

**BEFORE THE CITY OF REDMOND
HEARING EXAMINER**

In the Matter of the Application of)	
)	NO. LAND 2018-00501
)	
Kelly Foster, Laird Holdings LLC)	Rose Hill West Preliminary Plat
)	
)	
For Approval of a Preliminary Plat)	FINDINGS, CONCLUSIONS,
_____)	AND DECISION

SUMMARY OF DECISION

The request for approval of a preliminary plat to subdivide 6.53 acres into 24 single-family residential lots, a native growth protection area tract, a recreation and storm drainage tract, and an access tract is **GRANTED** subject to conditions.

SUMMARY OF RECORD

Request:

Kelly Foster of Laird Holdings LLC (Applicant) requested approval of a preliminary plat to subdivide 6.53 acres into 24 single-family residential lots, a native growth protection area tract, a recreation and storm drainage tract, and an access tract. The subject property is located at 9717 138th Avenue NE, Redmond, Washington.

Hearing Date:

The Redmond Hearing Examiner conducted an open record hearing on the request on August 5, 2019.

Testimony:

At the open record hearing, the following individuals presented testimony under oath:

- Scott Reynolds, Planner, City of Redmond
- David Lee, Senior Planner, City of Redmond
- Min Luo, Senior Transportation Engineer, City of Redmond
- Clayton Graham, Applicant Representative
- Kelly Foster, Applicant Representative
- Jeremy Febus, PE, FPF Consulting Engineers, Applicant Representative

Exhibits:

At the open record hearing, the following exhibits were admitted in the record:

1. City of Redmond Technical Committee Report to the Hearing Examiner, with the following attachments:
 1. Determination of Completeness
 2. General Application Form
 3. SEPA Application Form
 4. Vicinity Map
 5. Plan Set
 6. Notice of Application Certificate of Public Notice and Public Notice Site Plan
 7. Neighborhood Meeting Notice, Presentation, and PowerPoint slides
 8. Public Comments
 9. SEPA DNS Certificate of Posting & Checklist
 10. Stormwater Report
 11. Traffic Study
 12. Critical Area Report
 13. Geotechnical Report
 14. Notice of Public Hearing and Certificates of Posting
 15. Arborist Report
 16. Tree Exception Letter
 17. Tree Exception Approval
2. Gary Smith public comment, dated August 4, 2019
3. Planning Staff's PowerPoint Presentation
4. Amended Technical Committee Report, dated August 5, 2019

Upon consideration of the testimony and exhibits submitted, the Hearing Examiner enters the following findings and conclusions:

FINDINGS

1. The Applicant requested approval of a preliminary plat to subdivide 6.53 acres into 24 single-family residential lots, a native growth protection area tract, a recreation and storm drainage tract, and an access tract. The subject property is located at 9717 138th Avenue NE, Redmond, Washington. *Exhibits 1, 1.2, and 1.5.*

2. The preliminary plat application was deemed complete on June 4, 2018. *Exhibits 1 (page 2) and 1.1.*
3. The subject property is located in the Willows/Rose Hill Neighborhood. The Comprehensive Plan's housing and land use policies include providing incentives for affordable housing, encouraging infill development on suitable vacant parcels and redevelopment of underutilized parcels, allowing new development only where adequate public facilities and services can be provided, and promoting attractive, friendly, safe, quiet and diverse residential neighborhoods. *Exhibit 1, page 11.*
4. The subject property is zoned RA-5 (Semirural Residential), R-1 (Single-Family Constrained Residential), and RIN (Residential Innovative), but all proposed residential development would be on land that is zoned RIN. *Exhibit 1, page 4.* The purpose of the RIN zone is to:

promote single-family housing consisting of smaller dwelling units to respond to changing household sizes and ages. It will provide opportunities for households of various sizes, ages, and incomes to live in a neighborhood by promoting diversity in the size, type, and price of new single-family homes. Also, this zone will blend new development with existing residential development to help maintain neighborhood character, particularly in neighborhoods with a predominance of small to moderately sized homes. The zone will help to provide appealing and active streetscapes that promote a more walkable and enjoyable neighborhood experience. The density allowed within the zone shall be four to five dwelling units per gross acre depending on the size of the site and the size of dwellings proposed.

Redmond Zoning Code (RZC) 21.08.070.A.

5. The southwest portion of the property contains a Puget Sound Energy electrical transmission line corridor, a hazardous liquid pipeline corridor, steep slopes, and buffers associated with an off-site wetland and stream. No development is proposed within these areas. *Exhibits 1 and 1.5.*
6. Surrounding land uses include single-family residences to the north and east, the Interlake Sporting Association firing range to the south, and a utility corridor and single-family residences to the west. *Exhibits 1 (page 3) and 1.5.*
7. The development standards applicable to the RIN zone include a maximum base density (not including bonus units) of five dwelling units per acre of gross site area, and a minimum density of 80% of the maximum density allowance of the net site area, which is calculated to exclude features such as critical areas and buffers, streets, and common open spaces. The RIN-zoned portion of the subject property is 4.88 acres, allowing a maximum base density of 24 dwelling units. The net buildable area of the subject property for purposes of calculating minimum density is 2.93 acres, requiring a minimum density of 12 dwelling units. The proposed 24 dwelling units fit within the required

range. *Exhibit 1.5; RZC Table 21.08.070.A.* The initial proposal was for 37 lots; through project review, the lots and tracts were refined to the current proposal, avoiding sensitive areas. *Clayton Graham Testimony.*

8. Pursuant to RZC 21.20.020-.030, all new single-family residential development in the Willows/Rose Hill Neighborhood must provide 10% of proposed units as affordable housing consistent with Redmond's standards. The minimum required affordable housing for the proposed development is two dwelling units. The Applicant proposes to provide one "low-cost affordable housing unit," which pursuant to RZC 21.20.030.E is the equivalent of two affordable dwelling units. Although compliance with the affordable housing requirement entitles the Applicant to bonus dwelling units, the project does not propose to utilize these. *Exhibit 1.5; Exhibit 1 (page 9); RZC 21.20.030.*
9. Pursuant to RZC 21.08.360, applications for subdivisions of 30,500 square feet or greater in the RIN zone must include "smaller dwelling units" at the rate of a minimum of 20% of the greater of the number of proposed dwelling units or the net buildable area multiplied by the site's allowed density. For the proposed development, the minimum number of smaller dwelling units is five. The Applicant proposes five smaller dwelling units, which would be distributed throughout the subdivision on Lots 1, 11, 16, 19, and 22. The Lot 19 dwelling unit would also be the affordable housing unit. *RZC 21.08.360; Exhibits 1 (page 10) and 1.5.*
10. The proposed lots have been designed to satisfy the bulk dimensional standards of the RIN zone, including minimum average lot size, lot width circle, frontage, setbacks, and building separation. The proposed lots would average 5,315 square feet in area and would be at least 35 feet wide, with at least 20 feet of street frontage. This average lot size is over 1,000 larger than the minimum lot size required. Compliance with the City's architectural, minimum setback, and maximum height standards would be determined at the time of building permit review for each parcel. *Exhibits 1 and 1.5.*
11. In addition to the 24 residential lots, the plat includes three proposed tracts. Proposed Tract A is an 81,662 square foot open space tract comprising the southwest portion of the property encompassing all critical area, associated buffers, and the utility transmission line easements; Tract A would be preserved as a native growth protection area (NGPA). Proposed Tract B is a 17,124 square foot stormwater and recreation tract that would be located adjacent to 138th Avenue NE in the northeast portion of the property. Proposed Tract C is a 4,124 square foot access tract that would serve Lots 21 through 24 in the northwest portion of the property. *Exhibit 1.5.*
12. The Applicant submitted a professionally prepared critical area study that evaluated the critical areas on and adjacent to the site. Gun Club Creek (a Class II stream requiring a 150-foot-wide buffer) and a Category II wetland requiring a 150-foot buffer are located southwest of the subject property. The buffers for these critical areas extend onto the southwest corner of the subject property but are separated from the proposed development area by steep slopes and 50-foot slope buffers. There is also a Category IV wetland requiring a 50-foot buffer to the south of the subject property, the buffer of

which does not extend onto the subject property. All on-site critical area buffers and steep slopes would be fully contained within proposed Tract A, within which no development is proposed. *Exhibits 1.5 and 1.12.*

13. The proposed development is not subject to City noise study requirements because it is not within 100 feet of an arterial street. *Exhibit 1 (page 9).*
14. Redmond Zoning Code Chapter 21.72 requires that all healthy landmark trees and 35% of all healthy significant trees be retained.¹ Removed landmark trees (when authorized) must be replaced at a 3:1 ratio and removed non-landmark significant trees must be replaced at a 1:1 ratio. There are 263 healthy significant trees on site, including 52 healthy landmark trees. Of these, the Applicant proposes to remove 31 landmark trees and 130 non-landmark significant trees. The proposed tree removal would result in a significant tree retention rate of 38%, exceeding the minimum 35% required by ordinance. The retained trees would be located primarily in Tract A, with additional trees retained along the northern property boundary within Tract B and along the western property boundary. On July 10, 2019, the Applicant received administrative approval of an exception from the landmark tree retention requirement pursuant to RZC 21.72.090. The approval authorized the proposed removal of 31 landmark trees subject to replacement with 96 trees and compliance with the submitted landscape plan. According to the Applicant's arborist report, the three additional replacement trees are to mitigate impacts to a landmark tree that would be retained on site. In addition to the 96 trees planted as mitigation for landmark tree removal or impact, the Applicant proposes to replace the removed non-landmark significant trees with 130 significant trees as required by the ordinance. Trees would be planted along the north, south, and east boundaries between the subject property and existing residential properties, around the stormwater tract, and between Lot 15 and the firing range. In addition to replacement trees, 50 street trees would also be provided along the site frontages. The City reviewed the Applicant's landscape plan and submitted that it complies with the City's landscaping requirements. *Exhibits 1 (page 8), 1.5, 1.15, 1.16, and 1.17.*
15. The proposal exceeds the minimum open space requirement for the RIN zone. Although the project is required to set aside 20% of the net site area (gross area less streets) as open space, the proposal sets aside 48,596 square feet of open space, which is more than 40% of the net site area. Recreation space, with amenities including a slide, swing set, bench, and picnic table, would be provided within Tract B. *Exhibits 1 and 1.5; Jeremy Febus Testimony.*
16. Access to the plat would be from 138th Avenue NE, via proposed NE 98th Street and NE 97th Street, and from 137th Place NE. The internal street system would also include proposed 136th Avenue NE and a private access drive serving Lots 21 through 24. The public streets would be developed to "rustic street" standards for the NE Rose Hill

¹ Pursuant to RZC 21.78, significant trees are those that are at least six inches in diameter at breast height, and landmark trees are those that are over thirty inches in diameter.

Neighborhood Subarea, which include sidewalks, a planting strip on one side of the street, and a drainage swale on the opposite side of the street. *Exhibits 1 and 1.5.*

17. The City Technical Committee granted a deviation from driveway spacing standards to allow the proposed location of the private access to Lots 21 through 24, which would be approximately five feet west of the intersection of NE 98th Street and 136th Avenue NE. The location is not expected to create traffic conflicts due to the low volume of traffic using the private drive and because NE 98th Street dead ends west of 136th Avenue NE. *Exhibit 1.*
18. The proposed development is expected to generate 226 net new vehicle trips per day, including 14 AM peak hour trips and 21 PM peak hour trips. Based on the trip generation study prepared by the Applicant's transportation engineer, all traffic from the development is expected to use the intersection of NE 100th Street and 132nd Avenue NE to the west of the subject property, which is located within Kirkland City limits. This intersection is not signalized, but there are stop signs controlling the eastbound and westbound approaches. Based on 2017 traffic counts, the intersection operates at Level of Service (LOS) F during the PM peak hour and is expected to operate at LOS F under future traffic conditions (i.e., including approved pipeline development in the vicinity) with or without the traffic generated by the instant project. The traffic at the intersection, and associated difficulty in pedestrian crossing, was the key concern raised in public comment on the subdivision application, and requests were made that a signal be installed. However, based on analysis of the signal warrants contained in the *Manual on Uniform Traffic Control Devices*, the warrants are not satisfied at the intersection. The Applicant's trip generation study indicated that the project would send a small volume of traffic to this intersection. The Applicant would be required to mitigate traffic impacts through payment of mitigation fees pursuant to City ordinance. *Exhibits 1, 1.8, and 1.11.*
19. Stormwater runoff from the northeast portion of the subject property, including all proposed roadways and 21 of the lots (Lots 1 through 14 and 18 through 24), would be collected and conveyed to a combined water quality and detention vault within Tract B. The outfall from the detention vault would be to the existing Rose Hill east stormwater conveyance system, which has capacity for the additional runoff. Roof runoff from Lots 15 through 17 would be directed to a downspout dispersion trench to the east of Lot 15. The Applicant designed the proposed stormwater system for compliance with Washington State Department of Ecology's Stormwater Management Manual for Western Washington and with the Redmond Stormwater Technical Notebook. *Exhibit 1.10; Jeremy Febus Testimony.*
20. The proposed development would be served by the City of Redmond water and sewer systems, which systems have capacity to serve the proposed lots. *Exhibit 1; Scott Reynolds Testimony.*
21. The proposed subdivision would be served by Mark Twain Elementary School, Rose Hill Middle School, and Lake Washington High School. Bus transportation would be provided to all three schools from bus stops located between 0.1 and 0.3 miles from the

site. A safe walk route would also be available, as the proposed sidewalks would connect to an existing sidewalk network.² Impacts to schools would be mitigated through payment of school mitigation fees. *Exhibit 1; Jeremy Febus Testimony.*

22. The City of Redmond acted as lead agency for review of the project's environmental impacts pursuant to the State Environmental Policy Act (SEPA). The City's SEPA responsible official issued a determination of non-significance (DNS) on April 9, 2019. No comments or appeals were filed in response to the DNS. *Exhibits 1 (page 7) and 1.9.*
23. Notice of the open record public hearing on the application was posted on-site, at City Hall, and the Redmond Library, published in the *Seattle Times*, and mailed to owners of surrounding property within 500 feet of the site on or before July 15, 2019. *Exhibit 1.14.* There was no additional public comment offered at the hearing.
24. The Technical Committee, comprised of staff from Redmond Planning, Public Works, and Fire Departments, reviewed the complete application and supporting materials for compliance with City regulations and the Comprehensive Plan. The Technical Committee recommended project approval subject to conditions. *Exhibit 1.* The Applicant waived objection to all recommended conditions of approval. *Clayton Graham Testimony.*

CONCLUSIONS

Jurisdiction:

The Hearing Examiner is authorized to conduct open record hearings and issue decisions on Type III permits, including preliminary plat permit applications, pursuant to RZC 21.76.050.C, Table 21.76.050B, and RZC 21.76.060.F.

Subdivision Criteria for Review:

Pursuant to RZC 21.74.030.B.1, the Examiner shall approve an application for subdivision if findings can be entered showing the following criteria are satisfied:

- a. The proposal complies with the general criteria applicable to all land use permits set forth in RZC 21.76.070.B, Criteria Applicable to All Land Use Permits;
- b. The proposal conforms to the site requirements for the zoning district in which the property is located;
- c. The proposal conforms to the requirements of this chapter;
- d. The proposed short subdivision, binding site plan, unit lot subdivision, or preliminary subdivision:

² Sidewalks approved in the previously approved Rose Hill subdivision to the east would be completed by the time the instant lots are developed. *Testimony of Jeremy Febus and Kelly Foster.*

- i. Makes adequate provision for streets, roads, alleys, other public ways, and transit stops as required by this chapter; and the proposed street system conforms to the City of Redmond Transportation Master Plan and Neighborhood Street Plan, and is laid out in such a manner as to provide for the safe, orderly, and efficient circulation of traffic;
 - ii. Will be adequately served with water, sewer, storm drainage, and other utilities appropriate to the nature of the subdivision or short subdivision;
 - iii. Makes adequate provision for parks, recreation, and playgrounds, as required by this chapter;
 - iv. Makes adequate provision for schools and school grounds;
 - v. Makes adequate provisions for sidewalks and other planning features that meet the requirements of this chapter and that provide safe walking conditions for students who walk to and from school;
 - vi. Serves the public interest and makes appropriate provisions for the public health, safety, and welfare.
- e. Geotechnical considerations have been identified, and all hazards and limitations to development have been considered in the design of streets and lot layout to assure streets and building sites are on geologically stable soil, considering the stress and loads to which the soil may be subjected.

RZC 21.74.030.B.2 states that lack of compliance with the criteria set forth in subsection (1) of this section shall be grounds for denial of a proposed subdivision or short subdivision, or for the issuance of conditions necessary to more fully satisfy the criteria.

Conclusions Based on Findings:

1. As conditioned, the proposal complies with the general criteria applicable to all land use permits, which include (in relevant part) consistency with the City's development regulations, the Comprehensive Plan, and SEPA. The proposal would satisfy the City's tree retention/replacement, critical areas, smaller dwelling unit, and affordable housing standards and requirements. A SEPA determination of non-significance was issued for the project. The proposal is consistent with Comprehensive Plan policies that promote infill development and affordable housing. *Findings 3, 5, 6, 7, 8, 9, 10, 12, 14, 15, and 22.*
2. As conditioned, the proposal conforms to the requirements of the RIN zone. The proposed housing density falls within the allowed range. The proposed lots would be consistent with the dimensional standards of the zone. Open space usable for recreation, critical areas protection, and tree preservation in excess of minimum requirements would be provided in Tracts A and B. Perimeter landscaping would be provided consistent with code requirements. *Findings 4, 7, 9, 10, 11, 14, and 15.*

3. As conditioned, the proposal is consistent with the requirements of RZC 21.74, including requirements for easements, utilities, and streets. *Findings 16, 17, 19, and 20.*
4. As conditioned, the proposal makes adequate provision for streets. *Findings 18, 21, 25, and 26.*
5. As conditioned, the proposed subdivision would be adequately served by utilities. Each lot would be served by public sewer and water. Stormwater runoff would be collected and treated on-site in Tract B. *Findings 19 and 20.*
6. As conditioned, the proposal would make adequate provision for parks, recreation, and playgrounds through the amenities provided in Tract B. *Finding 15.*
7. As conditioned, the proposal makes adequate provision for schools and school grounds. The proposed plat would be subject to a per-lot school impact fee. The school district did not identify the need for any additional mitigation measures. *Finding 21.*
8. As conditioned, the proposal makes adequate provisions for sidewalks and safe walking conditions for students. *Finding 21.*
9. As conditioned, the proposal serves the public interest and makes appropriate provisions for the public health, safety, and welfare. The intersection of NE 100th Street and 132nd Avenue NE has been evaluated for a traffic signal and signal warrants are not satisfied. The Applicant would be required to pay fire, school, and transportation impact fees per Redmond Municipal Code (RMC) Chapter 3.10. *Findings 18 and 21; RMC Chapter 3.10.*
10. Geotechnical considerations were professionally reviewed, and all hazards and limitations to development were considered in the design of streets and lot layout. All steep slopes, critical areas buffers, and the transmission line and pipeline corridors would be preserved within Tract A. *Findings 5 and 12.*

DECISION

Based on the preceding findings and conclusions, the request for approval of a preliminary plat to subdivide 6.53 acres into 24 single-family residential lots and three tracts is **GRANTED** subject to the conditions below.

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, pages C-0.00-Figure 1	05/17/19	<i>and as conditioned herein.</i>

SEPA Checklist	03/13/19	<i>and as conditioned herein and as conditioned by the SEPA threshold determination on April 9, 2019.</i>
Conceptual Landscaping Plan	05/17/19	<i>and as conditioned herein.</i>
Conceptual Lighting Plan	05/17/19	<i>and as conditioned herein.</i>
Proposed Tree Retention Plan	05/17/19	<i>and as conditioned herein.</i>
Traffic Mitigation Plan	05/17/19	<i>and as conditioned herein.</i>
Stormwater Design	05/17/19	<i>and as conditioned herein.</i>

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

1. Development Engineering - Transportation and Engineering

Reviewer: Min Luo, Senior Engineer

Phone: 425-556-2881

Email: mluo@redmond.gov

a. Easements, Dedications and Vacations. On-site easements, dedications and vacations shall be provided for City of Redmond review at the time of civil construction drawing approval and finalized upon recording of the final subdivision. Off-site easements must be finalized for recording prior to civil construction drawing approval. The existing and proposed easements and right-of-way shall be shown on the civil drawings and subdivision documents. 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) 10-foot wide sidewalk and utilities easement, granted to the City of Redmond, along all right-of-way on the west side of 138th Avenue NE along the development's frontage.
- (b) 10-foot wide sidewalk and utilities easement, granted to the City of Redmond, along all right-of-way on both sides of NE 98th Street.
- (c) 10-foot wide sidewalk and utilities easement, granted to the City of Redmond, along all right-of-way on north side of NE 97th Street and on the south side of NE 97th Street along the development frontage.
- (d) 10-foot wide sidewalk and utilities easement, granted to the City of Redmond, along all right-of-way on the east side of 137th Avenue NE.
- (e) 10-foot wide sidewalk and utilities easement, granted to the City of Redmond, along all right-of-way on both sides of 136th Avenue NE.

- (f) 100-foot blanket trail easement, granted to the City of Redmond over the transmission line corridor as shown in in the Site Plan prepared by KPFF, signed on May 16, 2019.
- (g) At the time of construction, additional easements may be required to accommodate the improvements as constructed.

(Code Authority: RZC 21.52.030 (G); RMC 12.12)

ii. Dedications for right-of-way are required as follows:

- (a) New right-of-way lines joining at the intersection of 138th Avenue NE and NE 98th Street shall connect with a 25-foot radius, or with a chord that encompasses an equivalent area at the northwest and southwest corners. The area formed by this radius or chord shall also be dedicated as right-of-way.
- (b) New right-of-way lines joining at the intersection of 137th Avenue NE and NE 98th Street shall connect with a 25-foot radius, or with a chord that encompasses an equivalent area at the northeast corner. The area formed by this radius or chord shall also be dedicated as right-of-way.
- (c) New right-of-way lines joining at the intersection of 136th Avenue NE and NE 98th Street shall connect with a 25-foot radius, or with a chord that encompasses an equivalent area at the southwest and southeast corners. The area formed by this radius or chord shall also be dedicated as right-of-way.
- (d) New right-of-way lines joining at the intersection of 136th Avenue NE and NE 97th Street shall connect with a 25-foot radius, or with a chord that encompasses an equivalent area at the northwest and northeast corners. The area formed by this radius or chord shall also be dedicated as right-of-way.
- (e) New right-of-way lines joining at the intersection of 138th Avenue NE and NE 97th Street shall connect with a 25-foot radius, or with a chord that encompasses an equivalent area at the northeast corner. The area formed by this radius or chord shall be dedicated as right-of-way.
- (f) A strip of land 12.5 feet wide (the flag) abutting the west side of the existing 138th Avenue NE right-of-way south of NE 100th Street shall be granted as right-of-way.
- (g) A strip of land three feet wide (south of the flag) abutting the west side of the existing 138th Avenue NE right-of-way shall be granted as right-of-way.
- (h) A strip of land 13 feet wide abutting the east side of the existing 137th Avenue NE right-of-way along the development frontage shall be granted as right-of-way.
- (i) A strip of land 53 feet wide shown as 136th Avenue NE between NE 97th Street and NE 98th Street in the Site Plan prepared by KPFF, signed on May 16, 2019 shall be dedicated as right-of-way.

- (j) A strip of land 53 feet wide shown as NE 98th Street in the Site Plan prepared by KPFF, signed on May 16, 2019 shall be dedicated as right-of-way.
- (k) A strip of land five feet wide abutting the north side of the existing NE 97th Street right-of-way between 136th Avenue NE and 138th Avenue shall be granted as right-of-way.
- (l) A strip of land 18 feet wide abutting the south side of the existing NE 97th Street right-of-way along the development's frontage shown in the Site Plan prepared by KPFF, signed on May 16, 2019 shall be dedicated as right-of-way.

(Code Authority: RZC 21.52.030 (G); RMC 12.12)

- b. Construction Restoration and Street Overlay.** In order to mitigate damage due to trenching and other work on 138th Avenue NE and NE 97th Street, the asphalt street shall be planed, overlaid, and/or patched, per COR SD 202 or 203. If the Pavement Condition Index (PCI) of the existing pavement is below 70 (as determined by the City's bi-annual pavement survey), the development shall be required to plane and overlay the entire half street along the project frontage at a minimum as determined by the Traffic Operations and Safety Engineering Division in Public Works. Contact Paul Cho at 425-556-2838.

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

c. Street Frontage Improvements

- i. The frontage half-street improvements along 138th Avenue NE must meet current City Standards, which includes asphalt paving 12 feet, three-foot thickened edge concrete ribbon curb measured from the right-of-way centerline, five-foot planter, five-foot wide concrete sidewalk, storm drainage, street lights, street trees, street signs and underground utilities including power and telecommunications. The minimum pavement depths for the street section shall consist of:
 - Seven inches HMA Class ½" PG 64-22
 - Four inches of 1-1/4 inch minus crushed rock base course per WSDOT Standard Spec 9-03.9(3)
 - Subgrade compacted to 95% compacted maximum density as determined by modified Proctor (ASTMD 1557)
 - Super elevated 2% sloped to drain system

(Code Authority: RZC 21.52.030; RZC 21.17.010; RMC 12.12; RZC 21 Appendix 2; Redmond Standard Specifications & Details)

- ii. The NE 97th Street full-street section, the new NE 98th Street, and 136th Avenue NE must meet current City Standards, which includes asphalt paving 22 feet, three-foot thickened edge concrete ribbon curb on each side, 10 feet drainage swale on

one side and five feet planter on the other side, 5 feet wide concrete sidewalk on each side, storm drainage, street lights, street trees, street signs and underground utilities including power and telecommunications. The minimum pavement section for the streets shall consist of:

- Seven-inches HMA Class ½” PG 64-22
- Four-inches of 1-1/4 inch minus crushed rock base course per WSDOT Standard Spec 9-03.9(3)
- Subgrade compacted to 95% compacted maximum density as determined by modified Proctor (ASTMD 1557)
- Super elevated 2% sloped to drain system

(Code Authority: RZC 21.52.030; RZC 21.17.010; RMC 12.12; RZC 21 Appendix 2; Redmond Standard Specifications & Details)

iii. The NE 97th Street half-street section must meet current City Standards, which includes asphalt paving 20 feet, including three-foot thickened edge concrete ribbon curb on one side, concrete curb and gutter on the other side, 4.5 feet gravel shoulder on the south side and five feet planter and 5 feet wide concrete sidewalk on the north side, storm drainage, street lights, street trees, street signs and underground utilities including power and telecommunications. The minimum pavement section for the streets shall consist of:

- Seven-inches HMA Class ½” PG 64-22
- Four-inches of 1-1/4 inch minus crushed rock base course per WSDOT Standard Spec 9-03.9(3)
- Subgrade compacted to 95% compacted maximum density as determined by modified Proctor (ASTMD 1557)
- Super elevated 2% sloped to drain system

(Code Authority: RZC 21.52.030; RZC 21.17.010; RMC 12.12; RZC 21 Appendix 2; Redmond Standard Specifications & Details)

iv. The 137th Avenue NE half-street section must meet current City Standards, which include asphalt paving 16 feet, including three-foot thickened edge concrete ribbon curb, five feet planter and 5 feet wide concrete sidewalk on the east side, storm drainage, street lights, street trees, street signs and underground utilities including power and telecommunications. The minimum pavement section for the streets shall consist of:

- Seven-inches HMA Class ½” PG 64-22
- Four-inches of 1-1/4 inch minus crushed rock base course per WSDOT Standard Spec 9-03.9(3)
- Subgrade compacted to 95% compacted maximum density as determined by modified Proctor (ASTMD 1557)
- Super elevated 2% sloped to drain system

(Code Authority: RZC 21.52.030; RZC 21.17.010; RMC 12.12; RZC 21 Appendix 2; Redmond Standard Specifications & Details)

- v. The Access Tract C street section must meet current City Standards, which include asphalt paving 20 feet and five feet planter on the east side, storm drainage, streetlights, street trees, street signs and underground utilities including power and telecommunications. The minimum pavement section for the streets shall consist of:
- Seven-inches HMA Class ½” PG 64-22
 - Four-inches of 1-1/4 inch minus crushed rock base course per WSDOT Standard Spec 9-03.9(3)
 - Subgrade compacted to 95% compacted maximum density as determined by modified Proctor (ASTMD 1557)
 - Super elevated 2% sloped to drain system

(Code Authority: RZC 21.52.030; RZC 21.17.010; RMC 12.12; RZC 21 Appendix 2; Redmond Standard Specifications & Details)

- vi. A separate 40-scale channelization plan may be required for any public street being modified or constructed. The plan shall include the existing and proposed signs, striping and street lighting and signal equipment for all streets adjacent to the site and within at least 150 feet of the site property line (both sides of the street). The plan shall conform to the requirements in the City of Redmond Standard Specifications and Details Manual.

(Code Authority: RZC 21.52.030 (F); RZC 21 Appendix 2; Redmond Standard Specifications & Details; RCW 47.24.020)

- vii. Sidewalks constructed to City standards are required at the following locations:
- Five feet concrete sidewalks on the west side of 138th Avenue NE
 - Five feet concrete sidewalks on the east side of 137th Avenue NE
 - Five feet concrete sidewalks on both sides of 136th Avenue NE
 - Five feet concrete sidewalks on both sides of NE 98th Street
 - Five feet concrete sidewalks on the north side of NE 97th Street
 - Five feet concrete sidewalks on the south side of NE 97th Street along the development’s frontage

(Code Authority: RZC 21.10.150; RZC 21.17.010; RZC 21.52.050; RMC 12.12)

d. Access Improvements

- i. The type and location of the proposed site accesses are approved as shown on the Rose Hill West Subdivision site plan prepared by KPFF on May 16, 2019.

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

ii. Direct access from individual lot to 138th Avenue NE will not be permitted. This restriction shall be indicated on the civil plans and other final documents.

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

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

(Code Authority: RZC 21.17.020; RZC 21 Appendix 2 – A.11)

f. **Street Lighting.** Illumination of the street(s) along all property frontages must be analyzed to determine if it conforms to current City standards. Streetlights may be required to illuminate the property frontage. Luminaire spacing should be designed to meet the specified criteria for the applicable lamp size, luminaire height and roadway width. Contact Paul Cho, Transportation Operations at (425) 556-2751 with questions. The street lighting shall be designed using the criteria found in the City's Illumination Design Manual which can be accessed at:

<https://www.redmond.gov/862/Transportation-Documentation-Library>

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

g. **Safe Walking Route(s).** The Redmond Zoning Code requires that safe pedestrian linkages be provided between new developments and public facilities. The proposed subdivision is within a 1-mile walking radius of the Mark Twain Elementary School. An interim walkway(s) shall be provided if the previous Rose Hill Subdivision has not completed the safe walk route.

(Code Authority: RCW 58.17.060; RZC 21.17.010(F)(2); RZC 21 Appendix 2; RZC 21.52.030; RZC 21.74.020(I))

2. Development Engineering – Water and Sewer

Reviewer: Heba Awad, Senior Utility Engineer

Phone: 425-556-2861

Email: hawad@redmond.gov

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

The developer will install new water mains, fire hydrants, water service lines, meters and necessary appurtenances for the development generally as shown on the Preliminary Plat plan set.

The water main will be extended to the following proposed streets:

- a. Eight-inch Ductile Iron water main along 136th Avenue NE.
- b. Eight-inch Ductile Iron water main along NE 97th Street.
- c. Eight-inch Ductile Iron water main along NE 98th Street.
- d. Eight-inch Ductile Iron water main along the access road to the west side of lot number 17.

Code Authority: RZC 21.74.020(D)

Condition Applies: Civil Construction

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

The developer will install new sewer mains, sewer manholes and side sewers for the development generally as shown on the Preliminary Plat plan set.

The water main will be extended to the following proposed streets:

- e. Eight-inch PVC sewer main along 136th Avenue NE.
- f. Eight-inch PVC sewer main along NE 97th Street.
- g. Eight-inch PVC sewer main along NE 98th Street.
- h. Eight-inch PVC sewer main along TRACT C.
- i. Eight-inch PVC sewer main along the access road to the west side of lot number 17.

Code Authority: RZC 21.74.020(D)

Condition Applies: Civil Construction

- 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.
 - a. 20-foot wide sewer easement, granted to the City of Redmond, along TRACT C serving lots numbers 21, 22 and 23.
 - b. 30-foot wide water and sewer easement, granted to the City of Redmond, along the access road to the west side of lot number 17.

At the time of construction, additional easements may be required to accommodate the improvements as constructed.

Code Authority: RZC 21.74.020(C), Appendix 3
Condition Applies: Civil Construction, Short Subdivision Document

- 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 stub fees shall be paid prior to sale of water and side sewer permits.

Code Authority: RMC 13.08.010, 13.12
Condition Applies: Prior to Permit Purchase

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

Code Authority: RMC 13.12.120
Condition Applies: Prior to Permit Issuance

3. **Development Engineering – Stormwater/Clearing and Grading**

Reviewer: Jeff Dendy, Senior Engineer

Phone: 425-556-2890

Email: jdendy@redmond.gov

- a. **Water Quantity Control:**
 - i. Stormwater discharges shall match the developed discharge duration to the predeveloped duration for the range of predeveloped discharge rates from 50% of the 2-year peak flow up to the full 50-year flow. Detention shall be provided in a publicly maintained vault.
 - ii. Provide for overflow routes through the site for the 100-year storm.
 - iii. The three lots located south of NE 97th Street will have roof runoff dispersed in a common facility east of the Lot 15 house.

(Code Authority: RMC 15.24.080)(2)(d))

- b. **Water Quality Control**
 - i. Basic water quality treatment shall be provided in a publicly maintained wet-vault. Treatment is required for the 6-month, 24 hour return period storm.

(Code Authority: RMC 15.24.080)(2)(c))

- c. **Easements.** Easements will be required for any public stormwater conveyance systems on private property. Easements shall be provided for City of Redmond review at the time of construction drawing approval and finalized for recording prior to issuance of a building permit or issuance of water meter or side sewer permits. The existing and proposed easements shall be shown on the civil plans. Prior to acceptance of the easement(s) by the City, the developer will be required to remove or subordinate any existing private easements or rights that encumber the property to be dedicated.

(Code Authority: RMC 15.24.080(2)(i))

- d. **Private Stormwater Easements.** Private stormwater easements will be required where drainage systems are located across adjacent properties and will remain under private ownership. Maintenance of private drainage systems will be the responsibility of the property owners benefiting from the easement. Prior to construction drawing approval and final short subdivision recording, fully executed and recorded easements shall be provided to the Development Engineering Division.

Code Authority: RZC 21.54.010(D), 21.74.020(C), 21.54.010(E), Appendix 3
Condition Applies: Civil Construction, Short Subdivision Document

- e. **Clearing and Grading.** Fill is needed along the east side of 137th Place NE. To limit impacts to the trees to remain, a slope, not to exceed 2 vertical feet, can be placed at a slope of 2 to 1. Any fill greater than 2 feet must be placed at the standard 3 to 1 on private property within this specific location.

(Code Authority: RMC 15.24.080)

- f. **Temporary Erosion and Sediment Control (TESC).**
i. Rainy season work permitted October 1st through April 30th with an approved Wet Weather Plan.

(Code Authority: RMC 15.24.080)

- g. **Floodplain Management.** The project does not lie within a designated FEMA special flood hazard zone.

(Code Authority: RZC 21.64.010 and 21.64.040)

- h. **Landscaping.** Keep the storm vault access road clear of plantings and decorations / structures.

(Code Authority: RZC 21.32)

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

(Code Authority: Department of Ecology Rule)

- j. Soil Amendment** – To address all current conditions on-site, the project is conditioned to provide full yard soil amendment (City of Redmond Standard detail 632) for Lots 15 through 17.

(Code Authority: 2014 Stormwater Management Manual for Western Washington. Condition Applies: Coordinated Civil Review.)

4. Fire Department

Reviewer: Scott Turner, Assistant Fire Marshal

Phone: 425-556-2273

Email: sturner@redmond.gov

The current submittal is generally adequate for LAND-2018-00501 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**
- Fire access requirements shall conform to the codes and standards listed below (e).
 - Hydrant and water supply requirements shall conform to the codes and standards listed (below (e)).
 - Specific site plan conditions including but not limited to addresses for structures, striping and signage of required fire access, roadway surfaces and grades and individual water supply to homes will be formalized in the Civil Review Process.
- b. Fire Protection Plan** – The overall fire protection plan for this development includes:
- 1) Redmond Fire access to and within the plat utilizing public roads for providing firefighting services, rendering emergency medical aid and other emergency activities.
 - 2) Code compliant access to individual structures using private roadways and in recorded emergency vehicle access easements (EVAE).
 - 3) Establishment of recorded Emergency Vehicle Operating Areas (EVOA) where required.

- 4) A system of fire hydrants for firefighting activities.
- 5) A public water system capable of supplying water for residential fire sprinkler systems.

c. Change or Modification

- Any changes or modifications to the approved entitlement plan shall be subject to Fire Marshal approval.
- Any changes or modifications to the future approved civil plan shall be subject to Fire Marshal approval.

d. Fire Code Permit

- All homes to be equipped with an NFPA 13d compliant fire sprinkler system.
- Other permits as authorized in the International Fire Code and Redmond Fire Standards apply to the residences and facilities of this plat.

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

5. Planning Department

Reviewer: Scott Reynolds, Planner

Phone: 425-556-2409

Email: sreynolds@redmond.gov

- a. Street Trees.** The following street trees are required to be installed in accordance with RZC 21.32.090. The minimum size at installation is 2 ½ inch caliper.

Street	Species	Spacing
136th Avenue NE	Japanese Flowering Cherry	30 feet on-center
137th Place NE	Okame Cherry	30 feet on-center
138th Avenue NE	Bowhall Maple	30 feet on-center
NE 98th Street	City Sprite Zelkova	30 feet on-center
NE 97th Street	Chanticleer Pear	30 feet on-center

Code Authority: RZC 21.32.090

Condition Applies: Civil Construction

- b. Disclosure.** The Final Plat shall call out and label the Interlake Sporting Association property. The applicant shall also disclose the location of the Interlake Sporting Association within the purchase agreement for all homes proposed for sale within the Rose Hill West subdivision.

Code Authority: RMC 6.36.050(A)(2)(c)
Condition Applies: Final Plat & Lot Sales

- c. **Tree Preservation Plan.** A Tree Preservation Plan depicting all significant and landmark trees required to be preserved as part of the site development must be provided with the civil construction drawings. A map of all retained trees shall be shown and recorded at the time of final plat.

Code Authority: RZC 21.72.060D
Condition Applies: Civil Construction, Final Plat & Building Permits

- d. **Tree Health Assessment.** An updated tree health assessment shall be provided during the Civil review process.

Code Authority: RZC 21.32
Condition Applies: Civil Construction

- e. **Critical Areas Recording.** The regulated critical area and its associated buffer(s) must be protected by an NGPE or placed in a separate tract where development is prohibited. Proof of recording must be submitted to the City prior to issuance of a Certificate of Occupancy on the site. Staff shall provide easement language required at time of recording.

Code Authority: RZC 21.64.010.R.4
Condition Applies: Final Plat documents

- f. **Critical Area Invasive Weed Removal.** Prior to transfer of ownership of Native Growth Protection Tract, all invasive Weeds shall be removed to the satisfaction of City of Redmond Natural Resource Department.

Code Authority: RMC 6.12
Condition Applies: Final Plat documents

- g. **Final Critical Areas Report.** A final Critical Areas Report must be submitted with the civil construction drawings or building permits if civil construction drawings are not required. All required enhancement and mitigation must be shown on the civil construction drawings. This includes any required planting, signage, fencing, wetland or stream enhancement, etc. that is required in the report. If report is greater than two years old at time of CCRs, an updated report shall be submitted.

Code Authority: RZC Appendix 1, Section G(2)

Condition Applies: Coordinated Civil Review and Final Plat documents

- h. Setbacks.** Setback classifications (e.g. front, side, side street, rear) shall be noted on each lot corresponding to the appropriate location for each setback. The setback dimensions shall not be included.

Code Authority: RZC 21.08.170(H)

Condition Applies: Final Plat documents and Building Permits

- i. Residential Architectural, Site, and Landscape Design.** All single-family building permits associated with the Plat shall be reviewed by the Department of Planning and Community Development for conformance with the Residential architectural, site and landscape design requirements. Please see Building Permit User Guide condition for additional information.

Code Authority: RZC 21.08.180(B)

Condition Applies: Building Permit

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

Code Authority: RZC 21.32.080

Condition Applies: Civil Construction

- k. Open Space.** The proposal includes development-wide calculations to meet the open space requirements. Each lot shall include a minimum of 10 percent of total lot square footage in open space. Open space for the benefit of the entire development must be contiguous, designed for recreation, and not have dimension less than 25 feet. Required open space shall be shown on the final subdivision document.

Code Authority: RZC 21.08.170(L)(2)(a)

Condition Applies: Building Permits and Final Plat Document

- l. Impact Fees.** For the purpose of impacts, the use(s) assigned for this project have been determined as the following: three (3) units classified as single-family residence may be credited for structures to be demolished at time

impact fee calculation during building permit review. If the proposed development is eligible for any additional credits including right-of-way dedication and system improvements, these additional credits will be assessed and provided after construction, dedication or implementation is completed and accepted by the City.

Code Authority: RMC 3.10

Condition Applies: Building Permit

- m. Bonds.** Bonds for Landscaping, Tree Preservation, Tree Replacement and Mitigation shall be provided no less than 5 days prior to request for Mylar signatures. Drafts of the Bond Agreements, Bond quantity Worksheets and Bond Calculation Worksheets shall be submitted at time of Civil Construction Application. If not provided at time of CCR submittal, entire submittal will be rejected for intake.

Code Authority: RZC 21.76.090.F

Condition Applies: Civil Construction

- n. Trail Easement.** A trail easement in the same footprint of the PSE Power line easement shall be dedicated to the City of Redmond as shown under Attachment 5, Plan Set for a future Regional PSE trail. The developer is not responsible for construction of the trail.

Code Authority: Chapter 6 PARCC Plan

Condition Applies: Final Plat

- o. Affordable Housing.** The Rose Hill West Subdivision shall demonstrate conformance with the Affordable Housing Regulations in RZC 21.20.050. An agreement in a form approved by the City must be recorded with the King County Recorder's Office to stipulate conditions under which the required affordable housing unit will remain as affordable housing for the life of the development. This agreement shall be a covenant running with the land, binding on the assigns, heirs, and successors of the applicant. Prior to the issuance of any building permit, the owner shall sign any necessary agreements with the City to implement these requirements. Applicant shall initiate contract by contacting Sarah Stiteler on Human Services and Long Range Planning staff at 425-556-2469 or at sstiteler@redmond.gov.

Code Authority: RZC 21.20.050

Condition Applies: Building Permit

- p. **Inadvertent Discovery Plan** – A laminated copy of the City of Redmond Inadvertent Discovery Plan shall be required to be maintained at the project location at all times during respective construction. All project proponents and contractors will be made aware of the plan's location, purpose, and relevance, consistent with Federal and State laws regarding the protection, preservation, and response to cultural resources.

Code Authority: RZC 21.30.070.D

Condition Applies: Civil Construction & Building Permit

- q. **Building Permit Submittal.** Items listed within the *Building Permit User Guide—Planning* shall be provided and remain code compliant at the time of building permit submittal. All tables, associated information, and submittal items shall be completed per the required formatting. The *Intake Requirements Overview and Signature Page*, Arborist Report (for in-fill lots), Tree Preservation Plan (for active plats), and a copy of the recorded final plat shall be provided to the PlannerOnCall@redmond.gov no less than TWO business days prior to permit application submittal. If these requirements are not met and provided at the designated time per the building permit application submittal, your submittal will be rejected.

B. Compliance with City of Redmond Codes and Standards

This approval is subject to all applicable City of Redmond codes and standards, including but not limited to 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)(c)	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
RMC 6.36: Noise Standards
RZC 21.38: Outdoor Storage and Service Areas
RZC 21.40: Parking Standards
RCZ 21.64: Critical Areas
RZC 21.48 Transfer of Development Rights (TDRs)

Building

2015 International Building Codes (IBCs)
2015 Uniform Plumbing Code
2015 International Residential Code (IRC)

DECIDED August 19, 2019.

By:



Sharon A. Rice
City of Redmond Hearing Examiner

Note: Type III decisions of the Hearing Examiner may be appealed to the King County Superior Court as provided in RZC 21.76.060.J.