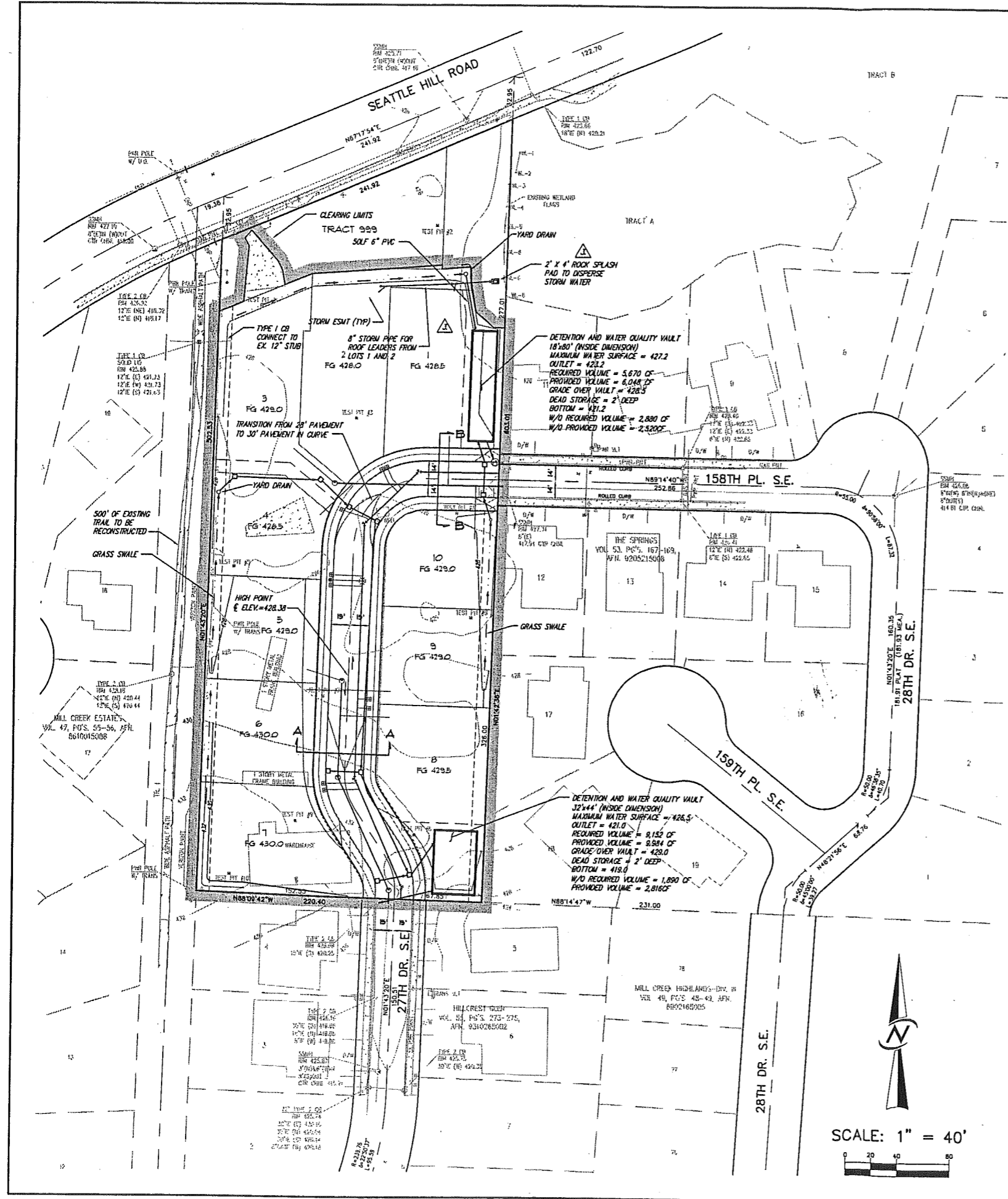
14711 NE 99th Place Suite 101
 Bellevue, Washington 98007
 425.885.7877 Fax 425.885.7943

CORE DESIGN
 ENGINEERING • PLANNING • SURVEYING

WETLAND BUFFER MITIGATION PLAN
HARTLEY PROPERTY
 ALEXANDER REED CONSTRUCTION
 1097 STATE AVENUE, SUITE 101
 MARYSVILLE, WA 98270

DATE: OCTOBER 2005
 DESIGNED: MC/LPB
 DRAWN: LRB
 APPROVED: MC
 PROJECT NUMBER: 05037

MICHAEL CHEN
 PROJECT MANAGER



- ### LEGEND
- FIRE HYDRANT
 - TELEPHONE RISER
 - TYPE 2 CATCH BASIN
 - TYPE 1 CB W/ SOLID LID
 - STREET LIGHT
 - TELEVISION RISER
 - JUNCTION BOX
 - WATER VALVE
 - MAIL BOX
 - WATER METER
 - GUY ANCHOR
 - SANITARY SEWER MANHOLE
 - SEWER CLEANOUT
 - GAS MARKER
 - DATA POINT / TEST PIT
 - TELEPHONE MARKER
 - BLOW OFF
 - TREE TYPE
 - WETLAND FLAG
 - HOSE BIB

APPLICANT

GARY PETERSHAGEN
 ALEXANDER REED CONSTRUCTION
 1027 STATE AVENUE, SUITE 101
 MARYSVILLE, WASHINGTON 98270
 (360) 651-1927

ENGINEER/SURVEYOR/PLANNER

CORE DESIGN INC.
 14711 NE 29th PLACE, SUITE 101
 BELLEVUE, WASHINGTON 98007
 (425) 885-1811
 CONTACT: ROBERT H. STEVENS, P.E. - ENGINEER
 STEPHEN J. SCHREI, P.L.S. - SURVEYOR
 MICHAEL CHEN - PLANNER

DATUM

NAVD 88 PER SNOHOMISH COUNTY VERTICAL CONTROL

BASIS OF BEARINGS

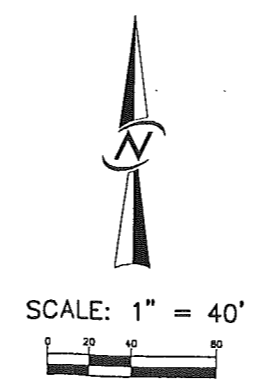
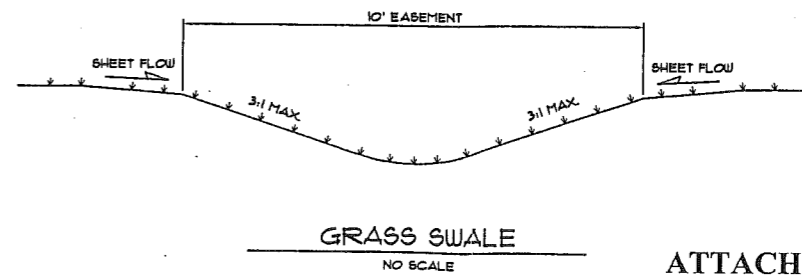
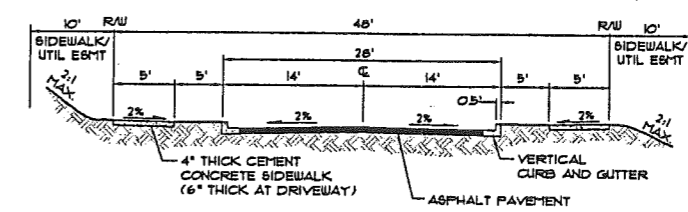
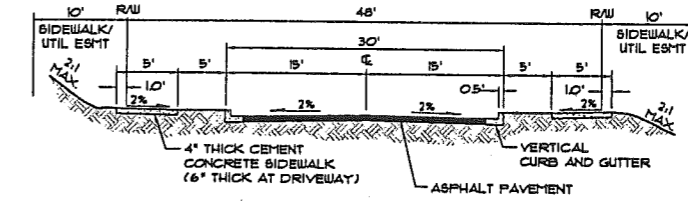
N01°43'20"E BETWEEN THE MONUMENTS FOUND IN PLACE ALONG THE CENTERLINE OF 28TH DR. SE. PER THE PLAT OF THE 5 SPRINGS RECORDED IN VOLUME 53, PAGES 161 THROUGH 169, UNDER SNOHOMISH COUNTY AUDITOR'S FILE NO. 9205215008, (REF. X)

BENCHMARKS

1. MCO2, FOUND 3" BRASS DISK AT THE CENTER OF THE GUL-DE-SAC AT THE WEST END OF 164TH PL. SE, 1410 FEET WEST OF THE INTERSECTION OF 128TH DR. SE. ELEVATION = 412.93 FEET

LEGAL DESCRIPTION

ALL THAT PORTION OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 21 NORTH, RANGE 5 EAST, WM, DESCRIBED AS FOLLOWS:
 BEGINNING AT THE QUARTER SECTION CORNER BETWEEN SECTIONS 5 AND 8, TOWNSHIP 21 NORTH, RANGE 5 EAST, WM; THENCE NORTH 04°31'35" EAST 538.18 FEET; THENCE NORTH 0°24'27" EAST 1018.09 FEET; THENCE SOUTH 89°33'38" EAST 20 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUE SOUTH 89°33'38" EAST 220.40 FEET; THENCE NORTH 0°23'40" EAST 634.18 FEET, MORE OR LESS, TO A POINT ON THE SOUTH LINE OF THE COUNTY ROAD, AS NOW LOCATED; THENCE SOUTH 62°46'00" WEST 241.60 FEET ALONG SAID SOUTH LINE OF COUNTY ROAD; THENCE SOUTH 0°24'27" WEST 518.93 FEET TO THE TRUE POINT OF BEGINNING.



NO.	REVISIONS	DATE
1	REVISED PER CITY COMMENTS	07/20/05
2	REVISED PER CITY COMMENTS	10/08/05
3	REVISED PER CITY COMMENTS	01/08/06
4	REVISED PER CITY COMMENTS	02/08/06
5	REVISED PER CITY COMMENTS	02/08/06
6	REVISED PER CITY COMMENTS	02/08/06

DATE	OCT 2005
DESIGNED	RHS
DRAWN	SDM
APPROVED	RHS
PROJECT NUMBER	05037

DATE	OCT 2005
DESIGNED	RHS
DRAWN	SDM
APPROVED	RHS
PROJECT NUMBER	05037

DATE: OCT 2005
 DESIGNED: RHS
 DRAWN: SDM
 APPROVED: RHS
 PROJECT NUMBER: 05037

DATE: OCT 2005
 DESIGNED: RHS
 DRAWN: SDM
 APPROVED: RHS
 PROJECT NUMBER: 05037



PRELIMINARY GRADING & UTILITY PLAN
HARTLEY PROPERTY
 ALEXANDER REED CONSTRUCTION
 1027 STATE AVENUE, SUITE 101
 MARYSVILLE, WASHINGTON 98270

MICHAEL CHEN
 PROJECT MANAGER

