



CITY OF DUVALL
Planning Department
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STAFF REPORT

TO: John Galt, Hearing Examiner

FROM: Troy Davis, Senior Planner
Boyd E. Benson, City Engineer

HEARING DATE: Thursday, August 4, 2016 at 10:00AM

FILE: Rio-Vista Preliminary Plat (SU15-001)

I. INTRODUCTION

A. APPLICATION

Developer/Applicant: Mike Reid
Rio Vista Investments, LLC
PO Box 1282
Bellevue, WA 98009

Property Owners: Gary & Carolyn Willett
27065 NE 143rd Place (TPN 7325800150)
Duvall, WA 98019

James & Susan Burton
27066 NE 143rd Place (TPN 7325800160)
Duvall, WA 98019

Nancy Miller
Donna Verstrate
27028 NE 143rd Place (TPN 7325800170)
Duvall, WA 98019

Stephen & Rebecca Thomas
26854 NE 143rd PL 98019 (TPN 7325800180)
Duvall, WA 98019

Site Location: 26800-27000 Blocks of NE 143rd Place, Duvall, WA 98019

Parcel Numbers: 7325800150, 7325800160, 7325800170, 7325800180

Requested Action: The Developer is seeking preliminary plat approval for the subdivision of the above-mentioned properties totaling 12.72 acres into 67 residential lots suitable for attached and detached single-family homes.

Review Process: Type III, Hearing Examiner decision

Project Timelines:

Submitted:	July 7, 2015
Notice of Complete Application:	July 7, 2015
Notice of Application:	July 16, 2015
NOA Comment Period End:	July 29, 2015
Additional Information requested (clock stopped):	August 7, 2015
Extension Request 1:	November 5, 2015
Extension Request 2:	January 13, 2016
Extension Request 3:	February 25, 2016
Partial Resubmittal:	April 20, 2016
Resubmittal Complete (clock restarted):	June 9, 2016
90-day Review Period Ends:	July 28, 2016
Number of days in review at time of public hearing:	96 Days¹

¹See Exhibit 62

B. EXHIBITS

1. Staff Report, *dated August 4, 2016*
2. Master Permit Application, *submitted June 16, 2015*
3. Preliminary Long Subdivision Application, *submitted June 16, 2015*
4. Vicinity Map, *City generated November 2, 2015*
5. Preliminary Plat Map (Sheet 1 of 1), *resubmitted April 20, 2016*
6. Engineering Plan Set Cover Sheet, (Sheet 1 of 18), *resubmitted April 20, 2016*
7. Grading, Road, and Storm Drainage Plan (Sheets 2-4 of 18), *resubmitted April 20, 2016*
8. Road and Storm Drainage Profiles (Sheets 5-10), *resubmitted April 20, 2016*
9. Sanitary Water and Sewer Plan (Sheets 11-14 of 18), *resubmitted April 20, 2016*
10. Sanitary Sewer Profiles (Sheets 15-18 of 18), *resubmitted April 20, 2016*
11. Rio Vista Tree Locations (Sheets 1-2), *submitted April 20, 2016*
12. Evaluation of Trees at Rio Vista Ranchettes (revised 9/24/15), *resubmitted April 20, 2016*
13. Tree Retention/Replacement Plan (Sheet L 1.0), *resubmitted April 20, 2016*
14. Existing Tree List (Sheets L1.1 & L1.2), *resubmitted April 20, 2016*
15. Type II Landscape Buffer Along Street Frontage (Sheets L1.3-L1.4), *resubmitted April 20, 2016*
16. Conceptual Plan Proposed Neighborhood Parks (Sheets L1.5-L1.6), *resubmitted April 20, 2016*
17. Building Footprints (Sheet 1 of 1), *resubmitted April 20, 2016*

18. Parking Plan (Sheet 1 of 1), *resubmitted April 20, 2016*
19. Departure Request – Planter Strip, *submitted April 20, 2016*
20. Departure Request – Retaining Wall Height, *submitted April 20, 2016*
21. Engineering Variance – Exceed 4 Residential Units on Tracts A and B, *submitted April 20, 2016*
22. Engineering Variance – Omit on-street parking lanes, *submitted April 20, 2016*
23. SEPA Checklist, *resubmitted April 20, 2016*
24. Sensitive Area Study and Mitigation Plan, *resubmitted April 20, 2016*
25. Wetland Hydrology Analysis, *submitted February 18, 2016*
26. Transportation Impact Analysis, *submitted June 16, 2015*
27. Transportation Impact Analysis-Pedestrian Memo, *submitted April 20, 2016*
28. Geotechnical Engineering Report, Lot 15 *submitted June 16, 2015*
29. Geotechnical Engineering Report, Lot 16 *submitted June 16, 2015*
30. Geotechnical Engineering Report, Lot 17 *submitted June 16, 2015*
31. Geotechnical Engineering Report, Lot 18 *submitted June 16, 2015*
32. Boundary and Topographic Survey, *resubmitted April 20, 2016*
33. Off-Site Topographic Survey-North, *resubmitted April 20, 2016*
34. Off-Site Topographic Survey-North of NE143rd Place, *resubmitted April 20, 2016*
35. Off-Site Ditch Survey, *resubmitted April 20, 2016*
36. Preliminary Technical Information Report (TIR), *resubmitted April 20, 2016*
37. Preliminary Technical Information Report (addendum), *resubmitted June 9, 2016*
38. Title Report (Stephen and Rebecca Thomas), *resubmitted April 20, 2016*
39. Title Report (Verstrate), *resubmitted April 20, 2016*
40. Title Report (Burton), *resubmitted April 20, 2016*
41. Title Report (Willett), *resubmitted April 20, 2016*
42. Applicant Resubmittal Response, *resubmitted April 20, 2016*
43. Development Agreement, *signed by City on February 17, 2015*
44. Corrected Density Calculations, *submitted July 25, 2016*
45. Future Land Use Map (Vested)
46. Future Land Use Map (Current)
47. Zoning Map (Vested)
48. Zoning Map (Current)
49. Notice of Complete Application, *dated July 8, 2016*
50. Notice of Application, *issued July 16, 2016*
51. Notice of Application Distribution Documentation
52. Extension Request 1, *issued November 5, 2015 (memo to file)*
53. Extension Request 2, *issued January 13, 2016*
54. Extension Request 3, *issued February 25, 2016*
55. Rio-Vista Pedestrian Facility Assessment Memo, *dated March 10, 2016*
56. SEPA Threshold Determination, *issued June 30, 2016*
57. Notice of SEPA Distribution Documentation
58. Notice of Public Hearing Distribution Documentation, *published July 25, 2016*
59. First Round Review Comments, *issued August 7, 2015*
60. Rio-Vista Water and Sewer Availability Letter, *issued June 27, 2016*

61. Environmental Science Associates Peer Review Letter, *submitted June 9, 2016*
62. Email from Mike Reid Confirming Review Extension, *submitted July 22, 2016*
63. Peer Review Letter from SDA, *submitted June 17, 2016*

II. BACKGROUND INFORMATION

A. PROPOSED LAND USE ACTION

Mike Reid, on behalf of Rio Vista Investments, LLC (Developer), submitted an application on June 16, 2015 (*see Exhibit 2*) seeking preliminary approval to subdivide four existing lots (totaling 12.72 acres) within the 26800-27000 blocks of NE 143rd Place (*see Exhibit 5*) into 67 lots suitable for detached and attached single-family dwelling units (*see Exhibit 17*) in accordance with the underlying R12 (Residential 12 units per acre) zoning classification of the subject properties (*see Exhibit 47*). On June 7, 2016, the property was rezoned from R12 to R8; however, the application is vested under the R12 zoning regulations. The four subject lots consist of lots 15, 16, 17, and 18 of the original Rio-Vista Ranchettes subdivision, a 23-lot plat recorded in 1968 that includes properties on both sides of NE 143rd Place between Main Street NE and 272nd Place NE. This proposed subdivision is subject to an existing Development Agreement between the City and the Developer that was entered into for the purpose of conveying a neighborhood park, stormwater vaults, and wetland areas to the City (*see Exhibit 43*).

B. GENERAL DESCRIPTION OF PROPOSED IMPROVEMENTS

General Description: Proposed improvements to the subject site will necessitate the removal of four existing single family dwellings (two mobile units and two site-built units), vegetation removal, and grading (note: all Significant Trees removed will be replaced on-site in accordance with city regulations).

The further subdivision of the original four lots into a total of 67 lots will necessitate the installation of additional public infrastructure improvements including utilities, two new local roads with full improvements, right-of-way improvements to NE 143rd Place and 272nd Place NE, stormwater facilities, landscaping, wetland and buffer enhancements (for on-site wetlands), and a public park (to be installed in accordance with a signed development agreement between the City and Applicant, *see Exhibit 43*).

Roads/Sidewalks: The north portion of the development proposes access at two locations from NE 143rd Place, a City of Duvall Collector Arterial. The existing NE 143rd Place corridor in the vicinity of the proposed development includes an approximate 22-foot wide paved two-lane roadway within an existing 60-foot wide right-of-way. The corridor within the project area is characterized by grass shoulders and shallow drainage ditches. Proposed road "A", located within the northeast portion of the project, is a loop road that provides access to residential lots, an internal 18-foot wide alley (Tract G), two 30-foot wide residential access tracts (Tracts C and E), and two access driveways (Tracts D and

F). Proposed road “B”, located within the northwest portion of the project, is a loop road that provides access to residential lots with the west leg (property boundary) of the loop including half road-width improvements only. Project frontage improvements for the above roadways will include two 11-foot wide travel lanes, curb/gutter, 5-foot wide landscape strips, 5-foot wide sidewalks, and dedicated on-street parking with curb extensions to promote traffic calming and pedestrian safety.

The south portion of the development proposes access off of 272nd Place NE, a City of Duvall Neighborhood Collector, south of NE 143rd Place. The existing 272nd Place NE corridor in the vicinity of the proposed development includes an approximately 22-foot wide paved two-lane roadway, with rolled curb and 5-foot wide on the east side and a grass shoulder on the west side, within an existing 60-foot wide right-of-way. Two 30-foot wide residential access tracts (Tracts A and B) are proposed to provide access to the residential lots west of 272nd Place NE. Project frontage improvements on the west side of 272nd Place NE south of NE 143rd Place will include two 11-foot wide travel lanes, curb/gutter, 5-foot wide landscape strips, 5-foot wide sidewalks, and dedicated on-street parking with curb extensions to promote traffic calming and pedestrian safety.

No access is, and no frontage improvements are, proposed along the project on 272nd Place NE north of NE 143rd Place. The Memorandum titled “Rio Vista Facility Assessment” (see Exhibit 55) concludes that the proposed frontage improvements on NE 143rd Place and on 272nd Place NE south of NE 143rd Place adequately address all pedestrian impacts associated with the project.

Administrative Planning Departure Request – Landscape Strip (see Exhibit 19):

The developer has submitted a planning departure request from the requirement of DMC 14.34.040.B.2.i which requires a 5ft. landscape strip between the vehicular travel lanes and the pedestrian sidewalk within the streetscape profile. The departure request is to eliminate the landscape strip along 272nd Place NE along Tract U wetland for a length of approximately 45 feet northward beginning at the very southeast corner of the project area. Lot 4. Staff approves the departure on the grounds that omitting the landscape strip minimizes the width of frontage improvements and associated impacts to the Tract U wetland.

Administrative Engineering Variance – Exceed 4 Residential Units on Tracts A and B (see Exhibit 21): Tracts A and B access a combined total of 11 residential units. The developer has requested an administrative engineering variance in accordance with PWDDS Section 3-2.06.E.7 as allowed by PWDDS Section 3-2.06.E.8.a when additional dedicated parking is provided to accommodate the proposed residences. Staff approves the variance on the grounds that sufficient additional dedicated parking (94 stalls) is provided along the length of 272nd Place NE south of NE 143rd Place.

Administrative Engineering Variance – Omit on-street parking lanes (see Exhibit 22): Installation of parking lanes on both sides of the roadway is required within the R-8 and R-12 zones in accordance with Public Works Development Design Standards Section 3-2.03. The developer has requested an administrative

engineering variance in accordance with PWDDS Section 3-2.06.E.7 to omit the parking lane(s) along internal Road A and Road B because of high-driveway density and the resulting low yield of feasible on-street parking. Staff approves the variance on the grounds that available parking has been maximized along Roads A and B and sufficient additional dedicated parking (94 stalls) is provided along the north side of NE 143rd Place.

Stormwater: The developer has proposed to construct two underground stormwater quality and detention vault facilities within Tract J. The stormwater facilities will be designed in accordance with the 2009 King County Surface Water Design Manual (KCSWDM) and will be dedicated to the City of Duvall as part of final plat approval. Discharge from the stormwater vaults will be conveyed to the west via new and existing storm drainage facilities on the north side of NE 143rd Place and to the north to maintain wetland recharge within Tract J. Low Impact Development (LID) Best Management Practices are proposed and include, but are not limited to, soil amendment and vegetated flow path conveyance of roof downspouts to adjacent wetlands.

An existing drainage concern has been documented immediately north of Tract J where wetland discharge from the subject property flows to a collection system within the NE 144th Street corridor. The proposed storm approach includes the possibility of constructing a drainage swale from the north edge of Tract J to NE 144th Street to address this concern if easements can be secured across the intervening single family residential parcels. If swale easements cannot be secured then the majority of stormwater would be conveyed to the west with only the minimum needed to preserve wetland values and functions discharged to the north.

Sewer: An existing 8-inch diameter sewer main extends from the NE 143rd Place/272nd Place NE intersection, west toward the proposed Road A alignment, and then north to NE 144th Street. Sewer service is not currently present at the remainder of the subject project site. The developer has proposed to revise the location of the existing sewer main to better align with Road A and to provide service for the east portion of the project. The developer also proposes to construct a new 8-inch diameter sewer main along NE 143rd Place from the project west to an existing sewer main located west of the NE 143rd Place/3rd Place NE intersection.

Water: An existing 6-inch diameter 450-foot pressure zone water main and pressure reducing station are located within NE 143rd Place corridor. The developer proposes to install a new 8-inch diameter water main within the NE 143rd Place corridor from the west edge of the project and east to the NE 143rd Place/272nd Place NE intersection to serve the project area located north of NE 143rd Place. The developer has also proposed to install an off-site 450-foot zone main to bypass and remove the existing pressure reducing station. The off-site water main extends north on 272nd Place NE to NE 144th Street and then west on NE 144th Street to connect to the existing 450-foot zone water main. The

project area located south of NE 143rd Place will obtain service from the existing 8-inch diameter water main located within 272nd Place NE.

Open Space: Per Duvall Municipal Code (DMC) 14.64.240, ten percent (10%) of the developable area is to be established as open space and neighborhood recreation facilities. The total developable area of the project site (less sensitive areas and rights-of-way) is 348,045 square feet; therefore, 34,804 square feet of open space is required. The developer has proposed 83,678 square feet, or 24 percent, of Open Space within two common open space tracts (*see Exhibit 16*).

Landscaping: The developer has submitted a preliminary landscape plan (*see Exhibits 15, 16*) identifying proposed landscaped areas including tree locations in accordance with DMC Chapter 14.38. Landscaping is proposed around the periphery of the plat adjacent to rights-of-way (providing a Type II screening buffer), within street planter strips, and within the proposed neighborhood park (subject to terms of the Development Agreement—Exhibit 43).

Administrative Planning Departure – Retaining Wall Height (see Exhibit 20 and Condition 5): The developer has submitted a planning departure request from the requirement of DMC 14.34.030(B)(2)(a) which requires that retaining walls be limited to no more than two four-foot terraced walls within one-hundred horizontal feet of one another. The departure request is to allow for a single retaining wall along the east side of lots 25 and 26 and Tracts “T” and “U” to exceed four feet up to a height of seven feet. According to the departure application, the Developer asserts this request is justifiable because existing constraints on-site make it difficult to meet minimum density requirements that by allowing a single retaining wall in excess of four feet (as opposed to a terraced retaining wall) would allow the developer to better utilize the limited space on-site in order to meet minimum densities. Staff approves the departure on the grounds that increased wall heights best accommodate lot layout and associated infrastructure improvements.

C. EXISTING SITE CONDITIONS

Lot Size: 554,083 square feet (12.72 Acres)

Current Land Use: Four single-family residences—one per existing lot (to be removed)

Zoning Classification: Residential 8 units per acre (*see Exhibit 48*) **Note:** This property is vested under the prior zoning ordinance which classifies the property Residential 12 units per acre (*see Exhibit 47*).

Comprehensive Plan Designation: R8-Residential 8 Units per Acre (*see Exhibit 46*).

Note: This property is vested under the policies of the City's 2005 Comprehensive Plan which designates the property Residential 12 units per acre (*see Exhibit 45*).

Site Description: The project site is currently suburban residential in nature consisting of four large residential lots each with single-family residences. Much of the site is cleared of forest vegetation except for the eastern portion of the site which is more heavily vegetated with trees and shrubs. The land is relatively flat with gentle sloping toward the west. A relatively large degraded wetland is located toward the center of the site on the north side on NE 143rd Place (Tract J) and a smaller wetland is located at the south end of the 272nd Place NE frontage (Tract U).

Site & Situation: The subject site is situated upland (eastward) from the Snoqualmie River Valley and north of Big Rock Road in a developing residential area located in the south-central area of the City of Duvall. Highway 203 (Main Street) is less than one-half mile to the west via NE 143rd Place.

The project site is bisected by NE 143rd Place and bounded by 272nd Place NE to the east. Existing project frontage along both rights-of-way include road only with no sidewalk or other improvements.

Neighboring Development and Zoning:

North: Adjacent to the north of the subject site is a large-lot single family residential neighborhood called Duvall Sunset Heights. These properties are zoned R4 (Residential 4 units per acre).

East: The subject site is bounded on the east by 272nd Place NE. East of this road is an existing single-family residential neighborhood called Glencairn. These properties to the east of the subject site are zoned R4 (Residential 4 units per acre).

South: The subject property is bounded on the south by NE 143rd Place except for Lot 15 which is located on the southwest corner of NE 143rd Place and 272nd Place NE. With the exception of Lot 15, the properties south of the subject site are also part of the original Rio-Vista Ranchettes subdivision and are zoned Residential 8 units per acre. The properties south of Lot 15 are also residential in nature and zoned Residential 8 units per acre.

West: The properties to the west are part of the original Rio Vista Ranchettes subdivision and are zoned Residential 8 units per acre.

III. REVIEW PROCESS AND ANALYSIS

A. DEVELOPMENT REVIEW PROCESS

This Type III Application for a Preliminary Long Subdivision is subject to the applicable regulations set forth in the following chapters of Title 14 (Unified Development Regulations) of the Duvall Municipal Code:

1. DMC Chapter 14.08 – Permit Processing
2. DMC Chapter 14.10 – Zones, Maps, and Designations
3. DMC Chapter 14.12 – Single Family Residential Zoning Districts
4. DMC Chapter 14.34 – Design Guidelines
5. DMC Chapter 14.38 – Landscaping Standards
6. DMC Chapter 14.40 – Tree Protections
7. DMC Chapter 14.42 – Sensitive Areas
8. DMC Chapter 14.44 – Parking Standards
9. DMC Chapter 14.46 – Exterior Lighting Standards
10. DMC Chapter 14.60 – SEPA
11. DMC Chapter 14.64 – Additional Development Standards
12. DMC Chapter 14.66 – Subdivisions

B. STAFF FINDINGS OF FACT

Sections I-III.A above are included with the following Staff Findings of Fact:

1. DMC Chapter 14.08 – Permit Processing

Types of Project Permit Applications

- a. Per §14.08.010.C.1, this application for a Preliminary Long Subdivision is processed as a Type III action.
- b. Per §14.08.010.C.2, this Type III action requires an open record public hearing and decision by the Hearing Examiner.
- c. Per §14.08.010.C.3, Type III Actions require:

Action	Date Issued	Deadline	Comment Period End
Pre-Application Meeting	Held: 5/13/15	NA	NA
Notice of Completeness	7/7/15	7/14/15	NA
Notice of Application	7/16/15	7/21/15	7/29/15
SEPA Determination	6/30/16	NA	7/14/16
Notice of Hearing	7/25/16	7/25/16	NA

- d. Per §14.08.010.C.4, the Notice of Completeness (*see Exhibit 49*), the Notice of Application (*see Exhibit 50*), the SEPA Determination (*see Exhibit 56*), and the Notice of Public Hearing (*see Exhibit 58*) were noticed in accordance with the requirements of this subsection. The Notice of Decision and Notice of Open Record Appeal (if applicable)

will be distributed according to the requirements of this subsection following the public hearing on this application.

- e. Per §14.08.020.G, this application for preliminary long plat approval was processed within ninety (96) days after the applicant was notified that the application was complete (subject to time calculation exclusions permitted under §14.08.020.G.4). Extension of the review period by 6 days was approved by the Developer (*see Exhibit 62*).
- f. Per §14.08.030.A, the Notice of Application included the required items listed in this subsection (*see Exhibit 50*), was issued within 14 days from the time the City issued a notice of complete application (*see Exhibit 49*), and included a 14 day comment period (no comments were received).
- g. Per §14.08.030.D, SEPA notification was provided in accordance with the requirements of this subsection (*see Exhibit 57*).
- h. Per §14.08.030.E, Notice of Public Hearing was provided in accordance with the requirements of this subsection (*see Exhibit 58*).
- i. Per §14.08.030.F, the public hearing notice contents and distribution methods required by this subsection were followed (*see Exhibit 58*).
- j. Per §14.08.040.A, the proposed preliminary long plat, as conditioned, is consistent with all applicable development regulations and SEPA mitigating measures.
- k. Per §14.08.040.B, the City reviewed the permit application for compliance with SEPA (*see Exhibit 56*).

2. DMC Chapter 14.10 – Zones, Maps, and Designations

Zoning Map Designations Established / Zoning Maps and Boundaries

- a. Per §14.10.010 and §14.10.030, the subject property is zoned R8 – Single-Family Residential 8 Units per Acre (*see Exhibits 46 and 48*); however, the application is vested under the prior zoning regulations which classify the subject property at R12 – Residential 12 units per acre (*see Exhibits 45 and 47*).

3. DMC Chapter 14.12 – Single Family Residential Zoning Districts

Development Standards

- a. Per §14.14.020, the conceptual building footprints provided (*see Exhibit 17*) show a mix of detached and attached single-family residences as required in the R12 zoning classification.
- b. Per §14.14.050, the proposed plat identifies a 25ft. building setback on lots adjacent to the developed properties zoned R4 to the north and east boundaries of the subdivision, an internal road network, and a transition of densities from existing R4 neighborhoods to the east (*see Exhibit 5*).

- c. Per §14.14.060.A, the proposed preliminary long plat meets the following development standards (*see Exhibit 5*):

Subject ¹	Numerical Req.	Req. Met?	Notes
Minimum lot size	2500 square feet - average	Yes. Average lot size is 3,666 square feet.	
Minimum density	8 dwelling units/gross usable acre	No, 67 dwelling units are proposed ²	68 dwelling units minimum are required
Maximum density	12 dwelling units per gross usable acre	Yes, 67 dwelling units are proposed	96 dwelling units is maximum allowed
	A minimum of 20% of units shall be attached.	Yes, 33 dwelling units are shown to be attached on submitted plans	Only 14 dwelling units are required to be attached.
Minimum lot width	20 feet for attached units / 30 feet for detached units	Yes, all lots meet	

¹Review for compliance with setback, lot coverage, FARs, and building height requirements will be conducted at the time of building permit application for each individual lot.

²Per §14.42.090.B, full density cannot be achieved due to on-site sensitive areas but remains compliant due to the allowance of this subsection.

4. DMC Chapter 14.34 – Design Guidelines

Site Planning – Principles

- a. Per §14.34.020, the proposed preliminary plat meets the applicable design principles of this section. Building elevations and floor plans will be reviewed at time of building permit application.

New Streets

- a. Per §14.34.040.B2.a, the proposed preliminary long plat provides a safe and convenient vehicular and pedestrian/bicycle network that connects with the surrounding transportation network (*see Exhibit 5*).
- b. Per §14.34.040.B2.d, interior access ways within the proposed development are not located parallel to the adjacent public right of way as prohibited by this subsection (*see Exhibit 5*).
- c. Per §14.34.040.B2.f, bulb-outs are provided at the entrances of the proposed subdivision (*see Exhibit 18*).
- d. Per §14.34.040.B2.g, traffic signage will be reviewed concurrent with construction drawings (*see Condition 38*).
- e. Per §14.34.040.B2.h, the proposed subdivision will not be a gated community (*see Exhibit 18*).
- f. Per §14.34.040.B2.i, sidewalks and planter strips are provided within the subdivision EXCEPT that planter strips are not provided along the south 45 feet northward along 272 Place NE beginning at the southeast corner of the projected area as required by this

subsection. **Note:** The developer has applied for a departure request to remove the required planer strip from along this section of right-of-way (*see Departure Request – Exhibit 18 and Condition 6*).

Lot Standards

- g. Per §14.34.050.3.a, variation in site design has been achieved through variation in lot sizes and orientation (*see Exhibits 5, 17*).

Open Space Requirements

- h. Per §14.34.050.A.5.b.ii, ten percent (34,804sf) of the net developable area (348,045sf) is required for common open space. Subject to the terms of the Development Agreement between the Developer and the City, the Developer is required to convey approximately 5.5 acres (239,580 square feet) for a neighborhood park; however, staff finds that the 5.5 acre requirement is likely a “scrivener’s error” as the mapped area of the proposed park shown as Exhibit D in the Development Agreement (*see Exhibit 43 and Condition 26*) matches the proposed boundaries of Tract J on the submitted site plans (*see Exhibit 5*). The Developer is proposing to convey 4.31 acres, “Tract J” (187,630 square feet) for a neighborhood park (consisting of a Native Growth Protection Easement and associated protection buffer and storm drainage facilities) with approximately 1.73 acres (75,238 square feet) of useable recreation and open space (*see Exhibits 16 and 44*).
- i. Per §14.34.050.A.5.b.ii(A), the proposed open spaces provide a variety of open space types (*see Exhibit 16*).
- j. Per §14.34.050.A.5.b.ii(B), with the exception of smaller and adjacent Tracts T and U located in the southeast corner of the plat, the proposed open space (neighborhood park) is centrally located subject to an existing Development Agreement between the City and the Developer (*see Exhibit 5, 16*).
- k. Per §14.34.050.A.5.b.ii(C), proposed common open space accommodations are subject to the Development Agreement between the City and the Developer (*see Exhibit 43*).
- l. Per §14.34.050.A.5.b.ii(D), the proposed common open spaces include pathways, benches and play structures (*see Exhibit 16*).
- m. Per §14.34.050.A.5.b.iii, the proposed common open spaces meet the minimum dimensional requirements of 25 feet in width (*see Exhibit 16*).
- n. Per §14.34.050.A.5.b.iv, the proposed common open spaces are oriented to receive sunlight (*see Exhibit 6*).
- o. Per §14.34.050.A.5.b.v, the proposed common open space is visible from public areas, is centrally located, and will be accessible to adjacent uses (*see Exhibit 6*).

Utility Placement

- p. Proposed placement of City Utilities (sewer, water, and storm water) are in general accordance with City of Duvall Public Works Development Design Standards. Staff will

review and verify development for conformance with the requirements of this subsection at the time of construction/building permit submittal.

5. DMC Chapter 14.38 – Landscaping Standards

Landscaping Plan Design Criteria—General

- a. Per §14.38.050.N., all planting areas meet the minimum 100 square foot area and 5 foot dimensional requirement (*see Exhibit 15*).

Minimum Landscape Area Requirements

- b. Per §14.38.060.A, at least 25% of the project site must be landscaped. The total project area, less sensitive areas and buffers equals 344,820 square feet. Twenty-five percent equals 86,205 square feet. The Developer is proposing to landscape an area of 92,001 square feet (*see Exhibit 15, 16*).
- c. Per §14.38.080, the proposed Type II perimeter landscaping required by 14.38.090, meets the spacing and for trees. Planting details along with shrubs and groundcover will be included with the submittal of final landscape plans (*see Exhibit 15 and Condition 8*).
- d. Per §14.38.090.A, ten (10) feet of Type II landscaping is proposed to be provided along adjacent roadways (*see Exhibit 15, Condition 7*).

Street Trees

- e. Per §14.38.120.A, the proposed street trees are on the recommended street tree list as prepared by the City (*see Exhibit 13*).
- f. Per §14.38.120.B, the proposed street trees are generally spaced between 25 and 40 feet on center; however, additional street trees are needed in order to fulfill this requirement (*see Exhibit 13, Condition 9*).
- g. Per §14.38.120.G, the street trees along public streets that are not planted in a separate landscape strip meet the setback requirements of 4 feet for deciduous trees and 10 feet for coniferous trees (*see Exhibit 13*).
- h. Per §14.38.120.H, on residential Roads A and B, street trees are primarily located within the planter strip (or at least 5ft. from back of sidewalk where no planter strip is provided), one tree is provided per lot. More detailed landscape plans for the planting strip will be provided at the time of final landscape plan submittal (*see Exhibit 13*).

Grading

- i. Per §14.38.140.B, graded slopes in planting areas do not exceed a slope of 1 foot rise over 3 foot run (*see Exhibit 7*).

Irrigation

- j. Per §14.38.150.B, Staff is unable to determine if irrigation is proposed for all commonly owned planting areas as no irrigation plan was submitted (*see Condition 10*).

6. DMC Chapter 14.40 – Tree Protections

New Development Sites – Percentage of Trees Required to be Retained

- a. Per §14.40.050.A, of the 310 significant trees on-site, 28 significant trees are determined to be either dead, diseased, or dangerous, resulting in a net number of 282 significant trees. Of the 282 healthy significant trees, 35%, or 99 significant trees are required to be retained. The applicant is proposing to retain 5.6%, or 16 significant trees and is therefore subject to the replacement requirements of DMC §14.40.070 (*see Exhibit 13*).
- b. Per §14.40.050.C, in order to meet the City’s no-net loss significant tree retention policy, a total of 266 (282 healthy trees minus 16 retained) replacement trees must be planted. The developer is proposing to plant 268 replacement trees (*see Exhibit 13, Condition 13*).

New Development Sites – Priorities for Tree Retention

- c. Per §14.40.060.A.1, significant tree retention is difficult due to the density requirements of the underlying zoning regulations which result in small lot sizes; therefore, the only significant tree stands that can retain their forested look, value, and function after development are those stands located within open space tracts (*see Exhibit 13, Condition 11*).
- d. Per §14.40.060.A.2, the 16 significant trees proposed to be retained within are within the same open space tract (Tract T), which will not result in isolated stands of individual significant trees (*see Exhibit 13, Condition 12*).
- e. Per §14.40.060.A.3, the trees to be preserved have been determined to be healthy by a certified arborist (*see Exhibit 13*).
- f. Per §14.40.060.A.4, due to the size of the lots it is difficult to site building footprints and roadways in a manner that protects significant trees while meeting development standards (*see Exhibits 5, 13*).
- g. Per §14.40.060.A.5, the grading plan is developed to accommodate existing trees and avoids significant alterations around significant trees that are to be retained (*see Exhibits 7, 13, Condition 14*).
- h. Per §14.40.060.A.6, required open space and recreational spaces have been designed and located to protect existing stands of trees to the extent possible (*see Exhibit 12, 16*).
- i. Per §14.40.60.A.7, the landscape plans provide suitable locations and adequate area for the required replacement trees (*see Exhibit 15, 16*).

Tree Replacement – New Developments and Developed Lots

- j. Per §14.40.070.A, the developer is required to plant replacement trees to meet the 35% threshold at a rate of three to one. Since 16 of the 99 required significant trees are to be

retained, 83 trees (99-16) multiplied by the replacement ration of three equals 249 replacement trees. Since this number is lower than the no-net loss threshold, the no-net loss requirement of 266 replacement trees is required (*see Exhibit 13*).

- k. Per §14.40.070.B, all replacement trees are proposed to be planted on-site (*see Exhibit 13*).
- l. Per §14.40.070.D1, replacement trees are proposed to be placed and planted to enhance retained significant trees (*see Exhibit 13*).
- m. Per §14.40.070.D3, replacement trees are proposed to be planted in locations appropriate to the species growth habitat and horticulture requirements (*see Exhibit 13*).
- n. Per §14.40.070.D4, proposed replacement trees have been located to provide screening from adjacent rights-of-way (*see Exhibit 13*).
- o. Per §14.40.070.D6, proposed replacement trees have been integrated into the required landscape plans for the development (*see Exhibit 13*).
- p. Per §14.40.070.D7, no replacement tree will be located under utility lines (*see Exhibit 13*). **Note:** Existing above ground utility lines within the rights-of-way of NE 143rd Place and 272nd Place NE adjacent to the project area will be undergrounded (*see Condition 28*).

7. DMC Chapter 14.42 – Sensitive Areas

- a. Per §14.42.060.A, the Applicant submitted a wetland study conducted on-site by a qualified professional as required (*see Exhibit 24*). The City submitted the study to the City’s consulting team, ESA, for peer review (*see Exhibit 61*).
- b. Per §14.42.090, the applicant may request relief from meeting minimum density requirements due to the inherent limitations caused by existing sensitive areas on-site (*see Exhibit 5*).
- c. Per §14.42.100.B, all on-site sensitive areas are placed within separate tracts within the plat, and consist of Tracts J and U (*see Exhibit 13*).
- d. Per §14.42.110.D, sensitive area signs are proposed around the periphery of Wetlands A and B (*see Exhibit 24, Appendix D*).
- e. Per §14.42.110.E, permanent peeler-pole fencing is proposed around the periphery of both Wetlands A and B (*see Exhibit 24*).
- f. Per §14.42.130.C, a mitigation plan has been submitted for the design, implementation, maintenance, and monitoring of mitigation as required by this subsection (*see Exhibit 24*).
- g. Per §14.42.200.D.3, both Wetlands A and B are classified as Category III wetlands (*see Exhibit 24*).
- h. Per §14.42.210.A, Wetland A received a habitat score of 16, which requires a 60 foot buffer around the periphery of that Wetland (*see Exhibit 24, pg. 5*). Wetland B received a

habitat score of 22 points, which requires a 100 foot buffer around the periphery of that wetland (*see Exhibit 24, pg. 5*).

- i. Per §14.42.210.B, the developer is proposing to reduce the buffer width around Wetland A up to 50% as allowed by code for Category III Wetlands. The reduction will not negatively impact the functions and values of the wetland. Mitigation for buffer reduction will include the removal of invasive species and the planting of various native trees and shrubs, perimeter fencing, and sensitive area sign installation. Light sources will be shielded away from the wetland (*see Exhibit 24, pg. 2*).
- j. Per §14.42.210.C, the developer is proposing buffer averaging around Wetland B (*see Exhibit 24, pg. 3*). The proposal meets the requirements of this subsection.
- k. Per §14.42.220.G, the developer is proposing stormwater discharge facilities within the buffer of Wetland A in accordance with the provisions of this subsection (*see Exhibit 24, pg. 2*). Surface water recharge will be provided to Wetland A to maintain wetland hydrologic functions (*see Exhibit 24, pg. 2*).
- l. Per §14.42.220.H, the developer is proposing a trail within the buffer of Wetland A in accordance with the requirements of this subsection (*see Exhibit 24, pg. 2*).
- m. Per §14.42.240.B, the proposed wetland mitigation (enhancement only) meets the replacement ratio requirements of this subsection (*see Exhibit 24, pg. 2*).
- n. Per §14.42.250, the developer has submitted a Wetland Mitigation Plan in accordance with the requirements of this subsection (*see Exhibit 24 and Condition 15*).

8. DMC Chapter 14.44 – Parking Standards

Guest Parking Requirements

- a. Per §14.44.080, sufficient guest parking is proposed with the availability of on-street parking. A total of 94 parking spaces will be created along NE 143rd Street, 272nd Place NE, and along internal roads “A” and “B” (*see Exhibit 18*).

9. DMC Chapter 14.46 – Exterior Lighting Standards

Lighting Plan Requirements

- a. Per §14.46.040, the developer has not submitted an exterior lighting plan in conformance with the requirements of this subsection (*see Condition 16*).

10. DMC Chapter 14.60 – SEPA

Threshold Determinations

- a. Per §14.60.130, the City issued a SEPA Threshold of Mitigated Determination of Non-Significance (MDNS) on June 30, 2016 (*see Exhibit 56*).

Public Notice and Comments

- b. Per §14.60.130, the City provided notice of the SEPA Threshold Determination to both the public and agencies inviting comments to be submitted by 4:30PM on Thursday, July 14, 2016 (*see Exhibit 57*). No agency or public comments were received.

SEPA Decisions – Substantive Authority

- c. Per §14.60.230, the mitigating measures of the MDNS were determined with compliance to the requirements of this subsection (*see Exhibit 56, and Conditions 17-24*).

11. DMC Chapter 14.64 – Additional Development Standards

Calculations – Gross Usable Area, Residential

- a. Per §14.64.040, the total site area is 554,193 square feet, or 12.72 acres. On-site critical areas comprise of 136,655 square feet, or 3.14 acres. The total site area, less any critical area, leaves 417,373 square feet, or 9.59 acres of gross usable area (*see Exhibit 44*). Per the Development Agreement between the City and the Developer (*see Exhibit 43, Term of Agreement #6*), the City shall deduct (for the purpose of density calculation) from the property's gross acreage that portion of the property to be conveyed to the City for the Neighborhood Park that is in excess of the 10% open space requirement. The excess square footage equals 48,874 square feet (or 1.12 acres), bringing the gross usable area to 368,499 square feet or 8.46 acres. The property is vested under the zoning classification of 12 dwelling units per gross usable acre, with a minimum density requirement of 8 dwelling units per gross usable area. This results in a minimum density requirement of 68 dwelling units and a maximum of 96 dwelling units for the project area. The Developer is proposing a total of 67 dwelling units (*see Exhibit 5*). The Developer may request density credit under the provisions of 14.42.090.B, as the minimum density cannot be obtained due to the inherent limitations of on-site sensitive areas. **Note:** Corrected density calculations were submitted as Exhibit 44.

Sight Distance Requirements

- b. Per §14.64.160, the proposed intersection of proposed Roads “A” and “B” with NE 143rd Place and the intersection between Tracts “A” and “B” with 272nd Place NE will meet the sight distance requirements (*see Exhibit 18*).

Open Space Standards – Residential

- c. Per §14.64.240.B, open spaces are to be distributed throughout the site; however, a larger, centrally located open space is proposed subject to the Development Agreement (*see Exhibit 43*) between the City and the Developer for the purpose of accommodating a city neighborhood park consistent with the City's 2009 Parks, Trails, and Open Space plan.
- d. Per §14.64.240.C, the developable area of the site is 348,045 square feet (less rights-of-way, and sensitive areas), or 7.99 acres. Ten percent of this area equals 34,804 square feet, or 0.80 acres. Approximately 83,678 square feet, or 1.92 acres are proposed for open space (*see Exhibit 16*). This is an excess of 48,874 square feet, or 1.12 acres beyond what is required.

- e. Per §14.64.240.E, the proposed open spaces and recreational facilities are accessible to all dwelling units within the plat (*see Exhibits 5, 16*).
- f. Per §14.64.240.F, the proposed open spaces have a minimum width of 25 feet (*see Exhibit 16*).
- g. Per §14.64.240.G, the proposed open spaces don't have a grade that exceeds more than 5% (*see Exhibit 7*).
- h. Per §14.64.240.H, Landscaped areas such as planting strips and medians have not been counted toward required open space (*see Exhibit 44*).
- i. Per §14.64.240.I, the proposed open spaces are centrally located within the plat to the extent feasible (*see Exhibits 5, 16*).
- j. Per §14.64.240.K, provisions for both passive and active recreation opportunities are established by the Development Agreement between the City and the Developer (*see Exhibit 16, Condition 25*).
- k. Per §14.64.240.L, the design of the open space is subject to the Development Agreement between the City and the Developer (*see Exhibit 43*).

12. DMC Chapter 14.66 – Subdivisions

Preliminary Subdivision Review and Approval Criteria

- a. Per §14.66.040.A, each proposed subdivision or short subdivision shall be reviewed to ensure that:
 - 1. The proposal conforms to the goals, policies and plans set forth in the Duvall comprehensive plan;

Staff finds that the development, as proposed, conforms to the goals, policies, and plans set forth in the 2006 Duvall Comprehensive Plan.

- 2. The proposal conforms to the site and design requirements set forth in this title. No final subdivision or short subdivision shall be approved unless the requirements are met;

Staff finds that the proposal, as conditioned, conforms to the site and design requirements of Title 14.

- 3. The proposed street system and pedestrian system conform to the Duvall comprehensive plan, DMC Chapter 14.34, Design Guidelines, and the development design standards, and is laid out in such a manner as to provide for the safe, orderly and efficient circulation of vehicular and pedestrian traffic;

Staff finds that the proposed street system and pedestrian system conform to the 2006 Duvall Comprehensive Plan, Title 14, and provides for the safe, orderly, and efficient circulation of vehicular and pedestrian traffic.

4. The proposed subdivision or short subdivision will be adequately served with city-approved water and sewer, and other utilities appropriate to the nature of the subdivision or short subdivision;

Staff finds the proposed subdivision will be adequately served with city-approved water and sewer as well as other necessary utilities.

5. The layout of lots, and their size and dimensions, takes into account topography and vegetation on the site in order that buildings may be reasonably sited, and that the least disruption of the site, topography and vegetation will result from development of the lots;

Staff finds that the layout of the lots, including their size and dimensions, take into account of the topography and vegetation of the site and that site disturbance is minimized to the extent possible.

6. Identified hazards and limitations to development have been considered in the design of streets and lot layout to assure street and building sites are on geologically stable soil considering the stress and loads to which the soil may be subjected.

Staff finds that no hazards or limitations to development exist on-site.

Subdivision Standards

- a. Per §14.66.050.A, the subdivision name “Rio-Vista” is already used within King County; however, the name is acceptable because it is contiguous to the subdivision bearing a similar name (Rio-Vista Ranchettes).
- b. Per §14.66.050.B, the creation of blocks with two tiers of lots within the subdivision was not practical due to adjacent major streets (*see Exhibit 5*).
- c. Per §14.66.050.C, the proposed preliminary plat shows that all lots meet the lot requirements of this subsection (*see Exhibit 5*).
- d. Per §14.66.050.L.1, the proposed preliminary plat provides direct access to NE 143rd Place and 272nd Place NE (*see Exhibit 5*).
- e. Per §14.66.050.L.2, additional right-of-way will be dedicated to the City along NE 143rd Place and 272nd Place NE (*see Exhibit 5*).
- f. Per §14.66.050.L.3, no dead end local access roads are proposed (*see Exhibit 5*).
- g. Per §14.66.050.L.4, proposed Roads “A” and “B” within the development are designed to comply with the Duvall Comprehensive Plan.

- h. Per §14.66.050.L.5, the public works director finds that Road “B” connects to the neighboring parcel to the west and that an extension of Road “A” is not necessary due to existing development on adjacent lots to the north (*see Exhibit 5*).
- i. Per §14.66.050.L.6, the proposed street pattern is designed to expedite traffic by limiting the number of connections to collector roadways to two connections along NE 143rd Place and two private access tracts along 272nd Place NE (*see Exhibit 5*).
- j. Per §14.66.050.L.7, the proposed streets are designed in conformance with the development design standards and Design Guidelines (*see Exhibits 7, 8*).

IV. CONCLUSIONS

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

1. The request is for approval of a 67-lot preliminary plat with associated infrastructure improvements including common open spaces.
2. The subject site is located in the Residential 8 units per acre (R8) zoning district and is designated as R8 (Residential 8 dwelling units per acre) on the Comprehensive Plan Future Land Use Map; however, this property is vested to the 2006 Comprehensive Plan and 2012 Zoning Map that designate and classify the property as R12 (Residential 12 units per acre).
3. In accordance with DMC Section 14.08.010.C, Preliminary Plats are processed as a Type III permit, requiring quasi-judicial review and approval by the Hearing Examiner.
4. The proposed project has been reviewed under the provisions of the State Environmental Policy Act (SEPA). A Mitigated Determination of Non-Significance was issued on June 30, 2016. No SEPA comments were received and no appeals were filed by the July 21, 2015 deadline.
5. The proposed project has been reviewed and found to be consistent with the 2006 Duvall Comprehensive Plan, the 2009 Park, Trail, and Open Space plan, the Duvall Municipal Code (Title 14), and the Public Works Development Design Standards as conditioned.
6. The statutory requirements for public notice for the permit application and the public hearing have been satisfied.
7. In accordance with RCW 58.17.140(3)(a), and DMC 14.66.060.D, an application final plat that complies with state and local regulations shall be submitted to the City within five (5) years of preliminary approval at which time the preliminary plat approval shall become void unless an extension is granted.

V. STAFF RECOMMENDATION AND CONDITIONS

Based on the foregoing information and the exhibits attached to this report, staff recommends that the Hearing Examiner APPROVE the Rio-Vista Preliminary Plat application (SU15-001) inclusive of the administratively approved departure requests and engineering variances, subject to the following conditions:

FROM PLANNING

General

1. The developer shall establish a Home Owner's Association (HOA). The developer shall submit the Covenants, Conditions, and Restrictions (CC&Rs) and Articles of Incorporation for the HOA to the Planning Department for review and approval to the extent that it addresses those conditions specifically required to be included in the CC&Rs as conditions of plat approval, prior to recording the final plat.
 - a. The residential CC&Rs shall include the following requirements that shall apply to all residential lots: Landscaping shall be consistent, lighting fixtures shall be the same or similar in character throughout the residential area, fences shall be compatible in height and color, and other residential improvements shall be consistent within the project. The developer shall provide preliminary design concepts for review and comment prior to building permit application for single-family homes. Building design shall be consistent with DMC 14.34, Design Guidelines.
2. Final plat shall comply with the terms of the Development Agreement between the City and the Developer (*see Exhibit 43*).

Single Family Residential Zoning Districts

3. Covenants shall be included on the face of the final plat indicating any reduced maximum allowable impervious surface for all residential lots and to put future residential purchasers on notice that future additions to residential structures and/or the addition of accessory structures may be limited or disallowed by the City due to impervious coverage limitations for the project and the amount of available detention volume within the stormwater vault. These restrictions shall also be set out in the CC&Rs for the Owner's Association.

Design Guidelines

4. The Developer shall submit design details for the proposed mailbox prior to final plat submittal for verification of compliance with the requirements of §14.34.060.
5. **Planning Departure Request – Wall Height.** The Departure Request from the maximum 4ft. retaining wall height as required by DMC 14.34.030(B)(2)(a) shall be approved subject to the following conditions: a) retaining wall height shall not exceed 8ft., b) protective fencing no greater than 6ft. in height shall be provided at the top of the retaining wall for safety, and

c) the retaining wall shall be located outside the required Type II perimeter landscape buffer along existing roadways.

6. **Planning Departure Request – Landscape Strip.** The Departure Request from providing a landscape strip adjacent to Tracts T and U along 272nd Place NE shall be approved.

Landscaping Standards

7. All perimeter fencing, if provided, should be located behind the Type II landscaping buffer required along external roadways.
8. The Developer shall submit to the City a final landscape plan consistent with DMC Chapter 14.38 prior to final plat for review and approval. All landscaping within Tracts T, & U shall be installed or bonded prior to final plat. Landscaping in Tract J shall be installed in accordance with the Development Agreement between the City and Developer.
9. Four (4) additional street trees shall be provided along NE 143rd Place in order to meet the spacing requirements of DMC 14.38.120.B, specifically, south of lots 17-19 and SW of lot 43.
10. The Developer shall submit to the City an acceptable irrigation plan prior to installation of landscape improvements. All irrigation shall be installed prior to final plat unless bonded for.

Tree Protections

11. Significant trees retained on-site shall be evaluated by the City and Developer prior to final plat submittal. Retained significant trees that are deemed unacceptable by the City or the Developer's arborist shall be removed and replaced in accordance with Duvall Municipal Code section 14.40.
12. Retained significant trees and replacement trees shall be identified on the final plat and in the Covenants, Conditions and Restrictions of the plat.
13. At least 266 replacement trees shall be planted on-site in order to meet the City's no-net loss policy for significant trees. Replacement trees shall be native to the Puget Sound region to the greatest extent possible.
14. Tree protection measures shall be taken to protect retained trees on-site and trees adjacent to the site. Tree protection measures shall be included in the grading and construction drawing plans and shall conform to the tree protection requirements of DMC 14.40.080.

Sensitive Areas

15. Prior to construction drawing approval, submit a revised Wetland Mitigation Plan consistent with the recommendations made by the City's peer review consultant (Environmental Science Associates) in their report submitted June 9, 2016 (*see Exhibit 61*).

Exterior Lighting Standards

16. An exterior lighting plan consistent with the requirements of DMC Chapters 14.46 and 14.42 shall be submitted with application for construction drawing approval.

SEPA – Environmental Review

17. Stormwater Mitigation: Stormwater facilities shall be constructed to provide detention and water quality improvement in accordance with the City-adopted 2009 King County Surface Water Design Manual and the Phase II National Pollutant Discharge Elimination System (NPDES) Permit. The residential facility shall be located within a tract dedicated to the City upon final plat approval. The final TIR shall address any downstream drainage issues or required improvements, and comply with wetland recharge parameters described in the February 8, 2016 Wetland Hydrology Analysis.
18. Plant Mitigation: Required trees shall be installed (or bonded for) prior to final plat approval in accordance with an approved tree retention plan. Root protection zones from off-site trees that extend onto the project site shall also be protected.
19. Sensitive Areas: The project shall be designed to minimize impacts to wetlands and their associated buffers. The stormwater system shall be designed to maintain wetland hydrology.
20. Aesthetic Mitigation: Landscaping shall be installed (or bonded for) prior to final plat approval within all required open space areas, buffers, and rights-of-way (i.e. the planter strips) within the project site in accordance with an approved landscape plan. All landscaping improvements within commonly owned tracts, open space, and rights-of-way planter strips on the subject site shall be maintained by a home owners association.
21. Recreation Mitigation: Park impact fees shall be paid for each new dwelling unit to fund system wide capital improvement projects in accordance with DMC Chapter 14.58; however, park impact fee credits shall be applied in accordance with the February 10, 2015 Development Agreement between the City of Duvall and Rio Vista Joint Venture regarding the planned on-site neighborhood park property conveyance and improvement.
22. Traffic Mitigation: The developer shall install interior roadway improvements in accordance with the PWDDS. Pedestrian connectivity shall be provided between project open space areas and existing adjacent sidewalks. Traffic Impact Fees shall be paid for each new dwelling unit to fund system wide capital improvement projects in accordance with DMC Chapter 14.58.
23. Public Service Mitigation: School impact fees shall be paid for each new dwelling unit in accordance with DMC Chapter 14.58. Impacts to police and fire will be mitigated through the payment of property taxes by each respective homeowner.
24. Utility Mitigation: The developer shall install sewer and water system improvements in general accordance with the June 27, 2016, Sewer and Water Availability Letter and Public Works Development Design Standards (PWDDS). Sewer General Facilities Charges and Water Capital Improvement Charges shall be paid for each new dwelling unit. Storm Drain Area Charges and Sewer Equalization Fees shall also be collected to fund system-wide mitigation projects.

Additional Development Standards

25. All recreational infrastructure to be installed on Tract J shall be reviewed by the City for compliance with the Development Agreement between the City and the Developer as part of the Landscape Plan approval process. **Note:** Parks greater than ½ acre in size are processed as Type III decisions requiring hearing examiner approval.
26. Prior to construction drawing submittal the Development Agreement between the City and the Developer shall be amended to reflect the correct acreage to be conveyed to the City as a neighborhood Park (specifically, the 5.5 acre requirement listed in item #4 of the Terms of Agreement).

FROM PUBLIC WORKS/ENGINEERING

General

27. The developer shall submit construction plans and supporting documentation for Public Works review and approval. Construction drawing review shall address comments within the June 17, 2016 comment letter (*see Exhibit 63*).
28. All utility connections shall be located below ground and be brought to the plat underground. All overhead utilities and utility poles along the frontage shall be removed and replaced with underground utilities to the nearest off-site pole consistent with DMC 14.66.050(J) and the Public Works Development Design Standards (PWDDS).
29. Final Plat shall be developed using the City of Duvall Final Plat Submittal Checklist.
30. As-builts shall be provided, reviewed, and approved prior to final plat or Performance Bond release.
31. Street lights shall be installed on all frontages as part of the project. An Intolight (PSE) Street Lighting design shall be provided to the City for review and approval during the Construction Drawing review process.
32. Cluster box units (CBUs) mail boxes shall be installed as part of the project. Coordinate with the Post Office and Public Works on CBU placement.
33. A City of Duvall demolition permit shall be approved prior to removal of the existing structures.
34. Moisture sensitive soils are present at the site. Soil admixtures, such as kiln dust, fly ash, or cement will not be allowed without a City-approved application and monitoring plan along with any other associated NPDES/Department of Ecology requirements.

Roads

35. Frontage improvements, include two-minimum 11-foot travel lanes, dedicated parking, curb/gutter, landscape strip, and 5-foot wide sidewalk shall be installed along project frontage located on NE 143rd Place and 272nd Place. NE. Frontage improvements shall not be required on 272nd Place NE north of the NE 143rd Place intersection.

36. Roads A and B shall be constructed to include a minimum 22-foot wide street improvement with curb and gutter, curb-dedicated parking minimum one side (28-foot wide total roadway width), a 5-foot wide sidewalk, a 5-foot wide landscape strip in accordance with the preliminary plans (*see Exhibit 18*).
37. Private Access Tracts A, B, C, and E shall include an unobstructed 22-foot travel way, and 0.5 dedicated guest parking stalls per unit in dedicated pull-outs or other public parking locations distributed consistently within or adjacent to the tract in accordance with Standards 3-2.06.E. Reverse-slope road surface crowns are not allowed within the tracts. Tracts shall be posted “No Parking” except at dedicated parking areas.
38. A channelization and signage plan shall be submitted as part of the construction drawing review process. All areas lacking dedicated parking, shall be signed “No Parking Anytime”.
39. All new or repaired road sections shall be designed and installed with ½” HMA type asphalt concrete pavement with section thickness in accordance with PWDDS Section 3.4. A full width 1.5-inch thick grind and ½” HMA type asphalt concrete pavement overlay shall be completed along all frontage improvements and roadway excavations in accordance with PWDDS Section 1-1.07 unless otherwise approved by the City Engineer because of existing good pavement condition.
40. Driveways shall be clustered within the development as much as possible in accordance with PWDDS 1-1.07.
41. All damaged or removed curb/gutter and sidewalk shall be removed and replaced joint to joint.
42. Seepage barriers shall be installed on all roadways inclined at greater than 7 percent in accordance with PWDDS 2-1.05.
43. **Engineering Variance Request— Exceed 4 Residential Units on Tracts A and B** (*see Exhibit 21*): The Variance request for more than 4 unites per each residential access tract is granted provided the required dedicated parking along the west side of 272nd Place NE south of NE 143rd Place. Staff approves the variance.
44. **Engineering Variance Request—Omit on-street parking lanes** (*see Exhibit 22*): The Variance request omitting the parking lane(s) along internal Road A and Road B because of high-driveway density and the resulting low yield of feasible on-street parking. Staff approves the variance.

Water

45. Existing water well(s) shall be identified as part of construction drawing review and shall be abandoned in accordance with Department of Ecology requirements.
46. The developer shall install a new 8-inch diameter water main along the NE 143rd Place frontage to replace the existing undersized 6-inch diameter water main.
47. A new 8-inch 450-foot pressure zone main loop shall be installed from the NE 143rd Place project frontage, north along 272nd Place NE, and then west along NE 144th Street to connect immediately downstream of the NE 144th Street pressure reducing station. This loop shall

bypass, and make improvements unnecessary to, the existing pressure reducing station along the NE 143rd Place frontage. The downstream (west) end of the existing NE 143rd Place pressure reducing station shall be connected to the new main.

48. The developer shall install 8-inch diameter water mains within Road A and Road B.
49. Lot 1 to 11 water services may connect directly to the existing 550-foot pressure zone main located within 272nd Place NE.
50. The water system for the development shall be constructed of ductile iron pipe and shall include valves, air-vac, blow-off, and other appurtenances as required by the Public Works Department.
51. The number of water service and fire sprinkler taps to the main line shall be minimized by branching services as possible.
52. Any home requiring fire sprinklers shall be identified during construction drawing review and include additional required tap size evaluation prior to Construction Drawing approval. Based on the preliminary plat, fire sprinklers shall be required at Lots 1 to 3, 5 to 7, 26 to 27, 34 to 37, and any attached residences with combined 5,000 square feet or greater.

Sewer

53. Existing sanitary system drainfield(s) shall be identified as part of construction drawing review and shall be abandoned in accordance with Department of Ecology requirements.
54. A gravity sewer system shall be constructed to the project limits of the site prior to any final plat at the site. The system shall include the internal street network, connect to the relocated sewer system on NE 143rd Place and the Road A alignment, and include sewer main extension on NE 143rd Place from the project to the existing sewer main located west of the NE 143rd Place/272nd Place. NE intersection.
55. The sewer system shall be video inspected prior to Performance Bond and Maintenance Bond Release inspections. Identified repairs or maintenance identified by the City Engineer shall be completed prior to bond release.

Storm Drainage

56. A final Technical Information Report (TIR) shall be submitted for the development during construction drawing review. The final TIR shall consider existing comments, address any downstream drainage issues or required improvements, and comply with wetland recharge parameters described in the February 8, 2016 Wetland Hydrology Analysis (*see Exhibit 25*) to maintain wetland hydrology.
57. The final TIR shall include an evaluation of potential Low Impact Development (LID) measures, including but not limited to Soil Quality and Depth (BMP T5.13), shall be installed in accordance with the final TIR.
58. The final TIR shall identify and address downstream conveyance and other stormwater concerns. Deficient conveyances, including ditches, shall be removed and replaced with new

piped conveyance to accommodate proposed flow from the development and properties adjacent to the conveyance.

59. Stormwater facilities shall be constructed to accommodate residential and public stormwater generated by development. The stormwater facilities shall be designed in accordance with the 2009 King County Surface Water Design Manual (KCSWDM) and city requirements. Exterior Type 2 manholes and control structures shall be required for detention vaults. Residential stormwater facilities shall be located within an individual tract in accordance with the KCSWDM and dedicated to the City upon Final Plat.
60. Certification of as-built detention/water quality systems for the stormwater facility shall be provided and shall identify lots and other impervious areas served.
61. The operation and maintenance of stormwater facilities shall be the sole responsibility of the developer for the first two years of operation following final plat approval or until the stormwater facility maintenance bond is released, whichever is longer.
62. The stormwater facilities shall successfully operate and shall remain free of defects in workmanship, materials, and design during the maintenance and performance bond periods. The developer shall clean the stormwater system prior to the City's final inspection and before the bonds are released. The City, at its sole discretion, has the right to demand prompt maintenance at the end of the bond periods to correct defects.

FROM KING COUNTY FIRE DISTRICT #45

General

63. New hydrants shall be installed by the developer at locations to meet the City of Duvall Design Standards. A fire hydrant shall be required at the Road A/Tract C unless otherwise approved.
64. Any roads with an emergency vehicle drivable width (capable of supporting 25 tons) of less than 34 feet shall be posted "No Parking" on one side. Any roads with an emergency vehicle drivable width (capable of supporting 25 tons) of less than 28 feet shall be posted "No Parking" pursuant to City of Duvall standards, with no parking on either side.
65. Required Fire Access Roads shall be constructed to a minimum of 20 feet wide with 13 feet 6 inches height clearance. They shall have a load capacity of 25 tons and be marked as a "Fire Lane" pursuant to City of Duvall standards. All turn radii shall be adequate for access by a ladder truck.
66. Any building that is in part, or totally, located greater than 150 feet from right-of-way, measured by hose-length distance from the front property line, shall include an approved automatic sprinkler. Based on the preliminary site plans, proposed residences at Lots 9, 10, and 11 require automatic sprinkler systems.
67. Any buildings that fall under the townhome definition (IRC Rf202) shall include an approved automatic sprinkler.

68. Combined or flow through sprinkler systems shall be utilized at homes requiring automatic sprinklers unless otherwise approved by the City. Sprinkler system testing shall be required and provided for per Duvall Design Standards.
69. When fire protection, including fire apparatus access roads and water supplies for fire protection, is required to be installed, such protection shall be installed and made serviceable prior to and during the time of residential and/or commercial building construction. (2003 International Fire Code §501.4).

VII. LIMITATION ON PRELIMINARY APPROVAL

In accordance with RCW 58.17.140(3)(a), a final plat application must be submitted for approval within five years from the date of preliminary plat approval, after which time the preliminary plat approval is void. The decision maker may grant an extension for one year if the developer has attempted in good faith to submit the final plat application within the five-year time period. An extension request must be submitted in writing at least 30 days before the date of expiration.