

**CITY OF MILL CREEK
DEPARTMENT OF COMMUNITY DEVELOPMENT**

**STAFF REPORT
TO THE CITY OF MILL CREEK HEARING EXAMINER**

PART I - SUMMARY INFORMATION

- HEARING DATE:** September 25, 2014
- NAME OF PROJECT:** Crestview Village Preliminary Plat/Planned Area Development
File No. PP 14-66
- PROPERTY OWNER/
APPLICANT:** Crest Vue Village 24, LLC
15 Lake Bellevue Drive, Suite 102
Bellevue, Washington 98005
- LOCATION:** The site is located at 2226 and 2304 132nd Street SE in the City of Mill Creek. See **Attachment A – Vicinity Map.**
- REQUESTED ACTION:** The requested action is consideration of the Crestview Village Preliminary Plat/Planned Area Development to subdivide 3.29 acres into 25 lots for single-family home development. As proposed, a 50-foot wide vegetated roadway buffer with sidewalk will be provided adjacent to 132nd Street SE and Tract 998 will be common open space/park area. An underground stormwater detention vault is proposed within Tracts 998 and 999. Per Mill Creek Municipal Code Section 16.12.040, the applicant has requested modifications to the minimum building setbacks. The requested modifications are as follows: Reduction of rear yard building setback to 10 feet for Lots 1-11 and 17-25; reduction of rear yard building setback to 20 feet for Lots 12-16. See **Attachment B – Preliminary Plat Map.**
- COMPREHENSIVE
PLAN DESIGNATION:** Medium Density Residential (MDR)
- ZONING DISTRICT:** Medium Density Residential (MDR)
- 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 July 22, 2014, 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 September 11, 2014, directly to property owners of record within 500 feet of the proposed project and posted on the site on September 11, 2014. Notice of public hearing was published in the *Everett Herald* on September 13, 2014. (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 3.29 acres and includes two existing single-family houses and various outbuildings. The majority of the site is pastured grass land with limited tree clusters. The site slope ranges from two to eight percent. Stormwater runoff currently drains overland from the southwest towards the northeast following the natural topography of the area.

SURROUNDING ZONING AND LAND USES:

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

- ❑ The properties to the north, across 132nd Street SE, are in unincorporated Snohomish County and are zoned *Multiple Residential (MR)* and *Low Density Multiple Residential (LDMR)*. The MR property is developed with a single-family residence and the LDMR property is undeveloped.
- ❑ The property to the west is zoned *Community Business (CB)*. The property is developed with a Silver Lake Water and Sewer District (SLWD) water tank and the former SLWD office and outbuildings, which are vacant.

- The property to the south is zoned *Low Density Residential (LDR)*. The property is developed with single-family residences in the plat of Wexford Court.
- The properties to the east are zoned Medium Density Residential (MDR). The properties are developed with two single-family residences and outbuildings.

Summary of other pending development proposals in the area:

There are no pending land use development proposals nearby.

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.

132nd Street SE is a state highway (SR 96) and traffic operations are under the jurisdiction of the Washington State Department of Transportation (WSDOT). In accordance with the adopted guidelines for City Streets as Part of State Highways, dated April 2, 2013, the City is effectively responsible for everything behind the curb on 132nd Street, including location of any new access points, while WSDOT is responsible for the traffic operations and requiring any turn movement restrictions or channelization (striping) changes.

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 3.29 acres into 25 lots for single-family home development. The proposal must be consistent with the maximum density of the Comprehensive Plan and the minimum and maximum densities of the Development Regulations:

- Using the *gross* site area of 143,457 square feet multiplied by 12 dwelling units per acre, up to 40 dwelling units are allowed.
- Using the *net* site area of 114,766 square feet (*less dedication of 20% unbuildable land*) multiplied by the required minimum residential density of 5 units per acre, at least 13 units are required. Using the *net* site area of 114,766 square feet multiplied by the allowed maximum residential density of 12 units per acre, up to 32 dwelling units are allowed.

With 25 dwelling units proposed at a density of 10 dwelling units per acre, the development is consistent with both the Comprehensive Plan and the Development Regulations density requirements.

Requested Modifications and Consistency with Planned Area Development Purpose

Pursuant to MCMC Section 16.12.040, the applicant has requested a reduction of rear yard building setbacks. 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 Building Setbacks

The Medium Density Residential zone requires the following setbacks:

- Front yard setback: Average range of 15 feet to 20 feet; however, garages shall be constructed a minimum of 20 feet from the sidewalk in such a manner that keeps sidewalks and pedestrian ways clear of vehicles;
- Side yard setback of 10 feet total, except that the entire setback may be allocated to one side;
- Rear yard setback: Minimum 25 feet from the perimeter of the project and 15 feet for structures that are not located on the project perimeter.

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

Rear yard setbacks:

- 10 feet for Lots 1-11 and 17-25
- 20 feet for Lots 12-16

Modification Consistency with Planned Area Development Purpose

The requested building setback reductions are compatible with the required setbacks in the adjacent neighborhoods. The proposed setbacks are necessary to allow the development of a single-family home product at the required minimum density of the Medium Density Residential zone. The single-family home product type will better integrate with the existing single-family homes to the south. Also, 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 40% maximum lot coverage standard will still apply and will ensure that the lots are not overbuilt. To summarize, staff supports the setback modifications as requested by the applicant.

Access and Traffic Circulation

Access to the new lots is via a new public roadway that will be constructed as part of the proposed development. The roadway will be designed with the appropriate elements as prescribed in the “Roadway Functional Classification” standards that were adopted with Resolution 2003-338. This roadway will be also designed to accommodate future development of the adjacent parcels with a loop roadway system.

The existing driveway cuts on 132nd Street SE will be removed and replaced with a single access point at the eastern edge of the development, which will be shared with the future public roadway loop on the adjacent parcels. This will result in minimizing the number of access points on a major arterial roadway for improved traffic flow and safety as required in Policies 3.03, 3.04 and 3.06 in the Transportation Element of the Comprehensive Plan.

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 132nd Street SE Roadway Buffer Landscaping

The proposal provides open space in Tracts 998 and 999. The tracts will be landscaped and 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 benches and a picnic table in Tract 998.

A 50-foot residential roadway buffer tract is required adjacent to 132nd Street SE. The roadway buffer is proposed to be landscaped as shown on the Preliminary Landscape Plan (sheet LA1) in the project file.

Internal Site Landscaping

Street trees will be provided along the public street 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 for consistency with the Design Standards in MCMC Chapter 17.34 prior to installation.

Utilities

Utilities and services to serve the future use on the site are available. The site has water and sewer facilities adjacent to it that 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 March 27, 2014, is available for review in the project file.

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 May 13, 2014, are available for review in the project file.

Communication services will be provided by either Frontier or Comcast communication companies.

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 northeast corner of the parcel without any flow control or water quality treatment. Stormwater regulations require the entire site to be treated as native undisturbed forest instead of the existing developed configuration of single-family dwelling units, driveways and garages. 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 northeast corner, which will maintain the existing drainage pattern. The stormwater treatment facilities will consist of an underground wet vault in Tracts 998 and 999, which will provide both flow control and water quality treatment. The outfall from the vault will be connected to the existing public drainage system on 132nd Street SE.

Frontage Improvements

The developer is required to install improvements along the 132nd Street SE frontage in accordance with MCMC Section 16.16.050. These improvements will primarily consist of removal of existing driveway cuts and construction of a new single access point, with concrete curb, gutter and sidewalk work.

WSDOT did not provide any formal comments regarding restrictions or conditions for the new proposed access point. A Development Agreement with WSDOT is required for any work within the State Right-of-Way. As part of the Development Agreement, WSDOT may impose operational restrictions on the proposed access point on SR 96.

Miscellaneous Site Issues

There is an existing 50 square foot encroachment area on the property to the west of the subject site, as described in the Agreement between Silver Lake Water District and Catherine Revell, recorded under Auditor's File Number 200608160875. As a Condition of Approval, the developer shall ensure that the encroachment area is legally abandoned prior to final plat approval.

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 Transportation Engineering NorthWest, dated March 26, 2014 and June 27, 2014, to assess the impacts of the proposed development. Approximately 219 new daily trips will be generated by the development, including 23 PM peak hour trips and 17 AM peak hour trips.

As a Condition of Approval, the developer shall pay mitigation to the City of Mill Creek in the amount of \$69,000.00 for impacts to the City roadway system. Payment of traffic mitigation fees to the City is required prior to approval of the Final Plat.

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 25 single-family residential dwelling units (credit shall be given for two existing single-family dwelling units; thus, mitigation shall be calculated based on 23 units). 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 2013-503.

- A. Neighborhood Parks. Pursuant to Chapter 17.48 MCMC and Resolution 2013-503, the developer shall pay \$2,863.76 per single-family dwelling x 23 dwellings = \$65,866.48, prior to approval of the Final Plat.
- B. Community Parks: Pursuant to Chapter 17.48 MCMC and Resolution 2013-503, the developer shall pay \$1,738.68 per single-family dwelling x 23 dwellings = \$39,989.64, 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 \$230 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 \$35,259.00, based on a generation of 70 percent of 219 residential ADT's.

As a Condition of Approval, the developer shall pay mitigation to Snohomish County in the amount of \$35,259.00 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 23 dwellings = \$8,395.00 (credit shall be given for two existing single-family dwelling units). The developer shall pay mitigation fees to Fire District No. 7 in the amount of \$8,395.00 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.

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.

School impact fees calculated by the Everett School District in the City of Mill Creek are the product of:

1. The number of housing units of each type.
2. The number of elementary, middle, and high school students generated by each type of housing unit (Student Generation Rate).
3. Whether the schools serving the proposed development are over capacity.
4. The cost of providing accommodations in new portable classrooms for each student, estimated as \$4,181 (\$100,350 per portable classroom divided by 24 students).

The proposed project is within the enrollment boundaries of Mill Creek Elementary School, Heatherwood Middle School and H.M. Jackson High School. According to the Everett School District, all three schools are over capacity, thus mitigation is required. Inserting actual numbers and multiplying them produces the following:

.559 unhoused students x \$4,181 = \$2,337 x 23 single-family units = \$53,751.00

As a Condition of Approval, proof of payment of mitigation fees totaling \$53,751.00 to 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 132nd Street SE. The District requests one hard surfaced student waiting area be located at the entrance. The hard surfaced waiting area should be approximately 10 feet x 15 feet 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		
<i>Land Use Map Designation</i>	The entire site is designated Medium Density Residential (MDR).	The proposed single-family development is consistent with this land use designation.
<i>Policy 1.01</i>	The residential character of the City should be composed of a range of residential densities while maintaining and enhancing the City as a predominantly single-family residential community.	The proposed single-family development is consistent with this policy.
<i>Policy 1.04</i>	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	The proposed single-family development is consistent with the adjacent single-family neighborhood.

COMPREHENSIVE PLAN POLICIES

POLICY	FOCUS	COMMENT
	(Chapter 17.34) should be incorporated into the design of new subdivisions.	
<i>Policy 1.11</i>	Future development adjacent to 35 th Avenue SE and SR 96 (132 nd Street SE) shall be coordinated with any planned transportation improvements to the highways and the Streetscape Element of the Comprehensive Plan.	The proposal includes a 50-foot wide roadway buffer/cutting preserve along 132 nd Street SE consistent with the Streetscape Element. No transportation improvements are planned along the property frontage.
<i>Policy 1.12</i>	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 132 nd Street SE. Given the relatively small size of the plat and the similar adjacent land uses, no peripheral buffer is required between the adjacent residential developments.
<i>Policy 1.12 (continued)</i>	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
<i>Policy 1.13</i>	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.
<i>CAPITAL FACILITIES ELEMENT</i>		
<i>Policy 2.04</i>	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.
<i>UTILITIES ELEMENT</i>		
<i>Policy 1.01</i>	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.
<i>Policy 1.10</i>	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.
<i>TRANSPORTATION ELEMENT</i>		
<i>Policy 2.02</i>	Pursuant to the GMA, projects shall not be approved that reduce the Level of Service below established standards.	The City Engineer has determined that the project does not reduce Levels of Service below established standards.
<i>Policy 3.03</i>	Access onto all roadways should be regulated by the classification of the roadway following the general principle that higher classification roadways have	The development will access directly onto 132 nd Street SE (SR 96), which is classified as a state highway. WSDOT did not provide any formal comments

COMPREHENSIVE PLAN POLICIES

POLICY	FOCUS	COMMENT
	<p>more restricted access than lower classification roadways.</p> <p>- State Highways – access onto SR 527 or SR 96 (132nd Street SE) will be regulated in accordance with the Revised Code of Washington, specifically RCW Title 47.50, and the Washington Administrative Code, specifically WAC Chapters 468-51 and 468-52.</p>	<p>regarding restrictions or conditions for the new proposed access point. A Development Agreement with WSDOT is required for any work within the State Right-of-Way.</p>
<i>Policy 3.04</i>	<p>All access points shall be designed and located to minimize traffic flow disruptions and meet appropriate design safety standards.</p>	<p>Existing driveway cuts will be removed and replaced with a single access point on the eastern boundary.</p>
<i>Policy 3.06</i>	<p>To improve traffic flow and reduce potential vehicular conflicts on arterial and collector streets, new development shall utilize shared access and provide for internal circulation when practical and appropriate.</p>	<p>The proposed street layout is designed to share an access point onto 132nd Street SE with potential development of the property to the east. In addition, the public street has a temporary cul-de-sac, which will be extended through to the east as properties develop, thus providing for internal circulation.</p>
<i>Policy 4.01</i>	<p>Public sidewalks are required to be connected with other public/private trail systems where appropriate. On arterial roads, sidewalks should be consistent with the Streetscape Element of the Comprehensive Plan.</p>	<p>Proposed sidewalks will be connected to the existing sidewalks, where appropriate.</p>
ENVIRONMENTAL ELEMENT		
<i>Policy 1.01</i>	<p>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</p>	<p>The proposed stormwater facilities are required to meet the DOE Stormwater Management Manual.</p>

COMPREHENSIVE PLAN POLICIES

POLICY	FOCUS	COMMENT
	incorporated into new developments that meet the requirements of the current Department of Ecology Stormwater Management Manual.	
<i>Policy 1.02</i>	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.
<i>Policy 4.01</i>	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.
<i>Policy 5.01</i>	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
<p>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.</p>	<p>As a Condition of Approval the project is required to install public improvements associated with this project.</p>
<p>Medium Density Residential (MDR) Zone 17.12.050 Review requirements. All development in the MDR zone district shall be processed as either a preliminary plat or binding site plan in accordance with MCMC Title 16, Subdivisions and Plats.</p>	<p>The proposal is being processed as a preliminary plat in accordance with MCMC Title 16.</p>
<p>17.12.060 Lot size. No minimum lot size is required in the MDR zone.</p>	<p>Although no minimum lot size is required, the minimum proposed is 3,487 square feet.</p>
<p>17.12.070 Density. The maximum allowable density is 12 dwelling units per acre and the minimum density is five dwelling units per acre.</p>	<p>The proposal must be consistent with the maximum density of the Comprehensive Plan and the minimum and maximum densities of the Development Regulations:</p> <ul style="list-style-type: none"> • Using the <i>gross</i> site area of 143,457 square feet multiplied by 12 dwelling units per acre, up to 40 dwelling units are allowed. • Using the <i>net</i> site area of 114,766 square feet (<i>less dedication of 20% unbuildable land</i>) multiplied by the required minimum residential density of 5 units per acre, at least 13 units are required. Using the <i>net</i> site area of 114,766 square feet multiplied by the allowed maximum residential density of 12 units per acre, up to 32 dwelling units are allowed. • With 25 dwelling units proposed at a density of 10 dwelling units per acre, the development is consistent with both the Comprehensive Plan and the Development Regulations density requirements.

<p>17.12.080 Setbacks. <i>Detached Dwelling Units.</i></p> <p>1. Front yard: Average range 15 feet to 20 feet; however, garages shall be constructed a minimum of 20 feet from the sidewalk in such a manner that keeps sidewalks and pedestrian ways clear of vehicles.</p> <p>2. Side yard: Total of 10 feet, except that the entire setback may be allocated to one side.</p> <p>3. Rear yard: Minimum 25 feet from the perimeter of project and 15 feet for structures on platted lots that are not located on the project perimeter.</p>	<p>A modification to the minimum setbacks has been requested as follows:</p> <p>Rear yard setbacks:</p> <ul style="list-style-type: none"> • 10 feet for Lots 1-11 and 17-25 • 20 feet for Lots 12-16 <p>Staff supports the request. See discussion under Requested Modifications, Page 4.</p>
<p>17.12.085 Streetscape and roadway buffer/cutting preserves. Streetscape design and roadway buffer/cutting preserve tracts adjacent to arterial and collector streets shall be provided in accordance with the city’s comprehensive plan, streetscape element. Roadway buffer/cutting preserves to be provided range from 35 feet from the edge of the right-of-way for nonresidential uses to 50 feet for residential uses.</p>	<p>The proposal includes a 50-foot wide roadway buffer/cutting preserve along 132nd Street SE consistent with the Streetscape Element.</p>
<p>17.12.090 Lot coverage. The maximum lot coverage for single-family detached dwelling units shall be 40 percent.</p>	<p>The proposed lots will be consistent with the maximum lot coverage allowed in the zone district.</p>
<p>17.12.100 Maximum height. The maximum height for single-family detached dwelling units shall be 35 feet.</p>	<p>The proposed houses are to be a maximum of 35 feet high, which is consistent with this requirement.</p>
<p>17.12.110 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.</p>	<p>See discussion below regarding consistency with MCMC 17.34.</p>
<p>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.</p>	<p>The proposed lots will be consistent with this requirement.</p>

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, 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.

The proposal is consistent with this requirement. The applicant is proposing 5,270 square feet of private open space plus 9,325 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 open space with benches and a picnic table. Therefore, the project provides the required open space.

<p>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.</p>	<p>As a Condition of Approval all utilities will be constructed underground consistent with this requirement.</p>
<p>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 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.</p>	<p>The preliminary plat and associated documents are consistent with these requirements as follows: A. The proposed single-family neighborhood is consistent with the Medium Density Residential land use designation. 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.</p>
<p>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</p>	<p>The proposed preliminary plat has been designed to be consistent with these requirements by:</p> <ul style="list-style-type: none"> • Providing private open space areas. • Designing a stormwater vault to be located under an open space area to maximize land use. • At the request of the Everett School District, a student waiting area will be installed within the 132nd Street SE roadway buffer. • The plat is designed to provide vehicular and pedestrian access to the adjacent property to the east at such time that the property develops.

<p>and convenient pedestrian access between buildings including plazas, courtyards, pocket parks, and other pedestrian use areas connected by clearly marked walkways.</p> <p>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.</p> <p>d. Where appropriate, sites shall be designed to provide vehicular and pedestrian connections to adjacent sites.</p> <p>e. Private open space shall be incorporated into attached single-family and multifamily residential projects in accordance with MCMC 17.22.060.</p> <p>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.</p>	
<p>17.34.040 A. Site Design Cont’d. The following design elements shall be applied to all projects:</p> <p>4. Storm Drainage.</p> <p>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.</p> <p>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</p>	<p>The proposed preliminary plat has been designed to be consistent with these requirements by:</p> <ul style="list-style-type: none"> • 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. • Soil cover over vault shall be sufficient to support the approved landscape plan, which is reviewed by the Design Review Board.

<p>be located in the outer portion of the roadway buffer/cutting preserve.</p> <p>c. Where located under areas to be landscaped, underground stormwater vaults shall have adequate soil cover to support the approved landscape plan. The soil shall be of sufficient quality to properly support vegetation.</p> <p>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.</p>	
<p>17.34.040 A. Site Design Cont'd. The following design elements shall be applied to all projects:</p> <p>5. Vehicular Entrances.</p> <p>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.</p> <p>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:</p> <ul style="list-style-type: none"> 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. 	<p>The proposed preliminary plat has been designed to be consistent with these requirements by:</p> <ul style="list-style-type: none"> • Providing landscaping in the roadway buffer tract. • A development identification sign, if proposed, shall be subject to review by the Design Review Board.
<p>17.34.040 A. Site Design, Cont'd. The following design elements shall be applied to all projects:</p> <p>6. Sidewalks, Trails, and Pedestrian Walkways.</p>	<p>The proposed preliminary plat has been designed to be consistent with these requirements by:</p> <ul style="list-style-type: none"> • Providing walkways which will be ADA compliant. • Providing sidewalks on both sides of the internal street.

<p>a. A comprehensive system of pedestrian walkways shall link together all site entrances, building entries, parking facilities, and common outdoor spaces with the sidewalk system in the public right-of-way.</p> <p>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.</p> <p>c. Pedestrian walkways shall incorporate pedestrian-scale lighting, bollard lighting, landscaping, accent lighting, and directional signage into the design of the walkways.</p> <p>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.</p>	<ul style="list-style-type: none"> • Plat is designed and conditioned to provide vehicular and pedestrian access to the adjacent property to the east at such time that the property is developed.
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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:

- Average range 15 feet to 20 feet; garages shall be constructed a minimum of 20 feet from the back of sidewalk.

Rear yard setbacks:

- 10 feet for Lots 1-11 and 17-25;
- 20 feet for Lots 12-16

Side yard setbacks:

- Total of 10 feet; the entire setback may be allocated to one side.

3. All utility, stormwater, drainage, maintenance, and landscaping buffers/easements, together with attendant restrictions and conditions, shall be portrayed on the final plat. Building setback lines shall be shown on the face of the final plat.
4. Prior to final plat approval, the developer shall ensure that the 50 square foot encroachment area on the property to the west of the subject property, as described in the Agreement between Silver Lake Water District and Catherine Revell, recorded under Auditor's File Number 200608160875, is legally abandoned.
5. 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.
6. 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.
7. 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:

8. Landscaping plans for Tracts 998 and 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. All landscaped areas shall be amended with a minimum thickness of four inches of compost mixed to a minimum depth of six inches.
9. 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 the issuance of the first building permit.
10. 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:

11. Grading, roadway, stormwater, and erosion control plans shall be approved by the City Engineer and Community Development Director prior to any clearing or grading work on the site, MCMC Chapter 15.12.

12. All public improvement work shall be adequately guaranteed through an agreement and security mechanism acceptable to the City Attorney and City Engineer prior to beginning construction in accordance with MCMC Chapters 16.16 and 16.20.
13. In accordance with MCMC Chapter 16.16, the developer shall construct improvements along the frontage on 132nd Street SE (SR 96). The required frontage improvements shall consist of: (i) Removal of existing driveways; (ii) Replacement of concrete curb, gutter and sidewalk as needed; (iii) Construction of a new single access point as portrayed on the Preliminary Plat; (iv) A Development Agreement with WSDOT is required for any work within the State Right-of-Way, and the developer shall be responsible for all associated permitting and inspection costs with WSDOT.
14. The developer shall construct a new public roadway within the development for access to the proposed lots. The roadway shall be designed to accommodate future development on the adjacent parcels with a loop roadway system and a single shared access point on 132nd Street SE. These public improvements shall consist of: (i) Full width of the street and sidewalk cross section with functional elements in accordance with Resolution 2003-338, including vertical 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) a temporary cul-de-sac at the southern terminus; (viii) Dedication of public right-of-way and drainage easements as needed to the City of Mill Creek on the Final Plat.
15. 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 final stormwater drainage report signed and stamped by a licensed professional engineer shall be submitted to the City Engineer for review and approval.
 - C. 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.
 - D. 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.

16. 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.
17. All new and existing 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.
18. 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:

19. The developer shall pay mitigation to the City of Mill Creek in the amount of \$69,000.00 for impacts to the City roadway system. Payment of traffic mitigation fees to the City of Mill Creek is required prior to approval of the Final Plat.
20. As part of the WSDOT Development Agreement, operational restrictions may be placed on the SR 96 access point in accordance with City Comprehensive Plan polices and WSDOT design requirements.
21. In accordance with the Reciprocal Impact Mitigation Agreement between the City of Mill Creek and Snohomish County, proof of payment of traffic mitigation fees totaling \$35,259.00 shall be provided to the City prior to approval of the Final Plat.
22. Pursuant to Chapter 17.48 MCMC, the developer shall pay neighborhood park mitigation fees to the City of Mill Creek in the amount of \$65,866.48 prior to approval of the Final Plat.
23. Pursuant to Chapter 17.48 MCMC, the developer shall pay community park mitigation fees to the City of Mill Creek in the amount of \$39,989.64 prior to approval of the Final Plat.
24. 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 \$8,395.00 shall be provided to the City prior to approval of the Final Plat.
25. In accordance with the Interlocal Agreement between the City of Mill Creek and the Everett School District, proof of payment of mitigation fees totaling \$53,751.00 shall be provided to the City prior to issuance of the first building permit.

Public Services:

26. The developer shall provide one hard-surfaced student waiting area located within the 132nd Street SE roadway buffer. The hard surfaced waiting area should be approximately 10 feet x 15 feet in size, linked to the housing units in the development with safe student walkways, and located behind the sidewalk.
27. The developer shall ensure adequate fire flow/hydrants and 4” STORTZ adaptors on all hydrants.
28. The developer shall ensure floor plans that allow for secondary egress (windows) from rooms on either the front or rear of the structure.
29. The developer shall ensure parking is only allowed on one side of the road and is clearly marked with signage.
30. Parking shall be prohibited on the corners. Curbs shall be clearly marked and “No Parking” signage shall be installed prior to Final Plat approval.

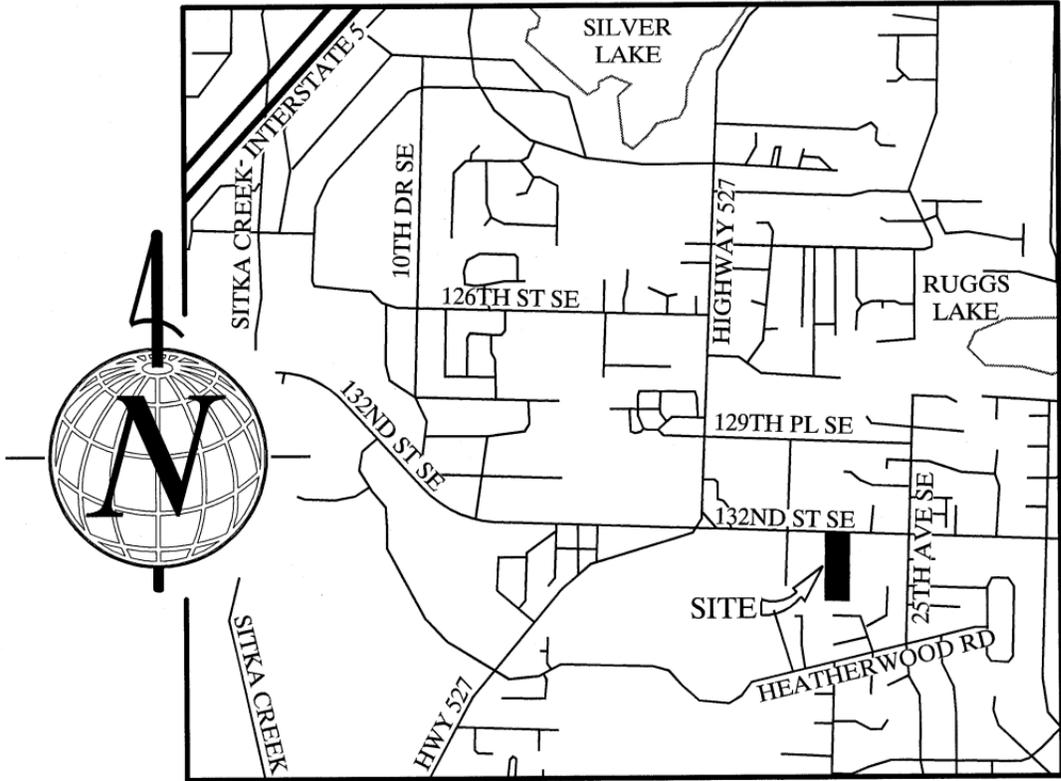
Attachments: Attachment A – Vicinity Map
Attachment B – Preliminary Plat Map
Attachment C – Legal Description
Attachment D – List of Project File Contents

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ATTACHMENT A

VICINITY MAP

VICINITY MAP (1" = 2000')



ATTACHMENT B
PRELIMINARY PLAT MAP

ATTACHMENT C
LEGAL DESCRIPTION

LEGAL DESCRIPTION

PARCEL A

ALL THAT PORTION OF THE NORTHWEST QUARTER OF SECTION 32, TOWNSHIP 28 NORTH, RANGE 5 EAST W.M. LYING NORTHERLY OF BLOCK 2, HEATHERWOOD GARDEN TRACTS NO. 3, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 10 OF PLATS, PAGE 23, RECORDS OF SNOHOMISH COUNTY, WASHINGTON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WEST LINE OF SAID SECTION 32 WHICH IS 30 FEET SOUTH OF THE NORTHWEST CORNER THEREOF;

THENCE SOUTH 89°30'30" EAST ALONG THE SOUTH MARGIN OF COUNTY ROAD FOR 1303.81 FEET TO THE TRUE POINT OF BEGINNING;

THENCE CONTINUE SOUTH 89°30'30" EAST FOR 111.67 FEET;

THENCE SOUTH 00°49'50" EAST FOR 650 FEET TO THE NORTH LINE OF SAID BLOCK 2, HEATHERWOOD GARDEN TRACTS NO. 3;

THENCE NORTH 89°30'30" WEST ALONG SAID NORTH LINE OF BLOCK 2 FOR 111.67 FEET;

THENCE NORTH 00°49'50" WEST 650 FEET TO THE TRUE POINT OF BEGINNING;

EXCEPT THE NORTH 15 FEET AS CONVEYED TO SNOHOMISH COUNTY BY DEED RECORDED UNDER AUDITOR'S FILE NO. 8402290223, RECORDS OF SNOHOMISH COUNTY, WASHINGTON.

PARCEL B

A PORTION OF THE NORTHWEST QUARTER OF SECTION 32, TOWNSHIP 28 NORTH, RANGE 5 EAST W.M., LYING NORTHERLY OF BLOCK 2, HEATHERWOOD GARDEN TRACTS NO. 3, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 10 OF PLATS, PAGE 23, RECORDS OF SNOHOMISH COUNTY, WASHINGTON, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WEST LINE OF SAID SECTION, 30.00 FEET SOUTH OF THE NORTHWEST CORNER THEREOF;

THENCE SOUTH 89°30'30" EAST ALONG THE SOUTH MARGIN OF THE COUNTY ROAD FOR 1192.14 FEET TO THE TRUE POINT OF BEGINNING;

THENCE CONTINUE SOUTH 89°30'30" EAST 111.67 FEET;

THENCE SOUTH 0°49'50" EAST FOR 650.00 FEET TO THE NORTH LINE OF SAID BLOCK 2, HEATHERWOOD GARDEN TRACTS NO. 3;

THENCE NORTH 89°30'30" WEST ALONG SAID NORTH LINE OF BLOCK 2 FOR 111.67 FEET;

THENCE NORTH 0°49'50" WEST FOR 650 FEET TO THE TRUE POINT OF BEGINNING;

EXCEPT PORTION CONVEYED TO SNOHOMISH COUNTY BY DEED RECORDED UNDER AUDITOR'S FILE NO. 8312050061.

SITUATE IN THE COUNTY OF SNOHOMISH, STATE OF WASHINGTON.

ATTACHMENT D

CONTENTS OF PROJECT FILE

CRESTVIEW VILLAGE PRELIMINARY PLAT (PP 14-66)

The following documents will be officially entered into the record at the Hearing Examiner Public Hearing on September 25, 2014. The staff report was posted on the City of Mill Creek website on August 28, 2014. 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 September 25, 2014. 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 July 7, 2014.
3	Owner’s Letter of Authorization dated March 31, 2014
4	Project Narrative letter from SDA, submitted April 3, 2014
5	Legal Description and Plat Certificate dated March 26, 2014
6	Water and Sewer Availability Letter from Silver Lake Water and Sewer District dated March 27, 2014
7	Preliminary Landscape Plan Set, submitted June 30, 2014
8	Revised Project Narrative letter from SDA, submitted June 30, 2014
9	Letter of Completeness – issued April 15, 2014
10	Notice of Development Application posted on-site April 18, 2014 and Affidavit of Publishing, Posting and Mailing
11	Technical Review Committee Comment Letter issued on May 15, 2014, with attachments: a) City of Mill Creek Public Works Department comment memo, dated May 13, 2014 b) Email from Washington State Department of Transportation, dated May 6, 2014 c) Snohomish County PUD letter, dated May 13, 2014

	<ul style="list-style-type: none"> d) Letter from Snohomish County Public Works, dated May 2, 2014 e) Letter from Captain Evan Adolf of Fire District No. 7, dated May 7, 2014 f) Letter from Everett School District, dated May 5, 2014 g) Email from Frontier Communications, dated May 8, 2014 h) Preliminary Development Impact Mitigation Checklist
12	Transportation Engineering Northwest Traffic Assessment supplemental memo, submitted June 30, 2014
13	Transportation Engineering Northwest Traffic Assessment memo, submitted April 3, 2014
14	Traffic Mitigation Offer to Snohomish County, signed and submitted June 30, 2014 and Snohomish County Traffic Mitigation Worksheet
15	Record of Developer Obligations for Mitigation of Impacts to Snohomish County Road System dated July 2, 2014
16	Revised SDA Technical Information Report, submitted June 30, 2014
17	Preliminary Drainage Plan set, submitted June 30, 2014
18	MDNS and Notice of Property Development Impact Mitigation for the Preliminary Plat/Planned Area Development of Crestview Village (City File PP 14-66), with attached checklist, dated July 22, 2014.
19	Affidavit of Publishing, Posting and Mailing for Public Hearing Notice
20	Staff's PowerPoint Presentation
21	
22	
23	

Yellow Highlight Indicates Exhibits Submitted during the Public Hearing