CITY OF ISSAQUAH
PLANNING DEPARTMENT
HEARING EXAMINER

STAFF REPORT
ISSAQUAH-22 PRELIMINARY PLAT

April 5, 2007

TABLE OF CONTENTS

	Page
Project Information	1
Project Background/History	2
Project Description	3
Hearing Examiner's Review and Authority	5
Criteria for Reviewing the Proposed Subdivision	5
Project Analysis & Finding of Fact	5
Consistency with the Comprehensive Plan	5
Consistency with Adopted Land Use Regulations	7
Access/Street Improvements/Traffic	11
Storm Drainage/Soils & Geotechnical Analysis	17
Utility Improvements	18
Environmental Review	19
Parks and Recreation, Playgrounds, Schools, Fire & Transportation	19
Public Notification	20
Recommendation and Conditions	20
Exhibit List	25

CITY OF ISSAQUAH
PLANNING DEPARTMENT
HEARING EXAMINER

STAFF REPORT

ISSAQUAH-22 PRELIMINARY PLAT

April 5, 2007

PROJECT:	**Issaquah-22 Preliminary Plat**
APPLICATION:	**PLN05-00137**
PROPERTY OWNERS:	Parcel A - Baker Parcel B - Schmidt Parcel C - Turley Parcel D - Herrick Parcel E - Summers
PROJECT APPLICANT:	John F. Buchan Construction, Inc. 2821 Northup Way Bellevue, WA 98004
ENGINEERING:	Hugh G. Goldsmith & Associates, Inc. PO Box 3565 Bellevue, Washington 98009
STAFF CONTACTS:	Mark R. Pywell, AICP, Senior Planner Planning Department, phone: (425) 837-3098 Sheldon Lynne, PE, Deputy Director Public Works Department, phone: (425) 837-3426 Gary Costa, PE, PTOE, Transportation Manager Public Works Department, phone: (425) 837-3443
REQUEST:	The applicant, Buchan Construction, submitted an application for the subdivision of five adjacent parcels of land (16.48 acres). The proposed subdivision would create 52 lots for single-family homes and 12 tract lots for critical areas and landscaping.
LOCATION:	The proposed subdivision is located south of SE 48th Street at the extension of SE 52nd Street (West of the Aspen Meadows subdivision). See the attached vicinity map, Exhibit No. 3.

EXISTING LAND USE:

Subject Property:	There are five existing single-family homes that will be removed as part of the subdivision.
North:	There are 9 Single Family Residential lots ranging in size from 0.75 to 8.12 acres. Preliminary plat applications have been submitted for three of these lots.
South:	Single Family Residential on large lots – *Overdale Park* (platted 1960's)
East:	Single Family Residential – *Aspen Meadows* (platted 2001)
West:	Single Family Residential – *Highland Terraces* (platted 2006)

EXISTING CONDITIONS: In general, the site slopes downward from the north towards the southwest. There is a large wetland (approximately 2.3 acres) on the northern portion of the site with a smaller wetland (approximately 0.43 acres) on the northwest portion of the site.

The site has been partially cleared and graded for the existing single family homes and for some agricultural activities.

Direct access to the site is provided by SE 52nd Street and a half street improvement providing access to SE 50th Street. Both SE 50th Street and SE 52nd Street are public streets that connect to SE 48th Street via other public streets.

EXISTING ZONING: The majority site is Zoned SF-SL (Single Family – Small Lot) with a small portion of the site in the northwest corner zoned SF-S (Single Family-Suburban.) The SF-SL zoning district allows single-family dwellings at a density up to 7.62 dwelling units per acre (Table of Permitted Land Uses, IMC 18.06.130.1). A Level 4 Review (review and decision by the Hearing Examiner) is required for subdivisions (IMC Chapter 18.13.120).

COMPREHENSIVE PLAN: The site is designated "Low Density Residential" by the City of Issaquah Comprehensive Plan. Exhibit 52 evaluates the consistency of the proposed project with several goals and polices adopted in the Comprehensive Plan.

PROJECT BACKGROUND/HISTORY:

August 3, 1999	Issaquah City Council Adopts Resolution 99-11 Opposing New Vehicular Access Routes to and Through the Overdale Park Neighborhood.
February 28, 2000	North Issaquah Area, including the site of the proposed development, annexed to Issaquah.
August 9, 2005	Pre-application submitted for review by City Staff.
August 31, 2005	Pre-application Meeting (Project Review Team Meeting) held.
December 5, 2005	Application for a Certificate of Transportation Concurrency submitted.

December 12, 2005	Preliminary Plat application submitted.
December 29, 2005	Preliminary Plat application determined to be complete.
January 6, 2006	Certificate of Transportation Concurrency issued.
January 11, 2006	Community Conference application submitted.
February 15, 2006	Community Conference held.
March 14, 2006	Notice of Application sent to Parties of Record and property owners within 300 feet.
April 7, 2006	City staff met with the Friends of Aspen Meadows (FOAM) to discuss the access and traffic concerns of residents living in Aspen Meadows.
June 10, 2006	City staff met with the Buchan Construction to discuss the issues raised by FOAM on April 7, 2006.
January 17, 2007	MDNS Issued. Public Comment Period begins.
January 30, 2007	SEPA Comment Period ends. Comments received on the SEPA determination from FOAM.
January 31, 2007	SEPA appeal period begins.
February 12, 2007	FOAM submits an appeal of the SEPA determination.
February 14, 2007	City of Sammamish submits an appeal of the SEPA determination.
February 14, 2007	SEPA appeal period ends.

PROJECT DESCRIPTION

Site Description:
The proposed Issaquah 22 Preliminary Plat is comprised of five tax parcels (222406-9020, -9076, -9095, -9099, and -9017). The existing land use designation of these five parcels is Single Family Residential and the homes are owner occupied. If the subdivision is approved, the five existing homes will be removed and replaced with 52 single-family dwellings, each located on its own lot. The total acreage of the proposed preliminary plat is 16.48 acres. The property lies south of SE 48th Street, west of the Aspen Meadows subdivision, and east of the Highland Terraces subdivision.

Zoning:
The zoning of the three easterly lots is SF-SL (Single Family - Small Lot) and the remainder of the site is zoned SF-S (Single Family – Suburban). The SF-SL zone allows 7.26 dwellings per acre with a minimum lot size of 6,000 square feet. The SF-S zone allows 4.5 dwelling units per acre with a minimum lot size of 9,600 square feet. The 52 lots being created by this subdivision are all within the SF-SL zone. The area zoned SF-S is being used for the detention pond and a sensitive area tract.

Development Standards:
Following is a summary of the consistency of the proposed project with the development standards established in the City's Land Use Code:

Criteria	***Proposed***	***City Standard***
Maximum Density:	3.16 units/acre	7.26 units/acre
Minimum Lot Size	5,803 sq. ft.	6,000 sq. ft.
Maximum Building Height:	unknown	40 feet
Front Yard Setback:	unknown	10 feet
Side Yard Setback:	unknown	6 feet
Rear Yard Setback:	unknown	20 feet
Maximum Impervious Surface Ratio	unknown	50%
Minimum Open Space Ratio	unknown	50%

As noted in the table above, there is one lot within the subdivision that is below the 6,000 square-foot lot size required by the IMC Section 18.07.360, District Standards. However, the applicant may create lots that are below standards in order to capture some of the lots that were lost due to the preservation of critical areas.

It is unknown at this time how the individual homes will fit onto the proposed lots. The applicant will need to comply with the minimum setbacks and the impervious surface ratio listed above. The actual dimensions and ratios will be provided as part of the Building Permit application for each house.

Critical Areas:
The site contains three wetlands: a large Class 2 wetland (Wetland A); a Class 2 wetland which extends onto the site from the west (Wetland B); and a small unregulated Class 3 wetland (Wetland C). The project has an indirect impact on Wetland A and a direct impact on Wetland B (approximately 100 square feet of fill). Wetland C is a small unregulated wet area that does not meet the criteria for a wetland contained in IMC 18.10. In addition, buffer averaging is proposed along a portion of Wetlands A and B. The impacts to Wetlands A and B are being mitigated by a combination of buffer averaging and wetland enhancement. (See Exhibit 28, Wetland Assessment and Exhibit 30, Conceptual Wetland Mitigation Plan.)

There are also two intermittent Class 3 streams on the site. Stream 1 is located within Wetland A and the westerly portion of the site. Stream 2 enters the site from the northwest corner, travels west through Wetland B, and flows off-site. The applicant has provided the required buffer areas for the streams.

Utilities:
Water and sewer service to this area of the City is provided by Sammamish Plateau Water and Sewer District. The applicant has received a Notice of Availability for both of these utilities. Puget Sound Energy will provide gas and electrical power to the subdivision. Telephone service is provided by QWEST.

Stormwater:
The applicant has provided a Level 2 Downstream Analysis (Exhibit 29). The applicant will be providing a detention vault in the northeast corner of the site and a detention pond in the northwest corner of the site. The system has been designed to meet City of Issaquah standards. It provides a

system to ensure that it does not drain the existing wetland areas and allows for a natural release of the storm water on the northwest corner of the site. It is also designed to fit into the proposed City of Issaquah regional stormwater system for this area. This system would divert the water into a pipe system that will release the water downhill from the project site nearer to Lake Sammamish. The system within the Issaquah 22 subdivision is designed to be connected either with the stream leaving the site or into the City's stormwater system for the area. If the City's system has not been completed in time, the stormwater would be released at a prescribed rate into the natural drainage system until such time that the City's system has been completed.

HEARING EXAMINER REVIEW & AUTHORITY

Buchan Construction Company submitted an application pursuant to Chapter 18.13 IMC for the subdivision of five adjacent parcels of land known as Issaquah 22 Preliminary Plat. The City issued a Mitigated Determination of Nonsignificance (MDNS) for the project under the State Environmental Protection Act. The MDNS has been appealed.

IMC 18.04.256 provides that the City shall consolidate an appeal of the SEPA procedural issues and substantive determination with a hearing on the underlying governmental action by providing for a single simultaneous hearing before the City Council to consider the City's decision on the proposal and any associated environmental determinations. IMC 18.03.170 authorizes the Hearing Examiner to make such recommendations as are contemplated by an ordinance conferring jurisdiction on the Hearing Examiner.

On March 5, 2007, the City Council adopted an ordinance directing the Hearing Examiner to conduct the open record hearing on the Preliminary Plat Application and the SEPA Appeal and issue a written report of findings, conclusions and recommendations to the City Council for the City Council's final determination (AB 5613).

CRITERIA FOR REVIEWING THE PROPOSED SUBDIVISION

RCW 58.17.110 establishes the following factors which must be considered in determining whether or not to approve a proposed subdivision:

1. 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 school grounds, 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

2. whether the public interest will be served by the subdivision and dedication.

PROJECT ANALYSIS & FINDINGS OF FACT

1. Consistency with the Comprehensive Plan

A. <u>Findings: Comprehensive Plan – Land Use Map</u>
The site is designated as "Low Density Residential" by the Comprehensive Plan as amended in 2006. The Comprehensive Plan indicates residential uses are permitted by right at a maximum density of 7.26 units per acre in the SF-SL zoned portions and 4.5 units per acre in the SF-S zoned area. The proposed development has a gross density of 3.16 dwelling units per acre.

B. Findings: Comprehensive Plan – Goals and Policies

Housing Element, Policy H-1.1 states the Land Use Code should continue to allow and encourage a variety of housing types and lot sizes such as smaller sized single-family homes on lots smaller than 6,000 square feet and single-family detached housing. The applicant is providing single-family detached housing on lots that start at 5,803 square feet.

Housing Element Policy H-1.10 states the proposal should provide access to the adjacent City trail system and all City parks and recreation facilities. The City is requiring the applicant to provide a pedestrian trail that will connect with the existing pedestrian path in Overdale Park subdivision to the south of this site.

Land Use Element Policy L-1 states that the Land Use Code shall maintain and enhance the natural environment and amenities:

> 1.1.8 Requires protection of critical areas. The required buffers and proposed density transfers under IMC 18.12 as well as impervious surface limits in IMC 18.07 are intended to provide protection of the wetlands on this site.
>
> 1.2.2 requires the efficient use of land, provide housing opportunities, and support efficient use of infrastructure through the use of the City's household targets. The proposed development implements policy by providing housing in a manner consistent with the Land Use Designation and Zoning.

Transportation Element, Roadway Network Background

Principal Arterial: These roadways provide for traffic movements into, out of, and through the City. Principal Arterials constitute a small percentage of the overall network, yet they carry the highest traffic volumes and longest trips. These routes contain the regional and inter-city bus routes and transit centers. Service to abutting land use is subordinate to travel service provided by Principal Arterials.

Minor Arterial: Minor Arterials accommodate trips of moderate length and lower travel mobility than Principal Arterials. They serve intra-city and some through traffic as well as serve local and intra-city bus routes.

Collector Arterial: Collector Arterials carry moderate traffic volumes and shorter trips than Principal Arterials and Minor Arterials and have little through traffic. They serve local bus routes. Collector Arterials provide movement within neighborhoods with direct neighborhood trips to Principal Arterials and Minor Arterials as well as with land access to neighborhoods, commercial, and industrial areas.

Local Streets: Local Streets comprise all roadways and streets not otherwise classified. The primary function of Local Streets is the provision of access to abutting properties. The balance of roadways within the City are local streets.

The Issaquah Comprehensive Plan Figure 6 shows that the Issaquah-Pine Lake Road is a Principal Arterial and that all of the roads that are within the North Issaquah Neighborhood are Local Streets. The North Issaquah neighborhood is comprised of the Pine View, the Highland Terraces, Overdale Park, and several tracts of land that could be subdivided in the future.

The Issaquah Comprehensive Plan Figure 6 does not classify 236th Avenue NE or NE 52nd Street. By the adopted City Comprehensive Plan, these streets are Local Streets for the provision of access to abutting properties. SE 52nd Street has the character of a neighborhood street with low traffic volumes (less than an average of 1000 vehicle trips per day) and a main function of providing access to abutting residential property. Therefore, consistent with the City's Comprehensive Plan and technical criteria in the Street Standards, SE 52nd Street is classified as a Local Access Street.

Exhibit 52 provides a matrix providing a more detailed list of the Comprehensive Plan policies that are applicable to this project.

Policy T-5 requires the incorporation of transit supportive and multimodal/nonmotorized friendly design features in new development. This policy is implemented by requiring sidewalks and a non-motorized connection to Overdale Park as well as stubs for the future non-motorized connections to the north.

Policy T-16 requires projects to facilitate the smooth flow of traffic on major arterials through signal coordination and other available technologies. This policy is implemented by not including a roadway connection of 232nd Avenue to protect the neighborhood character of Overdale Park from regional traffic while emphasizing ITS improvements on existing arterials to better serve regional traffic.

C. Conclusions

1. The proposed subdivision is consistent with the Comprehensive Plan Land Use Map.
2. The proposed subdivision is consistent with goals and polices adopted in the Comprehensive Plan.

2. Consistency with Adopted Land Use Regulations

A. Findings: Zoning Map

The majority of the subject property (15.01 acres) is zoned SF-SL. The remainder of the site (1.47 acres) is zoned SF-S. Residential uses are permitted at a maximum density of 7.26 units per acre in the SF-SL zoned area and 4.5 units per acre in the SF-S zoned area.

B. Findings: Lot Size and Density

Findings: Lot Size

That portion of the subject property where the single family homes will be created is zoned SF-SL (Single Family – Small Lot). The SF-SL zone generally requires a minimum lot size of 6,000 square feet though smaller lots may be allowed to accommodate for critical areas on the site. There is no minimum lot width or length for the SF-SL zone. The applicant is proposing to create 52 lots with all but one of the lots over 6,000 square feet in area.

The most recent subdivision in this area is Highland Terraces. The preliminary plat for this subdivision was approved November 30, 2004. The plat created 25 lots with lot size ranging from 5,465 square feet to 12,647 square feet. This subdivision was approved under King County standards.

Findings: Density

The entire project site is 16.48 acres in area. The SF-SL area of the site is 15.01 acres and the remainder of the site is zoned SF-S. The Issaquah Land Use Code (IMC Section 18.10.450) allows a site with critical areas to shift density from the critical area to other developable portions of the site using the following formulas: *Site Acreage* (15.01 acres) – *Critical Areas* (3.81 acres) times *Maximum Density*

Allowed by the Zoning District (7.26 du's/acre) = the *Maximum Site Density* (81 lots). The density credits available for the 3.81 acres of critical area constitute a total of 22 dwelling units (3.81 x 7.26 x 80% = 22). This would allow a maximum of 103 dwelling units on the portion of the site zoned SF-SL.

The SF-S portion of the site includes 1.47 acres (1.47 acres - .43 acres of critical area x 4.5 dwelling units per acre = 4.68 dwelling units). The density credits available for the .43 acres of Critical Area provide an additional 1.5 dwelling units (.43 acres x 4.5 dwelling units per acre x 80%). This results in 6 dwelling units being allowed by the area of the site zoned SF-S for a grand total of 109 dwelling units allowed on this site. In order to create the density allowed through the Critical Area Density Credits, the developer is allowed to reduce the lot area below the minimum lot area otherwise required for the zone. In order to create 109 dwelling units on this site the applicant would need to reduce the lot size down to the 2,000 to 3,000 square-foot range.

Therefore, the City's Land Use Code would permit up to a maximum of 109 lots on this site. The proposed subdivision will create 52 lots with a variety of lot sizes:

Lot Size (Sq. Ft.)	Number of Lots
< 6,000 Sq. Ft.	1
6,000 – 6,999	30
7,000 – 7,999	11
8,000 – 8,999	6
9,000 – 9,999	2
10,000 +	2
Total Lots	52

C. Findings: Critical Areas Ordinance

Critical areas on the subject property include wetland areas and intermittent streams. In order to address the critical area issues on this property, the applicant has submitted a Conceptual Wetland Mitigation Plan prepared by Raedeke Associates, Inc., dated August 22, 2006. This report was submitted to the City of Issaquah as part of the proposed subdivision and is briefly summarized below.

Wetlands and Streams

The wetlands and streams on the project site are described below and shown on Exhibit 55. Exhibit 13, Mitigated Determination of Non-Significance; Exhibit 28, Wetland Determination; and Exhibit 29, Level 2 Downstream Analysis provide a more detailed analysis of the wetlands and streams located on this property.

Wetland A is a 2.3-acre Class 2 wetland located in a depression that encompasses the north-central portion of the project site. Approximately 1.7 acres of this wetland extend over the property line to the north. Historic aerial photographs show that the site has been used for agriculture and that a 10,000-square-foot area was created prior to 1985 for a playfield by the previous landowners. The majority of the wetland is an emergent vegetation class that is dominated by reed canary grass, water foxtail, meadow buttercup, creeping buttercup, bluegrass, and common velvet-grass.

The report notes that the wetland receives groundwater discharge from the adjacent slopes, direct precipitation, and surface run-off from contributory basins, including sheet flow discharge from stormwater facilities for the Aspen Meadows development located to east of the project site. Water flows out of the wetland via a series of ditches, streams, and concrete pipes into both Stream 1 and

Stream 2. The report concludes that the wetland meets the requirements for a Class 2 wetland under the City of Issaquah criteria and that the standards require a 50-foot buffer with a 15-foot building setback.

Wetland B is a 0.14-acre Class 2 wetland located on the west end of the subject property. This wetland has a forested vegetation community dominated by red alder trees that are approximately 20 to 30 years old. The wetland receives water from Stream 2 as well as direct precipitation. The report concludes that the wetland meets the requirements for a Class 2 wetland under the City of Issaquah criteria and that the standards require a 50-foot buffer with a 15-foot building setback.

Wetland C is a Class 3 wetland located in the southwest corner of the subject property. The report notes that Wetland C is only 1,862 square feet in area and consists of an emergent vegetation community. The report further notes that the wetland does not meet the requirements for a regulated wetland. The wetland is less than 2,500 square feet in area and is not a forested wetland.

Direct Wetland Impacts

Direct wetland impacts are activities which physically alter a wetland area, including filling, grading, removal of wetland vegetation, etc. The applicant is constructing a half-street improvement on the west side of the proposed development that will connect with an existing full-width street in the Highland Terraces. This improvement will require the filling of 100 square feet of wetland area. The applicant will mitigate for this fill by creating 500 square feet of wetland adjacent to Wetland B. Although the City Code only requires mitigation at a ratio of 2:1 ratio, the applicant will be mitigating at a 5:1 ratio as the applicant's report indicates that a 500-square-foot created wetland area has a much better survival rate than a 100-square-foot created wetland area.

The project will also require filling Wetland C. No mitigation is required by Code for this impact as it is an unregulated wetland due to the size of the wetland area.

Indirect Wetland Impacts

Indirect wetland impacts are activities which occur outside of the wetland which changes the inputs or conditions in the wetland. Examples include changes to wetland hydrology (i.e., the volume, frequency, duration, velocity of water going into or out of the wetland); changes to the amount of nutrients, sediment, contaminants, or temperature; and fragmentation (impacting upland connections to other wetlands or streams). The creation of lots 19, 20, 21, and 22 will impact the required buffers around Wetlands A and B in some locations. These buffer encroachments can be mitigated through the buffer-averaging process established in IMC 18.10. Buffer averaging allows one area of the buffer to be reduced when the buffer is increased in another area. Further compensation would come from the creation of additional wetland areas and the enhancement of existing wetland and buffer areas.

Mitigation

The overall goal of the wetland mitigation is to mitigate direct and indirect wetland impacts through the creation of new or expanded wetlands, the enhancement of the degraded wetlands, and the enhancement of wetland buffers. The created and enhanced areas are designed to establish plant communities resembling native wetland and upland habitats typical of the Puget Sound area. These areas are designed to be low maintenance, self-sustaining plant communities that should continue to develop through the natural process.

Stream 1 is a Class 3 stream that begins within Wetland A and drains to the southwest. The stream is seasonal and eventually connects with the Park Hill Creek. The report concludes that the stream meets the criteria for a Class 3 stream which requires a 25-foot buffer and a 15-foot building setback.

Stream 2 is a Class 3 stream that begins north of the subject property, enters the site through a 12-inch plastic pipe beneath a gravel access road, and flows through Wetland B on the west side of the property. Stream 2 then leaves the site and continues southwesterly where it joins Stream 1. The report concludes that Stream 2 meets the criteria for a Class 3 stream with a 25-foot buffer and a 15-foot building setback. The report also notes that the stream lies within the 50-foot buffer for Wetland B.

Stream Impacts

There are two Class 3 streams located on the project site that join into one stream off-site. These streams are for the most part located within the wetland areas and the applicant has designed the project to avoid impacting these areas to the extent possible. The proposed street system will need to cross both of these streams. The applicant has mitigated the impacts to the streams through the enhancement of the stream corridors with native plantings and designing these areas as a natural corridor for the movement of wildlife through the area.

Tree Preservation

The applicant had a certified arborist survey and inspect the trees on the subject property. The results of this survey are contained in a report by Mark Terry of Tree Technology & Solutions, Inc., dated December 5, 2005. The report notes that there are 466 trees on the subject property. However, the majority of the existing trees are considered hazard trees due to past agricultural practices that were conducted on the property (keeping of livestock). Due to the lot sizes and the grading of the subject property, it will be difficult to retain trees on the building sites. The few trees that will be retained are located in the wetlands and their buffers. Tree planting to enhance the wetlands area and their buffers will mitigate for the trees removed for grading and development.

A neighbor adjacent to the southwest boundary of the plat expressed concern that the plat grading may endanger the roots of existing trees located near the southern boundary. The construction plans should address this issue and make appropriate plans to minimize impacts.

Street trees will be planted as shown on the Proposed Street Tree Plan, Exhibit 60. The applicant will be providing a combination of cherry trees, hawthorn trees, and oak trees along the proposed streets.

D. Conclusions

1. The proposed subdivision is consistent with the development standards for the SF-SL and SF-S zoning districts.
2. The proposed subdivision is consistent with the environmental protection standards adopted in the City's Critical Areas Ordinance.
3. The proposed lot sizes are consistent with the minimum lot size standards established for the SF-SL (Single Family – Small Lot) zone by the Land Use Code.
4. The proposed density is less than the maximum density allowed by the Land Use Code.
5 The proposed lots of this plat are consistent in size and characteristics with the lots of the adjacent residential area.
6. The proposed development will have direct and indirect impacts on the three wetlands found on site. Environmental review determined that these impacts are adequately mitigated through wetland buffer averaging and the enhancement of the wetlands and their buffers. (See Exhibit 30, Wetland Mitigation Plan.)
7. The proposed development will result in the removal of most of the 466 trees currently on the site. This impact will be mitigated by planting replacement trees in the wetlands and their buffers and by planting street trees.

3. Access/Street Improvements/Traffic

A. General

Traffic is proposed to enter the Issaquah 22 Plat from the end of SE 52nd Street. To get to SE 52nd Street, traffic entering Issaquah 22 will need to turn from Issaquah-Pine Lake Road onto SE 48th Street inside the City of Sammamish and turn left onto 236th Avenue SE which turns into SE 52nd Street as 236th makes a sweeping turn to the west. Once on SE 52nd Street, the traffic entering the proposed Issaquah 22 Plat will continue to its end where it enters the Issaquah 22 Plat property. Exiting traffic from the proposed Issaquah 22 Plat will return along the same roads as they use entering the Plat. Exhibit 52 shows the existing and proposed streets serving the project. Access into the proposed subdivision will be from SE 48th Street via SE 52nd Street.

Roadways inside City of Sammamish

Issaquah-Pine Lake Road is a two-lane arterial with a center turn lane at the intersection with SE 48th Street inside the City of Sammamish. SE 48th Street is currently a two-lane roadway with stop controls for streets entering it. SE 48th is stop controlled at its "T" intersection with Issaquah-Pine Lake Road.

Roadways inside City of Issaquah

The roadways accessing the Aspen Meadows Development include 236th Avenue SE and SE 52nd Street with an internal roadway to Aspen Meadows. These roads are classified as Local Streets (City of Issaquah Comprehensive Plan, Figure 6). A second existing road stub at the east boundary of Highland Terraces (SE 51st Street; Local Street Classification) will provide a future full access to Issaquah 22 if and when other properties develop in the area, allowing a full-access road to be constructed. In the meantime, SE 51st will only provide for emergency access to Issaquah 22.

Through the proposed Issaquah 22 Development, the applicant plans to continue the 40-foot right-of-way for SE 52nd Street from the boundary with Aspen Meadows through the Issaquah 22 subdivision. The new section of SE 52nd Street through Issaquah 22 will be built to the same standards as the existing street through Aspen Meadows: two 12-foot-wide travel lanes and a five-foot-wide sidewalk on one side. The street connection with SE 51st Street will be a half-street improvement: a paved 20-foot wide road within a dedicated 20-foot right-of-way. The remaining half of SE 51st Street will be built when the area north of the site develops and completes the other half street improvement.

In addition, two streets though the proposed Issaquah 22 subdivision will end (stub) at the north property line of the plat for the purpose of extending through to SE 48th Street as the properties to the north develop.

B. Street Requirements/Evaluations

Issaquah-Pine Lake Road (Principal Arterial)

Three lanes are provided on the Issaquah-Pine Lake Road in the vicinity of its intersection with SE 48th Street: one northbound through lane, one southbound through lane, a center lane which serves as a left turn lane from northbound Issaquah-Pine Lake Road to SE 48th Street, and a refuge lane for left-hand turns from SE 48th Street to northbound Issaquah Pine-Lake Road.

The City's Transportation Capital Improvement Plan has a project in it (for that portion inside the City of Issaquah) to widen the roadway to five lanes wide (planned for 2013) to match the roadway section planned by the City of Sammamish.

Requirements: All developers are required to mitigate general transportation impacts by participating in projects listed in the City's Transportation Capital Improvement Plan proportional to the p.m. peak hour trips they generate.

Mitigation Satisfied: The developer meets the requirements by paying traffic impact fees in accordance with IMC 3.71 and IMC 18.15.

SE 48th Street (Local Street, City of Sammamish)
Located inside the City of Sammamish, SE 48th Street has a 65-foot wide right-of-way and a 40-foot pavement width. There are no sidewalks along this street. SE 48th Street forms a "T" intersection with Issaquah-Pine Lake Road with a stop sign only on SE 48th Street. SE 48th Street has separate left-turn and right-turn lanes at its intersection with Issaquah-Pine Lake Road. This intersection is within the jurisdiction of the City of Sammamish.

The additional project traffic through this intersection is expected to lower the Level of Service for the right-turn movement from SE 48th Street onto southbound Issaquah-Pine Lake Road.

Requirements: The Developer is required to mitigate their direct impacts on the local streets where improvements are not incorporated in the City's Transportation Capital Improvement Plan.

Mitigation Satisfied: The Developer is mitigating their direct impacts at the intersection of SE 48th Street and Issaquah-Pine Lake Road by constructing a right-turn acceleration lane on southbound Issaquah-Pine Lake Road from SE 48th Street southerly to a point where the acceleration lane will transition and merge back to the single southbound lane. The length of the acceleration lane and the transition length will be determined during design based upon design standards.

236th Avenue SE
This street has a 48-foot wide right-of-way and a 28-foot pavement width with sidewalks on both sides of the street.

Issaquah 22 is estimated to generate a maximum of 570 ADT (Issaquah 22 Traffic Impact Study performed by Transportation Engineering North West dated June 2006 [Exhibit 31]). This traffic, plus the current traffic volumes of 300 ADT on SE 52nd Street, will result in a total ADT of 870 vehicles per day on 236th Avenue SE.

Requirements: No improvements to 236th Avenue SE are being required.

Mitigation Satisfied: No action necessary by Developer.

Existing SE 52nd Street

Roadway Classification: SE 52nd Street has a 40-foot-wide right-of-way, with 24 feet of pavement width (two 12-foot-wide travel lanes) and a sidewalk on one side of the street. The existing SE 52nd Street provides direct access (driveway enters SE 52nd Street) to 19 homes with an average daily traffic volume of 300 vehicles per day (see attached traffic count sheet for traffic volumes taken in May 2006). The maximum street grades on SE 52nd Street are 11% in the eastbound direction and 12.2% in the westbound direction (see Exhibits 46 – 51). Issaquah 22 is estimated to generate a maximum of 570 ADT (Issaquah 22 Traffic Impact Study performed by Transportation Engineering North West dated June 2006 [Exhibit 31]). This traffic, plus the current traffic volumes of 300 ADT on SE 52nd Street, will result in a total ADT of 870 vehicles per day.

Based on the City's Land Use Comprehensive Plan, function of the road, and traffic volumes (existing and projected), SE 52nd Street is currently a Local Access Street and will remain one after Issaquah 22 is constructed.

Sight Distance: The City evaluated the existing geometry to verify that the stopping sight distances for existing roadways is met. According to the Washington State Department of Transportation (WSDOT) Design Manual Section 650.04 (Stopping Sight Distance (2) Effects of Grade dated May 2006), at 25 mph are shown below in the table for the existing conditions. The City then calculated site distances for existing roads using WSDOT's Design Manual Section 650.04 (Stopping Sight Distance (7) Existing Stopping Sight Distance dated May 2006) and also went into the field to measure the site distances to verify the calculations. The results are also shown in the table below. All calculations and field measurements were done for the location along SE 52nd Street that would be for the worst conditions (i.e., where grades were at a maximum).

Stopping Sight Distance (ft)	**Downgrade %**	
	-11% Eastbound	-12.2% Westbound
Required	179.5 ft	184.1 ft
Existing Calculated(1)	190.48 ft	190.48 ft
Existing Field Measured (1)	186.3 ft	193.5 ft

Note: Values used in calculations were per WSDOT Design Manual and are shown below:
For existing roadways, Object height = 2.0 ft and Eye height = 3.5 ft.
Speed = 25 mph
Reaction Time = 2.4 seconds
Deceleration Rate = 11.2 ft/sec
Grade = 11% and 12.2%

The following Table shows the minimum required length of vertical curve to meet the required sight distance for a vertical curve that has an 11% grade and a 12.2% grade. The City calculated the required and existing length using the equation in Figure 650-4 of the WSDOT Design Manual. (See Table Below and Attached Exhibit "Minimum Length of Vertical Curve" taken from WSDOT Design Manual May 2006.)

Length of Vertical Curve (ft)	To Provide Minimum Stopping Sight Distance (SSD) (ft)	
	SSD = 179.5 Eastbound	SSD = 184.1 Westbound
Minimum Required Length, (ft)	346	364
Existing Length of Vertical Curve, (ft)	390	390

Purpose of SE 52nd Street: The existing SE 52nd St was designed and permitted by King County as part of the Aspen Meadows development.

The developer of Aspen Meadows applied for a variance from King County to exceed the KC Road Standard for the maximum length of a cul-de-sac (File No. KCRS –L98V0051) instead of stubbing the roadway to the property line. The King County Road Engineer denied the variance on September 3, 1998.

The Staff Report from King County to the Hearing Examiner states that "*Based upon preliminary review of the adjoining parcels, which have potential for urban development, as well as topographic and sensitive constraints, an additional east-west linkage is necessary to provide an alternative of an additional route for properties south-southwest of SE 48th Street. This will benefit circulation (i.e., mail, emergency services, school buses, etc.) and also provide potential compliance with the 100-lot requirement of the King County Road Standards for properties further west. As a result, the Subdivision Technical Committee (STC) has recommended that Aspen Meadows extend and construct Road B (existing SE 52nd Street) to the western boundary of the site.*" (Exhibit 19, King County Preliminary Report to the Hearing Examiner, dated June 16, 1999, Page 7.)

The Hearing Examiner's decision approving Aspen Meadows states that *"In order to comply with the cul-de-sac length requirements of KCRS 2.08, the right of way and construction of Road B (existing SE 52nd Street) shall extend to the west property line."* (Exhibit 21, King County Hearing Examiner's Report & Decision, dated July 7, 1999, Page 5.)

As a result, the King County Hearing Examiner required the developer of Aspen Meadows to stub SE 52nd Street to the western property line of Aspen Meadows for the purpose of a future extension of the roadway instead of making it a cul-de-sac. (See attached Hearing Examiner's report and decision for Aspen Meadows File L97P0041 dated July 7, 1999, and the preliminary staff report to the Hearing Examiner from King County dated June 16, 1999.)

- *The existing SE 52nd Street through Aspen Meadows is classified as a Local Access Street and meets the standards for roads classified as such.*
- *Based on the King County Staff Report stating the need to provide an additional east-west roadway linkage and Hearing Examiner's decision to support this by requiring the Aspen Meadows Developer to extend Road B (SE 52nd Street) to the property line, the City of Issaquah concludes that SE 52nd Street is intended to provide access to property to the west of Aspen Meadows.*
- *The existing SE 52nd Street in Aspen Meadows meets the minimum criteria for stopping sight distance for the grades and speed for which it was designed and constructed thereby providing a safe roadway for the intended use of a Local Access Street.*

Requirements: The City has required the Developer to provide access from the western terminus of the existing SE 52nd Street. No improvements are required to the existing SE 52nd Street.

Mitigation Satisfied: The Developer has met this requirement by proposing the access from SE 52nd Street.

Future Roads inside Issaquah 22 Plat

Right-of-Way Dedication: The applicant submitted a formal request to the Public Works Department to reduce the required right-of-way dedication from 60 feet to 40 feet in width. The City Engineer determined under City Street Standards Section 3.2.4 "Dedications (Policy)" that no formal request was required as the submitted information under the permit application showed plans for a 40-foot-wide right-of-way which sufficed as the request to reduce the right-of-way dedication. The authority to review and determine the amount of right-of-way required is the responsibility of the City Engineer. Section 3.2.4 states: "Some reduction in the minimum right-of-way requirement may be granted by the Engineer where it can be demonstrated that sufficient area has been provided for all functions within the right-of-way and/or alternative locations." The functions of the right-of-way are listed as motorized and non-motorized transportation, landscaping, utility, and buffer requirements.

Requirements: Forty-foot-wide right-of-ways will allow full roadway improvements for SE 52nd Street as well as other roads within Issaquah 22 to be constructed in accordance with the City's Street Standards. Standard Drawing ST-10 in Chapter IV of the Street Standards governing Right-of-Way width, structural section of the pavement, and pavement width requires a local access road to be 24 feet to accommodate two 12-foot-wide travel lanes which would serve the main function of providing access to abutting residential property. The internal roads of Issaquah 22 are planned to include 24 feet of pavement (for two 12-foot-wide travel lanes), a 5-foot-wide sidewalk on one side, and 5-foot landscaping/planting strips on both sides as required (Exhibit 44 City of Issaquah Street Standards detail ST-10). Water, sewer, and storm water facilities will be constructed within the right-of-way while private utilities of power, gas, telephone, and others will be constructed in a 10-foot-wide utility easement adjacent to the right-of-way.

The City Engineer has determined that all functions are accommodated for in a right-of-way width of 40 feet and adjacent easements for private utilities.

The Developer is required:

- To extend SE 52nd Street through Issaquah 22 and provide two full-width section roadway stubs for future connections to the north for purposes of extension to SE 48th Street in order to create a transportation grid system in the future as other properties develop. All full-width roadway improvements within the development will be constructed with two 12-foot-wide travel lanes, curb and gutter on both sides, and sidewalk on one side.
- To construct a half-street improvement for emergency access to SE 51st Street.
- To provide a right-of-way 40 feet wide to be dedicated to the City for all full-street improvements and 20 feet of right-of-way for the half-street improvements.

Mitigation Satisfied: The Developer has met these conditions by proposing a 40-foot-wide right-of-way dedication (20 feet wide where half street improvements are required), the construction of 24 feet of pavement for travel lanes with curb and gutter on both sides, and a sidewalk on one side and a 10-foot-wide utility easement on both sides of the right-of-way. The Developer is also proposing half-street improvements to connect to SE 51st Street for emergency access.

232nd Avenue SE as Alternate Access

King County Permit Decision: The King County Staff evaluated the potential access for Aspen Meadows from 232nd Avenue SE in 1999. The Staff report identified that the Subdivision Technical Committee evaluated an access from 232nd Avenue SE and concluded that *"within Overdale and the*

additional traffic from the Aspen Meadows proposal would create unacceptable increased traffic volumes on the 232nd Ave SE and SE 56th Street corridor." The County Staff recommended that a connection not be provided to 232nd Avenue SE with the Aspen Meadows project.

A public hearing was held on June 16, 1999, for the then proposed Aspen Meadows Plat where the Hearing Examiner found (Finding # 7): *"The Applicant's traffic study also considered the possibility of creating a road connection from SE 48th Street through Aspen Meadows to the Overdale neighborhood immediately south. This option was rejected because such a connection would invite cut-through traffic with adverse impacts to the neighborhood residential road system."*

Issaquah 22 proposes to extend SE 52nd Street, dedicate right-of-way, and mitigate its impacts at the intersection of SE 48th Street and Issaquah-Pine Lake Road by constructing a right turn merge lane.

This work fully mitigates the impacts of Issaquah 22 without requiring another access point different than SE 52nd Street.

Issaquah City Council Resolution 99-11 passed on August 3, 1999 states as follows:

- *Consistent with the approval of the Aspen Meadows Subdivision, future development of the SE 48th Street neighborhood should access SE 48th Street or pass through Aspen Meadows to Issaquah Pine Lake Road.*
- *There should be no vehicular access between new development in the SE 48th Street neighborhood and the Overdale Park neighborhood.*
- *There should be no emergency access between the SE 48th Street neighborhood and the Overdale Park neighborhood.*

<u>Requirements:</u> Issaquah has concluded:

- That impact of opening a second access at 232nd Avenue SE into Overdale continues to be unacceptable.
- That by paying transportation impact fees, extending SE 52nd Street, dedicating right-of-way, and mitigating its impacts at the intersection of SE 48th Street and Issaquah-Pine Lake Road, the project will fully mitigate its transportation impacts without requiring another access point different than SE 52nd Street.
- Resolution 99-11 provides clear policy direction not to allow a connection for Issaquah 22 to the Overdale neighborhood through 232nd Avenue SE.

The Developer is not required to make a roadway connection to 232nd Avenue SE. The Developer is being required to provide a utility easement between SE 52nd Street and 232nd Avenue SE.

<u>Mitigation Satisfied:</u> The Developer has agreed to provide the utility easement and does not plan to provide a roadway connection to 232nd Avenue SE.

- Certificate of Transportation Concurrency (CON05-00067) was issued on December 15, 2005.
- The applicant has volunteered to build a 3- to 4-foot-high split rail fence along the front of the play lot on SE 52nd Street and install signs informing drivers of the play lot and the need to watch for children.

Findings: Pedestrian Access
Pedestrian access is provided through the proposed subdivision via sidewalks along the proposed existing streets. In addition, an existing trail/right-of-way/utility corridor provides a pedestrian connection between this neighborhood and Overdale Park.

D. Conclusions

1. The proposed street improvements were reviewed by the City of Issaquah Public Works Department and Traffic Engineer and meet the City's standards and requirements for pedestrian and vehicle safety.
2. Appropriate provisions are made for streets or roads, other public ways, transit stops, including sidewalks and other planning features that assure safe walking conditions.
3. That by paying transportation impact fees, extending SE 52nd Street, providing roadway stubs to the north, providing a half-street emergency access to SE 51st Street, dedicating right-of-ways, and mitigating its impacts at the intersection of SE 48th Street and Issaquah-Pine Lake Road the project will fully mitigate its transportation impacts.

4. Storm Drainage/Soils and Geotechnical Analysis

A. Findings: Stormwater Requirements
The plat is required to meet the requirements of the 1998 King County Surface Water Design Manual which was adopted by the City Council in January 2005 (Ordinance No. 2424) to provide stormwater standards within the City of Issaquah. The applicant has submitted a Level 2 Downstream Analysis and Preliminary Stormwater Control Plan (Exhibit 29). The applicant will need to obtain permits from the Issaquah Public Works Department to construct a detention system that would have the capacity to accept all of the stormwater generated by the project.

Stormwater System Design
The stormwater system will include a storm water detention/water quality pond and a storm water detention/water quality vault in the northwest and northeast corner of the subdivision. In this case the applicant also had to complete a hydrologic analysis to ensure that the proposed detention/water quality system would not adversely impact the wetlands on site.

Connection to the Regional Stormwater System
The entire project is within the Lower Issaquah Creek Sub-Basin. Generally, the basin drains west from the Sammamish Plateau through man-made and natural systems to Lake Sammamish. A portion of the drainage system downstream from Issaquah 22 runs through a steep ravine. The City is concerned that future development east of Issaquah-Pine Lake Road would result in additional or prolonged stormwater release that could erode the ravine, adversely impacting the local environment.

In order to ensure that this does not occur, the City has designed a regional stormwater system to convey stormwater past the ravine and release it at a more acceptable point at a lower elevation. This system is currently under permit review through File No.PLN06-00080. If approved, the applicant will need to construct a portion of the regional system as part of the stormwater improvements for Issaquah 22 development. This will include collecting stormwater released from the adjacent Aspen Meadows development that is now draining into Wetland A. A large part of this system is proposed to be constructed by a separate developer downstream of the project. If the regional system is not approved and constructed, the applicant will need to adequately address drainage system impacts as described in SEPA mitigation #3.

The storm drainage system should address the concern of an adjacent western neighbor to limit potential drainage from the plat onto adjacent properties. The storm drainage system and grading improvements of the western lots of the plat should be designed to ensure water runoff, including surface drainage, rooftop, and footing drains, minimizes impacts to adjacent properties.

B. Findings: Geo-technical review

A preliminary geotechnical report prepared by Earth Solutions NW (Exhibit 22) was submitted on December 12, 2005.

The basic soil type found on this site consists of topsoil for a distance of 8 inches to 12 inches. Underlying the topsoil are native soils consisting of silty sand with a mixture of gravel in some locations. The report concludes that the primary soils found on the project site can support the proposed residential structures and supporting infrastructure.

Based on its review, the Public Works Department determined that, at this time, a detailed geotechnical report is not required prior to approval of the Preliminary Plat. However, a geotechnical report will be required prior to building permit issuance that addresses among other things the specific lots and the type of foundation required for each home.

C. Conclusions

1. The proposed stormwater design meets the stormwater requirements of the 1998 King County Surface Water Design Manual which establishes stormwater design standards within the City of Issaquah.
2. The proposed detention/water quality system will not adversely impact the wetlands on site.
3. The project's proposed stormwater system is consistent with, and will construct a portion of, the regional stormwater system planned to serve this area.
4. Appropriate provisions are made for drainage ways.
5. Soils found on the project site can support the proposed development.

5. Utility Improvements (Water and Sewer)

A. Findings: Water & Sewer Service

The proposed subdivision will connect to the water and sewer system provided by the Sammamish Plateau Water and Sewer District. The District issued a Notices of Water and Sewer Service Availability on December 6, 2005. Copies of the proposed utility plans for the plat have been included in Exhibit 57, Preliminary Utility Plan. The Water and Sewer District is coordinating the utility plans with several developments being proposed in this area.

The applicant, Sammamish Plateau Sewer and Water District and the City of Issaquah Public Works Department will continue to work together to finalize details and approve sanitary sewer and water line connections to the plat. Sewer and water utilities will be installed prior to Final Plat approval. The Water and Sewer District has approval authority of the utility plans and will accept the utilities as part of the Districts system when they have been inspected and accepted by the District.

B. Conclusions

1. Public water and sewer service provided by the Sammamish Plateau Water and Sewer District is available to the site.
2. Appropriate provisions are made for potable water supplies and sanitary waste.

6. Environmental Review

A. Findings: Mitigation of Non-significance issued

The City's SEPA Responsible Official reviewed the proposed subdivision and determined it does not have a probable significant adverse impact on the environment. The determination was made after review of a completed expanded checklist (supplemental documents were submitted with the checklist) and site plan. Accordingly, the City issued a Mitigated Determination of Non-Significance (MDNS) on January 17, 2007. See Exhibit 13.

B. Findings: SEPA Appeals were filed by the Friends of Aspen Meadows (FOAM) and by the City of Sammamish.

The FOAM appeal states that the City of Issaquah did not adequately address their issues regarding the impacts of the Issaquah 22 subdivision to SE 52nd Street. The City of Sammamish appeal contains a request that 236th Avenue SE between Issaquah 22 and the Overdale Park subdivision be opened to through traffic and that Resolution 99-11 be set aside. City of Issaquah staff will respond to these appeals within a separate document.

C. Conclusions

1. The SEPA Official for the City of Issaquah determined that the proposed plat will not have a significant adverse impact on the environment when the mitigation measures included in the MDNS are provided as part of the project.
2. Project appeals were heard and a separate ruling will be issued on the appeals by the City of Issaquah.

7. Parks and Recreation, Playgrounds, Schools, Fire Services and Transportation

A. Findings - Availability

Parks and Recreation and Playgrounds

The nearest public parks to the site are located approximately one mile southeast of the site at Lake Sammamish State Park. Additional public parks are provided in the Issaquah Highlands development south and east of the subject property. The applicant will be required to pay an impact mitigation fee for each new house located within the proposed subdivision.

Schools

The subdivisions will be served by Issaquah Elementary, Issaquah Middle School, and Issaquah High School, all located within the Issaquah School District. Children will be bussed from this area to their respective schools. The applicant will be required to pay a school impact fee for each new house constructed within the proposed subdivision.

The State Growth Management Act (GMA) recognizes that new development creates additional demand for public facilities and services. The State authorizes cities to collect impact fees to help pay for the additional facilities to serve new development. For these reasons, the City of Issaquah Council has approved impact fee ordinances for City and County Traffic, Schools, Parks, and Fire impacts. Impacts to Police and General Governmental Services are assessed through the environmental review process.

B. Findings: Parks Facilities

No parks facilities will be directly provided by the proposed development. At the time of issuance of each building permit, the applicant will be required to pay an impact fee of approximately $3,147 per single family home (IMC Chapter 3.72 adopted by the City Council by Ordinance No. 2461).

C. Findings: Fire Impact Fees

If approved, Issaquah 22 will pay the applicable fire impact fees. The City's current single-family fire impact fee is $622.25 per single family residence. (IMC Chapter 3.73 amended by the City Council on 7/17/06 by Ordinance No. 5507.)

D. Findings: Transportation Impact Fees

If approved, Issaquah 22 will pay the applicable City and County transportation impact fees. The City Transportation Impact fee is $2,443.83 per single-family residence. (IMC Chapter 3.71 amended by the City Council on 11/20/06 by Ordinance 2461. The applicant will also be responsible for a King County Transportation MPS (Mitigated Payment System) of $1,684 per single-family residence. (IMC Chapter 18.15 adopted by the City Council on 12/6/99 by Ordinance No. 2258.)

E. Findings: School Impact Fees

If approved, Issaquah 22 will pay the applicable school impact fees. In accordance with IMC 3.63.100.B "Assessment and collection of impact fees," 50 percent of the impact fees due on the plat shall be assessed at the time of final approval and collected from the applicant prior to the recording of the final plat, using the impact fee schedule in effect when the plat was approved. The balance of the assessed fee shall be allocated to the dwelling units in the project and shall be collected when the building permits are issued, based on the fee schedule in effect on the date of final plat approval. The City's current single-family school impact fee is $6,136 per single-family residence. (IMC Chapter 3.63.100(A) amended by the City Council on 11/20/06 by Ordinance No. 5557.)

F. Conclusions

1. No parks facilities will be directly provided by the project.
2. However, the project will pay applicable school, transportation, fire, and parks impact fees to off-set the cost of providing capital facilities that will provide a service to the future residents of this subdivision.
3. Appropriate provisions are made for parks and recreation, playgrounds, schools, and transportation facilities.

8. Public Notification

A. Findings

Public notice is required to be provided as part of the Public Hearing process. Notice was mailed to all property owners within 300 feet of the exterior boundaries of the site at least 10 days in advance of the hearing on March 21, 2007 (Exhibit 18). Notice was published in the Issaquah Press at least 10 days in advance of the hearing on March 21, 2007 (Exhibit 17). The applicant posted the site with the required 4-foot x 8-foot board on March 21, 2007 (Exhibit 16).

B. Conclusions

1. Public hearing notices satisfy the posting requirements of the Land Use Code.

RECOMMENDATION

Based on a review of the subdivision plans and related exhibits, the Administration has determined that the proposed preliminary plat is consistent with the Issaquah Comprehensive Plan, Issaquah Land Use Code, and other applicable development regulations including the 1998 King County Surface Water Manual and Issaquah Street Standards and that the proposals meet the approval criteria of the Subdivision Code, IMC 18.13, and State Subdivision Code, RCW 58.17.110. More specifically, the

project as reviewed above and conditioned below provides appropriate provisions for the public health, safety, and general welfare. The public interest will be served by the platting of these subdivisions and dedication of necessary lands.

Therefore, the Administration recommends that the Hearing Examiner recommend approval of the subdivision Issaquah 22, PLN05-00137 as described in Exhibits 1-61 with the following conditions:

1. The applicant shall provide the City with a Mylar copy of the approved subdivision. Upon City signature of the Mylar, the applicant shall record the approved subdivision with the King County Department of Records and Elections. The plat shall not be deemed formally approved until so filed.

2. Three copies of the recorded subdivision package shall be provided to the Planning Department within ten (10) days of recording with the King County Department of Records.

3. A foundation soils report by a licensed Washington State geotechnical engineer will be required at the time of building permit submittal.

4. The residential development associated with these subdivisions will have an impact on the parks, City and County roads, fire protection, and schools servicing this area. Impact fees for these items will be due for each lot when building permits are issued.

5. The applicant shall comply with all the mitigation measures contained within the SEPA determination (MDNS) issued January 17, 2007, as follows:

    a. A final wetland mitigation plan including a grading plan, planting plan, and a 5-year monitoring/maintenance plan shall be submitted by the applicant and approved by the Planning Department prior to issuing grading or construction permits.

    b. In order to maintain and improve stream functions for flow, storm conveyance, and for movement of debris, sediments and aquatic/terrestrial organisms, the road-crossing culverts shall be designed to ensure stormwater conveyance and connectivity between the wetlands and stream environments. Details of the culverts must be approved by the City prior to issuing grading or construction permits.

    c. In order to avoid potential downstream erosion impacts of stormwater discharge, the City shall review details of the design criteria/assumptions, location, method, and route of the project's stormwater conveyance and detention facilities prior to issuing grading or construction permits.

    d. In order to mitigate for project traffic impacts at the intersection of SE 48th Street and Issaquah Pine-Lake Road, the applicant shall install an east to southbound right turn/acceleration lane from SE 48th Street to the south along Issaquah-Pine Lake Road. The acceleration lane shall provide the necessary acceleration distance and the appropriate tapers to meet the City of Issaquah design standards. The road improvement shall be installed prior to final plat approval.

    e. To minimize the temporal impact of construction traffic, construction traffic shall be limited to entering the site from SE 52nd Street and exiting the site through SE 51st Street in Highland Terrace.

f. The applicant shall mitigate for potential impacts on public services. The City may approve a voluntary payment in lieu of other mitigation. Rate studies for police facilities and general government buildings have determined fees in the amounts of $86.30 per new lot for General Government Buildings and $61.83 per new lot for Police Services are adequate to address project impacts. The applicant shall sign the voluntary contribution agreement and pay the voluntary contribution prior to issuance of building permits.

6. Prior to the issuance of a grading permit, the applicant shall submit a final tree-preservation plan showing the location of all trees that will be removed, trees to be retained, and where new trees will be planted. In response to neighbor comments, the plans shall pay special attention to protection of tree roots on properties adjacent to the southwest corner of the plat.

7. In order to replace the trees that were removed, prior to final building permit inspection of each single-family home, the applicant shall plant one native species tree on each housing lot.

8. Prior to the submittal of the final plat, the applicant shall install 5-inch Stortz fittings on all new and existing fire hydrants within 300 feet of the project site.

9. The applicant has volunteered to build a 3- to 4-foot-high split rail fence along the front of the play lot on SE 52nd Street and install signs informing drivers of the play lot and the need to watch for children. All improvements shall comply with applicable City Code Requirements including street signs, street lighting, and fencing. Any improvements located on the property of the Aspen Meadows Homeowners Association shall also be approved by the Aspen Meadows Homeowners Association.

10. The applicant shall install a 6-foot-tall, solid-wood fence at the rear property line of the proposed lots adjacent to the east, south, and west boundary of the proposed subdivision.

11. The environmentally critical areas of wetlands and buffers shall be protected as required by the Critical Areas Ordinance, including IMC 18.10.460, 480, 515, as follows:

a. Establish and record Critical Area Tracts to protect all critical areas by showing the following language on the face of the final plat as follows:

<u>Restrictions for Native Growth Protection Easements/Critical Area Tracts and Buffers:</u> *The Critical Area Tract conveys to the public 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 critical area tract imposes upon all 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.*

The common area between the tract and the area of development activity shall be marked or otherwise flagged to the satisfaction of the City of Issaquah prior to any clearing, grading, building construction or other development activity on a lot subject to the tract. The required marking or flagging shall remain in place until all development proposal activities in the vicinity of the sensitive area are completed. No building foundations are allowed beyond the required 15-foot building setback line, unless otherwise provided by law. Permanent survey stakes shall be placed delineating the boundary of the critical area.

b. Temporary Fencing: Prior to any site disturbance or construction activity, the location of the outer extent of the critical area buffer and building setback line as established by an approved Development or Land Use Permit shall be marked in the field with orange construction fencing or other City approved material. The location of the markings shall be approved by the Planning Department and may require a professional survey. Markings shall be maintained for the duration of construction activities.

c. Temporary Signs: Prior to any site disturbance or construction activity, signs shall be placed at regular intervals along the construction fencing as approved by the Planning Department with notice of the critical area location and disturbance restrictions. The signs shall contain language similar to: "Wetland Protection Area DO NOT DISTURB Questions? Call: Issaquah Public Works 425-837-3400". See the Planning Department for samples.

d. Prior to submittal of the final plat, the applicant shall place permanent survey stakes using iron or cement markers delineating the critical area buffer boundaries.

e. Prior to recording of the final plat, the applicant shall place permanent signs at the critical area buffer boundary at regular intervals in accordance with IMC 18.10.515 as approved by the Planning Department explaining the critical area location, disturbance restrictions, and type and value of the critical area. See the Planning Department for samples.

f. Prior to recording of the final plat, the applicant shall post a maintenance/monitoring cash deposit for all critical area mitigation installations in the amount of 50% of the value of the estimated maintenance and monitoring cost. The cash deposit shall include the cost of the plants, installation labor, monitoring, and maintenance and shall be held for a period of five years.

g. Following installation and City acceptance of the mitigation plan, a monitoring report of the mitigation project shall be completed annually for a period of five years. The monitoring shall be completed by a private critical area professional. Reports shall be submitted with the professional's signature and/or professional license stamp to the Planning Department on or before November 1st of each year. The contents of the report shall be as outlined in the approved Critical Area Study, but at a minimum shall meet the King County Mitigation Guidelines for monitoring reports to include percent of survival, percent of invasive species, comparison with performance objectives, corrective measures, and timetable.

12. The proposed subdivision shall provide the following dedications and right-of-way improvements:

a. Dedicate a 40-foot right-of-way with a 20-foot utility easement. Where half-street improvements are required, dedicate a right-of-way 20 feet wide.

b. Street improvements shall consist of 24 feet of pavement, rolled curb with gutter, 5-foot sidewalk on one side, and 5-foot landscape bed/street trees.

c. The cul-de-sac in SE 232 Place shall have plantings in the center planting and a cul-de-sac radius constructed to Fire Department standards which include a 96-foot-diameter driving surface.

d. The temporary cul-de-sac adjacent to Lots # 3 and 13 shall be constructed to Fire Department standards which include a 96-foot-diameter driving surface.

e. Provide two full-width section Local Access Street stubs for future connections to the north for purposes of extension to SE 48th Street in order to create a transportation grid system in the future as other properties develop.

13. All overhead utilities (power, telephone, CATV, etc.) shall be constructed underground along the project.

14. Per IMC Chapter 12.32, the contractor shall provide and install conduit for cable television. A note shall be provided on the construction drawings indicating the required work.

15. The following language shall appear on the face of the final plat: *"Maintenance of landscaping in the right-of-way including planter islands shall be the responsibility of the Homeowners Association. If the maintenance responsibilities are not addressed in the Homeowners Association covenants and restrictions, then the abutting property owner shall be responsible for the maintenance. Under no circumstances shall the City bear any maintenance responsibilities for landscaping strips, planter islands, or planted medians."*

16. Final plat approval shall require full compliance with the drainage provisions set forth in the City's storm drainage requirements, the 1998 King County Surface Water Design Manual. Compliance is dependent upon addressing SEPA mitigation #3 that may include connection to the regional stormwater system proposed and currently under review in File No. PLN06-00080 or an alternative design to be approved by the City.

17. The storm drainage system shall address the concern of an adjacent western neighbor to limit drainage from the plat onto adjacent properties. The storm drainage system and grading improvements of the western lots of the plat shall be designed to ensure water runoff including surface drainage, rooftop, and footing drains minimizes impacts to adjacent properties.

18. Prior to grading permit approval, the Sammamish Plateau Sewer and Water District shall approve the sanitary sewer and water line construction plans for the plat. Prior to final plat approval, the Sammamish Plateau Sewer and Water District shall provide written approval acceptance of the installation of sewer and water utilities.

EXHIBIT LIST:

1. File and application, PLN05-00137, Issaquah 22 Preliminary Plat, received 12/12/2005
2. Notice of Application, dated February 28, 2006

2b. Additional Notice for Information, dated July 19, 2006

3. Vicinity map for Issaquah 22 Preliminary Plat
4. Zoning Map for Issaquah 22 Preliminary Plat
5. Aerial Photograph of Aspen Meadows & SE 48th Street
6. Aerial Photograph of Aspen Meadows
7. Aerial Photograph of Issaquah 22 Preliminary Plat site
8. Applicant's Project Description, received 6/28/2006
9. Certificate of Transportation Concurrency CON05-00057 with cover letter, dated 1/6/2006
10. King County Certificate of Water Availability, received 12/12/05
11. King County Certificate of Sewer Availability, received 12/12/05
12. Environmental Checklist, received June 28, 2006
13. Mitigated Determination of Non-Significance, dated 1/17/2007
14. Affidavit for mailing SEPA determination, dated 1/24/07
15. Legal Notice of SEPA determination, received 1/24/07
16. Applicant's Affidavit of Property Posting
17. Newspaper Advertisement of Public Hearing
18. Affidavit of Mailing for Public Hearing Notice
19. King County Preliminary Report to Hearing Examiner for Aspen Meadows, received 2/16/2006
20. Aspen Meadows Traffic Study Addendum, received 2/16/2006
21. King County Hearing Examiner's Report & Decision, received 2/16/2006
22. Geotechnical Report, received 1/12/2005
23. Wildlife Assessment, received 12/12/2005
24. Street Light Detail, received 12/12/2005
25. Tree Inventory by Tree Technology & Solutions, received 12/12/2005
26. Code Concerns Letter, dated 2/28/2006
27. Goldsmith response to Code Concerns, received 6/28/2006
28. Wetland Assessment, received 12/12/2005
29. Level 2 Downstream Analysis & Preliminary Stormwater Control Plan, received 6/28/2006
30. Conceptual Wetland Mitigation Plan, received 8/21/2006
31. Traffic Impact Study, received 6/28/2006
32. Transportation Engineering Northwest, Issaquah 22 Preliminary Plat Traffic Impact Analysis Addendum, received 6/28/2006
33. Transportation Engineering Northwest, Issaquah 22 Preliminary Plat, SE 48th Street/Issaquah-Pine Lake Road Signal Warrant Analysis, received 11/20/2006
34. Citizens Petition Opposing Extension of SE 52nd Street, received at Community Conference
35. FOAMS submittal of Documents relating to use of SE 52nd Street for Access, received 4/10/2006
36. Applicant's response to issues raised by Rivers & Streams Board, received 5/1/2006
37. Applicant's response to City Comments regarding Drainage, received 5/9/2006
38. R-O-W reduction Request, received 4/18/2006
39. Helsell Fetterman Letter requesting meeting & written comments on extension of SE 52nd Street, received 3/30/2006

40. Johns Monroe Mitsunga response to Helsell Fetterman Report, received 6/19/2006
41. Correspondence and e-mails received from citizens, numerous dates
42. Chapter 3.71 Transportation Impact Fees, August 2006
43. FOAM's Additional Comments, received 9/7/2006
44. Typical Roadway Section, received 2/7/2006
45. SE 52nd Street Inside Loop data, received 2/7/2007
46. Local Street-Geometric Criteria, Table 3.2.3, received 2/7/2007
47. Required Sight distance Calculation, received 2/7/2007
48. WSDOT Design Manual, Page 650-3 & 5, received 2/7/2007
49. Datum Elevation Graph 1, received 2/7/2007
50. Datum Elevation Graph 2, received 2/7/2007
51. Datum Elevation Graph 3, received 2/7/2007
52. Matrix of Comprehensive Plan policies applicable to this subdivision.

PROJECT PLANS

53. Preliminary Plat Cover Sheet, received 6/5/2006
54. Topographic Survey, Sheet 2, received 6/5/2006
55. Adjacent Tax Parcels/Zoning/Boundary, Sheet 3, 6/5/2006
56. Overall Preliminary Plat, Sheet 4, 6/5/2006
57. Preliminary Grading & Stormwater Plan, Sheet 5, 6/5/2006
58. Preliminary Utility Plan, Sheet 6, 6/5/2006
59. Tree Inventory/Retention Plan, Sheet 7, 6/5/2006
60. Street Tree Plan, Sheet LA-1, 6/5/2006
61. Party of Record List

MP/dl