BEFORE THE HEARING EXAMINER
FOR THE CITY OF REDMOND

In the Matter of the Application of	)	NO. L110508
	)	
	)	
Kjell Olsson	)	**Olsson Sewer Main Extension**
	)	
	)	
For approval of an Alteration to a Geologic Hazard Area	)	FINDINGS, CONCLUSIONS, AND DECISION
	)	

SUMMARY OF DECISION

The request for approval of an alteration to a geologic hazard area for installation of approximately 500 feet of sewer main extension across Parcel number 3426059002, located west of Willows Road and owned by Aerojet General Corporation, for future service to Parcel number 3426059071, owned by the Applicant, is **GRANTED,** subject to conditions.

SUMMARY OF RECORD

Request

Kjell Olsson (Applicant) requested approval of an alteration to a geologic hazard area for installation of approximately 500 feet of sewer main extension across Parcel number 3426059002, located west of Willows Road and owned by Aerojet General Corporation (Aerojet), for future service to Parcel number 3426059071. The Aerojet property subject to the application (subject property), which contains the geologic hazard area in question, is addressed as 11411 - 139th Place NE, Redmond, Washington.

Hearing Date

The Redmond Hearing Examiner conducted an open record hearing on the request on July 9, 2012.

Testimony

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

Thara Johnson, Associate Planner, City of Redmond
Judd Black, Planning Manager, City of Redmond
Dave Almond, Public Works Senior Engineer, City of Redmond
Jim Streit, P.E. Sr. Utility Engineer, City of Redmond
Greg Wilson, Applicant Representative

Exhibits

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

1. Technical Committee Report to the Hearing Examiner, issued June 15, 2012, with the following attachments:

    1. General Application Form
    2. Vicinity Map
    3. Zoning Map
    4. SEPA Application Form
    5. Completeness Letter
    6. Notice of Application and Certificate of Publishing
    7. SEPA Determination of Non-Significance, Addendum & Environmental Checklist
    8. Notice of Public Hearing and Certificates of Posting
    9. Site Development Plans
    10. Wetland and Stream Mitigation Plan (Sheets 1-3)
    11. Wetland and Stream Delineation Report
    12. Critical Areas Report (Geotechnical Aspects)
    13. Arborist Report and Tree Preservation Plan
    14. Tree Replacement Plan
    15. Olsson Sewer Main Extension Narrative
    16. Comprehensive Plan Map, Sewer Plan, North Willows Basin, Figure 4-17
    17. Public comments (email) from Karen Walter, Muckleshoot Indian Tribe Fisheries Division, and City's responses thereto, various dates

2. Planning Staff's PowerPoint Presentation slides
3. Correspondence from Jeffrey Robb, Aerojet General Corporation, dated July 9, 2012
4. Section 4, Sewer System Evaluation, Pages 4-44, 4-45[1]
5. Second Amendment to Easement and Agreement (unsigned), between Aerojet General Corporation and the Applicant
6. Revised recommended conditions of approval VII.A.5.f, submitted July 12, 2012 as requested on the record

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

FINDINGS

Procedural Background

1. The Applicant requested approval of an alteration to a geologic hazard area in order to construct a sewer main extension to serve future residential development on 10.38 acres (the Olsson property, Parcel number 3426059071) between Willows Road and the western city limits. The proposal would extend approximately 500 feet of sewer main to the Applicant's property across steep slopes on the adjacent subject property (Parcel

[1] This document is the cover sheet to the map in the record at Exhibit 1, Attachment 16. *Streit Testimony*.

number 3426059002) owned by Aerojet, tying in to an existing sewer manhole at the intersection of 137th Place NE and NE 112th Way. *Exhibit 1, page 1; Exhibit 1, Attachments 1 and 9; Johnson Testimony*.

2. The application was submitted December 6, 2011 and deemed to be complete on the same day. *Exhibit 1, page 2; Exhibit 1, Attachments 1 and 5*. Notice of Application (NOA) for this proposal was published, mailed to surrounding property owners, and posted on December 29, 2011. During the NOA public comment period, the City received no public comments. *Exhibit 1, page 3; Exhibit 1, Attachment 6*.

3. The City of Redmond Technical Committee, acting as SEPA Responsible Official, issued a determination of non-significance (DNS) for the proposal on April 9, 2012. On the same date, notice of the DNS was mailed to the Applicant and surrounding property owners and was posted on-site and at City Hall. The SEPA comment period ran through April 23, 2012, during which time the Muckleshoot Indian Tribe Fisheries Division submitted a comment questioning the rating of two affected streams. Planning Staff conducted a site visit, reviewed the Applicant's critical areas report, and finally concluded that the stream classifications in the critical areas reports were accurate, which they communicated to the individual who submitted the comment. The DNS was not appealed and became final on May 9, 2012. *Exhibit 1, pages 4; Exhibit 1, Attachment 7; Johnson Testimony*.

4. Notice of the July 9, 2012 Public Hearing for this project was posted on the site, at City Hall, and at the Redmond Regional Library on June 18, 2012. Notice of hearing was mailed to property owners within 500 feet of the site and to parties of record on the same date and included in a one-time newspaper publication. *Exhibit 1, page 4; Exhibit 1, Attachment 8; Johnson Testimony*.

5. The subject property is surrounded by business park uses north and south of the proposed sewer line extension. The Olympic Gas Pipeline and Puget Sound Transmission line easements are located on the Olsson property, west of the project area. *Exhibit 1, page 3; Exhibit 2, slide 2; Exhibit 1, Attachment 6, Vicinity Map*.

Site Description

6. The 25.4-acre subject property is owned and occupied by Aerojet General Corporation, an aerospace and defense contractor. The eastern portion of the site is developed with five commercial buildings, roads, parking areas, and associated landscaping. The western portion of the site where the sewer extension is proposed is densely vegetated with second growth forest and underbrush. Aerojet has agreed to convey an easement to the Applicant for construction of the sewer main from 137th Place west to the Olsson property. Outside of the existing road, the portion of the sewer extension subject to the instant application (the easement area) is proposed to be 20 feet wide and approximately 385 feet long, to be built on an east facing slope. The upper, western-most portion of the easement (adjacent to the Olsson parcel) has an inclination of about ten percent. About 70 feet east of the Olsson property boundary, the slope steepens to a grade ranging from approximately 25 to 35 percent. About 80 feet west of the toe of the slope, the easement

crosses a narrow, relatively flat bench that is apparently manmade. Immediately downslope of this bench, the grade steepens again to approximately 45 percent over a height of about 20 feet. This portion of the slope is thought to have resulted from a cut associated with construction of 137th Place NE located at the toe of the slope. A short distance south of the easement, the north flank of a drainage ravine contains slopes ranging from 40 to 50 percent over a maximum height of about 60 feet. *Exhibit 1, Attachment 12*.

7. The portions of the easement and adjacent areas that contain slopes at grades in excess of 40 percent meet the Redmond Zoning Code definitions for landslide hazard areas and erosion hazard areas. In addition, according to the Applicant's geotechnical report, the easement area and surrounding land are mapped as Alderwood gravelly sandy loam (AgD) and the sediments encountered by the Applicant's consultants verify this classification. Based on this soil type, all of the easement area with grades exceeding 15 percent meet Redmond CAO's definition of an erosion hazard area. *Exhibit 1, Attachments 11 and 12*.

8. In light of the drainage ravine on-site, the Applicant commissioned a professionally prepared critical areas study of the easement area to delineate streams, wetlands, and associated buffers that could be affected. The wetland and stream delineation report identified two streams within the study area, which contains the easement and adjacent potentially affected land. The first, Stream A located near the southern property boundary, was determined to be a perennial stream flowing east down the hillside and through a wetland (Wetland A) until reaching a ditched feature that also contains the flow from a second stream (Stream B). Stream A is documented by the City of Redmond's Streams Map as a Class IV stream.[2] Stream B is contained in a concrete-lined ditch running north to south along a private drive at the eastern boundary of the study area. Stream B appears to convey groundwater from the adjacent hillside. While not mapped by the City of Redmond, Stream B is mapped by King County (iMAP, King County's online GIS mapping). Streams A and B converge approximately 50 feet south of the proposed sewer main. Since the two streams converge just downstream of the easement area, the Applicant's consultants determined that fish use and accessibility is the same for both streams, resulting in a Class IV classification for Stream B. Because Stream B was low during the consultants' March site visit, and based on information from employees of the adjacent business suggesting that the stream does not flow perennially, Stream B upstream of the confluence with Stream A was classified as seasonal. *Exhibit 1, page 5-6; Exhibit 1, Attachments 10 and 11*.

9. Stream buffers required by the Redmond critical areas ordinance (CAO) are based on a range of criteria including classification, location, and permanence of flow. Pursuant to RZC 21.64.020.B.3, perennial Class IV streams must be provided a standard buffer width of 36 feet. Seasonal Class IV streams require 25-foot buffers. Thus, Stream A requires a

[2] RZC 21.64.020.A.2.d(iv): "Class IV" streams are those natural streams that are not Class I, Class II, or Class III. They are either perennial or intermittent, do not have fish or the potential for fish, and are non-headwater streams.

36-foot buffer and Stream B requires a buffer of 25 feet. *Exhibit 1, page 5-6; Exhibit 1, Attachments 10 and 11.*

10. One 3,735 square foot wetland, Wetland A, was identified within the project boundary sloping downhill from west to east with the general topography along the eastern end of Stream A. *Exhibit 1, Attachment 10.* According the wetland rating system adopted by the RZC, Wetland A scored 20 points for water quality functions, 18 points for hydrologic functions, and 19 points for habitat functions. Its total score of 57 points classifies it as a Category II wetland. Pursuant to the Redmond CAO, wetland buffers are based on wetland category, habitat score, water quality score, and the intensity of the adjacent land use. Pursuant to the CAO, commercial, industrial, and institutional land uses are considered "high intensity". Category II wetlands adjacent to high-intensity land uses with habitat scores of less than 20 points and water quality function scores of less than 24 points require a 100-foot buffer. *Exhibit 1, Attachment 11; RZC 21.64.030.B.2(a).*

11. According to the critical areas report, City of Redmond Critical Areas Map 64.2 depicts a narrow wildlife corridor spanning the study area from north to south and critical wildlife habitat encompassing the entire project site and a large surrounding area. The report indicates that there are no Fish and Wildlife Habitat Conservation Areas in or directly adjacent to the study area and that, according to online Priority Habitat and Species Data from Washington Department of Fish and Wildlife, no federally or state listed endangered, threatened, candidate, or priority species are present on the subject property or its immediate vicinity. *Exhibit 1, Attachment 11.*

Project Information and Analysis of Submitted Materials

12. The project would remove all vegetation for the length of the 20- by 385-foot easement corridor. The sewer main would be installed in a trench located within the easement. A 10-foot-wide graveled access area would be provided at the east end of the easement adjacent to 137th Place NE. The west end of the easement, connecting to the Olsson property at a point conducive to future residential development, would also be graveled once construction is complete and the trench is backfilled; the western graveled area would extend into the Olsson property. All disturbed easement area that is not graveled would be hydroseeded upon completion. Erosion control measures would be left in place until revegetation plantings are established. *Exhibit 1, Attachments 9, 10, and 15.*

13. The Olsson property abuts the city limits to the west, so it is not possible to connect to Redmond's sanitary sewer through NE 112th Place. In addition, the land slopes up to the west and it is less economically feasible and reliable to pump sewer mains uphill. Due to the location of Redmond sewer mains, it is not feasible to connect the Olsson property to municipal sewer from any location except the existing main at 137th Place NE on the subject property. Because of the north-south slopes on-site, it is not possible to extend the sewer connection without crossing the landslide hazard area, Stream B, and the buffer for Wetland A. *Streit Testimony; Exhibit 1, Attachment 10, Figure 3; Exhibit 1, Attachment 16.*

14. The Applicant submitted a geotechnical report prepared by professionals who evaluated the site for geotechnical safety issues. The report looked at two soil profiles for slope stability. The first, soil profile A-A, was located along the proposed easement and the second, profile B-B, extended through the easement and the adjacent drainage ravine located south of the easement. The report found no indications of instability and, based on the soils encountered, rated the two soil profiles with factors of safety of approximately 2.7 and 1.9 respectively. Minimum factors of safety were shown to be exceeded for both seismic and static conditions. The report provided recommendations to address vegetation removal and grading activities within the landslide hazard area and associated buffer, including:

- Off-site sediment transport should be controlled through the use of silt fences and re-establishment of vegetation after construction is completed.
- The geotechnical consultant should be present on the site on a part-time basis during trenching to monitor the site for slope stability impacts and trench sidewall.
- The geotechnical consultant should be on the site full-time during placement of trench backfill to provide compaction testing of fill.
- Erosion control monitoring should be conducted during and following any significant rainfall events.

The geotechnical consultant did not recommend any minimum buffer between the sewer line easement and the adjacent steep slope in the drainage ravine. *Exhibit 1, pages 10-11; Exhibit 1, Attachment 12.*

15. As designed, the project would avoid and minimize impacts to the critical areas to the maximum extent possible. No direct impacts to Wetland A or Stream A would result. A short segment of Stream B would be placed in a 12-inch culvert to allow construction of the graveled access area at the east end of the easement. Culverting Stream B would not adversely affect its functions compared to its present concrete ditch condition. Installation of the graveled access at the east end of the easement would permanently impact 113 square feet of overlapping wetland and stream buffer. A total of 2,951 square feet of overlapping wetland and stream buffer would be temporarily affected by clearing for construction. Except for the graveled access, the remainder of the easement would be replanted. *Exhibit 1, Attachment 10.*

16. Mitigation for the project's unavoidable impacts is proposed through on-site in-place restoration, placement of large woody debris along Stream A, and conifer infill plantings in the wetland buffer. Mitigation for temporary impacts would take the form of buffer restoration at a1:1 ratio of the entire 2,951 square foot impacted area. Because tree roots can harm sewer mains, plantings would consist of a dense native shrub community, including nut and berry species intended to provide forage for wildlife. Twenty log segments, cut from removed trees to lengths of six to eight feet, would be hand placed in Stream A's riparian corridor to reduce erosion and flood hazards in the channel. Because the easement restricts the Applicant's ability to expand the mitigation area, and because the overlapping buffer is already in good condition, options for mitigation are limited.

Proposed infill conifer plantings would cover 1,846 square feet of the overlapping wetland and stream buffers to mitigate the 113 square feet of permanent impacts from the graveled access. The mitigation area would be monitored twice annually for five years, with monitoring reports submitted to the City annually. *Exhibit 1, Attachment 10.*

17. The Olympic Natural Gas Pipeline runs north-south on the Olsson property west of the easement area. The Redmond Zoning Code requires new development to be set back if adjacent to the pipeline corridor; however, pursuant to RZC 21.26.040, utilities are exempt from the setback criteria. Planning Staff recommended a condition of approval requiring the contractor to notify the pipeline operator and City Fire service prior to construction and requiring that adequate precaution be taken during construction to prevent damage to the pipeline. *Exhibit 1, page 10; Exhibit 1, Attachment 9.*

18. According to the Applicant's critical areas report, project impacts to the wildlife corridor would be minor and temporary. No new impervious surface or structures are proposed. Existing vegetation within the easement corridor consists largely of deciduous trees, and revegetation would include some trees; however, plants directly over and adjacent to the sewer main would be limited to shrubs in compliance with City standards for sewer easements. The 20−foot−wide easement would be replanted with native berry- and nut-producing shrubs immediately after construction. In the opinion of the Applicant's consultants, the easement's interruption to the wildlife corridor would be unlikely to adversely impact wildlife due to its narrowness. Trees on either side would eventually form a closed or nearly closed canopy across the easement and the plantings would provide dense cover within the understory. Birds and small to medium sized mammals would have sufficient cover to cross and utilize the area. Revegetation would increase diversity, providing forage and cover for wildlife. Future disturbances to the area would only occur in the event that sewer maintenance becomes necessary. Any such disturbance would be mitigated by replanting new native shrubs immediately afterwards. *Exhibit 1, Attachment 11.*

19. The City's Comprehensive Plan Sewer Plan Map identifies the vicinity of the subject property as the North Willows Basin. The Sewer Plan calls out the need for a sewer main extension east of 132nd Avenue NE on NE 113th and NE 112th Place. The Comprehensive Sewer Plan North Willows Basin Figure 4-17 shows a sewer extension through the area of the proposed project as Planned Project NW-2. *Streit Testimony; Exhibit 1, Attachment 16; Exhibit 4.*

20. The Redmond Zoning Code requires all healthy landmark trees and 35 percent of all healthy significant trees be saved. *RZC 21.72.060*. Landmark trees are greater than 30 inches in diameter at breast height, and significant trees are between six and 30 inches in diameter at breast height. Because the western portion of the subject property covers a large area and is heavily forested, the City did not require an inventory of the entire property. The Applicant submitted a professionally prepared arborist's report evaluating 33 trees within and 24 trees adjacent to the easement. The report found 29 trees within the easement to be significant. A health assessment of the trees adjacent to the easement showed that the adjacent trees to be retained are healthy. The project would require

removal of all remove 29 significant trees within the easement. The remainder heavily forested property would not be impacted. Redmond's tree protection code exempts utilities and streets from tree protection permit requirements; however, replacement is required for all trees removed. The critical areas mitigation plan shows ten Douglas firs and ten western red cedars would be replanted just north and south of the eastern end of the easement. In addition, the submitted tree replacement plan shows 29 replacement trees (Thunder Cloud Plums) to be planted near the main campus entrance to the Aerojet property in an area served by an existing irrigation system. *Exhibit 1, pages 4-5; Exhibit 1, Attachments 10 and 14.*

21. The Applicant submitted a previously recorded easement executed with Aerojet; however, the easement had an expiration date of June 1, 2012. An amended easement with an expiration date of October 31, 2013, drafted by Aerojet, had been signed by the Applicant and returned to Aerojet for final signatures prior to the hearing. Representatives from Aerojet were unable to attend the public hearing, but submitted an email indicating their authorization for the project to proceed on their property. In light of the lack of a recorded easement and absent the site owner's signature on the application, Planning Staff recommended a condition of approval that reads:

> Prior to City approval of Civil Construction Drawings, a copy of an updated recorded easement agreement between the property owners – Aerojet Corporation and Olsson - shall be provided to the City; which provides legal permission for construction of a sewer line on the Aerojet property.

The Applicant agreed to this requirement verbally on the record. *Exhibit 1, Attachment 15; Exhibit 3; Exhibit 5; Exhibit 6; Johnson Testimony; Wilson Testimony*.

22. The accepted plan set is dated May 14, 2012. Planning Staff accepted and reviewed: the SEPA checklist; an arborist's report; tree replacement plan; the wetland and stream delineation report and mitigation plan; and a geotechnical report. Professional consultants retained by the Applicant prepared each report, and the City accepted each report as satisfying the applicable RZC requirements for pre-development review. The Technical Committee, comprised of staff from the Planning, Public Works, and Fire Departments, reviewed the Applicant's submittals for compliance with City codes and regulations and recommended project approval subject to conditions. *Exhibit 1, pages 1, 11-12; Johnson Testimony*.

23. At hearing, the Applicant waived objections to the recommended conditions of approval in the Technical Committee report. *Wilson Testimony*.

24. There was no public comment at the open record hearing on the application.

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CONCLUSIONS

Jurisdiction

The Hearing Examiner is authorized to conduct open record hearings and issue decisions on Type III permits, including alterations to geologic hazard areas, pursuant to RZC 21.76.050.B and .C.

Criteria for Review

Pursuant to RZC 21.76.070.E, the Examiner shall approve an application for alteration to geologic hazard areas if findings can be entered showing the following criteria are satisfied:

a. There is no reasonable alternative to locating in a Landslide Hazard Area. Alternative locations which would avoid impact to the Landslide Hazard Area are shown to be economically or functionally infeasible.

b. A geotechnical evaluation has been conducted to identify the risks of damage from the proposal, both on-site and off-site, and to identify measures to eliminate or reduce risks. The proposal shall not increase the risk of occurrence of the potential geologic hazard.

c. Impacts shall be minimized by limiting the magnitude of the proposed construction to the extent possible, any impacts must be eliminated or mitigated by repairing, rehabilitating, restoring, replacing, or providing substitute resources consistent with the mitigation and performance standards set forth in RZC 21.64.010(L) and (M).

Conclusions Based on Findings

1. There is no reasonable alternative to locating the proposed sewer extension in the landslide hazard area. The proposed sewer line was identified as a planned utility project in Redmond's Comprehensive General Sewer Plan. Regardless of its specific location, extension of this sewer line would cross the subject property's steep slopes. As proposed, the alignment minimizes impact to the subject property and to the on-site wetland and streams. The design terminates the sewer extension at the Olsson property where it would be most feasible to serve future residential development. *Findings 12, 13, 15, and 19.*

2. The submitted geotechnical report evaluated the proposed design in light of site conditions and determined that, assuming compliance with geotechnical recommendations, the proposal would not reduce slope stability on or off-site and would not increase the risk of occurrence of geologic hazards. City Staff determined that the geotechnical report complied with applicable CAO reporting standards and accepted it. A condition of approval would ensure that site clearing and construction complies with the recommendations of the geotechnical report. *Findings 14 and 22.*

3. As conditioned, impacts would be avoided to the extent possible and unavoidable impacts would be minimized and mitigated. No increased risk for geologic hazard is anticipated as a result of the proposal. The easement is limited to 20 feet in width.

The selected path of the sewer line avoids direct impacts to the wetland and Stream A. Only 29 significant trees would be removed from the densely forested project area, which would be replaced outside of the project area consistent with code. Conditions would ensure that erosion control measures are in place prior to construction and that the recommendations of the geotechnical report are followed during earthwork and construction. Permanent impacts to 113 square feet of overlapping stream and wetland buffer would be mitigated through 1,846 square feet of buffer enhancement. Temporary impacts to the buffers would be mitigated through revegetation with native plantings that would enhance forage and cover for wildlife in the area. The proposal was reviewed for compliance with SEPA requirements and a DNS was issued. *Findings 3, 12, 13, 14, 15, 16, 17, 18, and 20*.

DECISION

Based on the preceding findings and conclusions, the request for approval of an alteration to a geologic hazard area for installation of approximately 500 feet of sewer main extension across Parcel number 3426059002, located west of Willows Road and owned by Aerojet General Corporation, for future service to Parcel number 3426059071, owned by the Applicant, 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
Plan Set, [pages 1-2]	05/14/2012	*and as conditioned herein.*
SEPA Checklist	12/06/2011	*and as conditioned herein and as conditioned by the SEPA threshold determination on April 9, 2012.*
Proposed Tree Retention Plan	03/20/2012	*and as conditioned herein.*
Conceptual Stream/ Wetland Mitigation Plan	06/08/2012	*and as conditioned herein.*
Critical Areas Report (Geotechnical Aspects)	12/06/2011	*and as conditioned herein.*

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

1. **All construction and ground disturbing activities shall be performed in compliance with the recommendations in the October 12, 2011 geotechnical report in the record at Exhibit 1, Attachment 12.**

2. **<u>Public Works Transportation and Engineering</u>**
   Reviewer: Kurt Seemann, Senior Engineer
   Phone: 425-556-2881
   Email: kseemann@redmond.gov

   a. Easements and Dedications.
   No easements or dedications are required.
   (Code Authority: RZC 21.52.030(F); RMC 12.12)

   b. Construction Restoration. In order to mitigate damage due to trenching and other work on 137th Place NE, the asphalt street shall be planed, overlaid, and/or patched, as determined by the City.
   (Code Authority: RMC 12.08; Redmond Standard Specifications and Details)

   c. Street Frontage Improvements

   No street frontage improvements are required.
   (Code Authority: RZC 21.52; RZC 21.54.020(B); RMC 12.12; RZC Appendix 2)

3. **<u>Public Works – Water and Sewer</u>**
   Reviewer: Jim Streit, P.E. Sr. Utility Engineer
   Phone: 425-556-2844
   Email: jstreit@redmond.gov

   a. Water Service. Water service is not required at this time.
   (Code Authority: RZC 21.54.010(B))

   b. Sewer Service. A dry sanitary sewer main will be installed as shown on the drawings prepared by Eastside Consultants Inc. from the Puget Power Easement east downhill crossing the Aerojet Property to an existing manhole at the intersection of 137th Place and NE 112th Way.
   (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 approval. Offsite easements must be recorded prior to construction drawing approval.
   (Code Authority: RZC Appendix 3)

   d. Hazardous Liquid Pipeline. The project will be accessing across and constructing within the vicinity of a hazardous liquid pipeline corridor. The final construction

plans shall contain sufficient notes alerting others of the proximity to the pipelines. Prior to, or during, final construction plan review, the applicant will notify the pipeline operator of the proposed project and submit plans to the operator for review. The applicant will also notify the pipeline operator and City Fire Department prior to construction and ensure these parties have an opportunity to attend the pre-construction conference. During construction, the applicant shall take sufficient precautions to protect the hazardous liquid pipelines from damage. (Code Authority: RZC 21.26)

4. Public Works – Stormwater/Clearing and Grading
Reviewer: Lisa Rigg, P.E., Senior Engineer
Phone: 425-556-2758
Email: lrigg@redmond.gov

a. Water Quantity Control:
i. No formal water quantity control is required for this project.
(Code Authority: RMC 15.24.080)

b. Water Quality Control
i. No formal water quality control is required for this project.
(Code Authority: RMC 15.24.080(2)(d))

c. Clearing and Grading.
(Code Authority: RMC 15.24.080)

d. Temporary Erosion and Sediment Control (TESC).
i. Work prohibited October 1st through April 30th.
(Code Authority: RMC 15.24.080)

e. 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)

5. Fire Department
Reviewer: Barry Nilson, Deputy Fire Marshal
Phone: 425-556-2245
Email: bnilson@redmond.gov

a. The current submittal is generally adequate for Site Plan Entitlement Approval,
(Code Authority: RMC 15.06; RZC Appendix 2, RFD Standards, RFDD&CG)

6. <u>Planning Department</u>
Reviewer: Thara Johnson, Associate Planner
Phone: 425-556-2470
Email: tmjohnson@redmond.gov

a. **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))

b. **Tree Replacement**. Tree Replacement shall be provided at a 1:1 ratio with a total of twenty-nine trees to be re-planted on-site with a minimum size of two-and-one-half-inch caliper at breast height for deciduous trees or six feet in height for evergreen trees.
Code Authority: RZC 21.72.080

c. **Final Critical Areas Report and Enhancement Mitigation Plan.** A final Critical Areas Report must be submitted with the civil construction drawings or building permit if civil construction drawings are not required. All required enhancement and mitigation must be shown on the civil construction drawings. This includes any required planting, signage, fencing, wetland or stream enhancement, etc. that is required in the report. The following recommendations shall be incorporated with the Final Mitigation Plan:

Additional plantings should be incorporated on the remainder of the access between the wetland boundary and the PSE transmission lines such as a low tree/shrub mix similar to the plantings used within wetland and stream buffer mitigation.
(Code Authority: RZC 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(R)

e. **Monitoring Program and Contingency Plan.** A monitoring program shall be prepared and implemented to determine the success of the mitigation project and any necessary corrective actions. A contingency plan shall be established for indemnity in the event that the mitigation project is inadequate or fails.
(Code Authority: RZC 21.64.010(P); RZC Appendix 1)

f. **Recorded Easement Agreement.** Prior to City approval of Civil Construction

Drawings, a copy of an updated recorded easement agreement between the property owners – Aerojet Corporation and Olsson - shall be provided to the City providing legal permission for construction of a sewer line on the Aerojet property.
(Code Authority: RZC 21.76.030.)

B. <u>Compliance with City of Redmond Codes and Standards</u>

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 21.54	Utility Standards
RMC 12.08	Street Repairs, Improvements & Alterations
RMC 12.12	Required Improvements for Buildings and Development
RZC 21.76.020(G)	Site Construction Drawing Review
RZC 21.76.020(G)(3)	Preconstruction Conference
RZC 21.76.090(F)	Performance Assurance
City of Redmond	Record Drawing Requirements, Version 12-2011
City of Redmond	Standard Specifications and Details (current edition)

Water and Sewer

RMC 13.04:	Sewage and Drainage
RZC 21.26:	Hazardous Liquid Pipelines
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 21.64.050	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)
RMC 15.24	Clearing, Grading, and Storm Water Management

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 21.14:	Commercial Regulations
RZC 21.26:	Hazardous Liquid Pipelines
RZC 21.72:	Tree Protection
RMC 3.10	Impact Fees
RZC 21.32:	Landscaping
RMC 6.36:	Noise Standards
RZC 21.38:	Outdoor Storage and Service Areas
RZC 21.64:	Critical Areas
RZC 21.76:	Review Procedures
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 July 23, 2012.

By:

Sharon A. Rice
City of Redmond Hearing Examiner

Note: Pursuant to RZC 21.76.060.J, (6) any party of record may file a written request for reconsideration with the Hearing Examiner within 10 business days of the date of the Hearing Examiner's decision. The request shall explicitly set forth alleged errors of procedure, law, or fact. No new evidence may be submitted in support of or in opposition to a request for reconsideration. The Hearing Examiner shall act within 10 business days after the filing of the

request for reconsideration by either denying the request or issuing a revised decision. The decision on the request for reconsideration and/or the revised decision shall be sent to all parties of record.

Pursuant to RZC 21.76.060.M, all Type III Hearing Examiner decisions may be appealed to the City Council. 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 10 business days following the expiration of the reconsideration period. See RZC 21.76.060.M for further detail on appeal requirements.