

July 28, 2004

Jim McDaniel

Harmsen & Associates, Inc.  
PO Box 516  
Monroe, WA 98272

Project File Number: 04-112029 SD Panther Lake Ridge Preliminary Plat of 32 lots  
Project Name: utilizing the Rural Cluster Subdivision provision of Snohomish  
Project Description: County Codes  
280603-001-004-00

Tax Account Number:

Day (120 day clock): Day  
Review:  1<sup>st</sup>  2<sup>nd</sup>  3<sup>rd</sup> Other:

Provide all requested information by July 28, 2005 to avoid expiration of this application.

Dear Mr. McDaniel:

This letter serves as our formal response to your application resubmitted on July 6, 2004. The comments provided are to apprise you of the project's regulatory completeness status, and requirements for additional information necessary to continue review of your project.

#### REQUIRED INFORMATION:

The following information is required to further evaluate your proposal, and must be submitted for the 120-day review period, to commence.

Planner Comments:

Project Manager: Ryan C. Larsen 425.388.3311 Ext. 2943

- a) The project does not meet the requirement of 30.41 C.210(2)(c), which states at least 25% of the restricted open space tract shall be accessible by all residents of the rural cluster. At least eight of the 32 lots will need to have access to restricted open space. Revise plan so that the project meets this requirement.

- b) The detention pond will need to be identified on all applicable sheets. For example, the detention pond shall be identified on Sheet P2.2.
- c) PDS will discuss other changes need to the plan set at a meeting that is scheduled for next week.
- d) As stated previously, "Snohomish County considers a cluster to be two or more lots. Lot 32 is a cluster of one which would not meet this clustering requirement of two or more lots. At the time of next submittal either demonstrate how this lot is considered to be clustered by its self or provide another lot adjacent to Lot 32." PDS does not concur with the applicant on their justification on why additional lots are not being provided adjacent to the current residence. At the time of next submittal either redesign the project to include additional lots around the existing residence or request that PDS proceed to hearing without this issue being addressed by the applicant and allow the hearing examiner to make a ruling on this issue.

### **Drainage Comments:**

Project Manager: Ken Crossman 425.388.33111 Ext. 2227

- a) The geotechnical report by Geo Engineers did not adequately address the issues of groundwater impacts to the functioning of the detention facility and the impacts to the wetlands from interception of groundwater. The report states that a static groundwater table was not encountered. A perched water table was mentioned and this is also a groundwater component that needs to be analyzed. Some of the perched water migrates on top of the hardpan and reaches the wetland. Although the wetland specialist comment that the wetland is recharged from rainfall is technically correct, some of the rainfall ends up as perched groundwater and it needs to be analyzed whether or not interception has an impact on the hydro period or functioning of the pond.

**Please see attached memo for additional information dated, July 27, 2004.**

### **Biologist Comments:**

**Reviewer: Patrick McGraner 425.388.3311 Ext. 2745**

- a) The project review has been complicated due to the multiple inconsistencies between the various submittals (critical area study and map, preliminary plan maps and the open space management plan). Tracts are depicted with different numbering, tract boundaries do not match, tract boundaries are difficult to distinguish, and lot numbering does not match. For example, the NGPA tract associated with Wetland F is referred to as 996 on the plat map but is shown as 994 in the CAS map and the OSMP. The tract boundary on both the east and west of Wetland F is not clearly or consistently depicted on the site plan and the CAS maps regardless of labeling. Similar inconsistencies exist between all three of these documents.
- b) The CAS describes the electro fishing of the on-site portion of Stream C that occurred on June 10, 2004. No fish were found during the sampling of this reach. Anecdotal

information continues to be received by PDS from adjacent property owners and other interested parties that state that fish have been seen in the stream as recently as May 2004. Staff has consulted with the lead biologist at PDS and learned of additional in-house data depicting the most updated maps of known anadromous fish use. These maps (WRIA 7 prepared by the Technical Assistance Group - TAG Team - FINAL REPORT WASHINGTON STATE CONSERVATION COMMISSION -Donald Haring -- December 2002) were subsequently checked and information regarding their origin and date was provided to Wetland Resources, Inc. The map does not show Stream C as an anadromous fish stream; however, the map does show Stream B as an anadromous fish stream. Stream B is therefore a presumed bull trout stream. A habitat management plan (HMP) is required per SCC 30.62.100 & .110. Staff has discussed citizen concerns with the applicant's consultants with regard to the fish status in Stream C and has encouraged direct communication between the applicant and the concerned citizens in an attempt to resolve differences.

- Very generally, staff concurs with the substance of the CAS and mitigation plan but
- c) notes that there are numerous discrepancies with the preliminary site plan and the OSMP as mentioned above in #1. Other minor discrepancies that need to be corrected include the dozen Type 2 NGPA signs that are shown from the north boundary between Wetland A on the east and Wetland F on the west. These NGPA signs appear to be in the middle of a proposed NGPA tract or along a shared boundary between adjoining NGPA tracts. Clarification is required as discussed in #1 above. Lots need to be renumbered consistent with the preliminary site plan. Native growth protection areas on the proposed lots (15 -25 on the CAS and 18 -25 on the preliminary site plan) need to be designated as easements on the lots and depicted as NGPA/Es.

**Please see attached memo for additional information dated, July 22, 2004.**

**Department of Public Works Comments:**

Reviewer: Andy Smith      425.388.6440

- a) Access is proposed from 163<sup>rd</sup> Avenue SE via an access road located outside of the proposed development. The applicant is proposing to dedicate the access road with the recording of the final plat. In order for the access road to be dedicated as part of the recording of the plat, the proposed road must be brought into the boundary of the proposed development. Currently, the parcels over which the road is proposed are located outside of the development. Signed letters of intent from the owners of the underlying properties that the access road will use is required prior to recommending approval. Alternatively, the applicant could create a public road at this location through the road establishment process. Road establishment is a separate process that requires between 6 months and a year to complete.

Other Information Required:

- a) A cover letter that identifies the proposed change(s) cross referenced to the staff comments outlined in this letter, is required. Be sure to include and identify any additional changes proposed as well. Please provide five (5) copies.

PLEASE NOTE: The comments above concern our preliminary review of your project. If you should decide to significantly change your design, or should we receive information not previously known, there may be a need for additional information or clarification.

**FURTHER PROJECT REVIEW:**

The 120 day review period will begin when we receive **all the information** requested in this letter. We will have 14 days from submittal to notify you if the requested information is inadequate to complete our review. The 120-day review period will commence unless you are notified otherwise.

A SEPA threshold determination will then be issued and a public hearing scheduled for your project. A decision will be issued within 120 "clock" days as counted under the county system. (For additional information regarding the 120-day clock process, please refer to Snohomish County code section 30.70.110.)

**Provide all requested information by July 28, 2005 to avoid expiration of this application.**

**APPOINTMENT REQUIRED:**

Please call Bev Pierce 425.388.3311 extension 2790, to arrange for a submittal appointment. An appointment with our Land Use Coordinator is **REQUIRED** in order to submit any new information. The resubmittal package must contain all the requested information for the package to be accepted. None of the information will be accepted if any item requested has not been addressed.

**Please be sure to provide the following number of copies:**

Plat Maps	(8)
Grading/Drainage Plans	(6)
All Reports	(5)
Cover letter	(5)

Planning and Development Services is the lead agency in reviewing your project, and we are coordinating all the different reviews to assist you with your project. While it may be helpful for you to contact individual reviewers directly to resolve issues, it is important to keep the project manager informed of your progress.

Should you have any additional questions or concerns, please do not hesitate to give me a call.

Sincerely,

Ryan C. Larsen

Senior Planner/Project Manager

Attachments: Memorandum from Ken Crossman dated July 27, 2004  
Memorandum from Patrick McGraner dated July 22,  
2004 Memorandum from Ron Tangen dated July 27,  
2004 Memorandum from Andy Smith dated July 27,  
2004

cc: Cimarron West, LLC Wayne Fjelstad, Owner Andy  
Smith, DPW  
Bev Pierce, Land Use Coordinator  
File