

Transmittal Letter for Notice of Decision

Redmond Sunset Apartments Site Plan Entitlement

November 2, 2021

Aya Rojnuckarin
Urbal Architecture
1938 Fairview Ave E, Suite 100
Seattle, WA 98026

Subject: Redmond Sunset Apartments, LAND-2020-00894, PR-2020-00090

Project Address: 8460 164th Ave NE, Redmond, WA 98052
Parcel No. 6719700145 & 6719700140

Dear Aya Rojnuckarin:

The City of Redmond Technical Committee and Design Review Board have reviewed and approved the above-referenced proposal for the demolition of an existing 8,639 square feet commercial retail structure and the construction of a new six (6) story mixed use development consisting of 1,991 square feet of retail space, 82 parking stalls and 93 residential units. Attached to this letter is the Technical Committee's Notice of Decision including Conditions of Approval (See Section XI) for this project.

NEXT STEPS

This letter is a guide to assist you with next steps in the approval process now that your project has received site plan entitlement approval from the Technical Committee. There are additional reviews, each with their own process that must be completed before beginning construction. The next steps include the Coordinated Civil Review and the Building Permit Review processes.

Coordinated Civil Review Process. This process will include review and approval of construction and landscape drawings, as well as collection of performance bonds and Development Engineering review and inspection fees. Construction drawings must be submitted per the ***Civil Drawing Checklist*** and the Notice of Decision Conditions of Approval; the drawings must be reviewed and approved by all applicable divisions of Development Services. The ***Civil Drawing Checklist*** can be found on the City's website. A Coordinated Civil Kick-Off meeting is highly recommended to provide guidance prior to submitting for review of your civil construction drawings. For information regarding a Coordinated Civil Kick-off meeting, please contact Min Luo at 425.556.2881 or mluo@redmond.gov.

Additional information regarding the Coordinated Civil Review process and Record Drawings can be found at <https://www.redmond.gov/944/Coordinated-Civil-Review>.

Building Permit Review Process. You may be required to obtain one or more building permits for your project. Building permits can be submitted at any time but cannot be issued prior to Civil Construction Review approval. Please note that permits are required to demolish as well as construct buildings on the site. Additionally, separate building permits may be required for other structures on the site including, but not limited to rockeries and retaining walls over four feet in height, and stormwater detention vaults. Fire, Parks, School, and Transportation Impact Fees, as appropriate, and stormwater Capital Facilities Charges will be collected at the time of building permit issuance.

Building permit submittal requirements, applicable codes, and intake and issuance fees are available on the City’s website at: <https://www.redmond.gov/898/Development-Services>.

Fees: Application, permit, capital facilities charges and impact fee information can be found at: <https://www.redmond.gov/504/Development-Services-Fees>

If you have questions regarding process or the Notice of Decision Conditions of Approval, please contact the staff person for the appropriate City Department/Division listed below.

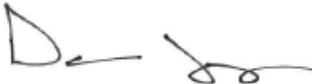
Department Division	Contact	Title	Phone	Email
Planning- Development Engineering/Transportation & Engineering	Min Luo	Senior Engineer	425.556.2881	mluo@redmond.gov
Planning- Development Engineering/Water & Sewer	Heba Awad	Senior Engineer	425.556.2861	hawad@redmond.gov
Planning- Development Engineering/Stormwater, Clearing & Grading	Janelle Hitch	Senior Engineer	425.556.2488	jhitch@redmond.gov
Fire	Scott Turner	Assistant Fire Marshal	425.556.2273	sturner@redmond.gov
Planning – Development Review	Niomi Montes de Oca	Senior Planner	425.556.2499	nmontesdeoca@redmond.gov

The City's Development Review Staff are available to meet with you regarding the development review process. Please contact Niomi Montes de Oca, Senior Planner at 425-556-2499 or nmontesdeoca@redmond.gov or the appropriate Development Review Staff member listed above for additional information.

Sincerely,



Carol V. Helland, Director
Department of Planning and
Community Development



David Juarez, Director
Public Works Department

Technical Committee Site Plan Entitlement

Notice of Decision

Project Name: Redmond Sunset Apartments

Location: 8460 164th Ave NE, Redmond, WA 98052

Project File Number: LAND-2020-00894, PR-2020-00090

Project Description: The demolition of an existing 8,639 square feet commercial retail structure and the construction of a new six (6) story mixed use development consisting of 1,991 square feet of retail space, 82 parking stalls and 93 residential units.

Technical Committee Decision

Decision Date: November 2, 2021

Approval with Conditions

Appeal Deadline: November 16, 2021

This decision may be appealed to the Hearing Examiner by filing an appeal with the Office of the City Clerk within 14 calendar days of the date of this decision. Appeal forms are available on-line at <https://www.redmond.gov/913/Request-for-Reconsideration-or-Appeal>. A completed appeal form must be submitted by 5:00 p.m. on the last day of the appeal period. If you have any questions, please contact Niomi Montes de Oca, Senior Planner at 425 556-2499 or nmontesdeoca@redmond.gov



Carol V. Helland, Director
Department of Planning and
Community Development

David Juarez, Director
Public Works Department

Project Review Authority and Procedures

The City of Redmond **Technical Committee** is comprised of staff from different departments and disciplines who analyze project applications for compliance with City codes and regulations. Based on this analysis, the **Technical Committee** make the final decision to approve, approve with conditions, or deny the application: LAND-2020-00894, Type II, Site Plan Entitlement.

I. Proposal Summary

The proposal is a six-story, mixed-use apartment building located at 8430 and 8460 164th Avenue Northeast in Redmond, Washington. The site is regulated by the Town Square zoning, which is within the Downtown Neighborhood. The proposed uses consist of 93 residential units of varying size and 1,991 SF of commercial retail space. In addition, residential amenities such as a fitness room and gaming lounge are provided at the mezzanine above level 1, a double-height sky lounge at level 6, and a large exterior rooftop deck facing 164th Ave NE and NE 85th Street. Parking for the project is proposed on-site with access provided via NE 85th Street and includes 82 parking stalls. In addition, designated loading stalls and Emergency Medical Service stalls are provided on the ground floor with a subterranean level with additional parking spaces.

II. Site Description and Context

The existing retail use encompasses two parcels, which will be converted to one parcel after a future boundary line adjustment. The site surface elevation is about 40 feet, in which a single-story "L" shaped building spans across both parcels (6719700140 and 6719700145). The existing use for the southern parcel is a parking lot which serves the northern parcel with a maximum slope of approximately 4%. The retail spaces on the site total about 8,560 square feet and would be removed with the project's development.

A critical area encumbers the site: The Critical Aquifer Recharge Area I (CARA I). In addition, the site formerly contained a dry cleaner which, in 2004, spilled 25 gallons of dry-cleaning fluid. Four phases of clean-up were performed, and WDOE issued a No Further Action letter in 2014. Approximately 15% of the site is landscaped consisting of one (1) diseased/dying tree and six (6) trees meeting the classification of significant trees as defined in Title 21, Article VII, Chapter 78 of the Redmond Zoning Code.

Description of Adjacent Uses & Characteristics			
Orientation	Zone	CPLU Designation	Use Classification
North	Town Square	Downtown Mixed Use	Private household
South	Town Square	High Density Residential	None
East	East Hill	Downtown Mixed Use	Professional Services
West	Town Square	Downtown Mixed Use	Professional Services

III. Site Requirements

The Town Square Zone is a mixed-use zone in the Downtown Neighborhood (RZC 21.10.080.A). It is intended to provide for significant residential growth and a range of employment uses while also supporting retail, service, and entertainment uses within walking distance of each other. In addition, primary streets (of which this proposal has two) are intended for pedestrian-friendly and activating commercial uses. Finally, the Town Square zone encourages new transit-oriented development to take advantage of the zone’s proximity to local and regional transit opportunities. All applicable site requirements listed are found in the following table organized according to the subject matter.

Code Section	Requirement	Proposed	Complies?
A. Setbacks			
21.10.080 21.10.130	Front, Side and Rear Setbacks: See full analysis in section VI.F		Yes
B. Building Height			
21.10.110 MAP 10.2	6 stories maximum Downtown Height Limit Overlay HL6	5 stories of Type VA construction over 1 story of Type IA construction. 6	Yes

		stories above grade total	
RMC 15.08.050.9	Maximum 90' per RMC Amendment to IBC 75 per IBC definition of High-Rise Building	84'-8" to top of structure	Yes
Section 504.3A		74'-11" to top of roof deck from road	
C. Open Space Dimensions			
21.10.130.C	100 sf/unit up to a max of 20% of site Length:12'; Width:12' Minimum Area: 200 sf	See full analysis in section VI.D	Yes
21.10.130.C	Private Open Space (Balcony) 5'x5' sf/50 sf per unit	See full analysis in section VI.D	Yes
D. Density			
21.10.130.B	Density shall not be regulated by a maximum number of dwelling units per acre but by applying bulk, height, parking, and all other development standards. All developments with proposed densities exceeding 66 dwelling units per acre shall be required to have at least one level of semi-subterranean or subterranean parking, structured parking hidden behind ground floor commercial space, or other pedestrian amenities along the street front.		Yes
E. General Requirements			
21.10.080.C	Maximum Lot Coverage: 100%		Yes
21.10.080.C	Maximum FAR: 1. Nonresidential space is 1.25. 2. Residential space within a mixed-use building is exempt from requirements.		Yes

V. Public Notice and Comment

Requirements for public notice are contained in RZC 21.76.080.

Notice of Application:

Public notice procedures complied with the requirements listed in RZC 21.76.080. These procedures included publishing of the **Notice of Application** for this proposal on **October 6, 2020** and posting at City Hall and the Redmond Regional Library. One notice sign was posted on the property. A notice was also mailed to property owners within 500 feet of the site (See Attachment 2, *Notice of Application, Certificate of Public Notice, and Public Notice Site Plan*). During the Notice of Application public comment period and throughout the project review, the City received eight comments. The following is a summary of concerns or requests for consideration, and staff have included responses below:

Comment Summary and Staff Response

Comments	Staff Response
<p>The public comments received raised three main concerns:</p> <ol style="list-style-type: none"> <li data-bbox="256 1245 618 1518">1. An opposition to urbanization and high-density housing development with a concern that new housing would not be affordable for people with a median income. <li data-bbox="256 1619 618 1751">2. An opposition to the loss of small local businesses with a greater concern for Herfy's Burgers. <li data-bbox="256 1850 618 1919">3. There were questions about the reduced number 	<p>The location of this proposal falls within the Urban Center in the Comprehensive Plan. Policy HO-2 requires that any new development in this area promote a mix of new residential units that meet the targets called for in King County Countywide Planning Policies.</p> <p>The city cannot regulate private lease agreements, private real estate transactions, or the negotiations between private property owners and small business owners. However, this concern has been shared with the property owner for this project and taken under advisement.</p> <p>Staff researched the history of Herfy's Burgers to determine whether the business could warrant a historical designation which it did not. Herfy's functions as a franchise that is owned and operated by various individuals. There are at least 16 store locations within a 30-mile radius of Redmond.</p> <p>The applicant sought relief from regulations that set requirements for the number of parking stalls required. Per RZC 21.40.010.D.2, an applicant may seek approval to reduce required parking spaces by providing mitigation through a transportation management program and providing research that shows actual parking demand in that</p>

of parking spaces provided in the proposal. area. The request for relief from parking reduction requirements was granted by the Technical Committee on June 9, 2021.

VI. State Environmental Policy Act

The State Environmental Policy Act (SEPA) requires applicants to disclose potential impacts to the environment that may occur due to activities associated with their project. The Environmental Checklist submitted by the applicant adequately discloses anticipated environmental impacts. In addition, the city of Redmond codes and regulations, including those contained within the Zoning Code, Streets and Sidewalks, Water and Sewer, and Building and Construction Codes, adequately mitigate these anticipated environmental impacts. Therefore, a Determination of Non-Significance (DNS) was issued for this project on April 27th, 2021 (See Attachment 5, *DNS Email* & Attachment 21, *SEPA Checklist*). In addition, staff received one comment from the Department of Ecology (See Attachment 6, *SEPA Comments*).

SEPA Comment, Received May 11, 2021	Staff Response
<p>a. Potential Contamination Risk and Site Development Mitigation</p> <p>This is a former cleanup site with the State Department of Ecology (Cleanup Site ID: 2191) and received a No Further Action determination; however, the prior occurrence of contamination and concerns by City and State of the possible presence of tetrachloroethylene (PCE) below soil cleanup excavation depths of four feet increases the risk of potential existing contamination remaining on-site. Therefore, the applicant shall, as part of the Coordinated Civil Review process, conduct soil boring investigations in the vicinity of the proposed infiltration area so that the City can provide direction on 1) whether stormwater infiltration for this site will be allowed within the critical aquifer recharge area, and 2) set the necessary soil cleanup, disposal, monitoring and mitigation requirements in conjunction with the State Department of Ecology’s Hazardous Waste & Toxics Reduction Program.</p> <p>b. Wellhead and Groundwater Protection</p> <p>Wellhead and groundwater performance standards shall be met during construction per RMC 15.24.095, including providing the City with any well monitoring, construction and decommissioning reports, and registrations associated with underground injection wells, such as infiltration trenches, drywells, infiltration vaults.</p> <p>c. Discovery of Groundwater or Soil Contaminants During Construction</p>	<p>The City agrees with Ecology’s recommendation and conditions have been added to the notice of decision for site plan entitlement to address the comment</p> <p>Code Authority: RMC 13.07 and RMC 15.24.095</p>

A hazardous materials and mitigation plan shall be provided during the Coordinated Civil Review process to describe the handling and management of hazardous materials on-site, inclusive of reporting any contaminants discovered or spilled to the City during project construction and remediating in accordance with the Model Toxics Control Act as specified in WAC 173-340-740.

VII. Compliance with Development Regulations

A. Landscaping

For projects in the Downtown, all setbacks, buffers, open spaces, pervious surfaces, plazas, parks, site and building entrances, pedestrian walkways, service areas, and parking lots are required to be landscaped with plant materials per RZC 21.10.140.

Additionally, the project site abuts the street on two sides, NE 85th Street and 164th Ave NE. Both streets are identified as Type I per the Downtown Pedestrian System Map. Type I streets require 4' widths be dedicated for street trees with grates and 2' width of frontage for planters and building modulation.

Lastly, the project includes mechanical equipment and a parking garage that will be partially exposed and visible to public rights of way. Per RZC 21.32.060 the proposal is required to provide Type I (solid barrier) and Type III (visually interesting and shrub like) landscaping along NE 85th St. The west facing boundary on 164th Ave NE requires the installation of Type II (75% coverage barrier) and Type III plantings. Finally, the east and south facing boundaries require Type II plantings.

Finding:

Based on staff analysis, the proposal, as submitted, satisfies the intent of the zoning code. The proposal successfully designed each location to meet the requirements of Articles I, II, and III as well as the Downtown Pedestrian design requirements. The proposal features different varieties of landscaping on the ground floor on both street fronts, which create visual interest. The landscaping proposed on the upper levels exceeds all requirements, including those of the ecological scoring system. The landscaping design is located on the site plan, sheets LR-1, LR-2, LR-3, L-0, L-1, L-2 and the design review packet prepared on March 24, 2021. Design was approved by the Design Review Board on April 15th, 2021 (See Attachment 4, *Procedural Documents, DRB Meeting Memo*). In summary, the requirements of 21.10, 21.32, 21.60, and 21.62 have been met.

B. Tree Protection & Replacement

The Redmond Zoning Code (RZC 21.72) requires that 35 percent of all healthy significant trees be retained. Landmark trees are those trees that are greater than 30-inches measured in diameter at breast height. Significant trees are those trees that are between six-inches and 30-inches in diameter at breast height. The Downtown zone is intended to provide a mix of high-density housing and non-residential uses. For this reason, the RZC 21.64 includes an exception provision that allows exception to the tree retention standards when strict compliance would be in conflict with the increased density of the urban centers. Standard

replacement ratios are required at a ratio of 1:1 for the removal any significant trees above the 35% minimum required retention, and ratio of 3:1 replacement is required for the removal of any significant trees below the 35% minimum retention.

Finding:

The proposal as submitted satisfies the tree retention, protection, and replacement requirements of RZC 21.72. A Tree Health Assessment was completed by Favero Greenforst, dated December 14, 2020 (See Attachment 8, *Technical Documents, Arborist Report*) states that there are six (6) total significant trees currently on-site. A survey of the trees and their location is included on Page LR-2 and TR-1 of the plan set (See Attachment 14, *Technical Documents, Plan Set*). The site is located in Downtown within the town square neighborhood. The proposal includes a mixed-use development to be constructed in alignment with the intent of the zone. Due to the location of the trees on-stie, minimum retention would prevent the construction of the building's foundation and access points, thus limiting the intended increased density of the site's zoning. The applicant submitted a tree exception request for the removal of the six trees on December 21, 2020 (See Attachment 12, *Technical Documents, Exception Request for Tree Retention*). The Technical Committee's approval of the exception is included as part of this Notice of Decision and their action on November 2nd, 2021. For compliance with the RZC 21.64, the project is required to install a minimum of 16 replacement trees (two at 3:1 and four at 1:1) are required per the criteria listed for a tree exemption request. A total of 20 replacement trees are proposed by the applicant. An additional Six (6) street trees are proposed to replace the existing street trees that will be removed during right-of-way improvements. Street trees are identified by numbers 101 through 107 in the arborist report, and on the site plan sheet TR-1. Chapter 32 regulates tree size, species, size, location, minimum ecological scoring planting type, and irrigation standards. All tree standards have been met. The arborist report and the associated tree replacement plan successfully demonstrate compliance with RZC 21.72.090 in seeking an exception request. The plans set illustrate the proposals compliance with replacement quantities, planting species, spacing and right-of-way improvements.

C. Critical Areas

This site is located in a Critical Aquifer Recharge Area I as defined by RZC 21.64.050 and as required by the Washington State Growth Management Act (RCW 36.70A.172), water quality standards for ground waters of the State of Washington (WAC 173-200) and Washington State Public Water System Standards (WAC 246-290). The Redmond Municipal Code (RMC) section 13.07.100 defines Critical Aquifer Recharge Area as an area "with a critical recharging effect on aquifers used for potable water." Limitations on dewatering and provisions for groundwater and wellhead protection are a requirement of this Site Plan Entitlement.

Finding:

The Critical Area protection requirements for RZC 21.64 have been satisfied, and the proposal has been conditioned in compliance with City codes to protect the Critical Aquifer Recharge Area. Refer to the Natural Resources section (XI.4) for details on how the site shall meet all groundwater/wellhead protection and temporary construction dewatering requirements per

RMC 13.07 Wellhead Protection and RMC 13.25 Temporary Construction Dewatering. In addition, the recommendations made in the geotechnical report assume that earthwork would take place during the dry season. As such, if the applicant chooses to begin earthwork during the rainy season, an amendment to the report may be necessary to address mitigation should the water table be higher than what would be estimated during the dry season. Limitations on dewatering and provisions for groundwater and wellhead protection are a requirement of this Site Plan Entitlement. It is planned to sequence the site excavation for the dry season when groundwater levels are at seasonal lows. The applicant addressed analysis and mitigation recommendations by providing a temporary dewatering memo prepared by Dewatering Specialist Scott Bender and a CARA report prepared by PanGEO. (See Attachment 15, *Technical Documents, CARA Report*).

D. Open Space

Downtown zones require common usable open space and private usable open space per RZC 21.10.130.E. Projects shall include at least 100 square feet per residential unit of common usable open space, with up to a maximum of 20 percent of the site. The common usable open space must also be a least 12 feet by 12 feet and 200 square feet in size; this can be in forms such as plazas, rooftop gardens, and recreation rooms accessible to all residents in the building. Private open space shall be provided in the form of an attached patio or balcony per unit. If a balcony is being pursued, it must measure at least five feet by five feet and a minimum of 50 square feet. The balconies may be reduced to 12 square feet for up to 50 percent of the units when double doors are provided.

If the front street façade is deemed too cluttered or over dominated by balconies, the number of balconies may be reduced with the approval of the Design Review Board to provide a more balanced and attractive façade. An in-lieu fee for each required balcony not provided shall be paid to the City to support parkland purchase and improvements within the Downtown neighborhood.

Finding:

The design and location of open space for the project demonstrates intentionality and consideration for the function of the development as a whole and its proximity to neighboring uses. As an example, some of the dwelling units towards the center of the building mass are set inward and include private balconies. In addition, an exterior patio is proposed on the second level that provides another variation of open space not found at either the ground floor or upper floor dwelling units.

The project proposes a reduction in the number of required balconies and private open space. The provision of balconies for all units inhibits the project's ability to meet compliance of transportation and right-of-way clearances in a few areas of the site. Additionally, the parcel directly adjacent to the southern boundary of the Sunset Apartments proposal is zoned similarly and therefore is anticipated in the future to be redeveloped into a multi-story mixed used development. Even with setbacks taken into consideration, the balconies of units along the southern boundary would be in close proximity any future development, impeding the original intent of private open space. As a result, balconies are not proposed on the southern façade. The Design Review Board concurred and granted the omission of balconies on that side of the building.

a. Common Open Space

Required	Provided
21, 550 sf x 0.20 = 4,320 sf	4,461 sf

b. Private Open Space

Required	Provided
93 units x 0.50 (if fee paid in-lieu) = 47 units <u>47 units x 50 sf</u> 2,350 sf	28 Balconies @ 50 sf = 1,400 sf 8 Balconies @ 61 sf = 488 sf L2 Patio Spaces for 15 units = 3,728 sf
	TOTAL UNITS (Fee-In-Lieu to be paid for 47 units) 51 with private open space
	TOTAL SQUARE FEET 5,616 sf provided

The requirements of RZC 21.10.130.E. have been met. Inclusive of the departures granted during design review, the approved design review plan includes open spaces throughout the site. They provide varying exterior private and common spaces for both the public and the residents meeting both quantity and dimensional requirements as shown above.

E. Affordable Housing

RZC 21.20.030.C requires that housing developments with ten units or more dedicate at least 10 percent of its units as affordable units. Additionally, the units designated as affordable housing units per the approved plan set (AP1.01-A1.06) are listed in the findings.

Finding:

The proposal includes a total of 93 dwelling units. Ten percent of the housing units are required to be affordable. Ten (10) units are proposed which meets the affordable housing requirements and therefore complies. The proposal has initially designated the following units as affordable units: 204, 218, 310, 317, 403, 419, 503, 511, 605 and 612.

F. Transportation

The Redmond Zoning Code RZC 21.10.150, RZC 21.17.010.F, RZC 21.52, RZC Appendix 2, and the City's Standard Specifications and Details require frontage improvements and easement/right-of-way dedication.

The developer proposes to provide a 5-foot sidewalk and utility easement along the project frontage on 164th Avenue NE and a new right-of-way area connecting with a 25-foot radius at

the southeast corner of the 164th Avenue NE and NE 85th ST intersection. In addition, the frontage improvements along 164th Avenue NE, including streetlights, storm drain, utility undergrounding, a 4-foot tree grate, an 8-foot sidewalk and 2-foot landscape/building modulation, and a full street grind and overlay are proposed. The frontage improvements along NE 85th Street are also proposed, including streetlights, storm drain, utility undergrounding, a 5-foot tree grate, a 6-foot sidewalk, and a 14-foot landscape setback. The proposed driveway location of fewer than 150 feet of driveway spacing has been approved via deviation request DEVREQ-2021-00044.

Finding:

The requirements for this development from Redmond Zoning Code RZC 21.10.150, RZC 21.17.010.F, RZC 21.52, RZC Appendix 2, and the City's Standard Specifications and Details have been satisfied. The developer will construct frontage improvements along 164th Avenue NE and NE 85th Street. Right-of-way dedication and new public easements will also be provided to meet the City's street standards. All improvements and access points will be designed and constructed per the City's street standards, the City's Standard Specifications and Details, RZC Appendix 2. All curb ramps and sidewalks will be constructed to be ADA compliant. Streetlights will be designed and constructed per the City's Illumination Design Manual. In summary, the proposed transportation improvements meet the requirements stated in RZC 21.10.150, RZC 21.17.010.F, RZC 21.52, RZC Appendix 2, and the City's Standard Specifications and Details.

G. Stormwater

Redmond Municipal Code (RMC) 15.24, RZC 21.64, RZC 21.74, and the Redmond Stormwater Technical Notebook require the project to provide subsurface storm sewer collection points for roof runoff collection from the future residences.

To achieve these requirements, the site proposes to remove a portion of the existing onsite storm sewer, replacing it with a new infiltration trench. Roof runoff will be partially connected to this infiltration trench, with additional roof areas being connected directly to the existing storm system. Finally, to provide adequate clearance for a water main replacement, the site will be replacing an existing storm sewer pipe within the right-of-way of 164th Ave NE.

Finding:

RMC 15.24, RZC 21.64, RZC 21.74, and the Redmond Stormwater Technical Notebook have been satisfied. As proposed (and conditioned below), this project will meet Stormwater / Clearing & Grading requirements established by RMC 15.24, RZC 21.64, RZC 21.74, and the Redmond Stormwater Technical Notebook.

H. Utilities

The requirements found under RZC 21.74.020, *water and sewer systems*, call for a water extension. This includes the replacement of the watermain along 164th Avenue North East to meet city standards. A new fire hydrant is also required, along with reconnection of existing water services to the east and west. Installation of sewer service and associated permits will also be required.

Finding:

The Redmond Zoning Code RZC 21.74.020 has been satisfied. The developer will replace the existing eight-inch water main with a new twelve-inch Ductile Iron water main along the frontage of 164th Ave NE, install water service lines, water meters, fire hydrants, and other fire appurtenances.

VIII. Criteria Applicable to all Land Use Permits:

Proposed land use actions within the City must comply with the criteria listed in RZC 21.76.070.B.3.a. These criteria are applicable to all land use permits to ensure overall consistency between proposed land use permits, applicable regulations, and the Comprehensive Plan. Staff's analysis of whether the proposal meets the decision criteria is below.

1. A proposed project's consistency with the City's development regulations shall be determined by consideration of:
 - A. The type of land use;
 - B. The level of development, such as units per acre or other measures of density;
 - C. Availability of infrastructure, including public facilities and services needed to serve the development; and
 - D. The character of the development, such as development standards.

Staff Response: Redmond Sunset Apartments is a mixed-use residential project with 93 dwelling units with a management office and lobby at the ground level. In addition, approximately 2,000 square feet will be dedicated to retail space also at the ground level. This is an allowed use that meets the intent of the Square Zone. The density is not prescribed for the site and is determined by height, parking, and other site standards. Infrastructure is available, and applicable improvements will be installed by the project as required. The character of the proposed development is consistent with City design standards and development standards or has sought and received deviations allowed by Code.

2. Upon review of a land use permit and accompanying site plan, the decision maker shall determine whether building design and/or site design complies with the following provisions:
 - A. The Comprehensive Plan, RZC 21.02, *Preface*, RZC Article I, *Zone-Based Regulations*, RZC Article II, *Citywide Regulations*, and the Appendices that carry out these titles;
 - B. The provisions of RMC Title 15, *Buildings and Construction*, that affect building location and general site design;
 - C. The Washington State Environmental Policy Act (SEPA) if not otherwise satisfied;
 - D. RZC Article VI, *Review Procedures*, to the extent it provides the procedures to ensure compliance with the requirements in subsections B.3.a. ii. B and B.3.a.ii.C of this section;
 - E. Both within and outside the Transition Overlays, decision makers authorized by the RZC to decide upon discretionary approvals may condition such approvals and development permits, including but not limited to site plan approvals, to minimize

adverse impacts on other properties and uses, and to carry out the policies of the Comprehensive Plan.

Staff Response: Technical Review staff has reviewed the proposed project. It has determined that it complies with the Comprehensive Plan, Redmond Zoning Code, Redmond Municipal Code, SEPA Policies and has followed the review procedures per RZC Article VI, Review Procedures for a Site Plan Entitlement.

The proposed development specifically addresses the following Comprehensive Plan goals and policies:

Comp Plan Policy	<i>How the project complies, supports or aligns.</i>
HO-18: Ensure appropriate supply and mix of housing and affordability levels to meet the needs of people who work and desire to live in Redmond, especially near existing and planned employment centers, such as Downtown, Overlake and SE Redmond.	The project site is located in the Town Square Zone in the Downtown neighborhood. 10% of the dwelling units will be dedicated to affordable housing. Units will consist of 15 studios, 68 one-bedrooms, and ten two-bedrooms. The variety in the unit mix provides a broad range of family sizes to be located in the Downtown employment center.
DT-43: Encourage new transit-oriented development in this zone in order to take advantage of its proximity to local and regional transit.	The Redmond Transit Center is located less than a quarter of a mile SW of the site, on NE 83rd Street, and is approximately half a mile north of the future Link Light Rail station site. An existing bus stop is located on the Northside of NE 85th St, approximately 330 feet away from the site; bus line 931. In addition, bike lanes are provided along both 164th Avenue NE and NE 85th Street adjacent to the site. The Sammamish River Trail is located approximately a half-mile west of the site, which promotes and supports the site's non-auto travel by providing extensive non-motorized facilities in the area.
FW-17: Encourage a housing supply in Redmond and nearby communities that enables more people to live closer to work, reduce commuting needs, and participate more fully in the community.	Redmond Sunset Apartments adds 93 units to the housing inventory in Downtown and is located within 0.4 miles from the Redmond Transit Center and will be ½ mile from the future light rail station to encourage the use of public transit. In addition, the location is within walking distance of many amenities such as Bella Bottega shopping center, a movie theater, and several grocery stores. The site

	is also adjacent to general sales and service uses for employment opportunities.
UC-21: Ensure that improvements, including streets, sidewalks, transit facilities, lighting, landscaping, and parking lots/ structures, provide a comfortable and attractive pedestrian environment and contribute to the urban centers’ aesthetic appeal.	The Redmond Zoning Code requires that the projects install frontage improvements. The northern property line faces NE 85th Street. The Downtown Pedestrian Map indicates that a Type III pedestrian system is required. The Type III systems consist of a 25-foot landscaped walkway with a 5-foot parkway for street trees, a 6-foot sidewalk, and a 14-foot landscaped yard area. The western property line faces 164th Ave E. The Downtown Pedestrian Map indicates that a Type I pedestrian system is required. The Type I system consists of a 14-foot urban walkway with 4-feet for tree grates and pedestrian amenities, an 8-foot sidewalk, and a 2-foot setback area for planters and building modulation.

IX. Site Plan Entitlement Decision Criteria:

1. The Technical Committee, composed of the Departments of Planning and Public Works, shall review all Development Review permits with the State Environmental Policy Act and the RZC.

Staff Response: The project has been reviewed for compliance with the Redmond Zoning Code and Redmond Municipal Code. The SEPA checklist was also reviewed against the Washington Administrative Code (WAC) and a Determination of Non-Significance was issued on April 27, 2021.

2. The Landmarks and Heritage Commission will review all Certificates of Appropriateness for compliance with the RZC.

Staff Response: The existing structure is not a historic landmark and the Landmark and Heritage Commission does not have authority over this project.

X. Code Deviations Granted

The Technical Committee has granted the following deviations to the development standards through the authority referenced.

1. **Parking Reduction.** Per RZC 21.40.010.D, the Technical Committee may approve an alternative minimum parking requirements for specific uses on specific development sites where the applicant demonstrates, through a parking study prepared by a qualified expert, that the alternative requirement will provide sufficient parking to serve the particular use without adversely impacting other uses and streets in the vicinity. After demonstrating adequate parking supply through a parking study, analysis, and preparation of a transportation management program, the applicant requested relief under this provision and was granted such relief on June 9, 2021.

Code Authority: RZC 21.40.010.D

2. **Administrative Design Flexibility: Building Modulation & Pedestrian Amenities.** RZC 21.62.020(F) requires buildings to be modulated approximately every 40 feet and the applicable portion of RZC 21.60.030.C requires that canopies or awnings shall have a minimum clearance of eight feet above sidewalks but should not extend beyond 15 feet at its highest point pedestrian amenities. Applying specific provisions of the Zoning Code can sometimes result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the underlying zone and the design standards. When a project encounters these difficulties, the applicant may request relief under these provisions. The applicant must comply with a specific list of decision criteria found in Article III to be granted this relief. Additionally, design standards shall be implemented to allow developments of the type and scale set by the Comprehensive Plan and development regulations while achieving the design intent. Where the provisions of design standards conflict with the provisions of the zone, the provisions of the zone shall control.

Two departures from the design requirements outlined in Article III of the zoning code were presented for review by staff and then subsequently by the Design Review Board for recommendation to approve at the April 15, 2021 DRB meeting. The analysis included a summary of the applicant's responses with the applicable images and the staff's analysis of the comments and the responses. The first departure was from the modulation requirements being met on the south side of the building. The second departure was from pedestrian amenity requirements. The applicant provided thorough analysis and alternatives of which the board approved for recommendation. The second departure is from providing overhead amenities for a prescribed distance and height, which directly conflicted with transportation and right-of-way clearances. The Design Review Board also recommended approval for the second departure considering conflict requirements

Code Authority: Administrative Design Flexibility: RZC 21.76.070.C.4, Pedestrian Amenities: RZC 21.60.030.C.2.a, Conflicts with Site Requirements: RZC 21.58.020.D

3. **Driveway Spacing.** Redmond Zoning Code Title 21 Appendix 2.D.4.b prohibits any driveway from being placed within 150-feet of the nearside face of the curb of the intersecting street or from any other such driveway. However, some provisions allow an applicant to seek relief by submitting a formal application for deviation. The City received a driveway spacing deviation request on January 20, 2021. The request was to waive the

minimum 150-foot driveway separation requirement for the only driveway proposed on NE 85th Street. The proposed driveway on NE 85th Street is approximately 65 feet apart from the intersection of NE 85th Street/164th Avenue NE, approximately 55 feet apart from the driveway to the east, and approximately 35 feet apart from the driveway on the north side of NE 85th Street. The deviation was conditionally approved on February 17, 2021, under case number "DEVREQ-2021-00044".

Code Authority: *Location and Number of Driveways: RZC Appendix 2.D.4.b*

4. **Private Open Space.** A request to use an open-space Fee-In-Lieu was submitted as part of this application. In summary, options for modulation compliance on the east façade create an additional loss of balconies exacerbating non-compliance with open space requirements. Discussions regarding modulation compliance on the south façade included concerns with the adjacent property and its permitted and planned uses.

According to the most recent pre-application meeting with the neighboring property owner, the proposed structure would be a commercial building with potential for auto and industrial parts retail. Even with setbacks taken into consideration, the balconies would be near a multi-story commercial building, impeding the original intent of private open space amenities. Due to this, the Board concurred that it would be prudent to avoid heavy placement of balconies on that side. For this reason, the applicant is choosing the option to pay a fee-in-lieu of for 47 balconies that will not be installed to meet private open space square footage requirements.

Code Authority: *RZC 21.10.130.E.3.a. Approval Authority:* *Design Review Board*

XI. Vesting/Approval Expiration

This decision is not vested to the development regulations in effect until a complete building permit application is submitted. The approval of this project shall expire two years from the date of this decision unless an approval extension is granted. Extensions can be requested on a yearly basis if proper justification is demonstrated (see RZC 21.76.090.C.2). Requests for extensions must be submitted in writing to the Technical Committee via the project planner at least 30 days prior to the approval expiration date.

VI. Conditions of Approval

A. Specific Conditions of Approval

The following table identifies those materials that are approved with conditions as part of this decision.

Item	Date Received	Notes
Plan Set	June 3, 2021	<i>and as conditioned herein.</i>
SEPA Checklist	December 14, 2021	<i>and as conditioned herein and as conditioned by the SEPA threshold determination on April 27, 2021.</i>
Architectural Elevations	March 24, 2021	<i>and as conditioned herein and as conditioned in the design review board approval.</i>
Design Review Board Approval/Plans	April 14, 2021	<i>and as conditioned herein.</i>
Conceptual Landscaping Plan	June 3, 2021	<i>and as conditioned herein.</i>
Conceptual Lighting Plan	April 28, 2021	<i>and as conditioned herein.</i>
Proposed Tree Retention Plan	June 3, 2021	<i>and as conditioned herein.</i>
Traffic Mitigation Plan	March 5, 2021	<i>and as conditioned herein.</i>
Stormwater Design	April 28, 2021	<i>and as conditioned herein.</i>

B. The following conditions shall be reflected on the Civil Construction Review, unless otherwise noted:

1. Development Engineering – Transportation Engineering

Reviewer: Min Luo, Senior Engineer

Phone: 425-556-2881

Email: mluo@redmond.gov

a. Easements and Dedications

Easements and dedications shall be provided for City of Redmond review at the time of construction drawing approval and finalized for recording prior to issuance of a building permit. The existing and proposed easements and right-of-way shall be shown on the civil plans. Prior to acceptance of the right(s) of way and/or easement(s) by the City, the developer will be required to remove or subordinate any existing private easements or rights that encumber the property to be dedicated.

- i. Easements are required as follows:
 - (a) A 5-foot wide sidewalk and utility, granted to the City of Redmond, abutting the east side of 164th Avenue NE right-of- way.
 - (b) At the time of construction, additional easements may be required to accommodate the improvements as constructed.

Code Authority: RZC 21.52.030.G

Required When: Finalized for recording prior to issuance of a building permit

- ii. Dedications for right-of-way are required as follows:
 - (a) New right-of-way lines joining at the intersection of NE 85th Street and 164th Avenue NE shall connect with a 25-foot radius, or with a chord that encompasses an equivalent area. The area formed by this radius or chord shall also be dedicated as right-of-way.

Code Authority: RZC 21.52.030.G; RMC 12.12

Required When: Recorded after CCR review and prior to issuance of a building permit

- iii. Vacation of easement is required as follows:
 - (a) An existing sidewalk and utility easement area approximately 4 feet by 4 feet at the southeast corner of the intersection of 164th Avenue NE and NE 85th Street may be vacated, pending agreement of all franchised utility holders within the subject area.

Code Authority: RCW 35.79

Required When: Finalized for recording prior to issuance of a building permit

b. Construction Restoration and Street Overlay

Existing pavement damaged by trenching or other work on NE 85th Street and on 164th Avenue NE shall be mitigated. If the pavement is damaged, the asphalt street shall be planed, overlaid, and/or patched, per the City of Redmond (COR) Standard Specifications and Details (STD) 202 and 203. If the Pavement Condition Index (PCI) of the existing pavement on NE 85th Street or on 164th Avenue NE is below 70, the development shall be required to plane and overlay the half street along the project frontage at a minimum, or as determined by the Traffic Operations and Safety Engineering Division in Public Works. Contact Paul Cho at 425-556-2751 for additional questions. In addition, if the existing pavement thickness on NE 85th Street or on 164th Avenue NE is less than the required thickness per COR STD 301, the pavement shall be reconstructed to meet the street standards.

Code Authority: RMC 12.08; Redmond Standard Specifications & Details

c. Street Frontage Improvements

- i. The frontage along NE 85th Street must meet current City Standards, which include asphalt paving 22 feet (for 6-foot half turn lane, 11-foot travel and 5-foot bike lane) from the centerline to the face of curb with appropriate tapers, type A-1 concrete curb and gutter, 5 feet wide planter strips/tree grate, 6 feet wide concrete sidewalk, storm drainage, street lights, street trees, street signs and underground utilities including power and telecommunications. If the existing pavement depth does not meet the requirement of the City's Standard Specifications and Details 301, the minimum pavement section shall consist of:

- 4 inches Hot Mixed Asphalt (HMA) Class ½" PG 64-22
- 5 inches HMA Class 1" PG 64-22
- 4" of 1-1/4" minus crushed rock base course per WSDOT standard spec 9-03.9(3).
- Subgrade compacted to 95% compacted maximum density as determined by modified Proctor (ASTMD 1557)
- Street crown 2% sloped to drain system

Code Authority: RZC 21.52.030; RZC 21.17.010; RMC 12.12; RZC Appendix 2A; Redmond Standard Specifications & Details

- ii. The frontage along 164th Avenue NE must meet current City Standards, which include asphalt paving 22 feet (for 5.5 foot half turn lane, 11-foot travel and 5.5-foot bike lane) from the centerline to the face of curb with appropriate tapers, type A-1 concrete curb and gutter, 4 feet wide planter strips/tree grate, 8 feet wide concrete sidewalk, storm drainage, street lights, street trees, street signs and underground utilities including power and telecommunications. If the existing pavement depth does not meet the requirement of the City's Standard Specifications and Details 301, the minimum pavement section shall consist of:

- 4 inches Hot Mixed Asphalt (HMA) Class ½" PG 64-22
- 5 inches HMA Class 1" PG 64-22

- 4" of 1-1/4" minus crushed rock base course per WSDOT standard spec 9-03.9(3).
- Subgrade compacted to 95% compacted maximum density as determined by modified Proctor (ASTMD 1557)
- Street crown 2% sloped to drain system

Code Authority: RZC 21.52.030; RZC 21.17.010; RMC 12.12; RZC Appendix 2A; Redmond Standard Specifications & Details

iii. **ADA ramp requirements:**

Curb ramps for persons with disabilities are required to all new curb construction at the intersection of NE 85th Street and 164th Avenue NE and to all replacement curb ramps constructed in combination with sidewalks, paths, or other pedestrian access ways.

Code Authority: RCW 35.68.075; RZC 21-A.21.a

- iv. A separate 20-scale or 40-scale channelization plan may be required for any public street being modified or constructed. The plan shall include the existing and proposed signs, striping and street lighting and signal equipment for all streets adjacent to the site and within at least 150 feet of the site property line (both sides of the street). The plan shall conform to the requirements in the City of Redmond Standard Specifications and Details. The project is located along 164th Avenue NE (a state route); therefore, WSDOT approval of the channelization plan is also required.

Code Authority: RZC 21.52.030.F, RZC Appendix 2; Redmond Standard Specifications & Details; RCW 47.24.020

- v. Sidewalks constructed to meet ADA compliant requirements and City standards are required at the following locations:
- A 6-foot concrete sidewalk along south side of NE 85th Street.
 - An 8-foot concrete sidewalk along east side of 164th Avenue NE.

Code Authority: RZC 21.10.150, RZC 21.17.010; RZC 21.52.050; RMC 12.12

d. **Access Improvements**

- i. The type and location of the proposed site access is approved as shown on the Site Improvement Plan prepared by Navix Engineering dated June 2, 2021.

Code Authority: RZC 21.52.030.E; RZC Appendix 2

- ii. Direct vehicular access from each dwelling unit to NE 85th Street and to 164th Avenue NE shall not be permitted. All accesses shall be to and from the shared drive access. This restriction shall be indicated on the civil construction plans and other final documents.

Code Authority: RZC 21.52.030.E; RZC Appendix 2

- iii. The following driveways are required to be improved as specified below:
The existing driveways on NE 85th Street and on 164th Ave NE shall be abandoned and replaced with standard frontage improvements.

Code Authority: RZC Appendix 2

- e. **Underground Utilities.** All existing aerial utilities shall be converted to underground along the street frontages and within the development. All new utilities serving the development shall be placed underground.

Code Authority: RZC 21.17.020; RZC Appendix 2 – A.11

- f. **Street Lighting.** Illumination of the street(s) along all property frontages must be analyzed to determine if it conforms to current City standards. Streetlights may be required to illuminate the property frontage. Luminaire spacing should be designed to meet the specified criteria for the applicable lamp size, luminaire height and roadway width. Contact Hidemi Tsuru, Traffic Operations at (425) 556-2749 with questions. The street lighting shall be designed using the criteria found in the City's Illumination Design Manual which can be accessed at: <https://www.redmond.gov/DocumentCenter/View/424>. Provide a photometric analysis with all calculation points shown for the roadway.

Code Authority: RZC 21.52.030.F, RZC Appendix 2

- g. **Temporary Pedestrian Access Plan.** The applicant is required to provide a temporary pedestrian access plan for approval by the City prior to any construction on the project site. This plan needs to show how pedestrian traffic passing by the proposed development will be accommodated during the entire length of the construction phase.

Existing sidewalks or pathways shall be closed only when necessary during construction. If unavoidable, the pedestrian access plan should provide temporary routes with barricades and cones that parallel existing facilities. These routes must be accessible for persons with disabilities per the current ADA regulations and standards, including the provision of ramps, minimum widths, and smooth surfaces for wheelchair access. When a parallel route is not available, pedestrians must be detoured with advance signing in accordance with the Manual on Uniform Traffic Control Devices. The developer may be required to install temporary crosswalks and street lighting as part of this detour.

In order to keep existing routes, open during the construction of new structures adjacent to existing sidewalks, a covered walkway will be required to protect pedestrians from falling debris. Covered walkways should be designed to provide sturdiness, adequate light for nighttime use and safety, and proper sight distance at intersections and crosswalks. Plans and details for the construction of these covered walkways shall be included as part of the civil construction plan set.

Code Authority: MUTCD 2009 (or latest revision) sections 6D.01, 6D.02, & 6D.05

2. Development Engineering – Water and Sewer

Reviewer: Heba Awad

Phone: 425-556-2861

Email: hawad@redmond.gov

- a. **Water Service.** Water service will require a developer extension of the City of Redmond water system as follows:

The developer shall replace the existing eight-inch water main with a new twelve-inch Ductile Iron water main along the frontage of 164th Ave NE to meet current City Standards which include necessary water service lines, water three-inch residential and two-inch commercial meters, fire hydrants and other fire appurtenances. The developer shall install a new fire hydrant at the north east frontage of NE 85th Street. The developer shall also reconnect the existing water services, to the east and west of 164th Ave NE, to the new twelve-inch Ductile Iron water main.

The developer shall provide the following on the utility plans of the first submittal of civil review:

- Profile of eight-inch water pipe serving the parcel to the west of 164th and all unidentified dry utility conflicts in the way
- A detail of the force main from the sump pump of the three-inch residential water meter to the nearest catch basin.
- The developer needs to provide details and notes regarding the sequence of construction activities related to the 12-inch Ductile Iron water main on the utility plan, while keeping the water/fire service for the nearby properties. All work related to transferring the water between existing Asbestos Cement 8-inch water and new 12-inch Ductile Iron water main, needs to be coordinated with City of Redmond inspector.
- The developer shall provide the ownership of the running north-south telecommunication conduit along the east side 164th, which is in conflict with the three-inch residential water meter's vault. Relocation plan for telecom to be provided by the developer.

Code Authority: RZC 21.74.020.

- b. **Sewer Service.** Sewer service will require a developer extension of the City of Redmond sewer system as follows:

The developer shall install new eight-inch Polyvinyl Chloride side sewer to be connected to the existing sewer manhole number 4E3SMH010 at the frontage of 164th Ave NE.

Code Authority: RZC 21.74.020.D

- c. **Permit Applications.** Water meter and side sewer applications shall be submitted for approval to the Development Engineering Division. Permits and meters will not be issued until all improvements are constructed and administrative requirements are approved. In certain limited circumstances, at the sole determination of the City of Redmond, water meter and/or side sewer permits may be issued prior to completion of improvements and/or administrative requirements. In such cases,

various additional guarantees or requirements may be imposed as determined by the Development Engineering Division. All reimbursement fees shall be paid prior to sale of water and side sewer permits.

Code Authority: RMC 13.08.010, 13.12

- d. **Reimbursement Fees:** Reimbursement fees for connection of water and/or sewer are required. These fees are due prior to issuance of city permits, which allows connection to any sewer or water facility.

Code Authority: RMC 13.12.120

3. Development Engineering – Stormwater, Clearing & Grading

Reviewer: Janelle Hitch, Senior Engineer

Phone: 425-556-2488

Email: jhitch@redmond.gov

- a. **Flow Control (Water Quantity):**

This project is located within the Downtown Regional Facility Basin. Flow control compliance is provided by the city's regional facility. A portion of the site's roof runoff will be infiltrated by means of a trench within the northern limits of the property.

Code Authority: RZC 21.74.020.D; RMC 15.24.080.9

- b. **Runoff Treatment (Water Quality):**

This project is located within the Downtown Regional Facility Basin. Runoff Treatment compliance will be provided by the city's regional facility. A portion of the site's roof runoff will be infiltrated by means of a trench within the northern limits of the property.

Code Authority: RZC 21.74.020.D; RMC 15.24.080.8

- c. **Public Stormwater Easements.** Public easements will be required for any public stormwater conveyance systems on private property. Easements shall be provided for City of Redmond review at the time of construction drawing approval. The existing and proposed easements shall be shown on the civil plans. Prior to acceptance of the easement(s) by the City, the developer will be required to remove or subordinate any existing private easements or rights to encumber the property to be dedicated. Prior to construction drawing approval, fully executed and recorded off-site easements shall be provided to the Development Engineering Division.

Code Authority: RZC 21.74.020.C

- d. **Private Stormwater Easements.** Private stormwater easements will be required where drainage systems are located across adjacent properties and will remain under private ownership.

Maintenance of private drainage systems will be the responsibility of the property owners benefiting from the easement. Prior to construction drawing approval, fully executed and recorded easements shall be provided to the Development Engineering Division.

Code Authority: RZC 21.74.020.C

e. Temporary Erosion and Sediment Control (TESC).

i. Rainy season work permitted October 1st through April 30th with an approved Wet Weather Plan.

Code Authority: RMC 15.24.080

f. Department of Ecology Notice of Intent Construction Stormwater General Permit. Notice of Intent (NIO) must be submitted to the Department of Ecology (DOE) at least 60 days prior to construction on a site that disturbs an area of one acre or larger. Additional information is available at: www.ecy.wa.gov/pubs/0710044.pdf.

Code Authority: Department of Ecology Rule

g. Regional Capital Facilities Charge: A Regional Capital Facilities Charge applies to this project, located in the Downtown Sub-basin. The citywide Capital Facilities Charge also applies. Please see the Development Engineering Fee Schedule for current fee information. This project proposes to infiltrate a portion of its roof runoff, which may qualify the project for regional CFC credits.

Code Authority: RMC 13.20.045 ; RMC 13.20.040

4. Natural Resources

Reviewer: Angie Venturato, Environmental Scientist

Phone: 425-556-2466

Email: aventurato@redmond.gov

a. Infiltration, Potential Contamination Risk and Site Development Mitigation. This is a former cleanup site with the State Department of Ecology ([Cleanup Site ID: 2191](#)) and received a No Further Action determination; however, the prior occurrence of contamination and concerns by City and State of the possible presence of tetrachloroethylene (PCE) below soil cleanup excavation depths of four feet increases the risk of potential existing contamination remaining on-site. Therefore, the applicant shall, as part of the Coordinated Civil Review process, conduct soil boring investigations in the vicinity of the proposed infiltration area so that the City can provide direction on 1) whether stormwater infiltration for this site will be allowed within the critical aquifer recharge area, and 2) set the necessary soil cleanup, disposal, monitoring and mitigation requirements in conjunction with the State Department of Ecology's Hazardous Waste & Toxics Reduction Program.

Reference: [State Department of Ecology SEPA #202102139](#)

Code Authority: [RMC 13.07](#) and [RMC 15.24.095](#)

- b. **Permanent Dewatering.** Permanent dewatering, including the use of subfloor drains, is prohibited for this site due to being within the Critical Aquifer Recharge Area.

Code Authority: [RMC 13.07.085](#)

- c. **Temporary Construction Dewatering, Potential Contamination Risk and Mitigation.** Temporary construction dewatering shall be permitted at a total rate of less than 500 gallons per minute for elevator pits and tower crane footings only, and so long as it can be demonstrated that the management of potentially contaminated groundwater and water quality standards shall be met (RMC 13.25.050). Refer to Section 4.a for more details about potential contaminants and soil testing required to determine risk. Civil plan profiles shall depict seasonal high-water level elevation on profiles for all underground elements and stormwater infiltration facilities during the Coordinated Civil Review process.

Any additional design changes related to temporary construction dewatering shall be subject to additional fees and further review in accordance with RMC 13.25 and the Temporary Construction Dewatering Operating Policy.

Reference: [State Department of Ecology SEPA #202102139](#), [Temporary Construction Dewatering Operating Policy](#)

Code Authority: [RMC 13.25](#)

- d. **Wellhead and Groundwater Protection During Construction.** Wellhead and groundwater performance standards shall be met during construction per RMC 15.24.095, including providing the City with any well monitoring, construction and decommissioning reports, and registrations associated with underground injection wells, such as infiltration trenches, drywells, infiltration vaults.

Code Authority: [RMC 15.24.095](#)

- e. **Discovery of Groundwater or Soil Contaminants During Construction.** A hazardous materials and mitigation plan shall be provided during the Coordinated Civil Review process to describe the handling and management of hazardous materials on-site, inclusive of reporting any contaminants discovered or spilled to the City during project construction and remediating in accordance with the Model Toxics Control Act as specified in [WAC 173-340-740](#).

Code Authority: [RMC 13.07](#) and [RMC 15.24.095](#)

- f. **Underground Elevator Cylinders.** Elevators shall meet wellhead and groundwater protection performance standards, including encasement of any underground hydraulic elevator cylinders and using vegetable oil for hydraulic fluid.

Code Authority: [RMC 15.24.095](#)

- g Dog Wash and Bicycle Repair Areas.** The dog wash area shall drain to sanitary sewer. The bicycle repair area shall be laid out on an impervious concrete pad with oil- and chemical-resistant sealant and drain to sanitary sewer.

Code Authority: RMC 13.06.054 and RMC 13.07.100.B

5. Fire Department

Reviewer: Scott Turner, Assistant Fire Marshal Phone: 425-556-2932

Email: amarshall@redmond.gov

The current submittal is generally adequate for LAND-2020-00894 Approval but does not fully represent compliance with all requirements. The following conditions are integral to the approval and shall be complied with in Civil Drawings, Building Permit Submittals, Fire Code Permit submittal, and/or other applicable processes:

a. Site Plan Condition

1. Emergency Medical Services access to be provided within the garage as indicated on the SPE plans.
2. Access to the garage is required to be open to traffic or opened with a permitted automatically opening gate.
3. Fire service access and features shall not be obstructed from delivery, trash, storage of other building functions.

b. Fire Protection Plan

1. Buildings shall be fully sprinklered as per IFC, NFPA 13 and RFDS 5.0.
2. All areas shall have a compliant Class I standpipe coverage, as per IFC, NFPA 14 and RFDS 4.0. Temp standpipe coverage required as per IFC and RFDS 4.0.
3. All areas shall have an IFC, NFPA 72, RFDS 9.0 compliant fire detection and alarm system.

c. Change or Modification

1. Determination of adequate fire flow as per RFDS 3.0 shall be established at CCR, and the location and number of required fire hydrants will be established.
2. Demolition of existing structures shall require a permit. Tank removal requires a separate fire permit.

d. Fire Code Permit – Fire permits required may include but are not limited to:

1. Fire Sprinkler, standpipe, fire pump permits
2. Fire detection and alarm permit
3. Smoke Control
4. Emergency Responder Radio Permit
5. Flammable/Combustible Liquids Permit
6. Places of assembly

Code Authority: RMC 15.06; RZC Appendix 2, Redmond Fire Department Standards and Redmond Standard Specifications and Details

6. Planning Department

Reviewer: Niomi Montes de Oca, Senior Planner

Phone: 425-556-2499

Email: nmontesdeoca@redmond.gov

a. Open Space:

The applicant shall install private and common open space per the approved plans with the condition that the civil plans demonstrate that the second-level patios are revised to show unit boundaries and a fee-in-lieu is paid for the reduction of 47 balconies. The total amount for payment shall be equivalent to 50 percent of the park impact fee for a multifamily residence. The final cost will be determined based on the fee schedule in effect at issuance of building permit.

Code Authority: 21.10.130.E.3

Condition Applies: Civil and Building Permits

b. Affordable Housing

The project shall demonstrate conformance with the Affordable Housing Regulations in RZC 21.20.050 by providing 10 affordable units. An agreement in a form approved by the City must be recorded with the King County Recorder's Office to stipulate conditions under which required affordable housing units will remain as affordable housing for the life of the development. This agreement shall be a covenant running with the land, binding on the assigns, heirs, and successors of the applicant. Prior to the issuance of any building permit, the owner shall sign any necessary agreements with the City to implement these requirements (See Attachment 24, *Technical Documents, Affordable Housing Agreement Template*). Applicant shall initiate contract by contacting a member of the Housing and Human Services staff at 425-556-2438 and ilefcourte@redmond.gov.

Code Authority: RZC 21.20.050

Condition Applies: Building Permit

c. Archeological and Historical Preservation

The applicant provided a Desktop Survey on October 28, 2020 which was sent to DAHP for review. The survey was approved by DAHP on February 8, 2021. The DAHP approval concurred with the results and recommendations made in the Desktop Survey and agreed that the project should

move forward following a monitoring plan, as outlined in Attachment B of the report, and the Inadvertent Discovery Plan outlined in Attachment A.

The plan shall be followed during ground disturbance to a point in the project where the qualified archaeologist determines that cultural resources are no longer at risk for disturbance or damage. A brief summary of archaeological monitoring shall be provided at the end of every day in which monitoring occurs. The summary shall be provided via email to the City of Redmond Project Manager and City of Redmond Historic Preservation Officer.

Code Authority: RZC 21.30.070.D

Condition Applies: Civil Construction & Building Permit

d. Parking

An alternate minimum parking requirement has been approved for multifamily residential standards of 0.63 per dwelling unit with no reduction to commercial parking stalls. Final numbers shall be verified with King County Right Sized Calculator at the time of Building permit. In addition, a Transportation Management Program shall be carried forward in the future and adjusted with any market increases excluding any designated affordable housing units. The parking for the site shall remain unbundled for market rate units. A stall shall be provided for each affordable housing unit at a 1:1 ratio.

Code Authority: RZC 21.40.010.D.2

Condition Applies: Building Permit

e. Performance and Warranty Assurances

The applicant shall provide an estimate of the costs of the improvements, landscaping, tree replacement, or other conditions of land use approval to be secured by the performance assurance. Bonds for Landscaping and Tree Replacement shall be provided no less than 5 days prior to request for Mylar signatures. Drafts of the Bond Agreements, Bond quantity Worksheets and Bond Calculation Worksheets shall be submitted at time of Civil Construction Application. If not provided at time of CCR submittal, entire submittal will be rejected for intake.

Code Authority: RZC 21.76.090.F

Condition Applies: Building Permit

f. Boundary Line Adjustment (BLA)

The development is proposed over an existing interior property line. As such, a separate BLA is required to remove the impacted lines prior to building permit issuance.

Code Authority: RZC Table 21.14.040B

Condition Applies: Building Permit

g. Impact Fees

For the Purpose of Impacts, the use(s) assigned for this project have been classified as multi-family and Retail/General Sales & Services. The existing retail structure to be demolished may be credited at the time impact fees are calculated during building permit review. If the proposed development is eligible for any additional credits including right-of-way dedication and system improvements, these additional credits will be assessed and provided after construction, dedication or implementation is completed and accepted by the City.

Code Authority: RMC 3.10

Condition Applies: Building Permit

h. DRB Approval & Recommendation

Elevations and plans that reflect the conditions of approval issued by the Design Review Board must be submitted with the building permit application and civil drawings. All plans must be prepared by a licensed architect or licensed engineer. This approval is also subject to the standard conditions as drafted in the April 15, 2021 staff memo, (See Attachment 4, *Procedural Documents, DRB Meeting Memo*). The design review board also recommended approval for two deviations from standards through administrative design flexibility. The approved recommendations shall follow the plans proposed to the design review board on April 15, 2021. For the patio spaces to be included in the private open space calculations, all final and approved plans shall be revised to show specifically, on level 2, how and where patio spaces shall be divided to delineate boundaries between two different apartments and their respective private open space.

Code Authority: RZC 21.60 & RZC 21.62

Condition Applies: Civil Construction & Building Permit

i. Waste Management Approval

The approved site plan and garbage/recycling enclosure detail must be submitted to Waste Management for review and approval. An approval letter from Waste Management must be submitted to the Planning Department prior to approval any associated building permit.

Code Authority: RZC 21.38.020.F

Condition Applies: Building Permit

j. Planting Standards

Landscaping shall be coordinated with water/sewer lines and fire hydrants/connections. Trees shall be planted a minimum of 8 feet from the centerline of any water/sewer lines, unless otherwise approved and provisions provided. Shrubs shall be planted to maintain at least 4 feet of clearance from the center of all fire hydrants/connections.

Code Authority: RZC 21.32.080

k. Tree Replacement

1. The arborist shall provide plans for, supervising, and/or monitoring implementation of replacement measures and will conduct a post-construction site inspection and evaluation.
2. Although additional trees are listed, the density of the plantings obscure the location and symbols of all trees. As a condition, clarification will be required during civil plan review.

Code Authority: RZC 21.72.050, RZC 21.72.080

Condition Applies: Civil and Building Permit

7. Pre-Construction

All existing utilities at the location of the proposed water/sewer mains, storm and service line crossings shall be potholed prior to submittal of first Civil Plan Review.

Potholing in the City Right-of Way requires a permit, approved traffic control plans, and a performance bond before commencing work. The developer shall include in the Right-of-Way permit, a list of potholing numbers along with the potholing information for each number, such as utility name, type of facility and the reason for potholing.

The developer shall do the following during and after potholing:

1. Follow City of Redmond Detail 203 for pothole restoration.
2. Protect existing traffic loops.
3. Survey all potholing locations.

Based on the final survey, a modified design of sewer, water and storm facilities may be necessary to avoid conflict with existing utilities. All potholing information shall be included in the plans and profiles of water, sewer, and storm design in first submittal of CCR review. The developer shall add clearance information on the water/sewer/storm profiles at all crossings of existing and proposed utilities. Minimum clearance of one foot is required between the sewer/water mains and other utilities including storm sewer.

Code Authority: Water and Wastewater System Extensions Design Requirements Section IV. 3. M and Section V. 3. K

B. Compliance with City of Redmond Codes and Standards

This approval is subject to all applicable City of Redmond codes and standards, including the following:

Transportation and Engineering

RZC 21.10.150	Downtown Pedestrian System
RMC 6.36	Noise Standards
RZC 21.52	Transportation Standards
RZC 21.40.010.E	Design Requirements for Parking Facilities
RZC 21.54	Utility Standards
RMC 12.08	Street Repairs, Improvements & Alterations
RMC 12.12	Required Improvements for Buildings and Development
RZC 21.76.100.F.9.C	Nonconforming Landscaping and Pedestrian System Area
RZC 21.76.020.G	Site Construction Drawing Review
RZC 21.76.020.G.3	Preconstruction Conference
RZC 21.76.090.F	Performance Assurance
RZC Appendix 2	Construction Specification and Design Standards for Streets and Access
City of Redmond	Record Drawing Requirements, February 2021
City of Redmond	Standard Specifications and Details (current edition at the time of this approval letter issued)

Water and Sewer

RMC 13.04	Sewage and Drainage
RMC 13.08	Installing and Connecting Water Service
RMC 13.10	Cross-Connection and Backflow Prevention
RZC 21.54.010	Adequate Public Facilities and Services Required
RZC Appendix 3	Design Requirements for Water and Wastewater System Extensions
City of Redmond	Standard Specifications and Details (current edition at the time of this approval letter issued)
City of Redmond	Design Requirements: Water and Wastewater System Extensions - April 2019.

Stormwater/Clearing and Grading

RMC 13.25	Temporary Construction Dewatering
RMC 15.24	Clearing, Grading, and Storm Water Management
RZC 21.32.080	Types of Planting
RZC 21.64	Critical Areas
RZC 21.64.050	Critical Aquifer Recharge Areas
RZC 21.64.060	Geologically Hazardous Areas
City of Redmond	Standard Specifications and Details (current edition at the time of this approval letter issued)
City of Redmond	Stormwater Technical Notebook, Issue No. 8, Amended June 5, 2019

Department of Ecology

Stormwater Management Manual for Western Washington
(amended December 2017)

Fire

RMC 15.06

Fire Code

RZC Appendix 2

Construction Specification and Design Standards for Streets
and Access

City of Redmond

Fire Department Design and Construction Guide

City of Redmond

Fire Department Standards

Planning

RZC 21.10:

Downtown

RZC 21.58, 60, 62

Design Standards

RMC 3.10

Impact Fees

RZC 21.32

Landscaping and Tree Protection

RZC 21.34

Exterior Lighting Standards

RMC 6.36

Noise Standards

RZC 21.38

Outdoor Storage and Service Areas

RZC 21.40

Parking Standards

RZC 21.64

Critical Areas

RZC 21.44

Signs

RZC 21.50

Transition Area Overlay Areas

RZC Appendix 1

Critical Areas Reporting Requirements

Building

RMC 15.08

Building Code

RMC 15.12

Electrical Code

RMC 15.14

Mechanical Code

RMC 15.16

Plumbing Code

RMC 15.18

Energy Code

RMC 15.20

Ventilation and Indoor Air Quality Code