

ORDINANCE NO. 2061

AN ORDINANCE OF THE CITY OF REDMOND, WASHINGTON, APPROVING THE FOX HOLLOW PLANNED RESIDENTIAL DEVELOPMENT (PRD), CITY FILE NO. PRD99-002, SUBJECT TO CONDITIONS, AND ADOPTING THE HEARING EXAMINER'S FINDINGS AND CONCLUSIONS.

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WHEREAS, Crossmark Properties Incorporated filed an application for a preliminary Plat approval on June 16, 1998 and subsequently filed an application for a planned residential development (PRD) on May 24, 1999, and

WHEREAS, in order to fulfill SEPA requirements and to assess the environmental impacts of the PRD and preliminary plat, a threshold determination of nonsignificance was made on July 19 1999, and

WHEREAS, the Hearing Examiner held a public hearing on the PRD and preliminary plat applications on August 16, 1999 and, after completion of the hearing, adopted findings and conclusions, a decision approving the preliminary plat, and a recommendation that the PRD be approved, and

WHEREAS, a neighboring property owner appealed the Hearing Examiner's recommendation pertaining to open space requirements and rear yard setbacks, and

WHEREAS, the Planning Department recommended the City Council deny the appeal regarding open space and grant the appeal with regard to rear yard setbacks, and

WHEREAS, the City Council denied the appeal regarding open space and granted the appeal as it related to rear yard setbacks, and

WHEREAS, the City Council reviewed the Hearing Examiner's recommendation on the PRD on December 7, 1999 and determined to approve the same with the modification to rear yard setbacks, and

WHEREAS, the PRD must be approved by ordinance, NOW,  
THEREFORE,

THE CITY COUNCIL OF THE CITY OF REDMOND, WASHINGTON,  
DO ORDAIN AS FOLLOWS:

Section 1. PRD Approved. The Fox Hollow Planned Residential Development, PRD99-002, is hereby approved, subject to the conditions recommended by the Hearing Examiner in his Findings, Conclusions and Recommendation issued on August 31, 1999 and as modified by the City's Council's action to grant the appeal regarding rear yard setbacks.

Section 2. Findings and Conclusions Adopted. In support of the approval granted in Section 1, the City Council hereby adopts the Hearing Examiner's Findings, Conclusions, and Recommendation issued on August 31, 1999 as amended by the City Council's action to grant the appeal regarding rear yard setbacks.

a. The PRD ordinance has internal conflicts regarding modifications to setback standards.

b. It has been the City's policy in this type of situation to apply the most restrictive regulation.

c. RCDG 20C.30.105-050(6), Modification of Development Regulations prescribes a 10-foot rear setback.

d. The PRD ordinance encourages high quality architectural home design, placement, relationship, and orientation of structures in exchange for flexibility in regulation.

e. The developer and appellant agree that Fox Hollow PRD fulfills the purpose of a PRD with 10-foot rear setbacks. The developer will build high quality Craftsman style homes, orientation of the homes will be positioned to the front of the lots toward NE 97<sup>th</sup> Street which will bring the living area toward the street and enhance the residential character of the neighborhood. Garages will be attached at the rear of the homes near the backs of the lots to minimize their presence from the front of the homes, driveways will be shared, reducing impervious surface.

f. Flexibility in the rear setback is not necessary for this PRD. The developer will be able to use the same home designs that place garages in the rear with a 10-foot rear setback.

Section 3. Duties of Planning Director. The Planning Director is hereby authorized and directed to make any appropriate notations on the official zoning map of the City in order to reflect the approval of the PRD as provided in this ordinance.

Section 4. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 5. Effective Date. This ordinance, being an exercise of a power specifically delegated to the City's legislative body, is not subject to referendum, and shall take effect five (5) days after passage and publication of an approved summary thereof consisting of the title.

CITY OF REDMOND  
/S/ MAYOR ROSEMARIE IVES

ATTEST/AUTHENTICATED:  
/S/ CITY CLERK, BONNIE MATTSON

APPROVED AS TO FORM:  
OFFICE OF THE CITY ATTORNEY:  
/S/ JAMES E. HANEY

FILED WITH THE CITY CLERK: December 29, 1999  
PASSED BY THE CITY COUNCIL: January 4, 2000

SIGNED BY THE MAYOR:  
PUBLISHED:  
EFFECTIVE DATE:  
ORDINANCE NO. 2061

January 6, 2000  
January 8, 2000  
January 13, 2000