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TRANSMITTAL MEMORANDUM

DATE: November 22, 2022

FROM: Ali Taysi, AVT Consulting LLC

TO: Steve Sundin, City of Bellingham

RE: Request For Information (RFI) 04.28.22, for The Woods at Viewcrest Subdivision

Dear Mr. Sundin,

Please find attached with this Transmittal Memorandum a complete response to the RFI issued on April 28th, 2022, for The Woods at Viewcrest Preliminary Plat (SUB2022-0011). The Applicant team has worked diligently through the summer and fall of this year to address all the RFI comments. Attachments to this response include:

- RFI response letter, including response to Street Vacation (TRC) comments.
- Updated Land Use Application Narrative (intended to fully replace prior Narrative).
- Updated SEPA Checklist (intended to fully replace prior SEPA Checklist).
- Updated Combined Application Forms.
- Updated Project Plans (Exhibit A, I, J, K and L).
- Updated Reports, including:
 - Geohazard Report (Exhibit E)
 - Wetland Delineation (Exhibit C)
 - Habitat Assessment (Exhibit D)
 - Traffic Impact Analysis (Exhibit G)
 - Preliminary Storm Report (Exhibit F)
 - Cultural Resource Assessment (Exhibit H)
 - Note: Several of these reports did not require substantive text updates in response to the RFI, but updated plans have been incorporated into them to maintain consistency with the updated Project Plans attached hereto.
- New Exhibit O – Prior Right of Way Vacation Documents
- New Exhibit P – Easement Relinquishment Request Package
- New Exhibit Q – Clarkwood Tracts Documents

- Updated Subdivision Guarantee (Exhibit M)
- Note: Exhibit B (Original Site Critical Areas Delineation) and Exhibit N (Supporting Documents) were not altered or updated in response to the RFI. They are included with this response in their original form. This RFI response package is intended to fully replace the original application package that you received for the project.

All materials are labeled with the same Exhibit letters as the original application for ease of reference and tracking. Please review the attached materials and do not hesitate to contact me with any questions or requests for additional information. Thank you for your timely consideration of these materials.



ALI TAYSI

THE WOODS AT VIEWCREST
A 38-LOT PRELIMINARY PLAT
RFI RESPONSE LETTER

On April 28th, 2022, the Applicant received a Request for Information (RFI) on The Woods at Viewcrest Preliminary Plat and associated applications (SUB2022-0011). This RFI Response Letter provides an in-line response to each of the action items for which staff is requesting additional information. In addition to this Letter, please find attached supplemental information, including updated plans and reports, which support these responses.

RFI Comments and Action Items*:

*please note that City comments from the RFI are identified in *italics*, and Applicant responses are identified in standard text.

STREET VACATION PETITION

The Technical Review Committee (TRC) performed a preliminary review of the street vacation petition on March 24, 2022 and will not be recommending approval of the vacation as submitted for 10th Street. The TRC's recommendation is based on City Council policy that rights-of-way abutting or leading to salt water should not be vacated. More recently, Council has expanded that policy such that where unimproved rights-of-way exist, they should be further analyzed for the opportunity to preserve existing and mature vegetation and provide opportunities for public access opportunities and / or connections to other similar facilities.

The Preliminary Plat design relies on the vacation of 10th Street and other streets in the northwestern quadrant of the proposed plat. Due to this reliance, staff cannot prepare a SEPA determination for the submitted land use applications until a decision is issued for the street vacation.

Action items:

- ***Please submit a fully signed street vacation petition in order to process the street vacation.***

Applicant Response: The Woods at Viewcrest Combined Application form, which includes the Street Vacation Petition ("SVP"), has been updated to address RFI comments, including signatures from the abutting property owner. This updated application is attached. The Jones Family are the only abutting property owner for the portions of right of way proposed for vacation.

If the vacation is not pursued, the proposal must be revised to remove lots from 10th Street and either assume a plat design that incorporates the use and construction of 10th Street or submit a land division variance from the construction of 10th Street. All associated land use applications would also need to be appropriately amended.

- ***Submit revised land use applications accordingly.***

Applicant Response: The SVP associated with the project has been revised to reduce the portion of 10th Street proposed for vacation (only that portion extending through Lots 31, 32 and 33 is now proposed for vacation). The remaining portion of 10th Street, extending from Viewcrest Road to Chuckanut Bay is proposed to remain as open right of way and no Lots are proposed within this retained right of way. These changes are reflected in the updated land use applications and Right of Way Vacation/Dedication Calculation Plan (Exhibit J). The discussion of the proposed Street Vacation in Section VII of the Project Narrative has been updated to reflect this change, and additional analysis of the revised proposals' compliance with the City Council adopted Street Vacation Policies has been included. In brief, the portion of 10th Street right of way extending from Viewcrest Road to Chuckanut Bay is proposed to remain open. Lot designs have been altered as needed to address this change. New public trail easements are proposed with the project to connect from the "East Road" within the project, to Viewcrest Road, and through Lot 38 (Reserve Tract) to Sea Pines Road. This public trail connection will provide equivalent pedestrian connectivity when compared to the retention of the portion of the 10th Street right of way that extends through Lots 31-33 to the East Road cul-de-sac terminus. The proposed project does not include construction of this retained open portion of 10th Street right of way abutting the preliminary plat (this portion of 10th Street abuts Lots 33, 34, 36 and Lot 38, Reserve Tract, as well as Open Space Tract A and B within the plat). This right of way does not access any lots or provide any utility connections for the project, and would require unnecessary clearing, grading and critical areas impacts if improved. The updated Project Narrative incorporates an updated variance request in Section V of the Narrative, including a variance from the requirement to construct 10th Street as it abuts the property.

The street vacation petition includes a map representing the vacation and dedication in lieu of for 10th Street. As discussed above, this map may require revisions. Additional information is needed to demonstrate the status of the existing vacated right of ways and determine where public easements were retained as a condition of vacation. The vacation of these easements requires City Council approval.

- ***Provide an exhibit that specifies the vacation ordinance numbers or resolutions that vacated those certain rights-of-way within the plat boundaries and***

identify which of those vacated rights-of-way have remaining easements. Submit an application for the easement vacations as necessary to ensure the proposed lot layout is not encumbered by these retained easements.

Applicant Response: The Right Of Way Vacation/Dedication Calculation Plan (Exhibit J) and the Project Plans (Exhibit A) have been updated to reflect the proposed changes in the SVP. In addition, the Applicant team has researched all vacated rights of way and has determined that underlying easement rights were retained in certain instances. All the rights of way within the plat that were previously vacated were done so either by a City Council Resolution dated July 19, 1912 (Resolution #159473), or by a later City Council Ordinance dated April 9, 1973 (Ordinance 8204). These documents are attached to this RFI response and are incorporated into the application as new Exhibit O. The 1912 Resolution vacated most of the platted lots and rights of way within the Property and did not include any retained easement language. The 1973 Ordinance vacated several remaining rights of way and did include retained easement language. This Ordinance was applicable to “*all streets and alleys, except Chuckanut Avenue, located in the East 750 feet of the North 700 feet of Government Lot 1, Section 13, Township 37 North, Range 2 East, W.M.*” As a part of the formal SVP to vacate existing rights of way the Applicant is requesting that the City also relinquish any associated utility easements. In the case of the existing retained utility easements related to Ordinance #8204 the Applicant has prepared a specific request for Public Works to relinquish these easements. There is no application form to request an easement relinquishment, and therefore the Applicant has prepared a formal request letter to the City of Bellingham with attachments requesting relinquishment of the remaining underlying easements within all rights of way vacated by Ordinance #8204. This easement relinquishment request package is attached with this RFI response as new Exhibit P.

GENERAL

Street Vacation

The street vacation for 10th Street must be approved by the City Council prior to the city continuing review of the proposal.

Action items:

- ***Submit revised land use applications that are consistent with the City’s Council decision regarding the vacation of 10th Street.***

Applicant Response: The Applicant is requesting that the SVP and the Preliminary Plat (and other associated land use permit applications) be processed concurrently. The Applicant recognizes that the SVP and Preliminary Plat are subject to different review processes, and that the Hearing Examiner will issue a Recommendation on the SVP and a final Decision on the Preliminary Plat. The Applicant believes that

concurrent review of all project related applications is appropriate to ensure consistency of review and design, and transparency during the review process. The Applicant understands that should City Council render a Decision on the SVP that conflicts with the approved Preliminary Plat, that changes to the Preliminary Plat may be necessary, and requests that City staff condition the Preliminary Plat to provide flexibility for these changes to be implemented through an administrative review process. The Applicant has updated the Combined Land Use Applications, including the SVP application form, and updated the Right Of Way Vacation/Dedication Calculation Plan (Exhibit J), the Project Plans (Exhibit A) and the Project Narrative, all to reflect the revised proposal for vacation of rights of way within the Property.

Vegetation Management Plan

This plan, attached as Exhibit L to the application submittal, identifies the code required building envelope within each lot. It is not clear if the exhibit's title should also be interpreted that everything outside of the building envelope is intended to be preserved.

- ***Please clarify the purpose of this exhibit and as necessary, rename the exhibit for its intended purpose(s).***

Applicant Response: The intent of the Vegetation Management Plan is to visually represent the proposed clearing and grading activity for the project and the proposed building envelope areas for each lot. This will assist City staff in evaluating the project design compliance with BMC 23.08.060.D.1 and BMC 16.60. The Plan is also intended to illustrate the significant portions of the site intended for preservation, and, through the "Management Area" notes that have been added, clearly identify expectations for proposed and future clearing and development activity within each Management Area, and to propose conditions that can be applied to each Management Area through the project Covenants, Conditions and Restrictions (CCR). The plan is still called a "Vegetation Management Plan" because it identifies where and how vegetation and clearing will be managed in various locations on the property. If City staff feel that an alternative name for this Plan is appropriate the Applicant is not opposed to changing the name. The Vegetation Management Plan (Exhibit L) has been updated to reflect these proposed changes.

Setbacks

Development of the proposed lots will be subject to Chapter 20.30 BMC. The applicable setbacks for lot development will be the following:

Yards	Setbacks	Measurements
Front Yard Setback	50 feet CL (T) 60 feet CL if designed street arterial (T) 20 feet PL if abutting a cul-de-sac	Setback measured from the centerline (CL) of the street right-of-way. Setback measured from the front property line (PL).
Side Yard on a Flanking Street	40 feet CL 50 feet CL if designed street arterial 10 feet PL if abutting a cul-de-sac	Setback measured from the centerline (CL) of the street right-of-way. Setback measured from the property line (PL) abutting the side flanking street.
Side Yard Setback	Five feet PL	Setback measured from each side property line (PL).
Rear Yard Setback	10 feet PL	Setback measured from the rear property line (PL).

The City recommends applying these setbacks to the proposed lots at this early stage in the preliminary plat review to evaluate whether a variance from these setback requirements could result in a buildable area with increased retention of onsite vegetation and further reduce grading activity necessary to develop the lots.

- ***Consider submitting a variance application from setback regulations that would minimize the amount of clearing and grading necessary for lot development.***

Applicant Response: The Applicant in consultation with the project design team has considered whether setback variances would reduce clearing and grading and has determined that there would be no substantive benefit to requesting setback variances due to the already limited areas available on site for building envelopes outside geohazards. The steep slopes on the property limit the flexibility available to the design team to locate roads, utilities and building lots, and all proposed building envelopes are near the proposed roads, reducing any value from setback variances. Despite this, the overall design has been altered in response to the RFI to reduce clearing and grading activity, including cuts and fills, to the greatest degree possible, while still maintaining the minimum 60' x 60' building envelope areas required for each proposed lot outside of geohazards.

PRELIMINARY PLAT

Reserve Tract

The 'Reserve Tract' notation on Lot 38 of the preliminary is confusing. Reserve tracts are typically identified to imply the lot is being held for future development.

- ***Please clarify the intended use of Lot 38 as either a single-family lot or a***

single-family lot with reserved, future development opportunities.

Applicant Response: Lot 38 is intended to be permitted as a single-family lot with reserved future development opportunities based on underlying density. It is identified as a Reserve Tract because of the potential for future development opportunities, but it also has one single family building envelope identified at this time, because the intention is to permit development of one single family residence with the current project, thus the reference to “Lot 38”. This tract is identified separately from “Open Space” Tracts A and B because these tracts are intended for permanent preservation and do not have any future development opportunities. The building envelope on Lot 38 has been identified outside of critical areas and their buffers. Lot 38 has been identified as a separate “Management Area” (#3) on the updated Vegetation Management Plan (Exhibit L) to reflect the future development opportunities it retains. The proposed notes for Management Area #3 clarify the current and future development plans and propose some restrictions on future development. These rights and restrictions are proposed to be memorialized or cross-referenced in the project CCR. The Applicant understands that any future redevelopment of this tract will be subject to additional permitting and regulations in place at the time of application, and notes this in the updated Project Narrative.

Electric and Communication Facilities – BMC 23.08.070(F)

This code provision requires dedication of a 10-foot easement adjacent to all dedicated rights of way

- ***It is recommended that the overall plat layout show the required 10-foot utility easement adjacent to both sides of the newly dedicated right of way to ensure the site plan does not conflict with this easement.***

Applicant Response: The 10’ utility easements have been added to the Updated Project Plans (Exhibit A), Sheets 4, 5 and 6, with a call out on Sheet 5. As designed the road and utility design and building envelope areas do not conflict with these 10’ easements.

CRITICAL AREAS

Wetlands

The site descriptions contained in Northwest Ecological Services’ 2022 Wetland Delineation Update & Critical Areas Summary, Raedeke and Assoc. Inc.’s 2022 Wildlife Habitat Assessment Technical Memorandum, and Element Solutions’ 2021 Geotechnical Investigation & Geohazard Report are generally consistent with City documentation including topographic maps, 2014 Nearshore Connectivity Study, 2015 Habitat Restoration Technical Assessment, 2019 Post Point Heron Colony Management Recommendations Update, 2021 Wildlife Corridor Assessment, and 2021 Canopy and Forest Structure Analysis Summary Report. The proposed buffer and on-site forest are not identified as an

alternate colony location for the Post Point Heron Colony. The forest is considered transitioning to (but not yet) mature and both the forest and marine nearshore are important habitats to a variety of marine and terrestrial species.

The 2022 wetland ratings appear reasonable with the exception of:

1. Wetland Rating H3.0 (Habitat Value). The 2022 Raedeke report describes the potential use of the site for perching of state Priority species including Pileated Woodpecker and Great Blue Heron. The subject site is also identified in the City of Bellingham's 2021 Wildlife Corridor Analysis as an "Important Wildlife Habitat Area." In addition, the City's 2014 Nearshore Connectivity Study ranks the on-site marine reach (EU 19) as one of only 4 "high" functioning shoreline reaches in the City of Bellingham: "This unit includes a relatively undeveloped shoreline and marine riparian zone with a functional connection to the beach, an unimpeded connection to Chuckanut Creek, and a stream delta....this EU exhibits a high level of connectivity and intact habitat." As such, it appears the area qualifies as a WDFW Priority Area (Biodiversity Area). Incorporating this information would result in a "High" rating for value for all four wetlands.

- ***Revise the wetland rating forms and wetland descriptions accordingly. Please note, while this change raises the habitat point total from 4 to 5, it appears the regulatory buffers and wetland categories will likely remain the same.***

Applicant Response: The project wetland biologist (Northwest Ecological Services) has reviewed and updated the Wetland Delineation Update & Critical Areas Summary (Exhibit C) for the project to reflect the requested changes in wetland ratings forms and wetland descriptions. This updated Report is attached in the RFI resubmittal package. The changes to the Report did not result in project design changes or additional project impacts to critical areas.

Geologically Hazardous Areas

The Geotechnical Investigation and Geohazard Report did not include sufficient information to determine if the proposed building envelopes, shown on Figure 3B of said investigation and report, are outside of recommended buffer widths from landslide hazard areas.

- ***Submit a map identifying the preliminary plat map with building envelopes, site's landslide hazard areas and the recommended buffer widths. Staff acknowledges that in the investigation and report, buffers from landslide hazard areas have been recommended for lots 8-9, 14 and 20-22. Please also demonstrate that there are adequate buffer widths from landslide hazard areas for lots 25-35. These are within proximity to the "upland southwest slopes" that are described in section 4.2.3 of the Geotechnical Investigation and Report.***

Applicant Response: The project geotechnical consultant (Element Solutions) has reviewed and updated the Geotechnical & Geohazard Report (Exhibit E) for the project to address this RFI comment. The Plat layout has been updated by the

project civil engineer in consultation with the project geotechnical consultant resulting in the relocation of certain roads, utilities and building envelope areas, so that all lots now have adequate building envelopes outside of geohazard areas and their buffers. The updated Vegetation Management Plan and updated Project Plans (specifically Sheets 5 and 6) reflect building envelopes consistent with BMC 23.08.060.D.1. These plans have been incorporated into the updated Geotechnical and Geohazard Report.

Fire Risk

Fuel loading is mapped by the City as light to med, no heavy. Light loading is closest to house footprint shown on plans; however, this footprint is not guaranteed due to the large lot sizes.

- **Recommend reduce lot size to ensure houses are close to roadway to reduce fire risk.**

Applicant Response: The design team has chosen not to significantly reduce lot sizes to maintain an average lot size that is more consistent with the surrounding development character. However, the project has identified code compliant building envelopes for each lot located near roads and access driveways, and due to the steep slopes and other critical areas located across the site, it is unlikely that future home sites will be situated further away from roads and access driveways than what is shown. The Applicant does not believe that reduction in lot size is necessary to address the fire risk concern raised in the RFI, and that critical areas and other code constraints will adequately address future home development proximity to access features.

SHORELINE SUBSTANTIAL PERMIT AND SHORELINE CUP

Locate and identify the alignment of the stormwater conveyance pipe from the East Road to the toe of the marine bluff and the energy dissipator for city review.

- ***Schedule a site visit with City staff to field verify the location of the facilities identified above.***

Applicant Response: A site visit with City staff and the project civil engineer (Pacific Survey & Engineering) was conducted on June 2, 2022. During this site visit the storm water management approach was discussed and the location of the storm conveyance piping and those facilities at the proposed outfall location were identified and evaluated. As designed the conveyance pipe and storm outfall facilities are proposed to be located above grade and with limited clearing activity needed. A discussion of this is provided in section 5.4 of the updated Preliminary Storm Water Report (Exhibit F) provided with this RFI response.

CLEARING AND GRADING

The application narrative provides a brief discussion concerning grading, but does not describe anticipated clearing. A clearing or grading plan was not included in the application materials.

- ***Provide a preliminary clearing and grading plan demonstrating compliance with BMC 23.08.030(D).***

Applicant Response: The Project Plans have been updated to include more detailed information on proposed clearing and grading activity. Clearing and grading activity necessary for construction of roads and utilities is now shown in more detail on Sheet 6 of 9 in the Updated Project Plans set. This Sheet also reflects geologically significant critical areas, wetlands, and their buffers. The updated Geotechnical Investigation and Geohazard Report incorporates this information and provides additional evaluation of clearing and grading activity, as well as recommendations for construction. In addition, building envelopes pursuant to BMC 23.08.060.D.1 are shown for each lot on various plan sheets, including on the updated Vegetation Management Plan. These building envelopes represent potential clearing areas for future home sites. Exact grading for each home site will be reviewed during the specific lot building permit process. The proposed Vegetation Management Plan also includes three distinct Management Areas with notes identifying proposed clearing and grading activities within each area. These updated plans and report provide adequate information to demonstrate compliance with BMC 23.08.030.D.

PARKS AND RECREATION

The application narrative references a public trail easement but does not show a proposed location on the preliminary plat. This easement is necessary to determine compliance with the land division regulations.

- ***Amend the preliminary plat to show the location of a 30-foot wide public trail easement from Viewcrest through the site to Sea Pines. The city would accept a smaller easement width if the trail is constructed as a condition of final plat approval.***

Applicant Response: The updated Project Plans now show a proposed conceptual trail location extending from East Road into the retained 10th Street right of way, with connection to Viewcrest Road, and through to Sea Pines Road. The Applicant intends to engage in further discussion with City staff prior to determining if they will propose trail construction as a condition of final plat approval. These discussions will inform the width of the proposed easement. The proposed conceptual trail location can be accommodated in a 30' easement or a reduced

easement while still allowing the trail to meander and avoid significant clearing impacts.

- ***The required trail easement shall be located to minimize critical area impacts. Prior to the city accepting an easement for trail purposes, the applicant shall demonstrate through an amended critical areas application that all impacts to critical areas resulting from the construction of a trail within the easement areas have been mitigated compliant with Chapter 16.55 BMC.***

Applicant Response: The proposed trail has been located to avoid and minimize critical areas impacts to the greatest degree possible. As located, the trail will cross a geologically significant slope in the 10th Street right of way in one small area and will cross the outer edge of the Wetland B buffer in one small area. These sections of trail can be constructed to meander in the general location shown and avoid significant tree removal or significant clearing or grading, avoiding impacts within the buffer areas. BMC 16.55.320 permits trail construction activities within regulated buffers. All other trail segments will be located outside of all critical areas and buffers. Once a final trail location is approved in concept by the City the Applicant will make any necessary amendments to the critical areas reporting for the project to incorporate any necessary mitigation.

- **There are existing public access easements along the western boundary of the plat boundaries that were established with the recording of the Clarkwood Plat. Title 23 BMC prioritizes pedestrian connectivity to existing neighborhoods. Please respond to the land division decision criteria specific to BMC 23.08.030 that specifically addresses the feasibility of these connections.**

Applicant Response: There are two public access tracts located within the Clarkwood Plat (information on these Clarkwood Tracts is attached with this RFI response and is incorporated into the application as new Exhibit Q). These tracts were intended to be dedicated to the City of Bellingham for “public pedestrian access” purposes at the time of the recording of the Clarkwood Plat in 1983. It is unclear based on publicly available title records if these tracts were ever dedicated to the City. One of these tracts connects to the Property along the steep cliffs within the 200’ shoreline buffer. The other tract connects into an area with steep slopes and in immediate proximity to two existing single-family residence in the Clarkwood Plat. No public parking or sidewalk infrastructure is available near these tracts within the Clarkwood Plat. The updated Project Narrative includes a detailed response to the Decision Criteria specific to “Pedestrian Features” identified in BMC 23.08.030.F. This updated discussion addresses the feasibility of connecting public pedestrian facilities to these two Clarkwood tracts and the alternatives proposed as a part of the project design.

The applicant has the opportunity to request park impact fee credit for the construction of a trail within the easement area and all associated critical area impacts.

Applicant Response: This comment is noted. Once final trail locations are determined in consultation with City staff, the Applicant may choose to request a park impact fee credit for any proposed trail construction.

PUBLIC INFRASTRUCTURE

Viewcrest and 10th Street Improvements

The unimproved portion of 10th Street (not proposed to be vacated) and the 30 feet of Viewcrest Road, which is generally located northeast of 10th Street, that abut the preliminary plat require ¾-standard street improvements. The project narrative did not identify improvements for these rights of way.

- ***Please acknowledge that the proposal includes the construction of 10th Street abutting the preliminary plat and Viewcrest Road abutting the 30-foot portion of the site lying northeast of 10th Street.***

Applicant Response: The SVP incorporated into the Project Application and Project Narrative has been revised to reduce the portion of 10th Street proposed for vacation (only that portion extending through Lots 31, 32 and 33 is now proposed for vacation). The remaining portion of 10th Street is proposed to remain as open right of way. The proposed project does not include construction of this retained open portion of 10th Street right of way abutting the preliminary plat (this portion of 10th Street abuts Lots 33, 34, 36 and Lot 38, Reserve Tract, as well as Open Space Tract A and B within the plat). This right of way does not access any lots or provide any utility connections for the project, and would require unnecessary clearing, grading and critical areas impacts if improved. The updated Project Narrative incorporates an updated variance request in Section V, including a variance from the requirement to construct road improvements within the retained portion of the 10th Street right of way as it abuts the Property. The 30' section of property that abuts Viewcrest Road is proposed to contain a private driveway serving Lot 38. This 30' section will be improved with the driveway apron and any necessary apron returns but is not proposed to be improved to a ¾ standard. This improvement is also contained in the updated variance request.

Paper-plat rights of way

It appears that Tatoosh and Prospect Streets as well as the alley in Block 8 of the Amended Map of South Fairhaven (all located in the southwest corner of the overall site) appear to remain as right-of-way. Please confirm. If these streets are in fact rights-of-way, per BMC Title 23, they are required to be improved.

- **Recommend that these rights-of-way be included with the other variance**

requests for street improvements.

Applicant Response: These rights of way are not proposed for improvement. The updated Project Application and Project Narrative incorporate an updated variance request in Section V, including variances from the requirements to construct these rights of way.

Right of Way Standards – East and West Roads

Only the northern 200 feet (approx) of West Road is considered a Residential Access Street that requires a 60-foot right of way. The remaining rights of way, East and West Roads, are considered Cul-de-sac Streets and will require a minimum dedication of 50 feet.

The cul-de-sac portions of the rights of way require full standard improvements consisting of 24 feet of pavement with curb, gutter and sidewalk both sides. The 200-foot portion of West Road requires full-standard construction consisting of 28 feet of pavement with curb, gutter and sidewalk both sides.

- ***Revise the preliminary engineering drawings and preliminary plat to reflect these standards. And as deemed necessary, the variance application should also be amended to reflect these standards.***

Applicant Response: The proposed new road rights of way have been updated to reflect 60' right of way width for the northern 200' (approx.) section, and 50' right of way widths for the remaining cul-de-sac street sections (West Road and East Road). These changes are reflected on the updated Project Plans, in particular Sheet 3 of 9. The original application included a variance request (Section V of the Application Narrative) specifically requesting that the improvement standard for West Road and East Road be reduced (Variance #2 in the application). The proposed standard was identified on Exhibit K in the original application. It appears that this variance request may have been overlooked during initial staff review; the Applicant maintains this variance request and asks that staff evaluate and consider the discussion in the updated Project Narrative that addresses this request.

Stormwater Management

The Preliminary Stormwater Management Report (PSE, February 28, 2022) did not specifically identify the location or method for accessing the stormwater pipe or the slope and forest impacts associated with access. The design of the stormwater dissipation structure should be upslope of beach and constructed with materials that are durable in a marine/saline condition. Materials should be consistent with natural materials found on marine shorelines and not detrimental to fish/wildlife should the materials disperse at the end of structure's lifespan or natural impacts.

- ***Revise the above referenced stormwater report to address the following:***

- *1. Identify the impacts to the site's slopes and forested landscape that are anticipated as a result of constructing the stormwater pipe.*
- *2. Identify the location of the dissipation structure in a manner that places it upslope of the beach.*
- *3. Specify the materials of the dissipation structure to include natural materials found on marine shorelines.*
- *4. Include the proposed method for accessing these structures for routine maintenance.*

Applicant Response: The Preliminary Storm Water Report for the project has been updated to address these comments. A new section 5.4 has been added that specifically discusses the potential for impacts to the site slopes and forested landscape, the location of the dissipation structure, the dissipation structure materials, and maintenance access. The storm water outfall pipe will be located on the surface of the ground and will be placed to avoid any substantial clearing, grading or significant tree removal. The dissipation structure will be located upslope of the beach/above the sandstone rocks at beach level and will be constructed primarily of rock that is natural to the area. Due to this design maintenance needs will be limited and can be completed with hand tools and small machinery, limiting the potential for impacts from maintenance activities. The design has been evaluated by the project geotechnical consultant for erosion hazard. No scouring or other erosion impacts at the beach are expected based on the proposed design. The project civil engineer reviewed these proposed construction and access components during the June field visit with City staff prior to updating the Preliminary Storm Water Report.