

PLANNING COMMISSION RESOLUTION NO. 94-37

A RESOLUTION OF THE CITY OF MILL CREEK )  
PLANNING COMMISSION, RECOMMENDING )  
APPROVAL TO THE CITY COUNCIL OF THE )  
CITY OF MILL CREEK, WASHINGTON OF A ) FINDINGS,  
PRELIMINARY PLAT/PLANNED RESIDENTIAL ) REASONS AND  
DEVELOPMENT FOR A SEVENTEEN (17) LOT ) RECOMMENDATIONS  
RESIDENTIAL SUBDIVISION TO BE KNOWN AS )  
"HOLLYMERE," CASE FILE NUMBER PP 94-41. )  
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WHEREAS, Reykdal Homes, Inc. has submitted the appropriate information to the City of Mill Creek for consideration of a Preliminary Plat/Planned Residential Development for a seventeen (17) lot single-family residential subdivision located south of Seattle Hill Road, west of 35th Avenue, and east of The Parks at Mill Creek, Division I, within the City of Mill Creek; and

WHEREAS, the City of Mill Creek's SEPA Official issued a Mitigated Determination of Non-Significance and Notice of Property Development Impact Mitigation, pursuant to RCW 43.21C, and Chapters 17.48 and 18.04 MCMC; and

WHEREAS, a legal notice stating the time, place and purpose of the public hearing was published in the Everett Herald on August 14, 1994, and was posted on the property pursuant to MCMC 17.36.040 on August 15, 1994, and sent to surrounding property owners within 500 feet of the site in accordance with MCMC 17.36.040 on August 12, 1994; and

WHEREAS, the Planning Commission duly convened a public hearing on August 25, 1994, to consider the matter, took testimony and inquired 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/planned residential development is consistent with the Mill Creek Comprehensive Plan and the Mill Creek Subdivision and Zoning ordinances if conditioned to make 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 discussion and recommendation contained in Exhibit C, attached and incorporated herein.

Section 3: The Planning Commission, therefore, recommends to the City Council approval of a seventeen (17) lot preliminary plat/planned residential development for Reykdal Homes, Inc. as fully described and conditioned in Exhibit A, Exhibit B, and Exhibit C.

Done and Passed by majority vote, this twenty-fifth day of August, 1994.

CITY OF MILL CREEK PLANNING COMMISSION



ROBERT MCELHOSE, CHAIRMAN



SECRETARY OF THE PLANNING COMMISSION

ATTACHMENT: Exhibit A - Staff Report  
Exhibit B - Preliminary Plat Map  
Exhibit C - Planning Commission Motion with Conditions

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**EXHIBIT A**

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

**PART I - SUMMARY INFORMATION**

**HEARING DATE:** August 25, 1994

**OWNER:** Reykdal Homes, Inc.  
8908 Eastview Avenue  
Everett, Washington 98208

**REPRESENTATIVE:** Subdivision Management, Inc.  
16031 - 119th Place Northeast  
Bothell, Washington 98011

**REQUESTED ACTION:** Planned Residential Development/ Preliminary Plat approval for a 17-lot subdivision to be developed with single-family detached residences.

**LOCATION:** The subject site is located south of Seattle Hill Road, west of 35th Avenue Southeast, and east of the development of The Parks at Mill Creek, Division I, within Section 5, Township 27 North, Range 5 East, W.M. Snohomish County.

**SIZE:** 4.52 acres

**LEGAL DESCRIPTION:** Refer to Attachment 1

**COMPREHENSIVE  
PLAN DESIGNATION:** Single-Family Low Density, Four Dwelling Units per Acre

**ZONING DISTRICT:** R 9600 - Residential Single-Family

## **PART II - STATUTORY REQUIREMENTS**

### **SEPA COMPLIANCE/ DEVELOPMENT IMPACT MITIGATION ORDINANCE:**

The City's SEPA Official has determined that this proposal does not have a probable significant adverse impact on the environment. Therefore, an environmental impact statement was not required under the provisions of RCW 43.21C.030(2)(C). The project is also subject to the provisions of Chapter 17.48 Mill Creek Municipal Code (MCMC), Development Impact Mitigation.

City staff has identified certain elements of the environment that require mitigation pursuant to SEPA as well as impacts on public facilities that require mitigation pursuant to Chapter 17.48 MCMC. On July 7, 1994 a Mitigated Determination of Non-Significance (MDNS)/Notice of Property Development was issued for the proposed project. Specific measures were required to mitigate development impacts and have been incorporated into the appropriate recommended conditions of approval.

### **INTERJURISDICTIONAL AGREEMENTS:**

The City has adopted separate interlocal agreements with Snohomish County and the Everett School District regarding joint review, comment and imposition of appropriate mitigation and conditions that affect the proposed project. This application has been reviewed by Snohomish County and the Everett School District and their comments are reflected in the recommended conditions.

### **NOTICE:**

According to Section 17.36.040 MCMC, notice of the public hearing was mailed to property owners of record within 500 feet of the proposed project on August 12, 1994, published in the Everett Herald on August 14, 1994, and the property was posted on August 15, 1994.

## **PART III - BACKGROUND INFORMATION**

### **HISTORY:**

The subject site is located within the City's Interim Urban Growth Area that was adopted as part of the Comprehensive Plan in January 1992. The site was annexed to the City in December 1992 as part of the East Neighborhood Annexation. A zoning classification of RC 2.5 was applied to the property at the time of annexation. The property was reclassified to R 9600 - Residential

## **HISTORY CONTINUED:**

Single-Family in February 1993, as part of the citywide rezone to implement the Land Use Map of the Comprehensive Plan.

## **EXISTING SITE CHARACTERISTICS:**

The proposed project is located east of and is contiguous with Division I of The Parks at Mill Creek, and south of Seattle Hill Road across from the Sunrise development. The project site encompasses approximately 4.52 acres. There are two single-family residences on the property and the developer intends to preserve one of them.

The site is mostly flat with the exception of a low area adjacent to Seattle Hill Road that is intended to be used for open space purposes. From this low area the property slopes upward toward the south to the main development area.

Similar to much of the land in the City, the soils are the Alderwood series. The Soil Conservation Service (SCS) has classified the soils as Alderwood Gravely Sandy Loam. This soil type has slight to moderate limitations for residential development, primarily due to septic tank drain field suitability resulting from poor drainage and seasonal wetness and the need for foundation drainage for buildings and crawl spaces.

Since the proposed plat will be served by public sewers, the limitation for septic tank drain fields is not applicable. The requirement for foundation drainage is made by the City Building Official at the time of construction of the future residences.

## **VEGETATION:**

As mentioned above the current use of the property is for two single-family residences with associated landscaping. There is a stand of mixed evergreen trees, primarily Douglas Fir, Hemlock and Western White Pine, located in the northwest corner of the site and a scattering of evergreen trees located along the northern boundary of the site. The remainder of the site vegetation is field grass.

## **LAND USE:**

Surrounding land uses are as follows:

To the north is Seattle Hill Road and the Sunrise development.

To the east is a large single ownership parcel with one single-family residence.

**LAND USE CONTINUED:**

To the west and south is Division I of the Parks at Mill Creek, which has preliminary plat approval for 63 lots.

**UTILITIES:**

The subject site is located within the service area of the Alderwood Water District. Water and sewer service is available within the boundaries of Divisions I and II of the Parks. Electrical service will be provided by Snohomish County PUD and natural gas service by Washington Natural Gas.

**FIRE PROTECTION:**

Fire protection, suppression and emergency medical service will be provided by Fire District No. 7.

**SUBDIVISION PROCESS  
AND DESIGN:**

**PROCESS**

The applicant has requested that this application be processed as a Planned Residential Development (PRD). The PRD process contained in Section 16.12 of the Subdivision Ordinance is intended as an alternate form of development to allow more flexibility while retaining significant natural features or providing public and private amenities. Under this process, many zoning and subdivision dimensional and bulk standards may be modified except for street setbacks on exterior streets, surveying standards, permitted uses and the engineering and design standards for public improvements. (This process was also used in the neighboring developments of The Highlands, The Springs, and The Parks - Divisions I-V.)

Section 16.12.030 MCMC requires that residential planned developments contain a minimum of 4.9 acres. A PRD may be approved on a smaller parcel if the use of this process will preserve a significant natural feature or amenity. Staff believes use of the PRD process for this application is appropriate for the following reasons:

- The site area is .4 acres smaller than the required minimum site area.
- The proposal would be consistent with the surrounding development of The Parks, Divisions I - V, which were processed as planned residential developments.

## **SUBDIVISION PROCESS AND DESIGN CONTINUED:**

- Use of the PRD process will result in open space amenities that might not otherwise be developed through the preliminary plat process.

The applicant has requested the following modifications as allowed by the PRD regulations:

1. Modification of the minimum lot size of 9,600 square feet to an averaging method.
2. Reduction of the required side yard setbacks on individual lots from a total of twenty feet to a total of ten feet.
3. Modification of the lot width requirements from sixty feet measured at the street to sixty feet measured at the front setback line.

### **SUBDIVISION DESIGN**

#### **General Description**

The project is located in the East Neighborhood Annexation area. The area has experienced significant residential development in the past two years and the trend is anticipated to continue. This proposal is for a 17-lot subdivision to be developed with single-family residences and retain one existing residence. The proposed plat includes a 50-foot cutting preserve along Seattle Hill Road and .27 acres of private recreation area. It has been designed to be integrated with the larger adjacent development of The Parks at Mill Creek. The roads in the proposed plat will connect to the roads in Division I of The Parks consistent with the East Neighborhood Master Circulation Plan approved by the Planning Commission in September 1993.

#### **Lot Layout**

The proposed lots are aligned along two local access streets, 153rd Street Southeast and 34th Place Southeast. There are 4 lots and a detention pond located along the southern portion of the plat south of the future extension of 153rd Street Southeast. The remaining 13 lots are located adjacent to 34th Place Southeast, which runs north from 153rd Street Southeast toward Seattle Hill Road.

The proposed lots range in size from 6,000 to 10,858 square feet. The average lot size is 7,969 square feet.

## **SUBDIVISION PROCESS AND DESIGN CONTINUED:**

### Access and Circulation

As mentioned above, the East Neighborhood Circulation Plan is being used as a guide for all future development in the East Neighborhood Annexation area. Access to the proposed plat will be from Division I of The Parks development, which is located to the west of the subject site. The street system is laid out in a "T" configuration with an east-west through road (153rd Street Southeast) designed to serve 6 lots and a north-south, dead-end road (34th Place Southeast) serving the remaining 11 lots. The design of 34th Avenue Southeast includes a "hammerhead" turning area, which has been reviewed and approved by Fire District No. 7.

Consistent with the East Neighborhood Circulation Plan, the east-west through street (153rd Street Southeast) has been designed to provide access to the adjacent property to the east, which is currently undeveloped. Pedestrian access will be provided by public sidewalks on the internal streets connected to the public sidewalks in Division I of The Parks. In addition, a pedestrian pathway is proposed to connect the development with the public sidewalks on Seattle Hill Road.

### Utilities

Sanitary sewer and water service is currently being installed in the adjacent development of The Parks. The project proponent will be required to extend the utilities throughout the subject site consistent with the design requirements of the Alderwood Water District.

Stormwater runoff will be collected in the streets and conveyed to a private detention pond (Tract A) located in the southeast corner of the site where settling of particulates will occur. It will then have a measured release into drainage facilities that are being constructed for The Parks development with ultimate conveyance to existing drainage courses in unincorporated Snohomish County.

### Open Space

The proposed project contains two open space areas. One is a 21,762 square foot (.50 acre) cutting preserve located adjacent to Seattle Hill Road, and the other is a 12,019 square foot (.27 acre) tract located between lots 9, 10 and 11 and the east property line. Total open space is 33,781 square feet (.77 acre).



**CONSISTENCY WITH  
THE MILL CREEK  
COMPREHENSIVE  
PLAN:**

The proposed plat has been reviewed for consistency with the Mill Creek Comprehensive Plan. Since the plan is by its nature "comprehensive" or a broad policy document, staff has focused on the applicable policies that either have direct influence on the design of this project or are geographically specific to the request.

To be approved, the proposed plat must be consistent with the Land Use Map and applicable policies of the Comprehensive Plan. Staff has reviewed this application with the applicable policies of the Comprehensive Plan and find it to be consistent with both the map and policies of the plan. The applicable policies of the plan are:

**LAND USE ELEMENT**

**Policy 1.03 - Continuation of residential development patterns.** The proposed plat continues the existing residential development patterns in the City particularly the adjacent development of The Parks. It is a low density development located in a defined single-family residential neighborhood away from the higher density development located in the core area, and has been integrated with a large single-family development recently approved by the City.

**Policy 1.07 - Directs that four (4) dwelling units per acre should be the predominate density in single-family neighborhoods.** The proposed plat is located in the East Neighborhood, which is designated four (4) dwelling units per acre in the Comprehensive Plan. The gross density of the proposal is 3.4 units per acre.

**Policy 1.10 - References compatibility with existing development in the East Neighborhood.** The proposed project is consistent with the approved adjacent development of The Parks. It will be integrated with this larger development and provide for future circulation, private open spaces, has adequate vehicular and pedestrian circulation, and uses a planned residential development approach similar to the adjacent developments.

**Policy 1.12 - Parks, open space and linkage with existing development.** The proposed plat provides open space and sidewalk linkage to the adjacent development of The Parks at Mill Creek.

## CONSISTENCY WITH THE MILL CREEK COMPREHENSIVE PLAN CONTINUED:

**Policy 1.13 - Access to new development by collector or arterial streets.** The proposed plat is served by the internal street system of The Parks, Division I, which has direct access to an arterial, Seattle Hill Road.

**Policy 1.14 - Directs the provision of landscaped buffers and greenways along arterials.** The proposed plat includes a fifty-foot (50') roadway buffer/cutting preserve along Seattle Hill Road. The width of the proposed buffer is consistent with the Streetscape Element of the Comprehensive Plan; however, additional landscaping will be required.

**Policy 1.16 - New developments are to be planned as identifiable neighborhoods.** This plat will not necessarily be a separate identifiable neighborhood; however, it has been integrated into the larger future neighborhood of The Parks at Mill Creek.

**Policy 1.17 - Compatibility with adjacent developments.** The proposed plat is similar to the adjacent development of The Parks and Highlands since both areas have the same zoning, R 9600; the PRD process was used for both developments, the range of lot sizes and densities is similar, and the overall plat layouts are similar. While this plat is being developed by a different developer than The Parks, it is located and planned in such a manner as to be integrated with the surrounding development.

### **COMMUNITY FACILITIES AND UTILITIES ELEMENT**

**Policies 1.01 & 1.03 - Sewer and water capacity.** The subject site can be served by public water and sewer. The Alderwood Water District has indicated that there is sufficient capacity to serve this development and the developer will be responsible for extending the lines and mains throughout the site from the existing location.

**Policy 4.01 - Stormwater management - protecting water quality.** Although the final engineering designs for the stormwater system are not normally reviewed at this juncture, the SEPA requirements and Interlocal Agreement with Snohomish County require compliance with the state of Washington requirements designed to protect water quality. The preliminary design incorporates a detention facility for settling prior to conveyance to the larger stormwater system in the adjacent Parks development.

## CONSISTENCY WITH THE MILL CREEK COMPREHENSIVE PLAN CONTINUED:

**Policy 6.01 - School mitigation.** The applicant will be required to mitigate school impacts as requested by the Everett School District.

### **TRANSPORTATION ELEMENT**

**Policies 2.01 & 2.02 - Pedestrian and bicycle travel, location of facilities.** Public sidewalks will be provided on both sides of the internal streets. In addition, a pedestrian pathway linking the internal sidewalk system with the public sidewalks on Seattle Hill Road is proposed.

### **ROADWAY CAPACITY POLICIES**

**Policy 3.01 - Traffic impacts.** The proposed project does not introduce new traffic into any existing residential divisions. A master circulation plan has been approved to guide future development of the area, and the proposed project is consistent with that plan.

**Policy 3.03 - Roadway access.** There is no direct residential access onto the arterials serving the subject site. All internal access is by residential streets.

### **STREETSCAPE ELEMENT**

**Polices 1.02 & 3.01 - Location and width of landscape buffers/cutting preserves.** The proposed project has frontage on Seattle Hill Road, which is an arterial subject to the streetscape standards of the plan. Consistent with those standards, a fifty-foot (50') roadway buffer/cutting preserve has been included in the project design along Seattle Hill Road.

### **ENVIRONMENTAL FEATURES ELEMENT**

**Environmental Policies 1.02 & 1.03 - Control and treatment of stormwater runoff.** The project applicant will be required to provide stormwater runoff facilities that provide both detention, controlled release and water quality treatment through the use of particulate settling, biofiltration, and oil/water separators.

## **CONSISTENCY WITH THE MILL CREEK COMPREHENSIVE PLAN CONTINUED:**

### **PARKS AND OPEN SPACE ELEMENT**

**Policy 1.02 - Linking public and private trail systems.** As mentioned previously, the design of the proposed plat includes a roadway buffer/cutting preserve that can accommodate a pedestrian pathway, linking the subject plat with the City sidewalk system and adjacent developments, providing convenient non-motorized access to area parks and schools.

**Policy 5.02 & 5.03 - Park land acquisition and dedication.** The proposed plat is located near two planned neighborhood parks and the Mill Creek Elementary School thus dedication of land for park purposes was not required. However, to mitigate the impacts of this development on the City's park system, contribution of funds is required and will be used for development of the two East Neighborhood parks.

In addition, a private mini park (tot lot) is recommended for the open space tract (Tract B).

In summary, staff has reviewed the applicable policies of the Comprehensive Plan and based on this review, we find that the proposed project complies with the applicable policies or that the policies provide further direction in the development of the conditions of approval.

### **CONSISTENCY WITH SUBDIVISION REGULATIONS:**

This application is being processed under the provisions of the planned area development section of the subdivision regulations (Chapter 16.12 MCMC), which allows modification of zoning and subdivision requirements with certain limitations and conditions. The following section evaluates the proposed plat with the criteria for reviewing and approving preliminary plats that are found in MCMC Sections 16.12 and 16.18.010(c).

Since the proposal is being processed as a planned residential development, it has been evaluated consistent with the following provisions of Chapter 16.12 MCMC - Planned Area Development.

## CONSISTENCY WITH SUBDIVISION REGULATIONS CONTINUED:

### Subdivision Review Criteria

1. The preliminary subdivision and binding site plan meets the requirements and intent of the MCMC and adopted City plans.

#### **Comment:**

The gross density that is allowed for the development of single-family homes within the East Neighborhood Annexation area, as designated on the Land Use Map of the Comprehensive Plan, is 4 units per acre. The gross density of the proposed plat is 3.7 units per acre.

The proponents have chosen the PRD process and among the modifications sought is a reduction in the minimum lot size of 9600 square feet. The average lot area of the proposed project is 7,969 square feet of 9600 square feet.

The proposed plat is located adjacent to The Parks development, which was also developed under the provisions of the PRD regulations. The lot layout, size, and design of the proposed plat with cutting preserve/roadway buffer are similar to the planned and approved development of adjacent properties.

2. The proposed plat makes adequate provisions for open space, drainage ways, streets and other public ways, water supply, sanitary wastes, parks, playgrounds, sites for schools, and school grounds.

#### **Comment:**

The streets and sidewalks within the proposed development comply with the standards required by the City Engineer. The applicants have agreed to mitigate their recreational impacts through the payment of park impact fees to be used for development of the proposed neighborhood parks in Division I and II in The Parks development. In addition, there is room in the open space tract for private recreational facilities. Utilities are available with sufficient capacity to serve the site and the final drainage plans will be reviewed for adequacy in managing projected off-site flows. Contributions will be required to mitigate proportionate share impacts on City streets.

**CONSISTENCY WITH SUBDIVISION REGULATIONS CONTINUED:**

In addition to mitigating impacts on public facilities within the City, the applicant will also contribute proportionate share impact mitigation to Snohomish County for road and transportation impacts and to the Everett School District for impacts on the school facilities.

3. The subdivision or development is beneficial to the public health, safety, and welfare and is in the public interest.

**Comment:**

The execution of mitigation agreements with the proponent will include funds for the development of neighborhood parks and contributions for improvements to the City road system.

4. Section 16.12.030 MCMC requires that a planned residential development must be located on a minimum lot size of 4.9 acres.

**Comment:**

The subject site contains 4.5 acres; however, staff believes use of the PRD process for this application is appropriate for the following reasons:

- The site area is .4 acres smaller than the required minimum site area.
- The proposal would be consistent with the surrounding development of The Parks, Divisions I - V, which were processed as planned residential developments.
- Use of the PRD process will result in open space amenities that might not otherwise be developed through the preliminary plat process.

The applicant has proposed to set aside .77 acres for open space and private recreation area.

5. Section 16.12.040 MCMC directs that certain bulk regulations may be modified in a planned residential development.

## CONSISTENCY WITH SUBDIVISION REGULATIONS CONTINUED:

### Comment:

The requested modifications include a reduction in the minimum lot size from 9,600 square feet and a reduction of the required side yard setbacks from a total of twenty (20) feet to a total of ten (10) feet. These requested modifications are consistent with those allowed under said section.

While the setback and lot width standards may be reduced, the applicant must comply with the 35 percent lot coverage requirement. Thus, the modification of setbacks allows more flexibility in the location of houses on the lots but not more coverage by structures.

6. Section 16.12.050 MCMC indicates that the number of dwelling units in a PRD may be 120 percent of the permitted density of the zone district. This section also establishes a formula for computing the allowable density determined by establishing a net development area that accounts for the unbuildable lands and the internal road systems.

### Comment:

Based on the density calculation formula, the subject site could be developed with 20 residential lots. The proposed project has 17 lots.

7. Section 16.12.060 MCMC directs that 20 percent of the net development area in a PRD must be established as open space and community recreation facilities.

### Comment:

The proposed plat contains the 20 percent open space based on the formula contained in Section 16.12.060 MCMC.

## FINDINGS AND CONCLUSIONS:

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

## FINDINGS AND CONCLUSIONS CONTINUED:

1. The request is for the approval of a preliminary plat/planned residential development for 17 lots to be developed with single-family residences.
2. Access to the proposed plat would be from the internal streets of the Parks Division I.
3. 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 street system, parks, and public school facilities that require mitigation.

In accordance with the Mitigated Determination of Non-Significance and Notice of Property Development Impact Mitigation issued by the responsible official on July 7, 1994, impact mitigation agreements will be required to mitigate the identified impacts.

4. The proposed plat is also 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 City has received Snohomish County's comments pursuant to the Interlocal Transportation Agreement and SEPA, along with a request for the requirement of contributions to mitigate the specific impacts occurring from this development.
5. The Everett School District has requested that the applicant contribute fees in lieu of land dedication to mitigate the development impacts on district facilities.
6. There is an existing residence that will be retained and incorporated into the proposed development thereby reducing the number of lots that are subject to mitigation formulas from 17 to 16.
7. The proposed plat is located within an R 9600 Residential Single-Family Zone District. By using the Planned Residential Development process, the setback, lot size, and lot width requirements of the district may be modified.



## **FINDINGS AND CONCLUSIONS CONTINUED:**

8. The plat as described conforms to the provisions of the planned residential development section of the Mill Creek Subdivision Ordinance.
9. The proposed plat is compatible with regard to residential use, lot design, provision of public facilities, and roadway buffers that exist in adjacent developments.
10. The proposed plat has been reviewed and found consistent with the applicable policies and Land Use Map of the City of Mill Creek Comprehensive Plan.
11. If approved subject to the conditions recommended below, the proposed plat will be consistent with the requirements of Title 16 MCMC, Plats and Subdivisions.
12. The statutory requirements for environmental review and public notification have been duly satisfied.

**RECOMMENDATIONS:** Based on the foregoing information, findings and conclusions, staff recommends to the Planning Commission approval of the proposed preliminary plat/planned residential development subject to the following conditions.

1. Development shall occur as portrayed on the preliminary plat map attached as Exhibit B, except as may be modified by conditions imposed by the Planning Commission.
2. The maximum number of building lots shall be 17. Construction shall be limited to one single-family detached residence per lot.
3. The applicant should seek membership in The Parks at Mill Creek Homeowners Association. If not successful then a separate homeowners' association shall be established for this development, which will be responsible for the maintenance of privately owned facilities.
4. Water and sewer facilities shall be designed and installed in accordance with the requirements of the Alderwood Water District.
5. Stormwater management plans shall be submitted for review and approval by the City Engineer. The plans shall be prepared by

## RECOMMENDATIONS CONTINUED:

a licensed engineer and incorporate stormwater treatment methods based on the Washington State Department of Ecology Stormwater Management Manual, Publication 92-32 Volume I and Publication 92-33 Volume II.

Oil/water separators shall be installed in catch basins in both divisions as determined by the City Engineer.

6. Standard sidewalks are required on both sides of the public streets within the plat.

7. All roadway sections shall be designed by a licensed engineer and the design reviewed and approved by the City Engineer. The design of the roadway section for all internal streets shall include provisions for a planting strip situated between the back of the curb and the outside edge of the sidewalk to accommodate street trees and shall be prepared by a licensed landscape architect.

8. In accordance with the Interlocal Transportation Agreement between Snohomish County and the City of Mill Creek for the mitigation of interjurisdictional development impacts, the applicant shall contribute \$ 34,646.00 to Snohomish County, subject to any credits approved by the county. Verification of payment shall be provided to the City before final plat approval.

9. Payment of \$ 20,848.00 to the Everett School District. Verification of payment shall be provided to the City before final plat approval.

10. The execution of an impact mitigation agreement between the applicant and the City for \$ 11,655.00 for the following road improvement projects:

Seattle Hill Road Improvements - \$ 3,577.00  
Traffic Signal at 23rd/25th Avenue - \$ 6,643.00  
9th Avenue Intersection Improvements - \$ 670.00  
164th Street Bridge Widening - Phase II - \$ 765.00

11. Submittal and approval of a supplemental tree planting and landscape plan for the roadway buffer/cutting preserve and street tree planting plan for all streets within the plat. The plans shall be prepared by a licensed landscape architect and shall be reviewed and approved by the City Design Review Board prior to final plat

## RECOMMENDATIONS CONTINUED:

approval. The plans shall be implemented commensurate with house construction.

12. Contribution of \$ 8,262.00 to mitigate impacts on City park and recreation facilities. Of this amount, \$ 7,962.00 shall be used for the development of the neighborhood parks in Divisions I and II of The Parks. The \$ 300.00 balance of the mitigation shall be used for the acquisition and development of a Community Park.

13. A private recreation area\tot lot shall be constructed in Tract B east of lot 8 - 10. The design and type of equipment in the tot lot shall be reviewed by the Parks and Recreation Board. A meandering pedestrian pathway shall be constructed within the cutting preserve (Tract C) linking 34th Place Southeast with Tracts B and C.

14. Trees to be preserved shall be determined after a review of the tree survey on file with the City and on-site identification by City staff. Preservation areas and individual trees identified to be saved shall be protected from encroachment by vehicles, earth moving and excavating machinery and material storage by the erection of barrier fencing approved by City staff. Failure to maintain, or removal of the fencing without approval of the City, shall result in the issuance of a stop work order.

15. Site clearing and grading shall be restricted to areas necessary for the installation of utilities, and construction of roads and sidewalks. No other clearing is allowed without the approval of City staff. No lot clearing shall be allowed nor building permits issued prior to the submittal and approval of individual tree preservation plans for each lot following approval by the City Council of the final plat.

16. 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. The City may, at its discretion, issue a stop work order for the construction on the subject lots until the penalty is paid.

**RECOMMENDATIONS CONTINUED:**

17. Fire hydrant design, location and spacing shall be reviewed and approved by Fire District No. 7 and the Alderwood Water District.
18. Mail boxes shall be grouped or clustered locking mailbox hutches in locations identified by the United States Postal Service.
19. All utility, stormwater, drainage, maintenance easements, property buffers and pedestrian easements together with attendant restrictions and conditions shall be portrayed on the face of the final plat.

**LEGAL DESCRIPTION**

Lots 1 and 2 of Short Plat No. SP294(9-86) recorded under Recording Number 8703270324, being a portion of the Southeast quarter of the Northeast quarter of Section 5, Township 27 North, Range 5 East, W.M., in Snohomish County, Washington.

**ATTACHMENT 1**  
**Legal Description**



was to preserve open areas and provide recreation areas, not necessarily the preservation of a wildlife habitat.

Commissioner Pazevic felt that a circular cul-de-sac would be more aesthetically pleasing than the proposed hammerhead turnaround. Doug Webb responded that there wasn't room for a circular turnaround and that City staff had agreed that the hammerhead turnaround would be acceptable. If the Commission were to insist on a full cul-de-sac, they would only have 16 developable lots.

Commissioner Hodge asked if the applicant would consider putting the vault under the street and making Tract A a part of lot 4. Although this would be technically possible, the applicant felt that it would be more difficult and costly because of other utilities also using the street, and that it would be better to have the small square tract.

Chairman McElhose called for additional public comments and as there were none, he closed the public comment portion of the public hearing.

Commissioner Hodge had a concern about a small homeowners' association being responsible for the maintenance of the detention facility. Commissioner Schmidt felt that this should not be the responsibility of the homeowners' association but should be the responsibility of the City. He asked Director of Public Works Monken if the storm detention facility could be located in the right-of-way and be the responsibility of the City. Commissioner Hodge asked the applicant how they felt about this suggestion. The applicant was concerned with the additional cost of placing the stormwater detention facility in the right-of-way. Chairman McElhose asked if Tract A could be dedicated to the public without effecting the PRD requirements. Planner Friedman said that Tract A was not included in the open space calculations.

Commissioner Pazevic felt that 153rd Street should be 50 feet until it comes to the T because it would be more easily disguised if it occurred at the T rather than the middle of the road.

Director of Public Works Monken had a concern about Tract A being dedicated to the City if it were to be located outside the public right-of-way. Taking the land into the City would be an additional maintenance expense with a minimal benefit. He felt that it would be more appropriate to place the storm detention vault in the right-of-way if the City is going to maintain it. It was suggested that 153rd be realigned and Tract A and the adjacent part of the stub road could become a lot. Commissioner Schmidt asked if there was room for a vault in the right-of-way. Director of Public Works Monken assured him that there was. The applicant was agreeable with this plan.

**MOTION:** Commissioner Schmidt moved to approve the plat of Hollymere as proposed, subject to the recommended conditions of approval, and with the additional recommendations: that Tract A be eliminated as proposed by City staff and





that the detention vault be located under the right-of-way of 153rd Street; that lot 5 be moved over to where Tract A is; and Tract B realigned as per the Commission's discussion to make a more useful space and preserve the total acreage; and the 153rd Street right-of-way be maintained at 50 feet to the point where it dead ends. Commissioner Hodge seconded the motion. Commissioner Hodge asked for clarification on the last recommendation, "is the intent for 153rd to be 50 feet from one end of the property to the other or is it to where it intersects with 34th?" It was clarified that it would be 50 feet all the way to the end and this would be a condition of approval. The motion passed unanimously.

Chairman McElhose recessed the meeting at 8:00 p.m. for a short break. The meeting reconvened at 8:12 p.m.

#### IV. OLD BUSINESS

##### A. Deliberations on Revisions to the Comprehensive Plan and Draft Supplemental Environmental Impact Statement

Planner Rogers officially entered several exhibits into the record. Exhibits M through T are written comments received at the public hearing on August 18 and after the hearing during the extended comment period, which ended August 24, 1994. These comments are summarized in Exhibits U and V. Exhibit W is suggested revisions to the goal statements, which were submitted by Commissioner Hodge.

The Commission decided to use the Summary of Comments (Exhibits U & V) as a guide, review each comment sequentially, and try to make all decisions by consensus. If consensus was not possible, a vote would be taken. The Commission agreed to discuss the letter from WSDOT first (Comment No. 12) since the City Engineer, Mick Monken, was present.

Comment No. 12: WSDOT submitted a letter dated August 15, 1994, raising several issues. Planner Rogers stated that their comments do not directly affect the plan.

The Commission members discussed the way the City measures level of service at intersections and the way the state measures level of service. The state uses intersection averaging and the City takes the worst case of each individual leg of the intersection. The Commission felt that the City should be consistent with WSDOT. Director of Public Works Monken explained that other cities do not use the state's method of measuring the level of service, and, in fact, when WSDOT has done studies they have used our method.

*Commission Consensus:* It was suggested that language should be added to the Comprehensive Plan to make it clear that the City's level of service is measured using worst case, not intersection averaging.