

1 The City is requesting Master Site Plan review at this stage to allow for the proposed changes. This is
2 not site plan review for individual project components; that will come later. This decision is
3 conceptual only in nature. As proposed and conditioned, all zoning, development standards and
4 design standards will be met. The decision today covers only lot coverage, residential density,
5 building height and an increased timeline for vesting. The hope is to streamline the process going
6 forward and to reflect the revised design. Approval of the Master Site Plan and Conditional Use
Permit will facilitate phased site planning over time and provide more certainty to the development
partners. The CUP approval is for the height increase. The City would like this project to have a 10
year vesting timeline.

7 All environmental review has been accomplished as either part of the initial FEIS for the original
8 Master Site Plan are as amended for the revised Master Site Plan. No new or different impacts are
9 anticipated from the proposed changes. Demolition and Disposition Permits for all public housing has
10 already been approved by HUD. All affected families in public housing have already received either
vouchers or relocation assistance. No public comments were received regarding the proposed
revisions to the approved Master Site Plan.

11 The additional units will pay impact fees and development charges based on school district and City
12 requirements. The project includes installation of a regional stormwater system, though each
individual development will provide for its own stormwater.

13 **Public Testimony**

14
15 Larry Joel Dean of 1100 Harrington Avenue NE lives in the redevelopment master plan area. He
16 spoke generally in favor of the project, but had several items of concern. He understands this is a long
17 term project with many phases, but has been living in an active construction zone for a long time. He
is looking forward to the completion of the project.

18 Mr. Dean is president of the homeowners association for Olympic Condos, which represents 29 units
19 in the center of the master plan. He stated his residents feel ignored by the City and communication
20 has been inadequate. Specifically, Mr. Dean related the story of the road construction work that
21 occurred over the Christmas break. The contractor failed to place a steel plate over the driveway to
the condos. As a result, a resident got their car stuck in the gap and had to have the vehicle towed.
The contractor eventually returned from the break and placed the steel plate in place, but only after
the damage was done.

22 Mr. Dean stated he was concerned about the reduced setbacks along SR 900 and the increased
23 building height. He currently lives next to a vacant lot that is slated to become a six story building. He
24 reiterated he is generally very supportive of the project, but is concerned about communication with
and from the City.

1 **Staff Rebuttal**

2 Rocale Timmons apologized for the incident with the steel plate. She explained the project timeline,
3 which is in excess of ten years. She also stated the road improvements along Harrington Road will
4 likely last another six months. Ms. Timmons stated the City would support a condition of approval
5 that required notification in addition to what is currently required by City code, such as asking each
6 individual phase to provide information to surrounding property owners about timelines and contact
7 information.

8 **EXHIBITS**

9 The December 30, 2014 staff report Exhibits 1-15 identified at page 2 of the staff report itself
10 were admitted into the record during the hearing. The staff PowerPoint was admitted as Exhibit
11 16 during the hearing.

12 **FINDINGS OF FACT**

13 **Procedural:**

- 14 1. Applicant. The applicants are the City of Renton, the Renton Housing Authority and the
15 Sunset Terrace Development, LLC.
- 16 2. Hearing. The Examiner held a hearing on the subject application on December 30, 2014 at
17 10:00 am in the City of Renton Council Chambers.
- 18 3. Project Description. Sunset Terrace in northeast Renton is the oldest multifamily public
19 housing complex directly managed by the Renton Housing Authority. It was constructed in 1959 and
20 contains 110 dwelling units in 27 buildings. The City of Renton, along with the Renton Housing
21 Authority (RHA), the King County Library System, Colipitts Development, and community partners,
is redeveloping approximately 15.28-acres of Sunset Terrace within the larger Sunset Area
Community Neighborhood.

22 The Sunset Terrace public housing community is generally bounded by Sunset Lane NE and
23 Glenwood Avenue NE on the north, NE 10th Street on the east, NE Sunset Boulevard (State Route
24 [SR] 900) on the south, and Edmonds Avenue NE on the west. RHA owns additional vacant and
25 residential land along Edmonds Avenue NE, Glenwood Avenue NE, Harrington Ave NE, Kirkland
26 Ave NE, and Sunset Lane NE, and the Authority plans to incorporate these additional properties into
the Sunset Terrace redevelopment for housing and associated services.

1 Redevelopment of this area envisions Sunset Terrace as a mixed-use, mixed-income community
2 anchored by a new public library and a new park. Mixed-use sites will have both market rate and
3 affordable rental housing in multi-story, multi-family townhomes and apartments, along with
4 commercial and retail space. Proposed residential land includes apartments and attached townhomes
5 that are generally between two and four stories in height, extending to five and six stories along SR
6 900, which will provide 722 total dwelling units. Proposed commercial space would equal between
7 19,500-59,000sf, with 15,000sf consisting of a newly relocated Renton Highlands Library (this use
8 has already been permitted and is under construction), and the rest consisting of retail or office space
9 depending on market needs.

10 The NEPA/SEPA Final Environmental Impact Statement (FEIS) was issued on April 1, 2011. The
11 City completed a Record of Decision (ROD) in accordance with the National Environmental Policy
12 Act (NEPA) to redevelop the 15.28 acre Sunset Terrace public housing community (May 2011) into a
13 mixed use, mixed density, mixed income community anchored by a new public park and library. The
14 City also completed Planned Action Ordinance (#5610) in accordance with the State Environmental
15 Policy Act (SEPA). Since the original FEIS analysis, redevelopment efforts have continued and
16 additional site planning has occurred. As a consequence, the applicants are now proposing changes to
17 the number and configuration of units.

18 The revised development proposal will add 90 more units to the Sunset Terrace area, though the
19 neighborhood total will remain the same. Also, the City has reconfigured the proposed public park
20 and expanded it to 3.2 acres. This required a reduction in the footprint of the adjacent buildings and
21 commensurate increases in building heights and density at these locations. To do this, the City must
22 increase the lot coverage and building heights within the Sunset Terrace area and reduce the required
23 street setbacks. The original FEIS Preferred Alternative (#3), Record of Decision and Planned Action
24 Ordinance contemplated 90 fewer units, larger setbacks from SR 900, shorter buildings and different
25 street profiles.

26 To accomplish these changes, a NEPA Reevaluation, pursuant to Section 58.47 of US Department of
Housing and Urban Development's (HUD's) NEPA regulations, is required. The NEPA Reevaluation
must demonstrate the original conclusions of the FEIS remain valid. SEPA also provides a process,
using an Addendum to the prior FEIS where new information or analysis does not substantially
change prior conclusions about impacts (WAC 197-11-706). A Reevaluation, consistent with
applicable National Environmental Policy Act (NEPA) regulations and a SEPA addendum, was
prepared to evaluate the proposed changes to the Master Site Plan. The Reevaluation and Addendum
(December 8, 2014) concluded there are no new or different impacts resulting from the change and
the conclusions of the FEIS are still valid.

1 To accommodate the localized change in density, the City has requested Master Site Plan review. The
2 City has requested a Conditional Use Permit to increase the height limit and lot coverage
3 requirements and reduce setbacks in the areas proposed for additional units. The City has also

4 In total, there will be 722 dwelling units (including the 90 additional units requested under the present
5 proposal). Twenty six of the units have already been constructed by the Renton Housing Authority
6 (RHA). The 90 additional units will be spread across Master Plan Sites C, D, E, F, G, H, I and J.

7 Site C: The RHA Edmonds Apartments site is approximately 1.7 acres within the Center Village
8 (CV) zone. Proposed for the site is a four-story multi-family building, over one-story of structured
9 parking, containing no more than 112 apartment units. The proposed building height is 50 feet and
10 would orient towards Edmonds Avenue NE, with a direct sidewalk connection. The original proposal
11 had contemplated 99 units for this site.

12 Site D: The RHA Sunset Terrace Apartments site is approximately 0.51 acres within the CV Zone.
13 Proposed for the site is a five-story multi-family building containing no more than 54 apartment units.
14 The FEIS Preferred Alternative had contemplated 41 units on this site. Units may be redistributed
15 among Sites D and G provided the NEPA Reevaluation conclusions are maintained (Staff Report
16 Exhibit 2). The proposed building height is 60 feet and would orient towards Sunset Lane NE, with a
17 direct sidewalk connection. Parking is anticipated to be under building.

18 Site E: The RHA Sunset Park West Townhomes site is approximately 0.55 acres and is zoned
19 Residential-14. The proposed development consists of two, three-story, multi-family residential
20 buildings with associated garage parking. These buildings contain eight apartment and ten townhome
21 dwelling units for a total of 18 units¹.

22 Site F: The RHA Sunset Court Townhomes site is approximately 0.88 acres and is zoned CV. The
23 proposed development consists of two, two-story, multi-family residential buildings with associated
24 surface parking. These buildings contain ten townhome dwelling units. The proposed building height
25 is 30 feet².

26 ¹ The Staff Report Findings No. 6 lists this site as having a total of 10 units in the approved and revised site plans. The language above is from Staff Report Finding No. 10. The chart on page 4 of the Staff Report limits the total units to 722. This decision is for a conceptual site plan limited to a total of 722 units to be constructed in several phases and in several different buildings and locations. If the City wishes to increase the total number of units to account for the discrepancy between the Staff Report Findings for Site E, they are encouraged to request a reconsideration.

² There is also a discrepancy between the Staff Report Finding Nos. 6 and 11 with respect to the total number of units proposed for this site. As noted above, this decision limits the total number of units in the Master Site Plan to 722.

1 Site G: The RHA Sunset Park Townhomes East (Piha) site is approximately 1.09 acres in size and
2 zoned CV. The proposed development consists of three multi-story, multi-family residential buildings
3 with a below grade parking structure. Future plans include 3 buildings containing a total of 57 multi-
4 family units with a mix of 1, 2, and 3-bedroom units. Units may be redistributed among Sites D and
5 G provided the NEPA Revaluation conclusions are maintained (Exhibit 2). The buildings range in
6 height from two to four stories, and the overall proposed building height is 48 feet. Proposed off-site
7 improvements include a new sidewalk along Sunset Lane NE. The FEIS considered 56 units for this
8 site.

7 Site H: The Colpitts Sunset Terrace Development Building A site is approximately 0.99 acres and is
8 located within the CV zone. A six-story, 68-foot tall, mixed-use building with associated structured
9 parking is proposed for the site. The building would contain a total of 117 residential units (up from
10 111 units in the original proposal) and about 19,500sf of commercial space including a 15,000sf King
11 County Library facility (LUA13-001720). Units between sites H, I, and J may be redistributed at the
12 time of Site Plan Review.

11 Site I: The Colpitts Sunset Terrace Development Building B site is approximately 1.18 acres and is
12 located within the CV Zone. A six-story, 62-foot tall, multi-family project with associated structured
13 parking is proposed for the site. The building would contain a total of 196 residential units. The FEIS
14 had considered 188 units for this site. Units between sites H, I, and J may be redistributed at the time
15 of Site Plan Review. Vehicular access to structured parking on the site would be provided at multiple
16 points along Sunset Lane NE. Pedestrian access to a residential lobby would also occur from Sunset
17 Lane NE.

17 Site J: The Colpitts Sunset Terrace Development Building C site is approximately 0.74 acres and is
18 located within the CV zone. A five-story multi-family project with associated structured parking is
19 proposed for the site. The building would contain a total of approximately 110 residential units (up
20 from 104 units). Units between sites H, I, and J may be redistributed at the time of Site Plan Review.

20 Mixed-use sites will have both market rate and affordable rental housing in multi-story, multi-family
21 townhomes and apartments, along with commercial and retail space. Defining features of the site plan
22 include:

- 22 • An expanded Sunset Neighborhood Park centrally located within the site.
- 23 • A circular local road system that facilitates circulation around the park, connecting Sunset
24 Lane, NE 10th, and the southern end of Glenwood Avenue NE.
- 25 • Compatibility with future multimodal SR 900 improvements.

- 1 • Mixed-use development with residential and commercial uses including retail space and a
2 library.
- 3 • A Library situated at the corner of NE 10th and Sunset Blvd NE across from the proposed
4 expanded park (LUA13-001720).

5 The site is located within Zone 2 of the Aquifer protection Area. There are no other critical areas
6 located on site.

7 The property is zoned Center Village (CV) and Residential-14 (R-14). The Comprehensive Plan
8 designation is Center Village. To the north is multi-family residential (R-14 and CV zones). To the
9 east are multi-family residential and commercial uses (CV zone). To the south is Sunset
10 Boulevard/SR 900. To the west is multi-family residential (R-10 and CV zone). The proposal
11 involves multi-family, commercial, institutional and public uses.

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

- 14 A. Water and Sewer Service. The site is served by the City of Renton for all water and sewer
15 service. The proposal is a conceptual Master Site Plan for a multi-phase development over
16 a large subarea. This topic will be reviewed with detailed Site Plan Review for each phase.
17 A conceptual water main improvements layout for the proposed developments identified
18 has been developed (Staff Report Exhibit 13). The diagram updates the information
19 contained in the Final EIS as amended in the NEPA/SEPA Reevaluation/Addendum, but
20 is intended to meet City standards as described in the Final EIS.

21 The City will require 12-inch water mains in all new public streets (Harrington Ave NE,
22 Sunset Lane NE, NE 10th Street, Glennwood Ave NE) to provide the estimated fire flow
23 demand ranging from 3,000 gpm to 4,000 gpm based on the City Fire Prevention's review
24 of various pre-application submittals. A developer's extension of the section of 12-inch
25 water main in Sunset Blvd NE/SR 900 will be required to be a looped water system
26 because the estimated fire flow demand for the proposed development on Site H and on
Site I is above 2,500 gpm.

The location of the new water main in SR 900 west of Harrington will be evaluated as part
of the pre-design/design of the roadway improvements projects, and consider the need to
accommodate existing and future public and private utilities, rockery/retaining walls,
street trees, etc.

1 Sites plans will be required to show the location of the existing sewer system in order to
2 determine the potential re-use of existing sewer (conditioned on lining the existing sewer
3 mains and manholes) provided the location does not interfere with the ultimate
4 roadway/building alignments.

5 Where a sewer main exists in the current Harrington Ave NE alignment that will become
6 the new park it will be retained; the City will eliminate manholes where needed and where
7 feasible. The park connection is likely to occur at NE 10th St, or at the west end, where
8 new private development may be able to shorten the existing sewer to keep it within the
9 roadway. Where the section of Glenwood Avenue NE reconnects with Harrington Avenue
10 NE the sewer main will need to be rerouted.

11 Approved plans indicate the Library will connect to the existing sewer in NE 10th Street.

12 B. Fire and Police. Police and Fire Prevention staff indicated that sufficient resources exist to
13 furnish services to the proposed development; if the applicant provides Code required
14 improvements and fees. Impact fees will be discussed in detail as part of the Site Plan
15 Review for each phase and assessed at the time of building permit application.

16 C. Drainage. As with water and sewer, drainage issues related to the individual phases and
17 improvements will be evaluated at the time of each separate site plan approval. However,
18 the regional stormwater facility will be constructed in advance of the future park. The
19 estimated time for the stormwater facility completion is June 30, 2015. The regional
20 stormwater facility in Sunset Park will address flow control for Sunset Blvd NE/SR 900
21 roadway water quality treatment. The regional facility in the Park is designed for SR 900
22 and is not designed to receive any stormwater from the Master Plan area, and per the grant
23 funding, this site cannot be used for mitigation.

24 D. Parks/Open Space. The proposed development will impact the Parks and Recreation
25 system. These impacts will be mitigated by payment of the Parks Impact Fee for each
26 multi-family unit. The Applicant is a new 3.2 acre park. Sunset Park has been increased in
size compared to prior conceptual plans studied in the FEIS, April 2011. Proposed park
components include a performance space, a child-friendly water feature, play area, picnic
area, restroom building, fitness equipment, walking loop, integration of art, passive open
space, plazas, and rain gardens.

Both the park and the regional storm water facility require maintenance access and
load/unload areas. The maintenance access and load/unload zone will be located on the

1 north side of the future park along (extended) NE 10th St. An internal walkway system
2 will be incorporated into the park however a perimeter park sidewalk will not be included.

3 Common open space will be provided by the individual developments and review as part
4 of the site plan review process for each development. Common use spaces could have
5 views to the west towards Lake Washington and the Olympic Mountains for all residents
6 in proposed 5-6 story buildings. Private open space would most likely be provided through
private decks or small yards.

- 7 E. Transportation. Traffic impacts are adequately mitigated by the proposal. Level of service
8 standards will not be reduced below adopted levels for the proposal and traffic impact fees
9 will be assessed to pay for proportionate share transportation system impacts.

10 A proposed loop road along Sunset Lane NE will encircle the proposed park. Along the
11 library and mixed-use building space, the lane could be specially paved and serve as a
12 plaza for special events. The width of this roadway is 49 feet. Each phase will be
13 responsible for their proportionate share of frontage improvements (RMC 4-6-060). The
City is considering a SAD/LID for the improvement of the Sunset Lane NE loop
depending on the timing of funding and construction for each individual phase.

14
15 The Sunset Area “green connections” would be implemented per the Sunset Area Surface
Water Master Plan. One of these facilities is currently under construction on Harrington
16 Avenue NE. The City is considering street reclassifications and two new street sections for
17 roads that have 60-foot rights of way presently (Staff Report Exhibit 12): Green Collector
and Neighborhood Collector. The 60 foot right of way is consistent with the “Green
18 Connections” cross section in the Sunset Area Surface Water Master Plan (Staff Report
19 Exhibit 14). However, the Green Connections can only be implemented in some locations
and therefore a 60 foot cross-section for a Neighborhood Collector is also proposed.

20
21 Traffic impact fees for the individual phases will be reviewed at the time of detailed Site
Plan Review for each phase would be based on square footage of the building (not
22 including parking garage) and the number of residential units. Fees will be assessed at the
23 time of building permit application.

24 The transportation analysis in the NEPA Reevaluation and SEPA Addendum indicated
25 relatively little difference between the revised Master Plan and previously reviewed
26 alternatives in terms of traffic (Staff Report Exhibit 2).

- 1 F. Schools. The assessment of School Impacts and fees will occur during the individual site
2 plan review phase of each proposed improvement. The project will replace some existing
3 public housing units. School impact fees will be assessed only on net new units.
- 4 G. Parking. Compliance with parking standards will be reviewed during specific Site Plan
5 Reviews for each phase. In general, the majority of parking spaces for the residential
6 components will be accommodated primarily in below grade and partially below grade
7 parking levels. Most of the proposed parking counts for individual sites are within the
8 allowable range determined by RMC 4-4-080, except for Site 9/10, which needs an
9 additional 6 parking spaces to meet the required minimum number of parking spaces.
10 However, because the other sites propose parking spaces well over the required minimum
11 number, there could be adequate parking for the Master Site Plan as a whole. A Joint
12 Parking Agreement could be developed prior to future site plan approval addressing any
13 shared parking arrangements, provided parking is within 750 feet of the intended site
14 (RMC 4-4-080(E)(3)).
- 15 H. Bicycle Stalls. Required bicycle parking will be addressed during site plan review for the
16 individual phases.
- 17 I. Vehicular Access and Internal Circulation. The Master Plan proposes a loop road system
18 that creates a more logical and seamless road pattern than exists today. Pedestrian
19 connections from the street to the buildings will be provided. A complete streets vision
20 has been proposed for the area and would serve to guide improvements to streets within
21 the area. A condition of approval will require all phases included in the Master Site Plan
22 to comply with the Sunset Area Street Classification Map (Staff Report Exhibit 12).
- 23 J. Pedestrian Circulation. A pedestrian circulation system is proposed throughout the project
24 site which connects all opens space and parking areas spaces. Pedestrian circulation will
25 be addressed for each improvement phase at the time of individual site plan approval.
- 26 K. Landscaping. Landscaping in public spaces and on building sites will be employed to
provide transitions between developments and enhance the overall subarea and individual
projects' appearance. This topic will be more specifically reviewed during Site Plan
Review for each phase.
- L. Refuse Enclosure. Compliance with refuse and recycle standards will be reviewed during
specific Site Plan Reviews for each phase.

1 M. Building Facade Modulation. The individual proposals will include a variety of building
2 articulations and modulations in order to break down the scale and massing of the
3 structures.

4 5. Adverse Impacts. The NEPA/SEPA Final Environmental Impact Statement (FEIS) was
5 issued on April 1, 2011. The City completed a Record of Decision (ROD) in accordance with the
6 National Environmental Policy Act (NEPA) in May 2011. The City also completed Planned Action
7 Ordinance (#5610) in accordance with the State Environmental Policy Act (SEPA). The changes to
8 the development proposal to add more units and height and to address street standards require a
9 NEPA Reevaluation, pursuant to Section 58.47 of US Department of Housing and Urban
10 Development's (HUD's) NEPA regulations, demonstrating that the original conclusions of the FEIS
11 remain valid. SEPA also provides a process, using an Addendum to the prior FEIS where new
information or analysis does not substantially change prior conclusions about impacts (WAC 197-11-
706). A Reevaluation, consistent with applicable National Environmental Policy Act (NEPA)
regulations and a SEPA addendum, was prepared to evaluate the proposed changes to the Master Site
Plan. The Reevaluation and Addendum (December 8, 2014) concluded there are no new or different
impacts resulting from the change and the conclusions of the FEIS are still valid.

12 Beyond those impacts contemplated in the FEIS, ROD, Planned Action Ordinance and NEPA
13 Reevaluation and SEPA Addendum, there are no additional significant adverse impacts associated
14 with the project. Few adverse impacts related to the Master Site Plan revision are anticipated.
Adequate infrastructure serves the site as determined in Finding of Fact No. 4. There are no critical
areas on site. Impacts are more specifically addressed as follows:

15 A. Increased Density. Many sites in the Sunset Terrace Redevelopment Area propose higher
16 densities above the maximum density currently allowed in their associated zone. Viewed
17 in context of the overall Sunset Terrace Site, which since 2011 has been planned
18 comprehensively as a coordinated mixed use redevelopment project with park amenities,
the density would equal about 65 dwelling units per acre (du/acre), less than the 80 du/acre
maximum allowed in the Center Village zone.

19 Site D is proposed for 106.8 du/acre, well above the maximum density allowed in the CV
20 zone. Colpitts Buildings A (118.2 du/acre), B (166.0 du/acre), and C (148.3 du/acre) are
21 each proposed to exceed the 80 du/acre determined by the size of their individual sites.

22 Staff suggest given the Public Park will not be developed with residential units there are
23 opportunities to transfer underutilized density from the park to the proposed Colpitts
24 Buildings A, B, and C. The City has determined a density transfer agreement would be the
most appropriate mechanism to transfer the unused density from the park to the
redevelopment sites.

25 City Staff have been working with Colpitts in order to develop a methodology and
26 framework for the needed density transfer including the cost per additional unit and how

1 the funds obtained will be allocated. A condition of approval will require the City and
2 Colpitts to execute a Development/Density Transfer Agreement prior to detailed Site Plan
3 Review approval for any phase of development which intends to utilize unused residential
density from the proposed park acreage.

4 The RHA Sunset Terrace Apartments/Site D would also exceed the density determined by
5 the size of its anticipated lot acreage. However, RHA Sunset Terrace Apartments would
6 be likely be utilizing unused density from other RHA owned properties (Sunset Court
Park, Sunset Park East PIHA). Therefore a density transfer agreement is not needed in this
7 case.

8 B. Increased Height. The Master Site Plan would introduce building heights of 5-6 stories
9 along Sunset Blvd NE and along the south portion of the Sunset Lane NE loop, which
10 would exceed the current maximum height allowed by zoning (Staff Report Exhibit 15).
11 According to the Staff Report, the requested building height limits are consistent with the
12 Sunset Terrace Redevelopment Plan. As proposed, Colpitts Buildings A, B, C (Sites H, I,
13 J) and the Sunset Terrace Apartments (Site D) are inconsistent with maximum height
14 limits of the CV zone, provided only residential uses are proposed. Site D would have
heights greater than existing development to the west. The height variance under the
conditional use permit was requested in order to allow for a larger Sunset Park while still
creating viable developments. There is capacity to add commercial uses in the Master Plan
should future applicants so choose. Should the proposals be revised to include commercial
uses in some cases no height modification would be needed.

15 The proposed park space would provide a substantial amenity to area residents and reduce
16 the overall visual impression of height and bulk from viewers located further northward of
17 the loop road. For park users, who would be closer to the proposed buildings, increased
18 height could create a perception for park users of being surrounded by buildings looming
19 over them, depending on design treatments. Also, there would be increased height and
20 bulk from the perspective of pedestrians on Sunset Blvd NE. Thus small adjustments to
21 reduce height and bulk related to the increased height and intensity of the structures would
reduce impacts. Current city design standards address building modulation and roofline
variation and are recommended for application in the NEPA Reevaluation/SEPA
Addendum (Exhibit 2).

22 Increased height at the southern end of the Redevelopment Area would have the potential
23 to slightly increase the length of shadows cast on the interior park to the north. However,
24 reconfiguration of the park to increase its size as part of the updated Master Site Plan
process would ameliorate this to some degree, and the application of design standards
would further reduce shading impacts from increased building heights.

25 The “rim” of the Sunset Terrace Redevelopment area is particularly well suited to the
26 greater density/height proposed as it is immediately adjacent to Sunset Blvd NE, a major

1 arterial and state highway capable of accommodating the traffic generated by the proposed
2 project.

3 The proposed development would be among the taller developments in the vicinity until
4 such time as other properties will be redeveloped to meet the more intensive vision of the
5 CV zone. The proposed project is compatible with the scale and character of the existing
6 and planned neighborhood. When the proposed height is considered in the context of the
7 entire redevelopment plan area, the average height proposed for development is well
8 below 60-feet³. The additional height allows for the achievement of the proposed units and
9 reflects the greater size of the park and redistribution of units to maximize the park site.
10 Sunset Terrace has been identified as an area where it is desirable to develop residential
11 uses to a density greater than currently exists, which requires either less public open space
12 or higher buildings.

13 Compliance with the height standards for all other structures will be reviewed during
14 specific Site Plan Reviews for each phase.

15 C. Increased Lot Coverage. As with the increased density and height, the proposal
16 collectively meets the lot coverage requirements. However, Sites D, H/K, I and J exceed
17 the standard individually. If these lots are aggregated with the increased park acreage, lot
18 coverage requirements are met. Staff notes this is consistent with the overall Master Plan
19 approach. The remaining lots all appear to be able to meet lot coverage requirements
20 through the use of structured parking, a topic which will be reassessed during individual
21 site plan review as each phase progresses.

22 D. Reduced Setbacks. The 2011 SR 900 Conceptual Plan was designed to account for
23 reduced setbacks along Sunset Lane NE. The plan assumes no front yard setbacks in this
24 location. Lot depths are 125 feet east of Harrington Avenue NE consistent with the VEER
25 site plan for Lots 9/10, and 130 feet west of Harrington Avenue NE. In all areas besides
26 along the redesigned Sunset Lane NE (SR 900), lot depths are sufficient to allow for
sufficient depths of buildings with underbuilding parking and account for odd geometries.
This being said, there should be room for a small setback from Sunset Lane NE.

Compliance with setback standards will be reviewed during specific Site Plan Reviews for
all other properties.

E. Privacy and Noise. Noise impacts are adequately mitigated. Staff anticipates most of the
noise impacts would occur during the construction phase of the project. The Master Site
Plan includes an arrangement of buildings around the Sunset Park to reduce noise.

³ The maximum height allowable without a hearing examiner approved conditional use permit is 50 feet (RMC 4-2-120(C)(16)).

1 **Conclusions of Law**

2
3 1. Authority. Master Site Plan Approvals for the overall plan and Conditional Use Permit
4 approvals are each Type III decisions determined by the hearing examiner (RMC 4-8-080(G)). The
5 aforementioned permits have been consolidated. RMC 4-8-080(C)(2) requires consolidated permits to
6 each be processed under “the highest-number procedure.” As Type III applications, RMC 4-8-080(G)
7 grants the Examiner with the authority to hold a hearing and issue a final decision on them, subject to
8 closed record appeal to the City Council.

9 2. Zoning/Comprehensive Plan Designations. The property is zoned Center Village (CV) and
10 Residential-14 (R-14). The Comprehensive Plan designation is Center Village.

11 3. Review Criteria. Master Site Plan Review is an optional process in the CV and R-14 zones
12 (RMC 4-9-200(B)(1)). To accommodate the localized change in density, the City has requested
13 Master Site Plan review. The City has requested a Conditional Use Permit to increase the height limit
14 and lot coverage requirements and reduce setbacks in the areas proposed for additional units. The
15 City has also requested a change in the vesting timeline. Master Site Plan review standards are
16 governed by RMC 4-9-200(E)(3). Conditional Use Permits are governed by RMC 4-9-030. All
17 applicable criteria are quoted below in italics and applied through corresponding conclusions of law.

18 **Master Site Plan**

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

21 *a. Compliance and Consistency: Conformance with plans, policies, regulations and approvals,*
22 *including:*

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

26 *ii. Applicable land use regulations;*

iii. Relevant Planned Action Ordinance and Development Agreements; and

iv. Design Regulations: Intent and guidelines of the design regulations located in RMC [4-3-100](#).

4. The proposal is consistent with applicable comprehensive plan policies, City of Renton zoning regulations and design guidelines and the Sunset Planned Action area (Staff Report Exhibit 10) as

1 outlined in Findings 20(a)-(1) of the staff report, which is adopted by this reference as if set forth in
2 full, including the findings and conclusions.

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

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

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

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

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

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

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

19 5. The design as revised would mass more density in one portion of the subarea than in others
20 and increase the bulk of structures in that area. However, as determined in Finding of Fact No. 5, the
21 increased density and scale of the structures are appropriate along Sunset Boulevard NE because of
22 the heavy regional traffic in that area. The buildings will be modulated and designed to provide
23 relief to pedestrians walking near them. The most important offset, though, is the increased size of
24 the public park afforded by the proposed building massing and density. The design also allows for
25 improved vehicular circulation throughout the entire subarea by creating a new loop road. This
26 decision is a Master Plan Review and therefore is meant to be conceptual in nature. It represents a
decade long development of multiple phases of mixed use, mixed income development by public
and private entities. As such, issues related to internal circulation, loading and storage areas,
landscaping and lighting will be dealt with during the individual site plan review stages as each
phase progresses. There are presently no views of attractive natural features. As proposed, the
impacts to surrounding properties created by the revised design are mitigated.

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

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

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

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

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

16 6. As determined in Finding of Fact No. 5, the arrangement of buildings around Sunset Park will
17 block noise from SR 900. There is nothing in the record to reasonably suggest that the scale, spacing
18 and orientation of the project could be modified to provide for more privacy and noise reduction
19 without unreasonably interfering with the objectives of the facility or creating a detrimental impact
20 to the proposed park. The scale of the facility will not create any adverse impacts as discussed and is
21 compatible with vehicle and pedestrian circulation as determined in Finding of Fact No. 5. In
22 addition, there is nothing in the record to reasonably suggest that the scale of the project is
23 incompatible with sunlight, prevailing winds or natural characteristics. Impervious surfaces are
24 significantly less than those authorized by applicable zoning regulations and are within the range
25 anticipated in the FEIS for the original Master Plan.

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

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

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

1
2 *iii. Loading and Delivery: Separating loading and delivery areas from parking and*
3 *pedestrian areas;*

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

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

7 7. The proposal provides for adequate access and circulation as required by the criterion above
8 for the reasons identified in Finding of Fact No. 4(I) and (J).

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

12 8. The proposal provides for open space that serves as distinctive project focal points and also
13 provides for recreation as determined in Finding of Fact No. 4(N). A primary feature of the revised
14 proposal is an expanded public park which will serve as a visual and social focal point for the
15 neighborhood.

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

18 9. There are no view corridors to shorelines or Mt. Rainier affected by the proposal.

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

21 10. As noted in Finding of Fact No. 5, there are no critical areas on site. As determined in Finding
22 of Fact No. 4, the drainage system is designed to accommodate pedestrian friendly greenscape and
23 sidewalks while improving the existing regional stormwater quality.

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

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

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

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2 12. The Master Plan includes a detailed sequencing plan for development phases over a ten year
3 timeframe. Finding 20L of the Staff Report is adopted here by reference as if set forth in full.

4 **Conditional Use**

5 *The Administrator or designee or the Hearing Examiner shall consider, as applicable, the following*
6 *factors for all applications:*

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

10 13. The Master Plan promotes a mixed use redevelopment with open space and civic amenities.
11 The Master Plan would advance the City’s Center Village concept in the Comprehensive Plan and
12 zoning code. It would serve as an incentive for other redevelopment opportunities near the study area.
13 Anticipated growth would help the City meet its 2031 housing and employment targets. It would also
14 serve to fulfill the Sunset Area Community Investment Strategy. The proposal is consistent with
15 applicable comprehensive plan policies, City of Renton zoning regulations and design guidelines and
16 the Sunset Planned Action area (Staff Report Exhibit 10) as outlined in Findings 20(a)-(l) of the staff
17 report, which is adopted by this reference as if set forth in full, including the findings and
18 conclusions.

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

22 14. As described above in Finding of Fact No. 5, the proposed location is suitable for the proposed
23 use. The overall Sunset Terrace Site has been planned comprehensively as a coordinated mixed use
24 redevelopment project with park amenities at an overall density that is less than the allowed
25 maximum in the CV zone while providing public amenities including affordable housing, a new
26 library and a public park. Given these factors the criterion is met.

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

15. As determined in Finding of Fact No. 5 there are no adverse impacts associated with the
proposal, so it will not result in substantial or undue adverse effects on adjacent property. The
proposed development would be among the taller developments in the vicinity, though it is essentially
the first coordinated development to implement the more intensive vision of the CV zone. The
proposed project is compatible with the scale and character of the existing and planned neighborhood.

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

4 16. As determined in Finding of Fact No. 5, the proposed use is compatible with the scale and
5 character of the neighborhood since it does not involve any significant adverse aesthetic impacts and
6 allows for the expansion of the proposed Sunset Park, creates a new loop road to improve access and
7 creates a gateway along SR 900.

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

9 17. As noted in Finding of Fact No. 4, most parking is proposed to be in structures. Parking will
10 be reviewed during the phased build out at the time of each individual phase's site plan review. At
11 this stage, the overall project appears to provide adequate parking.

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

14 18. As determined in Finding of Fact No. 4, the local roadway network will be improved through
15 the redesigned Sunset Boulevard, the new loop road and the reconstructed Harrington Road. The
16 project will not have a significant impact on the general traffic in the vicinity and provides for
17 adequate and safe pedestrian circulation. The criterion is met.

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

20 19. As determined in Finding of Fact No. 5, noise and light impacts will be addressed during
21 individual site plan reviews for each implementing project. Lighting will comply with City
22 regulations which require lights to be directed inwards and prohibited light trespass. The building
23 design along Sunset Boulevard should shield park users from regional traffic noise from SR 900.

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

27 20. The criterion is met for the reasons discussed in Finding of Fact No. 4K under aesthetic
28 impacts.

1 **Time Limits**

2 **RMC 4-8-100(J): Expiration of Large Scale or Phased Projects:** *For large scale or phased*
3 *development projects, the Examiner may at the time of approval or recommendation set forth time*
4 *limits for expiration which exceed those prescribed in this Section for such extended time limits as*
are justified by the record of the action.

5 21. The applicants have requested an extended expiration timeline for the project because of its
6 scale and complexity. They have also indicated much of the public infrastructure and development
7 is grant dependent. The applicants have requested a 10 year expiration limit. This request is granted.

8 **DECISION**

9 The Master Site Plan and Conditional Use Permit for the Renton Sunset Redevelopment Master Site
10 Plan, File No. LUA14-001475, SA-M, CU-P as depicted in Exhibit 3 of the Staff Report, are
11 approved subject to the following conditions.

- 12 1. A Development/Density Transfer Agreement shall be executed by the City and Colpitts prior
13 to detailed Site Plan Review approval for any phase of development which intends to utilize
unused residential density from the proposed park acreage.
- 14 2. All phases included in the Master Site Plan shall comply with the Sunset Area Street
15 Classification Map, (Staff Report Exhibit 12). Conceptual frontage improvements shall be
16 submitted at the time of Site Plan Review for each phase and are subject to approval by the
Current Planning Project Manager and Plan Reviewer.
- 17 3. Prior to beginning construction, each individual project phase or improvement shall provide
18 information to surrounding property owners about timelines, extent of construction, and
contact information.
- 19 4. This decision is effective until January 14, 2025.

20 DATED this 14th day of January, 2015.

21
22
23 _____
24 Emily Terrell
25 City of Renton
26 Hearing Examiner *Pro Tem*

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2 **Appeal Right and Valuation Notices**

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

11 The “date of the examiner’s decision” for purposes of appeal and reconsideration is considered to
12 be three days after mailing, which is _____. The appeal and reconsideration deadline
13 is due fourteen days after the “date of the examiner’s decision”, which is _____.

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