



**CITY OF REDMOND  
HEARING EXAMINER  
MINUTES**

**August 3, 2015**

Redmond City Council Chambers  
15670 NE 85<sup>th</sup> Street, Redmond  
6 p.m.

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**Hearing Examiner**

Sharon Rice, Offices of Sharon Rice,  
Hearing Examiner, PLLC

**Staff**

Sarah Vanags, Associate Planner  
Steven Fischer, Planning Manager  
Paulette Norman, Engineering and Construction  
Division Manager  
Jeff Dendy, Stormwater Engineer  
Jim Streit, Utility Engineer  
Cheryl Xanthos, Deputy City Clerk

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Convened: 6:00 p.m.

Adjourned: 9:55 p.m.

**I. CALL TO ORDER**

Hearing Examiner Sharon Rice convened the hearing at 6 p.m.

**II. DESCRIPTION OF HEARING SEQUENCE AND PROCEDURES**

Ms. Rice introduced the matters under consideration, reviewed the sequence of the hearing for the evening, and explained the proceedings. Ms. Rice noted that she will issue a decision on each application within 10 business days of the closing of the record.

Ms. Rice administered the swearing in of all those in attendance testifying on these matters, reminded the attendees that the proceedings were being recorded, and asked them to identify themselves for the record. The following staff and applicant representatives introduced themselves for the record:

Sarah Vanags, Associate Planner, City of Redmond  
Steven Fischer, Development Review, Planning Manager, City of Redmond  
Geoff Tamble, Applicant Representative  
Matt Perkins, Quadrant Homes, Applicant

**III. PUBLIC HEARING**

**A. EDGEWOOD EAST - Preliminary Plat (PPL)**

PPL LAND-2014-01424

Request: Subdivide one R-4 parcel in the North Redmond Neighborhood into 24 lots with 23 detached homes and one duplex

Location: 177XX 178<sup>th</sup> PI NE

Ms. Rice assigned the Technical Committee Report as Exhibit 1, identifying the following submitted attachments:

**Report 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 Area Report
14. Geotechnical Report
15. Green House Gas Emissions Worksheet
16. Tree Health Assessment
17. Landmark Tree Exception Request
18. Tree Exception Approval Letter
19. Title Report
20. Traffic Study
21. Stormwater Report
22. Computation Worksheet
23. Neighborhood Meeting Notice
24. Public Comment
25. Coversheet
26. Fire Plan
27. Grading Plan
28. Landscape Plan
29. Open Space Plan
30. Transportation Plan
31. Utility Plan

## STAFF PRESENTATION:

Ms. Sarah Vanags, Associate Planner, reported on the Edgewood East Preliminary Plat application:

- Vicinity Map;
  - located in the North Redmond Neighborhood;
- Property Description:
  - property zoned R-4;
  - critical Areas – Class 2 stream with associated buffers;
- Proposal:
  - subdivide one parcel into 24 lots with 23 detached homes and one duplex;
  - 43 percent open space including stream and buffer;
  - two affordable housing units;
  - utilize a green building infrastructure incentive program to reduce the average lot size;
- Site Plan:
  - new internal road: 178<sup>th</sup> PL NE;
  - stream and buffer are in Tract C;
- Tree Preservation Plan:
  - includes impacted trees counted as retained;
- Procedural summary:
  - Completeness: 06/02/2015 – Letter of Completeness issued and vested date;
  - Notice of Application:
    - 06/16/2015, comment period begins;
    - 07/07/2015, comment period ends;
  - SEPA (Optional DNS):
    - Determination will be issued with the notice of decision;
  - Notice of Public Hearing – issued 07/13/2015;
  - required to comply with the North Redmond regulations;
- Neighborhood Comments:
  - neighborhood meeting – 01/15/2015; comments and concerns received related to school over capacity and traffic congestion;
  - the Lake Washington School District has made a temporary reallocation for new North Redmond neighborhoods to take students to schools with less capacity;
- Preliminary Plat Decision Criteria;
  - conformance with the goals, policies, and plans in the Redmond Comprehensive Plan – meets the goals and policies of the Comprehensive Plan, citywide policies, and neighborhood-specific policies for North Redmond;
  - site requirements for the Residential Zone – base density allows 28 units, and proposed density is 25 dwelling units;
  - submittal requirements – meets the submittal requirements on file and deemed complete on 06/02/2015;
  - providing housing types that effectively serve the affordable housing needs of the community – project will provide two affordable housing units (as a duplex);
  - street and sidewalks – the proposed street system conforms to the City of Redmond’s Arterial Street Plan and Neighborhood Street Plans, and is laid out in such a manner as to provide for the safe, orderly and efficient circulation of traffic – 5-foot sidewalks to

- be provided along the new local street and will connect to 122<sup>nd</sup> Street; the duplex will be the only units to have direct access to 122<sup>nd</sup> Street;
- the proposed preliminary subdivision will be adequately served with City-approved water and sewer, and other utilities appropriate to the nature of the subdivision – a new stormwater detention facility will be built;
- the proposed preliminary subdivision will be adequately served with parks, recreation and playgrounds appropriate to the nature of the subdivision – informal recreational opportunities available throughout the site; minimum open space required is 20 percent; the proposal provides 43 percent open space including lot-by-lot, common open recreation space and the protected tract with stream and buffer;
- the proposed preliminary subdivision will be adequately served with City-approved schools and school grounds appropriate to the nature of the subdivision – the proposed plat has been conditioned to pay school impact fees upon issuance of building permits for each single-family lot;
- the proposed preliminary subdivision will be adequately served with City-approved sidewalks and safe walking conditions for students who walk to and from school, appropriate to the nature of the subdivision – there are currently safe walking routes from the development for students who walk to and from school;
- the layout of lots, and their size and dimensions take into account topography and features or constraints on the site in order that buildings may be reasonably sited, and with the least disruption of the site; the stream will remain completely undisturbed, both during and after construction;
- North Redmond Neighborhood Regulations, RZC 21.08.180 (complies with all applicable regulations); and
- Conditions of Approval – staff recommends approval subject to conditions of approval contained in the Technical Committee Report.

Ms. Vanags and other City staff provided the following information, in response to Ms. Rice's inquires:

- school district information regarding moving students to schools at less capacity will be provided (labeled Exhibit 2);
- the optional DNS was issued on June 16, 2015, when the Notice of Decision was issued;
- no comments on the DNS;
- the placement of the affordable housing on the perimeter of the development is a concern to other neighbors regarding property values;
- the development is in compliance with the affordable housing rules, but the City can't dictate location of the affordable housing, and the homes are allowed to have access to streets in the neighboring development;
- Comprehensive Plan policies will be provided;
- park, transportation, fire, and school impact fees are required for the project;
- portions of the plat do not vest at time of completeness;
- does not know what EVAE stands for;
- a Phase 2 Traffic Analysis wasn't triggered due to expected trips generated;
- critical area aquifer requirements didn't meet the concern level to add additional restrictions; and

- the adjacent native protected growth area won't be able to be accessed to remain protected and will possibly be blocked by a fence.

Ms. Vanags submitted the following exhibits to the record and Ms. Rice assigned them accordingly:

- PowerPoint Presentation, 08/03/15 Hearing – Exhibit 3
- Addendum to Critical Aquifer Recharge Area Report – Exhibit 4
- Additional Public Comment from David Kester – Exhibit 5

### **APPLICANT PRESENTATION:**

Mr. Matt Perkins, Quadrant Homes, stated that the project complies with all City Codes and the Comprehensive Plan; the affordable housing units were placed due to site planning and topography, and will be good quality and design; and impact fees will be paid.

Mr. Geoff Tamble, Applicant Representative, stated that EVAE stands for Emergency Vehicle Access Easement and there is no tract E on the plan and should be removed from the report.

Mr. Tamble provided the following information, in response to Ms. Rice's inquires:

- Stormwater will be collected and conveyed in a public system within 178<sup>th</sup> PL NE, and conveyed through Tract B; water will be stored, treated and discharged into the stream.
- The stream and buffer area should be left alone.

Mr. Jeff Dendy, City of Redmond Stormwater Engineer, stated that the City has adopted the 2005 Washington State Department of Ecology Manual.

### **PUBLIC TESTIMONY:**

Ms. Rice called for any of those present wishing to provide public testimony on this matter.

Mr. Tom Cossette spoke of concerns regarding the location of the affordable housing; designation changes for neighborhood; and the discrepancy in the notice for the hearing.

Mr. David Kester spoke of concerns regarding affordable housing; traffic ingress and egress; and plans for mitigation.

Mr. Brian Lee spoke of concerns regarding affordable housing and a map of the location.

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

City staff provided the following information in response to the public comment:

- correct notice information was provided;
- the City does not regulate the placement of the homes;
- the map showed the placement of the stormwater vault and not the duplex;
- there will be an increase in traffic; and
- the plat will be required to put in frontage improvements and will complete the intersection.

The applicant provided the following information in response to the public comment:

- the duplex will have two separate lots with a zero lot line and a shared wall;
- Tract B will have a two cell stormwater vault; and
- alternative sites for the affordable housing were considered, but is not possible due to topography.

Ms. Rice stated the City will submit the Lake Washington School District information regarding new students in North Redmond, identifying schools that will serve the plat, location, and if there is a safe walk route or if the district will provide busses (labeled Exhibit 2).

The Applicant will be given the opportunity to review the submitted document and provide a response, if any (labeled Exhibit 6).

**CONCLUSION:**

Ms. Rice stated that the record will close on August 10, 2015, and the decision will be issued on August 24, 2015.

*(The hearing recessed at 7:05 p.m. and reconvened at 7:10 p.m.)*

**B. EDGEWOOD WEST - Preliminary Plat (PPL)**

PPL            LAND-2014-02117

Request:        Develop a 51 single-family lot subdivision in the North Redmond Neighborhood R-4 zone; the development will be comprised of 46 market rate and five affordable housing units for a total of 51 units

Location:       East of 172<sup>nd</sup> Ave and 122<sup>nd</sup> St NE

Ms. Rice assigned the Technical Committee Report as Exhibit 1, identifying the following submitted attachments:

**Report 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 Area Report
14. Geotechnical Report
15. Green House Gas Emissions Worksheet
16. Tree Health Assessment
17. Landmark Tree Exception Request
18. Tree Exception Approval Letter
19. Title Report
20. Traffic Study
21. Stormwater Report
22. Computation Worksheet
23. Neighborhood Meeting Notice
24. Public Comment
25. Hydrology Monitoring Plan
26. Critical Area Recharge Report
27. Coversheet
28. Fire Plan
29. Landscape Plan
30. Site Plan
31. Transportation Plan
32. Utility Plan

Ms. Rice reviewed the matter and the procedure; administered the swearing in of all those in attendance testifying on these matters; reminded the attendees that the proceedings were being recorded; and asked them to identify themselves for the record. The following staff and applicant representatives introduced themselves for the record:

Sarah Vanags, Associate Planner, City of Redmond  
 Steven Fischer, Development Review, Planning Manager, City of Redmond  
 Erik Enstrom, Goldsmith Engineering, Applicant Representative  
 Matt Perkins, Quadrant Homes, Applicant

**STAFF PRESENTATION:**

Ms. Vanags reported on the Edgewood West Preliminary Plat application:

- Vicinity Map;
  - located in the North Redmond Neighborhood;
- Property Description:
  - property zoned R-4;
  - critical Areas – Category 4 wetlands;
- Proposal:
  - subdivide an 11-acre site into 50 lots with 48 detached homes and one duplex;
  - 30 percent open space including the wetlands;
  - one affordable housing unit and one duplex;
  - utilize a green building infrastructure incentive program to reduce the average lot size;
- Site Plan:

- six connections to neighboring developments;
- Tree Preservation Plan:
  - majority of retained trees are on the perimeter of the property;
  - all trees are being retained inside of the protected tract;
- Procedural summary:
  - Completeness: 06/08/2015 – Letter of Completeness issued and vested date;
  - Notice of Application:
    - 06/16/2015, comment period begins;
    - 07/07/2015, comment period ends;
  - SEPA (Optional DNS):
    - Determination will be issued with the Notice of Decision;
  - Notice of Public Hearing – issued 07/13/2015;
  - required to comply with the North Redmond regulations;
- Neighborhood Comments:
  - neighborhood meeting – 06/03/2015; comments and concerns received related to location of the affordable housing and the street connections;
  - three comments were provided regarding the Notice of Application during the comment period;
- Preliminary Plat Decision Criteria;
  - conformance with the goals, policies, and plans in the Redmond Comprehensive Plan – meets the goals and policies of the Comprehensive Plan, citywide policies, and neighborhood-specific policies for North Redmond;
  - site requirements for the Residential Zone – base density allows 46 units (51 with bonus), and proposed density is 50 dwelling units;
  - submittal requirements – meets the submittal requirements on file and deemed complete on 06/08/2015;
  - providing housing types that effectively serve the affordable housing needs of the community – project will provide one detached affordable housing unit and two affordable housing units as a duplex;
  - street and sidewalks – the proposed street system conforms to the City of Redmond’s Arterial Street Plan and Neighborhood Street Plans, and is laid out in such a manner as to provide for the safe, orderly and efficient circulation of traffic – 5-foot sidewalks to be provided along the new frontage and connections;
  - the proposed preliminary subdivision will be adequately served with City-approved water and sewer, and other utilities appropriate to the nature of the subdivision;
  - the proposed preliminary subdivision will be adequately served with parks, recreation and playgrounds appropriate to the nature of the subdivision – informal recreational opportunities available throughout the site; minimum open space required is 20 percent; the proposal provides 30 percent open space including lot-by-lot, common open recreation space, and the protected tract with wetland and associated buffer;
  - the proposed preliminary subdivision will be adequately served with City-approved schools and school grounds appropriate to the nature of the subdivision – the proposed plat has been conditioned to pay school impact fees upon issuance of building permits for each single-family lot;
  - the proposed preliminary subdivision will be adequately served with City-approved sidewalks and safe walking conditions for students who walk to and from school, appropriate to the nature of the subdivision – there are currently safe walking routes



- from the development for students who walk to and from school; students in all new subdivisions built in North Redmond (after 2014) will attend schools with less capacity;
- the layout of lots, and their size and dimensions take into account topography and features or constraints on the site in order that buildings may be reasonably sited, with the least disruption of the site - the water levels in the wetlands will be monitored for three years post-development and the wetland and buffer will remain completely undisturbed;
- North Redmond Neighborhood Regulations, RZC 21.08.180 (complies with all applicable regulations); and
- Conditions of Approval – staff recommends approval subject to the conditions of approval contained in the Technical Committee Report.

Ms. Vanags and other City staff provided the following information, in response to Ms. Rice’s inquires:

- school district information regarding moving students to schools at less capacity will be provided (labeled Exhibit 2);
- a Phase 1 traffic study and Signal Warrant Analysis was completed; a signal is planned to be installed in 2020; Signal Warrant Analysis for NE 124<sup>th</sup> St and 162<sup>nd</sup> PL NE will be provided (labeled Exhibit 3); traffic impact fees pay a portion of many projects in the area; and
- this development will pay its portion of impact fees.

Ms. Vanags submitted the following exhibit to the record and Ms. Rice assigned them accordingly:

- PowerPoint Presentation, 08/03/15 Hearing – Exhibit 4
- Additional Public Comment from Thu and Greg Martin – Exhibit 5

**APPLICANT PRESENTATION:**

Mr. Matt Perkins, Quadrant Homes, stated that the project complies with all City Codes and the Comprehensive Plan; the affordable housing units were placed due to site planning, topography, road connections, and an irregular lot line.

Mr. Erik Enstrom, Applicant Representative, stated that stormwater will be collected in a closed conveyance system in the public roadway and will go to an underground stormwater vault. Once treated, it will discharge into an existing stormwater system. The stormwater vault will be dedicated to the City.

**PUBLIC TESTIMONY:**

Ms. Rice called for any of those present wishing to provide public testimony on this matter.

Mr. David Kester spoke of concerns regarding affordable housing and putting the burden on the neighboring development; traffic ingress and egress and plans for mitigation; school overcrowding; and bus stop locations.

Ms. Thu Martin spoke of concerns regarding school overcrowding and converting 173<sup>rd</sup> Place to a through street.

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

City staff provided the following information in response to the public comment:

- 173<sup>rd</sup> Place will be converted to a through street due to increasing traffic connections to reduce traffic as a whole in the area;
- City regulations and Code citations will be provided to the Hearing Examiner regarding traffic connections (labeled Exhibit 6);
- the City is required to ensure every plat provides 10 percent affordable housing, the placement of lots is not regulated through the Zoning Code;
- the City asked the Applicant to review the location of the affordable housing; and
- reallocation of students and bus stops are under the scope of the school district not the City.

The Applicant provided the following information in response to the public comment:

- the affordable units will comply with City code and design standards; and
- impact fees are paid to help with school capacity issues.

Ms. Rice stated the City will submit the Lake Washington School District information regarding new students in North Redmond, identifying schools that will serve the plat, the location of the schools, and if there is a safe walk route or if the district will provide busses (labeled Exhibit 2); and policies and regulations regarding connectivity.

The Applicant will be given the opportunity to review the submitted documents and provide a response, if any.

## **CONCLUSION:**

Ms. Rice stated that the record will close on August 10, 2015, and the decision will be issued on August 24, 2015.

*(The hearing recessed at 7:55 p.m. and reconvened at 8:00 p.m.)*

### **C. TERRENE AT 132ND - Preliminary Plat (PPL)**

PPL                    LAND-2014-02307

Request:            Subdivide four parcels and a total of 6.55 acres in to 22 lots for the purpose of constructing 21 single-family detached homes and one duplex.

Location:           11016 132<sup>nd</sup> Ave NE

Ms. Rice assigned the Technical Committee Report as Exhibit 1, identifying the following submitted attachments:

### **Report 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 Area Report
14. Geotechnical Report
15. Green House Gas Emissions Worksheet
16. Tree Health Assessment
17. Landmark Tree Exception Request
18. Tree Exception Approval Letter
19. Title Report
20. Traffic Study
21. Stormwater Report
22. Computation Worksheet
23. Neighborhood Meeting Notice
24. Haney Sewer Response
25. Public Comment
26. Coversheet
27. Fire Plan
28. Landscape Plan
29. Open Space Plan
30. Transportation Plan
31. Tree Preservation Plan
32. Utility Plan

Ms. Rice reviewed the matter and the procedure; administered the swearing in of all those in attendance testifying on these matters; reminded the attendees that the proceedings were being recorded; and asked them to identify themselves for the record. The following staff and Applicant representatives introduced themselves for the record:

Sarah Vanags, Associate Planner, City of Redmond  
Steven Fischer, Development Review, Planning Manager, City of Redmond  
Kevin Rech, Terrene Homes, Applicant  
Vicki Orrico, Applicant Representative  
Todd Oberg, Blueline, Applicant Representative

## STAFF PRESENTATION:

Ms. Vanags reported on the Terrene at 132nd Preliminary Plat application:

- Vicinity Map;
  - located in the Willows/Rose Hill Neighborhood off of 132<sup>nd</sup>;
  - borders the City of Kirkland;
- Property Description:
  - property zoned R-4;
  - critical areas – steep slope;
- Proposal:
  - subdivide 6.55 acres into 22 lots with 21 single-family detached homes and one duplex;
  - 52 percent open space including the steep slope and associated buffer;
  - utilize a green building infrastructure incentive program to reduce the average lot size;
- Site Plan:
  - internal street will be constructed and include added frontage;
- Tree Preservation Plan:
  - majority of retained trees are in the protected tract and on the perimeter of the property;
  - 43.4 percent tree retention;
- Procedural summary:
  - Completeness: 05/26/2015 – Letter of Completeness issued and vested date;
  - Notice of Application:
    - 06/09/2015, comment period begins;
    - 06/30/2015, comment period ends;
  - SEPA (Optional DNS):
    - Determination will be issued with the Notice of Decision;
  - Notice of Public Hearing – issued 07/13/2015;
  - required to comply with the Willows/Rose Hill regulations;
- Neighborhood Comments:
  - neighborhood meeting – 04/02/2015; comments and concerns received related to the utility easement for the sewer connection;
  - six comments were provided regarding the Notice of Application during the comment period on the sewer easement, removal of mature trees, and traffic;
- Preliminary Plat Decision Criteria;
  - conformance with the goals, policies, and plans in the Redmond Comprehensive Plan – meets the goals and policies of the Comprehensive Plan, City-wide policies, and neighborhood-specific policies for the Willows/Rose Hill Neighborhood;
  - site requirements for the Residential Zone – base density allows 20.5 units (22 with bonus), and proposed density is 22 dwelling units;
  - submittal requirements – meets the submittal requirements on file and deemed complete on 05/26/2015;
  - providing housing types that effectively serve the affordable housing needs of the community – project will provide two affordable housing units as a duplex;
  - street and sidewalks – the proposed street system conforms to the City of Redmond’s Arterial Street Plan and Neighborhood Street Plans, and is laid out in such a manner as to provide for the safe, orderly and efficient circulation of traffic – 5-foot sidewalks to be provided along the new frontage and connections, and an easement is being provided to provide the for the possibility of a pedestrian path to the adjacent community;

- the proposed preliminary subdivision will be adequately served with City-approved water and sewer, and other utilities appropriate to the nature of the subdivision – a new stormwater detention facility will be located to the south of the steep slope protected tract;
- the proposed preliminary subdivision will be adequately served with parks, recreation and playgrounds appropriate to the nature of the subdivision – informal recreational opportunities available throughout the site; minimum open space required is 20 percent; the proposal provides 52 percent open space including lot-by-lot, common open recreation space and the protected tract with the steep slope and associated buffer;
- the proposed preliminary subdivision will be adequately served with City-approved schools and school grounds appropriate to the nature of the subdivision – the proposed plat has been conditioned to pay school impact fees upon issuance of building permits for each single-family lot;
- the proposed preliminary subdivision will be adequately served with City-approved sidewalks and safe walking conditions for students who walk to and from school, appropriate to the nature of the subdivision – there are currently safe walking routes from the development for students who walk to and from schools in the City of Redmond; however, some schools are in the City of Kirkland and may not have a safe walk route;
- the layout of lots, and their size and dimensions take into account topography, vegetation and steep slope on the site in order that buildings may be reasonably sited, and that the steep slope and the surrounding habitat will remain undisturbed;
- complies with all applicable regulations of the Willows/Rose Hill Neighborhood, and will be required to meet additional design requirements; and
- Conditions of Approval – staff recommends approval subject to conditions of approval contained in the Technical Committee Report.

Ms. Vanags submitted the following exhibit to the record and Ms. Rice assigned it accordingly:

- PowerPoint Presentation, 08/03/15 Hearing – Exhibit 2
- Additional Public Comments – Exhibit 3
- Letter from Linda Pruitt – Exhibit 4
- Updated landscaping plan, cover sheet, and utility plan – Exhibit 5

Ms. Vanags and other City staff provided the following information, in response to Ms. Rice's inquires:

- plat was reviewed by the City of Kirkland who made no other requirements;
- staff does not know what schools will serve the development, but can provide to the Hearing Examiner;
- the school district was not informed of the development and did not provide comments;
- school impact fees will be paid by the development;
- cooperative parking agreement was struck out in the revised Technical Committee Report;
- a smaller lot doesn't trigger any additional traffic analysis; the trips are in primarily the City of Kirkland; and the plat will be required to pay traffic impact fees;
- sewer comments are related to an easement on the adjacent north development that is in a yard; the other option is to put a utility in the steep slope and disturb a protected area; anything disturbed will have to be replaced at 100 percent;

- the general sewer plan shows the connection on the property (labeled Exhibit 6) and there will be some disruptions during construction;
- City staff has reviewed the plat according to the Zoning Code and the project is keeping an excess of tree retention and no protected birds or animals have been seen; quite a bit of debris and invasive vegetation on-site; and
- no invasive species will be removed from Tract 999, and will remain a protected area.

**APPLICANT PRESENTATION:**

Mr. Kevin Rech, Terrene Homes, Vicki Orrico, Applicant Representative, and Todd Oberg, Blueline, Applicant Representative, provided the following information:

- the project complies with all City Codes and the Comprehensive Plan, and the Neighborhood Plan;
- the Applicant has the right to use the easement to put in the sewer facilities and deed to the City; will be disruptive to the adjacent community; and will restore the plantings after the sewer work has been completed; and
- the re-submitted plan was for tree retention.

Ms. Vanags stated that the adjacent community declined to allow a pedestrian connection.

**PUBLIC TESTIMONY:**

Ms. Rice called for any of those present wishing to provide public testimony on this matter.

Ms. Bridget Agabra spoke of concerns regarding tree removal.

Mr. Rew Adams spoke of concerns regarding the sewer easement and access to property; stability of property; no benefit to neighborhood; safe walk route to school; and admitted a comment into the record (labeled Exhibit 7).

Ms. Lily McKee spoke of concerns regarding effects of the sewer plan and connections to the neighboring community.

Ms. Lydia Bagwell spoke of concerns regarding the sewer easement and the impact on the Conover Commons community; mitigation; and admitted a comment into the record (labeled Exhibit 8).

Mr. Bill Kotsogean spoke of concerns regarding access to property; keeping current cable provider; mitigation; and a utility easement.

Ms. Alison Jones spoke of concerns regarding traffic impact and the impact of digging up a resident's yard for the sewer.

Ms. Wilma Manchester spoke of concerns regarding the impact on the Conover Commons residents; traffic; noise; and open space.

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

City staff provided the following information in response to the public comment and Ms. Rice's inquiries:

- the Applicant is required to replace the trees or provide fee-in-lieu of;
- the traffic concerns are on a City of Kirkland road, and Kirkland did not ask for any other mitigation measures;
- City of Kirkland traffic concerns will be submitted to the record (labeled Exhibit 9);
- gaps in the safe school walk route is in the City of Kirkland;
- access to homes during construction will be provided;
- one curb cut is allowed per property;
- the City has no control over cable company providers;
- no additional comment to Exhibit 8;
- City Code requiring parking requirements and access during construction;
- Construction Inspector and Code Enforcement can be contacted with issues during construction; and
- a three-year bond is required for the sewer work.

The Applicant provided the following information in response to the public comment and Ms. Rice's inquiries:

- sewer boring can't be done in the existing easement;
- access will be maintained at all times;
- potential for brief utility outages;
- no fences proposed for property lines;
- working within the available legal easements; and
- communication has been challenging with the Conover Commons community.

Ms. Rice stated the City will submit the sewer plan and communication from Kirkland from their review of the project; and Mr. Rew Adams will provide his emailed comments.

The Applicant will be given the opportunity to review the submitted documents and provide a response, if any.

## **CONCLUSION:**

Ms. Rice stated that the record will close on August 7, 2015, and the decision will be issued on August 28, 2015, as the Applicant agreed to give the Hearing Examiner an additional five business days to issue the decision.

## **IV. ADJOURNMENT**

The public hearing closed at 9:55 p.m., and the meeting adjourned.