

**BEFORE THE CITY OF REDMOND
HEARING EXAMINER**

In the Matter of the Application of)	
)	Nos. LAND-2018-00627
)	PR-2017-01851
Mr. Justin Lagers, on behalf of)	
RMJ Holdings LLC)	Redmond 13
)	
For Approval of a Preliminary Plat)	FINDINGS, CONCLUSIONS,
_____)	AND DECISION

SUMMARY OF DECISION

The request for approval of a preliminary plat to subdivide approximately three acres into 13 single-family residential lots, including one affordable housing unit, and one stormwater tract is **GRANTED** subject to conditions.

SUMMARY OF RECORD

Request:

Mr. Justin Lagers, on behalf of RMJ Holdings, LLC (Applicant) requested approval of a preliminary plat to subdivide approximately three acres into 13 single-family residential lots, including one affordable housing unit, and one stormwater tract. The subject property is located at 11069 172nd Avenue NE, in Redmond, Washington.

Hearing Date:

The Redmond Hearing Examiner conducted an open record hearing on the request on April 6, 2020. At adjournment, the record was held open through April 8, 2020 to allow for additional written public comment from members of the public who had been provided with audio-only access to the proceedings, with instructions on how to provide such additional comments, and provision made to allow for responses from the parties. No written public comment was submitted through April 8, 2020 and the record closed on that date.

Testimony:

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

Ben Sticka, Senior Planner, City of Redmond
 Andrew Steele, Senior Stormwater Engineer, City of Redmond
 Min Luo, Senior Transportation Engineer, City of Redmond
 Yoshio Piediscalzi, Applicant Representative
 Maher Joudi, Applicant Representative
 Justin Lagers, Applicant Representative

Exhibits:

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

1. City of Redmond Technical Committee Report to the Hearing Examiner, revised dated March 13, 2020, with the following attachments:
 1. Determination of Completeness
 2. General Application
 3. SEPA Application Form DNS Certificate of Posting
 4. Vicinity Map
 5. Plan Set
 6. Notice of Application, Certificate of Public Notice and Public Notice Site Plan
 7. Neighborhood Meeting Notice
 8. Public Comment
 9. SEPA Checklist
 10. Stormwater Report
 11. Traffic Study
 12. Critical Area Report
 13. Geotechnical Report
 14. Notice of Public Hearing and Certificates of Posting
 15. Arborist Report
 16. Tree Exception Letters
2. Planning Staff's PowerPoint Presentation (21 slides)
3. Public comment email from Harjit Singh, dated March 23, 2020, with reply email from Planner Benjamin Sticka, dated March 23, 2020
4. Hearing Clerk email confirming no post-hearing comment submittal, dated April 13, 2020

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

FINDINGS

1. Mr. Justin Lagers, on behalf of RMJ Holdings LLC (Applicant), requested approval of a preliminary plat to subdivide approximately three acres into 13 single-family residential lots, including one affordable housing unit, a private access tract, two open space

landscaping tracts, and one stormwater tract. The subject property is located at 11069 172nd Avenue NE, in Redmond, Washington.¹ *Exhibits 1, 1.2, and 1.5.*

2. The preliminary plat application was deemed complete on June 21, 2018. *Exhibit 1, page 3; Exhibit 1.1.*
3. The subject property is located in the North Redmond Neighborhood. The Comprehensive Plan's land use policies for the North Redmond Neighborhood include preserving the residential character of the neighborhood, conserving and enhancing natural areas, encouraging a variety of affordability levels, and encouraging coordinated development. *Exhibits 1 (page 11) and 2.*
4. The subject property is zoned Single-Family Urban Residential (R-4). *Exhibit 1.* The purpose of the R-4 zone is to:

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

Redmond Zoning Code (RZC) 21.08.060.A.

5. The 3.01-acre subject property is essentially rectangular and flat, vegetated with dense Himalayan blackberry and scattered Douglas firs. It is developed with a storage structure and graveled driving and parking areas. *Exhibits 1 and 1.12.* Surrounding properties are zoned R-4 in all directions, and the site is abutted by single-family residential development in all directions except that there is intervening right-of-way (172nd Avenue NE) to the west. The Hawthorne Lane subdivision abuts the site's eastern boundary. The Smith Woods and Meadow Park are both located within a half-mile of the subject property. *Exhibits 1 and 2 (Slide 2).*
6. The development standards applicable to the R-4 zone include a maximum base density of four units per acre and a minimum density of 80% of the maximum, with an average lot size of 7,000 square feet, a minimum lot width circle of 40 feet in diameter, and minimum frontage on a public street of 20 feet. The R-4 zone also requires a minimum 20% of total lot area in open space, 35% of lot area in coverage by structure, and 65% of lot area coverage by impervious surface. Regulations governing the R-4 zone also establish minimum setbacks from various property boundaries and a maximum building height of 35 feet, all of which would be reviewed at time of building permit submittal. *Exhibit 1; RZC Table 21.08.060.B.* The application materials demonstrate that the proposal can comply with the standards for the R-4 zone. All lots provide a minimum 40

¹ The legal description of the subject property is a portion of the Northeast Quarter of Section 36, Township 26 North, Range 5 East, W.M.. *Exhibit 1.12.*

foot lot width circle and at least 20 feet of frontage. The smallest proposed lot (Lot 6) is 4,877 square feet, and the largest is 13,344 square feet, with an average lot size of 7,637 square feet. Compliance with the City's architectural, minimum setback, maximum height, maximum lot coverage, and other applicable standards would be reviewed during the building permit process for each parcel. *Exhibits 1 and 1.5.*

7. There are four tracts proposed with the plat. Tract A is a 1,062 square foot landscaped tract along 172nd Avenue NE site frontage south of the site entrance. Tract B, proposed between Lots 6 and 7 abutting the eastern plat boundary would be 7,641 square feet of landscaped open space, and would contain a below ground stormwater vault and a trail connection between the proposed cul-de-sac blub and a trail identified along at the east site boundary. Tract C is a 3,964 square foot private access tract serving Lots 9, 10, and 11. Tract D is a 2,108 square foot landscaping tract along 172nd Avenue NE frontage north of the site entrance. *Exhibits 1 and 1.5.*
8. Pursuant to the North Redmond Neighborhood regulations, the proposed residences would be required to provide the following design features to protect neighborhood character: an 80 square foot front yard transition area, a minimum of 15 feet of building separation, a maximum of 35% lot coverage, and front yard landscaping. Review for these features would be conducted during the building permit process. *Exhibits 1 and 2 (Slide 19); RZC 21.08.180.*
9. Pursuant to RZC 21.20.020-.030, all new single-family residential developments in the North Redmond Neighborhood must provide 10% of proposed units as affordable housing consistent with Redmond's standards.² The required number of affordable housing units on this site is 10% of the proposed 13, or 1.3 which rounds down to one unit pursuant to RZC 21.20.030.F. One affordable housing unit is proposed on Lot 6. *Exhibits 1 and 1.5.*
10. Subdivisions in the R-4 zone are required to set aside at least 20% of the total site area as open space. *RZC Table 21.08.060.B.* Rather than setting aside 20% of the subject property as common open space, the instant proposal intends to provide lot by lot open space of 20% on each lot, consistent with RZC 21.08.180.L.2(a).³ The amount of contiguous open space provided on each lot exceeds the 20% minimum, ranging from 21% to 26%. *Exhibits 1 and 1.5 (Sheet C16).*

² Per RZC Chapter 21.78, "Affordable Housing Unit" Housing reserved for occupancy by eligible households and affordable to households whose annual income does not exceed eighty percent of median income, adjusted for household size, and no more than thirty percent of the monthly household income is paid for monthly housing expenses. (Housing expenses for ownership housing include mortgage and mortgage insurance, property taxes, property insurance, and homeowner dues. Housing expenses for rental housing include rent and appropriate utility allowance.)

³ RZC 21.08.170.L.2(a): Lot-By-Lot Compliance. Where the minimum open space requirement is met on a lot-by-lot basis, open space shall consist of a contiguous area of natural vegetation, landscaping, or recreation and may include front or backyard areas. Decks and porches shall be counted towards the minimum open space requirement. No portion of the open space created under this option may have a dimension of less than 15 feet.

11. Pursuant to RZC 21.08.180, new subdivisions are required to provide landscaping along the perimeter of the site incorporating native vegetation to soften the transition between new and existing dwelling units when the new dwellings are adjacent to lots with existing dwellings or the proposed dwellings would be viewed from public streets or park areas. As proposed, the instant project would provide perimeter landscaping along the perimeter of the site, which is abuts either R-4 zoned parcels or 172nd Avenue NE. *Exhibits 1 and 1.5 (Sheet L-1).*
12. The Applicant submitted a professionally prepared critical area study that evaluated the site for the presence of critical areas. This report concluded that no portion of site contained areas meeting the definition of stream or wetlands on-site. The nearest known wetland and stream are 200 feet east of the subject property in the Hawthorne Lane subdivision. The study found that the subject property does contain one small remnant of a mature Douglas fir forest; however, the understory in the forest remnant is highly disturbed, as is the rest of the site. No priority habitats or species are mapped within the subject property. The City accepted the study as meeting critical area review requirements established in RZC Chapter 21.64. *Exhibits 1 and 1.12.*
13. Redmond Zoning Code 21.72 requires that all healthy landmark trees and 35% of all healthy significant trees be retained.⁴ Removed landmark trees (when authorized) must be replaced at a 3:1 ratio and removed non-landmark significant trees must be replaced at a 1:1 ratio. The Applicant submitted an arborist report that found 61 significant trees and 16 landmark trees on-site, or 77 regulated trees. Due to the need to place infrastructure and provide building envelopes, the proposal would remove 50 trees, 10 of which are landmark and 40 significant trees. In support of this design, the Applicant submitted landmark tree removal exception requests for each of the 10 landmark trees. The landmark tree exception requests were administratively approved by the Technical Committee on March 11, 2020 consistent with RZC 21.72.090. Tree replacement provisions require 1:1 replacement for the significant trees and 3:1 replacement for the landmark trees. A total of 70 replacement trees are proposed, while 35.1% of the existing trees would be retained, complying with minimum tree retention requirements. The City reviewed the Applicant's landscape plan and submitted that it complies with the City's landscaping requirements. *Exhibits 1, 1.5, and 1.16.*
14. Access to the plat would be from a single-site entrance from 172nd Avenue NE. Each lot would access public streets by a new internal public street ("Road A" on the plat map). Frontage improvements along 172nd Avenue NE and Road A would include City standard pavement width and depth, streetlights, ADA curb ramps, vertical curbs, planters, and sidewalks. A 20-foot wide private access easement would extend north from the plat's cul-de-sac bulb to the north plat boundary, providing access to Lots 9, 10, and 11. In addition, the project would provide a 20-foot wide access easement within Tract B, within which a connector trail would be provided connecting to the eastern plat boundary.

⁴ Pursuant to RZC 21.78, significant trees are those that are at least six inches in diameter at breast height, and landmark trees are those that are over thirty inches in diameter.

The City determined the proposed frontage, public and private street, and connector trail improvements are feasible and recommended conditions to ensure compliance with applicable standards. *Exhibits 1 and 1.5; Testimony of Yoshio Piediscalzi and Maher Joudi.*

15. The Applicant submitted a trip generation technical memorandum prepared by professional transportation consultants. The trip memo determined that the proposed 13 lots would generate 124 new average daily trips, including 10 am peak hour and 13 pm peak hour trips. Following review of this trip memo, the City did not require further traffic impact assessment. The project's trips are anticipated to be served by the existing road network without adverse impacts. The Applicant would be required to mitigate traffic impacts through payment of mitigation fees. *Exhibits 1 and 1.11; Redmond Municipal Code Chapter 3.10; Min Luo Testimony.*
16. As confirmed by a geotechnical report, the site soils are not appropriate for on-site infiltration of stormwater runoff. *Exhibit 1.13.* The Applicant submitted a professionally prepared stormwater technical information report, which met City stormwater assessment standards. According to the report, all stormwater runoff from proposed on-site impervious surfaces would be collected and conveyed to a public combination detention and wet vault in Tract B, designed to meet both flow control and water quality requirements. The public vault would discharge to the existing public conveyance system in the adjacent Hawthorne Lane plat, which was designed to accommodate the instant project's flow volumes. Runoff from the frontage improvements along 172nd Avenue NE would be collected and conveyed to an existing public stormwater system, connecting at the southeast corner of the site. The Applicant designed the proposed stormwater system for compliance with Washington State Department of Ecology's 2014 Stormwater Management Manual for Western Washington and with the Redmond Stormwater Technical Notebook. *Exhibit 1.10; Andrew Steele Testimony.*
17. The proposed development would be served by the City of Redmond water and sewer systems. A water main in 172nd Avenue and a sewer main extension from Hawthorne Lane to the east are available consistent with current City of Redmond Design Requirements Water & Wastewater System Extensions (2019) and City of Redmond Special Specifications (2019). *Exhibit 1.*
18. The proposed subdivision would be served by Albert Einstein Elementary, Redmond Middle School, and Redmond High School. The middle school is approximately 1.3 miles southwest of the subject property, while the elementary and high schools are within one mile each of the site, at 0.7 and 0.8 miles respectively. The project includes a connector trail from the sidewalk of the internal cul-de-sac through Tract B to the Hawthorne Lane development east of the site. Students would be able to use this trail to access NE 116th Street, which features a fully improved sidewalk on the south side of the right-of-way. In this way, there would be a safe walking path between the plat and the schools serving its residents. In addition, bus transportation would be provided to all schools, with bus stops between 0.01 and 0.30 miles from the subject property. The

subdivision is subject to per-lot school impact fees, payable at time of building permit. *Exhibit 1; Redmond Municipal Code Chapter 3.10.*

19. Planning Staff submitted that the proposed subdivision would be consistent with policies and goals of the City of Redmond Comprehensive Plan including (but not limited to) the following:

- HO-37 Provide incentives and bonuses intended to minimize or eliminate any additional costs to the developer/builder associated with providing housing that is affordable to low- and moderate- income households.
- HO-15 Ensure that new development is consistent with citywide and applicable neighborhood goals and policies, including but not limited to sustainable site standards, landscaping requirements, building design guidelines and affordability.
- LU-6 Encourage infill development on suitable vacant parcels and redevelopment of underutilized parcels. Ensure that the height, bulk and design of infill and redevelopment projects are compatible with their surroundings.
- LU-3 Allow new development only where adequate public facilities and services can be provided.
- LU-28 Promote attractive, friendly, safe, quiet and diverse residential neighborhoods throughout the city, including low- and moderate density single-family to high-density residential neighborhoods.

In building 13 dwellings, including one Affordable Housing unit, on a single parcel currently improved only with outbuildings in a location where urban utilities are available for extension, the project constitutes infill development at a density allowed in the R-4 zone that will help meet the demand for housing in Redmond. *Exhibit 1.*

20. Notice of the instant application was published, posted at City Hall and the Redmond Regional Library, posted at the subject property, and mailed to owners of property within 500 feet of the site on December 31, 2019. *Exhibits 1 and 1.6.* The City received one public comment in response to notice of application by a neighboring property owner requesting consideration of timing during construction. The City responded to the request and forwarded the neighbor's concerns to the Applicant representative. *Exhibit 1.8.*
21. The City of Redmond acted as lead agency for review of the project's environmental impacts under the State Environmental Policy Act (SEPA). In review of the environmental checklist and application materials, the City's SEPA Responsible Official determined that the project's impacts would be mitigated to a point of non-significance through compliance with City of Redmond Codes and regulations. The City issued a determination of non-significance (DNS) on March 13, 2020. No comments or appeals were filed in response to the DNS. *Exhibits 1, 1.1, 1.3, and 1.9.*
22. Notice of the open record public hearing on the application was posted on-site, at City Hall, and the Redmond Library, published in the *Seattle Times*, and mailed to

surrounding owners of property within 500 feet of the site on or before March 16, 2020. *Exhibit 1.14.* Information about how to participate in the virtual hearing was provided on the City's hearing examiner meeting webpage. One written comment was submitted after publication of the hearing notice and before the hearing, expressing concern that construction vehicles would be allowed to damage the local roads and not repair them, specifically 172nd Avenue, NE 116th Street, Avondale, Redmond-Woodinville Road, and NE 111th Street. This member of the public asserted that construction vehicles create much more wear and tear on local roads than regular daily vehicle traffic.⁵ *Exhibit 3; Ben Sticka Testimony.*

23. City Transportation Staff testified that the Applicant typically provides a traffic control plan that includes construction vehicle routes, which must be reviewed and approved by City traffic operations. The City would follow up if it were discovered that construction vehicles damaged public rights-of-way during construction. *Min Luo Testimony.*
24. The Technical Committee, comprised of staff from Redmond Planning, Public Works, and Fire Departments, reviewed the complete application and supporting materials for compliance with City regulations and the Comprehensive Plan. The Technical Committee recommended project approval subject to conditions. *Exhibit 1; Testimony of Andrew Steele, Min Luo, and Ben Sticka.*

CONCLUSIONS

Jurisdiction:

The Hearing Examiner is authorized to conduct open record hearings and issue decisions on Type III permits, including preliminary plat permit applications, pursuant to RZC 21.76.050.C, Table 21.76.050B, and RZC 21.76.060.F.

Subdivision Criteria for Review:

Pursuant to RZC 21.74.030.B.1, the Examiner shall approve an application for subdivision if findings can be entered showing the following criteria are satisfied:

- a. The proposal complies with the general criteria applicable to all set forth in RZC 21.76.070.B, Criteria Applicable to All Land Use Permits;
- b. The proposal conforms to the site requirements for the zoning district in which the property is located;
- c. The proposal conforms to the requirements of this chapter;
- d. The proposed short subdivision, binding site plan, unit lot subdivision, or preliminary subdivision:

⁵ At the conclusion of the hearing, the record was held open for two business days to allow for additional written public comment, in the event that anyone had technical or other trouble participating in the virtual hearing. After the two days passed, the Hearing Clerk confirmed that no further public comment was offered after close of the hearing.

- i. Makes adequate provision for streets, roads, alleys, other public ways, and transit stops as required by this chapter; and the proposed street system conforms to the City of Redmond Transportation Master Plan and Neighborhood Street Plan, and is laid out in such a manner as to provide for the safe, orderly, and efficient circulation of traffic;
 - ii. Will be adequately served with water, sewer, storm drainage, and other utilities appropriate to the nature of the subdivision or short subdivision;
 - iii. Makes adequate provision for parks, recreation, and playgrounds, as required by this chapter;
 - iv. Makes adequate provision for schools and school grounds;
 - v. Makes adequate provisions for sidewalks and other planning features that meet the requirements of this chapter and that provide safe walking conditions for students who walk to and from school;
 - vi. Serves the public interest and makes appropriate provisions for the public health, safety, and welfare.
- e. Geotechnical considerations have been identified, and all hazards and limitations to development have been considered in the design of streets and lot layout to assure streets and building sites are on geologically stable soil, considering the stress and loads to which the soil may be subjected.

RZC 21.74.030.B.2 states that lack of compliance with the criteria set forth in subsection (1) of this section shall be grounds for denial of a proposed subdivision or short subdivision, or for the issuance of conditions necessary to more fully satisfy the criteria.

Conclusions Based on Findings:

1. As conditioned, the proposal complies with the general criteria applicable to all land use permits, which include in relevant part consistency with the City's development regulations, the Comprehensive Plan, and SEPA. The proposal would satisfy the City's tree retention/replacement standards, critical areas standards, and affordable housing requirements. A SEPA determination of non-significance was issued for the project. The proposal is consistent with Comprehensive Plan policies that promote infill development and affordable housing. *Findings 1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 19, 21, and 24.*
2. As conditioned, the proposal conforms to the requirements of the R-4 zone. The proposed housing density is within the allowed range and proposed lot dimensions are consistent with the dimensional standards of the zone. Contiguous per-lot landscaped open space is provided in excess of the 20% minimum on each lot, in addition to three landscaped tracts throughout the plat. The site contains no critical areas. At least 35% of

significant trees are proposed to be retained. Perimeter landscaping would be provided consistent with code requirements. *Findings 4, 5, 6, 7, 10, 11, 12, 13, 14, 15, 16, and 17.*

3. As conditioned, the proposal is consistent with the requirements of RZC 21.74. The lots comport with minimum dimensional standards. No native growth tracts are proposed or required on-site, and the subject property contains no watercourses or critical areas. Easements, utilities, and streets are all provided for in accordance with applicable regulations. No transfer of development rights was utilized in the proposal. *Findings 4, 5, 12, 13, 14, and 16.*
4. As conditioned, the proposal makes adequate provision for streets. *Findings 14, 15, 22, and 23.*
5. As conditioned, the proposed subdivision would be adequately served by utilities. Each lot would be served by public sewer and water. Stormwater runoff from the lots would be collected and treated on-site in Tract B prior to discharge to a public system. *Findings 16 and 17.*
6. There are two public parks within half a mile of the site, and two public schools within one mile of the site. Each lot contains open space for resident recreation. A connection would be provided to the off-site trail to the east. As conditioned to pay park impact fees, the proposal makes adequate provision for parks, recreation, and playgrounds. *Findings 5, 7, and 10.*
7. As conditioned, the proposal makes adequate provision for schools and school grounds via payment of the required per-lot school impact fee. The School District did not identify the need for any additional mitigation measures. *Findings 14 and 18.*
8. Sidewalks on the new internal public road and along the site's 172nd Avenue NE frontage would connect to existing sidewalks and trails off-site to provide a safe walking route to schools within one mile of the site. Bussing would also be available to students. As conditioned, the proposal makes adequate provisions for sidewalks and safe walking conditions for students. *Findings 14 and 18.*
9. As conditioned, the proposal serves the public interest and makes appropriate provisions for the public health, safety, and welfare. The 13 dwelling units, one meeting the City's Affordable Housing requirements, would increase available housing supply in conformance with adopted standards. In addition to park and school fees, the project is subject to fire and transportation impact fees per RMC 3.10. *Findings 1, 3, 4, 5, 6, 7, 9, 10, 11, 13, 14, 15, 16, 17, 19, and 24; RMC 3.10.*
10. Geotechnical considerations were professionally reviewed. No geotechnical hazards were identified. Limitations to development, including the infeasibility of stormwater infiltration, were considered in the design of streets and lot layout. *Findings 5, 12, and 16.*

DECISION

Based on the preceding findings and conclusions, the request for approval of a preliminary plat to subdivide three acres into 13 single-family residential lots and an open space/stormwater tract is **GRANTED** subject to the conditions below.

A. Site Specific Conditions of Approval

The following table identifies those materials that are approved with conditions as part of this decision.

Item	Date Received	Notes
Plan Set	12/19/19	<i>and as conditioned herein.</i>
SEPA Checklist	6/14/20	<i>and as conditioned herein</i>
Conceptual Landscaping Plan	12/19/19	<i>and as conditioned herein.</i>
Conceptual Lighting Plan	12/19/19	<i>and as conditioned herein.</i>
Stormwater Design	12/19/19	<i>and as conditioned herein.</i>

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

Development Engineering - Transportation and Engineering

Reviewer: Min Luo, Senior Engineer

Phone: 425-556-2881

Email: mluo@redmond.gov

- a. **Easements and Dedications.** Easements and dedications shall be provided for City of Redmond review at the time of construction drawing approval and finalized for recording prior to issuance of a building permit. The existing and proposed easements and right-of-way shall be shown on the civil plans. Prior to acceptance of the right(s) of way and/or easement(s) by the City, the developer will be required to remove or subordinate any existing private easements or rights that encumber the property to be dedicated.
 - i. Easements are required as follows:
 - (a) The Applicant and/or Owner is required to work with Puget Sound Energy (PSE) to relinquish the PSE existing easement and relocate the existing PSE power meter and other equipment that are adjacent to 172nd Avenue NE. The PSE easement is required to be relinquished or obtain a written agreement from PSE, prior to the construction civil drawing approval.
 - (b) A 10-foot wide sidewalk and utility, granted to the City of Redmond, along all right-of-way on the east side of 172nd Avenue NE.
 - (c) A 10-foot wide sidewalk and utility, granted to the City of Redmond, along all right-of-way on the north and south sides of “Road A”, including around the cul-de-sac at the end of “Road A”.

- (d) A 20-foot wide access easement within “Tract B”, granted to the City of Redmond. Portion of the access easement shall be reserved for the connector trail.
 - (e) At the time of construction, additional easements may be required to accommodate the improvements as constructed.
- ii. Dedications for right-of-way are required as follows:
- (a) New right-of-way lines joining at the intersection of 172nd Avenue NE and “Road A” shall connect with a 25-foot radius, or with a chord that encompasses an equivalent area. The area formed by this radius or chord shall also be dedicated as right-of-way.
 - (b) A strip of land 50-feet wide for “Road A” shall be dedicated as right-of-way.
 - (c) The entire cul-de-sac with a diameter of 111 feet shall be dedicated as right-of-way.

Code Authority: RZC 21.52.030.G & RMC 12.12

- b. Construction Restoration and Street Overlay.** In order to mitigate damage due to trenching and other work on 172nd Avenue NE, the asphalt street shall be planed, overlaid, and/or patched, per COR STD 202 or 203. If the Pavement Condition Index (PCI) of the existing pavement is below 70 (as determined by the City’s bi-annual pavement survey), the development shall be required to plane and overlay the half street along the project frontage at a minimum as determined by the Traffic Operations and Safety Engineering Division in Public Works. Contact Paul Cho at 425-556-2751 if there are questions.

Code Authority: RMC 12.08; Redmond Standard Specifications & Details

c. Street Frontage Improvements

- i. The frontage improvements along 172nd Avenue NE must meet the current City Standards which include asphalt paving 18 feet from ROW centerline to the face of curb with appropriate tapers, type A-1 concrete vertical curb and gutter, five-foot wide planter strip, eight-foot wide concrete sidewalk, storm drainage, street lights, street trees, street signs and underground utilities including power and telecommunications. The minimum pavement thickness for the existing and new sections for the streets shall consist of:
- Four-inches HMA Class ½” PG 64-22
 - Five-inches HMA Class ½” PG 64-22
 - Four-inches of 1-1/4” minus crushed rock base course per WSDOT standard spec 9-03.9(3).
 - Subgrade compacted to 95% compacted maximum density as determined by modified Proctor (ASTM D 1557)
 - Street crown 2% sloped to drain system

Code Authority: RZC 21.52.030, 21.17.010, RMC 12.12, RZC 21 Appendix 2; Redmond Standard Specifications & Details

- ii. The frontage and the entire roadway sections improvements for “Road A” must meet the current City Standards, which include asphalt paving 28 feet from face of curb to face of curb with appropriate tapers, type A-1 concrete vertical curb and gutter, five-foot wide planter strip on both sides and five-foot wide concrete sidewalks on the south side of “Road A” and six-foot wide concrete sidewalks on the north side of “Road A”, 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:
- Seven-inches HMA Class ½” PG 64-22.
 - Four-inches of 1-1/4-inch minus crushed rock base course per WSDOT standard spec 9-03.9(3).
 - Subgrade compacted to 95% compacted maximum density as determined by modified Proctor (ASTM D 1557).
 - Street crown two-percent sloped to drain system.

Code Authority: RZC 21.52.030, 21.17.010, RMC 12.12 & RZC 21 Appendix 2; Redmond Standard Specifications & Details

- iii. A separate 20 or 40-scale channelization plan may be required for any public street being modified or constructed. The plan shall include the existing and proposed signs, striping and street lighting and signal equipment for all streets adjacent to the site and within at least 150 feet of the site property line (both sides of the street). The plan shall conform to the requirements in the City of Redmond Standard Specifications and Details Manual. The specific traffic calming location on 172nd Avenue NE shall be designed and approved in the civil construction plan review stage.

Code Authority: RZC 21.52.030.F, RZC 21 Appendix 2, Redmond Standard Specifications & Details RCW 47.24.020

- iv. Sidewalks constructed to City standards are required at the following locations:
- An eight-foot concrete sidewalk along east side of 172nd Avenue NE.
 - A five-foot concrete sidewalk along south side of “Road A”.
 - A six-foot concrete sidewalk along north side of “Road A”.
 - A six-foot concrete path for the connector trail within “Tract B”.

Code Authority: RZC 21.10.150, RZC 21.17.010, RZC 21.52.050 & RMC 12.12

d. Access Improvements

- i. The type and location of the proposed site accesses are approved as shown on the Redmond 13 site plan prepared by RMJ Holdings, LLC on October 24, 2019.

Code Authority: RZC 21.52.030.E & RZC 21 Appendix 2

- ii. Direct access from each individual lot to 172nd Avenue NE will not be permitted. This restriction shall be indicated on the civil construction plans and other final documents.

Code Authority: RZC 21.52.030.E & RZC 21 Appendix 2

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

Code Authority: RZC 21.17.020; RZC 21 Appendix 2 – A.11

- f. **Hard Surface Connector Trail.** A six-foot wide concrete hard surface connector trail with a one-foot shoulder and a two-foot vegetation clear zone on each side is required. The property owners or homeowner association are required to maintain the pathway in a safe and passable conditions. The nonmotorized path needs to meet the ADA requirements.

Code Authority: COR Comprehensive Plan Page 13-78 Map N-NR-5 Redmond Supplemental Connections and Page 46 of Chapter 6 of the PARCC Plan

- g. **Street Lighting.** Illumination of the street(s) along 172nd Avenue NE frontage and along “Road A” must be analyzed to determine if it conforms to the current City standards. Streetlights may be required to illuminate the property frontage. Luminaire spacing should be designed to meet the specified criteria for the applicable lamp size, luminaire height and roadway width. Contact Hidemi Tsuru, Traffic Operations at (425) 556-2749 with questions. The street lighting shall be designed using the criteria found in the City’s Illumination Design Manual which can be accessed at: <https://www.redmond.gov/862/Transportation-Documentation-Library>

Code Authority: RZC 21.52.030.F & RZC 21 Appendix 2

- h. **Safe Walking Route(s).** The Redmond Zoning Code requires that safe pedestrian linkages be provided between new developments and existing neighborhoods and public facilities. A safe walk route is available to schools within one-mile of the development. Bus transportation is provided to all schools at bus stops between 0.01 and 0.30 miles from the development.

Code Authority: RCW 58.17.060; RZC 21.17.010.F.2; RZC 21.52.030; RZC 21.74.020.I

Condition Applies: Civil Construction

2. **Development Engineering – Water and Sewer**

Reviewer: Zheng Lu, Senior Utility Engineer

Phone: 425-556-2844

Email: zlu@redmond.gov

- a. **Water Service.** Water service will require a developer extension of the City of Redmond water system as follows:

An eight-inch water main shall be connected to the existing 12-inch ductile iron water main along 172nd Ave NE and extended into the development. Single or double meters shall be installed within planter area behind the curb along the road and cul-de-sac to serve all 13 lots. Two fire hydrants shall be installed, one is in cul-de-sac area and the other one at the west side of development entrance along 172nd Ave NE.

Code Authority: RZC 21.74.020.D & RZC 21.17.010

Condition Applies: Civil Construction

- b. **Sewer Service.** Sewer service will require a developer extension of the City of Redmond sewer system as follows:

An eight-inch PVC sewer main shall be extended from the existing manhole 4D1SMH135 from Hawthorne Lane development into Redmond 13 development along northern property line. The sewer main shall then be extended through private road to the south into the cul-de-sac and public road (Road A). Each lot will be served by a private side sewer from the new sewer main. In total, three manholes shall be installed for the sewer extension.

Code Authority: RZC 21.74.020.D & RZC 21.17.010

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. Easements for the water and sewer mains shall be provided for City of Redmond review at the time of construction drawing approval. Off-site easements must be recorded prior to construction drawing approval. Specific required easements include, but are not limited to:

- A 20-foot wide sewer main easement, granted to the City of Redmond, through proposed private access road from cul-de-sac entrance to north property line.

Code Authority: RZC 21.74.020, Appendix 3

Condition Applies: Civil Construction, Short Subdivision Document

- d. **Permit Applications.** Water meter and side sewer applications shall be submitted for approval to the Development Engineering Utility Division. Permits and meters will not be issued until all improvements are constructed and administrative requirements are approved. Various additional guarantees or requirements may be imposed as determined by the Utilities Division for issuance of meters and permits prior to improvements or administrative requirements being completed. All stub fees shall be paid prior to sale of water and side sewer permits.

Code Authority: RMC 13.08

Condition Applies: Prior to Permit Purchase

3. Development Engineering – Stormwater/Clearing and Grading

Reviewer: Andrew Steele, Senior Stormwater Engineer

Phone: 425-556-2706

Email: asteele@redmond.gov

a. Water Quantity Control:

- i. Stormwater discharges shall match the developed discharge duration to the predeveloped duration for the range of predeveloped discharge rates from 50% of the two-year peak flow up to the full 50-year flow. Detention shall be provided in a publicly maintained combined detention and wet vault.
- ii. Provide for overflow routes through the site for the 100-year storm.

Code Authority: RZC 21.74.020.D; RMC 15.24.080.9

Condition Applies: Civil Construction

b. Water Quality Control

- i. Basic water quality treatment shall be provided in a publicly maintained combined detention and wet vault. Treatment is required for the six-month, 24-hour return period storm.

Code Authority: RZC 21.74.020.D; RMC 15.24.080.8

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. 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 to encumber the property to be dedicated. Prior to construction drawing approval, fully executed and recorded off-site easements shall be provided to the Development Engineering Division. Specific required easements include, but are not limited to:

- A variable-width storm drainage easement, granted to the City of Redmond, encompassing the entirety of “Tract B” as shown on the plans prepared by D.R. Strong Consulting Engineers.

Code Authority: RZC 21.74.020.C

- d. Private Stormwater Easements.** Private stormwater easements (with a minimum width of 15 feet) 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, fully executed and recorded easements shall be provided to the Development Engineering Division.

Code Authority: RZC 21.54.010.D, 21.74.020.C, 21.54.010.E

Condition Applies: Civil Construction, Short Subdivision Document

- e. Clearing and Grading.**
- i. Connect the combined detention/wet vault discharge pipe to the existing public storm pipe in the Hawthorne Lane plat.
 - ii. The maximum ground slope on graded surfaces is 3H:1V except as approved in association with a roadway section in City rights-of-way where the maximum ground slope may be up to 2H:1V

Code Authority: RMC 15.24.080

- f. Temporary Erosion and Sediment Control (TESC).**
Rainy season work permitted October 1st through April 30th with an approved Wet Weather Plan.

Code Authority: RMC 15.24.080

- g. Floodplain Management.** The project does not lie within a designated FEMA flood hazard zone.

Code Authority: RZC 21.64.010 and 21.64.040

- h. Landscaping.**
- i. For the developed site conditions, all landscape areas and all lawn areas within the project site are required to have compost amended soils. See City or Redmond Standard Detail 632 and City of Redmond Specification 9-14 for requirements

Code Authority: RZC 21.32

- i. **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

4. **Fire Department**

Reviewer: Scott Turner, Assistant Fire Marshal

Phone: 425-556-2273

Email: sturner@redmond.gov

The current submittal is generally adequate for (LAND-2018-00627) approval, but does not fully represent compliance with all requirements. The following conditions are integral to the approval and shall be complied with in Civil Drawings, Building Permit Submittals, Fire Code Permit submittal, and/or other applicable processes:

- a. Site Plan Condition – Fire land signage, pavement markings and designations for Emergency Vehicle Access Easements will be determined in the Civil Review Process.
- b. Fire Protection Plan – The water system installed shall supply a minimum of 1500 gpm and the hydrants as shown on the plans will meet Redmond Fire Department standards for spacing and distance from structures. Homes shall be equipped with NFPA 13d fire sprinkler systems.
- c. Change or Modification – Hydrants along 172nd Ave frontage for Redmond 13 shall be retrofitted with storz connections if necessary. New addresses shall be assigned in the Civil Review Process.
- d. Fire Code Permit – All homes shall obtain a permit for the required NFPA 13d fire sprinkler system. Other applicable fire permits may apply.

Code Authority: RMC 15.06; RZC Appendix 3, RFD Standards, RFDD&CG

5. **Planning Department**

Reviewer: Ben Sticka, Senior Planner

Phone: 425-556-2470

Email: bsticka@redmond.gov

- a. **Site Specific Conditions**

- i. Applicant shall comply with all development standards in the R-4 (Single-Family Urban Residential) zoning designation.

Code Authority: RZC 21.08.060

Condition Applies: Civil Construction & Building Permits

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

Street	Species	Spacing
172 nd Avenue NE	Kwanzan Flowering Cherry	30 feet on-center

Code Authority: RZC 21.32.090
Condition Applies: Civil Construction

- c. Tree Preservation Plan.** A Tree Preservation Plan depicting all significant and landmark trees required to be preserved as part of the site development must be provided with the civil construction drawings. A map of all retained trees shall be shown and recorded at the time of final plat.

Code Authority: RZC 21.72.060.D

- d. Tree Health Assessment.** An updated tree health assessment shall be provided during the Civil review process.

Code Authority: RZC 21.32
Condition Applies: Civil Construction

- e. 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: RZC 21.08.170.H
Condition Applies: Building Permits and Final Plat documents

- f. Residential Architectural, Site, and Landscape Design.** All single-family building permits associated with the Plat shall be reviewed by the Department of Planning and Community Development for conformance with the residential architectural, site and landscape design requirements. Please see Building Permit User Guide.

Code Authority: RZC 21.08.180.B
Condition Applies: Building Permit

- g. Planting Standards.** Landscaping shall be coordinated with water/sewer lines and fire hydrants/connections. Trees shall be planted a minimum of eight feet

from the centerline of any water/sewer lines, unless otherwise approved and provisions provided. Shrubs shall be planted to maintain at least four feet of clearance from the center of all fire hydrants/connections.

Code Authority: RZC 21.32.080

Condition Applies: Civil Construction

- h. Open Space.** The proposal includes compliance with both Lot-by-Lot and 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 subdivision document.

Code Authority: RZC 21.08.170.L.2.a

Condition Applies: Building Permits and Final Plat Document

- i. Impact Fees.** For the purpose of Impact Fees, the use assigned for this project has been determined as single-family. One existing 1,220 square-foot building classified as single-family use may be credited at time impact fee calculation during building permit review. If the proposed development is eligible for any additional credits including right-of-way dedication and system improvements, these additional credits will be assessed and provided after construction, dedication or implementation is completed and accepted by the City.

Code Authority: RMC 3.10

Condition Applies: Building Permit

- j. Bonds.** Bonds for Landscaping, Tree Preservation and Tree Replacement shall be submitted no less than five days prior to request for Mylar signatures. Drafts of the Bond Agreements, Bond quantity Worksheets and Bond Calculation Worksheets shall be submitted at time of Civil Construction Application. If not provided at time of CCR submittal, entire submittal will be rejected for intake.

Code Authority: RZC 21.76.090.F

- k. Building Permit Submittal.** Items listed within the Building Permit User Guide shall be provided at the time of building permit submittal. All tables, associated information, and submittal items shall be completed per the

required formatting. The Intake Requirements Overview and Signature Page, Tree Preservation Plan, and a copy of the recorded final plat shall be provided no less than TWO business days prior to permit application submittal. If these requirements are not met and provided at the designated time per the building permit application submittal, application intake will be rejected.

- l. **Affordable Housing.** The Redmond 13 Preliminary Plat shall demonstrate conformance with the Affordable Housing Regulations in RZC 21.20.050. An agreement in a form approved by the City must be recorded with the King County Recorder's Office to stipulate conditions under which the required affordable housing unit 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. Applicant shall initiate contract by contacting Sarah Stiteler on Human Services and Long-Range Planning staff at 425-556-2469 or at ssiteler@redmond.gov.

Code Authority: RZC 21.20.050

Condition Applies: Building Permit

- m. **Archeological and Historical Preservation:** The applicant shall provide a copy of the standard Inadvertent Discovery Plan on-site during all ground disturbing and construction related activities. This will ensure that all Federal and State laws are adhered to and managed in the event of any inadvertent discovery that may occur.
- n. **Construction Parking Requirements and Contact Information.** A sign shall be posted on-site visible to the public the duration of all construction activity per the Construction Contact Sign Handout. Construction activities consist of all site work including, but not limited to grading, landscaping, infrastructure and building permit related construction. Applicant and contractor shall work with city planner prior to mylar signing to determine location(s) of sign(s). Contact information shall remain up-to-date and visible at all times. The assigned city planner shall be notified within two business days when contact person has been changed and a picture of the updated sign shall be e-mailed. Construction Parking requirements for the project shall be denoted on the bottom portion of the sign per handout instructions.

B. Compliance with City of Redmond Codes and Standards

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

Transportation and Engineering

RMC 6.36:	Noise Standards
RZC 21.52:	Transportation Standards
RZC 21.40.010(E):	Design Requirements for Parking Facilities
RZC 21.54:	Utility Standards
RMC 12.08:	Street Repairs, Improvements & Alterations
RMC 12.12:	Required Improvements for Buildings and Development
RMC 12.16:	Highway Access Management
RZC 21.76.100(F)(9)(c)	Nonconforming Landscaping and Pedestrian System Area
RZC 21.76.020(G):	Site Construction Drawing Review
RZC 21.76.020(H)(6):	Preconstruction Conference
RZC 21.76.020(H)(7):	Performance Assurance
RZC Appendix 3:	Construction Specification and Design Standards for Streets and Access
City of Redmond:	Record Drawing Requirements, July 2015
City of Redmond:	Standard Specifications and Details (current edition)

Water and Sewer

RMC 13.04:	Sewage and Drainage
RMC 13.08:	Installing and Connecting Water Service
RMC 13.10:	Cross-Connection and Backflow Prevention
RZC 21.17.010:	Adequate Public Facilities and Services Required
RZC Appendix 4:	Design Requirements for Water and Wastewater System Extensions
City of Redmond:	Standard Specifications and Details (current edition)
City of Redmond:	Design Requirements: Water and Wastewater System Extensions - January 2012.

Stormwater/Clearing and Grading

RMC 15.24:	Clearing, Grading, and Storm Water Management
RZC21.64.060 (C):	Planting Standards
RZC 21.64.010:	Critical Areas
RZC 21.64.040:	Frequently Flooded Areas
RZC 21.64.050:	Critical Aquifer Recharge Areas
RZC 21.64.060:	Geologically Hazardous Areas
City of Redmond:	Standard Specifications and Details (current edition)
City of Redmond:	Stormwater Technical Notebook, Issue No. 8, April 1 st , 2019
Department of Ecology:	Stormwater Management Manual for Western Washington (amended December 2014)

Fire

RMC 15.06:	Fire Code
RZC Appendix 3:	Construction Specification and Design Standards for Streets and Access
City of Redmond:	Fire Department Design and Construction Guide 5/6/97
City of Redmond:	Fire Department Standards

Planning

RMC 3.10	Impact Fees
RZC 21.32, 21.72:	Landscaping and Tree Protection
RZC 21.40:	Parking Standards

Building

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

DECIDED April 22, 2020.

By:



Sharon A. Rice
 City of Redmond Hearing Examiner

Note: Type III decisions of the Hearing Examiner may be appealed to the City Council in a closed record appeal proceeding as provided in RZC 21.76.060.M. Any party with standing (detailed at RZC 21.76.060.M.2.a) may appeal this decision by filing the appropriate appeal form along with the required fee no later than 5:00 pm on the tenth business day following the expiration of the reconsideration period. See RZC 21.76.060.M for further detail on appeal requirements.

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

In the Matter of the Application of)	NO. LAND-2018-00627
)	PR-2017-01851
)	
)	
Redmond 13)	PRELIMINARY PLAT
)	

CERTIFICATE OF SERVICE

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 23rd day of April, 2020, a true and correct copy of the Findings, Conclusions and Decision in the Matter of the Application of **REDMOND 13 LAND-2018-00627 PR-2017-01851** for approval of a Preliminary Plat was sent via email to the Staff Planner and via United States Postal Service first class mail to the Parties of Record with adequate postage prepaid.

April 23, 2020

Date



Cheryl Xanthos
City Clerk
City of Redmond, Washington