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BEFORE THE HEARING EXAMINER FOR THE CITY OF RENTON

RE: Storage One on 4<sup>th</sup> Expansion )  
Site Plan, Conditional Use and ) FINAL DECISION  
Modification )  
LUA14-001641 )

**Summary**

The applicant requests site plan, conditional use permit approval and a refuse/recycle minimum area standard modification for a three story building totaling 66,767 gross square feet for retail and storage space at 4815 NE 4<sup>th</sup> St. The applications are approved subject to conditions.

**Testimony**

Clark Close, Renton associate planner, summarized the staff report. In response to questions from the examiner, Mr. Close noted that there is no internal parking connection to the property to the west because the applicant and the adjoining property owner have not been able to come to agreement on this issue and there is also a utility pole that would have to be moved. There is an internal parking connection to a separate storage property to the south.

Khoi Phung, neighboring property owner, said he is representing the adjoining neighborhood. He noted that the neighbors are concerned with buffer protection and significant trees. The proposal will remove numerous significant trees at the parcel, reducing treed views of adjoining property owners. Being close to a commercial arterial area, the buffering currently provided by the project site is very valuable. The neighbors would like to know what trees will be retained and would like to see sufficient buffering retained to maintain territorial views and separation from the arterial. Noise

1 reverberating from the proposed building and lighting of the building are concerns. The neighbors  
2 are also concerned about environmental impacts. The neighbors would like to know how animal and  
3 plant life will be affected and what measures will be taken to protect them. Drainage impacts to the  
4 stream on the property is also a matter of concern. Traffic, walkability and off-site improvements are  
5 an issue. Commercial services are within walking distance, but there are insufficient pedestrian  
6 facilities and traffic calming features to make walking a safe option. The neighbors would like to  
7 know if the frontage improvements required of the project will connect to adjoining sidewalks. 4<sup>th</sup>  
8 Avenue already experiences a high volume of traffic and the neighbors have found that people are  
9 already using residential streets to avoid traffic signals. There is concern that if right in/right out  
10 access is required that people will make u-turns further down NE 4th, especially with a playground  
11 nearby. The proposed building is also not consistent with surrounding single family development and  
12 two story businesses. There's no building of comparable size in the area. It's not a good transition to  
13 an established neighborhood. The neighborhood would also like a contact for construction impacts.

9 Clark Close responded that the planning department goes over construction practices with the  
10 applicant. The City has adopted an ordinance regulating construction hours. Project manager contact  
11 manager is available at the planning department if neighbors have concerns. As to transition from  
12 commercial to residential, the neighborhood and project are in different zoning districts. There is a  
13 natural buffer (the stream) separating the building from the neighborhood. It should be noted that the  
14 code would allow lot coverage of 60% and the applicant is only proposing 33%. Also, the code  
15 allows a building of up to 50 feet and the applicant is only proposing a height of 38 feet. As to  
16 traffic and walkability, the applicant will be responsible for half-street street improvements, which  
17 will include vehicle travel lane, bicycle lane, five-foot sidewalk and planter strip. The sidewalks will  
18 connect to existing sidewalks on either side of the proposal. All trees will be retained within the  
19 stream buffer area, which is 30 trees. Ex. 5 identifies all the trees that will be retained.

16 Raymond Gamo, on behalf of applicant, noted that the building will have a gross floor area of 66,000  
17 square feet. The storage building adjoining to the south is 80,000 square feet in area. U-turns on 4<sup>th</sup>  
18 are unlikely because the project site will have a driveway connecting to the storage facility to the  
19 south, which will provide alternative access to Duvall that avoids the need for taking u-turns on 4<sup>th</sup>.  
20 In response to questions from the examiner, lighting on the east side of the building is only for  
21 security and the east driveway is only used for garbage pick up and as a fire lane. There will be fire  
22 exits on the east side and the lighting would be focused on those exits. Mr. Close noted that the  
23 applicant will be providing a lighting plan and staff will be requiring that the lighting be downward  
24 facing and shielded to prevent any spillage on adjoining properties.

22 Patrick Riley, applicant, noted that the proposal has progressive storage design. There are no garage  
23 doors as is found in typical storage units. Traffic generation is very low since unit use is less than 1%  
24 per day.

## 26 Exhibits

1 The staff report Exhibits 1-23 identified at page 3-4 of the staff report itself were admitted into the  
2 record during the hearing. GIS mapping of the project area, available on the City's website, was  
3 admitted as Ex. 24. The staff's power point presentation was admitted as Exhibit 25.

## 4 FINDINGS OF FACT

### 5 6 **Procedural:**

7 1. Applicant. Renton Mini II LLC.

8 2. Hearing. A hearing was held on the application on February 17, 2015.

9 3. Project Description. The applicant requests site plan, conditional use permit approval and a  
10 modification for a three story building totaling 66,767 gross square feet for retail and storage space at  
11 4815 NE 4<sup>th</sup> St. The vacant site is located on the south side of NE 4th St just west of NE 4th St and  
12 Field PI NE. Access is served by right-in/right-out only. Interior circulation includes a two-way drive  
13 aisle that serves 25 parking stalls. There is also an additional 20-foot wide emergency fire access lane  
14 on the east side of the building. The site contains a Category 3 wetland and one Class IV stream on  
15 the eastern portion of the property. The applicant is proposing to retain 30 trees within the critical  
16 areas and buffers. The applicant submitted a Geotechnical Study, a Traffic Analysis, a Preliminary  
17 Technical Information Report, and a Wetland Assessment Report. A refuse and recycle modification  
18 is being requested in order to reduce the size of the required deposit and collection area from 614  
19 square feet to 100 square feet. The proposal also includes a stormwater detention pond at the  
20 southwest portion of the site.

21 4. Adequacy of Infrastructure/Public Services. The project will be served by  
22 adequate/appropriate infrastructure and public services. The adequacy of infrastructure and services  
23 is more specifically addressed as follows:

24 A. Water and Sewer Service. Sewer and water are provided by the City of Renton. Staff  
25 have determined that no off-site improvements are necessary to serve the site and that  
26 there is adequate system capacity.

B. Fire and Police. The City of Renton will provide fire and police service. Fire and police  
department staff have determined that existing facilities are adequate to serve the  
development. Fire impact fees will be assessed at the time of building permit issuance to  
pay for proportionate share impacts to fire service.

C. Drainage. The proposal provides for adequate stormwater facilities. The applicant  
submitted a Preliminary Technical Information Report by Barghausen Consulting

1 Engineers, Inc. (dated December 9, 2014; Exhibit 13). The drainage report follows  
2 the 2009 King County Surface Water Manual. Based on the City's flow control map,  
3 this site falls within the Flow Control Duration Standard (Forested Site Conditions).  
4 The project site will contain catch basins and route runoff through conveyance piping  
5 to the southwest corner of the site into a detention pond utilizing 4 feet of live storage  
6 which provides for Level 2 Flow Control (Exhibit 11). Water quality treatment will  
7 be provided in order to meet Enhanced Basic Water Quality. Typically, commercial  
8 developments are required to provide enhanced water quality treatment according to  
9 Core Requirement #8. The applicant is proposing the use of modular wetland for the  
10 enhanced treatment. The modular wetland is not included in the water quality  
11 treatment option within the 2009 KCSWM. An adjustment request (as per section  
12 1.2.8.2 E and section 1.4 of the City Amendment) should be submitted for the review  
13 of any water quality facility that is not listed as an option in the 2009 KCSWM. If the  
14 adjustment request is not approved, then alternate water quality treatment facility  
15 meeting City requirements should be provided.

16 Surface water could be contaminated by runoff containing oil, unspent hydrocarbons  
17 and other contaminants from the paved maneuvering and parking areas. A roof-to-rain  
18 garden (11,927 sf) is proposed on this project in order to meet the storm water BMP  
19 requirement for the project. This BMP helps to slow the time of concentration on a  
20 developed site and also allows some runoff to slowly percolate into the groundwater  
21 system during small rainfall events.

22 D. Parks/Open Space. No parks mitigation is required by City Code for commercial use and  
23 there is no evidence to reasonably suggest that storage space and associated retail services  
24 would create any demand for park use. There are also no code requirements for a specific  
25 amount of open space, although design regulations do require some amount of open space.  
26 The primary open space on the subject site is at the front façade in the public realm in the  
right-of-way, where a new 5-foot planter strip will be constructed between NE 4th St drive  
lanes and a 5-foot wide sidewalk. The 14'-10 3/8" area in front of the building has the  
potential to serve as a distinctive focal point for the site with additional landscaping and  
clear pedestrian-oriented spaces. The area provides connections between the pedestrian  
realm and public street to the building and its associated uses and ground level retail  
storefront. The public pedestrian realm provides for walking, bicycling, and access to and  
from the site and for passers-by that may access a transit route nearby or are strolling  
around the neighborhood.

A condition of approval requires a final detailed landscaping plan and site plan, detailing  
the location and amenities of pedestrian-oriented space prior to building permit issuance.  
The plan must be submitted to, and approved by, the Current Planning Project Manager  
prior to building permit approval.

1 E. Traffic. As would be expected for a storage use, the proposal will not generate a  
2 significant amount of traffic and no off-site improvements are necessary. System-  
wide impacts will be mitigated through the payment of traffic impact fees.

3 The subject site fronts onto NE 4th St east of Duvall Ave NE. The applicant  
4 submitted a Traffic Impact Analysis completed by TENW (dated September 10,  
5 2014; Exhibit 14). The net new peak hour trips generated by the project will be 5 in  
6 the weekday AM peak hour and 13 in the weekday PM peak hour, which is less than  
7 the 20 new peak hour trip threshold for requiring a detailed traffic impact study.  
8 Based on the ITE methodology, the project could build up to 51,000 square feet of  
9 self-storage space and stay below the 20-trip traffic analysis threshold (while  
10 maintaining the 3,210 square feet of retail space). The traffic analysis was based on a  
11 proposed project of 28,542 square feet of self-storage space and 3,210 square feet of  
12 miscellaneous retail space. The updated figures of 2,123 square feet of net rentable  
13 retail space and roughly 44,063 square feet of net rentable self-storage space would  
14 generate 7 weekday AM peak hour trips and 18 weekday PM peak hour trips, which  
15 is still less than the 20 new peak hour trip threshold for requiring a detailed traffic  
16 impact study.

17 The corridor plan includes a right-of-way (ROW) width of 87 feet for this segment of  
18 NE 4th St. The assessor map shows an existing ROW width of 92 feet, which meets  
19 the ROW width requirement. The plan for the project frontage improvements on NE  
20 4th St includes a 33-foot wide paved width from the centerline of the paved surface to  
21 the curb. This width includes two 11-foot wide thru-travel lanes, half width (6 feet) of  
22 center turn lane/landscaped median, 5-foot wide bike lane, 0.5-foot wide curb, 5-foot  
23 wide landscaped planter, 5-foot wide sidewalk, and all applicable storm  
24 improvements. The City's corridor plan includes c-curbing in the center turn lane on  
25 NE 4th St in front of the site, which will impose future left turn restrictions on the site.

26 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 21) based upon a test of the citywide  
Transportation Plan and pay appropriate Transportation Impact Fees. The fee, as  
determined by the Renton Municipal Code at the time of building permit issuance,  
shall be payable to the City.

F. Parking (vehicular and bicycle). As discussed at page 9 of the staff report, without  
justification for a modification the maximum number of parking stalls allowed at the  
project site is 18 stalls. The applicant is proposing 25 stalls so staff recommended a  
condition implemented in this decision that requires that number to be reduced to 18  
and at least portions of the resulting additional space to be landscaped. The conditions  
of approval also require the applicant to submit a bicycle parking plan to be approved  
by staff.

1 G. Vehicular Access, Internal Circulation and Connectivity. The proposal provides for safe,  
2 efficient and effective internal circulation, vehicle access and vehicle and pedestrian  
3 connectivity to adjoining properties and external road and pedestrian networks.

4 The site gains access to the public roadway system from NE 4th St. A right-in/right-  
5 out driveway approach is proposed for site ingress and egress. U-turns on 4<sup>th</sup> should  
6 not be a major problem since the applicant provides alternative access to Duvall Street  
7 through a driveway connection to the adjoining storage facility to the south. The  
8 project is also required to provide a 20-foot wide secondary emergency access within  
9 150 feet of all points on the building.

10 The proposed street section and onsite internal pathway are intended to create a  
11 pedestrian-friendly atmosphere with wide sidewalks and perimeter landscaping. These  
12 improvements will create safer and more desirable pedestrian connections to abutting  
13 properties to the east and west, as well as other properties along NE 4th St. As testified  
14 by Mr. Close, the frontage sidewalks will be connected to sidewalks adjoining the  
15 property to the east and west, thereby providing a safer walking environment to neighbors  
16 who walk to commercial services. With the building located near the public sidewalk,  
17 there are clear connections between the public pedestrian realm at the front of the  
18 building near NE 4th St., and the surface parking area along the west elevation and the  
19 front of the building near NE 4th St. Pedestrian connections from the street to the  
20 buildings have been provided. A complete street vision has been adopted for the road  
21 system and the applicant is proposing improvements to NE 4th St that are consistent with  
22 the Comprehensive Plan. All public entries open to either the sidewalk realm at the front  
23 or towards a parking area and not into an internal driveway or drive aisle which promote  
24 safety and efficiency. The accessible stalls are proposed as the nearest stalls to the front  
25 entry area for easier access.

26 H. Landscaping. The proposal provides for landscaping that meets City standards.  
Landscaping is effectively used by the applicant to provide transitions between  
development and surrounding properties to reduce noise and glare, maintain privacy, and  
enhance the appearance of the project. As shown in the conceptual landscaping plan, Ex.  
6, all undeveloped areas at the project site outside of critical areas will be landscaped the  
conditions of approval require additional landscaping in conjunction with a requirement  
that the number of parking stalls be reduced.

In general, landscaping in public spaces throughout the building site will be employed to  
provide transitions between neighboring developments, as well as enhance the project's  
overall appearance. More specifically, the applicant is proposing to replant the site and  
public frontage with 5 new Oregon ash trees, 5 new snowcloud serviceberry trees, and 5  
red sunset along the street frontage at 2.0" caliper. The applicant is also proposing 18 new  
incense cedar trees at 6 feet in height (Exhibit 6). These proposed replacement trees  
exceed the minimum required replacement inches of 7.2 inches. The applicant is  
proposing to plant 434 shrubs, including 19 barberry, 53 nootka rose, 72 evergreen

1 huckleberry, 67 red twig dogwood, 171 sward fern, and 52 snowberry throughout the  
2 developable portion of the site. In terms of transitioning to the neighborhood to the east,  
3 the most effective buffering at the site is the stream and wetland critical area and  
4 associated buffers on the eastern border of the site, where all 30 significant trees will be  
5 retained.

6 The proposal includes 25 parking stalls (to be reduced to 18 stalls by the conditions of  
7 approval) along a two-way drive aisle west of the building. All parking lots shall have  
8 perimeter landscaping. This is achieved through a 4 to 8 foot landscaping buffer along the  
9 west property line, a fully landscaped perimeter around the detention pond, and the  
10 building serves as buffer between the stalls and remaining perimeter of the site. Surface  
11 parking lots with more than 14 stalls must provide a minimum of 15 square feet of interior  
12 parking lot landscaping per parking space. Mathematically, the applicant must provide a  
13 minimum of 375 square feet of interior landscaping. Based on the constraints of the  
14 development, the applicant elected to place roughly 392 square feet of interior landscaping  
15 at the southern end of the west bank of parking stalls. Landscaping shall be dispersed  
16 throughout the parking area and shall include a mixture of trees, shrubs, and groundcover.  
17 Additionally, there shall be no more than 50 feet between parking stalls and an interior  
18 parking lot landscape area. Any interior parking lot landscaping area shall be a minimum  
19 of five feet (5') in width. No interior landscaping is provided within the east bank of  
20 parking stalls located in front of the building. In order to distribute the interior parking lot  
21 landscaping throughout the site, this decision requires that the applicant add a minimum of  
22 three interior parking lot landscaping areas with no more than 50 feet between parking  
23 stalls along the west building elevation. Landscaping islands should be increased over the  
24 minimum five foot width requirement to support larger vegetation in order to mitigate the  
25 impacts of the building on the neighboring parcels.

26 Additionally, storm drainage facilities require a minimum 15-foot wide landscaping strip  
on the outside of the fence, unless otherwise determined through the site plan review  
process. The applicant is proposing between 5 and 10 feet of landscaping around the  
perimeter of the detention pond. In order to maintain the 10-foot wide buffer along the  
north boundary line of Parcel B, this decision requires the applicant add fully sight-  
obscuring trees to the north end of the detention pond and a combination of trees and  
shrubs around all sides of the pond as a landscaped visual barrier. A final detailed  
landscaping plan shall be submitted to and approved by the Current Planning Project  
Manager prior to construction.

- I. Refuse and Recycle Enclosure. The applicant is proposing a modification from the  
required 613.64 square feet of refuse and recyclable deposit area required by RMC 4-4-  
090 and is instead intending on providing a smaller enclosure of approximately 100 square

1 feet. That modification request is approved by this decision and the proposal complies  
2 with all applicable refuse and recycle enclosure requirements.

3 J. Transit. Transit routes are located near the subject site for both King County Metro and  
4 Sound Transit busses.

5 K. Loading Areas. The proposal includes one loading dock on west elevation around the  
6 middle of the building facing the stormwater detention pond. The site plan provides for a  
7 minimum of forty five feet (45') of clear maneuvering area in front of each loading door.  
The single loading dock is sufficient in size and location to support the proposed self-  
storage use.

8 5. Adverse Impacts. There are no significant adverse impacts associated with the project.  
9 Adequate infrastructure serves the site as determined in Finding of Fact No. 4. Impacts are more  
specifically addressed as follows:

10 A. Compatibility. The proposal is compatible with surrounding uses. Surrounding uses on  
11 the north, south and west are commercial. The area of primary concern is to the east,  
12 which is a single-family neighborhood. The proposal is separated from that use by a Class  
13 IV stream and Category 3 wetland with associated buffers. All 30 significant trees within  
14 these critical areas and buffers will be retained and no development is allowed within  
15 these areas. In addition to the screening provided by the critical areas, screening is also  
16 being provided by the extensive landscaping previously identified. In order to further  
17 mitigate against compatibility impacts, this decision requires additional tree plantings to  
18 provide screening from the proposed detention pond and the neighbors to the north,  
19 additional shrubs for screening between the street and the building, planter boxes (or large  
20 planter pots) along the west elevation of the building towards the secondary entrance of  
21 the lobby from the parking lot, and more interior landscaping along the west elevation of  
the building. Given the extensive buffering provided by the landscaping and critical areas,  
as well as the low intensity of the use (especially as to traffic and noise), there are no  
significant compatibility issues with the adjoining neighborhood. Although the building  
may be one story taller than surrounding commercial buildings, the significant screening  
and separation of the building from the adjoining neighborhood adequate compensates  
from this modest difference in scale, especially when the fact that the 38 foot height of the  
building is well below the 50 foot height limit for the CA zone is taken into account.

22 B. Views. According to the staff report, the proposal would not affect any view corridors to  
23 shorelines or Mt. Rainier. The wetland and stream critical areas will retain tree views of  
the adjoining neighborhood.

24 C. Lighting. As conditioned, no significant adverse light impacts are anticipated. The  
25 conditions of approval require the applicant to submit a lighting plan that complies with  
26 all City regulations. The lighting plan shall also ensure that lighting on the east side of the  
building is designed to minimize light spillage into the adjoining residential

1 neighborhood. The wetland and stream critical areas and buffers will further reduce any  
2 significant light spillage into the neighborhood.

3 D. Screening. As previously determined in the discussion on computability, as conditioned  
4 the proposal provides for adequate screening to surrounding uses by landscaping and  
5 critical areas and associated buffers. The application does not show any surface mounted  
6 equipment or roof-top equipment on plan sets. Compliance with screening for these  
7 features, if any, will be verified at the time of building permit construction. The proposed  
8 refuse and recycling area will be located in the building.

9 E. Privacy and Noise. The proposal will not generate much noise. Privacy to the residences  
10 to the east is assured as the vegetated wetland and stream buffers will serve as a visual  
11 barrier. Privacy is further enhanced by the fact that the access road on the east side of the  
12 building will only be used as a fire lane and for solid waste pick up and there won't be any  
13 windows except on the east wall except for its northern portion.

14 F. Natural Systems Features. The proposal does not adversely affect any existing natural  
15 system. The eastern side of the project site accommodates a Category III wetland and  
16 Class IV stream, both of which are fully protected by the buffers required by the City's  
17 critical area regulations. There are a total of 42 significant trees on site, 30 of which are  
18 located in the critical areas and their buffers. The 30 trees in the critical areas will be  
19 retained and the 12 outside the critical areas will be removed and replaced to the extent  
20 required by the City's tree retention regulations as discussed is in the staff report.

21 G. Overconcentration. The proposal will not result in an overconcentration of storage  
22 facilities. A self-storage demand analysis estimates that there is an unmet demand in the  
23 market area (3.0 mile radius) of 217,031 square feet (Exhibit 22). The new facility would  
24 provide roughly 45,000 square feet and an estimated 450 units.

## 25 **Conclusions of Law**

26 1. Authority. RMC 4-9-200(B)(2)(a) requires site plan review for all development in the CA  
zone. RMC 4-9-200(D)(2)(c) requires a public hearing before the hearing examiner because there is  
adjoining residentially zoned property. RMC 4-2-060 requires hearing examiner conditional use  
review for self-service storage in the CA zone. RMC 4-8-080(G) classifies hearing examiner site  
plan review and conditional use permits as Type III permits and modifications as Type I permits. The  
site plan, conditional use and modification requests of this proposal have been consolidated. RMC 4-  
8-080(C)(2) requires consolidated permits to each be processed under "the highest-number  
procedure". The site plan and conditional use have the highest numbered review procedures, so the  
site plan, conditional use and modification requests must be processed as Type III applications. As  
Type III applications, RMC 4-8-080(G) grants the Examiner with the authority to hold a hearing and  
issue a final decision on them, subject to closed record appeal to the City Council.

1 2. Zoning/Comprehensive Plan Designations. The subject property is zoned Commercial  
2 Arterial (CA) and its comprehensive plan designation is Commercial Corridor (CC).

3 3. Review Criteria. Site plan review standards are governed by RMC 4-9-200(E)(3).  
4 Modification criteria are governed by RMC 4-9-250(D). Conditional use criteria are governed by  
5 RMC 4-9-030(C). Applicable criteria are quoted below in italics and applied through corresponding  
6 conclusions of law.

### 7 **Site Plan**

8 **RMC 4-9-200(E)(3): Criteria:** *The Administrator or designee must find a proposed project to be in  
9 compliance with the following:*

10 **a. Compliance and Consistency:** *Conformance with plans, policies, regulations and approvals,  
11 including:*

12 **i. Comprehensive Plan:** *The Comprehensive Plan, its elements, goals, objectives, and  
13 policies, especially those of the applicable land use designation; the Community Design  
14 Element; and any applicable adopted Neighborhood Plan;*

15 **ii. Applicable land use regulations;**

16 **iii. Relevant Planned Action Ordinance and Development Agreements; and**

17 **iv. Design Regulations:** *Intent and guidelines of the design regulations located in RMC 4-  
18 3-100.*

19 4. The proposal is consistent with applicable comprehensive plan policies, zoning regulations  
20 and design regulations as outlined in Finding 20(a)-(c) of the staff report, which is adopted by this  
21 reference as if set forth in full, including the findings and conclusions.

22 **RMC 4-9-200(E)(3)(b): Off-Site Impacts:** *Mitigation of impacts to surrounding properties and  
23 uses, including:*

24 **i. Structures:** *Restricting overscale structures and overconcentration of development on a  
25 particular portion of the site;*

26 **ii. Circulation:** *Providing desirable transitions and linkages between uses, streets,  
walkways and adjacent properties;*

1            **iii. Loading and Storage Areas:** *Locating, designing and screening storage areas,*  
2            *utilities, rooftop equipment, loading areas, and refuse and recyclables to minimize views*  
3            *from surrounding properties;*

4            **iv. Views:** *Recognizing the public benefit and desirability of maintaining visual*  
5            *accessibility to attractive natural features;*

6            **v. Landscaping:** *Using landscaping to provide transitions between development and*  
7            *surrounding properties to reduce noise and glare, maintain privacy, and generally*  
8            *enhance the appearance of the project; and*

9            **vi. Lighting:** *Designing and/or placing exterior lighting and glazing in order to avoid*  
10           *excessive brightness or glare to adjacent properties and streets.*

11           5.    As determined in Finding of Fact No. 4 and 5, the proposal will not create any significant off-  
12           site impacts, including the impacts specifically addressed in the criteria above.

13           **RMC 4-9-200(E)(3)(c): On-Site Impacts:** *Mitigation of impacts to the site, including:*

14           **i. Structure Placement:** *Provisions for privacy and noise reduction by building placement,*  
15           *spacing and orientation;*

16           **ii. Structure Scale:** *Consideration of the scale of proposed structures in relation to natural*  
17           *characteristics, views and vistas, site amenities, sunlight, prevailing winds, and pedestrian*  
18           *and vehicle needs;*

19           **iii. Natural Features:** *Protection of the natural landscape by retaining existing vegetation*  
20           *and soils, using topography to reduce undue cutting and filling, and limiting impervious*  
21           *surfaces; and*

22           **iv. Landscaping:** *Use of landscaping to soften the appearance of parking areas, to provide*  
23           *shade and privacy where needed, to define and enhance open spaces, and generally to*  
24           *enhance the appearance of the project. Landscaping also includes the design and*  
25           *protection of planting areas so that they are less susceptible to damage from vehicles or*  
26           *pedestrian movements.*

             6.    As determined in Finding of Fact No. 4 and 5, the proposal will not create any significant on-  
             site impacts, including those specifically addressed in the criteria above.

**RMC 4-9-200(E)(3)(d): Access and Circulation:** *Safe and efficient access and circulation for*  
             *all users, including:*

1 **i. Location and Consolidation:** Providing access points on side streets or frontage streets  
2 rather than directly onto arterial streets and consolidation of ingress and egress points on  
3 the site and, when feasible, with adjacent properties;

4 **ii. Internal Circulation:** Promoting safety and efficiency of the internal circulation system,  
5 including the location, design and dimensions of vehicular and pedestrian access points,  
6 drives, parking, turnarounds, walkways, bikeways, and emergency access ways;

7 **iii. Loading and Delivery:** Separating loading and delivery areas from parking and  
8 pedestrian areas;

9 **iv. Transit and Bicycles:** Providing transit, carpools and bicycle facilities and access; and

10 **v. Pedestrians:** Providing safe and attractive pedestrian connections between parking  
11 areas, buildings, public sidewalks and adjacent properties.

12 7. As determined in Finding of Fact No. 4, the proposal provides for adequate access and  
13 circulation as required by the criterion above.

14 **RMC 4-9-200(E)(3)(e): Open Space:** Incorporating open spaces to serve as distinctive project  
15 focal points and to provide adequate areas for passive and active recreation by the occupants/users  
16 of the site.

17 8. The proposal provides for adequate open space as required by the criterion above as  
18 determined in Finding of Fact No. 4.

19 **RMC 4-9-200(E)(3)(f): Views and Public Access:** When possible, providing view corridors to  
20 shorelines and Mt. Rainier, and incorporating public access to shorelines.

21 9. As determined in Finding of Fact No. 5, no view corridors to shorelines or Mt. Rainier are  
22 adversely affected. No shorelines are in the vicinity for purposes of requiring public access.

23 **RMC 4-9-200(E)(3)(g): Natural Systems:** Arranging project elements to protect existing natural  
24 systems where applicable.

25 10. Natural systems will not be adversely affected by the proposal as determined in Finding of  
26 Fact No. 5.

**RMC 4-9-200(E)(3)(h): Services and Infrastructure:** Making available public services and  
facilities to accommodate the proposed use.

11. The project is served by adequate services and facilities as determined in Finding of Fact No.  
4.

1 **RMC 4-9-200(E)(3)(i): Phasing:** *Including a detailed sequencing plan with development phases*  
2 *and estimated time frames, for phased projects.*

3 12. The project is not phased.

#### 4 **Modification**

5 **RMC 4-9-250(D)(2):** *Whenever there are practical difficulties involved in carrying out the*  
6 *provisions of this Title, the Department Administrator may grant modifications for individual cases*  
7 *provided he/she shall first find that a specific reason makes the strict letter of this Code*  
8 *impractical, that the intent and purpose of the governing land use designation of the*  
*Comprehensive Plan is met and that the modification is in conformity with the intent and purpose*  
*of this Code, and that such modification:*

9 *a. Substantially implements the policy direction of the policies and objectives of the*  
10 *Comprehensive Plan Land Use Element and the Community Design Element and the*  
11 *proposed modification is the minimum adjustment necessary to implement these policies and*  
*objectives;*

12 *b. Will meet the objectives and safety, function, appearance, environmental protection and*  
*maintainability intended by the Code requirements, based upon sound engineering judgment;*

13 *c. Will not be injurious to other property(ies) in the vicinity;*

14 *d. Conforms to the intent and purpose of the Code;*

15 *e. Can be shown to be justified and required for the use and situation intended; and*

16 *f. Will not create adverse impacts to other property(ies) in the vicinity.*

17 13. The criterion above are met for the requested refuse and recycling modification for the  
18 reasons identified at page 32-33 of the staff report.

#### 19 **Conditional Use**

20 **RMC 4-9-030(C)(1): Consistency with Plans and Regulations:** *The proposed use shall be*  
21 *compatible with the general goals, objectives, policies and standards of the Comprehensive Plan, the*  
22 *zoning regulations and any other plans, programs, maps or ordinances of the City of Renton.*

23 14. The proposal is consistent with the Comprehensive Plan and development regulations as  
24 outlined in the staff report at pages 6-11, which is incorporated by this reference as if set forth in full.

25 **RMC 4-9-030(C)(2): Appropriate Location:** *The proposed location shall not result in the*  
26 *detrimental overconcentration of a particular use within the City or within the immediate area of the*  
*proposed use. The proposed location shall be suited for the proposed use.*

15. As determined in Finding of Fact No. 5(G), the proposal will not result in an  
overconcentration of storage uses in the city or in the immediate area.

1 **RMC 4-9-030(C)(3): *Effect on Adjacent Properties:*** *The proposed use at the proposed location*  
2 *shall not result in substantial or undue adverse effects on adjacent property.*

3 16. As determined in Finding of Fact No. 5 there are no adverse impacts associated with the  
4 proposal, so it will not result in substantial or undue adverse effects on adjacent property.

5 **RMC 4-9-030(C)(4): *Compatibility:*** *The proposed use shall be compatible with the scale and*  
6 *character of the neighborhood.*

7 17. As determined in Finding of Fact No. 5, the use is compatible with the scale and character of  
8 the neighborhood.

9 **RMC 4-9-030(C)(5): *Parking:*** *Adequate parking is, or will be made, available.*

10 18. As determined in FOF No. 4(E), the proposal will provide for adequate parking.

11 **RMC 4-9-030(C)(6): *Traffic:*** *The use shall ensure safe movement for vehicles and pedestrians and*  
12 *shall mitigate potential effects on the surrounding area.*

13 19. The criterion above has been met as determined in FOF No. 4 on its assessment of traffic  
14 impacts.

15 **RMC 4-9-030(C)(7): *Noise, Light and Glare:*** *Potential noise, light and glare impacts from the*  
16 *proposed use shall be evaluated and mitigated.*

17 20. Noise, light and glare impacts are adequately mitigated as determined in FOF No. 5 on its  
18 assessment of noise and light impacts.

19 **RMC 4-9-030(C)(8): *Landscaping:*** *Landscaping shall be provided in all areas not occupied by*  
20 *buildings, paving, or critical areas. Additional landscaping may be required to buffer adjacent*  
21 *properties from potentially adverse effects of the proposed use.*

22 21. As determined in Finding of Fact 4, the criterion is met.

## 23 **DECISION**

24 The site plan and conditional use applications and refuse and recycling modification request are all  
25 approved subject to the following conditions:

- 26 1. The applicant shall comply with the mitigation measure issued as part of the Determination  
of Non-Significance Mitigated, dated January 26, 2015.

- 1 2. The applicant shall be required to submit a revised landscape plan to the Current Planning  
2 Project Manager prior to building permit approval. The revised landscape plan shall depict  
3 the following:
  - 3 a. Additional screening shrubs and landscaping in place of the lawn in front of the  
4 building, additional interior parking lot landscaping with no more than 50 feet  
5 between parking stalls along the west building elevation;
  - 5 b. Additional fully sight-obscuring trees to the north end of the detention pond and a  
6 combination of trees and shrubs around all sides of the pond; and
  - 6 c. Add planter boxes (or large planter pots) along the west elevation of the building to  
7 the secondary entrance of the lobby/office from the parking lot. The revised  
8 landscaping plan shall be submitted to, and approved by, the Current Planning  
9 Project Manager prior to building permit approval.
- 8 3. The applicant shall be required to revise the parking plan to include no more than 18 surface  
9 parking stalls. The eliminated parking stalls shall be replaced with interior landscape islands  
10 along the west façade of the building.
- 10 4. The applicant shall submit bicycle parking detail demonstrating compliance with the bicycle  
11 requirements outlined in RMC 4-4-080F. The bicycle parking detail shall be submitted to  
12 and approved by the Current Planning Project Manager prior to building permit approval.
- 12 5. The applicant shall be required to provide a wood, split-rail fence along the west side of the  
13 stream and wetland buffers with the appropriate level of stream and wetland protection  
14 signage. The proposed fence detail shall be submitted to, and approved by, the Current  
15 Planning Project Manager prior to building permit approval.
- 14 6. The applicant shall provide a minimum of 1,328 square feet of pedestrian-oriented space  
15 near NE 4th Street. The proposed pedestrian-oriented space shall be shown on a revised  
16 landscaping plan and revised site plan and each shall be submitted to, and approved by, the  
17 Current Planning Project Manager prior to building permit approval.
- 16 7. The applicant shall be required to provide seats or benches along the front or near the street  
17 facing façade of the building which complies with the Design District standards. The seating  
18 shall be of durable, vandal-resistant and weather-resistant materials that do not retain  
19 rainwater and can be reasonably maintained over an extended period of time and that do not  
20 impede or block pedestrian access to public spaces or building entries. The seating location  
21 shall be indicated on a revised site plan and a detail shall be submitted to, and approved by,  
22 the Current Planning Project Manager prior to building permit approval.
- 20 8. The applicant shall be required to provide windows within the staircases on the west and  
21 east facing façades. The proposed elevations shall be submitted to, and approved by, the  
22 Current Planning Project Manager prior to building permit approval.
- 22 9. The applicant shall be required to paint all roll-up doors visible from the exterior of the  
23 building gray (or an equivalent color). The proposed paint swatch shall be submitted to, and  
24 approved by, the Current Planning Project Manager prior to building permit approval.
- 24 10. The applicant shall be required to submit a conceptual sign package which indicates the  
25 approximate location and size of all exterior building signage. Proposed signage shall be  
26 compatible with the building's architecture and exterior finishes. The conceptual sign  
package shall be submitted to, and approved by, the Current Planning Project Manager prior  
to building permit approval.

1 11. The applicant shall provide a lighting plan which complies with the Design District  
2 standards. The plan shall indicate the location of exterior/ornamental lighting to be attached  
3 to the building, and any surface parking lighting, including specifications of the light  
4 fixtures. The lighting plan shall prevent light spillage to adjoining property to the east to the  
5 extent reasonable and feasible and as required by City standards. The lighting plan shall be  
6 submitted to, and approved by, the Current Planning Project Manager prior to building  
7 permit approval.

8 DATED this 3rd day of March, 2014.

9   
10 Phil A. Olbrechts

11 City of Renton Hearing Examiner

12 **Appeal Right and Valuation Notices**

13 RMC 4-8-080 provides that the final decision of the hearing examiner is subject to appeal to the  
14 Renton City Council. RMC 4-8-110(E)(14) requires appeals of the hearing examiner's decision  
15 to be filed within fourteen (14) calendar days from the date of the hearing examiner's decision.  
16 A request for reconsideration to the hearing examiner may also be filed within this 14 day appeal  
17 period as identified in RMC 4-8-110(E)(13) and RMC 4-8-100(G)(9). A new fourteen (14) day  
18 appeal period shall commence upon the issuance of the reconsideration. Additional information  
19 regarding the appeal process may be obtained from the City Clerk's Office, Renton City Hall –  
20 7<sup>th</sup> floor, (425) 430-6510.

21 Affected property owners may request a change in valuation for property tax purposes  
22 notwithstanding any program of revaluation.  
23  
24  
25  
26