



MEDINA, WASHINGTON

HEARING EXAMINER

Remote Public Hearing

Friday, October 08, 2021 – 2:00 PM

AGENDA

Virtual Meeting Participation

City of Medina's city hall is currently closed to the public. The scheduled variance hearing will be held using remote meeting technology. Please either log in or call in a few minutes prior to the start of the meeting to participate. Written comments may still be submitted prior to the hearing by emailing Stephanie Keyser, Planning Manager at skeyser@medina-wa.gov. These comments are given the same weight as public testimony.

Join Zoom Meeting

<https://us06web.zoom.us/j/81778670234?pwd=ek9MSU5abmZGZDdQMVBWVa3pBR09WZz09>

Meeting ID: 817 7867 0234

Passcode: 537614

One tap mobile +12532158782,,81778670234#,,, *537614# US (Tacoma)

Public Hearings:

NOTE: *The Hearing Examiner has the discretion to limit testimony to relevant non-repetitive comments and to set time limits in order to ensure an equal opportunity is available for people to testify.*

PRE-DECISION HEARING:

File No.: P-21-043 Non-Administrative Substantial Development Permit

Proposal: Non-Administrative Substantial Development Permit to repair fifteen (15) existing wood piles, replace the wood dock with grated decking, drive six (6) steel support piles and three (3) steel brace piles and attach to adjacent support piles, construct a 37'-11" finger pier extension, and add a dual jet ski lift and a platform lift next to the proposed extension. Mitigation includes four (4) Western Redcedar, six (6) Nootka Rose, and six (6) Snowbrush planted within 25' of the shoreline.

Location: 202 Overlake Drive East

Time: 2:00 PM



CITY OF MEDINA

501 EVERGREEN POINT ROAD | PO BOX 144 | MEDINA WA 98039-0144
TELEPHONE 425-233-6400 | www.medina-wa.gov

STAFF ANALYSIS AND RECOMMENDATION DAYANG SUBSTANTIAL DEVELOPMENT PERMIT APPLICATION

Prepared by Stephanie Keyser, AICP Planning Manager
Date: September 30, 2021

Summary of Decision: Recommend approval, subject to conditions.

PART 1 – GENERAL INFORMATION

CASE NO: P-21-043

LOCATION: 202 Overlake Drive East

TAX PARCEL NO: 383550-3010

PROPERTY OWNER: Dayang, LLC

APPLICANT: Zoe Rohaly of Seaborn Pile Driving (agent)

LEGAL DESCRIPTION:

KENWOOD PARK ADD LOTS 20 TO 23 BLK 21 & ALL UPLAND PORTION LOTS 22 & 23 BLK 24 KENWOOD PARK TGW PORTION VACATED KENWOOD BLVD LYING BETWEEN SD LOTS 22 & 23 BLK 21 & SD LOTS 22 & 23 BLK 24 TGW 2ND CLASS SHORELANDS ADJ TGW PORTION VACATED "B" ST & KENWOOD BLVD LYING EAST OF EAST LINE OF HARRIS AVE & BETWEEN SOUTH LINE OF BLKS 21 & 24 & SD LINE EXTENDED & CENTERLINE SD "B" ST & SD LINE EXTENDED TGW 2ND CLASS SHORELANDS ADJ

PROPOSAL: Non-administrative substantial development permit to repair fifteen (15) existing wood piles, replace the wood dock with grated decking, drive six (6) steel support piles and three (3) steel brace piles and attach to adjacent support piles, construct a 37'-11" finger pier extension, and add a dual jet ski lift and a platform lift next to the proposed extension.

ZONING: Single Family Residence, R-20

SHORELINE ENVIRONMENT DESIGNATION: Residential and Aquatic Environments

COMPREHENSIVE PLAN DESIGNATION: Single Family Residential

CRITICAL AREAS: Fish and Wildlife Habitat Conservation Area (Lake Washington)

ENVIRONMENTAL (SEPA) REVIEW: The responsible official issued a Determination of Nonsignificance (DNS) on September 9, 2021, pursuant to WAC 197-11-355. No appeals were filed.

EXHIBITS:

1. Staff Report
2. Declaration of Agency
3. Proof of Ownership
 - a. Statutory Warranty Deed, received May 30, 2021
4. Legal Notices
 - a. Notice of Incomplete Application, dated June 29, 2021
 - b. Notice of Complete Application, dated July 29, 2021
 - c. Notice of Application, dated August 5, 2021
 - d. Notice of Hearing, dated September 16, 2021
5. Substantial Development Permit Application, received May 30, 2021
6. SEPA
 - a. SEPA Checklist, received June 11, 2021
 - b. Determination of Nonsignificance, dated September 9, 2021
7. Drawings, received May 30, 2021
8. No Net Loss Report, dated, May 2021
9. Water Depth Waiver, received July 15, 2021

PART 2 – SITE CHARACTERISTICS

EXISTING CONDITIONS: The property has an existing single-family residence and related site improvements. There is an existing wood decked dock and the shoreline is armored with a basalt bulkhead. There are two paper birch and a weeping deodar cedar within 10 feet of the shoreline.

SURROUNDING ZONING:

Direction	Zoning	Present Use
North	R-20 District	Residential
South	R-20 District	Residential
East	N/A	Lake Washington
West	R-16 District	Residential

ACCESS: Ingress and egress is from Overlake Drive East

PART 3 – COMPREHENSIVE PLAN

It is the basic policy of the City to retain and promote the high-quality residential setting that has become the hallmark of the Medina community.

The following comprehensive plan goals and policies apply to the proposed project:

LU-G1: To maintain Medina's high-quality residential setting and character.

H-G1: The City shall preserve and foster housing development consistent with Medina's high-quality residential setting.

PART 4 – SHORELINE MASTER PROGRAM

The goals and policies for shoreline development are set forth in Sub-Element 2.1 of the City of Medina Comprehensive Plan. The vision of the Medina Shoreline Master Program is to preserve the residential nature of the City's shoreline character, encourage good stewardship and enjoyment of the shoreline, and protect and preserve shoreline ecological functions.

The following goals and policies of the shoreline master program apply to this proposal:

CHAPTER 2.1 SHORELINE MANAGEMENT SUB-ELEMENT

Section C: Shoreline Uses and Activities:

Goal: SM-G3: Locate, design and manage shoreline uses to prevent and, where possible, restore significant adverse impacts on water quality, fish and wildlife habitats, the environment, and other uses.

Goal: SM-G9: Minimize impacts to the natural environment and neighboring uses from new or renovated piers and docks and their associated components, such as boatlifts and canopies.

Policy SM-P9-4: Moorage facilities should be constructed of materials that will not adversely affect water quality or aquatic plants and animals in the long term and have been approved by applicable state agencies.

Section H: Natural Environment:

Goal: SM-G16: Preserve, protect, and restore shoreline environment.

Policy SM-P16.3: Adverse impacts on the natural environment should be minimized during all phases of development (e.g., design, construction, operation, and management).

PART 5 – PUBLIC COMMENT

NOTICES: (Exhibit 4)

Application received:	May 30, 2021
Determination of Completeness:	July 29, 2021
Notice of Application:	August 5, 2021
Notice of Hearing:	September 16, 2021

The application was received on May 30, 2021, and was determined complete on July 29, 2021, pursuant to MMC 16.80.100. A Notice of Application was issued on August 5, 2021, by mailing to property owners pursuant to MMC 16.80.140(B)(2); posting on-site; and posting at other public notice locations (City Hall, Medina Post Office, Park Board, and City of Medina website). A 30-day comment period was used pursuant to MMC 16.80.110(B)(7). A Notice of Hearing was issued on September 16, 2021, consistent with MMC 16.80.120. The notice was mailed to property owners pursuant to MMC 16.80.140(B)(2), published in *The Seattle Times* newspaper, and posted on the site and other public notices locations (City Hall, Medina Post Office, Medina Park Posting Board, and City of Medina website).

GENERAL PUBLIC COMMENTS: No public comments were received.

AGENCY COMMENTS: No agency comments were received.

PART 5 – STAFF ANALYSIS

1. Dayang, LLC is the owner and taxpayer of record of the property identified as 202 Overlake Drive East, tax parcel no. 383550-3010, according to the Statutory Warranty Deed (Exhibit 3a). The owners designated Zoe Rohaly of Seaborn Pile Driving as the agent for this application (Exhibit 2).
2. According to the City's official zoning map, the property is zoned R-20 and is approximately 26,400 square feet (0.61 acres) of dry land area, according to the King County Assessor. The property is located at 202 Overlake Drive East and is rectangular shaped with maximum overall dimensions of approximately 295 feet at its greatest length and approximately 102 feet at its greatest width. The area of the property landward of the ordinary high-water mark (OHWM) is designated as Residential Environment and the area waterward of the OHWM is designated Aquatic Environment pursuant to MMC 16.61.020.
3. The applicant is requesting a substantial development permit to repair fifteen (15) existing wood piles, replace the wood dock with grated decking, drive six (6) steel support piles and three (3) steel brace piles and attach to adjacent support piles, construct a 37'-11" finger pier extension, and add a dual jet ski lift and a platform lift next to the proposed extension. (Exhibit 7). There is no proposed work on the bulkhead.

EXISTING NONCONFORMITY

4. Table 16.65.080 outlines the boat lift dimensional and design standards and requires a minimum water depth of 9-feet. MMC 16.65.080(D) allows for a waiver to be requested for a boat lift to be placed in shallower water provided a minimum water depth of 5-feet is maintained. The existing boat lift on the pier is in a depth of approximately 3-feet, making it legally nonconforming.
5. MMC 16.66.090 defines a nonconforming development as a shoreline development which was lawfully constructed or established prior to the effective date of the Act or the shoreline master program, or amendments thereto, but which does not conform to present regulations or standards of the shoreline master program. The city has record of a building permit application for this pier that was submitted in 2004. Repair and modifications/additions of a legally nonconforming structure is permitted pursuant to MMC 16.65.040 and 16.65.060(E).

STATE ENVIRONMENTAL POLICY ACT:

6. The Responsible Official issued a Determination of Nonsignificance pursuant to WAC 197-11-355 on September 9, 2021 (Exhibit 6b). The administrative appeal period expired on September 23, 2021, at 4pm and no appeals were filed.

CRITICAL AREAS:

7. Within the shoreline jurisdiction, critical areas are regulated by Chapter 16.67 MMC. Pursuant to MMC 16.67.080(A)(5), Lake Washington is designated as a Fish and Wildlife Habitat Conservation Area. Northwest Environmental Consulting, LLC prepared an Environmental Analysis to satisfy the requirements of an Initial Fish and Wildlife Habitat Assessment set forth in MMC 16.67.090(D) (Exhibit 8). The report was informed by a site visit to the property on May 21, 2021, as well as consulting the Washington Department of Fish and Wildlife's (WDFW) Priority Habitats and Species online database and the WDFW's map of Lake Washington Sockeye Spawning Areas. WDFW's PHS mapping and SalmonScape mapping tools show the following salmonid species using Lake Washington for migration and/or rearing: residential coastal cutthroat (*Oncorhynchus clarkii*), winter steelhead (*O. mykiss*), Dolly Varden/bull trout (*Salvelinus malma*), sockeye salmon (*O. nerka*), fall Chinook (*O. tshawytscha*), coho salmon (*O. kisutch*), and kokanee (*O. nerka*). The SalmonScape database maps the site as accessible to the Endangered Species Units (ESU) of Threatened Chinook and steelhead. The nearest salmon-bearing stream, the Fairweather Creek, approximately one and half miles to the north and flows away from the site, is modeled by Washington Department of Fish and Wildlife (WDFW) for a gradient accessible to listed Fall Chinook and Winter Steelhead and non-listed coho and sockeye salmon. Juveniles may rear in the waters near the project when traveling from spawning sites on other lake tributaries to the lake's outlet at the Hiram M. Chittenden Locks. The project site is accessible to any fish migrating or rearing in the lake. The shoreline is mapped as a sockeye salmon spawning location. Priority Habitats and Species map do not map any terrestrial species of concern in the project area. The closest record is a wetland approximately 2,200 feet to the north along the shore of Lake Washington. King County iMap shows an erosion hazard along the sloped areas north of the project site. No other environmentally sensitive areas are mapped on or near the subject property.

ANALYSIS OF SHORELINE MASTER PROGRAM

8. Pursuant to MMC 16.60.050 and RCW 90.58.030, Lake Washington and areas extending 200 feet upland from the ordinary high-water mark of Lake Washington are subject to the Medina Shoreline Master Program (SMP), Chapters 16.60 through 16.67 MMC. The SMP applies as an overlay and in addition to zoning, land use regulations, development regulations, and all other regulations established by the City pursuant to MMC 16.60.070. All development regulated by the SMP must also comply with all other zoning and land use regulations set forth in the Medina Municipal Code. The location of the pier is adjacent to Lake Washington and are therefore subject to the Medina SMP.
9. Pursuant to MMC 16.72.110(D), all uses and activities meeting the definition of development located within the shoreline jurisdiction that do not qualify for an exemption pursuant to WAC 173-27-040 require a substantial development permit. The proposed in-water work does not qualify for any of the exemptions listed in WAC 173-27-040 and the project cost prohibits the qualification as an administrative substantial development permit pursuant to MMC 16.71.060.
10. The Shoreline Use Table in MMC 16.62.030 lists piers, docks, boatlifts, moorage pilings, and covered moorage as permitted uses within the Residential and Aquatic Environments.

This proposal includes repairing and expanding an existing pier and installing two new lifts, which qualify as permitted uses.

Pier

11. The existing 579 square foot pier will remain, and a new 217 square foot finger pier is being proposed, along with a new 116 square foot platform lift for a total new overwater coverage of 912 square feet. Existing overwater structures are required to meet the design standards of MMC 20.65.040:
 - a. The proposed pier will be used by a single property owner. Pursuant to Table 16.65.040, the maximum allowable overwater surface coverage for an existing structure is 1,200 square feet. Once constructed with the addition, the proposed pier will be 912 square feet, which complies with this requirement (Exhibit 7).
 - b. The minimum setback from side property lines is 12-feet each side. The pier is approximately 28'-5 ³/₄" from the north side property line and approximately 39'-10" from the south side property line (Exhibit 7). The proposal complies with this dimensional requirement.
 - c. The dimensions for an existing pier is limited to the following: maximum length is 100 feet from the ordinary high-water line (OHWL); maximum width of the walkway for the portion located within the first 30 feet waterward of the OHWL is four feet, except an additional two feet width is permitted if the property owner or family member has a condition that qualifies for state disabled accommodations; beyond the first 30 feet waterward of the OHWL, the walkway may be widened to six feet; and there is no maximum length for fingers. The proposal will result in a pier that is approximately 84'-9 ³/₄" in length from the OHWL. The width of the existing walkway as well as the finger pier extension will be 5'-10". The length of the new finger pier extension will be 37'-11" (Exhibit 7). The design complies with these dimensional requirements.
 - d. The minimum height above the plane of the OHWL to the bottom of the stringers on the pier is 1'-6", and the maximum height above the plane of the OHWL to the top of the decking of the pier is 5'. The proposed pier will be a minimum of 1'-6" above the plane of the OHWL to the bottom of the stringers and a maximum of 2'-2 ¹/₂" above the plane of the OHWL to the top of the decking (Exhibit 7). The design complies with these dimensional requirements.
 - e. No pier skirting is proposed. The applicant will be using a plastic grated decking allowing a minimum of 43 percent light transmission and will be repairing eight existing wooden piles and driving six new steel piles and three steel brace piles meeting the materials requirements set forth in Table 16.65.040 (Exhibit 7).

Covered Moorage

12. There is no work being proposed to the existing covered moorage.

Boat Lift

13. Two new lifts are proposed to be installed: a dual jet ski lift and a platform lift. Boat lifts are required to comply with the dimensional and design standards set forth in Table 16.65.120:
- The location of the boat lift must be no more than 100 feet and no less than 30 feet from the ordinary high-water line and must be located in at least 9-feet of water depth, unless a water depth waiver is submitted pursuant to 16.65.080(D). The new platform lift will be located approximately 47'-6 $\frac{3}{4}$ " from the ordinary high-water line and the dual jet ski lift will be located approximately 71'-10" from the ordinary high-water line. The maximum distance of the dual jet ski, which is the farthest lift from the shore, will be approximately 83'-10" from the ordinary high-water line. The applicant submitted a water depth waiver for the existing boat lift on July 15, 2021. The proposed lifts meet these requirements.
 - A maximum of three freestanding or deck-mounted boat lifts (including personal watercraft lifts) are allowed per single-family dwelling that shares the pier or dock. The applicant is proposing to install two lifts for a total of three lifts on this pier. The proposal meets this requirement.
 - The minimum setback from the side property lines for a boat lift is 12-feet. The platform lift will be approximately 36'-11 $\frac{1}{2}$ " from the north side property line and approximately 60'-11 $\frac{3}{4}$ " from the south side property line. The dual jet ski will be located approximately 42'-5" from the north side property line and approximately 52'-3 $\frac{1}{2}$ " from the south side property line. The locations of both lifts comply with the dimensional setback requirement.
 - Mitigation for boat lifts is required pursuant to MMC 16.65.120 and must comply with the US Army Corps of Engineers requirement for watercraft lift mitigation. Proposed mitigation includes three plantings within 10-feet of the ordinary high-water mark and two trees within 25-feet of the ordinary high-water mark.

Shoreline Vegetation Management

14. The applicant submitted a planting plan for this project (Exhibit 7). The City's Arborist Consultant reviewed the plans and found them consistent with the requirements for vegetation management in MMC 16.66.050 and Chapter 16.52 MMC (Tree Code). A further breakdown of this analysis follows:
- The applicant is proposing to plant two Western Redcedars (*Thuja picatta*), one Nootka Rose (*Rosa nutkana*), and two Mock Oranges (*Philadelphus lewisii*) within 25-feet of the ordinary high-water mark.

General Shoreline Regulations

15. The following general shoreline regulations set forth in Chapter 16.66 MMC are applicable to the proposal:

- a. MMC 16.66.060 Surface water runoff. MMC 16.66.060 sets forth requirements for surface water runoff and water quality measures during and after construction. The proposal is required to comply with the City's adoption of the Department of Ecology Stormwater Manual for Western Washington set forth in MMC 16.43.

The applicant will take measures to ensure that construction work will not adversely impact Lake Washington. Measures include the installation of a temporary floating turbidity curtain (Exhibit 7).

- b. MMC 16.66.070 In-water construction. MMC 16.66.070 sets forth in-water construction requirements:
 - i. The proposal is required to prevent waste material and unauthorized fill from entering the lake, and all excess material must be removed from the site. A temporary floating turbidity curtain will be in place to ensure materials do not enter the lake.
 - ii. Measures must be taken in advance and during construction to ensure that no petroleum products, hydraulic fluid, cement, sediments, sediment-laden water, chemicals, or any other toxic or deleterious materials are allowed to enter the lake, and appropriate spill clean-up materials must be on-site at all times for immediate containment and cleaning. As discussed above, a temporary floating turbidity curtain will be installed to prevent materials from entering the lake.

FEDERAL AND STATE PERMITS:

- 16. Pursuant to MMC 16.66.030, all work waterward of the ordinary high-water line is required to receive permits or approvals from one or more state and Federal agencies. The applicant is required to submit a Letter of Permission from the U.S. Army Corps of Engineers and Hydraulic Project Approval from the Washington Department of Fish and Wildlife prior to issuance of construction permits.

PART 6 - CONCLUSION

- 1. Pursuant to MMC 16.72.110(C) and MMC 16.80.060(C) the Hearing Examiner has authority to decide the proposal after conducting a public hearing. The proposal requires a Substantial Development Permit as the work is non-exempt development activity within the meaning set forth in the Medina Shoreline Master Program.
- 2. Proper notice for the public hearing has been provided. Notice was posted on the property, mailed to property owners within 300 feet and published in the *Seattle Times* newspaper on September 16, 2021, more than 15 days prior to the date of the hearing (Exhibit 4d).
- 3. Pursuant to MMC 16.72.110(F), a substantial development permit may only be approved if specific criteria are met:

- a. *The proposed development is consistent with the policy and provisions of the State Shoreline Management Act of 1971 (RCW 90.58).*

CONCLUSION: Pursuant to RCW 90.58.020, permitted uses in the shorelines of the state shall be designed and constructed in a manner to minimize, insofar as practical, any resultant damage to the ecology and environment of the shoreline area and any interference with the public's use of the water. The proposed work is the repair of an existing pier with an addition. The pier's dock will be resurfaced with new thruflow grated decking which is 43 percent light permeable. Although the pier will be expanded to 912 square feet, the net result of the overwater coverage will decrease at 520 square feet as a result of the thruflow light permeable decking (Exhibit 8). The repair and addition to the existing pier is a reasonable and appropriate uses of the lake shore. As proposed and conditioned, the proposal will result in no net loss of shoreline ecological function or value and will not infringe on the public's right to use and enjoy Lake Washington. This matter has been properly noticed and brought before the Hearing Examiner.

- b. *The proposed development is consistent with the State Shoreline Management Permit and Enforcement Procedures (WAC 173-27).*

CONCLUSION: The proposal meets the review criteria set forth in WAC 173-27-150. The proposed development is consistent with the policies and procedures of the Shoreline Management Act of 1971 (see Conclusion 3a), meets permitting requirements described in WAC 173-27, and is consistent with the Medina Shoreline Master Program (see Conclusion 3c).

- c. *The proposed development is consistent with the provisions of the Medina Shoreline Master Program.*

CONCLUSION: The proposal is consistent with the policies and procedures of the Shoreline Management Act, State Shoreline Management and Enforcement Procedures, and the City of Medina Shoreline Master Program. The requirements set forth in Table 16.64.010 for residential construction and MMC 16.66.050 for vegetation management are satisfied.

The proposed development is a permitted use in the Residential and Aquatic Environment designations, will provide adequate mitigation for new overwater coverage, and results in no net loss of shoreline ecological function and value. Vegetation management within the shoreline area, as conditioned, will be consistent with the requirements of the shoreline master program and will result in no net loss of shoreline ecological functions. The Shoreline Master Program enumerates goals and policies for shoreline development. The proposal meets the goals of the program:

- i. *Locate, design, and manage shoreline uses to prevent and, where possible, restore significant adverse impacts on water quality, fish and wildlife habitats, the*

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environment, and other uses.

CONCLUSION: The repair and addition to the existing pier will result in no net loss of shoreline ecological functions. The installation of light permeable decking and shoreline landscaping will improve water quality and wildlife habitats and the environment. The pier, as proposed and conditioned, is consistent with Shoreline Master Program policies SMP-P 4.1, 4.2, and 4.4. It is adequately set back from other structures to protect natural features and ecological functions, preserve views, and minimize land use conflicts; the proposed landscape design will improve wildlife habitat by providing native landscaping, controlling erosion, and protecting quality using best management practices; and the proposed development achieves no net loss of ecological functions.

- ii. *Manage shoreline modifications to avoid, minimize, or mitigate significant adverse impacts.*

CONCLUSION: The proposed development minimizes significant adverse impacts by employing best management practices for construction and control of siltation and erosion. The proposed development mitigates significant adverse impact by providing shoreline habitat improvements, including overall reduction in overwater surface coverage, installation of shoreline habitat vegetation, and installation of shoreline habitat vegetation.

- iii. *Minimize impacts to the natural environment and neighboring uses from new or renovated piers and docks and their associated components, such as boatlifts and canopies*

CONCLUSION: The proposal minimizes impacts to the natural environment and neighboring uses by reducing overwater structural coverage and improving shoreline habitat.

- iv. *Limit the visual and environmental impacts of trams in the shoreline area.*

CONCLUSION: The project, as proposed, does not include a tram; this criterion is not applicable.

Part 8 – Staff Recommendation

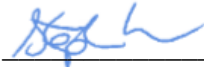
Staff recommends **approval** of the Shoreline Substantial Development Permit at 202 Overlake Drive East, Medina, Washington, subject to the following conditions:

1. Final design and location of the pier and related improvements shall substantially comply with the drawings provided in Exhibit 7.

2. Pertinent construction permits shall be obtained for the pier prior to starting construction activity. Any conditions set forth in the construction permits pertaining to the inspection and verification of compliance with the Medina Shoreline Master Program consistent with this decision shall be included as conditions for approving this substantial development permit.
3. Construction materials shall be stored in a manner that ensures no adverse impacts occur to the shoreline area and prevent erosion or runoff. The contractor shall take extreme care to ensure that no petroleum products, hydraulic fluid, or any other toxic or deleterious materials are allowed to enter or leach into surface waters. The permittee shall report all spills immediately to the Washington Department of Ecology (425-479-7000) and the City of Medina.
4. The applicant shall obtain a Letter of Permission or other applicable approval from the U.S. Army Corps of Engineers. A copy of the Letter of Permission shall be submitted to the City prior to the issuance of any building permits authorizing pier repair and addition. Conditions of approval set forth in the Letter of Permission shall be included as conditions for approving this substantial development permit.
5. The applicant shall obtain Hydraulic Project Approval (HPA) from the Washington Department of Fish and Wildlife. A copy of the approved HPA shall be submitted to the City prior to the issuance of any building permits authorizing pier repair and addition. Conditions of approval set forth in the HPA shall be included as conditions for approving this substantial development permit.
6. This substantial development permit is granted pursuant to the Shoreline Management Act of 1971 and nothing in this permit shall excuse the applicant from compliance with any other Federal, state, or local statutes, ordinances, or regulations applicable to this project.
7. Construction pursuant to this substantial development permit will not begin or is not authorized until twenty-one (21) days from the date the permit decision was filed pursuant to RCW 90.58.140(6) and WAC 173-27-130, or until all review proceedings initiated within twenty-one days from the date of such filing have been terminated; except as provided in RCW 90.58.140(5)(a) and (b).
8. Revisions to the substantial development permit shall be reviewed pursuant to WAC 173-27-100. Approval of any revisions shall be consistent with these requirements.
9. Pursuant to RCW 90.58.140(8), this substantial development permit may be rescinded upon the finding that a permittee has not complied with the conditions of this permit.
10. Construction activities shall be commenced within two years of the effective date as set forth in RCW 90.58.143. The City, however, may authorize a single extension for a period not to exceed one year based on reasonable factors, if a request for extension has been filed before the expiration date and notice of the proposed extension is given to all parties

of record and to the Department of Ecology.

11. Authorization to conduct construction activities shall terminate five years after the effective date as set forth in RCW 90.58.143. The City, however, may authorize a single extension for a period not to exceed one year based on reasonable factors, if a request for extension has been filed before the expiration date and notice of the proposed extension is given to parties of record and to the Department of Ecology.
12. Any work performed in the next eight years beginning the date the decision becomes final shall consider the repairs that are part of this proposal consistent with MMC 16.65.240(B).



Stephanie Keyser, AICP
Planning Manager

Date: 9/30/2021



DEVELOPMENT
SERVICES

OWNER'S DECLARATION OF AGENCY

A-05

501 EVERGREEN POINT ROAD MEDINA, WA 98039
PHONE: 425-233-6414/6400

Project Address 202 Overlake Dr E Parcel No. 383550-3010

I/We Miranda Lee do hereby declare and affirm that I/we are:

☐ the owners or contract purchasers of the above property

☒ an officer or representative of Dayang LLC, a Washington corporation or trust which is the owner of the above property. I am duly authorized by this entity to represent the above property in matters of ownership, land use, and construction. Attached, please find a copy of the Power of Attorney or other document by which I have been appointed.

AGENCY

I/We are applying for one or more permits for development of the above property. I/We understand that the proposed work may also include additional permits for land use approvals.

For the purposes of applying for the applicable permits and managing the owner's responsibility for compliance with the approved plans and any land use permits associated with this project, I/we

☐ will act as my own agent

☒ do hereby appoint Seaborn Pile Driving - Kelsey Meyer to act as my agent in dealing with the City of Medina in all acts and decisions related to processing the application for permit, review and approval of the application, authorization of revisions, and coordination of required inspections and project approvals.

AGREEMENT TO CONDITIONS

I/We agree as a condition of this permit:

- To comply with all applicable codes, ordinances, laws and conditions of approval in effect at time of permit issue.
- To ensure that all work shall be done in accord with the approved plans and specifications, which shall not be modified without the prior approval of the Building Official. I/We will provide all data and details of revisions to the approved plans to the City prior to undertaking any work that differs from the approved plans. The official approved plans for the project shall be those plans that are stamped and dated as approved by the City of Medina.
- To inform all contractors, subcontractors and workers of these conditions and any project mitigation requirements agreed to, and I/we will enforce compliance thereto.
- To maintain the approved plans, all correction notices, all inspection reports, and all permit documents on the project site and readily available to the inspectors.
- To ensure that requests are made to the City for the required inspections. Failure to notify the Development Services Department that the work is ready for inspection may necessitate the removal of some of the construction materials at the owner's expense in order to perform required inspections.
- To cause all certifications required by the City to be completed and to reconcile the permit fees upon completion of the work. I/We understand that the City will not issue a Certificate of Completion or a Certificate of Occupancy until these documents are completed.
- I/We acknowledge that consultant fees may be incurred as a result of the review and inspection of the proposed work. I/We agree to be responsible for the payment of these fees and understand that the payment of these fees is required prior to issuance of a Certificate of Occupancy.

SALES TAX

All contractors and vendors must report sales taxes for transactions in the City of Medina on quarterly combined excise tax returns. The 4-digit location code for the City of Medina is 1718.

OWNER OR OFFICER/REPRESENTATIVE NAME AND SIGNATURES

I HAVE READ, UNDERSTOOD AND AGREE TO THE ABOVE REQUIREMENTS.

DocuSigned by:
Signature Miranda Lee Date 4/29/2021
CB0E07BE130F4AA...
Name Miranda Lee

Instrument Number: 20170727000448 Document:WD Rec: \$75.00 Page-1 of 2
Record Date:7/27/2017 9:47 AM
King County, WA

**20170727000448**

WARRANTY DEED Rec: \$75.00
7/27/2017 9:47 AM
KING COUNTY, WA

AFTER RECORDING MAIL TO:

Dayang Real Estate Investment Fund I
6513 132nd Avenue NE, Suite 386
Kirkland, WA 98033

②/75
FIRST AMERICAN 2846826

E2879496

EXCISE TAX AFFIDAVITS
7/27/2017 9:47 AM KING COUNTY, WA
Selling Price:\$5,398,000.00
Tax Amount:\$96,089.40

Filed for Record at Request of:
First American Title Insurance Company

STATUTORY WARRANTY DEEDFile No: **4203-2846826 (MMS)**Date: **July 20, 2017**Grantor(s): **Brien Wygle**Grantee(s): **Dayang Real Estate Investment Fund I**Abbreviated Legal: **LOTS 20 TO 23, BLOCK 21 AND 24, VOL. 8, PG. 26, KING COUNTY**

Additional Legal on page:

Assessor's Tax Parcel No(s): **383550-3010-06**

THE GRANTOR(S) Brien Wygle, who also appears of record as Brien S. Wygle, an unmarried person as his sole and separate property for and in consideration of Ten Dollars and other Good and Valuable Consideration, in hand paid, conveys, and warrants to Dayang Real Estate Investment Fund I, LLC, A Washington limited liability company, the following described real estate, situated in the County of King, State of Washington.

LEGAL DESCRIPTION: Real property in the County of King, State of Washington, described as follows:

LOTS 20 TO 23, INCLUSIVE, BLOCK 21, AND ALL THE UPLAND PORTION OF LOTS 22 AND 23, BLOCK 24, KENWOOD PARK, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 8 OF PLATS, PAGE 26, IN KING COUNTY, WASHINGTON, TOGETHER WITH THE PORTION OF VACATED KENWOOD BOULEVARD LYING BETWEEN SAID LOTS 22 AND 23, BLOCK 21, AND SAID LOTS 22, 23, BLOCK 24, AND TOGETHER WITH ALL SHORELANDS OF THE SECOND CLASS IN FRONT OF SAID DESCRIBED PREMISES, EXCLUDING HEREFROM ANY PORTION OF VACATED "B" STREET IN SAID PLAT; TOGETHER WITH ALL THAT PORTION OF VACATED "B" STREET AND KENWOOD BOULEVARD IN THE PLAT OF KENWOOD PARK, ACCORDING TO PLAT THEREOF RECORDED IN VOLUME 8 OF PLATS, PAGE 26, IN KING COUNTY, WASHINGTON, LYING EAST OF THE EAST LINE OF HARRIS AVENUE, AS SHOWN ON SAID PLAT, AND BETWEEN THE SOUTH LINE OF BLOCKS 21 AND 24 AND SAID LINE EXTENDED AND THE CENTER LINE OF SAID "B" STREET AND SAID LINE EXTENDED; TOGETHER WITH ALL SHORELANDS OF THE SECOND CLASS IN FRONT THEREOF.

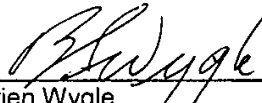
Instrument Number: 20170727000448 Document:WD Rec: \$75.00 Page-2 of 2 Exhibit 3
Record Date: 7/27/2017 9:47 AM King County, WA

APN: 383550-3010-06

Statutory Warranty Deed
- continued

File No.: 4203-2846826 (MMS)

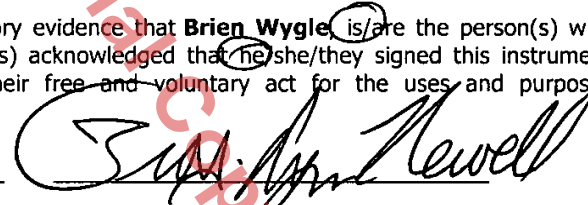
Subject To: This conveyance is subject to covenants, conditions, restrictions and easements, if any, affecting title, which may appear in the public record, including those shown on any recorded plat or survey.


Brien Wygle

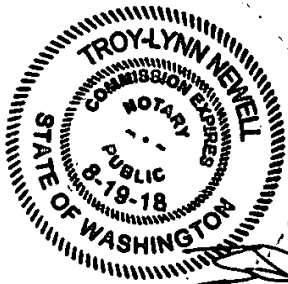
STATE OF Washington)
)-ss
COUNTY OF King)

I certify that I know or have satisfactory evidence that **Brien Wygle** is/are the person(s) who appeared before me, and said person(s) acknowledged that he/she/they signed this instrument and acknowledged it to be his/her/their free and voluntary act for the uses and purposes mentioned in this instrument.

Dated: 7-21-17



Notary Public in and for the State of Washington
Residing at: Issaquah
My appointment expires:

8-19-18



CITY OF MEDINA

501 EVERGREEN POINT ROAD | PO BOX 144 | MEDINA WA 98039-0144
TELEPHONE 425-233-6400 | www.medina-wa.gov

June 29, 2021

Seaborn Pile Driving
Attn: Kelsey Meyer
1080 W. Ewing St.
Seattle, WA 98119
Via email: permits@seabornpiledriving.com

Re: Determination of Incomplete Application and Corrections Required
Non-Administrative Substantial Development Permit (P-21-043)
SEPA Threshold (P-21-046)
202 Overlake Drive East

Dear Ms. Meyer,

The City has reviewed the above referenced applications for a Non-Administrative Substantial Development Permit and SEPA Threshold Determination at 202 Overlake Drive East. Upon review of the application materials, the City has determined the applications are incomplete pursuant to MMC 20.80.100. The following items require correction or clarification before the review may continue:

1. Legal establishment of the dock. Docks legally established prior to April 18, 2014, may follow the dimensional and design standards for an existing dock in MMC 20.65.040. Where it cannot be demonstrated that it was legally established prior to this date, the dock must follow the dimensional and design standards for a new dock in MMC 20.65.040. In order to have your application considered under the category of existing dimensional and design standards, please provide evidence that the existing dock was legally established prior to this date. Such evidence can be previous permit approvals, historical aeriels, or other information you might have that supports the legal establishment of the dock. This evidence is necessary to address the water depth of less than five feet for the existing boatlift.
2. Platform lift. The location and water depth for the platform lift is missing from Sheet A5.
3. Water depth. Table 20.65.120(D) requires lifts to be located in a minimum of nine feet of water depth. If the platform lift is in a depth less than that, a water depth waiver must be requested pursuant to MMC 20.65.120(D). Please determine whether this is required for the platform list and if it is, please submit a written request demonstrating the qualification for the depth waiver. Please be aware that a minimum of five feet of water depth is still required to be maintained and any depth less than this will require obtaining a shoreline variance.
4. Mailing Labels. The word document for the mailing labels is not formatted to Avery mailing labels. Please correctly format the page so that they may be printed onto labels.

At this time, the processing of your applications have been placed on hold pending submittal of the requested information. Please be aware that this determination does not preclude the City from requesting additional information.

Please upload the applicable information to the portal at your earliest convenience. If you have questions, please do not hesitate to contact me directly at skeyser@medina-wa.gov or 425.233.6416.

Sincerely,



Stephanie Keyser, AICP
Planning Manager



CITY OF MEDINA

501 EVERGREEN POINT ROAD | PO BOX 144 | MEDINA WA 98039-0144
TELEPHONE 425-233-6400 | www.medina-wa.gov

July 29, 2021

Zoe Rohaly
Seaborn Pile Driving Company
1080 W. Ewing St., Bldg. B.
Via email: zoe@seabornpiledriving.com

Re: **Determination of Complete Applications – 202 Overlake Drive East**
Non-Administrative Substantial Development Permit (P-21-043)
SEPA Threshold (P-21-046)

Dear Ms. Rohaly,

The City has reviewed the above referenced applications for 202 Overlake Drive East and has determined they are complete pursuant to MMC 20.80.100. The City will issue a Notice of Application to notify parties of the application in accordance with MMC 20.80.110. The notice will be mailed and posted by the City within 14 days of the date of this letter pursuant to MMC 20.80.140.

Please be aware that this determination does not preclude the City from requesting additional information. If you have questions, please do not hesitate to contact me directly at skeyser@medina-wa.gov or 425.233.6416.

Sincerely,

Stephanie Keyser, AICP
Planning Manager

CITY OF MEDINA DECLARATION OF MAILING

Stephanie Keyser does declare as follows:

That s/he is an employee of the city of Medina and that on the 5th day of August 2021 s/he caused a true and correct legible copy of the following described documents to be mailed to all residences which are within 300 feet of the property in question described by its street address as follows:

202 Overlake Drive East

Description of document:

NOA & SEPA

A copy of the mailed item and the addresses to which it was mailed are attached hereto.

Signed under the penalties of perjury of the laws of the state of Washington at Medina, Washington this:

5th day of August 20 21



Signature of mailing employee



CITY OF MEDINA

501 EVERGREEN POINT ROAD | PO BOX 144 | MEDINA WA 98039-0144
TELEPHONE 425-233-6400 | www.medina-wa.gov

NOTICE OF APPLICATION AND SEPA

Proposal: Request for a non-administrative substantial development permit and SEPA to repair fifteen (15) existing wood piles, replace the wood dock with grated decking, drive six (6) steel support piles and three (3) steel brace piles and attach to adjacent support piles, construct a 37'-11" finger pier extension, and add a dual jet ski lift and a platform lift next to the proposed extension. Mitigation includes four (4) Western Redcedar, six (6) Nootka Rose, and six (6) Snowbrush planted within 25' of the shoreline.

File No. P-21-043 Non-Administrative Substantial Development Permit
P-21-046 SEPA Threshold Determination

Applicant: Zoe Rohaly of Seaborn Pile Driving Company (agent)
Dayang, LLC (owners)

Site Address: 202 Overlake Drive East

Required Permits/Studies: Future Building Permit

Application Received:	June 15, 2021
Determination of Completeness:	July 29, 2021
Notice of Application:	August 5, 2021

PUBLIC COMMENTS: This application has a 30-day public comment period to receive written comments on this proposal. Comments must be submitted to Medina City Hall (via staff email below) by **4:00 pm September 6, 2021**.

STATE ENVIRONMENTAL POLICY ACT: The Responsible Official has reviewed the proposed project for probable adverse environmental impacts and expects to issue a Determination of Nonsignificance (DNS). The Optional DNS process is being used pursuant to WAC 197-11-355. This may be your only opportunity to comment on the environmental impacts of the proposal. The proposal may include mitigation measures under applicable codes, and the project review process may incorporate or require mitigation measure regardless of whether an EIS is prepared.

DETERMINATION OF CONSISTENCY: Pursuant to RCW 36.70B.040, a preliminary determination has found the proposal consistent with the provisions of the Medina Municipal Code.

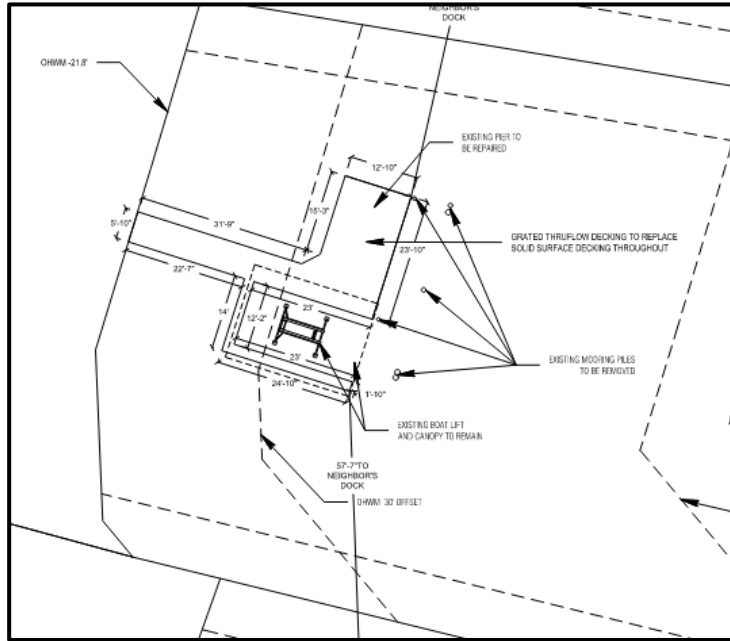
PUBLIC HEARING: The Non-Administrative Substantial Development Permit will have a hearing before the Medina Hearing Examiner. **A SEPARATE MAILING** will be sent with the date and time of the hearing once the public comment period has expired.

APPEAL RIGHTS: A Type 2 SEPA Threshold Determination may be appealed to the Medina Hearing Examiner pursuant to MMC 20.80.220(A). A Type 3 Non-Administrative Substantial Development Permit may be appealed to the Shoreline Hearings Board pursuant to RCW 90.58.140(6).

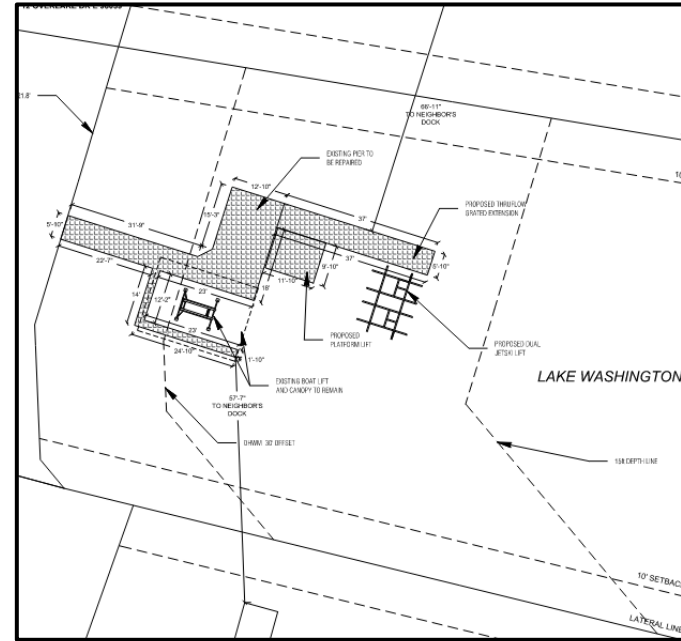
QUESTIONS: Due to Covid-19 and temporary changes to City Hall, please [email](#) the staff contact below to review the complete application electronically, or if you have any questions.

STAFF CONTACT: Stephanie Keyser, AICP, Planning Manager, at (425) 233-6416 or skeyser@medina-wa.gov

Site Plan



Existing



Proposed

HUGHES LAWRENCE & MARY
8865 OVERLAKE DR W
Medina, WA 98039

MEDINA PLACE L L C
212 OVERLAKE DR E
Medina, WA 98039

BURNSTEAD DONNA+STEVE
8880 GROAT POINT DR
Medina, WA 98039

TRIMBLE L DOUGLAS+SUSAN H
232 OVERLAKE DR E
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300 OVERLAKE DR E
Medina, WA 98039

WU JIANBIN
130 OVERLAKE DR E
Medina, WA 98039

KOURTIS SPYRO+JILL
8846 OVERLAKE DR W
Medina, WA 98039

PARK MICHAEL S+HWA C
8901 GROAT POINT DR
Medina, WA 98039

KREKEL C ALAN & BARBARA E
8832 OVERLAKE DR W
Medina, WA 98039

HUTSON DOUGLAS E+KEIKO Y
101 OVERLAKE DR E
Medina, WA 98039

HERSHEY MICHAEL+KELLY
8824 OVERLAKE DR W
Medina, WA 98039

YANG BIN+YUN LI
8847 NE 2ND PL
Medina, WA 98039

HULIT BARBARA B
8826 NE 2ND PL
Medina, WA 98039

JOHNSON KEVIN R+JUNE A
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PETERSEN B TRUSTEE
314 OVERLAKE DR E
Medina, WA 98039

DEDERER DAVID M
309 OVERLAKE DR E
Medina, WA 98039

POOL DAVID D & TERESA L
230 OVERLAKE DR E
Medina, WA 98039

**CITY OF MEDINA
DECLARATION OF POSTING**

Exhibit 4c

PAT CRICKMORE does declare as follows:

That s/he is an employee of the city of Medina and that on the:

5th day of August 20 21

s/he caused a true and correct legible copy of the following described documents to be posted at each of the following indicated locations:

ON Medina City Hall, 501 Evergreen Point Road, Medina

ON City Website

PC Medina Post Office, 816 Evergreen Point Road, Medina

PC Public notice board at Medina Park Northeast 12th Street parking lot.

PC At two locations within 300 feet of the property in question described by its street address as follows:

202 Overlake Drive East

Description of document:
NOA & SEPA (P-21-043; P-21-046)

A copy of the posted item is attached hereto.

Signed under the penalties of perjury of the laws of the state of Washington at Medina, Washington this:

5th day of August 20 21

PAT CRICKMORE
Signature of posting employee



CITY OF MEDINA

NOTICE OF APPLICATION AND SEPA

Proposal: Request for a non-administrative substantial development permit and SEPA to repair fifteen (15) existing wood piles, replace the wood dock with grated decking, drive six (6) steel support piles and three (3) steel brace piles and attach to adjacent support piles, construct a 37'-11" finger pier extension, and add a dual jet ski lift and a platform lift next to the proposed extension. Mitigation includes four (4) Western Redcedar, six (6) Nootka Rose, and six (6) Snowbrush planted within 25' of the shoreline.

File No. P-21-043 Non-Administrative Substantial Development Permit
P-21-046 SEPA Threshold Determination

Applicant: Zoe Rohaly of Seaborn Pile Drive Company (agent)
Dayang, LLC (owners)

Site Address: 202 Overlake Drive East

Required Permits/Studies: Future Building Permit

Application Received:	June 15, 2021
Determination of Completeness:	July 29, 2021
Notice of Application:	August 5, 2021

PUBLIC COMMENTS: Pursuant to MMC 20.80.110(B)(7), this application has a 30-day public comment period to receive written comments on the proposal. Persons wishing to provide written comments on this proposal must submit them by **4:00 pm on September 6, 2021**, via the staff email below.

STATE ENVIRONMENTAL POLICY ACT: The Responsible Official has reviewed the proposed project for probable adverse environmental impacts and expects to issue a Determination of Nonsignificance (DNS). The Optional DNS process is being used pursuant to WAC 197-11-355. This may be your only opportunity to comment on the environmental impacts of the proposal. The proposal may include mitigation measures under applicable codes, and the project review process may incorporate or require mitigation measure regardless of whether an EIS is prepared.

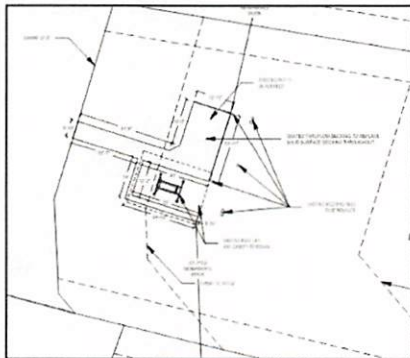
DETERMINATION OF CONSISTENCY: Pursuant to RCW 36.70B.040, a preliminary determination has found the proposal consistent with the provisions of the Medina Municipal.

PUBLIC HEARING: The Non-Administrative Substantial Development Permit will have a hearing before the Medina Hearing Examiner. **A SEPARATE MAILING** will be sent with the date and time of the hearing once the public comment period has expired.

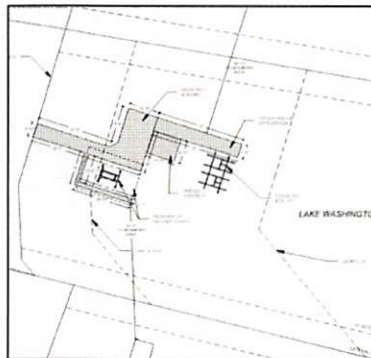
APPEAL RIGHTS: A Type 2 SEPA Threshold Determination may be appealed to the Medina Hearing Examiner pursuant to MMC 20.80.220(A). A Type 3 Non-Administrative Substantial Development Permit may be appealed to the King County Superior Court pursuant to MMC 20.80.220(B) and 36.70C RCW).

QUESTIONS: Due to COVID-19 and temporary changes to City Hall, please email the staff contact below to review the complete application electronically, or if you have any questions.

STAFF CONTACT: Stephanie Keyser, AICP, Planning Manager, at (425) 233-6416 or skeyser@medina-wa.gov



Existing



Proposed

Above: Site Plan

Stephanie Keyser, AICP Planning Manager

8/05/2021

Notice Issued

WARNING!

Posted notice is not to be removed, mutilated or concealed in any way.

CITY OF MEDINA DECLARATION OF MAILING

Stephanie Keyser does declare as follows:

That s/he is an employee of the city of Medina and that on the 16th day of September 2021 s/he caused a true and correct legible copy of the following described documents to be mailed to all residences which are within 300 feet of the property in question described by its street address as follows:

202 Overlake Drive East

Description of document:

NOH – Non-Administrative SDP

A copy of the mailed item and the addresses to which it was mailed are attached hereto.

Signed under the penalties of perjury of the laws of the state of Washington at Medina, Washington this:

16 day of September 20 21



Signature of mailing employee



NOTICE OF HEARING

NOTICE IS HEREBY GIVEN that the Medina Hearing Examiner will conduct a remote public hearing on **Friday, October 8, 2021 at 2:00 PM**. The purpose of this hearing is to consider public testimony for and against the following:

Proposal: Request for a non-administrative substantial development permit to repair fifteen (15) existing wood piles, replace the wood dock with grated decking, drive six (6) steel support piles and three (3) steel brace piles and attach to adjacent support piles, construct a 37'-11" finger pier extension, and add a dual jet ski lift and a platform lift next to the proposed extension. Mitigation includes four (4) Western Redcedar, six (6) Nootka Rose, and six (6) Snowbrush planted within 25' of the shoreline.

File No. P-21-043 Non-Administrative Substantial Development Permit

Applicant: Dayang, LLC (owners)
Zoe Rohaly of Seaborn Pile Driving Company (agent)

Site Address: 202 Overlake Drive East

YOU ARE INVITED to attend the remote hearing and make oral and written comments. The Hearing Examiner has the discretion to limit testimony to relevant, non-repetitive comments and to set time limits. If you are unable to attend, written comments, photographs, or other exhibits on the application may be submitted to the staff contact or address below before the hearing date. The Hearing Examiner gives equal weight to testimony submitted in person at a hearing and written comments that are submitted.

For information on how to participate in the remote hearing, please see the City's website for the hearing agenda which will be posted by **Friday, October 1, 2021, at 4:00 PM**. Please either log in or phone in at the beginning of the hearing to participate. If you need special accommodations, please contact the staff below.

STATE ENVIRONMENTAL POLICY ACT (SEPA): The Responsible Official for this proposal issued a Determination of Nonsignificance (DNS) on September 9, 2021, after using the Optional DNS process in WAC 197-11-355. There is no additional comment period.

APPEAL RIGHTS: Pursuant to MMC 20.80.220, a person may appeal a SEPA Threshold Determination to the Medina Hearing Examiner, which will be consolidated with and heard at the pre-decision hearing on the substantial development permit and site plan review applications. Appeals must be in writing and contain specific factual objections. Appeals must be submitted along with the appropriate fee to the address listed below by **4:00 PM, Thursday, September 23, 2021**.

Appeal of the Non-Administrative Substantial Development Permit is to the Shoreline Hearings Board pursuant to RCW 90.58.140(6).

QUESTIONS: City Hall remains closed to the public. However, the complete application may be reviewed by emailing the staff contact below. Requests for information and/or written comments may be directed to Medina City Hall, Attn: Development Services, 501 Evergreen Point Road, Medina, WA 98039.

STAFF CONTACT: Stephanie Keyser, AICP, Planning Manager, at (425) 233-6416 or skeyser@medina-wa.gov

Stephanie Keyser, AICP, Planning Manager

9/16/2021

Notice Issued

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HUGHES LAWRENCE & MARY
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DECLARATION OF POSTING**

Exhibit 4d

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PC At two locations within 300 feet of the property in question described by its street address as follows:

202 Overlake Drive East

Description of document:

NOH – Non-Administrative Substantial Development Permit (P-21-043)

A copy of the posted item is attached hereto.

Signed under the penalties of perjury of the laws of the state of Washington at Medina, Washington this:

16th day of September 20 21

Pat Crickmore
Signature of posting employee



NOTICE OF HEARING

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File No. P-21-043 Non-Administrative Substantial Development Permit

Applicant: Dayang, LLC (owners)
Zoe Rohaly of Seaborn Pile Driving Company (agent)

Site Address: 202 Overlake Drive East

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APPEAL RIGHTS: Pursuant to MMC 20.80.220, a person may appeal a SEPA Threshold Determination to the Medina Hearing Examiner, which will be consolidated with and heard at the pre-decision hearing on the substantial development permit and site plan review applications. Appeals must be in writing and contain specific factual objections. Appeals must be submitted along with the appropriate fee to the address listed below by **4:00 PM, Thursday, September 23, 2021**.

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STAFF CONTACT: Stephanie Keyser, AICP, Planning Manager, at (425) 233-6416 or skeyser@medina-wa.gov

Stephanie Keyser, AICP, Planning Manager

9/16/2021

Notice Issued

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**CITY OF MEDINA
NOTICE OF PUBLIC HEARING**

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File No: Non-Administrative Substantial Development Permit (P-21-043)

Applicant: Dayang, LLC (owners)
Zoe Rahaly of Seaborn Pile Driving Company (agent)

Address: 202 Overlake Drive East

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APPEAL RIGHTS: Pursuant to MMC 20.80.220, a person may appeal a SEPA Threshold Determination to the Medina Hearing Examiner, which will be consolidated with and heard at the pre-decision hearing on the substantial development permit and site plan review applications. Appeals must be in writing and contain specific factual objections. Appeals must be submitted along with the appropriate fee to the address listed below by 4:00 PM, Thursday, September 23, 2021.

Appeal of the Non-Administrative Substantial Development Permit is to the Shoreline Hearings Board pursuant to RCW 90.58.140(6).

QUESTIONS: City Hall remains closed to the public. However, the complete application may be reviewed by emailing the staff contact below. Requests for information and/or written comments may be directed to Medina City Hall, Attn: Development Services, 501 Evergreen Point Road, Medina, WA 98039.

STAFF CONTACT: Stephanie Keyser, AICP, Planning Manager, at (425) 233-6416 or skeyser@medina-wa.gov



501 EVERGREEN POINT ROAD MEDINA, WA 98039
PHONE: 425-233-6414/6400

DEVELOPMENT SERVICES

INSTRUCTIONS FOR A NON-ADMINISTRATIVE SUBSTANTIAL DEVELOPMENT PERMIT

This packet may be submitted for the following:

- All development activity inside the shoreline jurisdiction not exempt from a substantial development permit (see WAC 173-27-040)

General Information

- A complete application is required at the time of submittal. Please answer all questions on the application clearly and completely.
- The City's application form must be used, however, the project narrative and answers to the criteria questions may be submitted on a separate sheet of paper.
- A Notice of Complete Application or Notice of Incomplete Application will be issued within twenty-eight (28) days of submittal.
- A Non-Administrative Substantial Development Permit requires a hearing in front of the Medina Hearing Examiner.

Requirements

I. APPLICATION

- The following documents are required at the time of submittal, unless otherwise indicated. The information is required prior to processing of the application unless otherwise indicated. An incomplete application will not be processed. A complete application will include:
 - Completed Substantial Development Permit Checklist, Substantial Development Permit Application and Declaration of Agency form
 - Proof of ownership (copy of deed)
 - Site Plan with the following:
 - A general description of the proposed project that includes the proposed use or uses and the activities necessary to accomplish the project;
 - Identification of the shoreline water body;
 - A general description of the property as it now exists, including physical characteristics and improvements and structures;
 - A general description of the vicinity of the proposed project, including identification of the adjacent uses, structures and improvements, intensity of development and physical characteristics;
 - Identification of the ordinary highwater mark:
 - This may be an approximate location; provided, that for any development where a determination of consistency with the applicable regulations requires a precise location of the ordinary high water mark, the mark shall be located precisely and the biological and hydrological basis for the mark's location as indicated on the plans shall be included in the development plan;

- ii. Where the ordinary high water mark is neither adjacent to or within the boundary of the project, the plan shall indicate the distance and direction to the nearest ordinary high water mark of a shoreline;
 - f. Existing and proposed land contours with minimum two-foot elevation intervals;
 - g. A general description of the character of vegetation found on the site;
 - h. The dimensions and locations of all existing and proposed structures and improvements;
- 4. A landscaping and/or restoration plan as applicable;
- 5. Mitigation measures, as applicable;
- 6. Quantity, source and composition of all fill material that is placed on the site, whether temporary or permanent;
- 7. Quantity, composition and destination of all excavation and/or dredged material; and
- 8. Additional submittal information set forth in the Medina shoreline master program for the use.
- B. State Environmental Policy Act (SEPA) checklist (if applicable)
- C. A word document formatted to Avery address labels containing the names of property owners and their mailing addresses for all properties within 300 feet or three (3) parcels depth, whichever distance is greater but not to exceed 1,000 feet. See mailing labels information bulletin for further information.
 - 1. Vicinity map showing the site with the 300' or three (3) parcels depth minimum buffer of property owners who will be notified of the application.
- D. Any other perspective drawings, renderings, studies, or information the applicant feels is relevant to support the substantial development permit request.

Procedure

II. NON-ADMINISTRATIVE SUBSTANTIAL DEVELOPMENT PERMIT PROCESS

- A. Please submit the items listed above and any other information which may be required by the City at the time the application is filed.
- B. **MODIFICATIONS:** Changes to an application that has already been submitted and noticed to surrounding property owners may trigger the application to be re-noticed.
- C. Following receipt of the substantial development permit application, the City will review the application for completeness and either issue a Notice of Application which includes a public commenting period outlined in MMC 20.80.110(B)(7) or a Notice of Incomplete Application, listing the additional required documentation. Any comments that are received by the public will be forwarded to the applicant for response. A hearing will be schedule with the Medina Hearing Examiner and a Notice of Hearing will be posted, mailed, and published according to the general notice requirements in MMC 20.80.140 at least fifteen (15) days before the hearing date.
- D. **STAFF REPORT AND MEETING AGENDA:** A staff report and meeting agenda will be emailed to the applicant for review a week before the scheduled hearing.

III. PUBLIC HEARING

- A. The Hearing Examiner bases his/her decision on the information provided in the application and testimony given at the public hearing. Information provided to the applicant by City staff or consultants regarding previous actions shall in no way be construed to indicate what the Hearing Examiner's decision will be on a given application.
- B. At the public hearing all evidence for or against the application will be heard in the following order:
 - 1. The Hearing Examiner will introduce the requested application.
 - 2. Testimony will be heard as follows:
 - a. Staff
 - b. Applicant and/or their representatives.
 - c. Audience in attendance.
 - 3. Correspondence applicable to the case will be provided to the Hearing Examiner.
- C. Testimony must be related to the case being considered.

IV. DISPOSITION OF CASES

- A. The Hearing Examiner may be prepared to make a final determination on the case following the conclusion of the hearing or may continue the matter if sufficient reason for such action is found.
- B. Before any substantial development permit may be granted, the Hearing Examiner shall find that all of the following conditions exist in each case of an application for a substantial development permit:
 - 1. The proposed development is consistent with the policies and provisions of the State Shoreline Management Act of 1971, set forth in RCW 90.58; and
 - 2. The proposed development is consistent with the State Shoreline Management Permit and Enforcement Procedures, set forth in WAC 173-27; and
 - 3. The proposed development is consistent with the provisions of the Medina shoreline master program.
- C. The decision authority may attach such conditions as to prevent undesirable effects of the proposed development and to assure consistency of the development with the Shoreline Management Act and the Medina shoreline master program.
- D. The decision of the Hearing Examiner will be issued to City staff ten (10) working days from the public hearing. The decision is effective upon the date of decision. Notices of Decision will be mailed to applicants and other interested parties as soon as possible.

V. EXPIRATION

- A. An approved substantial development permit shall expire as set forth in WAC 173-27-090.



DEVELOPMENT
SERVICES

501 EVERGREEN POINT ROAD MEDINA, WA 98039
PHONE: 425-233-6414/6400

NON-ADMINISTRATIVE SUBSTANTIAL DEVELOPMENT PERMIT CHECKLIST

This checklist contains the minimum submission requirements for a non-administrative substantial development permit that are due at the time of submittal. Please note that not all items listed may apply to your submittal.

COMPLETE APPLICATION

<input type="checkbox"/>	Non-Administrative Substantial Development Permit Checklist
<input type="checkbox"/>	Complete Substantial Development Permit Application: <input type="checkbox"/> Application form <input type="checkbox"/> Signature of applicant/agent <input type="checkbox"/> All questions answered in full
<input type="checkbox"/>	Declaration of Agency form
<input type="checkbox"/>	Proof of Ownership (copy of deed)
<input type="checkbox"/>	Site Plan with required information
<input type="checkbox"/>	Landscaping and/or restoration plan (if applicable)
<input type="checkbox"/>	Mitigation Measures (if applicable)
<input type="checkbox"/>	Quantity, source and composition of all fill material that is placed on the site, whether temporary or permanent (if applicable)
<input type="checkbox"/>	Quantity, composition and destination of all excavation and/or dredged material (if applicable)
<input type="checkbox"/>	Additional submittal information set forth in the Medina shoreline master program for the use
<input type="checkbox"/>	State Environmental Policy Act (SEPA) Checklist (if applicable)
<input type="checkbox"/>	Mailing labels – Word doc formatted to Avery address labels <input type="checkbox"/> Mailing labels containing the names of property owners and their mailing addresses for all properties within 300 feet <u>or</u> three (3) parcels depth, whichever distance is greater but not to exceed 1,000 feet. <input type="checkbox"/> Vicinity map showing the site with the 300' or three (3) parcels depth minimum buffer of property owners who will be notified of the application.


**DEVELOPMENT
SERVICES**
**SUBSTANTIAL
DEVELOPMENT PERMIT
APPLICATION**

501 EVERGREEN POINT ROAD MEDINA, WA 98039
PHONE: 425-233-6414/6400

Complete this form for the following:

- All development activity inside the shoreline jurisdiction not exempt from a substantial development permit (see WAC 173-27-040)
- All non-exempt development having a fair market value of \$50,000 or less, involving no dredging, and having grading of 500 cubic yards or less (excluding fill used for habitat) are eligible for an administrative approval process

General Information

Owner Name: Dayang LLC

Property Address: 202 Overlake Dr E

Legal Description:

KENWOOD PARK ADD LOTS 20 TO 23 BLK 21 & ALL UPLAND PORTION LOTS 22 & 23 BLK 24 KENWOOD PARK TGW PORTION VACATED KENWOOD BLVD LYING BETWEEN SD LOTS 22 & 23 BLK 21 & SD LOTS 22 & 23 BLK 24 TGW 2ND CLASS SHORELANDS ADJ TGW PORTION VACATED "B" ST & KENWOOD BLVD LYING EAST OF EAST LINE OF HARRIS AVE & BETWEEN SOUTH LINE OF BLKS 21 & 24 & SD LINE EXTENDED & CENTERLINE SD "B" ST & SD LINE EXTENDED TGW 2ND CLASS SHORELANDS ADJ

Tax Parcel Number:

383550-3010

Please check one:

☒ **Non-administrative**

☐ **Administrative**

☐ Check this box if this is a revision to an approved substantial development permit

Agent / Primary Contact

Name: Zoe Rohaly

Email: permits@seabornpiledriving.com

Contact Phone: 206.236.1700 ext. 3

Alternative Phone:

Mailing Address: 1080 W Ewing St

City: Seattle **State:** WA **Zip:** 98119

Property Information

Project Fair Market Value (include all phases for the next five years):

\$158,690.00

Other than Lake Washington, are there any critical area(s) located on the property (Ch. 20.67 MMC)?

☐ YES ☒ NO

Will work occur in Lake Washington?

☒ YES ☐ NO

Shoreline Environment Designation(s) [Check all that apply]:

☒ Residential

☐ Urban Conservancy

☐ Transportation

☐ Aquatic

See MMC 20.61.020

If work will occur in Lake Washington, what is the type of development (Check all that apply):

☒ Pier/ dock

☐ Moorage cover

☐ Boatlift

☐ Other Overwater Structure

☐ Hard shoreline stabilization structure

☐ Soft shoreline stabilization measures

☐ Dredging/ Fill

☐ Other _____

Does the project include a shoreline variance or shoreline conditional use permit?

☐ No

☐ Shoreline Variance

☐ Shoreline Conditional Use Permit

Please provide a complete description of the proposed project (attach additional pages if necessary):

We propose to repair (15) existing wood piles and replace the existing dock with new thruflow grated decking. We also propose to drive (6) steel support piles and (3) steel brace piles and attach to adjacent support piles, and construct a 37'-11" finger pier extension. We also propose to add a dual jet ski lift and a platform lift next to the proposed extension.

Approval Criteria

The following is the approval criteria for a substantial development permit application. Please respond to each item by providing as much detailed information as possible to support your request. Attach additional pages if necessary.

1. The proposed development is consistent with the policy and provisions of the State Shoreline Management Act of 1971 (Chapter 90.58 RCW)

Please see attached NNL Report

RCW 90.58.020:

- *Foster all reasonable and appropriate uses*
- *Protect against adverse effects to the public health, the land and its vegetation and wildlife*
- *Priority to single-family residences and appurtenant structures*
- *Minimize insofar as practical, any resultant damage to the ecology and environment and interference to the public's use of the water*

2. The proposed development is consistent with the State Shoreline Management Permit and Enforcement Procedures

Please see attached NNL Report

- *Washington Administrative Code 173-27*
- *Chapters 20.80, and Chapter 20.71 or 20.72 MMC*

3. The proposed development is consistent with the provisions of the Medina shoreline master program:

- a. ***Comprehensive Plan Goals & Policies (Element 2.1 – Shoreline Management Sub-element)***

Please see attached NNL Report

- b. ***Shoreline Master Program Chapters 20.60 through 20.67 MMC***

Please see attached NNL Report

I certify under the penalty of perjury that I am the owner of the above property or the duly authorized agent of the owner(s) acting on behalf of the owner(s) and that all information furnished in support of this application is true and correct.

DocuSigned by:
Signature Miranda Lee Owner ☒ Agent ☐ Date 5/28/2021
CB0E07BE130F4AA...

Signature mei Owner ☐ Agent ☒ Date 5/28/2021

**ENVIRONMENTAL CHECKLIST
WAC 197-11-960**

Purpose of checklist:

The State Environmental Policy Act (SEPA), chapter 43.21C RCW, requires all government agencies to identify and consider the environmental impacts that may result from governmental decisions. These decisions may be related to issuing permits for private projects, constructing public facilities, or adopting regulations, policies or plans. The purpose of this checklist is to provide information to help you and the agency identify impacts from your proposal (and to reduce or avoid impacts from the proposal, if it can be done) and to help the agency decide whether an Environmental Impact Statement (EIS) is required.

When does a project require a SEPA Checklist?

Any project not exempt under WAC 197-11-800 requires a SEPA checklist to be completed. If there is a question about whether a project is exempt, complete the checklist and a determination will be made by the Responsible Official.

Review Fee: See fee schedule.

Instructions for applicants:

This environmental checklist asks you to describe some basic information about your proposal. Answer the questions briefly, with the most precise information known, or give the best description you can.

You must answer each question accurately and carefully, to the best of your knowledge. In most cases, you should be able to answer the questions from your own observations or project plans without the need to hire experts. If you really do not know the answer, or if a question does not apply to your proposal, write "do not know" or "does not apply." Complete answers to the questions now may avoid unnecessary delays later.

Some questions ask about governmental regulations, such as zoning, shoreline, and landmark designations. Answer these questions if you can. If you are not sure, city staff can assist you.

The checklist questions apply to all parts of your proposal, *even if you plan to do them over a period of time or on different parcels of land.* Attach any additional information that will help describe your proposal or its environmental effects. You may be asked to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.



DEVELOPMENT
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501 EVERGREEN POINT ROAD MEDINA, WA 98039
PHONE: 425-233-6414/6400

STATE ENVIRONMENTAL POLICY ACT

Exhibit 6a

General Information

Name of proposed project: Dayang LLC

Applicant Name: Kelsey Meyer - Seaborn Pile Driving Co.

Address of applicant and contact person: 1080 W Ewing St. Bldg B

Phone: 206.236.1700 ext.3

City, State: Seattle, WA

Zip: 98119

Email: permits@seabornpiledriving.com

Background

Proposed timing or schedule (including phasing, if applicable):

Upon Receipt of all applicable permits and open work window

Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.

None

List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.

None

Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.

Unknown

List any government approvals or permits that will be needed for your proposal, if known.

City of Medina Shoreline Substantial Development permit w/ SEPA Review, City of Medina Building Permit, US Army CORPS of Engineering Federal permits, and the WA. State department of Fish and Wildlife Hydraulic Project Approval.

Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page.

We propose to repair (15) existing wood piles and replace the existing dock with new thruflow grated decking. We also propose to drive (6) steel support piles and (3) steel brace piles and attach to adjacent support piles, and construct a 37'-11" finger pier extension. We also propose to add a dual jet ski lift and a platform lift next to the proposed extension.

Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

Pin: 383550-3010

Legal Description: KENWOOD PARK ADD LOTS 20 TO 23 BLK 21 & ALL UPLAND PORTION LOTS 22 & 23 BLK 24 KENWOOD PARK TGW PORTION VACATED KENWOOD BLVD LYING BETWEEN SD LOTS 22 & 23 BLK 21 & SD LOTS 22 & 23 BLK 24 TGW 2ND CLASS SHORELANDS ADJ TGW PORTION VACATED "B" ST & KENWOOD BLVD LYING EAST OF EAST LINE OF HARRIS AVE & BETWEEN SOUTH LINE OF BLKS 21 & 24 & SD LINE EXTENDED & CENTERLINE SD "B" ST & SD LINE EXTENDED TGW 2ND CLASS SHORELANDS ADJ

Plat Block: 21 &

Plat Lot: POR

LAT: 47.61032 LONG: -122.22338

Environmental Elements

1. Earth

a. General description of the site (select one):

☐ Flat ☒ Rolling ☐ Hilly ☐ Steep Slopes ☐ Mountainous ☐ Other: _____

b. What is the steepest slope on the site (approximate percent slope)?

Less than 5% slope

c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any prime farmland.

Sand and Gravel

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.

No

e. Describe the purpose, type, and approximate quantities of any filling or grading proposed. Indicate source of fill.

None

f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.

No

g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

None

h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:

N/A

2. Air

- a. What types of emissions to the air would result from the proposal (i.e., dust, automobile, odors, industrial wood smoke) during construction and when the project is completed? If any, generally describe and give approximate quantities if known.**

Exhaust smoke from construction equipment

- b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.**

No

- c. Proposed measures to reduce or control emissions or other impacts to air, if any:**

Run equipment only as needed

3. Water

- a. Surface:**

- 1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.**

The site is adjacent to Lake Washington

- 2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe**

We propose to repair (15) existing wood piles and replace the existing dock with new thruflow grated decking. We also propose to drive (6) steel support piles and (3) steel brace piles and attach to adjacent support piles, and construct a 37'-11" finger pier extension. We also propose to add a dual jet ski lift and a platform lift next to the proposed extension.

- 3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.**

None

- 4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.**

No

- 5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.**

No

- 6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

No

b. Ground:

- 1) Will ground water be withdrawn, or will water be discharged to ground water? Give general description, purpose, and approximate quantities if known.

No

- 2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals . . . ; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

None

c. Water runoff (including storm water):

- 1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

N/A

- 2) Could waste materials enter ground or surface waters? If so, generally describe.

N/A

- 3) Proposed measures to reduce or control surface, ground, and runoff water impacts, if any:

N/A

4. Plants:**a. Check or circle types of vegetation found on the site:**

- ☒ deciduous tree: alder, maple, aspen, other
☒ evergreen tree: fir, cedar, pine, other
☒ shrubs
☒ grass
☐ pasture
☐ crop or grain
☐ wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
☐ water plants: water lily, eelgrass, milfoil, other
☐ other types of vegetation

b. What kind and amount of vegetation will be removed or altered?

N/A

c. List threatened or endangered species known to be on or near the site.

No known threatened or endangered plant species are on or near the site

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:

Please see associated native planting and vegetation plan

5. Animals**a. Check any birds and animals which have been observed on or near the site or are known to be on or near the site:**

- | | | | | | |
|-----------------------------------|--------------------------------|---|--|--|---|
| <input type="checkbox"/> birds: | <input type="checkbox"/> hawk, | <input type="checkbox"/> heron, | <input checked="" type="checkbox"/> eagle, | <input checked="" type="checkbox"/> songbirds, | <input type="checkbox"/> other: _____ |
| <input type="checkbox"/> mammals: | <input type="checkbox"/> deer, | <input type="checkbox"/> bear, | <input type="checkbox"/> elk, | <input type="checkbox"/> beaver, | <input type="checkbox"/> other: _____ |
| <input type="checkbox"/> fish: | <input type="checkbox"/> bass, | <input checked="" type="checkbox"/> salmon, | <input checked="" type="checkbox"/> trout, | <input type="checkbox"/> herring, | <input type="checkbox"/> shellfish, <input type="checkbox"/> other: _____ |

b. List any threatened or endangered species known to be on or near the site.

Potential for Steelhead salmon, bull trout and Chinook salmon to be in the adjacent waters in Lake Washington

c. Is the site part of a migration route? If so, explain.

Unknown

d. Proposed measures to preserve or enhance wildlife, if any:

Mitigation including a native shoreline vegetation plan, and construction activities during approved fish friendly work windows

<p>6. Energy and natural resources</p> <p>a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.</p> <p>None</p>
<p>b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.</p> <p>No</p>
<p>c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:</p> <p>N/A</p>

<p>7. Environmental health</p> <p>a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, which could occur as a result of this proposal? If so, describe.</p> <p>No</p>
<p>1) Describe special emergency services that might be required.</p> <p>None</p>
<p>2) Proposed measures to reduce or control environmental health hazards, if any:</p> <p>N/A</p>
<p>b. <u>Noise:</u></p> <p>1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?</p> <p>None</p>

- 2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.

Noise from construction equipment

- 3) Proposed measures to reduce or control noise impacts, if any:

Operate equipment only as needed

8. Land and shoreline use

- a. What is the current use of the site and adjacent properties?

Single Family

- b. Has the site been used for agriculture? If so, describe.

No

- c. Describe any structures on the site.

Single Family Home

- d. Will any structures be demolished? If so, what?

No

- e. What is the current zoning classification of the site?

R20

- f. What is the current comprehensive plan designation of the site?

Urban Residential

- g. If applicable, what is the current shoreline master program designation of the site?

Urban Residential Environment

- h. Has any part of the site been classified as an "environmentally sensitive" area? If so, specify.

No

- i. Approximately how many people would reside or work in the completed project?

None

j. Approximately how many people would the completed project displace?

None

k. Proposed measures to avoid or reduce displacement impacts, if any:

N/A

l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:

To ensure local, state and federal compliance, the project will include a shoreline substantial Development permit and SEPA review by the city of Medina. A HPA (Hydraulic Project Approval) permit from Washington State Department of Fish and Wildlife and federal section 10 (work in navigable waters) permit from the US Army CORPS if Engineers

9. Housing

a. Approximately how many units would be provided, if any? Indicate whether high, mid-middle or low-income housing.

None

b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.

None

c. Proposed measures to reduce or control housing impacts, if any:

N/A

10. Aesthetics

a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?

Less than 60" above OHWL

b. What views in the immediate vicinity would be altered or obstructed?

None

c. Proposed measures to reduce or control aesthetic impacts, if any:

N/A

11. Light and glare

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

None

- b. Could light or glare from the finished project be a safety hazard or interfere with views?

No

- c. What existing off-site sources of light or glare may affect your proposal?

None

- d. Proposed measures to reduce or control light and glare impacts, if any:

N/A

12. Recreation

- a. What designated and informal recreational opportunities are in the immediate vicinity?

Single Family swimming and boating

- b. Would the proposed project displace any existing recreational uses? If so, describe.

No

- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:

N/A

13. Historic and cultural preservation

- a. Are there any places or objects listed on, or proposed for, national, state, or local preservation registers known to be on or next to the site? If so, generally describe.

Unknown

- b. Generally describe any landmarks or evidence of historic, archaeological, scientific, or cultural importance known to be on or next to the site.

N/A

c. Proposed measures to reduce or control impacts, if any:

N/A

14. Transportation

a. Identify public streets and highways serving the site, and describe proposed access to the existing street system. Show on site plans, if any.

Overlake Dr. E.

b. Is site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?

Yes, there is bus service on Lake Washington Blvd NE

c. How many parking spaces would the completed project have? How many would the project eliminate?

None

d. Will the proposal require any new roads or streets, or improvements to existing roads or streets, not including driveways? If so, generally describe (indicate whether public or private).

No

e. Will the project use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.

No

f. How many vehicular trips per day would be generated by the completed project? If known, indicate when peak volumes would occur.

None

g. Proposed measures to reduce or control transportation impacts, if any:

N/A

15. Public services

a. Would the project result in an increased need for public services (for example: fire protection, police protection, health care, schools, other)? If so, generally describe.

No

b. Proposed measures to reduce or control direct impacts on public services, if any.

N/A

16. Utilities

a. Select utilities currently available at the site:

☐ electricity ☐ natural gas ☐ water ☐ refuse service ☐ telephone ☐ sanitary sewer ☐ other: _____

b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

Signature

I certify (or declare) under penalty of perjury under the laws of the State of Washington that the above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature of person preparing the checklist: _____



Date checklist prepared: 04-28-2021



CITY OF MEDINA

501 EVERGREEN POINT ROAD | PO BOX 144 | MEDINA WA 98039-0144
TELEPHONE 425-233-6400 | www.medina-wa.gov

DETERMINATION OF NONSIGNIFICANCE

Proposal: Request for a SEPA Threshold Determination to repair fifteen (15) existing wood piles, replace the wood dock with grated decking, drive six (6) steel support piles and three (3) steel brace piles and attach to adjacent support piles, construct a 37'-11" finger pier extension, and add a dual jet ski lift and a platform lift next to the proposed extension. Mitigation includes four (4) Western Redcedar, six (6) Nootka Rose, and six (6) Snowbrush planted within 25' of the shoreline.

File No.: P-21-046 SEPA Threshold Determination

Applicant: Zoe Rohaly of Seaborn Pile Driving Company (agent)
Dayang, LLC (owner)

Location: 202 Overlake Drive East

Lead Agency: City of Medina

The SEPA Responsible Official of the City of Medina hereby makes the following Findings and Conclusions based upon a review of the Environmental Checklist and other information on file with the City of Medina.

FINDINGS OF FACT

1. The applicant submitted a SEPA checklist (P-21-046) on June 15, 2021, in support of submitting a future building permit. The applicant is proposing to repair fifteen (15) existing wood piles, replace the wood dock with grated decking, drive six (6) steel support piles and three (3) steel brace piles and attach to adjacent support piles, construct a 37'-11" finger pier extension, and add a dual jet ski lift and a platform lift next to the proposed extension at 202 Overlake Drive East, Medina, Washington. The majority of the site is located within the shoreline jurisdiction.
2. The checklist was determined complete on July 29, 2021, and a Notice of Application was issued on August 5, 2021. The notice was mailed to state agencies and property owners pursuant to MMC 20.80.140(B)(2) and posted on the property and City notice boards. No comments were received.
3. An Ecological No Net Loss Assessment was submitted as required by MMC 20.65. The report was prepared by Northwest Environmental Consulting, LLC and dated May 2021. The report finds that pending mitigation measures, the scope of work will result in no net loss of shoreline habitat functions and will provide for ecological improvements to shoreline vegetation, hydrology, and habitat functions.
4. The mitigation plantings include four (4) Western Redcedar, six (6) Nootka Rose, and six (6) Snowbrush planted within 25' of the shoreline.
5. Best Management Practices (BMPs) are required to prevent construction spill and debris from escaping the work area.

6. The proposal is required to obtain state and federal approvals. The proposal is required to comply with applicable regulations in the Medina Shoreline Master program.

CONCLUSIONS OF RESPONSIBLE OFFICIAL

The Responsible Official for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW [43.21C.030](#)(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public upon request at the address below.

This Determination of Nonsignificance (DNS) is issued pursuant to WAC 197-11-355. There is no further comment period.

Responsible Official: Stephanie Keyser, AICP
Planning Manager
501 Evergreen Point Road
Medina, WA 98039
Phone: (425) 233-6416

Date of Issuance: September 9, 2021
Date of Publication: September 9, 2021
Appeal Deadline: September 23, 2021

Signature



Responsible Official

9/09/2021

Date

APPEAL: Pursuant to MMC 20.80.220, decisions of the Responsible Official may be appealed to the City of Medina Hearing Examiner. A written notice of appeal identifying the grounds for appeal must be filed within 14 days the determination becomes final. Appeals must be in writing and contain specific factual objections. Appeals may be submitted along with the appropriate appeal fee to the address above.

NOTE: The issuance of this DNS does not constitute project approval. The applicant must comply with all other applicable requirements of the City of Medina.

CITY OF MEDINA DECLARATION OF MAILING

Stephanie Keyser does declare as follows:

That s/he is an employee of the city of Medina and that on the 9th day of September 2021 s/he caused a true and correct legible copy of the following described documents to be mailed to all residences which are within 300 feet of the property in question described by its street address as follows:

202 ODE

Description of document:

DNS

A copy of the mailed item and the addresses to which it was mailed are attached hereto.

Signed under the penalties of perjury of the laws of the state of Washington at Medina, Washington this:

9 day of September 20 21



Signature of mailing employee



DETERMINATION OF NONSIGNIFICANCE

Proposal: Request for a SEPA Threshold Determination to repair fifteen (15) existing wood piles, replace the wood dock with grated decking, drive six (6) steel support piles and three (3) steel brace piles and attach to adjacent support piles, construct a 37'-11" finger pier extension, and add a dual jet ski lift and a platform lift next to the proposed extension. Mitigation includes four (4) Western Redcedar, six (6) Nootka Rose, and six (6) Snowbrush planted within 25' of the shoreline.

File No. P-21-046 SEPA Threshold Determination

Applicant: Zoe Rohaly of Seaborn Pile Driving Company (agent)
Dayang, LLC (owner)

Site Address: 202 Overlake Drive East

Lead Agency: City of Medina

The Responsible Official for this proposal has determined that the proposal does not have a probable significant adverse impact on the environment subject to the proposed conditions. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public upon request at the address below.

This Determination of Nonsignificance (DNS) is issued pursuant to WAC 197-11-355. The DNS is final and there is no further comment period. Requests for information may be directed to Medina City Hall, Attn: Development Services, 501 Evergreen Point Road, Medina, WA 98039.

Responsible Official: Stephanie Keyser, AICP
Planning Manager
501 Evergreen Point Road
Medina, WA 98039
skeyser@medina-wa.gov

Phone: 425-233-6416

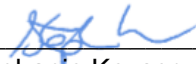
Date of Issuance: September 9, 2021

Date of Publication: September 9, 2021

Appeal Deadline: September 23, 2021

APPEAL RIGHTS: Pursuant to MMC 20.80.220, decisions of the Responsible Official may be appealed to the City of Medina Hearing Examiner. A written notice of appeal identifying the grounds for appeal must be filed within 14 days of the determination becoming final. Appeals must be in writing and contain specific factual objections. Appeals may be submitted along with the appropriate appeal fee to address the above.

STAFF CONTACT: Stephanie Keyser, AICP, Planning Manager, at (425) 233-6416 or skeyser@medina-wa.gov


Stephanie Keyser, AICP, Planning Manager

9/09/2021
Notice Issued

WARNING!

Posted notice is not to be removed, mutilated or concealed in any way.

HUGHES LAWRENCE & MARY
8865 OVERLAKE DR W
Medina, WA 98039

MEDINA PLACE L L C
212 OVERLAKE DR E
Medina, WA 98039

BURNSTEAD DONNA+STEVE
8880 GROAT POINT DR
Medina, WA 98039

TRIMBLE L DOUGLAS+SUSAN H
232 OVERLAKE DR E
Medina, WA 98039

KIRCHER KIMBERLY & JOHN
122 OVERLAKE DR E
Medina, WA 98039

WELK THOMAS
300 OVERLAKE DR E
Medina, WA 98039

WU JIANBIN
130 OVERLAKE DR E
Medina, WA 98039

KOURTIS SPYRO+JILL
8846 OVERLAKE DR W
Medina, WA 98039

PARK MICHAEL S+HWA C
8901 GROAT POINT DR
Medina, WA 98039

KREKEL C ALAN & BARBARA E
8832 OVERLAKE DR W
Medina, WA 98039

HUTSON DOUGLAS E+KEIKO Y
101 OVERLAKE DR E
Medina, WA 98039

HERSHEY MICHAEL+KELLY
8824 OVERLAKE DR W
Medina, WA 98039

YANG BIN+YUN LI
8847 NE 2ND PL
Medina, WA 98039

HULIT BARBARA B
8826 NE 2ND PL
Medina, WA 98039

JOHNSON KEVIN R+JUNE A
226 OVERLAKE DR E
Medina, WA 98039

WEN SU
223 OVERLAKE DR E
Medina, WA 98039

PETERSEN B TRUSTEE
314 OVERLAKE DR E
Medina, WA 98039

DEDERER DAVID M
309 OVERLAKE DR E
Medina, WA 98039

POOL DAVID D & TERESA L
230 OVERLAKE DR E
Medina, WA 98039

CITY OF MEDINA DECLARATION OF POSTING

PAT CRICKMORE does declare as follows:

That s/he is an employee of the city of Medina and that on the:

9th day of September 20 21

s/he caused a true and correct legible copy of the following described documents to be posted at each of the following indicated locations:

PC Medina City Hall, 501 Evergreen Point Road, Medina

PC City Website

PC Medina Post Office, 816 Evergreen Point Road, Medina

PC Public notice board at Medina Park Northeast 12th Street parking lot.

PC At two locations within 300 feet of the property in question described by its street address as follows:

202 Overlake Drive East

Description of document:
DNS – P 21-046

A copy of the posted item is attached hereto.

Signed under the penalties of perjury of the laws of the state of Washington at Medina, Washington this:

9th day of September 20 21

Pat Crickmore
Signature of posting employee



DETERMINATION OF NONSIGNIFICANCE

Proposal: Request for a SEPA Threshold Determination to repair fifteen (15) existing wood piles, replace the wood dock with grated decking, drive six (6) steel support piles and three (3) steel brace piles and attach to adjacent support piles, construct a 37'-11" finger pier extension, and add a dual jet ski lift and a platform lift next to the proposed extension. Mitigation includes four (4) Western Redcedar, six (6) Nootka Rose, and six (6) Snowbrush planted within 25' of the shoreline.

File No. P-21-046 SEPA Threshold Determination

Applicant: Zoe Rohaly of Seaborn Pile Driving Company (agent)
Dayang, LLC (owner)

Site Address: 202 Overlake Drive East

Lead Agency: City of Medina

The Responsible Official for this proposal has determined that the proposal does not have a probable significant adverse impact on the environment subject to the proposed conditions. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public upon request at the address below.

This Determination of Nonsignificance (DNS) is issued pursuant to WAC 197-11-355. The DNS is final and there is no further comment period. Requests for information may be directed to Medina City Hall, Attn: Development Services, 501 Evergreen Point Road, Medina, WA 98039.

Responsible Official: Stephanie Keyser, AICP
Planning Manager
501 Evergreen Point Road
Medina, WA 98039
skeyser@medina-wa.gov

Phone: 425-233-6416

Date of Issuance: September 9, 2021

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Appeal Deadline: September 23, 2021

APPEAL RIGHTS: Pursuant to MMC 20.80.220, decisions of the Responsible Official may be appealed to the City of Medina Hearing Examiner. A written notice of appeal identifying the grounds for appeal must be filed within 14 days of the determination becoming final. Appeals must be in writing and contain specific factual objections. Appeals may be submitted along with the appropriate appeal fee to address the above.

STAFF CONTACT: Stephanie Keyser, AICP, Planning Manager, at (425) 233-6416 or skeyser@medina-wa.gov


Stephanie Keyser, AICP, Planning Manager

9/09/2021
Notice Issued

WARNING!

Posted notice is not to be removed, mutilated or concealed in any way.

The Seattle Times
 1000 Denny Way
 Seattle, Washington 98109-5340

The Seattle Times

**City of Medina
 Aimee Kellerman
 PO Box 144
 Medina, WA 98039
 United States**

Order Confirmation

Order #:	14566
Order Ref #:	
Date:	9/7/2021
Advertiser #:	944
Advertiser Name:	City of Medina
Agency #:	
Agency Name:	
Account Manager:	Holly Botts hbotts@seattletimes.com

\$ 185.09

Ad No.	Date	Description	Position	Format
140706	9/9/2021	CITY OF MEDINA DETERMINATION OF NONSIGNIFICANCE Proposal: Request for a SEPA Threshold Determination to repair fifteen (15) e	Seattle Times - CL-Legals	1.65 × 5.78 in × 1 col.

Summary

Total Net Amount	\$ 185.09
Taxes	\$ 0.00
Total Amount	\$ 185.09

Remittance Address:

The Seattle Times
 PO Box C34805
 Seattle, WA 98124-1805
 Tel: (206) 464-3200

The Seattle Times
 1000 Denny Way
 Seattle, Washington 98109-5340

The Seattle Times

Classified Category: Legals|Public Notices

**CITY OF MEDINA
 DETERMINATION OF
 NONSIGNIFICANCE**

Proposal: Request for a SEPA Threshold Determination to repair fifteen (15) existing wood piles, replace the wood dock with grated decking, drive six (6) steel support piles and three (3) steel brace piles and attach to adjacent support piles, construct a 37'-11" finger pier extension, and add a dual jet ski lift and a platform lift next to the proposed extension. Mitigation includes four (4) Western Redcedar, six (6) Nootka Rose, and six (6) Snowbrush planted within 25' of the shoreline.

File No.: P-21-046 SEPA Threshold Determination

Applicant: Zoe Rohaly of Seaborn Pile Driving Company (agent)
 Dayang, LLC (owner)

Location: 202 Overlake Drive East

Lead Agency: City of Medina

The Responsible Official for this proposal has determined that it does not have a probably significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public upon request.

This Determination of Nonsignificance (DNS) is issued pursuant to WAC 197-11-355. The DNS is final and there is no further comment period.

Requests for information may be directed to Medina City Hall, Attn: Development Services, 501 Evergreen Point Road, Medina, WA 98039.

Responsible Official: Stephanie Keyser
 Planning Manager
 501 Evergreen Point Road
 Medina, WA 98039
 skeyser@medina-wa.gov
 425-233-6416

Date of Issuance: September 9, 2021
Date of Publication: September 9, 2021
Appeal Deadline: September 23, 2021

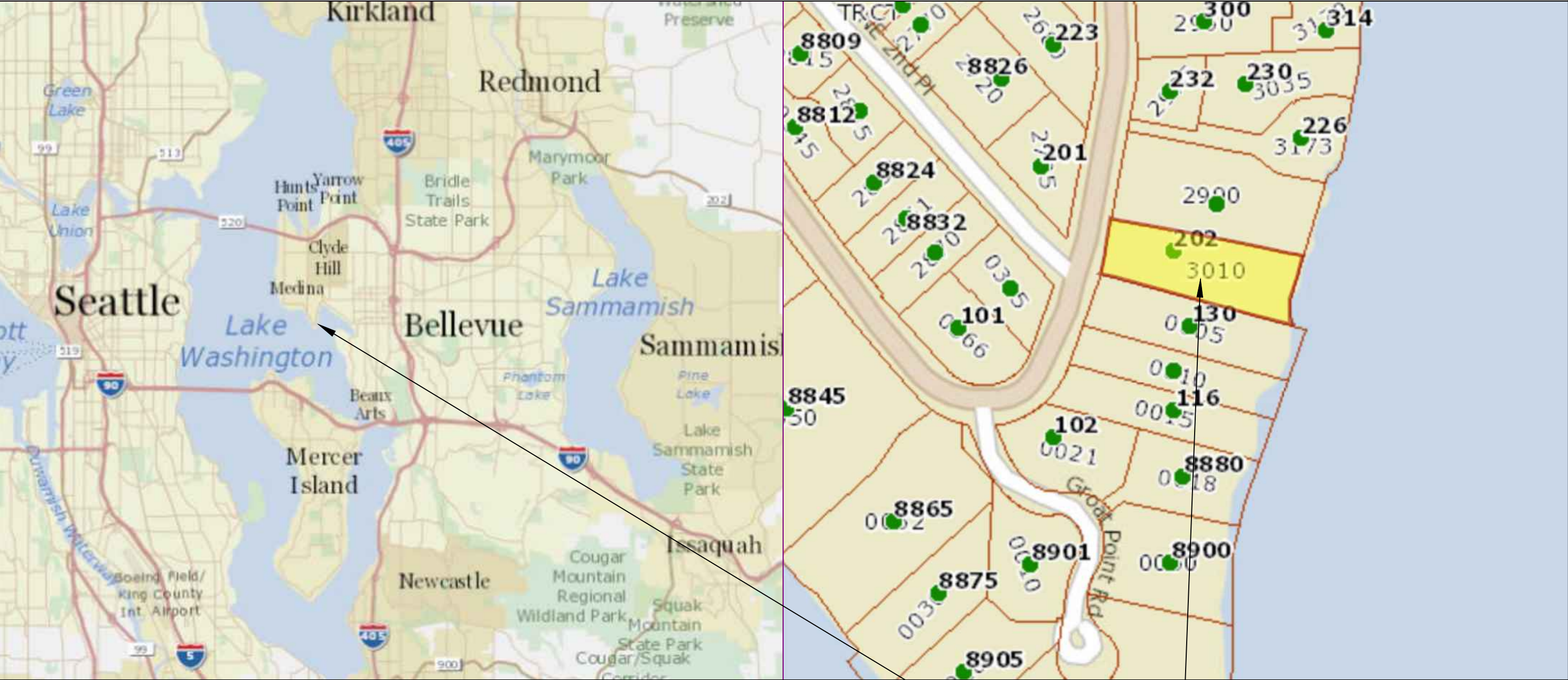
Appeal: Pursuant to MMC 20.80.220, decisions of the Responsible Official may be appealed to the City of Medina Hearing Examiner. A written notice of appeal identifying the grounds for appeal must be filed within 14 days the determination becomes final. Appeals must be in writing and contain specific factual objections. Appeals may be submitted along with the appropriate appeal fee to the address above.

Note: The issuance of this DNS does not constitute project approval. The applicant must comply with all other applicable requirements of the City of Medina.

Staff Contact: Stephanie Keyser, AICP,
 Planning Manager, 425-233-6416;
 skeyser@medina-wa.gov

SITE PLAN

Exhibit 7



Pin: 383550-3010
Legal Description: KENWOOD PARK ADD LOTS 20 TO 23 BLK 21 & ALL UPLAND PORTION LOTS 22 & 23 BLK 24 KENWOOD PARK TGW PORTION VACATED KENWOOD BLVD LYING BETWEEN SD LOTS 22 & 23 BLK 21 & SD LOTS 22 & 23 BLK 24 TGW 2ND CLASS SHORELANDS ADJ TGW PORTION VACATED "B" ST & KENWOOD BLVD LYING EAST OF EAST LINE OF HARRIS AVE & BETWEEN SOUTH LINE OF BLKS 21 & 24 & SD LINE EXTENDED & CENTERLINE SD "B" ST & SD LINE EXTENDED TGW 2ND CLASS SHORELANDS ADJ

Plat Block: 21 &
Plat Lot: POR
LAT: 47.61032 LONG: -122.22338

SUBJECT
PROPERTY



Seaborn Pile Driving
1080 W Ewing St
Seattle, WA 98119

Office: 206-236-1700 ext. 3
www.seabornpiledriving.com

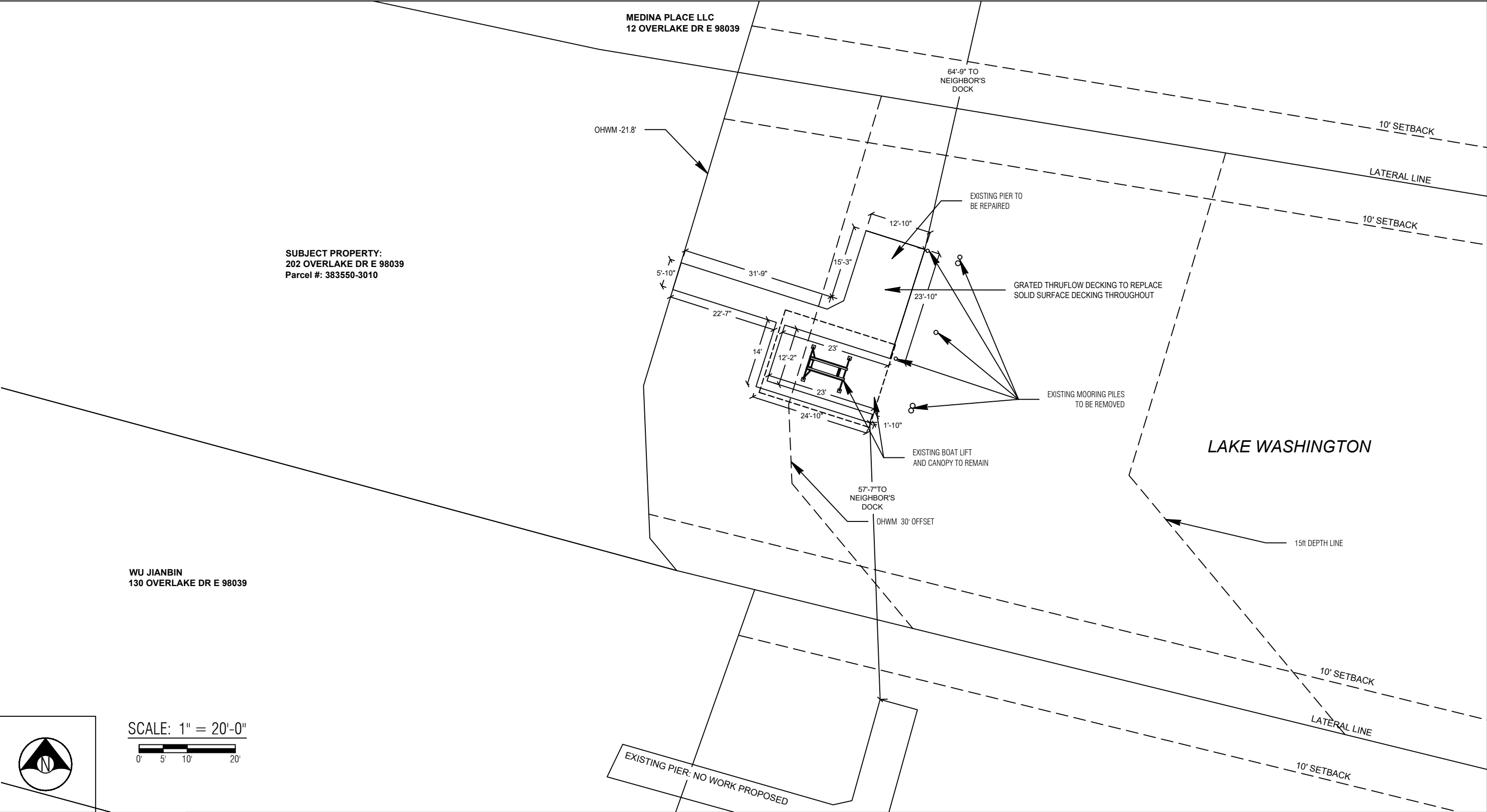
Scope of Work: We propose to repair (15) existing wood piles and replace the existing dock with new grated decking. We also propose to drive (6) steel support piles and (3) steel brace piles and attach to adjacent support piles, and construct a 37'-11" finger pier extension. We also propose to add a dual jet ski lift and a platform lift next to the proposed extension.

County: King County Location: Lake Washington		Applicant: Dayang LLC 202 Overlake Dr E Medina, WA 98039		Last Updated: 7/15/2021 3:33 PM Zoe	
Datum: CORPS OF ENGINEERS 1919 SW Quarter Of Section 31, Township 25, Range 05		Adjacent Owners: MEDINA PLACE LLC WU JIANBIN 130 OVERLAKE DR E 98039		Created: 7/7/2021	
SHEET A1.0		NWS-202 PAGE 1 OF 1		60	

EXISTING CONDITIONS

Exhibit 7

CLEAN UP LAKE AROUND PROJECT



County: King County
Location: Lake Washington
Applicant: Dayang LLC
202 Overlake Dr E
Medina, WA 98039
Datum: CORPS OF ENGINEERS 1919
SW Quarter Of Section 31, Township 25, Range 05
Adjacent Owners:
MEDINA PLACE LLC
212 OVERLAKE DR E 98039
WU JIANBIN
130 OVERLAKE DR E 98039
Created: 7/7/2021
Last Updated: 7/15/2021 3:33 PM Zoe



Seaborn Pile Driving
1080 W Ewing St
Seattle, WA 98119

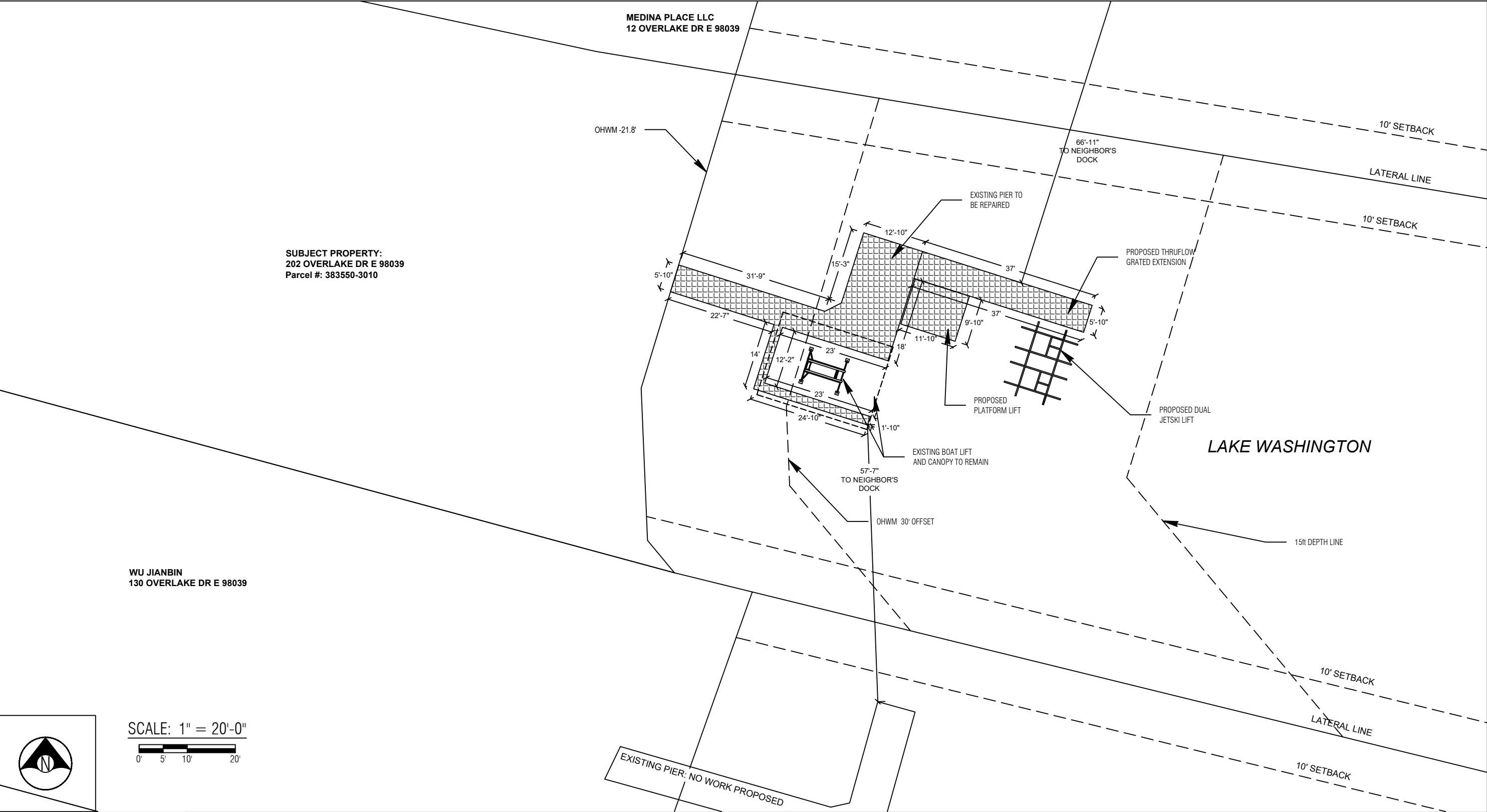
Office: 206-236-1700 ext. 3
www.seabornpiledriving.com

Scope of Work: We propose to repair (15) existing wood piles and replace the existing dock with new grated decking. We also propose to drive (6) steel support piles and (3) steel brace piles and attach to adjacent support piles, and construct a 37'-11" finger pier extension. We also propose to add a dual jet ski lift and a platform lift next to the proposed extension.

SHEET
A2.0

PROPOSED CONDITIONS

Exhibit 7
CLEAN UP LAKE AROUND PROJECT



County: King County
Location: Lake Washington

Applicant: Dayang LLC
202 Overlake Dr E
Medina, WA 98039

Datum: CORPS OF ENGINEERS 1919
SW Quarter Of Section 31, Township 25, Range 05

Adjacent Owners:
MEDINA PLACE LLC
212 OVERLAKE DR E 98039
WU JIANBIN
130 OVERLAKE DR E 98039

Created: 7/7/2021
Last Updated: 7/15/2021 3:33 PM Zoe



Seaborn Pile Driving
1080 W Ewing St
Seattle, WA 98119

Office: 206-236-1700 ext. 3
www.seabornpiledriving.com

Scope of Work: We propose to repair (15) existing wood piles and replace the existing dock with new grated decking. We also propose to drive (6) steel support piles and (3) steel brace piles and attach to adjacent support piles, and construct a 37'-11" finger pier extension. We also propose to add a dual jet ski lift and a platform lift next to the proposed extension.

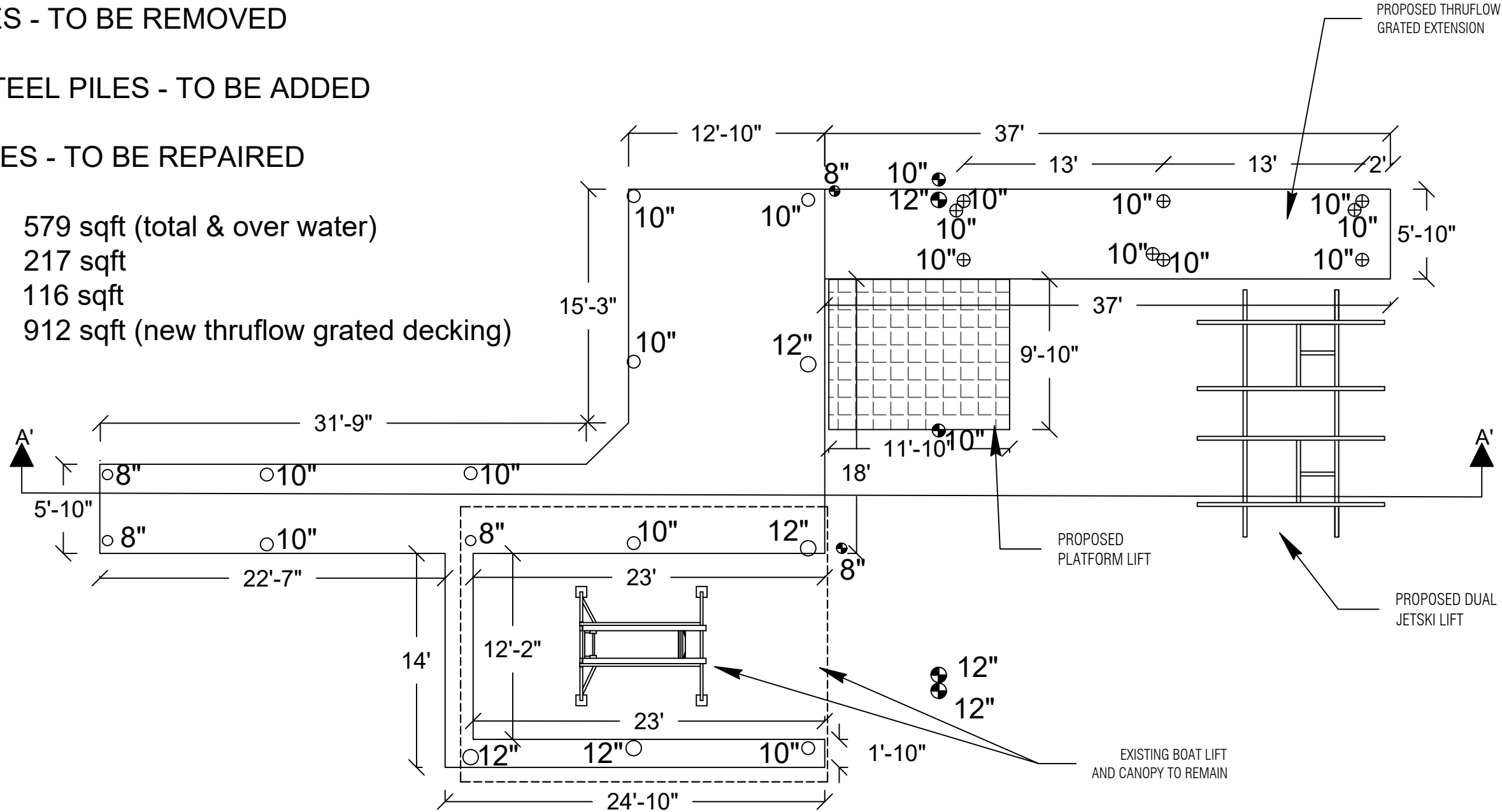
PIER DETAILS

Exhibit 7

LEGEND

- (7) EXISTING PILES - TO BE REMOVED
- ⊕ (9) PROPOSED STEEL PILES - TO BE ADDED
- (15) EXISTING PILES - TO BE REPAIRED

Existing Area: 579 sqft (total & over water)
Proposed Extension: 217 sqft
Platform Lift: 116 sqft
New Total: 912 sqft (new thruflow grated decking)



PLAN VIEW



Seaborn Pile Driving
1080 W Ewing St
Seattle, WA 98119

Office: 206-236-1700 ext. 3
www.seabornpiledriving.com

Scope of Work: We propose to repair (15) existing wood piles and replace the existing dock with new grated decking. We also propose to drive (6) steel support piles and (3) steel brace piles and attach to adjacent support piles, and construct a 37'-11" finger pier extension. We also propose to add a dual jet ski lift and a platform lift next to the proposed extension.

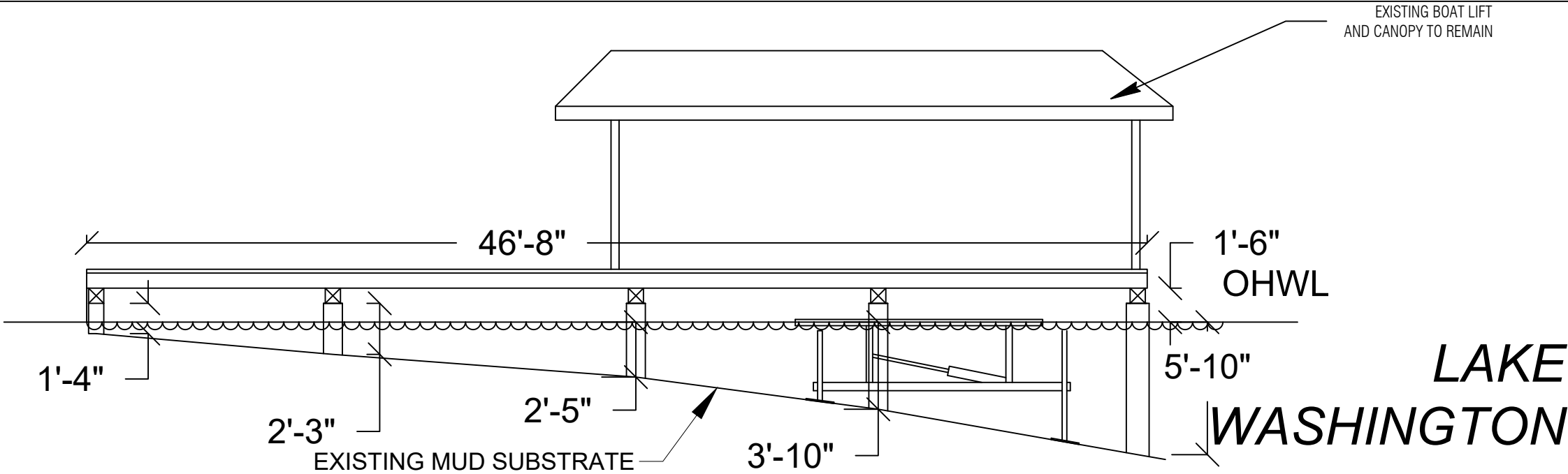
Datum: CORPS OF ENGINEERS 1919 SW Quarter Of Section 31, Township 25, Range 05	Applicant: Dayang LLC 202 Overlake Dr E Medina, WA 98039	County: King County	Last Updated: 7/15/2021 3:33 PM Zoe
		Location: Lake Washington	
Adjacent Owners: WU JIANBIN 130 OVERLAKE DR E 98039			

SHEET A4.0	NWS-202 PAGE 4 OF 6

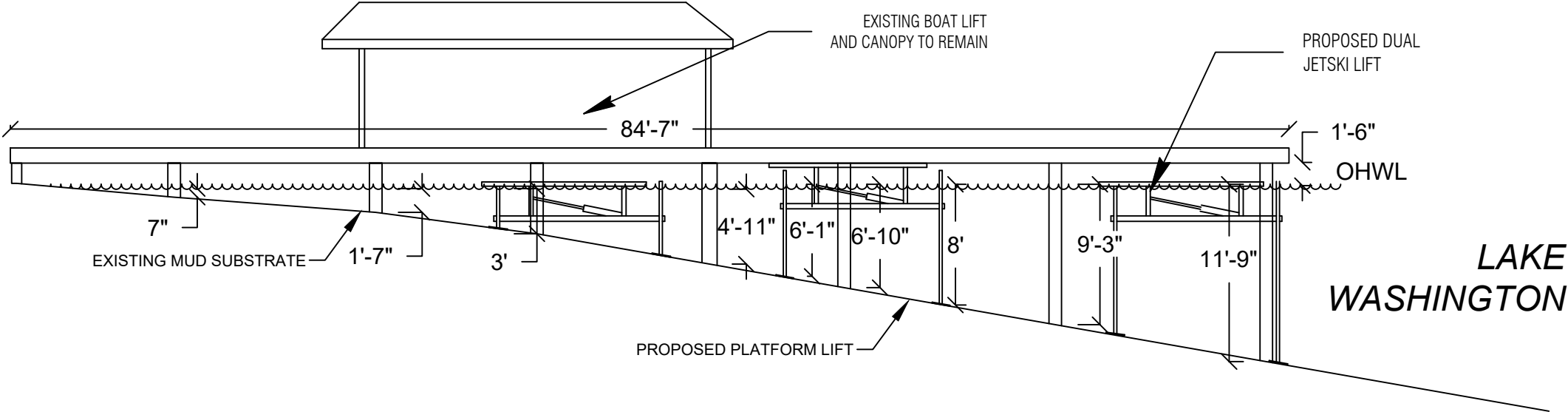
PIER DETAILS

Exhibit 7

EXISTING



PROPOSED



Seaborn Pile Driving
1080 W Ewing St
Seattle, WA 98119

Office: 206-236-1700 ext. 3
www.seabornpiledriving.com

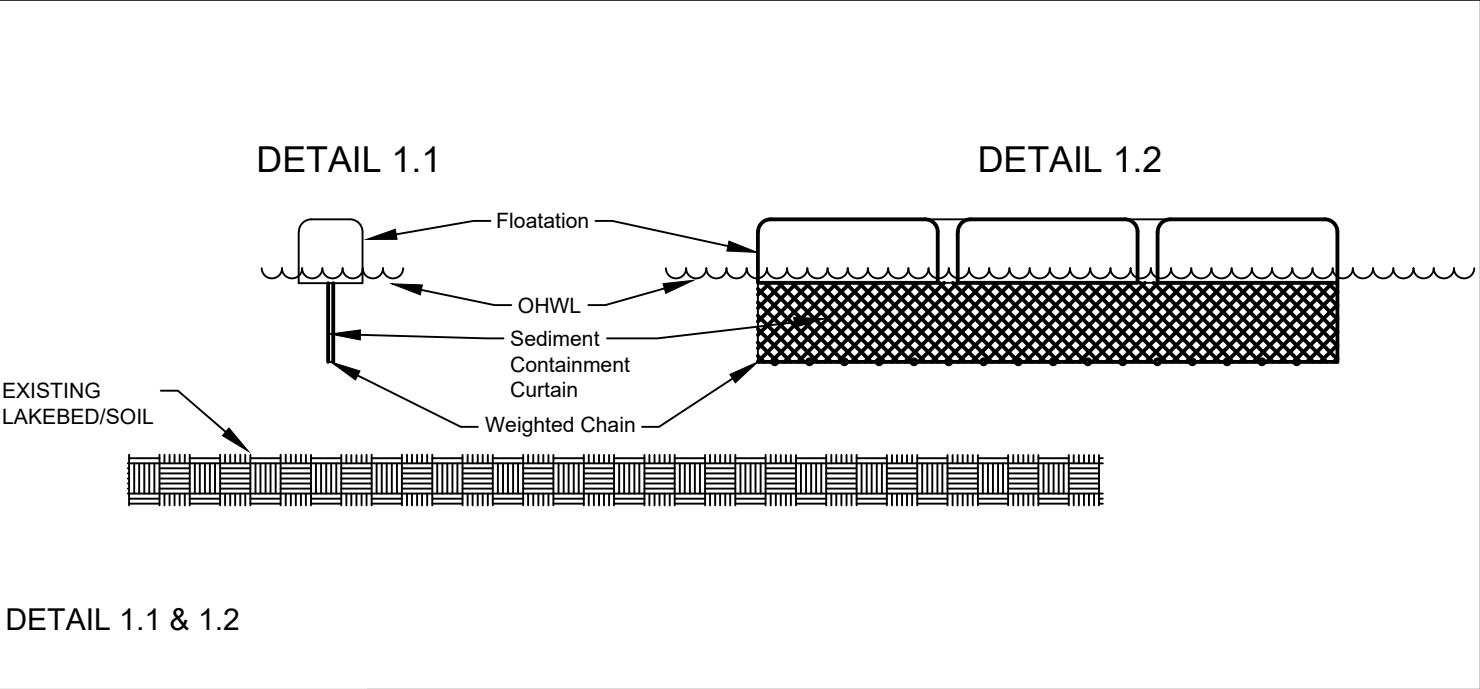
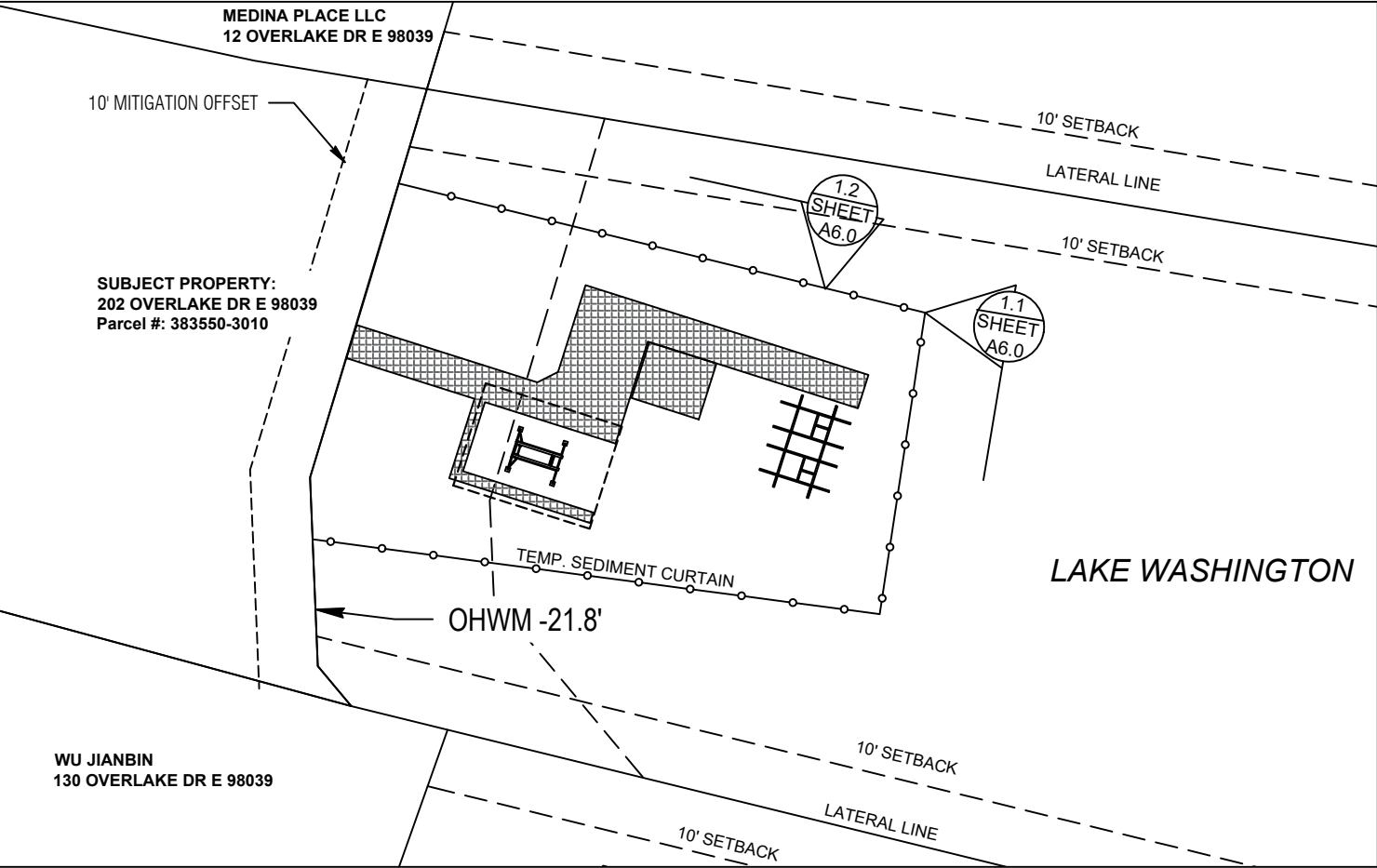
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Adjacent Owners: WU JIANBIN 130 OVERLAKE DR E 98039	Created: 7/7/2021	Last Updated: 7/15/2021 3:33 PM Zoe

SHEET
A5.0

BMP INFORMATION

Exhibit 7



Seaborn Pile Driving
1080 W Ewing St
Seattle, WA 98119

Office: 206-236-1700 ext. 3
www.seabornpiledriving.com

Scope of Work: We propose to repair (15) existing wood piles and replace the existing dock with new grated decking. We also propose to drive (6) steel support piles and (3) steel brace piles and attach to adjacent support piles, and construct a 37'-11" finger pier extension. We also propose to add a dual jet ski lift and a platform lift next to the proposed extension.

BMP NOTES:

A. Constant vigilance shall be kept for the presence of protected fish species during all aspects of the proposed action, particularly during in-water activities such as vessel movement, deployment of anchors & spuds, pile driving, dredging, and placement of gravels and other fill.

- The project manager shall designate an appropriate number of competent observers to survey the project site and adjacent areas for protected species, including the presence of fish as conditions allow.
- Visual surveys shall be made prior to the start of work each day, and prior to resumption of work following any break of more than an hour. Periodic additional visual surveys throughout the work day are strongly recommended.
- All in-water work shall be done during the in-water work window for the waterbody. Where there is a difference between the USCOE and WDFW work windows, the overlap of the two shall apply.
- All pile driving and extraction shall be postponed or halted when obvious aggregations or schooling of fish are observed within 50 yards of that work, and shall only begin/resume after the animals have voluntarily departed the area.
- When piloting vessels, vessel operators shall operate at speeds and power settings to avoid grounding vessels, and minimize substrate scour and mobilization of bottom sediments.

B. No contamination of the marine environment shall result from project-related activities.

- Appropriate materials to contain and clean potential spills shall be stored and readily available at the work site and/or aboard project-related vessels.
- The project manager and heavy equipment operators shall perform daily pre-work equipment inspections for cleanliness and leaks. All heavy equipment operations shall be postponed or halted should a leak be detected, and shall not proceed until the leak is repaired and the equipment is cleaned.
- To the greatest extent practicable, utilize biodegradable oils for equipment that would be operated in or near water.
- Fueling of land-based vehicles and equipment shall take place at least 50 feet away from the water, preferably over an impervious surface. Fueling of vessels shall be done at approved fueling facilities.
- Turbidity and siltation from project-related work shall be minimized and contained through the appropriate use of erosion control practices, effective silt containment devices, and the curtailment of work during adverse weather and tidal/flow conditions.
- All wastes shall be collected and contained for proper disposal at approved upland disposal sites appropriate for the material(s).
- When removing piles and other similarly treated wood, containment booms must fully enclose the work area. Wood debris, oils, and any other materials released into lake waters must be collected, removed, and properly disposed of at approved disposal sites.
- All in- and over-water wood cutting would be limited to the minimum required to remove the subject wood component, and all cutting work should be enclosed within floating containment booms.
- When removing piles, no actions shall be taken that would cause adhering sediments to return to lake waters.
- Above-water containment shall be installed around removed piles to prevent sediment laden waters from returning to lake waters.
- Construction staging (including stocking of materials, etc.) will occur on the supply barge.
- All Exposed wood to be used on the project will be treated with a cheminite treatment.

County: King County
Location: Lake Washington

Applicant: Dayang LLC
202 Overlake Dr E
Medina, WA 98039

Datum: CORPS OF ENGINEERS 1919
SW Quarter Of Section 31, Township 25, Range 05

Adjacent Owners:
WU JIANBIN
130 OVERLAKE DR E 98039

MEDINA PLACE LLC
212 OVERLAKE DR E 98039

Created: 7/7/2021
Last Updated: 7/15/2021 3:33 PM Zoe

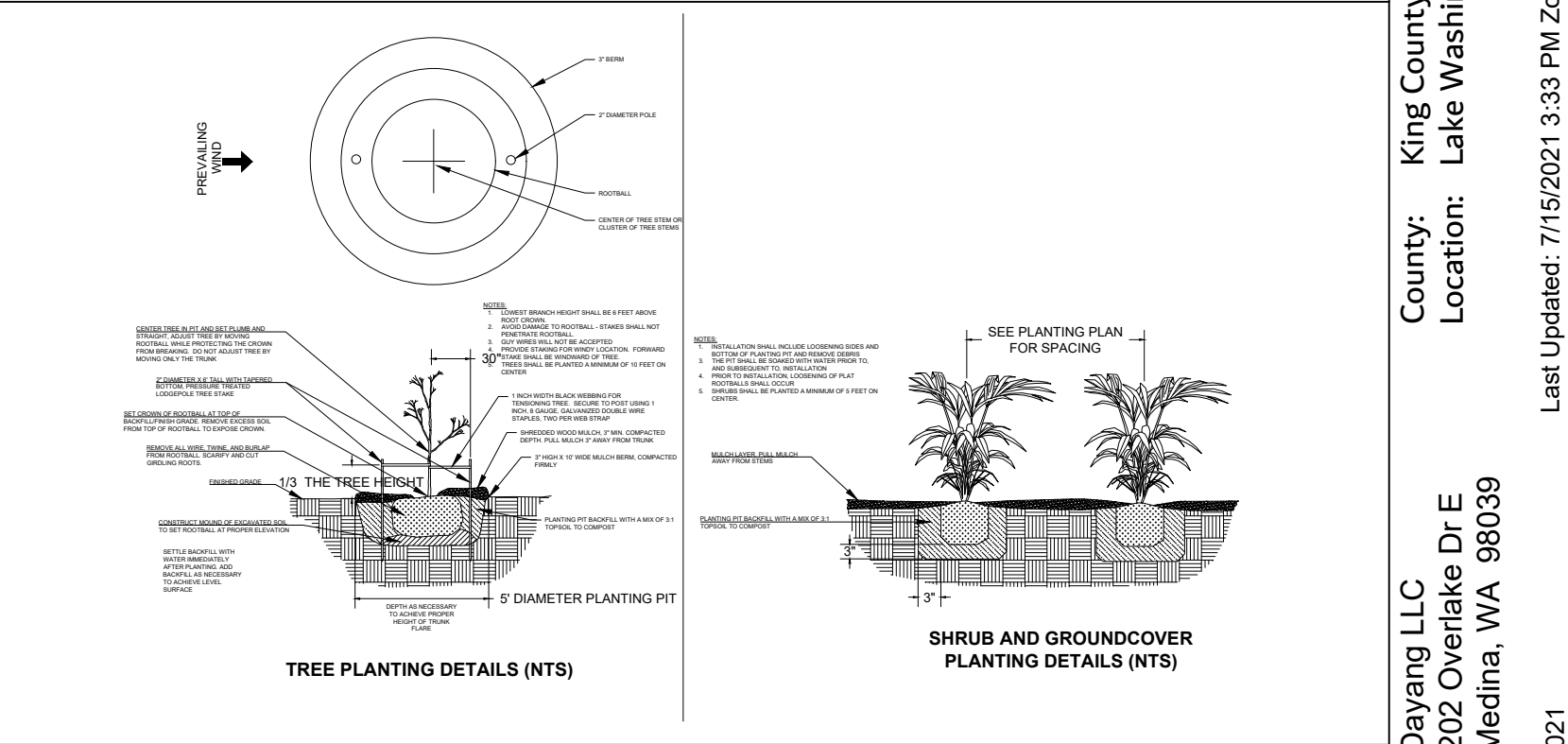
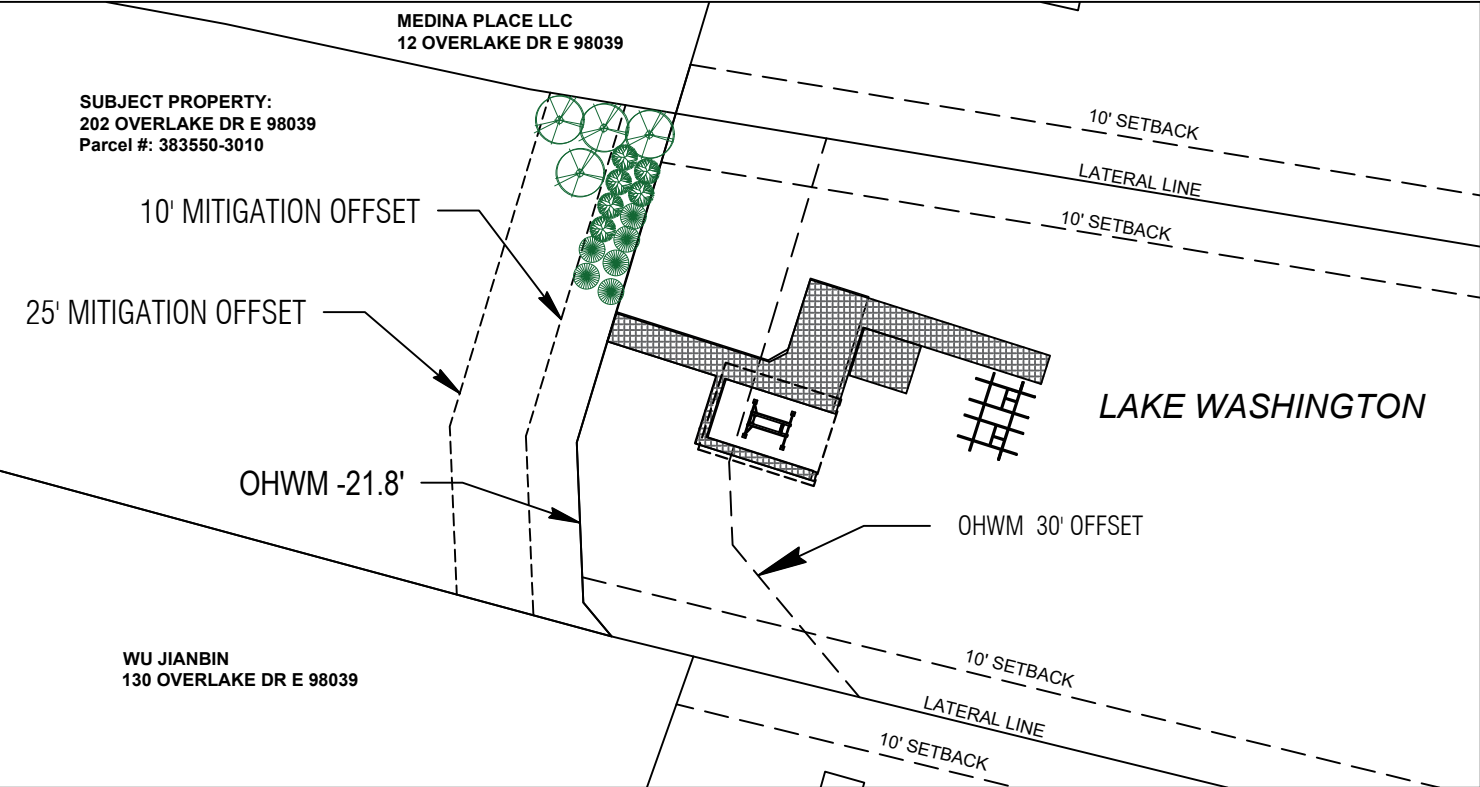
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NWS-202
PAGE 6 C

65

MITIGATION PLAN

Exhibit 7



- Notes:
1. Shrubs are show, and shall be planted, at least five feet on center. Trees are show, and shall be planted, at least ten feet to center.
 2. The property owner will implement and abide by the shoreline planting plan. The plants shall be installed before or concurrent with the work authorized by this permit. A report, as-built drawing and photographs demonstrating the plants have been installed or a report on the status of project construction will be submitted to the U.S. Army Corps of Engineers, Seattle District, Regulatory Branch, within 12 months from the date of permit issuance. This reporting requirement may be met by completing and submitting a U.S. Army Corps of Engineers approved Report for Mitigation Work Completion form.
 3. The property owner will maintain and monitor the survival of installed shoreline plantings for five years after the U.S. Army Corps of Engineers accepts the as-built report. Installed plants shall achieve 100% survival during monitoring Years 1 and 2. Installed plants shall achieve at least 80% survival during monitoring Years 3, 4 and 5. Percent survival is based on the total number of plants installed in accordance with the approved riparian planting plan. Individual plants that die will be replaced with native riparian species in order to meet the survival performance standards.
 4. The property owner will provide annual monitoring reports for five years (Monitoring Years 1-5). Each annual monitoring report will include written and photographic documentation on plant mortality and replanting efforts and will document whether the performance standards are being met. Photos will be taken from established points and used repeatedly for each monitoring year. In addition to photos at designated points, photo documentation will include a panoramic view of the entire planting area. Submitted photos will be formatted on standard 8 1/2 x 11" paper, dated with the date the photo was taken, and clearly labeled with the direction from which the photo was taken. The photo location points will be identified on an appropriate drawing. Annual shoreline planting monitoring reports will be submitted to the U.S. Army Corps of Engineers, Seattle District, Regulatory Branch, by November 31 of each monitoring year. This reporting requirement may be met by completing and submitting a U.S. Army Corps of Engineers approved Mitigation Planting Monitoring Report form.

PROPOSED PLANTING SPECIES/QUANTITIES				
SYMBOL	LATIN NAME	COMMON NAME	QTY	SIZE
	Thuja picatta	Western Redcedar	4	3 ft
	Rosa nutkana	Nootka Rose	6	1 Gallon
	Ceanothus Velutinus	Snowbrush	6	1 Gallon

PLANTS: Shrubs to be installed 5ft on center and trees to be installed 10ft on center.



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1080 W Ewing St
Seattle, WA 98119
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www.seabornpiledriving.com

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County: King County
Location: Lake Washington

Applicant: Dayang LLC
202 Overlake Dr E
Medina, WA 98039

Datum: CORPS OF ENGINEERS 1919
SW Quarter Of Section 31, Township 25, Range 05

Adjacent Owners:
WU JIANBIN
130 OVERLAKE DR E 98039

MEDINA PLACE LLC
212 OVERLAKE DR E 98039

Created: 7/7/2021

Last Updated: 7/15/2021 3:33 PM Zoe

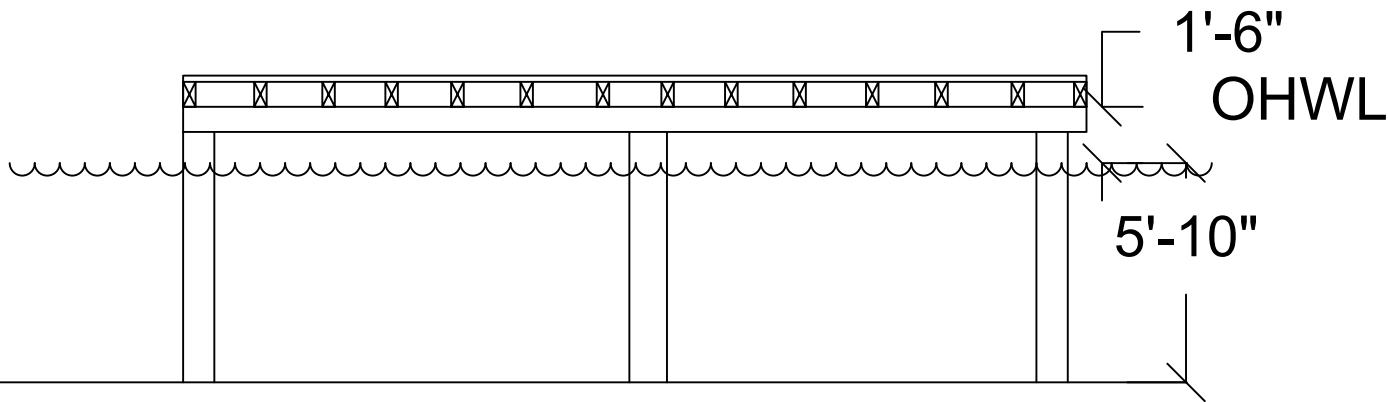
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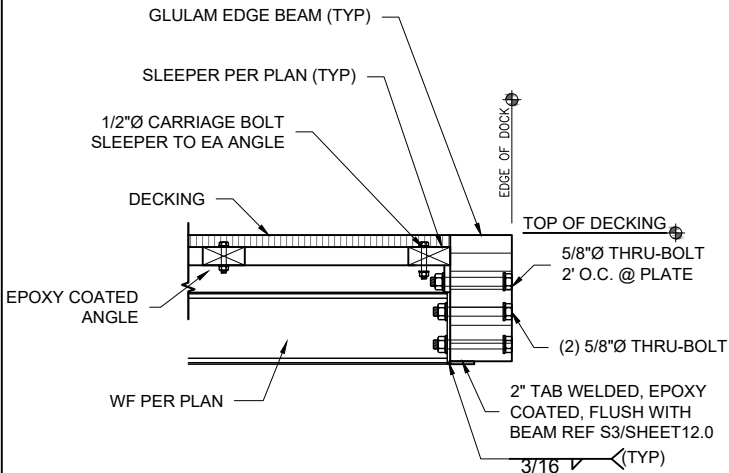
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DOCK DETAILS

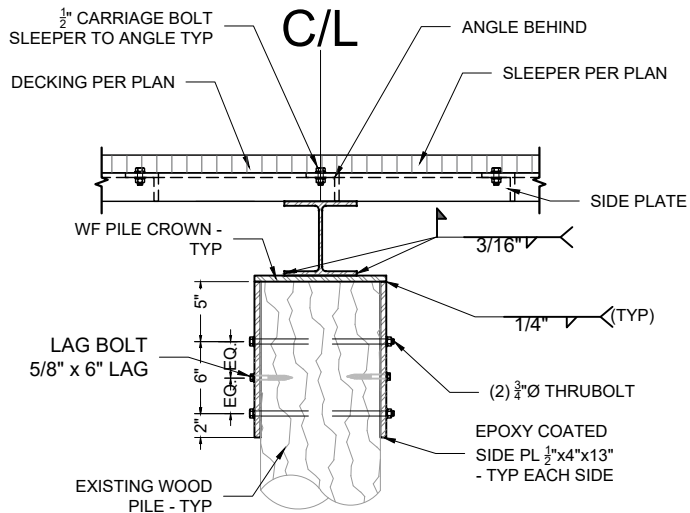
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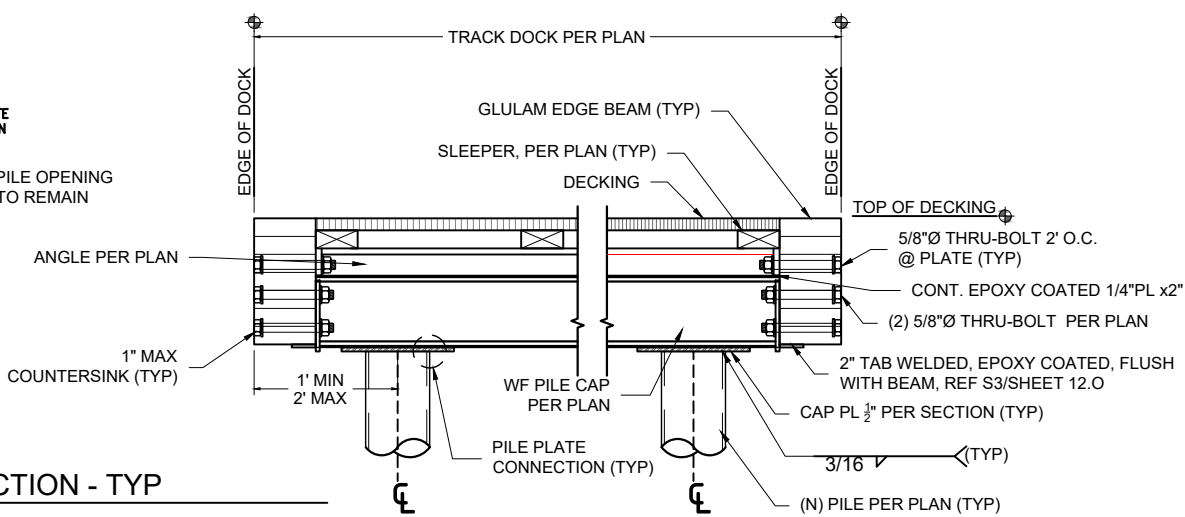
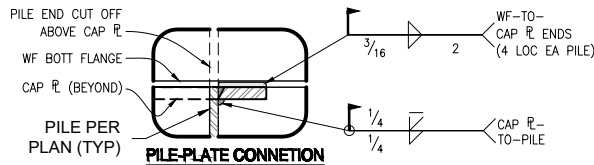
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SCALE: N.T.S.



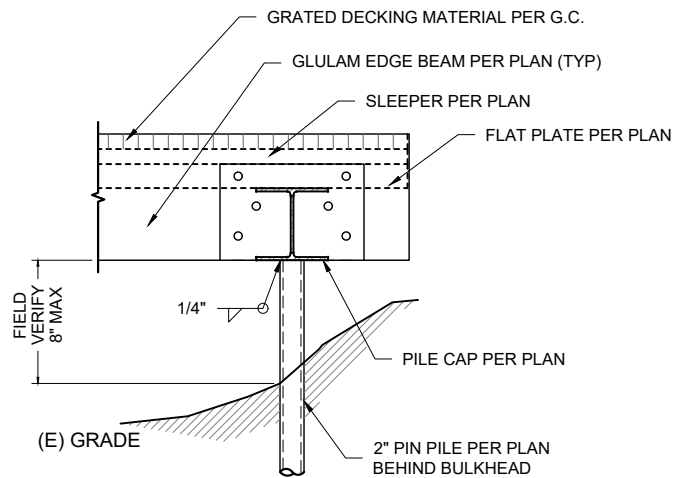
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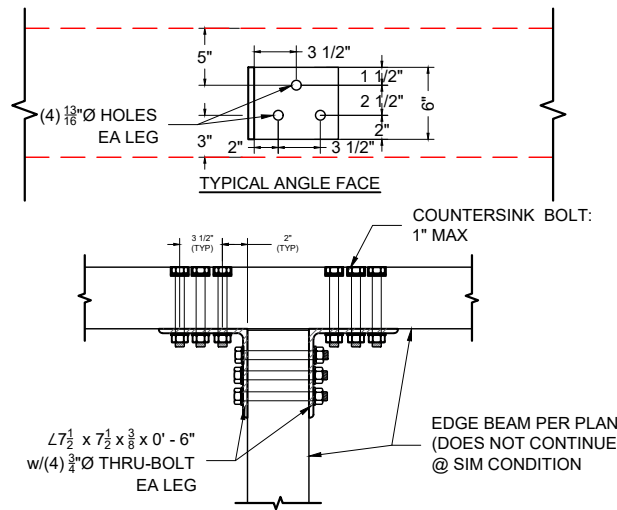
S I-BEAM CAP TO WOOD PILE - TYP
SCALE: 3/4" - 1'



S NEW DOCK SECTION - TYP
SCALE: 3/4" - 1'



S PIN PILE - TYP
SCALE: 3/4" - 1'



S BEAM TO BEAM - TYP
SCALE: 3/4" - 1'



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Ecological No Net Loss Assessment Report

Prepared for

Dayang, LLC
202 Overlake Dr. E
Medina, WA 98039

Prepared by



Northwest Environmental Consulting, LLC
600 North 36th Street, Suite 423
Seattle, WA 98103
206-234-2520

May 2021

Purpose

The purpose of this report is to fulfill the requirements of City of Medina Municipal Code (MICC) 20.66.010 General Shoreline Regulations by assessing overall project impacts and proposed mitigation to determine if the project meets the “No Net Loss” of shoreline ecological functions analysis.

No Net Loss is defined as “a balancing of unavoidable shoreline ecological function losses with replacement for those losses so that further reduction to shoreline ecological functions of ecosystem-wide processes may be prevented.”

Location

The subject property is located at 202 Overlake Drive E (King County parcel number 383550-3010) in the City of Medina, Washington (see Appendix A – Sheet A1.0). The parcel is on the waterfront of Lake Washington, a shoreline of the state, that contains several endangered fish species listed under the Endangered Species Act and Washington State designated priority fish species. Permits are being applied for a dock repair, extension and two jet ski lifts (see Appendix A – Sheets A2.0 and A3.0).

Project Description

The work on the pier will include redecking the existing dock with ThruFlow grated decking and repairing 15 existing wood piles by using the pile splicing method. In addition, a 37 feet 11 inch finger pier will be constructed. A new 11-foot-10-inch by 9-foot-10-inch platform lift and two new jet skis lifts will also be constructed. The existing five mooring piles will be removed. All new decked surfaces, finger pier and platform lift, will use ThruFlow grated decking. The existing dock is 570 square feet. The proposed finger pier will add 217 square feet and the proposed platform lift will add 116 square feet of new overwater coverage.

During construction, a floating boom will surround the work barge and boat lift.

A shoreline vegetation plan is proposed, adding native shrubs including two western red cedars, one Nootka rose, and one mock orange. These shoreline plantings will provide shade and allow leafy material to enter the lake along the shoreline (see Appendix A – Sheet A7.0).

Project drawings are included in Attachment A.

Approach

Northwest Environmental Consulting LLC (NWECC) biologist Brad Thiele conducted a site visit on May 21, 2021 to evaluate conditions on site and adjacent to the site. NWECC also consulted the following sources for information on potential critical fish and wildlife habitat along this shoreline:

- Washington Department of Fish and Wildlife (WDFW): Priority Habitats and Species online database (<http://apps.wdfw.wa.gov/phsontheweb/>)

- WDFW SalmonScape online database of fish distribution and ESA listing units (<https://apps.wdfw.wa.gov/salmonscape/>)
- King County iMap online database (<https://gismaps.kingcounty.gov/iMap/>)

Site Description

The subject property is a shoreline tract in a residential neighborhood. It has shoreline on its eastern boundary with single-family homes to the north and south.

The only existing structures on the property are the house, and the existing wood decked dock.

The shoreline is armored with a basalt bulkhead. The substrate of the lake is sand and gravel at the site and no aquatic vegetation was observed at the time of the site visit.

The shoreline has been planted with lawn and has not been maintained during the house construction, two paper birch and a weeping deodar cedar is on the property within 10 feet of the shoreline and silt fencing had been installed along the shoreline. The neighboring properties are similar in landscaping and shoreline armoring and have docks.

Species Use

WDFW's PHS mapping and SalmonScape mapping tools show the following salmonid species using Lake Washington for migration and/or rearing: residential coastal cutthroat (*Oncorhynchus clarkii*), winter steelhead (*O. mykiss*), Dolly Varden/bull trout (*Salvelinus malma*), sockeye salmon (*O. nerka*), fall Chinook (*O. tshawytscha*), coho salmon (*O. kisutch*), and kokanee (*O. nerka*). The SalmonScape database maps the site as accessible to the Endangered Species Units (ESU) of Threatened Chinook and steelhead. The nearest salmon-bearing stream, the Fairweather Creek, approximately one and half miles to the north and flows away from the site, is modeled by Washington Department of Fish and Wildlife (WDFW) for a gradient accessible to listed Fall Chinook and Winter Steelhead and non-listed coho and sockeye salmon. Juveniles may rear in the waters near the project when traveling from spawning sites on other lake tributaries to the lake's outlet at the Hiram M. Chittenden Locks. The project site is accessible to any fish migrating or rearing in the lake. The shoreline is mapped as a sockeye salmon spawning location.

Priority Habitats and Species map do not map any terrestrial species of concern in the project area. The closest record is a wetland approximately 2,200 feet to the north along the shore of Lake Washington.

King County iMap shows an erosion hazard along the sloped areas north of the project site. No other environmentally sensitive areas are mapped on or near the subject property.

Project Impacts and Conservation Measurements

Direct Impacts:

Sediments: Sediment disturbance may occur below the OHWM and along the shoreline of Lake Washington during pile driving, repair, and removal. Additionally, the tug and barge propwash may disturb sediments temporarily when making trips to/from the site.

Sediments have been shown to be minimally disturbed during pile driving activities and the coarse sediments (sand and cobbles) are not a source of turbidity. Pile splicing does not require pile driving activity and is not a significant source of inwater noise or sediment disturbance. In addition, a floating boom will be used to surround the work area to contain floating debris. Work will be completed during the in-water work window when juvenile fish are not expected to be present. The project will meet state water quality standards.

Placing the new moorage more than 30 feet from the shoreline in the deepest water possible will reduce propwash in the nearshore environment during docking and castoff.

Shoreline: Planting native vegetation will increase the habitat functions of the shoreline by creating shade along the shoreline that will be an improvement from the existing baseline habitat conditions at the project site. These plants will provide overhanging cover for fish, structural diversity for birds and wildlife, detritus for aquatic invertebrates and long-term recruitment of woody material and other allochthonous food sources. The proposed planting plan is included (see Appendix A - Sheet A7.0).

Lakebed: The project will remove two 8-inch, two 10-inch and three 12-inch timber piles and add nine 10-inch steel piles to the lake. This will cover an additional 0.8 square feet of lakebed that is currently uncovered.

Noise: Construction equipment will create noise audible to neighbors and in-water. Noise disturbance will be short-term and should have negligible effects on fish and wildlife in the area. Work will be completed during the in-water work window when juvenile fish are not expected to be present.

Potential spills: Short-term risks include the potential for petroleum spills that can occur with any equipment operation. The level of impact to the aquatic environment is expected to be minor because of the small amount of petroleum products available for spillage during typical construction activities, and because of spill containment measures that will be employed should a spill occur.

Indirect Impacts:

Shading: The existing solid wood pier covers approximately 579 square feet of the lake surface. The expanded 912-square-foot pier and platform lift will be fully grated.

Grated decking allows more light to penetrate the waters below a dock, which can increase productivity in the waters, and reduce the full shade favored by salmonid predators. Salmonid predators are known to use hard shadowing under solid-decked docks to ambush juvenile salmonids. Reducing these hard shadows limits their ability to effectively hunt salmonids.

ThruFlow grated decking has measured performance at 43 percent light penetration (ThruFlow, 2021). Thus, the increase in lighting under the pier is effectively 57% of the area of a solid decked structure. A summary of how this will affect this project's shading is shown below:

	Existing	Proposed grated	Conversion	Effective coverage	Reduction in coverage
Solid decking (SF)	579	579	0.57	330	-249
Platform lift (SF)	0	116	0.57	66	-49.88
Extension (SF)	0	217	0.57	124	-93
Total (SF)	579	912		520	-392

Thus, grating the deck surfaces will result in effective shading that is a reduction of 392 square feet from that of the existing conditions.

Recreational Boating: The project supports continued recreational boating, which has been identified as a limiting factor for salmonid populations in Lake Washington. The pier will not introduce additional boating to Lake Washington, as the owners could still access the lake from a public boat launch or private moorage facility.

Other Conservation measures:

Work window: The work will be completed during the prescribed in-water work window for this area of Lake Washington (July 16 to March 15). Operating within this time frame helps protect Chinook salmon, steelhead, bull trout and other salmonid fish species by doing work when juvenile fish are not expected to be present.

Best Management Practices: Applicable BMPs will be used, such as a floating boom around the in-water work area, to contain any floating debris that may escape during construction. The barge will have a perimeter containment sock to absorb oil and grease that might inadvertently wash from the barge during construction.

Hazardous material containment materials such as spill absorbent pads and trained personnel will be required onsite during any phase of construction where machinery is in operation near surface waters.

Conclusion

Juvenile Chinook salmon, and other salmonids, rear and migrate along the Lake Washington shoreline.

There will be temporary impacts from noise and disturbed sediments during construction. The project will add 333 square feet of overwater coverage to the lake and 0.8 square feet of lakebed coverage from piles. However, these impacts are offset in the long-term by a 392-square-foot functional reduction of the pier's shading by installing ThruFlow grated decking. The grating reduces the hard shadows favored by salmonid predators and increases productivity under the pier.

A shoreline planting plan will be implemented and will add native trees and shrubs to the shoreline that will provide natural shading, allochthonous food sources and will eventually be a source of woody debris. Placing the finger pier more than 30 feet from the shoreline will minimize the amount of propwash in the nearshore environment and be the least impacting place for juvenile fish migration along the shoreline.

The project will minimize construction effects on the environment by following the prescribed fish window and using applicable BMPs to prevent construction spills and floating debris from escaping the area. The construction crew will retrieve all dropped items from the bottom and dispose of them properly.

This project has been designed to meet current residential dock standards and will use Best Management Practices to reduce project impacts. The conservation measures are designed to improve ecological functions or prevent further degradation of habitat **and will result in No Net Loss of ecological functions** at the site.

Document Preparers

Brad Thiele

Biologist

27 years of experience

Northwest Environmental
Consulting, LLC (NVEC)

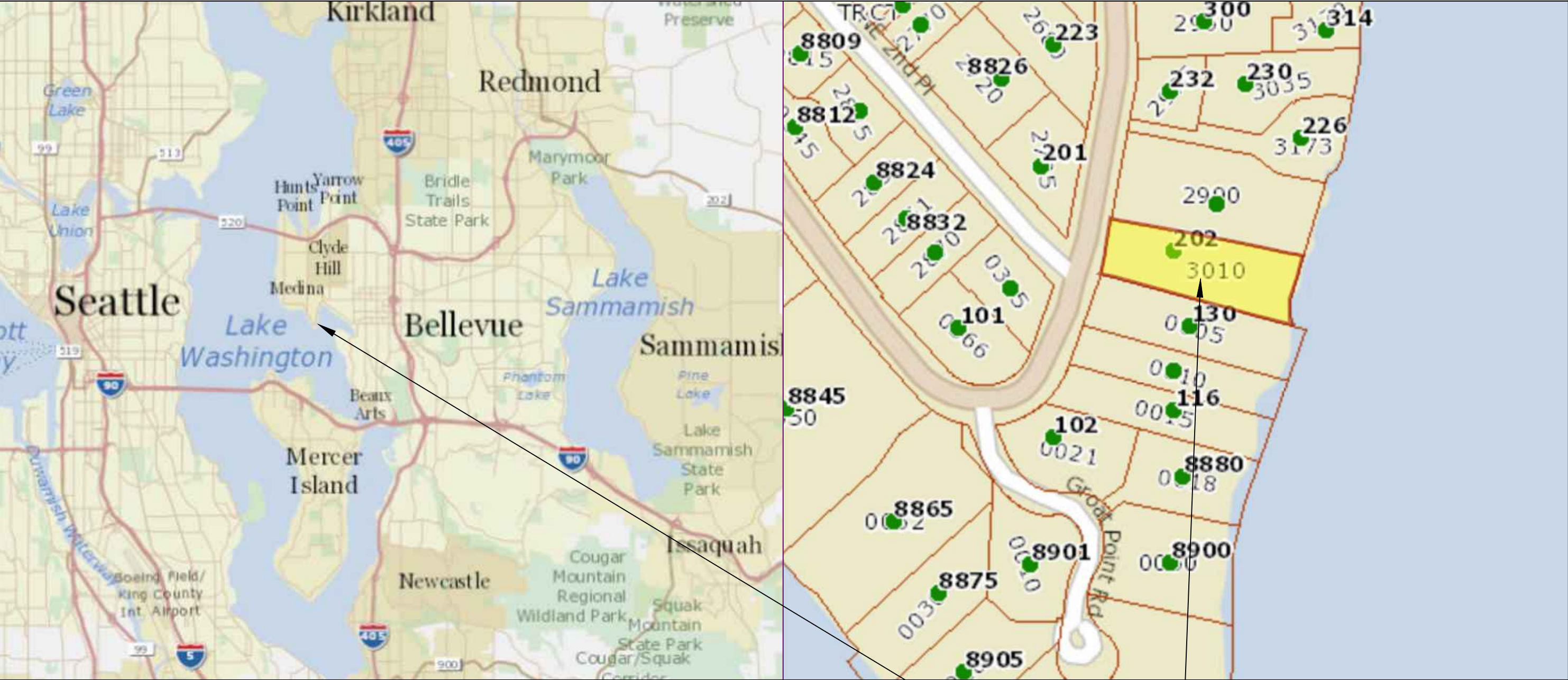
NVEC followed standard acceptable field methods and protocols at the time work was performed. These standards include delineation of wetland and stream boundaries, characterization, rating, functional analyses, impact assessments and mitigation of impacts. The conclusions and findings in this report are based on field observations and measurements and represent our best professional judgment and to some extent rely on other professional service firms and available site information. Within the limitations of project scope, budget, and seasonal variations, we believe the information provided herein is accurate and true to the best of our knowledge. Northwest Environmental Consulting does not warrant any assumptions or conclusions not expressly made in this report or based on information or analyses other than what is included herein.

REFERENCES

- King County. 2021. King County iMap. Online database. Accessed April 2021 at <https://gismaps.kingcounty.gov/iMap/>
- Washington Department of Fish and Wildlife (WDFW). 2021. Priority Habitats and Species. Online database. Accessed April 2021 at <http://apps.wdfw.wa.gov/phsontheweb/>
- WDFW. 2021. SalmonScape. Online database. Accessed April 2021 at <http://apps.wdfw.wa.gov/salmonscape/>

Appendix A: Project Drawings

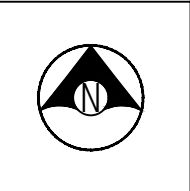
SITE PLAN



Pin: 383550-3010
Legal Description: KENWOOD PARK ADD LOTS 20 TO 23 BLK 21 & ALL UPLAND PORTION LOTS 22 & 23 BLK 24 KENWOOD PARK TGW PORTION VACATED KENWOOD BLVD LYING BETWEEN SD LOTS 22 & 23 BLK 21 & SD LOTS 22 & 23 BLK 24 TGW 2ND CLASS SHORELANDS ADJ TGW PORTION VACATED "B" ST & KENWOOD BLVD LYING EAST OF EAST LINE OF HARRIS AVE & BETWEEN SOUTH LINE OF BLKS 21 & 24 & SD LINE EXTENDED & CENTERLINE SD "B" ST & SD LINE EXTENDED TGW 2ND CLASS SHORELANDS ADJ

Plat Block: 21 &
Plat Lot: POR
LAT: 47.61032 LONG: -122.22338

SUBJECT
PROPERTY



Seaborn Pile Driving
1080 W Ewing St
Seattle, WA 98119

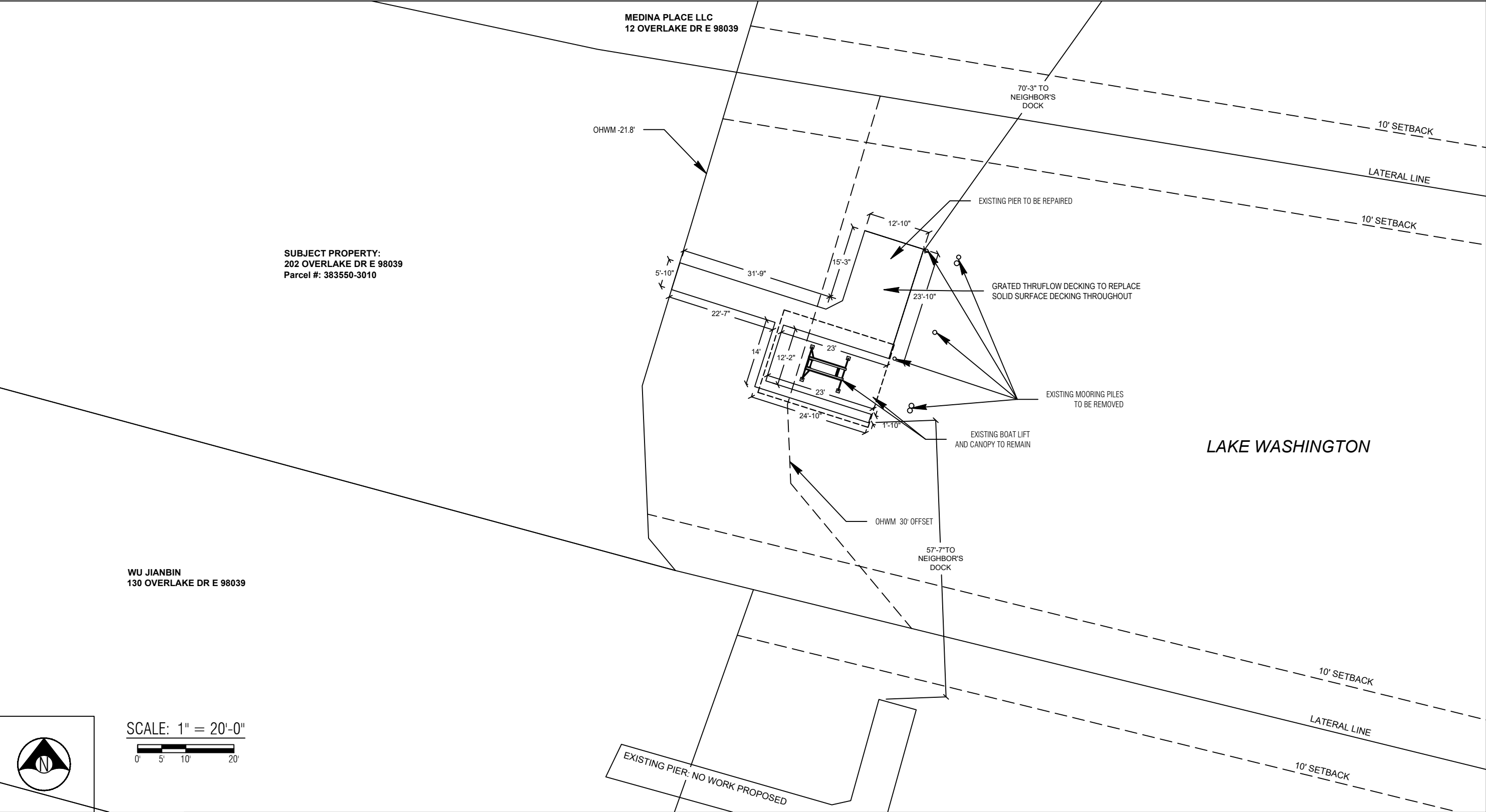
Office: 206-236-1700 ext. 3
www.seabornpiledriving.com

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County: King County Location: Lake Washington		Applicant: Dayang LLC 202 Overlake Dr E Medina, WA 98039		Last Updated: 4/23/2021 8:03 AM Kelse	
Datum: CORPS OF ENGINEERS 1919 SW Quarter Of Section 31, Township 25, Range 05		Adjacent Owners: MEDINA PLACE LLC WU JIANBIN 130 OVERLAKE DR E 98039		Created: 4/23/2021	
SHEET A1.0		NWS-2020 PAGE 1 OF 1		76	

EXISTING CONDITIONS

CLEAN UP LAKE AROUND PROJECT



County: King County Location: Lake Washington	Applicant: Dayang LLC 202 Overlake Dr E Medina, WA 98039	Datum: CORPS OF ENGINEERS 1919 SW Quarter Of Section 31, Township 25, Range 05	Adjacent Owners: WU JIANBIN 130 OVERLAKE DR E 98039 MEDINA PLACE LLC 212 OVERLAKE DR E 98039	SHEET A2.0
Last Updated: 4/23/2021 8:03 AM Kelse				NWS-2020 PAGE 2 OF 2



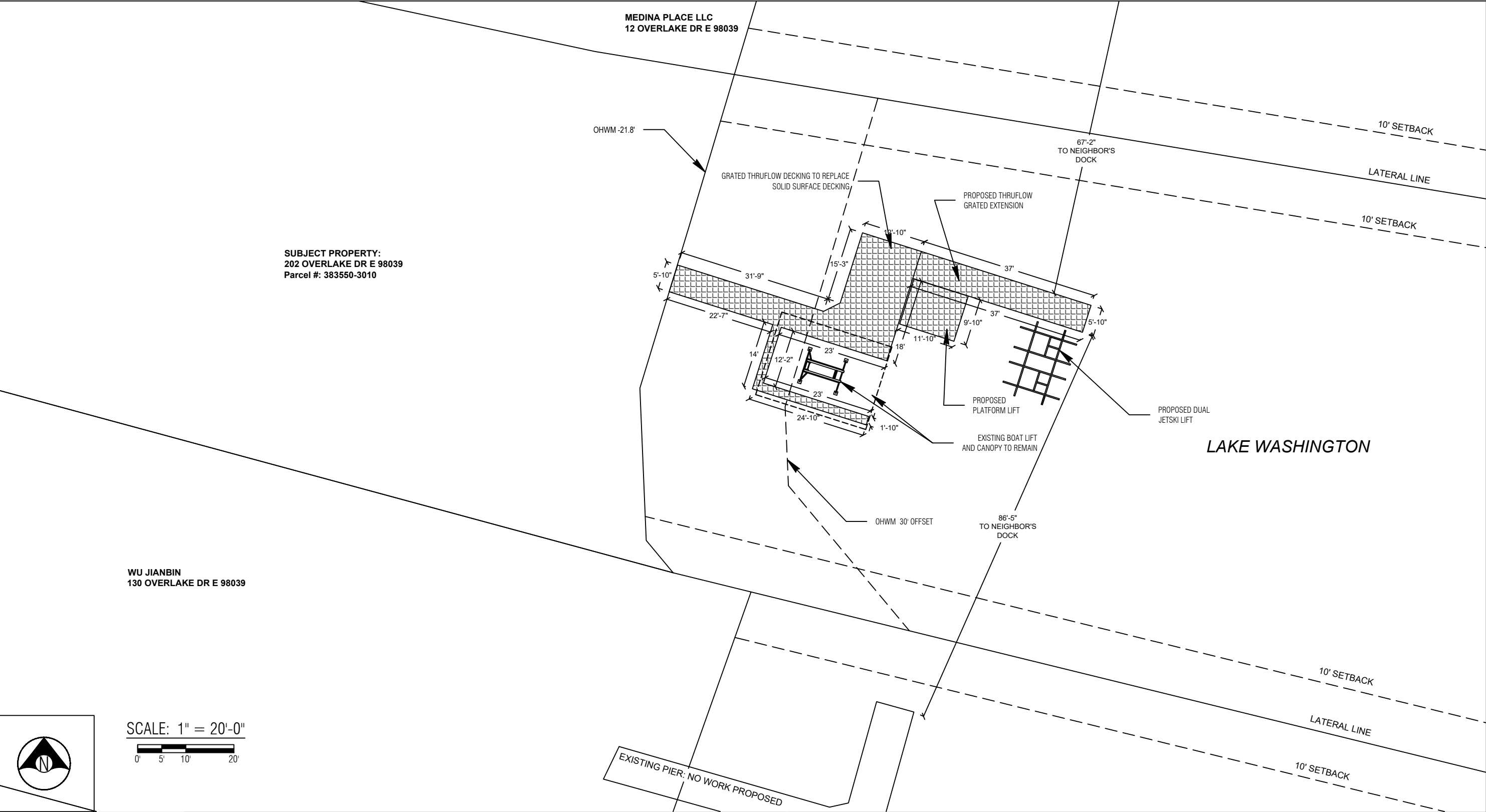
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PROPOSED CONDITIONS

CLEAN UP LAKE AROUND PROJECT





SCALE: 1" = 20'-0"

0' 5' 10' 20'



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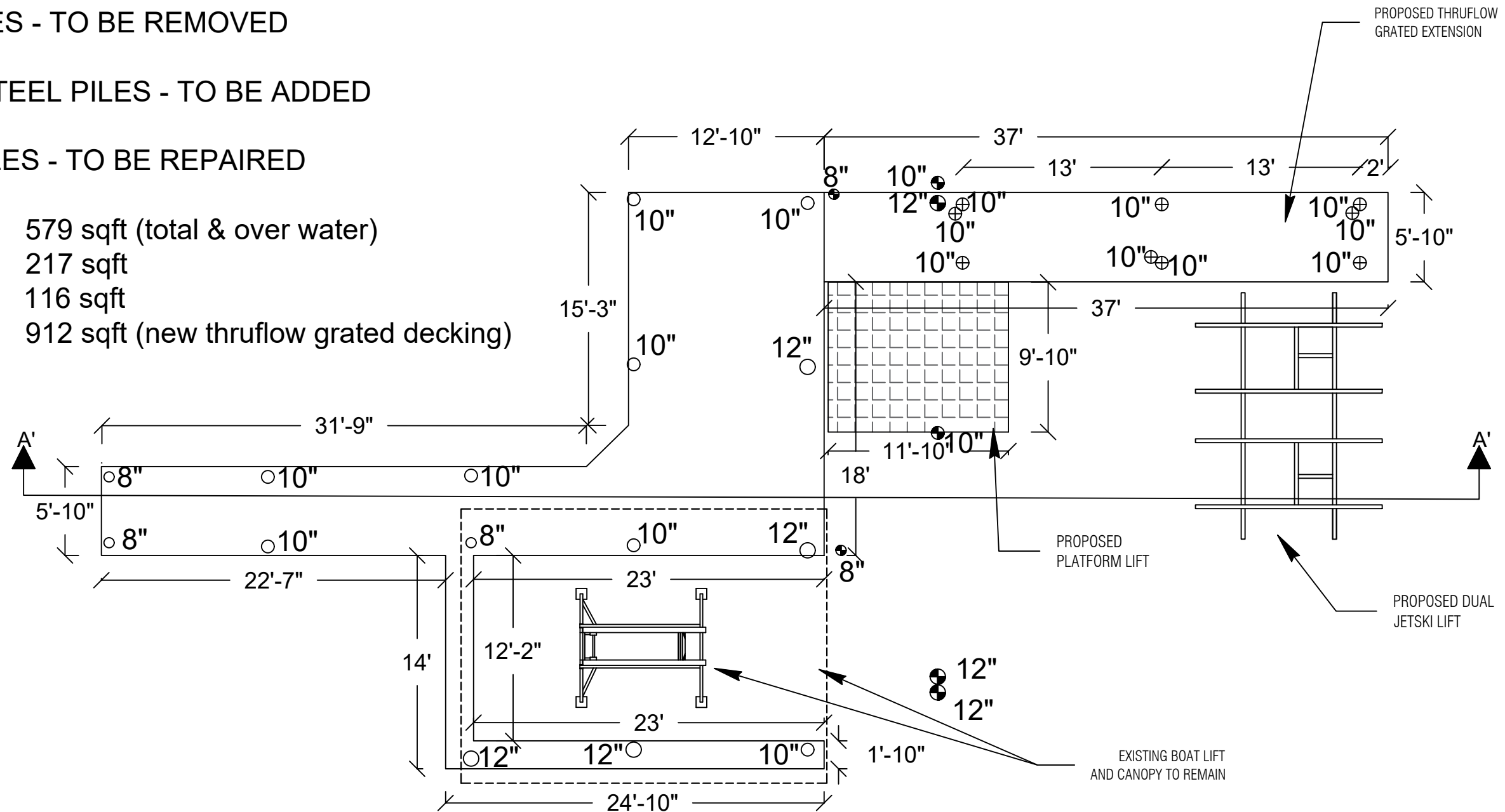
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SHEET A3.0	
NWS-2020 PAGE 3 OF 3	

● (7) EXISTING PILES - TO BE REMOVED

⊕ (9) PROPOSED STEEL PILES - TO BE ADDED

○ (15) EXISTING PILES - TO BE REPAIRED

Existing Area:	579 sqft (total & over water)
Proposed Extension:	217 sqft
Platform Lift:	116 sqft
New Total:	912 sqft (new thruflow grated decking)



PLAN VIEW



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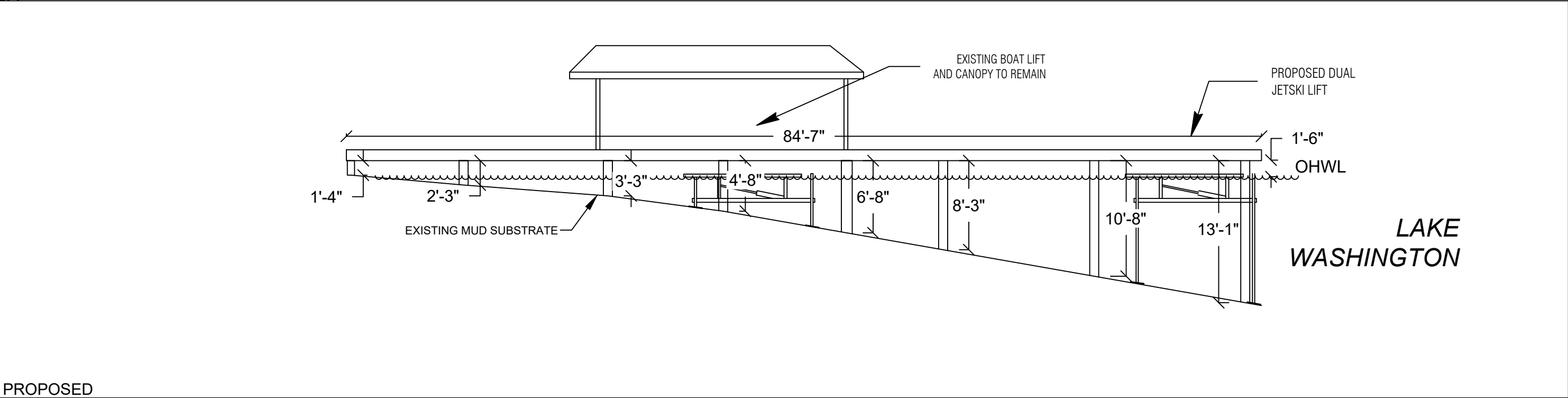
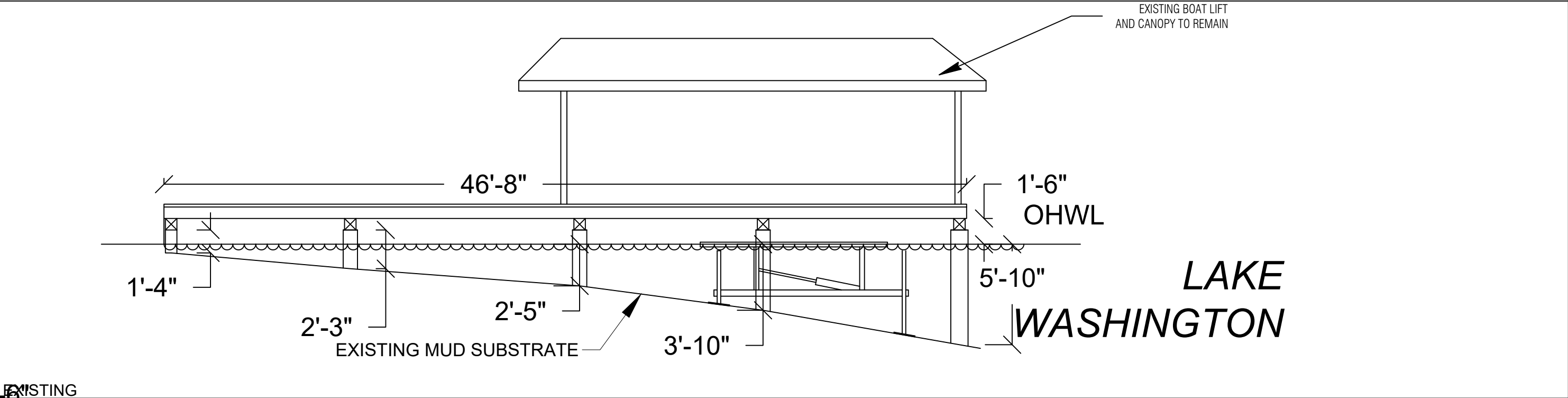
MEDINA PLACE LLC
212 OVERLAKE DR E 98039

Last Updated: 4/23/2021 8:03 AM Kelse

Created: 4/23/2021

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PIER DETAILS



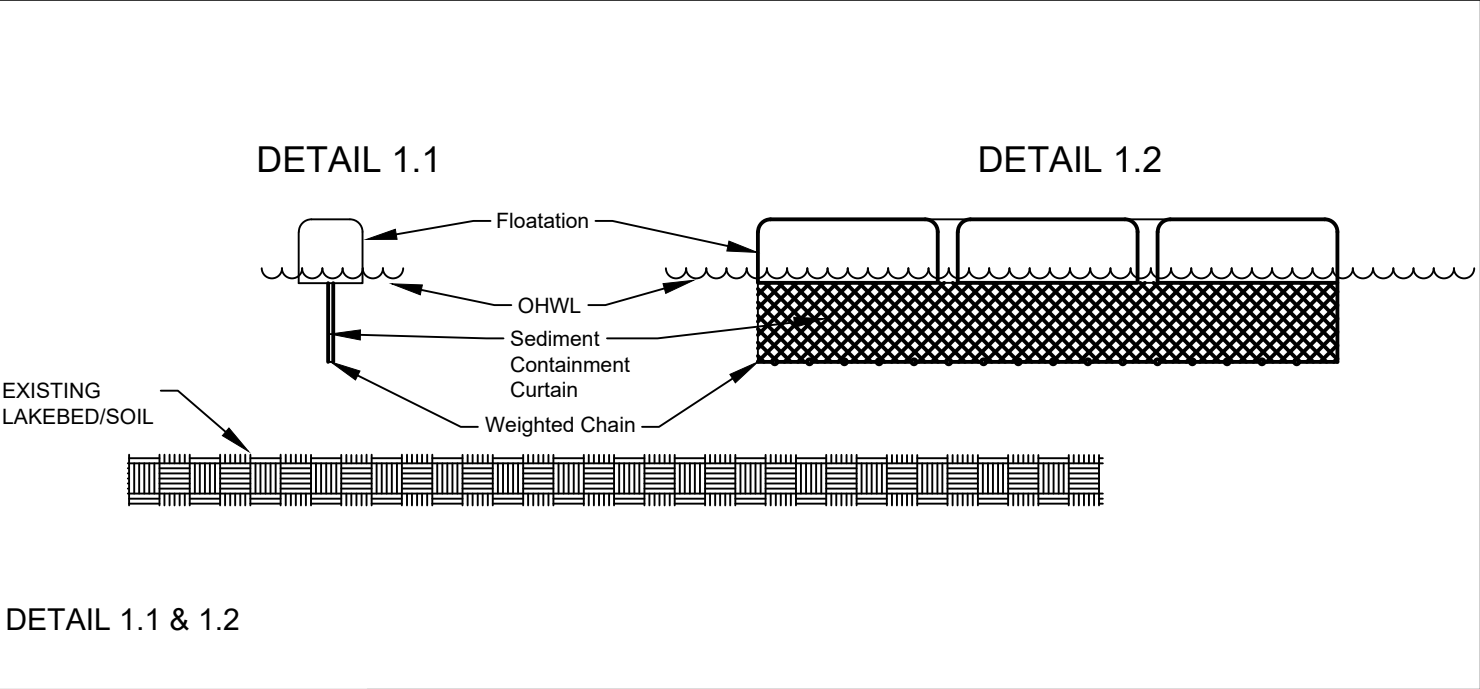
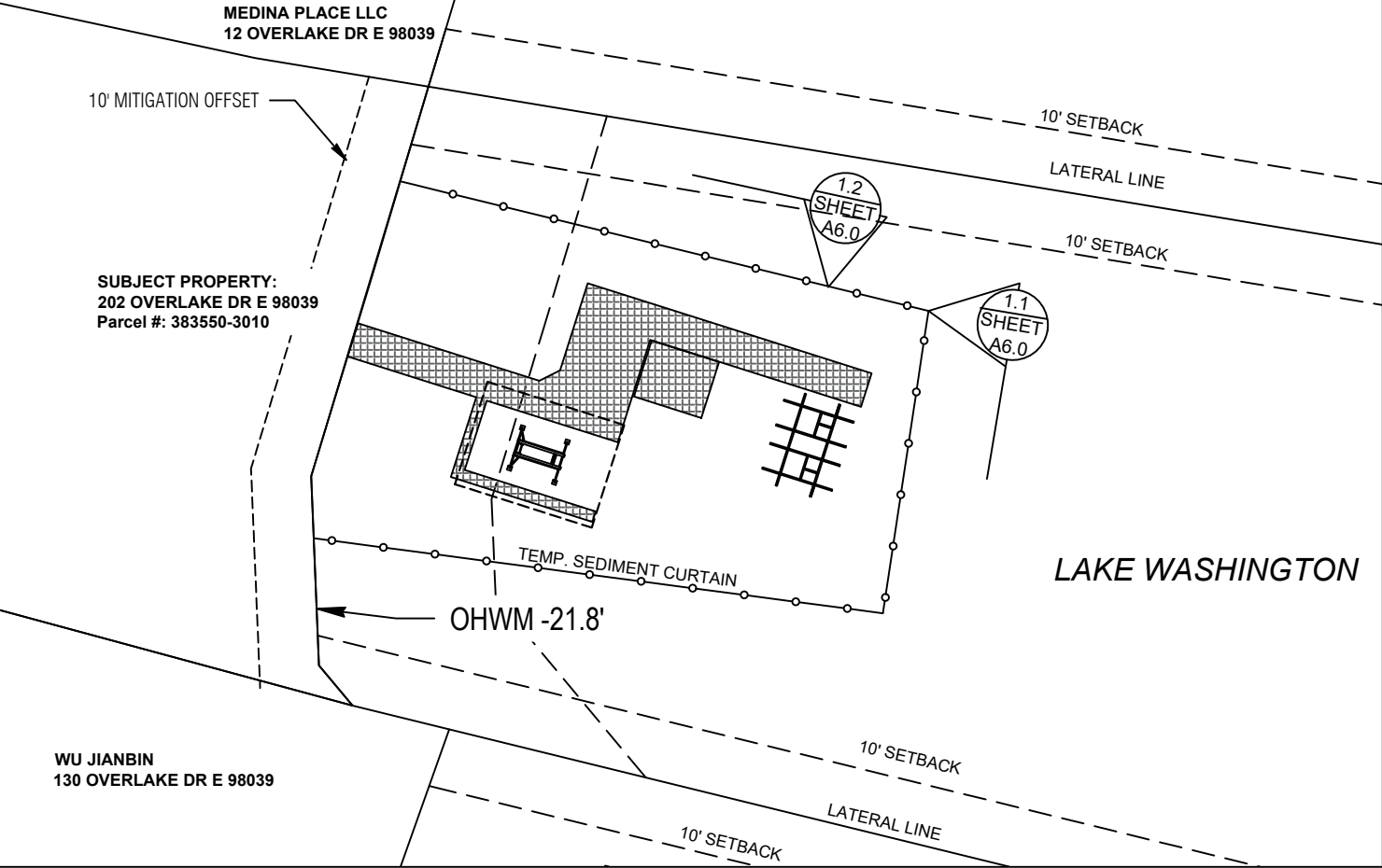
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Last Updated: 4/23/2021 8:03 AM Kelse	

BMP INFORMATION



BMP NOTES:

- A. Constant vigilance shall be kept for the presence of protected fish species during all aspects of the proposed action, particularly during in-water activities such as vessel movement, deployment of anchors & spuds, pile driving, dredging, and placement of gravels and other fill.
1. The project manager shall designate an appropriate number of competent observers to survey the project site and adjacent areas for protected species, including the presence of fish as conditions allow.
 2. Visual surveys shall be made prior to the start of work each day, and prior to resumption of work following any break of more than an hour. Periodic additional visual surveys throughout the work day are strongly recommended.
 3. All in-water work shall be done during the in-water work window for the waterbody. Where there is a difference between the USCOE and WDFW work windows, the overlap of the two shall apply.
 4. All pile driving and extraction shall be postponed or halted when obvious aggregations or schooling of fish are observed within 50 yards of that work, and shall only begin/resume after the animals have voluntarily departed the area.
 5. When piloting vessels, vessel operators shall operate at speeds and power settings to avoid grounding vessels, and minimize substrate scour and mobilization of bottom sediments.
- B. No contamination of the marine environment shall result from project-related activities.
1. Appropriate materials to contain and clean potential spills shall be stored and readily available at the work site and/or aboard project-related vessels.
 2. The project manager and heavy equipment operators shall perform daily pre-work equipment inspections for cleanliness and leaks. All heavy equipment operations shall be postponed or halted should a leak be detected, and shall not proceed until the leak is repaired and the equipment is cleaned.
 3. To the greatest extent practicable, utilize biodegradable oils for equipment that would be operated in or near water.
 4. Fueling of land-based vehicles and equipment shall take place at least 50 feet away from the water, preferably over an impervious surface. Fueling of vessels shall be done at approved fueling facilities.
 5. Turbidity and siltation from project-related work shall be minimized and contained through the appropriate use of erosion control practices, effective silt containment devices, and the curtailment of work during adverse weather and tidal/flow conditions.
 6. All wastes shall be collected and contained for proper disposal at approved upland disposal sites appropriate for the material(s).
 7. When removing piles and other similarly treated wood, containment booms must fully enclose the work area. Wood debris, oils, and any other materials released into lake waters must be collected, removed, and properly disposed of at approved disposal sites.
 8. All in- and over-water wood cutting would be limited to the minimum required to remove the subject wood component, and all cutting work should be enclosed within floating containment booms.
 9. When removing piles, no actions shall be taken that would cause adhering sediments to return to lake waters.
 10. Above-water containment shall be installed around removed piles to prevent sediment laden waters from returning to lake waters.
 11. Construction staging (including stocking of materials, etc.) will occur on the supply barge.
 12. All Exposed wood to be used on the project will be treated with a cheminite treatment.



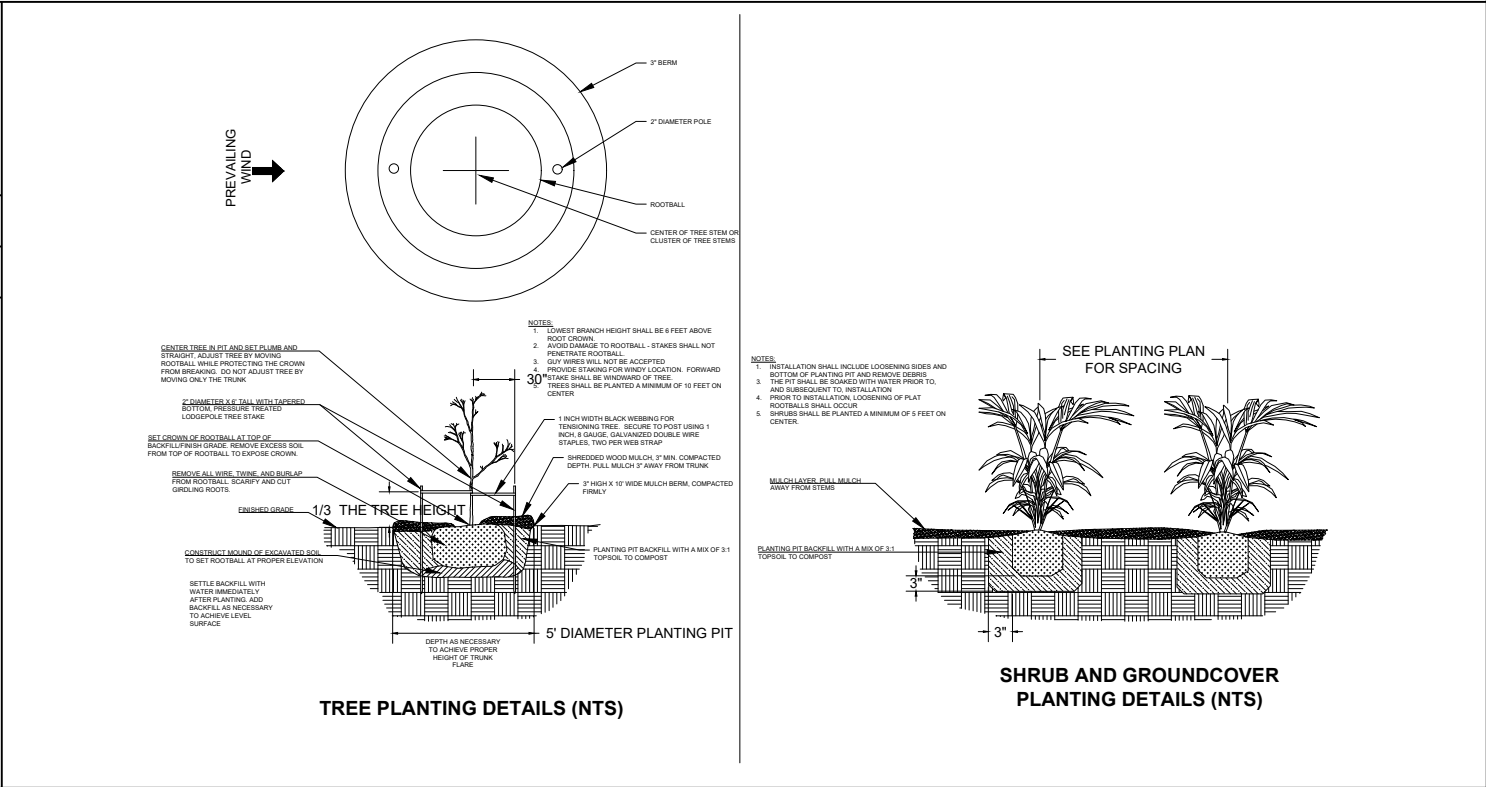
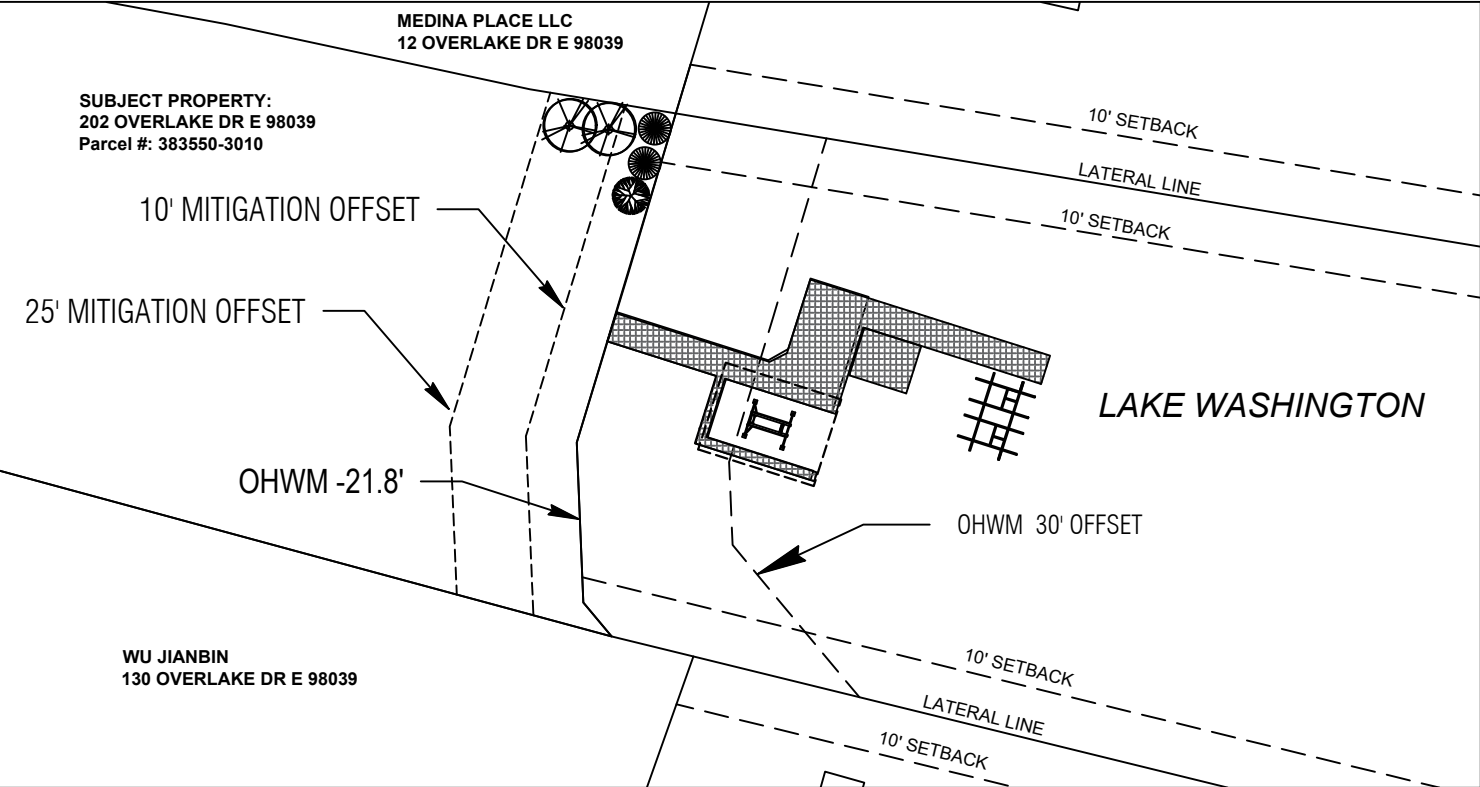
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Scope of Work: We propose to repair (15) existing wood piles and replace the existing dock with new thruflow grated decking. We also propose to drive (6) steel support piles and (3) steel brace piles and attach to adjacent support piles, and construct a 37'-11" finger pier extension. We also propose to add a dual jet ski lift and a platform lift next to the proposed extension.

Datum: CORPS OF ENGINEERS 1919 SW Quarter Of Section 31, Township 25, Range 05 Adjacent Owners: WU JIANBIN 130 OVERLAKE DR E 98039 MEDINA PLACE LLC 212 OVERLAKE DR E 98039	Applicant: Dayang LLC 202 Overlake Dr E Medina, WA 98039	County: King County Location: Lake Washington	SHEET A6.0 NWS-2020 PAGE 6 OF 81
	Created: 4/23/2021 Last Updated: 4/23/2021 8:03 AM Kelse		

MITIGATION PLAN



- Notes:**
- Shrubs are show, and shall be planted, at least five feet on center. Trees are show, and shall be planted, at least ten feet to center.
 - The property owner will implement and abide by the shoreline planting plan. The plants shall be installed before or concurrent with the work authorized by this permit. A report, as-built drawing and photographs demonstrating the plants have been installed or a report on the status of project construction will be submitted to the U.S. Army Corps of Engineers, Seattle District, Regulatory Branch, within 12 months from the date of permit issuance. This reporting requirement may be met by completing and submitting a U.S. Army Corps of Engineers approved Report for Mitigation Work Completion form.
 - The property owner will maintain and monitor the survival of installed shoreline plantings for five years after the U.S. Army Corps of Engineers accepts the as-built report. Installed plants shall achieve 100% survival during monitoring Years 1 and 2. Installed plants shall achieve at least 80% survival during monitoring Years 3, 4 and 5. Percent survival is based on the total number of plants installed in accordance with the approved riparian planting plan. Individual plants that die will be replaced with native riparian species in order to meet the survival performance standards.
 - The property owner will provide annual monitoring reports for five years (Monitoring Years 1-5). Each annual monitoring report will include written and photographic documentation on plant mortality and replanting efforts and will document whether the performance standards are being met. Photos will be taken from established points and used repeatedly for each monitoring year. In addition to photos at designated points, photo documentation will include a panoramic view of the entire planting area. Submitted photos will be formatted on standard 8 1/2 x 11" paper, dated with the date the photo was taken, and clearly labeled with the direction from which the photo was taken. The photo location points will be identified on an appropriate drawing. Annual shoreline planting monitoring reports will be submitted to the U.S. Army Corps of Engineers, Seattle District, Regulatory Branch, by November 31 of each monitoring year. This reporting requirement may be met by completing and submitting a U.S. Army Corps of Engineers approved Mitigation Planting Monitoring Report form.

PROPOSED PLANTING SPECIES/QUANTITIES				
SYMBOL	LATIN NAME	COMMON NAME	QTY	SIZE
	Thuja picatta	Western Redcedar	2	3 ft
	Rosa nutkana	Nootka Rose	1	1 Gallon
	Philadelphus lewisii	Mock Orange	2	1 Gallon

PLANTS: Shrubs to be installed 5ft on center and trees to be installed 10ft on center.

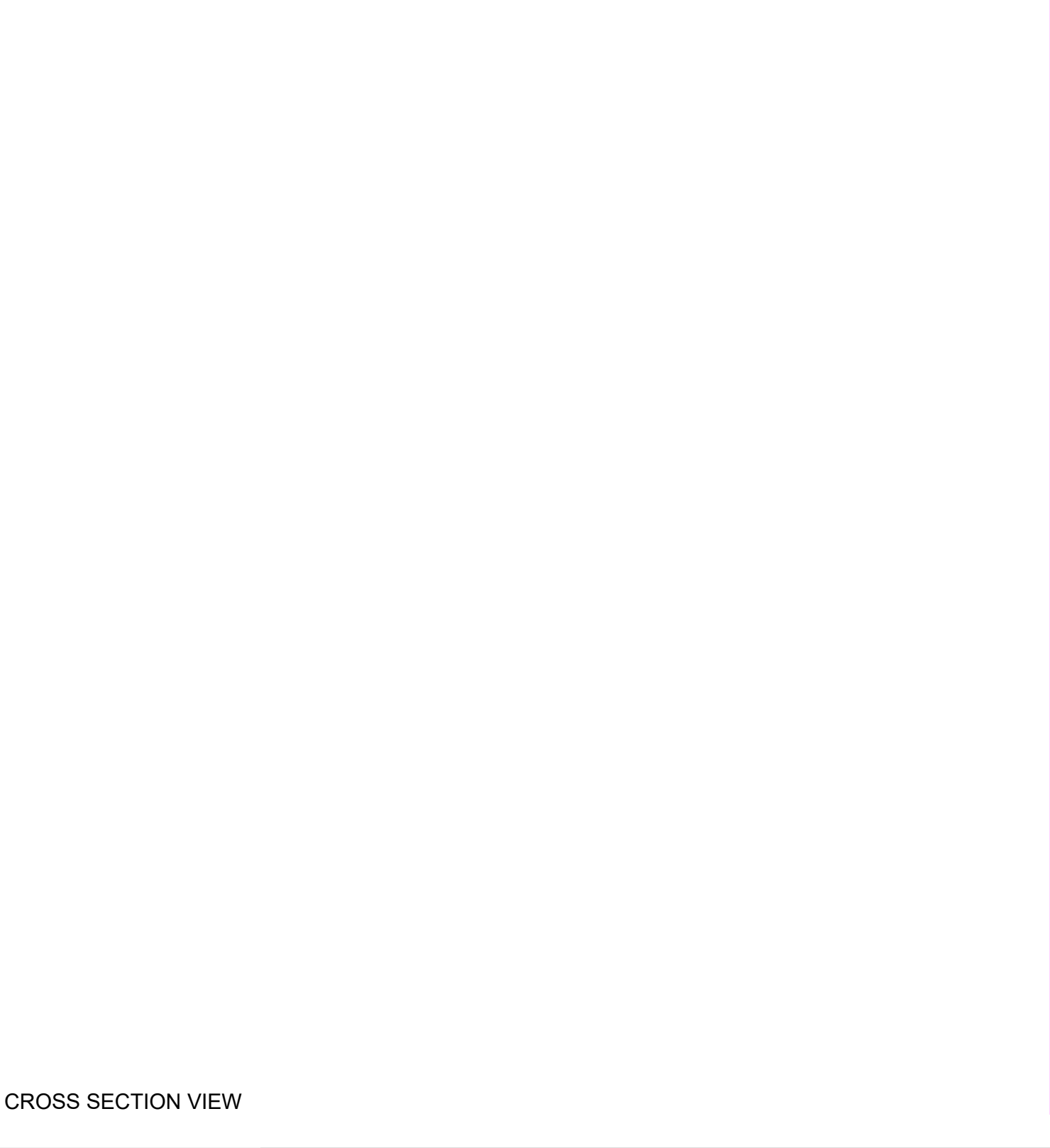


Seaborn Pile Driving
1080 W Ewing St
Seattle, WA 98119

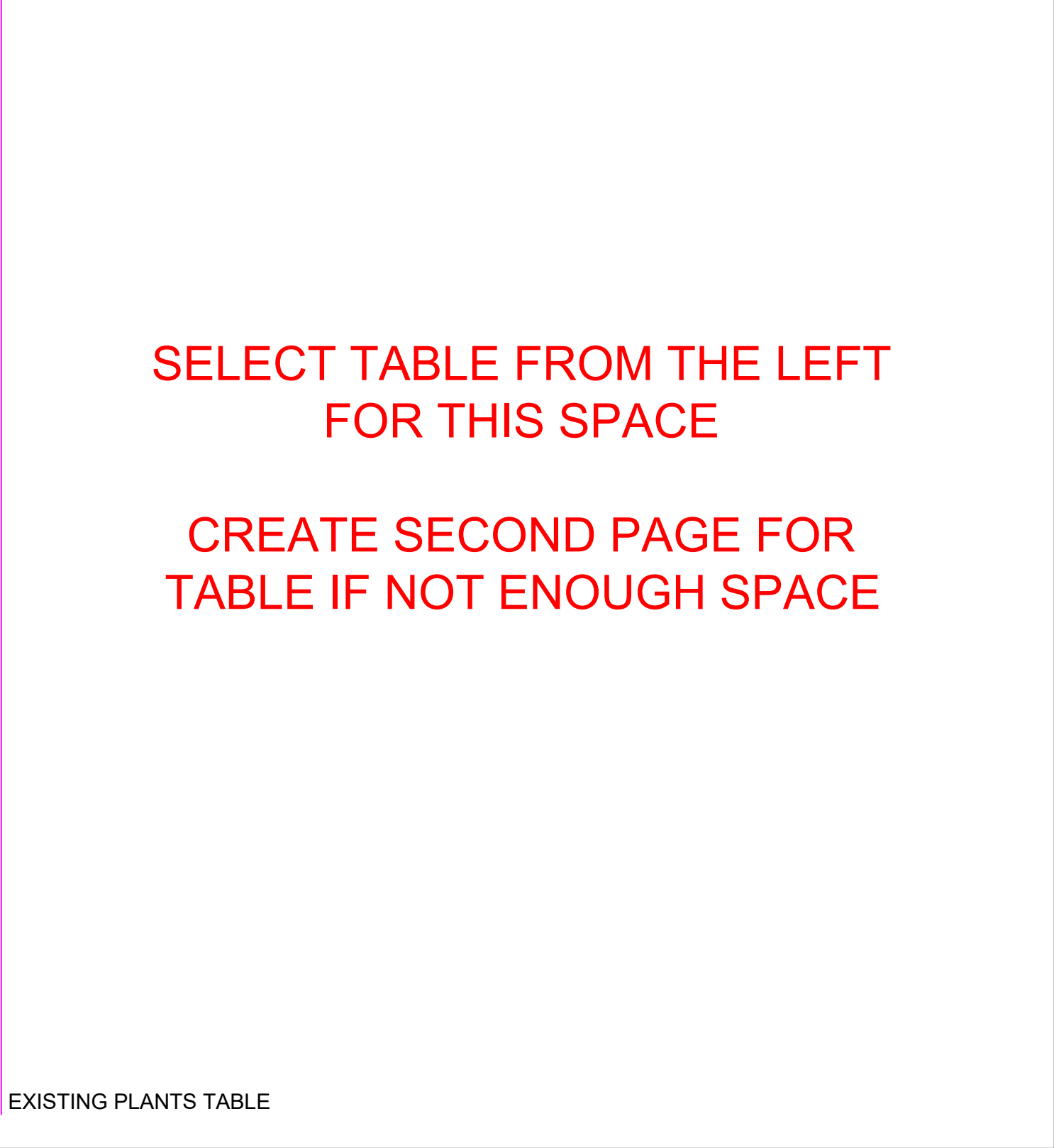
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EXISTING PLANT PLAN



CROSS SECTION VIEW



EXISTING PLANTS TABLE

SELECT TABLE FROM THE LEFT
FOR THIS SPACE

CREATE SECOND PAGE FOR
TABLE IF NOT ENOUGH SPACE



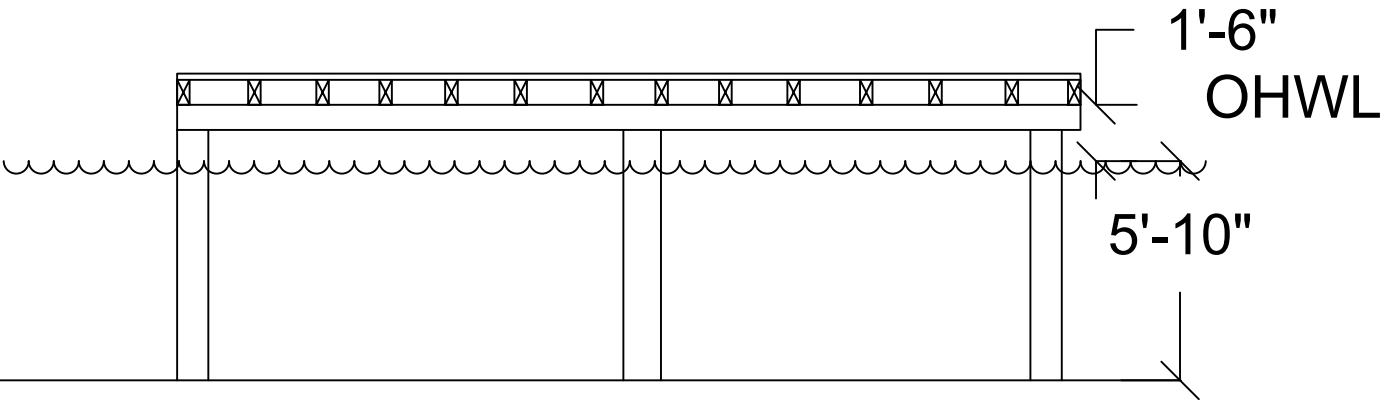
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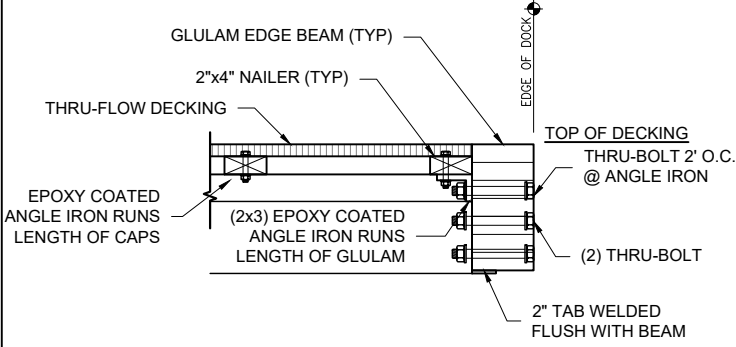
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Adjacent Owners: WU JIANBIN 130 OVERLAKE DR E 98039 MEDINA PLACE LLC 212 OVERLAKE DR E 98039				
SHEET A8.0		Created: 4/23/2021		
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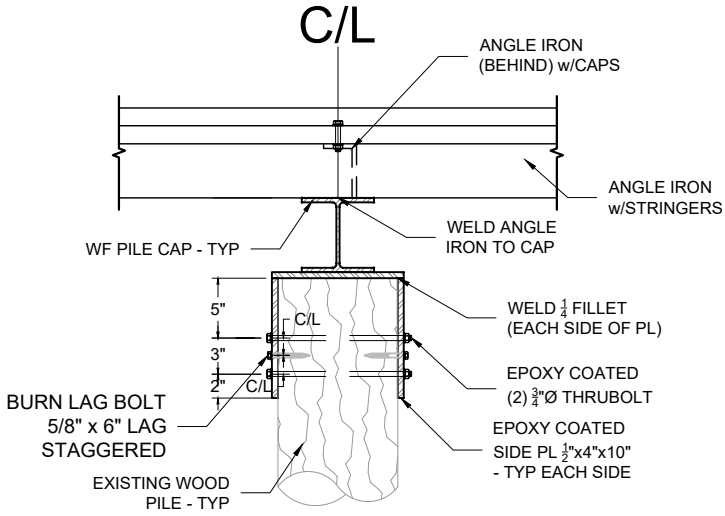
DOCK DETAILS



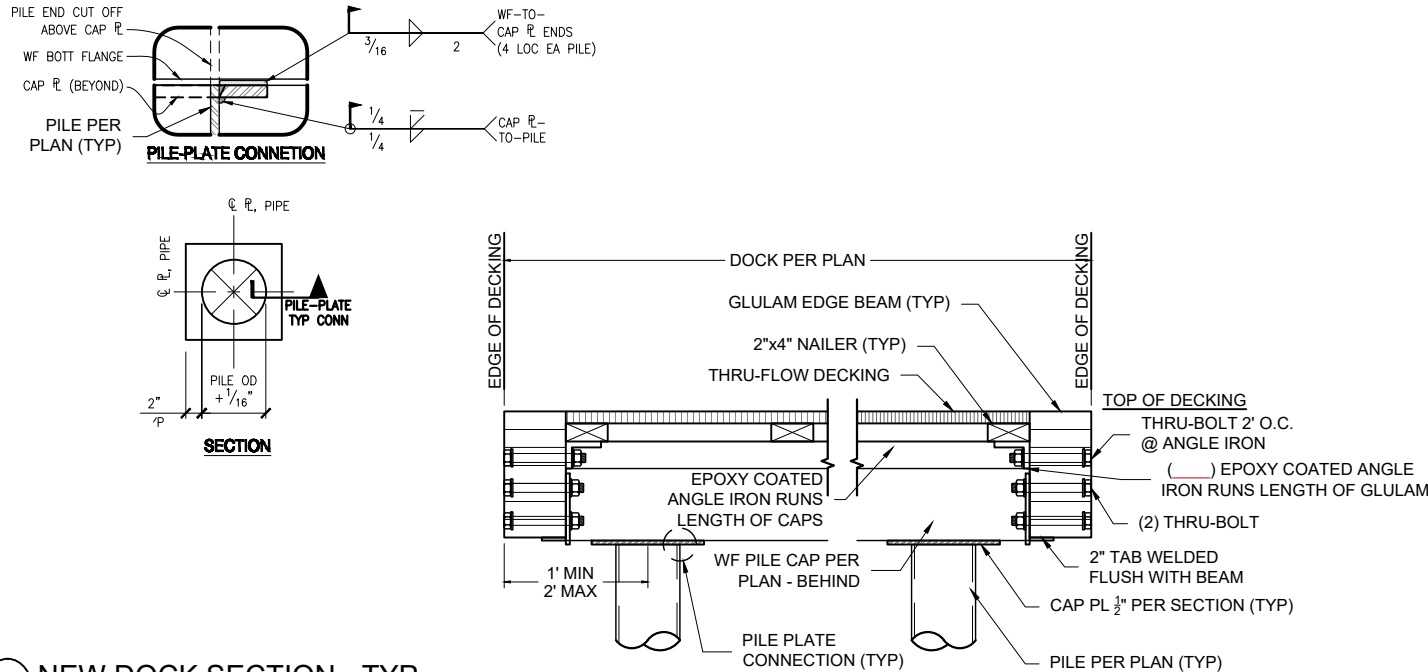
S EXISTING DOCK SECTION - TYP
SCALE: N.T.S.



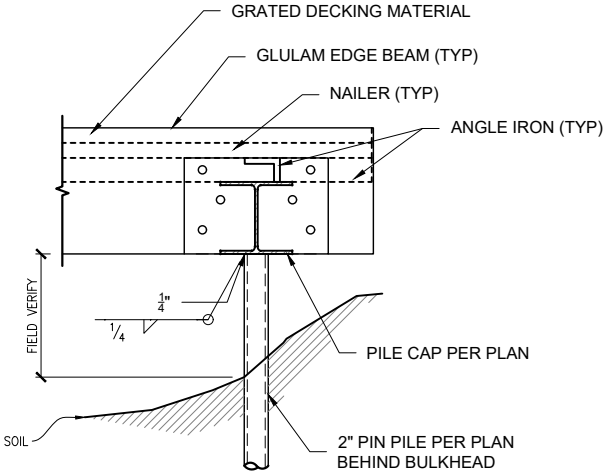
S DOCK SECTION - TYP
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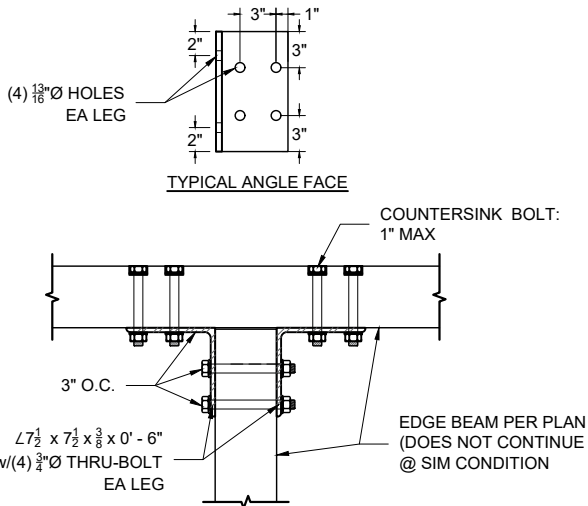
S I-BEAM CAP TO WOOD PILE - TYP
SCALE: 3/4" - 1"



S NEW DOCK SECTION - TYP
SCALE: 3/4" - 1"



S PIN PILE - TYP
SCALE: 3/4" - 1"



S BEAM TO BEAM - TYP
SCALE: 3/4" - 1"



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Datum: CORPS OF ENGINEERS 1919
SW Quarter Of Section 31, Township 25, Range 05

Adjacent Owners:
WU JIANBIN
130 OVERLAKE DR E 98039
MEDINA PLACE LLC
212 OVERLAKE DR E 98039

County: King County
Location: Lake Washington

Applicant: Dayang LLC
202 Overlake Dr E
Medina, WA 98039

SHEET
A9.0

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Last Updated: 4/23/2021 8:03 AM Kelse

Created: 4/23/2021

Appendix B: Site Photographs



Photo 1 - Dock from shoreline.



Photo 2 - View of dock looking landward.



Photo 3 - Shoreline conditions north of dock.



Photo 4 - Shoreline conditions south of dock.



Photo 5 - Shoreline conditions on adjacent property.



Photo 6 - Shoreline conditions on adjacent property to the north.



Photo 7 - Existing boat lift to remain.



Photo 8 - Mooring piles to be removed.



501 EVERGREEN POINT ROAD MEDINA, WA 98039
PHONE: 425-233-6414/6400

DEVELOPMENT
SERVICES

Exhibit 9

Water Depth Waiver Request

Instructions:

1. The Medina Shoreline Master Program requires overwater structures such as piers, floats, moorage covers and boatlifts to have a minimum water depth. (See Chapter 20.65 MMC for water depth standards.)
2. This form may be used to request a waiver from the minimum water depth standard. If requesting a water depth waiver for more than one structure, please complete a separate water depth waiver request for each.
3. Please complete this form and answer the criteria thoroughly. Attach supporting documents as necessary. Your answers must satisfy the criteria to receive approval of the waiver. Requests will be denied if they do not satisfy the criteria.

General Information

Property Owner Name: David Lee	Water depth waiver request is for (check one): <input type="checkbox"/> Pier/ Float <input type="checkbox"/> Covered Moorage <input checked="" type="checkbox"/> Boatlift/ Jet Ski Lift <input type="checkbox"/> Buoy/ Moorage Pile
Property Address: 202 Overlake Dr Medina, WA 98039	

Contact Information

Contact Person: Zoe Rohaly	Phone: 206.236.1700
	Email: Permits@seabornpiledriving.com
Mailing Address: 1080 W Ewing St	City: Seattle State: WA Zip: 98119

Approval Criteria

Please answer the following and provide supporting documentation.

1. Compliance with the water depth is not *feasible* without the need for a shoreline variance:

"Feasible" means an action, such as a development project, mitigation, or preservation requirement, that meets all the following conditions: (1) Can be accomplished with technologies and methods that have been used in the past in similar circumstances, or studies or tests that have demonstrated in similar circumstances that such approaches are currently available and likely to achieve the intended results; (2) Provides a reasonable likelihood of achieving its intended purpose; and (3) Does not physically preclude achieving the project's primary intended legal use.

The proposed platform lift will be installed in over 5' of water, but under 9' of water as required by the code.

However, the platform lift will be installed in the same way we have done on previous projects through the City of Medina. The platform lift will provide safe access to the water, and will follow all other aspects of the code. Its intended purpose will not preclude the projects primary intended legal use, which is to provide safe moorage and recreational water activities to the home owner.

Staff Review: Applicant provided evidence satisfying criterion: ☐ Yes ☐ No

Approval Criteria (Continued)

2. No reasonable alternative exists due to the bathymetry and/or existing overwater structures on adjacent properties:

Bathymetry is the measurement of water depth at various places in a body of water (topography) and the information derived from such measurements.

The platform lift cannot be moved out any further to the 9' water depth due to the jetski lift being directly in front of it at the end of the dock.

Staff Review: Applicant provided evidence satisfying criterion: ☐ Yes ☐ No

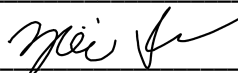
3. A minimum water depth of five feet is maintained.

Yes

Staff Review: Applicant provided evidence satisfying criterion: ☐ Yes ☐ No

I declare under penalty of perjury that that all applicable information furnished in support of this request for a waiver is true, correct and complete.

Printed Name: Zoe Rohaly

Signature:  Date: 7-15-2021

DECISION:

The request for a waiver from the minimum water depth requirement for a _____ at _____ is hereby:

- ☐ Approved
☐ Denied

Signature: _____ Date: _____
 Director of Development Services