

**BEFORE THE CITY OF REDMOND
HEARING EXAMINER**

In the Matter of the Application of)	
)	NO. L120487 (PPL)
)	
Robert Pantley,)	The Retreat
Natural Built Environments LLC)	
)	
For approval of a Preliminary Plat)	FINDINGS, CONCLUSIONS,
)	AND DECISION
_____)	

SUMMARY OF DECISION

The request for approval of a preliminary plat subdividing 0.49 acres into 14 zero lot line single-family lots in the East Hill zoning district of the Downtown Neighborhood is **GRANTED** subject to conditions.

SUMMARY OF RECORD

Request

Robert Pantley of Natural Built Environments LLC (Applicant) requested approval of a unit lot subdivision dividing 0.49 acres currently addressed at 8400 - 167th Avenue NE into 14 zero lot line single-family lots in the East Hill zoning district of the Downtown Neighborhood.

Hearing Date

The Redmond Hearing Examiner conducted an open record hearing on the request on February 28, 2013.

Testimony

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

- Dennis Lisk, Associate Planner, City of Redmond
- Judd Black, Planning Manager, City of Redmond
- Jeff Dendy, Public Works Senior Engineer, City of Redmond
- Jim Streit, P.E. Sr. Utility Engineer, City of Redmond
- Lisa Rigg, Senior Stormwater Engineer, City of Redmond
- Robert Pantley, Natural Built Environments LLC, Applicant
- Angela Rozmyn, Applicant Representative
- Barry Margoese

Exhibits

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

1. Technical Committee Report to the Hearing Examiner, with the following attachments:
 1. Vicinity Map
 2. Preliminary Plat General Application Form
 3. Notice of Application and Affidavit of Publishing
 4. SEPA Application and Environmental Checklist
 5. Notice of Public Hearing, Affidavits of Posting, and Mailing List
 6. Preliminary Plat/Site Plan Entitlement Plans – Full Size
 7. Request for Tree Exception Letter
 8. Arborist Report
 9. Tree Exception Request Approval Letter, dated October 17, 2012
 10. Preliminary Stormwater Report
 11. Critical Areas Report, prepared July 20, 2012
 12. Site Plan Entitlement Notice of Decision - Approval, dated October 17, 2012
2. Planning Staff's PowerPoint presentation (nine slides)

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

FINDINGS

Procedural Background

1. The Applicant requested approval of a unit lot subdivision that would divide 0.49 acres into 14 zero lot line single-family lots. The subject property is addressed as 8400 167th Avenue NE, in the Downtown Neighborhood.¹ *Exhibit 1, page 1; Exhibit 1, Attachment 2.*
2. The application was determined to be complete on December 10, 2012. Notice of application was issued in compliance with the requirements of the Redmond Zoning Code (RZC) on December 21, 2012, with a comment period ending January 11, 2013. The Applicant conducted a neighborhood meeting on January 10, 2013. Prior to the public hearing, the City received no comments on the application. *Exhibit 1, pages 2, 4; Exhibit 2, Slide 5.*
3. The proposal was reviewed for compliance with the State Environmental Policy Act (SEPA) during Site Plan Entitlement review. On September 28, 2012, the Technical Committee acting as SEPA Responsible Official issued a determination of non-significance (DNS), concluding that compliance with City ordinances would reduce any probable adverse environmental impacts below the threshold of significance. Notice of the DNS was posted and was mailed to surrounding property owners, parties of record,

¹ The legal description of the subject property is a portion of Section 1, Township 25 North, Range 5 East, W.M.; also known as Tax Assessor 012505-9124-07 and 012505-9137-02. *Exhibit 1, Attachment 4.*

and state and local agencies for review and comment. The City received no comments on the environmental threshold determination. *Exhibit 1, pages 2, 4; Exhibit 1, Attachment 4; Lisk Testimony.*

4. Notice of the February 28, 2013 open record hearing on the application was posted on-site and at City Hall, published, and mailed to surrounding property owners within 500 feet of the site on February 7, 2013. *Exhibit 1, page 4; Exhibit 1, Attachment 5.*

Subject Property, Surroundings, and Zoning Controls

5. The subject property consists of two tax lots currently developed with a single-family residence, a mobile home, and various accessory structures, all of which would be removed. The site is bounded by 167th Avenue NE to the west. It abuts multifamily residential uses to the west and south, open space to the east, and a future two-lot short plat to the north. Topographically, the site's surface ranges from fairly flat adjacent to the existing residence to an 11% slope at the south property line. The steeper site slopes were created by grading during previous development. *Exhibit 1, pages 3, 7; Exhibit 2, Slide 2; Exhibit 1, Attachment 10.*
6. The property is near City water supply wells Numbers 1, 2, and 4, within Zone 2 of the Wellhead Protection area of the municipal water supply established by Code. There are no naturally occurring critical areas on-site. *Exhibit 1, Attachment 11.*
7. The subject property is located in the Downtown Neighborhood within the East Hill zone. Regarding this combination of neighborhood and zone, the Redmond Zoning Code states:

Downtown includes three residential zones at the periphery of the neighborhood (River Trail, Carter, and East Hill) that are intended to retain a quieter “residential” character than the other nearby mixed-use areas. These zones will provide a variety of housing types that are not primarily mixed-use in developments that include more typical residential features, such as front yards, landscaping, and ground-related patios and porches. These areas are all located within walking distance to the various retail and service areas in the Downtown. The regulations in this division are intended to retain the East Hill zone’s special character and to ensure that single-family residential structures in this zone are well maintained until they are redeveloped with higher-density residential uses or are converted to nonresidential uses that are compatible with the residential neighborhood.

Redmond Zoning Code (RZC) 21.10.100.A.

8. The regulations for the Downtown Neighborhood do not provide for new single-family detached housing. The vision for the neighborhood calls for compact, dense residential, mixed-use, and commercial development. The unit lot subdivision regulations at RZC 21.74.030(H) were established to guide residential development in the Downtown Neighborhood, providing exclusively for attached dwelling units that reviewed and approved through Redmond's Site Plan Entitlement (RZC 21.76.070.Y), Green Building

and Green Infrastructure Incentive Program (RZC 21.67, GBP), Master Planned Development (RZC 21.76.07.P), and/or Innovative Housing Demonstration Projects (RZC 21.08.350). RZC 21.10.100.C establishes bulk dimensional requirements for development in the East Hill zone. Development on individual unit lots is not required to conform with all development standards that apply to individual lots, but the parent lot must conform to zoning standards. Each unit lot is required to comply with applicable building codes. *Exhibit 1, page 3; RZC 21.74.030.H.*

Proposed Improvements

9. The proposal would built fourteen fee simple, single-family attached townhomes in four separate structures, with two triplexes facing 167th Avenue NE and two four-plexes along the rear property line. Units would be built to LEED platinum standards with building envelopes designed to exceed the Washington State Energy Code. The development would provide parent lot setbacks of 25 feet to the front, ten feet to the rear, and side setbacks based on building height: six feet to north and fifteen feet to south side lines. Buildings would be a maximum height of 40 feet six inches. The project would access from 167th Avenue and a 20-foot wide private easement would provide vehicular and emergency vehicle access to each unit. Lots 1, 4, 5, and 8 would be encumbered with three-foot emergency pedestrian access easements for fire protection purposes. Units would be provided with decks and porches. *Exhibit 1, Attachment 4; Exhibit 1, Attachment 6; Exhibit 2, Slides 3-4.* Planning Staff indicated that each parent lot and each individual lot as proposed complies with the applicable site requirements for the East Hill zone. *Exhibit 1, page 4; Lisk Testimony.*
10. The Technical Committee concluded that the proposed site access is consistent with the Downtown Neighborhood Plan. The project would be required to dedicate 20 feet of right-of-way along 167th Avenue NE and to bring the property frontage up to current City standards. The proposed site access was approved as shown on the site plans. No traffic impact analysis was required for the project. *Exhibit 1, pages 7, 10-11.*
11. Each lot would be connected to municipal water and sewer service. Sewer service would require a developer extension agreement. Water service would require installation of water meters. All site utilities would be underground after construction. *Exhibit 1, pages 7, 11-12.*
12. Downtown Neighborhood residential developments require at least 100 square feet per residential unit of common usable open space, up to a maximum area equivalent to 20 percent of the site. However, units with at least 200 square feet of private usable open space of which the smallest dimension is no less than 10 feet may be excluded from the number of units required to contribute to the common open space. According to site plans, 12 of the 14 proposed units would include 200 square foot patios and are therefore excluded from the requirement to contribute to common open space. Therefore, 200 square feet of common open space is required per RZC 21.10.130(E)(1)(a). Despite testimony at hearing about common open space being provided in landscaped areas, the open space calculation on the site plans at Exhibit 1, Attachment 6 Sheet A1.1 states that no common open space is required and none is called out on the site plans. This is

inconsistent with the requirements of the code and the site plan needs to be revised to reflect compliance with this requirement. Per RZC 21.10.130.E.4, parking areas, driveways, and pedestrian access shall not be counted towards common open space; except, if the total width of the common usable open space is 18 feet or wider, any pedestrian path or walkway traversing through the open space may be considered as common usable open space. *Exhibit 1, page 15; Lisk Testimony; Exhibit 1, Attachment 6, Sheet A1.1.*

13. The subject property is down slope from a forested area north and east of the site. Runoff from 0.8 acres of the forested area enters the site in dispersed sheetflows from the north and east. A drainage swale located near the southeast corner of the site conveys drainage for 16 off-site acres through a narrowly incised ditch and a 12-inch corrugated metal pipe, which outlets to a short ditch near the west property line. As proposed, runoff from roofs would be conveyed by downspouts to an infiltration vault near the site access. Emergency overflow from the vault would be directed to the public storm system in 167th Avenue NE in underground pipes. The project would extend the public storm drain about 62 feet to the north in 167th Avenue. On-site treatment is not required; the site's overflow runoff would discharge to a regional facility and the project would pay a regional capital facilities charge. The existing ditch and 12-inch pipe that convey off-site flows through the site would be replaced by a designed swale that would have a public drainage easement over it. All stormwater improvements would be designed to comply with applicable requirements of the 2005 Department of Ecology Stormwater Management Manual for Western Washington. *Exhibit 1, Attachment 10.*
14. In its current condition, approximately 29% of the site is impervious, with the remaining 71% allowing infiltration of stormflows. As proposed, the site would retain only 20.7% of pervious surfacing. The Applicant submitted a critical areas report which included a level II hydrogeological report. The report indicated that with construction of the improvements, there could be a negligible effect on the aquifer recharge potential the groundwater basin upstream from the City supply wells; however, any effect is anticipated to be minimal. This is because much of the stormwater runoff from the new impervious surfaces would be channeled to on-site infiltration galleries and/or detention vault system. Overflow from this system would be channeled to City storm sewer system, which discharges after treatment into the Sammamish River. Some of these flows would enter the groundwater near City supply well Number 4. Finally, the report determined that the site's soils are not susceptible to liquefaction during an earthquake and that no slopes on-site constitute landslide or geologic hazards. *Exhibit 1, Attachment 10, page 11; Exhibit 1, Attachment 11.*

Compliance with Other Applicable City Development Standards

15. On October 17, 2012, the City's Technical Committee approved the project's Site Plan Entitlement application. In the course of site plan entitlement, the Technical Committee approved a deviation to private infiltration vault requirements to permit a low internal vertical height to facilitate maintenance via "vactor truck" and a second deviation to reduce standard setbacks from the structure and from the right-of-way. *Exhibit 1, Attachment 12.*

16. Students residing in the project would attend Lake Washington School District schools including Redmond Elementary, Redmond Middle School, and Redmond High. The proposed sidewalks would connect to the existing downtown sidewalk system that continues to the schools. The project would pay per lot school impact fees and also park impact fees prior to building permit issuance. *Exhibit 1, page 7; Lisk Testimony.*
17. Redmond Zoning Code Title 21.72 requires that all healthy landmark trees and 35 percent of all healthy significant trees be retained.² The Applicant submitted a professionally prepared arborist's report indicating that the site contains 12 significant trees, nine of which are healthy and proposed for removal due to placement of the proposed improvements. In support of the proposal, a tree removal exception request was submitted per RZC 21.72.090, requesting an exception of the requirement to retain the required 35% of significant trees on-site. The Technical Committee granted the exception request based on the site's location within the Downtown Neighborhood where compact infill redevelopment is highly encouraged, where the maximum lot coverage is generally 80% to 100%, and where retention of the existing trees would preclude the development of projects consistent with applicable standards. The Applicant proposes to replace those nine healthy significant trees at a 1:1 ratio, and an additional five trees are proposed in addition to required street trees. *Exhibit 1, pages 5-6; Exhibit 1, Attachments 6, 7, 8, and 9.*
18. The Applicant submitted conceptual landscape plans depicting proposed landscaping in setback areas, open spaces, site and building entrances, and pedestrian walkways. The proposed replacement trees are shown on the landscape plan. *Exhibit 1, Attachment 6, Landscape Plan.* Planning Staff indicated that the proposed landscaping achieves the required 20 points necessary to meet the eco-score standard for unit lot subdivisions and indicated that the landscape plan conforms to the City's landscaping requirements. *Exhibit 1, page 5.*
19. Planning Staff accepted and reviewed: the preliminary plan set; the site plan entitlement plan set; the SEPA checklist; a landscaping plan with tree replacement information; and a preliminary storm drainage report. Professional consultants retained by the Applicant prepared each report. The accepted plan set is dated December 10, 2012. *Exhibit 1, page 9.*
20. At hearing, one neighboring property owner provided public comment. Mr. Margolese noted that he was at first concerned about the project because had not seen elevations. However, the Applicant met with him on-site and he was able to see the elevations prior to the hearing. Mr. Margolese testified that he likes the proposal so well he hopes to copy it next door. *Margolese Testimony.*
21. The Technical Committee, which is comprised of staff from the Planning, Public Works, and Fire Departments, reviewed the Applicant's submittals for compliance with City

² Pursuant to RZC 21.78, landmark trees are those that are greater than 30 inches in diameter at breast height and significant trees are those that are between six and 30 inches in diameter at breast height.

codes and regulations and the Comprehensive Plan. The Technical Committee recommended project approval subject to conditions. *Exhibit 1, pages 1, 8-17; Lisk Testimony.*

22. At hearing, the Applicant waived objection to the recommended conditions of approval. *Pantley 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.

Unit Lot Subdivision Criteria for Review

Pursuant to RZC 21.74.030.B.1, the Examiner shall approve an application for unit lot 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:
 - 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.

Applicable Regulations

RZC 21.74.030.H: Unit Lot Subdivisions

1. *Applicability.* The provisions of this section apply exclusively to the unit lot subdivision of land for attached dwelling units that have land use approval through RZC 21.76.070.Y, Site Plan Entitlement; RZC 21.67, Green Building and Green Infrastructure Incentive Program (GBP); RZC 21.76.07.P, Master Planned Development; and RZC 21.08.350, Innovative Housing Demonstration Projects,
2. *Approval Process.* A unit lot subdivision shall follow the procedures established in RZC 21.76.050.G, Type II Review, if nine or fewer unit lots are proposed. Preliminary unit lot subdivisions shall follow the procedures established in RZC 21.76.050.H, Type III Review, if ten or more unit lots are proposed. Final unit lot subdivisions of ten or more lots shall follow the procedures established in RZC 21.74.030.G, Final Subdivision Procedures, of this chapter for final plats.
3. *Compliance with Prior Approvals.* Sites developed or proposed to be developed with single-family attached dwelling units may be subdivided into individual unit lots as provided herein. The development as a whole shall conform to the regulations of the zone that the site is located in and to the plans that were granted approval through provisions of this code, either: RZC 21.76.070.Y, Site Plan Entitlement; RZC 21.67, Green Building and Green Infrastructure Incentive Program (GBP); RZC 21.76.070.P, Master Planned Development; or RZC 21.08.350, Innovative Housing Demonstration Projects.
4. Development on individual unit lots is not required to conform with all development standards that typically apply to individual lots as long as the parent lot conforms to all such development standards. Each unit lot shall comply with applicable building codes. Fire protection for the buildings shall be based on the aggregate square footage on the parent lot.
5. Internal vehicular courts and driveways providing vehicular access to unit lots in the subdivision from public streets shall not be considered public or private streets when considering unit lot subdivisions.
6. Subsequent platting actions, additions, or modification to the structure(s) may not create or increase any nonconformity of the parent lot.
7. Access easements, joint use and maintenance agreements, and covenants, conditions, and restrictions (CC&Rs) identifying the rights and responsibilities of property owners and/or the homeowners association shall be executed for use and maintenance of common garage, parking, and vehicle access areas; underground utilities; common open space, such as common courtyard open space; exterior building facades and roofs; and other similar features, shall be recorded with the King County Department of Records and Elections.
8. Within the parent lot, required parking for a dwelling unit may be provided on a different unit lot than the lot with the dwelling unit, as long as the right to use the parking is formalized by an easement recorded with the King County Department of Records and Elections.

Findings, Conclusions, and Decision

Redmond Hearing Examiner

The Retreat Preliminary Plat, No. L120487PPL

9. The minimum residential density required for unit lot subdivision in the Sammamish Trail and Town Square Districts of Downtown shall be 35 dwelling units per acre. There shall be no minimum residential density requirements for unit lot subdivisions elsewhere in the City unless required by the zone in which the site is located.
10. Notes shall be placed on the face of the plat or short plat as recorded with the King County Department of Records and Elections to acknowledge the following:
 - a. Approval of the design of the units on each of the lots was granted by the review of the development, as a whole, on the parent lot by RZC 21.76.070.Y, Site Plan Entitlement; RZC 21.67, Green Building and Green Infrastructure Incentive Program (GBP); RZC 21.76.070.P, Master Planned Development; or RZC 21.08.350, Innovative Housing Demonstration Projects, stating the subject file application number.
 - b. Development, redevelopment, or rehabilitation of structures on each unit lot is subject to review and approval of plans that are consistent with the design of the surrounding structures on the parent lot as approved by the City through subject file number as stated in 10.a above.

Conclusions Based on Findings

1. As conditioned, the project would comply with applicable Comprehensive Plan and Downtown Neighborhood policies. The proposed single-family attached development with fourteen zero lot line units would be consistent with the envisioned infill single-family residential development of the Downtown area. *Findings 7, 8, and 21.*
2. The proposed fee-simple lots and parent lots would comply with applicable site requirements for East Hill-zoned portions of the Downtown Neighborhood. A condition of approval would ensure that the site plans are modified to reflect the correct common open space calculation and to show its location. *Findings 7, 8, 12, 15, 18, 19, and 21.*
3. The project complies with the administrative procedural requirements for preliminary plat applications. The Applicant satisfied all submittal requirements as of December 10, 2012 and conducted a public meeting. The required open record hearing was held after notice consistent with Code requirements. *Findings 2, 4, and 21.*
4. With conditions, the proposed street system would comply with the City of Redmond Arterial Street Plan and Downtown Neighborhood street plan. Right-of-way dedication and frontage improvements along 167th Avenue NE would bring the existing public road up to current City standards. Conditions would ensure that all road and infrastructure construction within rights-of-way are consistent with the final plans as approved during civil engineering review. *Findings 9, 10, and 12.*
5. The project would be adequately served with municipal water and sewer and other appropriate utilities, all of which would be underground. Stormwater runoff would be collected and infiltrated on-site, with overflow directed to the municipal storm sewer system. Conditions would ensure that construction of the stormwater management system would comport with the requirements of the City of Redmond Stormwater Technical Notebook as well as the DOE's 2005 Stormwater Management Manual for

Western Washington as adopted with modifications by the City. *Findings 11, 13, 14, and 15.*

6. The project would include sidewalks and internal pedestrian access that would provide safe walking conditions for school aged residents. Impacts to affected schools and parks would be mitigated through fee payment at time of building permit issuance. *Findings 9, 16, and 18.*
7. Site design would take topography into account. The majority of the site would be impacted due to the higher density residential infill nature of development in the Downtown Neighborhood. The Applicant's request for exception to the tree retention requirements was administratively approved to allow design consistent with the vision for unit lot developments in the East Hill zone. In building to the LEED platinum standard, the project would reduce impacts to the environment and to resource use. As proposed and conditioned, the project would embody the intended purpose of the zone. The proposal was reviewed for compliance with the requirements of the State Environmental Policy Act and a DNS was issued. *Findings 3, 5, 6, 14, 16, and 18.*

DECISION

Based on the preceding findings and conclusions, the request for approval of a preliminary plat subdividing 0.49 acres into 14 zero lot line single-family lots in the East Hill zoning district of the Downtown Neighborhood 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. The “Date Received” is the date that is stamped as “Received” by the Development Services Center.

Item	Date Received	Notes
Preliminary Plat Plans, pgs 1-3	12/10/2012	<i>and as conditioned herein.</i>
Site Plan Entitlement Plan Set [pp. A1.1; C-1 - C-4]	8/28/2012	<i>and as conditioned herein.</i>
SEPA Checklist	8/28/2012	<i>and as conditioned herein and as conditioned by the SEPA threshold determination on 9/28/2012.</i>
Landscape Plan	8/28/2012	<i>and as conditioned herein.</i>
Preliminary Stormwater Report	8/28/2012	<i>and as conditioned herein.</i>

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

1. Transportation and Engineering

Reviewer: Kurt Seemann, Senior Engineer

Phone: 425-556-2881

Email: kseemann@redmond.gov

- a. **Easements and Dedications.** Easements and dedications shall be provided for City of Redmond review at the time of civil drawing approval and finalized prior to recording of the final plat. The existing and proposed easements and right-of-way shall be shown on the civil drawings and short plat 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' wide sidewalk easement, granted to the City of Redmond, along all right-of-way including 167th Avenue NE.
- (b) 10' wide utility easement, granted to the City of Redmond, along all right-of-way including 167th Avenue NE.
- (b) At the time of construction, additional easements may be required to accommodate the improvements as constructed.

ii. Dedication of right-of-way are required as follows:

- (a) A strip of land 20 feet wide abutting the existing 167th Avenue NE right-of-way.

Code Authority: RZC 21.52.030; RZC 21.54; RZC 21.74; RMC 12.12; RMC 12.12

Condition Applies: Civil Construction, Short Plat Document

- b. **Construction Restoration.** In order to mitigate damage due to trenching and other work on 167th Avenue NE, the asphalt street shall be planed, overlaid, and/or patched, as determined by the Public Works Department.

Code Authority: RMC 12.08, Redmond Standard Specifications and Details

Condition Applies: Civil Construction

c. Street Frontage Improvements

- i. The frontage along 167th Avenue NE must meet current City Standards which include asphalt paving 30' from west face of curb to new east face of curb (approximately 16' of new roadway with appropriate tapers, type A-1 concrete curb and gutter, 5' wide planter strip, 6' wide concrete sidewalk, 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:

- 7 inches HMA Class ½" PG 64-22
- Subgrade compacted to 95% compacted maximum density as determined by modified Proctor (ASTMD 1557)
- Street crown 2% sloped to drain system

Code Authority: RZC 21.54; RZC 21.54.010; RZC 21.74;
RZC Appendix 2

Condition Applies: Civil Construction

- ii. 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(G), Appendix 2; Standard Specifications and Details Manual; RCW 47.24.020

Condition Applies: Civil Construction

d. Access Improvements

- i. The type and location of the proposed site access is approved as shown on The Retreat site plan prepared by NBE Engineers.

Code Authority: RZC 21.52.030(F); Appendix 2

Condition Applies: Civil Construction, Short Plat Document

- 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 21.54; RZC 21.74

Condition Applies: Civil Construction

- f. **Street Lighting.** Illumination of the street(s) along the property frontage 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:

<http://www.redmond.gov/Transportation/Resources/Engineering/IlluminationDesignManual/>

Code Authority: RZC 21.54; RZC 21.74, Appendix 2

Condition Applies: Civil Construction

2. Water and Sewer

Reviewer: Jim Streit, Senior Utility Engineer

Phone: 425-556-2844

Email: jstreit@redmond.gov

- a. **Water Service.** Water service will require the installation of water meters to be

connected to the existing main in 167th Avenue NE as shown on the drawings prepared by Nick Bossoff Engineering, Inc.
(Code Authority: RZC 21.54.010(B))

- b. Sewer Service.** Sewer service will require a developer extension of the City of Redmond sewer system as follows:
Install new 8-inch diameter sanitary sewer mains in the drive aisles as shown on the drawings prepared by Nick Bossoff Engineering, Inc.
The sewer main location shown on the site plan may not conform to City standard location. Revisions to comply with City standard locations may be required.
(Code Authority: RZC 21.54.010(B))
- 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 review. All easements must be recorded prior to construction drawing approval.
(Code Authority: RZC Appendix 3)
- d. Backflow Preventors:** Backflow preventors shall be used in the water supply system in accordance with City, State, and Federal requirements. (Code Authority: RMC 13.10) WAC 246-290-490 specifically addresses Cross-connection control devices and their specific use of premise isolation; reference Table 8 for the appropriate backflow isolation devices and Table 9 to determine if your proposed use is a high health cross-connection hazard.
- e. Permit Applications.** Water meter and side sewer applications shall be submitted for approval to the Development Services Division. Permits and meters will not be issued until all improvements are constructed and administrative requirements are approved. In certain limited circumstances, at the sole determination of the City of Redmond, water meter and/or side sewer permits may be issued prior to completion of improvements and/or administrative requirements. In such cases, various additional guarantees or requirements may be imposed as determined by the Development Services Division. All reimbursement fees shall be paid prior to sale of water and side sewer permits.
(Code Authority: RMC 13.08.010, 13.12)

3. Stormwater/Clearing and Grading

Reviewer: Jeff Dendy, Senior Engineer

Phone: 425-556-2890

Email: jdendy@redmond.gov

- a. Water Quantity Control:**

 - i. Provide for overflow routes through the site for the 100-year storm.
(Code Authority: RMC 15.24.080)

b. Water Quality Control

i. Provide a privately maintained infiltration system for the project site to infiltrate up to the 50-year return period storm.

Provide for overflow routes through the site for the 100 year storm runoff (100 year flow may not impact any buildings).

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

c. Public Stormwater Easements. Public easements will be required for any public stormwater conveyance systems on private property. No public storm easements are expected on this project. Prior to construction drawing approval, fully executed and recorded offsite easements shall be provided to the Development Services Division.

(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.

(Code Authority: RZC 21.54.010(D) and (E), Appendix 3)

g. Floodplain Management. Project does not lie in a designated flood hazard area.

(Code Authority: RZC 21.64.010; RZC 21.64.040)

h. Landscaping. No project specific conditions.

(Code Authority: RZC 21.32)

i. Wellhead Protection. Project lies in well head protection zone 2.

(Code Authority: RZC 21.64.010; RZC 21.64.050) RMC 13.07.100)

j. 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)

4. Fire Department

Reviewer: Barry Nilson, Deputy Fire Marshal

Phone: 425-556-2245

Email: bnilson@redmond.gov

The current submittal is generally adequate for Site Plan Entitlement Approval, but does not fully represent compliance with all requirements. The following conditions are

integral to Entitlement 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
 - b. Fire Protection Plan
 - c. Change or Modification
 - d. Fire Code Permit
 - e. Comment
- (Code Authority: RMC 15.06; RZC Appendix 2, RFD Standards, RFDD&CG)

5. Planning Department

Reviewer: Dennis Lisk, Associate Planner
Phone: 425-556-2471
Email: dwlisk@redmond.gov

- a. **Unit Lot Layout and Building Design**
The unit lot layout and building design shall substantially conform to the Site Plan Entitlement approval granted for project L120355. See attached Site Plan Entitlement Approval Letter (Attachment 12).

Code Authority: RZC 21.74.030(H).

- b. **Joint Use Easements, Maintenance Agreements, and CC&Rs**
Draft easements, maintenance agreements, and CC&Rs shall be provided for City review prior to the recording of the final plat. Such documents shall clearly specify responsibilities for building maintenance and shall specify that each unit lot on the parent lot shall conform to the Site Plan Entitlement approval granted under file number L120355, The Retreat Site Plan Entitlement.

Code Authority: RZC 21.74.030(e).

- c. **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
167 th Avenue NE	Hedge Maple <i>Acer campestre</i>	30 feet on center

(Code Authority: RZC 21.32.090)

- d. **Waste Management Approval.** The approved site plan and garbage/recycling enclosure detail must be submitted to Waste Management for review and approval. An approval letter from Waste Management must be submitted to the Planning Department prior to approval any associated building permit.
(Code Authority: RZC 21.38.020(F))

- e. **Design Review Board Approval.** The Design Review Board approved the proposed project at their September 20, 2012 meeting. Revised elevations or plans that reflect the conditions of approval issued by the Design Review Board must be submitted with the building permit application or civil drawings. All plans must be prepared by a licensed architect or licensed engineer. The Design Review Board's conditions of approval are:
 - i. Presentation Materials Inconsistencies:
 - a. Where inconsistencies between the floor plans and elevations are found after the Design Review Board has approved this project, the elevations approved by the Design Review Board at this meeting will prevail.
 - b. If after this Design Review Board approval, there are any inconsistencies found in the information provided for the elevations, floor plans, landscape plans, lighting plans, materials and color between the presentation boards and the 11" x 17" submitted drawings, the Design Review Board and the Redmond Planning Staff will review and determine which design will be followed.

- f. **Open Space.** Per RZC 21.10.130(E)(1)(a), within for Downtown residential developments, at least 100 square feet per residential unit of common usable open space must be provided, up to a maximum area equivalent to 20 percent of the site. Units with at least 200 square feet of private usable open space (like townhomes), where the smallest dimension is no less than 10 feet, may be excluded from the count of units that need to contribute to the common usable open space requirement. Twelve of the 14 proposed units will include 200 square foot patios and can be excluded from the count of units that need to contribute to common usable open space. The site plans indicate no common usable open space is required. This notation needs to be amended to reflect the 200 square feet required and the common open space needs to be shown on the site plan.
Code Authority: RZC 21.10.130(E)
Condition Applies: Final Plat Document

B. Compliance with City of Redmond Codes and Standards

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

Transportation and Engineering

RZC 21.10.150	Downtown Pedestrian System
RMC 6.36	Noise Standards
RZC 21.52	Transportation Standards
RZC 21.40.010(E)	Design Requirements for Parking Facilities
RZC 21.54	Utility Standards

RMC 12.08	Street Repairs, Improvements & Alterations
RMC 12.12	Required Improvements for Buildings and Development
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(G)(3)	Preconstruction Conference
RZC 21.76.090(F)	Performance Assurance
RZC Appendix 2	Construction Specification and Design Standards for Streets and Access
City of Redmond	Record Drawing Requirements, Version 10-2005 (2005)
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 21.54.010	Adequate Public Facilities and Services Required
RZC Appendix 3	Design Requirements for Water and Wastewater System Extensions
City of Redmond	Standard Specifications and Details (current edition)
City of Redmond	Design Requirements: Water and Wastewater System Extensions - January 2000.

Stormwater/Clearing and Grading

RMC 15.24	Clearing, Grading, and Storm Water Management
RZC 21.32.080	Types of Planting
RZC 21.64	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, Issue No. 5 (2007)
Department of Ecology	Stormwater Management Manual for Western Washington (revised 2005)

Fire

RMC 15.06	Fire Code
RZC Appendix 2	Construction Specification and Design Standards for Streets and Access
City of Redmond	Fire Department Design and Construction Guide 5/6/97
City of Redmond	Fire Department Standards

Planning

RZC 21.10:	Downtown
RZC Article III:	Design Standards
RMC 3.10	Impact Fees
RZC 21.32:	Landscaping
RZC 21.34:	Exterior Lighting Standards
RMC 6.36	Noise Standards
RZC 21.38	Outdoor Storage and Service Areas
RZC 21.40	Parking Standards
RZC 21.64	Critical Areas
RZC 21.44	Signs
RZC 21.48	Transfer of Development Rights (TDRs)
RZC 21.72	Tree Protection
RZC Appendix 1	Critical Areas Reporting Requirements

Building

RMC 15.08	Building Code
RMC 15.12	Electrical Code
RMC 15.14	Mechanical Code
RMC 15.16	Plumbing Code
RMC 15.18	Energy Code
RMC 15.20	Ventilation and Indoor Air Quality Code

DECIDED March 14, 2013.

By:



Sharon A. Rice
City of Redmond Hearing Examiner

Note: Type III decisions of the Hearing Examiner may be appealed to the City Council in a closed record appeal proceeding as provided in RZC 21.76.060.M. Any party with standing (detailed at RZC 21.76.060.M.2.a) may appeal this decision by filing the appropriate appeal form along with the required fee no later than 5:00 pm on the tenth business day following the expiration of the reconsideration period. See RZC 21.76.060.M for further detail on appeal requirements.