

**Rose Hill Heights South Sewer Plan Amendment (L120162)**  
 Planning Commission Issues Matrix for December 5, 2012

Issue	Discussion Notes	Status
<p>1. Risk associated with placing sewer lines over water mains. (Applicant 11/13 letter / Murray)</p>	<p><u>Planning Commission Discussion</u>                      11/14: Commissioners requested a staff response to points 1-5 in the applicant’s 11/13 letter.</p> <p>11/28: Commissioner Chandorkar asked how often a sewer line passes over a water line in Redmond, and whether the as-builts for the large water main in 132<sup>nd</sup> Ave NE show sufficient clearance for a sewer line.</p> <p><u>Staff Response/Recommendation</u>                      11/28: The risk that exists when placing sewer lines over water lines is that under abnormal circumstances sewage could contaminate the water system. The “Criteria for Sewage Works Design”, a requirements manual published by Washington State Department of Ecology, has 4 pages of criteria regarding proximity of water and sewer pipes.</p> <p>As a general rule sewer shall not cross over water mains. Extension of the sewer main in accordance with the existing General Sewer Plan allows the sewer to be deep enough that service to the property will pass under the water main meeting the state and city design standards. Redmond is a joint owner of the water main. Redmond’s design standards for vertical clearance between the water and sewer mains apply.</p> <p>When the applicant talks about depth of the water pipe there is confusing information. Some measurements are based on depth of cover to the top of the water main (4 feet as shown on Redmond drawing) versus measurements to the bottom of the water main (7.2 to 8 feet deep in applicant’s letter). When allowing for the 24 inch pipe there would be about one foot difference between what is shown on Redmond’s sketch and what the Kirkland as-built drawing shows.</p> <p>While Rob Jammerman from Kirkland was trying to be helpful responding to the applicant’s requests for information he would not have the authority to commit the City of Kirkland to provide service to this property. Sewer service would only be available based on the terms of an Interlocal Agreement approved by both Redmond and Kirkland City Councils.</p> <p>Redmond received a recent email from Rob Jammerman stating that he had recently shared with the applicant that Kirkland supported Redmond’s recommendation to require the property to be served by Redmond.</p>	<p>Opened 11/14</p>

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	<p>The applicant’s letter discusses that the crossing of the water main would be by “side-sewers”. The applicant has not made formal application of his development plan but it is almost certain that a sewer main will need to be extended into the property, not a number of side sewers.</p> <p>12/5: Staff stated that running sewer lines over water lines is not a frequent practice, and that the apparent reason for the shallow nature of the Kirkland sewer line in 132<sup>nd</sup> Ave NE is that it was extended piecemeal over time with no thought of serving properties on the east side of 132<sup>nd</sup> Ave NE. Staff also stated that the drawing of the large water main that the applicant states is an “as-built” might actually be a design drawing; it is difficult to tell based on the drawing provided.</p> <p><u>Public Comment</u>                      11/14: Applicant’s 11/13 letter states that the Technical Committee’s concerns about drinking water are “pure hyperbole”.</p> <p>11/28: The applicant testified that, provided appropriate engineering practices are followed, it is feasible to design a sewer line to pass over a water line.</p>	
<p>2. Redmond’s utility design requirements. (Applicant 11/13 letter / Murray)</p>	<p><u>Planning Commission Discussion</u>                      11/14: Commissioners requested a staff response to points 1-5 in the applicant’s 11/13 letter.</p> <p><u>Staff Response/Recommendation</u>                      11/28: The applicant’s letter mischaracterizes Redmond’s Design Standards. The standard is as follows:</p> <p style="padding-left: 40px;">“The preferred cover over sewer mains is seven (7) feet in order to assure gravity service and provide normal vertical separation between water and sewer mains. The minimum cover over ductile iron sewer mains is three (3) feet in both paved and unpaved areas; Minimum cover over other sewer mains is five (5) feet in both paved and unpaved areas.”</p> <p>The applicant focusses on the word “preferred” and argues that because of the use of the word preferred that this is not a standard. This is a standard and the applicant’s argument does not change that fact. This standard goes on to explain the reason for the 7 foot depth to assure that the vertical separation between water and sewer mains can be achieved. The 3 feet and 5 feet minimums are the</p>	<p>Opened 11/14</p>

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	<p>exceptions to the general rule of 7 feet.</p> <p>The other standard that applies is the one that addresses vertical separation between water and sewer mains and it states:</p> <p style="padding-left: 40px;">“Locate water mains over sanitary sewers, providing a minimum of 18 inches of vertical clearance between the walls of these pipelines. ...”</p> <p>Extension of the sewer main in accordance with the existing General Sewer Plan allows the sewer to be constructed in accordance with both standards. The new sewer main will be deep enough that service to the property will pass under the water main meeting the state and city design standards. Due to the depth of the water main the sewer may need to be slightly deeper than the 7 feet.</p> <p><u>Public Comment</u>            11/14: Applicant’s 11/13 letter states that the Technical Committee Report “gives false impression” of utility design requirements.</p> <p>11/28: The applicant’s attorney testified that he was concerned that staff treated the word “preferred” the same as “standard.”</p>	
<p>3. Feasibility of proposal. (Applicant 11/13 letter / Murray)</p>	<p><u>Planning Commission Discussion</u>            11/14: Commissioners requested a staff response to points 1-5 in the applicant’s 11/13 letter.</p> <p><u>Staff Response/Recommendation</u>            11/28: The applicant’s letter discusses that the crossing of the water main would be by “side-sewers”. The applicant has not made formal application of his development plan but it is almost certain that a sewer main will need to be extended into the property not a number of side sewers.</p> <p>Construction of a sewer pipe may be possible. But it is not feasible to construct a sewer pipe that meets Redmond Design Standards in this location.</p> <p>The other major issue of feasibility is that both the Redmond and Kirkland City Councils would have to</p>	<p>Opened 11/14</p>

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	<p>approve an Interlocal Agreement that would accommodate service from Kirkland. The two City Councils would consider whether serving this area from Kirkland’s sewer is in the best interests of the communities as a whole and if yes, what the appropriate terms of that agreement would be.</p> <p>Extension of the sewer main in accordance with the existing General Sewer Plan allows the sewer to be constructed in accordance with Redmond design standards and does not rely on the outcome of negotiations between the two cities.</p> <p><u>Public Comment</u>                      11/14: Applicant’s 11/13 letter states that the proposed connection to the Kirkland sewer main is feasible.</p> <p>11/28: The applicant testified that an interlocal with Kirkland would be achievable; the applicant’s attorney testified that there was no meaningful difference between a side sewer connection and a connection via sewer main in the context of this proposal.</p>	
<p>4. Past Technical Committee actions on proposal.                      (Applicant 11/13 letter / Murray)</p>	<p><u>Planning Commission Discussion</u>                      11/14: Commissioners requested a staff response to points 1-5 in the applicant’s 11/13 letter.</p> <p><u>Staff Response/Recommendation</u>                      11/28: The Technical Committee reviewed potential alternatives to the existing sewer plan in April 2009. The applicant considers April 22, 2009 meeting notes to be “conceptual approval” of the applicant’s current proposal. However, the Technical Committee did not then, and does not now, have authority to approve such changes to the General Sewer Plan. In April 2009, Comprehensive Plan Policy CF-5 restricted administrative review to changes that “are consistent with and do not impede the implementation of the Comprehensive Plan.” In the Technical Committee’s opinion, this proposal exceeds what could be accomplished through administrative review, and thus decisions on the proposal are not within the purview of the Technical Committee. (During the recently completed update of the Comprehensive Plan, this policy was renumbered to CF-4 and slightly revised; the revised policy still would not allow the Technical Committee to approve a sewer plan change like this one.)</p> <p>Since the Technical Committee does not have approval authority, a more accurate characterization of the Committee’s position on April 22, 2009 is that the Committee considered potholing an important</p>	<p>Opened 11/14</p>

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	<p>step to establishing precise depths of existing utilities, and that it acknowledged the fact that an interlocal agreement with the City of Kirkland would be required should the proposal go ahead.</p> <p>This interpretation is supported by the applicant’s letter, and by email records from the time. A June 2, 2009 email from Bob Franklin (retired engineering manager) reads in part:</p> <p><i>I would consider the five-foot depth to be reasonably sufficient at NE 73<sup>rd</sup> Street. Since the depth of a water main could easily vary along its length and the five-foot figure only represents one point, I still believe pot-holing is necessary in several other locations to establish the feasibility of the alternate comprehensive sewer plan for the area. It is very important to establish the feasibility of the plan before changing the plan and expending the resources that will be involved in the inter-local agreements and official actions that are required.</i></p> <p>Note that Mr. Franklin considered it essential to establish the depths of the existing utilities before proceeding with a plan amendment. To date the applicant has not completed this step. As stated in the Technical Committee Report, based on what we know today, the proposal cannot be accomplished while meeting City standards.</p> <p><u>Public Comment</u>            11/14: Applicant’s 11/13 letter states that the Technical Committee “conceptually approved” use of the Kirkland sewer main in April 2009.</p> <p>11/28: The applicant reiterated his position that the Technical Committee had approved connection to the Kirkland sewer main.</p>	
5. Slopes on applicant’s property. (Applicant 11/13 letter / Murray)	<p><u>Planning Commission Discussion</u>            11/14: Commissioners requested a staff response to points 1-5 in the applicant’s 11/13 letter.</p> <p><u>Staff Response/Recommendation</u>            11/28: Staff believes this discrepancy comes from using two different sets of contours. The applicant appears to be using contours that are displayed on a site survey that was conducted in 2009 or earlier. Staff relied on GIS contours in drafting the Technical Committee Report. In general, a site survey is more</p>	Opened 11/14

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	<p>accurate than area-wide information, and so staff accepts the applicant’s information on topography for the applicant’s property.</p> <p>The applicant’s site survey indicates that the elevation at 132<sup>nd</sup> Avenue NE is 456 feet, rising to 464 feet at the east (back) end of the properties. While this would increase the odds that the properties could be served by gravity sewer, it would not mitigate the depth and separation issues that are equally critical.</p> <p><u>Public Comment</u>                      11/14: Applicant’s 11/13 letter states that the Technical Committee Report “misstates facts regarding slopes” on the applicant’s properties.</p> <p>11/28: The applicant reiterated his position that the properties slope up to the east.</p>	
<p>6. Reimbursement agreements (Gregory)</p>	<p><u>Planning Commission Discussion</u>                      11/14: Commissioners asked about how reimbursement agreements typically work.</p> <p><u>Staff Response/Recommendation</u>                      11/28: Staff provided a summary of how reimbursement agreements work at the 11/14 meeting. In essence, a developer pays for a sewer extension, and then by agreement with the City, can collect pro rata shares of the cost from those who connect to the sewer over the next ten years. The applicant’s 11/13 letter states that there is risk in this arrangement to the developer; staff acknowledged that there is no assurance that the developer will be fully reimbursed.</p> <p><u>Public Comment</u></p>	<p>Opened 11/14</p>
<p>7. Consistency with relevant City and countywide policies (All)</p>	<p><u>Planning Commission Discussion</u>                      11/28: Commissioner Murray stated that everyone seems to agree that, if this proposal is to be approved, any sewer connection would have to run over the top of the water main in 132<sup>nd</sup> Ave NE, and that the question is whether the City would allow an exception in this case. Commissioner Miller asked if there was policy guidance for relaxing standards of this kind. Commissioner O’Hara asked if existing City of Kirkland sewer customers on the east side of 132<sup>nd</sup> Ave NE would have to connect to the City of Redmond line once it is extended (assuming no change to the sewer plan), and asked if this is a case of the best being the enemy of the good. Commissioner Murray expressed concern about setting</p>	<p>Opened 11/28</p>

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	<p>precedent in this case, and that was echoed by Commissioner Miller and Commissioner Chandorkar as well. Commissioner Miller indicated that the burden to change the plan should be on the applicant. Commissioner Murray also expressed concern about the potential financial impacts to properties to the north and south of the proposed change to the plan. Commissioner Chandorkar asked how countywide planning policies regarding sharing and efficient use of resources apply in this scenario. Commissioner Gregory stated that he empathizes with the applicant’s goals, but sees this in the context of the wider plan. He stated that while a connection to the Kirkland sewer may be feasible, the question is whether it is desirable.</p> <p><u>Staff Response/Recommendation</u>                      12/5: Staff’s recommendation is to retain the existing sewer plan, and staff believes that City policies support this position.</p> <p>In response to specific questions from Commissioners, staff responded at the 11/28 meeting that:</p> <ul style="list-style-type: none"> <li>• It is unlikely that existing Kirkland sewer customers on the east side of 132<sup>nd</sup> Ave NE would be required to connect to the City of Redmond sewer upon its extension. If an existing customer were to submit an application to subdivide, then a connection to the Redmond sewer could be required.</li> <li>• The Zoning Code does provide for flexibility in zoning regulations in exchange for accomplishing other public purposes. For example, ordinary density limits are doubled through the Innovative Housing Ordinance. The Zoning Code does not provide flexibility in sewer design standards.</li> </ul> <p>The Technical Committee Report provides the full text of policies UT-27 to UT-30, which are the primary policies in the Comprehensive Plan that address sewer service. On the whole, these policies ensure that current and future Redmond sewer customers are connected to a safe, reliable, and efficient sewer system.</p> <p>Policy UT-28 directs the City to require connection to Redmond’s sewer system for all new development except “where the economic impact of connection is high and there is no public safety concern”. The applicant states that this proposal fits into this exception. However, this exception is intended to address situations where a single home is being constructed in city limits but from sewer service, where septic is the only economically feasible alternative and where septic would not pose a public safety concern. Evidence of this intent can be found in the Planning Commission’s September 24, 2004 Issues</p>	

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	<p>Matrix on this topic. The policy since 1999 had been to allow an exception for any home zoned at 1 unit/acre or less. The Planning Commission recommended tightening the exception to allow for the “rare circumstance such as a single new house that is built where the connection would be economically unreasonable due to distance”.</p> <p>Policies UT-29 and UT-30 address the design of sewer system extensions. These policies call for the construction of a system that is efficient and reliable, has low long-term maintenance costs, and meets or exceeds state standards. In this case the Commission is presented with two options: a shallow connection that could potentially (if actual pipe depths permit) take advantage of design criteria flexibility meant to be used when other alternatives are not available, or an extension per the General Sewer Plan, which fully meets these policies.</p> <p>The applicant has testified that Countywide Planning Policy CO-2 supports this proposal. That policy directs urban service providers (e.g., cities) to provide services in an efficient manner through regional coordination. Redmond broadly supports this policy, and believes that the best way to provide efficient, safe, and reliable service in the Rose Hill Heights South subarea is to extend the Redmond sewer line per the General Sewer Plan. Doing so avoids all of the technical issues that have been raised throughout this process, and in staff’s opinion is in the best long-term interest of the neighborhood and city. See the 11/14 cover memo for additional detail.</p> <p><u>Public Comment</u> 11/28: The applicant has stated in his 11/13 letter and during his 11/28 testimony that City and countywide policies support the applicant’s proposal.</p>	