Ex# A-C, Land-2013-01289

CITY OF REDMOND
ORDINANCE NO. 2599(AM)

AN ORDINANCE OF THE CITY OF REDMOND, WASHINGTON, ADOPTING THE HEARING EXAMINER'S APRIL 20, 2011, RECOMMENDATION TO APPROVE WITH CONDITIONS THE CHABLIS PLANNED RESIDENTIAL DEVELOPMENT (FILE L090097), AND PRELIMINARY PLAT (L090096), AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, Baumann, herein referred to as applicant, submitted an application to develop a 20-lot, single-family development, and one lot with four cottage units, planned residential development (PRD) and preliminary plat on 4.36 acres located at 15631 NE 116th Street; and

WHEREAS, a planned residential development is a Type IV permit decision; and

WHEREAS, the Chablis PRD and Preliminary Plat is vested under the Redmond Community Development Guide regulations in effect at the time of submittal, on March 30, 2009; and

WHEREAS, the Redmond Community Development Guide authorizes the Hearing Examiner to conduct an open record hearing for the planned residential development and make a recommendation with findings of fact, conclusions of law, and conditions of approval for the PRD to the City Council for consideration; and

WHEREAS, on April 6, 2011, the Hearing Examiner conducted an open record hearing to receive and review the application record and to hear verbal testimony relative to the Chablis

Planned Residential Development (File L090097) and Preliminary Plat (L090096); and

WHEREAS, on April 20, 2011, the Hearing Examiner conditionally approved the Chablis Preliminary Plat (L090096) and recommended approval of the Chablis PRD (File L090097) subject to conditions.

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

Section 1. Findings, Conclusions, and Conditions of Approval. After carefully reviewing the record and considering the evidence and arguments in the record and in the Hearing Examiner's recommendation, the City Council hereby adopts the findings, analysis, and conclusions in the Hearing Examiner's recommendation for the Chablis Planned Residential Development dated April 20, 2011. The City Council also adopts the following additional finding and conclusion:

Finding: High traffic volumes exist on Red-Wood Road and significant pedestrian facilities are not present on the east side of the road.

Condition: Appropriate signage should be placed at the connection of the plat to Red-Wood Road indicating

that significant pedestrian facilities do not exist on the east side of Red-Wood Road.

Section 2. Approval. The City Council hereby approves the Chablis Planned Residential Development, subject to the conditions of approval identified in the Hearing Examiner's recommendation dated April 20, 2011.

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

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

Section 5. Effective Date. This ordinance shall take effect five (5) days after passage and publication of an approved summary thereof consisting of the title, or as otherwise provided by law.

ADOPTED by the Redmond City Council this 17th day of May, 2011.

CITY OF REDMOND

JOHN MARCHIONE, MAYOR

ATTEST:

MICHELLE M. MCGEHEE, CMC, CITY CLERK (SEAL)

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:

JAMES HANEY, CITY ATTORNEY

FILED WITH THE CITY CLERK:	May 11, 2011
PASSED BY THE CITY COUNCIL:	May 17, 2011
SIGNED BY THE MAYOR:	May 17, 2011
PUBLISHED:	May 23, 2011
EFFECTIVE DATE:	May 28, 2011
ORDINANCE NO.2599(AM)	

Approved as Amended 7-0: Allen, Carson, Cole, Margeson, Myers, Stilin and Vache

in Redmond, Washington.[1] *Exhibit 1, page 1; Exhibit 1, Attachment 5; Johnson Testimony.*

2. Complete applications for preliminary plat and PRD were submitted on March 30, 2009. At that time, PRD regulations pursuant to Ordinance 1901 were in effect. Subsequently, Ordinance 1901 was repealed by Ordinance 2447; however, the present project is vested the regulations in effect on the date the complete applications were filed. *Exhibit 1, page 2; Johnson Testimony; Exhibit 1, Attachments 18 and 19.*

3. The relatively flat subject property is comprised of two parcels developed with single-family residences, a domestic water well, and an accessory structure, all of which would be removed and the well abandoned. Site vegetation consists of grasses and non-native blackberries; very little significant tree cover is present. The entire subject property has been cultivated or altered by previous uses at some time in the past; no areas of undisturbed native vegetation were observed. No critical areas were identified on-site. *Exhibit 1, pages 3, 11, 24; Exhibit 1, Attachment 10, Sheets P1, P3; Exhibit 1, Attachment 11.*

4. The subject property is located in the North Redmond Neighborhood. North of the site across NE 116th Street is the Kensington plat, containing single-family residential development on small lots similar to those proposed. South of the site are single-family homes on small lots. Large lot residential development exists to the east and west of the site; however, the Cryder PRD has been approved immediately to the east. There are R-1 zoned areas to the north, east, and west of the subject property, but the site abuts R-4 zoning on all boundaries. *Exhibit 1, page 3; Exhibit 1, Attachments 1 and 2; Exhibit 2, Slide 2.*

5. The subject property has a low-moderate residential zoning designation (R-4). *Exhibit 1, page 1; Exhibit 1, Attachment 2.* 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. *Redmond Community Development Guide (RCDG) 20C.30.15-050).*

6. 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).*

[1] The legal description of the subject property is a portion of Section 35, Township 26 North, Range 5 East, W.M.; the lot is also known as Tax Assessor Parcels 3526059046 and 3526059005. *Exhibit 1, Attachments 3 and 10.*

environmental impacts and issued a Determination of Non-Significance (DNS) on May 11, 2009. No appeals were filed and the DNS became final. *Exhibit 1, page 4; Exhibit 1, Attachment 8; Johnson Testimony.*

37. The Applicant would mitigate project impacts through payment of fire, parks, transportation, and schools impact fees, which would be assessed for each lot at the time of building permit issuance. The Lake Washington School District was notified of the application and environmental review of the project and submitted no comments. *Johnson Testimony.*

38. The accepted plan set is dated June 28, 2010. Planning Staff accepted and reviewed: an arborist report; tree retention and replacement plans; a conceptual landscape plan; and a preliminary stormdrainage report. Professional consultants retained by the Applicant prepared each report. No hazardous conditions or limitations to development were identified during project review. *Exhibit 1, pages 16-17.*

39. 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, 17 - 34; Johnson Testimony.*

40. Planning Staff requested to amend the conditions proposed in the Technical Committee report to the Examiner at the public hearing, by adding an additional Planning Department condition regarding affordable housing. *Exhibit 2.*

41. At hearing, the Applicant waived objections to the recommended conditions of approval. The Applicant testified that he has worked with the developer of the Cryder PRD to further the City's safety goals regarding reducing the number of access points onto NE 116th Street. The Applicant indicated that he is aware that if the Cryder PRD fails to develop as approved, the Chablis PRD would have to be redesigned. The Applicant testified that safe walking can be provided via the Cryder PRD's safe walking route or by connection to NE 116th Street through Tract A. *Baumann Testimony.*

42. Notice of application was posted, published, and mailed to property owners within 500 feet on April 17, 2009. The City received one comment on the notice expressing concerns about the scale of the homes and increased traffic. The Applicant held a public meeting on the proposal on September 27, 2010 to answer questions and hear concerns. One person attended and asked a general question about the project but expressed no concerns. The City issued notice of the SEPA threshold determination on May 11, 2009, receiving no comments during the DNS comment period. Notice of the 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 March 16, 2011, more than 14 days in advance of the hearing. The City received no comment in response to the notice of public hearing. *Exhibit 1, pages 3- 4; Exhibit 1, Attachments 5, 6, 7, 8, and 9; Johnson Testimony.*

- 7"HMA Class ½" PG 64-22
- Subgrade compacted to 95% compacted maximum density as determined by modified Proctor (ASTMD 1557)
- Street crowned at 2% sloped to drain system.

Code Authority: RCDG 20D.180.10-140, 20D.180.10-150. Appendix 20D-3.

h. **Private Street Improvements within Project.** The driveway in Tract B serving Lots 11 through 14 shall include asphalt paving 20-feet wide and thickened asphalt edge or type A-1 concrete curb and gutter adjacent to sidewalk The minimum pavement section for the streets shall consist of:
- 3"HMA Class ½" PG 64-22
- 4" crushed surfacing base course.
- Subgrade compacted to 95% compacted maximum density as determined by modified Proctor (ASTMD 1557)
- Pavement2% sloped to drain system.

Code Authority: RCDG 20D.180.10-140, 20D.180.10-150. Appendix 20D-3.

i. **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 schools and other public facilities. Current conditions on NE 116th Street do not provide safe walking conditions for students or other pedestrians. An interim walkway shall be constructed of concrete curb, gutter and a five-foot sidewalk if adjacent to the street. The curb face shall be located at least 12 feet from the centerline. The interim walkway 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. The applicant shall provide a preliminary plan for the proposed interim walkway prior to civil drawing approval. The interim walkway must be constructed prior to occupancy of any new house. If the safe walking route is in place as described in the Cryder (L070523) conditions of approval, a walk route may not be required for this project.

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

j **Site Civil Drawing Review.** After city Council approval of the Planned Unit Development (PRD), site civil drawings are required to be submitted for review and approval. The submittal requirements for site civil drawings are contained within Appendices 20C-1, 20D-1, 20D-2, 20D-3, 20D-4 and 20D-5, as well as in