

PLANNING COMMISSION RESOLUTION NO. 2003-109

A RESOLUTION OF THE CITY OF MILL CREEK)
PLANNING COMMISSION, RECOMMENDING)
APPROVAL TO THE CITY COUNCIL OF THE CITY) FINDINGS,
OF MILL CREEK, WASHINGTON OF A) REASONS AND
PRELIMINARY PLAT FOR A 30-LOT SINGLE-) RECOMMENDATIONS
FAMILY SUBDIVISION, KNOWN AS THE)
CHILELLI PROPERTY, CASE FILE NUMBER)
PP 02-59)

WHEREAS, John F. Buchan Construction has submitted the required information to the City of Mill Creek for consideration of a Preliminary Plat for a 30-lot single-family subdivision pursuant to Chapters 16.04, 17.06, 18.04 and 18.06 MCMC; and

WHEREAS, on June 6, 2003, the City's Responsible Official signed and issued a Mitigated Determination of Non-Significance (MDNS) pursuant to RCW 43.21C and Chapter 18.04, MCMC; and

WHEREAS, on July 3, 2003 a legal notice stating the time, place and purpose of the public hearing was mailed to surrounding property owners within 500 feet of the site in accordance with MCMC 14.07.030(A)(2). The notice of public hearing was also posted on the property pursuant to MCMC 14.07.030(A)(3); and

WHEREAS, on July 5, 2003, a legal notice stating the time, place and purpose of the public hearing was published in the Everett Herald; and

WHEREAS, the Planning Commission duly convened a public hearing on July 17, 2003, to consider the matter, take testimony and inquire into the facts of the proposal.

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

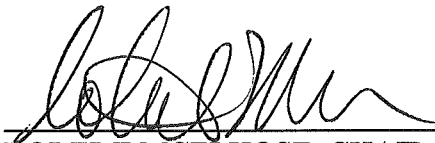
Section 1: The Planning Commission has considered the staff report, attached as Exhibit A, and the proposed Preliminary Plat, attached as Exhibit B, all incorporated herein, and the testimony and other facts elicited at the public hearing and finds that the proposed Preliminary Plat, as conditioned,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

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

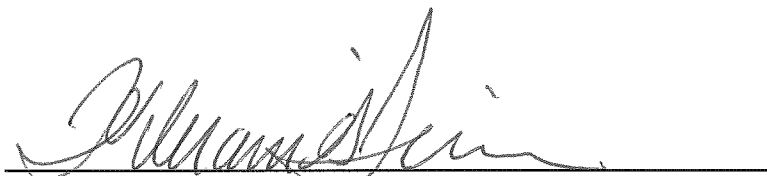
Section 3: The Planning Commission, therefore, recommends to the City Council approval of the Preliminary Plat 02-59 for John F. Buchan Construction for the Chilelli Property as fully described and conditioned in Exhibit A, Exhibit B, and Exhibit C.

Done and passed by majority vote, this seventeenth day of July 2003.

CITY OF MILL CREEK PLANNING COMMISSION



ROBERT MCELHOSE, CHAIR



SECRETARY OF THE PLANNING COMMISSION

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

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

PART I - SUMMARY INFORMATION

HEARING DATE: July 17, 2003

CITY FILE NO: Chilelli Preliminary Plat (PP 02-59)

REQUESTED ACTION: Consideration of a Preliminary Plat to subdivide 20 acres into 30 single-family lots ranging in size from 6,504 to 12,172 square feet. Development is restricted to approximately 9 acres, with the remaining area (approximately 11 acres) protected as an environmentally sensitive area in a conservation easement. The plat will provide a mini-park to serve the residents of the neighborhood.

**APPLICANT/
PROPERTY OWNER:** John F. Buchan Construction, Inc.
2821 Northup Way, Suite 100
Bellevue, Washington 98004

LOCATION: The site is located north of the River Crossing North Plat, west of North Creek, and east of Cascadian Way. **See Attachment 1.**

PROPERTY SIZE: 20 acres

**LEGAL
DESCRIPTION:** See **Attachment 2**

**COMPREHENSIVE
PLAN DESIGNATION:** Residential - Low Density (maximum 4 dwelling units per acre)

ZONING DISTRICT: Low Density Residential (LDR)

PART II - STATUTORY REQUIREMENTS

SEPA COMPLIANCE/DEVELOPMENT IMPACT MITIGATION ORDINANCE:

The proposed Preliminary Plat is subject to the provisions of the State Environmental Policy Act (SEPA) and the provisions of Chapter 17.48 Mill Creek Municipal Code (MCMC), Development Impact Mitigation.

City staff identified certain elements of the environment that require mitigation pursuant to SEPA and Chapter 17.48 MCMC. On June 6, 2003, the City's Responsible Official issued a Mitigated Determination of Non-Significance (MDNS)/Notice of Property Development Impact Mitigation for the proposed project. Specific elements identified as requiring measures to mitigate the impacts of the proposed development include: Earth, Air, Water, Plants and Animals, Transportation, Recreation, and Public Facilities (fire and school facilities). No comments or appeals were received. The mitigation measures required to address the identified environmental impacts are incorporated into the Conditions of Approval.

PUBLIC NOTICE:

In accordance with Chapter 14.07.030 MCMC, notice of the public hearing was mailed to property owners of record within 500 feet of the proposed project on July 2, 2003, and posted on the site on July 2, 2003. Notice was published in the Everett Herald on July 5, 2003. All statutory public notice requirements have been met.

PART III - BACKGROUND INFORMATION

EXISTING SITE CHARACTERISTICS:

The portion of the site proposed for development (western 9 acres) was logged in 1994; existing vegetation in this area consists of new growth forest comprised of alders, dogwood, blackberries, fir, cedar, scrub shrubs and grasses. The eastern portion of the site (approximately 11 acres) is wetland and associated buffers of the North Creek corridor. The buffer consists of second growth forest. The site slopes from the west to the east with a gradient range of 2 to 25 percent.

SURROUNDING PROPERTY ZONING/LAND USES:

The zoning designations and existing land uses of the surrounding properties are as follows:

- The property is bound on the north by single-family uses within unincorporated Snohomish County and the City of Mill Creek. The County zone designation is R-9,600, and the City zoning designation is LDR.
- The property is bound on the south by the plat of River Crossing North, which was approved for eleven single-family homes. This plat is currently under construction.
- Properties to the east consist of a wetland conservation tract created as a part of the Hawthorne Apartments Binding Site Plan and two undeveloped parcels within the North Creek wetland corridor. These parcels are zoned Low Density Residential. Further to the east are the Hawthorne and Jefferson at Mill Creek apartment projects, which are zoned Mixed-Use/High Density Residential.
- Properties to the west are within unincorporated Snohomish County and are zoned R,9600 and developed with single-family homes. In addition, a seven-lot short plat (Chilelli Short Plat,

Snohomish County file number 02-107002 SP) has been proposed, which will take access through this plat on 146th Street SE.

UTILITIES:

The Silver Lake Water District will provide water and sewer. Electrical service is available from Snohomish County PUD. Natural gas service is available from Puget Sound Energy.

FIRE PROTECTION:

Fire protection, suppression, and emergency medical service will be provided through a contract with the City by Snohomish County Fire District No. 7.

POLICE PROTECTION:

The City of Mill Creek Police Department will provide police protection and services.

SCHOOL DISTRICT:

This site is located within the Mukilteo School District.

PART IV - PROJECT ANALYSIS

DEVELOPMENT REVIEW PROCESS AND DESIGN:

Development Review Process

The proposal is being processed in conformance with the provisions contained in Chapter 14 (Development Code Administration), Chapter 16 (Subdivisions and Plats), Chapter 17 (Zoning), and Chapter 18 (Environment) of the Mill Creek Municipal Code (MCMC). Following approval of the Preliminary Plat by the City Council, the Design Review Board shall review the landscaping, street trees, and project identification signage.

General Description

The proposed preliminary plat will result in the subdivision a 20-acre parcel into 30 single-family lots and an 11-acre tract consisting of wetlands and associated buffers that will be preserved in a conservation easement. Access to the lots is proposed from an extension of 3rd Drive SE north from the plat of River Crossing North approximately 1,200 feet and terminating in a cul-de-sac with a landscaped traffic circle. A 150-foot road (146th Street SE) ending in a cul-de-sac will extend to the west (between Lots 24 and 25) to provide access to the proposed Chillelli Short Plat, which is in unincorporated Snohomish County.

Project Density

Comprehensive Plan Gross Density

The property is designated Residential Low-Density on the Comprehensive Plan Land Use Plan,

which establishes a maximum density of four dwelling units per gross acre. The proposed site has a density of 1.5 dwelling unit per gross acre, which is 2.5 dwelling units below the maximum permitted within the Residential Low-Density designation.

Zoning Code Net Density

The property is zoned Low Density Residential (LDR) on the Zoning Map. Section 16.12.050, MCMC establishes formulas to calculate the maximum density allowable in zone districts. The formula requires dividing the net developable area by the minimum lot size required for the zone district. Utilizing this formula (274,419 square feet divided by 8,400 equals 32), a maximum density of 32 lots is permissible. Thirty lots are proposed; thus, the proposed plat does not exceed the maximum density of the LDR zone district.

Plat Design

Because the eastern half of the parcel is encumbered by the North Creek wetland and associated buffers (11 acres) only 9 acres located on the western half of the site are proposed for development. A 40-foot public right-of-way is proposed through the center of the developable area with lots on both sides of the roadway. Consistent with City code, three landscaped traffic circles will be located approximately every 400 feet in the center of the public roadway. A short road to serve the Snohomish County Chilelli Short Plat to the west is proposed between Lots 24 and 25. Lot sizes range from 6,504 to 12,172 square feet with an average lot size of 9,147 square feet. Lot size averaging is proposed consistent with Section 16.02.060.

On-site Recreation

The City's Comprehensive Plan, Park and Open Space Element, Policy 5.03, requires that "mini-parks" be located within neighborhoods to support the specific needs of the residents. Therefore, a mini-park/tot lot (Tract 997) shall be provided within the plat as proposed by the applicant. The mini-park is required to be ADA accessible and is proposed to include children's play equipment, a picnic table, and a flat, open lawn area. At this time the immediate area has no mini-park/tot lot. Several residents of the River Crossing development have written to the City suggesting that a park is needed within this plat. To date the applicant indicates that this plat will join the adjacent Homeowners Association (HOA). Since this plat may be included into the same HOA, the mini-park could serve River Crossing, River Crossing North and the subject plat.

Wetland and Buffer Requirements

As noted above, the majority of the 20-acre site is occupied by the North Creek wetland and associated buffer (11 acres). The North Creek wetland has been delineated and evaluated in accordance with the provisions of Chapter 18.06 MCMC. Pursuant to the criteria within Chapter 18.06 MCMC, the North Creek wetland has been categorized as a Category II wetland with an associated buffer of 100 feet for high-impact land uses. The buffer area consists of mature second growth forest. Consistent with the Mill Creek Municipal Code, the applicant is proposing to utilize buffer averaging with a minimum dimension of 75 feet.

Pursuant to MCMC Section 18.06.090.A, "The purpose of a wetland buffer is to protect the integrity, function and value of a regulated wetland." Further, MCMC Section 18.06.090.C.1 states, "Buffer width averaging may be allowed where the applicant demonstrates to the Department that the wetland contains variations in sensitivity due to existing physical characteristics, that lower intensity

land uses will be located adjacent to areas where buffer width is reduced, that width averaging will not adversely impact the wetland functions and values, and that the total area contained within the buffer after averaging is no less than that contained within the standard buffer prior to averaging.”

The preliminary mitigation plan submitted by the applicant does not provide adequate information. Thus, for staff to determine if buffer width averaging is appropriate, the MDNS required as a mitigation measure (which is included in the Conditions of Approval) that the applicant provide adequate information to enable the City to determine if buffer averaging is appropriate. In addition, if buffer averaging is permitted, the plat design is required to minimize the need for grading within the buffer and preserve trees and wildlife to the greatest extent possible. If buffer averaging is determined not to be appropriate, adequate area exists within the plat to provide lots that meet the minimum lot size.

Perimeter Buffers

Perimeter buffers are required to provide neighborhood and development identity and preserve and maintain wildlife habitat corridors.

The proposed plat is bordered on the west by existing residential development in unincorporated Snohomish County. Within the LDR zone district, a minimum building setback of 20 feet is required. This setback will provide a perimeter buffer to properties to the west if properly vegetated. Since this area was recently logged, existing vegetation consists primarily of small trees and brush. Site grading and the construction of four-foot rockeries and construction within private storm drain easements along the back portion of Lots 17-30 will result in the removal of vegetation within the perimeter buffer. The rockeries are proposed to be placed approximately 20 feet from the western property boundary, creating an area where revegetation can occur. The suggested Conditions of Approval require that the developer revegetate the area between the rockeries and the west property line to provide screening between the plat and existing development. The North Creek wetland and buffer tract provide a buffer between the plat and properties to the east. Revegetated side yard setbacks on Lots 1 and 30 will provide the perimeter buffer on the south property line. Revegetated rear yard setbacks on Lots 12 and 13 will provide the perimeter buffer on the north property line.

Stormwater

Existing Drainage

The natural runoff on the undeveloped site flows to the North Creek wetland on the eastern portion of the property. Offsite stormwater runoff from properties to the west flows across the property to the wetland. These offsite flow patterns will be maintained with separate tightline systems and a series of level spreaders along the edge of the wetland buffer.

Proposed Stormwater Facilities

The drainage and conveyance system for the plat will be designed to meet the requirements of the 2001 Department of Ecology Stormwater Management Manual for Western Washington and City of Mill Creek standards. The proposed stormwater drainage system will consist of a closed pipe network that routes all runoff into a large open pond for detention and water quality treatment. The pond will be located in a separate tract (Tract 998) on the east side of 3rd Drive SE between Lots 9 and 10.

The treated stormwater will then flow into a level spreader next to the wetland buffer. The drainage system will also accommodate runoff from the proposed adjacent Short Plat in Snohomish County (File No. 02-107002).

Three landscape areas will be created by four-foot high rockeries installed along the detention pond's frontage on 3rd Drive SE. A floating aerator fountain will be designed and installed in the pond to give the facility the appearance of a fountain. The purpose of this design is to integrate the stormwater facility into the neighborhood as an amenity.

The maintenance of the drainage system will be the responsibility of the two Homeowners Associations that share the stormwater facilities. The Conditions of Approval require the applicant to submit detailed procedures and schedules to the City for review prior to civil plan approval, which will be recorded on the face of the plat. The applicant will be required to submit a final drainage report during the civil plan review phase, and the final system design and drainage details will also be addressed at that time.

Parking

In accordance with Section 17.22.150, MCMC, a minimum of two off-street parking spaces per single-family dwelling is required. The project will provide a minimum of four parking spaces per lot (two in the garage and two in the driveway) for a total of 120 parking spaces. Thus, the proposed project will have a minimum parking ratio of four parking spaces per lot and will exceed the City's parking requirements by two stalls per unit. Additional parking for guests will be provided along one side of the public roadway.

Road Improvements/Pedestrian Facilities

The applicant is required to construct the full-width of 3rd Drive SE on the subject property between the southern property boundary and the northern terminus of the road, as well as 146th Street SE from 3rd Drive SE to the western property boundary. 146th Street SE will connect to a cul-de-sac in the proposed adjacent Snohomish County Short Plat (File No. 02-107002).

This section of 3rd Drive SE will be the ultimate terminus of the road due to the existing single-family homes to the north and the steep slopes to the west. The grade of a roadway connection up to the west to Cascadian Way would be in excess of 15 percent, which is greater than allowable standards in the City, Snohomish County, and the Fire District. A roadway connection to 143rd Street SE to the north would require the purchase and demolition of two or three existing homes.

Street improvements for 3rd Drive SE and 146th Street SE right-of-ways will include paving, roadway retaining walls, guardrail, storm drainage facilities, rolled curb and gutter, five foot sidewalks on both sides of the street, a five foot planter strip in front of all building lots, street lights and landscaping. 3rd Drive is proposed to be 24 feet curb-to-curb in width, which will match the existing street width in the adjacent River Crossing North development. This width will promote slower vehicular speeds and provide a residential atmosphere to the streetscape. Parking will be allowed on only one side of the street. 146th Street SE is proposed to also be 24 feet curb-to-curb.

Three landscaped traffic circles will be constructed along 3rd Drive SE in accordance with MCMC Section 16.02.160. These traffic circles will be similar to the existing islands in the River Crossing and River Crossing North plats. Pursuant to City Code, the roadway around the traffic circle will have a minimum outside turning radius of 40 feet and maximum inside turning radius of 20 feet to meet Fire District and school district requirements.

To avoid impacts to the wetland buffer, the Conditions of Approval require that a structural retaining wall be constructed instead of a sloped embankment along the east-side of the road, between Lot 2 and Tract 997. A planter strip between the curb and sidewalk will not be required along this section of roadway. Additionally, a traffic guardrail and a pedestrian handrail may be required along this stretch of roadway. Any rail system will be painted to match the existing rail along 3rd Drive SE and 153rd Street SE.

A five-foot planter strip will be provided between the curb and sidewalk throughout the development with the exception of the traffic circles, where the sidewalk will be located immediately adjacent to the road. A landscaped planter will be constructed in the middle of this traffic circle, similar to the planter at the intersection of 153rd Street SE and 3rd Drive SE. The traffic circles will be maintained by the Homeowner's Association.

Development Impacts and Mitigation:

Traffic-City of Mill Creek:

The traffic study for the site indicates that the development is expected to generate an estimated 287 new daily trips and approximately 30 weekday PM peak hour trips. This additional traffic will have a negligible impact on the existing Level of Service (LOS) at the intersection of 153rd Street SE and SR 527. The current p.m. peak Level of Service is "F," but that Level of Service will improve with the widening of SR 527 and the construction of a new traffic signal scheduled to be completed by 2004 with the ongoing SR 527 widening project. In no case will the traffic conditions exceed the City's adopted minimum LOS of F.

To address the cumulative impacts of the added trips to City street segments, the applicant will provide a \$31,950 contribution toward the future improvement of the street segments identified in the City's Traffic Mitigation Program and depicted in the Conditions of Approval.

Traffic-Snohomish County Transportation Impacts:

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

Through the SEPA review process, Snohomish County has determined, based on adopted formulas, that \$40,267.00 is required to mitigate transportation impacts to the County road system. The recommended Conditions of Approval include a requirement for the applicant to pay transportation mitigation fees to Snohomish County prior to approval of the Final Plat.

Fire District Impacts:

The City of Mill Creek and Snohomish County Fire District No. 7 have executed an Interlocal Agreement for mitigation of development impacts on fire facilities/services. Mitigation fees are determined by the anticipated impact a development will have on District facilities. Based on the provisions of the agreement, the mitigation required is \$365.00 per residential lot. Assuming 30 new single-family units, \$10,950 is required to mitigate impacts to District facilities. The recommended Conditions of Approval include the requirement for the applicant to pay fire district mitigation fees to Snohomish County Fire Protection District No. 7 prior to approval of the Final Plat.

In addition, pursuant to MCMC 16.02.160, residential sprinklers are required because the road length exceeds 1,000 feet and ends in a cul-de-sac.

School District Impacts:

The site is located within the Mukilteo School District and the City has not entered into an interlocal agreement with the District for imposition of impact mitigation fees. In addition, in response to the MDNS, the Mukilteo School District did not request the developer to pay mitigation fees. Thus, no impact mitigation fees are required. However, the Mukilteo School District has requested that the applicant provide safe walking conditions to the school bus pick-up on Cascadian Way by providing a walkway from 3rd Drive to Cascadian Way. While the connection is possible, there is a steep slope between the plat and Cascadian Way and the plat would be required to incorporate a stairway. To address this concern, the Conditions of Approval require the applicant to provide adequate pedestrian access from the plat west to a bus stop on Cascadian Way (within the proposed short plat) subject to approval by Snohomish County, or to another place satisfactory to the Mukilteo School District. Preliminary contact with Snohomish County indicates that they will support the connection.

As a side note, the City has suggested to the applicant that requesting a school district boundary amendment to become part of the Everett School District may be beneficial to the residents since the adjacent plats to the south are within the Everett School District.

City Park System Impacts:

Public Parks: Approval of the Preliminary Plat would allow construction of 30 single-family units, which will increase the demand upon the City's park and recreation facilities. Pursuant to MCMC Chapter 17.48, to mitigate the project's impacts on these facilities, mitigation fees are required for the development of neighborhood parks and for the acquisition and development of community parks. Because of the plat's location on the west side of the City, neighborhood and community park mitigation will be utilized for the development of Mill Creek Sports Park. Based upon the formula for calculating impact fees in Resolution 2002-313, the proposed project is required to pay the following fees to offset impacts to parks and recreation facilities:

A. Neighborhood Parks (development only):

\$932.57/single-family dwelling x 30 dwellings = \$27,977.10

B. Community Parks:

\$1,490.50/single-family dwelling x 30 dwelling = \$44,715.00

Private Recreation: As stated earlier under Plat Design, the Comprehensive Plan requires mini parks in neighborhoods. The MDNS issued for the project includes a mitigation measure (included in the Conditions of Approval) requiring a mini-park to be provided within the plat.

CONSISTENCY WITH THE MILL CREEK COMPREHENSIVE PLAN:

For a development to be approved, the Planning Commission must make a finding that the proposed development is consistent with the Land Use Map and applicable policies of the Comprehensive Plan. The subject Preliminary Plat has been reviewed by staff for consistency with the City of Mill Creek Comprehensive Plan. Since the plan is by its nature “comprehensive,” the staff report provides the following analysis, which focuses on the applicable policies that have direct influence on the design of this project.

LAND USE ELEMENT

Land Use Map - Site designated for Residential - Low Density (four dwelling units/acre maximum).

Staff Response - Density proposed is one and one-half dwelling units per acre, which is below the maximum threshold of four dwelling units per acre.

Policy 1.01 - City’s residential character should be composed of a wide range of densities and maintain and enhance the City as a predominantly single-family residential community.

Staff Response - This project is proposing a density that is at the low end of the density range. The residential character of the proposed development is single-family detached, similar to the adjacent plats of River Crossing, River Crossing North and adjacent single-family homes.

Policy 1.16 - Peripheral boundaries of each residential development should contain appropriately sized buffer areas.

Staff Response – A 20-foot setback for the rear yards is provided on the western and northern peripheral boundaries. The western and northern property lines will be revegetated to provide screening between the existing homes and the plat. A side yard setback to the south will be the perimeter buffer. On the east side of the project the wetland and associated buffer provide approximately 11.2 acres of buffer to properties to the east, which are zoned Low Density Residential.

Policy 1.17 - Elements of neighborhood development should include preservation of environmentally sensitive areas, preserve existing vegetation, establish building mass to scale with lot sizes, and provide safe and efficient pedestrian and vehicular circulation.

Staff Response - Existing vegetation within the North Creek wetland and buffer will be preserved in a conservation easement. Building mass will be contained within the requirements of the code for building height, lot sizes, lot coverage area and setbacks as established in the LDR zone district. Safe and efficient pedestrian and vehicular circulation will be provided along with a pedestrian walkway connection between 146th Street SE through the Chilelli Short Plat to Cascadian Way.

Policy 1.18 - Residential developments shall be designed to be compatible with adjacent developments.

Staff Response - As designed and conditioned, the proposed plat will be compatible with adjacent single-family developments in Snohomish County to the west and north and River Crossing North, which is located to the south.

CAPITAL FACILITIES ELEMENT

Policy 2.03 - Projects shall provide stormwater facilities that incorporate treatment methods for water quality as recommended in the Puget Sound Water Quality Plan.

Staff Response - Consistent with this policy, the project will incorporate a detention pond on-site within Tract 998 for stormwater quality treatment that meets the requirements of the 2001 DOE Stormwater Manual. Once the stormwater is treated, the water will then flow into a level spreader and be discharged into the wetland buffer. Furthermore, the drainage system will also be designed to accommodate runoff from the proposed adjacent Short Plat in Snohomish County (File No. 02-107002).

UTILITIES ELEMENT

Policy 1.01 - Urban development shall occur only where adequate utilities are available.

Staff Response - Adequate utility services are available to the site.

Policy 1.10 – Requires under grounding of utilities where possible.

Staff Response – Utilities are conditioned to be located underground.

TRANSPORTATION ELEMENT

Policy 2.02 – Pursuant to the Growth Management Act, projects shall not be approved that reduce the Level of Service below established standards.

Staff Response – The City Engineer has determined that the project does not reduce Levels of Service below established standards.

Policy 3.04 – Access points from the public right-of-way to private developments shall be located at appropriate locations.

Staff Response – The City Engineer has determined that access to the proposed development is appropriate given the constraints to the north and west.

Policy 4.01 – Public sidewalks required throughout residential neighborhoods. Sidewalks should be located on both sides of the street and be connected with other public/private trail systems.

Staff Response – The proposed plat will include a public sidewalk on both sides of the proposed roadways. As a side note, a pedestrian trail is required, subject to County approval, through the Snohomish County Chilelli Short Plat to this plat allowing access from 3rd Drive SE to a school bus stop on Cascadian Way.

ENVIRONMENTAL FEATURES ELEMENT

Policy 1.02 – Detention ponds and basins should be incorporated into new development to ensure that post-development runoff is equal to the pre-development rate.

Staff Response – The proposed development will utilize a drainage and conveyance system that will be designed to meet the requirements of the 2001 Department of Ecology Stormwater Management Manual for Western Washington and City of Mill Creek standards. The proposed stormwater drainage system will consist of a closed pipe network that routes all runoff into a large open pond for detention and water quality treatment. The pond will be located in a separate tract (Tract 998) on the east side of 3rd Drive SE between Lots 9 and 10.

Policy 2.01 – Wetlands should be left in their natural state to preserve wildlife habitat and protect water quality and quantity values.

Staff Response – The North Creek wetland and associated buffers will be preserved in its natural state in a separate tract (conservation easement to the City). The wetland shall be identified with signage approximately every 100 feet. Buffer areas that have been disturbed by geotechnical test pit sampling shall be restored. In addition, wetland buffer impacts shall be minimized consistent with City Code, Chapter 18.06.

Policy 3.01 – Clearing and grading shall minimize erosion/sedimentation into streams, wetlands and other watercourses. Temporary and permanent erosion control measures are required.

Staff Response – As a Condition of Approval, erosion control measures will be required for both the City of Mill Creek and Snohomish County.

Policy 3.02 – Development on 15-40 percent slopes may be permitted if site engineering can demonstrate that development is safe and will not adversely affect drainage courses, vegetation, or slope stability.

Staff Response – A portion of the proposed roadway at the south end of the plat is proposed to occur over a 25 percent slope. Conditions of Approval and the MDNS require that a final geotechnical report be submitted assessing the stability of the steep slope and recommendations for retaining structures.

Policy 4.01 – Wooded areas should be preserved, wherever possible, to ensure adequate habitat for wildlife.

Staff Response – Approximately eleven acres of the site will be preserved in its natural state and a conservation easement protecting the property in perpetuity will be recorded on the tract. This will provide a wildlife habitat corridor adjacent to North Creek.

Policy 4.03 – Requires that vegetated buffers be established between developments.

Staff Response – The project proposes a revegetated five-foot minimum property buffer from adjacent properties in the form of building setbacks to the south combined with the five-foot buffer provided on the River Crossing North plat, a ten-foot buffer total is provided. Buffers to the west and north will consist of a 20-foot rear yard setback. These buffers will be landscaped as a typical single-family yard. On the eastern portion of the site the 11 acres of sensitive areas will provide a buffer to future land uses to the east of North Creek.

PARKS AND RECREATION ELEMENT

Policy 5.02 – Park impact mitigation required for residential development.

Staff Response – Park mitigation fees for neighborhood and community parks will be paid as required by the MDNS issued for the project and as stated in the Conditions of Approval.

Policy 5.03 – a well-dispersed system of mini-parks shall be developed to serve the needs of community residents, primarily provided through the participation by developers and the private sector.

Staff Response – A mini-park to serve the needs of the residents of the neighborhood will be constructed on Tract 997.

CONCLUSION

In conclusion, staff has reviewed the applicable policies of the Comprehensive Plan. Based on this review, we find that the proposed project with Conditions of Approval complies with the applicable policies.

CONSISTENCY WITH DEVELOPMENT REGULATIONS:

As stated previously, this application is being processed under the provisions of the Subdivision, Zoning, and Environmental sections of the MCMC (Chapters 16, 17 and 18). The following analysis evaluates the proposed project with the applicable development regulations:

DEVELOPMENT REGULATIONS

MCMC Section 16.02.060: Lots may be reduced below the minimum lot size of the zone district provided: A) The total number of lots do not exceed the maximum density of the land use designation of the Comprehensive Plan; B) The average lot size shall not be less than that required by the zone district; C) No lot shall be less than 0.75 times the minimum lot size.

Staff Response: The project will utilize lot size averaging as allowed by MCMC Section 16.02.060 to provide lots ranging in sizes from 6,504 to 12,172 square feet. The average lot size is 9,147 square feet.

MCMC Section 16.02.100: Critical areas and valuable natural features shall be preserved to the greatest extent possible.

Staff Response – The North Creek wetland and associated buffers will be preserved in a conservation easement and identified with critical area signage. Buffers are being provided consistent with the requirements of MCMC Chapter 18.06.

MCMC Section 16.12.050: Permitted density for this site is 32 units.

Staff Response – The proposal is for 30 dwelling units, which is below the maximum 32 allowable units.

MCMC Section 16.14.010: Requires a finding that the proposed subdivision is beneficial to the public health, safety, and welfare and is in the public interest. Requires the adequate provision for: public health, safety and general welfare, open spaces, access to schools, drainage ways, streets and other public ways, transit stops, water supplies, sanitary wastes, parks and recreation facilities, playgrounds, sites for schools and school grounds, mitigation of adverse environmental impacts, and protection of environmentally significant features.

Staff Response – Public streets and sidewalks will comply with standards recommended by the City Engineer. Mitigation is required to offset impacts of the development on parks and recreation facilities, identified City and County roadways, and fire protection facilities. Construction of a mini-park will be provided by the developer within the plat to serve the needs of the residents of the neighborhood. Utilities are available with sufficient capacity to serve the proposed development. Stormwater drainage facilities (detention pond and level spreader) proposed on-site will meet LOS standards as established within the Comprehensive Plan and the 2001 DOE Stormwater Manual. Stormwater facilities have been designed to accommodate and treat the proposed Snohomish County Chilelli Short Plat (02 107002 SP) to the west. Wetland buffers will be provided as required by Chapter 18.06. A pedestrian access from the plat to Cascadian Way is required to provide access to a school bus stop.

MCMC Section 17.06.010: Single-family detached dwellings are permitted as a Principal Use in the Low Density Residential zone district.

Staff Response – The project proposes 30 detached single-family dwellings.

MCMC Section 17.06.040: The minimum lot size is 8,400 square feet within the LDR zone district.

Staff Response – The project will utilize lot size averaging as allowed by MCMC Section 16.02.060 to provide lots ranging in sizes from 6,504 to 12,172 square feet, with an average lot size of 9,147 square feet.

MCMC Section 17.06.050: The minimum building setbacks are:

Front: 20 feet

Side: 20 feet, with no side less than 5

Rear: 20 feet

Staff Response – The proposed setbacks meet the zone district requirements.

MCMC Section 17.06.060: Maximum building height is 35 feet.

Staff Response – The Building Official will ensure that no structure exceeds 35 feet.

MCMC Section 17.22.150.D: Minimum parking required: two spaces per unit for single-family dwellings.

Staff Response – A minimum of four spaces per unit will be provided (two in the garages and two in the driveways). Street parking will also be allowed on one side of 3rd Drive SE. Proposed on-site parking exceeds the minimum requirements by two stalls per lot.

MCMC Section 17.22.170: Under grounding of new utilities required.

Staff Response – As a condition of project approval, utilities will be required to be placed underground.

MCMC Section 17.22.180: Comprehensive Plan – concurrency and consistency required.

Staff Response – As discussed above, the project is consistent with the applicable policies of the Comprehensive Plan and does not reduce Levels of Service below established standards.

MCMC Section 18.06.090: Pursuant to the criteria within Chapter 18.06 MCMC, the North Creek wetland has been categorized as a Category II wetland with an associated buffer of 100 feet for high-impact land uses.

Staff Response – The wetland buffer area consists of mature second growth vegetation. The applicant is proposing to utilize buffer averaging with a minimum dimension of 75 feet. The Conditions of Approval require the applicant to provide buffers consistent with City Code.

CONCLUSION

In conclusion, staff has reviewed the applicable development regulations and, based on this review, finds that the proposed project, subject to proposed conditions, complies with the applicable development regulations.

PART V – FINDINGS AND CONCLUSIONS, STAFF RECOMMENDATION, AND CONDITIONS OF APPROVAL

FINDINGS AND CONCLUSIONS:

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

1. The request is for the approval of a Preliminary Plat for 30 lots to be developed with single-family detached residences as depicted on the Preliminary Plat dated February 19 2003, Exhibit B.
2. The proposed plat is located within a Low Density Residential zone district. Single-family residential development is a principal use in the Low Density Residential zone district.
3. Access to the proposed plat would be from the extension of 3rd Drive SE, which will be constructed by the applicant.

4. The proposed project has been reviewed under the provisions of the State Environmental Policy Act (SEPA) and Chapter 17.48 MCMC, the Development Impact Mitigation Ordinance. This review has revealed that there will be an impact on the City and County street systems, the City parks and recreation system, Mukilteo School District, and on Snohomish County Fire Protection District No. 7 facilities/services.
5. In accordance with the Mitigated Determination of Non-Significance and Notice of Property Development Impact Mitigation issued by the responsible official on June 6, 2003, impact mitigation agreements will be required to mitigate the identified impacts.
6. The proposed project is subject to an Interlocal Transportation Agreement between the City of Mill Creek and Snohomish County for the review and mitigation of development impacts on the County road system. The County has determined that mitigation of impacts occurring from this development is required.
7. The proposed project is subject to an interlocal agreement between the City of Mill Creek and Snohomish County Fire District No. 7 for the review and mitigation of development impacts on fire services. The district has determined that mitigation of impacts occurring from this development is required and that residential sprinklers shall be installed in the homes, pursuant to MCMC 16.02.160.
8. The proposed plat as conditioned has been reviewed and found to be consistent with the applicable policies and Land Use Map of the City of Mill Creek Comprehensive Plan.
9. The proposed plat as conditioned has been reviewed and found to be consistent with the applicable development regulations contained in Section 17.06, MCMC.
10. Critical areas identified on site and their associated buffers will be protected as required by MCMC Chapter 18.06 and will be preserved in perpetuity through a conservation easement.
11. The proposed residential development has been reviewed in regard to the requirements of Section 16.14.010. The development, subject to the conditions below, is found to be beneficial to the public health, safety, and welfare and is in the public interest.
12. If approved subject to the conditions recommended below, the proposed plat will be consistent with the requirements of Titles 16, 17, and 18 MCMC.
13. The proposed project, as conditioned, will not reduce the Level of Service on the City's transportation system below the established minimum standards.
14. The statutory requirements for environmental review and public notification have been duly satisfied.

STAFF RECOMMENDATION:

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

Preliminary Plat:

1. Development shall occur as portrayed on the Preliminary Plat map dated February 19, 2003, attached as Exhibit B to the Planning Commission Resolution, except as may be modified by conditions imposed by the Planning Commission.
2. The maximum number of building lots shall be 30. Construction shall be limited to one single-family detached residence per lot.
3. The subdivision shall be incorporated into a Homeowners Association, which will be responsible for the maintenance of all privately owned common facilities and landscaping within the traffic islands. The CC & R's shall be submitted to the City for review prior to recording of the Final Plat

Tree Retention/Revegetation

4. Significant trees shall be preserved as much as possible and practical within the developed portion of the plat.
5. Trees to be preserved shall be determined after a review of the critical areas report, civil plans and on-site identification by City staff and the applicant. Preservation areas and individual trees identified to be saved shall be designated on a tree retention plan and protected from encroachment by vehicles, earth moving and excavating machinery, and material storage by the erection of barrier fencing approved by City staff. Failure to maintain, or removal of the fencing without approval of the City, shall result in the issuance of a stop work order.
6. Trees designated for preservation that are damaged or removed shall be replaced at a ratio of 3:1. The replacement trees shall be a coniferous species and have a minimum height at planting of twelve feet. In addition, a penalty of \$1,000.00 per tree may be assessed for any trees that are removed or destroyed by the applicant or his agent without the express approval of the City. The City may, at its discretion, issue a stop work order for the construction until the penalty is paid.
7. The 20-foot rear yard setback on the west side of the subject property shall be revegetated to provide adequate screening between the proposed plat and existing residential development. A final landscape plan, prepared by a licensed landscape architect, shall be submitted to the City for review and approval by staff prior to Final Plat approval. Revegetation of the property buffer shall be implemented prior to the occupancy of each residential unit.

Street Trees/Landscaping:

8. The applicant shall submit for City approval a planting plan for the public street and the three traffic circles within the plat. The planting plan shall be prepared by a licensed landscape architect and shall be reviewed and approved by the City's Design Review Board prior to Final Plat approval. Implementation of the landscape plan shall be guaranteed by a secured agreement and shall be completed prior to the occupancy of the last home.
9. All landscaped areas shall be amended with a minimum of four inches of compost to a minimum depth of six inches to improve the on-site retention of stormwater.

Critical Areas:

10. The applicant shall submit to the City for review and approval a Final Wetland Buffer Mitigation Plan pursuant to Section 18.06.090. Buffer averaging, if approved, shall be consistent with City Code. In addition, the Final Wetland Buffer Mitigation Plan shall address impacts to the wetland buffer as a result of geotechnical test pit sampling and any retaining walls that are constructed. Said plan shall be developed in accordance with Chapter 18.06 MCMC.

The developer shall enter into an agreement with the City for implementation of the Final Wetland Buffer Mitigation Plan secured by a performance bond equal to 125 percent of the cost of labor and materials. Said agreement shall be reviewed and approved by the City Attorney and recorded prior to the commencement of site work. The wetland buffer mitigation and restoration areas shall be planted prior to Final Plat approval and retained in a conservation easement and identified with sensitive area signage every 100 feet.

Project Signage:

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

Parks and Recreation:

12. The applicant shall contribute \$72,692.10 to mitigate impacts on City park and recreation facilities. Of this amount, \$27,977.10 shall be used for the development of neighborhood parks. The remaining \$44,715.00 shall be used for the acquisition and development of community parks. Payment shall be made prior to Final Plat approval.
13. A mini-park/tot lot (Tract 997) shall be provided within the plat as proposed by the applicant. The mini-park shall be ADA accessible and shall be improved with children's play equipment, a picnic table, and a flat, open lawn area. Construction of the mini-park and installation of said equipment shall occur prior to occupancy of the first home.

Roadway Design:

14. The applicant shall construct the full-width of 3rd Drive SE on the subject property between the southern property boundary and the proposed road terminus, as well as 146th Street SE from 3rd Drive SE to the western property boundary. This work shall consist of all items within the ultimate 3rd Drive SE and 146th Street SE right-of-way, including, but not limited to the following elements and conditions:
 - A. Paving, roadway retaining walls, guardrail, storm drainage facilities, rolled curb and gutter, five-foot sidewalks on both sides of the street, a five-foot planter strip in front of all building lots, street lights and landscaping.
 - B. The new street width shall match the existing street width of 24 feet curb-to-curb in the adjacent River Crossing North development.
 - C. A structural retaining wall shall be designed and constructed along the east side of 3rd Drive SE between Lot 2 and Tract 997 to avoid impacts to the wetland buffer, unless the Final Wetland Mitigation Plan provides a wetland buffer averaging proposal that meets the requirements of MCMC Chapter 18.06. A five-foot planter strip between the curb and sidewalk is not required between Lot 2 and Tract 997.
 - D. Landscaped traffic circles shall be constructed along 3rd Drive SE in accordance with MCMC Section 16.02.160. The roadway around the traffic circle shall have a minimum outside turning radius of 40 feet and maximum inside turning radius of 20 feet. The roadway shall be a maximum of 20 feet wide around the traffic circle.
 - E. The street section and traffic islands shall be designed and constructed to the satisfaction of the Director of Community Development and the Director of Public Works.
 - F. All interior roadways shall be designed and constructed to meet all emergency vehicle access requirements and City of Mill Creek standards. All roads that provide access to stormwater facilities shall be paved and designed for maintenance vehicle loading.
 - G. If required by the City Engineer, traffic guardrail shall be installed along 3rd Drive SE at the back of the east sidewalk between Lot 2 and Tract 997. The guardrail design shall meet current traffic safety standards, and shall include a pedestrian handrail if required. The guardrail system shall be painted to match the existing guardrail along 3rd Drive SE and 153rd Street SE. The guardrail and pedestrian rail system shall be approved by the City Engineer prior to installation.

15. On-street parking shall be limited to only one side of the street and no parking signs shall be posted on the appropriate side of the street by the developer as approved by the City Engineer.

Traffic Mitigation:

16. The applicant shall contribute to the City’s mitigation program based on the projected traffic distribution as outlined below:

Segment	# of Trips
Seattle Hill Road	14
164 th Street Southeast	72
Dumas Road	14
Trillium Boulevard	6
Mill Creek Boulevard east of SR 527	14
Mill Creek Boulevard west of SR 527	29
Village Green Drive	14
148 th Street Southeast	0
153 rd Street SE @ SR 527	287
TOTAL	450

To address the cumulative impacts of the added trips to City street segments, the applicant will provide a \$31,950 contribution (\$71 per trip) toward the future improvement of the street segments identified in the City’s Traffic Mitigation Program. Payment shall be made prior to issuance of building permits.

17. Snohomish County has reviewed the traffic study prepared by Transportation Planning, and Engineering, Inc. and concurs with the analysis contained within the study, as well as the mitigation amount of \$40,267 (\$38,917.00 for the TSA D capacity fee, and \$1,350.00 for the TDM fee). Payment of traffic mitigation fees to the County is required prior to Final Plat approval.

Storm Drainage Facilities:

18. The applicant shall include all required public and private drainage improvements in the engineering design plans and stormwater report for the Director of Public Works approval. The approved stormwater system shall include the following elements and conditions:
 - A. Detention and water quality treatment facilities with a conveyance system that meet the requirements of the City of Mill Creek and the 2001 Department of Ecology Stormwater Management Manual for Western Washington.
 - B. The stormwater system shall be designed to accommodate flow from the proposed adjacent Snohomish County Short Plat (File No. 02-107002).

- C. Stormwater facilities and appropriate easements shall be included to accommodate the existing offsite runoff that flows through the development.
- D. If a fence is required by the City Engineer around the stormwater detention pond, it shall be installed prior to recording of the Final Plat and shall be black, vinyl-coated chain link fence.
- E. Provisions on the Final Plat shall include maintenance of the stormwater system, including, but not limited to adequate access to maintenance locations, provisions and easements that allow the City to inspect, maintain, and/or operate the detention and treatment system at its discretion, and adequate easement provisions to ensure uninterrupted function of the facilities of the proposed development.
- F. The homeowners associations of the Mill Creek plat and adjacent Snohomish County short plat that share use of the stormwater system shall maintain and operate all drainage facilities outside the public right-of-way to the satisfaction of the City Engineer. Specific maintenance measures shall be indicated on the approved engineering plans and in the final drainage report and shall be included on the face of the plat.
- G. A final stormwater drainage report signed and stamped by a licensed professional engineer shall be submitted to the Director of Public Works for review and approval.

Utilities:

- 19. All utilities within the project and along all roadway frontage areas shall be placed underground in accordance with City Code. No new utility poles shall be installed in the project site. Appropriate easements or right-of-way for all utilities shall be provided by the applicant and depicted on the Final Plat.
- 20. Adequate street lighting shall be installed on 3rd Drive SE and 146th Street SE, and the light levels shall be consistent with the approved lighting plans for the River Crossing and River Crossing North Plats. Project lighting shall be designed and shielded to avoid light spillover into the North Creek wetland buffer. In areas where street lighting is not sufficient, additional pedestrian lighting shall be installed. The street and pedestrian lights (pole and luminaire head) shall be consistent with the type used within the original River Crossing development and along 153rd Street SE. Lighting calculations and plans shall be submitted for review by the City Engineer prior to construction. The applicant shall be responsible for the first year of operational costs for the streetlights, and shall pay these costs to the City prior to energizing the streetlights.
- 21. Water and sewer facilities shall be installed in accordance with plans reviewed and approved by the Silver Lake Water District.

Site Clearing and Grading:

22. The applicant shall provide grading, stormwater, and erosion and sediment control plans to the satisfaction of the Director of Public Works prior to commencing any clearing for the site. All public improvement work shall be adequately secured through a secured agreement acceptable to the Director of Public Works prior to starting work.
23. Temporary erosion and sediment control (TESC) plans and Best Management Practices shall meet Mill Creek and Snohomish County Standards, and be coordinated with the construction of the proposed adjacent Snohomish County Short Plat (File No. 02-107002). During the civil plan review process, the TESC plans will also be reviewed by Snohomish County staff prior to City approval.
24. A Snohomish County haul route agreement shall be secured prior to beginning clearing and grading if construction access is taken from Cascadian Way.
25. A geotechnical study and recommendations regarding the construction of the fill slopes under the roadway and building pads shall be prepared by a licensed geotechnical engineer and submitted to the City Engineer for review prior to civil plan approval. All retaining walls and building foundations shall be founded on competent soil. All retaining walls over four feet in height and all building foundations must be approved by the City Building Official prior to construction.
26. Dust and erosion shall be controlled by promptly covering exposed stockpiles, watering areas of soil disturbance, and using a street sweeper on adjacent roads.
27. Building plans will not be accepted until the Directors of Public Works and Community Development have approved the civil plans.

Snohomish County Fire District No. 7:

28. The applicant shall contribute \$365.00 for each residential unit to mitigate impacts of the project on fire district facilities/services. Based upon 30 units, \$10,950.00 is required to offset impacts to Fire District facilities. Payment of fire mitigation fees shall be made prior to Final Plat approval.
29. Fire hydrant design, location, and spacing shall be reviewed and approved by Snohomish County Fire District No. 7 and the Silver Lake Water District. All hydrants shall be equipped with four-inch STORTZ adapters.
30. Homes shall be sprinkled pursuant to Fire District No. 7 and City Code MCMC Section 16.02.160.

Schools:

31. The applicant shall provide safe and adequate pedestrian access for schoolchildren to the nearest school bus stop or other place satisfactory to the Mukilteo School District. The applicant shall provide to the City written verification of such arrangement approved by the Mukilteo School District prior to the City's approval of engineering plans. Such arrangement shall be constructed or implemented before occupancy of the first unit.

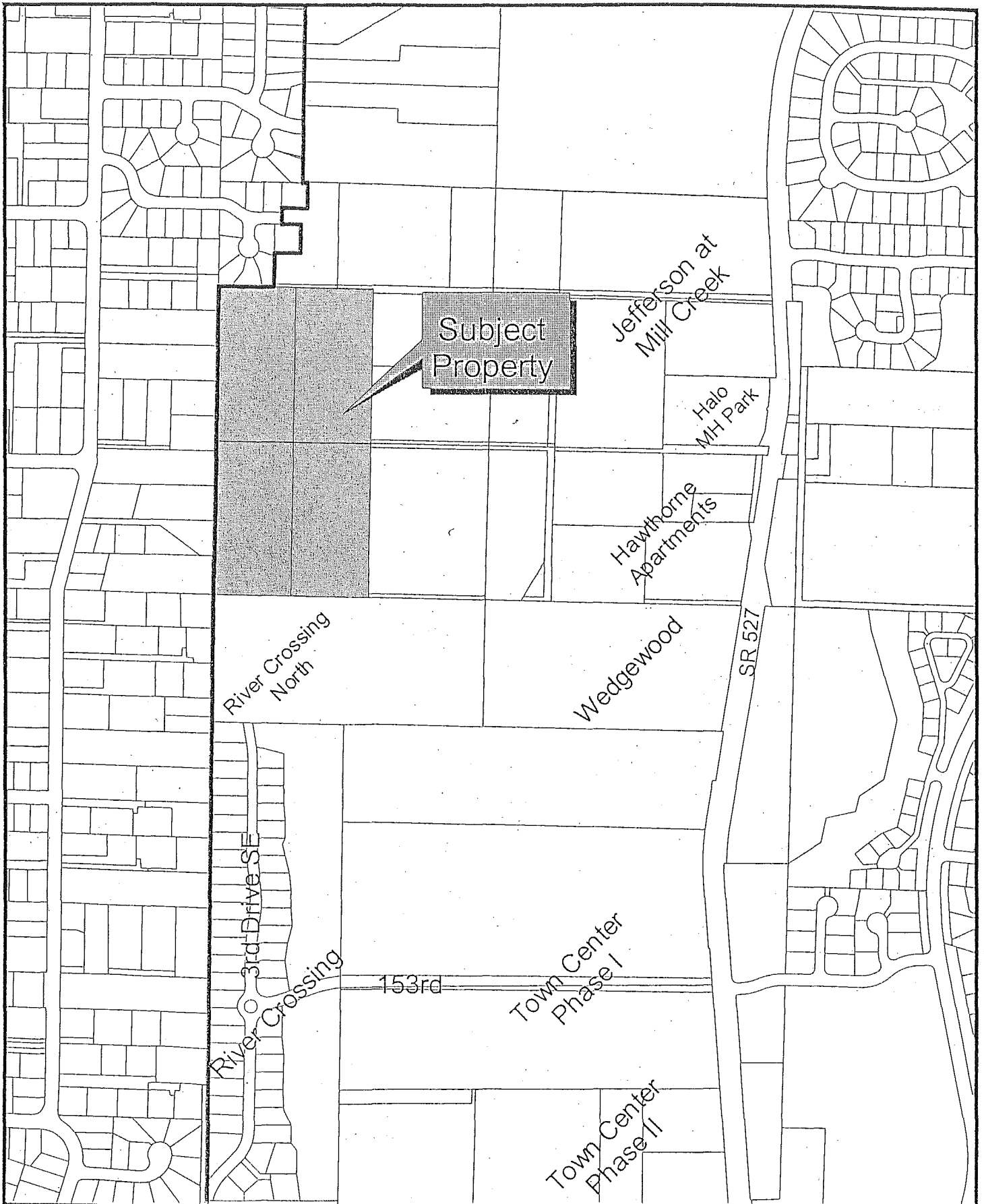
Miscellaneous:

32. Mailboxes shall be grouped or clustered in lockable hutches in locations identified by the United States Postal Service and the Mill Creek Police Department. Structures shall be enclosed in a decorative wood enclosure to the satisfaction of the City Engineer.

Attachments: Attachment 1 – Vicinity Map
Attachment 2 – Legal Description
Attachment 3 – Memorandum from the Mukilteo School District, dated July 2, 2003

G:\PLANNING\WP\Preliminary-Final Plats\Chilelli Plat\Correspond\TheChilelliStaffreportRevisedCouncil.doc

ATTACHMENT 1



Chilelli Preliminary Plat
Vicinity Map



ATTACHMENT 2
CHICAGO TITLE INSURANCE COMPANY

OF WILL CLERK

ZONING CASE

PLAT CERTIFICATE
SCHEDULE A

No. PP 02-59
DATE 12-6-2
BY [Signature]

(Continued)

Order No.: 845765A

LEGAL DESCRIPTION

PARCEL A:

LOT 34, PLAT OF ALDERWOOD MANOR NO. 24 ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 13 OF PLATS, PAGE 85, RECORDS OF SNOHOMISH COUNTY, WASHINGTON.

SITUATE IN THE COUNTY OF SNOHOMISH, STATE OF WASHINGTON.

PARCEL B:

LOT 35, EXCEPT THE WESTERLY 200 FEET AS MEASURED ALONG THE WESTERLY LINE, ALDERWOOD MANOR NO. 24, ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 13 OF PLATS, PAGE 85, RECORDS OF SNOHOMISH COUNTY, WASHINGTON.

SITUATE IN THE COUNTY OF SNOHOMISH, STATE OF WASHINGTON.

PARCEL C:

THE WEST HALF OF THE FOLLOWING:

THE NORTH 660 FEET OF THE WEST 660 FEET OF GOVERNMENT LOT 4, SECTION 31, TOWNSHIP 28 NORTH, RANGE 5 EAST, W.M.

SITUATE IN THE COUNTY OF SNOHOMISH, STATE OF WASHINGTON.

PARCEL D:

THE WESTERLY HALF OF THE FOLLOWING DESCRIBED PROPERTY:

BEGINNING AT THE SOUTHWEST CORNER OF SECTION 31, TOWNSHIP 28 NORTH, RANGE 5 EAST, W.M., WHICH POINT IS ALSO THE SOUTHWEST CORNER OF GOVERNMENT LOT 4 OF SAID SECTION 31;

THENCE EAST 660 FEET;

THENCE NORTH 660 FEET;

THENCE WEST 660 FEET;

THENCE SOUTH 660 FEET TO THE POINT OF BEGINNING.

SITUATE IN THE COUNTY OF SNOHOMISH, STATE OF WASHINGTON.

PARCEL E:

THE EAST HALF OF THE FOLLOWING DESCRIBED PROPERTY:

THE NORTH 660 FEET OF THE WEST 660 FEET GOVERNMENT LOT 4, SECTION 31, TOWNSHIP 28 NORTH, RANGE 5 EAST, W.M.

SEE NEXT PAGE



Mukilteo
School District No. 6
Support Services Center
8925 Airport Rd.
Everett, WA 98204
(425) 356-1330 • Fax (425) 710-4455

Memorandum

ATTACHMENT 3

Date: July 7, 2003

To: Christi Amrine
Associate Planner
City of Mill Creek

From: Debra M. Fulton
Executive Director
Support Services

Debra M. Fulton

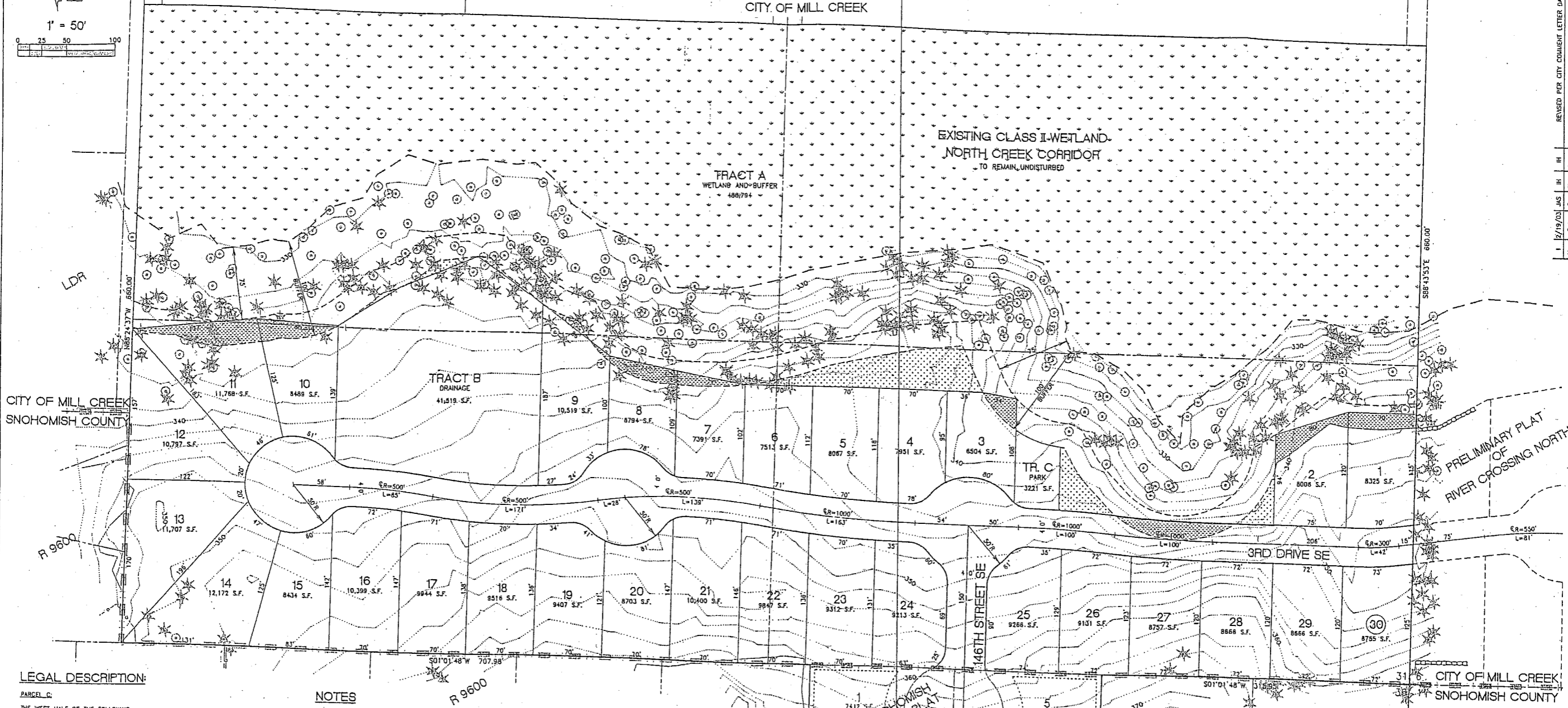
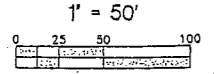
Re: Chilelli Preliminary Plat – City File PP 02-59

Mukilteo School District No. 6 does not agree that the Chilelli Preliminary Plat – City File PP 02-59 should be amended to be within the Everett School District. The Mukilteo School District provides bus transportation for MSD students along Cascadian Way and the mitigation requirement that pedestrian access be provided to Cascadian Way will allow easy access for student pickup.

PRELIMINARY PLAT
FOR
CHILELLI PROPERTY

A PORTION OF THE S.W. 1/4 OF SEC. 31, TWP. 28 N., RGE. 5 E., W.M.
CITY OF MILL CREEK

EXHIBIT B



LEGAL DESCRIPTION:

PARCEL C:
THE WEST HALF OF THE FOLLOWING:
THE NORTH 660 FEET OF THE WEST 880 FEET OF GOVERNMENT LOT 4, SECTION 31, TOWNSHIP 28 NORTH, RANGE 5 EAST, WILLAMETTE MERIDIAN.
SITUATE IN THE COUNTY OF SNOHOMISH, STATE OF WASHINGTON.

PARCEL D:
THE WESTERLY HALF OF THE FOLLOWING DESCRIBED PROPERTY:
BEGINNING AT THE SOUTHWEST CORNER OF SECTION 31, TOWNSHIP 28 NORTH, RANGE 5 EAST, WILLAMETTE MERIDIAN, WHICH POINT IS ALSO THE SOUTHWEST CORNER OF GOVERNMENT LOT 4 OF SAID SECTION 31;
THENCE EAST 880 FEET;
THENCE NORTH 660 FEET;
THENCE WEST 880 FEET;
THENCE SOUTH 660 FEET TO THE POINT OF BEGINNING.
SITUATE IN THE COUNTY OF SNOHOMISH, STATE OF WASHINGTON.

PARCEL E:
THE EAST HALF OF THE FOLLOWING DESCRIBED PROPERTY:
THE NORTH 660 FEET OF THE WEST 880 FEET OF GOVERNMENT LOT 4, SECTION 31, TOWNSHIP 28 NORTH, RANGE 5 EAST, WILLAMETTE MERIDIAN.
SITUATE IN THE COUNTY OF SNOHOMISH, STATE OF WASHINGTON.

PARCEL F:
THE EAST ONE-HALF OF THE FOLLOWING DESCRIBED PROPERTY:
BEGINNING AT THE SOUTHWEST CORNER OF SECTION 31, TOWNSHIP 28 NORTH, RANGE 5 EAST, WILLAMETTE MERIDIAN, WHICH POINT IS ALSO THE SOUTHWEST CORNER OF GOVERNMENT LOT 4 OF SAID SECTION 31;
THENCE EAST 880 FEET;
THENCE NORTH 660 FEET;
THENCE WEST 880 FEET;
THENCE SOUTH 660 FEET TO THE POINT OF BEGINNING.
SITUATE IN THE COUNTY OF SNOHOMISH, STATE OF WASHINGTON.

NOTES

- ASSESSOR'S PARCEL NUMBERS: 280531-003-007-00, 280531-003-038-00, 280531-003-041-00 & 280531-003-006-00
- GROSS SITE AREA: 20.0 AC.
- MUNICIPALITY: CITY OF MILL CREEK
- EXISTING USE: VACANT
- PROPOSED USE: 30 SINGLE-FAMILY LOTS
- EXISTING ZONING: LDR (LOW DENSITY RESIDENTIAL)
- PROPOSED ZONING: LDR
- EXISTING COMPREHENSIVE PLAN DESIGNATION: RESIDENTIAL - LOW DENSITY (MAX 4 DU/AC.)
- PROPOSED COMPREHENSIVE PLAN DESIGNATION: RESIDENTIAL - LOW DENSITY (MAX 4 DU/AC.)
- PROPOSED MINIMUM LOT WIDTH: 70'
- REQUIRED MINIMUM LOT AREA: 8400 SF
- PROPOSED MINIMUM LOT AREA: 6504 SF
- AVERAGE LOT AREA: 9147 SF
- PROJECT DENSITY: 1.50 DU/AC.
- BUILDING SETBACKS:
FRONT (STREET) - 20'
GARAGE - 20'
SIDE STREET - 10'
SIDE YARD - TOTAL OF 20', NO SIDE SETBACK SHALL BE LESS THAN 5' (MCMC 17.06.050)
REAR YARD - 20'
- BUILDING HEIGHT MAXIMUM 35'
- MAXIMUM LOT COVERAGE 35 PERCENT
- FUTURE HOMES WILL BE SPRINKLERED, IF REQUIRED DURING RESIDENTIAL BUILDING PERMIT REVIEW.

UTILITIES/SERVICES

WATER/SEWER: ALDERWOOD WATER AND SEWER DISTRICT
3626 - 158TH STREET S.W.
LYNNWOOD, WA 98037-2399
(425) 743-4805

AND
SILVER LAKE WATER AND SEWER DISTRICT
2210 - 132ND STREET S.E.
MILL CREEK, WA 98012
(425) 337-3647

POWER: SNOHOMISH COUNTY PUD

NATURAL GAS: PUGET SOUND ENERGY

PHONE: VERIZON
1402 S.E. EVERETT MALL WAY
EVERETT, WA 98208
(800) 483-4000

FIRE: SNOHOMISH COUNTY FIRE DISTRICT 7, STATION 76,
1020 - 152ND PLACE S.E.
MILL CREEK, WA
(425) 338-9630

SCHOOL: EVERETT SCHOOL DISTRICT #2
4730 COLBY AVENUE
EVERETT, WA 98203
(425) 339-4200

MUKILTEO SCHOOL DISTRICT #6
9401 SHARON DRIVE
EVERETT, WA 98204
(425) 356-1274

OWNER

LOUIS AND JUDITH CHILELLI
18215 - 72ND AVENUE SOUTH
KENT, WA 98032

DEVELOPER

JOHN F. BUCHAN CONSTRUCTION INC.
2821 NORTHUP WAY, SUITE 100
BELLEVUE, WA 98004-1439
(425) 827-2266
CONTACT: WENDY DOROTHY

ENGINEER/PLANNER/SURVEYOR

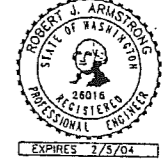
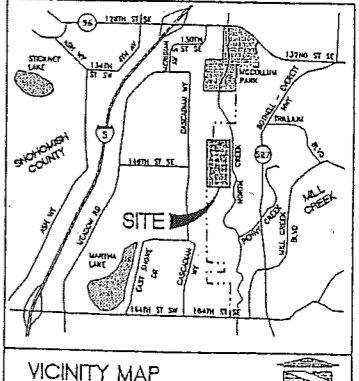
BARGHAUSEN CONSULTING ENGINEERS, INC.
18215 - 72ND AVENUE SOUTH
KENT, WA 98032
TELEPHONE: (425) 251-6222
FACSIMILE: (425) 251-8782
CONTACT: ROB ARMSTRONG / NAHA HALVORSEN / DENNIS SALTYS

WETLAND BUFFER TABLE

BUFFER REDUCTION AREA	9748 S.F.
BUFFER MAKE-UP AREA	9,775 S.F.
TOTAL WETLAND AREA	329,693 S.F.
TOTAL BUFFER AREA	159,101 S.F.
TOTAL NET GAIN IN BUFFER AREA	29 S.F.

LOT AVERAGING TABLE
(FOR LDR ZONE)

NUMBER OF LOTS = 30
TOTAL LOT AREA = 274,419 S.F.
AVERAGE LOT AREA = 9147 S.F.
NOTES: 1. AVERAGE LOT AREA ALLOWED PER ZONING = 8400 S.F. 2. MIN. LOT AREA PER ZONING = 6300 S.F. (LOT AREAS REDUCED PER LOT AVERAGING AS ALLOWED BY 16.02.060) 3. MAX. CREDIT FOR OVERSIZED LOTS = 10,500 S.F.



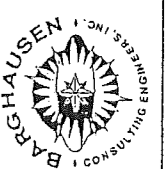
REVISION PER CITY COMMENT LETTER DATED 1/21/03

No.	Date	By	Appr.
1	2/19/03	JMS	JFB

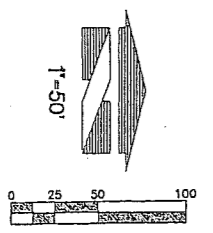
PRELIMINARY PLAT FOR CHILELLI PROPERTY

For: JOHN F. BUCHAN
2821 NORTHUP WAY, SUITE 100
BELLEVUE, WA 98004

18215 72ND AVENUE SOUTH
KENT, WA 98032
(425) 251-6222
(425) 251-8782 FAX



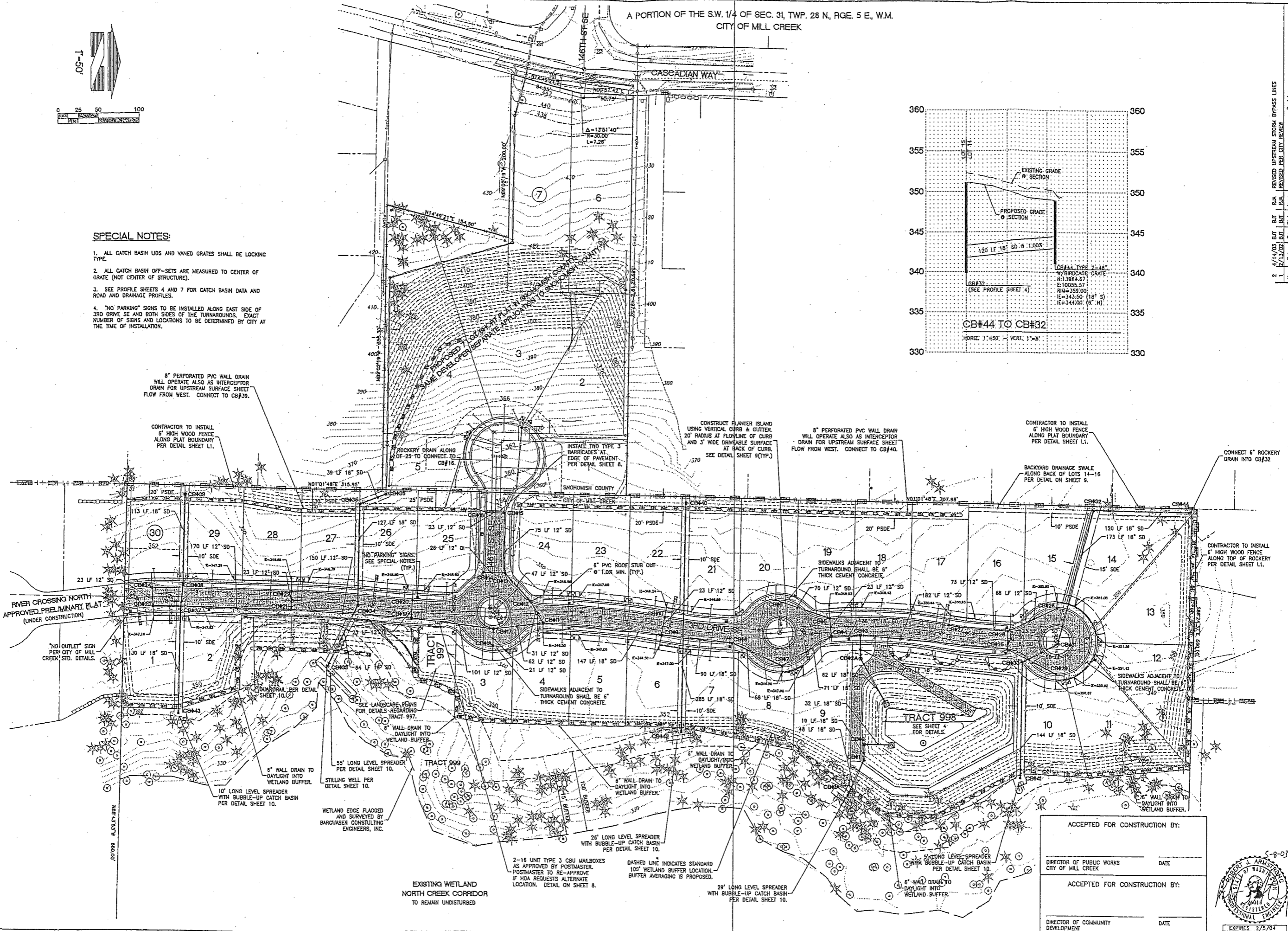
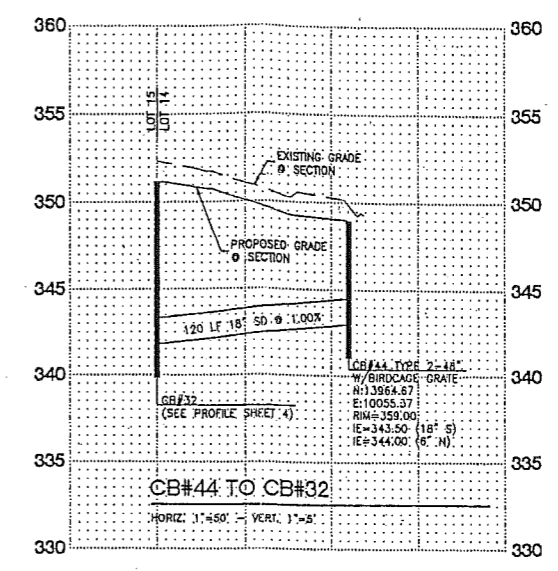
Job Number: 10554
Sheet: 1 of 1



A PORTION OF THE S.W. 1/4 OF SEC. 31, TWP. 28 N., RGE. 5 E., W.M.
CITY OF MILL CREEK

SPECIAL NOTES:

1. ALL CATCH BASIN UDS AND VANED GRATES SHALL BE LOCKING TYPE.
2. ALL CATCH BASIN OFF-SETS ARE MEASURED TO CENTER OF GRATE (NOT CENTER OF STRUCTURE).
3. SEE PROFILE SHEETS 4 AND 7 FOR CATCH BASIN DATA AND ROAD AND DRAINAGE PROFILES.
4. "NO PARKING" SIGNS TO BE INSTALLED ALONG EAST SIDE OF 3RD DRIVE SE AND BOTH SIDES OF THE TURNAROUNDS. EXACT NUMBER OF SIGNS AND LOCATIONS TO BE DETERMINED BY CITY AT THE TIME OF INSTALLATION.



No.	Date	By	Check	Appr.	Revision
2	4/14/05	BT	BT	RJA	REVISED UPSTREAM STORM BYPASS LINES
1	2/13/05	BT	BT	RJA	REVISED PER CITY REVIEW

Titles:
ROAD AND DRAINAGE PLAN
CHILLELLI PROPERTY

FOR:
JOHN F. BUCHAN CONSTRUCTION
2821 NORTHUP WAY, SUITE 100
BELLEVUE, WA 98004
CONTACT: MIKE DELILE (425) 417-5005

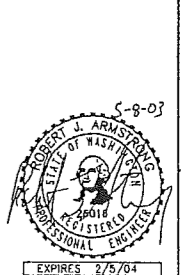
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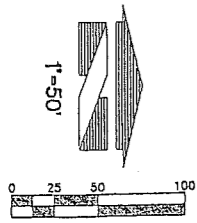
18215 72ND AVENUE SOUTH
KENT, WA 98032
(425)251-6222
(425)251-8782 FAX
CIVIL ENGINEERING, LAND PLANNING,
SURVEYING, ENVIRONMENTAL SERVICES

ACCEPTED FOR CONSTRUCTION BY:
DIRECTOR OF PUBLIC WORKS
CITY OF MILL CREEK
DATE

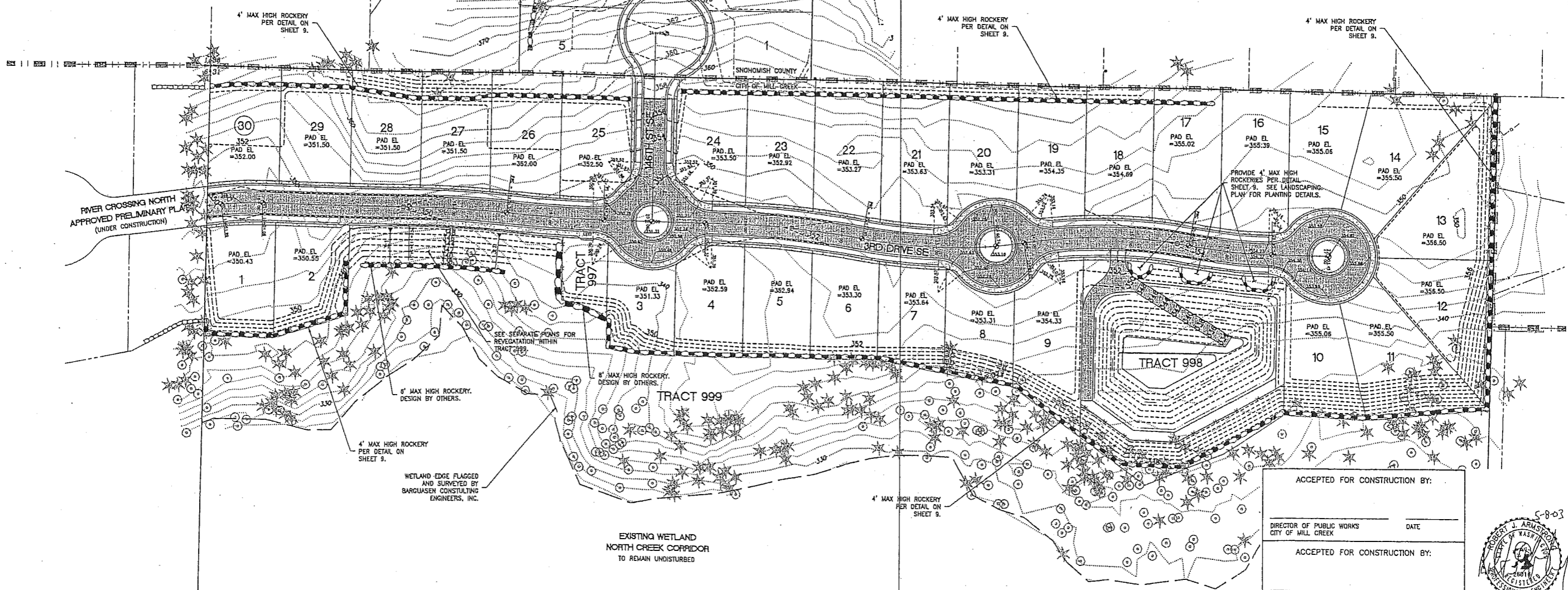
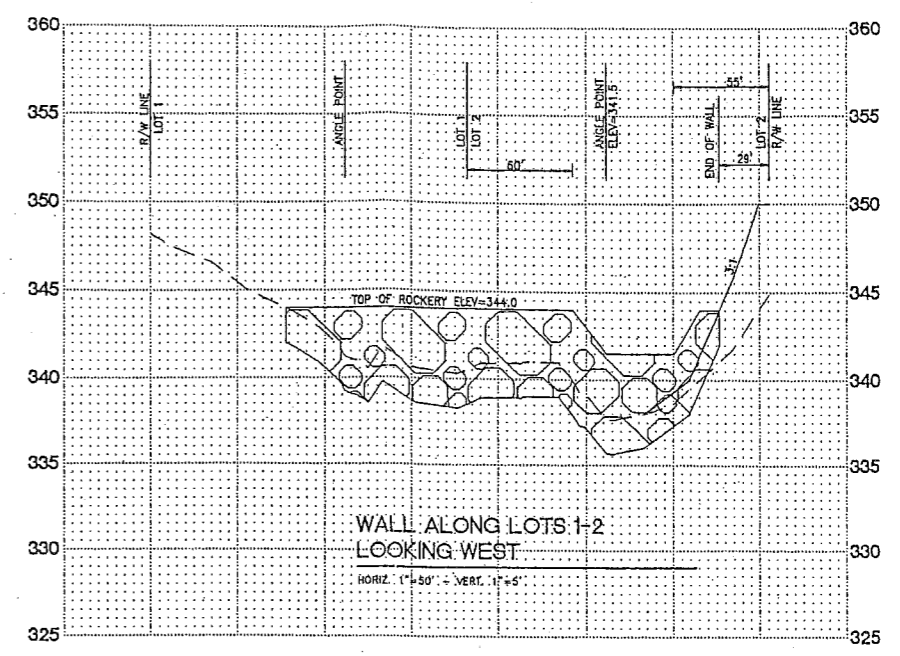
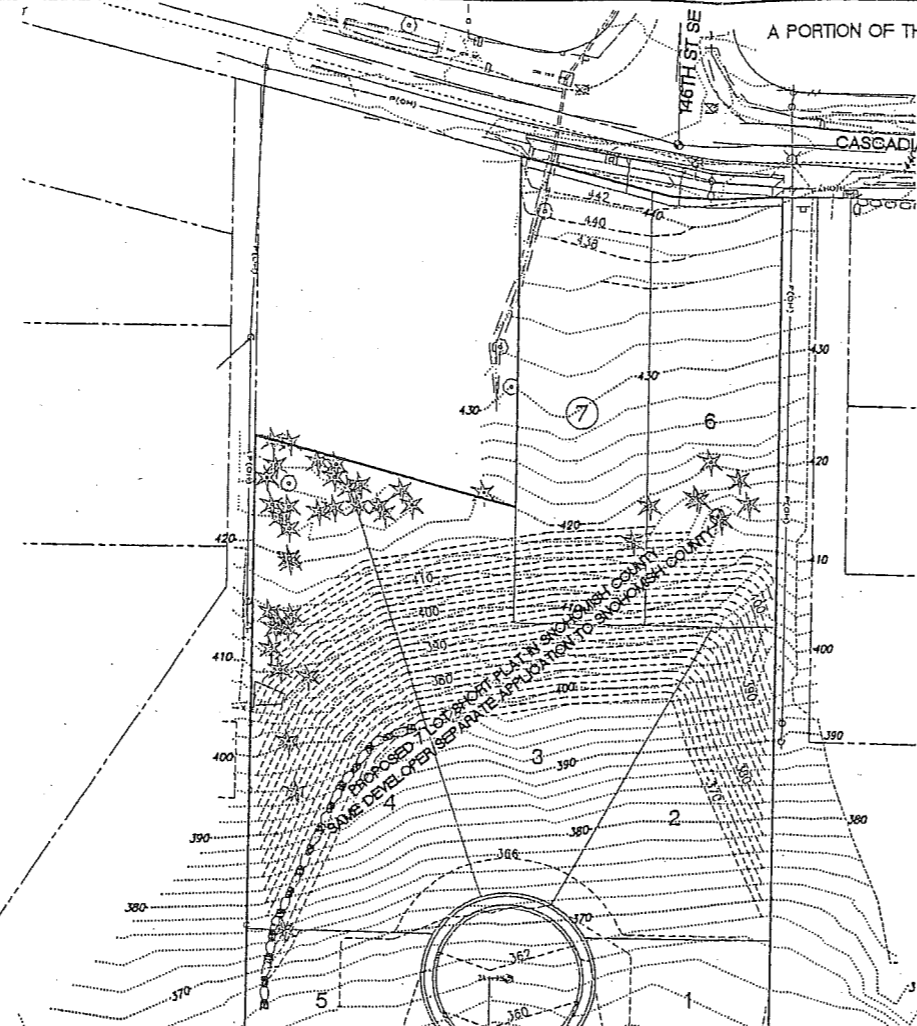
ACCEPTED FOR CONSTRUCTION BY:
DIRECTOR OF COMMUNITY
DEVELOPMENT
DATE

Job Number: 10554
Sheet: 3 of 12
Expires: 2/5/04



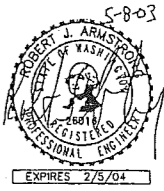


A PORTION OF THE S.W. 1/4 OF SEC. 31, TWP. 28 N, RGE. 5 E, W.M.
CITY OF MILL CREEK



ACCEPTED FOR CONSTRUCTION BY:
 _____ DATE _____
 DIRECTOR OF PUBLIC WORKS
 CITY OF MILL CREEK

ACCEPTED FOR CONSTRUCTION BY:
 _____ DATE _____
 DIRECTOR OF COMMUNITY
 DEVELOPMENT



No.	Date	By	Appr.	Revision
2	4/14/03	BJT	BJA	REVISED UPSTREAM STORM BYPASS LINES
1	2/13/03	BJT	BJA	REVISED PER CITY REVIEW

Title:
GRADING PLAN
 CHILLELLI PROPERTY

For:
JOHN F. BUCHAN CONSTRUCTION
 2821 NORTHWAY WAY, SUITE 100
 BELLEVUE, WA 98004
 CONTACT: MIKE DELLE (425) 417-5005

Scale:	Horizontal	1"=50'	Vertical	1"=5'	
Designed	BJT	Checked	BJT	Approved	BJA
Date	11/19/02				

18215 72ND AVENUE SOUTH
 KENT, WA 98032
 (425)251-6222
 (425)251-8782 FAX
 CIVIL ENGINEERING, LAND PLANNING,
 SURVEYING, ENVIRONMENTAL SERVICES



Job Number
10554
 Sheet
6 of **12**
 Expires 2/5/04

File: P:\100000\10554\Engineering\millcreek\10554-1.dwg Date/Time: 02/16/2003 13:50 Scale: 1"=50' bldgline Xref: 710251\10554\10554b.r10554p

**EXHIBIT C
PLANNING COMMISSION MOTION WITH CONDITIONS**

MOTION: COMMISSIONER WRIGHT MOVED, SECONDED BY COMMISSIONER COLLARD, TO ADOPT RESOLUTION 2003-109 CHILELLI PRELIMINARY PLAT AS CONDITIONED IN THE STAFF REPORT, WITH THE MODIFICATION TO CONDITIONS 14.C AND 19. THE MOTION PASSED UNANIMOUSLY.

- 14.C A structural retaining wall shall be designed and constructed instead of a sloped embankment along the east side of 3rd Drive SE between Lot 2 and Tract 997 to avoid impacts to the wetland buffer, unless the Final Wetland Mitigation Plan provides a wetland buffer averaging proposal that meets the requirements of MCMC Chapter 18.06. A five-foot planter strip between the curb and sidewalk is not required between Lot 2 and Tract 997.
19. All utilities within the project and along all roadway frontage areas shall be placed underground in accordance with City Code. No new utility poles shall be installed in the project site. Appropriate easements or right-of-way for all utilities shall be provided by the applicant and depicted on the Final ~~Binding Site Plan~~ Plat.