

Cheshire Preliminary Short Plat: Project Narrative

Project Location: 7615 East Mercer Way

Parcel Number: 3024059036

Project Description and Discussion:

The Cheshire preliminary short plat application proposes a two (2) lot subdivision of the 88,556 square foot (2.03 acre) subject property. The resulting lots will be approximately 11,154 (Lot 1) and 77,402 (Lot 2) square feet. Access to the new Lot 1 will be by a new driveway from SE 76th Street. No impacts to the onsite wetland and stream critical areas or buffers are proposed. Critical area review was previously completed as CAO16-003.

A pre-application (PRE20-012) with City staff was held on February 25. The pre-application meeting minutes are included with the preliminary short plat application. The design of the short plat has been revised and additional technical reports have been prepared since the pre-application to address staff comments. The revised preliminary plat, civil plans, technical information report, and geotechnical report are included with the preliminary short plat application.

Additionally, the Critical Area Study, dated November 2017, prepared by Watershed Company has been included with the preliminary short plat application. This Critical Area Study was reviewed and approved by the City under CAO16-003 for the previous Detached Accessory Dwelling Unit (“DADU”) project on the subject property. Because the Critical Area Study was completed and approved less than five (5) years ago, we are requesting that it be used to satisfy the MICC requirement for a critical area study for the onsite wetland, watercourse and wildlife habitat area.

We acknowledge that the Mercer Island City Code (“MICC”) critical area regulations have been amended since the Critical Area Study was reviewed and approved by the City. However, the critical areas have not been modified or otherwise changed since the Critical Area Study was approved. Additionally, the buffer enhancement mitigation for Wetland A and Watercourse A are still in the five (5) year monitoring period, so the City has been receiving monitoring reports and conducting inspections, which confirm that these critical areas have not been modified or changed.

The short plat will not result in any impacts to Wetland A, Watercourse A or the wildlife habitat area on the subject property.

- Wetland A is a Category III wetland. The approved Critical Area Study reduced the Wetland A buffer from 50 to 25 feet through buffer enhancement under the previous critical area regulations. The current critical area regulations require Category III wetland buffers from 60 to 110 feet, depending on the wetland habitat score per MICC 19.07.190.C.1. All site disturbing activity on proposed Lot 1 will be a minimum of 180 feet from the delineated edge of Wetland A. This exceeds the maximum buffer width for a Category III wetland of 110 feet by 64%..

- Watercourse A is an Type Np watercourse. The approved Critical Area Study reduced the Watercourse A buffer from 50 to 25 feet through buffer enhancement under the previous critical area regulations. (Note that the watercourse classification under the previous critical area regulations was Type 2). The current critical area regulations require Type Np watercourse buffers of 60 feet, per MICC 19.07.180.C.1. The 60 foot Type Np watercourse buffer and the 10 foot building setback from the edge of the buffer have been included on Lot 1, and all future development of Lot 1 will comply with the current watercourse regulations.
- Other than Wetland A and Watercourse A, the fish and wildlife habitat conservation area on the subject property is based on a portion of the property being within 660 feet of a bald eagle nesting site. The entirety of Lot 1 is outside of the 660 foot radius from the nesting site. No site disturbing activities resulting from the short plat will occur within the 660 foot radius.

The Geotechnical Report, dated May 12, 2020, prepared by Terra Associates addresses all onsite geologically hazardous areas, including erosion hazard areas, landslide hazard areas, and seismic hazard areas. The Geotechnical Report analyzes all criteria for these critical areas pursuant to MICC 19.07.160 and makes recommendations for development of Lot 1 to mitigate potential impacts and to ensure the public health, safety and welfare.

The Tree Report, dated February 6, 2020, prepared by ABC Consulting Arborists assesses the health and viability of all trees that could be impacted by the short plat. There are 31 trees 6” and greater DBH within and surrounding the boundaries of Lot 1. Of these 31 trees, 9 were not viable for retention per the arborist’s analysis and will be removed. Of the remaining 22 trees, 9 conflict with improvements required for the short plat and will be removed. Thirteen (13) trees will be retained, 10 of which are greater than 10” DBH. To mitigate the impacts of the viable trees required to be removed for the short plat, 21 trees will be planted. Existing native vegetation will be retained wherever feasible, including the entirety of the 60 foot buffer of Watercourse A. The proposed tree protection and retention plan complies with all applicable requirements of MICC Chapter 19.10.

Compliance with Subdivision Design Standards:

The following is an analysis of how the preliminary short plat complies with the Subdivision Design Standards (MICC 19.08.030):

A. *Compliance with Other Laws and Regulations.* The proposed subdivision shall comply with all other chapters of this title; the Shoreline Management Act; and other applicable city, state, and federal legislation.

Response: The preliminary short plat will comply with all applicable provisions of the Unified Development Code (MICC Title 19), the SMA, and other City, state and federal regulations.

B. Public Improvements.

1. The subdivision shall be reconciled as far as possible with current official plans for acquisition and development of arterial or other public streets, trails, public buildings, utilities, parks, playgrounds, and other public improvements.
2. If the preliminary plat includes a dedication of a public park with an area of less than two acres and the donor has designated that the park be named in honor of a deceased individual of good character, the city shall adopt the designated name.

Response: The preliminary short plat is adequately served by existing public streets, trails, public buildings, utilities, parks, playgrounds, and other public improvements. East Mercer Way and SE 76th Street serve the project site, and these existing public streets meet applicable City standards and have sufficient capacity to serve the short plat. All impacts to public improvements will be mitigated by construction of required plat improvements and payment of transportation, park and school impact fees prior to issuance of a building permit for Lot 1.

C. Control of Hazards.

1. Where the project may adversely impact the health, safety, and welfare of, or inflict expense or damage upon, residents or property owners within or adjoining the project, other members of the public, the state, the city, or other municipal corporations due to flooding, drainage problems, critical slopes, unstable soils, traffic access, public safety problems, or other causes, the city council in the case of a long subdivision, or the code official in the case of a short subdivision, shall require the applicant to adequately control such hazards or give adequate security for damages that may result from the project, or both.
2. If there are soils or drainage problems, the city engineer may require that a Washington registered civil engineer perform a geotechnical investigation of each lot in the project. The report shall recommend the corrective action likely to prevent damage to the areas where such soils or drainage problems exist. Storm water shall be managed in accordance with Chapter [15.09](#) MICC and shall not increase likely damage to downstream or upstream facilities or properties.
3. Alternative tightline storm drains to Lake Washington shall not cause added impact to the properties, and the applicant shall submit supportive calculations for storm drainage detention.

Response: The preliminary short plat application includes a Geotechnical Report dated May 12, 2020, prepared by Terra Associates addresses all onsite geologically hazardous areas, including erosion hazard areas, landslide hazard areas, and seismic hazard areas. The Geotechnical Report analyzes all criteria for these critical areas pursuant to MICC 19.07.160 and makes recommendations for development of Lot 1 to mitigate potential impacts and to ensure the public health, safety and welfare.

Additionally, the preliminary short plat application includes a Technical Information Report (“TIR”) dated June 2, 2020, prepared by CORE Design Inc. that provides an analysis of required drainage improvements to serve the short plat. The TIR includes a downstream analysis of existing stormwater facilities to ensure that no damage will occur as a result of the short plat.

D. *Streets, Roads and Rights-of-Way.*

1. The width and location of rights-of-way for major, secondary, and collector arterial streets shall be as set forth in the comprehensive arterial plan.
2. Public rights-of-way shall comply with the requirements set out in MICC [19.09.030](#).
3. Private access roads shall meet the criteria set out in MICC [19.09.040](#).
4. Streets of the proposed subdivision shall connect with existing improved public streets, or with existing improved private access roads subject to easements of way in favor of the land to be subdivided.

Response: The preliminary short plat is adequately served by existing public streets. East Mercer Way and SE 76th Street serve the project site, and these existing public streets meet applicable City standards and have sufficient capacity to serve the short plat. No new public or private roads are required or proposed to serve the short plat.

E. Residential Lots.

1. The area, width, and depth of each residential lot shall conform to the requirements for the zone in which the lot is located. Any lot which is located in two or more zones shall conform to the zoning requirements determined by the criteria set out in MICC [19.01.040\(G\)\(2\)](#).
2. Each side line of a lot shall be approximately perpendicular or radial to the center line of the street on which the lot fronts.
3. The proposed subdivision shall identify the location of building pads for each proposed lot per MICC [19.09.090](#). No cross-section dimension of a designated building pad shall be less than 20 feet in width.
4. The proposed subdivision shall incorporate preferred development practices pursuant to MICC [19.09.100](#) where feasible.
5. The proposed subdivision shall be designed to comply with the provisions of Chapter [19.10](#) MICC.

Response: The lots created by the preliminary short plat will conform to all applicable development and dimensional standards of the R9.6 zone. Given site constraints, the configuration of the parent lot, and the existing public rights-of-way, all lot lines of the short plat are approximately perpendicular or radial to the centerline of East Mercer Way and SE 76th Street. The building envelope for Lot 1 is identified on the civil plans of the preliminary short plat, and all dimensions of the building envelope exceed 20 feet.

The preliminary short plat incorporates the preferred development practices of MICC 19.09.100 to the greatest extent feasible. Because of the topography of the parent lot, a shared access drive is not feasible. The design of the short plat and the development of Lot 1 avoid impacts to onsite critical areas and buffers. Retaining walls will be designed to minimize grading on Lot 1 to the

greatest extent feasible through design and use of the single family residence's foundation to retain cut slopes.

The Tree Report, dated February 6, 2020, prepared by ABC Consulting Arborists assesses the health and viability of all trees that could be impacted by the short plat. To mitigate the impacts of the viable trees required to be removed for the short plat, 21 trees will be planted. Existing native vegetation will be retained wherever feasible, including the entirety of the 60 foot buffer of Watercourse A. The proposed tree protection and retention plan complies with all applicable requirements of MICC Chapter 19.10.

Compliance with Comprehensive Plan:

The preliminary short plat complies with, and substantively implements, the following goals and policies of the Mercer Island Comprehensive Plan:

Land Use Goals and Policies:

Goal 15: Mercer Island should remain principally a low density, single family residential community.

Policy 15.2: Residential densities in single family areas will generally continue to occur at 3 to 5 units per acre, commensurate with current zoning.

Response: The preliminary short plat is an infill development at a density that is consistent and compatible with the surrounding residential neighborhood, given the topographic and critical area constraints of the parent lot.

Goal 16: Achieve additional residential capacity in single family zones through flexible land use techniques and land use entitlement regulations.

Policy 16.5: Infill development on vacant or under-utilized sites should occur outside of critical areas and ensure that the infill is compatible with the surrounding neighborhoods.

Policy 18.3: New development should be designed to avoid increasing risks to people and property associated with natural hazards.

Policy 18.4: The ecological functions of watercourses, wetlands, and habitat conservation areas should be maintained and protected from the potential impacts associated with development.

Response: The preliminary short plat is designed to avoid impacts to the onsite wetland, watercourse, and fish and wildlife habitat conservation areas and associated buffers. This preserves and protects the function and values of these environmentally critical areas.

The preliminary short plat assesses all onsite geologically hazardous areas, including erosion hazard areas, landslide hazard areas, and seismic hazard areas. The preliminary short plat has been designed and will be constructed to comply with all standards for these critical areas, to mitigate potential impacts, and to ensure the public health, safety and welfare.

Housing:

Policy 1.2: Promote single family residential development that is sensitive to the quality, design, scale and character of existing neighborhoods.

Policy 2.7: Encourage infill development on vacant or under-utilized sites that are outside of critical areas and ensure that the infill is compatible with the scale and character of the surrounding neighborhoods.

Response: The preliminary short plat is designed to be consistent and compatible with the surrounding residential neighborhood. The preliminary short plat is an infill development that adds additional compatible density to the project site while avoiding impacts to critical areas and respecting the existing scale and character of the built environment.