



February 17, 2022

via email

Jake Drake
The Blueline Group
25 Central Way Suite 400
Kirkland, WA 98033

RE: SD-2021-001/ENG-2021-019/SEPA-2021-010

City of Mukilteo completed an initial review of your application and the supporting documents provided for a 7-lot subdivision located at 9110 53rd Avenue W, Mukilteo, Washington on October 8, 2021. Based on our review, the following revisions or additional information are necessary to complete our review of your project. If any of the items below are unclear to you, please do not hesitate to contact me right away so I can clarify them for you.

Planning Department:

Cover Letter & Resubmitting

1. Please submit all documents with a cover letter that states how you have addressed each item requested. Please note incomplete or partial resubmittals will not be accepted for permit review.

Preliminary Plat Map (Sheet 1)

2. Site Data
 - a. *Number of lots proposed: 5*

The number of lots being proposed for this development is 7.
 - b. *Minimum lot size (required): 7,200 sf* (lot size averaging, see table, min lot size 3,000 sf)*

Per the Mukilteo Municipal Code (MMC) 17.20.050 lot size averaging, the following zones are allowed to apply lot size averaging: RD 20.0, RD 12.5(S), RD 9.6(S), RD 8.4, RD 7.2 or WFB. Lot size averaging does not apply to RD 12.5, the zone the proposal is located within.

- c. *Maximum lot width: 60 feet* *40 feet per SCCC 30.23.210(7) lot size averaging*

The reference you provided is for the Snohomish County Code and is not applicable. Minimum lot width for projects within the City of Mukilteo is shown in Table 1: Lot Bulk Matrix MMC 17.20.015 below.

Table 1: Lot Bulk Matrix

Zone	Minimum Lot Area	Minimum Lot Width			Minimum Average Depth
		Setback Line	Lot Line	Corner Lot Line	
RD 12.5	12,500 sf	60'	40'	60	85'

Lots dimensions submitted for review:

Lot	Size	Setback Lot Line	Lot Line	Corner Lot Line	Minimum Average Depth
1	12,620	67	42	166	
2	12,677	67	67	N/A	189
3	12,635	73	73	N/A	120
4	12,528	90	90	N/A	162
5	12,671	74	58	N/A	168
6	12,542	44	58	N/A	184
7	14,872	52	52	N/A	241

The highlighted boxes do not meet the minimum requirement for lot dimensions.

- d. *Maximum Lot Coverage: 35%*

Per MMC 17.20.020 Structure Bulk Matrix, the maximum lot coverage allowed in the RD 12.5 zone is 30%.

SEPA Checklist

1. *Section A, Background, Question 11:* Revise the project description as the minimum lot size for this proposal is 12,500 square feet.
2. *Section B, Environmental Elements, Question 8(L):* Revise your response as this property is not eligible for transfer of density.
3. *Section B, Recreational Use, Question 12(B):* Please revise as it should be “recreational” not “residential”.

“Would the proposed project displace any existing recreational uses? If so, describe.

No, the proposal would not displace any existing residential uses. The site is zoned and designated for single family residential use.”

Tract 999 Open Space

1. Tract 999 does not meet the definition of open space. Per MMC 17.08 definitions, open space is defined as follows:
 - “Open space, active” means all common space designated and intended for the purposes of recreation and active use, such as parks, plazas, playgrounds, and sport courts.
 - “Open space, development” is that part of a lot, or any number of lots or portions thereof, brought together under one development plan for an entire parcel, other than required yards, which:
 1. Are free and clear of buildings, structures and paved areas used for automobile parking or vehicular access and to remain open and unobstructed from the ground to the sky; and
 2. Are accessible (and made available at all times) to all persons occupying a dwelling unit of the structures located on the lot.
 - “Open space, land use” as a use in Table 17.16.040 means those uses such as public parks, private parks, NGPAs, stormwater detention facilities or similar uses that provide wildlife and critical habitat, passive recreational uses, and environmental education activities that are generally free and clear of buildings, structures and paved areas used for automobile parking or vehicular access and to remain open and unobstructed from the ground to the sky.
 - “Open space, passive” means all common open space not meeting the definition of active recreational open space, including, but not limited to, critical areas and their associated buffers, and LID facilities.

Tract 999 shall either meet the definition of open space or be removed. Open space is not required for the subdivision as it is currently proposed.

Engineering Department:

Please note (#) indicates an accompanying public comment as received by the City on or before December 1, 2021. Comments received after that date will be evaluated with future submittals. (See attached documents)

General

1. The City will require all proposed easements shown on the plat, including utility easement, to include access/egress.

Drainage Report

1. Please provide a delineation of the flow paths to show the project is subject to a single threshold discharge area (TDA) as identified in the Drainage Report. If the project has more than one TDA, additional downstream analysis will be required as the proposal will not maintain the natural drainage of the property. *Public Comment No(s).: (16)*
2. Please provide a quantitative capacity analysis for the existing drainage systems. Demonstrate that each system has capacity for additional stormwater as proposed.

- a. 92nd Street SW *Public Comment No(s).*: (5)(6)(12)(15)
- b. 53rd Ave drainage ditch to Smuggler's Gulch Creek *Public Comment No(s).*: (1)(5)(6)(12)(15)
3. All drainage from "Bypass Basin" areas must be evaluated for impact on water quality and quantity. *Public Comment No(s).*: (2)(3)(4)(5)(6)(7)(8)(9)(10)(11)(12)(13)(14)(15)(16)(17)
 - a. Drainage west and south of the French drain to neighboring properties.
 - b. Drainage from the northeast corner of the property.
 - i. This area is shown on the November submittal as a bypass that sheet flows to the City's right-of-way. This stormwater must be accounted for within the private system. Please address stormwater from this area and update the Drainage Plan and Report. Evaluate capacity of storm systems as appropriate.

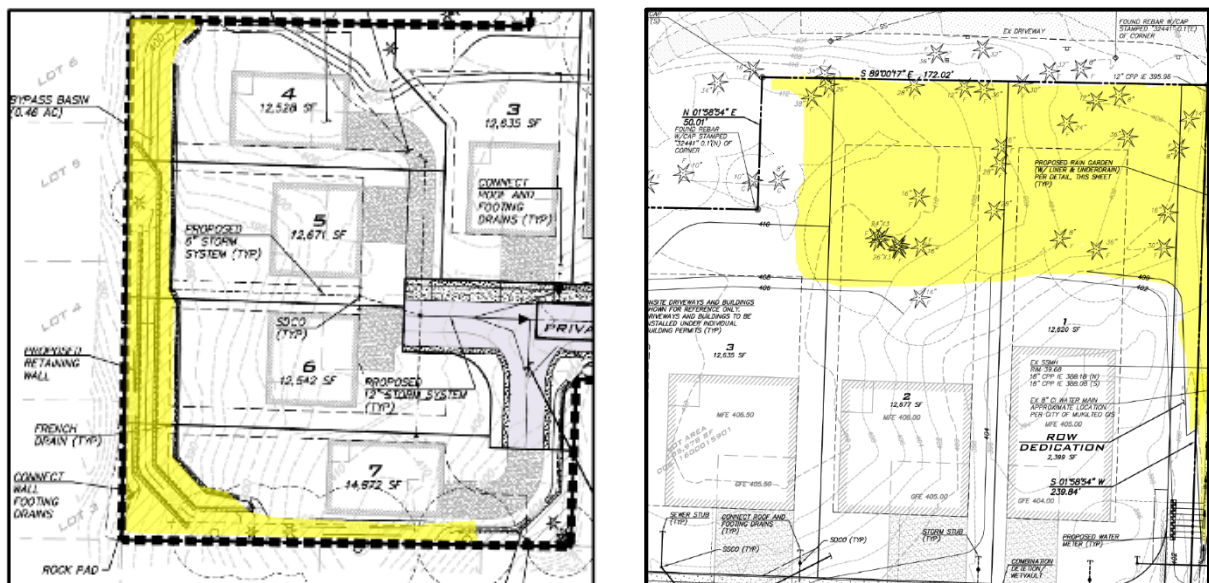


Figure 1 – Detention/Wet Vault “Bypass Basin” Areas as shown in yellow

Geotechnical Engineering Study

1. The Geotechnical Study conducted on June 21, 2021 only evaluates on site, summer conditions. Properties downhill and adjacent to the proposed project (Hargreaves Place, Surrey Lane, 92nd Street SW) have a history with surface water runoff, groundwater expression, and property flooding. Further analysis shall be required to better observe off site conditions and project impacts. As this Study was completed over summer months and reported no groundwater seepage, further evaluation shall be required to observe seasonal fluctuations. The evaluation must demonstrate how surface and ground water will move through the site to the proposed wall footing drains and assess existing and proposed conditions. *Public Comment No(s).*: (2)(3)(4)(5)(6)(7)(8)(9)(10)(11)(12)(13)(14) (15)(16)(17)

2. The Geotechnical Study - Project Description list the site as one tax parcel on 1.33 acres of land area. The Project Overview in the Drainage Report lists the project as a single 2.43-acre parcel with 0.05 acres of dedicated right-of-way, leaving 2.38-acres post-dedication. Please clarify the correct size of the project in all submittal documents. *Public Comment No(s).: (12)*
3. Drainage from stormwater “Bypass Basin” areas are not considered in the Study and must be evaluated. *Public Comment No(s).: (12)*

Civil Plans

1. Cover Sheet
 - a. Site Data section indicates the number of lots proposed as 5. Please correct this to match the 7 Lot proposal.
2. Drainage Plan
 - a. 53rd Ave W Frontage
 - i. 53rd Ave W has been identified as a far-term project on the City’s Bike Transit Walk (BTW) Plan as adopted in March 2017. The plan proposes for a 7-10’ rain garden along the west frontage of 53rd between 88th Street and 92nd Street. The current proposal does not show the rain garden along the duration of the frontage. Please include the rain garden as part of the frontage improvements or provide an alternative. *Public Comment No(s).: (16)*
 - b. Northeast Property Drainage
 - i. Drainage must not be directed to sheet flow into the City’s right-of-way/ditch. Please address stormwater from this area to the private system and update the Drainage Plan as applicable.
 - c. Retaining Wall and Footing Drains
 - i. There is not adequate dispersion or flow path for the retaining wall footing drains. The footing drains as proposed will discharge to adjacent properties. *Public Comment No(s).: (16)*
 1. A flow path between the discharge point and any property line, structure, steep slope, or other impervious surface is required or an alternative (sump pump to bypass the vault, etc.) shall be proposed. *Public Comment No(s).: (12)*
 - i. An easement that satisfies MMC 13.12.160.F.2 will be required if the flow path is built on a property owned by a different private party.
 - ii. Further evaluation is required for the retaining wall discharge area. The evaluation must account for all interflow and groundwater that will be intercepted from the entire project area and surface water from bypass area. *Public Comment No(s).: (12)*

- iii. The proposed walls and French drain span several lots and tracts. Demonstrate how will these be accessed for maintenance and provide a legal mechanism for long term maintenance. Separate tracts and/or easements may be required. *Public Comment No(s): (5)*
- iv. Please provide detailed drawings of the proposed retaining walls and drains. Per MDS 2.1.2.1-Construction of any rockery or modular block wall (retaining wall) over 4 feet in height, or a wall of any height where soil is unstable, or which supports a structural load/has a surcharge requires a clearing and grading permit. For determining a wall's height, the measurement is taken from the base/foundation of the retaining wall to the top of the wall. There is no height restriction on the height of the wall. *Public Comment No(s): (5)(2)(16)(6)(9)(11)*
- v. Portions of the proposed walls appear to be within the setback. Please verify setback requirements.

d. Combined Detention Wet Vault

- i. Per 2014 Department of Ecology SWMM access must be provided over vault inlet and outlet structures.
 - 1. Access openings must be a maximum of 50 feet from any location within the tank. Additional access points may be needed on large vaults.
 - 2. Vaults with greater than 1,250 square feet of floor area, provide a 5' by 10' removable panel over the inlet pipe.
 - 3. Vaults must comply with the OSHA confined space requirements, which includes clearly marking entrances to confined space areas.
- ii. Drawing A-A of Cell 1 Cross Section
 - 1. Inlet from CB5 is not shown.
 - 2. Flow restrictor shown on drawing refers to Sheet VT-02 for detail. This sheet is not included.
 - 3. The submerged inlet pipes from CB5, CB7 and Lots 1, 2, 3 are all at the same elevation as the top of sediment storage (389.90). Should the inlets have clearance above the top of sediment storage to prevent sediment from backing up? See Figure V-10.3.6 Wet Vault.

e. French Drain

- i. How was the French drain size calculated? Does it include capacity for groundwater/interflow? *Public Comment No(s): (5)*

3. Road Plan

- a. The Private Street standard shall follow MMC 17.54 and the 2019 Mukilteo Development Standards (MDS) 4.6.

Table 10 – Private Street Standards

	Tract or Easement Width	Travel Lanes	Parking Lanes	Planter Strip	Sidewalk	Curb & Gutter	Bike Lane	Gravel Shoulder	Total Width of Improvements
3-6 Lots	35 feet	2 – 10 foot travel lanes	8 feet on one side ¹	None	None	None	None	3 feet both sides of street	34 feet
7+ Lots	40 feet	2 – 10 foot travel lanes	8 feet on one side ¹	None	5 foot walkway on one side	None	None	3 feet both sides of street	39 feet

- b. The driveway serving Lots 4 & 5 shall meet MDS 4.6.5.5:
 - ii. Have a minimum width of 16' and a maximum width of 30'.
 - iii. Be located within a private easement or tract for ingress and egress that is at least four feet wider than the provided pavement width.
 - iv. Have a binding private maintenance covenant/agreement, reviewed and approved by the City prior to recording of the document, to provide constructive notice to subsequent purchasers of their obligation to maintain these private facilities as well as the methods to be used in maintaining the private facilities.
 - c. Centered within a private easement or tract for ingress and egress.
4. TESC Plan
- a. Please include detail drawings of the temporary sediment trap showing top and bottom elevations. *Public Comment No(s).: (6)(11)*
 - b. Please evaluate how stormwater will be managed during construction prior to the installation of the wet vault. *Public Comment No(s).: (16)*
 - c. The city will require a performance surety for the erosion control measures per MMC 13.12.170(A). Templates for performance bond, cash deposit, or frozen fund sureties are available on the Online Permit Portal at: <https://ci-mukilteo-wa.smartgovcommunity.com/Public/DocumentsView>
- 📁 Sureties

 - About Sureties
 - Letter of Credit - Surety
 - Letter of Credit - Warranty
 - Maintenance - Bond
 - Maintenance - Cash Deposit
 - Maintenance - Frozen Fund
 - Performance - Bond
 - Performance - Cash Deposit
 - Performance - Frozen Fund
5. Tree Retention Plan
- a. The tree retention plan shall show trees drawn to scale, as required in code (showing full drip line). *Public Comment No(s).: (2)(3)(5)(12)*
 - b. The tree retention plan on Sheet TR-01 indicates 5 retained trees with retaining walls built within their driplines. A tree retention plan showing any

significant trees that shall be retained or removed. The applicant shall also identify limits of full tree dripline of the canopy and limits of critical root zones. The plan shall identify measures to be taken to protect trees during construction such as fencing of trees and avoiding disturbance of critical root zones. Tree retention plans shall also identify how requirements set in Section 15.16.050C.2.a are met, when applicable.

- c. One tree (a 14" fir) is in the city's ROW and cannot be counted as retained on the property.

Engineering Items for Resubmittal

1. Revised Civil Plan set.
2. Revised Geotechnical Report.
3. Draft language for city stormwater access easement and covenant for maintenance of stormwater facilities.
4. Draft language for any private stormwater easement documents that may be necessary.
5. Documents showing maintenance responsibility for existing driveway easement.
6. Structural calculations for the stormwater wet vault (may be deferred to after Notice of Decision).
7. A hydrology report for clearing on slopes greater than 35% is required by MMC 15.16.050.C.2.b.i(b). There appears to be slopes greater than 35% along the southern perimeter of the property. The report must satisfy the requirements of MMC 15.16.060.D.6 and D7. *Public Comment No(s): (12)(16)*
8. A Stormwater Water Pollution Prevention Plan completed in accordance with the COM Development Standards and the Washington State Department of Ecology SWMM. *Public Comment No(s): (5)*
9. Documentation of a Notice of Intent from the Washington State Department of Ecology for a Construction Stormwater General Permit.

Draft Engineering Permit Conditions

1. Identification of plat maintenance responsibilities for the private road, wet vault, retaining wall, French drain, and storm infrastructure. *Public Comment No(s): (5)(6)(12)(13)(16)*
2. The City requires a performance guarantee, at a rate of one hundred fifty percent (150%) of the cost of construction, to cover the construction costs of proposed public improvements. The city will require an estimated construction cost for the ROW improvements. This estimate will be reviewed, and a performance bond will be required before permit issuance.
3. The City requires a maintenance guarantee, at a rate of fifteen percent (15%) of the construction costs for public improvements. The maintenance guarantee is required for a period of two (2) years and is for the guarantee of maintenance and operation of public improvements. The maintenance guarantee is required prior to project final approval.

4. Per Short Plat recording 9205200691 / 9205205003 there is a 20' wide by 70' long access easement to benefit lot 2 that will need to remain for access. With this easement will lot 2 be partially responsible for TRACT 998 maintenance. *Public Comment No(s): (17)*
5. Structural calculations for stormwater vault to be approved by Public Works Director.
6. The city will require an erosion control bond the document is available on the City's Online Permit Portal at: <https://ci-mukilteo-wa.smartgovcommunity.com/Public/DocumentsView/Download/4dc59d7b-6854-49ed-8643-ae1c000f46b8>

Fire Department:

1. **IFC 503.1.1 Buildings and facilities.** Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend to within 150 feet of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.
2. **IFC 503.2.1 Dimensions.** Fire apparatus access roads shall have an unobstructed width of not less than 20 feet, exclusive of shoulders, except for approved security gates in accordance with IFC Section 503.6, and an unobstructed vertical clearance of not less than 13 ft. 6 in.
3. **IFC 503.2.4 Turning radius.** A turning radius will be approved only if it is in accordance with the most recently adopted version of the City of Mukilteo's Development Standards that states; inside radius 25 feet; outside radius 45 feet. For buildings requiring aerial apparatus access the outside radius is 55 feet.
4. **IFC 503.2.5 Dead ends.** Dead-end fire apparatus access roads in excess of 150 feet in length shall be provided with an approved area for turning around fire apparatus and shall conform to the most recently adopted version of the City of Mukilteo's Development Standards. The fire code official is authorized to increase the dimension of 150 feet where building is equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3.
5. **IFC 503.2.6 Bridges and elevated surfaces.** Where a bridge or an elevated surface is part of a fire apparatus access road, the bridge shall be constructed and maintained in accordance with AASHTO HB-17. Bridges and elevated surfaces shall be designed for a live load sufficient to carry the imposed loads of fire apparatus. (This includes driving surfaces located above vaults.)
6. **IFC 507.5.1 Fire hydrants required.** Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 400 feet from a hydrant on a fire apparatus access road, as measured by an *approved* route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the *fire code official*. Buildings equipped throughout with an *approved automatic sprinkler system* the distance requirement shall be 600 feet.

7. **IFC 903.2 Automatic fire sprinklers requirement shall be determined at time of Building Permit submittal.** An approved automatic sprinkler system may be required based on proposed use and/or building design. Determination shall occur during the architectural plan review process.

Public Comments:

The City received public comments on this project and a copy of all the comments received to date are located on the city's website at <https://mukilteo.gov/harbor-grove/>.

Comments are reviewed by staff to determine whether the comment is related to a code requirement, or whether the request is above and beyond what is required by law.

In addition to the public comments, the City received comments from the following external agencies:

- Mukilteo Water and Wastewater District (MWWD)
- Snohomish County Public Utility District (SNoPUD)

These comments are also posted on the website for your review.

Next Steps:

For additional information requests, the required number of copies for resubmittal is based on the following document types:

Document Type	No. of Copies	Sheet Size
Applications	1	Original Application Size
Building Plans	2	24" x 36" (Arch D)
Reports or Analysis	2	8½" x 11" (Letter)
Site Plans/Civil Plans	2	24" x 36" (Arch D)
	3	11" x 17" (Tabloid)

In accordance with MMC 17.13.060(E), an applicant has **90 calendar days** to submit the additional information identified in this letter. Based on the date of this letter, **resubmittal will be due by (May 17, 2022)**. If the requested information is not submitted within the 90 calendar days, the application will be considered lapsed for failure to submit the necessary information in a timely manner and the file will be closed.

You may request, in writing, an extension of up to an additional 90 calendar days. No more than two 90 calendar day extensions may be permitted. A request for an extension must be submitted to the City prior to 90 calendar day the expiration period.

In addition, MMC 17.13.080(B) provides that any period during which the applicant has been requested by the city to correct plans, perform required studies or provide additional information is excluded from the number of days that have elapsed after the local government has notified the applicant that the land use development permit application is complete. The City recommends that you contact Staff with any questions, to seek clarification of comments/requests, and/or to share ideas. I will serve as project manager and contact person

for this application. If any of the items above are unclear to you, or if you would like to schedule a meeting to discuss the requests, please contact me at 425.263.8043 or lritter@mukilteo.gov.

Sincerely,

Linda Ritter

Linda Ritter
Senior Planner

Attachments: Harbor Grove Subdivision Comments – Engineering Review
Harbor Grove Public Comments RE: Drainage

pc: Project File

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