

1
2 **IV. FINDINGS OF FACT**

3 **Procedural:**

4 1. Applicant. Civic Development.

5 2. Hearing. A hearing was held on October 13, 2015 at 1:00 pm in the Renton City Council
6 meeting chambers.

7 **Substantive:**

8 3. Project Description. The applicant has applied for approval of a nine lot preliminary plat.
9 The 89,819 square foot (2.06-acre) site is a combination of two parcels located at 3815 and 3767
10 Monterey Pl NE (APNs 3345700181 and 3345700182) within the Residential-8 (R-8) zone and
11 Kennydale Community Planning Area. Proposed single-family lot sizes range from approximately
12 5,201 square feet to 8,270 square feet. Two existing single family homes, one on each parcel, would
13 be demolished. Approximately 15,028 square feet is proposed to be dedicated public streets. Two
14 tracts are proposed, one for the subdivision stormwater facility at approximately 9,404 square feet in
15 the northwest corner of the site and the other tract would be a 14,213 square-foot critical areas tract
16 containing 5,087 square feet of a Category 2 wetland in the southwest corner of the site. The
17 proposal has a net density of 5.63 dwelling units per net acre. Steep slopes are located on the site.
18 Eight trees are located in the critical areas tract and would be retained. Approximately 60 new trees
19 would be added to the site. The project would result in approximately 4,500 cubic yards of
20 excavation for site grading and road and plat construction and fill would be required for future home
21 building pads. Street frontage improvements would be provided along Monterey Pl NE. A new
22 internal dead-end road is proposed with curb, gutter and sidewalk that would provide access to the
23 lots with a connection to Monterey Pl NE. The applicant submitted a drainage report, geotechnical
24 report, wetlands reconnaissance, environmental checklist, and a tree inventory and retention plan.

25 4. Adequacy of Infrastructure/Public Services. The project will be served by adequate
26 infrastructure and public services as follows:

A. Water and Sewer Service. This site is located in the Coal Creek Utility District water
service boundary. Sewer service will be provided by the City of Renton. A water
availability certificate dated September 16, 2015 has been issued for the project by the
Coal Creek Utility District. See Ex. 20. There is an existing 8-inch gravity sewer main
along Lincoln Ave NE that would be connected to through an acquired easement across
the neighboring property to the west at 3792 Lincoln Ave NE.

1 B. Police and Fire Protection. Police and Fire Prevention staff indicate that sufficient
2 resources exist to furnish services to the proposed development; subject to the provision
3 of Code required improvements and fees. A fire impact fee, based on new single family
4 lots, will be required in order to mitigate the proposal's potential impacts to City
5 emergency services. The fee is payable to the City as specified by the Renton Municipal
6 Code. Currently the fee is assessed at \$495.10 per single family residence. An approved
7 turnaround is required for dead end streets that exceed 150 feet in length and the
8 proposed hammerhead turnaround has been found by fire department staff to be
9 acceptable.

10 C. Drainage. The proposal provides for adequate stormwater drainage facilities. The site is
11 located within the Lake Washington drainage basin. Based on the City's flow control
12 map, this site falls within the Flow Control Duration Standard, Forested Condition and
13 requires a flow control facility sized to match the flow duration of forested conditions.
14 The applicant's engineer has designed a combination detention/water quality pond to be
15 located in a tract at the northwest corner for the site. The stormwater pond would
16 discharge to Lincoln Ave NE through a utility easement across the neighboring property
17 to the west.

18 The applicant submitted a Preliminary Drainage Report (Technical Information Report –
19 TIR), prepared by Encompass Engineering & Surveying (dated September 12, 2014 and
20 revised on August 13, 2015; Exhibit 10). According to the TIR, the site storm drainage
21 system has been designed according to the standards set forth by the 2009 King County
22 Surface Water Design Manual and the City of Renton Amendments to the county manual.
23 The proposed detention facility for the site will be an open water pond designed to
24 accommodate both live and dead storage volumes and designed to Flow Control Duration
25 Standards. The facilities will be designed to match developed discharge durations to the
26 pre-developed durations for the range from 50% of the 2-year peak flow up to the full 50-
year peak flow, while also matching the 2-yr and 10-yr peak flows. Water quality will be
provided within the combined detention pond in the form of dead storage.

A geotechnical report and addendum for the site was prepared by Earth Solutions, NW,
LLC (dated September 18, 2014 and March 2, 2015; Exhibit 11). A SEPA mitigation
measure (Exhibit 23) was imposed by the City's Environmental Review Committee
(ERC), requiring that the project construction comply with the recommendations outlined
in the submitted geotechnical report and associated addendum. The report identifies that
soils are Everett Gravelly Sandy Loam and Ragnar deposits with Alderwood till also
mapped in the vicinity of the site according to King County Soil Survey. Based on the

1 test pits in the field as part of the evaluation of the site, the geotechnical report states that
2 subsurface conditions throughout the site are relatively consistent and can be
3 characterized as medium dense to dense weathered and unweathered till deposits known
4 as Alderwood soils. A locally perched groundwater seepage area was observed in one of
5 the six test pits at a depth of 2 feet, otherwise no groundwater was encountered in any of
6 the other text locations.

7 Finally, the maintenance and operation of the proposed storm drainage facilities will be
8 the responsibility of the City upon recording of the plat. However the maintenance of the
9 vegetation proposed in Tract A would remain the responsibility of the home owners
10 within the subdivision, therefore staff recommends as a condition of approval that the
11 applicant create a Home Owners Association (“HOA”) that maintains all landscaping
12 improvements in Tract A. A draft of the HOA shall be submitted to and approved by the
13 City of Renton Project Manager and the City Attorney prior to final Plat recording. Such
14 document shall be recorded concurrently with the Final Plat.

15
16 D. Parks/Open Space. RMC 4-7-140 requires the payment of park impact fees on a per lot
17 basis. RMC 4-2-115, which governs open space requirements for residential
18 development, does not have any specific requirements for open space for residential
19 development in the R-8 district. The impact fees provide for adequate parks and open
20 space.

21 E. Streets. The proposal provides for adequate streets. The Public Works Department has
22 reviewed the proposed preliminary design of street improvements and has found them to
23 be consistent with applicable City standards, including street alignment. As further
24 detailed in this finding, staff has done a thorough assessment of both on and off-site
25 traffic impacts. The City’s development standards have enabled staff to fully mitigate all
26 impacts in and provide for safe and efficient transportation infrastructure.

Access to the site is proposed via a new dead-end limited residential access street that
would connect with Monterey Pl NE. The new street would split the plat north to south,
and provide access to each of the proposed residential lots.

As to maximizing connectivity, there are few east-west through streets that would
connect Monterey Pl NE with Lincoln Ave NE to the west that could provide a more
connected street grid in the vicinity. Staff reviewed the proposal for a potential
connection to the west, were the project’s proposed dead end would potentially connect
with a future thru street to Lincoln Ave NE. Additionally, staff considered the existing

1 wetland on the subject site that extends onto the abutting property to the west where a
2 potential east-west thru street could be located over time. Given the location of the
3 wetland and its associated buffer on the subject site and the continuation of the wetland
4 onto the abutting property to the west, a thru street is not recommended by staff due to
5 the potential impacts to the critical area.

6 The existing right-of-way width in the collector street Monterey PI NE is approximately
7 60 feet. A determination by the City Transportation Division, dated July 25, 2013,
8 provides specific improvements to be made to streets in vicinity of the subject project
9 including Monterey PI NE (Exhibit 18). No lots in the proposal would gain access
10 directly from Monterey PI NE. In order to meet the City's complete street standards and
11 street improvements, the following minimum design standards apply to half-street
12 improvement of Monterey PI NE: An 11-foot wide travel lane, 5-foot wide bike lane, 0.5-
13 foot wide curb, 8-foot wide landscape strip, 5-foot wide sidewalk, and 1-foot wide clear
14 width back of sidewalk. A 0.5-foot wide right-of-way dedication along Monterey PI NE
15 frontage is required by the applicant to provide the required improvements. The applicant
16 is not required to install an 8-foot sidewalk along Monterey PI NE as required by code
17 (RMC 4-6-060) as noted in the staff advisory notes (Exhibit 7), but rather a 5-foot wide
18 sidewalk would be required. In order to qualify for a five foot sidewalk, the applicant
19 will have to submit a street modification request to install a lesser 5-foot wide sidewalk
20 along Monterey PI NE, which shall be reviewed and approved prior to construction
21 permit application.

22 The proposed new limited access residential street that would provide access to each
23 proposed lot is identified with a slope up to 14% (Exhibit 9). The street slopes from east
24 to west towards the wetland. The limited access residential street is proposed with 20-foot
25 wide paved width for travel lanes and no parking area, 0.5-foot wide curb, 8-foot wide
26 planter strip, and 5-foot wide sidewalk on both sides of the street. A hammerhead
turnaround for fire emergency is proposed at the dead end of the internal access street.
Sidewalks would dead-end into the hammerhead portion of the public dead-end street.
The stormwater tract in the northwest corner of the site would be provided access directly
from the north portion of the hammerhead dead-end street.

It is also anticipated that the proposed project would result in impacts to the City's street
system. In order to mitigate transportation impacts, the applicant would be required to
meet code-required frontage improvements, City of Renton's transportation concurrency
requirements (Exhibit 27) based upon a test of the citywide Transportation Plan and pay
appropriate Transportation Impact Fees. Currently, this fee is assessed at \$2,214.44 per

1 net new single family home (13 x \$2,214.44 = \$28,787.72). This fee is payable to the
2 City at the time of building permit issuance, the fee will be changing in 2016.
3 Street lighting is required per RMC 4-6-060I. Therefore staff recommends, as a condition
4 of approval, that a lighting plan shall be submitted to, and approved by the Plan Reviewer
prior to construction permit approval.

5 F. Parking. Sufficient area exists, on each lot, to accommodate required off street parking
6 for a minimum of two vehicles per dwelling unit as required by City code.

7 G. Schools. The proposal will be served by adequate school facilities and safe walking
8 conditions to and from school. It is anticipated that the Renton School District can
9 accommodate any additional students generated by this proposal at the following schools:
10 Hazelwood Elementary (7100 116th Ave SE, Renton), McKnight Middle School (1200
11 Edmonds Ave NE, Renton), and Hazen High School (1101 Hoquiam Ave NE) (Exhibit
22).

12 RCW 58.17.110(2) provides that no subdivision be approved without making a written
13 finding of adequate provision made for safe walking conditions for students who walk to
14 and from school. The schools where students would attend are not within walking
15 distance and would be eligible for bussing (Exhibit 21). As part of the subject proposal,
16 sidewalks would be constructed along the new residential street and on the project side of
17 Monterey Pl NE. The existing street has painted shoulders where travel lanes are
18 separated from walking areas with the painted line. The new proposed sidewalk
improvements by the subject proposal would connect to the existing shoulder areas on the
street at the north and to sidewalks at the south where the Taylor Court development is
located.

19 A School Impact Fee, based on new single family lots, will also be required in order to
20 mitigate the proposal's potential impacts to Renton School District. The fee is payable to
21 the City as specified by the Renton Municipal Code at the time of building permit
application. Currently, the 2015 fee is assessed at \$5,730.00 per single family residence.

22 5. Adverse Impacts. There are no adverse impacts associated with the proposal.
23

24 Adequate public facilities and drainage control are provided as determined in Finding of Fact No. 4.

25 The proposal is fully compatible with surrounding development. The proposal involves single-
26 family housing at a density that is only 5.63 dwelling units per acre, which is a lower density than
the 8 units per acre authorized for surrounding development. The proposed storm water pond wall

1 and surrounding perimeter landscaping is designed to be compatible with the character of the single-
2 family neighborhood as the exterior wall height and proposed vegetation would create a screening of
3 the open pond from neighboring properties. The exterior wall of the storm water pond is identified
4 on Exhibit 7 ("Section A-A") where approximately 4 feet of the exterior wall on the westerly side
5 would be above the proposed grade, with the first 2 feet covered by a slope and the upper 2 feet not
6 covered. On the opposite easterly side, the top of the wall of the storm water pond would be
7 approximately at grade plane with the ground. A 15-foot wide landscape perimeter is proposed
8 around the pond, to provide planting area for a vegetated screening of those portions of the pond
9 wall that extend above the surrounding grade plan. To provide an obscuring landscape visual buffer,
10 a condition of approval requires that the landscape buffer around the stormwater pond walls be
11 screened by a "Fully Sight-obscuring Landscaped Visual Buffer" per RMC 4-4-070H that is required
12 to be a minimum 6-foot high screening at plant maturity and one hundred percent sight obscuring.
13 Trees, which also provide for aesthetic compatibility, will be retained as required by RMC 4-4-
14 130(H). Pursuant to RMC 4-4-130(H), the applicant is required to retain 30 percent of the trees
15 located on site that are not located within critical areas, proposed rights-of-way and access
16 easements. Of the 60 significant trees on the site, 12 would be excluded from the retention
17 requirement as they are located in the proposed street improvements and 8 would be excluded as
18 they are in the wetland and wetland buffer area and would not be removed. Therefore, based on 40
19 trees, the applicant is required to retain a minimum of 12 trees or provide for replacement trees. The
20 applicant has proposed to retain two 10-inch diameter fir trees located along the southern property
21 line of the site (Exhibit 8). The applicant proposes to plant 60 replacement trees at 2-inch diameter
22 minimum (Exhibit 8) as identified in the Tree Retention Worksheet and would meet the requirement
23 for replacement trees for the R-8 zone.

24 The only critical area on site is a Category 2 wetland. The wetland and its buffer is set aside in Tract
25 B of the development. The conditions of approval require that Tract B be separated by a wood split
26 rail fence with signage. As conditioned, the proposal will not adversely affect the wetland.

6. Surrounding Area. The subject site is surrounded on all sides by single family residential
development.

CONCLUSIONS OF LAW

1. Authority. RMC 4-7-020(C) and 4-7-050(D)(5) provide that the Hearing Examiner shall
hold a hearing and issue a final decision on preliminary plat applications.

2. Zoning/Comprehensive Plan Designations. The subject property is zoned Residential 8
dwelling units per net acre (R-8). The comprehensive plan map land use designation is Residential
Single Family (RS).

1 3. Review Criteria. Chapter 4-7 RMC governs the criteria for preliminary plat review. The
2 applicant submitted a complete application on October 9, 2014, so it is vested to development
3 standards adopted through Renton Ordinance No. 5723. Applicable standards are quoted below in
italics and applied through corresponding conclusions of law.

4 **RMC 4-7-080(B):** *A subdivision shall be consistent with the following principles of acceptability:*

5 *1. Legal Lots: Create legal building sites which comply with all provisions of the City Zoning Code.*

6 *2. Access: Establish access to a public road for each segregated parcel.*

7 *3. Physical Characteristics: Have suitable physical characteristics. A proposed plat may be denied*
8 *because of flood, inundation, or wetland conditions. Construction of protective improvements may*
9 *be required as a condition of approval, and such improvements shall be noted on the final plat.*

10 *4. Drainage: Make adequate provision for drainage ways, streets, alleys, other public ways, water*
11 *supplies and sanitary wastes.*

12 4. As to compliance with the Zoning Code, Conclusion I(2) of the staff report in the portions
13 related to density, lot dimensions, setbacks and building standards are adopted by reference as if set
14 forth in full, with all associated recommended conditions of approval adopted by this decision as
well.

15 As depicted in the plat map, Ex. 2, all of the lots will directly access the proposed access road, which
16 will be dedicated as a public street. The physical characteristics of the site are suitable for
17 development. The only critical areas on site, a Category 2 wetlands, will be completely segregated
18 along with its required buffers within a separate Tract. The property does have some relatively steep
19 slopes, but a geotechnical review has been prepared, Ex. 11 and the report concludes that the slopes
20 pose no safety threat to on or off-site development. The recommendations of the geotechnical report
21 were made a condition of the proposal's mitigated determination of non-significance. The proposal
22 makes adequate provision for drainage and all other pertinent public infrastructure as determined in
Finding of Fact No. 4.

23 **RMC 4-7-080(I)(1):** *...The Hearing Examiner shall assure conformance with the general purposes*
24 *of the Comprehensive Plan and adopted standards...*

25 5. The proposed preliminary plat is consistent with the Renton Comprehensive Plan as outlined
26 in Conclusion I(1) of the staff report, which is incorporated by this reference as if set forth in full.

1 **RMC 4-7-120(A):** *No plan for the replatting, subdivision, or dedication of any areas shall be*
2 *approved by the Hearing Examiner unless the streets shown therein are connected by surfaced road*
3 *or street (according to City specifications) to an existing street or highway.*

4 6. As shown in the preliminary plat plan, Ex. 4, the internal road system connects to Monterey
5 Place NE, a public road.

6 **RMC 4-7-120(B):** *The location of all streets shall conform to any adopted plans for streets in the*
7 *City.*

8 7. The City's adopted street plans are not addressed in the staff report or anywhere else in the
9 administrative record. However, as discussed in Finding of Fact No. 5, the streets are connected to
10 the surrounding street grid as much as is feasible for the location. The criterion is met.

11 **RMC 4-7-120(C):** *If a subdivision is located in the area of an officially designed [sic] trail,*
12 *provisions shall be made for reservation of the right-of-way or for easements to the City for trail*
13 *purposes.*

14 8. Staff review of the proposal did not identify any officially designated trails in the vicinity. In
15 the absence of any other evidence to the contrary, it is determined that the subdivision is not located
16 in the area of an officially designated trail.

17 **RMC 4-7-130(C):** *A plat, short plat, subdivision or dedication shall be prepared in conformance*
18 *with the following provisions:*

19 *1. Land Unsuitable for Subdivision: Land which is found to be unsuitable for subdivision includes*
20 *land with features likely to be harmful to the safety and general health of the future residents (such*
21 *as lands adversely affected by flooding, steep slopes, or rock formations). Land which the*
22 *Department or the Hearing Examiner considers inappropriate for subdivision shall not be*
23 *subdivided unless adequate safeguards are provided against these adverse conditions.*

24 *a. Flooding/Inundation: If any portion of the land within the boundary of a preliminary plat*
25 *is subject to flooding or inundation, that portion of the subdivision must have the approval of*
26 *the State according to chapter 86.16 RCW before the Department and the Hearing Examiner*
shall consider such subdivision.

b. Steep Slopes: A plat, short plat, subdivision or dedication which would result in the
creation of a lot or lots that primarily have slopes forty percent (40%) or greater as
measured per RMC 4-3-050J1a, without adequate area at lesser slopes upon which
development may occur, shall not be approved.

1 ...

2 3. *Land Clearing and Tree Retention: Shall comply with RMC 4-4-130, Tree Retention and Land*
3 *Clearing Regulations.*

4 4. *Streams:*

5 *a. Preservation: Every reasonable effort shall be made to preserve existing streams, bodies*
6 *of water, and wetland areas.*

7 *b. Method: If a stream passes through any of the subject property, a plan shall be presented*
8 *which indicates how the stream will be preserved. The methodologies used should include an*
9 *overflow area, and an attempt to minimize the disturbance of the natural channel and stream*
10 *bed.*

11 *c. Culverting: The piping or tunneling of water shall be discouraged and allowed only when*
12 *going under streets.*

13 *d. Clean Water: Every effort shall be made to keep all streams and bodies of water clear of*
14 *debris and pollutants.*

15 9. The land is suitable for a subdivision. As determined in Finding of Fact 4 and 5, the
16 stormwater design assures that it will not contribute to flooding and all critical areas will be
17 protected. As determined in Finding of Fact No. 5, there are no geologically hazardous critical
18 areas on the project site, which means there are no slopes over 40%. There is no stream on the
19 project site. No piping or tunneling of streams is proposed. Trees will be retained as required by
20 RMC 4-4-130 as determined in Finding of Fact No. 5.

21 **RMC 4-7-140:** *Approval of all subdivisions located in either single family residential or multi-*
22 *family residential zones as defined in the Zoning Code shall be contingent upon the subdivider's*
23 *dedication of land or providing fees in lieu of dedication to the City, all as necessary to mitigate the*
24 *adverse effects of development upon the existing park and recreation service levels. The*
25 *requirements and procedures for this mitigation shall be per the City of Renton Parks Mitigation*
26 *Resolution.*

10. Park impact fees will be imposed for the development as determined in Finding of Fact No.
4.

RMC 4-7-150(A): *The proposed street system shall extend and create connections between existing*
streets unless otherwise approved by the Public Works Department. Prior to approving a street
system that does not extend or connect, the Reviewing Official shall find that such exception shall

1 *meet the requirements of subsection E3 of this Section. The roadway classifications shall be as*
2 *defined and designated by the Department.*

3 11. The criterion is met. As discussed in Finding of Fact No. 5, the proposed streets provide for
4 as much connectivity as is feasible with existing topographic constraints. The applicability of
5 subsection E3 will be addressed in more detail below.

6 **RMC 4-7-150(B):** *All proposed street names shall be approved by the City.*

7 12. As conditioned.

8 **RMC 4-7-150(C):** *Streets intersecting with existing or proposed public highways, major or*
9 *secondary arterials shall be held to a minimum.*

10 13. None of the proposed streets intersect with a public highway or arterial.

11 **RMC 4-7-150(D):** *The alignment of all streets shall be reviewed and approved by the Public Works*
12 *Department. The street standards set by RMC 4-6-060 shall apply unless otherwise approved. Street*
13 *alignment offsets of less than one hundred twenty five feet (125') are not desirable, but may be*
14 *approved by the Department upon a showing of need but only after provision of all necessary safety*
15 *measures.*

16 14. As determined in Finding of Fact 4(E), the Public Works Department has reviewed and
17 approved the adequacy of streets, which includes compliance with applicable street standards.

18 **RMC 4-7-150(E):**

19 *1. Grid: A grid street pattern shall be used to connect existing and new development and shall be the*
20 *predominant street pattern in any subdivision permitted by this Section.*

21 *2. Linkages: Linkages, including streets, sidewalks, pedestrian or bike paths, shall be provided*
22 *within and between neighborhoods when they can create a continuous and interconnected network*
23 *of roads and pathways. Implementation of this requirement shall comply with Comprehensive Plan*
24 *Transportation Element Objective T-A and Policies T-9 through T-16 and Community Design*
25 *Element, Objective CD-M and Policies CD-50 and CD-60.*

26 *3. Exceptions:*

a. The grid pattern may be adjusted to a "flexible grid" by reducing the number of linkages
or the alignment between roads, where the following factors are present on site:

i. Infeasible due to topographical/environmental constraints; and/or

1 ii. *Substantial improvements are existing.*

2 4. *Connections: Prior to adoption of a complete grid street plan, reasonable connections that link*
3 *existing portions of the grid system shall be made. At a minimum, stub streets shall be required*
4 *within subdivisions to allow future connectivity.*

5 5. *Alley Access: Alley access is the preferred street pattern except for properties in the Residential*
6 *Low Density land use designation. The Residential Low Density land use designation includes the*
7 *RC, R-1, and R-4 zones. Prior to approval of a plat without alley access, the Reviewing Official shall*
8 *evaluate an alley layout and determine that the use of alley(s) is not feasible ...*

9 6. *Alternative Configurations: Offset or loop roads are the preferred alternative configurations.*

10 7. *Cul-de-Sac Streets: Cul-de-sac streets may only be permitted by the Reviewing Official where due*
11 *to demonstrable physical constraints no future connection to a larger street pattern is physically*
12 *possible.*

13 15. For the reasons identified in Finding of Fact No. 4(E), the proposal does not have to connect
14 into a surrounding street grid system because it falls under the exception of RMC 4-7-150(E)(3), i.e.
15 such connections are not feasible due to environmental constraints, specifically wetlands. Alley
16 access is not required because the proposed density does not meet the 6 dwelling unit/acre threshold.
17 There is insufficient space for a looped road system. The criterion is met.

18 **RMC 4-7-150(F):** *All adjacent rights-of-way and new rights-of-way dedicated as part of the plat,*
19 *including streets, roads, and alleys, shall be graded to their full width and the pavement and*
20 *sidewalks shall be constructed as specified in the street standards or deferred by the*
21 *Planning/Building/Public Works Administrator or his/her designee.*

22 16. As proposed and subject to final plat review all roads will meet City street profile standards
23 for road with and frontage improvements.

24 **RMC 4-7-150(G):** *Streets that may be extended in the event of future adjacent platting shall be*
25 *required to be dedicated to the plat boundary line. Extensions of greater depth than an average lot*
26 *shall be improved with temporary turnarounds. Dedication of a full-width boundary street shall be*
27 *required in certain instances to facilitate future development.*

28 17. As previously discussed, there is no potential for additional connections into the surrounding
29 street grid system due to the presence of wetlands.

30 **RMC 4-7-170(A):** *Insofar as practical, side lot lines shall be at right angles to street lines or radial*
31 *to curved street lines.*

1 18. As depicted in Ex. 4, the side lines are in conformance with the requirement quoted above.

2 **RMC 4-7-170(B):** *Each lot must have access to a public street or road. Access may be by private*
3 *access easement street per the requirements of the street standards.*

4 19. As previously determined, each lot has access to a public street.

5 **RMC 4-7-170(C):** *The size, shape, and orientation of lots shall meet the minimum area and width*
6 *requirements of the applicable zoning classification and shall be appropriate for the type of*
7 *development and use contemplated. Further subdivision of lots within a plat approved through the*
8 *provisions of this Chapter must be consistent with the then-current applicable maximum density*
requirement as measured within the plat as a whole.

9 20. As previously determined, the proposed lots comply with the zoning standards of the R-8
10 zone.

11 **RMC 4-7-170(D):** *Width between side lot lines at their foremost points (i.e., the points where the*
12 *side lot lines intersect with the street right-of-way line) shall not be less than eighty percent (80%) of*
13 *the required lot width except in the cases of (1) pipestem lots, which shall have a minimum width of*
14 *twenty feet (20') and (2) lots on a street curve or the turning circle of cul-de-sac (radial lots), which*
15 *shall be a minimum of thirty five feet (35').*

16 21. The standard is met as is evident in Ex. 4.

17 **RMC 4-7-170(E):** *No residentially zoned lot shall have a depth-to-width ratio greater than four-to-*
18 *one (4:1).*

19 22. The standard is met as is evident in Ex. 4.

20 **RMC 4-7-170(F):** *All lot corners at intersections of dedicated public rights-of-way, except alleys,*
21 *shall have minimum radius of fifteen feet (15').*

22 23. As proposed all lots meet this criterion.

23 **RMC 4-7-190(A):** *Easements may be required for the maintenance and operation of utilities as*
24 *specified by the Department.*

25 24. As conditioned.

26 **RMC 4-7-190(B):** *Due regard shall be shown to all natural features such as large trees,*
watercourses, and similar community assets. Such natural features should be preserved, thereby
adding attractiveness and value to the property.

1 25. The criterion is met. Trees will be retained as required by City code as determined in
2 Finding of Fact No. 5. A category 2 wetland and its buffer on-site will be segregated into a separate
3 tract. There are no other natural features that need preservation as contemplated in the criterion
4 quoted above.

4 **RMC 4-7-200(A):** *Unless septic tanks are specifically approved by the Public Works Department
5 and the King County Health Department, sanitary sewers shall be provided by the developer at no
6 cost to the City and designed in accordance with City standards. Side sewer lines shall be installed
7 eight feet (8') into each lot if sanitary sewer mains are available, or provided with the subdivision
8 development.*

8 26. As conditioned.

9 **RMC 4-7-200(B):** *An adequate drainage system shall be provided for the proper drainage of all
10 surface water. Cross drains shall be provided to accommodate all natural water flow and shall be of
11 sufficient length to permit full-width roadway and required slopes. The drainage system shall be
12 designed per the requirements of RMC 4-6-030, Drainage (Surface Water) Standards. The drainage
13 system shall include detention capacity for the new street areas. Residential plats shall also include
14 detention capacity for future development of the lots. Water quality features shall also be designed to
15 provide capacity for the new street paving for the plat.*

14 27. The proposal provides for adequate drainage that is in conformance with applicable City
15 drainage standards as determined in Findings of Fact No. 4. The City's stormwater standards, which
16 are incorporated into the technical information report and will be further implemented during civil
17 plan review, ensure compliance with all of the standards in the criterion quoted above.

17 **RMC 4-7-200(C):** *The water distribution system including the locations of fire hydrants shall be
18 designed and installed in accordance with City standards as defined by the Department and Fire
19 Department requirements.*

20 28. Compliance with City water system design standards is assured during final plat review.

21 **RMC 4-7-200(D):** *All utilities designed to serve the subdivision shall be placed underground. Any
22 utilities installed in the parking strip shall be placed in such a manner and depth to permit the
23 planting of trees. Those utilities to be located beneath paved surfaces shall be installed, including all
24 service connections, as approved by the Department. Such installation shall be completed and
25 approved prior to the application of any surface material. Easements may be required for the
26 maintenance and operation of utilities as specified by the Department.*

29. As conditioned.

1 **RMC 4-7-200(E):** *Any cable TV conduits shall be undergrounded at the same time as other basic*
2 *utilities are installed to serve each lot. Conduit for service connections shall be laid to each lot line*
3 *by subdivider as to obviate the necessity for disturbing the street area, including sidewalks, or alley*
4 *improvements when such service connections are extended to serve any building. The cost of*
5 *trenching, conduit, pedestals and/or vaults and laterals as well as easements therefore required to*
6 *bring service to the development shall be borne by the developer and/or land owner. The subdivider*
7 *shall be responsible only for conduit to serve his development. Conduit ends shall be elbowed to*
8 *final ground elevation and capped. The cable TV company shall provide maps and specifications to*
9 *the subdivider and shall inspect the conduit and certify to the City that it is properly installed.*

10 30. As conditioned.

11 **RMC 4-7-210:**

12 **A. MONUMENTS:**

13 *Concrete permanent control monuments shall be established at each and every controlling corner of*
14 *the subdivision. Interior monuments shall be located as determined by the Department. All surveys*
15 *shall be per the City of Renton surveying standards.*

16 **B. SURVEY:**

17 *All other lot corners shall be marked per the City surveying standards.*

18 **C. STREET SIGNS:**

19 *The subdivider shall install all street name signs necessary in the subdivision.*

20 31. As conditioned.

21 **V. DECISION**

22 The proposed 9-lot preliminary plat as depicted in Ex. 4 meets all applicable criteria addressed in
23 this decision and is approved, subject to the following conditions

- 24 1. The applicant shall comply with the mitigation measure issued as part of the
25 Determination of Nonsignificance-Mitigated, review by the Environmental Review
26 Committee (ERC) on September 21, 2015 (Exhibits 1 & 23).
2. The applicant shall obtain a demolition permit(s) and complete all required inspections
for the removal of the existing single family residences and accessory structures located
on the subject site prior to Final Plat recording.

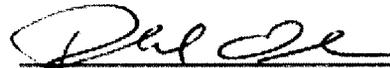
- 1 **3.** The common boundary between a native growth protection tract and the abutting land
2 must be permanently identified. This identification shall include permanent wood split
3 rail fence and wood or metal signs on treated or metal posts. Sign locations and size
4 specifications along with fence elevations shall be submitted to and approved by the
5 Current Planning Project Manager and installed prior to short plat recording.
- 6 **4.** The following note shall appear on the face of the short plat and shall also be recorded as
7 a covenant running with the land on the title of record for all affected lots on the title:
8 “MAINTENANCE RESPONSIBILITY: All owners of lots created by or benefiting from
9 this City action abutting or including a native growth protection tract are responsible for
10 maintenance and protection of the tract. Maintenance includes ensuring that no alterations
11 occur within the tract and that all vegetation remains undisturbed unless the express
12 written authorization of the City has been received.”
- 13 **5.** A final detailed landscape plan shall be submitted to and approved by the Current
14 Planning Project Manager prior to construction permit issuance. The final detailed
15 landscape plan shall comply with the requirements of RMC 4-8-120 and shall include a
16 10 foot on-site landscape strip along the frontage of all lots.
- 17 **6.** The vehicle access point to Lot 5 shall be through the hammerhead rather than a separate
18 driveway curb cut and the applicant shall update all future plan sets for construction and
19 building permits with this requirement.
- 20 **7.** A street lighting plan shall be submitted at the time of construction permit review for
21 review and approval by the City’s Plan Reviewer prior to construction permit issuance.
- 22 **8.** The applicant shall submit a street modification request to the City to install a 5-foot wide
23 sidewalk along Monterey Pl NE instead of the required 8-foot wide sidewalk. The street
24 modification shall be reviewed and approved prior to construction permit application or
25 an 8 foot wide sidewalk shall be provided.
- 26 **9.** The stormwater pond wall in Tract A shall be screened with landscaping, meeting the
 minimum standards of RMC 4-4-070H.3 “Fully Sight-Obscuring Landscaped Visual
 Buffer.”
- 10.** The applicant shall create a Home Owners Association (“HOA”) that maintains all
 landscaping improvements in Tract “A”, all maintenance and repairs of the split rail
 fence and signage about the wetland, and any and all other common improvements. A
 draft of the HOA documents shall be submitted to and approved by the City of Renton
 Project Manager and the City Attorney prior to Final Plat recording. Such document shall
 be recorded concurrently with the Final Plat.
- 11.** All road names shall be approved by the City.
- 12.** Sanitary sewers shall be provided by the developer at no cost to the City and designed in
 accordance with City standards. Side sewer lines shall be installed eight feet (8') into each lot
 if sanitary sewer mains are available, or provided with the subdivision development.

1 **13.** All utilities designed to serve the subdivision shall be placed underground. Any utilities
2 installed in the parking strip shall be placed in such a manner and depth to permit the
3 planting of trees. Those utilities to be located beneath paved surfaces shall be installed,
4 including all service connections, as approved by the Renton Department of Community and
5 Economic Development (“Department”). Such installation shall be completed and approved
6 prior to the application of any surface material. Easements may be required for the
7 maintenance and operation of utilities as specified by the Department.

8 **14.** Any cable TV conduits shall be undergrounded at the same time as other basic utilities are
9 installed to serve each lot. Conduit for service connections shall be laid to each lot line by
10 subdivider as to obviate the necessity for disturbing the street area, including sidewalks, or
11 alley improvements when such service connections are extended to serve any building. The
12 cost of trenching, conduit, pedestals and/or vaults and laterals as well as easements therefore
13 required to bring service to the development shall be borne by the developer and/or land
14 owner. The subdivider shall be responsible only for conduit to serve his development.
15 Conduit ends shall be elbowed to final ground elevation and capped. The cable TV company
16 shall provide maps and specifications to the subdivider and shall inspect the conduit and
17 certify to the City that it is properly installed.

18 **15.** Concrete permanent control monuments shall be established at each and every controlling
19 corner of the subdivision. Interior monuments shall be located as determined by the
20 Department. All surveys shall be per the City of Renton surveying standards. All other lot
21 corners shall be marked per the City surveying standards. The subdivider shall install all
22 street name signs necessary in the subdivision.

23 DATED this 29th day of October, 2015.

24 
25 Phil A. Olbrechts

26 City of Renton Hearing Examiner

27 **APPEAL RIGHTS AND VALUATION NOTICES**

28 RMC 4-8-080(G) provides that the final decision of the hearing examiner is subject to appeal to
29 the Renton City Council. RMC 4-8-110(E)(4) requires appeals of the hearing examiner’s decision
30 to be filed within fourteen (14) calendar days of the final decision or publication of the final
31 decision, whichever occurs later. A request for reconsideration to the hearing e examiner may
32 also be filed within this 14 day appeal period as identified in RMC 4-8-100(G)(9). A new fourteen
33 (14) day appeal period shall commence upon the issuance of the reconsideration. Additional

1 information regarding the appeal process may be obtained from the City Clerk's Office, Renton
2 City Hall – 7th floor, (425) 430-6510.

3 Affected property owners may request a change in valuation for property tax purposes
4 notwithstanding any program of revaluation.

5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26