CITY OF MILL CREEK
DEPARTMENT OF COMMUNITY DEVELOPMENT

STAFF REPORT
TO THE CITY OF MILL CREEK HEARING EXAMINER

PART I - SUMMARY INFORMATION

HEARING DATE: December 18, 2013

NAME OF PROJECT: Seattle Ridge Preliminary Plat/Planned Area Development
File No. PP 13-65

PROPERTY OWNER/ APPLICANT: Seattle Hill North Coast LLC
2810 West Park Drive East
Seattle, WA 98112

LOCATION: The site is located at 14616 Seattle Hill Road in the City of Mill Creek. See **Attachment A – Vicinity Map**.

REQUESTED ACTION: The requested action is consideration of the Seattle Ridge Preliminary Plat/Planned Area Development application to subdivide 3.917 acres into 16 lots for single-family homes. Access to the proposed plat will be via a new road connecting 146th Street SE in the Webster's Pond subdivision to Seattle Hill Road. Initially, because of sight distance standards, the connection to Seattle Hill Road will be restricted to emergency vehicles only; thus, general access to the new lots will only be available through the Webster's Pond subdivision. However, once improvements are made to Seattle Hill Road as part of a planned widening project, the Seattle Hill Road entrance will be opened to general traffic. The timing of the planned improvements to Seattle Hill Road is unknown. As proposed, a 50-foot wide vegetated roadway buffer with sidewalk will be provided adjacent to Seattle Hill Road and Tracts 996 and 999 will be common open space areas. An existing single-family house on the property will be removed at the time of development. Per Mill Creek Municipal Code Section 16.12.040, the applicant has requested modifications to the minimum lot size (4,000 square feet in lieu of 8,400 square feet) and minimum building setbacks, as follows: Reduction of building setbacks to 15 feet front yard, 20 feet to garage, 5 feet side and rear yards, and 10 feet side yard for corner lots. See **Attachment B – Preliminary Plat Map**.

COMPREHENSIVE PLAN DESIGNATION: Low Density Residential (LDR)

ZONING DISTRICT: Low Density Residential (LDR)

LEGAL DESCRIPTION: See **Attachment C – 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, an Environmental Impact Statement (EIS) was not required.

On October 31, 2013, a Mitigated Determination of Non-Significance (MDNS) and Notice of Property Development Impact Mitigation were issued for the proposal. The MDNS identifies measures necessary to mitigate impacts on specific elements of the environment that may be affected by the proposal, including earth, air, water, plants, animals, environmental health, transportation, and public services. These measures have also been incorporated in the staff recommended Conditions of Approval as appropriate, contained in Part V of this report.

PUBLIC NOTICE:

Pursuant to Section 14.07.030 MCMC, notice of public hearing was mailed on December 3, 2013, directly to property owners of record within 500 feet of the proposed project and posted on the site on December 4, 2013. Notice of public hearing was published in the *Everett Herald* on December 7, 2013. (See the project file for a copy of the Affidavits of Publishing, Posting and Mailing.) All legal requirements for public notice have been satisfied.

PART III - BACKGROUND INFORMATION

EXISTING SITE CHARACTERISTICS:

The site is 3.917 acres and includes an existing single-family house and outbuildings. The site is situated on a gentle, northwesterly-declining slope. The site terrain generally slopes down westerly at about 3% to 13% grade, gentler over the southeast side and gradually steepening towards the western boundary of the site. The site is bound by Seattle Hill Road to the southeast and residential development to the north and west. The open area of the site is mostly covered by grass with mature and younger deciduous and evergreen trees along its perimeter.

SURROUNDING ZONING AND LAND USES:

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

- The property to the north is zoned *Low Density Residential (LDR).* The property is developed with single-family residences (Appletree at Thomas Lake).

- The property to the west is zoned *LDR.* The property is developed with single-family residences (Webster's Pond).

- The property to the south is zoned *LDR*. The property is developed with a single-family residence.

- The properties to the east, across Seattle Hill Road, are located in unincorporated Snohomish County and are zoned *Urban Low Density Residential (ULDR)* and *Urban Village (UVILL).* The properties are developed with single-family residences, one of which is an adult family home, and a drive-through espresso stand.

- The property to the southeast, across Seattle Hill Road, is located in unincorporated Snohomish County and is zoned *Urban Village (UVILL).* The property is developed as a commercial retail/office center (Esplanade).

Summary of other pending development proposals in the area:

There is one pending land use development proposal for a 16-lot preliminary subdivision on 3.6 acres at 14619 Seattle Hill Road (on the east side of Seattle Hill Road) under Snohomish County jurisdiction.

OTHER AGENCIES WITH JURISDICTION:

The proposed development is within the Silver Lake Water and Sewer District, the Everett School District, and the Snohomish County Public Utility District No. 1 (PUD). The City contracts for fire protection and emergency medical services from Snohomish County Fire Protection District No. 7. The City has adopted separate interlocal agreements with Snohomish County (transportation issues), Snohomish County Fire Protection District No. 7, and the Everett School District regarding the joint review, comment, and imposition of appropriate mitigation and conditions on development proposed within the City.

Once an application is deemed complete the City holds a Technical Review Committee meeting to solicit comments from agencies with jurisdiction and other interested parties. Through this process, the application was distributed to numerous entities including Snohomish County (Public Works), Fire District No. 7, the Everett School District, Silver Lake Water and Sewer District, and the PUD. Comments are also solicited as part of the SEPA review process. The comments/requirements submitted by these agencies are in the project file and are summarized later in this report and are included, as applicable, in the recommended Conditions of Approval.

PART IV – PROJECT ANALYSIS

DEVELOPMENT REVIEW PROCESS AND SITE DESIGN:

Development Review Process

The proposal is being processed in conformance with the provisions contained in Title 14 (Development Code Administration), Title 15 (Building and Construction) Title 16 (Subdivisions and Plats), Title 17 (Zoning), and Title 18 (Environment) of the Mill Creek

Municipal Code (MCMC). The project must be consistent with the applicable development regulations and the Design Standards. A matrix evaluating the project's consistency with the requirements is included within this staff report.

The proposed development is also subject to the City's Comprehensive Plan policies. Applicable policies include Land Use, Capital Facilities, Utilities, Transportation, Environmental and Parks and Open Space. A matrix evaluating the project's consistency with the applicable policies is included within this report.

Site Design

General Description:
The proposal is a Preliminary Plat/Planned Area Development to subdivide 3.917 acres into 16 lots for single-family home development.

Requested Modifications and Consistency with Planned Area Development Purpose

Pursuant to MCMC Section 16.12.040, the applicant has requested a reduction in the 8,400 square foot minimum lot size (4,000 square feet) and a reduction of building setbacks to 15 feet front yard, 20 feet to garage, 5 feet side and rear yards, and 10 feet side yard for corner lots. Modifications to zoning code requirements are permissible through the Planned Area Development (PAD) process if it can be demonstrated that the modifications further the expressed interest of the Planned Area Development chapter as established in MCMC Section 16.12.020, PAD Purpose.

Purpose of Planned Area Development

The purpose of the Planned Area Development Chapter 16.12 includes but is not limited to the following:

A. To allow for creative development equal to or superior to traditional lot-by-lot development.
B. To preserve open space, natural vegetation, watercourses, wetlands, historic buildings and places, and other community values.
C. To provide more efficient street and utility systems and retain existing vegetation by clustering buildings.
D. To provide for a variety of housing types in one development with architectural design compatibility.
E. To provide integrated landscape development.
F. To provide for the integration of new development into the existing community while protecting and preserving the values of the surrounding neighborhood.
G. To provide for the site planning and regulation of nonresidential sites not requiring a subdivision for development.
H. To manage stormwater through a land development strategy that emphasizes conservation and use of on-site natural features integrated with engineered, small-scale hydrologic controls to more closely mimic predevelopment hydrologic conditions.
I. To minimize impervious surfaces and effective impervious surfaces.
J. To encourage infiltration as a preferred method of stormwater drainage, when feasible.

K. To encourage development of residential environments that are harmonious with on-site and off-site natural and built environments.
L. To further the goals and the implementation of the policies of the comprehensive land use plan.

Reduced Minimum Lot Size

The applicant has requested a minimum lot size of 4,000 square feet in lieu of 8,400 square feet. For comparison, listed below are the lot sizes for the two adjacent single-family residential neighborhoods, Webster's Pond and Appletree at Thomas Lake, along with the proposed lot size information for Seattle Ridge.

Neighborhood	Lot Sizes
Webster's Pond	3,938 sq. ft. minimum 4,786 sq. ft. average 8,677 sq. ft. maximum
Appletree at Thomas Lake	5,146 sq. ft. minimum 7,768 sq. ft. average 13,705 sq. ft. maximum
Seattle Ridge	4,009 sq. ft. minimum 4,650 sq. ft. average 7,341 sq. ft. maximum

The proposed lot sizes are comparable to the adjacent single-family developments, in particular the existing lots immediately adjacent to the proposed plat of Seattle Ridge. Smaller lot sizes have been permitted within the City of Mill Creek to encourage the provision of additional common and/or public open space. The large frontage on Seattle Hill Road results in a significant proportion of the site that is allowed for density calculation to be unavailable for buildable lot area. Reduced lot sizes are necessary to meet density targets established in the Comprehensive Plan. Staff supports the applicant's request and recommends that the minimum allowed lot size be 4,000 square feet.

Reduced Building Setbacks

The Low Density Residential zone requires the following setbacks:

- Front yard setback of 20 feet. Corner lots (i.e., lots that abut a street or access tract on two contiguous sides) are considered to have two front yards;
- Side yard setback of 20 feet total, with no side yard less than 5 feet;
- Rear yard setback of 20 feet.

The applicant is requesting the following setback modifications. These modified setbacks are illustrated on the preliminary plat map and are described as follows:

Front yard setbacks:

- Minimum of 15 feet to the house, 20 feet to the garage. Corner lots would have a 10-foot minimum setback on the second front yard.

Rear yard setbacks:

- 5 feet

Side yard setbacks:

- 5 feet

The requested building setback reductions are consistent with the required setbacks in the adjacent neighborhoods. Even so, staff recommends that the rear yard setback only be reduced (on most lots) to 10 feet (5 feet was requested) since the adjacent developed lots do not have structures closer than 10 feet to the rear boundary line. A 5 foot rear yard setback is appropriate on Lots 9 and 10 since they are substantially more shallow and do not abut other single-family lots. The proposed setback modifications will allow more flexibility in the design of the homes to be constructed in the plat. It is important to note that even though the setbacks are reduced, the 35% maximum lot coverage standard will still apply and will ensure that the lots are not overbuilt. To summarize, staff supports the setback modifications shown below:

Front yard setbacks:

- Minimum of 15 feet to the house, 20 feet to the garage. Corner lots would have a 10-foot minimum setback on the second front yard.

Rear yard setbacks:

- 10 feet, except for 5 feet for Lots 9 and 10

Side yard setbacks:

- 5 feet

Modification Consistency with Planned Area Development Purpose

As proposed and if approved, the requested reduction in lots sizes and setbacks (as recommended by staff) further the Planned Area Development purpose as follows:

- Reduced lot size allows additional open space beyond required 50-foot roadway buffer.
- Increased open space allows reduced impervious surface.
- Reduced setbacks allow flexibility in home type while maintaining 35% lot coverage.
- Reduced setbacks allow integration of new development similar to type and value of surrounding development.
- Furthering the goals and the implementation of the policies of the comprehensive land use plan, including meeting density allowed for the land use zone and providing a roadway buffer consistent with the Plan's Streetscape Element.

<u>Access:</u>

Access to the new lots is via a new roadway connection proposed between Seattle Hill Road and the existing 146th Street SE stub in the Webster's Pond development. This roadway connection

is needed for a second emergency vehicle access point for both Webster's Pond and the proposed development, as well as to distribute vehicle circulation as required in Policies 3.01 and 3.06 in the Transportation Element of the Comprehensive Plan. Because of the ultimate need to provide a second access for emergency vehicles, the Webster's Pond development was designed to accommodate this roadway connection. On December 4, 2013, Fire District 7 provided a letter supporting the need for the future through road connection from Webster's Pond to the east through the proposed Seattle Ridge development and restating concerns that were stated by the District at the time the Webster's Pond development was considered by Snohomish County. The letter is attached for reference.

However, the proposed new access point location on Seattle Hill Road would not meet current sight distance requirements due to the vertical grade of the existing roadway. Snohomish County is planning a future widening project along Seattle Hill Road, which is currently in the design process, and will rebuild the roadway in this area and lower the elevation of the new 146th Street SE intersection by approximately three feet. After the widening project is complete, sight distance standards will be met at the new entrance.

Consequently, the applicant will construct an extension of 146th Street SE with an interim connection to Seattle Hill Road that will be for emergency vehicles only. In this interim period, all new trips generated by the proposed development will utilize 146th Street SE through Webster's Pond and the existing access point on 35th Avenue SE.

As part of the County's future widening project, the intersection and entry roadway will be reconstructed and fully opened to all traffic. Due to funding constraints, the timing of the future construction project and full access connection is unknown. When the final connection is made, there could be potential cut-through trips on 146th Street SE between Seattle Hill Road and 35th Avenue SE.

Parking:
The proposal provides parking throughout the site in garages, driveways, and on the public road where feasible. Per MCMC Section 17.27.020, Off-street Parking and Requirements, single-family dwellings shall have two spaces per dwelling unit. As proposed, each unit has four off-street parking spaces, two in the garage and two in the driveway.

Open Space and Seattle Hill Road Roadway Buffer Landscaping:
The proposal provides open space in Tracts 996, 997, 998 and 999. The tracts will be landscaped, and Tract 999 will include a detention vault. Since the proposal is a single-family development more than one-quarter of a mile from a public park, they are providing two private open space areas.

A 50-foot residential roadway buffer tract with an eight-foot meandering sidewalk and streetlights is required adjacent to Seattle Hill Road. The Seattle Hill Road roadway buffer is proposed to be landscaped as shown on the Preliminary Landscape Plan (sheets L2 and L3) in the project file.

Internal Site Landscaping
The interior portions of the site, including the private open space, are proposed to be landscaped as shown on the preliminary landscape plan contained in the project file. Street trees will be provided along the public streets as shown on the preliminary landscape plan.

Design Review Board Review Required
As required by City Code and included as a Condition of Approval, all proposed landscaping (except on private lots) is required to be submitted to the City's Design Review Board for review and approval prior to installation.

As required by code and as a Condition of Approval, a landscaping plan is required to be submitted to the City's Design Review Board to be reviewed and approved prior to installation for consistency with the Design Standards in MCMC Chapter 17.34.

Utilities
Utilities and services to serve the future use on the site are available. The site has water and sewer facilities adjacent to its west and east sides and these facilities could be extended through the Silver Lake Water and Sewer District Developer Extension Process to provide for on-site needs. A Water and Sewer Availability Letter from Silver Lake Water and Sewer District dated April 17, 2013, is available for review in the project file.

In addition, the District provided the following comments at the June 20, 2013 Technical Review Committee meeting: The existing sewer and water shall be extended into the plat at the 146th Street SE eastern road right-of-way. Easements will be required where sewer and water utilities are not located in the plat right-of-way when finalized. The water main will require looping to the existing 12-inch water main located adjacent to the southern edge of the proposed plat.

Electrical service will be provided by the Snohomish County PUD No. 1. The PUD has indicated that there is capacity to serve the proposed development. Written comments from Snohomish County PUD dated June 24, 2013, are available for review in the project file.

Telephone communication services will be provided by Frontier Communications.

Natural gas will be provided by Puget Sound Energy.

Stormwater Facilities:
The new drainage system for the proposed development is required to meet City standards and the requirements of the February 2005 Department of Ecology Stormwater Management Manual for Western Washington with Appendix 1 of the City's Phase 2 NPDES permit (dated as effective September 1, 2012).

Runoff from the existing site currently flows to the northwest corner of the parcel without any flow control or water quality treatment. Stormwater regulations require the site to be treated as native undisturbed forest instead of the existing configuration of a house and open field. Consequently, the proposed developed runoff rate will be less than the existing flows.

Stormwater from the proposed development will be collected and conveyed in a closed system of catch basins and pipes towards the northwest corner, which will maintain the existing drainage pattern. The stormwater treatment facilities will primarily consist of an underground detention vault in Tract 999 for flow control, along with a bioswale to provide water quality treatment. The outfall from the vault and swale will be connected to the existing public drainage system on 146th Street SE in the Webster's Pond development.

In addition, a rain garden will be constructed in Tract 998 along the Seattle Hill Road frontage that will be incorporated into the future planned road widening project by Snohomish County. This will allow the planned access point to be constructed in the desired location without adversely affecting the County's proposed drainage facilities. A rain garden is also proposed in the northwest corner of the parcel for on-site treatment of a portion of the roadway runoff.

Frontage Improvements:
The developer is required to install improvements along the Seattle Hill Road frontage in accordance with MCMC Section 16.16.050. However, due to the County's planned road widening project, these improvements will be limited to construction of a meandering concrete sidewalk in the roadway buffer and dedication of right-of-way and drainage easements as needed to Snohomish County on the Final Plat.

SEPA Mitigation

City Transportation Impacts/Mitigation:
MCMC Chapter 16.16 requires construction of all necessary public improvements, such as the associated public roadway system, as part of a development. Chapter 10 of the Comprehensive Plan, the Transportation Element, also sets forth policies for traffic circulation and access points. In addition, City Ordinance 2011-735 requires traffic mitigation fees to be paid to mitigate development impacts on the City roadway network.

Traffic studies were prepared by Gibson Traffic Consultants, dated April 2013 and October 23, 2013, to assess the impacts of the proposed development and new roadway connection. Approximately 143 new daily trips will be generated by the development, including 15 PM peak hour trips and 11 AM peak hour trips. Pursuant to the City's transportation mitigation program, $45,000 is required to mitigate transportation impacts on the City's road system.

When the final connection is made, there could be potential cut-through trips on 146th Street SE between Seattle Hill Road and 35th Avenue SE. Per the supplemental traffic study prepared by Gibson Traffic Consultants, dated October 23, 2013, there could be approximately 83 AM peak hour trips and 116 PM peak hour trips from outside drivers that utilize the new cut-through route. This would be in addition to the new trips generated by the development, which would be redistributed with the new full access connection. Even with additional cut-through trips, the roadway would still meet the standard residential roadway functional classification.

As a Condition of Approval, the applicant shall pay mitigation to the City of Mill Creek in the amount of $45,000.00 for impacts to the City roadway system. Payment of traffic mitigation fees to the City is required prior to approval of the Final Plat.

As a Condition of Approval, the applicant shall construct an extension of 146th Street SE from the existing roadway stub in Webster's Pond development to Seattle Hill Road, as well as a new cul-de-sac for 39th Place SE. In the interim period before construction of the road widening project planned by Snohomish County, the new access point on Seattle Hill Road shall be designed and designated for emergency vehicles only. The temporary configuration of the Seattle Hill Road access is shown on Preliminary Drainage Plan Set, Sheet C4.0, Drainage and Utility Plan, available in the Project File.

City Park Facilities – Impacts and Mitigation

Approval of the Preliminary Plat/Planned Area Development will increase the demand upon the City's park and recreation facilities by allowing the construction of a total of 16 single-family residential dwelling units. Therefore, to mitigate the project's impacts on park and recreation facilities, mitigation fees are required for the development of neighborhood parks and community parks. Mitigation fees to offset impacts to parks and recreation facilities are calculated in accordance with Resolution 2011-477.

A. Neighborhood Parks. In accordance with Resolution 2011-477, the developer shall pay $2,895.58 per single-family dwelling x 15 dwellings = $43,433.70 (credit shall be given for one existing single-family dwelling unit). Pursuant to Chapter 17.48 MCMC, the developer shall pay neighborhood park mitigation fees in the amount of $43.433.70 prior to approval of the Final Plat.

B. Community Parks: In accordance with Resolution 2011-477, the developer shall pay $1,757.98 per single-family dwelling x 15 dwellings = $26,369.70 (credit shall be given for one existing single-family dwelling unit). Pursuant to Chapter 17.48 MCMC, the developer shall pay community park mitigation fees in the amount of $26,369.70 prior to approval of the Final Plat.

The above mitigation measures are incorporated in the Conditions of Approval.

SUMMARY OF RESPONSES FROM OTHER AGENCIES WITH JURISDICTION:

Snohomish County – Traffic Impacts and Mitigation

The Reciprocal Impact Mitigation Agreement between the City of Mill Creek and Snohomish County, dated July 24, 2006, established policies and procedures for the review of development impacts on interjurisdictional transportation systems and the requirement to mitigate appropriate impacts in accordance with adopted road improvement programs. In accordance with the agreement, the project proponent is required to comply with specific measures identified by Snohomish County that are reasonably necessary to mitigate the project's impacts on directly affected County roads in the surrounding area.

Developments are subject to SCC Title 26B and are located within subarea TSA D, which has a mitigation impact fee rate of $267 per residential ADT on County roads. Snohomish County has reviewed the traffic studies prepared by Gibson Traffic Consultants, and concurs with the

analysis contained within the study. Per SCC 30.66B.330, the applicant's proportionate impact share for mitigation is $26,689.32, based on a generation of 70 percent of 143 residential ADT's.

As a Condition of Approval, the applicant shall pay mitigation to Snohomish County in the amount of $26,689.32 for impacts to roads within the TSA D subarea. Payment of traffic mitigation fees to the County is required prior to the approval of the Final Plat.

Fire District Mitigation and Improvements

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 Fire District No. 7 facilities. Based on the provisions of the agreement, the mitigation required is $365 per equivalent development unit (EDU).

In accordance with the Interlocal Agreement between the City of Mill Creek and Snohomish County Fire District No. 7, the developer shall pay $365.00 per single-family dwelling x 15 dwellings = $5,475.00 (credit shall be given for one existing single-family dwelling unit). As a Condition of Approval, the developer shall pay mitigation fees to Fire District No. 7 in the amount of $5,475.00 prior to approval of the Final Plat.

Other plat improvements requested by the Fire District have been incorporated into the Conditions of Approval for this proposal.

Community Transit:

Community Transit has reviewed the proposal and has requested consideration of some pedestrian improvements, including a painted pedestrian crossing (crosswalk) on the south side of 148th Street SE and pedestrian access between Tract 995 and Seattle Hill Road.

Both requests were considered, and it was determined that adding a crosswalk on the south side would require substantial upgrades to the signal infrastructure that is beyond the scope of typical frontage improvements. In addition, the signal is not within Mill Creek's jurisdiction. Instead, it is owned and operated by Snohomish County, who did not request any improvements to be made as part of this development. An additional pedestrian access point at Tract 995 was determined to be optional due to the proximity of the plat's primary access point to the intersection of Seattle Hill Road and 148th Street SE. A copy of the letter from Community Transit is contained in the project file.

Everett School District Mitigation:

The City of Mill Creek and the Everett School District have executed an Interlocal Agreement for mitigation of development impacts on district facilities. Mitigation fees are calculated per the Interlocal Agreement between the City and Everett School District.

The proposed project is within the enrollment boundaries of Penny Creek Elementary School, Gateway Middle School and H.M. Jackson High School. According to the Everett School District, the elementary and high schools are over capacity; thus, mitigation is required.

On October 8, 2013, the applicant signed a voluntary mitigation agreement with the Everett School District to pay mitigation fees totaling $22,347.60.

As a Condition of Approval, proof of payment of mitigation fees totaling $22,347.60 as stated in the voluntary mitigation agreement with the Everett School District shall be submitted to the City prior to issuance of the first building permit.

In addition, the District has determined that students will be picked up and dropped off at the entrance along Seattle Hill Road. The District requests one hard surfaced student waiting area be located at the entrance. The hard surfaced waiting area should be approximately 10’ x 15’ in size, linked to the housing units in the development with safe student walkways, and located behind the sidewalk.

The above mitigation measures have been incorporated into the Conditions of Approval.

CONSISTENCY WITH THE MILL CREEK COMPREHENSIVE PLAN:

For a development application 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 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 for the proposed project.

COMPREHENSIVE PLAN POLICIES		
POLICY	**FOCUS**	**COMMENT**
LAND USE ELEMENT		
Land Use Map Designation	The entire site is designated Low Density Residential (LDR).	The proposed single-family development is consistent with this land use designation.
Policy 1.01	The residential character of the City should be composed of a range of residential densities while maintaining and enhancing the City as a predominantly single-family residential community.	The proposed single-family development is consistent with this policy.
Policy 1.04	New residential development should be compatible with surrounding land uses in height, scale and design and be in character with the high quality of development in the City. Design guidelines and strategies such as those included in the City’s Development Code (Chapter 17.34) should be incorporated into the design of new subdivisions.	The proposed single-family development is consistent with this policy. The proposed landscaping is required to be submitted to the City’s Design Review Board to be reviewed and approved prior to installation for consistency with the Design Standards in MCMC Chapter 17.34.

COMPREHENSIVE PLAN POLICIES		
POLICY	**FOCUS**	**COMMENT**
Policy 1.08	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 single-family development is consistent with this policy.
Policy 1.12	The peripheral boundaries of each residential development should contain appropriately-sized property buffers. These vegetated areas provide neighborhood and development identity; provide wildlife habitat corridors; provide pedestrian linkage to other residential developments and activity areas and protect residential areas from visual and audible disturbances. Where appropriate, topographic change and natural areas shall be used to separate developments and to reinforce this identity.	The proposal includes a 50-foot wide roadway buffer/cutting preserve along Seattle Hill Road. As required by code and as a Condition of Approval, the proposed landscaping is required to be submitted to the City's Design Review Board to be reviewed and approved prior to installation for consistency with the Design Standards in MCMC Chapter 17.34. Given the relatively small size of the plat and the similar adjacent land uses, no peripheral buffer is required between the adjacent residential developments.
Policy 1.12 continued	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 roadway 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.	There are no environmentally sensitive areas on the site. Building mass will be in proportion to the site with lot coverage and setback restrictions. The development includes safe and efficient pedestrian and vehicular circulation.

COMPREHENSIVE PLAN POLICIES		
POLICY	**FOCUS**	**COMMENT**
Policy 1.13	New residential developments should 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 similar restrictive covenants where appropriate.	The single-family use is compatible with the adjacent single-family developments. With the requested modifications, the lot sizes and setbacks are comparable to the adjacent developments, resulting in similar housing product size. Vehicle and pedestrian circulation are safe and efficient. Similar restrictive covenants will be required for maintenance of common areas.
CAPITAL FACILITIES ELEMENT		
Policy 2.04	The City shall require, as a condition of development approval, stormwater management facilities that incorporate treatment components such as settling ponds, biofiltration, oil/water separation and other acceptable techniques, along with specific maintenance and management programs consistent with the current Department of Ecology Stormwater Manual for Western Washington.	The project shall incorporate stormwater management facilities that comply with the DOE Stormwater Manual for Western Washington and City requirements.
UTILITIES ELEMENT		
Policy 1.01	Urban development shall only be approved in those areas where services are available.	Utility services for water, sewer, telephones, gas, and power are available to serve the site.
Policy 1.10	Where possible, all new utility facilities shall be located underground.	As required by code and as a Condition of Approval, all new utilities shall be located underground.
TRANSPORTATION ELEMENT		
Policy 2.02	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.
Policy 4.01	Public sidewalks are required to be connected with other public/private trail systems where appropriate. On arterial roads, sidewalks should be consistent with	Proposed sidewalks will be connected to the existing sidewalks, where appropriate.

COMPREHENSIVE PLAN POLICIES		
POLICY	**FOCUS**	**COMMENT**
	the Streetscape Element of the Comprehensive Plan.	
ENVIRONMENTAL FEATURES ELEMENT		
Policy 1.01	Land developments should be encouraged to use low impact development (LID) techniques to minimize the amount of impervious surface dedicated to streets, driveways and roofs. Use of these techniques will help reduce the amount of stormwater runoff and provide greater protection of surface and groundwater resources. Stormwater facilities should be incorporated into new developments that meet the requirements of the current Department of Ecology Stormwater Management Manual.	The proposed stormwater facilities are required to meet the DOE Stormwater Management Manual. LID techniques have been proposed as part of the plat's stormwater facilities. See discussion on Page 8 under Stormwater Facilities for additional details.
Policy 1.02	Land developments shall include stormwater facilities that meet or exceed the requirements of the current DOE Stormwater Management Manual.	The proposed stormwater system is required to meet the current requirements of the DOE Stormwater Management Manual.
Policy 4.01	Clearing and grading shall minimize erosion/sedimentation into streams and wetlands. Temporary and permanent erosion control measures are required.	As required by code and as a Condition of Approval, an erosion control plan is required to be approved by the City prior to construction.
Policy 5.01	The City's image is characterized by an abundance of natural vegetation indigenous to the northwest. As additional development occurs, landscaping that emphasizes the use of native plant materials (including drought tolerant species), provides a unified design element, achieves compatibility between varied uses is highly encouraged. Wooded areas should be preserved, wherever possible, to ensure adequate habitat for wildlife.	As required by code and as a Condition of Approval, the proposed landscaping of the common areas, roadway buffer, and street trees shall be reviewed and approved by the Design Review Board.

CONSISTENCY WITH DEVELOPMENT REGULATIONS:

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

DEVELOPMENT REGULATIONS	
CODE SECTION	**STAFF ANALYSIS**
16.16.005 Public Improvements. No plat, Binding Site Plan, short plat, or other development approval shall be granted without, as a Condition of Approval, making appropriate provisions for public improvements as elsewhere permitted or required by this code or state law.	As a Condition of Approval the project is required to install public improvements associated with this project.
Low Density Residential (LDR) Zone **17.06.035 Review requirements.** All development in the LDR zone district shall be processed as either a preliminary plat or binding site plan in accordance with MCMC Title 16, Subdivisions and Plats.	The proposal is being processed as a preliminary plat in accordance with MCMC Title 16.
17.06.040 Minimum lot size. The minimum lot size in the LDR zone is 8,400 square feet.	The applicant has requested a reduction in lot size pursuant to MCMC 16.12.040, Permitted Modifications. Staff supports the request. See discussion under Requested Modifications, Page 5.
17.06.050 Setbacks. • Front yard setback of 20 feet. Corner lots (i.e., lots that abut a street or access tract on two contiguous sides) are considered to have two front yards; and • Side yard setback of 20 feet total, with no side yard less than 5 feet; • Rear yard setback of 20 feet.	A modification to the minimum setbacks has been requested as follows: Front yard setbacks: • Minimum of 15 feet to the house, 20 feet to the garage. Corner lots would have a 10-foot minimum setback on the second front yard. Rear yard setbacks: • 5 feet Side yard setbacks: • 5 feet Staff supports the request. See discussion under Requested Modifications, Page 5.

17.06.055 Density. The maximum allowable density is four dwelling units per gross acre consistent with the provisions of MCMC 16.12.050 and the requirements of the Growth Management Act.	The proposal must be consistent with the maximum density of both the Comprehensive Plan and the Development Regulations. Using the *gross* site area of 170,607 square feet multiplied by four dwelling units per acre, 16 dwelling units are allowed. Using the *net (less dedication of 20% unbuildable land)* site area of 130,826 square feet divided by the minimum lot size of 8,400 square feet, 16 dwelling units are allowed. Thus the proposed development is consistent with both the Comprehensive Plan and the Development Regulations density requirements.
17.06.060 Maximum height. The maximum height shall be 35 feet.	The proposed houses are to be a maximum of 35 feet high, which is consistent with this requirement.
17.06.070 Maximum lot coverage. The maximum lot coverage shall be 35 percent.	The proposed lots will be consistent with the maximum lot coverage of 35 percent.
17.06.080 Project Design. Development within this zone district shall be designed in conformance with the design principles and standards set out in 17.34 MCMC, Design Review.	See discussion below regarding consistency with MCMC 17.34.
17.22.020 Landscaping. All lots and developments shall be generously landscaped, consistent with the natural environment of Mill Creek and appropriate to the planned use. Retention and enhancement of natural landscaping is encouraged. Landscaping design objectives and standards are contained in Chapter 17.34.	The proposed lots will be consistent with this requirement.
17.22.060 Required open space. On-site open space and recreational facilities are required in an amount adequate to meet the recreational, health, environmental and safety needs of the residents, occupants, guests and visitors of the development. That determination shall be made in accordance with the following standards and criteria: A. The amount of open space and type of recreational facilities shall meet the specific needs of the residents, guests and visitors. B. The amount of open space and recreational facilities should be proportional to the density of the development (i.e., as density increases and/or as lots become smaller, there is a greater need for common open space available to all of the residents,	The proposal is consistent with this requirement. The applicant is proposing 19,846 square feet of private open space plus 32,530 square feet of roadway buffer open space. The proposal is a single-family development more than one-quarter of a mile from a public park, and they are providing two private open space areas. Therefore, the project provides the required open space.

guests and visitors to the development). In multifamily developments without individual yards, total common open space should be equivalent to 250 square feet per dwelling unit. 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. C. The amount of open space and recreational facilities should meet the purpose and intent of the zone district in which the development is located. D. The open space and recreational facilities should be readily accessible to all dwelling units in the development. E. The open space and recreational facilities shall be appropriately screened from parking areas. F. The length of the open space area shall be no more than twice the width. G. The open space area may be located in any required setback area, except street setbacks, so long as the uses thereof are compatible and permissible. H. The open space shall not have more than five percent grade.	
17.22.110 Undergrounding of utilities. A. For any private development that includes new construction typically associated with a Binding Site Plan, plat, short plat, or a conditional use permit subject to the provisions of the development code, the developer shall place underground all new and existing wiring and related facilities for all utilities, including but not limited to electrical, cable television and communication, unless otherwise provided in this section.	As a Condition of Approval all utilities will be constructed underground consistent with this requirement.
17.22.120 Comprehensive plan – Concurrency and consistency required. All new developments within the city shall be consistent with the provisions of the comprehensive plan, including but not	The preliminary plat and associated documents are consistent with these requirements as follows: A. The proposed single-family neighborhood is consistent with the Low Density Residential land use designation.

limited to the following: A. All developments within the city shall be consistent with the land use plan map as adopted in the land use element of the comprehensive plan. B. All developments within the city shall be consistent with the applicable goals and policies of the comprehensive plan. C. Developments shall not cause a reduction in the level of service for transportation and/or neighborhood park facilities below the minimum standards established within the comprehensive plan and capital facilities plan, unless improvements or strategies to accommodate the impacts of the development are made concurrent with the development.	B. An analysis of the project's consistency with the Comprehensive Plan Policies has been provided in the staff report. C. The project does not cause a reduction in transportation or neighborhood parks level of service below minimum standards. Mitigation for transportation and neighborhood park facilities is being provided.
17.34.040 A. Site Design. The following design elements shall be applied to all projects: 1. Site Design Layout. a. Sites shall be developed in a coordinated manner to complement the natural topography and drainage, and adjacent structures through building placement, architecture and size/mass. b. Whenever possible, buildings on the same site shall be designed to enhance safe and convenient pedestrian access between buildings including plazas, courtyards, pocket parks, and other pedestrian use areas connected by clearly marked walkways. c. Where appropriate, sites shall incorporate transit-compatible designs. "Transit compatibility" means designs that are pedestrian oriented, provide safe and convenient access to transit facilities, and foster efficient transit service. d. Where appropriate, sites shall be designed to provide vehicular and pedestrian connections to adjacent sites. e. Private open space shall be incorporated into attached single-family and multifamily residential projects in accordance with MCMC 17.22.060.	The proposed preliminary plat has been designed to be consistent with these requirements by: • Providing private open space areas. • Providing vehicular and pedestrian connections to adjacent sites. • Designing a stormwater vault to be located under an open space area to maximize land use. • Utilizing LID techniques when feasible.

f. The use of LID best management practices is encouraged whenever site and soil conditions make it feasible. LID best management practices include, but are not limited to, minimizing impervious surfaces, designing on-site LID stormwater management facilities, and retaining native vegetation.	
17.34.040 A. Site Design Cont'd. The following design elements shall be applied to all projects: 3. Tree Preservation. a. Project design shall maximize the preservation of existing significant tree stands and significant individual trees, especially on slopes, street frontages, and on the perimeter of the site. b. Project design shall incorporate existing natural vegetation into the site design wherever possible. c. Trees that are to be preserved shall be subject to the standards established in MCMC 15.10.045 and penalties established in MCMC 15.10.075.	The proposed preliminary plat has been designed to be consistent with these requirements. Existing mature trees will be retained where possible and practical.
17.34.040 A. Site Design Cont'd. The following design elements shall be applied to all projects: 4. Storm Drainage. a. Open stormwater facilities (i.e., ponds and bioswales) visible from public areas shall be designed as site amenities and shall provide a natural appearance through layout, design, and landscape treatment. If fencing is determined to be necessary by the city, it shall be installed in accordance with MCMC 17.22.040 and public works policies, and be obscured with landscaping. b. Stormwater facilities (whether open facilities or vaults) shall be located outside roadway buffers/cutting preserves unless there is no other feasible alternative and the facilities do not compromise the purpose and function of the roadway buffer/cutting preserve. In such cases, the facility may only be located in the outer portion of the roadway buffer/cutting preserve.	The proposed preliminary plat has been designed to be consistent with these requirements by: • Designing the stormwater vault to be located under an open space area to maximize land use. • Landscaping to be planted above the stormwater vaults will be designed to comply with the DOE Stormwater Manual for Western Washington and City requirements.

c. Where located under areas to be landscaped, underground stormwater vaults shall have a minimum soil cover of three feet. The soil shall be of sufficient quality to properly support vegetation. d. Stormwater bioretention, biofiltration, and bioinfiltration swales that are integrated into interior landscape areas within parking lots, and that meet area and landscaping requirements may be counted toward the interior parking lot landscape requirements.	
17.34.040 A. Site Design Cont'd. The following design elements shall be applied to all projects: 5. Vehicular Entrances. a. Vehicular entrances shall be designed to welcome residents, customers, and visitors. Gated entrances on public right-of-way are prohibited. Gated entrances on private roads are strongly discouraged. b. At the primary vehicle access point(s) to a site, signage identifying the address should be clearly visible from the street and the entrance shall be highlighted with elements such as: i. Freestanding development identification sign; ii. Ornamental entrance features; iii. Water feature(s); iv. Identifying architectural features such as arbors or trellises; v. Functional, accent lighting; vi. Artwork; vii. Landscape treatment with seasonal color (such as annuals or flowering trees), including planter boxes or pots; viii. Decorative or textured pavement.	The proposed preliminary plat has been designed to be consistent with these requirements by: • Providing landscaping in the roadway buffer tract.
17.34.040 A. Site Design, Cont'd. The following design elements shall be applied to all projects: 6. Sidewalks, Trails, and Pedestrian Walkways. a. A comprehensive system of pedestrian walkways shall link together all site entrances, building entries, parking facilities,	The proposed preliminary plat has been designed to be consistent with these requirements by: • Connecting walkways to the adjacent neighborhoods to provide access to and through the site. • Providing walkways which will be ADA compliant.

and common outdoor spaces with the sidewalk system in the public right-of-way. b. Sidewalks and trails shall be meandering and continuous between developments, and shall also conform to ADA and building code requirements for pedestrian safety, where appropriate. c. Pedestrian walkways shall incorporate pedestrian-scale lighting, bollard lighting, landscaping, accent lighting, and directional signage into the design of the walkways. d. Site furnishings adjacent to sidewalks/paths such as pedestrian kiosks, benches, newspaper stands, decorative banners, trash receptacles, bus shelters, hanging flower baskets, and planting pots shall be made of durable, weather-resistant, vandal-resistant materials.	

PART V—STAFF RECOMMENDATION

STAFF RECOMMENDATION:

Staff recommends approval of the Preliminary Plat/Planned Area Development subject to the following suggested Conditions of Approval:

Preliminary Plat:

1. Development shall occur as portrayed on the Preliminary Plat Map, except as may be modified by the Hearing Examiner following the open record hearing, per MCMC Chapter 4.34.

2. Building setbacks on the lots shall be as follows:

   Front yard setbacks:
   - Minimum of 15 feet to the house, 20 feet to the garage. Corner lots would have a 10-foot minimum setback on the second front yard.

   Rear yard setbacks:
   - 10 feet, except 5 feet for Lots 9 and 10

   Side yard setbacks:
   - 5 feet

3. All utility, stormwater, drainage, maintenance, and landscaping buffers/easements, together with attendant restrictions and conditions, shall be portrayed on the final plat.

4. In accordance with MCMC Section 16.04.100, the Preliminary Plat approval shall expire and become void if the final plat is not submitted for approval in accordance with the time frames set forth in RCW 58.17.140.

5. The subdivision shall be incorporated into a homeowners association which will be responsible for the maintenance of all privately owned common areas and facilities. Homeowners association documents in accordance with MCMC Section 16.12.100 shall be submitted with the final plat application and recorded at the time of final plat recording.

6. 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.

Landscaping:

7. Existing mature trees shall be preserved within the roadway buffer where possible and practical. In addition, existing mature trees shall be preserved on individual residential lots where possible and practical. The 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. Where trees are to be retained on individual lots, a tree preservation site plan shall be prepared for the lot and submitted with the building permit.

8. Barrier fencing shall be placed around the drip lines of the trees to be retained and construction limits prior to commencing clearing and grading, and shall be maintained until construction is completed or as determined by the City Engineer or Director of Community Development in accordance with MCMC Section 15.10.045.

9. 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 10 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.

10. Landscaping plans for Tracts 996, 997, 998, 999 and the street trees shall be submitted to the Design Review Board for review and approval in accordance with MCMC Chapters 4.18 and 17.34. The landscape plan shall complement the retention of the existing trees. All landscaped areas shall be amended with a minimum thickness of four inches of compost mixed to a minimum depth of six inches.

11. The developer and the City shall enter into an agreement for implementation of the approved landscape plan and enter into a secured performance bond equal to 125 percent of the cost of labor and materials, in accordance with MCMC Section 16.16.040, posted prior to issuance of building permits.

12. Once the developer has fulfilled the obligations of the landscape performance bond, the applicant shall enter into a two-year maintenance agreement for the approved and installed landscaping in accordance with MCMC Section 16.16.090.

Engineering and Site Work:

13. Grading, roadway, 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, MCMC Chapter 15.12.

14. All public improvement work shall be adequately guaranteed through an agreement and security mechanism acceptable to the Public Works Director prior to beginning construction in accordance with MCMC Chapters 16.16 and 16.20.

15. In accordance with MCMC Chapter 16.16, the developer shall construct frontage improvements along Seattle Hill Road to accommodate Snohomish County's future planned road widening project. All work done by the developer within the County's right-of-way shall be in accordance with EDDS standards and require construction plan approval by the County. The developer is also required to obtain Title 13 permits from the County for any access onto County roads and any work within County right-of-way. The required frontage improvements shall consist of: (i) Construction of a rain garden in Tract 998; (ii) Dedication of public right-of-way and drainage easements as needed to Snohomish County on the Final Plat; (iii) Construction of a meandering five-foot wide concrete sidewalk in Tract 997.

16. The developer shall submit engineering design plans and documentation to address all required public and private drainage improvements. The approved stormwater system shall include the following elements and conditions per MCMC Chapter 15.14:

    A. Stormwater facilities that meet the requirements of the City of Mill Creek, the February 2005 edition of the Washington State Department of Ecology Stormwater Management Manual for Western Washington, and Appendix 1 of the City's Phase 2 NPDES Permit (dated as effective September 1, 2012).

    B. A geotechnical report shall be submitted to the City Engineer to address the feasibility and design of the proposed rain garden facilities.

    C. An overflow conveyance system that will adequately function in the event of a failure of the proposed rain garden facilities.

    D. A final stormwater drainage report signed and stamped by a licensed professional engineer shall be submitted to the City Engineer for review and approval.

    E. The property owners shall be 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 for rain garden facilities shall be indicated on the approved engineering plans and in the final drainage report.

F. Provisions shall be included with 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 and maintain the system at its discretion, and adequate provisions to ensure uninterrupted function of the facilities for the proposed development.

17. 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, MCMC Chapter 15.12.

18. There shall be no idling of construction vehicles and equipment on-site.

19. All new utilities within the project shall be placed underground in accordance with MCMC Section 17.22.110. The applicant shall be responsible for all costs associated with undergrounding the utilities. Appropriate easements or right-of-way for all utilities shall be provided by the applicant and shown on the face of the Final Plat.

20. The developer shall install a mailbox structure and covered stand for the proposed development in accordance with City standards. The location of the mailboxes shall be approved in writing by both the City and Post Office prior to installation.

SEPA Mitigation:

21. The developer shall pay mitigation to the City of Mill Creek in the amount of $45,000.00 for impacts to the City roadway system. Payment of traffic mitigation fees to the City is required prior to approval of the Final Plat.

22. The developer shall construct an extension of 146th Street SE as a public road from the existing roadway stub in Webster's Pond development to Seattle Hill Road, as well as a new cul-de-sac for 39th Place SE. These public improvements shall consist of: (i) Full width of the street and sidewalk cross section, including concrete curb and gutter, a five-foot wide concrete sidewalk and five-foot wide planter strip; (ii) Street lighting; (iv) Stormwater and drainage facilities; (v) Street trees and landscaping; (vi) Striping and signage; (vii) In the interim period before construction of the road widening project planned by Snohomish County, the new access point on Seattle Hill Road shall be designed and designated for emergency vehicles only. Removable bollards with KNOX locks or other approved devices shall be installed to prevent unauthorized use.

23. The developer shall pay mitigation to Snohomish County in the amount of $26,689.32 for impacts to roads within the TSA D subarea. Payment of traffic mitigation fees to the County is required prior to the approval of the Final Plat.

24. Pursuant to Chapter 17.48 MCMC, the developer shall pay neighborhood park mitigation fees in the amount of $43.433.70 prior to approval of the Final Plat.

25. Pursuant to Chapter 17.48 MCMC, the developer shall pay community park mitigation fees in the amount of $26,369.70 prior to approval of the Final Plat.

26. Proof of payment of mitigation fees totaling $22,347.60 as stated in the voluntary mitigation agreement with the Everett School District shall be submitted to the City prior to issuance of the first building permit.

27. In accordance with the Interlocal Agreement between the City of Mill Creek and Snohomish County Fire District No. 7, proof of payment of mitigation fees totaling $5,475.00 shall be provided to the City prior to approval of the Final Plat.

Public Services:

28. The applicant shall provide one hard surfaced student waiting area be located within the roadway buffer. The hard surfaced waiting area should be approximately 10' x 15' in size, linked to the housing units in the development with safe student walkways, and located behind the sidewalk.

29. Ensure adequate fire flow/hydrants and 4" STORTZ adaptors on all hydrants. Ensure floor plans allow for second egress (windows) from rooms on either the front or rear of the structure. No parking signs shall be posted in the cul de sac to allow emergency vehicle access.

Attachments: Attachment A – Vicinity Map
Attachment B – Preliminary Plat Map
Attachment C – Legal Description
Attachment D – List of Project File Contents

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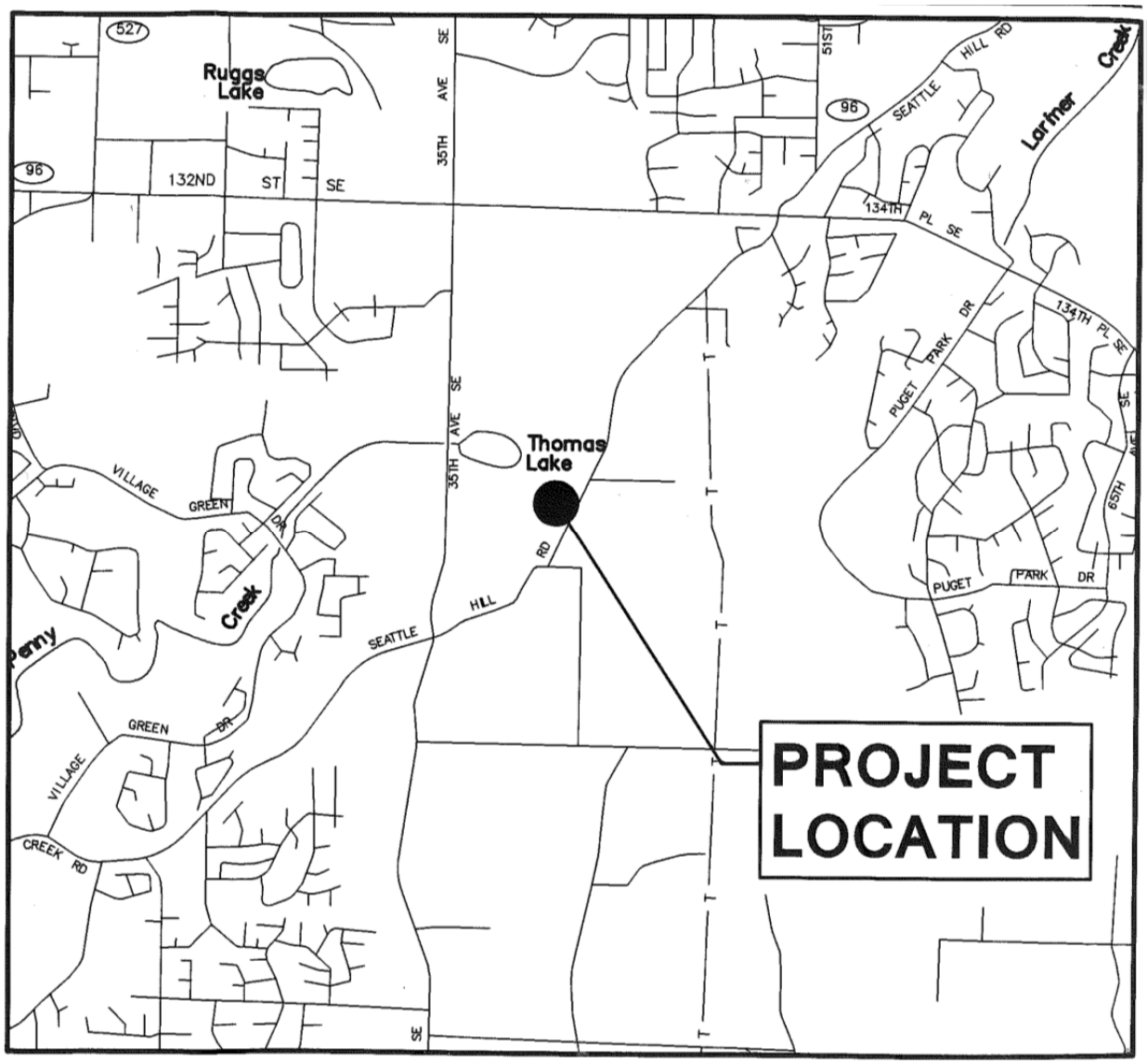
ATTACHMENT A

VICINITY MAP



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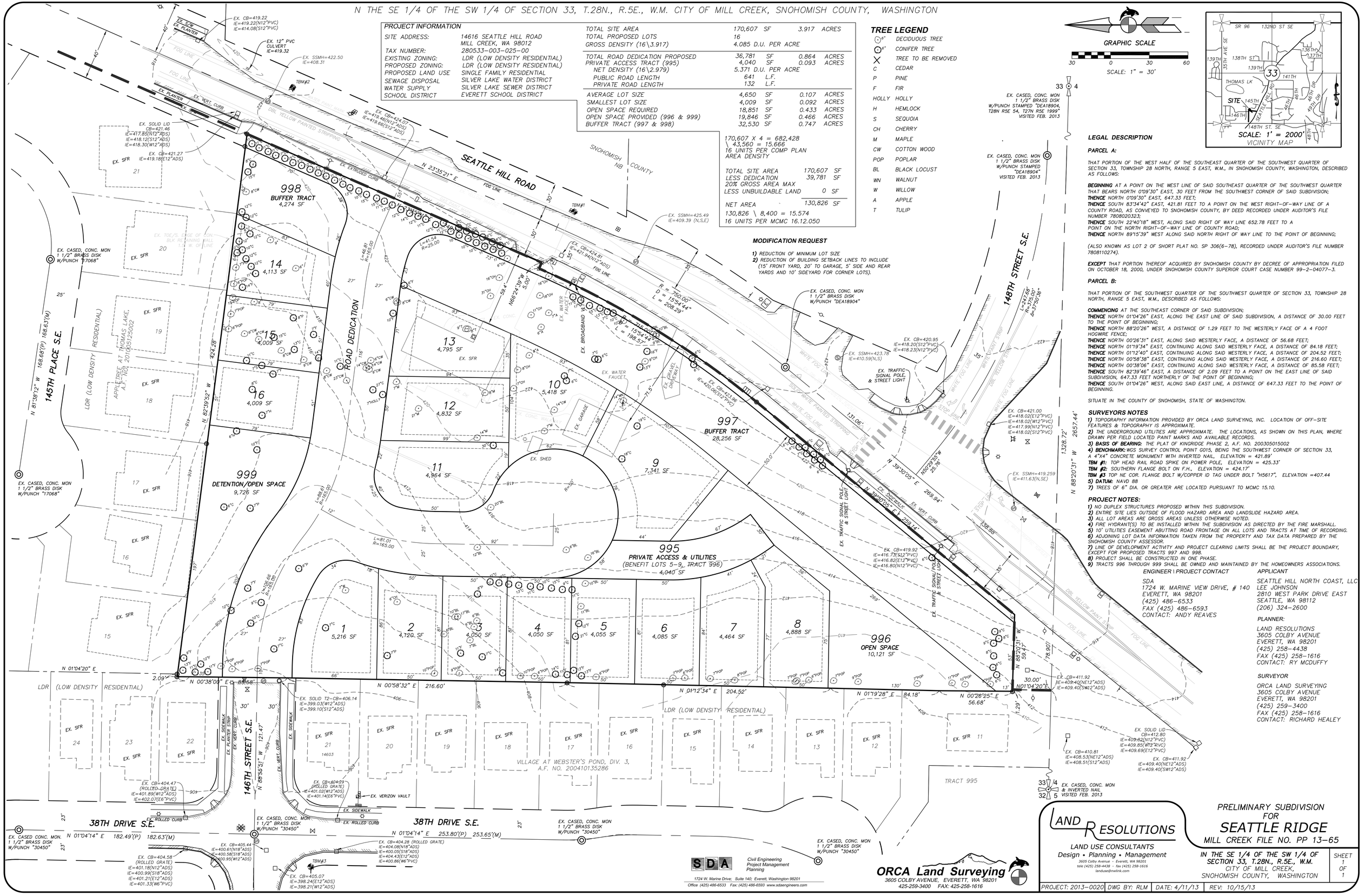
ATTACHMENT B

PRELIMINARY PLAT MAP

N THE SE 1/4 OF THE SW 1/4 OF SECTION 33, T.28N., R.5E., W.M. CITY OF MILL CREEK, SNOHOMISH COUNTY, WASHINGTON



PROJECT INFORMATION

SITE ADDRESS:	14616 SEATTLE HILL ROAD MILL CREEK, WA 98012
TAX NUMBER:	280533-003-025-00
EXISTING ZONING:	LDR (LOW DENSITY RESIDENTIAL)
PROPOSED ZONING:	LDR (LOW DENSITY RESIDENTIAL)
PROPOSED LAND USE	SINGLE FAMILY RESIDENTIAL
SEWAGE DISPOSAL	SILVER LAKE WATER DISTRICT
WATER SUPPLY	SILVER LAKE SEWER DISTRICT
SCHOOL DISTRICT	EVERETT SCHOOL DISTRICT

TOTAL SITE AREA	170,607	SF	3.917	ACRES
TOTAL PROPOSED LOTS	16			
GROSS DENSITY (16\3.917)	4.085 D.U. PER ACRE			
TOTAL ROAD DEDICATION PROPOSED	36,781	SF	0.864	ACRES
PRIVATE ACCESS TRACT (995)	4,040	SF	0.093	ACRES
NET DENSITY (16\2.979)	5.371 D.U. PER ACRE			
PUBLIC ROAD LENGTH	641	L.F.		
PRIVATE ROAD LENGTH	132	L.F.		
AVERAGE LOT SIZE	4,650	SF	0.107	ACRES
SMALLEST LOT SIZE	4,009	SF	0.092	ACRES
OPEN SPACE REQUIRED	18,851	SF	0.433	ACRES
OPEN SPACE PROVIDED (996 & 999)	19,846	SF	0.466	ACRES
BUFFER TRACT (997 & 998)	32,530	SF	0.747	ACRES

170,607 X 4 = 682,428
\ 43,560 = 15.666
16 UNITS PER COMP PLAN
AREA DENSITY

TOTAL SITE AREA	170,607	SF
LESS DEDICATION	39,781	SF
20% GROSS AREA MAX		
LESS UNBUILDABLE LAND	0	SF
NET AREA	130,826	SF

130,826 \ 8,400 = 15.574
16 UNITS PER MCMC 16.12.050

TREE LEGEND

6"	DECIDUOUS TREE
6"	CONIFER TREE
X	TREE TO BE REMOVED
C	CEDAR
P	PINE
F	FIR
HOLLY	HOLLY
H	HEMLOCK
S	SEQUOIA
CH	CHERRY
M	MAPLE
CW	COTTON WOOD
POP	POPLAR
BL	BLACK LOCUST
WN	WALNUT
W	WILLOW
A	APPLE
T	TULIP

MODIFICATION REQUEST

1) REDUCTION OF MINIMUM LOT SIZE
2) REDUCTION OF BUILDING SETBACK LINES TO INCLUDE (15' FRONT YARD, 20' TO GARAGE, 5' SIDE AND REAR YARDS AND 10' SIDEYARD FOR CORNER LOTS).

LEGAL DESCRIPTION

PARCEL A:

THAT PORTION OF THE WEST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 28 NORTH, RANGE 5 EAST, W.M., IN SNOHOMISH COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WEST LINE OF SAID SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER THAT BEARS NORTH 0°09'30" EAST, 30 FEET FROM THE SOUTHWEST CORNER OF SAID SUBDIVISION;
THENCE NORTH 0°09'30" EAST, 647.33 FEET;
THENCE SOUTH 83°34'42" EAST, 421.81 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF A COUNTY ROAD, AS CONVEYED TO SNOHOMISH COUNTY, BY DEED RECORDED UNDER AUDITOR'S FILE NUMBER 7808020333;
THENCE SOUTH 22°40'18" WEST, ALONG SAID RIGHT OF WAY LINE 652.78 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF COUNTY ROAD;
THENCE NORTH 89°15'39" WEST ALONG SAID NORTH RIGHT OF WAY LINE TO THE POINT OF BEGINNING;

(ALSO KNOWN AS LOT 2 OF SHORT PLAT NO. SP 306(6-78), RECORDED UNDER AUDITOR'S FILE NUMBER 7808110274).

EXCEPT THAT PORTION THEREOF ACQUIRED BY SNOHOMISH COUNTY BY DECREE OF APPROPRIATION FILED ON OCTOBER 18, 2000, UNDER SNOHOMISH COUNTY SUPERIOR COURT CASE NUMBER 99-2-04077-3.

PARCEL B:

THAT PORTION OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 28 NORTH, RANGE 5 EAST, W.M., DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SUBDIVISION;
THENCE NORTH 01°04'26" EAST, ALONG THE EAST LINE OF SAID SUBDIVISION, A DISTANCE OF 30.00 FEET TO THE POINT OF BEGINNING;
THENCE NORTH 88°20'26" WEST, A DISTANCE OF 1.29 FEET TO THE WESTERLY FACE OF A 4 FOOT HOGWIRE FENCE;
THENCE NORTH 00°26'31" EAST, ALONG SAID WESTERLY FACE, A DISTANCE OF 56.68 FEET;
THENCE NORTH 01°19'34" EAST, CONTINUING ALONG SAID WESTERLY FACE, A DISTANCE OF 84.18 FEET;
THENCE NORTH 01°12'40" EAST, CONTINUING ALONG SAID WESTERLY FACE, A DISTANCE OF 204.52 FEET;
THENCE NORTH 00°58'38" EAST, CONTINUING ALONG SAID WESTERLY FACE, A DISTANCE OF 216.60 FEET;
THENCE NORTH 00°38'06" EAST, CONTINUING ALONG SAID WESTERLY FACE, A DISTANCE OF 85.58 FEET;
THENCE SOUTH 82°39'46" EAST, A DISTANCE OF 2.09 FEET TO A POINT ON THE EAST LINE OF SAID SUBDIVISION, 647.33 FEET NORTHERLY OF THE POINT OF BEGINNING;
THENCE SOUTH 01°04'26" WEST, ALONG SAID EAST LINE, A DISTANCE OF 647.33 FEET TO THE POINT OF BEGINNING;

SITUATE IN THE COUNTY OF SNOHOMISH, STATE OF WASHINGTON.

SURVEYORS NOTES

1) TOPOGRAPHY INFORMATION PROVIDED BY ORCA LAND SURVEYING, INC. LOCATION OF OFF-SITE FEATURES & TOPOGRAPHY IS APPROXIMATE.
2) THE UNDERGROUND UTILITIES ARE APPROXIMATE. THE LOCATIONS, AS SHOWN ON THIS PLAN, WHERE DRAWN PER FIELD LOCATED PAINT MARKS AND AVAILABLE RECORDS.
3) **BASIS OF BEARING:** THE PLAT OF KINGRIDGE PHASE 2, A.F. NO. 200305015002
4) **BENCHMARK:** WGS SURVEY CONTROL POINT G015, BEING THE SOUTHWEST CORNER OF SECTION 33, A 4"X4" CONCRETE MONUMENT WITH INVERTED NAIL, ELEVATION = 421.89'
TBM #1: TOP HEAD RAIL ROAD SPIKE ON POWER POLE, ELEVATION = 425.33'
TBM #2: SOUTHERN FLANGE BOLT ON F.H., ELEVATION = 424.17'
TBM #3 TOP NE COR. FLANGE BOLT W/COPPER ID TAG UNDER BOLT "H5617", ELEVATION =407.44
5) **DATUM:** NAVD 88
7) TREES OF 6" DIA. OR GREATER ARE LOCATED PURSUANT TO MCMC 15.10.

PROJECT NOTES:

1) NO DUPLEX STRUCTURES PROPOSED WITHIN THIS SUBDIVISION.
2) ENTIRE SITE LIES OUTSIDE OF FLOOD HAZARD AREA AND LANDSLIDE HAZARD AREA.
3) ALL LOT AREAS ARE GROSS AREAS UNLESS OTHERWISE NOTED.
4) FIRE HYDRANT(S) TO BE INSTALLED WITHIN THE SUBDIVISION AS DIRECTED BY THE FIRE MARSHALL.
5) 10' UTILITIES EASEMENT ABUTTING ROAD FRONTAGE ON ALL LOTS AND TRACTS AT TIME OF RECORDING.
6) ADJOINING LOT DATA INFORMATION TAKEN FROM THE PROPERTY AND TAX DATA PREPARED BY THE SNOHOMISH COUNTY ASSESSOR.
7) LINE OF DEVELOPMENT ACTIVITY AND PROJECT CLEARING LIMITS SHALL BE THE PROJECT BOUNDARY, EXCEPT FOR PROPOSED TRACTS 997 AND 998.
8) PROJECT SHALL BE CONSTRUCTED IN ONE PHASE.
9) TRACTS 996 THROUGH 999 SHALL BE OWNED AND MAINTAINED BY THE HOMEOWNERS ASSOCIATIONS.

ENGINEER \ PROJECT CONTACT
SDA
1724 W. MARINE VIEW DRIVE, # 140
EVERETT, WA 98201
(425) 486-6533
FAX (425) 486-6593
CONTACT: ANDY REAVES

APPLICANT
SEATTLE HILL NORTH COAST, LLC
LEE JOHNSON
2810 WEST PARK DRIVE EAST
SEATTLE, WA 98112
(206) 324-2600

PLANNER:
LAND RESOLUTIONS
3605 COLBY AVENUE
EVERETT, WA 98201
(425) 258-4438
FAX (425) 258-1616
CONTACT: RY MCDUFFY

SURVEYOR
ORCA LAND SURVEYING
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FAX (425) 258-1616
CONTACT: RICHARD HEALEY

SDA
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Project Management
Planning
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Office (425) 486-6533 Fax: (425) 486-6593 www.sdaengineers.com

ORCA Land Surveying
3605 COLBY AVENUE, EVERETT, WA 98201
425-259-3400 FAX: 425-258-1616

LAND RESOLUTIONS
LAND USE CONSULTANTS
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PRELIMINARY SUBDIVISION FOR SEATTLE RIDGE

MILL CREEK FILE NO. PP 13-65

IN THE SE 1/4 OF THE SW 1/4 OF SECTION 33, T.28N., R.5E., W.M.
CITY OF MILL CREEK, SNOHOMISH COUNTY, WASHINGTON

SHEET 1 OF 1

PROJECT: 2013-0020	DWG BY: RLM	DATE: 4/11/13	REV: 10/15/13

ATTACHMENT C

LEGAL DESCRIPTION

PARCEL A:

THAT PORTION OF THE WEST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 28 NORTH, RANGE 5 EAST, W.M., IN SNOHOMISH COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WEST LINE OF SAID SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER THAT BEARS NORTH 0°09'30" EAST, 30 FEET FROM THE SOUTHWEST CORNER OF SAID SUBDIVISION;
THENCE NORTH 0°09'30" EAST, 647.33 FEET;
THENCE SOUTH 83°34'42" EAST, 421.81 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF A COUNTY ROAD, AS CONVEYED TO SNOHOMISH COUNTY, BY DEED RECORDED UNDER AUDITOR'S FILE NUMBER 7808020323;
THENCE SOUTH 22°40'18" WEST, ALONG SAID RIGHT OF WAY LINE 652.78 FEET TO A
POINT ON THE NORTH RIGHT-OF-WAY LINE OF COUNTY ROAD;
THENCE NORTH 89°15'39" WEST ALONG SAID NORTH RIGHT OF WAY LINE TO THE POINT OF BEGINNING;

(ALSO KNOWN AS LOT 2 OF SHORT PLAT NO. SP 306(6-78), RECORDED UNDER AUDITOR'S FILE NUMBER 7808110274).

EXCEPT THAT PORTION THEREOF ACQUIRED BY SNOHOMISH COUNTY BY DECREE OF APPROPRIATION FILED ON OCTOBER 18, 2000, UNDER SNOHOMISH COUNTY SUPERIOR COURT CASE NUMBER 99-2-04077-3.

PARCEL B:

THAT PORTION OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 28 NORTH, RANGE 5 EAST, W.M., DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SUBDIVISION;
THENCE NORTH 01°04'26" EAST, ALONG THE EAST LINE OF SAID SUBDIVISION, A DISTANCE OF 30.00 FEET TO THE POINT OF BEGINNING;
THENCE NORTH 88°20'26" WEST, A DISTANCE OF 1.29 FEET TO THE WESTERLY FACE OF A 4 FOOT HOGWIRE FENCE;
THENCE NORTH 00°26'31" EAST, ALONG SAID WESTERLY FACE, A DISTANCE OF 56.68 FEET;
THENCE NORTH 01°19'34" EAST, CONTINUING ALONG SAID WESTERLY FACE, A DISTANCE OF 84.18 FEET;
THENCE NORTH 01°12'40" EAST, CONTINUING ALONG SAID WESTERLY FACE, A DISTANCE OF 204.52 FEET;
THENCE NORTH 00°58'38" EAST, CONTINUING ALONG SAID WESTERLY FACE, A DISTANCE OF 216.60 FEET;
THENCE NORTH 00°38'06" EAST, CONTINUING ALONG SAID WESTERLY FACE, A DISTANCE OF 85.58 FEET;
THENCE SOUTH 82°39'46" EAST, A DISTANCE OF 2.09 FEET TO A POINT ON THE EAST LINE OF SAID SUBDIVISION, 647.33 FEET NORTHERLY OF THE POINT OF BEGINNING;
THENCE SOUTH 01°04'26" WEST, ALONG SAID EAST LINE, A DISTANCE OF 647.33 FEET TO THE POINT OF BEGINNING.

SITUATE IN THE COUNTY OF SNOHOMISH, STATE OF WASHINGTON.

ATTACHMENT D

CONTENTS OF PROJECT FILE

SEATTLE RIDGE PRELIMINARY PLAT (PP 13-65)

The following documents will be officially entered into the record at the Hearing Examiner Public Hearing on December 18, 2013. The staff report was posted on the City of Mill Creek website on December 5, 2013. All other documents are available for review in the project file at City Hall, 15728 Main Street, Mill Creek.

Exhibit	
1	Staff Report to the Hearing Examiner dated December 2013. a) Vicinity Map (Attachment A to the staff report) b) Preliminary Plat Map (Attachment B to the staff report) c) Legal Description (Attachment C to the staff report) d) Contents of Project File (Attachment D to the staff report)
2	Master Land Use Application submitted April 19, 2013
3	Certificate of Formation to Seattle Hill North Coast LLC, authorizing H. Lee Johnson to conduct business on behalf of the LLC
4	Project Narrative letter from Land Resolutions, submitted April 19, 2013
5	Legal Description and Plat Certificate dated April 4, 2013
6	Water and Sewer Availability Letter from Silver Lake Water and Sewer District dated April 17, 2013
7	Preliminary Landscape Plan Set, submitted April 19, 2013
8	Determination of Incomplete Application dated May 1, 2013
9	Revised Project Narrative letter from Land Resolutions, submitted May 24, 2013
10	Letter of Completeness – issued May 30, 2013
11	Notice of Application posted on-site June 5, 2013, and Affidavit of Publishing, Posting and Mailing
12	Citizen comments received via email: a) Toan Nguyen, dated June 8, 2013 b) Harold Ro, dated June 10, 2013 c) Kevin and Ying, dated June 10, 2013 d) Brian Kang, dated June 10, 2013 e) Steven Kim, dated June 10, 2013

	f) Min Kwan Park, dated June 10, 2013 g) Ta Liu, dated June 11, 2013 h) Tony Laffranchi, dated June 11, 2013 i) Yunjoo Kim, dated June 11, 2013 j) Cindy Jin, dated June 12, 2013 k) Marlo Gola, dated June 12, 2013 l) Francis Wang, dated June 12, 2013 m) Dennis and Janet Bruns, dated June 12, 2013 n) Paul Black, dated June 12, 2013 o) Dan Stearns, dated June 13, 2013 p) Chandu Bhavsar, dated June 13, 2013 q) Peter Furtado, dated June 14, 2013 r) Kayo King, dated June 14, 2013 s) Loida Ismatul, dated June 17, 2013 t) Toan Nguyen, dated June 18, 2013 u) Zhi-Hua Cui, dated June 19, 2013 v) Jong Choi, dated June 20, 2013 w) Eddie and Chrissy Lord, dated June 29, 2013 x) Mingchao Shen, dated July 3, 2013
13	Snohomish County Public Works comment emails forward to Applicant's Engineer, Andy Reaves, on September 12, 2013
14	Technical Review Committee Comment Letter issued on June 26, 2013, with attachments: a) City of Mill Creek Public Works Department comment memo, dated June 24, 2013 b) Snohomish County PUD letter, dated June 24, 2013 c) Silver Lake Water and Sewer District - Written Comments from Rick Gilmore, dated June 20, 2013. d) Email from Debra Werdal regarding Snohomish County Traffic Mitigation, dated June 19, 2013. e) Email from Kate Tourtellot of Community Transit, dated June 19, 2013 f) Email from Captain Evan Adolf of Fire District No. 7, dated June 20, 2013. g) Preliminary Development Impact Mitigation Checklist h) Everett School District – Written Comments from Harold Beumel, dated June 18, 2013.
15	Gibson Traffic Consultant Study, submitted April 19, 2013
16	Gibson Traffic Consultant Supplemental Memo, submitted August 30, 2013
17	Traffic Mitigation Offer to Snohomish County, signed and submitted August 30, 2013
18	City of Mill Creek Response to Resubmittal, dated September 11, 2013

19	Revised Project Narrative letter from Land Resolutions, submitted October 15, 2013
20	Resubmittal letter from SDA Engineers, submitted October 15, 2013
21	City of Mill Creek Response to Resubmittal, dated October 22, 2013
22	Revised Project Narrative letter from Land Resolutions, submitted October 25, 2013
23	Gibson Traffic Consultant Supplemental Memo, submitted October 15, 2013
24	Gibson Traffic Consultant Supplemental Memo, submitted October 23, 2013
25	SDA Engineers Targeted Drainage Report, submitted April 19, 2013
26	Liu & Associates, Inc. Geotechnical Engineering Study, submitted August 30, 2013
27	Preliminary Drainage Plan set, submitted October 15, 2013
28	MDNS and Notice of Property Development Impact Mitigation for the Preliminary Plat/Planned Area Development of Seattle Ridge (City File PP 13-65), with attached checklist, dated October 31, 2013.
29	Mitigation Agreement between Everett School District and Seattle Hill North Coast LLC dated October 8, 2013, and cover letter from Everett School District dated October 22, 2013
30	Affidavit of Publishing, Posting and Mailing
31	Letter from Fire District 7, submitted December 4, 2013