

**BEFORE THE CITY OF REDMOND
HEARING EXAMINER**

In the Matter of the Application of)	
)	NO. LAND 2014-02117
)	
The Quadrant Corporation)	Edgewood 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 11.5 acres of land into 50 single-family residential lots is **GRANTED** subject to conditions.

SUMMARY OF RECORD

Request

The Quadrant Corporation (Applicant) requested approval of a preliminary plat to subdivide 11.5 acres of land into 50 single-family residential lots. The subject property is located on the east side of 172nd Avenue NE at NE 122nd Street in Redmond, Washington.

Hearing Date

The Redmond Hearing Examiner conducted an open record hearing on the request on August 3, 2015. On the record at hearing, arrangements were made for the submission of additional information from Planning Staff after adjournment, which was timely submitted as Exhibits 2 and 6. The record was held open for Applicant response to Exhibits 2 and 6, but the Applicant timely indicated there was no response. The record closed on August 10, 2015, rendering a decision date of August 24, 2015.

Testimony

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

- Sarah Vanags, Planner, City of Redmond
- Steven Fischer, Redmond Development Review Planning Manager
- Jeff Dendy, Public Works Senior Engineer, City of Redmond
- Paulette Norman, City of Redmond Transportation and Engineering
- Matt Perkins, Applicant Representative
- Eric Enstrom, Goldsmith Engineering, Applicant Representative
- Trish Clements
- Susan Prince
- Davis Kester
- Thu Martin

Exhibits

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

1. Revised Technical Committee Report to the Hearing Examiner, with the following attachments:
 1. General Application Form
 2. Project Contact Form
 3. Vicinity Map
 4. Zoning Map
 5. SEPA Application Form
 6. Completeness Letter
 7. Public Notice Site Plan
 8. Public Notice Tree Preservation Plan
 9. Notice of Application and Certificate of Publishing
 10. SEPA Environmental Checklist
 11. Notice of Public Hearing and Certificate of Posting
 12. Plan Set
 13. Critical Areas Report by Raedeke Associates, dated November 19, 2014
 14. Preliminary Geotechnical Report by Terra Associates, dated April 21, 2014
 15. Green House Gas Emissions Worksheet
 16. Tree Health Assessment
 17. Landmark Tree Exception Request
 18. Tree Exception Approval Letter
 19. Title Report
 20. Level 1 Traffic Assessment and Concurrency Application by TENW, dated July 14, 2014
 21. Preliminary Stormwater Report by Goldsmith Land Development Services, revised June 2015
 22. Computation Worksheet
 23. Neighborhood Meeting Notice
 24. Public Comment (includes Liu and Karoor emails, and Stelzner letter)
 25. Pre-Development Hydrologic Modeling Plan by Raedeke Associates, dated March 31, 2015

26. Critical Aquifer Recharge Areas Report by Terra Associates, dated October 17, 2014
 27. Coversheet
 28. Fire Plan
 29. Landscape Plan
 30. Open Space Plan
 31. Transportation Plan
 32. Utility Plan
 33. Applicable Polices from the Comprehensive Plan
2. Memorandum from Sarah Vanags regarding school capacity information from the Lake Washington School District website, dated August 5, 2015
 3. Signal Warrant Analysis by TENW, dated August 20, 2014
 4. City of Redmond PowerPoint Presentation
 5. Thu and Greg Martin comment email, dated August 3, 2015
 6. Information submitted by Staff on August 5, 2015 regarding transportation, connectivity, and pedestrian facilities:
 - a. Transportation Dashboard, from the Redmond Transportation Master Plan, page 4
 - b. Map N-NR-5, North Redmond Supplemental Connections

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 11.5 acres of land into 50 single-family residential lots. The subject property is located on the east side of 172nd Avenue NE at NE 122nd Street in Redmond, Washington.¹ *Exhibit 1, page 1; Exhibit 1, Attachments 1, 12, Attachments 12, and 27.*
2. The preliminary plat application was complete on June 8, 2015. *Exhibit 1, Attachment 6.*
3. The subject property is located in the North Redmond Neighborhood. City of Redmond Comprehensive Plan policies applicable to the proposal have the following effects: allow new development where there are adequate public facilities and services; encourage sustainable development; provide flexibility through development regulations to promote efficient use of buildable land; promote a mix of housing for all income levels; provide incentives to minimize costs to the developer to provide affordable housing; require development to be designed to respect the natural features of the neighborhood; and

¹ The subject property is known as Tax Parcel No. 252605-9033. *Exhibit 1, Attachment 1.*

ensure that new single-family dwellings have living space as the dominant feature of the street elevation. *Exhibit 1, page 3; Exhibit 1, Attachment 33.*

4. The subject property is zoned R-4. *Exhibit 1, page 3.* The purpose of the R-4 zone is to:

[Provide] for primarily single-family residential neighborhoods on lands suitable for residential development with an allowed base density of four dwellings per gross acre. This designation provides for stable and attractive suburban residential neighborhoods that have a full range of public services and facilities. To complement the primarily residential nature of these zones, some nonresidential uses are allowed.

Redmond Zoning Code (RZC) 21.08.060.A.

5. The subject property is undeveloped and is surrounded by existing single-family residential development. All adjacent properties are within the Redmond city limits and are zoned R-4. *Exhibit 1, pages 3-4; Exhibit 1, Attachment 4.*
6. The minimum required density for the 11.5-acre site is 25 dwelling units, and the maximum required base density (not including bonus units) is 46 dwelling units. Utilizing the affordable housing bonus (described below), the Applicant proposes to develop 48 detached dwelling units and one duplex, for a total of 50 dwelling units. *Exhibit 1, page 3; Exhibit 1, Attachment 30.*
7. Pursuant to RZC 21.20.020-.030, all new single-family residential developments of ten units or greater in the North Redmond Neighborhood are required to provide ten percent of proposed units as affordable housing. In the instant application, the minimum number of affordable housing units required is five. Pursuant to RZC 21.20.030.D, each "low cost affordable housing unit" is counted as two affordable housing units for the purpose of satisfying minimum affordable housing.² Consistent with this requirement the Applicant proposes to develop three affordable housing units, including one detached single-family unit (proposed Lot 1) and two low cost duplex units (proposed Lots 19 and 20). Due to the low cost classification of the duplex units, the three units proposed are equivalent to five affordable housing units. The affordable housing provisions allow one bonus market-rate unit for each affordable housing unit and two bonus market-rate units for each low cost affordable housing unit, for a maximum bonus of five dwelling units in this case. However, the proposal would only make use of three of the bonus units. *Exhibit 1, page 3; Exhibit 1, Attachment 27; RZC 21.20.020 et seq.*
8. The Green Building and Green Infrastructure incentive program, established at RZC 21.08.330, provides incentives to implement green building and infrastructure development techniques in residential developments to reduce development impacts. The

² Pursuant to RZC 21.78, "L Definitions", Low-Cost Affordable Housing Unit is defined as housing reserved for occupancy by eligible households and affordable to households whose annual income does not exceed 50 percent of Median Income, adjusted for household size, and no more than 30 percent of the monthly household income is paid for monthly housing expenses.

incentive program establishes a list of sustainable development techniques for which points are awarded, as well as the incentives toward which points may be utilized. The instant proposal would provide drought-tolerant landscaping, earning a total of two points. The Applicant proposes to apply those two points towards the lot size reduction incentive, thereby reducing the required minimum lot size for all lots by 15%. *Exhibit 1, page 6*. With the lot reduction incentive the required average lot area is reduced from 7,000 square feet to 5,950 square feet. The proposed lots would average 6,508 square feet. *Exhibit 1, Attachments 22 and 27*.

9. All proposed lots have been designed to satisfy applicable bulk dimensional standards of the R-4 zone as modified by the green building incentives program (including minimum lot size, lot width circle, setbacks, minimum building separation, etc.). Compliance with the City's architectural standards would be reviewed at the time of building permit application. *Exhibit 1, pages 4-5; Exhibit 1, Attachment 12*.
10. The western portion of the subject property contains one Category IV wetland. The City's critical areas regulations require Category IV wetlands to be protected by a 50-foot buffer, but allow the buffer to be averaged if averaging would not reduce wetland functions or values, if the wetland contains variations in sensitivity and would benefit from averaging, if the total buffer area would not be reduced, and if the buffer width would not be reduced by more than 25%. *RZC 21.64.030(B)*. The Applicant proposes a small amount of buffer averaging (425 square feet total) along the north and south sides of the buffer. The proposed buffer reduction areas are places that have previously been cleared, and it appears that the proposed buffer replacement area would provide better wetland buffer function. The buffer width after averaging would be at least 40 feet at its narrowest point. The existing vegetative cover that screens the wetland would be largely retained, which would prevent the averaging scheme from reducing the functions and values of the wetland. The wetland and averaged buffer would be permanently protected in Tract C. *Exhibit 1, Attachments 13 and 30*.
11. No geologic hazards have been identified on the subject property. Based on a geotechnical report, the subject site is suitable for development as proposed. *Exhibit 1, Attachment 14*.
12. During the critical areas evaluation, no listed endangered, threatened, or sensitive species were observed on the subject property. *Exhibit 1, Attachment 13*. However, some of the trees on the subject property show evidence of foraging by pileated woodpecker, a state candidate species. The City recommended a condition of approval requiring that if signs of foraging are observed on any trees planned for removal from the proposed development area, that they be snagged and relocated to Tract C. *Exhibit 1, pages 9 and 22; Exhibit 1, Attachment 13*.

13. Redmond Zoning Code 21.72 requires that all healthy landmark trees and 35 percent of all healthy significant trees be retained.³ The health of existing trees on the subject property was assessed by a professional arborist who prepared a report dated May 21, 2015. According to the report, there are 780 trees six inches in diameter breast height (dbh) or greater which classifies them as significant, 10 of which are larger than 30 inches dbh, classifying them as landmark. Three hundred and ninety-eight of the significant trees are dead or are not viable. Of the net 382 trees, the Applicant proposes to retain 135 (none landmark), for a total retention of 35.3% of the healthy, significant trees on site. Most of the retained trees would be located within Tract B (Open Space), Tract C (Sensitive Area), and along the southern site boundary. The Applicant applied for, and obtained Department of Planning and Community Development approval of, a landmark tree exception request for the ten landmark trees proposed to be removed (RZC 21.72.090). The tree replacement requirement for the landmark trees is three replacement trees for each tree removed, and the tree replacement requirement for the other significant trees is one replacement tree for each tree removed, for a total of 267 replacement trees. The Applicant submitted a landscaping plan that incorporates the replacement trees in the design. *Exhibit 1, pages 8 - 9; Exhibit 1, Attachments 16, 17, 18, and 29.*
14. The City's open space requirements (RZC 21.08.170.L) may be satisfied on a lot-by-lot basis or on a combined development-wide and lot-by-lot basis. If provided on a lot-by-lot basis, the minimum required open space in the R-4 zone is 20% of the total lot area. If common open space is provided, the open space on individual lots may be reduced to 10% of the lot area, provided the remaining required open space is provided in common areas, with at least 25% of the required open space outside of critical areas. The instant proposal would set aside 100,188 square feet, or approximately 30% of the lot area, as common open space in Tract B (Open Space), Tract C (Sensitive Areas), Tract H (Stormwater Detention), and lot-by-lot open space within individual lots. The majority of the open space would be outside of critical areas. Tract H would provide active recreational opportunities. *Exhibit 1, pages 8 and 11; Exhibit 1, Attachments 22, 27, and 29; RZC 21.08.170.*
15. The zoning code requires new subdivisions to provide landscaping along the perimeter of the site to soften the transition between new and existing residences when the new dwellings are directly adjacent to developed lots or can be viewed from public streets or park areas. *RZC 21.08.180.* The proposal includes new landscaping along the entire site perimeter and internal street frontages, as well as numerous retained significant trees along the southern site boundary. *Exhibit 1, page 8; Exhibit 1, Attachment 29.*
16. Primary access to the subdivision would be from an extension of NE 122nd Street (a local access street) eastward from 172nd Avenue NE to 176th Avenue NE. Additional street connections to the north would be provided via 172nd Place NE and extensions of 174th Place NE and 175th Place NE, and to the south via an extension of 173rd Place

³ 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.

NE. These street connections are consistent with the City's Transportation Master Plan, and were planned for when the adjacent subdivisions were developed. Most lots would take direct access from NE 122nd Street (proposed to run through the center of the subject property), 173rd Place NE, or from private access tracts. The 172nd Avenue NE frontage would be improved to arterial standards, and the remaining public streets would be developed to local access standards. Required improvements include five-foot wide sidewalks and planter strips. The Technical Committee determined that the proposed street system complies with the Redmond Neighborhood Plan in the Comprehensive Plan, and recommended conditions to ensure the road improvements comply with the City's street standards. *Exhibit 1, pages 11-18; Exhibit 6; Exhibit 1, Attachment 31.*

17. The proposed development is expected to generate 561 weekday daily trips, including 57 weekday PM peak hour trips. The Applicant submitted a transportation concurrency application to the City of Redmond and would be required to pay transportation impact fees. The purpose of these fees is to fund a portion of the City's Transportation Facility Plan, the projects in which are intended to maintain, provide, and improve mobility in Redmond. *Exhibit 1, Attachment 20; RZC 21.52.010; RMC 3.10.* In addition to the Level 1 trip generation study, the Applicant provided a professionally prepared warrant analysis (study) studying the intersection of NE 124th Street / 162nd Place NE, which project is currently on the City of Redmond six year capital facilities program. The study considered future traffic conditions including trips anticipated from approved "pipeline" projects (meaning those approved but not yet built) and from the proposed subdivision, looking at the number and distribution of trips and checking future conditions against warrants for signalization at the study intersection. The warrant analysis study showed that future conditions including all pipeline projects and the instant proposal would meet a couple of signal warrants; however it is unclear from the evidence presented whether this information increases the priority of the project on the City's capital plan or would result in earlier installation of a signal. Traffic impact fees collected from the instant project would contribute, in part, to signalization of the study intersection. *Norman Testimony; Exhibit 3.*
18. The proposed lots would connect to municipal water and sewer service. Both water and sewer service require appropriate utility easements. All new utilities would be installed underground. *Exhibit 1, pages 11, 13, 14, 17, and 18; Exhibit 1, Attachment 32.*
19. Stormwater runoff from the developed portion of the site is proposed to be collected, detained, and treated in a stormwater vault to be developed in Tract H before discharge into the existing 176th Avenue NE drainage system. The stormwater system and vault must be designed in accordance with the requirements of the Washington State Department of Ecology's Stormwater Management Manual for Western Washington and the City of Redmond Technical Notebook. *Exhibit 1, Attachment 21; Enstrom Testimony.*
20. There are three wells within 1,300 feet of the subject property, and Monticello Creek is approximately 320 feet east of the subject property. Based on a Critical Aquifer Recharge Areas Report prepared for the project, the proposed

development would not adversely impact water quality or quantity in the off-site wells and would not have an adverse impact on groundwater recharge of Monticello Creek. *Exhibit 1, Attachment 26.*

21. The proposal was reviewed for compliance with Fire Code requirements by the Fire Department. The Fire Department recommended project approval subject to conditions that require each dwelling unit to be sprinklered and appropriate fire lane markings to be provided. These conditions were incorporated into the Applicant's submitted Fire Plan. *Exhibit 1, page 21; Exhibit 1, Attachment 28.*
22. There is a safe walking route between the subject property and schools within a one-mile radius of the subject property. *Exhibit 1, page 12.*
23. Although in general the Lake Washington School District has capacity to serve additional students, the schools in the North Redmond area are overcrowded. As a consequence, the School District has announced a plan to reassign students to schools with capacity. The plan takes into account students from the proposed development and addresses capacity through 2018. In addition, the plat is subject to per lot school impact fees in accordance with Redmond Municipal Code (RMC) 3.10. *Exhibit 1, page 11; Exhibit 2.*
24. The City of Redmond Technical Committee acted as lead agency for review of the project's environmental impacts under the State Environmental Policy Act (SEPA), and issued a determination of non-significance (DNS) through the Optional DNS process on July 16, 2015. The SEPA comment period ended July 7, 2015. *Exhibit 1, Attachment 9; Exhibit 1, page 7.*
25. The Technical Committee, comprised of staff from the 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, pages 12-24.*
26. Notice of the August 3, 2015 open record public hearing on the application was posted on-site and at City Hall and the Redmond Library, published in the *Seattle Times*, and mailed to surrounding property owners within 500 feet of the site on July 13, 2015. *Exhibit 1, page 7; Exhibit 1, Attachment 11.*
27. In public comment on the application, surrounding property owners expressed concern regarding the traffic impacts of the development, particularly with respect to the driving route south on 172nd Avenue NE to NE 116th Street, and with respect to the extension of 173rd Place NE. Concerns were also raised regarding the environmental and wildlife impacts of the proposed tree removal, and the lack of parking on the proposed access tracts serving several of the lots.⁴ Neighbors from neighboring Monticello Estates

⁴ One public comment letter included in Attachment 24 to the Staff Report contained an objection to the proposed location of the affordable housing duplex, but based on the location described in the letter and the name of the adjacent subdivision, it appears that the writer was referring to the location of the affordable housing duplex

opposed the proposed low cost affordable housing duplex units, arguing that surrounding property owners had a reasonable expectation at the time they purchased their properties that the area would be developed solely with detached single-family residential development at or near market value. Neighbors also expressed concern about school crowding and about placement of school bus stops, noting that if the bus stops for the proposed plat are located in Monticello Estates, the burden of traffic interruptions from the new development would be borne unfairly by current land owners. One neighboring property owner on 173rd Place NE objected to the proposed connection between the new plat and her currently dead end street, alleging that people will use the new connection to cut through, thereby increasing traffic impacts to her property. *Exhibit 1, Attachment 24; Exhibit 5; Kester Testimony; Martin Testimony.*

28. City Transportation Staff responded to public comment, noting that it is true that residents of 173rd Place NE would experience increased traffic. The proposed plat would make five connections to the surrounding road network, effectively connecting five developments. Staff stated that is anticipated that traffic patterns will change as a result of these connections, as this is part of the greater plan: the more connections, the better the grid, the better distribution experienced by the grid as a whole. The City's overall circulation plan calls for these connections to be made at the time of development, and thus the proposal is consistent with the City's transportation plan. Staff noted that the proposed street system conforms with applicable requirements and that the project would provide sidewalks and planter strips on all new frontage. *Norman Testimony; Vanags Testimony; Exhibits 6a and 6b.*
29. Planning Staff also responded to public comment, noting that every plat must be reviewed for consistency with affordable housing standards. The placement of affordable housing units is not regulated in the adopted provisions. The City asked the Applicant to consider neighbor concerns but has no authority to require them to place the units in any specific location. Staff also noted that affordable housing units are required to sell for 80% of median home prices, which in the North Redmond Neighborhood would still result in very expensive homes. Persons on a list for affordable homes will have to qualify for the mortgages for these homes. Regarding schools, Planning Staff indicated that the City has no control over Lake Washington School District's changing of boundaries. If approved, each proposed home would pay a substantial school impact fee to the district to address capacity issues, bus routes, retrofitting existing schools, and purchasing property for new schools. *Vanags Testimony.*
30. In response to public comment regarding the location of affordable units, the Applicant representative noted that there were a number of issues with the site that dictated the proposed placement of the units, including topography, the wetland, the large number of road connections, and the irregular lot line on Lot 1. Given all considerations, the selected locations were best suited to the affordable housing units. The Applicant representative noted that all affordable units would be designed and built to meet all

contained in the nearby Edgewood East plat, which was considered at the same public hearing. The objection was addressed in the Edgewood East decision. *Exhibit 1, Attachment 24.*

applicable codes and design guidelines and would be quality products. Each lot would pay transportation, school, and recreation impact fees, which by code are designed to address capacity issues. *Perkins 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:
 - 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 standards, critical areas standards, open space and landscaping standards, and affordable housing requirements⁵, and would utilize code-established incentives for sustainable development techniques. The proposed street connections are consistent with the Comprehensive Plan. A SEPA determination of non-significance was issued for the project. *Findings 3, 6, 7, 8, 9, 10, 13, 14, 15, 16, 18, and 25.*
2. As conditioned, the proposal conforms to the requirements of the R-4 zone. The housing density proposed is within the allowed range. The lots satisfy the dimensional standards of the zone as modified through the Green Building and Green Infrastructure Incentive Program. Open space is to be provided in Tracts B, C, and H, and on the individual lots. Perimeter landscaping is provided to soften the transition between existing and proposed residential development. Compliance with the parking standard of the R-4 zone (two off-street parking spaces per dwelling unit per RZC 21.08.090) is included as a condition of approval and would be verified at the time of building permit review. *Findings 4, 6, 7, 8, 9, 14, 15, and 27.*
3. As conditioned, the proposal is consistent with the requirements of RZC 21.74, which include the Green Building and Green Infrastructure Incentive Program, and requirements for easements, utilities, and streets. *Findings 8, 16, 17, 18, 19, and 24.*
4. As conditioned, the proposal makes adequate provision for streets. Based on the evidence presented, the project's compliance with the City's concurrency requirements and payment of transportation impact fees would adequately mitigate the traffic impacts of the development. The project would contribute its proportional share to the signalization of the intersection of NE 124th Street / 162nd Place NE. The proposed street connections and stubs for future connection are consistent with the City's transportation plan. *Findings 16, 17, and 27.*
5. As conditioned, the proposal would be adequately served by utilities. *Findings 18 and 19.*
6. As conditioned, the proposal makes adequate provision for parks, recreation, and playgrounds. The open space in Tract H would provide recreational opportunities. The Applicant would be required to comply with the City's impact fee ordinance (RMC 3.10), which establishes a park impact fee. *Finding 14.*

⁵ Pursuant to RZC 21.20.050.B, developers may develop the required affordable housing units off-site, and preference in approving off-site affordable housing units is given when they are proposed in the same neighborhood planning area.

7. As conditioned, the proposal makes adequate provision for schools and school grounds. The project would pay a per-lot school impact fee to be used by the Lake Washington School District to address its capital needs. *Finding 23.*
8. As conditioned, the proposal makes adequate provisions for sidewalks and safe walking conditions for students. In addition to the existing off-site walking route, the project would provide sidewalks along all internal streets and along the frontage of exterior streets. *Findings 16 and 22.*
9. As conditioned, the proposal serves the public interest and makes appropriate provisions for the public health, safety, and welfare. The residences would contain fire sprinklers in accordance with Fire Department requirements. No impacts to off-site wells in the vicinity are anticipated due to stormwater management in compliance with City standards. The project would be required to pay fire, park, school, and transportation impact fees per RMC 3.10. *Findings 16, 17, 18, 19, 20, 21, and 24; RMC 3.10.*
10. Geotechnical considerations were identified, and all hazards and limitations to development have been considered in the design of streets and lot layout. In this case the only limitation to development is the Category IV wetland. The wetland and buffer would be permanently protected in Tract C, which as conditioned would also provide habitat for pileated woodpecker. *Findings 10, 11, and 12.*

DECISION

Based on the preceding findings and conclusions, the request for approval of a preliminary plat to subdivide 11.5 acres of land into 50 single-family residential lots 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	06/19/2015	<i>and as conditioned herein.</i>
SEPA Checklist	06/08/2015	<i>and as conditioned herein.</i>
Conceptual Landscaping Plan	06/08/2015	<i>and as conditioned herein.</i>
Conceptual Lighting Plan	06/08/2015	<i>and as conditioned herein.</i>
Proposed Tree Retention Plan	06/08/2015	<i>and as conditioned herein.</i>
Stormwater Design	06/08/2015	<i>and as conditioned herein.</i>

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

1. Development Engineering - Transportation and Engineering

Reviewer: Andy Chow, P.E., Engineer

Phone: 425-556-2740

Email: kachow@redmond.gov

- a. Easements and Dedications.** Easements and dedications shall be provided for City of Redmond review at the time of construction drawing approval and finalized for recording prior to issuance of a building permit. The existing and proposed easements and right-of-way shall be shown on the civil plans. Prior to acceptance of the right(s) of way and/or easement(s) by the City, the developer will be required to remove or subordinate any existing private easements or rights that encumber the property to be dedicated.
- i. Easements are required as follows:
- (a) 10-foot wide sidewalk and utilities easement, granted to the City of Redmond, along all right-of-way including 172nd AVE NE.
 - (b) 10-foot wide sidewalk and utilities easement, granted to the City of Redmond, along all right-of-way including 176th AVE NE.
 - (c) 10-foot wide sidewalk and utilities easement, granted to the City of Redmond, along all right-of-way including NE 122nd Street.
 - (d) 10-foot wide sidewalk and utilities easement, granted to the City of Redmond, along all right-of-way including 172nd PL NE.
 - (e) 10-foot wide sidewalk and utilities easement, granted to the City of Redmond, along all right-of-way including 173rd PL NE.
 - (f) 10-foot wide sidewalk and utilities easement, granted to the City of Redmond, along all right-of-way including 174th PL NE.
 - (g) 10-foot wide sidewalk and utilities easement, granted to the City of Redmond, along all right-of-way including 175th PL NE.
 - (h) 10-foot wide sidewalk and utilities easement, granted to the City of Redmond, along south right-of-way including Tract D (private road).
 - (i) At the time of construction, additional easements may be required to accommodate the improvements as constructed.
- ii. Dedications for right-of-way are required as follows:
- (a) New right-of-way lines joining at the intersection of 172nd AVE NE and NE 122nd Street shall connect with a 25-foot radius, or with a chord that encompasses an equivalent area. The area formed by this radius or chord shall also be dedicated as right-of-way.
 - (b) New right-of-way lines joining at the intersection of 176th AVE NE and NE 122nd Street shall connect with a 25-foot radius, or with a chord that encompasses an equivalent area. The area formed by this radius or chord shall also be dedicated as right-of-way.
 - (c) A strip of land 50 feet wide showing as NE 122nd Street in Transportation Plans prepared by Goldsmith dated on 6/1/2015.
 - (d) A strip of land 50 feet wide showing as 172nd PL NE in Transportation Plans prepared by Goldsmith dated on 6/1/2015.
 - (e) A strip of land 50 feet wide showing as 173rd PL NE in Transportation Plans prepared by Goldsmith dated on 6/1/2015.
 - (f) A strip of land 50 feet wide showing as 174th PL NE in Transportation Plans prepared by Goldsmith dated on 6/1/2015.

(g) A strip of land 50 feet wide showing as 175th PL NE in Transportation Plans prepared by Goldsmith dated on 6/1/2015.
(Code Authority: RZC 21.52.030 (G); RMC 12.12)

b. Construction Restoration. In order to mitigate damage due to trenching and other work on 172nd AVE NE and 176th AVE NE and NE 122nd Street, the asphalt street shall be planed, overlaid, and/or patched, as determined by the Development Engineering Division.
(Code Authority: RMC 12.08; Redmond Standard Specifications and Details)

c. Street Frontage Improvements

i. The frontage along 172nd AVE NE must meet current City Standards which include asphalt paving 18 feet from centerline to face of curb with appropriate tapers, type A-1 concrete curb and gutter, 5 feet wide planter strips, 5 feet 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:

- 4 inches HMA Class ½” PG 64-22
- 5 inches HMA Class 1” 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 21.52.030; 21.17.010 (F); RMC 12.12; RZC Appendix 3)

ii. The frontage along 176th AVE NE must meet current City Standards which include asphalt paving 14 feet from centerline to face of curb with appropriate tapers, type A-1 concrete curb and gutter, 5 feet wide planter strips, 5 feet wide concrete sidewalks, 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 21.52.030; 21.17.010 (F); RMC 12.12; RZC Appendix 3)

iii. The frontage along NE 122nd Street must meet current City Standards which include asphalt paving 14 feet from centerline to face of curb with appropriate tapers, type A-1 concrete curb and gutter, 5 feet wide planter strips, 5 feet wide concrete sidewalks, 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 21.52.030; 21.17.010 (F); RMC 12.12; RZC Appendix 3)

iv. The frontage along 172nd PL NE must meet current City Standards which include asphalt paving 14 feet from centerline to face of curb with appropriate tapers, type A-1 concrete curb and gutter, 5 feet wide planter strips, 5 feet wide concrete sidewalks, 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 21.52.030; 21.17.010 (F); RMC 12.12; RZC Appendix 3)

v. The frontage along 173rd PL NE must meet current City Standards which include asphalt paving 14 feet from centerline to face of curb with appropriate tapers, type A-1 concrete curb and gutter, 5 feet wide planter strips, 5 feet wide concrete sidewalks, 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 21.52.030; 21.17.010 (F); RMC 12.12; RZC Appendix 3)

vi. The frontage along 174th PL NE must meet current City Standards which include asphalt paving 14 feet from centerline to face of curb with appropriate tapers, type A-1 concrete curb and gutter, 5 feet wide planter strips, 5 feet wide concrete sidewalks, 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 21.52.030; 21.17.010 (F); RMC 12.12; RZC Appendix 3)

vii. The frontage along 175th PL NE must meet current City Standards which include asphalt paving 14 feet from centerline to face of curb with appropriate tapers, type A-1 concrete curb and gutter, 5 feet wide planter strips, 5 feet wide concrete sidewalks, 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 21.52.030; 21.17.010 (F); RMC 12.12; RZC Appendix 3)

viii. The frontage along Tract D (Private Road) must meet current City Standards which include asphalt paving 14 feet from centerline to face of curb with appropriate tapers, 2’ thickened edge and gutter, 5 feet wide concrete sidewalks (south 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:

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

(Code Authority: RZC 21.52.030; 21.17.010 (F); RMC 12.12; RZC Appendix 3)

ix. 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. The project is located along a state route, therefore WSDOT approval of the channelization plan is also required.

(Code Authority: RZC 21.52.030 (F); RZC Appendix 3; Standard Specifications and Details Manual; RCW 47.24.020)

x. Sidewalks constructed to City standards are required at the following locations:

- 172nd AVE NE
- 176th AVE NE
- NE 122nd Street
- 172nd PL NE
- 173rd PL NE
- 174th PL NE
- 175th PL NE
- Tract D (Private Road)

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

d. Access Improvements

i. The type and location of the proposed site accesses are approved as shown on the

Edgewood West transportation plans prepared by Goldsmith.

(Code Authority: RZC 21.52.030 (E); Appendix 3)

ii. Direct access to 172nd AVE NE will not be permitted. This restriction shall be indicated on the face of the civil plans and other final documents.

(Code Authority: RZC 21.52.030 (E))

ii. Direct access to 176th AVE NE will not be permitted. This restriction shall be indicated on the face of the civil plans and other final documents.

(Code Authority: RZC 21.52.030 (E))

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)

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/ConnectingRedmond/resources/IllumManual.asp>

(Code Authority: RZC 21.52.030 (F); Appendix 3)

2. Development Engineering – Water and Sewer

Reviewer: Jim Streit, P.E., Sr. Utility Engineer

Phone: 425-556-2844

Email: jstreit@redmond.gov

a. Water Service. Water service requires a developer extension of the City of Redmond water system as follows: install new 12-inch and 8-inch diameter ductile iron mains and a new pressure reducing valve vault as shown on the drawings prepared by Goldsmith Land Development Services dated May 7, 2015. Water meters with service lines from the new mains to each proposed lot will also be installed as shown on the drawings prepared by Goldsmith Land Development Services dated May 7, 2015.

(Code Authority: RZC 21.17)

b. Sewer Service. Sewer service requires a developer extension of the City of Redmond sewer system as follows: install new 8-inch diameter PVC sanitary sewer mains as shown on the drawings prepared by Goldsmith Land Development Services dated May 7, 2015. Side sewers from each new lot will be installed from

each lot to the new main as shown on the drawings prepared by Goldsmith Land Development Services dated May 7, 2015.
(Code Authority: RZC 21.17)

- c. **Easements.** Easements shall be provided for all water and sewer improvements as required in the Design Requirements for Water and Sewer System Extensions. Easements for the water and sewer mains shall be provided for City of Redmond review at the time of construction drawing approval. Offsite easements must be recorded prior to construction drawing approval.
(Code Authority: RZC 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)
- e. **Permit Applications.** Water meter and side sewer applications shall be submitted for approval to the Development Engineering Utility Division. Permits and meters will not be issued until all improvements are constructed and administrative requirements are approved. Various additional guarantees or requirements may be imposed as determined by the Utilities Division for issuance of meters and permits prior to improvements or administrative requirements being completed. All reimbursement fees shall be paid prior to sale of water and side sewer permits.
(Code Authority: RMC 13.08.010, 13.12)
- f. **Reimbursement Fees:** Reimbursement fees for connection of sewer are required in the amount of \$5,751.42. These fees are due prior to the sale of water and side sewer permits for this project.
(Code Authority: RMC 13.12.120)

3. Development Engineering – Stormwater/Clearing and Grading

Reviewer: Cindy Wellborn, P.E., Senior Stormwater Engineer

Phone: 425-556-2495

Email: cwellborn@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 combined detention/wetvault.
 - ii. Provide for overflow routes through the site for the 100-year storm.
(Code Authority: RMC 15.24.080)
- b. **Water Quality Control**
 - i. Basic water quality treatment shall be provided in a publicly maintained

combined detention/wetvault. Treatment is required for the 6-month, 24 hour return period storm.

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

- 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. Clearing and Grading.

- i. Vehicle Maintenance access for the combined detention/wetvault shall be provided pursuant to City of Redmond Clearing, Grading, and Stormwater Management Technical Notebook 8.6.9.1.
- ii. Connect the combined detention/wetvault discharge pipe to the existing storm system in 176th Ave NE.
- iii. Cut or fill slopes may not exceed 33 percent (3H:1V)
- iv. All retaining walls must have wall drains connected to conveyance system by catch basin or cleanout.

(Code Authority: RMC 15.24.080)

e. Temporary Erosion and Sediment Control (TESC).

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

(Code Authority: RMC 15.24.080)

f. Floodplain Management. No conditions

(Code Authority: RZC 21.64.010 and 20D.140.40)

- g. Landscaping.** All new landscaped areas within the project site are required to have compost amended soils. See City of Redmond Standard Detail 632 for requirements.

(Code Authority: RZC 21.64.060 (C))

- h. 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)

- i. Regional Capital Facilities Charge:** No conditions.

4. Fire Department

Reviewer: Barry Nilson, Deputy Fire Marsal

Phone: 425-556-2245

Email: bnilson@redmond.gov

The current submittal is generally adequate for Land-2014-02117 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:** Any new fire lane markings shall be on the same side of the street as the existing fire lanes are on. Tracts E, F, G, and the access to lot 22 shall have an EVAE. All EVAE's shall be written and ready to be recorded prior to signing the Mylar's.
- b. **Fire Protection Plan:** Hyrant spacing shall not exceed 600' on center in path of travel. No house shall be more than 300' from a hydrant.
- c. **Fire Code Permit:** All houses require a fire sprinkler system to be installed to NFPA 13D conditions.

(Code Authority: RMC 15.06; RZC Appendix 2, RFD Standards, RFDD&CG)

5. Planning Department

Reviewer: Sarah Vanags, Associate Planner

Phone: 425-556-2426

Email: svanags@redmond.gov

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

Street	Species	Spacing
NE 122 nd St/ 172 nd Pl NE/ 173 rd Pl NE/174 th Pl NE/175 th Pl NE	Red Oak	30' on avg.
NE 122 nd St/ 172 nd Pl NE/ 173 rd Pl NE/174 th Pl NE/175 th Pl NE	Big Leaf Maple	30' on avg. from next tree. The Big Leaf Maples will be folded in with Red Oak on corners.

(Code Authority: RZC 21.32.090)

- b. **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 plan showing the location of preserved trees and containing protection language approved by the City shall be

shown on the face of the deed or similar document and shall be recorded with the King County Department of Records and Elections.
(Code Authority: RZC 21.72.060 (D) (2))

- c. Final Critical Areas Report.** A final Critical Areas Report must be submitted with the civil construction drawings or building permit if civil construction drawings are not required. This includes any required planting, signage, fencing, wetland or stream enhancement, etc. that is required in the report.
(Code Authority: RZC 21.63, Appendix 1)
- d. 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.
(Code Authority: RZC 21.64.010(L), 21.64.010(J); RMC 15.24.080(2)(i))
- e. Hydrology Monitoring Plan.** Hydrologic monitoring results from 2015 measurements are to be submitted to the City as part of CCR as described in the project’s pre-development monitoring plan. A hydrologic monitoring plan for spring of 3 years post-development should be submitted to the City to demonstrate changes to the wetland as a result of the surrounding housing development.
(Code Authority: RZC 21.64.010 (L))
- f. Trees with Evidence of Past or Present Foraging.** Any tree proposed for removal from the developable site area showing evidence of foraging during the construction of the proposed Edgewood West subdivision shall be snagged and placed into the protected Tract C as “wildlife trees” or “hard snags” to ensure no foraging habitat is lost as a result of development activities.

B. Compliance with City of Redmond Codes and Standards

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

Transportation and Engineering

RMC 6.36:	Noise Standards
RZC 21.52:	Transportation Standards
RZC 21.40.010(E):	Design Requirements for Parking Facilities
RZC 21.54:	Utility Standards
RMC 12.08:	Street Repairs, Improvements & Alterations
RMC 12.12:	Required Improvements for Buildings and Development
RMC 12.16:	Highway Access Management
RZC 21.76.100(F)(9)(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, 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 21.17.010:	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 2000.

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, Issue No. 5 (2007)
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 21.44: Signs
RZC Appendix 1: Critical Areas Reporting Requirements

Building

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

DECIDED August 24, 2015.

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.