



QUASI JUDICIAL

DATE: January 10, 2012

MEMO TO: Mayor, City Council, and Parties of Record

FROM: Office of the Hearing Examiner, 425-556-2191, emadkisson@redmond.gov

SUBJECT: **HAWTHORNE LANE – L070570 - Preliminary Plat (PPL), L070571 - SEPA, L070572 - Planned Residential Development (PRD)**

Enclosed is a copy of the Hearing Examiner's Decision and Recommendation on the Hawthorne Lane – Preliminary Plat (PPL) and Planned Residential Development (PRD) application. Pursuant to the Redmond Community Development Guide (RCDG) 20F.30.45-100(6), any party of record may file a written request for reconsideration with the Hearing Examiner. To be considered, a request for reconsideration must explicitly set forth alleged errors of procedure or fact, and must be filed within ten business days of the Hearing Examiner's Recommendation. Reconsideration requests must be received by the Office of the Hearing Examiner of the City of Redmond, and can be submitted by mail, email, personal delivery or by fax, prior to **5:00 p.m. on January 24, 2012.**

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For your convenience, Request for Reconsideration forms are available at City Hall-3rd Floor, and online: <http://www.redmond.gov/government/hearingexaminer/requestforreconsideration>

FURTHER PROCEEDINGS

The foregoing Findings, Conclusions, Decision and Recommendation for the Hawthorne Lane – Preliminary Plat (PPL) and Planned Residential Development (PRD) application will be referred to the City Council. The City Council shall, at a closed record public meeting, consider and take final action on the application. The City Council will not accept new information, written or oral, on the application but shall consider only the complete record developed before the Hearing Examiner and her recommendation. The City Council shall either: (1) approve the application, with or without modifications; (2) remand the application to the Hearing Examiner for additional review limited to specific issues; or (3) deny the application. RCDG 20F.30.45-110.

This matter has been labeled "quasi-judicial" to alert City Council members and the public that it is subject to strict procedural requirements under the laws of the State of Washington. These requirements are intended to ensure that the process is fair in fact and that it appears to be fair.

The principal procedural requirement is that the Hearing Examiner and the City Council members, who participate in making the decision, must not discuss the matter with any interested party outside of the public hearing and public meeting process. This ensures that all interested persons have equal access to information that may influence the decision.

Members who participate in making a decision on a quasi-judicial matter must also be careful that they do not have any financial, employment, ownership or other interest which would be likely to influence their decision, or which would reasonably appear to do so.

Please assist your public officials in their efforts to adhere to Washington State's Appearance of Fairness Doctrine. Do not contact the decision-making official(s) directly to discuss the case during the reconsideration or appeal periods, or while a decision on a Request for Reconsideration or an appeal is pending. All communications with the decision-making official(s) must be at a hearing (if applicable) or in writing.

**BEFORE THE HEARING EXAMINER
FOR THE CITY OF REDMOND**

In the Matter of the Application of)	NO. L070572 (PRD)
)	NO. L070570 (PPL)
)	
Rick Burnstead Construction)	Hawthorne Lane PRD
)	
)	
For approval of a Planned Residential Development and Preliminary Plat)	FINDINGS, CONCLUSIONS, DECISION, AND RECOMMENDATION
_____)	

SUMMARY OF DECISION AND RECOMMENDATION

The request for approval of a preliminary plat subdividing 8.10 acres at 17241, 17249, and 17257 NE 116th Street in Redmond, Washington, into 36 lots, 35 to be developed with single-family residences and one lot to be developed with a triplex unit for a total of 38 dwelling units designed consistent with applicable PRD provisions is **GRANTED**, subject to the conditions below and subject to Redmond City Council approval of the PRD.

The Hearing Examiner recommends that the request for approval of the related PRD on the R-4 zoned subject property consistent with the associated preliminary plat **SHOULD BE GRANTED** with conditions.

SUMMARY OF RECORD

Request

Rick Burnstead Construction (Applicant) requested approval of a PRD and preliminary plat subdividing 8.10 acres into 36 lots, 35 for single-family residences and one for a triplex, for 38 total units. The subject property is located at 17241, 17249, and 17257 NE 116th Street in Redmond, Washington.

Hearing Date

The Redmond Hearing Examiner conducted an open record hearing on the request on December 19, 2011.

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
- Jeff Dendy, Public Works Senior Engineer, City of Redmond
- Lafe Hermansen, Applicant Representative

Rob Stevens, for the Applicant
Curtis Koger, for the Applicant
Doug Boa
Jerry Creek
Jim Manis

Exhibits

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

1. Technical Committee Report to the Hearing Examiner, with the following attachments:
 1. Vicinity Map
 2. Zoning Map
 3. General Application Form
 4. SEPA Application Form
 5. Notice of Application and Certificate of Publishing
 6. Notice of Application Public Comment Letters
 7. Neighborhood Meeting Notice and Sign in Sheet
 8. SEPA Determination of Non-Significance and Environmental Checklist
 9. SEPA Public Comment Letters
 10. Notice of Public Hearing and Certificates of Posting
 11. Preliminary Plat/Planned Residential Development (PRD) Plan set
 12. Architectural Elevations
 13. Design Review Board Minutes, packet and revised Triplex Elevations
 14. Arborist Report & Addendum
 15. Landmark Tree Removal Exception Request Letter
 16. Landmark Tree Removal Exception Approval Letter
 17. Wetland Report
 18. Wetland Mitigation Plan
 19. Letter from Altmann & Oliver regarding wetland impacts
 20. Wildlife Report
 21. Geotechnical Report
 22. Geotechnical Peer Review Evaluation
 23. Preliminary Storm Drainage Report and Addendum
 24. Critical Aquifer Recharge Report
 25. Ground Water Recharge Evaluation Analysis and Addendum
 26. Grading Issues Analysis
 27. Downspout Infiltration Drywell Analysis
 28. Request for Relief from Infiltration Setback and City Response
 29. Water Well Report, Waterline Easement and Water Use Agreement
 30. King County Dept. of Health Well Determination
 31. King County Dept. of Health Waiver
 32. Off-site Sewer Agreement
 33. Traffic Impact Analysis
 34. Comprehensive Planning Policies
 35. Planned Residential Development Ordinance 1901

36. Repealed Residential Development Ordinance 2447
37. Planned Residential Development Worksheet
38. SEPA Appeal Withdrawal Letter
39. Addendum to SEPA DNS
40. Documentation relating to Decommissioning on-site well

2. Planning Staff's PowerPoint Presentation slides
3. Tree Retention Evaluation, performed by Shoffner Consulting, dated October 30, 2011
4. Wetland Report, performed by Altmann Oliver Associates, revised dated November 28, 2011
5. Wildlife Study, performed by Altmann Oliver Associates, revised dated November 28, 2011
6. Comments from Jerry Creek, dated December 19, 2011

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 a PRD and preliminary plat subdividing 8.10 acres into 36 lots, 35 for single-family residences and one for a triplex, for 38 total units. The subject property is located at 17241, 17249, and 17257 NE 116th Street in Redmond, Washington.¹ *Exhibit 1, page 1; Exhibit 1, Attachments 3 and 11; Johnson Testimony.*
2. Complete applications for preliminary plat and PRD were submitted on December 18, 2007. At that time, PRD regulations pursuant to Ordinance 1901 were in effect. Subsequently, Ordinance 1901 was repealed by Ordinance 2447. The project is vested to regulations in effect on the date the complete applications were filed, including the PRD and preliminary plat development standards of the Redmond Community Development Guide (RCDG). *Exhibit 1, page 4; Johnson Testimony; Exhibit 1, Attachments 18 and 19.*
3. Notice of Application (NOA) for this proposal was published, mailed to surrounding property owners, and posted in January 2008. During the NOA public comment period, the City received written comments expressing concerns regarding the following: use of the existing access tract that provides access to the three tax parcels constituting the development as well as the property owner to the south; location of a new driveway adjacent to the existing driveway; construction of homes within 150 feet of an existing well and development of homes located on critical areas; the lack of proposed utility stubs for development of adjacent properties; and the alleged proposed removal of off-site trees. *Exhibit 1, pages 4-6; Exhibit 1, Attachments 5 and 6.*

¹ The legal description of the subject property is a portion of Section 36, Township 26 North, Range 5 East, W.M.; the lot is also known as Tax Assessor Parcels 3626059035, 3626059114, and 3626059115. *Exhibit 1, Attachments 3 and 11.*

4. The Applicant held a public meeting for the project on September 8, 2008 at City Hall. Applicant design representatives and City Planning Staff attended the meeting along with six members of the public. Additional issues raised by neighboring property owners at the public meeting included: connection to adjacent properties for utilities such as sewer; protection of groundwater during decommissioning of the existing well and protection of off-site wells; construction impacts to access for off-site parcels; and a request for a detailed construction management plan. *Exhibit 1, pages 5-7; Exhibit 1, Attachment 7.*
5. After the public meeting, the Applicant entered into discussion with the property owner to the south attempting to reach agreement regarding decommissioning the on-site well. In response to neighbor concerns, the City requested that the Applicant provide an analysis of the project's impact to the existing and surrounding wells and that the Applicant obtain documentation from King County relating to the requirements pertaining to the well. King County provided documentation which indicated a reduced setback of 75 feet rather than a 100 feet should be required and that no homes could be constructed within the 75-foot radius. The Applicant added a note to the plat memorializing this requirement. The Applicant submitted a critical aquifer recharge area report (March 2010) and a Ground Water Recharge Evaluation Analysis and Addendum (July 2010) and supplemental information. Recommended conditions of approval would require additional water balance analysis at the time the final design undergoes civil engineering review. *Exhibit 1, pages 5-6; Exhibit 1, Attachments 24, 25, and 31; Johnson Testimony.*
6. On January 11, 2011, the Technical Committee, acting as SEPA Responsible Official, issued a determination of non-significance (DNS) for the proposal. On February 11, 2011, neighbors filed a SEPA appeal, alleging adverse health and safety impacts to the adjacent residence, including proximity of the development to the residence's water supply, reduction of recharge of the aquifer, impact on groundwater quality, impacts to wetlands, streams and wildlife, and construction impacts to ingress and egress. The Applicant entered into negotiations with that neighbor to address their concerns. As part of the settlement, the proposal was redesigned to incorporate an existing access easement, adding 0.78 acres in the project area, the addition of three lots, and decommissioning of the existing on-site well. The SEPA appeal was withdrawn on August 30, 2011. An addendum DNS was issued November 9, 2011 for the enlarged site and proposal. The addendum DNS was not appealed. *Exhibit 1, pages 6-7; Exhibit 1, Attachments 8, 38, and 39.*
7. The Applicant held a second public meeting for the Hawthorne Lane PRD/Plat proposal on November 23, 2011 at City Hall. *Exhibit 1, page 6; Exhibit 1, Attachment 7.*
8. Notice of the December 19, 2011 open record hearing on the applications was posted on-site and at City Hall, published, and mailed to surrounding property owners within 500 feet of the site on November 28, 2011, more than 14 days in advance of the hearing. *Exhibit 1, page 8; Exhibit 1, Attachment 10; Johnson Testimony.*

Subject Property, Surroundings, and Zoning Controls

9. The site consists of three tax parcels, each developed with a single-family residence. The northern two lots contain several accessory structures. Vegetation on the consolidated site consists primarily of pasture, lawn, and landscaped areas with scattered pockets of native trees and shrubs. A Category III wetland was identified along the southeastern boundary of the project site. *Exhibit 1, page 4; Exhibit 1, Attachment 11, Sheet 2; Exhibit 4.*
10. The Applicant commissioned a professionally prepared critical areas study of the subject property. Field investigation revealed that a Class III stream originates near the southeastern property boundary from a wetland that appears to be its headwaters. On-site, the wetland occupies 3,084 square feet of the southeastern corner of the property. The on-site boundary was delineated and the wetland was rated consistent with the Department of Ecology wetland rating system. The wetland rating indicates a Category III wetland with a habitat score of less than 20 points, which requires an 80-foot buffer adjacent to high impact uses such as residential development. In its pre-developed state, this 80-foot buffer area consists primarily of mowed lawn. Two ditches were also observed on-site. Both appear to have been excavated in upland areas to convey artificially collected runoff; neither ditch meet the requirements to be a regulated stream. *Exhibit 1, Attachment 17; Exhibit 1, page 19; Exhibit 4.*
11. A professionally prepared wildlife study was conducted. No endangered, threatened, or priority species or habitat were identified on-site. Because development would reduce the overall habitat area available to non-regulated species, their populations would likely decrease. *Exhibit 1, Attachment 20; Exhibit 5.*
12. Portions of open space Tract F contain slopes down to the southeast at grades of 30 to 40 percent, which meet the RCDG definitions for landslide hazard areas and erosion hazard areas. No development is proposed within the slopes area. A geotechnical evaluation of the site was conducted by professional geotechnical engineers, who found the slopes do not present a significant landslide risk and that no detailed landslide hazard analysis is required if the recommendations outlined in the report are utilized. The report concluded that the erosion hazard of the site soils is high, but that with proper erosion control and best management practices during construction and with revegetation or development of disturbed areas, the potential for adverse impacts from erosion would be adequately mitigated. *Exhibit 1, Attachment 21; Exhibit 1, Attachment 11, Sheet P3.* The geotechnical report was peer reviewed. After exchange of additional information, the peer reviewer took no exceptions to the information in the original report. The City accepted the Applicant's geotechnical evaluation. *Exhibit 1, Attachment 22.*
13. The subject property is located in Wellhead Protection Zone 3, overlying a five to 10-year time-of-travel zone of a public water source well owned by the City. The Applicant submitted a Critical Aquifer Recharge Areas Report, including a water balance assessment, to determine how the proposal might impact ground water levels in the underlying aquifer. The water balance assessment considered recharge under pre-developed conditions (forested), existing conditions (three houses with grass and

pasture), and the proposed development conditions. The proposal includes incorporating perforated stub-out drainpipes (as allowed by the City of Redmond) for roof drains and directing roof runoff to the subsurface, thereby lengthening shallow subsurface ground water flow paths and contact time with soil, increasing infiltration. Results from the water balance modeling indicated that the proposed development of the site would reduce ground water recharge by 1.0 acre-feet per year (seven percent) compared with both forested and existing conditions. In an effort to maintain the future groundwater recharge rate within 5% of the existing rate, the Applicant proposes the use of rain gardens on Lots 1-13 and 24-35 for treatment and infiltration of stormwater runoff. The water balance assessment concluded that the project would have no adverse impacts on groundwater recharge if constructed in accordance with applicable regulations and per the current site plan. *Exhibit 1, pages 22-23; Exhibit 1, Attachments 24 and 25.*

14. The subject property is located in the North Redmond Neighborhood, surrounded by medium density single-family development in the R-4 zoning district. Parcels adjacent to the site include a combination of large and smaller lots. The Whistler Ridge community is located to the north and Grayson at Abbey Road is to the west. Approved Sequoia Ridge abuts the northeast corner of the site. *Exhibit 1, page 4; Exhibit 1, Attachments 1 and 2; Exhibit 2, Slide 2.*
15. The subject property has a low-moderate residential zoning designation (R-4). *Exhibit 1, page 1; Exhibit 1, Attachment 2.* Pursuant to the RCDG, the purpose of the R-4 zone is to provide for primarily single-family residential neighborhoods on lands suitable for residential development with allowed densities of four, five, or six dwellings per gross acre. The R-4 designation provides for stable and attractive suburban residential neighborhoods with a full range of public services and facilities. Some complementary nonresidential uses are allowed. *RCDG 20C.30.15-050).*
16. Under the zoning regulations applicable to the project, PRDs are allowed in the residential zoning districts. *RCDG 20C.30.105-020.* The intent of Redmond's PRD process is to enhance the design of a residential development by allowing for flexibility and variation from the established site requirements and development standards, including the location and type of structures, the conservation of natural features, allowances for housing serving a range of incomes, energy conservation, and the efficient use of open space. *RCDG 20C.30.105-010(2).*
17. The R-4 zoning district allows a maximum residential density of four units per acre and requires a minimum density of 80% of that allowed. Required bulk dimensional standards include: an average lot size of 7,000 square feet; minimum lot width circle measuring 40 feet; minimum frontage of 20 feet; a minimum building separation of 15 feet; 35% maximum lot coverage by structure; 60% maximum impervious surface; a maximum structure height of 35 feet; and a minimum of 25% open space. Required setbacks in the R-4 zone include: 15 feet from front lot lines and streets; 10 feet from rear lot lines; and five feet from side lot lines. *RCDG 20C.30.25-140.*

18. Applicable modifications to R-4 development standards allowed pursuant to the PRD process include: a density PRD density bonus based on the size of the project; a density bonus for creation of affordable housing²; elimination of average and minimum lot size; reduced minimum lot width circle to 20 feet; zero building separation; maximum lot coverage by structure up to 45%; maximum impervious surface up to 70%; and a maximum structure height up to 45 feet for interior lots (35 feet for perimeter lots). Required setbacks for PRDs include: 10 feet from front lot lines and streets; 10 feet from rear lot lines; zero minimum side setbacks; and garages must be setback 18 feet from front lot lines. *RCDG 20C.30.105-050*.
19. Multiplex housing, such as the proposed triplex, is allowed in the North Redmond Neighborhood residential zones subject to compliance with density standards. *RCDG 20.C.70.30-050(2)*.
20. In the North Redmond Neighborhood, triplexes must satisfy the following requirements: they must be interspersed with a variety of other housing types and sizes; have up to one entrance per side; densities from development containing triplexes must not exceed the allowed number of detached single-family dwelling units; must be on lots at least 150 percent of the average minimum lot size for the zone; shall maintain the traditional character and quality of detached single-family dwelling units through consistent design elements; shall not be located adjacent to each other; and shall not provide parking stalls in groups of greater than three together unless the parking is visually separated from the street or common areas through site planning, landscaping, or natural screening. *RCDG 20.C.70.30-050(5)*.

Review of the Proposed Improvements

21. The 8.10-acre subject property could be developed with a maximum of 32 lots consistent with R-4 zoning regulations in a standard preliminary plat. Application of PRD design flexibility allows six additional units achieved by applying a three-unit density PRD bonus allowed and a three-unit bonus for providing affordable housing units to the base density of 32 units. *Exhibit 1, page 4; Johnson Testimony; Exhibit 3, Slide 3; Exhibit 1, Attachment 11, Sheet P1*.
22. As proposed, the PRD would create 38 total units: 35 detached single-family units on individual lots and one triplex with three units on the 36th lot. Single-family lot sizes would range from approximately 4,402 to 6,676 square feet. The average lot size after application of unit lot subdivision provisions would be 5,085 square feet, with a minimum lot width circle of 20 feet. The proposal would provide a minimum of 15 feet between structures, with a maximum 35% lot coverage by structure. Proposed setbacks

² Affordable housing requirements, established at RCDG 20D.30.10-020, apply to all new single-family attached and detached dwelling units within the North Redmond Neighborhood. At least 10 percent of the units in new housing developments of 10 units or greater must be affordable units. At least one bonus market-rate unit is permitted for each affordable unit provided, up to 15 percent above the maximum allowed density permitted on the site. The Examiner notes that 10% of the 17 base units allowed would be 1.7, or rounded up, two bonus units allowed. *See Exhibit 1, Attachment 14, Sheet P1*.

include 15-foot front and 10-foot rear setbacks, with side setbacks to streets of ten feet and to adjacent lots of 7.5 feet. No modification of the R-4 maximum structure height is proposed (35 feet). The proposal calls for approximately 60% impervious surface in the finished project. *Exhibit 1, page 9; Exhibit 1, Attachment 11, Sheet P1.*

23. PRDs are required to set aside a minimum of 25% of the overall site as open space. As proposed, the project would set aside 26.9% of the total site area in open space as follows: Tract B: 1,062 square feet of recreational open space; Tracts D (23,053 square feet) and E (14,395 square feet), serving the dual function of open space and on-site critical areas protected through native growth protection easements (NGPEs); and Tract F: 55,465 square feet of recreational open space and stormwater detention facilities. Tract F includes a pedestrian access trail, play equipment, park benches, and picnic tables amongst existing and planned vegetation. *Exhibit 1, Attachment 11, Sheet P3; Exhibit 1, page 13.*
24. Proposed Lot 32 would contain the triplex unit. Lot 32 is situated in a cluster with 4 single-family residences, all of which are accessed through a private access tract off the proposed new internal public street. It is screened from NE 116th Street by Lots 35 and 36. The triplex lot was designed with a 10-foot side yard setback in order to achieve 15 feet of building separation from adjacent single-family residences within the cluster. *Exhibit 1, Attachment 11, Sheet P3; Exhibit 1, page 10.*
25. The affordable housing requirements of RCDG 20D.30 apply to all new single-family attached and detached dwelling units within the North Redmond Neighborhood. The required number of affordable housing units on a site is ten percent of the proposed dwelling units on-site, which for the instant project would be three units. The three triplex dwelling units are proposed in satisfaction of the City's affordable housing requirements and qualify the project for the affordable housing bonus. *Exhibit 1, pages 12 and 17.*
26. The development would access City streets from NE 116th Street. A new internal public road with a 48-foot right-of-way would access NE 116th, terminating in a second new public road that would stub to the site's east and west boundaries. Several lots would access from smaller access tracts, developed as 20-foot alleys (Tracts A, C, G, and H). Internal public roads would be provided with standard City sidewalks, including curb, gutter, planter strip, and five-foot concrete sidewalks in a 10-foot utility easement. Additional pedestrian amenities are proposed as a five-foot gravel trail through Tract F, a five-foot concrete sidewalk connecting Tract A to the eastern site boundary across Lot 8, and a five-foot sidewalk connecting Tract G to the western site boundary through Lot 29. *Exhibit 1, pages 13, 17, 30; Exhibit 1, Attachment 11, Sheets P3, P8.*
27. Half-street frontage improvements along NE 116th Street would be required, consistent with RCDG Appendix 20D-3. The frontage improvements would include asphalt paving 22 feet from the centerline to face of curb with appropriate tapers, concrete curb and gutter, five-foot-wide planter strip, six-foot-wide concrete sidewalk, street lights, street trees, street signs, and undergrounded utilities including power and telecommunications.

The City plans to construct a roundabout at the intersection of NE 116th Street and 172nd Ave NE. The Applicant may enter into an agreement with the City to pay for the costs of the NE 116th frontage improvements to be built the City as part of the roundabout construction, in lieu of building the frontage improvements during plat infrastructure construction. The Applicant would be required to dedicate twelve feet of right-of-way along the site frontage. *Exhibit 1, pages 13, 28-29.*

28. As proposed, 1,004 square feet of the existing Category III wetland would be filled to allow construction of the proposed public road to be stubbed out to the east property line. Road construction would impact 6,285 square feet of wetland buffer. The road stub is proposed in this location to allow connection to an existing off-site road, and therefore the road stub cannot be relocated. Mitigation for the 1,004 square feet of wetland from the required street would be accomplished through the creation of 2,008 square feet of new wetland adjacent to the existing wetland (2:1 replacement to loss ratio). Any fill material located along the toe of the existing wetland slope would be removed and the area restored as part of the overall enhancement of the wetland and buffer. Mitigation for the loss of 6,285 square feet of wetland buffer would occur through the replacement of 6,285 square feet of additional buffer and the enhancement of 33,104 square feet of degraded buffer. Existing degraded buffer areas would be enhanced through removal of existing invasive plants and planting with a variety of native trees and shrubs to increase the plant species and structural diversity of the buffer while providing a visual and physical screen from the proposed development. Implementation of the mitigation plan would replace and, once successfully established, exceed the wetland functions lost through construction of the street. *Exhibit 1, page 21; Johnson Testimony; Exhibit 1, Attachment 18.*
29. The project would connect to municipal water service by extension of the City of Redmond water system through installation of the eight-inch diameter ductile iron water system shown on the Applicant's approved plans. Service connections would be made by extensions into each proposed lot by installing new water services and meters from the new 8-inch diameter mains to the new homes as shown on the plans. The municipal utility has sufficient capacity to serve the proposed lots. *Exhibit 1, pages 24, 32; Johnson Testimony.*
30. The project would be served by connection to the municipal sanitary sewer service, also installed in the new local street, draining easterly through Tract A. The new sewer system would cross the neighboring property to the east in a future easement to 176th Place NE, run north, and tie-in to the existing sanitary system in 176th Place NE. As of the hearing, the sewer easement had been negotiated and execution was pending final design. The Applicant would be required to stub an eight-inch diameter sanitary sewer to the west site boundary. The Redmond Public Works Department recommended conditions of project approval requiring that, prior to starting construction work in 176th Place NE, the Applicant be required to coordinate the sewer construction schedule and sequencing with City inspector and also with neighbors whose properties access off of 176th Place NE. The Applicant would be required to maintain access for neighbors during construction. Public Works recommended that the Applicant identify a primary

contact for the neighbors and provide them with regular updates to construction schedule and prior notification of schedule changes. *Exhibit 1, pages 24, 32; Almond Testimony; Dendy Testimony; Hermansen Testimony.*

31. In its existing condition, the majority of site runoff flows to the open channel (ditch) on-site, while a small portion of the site flows into the existing stormdrain system in NE 116th Street. Runoff from the new lots and open space Tracts B and F would be conveyed to an on-site detention vault in Tract F. Collected stormwater would be detained and released at a controlled rate from the detention/water quality vault sized and built to City of Redmond standards, which incorporate the standards of the Stormwater Management Manual for Western Washington (2005). The rain gardens on Lots 1-13 and 24-35 would be used to treat and infiltrate storm water to maintain the rate of groundwater recharge to within five percent of existing recharge rate. *Exhibit 1, page 14; Exhibit 1, Attachment 23; Dendy Testimony.*
32. According to the Applicant's engineer, the rain gardens are proposed in sandy soils, areas that are appropriate for infiltration. Surface and stormwater would be directed to a depression that would be lined with one to 1.5 feet of organics amended soils atop the native sandy soil. The organic surface soils provide a growing surface for plants adapted to a wet environment. When runoff is present, the rain gardens would hold standing water, which would flow through the organic material into the subsurface and infiltrate. The organic material and plantings in it are intended to have an active root zone, pulling and pushing the earth, oxygenating the soil and capturing contaminants before the water infiltrates. The proposed rain gardens were designed to allow the six month stormwater event to flow through. Larger storm events would overflow via an engineered route to the detention facility. The rain gardens would be installed on private property. Either the individual lot owners or the homeowners association would maintain them. *Stevens Testimony.*
33. Emergency vehicle access to each proposed lot would be required to be ensured through provision of emergency vehicle access easements on private access tracts and/or roads smaller than the City standard, including Tracts A, C, G, and H. No parking would be allowed in fire lanes and along some portions of the public street as required to ensure emergency vehicle access. All proposed structures would be provided with sprinkler systems for fire protection. *Exhibit 1, page 39; Exhibit 1, Attachment 11, Sheet P11.*
34. Students residing in the project would attend Rockwell or Einstein Elementary and Redmond Junior and Senior High Schools. The project is also within a one-mile radius of Hartman Park and other public facilities. The Redmond Community Development Guide requires that safe pedestrian linkages be provided between new developments and existing public facilities. Currently, NE 116th Street does not provide safe walking conditions for students and pedestrians. An interim walkway from 172nd Avenue NE to the existing sidewalk immediately east of the subject property is required to be constructed prior to occupancy of any new house, including concrete curb, gutter, and a five-foot sidewalk if adjacent to the street. *Exhibit 1, page 31.*

35. The Applicant submitted conceptual landscape plans depicting the proposed locations of retained and replacement vegetation throughout the developed site. *Exhibit 1, Attachment 11, Sheets P5, P12, P13, and P14*. The proposal includes perimeter and interior landscaping. Where lots abut the property line (Lots 8, 13, 14, and 19), buildings would orient toward the internal road. A ten-foot landscaped buffer would be installed along the site's northern and southern boundaries and the eastern boundary adjacent to Lots 1 through 7. Native vegetation would be retained behind Lot 19. Open space Tract F would run the full length of the western boundary, a 30-foot-wide area retaining existing mature trees and incorporating a five-foot crushed rock path and benches. The proposal includes 68 replacement trees, 79 retained trees, and landscaping in the open space tracts and individual lots. *Exhibit 1, pages 14 and 16; Exhibit 1, Attachment 11, Sheets P3, P5, and P12; Hermansen Testimony*.
36. The Redmond Community Development Guide (RCDG 20D.80.20) requires that all healthy landmark trees and 35 percent of all healthy significant trees be retained.³ The Applicant submitted an arborist's report dated December 15, 2007 assessing the health of the existing trees on-site. The arborist evaluated a total of 120 trees, identifying 90 significant trees and one landmark tree. Because the additional 0.78 acres were added to the subject property, an addendum arborist report was submitted on November 1, 2011, indentifying 55 additional healthy significant trees, including one additional landmark tree. The revised proposal would save 79 significant trees and one landmark tree on the site, or 54.8 percent of significant trees on-site. The Applicant submitted a request for exception to allow removal of one landmark tree, located within proposed Lot 6, and the exception request was granted by the Planning Administrator. A majority of the trees to be preserved are located in proposed open space tracts. *Exhibit 1, pages 17-18; Exhibit 1, Attachment 14, Arborist Report & Addendum; Exhibit 1, Attachments 15 and 16; Exhibit 1, Attachment 11, Sheet P5; Exhibit 3*.
37. Planning Staff determined that the proposal complies with the North Redmond neighborhood regulations. The PRD would provide for variety and visual interest by utilizing a combination of traditional and side loaded building orientations with a narrower street design that allows interesting and varied streetscapes, common courtyards, and a variety of housing options. The proposal also includes three attached units and thirty-five detached units, each with variety in building design. Engaging streetscapes would result from design that brings living space toward the street. Units would maintain a five-foot garage setback from the street elevation of the dwelling, ensuring that garages would not dominate the view from the street. The proposed open space tracts would connect to a new sidewalk and be publicly accessible. Landscaping would provide a transition between new and existing development, enhance building and site appearance, and enhance the environmental quality of the neighborhood by preserving existing stands of trees and large tracts in NGPEs. *Exhibit 1, page 7; Exhibit 1, Attachment 10, Sheet P5; Exhibit 2, Slide 13*.

³ Landmark trees are those trees that are greater than 30 inches in diameter at breast height. Significant trees are those trees that are between 6 inches and 30 inches in diameter at breast height. *RCDG 20D.80.20*.

38. In order to be granted the design flexibility intended by the PRD ordinance, a project must comply with two of twelve design criteria.⁴ In satisfaction of the PRD design criteria, the proposal includes the following features (among others):
- a. The buildable area of the site is constrained due to the presence of the Category III Wetland and steep slopes, in addition to the required sewer easement. With the PRD and affordable housing bonuses, the project would maximize the number of lots within the buildable area while preserving more than 26% of the site in open space, including all critical areas. *Exhibit 1, page 12; Exhibit 1, Attachment 11.*
 - b. Three affordable housing units are proposed. *Exhibit 1, page 12; Hermansen Testimony.*
 - c. The R-4 zoning district regulations allow for up to 60 percent site coverage by impervious surface. The PRD regulations allow modification of the zoning standard of up to 70% site coverage by impervious surfacing. The instant project proposes to create only 60%, through the use of shared driveways, alleys, narrow road width, and provision of large open space tracts protected by NGPEs. *Exhibit 1, page 13; Exhibit 1, Attachment 11.*
 - d. The project sets aside approximately 26.9% of the overall site area as open space, portions of which would be developed with active and passive recreation opportunities. *Exhibit 1, page 13; Exhibit 1, Attachment 11, Sheet P1.*
 - e. Only four of the proposed lots would abut the external site boundaries. The remainder of the perimeter of the project would be landscaped with buffer at least ten feet wide. Seventy-nine mature trees would be retained, and 68 replacement trees provided, with other landscaping, to create a transition between the project and surrounding properties. *Exhibit 1, page 14; Exhibit 1, Attachment 11, Sheets P3, P5, and P12.*
 - f. The project would provide new public facilities as follows. A new internal street off of NE 116th would stub to the east and west for future connectivity. Frontage improvements along NE 116th Street would be installed or paid for by the Applicant. The project would install a new water main and sanitary sewers in the new local street. Stormwater runoff from the proposed impervious surfaces

⁴ RCDG 20C.30.105-040(6): a) High quality architectural design, placement, relationship, or orientation of structures; b) achieving allowable densities for the subject property; c) providing housing types that effectively serve the affordable housing needs of the community; d) improving circulation patterns or the screening of parking facilities; e) minimizing the use of impervious surfacing materials; f) increasing open space and recreational facilities on-site; g) landscaping, buffering, or screening in around the proposed PRD; h) providing public facilities; i) preserving, enhancing, or rehabilitating natural site features (wildlife habitat, woodlands, streams, etc); j) incorporating energy-efficient site design or building features; k) providing for an efficient use of infrastructure; and l) incorporating a historic structure or landmark in such a manner as preserves its historic integrity and encourages adaptive reuse.

would be collected, treated, and detained within a stormwater detention vault in Tract F. As part of the SEPA appeal settlement, the neighboring property would be connected to municipal water. *Exhibit 1, page 14; Exhibit 1, Attachment 11, Sheets P6, P7, and P8.*

39. On February 18, 2010, the Redmond Design Review Board recommended project approval subject to conditions amending design of the north elevation of the triplex. The Applicant submitted revised elevations incorporation the DRB's recommendation. *Exhibit 1, page 15; Exhibit 1, Attachment 13.*
40. Consistent with authority in the Redmond Municipal Code and the RCDG, the Technical Committee granted two deviations to the development standards. To provide increased design flexibility for locating stormwater infiltration facilities, the minimum infiltration setback distances from on-site structures were modified to ten feet provided the foundation designer incorporates this into the foundation design. The width for the internal public roads was reduced from 50 feet to 48 feet. *Exhibit 1, pages 18-19; Johnson Testimony.*
41. All new utilities must be installed underground, and any existing utility service would be required to be undergrounded. *Exhibit 1, page 31.*
42. The Hawthorne Land PRD/Plat site is located within the North Redmond Neighborhood, as identified in the Redmond Comprehensive Plan, Map N-1. Planning Staff identified the following general Comprehensive Plan policies as applicable to the proposal:

Framework Policies

- FW-9 Ensure that the land use pattern accommodates carefully planned levels of development, fits with existing uses, safeguards the environment, reduces sprawl, promotes efficient use of land and provision of services and facilities, encourages an appropriate mix of housing and jobs, and helps maintain Redmond's sense of community and character.

Natural Environment Policies

- NE-17 Conserve and protect environmentally critical areas from loss or degradation. Maintain as open space hazardous areas and significant areas of steep slopes, undeveloped shorelines and wetlands.
- NE-20: Encourage use of creative and appropriate site design and housing types to balance environmental protection and achievable density. Encourage Planned Residential Developments (PRDs), Planned Commercial Developments (PCDs), clustering, and density transfers for both commercial and residential development to help retain significant natural features and critical areas as open space.

Land Use Policies

LU-3 Allow new development only where adequate public facilities and services can be provided.

Encourage infill development on suitable vacant parcels that may have been passed over and redevelopment of underutilized parcels. Ensure that the height, bulk, and design of infill and redevelopment projects are compatible with their surroundings.

General Land Use Policies

N-NR-4 Conserve and strive to enhance existing significant natural features, including steep slopes, wetlands, streams, creeks, trees, and fish and wildlife habitat conservation areas.

N-NR-5 Encourage innovative development techniques that provide for a variety of lot sizes, housing types, styles, and sizes, and a variety of affordability levels within the neighborhood.

Neighborhood Character and Design Policies

N-NR-8 Promote the preservation of the area's important natural features through clustering and allowing innovative forms of housing that utilize less land area, particularly in the vicinity of critical areas as designated by the Critical Areas Ordinance.

N-NR-11 Require that new development be designed in a manner that demonstrates respect of the natural features of the neighborhood, such as terraces, ravines, woodlands, streams and wetlands.

Environmental Protection Policies

N-NR-18 Require the use of compost-amended soils, consistent with the guidelines of the Washington State Department of Ecology, in the required landscaping for all developments.

N-NR-23 Encourage the use of native and habitat plants in required landscaping.

Parks, Recreation and Open Space Policies

N-NR-35 Encourage the maintenance of pedestrian and bicycle connections on private streets and on public trails where vehicular access may otherwise be denied.

N-NR-37 Require, within utility corridors and associated easements to off-site connections, the granting and/or improvement of pedestrian and other non-motorized public access easements for all new development, when

determined appropriate by the City's Technical Committee.

Housing Policies

- N-NR-39 Allow the construction of multiplex housing units in Single-Family Urban zones particularly in order to preserve stands of mature trees, create new open space areas, establish neighborhood connectivity and linkages, and protect the area's other natural resources. Ensure that multiplex units are interspersed with a variety of other housing types, avoiding the location of units adjacent to each other.
- N-NR-40 Require the design of multiplex and other innovative housing styles to portray the appearance of single-family houses. Allow up to one entrance per side and do not architecturally differentiate attached dwellings.
- N-NR-41 Encourage the design and building of size-limited and affordable dwellings, including accessory dwelling units and air space condominium design.
- N-NR-43 Require a minimum of 10 percent of units in all new housing developments of 10 units or more in the North Redmond Neighborhood to be affordable, as defined in the Redmond Community Development Guide. Minimize development costs associated with this requirement by providing bonuses and incentives.
- N-NR-44 Promote the design of new single-family dwellings that maintain visual interest and provide a mix of home sizes and styles within new developments.
- N-NR-45 Ensure that new single-family dwellings are designed to have living space as the dominant feature of the street elevation to encourage active, engaging, and visually appealing streetscapes with landscaping and design features that bring the living space toward the front street. Minimize the garage feature at the street elevation, unless the home is located on an arterial and design options to minimize the appearance of the garage are limited.

Utilities Policies

- N-NR-60 Require the undergrounding of all new utilities in North Redmond and as older utility lines are updated, with the exception of the Puget Sound Energy high voltage transmission lines. Coordinate the undergrounding of existing overhead utilities as street construction or maintenance occurs in these service areas.

City of Redmond Comprehensive Plan, cited in Exhibit 1, Attachment 34; Johnson Testimony.

43. Neighbors on 176th Place and in the vicinity submitted the following concerns about the project for the record. Neighbors remain concerned about the impacts to the wetland and wildlife and whether the project would result in stormwater drainage flowing onto their adjoining parcels. Several worry about water quality and quantity impacts to their off-site Group B wells, which are upgradient from the project, requesting assurance that if adverse impacts result, the Applicant and/or the City is required to correct the situation. Neighbors are concerned that the sewer installation in 176th Place would interfere with the access to their residences and that the final condition of the road would be negatively impacted by the patching of the pavement when the job is completed. One neighbor requested that the Applicant be required to enclose the open ditch as part of the proposal, to avoid a second patch to the pavement if that work is done later. Neighbors expressed doubts that private homeowners or an HOA could adequately maintain the rain gardens, which require some technical expertise to manage and which cease to function as designed if not maintained properly. Finally, there was a question as to what happens to the off-site wetland when the on-site wetland is filled in, and what would be done about the blackberries and an allegedly hazardous cottonwood tree in proposed Tract E. Several members of the public who testified at hearing expressed gratitude toward the developer's agents, noting they have engaged the neighborhood proactively and been in good communication with the neighbors throughout the process. *Boa Testimony; Creek Testimony; Manis Testimony; Exhibit 6; Exhibit 1, Attachment 6.*
44. Regarding enclosing the open ditch along 176th Place, Public Works Staff testified that such action was neither proposed nor reviewed. The City has a preference for maintaining open ditches. Any such modification to the ditch would require separate review and approval by the Technical Committee. Regarding maintenance of rain gardens, the Applicant has proposed their use to attempt to maintain the future groundwater recharge rate within five percent of current; however, this is not a requirement of the City Code and the City lacks authority to make stipulations about maintenance beyond ensuring all stormwater management facilities within the project comply with current City standards. Regarding the paving after sewer installation, this would be handled through final engineering. Recommended conditions of approval would require all paving for the entire project to comply with City standards. All proposed utilities associated with the Plat/PRD have been found to be in compliance with the utility requirements in RCDG 20D.220.20. *Exhibit 1, page 14; Dendy Testimony; Almond Testimony; Johnson Testimony.*
45. The Applicant indicated a willingness to discuss the timing, access, and paving issues regarding the sewer installation on 176th Place, and even to discuss enclosing the open ditch, with the neighbors as the project proceeds. Regarding the off-site wells, the Applicant indicated that water level monitoring of the aquifer has been ongoing for seven years due to another project in the vicinity, with results showing no adverse impact to the water levels from the other development. The Applicant also noted that Group B wells must routinely undergo water quality testing pursuant to state requirements. The

Applicant offered to work with neighbors to test their wells prior to and during construction, and to monitor them for a time after construction to track impacts to groundwater. Regarding the rain gardens, the Applicant testified that the draft CC&Rs give the proposed HOA authority to enter in private properties for maintenance and to conduct periodic reporting of functioning. Finally, the Applicant indicated that blackberries would be removed from Tract E. The proposed filling of the wetland would be offset by creation of additional on-site wetland at a 2:1 ratio, mitigating impacts to the off-site portion of the wetland. Also, the existing buffer would be enhanced through removal of invasive species and planting of natives, which would improve wetland and habitat function and values. *Hermansen Testimony; Koger Testimony.*

46. The accepted plan set is dated October 10, 2011. Planning Staff accepted and reviewed: architectural elevations; Design Review Board plan; conceptual landscaping plan; a tree retention and replacement plan; a conceptual landscape plan; a conceptual wetland mitigation plan; a traffic impact analysis; and a preliminary stormdrainage report. Professional consultants retained by the Applicant prepared each report. No hazardous conditions or limitations to development within the area proposed for development were identified during project review. *Exhibit 1, page 27.*
47. At hearing, the Applicant waived objections to the recommended conditions of approval. *Hermansen Testimony.*
48. The Technical Committee, which is comprised of staff from the Planning, Public Works, and Fire Departments, reviewed the Applicant's submittals for compliance with City codes and regulations and recommended project approval subject to conditions. *Exhibit 1, pages 1, 27; Johnson 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 RCDG 20F.30.15-04 and -060 and 20F.30.40-015. The Hearing Examiner is authorized to conduct open record hearings and issue recommendations to City Council on applications for planned residential developments, pursuant to RCDG 20F.30.45-010.

Preliminary Plat Criteria for Review

Pursuant to RCDG 20D.180.10-020, the Examiner shall approve an application for preliminary plat if findings can be entered showing the following criteria are satisfied:

20D.180.10-020 Review and Approval Criteria (for preliminary plats).

(1) Each proposed subdivision or short subdivision shall be reviewed to insure that:

(a) The proposal conforms to the goals, policies and plans set forth in RCDG Title 20B;

- (b) The proposal conforms to the site requirements set forth in RCDG 20C.30.25-140, Site Requirements;
- (c) The proposal conforms to the requirements of this section and those set forth in RCDG Title 20F and submittal requirements on file in the Planning Department;
- (d) The proposed street system conforms to the City of Redmond 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;
- (e) The proposed subdivision or short subdivision will be adequately served with City approved water and sewer, and other utilities appropriate to the nature of the subdivision or short subdivision;
- (f) The layout of lots, and their size and dimensions, take into account topography and vegetation on the site in order that buildings may be reasonably sited, and that the least disruption of the site, topography and vegetation will result from development of the lots;
- (g) Identified hazards and limitations to development have been considered in the design of streets and lot layout to assure street and building sites are on geologically stable soil considering the stress and loads to which the soil may be subjected.

- (2) 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.

PRD Criteria for Review

Pursuant to RCDG 20C.30.105-040, the Examiner shall recommend approval of an application for planned residential development if findings can be entered showing that the proposal satisfies the following requirements:

- (1) [Two or more of the following results are achieved]:
 - (a) High-quality architectural design, placement, relationship or orientation of structures;
 - (b) Achieving allowable densities for the subject property;
 - (c) Providing housing types that effectively serve the affordable housing needs of the community;
 - (d) Improving circulation patterns or the screening of parking facilities;
 - (e) Minimizing the use of impervious surfacing materials.
 - (f) Increasing open space or recreational facilities on site;
 - (g) Landscaping, buffering, or screening in or around the proposed PRD;
 - (h) Providing public facilities;
 - (i) Preserving, enhancing or rehabilitating natural features of the subject property such as significant woodlands, wildlife habitats or streams;
 - (j) Incorporating energy-efficient site design or building features;
 - (k) Providing for an efficient use of infrastructure; and/or
 - (l) Incorporating a historic structure(s) or a historic landmark in such a manner as preserves its historic integrity and encourages adaptive reuse.

- (2) The PRD shall be served by adequate public facilities including streets, bicycle and pedestrian facilities, fire protection, water, stormwater control, sanitary sewer, and parks and recreation facilities.
- (3) The perimeter of the PRD shall be appropriate in design, character and appearance with the existing or intended character of development adjacent to the subject property and with the physical characteristics of the subject property.
- (4) Open space and recreation facilities shall be provided and effectively integrated into the overall development of a PRD and surrounding uses.
- (5) Existing and proposed streets and sidewalks within a PRD shall be suitable and adequate to carry anticipated traffic within the proposed project and in the vicinity of the subject property.

Conclusions Based on Findings

1. With conditions, the project would comply with applicable Comprehensive Plan and North Redmond Neighborhood policies. The proposed single-family development with one triplex unit would be consistent in character with existing (Whistler Ridge, Grayson at Abbey Road) and approved (Sequoia Ridge) single-family residential development of varying densities in the area. The proposal would achieve the maximum density for the site utilizing the PRD and affordable housing bonuses. The proposal would increase variety of home sizes and styles in the vicinity by including a triplex. The project would be required to construct frontage improvements that would provide a consistent appearance with surrounding development. The proposed filling of a Category III wetland to construct a road is unavoidable due to the location of the off-site connecting road. Proposed mitigation of wetland creation at a 2:1 ratio, buffer replacement, and buffer enhancement would mitigate the project's impacts and ensure no net loss of wetland and habitat function and value. The project would retain nearly 55 percent of healthy significant trees on-site, including one landmark tree, and would plant 68 replacement trees in open space tracts. Approximately 26.9% of the overall site area would be retained in open space, much of which would be permanently protected in its native state in NGPEs, including the wetland, associated buffer, and on-site steep slopes. Sidewalks and trails throughout the site, and an off-site interim walkway, would ensure adequate pedestrian connectivity. As conditioned, the developer would pay the costs of public utility extension to serve the proposed units, in addition to code-established impact fees, and would stub utilities to the property boundaries. *Findings 14, 17, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 36, 37, 38, and 42.*
2. As conditioned, the proposed lots, tracts, and perimeter would comply with applicable site requirements as modified by the City's PRD provisions. A condition of approval would ensure that the plat is only approved if the City Council approves the PRD. *Finding 21, 22, 23, 24, 35, 37, and 42.*

3. The project complies with the administrative procedural requirements for preliminary plat applications. The Applicant satisfied all submittal requirements as of December 18, 2007. *Finding 2.*
4. With the administratively approved deviations from road standards and as conditioned, the proposed street system would comply with the City of Redmond Arterial Street Plan. Conditions would ensure that all road and infrastructure construction within rights-of-way are consistent with the final plans as approved during civil engineering review. Frontage improvements would be provided consistent with City requirements on NE 116th Street, either through Applicant construction or through Applicant payment of costs in lieu, with the actual improvements installed by the City when the roundabout is built at NE 116th and 172nd Avenue. *Findings 22, 26, 27, 28, and 40.*
5. Municipal water and sewer and other utilities would adequately serve the project. A condition of approval would ensure that the on-site well is properly decommissioned. Additional conditions would ensure that design details and construction of the stormwater management system would comport with the requirements of the City of Redmond Stormwater Technical Notebook as well as the DOE's 2005 Stormwater Management Manual for Western Washington. *Findings 5, 14, 29, 30, 31, 32, 40, 41, 44, 46, and 48.*
6. Through application of the PRD process and the use of shared driveways, alley access, and narrowed road width, the project minimizes clearing and grading. The clustering/placement of dwelling units allows for larger open space retention and reduction of impervious surfaces. The project would retain 79 significant trees and would set aside 2.06 acres in open space. The project was reviewed for compliance with the requirements of SEPA and a DNS was issued. No hazards or limitations to development resulting from soils or critical areas identified on-site remain unaddressed. *Findings 6, 12, 22, 23, 36, 38, and 46.*
7. As conditioned, the proposal comports with the requirements of the PRD provisions to which the application is vested. Each lot would be reviewed for compliance with PRD and North Redmond Neighborhood specific design criteria at time of building permit submittal. Utilizing bonus incentives, the project maximizes allowable density. The three triplex units would satisfy the affordable housing requirements of the Code. The project minimizes impervious surfaces through clustering buildings, shared driveways, and reduced right-of-way widths. The proposal would exceed the minimum PRD open space requirement, providing private open space on each lot as well as active recreational features in open space tracts. Only three full lots and a tiny portion of a fourth would abut the perimeter of the project, with rear yard setbacks adjacent to the site boundary. The rest of the project would have a landscaped or native vegetation buffer of at least ten feet. The project would be compatible with the character of the residential development in the vicinity. *Findings 14, 21, 22, 23, 24, 25, and 35.*
8. Adequate public services and facilities exist to serve the PRD. Access to public streets would be made via NE 116th Street, and the new internal public street would stub to the east and west boundaries to allow connectivity with future adjacent development. All

new public street frontage would provide sidewalks. A condition of approval would ensure that the project provides an interim walking route to nearby schools, in satisfaction of City and state safe walking requirements. The project would extend public sewer and water lines to each lot and to the project boundaries and would construct a new public stormwater facility. The municipal utilities have capacity to serve the proposed lots. As conditioned, adequate emergency vehicle access is available and a condition would require all structures to be sprinklered. Conditions would ensure that transportation, parks, school, and fire impacts would be mitigated by the payment of impact fees at time of building permit issuance. *Findings 26, 27, 28, 29, 30, 31, 32, 33, 34, and 38.*

RECOMMENDATION AND DECISION

Based on the preceding findings and conclusions, the request for approval of a preliminary plat subdividing 8.10 acres at 17241, 17249, and 17257 NE 116th Street in Redmond, Washington, into 36 lots, 35 to be developed with single-family residences and one lot to be developed with a triplex unit, for a total of 38 dwelling units is **GRANTED**, subject to Redmond City Council approval of the PRD and to the conditions below.

Based on the preceding findings and conclusions, the Hearing Examiner recommends that the Hawthorne Lane PRD **SHOULD BE APPROVED** with conditions.

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 P1-P15]	10/11/2011	and as conditioned herein.
SEPA Checklist	12/20/2010	and as conditioned herein and as conditioned by the SEPA threshold determination on 01/12/2011 and Addendum issued on 11/09/2011.
Architectural Elevations	12/08/2009	and as conditioned herein.
Design Review Board Approvals/ Plan	02/18/2010	and as conditioned herein.
Conceptual Landscaping Plan	10/11/2011	and as conditioned herein.
Proposed Tree Retention Plan	10/11/2011	and as conditioned herein.
Conceptual Wetland Mitigation Plan	10/11/2011	and as conditioned herein.
Traffic Impact Analysis	10/11/2011	and as conditioned herein.
Preliminary Stormwater Report	10/11/2011	and as conditioned herein.

1. Public Works Transportation and Engineering

Reviewer: Kurt Seemann, Senior Engineer

Phone: 425-556-2881

Email: kseemann@redmond.gov

- a. **Easements and Dedications.** Easements and dedications shall be provided for City of Redmond review at the time of civil drawing approval and finalized with recording of the final plat. The existing and proposed easements and right-of-way shall be shown on the civil drawings and final plat documents. Prior to acceptance of the right(s) of way and/or easement(s) by the City, the developer will be required to remove or subordinate any existing private easements or rights that encumber the property to be dedicated.

i. Easements are required as follows:

- (a) 10'-wide sidewalk easement, granted to the City of Redmond, abutting all right-of-way including NE 116th Street, Road A and Road B.
- (b) Public access easement, granted to the City of Redmond, across Tract F from NE 116th Street to Road B.
- (c) 10'-wide utility easement, granted to the City of Redmond, abutting all rights-of-way including NE 116th Street, Road A and Road B.
- (d) A private ingress and egress easement, 20' wide, to ensure Lots 8-10 have access to Road A via Tract A as shown on the plans.
- (e) A public utility and pedestrian easement, 20' wide, shown on the plans as Tract A, Tract G and across Lot 8 and Lot 29.
- (f) A private ingress and egress easement, 20' wide, to ensure Lots 12-15 have access to Road A via Tract C as shown on the plans.
- (g) A private ingress and egress easement, 20' wide, to ensure Lots 29-31 have access to Road A via Tract G as shown on the plans.
- (h) A private ingress and egress easement, 20' wide, to ensure Lots 32-36 have access to Road A via Tract H as shown on the plans.
- (i) At the time of construction, additional easements may be required to accommodate the improvements as constructed.

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

- (a) New right-of-way lines joining at the intersections of public street shall connect with a 25-foot radius. The area formed by this radius shall also be dedicated as right-of-way.
- (b) A strip of land 12' feet wide abutting the existing NE 116th Street right-of-way.
- (c) 48' wide for the new public streets within the plat (shown as Road A and B).

Code Authority: RCDG 20D.180.10-070, 20D.180.10-150, 20D.180.10-180, 20D.210.20-050; RMC 12.12

Condition Applies: Civil Construction, Final Plat Document

- b. **Construction Restoration.** In order to mitigate damage due to trenching and other work on NE 116th Street and 176th PINE, the asphalt street shall be planed, overlaid, and/or patched, as determined by the Public Works Development Services Division.

Code Authority: RCDG 12.08, Redmond Standard Specifications and Details

Condition Applies: Civil Construction

c. **Street Frontage Improvements**

- i. The frontage along NE 116th Street must meet current City Standards which include asphalt paving 22' from centerline to face of curb with appropriate tapers, type A-1 concrete curb and gutter, 5' wide planter strip, 6' wide concrete sidewalk, storm drainage, street lights, street trees, street signs and underground utilities including power and telecommunications. The minimum pavement section for the streets shall consist of:
- 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

Because the City has a capital improvement project planned for construction in 2014-2015, instead of constructing frontage improvements, the applicant and the City may agree to allow the applicant pay a fee "in lieu" of constructing the actual frontage improvements. This fee will be based on the latest City cost estimate for the capital improvement project and shall be paid prior to approval of construction mylars or a later date agreeable to the City.

Code Authority: RCDG 20D.180.10-140, 20D.210.20, 20D.220.20-070; RMC 12.12; RCDG Appendix 20D-3; RCW 35.70.020

Condition Applies: Civil Construction

- ii. The frontage along Road A and B must meet current City Standards which include 28'-wide asphalt paving (14' from centerline to face of curb) with appropriate tapers, type A-1 concrete curb and gutter, 5 feet wide planter strips, 5' 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

The east and west stubs of Road B shall terminate with appropriate fencing, barriers, and signs that clearly indicate that this street will be extended in the future, but that it will not be used to access the existing neighboring properties at this time.

Code Authority: RCDG 20D.180.10-140, 20D.210.20, 20D.220.20-070;
RMC 12.12; RCDG Appendix 20D-3; RCW 35.70.020

Condition Applies: Civil Construction

iv. A separate 40-scale channelization plan may be required for any public street being modified or constructed. The plan shall include the existing and proposed signs, striping and street lighting and signal equipment for all streets adjacent to the site and within at least 150 feet of the site property line (both sides of the street). The plan shall conform to the requirements in the City of Redmond Standard Specifications and Details Manual.

Code Authority: RCDG 20D.210.20-090, Appendix 20D-3; Standard Specifications and Details Manual; RCW 47.24.020

Condition Applies: Civil Construction

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

- Construct 5'-wide sidewalk across Tract A and Lot 8. This sidewalk shall terminate with fencing to prevent access to the adjacent property. The sidewalk may be constructed at the same elevation as the drive in Tract A using surfacing treatment that clearly differentiates it from the driving surface. Place a sign, approved by the City, at the east end of the sidewalk indicating that this public access will be extended in the future.
- Construct 5'-wide sidewalk across Tract G and Lot 29, connecting to the trail in Tract F.

Code Authority: RCDG 20C.40.105, 20D.180.10-180, 20D.220.20-070,
20D.210.30; RMC 12.12; RCW 35.70.020

Condition Applies: Civil Construction

d. Access Improvements

i. The type and location of the proposed site accesses are approved as shown on the Hawthorne Lane PRD site plans prepared by Core Design submitted to the City on Oct 11, 2011.

ii. Direct access to NE 116th Street will not be permitted for any lot in the

plat. This restriction shall be indicated on the face of the civil plans and final plat.

Code Authority: RCDG 20D.210.20-080; Appendix 20D-3

Condition Applies: Civil Construction, Final Plat Document

- e. **Underground Utilities.** All existing aerial utilities shall be converted to underground along the street frontages and within the development. All new utilities serving the development shall be placed underground.

Code Authority: RCDG 20D.180.10-120, 20D.220.10

Condition Applies: Civil Construction

- f. **Street Lighting.** Illumination of the street(s) along the property frontage and within the plat must be designed to current City standards. Streetlights are required to illuminate the property frontage. Luminaire spacing should be designed to meet the specified criteria for the applicable lamp size, luminaire height and street 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/cms/One.aspx?protalld=169&pageid=2873>

Code Authority: RCDG 20D.180.10-160, 20D.210.20-090, Appendix 20D-3

Condition Applies: Civil Construction

- g. **Safe Walking Route(s).** The Redmond Community Development Guide requires that safe pedestrian linkages be provided between new developments and existing neighborhoods and public facilities. The proposed plat is within a one-mile walking radius of the Rockwell and Einstein Elementary Schools, as well as Redmond Junior and Senior High Schools, Hartmann Park and other public facilities. Current conditions on NE 116th Street do not provide safe walking conditions for students or other pedestrians. Interim walkways shall be constructed of concrete curb, gutter and a 5-foot sidewalk if adjacent to the street. The curb face shall be located at least 12-feet from the centerline. The interim walkways shall be 4 feet wide, constructed of asphalt or concrete, and located a minimum of 10 feet from the street edge of traveled way where no curb and gutter exists. A safety railing or fencing will be required when (1) the interim walkway is located at the top of a slope or wall that is 2:1 or steeper and (2) the walkway elevation is 30-inches or higher than the toe of the slope or wall. Prior to occupancy of any house in the plat, an interim or permanent walkway must be in place so as to provide a continuous connection along the south side of NE 116th Street from 172nd Ave NE to existing sidewalk immediately east of the proposed plat.

Code Authority: RCW 58.17; RCDG 20D.210.20, 20D.220.20-070,
20D.180.10-180

Condition Applies: Civil Construction

2. Public Works – Water and Sewer

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

Phone: 425-556-2844

Email: jstreit@redmond.gov

- a. **Water Service.** Water service will require a developer extension of the City of Redmond water system as follows: Install the 8-inch diameter ductile iron water system shown on the plans prepared by CORE Design and received by the City on Oct 11, 2011. Areas of peat will require over excavation and backfill with structural fill. Service connections will be made by installing new water services and meters from the new 8-inch diameter mains to the new homes as shown on the plans.

Code Authority: RCDG 20D.180.10-080, 20D.180.10-130,
20D.220.020

Condition Applies: Civil Construction

- b. **Sewer Service.** Sewer service will require a developer extension of the City of Redmond sewer system as follows: Install an 8-inch diameter PVC sanitary sewer collection system as shown on the plans prepared by CORE Design and received by the City on Oct 11, 2011. Additionally, install off-site 8-inch diameter sanitary sewer piping in a 20-foot wide easement and in NE 176th Place as shown on the plans. Areas of peat will require over excavation and backfill with structural fill. Side sewer connections will connect each new home to the new 8-inch diameter collection system per City of Redmond standards. Additionally provide an 8-inch diameter sanitary sewer connection for the properties west of the site as shown in the latest City of Redmond General Sewer Plan. Prior to starting construction work in 176th PI NE, coordinate schedule and sequencing with City inspector and neighbors whose properties access off of 176th PI NE. Maintain access for neighbors during construction. Identify a primary contact for the neighbors and provide regular updates to construction schedule and prior notification of schedule changes.

Code Authority: RCDG 20D.180.10-090, 20D.180.10-130,
20D.220.020

Condition Applies: Civil Construction

- c. **Easements.** Easements shall be provided for all water and sewer improvements as required in the Design Requirements for Water and Sewer System Extensions. Public 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. Water and Sewer improvements shall be shown on the face of the final plat and granted through the final plat.

- The applicant must acquire, on behalf of the City of Redmond, a 20-foot wide public easement for the sanitary sewer across Lot 1 of City of Redmond Short Plat Number SS-76-21 (Klumb property).
- 20-foot wide public sanitary sewer easement in Tract F for future construction, access and maintenance of a sewer main serving properties to the west of the proposed plat.

Code Authority: RCDG 20D.180,10-070, Appendix 20D-4
Condition Applies: Civil Construction, Final Plat Document

- d. **Backflow Preventors:** Backflow preventors shall be used in the water supply system in accordance with City, State, and Federal requirements. WAC 246-290-490 specifically addresses Cross-connection control devices and their specific use for the premise isolation; reference Table 8 for appropriate backflow isolation devices and Table 9 to determine if your proposed use is a high health cross-connection hazard.

Code Authority: RMC 13.10
Condition Applies: Civil Construction

- e. **Permit Application.** Water meter and sewer service applications shall be submitted for approval to the Public Works Development Services Division. Permits and meters will not be issued until all improvements are constructed and approved for use, and administrative requirements are completed. In certain limited circumstances, as determined solely by the City of Redmond, water meter and/or side sewer permits may be issued prior to completion of improvements and administrative requirements. In such cases, various additional guarantees or requirements may be imposed as determined by the Development Services Division. All reimbursement fees shall be paid prior to sale of water and side sewer permits.

Code Authority: RMC 13.08.010, 13.12
Condition Applies: Prior to Permit Purchase

- f. **Reimbursement Fees:** Reimbursement fees for connection to the sanitary sewer are required in the amount of \$3,474.81. These fees are due prior to the sale of water and side sewer permits for this project.

Code Authority: RMC 13.12.120
Condition Applies: Prior to Permit Purchase

3. Public Works – Stormwater/Clearing and Grading

Reviewer: Jeff Dendy, Senior Engineer

Phone: 425-556-2890

Email: jdendy@redmond.gov

a. Water Quantity Control:

- i. Stormwater discharge 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 vault.
- ii. Provide for overflow routes through the site for the 50-year storm.
- iii. WATER BALANCE - Analyze the existing groundwater recharge volume for the existing project site, then compare the result to the expected future recharge volume. Interflow can be excluded from the analysis. Maintain the developed condition net annual recharge to within five percent of the existing condition. Provide a water balance report that is detailed, quantitative, replicable, with explanations for the water balance results provided in the letter dated December 2, 2010 from Associated Earth Sciences, Inc. The water balance report must provide a summary of the physical methods to be included on the construction drawings so those drawings will implement the measures included in the water balance calculations.
- iv. The project has proposed to infiltrate roof runoff to aid in maintaining the local groundwater balance. In the Stormwater Management Manual for Western Washington (2005) Volume III, 3.1.1 Downspout Infiltration Systems, the Department of Ecology presents the procedure for evaluating feasibility of the project area for infiltration.

The soils report described in Section 3.1.1 Downspout Infiltration Systems shall be included with the project engineering submittal materials for review by the City of Redmond.

If roof runoff is infiltrated according to the requirements of Section 3.1.1, then the roof areas may be discounted from the project area used for sizing stormwater detention facilities. Project detention will be designed, reviewed and constructed prior to individual lot development. If the project developer claims a flow credit for infiltration, the recorded plat must clearly specify which building lots were determined to provide roof infiltration and the roof area used in the credit calculation. These lots, when developed, shall install roof infiltration. The roof infiltration design may be in accordance to Section 3.1.1 Figure 3.2 Typical Downspout Infiltration Trench, or Figure 3.4 Typical Downspout Infiltration Drywell, or as approved by the City's Development Services Division.

Additional infiltration BMPs (best management practices) such as rain-

gardens shall be treated in a similar manner.

The applicant shall provide the results of individual lot geotechnical / hydro-geological infiltration analysis and calculations sizing the proposed roof infiltration designs for each lot receiving credit for roof infiltration. This will allow the proper infiltration credits to be included in the vault design, and for the City's Development Services Division to review the area-wide impacts of these systems.

The plat of Hawthorne Lane PRD shall include in the section on Restrictions and Conditions of Approval, the statement that owners of lots containing infiltration systems shall be responsible for the long term maintenance of those infiltration systems in accordance with the project Operation and Maintenance Manual. The lots containing such systems shall be identified on the plat documents.

The engineering drawings shall show foundation drain connections for each lot. Foundation drains are required for each house, unless waived by the City of Redmond Building Official.

For rockeries and retaining walls, the engineering drawings shall show back of wall drain piping, with connections to the storm drain system. Drains may daylight to an erosion control pad where approved by the Development Services review engineer.

Code Authority: RCDG 20D.180.10-100; RMC 15.24.080

Condition Applies: Civil Construction

b. Water Quality Control

- i. Basic water quality treatment shall be provided in a publicly maintained wet-vault. Treatment is required for the 6-month, 24 hour return period storm.
- ii. A water well exists on the project property. The water well will be decommissioned prior to recording of the final plat.
- iii. If rain gardens are part of the engineering drawings, provide a pamphlet explaining rain gardens for Hawthorne Lane homeowners. Explain their operation, maintenance, and the responsibility to retain them and keep them operational.
- iv. The Hawthorne Lane PRD homeowners association shall include a section in the CC&Rs to condition homeowners of lots containing infiltration aquifer recharge systems to provide for the long term maintenance of the infiltration systems, and name the City of Redmond as a third party beneficiary of that section.

Code Authority: RCDG 20D.180.10-100; RMC 15.24.080(2)(d)
Condition Applies: Civil Construction

- c. **Public Stormwater Easements.** Public 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 as part of the final plat. 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. Prior to civil drawing approval and final plat recording, fully executed offsite easements shall be provided to the Public Works Development Services Division.

Code Authority: RCDG 20D.180.10-170; RMC 15.24.080(2)(i)
Condition Applies: Civil Construction, Final Plat Document

- d. **Private Stormwater Easements.** Private stormwater easements will be required where drainage systems are located across adjacent properties and will remain under private ownership. Maintenance of private drainage systems will be the responsibility of the property owners benefiting from the easement. Prior to construction drawing approval and final plat recording, fully executed and recorded easements shall be provided to the Public Works Development Services Division.

Code Authority: RCDG 20D.220.20-040, 20D.220.20-050,
20D.220.20-060, Appendix 20D-4 Section VI
Condition Applies: Civil Construction, Final Plat Document

- e. **Clearing and Grading.**
Peat within the clearing limits shown on the preliminary plans by CORE Design received by the City of Redmond October 11, 2011, shall be over-excavated and backfilled with compact structural fill as described in the project geotechnical report by AESI.

A Grading and De-Watering Plan shall be submitted as part of the project engineering plan. This plan may be peer-reviewed by an independent geotechnical engineering consultant. The plan will address how work will proceed to minimize off-site soil subsidence, and to minimize the need for excavation de-watering. Excavation de-watering water shall be treated prior to discharge from the site in a manner appropriate to the level of its contamination (if any). Chemical treatment must receive prior approval from the Department of Ecology and the City of Redmond.

Provide a drainage conveyance that allows the continuance of the historic drainage pattern for the properties that drain toward Hawthorne Lane PRD.

Properties west of the project currently drain to a cross culvert leading eastward onto Hawthorne Lane, crossing under the existing access road, then discharging to an open channel on-site. The Hawthorne Lane engineering design needs to accommodate a potential connection from these properties' future detention system(s). This can be done by installation of a culvert that has an up-gradient invert deep enough to receive detention vault outflows.

Code Authority: RCDG 20D.180.10-190; RMC 15.24.080

Condition Applies: Civil Construction

f. 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

Condition Applies: Civil Construction

g. Floodplain Management. This project does not lie in the FEMA 100-year Flood plain.

Code Authority: RCDG 20D.140.10 and 20D.140.40

Condition Applies: Civil Construction, Final Plat Document, Other

h. Landscaping. Do not plant deep rooted vegetation over the storm vault or within 8 feet of storm drain pipes.

Code Authority: RCDG 20D.80.10-150(8)

Condition Applies: Civil Construction

i. Wellhead Protection. No site specific items.

Code Authority: RMC 13.07.100

Condition Applies: Civil Construction

j. Department of Ecology Notice of Intent Construction Stormwater General Permit. Notice of Intent (NIO) must be submitted to the Department of Ecology (DOE) at least 60 days prior to construction on a site that disturbs an area of one acre or larger. Additional information is available at: www.ecy.wa.gov/pubs/0710044.pdf.

Code Authority: Department of Ecology Rule

Condition Applies: Prior to Commencement of Construction

k. Capital Facilities Charge. A Capital Facilities Charge applies to this project. Please see the Public Works Development Fee sheet for current

fee information. The Capital Facility Charge is due at time of Building Permit issuance.

Code Authority: RMC 13.20.030

Condition Applies: Building Permit Issuance

4. Fire Department

Reviewer: Rich Gieseke, Deputy Fire Marshal

Phone: 425-556-2204

Email: rgieseke@redmond.gov

The current submittal is generally adequate for Plat Approval, but does not fully represent compliance with all requirements. The following conditions are integral to the Plat Approval and shall be complied with in Civil Drawings, the Final Plat, Building Permit submittals, Fire Code Permit submittals, and/or other applicable processes:

a. Plat Condition:

1. Emergency Vehicle Access Easements” and roadways are the approved combination of public streets, private streets, private access tracts, site access roads, lanes, alleys, and designated structures which provide access to Fire Department personnel, vehicles, and equipment for the purpose of providing emergency firefighting, physical and health hazard response, certain systems responses, and emergency medical response to commercial and residential facilities under all circumstances. An emergency vehicle access roadway may be designated as a fire lane for marking purposes.

- Minimum unobstructed surface width shall be 20 feet.
- Minimum unobstructed height shall be 13’6”.
- Minimum interior turning radii shall be 25 feet, and exterior radii shall be 45 feet.

2. The minimum load bearing surface of an access roadway shall meet the compaction and load bearing requirements of the Engineering Department for a 77,000 pound vehicle and adequate point loading characteristics for both wheel systems and outrigger systems (45,000 lbs over 24”x24” pad).

3. The surface shall be an approved all weather driving surface, typically asphalt or concrete. Alternate surfaces must have the approval of the Engineering Department and the Fire Department.

4. Roadways shall be within 150 feet of all portions of the exterior walls of a structure or a facility and shall be within 50 feet of 25 % of the exterior

5. Fire lanes must be marked per Redmond Fire Department standards. Fire lanes identified through site plan review shall be included on civil drawings. Additional fire lanes or marking may be required anytime during the life of the development upon evaluation by and direction of the Fire Marshal.

6. All portions of an emergency vehicle access roadway not in a public Right Of Way, including turnarounds and Emergency Vehicle Operations

Areas, shall be maintained in an approved and recorded Emergency Vehicle Access Easement.

7. Approved Address numbers and street names are essential for rapid emergency response. Approved names, numbers, and signage shall be provided for all structures and facilities. Public and/or private streets, avenues and portions thereof shall have appropriate number designations. Name designations shall not be used. Numbers shall be assigned by the Fire Marshal.

8. Water System improvements shall be consistent with the City of Redmond Water plan. Residential areas shall be master planned to provide a minimum of 1500 gpm. Hydrants must be capable of providing sufficient fire flow to meet the required flow of the project as calculated by the Fire Marshal.

b. Fire Protection Permit:

1. All one and two family residential homes shall be provided with residential fire sprinkler systems complying with NFPA 13D. All tri-plex or larger residential buildings shall be provided with a sprinkler system complying with NFPA 13.

2. One or two family residential underground supply shall be a minimum 2" high molecular poly pipe or approved alternate. Underground supplies serving tri-plex or larger residential buildings shall be a minimum of 4" D.I. pipe or larger.

Code Authority: RMC 15.06; RCDG Appendix 20D-3; RFD Standards, RFDD&CG

Condition Applies: Civil Construction, Final Plat Document

- c. Emergency Vehicle Access Easement.** All portions of Emergency Vehicle Access Roadway not in a public right-of-way, including turnarounds and Emergency Vehicle Operations Areas shall be maintained in a dedicated Emergency Vehicle Access Easement.

Code Authority: RCDG Appendix 20D-3, Section III

Conditional Applies: Civil Construction, Final Plat Document

5. Planning Department

Reviewer: Thara Johnson, Associate Planner

Phone: 425-556-2470

Email: tmjohnson@redmond.gov

- a. Street Trees.** The following street trees are required to be installed in accordance with RCDG Section 20D.80.10-140. The minimum size at installation is 2 ½ inch caliper. The applicant may enter into an agreement with the City to pay for the City to construct frontage improvements along NE 116th Street, including street trees.

Street	Species	Spacing
NE 116 th Street	Autumn Purple Ash	30' on center

Code Authority: RCDG 20D.80.10-140

Condition Applies: Civil Construction

- 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 drawings. A plan showing the location of preserved trees and containing protection language approved by the City shall be recorded with the final plat.

The recommendations of the applicant's arborist, Gilles Consulting LLC, shall be implemented in all situations where there is encroachment into the dripline of a tree that has been determined to be saved.

Code Authority: RCDG 20D.80.20

Condition Applies: Civil Construction, Final Plat Document

- c. **Tree Exception Request.** The tree exception request for removal of one (1) landmark tree from the site shall be implemented in conformance with the tree preservation plan.

Code Authority: RCDG 20D.80.20-090

Condition Applies: Civil Construction, Final Plat Document

- d. **Architectural Elevation Approval.** All single-family building permits associated with the Hawthorne Lane PRD and Plat shall be reviewed by the Department of Planning and Community Development for conformance to the approved building elevations.

Code Authority: RCDG 20C.30.105-040

Condition Applies: Building Permit

Front entries shall be well-emphasized and provided with way-finding elements to the front door, such as arches, columns, porches, stoops, etc. Entrances to the homes shall include at least 80 square feet of outdoor living space such as porches, landscaped patios, stone or brick walkways with arbor, trellises or other features that create a progression of spaces from the public way to the individual private residences. Porches or patios should be designed to encourage outdoor sitting in the front yard. The minimum depth of the porches should be 5 feet to accommodate outdoor furniture. Houses without 80 square foot front porches shall provide landscaped patios of a minimum of 80 square feet to accommodate outdoor furniture and space for passive recreational activity.

Code Authority: RCDG 20C.30.105-040.

Condition Applies: Building Permit

- e. **Design Review Board (DRB):** The construction of this project shall conform to the plans recommended for approval by the City of Redmond Design Review Board on February 18, 2010 for issues of architectural elevations, colors, materials, landscaping, and site lighting with the following conditions:
 - a. Revise the rear or north elevation of the triplex to include more detail on the rear façade of the triplex structure which fronts onto NE 116th Street.
 - b. Compliance with revised elevations for the triplex building dated March 5, 2010.

- f. **Neighborhood Regulations:** The Hawthorne Lane PRD and Plat shall demonstrate conformance with the following North Redmond Neighborhood Regulations:

Code Authority: RCDG 20C.70.30-040(2)

Variety in Building Design. The same combination of building elements, features and treatments shall not be repeated for more than 20 percent of the total dwelling units in a residential development.

Code Authority: RCDG 20C.70.30-060(2)(b)(1)

Condition Applies: Building Permit

Garages. Garages facing the front street shall be set back a minimum of five feet from the street elevation of the dwelling, or otherwise designed and placed in a manner that meets the intent of this section, such as recessing under a second story or a projecting roofline, or other treatment(s). The front street elevation of a side-loaded garage shall have a minimum of one opening (i.e., window or door). Garages that face another direction, i.e., side- and alley-loaded garages, are exempt from the five-foot setback requirement.

Code Authority: RCDG 20C.70.30-060(3)(b)(ii)(B)

Condition Applies: Building Permit

Transition Area. Provide a minimum 80-square-foot area in the front yard that is oriented toward the front street and includes a porch (minimum dimension eight feet on all sides), patio, deck, garden with entry, walkway with arbor, or other feature(s) that meets the intent of this section.

Code Authority: RCDG 20C.70.30-060(3)(b)(iv)

Condition Applies: Building Permit

- g. **PRD Modifications.** As part of the Hawthorne Lane Planned Residential Development, the following code provision shall be modified as recommended by the Technical Committee:

The average lot size requirement shall be 5,085 square feet.
The minimum lot width requirement shall be 20 feet.
The minimum front setback shall be 15 feet with the provision that garages be setback 18 feet.
The minimum rear setback when adjacent to an alley shall be 4 feet.
The minimum rear setback when not adjacent to an alley shall be 10 feet.
The minimum side street setback shall be 10 feet.
The minimum side/interior setback shall be 7.5' feet.
The minimum building separation shall be 15 feet.
The maximum lot coverage shall be 45 percent.
The maximum impervious surface area shall be 60 percent.

Code Authority: RCDG 20C.30.105

- h. **Affordable Housing.** The Hawthorne Lane PRD and Plat shall demonstrate conformance with the Affordable Housing Regulations in RCDG 20D.30. An agreement in a form approved by the City must be recorded with the King County Department of Records and Elections to stipulate conditions under which required affordable housing units will remain as affordable housing for the life of the development. This agreement shall be a covenant running with the land, binding on the assigns, heirs, and successors of the applicant. Prior to the issuance of any building permit, the owner shall sign any necessary agreements with the City to implement these requirements. The City may agree, at its sole discretion, to subordinate any affordable housing regulatory agreement for the purpose of enabling the owner to obtain financing for development of the property, consistent with any applicable provision of the Redmond Community Development Guide in effect at the time of the issuance of the development permit(s).

Code Authority: RCDG 20D.30.010

- i. **Final Critical Areas Report and Enhancement Mitigation Plan.** A final Critical Areas Report must be submitted with the civil drawings. All required enhancement and mitigation must be shown on the civil drawings. This includes any required planting, signage, fencing, wetland or stream enhancement, etc. that is required in the report.

The Final Critical Areas Mitigation Plan shall include measures to remove the entire existing fill from within the proposed wetland mitigation area down to the native soils to ensure adequate success of the mitigation plan.

Code Authority: RCDG 20D-2
Condition Applies: Civil Construction

- j. **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 prior to civil drawing approval for indemnity in the event that the mitigation project is inadequate or fails.

Code Authority: RCDG 20D.140.10-150
Condition Applies: Civil Construction

- k. **Native Growth Protection Easement.** The regulated critical areas and their associated buffer must be protected by a Native Growth Protection Easement (NGPE) in Tracts D and E where development is prohibited. The NGPE shall be shown on the plat with corresponding language approved by the City Attorney.

Code Authority: RCDG 20D.140.10-180
Condition Applies: Civil Construction, Final Plat Document

- l. **Setbacks.** Setback classifications (e.g. front, side, side street, rear) shall be noted on each lot corresponding to the appropriate location for each setback. The setback dimensions shall not be included.

Code Authority: RCDG 20C.30.25-080(2)
Condition Applies: Final Plat Document

- m. **Open Space.** The proposal includes development-wide calculations to meet the open space requirements. Each lot shall include a minimum of 10 percent of total lot square footage in open space. Open space for the benefit of the entire development must be contiguous, designed for recreation, and not have a dimension less than 25 feet. Required open space shall be illustrated on the final plat document.

Code Authority: RCDG 20C.30.25-120(2)(a)

Condition Applies: Final Plat Document

B. Compliance with City of Redmond Codes and Standards

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

Transportation and Engineering

RCDG 20D.180:	Subdivision Regulations
RCDG 20D.210:	Transportation Standards
RCDG 20D.220:	Utility Standards
RMC 12.08:	Street Repairs, Improvements & Alterations
RMC 12.12:	Required Improvements for Building and Development
RCDG 20F.20.50:	Site Construction Drawing Review
RCDG 20F.20.60-050:	Preconstruction Conference
RCDG 20F.30.60-060:	Performance Assurance
RCDG Appendix 20D-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
RCDG 20D.180:	Subdivision Regulations
RCDG 20D.220.20:	Adequate Public Facilities and Services Required
RCDG Appendix 20D-4:	Design Requirements for Water and Wastewater System Extensions
City of Redmond:	Standards 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
RCDG 20D.80.10-150(8):	Planting Standards
RCDG 20D.140.10:	Critical Areas
RCDG 20D.140.40:	Frequently Flooded Areas
RCDG 20D.140.50:	Critical Aquifer Recharge Areas
RCDG 20D.140.60:	Geologically Hazardous Areas
RCDG 20D.180:	Subdivision Regulations
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
RCDG Appendix 20D-3: Construction Specifications 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

RCDG 20C.30.20: Permitted Land Uses in Residential Zones
RCDG 20C.30.25: Site Requirements for Residential Zones
RCDG 20C.30.55: Fences
RCDG 20C.30.105: Planned Residential Development
RCDG 20C.70.30: North Redmond Neighborhood Regulations
RCDG 20D.30: Affordable Housing
RCDG 20D.60: Impact Fees
RCDG 20D.80: Landscaping and Tree Protection
RCDG 20D.100: Noise Standards
RCDG 20D.140: Critical Areas
RCDG 20D.160: Signs
RCDG 20D.180: Subdivision Regulations
RCDG Appendix 20D-2: Critical Areas Reporting Requirements

Building

2006 International Residential Code
2006 Uniform Plumbing Code

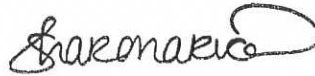
C. Preliminary plat approval is subject to approval of the Hawthorne Lane PRD by the Redmond City Council.

D. Limitation on Preliminary Plat Approval. Final Plat approval must be acquired within seven years of preliminary approval, after which time the preliminary subdivision approval is void. The Hearing Examiner may grant an extension for one year if the applicant has attempted in good faith to submit the final plat within the seven-year time period; provided, however, the applicant must file a written request with the Hearing Examiner requesting the extension at least 30 days before expiration of the seven-year period.

E. Limitation on Planned Residential Development Approval. A Planned Residential Development (PRD) shall be valid for seven years and the City may grant one renewal, if requested by the applicant before the approval expires, for not more than two years. The City may modify the approval or conditions of approval as a condition of any renewal.

DECIDED and **RECOMMENDED** this 9th of January 2012.

By:



Sharon A. Rice
City of Redmond Hearing Examiner