

Hong Variance

VAR-2017-001

1100 2nd Street



Mukilteo Hearing Examiner

December 14, 2017

7:00 p.m.

Mukilteo City Council Chambers

11930 Cyrus Way, Mukilteo WA 98275

City of Mukilteo, Washington
PLANNING STAFF REPORT

To: Mukilteo Hearing Examiner

Hearing Date: December 14, 2017

From: Linda Ritter, Senior Planner

Re: Hong Variance (VA2017-001)

Applicant: Fred Baxter & Associates

Owner: Kyung and Susie Hong

Summary of Request: A Variance request from the maximum hard surface coverage requirements in Mukilteo Municipal Code (MMC) section 17.20.028 (Table 3). The applicant is requesting approximately 797 square feet of additional hard surface beyond the 3,780 square foot maximum for property located at 1100 2nd Street. The property is zoned RD 7.5. The existing vacant lot is 7,500 square feet in area and has an existing 16 foot wide paved access road within a 20 foot wide easement serving two adjacent lots to the north. The access road was required to be installed in 2007 as part of an approved short plat. Approximately 2,579 square feet of the 3,780 square feet maximum allowable hard surface limit for the lot is utilized by the access road. Without a variance, future development of the property, including the building footprint, driveway, walkway and decks, would be limited to 1,201 square feet of additional hard surface.

Recommended Action Staff recommends that the Mukilteo Hearing Examiner **APPROVE** the Variance (VA2017-001), with the conditions found under the Recommendation section of the staff report.

PROJECT DESCRIPTION / SITE CHARACTERISTICS

Location Section 04 Township 28 Range 04 Quarter NE MUKILTEO HEIGHTS BLK 000 D-01 LOT 1 OF CITY OF MUK 2006-03 SP REC AF NO 200807305215 BEING A PTN OF LOT 4 EXST PLAT; otherwise known as 1100 2nd Street, Mukilteo, Washington.

Site The 7,500 square foot vacant lot is located in the RD 7.5 zone

Description:

Utilities: The following utilities are available to this property:
Water/Sewer: Mukilteo Water and Wastewater District
Electricity: Snohomish County Public Utility District
Natural Gas: Puget Sound Energy
Telephone: Verizon
Cable: Comcast
Stormwater: City of Mukilteo

Access / Street Imp.: Access to this site is from 2nd Street. The street is classified as a Local Road.

Aerial Photo:



Comp Plan Designation: SFR-H Single-Family Residential High Density; 5.80 dwelling units per acre

Zoning Designation: SFR RD7.5 Single-Family Residential with a minimum lot size of 7,500 square feet.

Adjacent Uses / Zone/Comp Plan

North:	Vacant / RD 7.5/ Single-Family Residential High Density
South:	Religious Institution/Single-Family Residence / RD 7.5 (Across 2nd Street)/ Single-Family Residential High Density
East:	Single-Family Residence / RD 7.5/ Single-Family Residential High Density
West:	Single-Family Residence/ RD 7.5/ Single-Family Residential High Density

BACKGROUND

The applicant, Fred Baxter & Associates, has submitted a variance request on behalf of Kyung and Susie Hong to allow for increased maximum hard surface coverage. The variance is intended to accommodate a new single family dwelling on the lot. It is possible that the lot may be sold for the purposes of allowing its development as a single family dwelling. While no specific house plan has been prepared, the applicant has indicated that future development of the lot will stay within the hard surface requirements identified in the variance request, and will meet all other applicable bulk requirements of the Mukilteo Municipal Code as well as short plat requirements.

The Subject Property is a vacant, rectangle shaped 7,500 square foot parcel located at 1100 2nd Street. The Subject Property is level near 2nd Street, but then begins to slope downward towards the north. Although the property has views of Possession Sound, it does not lie within shoreline management jurisdiction.

The Subject Property was part of a 21,294 square foot parcel that was approved for a Two-Lot Subdivision on September 19, 2006 (City Case File No. SP 2006-03). The short plat applicant was Mr. Kyung and Ms. Susie Hong. As part of the Short Plat approval process, all improvements such as the private road, stormwater drainage facilities, and frontage improvements were required to be installed prior to final plat approval.

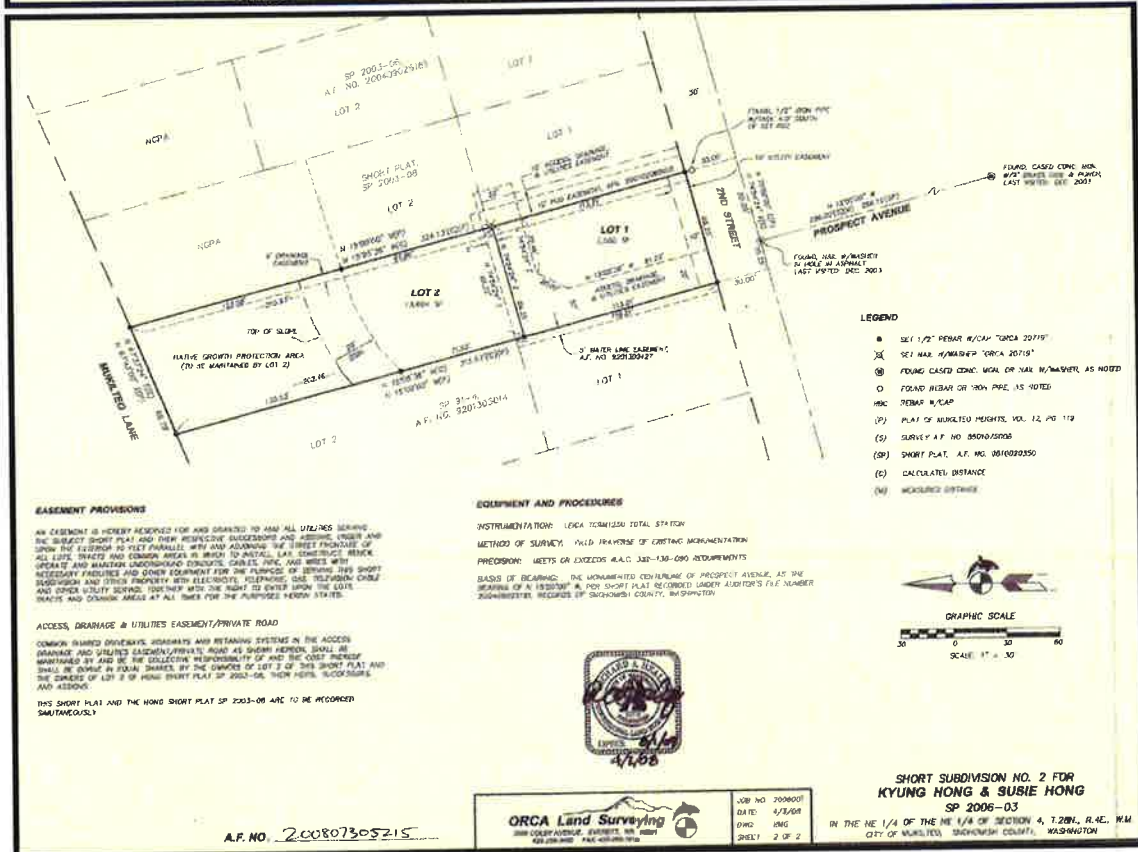
Recording of this short plat (commonly referred to as "Hong II" short plat) was done concurrently with a short plat of the neighboring parcel to the east. The applicant for the short plat to the east was also Mr. Kyung and Ms. Susie Hong (SP2003-08). That short plat is commonly referred to as "Hong I" short plat. Although the two short plats were submitted at different times, a decision was made that they be considered and decided together.

The decisions for the two short plats required that Lot 2 of the Hong II Short Plat and Lot 2 of Hong I Short Plat take access from the private road on Lot 1 of the Hong 2 Short Plat. Lot 1 of the Hong I and II Short Plats were required to take direct access from 2nd Street (meaning that neither lot was allowed to take access from the private road on Lot 1 of the Hong 2 Short Plat). The private road was required to be paved to a width of sixteen (16) feet, within a twenty (20) foot easement.



The property at 1100 2nd Street, prior to property being subdivided, had an existing house with a building footprint of approximately 1,590 square feet as shown in the picture below.



[illegible]

Maximum Hard Surface Limits

In 2016 the City was required to integrate Low Impact Development (LID) principles and designs as the preferred alternative into the City's Municipal Code (Mukilteo Municipal Code, MMC) and development standards under the City's Phase II National Pollutant Discharge Elimination System (NPDES) Permit. The City addressed: (a) Measures to minimize impervious surfaces; (b) Measures to minimize loss of native vegetation; and (c) Other measures to minimize stormwater runoff.

The City hired a consulting firm, AHBL, to prepare an Opportunity/Gap Analysis. This Opportunity/Gap Analysis provided a broad overview of areas within planning documents and the municipal code that had a potential nexus with the LID Code update requirement. AHBL identified three areas for the best opportunity to achieve these goals:

1. Establishing a Standard for Maximum Hard Surfaces – The City had standards for lot coverage but these standards only apply to the coverage of the site by structures. The proposed changes establish hard surface limits. Hard surface is defined as an impervious surface, a permeable pavement, a deck, or a vegetated roof.
2. Vegetation Retention – There are a variety of ways that native vegetation can be retained. The proposed changes focused on tree retention during construction, and clarifying language on opportunities for preservation of native vegetation during development.
3. Development Standards – The Surface Water Code related to development and the Development Standards were identified for revision.

On December 5, 2016, the Mukilteo City Council passed Ordinance No. 1390 which adopted new low impact development standards into several areas of MMC. New Development Standards related to Low Impact Development were also adopted on December 5, 2016 by Resolution 2016-19.

One of these requirements was the addition of maximum hard surface coverage. MMC section 17.08.020 ("Definitions") defines "hard surface" as

"Hard surface" means an impervious surface, a permeable pavement, a deck, or a vegetated roof."

MMC 17.20.028 ("Maximum hard surface coverage matrix") establishes maximum hard surface limit coverage for a parcel in the City of Mukilteo. The maximum hard surface coverage for single family residential lots 7,500 square feet in size is 3,780 square feet.

Lot Maximum Hard Surface Coverage Matrix

Use Type	Lot Area Threshold	Maximum Hard Surface Coverage per Lot*
Single-family residential	≤ 5,999 square feet	3,000 square feet
	6,000—8,399 square feet	3,780 square feet
	8,400—9,599 square feet	3,840 square feet
	9,600—12,499 square feet	4,375 square feet
	≥ 12,500 square feet	55% of lot area
Multifamily including townhouses	Not applicable	80% of lot area
Mixed use	Not applicable	90% of lot area
Commercial	Not applicable	90% of lot area
Industrial	Not applicable	95% of lot area
Downtown business and tank farm district	Not applicable	100% of lot area

Prior to the adoption of Ordinance No. 1390, staff performed an analysis of how a new maximum hard surface requirement might affect existing lots. However, scenarios involving a prior short plat with an existing private access road serving multiple lots that cannot be used for access by the lot itself were not evaluated.

Average Building Footprint in Immediate Area

A review of parcels in the immediate area shows that Lot 1 of the Hong II Short Plat is the only remaining vacant lot which has a paved private access easement. Prior to the existing structure being demolished, the total impervious surface area for Lot 1 of the Hong II Short Plat was approximately 3,746 square feet, not including the new private access road.

A comparison of the building footprints of the existing structures in the area show the average building footprint is approximately 2,156 square feet. The request by the applicant for a building footprint of 1,290 square foot is less than that of existing properties in the immediate area identified in the table below.

Address	Building Footprint Square Feet	Address	Building Footprint Square Feet
1040 2 nd Street	2602	102 Cornelia Avenue	2212
1050 2 nd Street	2973	1010 1 st Lane	2165
1090 2 nd Street	2105	1070 1 st lane	2930
1102 2 nd Street	2256	1001 2 nd Street	1680
1110 2 nd Street	2444	1003 2 nd Street	2302
1118 2 nd Street	2252	1005 2 nd Street	2199
1126 2 nd Street	1962	1115 2 nd Street	1920
1114 2 nd Street	3048	1125 2 nd Street	1570
1120 2 nd Street	3147	1127 2 nd Street	1617
1124 2 nd Street	3181	1133 2 nd Street	1751

1138 2 nd Street	2504	1101 Prospect Avenue	1858
1142 2 nd Street	1987	307 Prospect Avenue	1934
1146 2 nd Street	2084		
Average building footprint = 2,156 square feet			

Based on this analysis, the proposed variance would allow for development that is consistent with the character of the surrounding properties.

Definition of Variance

MMC section 17.08.020 (“Definitions”) defines a variance as,

“Variance” is the means by which an adjustment is made in the application of the specific regulations of this title to a particular piece of property. The property would be unbuildable because of special hardship conditions.”

In 2014 the Hearing Examiner granted an appeal of an administrative decision that had approved an Administrative Variance for a nonconforming lot related to the proposed Ball Short Plat (HEA-2014-02 of SP-2014-003/VAR-ADMIN-2014-002) located at 10702 Marine View Drive.

In granting the appeal, the Hearing Examiner’s decision stated,

“...the City's ordinances only allow for a variance on property that is otherwise unbuildable. The application for a variance to allow for a short plat was for property already developed with a single-family residence. Thus, the property does not qualify for a variance, and the City should have denied the variance application. Because the property cannot meet the required minimum lot-width requirements in the RD12.5(S) zoning district without a variance, the City should also have denied the short-plat application. admin variance (thereby denying the variance) based on this definition.”

The facts associated with the Hong Variance request differ from the Ball Short Plat Administrative Variance. The Ball Administrative Variance request sought a lot width variance for a non-conforming lot in order to create a second lot. A single family dwelling existed on the lot proposed to be short platted. That an existing single family dwelling existed on the property demonstrated that the lot was buildable.

The development situation with the Hong property is different. The Hong Variance property is vacant. An access easement runs along the west and north property lines. A condition of the short plat requires the Hong property take direct access from 2nd Street rather than from the access easement. A variance is not being sought to create another parcel; rather, it is being sought to allow development of an existing parcel.

The Hong variance request is also not associated with a desire of a property owner to create additional development opportunities (as was the case with the Ball Administrative variance to allow for the development of a second single family dwelling.) The Hong variance results from

the City's adoption of a new hard surface development regulation (that did not previously exist) in December 2016. The Hong property already existed prior to the City's adoption of the hard surface regulation. As often occurs with the adoption of a new development regulation, not every development situation was anticipated.

The current hard surface limitation for a 7,500 square foot lot is 3,780 square feet. There is 2,579 square feet of hard surface on the property already. The hard surface is required as part of the access to meet fire code requirements. It cannot be reduced or removed.

The maximum hard surface limitation leaves approximately 1,201 square feet of allowable hard surface to accommodate a driveway from 2nd Street (as required by the Short Plat decision) and building footprint. A typical driveway itself (16 feet wide and 20 feet deep based on the minimum setback requirement) would be 320 square feet in area. This would leave 881 square feet for the building footprint (as well as decks, walkways and other hard surface). The ability to build on the property is constrained. The existing hard surface limitation put into question whether or not the site could be developed.

One of the criteria for a variance is that it must be necessary because of "special circumstances relating to the size, shape, topography, location, or surroundings of the subject property, to provide it with use rights and privileges permitted to other properties in the vicinity that are located in the same zoning district in which the subject property is located." Staff finds the Hong variance request meets this criterion. Absent a variance, the hard surface limit does not afford the Hong the same rights and privileges permitted to other properties in the vicinity. This is a lot with special circumstances.

Stormwater Drainage System

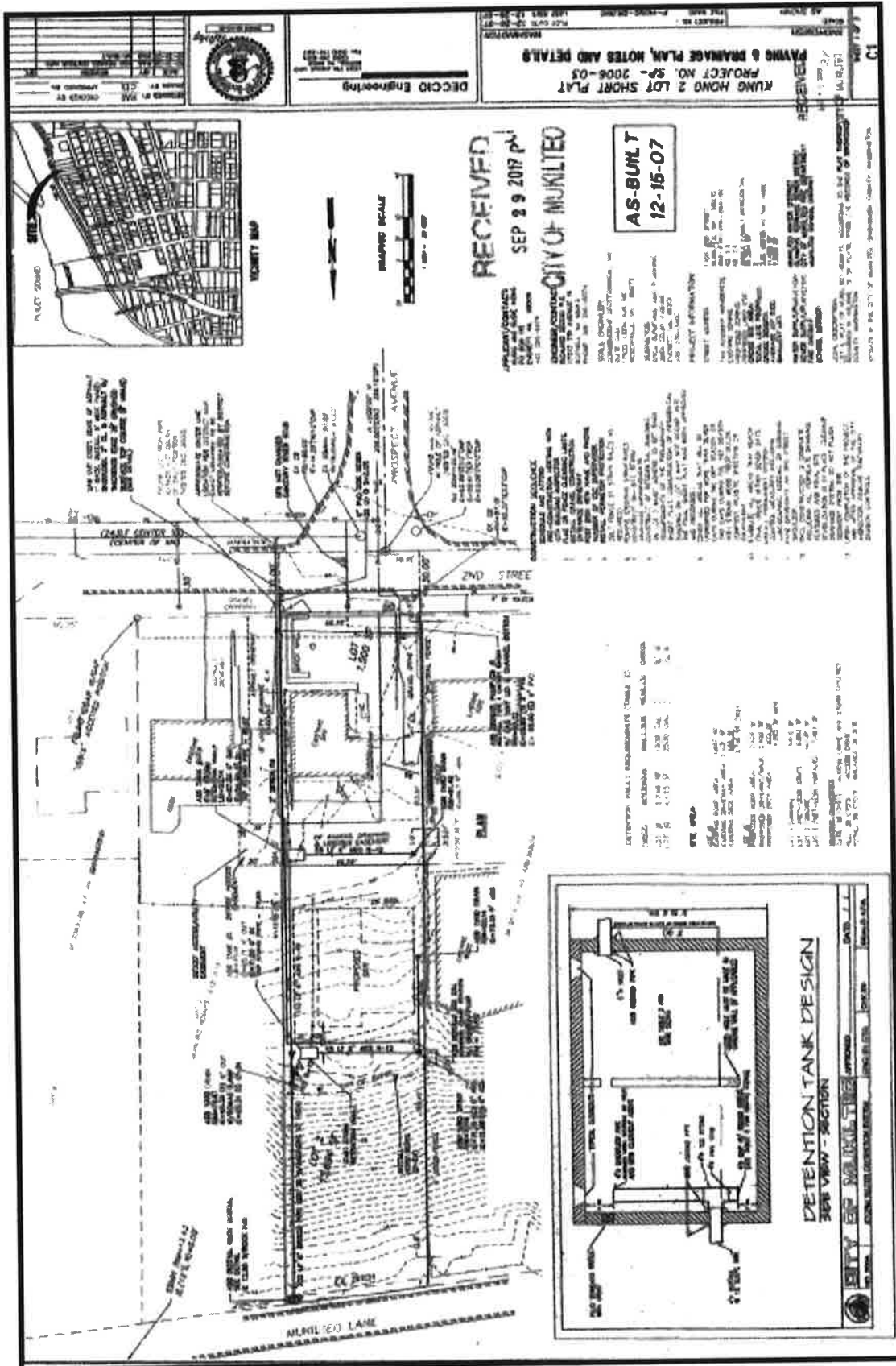
The maximum hard surface requirements were adopted to, minimize impacts from uncontrolled surface water runoff. Drainage for the Subject Property was originally evaluated as part of the Hong II Short Plat.

A geotechnical report prepared by Cornerstone Geotechnical, Inc. dated April 14, 2006 recommended that stormwater runoff from impervious surfaces, such as the roof and paved areas, be collected and routed to an appropriate storm water discharge system. The roof drains should be tightlined separate from the footing drains. Final site grades should allow for drainage away from the buildings. Other construction related drainage recommendations in the geotechnical report were also made. With the passage of time, an addendum to the prior geotechnical reports shall be required at the time of building permit.

The storm drainage system for the Hong I and II Short Plats was designed per the Washington State Department of Ecology's Stormwater Management Manual for the Puget Sound Basin (1992) and installed prior to the final plat approval in 2008. Both Lot 1 and Lot 2 of the Hong II Short Plat have on-site detention to reduce surface water impacts. The As-Built for the Hong II Short Plat shows that the detention provided for Lot 1 is sized to manage a total of 3,746 square feet of impervious surface (now called hard surface). The drainage plan prepared for the site allocates 1,657 square feet of roof area, 2,400 square feet of driveway/walkway area, and 658 square feet of deck area for the vault on Lot 1.

The existing shared driveway is 2,579 square feet. The applicant is proposing a new hard surface for the roof area of 1,290 square feet.

The City will require the applicant to complete drainage calculations as part of the permit submittal for the future single-family residence building permit application. This drainage plan will be required to show sufficient capacity in the existing vault.



ANALYSIS AND FINDINGS

In accordance with the consistency test outlined in the Growth Management Act (RCW 36.70B.040), prior to making a decision or recommendation on an application, the City must consider whether a project meets the adopted development regulations and/or Comprehensive Plan policies. The subject property is located in the RD 7.5 Single Family Residential Zoning District and the following standards apply:

Rd 7.5 Zoning District

Regulation	Requirement	Application Submitted
Minimum lot area (MMC 17.20)	7,500 square feet	7,500 square feet
Minimum lot width (MMC 17.20)	At setback line: 50' At lot line: 30' Corner lot line: 60'	66.25' 66.25' N/A
Minimum average lot depth (MMC 17.20)	85'	113.21'
Height (MMC 17.20)	30'	Height, setback, lot coverage and parking requirements will be met at the time of building permit submittal.
Front setback (MMC 17.20)	20'	
Rear setback (MMC 17.20)	20'	
Side setbacks (MMC 17.20)	Minimum 5' Total 15'	
Lot Coverage (MMC 17.20)	35%	
Parking (MMC 17.56)	2 stalls per dwelling unit	
Maximum Hard Surface Limit (MMC 17.20)	3,870 square feet	4,577 square feet

Variance

Criteria	Analysis	Meets Criteria
Variance shall not constitute a special privilege inconsistent with the rules and regulations governing the uses of other properties in the vicinity or zoning district in which the property for which the variance is requested is located	<ul style="list-style-type: none"> The applicant is proposing to build a single family dwelling on the Subject Property. Single-family residences are a permitted use under the Mukilteo Municipal Code for the RD 7.5 zone. 	YES
Special Circumstances	<ul style="list-style-type: none"> The impervious shared private access for lot 2 of the Hong II Short Plat was required to be installed prior to final plat approval. The existing hard surface limits the buildable area to a building footprint of 493 square feet once the driveway and walkway has been installed. The average building footprint in the area is approximately 2,516 square feet. 	YES
Not detrimental to the public health and welfare.	<ul style="list-style-type: none"> The project application and submittals have been routed to other agencies and departments for their review and comments. No comments in opposition to the variance were received from agencies or departments. Stormwater from the site will be reviewed with submittal of the single family dwelling building permit. A geotechnical report addendum will also be required. The applicant shall comply with all other applicable bulk requirements, including as examples, building height and setbacks. Maximum lot coverage will also be met. 	YES

Hardship was not created by the applicant	<ul style="list-style-type: none"> • The private road was created as part of the approved Hong II Short Plat. The Notice of Decision for the Hong II Short Plat required Lot 2 of this Short Plat and Lot 2 of Hong I Short Plat take access from the private road. Lot 1 of the Hong I and II Short Plats shall take access from 2nd Street. • These requirements and lot layouts preceded by a decade the City's adoption of new maximum hard surface requirements. This could not have been reasonably anticipated at the time the short plats were approved. • The request for the Variance is therefore due to the change in the City's Municipal Code which did not fully consider existing vacant lots within an approved plat which installed impervious surface for access to adjacent properties. 	YES
The use is permitted in the zoning district.	<ul style="list-style-type: none"> • Single-family residents are a permitted use in the RD 7.5 zone. 	YES

Environmental Review: No environmental review was required. WAC 197-11-800(6)(e) exempts:
“(e) Granting of variance based on special circumstances, not including economic hardship, applicable to the subject property, such as size, shape, topography, location or surroundings and not resulting in any change in land use or density.”

Notice: Notice of this application has been provided in accordance with the provisions of MMC Chapter 17.13. This project was circulated for review and comment on October 25, 2017, by advertising the Notice of Application in the local newspaper of record; mailing a copy of the Notice to property owners within 300 feet of the project and interested agencies; and posting the Notice at the site and at the official locations for City Notices.
A Notice of Public Hearing was advertised in the same manner on November 30, 2017.

Agency Comments:

Agencies with no comments:

- Mukilteo School District

Agencies with comments:

- Mukilteo Water and Wastewater District – The Mukilteo Water and Wastewater District (District) has no objections to the increase in the hard surface limits on this lot. Water and Sanitary Sewer service are stubbed to this lot.

Summary of Public
Comment (see Exhibit L
for emails):

Kris and Jeff Huxford

- No formal site plan or architectural plans were submitted to allow the city to define whether this is even realistic.
- The prior home never created problems for their view of the water. A two story home and garage extending over the hard surface requirement will cause a big problem with the value of their home and that of several neighbors.
- Concern over the sloped land and small road built on three plots of land, hillside, moving and disturbing earth could result in possible landslide.
- No grading plans.
- Property has sat in its current situation since the joint use driveway was built. The lots have been marketed for too much money.
- Concerned about the variance being allowed to be approved or not approved for the property.

Lee & Ricky Lovorn

- Indicates that the Snohomish County Assessor's Office shows he parcel size as .17 of an acre, or 7,405 square feet. The lot is less than the minimum lot size requirement of 7,500 square feet. The lot is therefore unbuildable.
- Drainage issues exist with other homes in the area. Why take a chance on making it worse.
- There is no hardship. The applicant could consolidate the Subject Property with two other vacant lots in the area and not need a variance.
- The rules are there for a purpose. Changing the rules for one when it isn't necessary can jeopardize other people's property.
- Request that this Variance request not be allowed to pass.

STAFF RESPONSE TO PUBLIC COMMENTS

Staff has reviewed the public comment and has the following analysis:

No formal site plan or architectural plans were submitted to allow the city to define whether this is even realistic.

The applicant has provided a site plan that identifies the maximum hard surface coverage that he indicates is necessary to allow for building a single family dwelling on the property. The applicant has also identified bulk requirements associated with future development of the site as a single family dwelling and has indicated that a future permit application will comply with these bulk requirements codes except for the maximum hard surface requirement. No variance to any other bulk requirement has been requested.

The RD 7,500 zoning district also does not have design review. The proposed variance also does not affect height or setback dimensions where a review of architectural plans would assist in the analysis of whether or not to grant the variance. Architectural plans are unnecessary for this application.

If approved, staff does recommend that the variance be conditioned to a maximum of 800 additional square feet above the 3,870 square foot maximum hard surface requirement. This is consistent with the additional maximum hard surface (797 square feet) the applicant is requesting.

Lot is Unbuildable as the parcel is 0.17 acres and less than the require 7,500 square foot minimum

The proposed lot was created as part of City of Mukilteo Short Plat (City Case File No. SP 2006-03). SP 2006-03 was prepared and stamped by a licensed surveyor and the Subject Property is identified as 7,500 square feet. While the Snohomish County Assessor information on line shows the size of the parcel at 0.17 acres (which calculates to 7,405 square feet), it could be larger. Rounding could be one possible explanation for the 7,405 square foot number. The area comes to 0.172179 which measures 7,500 per square foot and the area for property on the Snohomish County web is rounded to the nearest hundredth of an acre. This is the discrepancy in the numbers.

There is no hardship. The applicant could consolidate the Subject Property with two other vacant lots in the area and not need a variance. Applicant should consolidate three contiguous lots into one.

The proposed lot (and the other two lots referenced in this comment) was created as part of two approved short plats (City Case File No. SP 2006-03 and SP2003-08). A Notice of Decision was issued for each short plat. An appeal period was associated with each short plat decision, neither short plat was appealed. The appropriate time to raise concerns about the creation of the lots, density and possibly how development might take place on the lots was at the time the short plat.

A hardship does exist as indicated in the staff analysis of the variance criteria above.

The lots have been marketed for too much money.

How much the Subject Property and other vacant lots have been marketed for is not relevant to the variance criteria.

The prior home on the lot never created problems for their view of the water. Proposed development exceeding the hard surface requirement will cause a big problem with the value of homes and that of several neighbors.

The City does not have a view protection ordinance. The City does have maximum building height requirements. Building height is reviewed at the time of building permit application and, like other permits, will be done so when a permit is submitted for the Subject Property.

Concern over the sloped land and small road built on three plots of land, hillside, moving disturbing earth could result in possible landslide. No grading plans.

When the lots referenced in this comment were created, a geotechnical report was provided. Native growth protection easements were created on both short plats (City Case File No. SP 2006-03 and SP2003-08) to protect the steep hillside on the northern portions on lot 2 of each short plat from development activity. A geotechnical report was performed with the short plats as well. Further, the City will require an updated geotechnical report or addendum when the single family building permit for the Subject Property is submitted.

Grading plans will be required and reviewed for compliance with City standards at the time of building permit application.

Drainage issues exist with other homes in the area. Why take a chance on making it worse.

When the Subject property was short platted, storm drainage improvements were evaluated and required. There were no maximum hard surface requirements at that time.

The submittal of a drainage report with calculations is a requirement for single family building permits. Additional review of storm drain improvements associated with the single family dwelling will occur with the building permit submittal.

The rules are there for a purpose. Changing the rules for one when it isn't necessary can jeopardize other people's property.

The zoning code has provision for individuals to make application for variances. Variances are part of the rules. Variances may be granted or denied based on the ability to demonstrate compliance with the decisional criteria.

CONCLUSIONS:

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

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

Based on the above analysis, and with the proposed conditions listed below, staff finds that the Hong Variance has met the requirements of the City of Mukilteo Development Standards, 2015 Comprehensive Plan, and Mukilteo Municipal Code.

STAFF RECOMMENDATION:

Based on the facts and findings and conclusion of the staff report, staff recommends that the Hearing Examiner **GRANT** the Variance request from the maximum hard surface coverage requirements in Mukilteo Municipal Code (MMC) section 17.20.028 (Table 3) for property located at 1100 2nd Street in the RD 7.5 zone subject to the following conditions:

1. The maximum additional hard surface area above the maximum 3,780 shall be 800 square feet (meaning the total maximum hard surface area for the property shall not exceed 4,580 square feet.
2. A site-specific addendum to the geotechnical report shall be submitted with building permit application, addressing foundations, drainage control and any other issues deemed pertinent by geotechnical engineer or the Public Works Director in accordance with MMC 17.52A.
3. Prior to building permit issuance, a Land Use Binder shall be prepared and recorded with the Snohomish County Auditor's office.
4. The applicant shall comply with all other applicable city codes, regulations and requirements.

EXHIBITS

EXHIBIT 'A'	LOCATION MAP
EXHIBIT 'B'	AERIAL MAP
EXHIBIT 'C'	APPLICATIONS
EXHIBIT 'D'	LETTER OF COMPLETE APPLICATION
EXHIBIT 'E'	PROJECT NARRATIVE FOR VARIANCE
EXHIBIT 'F'	SITE PLAN
EXHIBIT 'G'	RECORDED HONG I AND II SHORT PLAT
EXHIBIT 'H'	AS-BUILTS FOR STORMWATER DRAINAGE SYSTEM
EXHIBIT 'I'	BOUNDARY/TOPOGRAPHIC SURVEY
EXHIBIT 'J'	GEOTECHNICAL REPORT
EXHIBIT 'K'	AGENCY COMMENTS
EXHIBIT 'L'	PUBLIC COMMENTS
EXHIBIT 'M'	AFFIDAVIT OF PUBLICATION

**EXHIBIT A
LOCATION MAP**

Project Name: Hong Property Variance
Project Address: 1100 2nd Street
Parcel ID: 00527600000401

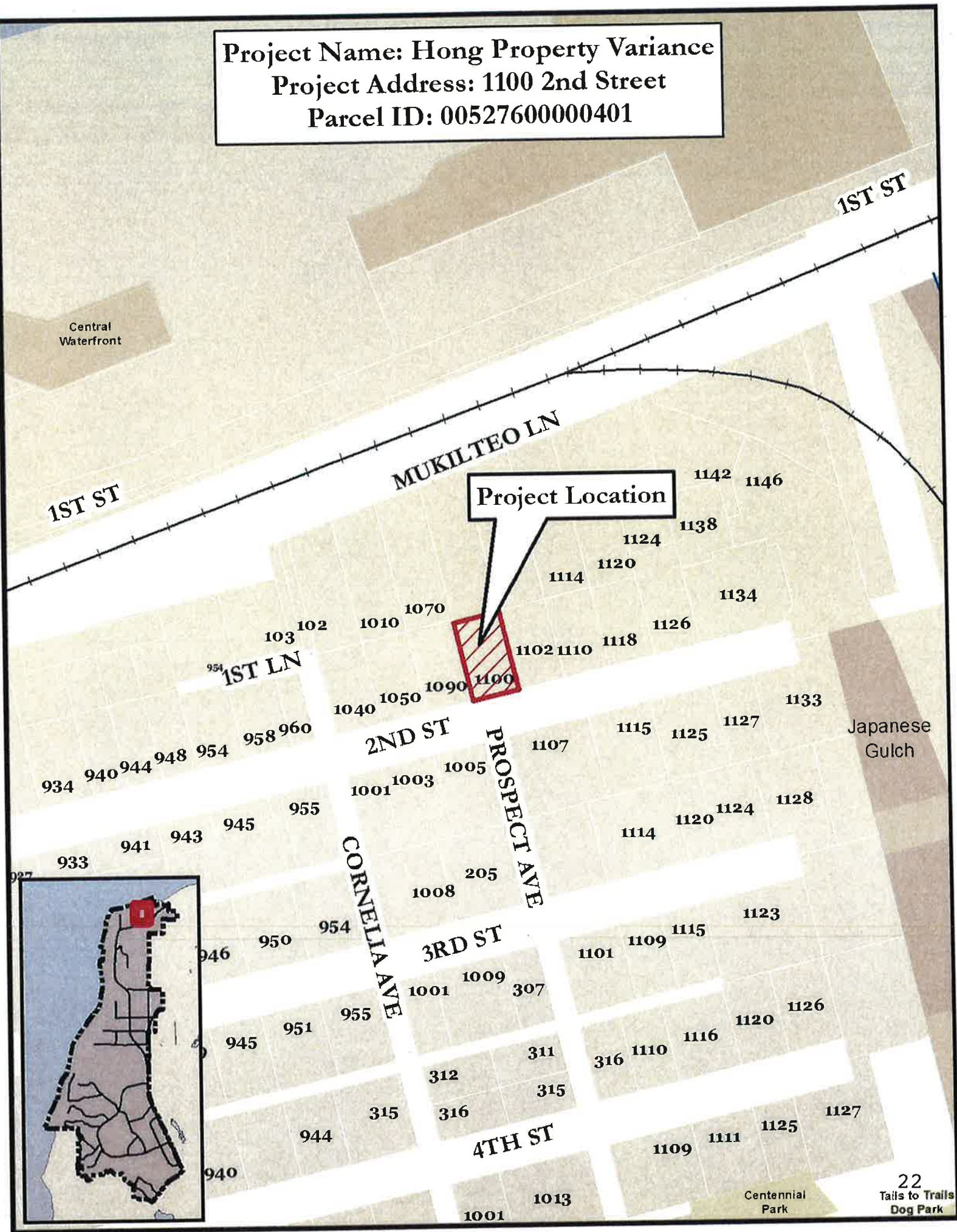


EXHIBIT B
AERIAL MAP



EXHIBIT C APPLICATIONS



RECEIVED

SEP 29 2017 AM

CITY OF MUKILTEO
PP# _____
SEPA # _____
Misc # _____

Land Use Permit Application

Applicant: FRED BAXTER & ASSOCIATES Owner: KYUNG & SUSIE HONG
 Address: 649 5th STREET, SUITE 203 Address: 1102 2nd STREET
MUKILTEO, WA 98275 MUKILTEO, WA 98275
 Phone: 425-348-3975 Phone: _____
 Project Address: 1100 2nd Street

Legal Description of Property: SEE ATTACHED "HONG PROPERTY FEASIBILITY DATA" SHEET.Key Contact Person: FRED BAXTER Phone: 425-348-3975

Fax: _____

Project Type: fred@baxterarchitects.com

- | | | |
|---|---|---|
| <input type="checkbox"/> Commercial | <input type="checkbox"/> Preliminary Subdivision* | <input type="checkbox"/> Special Use Permit* |
| <input type="checkbox"/> Multi-Family | <input type="checkbox"/> Final Subdivision* | <input type="checkbox"/> Reasonable Use |
| <input type="checkbox"/> Industrial | <input type="checkbox"/> Preliminary Short Plat* | <input type="checkbox"/> Lot Line Adjustment* |
| <input type="checkbox"/> Shoreline* (JARPA) | <input type="checkbox"/> Final Short Plat* | <input type="checkbox"/> Grading* |
| <input type="checkbox"/> Conditional Use* | <input type="checkbox"/> Sector Plan Amendment | <input type="checkbox"/> Binding Site Plan |
| <input checked="" type="checkbox"/> Variance* | <input type="checkbox"/> Waterfront Development | <input type="checkbox"/> Project Rezone |
| | <input type="checkbox"/> Single Family Residence | <input type="checkbox"/> Other, Specify _____ |

* Need to fill out supplemental application form with project.

Project Resume:

Existing Use: EMPTY LOTProposed Use: SINGLE-FAMILY RESIDENTIALTotal Site Area: 7500 S.F.Landscaping Area: 200 S.F.Building Foot Print Area: 1290 S.F.Water District: MUKILTEO WATER DISTRICTLot Coverage: 17%Sewer District: MUKILTEO WASTEWATER DISTRICTParking Provided: 2 SPACES MIN.# of Proposed Units: 1Building Height: N/AComp Plan Designation: SFR-HIGH DENSITYGross Floor Area by Uses: FIRST FLOOR: 850 S.F.,Zoning: RD 7.5SECOND FLOOR: 1510 S.F., GARAGE: 440 S.F.Pre-application Meeting Held: (Y/N; date) Y/N; date) 5/25/2017

The information given is said to be true under the penalty of perjury by the laws of the State of Washington.

Applicant/Authorized Agent Signature

Date

9.29.17

Owners Signature

Date

9/27/17

RECEIVED

SEP 29 2017 *rv*



CITY OF MUKILTEO

11930 Cyrus Way, Mukilteo, WA 98275
(425) 263-8000
Fax (425) 212-2068

Variance Supplemental Application Form

Date: _____ Application Number: _____

Fee Received: \$ _____ ☐ Cash ☐ Check ☐ Other Receipt #: _____

APPLICANT/OWNER INFORMATION

Applicant: FRED BAXTER & ASSOCIATES
Address: 644 5th STREET, SUITE 203
MUKILTEO, WA 98275

Phone:(Home) _____
(Office) 425-348-3975
(Fax) _____

Legal Property
Owner(s): KYUNG & SUSIE HONG
Address: 1102 2nd STREET
MUKILTEO, WA 98275

Phone:(Home) _____
(Office) _____
(Fax) _____

Applicant is: ☐ Owner in fee simple ☐ Contract purchaser ☒ Agent for Owner

PRIMARY CONTACT PERSON

Name: FRED BAXTER
Address: SEE ABOVE

Phone:(Home) _____
(Office) _____
(Fax) _____

Date of Present Ownership of Property:

1/31/2006

Date of Contract if Now Purchasing Property:

Please provide a copy of the contract.

PROPERTY/LOT INFORMATION

Legal Description of property (attach): SEE ATTACHED "HONG PROPERTY FEASIBILITY DATA" SHEET.

Assessor's Tax Account Number: 00527600000401

Location/Street Address of Property: 1100 2nd STREET

Zoning District: RD 7.5

Comprehensive Plan Designation: SFR-HIGH DENSITY

Lot Area (Square Feet) 7500 S.F.

BUILDING INFORMATION

Area of all Existing Building(s) (Square Feet): N/A

Area of all Proposed Building(s) (Square Feet): 2580 S.F.

Area of all Proposed Additions: N/A

VARIANCE REQUEST INFORMATION

Cite Code Section for Which Variance Use is Being Requested: MMC Sec. 17.20.028

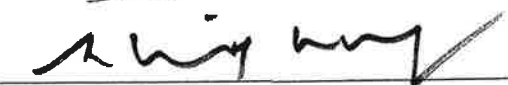
NARRATIVE EXPLANATION OF REQUEST: Please submit a written detailed explanation of the purpose of the request and discuss how the Variance application meets the criteria for approval and the project's relationship to current plans, policies, and regulations. Refer to the Variance brochure for the criteria. SEE ATTACHED.

REQUIRED SIGNATURES

THE INFORMATION GIVEN IS SAID TO BE TRUE UNDER THE PENALTY OF PERJURY BY THE LAWS OF THE STATE OF WASHINGTON.


Applicant/Authorized Agent

9. 29 . 17
Date


Legal Property Owner*

9/27/17
Date

Legal Property Owner*

Date

* NOTE: If legal owner is a corporation or partnership, proof of ability to sign for the corporation or partnership shall be submitted to the City of Mukilteo with this application.

EXHIBIT D
LETTER OF COMPLETE APPLICATION



CITY OF
MUKILTEO

*Planning and Community
Development Department*

11930 Cyrus Way, Mukilteo, WA 98275
(425) 263-8000
Fax: (425) 290-1009

City of Mukilteo, Washington
**Application Submittal
Notification**

Applicant: Fred Baxter & Associates **Date:** 10-16-17
Address: 649 5th Street, Suite 203
Mukilteo WA 98275
Contact Number: 425-348-3975
Project: Hong Property Variance
Site Address: 1100 2nd Street
Mukilteo WA 98275

Thank you for your application submittal. This letter is your official notice that your application submitted on September 29, 2017, is considered:

☒ Complete on October 16, 2017
☐ Incomplete

Complete Applications. Processing and review of a permit application may begin when it is deemed complete. A COMPLETE APPLICATION IS NOT AN APPROVED APPLICATION. A permit application is complete when it meets the submission requirements outlined in the Table on the back side of this notice. The City's determination of completeness does not preclude the City from requesting revisions, additional information or studies if new information is required, corrections are needed, or where there are substantial changes in the proposed action.

Incomplete Applications. An incomplete application will not be processed. The Applicant has 90 calendar days to submit all the required information to receive a notice of complete application. If the required information is not submitted within the 90 calendar day period, the application will be considered lapsed for failure to submit the necessary information in a timely manner and the file will be closed. The Applicant may request, in writing, an extension of up to an additional 90 calendar days. Extensions are granted at the sole discretion of the Planning Director.

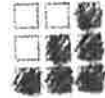
If you have questions regarding the City's permit review process, please do not hesitate to call the City at (425) 263-8000. Our office hours are 7:30 a.m. – 5:00 p.m., Monday through Thursday and 7:30 a.m. – 4:30 p.m. on Fridays.

Sincerely,

Linda Ritter
Senior Planner

pc: Kyung & Susie Hong, 1102 2nd Street, Mukilteo WA 98275
Orig. to Applicant
File
Permit Services Supervisor
Correspondence

EXHIBIT E
PROJECT NARRATIVE FOR THE VARIANCE REQUEST



September 25, 2017

City of Mukilteo
Department of Planning & Community Development
11930 Cyrus Way, Mukilteo, WA 98275
Re: Variance Request for 1100 2nd Street (APN: 00527600000401), Owners: Kyung & Susie Hong

RECEIVED

SEP 29 2017

CITY OF MUKILTEO

To Whom It May Concern;

The purpose of this letter and accompanying documentation is to request a variance for the residential property at 1100 2nd Street (currently an empty lot), regarding maximum hard surface coverage per Mukilteo Municipal Code section 17.20.028, established in December 2016. In our opinion, the establishment of this new regulation within the existing zoning code presents a severe hardship for our clients, whose property includes an existing joint-use driveway within an access easement, created in 2008. It is our understanding that the hard surface area of this existing driveway – which serves two tandem lots to the north, and does not serve, nor does it benefit, the subject property – shall count toward the total allowed hard surface area for the property. As this narrative will describe in detail below, the resulting hard surface area allowed for development after the existing joint-use driveway area is subtracted is paltry, and results in an untenable situation for the owners regarding the reasonable single-family residential development opportunities for their property. This hardship not only prevents them from building on the lot for themselves, but also prohibits their ability to market the property for sale as a reasonably-buildable lot. This hardship in turn will result in an adverse effect on the existing character and property values of the surrounding neighborhood. Granting a variance that allows additional hard surface area for this property beyond what is regulated in MMC section 17.20.028 is the only feasible solution for our clients to overcome these hardships.

Included with this application package is a schematic site plan representing proposed development of a single-family residence that would be feasible if this variance for additional hard surface area is allowed. Floor plans and exterior elevations are not included at this time. We understand that providing only a schematic-level Site Plan, and not including further developed floor plans and elevations, is not typical for a variance application regarding new development. However, due to the hardship presented by MMC section 17.20.028, a reasonable development plan cannot be conceived, nor can the owners effectively market this property for sale, without knowing a variance will be allowed to overcome this hardship. Therefore, at this stage it is not financially feasible for the owners to develop any designs for the property (architectural, civil, etc.) beyond this schematic stage until assurance is given by the city that reasonable development will be allowed.

Included below is the stated variance request, a detailed reasoning for the request, an itemized accounting of how this request meets all parameters outlined in MMC section 17.64.040, part 'A', and a summary of required items for a Major Review (Variance). Also included as part of this application package are the following items:

- Feasibility Data Sheet for the property (including average Living and Garage areas in square feet of existing residential properties in the surrounding area, for comparison)
 - Schematic Site Plan
 - Topographical Survey dated 08/25/17
- Also included for reference:*
- "Short Subdivision No 2 for Kyung Hong & Susie Hong" short plat (unofficial document), dated 04-03-08
 - "As-Built Kung Hong 2 Lot Short Plat Project No. SP-2006-03 / Paving & Drainage Plan, Notes and Details", dated 12-26-07
 - Geotechnical Report "Residential Site Evaluation, Two-Lot Short Plat, 1100 2nd Street" dated 04/14/06

Variance Request

On behalf of the owners, we are requesting an allowed hard surface area of 1,998 s.f. in addition to the existing joint-use driveway hard surface area of 2,579 s.f. currently on the property. This proposed total of 4,577 s.f. of hard surface area results in 797 s.f. beyond the allowance set forth in MMC section 17.20.028 *Maximum hard surface coverage matrix*: 3,780 s.f. for a 7,500 s.f. lot in the RD 7.5 zoning district.

Reason for Variance Request

The subject property has a total lot size of 7,500 s.f., which results in a maximum hard surface coverage allowance of 3,780 s.f. per MMC section 17.20.028. The lot includes an Access, Drainage & Utilities Easement along the western and northern edges of the property (20' wide on west side and 17' wide on north side with an angled corner, resulting in 3150 s.f., or 42% of the overall lot size), which was established as part of a short plat in 2008. This easement contains an existing paved joint-use driveway serving two adjacent lots to the north with a total area of 2,579 s.f. on the lot (68% of the total allowed hard surface area).

At the time that the short plat and access easement were being created, the lot included an existing single-family residential structure which did not conform to new setbacks created by the easement, and was not allowed to remain as it stood. Therefore, the owners demolished the older existing structure, with an understanding that a new residence which conformed to the newly-established building envelope created by the easement could also improve the value of the lot and of the overall neighborhood. They understood that the existing MMC regulations would still allow for reasonable single-family residential development within this new building envelope, even taking into account the site work that had been performed as part of the short plat.

However, due to the recent establishment by the City of Mukilteo in December of 2016 of MMC section 17.20.028 regulating total hard surface area for a property, which would include the area of a joint-use driveway within an access easement (even if the driveway does not serve or otherwise benefit the subject property), the remaining hard surface area now allowed for property development – including building footprint, private driveway, walks, porch, and deck – is 1,201 s.f. (32% of the total allowed hard surface area).

Starting with an area of 1,201 s.f., and subtracting 320 s.f. for a required driveway off 2nd Street (20'-0" min. depth x 16'-0" width for a two-car garage), and approximately 388 s.f. for a walk, porch, and rear deck (all reasonable property amenities), the owner is left with only 493 s.f. of hard surface area for a building footprint – including garage. This remaining area calculation clearly represents an undue hardship now faced by the owners for any reasonable development of a single-family residence, especially in an area of Old Town Mukilteo where surrounding residential properties with Sound views have been developed to a common and comfortable living standard.

Allowing a variance of 1,998 s.f. for new hard surface area, beyond the existing joint-use driveway area, would provide the owners the opportunity to reasonably and comfortably develop the property – or market it as a lot capable of such, allowing them to obtain fair market value for the land – in keeping with many other similar properties in the surrounding neighborhood. We believe that 1,998 s.f. would allow not only for a reasonably-sized driveway, walk, porch, and deck, as mentioned above, but also for a standard two-car garage (440 s.f.) and feasible first floor footprint (860 s.f.). The structure could have a second story of living area above this garage and first floor, comfortably designed within the allowed maximum height restriction for zone RD 7.5 of 30'-0". This new construction could meet all allowable lot coverage areas, required setbacks (including those associated with the access easement), and adhere to all other city and building codes.

**Variance Request Letter re: 1100 2nd Street
Fred Baxter & Associates Architecture
September 25, 2017**

Allowing this variance should also not be considered unreasonable within the parameters of the MMC Maximum hard surface coverage matrix itself. According to the matrix, the maximum hard surface coverage allowed for the smallest lot size, which is less than or equal to 5,999 s.f., is 3,000 s.f. If one considers that the "developable" area of the subject property is a total of 4,350 s.f. once the area of the access easement is subtracted, then a hard surface area of 1,998 s.f. easily falls within this matrix allowance.

Variance Request Criteria

Mukilteo Municipal Code section 17.64.040 sets forth minimum criteria that a variance request must meet. We are confident this request clearly meets these criteria, notably:

A1. "Variance shall not constitute a grant of special privilege inconsistent with the rules and regulations governing the uses of other properties in the vicinity or zoning district in which the property for which the variance is requested is located."

Approving the variance of additional hard surface area of only 797 s.f. beyond the existing total allowance would not in any way constitute special privilege for the subject property, and would in fact allow development in keeping with the zoning district (RD 7.5) and surrounding similar residential properties. Because of the establishment in December 2016 of MMC section 17.20.028 regulating total hard surface area, and due to the existing joint-use driveway on the lot (even though that driveway does not serve the subject property), this property is currently at a distinct disadvantage by being severely and unduly restricted in allowable development that would be considered "consistent" with similar neighboring properties within the same zoning district. As delineated in the Feasibility Data Sheet (attached to this application), the average total living area of the surrounding residential properties is 2,966 s.f., with an average garage area of 532 s.f. The current hard surface area restrictions for this property would leave only **493 s.f.** of hard surface area for a building footprint – **including garage**. Even with a single-car garage and a second story of living area, the resulting design would fall far short of these living and garage area averages for similar residential properties in the vicinity.

A2. "Variance must be necessary, because of special circumstances relating to the size, shape, topography, location, or surroundings of the subject property, to provide it with use rights and privileges permitted to other properties in the vicinity that are located in the same zoning district in which the subject property is located."

Due to the existing lot size being only 7,500 s.f. (which is limited to a total of 3,780 s.f. of hard surface area by MMC section 17.20.028) and the presence of an access easement along the western and northern edges of the property which results in 3,150 s.f. (42% of the overall lot size), combined with the new zoning code language established in December 2016 regulating total allowed hard surface area for that lot, a special circumstance has clearly been created for the development opportunities of this property that did not exist before. Previous instances of similar-sized lots in this district (including on the same street of the subject property) with access easements that were developed prior to this new zoning regulation regarding hard surface area were not restricted in the way these owners now find themselves. This new special circumstance facing the owners can only be overcome by allowing this variance request, since not approving the request leaves them with a lot that is un-buildable to a level and standard present in the existing neighborhood.

A3. "Variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity or zone in which the subject property is situated."

The variance request of additional hard surface area to allow reasonable SFR development for this property will not in any way be materially detrimental to the public welfare, nor injurious to this property or its surrounding neighborhood. First, there will be no additional demand or strain on public services, such as police or fire, since the

**Variance Request Letter re: 1100 2nd Street
Fred Baxter & Associates Architecture
September 25, 2017**

zoning district in question is specifically designated for residential development, and therefore a new single-family residence at this location (which is currently an empty lot, and historically included a single-family residence) is expected and provided for in the city's public services and zoning regulations allowances. Secondly, due to the presence of an existing drainage system that is sized and designed for SFR development on the property, the relatively small size of this lot, and the fact that site grades are under 10%, the environmental impacts (both from a standpoint of stormwater runoff and site geology disturbance) resulting from the minor amount of additional hard surface being requested (797 s.f. beyond what is already allowed by MMC section 17.20.028) will be minimal to both the subject property itself and neighboring properties. Additionally, approving this variance for enough hard surface area to allow development to the same standard as similar adjacent residential properties will in fact benefit the neighborhood through increased architectural character and property value.

A4. *"Hardships of a financial nature, hardships which are self-created, and hardships which are personal to the owner and not to the property, shall not be grounds for a variance."*

The hardship to the property owners in this case is solely related to the recent establishment by the city in December 2016 of MMC section 17.20.028 in the zoning code regulating total hard surface area for a lot. This regulation was put in place not only after the current owners purchased the property, but also after the property was legally short-platted in 2008, which required the creation of an access easement and paved joint-use driveway. At the time of the short plat, the owners understood that the city's regulations on development would not hinder future reasonable SFR development on the property, and had full faith that the property could be a marketable investment. Due to this recent regulation, however, they suddenly find themselves obstructed from the potential development that would have been possible before, *through no fault of their own*. This regulation fails to consider and thereby places an undue burden on smaller properties that are required to include paved roads or driveways within an access easement that do not serve that property. Without exceptions being provided for in the code which allow such areas to be excluded or mitigated in some way with respect to total allowed hard surface area, property owners will be forced to under-develop their properties (which in turn shall have a negative effect on the overall value of the surrounding neighborhood) or request a variance to overcome this hardship, as is the case here.

A5. *"Variances shall not be granted if the granting of the variance would allow a use not permitted outright or by conditional use permit, or any use prohibited outright or by implications in the zoning district involved."*

Allowing this variance request would not in any way alter the existing use permitted for this property located in the RD-7.5 zoning district, per MMC section 17.16.040, which is single-family residential construction. The intention of the owners has always been to construct a single-family residence, or market the property for sale with such an understanding. The current hardship the owners now find themselves facing regarding the restrictions to allowed hard surface area for this property imposed by the city in December 2016 by creating MMC section 17.20.028 will hinder the reasonable development of this property within that permitted use. The owners seek only to allow this property to be developed to its highest and best use within the current city regulations and zoning allowances, but also to a reasonable standard that is consistent with the existing adjacent residential development in the surrounding neighborhood.

Major Review Checklist

Listed below are the checklist items for a Variance Major Review for the City of Mukilteo. These items have either been included with this application, are provided in narrative form below, or an explanation is given as to why they are not included.

General Application:

- Application form (land use): Included

**Variance Request Letter re: 1100 2nd Street
Fred Baxter & Associates Architecture
September 25, 2017**

- Supplemental Application form: Included
- Project Narrative: Included
- Review Fee: Included

Site/Building Plans:

- Site Plan: Included (Schematic)
- Reduced Site Plan: Included (Schematic)
- Building elevations/floor plans:

N/A - This application involves only a schematic-level building and site development design due to the hardship specifics outlined above in this letter, therefore building elevations and floor plans for SFR development are not included at this time.

This variance request does not require adjustments to any other portion of the Mukilteo Municipal Code for development of a new SFR on the site. This includes section 17.20.020 Table 2 (Structure Bulk Matrix):
Max. Lot Coverage: 35% (of 7500 s.f. = 2625 s.f. > 1290 s.f. proposed);
Max Height: 30'-0" (this is a reasonable height limit for a 2-story SFR);
Setbacks: 20' front, 5' side (15' total, 20' from "common driveway"), 20' rear (20' from "common driveway") – setbacks are indicated on Schematic Site Plan and will not hinder reasonable SFR development. Any development on the property will conform to these regulations, along with all city and building codes.

- Reduced Building elevations/floor plans:

N/A – see above.

Civil/Engineering:

- Grading and clearing plans:

Grading: N/A – Due to the schematic-level building and site development design of the project for this application, grading information is not provided at this time. Complete grading plans will be provided as part of the construction drawing package for permit.

Clearing: Property has a narrow line of existing shrubbery approximately 35 feet from the street frontage, which will be cleared prior to construction; the remainder of the property consists of grasses and small shrubs only and does not contain any significant vegetation. (Refer also to Topographic Survey dated 08/25/17 and Schematic Site Plan).

- Drainage calcs/study:

Storm drainage system for subject property and adjacent property to the north is existing (refer to attached as-built "Kung Hong 2 Lot Short Plat Project No. SP-2006-03 / Paving & Drainage Plan, Notes and Details", dated 12-26-07). A collector line as indicated in the original drainage design tied to new downspouts on site will connect to this existing system (refer to Schematic Site Plan). Because this existing drainage system was designed and installed along with the short plat of the property with the anticipation of new single-family residential development, no other adjustments to the existing system are anticipated as part of proposed development. New hard surface area is proposed to be less than 2,000 s.f., and therefore will not trigger Stormwater Management Minimum Requirements other than MR#2

(SWPP). In that case, a direct connection to the existing drainage system as proposed in the original drainage design created for the short plat will be allowed. Complete drainage calculations will be provided as part of the construction drawing package for permit.

- Road and drainage plans:

Refer to attached Topographic Survey dated 08/25/17 and Schematic Site Plan for existing paved joint-use driveway and proposed hardscape for new SFR development on property. Refer to attached as-built "Kung Hong 2 Lot Short Plat Project No. SP-2006-03 / Paving & Drainage Plan, Notes and Details", dated 12-26-07, for delineation of the existing storm drainage catch basins, drain lines, retention vaults, and final outfall location for subject property. Proposed SFR development on the subject property will require downspout drainage to connect to the existing system (refer to Schematic Site Plan). No other adjustments to the existing system are anticipated as part of proposed development.

- TESCP (erosion control plan):

Because this variance request is proposing new hard surface area less than 2000 s.f., and due to the existing lot's size and conditions, development should not trigger Stormwater Management Minimum Requirements other than MR#2 (SWPP). For erosion control measures during construction, this site can reasonably be treated with sheet flow in a northern direction through contour silt fencing along the perimeter of the construction area due to the following site conditions: site grades are less than 10%, sediment flow path is short and gradual along a runoff distance of about 100 feet, and clearing will be minimal. Due to the shallow slope and small area of construction, it is not considered necessary to collect and concentrate runoff, which would require a problem of discharging a concentrated flow. The existing drainage system already in place consists of multiple catch basins located at the northern (downslope) edges of the property, which will be adequate to handle the resulting filtered sheet flow. The creation of low points that might result in concentrated runoff shall be avoided. Good ground cover practices will further ensure the control of silt runoff (e.g. minimum 3" of straw mulch to be placed on all disturbed ground not to be worked for 3 or more days). Complete erosion control plan and SWPP elements/BMP notes will be provided as part of the construction drawing package for permit.

- Topography (existing/proposed):

Existing site topography in 2-foot intervals is provided on Topographic Survey dated 08/25/17 and Schematic Site Plan. Due to the schematic-level building and site development design of the project for this application, proposed topography is not being provided at this time. Complete and final grading and contour information for proposed SFR development will be provided as part of the construction drawing package for permit.

Variance Request Letter re: 1100 2nd Street
Fred Baxter & Associates Architecture
September 25, 2017

Environmental:

- Geotechnical report
(engineer stamped):

Refer to attached Geotechnical Report "Geotechnical Report "Residential Site Evaluation, Two-Lot Short Plat, 1100 2nd Street" dated 04/14/06. Explorations and analysis of this site performed in 2006 found that many of the soils in the area of the site have been glacially consolidated and exhibit high strength. The underlying outwash sand is generally considered to be well draining with regard to ground water. The site surface soils were classified using the SCS classification system as Everett gravelly sandy loam, 0 to 8 percent slopes in the area of the subject property, and the geologic description of the soils in this area is "outwash", with erosion hazard listed as "slight". The underlying dense outwash soils in this area are considered to have low potential for liquefaction and amplification of ground motion during a seismic event. In summary, the report specifies that the medium dense or better native soils should provide good support for a residence foundation, which likely could be handled with conventional, shallow spread footings on undisturbed, medium dense or firmer soil. The report recommends that any new structure maintain a setback of 25'-0" min. from the top of the steep slope located within the property to the north of the subject property (any proposed development on the subject property will be well within this setback). The report recommends any runoff be collected in permanent catch basins as part of an overall site drainage system (there is such a drainage system in place to which runoff from new construction will be collected and connected). Footing and wall perimeter drains consisting of perforated pipes within well-draining gravel or coarse sand are also recommended. An updated geotechnical letter or report, as required, will be completed and provided as part of the construction drawing package for permit.

In summary, we believe the approval of this variance request described above and in the attached documents to allow 1998 s.f. of new hard surface area (which is only 797 s.f. beyond what is already allowed in the MMC), in addition to the existing joint-use driveway area currently on the lot, is essential to alleviating the undue hardship facing the owners of this property, and represents a reasonable and feasible allowance for development involving a new single-family residence and the typical site amenities that would include, and is consistent in all other ways with the Mukilteo Municipal Code, all relevant building codes, and with the character and development standards that have already been established in the surrounding neighborhood.

Respectfully,

Fred Baxter, A.I.A.
Fred Baxter & Associates, Architecture

EXHIBIT F
SITE PLAN

EXHIBIT G
RECORDED HONG I AND II SHORT PLAT

SP 2003-08, 200409025181
A.F. NO. 200409025181

LOT 2

NGPA

SHORT PLAT:
SP 2003-08

LOT 2

NGPA

5' DRAINAGE
EASEMENT

NATIVE GROWTH PROTECTION AREA
(TO BE MAINTAINED BY LOT 2)

MUKILTEO LANE

SP 91-4, 9201305014
A.F. NO. 9201305014

LOT 2

EASEMENT PROVISIONS

AN EASEMENT IS HEREBY RESERVED FOR AND GRANTED TO AND ALL UTILITIES SERVING THE SUBJECT SHORT PLAT AND THEIR RESPECTIVE SUCCESSORS AND ASSIGNS UNDER AND UPON THE EXTERIOR 10 FEET PARALLEL WITH AND ADJOINING THE INTERIOR 10 FEET PARALLEL OF ALL LOTS, TRACTS AND COMMON AREAS IN WHICH TO INSTALL, CONSTRUCT, RENEW, OPERATE AND MAINTAIN UNDERGROUND CONDUITS FOR CABLES, PIPE AND WIRES WITH NECESSARY FACILITIES AND OTHER EQUIPMENT FOR THE PURPOSE OF SERVING THIS SHORT PLAT AND OTHER EASEMENTS WITH ELECTRICITY, TELEPHONE, GAS, TELEVISION CABLE AND OTHER UTILITIES TOGETHER WITH THE RIGHT TO ENTER UPON THE LOTS, TRACTS AND COMMON AREAS AT ALL TIMES FOR THE PURPOSES HEREIN STATED.

ACCESS, DRAINAGE & UTILITIES EASEMENT/PRIVATE ROAD

COMMON SHARED DRIVEWAYS, ROADWAYS AND RETAINING SYSTEMS IN THE ACCESS DRAINAGE AND UTILITIES EASEMENT/PRIVATE ROAD AS SHOWN HEREON, SHALL BE MAINTAINED BY AND BE THE COLLECTIVE RESPONSIBILITY OF AND THE COST THEREOF SHALL BE BORNE IN EQUAL SHARES, BY THE OWNERS OF LOT 2 OF THIS SHORT PLAT AND THE OWNERS OF LOT 2 OF HONG SHORT PLAT SP 2003-08, THEIR HEIRS, SUCCESSORS, AND ASSIGNS.

THIS SHORT PLAT AND THE HONG SHORT PLAT SP 2003-08 ARE TO BE RECORDED SIMULTANEOUSLY.

A.F. NO. 200807305215

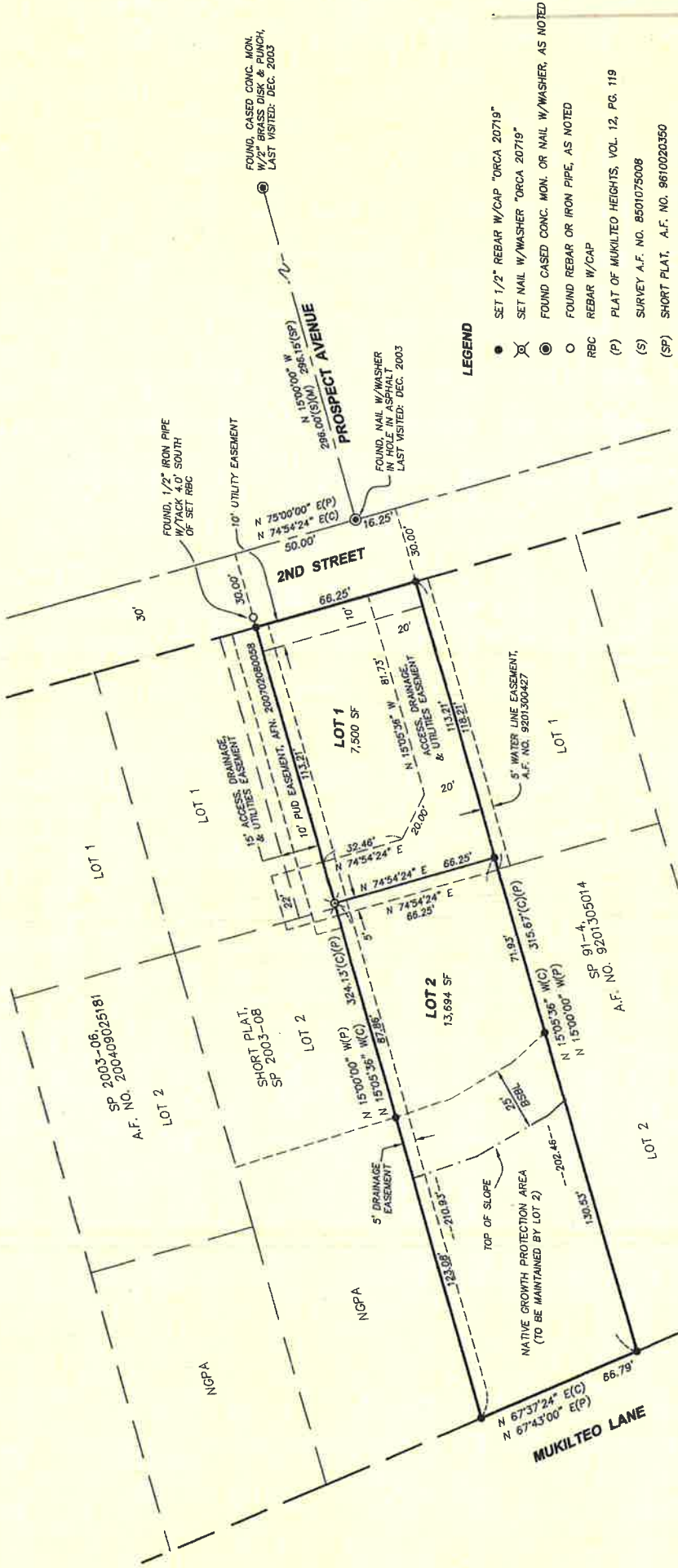
ORCA Land Surveying
3805 COLBY AVENUE, EVERETT, WA 98201
425-299-3400 FAX 425-298-1616

CLARENCE A. HALL
PROFESSIONAL LAND SURVEYOR
NO. 2019
EXPIRES 4/3/08

JOB NO. 2006001
DATE: 4/3/08
DWG: KMG
SHEET 2 OF 2

SHORT SUBDIVISION NO. 2 FOR KYUNG HONG & SUSIE HONG SP 2006-03

IN THE NE 1/4 OF THE NE 1/4 OF SECTION 4, T.28N., R.4E., W.M.
CITY OF MUKILTEO, SNOHOMISH COUNTY, WASHINGTON



LEGEND

- SET 1/2" REBAR W/CAP "ORCA 20719"
- SET NAIL W/WASHER "ORCA 20719"
- FOUND CASED CONC. MON. OR NAIL W/WASHER, AS NOTED
- FOUND REBAR OR IRON PIPE, AS NOTED
- REBAR W/CAP
- (P) PLAT OF MUKILTEO HEIGHTS, VOL. 12, PG. 119
- (S) SURVEY A.F. NO. 8501075008
- (SP) SHORT PLAT, A.F. NO. 9610020350
- (C) CALCULATED DISTANCE
- (M) MEASURED DISTANCE

EQUIPMENT AND PROCEDURES

INSTRUMENTATION: LEICA TCR1250 TOTAL STATION
METHOD OF SURVEY: FIELD TRAVERSE OF EXISTING MONUMENTATION
PRECISION: MEETS OR EXCEEDS W.A.C. 332-130-080 REQUIREMENTS
BASIS OF BEARING: THE MONUMENTED CENTERLINE OF PROSPECT AVENUE, AS THE BEARING OF N 15°00'00" W, PER SHORT PLAT RECORDED UNDER AUDITOR'S FILE NUMBER 200409025181, RECORDS OF SNOHOMISH COUNTY, WASHINGTON.



GRAPHIC SCALE



SCALE: 1" = 30'

EXHIBIT H
AS-BUILTS FOR STORMWATER DRAINAGE SYSTEM

DESIGNED BY: RAD	CHECKED BY: CTS	APPROVED BY: [Signature]
DATE: 12-15-07	BY: [Signature]	BY: [Signature]
PROJECT NO. 2006-03		

DECCIO Engineering

1000 7th Avenue NE
Seattle, WA 98108
Phone: (206) 461-3172
Fax: (206) 461-3173

RECEIVED
SEP 29 2017 PM

APPLICANT/CONTACT:
PO BOX 165
KUNGLONG, WA 98024
425-250-6979

ENGINEER/CONTACT:
CITY OF MUKILTEO
1707 7th Avenue W.
BOTHELL, WA 98012
PHONE: 206-350-5374

SOILS ENGINEER:
CONCRETE GEOTECHNICAL INC.
17255 130th Ave NE
WOODINVILLE, WA 98072

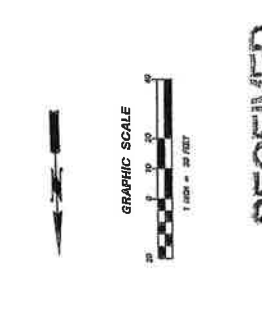
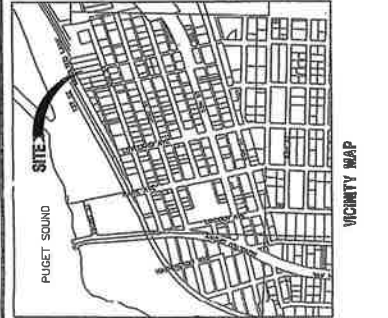
SURVEYOR:
ORCA SURVEYING AND PLANNING
1707 7th Avenue W.
EVERETT, WA 98201
425-250-3400

PROJECT INFORMATION:
STREET ADDRESS: 1100 2ND STREET
MUKILTEO, WA 98024
PROJECT NO.: 2006-03
EXISTING ZONING: R-1
PROPOSED ZONING: R-1
TOTAL LOT AREA: 22,254 SF
TOTAL LOT PROPOSED: 22,254 SF
TOTAL LOT IMPROVED: 22,254 SF
TOTAL LOT UNIMPROVED: 22,254 SF
TOTAL LOT COVERED: 22,254 SF
TOTAL LOT UNCOVERED: 22,254 SF
TOTAL LOT IMPROVED: 22,254 SF
TOTAL LOT UNIMPROVED: 22,254 SF

AS SHOWN

SCALE: 1" = 30' 0"

SHEET 1 OF 3



RECEIVED
SEP 29 2017 PM

APPLICANT/CONTACT:
PO BOX 165
KUNGLONG, WA 98024
425-250-6979

ENGINEER/CONTACT:
CITY OF MUKILTEO
1707 7th Avenue W.
BOTHELL, WA 98012
PHONE: 206-350-5374

SOILS ENGINEER:
CONCRETE GEOTECHNICAL INC.
17255 130th Ave NE
WOODINVILLE, WA 98072

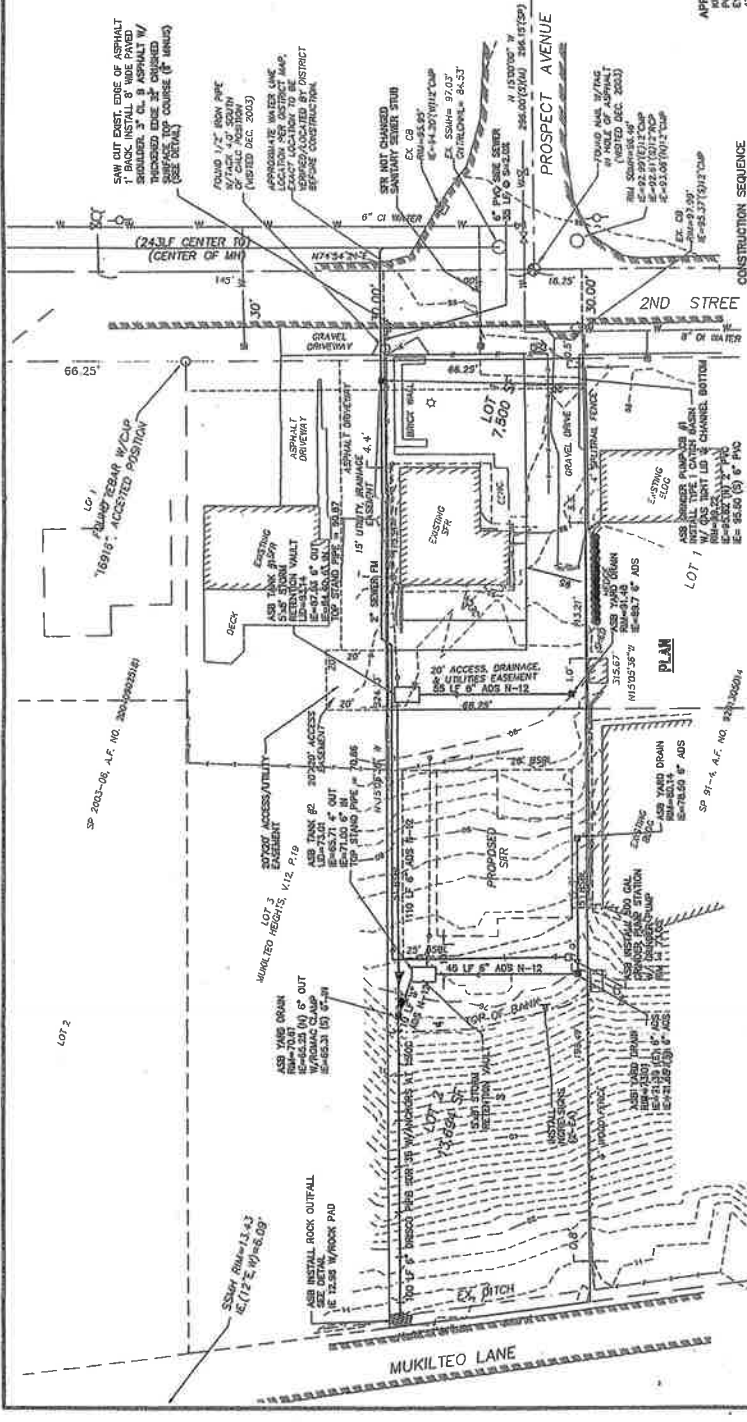
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AS SHOWN

SCALE: 1" = 30' 0"

SHEET 1 OF 3



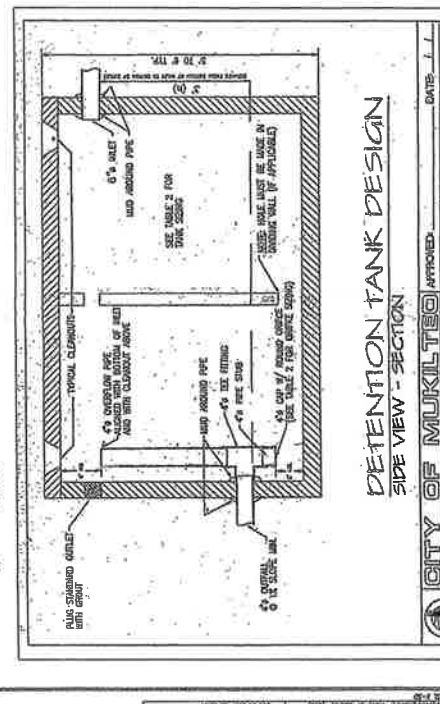
- CONSTRUCTION SEQUENCE
1. SCHEDULE AND ATTEMPT TO OBTAIN ALL NECESSARY PERMITS WITHIN 30 DAYS OF THE DATE OF THE CITY BUILDING DEPARTMENT'S REVIEW OF THE PLANS.
 2. CLEAR AND GRADEN THE ENTIRE LOT TO A MINIMUM FINISH GRADE OF 1.00' AS SHOWN ON THE PLANS.
 3. INSTALL PERMANENT PROTECTION FENCE OR STRAIN BALES AS SHOWN ON THE PLANS.
 4. REMOVE EXISTING STRUCTURES AND RECONSTRUCT THEM TO BE CONFORMANT WITH THE CITY BUILDING DEPARTMENT'S REQUIREMENTS.
 5. CONSTRUCT OF RESIDENTIAL BUILDING ON LOT 2 AND OF THE RESIDENTIAL BUILDING ON LOT 3.
 6. CONSTRUCT OF RESIDENTIAL BUILDING ON LOT 1.
 7. CONSTRUCT OF RESIDENTIAL BUILDING ON LOT 1.
 8. CONSTRUCT OF RESIDENTIAL BUILDING ON LOT 1.
 9. CONSTRUCT OF RESIDENTIAL BUILDING ON LOT 1.
 10. CONSTRUCT OF RESIDENTIAL BUILDING ON LOT 1.
 11. CONSTRUCT OF RESIDENTIAL BUILDING ON LOT 1.
 12. CONSTRUCT OF RESIDENTIAL BUILDING ON LOT 1.
 13. CONSTRUCT OF RESIDENTIAL BUILDING ON LOT 1.

DETENTION VAULT REQUIREMENTS (TABLE 2)

PARCEL	MEASUREMENTS	VAULT SIZE	USDA (A)	USDA (B)
LOT #1	3,748 SF	1000 GAL	3'	3'
LOT #2	4,125 SF	2500 GAL	3'	3'
LOT #3	4,125 SF	2500 GAL	3'	3'

SITE AREA:

LOT #	EXISTING ROOF AREA	EXISTING DECK AREA	EXISTING DRIVEWAY AREA	EXISTING DRIVEWAY AREA	EXISTING DRIVEWAY AREA
LOT #1	1,837 SF	1,837 SF	1,837 SF	1,837 SF	1,837 SF
LOT #2	3,748 SF	3,748 SF	3,748 SF	3,748 SF	3,748 SF
LOT #3	4,125 SF	4,125 SF	4,125 SF	4,125 SF	4,125 SF



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SEP 29 2017 PM

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425-250-6979

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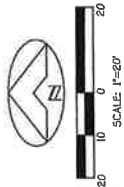
AS SHOWN

SCALE: 1" = 30' 0"

SHEET 1 OF 3

EXHIBIT I
BOUNDARY/TOPOGRAPHIC SURVEY

BUDGET SOUND



VICINITY MAP
SCALE: 1" = 2,000'

0234

- | | | | | | | | | | | | | | | | | | | | | | |
|-----------------------------|--------------------------------|---------------------------------|---------------|-------------|---------------------|--------------|-------------|-------------|--------------------------|--------------|-----------|------|-------|-------|-------------|--------------------|-------|-----|---------|----------|--------|
| MONUMENT IN CASE (AS NOTED) | FOUND SURVEY MARKER (AS NOTED) | SET MAG NAIL & WASHER 1.5" DIA* | SEWER MANHOLE | CATCH BASIN | STORM DRAIN MANHOLE | FIRE HYDRANT | WATER VALVE | WATER METER | POWER JUNCTION BOX/RESER | UTILITY POLE | GAS VALVE | SIGN | FENCE | SEWER | STORM DRAIN | OVERHEAD UTILITIES | WATER | GAS | ASPHALT | CONCRETE | GRAVEL |
| | | | | | | | | | | | | | | | | | | | | | |

LEGAL DESCRIPTION

FILE CHICAGO TITLE COMMITMENT NO. 200206400
LOT 1, SNOHOMISH COUNTY SHORT PLAT NUMBER SP 2006-03, AS
RECORDED UNDER RECORD NUMBER 20060759523, BEING A PORTION OF
LOT 4, MUKILTEO HEIGHTS RECORDED IN VOLUME 12 OF PLATS, PAGE(S) 19,
RECORDED IN SNOHOMISH COUNTY, WASHINGTON.

BASIS OF BEARING

BASIS OF BIDDING
NORTH 15°00'00" WEST ALONG THE CENTRELINE OF PROSPECT AVENUE PER
MOUNT BAY SURVEYED UNDER AUDITORS FILE NUMBER 200807305215.

DATUM NAVO 88
BENCHMARK

BENCHMARK: FOUND MAG NAIL & WASHER AT THE INTERSECTION OF 2ND STREET AND PROSPECT AVE

SITE BENCHMARK ESTABLISHED FROM MULTIPLE GPS OCCUPATIONS WITH OPUS SOLUTIONS

DATUM CONVERSION
NAVD83-NGVD29 = 3.66'

SURVEY NOTES

SURVEY NOTES
EQUIPMENT: 3" OR LESS TOTAL STATION AND/OR QN55 NETWORK COVER
METHOD: FIELD TRAVERSE AND/OR WASHINGTON STATE REFERENCE NETWORK QN55

SURVEY REFERENCES

PLAT OF MULTI-TO HEIGHTS, VOLUME 12 OF PLATS, PAGE 119
SHORT PLAT/RECORD OF SURVEY, 5P-2003-05 AFN 200409025101
SHORT PLAT, AFN 200807305215
SHORT PLAT, AFN 200807305214

SITE DATA

SITE DATA
SITE ADDRESS: T80, MULTITEC, WA 98206
TAX PARCEL NUMBER: 00927600000401
APPROX. SITE AREA: 7'00" X 0.1722 ACRES

155



620B S 2ND AVE, SUITE A
EVERETT, WA 98203
(425) 252-1884

BOUNDARY TOPOGRAPHIC

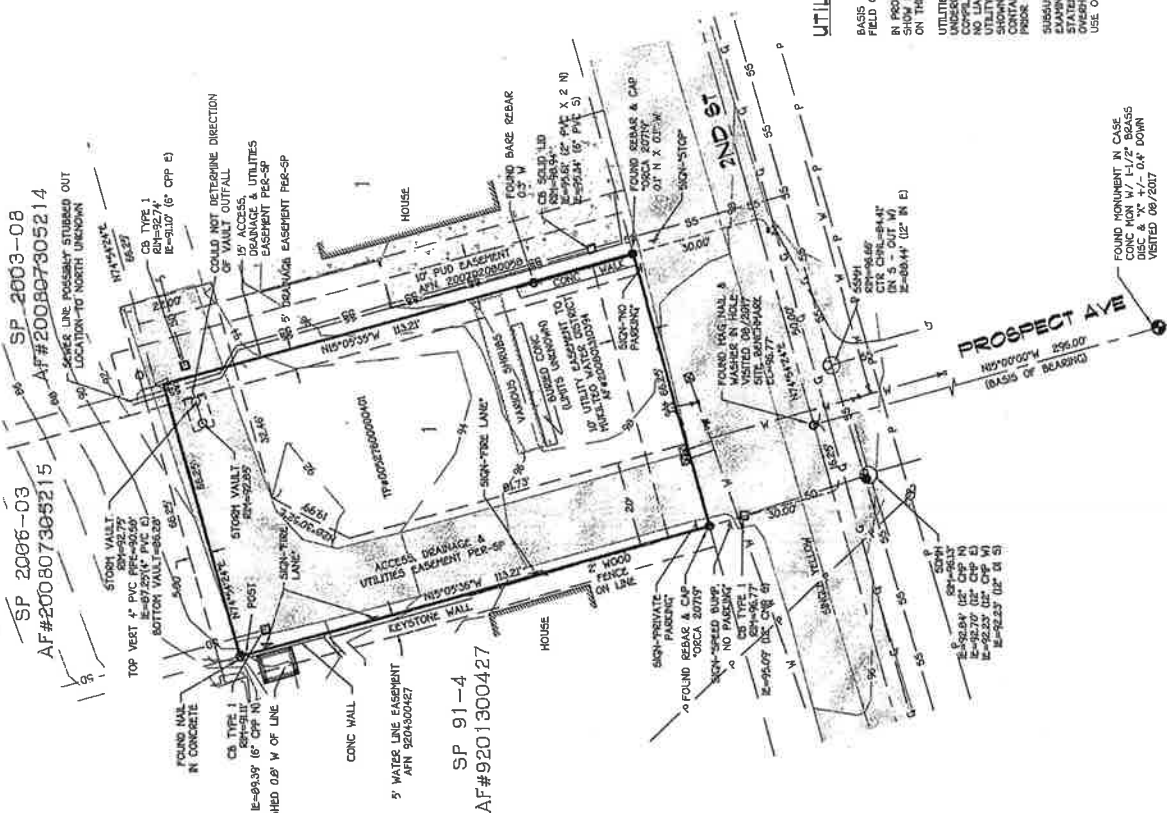
**SURVEY
FOR
AUSIE HONG**

NE 1/4, NE 1/4 OF SECTION 04, TOWNSHIP 20 NORTH,
RANGE 04 EAST, W.M.

9-25-2017



FOUND MONUMENT IN CASE
CONC MON W/ 1-1/2" BRASS
DISC & "X" +/- 0.4" DOWN
DATE 09/2017



2017

BASIS FOR UTILITY USER SURVEY
 FIELD OBSERVATIONS & AS-BUILT MAPS
 IN PROVIDING THIS SURVEY, NO ATTEMPT
 IS MADE TO GUARANTEE THE ACCURACY OF ANY UTILITY EXISTING OR
 LOCATED ON THIS SITE, WHETHER PRIVATE, MUNICIPAL OR PUBLIC OWNED.
 UTILITIES OTHER THAN THOSE SHOWN MAY JUST BE ON THE SITE.
 COOPERATION OF PUBLIC RECORDS AND VISUAL FIELD EVIDENCE, WE ASSURE
 NO LIABILITY FOR THE ACCURACY OF THE PUBLIC RECORDS. UNDERSTANDING
 UTILITY LOCATIONS ARE NOT APPROXIMATE, SURFACE LOCATIONS BUT MAY
 BE LOCATED AT ANY DEPTH. THE SURVEYOR DOES NOT SHOW FIELD VERIFICATION IS NECESSARY
 TO CONSTRUCT MANHOLES OR CHIMNEYS ANY CONSTRUCTION.
 MISPLACEMENTS AND ENVIRONMENTAL CONDITIONS WERE NOT SURVEYED OR
 EXAMINED OR CONSIDERED AS PART OF THIS SURVEY. NO EVIDENCE OR
 STATEMENT IS MADE CONCERNING THE EXISTENCE OF UNDERGROUND OR
 OVERHEAD CONDITIONS, CONTAMINATED SOILS OR FACILITIES THAT MAY AFFECT THE

EXHIBIT J

GEOTECHNICAL REPORT

**APPLICANT
COPY**

RECEIVED

APR 17 2005

CITY OF MUKILTEO

RECEIVED

SEP 29 2017

CITY OF MUKILTEO

**Residential Site Evaluation
Two-Lot Short Plat
1100 - 2nd Street
Mukilteo, Washington
For
Mr. Kyung Hong**

Cornerstone



Geotechnical, Inc.

**Residential Site Evaluation
Two-Lot Short Plat
1100 - 2nd Street
Mukilteo, Washington
For
Mr. Kyung Hong**

April 14, 2006

Mr. Kyung Hong
PO Box 195
Everett, Washington 98206

Residential Site Evaluation
Two-Lot Short Plat
1100 - 2nd Street
Mukilteo, Washington
CG File No. 2080

Dear Mr. Hong:

INTRODUCTION

This report presents the results of our geotechnical evaluation for the planned two-lot short plat at 1100 – 2nd Street in Mukilteo, Washington. The location of the site is shown on the Vicinity Map, Figure 1. We understand that the City of Mukilteo requires that a geotechnical engineer evaluate the conditions in the area north of the proposed development because the site is mapped by the City as part of a steep slope hazard area. This study is intended to satisfy that requirement.

You plan to subdivide a lot with an existing single-family residence and construct a second single-family residence at the central portion of the site. For our use in preparing this report, you provided us with a topographic survey by ORCA Surveying and Planning, dated February 17, 2006, showing the northern steep slope area along with the locations of the existing and proposed residences. We used this topographic survey to create a Site Plan that is attached as Figure 2. We have previously prepared a geotechnical evaluation for the adjacent lot to the east of this site, dated February 20, 2004.

SCOPE

The purpose of our services was to evaluate site conditions and to provide recommendations for development. Our scope of services, outlined in our Services Agreement dated March 7, 2006, included the following:

Residential Site Evaluation

Two-Lot Street Plan

1100 - 2nd Street

April 14, 2006

CG File No 2080

Residential Site Evaluation

Two-Lot Short Plat

1100 2nd Street

April 14, 2006

CG File No. 2000

Page 3

the geomorphic features seen today are a result of scouring and overriding by glacial ice. During the Vashon Stade, much of the Puget Sound region was overridden by over 3,000 feet of ice. Soil layers overridden by the ice sheet were compacted to a much greater extent than those that were not.

We reviewed the geologic map for the area, Distribution and Description of Geologic Units in the Mukilteo Quadrangle, Washington, by James P. Minard (USGS, 1982). The site is mapped as being located at the contact of pre-Vashon transitional beds and Whidbey Formation silts, with isolated pockets of glacial till and recessional outwash mapped nearby. Many of these soils have been glacially consolidated and exhibit high strength. We encountered soils that we have classified as recessional outwash.

Explorations

Subsurface conditions were explored at the site on March 21, 2006, by excavating two test holes with a portable hand auger. These test holes, called "hand augers" in this report, were excavated to depths of 7.2 and 5.6 feet below the ground surface. The explorations were located in the field by an engineer from this firm who also examined the soils and geologic conditions encountered, and maintained logs of the hand augers. The approximate locations of the hand augers are shown on the Site Plan in Figure 2. The soils were visually classified in general accordance with the Unified Soil Classification System, a copy of which is presented as Figure 3. The logs of the hand augers are presented in Figure 4.

Subsurface Conditions

Our explorations encountered a surficial layer of topsoil approximately 0.5 feet thick. Underlying the topsoil, Hand Auger 2 encountered approximately 0.5 feet of yard fill overlying a second topsoil layer. Underlying the fill or topsoil layers, both explorations encountered a weathered soil horizon. The

We reviewed the exploration logs from the existing studies. These explorations encountered similar subsurface conditions to those encountered by our hand augers.

Ground Water Conditions

We did not encounter ground water during the excavation of the hand augers. The underlying outwash sand is generally considered to be well draining. We observed horsetails along the bottom 10 to 20 feet of the slope, near Mukilteo Lane. Horsetails typically indicate wet conditions that have resulted from either groundwater perched on less permeable underlying silt/till, or from the site's proximity to the shoreline. Volumes of ground water typically vary depending upon the time of year and the upslope recharge conditions.

We understand that high ground water has been reported at the bottom of the slope during the winter months.

GEOLOGIC HAZARDS

Erosion Hazard

The erosion hazard criteria used for determination of affected areas includes soil type, slope gradient, vegetation cover, and ground water conditions. The erosion sensitivity is related to vegetative cover and the specific surface soil types (group classification), which are related to the underlying geologic soil units. The Soil Survey of Snohomish County Area Washington by the Soil Conservation Service (SCS) was reviewed to determine the erosion hazard of the on-site soils. The site surface soils were classified using the SCS classification system as Everett gravelly sandy loam, 0 to 8 percent slopes (Unit 17) in the southern region of the site, and Alderwood-Everett gravelly sandy loam, 25 to 70 percent slopes (Unit 4) in the northern region of the site in the steep slope area. The corresponding geologic unit for Unit 17 is outwash and erosion hazard for this unit is listed as being slight. The corresponding geologic units for Unit 4 include outwash and till; our explorations encountered outwash. The erosion hazard for Unit 4 is listed as being high due to the steep conditions.

Seismic Hazard

It is our opinion based on our subsurface explorations that the Soil Profile in accordance with Table 1615.1.1 of the 2003 International Building Code (IBC) is Soil Class C. We referenced the 2002 map

from the US Geological Survey (USGS) website to obtain values for S_s and S_1 . The USGS website includes the most updated published data on seismic conditions. The seismic design parameters are:

S_s	129.20% g	
S_1	46.38% g	
F_a	1.0	From Table 1615.1.2(1) of the 2003 IBC
F_v	1.34	From Table 1615.1.2(2) of the 2003 IBC

Site specific coefficients and adjusted maximum considered earthquake spectral response acceleration parameters apply as shown in Section 1615.1 of the IBC.

Additional seismic considerations include liquefaction potential and amplification of ground motions by soft soil deposits. The liquefaction potential is highest for loose sand with a high ground water table. The underlying dense outwash soils are considered to have a low potential for liquefaction and amplification of ground motion.

Slope Stability

The slope at the north end of the site does not appear to have slope stability problems. The geologic units in this area are considered stable. Sometimes there can be local instability where the outwash overlies less permeable deposits such as silt or glacial till. Ground water outcrops can occur on the slope at this contact. From Mukilteo Lane, we did not observe signs of slope instability along the north side of the site that would indicate this condition. The approximate location of the planned residence closest to the slope is shown in Section A-A'. This upper portion of the slope has the appearance of past grading or at least surficial stripping (e.g. garden terraces). Based on our hand auger data, any fill placed on the slope should be minimal in depth. Although we did not see any signs of instability of this slope, some shallow failures may be possible. Our recommended setbacks would add a suitable factor of safety such that if minor movement occurred, it should not impact the planned residence.

CONCLUSIONS AND RECOMMENDATIONS

General

In our opinion, the medium dense or better native soils should provide good support for the foundation of

the planned residence. Based on our explorations, we expect suitable bearing soils will most likely be encountered at a depth of about 2 feet. There may be some loose or fill soil in the backyard area of the existing residence and at the upper portion of the northern slope. This should be evaluated at the time of construction. Using the following setback recommendations for the steep slope area, it is our opinion that the planned residence will not be placed at significant risk due to geologic hazards in the area, and should be considered to be a "reasonable use" of the site. We did not identify any geologic hazards that presented a significant risk to the planned residence using these setbacks.

Building Setbacks

Uncertainties related to building along the top of steep slopes are typically addressed by the use of building setbacks. The purpose of the setback is to establish a "buffer zone" between the structure areas and the top of the slope so that ample room is allowed for normal slope recession during a reasonable life span of the structure (usually taken to be 100 years). In a general sense, a greater setback will result in a lower risk to the structure. From a geological standpoint, the setback dimension is based on the slope's physical characteristics, such as slope height, surface angle, material composition, and hydrology. Other factors, such as historical slope activity, rate of regression, and the type and desired life span of the development, are important considerations as well.

It is our opinion that an "effective" setback of 25 feet from the top of the slope is adequate for the planned residence. The "effective" setback is the horizontal distance measured from the nearest edge of the footing to the slope face, illustrated in Figure 6. The large tree on the slope east of the planned residence indicates that no significant activity has occurred in the last 100 years. Measures to improve stability of the slope should be implemented, such as directing surface water away from the slope and avoid placing fill or yard debris on the slope.

Site Preparations and Grading

The first step of site preparation should be to strip the vegetation, topsoil, loose or disturbed soils to expose medium dense to dense native soils in pavement and building areas. This material should be removed from the site, or stockpiled for later use as landscaping fill. The resulting subgrade should be compacted to a firm, non-yielding condition. Areas observed to pump or weave should be repaired prior to placing hard surfaces. We recommend using a vibratory double-drum walk-behind compactor on this

site. Attention should be paid to the impact the vibrations have on the adjacent structure. If excessive vibrations are felt, an alternative compaction method may be appropriate.

Fill should not be placed between the planned structure and the top of slope unless the planned grading is specifically reviewed by us.

Temporary and Permanent Slopes

Temporary cut slope stability is a function of many factors, such as the type and consistency of soils, depth of the cut, surcharge loads adjacent to the excavation, length of time a cut remains open, and the presence of surface or ground water. It is exceedingly difficult under these variable conditions to estimate a stable temporary cut slope geometry. Therefore, it should be the responsibility of the contractor to maintain safe slope configurations, since the contractor is continuously at the job site, able to observe the nature and condition of the cut slopes, and able to monitor the subsurface materials and ground water conditions encountered.

We anticipate temporary cuts for foundation installation. For planning purposes, we recommend that temporary cuts in the near-surface weathered soils be no greater than 1.5 Horizontal to 1 Vertical (1.5H:1V). Cuts in the dense outwash may stand at 1H:1V. If ground water seepage is encountered, we would expect that flatter inclinations would be necessary.

We recommend that cut slopes be protected from erosion. Measures taken may include covering cut slopes with plastic sheeting and diverting surface runoff away from the top of cut slopes. We do not recommend vertical slopes for cuts deeper than 4 feet, if worker access is necessary. We recommend that cut slope heights and inclinations conform to local and WISHA/OSHA standards.

Final slope inclinations for structural fill and the cuts in the native soils should be no steeper than 2H:1V. Lightly compacted fills or common fills should be no steeper than 3H:1V. Common fills are defined as fill material with some organics that are "trackrolled" into place. They would not meet the compaction specification of structural fill. Final slopes should be vegetated and covered with straw or jute netting. The vegetation should be maintained until it is established.

Foundations

Conventional, shallow spread foundations should be founded on undisturbed, medium dense or firmer soil. If the soil at the planned bottom of footing elevation is not suitable, it should be overexcavated to expose suitable bearing soil. Footings should extend at least 18 inches below the lowest adjacent finished ground surface for frost protection and it should also extend at least 1 foot into bearing soils, whichever is deeper. Minimum foundation widths should conform to IBC requirements. Standing water should not be allowed to accumulate in footing trenches. All loose or disturbed soil should be removed from the foundation excavation prior to placing concrete.

For foundations constructed as outlined above, we recommend an allowable design bearing pressure of 2,500 pounds per square foot (psf) be used for the footing design. IBC guidelines should be followed when considering short-term transitory wind or seismic loads. Potential foundation settlement using the recommended allowable bearing pressure is estimated to be less than 1-inch total and ½-inch differential between footings or across a distance of about 30 feet. Higher soil bearing values may be appropriate with wider footings. These higher values can be determined after a review of a specific design.

Deck foundations may be placed within the 25-foot setback, but should not be closer than 10 feet from the existing top of slope. Deck footings near the top of the slope should extend down to native soil, as recommended for building foundations. In a general sense, a deeper embedment into native soil tends to reduce the long-term risks to the deck associated with the existing slope.

Lateral Loads

The lateral earth pressure acting on retaining walls is dependent on the nature and density of the soil behind the wall, the amount of lateral wall movement, which can occur as backfill is placed, and the inclination of the backfill. Walls that are free to yield at least one-thousandth of the height of the wall are in an "active" condition. Walls restrained from movement by stiffness or bracing are in an "at-rest" condition. Active earth pressure and at-rest earth pressure can be calculated based on equivalent fluid density. Equivalent fluid densities for active and at-rest earth pressure of 35 pounds per cubic foot (pcf) and 55 pcf, respectively, may be used for design for a level backslope. These values assume that the on-site soils or imported granular fill are used for backfill, and that the wall backfill is drained. The preceding values do not include the effects of surcharges, such as due to foundation loads or other surface loads. Surcharge effects should be considered where appropriate. The above drained active and at-rest

values should be increased by a uniform pressure of $6.7H$ and $20.9H$ psf, respectively, when considering seismic conditions. H represents the wall height.

The above lateral pressures may be resisted by friction at the base of the wall and passive resistance against the foundation. A coefficient of friction of 0.45 may be used to determine the base friction in the native glacial soils. An equivalent fluid density of 225 pcf may be used for passive resistance design. To achieve this value of passive pressure, the foundations should be poured "neat" against the native dense soils, or compacted fill should be used as backfill against the front of the footing, and the soil in front of the wall should extend a horizontal distance at least equal to three times the foundation depth. A factor of safety of 2.0 has been applied to the passive pressure to account for required movements to generate these pressures. The friction coefficient does not include a factor of safety.

All wall backfill should be well compacted. Care should be taken to prevent the buildup of excess lateral soil pressures due to overcompaction of the wall backfill. This can be accomplished by placing wall backfill in 8-inch loose lifts and compacting with small, hand-operated compactors.

Slabs-On-Grade

Slab-on-grade areas should be prepared as recommended in the **Site Preparation and Grading** subsection. Slabs should be supported on medium dense to dense native soils, or on structural fill extending to these soils. Where moisture control is a concern, we recommend that slabs be underlain by 6 inches of free-draining sand or gravel for use as a capillary break. A suitable vapor barrier, such as heavy plastic sheeting, should be placed over the capillary break. If desired, a sand blanket could be placed over the vapor barrier to aid in curing of the concrete.

Drainage

We recommend that runoff from impervious surfaces, such as the roof and paved areas, be collected and routed to an appropriate storm water discharge system. The roof drains should be tightlined separate of the footing drains, until the tightline is a minimum of 1-foot vertically down gradient from the footing drains.

Final site grades should allow for drainage away from the buildings. We suggest that the finished ground be sloped at a gradient of 3 percent minimum, for a distance of at least 10 feet away from the buildings.

Surface water should be collected by permanent catch basins and drain lines, and be discharged into a storm drain system.

We recommend that footing drains be installed on the outside of perimeter footings. The footing drains should be at least 4 inches in diameter and should consist of perforated or slotted, rigid, smooth-walled PVC pipe, laid at the bottom of the footings. The drain line should be surrounded with free-draining pea gravel or coarse sand. The top 1 foot of footing stem wall backfill should consist of relatively impermeable material to limit surface water infiltration into the footing drain. For extended stem walls, the recommended footing drains will also serve as wall drains.

USE OF THIS REPORT

We have prepared this report for Mr. Kyung Hong and his agents, for use in planning and design of this project. Our report, conclusions, and interpretations should not be construed as a warranty of site conditions.

The scope of our services does not include services related to construction safety precautions, and our recommendations are not intended to direct the contractors' methods, techniques, sequences or procedures, except as specifically described in our report, for consideration in design. There are possible variations in subsurface conditions. We recommend that project planning include contingencies in budget and schedule, should areas be found with conditions that vary from those described in this report.

We should be retained to provide monitoring and consultation services during construction to confirm that the conditions encountered are consistent with those indicated by the explorations, and to provide recommendations for design changes, should the conditions revealed during the work differ from those anticipated. As part of our services, we would also evaluate whether or not earthwork and foundation installation activities comply with contract plans and specifications.

Within the limitations of scope, schedule, and budget for our services, we have strived to take care that our work has been completed in accordance with generally accepted practices followed in this area at the time this report was prepared. No other conditions, expressed or implied, should be understood.

Residential Site Evaluation
Two-Lot Short Plat
1100 - 2nd Street
April 14, 2006
CG File No. 2080
Page 11

We appreciate the opportunity to be of service to you. If there are any questions concerning this report or if we can provide additional services, please call.

Sincerely,

Cornerstone Geotechnical, Inc.



Jeff Laub, LG
Project Geologist

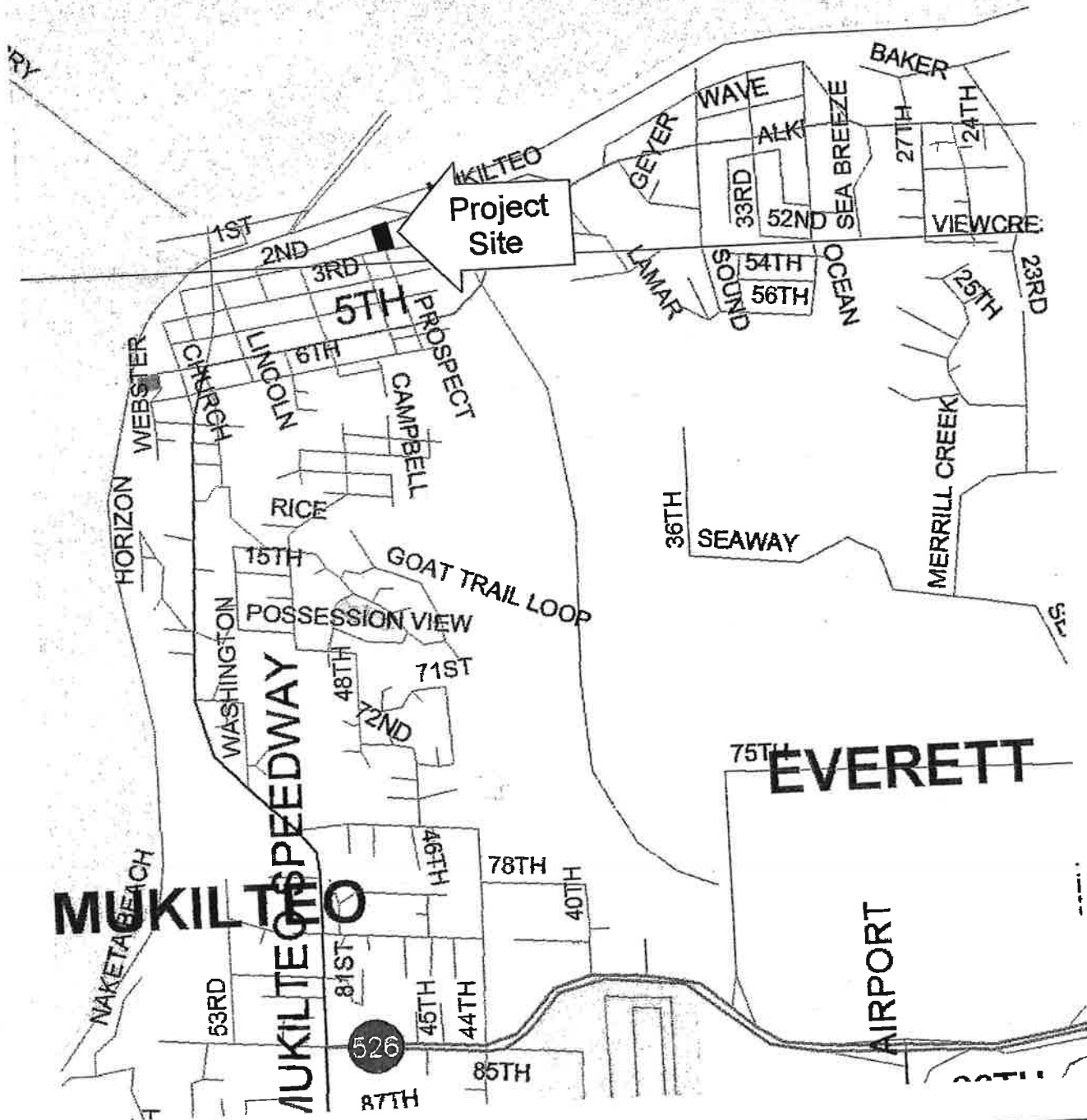
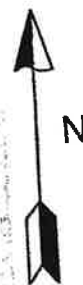


Charles P. Couvrette, PE
Principal

JRW:JPL:CPC:nt

Three Copies Submitted
Six Figures
Information about this Geotechnical Engineering Report

Vicinity Map



Cornerstone
Geotechnical, Inc.

17625-130th Ave NE, C-102 • Woodinville, WA • 98072

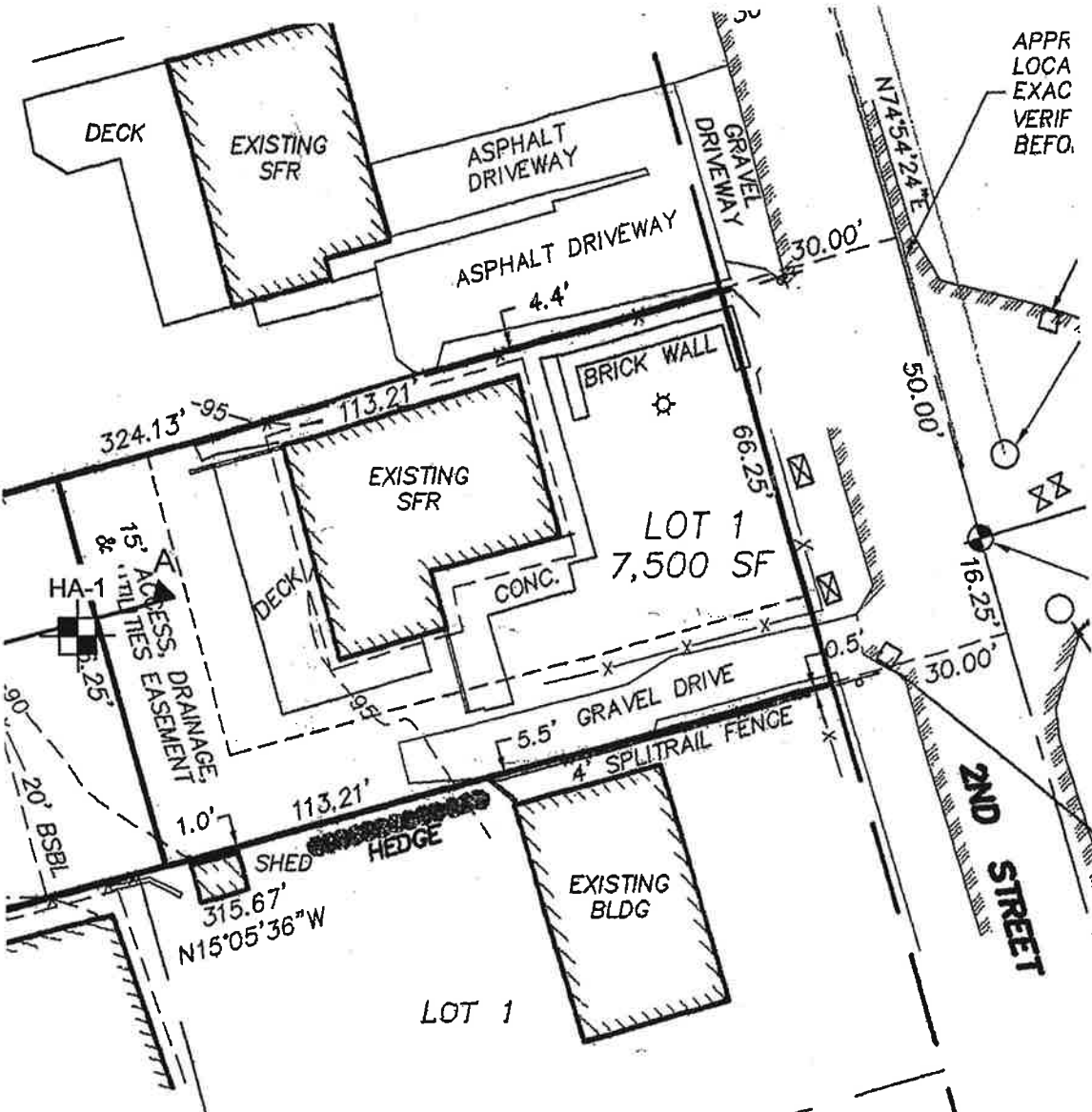
Phone: (425) 844-1977
Fax: (425) 844-1987

Hong - 1100 2nd Ave. Short Plat

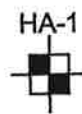
File Number 2080

Figure 1 62

Site Plan



LEGEND



Number and Approximate Location of Hand Auger

Cornerstone
Geotechnical, Inc.

17625-130th Ave NE, C-102 • Woodinville, WA • 98072

Phone: (425) 844-1977
Fax: (425) 844-1987

Hong - 1100 2nd Ave. Short Plat

File Number

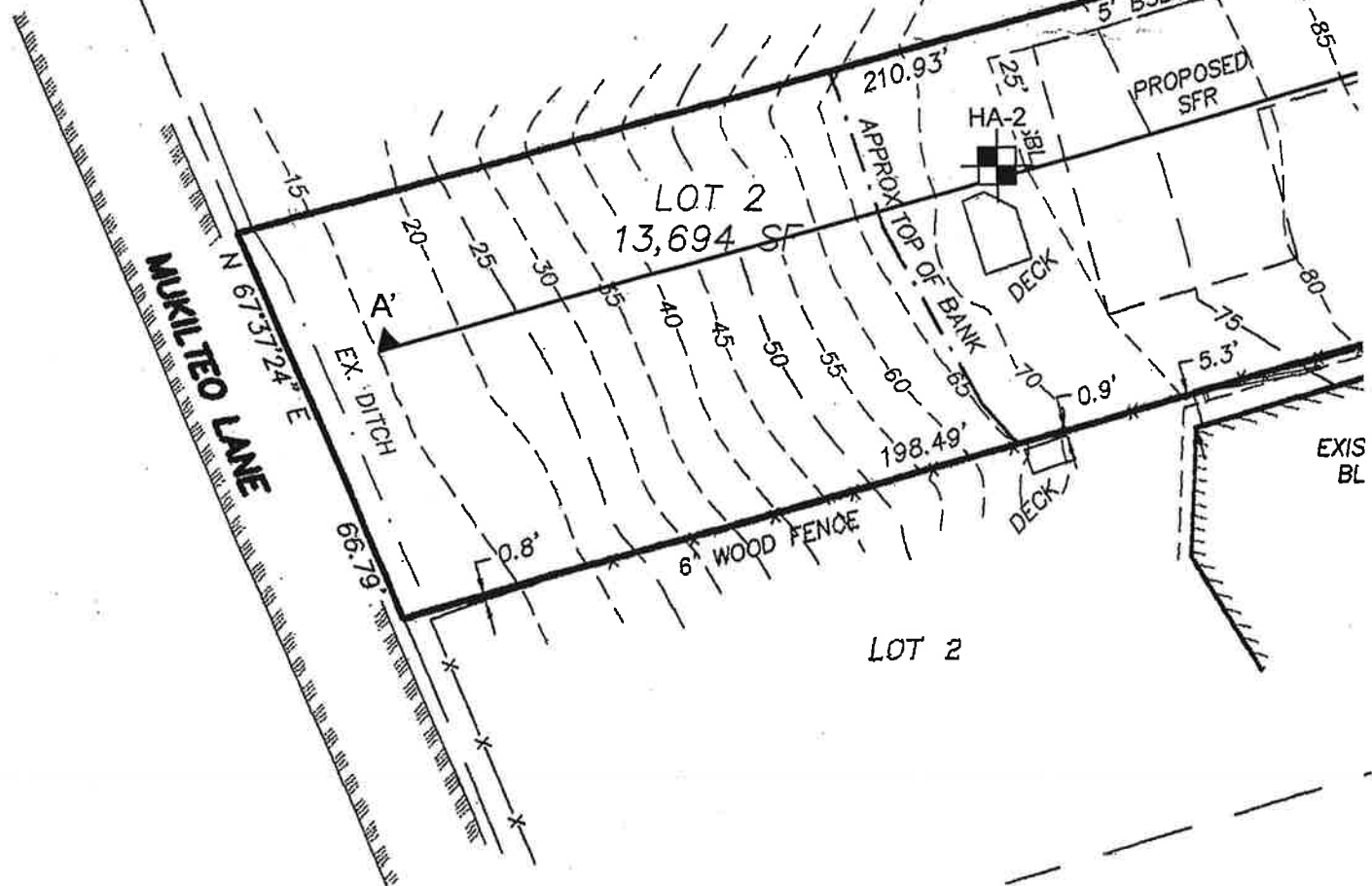
2080

Figure

2 63

LOT 3
MUKILTEO HEIGHTS, V.12, P.19

SSMH RIM=13.43
IE, (12"E, W)=6.09'



0 30 60



Scale 1" = 30'

Unified Soil Classification System

MAJOR DIVISIONS			GROUP SYMBOL	GROUP NAME
COARSE - GRAINED SOILS MORE THAN 50% RETAINED ON number 200 SIEVE	GRAVEL MORE THAN 50% OF COARSE FRACTION RETAINED ON NO. 4 SIEVE	CLEAN GRAVEL	GW	WELL-GRADED GRAVEL, FINE TO COARSE GRAVEL
			GP	POORLY-GRADED GRAVEL
		GRAVEL WITH FINES	GM	SILTY GRAVEL
			GC	CLAYEY GRAVEL
	SAND MORE THAN 50% OF COARSE FRACTION PASSES NO. 4 SIEVE	CLEAN SAND	SW	WELL-GRADED SAND, FINE TO COARSE SAND
			SP	POORLY-GRADED SAND
		SAND WITH FINES	SM	SILTY SAND
			SC	CLAYEY SAND
FINE - GRAINED SOILS MORE THAN 50% PASSES NO. 200 SIEVE	SILT AND CLAY LIQUID LIMIT LESS THAN 50%	INORGANIC	ML	SILT
			CL	CLAY
	SILT AND CLAY LIQUID LIMIT 50% OR MORE	ORGANIC	OL	ORGANIC SILT, ORGANIC CLAY
		INORGANIC	MH	SILT OF HIGH PLASTICITY, ELASTIC SILT
			CH	CLAY OF HIGH PLASTICITY, FAT CLAY
		ORGANIC	OH	ORGANIC CLAY, ORGANIC SILT
HIGHLY ORGANIC SOILS			PT	PEAT

NOTES:

- 1) Field classification is based on visual examination of soil in general accordance with ASTM D 2488-83.
- 2) Soil classification using laboratory tests is based on ASTM D 2487-83.
- 3) Descriptions of soil density or consistency are based on interpretation of blowcount data, visual appearance of soils, and/or test data.

SOIL MOISTURE MODIFIERS

Dry- Absence of moisture, dusty, dry to the touch

Moist- Damp, but no visible water

Wet- Visible free water or saturated, usually soil is obtained from below water table

LOG OF EXPLORATION

DEPTH	USC	SOIL DESCRIPTION
HAND AUGER ONE		
0.0 - 0.3	SM	DARK BROWN TO BLACK SILTY FINE SAND WITH ROOTS AND ORGANICS (LOOSE, MOIST) (TOPSOIL)
0.3 - 6.4	SW	BROWN FINE TO COARSE SAND WITH GRAVEL (MEDIUM DENSE, MOIST)
6.4 - 6.5	SP	GRAY FINE SAND (MEDIUM DENSE, MOIST)
6.5 - 7.2	SW	GRAYISH BROWN FINE TO COARSE SAND WITH GRAVEL (DENSE, MOIST)
SAMPLES WERE COLLECTED AT 1.1 AND 7.2 FEET GROUND WATER SEEPAGE WAS NOT ENCOUNTERED HAND AUGER CAVING WAS NOT ENCOUNTERED HAND AUGER WAS COMPLETED AT 7.2 FEET ON 3/21/06		
HAND AUGER TWO		
0.0 - 0.5	SM	DARK BROWN TO BLACK SILTY FINE SAND WITH ROOTS AND ORGANICS (LOOSE, MOIST) (TOPSOIL)
0.5 - 1.0	SW	DARK BROWN FINE TO COARSE SAND WITH GRAVEL AND ROOTS (LOOSE TO MEDIUM DENSE, MOIST) (FILL)
1.0 - 1.4	SM	DARK BROWN TO BLACK SILTY FINE SAND WITH ROOTS AND ORGANICS (LOOSE TO MEDIUM DENSE, MOIST) (TOPSOIL)
1.4 - 2.3	SW	REDDISH BROWN FINE TO COARSE SAND WITH GRAVEL (LOOSE TO MEDIUM DENSE, MOIST)
2.3 - 5.1	SW	GRAYISH BROWN FINE TO COARSE SAND WITH GRAVEL (DENSE, MOIST)
5.1 - 5.6	SW	GRAY FINE TO COARSE SAND WITH GRAVEL (DENSE, MOIST)
SAMPLES WERE COLLECTED AT 2.1, 3.1 AND 6.2 FEET GROUND WATER SEEPAGE WAS NOT ENCOUNTERED HAND AUGER CAVING WAS NOT ENCOUNTERED HAND AUGER WAS COMPLETED AT 5.6 FEET ON 3/21/06		

CROSS-SECTION A-A'

(SCALE = 1:1)

Picket fence

Approximate extent
of planned residence

Topsoil/Yard fill

Measured with
tape and clinometer

HA-1

Glacial
Outwash

HA-2

Taken from
topographic survey

Glacial
Outwash

? Glacial Till/Transitional Beds?



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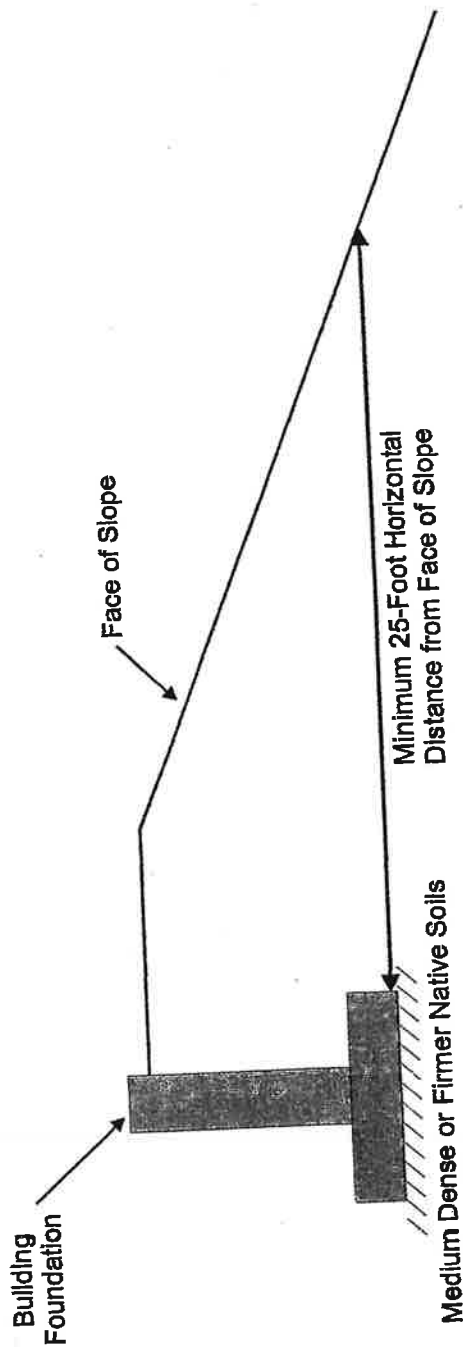
Phone: (425) 844-1977
Fax: (425) 844-1987

Hong - 1100 2nd Ave. Short plat

File Number 2080

Figure 5

Typical Foundation Embedment Detail with Effective Setback from Slope Face (Not to Scale)



Cornerstone
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Fax: (425) 844-1987

Kyung Hong 1100 - 2nd Ave. Short Plat

File Number 2080

Figure

6

Important Information About Your Geotechnical Engineering Report

Subsurface problems are a principal cause of construction delays, cost overruns, claims, and disputes.

The following information is provided to help you manage your risks.

Geotechnical Services Are Performed for Specific Purposes, Persons, and Projects

Geotechnical engineers structure their services to meet the specific needs of their clients. A geotechnical engineering study conducted for a civil engineer may not fulfill the needs of a construction contractor or even another civil engineer. Because each geotechnical engineering study is unique, each geotechnical engineering report is unique, prepared *solely* for the client. No one except you should rely on your geotechnical engineering report without first conferring with the geotechnical engineer who prepared it. *And no one—not even you—should apply the report for any purpose or project except the one originally contemplated.*

Read the Full Report

Serious problems have occurred because those relying on a geotechnical engineering report did not read it all. Do not rely on an executive summary. Do not read selected elements only.

A Geotechnical Engineering Report Is Based on A Unique Set of Project-Specific Factors

Geotechnical engineers consider a number of unique, project-specific factors when establishing the scope of a study. Typical factors include: the client's goals, objectives, and risk management preferences; the general nature of the structure involved, its size, and configuration; the location of the structure on the site; and other planned or existing site improvements, such as access roads, parking lots, and underground utilities. Unless the geotechnical engineer who conducted the study specifically indicates otherwise, do not rely on a geotechnical engineering report that was:

- not prepared for you,
- not prepared for your project,
- not prepared for the specific site explored, or
- completed before important project changes were made.

Typical changes that can erode the reliability of an existing geotechnical engineering report include those that affect:

- the function of the proposed structure, as when it's changed from a parking garage to an office building, or from a light industrial plant to a refrigerated warehouse,

- elevation, configuration, location, orientation, or weight of the proposed structure,
- composition of the design team, or
- project ownership.

As a general rule, *always* inform your geotechnical engineer of project changes—even minor ones—and request an assessment of their impact. *Geotechnical engineers cannot accept responsibility or liability for problems that occur because their reports do not consider developments of which they were not informed.*

Subsurface Conditions Can Change

A geotechnical engineering report is based on conditions that existed at the time the study was performed. *Do not rely on a geotechnical engineering report* whose adequacy may have been affected by: the passage of time; by man-made events, such as construction on or adjacent to the site; or by natural events, such as floods, earthquakes, or groundwater fluctuations. *Always* contact the geotechnical engineer before applying the report to determine if it is still reliable. A minor amount of additional testing or analysis could prevent major problems.

Most Geotechnical Findings Are Professional Opinions

Site exploration identifies subsurface conditions only at those points where subsurface tests are conducted or samples are taken. Geotechnical engineers review field and laboratory data and then apply their professional judgment to render an opinion about subsurface conditions throughout the site. Actual subsurface conditions may differ—sometimes significantly—from those indicated in your report. Retaining the geotechnical engineer who developed your report to provide construction observation is the most effective method of managing the risks associated with unanticipated conditions.

A Report's Recommendations Are *Not* Final

Do not overrely on the construction recommendations included in your report. *Those recommendations are not final*, because geotechnical engineers develop them principally from judgment and opinion. Geotechnical engineers can finalize their recommendations only by observing actual

subsurface conditions revealed during construction. *The geotechnical engineer who developed your report cannot assume responsibility or liability for the report's recommendations if that engineer does not perform construction observation.*

A Geotechnical Engineering Report Is Subject to Misinterpretation

Other design team members' misinterpretation of geotechnical engineering reports has resulted in costly problems. Lower that risk by having your geotechnical engineer confer with appropriate members of the design team after submitting the report. Also retain your geotechnical engineer to review pertinent elements of the design team's plans and specifications. Contractors can also misinterpret a geotechnical engineering report. Reduce that risk by having your geotechnical engineer participate in prebid and preconstruction conferences, and by providing construction observation.

Do Not Redraw the Engineer's Logs

Geotechnical engineers prepare final boring and testing logs based upon their interpretation of field logs and laboratory data. To prevent errors or omissions, the logs included in a geotechnical engineering report should *never* be redrawn for inclusion in architectural or other design drawings. Only photographic or electronic reproduction is acceptable, *but recognize that separating logs from the report can elevate risk.*

Give Contractors a Complete Report and Guidance

Some owners and design professionals mistakenly believe they can make contractors liable for unanticipated subsurface conditions by limiting what they provide for bid preparation. To help prevent costly problems, give contractors the complete geotechnical engineering report, *but* preface it with a clearly written letter of transmittal. In that letter, advise contractors that the report was not prepared for purposes of bid development and that the report's accuracy is limited; encourage them to confer with the geotechnical engineer who prepared the report (a modest fee may be required) and/or to conduct additional study to obtain the specific types of information they need or prefer. A prebid conference can also be valuable. *Be sure contractors have sufficient time to perform additional study.* Only then might you be in a position to give contractors the best information available to you, while requiring them to at least share some of the financial responsibilities stemming from unanticipated conditions.

Read Responsibility Provisions Closely

Some clients, design professionals, and contractors do not recognize that geotechnical engineering is far less exact than other engineering disciplines. This lack of understanding has created unrealistic expectations that

have led to disappointments, claims, and disputes. To help reduce the risk of such outcomes, geotechnical engineers commonly include a variety of explanatory provisions in their reports. Sometimes labeled "limitations" many of these provisions indicate where geotechnical engineers' responsibilities begin and end, to help others recognize their own responsibilities and risks. *Read these provisions closely.* Ask questions. Your geotechnical engineer should respond fully and frankly.

Geoenvironmental Concerns Are Not Covered

The equipment, techniques, and personnel used to perform a *geoenvironmental* study differ significantly from those used to perform a *geotechnical* study. For that reason, a geotechnical engineering report does not usually relate any geoenvironmental findings, conclusions, or recommendations; e.g., about the likelihood of encountering underground storage tanks or regulated contaminants. *Unanticipated environmental problems have led to numerous project failures.* If you have not yet obtained your own geoenvironmental information, ask your geotechnical consultant for risk management guidance. *Do not rely on an environmental report prepared for someone else.*

Obtain Professional Assistance To Deal with Mold

Diverse strategies can be applied during building design, construction, operation, and maintenance to prevent significant amounts of mold from growing on indoor surfaces. To be effective, all such strategies should be devised for the *express purpose* of mold prevention, integrated into a comprehensive plan, and executed with diligent oversight by a professional mold prevention consultant. Because just a small amount of water or moisture can lead to the development of severe mold infestations, a number of mold prevention strategies focus on keeping building surfaces dry. While groundwater, water infiltration, and similar issues may have been addressed as part of the geotechnical engineering study whose findings are conveyed in this report, the geotechnical engineer in charge of this project is not a mold prevention consultant; *none of the services performed in connection with the geotechnical engineer's study were designed or conducted for the purpose of mold prevention. Proper implementation of the recommendations conveyed in this report will not of itself be sufficient to prevent mold from growing in or on the structure involved.*

Rely on Your ASFE-Member Geotechnical Engineer for Additional Assistance

Membership in ASFE/The Best People on Earth exposes geotechnical engineers to a wide array of risk management techniques that can be of genuine benefit for everyone involved with a construction project. Confer with you ASFE-member geotechnical engineer for more information.



8811 Colesville Road/Suite G106, Silver Spring, MD 20910
Telephone: 301/565-2733 Facsimile: 301/589-2017
e-mail: info@asfe.org www.asfe.org

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EXHIBIT K
AGENCY COMMENTS

Linda Ritter

From: Feaster Ann M. <FeasterAM@mukilteo.wednet.edu>
Sent: Wednesday, November 01, 2017 12:25 PM
To: Linda Ritter
Subject: FW: Hong Property
Attachments: SDOBUSI17110112370.pdf

Please see attached for Mukilteo School District's – no comments on the Hong Property Variance.

Thank you,

Ann Feaster
Mukilteo School District
Business Office
feasteram@mukilteo.wednet.edu
425-356-6645

From: donotreply@mukilteo.wednet.edu [mailto:donotreply@mukilteo.wednet.edu]
Sent: Wednesday, November 1, 2017 1:38 PM
To: Feaster Ann M. <FeasterAM@mukilteo.wednet.edu>
Subject: Scanned From DOBUSI



CITY OF MUKILTEO

REQUEST FOR COMMENTS

DATE: October 20, 2017

	Alderwood Water District – Dan Sheil /Lauren Balisky		Puget Sound Clean Air Agency (Beth Carper)
	Burlington Northern Santa Fe Railway (Marvinique Hill)	X	Puget Sound Energy (Dom Amor)
	City of Edmonds (Rob Chave)		Puget Sound Regional Council
	City of Everett (Allan Giffen)		Seattle Dist. Corps of Engineers (Dept. Army-Reg. Branch)
	City of Everett (Steve Ingalsbe)		Snohomish Co. Airport/Paine Field (A. Rardin/B. Dolan)
	City of Lynnwood (Paul Krauss)		Snohomish Co. Assessor's Office (<i>Ordinances Only</i>)
	City of Mill Creek (Tom Rogers)		Snohomish Co. Conservation District
X	City of Mukilteo (Building Official)		Snohomish Co. Environmental (Cheryl Sullivan)
X	City of Mukilteo (Fire Chief)		Snohomish Co. Fire District #1 (Kevin Zweber)
X	City of Mukilteo (Fire Marshal)		Snohomish Co. Marine Res. Comm. (Kathleen Herrmann)
X	City of Mukilteo (Engineering "In-Box")		Snohomish Co. Planning & Dev. Svcs. (Darryl Easton)
X	City of Mukilteo (Com. Dev. Dir.) (<i>Postcard/Notice only</i>)		Snohomish Co. Public Works (Deb Werdal)
X	City of Mukilteo (Cheol Kang, Glen Koen)	X	Snohomish Co. PUD: Dist. Eng. Services (Mary Wicklund)
X	Comcast of Washington (Casey Brown)		Snohomish Health District (Bruce A. Straughn)
X	Community Transit (Kate Tourtellot)		Sound Transit Authority (Perry Weinberg)
	Dept. of Commerce (Growth Mgmt. Svcs Rev. Team)	X	Tulalip Tribes
	Dept. of Natural Resources (James Taylor)	X	Tulalip Tribes – (Richard Young)
	FAA/Air Traffic Division, ANM-0520 (Daniel Shoemaker)		United States Postal Service (Soon H. Kim)
	FEMA (John Graves)	X	Verizon Company of the NW, Inc. (Tim Rennick.)
	Island County MRC (Rex Porter) (<i>Shoreline Only</i>)		Washington Dept. of Ecology (Peg Plummer)
	Master Builders King/Sno. Counties (Jennifer Anderson)		Washington Dept of Fish & Wildlife (Jamie Bails)
X	Mukilteo Beacon (Editor) (<i>Postcard/Notice only</i>)	X	WSDOT (Scott Rodman)
X	Mukilteo School District (Cindy Steigerwald)	X	WSDOT (Ramin Pazooki)
X	Mukilteo School District (Josette Fisher)		WSDOT Ferries (Kevin Bartoy) (<i>Shoreline Only</i>)
X	Mukilteo Tribune (Editor) (<i>Postcard/Notice only</i>)		WRIA 7 Water Resources
X	Mukilteo Water & Wastewater District (Jim Voetberg, Manager; Rick Matthews; Jodi Kerslake)	X	Planning Commission (<i>Postcard Only</i>)
	National Marine Fishery Service		Adjacent Property Owners
	Office of Archaeology & Historic Pres. (Allyson Brooks)		Applicant/Contact Person (<i>Notice Only</i>)
	Ogden, Murphy, Wallace (Scott Snyder) (<i>Ordinances Only</i>)	X	Parties of Interest
	Pilchuck Audubon Society (Karen Snyder)		Parties of Record
	Port of Everett (Graham Anderson)	X	Property Owners within 300' (<i>Postcard/Notice Only</i>)
			Other:

FILE NO.: VAR-2017-001

PROPONENT: Fred Baxter & Associates on behalf
of Kyung and Susie Hong

PROPOSAL NAME: Hong Property Variance

PROPOSAL DESCRIPTION: Variance request to increase the hard surface limits for the property located at 1100 2nd Street from 3,780 s.f. to 4,577 s.f. The variance is requested due to the existing joint-use drive-way which was install as an easement on the lot with the development of the Short Plat in 2007 as access for the lot to the north of the property.

FILE NO.: VAR-2017-001

PROPOSER: Fred Baxter & Associates
on behalf of Kyung and Susie Hong

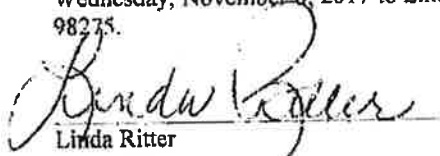
PROPOSAL NAME: Hong Property Variance

ATTACHED IS:

X	Notice of Application	X	Plat Map (Reduced)
	DNS	X	Site Plan (Reduced)
	Environmental Checklist	X	Location Map
X	Application		Vicinity Map
X	Project Narrative	X	Other: Geotechnical Report
X	Survey Map		

NOTE:

Please review this project as it relates to your area of concern and return your comments with this cover sheet by, Wednesday, November 8, 2017 to Linda Ritter, Senior Planner, City of Mukilteo, 11930 Cyrus Way, Mukilteo, WA 98275.


Linda Ritter
Senior Planner


10/20/17
Date

RESPONSE SECTION:

☐ Comments Attached

☒ No Comments

COMMENTS:


Signature
Mukilteo School District
Company

11-1-17
Date

DO YOU WANT A COPY OF OUR NOTICE OF DECISION

YES ☐ NO ☒



Mukilteo Water & Wastewater District

7824 Mukilteo Speedway • PO Box 260
Mukilteo, WA 98275-0260
Ph. 425-355-3355 • Fx. 425-348-0645

City of Mukilteo
11930 Cyrus Way
Mukilteo WA 98275
Attn: Linda Ritter, Senior Planner

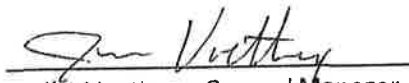
RE: **Project Name:** NOA Hong Property Variance
 Proponent: City of Mukilteo
 File No.: VAR-2017-001
 Location: 1100 2nd Street

Project Description: Variance request to increase the hard surface limits for the property located at 1100 2nd Street from 3,780 s.f. to 4,577 s.f. The variance is requested due to the existing joint-use drive-way which was install as an easement on the lot with the development of the Short Plat in 2007 as access for the lot to the north of the property.

Thank you for the opportunity to comment on the proposed variance for 1100 2nd St. The Mukilteo Water and Wastewater District (District) has no objections to the increase in the hard surface limits on this lot. Water and Sanitary Sewer service are stubbed to this lot.

Thank you again for providing the District the opportunity to comment.

For: Linda Ritter
lritter@mukilteowa.gov
(425) 263-8043


Jim Voetberg, General Manager
November 1, 2017

FILE NO.: VAR-2017-001

PROPONENT: Fred Baxter & Associates
on behalf of Kyung and Susie Hong

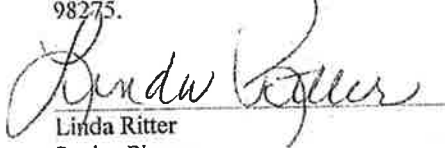
PROPOSAL NAME: Hong Property Variance

ATTACHED IS:

X	Notice of Application	X	Plat Map (Reduced)
	DNS	X	Site Plan (Reduced)
	Environmental Checklist	X	Location Map
X	Application		Vicinity Map
X	Project Narrative	X	Other: Geotechnical Report
X	Survey Map		

NOTE: _____


Please review this project as it relates to your area of concern and return your comments with this cover sheet by, Wednesday, November 8, 2017 to Linda Ritter, Senior Planner, City of Mukilteo, 11930 Cyrus Way, Mukilteo, WA 98275.


Linda Ritter
Senior Planner

10/20/17
Date

RESPONSE SECTION:

____ Comments Attached

 No Comments

COMMENTS: _____


Signature

10/23/17
Date

Company

DO YOU WANT A COPY OF OUR NOTICE OF DECISION

YES NO 

EXHIBIT L
PUBLIC COMMENTS

Linda Ritter

From: kris huxford <kris huxford@comcast.net>
Sent: Wednesday, October 25, 2017 12:12 PM
To: Linda Ritter
Subject: property on 2nd ave and prospect fred baxter

Linda,

I just saw the sign on this property with Fred Baxters name attached. I am in fear for what the city is going to allow him to build on this site. Currently, I have a view that we do not want obstructed **AT ALL**.

He was allowed to completely build out on the site across from Rosehill with **NO** setbacks on the new construction building. We will not allow that to happen nor allow him to build a 3 story home or whatever he has up his sleeve.

We want to be informed as to how we can make our feelings known prior to ANY plans being approved. I saw a date of Oct 25th. Is this the day it was placed? Or is this the last day to weigh in? This is the first time I have seen the sign.

Please hear me now, Baxter will not be allowed to build some huge home or building there.

Thank you

Kris and Jeff Huxford

Linda Ritter

From: Kris Huxford <krishuxford@comcast.net>
Sent: Thursday, November 02, 2017 12:46 PM
To: Linda Ritter
Cc: Jeff; Lee And Rick; elainemknapp@hotmail.com; ripcom@me.com; Kevin Stolz; glassiemay@comcast.net
Subject: Re: property on 2nd street and prospect fred baxter

Good afternoon Linda,

I am writing once again to alert you that we are very concerned about the Hong property located at 1100 2nd street, being allowed to be approved or not approved for the variance. I have read through Fred Baxter's letter he submitted on September 29, 2017 on behalf of the property owners. I have found several issues with a few mistakes.

First of all, in his first paragraph on page # 1 " hardship creates adverse affect on character and property values surrounding neighbors". Well, not even close to being true. Property values are up due to : A) economy doing well

B) view from ones home

C) size of homes around this property vary

We have homes all around Old Town that vary in size and shape as well as views are partial,full or even non water views.

Secondly, no formal site plan or architectural plans were submitted with the application to allow the city to define whether or not this is even realistic. Fred Baxter mentions a 2 car garage and deck on the back side that would overhang into the "road" that was placed in 2008. In 2008, 42% was all utilities with joint use driveway which equals 2,579 sq ft which was 68% total allowed with the old home still on the property however, the home was torn down before the joint use driveway was built. Asking for additional 1,998 square feet beyond the current existing hard surface and joint use driveway. Currently there is 2,579 sq ft if variance is allowed it would increase to 4,577 sq ft. This is 797 sq ft beyond allowances under current zoning. They built the joint use driveway in 2008 before the newer, more strict laws took affect.

The best mistake I saw written in the letter was " old home on property did not conform to new setbacks, so home was destroyed". Well, that is the biggest lie of all. This home was torn down shortly after the Big wind storm of October 2007. The roof lifted due to the wind storm and they found black mold in the wall behind the fireplace located on the west side of the home. I spoke to the couple who were renting at the time. I saw they were moving out and I asked the why. "We have to move because of black mold in the walls. We're sad to leave the area". I have pictures of the old home that used to stand there. The couple Tom and Ginger owned it prior to 2006, which had been Tom's fathers home was a two story home with a driveway located on the east side of the tall tree bushes that did not extend beyond the property lines nor the setbacks. The home looked like a one story from where we live. This is because the lower level of the home/ basement area was in the lower bowl of the property. We never had any problems seeing the water, islands etc when this home existed. If a monster, 2 story home and garage that extends over the hard surface area currently, there will be a big problem with the value of my home and several neighbors of mine.

According to the new laws and code MMC section 17.20.028

Allows 1,201 sq ft with footprint that includes footprint, driveways, walkway, porch, and deck. So, when is saw a "potential " sketch of a almost 1,300 sq ft home with 2 car garage and deck drawn out, I was shocked.

On page 6 of the Residential Site Evaluation letter dated April 14, 2006,

First paragraph, 2nd sentence states that " loose fill soil backyard upper portion of northern slope shall be evaluated at time of future construction". " Building setbacks " buffer zone" structure area and top of slope there is greater setback equals lower risk ". Also mentioned hydrology concerns.

According to the city codes, page 7 of this letter states that " fill should not be placed between structure and top of slope unless this is reviewed by proper land surveyor". Does not allow more then 20 feet from slope.

Page 8 of said letter also states deck would require a 25 ft setback footings.

Page 10 states requires a they must be on site for constant monitoring during construction.

Think about this very seriously, sloped land with a small road built on essentially 3 plots of land. Hillside with homes below them. Moving and disturbing the earth and neighboring properties could result in a landslide possibly.

This property is much too small to allow for a 2 car garage out front, sidewalk and walkway and deck off the back side.

Noting Fred Baxters extra notes from his letter:

- A1- granting special privileges 493 sq ft 2 car garage or single one
- A2- special circumstances that lot is not buildable
- A3- allowing it benefits the neighborhood (not)
- A4- hardship can't develop property

Lot coverage 25%

Max height 30 ft 2 story

Setbacks 20 ft front

5 ft side

20 ft rear from driveway.

No grading plans

Remove shrubs

Well, I am sorry that they thought they could eventually develop the land but it has been sitting in the current condition ever since they built the joint use driveway and hard surface areas. They have tried to sell 3 plots of land for far too much money. Lower plots were listed at one time \$1 million dollars undeveloped. Two other ones were listed for as much as \$800,000- \$700,000 at various times and then taken off the market multiple times because no one was interested. Now we have Fred Baxter retained as a potential developer and frankly, what was allowed across from Rosehill.... Multi-use building that has zero setbacks, is much too large for the property of which it sits on and also blocks the business owners next door Edward Jones sign when traveling westbound on third street. You cannot see it. We will not allow something that could remotely look like that in our part of town. Too big for a small plot.

I hope that this letter is taken into consideration.

We will plan on being there on December 14 th to speak on our behalf.

Thank you!

Kris and Jeff Huxford
1101 3 rd street
Mukilteo, WA
Sent from my iPad

On Oct 25, 2017, at 2:02 PM, Kris Huxford <krishuxford@comcast.net> wrote:

Ms Ritter,

We would like to request a copy of the application and plans involved. We will pursue this until we are provided what we need. We will not allow a project to be approved that will significantly impact my view and others in the neighborhood. Baxter has a history of being allowed to build with no setbacks. Old town is not a place to continue to allow that. The streets are far too narrow. I would like to have this available as soon as possible.

Thank you,

Kris and Jeff Huxford
Sent from my iPad

On Oct 25, 2017, at 1:02 PM, Linda Ritter <lritter@mukilteowa.gov> wrote:

Mrs. Huxford,

You can either email or provide written comments on this project. If the hard surface limits increase is approved, they will move forward with building a house.

Linda Ritter
Senior Planner
Planning & Community Development
425.263-8043 | 425.212.2068 (fax)
lritter@mukilteowa.gov
<image001.jpg>
11930 Cyrus Way | Mukilteo, WA 98275

From: kris huxford [<mailto:krishuxford@comcast.net>]
Sent: Wednesday, October 25, 2017 12:54 PM
To: Linda Ritter
Subject: Re: property on 2nd ave and prospect fred baxter

Linda,

How do we make comments on this project? I need an email or whatever is required. Please provide me some more details. This would be very helpful. What are they planning on doing?

Thanks again!

Kris

On Oct 25, 2017, at 12:38 PM, Linda Ritter
<lritter@mukilteowa.gov> wrote:

Good Afternoon Mrs. Huxford,

The date October 25th is the beginning of the 14-day comment period. Thank you for your comment on this project. The City does not have any plans for this property at this time. The application is to increase the hard surface limit as the property was developed in 2007 prior to the new rules for low impact development. If you have questions regarding the project don't hesitate to contact me.

Linda Ritter

Senior Planner

Planning & Community Development

425.263-8043 | 425.212.2068 (fax)

lritter@mukilteo.gov

<image001.jpg>

11930 Cyrus Way | Mukilteo, WA 98275

From: kris huxford [<mailto:kris:huxford@comcast.net>]

Sent: Wednesday, October 25, 2017 12:12 PM

To: Linda Ritter

Subject: property on 2nd ave and prospect fred baxter

Linda,

I just saw the sign on this property with Fred Baxters name attached. I am in fear for what the city is going to allow him to build on this site. Currently, I have a view that we do not want obstructed **AT ALL**.

He was allowed to completely build out on the site across from Rosehill with **NO** setbacks on the new construction building. We will not allow that to happen nor allow him to build a 3 story home or whatever he has up his sleeve.

We want to be informed as to how we can **make our feelings known prior to ANY plans being approved.** I saw a date of Oct 25th. Is this the day it was placed? Or is this the last day to weigh in? This is the first time I have seen the sign.

Please hear me now, Baxter will not be allowed to build some huge home or building there.

Thank you

Kris and Jeff Huxford

Linda Ritter

From: LEE LOVORN <leelovorn@me.com>
Sent: Saturday, November 04, 2017 6:54 PM
To: Linda Ritter
Cc: Lee Lovorn
Subject: Hong Property Variance

Dear Linda:

Per Snohomish County Property Summary
Parcel Number 00527600000401

the size of this property is .17 of an acre which equals 7405 square feet
It is our understanding the minimum building lot in old town residential is 7500 square feet
Therefore, this lot is not even considered a buildable lot.

We know of several homes in Old Town that already having drainage issues and some have sump pumps for that reason. As just stated, there are already some drainage issues - why take a chance on making them worse? The drainage and water issues are of great concern to us if this is approved.

We completely understand the Hongs wanting to have something built on their property(s). This is not necessarily a hardship on them since they could - if they wished build a larger home using any or all three of the properties they own and not need a variance for additional hard surface. Our understanding is that they chose to put the road in the middle of the property.

If this property is left as it is and allowed to build as rules presently state - then we can hope all would be ok. When you open Pandora's Box and start changing the rules that were put there for a purpose THIS can jeopardize many other's property for the wanting of one to change the rules when it isn't necessary. The Hongs do have options. You will be putting others in harms way by doing this.

We love our home and Old Town and are honored to be a part of it. We respectfully request for you to not allow this Variance request to pass.

Sincerely,

Lee & Ricky Lovorn
307 Prospect Avenue
Mukilteo, WA 98275
704 904 1200

EXHIBIT M
AFFIDAVIT OF PUBLICATION