Council Meeting Date: July 16, 2001 **Agenda Item: 6(a)**

CITY COUNCIL AGENDA ITEM

CITY OF SHORELINE, WASHINGTON

AGENDA TITLE: Adoption of Resolution No.173, Approving the Final Plat for Paramount Ridge at 15440 and 15450 10th Avenue NE
DEPARTMENT: Planning and Development Services Department
PRESENTED BY: Tim Stewart, Director of Planning and Development Services
Daniel Bretzke, Project Engineer

EXECUTIVE / COUNCIL SUMMARY

The decision before your Council is the approval of Paramount Ridge final plat (long subdivision) proposed by Creative Construction, for the property located at 15440 and 15450 10th Avenue NE. The proposal would create from two lots, totaling 1.6 acres, nine lots and construction of seven new detached single family homes. The lot sizes range from 5,007 square feet to 9,130 square feet. (See Attachment A, corrected July 6, 2001). The zoning of these lots is Residential 6-units per acre (R-6) and the minimum lot size in effect in 1998 when this application was determined to be complete is 5,000 square feet.

Your Council approved the subject preliminary plat on January 25, 1999. Your approval followed a public hearing held by the Planning Commission on July 30, 1998. The Planning Commission's recommendation for approval was subject to nine conditions, which are listed later in this report. On September 22, 1998 the Paramount Park Neighborhood Group filed a timely appeal of both the Planning Commission's recommendation and the SEPA Mitigated Determination of Non-Significance (MDNS) issued for the proposal. A closed record hearing on both the Planning Commission's recommendation and the SEPA determination was held by the City of Shoreline Hearing Examiner on December 24, 1998. The Hearing Examiner upheld the SEPA MDNS issued by the City. The Hearing Examiner recommended changes to one of the conditions of approval as well as four additional conditions, which are listed later in this report. Your Council adopted the Hearing Examiner's recommendations.

One of the most contentious issues was the potential impact of stormwater from this proposed development on the downstream stormwater system. This issue was addressed by conditions in the Preliminary Plat Approval (Condition #11). The conditions of the preliminary plat required that an analysis be done (Condition #10) and that:

> If the results of the downstream stormwater management system analysis (SEPA Condition: Stormwater 2.A) shows that there is not adequate capacity, or if the public easement for drainage facilities cannot be obtained and the preliminary subdivision is redesigned such that the number of lots is reduced or substantially reconfigured, or the on-site drainage system is modified, or the extent of

vegetation to be retained is reduced, the preliminary approval shall be remanded to the Planning Commission for further consideration at a public hearing and recommendation to the City Council (Condition #11).

The downstream analysis did show a stormwater capacity problem. In response, the applicant proposed an off-site mitigation plan to provide additional stream course, wetland enhancement, and additional flood prevention. The off-site mitigation plan proposed use of nearby Paramount Park for the off site improvements. This plan was reviewed by the City of Shoreline City Engineer and Director of Parks, Recreation, and Cultural Services, but was not accepted. The City did not accept this proposal based on the decision that a more comprehensive solution to flooding problems in the area should be evaluated and implemented as part of the City's Capital Improvement Program. This proposal was rejected because it required use of park property without a public benefit in terms of reducing flooding problems in the area.

The applicant then resubmitted engineering plans to address Condition #11. (Note: the correct plans, date stamped July 6, 2001 are included in Attachment B).These plans provided a 100-year storm detention system on-site to mitigate downstream capacity problems. Staff finds that although the on-site drainage system has been modified by increasing its size to accommodate a 100 year storm, the modification would not be sufficient to warrant remand back to the Planning Commission. The larger system is still contained within the access tract. The modification does not alter the final plat in any other respect. There is no change in the number of lots or the lot configuration. The vegetation to be retained has not been reduced.

The final plat documents have been reviewed by staff and show that conditioning on the final plat, and financial guarantees have satisfied all of the conditions of preliminary approval (See Attachment B). All required site development including utility and drainage improvements, road and pedestrian improvements, and landscaping improvements have been guaranteed with a performance bond, with improvements to be completed within two years of final plat approval.

OPTIONS

1. Approval of the Final Plat. "If the City Council finds that the public uses and interest will be served by the proposed formal subdivision and that all requirements of the preliminary approval in the Code have been met, the final formal plat shall be approved and the Mayor shall sign the statement of the City Council approval on the final plat." (SMC 20.30.450 C)
2. If Your Council finds that all of the requirements of the preliminary plat have not been met, then the final plat should be remanded to the Planning Commission for further consideration at public hearing and recommendation to your Council.

RECOMMENDATION

Staff recommends approval of the nine (9) lot final plat of Paramount Ridge at 15440 and 15450 10th Avenue NE by the adoption of Resolution No. 173, with authorization of the Mayor and Planning and Development Services Director to sign the final plat.

Approved By: City Manager KB City Attorney

BACKGROUND / ANALYSIS

(1) Summary Information

Project Address:	15450 and 15440 10th Avenue NE
Zoning:	R-6 Residential (Six (6) dwelling units per acre)
Property Size:	69,485 Square Feet (1.595 Acres)
Number of Proposed Lots:	Nine (9) residential lots, one access tract.
Proposed Lot Size:	Lot 1: 9,130 Sq. Ft., Lot 2 -8,412 Sq. Ft., Lot 3: 5,028 Sq. Ft. Lot 4: - 5,134 Sq. Ft., Lot 5: - 7,474 Sq. Ft., Lot 6-8,008 Sq. Ft., Lot 7: 5,203 Sq. Ft., Lot 8: 5,522 Sq. Ft., Lot 9: 5,587 Sq. Ft.
Comprehensive Plan Designation:	Low Density Residential
Subdivision:	Paramount Park
Application No.:	2000- 2028
Applicant:	Creative Construction
Property Owner:	Creative Construction

(2) Review Process

Action	Review Authority	Appeal Authority and Decision – Making Body
Preliminary Long Plat (Subdivision)	Planning Commission – Public hearing: December 9,1998 Recommendation for approval to the City Council	City Council – Public Meeting: January 25, 1999 Decision: Preliminary Subdivision Approval
Final Long Plat (Subdivision)	Director – Recommendation of approval to the City Council	City Council – Public Meeting: July 16, 2001 Decision: Final Plat Approval

This application was noticed as complete prior to the adoption of SMC Title 20 in June of 2000. Therefore, this application was reviewed under the development regulations in effect prior to June of 2000, SMC Title 18. The preliminary subdivision approval process required formal public notification of the proposal, followed by an open record public hearing in front of the Planning Commission. The Planning Commission recommended that the Council approve the preliminary long plat with conditions. After holding a second public meeting, the Council, on January 25, 1999, took action to approve the preliminary long plat consistent with the Planning Commission recommendations as modified by the Hearing Examiner.

Site development engineering plans were created to show how the subdivision will comply with the preliminary approval mitigation measures, conditions of approval, and

Development Code requirements. The Planning and Development Services Department reviewed the site development plans. Necessary corrections to the plans were made before approval of the site development plan. After all inspection and plan review fees have been completed and paid, a site development permit could be issued. This permit authorizes the developer to fulfill the preliminary approval requirements, such as the installation of site utilities and roads. However, a preliminary plat approval condition requires the final plat to be approved before site development work begins. Therefore, the site development work must be guaranteed by performance bonds or other surety. These financial guarantees assure that the construction as shown on the site development plans will be constructed. The applicant has given the City of Shoreline the applicable financial guarantees.

The final plat is the final document that actually creates the new lots of a new subdivision. The final plat must be reviewed, approved, all taxes paid, and recorded, before any lots are sold, or building permits for the new lots issued. Staff reviewed the final subdivision, and verified that all conditions of the preliminary approval have been fulfilled. Based upon this review, the Director recommends approval of the proposed final plat.

(3) Procedural History

On January 25, 1999 your Council reviewed and approved this preliminary subdivision subject to the following conditions.
(*The compliance with each condition is stated in italic.):*

1. No vegetation shall be removed from the proposed lots or access tract until final plat approval has been obtained and all construction plans have been reviewed by the City of Shoreline and a Site Development Permit has been issued. The site Development Permit will include an erosion control plan, vegetation management plan and vegetation restoration plan. Vegetation on individual lots shall not be removed until a building permit is approved.

   The site development plans show two limits of clearing. The first limit of clearing is sufficient to allow the construction of the road in the access tract. A condition of the site development permit restricts the removal of vegetation until the final plat is approved.

2. The applicants shall widen the existing 10th Avenue NE road surface by paving from the platted centerline to the edge of the planting strip required under 3 (below).

   The engineering plans included paving of the gravel shoulder approximately 18 additional feet. The construction of this road is guaranteed by a performance bond.

3. The applicants shall construct a five feet wide sidewalk and a six feet wide planter strip immediately adjacent to the western property boundary for the lengths of Lots 1 and 2 of the proposed plat.

   The engineering plans included the design of the sidewalk and landscape strip. A performance bond guarantees the construction of the sidewalk.

4. Consistent with the road standards, the applicant may modify the design of the access tract by eliminating the proposed sidewalk on its western side.

   The engineering plans have been modified.

5. Prior to the submission of any application for final approval of the subdivision, the applicants shall submit proof of a legal public easement allowing the construction of stormwater conveyance facilities from the project site to the 12th Avenue NE stormwater collection system. The easement shall be approved by the City of Shoreline Public Works Department.

   The applicant has purchased the adjoining property. On this property is a drainage system which was installed by King County. This system drains in a prescriptive easement to the drainage system in 12th Avenue NE. The applicant will dedicate the portion across their property as a public drainage easement before issuance of the site development permit. The City Attorney and the Shoreline Public Works Department have approved this easement.

6. Road improvements required, as subdivision conditions 2 and 3, shall be designed to direct stormwater flows into the required planter strip.

   The required road improvements will be directed to the storm drainage system located in the required planter strip.

7. Fire sprinkler systems shall be installed in each house built on lots 3 through 9 of the proposed subdivision.

   The following condition is placed on the final plat document:
   "All new residences constructed in this plat shall install a fire sprinkler, designed in accordance with standard NFPA 13D."

8. The water main system serving the proposed subdivision shall be resized to use either a minimum pipe diameter of 8" for a dead end system or a minimum pipe diameter of 6" for a looped system.

   An eight-inch water main plan has been submitted to City of Seattle Water Department for plan review and permit. A bond for the installation is required by the City of Seattle Water Department for placement of the water main.

9. Prior to final plat approval, the applicant must establish a homeowners association or other entity that will be responsible for the maintenance and repair of all commonly owned facilities such as sidewalks, the private road, and landscaping installed as part of the subdivision. The duties and responsibilities for the maintenance and repair of the commonly owned facilities shall be set forth in covenant, conditions and restrictions which must be reviewed and approved by the City and recorded with the King County Auditor.

   Conditions for maintenance of privately owned facilities are shown on the face of the plat as follows:

"A Homeowners Association shall be established and Covenants and Restrictions shall be recorded with the recording of the approved final plat. All owners of lots in this plat shall provide for the maintenance and repair of all commonly owned facilities, such as sidewalks, the private road, drainage detention and conveyance system, and landscaping as installed as a part of this subdivision."

The four additional conditions recommended by the Hearing Examiner are the following:

10. As part of the analysis of the downstream stormwater management system required as a SEPA mitigation measure (Stormwater 2.A), in addition to capacity, the analysis should evaluate impacts of the increased total amount of water which will be discharged due to increased impervious surface and reduced vegetation. Recommendations for an ongoing monitoring program, if appropriate, shall be made.

    A downstream analysis prepared by David Dougherty, P.E. indicated the area of flooding was in the open channel section of the downstream system, which lies between 12th Avenue NE and Paramount Park. The project had proposed to make improvements to the system in the park to redirect flows so as to enhance the natural aspects of the Paramount Park corridor and to minimize flooding and erosion problems. However, the access to the park areas wherein improvements were proposed was denied by the City of Shoreline. Therefore, on-site detention for up to the 100-year storm is proposed to mitigate the capacity problems. Due to the measures proposed, no downstream properties or drainage system should be significantly affected by this project.

11. If the results of the downstream stormwater management system analysis (SEPA Condition: Stormwater 2.A) shows that there is not adequate capacity, or if the public easement for drainage facilities cannot be obtained and the preliminary subdivision is redesigned such that the number of lots is reduced or substantially reconfigured, or the on-site drainage system is modified, or the extent of vegetation to be retained is reduced, the preliminary approval shall be remanded to the Planning Commission for further consideration at a public hearing and recommendation to the City Council.

    The downstream stormwater management system shows that there is a capacity problem where the stormwater flows from 12th Avenue into the channel of Little Creek. Therefore, the Engineering Plans for the final plat show an enlarged on-site detention facility designed to detain up to the 100-year storm event.

    In compliance with the above condition, the applicant secured access to a public drainage facility by purchasing an adjacent property, which includes a King County installed drainage system. This system has been dedicated to the City of Shoreline as a public drainage easement. This system drains into a downstream system, which has prescriptive drainage rights. This system has been evaluated to assure there is not a capacity problem.

    The subdivision has not been modified such that the lots are reduced or substantially reconfigured. The on-site drainage system has simply been

enlarged to accommodate the detention of storm flows up to the 100 year storm event. The enlargement of the on-site storm system is located in the access tract and will not reconfigure or reduce the number of lots, or reduce the amount of vegetation retained. Therefore, this condition has been met. Therefore, Staff believes it is not necessary to remand the preliminary approval to the Planning Commission.

However, if your Council has reason to believe that this condition has not been met, the plat should be remanded back to the Planning Commission for further review and a recommendation.

12. In addition to the mitigation measures included in the MDNS (SEPA Condition–Earth 1.A) and made in the soils analysis of the subject property prepared by Geotech Consultants, Inc., and dated June 16, 1998, add the recommendation that a representative of Geotech Consultants, Inc., observe the footing excavations during construction to verify that suitable soil is exposed. Further, they should provide a written report with their findings and recommendations to the City of Shoreline.

    The following condition is placed on the engineering plans and the final plat:

a. *A representative of Geotech Consultants, Inc., or another qualified geotechnical consultant shall observe the footing excavations during construction to verify that suitable soil is exposed. A written report with their findings and recommendations shall be submitted to the City of Shoreline.*
b. *The steep fill slope located in the northwest corner of lot 5 shall be regraded to an inclination of no steeper than 2:1 vertical for appropriate long-term stability.*
c. *All bare areas should be revegetated or mulched with straw to reduce erosion until permanent landscaping and vegetation are in place.*
d. *A silt fence shall be erected along the downslope sides of the development area.*
e. *The storm drainage system for the proposed street shall be installed and functional early in the development process.*
f. *No fill or debris from the clearing or excavation should be placed on the downslope sides of the houses, unless property retained by an engineered wall.*
g. *Temporary slopes cannot be excavated at a grade for more than 1:1.*
h. *All permanent cuts into native soil, not protected by a rockery or retaining wall, shall be inclined no steeper than 2:1*
i. *Water shall not be allowed to flow uncontrolled over the top of any slope.*
j. *All permanently exposed slopes shall be seeded with an appropriate species of vegetation to reduce erosion and improve the stability of the surficial layer of soil.*

13. As a supplement to the SEPA mitigation measures contained in item 3 of the MDNS (Plants/Land Use/Aesthetics, items A, B and C), all vegetation will be retained in the required 20 feet buffer areas, not just trees over 12 inches in diameter, but also trees under 12 inches in diameter, understory and ground cover. Adequate setbacks for clearing and grading and construction of buildings will be provided to assure that vegetation in the entire 20 feet buffer is protected. Where it is necessary that public drainage and utilities cross the buffer area, they shall be located in such a manner

as to minimize their impact on the buffer, particularly significant trees, and disturbed areas shall be replanted according to City standards.

All trees and vegetation in the 20 feet wide tree and landscape area as shown on the face of the final plat shall be retained. Removal of dangerous trees and vegetation enhancement of this area may occur with the approval of the City of Shoreline, and per the approved vegetation and management and restoration plan.

SEPA Conditions

The following SEPA conditions were issued with Mitigated Determination of Non-significance dated June 29, 1998. The compliance with each condition is shown in italics.

1. Earth

A. The applicant shall comply with the following recommendations in the soil analysis report of the subject property prepared by Geotech Consultants Inc. and dated June 16, 1998.

1. The steep fill slope located in the northwest corner of lot 5 shall be regraded to an inclination of no steeper than 2:1 vertical for appropriate long-term stability.
2. All bare areas should be revegetated or mulched with straw to reduce erosion until permanent landscaping and vegetation are in place.
3. A silt fence should be erected along the downslope sides of the development area.
4. The storm drainage system for the proposed street should be installed and functional early in the development process.
5. No fill or debris from the clearing or excavation should be placed on the downslope sides of the houses, unless properly retained by an engineered wall.
6. Temporary slopes cannot be excavated at a grade of more than 1:1.
7. All permanent cuts into native soil should be inclined no steeper than 2:1.
8. Water should not be allowed to flow uncontrolled over the top of any slope.
9. All permanently exposed slopes should be seeded with an appropriate species of vegetation to reduce erosion and improve the stability of the surficial layer of soil.

These conditions have been included as conditions on the face of the final plat and engineering plans.

B. In addition to re-grading the fill slope located on Lot 5 of the proposal in accordance with the recommendations made by Geotech Consultants, Inc., the applicant shall plant the slope with suitable native vegetation.

The applicant shall revegetate this area as specified in the Vegetation Restoration plan as specified in the September 30, 2000 report by HortEcology.

2. Stormwater

A. Prior to submission of an application for final plat approval, the applicant shall submit an analysis of the downstream stormwater management system. The analysis shall determine whether sufficient system capacity exists to safely accommodate the runoff flows to be generated by lots 5 and 6 of the proposal and make recommendations for these flows based on its findings.

A downstream analysis prepared by David Dougherty, P.E. indicated the area of flooding was in the open channel section of the downstream system, which lies between 12th Avenue NE and Paramount Park. By increasing the on site detention system to detain up to the 100 year storm event, this project will not be affecting the capacity problem.

B. Prior to placing any fill on the slope surcharging the existing rockery wall in the southeast corner of the subject property, the applicant shall place a footing drain at the base of the rockery. This drain shall feed into a dedicated catch basin, which should then connect to the existing storm drainage system.

The engineering plans do not propose to place any fill on the slope. This condition is being placed on the engineering plans and the final plat document.

3. Plant/ Land Use /Aesthetics

A. Prior to the submission of an application for final plat approval, the applicant shall submit a plan that provides for the preservation of all significant trees (12" or greater trunk diameter at breast height located outside of identified access road, driveway and building footprints.

The engineering plans provide Grading and Temporary Erosion and Sedimentation Control plan which shows two stages of site clearing. The first stage is limited to the clearing of the access road. The second stage is for individual lot clearing. The plans show limits of clearing preserving the significant trees outside building footprints and driveways.

B. The applicant shall include with the plan required under 3A, above a written report identifying specific protection methods to be used for each identified tree during and after site clearing and development.

Tony Shoffner, a Certified Arborist, prepared a report with the company of HortEcology. This report addressed the following:

1. Recommendations for the development of each of the lots as to the minimum setback from the required 20 feet buffer,
2. A table with specific recommendations for the protection of trees on each lot.
3. Recommendations for removing by hand, non-native understory and ground cover plants within the 20 feet wide no clear area (buffer), and the planning of appropriate native plants for partially shaded and well drained conditions. This will include a table listing the existing non-native/ invasive plants within each lot.
4. Recommendation for the restoration of any area of the site disturbed by grading and site activities, incorporating native planting to provide water retention and wildlife functions and values.

The following conditions are placed on the engineering plans and the final plat. These conditions shall apply to any building permit issued:

"All trees and vegetation in the required 20 feet wide tree and landscaping buffer area as shown on the face of the plat, shall be retained. Removal of dangerous trees and

vegetation enhancement of this area may occur with approval of the City of Shoreline, and as outlined in the September 30, 2000 Vegetation Management and Restoration Plan prepared by HortEcology."

OPTIONS

1 Approval of the Final Plat. "If the City Council finds that the public uses and interest will be served by the proposed formal subdivision and that all requirements of the preliminary approval in the Code have been met, the final formal plat shall be approved and the Mayor shall sign the statement of the City Council approval on the final plat." (SMC 20.30.450 C)

2 If Your Council finds that all of the requirements have not been met, then the final plat should be remanded to the Planning Commission for further consideration at public hearing and recommendation to your Council.

RECOMMENDATION

Staff recommends approval of the nine (9) lot final plat of Paramount Ridge at 15440 and 15450 10th Avenue NE by the adoption of Resolution No. 173, with authorization of the Mayor and Planning and Development Services Director to sign the final plat.

ATTACHMENTS

Attachment A:	Final Plat Drawings including a revision date stamped July 6, 2001
Attachment B:	Engineering Plans including revisions date stamped July 6, 2001
Attachment C:	Vicinity Map
Attachment D:	Resolution No. 173
Attachment E:	June 11 Poulin Letter
Attachment F:	June 18 Sievers Letter

ATTACHMENT A

FINAL PLAT

ATTACHMENT A

PARAMONT PARK

SECTION 17, T.26N., R4E., W.M.
CITY OF SHORELINE
KING COUNTY, WASHINGTON

DEDICATION

KNOW ALL PEOPLE BY THESE PRESENTS THAT WE, THE UNDERSIGNED OWNERS OF INTEREST IN THE LAND HEREBY SUBDIVIDED, HEREBY DECLARE THIS PLAT TO BE THE GRAPHIC REPRESENTATION OF THE SUBDIVISION MADE HEREBY, AND DO HEREBY DEDICATE TO THE USE OF THE PUBLIC FOREVER, ALL STREETS AND AVENUES NOT SHOWN AS PRIVATE HEREON, AND DEDICATE THE USE THEREOF FOR ALL PUBLIC PURPOSES NOT INCONSISTENT WITH THE USE THEREOF FOR PUBLIC HIGHWAY PURPOSES, AND ALSO THE RIGHT TO MAKE ALL NECESSARY SLOPES FOR CUTS AND FILLS UPON THE LOTS SHOWN THEREON IN THE ORIGINAL REASONABLE GRADING OF SAID STREETS AND AVENUES, AND FURTHER DEDICATE TO THE USE OF THE PUBLIC ALL THE EASEMENTS AND TRACTS SHOWN ON THIS PLAT FOR ALL PUBLIC PURPOSES AS INDICATED THEREON, INCLUDING BUT NOT LIMITED TO PARKS, OPEN SPACE, UTILITIES AND DRAINAGE, UNLESS SUCH EASEMENTS OR TRACTS ARE SPECIFICALLY IDENTIFIED ON THIS PLAT AS BEING DEDICATED OR CONVEYED TO A PERSON OR ENTITY OTHER THAN THE PUBLIC, IN WHICH CASE WE DO HEREBY DEDICATE SUCH STREETS, EASEMENTS OR TRACTS TO THE PERSON OR ENTITY IDENTIFIED AND FOR THE PURPOSE STATED.

FURTHER, THE UNDERSIGNED OWNERS OF THE LAND HEREBY SUBDIVIDED, WAIVE FOR THEMSELVES, THEIR HEIRS AND ASSIGNS, AND ANY PERSON OR ENTITY DERIVING TITLE FROM THE UNDERSIGNED, ANY AND ALL CLAIMS FOR DAMAGES AGAINST THE CITY OF SHORELINE, ITS SUCCESSORS AND ASSIGNS WHICH MAY BE OCCASIONED BY THE ESTABLISHMENT, CONSTRUCTION OR MAINTENANCE OF ROADS AND/OR DRAINAGE SYSTEMS WITHIN THIS SUBDIVISION OTHER THAN CLAIMS RESULTING FROM INADEQUATE MAINTENANCE BY THE CITY OF SHORELINE.

FURTHER, THE UNDERSIGNED OWNERS OF THE LAND HEREBY SUBDIVIDED, AGREE FOR THEMSELVES, THEIR HEIRS AND ASSIGNS, TO INDEMNIFY AND HOLD THE CITY OF SHORELINE, ITS SUCCESSORS AND ASSIGNS, HARMLESS FROM ANY DAMAGE, INCLUDING ANY COSTS OF DEFENCE, CLAIMED BY PERSONS WITHIN OR WITHOUT THIS SUBDIVISION TO HAVE BEEN CAUSED BY ALTERATIONS OF THE GROUND SURFACE, VEGETATION, DRAINAGE OR SURFACE OR SUBSURFACE WATER FLOWS WITHIN THIS SUBDIVISION OR BY ESTABLISHMENT, CONSTRUCTION OR MAINTENANCE OF THE ROADS WITHIN THIS SUBDIVISION, PROVIDED, THIS WAIVER AND INDEMNIFICATION SHALL NOT BE CONSTRUED AS RELEASING THE CITY OF SHORELINE, ITS SUCCESSORS OR ASSIGNS, FROM LIABILITY FOR DAMAGES, INCLUDING THE COSTS OF DEFENCE, RESULTING IN WHOLE OR IN PART FROM THE NEGLIGENCE OF THE CITY OF SHORELINE, ITS SUCCESSORS OR ASSIGNS.

THIS SUBDIVISION, DEDICATION, WAIVER OF CLAIMS AND AGREEMENT TO HOLD HARMLESS IS MADE WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF SAID OWNERS.

IN WITNESS WHEREOF, WE SET OUR HANDS AND SEALS, THIS _____ DAY OF _____, 2000.

Howland Homes, LLC., COMPANY

_____

Matt Howland, MEMBER

ACKNOWLEDGEMENTS

STATE OF WASHINGTON)
SS
COUNTY OF KING)

I CERTIFY THAT I KNOW OR HAVE SATISFACTORY EVIDENCE THAT MATT HOWLAND, IS THE PERSON WHO APPEARED BEFORE ME, AND SAID PERSON ACKNOWLEDGED THAT HE SIGNED THIS INSTRUMENT, ON OATH STATED THAT HE WAS AUTHORIZED TO EXECUTE THE INSTRUMENT AND ACKNOWLEDGED IT AS A MEMBER OF HOWLAND HOMES, LLC, TO BE HIS FREE AND VOLUNTARY ACT FOR THE USES AND PURPOSES MENTIONED IN THE INSTRUMENT.

DATED: _____

SIGN: _____

PRINT: _____

NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON
RESIDING AT _____

MY APPOINTMENT EXPIRES _____

APPROVALS

PLANNING AND DEVELOPMENT SERVICES DEPARTMENT

EXAMINED AND APPROVED THIS _____ DAY OF _____, 2000.

_____
PLANNING AND DEVELOPMENT SERVICES DIRECTOR

EXAMINED AND APPROVED THIS _____ DAY OF _____, 2000.

_____ ATTEST: _____
MAYOR, CITY OF SHORELINE CLERK OF THE COUNCIL

KING COUNTY DEPARTMENT OF ASSESSMENTS

EXAMINED AND APPROVED THIS _____ DAY OF _____, 2000.

_____ _____
KING COUNTY ASSESSOR DEPUTY KING COUNTY ASSESSOR

ACCOUNT NUMBER: _____

FINANCE DIVISION CERTIFICATE

I HEREBY CERTIFY THAT ALL PROPERTY TAXES ARE PAID, THAT THERE ARE NO DELINQUENT SPECIAL ASSESSMENTS CERTIFIED TO THIS OFFICE FOR COLLECTION AND THAT ALL SPECIAL ASSESSMENTS CERTIFIED TO THIS OFFICE FOR COLLECTION ON ANY OF THE PROPERTY HEREIN CONTAINED DEDICATED AS STREETS, ALLEYS OR FOR ANY OTHER PUBLIC USE, ARE PAID IN FULL.

THIS _____ DAY OF _____, 2000.

FINANCE DIVISION

_____
MANAGER, FINANCE DIVISION

RECORDING CERTIFICATE

FILED FOR RECORD AT THE REQUEST OF Howland Homes, LLC, THIS _____ DAY OF _____ 2000, AT _____ MINUTES PAST _____ M., AND RECORDED IN VOLUME _____ OF PLATS, PAGES _____, INCLUSIVE, RECORDS OF KING COUNTY, WASHINGTON.

RECORDING NUMBER _____

DIVISION OF RECORDS AND ELECTIONS

_____
MANAGER

SURVEYORS CERTIFICATE

I, HEREBY CERTIFY THAT THIS PLAT OF "PARAMONT PLAT" IS BASED UPON AN ACTUAL SURVEY AND SUBDIVISION OF SECTION 17, TOWNSHIP 26 NORTH, RANGE 4 EAST, W.M., AS REQUIRED BY STATE STATUTES, THAT THE COURSES, ANGLES AND DISTANCES ARE SHOWN CORRECTLY THEREON; THAT THE MONUMENTS HAVE BEEN SET AND THE LOT, BLOCK AND TRACT CORNERS HAVE BEEN STAKED CORRECTLY ON THE GROUND, AND THAT I HAVE FULLY COMPLIED WITH PROVISIONS OF THE STATE AND LOCAL STATUTES AND REGULATIONS GOVERNING PLATTING.

_____
Brent L. Eble
PROF. LAND SURVEYOR
CERTIFICATE NO. 30581
Emerald Land Surveying, Inc.
PO Box 13894
Mill Creek, WA 98082 (425) 398-7198

BRENT L. EBLE — STATE OF WASHINGTON — REGISTERED PROFESSIONAL LAND SURVEYOR — EXPIRES JUNE 30, 2002

4/12/01

IN THE NE 1/4 SE 1/4, SECTION 17, T26N, R4E, W.M.

EMERALD LAND SURVEYING, INC.

ATTACHMENT A

SECTION 17, T.26N., R4E., W.M.
CITY OF SHORELINE
KING COUNTY, WASHINGTON

RESTRICTIONS AND COVENANTS

1. A TEN FEET WIDE PUBLIC UTILITY EASEMENT IS GRANTED ACROSS: THE NORTH 10 FEET OF LOT 2, THE NORTH & EAST 10 FEET OF LOT 3, THE EAST 10 FEET OF LOT 4, THE NORTHEAST 10 FEET OF LOT 5, THE NORTH 10 FEET OF LOT 6, THE WEST 10 FEET OF LOT 7 AND THE WEST 10 FEET OF LOT 8 OF THIS SUBDIVISION.

2. THE LANDSCAPING IN TRACT A, IS TO BE PLANTED AND MAINTAINED BY THE OWNER AS ALL LOTS OF THIS SUBDIVISION.

3. ALL OWNERS OF LOTS IN THIS PLAT SHALL PROVIDE FOR THE MAINTENANCE AND REPAIR OF ALL COMMONLY OWNED FACILITIES, SUCH AS SIDEWALKS, THE PRIVATE ROAD, DRAINAGE DETENTION AND CONVEYANCE SYSTEM, AND LANDSCAPING AS INSTALLED AS A PART OF THIS SUBDIVISION.

4. ALL NEW RESIDENCES CONSTRUCTED IN THIS PLAT SHALL INSTALL A FIRE SPRINKLER, DESIGNATED IN ACCORDANCE WITH STANDARD NFPA 130.

5. TRACT A IS OWNED WITH AN UNDIVIDED INTEREST BETWEEN LOTS IN THIS SUBDIVISION.

6. ANY FURTHER SUBDIVISION OR ADJUSTMENT TO THE LOT LINES WITHIN THIS SUBDIVISION MUST USE ALL LOTS OF THIS SUBDIVISION FOR CALCULATION OF THE DENSITY AND DIMENSIONAL REQUIREMENT FOR CITY OF SHORELINE ZONING CODE.

7. RUN-OFF PROTECTION. ALL BUILDING DOWN SPOUTS, FOOTING DRAINS AND ALL IMPERVIOUS SURFACES SUCH DRIVEWAYS TO BE CONNECTED TO THE PERMANENT STORM DRAINAGE OUTLETS AS SHOWN ON THE APPROVED CONSTRUCTION DRAWINGS UNDER PERMIT NUMBER 2000-1834.

8. ALL LOTS IN THIS SUBDIVISION TO PROVIDE A MINIMUM OF FOUR PARKING SPACES (2 COVERED, 2 UNCOVERED).

9. THE PRIVATE STREET OF NE 153rd STREET TO BE SIGNED WITH NO PARKING SIGNS. APPROPRIATE ENFORCEMENT IS THE RESPONSIBILITY OF ALL PROPERTY OWNERS IN THIS PLAT.

10. THE PUBLIC DRAINAGE UTILITY AND ACCESS EASEMENT AS SHOWN ON THE FACE OF THE PLAT IS FOR THE PURPOSES OF CONVEYING, STORING, MANAGING AND FACILITATING STORM AND SURFACE WATER. THIS EASEMENT GRANTS THE RIGHT FOR CITY OF SHORELINE, OR THEIR ASSIGNS, TO REASONABLY ENTER SAID DRAINAGE EASEMENT FOR THE PURPOSE OF OPERATING, MAINTAINING, REPAIRING, CONSTRUCTING, AND IMPROVING THE DRAINAGE FACILITIES CONTAINED. WRITTEN APPROVAL FROM THE CITY OF SHORELINE PLANNING AND DEVELOPMENT SERVICES MUST BE OBTAINED PRIOR TO FILLING, PIPING, CUTTING, REMOVING VEGETATION OR SUBSTANTIALLY MODIFYING OR ALTERING THE INTENDED USE OF THE DRAINAGE FACILITY CONTAINED WITHIN THE EASEMENT ABOVE DESCRIBED, EXCEPT FOR SEASONAL, ROUTINE LANDSCAPE MAINTENANCE.

TREE PROTECTION RESTRICTIONS

1. ALL TREES AND VEGETATION IN THE 20 FEET WIDE TREE AND LANDSCAPING AREA AS SHOWN ON THE FACE OF THE PLAT, SHALL BE RETAINED. REMOVAL OF DANGEROUS TREES AND VEGETATION ENHANCEMENT OF THIS AREA MAY OCCUR WITH APPROVAL OF THE CITY OF SHORELINE.

2. ALL CLEARING AND GRADING TO FOLLOW THE APPROVED CLEARING AND GRADING PLAN ON FILE WITH THE CITY OF SHORELINE.

3. SPECIFIC TREE CONDITIONS APPLY FOR THE FOLLOWING LOTS.
LOT 5. TREE #55 AND TREE #46, SHALL BE REMOVED.
LOT 6. TREE #19 SHALL BE REMOVED.
LOT 7. TREE #17 SHALL BE REMOVED.
LOT 8. TREE #14 SHALL BE REMOVED. TREES #9 AND #10 SHALL BE EVALUATED AT TIME OF BUILDING PERMIT APPLICATION.

EASEMENT PROVISIONS

AN EASEMENT IS HEREBY RESERVED FOR AND GRANTED TO ALL UTILITIES SERVING THE SUBJECT PLAT AND THEIR RESPECTIVE SUCCESSORS AND ASSIGNS, UNDER AND UPON THE EXTERIOR TEN (10) FEET PARALLEL WITH AND ADJOINING THE PUBLIC STREET FRONTAGE OF ALL LOTS, AS SHOWN HEREON, IN WHICH TO INSTALL, LAY, CONSTRUCT, RENEW, OPERATE AND MAINTAIN UNDERGROUND DISTRIBUTION SYSTEMS WITH NECESSARY FACILITIES AND OTHER EQUIPMENT FOR THE PURPOSE OF SERVING THIS SUBDIVISION, AND OTHER PROPERTY, WITH ELECTRIC, TELEPHONE, TELEVISION CABLE, DRAINAGE AND OTHER UTILITY SERVICES. TOGETHER WITH THE RIGHT TO ENTER UPON THE LOTS AT ALL TIMES FOR THE PURPOSES HEREIN STATED.

NO LINES OR WIRES FOR THE TRANSMISSION OF ELECTRIC CURRENT, OR FOR TELEPHONE USE, CABLE TELEVISION, FIRE OR POLICE SIGNALS, OR FOR OTHER PURPOSES, SHALL BE PLACED UPON ANY LOT UNLESS THE SAME SHALL BE UNDERGROUND OR IN CONDUIT ATTACHED TO A BUILDING.

SURVEY NOTES

1. THIS FIELD TRAVERSE SURVEY WAS PERFORMED WITH A 6-SECOND THEODOLITE AND ELECTRONIC MEASURING UNIT. ACCURACY STANDARD IS WAC 332-130-090.

LEGAL DESCRIPTION

LOTS 10 AND 11, BLOCK 16, PARAMONT PARK DIVISION NO. 2, ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 28 OF PLATS, PAGE 50, KING COUNTY, WASHINGTON.

SUBJECT TO: ANY AND ALL EASEMENTS, RESTORATIONS, RESERVATION, RIGHTS OF WAYS AND ZONING ORDINANCES, IF ANY, ENFORCEABLE IN LAW AND EQUITY.

SITUATE IN THE COUNTY OF KING, STATE OF WASHINGTON.

DECLARATION OF COVENANT ASSOCIATED WITH DEVELOPMENT OF DETENTION FACILITY

1. DRAINAGE EASEMENTS AS SHOWN ON FACE OF PLAT ARE DEDICATED TO CITY OF SHORELINE FOR ACCESS TO INSPECT, MAINTAIN OR REPAIR THE FACILITIES IN CONFORMITY WITH CITY OF SHORELINE CODE.

2. IF CITY OF SHORELINE DETERMINES THAT MAINTENANCE OR REPAIR WORK IS REQUIRED TO BE DONE TO THE PRIVATE DETENTION FACILITY EXISTING ON THE ABOVE DESCRIBED PROPERTY, THE DIRECTOR OF THE DEPARTMENT OF PUBLIC WORKS SHALL GIVE THE OWNERS OF THE PROPERTY WITHIN WHICH THE DRAINAGE FACILITY IS LOCATED, THE PERSON RESPONSIBLE FOR MAINTENANCE OF THE FACILITY, OR OTHER PERSON OR AGENT IN CONTROL OF SAID PROPERTY NOTICE OF THE SPECIFIC MAINTENANCE AND/OR REPAIR REQUIRED. THE DIRECTOR OF THE DEPARTMENT OF PUBLIC WORKS SHALL SET A REASONABLE TIME IN WHICH SUCH WORK IS TO BE COMPLETED BY THE TITLEHOLDERS WHO WERE GIVEN NOTICE. IF THE ABOVE REQUIRED MAINTENANCE AND/OR REPAIR IS NOT COMPLETED WITHIN THE TIME SET BY THE DIRECTOR, THE CITY MAY PERFORM THE REQUIRED MAINTENANCE AND/OR REPAIR. WRITTEN NOTICE WILL BE SENT TO THE TITLEHOLDERS STATING THE COUNTY'S INTENTION TO PERFORM SUCH MAINTENANCE. MAINTENANCE WORK WILL NOT COMMENCE UNTIL AT LEAST SEVEN DAYS AFTER SUCH NOTICE IS MAILED.

3. IF AT ANY TIME CITY OF SHORELINE REASONABLY DETERMINES THAT ANY EXISTING RETENTION/DETENTION SYSTEM CREATES ANY OF THE CONDITIONS LISTED IN SHORELINE CODE AND HEREIN INCORPORATED BY REFERENCE, THE DIRECTOR MAY TAKE MEASURES SPECIFIED HEREIN.

4. THE TITLEHOLDERS SHALL ASSUME ALL RESPONSIBILITY FOR THE COST OF ANY MAINTENANCE AND FOR REPAIRS TO THE RETENTION/DETENTION FACILITY. SUCH RESPONSIBILITY SHALL INCLUDE REIMBURSEMENT TO THE CITY WITHIN 30 DAYS OF THE RECEIPT OF THE INVOICE FOR ANY SUCH WORK PERFORMED. OVERDUE PAYMENTS WILL REQUIRE PAYMENT OF INTEREST AT THE CURRENT LEGAL RATE FOR LIQUIDATED JUDGMENTS. IF LEGAL ACTION ENSUES, ANY COSTS OR FEES INCURRED BY THE CITY WILL BE BORNE BY THE PARTIES RESPONSIBLE FOR SAID REIMBURSEMENTS.

THIS COVENANT BENEFITS ALL CITIZENS OF CITY OF SHORELINE, TOUCHES AND CONCERNS OF LAND AND SHALL RUN WITH LAND AND SHALL BE BINDING ON ALL HEIRS, SUCCESSORS AND ASSIGNS.
THESE COVENANTS ARE INTENDED TO PROTECT ALL THE VALUE AND DESIRABILITY OF THE REAL PROPERTY DESCRIBED ABOVE, AND TO BENEFIT ALL THE CITIZENS OF CITY OF SHORELINE. THEY SHALL RUN WITH THE LAND AND BE BINDING ON ALL PARTIES, AND THEIR SUCCESSORS ANY RIGHT, TITLE OR INTEREST IN THE PROPERTY OR ANY PART THEREOF, AS WELL AS THEIR HEIRS, SUCCESSORS AND ASSIGNS. THEY SHALL INSURE TO THE BENEFIT OF EACH PRESENT OR FUTURE SUCCESSOR IN INTEREST OF SAID PROPERTY OR ANY PART THEREOF, OR INTEREST THEREIN, AND TO THE BENEFIT OF ALL CITIZENS OF CITY OF SHORELINE.

ADDRESSES

ADDRESSES ARE AS FOLLOWS:

PRIVATE STREET AS NE 153rd COURT
LOT ONE IS 15240 10TH AVENUE NE (CHANGED FROM 15420 10TH AVENUE)
LOT TWO IS 15250 10TH AVENUE NE (CHANGED FROM 15440 10TH AVENUE)
LOT THREE IS 1005 NE 153rd COURT
LOT FOUR IS 1009 NE 153rd COURT
LOT FIVE IS 1015 NE 153rd COURT
LOT SIX IS 1032 NE 153rd COURT
LOT SEVEN IS 1028 NE 153rd COURT
LOT EIGHT IS 1024 NE 153rd COURT
LOT NINE IS 1020 NE 153rd COURT

BRENT L. EBLE — STATE OF WASHINGTON — REGISTERED PROFESSIONAL LAND SURVEYOR

IN THE NE 1/4 SE 1/4, SECTION 17, T26N, R4E, W

EMERALD LAND SURVEYING, INC.
PO BOX 13694
MILL CREEK, WA 98082 (425) 359-7198

ATTACHMENT A

SECTION 17, T.26N., R4E., W.M.
CITY OF SHORELINE
KING COUNTY, WASHINGTON

DEVELOPMENT CONDITIONS

1. A REPRESENTIVE OF GEOTECH CONSULTANTS, INC., OR ANOTHER QUALIFIED GEOTECHNICAL CONSULTANT SHALL OBSERVE THE FOOTING EXCAVATIONS DURING CONSTRUCTION TO VERIFY THAT SUITABLE SOIL IS EXPOSED. A WRITTEN REPORT WITH THEIR FINDINGS AND RECOMMENDATIONS TO THE CITY OF SHORELINE DURING CONSTRUCTION.

2. THE STEEP SLOPE LOCATED IN THE NORTHWEST CORNER OF LOT 5 BE REGRADED TO AN INCLINATION OF NO STEEPER THAN 2:1 VERTICAL FOR APPROPRIATE LONG-TERM STABILITY.

3. ALL BARE AREAS SHOULD BE REVEGETATED OR MULCHED WITH STRAW OR EQUIVELENT TO REDUCE EROSION UNTIL PERMANENT LANDSCAPING AND VEGETATION ARE IN PLACE.

4. A SILT FENCE SHOULD BE ERECTED ALONG THE DOWNSLOPE SIDES OF THE DEVELOPMENT AREA.

5. THE STORM DRAINAGE SYSTEM FOR THE PROPOSED STREET SHOULD BE INSTALLED AND FUNCTIONAL EARLY IN THE DEVELOPMENT PROCESS.

6. NO FILL OR DEBRIS FROM THE CLEARING OR EXCAVATION SHOULD BE PLACED ON THE DOWNSLOPE SIDES OF THE HOUSED, UNLESS PROPERTY RETAINED BY AN ENGINEERED WALL.

7. TEMPORARY SLOPES CANNOT BE EXCAVATED AT A GRADE FOR MORE THAT 1:1.

8. ALL PERMANENT CUTS INTO NATIVE SOIL SHOULD BE INCLINED NO STEEPER THAN 2:1.

9. WATER SHOULD NOT BE ALLOWED TO FLOW UNCONTROLLED OVER THE TOP OF ANY SLOPE.

10. ALL PERMANENTLY EXPOSED SLOPES SHOULD BE SEEDED WITH AN APPROPRIATE SPECIES OF VEGETATION TO REDUCE EROSION AND IMPROVE THE STABILITY OF THE SURFICIAL LAYER OF SOIL.

NOTES

1. A ROAD STANDARD VARIANCE FOR TURN AROUND SIZE WAS GRANTED IN THE APPROVAL OF THIS SUBDIVISION.

2. A SECURITY BOND HAS BEEN PLACED WITH THE CITY OF SEATTLE FOR THE INSTALLATION OF A NEW WATER MAIN, UNDER PROJECT NUMBER

3. A FINANCIAL SECURITY HAS BEEN SECURED TO GUARANTEE THE SITE STABILIZATION, INSTALLATION OF COMMON LANDSCAPING.

4. THE PRELIMINARY APPROVAL DATE OF THIS APPLICATION WAS JANUARY 25, 1999.

EASEMENT (Overhead and Underground)

THIS EASEMENT GRANTS to the City of Seattle (hereafter referred to as Grantee), its successors and assigns, the right, privilege and authority to install, construct, erect, alter, improve, repair, energize, operate and maintain electric overhead and underground distribution facilities at depths not exceeding 15 feet, which consist of poles with braces, guys and anchors, crossarms, transformers, ducts, vaults, manholes, cabinets, containers, conduits, wires and other necessary or convenient appurtenances to make said underground and overhead installations and integrated electric system. All such electric system is to be located across, over, upon and under the following described lands and premises situated in the County of King, State of Washington, to wit:

Tract A as shown on the face of the plat.

Together with the right at all times to the Grantee, its successors and assigns, of ingress to and egress from said lands across adjacent lands abutting the described easement area for the purpose of installing, constructing, reconstructing, repairing, renewing, altering, changing, patrolling, energizing, and operating said electric system, and the right at any time to remove all or any part of said electric system from said lands.

Also the right to the Grantee, its successors, and assigns, at all times to cut and trim brush, trees or other plants standing or growing upon said lands or adjacent lands which, in the opinion of the Grantee, interfere with the maintenance or operation of the system, or constitute a menace or danger to said electric system.

It is further covenanted and agreed that no structure or fire hazards will be erected or permitted within the above described easement area without prior written approval from the Grantee, its successors and assigns; that no digging will be done or permitted within the easement area which will in any manner disturb the facilities or their solidity or unearth any portion thereof; and that no blasting or discharge of any explosives will be permitted within fifty (50) feet of said lines and appurtenances.

The City of Seattle is to be responsible, as provided by law, for any damage through their negligence in the construction, maintenance, and operation of said electric and/or other utility systems across, over, upon, and under the property granted in this easement or adjacent land thereto.

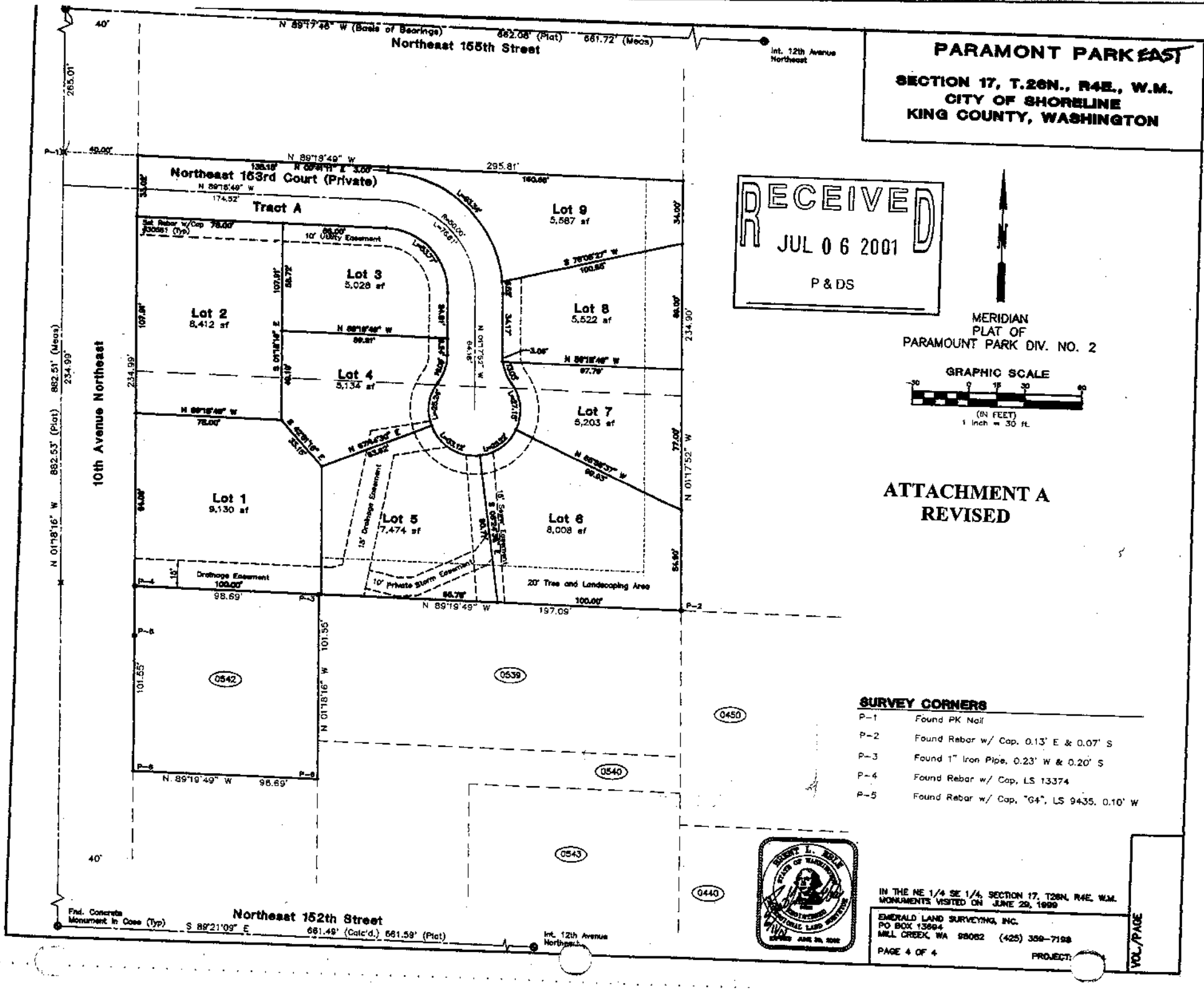
The rights, title, privileges and authority hereby granted shall continue and be in force until such time as the Grantee, its successors, assigns and other utilities shall permanently remove said poles, wires and appurtenances from said lands or shall otherwise permanently abandon said electric and other utility systems, at which time all such rights, title, privileges and authority hereby granted shall terminate.

IN THE NE 1/4 SE 1/4, SECTION 17, T26N, R4E.

EMERALD LAND SURVEYING, INC.
PO BOX 13894
MILL CREEK, WA 98082 (425) 359-7198

PARAMONT PARK EAST

SECTION 17, T.26N., R4E., W.M.
CITY OF SHORELINE
KING COUNTY, WASHINGTON



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MERIDIAN
PLAT OF
PARAMOUNT PARK DIV. NO. 2

GRAPHIC SCALE
30 0 15 30 60
(IN FEET)
1 inch = 30 ft.

ATTACHMENT A
REVISED

SURVEY CORNERS

P-1	Found PK Nail
P-2	Found Rebar w/ Cap, 0.13' E & 0.07' S
P-3	Found 1" Iron Pipe, 0.23' W & 0.20' S
P-4	Found Rebar w/ Cap, LS 13374
P-5	Found Rebar w/ Cap, "G4", LS 9435, 0.10' W

IN THE NE 1/4 SE 1/4, SECTION 17, T26N, R4E, W.M.
MONUMENTS VISITED ON JUNE 29, 1999

EMERALD LAND SURVEYING, INC.
PO BOX 13894
MILL CREEK, WA 98082 (425) 359-7198

PAGE 4 OF 4

PROJECT:

VOL./PAGE

15

ATTACHMENT B

ENGINEERING PLANS

SEC 17, TWP 26 N, RGE 4 E

SURVEY NOTES

LEGAL DESCRIPTION

LOTS 10 AND 11, BLOCK 18, PARAMONT PARK DIV. NO. 2, ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 28 OF PLATS, PAGE 50, KING COUNTY, WASHINGTON

NOTES

INSTRUMENT USED: SOKKIA SET 5 EDM
METHOD USED: FIELD TRAVERSE
APPROXIMATE POINT ACCURACY ±0.05'

SURVEY MEETS OR EXCEEDS STATE STANDARDS PER WAC 332-130-090.

MONUMENTS SHOWN HEREON WERE VISITED ON JUNE 28, 1999.

THE INFORMATION SHOWN ON THIS MAP REPRESENTS THE RESULTS OF A SURVEY MADE ON THE INDICATED DATE AND CAN ONLY BE CONSIDERED AS THE GENERAL EXISTING CONDITION AT THAT TIME

NO EASEMENTS, RESTRICTIONS OR RESERVATION OF RECORD WHICH WOULD BE DISCLOSED BY A TITLE REPORT ARE SHOWN

VERTICAL DATUM – NGVD 1929

CONTOUR INTERVAL – 5 FEET

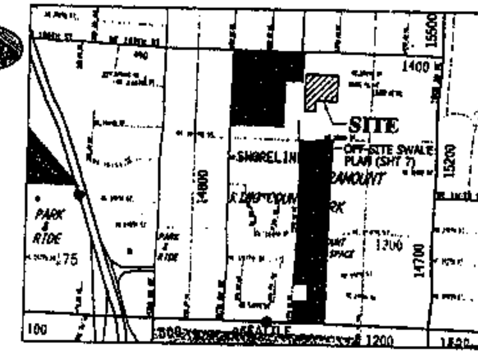
REFERENCE TOPOGRAPHIC AND BOUNDARY SURVEY PERFORMED BY LARRY DIXON, PLS

TREE LEGEND

S	SPRUCE	F	FIR
DF	DOUGLAS FIR	DF	DOUGLAS FIR
M	MAPLE	M	MAPLE
A	ALDER	A	ALDER
H	HEMLOCK	H	HEMLOCK
D	DECIDUOUS	D	DECIDUOUS
C	CEDAR	C	CEDAR
MA	MADRONA	MA	MADRONA
CW	COTTONWOOD	CW	COTTONWOOD
B	BIRCH	B	BIRCH
CO	CONIFEROUS	CO	CONIFEROUS

PARAMOUNT PLAT

CREATIVE CONSTRUCTION ASSOC, INC
1243 152nd ST
SHORELINE, WA



VICINITY MAP

15440 10th AVE NE
SHORELINE, WA

STANDARD NOTES

GRADING CONDITIONS (SG)

[illegible]

DRAINAGE CONDITIONS (SG)

[illegible]

SITE NOTES (SN)

[illegible]

EROSION AND SEDIMENTATION CONTROL (ESC) REQUIREMENTS (SE)

[illegible]

FILTER FABRIC CONDITIONS (SF)

[illegible]

TREE PROTECTION CONDITIONS (ST)

[illegible]

SHEET INDEX

1 · · · · · · COVERSHEET
2 · · · · · · TOPOGRAPHIC SURVEY
3 · · · · · · COMPOSITE PLAN
4 · · · · · · GRADING & TESC PLAN
5 · · · · · · LOT CONSTRUCTION TESC PLAN
6 · · · · · · DRAINAGE & ROADWAY PLAN
7 · · · · · · PROFILE SHEET
8 · · · · · · DETAILS

FOR REFERENCE ONLY:

1 · SEWER & WATER MAIN PLAN
2 · SEWER & WATER MAIN PROFILE

SDS
SITE DEVELOPMENT SERVICES

4/18/01 REVISED PER CITY COMMENTS
8/23/00 REVISED PER CITY COMMENTS

PARAMOUNT PLAT

DATE: 6/5/00 | DES: JK & DCO
SCALE: NTS | DWN: JK

COVER SHEET

CREATIVE CONSTRUCTION ASSOC, INC
1243 NE 152nd ST
SHORELINE, WA

1 of 8

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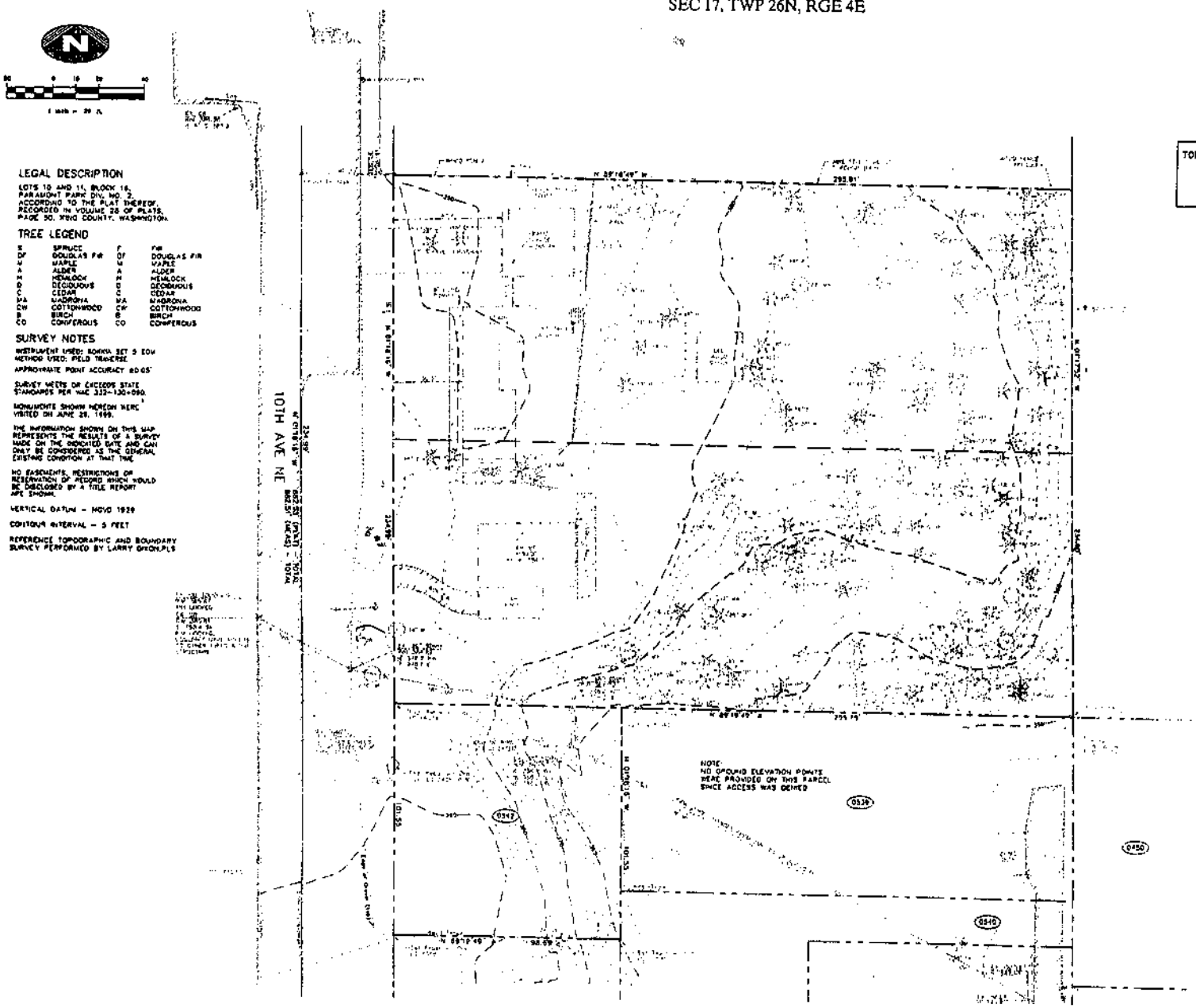
Attachment B

SEC 17, TWP 26N, RGE 4E



LEGAL DESCRIPTION

LOTS 10 AND 11, BLOCK 16, PARAMOUNT PARK DIV. NO. 2, ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 28 OF PLATS, PAGE 50, KING COUNTY, WASHINGTON.

TREE LEGEND

S	SPRUCE	F	FIR
DF	DOUGLAS FIR	DF	DOUGLAS FIR
M	MAPLE	M	MAPLE
A	ALDER	A	ALDER
H	HEMLOCK	H	HEMLOCK
D	DECIDUOUS	D	DECIDUOUS
C	CEDAR	C	CEDAR
MA	MADRONA	MA	MADRONA
CW	COTTONWOOD	CW	COTTONWOOD
B	BIRCH	B	BIRCH
CO	CONIFEROUS	CO	CONIFEROUS

SURVEY NOTES

INSTRUMENT USED: SOKKIA SET 5 EDM
METHOD USED: FIELD TRAVERSE

APPROXIMATE POINT ACCURACY ±0.05'

SURVEY MEETS OR EXCEEDS STATE STANDARDS PER WAC 332-130-090.

MONUMENTS SHOWN HEREON WERE VISITED ON JUNE 29, 1999.

THE INFORMATION SHOWN ON THIS MAP REPRESENTS THE RESULTS OF A SURVEY MADE ON THE DESCRIBED SITE AND CAN ONLY BE CONSIDERED AS THE GENERAL EXISTING CONDITION AT THAT TIME.

NO EASEMENTS, RESTRICTIONS OR RESERVATION OF RECORD WHICH WOULD BE DISCLOSED BY A TITLE REPORT ARE SHOWN.

VERTICAL DATUM - NGVD 1929

CONTOUR INTERVAL - 5 FEET

REFERENCE TOPOGRAPHIC AND BOUNDARY SURVEY PERFORMED BY LARRY GREEN, PLS

SURVEYOR'S INFORMATION

EBLE & ASSOCIATES
LAND SURVEYING
14407 83RD DR. S.E. SNOHOMISH, WA.
PH. (425) 339-7199

TOPOGRAPHIC SURVEY	SURVEY IN N.E. 1/4, S.E. 1/4, SEC. 17, T. 26N., R. 4E.		
C.C.A. 1243 NE 152ND ST SHORELINE, WA 98155	DWN. BY: EBLE	DATE: 10/29/99	JOB NO: 99374
	CHK. BY: EBLE	SCALE: 1"= 20'	

EXPIRES 9/11/05

SDS
SITE DEVELOPMENT SERVICES
315 NORTH 1ST SE
BOTHELL, WA 98012
(425) 481-8687
(425) 89-7199 (FAX)

PARAMOUNT PLAT

DATE: 8/5/00	DES: JH & DCG
SCALE: 1"=20'	DWG: JH

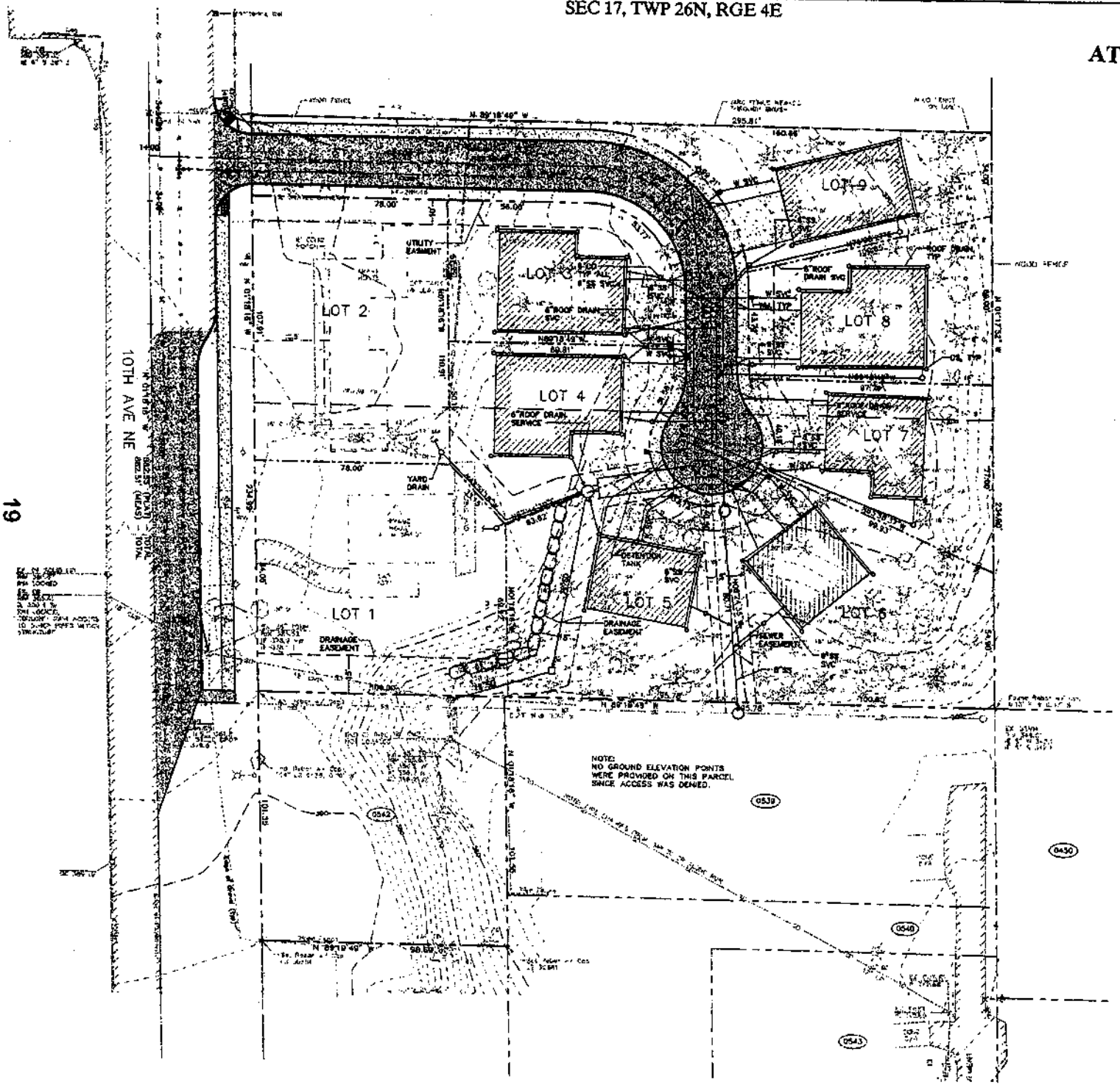
TOPOGRAPHIC SURVEY

CREATIVE CONSTRUCTION ASSOC., INC
1243 NE 152nd ST
SHORELINE, WA
PHONE: 206-367-8118

2 of 8

SEC 17, TWP 26N, RGE 4E

ATTACHMENT B
REVISED



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JUL
P&

EXPIRES 9/14/01

SDS
SITE DEVELOPMENT SERVICES
310 208TH ST SE
BOTHELL, WA 98012
(425) 481-9557
(425)485-7139 (FAX)

7/3/01 ADDED PERMANENT POOL TO DETENTION PIPE
7/3/01 ADDED LOTS 5 & 6 AND EXISTING LOTS TO DETENTION
4/18/01 REVISED SD DETENTION SYSTEM
9/25/00 REVISED PER CITY COMMENTS

PARAMOUNT PLAT

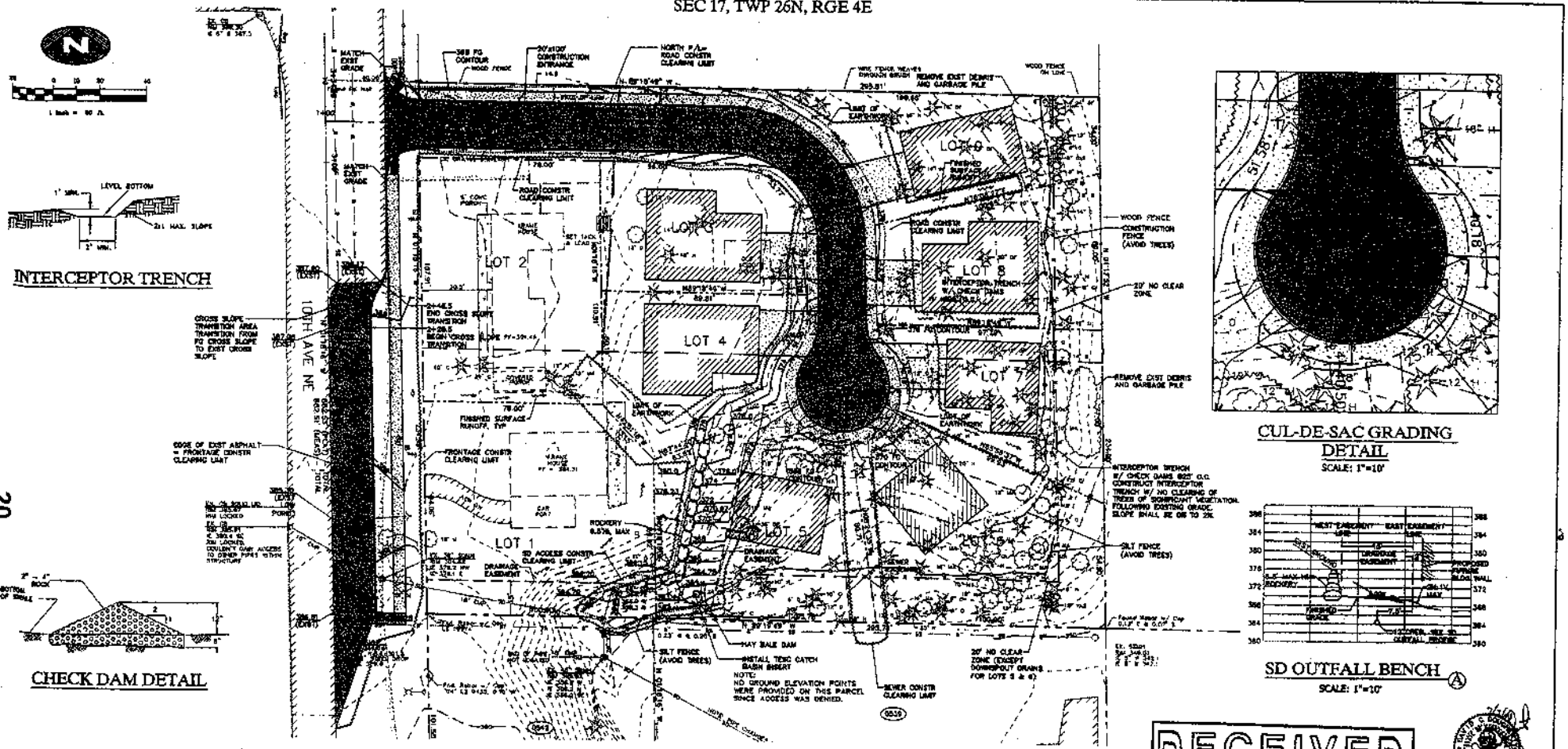
DATE: 6/5/00	DES: JK & OCD
SCALE: 1"=20'	DWN: JK

COMPOSITE PLAN

CREATIVE CONSTRUCTION ASSOC. inC
1243 NE 152nd ST
SHORELINE, WA
PHONE: 206-367-8168

ATTACHMENT B
REVISED

SEC 17, TWP 26N, RGE 4E

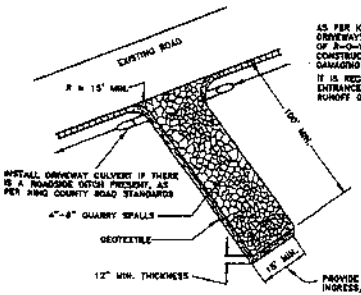


INTERCEPTOR TRENCH

CHECK DAM DETAIL

CUL-DE-SAC GRADING DETAIL
SCALE: 1"=10'

SD OUTFALL BENCH (A)
SCALE: 1"=10'



CONSTRUCTION ENTRANCE

AS PER KING COUNTY ROAD STANDARDS, DRIVEWAYS SHALL BE PAVED TO THE EDGE OF R-O-W PRIOR TO INSTALLATION OF THE CONSTRUCTION ENTRANCE TO AVOID DAMAGING OF THE ROADWAY

IT IS RECOMMENDED THAT THE ENTRANCE BE CROWNED SO THAT RUNOFF DRAINS OFF THE PAD

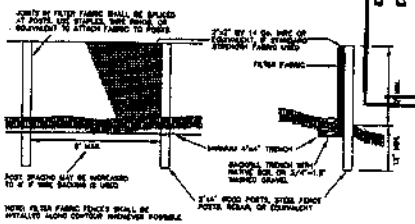
SPECIAL LOT GRADING NOTE:

1. GRADE AS REQUIRED OBTAIN A MINIMUM ELEVATION OF 370.0 AT THE FRONT OF EACH HOUSE PAD.

EARTHWORK QUANTITIES:

CUT = 8,318 C.Y.
FILL = 301 C.Y.

1. QUANTITIES ARE APPROXIMATE. CONTRACTOR TO PERFORM WORK AS REQUIRED TO BRING THE SITE TO THE FINISHED GRADES AS SHOWN.
2. QUANTITIES OBTAINED USING TIN SUBTRACTION WITH AUTODESK LAND DEVELOPMENT DESKTOP SOFTWARE.
3. DISPOSE OF EXCESS CUT AT AN APPROVED FILL SITE DETERMINED AT THE PRECONSTRUCTION CONFERENCE.



SILT FENCE

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EXPIRES 6/14/02

SDS
SITE DEVELOPMENT SERVICES
310 228TH ST SE
BOTHELL, WA 98012
(425) 481-9687
(425)485-7199 (FAX)

4/16/01 REVISED PER CITY COMMENTS	
8/25/00 REVISED PER CITY COMMENTS	

PARAMOUNT PLAT

DATE: 6/9/00	DES: JK & DCB
SCALE: 1"=20'	DWN: JK

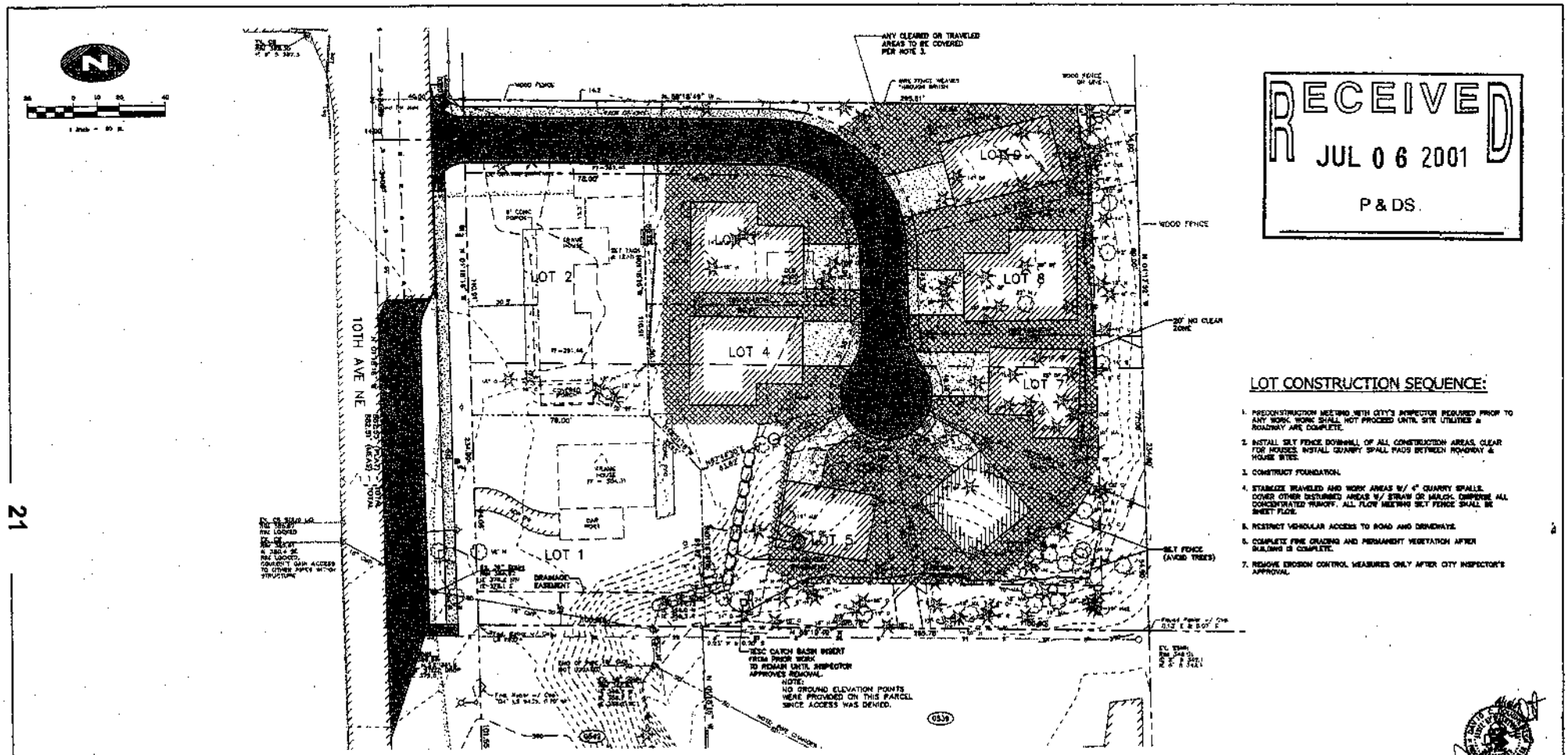
GRADING & TESC PLAN
(ROADWAY & UTILITIES ONLY)

CREATIVE CONSTRUCTION ASSOC, INC
12243 NE 192nd ST
SHORELINE, WA
PHONE: 206-367-8168

4 of 8

20

ATTACHMENT B
REVISED



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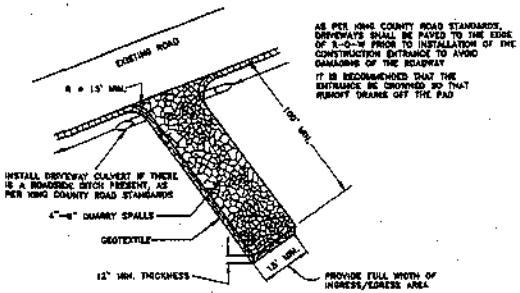
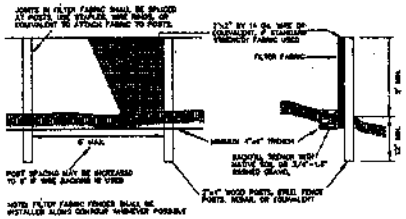
LOT CONSTRUCTION SEQUENCE:

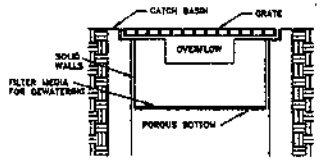
1. PRECONSTRUCTION MEETING WITH CITY'S INSPECTOR REQUIRED PRIOR TO ANY WORK. WORK SHALL NOT PROCEED UNTIL SITE UTILITIES & ROADWAY ARE COMPLETE.
2. INSTALL SILT FENCE DOWNHILL OF ALL CONSTRUCTION AREAS, CLEAR FOR HOUSES, INSTALL QUARRY SPALL PADS BETWEEN ROADWAY & HOUSE SITES.
3. CONSTRUCT FOUNDATION.
4. STABILIZE TRAVELED AND WORK AREAS W/ 4" QUARRY SPALLS. COVER OTHER DISTURBED AREAS W/ STRAW OR MULCH. DISPERSE ALL CONCENTRATED RUNOFF. ALL FLOW MEETING SILT FENCE SHALL BE SHEET FLOW.
5. RESTRICT VEHICULAR ACCESS TO ROAD AND DRIVEWAYS.
6. COMPLETE FINE GRADING AND PERMANENT VEGETATION AFTER BUILDING IS COMPLETE.
7. REMOVE EROSION CONTROL MEASURES ONLY AFTER CITY INSPECTOR'S APPROVAL.



CONSTRUCTION ENTRANCE



SILT FENCE



TESC CATCH BASIN INSERT

DENIS 5/14/02

SDS
SITE DEVELOPMENT SERVICES
310 230TH ST SE
BOTHELL, WA 98012
(425) 481-9687
(425)485-7189 (FAX)

PARAMOUNT PLAT

DATE: 6/5/00	DES: JK & DCD
SCALE: 1"=20'	DWN: JK

LOT CONSTRUCTION TESC PLAN

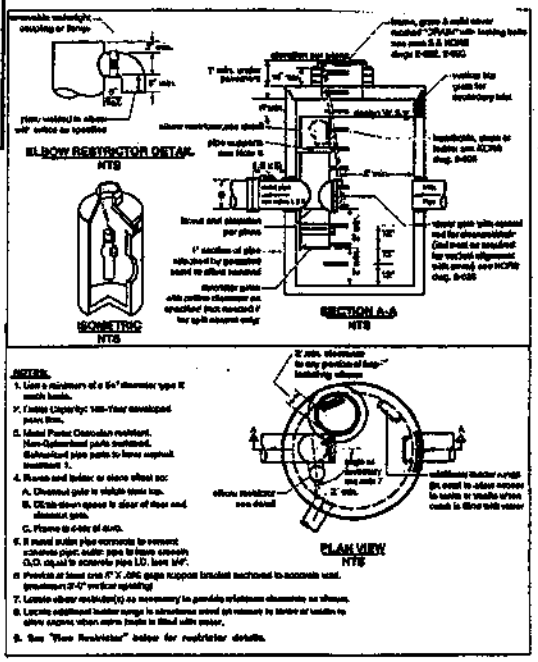
CREATIVE CONSTRUCTION ASSOC, INC
1243 NE 152nd ST
SHORELINE, WA
PHONE: 206-367-6168

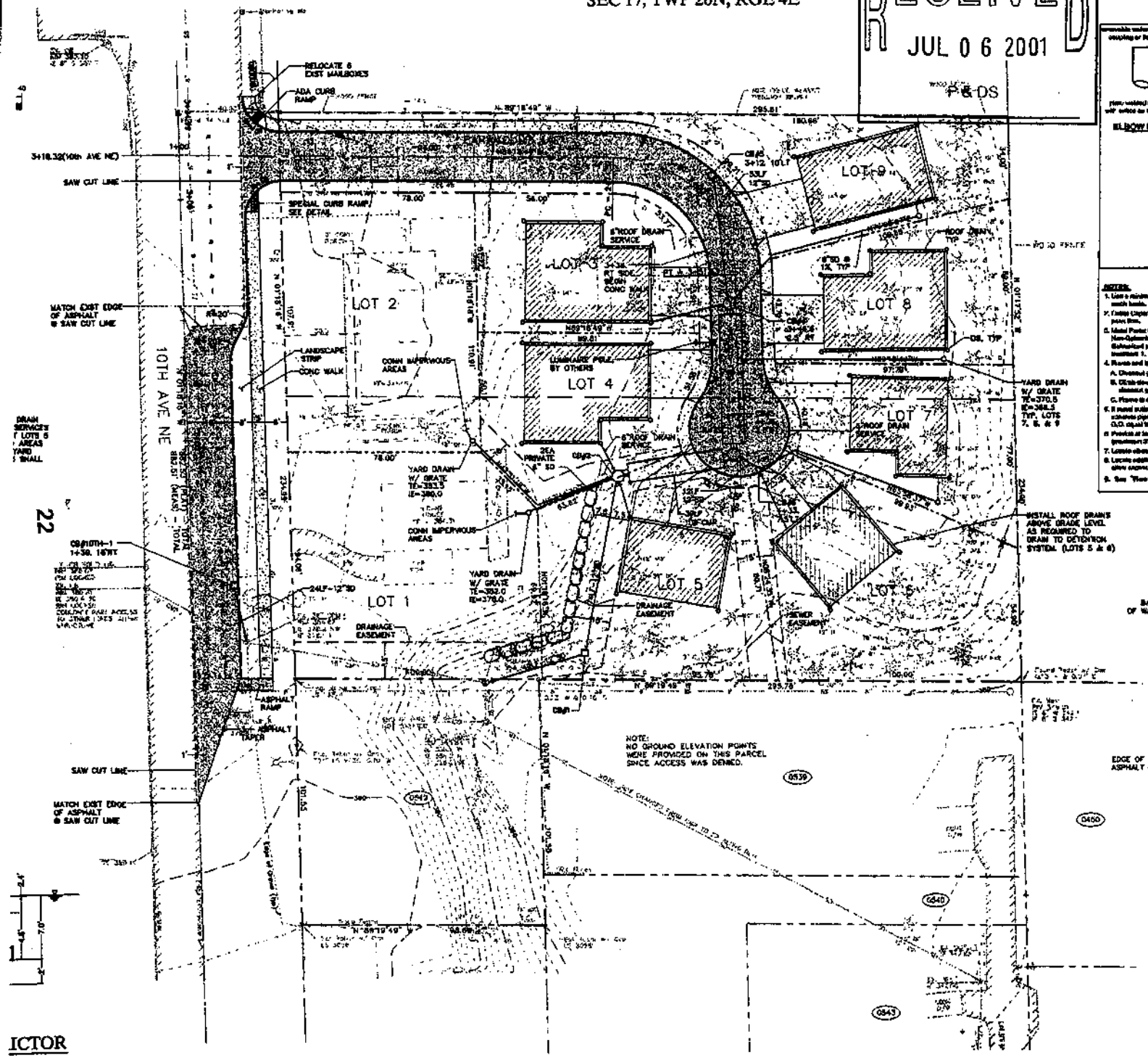
5 of 8

SEC 17, TWP 26N, RGE 4E

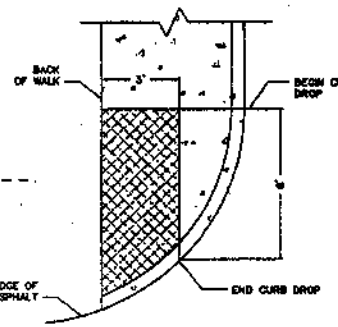
RECEIVED
JUL 0 6 2001
P&DS

ATTACHMENT B
REVISED





FLOW CONTROL STRUCTURE
NTS



NOTE: COMPLY WITH PERTINENT DETAILS IN KING CO STD PLAN #4-002

SPECIAL CURB RAMP DETAIL
NTS

EXPIRES 5/14/03

SDS
SITE DEVELOPMENT SERVICES
310 208TH ST SE
BOTHELL, WA 98012
(425) 481-9887
(425)485-7189 (FAX)

7/5/01 ADDED PERMANENT POOL TO DETENTION PIPE
7/3/01 ADDED LOTS 5 & 6 AND EXISTING LOTS TO DETENTION
4/18/01 REVISED SD DETENTION SYSTEM
9/25/00 REVISED PER CITY COMMENTS

PARAMOUNT PLAT

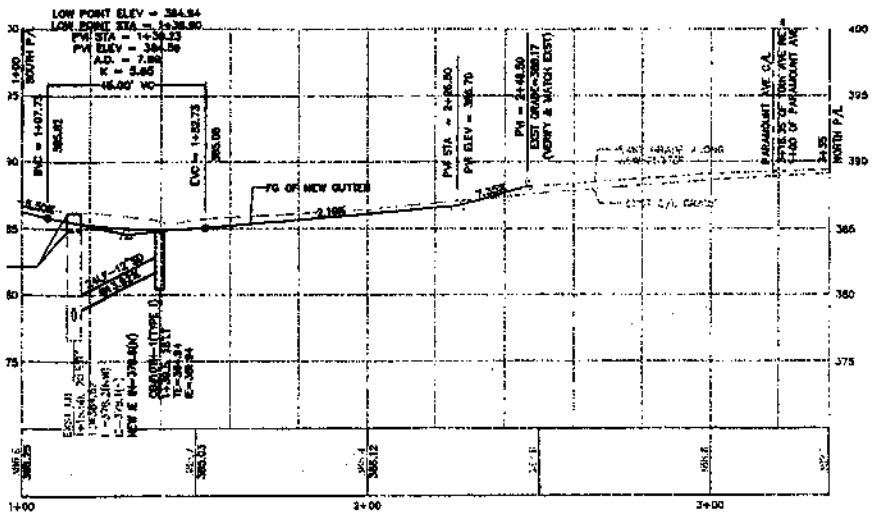
DATE: 6/5/00	DES: JK & DCD
SCALE: 1"=20'	DWN: JK

DRAINAGE & ROADWAY PLAN

CREATIVE CONSTRUCTION ASSOC, INC
1243 NE 182nd ST
PHONE: 206-367-8168

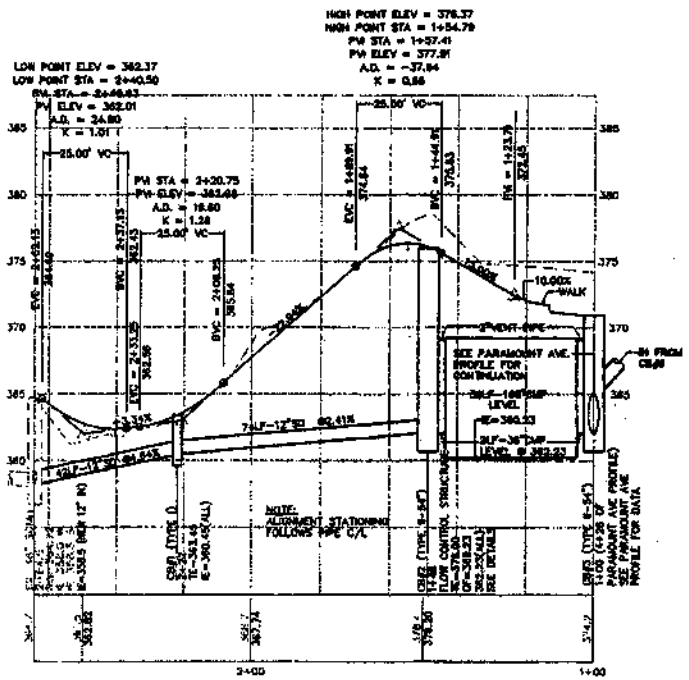
SEC 17, TWP 26N, RGE 4E

ATTACHMENT B
REVISED



10th AVE NE PROFILE

SCALE: HOR- 1"=20'
VERT- 1"= 5'



STORM DRAIN OUTFALL PROFILE

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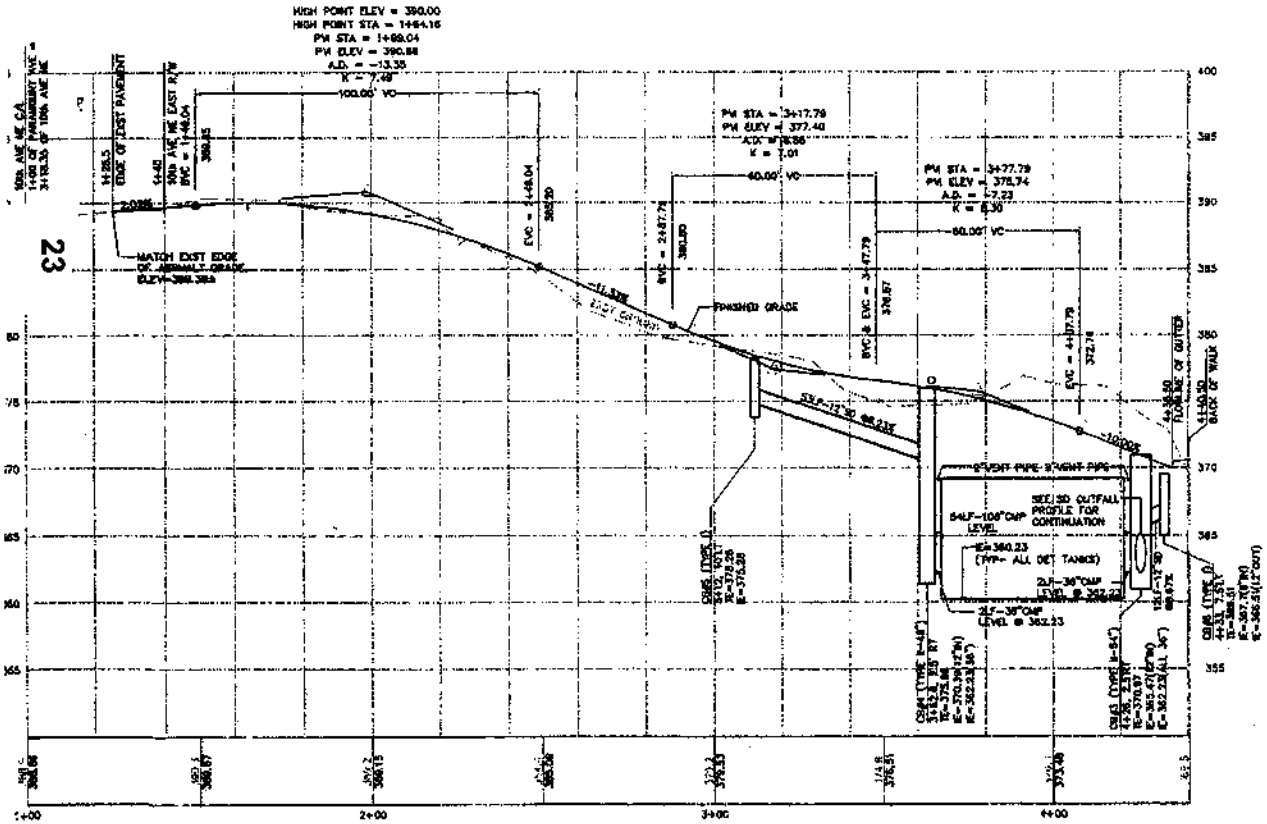
VERT- 1"= 5'



PARAMOUNT AVE PROFILE

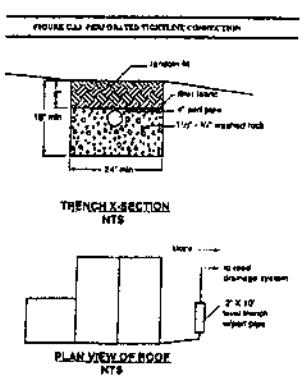
SCALE: HOR- 1"=20'
VERT- 1"= 5'

23

RECEIVED
JUL 06 2001
P & DS

SDS
SITE DEVELOPMENT SERVICES
310 228TH ST SE
BOTHELL, WA 98021
(425) 481-9687
(425)488-7199 (FAX)

7/5/01 ADDED PERMANENT POOL TO DETENTION PIPE	
7/3/01 ADDED LOTS 5 & 6 AND EXISTING LOTS TO DETENTION	
4/16/01 REVISED SD DETENTION SYSTEM	
9/25/00 REVISED PER CITY COMMENTS	
PARAMOUNT PLAT	
DATE: 6/5/00	DES. JK & DCD
SCALE: 1"=20'	DWN. JK
PROFILE SHEET	
CREATIVE CONSTRUCTION ASSOC, INC 1243 NE 189rd ST SHORELINE, WA PHONE: 206-367-8168	7 of 8

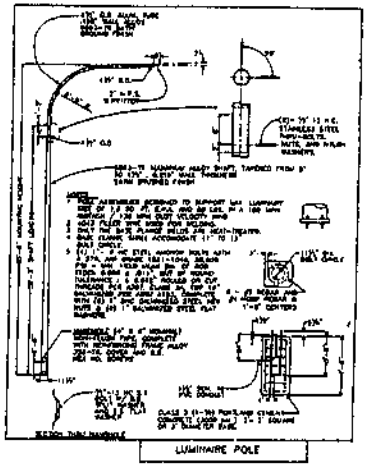


TRENCH X-SECTION
NTS

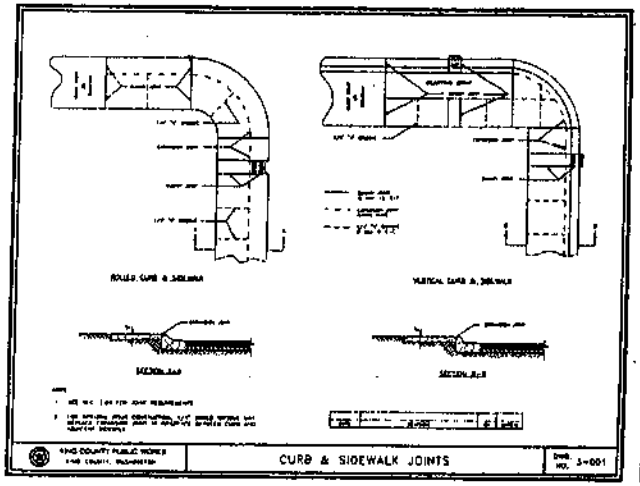
PLAN VIEW OF ROOF
NTS

ROOF DOWNSPOUT SYSTEM

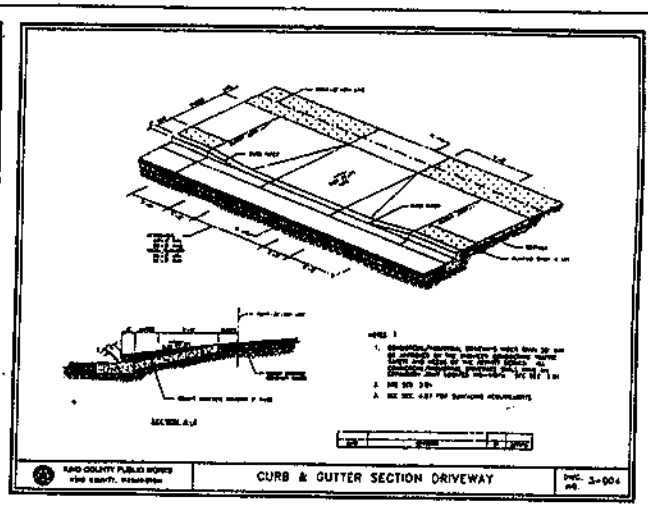
(LOTS 5 AND 6)
NTS



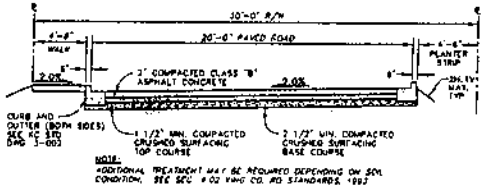
LUMINAIRE POLE



CURB & SIDEWALK JOINTS

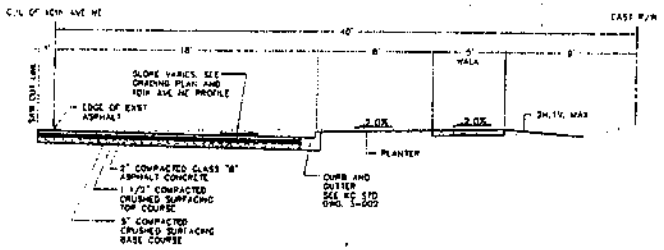


CURB & GUTTER SECTION DRIVEWAY



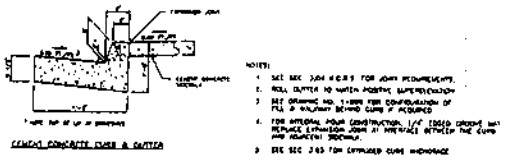
PARAMOUNT AVE SECTION

NTS



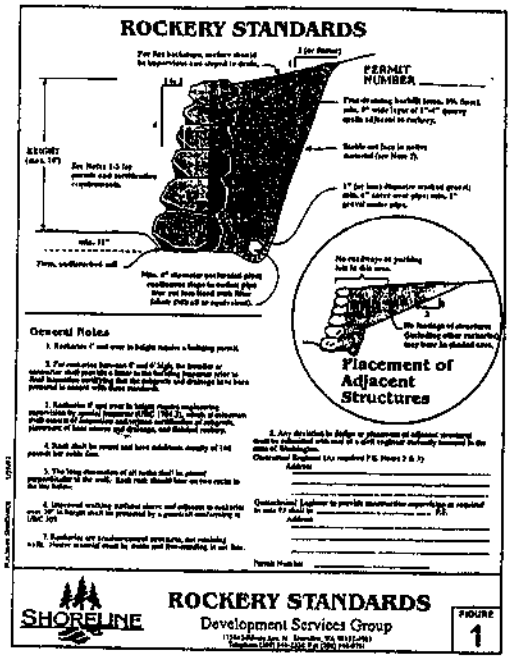
10th AVE NE IMPROVEMENTS SECTION

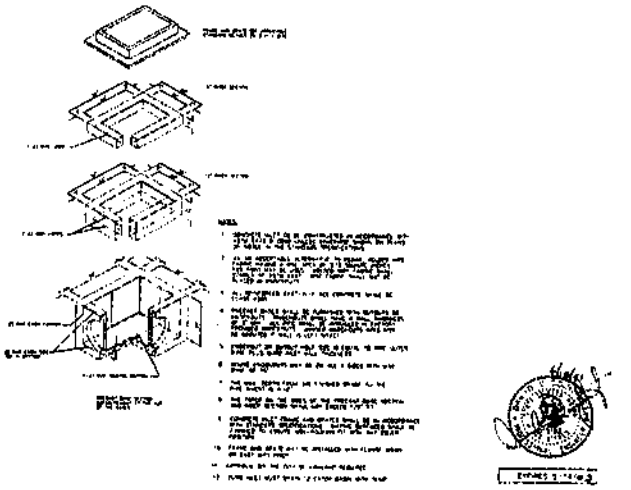
NTS



CURB AND GUTTER DETAIL

KING COUNTY DWG 3-002
NTS





TYPE I CATCH BASIN

NTS

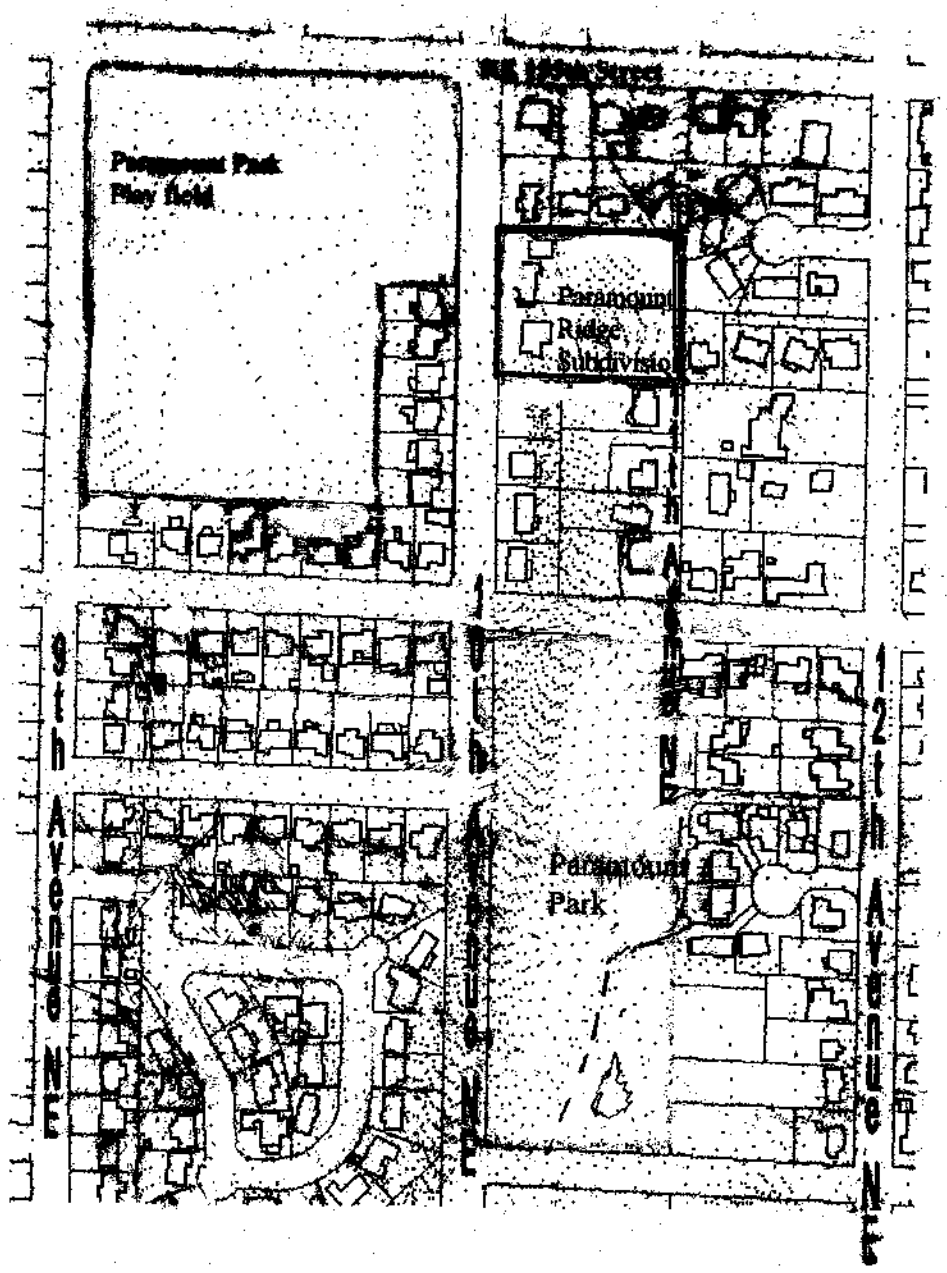
SDS
SITE DEVELOPMENT SERVICES
PARAMOUNT RIDGE
NOTES AND DETAILS
8 of 8

24

ATTACHMENT C

VICINITY MAP

Vicinity Map



ATTACHMENT D

RESOLUTION NO. 173

ATTACHMENT D

RESOLUTION NO. 173

A RESOLUTION OF THE CITY OF SHORELINE, WASHINGTON, APPROVING THE FINAL PLAT OF PARAMOUNT RIDGE.

WHEREAS, the applicant has made application for final plat of Paramount Ridge a nine lot subdivision; and

WHEREAS, your Council approved the subject preliminary plat of Paramount Ridge on January 25, 1999 following a public hearing held by the Planning Commission on July 30, 1998; and following an Appeal hearing held by the City of Shoreline Hearing Examiner on December 24, 1998, and

WHEREAS, engineering and site development plans have been approved, an on-site mitigation plan has been approved, and the applicant been issued a site development permit to construct all required plat improvements, which will satisfy all requirements for final plat; and

WHEREAS, all required site development including, utility and drainage improvements, road and pedestrian improvements, and landscaping improvements have been guaranteed with a performance bond, with improvements to be completed within two years of final plat approval; and

WHEREAS, the applicant complied with all requirements of the City of Shoreline Municipal Code chapter 20.30.060 for recording the plat;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SHORELINE, WASHINGTON AS FOLLOWS:

Section 1. The Council finds that the conditions of preliminary plat approval have been met and the requirements for recording the final plat have been satisfied. The Council hereby adopts the findings of fact of the Director of Planning and Development Services set out following each preliminary subdivision condition in *Council Agenda Item 6(a),* BACKGROUND/ANALYSIS, (3) Procedural History, of the Shoreline Council Meeting packet of July 16, 2001.

The Council further finds that the plat of Paramount Ridge as proposed is in conformity with all applicable zoning ordinances and other land use controls of the City of Shoreline.

Section 2. The final plat of Paramount Ridge, is approved, subject to a performance bond guaranteeing site development will be completed within two years.

Section 3. The Mayor and the Planning and Development Director are authorized to

sign the plat, which will then be recorded with King County Records and Elections Division.

ADOPTED BY THE CITY COUNCIL ON July 16, 2001.

Mayor Scott Jepsen

ATTEST:

Sharon Mattioli, CMC
City Clerk

ATTACHMENT E:

June 11, 2001

POULIN LETTER

SMITH & LOWNEY, P.L.L.C.
2317 EAST JOHN STREET
SEATTLE, WASHINGTON 98112
(206) 860-2883, FAX (206) 860-4187

June 11, 2001

VIA FACSIMILE -- 206-546-2200

Ian R. Sievers, City Attorney
City of Shoreline
17544 Midvale Avenue N.
Shoreline, WA 98133-4921

Re: Use of Stormwater Line Crossing Kalman/Hudson Property for Proposed Paramount Park Subdivision; Public Records Act Request

Dear Mr. Sievers:

We are writing to reiterate Dr. David Kalman's and Mrs. Cecilie Hudson's objection to the use of their stormwater pipe and/or property to convey any stormwater resulting from the proposed Paramount Park Subdivision. This letter responds to your letter addressing this subject, dated February 13, 2001. As discussed further below, this letter also requests that the City provide copies of relevant public records.

At the outset, we do not agree that this matter would be resolved by determining the ownership of the drainage pipe at issue. Although the ownership of the pipeline is plainly disputed, the real issue is the extent of and the right to use the "vested prescriptive easement" (your words) across the Kalman/Hudson property. Obviously, this is not a situation where an express easement has been conveyed or reserved in a deed restriction or convenant. Compare, for contrast, the express easement stated in the proposed Paramount Ridge restrictions and covenants.[1] No such express easement exists with respect to the Kalman/Hudson property.

It is a matter of textbook property law that the extent of a prescriptive easement is defined by the extent of the prescriptive use. The extent of the rights acquired through prescriptive use is determined by the uses through which the right originated. Northwest Cities Gas Co. v. Western Fuel Co., 17 Wn.2d 482, 486,

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[1] The express easement, contained in the proposed final plat, states:

> The public drainage utility and access easement as shown on the face of the plat is for the purposes of conveying, storing, managing and facilitating storm and surface water. This easement grants the right for the City of Shoreline or their assigns, to reasonably enter said drainage easement for the purpose of operating, maintaining, repairing, constructing, and improving the drainage facilities contained.

135 P.2d 867 (1943); Restatement of Property § 477, at 2992 (1944). The easement acquired extends only to the uses necessary to accomplish the purpose for which the easement was claimed. Yakima Valley Canal Co. v. Walker, 76 Wash.2d 90, 94, 455 P.2d 372 (1969).

Here, it is undisputed that stormwater from the property on which Howland Homes intends to build the Paramount Ridge subdivision has never flowed through the pipe across the Kalman/Hudson property. Moreover, diverting the stormwater from Paramount Ridge so that it flows through the pipe is not necessary to accomplish the purpose for which the easement was claimed. Therefore, any prescriptive right that the City enjoys to use the pipe crossing the Kalman/Hudson lot simply does not benefit Paramount Ridge. In addition, as we noted in our initial letter, the proposal to collect and discharge water onto and across the Kalman property in quantities greater than, or in a manner different from, its natural flow violates the "common enemy" doctrine under Washington law.

With respect to the ownership of the pipe, we believe the record reflects that King County connected its catchbasin and manhole to the preexisting pipeline crossing the Kalman/Hudson property in 1980. At the time, Dr. Kalman and Mrs. Hudson were told the County's action, "does not relieve the owner of ownership or responsibility for upkeep and maintenance of this system." With respect to your mention of contrary information in the City's files, please provide copies of any City "files" or documents that relate to the history of the pipeline, its construction, and its alleged conveyance to the City by King County. Also, please provide copies of any studies or analyses of the pipeline's capacity, and its adequacy to handle the proposed additional stormwater flows.

In conclusion, we reiterate our request that the City of Shoreline revise its plans as necessary to eliminate the proposed, unauthorized use of the Kalman's property by Howland Homes. In the meantime, please contact the undersigned with any questions.

Very truly yours,

SMITH & LOWNEY, P.L.L.C.

By: _____
Richard A. Poulin,
Of Counsel

ATTACHMENT F:

June 18, 2001

SIEVERS LETTER

CITY OF SHORELINE

June 18, 2001

Richard A. Poulin
Smith & Lowney, PLLC
237 East John St.
Seattle, WA 98112

Re: Use of Stormwater Line Across Kalman/Hudson Property

Dear Mr. Poulin:

I have reviewed your response letter regarding the prescriptive easement across the Kalman/Hudson property. The City asserts a use right for the public stormwater system using this line. I have also reviewed the "Release of Damages" which supports the position that at least some of the storm drain across the Hudson/Kalman property was piped in 1980 and that King Co. enclosed an open section with tile, catch basins and manholes in 1980.

Certainly the use is adverse, that is the County used the Kalman/Hudson property as if it were its own, entirely disregarding the claims of others, asking permission from nobody and using the property under a claim of a right. The Release of Damages reinforces this County position by demanding the release and discharge of liability from Hudson and Kalman and insisting that the property owners continued to own and maintain the line carrying the public stormwater.

We also agree that the Restatement of Property §477 controls the extent of the easement in Washington. The easement extends to uses necessary to accomplish the purpose for which the easement was claimed. We disagree on the purpose established by King County in connecting its pipe to the drainage system extending downstream. The purpose established by a joint-use facility is not limited to the particular past users or their individual historic use. For example the purpose of a dock built on a private lot was for the "recreation" of the homeowner's association that build the dock. The court in *Lee v. Lozier* found "no authority for the proposition that an easement must be specifically limited to the individual activities that each of the claimants proved they engaged in the past.[1]" In another quasi-public case, a private water company acquired a prescriptive use to serve new customers from a well and pipes located on private property without consent.[2] " If any practically useful easement is ever to arise by prescription, the use permitted under it must vary

[1] *Lee v. Lozier*, 88 Wn. App. 176, (1997)
[2] *Crescent Harbor Water Co. Inc. v. Lyseng*, 51 Wn. App 337 (1988).

17544 Midvale Avenue North, Shoreline, Washington 98133-4921
Telephone: (206) 54 ww.cityofshoreline.com

in some degree from the use by which it was created. Hence, the use under which a prescriptive interest arises determines the general outlines rather than the minute details of the interest.[3] "

What was King County's range of privileges asserted by connecting its pipe. It would be a capacity defined by the pipe for development in the drainage basin above the Kalman/Hudson property. Applying the three-prong test of §478 of the Restatement, conveying stormwater from Paramount Ridge is the same "physical character," and "purpose" as the original stormwater drainage using the easement and the "relative burden caused upon the servient tenement" is not significant since the pipe capacity has been analyzed and found to be adequate.

Staff will continue to recommend that the City's public drainage easement can be used by Paramount Ridge, and that condition eleven of the Preliminary Plat approval has been met.

Sincerely,

Ian R. Sievers
City Attorney

Cc: Daniel Bretzke

[3] Restatement of Property §477 at 2992.

Council Meeting Date: July 16, 2001 **Agenda Item: 7(a)**

CITY COUNCIL AGENDA ITEM

CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Discussion Regarding King County's Brightwater Siting Process
DEPARTMENT:	City Manager's Office
PRESENTED BY:	Kristoff T. Bauer, Assistant to the City Manager

EXECUTIVE / COUNCIL SUMMARY

As your Council is aware, King County is in the process of siting a third regional wastewater treatment plant (Brightwater) in the north King/south Snohomish county area (See Attachment A). The King County Council has acted to include Pt. Wells as one of six candidate sites for this facility. Staff has provided a number of updates regarding King County's selection process, but the Council has not had an opportunity to discuss this process in detail or provide direction to staff since objectives were established in January 2000. The intent of tonight's discussion with Council is to provide a more detailed description of the County's selection process, revisit objectives, and discuss potential next steps.

Based upon extensive study and discussion with the community demonstrating opposition to the siting of a wastewater facility at Pt. Wells, Council established the following objectives[1] regarding staff activities related to King County's siting process in January 2000:

1. To secure a meaningful role for the City in that process
2. To ensure that the Shoreline community's concerns are addressed prior to the consideration of ~~advocate against the~~ siting ~~of~~ the treatment plant at Point Wells
3. To ensure that the outfall is sited consistent with best environmental practices and consistent with regional wastewater service goals and objectives
4. To ensure that, if Point Wells is selected as the best outfall location, any impacts on Shoreline from the construction or operation of that facility are mitigated consistent with City policy and community sensitivities

The City's activities to serve these objectives have followed two tracks. The City has participated in the King County Executive's Siting Advisory Committee (SAC) process and other opportunities to participate in the siting process. The City has also worked to ensure that it will have the opportunity to annex the Pt. Wells area should the property owner petition for such annexation.

There are a number of reasons to question whether the City's participation in the SAC satisfies the first objective. The SAC was established by the executives of both

[1] Clear consensus regarding the change in the language of objective 2 was not expressed. This proposed edit of that objective is based upon staff's review of comments made during the Council's discussion.

counties to advise the King County Executive and his staff regarding the siting process. Shortly after it was established, however, the King County Council forced a revision in the siting process giving their body a greater role in the preliminary selection process. The King County Council has not even allowed sufficient time for the SAC to provide recommendations prior to acting to select sites or adopt selection criteria. In addition, King County staff has not brought a number of significant issues to the SAC for input.

In addition, the SAC process has provided little opportunity for critical evaluation and comment on the County's selection process. Staff has reviewed published information regarding that process and identified a number of discrepancies related to the application of the identified criteria and the selection of Pt. Wells as a candidate site. From this point forward, the SAC process is expected to focus solely on which of the six remaining sites should be identified as final candidate sites. No opportunity to question whether Pt. Wells should have been identified or whether there are other sites that should still be considered is expected.

In relation to annexation, the City has taken a number of steps with the purpose of creating a political environment in Snohomish County sensitive to Shoreline's concerns regarding the Pt. Wells issue with little success. In the absence of an opportunity to work toward a political or negotiated resolution, the City has sought legal redress with some success. The issue of which cities' designation of Pt. Wells as an annexation area will be validated, Shoreline's or Woodway's, is currently before the Growth Management Hearings Board (GMHB) with a decision expected this fall. There is a good chance that Shoreline will be able to process an annexation request from Chevron, the property owner, within the next two years.

King County staff is currently working through additional analysis regarding the six remaining candidate sites. Based on this analysis, King County staff will recommend two to five "final candidate" sites for adoption by the King County Council this fall. Environmental analysis will then move forward on these final candidate sites.

While the City of Shoreline has chosen to remain officially neutral regarding the potential siting of the Brightwater facility at Pt. Wells, Woodway has actively sought to promote the site. The Woodway Town Council recently adopted a resolution supporting the identification of Pt. Wells as a final candidate site (See Attachment B). In addition, the Richmond Beach Community Council recently hosted a panel discussion on this issue. Many participants expressed their opposition to the continued consideration of Pt. Wells as a candidate site. The Richmond Beach Community Council may consider taking a position of opposition at their next board meeting scheduled for July 10, 2001.

The following potential Council actions are presented to spur discussion:

1. The City could maintain the current level of activity and continue to serve the objectives above

2. The Council could take action to change its official position to opposition via a motion or the passage of a resolution at a future regular meeting

3. The Council could devote additional resources to opposition of the Pt. Wells site from written and personal communication with County elected officials to the hiring

of a public relations firm to work with the community to challenge King County's process and the identification of Pt. Wells

4. The Council could enter into negotiations with King County regarding the specific terms and conditions under which the City would remain neutral

RECOMMENDATION

This item is for discussion purposes only. Council can express a consensus regarding the consideration of future actions.

Approved By: City Manager City Attorney ___

BACKGROUND / ANALYSIS

In 1999, the City took a number of steps to better understand the risks and potential benefits of the construction of either a wastewater treatment plant or its marine outfall. This included the creation of an impact analysis by the consulting engineering firm of Gray & Osborne. The findings of this report were presented to the public in a forum on July 27, 1999 along with presentations by King County staff. Forum participants were then asked to complete a survey regarding a number of related issues. The following summarizes the key findings:

- Primary concerns raised regarding construction and operation of the outfall were: 1) impact on water quality and marine environment, 2) impact on fish and shellfish, 3) traffic during construction, and 4) disturbance of contaminated soils.
- Primary concerns raised regarding construction and operation of the plant were: 1) odor, 2) traffic, 3) aesthetics (view), and 4) environmental impacts including the disturbance of contaminated soils.

■ With appropriate mitigation, the construction of an outfall alone at Point Wells may be acceptable to Shoreline. (74% Total Agreement – 26% Total Disagreement)

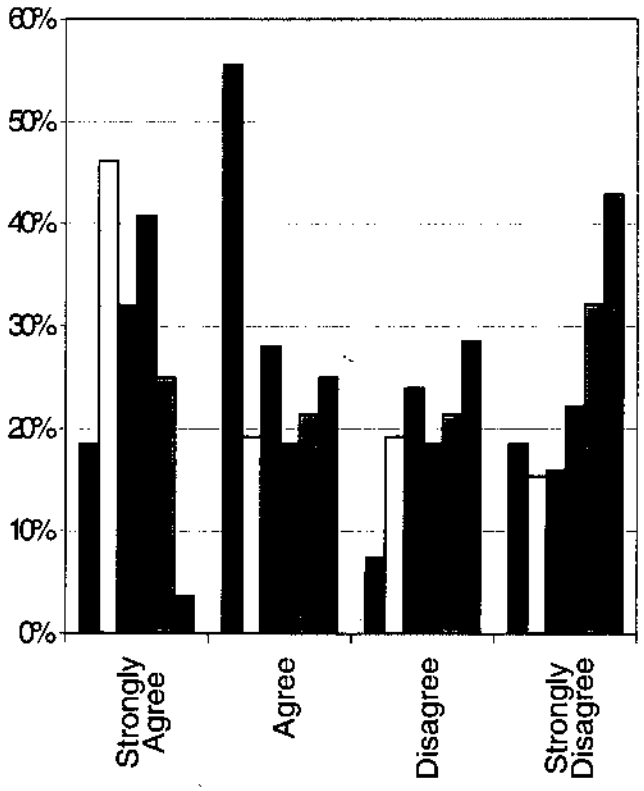
□ It is important for Shoreline to pursue the annexation of Point Wells into the City in order to protect the Community's interests. (65% Total Agreement – 35% Total Disagreement)

■ The construction of a marina at Point Wells would benefit the Shoreline community. (60% Total Agreement – 40% Total Disagreement)

■ The City should encourage the redevelopment of Point Wells to non-industrial uses. (59% Total Agreement – 41% Total Disagreement)

■ The Mixed Use zoning designation for Point Wells included in Shoreline's comprehensive plan reflects the Community's vision for this area. (46% Total Agreement – 54% Total Disagreement)

■ With appropriate mitigation, the construction of a wastewater treatment plant and outfall at Point Wells would benefit Shoreline. (29% Total Agreement – 71% Total Disagreement)



The survey results above are, however, based upon a small sample. Just 30 questionnaires were returned from residents of Richmond Beach, Meridian Park, Richmond Highlands, Ridgecrest, and Hillwood neighborhoods. A few Woodway residents also attended the forum and may have returned a questionnaire.

In the spring of 1999, the Richmond Beach Community Council has also surveyed its neighborhood regarding Pt. Wells. They received 374 completed questionnaires and asked two similar questions:

- Should Pt. Wells be annexed to the City of Shoreline? (86% favor, 14% opposed)

- Should a treatment facility be sited at Pt. Wells, providing appropriate mitigation is provided? (32% favor, 68% opposed)

The similarity in the results of both surveys provides some validation of the individual results and provides a strong base for the objectives established by the Council.

The Selection Process

There are four key elements of the County's site selection analysis that have been and will be utilized to sift the original 95 land areas identified down to 38, then down to 6, and soon down to 2 to 5 final candidate sites. These are:

- Engineering & Environmental Constraints
- Site Screening/Selection Criteria
- Detailed Evaluation Questions
- Key Factors

Engineering & Environmental Constraints

This constraint analysis was developed completely by staff and was the key screening tool used to reduce the initial land inventory of 95 sites to 38. King County's summary of the E&E Criteria is in the box to the right. These criteria were applied to the Pt. Wells site (Site #30) and a number of constraints were identified (See Attachment C). If fact, with the exception of approximately 11 acres in the upland area, the entire site is identified as constrained. The major constraint identified on the lowland area, ENG-6, was shifted during the analysis process from a site limitation to simply a concern warranting further analysis (Attachment D). The Pt. Wells site is the only candidate currently under consideration that would have been eliminated had this change not been made.

The landslide constraint was also applied only to those areas where conditions could result in soil movement, not to those areas down slope that could be impacted by those moving soils.

It should also be noted that 15 sites were eliminated due to land use designations (ENV 5,6 & 7).

Engineering Constraints (ENG)

1. Parcel size – land area comprising less than the 25-acre minimum site area.
2. Parcel shape – land area with dimensions greater than 10:1 length to width ratio.
3. Proximity to fault – land area that is less than 0.5 km (1600 feet) from a documented seismic fault.
4. Slope – land area with minimum site area (25 acres) located on slopes greater than 30%.
5. Presence of landslides – land area with minimum site area (25 acres) located in a known slide area or an area with high potential for instability.
6. *Presence of, or potential for, lateral spreading – land area located in an area of deep liquefiable soils and lateral spreading during a seismic event is too highly constrained.*

Environmental Constraints (ENV)

1. Class 1 wetlands – land area is too highly constrained if a high quality wetland occupies the area such that less than 25 acres remains for the minimum site area.
2. 100-year floodplain – land area is too highly constrained if less than 25 acres are available outside the 100-year floodplain
3. Presence of SuperFund site – land area is too highly constrained if less than 25 acres are available outside of a SuperFund area.
4. Active airport area and runway protection zones - land area is too highly constrained if less than 25 acres are available outside of active airport areas and designated runway protection zones.
5. Designated agricultural or forest resource lands or lands held in trust - land area is too highly constrained if less than 25 acres remain outside of designated agriculture, forest resources conservancy, or other conservancy lands.
6. Designated preserve or conservation area - land area is too highly constrained if less than 25 acres are available outside of parklands with designated habitat preserve or conservation areas.
7. Parklands with designated habitat or natural areas – land area is too highly constrained if less than 25 acres are available outside parklands with officially designated habitat or natural areas.

Site Screening/Selection Criteria

King County has identified two sets of criteria. The King County Council adopted the Site *Screening* Criteria in February 2001 for the purpose of sifting the initial lands inventory down to candidate sites. The Site *Selection* Criteria was adopted in May for the purpose of selecting 2 to 5 *Final* Candidate sites from the six Candidate sites identified by the King County Council at that time. Both sets of criteria are virtually the same with the exception of a criterion relating to public safety facilities, which was added to the Selection Criteria.

The main focus of the SAC deliberations and, as a result, prior Council briefings have been on these sets of criteria. The SAC recommended changes to these criteria for two main purposes: 1) simply improving the language of individual criterions, 2) providing some form of emphasis to individual criterions. King County staff responded by ensuring that the SAC would have some opportunity to assist in setting priorities for the selection process, but that this should not be accomplished during the initial review of the proposed criteria. The King County Council has ignored the recommendations of the SAC even after the written encouragement provided by your Council in May.

King County staff has also stated that if the SAC recommendations were adopted the outcome of staff analysis would not have changed. This is due to the way these criteria were applied. King County staff developed a set of Detailed Evaluation Questions (DEQ's) and an accompanying rating scales (See Attachment E, Table 2). These DEQ's are based upon the criteria, but would not likely have changed based upon the SAC's recommendations. In addition, King County Staff chose eight individual criterions to identify as Key Factors (See Attachment E, Table 3). Through this process King County staff effectively made any debate regarding the wording of criteria moot and established eight priority criteria. Further, the identification of these eight Key Factors does not appear to have been influenced by the wording of individual criterions and the input of the SAC was never sought. Council should note that criteria related to site accessibility, geologic hazards, soils contamination, and others under which Pt. Wells faired less favorably then many sites were not identified as Key Factors.

The importance of the Key Factors analysis is best illustrated by comparing how the Pt. Wells site faired against two sites not identified as candidate sites (Site 28 in Kenmore and Site Ind2 in unincorporated Snohomish County, See Attachment C). A matrix pulled from King County's documentation of the selection process accomplishes this at Attachment F.

As Council reviews this matrix, the first thing you may find interesting is the complete absence of any question related to the potential for water re-use. The King County Council actually added a criterion related specifically to this issue, but no related DEQ was disclosed as part of the analysis. A second thing to consider is the difficulty of identifying Pt. Wells as the clearly preferred site among these three by looking simply at the DEQ ratings. If one looks simply at the Key Factors, then elevation, conveyance length, and number of pump stations seem to explain why Site Ind2 was eliminated, but it does not explain why Site 28, with better scores then Pt. Wells in these areas, was also eliminated.

Staff has requested additional information from King County regarding why Site 28 was eliminated. This information may be available in time to be included in staff's oral presentation to the City Council on this issue.

One could conclude by examining the process to date that the SAC process, even if the County Council was willing to respect its recommendations, has had no real opportunity to impact the identification of candidate sites. This is true principally due to its focus on an apparently meaningless set of language, the Screening Criteria. In addition, community focus on these criteria also appears to have little opportunity influence the process for the same reason. In fact the two proposed candidate sites that were effectively removed by the King County Council prior to adoption were removed based upon issues not included in the Screening Criteria, i.e. low income housing and public safety use of the gun range facility (added to Selection Criteria).

Application of the Selection/Screening Criteria to Pt. Wells

With two notable exceptions, staff does not differ with King County's staff's application of the DEQ's to Pt. Wells. One exception is Vehicle Access (ENGR-Acc1a(Blue)). This question is written to compare the distance to the nearest freeway, but the existing infrastructure between nearest freeway and the proposed site is ignored. The Unocal site in Edmonds, for example, is currently listed as being 4 miles[2] from the nearest freeway, but it is adjacent to SR 104. If the distance to a state route or freeway were used consistently, then the distance measure to Pt. Wells would go down, but it would clearly be the most distant by some degree indicating the true need for this site to rely on neighborhood streets for access.

A second exception is the DEQ related to the distribution of essential public facilities (ENVR-Comm2a(Blue)). King County staff's evaluation of this question in relation to Pt. Wells apparently ignores the fact that Shoreline already has one of King County's busiest solid waste transfer facilities located at its center. They also don't appear to have recognized the location of the Fircrest facility within Shoreline. Perhaps they didn't identify either of these facilities as being a "locally unsupported facility," or they did not identify Pt. Wells as part of Shoreline.

The point of the previous section, however, is that even if the City successfully convinced King County that they have erred in the application of the DEQ's in these two or even a few more areas, it is not likely to have any impact on their analysis. Neither of these questions relate to characteristics identified as Key Factors. The only Key Factor question that Shoreline may attempt to differ with King County staff on is that related to Community Compatibility (COMM-Benefit1a(Blue)). King County has consistently maintained that the steep slope and shoreline buffer areas of Pt. Wells provide adequate land area to provide on-site mitigation and buffer for impacts on the community. While we can argue that these areas do not provide a buffer from the residents to the south, the unusable buffer/mitigation area at the Pt. Wells site is greater than that available on the other candidate sites.

Changing the result of King County's analysis will likely require adjusting the basis, not the substance, of that analysis. The absence of water reuse from the analysis, for

[2] Pt. Wells is listed as being 3.5 miles from the nearest freeway.

example, could be key. The examination of the Key Factors to see if they truly represent the highest priority issues for the selection process could result in new and/or different sites being identified as desirable candidates. The Ind2 Site, for example, is attractive for numerous reasons including its size (550 acres), its ownership (Snohomish County potentially considered surplus), potential water reuse opportunities, ability to expand, and more, but the conveyance length would result in relatively high construction and maintenance costs. Considering this site further, however, would not only require a re-examination of the siting priorities, but also a willingness on behalf of the King County Council to reconsider its decision to designate the current six candidate sites. The SAC may get an opportunity to consider the Key Factor issue as it relates only to the Site Selection Criteria that will be applied to the six candidate sites at its July 12, 2001 meeting. Staff will report on this meeting as part of the oral presentation.

Next Steps

Staff has presented a number of potential next steps for Council's consideration.

1. The City could maintain the current level of activity and continue to serve the objectives above

   Staff does not need further direction to continue to serve the objectives identified in January 2000. Due to staff efforts over the last 18 month, the probability that Shoreline will have the opportunity to annex Pt. Wells in the future continues to increase. Council may want to consider, however, whether the City's current position of semi-neutral involvement in King County's selection process is likely to lead to a result that Council and the community will be comfortable with.

2. The Council could take action to change its official position to opposition via a motion or the passage of a resolution at a future regular meeting

   This action in and of itself, while clarifying the City's position, is not likely to directly impact potential outcomes of King County's selection process.

3. The Council could devote additional resources to opposition of the Pt. Wells site from written and personal communication with County elected officials to the hiring of a public relations firm to work with the community to challenge King County's process and the identification of Pt. Wells

   If the Council wants to have an increased ability to influence the County's process, then additional resources will need to be applied and time is short. The King County Executive's recommendation regarding Final Candidate sites is expected this fall and action thereon by the County Council could follow quite quickly, leaving little time to influence their decision, as it did with the candidate sites. To be effective, personal communication between the City Council and County Council as well as a coordinated public communication effort would be recommended.

4. The Council could enter into negotiations with King County regarding the specific terms and conditions under which the City would remain neutral

   If Council continues to have some desire to cooperatively participate with the County in the site selection process, but wants some specific changes in the process, e.g. a potential to reconsider the candidate sites after a reconsideration

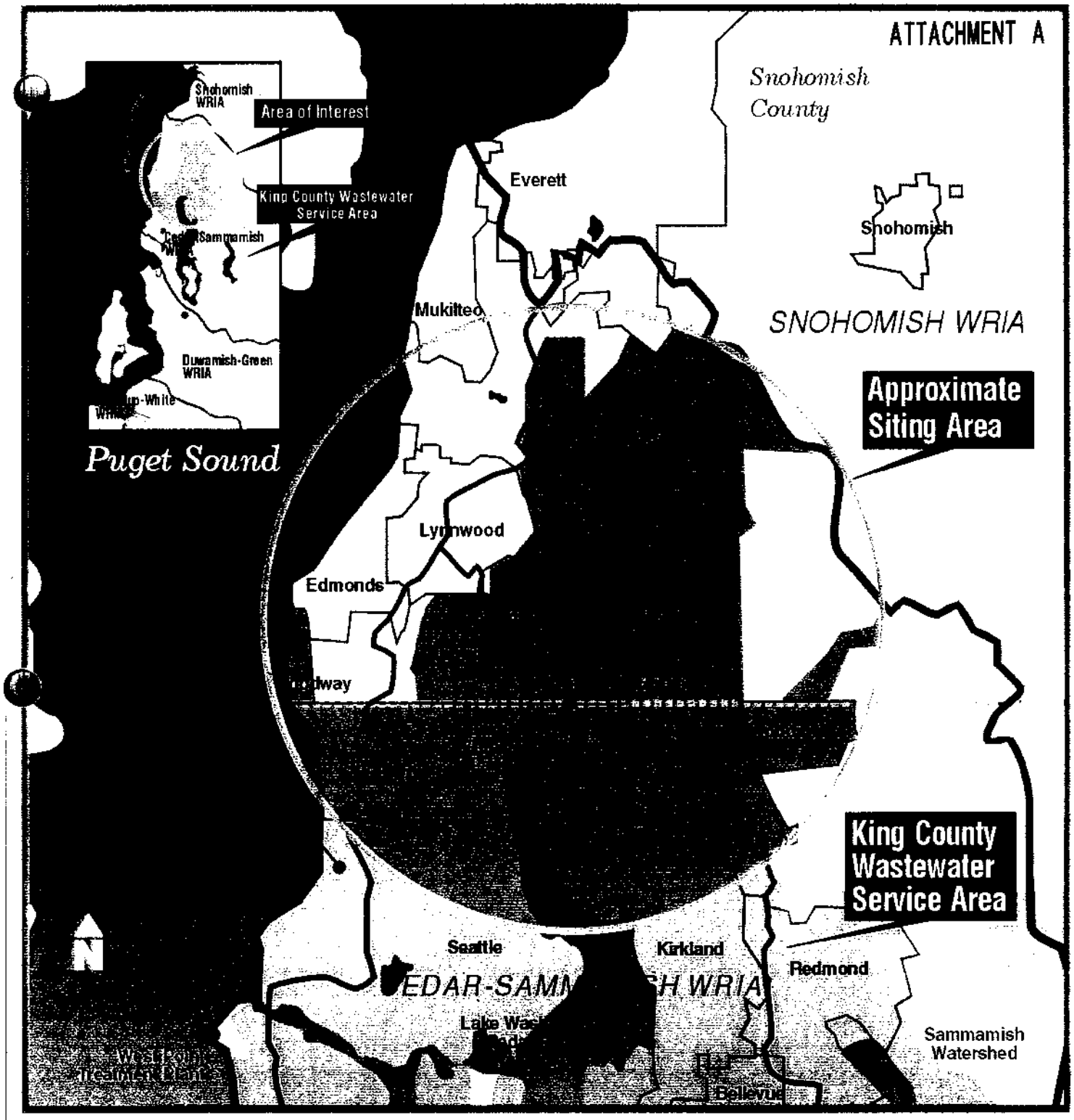
of the Key Factors, then this could be one means of achieving this. Alternatively, if Council feels that there is some potential for an appropriately mitigated facility to be acceptable to the community, but desires specific concessions before continuing to work toward that potential, e.g. strong support from King County for Shoreline's claim on Pt. Wells as its annexation area, then this strategy could also be effective.

RECOMMENDATION

This item is for discussion purposes only. Council can express a consensus regarding the consideration of future actions.

ATTACHMENTS

Attachment A	Approximate Site Selection Area
Attachment B	Town of Woodway Resolution No. 01-243
Attachment C	Site E&E Constraint Maps Excerpted from Appendix B of Appendix J: Phase 1 Engineering And Environmental Constraint Analysis (March 2001)
Attachment D	Liquefiable Soils Constraint Discussion Excerpted from Appendix J: Phase 1 Engineering And Environmental Constraint Analysis (March 2001)
Attachment E	Detailed Evaluation Questions And Key Factors Excerpted from Appendix K: Phase 1 Level 1 Analysis – Site Descriptions And Evaluations (March 2001)
Attachment F	Detailed Evaluation Questions Excerpted from Appendix C of Appendix K: Phase 1 Level 1 Analysis – Site Descriptions And Evaluations (March 2001)



Approximate Site Selection Area for North Treatment Facility, Conveyance, and Marine Outfall

KING COUNTY

Map 4

LEGEND

- Approximate Siting Area
- Watershed Boundaries
- County Line
- Water Features
- King County Wastewater Service Area

00357jc.cdl

TOWN OF WOODWAY
RESOLUTION NO. 01-243

RESOLUTION OF THE TOWN COUNCIL OF WOODWAY, WASHINGTON IN SUPPORT OF THE SELECTION OF POINT WELLS AS ONE OF THE FINAL SITES TO BE INCLUDED IN THE ENVIRONMENTAL IMPACT STATEMENT FOR THE BRIGHTWATER WASTEWATER TREATMENT FACILITY.

WHEREAS, Point Wells contains 97 acres of unincorporated land in Snohomish County and is surrounded on three side by the Town of Woodway, and

WHEREAS, the Woodway Town Council appointed a legislative committee in 1996, which later became the Point Wells Advisory Committee, to evaluate future land uses that could be sited at Point Wells that would be in the best interest of the Town, surrounding neighborhoods and the region; and

WHEREAS, the Point Wells Advisory Committee has carefully investigated the general impacts associated with alternative land uses that could be developed at Point Wells and finds that the impacts associated with a modern well-designed and managed wastewater treatment facility can be effectively mitigated and be of benefit to the surrounding communities; and

WHEREAS, the Point Wells Advisory Committee has closely monitored the Wastewater Treatment Facility Site Selection Process managed by the King County Department of Natural Resources and recommended that the Town Council nominate Point Wells as a potential site for the facility as provided for in the Community Nomination portion of the Site Selection Process, and

WHEREAS, the Town Council submitted a Community Nomination application to King County in August 2000 nominating Point Wells as a site to be considered in the site selection process; and

WHEREAS, the King County established a Site Selection Committee that developed site selection criteria based on environmental, technical, financial and community oriented factors that was applied to numerous sites in King and Snohomish Counties, and

WHEREAS, Point Wells was selected as one of seven potential sites by King and Snohomish County Executives in March 2001 and underwent additional evaluation and public review; and

WHEREAS, the Town Council has reviewed and considered the public information for all seven sites and is of the opinion that Point Wells is a superior site based on physical, technical and environmental findings that include: a low, flat, site located adjacent to Puget Sound with an upland natural buffer; opportunities for shoreline public access, site clean up and habitat restoration; accessible by three separate modes including rail, barge and surface streets; and opportunities for partnerships with other public entities; and

WHEREAS, the Woodway Town Council and Advisory Committee has conducted a series of public workshops and community surveys to determine livability values and issues and the results indicate strong support for the uses and mitigation measures associated with a modern well-designed and managed wastewater treatment facility and marine outfall located at Point Wells.

NOWTHERFORE BE IT RESOLVED BY THE TOWN COUNCIL OF WOODWAY, WASHINGTON:

Section 1. To support the selection of Point Wells by the King County Council and Executive as one of the final sites that would be evaluated in the environment impact statement for the future Brightwater wastewater facility and marine outfall.

Section 2. To continue to work with property owners, surrounding neighborhoods and communities to define alternative land uses and mitigation measures that are in the best long term interest of the Town, adjacent communities and the region.

Passed this 21st day of May 2001 by a vote of 5 for and 0 against.

APPROVED:

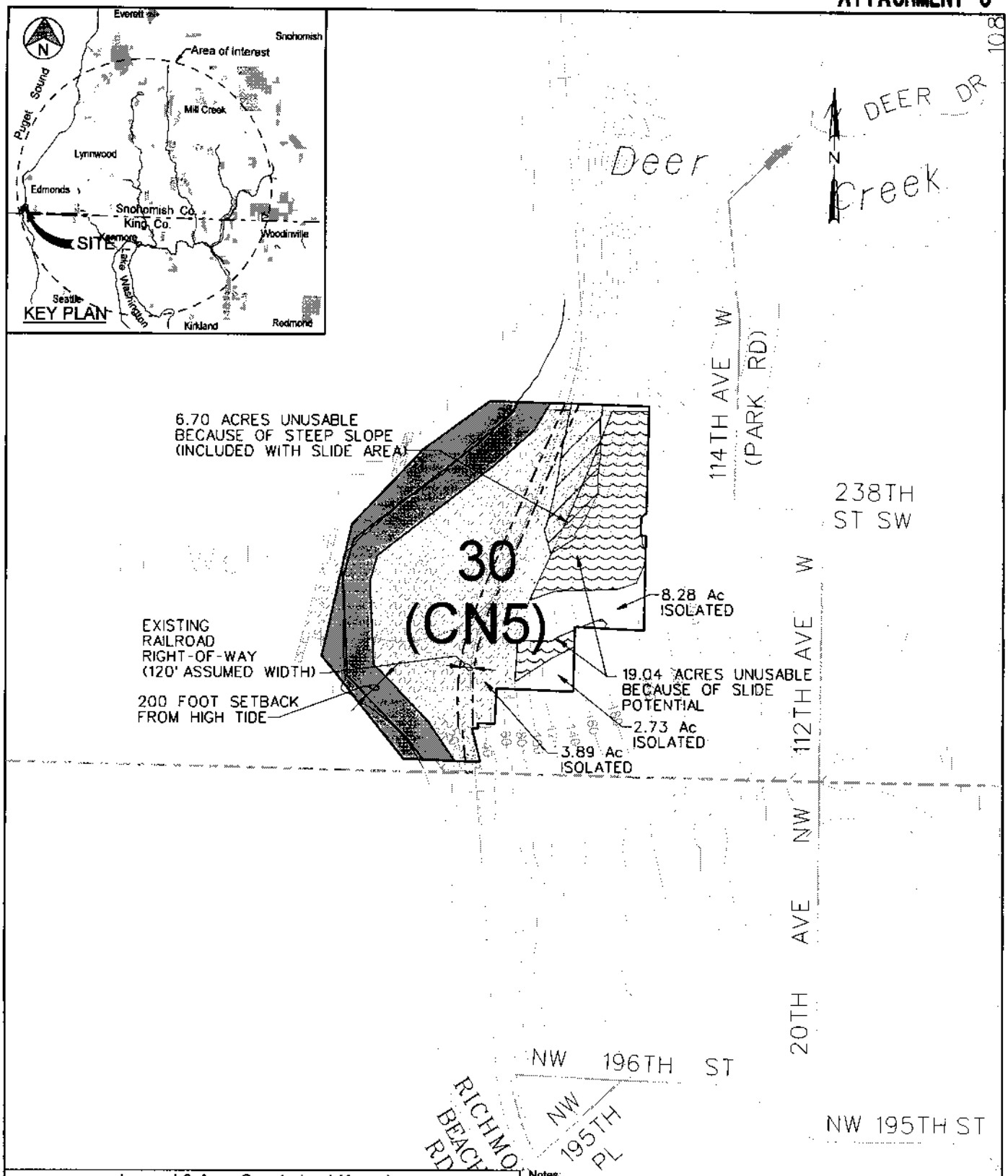
Carla A. Nichols

CARLA A. NICHOLS, MAYOR

ATTEST:

Lorraine Taylor

Lorraine Taylor, Clerk Treasurer



Legend & Area Constrained (Acres)

Engineering Constraints			Environmental Constraints		
97.36 (1) Total Area	Site Size <25 Acres	14.9	Category 1 wetlands		0
	Parcel Shape > 10:1 length to width	0	100-year floodplain		27.42 (3)
	Located in area of lateral spreading	55.0(2)	Superfund site		0
	Fault Line <0.5 km	0	Airport & clear zone		0
			Designated ag, forest or held in trust		0
	Slopes > 30%	6.70	Combined Constrained Areas:		68.06
	High slide potential	19.04	Available Area of Site Unconstrained:	29.3	Acres

Notes:
(1) Tax Parcel Area / Scaled Area where different
(2) Depth of liquifiable soils are unknown. Further investigation required; consider unconstrained.
(3) Area includes 200' setback and property shoreward of setback.

0 500 1000 1500
Scale In Feet

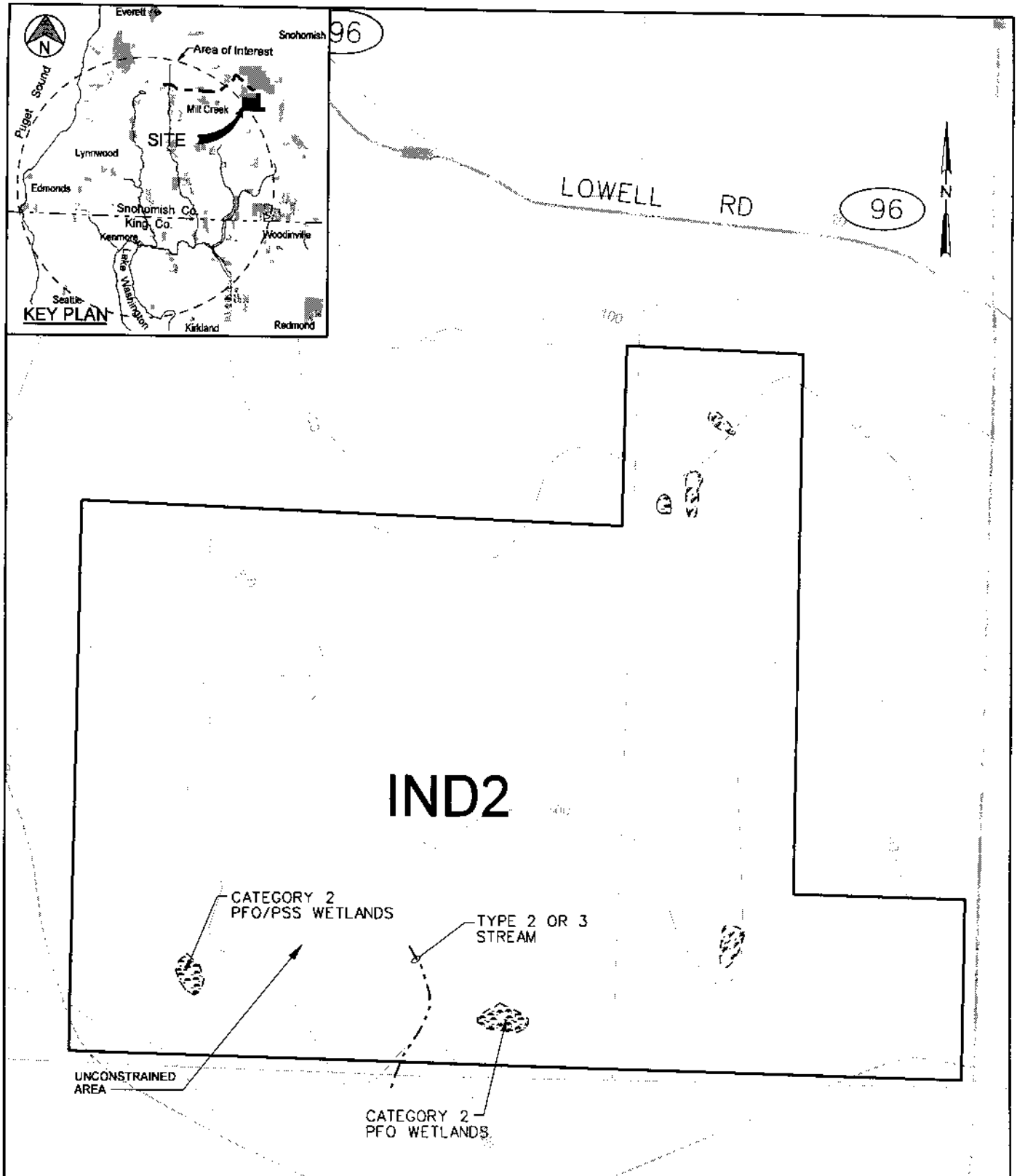
King County - Brightwater Treatment Plant Siting
SITES REMAINING FOR EVALUATION

REMAINING USABLE AREA OF SITE
APPLYING ENGINEERING & ENVIRONMENTAL CONSTRAINTS

Snohomish County
SITE NO. 30 (CN5)

SEA_NOM_157689

FILE NAME: area-30.div 10-MAR-2001 16:20:05



Legend & Area Constrained (Acres)

557.82 /
556.92 (1) Total Area

Engineering Constraints

Site Size <25 Acres	0
Parcel Shape > 10:1 length to width	0
Located in area of lateral spreading	0
Fault Line <0.5 km	0
Slopes > 30%	0
High slide potential	0

Environmental Constraints

Category 1 wetlands & Class 2 wetlands	4.34
100-year floodplain	0
Superfund site	0
Airport & clear zone	0
Designated ag, forest or held in trust	0

Combined Constrained Areas: 4.34

Available Area of Site Unconstrained: 553.48 Acres

Notes:
(1) Tax Parcel Area / Scaled Area where different

0 500 1000 1500
Scale in Feet

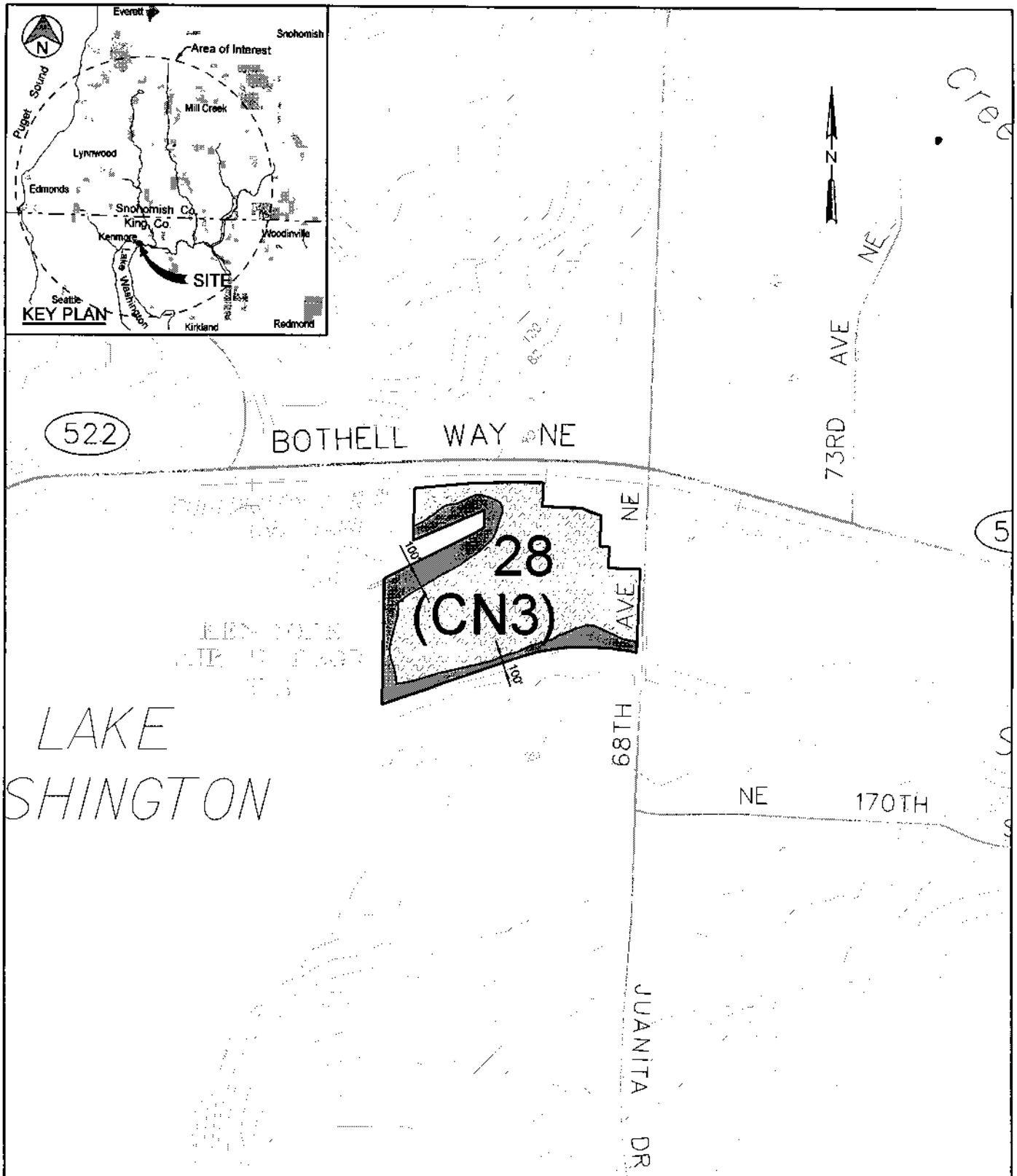
King County - Brightwater Treatment Plant Siting
SITES REMAINING FOR EVALUATION

REMAINING USABLE AREA OF SITE
APPLYING ENGINEERING & ENVIRONMENTAL CONSTRAINTS

Snohomish County
SITE NO. IND2

SEA NOM 157689

FILE NAME: oreoi-02.div 09-MAR-2001 13:40:38



Legend & Area Constrained (Acres)

Engineering Constraints

46.18 (1) Total Area

Site Size <25 Acres	0
Parcel Shape > 10:1 length to width	0
Located in area of lateral spreading	46.2 (2)
Fault Line <0.5 km	0
Slopes > 30%	0
High slide potential	0

Environmental Constraints

Category 1 wetlands	0
100-year floodplain	10.25
Superfund site	0
Airport & clear zone	0
Designated ag, forest or held in trust	0
Combined Constrained Areas:	10.25

Available Area of Site Unconstrained: 35.93 Acres

Notes:
(1) Tax Parcel Area / Scaled Area where different
(2) Depth of liquifiable soils are unknown. Further investigation required; consider unconstrained.

0 500 1000 1500
Scale In Feet

King County - Brightwater Treatment Plant Siting
SITES REMAINING FOR EVALUATION

REMAINING USABLE AREA OF SITE
APPLYING ENGINEERING & ENVIRONMENTAL CONSTRAINTS

Kenmore Area

SITE NO. 28 (CN3)

SEA_NOM 157689

FILE NAME: area-28.div 10-MAR-2001 16:55:20

Engineering Constraints

The engineering constraint analysis evaluated each site based on six technical features, or constraints, that would affect the engineering and construction of the Brightwater Treatment Plant. The six engineering constraints were:

- Size less than 25 acres
- Shape with a length to width ratio greater than 10 to 1, or an irregular shape
- Location within 0.5 kilometers from a documented seismic fault
- Slopes greater than 30 percent
- Known landslides and high potential for instability
- Location within a zone of liquefiable soils and deep lateral spreading

The most prevalent engineering constraint was the presence of known landslides and high potential for instability. The second most common constraints found among the land areas evaluated were the constraints regarding the size and shape of the site. The number of sites containing each engineering constraint is shown in Figure 3.

The presence of liquefiable soils was initially considered as a limitation, but insufficient data was available to determine if the depth of the liquefiable soils would be a real constraint. If the liquefiable soils were shallow in depth, construction of the tankage and facilities could be accomplished with minimal, if any, increase in construction cost; if medium depth, siting may still be feasible, however, additional construction cost would be incurred. Deep liquefiable soils throughout a majority of the site could make construction difficult. Further investigation during later levels of screening is required to determine if the specific soils at each site are suitable and whether construction of the Brightwater Treatment Plant is feasible on each of the remaining sites.

Environmental Constraints

The constraint analysis also evaluated each site from an environmental perspective and for consistency with the State Environmental Policy Act (SEPA). The seven environmental constraints were:

- Presence of Class 1 wetlands
- Location in the 100-year floodplain
- Presence of a Superfund site
- Location near an airport or clear zone
- Presence of designated agricultural or forest land or land held in trust
- Presence of designated wildlife preserve or conservation land
- Presence of parkland with officially designated habitat/natural areas

Two environmental constraints among the sites evaluated were most common: presence of wetlands and location of the site in a floodplain. Sites containing parklands with designated habitat and natural areas ranked second. The number of sites containing each environmental constraint is shown in Figure 4.

Level 1 Evaluation and Results

Beginning in October 2000, the Project Team started to acquire information needed to evaluate the sites using the Detailed Evaluation Questions. Preliminary evaluations were completed by each subject area group, DEQ's were completed and summarized, and a series of work sessions were held to review the results. (See Appendix C for completed DEQ's for each subject group.) Based on the experience and professional judgement of the Project Team, it became clear that certain DEQ's represented key siting factors and should be given more emphasis in the evaluation. Using the information developed and presented in the site descriptions, field observations made of the sites, and experience and professional judgement of the team, the Project Team determined which sites were most suitable, which least suitable, and which sites were in the middle. Of the 36 sites that were evaluated, 7 sites appear most suitable and are recommended for further evaluation.

To assist the team in sorting through the large amount of information generated by evaluating and answering 33 questions for each of the 36 sites, the evaluation results (i.e., high, medium, low constraint or yes/no ratings for each question) were put into a computer spreadsheet program (Criterium Decision Plus software). The spreadsheet facilitated the sorting and tallying of the large number and provided an initial basis for comparison of the sites. From here the team engaged in further discussions and evaluations to sort the sites into categories of most suitable, suitable and least suitable, based on both the number and nature of the constraints and opportunities.

Key Factors

Although all 33 DEQ's were used in preliminary consideration of the 36 sites, the Project Team focused on 8 questions that were considered key siting factors and given more emphasis in the evaluation of the sites.

Table 2
Level 1 Detailed Evaluation Questions

COMMUNITY

DEQ CODE	CONSTRAINT	QUESTION	SCALE
ENVR-LU2a	Consistency with Plans	Do adopted plans and policies allow siting a wastewater facility within the land area?	High, Medium, Low
ENVR-LU3a	Urban Growth Boundary	Is the land area within the Urban Growth Boundary?	High, No
ENVR-LU4a	Essential Public Facilities Siting Criteria	Would system facilities within the land are be consistent with Essential Public Facilities Siting Criteria?	High, Low, No
ENVR-LU5a	Existing Land Use	Would system facilities within the land area be compatible with existing land use?	High, Medium, Low
ENVR-AQ2a	Air Quality and Odors Emissions	Does the land area have topography with the potential for odor concentration / dispersal?	High, Low
ENVR-VR2a	Visual Resources	Would development within the land area affect visual resources?	High, Low
ENVR-Acc2a	Traffic Disruption	To what extent does use of existing access to the land area affect the vicinity?	High, Medium, Low
ENVR-Comm2a	Equitable Distribution of EPFs	Would the facility represent inequitable community distribution of essential public facilities?	High, Medium, Low
ENVR-CR2a	Archeological and Historical Resources	Are documented archeological / historic sites present or likely within the land area?	High, No
ENVR-CR3a	Landmarks	Are national / state landmarks present in the land area?	High, No
	OPPORTUNITY		
COMM-Benefit1a	Site Size for Community Compatibility	Does the land area include adequate area for on-site mitigation and/or buffer (outside facility footprint)?	Yes, No
ENVR-Bio5a	Offsite Habitat Enhancement Opportunity	Are there opportunities for adjacent off-site upland or wetland habitat enhancement?	Yes, No
ENVR-Bio9a	Onsite Habitat Enhancement Opportunity	Are there opportunities for upland or wetland habitat enhancement on-site?	Yes, No

ENVIRONMENTAL

DEQ CODE	CONSTRAINT		
ENVR-Bio2a	Endangered Species Act Compliance	Are there threatened / endangered / candidate / state species or their habitat present on the land area?	High, Med. Low, No/unknown
ENVR-Bio4a	Wetlands	Are high quality wetlands and / or their buffers present within the land area?	High, Med. Low, No, Unknown
ENVR-Hydro3a	Drinking Water Wells	Is the land area within a Group A Public Water System Wellhead Protection Area?	High, Med. Low, No, Unknown
ENVR-Hydro4a	Aquifer Recharge Area	Is the land area within a critical aquifer recharge area (CARA)?	Medium, No
ENVR-Hydro2a	Streams	Are Class 1 or Class 2 streams or their buffers present within the land area?	High, Med. Low, No, Unknown
ENVR-Hazm2a	Presence of Hazardous Contamination	Is the land area a designated Model Toxics Control Act (MTCA) site?	High, No

TECHNICAL

DEQ CODE	CONSTRAINT		
ENGR-Config2b	Useable Area	Is the total useable area adequate?	High, Medium, Low
ENGR-Config5a	Shape	How well does the shape of the land area accommodate a facility?	High, Medium, Low
ENGR-Topo2a	Slope	What is the slope of the land area and to what degree does it constrain facility development?	High, Medium, Low
ENGR-Topo3a	Elevation Above Sea Level	What is the average elevation of the land area and to what extent will pumping be required?	High, Medium, Low
ENGR-Geo1a	Landslide Potential	What is the extent of landslide potential on the land area?	High, Medium, Low

Table 2
Level 1 Detailed Evaluation Questions (continued)

TECHNICAL

DEQ CODE	CONSTRAINT		
ENGR-Seis3a	Liquefaction Potential	What is the extent of liquefiable soils on the land area?	High, Medium, Low
ENGR-Hydr1a	Groundwater Level	What is the depth to groundwater over the land area?	High, Medium, Low
ENGR-Hydr2a	Artesian Groundwater	To what extent is artesian groundwater present at the land area?	High, Low
ENGR-Acc1a	Vehicle Access	What is the ease of access (distance) to the freeway from the land area?	High, Medium, Low
ENGR-Conv1a	Conveyance Length	What is the total length of the NTF conveyance system?	High, Medium, Low
ENGR-Conv3a	Number of Pump Stations	What is the total energy consumption (in horsepower) for the NTF system?	High, Medium, Low
ENVR-PE2a	Permittability	Would the land area require numerous long-lead time permits?	High, Medium, Low
LAND-Time5a	Complexity of Relocations	What are the types of potential relocations on the land area?	High, Medium, Low

FINANCIAL

DEQ CODE	CONSTRAINT		
LAND-Cost1a	Projected Acquisition Cost	What are the comparative projected acquisition / relocations costs for the land area?	High, Medium, Low

The engineering and the environmental/community teams met separately to select these key factors for their area of responsibility. The basis for selection of key factors included:

- Importance – factors that were most important in determining site suitability
- Best Discrimination – factors that clearly distinguished between sites
- Independence – factors that were unique measures of suitability
- Significance – factors that represent constraints not easily mitigated
- Available Data – factors that can be clearly determined based on available information

The selection of key factors was designed to focus the Level 1 evaluations on the most significant factors that provide the most reliable information. The key factors used and the reasons for selection are listed in Table 3.

Table 3

Key Factors	
Community Key Factors	
ENVR-LU5a - Existing Land Use	Reflects community's vision of itself and provides information about compatibility with surrounding land uses
COMM-Benefit1a - Size for Community Compatibility	Site size may affect ability to design appropriate mitigation
Environmental Key Factors	
ENVR-Bio2a - Endangered Species Act Compliance	Critical issue with extensive regulatory compliance considerations
ENVR-Bio4a - Wetlands	Constraint to site development accompanied by extensive regulatory compliance considerations
Engineering Key Factors	
ENGR-Config2b - Useable Area	Affects treatment plant efficiency, flexibility, cost and odor buffer
ENGR-Topo3a - Elevation	Affects system design, construction and O&M costs
CONV-Conv1a - Length of Conveyance	Affects conveyance construction and O&M costs
CONV-Conv3a - Number of Pump Stations	Affects conveyance construction and O&M costs

				Site Number	28	30	IND2
St	Group	Code	Topic	Questions	Scale			
Community		ENVR-LU2a	Consistency with Plans	Do adopted plans & policies allow siting a wastewater facility within the land area?	**High:** Inconsistent with comprehensive plans & zoning. **Medium:** Potentially consistent with comprehensive plans & zoning & likely to meet redesignation, special use review, or rezone criteria. **No:** Consistent with comprehensive plans & zoning.	Medium	Medium	High
		ENVR-LU5a	Existing Land Use	Would system facilities within the land area be compatible with existing land use?	**High:** Close proximity or located in high density residential/commercial areas, proximity to sensitive areas (hospitals, schools, retirement homes). **Medium:** Proximity to lower density residential/commercial areas. **Low:** Proximity to light industrial facilities and/or sparsely populated areas.	Medium	Medium	Low
		ENVR-AQ2a	Air Quality - Odors/Emissions	Does the land area have the potential for odor concentration/dispersal?	**High:** Topography potentially conducive to concentration of odors. **Low:** Topography potentially conducive to favorable odor dispersal.	Low	Low	High
		ENVR-VR2a	Visual Resources	Would development within the land area affect visual resources?	**High:** Land area in highly visible location. **Low:** Land area in visually screened area.	High	High	Low
		ENVR-Acc2a	Traffic Disruption	To what extent does use of existing access to the land area affect the vicinity?	**High:** Requires developing major transportation infrastructure. **Medium:** Access available through combination of arterials/local streets. **Low:** Ready access from major arterials.	Medium	Medium	Low
		ENVR-LU3a	Urban Growth Boundary	Is the land area within the Urban Growth Boundary?	**High:** Outside UGB. **No:** Inside UGB.	No	No	No
		ENVR-LU4a	Essential Public Facility Criteria	Would system facilities within the land area be consistent with Essential Public Facilities Siting Criteria?	**High:** Inconsistent with more than one Essential Public Facilities Siting Criterion. **Low:** Inconsistent with one Essential Public Facilities Siting Criterion. **No:** Consistent with Essential Public Facilities Siting Criteria.	No	No	Low
		ENVR-Comm2a	EPF Distribution	Would the facility represent unequitable community distribution of essential public facilities (EPFs)?	**High:** Predominantly low income/minority communities within census tract having one or more "locally unsupported facilities" (EPFs). **Medium:** Two or more "locally unsupported facilities" located within jurisdiction of proposed land area. **Low:** One "locally unsupported facility" within jurisdiction of land area.	Low	Low	Low
		ENVR-CR2a	Archeological & Historic Resources	Are documented archaeological/historic sites present or likely within the land area?	**High:** Known or identified cultural site(s) within land area. **No:** No known or identified sites within land area.	No	No	No
		ENVR-CR3a	Landmarks	Are nation/state landmarks present in the land area?	**High:** Presence of designated national/state landmark within land area. **No:** No documented landmark within land area.	No	No	No
		ENVR-Bio9A	On-site Habitat Enhancement	Are there opportunities for upland or wetland habitat enhancement on-site? (specify type of habitat in comment section)	**Yes:** Upland or wetland habitat enhancement opportunities are available on-site. **No:** Minimal or no land available on-site outside potential facility footprint for enhancement/mitigation.	Yes	Yes	Yes
		COMM-Benefit 1a	Community Compatibility	Does the land area include adequate area to provide on-site mitigation and/or buffer in addition to facility footprint?	**Yes:** Adequate land area exists to provide on-site mitigation and/or buffer for impacts on the community. **No/Unknown:** Adequate land area does not exist to provide on-site mitigation and/or buffer for impacts on the community.	Yes	Yes	Yes
		ENVR-PE2a	Regulatory complexity	Would the land area require numerous long-lead time permits?	**High:** Multiple sensitive natural areas require numerous complex, long-lead time federal, state permits. **Medium:** Two or less long-lead permits required. **Low:** No identified long-lead permits.	High	High	Medium

				Site Number	28	30	IND2
Subject Group	Code	Topic	Questions	Scale			
Technical	ENGR-Config2b	Useable area	Is total useable area adequate?	**Usable area (acres).** Scale: **High:** <50 Ac **Medium:** 50-75 Ac. **Low:** > 75 Ac.	46	29	533
	ENGR-Config5a	Shape	How well does the shape of the site accommodate a facility?	**Ratio of length to width.** Scale: **High:** >7:1 to 10:1. **Medium:** 4:1 to 7:1. **Low:** <4:1	1:1	2:1	1:1
	ENGR-Topo2a	Slope	What is the slope of the useable area and to what degree does it constrain facility development?	**Estimated slope of the majority of the useable area.** Scale: scale based on average percent slope of useable area. **High:** 20-30% **Medium:** 10-20% **Low:** 0-10%	Low	Low	Low
	ENGR-Topo3a	Elevation Above Sea Level	What is the mean elevation of the site and to what degree will pumping be required?	**Mean elevation of useable area (feet).** Scale: scale based on average elevation of site. **High:** >400ft above sea level. **Medium:** 200ft-400ft above sea level. **Low:** 0-200ft above sea level.	15	25	320
	ENGR-Geo1a	Geohazards - Landslide Potential	What is the extent of landslide potential on the site?	**Estimated portion of total site with expected landslide potential (acres).** Scale: **High:** More than 50% of the total site has landslide potential. **Medium:** 0-50% of the total site has landslide potential. **Low:** None of the total site has landslide potential.	Low	Medium	Low
	ENGR-Seis3a	Geohazards - Liquifaction	What is the extent of liquefiable soils on the site?	**Estimated portion of useable area with expected liquefaction potential (acres).** Scale: **High:** More than 50% of useable area has low, moderate, or high liquefiable soils. **Medium:** 0-50% of the useable area has liquefiable soils. **Low:** Entire useable area has soils with none to very low susceptibility for liquefaction.	High	High	Low
	ENGR-Hydr1a	Groundwater Level	What is the depth to groundwater over the site?	**Estimated depth to groundwater.** Scale: Rate high, medium, low over the majority of the site. **High:** <5ft from surface. **Medium:** 5-20ft from surface. **Low:** >20ft from surface.	High	Medium	Low
	ENGR-Hydr2a	Artesian Ground Water	To what extent is artesian groundwater present in the site?	Scale: Based on geologist's judgement regarding the likelihood for presence of artesian conditions. **Likely Present:** Artesian conditions are likely present. **Not Likely:** Artesian conditions are not likely present.	Likely Present	Not Likely	Not Likely
	ENGR-Acc1a	Vehicle Access	What is the ease of access (distance) to the freeway from the site?	**Distance to nearest freeway (miles).** Scale: **High:** >3 miles. **Medium:** 1-3 miles. **Low:** <1 mile.	3.4	3.5	5.8
	ENGR-Conv1a	Length	What is the total length of the NTF conveyance system?	**Actual conveyance system length (feet).** Scale: **High:** Top in 75-100% (114,200ft to 176,400ft). **Medium:** In 25-75% range (81,400ft to 110,700ft). **Low:** In <25% range (0 to 80,300ft).	64,700	61,400	176,400
	ENGR-Conv3a	Number of Pump Stations	What is the total number of pump stations for the NTF system?	**Actual number of influent and effluent pump stations.** Scale: **High:** Relative number of pump stations in the top 75-100% (9 pump stations). **Medium:** In 25-75% range (5 to 8 pump stations). **Low:** In <25% range (3 to 4 pump stations).	3	5	7

Subject Group	Code	Topic	Questions	Site Number / Scale	28	30	IND2
Environmental	ENVR-Bio2a	Endangered Species Act Compliance	Are threatened/endangered/candidate/state species or their habitat on the land area?	**High:** Documented presence of threatened/endangered/candidate species and/or habitat within land area. **Medium:** Documented presence of threatened/endangered/candidate species and/or habitat area in the vicinity of the land area. **No/Unknown:** No documentation of threatened/endangered/candidate species.	Medium	Medium	Unknown
	ENVR-Bio4a	Wetlands	Are high quality wetlands present within land areas?	**High:** High value wetland (Category 1, Category 2 or comparable) present at land area so that less than 25 acres of upland is available. **Medium:** High value wetlands present at land area so that 25-50 acres of upland is available. **Low:** No identified wetlands present within land area. **Unknown:** Insufficient information.	Medium	Unknown	Low
	ENVR-Hydro3a	Drinking Water Wells	Is the land area within a Group A Public Water System Wellhead Protection Area?	**High:** Land area is within a designated 1-year time of travel zone of a Group A Public Water System Wellhead Protection Area such that <25 developable acres remain. **Medium:** Land area is within a designated 1-5 year time of travel zone of a wellhead protection area. **Low:** Land area is within a 5-10 year time of travel zone of a wellhead protection area. **No:** Land area is not within zone of contribution for Group A water supply well.	No	No	No
	ENVR-Hydro4a	Aquifer Recharge Area	Is the land area within a critical aquifer recharge area (CARA)?	**Medium:** The land area is within a designated critical aquifer recharge area. **No:** The land area is not within a designated critical aquifer recharge area.	No	No	No
	ENVR-Hydro2a	Streams	Are Class 1 or Class 2 streams or their buffers present within land area?	**High:** Class 1 or Class 2 stream (or comparable designation within local jurisdiction) present within land area. **Medium:** Riparian corridors/buffers or high quality (Class 1 or 2) stream present within land area. **Low:** Low value (Class 3) stream present within land area. **No:** No streams present within land area. **Unknown:** Cannot determine without site survey.	Medium	Low	High
	ENVR-Bio5a,b	Off-Site Habitat Enhancement	Opportunities for adjacent offsite upland or wetland habitat enhancement.	**Yes:** Upland or wetland habitat enhancement opportunities are potentially available in an adjacent off-site area. **No:** No opportunities for enhancement of affected wetland or upland area in an adjacent off-site area.	Yes	No	Yes
	ENVR-Hazm2a	Presence of Contamination	Is the land area a designated Model Toxics Control Act (MTCA) site?	**High:** Identified state designated MTCA site (less than 25 acres available outside contaminated area). **No:** Not a MTCA site.	High	High	No
Finance/Land Acquisition	LAND-Time5a	Complexity of Relocations	What are the types of potential relocations on the NTG site plant properties	**High:** Significant impact to unique businesses with unique site requirements or significant impacts to residential community. **Medium:** Relocations are likely to be com0plex and disruptive, but impacts appear to be within a manageable level. **Low:**	Low	High	High
	LAND-Cost1a	Projected Cost - Acquisition	What is the comparative projected acquisition/relocations costs for the plant treatment site?	**High:** Estimated costs exceed $25 million. **Medium:** Estimated costs exceed $5 million but are less than $25 million. **Low:** Estimated costs are under $5 million.	High	High	Medium