

Ludwig Road PRD

Planned Residential Development Subdivision

NOTICE OF DECISION

City File #16-18-PRD

<p>Description of Proposal: Planned Residential Development subdivision of an approximately 9.4 acre site into 29 single-family lots. The proposal includes open space, landscaping, a new public roadway, utility and infrastructure improvements, stormwater facilities, and critical areas mitigation for proposed wetland fill and buffer impacts</p> <p>Location: 820 and 8130 Ludwig Road (on tax parcel numbers 28051200301800, 28051200303700, and 28051200304900)</p> <p>Proponent: GSC Development, Inc.</p> <p>Date of Application: September 20, 2018</p> <p>Date of Complete Application: October 15, 2018</p> <p>Date of Notice of Application: October 25, 2018</p> <p>SEPA Threshold Determination: January 9, 2019</p> <p>Date of Public Hearing: April 9, 2019</p> <p>Lead Agency: The City of Snohomish Planning and Development Services Department.</p> <p>Decision: The Hearing Examiner determined the application is consistent with the Comprehensive Plan and applicable permit criteria and grants approval, subject to conditions*:</p> <ol style="list-style-type: none">1. A fire flow analysis of the existing and constructed water system improvements shall be performed and submitted prior to application for final plat. If fire flow does not meet standards, the developer will be required to upgrade the system or install fire sprinklers in all buildings within the plat.	<ol style="list-style-type: none">2. The application for site/civil construction shall include recommended construction methods for the stormwater vault to protect the Cemetery Creek Trunkline, prepared by a qualified geotechnical engineer. The geotechnical engineer shall also be on site during construction of the vault.3. The mitigation measures of the Mitigated Determination of Non-Significance (MDNS) issued January 9, 2019 related to permitting for wetland impacts, shall be followed:<ol style="list-style-type: none">a. Prior to issuance of any City permits allowing ground-disturbing activities, written evidence shall be provided to the City of Snohomish that all agencies with jurisdiction over wetlands have issued all required permits and approvals necessary to allow ground-disturbing activity that will/may impact wetlands. If an agency determines no permits or approvals are required for the proposed ground-disturbing activities, then written evidence of that determination shall be provided to the City.b. No ground-disturbing activities shall be allowed until all City of Snohomish permits required for land disturbing activities have been issued. No City permit shall be issued until Mitigation Measure #1 has been complied with.4. Prior to acceptance of the final plat, the outer edge of the buffer shall be marked with signage and fencing approved by the City. The final plat map shall include a Native Growth Protection Area easement over the critical areas and buffers present on the development site (Tracts C and F). <p style="text-align: right;">CONTINUED ON REVERSE SIDE</p>
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* Conditions include both those designed to mitigate impacts from the proposed project and those required by the City code.



CITY OF SNOHOMISH

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CONDITIONS OF APPROVAL, CONTINUED

5. The final plat shall include language addressing the shared ownership and continued maintenance and operations of all private facilities, including portions of the stormwater system. The obligation shall be an equal and undivided interest of all property owners of the plat.
6. The final plat shall include a 10-foot utility easement along the frontage of all lots within the plat.
7. Traffic impact mitigation fees shall be remitted prior to approval of the final plat for the net increase of 28 trips. The rate charged shall be the rate in place at the time of final plat submittal. The current rate is \$1,603 per PM peak hour trip. However, the total fee may change if the rate changes before the final plat is submitted.
8. Park impact mitigation fees shall be remitted prior to approval of the final plat for the development of 28 new single family dwelling units. The rate charged shall be the rate in place at the time of final plat submittal. The current rate is \$4,150 per single-family dwelling unit. However, the total fee may change if the rate changes before the final plat is submitted.
9. The face of the final plat shall include the following language under the "Dedications" section:

Tract D is hereby granted and conveyed to the [PLATNAME] Owners Association (HOA) upon recording of this plat, together with the right to make all necessary slopes for cuts and fills upon the lots, blocks, tracts, etc. shown on the plat in the reasonable original grading of the road constructed on Tract D and the right to drain the street over and across any lot or lots where water might take a natural course after the street is graded. All claims for damage against the HOA and/or any governmental authority are waived which may be occasioned to the adjacent land by the establishment, construction, drainage and maintenance of said street. Notwithstanding the above, Tract D and the rights enumerated in this paragraph shall automatically be dedicated and conveyed to the City of Snohomish for public right of way upon recording by the City of a notice of dedication of Tract D, which notice shall be effective upon recording if executed solely by the authorized officer of the City. Owners hereby convey to City the irrevocable authority and power of attorney for the limited purpose of making such conveyance of right-of-way and associated rights. Until such time as Tract D is dedicated and conveyed to the City, the HOA shall be solely responsible for maintenance of the roadway within Tract D.

10. The final plat shall include the following language under the "Easements" section:

A nonexclusive easement is hereby reserved for and granted to lots 11-29 within the plat for ingress, egress and utilities over Tract D, subject to the dedication provisions appearing on the face of this plat. Each owner of lots 11-29 within the Plat shall be a member of the [PLATNAME] Owners Association (HOA) and shall be liable for dues to the HOA as required for the maintenance of the street within Tract D.
11. The final plat shall include language prohibiting permanent construction in the Cemetery Creek sanitary sewer easement, and holding the City of Snohomish harmless from any damage resulting from maintenance of the trunkline to any future structures adjacent to the easement area. Landscaping in the easement area shall be approved by the City.
12. The following standards for design review of individual units shall appear on the final plat:
 - a. Individual designs and materials shall be submitted for Design Review with application for building permits.
 - b. Surface materials shall have the appearance of traditional building materials. Vinyl siding shall not be permitted.
 - c. Window and door trim shall have a minimum width of 3 inches and shall be consistent on all sides of the buildings.
 - d. Proposed homes shall include architectural elements have are consistent with the Snohomish character, such as knee braces, covered porches, dentil molding, siding material changes, and wide window and door trim.
13. All work shall be consistent with the project narrative, plans, and recommendations of the professional studies and reports relating to geotechnical, stormwater drainage, critical areas, etc., as approved by the City.
14. Prior to issuance of a permit for site development, all administrative review fees for processing the preliminary approval shall be remitted.
15. The front building setback for each lot shall be at a point where the lot is at least 40 feet in width.

Appeal: The appeal period for this application is twenty-one (21) days from the date of this notice. Any appeal must be filed in writing with the Snohomish County Superior Court at 3000 Rockefeller Avenue, Everett, WA 98201. All appeals shall be in accordance with SMC 14.75.010. (Ord. 2082, 2005)

**For Information Contact:
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Date of Notice: April 24, 2019