



CITY OF LEAVENWORTH  
DEPARTMENT OF DEVELOPMENT SERVICES

**NOTICE OF APPLICATION**

**Date:** November 14, 2011

**Applicant:** Larry Langston  
PO Box 970  
Leavenworth, WA 98826

**Project Address:** 427 Ski Hill Drive – Subject to Change  
Leavenworth, WA 98826

**Contact / Surveyor:** Ed Callahan, PLS  
12558 Wilson Street  
Leavenworth, WA 98826

**Permit #:** SS LE-2011-03

**Date of Application Submittal:** October 25, 2011

**Date of Notice of Completeness:** November 10, 2011

**Comment Due Date:** **November 28, 2011**

**Notice of Final Decision Due Date<sup>1</sup>:** March 9, 20112

**Project Description:** The proposed project includes short subdivision of part of the north half of Lot 21 and part of the north half of Lot 22, Kinscherf's Addition to Leavenworth, into three (3) lots. The existing lot size is 22,923.4 square feet in area. Proposed Lot No. 1 is approximately 7,517.8 square feet in area, proposed Lot No. 2 is approximately 8,682.2 square feet in area, and proposed Lot No. 3 is approximately 6,000 square feet in area. A five foot dedication along the north boundary of the lot (approximately 723.4 square feet in area) will widen the Poplar Street right-of-way.

**Project Location:** The project site is located at the south-west corner of Ski Hill Drive and Poplar Street within the City of Leavenworth. The Assessor's Parcel number is

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<sup>1</sup> As provided by LMC 21.09.070, a Notice of Final Decision shall be issued within 120 days after the date of the Determination of Completeness excluding periods during which the applicant has been requested by the City to correct plans, perform required studies, or provide additional information or materials. The date noted does not account for periods of time which are excluded from the 120 days for issuance of the Notice of Final Decision and the date is subject to change.

241702640055. The project is located within the Residential Low Density 6,000 (RL-6) Zone District of the City of Leavenworth.

**Required Permits**

The applicant submitted a City of Leavenworth Short Subdivision Permit application and related documents. A Right-of-Way permit for construction of curb, gutter, sidewalk, and half-street improvements will be required for establishment of necessary infrastructure on Poplar Street adjacent to the subject site. Utility connection permits will also be required. Such right-of-way and utility improvements must be completed prior to final plat approval. Such permits are required and may be approved administratively pursuant to the provisions of LMC 21.09.030, "Limited Administrative Review of Applications." City of Leavenworth permitting for the construction of structures on newly created Lots No. 1 and No. 3, including but not limited to on-site stormwater retention, will be required at the time of lot build-out.

**Required/Existing Environmental Documents**

This project is not subject to the State Environmental Policy Act (SEPA) pursuant to WAC 197-11-800(6)(a). A Wetland Determination Report by Grette Associates, dated October 21, 2011, has been submitted to the City. While there are known and identified critical areas (wetlands) within the general vicinity of the site, no known critical areas are within the subject property. Pursuant to the Wetland Report, there were no saturated soils or inundation on the property at the time of evaluation, and "it is extremely unlikely there are wetlands on the property." The Report recommends evaluation of the property during the growing (wet) season. The City did not request additional investigations or studies for this project at this time. Further evaluation of soil conditions and/or hydrology will be required prior to building permit issuance on the individual lots.

**Review / Preliminary Determination of Consistency**

The City of Leavenworth (City), permitting authority for this proposal, has reviewed the proposed project for probable impacts. It is the finding of the City that the application appears consistent with the regulations contained within the Leavenworth Municipal Code Titles 14, 16, 17, 18, and 21 and the Leavenworth Comprehensive Plan with conditions to be included in the Final Notice of Decision for Short Subdivision. The proposal requires additional infrastructure (stubs from City water and sewer mains and right-of-way improvements as noted above) to serve future development. Such infrastructure shall be installed prior to final plat approval. The proposal is not expected to cause significant adverse impacts to the surrounding residential district.

The City will regulate any unforeseen impacts by utilizing local development regulations, the City's Comprehensive Plan, and other applicable local, State, or federal laws or rules. These laws and rules should provide adequate analysis of, and mitigation for, any impacts of this project. The following are requirements for final Short Plat approval, subject to changes and additions at the discretion of the City:

1. Pursuant to LMC 18.20.060 (B), the minimum lot width at the front building line for new land divisions shall be 60-feet for an interior lot and 70-feet for a corner lot. The proposal includes a corner lot width of 65-feet at the front building line for new Lot 3. Such reduced lot width was established through City of Leavenworth Variance 92-03, which is being perfected and completed at this time. The City will require that all conditions of approval from said Variance are complied with in conformance with current City development standards as follows:
  - a. "The driveway for the future corner lot shall be located on Ski Hill Drive." Pursuant to the current City of Leavenworth Comprehensive Transportation Plan, Goal 3, Policy 3.4, driveways along arterials and collectors should be restricted. As determined by the Director of Public Works, access to new Lot 3 shall be taken from Poplar Street, and the

access for new Lot 1 shall be taken from Ski Hill Drive. Access to new Lot 2 shall remain from Poplar Street.

- b. "A 50-foot clear view triangle is maintained for new construction on the lot." The final plat will be required to delineate such clear view triangle. The existing 6-foot tall fence which encroaches into this area shall be shortened to two and one-half feet in height, or removed, prior to final plat approval. A permit is not required for the removal or modification of the fence.
2. Pursuant to LMC 17.14.100 (C), street right-of-ways along the boundary of a subdivision shall conform to the provisions set forth in LMC Title 14, Development Standards, and as identified in the Leavenworth Comprehensive Plan. Street infrastructure improvement on Poplar Street adjacent to the subject site is required to be completed prior to final plat approval. Prior to preliminary plat approval, the applicant shall work with the Director of Public Works to develop street / right-of-way preliminary engineering plans which ensure conformance with City standards. Three sets of such preliminary engineering road plans and profiles shall be submitted to the City (LMC 17.08.030 (C)) for review. The following shall be included:
  - a. Addition of curb, gutter, and sidewalk on Poplar Street, including street improvements connecting the new sidewalk with Poplar Street to center line of the street;
  - b. Street stormwater conveyance design which may include re-alignment of catch basin(s) at Poplar Street and/or Ski Hill Drive;
  - c. Driveway placement for new Lot 3 from Poplar Street;
  - d. Transference (relocation) of existing utilities from new Lot 2 to new Lot 3; and
  - e. Placement of utilities to serve new Lot 2 (driveway and utility placement for new Lot 1 may be deferred until lot build-out);
3. In exchange for infrastructure improvements along Ski Hill Drive and full infrastructure improvements on Poplar Street, an annotation shall be placed on the face of the plat as follows:
  - a. Property owners, their successors, heirs and assigns shall not protest participation in a future Local Improvement District (LID), or other similar funding measure, which would pay for the installation or improvement of roads, sidewalks, curbs, gutters, lighting and other infrastructure in the area.
4. Storm drainage for the individual lots (1 through 3) of this plat shall be the responsibility of the individual lot owners at the time of lot development (building). On-site stormwater systems will be required (connection to City stormwater utility will not be allowed). Engineered stormwater plans shall be prepared by a licensed professional and submitted for review and approval by the City prior to issuance of residential building permits. An annotation shall be placed on the face of the plat as follows:
  - a. Individual on-site stormwater systems are required at the time of construction. Engineered stormwater plan(s) shall be prepared by a licensed professional and submitted at the time of application submittal for review and approval by the City prior to the issuance of building permit(s).
5. Lateral water service line, meter, appropriate back flow prevention device, and lateral sewer service line for Lot 2 shall be installed from Poplar Street at the applicant's expense and by the applicant's contractor, prior to final plat approval. The existing lateral water service, meter, and sewer service to Lot 2 from Ski Hill Drive shall be discontinued and appropriately transferred

(stubbed out) to new Lot 3. Installation of appropriate back flow prevention shall be required for such existing service if not already in place. Installation of lateral water service line, meter, appropriate backflow prevention device, and lateral sewer service line for new Lot 1 may be deferred but shall be installed as a condition of building permit issuance for construction of structures on the lot. All laterals shall be the responsibility of future developer(s)/applicant(s)/property owner(s). Pursuant to LMC 17.14.090, all utilities shall be placed underground and shall be in conformance with the provisions contained in LMC Title 14. As-built drawing shall be provided for review and approval of the City of Leavenworth prior to final plat approval in conformance with LMC 14.14.060(B), or utilities shall be appropriately bonded for in conformance with LMC 17.20.

6. A 10-foot snow storage easement, for the benefit of the City of Leavenworth, shall be established along the perimeter of the plat as shown within the application materials.
7. Pursuant to LMC 17.08.050 (B), the director may disapprove a proposed short subdivision because of flood, inundation, or swamp conditions. Construction of protective improvements may be required as a condition of approval, and such improvements shall be noted on the final plat. The Wetland Determination by Grette Associated dated October 21, 2011 identified that no saturated soils or inundation were found on the property, however, it is also cited within the report that the site visit was conducted outside of the growing season (wet season), an absolute determination regarding wetlands could not be made, and re-visitation of the property is recommended prior to building permit issuance. The City will require further investigation to determine seasonal inundation and water table height which may cause saturated soils or inundation of the property prior to build-out on new Lots 1 and 3. Such requirement shall be stated on the face of the final plat as follows, unless investigation has been completed and acceptable conditions demonstrated at the determination of the City, or inundation conditions mitigated as necessary, prior to final plat approval:
  - a. Hydro-geotechnical evaluation for foundations and placement of structures, or other studies as determined by the City, may be required prior to building permit issuance.
8. The City shall assign property street addresses prior to final plat approval. Such addresses shall be delineated on the face of the final plat. Lot 1 shall be addressed as "419 Ski Hill Drive," Lot 2 shall be addressed as 113 Poplar Street (a new address for the existing residence), and Lot 3 shall be addressed as "427 Ski Hill Drive" (retains original site address), or other numbers as assigned by the City of Leavenworth prior to final plat approval, in conformance with addressing practices of the City of Leavenworth block system.

### **Public Notice**

This Notice of Application shall be posted at the project site and in three (3) places at City Hall for the duration of the comment period, per Leavenworth Municipal Code Section 21.07.080(B).

### **Public Comment/Review/Appeals**

The public is encouraged to review and comment on the proposed project and its probable impacts. **This may be your only opportunity to comment on impacts of the proposed project.**

It is the right of any person to comment on the above noted application, to receive notice of and participate in any hearings (if applicable), and request a copy of the decision once made, or to appeal such decision subject to the requirements outlined in Title 21 of the Leavenworth Municipal Code. Interested persons must submit comments and/or requests within fourteen days following the date of publication of this notice. **The comment period ends at 5:00 PM on November 28, 2011.**

A complete project file is available for review at Leavenworth City Hall at 700 Highway 2, Leavenworth, Washington, or by contacting Community Development Department staff at 509-548-5275. The file of record for this application includes, but is not limited to the following documents:

1. City of Leavenworth Short Plat Application, date stamped received by the City on October 25, 2011 – including Certificate of Ownership/Dedication of Agent and Indemnity,
2. Preliminary Short Plat (scaled drawings of the subdivision showing lots, blocks, streets or tracts or other divisions or dedications of land to be subdivided);
3. Wetland Determination by Grette Associates dated October 21, 2011, and
4. Title Insurance Report, issued by North Meridian Title and Escrow, dated July 28, 2011.

**Staff Contact**

For more information regarding this application, please contact:

Cary Siess, Assistant Planner  
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