

RIO VISTA L.L.C.

April 20, 2016

City of Duvall
15535 Main Street NE
Post Box 100
Duvall, WA 98019

Attn.: Lara Thomas, Planning Director
Boyd Benson, Public Works

RE: SU 15-001
Rio Vista Subdivision
Response to Comment Letter dated August 7, 2015 Requesting Additional Information

Dear Ms. Thomas and Mr. Benson;

Thank you for the above-referenced correspondence requesting additional information on the Rio Vista Subdivision Application (which was delivered as a complete application to the City of Duvall as of August 7, 2015).

This correspondence provides a response to the City's August 7, 2015 Request for Additional Information. We note for the record that City staff agreed to extend the date for resubmittal of the requested information to accommodate a single submittal to all of the response items identified.

This response is organized as follows: The City's information request is identified in "BOLD" and the Applicant's response to each item is provided below it; supporting documents and revised site plans are attached.

We have used our best abilities to respond to all information requested. We understand from our discussions with staff that our response will provide the City with sufficient information to proceed with issuance of a SEPA determination and scheduling of a preliminary subdivision hearing.

Master Permit Application

- 1. The preliminary plan set proposes 68 lots, the Master Permit Application and SEPA state 69, and the Preliminary Long Subdivision Application state 67. Please reconcile (Cross reference review comments #15 and #18)**

40 Lake Bellevue, Suite 100
Post Office Box 1282
Bellevue, Washington 98009-1282
Phone: (425) 837 3811
Fax: (425) 837 3801

Applicant's Response:

Following revision of the plan set to address certain regulatory issues, the total # of building lots applied for is 67 building lots.

Applicant requests the City to note said correction in the Master Permit Application, the SEPA checklist and the Preliminary Long Subdivision Application.

- 2. Note: The Comprehensive Plan designation for the properties is R-12, but this response was missing on the application staff has included this information on the application.**

Applicant's Response:

Noted and thank you for said correction.

- 3. Note: The Projects parcel numbers on the application are misidentified; staff has made the necessary changes.**

Applicant's Response:

Noted and thank you for said correction.

- 4. Per the Master Permit Application submittal checklist, please submit an owner's notarized authorization for application for Stephen and Rebecca Thomas, owners of parcel 732580-0180. This information was missing from the original submittal.**

Applicant's Response:

Mr. and Mrs. Thomas' notarized authorization for the subdivision application is attached to this resubmittal.

- 5. Carolyn and Gary Willett, owners of parcel 732580-0150, were notarized as "Applicants" rather "owners". Please resubmit notarized form indicating their status as owners.**

Applicant's Response:

Mr. and Mrs. Willett's notarized authorization for subdivision application is attached to this resubmittal, acknowledging their status as "owners".

- 6. Per the Master Permit Application Checklist, owner's phone numbers must be included on the application. Please provide current telephone contact information for each owner.**

Applicant's Response:

Following are the owner's most current contact information, as appropriate:

<u>Parcel #</u>	<u>Owner:</u>	<u>Telephone Contact #'s:</u>
732580-0150	Gary and Carolyn Willett	(206) 755-8490
732580-0160	Jim and Susan Burton	(425) 788-3639
732580-0170	Donna Verstrate Nancy Miller	(937) 209-001 (or via Nancy Miller) (703) 313 0601 (home), (699) 957-5957 (cell) or via Donna Verstrate
732580-0170	Steve and Rebecca Thomas	(425) 391-8997 (work) (425) 829-4280 (cell)

- 7. Please provide a full certificate of title, dated within three months of application, in lieu of the abridged subdivision guarantee submitted with the application. Note that the "Names of Assured" (Schedule A, #1) does not correspond to Master Permit Application owners/properties or King County Assessor's Records owners/properties. Lot 15 is omitted from reference and other property ownership is therefore misassigned.**

Applicant's Response:

A full certificate of title is attached for each of the properties include in the subdivision application.

The master subdivision application checklist is hereby amended is hereby corrected as follows:

<u>Tax Parcel:</u>	<u>Lot #:</u>	<u>Owner:</u>
732580-0150	15	Gary and Carolyn Willett
732580-0160	16	Jim and Sue Burton
732580-0170	17	Donna Verstrate and Nancy Miller
732580-0180	18	Steven and Rebecca Thomas

8. **Per the Master Permit Application Checklist, please provide a legal description of the subject property (preferred location is on Sheet 1 of 18 of the plan set).**

Applicant's Response:

The legal description of the property subject to the land use application is hereby noted as:

Lots, 15, 16, 17 and 18, Rio Vista Subdivision, unrecorded, in King County, State of Washington.

Locate in Section 06, Township 25 North, Range 06 East, in King County, State of Washington.

This legal description has been included on the Preliminary Plat Map of 18 of the revised plan set (attached).

SEPA Checklist

9. **Page 9, Item 8.b.: Agency comments have been added. The site has been recently been used as residential property, not as working farmlands or working forest lands (Vista Ranchettes. A residential plat, was recorded in 1968.) The proposal will not cause farmland or commercial forest land of long-term significance to be converted to other uses.**

Applicant's Response:

Applicant concurs with Agency comments.

- 10. Page 10, Item 8.1.f.: The current comprehensive plan designation is identified as “Mixed Use”, but the actual designation is R-12. The correction has been made.**

Applicant’s Response:

Applicant concurs with Agency comments and notes for the record that the above-referenced land use designations for the properties were adopted by the City of Duvall as of the date of vesting of the land use application.

- 11. Page 10, Item 8.1.h: Agency comment has been added to the margin for clarification. The site contains two mapped wetlands, “classified as a critical area by the City”.**

Applicant’s Response:

Applicant concurs with Agency comments.

- 12. Page 13, Item 14.f.: No response provided. Please provide the necessary information.**

Applicant’s Response:

The Project creates approximately fifty nine (59) total peak hour vehicular trips. Please refer to Traffic Study authored by Transpo, dated June 2015.

- 13. Per review comment #25m, verify that the reported number of parking spaces is accurate.**

Applicant’s Response:

The correct number of parking spaces provided by the proposal is as follows:

# of Housing Units:	67
# of Parking Stalls provided in Housing Units (each housing unit has 2 driveway stalls and 2 garage stalls per unit):	134
# of Street Parking Stalls:	79
Total Parking Stalls Provided:	213

14. Page 7, Item 5.C: Add that the site is located within the Pacific Flyway.

Applicant's Response:

Applicant requests the following information be appended to said SEPA checklist question:

“The site is located within the Pacific Flyway.”

A revised SEPA checklist is attached to this cover letter with said language incorporated.

15. Page 3, Item 11: The response over reports the proposed number of lots as 69. Please correct (cross reference review comments #1 and #18)

Applicant's Response:

The correct number of building lots proposed is 67. Refer to attached revised plan set.

Preliminary Long Subdivision Application

16. The Applicant address differs from that on the Master Permit Application and plan set. Please reconcile.

Applicant's Response:

The correct mailing address for the Applicant is as follows:

Post Office Box 1930
Woodinville, WA 98072

Applicant requests that all application forms be updated to reflect said address change.

17. Street designations for the Project address (general location) are incorrect. Please correct.

Applicant's Response:

The correct street addresses for all of the parcels included within the subdivision application are as follows:

<u>Parcel #:</u>	<u>Street Address:</u>
732580-0150	27065 NE 143 rd Place, Duvall, WA 98019
732580-0160	27066 NE 143 rd Place, Duvall, WA 98019
732580-0170	27028 NE 143 rd Place, Duvall, WA 98019
732580-0180	26854 NE 143 rd Place, Duvall, WA 98019

- 18. The description of the proposal under reports the proposed number of lots as 67. Please correct. (cross referenced with review comment #1 and #15).**

Applicant's Response:

The correct number of building lots is 67.

The attached plans and documents have been amended accordingly.

- 19. Question A.2.: Please explain how the Project addresses the criterion, such as providing specificity regarding types, location, dimensions, construction materials, or other information demonstrating convenience and connectivity of proposed infrastructure.**

Applicant's Response:

The Project provides for convenient and connected pedestrian circulation by providing safe pedestrian walkways both a) internally (i.e., along internal local access public rights-of-way and by means of trails along and through wetland buffers) and b) externally (i.e., sidewalks within public rights-of-way along those adjacent existing road frontages directly impacted by the proposal). By doing so, the Project provides convenient alternative pedestrian routes through and around the Project.

The Project provides for convenient and connected vehicular circulation by providing internal new public rights-of-way and/or private access tracts to service all lots within the Project.

The dimensions and construction materials for said walkways will be constructed in a manner consistent with the City's Design Standards and Public Improvement Standards or, where such standards are not applicable, with industry standard materials and designs.

20. Question A.3 and A.4: Address how the proposal can meet DMC 14.34.020(B)(3) and (4) for building types, assorted floor plans, elevations and façade designs that complement the village character of Duvall. For reference, review DMC 14.34.060.

Criteria For Review:

14.34.020 - Site planning—Principles.

- A. Purpose. The purpose of this section is to provide general guidance in the layout of new developments to ensure that they provide a logical organization of streets, parking, landscaping, stormwater, parks, pedestrian connections, and other public spaces, and provide for the safe, convenient and attractive use of private and public parcels within the development.
- B. General Site Planning Principles. All development shall submit a detailed site plan illustrating the proposed location and dimensions of new building blocks and lots, streets, alleys and other public rights-of-way, related parks and public spaces, and areas for utilities, storm ponds, vaults, or site infrastructure. The site plans shall be designed to result in the creation of a cohesive and integrated plan for the proposed uses, responding to adjacent land uses and organizing the site to use the public realm of streets, parks and other common areas to promote a sense of community and a unique sense of place. The detailed site plan shall demonstrate that the development includes the following elements:
1. A unifying organization that takes into account site conditions (e.g., topography, slopes, streams, wetlands) and adjacent land uses;
 2. Convenient and connected pedestrian and vehicular circulation, including a range of street types, pedestrian pathways, and trails that support a variety of street and frontage types;
 3. A variety of building types, with assorted floor plans and elevations that complement the village character of Duvall and enhance adjacent uses and buildings;
 4. Facade designs, landscaping, usable open space and other common amenities that serve to organize the site, create points for community gathering, and incorporate screening, environmental mitigation, utilities, and drainage as positive amenities in the overall site design;
 5. Where abutting developed land provides road stub-outs, easements, or other methods to provide the opportunity for future road connections, the interior street, sidewalk and trail network of new development shall be designed to link up to those connections and provide a clear public path of travel for both vehicles and pedestrians, unless there are site constraints such as topography or sensitive areas that make such connections infeasible.

(Ord. 1056 § 1 Exh. A (part), 2007)

Applicant's Response:

The Project meets and addresses the General Site Planning Principles set forth in DMC 14.34.020(b) and complements the village character of Duvall by providing the opportunity to develop a variety of building lot sizes, types, floor plans, elevations and façade designs

meeting the criteria set forth in DMC 14.34.060. Specifically the Project meets the criteria of DMC 14.34.020(b) as follows:

DMC 14.34.020(b)1: The site plan is organized in a unifying manner by providing a centralized public park around a wetland complex, with developed environments and housing clustered on the east and west sides of the wetland complex.

Proposed improvements including a) a public park with both active and passive recreational amenities and b) pedestrian paths through the wetland buffers unify the Project's phases.

DMC 14.34.020(b)2: The site plan provides convenient and connected pedestrian and vehicular circulation, including pedestrian pathways within the Project both between lots and connecting trails as well as public right-of-way sidewalks.

DMC 14.34.020(b)3: Landscaping, common open spaces, public open spaces and common amenities are incorporated into the site plan to unify the Project's separate phases, harmonize the Project with the natural environment and create opportunities for community gathering.

The site plan provides for: a) several types of buildings (single family, duplex and triplex housing units); and b) a range of building lot sizes and widths.

The combination of multiple building lot types, sizes and widths allow the development of a variety of building types, assorted floor plans, facades and elevations, consistent with the requirements of the R-12 zone and complimentary to the village character of Duvall and otherwise consistent with DMC 14.34.060.

Facades, building elevations and floor plans are not proposed at this time. The Applicant is amenable to the City establish a condition of plat approval requiring provision of building elevations and facades consistent with DMC 14.34 as a condition of final plat approval.

DMC 14.34.020(b)4: The proposal includes points for community gathering within the proposed public park and useable open space. The project's drainage vaults are incorporated into the project's

open space and designed to provide for above-ground active useable open space. Landscaping is utilized to provide screening and to harmonize the built environment with the natural environment. Environmental mitigation is provided to enhance and rehabilitate the on-site wetland areas.

- 21. Please specifically address how the Project conforms to each of the principals listed, to include landscaping, usable open space and common amenities, screening, environmental mitigation, utilities and drainage. You may cross-reference code sections DMC 14.14, 14.38, 14.42, etc. If relief from street tree spacing standards is proposed (DMC 14.38.120), please provide specific information regarding location, justification (driveway, utility, sight lines, etc.) and degree of requested relief, and describe how the resulting proposal conforms the principle outline. If relief from other standards is proposed, please specifically address.**

Applicant's Response:

See response to #20 above.

No relief from street tree spacing is requested at this time.

Planning Departures

- 22. Please submit a planning departure request for all retaining walls in excess of four feet per DMC 14.34.030(B)(2) in accordance with 14.34.010(E), or revise plans as necessary.**

Applicant's Response:

Applicant hereby requests a planning departure for all retaining walls in excess of four feet per accordance with DMC 14.34.030(B)(2) and in accordance with DMC 14.34.010(E). A Planning Departure Request is attached to this cover letter

Basis for Planning Departure Request:

The site has significant wetlands and buffers which impact the ability to situate minimum density under the R-12 zone to which this subdivision proposal is vested. As a result of the site's critical areas and natural features, developable density must be clustered to the NE, west and south. Mass clearing and grading of the site to depth is thus necessary to situate minimum density. Eliminating the set-back normally required between four (4) foot walls facilitates situating the required density in the NE quadrant of the Project to the greatest degree feasible.

A planning departure request is made to construct retaining walls in excess of four (4) feet as a singular wall without setback. The construction of retaining walls in excess of four (4) feet as a singular wall without setback is made in order to facilitate grading of the site to meet the minimum density required under the R-12 zone applicable to the Property.

Criteria for Planning Departure Approval:

DMC 14.34.010(E): Departures. The planning director may require or allow departures in the following circumstances:

1. Where unique natural features or unique lot configuration make it extraordinarily difficult to conform to the standards.
2. Where the Project is equal to or superior in design to that allowed under the general application of these standards, as well as other city standards.
3. In each case above, the Applicant must utilize other methods per the planning director's satisfaction that meet the intent of the applicable standards; and
4. Where departures involve site grading or other engineering issues, the departure shall be reviewed and approved by the planning and public works directors.

Justification of Planning Departure Request:

The proposed planning departure meets the requirements of DMC 14.34.010(E) as follows:

Criteria #1 is met due to the necessity to cluster buildable density because of extensive critical areas and their buffers.

Criteria #2 is met because an equal or superior design is achieved. To address any concerns regarding ensuring appropriate design and materials for the construction of said wall, Applicant is amenable to the City establishing a condition of preliminary subdivision approval requiring the design of the retaining walls to conform with the City's Design Standards (DMC 14.34) at final construction document approval.

Criteria #3 cannot be met because no other methods exist in order to meet the required R-12 minimum density due to site conditions.

Criteria #4 will be met by final review and approval of said retaining wall plans at final construction plan approval.

23. Submit a planning departure request to reduce landscape strip per comment 43.c (and/or any other proposed reductions to required landscaping).

Applicant's Response:

Applicant hereby requests a planning departure to eliminate the landscaping strip south of Lot 4 on the west side of 272nd Place NE and to construct a singular retaining wall in excess of four (4) feet at this location.

Basis for Planning Departure Request:

The site has significant wetlands and buffers which impact the ability to situate minimum density under the R-12 zone to which this subdivision proposal is vested. As a result of the site's critical areas and natural features, developable density must be clustered to the northeast, east and southeast portions of the subject property. Mass clearing and grading of the site to depth is thus necessary to situate minimum density.

Construction of a singular retaining wall in excess of four (4) feet without setback is made in order to facilitate grading of the site in the Southeast quadrant of the proposed development to help facilitate meeting the minimum density required under the R-12 zone applicable to the Property and development proposal. The area where this retaining wall is located is immediately adjacent to a wetland area and its buffer. Constructing the retaining wall at this location to a singular wall minimizes impact on the wetland and buffer area. The retaining wall is located downhill from the building lots and 272nd Place NE right-of-way; as such the singular wall creates no visual impact.

The elimination of the planting strip along this portion of 272nd Place NE is appropriate, because a) 272nd Place NE is a dead-end and will not be extended southerly by the Project and b) the Project does not create any road, vehicular or pedestrian impacts southerly of Lot #4.

Criteria for Planning Departure Approval:

DMC 14.34.010(E): Departures. The planning director may require or allow departures in the following circumstances:

1. Where unique natural features or unique lot configuration make it extraordinarily difficult to conform to the standards.
2. Where the Project is equal to or superior in design to that allowed under the general application of these standards, as well as other city standards.

3. In each case above, the Applicant must utilize other methods per the planning director's satisfaction that meet the intent of the applicable standards; and
4. Where departures involve site grading or other engineering issues, the departure shall be reviewed and approved by the planning and public works directors.

Justification for Planning Departure Request:

Criteria #1 is met due to the necessity to cluster buildable density on the Project because of extensive critical areas and their buffers and to create the least possible impact on the wetland and its buffer.

Criteria #2 is met because an equal or superior design is achieved. To address any concerns regarding ensuring appropriate design and materials for the construction of said wall Applicant is amenable to the City establishing a condition of preliminary subdivision approval requiring the design of the retaining wall to conform to the City's Design Standards (DMC 14.34) at final construction document approval.

Criteria #3 is met by using appropriate design and materials for construction of said wall to the planning director's satisfaction as a condition of construction plan approval.

Criteria #4 is met by final review and approval of said retaining wall plans at final construction plan approval.

Engineering Departures:

24. **Please submit an administrative Engineering Variance Request in order to exceed four units at Access Tracts A and B, as allowed with approval. (See Public Works Development Design Standards (PWDDS) Section 3-2.06E.7.) Staff supports this departure provided on-street parking is provided along 272nd Street SE from NE 143rd Place to the south limits of the property to satisfy Tract A parking requirements as summarized in 3-2.06E.8.a**

Applicant's Response:

Applicant hereby requests Agency to approve an Administrative Engineering Variance Request to exceed four units at Access Tracts A and B, pursuant to PWDDS Section 3-2.06.E.7. See attached Administrative Variance Request.

Criteria for Administrative Engineering Variance Request:

PWDDS Section 3-2.06.E.7:

Justification for Engineering Variance Request

The request meets the criteria of PWDDS 3-2.06.E.7 as follows:

See attached justification

Preliminary Long Subdivision – Plan Set and Code Compliance:

25. It appears that the plat on “Cover Sheet” 1 of 18 is intended to be the preliminary plat. Please provide a separate sheet in the plan set for the preliminary plat configuration with a corresponding legend, draw to legible scale, and including the following:
- a. The legal description of the site to be subdivided
 - b. Horizontal and vertical datum
 - c. Number designation for each proposed lot
 - d. Required 25’ R4 BSBL applicable to all lots adjacent to 272nd Place NE, per DMC 14.14.050(A)
 - e. Distinct building envelope for each proposed lot, per submittal checklist #4 and DMC 124.66.050(C)(5), in accordance with appropriate setback per DMC 14.64
 - f. Demonstration or note that building envelope setback and dwelling unit size will be varied per DMC 14.34.050(a)(3)(a)
 - g. Calculation demonstrating that 10% of net developable area has been allocated for common open space, per DMC 14.34.050(A)(5)(b)(ii) and DMC 14.64.240.
 - h. Proposed access/driveway to each garage, or clear demonstration that the required 20’ garage setback is met (DMC 14.34.050(A)(6)(a)(i)).
 - i. Demonstration that all proposed lots access from the internal road network per DMC 14.14.050(B).
 - j. Table or other method for illustrating the lot size of each proposed lot. Note that per DMC 14.34.050(A)(3)(a), lot size shall be varied.
 - k. Calculations demonstrating that the 2,500 square foot minimum lot size average for detached units is met (DMC 14.14.060(A)
 - l. Calculations demonstrating that the 20% minimum attached versus detached dwelling unit ratio is met (DMC 14.14.060(A)
 - m. Number designation for each street parking stall (note: the SEPA checklist indicates that 94 are provided, if this number changes, please correct Item 14.c) of the SEPA Checklist.
 - n. Please remove unnecessary information from the preliminary plat that detracts from readability (including some sewer, water and drainage layers), elements on plat that are not depicted in legend and vice versa, etc.), and ensure that all other information provided is legible. (For example, along the north property line a utility easement note is obstructed by a landscape buffer note).

Applicant's Response:

Please refer to the attached revised plan set, Sheet 1 of 18, which reflects all of the above-referenced items.

- 26. Ensure consistency between all plans. (For example, an “8’ max lock” and load wall is shown along the norther property line on Sheet 1.1.0, but is not reflected elsewhere in the grading, road and storm drainage plan; access for lots 13-21 and 63-68 I taken from NE 143rd Place, on plan set Sheet 1 of 18, but is appropriately taken internally on L1.0, etc.)**

Applicant's Response:

The revised attached plan set has been reviewed for consistency with regard to the above-referenced items.

- 27. Per the development agreement associated with this Project, a portion of the site will be developed and preserved as a park. Remove the area dedicated to the park from the site area and density calculations on all submittal materials, and show calculations. Note that per DMC 14.14.060(A), a minimum density of 8 dwelling units per gross usable acre, and a maximum of 12 units per gross usable acre is required. Please demonstrate the proposal meets these requirements in your calculations.**

Applicant's Response:

The area dedicated to public park has been removed from the site area and all calculations have been revised according. Density calculations have also been revised. See attached plans.

- 28. Please record the development agreement associated with this Project prior to Project resubmittal.**

Applicant's Response:

Since the request for this information, the development agreement has been recorded and the original copy has been deposited with the City of Duvall Clerk.

- 29. It appears that the existing lots are served by on-site sewage systems. Note: Prior to construction, the (on-site sewage) systems shall be decommissioned and abandoned in accordance with Washington State Department of Health Rules and Regulations WAC 246-272A and King County Code Chapter 13.04.054.**

Applicant's Response:

Applicant requests that this condition be established as a condition of preliminary subdivision approval for the Project. A notation to this effect has been added to the revised Plan Set (attached)

Landscape/Tree Retention Plan

- 30. Sheet L1.0, L1.2, L1.3: Please connect property pins along 272nd Place NE with a clearly defined property line.**

Applicant's Response:

The revised plan set (attached) has been amended to address this request.

- 31. Please show all landscaping required per DMC 14.38.090 and .100 on the plans. At a minimum, show required buffer types, and locations (specific shrub, groundcover types, sizes not required at this time).**

Applicant's Response:

The revised plan set (attached) has been amended to address this request.

- 32. Show calculations that the minimum 25% landscaping requirement (excluding sensitive areas and buffers) for the R-12 zone has been met, per DMC 14.38.060.**

Applicant's Response:

The revised plan set (attached) has been amended to address this request.

- 33. Per DMC 14.38.050, native vegetation shall be preserved to the extent possible. It appears that some trees located along 272nd Place NE and throughout the site are proposed for removal but could be retained without impacting the layout. Please address. Note that per DMC 13.34.050(A)(3)(d), structures and parking areas may**

encroach into required setbacks if it can be shown that such an encroachment allows significant or landmark trees to be retained.

Applicant's Response:

Applicant acknowledges that DMC 14.38.050 provides a good faith obligation to preserve native vegetation to the "extent possible". To address this issue, Applicant proposes to preserve all wetlands and buffers in separate tracts in accordance with the requirements of DMC 14.38.050.

Due to the minimum density required under the R-12 zone and the amount of wetland, buffer and horizontal storm detention area required, all portions of the site outside of wetlands and their associated buffers (excepting that portion of the right-of-way on the west side of 272nd Street north of 143rd required to be left in a nature state as an "open space buffer", as required as condition of annexation approval). must be mass-graded to depth with associated on-site placement and compaction of native materials and the import of approx. 40,000 cubic yards of structural soils.

Due to the need for mass grading and import soils and to develop the property in a manner meeting the density requirements of the R-12 zone, there is no method of accommodating the preservation of native vegetation outside of wetlands and buffers.

- 34. Sheet L1.0 indicates that a total of 462 significant trees exist on the site, but the "Existing Tree List" on Sheet L1.1 includes on 449 trees. Per DMC 14.40.040(A)(2), show calculations for existing number of trees and reconcile with L1.0.**

Applicant's Response:

The correct number of significant trees on the property is 322. Total of significant trees (including significant trees within the right-of-way) is 322. Please refer to the Executive Summary on Page 3 of our Arborist's response for substantiation.

- 35. Similarly, Sheet L1.0 indicates that "Actual Retained Significant Trees" will be 46, but Sheet L1.1 includes only 45 proposed for retention and only 20 of these are significant. (Per DMC 14.40.020(C), a significant tree is a tree that measures a minimum of 16" in diameter at breast height.) Please reconcile and show calculations.**

Applicant's Response:

Sheet L1.0 on the revised plan set has been amended to reflect that there are 310 significant trees on the site. Supporting calculations are provided.

The 25 non-significant trees being retained are being retained to meet the requirements of DMC 14.38.050.

36. Provide a minimum of one street tree for each lot (on the lot or in the landscape strip, as required, per DMC 14.38.120(H)).

Applicant's Response:

A total of 67 building lots are proposed, which is equal to the number of street trees required. A total of ninety one (91) trees are shown on the attached plan sets, located in either the building lots or as street trees within rights-of-way. Therefore the criteria of DMC 14.38.120H are met.

There are no street trees requiring deviation from street tree spacing requirements.

A total of 249 replacement trees are required. A total of 268 replacement trees are shown on the attached plan set. Therefore the criteria of DMC 14.38.120H are met.

Please refer to the attached landscaping plans for additional information.

37. Per DMC 14.40.040(A), the following calculations are also required: average number of trees per acre and the number of hazard, dead or dying trees.

Applicant's Response:

The total # of trees on the Property are as follows:

Significant Trees	322
Not Significant Trees	147
Total Trees:	469

The property is comprised of approximately 12.42 acres; therefore, the average number of total trees per acre is:

Significant Trees Per Acre:	25.93
Not Significant Trees Per Acre:	11.84
Total Trees Per Acre:	37.76

The average number of trees per acre resulting from the proposal is as follows: _____

The number of hazard trees considered for removal is 73.

The number of dead or dying trees is 15.

Please refer to the Applicant's arborist's revised report and response at Page 3 (attached) for substantiation of these #'s.

Applicant notes, however, that the information requested by the City's consultant is fundamentally academic in nature and irrelevant to the subdivision proposal, due to the fact that the entire developable portion of the Property must be cleared in its entirety and graded to depth in order to achieve the minimum densities mandated under the R-12 zoning and that the only native vegetation and trees that will be preserved are those located within wetlands, critical areas and buffers. See Applicant's response to Information Request #33 above.

Further, the version of DMC 14.40 to which the subdivision application is vested does not absolutely require preservation or retention of existing stands of upland trees; rather, replacement is an accepted methodology. The required number of replacement trees will be planted within wetland buffers, pursuant to and consistent with the version of DMC 14.40 to which the proposal is vested to.

38. Show calculations demonstrating compliance with DMC 14.40.050(B).

Applicant's Response:

See attached report by Applicant's arborist.

39. Per DMC, 14.40.040.(a)(1), trees on adjacent properties that have a dripline extending on to the property under application shall be identified. Please identify all such trees.

Applicant's Response:

As part of this informational response, Applicant's surveyor surveyed the adjacent tax parcels north of the subject property (with permission of said property owners) to determine if there were (or are) any significant trees (as defined by applicable regulations) that have driplines extending onto the subject property.

No significant trees exist on adjacent properties near the property line whereby the drip line or root zone extends onto the subject property. See attached survey.

- 40. Per DMC 14.40.080(A)(1), all minimum required tree protection measures shall be shown on the tree plan and the site grading plan.**

Applicant's Response:

Applicant respectfully requests that Staff condition the subdivision approval to provide requested information and detail as part of construction drawing and site grading plan application.

- 41. Deciduous street trees are required along all public streets at a minimum of 25' to a maximum of 40' on center, per DMC 14.38.120. Propose additional plantings, as necessary to meet this requirement. Note: if the average spacing must be adjusted to allow for utilities and other interruptions in the planting area, submit a planning departure request and supplement the response to question #4 on the Preliminary Plat Checklist with specific information regarding location, justification, (driveway, utility, sight lines, etc.) and degrees of requested relief from this standard.**

Applicant's Response:

The proposal conforms to the requirement of DMC 14.38.120.

- 42. Minimum tree protection measures are required to be shown on the tree plan and the site grading plan, per DMC 14.40.080(1). Please incorporate into plan sets.**

Applicant's Response:

Applicant respectfully requests that Staff condition the subdivision approval to provide the requested information and detail as part of construction drawing and site grading plan application.

- 43. Construction activities are prohibited within root protection zones (measured 5' outside of dripline) of protected trees, unless it can be demonstrated by arborist evaluation that the long term viability of such trees is not affected (DMC 14.40.080(A)). Ensure grading plans reflect this requirement.**

Applicant's Response:

Further review of the proposal demonstrates that no protected trees are affected by the requirements of DMC 14.40.080(A).

Applicant therefore requests that the preliminary subdivision approval contain a condition to the effect that the requirements of DMC 14.40.080(A) be met at construction drawing submittal.

- 44. Per DMC 14.40.070E, please ensure to the extent possible, that replacement trees are native species.**

Applicant's Response:

Applicant respectfully requests that Staff condition the subdivision approval to the effect that requested information and detail shall be provided as part of construction drawing and site grading plan application.

Preliminary Public Works Plan Review.

- 45. Sheet 1 of 8:**

- a. An approved supervised Automatic Fire Sprinkler System is required in all multi-family units with three or more attached units, and/or greater than 5,000 square feet, and or where any portion of the structure is greater than 150 feet from Fire Department accessible right-of-way. (Based on preliminary review, Lots 1, 2 , 5, 6, 46, 37, 38 and any multifamily units with three or more attached units, and/or greater than 5,000 square feet).**

Applicant's Response:

Applicant respectfully requests that Staff condition the preliminary subdivision approval to provide requested information and detail as part of construction drawing and final plat approval.

- b. Open Space Tract R and the wet vault access tract locations shall be revised to be adjacent and provide equal or equivalent additive front length.**

Applicant's Response:

The attached revised site plan has been amended to address this item.

- c. Frontage Improvements including parking, sidewalk, and landscaping shall extend along 272nd Place NE from 143rd Place to the south limits of the property. The**

landscape strip may be omitted south of NE 143nd Court intersection to minimize buffer impacts.

Applicant's Response:

The attached revised site plan has been amended to address this item.

- d. Frontage Improvements shall be installed along 272nd Place NE from NE 143rd Place to the north limits of the property in accordance with City standards. If documentation is provided that shows there is “no nexus” for the improvement the City will review the analysis and make a recommendation to the hearing examiner. The analysis should be documented by a traffic consultant.**

Applicant's Response:

Applicant respectfully declines the City's request to improve the west side of 272nd Place NE north of NE 143rd Place to the property's NE corner, for the following reasons:

1. The proposal does not provide vehicular or pedestrian access to this portion of 272nd Place NE.
2. A new school bus stop will be placed at the intersection of Internal Road A and NE 143rd Place to provide for a centralized safe location for all children living within the proposed subdivision.

The existing school bus stop on the west side of 272nd Place NE will remain in use by the District for children not living within the Project.

3. An adequate and safe walking path exists on the east side of 272nd Place NE for pedestrians. This, comprised with improvements to the NW corner of the intersection of NE 143rd Place and 272nd Place NE, ensures that a safe walking path exists for any incidental pedestrian use of 272nd Place NE by residents of the Project.

See attached memo from Applicant's traffic engineer regarding pedestrian impacts. There is no nexus between the City's request for improvements to this portion of 272nd Place NE and thus no legal basis for the City's request to condition the preliminary subdivision approval with right-of-way improvement to the west side of 272nd Place NE north of NE 143rd Place.

- a. **For clarity, provide a separate site plan showing the proposed road layout. There is too much information shown on Sheet 2 and the presentation is unclear. On the site plan, label the pavement widths, right-of-way width, and the dimensions of the radii at the intersections.**

Applicant's Response:

Applicant respectfully requests that Staff condition the subdivision approval to provide the requested information and detail as part of construction drawing and site grading plan application.

- b. **Add flow arrows to the storm water piping.**

Applicant's Response:

Applicant respectfully requests that Staff condition the subdivision approval to provide the requested information and detail as part of construction drawing and site grading plan application.

- c. **Provide a vault volume summary table for each detention vault with detention volume required and detention volume provided.**

Applicant's Response:

The attached revised site plan has been amended to address this item.

- d. **Remove the "BASIC" callout boxes from the plans.**

Applicant's Response:

The attached revised site plan has been amended to address this item.

- e. **Show the water and sewer pipes shaded in the background for reference.**

Applicant's Response:

Applicant respectfully requests that Staff condition the subdivision approval to provide the requested information and detail as part of construction drawing and site grading plan application.

- f. Add a note to each of these sheets that the existing overhead power will need to be placed underground.**

Applicant's Response:

Applicant respectfully requests that Staff condition the subdivision approval to provide the requested information and detail as part of construction drawing and site grading plan application.

- g. The East Vault top of live storage elevation is higher than adjacent pipe systems and roadway. The East Vault top of live storage elevation shall be revised to Revie all pipe surcharge at the inlet and outlet system.**

Applicant's Response:

The attached revised site plan has been amended to address this item.

- h. On the west vault, lower the lid elevation to reduce required wetland buffer grading.**

Applicant's Response:

Applicant respectfully advises that this information request cannot be met – lowering the lid elevations (as proposed) reduces the depth (and associated volume) of surface water storage.

- i. Catch basin locations shall be revised to prevent ponding at curb extensions and elsewhere. Consider full road-super-elevation (as opposed to standard crown) to minimize catch basin and conveyance pipe. The west end of the storm system along NE 143rd Place shall terminate at a curb line catch basin with outfall stub to accommodate future connection to the west.**

Applicant's Response:

Applicant respectfully requests that Staff condition the subdivision approval to provide the requested information and detail as part of construction drawing and site grading plan application.

- j. Delete side (wing) ramps at ADA ramp locations within landscape areas and replace with lateral vertical curb. Minimize curb extension length to maximize parking areas.**

Applicant's Response:

Applicant respectfully requests that Staff condition the subdivision approval to provide the requested information and detail as part of construction drawing and site grading plan application.

- k. A minimum full-width, 2-inch thick overlay is required along all road frontages and along the watermain extension to 144th Street NE in accordance with PWDSS Section 1-1.07 Plan Checklists (Roads). If at the time of construction, the City determines the pavement is in good condition, the overlay may be reduced to a single lane.**

Applicant's Response:

Applicant respectfully requests that Staff condition the subdivision approval to provide the requested information and detail as part of construction drawing and site grading plan application.

- l. Road surfacing, base, and pavement type and thickness shall be in accordance with PWDSS 3-4.01 unless approved by the Public Works Department. Use of Asphalt Treated Base (ATB) is not allowed for permanent pavements.**

Applicant's Response:

Applicant respectfully requests that Staff condition the subdivision approval to provide the requested information and detail as part of construction drawing and site grading plan application.

- m. Joint Use Driveways Tracts D and F shall be constructed of Portland Cement Concrete (PCC).**

Applicant's Response:

Applicant requests that Staff condition the subdivision approval to provide the requested information and detail as part of construction drawing and site grading plan application.

- n. Private Access Tracts shall conform to PWDDS Section 3-2-06E. Full super elevation or normal crown (no reverse crown) shall be required for Hot Mix Asphalt (HMA) pavements. All Private Access Tracts shall terminate cast-in-place vertical PCC curb.**

Applicant's Response:

Applicant requests that Staff condition the subdivision approval to provide the requested information as part of construction drawing and site grading plan application.

47. Sheets 5 through 10 of 18:

- a. Label roadway vertical curbs.**

Applicant's Response:

The attached revised site plan has been amended to address this item.

- b. Add a note to the profiles that the storm drainage pipe shall be profile wall PVC in accordance with City of Duvall standards.**

Applicant's Response:

The attached revised site plan has been amended to address this item.

- c. Catch basin inlet/outlet pipe(s) crown elevations shall match (no drop structure allowed).**

Applicant's Response:

The attached revised site plan has been amended to address this item.

- d. Note: storm drainage profiles will be verified at a later date following catch basin and conveyance revisions.**

Applicant's Response:

Applicant respectfully requests that Staff condition the subdivision approval to provide the requested information and detail as part of construction drawing and site grading plan application.

48. Sheets 11 through 13, of 18:

a. Label roadway vertical curves.

Applicant's Response:

The attached revised site plan has been amended to address this item.

b. Revise sewer and water main alignments to be within roadway (as opposed to beneath sidewalks) unless there are no other feasible options.

Applicant's Response:

The attached revised site plan has been amended to address this item.

c. Provide required Department of Health vertical and horizontal requirements between water and sewer mains.

Applicant's Response:

The attached revised site plan has been amended to address this item.

d. Relocate Lots 34 through 38 sewer collection Pipe to Tract E.

Applicant's Response:

The attached revised site plan has been amended to address this item.

e. Relocate Lot 13 through 18 sewer collection pipes to Tract C and Road A.

Applicant's Response:

Applicant has elected not to amend the site plan to address this issue at recommendation of Applicant's civil engineer, as such request is not cost-effective or efficient and the request does not have basis in code authority.

Addressing this issue is not required on order to proceed with preliminary subdivision approval and is appropriately addressed as part of final construction drawing submittal and approval. Applicant requests that the City consider this issue as part of final construction drawing design and review.

f. Relocate Lot 27 water meter to edge of road ROW.

Applicant's Response:

The attached revised site plan has been amended to address this item.

g. Delete in-line water main valve adjacent to Lot 24.

Applicant's Response:

The attached revised site plan has been amended to address this item.

h. Provide 3 valves at water main "T" located at the Tract E/Road A intersection.

Applicant's Response:

The attached revised site plan has been amended to address this item.

i. Revise fire hydrant locations to the following:

SW corner of 272nd/143rd (OK, leave as is)
NE corner of Road A/143rd intersection
SE corner of Road A/Tract E intersection
NE corner of Road B (East leg) and 143rd

Applicant's Response:

The attached revised site plan has been amended to address this item.

- j. Delete in-line valve on 450 main in 272nd Place NE (adjacent to Lot 26).**

Applicant's Response:

The attached revised site plan has been amended to address this item.

- k. Delete 450 water main on 272nd Place NE south of NE 143rd Place. Tract A shall be served with 555 pressure zone water main extending from existing 272nd Place water main ("T" with three valves). Lots 9 through 12 may be served from the NE 143rd Place water main or a 555 zone main in Tract B.**

Applicant's Response:

The attached revised site plan has been amended to address this item.

- l. Revise Tract A sewer main to delete SSMH 23.**

Applicant's Response:

Applicant disagrees with staff request as it creates conflict with other utilities; response to this information request item is not necessary under code or submittal requirements in order to proceed with preliminary subdivision approval. Applicant requests that resolution of this issue is appropriate deferred to construction plan submittal and approval.

- m. Delete SSMH 31 drop structure (revise main for SSMH 4 to SS MH 31).**

Applicant's Response:

The attached revised site plan has been amended to address this item.

- n. Note: Sewer main profiles will be verified at a later date following revisions.**

Applicant's Response:

Response to this information request is not provided and is not necessary under code or submittal requirements in order to proceed with preliminary subdivision approval.

Resolution of this issue is appropriate deferred to construction plan submittal and approval.

Preliminary Technical Information Report

- 49. Revised TIR shall address Low Impact Development BMP's in accordance with KCSWDM requirements and the NPDES Technical Appendix 1 requirements. Specifically, address development requirements (Figure 3.3, Page 10, triggers all minimum requirements, #1 to #9.**

Applicant's Response:

Applicant requests City to condition preliminary plat approval with addressing this information issue at final construction drawing approval.

- 50. Provide additional documentation that the proposed vault outfall systems supply required wetland recharge and are in the correct location to provide appropriate wetland recharge.**

Applicant's Response:

See response to information request item in attached report from Ed McCarthy PE date __.

- 51. The City of Duvall had received drainage complaints from the property owner at 27011 NE 144th Street (flooding and poor drainage associated with the Project wetland area to the south). Provide additional documentation that demonstrates that vault discharge will not adversely impact downstream properties to the north. Currently, vault overflow will discharge north to an unimproved channel. Revise overflow location to an appropriate discharge location (likely storm conveyance to NE 143rd Place).**

Applicant's Response:

To address this information request item, Applicant received permission from the owners of 27011 NE 144th Place (King County Parcel #213190-0180) and adjacent property owners to survey the downstream channel between the subject property and NE 144th Place. See attached off-site surveys showing location and depth of said conveyance channel.

Applicant understands that said conveyance channel is a man-made ditch located within the prism of an on-site wetland (which is a northerly extension of Wetland A onto Parcel #213190-0180).

Through observation, Applicant's consultants have concluded that 1) the ditch on Parcel #213190-0180 is not properly conveying surface water through said property; 2) The ditch is of uneven depth and width (see survey), which effectively blocks surface water flow from Wetland A and backs surface water onto Parcel #213190-0180; 3) the flooding conditions and poor surface water drainage from Parcel #213190-0180 is primarily caused by the property owner's failure to maintain the ditch, as opposed to excessive surface water from Wetland A, as well as the fact that Parcel #213190-0180 is primarily comprised of Wetland A.

See attached supplemental hydrology report from Ed McCarthy PE. The hydrology study concludes that:

- 1) The ditch currently conveys approx. 1.5 CFS of surface water given its unmaintained condition;
- 2) Approximately 1.5 CFS surface water release is necessary to adequately hydrate Wetland A;
- 3) The surface water detention vault discharges adequately hydrates Wetland A; and
- 4) The volume of surface water released by the project to Wetland A in the post-development condition will not adversely affect properties downstream from site.

Preliminary Technical Information Report

52. Section 2:

- a. **The report states that the final TIR will analyze the 25-yr storm event for compliance with conveyance regulations. Please note that the 100-yr event must also be analyzed to conform with KCSWDM 1.2.4.1 (See Item #2 under "Pipe System").**

Applicant's Response:

It is Applicant's understanding that according to the version of the City's Storm Water Manual to which the subdivision application is vested to, the 100-year event must only be analyzed if a project discharges to a "severe erosion basin".

Review of the applicable storm water manual demonstrates that the Property does not discharge surface water to a severe erosion basin.

The Applicant accordingly requests that absent staff's demonstration that the proposal discharges to a documented "severe erosion basin", then Staff's request for analysis of the 100-year event be withdrawn. If consideration of the 100-year storm event is required under applicable surface water regulations the project is vested to, then Applicant request that the preliminary plat approval be conditioned with addressing this information at final construction drawing approval.

53. Section 4:

- a. The basin areas provided in Table 4.1 do not appear to be consistent with Figure 4.1. Please clarify how the historic basin areas were derived.**

Applicant's Response:

Applicant advises that the historic basin areas are in fact consistent.

- b. Please revise the orifice dimensions to standard diameters that can be reliably fabricated (e.g., nearest 1/16th inch).**

Applicant's Response:

Response to this information request is not provided and is not necessary under code or submittal requirements in order to proceed with preliminary subdivision approval.

Resolution of this issue is appropriate deferred to construction plan submittal and approval. Applicant requests Staff to establish a condition of preliminary plat approval to address this issue as part of final construction plan approval.

- c. Please explain the purpose or need for the 50 foot rectangular weir calculation.**

Applicant's Response:

Response to this information request is not provided and is not necessary under code or submittal requirements in order to proceed with preliminary subdivision approval.

Resolution of this issue is appropriate deferred to construction plan submittal and approval. Applicant requests Staff to establish a condition of preliminary plat approval to address this issue as part of final construction plan approval.

- d. The report includes spreadsheet calculations that appear to be a Manning's pipe flow analysis. These are presumably intended to demonstrate sufficient conveyance capacity. This is allowable for the preliminary design, but a backwater analysis will be required at the final design stage.**

Applicant's Response:

Response to this information request is not provided and is not necessary under code or submittal requirements in order to proceed with preliminary subdivision approval.

Resolution of this issue is appropriately deferred to construction plan submittal and approval. Applicant requests Staff to establish a condition of preliminary plat approval to address this issue as part of final construction plan approval.

- e. Please provide a pervious/impervious surface breakdown of basins "Offsite 1", "Offsite 2", NE 1, "W1" and "Bypass". Clearly depict the increase in impervious areas within these basins as a result of any proposed frontage improvements.**

Applicant's Response:

Applicant refers Staff to the TIR – all of the areas mentioned are impervious – See Point D, Page 22.

- f. It appears that the land cover conditions were based on some general assumptions. This is acceptable for preliminary sizing, but accurate land cover calculations should be provided during the final design. This should include maximum allowable lot coverage and measured impervious right-of-way.**

Applicant's Response:

Response to this information request is not provided and is not necessary under code or submittal requirements in order to proceed with preliminary subdivision approval.

Resolution of this issue is appropriate deferred to construction plan submittal and approval. Applicant requests Staff to establish a condition of preliminary plat approval to address this issue as part of final construction plan approval.

54. KCRTS Calculations:

- a. **It would be helpful to have all of the KCRTS calculations combined in one section, rather than having portions imbedded in the text and other portions in an appendix. The KCRTS calculations in the report are incomplete. Please provide the following**
 - i. **Input parameters used to generate the flow frequencies**
 - ii. **NE/SE Vault design calculations (including two-outlet reservoir definition)**
 - iii. **KCRTS Routing Instructions for the NE/SE vault design.**

Applicant's Response:

Applicant respectfully disagrees with this request for additional information, as all calculations are complete and the additional information requested is not required.

If this information is necessary, Applicant requests Staff to condition the preliminary plat approval to provide such information at construction drawing approval.

55. Demonstrate how the orifice discharge rates for the two-outlet reservoir were derived.

Applicant's Response:

According to Applicant's civil engineer, these orifice discharge rates were established by "trial and error" analysis (please refer to the TIR for justification).

56. Demonstrate that the OUTNE.TSF and OUTSE.TSF account for upstream flow-through and bypass flows.

Applicant's Response:

Refer to Table 4.3 of the TIR and "DEVNE" Input page in the Appendix.

57. KCRTS Calculations – The TARGNE.TSF basin specifies .062 acres of impervious surface. This is more than 100% of the area in the "W1" and "Bypass" basins. Please clarify how this was derived.

Applicant's Response:

W1 and Bypass are not in the Northeast Basin.

Tree Report

58. See attached letter from Terra Firma Consulting dated July 23, 2015.

Applicant's Response:

Acknowledged.

59. "Significant" and "non-significant" trees are not categorized per DMC 14.40.020. Please clearly distinguish and revise landscape plans accordingly.

Applicant's Response:

See attached updated report from Applicant's arborist.

60. The report erroneously mixes healthy status with the issue of safety. These are two separate factors and should be distinguished as such. Additional, trees may have been tagged for removal for safety, although they appear to be in good health without major defects (for example, #5715). Please address.

Applicant's Response:

See attached updated report from Applicant's arborist, which addresses staff's informational request.

Applicant notes, however, that the information requested by the City's consultant is fundamentally academic in nature and irrelevant to the subdivision proposal, due to the fact that the entire developable portion of the Property must be cleared in its entirety and graded to depth in order to achieve the minimum densities mandated under the R-12 zoning and that the only native vegetation and trees that will be preserved are those located within wetlands, critical areas and buffers. See Applicant's response to Information Request #33 above.

Further, the version of DMC 14.40 to which the subdivision application is vested does not absolutely require preservation or retention of existing stands of upland trees; rather, replacement is an accepted methodology. The required number of replacement trees will be planted within wetland buffers, pursuant to and consistent with the version of DMC 14.40 to which the proposal is vested to.

Therefore, requiring the Applicant to spend money and consulting effort to distinguish between health and safety factors is irrelevant with regard to this proposal.

- 61. Because of the closed canopy of dense forest in the northeast property, I would reconsider the viability (as in survivability post development) of any trees with a “fair” health rating, both significant and non-significant trees. Any trees in “good” health but are upon a nurse-long or stump, having a bowed trunk or forked or multiple tops would also not be good candidates for retention.**

Applicant's Response:

Applicant acknowledges that staff's consultant assessment is correct, but fails to acknowledge the basic fact that due to the obligation to achieve minimum R-12 zone minimum density, the entire developable portions of the Property must be cleared and mass graded to depth and as a result, no existing significant trees can or will be retained, except within wetlands, critical areas and buffers. See Applicant's response to Information Request items #33 and #60 above.

Applicant further respectfully notes that the version of DMC to which the proposal is vested to does not require retention of existing trees, but rather, replacement of trees only.

The required number of replacement trees will be planted within wetland buffers, pursuant to and consistent with the version of DMC 14.40 to which the proposal is vested to. The total number of replacement trees exceeds the replacement requirement.

The City's consultant's comments are thus irrelevant to the proposal.

- 62. Note: the recommended limits of disturbance are purely academic, as they are based solely on dripline. In the dense forest, this is a poor indicator of actual or critical root zone. A new determination of limits of disturbance must be made when actual improvements, construction or clearing is proposed.**

Applicant's Response:

Applicant agrees that the City Consultant's information request is academic in nature. Applicant again notes that the City consultant's review comment are not applicable to this proposal for the reasons stated in response to Items #33, #60, and #61 above.

- 63. Demonstration of how the proposal meets minimum tree retention requirements is missing. Show how the proposed tree retention meets the minimum requirements both inside and outside of the sensitive areas (DMC 14.40.050). Calculation of tree density (average trees per acre) must also be included.**

Applicant's Response:

Applicant's proposal shall not retain any existing trees within the developable portions of the property, due to the need to mass clear and grade to depth all portions of the site outside wetlands, critical areas and buffers on order to meet minimum density requirements for the R-12 zone.

See Applicant's response to Information Request #33, #60, #61, and #62 above.

The required number of replacement trees will be planted within wetland buffers, pursuant to and consistent with the version of DMC 14.40.050 to which the proposal is vested to.

- 64. Many of the tree tags are missing or illegible making it extremely difficult to reconcile in the field. Please reestablish clearly labeled tags on the significant trees to be retained. Additionally, the significance of red flagging tape affixed on several trees is unclear. Please address.**

Applicant's Response:

Applicant respectfully disagrees with the City's consultant's request to re-establish missing or illegible survey tags on trees, due to the fact that all trees will be removed from the proposal's developable area; as such, the request to resurvey and tag trees is an inappropriate use of the Applicant's money and provides no public benefit. See Applicant's response to Information Request #33, #60, #61, #62 and #63 above.

Applicant's survey clearly defines the total number of significant trees, and this is the primary basis for the number of replacement trees.

- 65. A separate site survey for each parcel is requested, especially for the northeast and south parcels. Furthermore please provide a better visual indicator of each significant tree's health (for example, a dark symbol for "good" or "better" and a faded symbol for fair, dead, dying, hazard). For non-significant trees that are good candidates to consider for retention, they could have circles around their symbols.**

Applicant's Response:

This request for information is both not required by code and is thus unnecessary.

See Applicant's response to Information Request #33, #60, #61, #62, #63 and #64 above.

- 66. Please provide an overlay with the proposed lots, setbacks and improvements on the improved tree inventory to assist with the discussion of layout and tree retention opportunities.**

Applicant's Response:

Applicant again declines to provide the requested information, as the requested information is not required by codes and is inconsistent with the requirement to mass clear and grade to depth the entire site, resulting in the fact that there are no opportunities for tree retention, except within wetlands, critical areas and their buffers. See Applicant's response to Information Request #33, #60, #61, #62, #63, #64 and #65 above.

The City's consultant is therefore embarking upon needless review which is overly burdensome on the Applicant and creates no information of public benefit.

Sensitive Areas Study

- 67. See attached letter from ESA dated August 7, 2015.**

Applicant's Response:

Acknowledged.

- 68. Per ESA's October 18, 2013 review letter, the wetland delineation performed in June 2007 is out of date (the Corp of Engineer's typically request wetlands to be re-delineated after 5 years to confirm that boundaries have not changed). Please apply the information obtained by WRI during the wetland verification and reflagging performed in 2013 to the sensitive areas study.**

Applicant's Response:

Please refer to the attached updated wetland and critical areas study from the Applicant's wetland consultant.

We respectfully note that according to WRI's report, none of the following have changed since the original critical areas report's issuance: a) the area of the wetland, b) the classification of the wetland; c) the habitat functions and values of the critical areas; or d) the associated buffers.

69. Wetland A Rating Form:

- a. **H1.2 – Response indicates three types of water regimes are present (2 points, yet only two boxes are checked. Please address.**

Applicant's Response:

Please refer to the attached updated wetland and critical areas study from the Applicant's wetland consultant.

- b. **H2.2 – Response indicates that the wetland is part of a relatively undisturbed and unbroken vegetative corridor that is at least 25 acres in size. It appears that NE 143rd Place located immediately to the south, and other surrounding development isolates Wetland B from areas meeting this criterion and that response H2.2.3 (within 3 limes of large field or pasture is more accurate. Please address.**

Applicant's Response:

Please refer to the attached updated wetland and critical areas study from the Applicant's wetland consultant.

- c. **Document and provide results of groundwater monitoring that was completed within Wetland A.**

Applicant's Response:

Please refer to the attached updated wetland and critical areas study from the Applicant's wetland consultant.

70. Wetland B. Rating Form

- a. **D 1.3 – Investigation of the wetland area on the Toll Brothers Jones Wald property revealed organic soils (4 points). Soil conditions in Wetland B should be verified.**

Applicant's Response:

Please refer to the attached updated wetland and critical areas study from the Applicant's wetland consultant.

- b. D 1.4 – Response indicates that areas of seasonal ponding is < 1.4 of the total wetland previous investigation suggested that the area of seasonal ponding is between ¼ and ½ of the wetland area Areas of seasonal ponding should be reassessed or the Wetland B rating form response should be revised to provide consistency with previous City-reviewed documentation.**

Applicant's Response:

Please refer to the attached updated wetland and critical areas study from the Applicant's wetland consultant.

- c. D 3.2 - Response indicates that depth of storage (marks of ponding) is less than 0.5 feet; previous investigation identified marks between 0.5 and 2 feet from bottom of the outlet. Depth of storage during wet periods should be re-assessed, or the Wetland B rating form response should be revised to provide consistency with previous City-reviewed documentation.**

Applicant's Response:

Please refer to the attached updated wetland and critical areas study from the Applicant's wetland consultant.

- d. Consider implications for wetland classifications, including allowed buffer reduction.**

Applicant's Response:

Please refer to the attached updated wetland and critical areas study from the Applicant's wetland consultant.

- 71. The wetland buffer widths are inconsistent between text and plan sheets. Please address.**

Applicant's Response:

Please refer to the attached updated wetland and critical areas study from the Applicant's wetland consultant and the updated plan sheets. The revised plan set has been amended to be consistent.

72. Investigate the possibility of relocation the dispersion trenches away from Wetland A's boundary.

Applicant's Response:

Applicant's consultants have evaluated this request and are of the opinion that the dispersion trenches cannot be relocated further away from Wetland "A" because there is no room to do so.

73. Consider placement of two dispersion trenches on the east side of Wetland A.

Applicant's Response:

Applicant's consultants have evaluated this request and are of the opinion that there is no need for two dispersion trenches and that one dispersion trench will suffice.

74. Document and evaluate restoration opportunity associated with existing stormwater ditches / conveyances within Wetland A, as mapped on Project plans.

Applicant's Response:

Please refer to the attached updated wetland and critical areas study from the Applicant's wetland consultant.

75. Account for the permanent buffer impact associated with the dispersion trenches and provide appropriate wetland and/or buffer mitigation.

Applicant's Response:

Please refer to the attached updated wetland and critical areas study from the Applicant's wetland consultant.

76. Reduce the width of the trail to 4 feet and increase the associated buffer by 4 feet or more, as needed, to account for disturbance around Wetland A.

Applicant's Response:

Prior to addressing this information request issue, Applicant requests staff to provide code justification or need for the need to amend the proposal as requested. Absent specific code justification, Applicant requests the City to accept the proposal as currently designed

77. Investigate the feasibility of discharging clean stormwater to dispersion trenches, bioswales or other east of and adjacent to Wetland B.

Applicant's Response:

Please refer to response by Applicant's civil engineer.

78. Ensure stormwater facilities and discharge locations meet the requirements of the King County Surface Water Design Manual.

Applicant's Response:

Response to this information is appropriately addressed through a condition of preliminary plat approval and resolution of this issue is appropriate deferred to construction plan submittal and approval.

79. Update sensitive area study and CMP to document and characterize impacts of the existing ditch and stormwater pipes within Wetland A (as indicated on the plan set) since it is currently unclear what impacts the system may have on drainage functions Any impairment should be incorporated into the overall mitigation approach for Project impacts.

Applicant's Response:

Please refer to the attached updated wetland and critical areas study from the Applicant's wetland consultant.

80. Proceed with development of a final wetland mitigation plan (accounting for recommendations detailed in review letter) consistent with requirements of DMC 14.42.240 and .250.

Applicant's Response:

A final wetland mitigation plan is appropriately developed during construction drawing plan and approval and should be a condition of preliminary plat approval. Applicant requests staff to condition the preliminary plat accordingly.

81. Miscalculations were noted in the performance bond estimate (quantities on one-gallon's, etc.). Please reassess the line item calculations and correct as necessary.

Applicant's Response:

A final wetland mitigation plan and bond quantity worksheet is appropriately developed as part of construction drawing submittal and approval and should be a condition of preliminary plat approval. Applicant requests staff to condition the preliminary plat accordingly.

Thank for this opportunity to address your request for additional information. Our consulting team is available to meet and review the information presented at staff's convenience.

Sincerely,



Michael Reid
MR/mr

Cc: Rio Vista Joint Venture Property Owners (Burton, Willett, Verstrate/Miller and Thomas.
Jon.Nelson, Land Development Advisors LLC
Scott Brainard, Wetland Resources Inc.
Ed McCarthy, P.E.
Duana Kolouskova, Johns Monroe Mitsunaga Kolouskova PLLC

Enclosures:

6 copies of all of the following documents, plus one (1) digital copy on thumb drive:

1. Revised application documents from Willett and Thomas.
2. Updated Title Reports for All Properties.
3. Updated civil engineering plan set.
4. Parking Plan
5. Building Footprint Plan
6. Updated SEPA Checklist.
7. Updated Wetland Report and Mitigation Plan.
8. Planning Department Request for Singular Retaining Wall in excess of 4 feet in height on Lots 25 and 26.

9. Planning Departure Request for a) Singular Retaining Wall in excess of 4 feet in height on west side of 272nd Place NE South of Lot 4 and b) elimination of landscaping strip in same location
10. Administrative Public Works Variance Request for Exceeding 4 housing units on Access Tracts A and B.
11. Administrative Public Works Variance Request - Parking
12. Memo authored by Transpo regarding Pedestrian Impacts of Project.
13. Hydrology Study by Ed McCarthy PE.
14. Updated Tree Survey.
15. Off-site Surveys: a) North of subject property and b) west of subject property along north side of NE 143rd Place right-of-way.
16. Revised Arborist Report.
17. Landscaping Plan