



## Legislation Details (With Text)

**File #:** AM No. 19-126  
**Type:** Public Hearing  
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**File created:** 7/30/2019  
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**On agenda:** 8/20/2019  
**Final action:** 8/20/2019  
**Title:** Lennar Multifamily Communities (LMC) Marymoor Public Hearing

a. ORDINANCE NO. 2973: An Ordinance Adopting the Technical Committee's Recommendation to Approve the LMC Marymoor Master Planned Development, Site Plan Entitlement, and Development Agreement (LAND-2018-00868 and LAND-2018-00869), and Establishing an Effective Date

b. RESOLUTION NO. 1523: A Resolution Approving a Development Agreement for Property Owned by Lennar Multifamily Communities Located on Parcel Nos. 122505-9095, 122505-9229, and 122505-9152

**Sponsors:****Indexes:****Code sections:**

**Attachments:** 1. Agenda Memo No. 19-126, 2. Attachment A: Ordinance, 3. Attachment B: Resolution, 4. Attachment C: Technical Committee Report Updated Attachments List, 5. Attachment D: LMC Technical Report Updated, 6. Attachment D, Exhibit 1: General Application Form, 7. Attachment D, Exhibit 2: Vicinity Map/Topographic/Boundary Survey, 8. Attachment D, Exhibit 3: Notice of Application/Certification of Public Notice, 9. Attachment D, Exhibit 4: Public Comments, 10. Attachment D, Exhibit 5: SEPA Application/Checklist/DNS, 11. Attachment D, Exhibit 6: Master Plan, 12. Attachment D, Exhibit 7: Plan Set, 13. Attachment D, Exhibit 8: Draft Development Agreement, 14. Attachment D, Exhibit 9: Transportation Study, 15. Attachment D, Exhibit 10: Stormwater Report, 16. Attachment D, Exhibit 11: Tree Evaluation Plan/Assessment, 17. Attachment D, Exhibit 12: Design Review Board Minutes, 18. Attachment D, Exhibit 13: Design Review Board Recommended Design, 19. Attachment D, Exhibit 14: Tree Canopy Exhibit, 20. Attachment D, Exhibit 15: Neighborhood Informational Response Matrix June 12 Update, 21. Attachment D, Exhibit 16: 30 Percent Dewater Design Submittal, 22. Attachment D, Exhibit 17: Geotechnical Report, 23. Attachment D, Exhibit 18: LID Feasibility Analysis, 24. Attachment D, Exhibit 19: Phase 1 ESA Report, 25. Attachment D, Exhibit 20: Phase 2 ESA Report, 26. Attachment D, Exhibit 21: Stormwater Report, 27. Attachment E: Email - Councilmember Anderson, 28. Attachment F: Email - Councilmember Carson, 29. Attachment G: City Council Issues Matrix Updated

Date	Ver.	Action By	Action	Result
8/20/2019	1	City Council	approved	

**MEMO TO:** Members of the City Council

**FROM:** Mayor John Marchione

**SUBJECT:**

Lennar Multifamily Communities (LMC) Marymoor Public Hearing

- a. ORDINANCE NO. 2973: An Ordinance Adopting the Technical Committee's Recommendation to Approve the LMC Marymoor Master Planned Development, Site Plan Entitlement, and Development Agreement (LAND-2018-00868 and LAND-2018-00869), and Establishing an Effective Date
- b. RESOLUTION NO. 1523: A Resolution Approving a Development Agreement for Property Owned by Lennar Multifamily Communities Located on Parcel Nos. 122505-9095, 122505-9229, and 122505-9152

## **I. RECOMMENDED ACTION**

Conduct a public hearing and approve the Master Plan, Site Plan Entitlement and Development Agreement.

## **II. DEPARTMENT CONTACTS**

Erika Vandenbrande, Director, Planning and Community Development	425-556-2457
Carol Helland, Deputy Director, Planning and Community Development	425-556-2107
David Lee, Senior Planner	425-556-2462

## **III. DESCRIPTION/BACKGROUND**

The LMC Marymoor project requires a Master Plan, Site Plan Entitlement and Development Agreement approvals to proceed. Development Agreements require a public hearing before the City Council, followed by Council approval. Under the Redmond Zoning Code (RZC), the Master Plan and Site Plan Entitlement are required to be reviewed by Council in a consolidated package when a Development Agreement is sought. The following City Council meetings were scheduled to facilitate the required review and approval process.

Date	Council Meeting
✓ June 11	Committee of the Whole - Planning and Public Works
✓ July 2	Council Staff Report
✓ July 23	Study Session
August 20	Public Hearing and Potential Final Action

Because the LMC Marymoor project requires a Type V Quasi-Judicial decision of the City Council, the proceedings are governed by the Appearance of Fairness Doctrine. Communications outside of a Council meeting must be disclosed and could result in the disqualification of a decisionmaker if objections to participation are raised by the parties.

### **Project Context**

The proposed project is located within the Marymoor Design District (MDD). The site is approximately

4.9 acres in size and is bounded by NE 70th Street on the north, 176th Avenue NE on the west, the future NE 68th Street on the south, and the East Lake Sammamish Trail to the east. The project site is currently developed as a light-industrial use (custom concrete and textiles manufacturer). Lennar Multifamily Communities will be the sole owner of the development.

The primary goal is for this area to become a unique neighborhood. The MDD is zoned as a moderately dense mixed-use neighborhood. Key features of the zone are the future Link light rail station, allowance of existing industrial uses, and the proximity to a major regional park. The City Council stressed the word “eclectic” when initiating the Marymoor Design District. The Council’s intent is to achieve an eclectic neighborhood through place-making and architecture. The Marymoor Design District’s design standards are still in the process of being created to implement the City Council’s vision. Strictly implementing the existing citywide design standards (RZC 21.60) and the MDD design standards would likely yield familiar building forms and design mimicking those found throughout the City’s existing urban centers. The development agreement will provide a framework to achieve the more unique design outcomes desired for the area.

### Project Description

The proposal is to construct three residential buildings over ground floor commercial space facing three streets. Two of the residential buildings will be five stories tall and one of the buildings will be six stories tall. An east-west woonerf is proposed between the north building and the two south buildings. The proposed development includes approximately 450 residential units and 35,000 square feet of commercial space. Shallow groundwater is prevalent throughout the site and conveyance of groundwater is a challenge. The project is proposed to be constructed in essentially one phase. The Master Plan depicts the construction sequencing of the parking facility and buildings.

The Technical Committee has provided a recommendation of approval to the City Council. A thorough analysis has been prepared for the City Council’s review and goes over the project’s compliance with the following:

- Comprehensive Plan
- Redmond Zoning Code
- Master Plan Decision Criteria (RZC 21.76.070(P)(5))
- Site Plan Entitlement Decision Criteria (RZC 21.76.070.Y)
- Development Agreement Criteria (RZC 21.76.070.L.3)

In summary, the proposed project meets all applicable decision criteria listed in the paragraph above and dimensional requirements of the zone. The project application also implements the vision and policies set forth in the Comprehensive Plan for SE Redmond. Key goals the project helps realize for the zone include:

- *N-SE-1: Use entryway elements to welcome people to Redmond*

The northern most building is one of the most architecturally unique buildings within Redmond. It is not a typical rectilinear shape; rather, the building employs curves and smoother transitions around corners. Additionally, art is prominently integrated into the building to greet the public to this newly established neighborhood.

- *N-SE-2: Plan for and provide opportunities for art*

Although the building design and the site stand by itself, the art components elevate the project as a

whole. The applicant is integrating one percent of total construction costs to art installations throughout the site and the buildings. The art installations range from augmented reality murals to motion activated pedestrian path pieces to discoverable sculptures. The Arts Commission has reviewed the concepts and has approved the artists that are being commissioned for these works. These pieces will receive final approval by the Arts Commission and will be installed prior to the building certificate of occupancy.

- *N-SE-37: Facilitate opportunities for housing, employment, community gatherings, education, and small-scale shopping.*

The proposed project will provide 450 residential units across from the future Marymoor light rail station. Ten percent (45 units) will be provided as low cost affordable units with rents accessible to households earning 50% of the average median income for the area. Five percent of the units (23 units), are proposed as much needed market rate three-bedroom units which will provide more housing choices for families. The project also incorporates up to 35,000 square feet of commercial space. LMC is currently in the process of procuring a daycare provider to occupy some of the commercial space and is also committing itself to provide for a minimum of 3,500 square feet for “local commercial use.” Two community gardens are also proposed to be installed within the development to help facilitate community building.

With respect to the Development Agreement, the City is receiving the following benefits:

- Commitment to five percent of the units as 3-bedroom units;
- Reserved local commercial space;
- One percent of total construction costs towards integrated art on the site/building;
- An enhanced public pedestrian thoroughfare (NE 69<sup>th</sup> St);
- Two community gardens; and
- East/west connections to the East Lake Sammamish trail.

In return, the applicant is proposing:

- A ten-year vesting period with a potential five-year extension;
- Credits against Transportation Impact Fees for future potential amendments to the City’s Transportation Facilities Plan/Transportation Master Plan;
  - Currently, 176<sup>th</sup> Ave NE & NE 70<sup>th</sup> St are not a part of the TFP;
  - NE 68<sup>th</sup> does not qualify to be added as part of the TFP (local access street); and
  - NE 69<sup>th</sup> is privately owned and operated with an access easement for the public’s use and will not qualify for credits.
- Phasing;
  - All development is proposed to be constructed during the first phase;
  - Administrative approval of any changes to the phasing plan based on infrastructure and associated public benefits are proportionally met; and
  - All impacts related to each phase/building must be mitigated.

Staff introduced the project to City Council at Committee of the Whole on June 11, 2019. The Technical Committee recommendation was presented by staff report to the City Council on July 2, 2019, and a Study Session on the project was held on July 23, 2019.

### Study Session

At the study session, City Council went over the project and the Council Issues Matrix generated from

questions asked at both the Committee of the Whole and at the staff report briefing. Council asked additional questions that were not answered at the Study Session. Staff collected the questions and has since updated the issues matrix which is included with this memo as Attachment G. Council also requested that additional supporting documentation from the record be formally attached to the Technical Committee Recommendation. The Technical Committee Report has been updated to attach the following documents from the record: the 30 Percent Dewatering Design (Attachment D Exhibit 16), the Final Geotechnical Report (Attachment D Exhibit 17), the Final LID Feasibility Analysis (Attachment D Exhibit 18), the Phase 1 Environmental Site Analysis (Attachment D Exhibit 19), the Phase 2 Environmental Site Analysis (Attachment D Exhibit 20), and Stormwater Report (Attachment D Exhibit 21). All documents have been posted to the website page for this project to support Council and public review prior to the Public Hearing.

#### **IV. PREVIOUS DISCUSSIONS HELD**

June 11, 2019 - Committee of the Whole - Planning and Public Works  
July 2, 2019 - City Council Staff Report  
July 23, 2019 - City Council Study Session

#### **V. IMPACT**

##### **A. Service/Delivery:**

It is not anticipated that the project will have a negative impact on City services or delivery.

##### **B. Fiscal Note:**

It is not anticipated that the project will have a negative fiscal impact. The project proposes to mitigate impacts through street improvements/dedications, transportation impact fees, fire impact fees, park impact fees, and school impact fees. It is expected that the project will generate revenue from Coordinated Civil Review permits, building and trade permits, business licenses, and as a regular source of property taxes.

#### **VI. ALTERNATIVES TO STAFF RECOMMENDATION**

The staff recommends that Council conduct a public hearing and approve the Master Plan, Site Plan Entitlement and Development Agreement. As alternatives to the staff recommendation, Council could choose to:

1. Keep the record open to continue discussion and set a date to continue receiving testimony.
2. Close the hearing and set a date for the item to return for decision.

#### **VII. TIME CONSTRAINTS**

The applicant would like to begin ground breaking at the beginning of October 2019 for all phases. The projected completion date for Phase 1 and 2 (parking garage and the northern building) is June 2021, Phase 3 (the east building) December 2021, and Phase 4 (the western building) by April 2022. Due to dewatering issues, project start time is key. The applicant would appreciate an expeditious review of the

project.

## **VIII. LIST OF ATTACHMENTS**

- A. LAND2018-00869 - Draft Ordinance
- B. LAND2018-00868 - Draft Resolution
- C. Amended Technical Committee Recommendation updating the Attachment List
- D. LAND2018-00869/868 - LMC Technical Report to City Council
- E. Email from Councilmember Anderson
- F. Email from Councilmember Carson
- G. City Council Issues Matrix - August 20 Update