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ORDINANCE NO. 422

**AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON  
APPROVING A PRELIMINARY FORMAL SUBDIVISION FOR  
EIGHTEEN LOTS AT 1160 N 198TH STREET**

WHEREAS, owners of certain properties, with parcel numbers 2227300071 and 2227300070, have filed a preliminary formal subdivision application for eighteen building lots and one critical area tract located at 1160 N 198<sup>th</sup> Street; and

WHEREAS, on March 16, 2006, a public hearing on the application for the preliminary formal subdivision was held before the Planning Commission for the City of Shoreline pursuant to notice as required by law; and

WHEREAS, on March 16, 2006, the Planning Commission recommended approval with conditions of the preliminary formal subdivision and entered findings of fact and conclusions based thereon in support of that recommendation; and

WHEREAS, the City Council does concur with the Findings and Recommendation of the Planning Commission, specifically that the preliminary formal subdivision of certain properties as described above and located at 1160 N 198<sup>th</sup> Street is consistent with both the City of Shoreline Comprehensive Plan and Development Code and is appropriate for this site;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SHORELINE DO  
ORDAIN AS FOLLOWS:**

**Section 1.** Findings. The Findings and Conclusion on Project No. 201478, as set forth in Part I and Part II, Planning Commission Findings, Conclusion and Recommendation dated March 20, 2006, attached hereto as Exhibit A are hereby adopted.

**Section 2.** Preliminary Formal Subdivision Adoption. The Shoreline Townhomes Preliminary Formal Subdivision, Project No. 201478, as further described and depicted in Exhibit B attached hereto is hereby adopted subject to the conditions set forth in Part III, Planning Commission Findings, Conclusion and Recommendation dated March 20, 2006 and attached hereto as Exhibit A.

**Section 3.** Severability. If any provision of this ordinance or the application of a provision to any person or circumstance, is declared invalid, then the remainder of this Agreement, or the application of such provision to other persons or circumstances, shall not be affected.

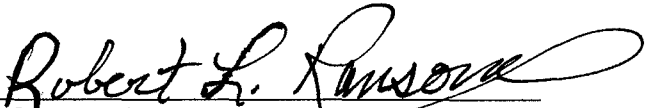
**Section 4.** Effective Date. This ordinance shall go into effect five days after passage

ORIGINAL

ORIGINAL

and publication of the title as a summary of this ordinance.

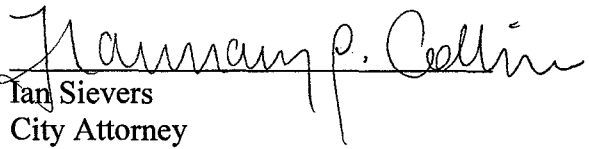
**PASSED BY THE CITY COUNCIL ON APRIL 10, 2006.**

  
\_\_\_\_\_  
Mayor Robert Ransom

**ATTEST:**

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Scott Passey  
City Clerk

  
\_\_\_\_\_  
for Ian Sievers  
City Attorney

Date of Publication: April 13, 2006

Effective Date: April 18, 2006

**FINDINGS, CONCLUSIONS AND RECOMMENDATION  
OF THE CITY OF SHORELINE PLANNING COMMISSION**

**Preliminary Formal Subdivision of Shoreline Townhomes Review, Project No. 201478**

**Summary –**

After reviewing and discussing the Preliminary Formal Subdivision of Shoreline Townhomes proposal on March 16, 2006 the City of Shoreline Planning Commission did find and conclude that the application is in compliance with applicable codes and therefore unanimously recommended approval of such action with conditions.

**I. FINDINGS OF FACT**

**1. PROJECT SITE CHARACTERISTICS**

- 1.1 The project site consists of two contiguous lots (Tax Parcel Nos. 2227300070 & 2227300071) totaling approximately 49,531 square feet (1.1 acres).
- 1.2 The site is currently vacant, although a single family residence was located on the site until it was demolished in 1995. Remaining on site are a 500-gallon underground home heating oil tank and concrete slabs and walkways.
- 1.3 The site is located on the north shoreline of Echo Lake. It is generally flat, sloping gently to the southeast, towards the lake, with slopes less than 2%. The southeast corner of the site contains a Type II wetland adjacent to the lake shoreline. The wetland is approximately 1,600 square feet in area.
- 1.4 One significant tree (to be retained) is located on the site, within the proposed wetland buffer.

**2. NEIGHBORHOOD CHARACTERISTICS**

- 2.1 The project site is located in the Echo Lake Neighborhood, south of N 200<sup>th</sup> Street and east of Aurora Avenue N.
- 2.2 Adjacent to the site are multi-family residential developments to the east, west and south and an office building to the north. Echo Lake Park and a portion of the Interurban Trail are approximately 360 feet east of the site. The Aurora Village Transit Center and retail shopping center are located about 350 feet north of the site. West of the site up to Aurora Avenue N are some single family residences and commercial buildings.
- 2.3 N 198<sup>th</sup> Street is classified as a local street. Aurora Avenue N is a principal arterial. N 200<sup>th</sup> Street is a collector arterial. N 199<sup>th</sup> Street is a private street.

**3. COMPREHENSIVE PLAN LAND USE DESIGNATION AND POLICY SUPPORT**

- 3.1 The Comprehensive Plan land use designation for the site is High Density Residential. Policy LU14 in the Comprehensive Plan envisions High Density residential areas as transition areas between high intensity uses and lower intensity residential uses. All residential uses are permitted in High Density Residential areas.
- 3.2 LU23: "Ensure that land is designated to accommodate a variety of types and styles of housing units adequate to meet the needs of Shoreline citizens."

## PC Findings, Conclusions & Recommendation

- 3.3 H1: "Encourage a variety of residential design alternatives that increase housing opportunities in a manner that is compatible with the character of existing residential and commercial development throughout the city."
- 3.4 H6: "Encourage infill development on vacant or underutilized sites to be compatible with existing housing types."

### 4. REGULATORY AUTHORITY

- 4.1 Shoreline Municipal Code (SMC) 20.30.060 requires Preliminary Formal Subdivisions to be processed as a quasi-judicial or "Type-C" action. Type-C actions require an open record public hearing and review by the Planning Commission, which then forwards a recommendation to the City Council for final approval.
- 4.2 Applicable regulatory controls set forth in the SMC include:
  - SMC 20.30 – Procedures and Administration  
(Subdivisions – SMC 20.30.360-480)
  - SMC 20.40 – Zoning and Use Provisions
  - SMC 20.50 – General Development Standards  
(Multi-family Design Standards – SMC 20.50.120-210)
  - SMC 20.60 – Adequacy of Public Facilities
  - SMC 20.70 – Engineering and Utilities Development Standards
  - SMC 20.80 – Critical Areas (Wetlands – SMC 20.80.310-350)

### 5. PROCEDURAL HISTORY

- 5.1 Preapplication meetings were held on June 21, 2005 and September 9, 2005.
- 5.2 A Neighborhood Meeting was held on July 27, 2005.
- 5.3 A third party review of the applicant's wetland delineation report (**Attachment D**) by the City's consultant, The Watershed Company, was completed October 18, 2005 (**Attachment E**). The review agreed with and supported the report.
- 5.4 Preliminary Formal Subdivision (File No. 201478) and Site Development Permit (File No. 108437) applications and a State Environmental Policy Act (SEPA) checklist were received on Nov. 8, 2005 (**Attachment F**).
- 5.5 The applications were determined to be complete on Nov. 17, 2005.
- 5.6 A Notice of Application for the proposal was issued on Nov. 23, 2005, with the public comment period ending Dec. 7, 2005. Because the site was not posted with the Notice of Application in a timely manner, a Revised Notice of Application was issued on Dec. 1, 2005, with the public comment period ending Dec. 15, 2005 (**Attachment G**).
- 5.7 A deviation from the provisions of the City-adopted 1998 King County Surface Water Design Manual (as provided for by the manual's general adjustment process) to allow implementation of the 2005 King County Surface Water Design Manual (KCSWDM) stormwater management flow control Best Management Practices was approved on Feb. 1, 2006 (**Attachment H**).
- 5.8 A SEPA threshold Mitigated Determination of Nonsignificance (MDNS) for the proposal was issued on Feb. 7, 2006 (**Attachment I**) with the administrative appeal and comment period ending on Feb. 21, 2006. No comments or appeals were received.
- 5.9 A Notice of Public Hearing was issued on Feb. 28, 2006 for the Planning Commission open record public hearing on March 16, 2006 (**Attachment J**).

# ORIGINAL

## PC Findings, Conclusions & Recommendation

### 6. PUBLIC COMMENT AND STAFF RESPONSE

- 6.1 **Public Comment** – A total of seven comment letters and e-mails were received.
- 6.2 **Staff Response regarding project name** – Three of the comment letters (**Attachment K**) objected to the original name for the project, Echo Lake Townhomes. Staff requested the applicant change the name of the project. The project is now named Shoreline Townhomes.
- 6.3 **Staff Response regarding impact on Echo Lake** – Three letters (**Attachment L**) commented on potential negative impacts of the project on Echo Lake's water quality and wildlife habitat. With wetland and buffer enhancement and construction of stormwater management flow control BMPs the quality of surface water flowing from the site into Echo Lake will be improved. The hydrology of the wetland will be improved with the partial removal of an existing concrete wall separating the wetland from the lake and the installation of dispersion trenches. The concern that erosion into the lake would be increased by removing the existing concrete wall at the edge of the lake was addressed by modifying that proposal to include removal of only the portion of the wall above the mean high water mark, which will allow a hydraulic connection between the wetland and the lake while still stabilizing the shoreline. Concerns about increased erosion caused by the concentration of pedestrian activities near the lake were addressed by modifying the wetland enhancement plan to include construction of a raised boardwalk and viewing platform near the lake and signage to encourage pedestrians to stay off the ground near the lake. Wildlife habitat opportunities will be increased with removal of invasive non-native plants, planting of native plants, and installation of bird boxes and bat boxes in the proposed wetland buffer area.
- 6.4 **Staff response regarding pervious concrete maintenance** – One of the letters referred to in 6.3 above also commented on the need to properly maintain the proposed pervious concrete roadway. The staff recommended conditions of approval include the requirement that a homeowner's association be established responsible for the maintenance of common facilities, including the pervious concrete and rain gardens. Another proposed condition requires recording a declaration of covenant and grant of easement, as required by the KCSWDM, with maintenance provisions for the rain gardens and porous concrete.
- 6.5 **Staff response regarding pedestrian access** – The letter referred to in 6.4 above also commented on the need for sufficient and safe pedestrian routes to nearby commercial and transit services. Adequate pedestrian paths are included in the proposal not only on site but also along the access easement that connects the site to N 198<sup>th</sup> Street. Pedestrian safety would be improved off site with the implementation of recommendations contained in the Traffic Impact Assessment prepared by Transportation Engineering NorthWest (**Attachment N**). A staff-recommended condition of approval is to require implementation of those recommendations.
- 6.6 **Staff response regarding King County request** – King County Wastewater Treatment Division requested copies of sewer extension plans. Staff contacted personnel in the Wastewater Treatment Division to clarify the request. During those discussions it was determined the sewer main crossing the site was not being modified so it was unnecessary to submit sewer extension plans (**Attachment M**).

### 7. ZONING DESIGNATION, MAXIMUM DENSITY AND PERMITTED USES

- 7.1 The project site is zoned Residential – 48 units per acre (R-48), which would allow up to 55 dwelling units to be constructed on the site.
- 7.2 The proposed density is 15.8 dwelling units per acre.
- 7.3 Under SMC 20.40.120 townhomes are a permitted use in the R-48 Zoning District.

## PC Findings, Conclusions &amp; Recommendation

**8. PRELIMINARY SUBDIVISION REVIEW CRITERIA (SMC 20.30.410)**

The following criteria were used to review the proposed subdivision:

**8.1 Environmental (SMC 20.30.410A)**

Criteria: *Where environmental resources exist the proposal shall be designed to fully implement the goals, policies, procedures and standards of SMC 20.80, Critical Areas, and Subchapter 5 of SMC 20.50, Tree Conservation, Land Clearing and Site Grading Standards.*

Staff Analysis: A Type II wetland is located on the site. The proposal complies with the standards established in the critical areas chapter SMC 20.80.200. See further analysis under Section 12.2 below. The project must comply with tree conservation, land clearing and site grading standards specified in SMC Chapter 20.50, Subchapter 5.

Criteria: *The proposal shall be designed to minimize grading by using shared driveways and by relating street, house site and lot placement to the existing topography.*

Staff Analysis: With the type of structures proposed, placement of access over existing utility easements, and the relatively flat site, grading will be minimized.

Criteria: *Where conditions exist which could be hazardous to the future residents of the land to be divided, or to nearby residents or property, a subdivision of the hazardous land shall be denied unless the condition can be permanently corrected.*

Staff Analysis: There are no existing natural hazardous conditions on the site. An abandoned home heating oil storage tank and contaminated soil on the site as described in the Aug. 22, 2005 Environmental Site Assessment by Earth Solutions NW (Attachment O) will be removed in conformance with relevant regulations prior to construction per Mitigation Measure #6 of the SEPA threshold MDNS (Attachment I).

Criteria: *The proposal shall be designed to minimize off-site impacts, especially upon drainage and views.*

Staff Analysis: The project was reviewed by Public Works and does not require additional stormwater drainage conditions. The project must comply with all surface water management requirements set forth in the KCSWDM. See further analysis in Section 11.1 below. The project must comply with all height restrictions as specified in SMC Chapter 20.50 which will minimize the impact, if any, on off-site views.

**8.2 Lot and Street Layout (SMC 20.30.410B)**

Criteria: *Lots shall be designed to contain a usable building area to ensure the lot is developed consistent with the standards of the SMC and does not create nonconforming structures, uses or lots.*

Staff Analysis: The proposal meets design standards for zero-lot-line development as set forth in SMC Chapter 20.50. All lots will be buildable with a zero-lot-line townhouse dwelling unit. No nonconforming structures, uses or lots will be created.

Criteria: *Lots shall not front on primary or secondary highways unless there is no other feasible access.*

Staff Analysis: None of the site fronts on any public streets. Access to N 198<sup>th</sup> St., which is not a primary or secondary highway, is provided via a "Non-Exclusive Access and Utilities Easement" (King County Recording No. 20060106000015) across private property southwest of the site.

Criteria: *Each lot shall meet the applicable dimensional requirements of the SMC.*

Staff Analysis: This proposal meets the applicable dimensional requirements specified for zero-lot-line development as set forth in SMC Chapter 20.50. See further analysis in Section 9.1 below.

## PC Findings, Conclusions & Recommendation

Criteria: *Pedestrian walks or bicycle paths shall be provided to serve schools, parks, public facilities, shorelines and streams where street access is not adequate.*

Staff Analysis: Adequate pedestrian walks are provided within the project site. Existing public pedestrian walks and bicycle paths outside of the site are adequate to serve the additional impacts generated by the project. Improvements to the pedestrian access across private land to N 198<sup>th</sup> Street will be required per the recommendations of the Traffic Impact Analysis by Transportation Engineering Northwest, Inc. (Attachment N).

### 8.3 Dedications (SMC 20.30.410C)

Criteria: *The City Council may require dedication of land in the proposed subdivision for public use.*

Criteria: *Only the City Council may approve a dedication of park land. The Council may request a review and written recommendation from the Planning Commission.*

Criteria: *Any approval of a subdivision shall be conditioned on appropriate dedication of land for streets, including those on the official street map and the preliminary plat.*

Criteria: *Dedications to the City of Shoreline for the required right-of-way, stormwater facilities, open space, and easements and tracts may be required as a condition of approval.*

Staff Analysis: No dedications are required for this proposal. See further analysis in Section 11.2 below.

### 8.4 Improvements (SMC 20.30.410D)

Criteria: *Improvements which may be required include, but are not limited to, streets, curbs, pedestrian walks and bicycle paths, critical area enhancements, sidewalks, street landscaping, water lines, sewage systems, drainage systems and underground utilities.*

Staff Analysis: This project will comply with the all requirements specified in the City of Shoreline Development Code and Engineering Development Guide. See further analysis in Sections 9, 10, 11 and 12 below.

Criteria: *Improvements shall comply with the development standards of Chapter 20.60 SMC, Adequacy of Public Facilities.*

Staff Analysis: This proposal complies with the development standards of Chapter 20.60 SMC, Adequacy of Public Facilities. See further analysis in Section 11 below.

## 9. SITE DEVELOPMENT STANDARDS (SMC 20.50)

### 9.1 Densities and Dimensions in the R-48 Zone (SMC 20.50.020)

Standard	Regulation	Proposed
Base Density	48 du/acre	16 du/acre
Min. Density	8 du/acre	16 du/acre
Min. lot width	30 ft. <sup>(2)</sup>	18-44 ft.
Min. lot area	2,500 sq. ft. <sup>(2)</sup>	1,423 – 4,535 sq. ft.
Min. front yard setback	10 ft.	18 ft. - west
Min. rear yard setback	5 ft.	38 ft. - east
Min. side yard setback	5 ft.	25 ft. - north 6 ft. - south
Base height	50 ft. with pitched roof <sup>(9)</sup>	n.a.

# ORIGINAL

## PC Findings, Conclusions & Recommendation

Max. building coverage	70%	18.2%
Max. impervious surface	90%	55%

### Exceptions

- (2) These standards may be modified to allow zero lot line developments.
- (9) For development on R-48 lots abutting R-12, R-24, R-48, O, NB, CB, NCBD, RB, I, and CZ zoned lots the maximum height allowed is 50 feet and may be increased to a maximum of 60 feet with the approval of a conditional use permit.

### 8.1 Open Space (SMC 20.50.160)

Multifamily developments must provide on-site common recreational open space of at least 170 square feet for each dwelling unit of three or more bedrooms. Exception 20.50.160(A)(2) allows private yards, patios, balconies or roof decks to be credited towards the total recreation space requirement when the City determines that such areas are located, designed and improved in a manner which provides suitable recreational opportunities. Private yards or patios must have a minimum area of 100 square feet and a minimum dimension of 10 feet. The proposal provides each dwelling unit with a patio area at least 170 square feet in area with dimensions at least 10 feet by 17 feet, creating suitable recreational opportunities. Community pathways and gathering areas along with the wetland buffer enhancement plan's boardwalk and viewing platform add to the project's total area of common recreational open space.

Multifamily developments shall provide tot/children play areas within the recreation space on-site except when facilities are available within one-quarter mile that are developed as public parks and are accessible without crossing arterial streets. Play areas are not required for this project as Echo Lake Park is located less than one-quarter mile from the project and is accessible by pedestrians without having to cross any streets.

### 8.2 Significant Tree Removal (SMC 20.50.290-370)

The site contains one significant tree. That tree is located within the wetland buffer area and will be retained. This complies with the requirement that at least 20% of the significant trees be retained. As no significant trees are to be removed, there are no replanting requirements.

### 8.3 Parking and Access (SMC 20.50.380-440)

Townhouse developments must provide two off-street parking spaces per dwelling unit (SMC 20.50.390A). The proposal provides each dwelling unit with a one-car garage and a driveway at least 20 feet long to provide a second parking space. In addition, four guest parking spaces are proposed.

Access may cross required yard setbacks provided no more than 10% of the setback area is displaced (SMC 20.50.420). Less than 10% of the setback area is proposed to be displaced by access. Direct access from the street right-of-way to parking areas is subject to SMC 20.60 and the Shoreline Engineering Development Guide.

Pedestrian access should be:

- separate from vehicular traffic where possible; or
- well marked to clearly distinguish it as a pedestrian priority zone; and
- be at least five feet wide (SMC 20.50.430).

All proposed pedestrian access is at least five feet wide and delineated with either a paving material different from that used by vehicle access or by painted lines.

### 8.4 Landscaping (SMC 20.50.450-520)

# ORIGINAL

## PC Findings, Conclusions & Recommendation

Type II landscaping, a filtered screen functioning as a partial visual separator to soften the appearance of parking areas and building elevations, consisting of trees generally interspersed throughout the landscaped strip and spaced to create a continuous canopy with a mix of deciduous and evergreen trees, shrubs and ground cover is required within the yard setback area for multifamily developments adjacent to multifamily and commercial zoning, except where the setback area is displaced by access or parking. The approved Feb. 27, 2006 Weisman Design Group landscaping plan (**Attachment P**) complies with these requirements.

### 10. ADEQUACY OF PUBLIC FACILITIES (SMC 20.60)

- 9.1 **Water Supply** – Seattle Public Utilities has issued a Water Availability Certificate (**Attachment Q**) for the proposal.
- 9.2 **Sewer Service** – Ronald Wastewater District has issued a Certificate of Sewer Availability (**Attachment R**) for the proposal.
- 9.3 **Fire Protection** – The Shoreline Fire Department has reviewed and approved the plans for site access and fire hydrant proximity to the site (**Attachment S**).
- 9.4 **Traffic Capacity** – The project will generate an estimated 9 “P.M. Peak Hour Trips,” which is below 20 P.M. Peak Hour Trips, the threshold trigger to require traffic facility improvements as set forth in SMC 20.60.140(A) (See Traffic Impact Analysis, Transportation Engineering Northwest, Oct. 27, 2005, **Attachment N**.)

### 10. ENGINEERING AND UTILITY DEVELOPMENT STANDARDS (SMC 20.70)

- 10.1 **Storm Water Management** – The City of Shoreline Public Works Department has approved the Road and Storm Drain Plan for the proposal.
- 10.2 **Right-of-Way Dedication** – No right-of-way dedication is required as the project does not front any right-of-way and will not have a significant impact on the use of the right-of-way.
- 10.3 **Utility Undergrounding** – SMC 20.70.470(A)(3) requires the undergrounding of utilities when new residential lots are created.
- 10.4 **Frontage Improvements** – The project does not front on any right-of-way. Although there may be a site distance deficiency at the intersection of N 198<sup>th</sup> St. and Aurora Ave. N, none of those deficiencies can be improved by work within the right-of-way. No frontage improvements are required.

### 11. WETLAND REGULATIONS (SMC 20.80.310-350)

- 11.1 **Wetland classification** (SMC 20.80.320) – The wetland on the site has been classified as a Type II wetland (see **Attachment C**, Wetland Delineation Report, Adolfson Associates, Inc., Oct. 2005) and confirmed by a third party (see **Attachment D**, The Watershed Company letter, Oct. 18, 2005).
- 11.2 **Required buffer areas** (SMC 20.80.330) – Type II wetlands require a minimum buffer width of 50 feet and a maximum buffer width of 100 feet. The maximum buffer width is required unless the proposed development:
  - is considered low impact; or
  - if wetland and buffer enhancement are implemented.

The proposal to use the minimum buffer width is allowed because it is both considered low impact and wetland and buffer enhancement are part of the proposal.

# ORIGINAL

## PC Findings, Conclusions & Recommendation

This proposal is low impact as:

- the proposed use does not involve usage or storage of chemicals;
- passive-use areas are located adjacent to the buffer; and
- the wetland and its buffer are incorporated into the site design in a manner which eliminates the risk of adverse impact on the critical area.

Wetland and buffer enhancement are achieved with the:

- Construction of bat and bird boxes to enhance wildlife habitat with structures likely to be used by wildlife.
- Removal of invasive non-native species followed by planting of native vegetation, which will increase the value of wildlife habitat and improve water quality.

Low impact uses and activities (pedestrian path, boardwalk and viewing platform) are proposed within the buffer. Those uses are consistent with the purpose and function of the wetland buffer and do not detract from the integrity of the buffer. A viewing platform is to be located at the edge of the buffer next to the wetland to proactively mitigate potential erosion and other negative impacts caused by overuse of areas by pedestrians.

The wetland and its associated buffer will be preserved by being placed in a separate tract on which development is prohibited. The location and limitations associated with the tract will be shown on the face of the recorded final plat.

## II. CONCLUSIONS

RCW 36.70B.040 Determination of Consistency, requires a proposed project shall be reviewed for consistency with a local government's development regulations during project review by consideration of:

- Type of land use;
- The level of development, such as units per acre or other measures of density;
- Infrastructure, including public facilities and services needed to serve the development; and
- The characteristics of the development, such as development standards.

RCW 58.17.110 Approval/Disapproval of Subdivisions, requires proposed subdivisions to:

- Make appropriate provisions for the public health, safety, and general welfare; and
- Serve the public use and interest for open spaces, drainage ways, streets, other public ways, potable water supplies, sanitary wastes, parks and recreation, and all other relevant facts.

Based on the above Findings of Fact and with the proposed conditions listed below, the Planning Commission concludes the Preliminary Formal Subdivision of Shoreline Townhomes has:

- Met the requirements of the City of Shoreline Development Standards, 2005 Comprehensive Plan, and Municipal Code
- Made appropriate provisions for the public health, safety, and general welfare
- Serves the public use and interest

## III. RECOMMENDATION

Based on the aforementioned Findings and Conclusions, the Planning Commission unanimously recommends approval of the Preliminary Formal Subdivision of Shoreline Townhomes proposal, Project No. 201478 with the following conditions:

1. A maximum of 18 lots and one private land tract for protection of the wetland and its associated buffer shall be created. The sizes and the assigned addresses for the lots shall be shown on the face of the Final Plat. The delineation and size of the private land tract shall be declared on all plans submitted for the Site Development Permit and also shown on the face of the Final Plat.

## PC Findings, Conclusions &amp; Recommendation

2. A maximum of 18 zero-lot-line townhome lots are permitted as depicted in the Site Plan prepared by CB Anderson Architects and Preliminary Formal Subdivision Plan Boundary and Lot Lines prepared by GeoDatum, Inc., both submitted to the City on Nov. 8, 2005.
3. All mitigation measures in the Mitigated Determination of Non Significance issued by the City of Shoreline on Feb. 7, 2006 shall be implemented prior to occupancy including:
  - a. Prior to permit issuance a HPA permit from the State of Washington Department of Fish and Wildlife shall be obtained for work to be done within Echo Lake. The work shall include removal of:
    - the portion of an existing concrete bulkhead above the mean highwater mark; and
    - recently deposited debris within 20 feet of the shoreline.
  - b. Prior to occupancy the revised Wetland and Buffer Enhancement Plan prepared by Adolfsen Associates, Inc., Feb. 2006, shall be implemented.
  - c. Monitoring of the wetland and its buffer by a qualified biologist in compliance with SMC 20.80.350 shall be implemented including submitting monitoring reports:
    - Upon completion of the wetland and buffer enhancement plan;
    - 30 days after planting;
    - Twice annually for the early growing season (no later than May 31) and the end of the growing season (no later than September 30) during Monitoring Years 1 and 2.
    - Once annually for the end of the growing season (no later than September 30) during Monitoring Years 3-5.
  - d. Stormwater management flow control BMPs (commonly referred to as Low Impact Development) in compliance with the 2005 King County Surface Water Design Manual and substantially in conformance with civil construction plans prepared by Davido Consulting Group, Inc., submitted to the City on Nov. 8, 2005, shall be constructed.
  - e. Remediation as described in the August 22, 2005 Environmental Site Assessment of the subject site by Earth Solutions NW, LLC, shall be completed prior to building permit issuance. Remediation required shall include:
    - Decommission/removal by a licensed professional in a manner in conformance with relevant regulatory requirements of the 500-gallon underground storage tank on the site; and
    - A Phase II investigative remediation including, but not limited to, removal of impacted soils – approximately 5-10 cubic yards of soil in the area where a 55-gallon drum was found – followed by confirmation sampling to ensure no contaminated soils remains. The impacted soils shall be disposed of at a permitted facility. A report conforming to the State of Washington Department of Ecology procedures shall be sent to the City of Shoreline.
4. Pursuant to SMC 20.30.430, the developer shall have a Site Development Permit reviewed and approved by the City of Shoreline for all onsite engineering including storm water conveyance and infiltration, utility installation, onsite landscaping, and wetland and buffer enhancement. The completion of this work shall be secured by a plat performance financial guarantee. The approved plans associated with the Site Development Permit shall be substantially in conformance with the civil construction plans and Technical Information Report prepared by Davido Consulting Group, Inc., submitted to the City on Nov. 8, 2005.
5. Emergency access only shall be allowed from N 199<sup>th</sup> St. Access shall be restricted at all times by a locked gate equipped with a Knox-Box system and/or an Opticom pre-emption device. N 199<sup>th</sup> St. may be used for unrestricted access only if it is improved to public road standards.

# ORIGINAL

## PC Findings, Conclusions & Recommendation

6. All recommendations contained in the Traffic Impact Assessment prepared by Transportation Engineering Northwest, Oct. 27, 2005, shall be implemented prior to issuance of a certificate of occupancy.
7. Developer shall meet all required conditions established by the Feb. 10, 2006 revised Seattle Public Utilities Water Availability Certificate.
8. Developer shall meet all required conditions established by the Oct. 24, 2005 Ronald Wastewater District Sewer Availability Certificate.
9. Prior to issuance of a certificate of occupancy:
  - Landscaping shall be installed, inspected and approved substantially in conformance with the Landscape Plan prepared by Weisman Design Group, Oct. 25, 2005; and
  - A landscape maintenance and replacement agreement shall be submitted and approved by the City.
10. Prior to recording of the Final Plat, owners shall be required to establish, record and maintain in force and effect a Covenant for a Homeowner's Association substantially in conformance with the Draft Covenant. The Association is to be held with undivided interest by the 18 zero-lot-line town home lots (described as lots 1-18) in this subdivision. The Homeowner's Association is to be responsible for maintaining, repairing and/or rebuilding of the (1) critical area tract for wetland protection, (2) access road and parking; (3) required landscaping; and (4) infrastructure and utilities not dedicated to the City of Shoreline including rain gardens and pervious concrete.
11. Prior to recording of the Final Plat a declaration of covenant and grant of easement shall be recorded for the rain gardens and pervious concrete as required by the 2005 King County Surface Water Design Manual, Appendix C, as described in sections C.1.3.3.3, C.2.5.3 and C.2.6.7.
12. The following notes shall be shown on the face of the Final Plat:
  - "Any further proposed subdivision or adjustment to the lot lines within this plat must use all lots of this plat for calculation of the density and dimensional requirements of the Shoreline Municipal Code."
  - "Tract A is a protected wetland and buffer tract where all development is permanently prohibited including, but not limited to, activities such as clearing and grading, removal of vegetation, pruning, cutting of trees or shrubs, planting of nonnative species, and other alterations."
  - "Access via N 199<sup>th</sup> Street shall be for emergency purposes only. Access shall be restricted by a gate to be locked at all times, accessible only by fire, police and other emergency agency vehicles. General access via N 199<sup>th</sup> Street may be allowed only if N 199<sup>th</sup> Street, from the subdivision's western boundary to Aurora Avenue N, is improved to conform with public road standards.
  - "This subdivision contains a stormwater management flow control BMP (best management practice) called 'permeable pavement,' which was installed to minimize the stormwater quantity and quality impacts of some or all of the paved surfaces on your property. Permeable pavements reduce the amount of rainfall that becomes runoff by allowing water to seep through the pavement into a free-draining gravel or sand bed, where it can be infiltrated into the ground.

The type of permeable pavement used is porous concrete.

# ORIGINAL

## PC Findings, Conclusions & Recommendation

The area covered by permeable pavement as depicted by the flow control BMP site plan and design details must be maintained as permeable pavement and may not be changed without written approval from the City of Shoreline.

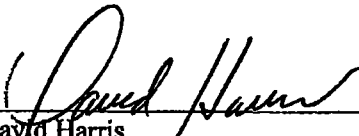
Permeable pavements must be inspected after one major storm each year to make sure it is working properly. Prolonged ponding or standing water on the pavement surface is a sign that the system is defective and may need to be replaced. If this occurs, contact the pavement installer or the City of Shoreline for further instructions. A typical permeable pavement system has a life expectancy of approximately 25-years. To help extend the useful life of the system, the surface of the permeable pavement shall be kept clean and free of leaves, debris, and sediment through regular sweeping or vacuum sweeping. The Homeowner's Association is responsible for the repair of all ruts, deformation, and/or broken paving units."

- "This subdivision contains a stormwater management flow control BMP (best management practice) called a 'rain garden,' which was installed to mitigate the stormwater quantity and quality impacts of some or all of the impervious or non-native pervious surfaces of the subdivision. Rain gardens, also known as "bioretention," are vegetated closed depressions or ponds that retain and filter stormwater from an area of impervious surface or non-native pervious surface. The soil in the rain garden has been enhanced to encourage and support vigorous plant growth that serves to filter the water and sustain infiltration capacity. Depending on soil conditions, rain gardens may have water in them throughout the wet season and may overflow during major storm events.

The size, placement, and design of the rain garden as depicted by the flow control BMP site plan and design details must be maintained and may not be changed without written approval from the City of Shoreline. Plant materials may be changed to suit tastes, but chemical fertilizers and pesticides must not be used. Mulch may be added and additional compost should be worked into the soil over time.

Rain gardens must be inspected annually for physical defects. After major storm events, the system should be checked to see that the overflow system is working properly. If erosion channels or bare spots are evident, they should be stabilized with soil, plant material, mulch, or landscape rock. A supplemental watering program may be needed the first year to ensure the long-term survival of the rain garden's vegetation. Vegetation should be maintained as follows: 1) replace all dead vegetation as soon as possible; 2) remove fallen leaves and debris as needed; 3) remove all noxious vegetation when discovered; 4) manually weed without herbicides or pesticides; 5) during drought conditions, use mulch to prevent excess solar damage and water loss."

### City of Shoreline Planning Commission

  
\_\_\_\_\_  
David Harris  
Chairperson

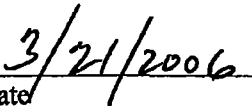
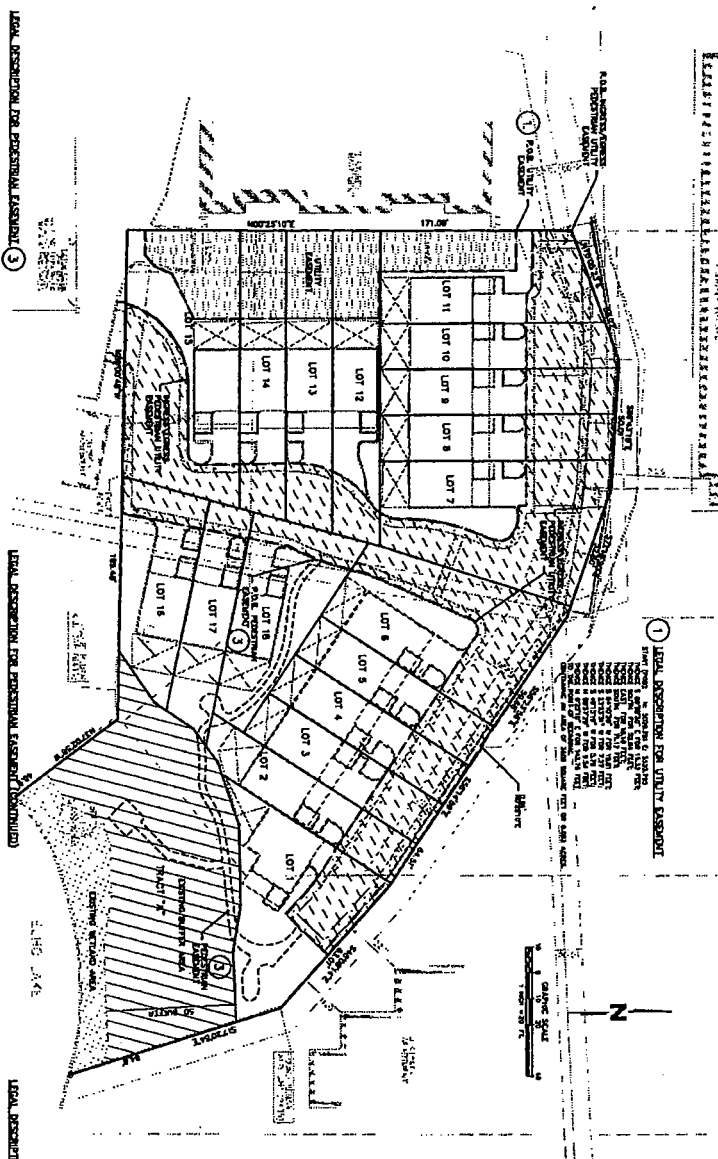
  
\_\_\_\_\_  
Date



Exhibit A: Plat Map

SHORELINE TOWNHOMES

SE 1/4 SEC. 6 T14P 26N R9E 4E W1.M.



LEGAL DESCRIPTION FOR PRELIMINARY EASEMENT (CONTINUED)
This plat contains the legal description of the easements shown on the plat. The easements are as follows:
EASEMENT 1: A 10-foot wide easement for ingress and egress, utility, and maintenance purposes, located along the northern boundary of Lot 1 through Lot 18.
EASEMENT 2: A 10-foot wide easement for ingress and egress, utility, and maintenance purposes, located along the eastern boundary of Lot 1 through Lot 18.
EASEMENT 3: A 10-foot wide easement for ingress and egress, utility, and maintenance purposes, located along the southern boundary of Lot 1 through Lot 18.
EASEMENT 4: A 10-foot wide easement for ingress and egress, utility, and maintenance purposes, located along the western boundary of Lot 1 through Lot 18.
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GENERAL NOTES
1. THE SHOWN LOT LINES AND DIMENSIONS ARE BASED ON THE RECORD PLAT FOR THE SHORELINE TOWNHOMES, PLAT NO. 2005-219, DATED 04/14/05.
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SHORELINE TOWNHOMES
PRELIMINARY LONG PLAT
INGRESS/EGRESS/ PEDESTRIAN & UTILITY EASEMENT
1160 N. 188TH ST.
SHORELINE, WA 98133
DATE: 04-14-05
BY: [Signature]
REVISION:
APP:
GARY:
CITY OF SHORELINE
GeoDatum Inc.
2525 15th Ave NW, Suite 100
Seattle, WA 98107
206-465-6000
CALL US TODAY
BEFORE YOU DIG
PLAT NO. 2005-219
SHEET PP2 OF 2