

Feb 4, 2018

City of Redmond – Development Services Center
15670 NE 85th St, Redmond, WA 98052

Ref: LAND-2016-01036 – Neighborhood Feedback

We have been homeowners on NE 22nd Ct, Redmond for the past 10+ years, and we have been in the Redmond/Bellevue area for the past 19 years. Our twin sons are 7 years old. We are active in community events and in our Church. We love being here in Redmond and always look for ways to continually improve our community and support our neighbors.

This letter contains our feedback on the Proposed “LAND-2016-01036”. This proposed shelter has been in discussion for the past couple of years but has failed to address the concerns of the neighborhood and homeowners in the immediate vicinity. The information provided by the applicants about developments for the center has been spotty and communication with the neighborhood has been limited at best and misleading (see large white sign section). This part of the letter will focus on the most recent events: Technical Committee Review and the City of Redmond Comprehensive Plan. I am including my previous letter for continuity and copies the relevant city documents.

The Technical Committee should be an independent review of a proposal and then it is measured against the laws and rules for the City. In reading over the Technical Committee Report (see attached), there are several issues that seem to be overlooked by the Technical Committee.

1. Technical Committee Report on Page 7 states that the proposal is consistent with the Comprehensive Plan. This is incorrect, and the plan is inconsistent with the Comprehensive Plan. They provide several pages of support for this, but oddly seem to ignore the parts of the Comprehensive Plan that makes this proposal inconsistent with the City of Redmond Comprehensive Plan. First, Designation Policies LU-33 and LU-34 purpose and allowed use on page 5-12.

LU-33 Single-Family Constrained Designation

Purpose.

Provide for low-density residential neighborhoods for lands inappropriate for more intense urban development due to significant environmentally critical areas, extreme cost or difficulty in extending public facilities, or the presence of natural features Redmond is seeking to retain.

Allowed Uses.

Implement this designation through zones that allow densities of one to three dwelling units per acre. Permit detached single-family homes, equestrian facilities, the keeping of animals compatible with the size of the property, and other uses consistent with this designation.

LU-34 Single-Family Urban Designation

Purpose.

Provide for low- to moderate-density residential neighborhoods on lands suitable for urban development. Provide opportunities for a variety of primarily detached single-family housing types, sizes, densities and prices in a manner that is compatible with neighborhood character.

Allowed Uses.

Implement this designation through zones that allow densities of four to eight dwelling units per gross acre. Apply zones by taking into account the direction in Policies LU-10 and LU-26. Require a minimum site size of one acre for rezones to eight dwelling units per acre. Permit detached single-family homes; in zones that allow eight dwelling units per acre, attached single-family (multiplex) homes. Also permit the keeping of animals compatible with the size of the property. Unless otherwise permitted on a citywide, neighborhood or pilot program basis, consider allowing cottages, attached single family homes, and other types of innovative housing through a conditional review process in zones that allow six dwelling units per acre or less.

The underline was added for emphasis.

In reviewing the definition of Family provided by RZC:

Zoning code RZC 21.78 Definition of Family

(<http://online.encodeplus.com/regs/redmond-wa/doc-viewer.aspx?secid=549>)

Family. An individual or two or more persons related by blood or marriage; **eight or fewer nonrelated persons living together in a single dwelling unit**, unless a grant of reasonable accommodation as identified in RZC 21.76, Review Procedures, allows an additional number of persons.

As the Technical Committee Report states in section II and III, the proposed site itself is Single-Family Constrained Residential with the surrounding locations are Single-Family Constrained Residential and one Single-Family Urban Residential. They further say that the proposal complies with all the site requirements for the R-3 (Single-Family Constrained Residential) Zone. This is not correct.

Having a 40-person homeless shelter does not meet this definition of single-family described in the Comprehensive Plan and the RZC which limits to 8 or fewer non-related persons living together in a single dwelling unit and is not allowed. Just considering that 40 people of which some may be related but most would not be related by blood or marriage in a single-family residential home and residential neighborhood is inconsistent with the Comprehensive Plan.

2. Page 11 of the Technical Committee Report states: "The proposal conforms to the site requirements set forth in RZC 21.08.050 R-3 Zone. BelRed Family Resource Center will continue to **maintain the appearance of a single-family residence**. [emphasis added] There will be no exterior work done to the existing structure itself; therefore, the intended character, appearance, quality of development and physical characteristics of the property will not be affected... The existing single-family house will continue to appear as a single-family home as to blend into the neighborhood".

So long as something appears to be something it is not, appearance matters more than fact? Surprising that the Technical Committee would put forth such a statement? Amazing! Appearance is not an acceptable workaround for a non-permitted activity per RZC on what is permitted in a single-family residence zone! Clearly this is incorrect as the zoning codes allow and dis-allow specific types of activities in a single-family residential area. The technical committee is incorrect in making the statement that appearance only is acceptable; it is missing that intended use is also a zone requirement. First, because the category of “social assistance, welfare and charitable services” is not listed anywhere under Comprehensive Plan LU-33 and LU-34 and the RZC for R-3 Zone, so the Redmond Zoning Code prohibits the use of the subject property as a homeless shelter. Second, it fails to meet the requirements of a family for a single-family residence. Lastly, they do plan to alter the grounds as with page 18 (section 4.d) “Smoking Area. The designated smoking area shall be located the furthest point from the western property line that meets the minimum required distance from the facility’s doors and windows”. There will now be a separate section near some neighbors that could have smoking (I would assume including marijuana) that the 40-person residents can utilize.

The Technical Committee Review and RZC 21.76.070 LAND USE ACTIONS AND DECISION CRITERIA (<http://online.encodeplus.com/regs/redmond-wa/doc-viewer.aspx?secid=3050>) – see attached

Section K.5.H states: “The proposed facility must be consistent with the Redmond Comprehensive Plan, unless the Comprehensive Plan would preclude the location of such facilities anywhere within the City;”

The Comprehensive Plan states: (www.redmond.gov/compplan)

1. On Page 1-6 “**How Is the Plan Implemented?** A number of tools are used to implement the Comprehensive Plan. The Zoning Code contains a set of regulations to direct land use and design as new development or redevelopment occurs. Growth is also directed in **keeping with the City’s land use and community character goals** through careful planning for the location and sizing of capital facilities.”

Furthermore, on page 3-1 “**Redmond has maintained its distinctive character.** The quality design of new development is a reflection of the value Redmond’s community members place on the community’s appearance.”

Bold is added for emphasis. Having a 40-person shelter in a single-family residential neighborhood and rotating the residents of the shelter continuously does not maintain the same character of the neighborhood.

2. The proposal is inconsistent with Comprehensive Plan on page 5-10 “**LU-27 Apply zones consistent with the Comprehensive Land Use Plan Map designations as follows:**
Single-Family Constrained R-1, R-2, R-3
Single-Family Urban R-4, R-5, R-6, R-8 and Residential Innovative (RIN)”

The 40-person shelter is not consistent with an R-3 designation and fails to meet the RZC definition of single-family as described above.

Furthermore, the Zoning Code expressly prohibits land uses not listed in the category of authorized uses under its individual zone use charts: **“Permitted Uses in Zone Use Charts.** Each zone use chart in RZC 21.08.020 through RZC 21.08.140 lists categories of land uses that may be permitted and any kind of conditional review process which may be required. Land uses not listed are prohibited unless otherwise provided by this chapter or some other provision of the Zoning Code.” RZC 21.08.160.A (underlining added).

Because the subject property is zoned R-3, the individual zone summary set forth in RZC 21.08.050 applies. Under the heading of **“R-3 Single-Family Constrained Residential,”** that Code section provides this “zone provides for low-density residential at a base density of three dwellings per acre on lands inappropriate for more intense urban development due to significant environmentally critical areas, extreme cost, or difficulty in extending public facilities or the presence of natural features Redmond is seeking to retain.” RZC 21.08.050.A.

The uses allowed in R-3 zoned property are set forth in RZC 21.08.050.D. Because the category of “social assistance, welfare and charitable services” is not listed anywhere under section D, the Redmond Zoning Code prohibits the use of the subject property as a homeless shelter. So, the proposal is inconsistent with the City of Redmond Comprehensive Plan.

3. The proposal is inconsistent with Comprehensive Plan page 5-11 **“Residential** Redmond residents treasure their neighborhoods. Each neighborhood has characteristics that are unique and make it special. There are also qualities that many residents throughout Redmond frequently cite as ones they value about their neighborhoods. These qualities include safety, quiet, friendliness, attractiveness and a feeling of connection to their neighborhoods and to the community as a whole. And coupled with Page 13-1 “The result is a place where people are friendly, often meet others they know, and feel comfortable and connected”. And Page 13-51 “Residents have also expressed an interest in public safety.”

With the transient nature of the planned residents of the shelter, these two sections are inconsistent with the proposal as to the short-term nature with no connection to the neighborhood. The applicant stated that they can transport residents from Seattle or other distant locations into the neighborhood so these connections are not possible and safety (as raised multiple times in the City Hall Neighborhood meetings where the Applicant stated that they cannot take responsibility for any people outside their property even if they are associated with the current residents and the Applicant stated that Homeless people have greater issues with substance abuse and violence) concerns will be on-going.

4. The Proposal is inconsistent with the Comprehensive Plan on page 13-52 **N-ID-1 Support Idylwood residents in ongoing and enhanced communication with the City, as well as community-building**

efforts.” And on page 13-56 for “**Residential Policies:** Idylwood is proud to be a diverse residential neighborhood within Redmond. The neighborhood contains an eclectic mix of old and new single-family homes ranging from custom lakefront homes to tract homes to vintage dwellings dating back over 70 years.

Neighborhood residents place significant value on this character throughout the majority of the neighborhood. Residents advocate **maintaining the existing zoning**, house sizes, proportionate dwelling size to lot size, and monitoring in-fill development and allowed density while **preserving the current proportions of multifamily and single-family dwellings**. Residents recognize the unique character among the geographic subareas and neighborhood subdivisions,”

The proposal is inconsistent with the Comprehensive Plan with the very poor communications that have taken place with the Applicant working with the neighborhood (there was only a single neighborhood meeting done over 1 year ago on the project). Specifically, for our neighborhood, Idylwood, this does not maintain the existing zoning and current proportions of multifamily and single-family dwellings as the target residence does not meet the RZC definition of single-family.

One other significant communication failure was with the Large White Signs required to be placed on properties where some type of zoning action is under consideration. The signs and mailings were sent on the right before the deadlines for the upcoming Public Hearing. As can be seen in the picture below, the title simple states “BelRed Family Resource Center”.



There is no mention on the large white sign that this is a proposed homeless shelter or Women and Children Shelter/Home. The intent of the large white notice sign is to inform the public so that people will be informed of actions around their neighborhood. By using only the name "BelRed Family Resource Center", this is very misleading and does not convey the true intent of the proposed request for permit. Resource Center could be sometime as simple as an office for referrals and the term alone completely hides the true nature of a 24/7 homeless shelter.

The flyer does have additional details on the project, but the project name on the flyer does not match the project name on the large white sign. The flyer contains "ECC Shelter" in the project name. This is another project name which confuses people trying to understand what is going on. The fact that this is a proposed shelter should be clearly displayed on the large white sign - without that information, the large white sign is misleading what the true intent of the public hearing for the permit.

Additionally, the flyer clearly states an "Application and Completeness Date: June 7, 2017" - the project at that time (June) was called in emails and documents from the city as "Application LAND-2016-01036 ECC Women and Children Shelter" (or sometimes House) If the application refers to June 2017 as the application date, this again is confusing with project name changes. The sign should use the name that was used in June 2017 (and maybe list both names to make this very clear).

Electronic attachments for example use by city of term shelter.

On Sunday, I noticed a person walking their dog past the sign. He stopped to read the sign and then kept going. From this large white sign, the person would have no clue as to true intent of the permit request which is to establish a homeless shelter for up to 40 persons (in our single-family residence neighborhood). If the intent of Public Hearings is to inform residents, the large white sign should properly state the name from the June application and city emails/documents as a shelter and not mislead the true intent of the application. This was just a failed opportunity for greater communication with the proposal process and greater transparency with the neighborhood community.

I and others pointed this out to the city and within days an 8x11 inch paper was secured to the sign that had a job description indicating a 40-person shelter. This was better than before, but the printing was certainly not as visible as the lettering on the large white sign. Again, this effort once again failed consistency with Comprehensive Plan on page 13-52 **N-ID-1**.



5. The proposal is inconsistent with the Comprehensive Plan on page 13-57 “**N-ID-20 Design single-family dwellings and significant expansions to single-family dwellings to have living space as the dominant feature of the street elevation.**” as the proposal looks to make the

single-family residence act as a continuously changing multifamily residence. This homeless shelter in a single-family neighborhood is inconsistent with this character of space.

6. Finally, the proposal is inconsistent with Comprehensive Plan page 13-57 “Idylwood offers a safe, quiet and peaceful place for residents to live and spend time in their neighborhood,” as the Applicant stated that they cannot be responsible for activities outside their property even if individuals are associated with residents of the shelter (such as spouses or significant others) and homeless people have a greater likelihood of substance abuse, alcoholism, and violence. The Applicant has also stated that they will not do background checks on the children who can be up to 17 years of age (and even into 18 years of age under specific circumstances). This has caused great concern by many current neighborhood residents who see this proposal as a security risk to their families.

The next section is the previous material my wife and I submitted and is included for continuity.

Aug 16, 2017

City of Redmond – Development Services Center
15670 NE 85th St, Redmond, WA 98052

Ref: LAND-2016-01036 – Neighborhood Feedback

We have been homeowners on NE 22nd Ct, Redmond for the past 10+ years, and we have been in the Redmond/Bellevue area for the past 19 years. Our twin sons are 7 years old. We are active in community events and in our Church. We love being here in Redmond and always look for ways to continually improve our community and support our neighbors.

This letter contains our feedback on the Proposed “LAND-2016-01036”. This proposed center has been in discussion for the past couple of years but has failed to address the concerns of the neighborhood and homeowners in the immediate vicinity. The information provided by the applicants about developments for the center has been spotty and communication with the neighborhood has been limited at best.

After submitting our initial feedback in July, the applicant re-submitted the application which had several changes including: modifying the number of individuals in the single-family home from 25 to 40 and a request change to “Conditional Use – Change of Use.” This feedback letter is amended to address the new request.

The shelter at this location is not appropriate and should be denied for the following reasons:

1. The Applicable Individual Zone Summary in the Redmond Zoning Code Prohibits the Proposed Use.

The Zoning Code expressly prohibits land uses not listed in the category of authorized uses under its individual zone use charts: “**Permitted Uses in Zone Use Charts.** Each zone use chart in RZC 21.08.020 through RZC 21.08.140 lists categories of land uses that may be permitted and any kind of conditional review process which may be required. Land uses not listed are prohibited unless otherwise provided by this chapter or some other provision of the Zoning Code.” RZC 21.08.160.A (underlining added).

Because the subject property is zoned R-3, the individual zone summary set forth in RZC 21.08.050 applies. Under the heading of “**R-3 Single-Family Constrained Residential,**” that Code section provides this “zone provides for low-density residential at a base density of three dwellings per acre on lands inappropriate for more intense urban development due to significant environmentally critical areas, extreme cost, or difficulty in extending public facilities or the presence of natural features Redmond is seeking to retain.” RZC 21.08.050.A.

The uses allowed in R-3 zoned property are set forth in RZC 21.08.050.D. Because the category of “social assistance, welfare and charitable services” is not listed anywhere under section D, the Redmond Zoning Code prohibits the use of the subject property as a homeless shelter.

2. The Proposed Use is Not as a Religious Institution.

While the principal of the applicant may be a religious institution, he does not propose to use the subject property as a religious institution. Pursuant to the Code, such uses consist of “[c]hurches, temples, synagogues, monasteries, and similar institutions operated by religious organizations.” RZC 21.78.R Definitions.

Rather, the applicant seeks to use the property as a 40-person homeless shelter. Such use falls in the category of social assistance, welfare and charitable services. The Code definition of this category is the following: “**Social Assistance, Welfare and Charitable Services.** The provision of social assistance services, including shelters, directly to individuals in need.” RZC 21.78.S Definitions.

The proposed homeless shelter, therefore, does not qualify as use as a religious institution. That use is not what applicant has proposed.

3. The Comprehensive Allowed Uses Chart in the Redmond Zoning Code Prohibits the Proposed Use.

The Zoning Code, in its Comprehensive Allowed Uses Chart, does not authorize the use of the subject property as a shelter. “This chart is meant to serve as a compilation of permitted uses within each of the individual zone summaries” RZC 21.04.030.A.

The Comprehensive Allowed Uses Chart for residential zones is specifically set forth in RZC 21.04.030.B. Permitted uses for R-3 zoned properties are designated in the column under R3 with a "P" whereas conditional uses are designated there with a "C."

A category for uses involving social assistance, welfare and charitable services exists in the Comprehensive Allowed Uses Chart under the subheading of "Education, Public Administration, Health Care and other Institutions." But the corresponding R3 column is blank, i.e., it contains neither a "P" nor a "C." Because shelters fall within this category but the column is blank, this Chart obviously prohibits the use proposed.

Note that, attesting to the extreme nature of the permit sought via the application, shelters are not authorized in *any* properties in Redmond that are zoned residential. Looking across horizontally on the Comprehensive Allowed Uses Chart after the subcategory for social assistance, welfare and charitable services, all of the columns are blank. Shelters for humans, therefore, are not authorized in *any* residential zones in Redmond. This applies to uses that are both less intense and more intense than R-3 permits. Allowing a shelter in the R-3 zone here would clearly be a direct violation of the City's Zoning Code.

4. The Proposed Use Contravenes the Very Purpose of Establishing Zones.

The proposal seeks authorization of a use that circumvents the very purposes of the Zoning Code. RZC 21.04.010 provides as follows:

The purpose of establishing zones is to:

- a. Provide a pattern of land use that is consistent with and fulfills the vision of Redmond's Comprehensive Plan;
- b. Maintain stability of land uses and protect the character of the community by encouraging groupings of uses that have compatible characteristics;
- c. Provide for appropriate, economic, and efficient use of land within the city limits; and
- d. Provide for coordinates growth and ensure that adequate public facilities and services exist or can be provided in order to accommodate growth.

The use of the subject property for a homeless shelter is inconsistent with and contravenes the vision of Redmond's Comprehensive Plan. The Comp Plan designates the subject property as Single-Family Constrained, not the dense population that the proposal describes. The proposal contravenes the LU-33 Designation Policies thereof.

A homeless shelter, moreover, will destabilize the land uses and endanger the character of the community because its characteristics are incompatible with the general area consisting of residential Single-Family homes. At the Neighborhood Meeting in May 2017 at City Hall, I asked the applicant directly if they had considered **any** alternative sites or options instead of using this site for a 40 person, Multi-Family shelter forcing a request for zoning changes. Indeed, several options had been suggested to the applicant at the local neighborhood meeting held the previous year. Unfortunately, he said "No. No alternatives were considered." This undermines Redmond's Comprehensive Plan vision and Zoning Code in that the applicant has neither investigated nor considered any other options other than forcing a zoning exception for the project. For the number

of years this shelter has been under consideration, the applicant has failed due diligence and good faith attempts to be in line with Redmond's Zoning Codes.

5. The Proposed Use is Not for a Single-Family.

The property is appropriately zoned Single-Family, not Multi-Family. The Code defines "family" as "[a]n individual or two or more persons related by blood or marriage; eight or fewer nonrelated persons living together in a single dwelling unit, unless a grant of reasonable accommodation as identified in RZC 21.76, Review Procedures, allows an additional number of persons." RZC 21.78.F Definitions.

An occupancy of 40 individuals far exceeds the eight-person limit that applies to Single-Family residences. And the Review Procedures do not allow such a high occupancy in the Single-Family Constrained Residential zone.

6. The Proposed Use Does Not Meet the Requirements for a Conditional Use Permit.

Specifically, it fails to meet the requirements detailed in Redmond's zoning code, RZC 21.76.070K4:

K4.B The conditional use is designed in a manner which is compatible with and responds to the existing or intended character, appearance, quality of development, and physical characteristics of the subject property and immediate vicinity;

K4.D The type of use, hours of operation, and appropriateness of the use in relation to adjacent uses minimize unusual hazards or characteristics of the use that would have adverse impacts;

There are two main reasons for the failure to meet these requirements:

First, as detailed above, this area in Redmond is zoned as Single-Family residences and the subject property is zoned R-3. There are a number of important quality of life and community environments fostered by setting aside such an area. The applicant intends this center to be a 40-person, Multi-Family residence. The length-of-stay is intended to be short-term, so a continual turnover of resident is expected. This is contrary to the goals of Single-Family residential neighborhoods and fails to meet and be compatible with the existing and intended character and quality of development of the immediate vicinity. The center will have clients with no long-term ties to the community. Indeed, the applicant states that its clients may come from areas outside this immediate vicinity. There will be multiple families in a single residence. Clearly, this proposal does not meet the K4.B compatibility restriction of Redmond's Zoning Code.

Secondly, security around the immediate vicinity is questionable, and neighborhood security is not promoted by this application. The center's intended population is stated to have various unfortunate, negative associated issues including domestic violence, substance abuse and/or mental illness (by the applicants own admission). There are large green belt areas, grade schools, and parks around the proposed center location that can have both center's clients as well

as associates of the clients deciding to have unsupervised (from the center's intentions to screen and monitor clients) activities. The applicant states that they will screen and monitor clients, but this does not address off-center property and associates from off-center associates who may seek shelter and/or interaction with their children, wives, or friends within the center. The center fails to meet the K4.D zone regulation. It brings risks and adverse impacts to the neighborhood.

With the recent refiling of the application, we submit these additional comments to respond to the applicant's application recently modified to "Conditional Use – Change of Use."

7. The Hearing Examiner Does Not Have Jurisdiction to Modify the 1968 CUP.

Sherwood Forest Baptist Church filed Conditional Use Petition No. 10 on October 22, 1968. See Redmond Resolution No. 207. In it, that church requested permission to use a single 3.41-acre parcel "for a church complex."

The City of Redmond subsequently issued the Conditional Use Permit ("the CUP"). In Section 3 of Resolution 207, the Council provided that it "may revoke or modify the conditional use herein granted"

The City did not subsequently delegate its authority to modify the CUP to the Hearing Examiner. The Hearing Examiner, therefore, does not have jurisdiction to consider the applicant's modified request to modify the 1968 CUP.

8. The Applicant Cannot Rely On and Use the 1968 CUP Because It Terminated by Abandonment.

The CUP expired long ago. Section 41.3.1 of City Ordinance 310, passed in 1963, provided as follows:

Abandonment of Use. When a conditional use of property is abandoned for a continuous period of one year, all permits or rights granted on the basis of such conditional use permission shall be void.

The owners of the 0.50-acre subject property located at 2321 173rd Avenue NE (Tax Parcel 252505-9158) abandoned the conditional use permit long ago. This property has never been used as a church complex.

Section 2.2 of Resolution 207 referred to the house on the subject property already in 1968. That house has been used solely as a residence since that time.

The evidence that the subject property was never used for a church complex is overwhelming. Since its construction in 1941, the structure thereon has always been used as a single-family residence. A letter from then applicant Redmond Christian School dated June 26, 1985 described the usage at that time as follows: "2321 173rd N.E. is used as a single family dwelling."

The City issued a Building Permit on April 29, 1976 for the construction of a garage at 2321 173rd Avenue NE. A City Technical Committee Report dated July 17, 1985 identified the structure on the 2321 property as a “single-family residence” and made absolutely no mention of an existing CUP.

With respect to an application from Redmond Christian School for a Special Development Permit (“the First SDP”), the City Hearing Examiner in a Memorandum dated August 7, 1985 indicated (on page 3, point 4) that the applicant also sought “to use a single-family residence, located on the property, as an additional classroom or office space.” He indicated (on page 10) that the request was to locate a school on both 2315 and 2321 173rd Avenue NE.

More recently, the City’s Building Permit issued April 2, 2007 for 2321 173rd Avenue NE described the work and use authorized as follows:

ADDITION OF A 1,507 SF HEATED SPACE FOR RESIDENTIAL PURPOSES ONLY. NO EVANGELICAL CHINESE CHURCH ACTIVITIES WILL BE CONDUCTED IN RESIDENCE. **RESIDENCE TO PROVIDE HOUSING FOR PASTOR AND OCCASIONAL GUEST.**

(Emphasis added.) This mirrored the limiting language contained in the applicant’s Residential Permit Application dated January 11, 2007.

Because the subject property was never used for a church complex, the owners thereof abandoned the CUP when they segregated it from the 2.91-acre property located at 2315 173rd Avenue NE (Tax Parcel 252505-9040). At the very latest, this segregation occurred by 1985 when the City Technical Committee Report dated July 17, 1985 indicated that the parcel size was “2.91 and .50 = 3.41 acres” and had the addresses of “2315 and 2321 173rd Avenue NE.” Attached to that Report, moreover, were separate legal descriptions for 2315 173rd Avenue NE and 2321 173rd Avenue NE.

The applicant’s reliance upon the CUP, therefore, is misplaced. He is not entitled to bootstrap in a CUP that expired long ago as to the subject property.

9. The Applicant Cannot Rely On and Use the 1968 CUP Because It Only Authorized the Operation of a Church.

When Sherwood Forest Baptist Church filed its Conditional Use Petition No. 10 on October 22, 1968, it never requested that the 3.41-acre parcel be used as a homeless shelter. The use requested was “CHURCH BUILDING.” It requested therein permission to maintain a “[c]hurch facility to house the Sherwood Forest Baptist Church of Redmond, Washington.”

The City issued a Notice of Public Hearing dated November 6, 1968 on Conditional Use Petition No. 10. It notified the public that that applicant’s request was “[p]ermission to construct a church building.”

The CUP only authorized the use of the property “for a church complex.”. A letter dated November 25, 1968 to Sherwood Forest Baptist Church enclosing a copy of Resolution 207 stated that the CUP was “for a church building complex.”

10. The Applicant Cannot Rely On and Use the 1968 CUP Because the 1985 SPD Superseded It.

The City issued the First SDP for the subject property via a Final Approval Order that Mayor Doreen Marchione signed on September 3, 1985. The City issued a second SDP for the subject property via a Final Approval Order that Mayor Doreen Marchione signed on April 15, 1986. Because a property cannot simultaneously have a CUP and an SDP, the SDPs superseded the CUP even if it had remained in existence at that time. The applicant's reliance on the superseded CUP, therefore, is misplaced.

11. The Applicant Cannot Rely On and Use the 1968 CUP Because the Subject Property Has Never Before Been Used as a Homeless Shelter.

The July 17, 1985 Technical Committee Report indicates that the 2321 property was never before intended to be used as a homeless shelter. Under "BACKGROUND" on page 1 thereof, it stated the following (emphasis added):

"[T]he applicant is requesting approval to use a single-family residence which it owns next door to the school for additional classroom or office space, if needed in the future. When it was discovered that part of the driveway for the abutting single-family house to the north was actually on the school's property, the school decided to buy the property for its own use. There are no plans to change the structure, only to change its use. It will continue to be used as a residence but they would like to have the option to use it for offices or classrooms."

The description under "INTRODUCTION" on page 2 thereof was consistent therewith.

12. The Applicant Cannot Rely On and Use the 1968 CUP Because the 3.41-Acre Tract Was Subsequently Divided Into Two Parcels and the CUP Remained, If At All, with the 2.91-Acre Church Parcel, Not the Segregated 0.50-Acre House Parcel.

The 2321 property has always been used as a single-family residence. It has never legally been used for any other purpose, whether as a homeless shelter, church or otherwise.

The 1968 CUP only authorized a church to be maintained on the then 3.41-acre parcel. Because the church building was and remains located and operated on what was subsequently segregated into the southern 2.91-acre parcel and the house was and remains located and used for residential purposes on what was subsequently segregated into the northern 0.50-acre parcel, any CUP which remains after all these years went with the southern parcel, not the subject 2321 property.

We acknowledge the intentions of the applicants but the location currently under review is not appropriate by being a direct violation of the Redmond Zoning Code and fails to meet the requirements specified in the Redmond Zoning Code. We urge the City of Redmond Technical Committee and Examiner to reject the proposal and encourage the applicant to site an area that will meet the goals of their effort while aligning with local zoning codes.

Sincerely,

Kevin and Michelle Damour

Kevin & Michelle Damour (with their 7 year old sons, David & Michael)
17215 NE 22nd Ct
Redmond, WA 98052-6003

**TECHNICAL COMMITTEE REPORT
TO THE HEARING EXAMINER**

Project Name: BelRed Family Resource Center

Location: 2321 173rd Ave NE, Redmond, WA 98052

Project Description: Upgrade the interior of a single family dwelling for use as a women and children's homeless shelter with a maximum total occupancy of 40 persons. The shelter is an associated accessory use to the Creekside Covent Church for which it shares a property line with and underlying Conditional Use Entitlement for a religious facility.

File Numbers: LAND-2016-01036 – Conditional Use Permit/Type III

Applicant: Evangelical Chinese Church
Peter Su
651 NW 81st Street
Seattle, WA 98117

Applicant's Representative: MG2
Jonathan Chang
1101 Second Ave, suite 100
Seattle, WA 98101

Planner: Sarah Pyle, Senior Planner

Decisions Included: LAND-2016-01036/Conditional Use Permit, Type III and

Recommendation: **Approval with Conditions**

Public Hearing Date: November 6, 2017

Conclusion in Support of Recommendation: The Technical Committee has found the proposal to be in compliance with the Redmond Zoning Code (RZC), Redmond Comprehensive Plan, Redmond Municipal Code, and State Environmental Policy Act (SEPA).



KAREN ANDERSON, DIRECTOR
Planning and Community Development
Department



MAXINE WHITTAM, Interim 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** provides responses, conclusions, and recommendations (in the form of this report) to the **Hearing Examiner**. The **Hearing Examiner** will conduct a public hearing to review the **Technical Committee's** analysis and recommendations on the Conditional Use Permit, Type III and receive public testimony regarding the proposal. Based upon the **Technical Committee's** recommendations and testimony received at the public hearing, the **Hearing Examiner** will make a decision to approve, approve with conditions, or deny the Conditional Use Permit, Type III.

Key Dates

Application/Completeness Date: June 7, 2017
Notice of Application: June 23, 2017
Notice of Application Re-Issue: June 28, 2017
Date SEPA Determination Issued: EXEMPT
SEPA Appeal Deadline: N/A
Public Hearing Date: February 5, 2017

Report Attachments

Attachment 1- Notice of Application Certificate of Public Notice and Public Notice
Attachment 2- Notice of Application Public Comment Letters
Attachment 3- Responses to Public Comment Letters and E-mails
Attachment 4- Follow-up Questions and Responses to Public Comments
Attachment 5- Neighborhood Meeting Comment Cards
Attachment 6- Responses to Neighborhood Meeting Comment Cards
Attachment 7- Notice of Public Hearing and Certificates of Posting
Attachment 8- Additional Operation Information and Details
Attachment 9- Pictures of Current Structure
Attachment 10- Traffic Study
Attachment 11- Planning Conditions Site Plan
Attachment 12- Code of Conduct
Attachment 13- Completeness Letter
Attachment 14- General Application Form
Attachment 15- Vicinity Map
Attachment 16- Plan Set
Attachment 17- Neighborhood Meeting Notice 1
Attachment 18- Neighborhood Meeting Notice 2
Attachment 19- Stormwater Report
Attachment 20- Supplemental information and Data Submitted by Applicant
Attachment 21- Parking Agreement

Technical Committee Analysis

I. Proposal Summary

Upgrade the interior of a single family dwelling for use as a women and children's homeless shelter with a maximum occupancy of no more than 40 persons. Total occupancy is inclusive to all clients (mothers and children), staff, volunteers and others providing professional services.

II. Site Description and Context

The proposal is located within the Idylwood Neighborhood. The project is bound on the east by 173rd Avenue NE and the north by NE 24th Street. South and west of the subject site are existing single-family residences.

The subject site consists of one tax parcel of developed land. The site contains no critical areas and is located within Wellhead Protection Zone four (4).

Adjacent	Existing Land Use	Zone
North	Single-Family Residential	R-6 (Single-Family Urban Residential) Zone
South	Single-Family Residential	R-3 (Single-Family Constrained Residential)
East	Single-Family Residential	R-3 (Single-Family Constrained Residential)
West	Single-Family Residential	R-3 (Single-Family Constrained Residential)

III. Site Requirements

The site is located within the R-3 (Single-Family Constrained Residential) zoning district. The site requirements listed in RZC 21.08.050 for this district are:

	Requirement	Proposed**
Front Setback (NE 173rd Ave):	20 feet	No Change /20 feet
Side/Interior Setback:	5 feet / 10 feet	No Change/5 feet / 10 feet
Side Street Setback (NE 24th St):	15 feet	No Change /15 feet
Rear Setback:	10 feet	No Change/ 10 feet
Maximum Lot Coverage (for structures):	35 percent of total lot area	No Change/ 35 percent of total lot area
Maximum Impervious Surface Area:	60 percent of the total lot area	No change/60 percent of the total lot area
Minimum Open Space:	20 percent of the lot area	No change/ 20 percent of the lot area
Maximum Height of Structures:	35 Feet	No Change /35 Feet

***There are no changes proposed to the exterior of the structure currently on-site and no additional structures are proposed as part of the project.*

The proposal complies with all of the site requirements for the R-3 (Single-Family Constrained Residential) Zone.

IV. Public Notice and Comments

Requirements for public notice are contained in RZC 21.76.080.

Notice of Application: The Notice of Application for this proposal was published on June 23, 2017 and Re-Issued with an updated project description on July 28, 2017. The notice was posted at City Hall, the Redmond Regional Library, and two notice signs were posted on the property. Notice was also mailed to property owners within 500 feet of the site (Attachment 1, Notice of Application Certificate of Public Notice and Public Notice).

Public Input: The Notice of Application was posted and mailed out on July 28, 2017. To date, 31 comment letters have been received. All comments received will be submitted during the Hearing on November 6, 2017. (Attachment 2, Notice of Application Public Comment Letters).

Below is a summary of topics expressed by submitted from the public:

- Safety for residents and property
- Traffic impacts
- Shelter not believed to be a permitted use within R-3
- The Conditional Use and Special Development Permits approvals for the site are no longer valid or relevant to the proposed project site
- Concerns of loitering
- Impacts to property values
- Inappropriate location due to lack of adjacent services
- Project will encourage homeless to come to Redmond
- There is not a justified need for a shelter
- Statements of support for the project

Written responses were provided via e-mail and posted on the City of Redmond website for all questions submitted (Attachment 3, Responses to Public Comment Letters and E-mails and Attachment 4, Follow-up Questions and Responses to Public Comments).

Neighborhood Meeting: Two Neighborhood Meetings were held at City Hall for the proposed project. The first meeting was hosted by the Applicant team on May 1, 2017. The second meeting was hosted by the City on August 24, 2017.

At the August 24, 2017 meeting staff passed out comment cards for those in attendance to write their questions or comments on. All cards were collected and responded to during the meeting. Additionally, staff provided written responses to the questions via e-mail and posted them on the City of Redmond website (Attachment 5, Neighborhood Meeting Comment Cards and Attachment 6, Responses to Neighborhood Meeting Comment Cards).

Notice of Public Hearing: The Notice of Public Hearing for this project, scheduled for February 5, 2018 was posted on the site, at City Hall, and at the Redmond Regional Library on February 5, 2018. The notice was also mailed to property owners within 500 feet of the site and to individuals who provided written correspondence to the City on the same date. The notice was also included in a one-time newspaper publication (Attachment 7, Notice of Public Hearing and Certificates of Posting).

V. State Environmental Policy Act

The State Environmental Policy Act (SEPA) requires applicants to disclose if any potential impacts to the environment may occur as a result of their project. RZC 21.70.010. C Adopts WAC Chapter 197-11, SEPA Rules. Per WAC 197-11-800(6) the project is categorically exempt from SEPA and therefore, an issuance of a SEPA determination is not required for the project.

VI. Compliance with Development Regulations

A. Landscaping

The Redmond Zoning Code (RZC 21.08.180) requires that for new subdivisions, short subdivisions, and other residential developments, landscaping shall be provided along the perimeter of the site that incorporates native vegetation and softens the transition between new and existing dwelling units when the new dwellings are directly adjacent to lots with existing dwellings or the dwellings can be viewed from public streets or park areas.

Finding: The proposal does not trigger perimeter landscaping; however, the project does propose a new six foot residential perimeter fence. Therefore, the project provides adequate landscaping as required by RZC 21.08.180.

B. Tree Protection

The Redmond Zoning Code (RZC 21.72) requires that all healthy landmark trees and 35 percent of all healthy significant trees be saved. Landmark trees are those trees that are greater than 30-inches in diameter at breast height. Significant trees are those trees that are between six-inches and 30-inches in diameter at breast height.

Finding: The applicant is proposing retention of 100 percent of the existing significant trees which exceeds the minimum required 35 percent tree retention.

The proposal includes the retention of all on-site trees.

C. Critical Areas

Section 21.64 of the Redmond Zoning Code contains standards, guidelines, criteria, and requirements intended to identify, analyze, preserve and mitigate potential impacts to the City's critical areas and to enhance and restore degraded resources such as wetlands, riparian stream corridors or habitat, where possible.

Finding: The site is outside of wetlands, aquatic systems and high quality wildlife habitat. Therefore, the shelter will not negatively impact any critical areas. Additionally, the proposed shelter is located in Wellhead zone four (4). Overall, the project poses very little risk related to wellhead protection.

D. Open Space

The Redmond Zoning Code (RZC 21.08.050) requires a minimum of 20 percent of the total lot area to be open space.

Finding: The applicant is not altering any portion of the building footprint or upgrades that would modify or reduce current available open space on the property. The proposal leaves 84.5 percent of the 11,500 square foot lot area as open space. Therefore, the applicant complies with minimum Code requirements by providing more than four times the minimum required 20 percent open space.

E. Transportation

This project does not trigger frontage improvements requirement per RZC 21.17.010.F.d. Based on the trip generation report, this project will generate a total of 4 trips during the peak PM hours. The result is insignificant to the transportation system and no further traffic impact analysis is required. This project will provide three (3) feet of right-of-way dedication and nine (9) feet of public utility easement to satisfy the roadway standards for any future improvements on NE 24th ST. No right-of-way dedication and additional easement are required on 173rd Ave NE.

F. Conditional Use Permit, Type III

Each proposed Conditional Use Permit shall be reviewed to insure that (RZC 21.76.070(K)(Y):

- a. Purpose. The purpose of this section is to establish the criteria that the City will use in making a decision upon an application for a Conditional Use Permit. A conditional use is a use which may be appropriate on a specific parcel of land within a given zoning district under certain conditions, but which is not appropriate on all parcels within the same zoning district. A Conditional Use Permit allows the City to consider the appropriateness of the use on a specific parcel in terms of compatibility with other uses in the same zone and vicinity and to impose conditions to ensure such compatibility.
- b. Decision Criteria. The City may approve or approve with modifications the conditional use only if the applicant demonstrates that:
 - 1. The conditional use is consistent with the RZC and Comprehensive Plan.

Response:

<p>LU-29 Designate allowed residential densities and housing types to provide for a housing stock that includes a range of choices to meet all economic segments and household types, including those with special needs related to age, health or disability.</p>	<p>The BelRed Family Resource Center will provide day services and short-term shelter for women with children experiencing homelessness and economic insecurity.</p> <p>Due to the increase cost of housing, especially in Redmond and the surrounding communities, families experiencing economic hardship resulting in homelessness need supportive shelter services as a first step toward regaining stable housing and employment.</p> <p>This project provides additional shelter beds in Redmond, wrap around services, and support needed for families to find permanent housing in the community or the surrounding communities. Unlike some family shelters, that operate during the winter months or move locations throughout the year, BelRed Family Resource Center will remain in a permanent location throughout year.</p> <p>BelRed Family Resource Center will be operated by Seattle's Union Gospel Mission with trained staff to address the needs of each family served, including those with special needs related to age, health and disability.</p>
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<p>HO-5 Cooperate with private and nonprofit developers, including the King County Housing Authority and social and health service agencies, to address local housing needs.</p>	<p>The BelRed Family Resource Center project is in cooperation with three religious facilities/ churches; the Evangelical Chinese Church, Westminster Chapel and Creekside Covenant Church. These three churches have designated Seattle's Union Gospel Mission as the organization to run the day-to-day operations of the BelRed Family Resource Center. This project is privately funded by Seattle's Union Gospel Mission, in partnership with the three churches.</p>
	<p>BelRed Family Resource Center will work closely with the local schools, service providers, and the social service departments for the City of Redmond, other Eastside Service providers and cities and King County.</p>
	<p>The BelRed Family Resource Center will also receive referrals from Crisis Clinic (211), which is King County's phone-based crisis intervention and information and referral services. Shelter guests will also complete the Coordinated Entry for All assessments offered through King County as a step toward permanent housing. Priority for shelter will be given to Redmond residents, followed by residents from other Eastside communities.</p>
	<p>In 2016, the 211 Crisis Clinic hotline received calls from 130 Redmond families seeking shelter and a total of 474 calls from Eastside residents including Bellevue, Kirkland, and Redmond seeking emergency shelter.</p>
<p>HO-11 Encourage the development of a variety of housing types, sizes and densities throughout the city to accommodate the diverse needs of Redmond residents through changes in age, family size and various life changes, including: •Development that provides smaller units with a mix of attached and detached housing units •Homes with ground floor master suites, and</p>	<p>This project would provide the City of Redmond with a year-round, 24-hour shelter that would serve women with children who are currently unable to obtain permanent housing. It would allow existing Redmond families currently dwelling in cars or the homes of acquaintances to remain in the community in which they are already living, working and attending school.</p>
	<p>It would provide a safe temporary shelter for these women and children and case management to help families navigate the housing process.</p>

<p>•Homes with all living areas on one floor</p>	<p>Family shelters operate differently from the traditional idea or image of emergency shelters. BelRed Family Resource Center, aligned with best practices for family shelter operations, will allow families to maintain their bed space from each night for up to 90 days, providing stability and safety for women and their children.</p> <p>Families will be screened over the phone before coming on-site, so there will be no waiting line outside of the shelter.</p>
<p>HS-1 Support the provision of a continuum of human services, from preventive to remedial, focused on ensuring that residents are able to be self-sufficient, contributing members of the community.</p>	<p>Women and children coming to the BelRed Family Resource Center will have a safe place to stay overnight and access a variety of day time services including meals, showers, laundry, case management; housing assistance, employment searches, children's activities; and life skill classes. The staff will work alongside the guests to identify barriers, set goals and contact clients into a more stable housing situation.</p> <p>The school age children will continue to attend school and have access to tutoring, assistance with homework and other services to promote school engagement to aid the long-term success of the student.</p> <p>Domestic violence is often a factor when serving women and children experiencing homelessness.</p> <p>Because the proposed site would not be a confidential location, BelRed Family Resource Center will not be a "safe house" and will not operate in a capacity to serve women who are being actively pursued by an abuser, as that situation is unsafe for the women, their children and the community.</p> <p>Women actively fleeing domestic violence situations will be referred to domestic violence shelters and programs elsewhere.</p> <p>Women who have experienced domestic violence in the past will be considered for admittance at the BelRed Family Resource Center. Seattle's</p>

	<p>Union Gospel Mission (“SUGM”) staff will evaluate each situation on a case-by-case basis and will only admit women and children that do not appear to create a risk to the shelter or community.</p> <p>The SUGM staff are professionally trained in this area and will be constantly monitoring each and every situation. This includes, but is not limited to the Community Agreement the women must sign, extensive screening procedures and surveillance cameras.</p> <p>SUGM was selected to run this shelter as they are trained professionals when it comes to caring for the people experiencing homelessness and also have experience at other facilities in King County at creating a safe environment for the women, their children and the community at large.</p> <p>The location most similar to the BelRed Family Resource Center is the Emergency Family Shelter, a short term overnight family shelter in Seattle, which serves women with children. See Attachment 8, Additional Operation Information and Details.</p>
<p>FW-46 Improve the welfare and independence of Redmond residents by supporting the availability of human services to all in the community.</p>	<p>This project will directly improve the welfare and independence of Redmond residents, in that it will provide shelter to women and children who are experiencing homelessness in Redmond. It would allow existing Redmond families currently dwelling in cars or the homes of acquaintances to remain in the community in which they are already living, working and attending school.</p> <p>During the 2016-2017 school year, Lake Washington School District served 385 students who met the criteria for homelessness. In 2016, the 211 Crisis Clinic hotline received 474 calls from Eastside (Redmond, Bellevue, and Kirkland) families seeking shelter. Additionally, 130 calls were from Redmond families in need of emergency shelter. First priority would be to provide shelter to residents of Redmond.</p> <p>BelRed Family Resource Center, Seattle’s Union</p>

Gospel Mission, and the partner churches will work alongside other Redmond service providers to meet the needs of families in Redmond. The facility staff will work closely with Lake Washington School District McKinney Vento Liaisons, teachers and administrators to support students and families.

Women experiencing homelessness with children in their care frequently chose to sleep in cars, pay for nights in motels when their funds allow or shelter night to night in the homes of friends or acquaintances to avoid being on the streets with their children. As a family shelter, BelRed Family Resource Center proposal for the facility is to offer such families stability as they search for transitional or permanent housing. Episodes of homelessness can be traumatic events for the entire family, but especially for children.

The trained staff at the proposed BelRed Family Resource Center would provide case management to guests, including guidance through Coordinated Entry for All, a King County program to assess housing needs and prioritize vulnerable populations for housing; applying for other housing resources; and looking for employment. Families would have a stable place to sleep each night, allowing them the opportunity to focus on housing applications, job searching and addressing other barriers to housing that they may be facing.

2. The conditional use is designed in a manner which is compatible with and responds to the existing or intended character, appearance, quality of development, and physical characteristics of the subject property and immediate vicinity.

Response: The proposal conforms to the site requirements set forth in RZC 21.08.050 R-3 Zone. BelRed Family Resource Center will continue to maintain the appearance of a single-family residence. There will be no exterior work done to the existing structure itself; therefore, the intended character, appearance, quality of development and physical characteristics of the property will not be affected (Attachment 9, Pictures of Current Structure).

3. The location, size, and height of buildings, structures, walls and fences, and screening vegetation for the conditional use shall not hinder neighborhood circulation or discourage the permitted development or use of neighboring properties.

Response: BelRed Family Resource Center conforms to the applicable R-3 (Single-Family Constrained Residential) Zone including regulations and procedures [RZC 21.08.050]. BelRed Family Resource Center complies since there will be no exterior work done to the existing structure itself. The existing single-family house will continue to appear as a single-family home as to blend into the neighborhood. A six foot residential perimeter is proposed to be installed to provide screening and privacy.

4. The type of use, hours of operation, and appropriateness of the use in relation to adjacent uses minimize unusual hazards or characteristics of the use that would have adverse impacts;

Response: BelRed Family Resource Center (BRFRC), will provide shelter for women with children experiencing homelessness. Women and children coming to BelRed Family Resource Center will have a safe place to stay overnight and access to a variety of day time services including meals, showers, laundry, case management, assistance to obtain housing, employment searches, children's activities, homework support and life skills classes. The staff will work alongside guests to identify and overcome barriers, set goals, and move forward into more stable housing. BelRed Family Resource Center will serve children, male or female, from infants to 17 years old. If a child turns 18 and is still enrolled in high school, male or female, they will be allowed to stay with their mothers in shelter until they graduate. All school age children will be required to attend school. Women and children seeking shelter will be accommodated regardless of family size, provided we have space available and do not exceed the maximum occupancy of 40 individuals.

The BRFRC will be operated with two staff on site twenty-four (24) hours a day, seven days a week. Overnight staff will remain awake and alert at all times. To meet the needs of the guests, staff will cover three shifts with at least two staff per shift, seven days a week. The first shift will be from 7 am to 3:30 pm. The second shift is from 3 pm to 11:30 pm and the third shift will be from 11pm to 7:30 am. There will be a 9 pm curfew for all guests who stay at the BRFRC.

Family shelters operate differently from the traditional idea or image of emergency shelters. BelRed Family Resource Center, aligned with best practices for family shelter operations, will allow families to maintain their bed space from night to night for up to 30-60 days, with the option to extend to 90 days for families who are diligently working toward housing and employment goals. This provides the needed stability and safety for women and their children. Families

will be screened over the phone before coming on-site, so there will be no waiting line outside of the shelter.

Volunteers will be utilized during daytime hours (6:30am-8:00pm) to assist in meal preparation, help with homework, provide children's activities, and other tasks that aid the day-to-day operations. All volunteers must pass a background check and sign up through Seattle's Union Gospel Mission online platform prior to coming to BelRed Family Resource Center. Volunteers will need to exit the property by 8:00pm each evening.

Visiting professional services such as tutoring, visits from case workers, social workers, health care professionals and other service providers will take place during two time frames. Daytime visits will take place when school children are gone. Evening visits would be scheduled after dinner when entire families are available, including older children. Professionals such as family counselors, psychologists, public health professionals will not generate any trips during the peak commute periods. Between shelter residents, staff, volunteers, and professional services, the maximum occupancy (40 persons) will be strictly adhered to at all times.

5. The Conditional Use is such that pedestrian and vehicular traffic associated with the use will not be hazardous or conflict with existing and anticipated traffic in the neighborhood.

Response: BelRed Family Resource Center will operate with a minimum of two staff on at all times. The existing single-family home included six bedrooms, and was assumed to house a total of three vehicles.

The shelter will maintain a maximum capacity of up to 40 people at all times. School age students will be required to attend school, being picked up by school bus or other school provided transportation on weekdays between 7am-8am and returning in the afternoon between 3pm-4pm. Guests at BelRed Family Resource Center will be able to stay at the house during the daytime and access day services. Some guests may have work or other outside appointments or errands the same as any other neighborhood resident. Some guests will have their own vehicle, but many will also rely on public transportation. BelRed Family Resource Center has a parking agreement with Creekside Covenant Church to use up to 20 parking spaces in their parking lot for the use of the BelRed Family Resource Center's shelter guests, staff, volunteers and visiting professionals. The parking lot will be monitored by the BelRed Family Resource Center staff and video surveillance.

Seattle's Union Gospel Mission operates other sites in King County and on average at KentHOPE Resource Center will have 7-8 guests with personal vehicles out of 35 guests/day and the Emergency Family Shelter in Seattle, there were 3-5 guests with personal vehicles out of 48 guests (approximately 15-18

adult women plus their children). Based on this data, we expect to have approximately 5 guests with personal vehicles and no more than 10 at any one time.

Public transportation is located on the corner of 173rd Ave NE and NE 24th on the 249, 888, 895 bus lines. 226 bus line is accessible with a half mile of the BelRed Family Resource Center.

The existing single-family home is assumed to have three (3) trips during the a.m. and p.m. peak hours, and BelRed Family Resource Center is assumed to have six (6) trips during the AM peak hours (7:00-9:00 AM) and 4 trips estimated during the PM peak hours (4:00-6:00 PM). In conclusion, the impact of BelRed Family Resource Center will be insignificant during the day and particularly during the peak traffic periods. It will not affect the service levels for either NE 24th Street or 173rd Ave NE (Attachment 10, Traffic Study).

6. The Conditional Use will be supported by adequate public facilities or services, and will not adversely affect public services to the surrounding area or conditions are established to mitigate adverse impacts on such facilities.

Response: BelRed Family Resource Center is located in a developed neighborhood where there are adequate public facilities and services in a 5-mile radius of the site. The adequate facilities include, but are not limited to schools, parks, churches, shopping centers, grocery store, and bus stops. BelRed Family Resource Center will comply with the City of Redmond's requirements to upgrade the water/sewer line from the house to the street. The requirements from the City of Redmond are based on the assumption that the burden created by the BelRed Family Resource Center will be greater than a single-family home. The required changes that City of Redmond has required mitigate any adverse impacts to the neighborhood.

VII. Code Deviations Granted

- a. Additional parking required may be met off-site on parcel 2525059040 through a cooperative parking agreement. Approved by Technical Committee April 5, 2017(RZC21.40.010.D).

VIII. Conclusions and Recommendations

The Technical Committee has conducted its various reviews on this proposal, including ensuring compliance with the Redmond Zoning Code, Redmond Comprehensive Plan, Redmond Municipal Code and State Environmental Policy Act. The Technical Committee is requesting that the Hearing Examiner **approve the ECC Women's Shelter /LAND-2016-01036 Type III application type subject to conditions** listed in Section IX.

This Conditional Use Permit, Type III application is vested to the regulations in effect upon the submission of a complete building permit for the proposal unless the building permit is cancelled or expires (RZC 21.76.050).

IX. Recommended Conditions of Approval

A. Site 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	12/6/2017	<i>and as conditioned herein.</i>
Transportation Report	9/27/2017	<i>and as conditioned herein.</i>
Stormwater Report	08/11/2017	<i>and as conditioned herein.</i>

The following conditions shall be reflected on the Civil Construction Drawings, unless otherwise noted:

Development Engineering - Transportation and Engineering

Reviewer: Andy Chow, Senior Engineer

Phone: 425-556-2740

Email: kachow@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) 9 feet wide utility easement, granted to the City of Redmond, along the new right-of-way of NE 24th Street.
 - (b) At the time of construction, additional easements may be required to accommodate the improvements as constructed.
 - ii. Dedications for right-of-way are required as follows:
 - (a) A strip of land 3 feet wide abutting the existing NE 24th Street right-of- way.

(Code Authority: RZC 21.52.030 (G); RMC 12.12)
- b. **Construction Restoration.** In order to mitigate damage due to trenching and other work on NE 24th Street and 173rd Avenue NE, the asphalt street shall be planed, overlaid, and/or patched, as determined by the Traffic Operations and Safety

Engineering Division in Public Works. Contact Rob Crittenden at 425-556-2838.

(Code Authority: RMC 12.08; Redmond Standard Specifications & Details; RZC 21 Appendix 2-A.8.e)

c. Access Improvements

i. Direct access to NE 24th Street will not be permitted. This restriction shall be indicated on the face of the civil plans and other final documents.

(Code Authority: RZC 21.52.030 (E); RZC 21 Appendix 2)

2. Development Engineering – Water and Sewer

Reviewer: Zheng Lu, Senior Engineer

Phone: 425-556-2844

Email: zlu@redmond.gov

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

An 8-inch water line and 4-inch fire line shall be extended from the existing 8-inch water main on NE 24th Street to the site. The 8-inch water main shall connect to a new fire hydrant located at the corner of NE 24th Street and 173rd Avenue NE. The 4-inch fire line shall be further extended to the building for fire sprinkler system.

The existing water service shall be replaced at the same location by a new 1-inch water service. The old water service does not meet current City standard. All water main and water service shall be designed in accordance with the City of Redmond Design Requirement, Water and Wastewater Extensions.

(Code Authority: RZC 21.74.020(D), RZC 21.17.010)

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

The applicant shall provide a CCTV report of the existing 4-inch sewer. If the City determines the existing sewer to be in good condition after reviewing the report, it can be reused. Otherwise, a new 6-inch side sewer shall be constructed and old side sewer shall be abandoned at the main in accordance with City standards.

(Code Authority: RZC 21.74.020(D), RZC 21.17.010)

c. Easements. Easements shall be provided for all water and sewer improvements as required in the Design Requirements for Water and Sewer System Extensions. Easements for the water and sewer mains shall be provided for City of Redmond review at the time of construction drawing approval. Offsite easements must be recorded prior to construction drawing approval.

(Code Authority: RZC 21.74.020(D), RZC 21.17.010)

- d. Permit Applications.** Water meter and side sewer applications shall be submitted for approval to the Development Engineering Utility Division. Permits and meters will not be issued until all improvements are constructed and administrative requirements are approved. Various additional guarantees or requirements may be imposed as determined by the Utilities Division for issuance of meters and permits prior to improvements or administrative requirements being completed. All reimbursement fees shall be paid prior to sale of water and side sewer permits.
(Code Authority: RMC 13.08.010, 13.12)

3. Fire Department

Reviewer: Scott Turner

Phone: 425-556-2273

Email: sturner@redmond.gov

The current submittal is generally adequate for LAND-2016-01036 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: Add a fire hydrant as needed.
- b. Fire Protection Plan: The PIV and the FDC can be a 4" line instead of a 6" line and need to be located within 40' of the hydrant.
- c. Change or Modification: Not at this time.
- d. Fire Code Permit: Separate fire permits required to install the fire sprinkler system and the fire alarm system.
- e. Comment: The layout of the FDC and the PIV will be finalized during the civil review process.

(Code Authority: RMC 15.06; RZC Appendix 3, RFD Standards, RFDD&CG)

4. Planning Department

Reviewer: Sarah Pyle, Senior Planner

Phone: 425-556-2426

Email: spyle@redmond.gov

- a. **Tree Preservation.** All of the significant trees on-site shall be retained. A future proposed removal of any trees shall comply with RZC 21.72.020.B
(Code Authority: RZC 21.72.020.B)
- b. **Cooperative Parking Agreement.** A Cooperative Parking Agreement must be submitted and approved prior issuance of any building permits for this project.
(Code Authority: RZC 21.40.010(F)).
- c. **Fencing and Screening.** Fencing shall be installed the entire perimeter of the back

and side yards of the property as shown in Attachment 11, Planning Conditions Site Plan and Attachment 16, Plan Set. At the northwest corner of the project site the fencing shall be installed no less than six (6) feet from the north (street adjacent) and outside of any site triangles. Trees shall be planted on the street facing side of the fence along the north property line and on the interior west property line a minimum length of 100' starting at the north west property corner. Trees along the west property line may be located on whichever side of the fence best accommodates for maintenance.

- d. **Smoking Area.** The designated smoking area shall be located the furthest point from the western property line that meets the minimum required distance from the facility's doors and windows. Please see Attachment 11, Planning Conditions Site Plan.
- e. **Code of Conduct.** The applicant shall maintain and enforce at all times a Code of Conduct (Attachment 12, Code of Conduct). Any revisions or changes to the document shall be provided to the City of Redmond Planning Department.
- f. **Contact Information.** The applicant and facility operator shall provide up-to-date and current contact information to the City. The City shall be notified and provide updated information within three business days of any change in contact information.
- g. **ADA Requirements.** The project site will be required to meet all ADA standards as defined by the 2015 International Building Code (IBC).

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

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
RMC 12.16:	Highway Access Management
RZC 21.76.100(F)(9)(e)	Nonconforming Landscaping and Pedestrian System Area
RZC 21.76.020(G):	Site Construction Drawing Review
RZC 21.76.020(H)(6):	Preconstruction Conference

RZC 21.76.020(H)(7):	Performance Assurance
RZC Appendix 3:	Construction Specification and Design Standards for Streets and Access
City of Redmond:	Record Drawing Requirements, July 2015
City of Redmond:	Standard Specifications and Details (current edition)

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 21.17.010:	Adequate Public Facilities and Services Required
RZC Appendix 4:	Design Requirements for Water and Wastewater System Extensions
City of Redmond:	Standard Specifications and Details (current edition)
City of Redmond:	Design Requirements: Water and Wastewater System Extensions - January 2012.

Stormwater/Clearing and Grading

RMC 15.24:	Clearing, Grading, and Storm Water Management
RZC21.64.060 (C):	Planting Standards
RZC 21.64.010:	Critical Areas
RZC 21.64.040:	Frequently Flooded 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)
City of Redmond:	Stormwater Technical Notebook, 2012
Department of Ecology:	Stormwater Management Manual for Western Washington (revised 2005)

Fire

RMC 15.06:	Fire Code
RZC Appendix 3:	Construction Specification and Design Standards for Streets and Access
City of Redmond:	Fire Department Design and Construction Guide 5/6/97
City of Redmond:	Fire Department Standards

Planning

RZC 21.58-21.62	Design Standards
RMC 3.10	Impact Fees
RZC 21.32, 21.72:	Landscaping and Tree Protection
RZC 21.34:	Exterior Lighting Standards
RZC 21.38:	Outdoor Storage and Service Areas

RZC 21.40:
RCZ 21.64:

Parking Standards
Critical Areas

Building

2012 International Building Codes (IBCs)
2012 Uniform Plumbing Code
2012 International Residential Code (IRC)

ARTICLE VI REVIEW PROCEDURES

RZC 21.76 REVIEW PROCEDURES

21.76.070 LAND USE ACTIONS AND DECISION CRITERIA

- A. **Purpose.** The purpose of this chapter is to establish the procedures (if different than the standard review type) and the decision criteria for each development application or special procedure. With the exception of Criteria Applicable to all Land Use Permits in RZC 21.76.070,B below, the actions are listed in alphabetical order.
- B. **Criteria Applicable to All Land Use Permits.**
1. Purpose. The purpose of this section is to provide general criteria that ensure overall consistency between proposed land use permits, and applicable regulations, and the Comprehensive Plan.
 2. Scope. The decision criteria below shall apply to all land use permits.
 3. Criteria.
 - a. Consistency. Land use permits are reviewed by the City to determine consistency between the proposed project and the applicable regulations and Comprehensive Plan provisions.
 - i. 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.
 - ii. 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 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.
- b. Limitations on Review. During project review, the City shall not reexamine alternatives to or hear appeals on the items identified in subsection B.3.a.i of this section, except for issues of code interpretation.
 - c. Burden and Nature of Proof. The burden of proof for demonstrating that the application is consistent with the applicable regulations is on the proponent. The project application must be supported by proof that it conforms to the applicable elements of the City's development regulations and the Comprehensive Plan, and that any significant adverse environmental impacts have been adequately addressed.
- C. **Administrative Design Flexibility.**
- 1. Purpose. The purpose of this section is to promote creativity in site design, allow flexibility in the application of standards in certain zones, and to achieve the creation of sites and uses that may benefit the public by the application of flexible standards not otherwise possible under conventional development regulations.
 - 2. Scope. Administrative design flexibility shall only be considered for adjusting standards in the categories listed below for each type of land use. Requests for adjustment to standards not listed shall be processed as a variance as set forth in RZC 21.76.070.BB, *Variances*.
 - 3. Process Type. Requests for administrative design flexibility shall be processed and decided as part of the decision on the underlying permit.
 - 4. Decision Criteria.
 - a. Criteria for Projects Other Than in Downtown, Overlake, or Marymoor Design District zones.
 - i. Criteria for Non-Single-Family Projects.
 - A. Superiority in achieving the Comprehensive Plan neighborhood goals and policies, and superior design in terms of architecture, building materials, site design, landscaping, and open space.

Projects shall seek to create greater amounts of privacy, maintenance of views, preservation of trees, preservation of historic resources, vegetation and habitat, and provide for adequate security.

B. The applicant must prove that the project meets the criteria outlined above, based on:

1. Measurable improvements, such as an increase in the number of trees saved, increased amount of open space, or increased landscaping area;
2. Objective improvements, such as increased solar access or increased privacy; and
3. Conceptual architectural sketches, showing two sketches (with and without administrative design flexibility), indicating the improvement gained by application of the administrative design flexibility.

C. Criteria for Additions or Modifications to Existing Single Family Structures.

- ii. The modification will not have a significant adverse impact on adjoining property owners;
 - b. The modification shall not be unduly injurious to property owners in the vicinity or their enjoyment of their property;
 - c. The request is due to special physical circumstances relating to the size, shape, topography, location, or surroundings of the subject property;
 - d. The project otherwise complies with the requirements of the RZC.
5. Residential Flexible Standards. Administrative design flexibility in residential zones is limited to the following development standards:
- a. Setbacks. Front, side, and rear setbacks may be reduced up to 20 percent in all residential zones, provided that setbacks from Lake Sammamish shall not be eligible for design flexibility. A minimum of 18 feet of driveway shall be provided between the garage, carport, or other fenced parking area and the street property line except when alleys are used for vehicular access.
 - b. Impervious Surface. In the R-8 through R-20 zones, the impervious surface area can be increased an additional five percent.
6. Commercial Flexible Standards. Administrative design flexibility is limited to the Neighborhood Commercial zones (NC-1 and NC-2) and General Commercial (GC) zoning districts. Administrative design flexibility is further limited to the following standards:

- a. Lot coverage/impervious surface may be increased an additional five percent.
 - b. Minimum building setbacks may be reduced up to 20 percent.
7. Business and Manufacturing Park Flexible Standards. Administrative design flexibility is limited to the Business Park (BP), Manufacturing (MP) and Industrial (I) zones. Administrative design flexibility is further limited to the following standards:
- a. Lot coverage/impervious surface may be increased an additional five percent.
 - b. Minimum building setbacks may be reduced up to 20 percent.
8. Decision Criteria for Downtown, Overlake, and the Marymoor Design District.
- a. Deviation from standards listed in subsection C.8.b below may be allowed if an applicant demonstrates that the deviations would result in a development that:
 - i. Better meets the intent of the goals and policies for the zone in which the site is located;
 - ii. Is superior in design in terms of architecture, building materials, site design, landscaping, and open space; and
 - iii. Provides benefit in terms of desired use and activity.
 - b. Standards that may be modified by application of administrative design flexibility are as follows:
 - i. Parking Lot Location. Requirements for the location of on-site parking may be modified within the development (except for parking within residential yard areas) to provide for greater joint-use and quasi-public parking opportunities and uses which are highly desirable in the subject design area.
 - ii. For Downtown, mid-block pedestrian walkways and vehicular lanes, per RZC 21.10.150, *Pedestrian System*, may be modified to allow variations in locations and minimum widths for these items to provide superiority in site design and function which benefits both the property owner and public.
 - iii. Street standards for attached dwelling unit subdivision developments.
 - iv. Other Site Requirements and Standards. All other site requirements and standards except density, number of stories, and FAR may be modified within the development to provide superiority in site design; i.e., greater amounts of privacy, maintenance of views, greater environmental

benefit, distinctive and high quality of design, improved pedestrian access, preservation of vegetation, provision of usable open space, and adequate light, air, and security.

D. Administrative Interpretation.

1. Purpose. The purpose of this section is to provide for the interpretation of the Zoning Code. The primary objective of administrative interpretation is to ascertain the intent of the code provision at issue and to give effect to that intent. Administrative interpretation shall not be used to amend or change the code.
2. Scope. The RZC shall be interpreted whenever any of its provisions, or the application of such provisions to any specific set of circumstances, is ambiguous; i.e., where the Code is subject to two or more reasonable interpretations.
3. Procedures. The Code Administrator shall be responsible for interpreting the provisions of this code, except where expressly provided otherwise. Any interested person may apply for an interpretation of this code. Applications for administrative interpretation are processed as Type I reviews.
4. Decision Criteria.
 - a. The provisions of the RZC shall be considered to be the minimum requirements adopted for the promotion and protection of the public health, safety, and general welfare, and all administrative interpretations shall be made in this context.
 - b. The RZC is not intended to interfere with, abrogate, or annul any easements, covenants, or other agreements between parties, except where the agreements may conflict with the enforcement of the RZC.
 - c. In the case of conflicts between parts of the RZC or between the RZC and other rules, regulations, resolutions, ordinances, or statutes lawfully adopted by other authority having jurisdiction within the City, the most restrictive shall govern. In the case of conflicts between the text, maps, and charts of the RZC, the text shall govern unless otherwise stated.
 - d. Interpretation of the Official Zoning Map shall be as set forth in RZC 21.04.020.B.
 - e. Interpretation of the Redmond Comprehensive Plan is to be made recognizing that the boundaries of the plan categories are not exact but illustrate general relationships and locations.
5. Administrative interpretation shall utilize generally recognized principles of statutory and ordinance interpretation adopted by the courts of this state.

E. Alteration of Geologic Hazard Areas.

1. Purpose. The purpose of this section is to provide for the construction of streets and/or utilities that are identified on an adopted City plan, where no reasonable alternative to locating in a Landslide Hazard Area exists.
2. Scope. An Alteration of Geologic Hazard Areas is an exception for streets and utilities identified in an adopted plan as of October 1, 1997, such as the Comprehensive Plan, Capital Facility Plan, Transportation Improvement Plan, or Utility Facility Plan, from strict adherence to RZC 21.64, *Critical Areas Regulations*, as the chapter relates to Landslide Hazard Areas.
3. Decision Criteria.
 - a. There must be no reasonable alternative to locating in a Landslide Hazard Area. Alternative locations which would avoid impact to the Landslide Hazard Area must be shown to be economically or functionally infeasible.
 - b. A geotechnical evaluation must be conducted to identify the risks of damage from the proposal, both on-site and off-site, and to identify measures to eliminate or reduce risks. The proposal must not increase the risk of occurrence of the potential geologic hazard.
 - c. Impacts shall be minimized by limiting the magnitude of the proposed construction to the extent possible. Any impacts must be eliminated or mitigated by repairing, rehabilitating, restoring, replacing, or providing substitute resources consistent with the mitigation and performance standards set forth in RZC 21.64.010.L and 21.64.010.M.
- F. **Archeological Sites.** The decision criteria for archeological sites are found in RZC 21.30, *Historic and Archeological Resources*.
- G. **Binding Site Plan.** The decision criteria for binding site plans are found in RZC Article V, *Land Division*.
- H. **Boundary Line Adjustment.** The decision criteria for boundary line adjustments are found RZC Article V, *Land Division*.
- I. **Certificate of Appropriateness.** The decision criteria for certificate of appropriateness are found in RZC 21.30, *Historic and Archeological Resources*.
- J. **Comprehensive Plan Map and/or Policy Amendment.**
 1. Purpose. The purpose of this section is to provide a mechanism to allow modifications to the City's Comprehensive Plan Map or policies.
 2. Procedure for establishing the scope of annual Comprehensive Plan amendments and concurrent Zoning Code amendments (the "docketing process"). The Growth Management Act, RCW 36.70A, provides that Comprehensive Plan amendments can occur no more than once a year with limited exceptions. For any given year, the City establishes an application process with due date, as shown in

Figure 21.76.070A. Applications received after the due date may be considered as part of the following year's Comprehensive Plan docketing process.

- a. Sequence for establishing the annual docket. Figure 21.76.070A identifies major steps involved in establishing the annual Comprehensive Plan docket.

Figure 21.76.070A
Flow Chart for Annual **Docketing** Process

Announce Comprehensive Plan amendment application period



First application deadline
Determination of completeness.



Second application deadline
Final Review for completeness.



Planning Commission Study Session:
Reviews scope of proposed annual amendments.



Planning Commission Holds Public Hearing
Seek comments on scope of proposed amendments.



Planning Commission recommendation and report transmittal to City Council



City Council reviews scope of proposed annual amendments and Planning Commission's report



City Council confirms scope of annual

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b. Criteria for including proposed Comprehensive Plan amendments in a given docket cycle. The following criteria will be used in determining which proposed Comprehensive Plan amendments will be given further consideration. Applications not included in an annual docket may be submitted in subsequent annual docketing processes, and would be evaluated again for consistency with criteria.

i. Amending the Comprehensive Plan is the most appropriate mechanism available, as the desired outcome cannot be addressed as a regulatory, budgetary, or programmatic measure;

ii. The proposed Comprehensive Plan amendment is best addressed as an individually docketed item, instead of evaluating as part of a periodic update to Redmond's Comprehensive Plan, neighborhood plan update, or other planning processes such as those led by neighboring jurisdictions, regional, or state agencies;

iii. The proposed Comprehensive Plan amendment is consistent with existing local, state, and federal laws;

iv. The proposed Comprehensive Plan amendment is timely with respect to other City and community initiatives, and planned public and private development activity;

v. City Council, Planning Commission, and staff will have sufficient information necessary to analyze the proposal, develop a recommendation, and make an informed decision within the docket year;

vi. The proposed Comprehensive Plan amendment is consistent with overall vision, policies, and adopted functional plans; and

vii. The proposed Comprehensive Plan amendment or similar amendment has not been considered or rejected within the last two years.

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Criteria for evaluation and action on proposed Comprehensive Plan Amendments. Once the scope of annual Comprehensive Plan amendments is confirmed via the docketing process described in RZC 21.76.070.J.2, each item is reviewed individually and acted on using the criteria below per Redmond Comprehensive Plan Policy PI-16. The review process shall follow Type VI (legislative) permit procedures as described in RZC 21.76.050.

- a. Consistency with the Growth Management Act (GMA), the State of Washington Department of Commerce Procedural Criteria, and the King County Countywide Planning Policies (CPPs);
 - b. Consistency with the Comprehensive Plan policies and the designation criteria;
 - c. Consistency with the preferred growth and development pattern in Section B of the Land Use Element of the Comprehensive Plan;
 - d. The capability of the land, including the prevalence of critical areas;
 - e. The capacity of public facilities and whether public facilities and services can be provided cost-effectively at the intensity allowed by the designation;
 - f. Whether the allowed uses are compatible with nearby uses;
 - g. If the purpose of the amendment is to change the allowed use in an area, the need for the land uses that would be allowed by the Comprehensive Plan amendment and whether the amendment would result in the loss of the capacity to meet other needed land uses, especially whether the proposed amendment complies with the policy on no net loss of housing capacity; and
 - h. For issues that have been considered within the last four annual updates or Comprehensive Land Use Plan amendments, whether there has been a change in circumstances that makes the proposed plan designation or policy change appropriate or whether the amendment is needed to remedy a mistake.
4. Exemptions. Changes in the organization, format, appearance, profiles, narrative, illustrations, examples or other nonmaterial changes to the Comprehensive Plan may be made by the Department of Planning and Community Development and are exempt from this section. Amendments to facility plans for City-managed utilities shall follow those procedures described in the Capital Facilities Element of the Redmond Comprehensive Plan.
5. Approval by Ordinance. All amendments shall be approved by ordinance by the Redmond City Council.
6. Proposed Amendments for a Neighborhood Commercial Designation. The following additional procedures apply for proposed amendments to the Comprehensive Land Use Plan Map and Zoning Map for a Neighborhood Commercial designation.
- a. Conceptual Site Plan. The applicant shall include with the application a conceptual site plan, indicating proposed land uses, vehicular and nonmotorized access and parking, building height, building entrances, landscaping, open space, and community gathering areas. Architectural design, exact building shapes, and other detailed information required in a site plan shall not be required. The plan

shall demonstrate feasibility of compliance with Redmond's Comprehensive Plan policies and Redmond Zoning Code regulations associated with Neighborhood Commercial land use and zoning designation, RZC 21.14.010, *Neighborhood Commercial (NC-1)* or RZC 21.14.015, *Neighborhood Commercial (NC-2)*.

- b. **Neighborhood Meeting.** Applicants are required to hold a neighborhood meeting between two and eight weeks following submittal of the application. City staff shall be invited to attend the meeting. Notice of the meeting shall be mailed at least 21 days prior to the meeting to all property owners and residents within the respective neighborhood boundaries of the proposed project and to any other person known to the City to have expressed an interest in the individual amendment. The notice shall include the conceptual site plan. Neighborhood meeting purpose and requirements shall also apply, RZC 21.76.060.C, *Neighborhood Meetings*.
- c. **Availability of Application.** The application, including the conceptual site plan, shall be available for public review at the Development Services Center for a minimum of fourteen days prior to the neighborhood meeting.
- d. **Comments from Neighborhood Meeting.** The applicant shall consider the comments received at the neighborhood meeting and shall consider recommendations from City staff, if any, regarding potential revisions to the conceptual site plan to address neighborhood concerns. The applicant shall either (a) submit a revised conceptual site plan incorporating any such revisions, or (b) advise the City that no revisions will be made, within 60 days from the date of the neighborhood meeting. If the applicant does not resubmit or notify the City within the 60-day period, the City will process the application as submitted without revisions.
- e. **Neighborhood Commercial Review Panel.**
 - i. After receipt of the revised conceptual site plan or after 60 days has passed from the date of the neighborhood meeting, the City shall schedule the application for review by a Neighborhood Commercial Review Panel consisting of the following representatives to be appointed by the Mayor:
 - A. One member of the Redmond Planning Commission
 - B. Two members of the Redmond Design Review Board;
 - C. One member of the Redmond Technical Committee;
 - D. Three citizen representatives, to be selected according to the following order of priority:
 - 1. Members of any active Citizen Advisory Committee (CAC) for the neighborhood in which the proposal is located; or

2. Members of any former CAC for the neighborhood in which the proposal is located;

E. In instances where there is no representative who meets the criteria set forth in subsection J.6.e.i.D above of this section, the Mayor may appoint a member of a Redmond board, commission, or committee, or an active civic leader from the neighborhood in which the project is located.

F. In addition to the seven representatives identified above, a Youth Advocate member is encouraged to participate on the review panel as a nonvoting member.

ii. The Neighborhood Commercial Review Panel shall provide a recommendation to the Technical Committee regarding whether the application for a Comprehensive Land Use Plan Map and Zoning Map amendment should be approved, modified, or denied, and shall include any recommended conditions for approval.

iii. The Neighborhood Commercial Review Panel's recommendation shall be included as an attachment to the Technical Committee Report and to the Planning Commission Report, and referenced in the findings of fact. (Ord. 2614)

K. Conditional Use Permit.

1. Purpose. The purpose of this section is to establish the criteria that the City will use in making a decision upon an application for a Conditional Use Permit. A conditional use is a use which may be appropriate on a specific parcel of land within a given zoning district under certain conditions, but which is not appropriate on all parcels within the same zoning district. A Conditional Use Permit allows the City to consider the appropriateness of the use on a specific parcel in terms of compatibility with other uses in the same zone and vicinity and to impose conditions to ensure such compatibility.

2. Scope. A Conditional Use Permit shall be required for any land use designated as requiring a Conditional Use Permit in the applicable permitted use chart, unless otherwise noted in the chart.

3. Phasing. A project may be developed in phases. If more than three years have lapsed since final approval of the project, uncompleted divisions shall be subject to the current City standards.

4. Decision Criteria. The City may approve or approve with modifications the conditional use only if the applicant demonstrates that:

- a. The conditional use is consistent with the RZC and the Comprehensive Plan;
- b. The conditional use is designed in a manner which is compatible with and responds to the existing or intended character, appearance, quality of development, and physical characteristics of the subject property and immediate vicinity;
- c. The location, size, and height of buildings, structures, walls and fences, and screening vegetation for the conditional use shall not hinder neighborhood circulation or discourage the permitted development or use of neighboring properties;
- d. The type of use, hours of operation, and appropriateness of the use in relation to adjacent uses minimize unusual hazards or characteristics of the use that would have adverse impacts;
- e. The conditional use is such that pedestrian and vehicular traffic associated with the use will not be hazardous or conflict with existing and anticipated traffic in the neighborhood;
- f. The conditional use will be supported by adequate public facilities or services, and will not adversely affect public services to the surrounding area or conditions are established to mitigate adverse impacts on such facilities.

L. Development Agreement.

1. Purpose. The purpose of this section is to provide a mechanism whereby developers and the City can be certain that upon approval a project may proceed in accordance with existing policies and regulations, and that public facilities and services will be adequate to serve existing and new development at such time as development occurs. Development agreements are authorized by RCW 36.70B.170, et seq.
2. Scope. Any person having ownership or control of real property within the City desiring to enter may apply for a development agreement in order to set forth the development standards and other provisions that will apply to and govern and vest the development, use, and mitigation of the development of the real property for the duration specified in the agreement.
3. Decision Criteria. A development agreement may be entered into if the following criteria are met:
 - a. The agreement must be consistent with the applicable development regulations for the property;
 - b. All impacts of the development must be mitigated by the measures set forth in the agreement or the agreement must provide a mechanism for analyzing and mitigating such impacts as they occur;

- c. The agreement must reserve the City's authority to impose new or different regulations to the extent required by a serious threat to public health and safety;
- d. The duration of the agreement must be reasonable in light of the anticipated build-out period for the proposed development and the needs of the City; and
- e. The agreement must be in the public interest and provide a public benefit.

M. Essential Public Facilities.

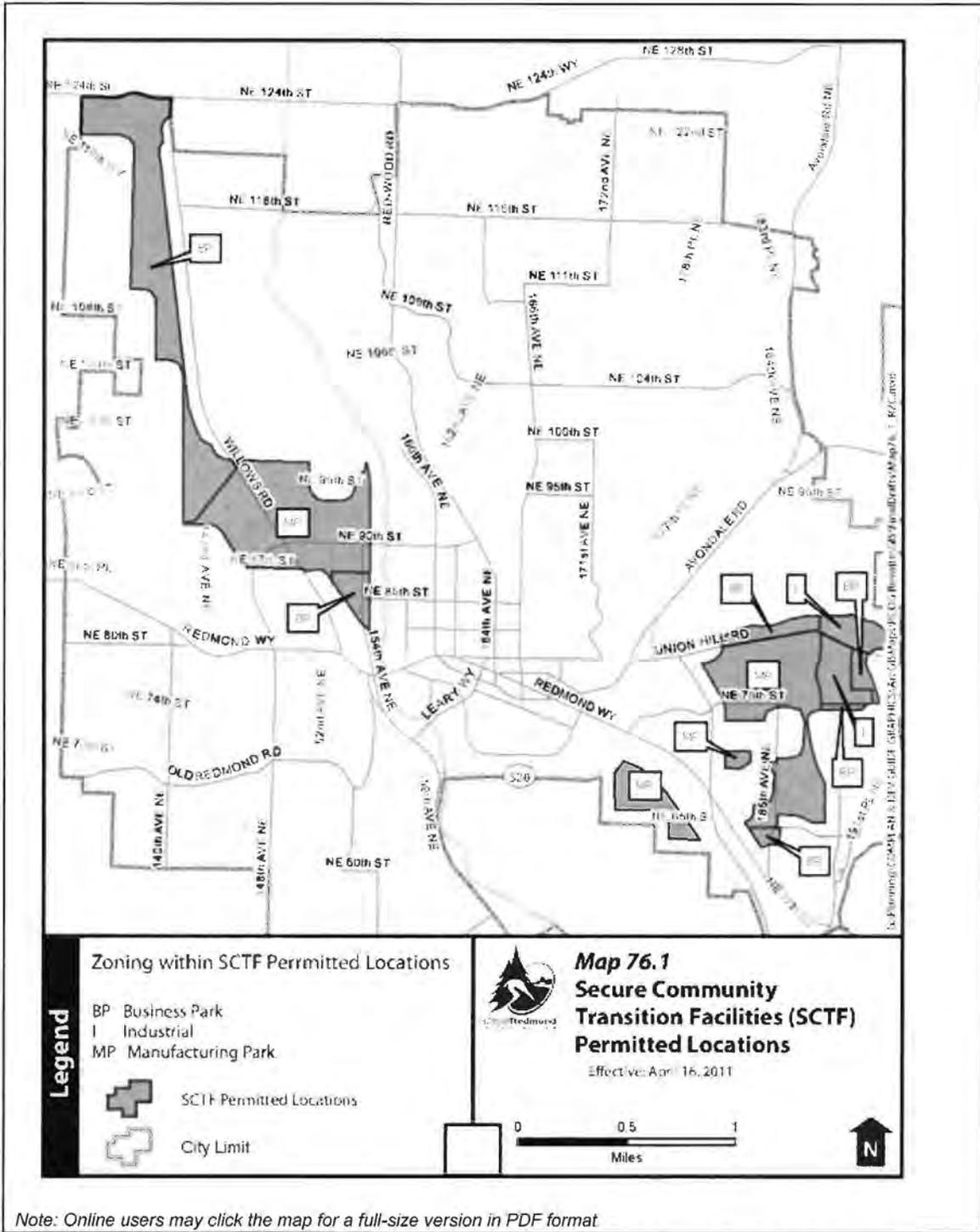
1. Purpose. The purpose of this section is, as required by state law, to provide a process to site necessary public uses that may otherwise be difficult to site. This process also provides for greater involvement of the community and identifies and minimizes adverse impacts. Essential public facilities are defined in RZC 21.78, *Definitions*.
2. Scope. This section establishes the criteria that the City will use in making a decision upon an application for an essential public facility. This section provides an alternative process for permitting those uses which qualify as essential public facilities under the criteria set forth below. A proposal may be reviewed as an essential public facility under this section when the applicant makes a written request for such review to the Administrator, or when the Administrator requires that a proposal be reviewed as an essential public facility. A proposal qualifies as an essential public facility when:
 - a. The facility meets the definition of Essential Public Facility.
 - b. The facility is a type difficult to site because of one of the following:
 - i. The facility needs a type of site of which there are few sites
 - ii. The facility can locate only near another public facility,
 - iii. The facility has or is generally perceived by the public to have significant adverse impacts that make it difficult to site, or
 - iv. The facility is of a type that has been difficult to site in the past;
 - c. There is need for the facility, and Redmond is in the facility service area.
3. Procedure. Applications that seek approval for an essential public facility shall follow the procedures established in RZC 21.76.050.I for a Type IV permit process. In addition to the decision criteria described in subsection M.5 below, Secure Community Transition Facilities shall also be consistent with subsection M.7 below.
4. Review Process - Alternative Sites/Public Involvement.

- a. An applicant may have one or more alternative sites considered at the same time during this process.
 - b. The Administrator has the authority to require the consideration of sites outside the City of Redmond, except where the facility is a state or regional facility for which a siting decision has already been made.
 - c. A public involvement process shall be required. The purpose of the public involvement process is to involve the persons within the zone of likely and foreseeable impacts, and to assist in the development of potential incentives or modifications which would make siting of that facility more acceptable.
 - i. The applicant shall propose an acceptable public involvement process to be reviewed and approved by the Administrator.
 - ii. Public involvement activities shall be conducted by and paid for by the applicant.
 - iii. The public involvement process shall be initiated by the applicant as early as feasibly possible.
 - d. The Administrator may require a multi-jurisdictional review process if the facility serves a regional, countywide, statewide, or national need, if such a process has not been conducted prior to submittal of the application. If this process is required, the applicant shall design an acceptable process to be reviewed and approved by the Administrator. If such a process has already been conducted, no additional multi-jurisdictional process will be required. Applicants shall be required to pay for any process conducted. This requirement is not applicable to Secure Community Transition Facilities.
 - e. An analysis of the facility's impact on City finances shall be undertaken.
5. Decision Criteria.
- a. Except where the facility is a state or regional facility for which a siting decision has already been made, alternative sites covering the service area of the proposed facility must be considered, and the site proposed must be the most appropriate site taking into consideration the requirements of the facility and the impacts on surrounding uses and the environment;
 - b. A determination must be made that there is a public need for the facility, unless the facility is a state or regional facility for which need has already been established;
 - c. The impact of the facility on the surrounding uses and environment, the City, and the region must be minimized;
 - d. Conditions and/or mitigation measures relative to the design and/or operation of the facility must be identified and imposed to make the facility

compatible with the surrounding uses and the environment to the extent practicable;

- e. A package of incentives must be developed that would make siting the facility within the community more acceptable;
 - f. A determination must be made as to whether the factors that make the facility difficult to site can be modified to increase the range of available sites or to minimize impacts on affected areas and the environment, except where the facility is a state or regional facility for which a siting decision has already been made;
 - g. The proposal shall comply with any applicable mitigation measures identified in the financial impact analysis;
 - h. The proposed facility must be consistent with the Redmond Comprehensive Plan, unless the Comprehensive Plan would preclude the location of such facilities anywhere within the City;
 - i. The facility must comply with any applicable state siting and permitting requirements; and
 - j. Alternative sites shall cover the service area of the proposed facility. This criteria is not applicable to Secure Community Transition Facilities.
6. The City shall not deny or condition an essential public facility in such a manner as to preclude the siting or expansion of any state or regional essential public facility in the City. In the event that a state or regional essential public facility cannot, by the imposition of reasonable conditions of approval, be made to meet the decision criteria in subsection M.5 above, the City shall approve the siting or expansion of the state or regional essential public facility with such reasonable conditions of approval as may allow the essential public facility to meet the decision criteria to the maximum extent practicable.
7. Secure Community Transition Facilities.
- a. Purpose and Intent. The purpose and intent of requiring standards for Secure Community Transition Facilities (SCTFs) is to comply with RCW Chapter 71.09, while maintaining compatibility with other land use and services permitted within the City.
 - b. Applicability. The standards in this section apply to all SCTFs, and are not subject to variance. These standards are in addition to the general standards applicable to essential public facilities found elsewhere in this subsection RZC 21.76.070.M.
 - c. Siting Criteria.
 - i. SCTFs should be located near transit facilities, where practical.

- ii. SCTFs are only permitted in the areas designated on Map 76.1, Secure Community Transition Facilities (SCTF) Permitted Locations, adopted by this reference and set forth as paragraph M.7.f of this subsection.
- iii. No SCTF shall be permitted to locate within one mile, as measured nearest property line to nearest property line, from any existing SCTF, work release, pre-release, or similar facility, as defined in RCW 71.09.250(8).
- d. **On-Site Facilities Required.** Each SCTF shall have the capability to provide on-site dining, on-site laundry or laundry service, and on-site recreation facilities to serve the residents.
- e. **Application materials.** In addition to the regular application materials required for land use review, an application for an SCTF shall also include:
 - i. A description of the siting process used for the SCTF, including alternative locations considered;
 - ii. An analysis showing that consideration was given to potential sites such that the siting of the facility will not result in a concentration of similar facilities in a particular neighborhood, community, jurisdiction, or region;
 - iii. Proposed mitigation measures, including the use of buffering from adjoining uses;
 - iv. A general overview of planned security for the facility;
 - v. A schedule and analysis of all public input solicited or to be solicited during the siting process; and
- f. Map 76.1, Secure Community Transition Facilities (SCTF) Permitted Locations.



- N. **Final Plat.** The decision criteria for Final Plats are found in RZC Article V, *Land Division*.
- O. **Historic Landmark Designation.** The decision criteria for Historic Landmark Designations are found in RZC 21.30, *Historic and Archeological Resources*.
- P. **Master Planned Development (MPD).**

1. Purpose. The purpose of this section is to provide a mechanism to allow the master planning of sites where development is proposed to occur in phases, where coordination of public facilities is needed, when a master plan is needed to determine how best to develop the area, when a master plan is needed to integrate various uses, or when multiple ownerships are to be coordinated into a unified development. The MPD process establishes conditions of approval for all concurrent and subsequent development applications; and thereby ensures that infrastructure, public services, and open space and recreation areas will be provided in a timely manner and be tailored to the MPD site. The MPD process also provides long-term guidance for a large area so that the continuity of development is maintained.
2. Applicability. MPDs are:
 - a. Allowed in all zones for projects encompassing at least three acres (for multifamily, commercial, and mixed use) or 50 dwelling units (for single-family);
 - b. Required in the Overlake Village Subarea, Marymoor Design District, and Northeast Design District for all projects encompassing at least three acres;
 - c. Optional in the Overlake Village Subarea and in Downtown zones for projects encompassing less than three acres; and
 - d. Required in the East Sammamish Valley area pursuant to RZC 21.08.190.B, *East Sammamish Valley Master Plan Requirement*.
3. Scope of Approval. The MPD approval shall constitute a limitation on the use and design of the site.
 - a. MPD Term. Development plans may include multiple phases to be developed successively over a period of no more than five years (10 years for MPDs located in Overlake Village, the Marymoor Design District, and the Northeast Design District and MPDs greater than 10 acres in Downtown). If after this time period uncompleted phases remain, the applicant may request of the Technical Committee one extension of no more than five years. The Technical Committee may grant the extension if the applicant demonstrates economic hardship, change of ownership, unanticipated construction and/or site design problems, or other circumstances beyond his/her control determined acceptable by the Technical Committee. The MPD approval shall expire no more than 10 years from the original approval (15 years for MPDs located in Overlake Village, Marymoor Design District, and the Northeast Design District and MPDS greater than 10 acres in Downtown). If an MPD is accompanied by a development agreement, the applicant shall have the option of having the term of the MPD coincide with that of the development agreement, even if the term of the development agreement exceeds the ordinarily allowable MPD timeframe.

- b. MPD and Subdivision. An MPD that requires platting shall not receive final plat approval until the City has granted an MPD approval.
 - c. Approval Process. The approval process includes the City's review and consideration of the general project concept, including its intensity and overall design. Each land use permit associated with the MPD would then relate to specific site and development requirements as defined by the approval and the RZC.
4. Procedures. MPDs shall be processed using the following procedures:
- a. MPDs in the Overlake Village Subarea, Marymoor Design District, and Northeast Design District that are larger than three acres in size and MPDs in the Downtown that are larger than ten acres in size shall follow a Type V process as set forth in RZC 21.76.050.J.
 - i. A recommendation from the Design Review Board shall be required.
 - ii. The applicant shall host two neighborhood meetings: one early in the PREP process if PREP is used, and a second pursuant to RZC 21.76.060.C. The second neighborhood meeting shall be held no later than 60 days before the public hearing.
 - iii. MPD approval extensions and MPD amendments that meet the criteria for administrative modifications shall be reviewed under RZC 21.76.090, *Post-Approval Actions*.
 - b. All other MPDs shall follow the process that is followed for the underlying land use permit. For example, an MPD that accompanies a site plan entitlement would follow a Type II process.
 - i. A neighborhood meeting to gather public input shall be held prior to the applicant making a formal application for the underlying land use permit.
 - ii. MPD approval extensions and MPD amendments that meet the criteria for administrative modifications shall be reviewed under RZC 21.76.090.D, *Administrative Modifications*.
 - c. A Master Plan shall be completed prior to approval of any subdivision, binding site plan, or issuance of land use permit approval for any development. The following actions are exempt from this requirement:
 - i. Alterations to a building that qualify for review as an Administrative Modification under RZC 21.76.090.D.
 - ii. Public projects, such as parks, utility, and street improvements, including subdivision of property for land acquisition, or acquisition of other property rights required for such projects.

- iii. Actions exempt from subdivision requirements as listed in RZC 21.74.010.B.2.
 - iv. Relocation of structures displaced by public projects.
5. Decision Criteria. Master Planned Developments shall meet the following criteria:
- a. All elements of the MPD shall support and be consistent with the RZC and all applicable Comprehensive Plan policies.
 - b. MPDs proposed in the Overlake Village Subarea shall be consistent with the Overlake Master Plan and Implementation Strategy, and shall include the items listed in 5.d below in addition to the following:
 - i. A height and bulk study that demonstrates how building mass, height, and scale relate to open spaces, pedestrian pathways, streets, and other buildings;
 - ii. An analysis of shading effects of taller buildings (for sites smaller than three acres, only required if the Technical Committee or Design Review Board determine based upon the height and bulk study that analysis of shading effects is needed); and
 - iii. Phasing plan for bonus features and affordable housing component showing that the completion of improvements of bonus features and affordable housing shall be commensurate with the progress on the construction of the development (for sites smaller than three acres, only required if the Technical Committee determines necessary).
 - c. MPDs proposed in the Marymoor Design District shall include a phasing plan for bonus features and affordable housing as described in 5.b.iii above in addition to the items listed in 5.d below.
 - d. All MPDs shall include the items listed below:
 - i. A design concept that is in conformance with all applicable Comprehensive Plan policies and development regulations;
 - ii. Conceptual site plan indicating all proposed land uses (architectural design, exact building shapes, locations, and other detailed information required in a site plan shall not be required);
 - iii. Transportation and circulation plan indicating the layout and conceptual design of all streets, pedestrian pathways, parking, and location of transit facilities (as available), in plan view and cross section for streets (cross sections only required for projects in the Downtown);
 - iv. Location of proposed space for parks, open space, and any cultural facilities;

- v. Phasing plan describing anticipated time frames for development and showing that completion of affordable housing shall be commensurate with the progress on the construction of the development;
 - vi. Location of any environmentally critical areas;
 - vii. Landscape and tree retention concepts, including consideration of the health and structural stability of retained trees, as determined by an arborist report;
 - viii. Preliminary plan indicating required connections to adjacent properties for transportation and open space systems;
 - ix. Overall approach to sustainable design, including consideration of the use of environmentally sustainable materials such as permeable pavement, where possible; and
 - x. Preliminary plan for other major infrastructure improvements (may be waived by the Technical Committee for sites in Overlake smaller than three acres).
- e. The Master Plan must comply with all site requirements or design guidelines that would ordinarily apply to projects developed in the underlying zone.
 - f. Property included in an MPD must be under the same ownership, or there must be a signed agreement establishing control over multiple ownerships.
6. Vesting. Where MPDs are required, they must be completed in conjunction with a development agreement, as described in RCW Chapter 36.70B, in order to vest to development regulations in place at the time of the agreement. Where MPDs are optional, applicants wishing to vest may pursue a development agreement as described in RCW Chapter 36.70B.
7. Nothing in this section shall preclude the acquisition of land prior to application or approval of a master plan.
- Q. **Plat Alteration.** Decision criteria for plat alterations are found in RZC Article V, *Land Division*.
- R. **Plat Vacation.** Decision criteria for plat vacations are found in RZC Article V.
- S. **Preliminary Plat.** Decision criteria for preliminary plats are found in RZC Article V.
- T. **Reasonable Accommodations for Persons with Disabilities.**
- 1. Purpose. The purpose of this section is to comply with the requirements of the Federal Fair Housing Act and Fair Housing Act Amendments. The Federal Fair Housing Act and Fair Housing Act Amendments require that reasonable accommodations be made in the rules, policies, practices, or services when such accommodations may be necessary to afford disabled persons equal opportunity to

use and enjoy a dwelling. The rights created by the statutes are requirements of federal law, and shall be interpreted and applied in accordance with federal case law.

2. Scope. The Administrator or his/her designee is therefore authorized to make reasonable accommodations in the provisions of the RZC as such provisions apply to dwellings occupied or to be occupied by disabled persons as defined by the Federal Fair Housing Act and Fair Housing Act Amendments.

3. Procedure.

a. Request. A request for a reasonable accommodation in the form of a modification of the State Building Code, including but not limited to, the Group LI requirements may be made to the Administrator or his/her designee. Such accommodation shall be reasonable, personal to the applicant, and granted pursuant to the definitions and requirements of the Fair Housing Act and Fair Housing Act Amendments as the same exists or is hereafter amended.

b. Decision. The written decision of the Administrator or his/her designee shall be provided to the applicant and copies of the decision posted at the post office, city hall, library, and on or near the subject site, and mailed to all property owners within 300 feet of the subject site.

c. Recording of Decision. Notice of the decision of the Administrator or his/her designee shall be recorded with the King County Department of Records and Elections to apprise prospective purchasers of the reasonable accommodation granted hereunder. All such notices shall conspicuously state that all accommodations granted under this section are personal to the applicant and that they expire when the applicant terminates his/her occupancy at the subject site.

d. Appeals. The decision of the Administrator or his/her designee shall be appealable only to King County Superior Court as provided in RCW Chapter 36.70C. The petition for review must be filed and served upon all necessary parties as set forth in state law and within the 21-day time period set forth in RCW 36.70C.040.

4. Criteria. The Administrator or his/her designee may determine that such reasonable accommodations may be necessary in order to comply with the Federal Fair Housing Act and Fair Housing Act Amendments. All such accommodations shall be personal to the applicant and shall expire immediately if the disabled applicant terminates occupancy at the subject site.

U. Reasonable Use Exception (Critical Areas/Hazardous Liquid Pipelines and High Capacity Transit Corridor Preservation)

1. Purpose. The purpose of this section is to provide a mechanism to allow relief from RZC 21.64, *Critical Areas Regulations*; RZC 21.26, *Hazardous Liquid Pipelines*; or RZC 21.28, *High Capacity Transit Corridor Preservation*, when strict

adherence to such regulations would deny all reasonable economic use of private property, or in the case of a public project, where application of the Critical Areas regulations would prohibit construction of the public project. In such cases, the applicant may seek a Reasonable Use Exception from the standards listed above.

2. Scope. Any person seeking relief from strict adherence to the standards and regulations as provided in RZC 21.64, *Critical Areas Regulations*; or the strict application of setback requirements provided in RZC 21.26, *Hazardous Liquid Pipelines*; or RZC 21.28, *High Capacity Transit Corridor Preservation*, may apply for a Reasonable Use Exception. If an applicant demonstrates to the satisfaction of the approval authority that strict application of these standards would deny all reasonable economic use of the property, or in the case of public projects, where the Critical Areas regulations would prohibit construction of the public project, development may be permitted subject to appropriate conditions.
3. Decision Criteria - Critical Areas Reasonable Economic Use (Private). An applicant for a private project seeking relief from the strict application of RZC 21.64, *Critical Areas Regulations*, shall demonstrate the following:
 - a. No reasonable economic use with less impact on the critical area and the buffer is feasible and reasonable; and
 - b. There is no feasible and reasonable on-site alternative to the activities proposed, considering possible changes in site layout, reductions in density, and similar factors. The application for an exception shall include an analysis of whether there is any practicable on-site alternative to the proposed development with less impact, including other allowed uses, reduction in density, phasing of project implementation, change in timing of activities, revision of lot layout, or related site planning considerations that would allow a reasonable use with less adverse impacts to the critical area; and
 - c. The proposed activities, as conditioned, will result in the minimum possible impacts to affected critical areas; and
 - d. The proposed development does not pose an unreasonable threat to the public health, safety, or welfare on or off the development proposal site and is consistent with the public interest; and
 - e. All reasonable mitigation measures have been implemented or assured; and
 - f. Any development permitted in the critical area is the minimum necessary to allow for reasonable economic use of the property; and
 - g. The inability to derive reasonable economic use is not the result of the applicant's actions.

4. Decision Criteria - Critical Areas Reasonable Use (Public Project). A public agency proposing a public project, where strict application of RZC 21.64, *Critical Areas Regulations*, would prohibit construction of the public project, may apply for a Reasonable Use Exception. Requests for relief from RZC 21.64.060.A.1.b, *Landslide Hazard Areas*, shall apply for an Alteration of Geologic Hazard Areas as noted in RZC 21.76.070.E, *Alteration of Geologic Hazard Areas*. If the public agency or City department demonstrates to the satisfaction of the Technical Committee that strict application of these standards would deny construction of a public project, the project may be permitted subject to following criteria.
 - a. There is no feasible and reasonable on-site alternative to the activities proposed. The application for an exception shall include an analysis of whether there is any practicable on-site alternative to the proposed development with less impact, including reduction or revision of project scope, phasing of project implementation, change in timing of activities, or related site planning considerations that would allow a project design with less adverse impacts to the critical area; and
 - b. The proposed public project, as conditioned, will result in the minimum possible impacts to affected critical areas; and
 - c. The proposed public project does not pose an unreasonable threat to the public health, safety, or welfare on or off the project site, and is consistent with the public interest; and
 - d. All reasonable mitigation measures have been implemented or assured; and
 - e. Any development permitted in the critical area is the minimum necessary to construct and operate the public project.
 - f. The public agency or appropriate City department shall provide an analysis of mitigation opportunities in order to evaluate whether the proposal minimizes the impact on the critical area.
 - g. If a public project cannot be constructed without modification of required setbacks, building height, and/or lot coverage limits, buffers, and landscape widths, the public agency or City department shall modify the fixed regulations only to the extent necessary to allow construction of the public project, while providing as much critical area protection as is possible under the circumstances and while maintaining appropriate public health and safety standards. Such modifications shall only be allowed upon obtaining the applicable land use permit, such as a variance or administrative design flexibility.

- h. Adequate mitigation and monitoring shall be required to address the adverse impacts on critical areas and their ecological functions and values of any modification of the required regulations under this provision.
 - i. Any public project requiring a reduction of the standards applicable within a critical area in order to provide the necessary public project shall be located as far from the critical area as practical. Total building coverage and all other impervious surfaces shall be minimized, as appropriate, to limit intrusion into the critical area.
 - j. The public project shall use, to the maximum extent possible, the best available construction, design, and development techniques that result in the least impact to ecological functions and values of the critical area.
 - k. Any net loss of function of the critical area on the site and adverse impacts to wetland or riparian stream corridor functions upstream or downstream from the site shall be minimized to the maximum extent practicable.
5. Decision Criteria - Reasonable Economic Use-Hazardous Liquid Pipelines. The required setback from the hazardous liquid pipeline corridor shall not deny all reasonable economic use of property. If an applicant demonstrates to the satisfaction of the Hearing Examiner that strict application of the required setback would deny all reasonable economic use of the property, the setback may be lessened subject to appropriate conditions. An applicant for relief from strict application of the required setback shall demonstrate the following:
- a. No reasonable economic use of the applicant's property can be made if the required setback is strictly applied;
 - b. The proposed setback is the minimum necessary to provide the applicant with a reasonable economic use of the property;
 - c. All reasonable mitigation measures have or will be implemented or assured;
 - d. The inability to derive any reasonable economic use is not the result of the applicant's actions or those of the applicant's predecessors in title; and
 - e. The pipeline location has been definitively determined.
 - f. As a condition of any relief granted under this section, the applicant shall be required to record an instrument against the title of the property notifying all subsequent purchasers of the fact that a lesser setback from the pipeline has been approved and of any and all conditions placed on the grant of relief.
6. Decision Criteria - Reasonable Economic Use-High Capacity Transit Corridor Preservation. The application of regulations outlined in RZC 21.28, *High Capacity Transit Corridor Preservation*, shall not deny all reasonable economic use of private

property. If an applicant demonstrates to the satisfaction of the decision-making body for the underlying land use permit that strict application of the regulations would deny all reasonable economic use of the property, the requirements may be lessened subject to appropriate conditions. An applicant for relief from strict application of the standards shall demonstrate the following:

- a. Strict application of these regulations would prevent all reasonable economic use of the property;
- b. There is no feasible and reasonable on-site alternative to the activities proposed; the applicant shall include an analysis of whether there is any practicable on-site alternative to the proposed development with less impact to these regulations, including other allowed uses, reduction in density, phasing of project implementation, change in timing of activities, or related site planning considerations that would allow a reasonable use in conjunction with the application of these regulations; and
- c. The inability to derive reasonable economic use is not the result of the applicant's actions.
- d. If a reasonable economic use of a site cannot exist without modification of required setbacks, the City shall modify the fixed regulations only to the extent necessary to provide for reasonable use of the property while providing as much setback area for transit as is possible under the circumstances.

V. **Shoreline Exemption, Shoreline Substantial Development Permit, Shoreline Conditional Use Permit and Shoreline Variance.** See RZC 21.68, *Shoreline Master Program*.

W. **Short Plat.** Decision criteria for short plats can be found in RZC Article V, *Land Division*.

X. **Sign Permit/Program.**

1. **Purpose.** The purpose of this section is to provide a mechanism for reviewing sign permits and sign programs in order to ensure that signs are constructed and maintained in a safe manner and that signs are located so as to provide effective communication while avoiding visual clutter that is potentially harmful to traffic and pedestrian safety, property values, business opportunities, and community appearance.
2. **Scope.** All signs require a building permit before being erected, altered, or relocated. All signs and sign programs for new development shall be reviewed as part of the land use permit process required in this chapter and shall be subject to environmental review unless categorically exempt under SEPA. The Administrator shall review all building permits for signs that do not require another land use permit in order to determine compliance with the criteria set forth in this section.

3. Decision Criteria. All signs and sign programs shall comply with this section and the requirements set forth in RZC 21.44, *Signs*, and RZC Article III, *Design Standards*.

Y. **Site Plan Entitlement.**

1. Purpose. The purpose of this section is to ensure that site plans reviewed individually or collectively by the Technical Committee, Design Review Board, Landmarks and Heritage Commission, and Code Administrator achieve the following purposes:
 - a. Compliance with the provisions of the RZC and all other applicable law;
 - b. Coordination, as is reasonable and appropriate, with other known or anticipated development on private properties in the area and with known or anticipated right-of-way and other public projects within the area;
 - c. The encouragement of proposals that embody good design principles that will result in high-quality development on the subject property;
 - d. The adequacy of streets and utilities in the area of the subject property to serve the anticipated demand from the proposal.
 - e. Determination that the proposed access to the subject property is the optimal location and configuration for access.
2. Scope. Review and approval of a Site Plan Entitlement is required for any public, semi-public, or private proposal for new construction or exterior modification to a building or site, including multifamily, attached dwelling units in non-single-family zones, commercial, industrial, utility construction, expansion, or exterior remodeling of structures, parking, or landscaping, where the proposed use is shown as permitted in the applicable permitted use chart. All of the above projects require the review and approval of a Site Plan Entitlement except for:
 - a. Detached single-family residential buildings.
 - b. Tenant improvements not encompassing or requiring modification to the exterior of an existing building; and
 - c. Any action noted above which meets the criteria to be reviewed as an Administrative Modification as provided in RZC 21.76.090.D.
3. Decision Criteria.
 - a. 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.
 - b. The Landmarks and Heritage Commission will review all Certificates of Appropriateness for compliance with the RZC.

Z. **Temporary Use Permit.** See RZC 21.46, *Temporary Uses*.

AA. **Tree Removal Permit.** See RZC 21.72.020, *Tree Removal Permits Required*.

BB. **Variances.**

1. Purpose. The purpose of this section is to provide a mechanism by which the City may grant relief from certain regulations, where practical difficulty renders compliance with the provisions of that code an unnecessary hardship, where the hardship is a result of the physical characteristics of the subject property, and where the purpose of that code and of the Comprehensive Plan can be fulfilled.
2. Scope. This section is to provide for the consideration of variances from the strict application requirements of RZC Article I, *Zone-Based Regulations*, and RZC Article II, *Citywide Regulations*, when unique specified circumstances occur.
3. Decision Criteria. Variances may be approved only upon a finding that:
 - a. The variance will not constitute a grant of special privilege inconsistent with the limitation upon uses of other properties in the vicinity and land use district of the subject property; and
 - b. Such variance is reasonably necessary, only because of special physical circumstances relating to the size, shape, topography, location, or surroundings of the subject property to provide it with use rights and privileges permitted to other properties in the vicinity and in the land use district of the subject property; and
 - c. The conditions or situations giving rise to the variance application have not been created or caused by the applicant or recent prior owner of the subject property; and
 - d. Strict adherence to the regulation from which the variance is requested would create unnecessary hardship for the property owner; and
 - e. The variance is the minimum necessary to grant relief to the applicant; and
 - f. The variance does not relieve an applicant from conditions established during prior permit review; and
 - g. All approved variances otherwise comply with the requirements of the RZC and the Comprehensive Plan.
4. Limitation. The variance procedures shall not be used to deviate from the permitted uses requirements of the permitted land use charts contained in RZC Article I, *Zone-Based Regulations*. Instead, the procedures for amending the text of the RZC and the Zoning Map, pursuant to RZC 21.76.070.EE, *Zoning Code Amendment – Text*, and RZC21.76.070.FF, *Zoning Code Amendment – Zoning Map* shall be utilized.

5. Recording. Variances shall be recorded with the King County Department of Records and Elections.

CC. Willows Rose Hill Demonstration Project.

1. Purpose. The purpose of this section is to provide the procedures and requirements for the Willows Rose Hill Demonstration Project provided for in Comprehensive Plan Policy N-WR-E-4 and RZC 21.08.290.F.4.
2. Procedure. The Willows Rose Hill Demonstration Project shall follow the procedures established in RZC 21.76.050.H for a Type III permit process.
3. Decision Criteria. The proposed demonstration project shall comply with the following criterion:
 - a. The applicant has sought input from the neighborhood in developing the project design using such methods as neighborhood meetings (a minimum of two) and/or design charrettes that take place prior to application submittal, as well as a minimum of one neighborhood meeting after the application is submitted;
 - b. The proposal meets the criteria for Site Plan Entitlement as listed in RZC 21.76.070.Y;
 - c. The proposal shall comply with Comprehensive Plan Policies adopted for the Willows/Rose Hill Neighborhood;
 - d. A neighborhood park is included in the proposal;
 - e. The proposal maintains the traditional character and quality of detached single-family dwellings, such as visible single-entries, pitched roofs, window frames, and porches; and
 - f. The proposal offers a range of ownership housing choices, including cottages and triplexes and/or fourplexes;
 - g. Only one Demonstration Project shall be permitted.

DD. Wireless Communication Facilities.

1. Purpose. The purpose of this section is to provide a mechanism to address issues of safety and appearance associated with Wireless Communication Facilities and to provide adequate siting opportunities at appropriate locations within the City to support existing communications technologies as needed for Redmond businesses and institutions to stay competitive.
2. Scope. The chart below identifies the process type based upon the type of facility and its location:

Table 21.76.070
Wireless Communication Facilities

Facility Type	Zone	Structure Type	Land Use Permit Type
Small satellite dish antenna	All	All	None required
Large satellite dish antenna	All	All	WFP I
Amateur radio towers	All	All	WFP I
Antenna Support Structures*	MP and I	All	WFP II
	UR, RA-5, R-1	All	Conditional Use Permit
	All other zones than those above	All	Conditional Use Permit
*If exceeds height limits per RZC 21.56	All	All	Conditional Use Permit
Antenna Array and Base Stations	Replacement of existing antennas or colocation of new antennas on existing antenna support structure, and associated ground mounted equipment.	All	None required
	GC, NC-1, NC-2, BP, MP and I	Nonresidential	WFP I
	All zones except GC, NC-1, NC-2, BP, MP and I	Nonresidential	WFP II
	All zones	N/A (free standing/ground mounted facilities)	WFP I
	All zones	Residential	Conditional Use Permit
Wireless monopoles, lattice, and guy towers and existing pole structures extended in height	All zones except UR, RA-5 and R-1	All	Conditional Use Permit
	RA-5, UR and R-1	All	Conditional Use Permit
If facility exceeds height limits per RZC 21.56	NC-1, NC-2, GC, BP, MP and I	All	Conditional Use Permit

DD.

3. Decision Criteria. All proposed wireless communication facilities shall not be approved unless the development regulations provided in RZC 21.56, *Wireless Communication Facilities*, are met.

EE. **Zoning Code Amendment - Text.**

1. Purpose. The purpose of this section is to provide the procedures and requirements for amending the text, maps and charts of the RZC, exclusive of the Zoning Map, and to ensure that such amendments are consistent with the goals and policies of the Comprehensive Plan.
2. Scope. Amendments to the RZC include amendments, additions and deletions to the text, maps, or charts of the RZC, except amendments to the Zoning Map as set forth in RZC .FF below.
3. Procedure. Zoning Code amendments shall follow the permit process established in RZC 21.76.050.K, *Type VI Review*, and appropriate state statutes.
4. Amendment Criteria. All amendments to the RZC processed under this section shall be in conformance with the Comprehensive Plan.

5. Exemptions. Non-substantive changes in the organization, format, appearance, profiles, narrative, illustrations, examples, or other nonmaterial changes to the RZC may be made by the Department of Planning and Community Development and are exempt from this section. Amendments to facility plans for City-managed utilities shall follow those procedures described in Utilities Element of the Comprehensive Plan.
6. Approval by Ordinance. All amendments shall be approved by ordinance by the Redmond City Council.

FF. Zoning Code Amendment - Zoning Map.

1. Purpose. The purpose of this section is to establish the procedures and amendment criteria for amending the Official Zoning Map, adopted pursuant to RZC 21.04.020.A, *Establishment of Zoning Map*.
2. Procedure.
 - a. Zoning Code amendments to the Official Zoning Map that are consistent with the Comprehensive Plan shall follow the permit process established in RZC 21.76.050.I, *Type IV Review*.
 - b. Zoning Code amendments to the Official Zoning Map that require a concurrent amendment to the Comprehensive Plan shall follow the permit process established in RZC 21.76.050.K, *Type VI*.
3. Conditions to Amendment. The City Council may require the applicant to submit a conceptual site plan prior to final approval being granted on an amendment to the Zoning Map. The City may require the applicant to enter into a development agreement with the City as a condition of the Zoning Map amendment and may, through that agreement, impose development conditions designed to mitigate potential impacts of the amendment and development pursuant thereto.
4. Special Application Requirements. No application shall be filed nor accepted for filing which on its face will not comply with the Comprehensive Plan, unless an application for a Comprehensive Plan amendment is submitted and the two applications are processed concurrently. A Zoning Map Amendment application shall require signatures of owners representing 75 percent of the subject area and signatures representing 75 percent of the owners of property in the subject area if the area of the amendment comprises only contiguous parcels under common ownership, or meets two or more of the following criteria: it contains up to five property owners, it consists of a small portion of a zone or neighborhood planning area, or it contains only land area with related physical characteristics. In no case shall the signature requirement apply to Zoning Map amendments that are proposed and processed concurrently with enabling Comprehensive Plan map or text amendments or Zoning Code text amendments.

5. Amendment Criteria. The following factors are to be taken into account by the Planning Commission and the City Council when considering a map amendment:
 - a. The amendment complies with the Comprehensive Plan Land Use Map, policies, and provisions;
 - b. The amendment bears a substantial relation to the public health and safety;
 - c. The amendment is warranted because of changed circumstances, a mistake, or because of a need for additional property in the proposed zoning district;
 - d. The subject property is suitable for development in general conformance with zoning standards under the proposed zoning district;
 - e. The amendment will not be materially detrimental to uses or property in the immediate vicinity of the subject property;
 - f. Adequate public facilities and services are likely to be available to serve the development allowed by the proposed zone;
 - g. The probable adverse environmental impacts of the types of development allowed by the proposed zone can be mitigated, taking into account all applicable regulations or the unmitigated impacts are acceptable; and
 - h. The amendment complies with all other applicable criteria and standards in the RZC.
6. Approval. All amendments shall be approved by ordinance by the Redmond City Council.

(Ord. 2614; Ord. 2652; Ord. 2709; Ord. 2740; Ord. 2753; Ord. 2803, Ord. 2883)

Effective on: 6/17/2017

Evidence and argument for potential violation of Redmond city land use regulations
Proposal: LAND-2016-01036

Exhibits

- Exhibit A (from Redmond city website) - Zoning for neighborhood for area of proposed land use
- Exhibit B1, B2 (from Redmond city website) - Actual locations of the proposed land use zoned as R-3
- Exhibit C (from Redmond city website) - Redmond city permitting land use for shelters (social assistance, welfare and charitable services) only in certain zones and not permitting shelters in zone R-3
- Exhibit D (from Redmond city website) shows permitted areas for shelters (social assistance, welfare and charitable services) in red color borders for shelters. The location of the proposal does not show in permitted areas for shelters

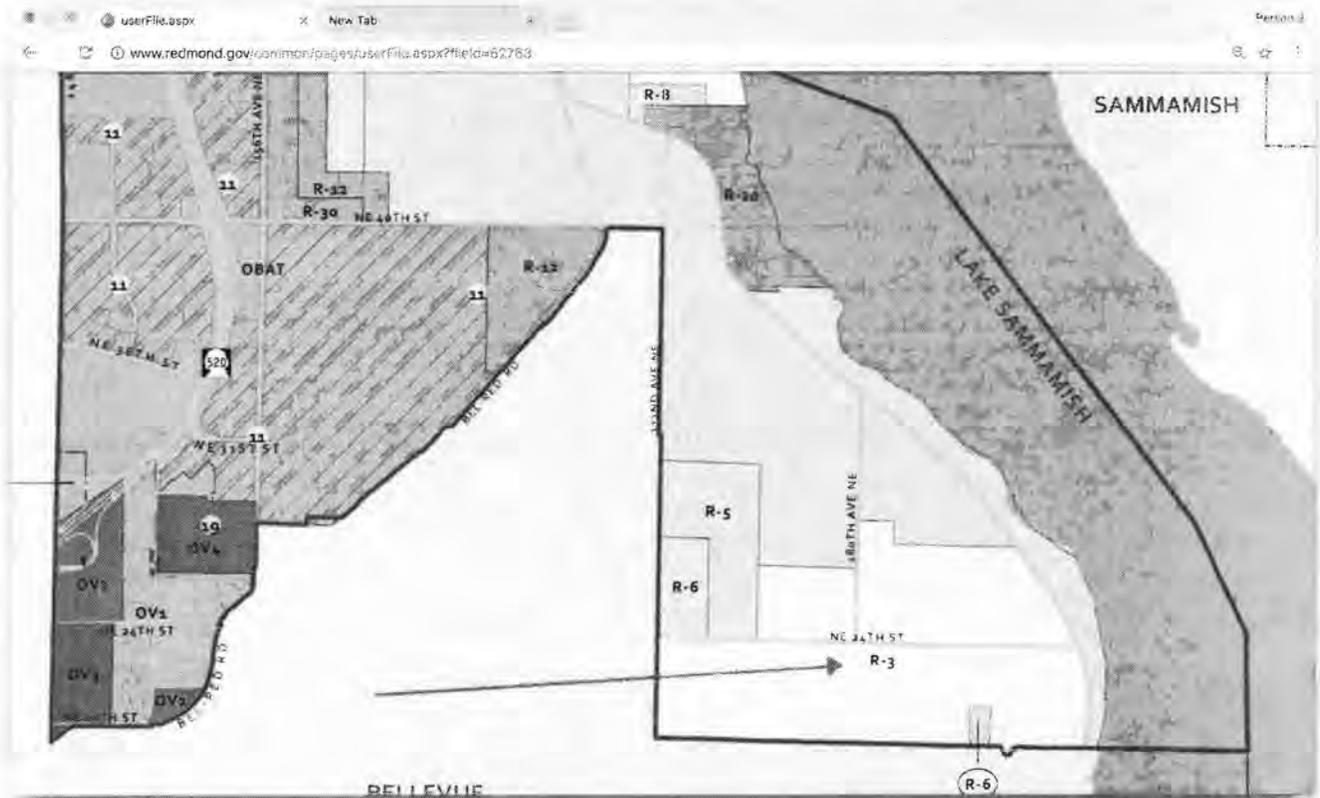
Relevant Redmond Zoning codes

Redmond Zoning code Article1 RZC 21.08 (21.08.050 R3) here <http://online.encodeplus.com/regs/redmond-wa/doc-viewer.aspx#secid-1070> explicitly describes Allowed uses and special regulations for this R-3 zoning. The proposal for shelters (social assistance, welfare and charitable services) LAND-2016-01036 does not fall into any allowed use for this zone Further RZC 21.08.160 explicitly prohibits any other land use unless provided by the above.

Argument - Conditional use permit administrative guidance cannot violate zoning / land use law

The land use code applies to USE as shown in Exhibit C and not to the nature of the organization owning the land. The specific use that will apply here is in Section S definitions in RC 21.78 for S (social assistance, welfare and charitable services). "Social Assistance, Welfare, and Charitable Services. The provision of social assistance services, including shelters, directly to individuals in need." This use is not allowed by law in R-3 & administrative guidance on conditional use cannot be used to overrule this. Administrative guidance for religious institution conditional use permit cannot be used to violate a land use zoning law. in addition, the site itself is zoned as R-3 single family residence as shown in Exhibit B1 and B2.

Exhibit A (From Redmond city website) - Zoning code is R-3 (residential) for neighborhood of proposal



Exhibits B 1 and B2 (From Redmond city website)
 Zoning code for location of proposal and Creekside church is R-3 (residential)

Redmond's Property Viewer

Street address starts with Search Clear Print

Parcel #:	2525052158
Address:	2321 173RD AVE NE
Owner:	EVANGELICAL CHINESE CHURCH
Neighborhood:	Idylwood
Current Land Use:	Private household
Zoning:	R-3
Zoning Overlay:	No
CPLU:	Single-Family Constrained
Cottage Allowed:	No
Affordable Housing:	No
Streams:	No
Frequently Flooded Area:	No
Shoreline Environments:	No
Wellhead Protection Zone:	4
Building History:	Not available
Certificate of Occupancy:	Not available

Bing Maps Google Maps Google Street View

Layers Tools About

Map showing streets: NE 25th Ct, NE 25th St, NE 23rd Ct, NE 22nd Ct, NE 22nd St, 173rd Ave NE, 172nd Ave NE, 171st Pl NE, 170th Ave NE, 170th Ct NE.

Redmond's Property Viewer

Street address starts with Search Clear Print

Parcel #:	2525059040
Address:	2315 173RD AVE NE
Owner:	CREEKSIDE COVENANT CHURCH
Neighborhood:	Idylwood
Current Land Use:	Education, public admin., health care, and other inst.
Zoning:	R-3
Zoning Overlay:	No
CPLU:	Single-Family Constrained
Cottage Allowed:	No
Affordable Housing:	No
Streams:	No
Frequently Flooded Area:	No
Shoreline Environments:	No
Wellhead Protection Zone:	4
Building History:	453
Certificate of Occupancy:	Not available

Bing Maps Google Maps Google Street View

Layers Tools About

Map showing streets: NE 23rd Ct, NE 22nd Ct, NE 22nd St, NE 21st Ct, NE 21st St, 173rd Ave NE, 172nd Ave NE, 171st Pl NE, 170th Ave NE, 170th Ct NE.

Exhibit C (From Redmond city website) - Land use for social, assistance, welfare, and charitable services (including shelters) permitted only in certain zones

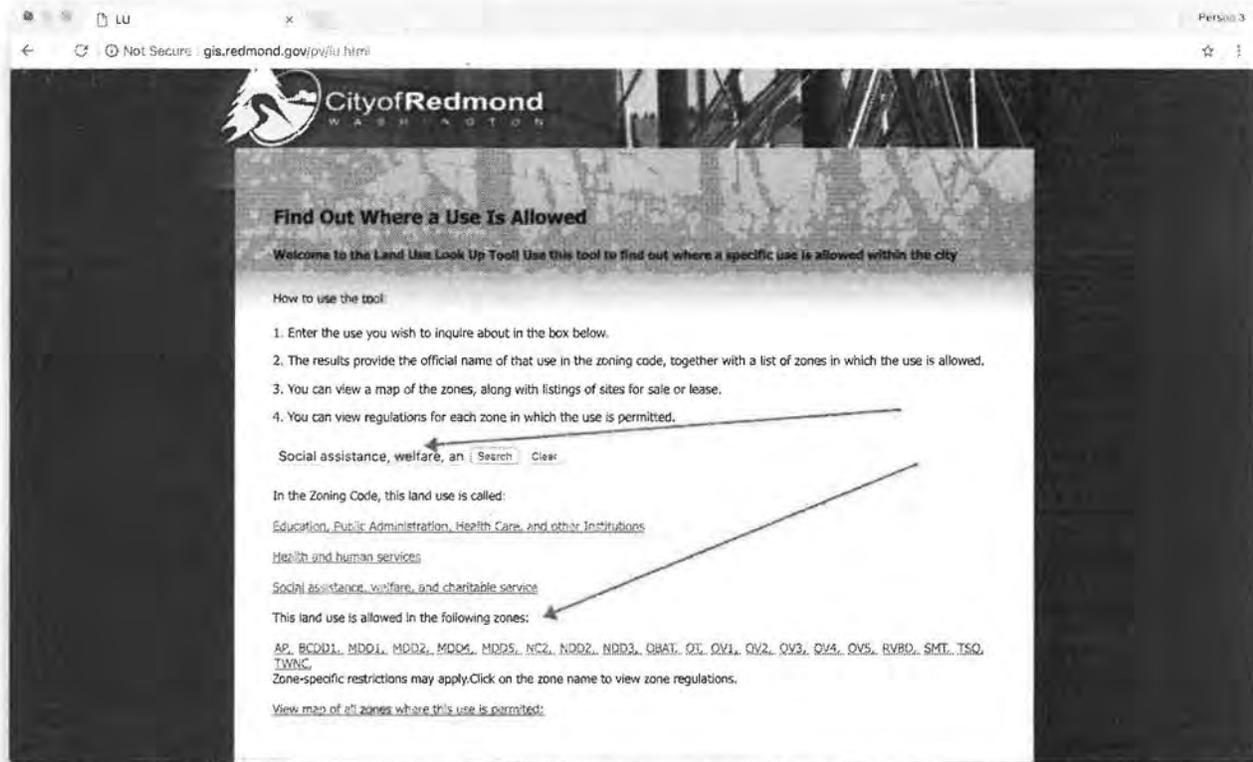
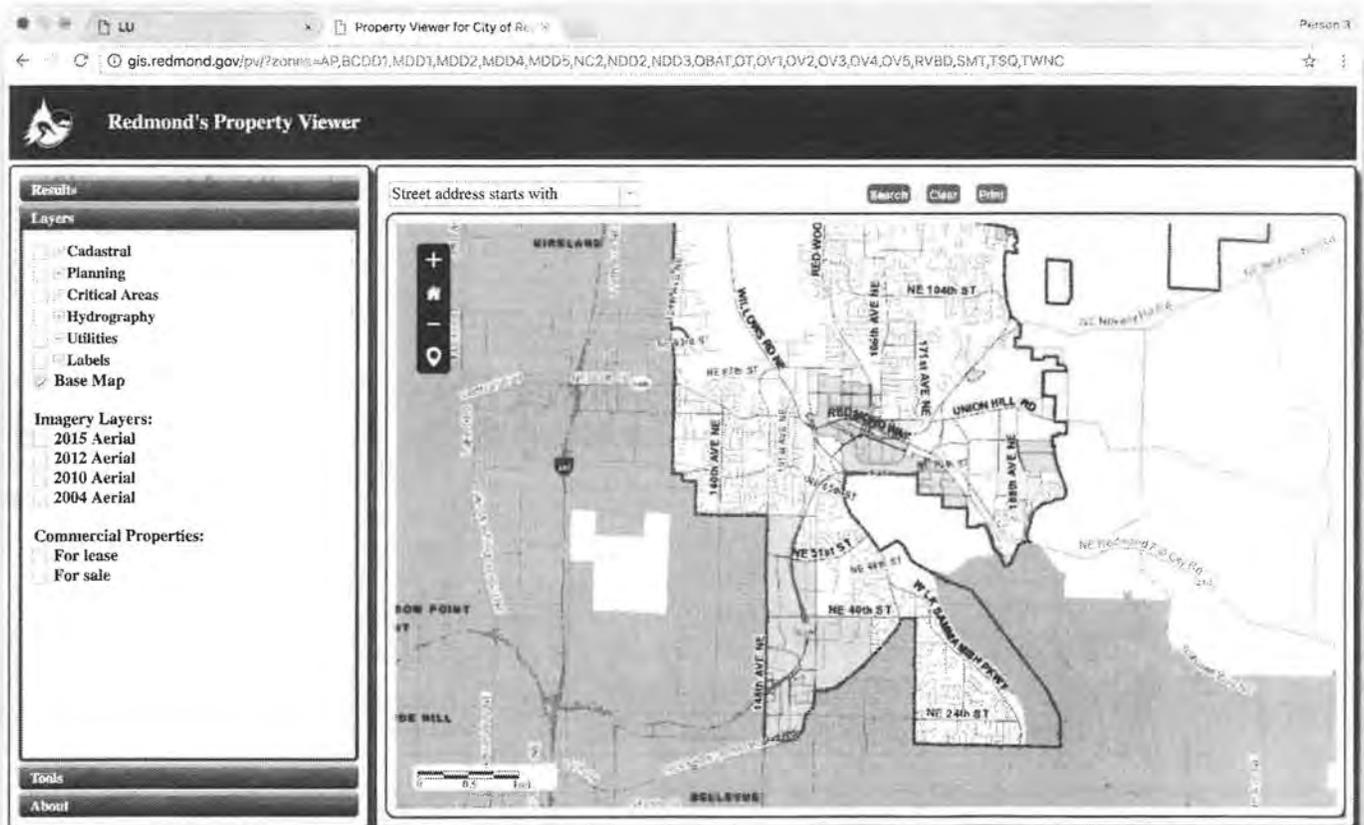


Exhibit D (from Redmond city website) - Map red areas for shelters (does not include location)



Re: City planning

10

Wed 6/28/2017 2:35 PM

To: [REDACTED]

Hi [REDACTED] thank you so much. You have put lots of work into this for us!! It's something we don't know anything about- I am heading to work but tomorrow will talk to some of our neighbors and read all of your notes carefully!!

Many thanks- [REDACTED]

Sent from my iPhone

On Jun 28, 2017, at 10:22 AM, [REDACTED]

Hi Dino and Mary,

I took a look at this and did some research on-line. It raises a lot of questions. I thought about calling the planner who is listed as the contact, but wanted to check with you first.

As I told Dino, you should send a letter to express your concerns and questions. Looks like it needs to be in by July 14. And if a lot of your neighbors are concerned too, it would help if you all are organized. I don't quite understand their process either. It looks like the City Council is the final decision maker but it isn't quite clear. I would ask the planner for clarification of that too. It sometimes helps visiting them in person, but not necessary. And it helps to send emails directly to the decision makers, as well as Mayor and each Council member. Especially if they get lots of them.

Here are some of the things I am thinking in no particular order. Some are questions for you, some are questions I would ask, and some are things I would put in a letter once you know a bit more.

- I checked the zoning. It is R-3. When I look at the zoning code for R-3 I do not understand what category they are putting this use in to come up with their finding that it is consistent. I don't see one I would accept.
- The house looks like it is 3 bedroom, one bath on a half acre. It is not clear exactly what improvements they will be making to the house – though there is a list, it is still not clear. And how will it be set up for this use.
- 25 people plus all the supporting staff is too many for a single family neighborhood, R-3 lot. I have never heard of a use like this in a residential neighborhood, except temporary emergency overnight shelter of a limited and rotating basis at churches, not on single family lots in a neighborhood. Not for regular drop-in services. When there are supportive housing uses in neighborhoods it is usually for a very limited number of residents (6 or 7) under a licensed program, more compatible with single family homes.
- Does the City Planning/Building dept have full plan sets for the improvements and use? Do they have a better description from the applicant of the use and program? Do they have parking and security plans, lighting, fence design, etc.
- How many support staff will be working here? What is the level of support? What is their training and capabilities to deal with problems?
- A facility this size should be in another more appropriate zoning district, and closer to other resources.

It looks like the Creekside Covenant Church is sponsoring something called the "BelRed Family Resource Center" right now. Is it operational right now. One site said it is "Closed until further notice" Why? And

there was a Neighborhood Meeting about it this year. What was the general discussion and outcome of that? Do you know how that has been going? And what the City thinks of it?

Is there a visible homeless problem in your neighborhood and parks right now?

From their web sites it looks like, both cities have been actively trying to address homelessness and problems associated with it. They have participated in a regional effort called Kings County All Home, with a developed strategy. The group working on this shelter is not licensed (per the zoning definition) and is not affiliated or "partners" with either City of Redmond or City of Bellevue, or this regional strategy to address homelessness. They are not listed in the Congregations for the Homeless, that the City & the regional group shows as partners and resources. Nor are their other facilities, as far as I could see. Neither are 3 of the 4 churches that are part of this center. Why?!

I see Redmond hired a Homeless Outreach Coordinator and Bellevue says they are going to. I wonder if the Outreach Coordinator has experience with this group? And what do they think of this?

It does not look like Union Gospel Mission or their other facilities is a partner recognized by the All Homes Initiatives underway. Why? Are there problems with their facilities and services?

Neither City references this BelRed Family Resource Center as a resource or program underway. Nor does the Washington State 211 Hotline for homeless service outreach.

What is the experience in the areas of their other facilities and services?

I wonder how many people are actually in this congregation? When you drive by the church on a Sunday is the parking lot full?

What I'm thinking is, in Santa Cruz there was a church in the middle of a neighborhood that we found out only really had a couple dozen members, and some of those might have been the homeless people they attracted. There was a "pastor" there whose mission was to serve the homeless. He started providing "services" and a warming center. There was no real program or oversight. It became a hub of illegal activity, loitering, drug sales and use, fighting, etc. The only way we finally dealt with it, after trying to work with the pastor, was to contact the mother church – some Methodist group out of the Midwest. They thought they were providing great service through the program. They had no idea how unhealthy it was. They fired the pastor, and the program went away. Things are much better now, but after years of the neighborhood having real problems.

If approved, what conditions will be put on the permit to ensure compatibility and prevent an attractive nuisance?

Are there any other facilities like this in operation in single family neighborhoods? If so where? Who runs them? How is it going?

Who will monitor compliance, and by what standards?

What do neighbors do if there are problems?

What happens when someone is asked to leave for not following their rules? From experience, they leave angry and/or hurt in an unstable condition. They now don't know what their next options are. Even if they did, they are ejected because of some kind of a problem – drugs, alcohol, violence, having a mental illness crisis, acting out, not being able to follow rules. That means they are not in a state to help themselves much. They don't have a way to get someplace else. Where will they go? They will go around the neighborhood and nearby parks. Likewise, if those who live or get services there want to still do things that are against the rules, from experience, they will go off site to do it, then return. That is a bigger problem. Also, those who prey on vulnerable people tend to hang out around these places. They state that service providers will be patrolling the neighborhood but that is infrequent at best, and does not address these kinds of problems.

They say they do a criminal background check before accepting people. What does that entail, and what crimes to they therefore exclude from services? What do they then suggest for those who don't meet their standard? Do they also do a check on minors who will be living there?

What do the police have to say and what are their recommendations about this facility? If approved, how will they and Bellvue Police support the neighborhood and protect the parks and open spaces nearby?

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IN AND BEFORE THE REDMOND HEARING EXAMINER

IN THE MATTER OF THE CONDITIONAL)
USE PERMIT APPLICATION OF) No. LAND 2016-01036
EVANGELICAL CHINESE CHURCH.) HEARING BRIEF IN OPPOSITION
) TO CONDITIONAL USE PERMIT
) APPLICATION FOR 40-PERSON
) HOMELESS SHELTER

Many residents, homeowners and members of the Idylwood single-family residential community in which the co-applicants propose to establish and operate a 40-person homeless shelter oppose this project. I represent the following five such concerned citizens ("the Resident Opponents"):

Bob Shade, who owns and resides in the single-family home located at 17750 NE 24th Street in Redmond;

Aditya Dube, who owns and resides in the single-family home located at 17218 NE 22nd Court in Redmond;

Margaret Leiberton, who owns and resides in the single-family home located at 17208 NE 22nd Court in Redmond;

Corey Miller, who owns and resides in the single-family home located at 17203 NE 22nd Court in Redmond; and

Michelle A. Damour, who owns and resides in the single-family home located at 17215 NE 22nd Court in Redmond.

All of the Resident Opponents live within 550 feet of the subject ECC property, except Mr. Shade lives within 1,500 feet.

ORIGINAL

1 **BACKGROUND FACTS**

2 **PROPERTY OWNERS AND PROPERTIES**

3 Co-Applicant Evangelical Chinese Church ("ECC") is a
4 religious organization which operates its churches in two
5 locations. Its Redmond church is located at 17460 NE 67th Court
6 in Redmond whereas its Seattle church is located at 651 NW 81st
7 Street in Seattle.

8 Co-Applicant Creekside Covenant Church ("CCC") is a
9 religious organization which operates its church in one
10 location. Its church is located at 2315 173rd Avenue NE in
11 Redmond ("the CCC Church Parcel").

12 ECC and CCC have herein applied for a conditional use
13 permit to establish and operate a 40-person homeless shelter in
14 the existing single-family residence located at 2321 173rd Avenue
15 NE in Redmond ("the ECC House Parcel"). ECC's two churches,
16 however, are located a long distance from the proposed site: its
17 Redmond church is located 5.2 miles from the ECC House Parcel
18 whereas its Seattle church is located 16.6 miles from the ECC
19 House Parcel. ECC, moreover, is the sole owner of the Subject
20 Property; while the real property of CCC abuts it to the south,
21 CCC has no ownership interest in the ECC House Parcel.

22 The neighborhood in which the applicants seek to have a
23 homeless shelter is solidly residential and has been for
24 decades. The ECC House Parcel as well as the homes of the
25 Resident Opponents are all zoned R-3 Single-Family Constrained
26 Residential. Homelessness has never been a problem or evident
27 in this community.

28 Appended hereto as Attachment 1 are a summary document and
29 copies of deeds which identify the history of the ownership of
30 the ECC House Parcel and the CCC Church Parcel since 1967. As
indicated thereon, the two parcels were segregated and became

1 separate legal lots on 6/18/73 when the then owner, Sherwood
2 Forest Baptist Church, conveyed title to the ECC House Parcel to
3 Mylo and Carolynn Gutschmidt. While some owners occasionally
4 owned both parcels, the two parcels have never merged; they
5 remain separate legal lots to this day.

6 **ISSUANCE AND ABANDONMENT OF THE 1968 CONDITIONAL USE PERMIT**

7 Attachment 1 also identifies certain key events. For
8 example, on 9/24/61, the City of Redmond enacted Ordinance 310,
9 a copy of excerpts of which are appended hereto as Attachment 2.
10 As indicated on the first page thereof, Ordinance 310
11 established the City's Zoning Code. With respect to issuance of
12 conditional use permits in Chapter 41, Section 41.3.1 thereof
13 expressly provided as follows:

14 Abandonment of Use. When a conditional use of property is
15 abandoned for a continuous period of one year, all permits or
16 rights granted on the basis of such conditional use permission
shall be void.

17 Citing Chapter 41 of Ordinance 310, Sherwood Forest Baptist
18 Church filed a Conditional Use Petition No. 10 on October 22,
19 1968 (copy appended as Attachment 3). Properly referring to the
20 ECC House Parcel and the CCC Church Parcel as one tract (prior
21 to its segregation in 1973), that church requested permission to
22 use a single 3.41-acre parcel "for a church complex." When
23 Sherwood Forest Baptist Church filed its Petition, it never
24 requested that the 3.41-acre parcel be used as a homeless
25 shelter. Rather, the use requested was "CHURCH BUILDING" and it
26 requested permission to maintain a "[c]hurch facility to house
27 the Sherwood Forest Baptist Church of Redmond, Washington."

28 The City then published a Notice of Public Hearing dated
29 11/06/68 (copy appended as Attachment 4) on Conditional Use
30 Petition No. 10. It notified the public that that applicant's
request was "[p]ermission to construct a church building."

1 Via Redmond Resolution No. 207 (a copy of which is appended
2 as Attachment 5), the City subsequently granted a conditional
3 use permit for the former 3.41-acre parcel on 11/19/68. It
4 therein authorized a "church building and related complex." In
5 Section 3 of Resolution 207 thereof, the Council provided that
6 it "may revoke or modify the conditional use herein granted"
7 A letter dated November 25, 1968 (copy appended as Attachment 6)
8 to Sherwood Forest Baptist Church enclosing a copy of Resolution
9 207 stated that the CUP was "for a church building complex."

10 Despite the clear language of the 1968 CUP and the
11 abandonment provision of Section 42.3.1 in Ordinance 310, no one
12 ever used the ECC House Parcel as a church. Built in 1941, the
13 single-family residence that has been maintained on it since the
14 1973 segregation has never been used for church worship services
15 and related religious activities.

16 For example, from 1973-1977 when the Gutschmidt family
17 owned and resided on the ECC House Parcel, they never engaged in
18 church activities on it. Appended as Attachment 7 is the sworn
19 Declaration of David Gutschmidt wherein he discusses the absence
20 of any religious activities on the ECC House Parcel for those
21 four years. On April 29, 1976, the City issued a Building
22 Permit (copy appended as Attachment 8) for the construction of a
23 residential garage at 2321 173rd Avenue NE.

24 Attachment 1 indicates that the 1968 CUP was abandoned on
25 7/02/74. Because the ECC House Parcel was used strictly for
26 residential purposes, and not for religious activities, for over
27 one year, the 1968 CUP was abandoned. See Ord. 310, §41.3.1.

28 **CONTINUED USE OF ECC HOUSE PARCEL AS A SINGLE-FAMILY RESIDENCE**

29 Even post-Gutschmidt, the evidence that the subject
30 property was never used for a church complex and was always used
as a single-family residence is overwhelming. A letter from

1 then applicant Redmond Christian School dated 6/26/85
2 (Attachment 9) described the usage occurring at that time as
3 follows: "2321 173rd N.E. is used as a single family dwelling."

4 A City Technical Committee Report dated July 17, 1985 (copy
5 appended as Attachment 10) identified the structure on the ECC
6 House Parcel on page 1 as a "single-family residence" and made
7 absolutely no mention of an existing CUP. It indicated that the
8 parcel sizes were "2.91 and .50 = 3.41 acres" and had the
9 addresses of "2315 and 2321 173rd Avenue NE." Using separate
10 metes and bounds legal descriptions, moreover, Exhibit C thereto
11 identified the ECC House Parcel as PARCEL A and the CCC Church
12 Parcel as PARCEL B.

13 The 7/17/85 Technical Committee Report, moreover, indicated
14 that the ECC House Parcel was never before intended to be used
15 as a homeless shelter. Under "BACKGROUND" on page 1 thereof, it
16 stated the following (emphasis added):

17 **"[T]he applicant is requesting approval to use a single-family**
18 **residence which it owns next door to the school for additional**
19 **classroom or office space, if needed in the future. When it was**
20 **discovered that part of the driveway for the abutting single-**
21 **family house to the north was actually on the school's property,**
22 **the school decided to buy the property for its own use. There**
are no plans to change the structure, only to change its use. It
will continue to be used as a residence but they would like to
have the option to use it for offices or classrooms."

23 The description under "INTRODUCTION" on page 2 thereof was
24 consistent therewith.

25 With respect to an application from Redmond Christian
26 School for a Special Development Permit ("the First SDP"), the
27 City Hearing Examiner in his Findings and Recommendations dated
28 8/07/85 attached to a Memorandum dated August 7, 1985 (all
29 appended as Attachment 11) indicated (on page 3, point 4) that
30 the applicant also sought "to use a single-family residence,

1 located on the property, as an additional classroom or office
2 space." He indicated (on page 10) that the request was to
3 locate a school on both 2315 173rd Avenue NE (the CCC Church
4 Parcel) and 2321 173rd Avenue NE (the ECC House Parcel). Again,
5 using separate metes and bounds legal descriptions, Exhibit C
6 thereto separately distinguished the ECC House Parcel as PARCEL
7 A from the CCC Church Parcel as PARCEL B.

8 The City issued the First SDP for the CCC Church Parcel via
9 a Final Approval Order that Mayor Doreen Marchione signed on
10 9/03/85 (copy appended as Attachment 12). The City issued a
11 Second SDP for the CCC Church Parcel via a letter dated 4/21/88
12 (copy appended as Attachment 13). Because a property cannot
13 simultaneously have a CUP and an SDP, the SDPs superseded the
14 1968 CUP even if it had remained in existence at that time.

15 The City has actually *prohibited* church activities on the
16 ECC House Parcel. The City's Building Permit issued April 2,
17 2007 (copy appended as Attachment 14) for the ECC House Parcel
18 described the work and use authorized as follows:

19 ADDITION OF A 1,507 SF HEATED SPACE FOR RESIDENTIAL PURPOSES
20 ONLY. NO EVANGELICAL CHINESE CHURCH ACTIVITIES WILL BE
21 CONDUCTED IN RESIDENCE. **RESIDENCE TO PROVIDE HOUSING FOR PASTOR
AND OCCASIONAL GUEST.**

22 (Emphasis added.) This mirrored the limiting language contained
23 in ECC's own Residential Permit Application dated January 11,
24 2007. See Attachment 15.

25 **CONTINUED USE OF NEIGHBORHOOD FOR SINGLE-FAMILY RESIDENCES**

26 The residential use of this neighborhood has changed very
27 little since the 1960's. Except for the church building located
28 on the CCC Church Parcel, all of the properties located in the
29 area consist of single-family residences, including the ECC
30 House Parcel.

1 The subject proposal is to allow ECC to have up to 40
2 homeless people live in the single-family house located on the
3 ECC House Parcel. But this house only has six bedrooms.

4 Nothing legally binds CCC, Seattle Union Gospel Mission,
5 Westminster Chapel or any other entity to work with ECC to
6 support the operation of a homeless shelter. The stark reality
7 here is that ECC could end up "going it alone" if and when these
8 other organizations lose interest in the proposed shelter.

9 Stable families are raised in this neighborhood. No
10 assurances exist that the 40 homeless people taking up residence
11 on the ECC House Parcel and their guests and invitees will not
12 spill over into this otherwise safe environment. The Resident
13 Opponents are genuinely concerned with the adverse effects of
14 importing and housing 40 homeless people into their community.

15 **LAND USE REASONS WHY THE EXAMINER SHOULD DENY APPLICATION**

16 The Examiner should deny the pending CUP application. Many
17 grounds exist to reject cramming a 40-person homeless shelter in
18 ECC's single-family residence and this Idylwood neighborhood.

19 **I. THE HOMELESS SHELTER WILL NOT BE AN "ASSOCIATED ACCESSORY
20 USE" TO EITHER ECC OR CREEKSIDE COVENANT CHURCH.**

21 In a strained attempted to justify the homeless shelter,
22 the Technical Committee in its Report updated 1/10/18 (page 1)
23 has described the shelter as **"an associated accessory use to the
24 Creekside Covenant Church for which it shares a property line
25 with and underlying Conditional Use Entitlement for a religious
26 facility."** This description is extremely misleading and
27 unsupported by the Redmond Zoning Code ("RZC") and the facts.

28 First, the RZC does not define, recognize or use the term
29 "associated." This term is not one having any land use or legal
30 significance. The Examiner should not find any support for the
proposal by relying upon this loose term.

1 Second, the proposed 40-person shelter does not constitute
2 an "accessory use." RZC 21.78 provides the following
3 controlling definition: "**Accessory Use.** A use customarily
4 incidental to and on the same lot as the principal use of a
5 building or operation and so necessary or commonly expected that
6 it cannot be supposed that it was intended to be prohibited."

7 The proposed homeless shelter will be anything but
8 incidental. "**Incidental Use.** Subordinate and minor in
9 significance and bearing a reasonable relationship with the
10 primary or principal use." RZC 21.78. Rather, the 40-person
11 homeless shelter in this six-bedroom house will itself be the
12 primary and sole use of the ECC House Parcel. This is the tail
13 wagging the dog.

14 In addition, the proposed homeless shelter will not be on
15 the same lot as ECC's principal use of a building or operation
16 as a church. "**Lot.** A fractional part of divided lands having
17 fixed boundaries, being of sufficient area and dimension to meet
18 minimum zoning requirements for width and area. The term
19 includes tracts or parcels." RZC 21.78. The lots where ECC
20 conducts its church worship services and other activities are
21 over five miles and 16 miles away! It is not conducting any
22 church functions on the "same lot," i.e., the ECC House Parcel.

23 Third, contrary to the TC's Report, the shelter will not be
24 an accessory use to CCC. The proposed homeless shelter will not
25 be on the same lot as CCC's principal use of a building or
26 operation as a church. The ECC House Parcel and the CCC Church
27 Parcel have been separate legal lots since 1973. The lot where
28 CCC conducts its church worship services is not the same lot as
29 the ECC House Parcel on which the shelter is proposed. A
30 clearly defined, legally significant property line separates the
two lots. No use genuinely accessory to CCC is proposed.

1 Fourth, ECC and CCC do not possess or share an "underlying
2 Conditional Use Entitlement" as the TC Report advocates. To the
3 extent that the applicants rely upon the 1968 CUP for any such
4 entitlement, that CUP expired on 7/02/74 as explained above.
5 The Gutschmidts' strictly residential nonreligious use for four
6 years caused the ECC House Parcel to lose through abandonment
7 any right to conduct church activities thereon pursuant to Ord.
8 310, §41.3.1. To the extent the 1968 CUP could have somehow
9 survived such abandonment, the issuances of the First SDP in
10 1985 and the Second SPD in 1988 and the post-Gutschmidt uses
11 strictly for residential purposes all demonstrate that no
12 conditional use entitlement remains.

13 It is unclear whether the applicants contend that their
14 mere status as churches make them entitled to operate the 40-
15 person homeless shelter on the ECC House Parcel. If they are
16 making this argument, then their contention is seriously flawed.
17 While churches often have greater rights than other property
18 owners to engage in their desired activities, limits exist on
19 the extent to which such rights authorize various land use
20 activities. Merely because an entity is a religious
21 organization does not give it the right to engage in whatever
22 activity it desires on land which it owns. This is especially
23 true where, as here, the churches seek to establish a use on a
24 completely separate parcel from where they conduct their normal
25 church activities. For example, ECC is not entitled to operate
26 a 40-employee office on the ECC House Parcel merely because it
27 is a church. By way of another example, if it owned property in
28 Renton or Boise, Idaho, ECC would not be entitled to operate
29 homeless shelters there merely because it has churches in
30 Redmond and Seattle.

The constitutional rights of churches do not give them

1 carte blanche to do whatever they want just because they are
2 religious institutions. If that were the case, then the City
3 should discard the RZC altogether and not waste everyone's time
4 with this Type III Review Process. If applicants are making
5 this argument, then they are distorting constitutional law.

6 The proposed homeless shelter will not be an accessory use
7 to either ECC or CCC. Rather, it will be the primary and sole
8 use of the ECC House Parcel.

9 **II. THE REDMOND ZONING CODE PROHIBITS THE PROPOSED USE.**

10 Surely the RZC must stand for something. "All land uses,
11 activities ... shall comply with the RZC ..." RZC 21.76.100.B.1.
12 "All permits and approval shall comply with the RZC. No permit
13 or approval shall be issued for any parcel of land developed in
14 violation of the RZC." RZC 21.76.100.B.2.

15 **1. The Applicable Individual Zone Summary in the RZC Prohibits**
16 **the Proposed Use.**

17 The RZC expressly prohibits land uses not listed in the
18 category of authorized uses under its individual zone use charts
19 as follows:

20 **Permitted Uses in Zone Use Charts.** Each zone use chart in RZC
21 21.08.020 through RZC 21.08.140 lists categories of land uses
22 that may be permitted and any kind of conditional review process
23 which may be required. Land uses not listed are prohibited
unless otherwise provided by this chapter or some other
provision of the Zoning Code.

24 RZC 21.08.160.A (underlining added).

25 Because the subject property is zoned R-3, the individual
26 zone summary set forth in RZC 21.08.050 applies. Under the
27 heading of "**R-3 Single-Family Constrained Residential,**" that
28 Code section states that this "zone provides for low-density
29 residential at a base density of three dwellings per acre on
30 lands inappropriate for more intense urban development due to

1 significant environmentally critical areas, extreme cost, or
2 difficulty in extending public facilities or the presence of
3 natural features Redmond is seeking to retain." RZC 21.08.050.A.

4 The uses allowed in R-3 zoned property are set forth in RZC
5 21.08.050.D. Because the category of "social assistance,
6 welfare and charitable services" is not listed anywhere under
7 section D (see Attachment 16), the Redmond Zoning Code prohibits
8 the use of the subject property as a homeless shelter.

9 **2. The Proposed Use is Not as a Religious Institution.**

10 While the principal operations of the applicants may be as
11 religious institutions, they do not propose to use the ECC House
12 Parcel as a religious institution. Pursuant to the RZC, such
13 uses consist of "[c]hurches, temples, synagogues, monasteries,
14 and similar institutions operated by religious organizations."
15 RZC 21.78 (Attachment 17).

16 Rather, the applicant seeks to use the ECC House Parcel as
17 a 40-person homeless shelter. Such use falls in the category of
18 social assistance, welfare and charitable services. The Code
19 definition of this category is the following: "**Social**
20 **Assistance, Welfare and Charitable Services.** The provision of
21 social assistance services, including shelters, directly to
22 individuals in need." RZC 21.78 (Attachment 18).

23 The proposed homeless shelter, therefore, does not qualify
24 as use as a religious institution. That use is not what the
25 applicants have proposed.

26 **3. The Comprehensive Allowed Uses Chart in the Redmond Zoning**
27 **Code Prohibits the Proposed Use.**

28 Perhaps most importantly, the RZC in its Comprehensive
29 Allowed Uses Chart does not authorize the use of the subject
30 property as a shelter. "This chart is meant to serve as a
31 compilation of permitted uses within each of the individual zone

1 summaries" RZC 21.04.030.A.

2 The Comprehensive Allowed Uses Chart for residential zones
3 is specifically set forth in RZC 21.04.030.B. See Attachment 19.
4 Permitted uses for R-3 zoned properties are designated in the
5 column under R3 with a "P" whereas conditional uses are
6 designated there with a "C."

7 Regarding shelters, a category for uses involving social
8 assistance, welfare and charitable services exists in the
9 Comprehensive Allowed Uses Chart under the subheading of
10 "Education, Public Administration, Health Care and other
11 Institutions." But the corresponding R3 column is blank, i.e.,
12 it contains neither a "P" nor a "C." Because shelters fall
13 within this category but the column is blank, this Chart
14 obviously clearly prohibits the use proposed.

15 Attesting to the extreme nature of the permit sought in the
16 application, shelters are actually not authorized in any
17 properties in Redmond that are zoned residential. Looking
18 across horizontally on the Comprehensive Allowed Uses Chart
19 after the subcategory for social assistance, welfare and
20 charitable services, all of the columns are blank. Shelters for
21 humans, therefore, are not authorized in any residential zones
22 in Redmond. This applies to uses that are both less intense and
23 more intense than R-3 permits. Allowing a shelter in the R-3
zone here would clearly be a direct violation of the RZC.

24 **4. The Proposed Use Contravenes the Very Purpose of**
25 **Establishing Zones.**

26 While the Resident Opponents are sympathetic to the
27 challenges of homelessness in Western Washington, the proposal
28 seeks authorization of a use that circumvents the very purposes
29 of the Zoning Code. RZC 21.04.010 provides as follows:
30

1 The purpose of establishing zones is to:

2 a. Provide a pattern of land use that is consistent
3 with and fulfills the vision of Redmond's Comprehensive
4 Plan;

5 b. Maintain stability of land uses and protect the
6 character of the community by encouraging groupings of uses
7 that have compatible characteristics;

8 c. Provide for appropriate, economic, and efficient
9 use of land within the city limits; and

10 d. Provide for coordinated growth and ensure that
11 adequate public facilities and services exist or can be
12 provided in order to accommodate growth.

13 Having a 40-person homeless shelter in the residential
14 neighborhood of Idylwood flies in the face of the RZC. It will
15 contravene the existing pattern of land use and be inconsistent
16 with and denigrate the vision of the City's Comprehensive Plan.
17 It will destabilize the land uses and harm the character of the
18 community with incompatible characteristics. It will authorize
19 a use of land that is inappropriate under the circumstances. It
20 does not properly coordinate growth and ignores the absence of
21 public facilities and services adequate to accommodate such
22 growth.

23 **5. The Proposed Use is Not for a Single Family.**

24 The ECC House Parcel is appropriately zoned single-family,
25 not multifamily. The Code defines "family" as "[a]n individual
26 or two or more persons related by blood or marriage; eight or
27 fewer nonrelated persons living together in a single dwelling
28 unit, unless a grant of reasonable accommodation as identified
29 in RZC 21.76, Review Procedures, allows an additional number of
30 persons." RZC 21.78 (Attachment 20).

An occupancy of 40 residents far exceeds the eight-person
limit that applies to single-family residences. And the Review
Procedures do not allow such a high occupancy in the Single-
Family Constrained Residential zone.

1 **III. THE PROPOSAL FAILS TO MEET THE RZC 21.76.K CRITERIA FOR**
2 **CONDITIONAL USE PERMITS.**

3 Conditional use permits in residential zones are only
4 proper where the Comprehensive Allowed Uses Chart found in RZC
5 21.04.030.B allows them. "A Conditional Use Permit shall be
6 required for any land use designated as requiring a Conditional
7 Use Permit in the applicable permitted use chart, unless
8 otherwise specified." RZC 21.76.070.K.2. Conversely, land uses
9 such as homeless shelters which are neither permitted outright
10 or designated as requiring a conditional use permit are
11 prohibited.

12 **1. The Applicants Have Not Demonstrated that the Homeless**
13 **Shelter is Consistent with the RZC and the Comprehensive Plan.**

14 The applicants have not satisfied this crucial RZC
15 21.76.070.K.4.a criterion. As discussed in depth above, the
16 proposed project directly contravenes the RZC.

17 In addition, the proposed project is inconsistent with the
18 Redmond Comprehensive Plan. It violates many of its policies.

19 The homeless shelter contravenes multiple Land Use policies
20 in the Comprehensive Plan. It fails to promote compatibility
21 between land uses or to minimize land use conflicts in violation
22 of **LU-11**. It also fails to apply zones consistent with the
23 Comprehensive Land Use Plan Map designations in violation of **LU-**
24 **27**. In addition, it fails to promote an attractive, friendly,
25 safe and quiet residential neighborhood in violation of **LU-28**.
26 It fails, moreover, to be appropriately scaled in violation of
27 **LU-30**. It fails to maintain the character and quality of nearby
28 detached single-family homes in violation of **LU-32**.
29 Furthermore, it fails to adhere to the Single-Family Constrained
30 Designation in violation of **LU-33**.

The homeless shelter is inconsistent with Housing policies

1 in the Comprehensive Plan. It fails to allow for a mix of
2 housing types which is appropriate in violation of HO-1. It
3 fails, moreover, to incorporate all the qualities of a well-
4 designed, character-rich neighborhood so that the existing
5 Idylwood neighborhood in Redmond is an attractive and safe place
6 to live in violation of HO-14.

7 The homeless shelter violates the Framework policies in the
8 Comprehensive Plan. It fails to support a sustainable community
9 that recognizes that people are affected by both individual and
10 collective actions in violation of FW-1. In addition, it fails
11 to provide for an attractive, high-quality and stable
12 residential neighborhood in violation of FW-13. Lastly, it
13 fails to make the Idylwood neighborhood a better place to live
14 by preserving and fostering its unique character in violation of
15 FW-22.

16 The project violates both the RZC and the Comprehensive
17 Plan. The RZC 21.76.070.K.4.a criterion is not met.

18 **2. The Applicants Have Not Demonstrated that the Homeless**
19 **Shelter is Designed in a Manner which is Compatible with and**
20 **Responds to the Existing or Intended Character, Appearance,**
21 **Quality of Development and Physical Characteristics of the ECC**
22 **House Parcel and Immediate Vicinity.**

23 The applicants have not satisfied this important RZC
24 21.76.070.K.4.b criterion. As testified to orally and in
25 writing, the proposed 40-person homeless shelter is incompatible
26 with the ECC House Parcel and this Idylwood neighborhood.
27 Cramming 40 people in a six bedroom house is like trying to fit
28 a square peg in a round hole. The sheer number of residents
29 will wear down and tear up the existing 1941 house, the ECC
30 House Parcel and the nearby properties. It corresponds with
nothing around it.

1 **3. The Applicants Have Not Demonstrated that the Type of Use**
2 **and Appropriateness of the Use in Relation to Adjacent Uses**
3 **Minimizes Unusual Hazards and Characteristics of the Shelter Use**
4 **that Would Have Adverse Impacts.**

5 The applicants have not satisfied this RZC 21.76.070.K.4.d
6 criterion. The proposed 40-person homeless shelter fails to
7 minimize the hazards and characteristics unique to it that will
8 cause adverse impacts.

9 **4. The Applicants Have Not Demonstrated that the Pedestrian**
10 **and Vehicular Traffic Associated with the Homeless Shelter Will**
11 **Not Be Hazardous to or Conflict with Existing and Anticipated**
12 **Traffic in the Neighborhood.**

13 The applicants have not satisfied this RZC 21.76.070.K.4.e
14 criterion. The TC Report (page 14) anticipates that ten
15 vehicles attributable to the proposed homeless shelter could
16 exist at any given time. These vehicles and the 40 people using
17 the shelter need space to circulate, congregate, park and
18 otherwise function. All these vehicles and homeless people will
19 be quite hazardous to and conflict with the traffic in the
20 neighborhood.

21 **5. The Applicants Have Not Demonstrated that (a) Adequate**
22 **Public Facilities and Services Will Support the Homeless**
23 **Shelter, (b) the Homeless Shelter Will Not Adversely Affect**
24 **Public Services to the Surrounding Area or (c) Conditions Are**
25 **Established to Mitigate Adverse Impacts on Such Facilities.**

26 The applicants have not satisfied this RZC 21.76.070.K.4.f
27 criterion. As testified to orally and in writing, the proposed
28 40-person homeless shelter completely ignores the inadequacy of
29 public facilities and services. Nothing has been proposed to
30 give the anticipated residents these amenities.

*

1 CONCLUSION

2 Although homeless people exist in Western Washington, the
3 Examiner should not grant ECC and CCC a conditional use permit
4 to establish and operate a homeless shelter on the ECC House
5 Parcel. Serious problems and genuine dangers will result if the
6 six bedroom house is converted into a place for 40 homeless
7 people to live. The RZC and Comprehensive Plan do not authorize
8 the proposed use. Neither should the Hearing Examiner.

9 DATED this 5th day of February, 2018.

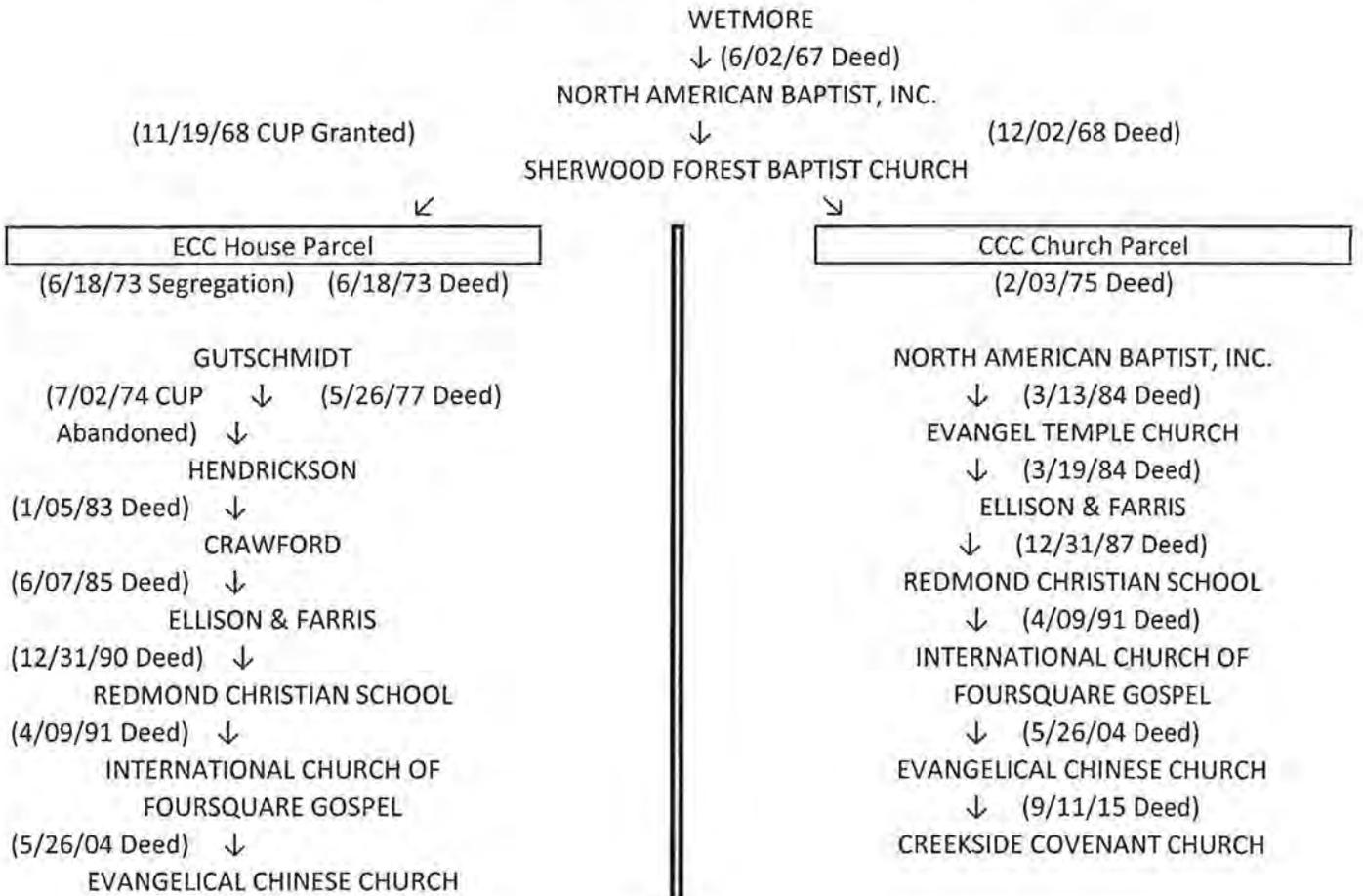
10 VANDER WEL, JACOBSON & KIM, PLLC

11
12 By: 
13 W. Theodore Vander Wel, WSBA# 18200
14 Attorney for Neighboring Homeowners
15 Bob Shade, Aditya Dube, Margaret
16 Leiberton, Corey Miller and Michelle
A. Damour

17 E:\3051\hearing.brief.doc

CHAIN OF TITLE AND EVENTS

(9/24/61 Ordinance 310 Enacted regarding Abandonment of CUP)





Pioneer National Title Insurance Company
WASHINGTON TITLE DIVISION

Filed for Record at Request of

TO PACIFIC COAST INVESTMENT COMPANY

315 NORTON BUILDING

SEATTLE, WASHINGTON 98104

2 3022

THIS SPACE RESERVED FOR RECORD NUMBER

RECORDED

REQUEST OF

1973 JUN 2 AM 8 00

ELECTRONIC RECORDING CO. WA
DEPT. 11

REVENUE STAMPS

7307020101

FILED for Record at Request of
SECURITY TITLE INS. CO.
SEATTLE, WASH.

Statutory Warranty Deed

(CORPORATE FORM)

FORM L59

THE GRANTOR **SHERWOOD FOREST BAPTIST CHURCH**, a Washington Corporation

for and in consideration of Ten Dollars and other valuable consideration -----
CAROLYNN K. GUTSCHMIDT, also known as
in hand paid, conveys and warrants to **MYLO GUTSCHMIDT AND CAROLYN K. GUTSCHMIDT**, his wife

the following described real estate, situated in the County of King, State of
Washington:

That portion of the North half of the no 'west quarter of the northeast quarter
of Section 25, Township 25 North, Range 5 East, W.M., in King County, Washington
described as follows:

Starting at a point South ^{88° 31' 52"} East a distance of 114 feet and South ^{12' 14"}
West a distance 30 feet from the North quarter of Section 25; thence South 88° 31' 52"
East a distance of 72.80 feet; thence along a curve to the right radius of 65.49
feet and Delta 66° 59' 30" a distance of 76.56 feet; thence South 21° 32' 22" ^{WEST}
a distance of 85 feet; thence South 69° 28' 00" West a distance of 178.46 feet;
thence North 1° 12' 14" East a distance of 185 feet to the point of beginning.

Subject to easements, restrictions, reservations and covenants of record, if any.

IN WITNESS WHEREOF, said corporation has caused this instrument to be executed by its proper officers
and its corporate seal to be hereunto affixed this 18th day of June, 1973

SHERWOOD FOREST BAPTIST CHURCH

By: Ken F. Berg *President*
By: [Signature] *Secretary*



STATE OF WASHINGTON, Deputy
County of Skagit [Signature]
Notary Public

On this 18th day of June, 1973, before me, the undersigned,
a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared
Wayne H. Lind, Ken F. Berg and Kent Sutton
to me known to be the Trustees ~~of~~ Sherwood Forest Baptist Church of Redmond, Washington, respectively, of
the corporation that executed the foregoing instrument, and acknowledged the said instrument to be the free and
voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and an oath stated that
authorized to execute the said instrument and that the seal affixed is the corporate seal of said
corporation.

Witness my hand and official seal hereto affixed this 18th day of June, 1973.



FFB-10-75 00243 7502100N22 - A EF 20

Quit Claim Deed

RECORDED OF REQUEST OF



1975 FEB 10 PM 2 56

DIRECTOR RECORDS & ELECTIONS KING COUNTY, WASH.

Pioneer National Title Insurance Company WASHINGTON TITLE DIVISION

Mail to

Send Tax Statement to

FILED for Record at Request of

Name Jack DeGuzman Address 3038 64th B.W. Tacoma 98466 1120 PACIFIC AVE. TACOMA, WASHINGTON 98402

FORM 157A

Quit Claim Deed

(CORPORATE FORM)

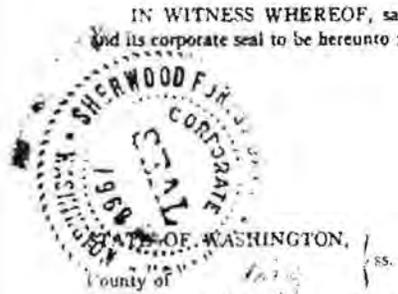
THE GRANTOR SHERWOOD FOREST BAPTIST CHURCH, a Washington Corporation

for and in consideration of fact that real estate hereinafter described has reverted, and should revert, to Grantee, under Reversionary Clause Agreement, dated December 1, 1963, conveys and quit claims to North American Baptist, Inc., an Illinois Corporation

the following described real estate, situated in the County of King

State of Washington including any interest therein which grantor may hereafter acquire: That portion of the north half of the northwest quarter of the northeast quarter of Section 25, Township 25 north, range 5 east, W.M., in King County, Washington, lying west of County Road No. 1547 and south of County Road No. 85, EXCEPT the west 114 feet of the north 300 feet thereof, and EXCEPT the south 100 feet. EXCEPT that portion conveyed to the City of Redmond for road and utility purposes recorded under Auditor's file no. 6460637. Except that portion described as follows: starting at a point S 88°31'52" E, a distance of 114.00 feet and S 1°12'14" West a distance of 30.00 ft. from the north quarter corner of Sec. 25, Township 25 N., R. 5 E., W.M. thence S 88° 31'52" E a distance of 72.80 feet, thence along a curve to the right with a radius of 65.49 feet and a delta of 66°59'30" a distance of 76.56 ft., thence S 21°32'22" E, a distance of 85.00 feet, thence S 69°28'00" a distance of 178.46 ft., thence N 1°12'14" E a distance of 185.00 ft. to the beginning.

NO SALES TAX FEB 1 1975 OFFICE OF THE COUNTY CLERK KING COUNTY WASH. DEPUTY



IN WITNESS WHEREOF, said corporation has caused this instrument to be executed by its proper officers and its corporate seal to be hereunto affixed this 3rd day of February, 1975 SHERWOOD FOREST BAPTIST CHURCH, A Washington Corporation,

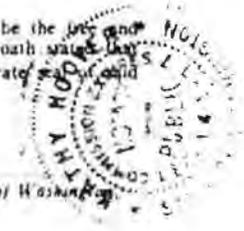
By [Signature] Vice Moderator President By [Signature] Louise Ayling Secretary

On this 3rd day of February, 1975 before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared Dayton Heitzman and Louise Ayling to me known to be the Vice Moderator and Secretary, respectively, of

SHERWOOD FOREST BAPTIST CHURCH, the corporation that executed the foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated that they are authorized to execute the said instrument and that the seal affixed is the corporate seal of said corporation.

Witness my hand and official seal hereto affixed the day and year first above written.

Notary Public in and for the State of Washington residing at





THE SPACE RESERVED FOR RECORDING IS

Filed for Record at Request of

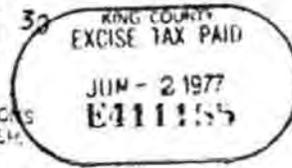
7706030199

NAME Bellevue Mortgage & Escrow

7 JUN 13 AM 8 32

ADDRESS P. O. Box 3871

CITY AND STATE Bellevue, Washington 98004



THE GRANTOR MYLO GUTSCHMIDT and CAROLYNN K. GUTSCHMIDT, also known as Carolyn K. Gutschmidt, his wife

for and in consideration of ten dollars and other valuable consideration

in hand paid, conveyed and warrants to ALAN L. HENDRICKSON and LORAYNE C. HENDRICKSON, his wife

the following described real estate, situated in the County of King, State of Washington

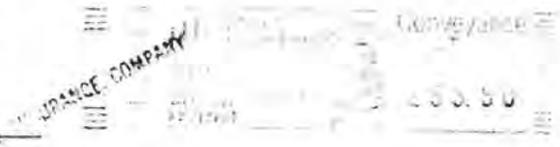
That portion of the north half of the northwest quarter of the northeast quarter of Section 25, Township 25 North, Range 5 East, W.M., in King County, Washington, described as follows:

Starting at a point south 88°31'52" east, a distance of 114.00 feet and south 1°12'14" west a distance of 30.00 feet from the north quarter corner of Section 25, Township 25 North, Range 5 East, W.M., in King County, Washington; thence south 88°31'52" east a distance of 72.80 feet; thence along a curve to the right with a radius of 65.49 feet and a delta of 66°59'30" a distance of 76.56 feet; thence south 21°32'22" east, a distance of 85.00 feet; thence south 69°28'00" west a distance of 178.46 feet; thence north 1°12'14" east a distance of 185.00 feet to the point of beginning.

EXCEPT that portion conveyed to City of Redmond under King County Recording No. 6460637.

SUBJECT TO easements, reservations and restrictions of record, if any.

Dated May 26, 1977
Myle Gutschmidt (Individual)
Carolynn K. Gutschmidt (Individual)



STATE OF WASHINGTON
COUNTY OF King
On this day personally appeared before me
to me known to be the individual described in and who executed the within and foregoing instrument, and acknowledged that
signed the same as
free and voluntary act and deed, for the uses and purposes therein mentioned.
GIVEN under my hand and official seal this
day of 19
Notary Public in and for the State of Washington, residing at

STATE OF WASHINGTON
COUNTY OF
On this day of 19
before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared
and
to me known to be the President and Secretary, respectively, of
the corporation that executed the foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated that
authorized to execute the said instrument and that the seal affixed is the corporate seal of said corporation
Witness my hand and official seal hereto affixed the day and year first above written.
Notary Public in and for the State of Washington, residing at

Transamerica Title Insurance Co

A Service of
Transamerica Corporation

Filed for Record at Request of

Name Mr. and Mrs. David A. Crawford
Address 2321 173rd N. E.
City and State Redmond, WA 98052

THIS SPACE PROVIDED FOR RECORDER'S USE

83/01/06 #0314 E
RECD F 4.00
CASHL *****4.00
22

KING COUNTY
EXCISE TAX PAID
JAN 6 1983
E0701891

8301060314

Statutory Warranty Deed

THE GRANTOR ALAN L. HENDRICKSON AND LORAYNE C. HENDRICKSON,
husband and wife

for and in consideration of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION

in hand paid, conveys and warrants to DAVID A. CRAWFORD AND SUSAN C. CRAWFORD,
husband and wife

the following described real estate, situated in the County of King, State of
Washington:

As attached hereto on Exhibit A and by this reference made a part hereof.

SUBJECT TO easements, restrictions, reservations and agreements of record, if any.

ALSO SUBJECT TO a Deed of Trust dated May 26, 1977, recorded under Recording No.
7706030200, in favor of Cascade Savings and Loan Association, which Grantees
herein agree to assume and pay according to its own terms and conditions and
hold Grantors harmless therefrom.

FILED FOR RECORD AT REQUEST OF
TRANSAMERICA TITLE
INSURANCE COMPANY
10635 N. E. 8th STREET
BELLEVUE, WASHINGTON 98004

Washington Conveyance Tax \$46.50
DEPT. OF REVENUE
JAN 1983

Dated this 5th day of January 1/5, 19 83.

Alan L. Hendrickson
Alan L. Hendrickson
Lorayne C. Hendrickson
Lorayne C. Hendrickson

STATE OF WASHINGTON, }
County of King }

On this day personally appeared before me Alan L. Hendrickson and Larayne C. Hendrickson
to me known to be the individual ^S described in and who executed the within and foregoing instrument, and
acknowledged that they signed the same as their free and voluntary act and deed, for the
uses and purposes therein mentioned.

GIVEN under my hand and official seal this 5th day of January, 19 83.

Jan P. Skyn
Notary Public in and for the State of Washington,
residing at Bellevue

Exhibit A

DESCRIPTION:

That portion of the North $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 25, Township 25 North, Range 5 East, W.M., in King County, Washington, described as follows:

Beginning at a point South $88^{\circ}31'52''$ East, a distance of 114.00 feet and South $01^{\circ}12'14''$ West a distance of 30.00 feet from the North $\frac{1}{4}$ corner of Section 25, Township 25 North, Range 5 East, W.M., in King County, Washington;
thence South $88^{\circ}31'52''$ East a distance of 72.80 feet;
thence along a curve to the right with a radius of 65.49 feet and a delta of $66^{\circ}59'30''$ a distance of 76.56 feet;
thence South $21^{\circ}32'22''$ East, a distance of 85.00 feet;
thence South $69^{\circ}28'00''$ West a distance of 178.46 feet;
thence North $01^{\circ}12'14''$ East a distance of 185.00 feet to the point of beginning;

EXCEPT that portion conveyed to the City of Redmond for N.E. 24th Street by deed recorded under Recording No. 6460637;

Situate in the City of Redmond, County of King, State of Washington.

8301060314

Statutory Warranty Deed
(Corporate Form)

STEWART TITLE COMPANY
801 2nd Avenue
Seattle, WA 98104



Pioneer National
Title Insurance Company

Handwritten notes:
Warrant for...
Pioneer National Title Insurance Co.



1120 PACIFIC AVE
TACOMA, WASHINGTON 98402

Statutory Warranty Deed

(CORPORATE FORM)

THE GRANTOR, NORTH AMERICAN BAPTISTS, INC., an Illinois Corporation

for and in consideration of One dollar (\$1.00) and other good and valuable consideration

in kind, grants, conveys and warrants to EVANGEL TEMPLE FULL GOSPEL CHURCH, INC., a Washington non-profit corporation

the following described real estate, situated in the County of King State of Washington

That portion of the North 1/2 of the Northwest 1/4 of the Northeast 1/4 of Section 25, Township 25 North, Range 5 East, W.M., in King County, Washington, lying West of County Road No. 1547 and South of County Road No. 85, EXCEPT the West 114 feet of the North 300 feet thereof, AND EXCEPT the South 100 feet. EXCEPT that portion conveyed to the City of Redmond for road and utility purposes recorded under Auditor's File No. 6460637, EXCEPT that portion described as follows: Beginning at a point South 88° 31' 52" East, a distance of 114.00 feet and South 1° 12' 14" West a distance of 30.00 feet from the North 1/2 corner of Section 25, Township 25 North, Range 5 East, W.M. thence South 88° 31' 52" East a distance of 72.80 feet, thence along a curve to the right with a radius of 65.49 feet and delta of 66° 59' 30" a distance of 76.56 feet, thence South 21° 32' 22" East, a distance of 85.00 feet. (See attached sheet)

This deed is given in fulfillment of that certain real estate contract between the parties hereto, dated November 15, 1979, and conditioned for the conveyance of the above described property, and the covenants of warranty herein contained shall not apply to any title, interest or encumbrance arising by, through or under the purchaser in said contract, and shall not apply to any taxes, assessments or other charges levied, assessed or becoming due subsequent to the date of said contract.

Real Estate Excise Tax was paid on this sale or stamped exempt on Dec. 4, 1979, Rec. No. E0570701

IN WITNESS WHEREOF, said corporation has caused this instrument to be executed by its proper officers and its corporate seal to be hereunto affixed this 13th day of March, 1984.

570701

NORTH AMERICAN BAPTISTS, INC.

Handwritten signature: W. S. Mullend

By *Constantino Salios*
Constantino Salios, Vice President

By *Robert Newforth*
Robert Newforth, Secretary

ILLINOIS

SCHEDULE "A"

Continuation of property described:

thence South 69°28'00" West, a distance of 178.46 feet, thence North
1°12'14" East a distance of 185 feet to the point of beginning.

Situate in the City of Redmond, County of King, State of Washington.

EXCEPT all coal and minerals and the rights to explore for the mine
the same as reserved in instrument recorded under Recording No. 501024.

54032200144

First American Title
INSURAN

STEWART TITLE
801 - 2nd Ave.
Seattle, WA 98104

84 03 21
REC'D
CASHSL

6403211047

Filed for Record at Request of

Name Bellevue Escrow, .

Address 925 116th Ave, N.E., Suite 114

City and State Bellevue, Washington 98004
#1546/Farris

EXCISE TAX PAID
MAR 21 1984
E0765364

Statutory Warranty Deed

(CORPORATE FORM)

THE GRANTOR EVANGEL TEMPLE FULL GOSPEL CHURCH, a Washington non-profit corporation

for and in consideration of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION

in hand paid, conveys and warrants to MARTIN D. ELLISON and KATHLEEN F. ELLISON, husband and wife
AND P. MAX FARRIS and JO HO FARRIS, husband and wife

the following described real estate, situated in the County of KING, State of Washington:

That portion of the north half of the northwest quarter of the northeast quarter of Section 25, Township 25 North, Range 5 East, W.M., in King County, Washington, lying west of County Road No. 1547 and south of County Road No. 65;

EXCEPT the west 114 feet of the north 300 feet thereof, and;

EXCEPT the south 100 feet;

EXCEPT that portion described as follows:

Beginning at a point south 88°31'52" east, a distance of 114.00 feet and south 1°12'14" west a distance of 30.00 feet from the north quarter corner of Section 25, Township 25 North, Range 5 East, W.M., in King County, Washington;

thence south 88°31'52" east a distance of 72.80 feet;

thence along a curve to the right with a radius of 65.49 feet and a delta of 66°59'30" a distance of 76.56 feet;

thence south 21°32'22" east, a distance of 85.00 feet;

thence south 69°28'00" west, a distance of 178.46 feet;

thence north 1°12'14" east a distance of 185.00 feet to the point of beginning.

SUBJECT TO: Reservation under Recording No. 501024

IN WITNESS WHEREOF, said corporation has caused this instrument to be executed by its proper officers
this 19th day of MARCH, 1984

EVANGEL TEMPLE FULL GOSPEL CHURCH

By Richard E. Taylor President

By Joy Sutherland Secretary

STATE OF WASHINGTON,

County of KING

Rec
3/21/84

3949.6



Chicago Title Insurance Company

FILED FOR RECORD AT 6:00 PM 1985

BY THE DIVISION OF RECORDS & DEEDS KING COUNTY

KING COUNTY
EXCISE TAX PAID
JUN 12 1985
E0828138

FILED FOR RECORD AT REQUEST OF
TICOR TITLE INSURANCE CO
1038 WESTERN AVE., SUITE 200
SEATTLE, WA 98104

THIS SPACE PROVIDED FOR

85/06/12
RECD F
CASHEL

STATE OF Washington
DEPT. OF REVENUE
Conveyance Tax \$54.00
3.00

8506120814

WHEN RECORDED RETURN TO

Name Bellevue Escrow, Inc.

Address 925 116th N.E. 4114

City, State, Zip Bellevue, Wa. 98004

#2108

\$54.00

Statutory Warranty Deed

THE GRANTOR DAVID A. CRAWFORD and SUSAN C. CRAWFORD, husband and wife

for and in consideration of Ten dollars and other good and valuable consideration

in hand paid, conveys, and warrants to MARTIN D. ELLISON and KATHLEEN F. ELLISON, husband and wife, AND PAUL M. FARRIS and JO HO FARRIS, husband and wife

the following described real estate, situated in the County of KING, State of Washington.

That portion of the North half of the Northwest quarter of the Northeast quarter of Section 25, Township 25 North, Range 5 East, W.M., in King County, Washington, described as follows:

Starting at a point South 88°31'52" East a distance of 114 feet and South 01°12'14" West a distance 30 feet from the North quarter of Section 25;
thence South 88°31'52" East a distance of 72.80 feet;
thence along a curve to the right radius of 65.49 feet and delta 66°59'30" a distance of 76.56 feet;
thence South 21°32'22" West a distance of 85 feet;
thence south 69°28'00" West a distance of 178.46 feet;
thence North 01°12'14" East a distance of 185 feet to the point of beginning.

A-337649-D

SUBJECT TO: Right to make necessary slopes recorded under No. 6460637; Deed of Trust dated May 26, 1977, recorded under No. 7706030200, in which Cascade Savings and Loan Association, a Washington corporation, is the Beneficiary, which the Grantee herein assumes and agrees to pay in accordance with the terms and conditions thereof.

Dated JUNE 7, 19 85.

David A. Crawford
David A. Crawford

Susan C. Crawford
Susan C. Crawford

FILED FOR RECORD AT REQUEST OF

KING COUNTY
NO EXCISE TAX
DEC 31 1987
E0980521

87-12-31 80753 B
RECD F 5.00
CRMSL +1986.00

WHEN RECORDED RETURN TO

Name Rainier National Bank

Address P. O. Box 906

City, State, Zip Redmond, WA 98073-0906

Quit Claim Deed

\$6⁰⁰/₁₀₀

5712310353

THE GRANTOR Martin D. Ellison and Kathleen F. Ellison, husband and wife,
and P. Max Farris and Jo Ho Farris, husband and wife,

for and in consideration of ~~one dollar and no/100~~ ^{GIFT TO A TAX EXEMPT CORPORATION}

conveys and quit claims to REDMOND CHRISTIAN SCHOOL

the following described real estate, situated in the County of King State of Washington,
together with all after acquired title of the grantor(s) therein:

See exhibit A attached hereto and made a part hereof.

Filed by Stewart Title
Co 4061-8

Dec 31 2 41 PM '87
RECORDED WITH L&L

Dated December 31, 1987

Kathleen F. Ellison
(Individual)
Martin D. Ellison
(Individual)
P. Max Farris

By *John L...*
(President)
By *Martin D. Ellison*
(Secretary)

STATE OF WASHINGTON, }
County of King }

Martin D. Ellison, Kathleen F. Ellison,
P. Max Farris and Jo Ho Farris

I hereby certify that I know or have satisfactory evidence that
signed this instrument and acknowledged it to be their free and voluntary act for the uses and purposes mentioned
in this instrument.

Dated: December 31, 1987



Marilyn K. Brown
Notary Public in and for the State of Washington,
residing at Bellevue
My appointment expires 9/1/90

FILED FOR RECORD AT REQUEST OF

KING COUNTY
NO EXCISE TAX
DEC 31 1987
20980521

87-12-31
RECD F 5.00
CRSHSL 1446.00

WHEN RECORDED RETURN TO

Name Rainier National Bank

Address P. O. Box 906

City, State, Zip Redmond, WA 98073-0906

Quit Claim Deed

16.00

5712310353

THE GRANTOR Martin D. Ellison and Kathleen F. Ellison, husband and wife,
and P. Max Farris and Jo Ho Farris, husband and wife,
for and in consideration of ~~one dollar and no/100~~ GIFT TO A TAX EXEMPT CORPORATION
conveys and quit claims to REDMOND CHRISTIAN SCHOOL
the following described real estate, situated in the County of King State of Washington,
together with all after acquired title of the grantor(s) therein:

See exhibit A attached hereto and made a part hereof.

Filed by Stewart Title
644061-8

RECORDED
DEC 31 1987
KING COUNTY

Dated December 31, 1987

Kathleen F. Ellison
(Individual)
Martin D. Ellison
(Individual)
Jo Ho Farris
P. Max Farris

By *John Farris*
(President)
By *Martin D. Ellison*
(Secretary)

STATE OF WASHINGTON
COUNTY OF

STATE OF WASHINGTON
COUNTY OF King

On this day personally appeared before me
to my known to be the individual described in and
who executed the within and foregoing instrument,
and acknowledged that signed the same
as free and voluntary act and deed
for the uses and purposes therein mentioned.

On this 31st day of December, 1987,
before me, the undersigned, a Notary Public in and for the State of Wash-
ington, duly commissioned and sworn, personally appeared Jo Ho Farris,
Kathleen F. Ellison, V.E., Martin D. Ellison, Sec.,
and P. Max Farris, Treas.
to me known to be the President and Secretary,
respectively, of Redmond Christian School
the corporation that executed the foregoing instrument, and acknowledged
the said instrument to be the free and voluntary act and deed of said corpora-
tion, for the uses and purposes therein mentioned, and on oath stated that
I am authorized to execute the said instrument and that the said
affixed is the corporate seal of said corporation.

GIVEN under my hand and official seal this
day of _____, 19____
Notary Public in and for the State of Wash-
ington, residing at _____

Witness my hand and official seal hereto affixed the day and year first
above written
Stephane Ann Spain
Notary Public in and for the State of Washington,
residing at Redmond

Redmond Christian School

Exhibit A

That portion of the north half of the northwest quarter of the northeast quarter of Section 25, Township 25 North, Range 5 East, W.M., in King County, Washington, lying west of County Road Number 1547 and south of County Road Number 85;
EXCEPT the west 114 feet of the north 300 feet thereof;
AND EXCEPT the south 100 feet;
EXCEPT that portion described as follows:

Beginning at a point south $88^{\circ}31'52''$ east, a distance of 114.00 feet and south $1^{\circ}12'14''$ west a distance of 30.00 feet from the north quarter corner of Section 25, Township 25 North, Range 5 East, W.M., in King County, Washington;
thence south $88^{\circ}31'52''$ east a distance of 72.80 feet;
thence along a curve to the right with a radius of 65.49 feet and a delta of $66^{\circ}59'30''$ a distance of 76.56 feet;
thence south $21^{\circ}32'22''$ east, a distance of 25.00 feet;
thence south $69^{\circ}28'00''$ west, a distance of 178.46 feet;
thence north $1^{\circ}12'14''$ east a distance of 185.00 feet to the point of beginning.

8712310353

William D. Ellison
Harold D. Ellison
L. Max Ferris
John Ferris

QUIT-CLAIM DEED

STATUTORY FORM

AFTER RECORDING MAIL TO
Filed for Record at Request of

FIRST AMERICAN TITLE
FOURTH & BLANCHARD BLDG.
SEATTLE WA 98121

THE GRANTOR(S) PAUL MAX FARRIS & Jo Ho FARRIS 19635 N.E. 50th ST
 of REDMOND City of REDMOND
 County of KING Washington, for and in consideration of DONATION GIVEN TO A NON-PROFIT ORGANIZATION
 convey and quit-claim to REDMOND CHRISTIAN SCHOOL, P.O. Box 3337
 of REDMOND, WASH City of REDMOND, WASH
 County of KING State of WASHINGTON all interest in the following described Real Estate:
HOUSE, 2321-173RD AVE N.E., REDMOND, WASH (KING COUNTY) R.E. TAX # 252 505 - 9158 - 08
 (LEGAL DESCRIPTION ATTACHED.)

91/04/15 #3037 1A
 RECD F 6.00
 REC FEE 2.00
 CASHL *****8.00
 55

1970-8-5
 situated in the County of King State of Washington. Dated this 31 day of DECEMBER 1990

1ST AM-S
 9104151037

KING COUNTY
 NO EXCISE TAX DUE
 APR 15 1991
 E1184025

RECEIVED THIS DAY
 APR 15 2 22 PM '91
 BY THE DIVISION OF
 REVENUE & TAXATION

Grantor Paul Max Farris & Jo Ho Farris

NOTARY ACKNOWLEDGMENT

STATE OF Washington
 County of King
 I, Budgett A. Larsen Notary Public in and for the State of Washington do hereby certify that on this 31st day of December 1990, personally appeared before me Paul Max Farris & Jo Ho Farris to me known to be the individual(s) described in and who executed the within instrument and acknowledged that they signed the same as a free and voluntary act and deed for the uses and purposes herein mentioned.
 Signed and sworn to before me this 31st day of December 1990



Budgett A. Larsen
 Notary Public in and for the State of Washington
 My appointment expires 9-12-92

LEGAL DESCRIPTION ATTACHMENT

THAT PORTION OF THE NORTH HALF OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 25, TOWNSHIP 25 NORTH, RANGE 5 EAST, W.M., IN KING COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

STARTING AT A POINT SOUTH 88°31'52" EAST A DISTANCE OF 114 FEET AND SOUTH 01°12'14" WEST A DISTANCE 30 FEET FROM THE NORTH QUARTER OF SECTION 25;
THENCE SOUTH 88°31'52" EAST A DISTANCE OF 72.80 FEET;
THENCE ALONG A CURVE TO THE RIGHT RADIUS OF 65.49 FEET AND DELTA 66°59'30" A DISTANCE OF 76.56 FEET;
THENCE SOUTH 21°32'22" WEST A DISTANCE OF 85 FEET;
THENCE SOUTH 69°28'00" WEST A DISTANCE OF 178.46 FEET;
THENCE NORTH 01°12'14" EAST A DISTANCE OF 185 FEET TO THE POINT OF BEGINNING.

BOTH SITUATE IN THE COUNTY OF KING, STATE OF WASHINGTON.

0104151037

QUIT-CLAIM DEED

STATUTORY FORM

AFTER RECORDING MAIL TO

Filed for Record at Request of

FIRST AMERICAN TITLE

FOURTH & BLANCHARD BLDG.

SEATTLE, WA 98121

THE GRANTOR(S) MARTIN D. ELLISON AND KATHLEEN F. ELLISON

of BELLEVUE City of BELLEVUE
County of KING Washington, for and in consideration of DONATION GIVEN TO A NON-PROFIT

ORGANIZATION
convey and quit-claim to REDMOND CHRISTIAN SCHOOL P.O. BOX 3337

of REDMOND City of REDMOND
County of KING State of WASHINGTON, all interest in the following described Real Estate:

House, 2321-173RD AV. NE REDMOND WASH (KING COUNTY) R.E. TAX # 252 505-9158-08
(LEGAL DESCRIPTION ATTACHED)

91/04/15		*1038 1A
RECD F	6.00	
REC FEE	2.00	
CASHI		***8.00
		55

situated in the County of King State of Washington. Dated this 31 day of DECEMBER, 1990.

1ST AM-S 197008-5
9104151038

KING COUNTY
NO EXCISE TAX DUE
APR 15 1991
E1184026

RECEIVED THIS DAY
APR 15 2 22 11 '91
BY THE CLERK OF
RECORDS & CLERK OF
KING COUNTY

Kathleen J. Ellison
Grantor(s)
Martin D. Ellison

NOTARY ACKNOWLEDGMENT

STATE OF Washington)
County of King)
Bridgett Hansen Notary Public in and for the State of Washington do hereby certify that on this 31st
day of December, 1990, personally appeared before me Kathleen F. Ellison & Martin D. Ellison known to be the individual
described in and who executed the within instrument and acknowledged that they signed the same as a free and voluntary act and deed for the uses and purposes herein
mentioned.
Signed and sworn to before me this 31st day of December, 1990

Bridgett Hansen
Notary Public in and for the State of Washington
My appointment expires 9-12-92

LEGAL DESCRIPTION ATTACHMENT

THAT PORTION OF THE NORTH HALF OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 25, TOWNSHIP 25 NORTH, RANGE 5 EAST, W.M., IN KING COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

STARTING AT A POINT SOUTH 88°31'52" EAST A DISTANCE OF 114 FEET AND SOUTH 01°12'14" WEST A DISTANCE 30 FEET FROM THE NORTH QUARTER OF SECTION 25;
THENCE SOUTH 88°31'52" EAST A DISTANCE OF 72.80 FEET;
THENCE ALONG A CURVE TO THE RIGHT RADIUS OF 65.49 FEET AND DELTA 66°59'30" A DISTANCE OF 76.56 FEET;
THENCE SOUTH 21°32'22" WEST A DISTANCE OF 85 FEET;
THENCE SOUTH 69°28'00" WEST A DISTANCE OF 178.46 FEET;
THENCE NORTH 01°12'14" EAST A DISTANCE OF 185 FEET TO THE POINT OF BEGINNING.

BOTH SITUATE IN THE COUNTY OF KING, STATE OF WASHINGTON.

9104151038

Filed for Record at Request of
REVELLE, RIES & HAWKINS ESCROW, INC.

AFTER RECORDING MAIL TO: **AFTER RECORDING MAIL TO**

Name INTERNATIONAL CHURCH OF THE FOURSQUARE
Address 1910 West Sunset Blvd., Suite 200
City, State, Zip Los Angeles, CA 90026

Escrow number: 915224PS



Filed for Record at Request of
FIRST AMERICAN TITLE
FOURTH & BLANCHARD BLDG
SEATTLE, WA 98101

Statutory Warranty Deed

91/04/15 \$1039.10
RECD F 6.00
RECEIVED 2.00
CASHES *****.00
 55

THE GRANTOR REDMOND CHRISTIAN SCHOOL, a non-profit corporation

for and in consideration of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION
in hand paid, conveys and warrants to INTERNATIONAL CHURCH OF THE FOURSQUARE GOSPEL, a religious
corporation

the following described real estate, situated in the County of KING, State of Washington:
AS PER LEGAL DESCRIPTION ATTACHED HERETO AND BY THIS REFERENCE MADE A PART
HEREOF

1ST AM-S 197008-5
9104151039

SUBJECT TO: Easements, restrictions, reservations and provisions of record, if
any, and taxes not yet delinquent.

APPROVED AND ACCEPTED:
INTERNATIONAL CHURCH OF THE FOURSQUARE GOSPEL
BY: John R. Holland By: Letta Mae Steward
JOHN R. HOLLAND, Pres. LETTA MAE STEWARD, A.S.

Dated this 9th day of April, 1991

By REDMOND CHRISTIAN SCHOOL By _____

By Paul Max Farris By _____

RECEIVED THIS DAY
APR 15 2 22 PM '91
BY THE RECORDER OF
DEEDS & ELECTIONS
KING COUNTY

STATE OF WASHINGTON }
COUNTY OF KING } ss

I certify that I know or have satisfactory evidence that Paul Max Farris
is the person who appeared before
me, and said person acknowledged that he signed this instrument, on oath stated that
authorized to execute the instrument and acknowledged it as the a Director
of REDMOND CHRISTIAN SCHOOL to be the free
and voluntary act of such party for the uses and purposes mentioned in this instrument.

Dated: April 12, 1991

Patricia L. Stearns
Notary Public in and for the State of WASHINGTON
Residing at Lynnwood
My appointment expires: 11-15-92

EXHIBIT "A"

THE LAND REFERRED TO IN THIS COMMITMENT IS SITUATED IN THE STATE OF WASHINGTON, COUNTY OF KING AND IS DESCRIBED AS FOLLOWS:

PARCEL A:

THAT PORTION OF THE NORTH HALF OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 25, TOWNSHIP 25 NORTH, RANGE 5 EAST, W.M., IN KING COUNTY, WASHINGTON, LYING WEST OF COUNTY ROAD NO. 1547 AND SOUTH OF COUNTY ROAD NO. 85; EXCEPT THE WEST 114 FEET OF THE NORTH 300 FEET THEREOF; AND EXCEPT THE SOUTH 100 FEET; EXCEPT THAT PORTION DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT SOUTH 88°31'52" EAST, A DISTANCE OF 114.00 FEET AND SOUTH 1°12'14" WEST A DISTANCE OF 30.00 FEET FROM THE NORTH QUARTER CORNER OF SECTION 25, TOWNSHIP 25 NORTH, RANGE 5 EAST, W.M., IN KING COUNTY, WASHINGTON; THENCE SOUTH 88°31'52" EAST A DISTANCE OF 72.80 FEET; THENCE ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 65.49 FEET AND A DELTA OF 66°59'30" A DISTANCE OF 76.56 FEET; THENCE SOUTH 21°32'22" EAST, A DISTANCE OF 85.00 FEET; THENCE SOUTH 69°28'00" WEST, A DISTANCE OF 178.46 FEET; THENCE NORTH 1°12'14" EAST A DISTANCE OF 185.00 FEET TO THE POINT OF BEGINNING.

PARCEL B:

THAT PORTION OF THE NORTH HALF OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 25, TOWNSHIP 25 NORTH, RANGE 5 EAST, W.M., IN KING COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

STARTING AT A POINT SOUTH 88°31'52" EAST A DISTANCE OF 114 FEET AND SOUTH 01°12'14" WEST A DISTANCE 30 FEET FROM THE NORTH QUARTER OF SECTION 25; THENCE SOUTH 88°31'52" EAST A DISTANCE OF 72.80 FEET; THENCE ALONG A CURVE TO THE RIGHT RADIUS OF 65.49 FEET AND DELTA 66°59'30" A DISTANCE OF 76.56 FEET; THENCE SOUTH 21°32'22" WEST A DISTANCE OF 85 FEET; THENCE SOUTH 69°28'00" WEST A DISTANCE OF 178.46 FEET; THENCE NORTH 01°12'14" EAST A DISTANCE OF 185 FEET TO THE POINT OF BEGINNING.

BOTH SITUATE IN THE COUNTY OF KING, STATE OF WASHINGTON.

9104151039

After Recording Return To
R Gibson Masters, Esq
Preston Gates & Ellis LLP
925 Fourth Avenue, Suite 2900
Seattle, Washington 98104



20040528002355
CHICAGO TITLE WD 24 00
PAGE001 OF 008
05/28/2004 12:27
KING COUNTY, WA

E2042851

05/28/2004 12:21
KING COUNTY, WA
TAX \$36,490 00
SALE \$2,050,000 0

PAGE001 OF 001

STATUTORY WARRANTY DEED

GRANTOR: INTERNATIONAL CHURCH OF THE FOURSQUARE GOSPEL

GRANTEE: EVANGELICAL CHINESE CHURCH OF SEATTLE

Legal Description:

Abbreviated Form: Ptn N 1/2 of NE 1/4 of NE 1/4 of Sec 25, TWP25N, R5E,
WM and
Ptn N 1/2 of NW 1/4 of NE 1/4 of Sec 25, TWP25N, R5E,
WM

Additional legal on Page 3

Assessor's Tax Parcel ID# 252505-9040-00, 252505-9158-08

le pas
CHICAGO TITLE INS CO.
REF# 1131570-6①

Reference No(s). of Related Document(s) N/A

THE GRANTOR, INTERNATIONAL CHURCH OF THE FOURSQUARE GOSPEL, a California non-profit corporation, for and in consideration of Ten Dollars (\$10.00) in hand paid, conveys and warrants to EVANGELICAL CHINESE CHURCH OF SEATTLE, a Washington non-profit corporation, the following described real estate, situated in the County of King, State of Washington

See Exhibit A attached hereto

EXHIBIT A

Legal Description

The land is located in the County of King, State of Washington, and is described as follows

PARCEL A

THAT PORTION OF THE NORTH HALF OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 25, TOWNSHIP 25 NORTH, RANGE 5 EAST, WILLAMETTE MERIDIAN, IN KING COUNTY, WASHINGTON, LYING WEST OF COUNTY ROAD NO 1547 AND SOUTH OF COUNTY ROAD NO 85, EXCEPT THE WEST 114 FEET OF THE NORTH 300 FEET THEREOF; AND EXCEPT THE SOUTH 100 FEET THEREOF; AND EXCEPT THAT PORTION THEREOF DESCRIBED AS FOLLOWS

BEGINNING AT A POINT SOUTH 88°31'52" EAST, A DISTANCE OF 114.00 FEET AND SOUTH 1°12'14" WEST A DISTANCE OF 30.00 FEET FROM THE NORTH QUARTER CORNER OF SECTION 25, TOWNSHIP 25 NORTH, RANGE 5 EAST, WILLAMETTE MERIDIAN, IN KING COUNTY, WASHINGTON, THENCE SOUTH 88°31'52" EAST A DISTANCE OF 72.80 FEET; THENCE ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 65.49 FEET AND A DELTA OF 66°59'30" A DISTANCE OF 76.56 FEET; THENCE SOUTH 21°32'22" EAST, A DISTANCE OF 85.00 FEET, THENCE SOUTH 69°28'00" WEST, A DISTANCE OF 178.46 FEET; THENCE NORTH 1°12'14" EAST A DISTANCE OF 185.00 FEET TO THE POINT OF BEGINNING.

PARCEL B

THAT PORTION OF THE NORTH HALF OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 25, TOWNSHIP 25 NORTH, RANGE 5 EAST, WILLAMETTE MERIDIAN, IN KING COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS

BEGINNING AT A POINT SOUTH 88°31'52" EAST, A DISTANCE OF 114.00 FEET AND SOUTH 1°12'14" WEST A DISTANCE OF 30.00 FEET FROM THE NORTH QUARTER CORNER OF SECTION 25, TOWNSHIP 25 NORTH, RANGE 5 EAST, WILLAMETTE MERIDIAN, IN KING COUNTY, WASHINGTON, THENCE SOUTH 88°31'52" EAST A DISTANCE OF 72.80 FEET,

THENCE ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 65.49 FEET AND
A DELTA OF 66°59'30" A DISTANCE OF 76.56 FEET,
THENCE SOUTH 21°32'22" EAST, A DISTANCE OF 85.00 FEET,
THENCE SOUTH 69°28'00" WEST, A DISTANCE OF 178.46 FEET,
THENCE NORTH 1°12'14" EAST A DISTANCE OF 185.00 FEET TO THE POINT OF
BEGINNING,
EXCEPT THAT PORTION THEREOF CONVEYED TO THE CITY OF REDMOND BY
DEED RECORDED UNDER RECORDING NUMBER 6460637

Unofficial Copy

EXHIBIT B

Exceptions

- 1 Easement and the terms and conditions thereof:

Grantee	Pacific Northwest Bell Telephone Company, a Washington corporation
Purpose	Underground communication lines and above ground cabinets and other appurtenances
Area Affected	The North 10 feet of the East 10 feet of Parcel A
Recorded	February 14, 1984
Recording Number	8402140252

- 2 Easement and the terms and conditions thereof:

Grantee:	City of Redmond, a Municipal corporation
Purpose	Installing, constructing, maintaining, operating, repairing and replacing fire hydrant with 8" diameter pipelines and all necessary connections and appurtenances thereto, together with the right of ingress and egress
Area Affected	Portion of Parcel A lying within a strip of land 20 feet in width
Recorded	August 6, 1986
Recording Number:	8608060520

- 3 Easement and the terms and conditions thereof.

Grantee	US West Communications, Inc , a Colorado corporation
Purpose	The right to construct, reconstruct, operate, maintain and remove telecommunications facilities
Area Affected	Southerly portion of Parcel A
Recorded	June 4, 1992
Recording Number:	9206041271

4. Reservation of all coal, oil, gas and mineral rights, and rights to explore for the same contained in deed from Weyerhaeuser Timber Co , a Washington corporation

Recorded	July 31, 1907
Recording Number:	501024

5 Agreement and the terms and conditions thereof.

Between Redmond Christian School
And City of Redmond
Recorded February 20, 1987
Recording Number 8702201277
Regarding Improvement work on 173rd Avenue Northeast and consent to participate in and not protest the formation of a local improvement district

Said agreement is a re-recording of agreement recorded under Recording Number 8604111374.

6. Right to make necessary slopes for cuts or fills upon property herein described as granted in deed

Grantee City of Redmond, a municipal corporation
Recorded January 20, 1969
Recording Number 6460637

Affects Northerly portion of Parcel B

7. Terms and conditions of notice of charges by water, sewer and/or storm and surface water utilities, recorded under Recording Number 9408091502

8 Lease and the terms and conditions thereof

Lessor The International Church of the Four Square Gospel,
a California non-profit corporation
Lessee Lake Washington School District, a Washington
municipal corporation
For a term of 2 years, with 3 options to renew for a term of 1 year
each
Recorded June 7, 1999
Recording Number: 9906071704

CHICAGO TITLE INS. CO
REF# 4179756

5177

When recorded return to:
J.D. Watson
Creskide Covenant Church
2315 173rd Ave NE
Redmond, WA 98052



Filed for record at the request of:



CHICAGO TITLE
COMPANY OF WASHINGTON

10500 NE 8th St., Suite 600
Bellevue, WA 98004

Escrow No.: 0041297-06

E2755690
09/15/2015 14:22
KING COUNTY, WA
TAX \$33,825.00
SALE \$1,500,000.00

PAGE-001 OF 001

STATUTORY WARRANTY DEED

THE GRANTOR(S) Evangelical Chinese Church of Seattle, a Washington non-profit organization
for and in consideration of Ten And No/100 Dollars (\$10.00) , and other valuable consideration

in hand paid, conveys, and warrants to Creskide Covenant Church, a Washington non-profit
corporation

N/M JDW

the following described real estate, situated in the County of King, State of Washington:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

Abbreviated Legal: (Required if full legal not inserted above.)

Portion of the Northwest quarter of the Northeast quarter of Section 25-25-5.

Tax Parcel Number(s): 252505-9040-00,

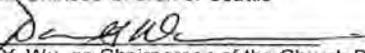
Subject to:

SEE EXHIBIT "B" ATTACHED HERETO AND MADE A PART HEREOF

STATUTORY WARRANTY DEED
(continued)

Dated: September 11, 2015

Evangelical Chinese Church of Seattle

BY: 
Daniel Y. Wu, as Chairperson of the Church Board
and Authorized signer

STATUTORY WARRANTY DEED
(continued)

State of Washington
County of King

I certify that I know or have satisfactory evidence that Daniel Y. Wu

is are the person(s) who appeared before me, and said person acknowledged that (he) (he/she/they) signed this instrument, on oath stated that (he) (he/she/they) was authorized to execute the instrument and acknowledged it as the Officer of Evangelical Chinese Church of Seattle to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Dated: 9-14-15



R. M. Harper
Name: R. M. Harper
Notary Public in and for the State of Washington
Residing at: Seattle
My appointment expires: 10-29-17

EXHIBIT "A"
Legal Description

That portion of the North half of the Northwest quarter of the Northeast quarter of Section 25, Township 25 North, Range 5 East, Willamette Meridian, in King County, Washington, lying West of County Road No. 1547 and South of County Road No. 87;
Except the West 114 feet of the North 300 feet thereof; and
Except the South 100 feet thereof; and
Except that portion thereof described as follows:

Beginning at a point South 88°31'52" East, a distance of 114.00 feet and South 1°12'14" West a distance of 30.00 feet from the North quarter corner of Section 25, Township 25 North, Range 5 East, Willamette Meridian, in King County, Washington;
Thence South 88°31'52" East a distance of 72.80 feet;
Thence along a curve to the right with a radius of 65.49 feet and a delta of 66°59'30" a distance of 76.56 feet;
Thence South 21°32'22" East, a distance of 85.00 feet;
Thence South 69°28'00" West, a distance of 178.46 feet;
Thence North 1°12'14" East a distance of 185.00 feet to the Point of Beginning.

EXHIBIT "B"
Exceptions

Exceptions Set forth on attached exhibit and by this reference made a part hereof as if fully incorporated herein.

1. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: Pacific Northwest Bell Telephone Company, a Washington corporation
Purpose: Underground communication lines and above-ground cabinets and other appurtenances
Recording Date: February 14, 1984
Recording No.: 8402140252
Affects: The North 10 feet of the East 10 feet of said premises
2. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: City of Redmond, a municipal corporation
Purpose: Installing, constructing, maintaining, operating, repairing and replacing fire hydrant with 8" diameter pipelines and all necessary connections and appurtenances thereto, together with the right of ingress and egress
Recording Date: August 6, 1986
Recording No.: 8608060520
Affects: A portion of said premises lying within a strip of land 20 feet in width as described in document
3. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: US West Communications, Inc., a Colorado corporation
Purpose: The right to construct, reconstruct, operate, maintain and remove telecommunications facilities
Recording Date: June 4, 1992
Recording No.: 9206041271
Affects: A Southerly portion of said premises
4. Reservation of all coal, oil, gas and mineral rights, and rights to explore for the same contained in the deed

Grantor: Weyerhaeuser Timber Co., a Washington corporation
Recording Date: July 31, 1907
Recording No.: 501024
5. Agreement and the terms and conditions thereof:

Between: Redmond Christian School
And: City of Redmond
Recording Date: February 20, 1987
Recording No.: 8702201277
Regarding: Improvement work on 173rd Avenue Northeast and consent to participate in and not protest the formation of a local improvement district.

Said agreement is a re-recording of agreement recorded under recording no. 8604111374.
6. Terms and conditions of notice of charges by water, sewer and/or storm and surface water utilities, recorded under recording no. 9408091502.

ORDINANCE NO. 310

AN ORDINANCE establishing comprehensive zoning regulations for the City of Redmond, Washington; establishing land use regulations and districts (zoning) within the incorporated limits of the City of Redmond; providing for the administration, enforcement and amendment thereof; providing penalties for the violations of its provisions; and repealing ordinances or parts of ordinances in conflict herewith.

Whereas, the City Council of Redmond, pursuant to the provisions of Chapter 35.63 R.C.W. has heretofore created and established a City Planning Commission; and

Whereas, the City Planning Commission has heretofore developed a Comprehensive Land Use Plan for the City of Redmond which has been duly adopted by the City Council; and

Whereas, the City Planning Commission has divided the City into zones or districts and has prepared regulations for the erection, construction, alteration, repair and use of buildings, structures and land in accordance with said Comprehensive Land Use Plan; and

Whereas, the City Planning Commission has duly held a public hearing on such proposed regulations and zones and thereafter upon further consideration has approved regulations and zones and has recommended the same to the City Council for adoption; and

Whereas the City Council, having duly considered said regulations and zones, and deeming it advisable and necessary to adopt regulations and zones for the purposes set forth in Chapter 35.63 R.C.W., for the City of Redmond and in accordance therewith,

THE CITY COUNCIL OF THE CITY OF REDMOND DO ORDAIN AS FOLLOWS:

Chapter 1

TITLE, AUTHORITY AND PURPOSE

1.1 TITLE

1.1.1 There is hereby established a plan which shall be known as the "Comprehensive Zoning Plan for the City of Redmond", which plan is set forth in the text and zoning map which together constitute this ordinance. The short title shall be "Redmond Zoning Plan" and the plan may be cited as such.

1.2 AUTHORITY AND PURPOSE

1.2.1 The Comprehensive Zoning Plan for the City of Redmond is hereby adopted by authority of, and for the purposes set forth in, Chapter 35.63 R.C.W., the same being incorporated herein by this reference as though fully set forth in this ordinance, and more particularly for the protection and promotion of the public health, safety and general welfare. Three copies of Chapter 35.63 R.C.W. shall be kept on file in the office of the City Clerk.

Chapter 41

CONDITIONAL USE

41.1 DEFINITION AND PRE-EXISTING USE POLICY

41.1.1 A conditional use is a use permitted in certain use zones conditioned upon approval by the City Council in each specific case.

41.1.2 A use which is in existence at the effective date of this ordinance or at the effective date of annexation to the City of Redmond of the area in which such use is located, whichever date is the later, and is a use which is a conditional use for the use zone in which such use is located, shall not require approval by the City Council.

41.2 PROCEDURE

41.2.1 Petition. The petition for a conditional use shall be in writing in duplicate and addressed to the Planning Commission and the City Council. Such petition shall include the location of the property involved and the particulars with regard to the use desired. Sketches and/or maps may be included.

41.2.2 Filing fee. The fee for filing a petition for a conditional use shall be \$25.00.

41.2.3 Filing of petition. The petition for a conditional use shall be filed with the City Clerk.

41.2.4 Acceptance and hearing date. The City Clerk shall transmit the petition to the Planning Commission. Upon determination that such petition is in compliance with applicable regulations and contains sufficient and proper information, the Planning Commission shall set a date for a public hearing to be held within 50 days of filing and shall notify the City Clerk of such date.

41.2.5 Hearing notice. Proper notice of the public hearing shall be given in accordance with Chapter 44.

41.2.6 Recommendation. Following the hearing the Planning Commission shall determine whether permission for the conditional use should be granted and shall submit its recommendation, together with its analysis and reasons therefore, to the City Council within 30 days of the conclusion of the hearing.

41.2.7 Council action. The City Council shall either grant permission for the conditional use, stipulating any pertinent requirements or conditions or refuse permission, within 30 days of receipt of the recommendation of the Planning Commission and such decision shall be final. The City Council may require a covenant with the owner of the property granted a conditional use permission to insure continued compliance with any stipulated requirements or conditions.

41.3 GENERAL

41.3.1 Abandonment of use. When a conditional use of property is abandoned for a continuous period of one year all permits or rights granted on the basis of such conditional use permission shall be void.

41.3.2 Basis of requirements. The requirements for a conditional use shall be those given in Chapters 24, 25, 26, and 27 or shall be based on the requirements for similar uses.

Chapter 48

CONSTRUCTION

48.1 SEVERABILITY

48.1.1 Should any section, subsection, paragraph, sentence, clause or phrase of this ordinance or the application thereof to any person or circumstance be held unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of this ordinance, or the application of such provisions to other persons or circumstances and to this end the provisions of this ordinance are declared to be severable, as if the ordinance had been enacted without the invalid provision.

48.2 NUMBERING SYSTEM

48.2.1 The decimal system of numbering is used in this ordinance. The numbers or groups of numbers separated by decimal points are designated by names as follows:

- (1) 00. Chapter
- (2) 00.0 Topic
- (3) 00.0.0 Section
- (4) 00.0.0 (1) or (a) singularly or in succession Subsection

48.2.2 For purposes of cross reference in this ordinance a Subsection is designated a Section, as: Section 00.0.0 (1).

48.2.3 Amendments

- (1) For purposes of amending the identifying name of a Topic such name shall be construed to be a Section.
- (2) For purposes of amending a Subsection, such Subsection shall not be construed to be a Section.

48.3 EFFECTIVE DATE

48.3.1 Effective date. This ordinance shall take effect and be in full force five (5) days after its publication in the manner required by law.

Passed by the Council of the City of Redmond,
Washington, at a regular meeting thereof and
APPROVED by the Mayor this 9th day of July,
1963.

CITY OF REDMOND

s/ G. C. Graep
MAYOR

ATTEST:

s/ Florine Shults
CITY CLERK

APPROVED AS TO FORM:

s/ John D. Lawson
CITY ATTORNEY

Published in The Sammamish Valley News,
Redmond, Washington, on September 19, 1963.

No. 10
10

Rept No. 5792
Amt 5000
Date 10-22-68

CONDITIONAL USE PETITION
CITY OF REDMOND, WASHINGTON
(Ordinance No. 310, Chapter 41)

Clerk File
Noted on B.P.

For Office Use Only

Petition No. 10 Petitioner's name Sherwood Forest Baptist Church
 Filing date 10-22-68 Hearing date 11-6-68
 Sec. 25 Twp. 25 N Rge. 5 E Sec. 4 NE Insex code _____
 Zone RS-12 Use requested CHURCH BUILDING
 Plan. Com. action Recommends approval with conditions Date 11-6-68
 attach copy of report
 Council action Request granted with conditions Date 11-12-68
 Resolution No. 207 Approved 11-19-68
 Permit issued, Type Building No. 1424 Date 2-6-69
2315 173rd Avenue

TO: The PLANNING COMMISSION and CITY COUNCIL

The undersigned owner(s) or contract purchaser(s) of the real property described below do hereby petition for permission to have thereon the following described use:

Church facility to house the Sherwood Forest Baptist Church of Redmond, Washington

Property description Sec. 25, Twp. 25, Rg. 5, Tax Lot 40

The north 555 = feet of that portion of the northeast quarter of section 25, township 25 north, range 5 east W. M. lying west of 173rd Avenue N. E. except the west 114 feet of the north 300 feet, and except N. E. 24th Street.

* * * * *
Answer as completely as possible the following questions.

- How many persons will be employed (include proprietor, manager) 1
- What is the estimated maximum number of persons anticipated on the property at any one time (exclusive of employees) 200
- Explain why this particular site is especially suited for the proposed conditional use.
This site was selected for the proposed church facility as it would satisfy the long range requirements, buildings and parking, for this local congregation. (See plot plan of long range plan)

4. Describe how the proposed conditional use and improvements are designed and arranged to fit into the development of adjacent property and the neighborhood.

~~The design of the first phase, as will other phases, emphasizes minimal removal of trees and vegetation to create the least disruption and the maximum continuance with surrounding and adjacent properties. Sufficient area is available to control future visual problems created by additional proposed buildings. The surrounding road network will provide adequate capacity to handle traffic to and from the church.~~

If more space is required to answer the above questions use separate sheets. A plot plan to scale must accompany this petition showing boundaries and dimensions of property, size of buildings and location on the property, roadways and walkways on the property, location of roadways adjoining the property, off street parking, landscaping and sight screening. Sketches showing elevations and plans of proposed structures should be included if available. File this petition together with additional papers with the City Clerk. The filing fee is \$50.00.

Each signer of this petition represents that the foregoing statements and information submitted herewith are true and correct to the best of their knowledge and belief.

Owner's signature	Printed name	Address
<i>Rev. John Hissel</i>	Rev. John Hissel	1835-150 th Ave. N.E., Ballwin

Name and phone number of person to contact if more information is needed.

Rev. John Hissel. 5M 63385

Cond Use Pet No. 10
Plan Com hearing
Clerk file

NOTICE OF PUBLIC HEARING
CITY OF REDMOND, WASHINGTON

PLACE: Redmond City Hall, 16510 N. E. 79th Street
BEFORE: Planning Commission
DATE: November 6, 1968
TIME: 8 P. M. or as soon thereafter as possible
SUBJECT: Conditional Use Petition No. 10

PETITION REQUEST: Permission to construct a church building.

LOCATION OF PROPERTY: In section 25, township 25 north, range 5 east W. M. between the west line of the northeast quarter of said section 25 and 173rd Avenue N.E., extending south from N. E. 24th Street about 524 feet, but excluding the west 114 feet of the north 270 feet thereof. The area is outlined with hatchmarks on the attached sketch.

REASON FOR THIS NOTICE: The Zoning Code requires that notice of hearing be mailed to owners of property within the area involved, and to owners of property lying within 200 feet of the boundaries of such area as their names and addresses appear in the King County Treasurer's record, or as otherwise determined. The record, as determined, shows you to be the owner of property shaded or outlined in red on the attached sketch.

STATISTICS:

Land area: 3.4 acres
Approx. size and area of building, Phase I: 52' by 32', 2624 sq. ft.
Approx. building height: 21 feet.

Those wishing to speak for or against the matter may do so in person at the hearing, or in writing received prior to or at the time of the hearing.

Any questions should be directed to the number given below.

Jonathon Hartman
Planning Administrator
TU 5-2256

R. L. McCONNELL
PLANNING DIRECTOR

Notice mailed to 26 names and addresses on October 26, 1968.

ATTACHMENT 4

CITY OF REDMOND, WASHINGTON

RESOLUTION NO. 207

A RESOLUTION, granting Conditional Use Petition No. 10 to construct and operate a church complex in an area zoned as Single Family Residential RS-12.

WHEREAS, Conditional Use Petition No. 10, filed October 22, by Sherwood Forest Baptist Church, requests permission to use property therein described for a church complex as a conditional within an area zoned and classified as Single Family Residential 2 land use district; and

WHEREAS, the Planning Commission duly held a public hearing on petition on November 6, 1968 and thereafter recommended to the Council that the Petition be granted subject to certain conditions, and the City Council has duly considered the Petition and recommendations of the Planning Commission and deems it in the public interest and for the public welfare that the Petition be granted, Now, Therefore,

IT IS RESOLVED BY THE CITY COUNCIL OF THE CITY OF REDMOND, WASHINGTON as follows:

Section 1. That Conditional Use Petition No. 10, filed October 22, by Sherwood Forest Baptist Church, to use the following described property for a church complex as a conditional use under the 1968 Zoning Plan adopted under Ordinance No. 310 within an area zoned and classified as Single Family Residential RS-12 land use district is hereby granted and approved, subject to the conditions of Resolution. The subject property is described as follows:

In section 25, township 25 north, range 5 east W.M.:
The north 525.42 feet of that portion of the northeast quarter of said section 25 lying south of the north 30 feet of said northeast quarter of section 25 and lying westerly of the right of way of 173rd Avenue N.E., LESS the west 114 feet of the north 270 feet of said north 525.42 feet of the portion described above. Situated in the City of Redmond, King County, Washington.

Section 2. That the conditional use herein granted shall be subject to the following requirements and conditions:

1. The setback from street property lines for all buildings, both in the first phase and in succeeding phases shall be not less than 30 feet.
2. No parking provisions shall be placed less than 20 feet from any street property line.
3. The maximum building height shall be 25 feet, except for a spire.
4. There shall be sight screening, either by fence or by horticultural plantings along all interior property lines.
5. All potential sight obstructions to vehicular traffic shall comply as a minimum with the sight clearance requirements of Ordinance No. 310.
6. The church building and related complex shall have a water

Resolution No. 207

- 1 -

ATTACHMENT 5 207

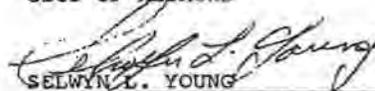
service metered separately from the water service to a house presently on the northend of the property.

7. The north ten feet of the property described in section 1 of this Resolution (adjoining N.E. 24th Street on the south) shall be dedicated to the City of Redmond for road purposes.

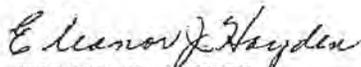
Section 3. The conditional use hereby granted shall be subject to review by the City Council in the event any of the requirements of this Resolution or Chapter 41 of Ordinance No. 310 are not met.. The City Council, in its discretion, may revoke or modify the conditional use herein granted upon such review, after giving the owners and users of the subject property an opportunity to be heard.

PASSED by the Council of the City of Redmond, Washington at a regular meeting thereof, and approved by the Mayor this 19 day of November, 1968.

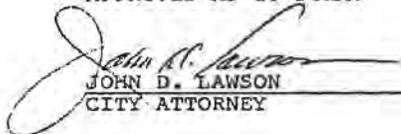
CITY OF REDMOND


SELWYN L. YOUNG
MAYOR

ATTEST:


ELEANOR J. HAYDEN
CITY CLERK

APPROVED AS TO FORM:


JOHN D. LAWSON
CITY ATTORNEY

G. C. GRAEF, Mayor

THOMAS HARTMAN, Clerk

CITY of REDMOND

16510 NORTHEAST 79TH STREET
REDMOND, WASHINGTON
PHONE TUCKER 5-3230

November 25, 1968

Sherwood Forest Baptist Church,
c/o John Hisel,
1825 180th Avenue N. E.
Bellevue, Washington.

Dear Sir:

Enclosed is a copy of City of Redmond Resolution No. 207, approved on November 19, 1968, granting permission for you to use the property described in Conditional Use Petition No. 10, filed by you on October 22, 1968, for a church building complex.

You may now apply to the Building Department for the necessary permits to proceed with your plans, which permits will be issued in accordance with all applicable codes and ordinances of the City and with any conditions or restrictions contained in Resolution No. 207.

Yours truly,

Jonathan Hartman
Jonathan Hartman
Planning Administrator

cc: Building Department.

ATTACHMENT 6

DECLARATION OF DAVID GUTSCHMIDT

I declare under penalty of perjury under the laws of the State of Washington that the following is true and correct:

1. I am over the age of majority and competent to be a witness herein.

2. I formerly resided in the single-family residence and on the real property on which it is situated located at 2321 173rd Avenue NE in Redmond, Washington ("the Redmond House").

3. My parents, Mylo Gutschmidt andCarolynn K. Gutschmidt, purchased and took title to the Redmond House in 1973.

4. I lived with my parents and siblings in the Redmond House for four years.

5. The Redmond House abuts a parcel to the south that has the address of 2315 173rd Avenue NE in Redmond, Washington ("the Church Parcel").

6. During the time that my family and I lived in the Redmond House, we had no involvement in or affiliation with the church that operated on the Church Parcel.

7. During the time that my family and I lived in the Redmond House, we were neither members of nor involved in any church.

8. During the time that my family and I lived in the Redmond House, no church activities ever occurred in our home.

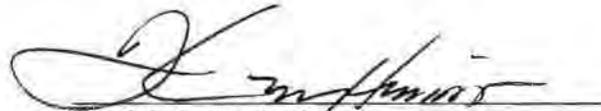
9. During the time that my family and I lived in the Redmond House, we never engaged in any joint activities with the church operating on the Church Property.

10. During the time that my family and I lived in the Redmond House, our home was used strictly as a residence for our single family.

11. My parents sold the Redmond House in 1977.

12. I make this Declaration to the best of my knowledge and belief and execute it in Vancouver, Washington.

DATED this 17 day of October, 2017.



David Gutschmidt

CITY OF REDMOND
BUILDING PERMIT

Permit No. 2180-G

LEGAL ATTACHED

Description of Work Garage (630 sq. ft.)

At 2321 173rd Ave. N.E.
Street

Handwritten:
4ndrickson
2221-73 822-9271
845-241

Construction will comply with all zoning and building ordinances of the City of Redmond

Owner Mylo Gutachmidt Address same 747-5223

Contractor same Address _____

I certify that I am a currently registered contractor, doing business under the name of:

Owner X Mylo Gutachmidt

Agent _____

BUILDING PERMIT	Amount	Fee
Residential	\$1,000.00	20.00
Commercial	_____	_____
PLAN CHECK FEE		
PLUMBING PERMIT	_____	_____
ELECTRICAL PERMIT	_____	8.00
Residential	_____	_____
Commercial	_____	_____
HEATING PERMIT	_____	_____
Gas	_____	_____
Oil	_____	_____
Electric	_____	_____
TOTAL BUILDING PERMIT	_____	28.00
ORDINANCE - STORM DRAINAGE	_____	_____
TOTAL AMOUNT DUE	_____	28.00

Permission is hereby given to do the above described work, according to the conditions hereon and according to the approved plans and specifications pertaining thereto, subject to compliance with the ordinances of the City of Redmond.

Permit Issued 4/29/76 By J. Bronberg
Building Department

Receipt No. 29132 dms
Date 5/2/76 Building Department Clerk

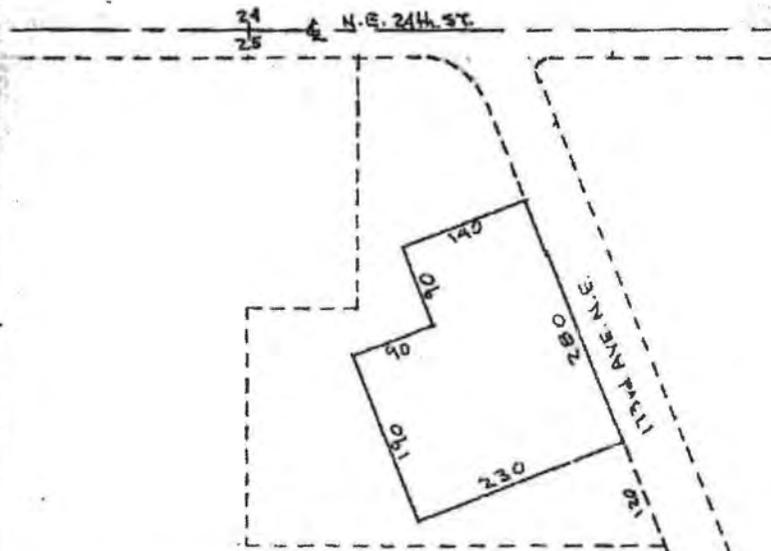
Fasten to building permit application

CITY OF REDMOND
SUPPLEMENTARY LOT CHANGES
FOR LOTS NOT IN RECORDED BUILDING PLATS

Tract plat or subd'a BONE
 Type of charge Storm Drainage, Ord. 375 Class WLSFOD
Water, Ord. 382 Class View Point
 Subdivision Covenant No. _____ Storm drain map RM/A 25-25-5
 Address 2115 173rd Ave. N. W. Water assessm't map _____

Block Lot	W & D Lot Area	Drainage		Water		Drainage		Reg Permit No.
		Road Area	TOTAL Area	Area Am't	Footage Length Am't	Area Am't	Footage Length Am't	
	56280	-	56280			397.60		1424
	04570					1094		

SKSTON 213-64



Storm Drainage
 Total Area 144 215 sq'
 Area paid 56 280
 87935

Water
 Total Area 142215
 Area paid, 11,000 222502.4614, 11-20-87
 Paid 182215, 30857 Rec 446, 4-21-70

Redmond Christian School

P.O. Box 212
2315 173rd N.E.
Redmond, WA 98052
(206) 641-1351

June 24, 1985

RECEIVED

JUN 27 1985

PLANNING DEPT.
CITY OF REDMOND

Mrs. Margaret Lincoln
15670 N. E. 85th Street
Redmond, Washington 98052

Dear Mrs. Lincoln,

In accordance with our phone conversation of June 24th, I am providing the following information about the properties at 2315 and 2321 173rd N. E. Our plans for use and development are as follows:

1. CURRENT USAGE:

2315 173rd N. E. - Used for Christian worship and education in accordance with the Articles of Incorporation for Redmond Christian Church and Redmond Christian School.

2321 173rd N. E. is used as a single family dwelling.

2. PRESENT BUILDING/CHANGE OF USAGE PLANS:

2315 173rd N. E. - Phase I: Construction of an educational building, changes in landscaping, parking, playgrounds as shown on plans submitted to the city. Purpose is to provide space for the educational needs of the church, school, and related programs.

Phase II: Additional classrooms will be added within the structure in approximately three to four years. Playground additions are anticipated at that time, i. e., approximately 1988-90).

With the new structure, Redmond Christian School could accommodate approximately 150 students in Phase I; 225 in Phase II.

2321 173rd N. E. - None.

3. FUTURE PLANS:

2315 173rd N. E. - PHASE III: A second educational building will be considered after 1990.

2321 173rd N. E. - While we have no plans to change the usage of this structure at the present time, we would like to have the option of using it for additional classrooms and office space should the school/church have a need, pending, of course, compliance with all city codes and regulations.

ATTACHMENT 9

TECHNICAL COMMITTEE REPORT

TO: James Driscoll, Hearing Examiner
FROM: Technical Committee/Design Review Board
REPORT PREPARED BY: Margaret Lincoln, Planner
DATE: July 17, 1985
SUBJECT: SDP-85-2, REDMOND CHRISTIAN SCHOOL
REQUESTED ACTION: Approval of Special Development Permit for a school in an R-3 zone.

BACKGROUND

Applicant: Redmond Christian School
2315 173rd Avenue N.E.
Redmond, WA 98052

Applicant's Representative: Robert S. Davey
Davey Associates, Architect
385 Front Street N.
Issaquah, WA 98027

Owner of Property: Same as applicant

Application Date: April 12, 1985

Hearing Date: July 17, 1985

Request: Phase I - Construction of a classroom annex with a covered play area, upgrading of the parking lot, additional landscaping and screening along the street front, and expanded playground area west of the building.

Phase II - Expansion of the classroom annex and playfields. After Phase I, the school will be able to accommodate up to 150 students and 225 students after Phase II. In addition, the applicant is requesting approval to use a single-family residence which it owns next door to the school for additional classroom or office space, if needed in the future. When it was discovered that part of the driveway for the abutting single-family house to the north was actually on the school's property, the school decided to buy the property for its own use. There are no plans to change the structure, only to change its use. It will continue to be used as a residence but they would like to have the option to use it for offices or classrooms. (See Exhibits A and B)

ATTACHMENT 10

Note: A school in an R-3 zone requires a Special Development Permit.

Previous Actions affecting this Site : None on record.

FINDINGS

Location: 2315 and 2321 173rd Avenue N.E.

Parcel size: 2.91 and .50 = 3.41 acres

Legal Description: See Exhibit C.

Vehicular Access: The school and church gains access by a driveway located on 173rd Ave. N.E. The adjacent single-family residence to the north fronts on both N.E. 24th Street and 173rd Avenue N.E., but the only driveway is off 173rd Avenue N.E.

Neighborhood: Viewpoint.

Land Use Plan: 20B.90.030(30) Suburban Estate - Residential areas of not more than three dwellings per acre that may include other limited compatible land uses. Location criteria includes:

- . Semi-rural character;
- . Limited agricultural uses;
- . Land unsuitable for higher densities;
- . Projected demand (community need);
- . Land suitability;
- . Proper utility and street phasing;
- . Steep hills, wetlands and flood plains.

Zoning: 20C.10.110 Suburban Estate Districts (R-2 or R-3)
Purpose - Suburban Estate Districts provide for residential areas with densities of 2 or 3 dwellings per acre. These areas allow non-residential uses as specified on the Permitted Land Use Chart 20C.10.240(05).

Zoning on subject site: Suburban Estate R-3

Surrounding Zoning:

North:	Suburban Estate R-3
South:	Suburban Estate R-3
East:	Suburban Estate R-3
West:	Bellevue R-5

Please see Exhibit D - Existing Zoning

Existing Land Use on subject site:

Church sanctuary and attached classrooms, play area, gravel parking lot, single-family residence and two sheds/garages.

Surrounding Development:

North:	Detached single-family homes
South:	Detached single-family homes
East:	Detached single-family homes
West:	Detached single-family homes

On-Site Environmental Conditions:

Soils: Soils on the site are in the Alderwood series and have a high clay content and hardpan underneath.

Topography: The site slopes gently from south to north at less than 5%. There is a low, wet area in the northwest corner approximately 50 feet square which applicant proposes to fill about 4 feet for use as a playground. The area west of the parking lot has been graded flat for a playfield and a playground with play structures.

Vegetation: There is a buffer of native vegetation along the west and northwest property lines composed primarily of alders, blackberries and weeds. The buffer is 75-100 feet wide along the west side but much less than that (35 approximately) in the northwest corner. Along the north property line there are many cottonwood trees, most of which will be removed for the classroom addition.

Utilities/Street Improvements: All utilities required for site development are currently available along N.E. 24th Street and 173rd Avenue N.E. The applicant will be required to sign an LID covenant for future street improvements to 173rd Avenue N.E.

School Operation:

Grades: now - preschool through grade 6
future - preschool through 8

Number of Students: Now - 90
Phase I - 150
Phase II - 225

Hours of Operation: 8:30 am - 3:30 am open
9:00 am - 3:00 pm classes in session

There are no after-school activities. The church is open all day on Sunday.

Playground Hours: 10:30 - 11:00 am
12:00 - 1:00 pm
1:30 - 1:45 pm

There is a one-hour PE class each day from 2 - 3 pm. It is often held outdoors in good weather.

Traffic: All the children are driven to and from school. Most of them ride in carpools that probably average 4 or more. It is estimated that the present enrollment of 90 generates approximately 45 vehicle trips per day. At full enrollment of 225, it is estimated that 113 vehicle trips will be generated daily.

State Environment Policy Act (SEPA)

On April 24, 1985, a proposed declaration of non-significance was issued by the Technical Committee. A final declaration of non-significance was issued on May 9, 1985.

Policies/Goals:

20B.70.060 Community Goal - Ensure opportunities for a quality education for the community's citizens through cooperation with the school districts.

70.060(10) Policy - Work toward placement of educational facilities in urban and suburban locations that require minimal extensions of municipal services.

70.060(15) Policy - Encourage the continued use of the neighborhood school concept as a focal point for educational and community facilities.

Public Input: At the time this report was written, the Planning Department had received verbal and written comments from one neighbor to the west. He is opposed to the expansion because of noise from the playground, especially when the school is expanded. If approved he would like a concrete wall as a buffer to reduce playground noise. See Exhibit E.

List of Exhibits:

- A - Letter from Redmond Christian School
- B - Site Plan
- C - Legal description
- D - Existing zoning
- E - Letter from neighbor

ANALYSIS

The application is for expansion of the existing church and classroom building by adding a new building with classrooms and a covered play area in Phase I and additional classrooms and playground areas in Phase II. The expansion is for the school facilities only, not the church. The following is an analysis of this application based, upon the General Review Criteria and Building Design Criteria for Special Developments outlined in the Community Development Guide Section 20C.20.235.

20.235(10) General Review Criteria

A. Compatibility with Surrounding Land Use

The site has room for expansion while maintaining most of the existing natural buffer. The surrounding area is fully developed with single family residences and is not likely to change. Schools are considered by most people to be very compatible with and desirable in single-family neighborhoods. While there is some noise and traffic associated with them, the benefits of having a school in the neighborhood generally

outweigh the impacts. In this case the traffic increase will be minimal and 173rd Ave. N.E. has more than enough capacity to accommodate it. The playground noise occurs for only a few hours out of each day and at a time when most people are not at home. Some people find playground noise objectionable. Most people do not, however, and feel that the sound of children at play adds life and interest to a neighborhood. Although the present school use could continue without approval of this application, it can not expand without a Special Development permit.

The site is well buffered to the west and south by existing natural vegetation and to the north by the existing single-family residence. Site development should maintain as much of this natural buffer as possible. Additional landscaping will be installed along the east side of the existing building and parking lot, and along the north and east sides of the new building in order to soften and screen these facilities from 173rd Avenue N.E. and the residences across the street.

- B. Conformance with Purposes and Standards of Section 20C.20.235
Upon fulfillment of the recommended conditions of approval, the application will conform with the purposes and standards of the Special Development regulations.
- C. Conformance with Goals, Policies and Plans
The application conforms with the Goals, Policies and Plans of the Community Development Guide. Please see the discussion under FINDINGS - Goals and Policies.
- D. Development seeking exceptions
No exceptions to site development requirements are requested.
- E. Conformance with Special Standards of Section 20C.10.245
These standards do not apply to schools.

20.235(70) Building Design Criteria

- A. The new building will be very similar and compatible with the existing building. The existing building is larger than any buildings in the neighborhood, but the mass and scale are compatible with residential structures. These buildings are surrounded by open space so that any differences in mass and scale are not particularly noticeable.
- B. The brown stained vertical siding of the new and existing buildings is compatible with the color and materials of other houses in the neighborhood.
- C. The architectural design of the new building is fairly monotonous, but it does match the design of the existing buildings.
- D. The building line along the street of the new and existing buildings is broken up and does not create a "walled corridor effect." The building meets all applicable site development requirements.

RECOMMENDATION

Prior to hearing public testimony, the Technical Committee and Design Review Board recommended SDP-85-2 Redmond Christian School expansion be approved subject to the following conditions:

I. General Requirements

- A. The parking lot shall be moved westward to meet the 20-foot front setback requirement. It shall also be regraded and regravelled. Wheelstops shall be provided.
- B. Garbage and trash receptacles shall be screened. The screening shall be of a material and design compatible with the associated structure and shall be at least as high as the receptacle. Construction details for screens shall be submitted with the building permit.
- C. Along the western sides of the site the buffer of native vegetation shall be retained and preserved. This vegetation shall be supplemented as necessary to provide a solid visual barrier where vegetation is cleared out in those areas where existing/native vegetation is removed during construction. Any clearing of native vegetation and replanting shall be approved by the Planning Department prior to final occupancy. The width of this buffer shall be as follows:
 - 1) 75 feet along the 355.42 and 114-foot property lines of Parcel A.
 - 2) 30 feet along the 85-foot property line of Parcel A and the 185 foot property line of Parcel B.

II. Landscaping Requirements

- A. New landscaping shall be irrigated with an automatic system.
- B. New landscaping shall be installed according to the approved plan with the changes required by the Planning Department.

III. Fire Protection Requirements

- A. An approved fire detection system shall be installed unless an approved sprinkler system is installed. Alarm systems require a dedicated phone line for monitoring by an approved central station. This line may take as long as eight weeks to install. (Separate zone on existing system is allowable.)
- B. A "Knox Box" key box, padlock or key switch rapid entry system is required. Allow up to eight weeks for delivery. Contact the Redmond Fire Department for details.
- C. (An) additional hydrant(s) may be required. Hydrants shall be placed by the Redmond Fire Department and shall be capable of providing required fire flow as determined by the Redmond Fire Department.

- D. Provide a legible address clearly visible from the street fronting the property.

IV. Streets/Parking Lot Improvements

- A. An L.I.D.covenant shall be signed for future improvements to 173rd Avenue N.E.
- B. The parking lot shall be graded and graveled according to Public Works Department standards.

V. Clearing and Grading

- A. Clearing of trees and grading shall be limited to those areas necessary for the installation of walkways, utilities, streets and building units. A clearing and grading plan shall be approved by the Public Works Department. All landscape berms and mounds shall be shown on this grading plan.
- B. Grades shall not be changed by more than 6 inches either up or down from the existing grade within the dripline of any existing trees to be preserved, unless special preservation techniques are used. All utility lines shall be located outside the dripline of any existing trees to be preserved.

VI. Storm Drainage

- A. A storm drainage study shall be conducted and plans developed to maintain existing runoff rate and acceptable water quality during and after construction. All data provided by the applicant shall be reviewed and subject to approval by the Department of Public Works prior to construction.
- B. The control of lot drainage and installation of a positive drain system is required. Downspouts, footing drains, yard drainage, etc., shall be shown to connect to a piped system. No splash blocks are allowed.
- C. A temporary drainage and sedimentation control plan shall be provided to handle drainage and erosion during the construction period. Interim drainage shall be installed as shown on the approved plan during or immediately following completion of clearing, subject to field revision (to fit site conditions) as approved by the Director of Public Works or his representative.
- D. A \$300/acre storm drainage fee must be paid at the time a building permit is issued.

VII. Performance Bonds

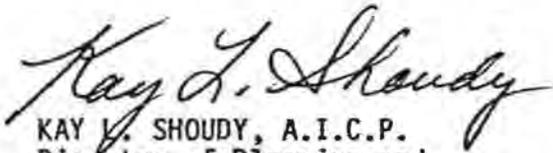
- A. A Performance Bond shall be posted with the City to cover the cost of grading and graveled the on-site parking lot.

Note: The amount of the bond shall be determined by the applicant and approved by the City.

- B. A landscape and site performance bond shall be established with the City before any building permit can be issued. The amount shall be determined by the City after approval of the final landscape plan. A one-year maintenance bond shall be required for release of the landscape bond. In addition, all site plan approval conditions shall be met before the landscape and site performance bond is released. A cost estimate with quantities, sizes, and unit costs for planting and an overall cost for irrigation shall be submitted for the City's use in determining the landscape bond amount.

CONCLUSIONS IN SUPPORT OF RECOMMENDATION

1. Goals, policies and regulations of the Community Development Guide will be satisfied upon fulfillment of the recommended conditions of approval.
2. The proposal satisfies the criteria for the review of Special Development applications and will not create development that is incompatible with the residential character of the surrounding area.



KAY L. SHOUDY, A.I.C.P.
Director of Planning and
Community Development



FRED F. HERZBERG, P. E.
Director of Public Works

CAROL OSBORN

RECEIVED

EXHIBIT 11

JUL 11 1985

July 10, 1985
PLANNING DEPT.
CITY OF REDMOND

Kay L. Shoudy
Planning Director
City of Redmond

Subject: Redmond Christian School SDP-85-2

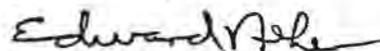
In response to the subject request for a permit to construct a classroom addition this year and future construction of classrooms and playfields in the future, I have the following comments;

1. We (Mrs. Neher and I) moved into this area six years ago because it was a quiet residential area with several retired or near retirement families on a street that resembles a cul-de-sac. At the time the church behind our property was just that - a church. We chose the location because it was not next to a school. This past year's operation of the school has resulted in a great deal of noise during prolonged recesses. An increase in school size as proposed would only serve to increase this noise factor.
2. We note that the property is zoned R-3 or 3 homes per acre. This does not allow for the development without a change to the zoning code. We question the existence of the school in its present form. Also are there property tax revenue considerations? We recommend that this change be denied.
3. It is noted on the plot plan that a playfield is located directly adjacent to the properties facing 172nd Ave NE. There is also a note (in small letters) on those plans indicating future classrooms on a part of this playfield area. There is nothing on the plans that indicate a buffer zone or means to shield this area from the adjacent residences. Trees or plantings won't do it! A chain link fence won't do it! Again the noise factor must be addressed.
4. The value of adjacent property will be decreased considerably by this addition. I mentioned to Miss Lincoln of your office on Monday that a concrete wall such as constructed along 148th Ave in Bellevue would

help alleviate some of the noise problem. She said that this would be very expensive. But it wouldn't be nearly as expensive as the loss in property value of the homes abutting or in close proximity to the church property.

I will not be able to attend the meeting because of major surgery on Tues. July 16, but I hope this letter has raised enough questions to result in a denial of the special permit.

Sincerely,



Edward Neher
2248 172nd Ave NE
Bellevue, Wa. 98008
641-8492

PARCEL A

LEGAL DESCRIPTION

That portion of the North half (1/2) of the Northwest quarter (1/4) of the Northeast quarter (1/4) of Section 25, Township 25 North, Range 5 East, W.M., in King County, Washington, described more particularly as follows:

Commencing at the North quarter (1/4) corner of said Section 25, thence S-88^o-31'52" E along the North line of said Section 25 a distance of 114.00 feet; thence S-01^o-12'-14" W a distance of 30.00 feet; to the TRUE POINT OF BEGINNING; thence S-88^o-31'-52" E a distance of 72.80 feet; to the beginning of a curve to the Right having a radius of 65.49 feet; thence 76.56 feet along said curve through a central angle of 66^o-59'-30"; thence S-21^o-32'-22" W a distance of 85.00 feet; thence S-69^o-28'-00" W a distance of 178.46 feet; thence N-01^o-12'-14" E a distance of 185.00 feet to the TRUE POINT OF BEGINNING.

0645E/23

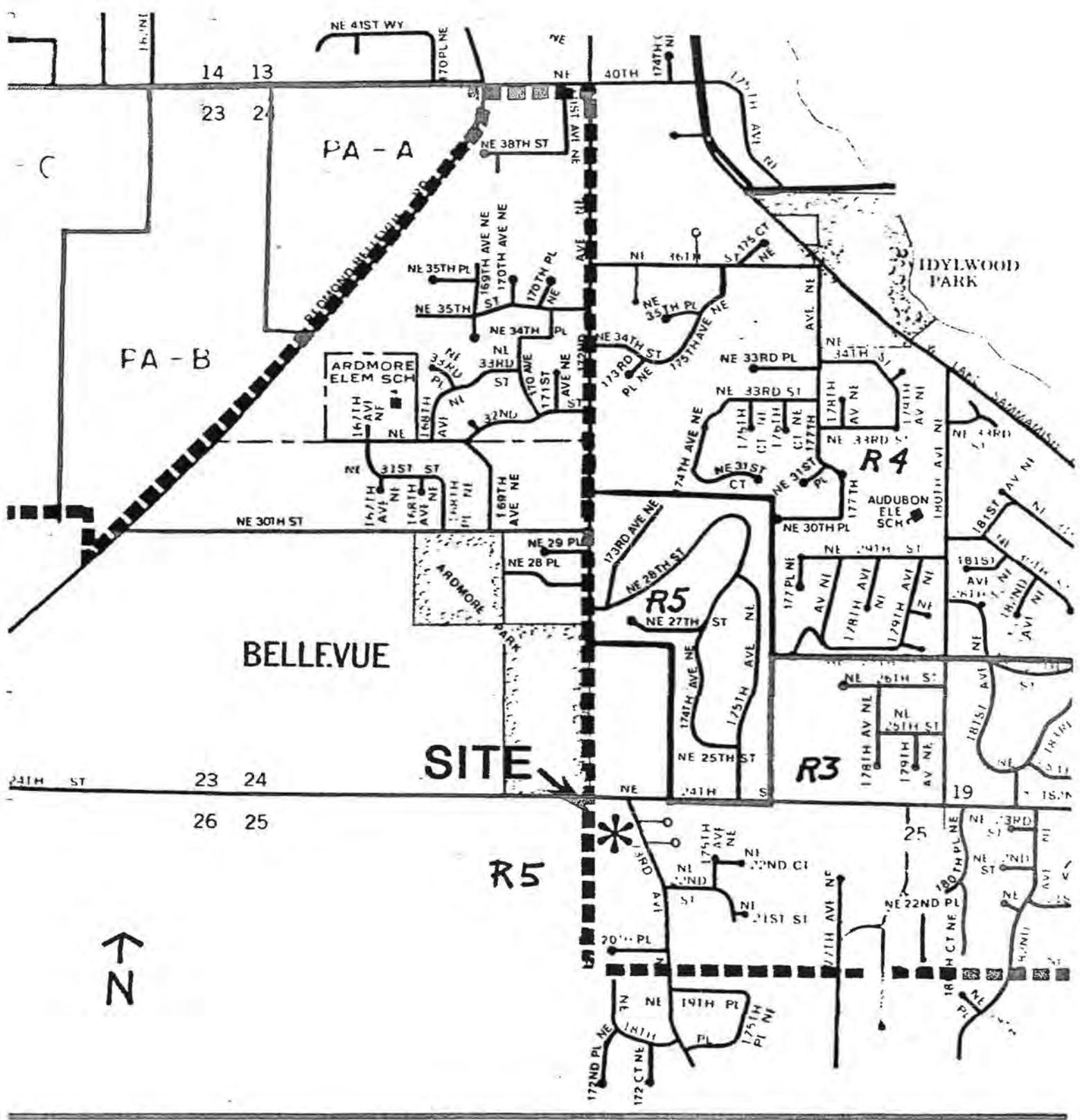
PARCEL B

LEGAL DESCRIPTION

That portion of the North half (1/2) of the Northwest quarter (1/4) of the Northeast quarter (1/4) of Section 25, Township 25 North, Range 5 East, W.M., in King County, Washington, described more particularly as follows:

Commencing at the North quarter (1/4) corner of said Section 25, thence S-88^o-31'-52" E along the North line of said Section 25 a distance of 114.00 feet; thence S-01^o-12'-14" W a distance of 30.00 feet to the South right-of-way margin of N.E. 24th Street; thence continuing S-01^o-12'-14" W a distance of 185.00 feet to the TRUE POINT OF BEGINNING; thence N-69^o-28'-00" E a distance of 178.46 feet to the Westerly right-of-way margin of 173rd Avenue N.E.; thence S-21^o-32'-22" E along said Westerly margin a distance of 442.99 feet; thence N-88^o-28'-16" W a distance of 451.04 feet to a point on the North - South Centerline of said Section; thence N-01^o-12'-14" E along said North - South Centerline a distance of 255.42 feet; thence S-88^o-31'-52" E a distance of 114.00 feet; thence N-01^o-12'-14" E a distance of 85.00 feet to the TRUE POINT OF BEGINNING.

0645E/244



EXISTING ZONING

Redmond Christian School

P.O. Box 212
2315 173rd N.E.
Redmond, WA 98052
(206) 641-1351

June 26, 1985

RECEIVED

JUN 27 1985

PLANNING DEPT.
CITY OF REDMOND

Mrs. Margaret Lincoln
15670 N. E. 85th Street
Redmond, Washington 98052

Dear Mrs. Lincoln,

In accordance with our phone conversation of June 24th, I am providing the following information about the properties at 2315 and 2321 173rd N. E. Our plans for use and development are as follows:

1. CURRENT USAGE:

2315 173rd N. E. - Used for Christian worship and education in accordance with the Articles of Incorporation for Redmond Christian Church and Redmond Christian School.

2321 173rd N. E. is used as a single family dwelling.

2. PRESENT BUILDING/CHANGE OF USAGE PLANS:

2315 173rd N. E. - Phase I: Construction of an educational building, changes in landscaping, parking, playgrounds as shown on plans submitted to the city. Purpose is to provide space for the educational needs of the church, school, and related programs.

Phase II: Additional classrooms will be added within the structure in approximately three to four years. Playground additions are anticipated at that time, i. e., approximately 1988-90).

With the new structure, Redmond Christian School could accommodate approximately 150 students in Phase I; 225 in Phase II.

2321 173rd N. E. - None.

3. FUTURE PLANS:

2315 173rd N. E. - PHASE III: A second educational building will be considered after 1990.

2321 173rd N. E. - While we have no plans to change the usage of this structure at the present time, we would like to have the option of using it for additional classrooms and office space should the school/church have a need, pending, of course, compliance with all city codes and regulations.

Should you have any questions, please call me at 641-1351 or
Martha Smith at 333-4775.

Sincerely,

Kathy Ellison
Kathy Ellison

cc: Martha Smith
Robert Davey, Architect



August 7, 1985

M E M O R A N D U M

TO: Mayor and City Council

FROM: James M. Driscoll
Hearing Examiner

SUBJECT: APPLICATION OF THE REDMOND CHRISTIAN SCHOOL
FOR APPROVAL OF A SPECIAL DEVELOPMENT PERMIT
SDP-85-2 REDMOND CHRISTIAN SCHOOL

Enclosed is a copy of my recommendation for the above application.

Any interested person may file a written request for reconsideration with the Hearing Examiner by August 21, 1985.

The request shall explicitly set forth alleged errors of procedure or fact. The Hearing Examiner shall act within ten (10) days after the date of the filing of the request for reconsideration by either denying the request, issuing a revised recommendation or calling for an additional public hearing. If an additional hearing is called for, notice of said hearing shall be mailed to all parties of record not less than seven (7) days prior to the hearing date.

A notice of the date of your meeting in which you consider these recommendations will be sent to the Applicant and all parties of record. This notice will be given when the date is set.

JAMES M. DRISCOLL
Hearing Examiner

JMD/cb

ATTACHMENT 11

FINDINGS AND RECOMMENDATIONS
OF THE HEARING EXAMINER OF THE
CITY OF REDMOND

IN THE MATTER OF THE APPLICATION OF
THE REDMOND CHRISTIAN SCHOOL FOR
APPROVAL OF A SPECIAL DEVELOPMENT
PERMIT

FILE: SDP-85-2
REDMOND CHRISTIAN SCHOOL

RECOMMENDATION: The application should be granted subject
to the conditions listed.

INTRODUCTION

Redmond Christian School, 2315 173rd Avenue N.E., Redmond, Washington, 98052, and hereinafter referred to as Applicant, has requested approval of a special development permit for the following improvements to the Redmond Christian School:

Phase I - Construction of a classroom annex with a covered play area, upgrading of the parking lot, additional landscaping and screening along the street front and expanded playground area west of the building.

Phase II - Expansion of the classroom annex and play-fields.

In addition, the Applicant is requesting approval to use a single-family residence which it owns next door to the school for additional classroom or office space, if needed in the future. There are no plans to change the structure, only to change its use. It will continue to be used as a residence but they would like to have the option to use it for offices or classrooms.

The Redmond Christian School is located at 2315 and 2321 173rd Avenue N.E., Redmond, Washington, 98052. The size of the subject property is 3.41 acres and is more particularly described as shown on Exhibit C which is attached hereto and hereby incorporated as part of these findings.

The above described land is zoned R-3, Suburban Estate, and has a Land Use Plan designation of Suburban Estate. The zoning and Land Use Plan designations are established by the Redmond Community Development Guide.

A hearing on the request was held before the Hearing Examiner of the City of Redmond, Washington, on July 17, 1985.

Public testimony was presented by the following:

Margaret Lincoln
Planning Department
City of Redmond
15670 N.E. 85th Street
Redmond, WA 98052

Robert S. Davey
Architect
Davey Associates
385 Front Street N.
Issaquah, WA 98027

Eric Holmkvist
2234 172nd Avenue N.E.
Bellevue, WA 98008

Bob Rosain
2226 172nd Avenue N.E.
Bellevue, WA 98008

Kathy Ellison
2707 Sahalee Drive East
Redmond, WA 98053

Marlene Houtchens
17309 N.E. 23rd Court
Redmond, WA 98052

Hung-Po Liu
17302 N.E. 23rd Court
Redmond, WA 98052

Lowell Houtchens
17309 N.E. 23rd Court
Redmond, WA 98052

Rob Graeff
2207 173rd Ave. N.E.
Redmond, WA 98052

Sandy Kovacs
2055 173rd Avenue N.E.
Redmond, WA 98052

Jim Hazard
17317 N.E. 23rd Court
Redmond, WA 98052

Bob Rosain
2226 172nd Avenue N.E.
Bellevue, WA 98008

The following exhibits were presented at the hearing and are available for inspection at the Hearing Examiner's Office, City Hall, 15670 N.E. 85th Street, Redmond, Washington:

- Exhibit A - Letter from Edward Neher, dated 07/10/85
- " B - Site Plan
- " C - Legal Description
- " D - Existing Zoning
- " E - Letter from Redmond Christian School, dated 06/26/85
- " F - Letter from J. Glen Jones
- " G - Memo from Robert S. Davey dated 07/24/85
- " H - Memo from Engineering Dept. dated 07/24/85
- " I - Memo from Traffic Engineer dated 07/30/85
- " J - Memo from Technical Committee dated 07/31/85

After due consideration of the evidence presented by the Applicant; evidence elicited during the public hearing; and, as a result of the personal inspection of the subject property and surrounding areas by the Hearing Examiner, the following findings of fact and conclusions constitute the basis of the recommendation of the Hearing Examiner.

FINDINGS OF FACT

1. The application is for the approval of a special development permit for a two-phased construction and expansion of a school located at 2315 and 2321 173rd Avenue N.E., Redmond, Washington, 98052, and more particularly described as set forth in the attached Exhibit C. (Staff report.)
2. The special development permit was submitted with a two-phased proposal. Phase I involves the construction of a classroom annex with a covered play area, the upgrading of a parking lot, additional

- landscaping and screening along the street front, and expanded playground area west of the building. It is the intent of the Applicant to develop Phase I immediately. (Staff report and Lincoln testimony.)
3. Phase II of the special development permit includes the expansion of the classroom annex and playfields. This phase is scheduled to be completed between approximately 1988 to 1990. (Staff report and Lincoln testimony.)
 4. The Applicant is also requesting approval to use a single-family residence, located on the property, as an additional classroom or office space. It is not the intent of the Applicant to use this structure immediately, but if future demands require it, it is the intent of the Applicant to change its use. (Staff report and Davey testimony.)
 5. The subject property is zoned R-3, Suburban Estate. The properties to the north, south and east are also zoned R-3, Suburban Estate. The property to the west is in Bellevue and is zoned R-5. (Staff report.)
 6. The subject property consists of 3.41 acres of land. The existing land use of the subject property includes a church sanctuary and attached classrooms, a play area, gravel parking lot, single-family residence and two sheds/garages. (Staff report.)
 7. All of the surrounding properties are developed as detached single family residential areas. (Staff report.)
 8. The soils on the site are in the Alderwood series and have a high clay content with hardpan underneath. The topography slopes gently from the south to the north at less than five percent. There is a low, wet area in the northwest corner approximately 50 feet square which the Applicant proposes to fill about four feet for use as a playground. The area west of the parking lot has been graded flat for a playfield and a playground with play structures. (Staff report.)
 9. There is a buffer of native vegetation along the west and northwest property lines. This vegetation consists mainly of alders, blackberries and weeds. The buffer is 75 feet to 100 feet wide along the west side, but much less than the northwest corner. Along the north property line there are cottonwood trees which would be removed for any classroom addition. (Staff report.)
 10. Utilities required for this site are available along N.E. 24th Street and 173rd Avenue N.E. The Applicant will be required to sign an L.I.D. covenant for future street improvements to 173rd Avenue N.E. (Staff report.)
 11. Access to the site is via a driveway that is located off 173rd Avenue N.E. The adjacent single-family residence on site fronts on N.E. 24th Street and 173rd Avenue N.E. However, access for the residence is

- restricted to 173rd Avenue N.E. (Staff report and Lincoln testimony.)
12. The school operates a preschool through sixth grade. In the future it is the intent of the Applicant to have preschool through eighth grade. (Staff report and Lincoln testimony.)
 13. The number of students currently enrolled is 90. After the Phase I there will be 150 students. It is projected that after Phase II there will be 225 students. (Staff report.)
 14. The hours of operation for the school will be 8:30 a.m. to 3:30 p.m. There will be no after-school activities. (Staff report and Lincoln testimony.)
 15. The school is not associated with the church on site. It is independent and is open all day on Sunday. (Staff report and Lincoln testimony.)
 16. There is no busing of the children to the school. All the children are driven to the school in carpools which average four or more students. It is estimated that the enrollment of 90 would generate 45 vehicular trips per day. With the ultimate of 225 students there would be 113 vehicular trips per day. (Staff report.)
 17. 173rd Avenue N.E. has a 60-foot right of way. The existing roadway is 25 feet. It is a two-lane road that would be able to adequately handle the projected increase in vehicular traffic due to the increase in the enrollment. (Lincoln testimony.)
 18. The Applicant submitted that a new parking lot that would be installed on site would not be cleared or graded. There would be more resurfacing of the existing gravel area. (Davey testimony.)
 19. The Technical Committee of the City of Redmond recommended approval of the special development permit (SDP-85-2) subject to the following conditions:
 - I. General Requirements
 - A. The parking lot shall be moved westward to meet the 20-foot front setback requirement. It shall also be regraded and regravelled. Wheelstops shall be provided.
 - B. Garbage and trash receptacles shall be screened. The screening shall be of a material and design compatible with the associated structure and shall be at least as high as the receptacle. Construction details for screens shall be submitted with the building permit plans.
 - C. Along the western sides of the site the buffer of native vegetation shall be retained and preserved. This vegetation shall be supplemented as necessary to provide a solid visual

barrier when the vegetation is leafed out in those areas where existing/native vegetation is removed during construction. Any clearing of native vegetation and replanting shall be approved by the Planning Department prior to final occupancy. The width of this buffer shall be as follows:

- 1) 75 feet along the 355.42 and 114-foot property lines of Parcel A.
- 2) 30 feet along the 85-foot property line of Parcel A and the 185 foot property line of Parcel B.

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- A. New landscaping shall be irrigated with an automatic system.
- B. New landscaping shall be installed according to the approved plan with the changes required by the Planning Department.

III. Fire Protection Requirements

- A. An approved fire detection system shall be installed unless an approved sprinkler system is installed. Alarm systems require a dedicated phone line for monitoring by an approved central station. This line may take as long as eight weeks to install. (Separate zone on existing system is allowable.)
- B. A "Knox Box" key box, padlock or key switch rapid entry system is required. Allow up to eight weeks for delivery. Contact the Redmond Fire Department for details.
- C. (An) additional hydrant(s) may be required. Hydrants shall be placed by the Redmond Fire Department and shall be capable of providing required fire flow as determined by the Redmond Fire Department.
- D. Provide a legible address clearly visible from the street fronting the property.

IV. Streets/Parking Lot Improvements

- A. An L.I.D.covenant shall be signed for future improvements to 173rd Avenue N.E.
- B. The parking lot shall be graded and graveled according to Public Works Department standards.

V. Clearing and Grading

- A. Clearing of trees and grading shall be limited to those areas necessary for the installation of walkways, utilities, streets and building units. A clearing and grading plan

shall be approved by the Public Works Department. All landscape berms and mounds shall be shown on this grading plan.

- B. Grades shall not be changed by more than 6 inches either up or down from the existing grade within the dripline of any existing trees to be preserved, unless special preservation techniques are used. All utility lines shall be located outside the dripline of any existing trees to be preserved.

VI. Storm Drainage

- A. A storm drainage study shall be conducted and plans developed to maintain existing runoff rate and acceptable water quality during and after construction. All data provided by the applicant shall be reviewed and subject to approval by the Department of Public Works prior to construction.
- B. The control of lot drainage and installation of a positive drain system is required. Downspouts, footing drains, yard drainage, etc., shall be shown to connect to a piped system. No splash blocks are allowed.
- C. A temporary drainage and sedimentation control plan shall be provided to handle drainage and erosion during the construction period. Interim drainage shall be installed as shown on the approved plan during or immediately following completion of clearing, subject to field revision (to fit site conditions) as approved by the Director of Public Works or his representative.
- D. A \$300/acre storm drainage fee must be paid at the time a building permit is issued.

VII. Performance Bonds

- A. A Performance Bond shall be posted with the City to cover the cost of grading and graveling the on-site parking lot.

Note: The amount of the bond shall be determined by the applicant and approved by the City.

- B. A landscape and site performance bond shall be established with the City before any building permit can be issued. The amount shall be determined by the City after approval of the final landscape plan. A one-year maintenance bond shall be required for release of the landscape bond. In addition, all site plan approval conditions shall be met before the landscape and site performance bond is released. A cost estimate with quantities, sizes, and unit costs for planting and an overall cost for irrigation shall be submitted for the City's use in determining the landscape bond amount.

20. The Applicant submitted to be in support of the recommendation of the Technical Committee except for two conditions. The Applicant's representative submitted opposition to the requested condition requiring an irrigation system for landscaping and for the conditions imposed by the Fire Department. (Davey testimony.)
21. Condition II.A. requires that new landscaping be irrigated with an automatic sprinkler system. The Applicant's representative submitted that this is an extensive and costly requirement that would not significantly improve the property. (Davey testimony.)
22. Section III. of the recommended conditions of the Technical Committee sets forth the fire protection requirements. Specifically, the Applicant's representative questioned the need for an improved fire detection system to be installed unless an improved sprinkler system is provided. The Applicant submitted that "this was an extensive requirement that would be expensive for the Applicant." (Davey testimony.)
23. The City of Redmond submitted that the Fire Department requires by code a fire detection system. (Lincoln testimony.)
24. At the hearing a Witness Graef testified to be the owner of the property directly to the south of the subject property. According to the witness, the site had been well buffered to the west and south by natural vegetation. However, the Applicant had bulldozed through the southern portion of the subject property and through a portion of the Graef property and had cleared a significant area of approximately 145 by 100 feet. As a result, the area no longer drained and there was significant standing water when it rained. (Graef testimony.)
25. Subsequent to the hearing a representative of the City, a representative of the Applicant, and the Witness Graef met on the subject property. Reports were submitted by the Engineering Division of the City of Redmond and the Applicant per that meeting and their acknowledgements of the situation. (Exhibits G, H, I and J.)
26. The City of Redmond determined that no grading permit had been taken out by the Applicant for the grading of the site. Further, the City of Redmond submitted that the Comprehensive Site Plan, as submitted by the Applicant, indicated continuous slopes from the west half of the south property line down toward the north. The grading had clearly left parts of the property south of the school site lower than the newly graded area. As a result, the grading had also filled in the swale area indicated on the Comprehensive Site Plan. (Franklin letter.)
27. The Public Works Department of the City of Redmond recommended that in order to correct the Graef property drainage situation the following conditions should be added:

"A grading plan shall be submitted by the Applicant and shall be approved by the Department of Public Works prior to issuance of any construction permits. The plan shall be prepared, stamped and signed by a Professional Civil Engineer and shall show a drainage swale satisfactory to the Department of Public Works for possible drainage from the south near the west side of the site. The swale shall be installed and improved prior to the issuance of temporary or permanent occupancy permits for the new addition."

28. The Applicant's representative submitted that it was mutually understood that the grades will need to be restored to their original elevations. Further, surface water drainage must be directed away from the neighboring property in a manner designed by a civil engineer and approved by the Public Works Department. (Davey memorandum dated July 24, 1985.)
29. A Witness Holmkvist testified that there is no significant natural vegetation on site and the proposed school is not screened from his property. Also, the witness submitted that noise from the school will be disruptive to his life. (Holmkvist testimony.)
30. A Witness Rosain questioned how long the school had been in operation and was informed that it is in its third year of operation. The witness questioned whether there would be any parking lot lighting and was informed that there would not be. (Rosain and Ellison testimony.)
31. Witness Rosain submitted that the existing buffer and the one that is proposed is not adequate to provide screening and buffering of noise to the west side and the south side of the subject property. The witness recommended that any review of the Phase II design be required to go through a major modification review rather than a site plan review. (Rosain testimony.)
32. Witness Marlene Houtchens submitted that there should be sidewalks on site in order to protect pedestrians from the traffic that comes around the bend on 173rd Avenue N.E. (Houtchens testimony.)
33. The Applicant's representative submitted that the City of Redmond has long-range plans for street improvements and that the Applicant is being required to sign an L.I.D. covenant to participate in the L.I.D. for street widening, sidewalks, curbs and gutters when the L.I.D. is formed. (Davey testimony.)
34. Witness Hung-Po Liu submitted that there is excessive traffic on 173rd Avenue N.E. and N.E. 24th Street and that increased school activity will result in more traffic and more speeding in the area. Further, the witness submitted that cars are parked on the outside of the property on the side of the road and that creates significant safety hazards for other travelling motorists. (Liu testimony.)

35. Witness Lowell Houtchens submitted that there is high-speed traffic on 173rd Avenue N.E. from people coming around the bend on that road. He submitted that there will be an increase of traffic due to the school. (Houtchens testimony.)
36. Witness Kovacs submitted that the site had been used by others as a daycare center, a regular school and a church. The witness submitted that this has increased the traffic in the area and the proposed use will continue the trend. (Kovacs testimony.)
37. Witness Hazard submitted that the school does not have adequate access for ingress and egress. The witness was also concerned about the additional traffic creating problems for ingress and egress from 173rd Avenue N.E. onto N.E. 23rd Court. The witness submitted that the site was poorly designed and they should at least have sidewalks to control pedestrian traffic from the speeding vehicles. (Hazard testimony.)

CONCLUSIONS

1. The application is for the approval of a special development permit for location of a school in an R-3 zone on property located at 2315 and 2321 173rd Avenue N.E., Redmond, Washington, 98052. The property is more particularly described as shown on the attached Exhibit C.
2. The request is for a two-phased construction and expansion of a classroom annex on the subject property. Phase I includes the upgrading of the parking lot, additional landscaping and screening along the street front and expanded playground area west of the building. Phase II includes expansion of the classroom annex and playfields.
3. The property is zoned R-3 and has a Land Use Plan designation of Suburban Estates. The surrounding properties have similar zoning and land uses.
4. Because the proposed expansion is divided into two categories with Phase I including the construction of a classroom annex, and Phase II being the expansion of the classroom annex, the special development permit is categorized in Section 20C.20.235(35) of the Redmond Community Development Guide as a project. The project has been processed under this classification and the criteria as set forth in Section 20C.20.235(55) through Section 20C.20.235(85) of the Redmond Community Development Guide have been considered. With conditions of approval these criteria have been satisfied.
5. With conditions the proposal will provide open space and well-designed and adequate landscaping.
6. With conditions the development on site will have buildings that will have a mass and scale that will be harmonious with the surrounding area.

7. The open space and landscaping criteria of Section 20C.20.235(75) of the Redmond Community Development Guide will be met with conditions imposed upon approval.
8. The street design criteria as set forth in Section 20C.20.235(80) of the Redmond Community Development Guide will be met with conditions being imposed upon approval.
9. There will be adequate utilities provided and the public facilities and service criteria will be satisfied as set forth in Section 20C.20.235(85) of the Redmond Community Development Guide with conditions being imposed upon the approval.
10. The Technical Committee of the City of Redmond has recommended approval of the special development permit subject to the conditions listed in Finding #19.
11. Landscaping irrigated with an automatic sprinkler system appears to be an appropriate condition in order to satisfy the landscaping criteria as set forth in Section 20C.20.235(75) of the Redmond Community Development Guide in that the irrigation system will provide a more effective landscaping of the site.
12. The fire codes and the requirements for an alarm system are reasonable and necessary for the site.
13. The Applicant will be required to install a sidewalk on 173rd Avenue N.E. This will ensure the safety of pedestrians for any extensive traffic occurring at the intersection of 173rd Avenue N.E. and N.E. 24th Street and will also ensure the safety of the pedestrians from any speeding vehicles on 173rd Avenue N.E.

RECOMMENDATION

Based upon the preceding Findings of Fact and Conclusions; the testimony and evidence submitted at the public hearing; and, upon the impressions of the Hearing Examiner at a site view, it is hereby recommended to the City Council of the City of Redmond that the special development permit for the Redmond Christian School (SDP-85-2) be granted. The specific request is for the location of a school in an R-3 zone on property located at 2315 and 2321 173rd Avenue N.E., Redmond, Washington, and should be granted subject to the following conditions:

I. General Requirements

- A. The parking lot shall be moved westward to meet the 20-foot front setback requirement. It shall also be regraded and regravled. Wheelstops shall be provided.
- B. Garbage and trash receptacles shall be screened. The screening shall be of a material and design compatible with the associated structure and shall be at least as high as the receptacle.

Construction details for screens shall be submitted with the building permit plans.

- C. Along the western sides of the site the buffer of native vegetation shall be retained and preserved. This vegetation shall be supplemented as necessary to provide a solid visual barrier when the vegetation is leafed out in those areas where existing/native vegetation is removed during construction. Any clearing of native vegetation and replanting shall be approved by the Planning Department prior to final occupancy. The width of this buffer shall be as follows:
 - 1) 75 feet along the 355.42 and 114-foot property lines of Parcel A.
 - 2) 30 feet along the 85-foot property line of Parcel A and the 185 foot property line of Parcel B.

II. Landscaping Requirements

- A. New landscaping shall be irrigated with an automatic system.
- B. New landscaping shall be installed according to the approved plan with the changes required by the Planning Department.

III. Fire Protection Requirements

- A. An approved fire detection system shall be installed unless an approved sprinkler system is installed. Alarm systems require a dedicated phone line for monitoring by an approved central station. This line may take as long as eight weeks to install. (Separate zone on existing system is allowable.)
- B. A "Knox Box" key box, padlock or key switch rapid entry system is required. Allow up to eight weeks for delivery. Contact the Redmond Fire Department for details.
- C. (An) additional hydrant(s) may be required. Hydrants shall be placed by the Redmond Fire Department and shall be capable of providing required fire flow as determined by the Redmond Fire Department.
- D. Provide a legible address clearly visible from the street fronting the property.

IV. Streets/Parking Lot Improvements

- A. An L.I.D.covenant shall be signed for future improvements to 173rd Avenue N.E.
- B. The parking lot shall be graded and graveled according to Public Works Department standards.

- C. The Applicant shall be required to construct a sidewalk along their property line that adjoins 173rd Avenue N.E. This sidewalk shall be approved by the Public Works Department of the City of Redmond and will be required to be installed prior to expansion of the school.

V. Clearing and Grading

- A. Clearing of trees and grading shall be limited to those areas necessary for the installation of walkways, utilities, streets and building units. A clearing and grading plan shall be approved by the Public Works Department. All landscape berms and mounds shall be shown on this grading plan.
- B. Grades shall not be changed by more than 6 inches either up or down from the existing grade within the dripline of any existing trees to be preserved, unless special preservation techniques are used. All utility lines shall be located outside the dripline of any existing trees to be preserved.
- C. A grading plan shall be submitted by the Applicant and shall be approved by the Department of Public Works prior to issuance of any construction permits. The plan shall be prepared, stamped and signed by a Professional Civil Engineer and shall show a drainage swale satisfactory to the Department of Public Works for possible drainage from the south near the west side of the site. The swale shall be installed and approved prior to issuance of temporary or permanent occupancy permits for the new addition.

VI. Storm Drainage

- A. A storm drainage study shall be conducted and plans developed to maintain existing runoff rate and acceptable water quality during and after construction. All data provided by the applicant shall be reviewed and subject to approval by the Department of Public Works prior to construction.
- B. The control of lot drainage and installation of a positive drain system is required. Downspouts, footing drains, yard drainage, etc., shall be shown to connect to a piped system. No splash blocks are allowed.
- C. A temporary drainage and sedimentation control plan shall be provided to handle drainage and erosion during the construction period. Interim drainage shall be installed as shown on the approved plan during or immediately following completion of clearing, subject to field revision (to fit site conditions) as approved by the Director of Public Works or his representative.
- D. A \$300/acre storm drainage fee must be paid at the time a building permit is issued.

VII. Performance Bonds

- A. A Performance Bond shall be posted with the City to cover the cost of grading and graveling the on-site parking lot.

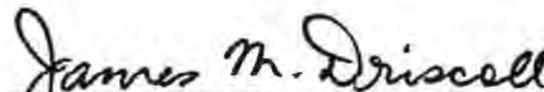
Note: The amount of the bond shall be determined by the applicant and approved by the City.

- B. A landscape and site performance bond shall be established with the City before any building permit can be issued. The amount shall be determined by the City after approval of the final landscape plan. A one-year maintenance bond shall be required for release of the landscape bond. In addition, all site plan approval conditions shall be met before the landscape and site performance bond is released. A cost estimate with quantities, sizes, and unit costs for planting and an overall cost for irrigation shall be submitted for the City's use in determining the landscape bond amount.

VIII. Other

- A. The Applicant's staff, employees and parents of the children who attend the school are not to park on 173rd Avenue N.E. or N.E. 24th Street. All parking is to occur on site and in the parking lots provided on site.
- B. Prior to issuance of building permits, a fencing and/or landscaping plan shall be provided and approved by the Planning Department.

Entered this 7th day of August, 1985, pursuant to the authority granted under Sections 20F.10.080(10) and 20F.20.030 of the Community Development Guide of the City of Redmond.



JAMES M. DRISCOLL
Hearing Examiner

N O T I C E

You are hereby given notice that pursuant to RCW Section 35.63.130 the foregoing findings, conclusions and recommendations have been submitted to the Mayor and City Council of the City of Redmond, Washington, for their consideration and approval. Council action on this item will occur at a later date, of which you will be notified by mail.

PROCEDURE FOR RECONSIDERATION

All motions for reconsideration of specific items or omissions may be made in writing to the Hearing Examiner within ten (10) days from the date of these recommendations. The final date for motion for reconsideration is 5 p.m. on August 21, 1985.

PARCEL A

LEGAL DESCRIPTION

That portion of the North half (1/2) of the Northwest quarter (1/4) of the Northeast quarter (1/4) of Section 25, Township 25 North, Range 5 East, W.M., in King County, Washington, described more particularly as follows:

Commencing at the North quarter (1/4) corner of said Section 25, thence S-88^o-31'-52" E along the North line of said Section 25 a distance of 114.00 feet; thence S-01^o-12'-14" W a distance of 30.00 feet; to the TRUE POINT OF BEGINNING; thence S-88^o-31'-52" E a distance of 72.80 feet; to the beginning of a curve to the Right having a radius of 65.49 feet; thence 76.56 feet along said curve through a central angle of 66^o-59'-30"; thence S-21^o-32'-22" W a distance of 85.00 feet; thence S-69^o-28'-00" W a distance of 178.46 feet; thence N-01^o-12'-14" E a distance of 185.00 feet to the TRUE POINT OF BEGINNING.

0645E/23

PARCEL B

LEGAL DESCRIPTION

That portion of the North half (1/2) of the Northwest quarter (1/4) of the Northeast quarter (1/4) of Section 25, Township 25 North, Range 5 East, W.M., in King County, Washington, described more particularly as follows:

Commencing at the North quarter (1/4) corner of said Section 25, thence S-88^o-31'-52" E along the North line of said Section 25 a distance of 114.00 feet; thence S-01^o-12'-14" W a distance of 30.00 feet to the South right-of-way margin of N.E. 24th Street; thence continuing S-01^o-12'-14" W a distance of 185.00 feet to the TRUE POINT OF BEGINNING; thence N-69^o-28'-00" E a distance of 178.46 feet to the Westerly right-of-way margin of 173rd Avenue N.E.; thence S-21^o-32'-22" E along said Westerly margin a distance of 442.99 feet; thence N-88^o-28'-16" W a distance of 451.04 feet to a point on the North - South Centerline of said Section; thence N-01^o-12'-14" E along said North - South Centerline a distance of 255.42 feet; thence S-88^o-31'-52" E a distance of 114.00 feet; thence N-01^o-12'-14" E a distance of 85.00 feet to the TRUE POINT OF BEGINNING.

D645E/244

FILE COPY

ORIGINAL

CITY OF REDMOND
FINAL APPROVAL ORDER
FOR
REDMOND CHRISTIAN CHURCH (CHINESE LANGUAGE SCHOOL), SDP-86-1
SPECIAL DEVELOPMENT PERMIT

1. Pursuant to Sections 20F.20.030 and 20F.20.070(20) of the Community Development Guide, the Redmond Hearing Examiner has conducted a public hearing with regard to the application of the Redmond Christian Church (Chinese Language School) for a special development permit and has forwarded written findings and recommendations to the City Council.
2. The City Council has considered the Hearing Examiner's findings and recommendations at a public meeting and has granted approval of the application of Redmond Christian Church (Chinese Language School) for a special development permit subject to the conditions of approval set forth in the Hearing Examiner's memorandum to the City Council dated March 20, 1986, (Exhibit A), which is attached hereto and which conditions are hereby incorporated in full by this reference.
3. Pursuant to Section 20F.20.110(05) of the Community Development Guide, final approval of special development permit for the Redmond Christian Church (Chinese Language School) is hereby granted, subject to the Applicant's signing this Final Approval Order acknowledging agreement to the conditions of approval set forth in the attachments.

Dated this 15th day of April, 1986.

Doreen Marchione
MAYOR, DOREEN MARCHIONE

Applicant hereby agrees to each of the conditions of this approval.

Kathleen J. Ellison
APPLICANT

5-16-86
Date

NOTE: 20F.20.110(10) Termination of Final Approval

Final approval of an application shall remain in effect one (1) year from the date approval was granted unless significant action proposed in the application has been physically commenced or completed. The one-year period shall apply to special development permits and variances. The periods may be extended for one (1) additional year by the approval authority upon showing proper justification.

ATTACHMENT 12

CITY OF REDMOND
CONDITIONS OF APPROVAL
SDP-86-1, CHINESE LANGUAGE SCHOOL

1. The hours of operation for the school are to be limited to 10 a.m. to 4 p.m. on Saturdays only. No activity of the Chinese Language School may occur after 4 p.m. on Saturdays. Activities of the Redmond Christian School may not occur on Saturdays from 10 a.m. to 4 p.m.
2. The Applicant is to provide carpool information to parents or guardians of all students. A carpooling plan shall be developed by the Applicant and shall be submitted to the Planning Department of the City of Redmond for review no later than 30 days after City Council approval.
3. The special development permit should be issued only upon written acknowledgement from the Redmond Christian School of its participation in the request for the special development permit. With the written acknowledgement, the special development permit shall be issued in the name of the Chinese Language School, the Redmond Christian School and the Redmond Christian Church.
4. A Traffic Impact Management Program must be developed and implemented in accordance with City of Redmond standards and guidelines. Upon approval of the special development permit by the City Council of the City of Redmond, a Traffic Impact Management Program must be submitted within 30 days after approval of the permit.
5. The findings, conclusions and decision of the City Council must be translated into Chinese and given to the administrator of the school. The City of Redmond must be satisfied that the administrator of the school understands all conditions of approval of the special development permit.
6. No parking of vehicles of the parents, teachers or guardians may occur on 173rd Avenue N.E. All parking of vehicles must occur in the parking lot.
7. The teachers and administrators of the Chinese Language School shall not allow the children to cross 173rd Avenue N.E. and trespass on any other properties in the vicinity.
8. Violation of any of these conditions will result in a review of the special development permit by the Technical Committee and the Hearing Examiner of the City of Redmond.
9. This special development permit in no way modifies or changes any of the conditions of SDP-85-2.



April 21, 1988

Robert S. Davey
Davey Associates
385 Front Street North
Issaquah, Washington 98027

SUBJECT: Redmond Christian Church - File #SDP-85-2

Dear Mr. Davey:

The City of Redmond Technical Committee has reviewed your client's proposal and has approved the application subject to the following and attached conditions:

1. The parking lot shall be adequately screened from the street and surrounding residential properties.
2. The parking lot shall be paved by October, 1989, as previously agreed. A bond for an amount equal to the cost of this paving shall also be provided.
3. The number of students shall be limited to 225, consistent with the approved Special Development Permit (SDP-85-2).
4. Grasscrete or other approved all-weather surface shall be installed in the emergency access area (see attachment).
5. A drop-off and pick-up "zone" shall be provided near the new classroom. A portion of the emergency access to the new classroom may be used for this purpose.
6. The drainage system shall avoid any major tree grove.
7. Removal of any significant trees would be subject to applicable City of Redmond ordinances.

This approval shall expire one year from the date of this letter unless significant construction activity has started and remains in progress.

This approval shall not waive compliance with future City of Redmond codes, policies or standards relative to this development.

Decisions of the Technical Committee may be appealed pursuant to the City Council pursuant to Redmond Community Development Guide by filing written notice with the Planning Department within 14 days of the date of this letter.

Robert S. Davey
SDP-85-2
April 11, 1988
Page 2

Approval of this phase would complete development of this site in accordance with the approved Special Development Permit. Any further expansion or alteration would require a modification of the permit and most likely a public hearing with the Hearing Examiner.

If you have any questions, please contact Judd Black, Planner, at 882-6426.

Sincerely,

Kay L. Shoudy
KAY L. SHOUDY, A.I.C.P.
Director of Planning and
Community Development

Carol Osborne
CAROL OSBORNE
Director of Public Works

JB/kvt

00160

City of Redmond Development Services Center
15670 N.E. 85th Street, Redmond WA 98073 - (425) 556-2473
Inspection Request: (425) 556-2435 or on-line at www.redmond.gov
Permit & Inspection Record

Fluoro

BUILDING PERMIT

Permit No: B070020 Sub-Type: RADD
Site Address: 2321 173RD AVE NE RED Issued: 04/02/2007
Location: GRACE CHURCH Expires: 09/29/2007
Parcel No: 2525059158
Description of Work: ADDITION OF A 1,507 SF HEATED SPACE FOR RESIDENTIAL PURPOSES ONLY. NO EVANGELICAL CHINESE CHURCH ACTIVITIES WILL BE CONDUCTED IN RESIDENCE. RESIDENCE TO PROVIDE HOUSING FOR PASTOR AND OCCASIONAL GUEST.
Valuation: \$137,679.52
Tenant: WONG PETER
Owner: EVANGELICAL CHINESE CHURCH
651 NW 81ST ST, SEATTLE WA, 98117
Contractor:
Contractor License No.
Construction Lender: NONE

Phone:
Phone:
Phone:
Expiration Date:
Phone:

1-2-07

PLEASE READ

This permit becomes null and void if work or construction authorized is not commenced within 180 days, or if construction work is suspended or abandoned for a period of 180 days at any time after work is commenced.

[Signature]
City Representative Date

[Signature] 4/2/07
Authorized Agent Date

NOTE: OCCUPANCY IS NOT PERMITTED UNTIL ALL ITEMS ARE SIGNED OFF AND/OR CERTIFICATE OF OCCUPANCY IS ISSUED. Please call for an inspection request by midnight the day prior to date inspection is needed. Permit and approved plans must be posted on job site for inspection. The following item numbers are required to be used when calling in for an inspection:

- Item: 00400 FOOTNGS/SETBCK
- Item: 00405 FOUNDATION WALLS
- Item: 00410 SLAB INSULATION
- Item: 00415 ROOF NAILING
- Item: 00420 FLOOR FRAMING
- Item: 00425 EXTERIOR SHEAR WALL
- Item: 00430 FRAMING
- Item: 00431 GLAZING
- Item: 00435 WALL/VAULT INSULATION
- Item: 00437 VENTING/VIAQ
- Item: 00440 INT SHEAR/RATED WALL NAIL
- Item: 00441 SHEETROCK NAILING
- Item: 00445 CEILING/FLOOR INSLATN
- Item: 00455 FINAL-BUILDING
- Item: 00465 OTHER
- Item: 00500 PW FOOTING DRAINS
- Item: 00510 PW DOWNSPOUTS/DRAINS
- Item: 00920 FINAL-PW CONST

ATTACHMENT 14



CITY OF REDMOND
 Permit Center
 15670 NE 85th Street
 Redmond, WA 98052
 (425) 556-2473
 www.redmond.gov

FOR STAFF USE ONLY	
DEV: <u>N/A</u>	Date: <u>1/12/07</u>
PRJID: <u>70015</u>	App Expires: <u>7/11/07</u>
B06: <u>70020</u>	Accepted by: <u>AJ(PUR) WBSZ-H</u>
Type: <u>RADD</u>	Payment Method: <u>CC</u>

RESIDENTIAL PERMIT APPLICATION

lot coverage
 1 impervious

TYPE OF WORK

- New Residence
 Addition
 Remodel
 Garage
 Covered Deck/Porch
 Uncovered Deck/Porch
 Accessory Structure over 200 sq ft
 IRC Townhouse # units: _____
 Other _____

SITE LOCATION

Site Address: 2321 173rd Ave NE Tax Parcel Number: 2525059158
 Project Name/Tenant: EXERCISE ROOM ADDITION Value of Construction: \$ 60,000 = 137,679.52
 Subdivision/Plat name/Lot number: Grace Church gm
 Property Owners Name: EVANGELICAL CHINESE CHURCH Phone: (425) 643-4800
 Mailing Address: 2321 173rd Ave. NE, REDMOND, WA 98052
 Lender Name: TDORC NONE Phone: ()
 Mailing Address: _____

BUILDING PERMIT INFORMATION

Description of work to be done (Please be specific): ADDING AN ADDITION EXERCISE ROOM 1507sq. heated space FOR RESIDENTIAL PURPOSES ONLY, NO EVANGELICAL CHINESE CHURCH ACTIVITIES WILL BE CONDUCTED IN RESIDENCE TO PROMOTE HOUSING FOR PASTOR & OCCASIONAL GUESTS. SEE ATTACHED

CONTACT PERSON (This person is designated to receive all project communication.)

Name: PETER WONG Phone: (425) 643-8147
 Mailing Address: 13805 S E 5th ST, BELLEVUE, WA 98005
 E-Mail Address: FIX 425 643 8147 PRAH LEE@MSTI.COM Fax: ()

GENERAL CONTRACTOR INFORMATION

Company Name: OWNER PETER WONG - OWNER
 Mailing Address: 13805 SE 5th ST BELLEVUE WA 98005
 Phone: (425) 643-8147 Fax: ()
 State Contractor's License #: _____ Expiration Date: _____
 Redmond Business License #: RED _____ Expiration Date: 12/31

DESIGN PROFESSIONAL

Design Professional Name: gm Paul Prochaska
 Mailing Address: 1412 112th Ave NE Ste 102, Bellevue, WA 98004
 Contact Person: Paul Prochaska Phone: 425 455 7622
 E-Mail Address: _____ Fax: () NA

ATTACHMENT 15

B070220

INFORMATION

Fire sprinkler required Yes No
 Fire alarm system *Yes No

Accessory Dwelling Unit(ADU) Yes No
 Well *Yes No

City of Redmond County Health Dept. approval is required for all septic or well systems prior to application for a Building Permit. Phone 206-296-4932 for more information.

BUILDING SQUARE FOOTAGE

	Dwelling	Deck/Porch	Garage	Accessory Structure	IRC Townhome	Total
Existing	2,054		260			2314
New or Additional Square Footage	1,507					1507
Total						3821
Remodel Square Footage						
Number of Stories	1					

Value of Construction; The value of construction shall include the prevailing fair market value of all labor, materials and equipment, whether actually paid or not, as well as all finish work, painting, roofing, electrical, plumbing, heating, air conditioning, elevators, fire-extinguishing systems, automatic sprinkler systems, other mechanical systems and other permanent work or permanent equipment, not including furnishings. The Building Official shall make the final determination of the value of construction as specified in Section 108.3 of the International Building Code.

Expiration of Plan Review; Applications for which no permit is issued within 180 days following the date of application shall expire and all fees paid shall be forfeited. Upon written request of the applicant, the Building Official may grant a 90-day extension to the Plan Review time as specified in Section 105.3.2 of the International Building Code. No application shall be extended for a period of more than 90 days.

BUILDING OWNER OR AUTHORIZED AGENT

I hereby certify that I have read and examined this application and know the same to be true and correct, and I am authorized to apply for this permit.

Building Owner or Authorized Agent:

Print Name: PETER WONG

Signature: *[Handwritten Signature]*

Date: 1/11/07

Please visit our web site at: www.redmond.gov/insidecityhall/planning/building/building.asp

B070220

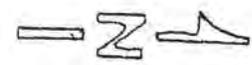
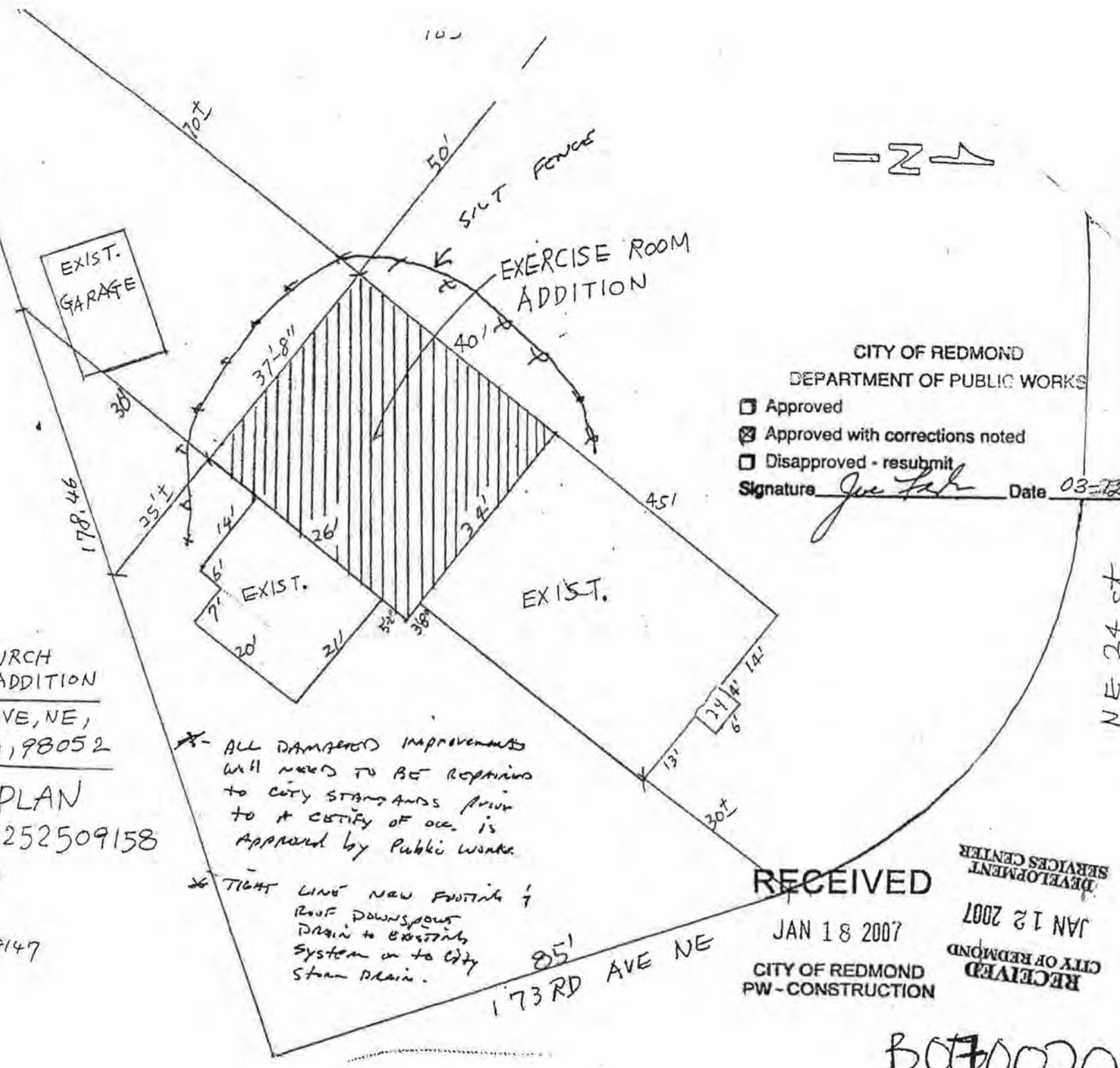
EVANGELICAL
CHINESE CHURCH
RESIDENCE ADDITION
2321 173 RD AVE, NE,
REDMOND, WA, 98052

SITE PLAN
PARCEL # 252509158

1" = 20'

TEL 425-843-8147

B070020



CITY OF REDMOND
DEPARTMENT OF PUBLIC WORKS

- Approved
- Approved with corrections noted
- Disapproved - resubmit

Signature Joe Lab Date 03-12-07

* ALL DAMAGED IMPROVEMENTS
WILL NEED TO BE REPAIRING
TO CITY STANDARDS PRIOR
TO A CITY OF ORC. IS
APPROVED BY PUBLIC WORKS.

* TIGHT LINE NEW FOOTING &
ROOF DOWNSPOUT
DRAIN TO EXISTING
SYSTEM OR TO CITY
STORM DRAIN.

RECEIVED
JAN 18 2007
CITY OF REDMOND
PW - CONSTRUCTION

RECEIVED
JAN 12 2007
CITY OF REDMOND
DEVELOPMENT
SERVICES CENTER

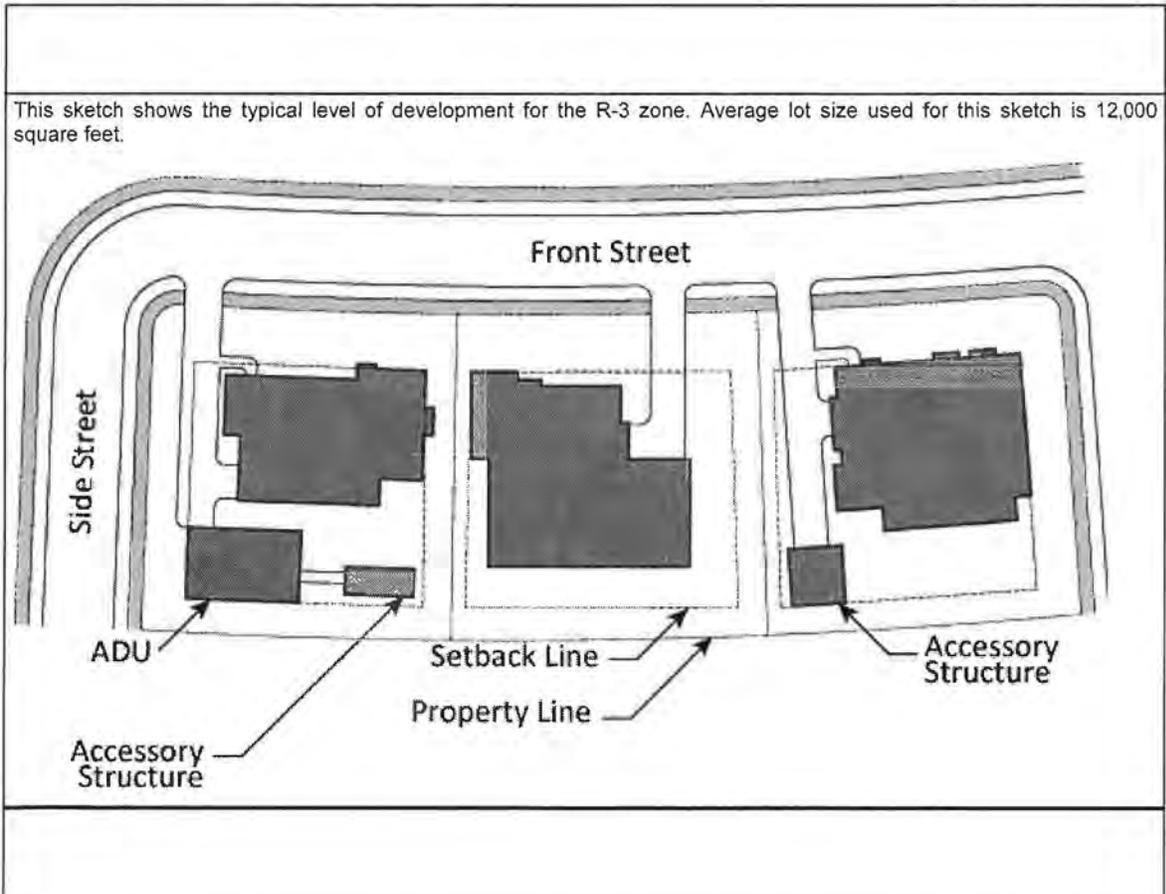
B070020

ARTICLE I ZONE BASED REGULATIONS

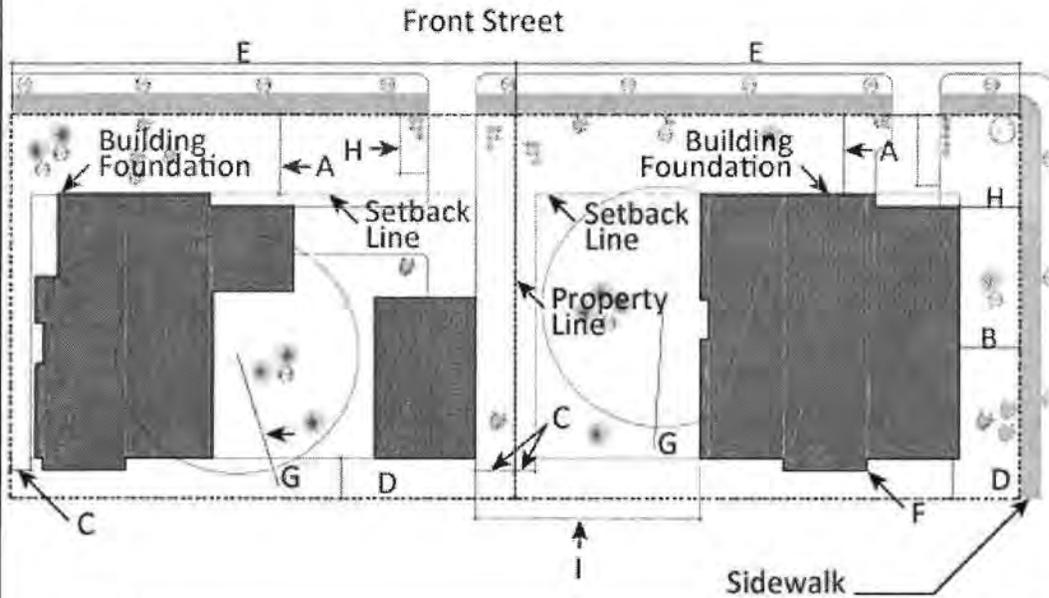
RZC 21.08 RESIDENTIAL REGULATIONS

21.08.050 R-3 Single-Family Constrained Residential

- A. **Purpose.** The R-3 Single-Family Constrained Residential zone provides for low-density residential at a base density of three dwellings per acre on lands inappropriate for more intense urban development due to significant environmentally critical areas, extreme cost, or difficulty in extending public facilities or the presence of natural features Redmond is seeking to retain.



This sketch represents maximum allowance for structures, impervious surface & setbacks



LEGEND	
A	FRONT SETBACK MINIMUM 20'-0"
B	SIDE STREET SETBACK MINIMUM 15'-0"
C	SIDE INTERIOR SETBACK 5'-0"/10'-0"
D	REAR SETBACK MINIMUM 10'-0"
E	LOT FRONTAGE MINIMUM 20'-0"
F	ALLOWED PROJECTION OF BUILDING EXTREMITIES INTO SETBACK
G	LOT WIDTH CIRCLE MINIMUM 60'-0" (DIAMETER)
H	LOT-BY-LOT OPEN SPACE MINIMUM 15'-0"
I	BUILDING SEPARATION MINIMUM 10'-0"

B. **Maximum Development Yield.** The following calculation provides a potential maximum development yield for a development utilizing the density bonuses available for the R-3 zone. The calculation is based on a development occurring on a one-acre lot. Please note that accessory dwelling units do not count toward maximum development yield.

Table 21.08.050A Maximum Development Yield		
Base Density	Available Density Bonuses	Maximum Density
3 dwelling units per gross acre	Green Building/Green Infrastructure Development: Up to 10 percent of base density	0.40 dwelling units allowed
	Affordable Housing: Up to 15 percent of base density	0.60 dwelling units allowed
		Total = 4 dwelling units per gross acre

C. **Regulations Common to All Uses.**

Table 21.08.050B Regulations Common to All Uses				
	Regulation	Standard	Exceptions	
Minimum	Average Lot Size	12,000 square feet		
	Required Density	80 percent of net acres		
	Lot Width Circle	60 feet		
	Lot Frontage	20 feet		
	Setbacks			
	Front	20 feet	For zero lot line development, a dwelling unit may be placed on one interior side property line, giving it one zero side/interior setback. If it is an interior lot line, the setback from the other side property line shall be 10 feet. See RZC 21.08.390, <i>Zero Lot Line Development</i> , for additional requirements.	
	Side / Interior (each side)	5 feet / 10 feet		
	Side Street	15 feet		
	Rear	10 feet		
	Alley	4 feet		
	Lake Sammamish	35 feet		
Building Separation	10 feet	Minimum building separation shall be 15 feet in the following neighborhoods: Education Hill, North Redmond, and Willows/Rose Hill. In all neighborhoods, minimum building separation shall be 10 feet for size-limited dwellings, accessory dwelling units, and locations where these structures adjoin larger dwelling units.		
Open Space	20 percent of total lot area			
Maximum	Lot Coverage for Structures	30 percent of total lot area		
	Impervious Surface Area	60 percent of total lot area		
	Building Height	35 feet	30 feet within the Shoreline Jurisdiction	
	Drive-through	n/a	Drive-through facilities are prohibited except where expressly permitted in the Allowed Uses and Special Regulations table below.	

D. **Allowed Uses and Special Regulations.** The following table contains special zoning regulations that apply to uses in the R-3 zone. To use the chart, first read down the left-hand column titled "Use." When you have located the use that interests you, read across to find regulations that apply to that use. Uses are permitted unless otherwise specified in the Special Regulations column. Permitted uses may require land use permit approval. See RZC 21.76.020, *Overview of the Development Process*, for more information. Uses not listed are not permitted.

**Table 21.08.050C
Allowed Uses and Special Regulations**

Section	Use	Parking Ratio: Unit of measure (Minimum required; Maximum allowed)	Special Regulations
Residential			
1	Detached dwelling unit	Dwelling unit (2.0)	
2	Size-limited dwelling		
3	Accessory dwelling unit (ADU)	ADU (1.0)	See RZC 21.08.220, <i>Accessory Dwelling Units</i> , for specific regulations which may apply.
4	Manufactured home	Dwelling unit (2.0)	See RZC 21.08.320, <i>Designated Manufactured Homes, Manufactured Homes, and Mobile Homes</i> , for specific regulations which may apply.
5	Residential care facility	See Special Regulations	A. A Conditional Use Permit is required. B. Parking requirements are as follows: 1. Multifamily housing for senior citizens: Unit (0.5, 2.0)
6	Adult family home	Dwelling unit (2.0)	
General Sales or Service			
7	Bed and Breakfast Inn	Rental room (1.0)	No more than two rental rooms permitted.
Transportation, Communication, Information, and Utilities			
8	Local utilities	Adequate to accommodate peak use.	
9	Regional utilities		A Conditional Use Permit is required.
10	Heliport	N/A	A Conditional Use Permit is required. Does not include medical airlift. Permitted only abutting Lake Sammamish.
11	Float plane facility	N/A	A. A Conditional Use Permit is required. Permitted only abutting Lake Sammamish. B. Piers, docks, and floats associated with the operation of float planes shall meet, as a minimum, the location criteria contained in RZC 21.68.070, <i>In-Water Structures</i> . Piers and docks are also subject to standards for residential piers and docks contained in RZC 21.68.070.E, <i>Piers, Docks, and Floats</i> . (SMP) C. Only one float plane per lot is permitted. (SMP). D. Float planes shall observe speed regulations for watercraft and vessels contained in RMC 14.16.030, <i>Speed Regulations</i> , except that these speeds may be exceeded for a short duration of time during landing and takeoff of planes. (SMP) E. Float plane facilities or operation of float planes is prohibited on the Sammamish River, Bear Creek and Evans Creek. (SMP) F. Float plane facilities and operation shall comply with FAA standards, including standards for fueling, oil spill cleanup, firefighting equipment, and vehicle and pedestrian separation. (SMP)

12	Antenna support structures		A. A Conditional Use Permit is required. See RZC 21.76.070.K, <i>Conditional Use Permit</i> . B. See RZC 21.56, <i>Wireless Communication Facilities</i> , for specific regulations that may apply.
13	Large satellite dish/amateur radio tower		See RZC 21.56, <i>Wireless Communication Facilities</i> , for specific regulations that may apply.
14	Antenna array and base station		A Conditional Use Permit may be required; see RZC 21.56, <i>Wireless Communication Facilities</i> , for specific development requirements.
Arts, Entertainment, and Recreation			
15	Community indoor recreation	Adequate to accommodate peak use.	Includes noncommercial indoor recreation uses, such as community clubhouses, indoor swimming pools, and other similar facilities.
16	Parks, open space, trails and gardens	1,000 sq ft gfa (0, adequate to accommodate peak use.)	Permitted if public or noncommercial. A Conditional Use Permit is required for commercial facilities.
17	Athletic, sports, and play fields	Adequate to accommodate peak use.	A Conditional Use Permit is required.
18	Golf course		
19	Marine recreation		
20	Commercial swimming pool		
Education, Public Administration, Health Care, and Other Institutions			
21	Day care center	Employee (1.0)	A Conditional Use Permit is required. Day care uses are only permitted in a building or building complex used for other uses, such as a school, church, meeting hall, or some other building used for more than one purpose. See RZC 21.08.310, <i>Day Care Centers</i> , for specific regulations which may apply.
22	Family day care provider		Family day care providers are permitted as home businesses. See RZC 21.08.340, <i>Home Business</i> , for specific regulations which may apply.
23	Public safety	Adequate to accommodate peak use.	A Conditional Use Permit is required.
24	Grade schools (K-12)		
25	Religious Institution	1,000 sq ft gfa for assembly (1.0) or 5 fixed seats (1.0); 3 seats (1.0).	A. Permitted use if less than 250 seats. A Conditional Use Permit is required for religious institutions with between 250 and 750 seats. See RZC 21.08.280, <i>Churches, Temples, Synagogues and Other Places of Worship</i> , for specific regulations which may apply. B. A traffic mitigation plan is required. See RZC 21.08.280.C.5.
Agriculture			
26	Crop production	N/A	A Conditional Use Permit is required.
27	Equestrian facility		
Other			
28	Home Business	Vehicle used by the business (1.0).	See RZC 21.08.340, <i>Home Business</i> , for specific regulations which may apply.
29	Roadside produce stand	N/A	See RZC 21.68.070, <i>In-Water Structures</i> , for special height, setback and area requirements. (SMP)
30	Pier, dock, float		

31	Water-oriented accessory structure		See RZC 21.68.070.G, <i>Water-Oriented Accessory Structures</i> , for special height, setback and area requirements. (SMP)
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(Ord. 2652; Ord. 2709; Ord. 2803)

Effective on: 10/17/2015

Regional Light Rail Transit System. A public rail transit line that operates at grade level, above grade level, or in a tunnel and that provides high-capacity, regional transit service owned and operated by a regional transit authority authorized under RCW Chapter 81.112. A light rail transit system may be designed to share a street right-of-way although it may also use a separate right-of-way. (SMP)

Effective on: 4/16/2011

Regional Utilities. Facilities and infrastructure provided by a public agency, utility, or franchise which convey essential services throughout the area beyond but including Redmond. These facilities include, but are not limited to, regional water storage tanks, reservoirs and booster stations, waste water interceptors, pump stations and treatment facilities, electrical transmission substations and lines 115 kV or greater, regional natural gas pipelines and gate stations, and regional telecommunications facilities.

Effective on: 4/16/2011

Regulated Activity. Activities that have a potential to significantly impact a critical area that is subject to the provisions of RZC 21.64, Critical Areas Regulations. Regulated activities generally include, but are not limited to, any filling, dredging, dumping or stockpiling, draining, excavation, flooding, clearing or grading, construction or reconstruction, driving pilings, obstructing, shading, or harvesting.

Effective on: 4/16/2011

Rehabilitation. The manipulation of the physical, chemical, or biological characteristics of a site with the goal of repairing natural or historic functions of a degraded critical area. Rehabilitation is a type of restoration. For wetlands, rehabilitation results in a gain in wetland function but does not result in a gain in wetland acres. Activities could involve breaching a dike to reconnect wetlands to a floodplain.

(Ord. 2803)

Effective on: 10/17/2015

Religious Institutions. Churches, temples, synagogues, monasteries, and similar establishments operated by religious organizations.

Effective on: 4/16/2011

Removal. Removal of a tree(s) or vegetation, through either direct or indirect actions, including but not limited to clearing, cutting, causing irreversible damage to roots or trunks; poisoning; destroying the structural integrity; and/or any filling, excavation, grading, or trenching in the drip line area of a tree which has the potential to cause irreversible damage to the tree, or relocation of an existing tree to a new planting location.

Effective on: 4/16/2011

(Ord. 2709)

Effective on: 10/26/2013

Small Satellite Dish. Any satellite dish antenna(s) that has a diameter less than or equal to one meter located in Urban Recreation, Semirural, Residential zones or Shoreline areas of the City or two meters within any other zone. *[See Satellite Dish Antenna(s).]*

Effective on: 4/16/2011

Snag. An upright stump or trunk of a tree that provides habitat for a broad range of wildlife, from beetle larvae (and the birds such as woodpeckers that feed upon them) to dens for raccoons. (SMP)

Effective on: 4/16/2011

Social Assistance, Welfare, and Charitable Services. The provision of social assistance services, including shelters, directly to individuals in need.

(Ord. 2709)

Effective on: 10/26/2013

Soften. To mitigate, diminish, or reduce impacts. When used in connection with softening the transition between existing and new dwellings, soften means to reduce the impacts to the existing dwelling(s) as a result of a change from the previous conditions to the new residential development.

Effective on: 4/16/2011

Soil. The natural or processed, unconsolidated mineral and organic material on the immediate surface of the earth that does or is suitable to serve as a natural medium for the growth of land plants.

Effective on: 4/16/2011

Solid Waste. All putrescible and non-putrescible solid and semisolid wastes as defined in WAC Chapter 173-304, *Minimum Functional Standards for Solid Waste Handling*.

Effective on: 4/16/2011

Solid Waste. Unwanted or discarded material, including waste material with insufficient liquid content to be free flowing. (SMP)

Effective on: 4/16/2011

Solid Waste Transfer and Recycling. The collection, treatment, sorting, or disposal of residential or commercial solid waste or recycling materials at a central facility.

(Ord. 2652)

Effective on: 4/28/2012

RZC 21.04 GENERAL PROVISIONS

21.04.030 Comprehensive Allowed Uses Chart

A. **Generally.** This chart is meant to serve as a compilation of permitted uses within each of the individual zone summaries. It does not include all the specific use limitations or requirements that may apply. Please refer to the individual zone summaries for special use requirements or limitations.

B. **Residential Zones.**

	UR	RA5	R1	R3	R4, R5	R6	RB	R1N	R12, R16, R20, R30	MDD3	NDD1
Residential											
Detached dwelling unit	P	P	P	P	P	P	P	P	P	P	P
Size-limited dwelling		P	P	P	P	P	P	P	P	P	P
Cottage					P	P	P	P		P	P
Accessory dwelling unit	P	P	P	P	P	P	P	P	P	P	P
Attached dwelling unit					P/C	P/C	P/C	P/C	P/C	P	P
Manufactured home		P	P	P	P	P	P	P	P	P	P
Multifamily structure									P	P	P
Dormitory										P	
Residential suite										P	
Mixed-use residential structure											
Housing services for the elderly									P/C	P	P
Adult family home		P	P	P	P	P	P	P	P	P	P
Long-term care facility									C	P	P
Residential care facility		C	C	C	C	C	C	C	C	P	P
Retirement residence					P/C	P/C	P/C	C	P/C	P	P
General Sales or Service											
General Sales or Service											
Automobile sales, rental, or service establishment											
Heavy consumer goods sales, rental, or service											
Durable consumer goods sales, rental, and service											
Consumer goods, other											
Membership wholesale / retail warehouse											
Grocery, food, beverage, or dairy sales											
Marijuana retail sales											

Regional utilities	C	C	C	C	C	C	C	C	C	C	C	C
Solid waste transfer and recycling												
Hazardous waste treatment and storage, incidental												
Hazardous waste treatment and storage, primary												
Water extraction well												
Arts, Entertainment and Recreation												
Arts, entertainment and recreation												
Performing arts or supporting establishment												
Sports team or club venue												
Museums and other special purpose recreational institutions												
Zoos, Botanical Gardens, Arboreta, Etc.												
Amusement, sports, or recreation establishment												
Golf course	C	C	C	C	C	C	C	C	C			
Natural and other recreational parks												
Adult entertainment facilities												
Community indoor recreation		C	P	P	P	P	P	P	P			P
Parks, open space, trails and gardens	P	P/C	P		P							
Athletic, sports, and play fields	C	C	C	C	C	C	C	C	C			
Marine recreation	C	C	C	C	C	C	C	C	C			
Commercial swimming pool	C	C	C	C	C	C	C	C	C			
Education, Public Administration, Health Care, and other Institutions												
Education, Public Administration, Health Care, and other Institutions												
Educational services												
Grade schools			C	C	C	C	C	C	C			
Colleges and universities												
Technical, trade, specialty schools												
Public administration												
Government functions, other												
Public safety		C	C	C	C	C	C	C	C			
Health and human services												
Ambulatory or outpatient services												
Nursing, supervision, and other rehabilitative services												
Day care center			C	C	C	C	C	C	C			
Family day care provider	P	P	P	P	P	P	P	P	P	P		P
Social assistance, welfare, and charitable service												
Religious institutions			P/C									

Funeral homes and services												
Cremation services and cemeteries												
Associations, nonprofit organizations, etc.												
Secure community transition facility												
Construction related business												
Construction related business												
Mining and Extraction Establishments												
Mining and extraction establishment												
Agriculture												
Crop production	P	P	P	P	P	P		P				
Marijuana production	P											
Animal production	P	P	P									
Equestrian facility	P	P	C	C	C	C	C	C				
Other												
Drive-up stand												
Roadside produce stand	P	P	P	P	P	P	P	P	P	P	P	P
Home business	P	P	P	P	P	P	P	P	P	P	P	P
Automobile parking facilities												
Kiosk												
Vending cart												
Water-enjoyment use												
Wetland mitigation banking												
Piers, docks, and floats		P	P	P	P	P	P	P	P			
Water-oriented accessory structure		P	P	P	P	P	P	P	P			

C. **Nonresidential Zones.**

Table 21.04.030B Comprehensive Allowed Uses Chart: Nonresidential Zones												
<i>Online Users: Click on District Abbreviation to View Map --></i>	NC-1	NC-2	GC	BP	MP	I	RR	BCDD1	BCDD2	NDD2, NDD3		
Residential												
Detached dwelling unit	P	P						P				
Size-limited dwelling	P	P										
Cottage	P	P										
Accessory dwelling unit	P	P										
Attached dwelling unit	P	P										
Manufactured home	P	P										
Multifamily structure	P	P	P					P				
Dormitory												
Residential suite												
Mixed-use residential structure	P	P	P	P								
Housing services for the elderly								P				

**Table 21.04.030B
Comprehensive Allowed Uses Chart: Nonresidential Zones**

<i>Online Users: Click on District Abbreviation to View Map --></i>	NC-1	NC-2	GC	BP	MP	I	RR	BCDD1	BCDD2	NDD2, NDD3	
Adult family home											
Long-term care facility								P			
Residential care facility								P			
Retirement residence								P			
General Sales or Service											
General Sales or Service										P	
Automobile sales, rental, or service establishment		P	P	C	P	P				P	
Heavy consumer goods sales, rental, or service			P	P	P		P			P	P
Durable consumer goods sales, rental, and service			P	P	P		P			P	P
Consumer goods, other	P	P	P		P		P			P	P
Membership wholesale / retail warehouse					P						
Grocery, food, beverage, or dairy sales	P	P	P				P			P	
Marijuana retail sales			P				P				
Health and personal care		P	P		P					P	
Convenience store			P	P						P	
Finance and insurance		P	P	P	P		P	P		P	
Real estate services	P	P	P		P		P			P	
Professional services	P	P	P	P	P	P	P			P	P
Administrative services			P	P	P		P			P	P
Services to buildings or dwellings				P	P		P			P	P
Travel arrangement and reservation services							P			P	
Investigation and security services							P			P	
Full-service restaurant	P	P	P	P	P	C	P			P	P
Cafeteria or limited-service restaurant	P	P	P	P	P	C	P			P	P
Bar or drinking place			P	P	P					P	P
Caterer					P	P				P	P
Food service contractor					P	P				P	P
Animal kennel/shelter			P		P					P	P
Personal services	P	P	P	P	P					P	P
Pet and animal sales or service (except veterinary)			P		P					P	P
Hotels, motels and other accommodation services											
Bed and breakfast inn											
Hotel or motel			P				P				
Manufacturing and Wholesale Trade											

**Table 21.04.030B
Comprehensive Allowed Uses Chart: Nonresidential Zones**

<i>Online Users: Click on District Abbreviation to View Map --></i>	NC-1	NC-2	GC	BP	MP	I	RR	BCDD1	BCDD2	NDD2, NDD3	
Manufacturing and Wholesale trade				P	P	P	P			P	P
Marijuana processing				P	P	P	P				
Transportation, Communication, Information, and Utilities											
Rail transportation				P	P	P				P	P
Road, ground passenger, and transit transportation			P	P	P	P				P	P
Truck and freight transportation services					P	P				P	P
Towing operators and auto impoundment yards											P
Postal services					P					P	P
Courier and messenger services				P						P	
Heliport				C	C	C					C
Float plane facility											
Rapid charging station	P	P	P	P	P	P	P			P	P
Battery exchange station	P	P	P	P	P	P	P			P	P
Communications and Information	P	P	P	P	P	P	P			P	P
Large Satellite Dish	P	P	P	P	P	P	P			P	P
Amateur radio tower	P	P	P	P	P	P	P	P	P	P	P
Antenna array	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C		P/C	P/C
Base station	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C		P/C	P/C
Antenna support structures	C	C	C	C	P/C	P/C	C	C		P/C	C
Local utilities	P	P	P	P	P	P				P	P/C
Regional utilities	C	C	C	P	P	P				P	P/C
Solid waste transfer and recycling					P	P				P	
Hazardous waste treatment and storage, incidental			P	P	P	P				P	
Hazardous waste treatment and storage, primary					C	P				C	
Water extraction well											
Arts, Entertainment, and Recreation											
Arts, entertainment, and recreation										P	P
Performing arts or supporting establishment			P							P	
Sports team or club venue										P	
Museums and other special purpose recreational institutions	P	P	P							P	
Zoos, Botanical Gardens, Arboreta, Etc.			P							P	
Amusement, sports, or recreation establishment	P	P	P	P	P					P	
Golf course										P	
Natural and other recreational park	P	P	P	P	P	P		P	P	P	P

**Table 21.04.030B
Comprehensive Allowed Uses Chart: Nonresidential Zones**

<i>Online Users: Click on District Abbreviation to View Map --></i>	NC-1	NC-2	GC	BP	MP	I	RR	BCDD1	BCDD2	NDD2, NDD3	
Adult entertainment facilities				C	C	C	C				
Community indoor recreation											
Parks, open space, trails and gardens											
Athletic, sports, and play fields											
Marine recreation											
Commercial swimming pool											
Education, Public Administration, Health Care, and other Institutions											
Education, Public Administration, Health Care, and other Institutions										P	P
Educational services										P	P
Grade schools				P						P	P
Colleges and universities				P				P		P	P
Technical, trade, specialty schools				P	P		P			P	P
Public administration		P	P				P			P	P
Government functions, other	P	P	P							P	P
Public safety			P							P	P
Health and human services										P	P
Ambulatory or outpatient services		P	P	P	P			P		P	P
Nursing, supervision, and other rehabilitative services								P		P	P
Day care center		P	P	P	P		P			P	P
Family day care provider										P	P
Social assistance, welfare, and charitable service		P						P		P	P
Religious institutions			P		P/C					P/C	P
Funeral homes and services			P							P	P
Cremation services and cemeteries			P							P	P
Associations, nonprofit organizations, etc.				P						P	P
Secure community transition facility				C	C	C					
Construction related business											
Construction related business				P	P	P				P	P
Mining and Extraction Establishments											
Mining and extraction establishment						C					
Agriculture											
Crop production								P	P	P	
Marijuana production								P			
Animal production											
Equestrian facility											
Other											
Drive-up stand	P	P	P	P	P					P	P

Table 21.04.030B Comprehensive Allowed Uses Chart: Nonresidential Zones											
<i>Online Users: Click on District Abbreviation to View Map --></i>	NC-1	NC-2	GC	BP	MP	I	RR	BCDD1	BCDD2	NDD2, NDD3	
Roadside produce stand										P	
Home business											
Automobile parking facilities				P						P	
Kiosk	P	P	P	P	P					P	P
Vending cart	P	P	P	P	P					P	P
Water-enjoyment use	P	P	P	P	P						
Wetland mitigation banking								P	P		
Piers, docks, and floats											
Water-oriented accessory structure											

D. **Mixed Use Zones.**

Table 21.04.030C Comprehensive Allowed Uses Chart: Mixed Use Zones											
<i>Online Users: Click on District Abbreviation to View Map --></i>	OT, AP, TWNC, BC, VV, TR, SMT, TSQ, RVBD	RVT, CTR, EH	OV1, OV2, OV3	OV4	OV5	OBAT	MDD1	MDD2			
Residential											
Detached dwelling unit											
Size-limited dwelling											
Cottage											
Accessory dwelling unit											
Attached dwelling unit											P
Manufactured home											
Multifamily structure	P	P	P	P	P	P	P	P	P	P	P
Dormitory	P	P	P	P	P	P	P	P	P	P	P
Residential suite	P	P	P	P	P	P	P	P	P	P	
Mixed-use residential structure	P	P	P	P	P	P	P	P	P	P	P
Housing services for the elderly	P	P	P	P	P		P	P	P	P	
Adult family home											
Long-term care facility	P	P	P	P	P		P	P	P	P	
Residential care facility	P	P	P	P	P		P	P	P	P	
Retirement residence	P	P	P	P	P		P	P	P	P	
General Sales or Service											
General Sales or Service	P	P	P/C	P	P	P/C	P	P	P	P	
Automobile sales, rental, or service establishment	P	P	P/C	P	P		P	P	P	P	
Heavy consumer goods sales, rental, or service	P	P	P/C	P	P		P	P	P	P	
Durable consumer goods sales, rental, and service	P	P	P/C	P	P		P	P	P	P	

Table 21.04.030C Comprehensive Allowed Uses Chart: Mixed Use Zones									
<i>Online Users: Click on District Abbreviation to View Map --></i>	OT, AP, TWNC, BC, VV, TR, SMT, TSQ, RVBD	RVT, CTR, EH	OV1, OV2, OV3	OV4	OV5	OBAT	MDD1	MDD2	
Community indoor recreation									
Parks, open space, trails and gardens									
Athletic, sports, and play fields									
Marine recreation									
Commercial swimming pool									
Education, Public Administration, Health Care, and other Institutions									
Education, Public Administration, Health Care, and other Institutions	P	P	P	P	P	P	P	P	P
Educational services	P	P	P	P	P	P	P	P	P
Grade schools	P	P	P	P	P	P	P	P	P
Colleges and universities	P	P	P	P	P	P	P	P	P
Technical, trade, specialty schools	P	P	P	P	P	P	P	P	P
Public administration	P	P	P	P	P	P	P	P	P
Government functions, other	P	P	P	P	P	P	P	P	P
Public safety	P	P	P	P	P	P	P	P	P
Health and human services	P	P	P	P	P	P	P	P	P
Ambulatory or outpatient services	P	P	P	P	P	P	P	P	P
Nursing, supervision, and other rehabilitative services	P	P	P	P	P	P	P	P	P
Day care center	P	P	P	P	P	P	P	P	P
Family day care provider	P	P	P	P	P	P	P	P	P
Social assistance, welfare, and charitable service	P	P	P	P	P	P	P	P	P
Religious institutions	P	P	P/C			P/C		P	P
Funeral homes and services	P	P	P	P	P	P	P	P	P
Cremation services and cemeteries	P	P	P	P	P	P			
Associations, nonprofit organizations, etc.	P	P	P	P	P		P	P	P
Secure community transition facility									
Construction related business									
Construction related business			P	P	P	P	P	P	P
Mining and Extraction Establishments									
Mining and extraction establishment									
Agriculture									

Table 21.04.030C Comprehensive Allowed Uses Chart: Mixed Use Zones									
<i>Online Users: Click on District Abbreviation to View Map --></i>	DT, AP, TWNC, BC, VV, TR, SMT, T5Q, RVBD	RVT, CTR, EH	OV1, OV2, OV3	OV4	OV5	OBAT	MDD1	MDD2	
Crop production									
Marijuana production									
Animal production									
Equestrian facility									
Other									
Drive-up stand								P	P
Roadside produce stand									
Home business									
Automobile parking facilities	P						P	P	
Kiosk	P		P	P	P		P	P	P
Vending cart	P		P	P	P		P	P	P
Water-enjoyment use									
Wetland mitigation banking									
Piers, docks, and floats									
Water-oriented accessory structure									

(Ord. 2652, Ord. 2744, Ord. 2753, Ord. 2803; Ord.2836, Ord. 2883)

Effective on: 6/17/2017

ARTICLE VII DEFINITIONS

RZC 21.78 DEFINITIONS

F DEFINITIONS

Family. An individual or two or more persons related by blood or marriage; eight or fewer nonrelated persons living together in a single dwelling unit, unless a grant of reasonable accommodation as identified in RZC 21.76, Review Procedures, allows an additional number of persons.

Effective on: 4/16/2011

February 1, 2018; Revised February 2, 2018

To: Sharon Rice, Hearing Examiner
Cc: Sarah Pyle, City of Redmond Planning Department
Subject: Comments for the Hearing Examiner's Meeting February 5, 2018 Regarding Proposed Women and Children's Homeless Shelter @ 2321 – 173rd Avenue NE, Redmond 98052

My name is Marlene Taylor Houtchens. I live at 17309 NE 23rd Court, Redmond 98052, across the street from Creekside Covenant Church and the proposed shelter site. Thank you for chairing this meeting.

We all know Bellevue and Redmond have a homeless population that needs help, and no one wants to help fix the homeless situation in King County more than I do.

Location: That need does not appear to be in this neighborhood, 500 feet inside Redmond. This proposed location is not suitable and does not provide the services these families could need without driving a car or taking the bus.

School: Children will most likely not attend the neighborhood schools and will be transported to schools they attend now. That's an extra expense for the school district when they need money.

Traffic: The City of Redmond knows that 173rd Ave NE is a heavily travelled road (called the Microsoft Highway). Traffic is 24 hours a day and cars do not obey the 25 MPH speed limit after turning off NE 24th. More cars and activity are not compatible to the neighborhood.

Parking is allowed on 173rd Ave NE and can be dangerous. Creekside Church members use the proposed shelter house lot and 173rd Ave NE for parking even when their parking lot is not full. The proposed shelter will have limited parking and use the church parking lot for over flow.

Security: The church property has a chain across the driveway to the parking lot when not occupied by church members and staff to prevent unauthorized "visitors". Now the driveway will be open more because of the proposed shelter residents and staff using the parking lot.

City of Redmond: Today, the house does not have the neighborhood appearance per the City of Redmond Decision Criteria b. The little house was built in 1941 and since 2002 has incorporated a hodgepodge of revisions and additions. From experience, I have no faith in the system to follow up after permits have been granted to make sure recipients are in compliance.

Property Values: Windemere, John L Scott and Keller Williams have told me "degradation of property is real" and the value of my property could go down because people do not want to live by a homeless shelter.



Marlene Taylor Houtchens
17309 NE 23rd Court, Redmond 98052
425-644-8799, email tsquare29@aol.com

Please find below, a little history about me to show that I am not a new comer on dealing with helping others with all kinds of special needs.

I'm a Boeing retiree, Community Volunteer and Senior Citizen Intern. No one wants to help fix the homeless situation in King County more than I do.

I was born in Seattle and grew up with people who were engaged in helping others. I was an only child and at one time we had a foster child in our home. My Dad donated blood and delivered bread from his bakery job to the Seattle Union Gospel Mission and Millionaires Club. My grandfather helped people at the Pike Place Public Market where he owned a small shop. My mother was always caring for and helping others.

In 1962, after a car accident on Rainier Ave S. near Rainier Beach, my car was towed to the back lot of the local gas station. The neighborhood homeless person, "Sam Spade", slept in the car and local business people helped him with food, etc.

In 1976-1978, I was a Trustee on the Boeing Employees Good Neighbor Fund (BEGNF), renamed Boeing Employees Community Fund.

In 1985-1987, I was chair or co-chair of the Boeing Employees Food and Essentials Drive as well as participating in many other Boeing community volunteer activities.

The next time I saw someone in need was 1992, on my way to the Museum of Flight, when I saw a man and woman standing on a corner at the Albro Avenue Exit Off Ramp from Interstate 5 with a sign asking for help because they are homeless. This couple would alternate holding the sign, one in the morning and the other in the afternoon. People would say it was a scam and the couple used this way to earn money for their livelihood.

In 1995, after retirement, I was asked to join the Boeing Management Association Retiree's Board, and served in many positions. My last position, for many years, was Community Affairs Chair and lasted until I resigned in 2012. We sorted food at Food Lifeline, made wooden toys for the kids, assisted visitors with disabilities at the Boeing Tour, among other activities.

In 1996, I was asked to join a group of King County area people (who were working in many different fields of employment) to start a Chapter of Christmas in April-Seattle on the Eastside. We would call ourselves Christmas in April-Eastside. (The National organization changed the name to Rebuilding Together several years later). This organization helps low income, elderly and disabled homeowners spruce up their homes once a year on Rebuilding Day in April. The first reaction we had was "where would we ever find houses, no one on the Eastside needs help". Our geographically area was East of I-90 to North Bend, North to Bothell, and South to Renton. We found houses for seven years before the Eastside Chapter dissolved.

In 1997, I was a Senior Citizen Intern in Congresswoman Jennifer Dunn's office.

I've stayed very busy since retirement supporting many non-profit organizations besides the ones mentioned above, i.e. Return to Renton Car Show, Seattle Humane, Medic One, and Bridge Disability Ministries.

I'm looking at this homeless situation as a person who has had a lot of exposure and experience which enables me to help judge its benefits versus its risk and negative impact on the community.

Attachment to Hearing Examiner's Meeting February 6, 2018 Re:Proposed Homeless Shelter & Additional backup and personal comments are as follows: (Revised February 2, 2018)

At the first Neighborhood Meeting in June 2015, the attendees were told that this was a partnership with four organizations: Evangelical Chinese Church (EEC), Creekside Covenant Church (CCC), Seattle Union Gospel Mission (SUGM), and Westminster Chapel (WC)

R-1 to advise the neighborhood that they were proposing to file an application to open a overnight shelter for women and children in the little house on the corner.

The tasks for each organization/partner were explained as follows:

Evangelical Chinese Church (EEC) -

R-1 Owner of the property @ 2321 – 173rd Avenue NE, Redmond 98052.

Creekside Covenant Church (CCC) –

R-1 Church located next to the proposed homeless shelter and have parking space available.

R-1 The BelRed Family Resource **Day Center will not be located at Creekside Church.**

R-1 CCC will be asked to provide volunteers, meals, clothes, diapers, etc. Eventually financial support is expected whether outright donations or fund raisers.

Seattle Union Gospel Mission (SUGM) –

R-1 The Mission will be the Staff to operate the proposed homeless shelter (BelRed Family Resource R-1 Center), as well as vetting all families who would be in need. They will provide all services at the house 24 hours a day including daytime services and counseling.

Westminster Chapel (WC) –

R-1 WC will be asked to provide volunteers, meals, clothes, diapers, etc. Eventually financial support is expected whether outright donations or fund raisers..

At this meeting, to my surprise, the atmosphere in the room was hot (and I don't mean temperature).

This proposed location is 500 feet inside Redmond. I know there are people who need housing in Redmond because I see them near the Library. I have not seen people sleeping in their cars, holding signs, or living in tents near this proposed area. I do see people standing on corners in Bellevue 20 blocks or more away.

The location, in my opinion, is not favorable because the services these families will need are not close to the proposed location. For example, stores, medical, gas, clothing, other needs are at least 17 blocks away. The only bus (#226), which stops across the street from the proposed shelter location on NE 24th, runs every hour.

We have been told that the children who live at the proposed shelter will not necessarily be attending Sherwood Elementary or Interlake High schools if they do not attend there now. They will be bused to the school they are attending now. We were told the school district will provide transportation for these children (from the tax payers).

Cars will be coming and going on a busy street that has lots of traffic 24 hours a day. The speed limit is 25 MPH but not many people obey the sign. In fact, lots cars come off of NE 24th and round the corner onto 173rd NE too fast. It's an accident waiting to happen.

We have been told that the Homeless Shelter has a limited amount of parking at the "house" (no more than 10 cars) and the over flow will park in the church parking lot. They will have an agreement with the church to use their parking lot. The parking could be available to more people and cause a lot of parking in the lot and on the street each day, not just on Sunday when Creekside holds it services

There is a chain across the church driveway now to prevent unauthorized people access to the church property when staff or church activities are not taking place. The chain is unlocked when church members and/or staff are on site. This could mean that the chain across the driveway will be unlocked more (even daily) and could cause concerns in regard to "unauthorized visitors".

R-1 On May 31, 2016 the BelRed Family Resource Day Center opened in the classroom building of Creekside Church to provide women and children resources to help them during the day, it was open from (7:30 am - 3:30 pm).

R-1 The next day, June 1st, myself and a Redmond City Council member met at the BelRed Family Resource Day Center with a Board Member of the Evangelical Chinese Church and three representatives of the Seattle Union Gospel Mission. This meeting did not start off so well because I asked why Westminster Chapel was not in attendance (a partner) and had their location been considered for the proposed homeless shelter. They have a very large church building and huge parking area. Well, the council member slammed his hand on the table and proceeded to give me a verbal scolding. He said my "questions and comments were irrelevant and we are not here to talk about Westminster Chapel". The Evangelical Chinese Church representative agreed with him and said "we want to be good Christians and we have the building and the City of Redmond has a need". The ladies from Seattle Gospel Mission were very nice and tried to taper the emotions down. Shortly after, the council member and church board member left. I stayed and received a great briefing from the Seattle Gospel Mission staff about their services. My neighbor and his wife missed the meeting and we went back so they could met and talk with the Union Gospel Mission staff.

R-1 The BelRed Family Resource Family Day Center closed a few months later after only seeing a few families. We were told the women and children also needed overnight housing.

R-1 After attending a couple neighborhood meetings at a local home, and receiving many emails, it was obvious the neighbors felt the proposed overnight homeless shelter, in our neighborhood, was not a good location but felt it was a done deal.

Since I live across the street (since 1983), and have had various concerns and problems with some of the church property owners it's been stressful at times. For example, Conditional Use Permits have been granted in the past to owners of these two properties but the City does not always check up to see if the agreed upon conditions are being met.

Gnawing issues have been the parking lot adjacent to the church and the concrete slab in front of the church. Paving the parking lot was a requirement many years ago and the concrete slab was not to be used as a play area. People outside the neighborhood, and not church members, would arrive late at night, park in the lot and play basketball for several hours. After concerns were made to the City, the basketball hoop (which had been placed in cement) was removed. The parking lot was never paved.

Based on past experience (I can provide data), what guarantee does the neighborhood have that all conditions of the CUP requirements will be followed and monitored by the City of Redmond.

R-1 I visited Westminster Chapel May 1, 2017 and took them by surprise when I asked them what they were doing in this partnership. They seemed surprised I asked the question. I told the Pastor, Mark Pedrin, we should go door to door collecting money to build a building on a corner of their large parking lot to house

the women and children. That got his attention. After reviewing the BelRed Family Resource Center Website and information I had been given, in the past, I realized they would be asked to provide volunteers, meals, clothes, diapers, etc. Eventually financial support is expected whether outright donations or fund raisers. About 30 minutes before going to Westminster, I saw a pretty young woman standing just two blocks away from the church with a sign, back pack and bed roll. Too bad she was not standing there when I went up the hill, I would have asked her to join me since I was going to the church.

Why didn't the Together Center in Redmond take on this project for housing women and children overnight? It seems the perfect fit to organize this endeavor. Pam Mauk, CEO of Together Center wrote, "works in the tight knit community of human services", she "along with the 22 agencies on campus and other community partners, work to ensure that the well being of the community is supported through the easy availability of key services". This was written in the Redmond Reporter on July 7, 2017. "Together Center agencies, for example, provide medical and dental care, child care referral, autism advocacy and legislative work, life-long supports for developmentally disabled adults, **overnight shelter for homeless youth and much more.**" Does the City of Bellevue have a together center?

In my opinion, too many organizations are trying to help solve the homeless situation. They are all doing good work in their own way. But, today we have over 60+ organizations all trying to do something to solve the problem. There is a lot of duplication and they have staff and expenses to pay. If all current organizations were part of an integrated effort to solve the problem of homelessness, in the entire King County area, duplication could be eliminated and save resources. To start, we could categorize the people in need and select the organization best suited to handle that category. We should not continue to permit more and more little organizations to start up. If I was 20 years younger I would help pull all these organizations together. Even now, I could help as a Senior Citizen Intern.

R-1 So here we are today, almost three years later and the neighbors are still upset. A revision to the original conditional use permit (CUP) request was filed in July 2017. This revision increases the number of people, to be accommodated, at the overnight homeless shelter from 25 people to 40 people.

R-1 This request for a woman and children's overnight homeless shelter should be denied because it is not suitable at this location.

Sorry for going on so long but it really upsets me that we have this problem and it keeps getting worse. The money being spent on homelessness should solve the problem. I remember when I saw, for the first time, a person(s) holding a sign; it was in 1995 on the Albro Street off ramp from I-5. A woman held the sign in the morning and a man held the same sign in the afternoon. People would comment that they were a team and probably made a lot of money. This category of people who make a business out of holding signs for their livelihood, should be taken care of very quickly, send them out of town.