



**CITY OF REDMOND
HEARING EXAMINER
MINUTES**

July 9, 2012

Redmond City Council Chambers
15670 NE 85th Street, Redmond
7 p.m.

Hearing Examiner

Sharon Rice, Offices of Sharon Rice,
Hearing Examiner, PLLC

Staff

Judd Black, Planning Manager
David Almond, Engineering Manager, Planning
Jim Streit, Senior Engineer, Planning
Lisa Rigg, Senior Engineer, Planning
Thara Johnson, Associate Planner
Elizabeth Adkisson, CMC, Deputy City Clerk

Convened: 7 p.m.

Adjourned: 7:35 p.m.

I. CALL TO ORDER

Hearing Examiner Sharon Rice convened the hearing at 7 p.m.

II. DESCRIPTION OF HEARING SEQUENCE AND PROCEDURES

Ms. Rice introduced the matter under consideration, reviewed the sequence of the hearing for the evening, and explained the proceedings. Ms. Rice noted that she will issue a decision on the Olsson Sewer Main Extension – Alteration of Geological Hazard Area application within 10 business days of the closing of the record.

Ms. Rice administered the swearing in of all those in attendance testifying on these matters, reminded the attendees that the proceedings were being recorded, and asked them to identify themselves for the record. The following staff and applicant representatives introduced themselves for the record:

Thara Johnson, Associate Planner, City of Redmond
Judd Black, Planning Manager, City of Redmond
Dave Almond, Public Works Senior Engineer, City of Redmond
Greg Wilson, Wilmoor Development, Applicant Representative

III. PUBLIC HEARING

A. OLSSON SEWER MAIN EXTENSION

L110508 Alteration of Geological Hazard Areas
L110509 SEPA

Request: Alteration of Geologic Hazard Areas for the installation of approximately 500 feet of sewer main extension from the Aerojet Property, located west of Willows Road, for future service to the Olsson property.

Location: 11411 139th Place, NE, Redmond, WA 98052

Ms. Rice introduced the matter and assigned the Technical Committee Report as Exhibit 1, identifying the following submitted attachments:

Attachments Report Attachments

1. General Application Form
2. Vicinity Map
3. Zoning Map
4. SEPA Application Form
5. Completeness Letter
6. Notice of Application and Certificate of Publishing
7. SEPA Determination of Non-Significance, Addendum & Environmental Checklist
8. Notice of Public Hearing and Certificates of Posting
9. Site Development Plans
10. Wetland and Stream Mitigation Plan (Sheets 1-3)
11. Wetland and Stream Delineation Report
12. Critical Areas Report (Geotechnical Aspects)
13. Arborist Report and Tree Preservation Plan
14. Tree Replacement Plan
15. Olsson Sewer Main Extension Narrative
16. Comprehensive Plan Map
17. SEPA Public Comment Letter

STAFF PRESENTATION:

Ms. Thara Johnson, Associate Planner, reported on the Olsson Water Sewer Main Extension – Alteration of Geological Hazard Areas application:

- Vicinity Map (Olson Property and Aerojet Property);
- Proposal:

- 500-foot sewer main extension from Aerojet property, located west of Willows Road for future service to Olsson property;
- proposed water sewer extension will tie in to an existing sewer manhole at 137th Place NE and 112th Way;
- sewer extension shown on General Sewer Plan;
- proposed extension located within steep slopes – requires Alteration of Geological Hazard Areas;
- best route, due to topography and avoids a ravine and stream located south of easement;
- construction area will be hydroseeded upon completion and temporary erosion measures will be left in place until the disturbed area is re-established;
- 29 trees to be removed;
- Site Plan;
- Tree Preservation plan;
- Critical Areas (Wetland and Stream Delineation Sketch);
- Process:
 - Completeness: 12/06/2011 – Letter of Completeness issued and vested date;
 - Notice of Application: 12/29/2011 – comment period begins; 01/19/2011 – comment period ends;
 - SEPA: SEPA DNS issued on 04/09/2012;
 - 04/23/2012 – SEPA DNS comment period ends;
 - 04/24/2012 – SEPA DNS appeal period begins;
 - 05/08/2012 – SEPA DNS appeal period ends;
 - Notice of Public Hearing: 06/18/2012 – issued;
- Alteration of Geological Hazard Areas – Decision Criteria:
 - there must be no reasonable alternative to locating in a Landslide Hazard Area; alternative locations which would avoid impact to the Landslide Hazard Area must be shown to be economically or functionally infeasible;
 - proposed sewer line is identified on the General Sewer Plan Map of the Redmond Comprehensive Plan;
 - extension of the sewer line would need to cross steep slopes, regardless of specific location;
 - plan minimizes impact to critical areas;
 - easement width reduce to 20 feet to minimize impacts to hillside;
 - a geotechnical evaluation must be conducted to identify the risks of damage from the proposal, both on-site and off-site, and to identify measures to eliminate or reduce risks; the proposal must not increase the risk of occurrence of the potential geologic hazard;
 - geotechnical report prepared by Associated Earth Sciences that meets the City’s Code;
 - recommendations provided in the report for construction methods that will minimize impacts and addressed on site plan;
 - impacts shall be minimized by limiting the magnitude of the proposed construction to the extent possible, and impacts must be eliminated or mitigated by repairing, rehabilitating, restoring, replacing, or providing substitute resources consistent with the mitigation and performance standards set forth in RZC 21.64.010(L) and (M);
 - the geotechnical report’s analysis did not find any indications of slope instability, based on soil profiles;

- recommendations have been provided to address vegetation removal and grading activities within the Landslide Hazard Area and its associated buffer.
- Recommendation: staff recommends approval with conditions on Alteration of Geological Hazard Areas.

Ms. Johnson submitted the following exhibits to the record; Ms. Rice assigned them accordingly:

- staff's PowerPoint presentation; entered into the record as Exhibit 2; and
- 07/09/12 email/attachment from J. Robb (Aerojet) to G. Wilson; Exhibit 3.

City Staff members provided the following information in response to Hearing Examiner queries:

- the general area of project on Comprehensive Plan Sewer Map is North Willows Basin, NW-2; the following document pertaining to this discussion was entered into the record: Section 4 – Sewer System Evaluation, pages 4-44 & 4-45; Exhibit 4;
- regarding Exhibit 1, Attachment 17 – public comment received from the Muckleshoot Indian Tribe Fisheries Division with concerns regarding classification of the stream; the City reviewed and determined the determination of a Class 4 stream was correct; even if classification changed to Class 3, the alignment of the sewer line would not change, only the buffer;
- additional permits are required for the project;
- regarding the Tree Preservation Plan – all tree protected except for those removed for placement of utilities; and the project is on a large forested area;
- sewer service from the adjacent street of 132nd Avenue NE is not possible, as the sewer along that road belongs to the City of Kirkland, and the topography is uphill (west to east), and would be difficult to provide; and
- a Native Growth Protection Easement (NGPE) will be recorded within the buffer mitigation area.

APPLICANT TESTIMONY:

Mr. Greg Wilson, Wilmoor Development, Applicant's Representative, confirmed the Applicant's concurrence with the City's Report and Conditions; and provided the following information in response to Hearing Examiner queries:

- the applicant is currently working on finalizing the Second Amendment to Easement between Aerojet and Olsson; the following document was entered into the record: Second Amendment to Easement and Agreement (unsigned); Exhibit 5;
- the first 60 to 75 percent of the extension will be located on a 40 percent slope, the last portion on flat land;
- gravel will be used for street covering; and
- the applicant is aware of the City of Redmond work restrictions on timing of construction.

PUBLIC TESTIMONY:

Ms. Rice called for any of those present wishing to provide public testimony on this matter; there being none, Ms. Rice closed the public testimony portion of the hearing.

CONCLUSION:

Ms. Rice requested whether a fully executed copy of the amended Easement was desired for the record; City Staff declined, and instead proposed a new condition regarding the easement be entered into the record. *The following document was submitted post-hearing: Condition of approval re: fully executed easement amendment; Exhibit 6.*

Ms. Rice called for any further comments. Hearing none, Ms. Rice stated that the record was closed on the Olsson Sewer Main Extension – Alteration of Geological Hazard Areas matter, and a written decision would be issued in no later than 10 business days.

IV. ADJOURNMENT

The public hearing closed at 7:35 p.m., and the meeting adjourned.