

ARIANNA PLACE PRELIMINARY SUBDIVISION
(File No. PLT-003243-2015)

Decision: On February 22, 2016, the City of Lynnwood Hearings Examiner approved with conditions the Findings of Fact and Conclusions of Law for the Arianna Place Preliminary Subdivision.

This Preliminary Subdivision is subject to compliance with all applicable provisions, requirements, and standards of the Lynnwood Municipal Code, standards adopted pursuant thereto, and the following special conditions:

1. Exhibit 3 is the contingently approved preliminary plat; Exhibits 4 and 6 are contingently approved preliminary supporting plans. The contingency on approval of the plat/plans will be automatically lifted when Boundary Line Adjustment application BLA-03244-2015 has been approved by the City and recorded as required by law. If BLA-03244-2015 has not been approved by the City and recorded as required by law, then this preliminary subdivision approval shall be null and void. Minor plat revisions are allowed pursuant to LMC 19.25.005(B).
2. Prior to initiation of site development work:
 - A. The required Class II Tree Retention Permit shall have been sought and obtained. In preparing the application for that permit the developer's arborist shall: Seek to preserve significant trees over non-significant trees; seek to preserve significant trees on the subject property that will help sustain trees on abutting properties; remove any trees that are unhealthy or would pose a safety risk after development of the subject property; identify any trees on abutting properties that would be rendered unsustainable if the subject property were cleared and graded as planned and propose steps to preserve the sustainability of such trees; and identify any trees on abutting properties whose drip lines extend onto the subject property and need to be protected to ensure their sustainability. In that regard, cuts or fills shall be held back from such trees if they would threaten the safety of the neighboring tree or render it unsustainable or, in the alternative, the developer may reach agreement with the owner of the lot on which such tree is located to remove such tree at the developer's expense. In that case, such tree shall be included in the Class II Tree removal Permit application.
 - B. The required detailed, final drainage plans shall: Include a detailed downstream analysis of the conveyance system along Spruce Way to the maximum extent required/allowed by the 2005 SWMMWW, together with required improvements as required by the 2005 SWMMWW; provide that the detention vault shall be set back from the front (Spruce Way) lot line of Parcel 1 at least 15 feet; include safety fencing around the top of the detention vault; and include landscaping around the base of the vault wall (such as "shoulder-to-shoulder" 8-foot Pyramidalis shrubs) or, if a lesser density of landscaping is contemplated, then the visible faces of the vault shall be provided with some sort of architectural treatment.
 - C. The developer shall demonstrate to the City's satisfaction that departure sight distance requirements are met at the 36th Avenue W/177th Place SW intersection. If they are not, then construction plans shall include corrections to provide compliant sight distance at that location.
 - D. The location and width of the curb cut to serve the "exception" shall meet City standards and shall be coordinated with the owner of the "exception."
3. Prior to final plat approval, the developer shall meet all conditions and requirements and provide all improvements which include:
 - A. The developer shall provide some sort of architectural treatment to the proposed segmented block wall(s). In addition, the developer shall plant evergreen climbing vines, of types and spacing recommended by a licensed landscape architect, along the bases of those wall(s).
 - B. The cul-de-sac bulb shall be signed "No Parking" using at least three (3) circle-slash-P style signs with horizontal arrows indicating where parking is not allowed. The shared mailbox enclosure must be placed within the area designated as "No Parking."
 - C. All on-site improvements associated with the proposed development shall be constructed according to City standards. These improvements include but are not limited to the proposed road, sidewalk system, and stormwater detention system. The developer must post bonds or other securities in amounts and type acceptable to the City for improvements not constructed prior to final plat approval.
 - D. A street light shall have been installed and made operational on an existing utility pole selected by the City or Public Utility District along that portion of 177th Place SW between the subject property and 36th Avenue W.

**THIS NOTICE IS NOT TO BE REMOVED, MUTILATED OR CONCEALED
BY ANY UNAUTHORIZED PERSON**

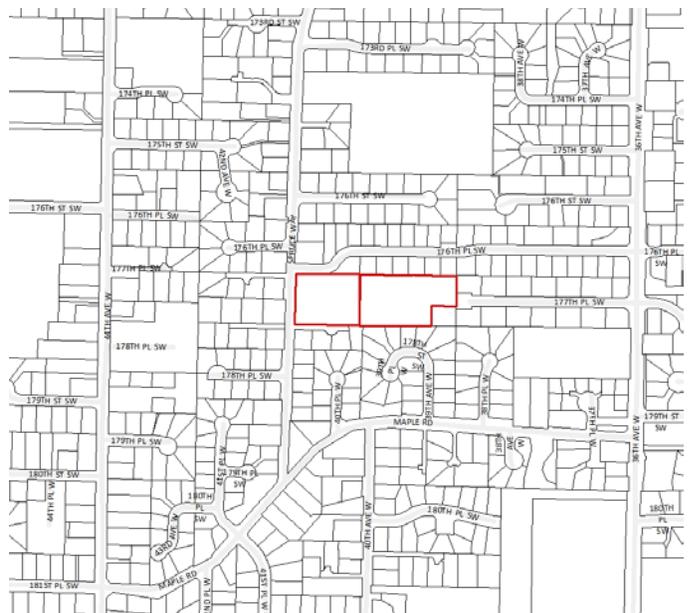
- E. An impervious five-foot wide path/walkway shall have been constructed to provide safe walking conditions for children walking to school/school bus stops. The developer may select either (or both) of two route options to fulfill this condition. Design and construction standards are subject to review and approval by the Department of Public Works.
- a. The 177th Place SW route. A walkway or sidewalk shall be provided along the north side of 177th Place SW between the east end of the sidewalk in the subdivision and the west end of the existing walkway near 36th Avenue W; OR
 - b. The Spruce Way route. A permanent pedestrian easement (10-feet or more in width) shall be created within or coterminous with one or more of the utility easements that run west, north, and west from the end of the cul-de-sac in the subdivision to 176th Place SW. (Part of this easement will be within the subdivision, part of it will encumber the abutting property to the west.) The easement shall be enclosed by a fence along its sides (open design preferred for safety) to delineate its boundaries. A five-foot impervious surface walkway shall be constructed within the easement and westerly along the south side of 176th Place SW to Spruce Way at which point the walkway shall continue south along the east side of Spruce Way to Maple Road.
4. A sign permit is required for any signage proposed as part of this development. Any sign proposed shall comply with Lynnwood Municipal Code Chapter 21.16 regulating signs.

Reconsideration: Any person who participated in the decision may file for reconsideration of the Hearing Examiner decision to Community Development Department no later than **February 29, 2016**.

Appeal. Any person who participated in the decision may appeal the Hearing Examiner decision to Superior Court by filing an appeal no later than 5:00 P.M. on **March 14, 2016**. The cost to produce any record, including a transcript of any public hearing shall be paid by the appellant. Any appeal to Superior Court must be timely filed, or is thereafter barred.

The complete decision and or findings of fact and conclusions of law are available for review at the City of Lynnwood Community Development Department located at 4114 198th Street SW, Suite 7, Lynnwood. You may contact Chanda Emery, AICP, Senior Planner at 425-670-5411 or cemery@ci.lynnwood.wa.us for more information. When requesting any information on this application please use the file number and file name indicated above.

Issued: February 22, 2016
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APPEAL PERIOD ENDS: March 14, 2016

(425) 670-5411