CITY OF ISSAQUAH WASHINGTON

Community Planning & Development Department
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HEARING EXAMINER

PRELIMINARY PLAT – STAFF REPORT
Mine Hill Creek

APPLICATION NO: PRJ13-00042/PP18-00003

April 12, 2021

Application Information

Project Name:	Mine Hill Creek Plat
Staff Contacts:	Valerie Porter, Associate Planner Email: ValerieP@issaquahwa.gov Denise Pirolo, Senior Engineer Email: DeniseP@issaquahwa.gov
Property Owner:	Donald & Nancy McFeron, and Colleen A. Petersen
Authorized Agent:	Ken Lyons Board Walk Seattle 17533 47th Ave NE Lake Forest Park, WA 98155
Request:	Application for preliminary plat approval to subdivide a 4.90-acre site into 20 single-family residential lots. Site improvements will include constructing right-of-way to provide access to Lots 4-20, an internal roadway, pedestrian trail, landscaping, and frontage improvements. A Critical Area Variance is also being requested to install stormwater, water, and sewer infrastructure within the inner 25% of the buffer.
Parcel No.:	3324069036 & 3324069039
Zoning:	Single Family-Suburban (SF-S)
Comprehensive Plan:	Low Density Residential
Subarea:	Squak Mountain

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I. Site Conditions Description

The proposed plat is comprised of two parcels, 332406-9039 (Parcel 1) and 332406-9036 (Parcel 2). Together the two parcels are approximately 4.90-acres (213,341-square-feet) and are located on the west side of Mine Hill Rd SW. Majority of the site is undeveloped and consists of forested land. The site topography slopes from the southwest property corner generally to the northeast property corner and is bisected north to south by Mine Hill Creek with a well-defined, steep-sided ravine. Parcel 1 currently contains one-single family home, one detached garage, and one shed on the east side of Mine Hill Creek along with one detached accessory dwelling unit (ADU) on the westside of the creek. Parcel 2 currently contains one-single family home and one shed along the eastside of Mine Hill Creek.

There is a considerable amount of critical area present on the site: one wetland, two streams, and steep slope areas. Also, a portion of the site is located within in a coal mine hazard area. More information about the critical areas can found below under Environmental Protection section of this report.

II. Surrounding Land Uses

North: Multi-Family Residential

South: Single-Family Residential

East: Single-Family Residential

West: Single-Family Residential

III. Project Description

The applicant is proposing to subdivide two parcels into 20 single-family lots utilizing the cluster housing provisions. The project will provide on-site parking, construct internal roads within the development, and extend the public right-of-way from SW Clark St to the proposed subdivision. The project will also construct frontage improvements along Mine Hill Rd SW, which will include widening the road to 20-feet and providing on-street parking. A project narrative is included as Exhibit 2 and the preliminary plat plans as Exhibit 1.

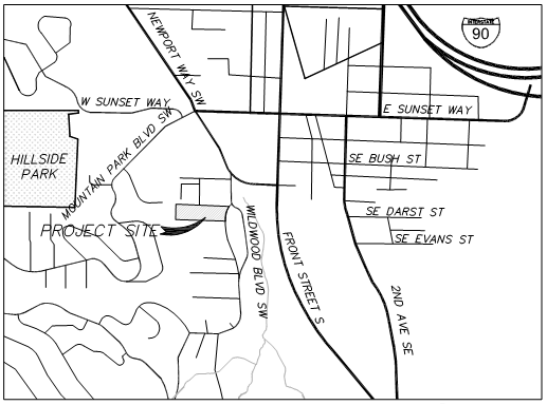

Figure 1: Vicinity Map

IV. Public Notification

Pre-application Meeting:	September 20, 2016 & February 7, 2018
Neighborhood Meeting:	November 15, 2018
Notice of Application to Property Owners within 300 feet:	March 22, 2019
SEPA Comment Period:	February 12, 2021 - March 5, 2021
Neighborhood Meeting:	March 31, 2021
Public Notice Sign Posted:	April 12, 2021

Notice of Public Hearing to Neighbors within 300 feet: April 8, 2021

Notice of Public Hearing – Seattle Times: April 12, 2021

V. Review Process

The Issaquah Municipal Code (IMC) 18.04.490 states Preliminary Plats shall be reviewed through a Level 4 review process and the Hearing Examiner shall hold a public hearing and make the final decision.

The applicant has also applied for a Critical Area Variance. IMC 18.10.430: Variance states before any variance may be granted, the applicant must demonstrate to the satisfaction of the City of Issaquah's (City) Hearing Examiner that the criteria identified in IMC 18.10.430 have been met. Pursuant to IMC 18.04.490.C, the Hearing Examiner shall hold a Public Hearing. IMC 18.04.470.B identifies that the City shall provide for no more than one consolidated open record hearing, therefore the two hearings are combined.

Following approval of the preliminary plat, which is reliant upon approval of the Critical Area Variance, the applicant may apply for construction permits to construct the roads, utilities, and grading of the lots through a site work permit. A final plat review will follow after site infrastructure has been installed or bonded for prior to recordation. The final plat will also require the approval of the Hearing Examiner. After the final plat is recorded, single-family permits may then be issued for construction of residences on individual lots. Since there is currently one existing home on each parcel no building permits can be issued prior to final plat approval.

VI. City Department Review

Application materials have been reviewed by City staff and departments including Fire, Building, Parks, Engineering, Public Works (Engineering and Operations). The project has also been reviewed by external partners like Recology. Their comments have been incorporated into this staff report, and their additional review will be required for construction and building permits.

VII. Preliminary Plat Review

1. Comprehensive Plan and Zoning

The site is designated as "Low Density Residential" as identified on Figure L-1 of the Comprehensive Plan and is in the "Single Family – Suburban" (SF-S) zone of the "Squak Mountain" subarea. The proposed single-family residential subdivision is consistent with the Comprehensive Plan designation and Zoning designation.

2. Subdivisions

The subdivision is subject to the preliminary plat requirements of the Subdivision Chapter, IMC 18.13: Subdivisions, and the application submittal requirements. Pre-application meetings were held on September 20, 2016 and February 7, 2018 (PRE16-00011). In addition, a public neighborhood meeting was held on November 15, 2018. Under IMC 18.13.140: Hearing Examiner Action, the Hearing Examiner shall conduct a public hearing prior to making a decision on a preliminary plat.

Following approval of a preliminary plat, the applicant may receive construction permits to construct infrastructure and to grade for the lots. Please see Section 6 above for additional details on the review process.

3. Development & Design Standards

The subject parcel is located within the Single Family-Suburban (SF-S) zone and is regulated by the District Standards, which are outlined under IMC 18.07.360. The project is eligible to use the cluster housing provision, IMC 18.07.420, which is intended to preserve critical areas while achieving allowable density, provide more common usable and native forested open space, encourage affordable housing, and more efficient arrangement of the development. Since the project is less than five acres, a cluster housing development agreement is not required. Therefore, the project's development is governed by the District Standards, which are outlined in detail below.

Development Standards	**Required**		**Proposed**
	SF-S	**Cluster Housing Provision**	
Maximum Density	4.5 dwelling unit/acre		*4.08 dwelling unit/acre*
Minimum Lot Size	9,600 square-feet	No minimum for individual lots contained within the cluster; however, a minimum of 2-acres (total) is required for a cluster development	*Total lot size* = 4.898-acres (approximately 213,341-square-feet)
Front Setback	20-feet	Setbacks apply only to exterior site boundaries, where the zoning is different than the abutting zoning, and shall be the greater of the setback required by the site's zoning or the setback required by the adjacent zoning. There are no minimum interior setbacks from individual property lot lines, except those established by other requirements, such as building code, easements, and critical areas.	*Setbacks not shown, reviewed with building permit for compliance*
Side Setback (North)	8-feet		*Setbacks not shown, reviewed with building permit for compliance*
Side Setback (South)	8-feet		*Setbacks not shown, reviewed with building permit for compliance*
Rear Setback	10-feet		*Setbacks not shown, reviewed with building permit for compliance*
Impervious Surface	40%	Impervious and pervious surface are equal to underlying zone for the gross site, prior to subdivision or other actions. There are no minimum requirements for pervious and impervious ratios on individual lots within the cluster development, rather they apply for the total property.	*Individual lots unknown, reviewed with building permit for overall compliance with the gross site restrictions*
Pervious Surface	60%		*Individual lots unknown, reviewed with building permit for overall compliance with the gross site restrictions*
Base Building Height	30-feet	Building height equal to underlying zone	*Unknown, reviewed with building permit for compliance*
Minimum Lot Width	70-feet	No minimum	*Not applicable*

Residential Density

Staff Analysis: The site is zoned SF-S, which allows a maximum density of 4.5 dwelling units per acre. Under IMC 18.10.450: Density Calculations in Critical Areas, critical areas and associated buffers, including: steep slopes, wetlands, and streams and their associated buffers cannot be developed and must receive only partial density credit, which may then be transferred to the developable area of the site. The proposed subdivision is using the density credit calculation for critical areas, and the cluster housing provision, to create lot sizes smaller than 9,600-square-feet established in the underlying zoning.

The gross site area is 4.898-acres (213,341-square-feet). There are 1.86-acres (81,175-square-feet) of critical areas and buffers currently present on the site. This equates to 38% of the total site area. City Code allows 70% density credit when 31-40% of a site is encumbered with critical areas. The following formula is provided in the Code to determine the allowed density on sites with critical areas:

> Critical Area(s) and Associated Buffer(s) in Acres (1.86-acres) x Dwelling Units /Acre (4.5 dwelling unit/acre) x Density Credit of 70% (.70) = *6 Dwelling Units*
>
> Acres Outside Critical Area(s) and Associated Buffer(s) (3.04-acres) x Dwelling Units /Acre (4.5 dwelling unit/acre) = *14 Dwelling Units*

Conclusion: The project complies with Code and the allowed maximum number of dwelling units that can be present on-site is 20 dwelling units.

Minimum Lot Size

Staff Analysis: The SF-S zone has a minimum lot size requirement of 9,600-square-feet. However, IMC 18.10.450: Density Calculations in Critical Areas allows applicants to, "reduce lot sizes below the minimum required for that zone to accommodate the transfer of density" from critical areas, provided the maximum zoning density is not exceeded. The intent of this Code provision is to provide incentives for preservation of critical areas and flexibility in design. Per IMC 18.07.420: Cluster Housing Standards, to allow for maximum density, while also preserving critical areas, there are no minimum interior setbacks, except those established by other requirements, such as building code, easements, and critical areas. District standards will apply to the entire parcel. Therefore, there is no minimum lot size for individual units within the development. Sheet C7 in the plan set shows the various lots sizes, which range between 2,415 and 16,343-square-feet.

There are no minimum requirements for pervious and impervious ratios on individual lots within the cluster development but are for the project site, which are the two parcels combined. Pervious and impervious surface requirements must comply with the district standards for the SF-S zone, which will be reviewed for compliance during the construction permit process. To facilitate individual lot reviews, during the platting process, the builder must distribute impervious surface allotments to each parcel, which will be used during building permit review to ensure impervious surface does not exceed the total for the total property. **[Condition 1]**

Conclusion: The project complies with lot size requirements.

Nonconforming Lots

Staff Analysis: The applicant is proposing to create three lots that will gain direct access off Mine Hill Rd SW. Two of the lots currently contain existing homes and accessory structures, some of which are located within the stream buffer. Per IMC 18.07.420.B.4.a, "environmentally constrained land shall not be used for subdivision of individual lots and shall be held in a critical area tract or other protection method."

To avoid placing a lot line through the middle of the existing home on Lot 1, the applicant is proposing to create rear lot lines starting from the ordinary high-water mark and will use a Native Growth Protection Easement (NGPE) to protect critical areas within each of the lots. **[Condition 2]**

Sheet C1 shows Lot 1-3 ranging in size from 8,437 to 16,343-square-feet, which includes critical areas. The buildable area for these lots' ranges from approximately 3,887 to 9,387-square-feet. In order to create a buildable area for Lot 1, the applicant is proposing to utilize buffer averaging for the stream buffer. Please see the Environmental Protection section below for additional information regarding critical area impacts. With the stream buffer being reduced, the existing structure will still be located within the regulated buffer area and will be considered a nonconforming structure.

Per IMC 18.08.050: Nonconforming Situations (including structures and uses), "[a]ny legal nonconforming situation with respect to this Code may continue, including routine maintenance and repair, unless otherwise regulated by this Code." The home and detached garage will remain, but the shed will be removed. An access/maintenance easement must be established to allow the property owner access into the buffer area immediately surrounding the house for maintenance related to the structure. In addition, language must be placed on the face of the plat requiring the existing home and detached garage to be removed from the stream buffer should it be demolished or redeveloped, and the access/maintenance easement terminated. A similar easement will be required for Lot 3. Although the house is not located within the stream buffer, necessary maintenance may require access into the stream buffer. **[Condition 3]**

Conclusion: With the project reducing the stream buffer, which decreases the degree of nonconformity to the greatest extent possible and feasible, the project complies with the Nonconforming Situations Code.

Parking

Staff Analysis: Parking regulations requires each individual lot to provide a minimum of two on-site parking spaces. Lots 1-3 show driveways off Mine Hill Rd SW. Lots 1 and 3 contain existing homes and currently comply with the Parking Code. The proposal does not significantly impact their parking and two parking space can still be accommodated. On-site parking locations have not yet been identified for Lots 3-20. Should parking be proposed in the driveway, it must be constructed to a sufficient length to prevent vehicles from overhanding into the adjacent sidewalk and/or street, which could impinge on the sidewalk or the road and prevent access to walkways and/or emergency vehicles from successfully moving through the site. Therefore, the on-site portion of driveways shall either be 8-feet or less in length to indicate no parking or at least 20-feet in length (using the standards parking stall length listed in the IMC). On-site building layouts, required parking locations, and quantities have not been submitted for review, as this level of detail is not required at this stage. Location, layout, and quantities for on-site parking will be reviewed with construction permits. **[Condition 4]**

Conclusion: Parallel parking is being proposed along one side of Road A and Road B. Exact parking locations have not been identified at this time. During the construction permit phase, City Staff will review on-street stall locations and measurements, to ensure the stalls comply with driveway setbacks and sight distance requirements. In addition, City Staff will review individual building permits to ensure a minimum of two on-site parking spaces will be provided.

Recycling, Compost and Waste Containers

Staff Analysis: Lots 1-3 will be serviced from Mine Hill Rd SW. Building footprints and layouts for Lots 4-20 were not submitted for review, which is acceptable at this phase. It is assumed waste containers will be located within each individual garage.

Therefore, if required parking will be in the garage each garage needs to be designed to accommodate waste containers, vehicles, and necessities (e.g.: water heaters) not located in the house to ensure compliance with minimum on-site parking. Per Solid Waste Collection Design Standards, waste containers must be in locations to avoid nuisance issues with wildlife. It is encouraged for waste containers to be placed within each individual garage or other secure enclosures. **[Condition 5]**

Conclusion: This level of detail has not been submitted to the City for review as it is not required at this stage. Recycling, compost, and waste container locations will be reviewed with individual building permits.

Common Usable Open Space – Cluster Development Provisions

Staff Analysis: Cluster developments are required to provide a minimum 15% of the net site area as common usable space. Per the IMC, net site area (88,613-square feet) is defined as the gross site area minus the area used for public or private roadways, dedicated right-of-way, easements and any area in special purpose overlay districts, critical areas, and associated buffers. To comply with the 15% requirement, a minimum of approximately 0.31-acres (13,291.95-square-feet) of usable open space must be provided.

Common usable open spaces must be accessible for a variety of recreational uses, including but not limited, to trails, picnic areas, and other recreations. The applicant is proposing to have usable open areas dispersed throughout the entire development by way of tracts and trails. In addition to housing the underground stormwater vault, Tract B will also be used for recreation. Tracts B has an area of 14,079-square feet and has been designated as common usable open space. A pedestrian trail will be constructed through critical area buffers, Tract A, which will be available to residents, and will count towards the common useable open space requirement. **[Condition 6]**

The Road Plan, Sheet C1, shows most of the future trail within the critical area buffer. IMC 18.10.610.B.5 allows construction of a public or private trail in a wetland buffer if a critical area study is provided, documenting no loss of buffer functions and values. The pedestrian trail, which is located within the critical area buffer and is considered a permanent impact, will be mitigated by adding additional buffer area in another location. Please see the Environmental Protection Section for more information.

Conclusion: The total area for Tract B and the pedestrian trail meets the minimum area needed for common usable open space. An open space design was not submitted for City review as it is not required at this stage. During the construction permit phase an open space design for Tract B must be provided for further review and compliance.

Landscaping and Tree Retention

Staff Analysis: Per IMC 18.12.1385.A.1, subdivisions in SF-S zone are required to retain a minimum of 30% of the total caliper inches of existing significant trees outside of critical areas and buffers. The Tree Retention Plan, Sheet C9, and arborist report prepared by Creative Landscape Solutions indicate that 30% of the total tree caliper inches throughout the site will be retained. The site currently contains a total of 1,983-caliper inches of existing significant trees. The applicant is proposing to retain 596-caliper inches, which is 30%, retained mostly located within Tract B. To protect retained trees from construction impacts, trees shall be outside clearing/grading limits, will require protective fencing, and clearing/grading will be limited around protected tree areas to ensure tree health and retention. An arborist report may be needed once the project moves into the construction phase to assess trees proximate to clearing/grading activities to ensure no additional trees will be removed from the site. Tree protection measures will be reviewed with construction plans and shall be installed prior to clearing/grading activity. **[Condition 7]**

In addition to tree retention, each individual lot must maintain a minimum tree density of two significant trees per 5,000-square-feet. The development will also install street trees along Road A and B. The subdivision must meet the cluster housing provisions outlined in IMC 18.07.420.B.5. A conceptual landscape plan has not been provided, as it is not required at this stage. A more detailed review will occur with the landscape permit. **[Condition 8]**

The landscape proposal will be reviewed in detailed with the landscape permit. Under the cluster housing provision, IMC 18.07.420.B.4.a, if critical areas are present, such sensitive areas and associated buffers must be placed in a NGPE. The site contains approximately 1.86-acres of critical areas, which include wetlands, streams, steep slopes, and associated buffers. All critical areas will be placed in a NGPE or other protection measures will be utilized to ensure protection of critical areas and maintain the forest function in perpetuity. To guarantee critical areas are properly restored in a timely manner, all critical areas must undergo the necessary enhancements prior to building occupancy. All critical area tracts will be owned and maintained by the Homeowners Association (HOA). Lots 1-3 contain critical areas, which are required to be placed within a critical area easement. Each homeowner will own and be responsible for maintaining the critical areas on their respective lots. The HOA may elect to take on maintenance responsibilities but are not obligated. **[Condition 9], [Condition 10], [Condition 11]**

The project is proposing grading and construction of retaining walls along the perimeter of the site. This work may result in trees needing to be removed from the adjacent parcel to the north. The applicant has reached out to the adjacent property owner to request removal. Please see Exhibit 15, which is a correspondence between the applicant and property management company allowing the trees to be removed. Prior to the trees being removed, the applicant will need to demonstrate a temporary easement to access the property for tree removal has been obtained and the parcel is still maintaining its tree density and retention requirements.

Conclusion: The project is retaining 30% of the total tree caliper inches on-site, and therefore, complies with the Landscaping and Tree Retention Code. However, should any of the retained trees need to be removed from the site due to grading, the applicant may adjust the plan to ensure 30% of the total tree caliper inches throughout the site will be retained. Tree density for each individual site will be reviewed with construction permits as this information is not needed at this stage.

Environmental Protection

Staff Analysis: There are multiple critical areas located on the project site, which are shown on Sheet C3 in the plan set. The project site contains two streams, a Category II wetland, steep slopes, and coal mine hazard areas. The proposed development is avoiding direct impacts to all critical areas located on the project site. To avoid impacts to the buffer, the applicant is proposing a combination of buffer averaging, impervious surface removal/restoration, and buffer enhancement to comply with the Critical Area Code. The following are critical areas present on-site and more specific treatment and compliance related to each type of critical area:

Mine Hill Creek: Mine Hill Creek is classified as a Class 2 stream without salmonids and has a 75-foot buffer in addition to the 15-foot building setback line (BSBL). This stream moves through the project site entering close to the middle of the southern edge of Parcel 2, flows north, and exits Parcel 1 in the northeastern corner. The creek then flows through a 200-foot-long culvert before discharging into Issaquah Creek. With the stream bisecting the site into east and west parts, Lots 1-3 will be located on the east side along Mine Hill Rd SW and Lots 4-20 will be located on the west side gaining access from the newly constructed road.

As previously mentioned, the existing home, garage, and shed on Lot 1 are located within the Mine Hill Creek buffer. The applicant is not proposing to remove the legal nonconforming house and garage. Instead, the stream buffer will be reduced, and the structures will remain. Per IMC 18.08.050.C: Nonconforming Situations, "a nonconforming situation may be changed, including the remodel or alteration of a structure or site; provided, that the change shall decrease the degree of nonconformity by conforming to the fullest extent practical and feasible." By reducing the stream buffer width, the existing home is encroaching into less of the buffer area and the project's nonconformity has decreased. Mitigation plan Sheet W2 shows proposed split- rail fence locations. The fence is being shown passing through the existing house. Considering access and maintenance needs, the fence will need to be relocated. This will be reviewed in greater detail during the construction permit phase. **[Condition 12]**

Currently, the west side of the parcels can only be safely accessed by the existing gravel driveway located on Parcel 1, which ranges in width from 8 to 10-feet. This driveway is entirely located in the stream buffer and connects to the northern end of Mine Hill Rd SW to the abandoned ADU located on the west side of the creek. The existing driveway also provides access to a culvert, which is maintained by City Staff. The project is proposing to extend the driveway further west to join with Road A. The driveway will be converted it into a trail for pedestrian use and create a connection between the development and Mine Hill Rd SW. The project is also proposing to install water and sewer utilities along the pedestrian trail in addition to two stormwater outfalls. The proposed walkway and infrastructure improvements will expand the impact to the critical area buffer.

Per IMC 18.10.775: Alterations to Streams and Buffers, stormwater facilities shall not encroach more than 25% into stream buffers or use more than 25% of the total buffer area without a variance. Due to the stream's location and closeness to Mine Hill Rd SW, a portion of the road is located within the stream buffer. To comply with Stormwater Code requirements, the project is proposing to install a stormwater outfall in the northeast corner of the site to detain and treat stormwater from Mine Hill Rd SW. Figure 2 shows the location of the northeast outfall. The applicant is also proposing to install a stormwater outfall that will connect from the stormwater vault located within Tract B towards Mine Hill Creek. The outfall will disperse approximately 11-feet upward from the ordinary high-water mark of the creek. Since the stormwater outfall is encroaching more than 25% into the stream buffer, the project is requesting a critical area variance. Please see below subsection Critical Area Variance for additional information.

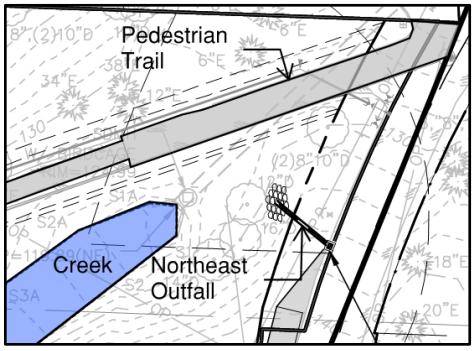

Figure 2: Outfall Along Mine Hill Rd SW

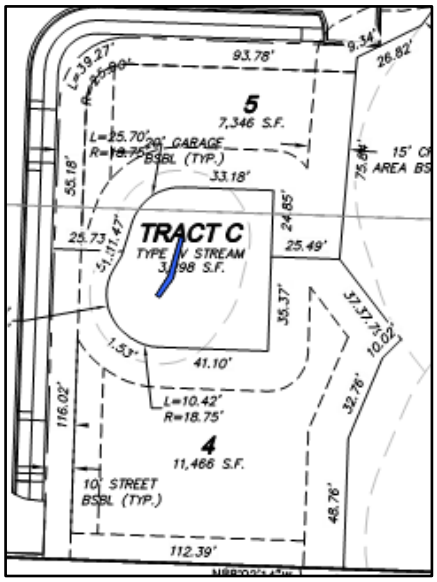

Figure 3: Stream B Location

Stream B: Stream B is classified as a Class 4 Stream, located between Lots 4 and 5, with a 25-foot buffer and a 15-foot BSBL. The stream has been characterized as a small ephemeral intermittent section of stream channel about thirty-feet long and about twelve-inches wide. This stream has minimal surface water flow and is a topographic depression that may receive water from groundwater seeps and/or from surface runoff from the adjacent forest. Stream B does not connect to any other wetlands or streams and its flows infiltrate. To ensure the proposed development does not impact the stream, the applicant is proposing to utilize buffer averaging, resulting in a portion of the buffer area being relocated from the west side of the stream to the east side. Upon approval of the final plat, Stream B will be placed in a NGPE tract. Lots 4 and 5 will be design in a manner to not encroach into the stream or any of its associated buffers, thus avoiding a net loss or negatively impacting the stream.

Wetland A: Wetland A is approximately 5,775-square-feet and is located directly west of Mine Hill Creek. Its location can be seen in Figure 5. This wetland is classified as a Category III with a 75-foot buffer and a 15-foot BSBL. Currently, a nonconforming abandoned ADU is partially located within the buffer of Wetland A and the driveway that provides the structure access to Mine Hill Rd SW is entirely located within the buffer of Wetland A and Mine Hill Creek, as previously mentioned.

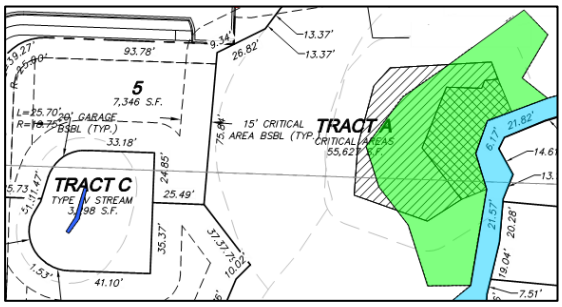

Figure 4: Wetland located west of Mine Hill Creek

In areas where development is encroaching critical area buffers, buffer reduction and width averaging is being proposed. According to IMC 18.10.650.D, wetland buffers can be reduced by a maximum of 25% with enhancement of the reduced buffer area. Overall, the proposal shows 8,139-square-feet of critical area buffer to be reduced and 8,203-square-feet of impervious surface removal credits and the buffer addition. Table 1.0: Buffer Averaging and Impervious Surface Removal Summary that can be found in the mitigation plan proposes 63,462-square-feet of buffer enhancements and the restoration of 6,179-square-feet of temporary buffer impacts associated with utility and stormwater outfall installation. The impervious surface removal credits and the buffer addition offset the proposed buffer reduction at a ratio of slightly greater than 1:1. Impervious surfaces being proposed for removal consist of, but not limited to, the abandoned ADU, driveway on Parcel 1, shed on Parcel 1, shed on Parcel 2, and a portion of the driveway on Parel 2 that encroaches into the critical area buffer. For additional details, please see Exhibit 12.

Conclusion: The critical area report has been reviewed by the City's third-party consultant. The review consisted of confirming the applicant's delineation of the wetland and stream boundaries, wetland rating, and wetland buffer widths to the Critical Areas Code. The critical area study states, enhancements will consist of removing invasive plants and planting native trees and shrubs.

Proposed buffer enhancements will moderate stormwater runoff, reduce soil erosion potential, and provide quality habitat for wildlife to perch, find refuge, and native food sources. It has been confirmed by the third-party consultant that the proposed buffer alterations will not adversely impact functions or values of the critical areas and complies with City Code. City staff agrees with the assessment and believes the proposal complies with City Code. A more detailed review of the implementation of the mitigation measures will be reviewed during the construction permit phase.

Steep Slope: Based on the geotechnical engineer's detailed field reconnaissance, the project site contains steep slope and landslide hazard areas. Please see Figure 3 in Exhibit 9 to view all known hazard area locations. Under IMC 18.10.580.E, steep slope hazard areas may be exempt from Steep Slope regulations if the following apply:

1. *Slopes forty (40) percent and steeper with a vertical elevation change of up to twenty (20) feet may be exempted from the provisions of this section (through Level 1 Review or through the appropriate land use permitting process), based on the City review and acceptance of a soils report prepared by a geologist or licensed geotechnical engineer when no adverse impact will result from the exemption.*

2. *Any slope which has been created through previous, legal grading activities may be regarded as part of an approved development proposal. Any slope which remains equal to or in excess of forty (40) percent following site development shall be subject to the protection mechanisms for steep slopes*.

According to the geotechnical report, which has been peer reviewed by two third-party consultants, four of the five slopes found on-site are not considered regulated steep slopes. These exempted slopes may be altered and do not require steep slope buffers. Figure 3 in Exhibit 9 shows all the hazard areas locations and classifications. Below is a summary of these findings describing the slopes and their exemptions:

- Slope 1 is located off site directly west of Lots 16 and 17. This slope is believed to be a manmade slope created by previous grading from the adjacent residential property. A global stability analysis was completed, and the report is recommending this slope be considered exempt from Steep Slope Hazard Area regulations. The slope is proposed to not be in excess of 40% following site development, but, if so, shall be subject to the protection mechanisms for steep slopes.

- Slope 2 is positioned directly east of Mine Hill Creek and spans beyond the length of Lots 1-3. This slope has a vertical change between 12 and 19-feet high. This slope is 40% or steeper with vertical changes less than 20-feet and shows stable channel conditions. This slope is recommended to be considered exempt from Steep Slope Hazard Area regulations.

- Slope 3, which is two separate slopes, is directly west of Mine Hill Creek and within close proximity to the creek's ordinary high-water mark. The two slopes have a vertical change up to 16-feet high. Both areas are 40% or steeper with vertical changes less than 20-feet and show stable channel conditions. These slopes are recommended to be considered exempt from Steep Slope Hazard Area regulations.

- Slope 4, which has a vertical change up to 12-feet high, can be found in the northeast corner of the site north of the existing driveway. This slope has also been deemed exempt from steep slope regulations due to its low height. This slope has been recommended to be considered exempt from Steep Slope Hazard Area regulations.

- Slope 5 is a regulated steep slope and can be found in between Slope 3 within a landslide hazard area directly west of Mine Hill Creek. According to IMC 18.10.580.A, steep slopes shall have a minimum buffer of 50-feet. However, the buffer can be reduced to a minimum of 10-feet if a critical area study demonstrates that the reduction will not reduce the level of protection to the proposed development and the critical area as provided by the 50-foot buffer. A 15-foot buffer is being proposed for Slope 5. A 15-foot BSBL is also required but is not being shown. Per IMC 18.10.580.A.4, prior to issuing building permits a mechanism to notify first and subsequent buyers must be recorded on title notifying buyers and indemnifying the City. **[Condition 13]**

  All on-site steep slopes, regardless of exemptions, will be placed in Tract A due to their closeness to the stream. The stream buffer will also double as a steep slope buffer.

Conclusion: The geotechnical report has been reviewed by two City selected third-party consultants. Both consultants concur with the findings and recommendations outlined in the report. City staff also agrees with the assessment and the exemption status for slopes 1, 2, 3, and 4 has been approved by staff. The project has been reviewed against City standards and regulations for feasibility and staff believes the proposal complies with City Code. A more detailed review of the implementation of the mitigation measures will be reviewed during the construction permit phase to ensure compliance is maintained.

Coal Mine Hazard Areas: Historical records indicate there are coal mine areas beneath the project site. Icicle Creek Engineers conducted a coal mine hazard study of the property dated July 7, 2015. The study discusses potential hazards associated with past underground coal mines within the project site, evaluates the location of coal mine hazards, and classifies mine areas. One coal mine, No. 4, currently spans beneath the project site along with three other parcels to the south. This mine along with at least four others were active in the late 1800s up until the 1940s. There are three coal mine classifications: severe, moderate, and declassified. Due to coal mine No. 4, portions of the site have been classified as moderate and declassified.

Per King County Administrative Guidelines, moderate coal mine hazard areas as "those areas that pose significant risks of property damage which can be mitigated by special engineering or architectural recommendations. Moderate coal mine hazard areas may typically include, but are not limited to, areas underlain or directly affected by abandoned coal mine workings from a depth of zero to 300-feet or with overburden-cover-to seam thickness ratios of less than ten to one dependent on the inclination of the seam."

The guidelines also define declassified coal mine hazard areas as "those areas for which a risk of catastrophic collapse is not significant and which the hazard assessment report has determined require no special engineering or architectural recommendations to prevent significant risks of property damage. Declassified coal mine areas may typically include, but are not limited to, areas underlain or directly affected by coal mines at depths greater than three hundred feet as measured from the surface but may often include areas underlain or directly affected by coal mines at depths less than three hundred feet."

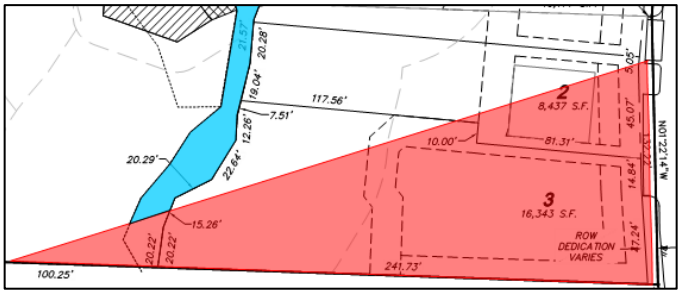

Figure 5: Moderate Coal Mine Hazard Area

The coal mine hazard study has indicated all of Lot 1 and a portion of Lot 2 to be declassified coal mine hazard areas. Moderate coal mine hazard areas have been identified within the southeastern corner of the project site. Figure 6 shows the location of the moderate coal mine hazard area, which is highlighted in red. The new house constructed on Lot 2 and the existing house on Lot 3, if it is redeveloped, will require special engineering or architectural recommendations to mitigate for the coal mine areas. **[Condition 14], [Condition 15]**

IMC 18.10.520.A states, "alteration of a site containing a coal mine hazard area may be permitted only when all significant risks associated with abandoned mine workings have been eliminated or mitigated." The Preliminary Coal Mine Hazard Study, Exhibit 10, has identified that much of the project site does not contain any significant risks and the possible risks within the moderate coal mine hazard areas can be mitigated.

The study and on-site observations have reported no topographic depressions on the property or other ground surface irregularities that may be associated with past mining activities. Additionally, there are no severe coal mine hazard areas within the project.

Conclusion: The proposed project complies with the Mine Hazard Areas Code (IMC 18.10.520). Once the project moves into the construction phase, a site-specific report will be required for City review to ensure the mitigation measures have been properly implemented with the construction of the home on Lot 2.

Nonmotorized Facilities in Single-Family Developments

Staff Analysis: Under IMC 18.07.081: Nonmotorized Facilities in Single Family Developments, all new single-family developments of two or more lots must provide nonmotorized walkways within the development to link to schools, common areas, open spaces, transit stops, public streets, and/or existing pedestrian paths on adjacent parcels served by public streets. This requirement is intended to increase safe nonmotorized access and mobility, help remove pedestrian and vehicular movement conflicts, and support transportation options. The following nonmotorized facilities are being proposed:

Pedestrian Trail: To date, there is an existing driveway on Parcel 1 that connects Mine Hill Rd SW to the abandoned ADU on the west side of the stream. The driveway also provides access to a culvert, which is maintained by the City through an existing access easement. The applicant is proposing to convert the existing driveway into a trail to be used by nonmotorized users. Approximately 70-feet of the trail connecting to Mine Hill Rd SW will remain under 10-feet wide and a drivable surface such as gravel. The rest of trail will be reduced to 6-feet wide to prevent vehicle access, and the path extended to intersect with Road A. Despite the access path from Mine Hill Rd SW transforming, the existing access easement will remain, and a new easement will be established for water and sewer utilities.

The proposed pedestrian trail will provide direct access from the subdivision to Mine Hill Rd SW. Once users reach Mine Hill Rd SW they can continue north along the right-of-way and eventually connect to the Squak Mountain Access Trail. The trail material has not been identified yet. This will be reviewed in greater detail during the construction permit phase in conjunction with the mitigation report. The proposed trail alignment can be seen on Sheet C3.

Road A/B: The applicant is proposing to extend the right-of-way from SW Clark St to the proposed development. In addition, the project is proposing to construct two internal roads that will provide access throughout the site. All newly constructed roads will contain a 5-foot-wide sidewalk and a 5-foot-wide landscape planting strip to buffer pedestrians from the travel lanes. Road A creates nonmotorized walkways throughout the development and links residents to adjacent public streets.

Conclusion: The project complies with IMC 18.07.081: Nonmotorized Facilities in Single Family Developments.

Transportation Circulation and Transportation Concurrency

Staff Analysis: The applicant submitted a transportation concurrency application (CON19-00004) in accordance with IMC 18.15.260. The proposed vehicle internal trip ends, minus any credit for existing trips, results in 18 PM peak hour trip. This number of vehicle internal trip ends falls within the available capacity in the citywide Trip Bank. Additionally, the development type, size, and location are consistent with the City's land use forecasts used for concurrency modeling and determination of the Trip Bank capacity. Therefore, the proposal is consistent with concurrency codes.

A limited traffic analysis was submitted to the City for review, which evaluated traffic impacts, trip generation, sight distance, and the operations of the adjacent intersection of Wildwood Blvd SW & SW Clark St, which would provide the primary access to the project site. There were concerns the project would create vehicle traffic and congestion at this intersection. The traffic analysis concluded that even with the addition of the proposed project vehicles queuing on Wildwood Blvd SW approaching SW Newport are not anticipated to block exiting vehicles from SW Clark St during the AM and PM peak hours. Therefore, queuing on Wildwood Blvd SW is not expected to have a significant impact on operations at the Wildwood Blvd SW/SW Clark St intersection under future conditions with the proposed Mine Hill Creek Plat. Please see Exhibit 16 to view the full report.

The traffic assessment has been peer-reviewed by the City's third-party consultant. The consultant stated the entering sight distance to the north is still a concern and further evaluation is required. To mitigate this concern, the consultant suggests vegetation be cleared on the southwest corner of the Newport Way SW & Wildwood Boulevard SW intersection to improve sight distance. City staff have reviewed both traffic assessments and agree the intersection complies with the minimum City standards but want to make sure all necessary measures are taken for safe travels. With that being said, the applicant will be required to clear vegetation along intersections for clear sight distance. **[Condition 16]**

Conclusion: The project meets the requirements of IMC 18.15: Transportation Concurrency Management.

Site Access and Frontage Improvements

Staff Analysis: Per Street Standard Section F, frontage improvements are required for all new developments. The project site will gain primary access from two roads, Mine Hill Rd SW (serving Lots 1-3) and the newly constructed street, Road A (serving Lots 4-20).

Road A will be constructed along the west side of the project site and extend internally into the site to serve the lots. The project will also construct private roads on-site, Road A and Road B.

Road A: Primary access into this portion of the site will be gained from a new publicly owned street that connects to SW Clark St, which is located to the north of the project site. Although the project is required to provide half street improvements, when a road does not exist the applicant is required to provide, at a minimum but not limited to, the necessary street access to serve the project. Therefore, the project must construct a 20-foot clear drive width to allow for emergency vehicle access. The street section between SW Clark St and the development will consist of two 10-foot-wide travel lanes, two 6-inch curbs, one five-foot wide landscape planter strip, and a five-foot wide sidewalk along the east side of the street. Should the west side of the road ever be developed in the future, which is unlikely due to the topography and location of existing homes, that applicant will be required to construct at a minimum a landscape planter strip and sidewalk on the west side of the road.

As Road A continues into the development the width of the street section increases and this portion of the road will be privately-owned. Lots 6-14 will have driveways off from this portion of Road A, gaining direct access for this street. The road section will consist of two 11-foot-wide travel lanes, and on both sides of these travel lanes are 6-inch curbs, five-foot wide landscape planter strips, and five-foot wide sidewalks. To allow for guest parking eight-foot-wide parallel parking will be provided on one side of the street and placed in locations that do not interfere with driveway access and sight distances. At the end of Road A, a hammerhead turnaround has been placed to allow for emergency vehicles.

Road B: Although Road A provides primary access to the site Lots 4, 5, and 15-20 will have direct access from Road B that intersects with Road A perpendicularly. Road B will also be privately-owned and consist of two 11-foot-wide travel lanes, two 6-inch curb, two five-foot wide landscape planter strip, two five-foot wide sidewalks, and eight-foot-wide parallel parking on one side. Per City Street Standards, a hammerhead turnaround has been placed at the end to allow for emergency vehicle turnaround. Road B terminates at the south parcel boundary and has been designed to allow for further expansion should the parcel to the south choose to development in the future. To eliminate the need for access easements, Road B must terminate at the parcel boundary. **[Condition 17]**

Mine Hill: Due to the narrowness of Mine Hill Rd SW, which currently does not meet with requirements per the Fire Code and the close proximity of the existing homes to the right-of-way that limits the width of the road, the applicant has requested to deviate from the applicable Street Standards road configuration. The request is intended to reduce impacts to adjacent properties, by reducing the right-of-way width while maintaining the 20-foot-wide travel lane needed for emergency vehicle access and addressing parking needs in this area. Please see Exhibit 18 for additional details.

Conclusion: Both Road A and B are consistent with the City's Street Standard Detail T-11 Typical Public Local Access Street Residential Areas Detail and comply with City Code. An additional review will occur during the construction permit phase to further confirm compliance. **[Condition 18]**

According to the City Street Standards, the City Engineer or designee may approve deviations to the Standards herein after consultation with affected City departments. The proposed deviation request has been reviewed by the appropriate City staff, deemed to meet the criteria, and approved by the City following an interdepartmental review.

Illumination

Staff Analysis: An illumination plan was not submitted to the City for review. Site lighting is not only functional and addresses safety, but as a visual element lighting also plays a role in shaping neighborhood character, whether they are illuminated or not. Lighting levels shall be functional, provide adequate lighting for public safety, and promote energy conservation. In addition, lighting must protect adjacent uses, natural areas, pedestrians, and/or vehicular traffic from excessive spillover light and glare generated by exterior building lighting. There are critical areas present on the project site. Under IMC 18.07.107: Outdoor Lighting, light spillover is limited to 0.3 footcandles at the property line and the beginning boundary of all critical area buffers to help avoid unintended light impacts to environmentally critical areas. **[Condition 19]**

Conclusion: An illumination plan has not been submitted for review as this level of detail is not required at this stage. Light fixtures and placement will be reviewed with construction permits.

Stormwater

Staff Analysis: The proposed project is required to comply with the 2014 Ecology Storm Water Management Manual for Western WA and 2017 Issaquah Addendum to the City adopted storm design manual, which together identifies the requirements for the stormwater detention, treatment and conveyance systems. Standard Flow Control using full forested as the pre-developed condition is required for both public and private runoff from all new and replaced impervious surface area. Runoff from pollution generating impervious surface (PGIS) area routed to Mine Hill Creek requires Sensitive Lake Water Quality Treatment Standard (removal of suspended solids and phosphorus).

Compliance with storm flow control and water quality treatment requirements are proposed through a detention vault and multiple filter cartridge treatment systems with an outfall dispersing directly into Mine Hill Creek, which is the natural discharge location. The project plans show two storm outfalls locations, one dispersing stormwater from the detention vault and the other from Mine Hill Rd SW. Both outfalls are dispersing within the inner extent of the stream boundary. Therefore, the project will require a Hydraulic Project Approval (HPA) from the Washington State Department of Fish and Wildlife (WDFW), per Washington Administrative Code (WAC) 220-660-040. One outfall is located on steep slopes and the other is close to the stream's ordinary high-water mark. To ensure locations of the outfall do not cause erosion, landslides, or other steep slope failures, approval from a geotechnical engineer is required verify stream bank stability. **[Condition 20]**

The proposed storm conveyance system will be designed with sufficient capacity to convey and contain runoff from the site. All on-site storm facilities will be privately maintained by the HOA. The detention vault will be placed in a stormwater tract with a recreational use above. Storm facilities along Mine Hill Rd SW will be publicly maintained and located within public easements and/or right-of-way.

According to Section 5.4 of the Icicle Creek Engineering Report dated September 16, 2019, soil and slopes on the site contain severe erosion hazard characteristics, which would necessitate land disturbing activities to be performed within the dry season. City Staff recommends no earthwork be performed during the wet weather. If the applicant chooses to continue land and soil disturbing activities within the wet season, the applicant will be required to provide a stamped memorandum supporting the proposed work along with a Temporary Erosion and Sediment Control (TESC) Plan. These documents along with other supported documents will be peer reviewed by a City selected third-party at the applicant's expense. **[Condition 21]**

Conclusion: The current storm preliminary design is conceptual, which complies at this preliminary plat level of review. The specific manner in which the stormwater design will comply with Code requirements for construction is still under discussion with the applicant. A more detailed review of the stormwater design will occur during the construction permit phase.

Utilities

Staff Analysis:

Sewer: Sanitary sewer service is regulated by the City of Issaquah Public Works Department, City Code, and the Department of Ecology Criteria for Sewerage Works Design. The Conceptual Sewer & Water Plan, shown on Sheet C8, was reviewed for compliance with these documents and standards and for compliance with usual and customary engineering design principles. The plan set shows water and sanitary sewer mains to be installed within the utility easement in Tract A and B. Underground utilities (water, sewer, power, and cable) will also be place under Road A and Road B with a burial depth of less than 6-feet.

Sewer service is available to the project from a City-owned and operated collection system in Mine Hill Rd SW. There is sufficient capacity in the existing collection and conveyance system for all the sanitary sewage that is anticipated from the application.

The project proposes to make a new connection through Tract A and B to the existing sewer system in Mine Hill Rd SW located east of the plat boundary. The current proposal shows all elevations in the application can be served by the existing City collection system. The sewer system serving all lots will be public and it is anticipated that the sewer connection can be made while the existing sewer is in-place and operational, which complies with City standards.

Engineering and Construction of Utilities: A preliminary geotechnical study was prepared by Icicle Creek Engineering dated June 29, 2020 supporting the preliminary engineering for the site. There are recommendations related to critical areas, site preparation, structural fill, cut and fill slopes, underground utilities, the proposed access road, slope support, stormwater detention vault, and drainage, along with recommendations related to building construction. The project must follow the recommendations contained within the geotechnical report as the engineering design progresses from preliminary to the construction phase.

Specific recommendations related to underground utilities proposed for installation at the top or base of steep slopes are as follows:

- Trenching adjacent to or crossing steep slope hazards areas should be completed during summer or early fall months (June through October)
- Only open a length of trench that can be backfilled in the same day.
- Recommendation for construction dewatering (Section 8.10 of the report) should be followed if groundwater is encountered (Section 8.10 "Construction Dewatering" of the report). **[Condition 22]**

While it is not unusual for a land use permit to provide conceptual, high-level designs responding to the site conditions and the possible solutions, the utility design and construction phases of this project should be particularly mindful of the groundwater, liquefaction, and potentially weak soils that might be encountered during utility design and construction. As such, additional evaluation in conjunction with construction permit review is necessary. **[Condition 23]**

Water: Domestic and fire protection water will be supplied via a looped water main with connections to the City water system within SW Clark St and Mine Hill Rd SW. As the system will be owned and maintained by the City, all portions of the new water main will be accessible by backhoe/trackhoe for maintenance and/or repair. All portions of the public water main shall be contained in an easement to be conveyed to the City upon completion of the public water main and acceptance of the same by the City. **[Condition 24]**

Conclusion: The preliminary utility design is conceptual, which is acceptable for this level of review. The water and sewer design comply with all applicable codes, standards, and regulations. A more detailed review of the utilities will occur during the construction permit phase.

4. Critical Area Variance

The project is proposing to install sewer and water utilities along the newly constructed pedestrian trail and place the stormwater outfall within close proximity to the Mine Hill Creek ordinary high-water mark. According to IMC 18.10.775: Alternations to Streams and Buffers, utilities and stormwater facilities can be located in the outer 25% of a stream buffer. If this cannot be achieved or if utility infrastructure encroaches more than 25% of the total buffer area a variance is required.

The applicant evaluated several development scenarios in consultation with the City and settled on the variance proposal discussed below. The proposed design avoids direct impacts to all critical areas and attempts to minimize impacts to the critical area buffers to the greatest extent feasible. Per IMC 18.10.430: Variances, the following criteria must be considered for approval of a variance request.

1. *The variance is in harmony with the purpose and intent of the relevant City ordinances and the Comprehensive Plan;*

   Finding: The Comprehensive Plan designation for the site is Low Density Residential and the zoning is Single Family-Suburban (SF-S). The primary purpose of this district is to provide for single-family neighborhoods and hobby farms in a setting of larger lots, while protecting environmentally critical areas (IMC 18.06.100.B). The proposed single-family residential land use is consistent with the purpose and intent of the Comprehensive Plan and Land Use Code. The Comprehensive Plan and Land Use Code also include policies and standards to protect the environment and to mitigate environmental impacts. The proposed mitigation complies with policies and standards to protect the environment and mitigate for the environmental impacts of the proposal.

2. *The variance shall not constitute a grant of special privilege which would be inconsistent with the permitted uses, or other properties in the vicinity and zone in which the subject property is located;*

   Finding: Approval of the variance would not constitute a grant of special privilege and would be consistent with permitted uses or other properties in the area. Surrounding properties are currently developed with multi-family units directly to the north and single-family residences to the east, west, and south. The proposal consists of creating 20 single-family lot, which two already exist. The variance would allow for construction of a single-family development, which is consistent with permitted uses of this zoning and surrounding development and allow the critical areas to remain. Mine Hill Creek flows through the southern end of the City. There are several homes that are located within the stream's buffer.

Fortunately, many of the homes already have existing stormwater infrastructure within the adjacent rights-of-way, outside of the stream buffer, unlike this proposal where existing stormwater infrastructure is currently within Mine Hill Creek.

3. *That such variance is necessary, because of special circumstances relating to the size, shape, topography, location or surroundings of the subject property, to provide it with use rights and privileges permitted to other properties in the vicinity, located in the same zone as the subject property and developed under the same land use regulations as the subject property requesting the variance;*

   Finding: The applicant is proposing to install utilities in the inner 25% of the critical area buffer. The following are factors and challenges the project site is facing, which create a special circumstance, resulting in the need for a variance:

   - Stormwater Management: Per City Code, new development and redevelopment projects trigger stormwater requirements and require the project to be brought into compliance with current Code regulations. Currently, Mine Hill Rd SW does not contain a stormwater conveyance system, and the stormwater outfall is located in the stream buffer due to the alignment of the road. Allowing utilities to be placed in the critical area buffer would allow stormwater to be directed, treated, and dispersed into Mine Hill Creek. Since there is no stormwater infrastructure within Mine Hill Rd SW there is no other alternative.

   - Stream alignment: The Stormwater Code requires stormwater detention, treatment and conveyance for Mine Hill Rd SW and the interior site. As previously mentioned, Mine Hill Creek has a 75-foot buffer that has been reduced to 56.25-feet and bisects the site north to south. Due to the alignment of the stream, a portion of Mine Hill Rd SW, which houses the utility mains, encroaches into the stream buffer. Due to the stream alignment and utilities being placed within street rights-of-way, utilities within the inner 25% of the stream buffer is inevitable.

     In addition, the existing home located on Parcel 1 also encroaches into the stream buffer. This house was built in the early 1900s and will eventually need to be redeveloped. Evaluating Parcel 1 only, there is no buildable area along the eastside of Mine Hill Creek, which would result in the home having to be placed on the westside of Mine Hill Creek outside of the critical areas, which would result in utilities being placed in the critical area buffer.

   - Essential Facilities and Services: City Code requires that every parcel be adequately served by essential facilities and services (i.e., streets, drainage structures, water, sewer, fire protection, etc.). Code also requires that water lines be looped with connections to the City water system for safety and redundancy. In this scenario, water mains are located within SW Clark St and Mine Hill Rd SW. The City owns and maintains the culvert that connects to the Class 2 stream and goes under Mine Hill Rd SW.

     To provide essential services to the proposed development on the westside of the project site, the project is proposing to place utilities along the existing driveway, which is currently located within the critical area buffer and a permanent impact that has already been made.

This location, compared to placing the utilities in the outer 25% of the buffer, creates less disturbance to the critical area buffer. If the utilities were to be in the outer 25% of the critical area buffer, the utilities would be placed along the northern boundary line, which would result in off-site grading impacts and additional trees being removed compared to what is being proposed. With the stormwater outfall located at the top of the slope there is the potential for the steep slope adjacent to Mine Hill Creek to become destabilized and create erosion and landslides. Although this proposal is further disturbing the critical area buffer, the disturbance is minimal compared to other locations in the outer 25% of the buffer.

The applicant is also proposing to install sewer and water utility lines in addition to two stormwater outfalls that will be positioned as close as 8-feet from the Mine Hill Creek ordinary high-water mark. The outfalls are placed close to the stream to create a natural discharge and prevent stormwater discharge from undermining the stability of the steep slope that is adjacent to Mine Hill Creek. Due to the topography, location of the critical areas and associated buffers, and location of utility mains, a variance is required. A variance would allow for construction of the single-family development, the same use rights permitted for other surrounding properties.

4. *That the granting of such variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity and zone in which the subject property is situated;*

   Finding: The variance will not negatively impact adjacent parcels. Stormwater being discharged into Mine Hill Creek will be treated prior to dispersal. The granting of a variance, to allow construction of a single-family residences, would not be detrimental to the public welfare or injurious to the property or other improvements in the vicinity and zone.

5. *That alternative development concepts that comply with the Code provisions to which the variance is requested have been evaluated, and that undue hardship would result if the strict adherence to the Code provisions were required;*

   Finding: The applicant evaluated several development scenarios in consultation with the City and the selected proposal has been determined to be the less impactful design.

   - Unavoidable impacts: Frontage improvements and stormwater management are required for the project. Stormwater collection and outfalls are necessary to prevent flooding, erosion, and for the safe operation of roads. Mine Hill Rd SW does not currently contain a stormwater conveyance system. All new projects are required to fully comply to the greatest extent practical and feasible. The Mine Hill Creek buffer encroaches into the adjacent City right-of-way (Mine Hill Rd SW). To comply with the Stormwater Code, the applicant is proposing to direct stormwater from Mine Hill Rd SW to an outfall that will discharge directly into Mine Hill Creek.

     Due to the stream alignment, any work conducted in this area within the right-of-way would be placed in the inner 25% of the buffer. Therefore, the need for a variance would be needed for any new development project and the proposed location is the most feasible.

- Slope stability: Per IMC 18.10.775: Alterations to Streams and Buffers, stormwater facilities and utilities shall be permitted in the outermost 25% of a stream buffer. Steep slopes are located within the stream's ravine. Placing the utilities and stormwater infrastructure in the outer 25% of the buffer would result in the equipment being placed at the top of the slopes. This location would undermine the stability of the slopes causing erosion, landslides, or other steep slope failures.

- Utility location: The plat is required to be served by adequate public facilities, including water and sewer. There is a gravel driveway located within the critical area buffer, which is an existing permanent impact, will remain due to the access easement and connection to Mine Hill Rd SW. Also, the utility mains are located within Mine Hill Rd SW. The applicant is proposing to convert the driveway into a pedestrian trail and place the utilities alongside the walkway. The trail is the best location because it has an existing connection to Mine Hill Rd SW and minimizes the impacts to the critical area buffer.

  The project site slopes downward from west to east. The proposed sewer main follows the grade to connect to the existing sewer main on Mine Hill Rd SW and is necessary for new homes to have gravity connections. This location has been selected because it is the less impactful design compared to placing the utilities at the top of the slope, which would disturb more of the critical area buffer and possibly impact the adjacent parcel. The proposed design shows the stormwater outfall placed at the toe of the slope outside of the ordinary high-water mark for Mine Hill Creek where the risk and impacts are minimal.

  Regardless of the alignment of the water and sewer mains, a portion of the existing driveway would have to remain as the City has a stormwater easement adjacent to the stream and relies on this path to maintain the culvert inlet.

- Tree removal: The outer 25% of the critical area buffer is located along the north parcel line. There are several significant trees located at the top of the slope. Approximately five trees are being removed due to the construction of the stormwater vault and outfall. Should the utilities be constructed in the outer 25% of the buffer the number of trees being removed from the site would double and possibly impact trees on the adjacent parcel. The proposed location purposefully diverts tree groupings to prevent tree removal.

Although the proposal is located within the inner 25% of the critical area buffer, the design is the least environmentally damaging location and creates minimal impacts. If strict adherence to Code provisions were required, it would result in undue hardship and unnecessary environmental impacts that could create unsafe conditions.

6. *The variance granted is the minimum amount that will comply with the criteria listed above and the minimum necessary to accommodate the permitted uses proposed by the application, and the scale of the use shall be reduced as necessary to meet this requirement; and*

Finding: Considering circumstances and impacts previously stated, the proposed design causes the least amount of disturbance necessary to provide a stormwater outfall and adequate utilities to serve the plat. The proposal does not adversely impact the critical area and the applicant intends to provide substantial mitigation for the impacts of the redevelopment.

7. *The need for the variance is not the result of actions of the applicant or property owner.*

Finding: Due to the location of the pre-existing utility mains, which are located on Mine Hill Rd SW, and alignment of Mine Hill Creek, the utilities must be located within the stream buffer. Regardless of the proposed development, in order for the property owners to safely access, maintain, or use the west side of their parcels some form of impact would occur to critical area buffers, which is no fault of their own. The variance is due to existing parcel and site characteristics possibly the result of actions taken decades ago before critical areas were regulated in the City rather than actions taken by the current owner or applicant.

5. Washington State Subdivision Law

The criteria for review of a preliminary plat are set forth in RCW 58.17.110 as follows:

Approval or disapproval of subdivision and dedication – Factors to be considered – Conditions for approval – Finding – Release from damages.

(1) *The city, town, or county legislative body shall inquire into the public use and interest proposed to be served by the establishment of the subdivision and dedication. It shall determine: (a) If appropriate provisions are made for, but not limited to, the public health, safety, and general welfare, for open spaces, drainage ways, streets or roads, alleys, other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation, playgrounds, schools and schoolgrounds, and shall consider all other relevant facts, including sidewalks and other planning features that assure safe walking conditions for students who only walk to and from school; and (b) whether the public interest will be served by the subdivision and dedication.*

(2) *A* proposed *subdivision and dedication shall not be approved unless the city, town, or county legislative body makes written findings that: (a) Appropriate provisions are made for the public health, safety, and general welfare and for such open spaces, drainage ways, streets or roads, alleys, other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation, playgrounds, schools and schoolgrounds and all other relevant facts, including sidewalks and other planning features that assure safe walking conditions for students who only walk to and from school; and (b) the public use and interest will be served by the platting of such subdivision and dedication. If it finds that the proposed subdivision and dedication make such appropriate provisions and that the public use and interest will be served, then the legislative body shall approve the proposed subdivision and dedication. Dedication of land to any public body, provision of public improvements to serve the subdivision, and/or impact fees imposed under RCW 82.02.050 through 82.02.090 may be required as a condition of subdivision approval. Dedications shall be clearly shown on the final plat. No dedication, provision of public improvements, or impact fees imposed under RCW 82.02.050 through 82.02.090 shall be allowed that constitutes an unconstitutional taking of private property. The legislative body shall not as a condition to the approval of any subdivision require a release from damages to be procured from other property owners.*

The proposed preliminary plat meets the requirements of RCW 58.17.110. The plat includes appropriate provisions for utilities, (potable waters supplies, sanitary wastes), streets, open spaces, and drainageways. Impact and mitigation fees will be required with the building permits for parks and recreation, schools, traffic, fire, general government, police, and bicycle and pedestrian facilities. Sidewalks will provide safe walking routes to school bus stops. Appropriate provisions are made for the public health, safety and general welfare and the public use and interest will be served by the platting and dedication.

6. Impact and Mitigation Fees

Impact fees are required for each new single-family house. The following impact fees will be required, and the applicable cost calculated at the time of issuance of building permits for each residential unit:

- Impact Fees: Transportation, Fire, Schools, Parks,
- SEPA Mitigation Fees: General Government, Police, and Bicycle & Pedestrian **[Condition 25]**

VIII. SEPA Review

On February 12, 2021, Community Planning and Development Department determined the proposed cluster development did not pose significant adverse environmental impacts and issued a Mitigated Determination of Nonsignificance (MDNS). A SEPA review to evaluate critical area impacts, traffic, and other elements is required as part of the Preliminary Plat process. **[Condition 26]**

IX. Public Comments

Public notice was provided in accordance with IMC Chapter 18.04.180 (See Section III – Public Notification). Public comments were received after the Neighborhood Meeting and mailed Notice of Application. The City received written comments, which included concerns regarding the intensity of the project, traffic, erosion, tree removal, and impacts to the surrounding properties. The following is a summary of the public comments and staff response. All public comments received can be reviewed under Exhibit 24.

Comment: Several residents raised concern about the proposed high-density residential development. The comments indicated this proposal is not consistent with the City's goal to focus new housing development into Central Issaquah instead of suburban areas. There are concerns the proposed development violates the Code and the neighborhood will lose its charm.

Response: To date, the Code allows for parcels to be subdivided as long as the proposal complies with development standards outlined in IMC 18.07.360. Also, City Code allows parcels 2-acres or more to utilize the cluster house provisions. The purpose of the cluster housing provisions is for projects to "achieve the maximum allowable density, as established on the District Standards Table (IMC 18.07.360), on developable land while preserving critical areas and other pervious surfaces through lot size reduction."

The applicant has attempted to design a project that is aligned with the character of neighborhood and complies with City Code. City Council has considered limiting density for parcels within the SF-S zone, but no new regulations have been adopted which would change this aspect of the Code.

Comment: A longtime resident is concerned the proposed development will destroy the animal habitats and adversely impact the creek that feeds into larger bodies of water. Salmon ecology in Issaquah Creek will be negatively impacted by raised water temperature and soil erosion particulates entering the stream ecological system.

Response: Mine Hill Creek is classified a Class 2 stream without salmonids. As a condition of the cluster housing provisions, all critical areas and associated buffers, including Mine Hill Creek, will be placed in a tract or easement to be protected and remain undeveloped for perpetuity. Prior to placing critical areas into a NGPE, existing lawn and invasive plants will be removed and replaced with native shrubs and trees that will aid in improving the water quality in the wetland and downstream. Once the proposed native vegetation becomes established it will densely cover the buffer, create shelter for wildlife, and provide nutrient uptake functions as well as soil binding functions.

Comment: Residents believe the proposed development will add to existing traffic problems in the neighborhood and are unsure if the existing roads can handle the additional vehicle traffic. A request has been made that the applicant provide a traffic analysis to evaluate impacts to existing street infrastructure and the neighborhood.

Response: One additional house will be added to Mine Hill Rd SW. Lots 4-20 will gain primary access from a newly constructed street. A Transportation Impact Analysis (TIA) was requested by the City. Please see the Transportation Circulation and Transportation Concurrency section above for additional information. The TIA concluded addition vehicles generated by the proposed project are not anticipated to impact queuing on Wildwood Blvd SW approaching SW Newport and will not block exiting vehicles from SW Clark St during the AM and PM peak hours.

Mine Hill Rd SW is a narrow residential street. To keep the charm of the neighborhood and address guest parking concerns, the applicant will widen the right-of-way to allow for safe passage of emergency vehicles and on-street parking in limited areas.

Comment: Residents are concerned the project will destroy the greenbelt.

Response: This parcel has not been designated by the City as a greenbelt. All critical areas and associated buffers will be placed in a tract or easement to remain undeveloped in perpetuity.

Comment: A concerned resident believes the proposed development will negatively impact traffic and the already overcrowded schools.

Response: The Issaquah School District is responsible for constructing schools in response to growth within the community. The school district reviews new residential projects, collects impact fees to support school construction, and puts forward bonds for community consideration. Currently, the school district is in the process of building or receiving approval for two new schools. Please see the Transportation Circulation and Transportation Concurrency section above for additional information regarding traffic impacts.

Comment: There are concerns the proposed project will impact existing coal mine hazards that span under the project site. Disturbing the coal mine hazards can create dangerous sinkhole and subsidence hazards.

Response: A Preliminary Coal Mine Hazard Assessment was provided to the City for review and determined the project site does not contain any severe coal mine hazard area, which may not be developed on. Moderate coal mine hazard areas have been identified on Lots 2 and 3.

Prior to building permit issuance, additional information must be provided to the City demonstrating construction on Lots 2 and 3 will not negatively impact the underground coal mines and is in accordance with the geotechnical report's recommendation. To view the Preliminary Coal Mine Hazard Assessment, please see Exhibit 10.

Comment: Residents believe the character and quality of the neighborhood is defined by the unique and historic combination of small mining company houses and a natural environment rich with wildlife. The proposed development would permanently alter that balance and destroy the environment.

Response: City staff agree the mining homes and narrowness of Mine Hill Rd SW add to the charm of the Mine Hill neighborhood. To maintain the character of the neighborhood the applicant is proposing to construct a new street connecting the SW Clark St, which will limit vehicle traffic along Mine Hill Rd SW. The applicant has also requested a deviation from Street Standards, which the City approved, to allow for on-street parking and slightly widening the right-of-way to allow for emergency vehicle access. As previously mentioned, the applicant will be restoring the critical area buffer and placing all environmentally sensitive aeras in a NPGE or tract to remain undeveloped in perpetuity. At this time, the City does not have any regulations on the type of home that can be built in this neighborhood.

Comment: Residents are concerned the development will result in tree removal, soil excavation and disturbance, and will accelerate erosion of the steep slope and high bank stream hillside. The steep hillside and high stream bank will be destabilized, placing existing properties and residences above and below at risk of catastrophic slides.

Response: Per IMC 18.10.580: Steep slope Hazard Areas – Protection Mechanisms and Permitted Alterations, steep slope hazard areas and associated buffers may be altered if they meet the requirements of this section and a critical area study is provided that confirms the buffer reduction will not reduce the level of protection to the proposed development. It is the Community Planning and Development Department's policy for all geotechnical reports associated with steep slopes be double peer reviewed by a third-party consultant. The applicant provided a geotechnical report prepared by Icicle Creek Engineers, Inc, which was double peer reviewed by Golder Associate, Inc and Wood Environment & Infrastructure Solutions, Inc. Both reviewers concurred with the geotechnical findings. Please see Exhibit 9 for additional information regarding the steep slope and landslide areas.

Comment*:* Resident would like the trees currently on-site to preserved, especially the landmark trees. The clearing of this property would be a blight in this small community.

Response: Per IMC 18.12: Landscaping and Tree Preservation, subdivisions must retain 30% of the total caliper inches (d.b.h.) of all significant trees in developable site area. The project meets the tree retention requirement.

Comment: A homeowner is apprehensive about the project due to stormwater and drainage concerns and believe the project will result in stormwater impacting adjacent parcels.

Response: The development will be required to comply with all current stormwater standards and regulations. City Code requires the development to detain, direct, and treat stormwater runoff generated from the project site. The project will also install a stormwater conveyance system along Mine Hill Rd SW, which currently does not exist, to address stormwater within the right-of-way.

Comment: A property owner would like stormwater to be properly addressed. Historically their site deals with flooding issues due to stormwater runoff from Mine Hill Rd SW. There is concern the development will add to an existing stormwater issue and is requesting a drainage basin be constructed to address stormwater runoff. Also, there was inquiry whether the City will request studies about the impacts of surface and subterranean water outflows for the proposed development and if the development will create negative impacts to surrounding properties.

Response: Per Code, the applicant is required to provide a preliminary drainage report and address stormwater runoff on Mine Hill Rd SW where Lots 1-3 are proposed and within the development. The proposal and preliminary drainage report have been reviewed by the City. Please see the Stormwater section under subsection 3: Development & Design Standards for additional details and findings. According to City stormwater regulations, a proposed project must properly address stormwater on the project site and may not negatively impact adjacent parcels. During the construction permit phase staff will continue to review the project and ensure impacts will not be made to adjacent parcels.

X. Conclusion

The proposed preliminary plat is consistent with the Issaquah Comprehensive Plan, Land Use Code, and other applicable development regulations. The proposal meets the approval criteria of the City's Subdivision Code, IMC 18.13, and Washington State Subdivision Code, RCW 58.17.110. The project, as reviewed above and conditioned below, provides appropriate provisions for the public health, safety, and general welfare.

XI. Administration's Recommendation

The City of Issaquah Administration recommends **APPROVAL** of the Mine Hill Preliminary Plat, PP18-00003, and subject to the following conditions:

1. Building setbacks and impervious surface coverage will be reviewed with construction permits. Upon submittal of the final plat, an impervious surface table must be submitted to the City for review and approval, which shows the maximum square footage of impervious surface allowed per lot. This document must also demonstrate how the proposal does not exceed the impervious surface limitation for the site. All building permits for each individual lot must identify the total amount of impervious surface being cover on the site.

2. Critical areas on Lots 1-3 must be placed in a Native Growth Protection Easement (NGPE) or use an alternative protection method. Split rail fencing and signs must be installed along the border of the critical area buffer. Owner and maintenance responsibility will be on the property owner of the respective lot, which must be shown on the final plat drawing.

3. An access/maintenance easement must be established for Lots 1 and 3 to allow the property owners access into the adjacent stream buffer. In addition, a note must be placed on the plat explaining for any reason other than an accident, act of nature, or similar involuntary occurrence the existing home must be reconstructed outside of the critical area buffers.

4. On-site driveways shall be at least 20-feet in length or more, to accommodate on-site parking.

5. Garages shall be designed, at a minimum, to include secure storage space for three waste containers (recycling, garbage, and compost), which may be in the garage. If a garage is present, if must be designed to accommodate the elements located inside without impinging on the necessary space for any other elements also located in the garage. Vehicle parking shall be sized to standard stall dimensions. Equipment located inside the garage, such as a water heater or furnace shall be clearly and accurately depicted on the building plans to provide confirmation the garage is adequately designed. This will be reviewed with building permits.

6. The designated common usable open space areas must be designed to accommodate a variety of recreation uses, including, but not limited to, trails, picnic areas and other recreational uses. The final plat will indicate which tracts include recreation as an allowed use for future reference and to ensure they are preserved for this use.

7. Approved tree protection measures must be in place prior to any construction or demolition activities and installed in conjunction with limits of clearing and grading delineation or the City approved arborist report. Clearing and grading shall be outside the critical root zone of significant trees. Should clearing and grading be proposed within a retained tree's dripline, an arborist report will be required to ensure no negative impacts will be made to the tree. This will be reviewed with any construction activities including site work permits.

8. A final landscape plan must be submitted for City review and must meet provision in IMC 18.07.420.B.5. The project's compliance with the landscape Code will be reviewed with the landscape permit.

9. The final plat drawing shall clearly illustrate the various tracts and easements on the property as well as in writing, including the NGPE. The text must also identify ownership and maintenance responsibilities.

10. The environmentally critical areas (steep slopes, wetlands, streams and associated buffers) shall be protected as required by the Critical Areas Ordinance, IMC 18.10 including:

    a. <u>Record a Notice on Title</u>: Prior to issuance of the building permit, record a Notice on Title of the presence of the critical area or buffer and stating that limitations on actions in or affecting such areas or buffers may exist.
    b. <u>Record Critical Area Tract</u>: With recording of the final plat, establish and record Critical Area Tracts to protect the critical area(s) in the form of:

       A Native Growth Protection Easement (NGPE) with the following language:

       <u>Restrictions for Native Growth Protection Easements/Sensitive Area Tracts and Buffers</u>
       The Sensitive Area Tract conveys to the City a beneficial interest in the land within the sensitive area tract. This interest includes the preservation of native vegetation for all purposes that benefit the public health, safety and welfare, including control of surface water and erosion, maintenance of slope stability, and protection of plant and animal habitat. The sensitive area tract imposes upon all future present and future owners and occupiers of the land subject to the tract the obligation, enforceable on behalf of the public by the City of Issaquah, to leave undisturbed all trees and other vegetation within the tract. The vegetation within the tract may not be cut, pruned, covered by fill, removed, or damaged without approval in writing from the City of Issaquah or its successor agency, unless otherwise

provided by law. Demonstrated health and safety concerns shall be considered by the City when permitting the cutting, pruning or removal of living or dead vegetation.

11. Prior to issuance of temporary occupancy of the last building, grading or construction impacts to adjacent critical area and associated buffers must be restored.

12. The required split-rail fencing for the critical areas will need to be placed on the outer boundaries of the critical area. Fencing placed on Lot 1 will not be placed on the outer boundary, but around the house and garage, due to its existing location. Should these structures be removed from the critical area buffer, the fencing will need to be relocated to the buffer boundary. This will be reviewed with construction permits.

13. Prior to issuance of building permits the following must be established:
    a. A mechanism that notifies all future buyers of the lot that the steep slope buffer was reduced, and that development has occurred within 50-feet of the steep slope or the steep slope has been eliminated (e.g., notice on title); and
    b. An agreement shall be executed on a form approved by the City Attorney, which indemnifies and holds the City harmless for development within 50-feet of the steep slope.

14. Recommendations were suggested in the in the preliminary Geotechnical Report dated June 29, 2020 and Coal Mine Hazard Assessment dated July 7, 2015 prepared by Icicle Creek Engineers. Moving forward the reports must be combined and/or clearly identify final recommendations. Homes constructed on Lots 2 and 3 will require special engineering or architectural recommendations due to underground coal mine hazard areas. This will be reviewed in detailed with construction permits.

15. A preliminary Coal Mine Hazard Report was provided. Prior to issuance of the site work permit a final and stamped Coal Mine Hazard Assessment report and supporting project documents must be provided to the City for review and approval.

16. The project will be required to evaluate the Newport Way SW & Wildwood Blvd SW intersection with particular attention to sight distance. This may necessitate removal of vegetation on the southwest corner of the intersection within the right-of-way. This will be reviewed with the site work permit as well as during site inspection and prior to temporary occupancy of the first home.

17. Road B shall be constructed to terminate at the parcel boundary line. An access easement shall be established along Road A and Road B to allow access to benefit the adjacent parcel and allow for future road construction by others to extend Road B southward. This will be reviewed with the site work permit.

18. All internal roads must be designated as private roads with access granted via recorded easements. Maintenance of private roads will be performed by the HOA. Language identifying ownership and maintenance responsibilities must be provided on the final plat drawings.

19. A lighting photometric plan shall be provided for the project site and right-of-way lighting. The lighting levels shall comply with IMC 18.07.107 and shall provide an adequate amount of illumination for the intended use. On-site lighting shall not exceed 14-feet in height and should be scaled to the pedestrian. Light fixture style shall be in keeping with the intended scale and character of the Neighborhood and

coordinated with street tree layout and other street elements. Lighting shall be designed so there is no light spillover into critical areas.

To facilitate review of the lighting, a photometric calculation, stamped by a professional engineer, showing illumination levels on the pavement shall be submitted with the site work permit for construction of lighting. A point-by-point calculation is required. The illumination calculation shall include all fixtures that contribute light to the site (poles, bollards, building mounted lighting). Low wattage decorative fixtures such as sconces or porch lights can be excluded from the calculation. No up-lighting is allowed.

20. Geotechnical approval is required for proposed locations of two storm outfalls (from vault and from Mine Hill Rd SW), to verify location, slope, and stream bank stability. This must be provided to the City for review prior to issuance of the site work permit.

21. All land/soil disturbing activities shall occur during the dry season (May 1st through September 30th) unless it can be demonstrated by the applicant that these can be safely preformed, consistent with City rules and standards. To continue land/soil disturbing activities outside of the dry season, a geotechnical evaluation of the appropriateness of proposed activities and Wet Season TESC Plan must be submitted to the City by September 1st and approved prior to October 1st (per IMC 16.26.050). The Wet Season TESC Plan shall receive geotechnical peer review by a City selected consultant at the applicant's expense.

22. Contractor must submit a proposed dewatering system design and plan layout to the City for review with the site work permit. The proposed plan must be consistent with the final geotechnical study and will be reviewed in conjunction with the critical area mitigation plan.

23. Special design consideration must be given to the potential for high groundwater, liquefaction and weak soils and their impacts on the on-site sanitary sewer system. The special design considerations must be summarized in a report that accompanies the sanitary sewer design and must be submitted with, or before, utility permit submittal. This condition will be enforced during utility permit review and approval.

24. Water and sanitary sewer mains will be installed within the proposed underground utility easement in the north part of Tract A. An easement must be established allowing City to own and operate the mains.

25. Impact and mitigation fees are required for each new single-family residence. The applicant will receive credit for the single-family dwelling that existed on the site. The following impact fees will be required, and the applicable cost calculated at the time of issuance of the building permits for each residential unit: Transportation, Fire, Schools, Parks, General Government (SEPA), Police (SEPA), Bicycle & Pedestrian (SEPA).

26. The applicant shall comply with the Mitigation measures set forth by the Mitigated Determination of Nonsignificance issued on February 12, 2021.

XII. Exhibits

1. Preliminary Plat Drawings, dated August 30, 2018
2. Project Narrative, dated October 26, 2018
3. Critical Area Variance Narrative, dated June 30, 2020
4. Land Use Permit Application, received October 31, 2018
5. Affidavit of Ownership, dated October 29, 2018
6. SEPA Mitigated Determination of Nonsignificance, dated February 12, 2021
7. SEPA Checklist, dated September 11, 2019 and revised on June 26, 2020
8. Critical Area Study, Wetlands and Streams, dated October 23, 2018
9. Preliminary Geotechnical Engineering Report, dated June 29, 2020
10. Preliminary Coal Mine Hazard Area Assessment, dated July 7, 2015
11. Drainage Report, dated April 29, 2020
12. Conceptual Mitigation Plan, dated June 2020
13. Mitigation Plan Set, dated June 29, 2020
14. Arborist Report, dated October 12, 2020
15. Email Correspondence Related to Tree Removal, dated June 27, 2020
16. Traffic Assessment, date August 26, 2019
17. Transportation Concurrency Certificate, dated March 12, 2019
18. Street Standards Deviation Request, dated September 20, 2019
19. Affidavit of Mailing – Neighborhood Meeting, dated October 31, 2018
20. Affidavit of Mailing – Notice of Application for Preliminary Plat, dated March 21, 2019
21. Affidavit of Mailing – Notice of Application for Variance, dated October 26, 2020
22. Notice of Environmental Neighborhood Meeting, held on March 31, 2021
23. Affidavit of Sign Posting, dated April 12, 2021
24. Affidavit of Mailing – Hearing Examiner Public Hearing
25. Affidavit of Publication – Seattle Times, posted April 12, 2021
26. Public Comment Letters