



STAFF REPORT & DECISION *for* PRELIMINARY SHORT PLAT

A. SUMMARY AND PURPOSE OF REQUEST:

DATE: March 14, 2017

LAND USE ACTION: Administrative Approval of a 9-lot Preliminary Short Subdivision

PROJECT NAME/NUMBER: Hillcrest Village Short Plat, PL16-144

APPLICANT: Dave Prutzman; 4215 Montgomery Place, Mount Vernon, WA 98274; (425) 308-9397;
samishbay@gmail.com

OWNER: Steve Broman; 23172 Lanyard Lane, Mount Vernon, WA 98274 (360)840-6555;
steve.broman@wavecable.com

PROJECT MANAGER: Rebecca S. Lowell, Senior Planner

PROJECT DESCRIPTION: Proposed is a short plat that will create eight single-family residential lots and one tract for the required storm water pond over an approximate 1.8 acre site. An access road will be constructed along the length of the south boundary of the overall site connecting South 16th and 18th Streets. Utilities, greater than 10-inches in diameter, to serve the new lots, will be installed within the new road right-of-way. Approximately 1,300 cubic yards of material will be excavated and approximately 600 cubic yards of material will be imported to install the road/utilities to serve the proposed lots.

PROJECT LOCATION: The approximate 1.8± acre site is bound by South 18th Street to the east and South 16th Street to the west with East Blackburn Road offsite to the south and Fowler Street offsite to the north. The Skagit County Assessor describes the subject site as parcel: P28445 that is located within a portion of the NE ¼ of Section 29, Township 34 North, Range 04 East, W.M.

B. EXHIBIT LIST:

Exhibit 1: Entire Land Use File, P16-144 (on file at the CEDD)

Exhibit 2: Procedural Documents as follows:

Technically Compete Letter

Notice of Application and Proposed MDNS

MDNS & Environmental Report

- Exhibit 3:** Reduced size copies of the short plat maps
- Exhibit 4:** Public Comments
- Exhibit 5:** Staff Comments

C. GENERAL INFORMATION:

Zoning Designation: Single Family Detached Residential (R-1, 5.0)

Comprehensive Plan Designation: Single Family Residential High Density (SF-HI)

Existing Site Use: The property currently has one single family residence located on the east side of the property.

Neighborhood characteristics:

- North: Single Family Residential
- South: Single Family Residential
- East: S. 18th Street
- West: S. 16th Street

Access: Access for the lots will be from an access road that runs south of the lots.

Site Area: The area of the parent parcel is 1.84± acres

Map: The approximate site boundaries are shown on the vicinity map below.



D. APPLICABLE SECTIONS OF THE MOUNT VERNON MUNICIPAL CODE (MVMC):

Title 13: Sewers

Title 14: Land Use and Development

Chapter 14.05 Administration of Development Regulations

Chapter 14.10 Concurrency

Title 16: Subdivisions

Chapter 16.04 Title Purpose and Definitions

Chapter 16.16 Street Design Standards

Chapter 16.20 Improvements

Chapter 16.32 Short Plats

Title 17: Zoning

Chapter 17.15 R-1 Single Family Detacher Residential Zone (R-1, 5.0)

E. APPLICABLE SECTIONS OF THE MOUNT VERNON COMPREHENSIVE PLAN:

- Land Use Element
- Housing Element
- Transportation Element

F. PROCESS & ENVIRONMENTAL REVIEW:

Mount Vernon Municipal Code (MVMC) Chapter 14.05 contains permit specific procedural requirements for the City's Zoning code, Title 17.

With regard to the subject proposal, the subdivision code and Chapter 14.05 require that the proposed preliminary short plat be processed as a Type II Permit (see 14.05.060 MVMC). Type II permits are administratively approved with public notice. An applicant or party of record can appeal this administrative approval to the Hearing Examiner.

Consistent with 14.05.110 MVMC the following project review procedures have been completed for this project. Copies of the below referenced documents are attached labeled as **Exhibit 2**.

- **October 20, 2015** the applicant met with City staff at a pre-application meeting to ascertain City requirements to allow the subject project to proceed. On **November 1, 2016** the applicant met with City staff to submit the subject short plat application. The application materials were deemed counter incomplete; and as such, not submitted.
- **December 8, 2016** the short plat application was submitted to the City.

- **December 27, 2016** staff deemed the materials submitted on December 8, 2016 technically complete for processing. Planning staff also routed a copy of the applicant’s site plans, technical reports and the NOA to other City Departments who were asked to review and provide comments on/before January 11, 2017.
- **December 27, 2016** a Notice of Application and proposed SEPA determination was issued. This Notice was mailed to those property owners within 300 feet of the subject site on **December 29, 2016**. This notice was published in the Skagit Valley Herald on **December 30, 2016**; and the applicant posted a land use sign on the subject site on **December 30, 2016**.
- **February 24, 2017** a Mitigated Determination of Non-Significance (MDNS) was issued. This determination was mailed to those property owners within 300 feet of the subject site on **February 24, 2017**; and this determination was published in the Skagit Valley Herald on **February 25, 2017**. On **March 17, 2017** an addendum to the SEPA MDNS was issued to remove the condition from the City’s Engineering Department requiring a fence to be installed along the south side of the subject site.

Public Comments:

During the public comment period that tolled from December 27, 2016 to January 13, 2017. Comments were received by the Development Services Department from the following parties:

- Dean and Dianne Ramsey—1708 S 16th Street
- William Rasmussen—1703 S 18th Street

Copies of the public comments are attached labeled as **Exhibit 4**.

G. DEPARTMENT ANALYSIS:

There are two distinct portions of the Mount Vernon Municipal Code (MVMC) within Chapter 16.32, Short Plats and Subdivision, that City staff are required to analyze before granting preliminary short plat approval. The first section is found within MVMC 16.32.040, Design of Short Plats – Standards; and the second section is found within MVMC 16.32.060, Minimum Improvements Required.

Following are the standards found within MVMC 16.32.040 in bold. Below each standard staff have provided a response.

A. Lots shall adhere to the standards of the zoning ordinance (Chapter 17.15 and 17.70 MVMC).

The site zoning requires the newly created lots to be a minimum of 6,000 s.f. in size with an overall maximum density of 5.73 for the short plat. Both of these criteria have been met.

Below is a list of the setbacks, lot coverage, building height and parking requirements that this plat will be subject to.

Setbacks, Lot Coverage, Other per 17.70:

Front yard setback: front yard setback may be reduced not less than 10 feet from property line, access easement, or back of sidewalk. The front of private garages shall maintain at least 20 feet from the back of sidewalk, property line, or access easement.

Rear yard setback: not less than 10 feet.

Side yard setback: not less than five feet for single-story homes; provided, that nothing (i.e., eaves, bay windows, enclosed stair landings, chimneys, etc.) will be allowed to project into this reduced side yard setback area. For structures that have more than one story the side yard setback shall be a minimum of five feet with the total of the two side yards being not less than 15 feet. Where the side yard setback is six feet or more the eaves of a structure may project no more than 12 inches into the side yard.

To protect privacy, windows facing the side yard shall be offset from the adjacent residence.

The installation of fences, walls or hedges shall be required.

Lot Coverage. For detached single-family residential lots of any size the land covered by buildings shall be no more than 40 percent.

17.15.090 Building height

Maximum building height shall be two stories, but not more than 35 feet.

17.15.100 Parking

There shall be provided and maintained for each residence at least two enclosed (private garage) parking spaces plus a driveway apron that will accommodate no less than two vehicles to accommodate vehicles used by the residents and guests of a residence, for a total of not fewer than four parking spaces per dwelling unit.

- B. This short plat code may not be used as a mechanism to avoid the requirements of the standard subdivision code where there are contiguous properties under common ownership, as defined below, that, but for the property boundaries, would be required to comply with the standard subdivision code.**

There are no contiguous properties in common ownership making this design standard not applicable.

- C. The subdivision shall be in compliance with the City's Comprehensive Plan.**

The Comprehensive Plan designation of the property is Single Family High Density (SF-HI). The City's adopted Comprehensive Plan states that, "The intent of the associated zoning district is to provide for single-family residential housing in neighborhoods of varying densities." The subject short plat is compliant with the City's Comprehensive Plan.

- D, Except as provided in subsection I of this section, each lot shall abut a public or private street by no less than the frontage required by the zoning district in which it is located.**

The site zoning requires that each of the to-be created lots to have no less than 20 feet of frontage on a public or private street. This short plat complies with this standard.

- E. Except as provided in subsection I of this section, all lots created by a short subdivision shall abut and have access from a dedicated or deeded street and such street shall have the right-of-way width specified by the community and economic development department.**

Access to the new lots will be from a street that will be constructed by the applicant and dedicated to the City as part of the final short plat process.

- F. Short subdivisions that contain a dedication of land to the public shall have been surveyed and monumented and recorded with the County Auditor. The monumentation requirement may be waived if the centerline of the right-of-way is already monumented.**

The land to be dedicated to the City for the new public road will be required to be surveyed and monumented and recorded with the Skagit County Auditor.

- G. Where approval of a short plat is conditioned upon construction of improvements, the construction plans shall be submitted to the City Engineer accompanied by a fee as outlined within the City's current fee schedule.**

City staff will make sure that this standard is complied with following preliminary short plat approval.

- H. Land that the Community and Economic Development Department Director has found to be unsuitable due to flooding, bad drainage, or swamp conditions and that the Community and Economic Development Department Director considers inappropriate for development, shall not be subdivided unless adequate means of control or abatement have been formulated by the subdivider and approved by the Community and Economic Development Department.**

This standard is not applicable because staff has not found the subject site unsuitable due to flooding, bad drainage, or swamp conditions.

- I. In the event the land to be subdivided has a slope or slopes of more than 20 percent and/or rock or unstable soil conditions, the subdivider shall furnish soil data to the City Engineer. If conditions warrant control measures to correct slide, erosion, or other similar problems, the subdivider shall be responsible for the design, installation, and expense of any device or corrective measure, subject to approval by the Community and Economic Development Department.**

This standard is not applicable because there are no slopes in excess of 20% on or near the subject site.

- J. Detached, single-family residential short plats may be accessed by private roadway easements, provided that the following requirements are met:**

- 1. The requirements of Chapter 16.16 MVMC are met;**

2. All lots within the short plat shall have an undivided interest in the ownership of the easement tract and shall record on the face of the plat that the owners will maintain the easement and a sign where the easement joins the public road identifying it as a private road;
3. Private roads will not be allowed where the public works director feels that public roads are necessary for the future traffic circulation;
4. At the discretion of the community and economic development department, the specific design standards for short plats served by private roads are as follows:
 - a. Easements as specified by the community and economic development department;
 - b. Roadways shall be constructed of a minimum of two inches of asphalt pavement, three inches of crushed rock, and six inches of gravel base;
 - c. The maximum grade shall be 10 percent;
 - d. Horizontal curvature shall have a minimum radius of 60 feet;
 - e. Vertical clearance shall be a minimum of 13 feet, six inches;
 - f. Roadways serving a maximum of two lots shall be 15 feet in width, and roadways serving three to nine lots shall be a minimum of 20 feet in width;
 - g. Sidewalks, or other pedestrian facilities approved by the community and economic development department, shall be provided when a private road serves, or could serve, more than four lots;
 - h. When fire hydrants are located on a private street the minimum street width shall be 26 feet;
 - i. The fire department in consultation with the community and economic development department shall specify the signing and painting of curbs, as necessary, to limit parking on private streets;
 - j. Roadways that are in excess of 150 feet long shall have a turnaround which meets the fire department standards;
 - k. Sewer service may be provided by an eight-inch line on the roadway easement or by individual side sewers for each lot. Paved access and easement to the city shall be provided for all eight-inch lines;
 - l. Hydrants must be installed in accordance with Chapter 15.14 MVMC;
 - m. Adjoining contiguous easements are not desirable and shall be avoided;
 - n. Where the specified easement passes through properties not owned by the developer, all necessary easements shall be obtained by the developer and verified by the community and economic development department prior to approval;
 - o. *Storm drainage runoff from the easement road shall be directed away from other properties and preferably into a public storm-sewer system;*
5. The following note shall be added to the short plat: "All maintenance and construction of private roads shall be the responsibility of the lot owners";
6. No further subdivision shall occur without compliance with this title, the subdivision requirements of the city, without filing a final plat.

These standards are not applicable because the applicant is not proposing to construct a private road to serve the to-be created short plat lots.

Following are the standards found within MVMC 16.32.060, Minimum Improvements Required, in bold. Below each standard staff has provided a response.

Prior to granting final approval for any short subdivisions, the community and economic development department shall ascertain that the following improvements have been made or installed, along with all of the items listed within Chapter 16.20 MVMC, for each parcel created by the division of land:

A. Water supply per recommended state standards; adequate fire protection with review by the City of Mount Vernon Fire Department:

The applicant shows that there is an existing water line within the right-of-way of South 16th Street that will be extended to the east with new water service connections being provided to each of the to-be created short plat lots.

Following preliminary short plat approval the applicant will be required to submit construction plans to Skagit PUD and the City that will authorize the installation of water line(s), stubs, and other associated infrastructure. Skagit PUD will review and approve the applicant's engineering plans prior to this work being completed on this site.

B. Sanitary sewer

The applicant shows that there is an existing sanitary sewer line within the right-of-way of South 16th Street that will be extended to the east with new sewer service connections being provided to each of the to-be created short plat lots.

Following preliminary short plat approval the applicant will be required to submit construction plans to the City that will authorize the installation of sewer line(s), manholes, stubs, and other associated infrastructure. The City will review and approve the applicant's engineering plans prior to this work being completed on this site.

C. Underground power, telephone, television cable and all other necessary utilities (including undergrounding existing facilities);

Following preliminary short plat approval the applicant will be required to submit construction plans to Puget Sound Energy, telephone and cable companies and the City that will authorize the installation of underground power, telephone, cable and other necessary utilities and their associated infrastructure. The City will review and approve the applicant's engineering plans prior to this work being completed on this site.

D. Appropriate dedications or easements, if required.

Staff will work with the applicant to make sure that all applicable dedications and easements are shown on the final plat prior to it being recorded.

- E. If the principal frontage street providing access to the parcel to be subdivided is below the standard for its classification, installation of an improved street shall be required prior to approval of the short plat. Those improvements shall be constructed on the frontage of the parcel to be subdivided, and may be extended further to connect with existing improvements or to provide adequate pedestrian and traffic safety or assure safe walking conditions for students who walk to and from school, at the discretion of the community and economic development and public works directors. At no time shall the minimum traveled way brought to line and grade be less than 20 feet wide with four-foot shoulders on the unimproved side of the roadway. The road surface shall be at least of asphaltic concrete quality. Provisions shall be made for storm drainage;**

Street frontage improvements along 16th and 18th Streets abutting the site will be required prior to final short plat approval. A new public street will also be constructed along the south side of the site connecting 16th and 18th Streets providing access to the proposed lots.

- F. The requirement for installation of minimum improvements may be waived by community and economic development and public works directors only with concurrence of the city council per MVMC 14.10.110.**

The applicant did request that the road frontage improvements along both 16th and 18th Streets be waived. However, the Public Works Director did not recommend approval for this.

- G. All improvements shall be designed in accordance with MVMC 16.04.260 and Chapter 16.20 MVMC. As-built mylar construction drawings shall be provided. Electronic media of the necessary documents shall be provided in a format acceptable to the community and economic development department.**

Staff will make sure that the design of all improvements is consistent with MVMC 16.04.260 and 16.20. As-built mylar construction drawings shall be provided; and staff will make sure that as-built mylar construction drawings are received by the Development Services Department prior to final plat approval.

H. DECISION:

MVMC 16.32.050 provides the approval criteria for Short Plats, as follows:

The Community & Economic Development and Public Works Directors shall determine if appropriate provisions have been included in the short plat for, but not limited to, the public health, safety and general welfare, open spaces, drainage ways, critical areas, streets, alleys, other public ways, water supplies, sanitary wastes, parks, playgrounds and sites for schools.

- a. If the Community & Economic Development and Public Works Directors find that the public use and interest will be served by the platting of such subdivision, then the Directors shall recommend approval. If the Directors find that the proposed short plat does not make such provisions or that the public use and interest will not be served, then the Directors may recommend disapproval of the short plat.*
- b. Dedication of land to any public body; and/or dedication of easements to abutting property owners may be required as a condition of subdivision approval and shall be clearly shown on the final plat. The Directors shall not require, as a condition of the approval of any plat, that a release of liability be procured from other property owners.*

Based on the information contained in this staff report, and the Short Plat approval criteria outlined above, the **Hillcrest Village** preliminary short plat application, **File No. PL16-144** is **APPROVED** subject to the conditions of approval listed below and compliance with the Mount Vernon Municipal Code. Please see the 'Notes to Applicant' section of this staff report that follows.

CONDITIONS OF APPROVAL:

- 1. This short plat is subject to the Design Review standards found within MVMC Chapter 17.70. Prior to final plat approval the applicant will be responsible for demonstrating compliance with this Chapter of the MVMC.
- 2. The requirements (and the noted changes) outlined with Ana Chesterfield's February 10, 2017 memo are conditions of approval of the subject preliminary short plat.

SIGNATURE:



Development Services Department

March 17, 2017

Date

I. APPEALS/EXPIRATION:

APPEALS:

The decision of the Development Services Director is final unless an appeal to the Mount Vernon Hearing Examiner is filed within fourteen (14) business days from the date of mailing of the written decision.

An appeal to the Hearing Examiner is governed by MVMC 14.05.160 and .170. Appeals must be made in writing on or before 5:00 PM on **April 3, 2017**. Any appeal must be accompanied by a \$100.00 fee and must state the appellant's reason(s) for the appeal based upon the provisions of the Mount Vernon Municipal Code.

EXPIRATION PERIODS:

Land in short subdivisions may not be further divided in any manner within a period of five years without the filing of a final plat, except that when the short plat contains fewer than four parcels, nothing in this section shall prevent the owner who filed the short plat from filing an alteration within the five-year period to create up to a total of four lots within the original short plat boundaries. The owner who files the original short plat may transfer this right to the subsequent owners with a statement on the face of the short plat.

J. NOTES TO APPLICANT:

1. This approval is for preliminary short plat approval **ONLY**. Applicants are required to demonstrate compliance with code or install all necessary infrastructure improvements before final short plat approval can be granted.
2. Fill and Grade and right-of-way permit(s) will need to be submitted and approved by the City prior to the applicant commencing work to building the access road necessary to serve the new lots and making improvements to 16th and 18th Streets along with installing necessary utilities and related infrastructure.
3. When all of the preliminary short plat conditions of approval have been met/constructed, an applicant will need to schedule another pre-application meeting with the CEDD to receive their list of submittal requirements for final plat approval.
4. Lots cannot be created, sold, or marketed for sale until final short plat approval is granted and the plat map is recorded with the Skagit County Auditor. Final short plat approval is a separate process from the preliminary short plat approval process.
5. Technical review of survey data, lot closures, etc. will be performed with final short plat review.
6. Additional easements will be required.
7. Additional right-of-way may be required.
8. Please see Fire Marshal, Steve Riggs, email that was part of the SEPA process for this project. This email, in part, states, "Meeting the fire flow of 1000 GPM this could include extending the water line and fire hydrant...My initial though is yes, as our code requires a fire hydrant at any street or road intersection.