



**CITY OF REDMOND
HEARING EXAMINER
MINUTES**

January 6, 2010

Redmond City Council Chambers
15670 NE 85th Street, Redmond
7 p.m.

Hearing Examiner

Sharon Rice

Staff

Judd Black, Planning Manager

Bob Franklin, Public Works Engineering Manager

Jeff Churchill, Senior Planner

Michelle M. McGehee, CMC, City Clerk

Convened: 7 p.m.

Adjourned: 7:47 p.m.

I. CALL TO ORDER

Hearing Examiner Sharon Rice convened the hearing at 7 p.m.

II. DESCRIPTION OF HEARING SEQUENCE AND PROCEDURES

Ms. Rice introduced the matter under consideration, reviewed the sequence of the hearing for the evening, and explained the proceedings. Ms. Rice noted that she will issue a written decision in the matter of the Bear Creek Cottages Preliminary Plat (PPL) Application within 14 days of the closing of the record.

Ms. Rice administered the swearing in of all those in attendance testifying on these matters, reminded the attendees that the proceedings were being recorded, and asked them to identify themselves for the record. The following persons were in attendance:

Judd Black, Planning Manager

Bob Franklin, Public Works Engineering Manager

Jeff Churchill, Senior Planner

Terry Phelan, Living Shelter Design Architects, PLLC – Applicant’s Representative

III. PUBLIC HEARING

B. Bear Creek Cottages – Preliminary Plat

L090444 Preliminary Plat (PPL)
L090445 SEPA
PRE080040

Request: Preliminary Plat for the construction of six duplexes (12 total units) and two accessory dwelling units, approximately 1500 sqft each, residential wood frame construction

Recommendation: Approve with Conditions

Location: 10007 Avondale Road, Redmond, Washington

Ms. Rice introduced the matter and assigned the Technical Committee Report as Exhibit 1, identifying the following submitted attachments:

Attachments

1. Vicinity Map
2. Zoning Map
3. General Application Form
4. SEPA Application Form
5. Notice of Application and Certificate of Posting
6. Neighborhood Meeting Notice
7. SEPA Threshold Determination
8. Notice of Public Hearing and Certificate of Posting
9. Environmental Checklist
10. Preliminary Plat plans
11. Arborist Report
12. Preliminary Tree Retention Plan
13. Wetland Reconnaissance and Wildlife Report
14. Geotechnical Engineering Study
15. Critical Aquifer Recharge Areas Report
16. Preliminary Stormwater Report
17. Traffic Generation Letter
18. Request for Relief Letter
19. Comprehensive Planning Policies
20. Architectural Elevations
21. Innovative Housing Review Panel Report to the Technical Committee

Ms. Rice stated that she will gather testimony from the City's Representative first, followed by the Applicant, and then open the floor up for public comment.

STAFF PRESENTATION:

Mr. Jeff Churchill, Senior Planner, submitted Additional Public Comment emails from Shreekant Mandke and Janice Horshino, received via email after distribution of the Technical Committee Report; these were entered into the record as Exhibit 2.

Mr. Churchill reported on the Bear Creek Cottages Preliminary Plat application:

Project Description:

- 12-lot preliminary plat
 - Two detached accessory dwelling units
- Reviewed under RCDG 20C.30.62, Innovative Housing Demonstration Projects

Property Description:

- Location: 10007 Avondale Road
- Neighborhood: Education Hill
- Land Use Designation: Single-Family Urban
- Zoning: R-6
- Critical Areas: steep slopes
- Size: 1.36 acres

Vicinity Map

Steep Slopes (Site Plan)

Procedural Summary:

- Neighborhood Meeting: 09/13/07
- Innovative Housing Review Panel (IHRP) recommendation: 01/14/08
- IHRP extension granted: 07/17/08
- PREP began: 11/20/08
- Application submitted: 10/20/09
- Notice of Application: 10/28/09
- SEPA Determination issued: 11/19/09
- Notice of Public Hearing: 12/16/09

Staff Response to Issues Raised:

- Parking
 - 30 spaces provided; exceeds code requirements
- Sight Distance
 - Meets code requirement
- Walking Path
 - Extent reduced; no longer extends east to lots 11, 12

Criteria for Approval:

- Residential Zone Site Requirements (20C.30.25)
 - Complies, or is superseded by Innovative Housing Ordinance
- Neighborhood Regulations (20C.70.20)
 - Complies, superseded, or will be addressed at building permit stage

- Citywide Standards (Affordable Housing, Critical Areas, tree Protection, Noise, Subdivisions)
 - Complies

Recommendation Summary:

- Approve with conditions
 - Conditions largely typical of ordinary subdivisions
 - Exceptions:
 - Right-in, right-out access for safety reasons
 - No attics as mitigation for increased distance to emergency vehicle access easement (National Fire Protection Association 13)

Ms. Rice queried whether the recommendations on best practices found in the Arborist Report, Exhibit 1, Attachment 11, were included in the City's approval recommendations. Mr. Churchill advised that the recommendations do not apply to the approval conditions of the preliminary plat, and are recommendations for the Applicant and future property owners.

Ms. Rice queried whether the City had a chance to review the Geotechnical Report, Exhibit 1, Attachment 14, and whether the report satisfies City requirements regarding steep slope areas. Mr. Bob Franklin, Public Works Engineering Manager, affirmed. Ms. Rice queried whether the recommendations for building and construction considerations were included in the plat approval conditions. Mr. Franklin affirmed, stating that the recommendations listed in the Geotechnical Report are standard construction practices that apply to the project, and not specifically listed as conditions of approval.

Ms. Rice queried whether the recommendations listed in the Stormwater and Critical Aquifer Recharge Areas Reports, Exhibit 1, Attachments 15 and 16, are included in the conditions of approval or the City's standard project review process. Mr. Franklin affirmed.

Ms. Rice questioned who will be responsible for maintaining the stormwater improvements in the plat, as listed in Attachment 16, Appendix D – Maintenance Requirements, of the Stormwater Report. Mr. Franklin advised that City of Redmond staff conducts yearly inspections of the system, and the private owner is responsible for the ongoing maintenance. Ms. Rice queried whether this will be done by individual property owners or a homeowners association; and who will be responsible for maintenance of the common areas of the plat. Mr. Franklin deferred to the Applicant.

Ms. Rice questioned whether the lots will have access to Avondale Road via the existing driveway on the land, or via newly constructed driveway. Mr. Churchill advised that a new access way will be created, the existing driveway will be obsolete, and confirmed that all roads inside the plat will be private.

Ms. Rice listed three code deviations granted by the Technical Committee, Exhibit 1, page 10, regarding 1) setbacks from infiltration facilities, 2) the access driveway, 3) the configuration of sidewalk and planter's strip on Avondale Road, and requested explanation for the record. Regarding item 2, Mr. Churchill advised that access roads to this many lots are typically public streets, but because of the unusual nature of the arrangements of the lots on this plat, a private street designation has been recommended and granted by the City upon plat approval. In addition, due to the unusual lot arrangements, the proposed sidewalk and planter's strip configuration has been approved.

Ms. Rice queried whether the City issues certificates in regards to water and sewer availability/capacity. Mr. Franklin stated that the City does not, but have run the models and know that there is adequate water and sewer capacity to service this area.

Ms. Rice asked for staff testimony regarding school and traffic impacts of the preliminary plat approval. Mr. Churchill advised that the City will assess impact fees, which will be due and collected at the time building permits are issued.

Ms. Rice questioned what the capital facilities charge fee addresses, Exhibit A, page 18. Mr. Franklin stated that the fee is used for the general capital facility program charge for stormwater, maintenance costs, and general funds for City capital projects.

APPLICANT:

Ms. Rice questioned whether the Applicant had any additional comments for the record. Ms. Terry Phelan, Applicant's Representative, stated that the Applicants were happy with the City's presentation and approval conditions, as presented. Ms. Phelan added the following information on the proposed plat:

- the project is a blended intersection between a single family and multi-family neighborhood;
- it consists of six "single family homes" split into duplexes;
- the accessory dwelling units offer another income option, are similar to a "carriage house", and will be located over detached garages;
- there is ample open space on the plat, and native landscaping will be maintained;
- there will be a Homeowners Association (HOA) created, and the HOA will be responsible for all common areas maintenance;
- the project is going for Four Star Built Green Certification;
- the Applicant feels that the nature of the housing will be a good fit into the neighborhood.

Ms. Rice queried whether the Applicant had time to review the recommended conditions of approval listed in the Technical Committee Report – Exhibit 1, and whether the Applicant had any questions. Ms. Phelan affirmed, and stated the Applicant had no questions.

PUBLIC TESTIMONY:

Ms. Rice opened the floor to any people wishing to submit comments to the record.

Mr. Ben Stoebner spoke regarding the proposed pavilion location on the lot, maintenance of the pavilion due to tree debris, referenced comments already submitted to the record in regards to the preliminary plat and pavilion, and the conditions of the outbuilding.

Ms. Janice Hoshino spoke regarding the past structure on the property and usage, regarding the tree assessment and preservation plan, and assurance of the 10-foot setback.

Ms. Rice asked for any staff responses to public testimony. Mr. Churchill clarified that that Ms. Hoshino's testimony was regarding a fir tree, not oak tree, near her property.

Ms. Rice asked Ms. Phalen to speak regarding the maintenance of the proposed pavilion and tree retention. Ms. Phalen stated the pavilion will be built using easy to clean materials, however, they are open to exploring other options, affirmed that the Homeowners Association will be responsible for maintenance, and spoke regarding the Arborists Report and designation of trees.

Ms. Rice questioned whether the six-foot wood fence around the property will go around all sides of the plat. Ms. Phelan affirmed.

Ms. Rice called for any further comments. As there were none, Ms. Rice entered staff's PowerPoint presentation into the record as Exhibit 3. Ms. Rice advised the record is closed on the Bear Creek Cottage Preliminary Plat application, and a decision will be issued within 14 days.

IV. ADJOURNMENT

The public hearing closed at 7:47 p.m., and the meeting adjourned.