



**CITY OF REDMOND
HEARING EXAMINER
MINUTES**

December 12, 2016

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

Hearing Examiner

Gary McLean

Staff

Ben Sticka, Planner
Steven Fischer, Development Review Division
Manager
Min Luo, Senior Engineer
Rob Crittenden, Engineering Manager
Jeff Palmer, Program Administrator
Cheryl Xanthos, Deputy City Clerk

Convened: 7:00 p.m.

Adjourned: 9:14 p.m.

I. CALL TO ORDER

Hearing Examiner Pro-Tem Gary McLean convened the hearing at 7 p.m.

II. DESCRIPTION OF HEARING SEQUENCE AND PROCEDURES

Mr. McLean introduced the matter under consideration, reviewed the sequence of the hearing for the evening, and explained the proceedings.

Mr. McLean administered the swearing in of all those in attendance testifying on these matters and reminded the attendees that the proceedings were being recorded.

III. PUBLIC HEARING

A. New Elementary School in North Redmond

Type IV LAND-2016-01086/Conditional Use Permit
Type II LAND-2016-01087/Site Plan Entitlement

Request: Proposed 77,567 square-foot elementary school including;
five (5) portables and 80 parking spaces located in an R-4
(Single-Family Urban Residential) Zone

Location: 12011 172nd Ave NE, Redmond, WA 98052

STAFF PRESENTATION:

Mr. Ben Sticka, Planner, submitted the following exhibits to the record.

With no objection, Mr. McLean assigned the following exhibit numbers:

- Technical Committee Report with the following submitted attachments – Exhibit 1

Report Attachments

1. Completeness Letter
2. General Application Form
3. Vicinity Map
4. Plan Set
5. Notice of Application Certificate of Public Notice and Public Notice
6. Notice of Application Public Comment Letters
7. SEPA Environmental Checklist
8. Neighborhood Meeting Notice
9. Notice of Public Hearing and Certificate of Posting
10. SEPA DNS Certificate of Posting
11. Traffic Study
12. Stormwater Report
13. Utility Plan
14. Critical Area Report
15. Geotechnical Report
16. Public Notice Tree Preservation Plan
17. Tree Exception Letter

- Thumb drive containing the Transportation Management Plan and videos depicting issues at Audubon Elementary – Exhibit 2
- Public Comment – Exhibit 3
- Memo Regarding Condition Change – Exhibit 4
- PowerPoint Presentation – Exhibit 5

Mr. Sticka introduced staff members who will be testifying on the City's behalf, stated that he will provide a copy of the thumb drive and a listing of what is contained in it for the Applicant, and provided a report on the application for a New Elementary School in North Redmond:

- Vicinity Map:
 - zoning R-4;
 - North Redmond neighborhood;
- Proposal:
 - 9.01 acres;
 - Two-story, 77,567 square-foot elementary school with five portables, play area, playfield, playground and 80 parking spaces;
 - critical areas – none on site;
 - wellhead protection zones three and four;
 - 37 percent tree retention;

- SEPA Determination of Non-Significance;
- Procedural summary:
 - Completeness: 11/10/2016 – letter of completeness issued and vested date;
 - Notice of Application:
 - 11/10/2016, comment period ended;
 - Neighborhood Meetings – 6/14/2016, 9/22/2016, and 9/27/2016;
 - SEPA DNS:
 - Issued 6/10/2016;
 - Appeal deadline – 6/24/2016 - None were received;
 - Notice of Public Hearing – issued 11/17/2016;
- Site Plan:
 - footprint of site;
- Tree Retention:
 - 37 percent will be retained;
- Landscape Plan;
- Neighborhood Comments:
 - neighborhood meetings – 6/14/2016, 9/22/2016, and 9/27/2016;
 - comments received regarding:
 - traffic flow;
 - fence height;
 - school boundaries;
- Conditional Use Permit Decision Criteria;
 1. consistent with the Redmond Zoning Code and Comprehensive Plan – applicable citywide and neighborhood-specific Comprehensive Plan policies are met by this proposal;
 2. designed in a manner which is compatible with or responds to the existing or intended character, appearance, quality of development and physical characteristics of the subject property and immediate vicinity;
 3. location, size, and height shall not hinder neighborhood circulation or discourage development or use – conforms to the applicable R-4 regulations and application was deemed complete on 11/10/2016 and fulfilled submittal requirements;
 4. use, hours of operation, and appropriateness of use minimize unusual hazards or characteristics that would have adverse impacts;
 5. pedestrian and vehicular traffic will not be hazardous or conflict with existing and anticipated traffic in the neighborhood - adequately served with City-approved sidewalks and safe walking conditions for students who walk to and from school and will be managed by the City through a Traffic Management Plan;
 6. adequate public facilities or services and will not adversely affect public services to the surrounding area;
- vesting:
 - complete application 11/10/2016;
 - project vested 11/10/2016; and
 - required to comply with all North Redmond neighborhood regulations.

Ms. Min Luo, Senior Transportation Engineer, reported that:

- transportation plan – frontage improvements including on-street parking, five access points, intersection improvements, and streetlights;
- on-site queuing storage – minimize blocking street traffic flow, improve safety, and improve efficiency;
- proposed queuing storage of 1,600 linear feet; and
- reasons for the increased queuing storage – higher rates of children being driven to school, growing population, and to prevent traffic issues observed at other schools.

Mr. Jeff Palmer, Program Administrator, and Mr. Rob Crittenden, Engineering Manager, provided the following testimony regarding traffic issues at other schools:

- complaints regarding parking in crosswalks, no parking zones, blocking driveways, unsanctioned pick-up and drop-off sites;
- pedestrians threatened by erratic driving patterns;
- most schools in Redmond have a Transportation Management Plan;
- three schools have Traffic Management Plans, which helps to mitigate traffic issues;
- illegal U-turns; and
- provide queuing lane to minimize vehicle queue spillover.

Ms. Luo stated that the mitigation of traffic impacts will be through:

- frontage improvements;
- intersection control;
- monitoring of operations;
- signal installation;
- Transportation Management Program; and
- possibility of opening 172nd Avenue NE.

Mr. Sticka concluded his presentation and stated that the Technical Committee recommends approval of the Conditional Use Permit and Site Plan Entitlement subject to the conditions of approval contained in the Technical Committee report.

Mr. Crittenden explained the blockage of 172nd Avenue NE and the conditions required for opening the street.

APPLICANT TESTIMONY:

Mr. Forrest Miller, Director of Support Services for the Lake Washington School District, provided the following comments regarding the Conditional Use Permit and the Site Plan Entitlement:

- capacity issues due to the population growth in the school district;
- third largest school district in the state;
- urgent need for additional classrooms;
- issues with conditions of approval regarding queuing requirement and the Transportation Management Plan which will cause increased costs;
- queuing requirement is 3-6 times that at the other elementary schools in the district;
- causing more impervious surface and increasing stormwater requirements;

- consideration of worst-case scenario;
- no location for queueing storage;
- traffic issues limited to short periods in the morning and afternoons;
- no requirement to eliminate traffic issues;
- project is over budget;
- request that the condition be changed to only require the model Transportation Management Plan, which was developed in collaboration between the school district and the City;
- unique site conditions cause the traffic issues;
- high cost of monitoring;
- King County does not charge traffic impact fees; and
- would like the conditions for queueing storage and the Transportation Management Plan changed.

Mr. Chris Forster, Transportation Engineering Northwest, stated that the company he works for conducts traffic studies for the school district and provided his qualifications. In the traffic study, the queue storage recommendation ranges from 1,115 to 1,560 linear feet, with the assumption of a full-capacity school and portables, and limited bus service. There is no recommendation on where the queue should store. Traffic lanes can be used and it would not add more impervious surface. The queueing space required for this new elementary school is six times what is at Audubon Elementary.

In response to the Hearing Examiner's inquires Mr. Forster stated that Audubon Elementary does not have enough queueing space and he does not know of a situation where a school had to add more queueing space after the school was built.

Mr. Brian Buck, Assistant Director of Support Services for the Lake Washington School District, clarified that cars are not delayed for the portion of time indicated, it is a cumulative amount and the school district keeps track of complaints regarding school traffic issues.

PUBLIC TESTIMONY:

Mr. McLean called for any of those present wishing to provide public testimony on this matter and swore in those wishing to speak.

Mr. Howard Hillinger spoke regarding concerns over the required conditions for this project due to the cost to the school district, increase of impervious surfaces, too much mitigation, and equitability with other schools in the district.

With no objection, Mr. Hillinger will submit his revised public comment to the record.

Mr. Noam Topaz spoke regarding accounting for after school events and the lack of parking, blocking people from using other areas outside of the school property as a drop-off, and the completion of sidewalks.

Ms. Elizabeth Topaz spoke regarding chain link fencing and access from a neighborhood park to the school, color of the fence, and trees providing privacy and reducing noise.

There being no one else present wishing to testify, the public comment period closed.

(The hearing recessed at 8:32 p.m. and reconvened at 8:39 p.m.)

RESPONSES TO PUBLIC TESTIMONY:

The Applicant team provided the following responses to the public testimony and to the Hearing Examiner's inquiries:

- event parking demand study was completed;
- parking supply is increased by utilizing the bus lanes, queueing lane, and on-street parking;
- off-site drop-offs will be minimized due to the on-site queueing storage;
- a new sidewalk is proposed to fill in any gaps; and
- soils on the site don't allow for the use of pervious pavement.

City Staff provided the following responses to the public testimony and to the Hearing Examiner's inquiries:

- new sidewalks will be construction to connect to the existing sidewalks;
- one of the conditions is for the Transportation Management Plan to address off-site parking issues;
- the City shares complaints received with the school district;
- the fence will have no neighborhood gates;
- the worst-case analysis was developed due to the lack of information regarding the estimated school population;
- once 172nd Avenue NE opens, it is expected to carry a lot of traffic;
- consolidated action based on both land use permits;
- the conditions are needed to ensure compatibility with the neighborhood;
- the City does not recommend approval with the changes requested by the applicant; and
- will provide stormwater information tomorrow.

CONCLUSION:

Mr. McLean requested that the Applicant and the City provide post-hearing briefs to cite code to address the issues presented during the hearing. The recommendation will be provided in the first or second week of January. Supplemental materials will be provided as instructed during the hearing.

IV. ADJOURNMENT

The public hearing closed at 9:14 p.m., and the meeting adjourned.