

**ENVIRONMENTAL REVIEW COMMITTEE REPORT AND  
ADMINISTRATIVE SHORT PLAT REPORT & DECISION**

<b>ERC MEETING DATE:</b>	September 15, 2014
<b>Project Name:</b>	Merlino Short Plat
<b>Project Number:</b>	LUA14-000568, ECF, SHPL-A, MOD
<b>Project Manager:</b>	Clark H. Close, Associate Planner
<b>Owner/ Applicant:</b>	Jim Blais, Merlino Land Development Co., Inc., 5050 1 <sup>st</sup> Ave Ste 102, Seattle, WA 98134-2400
<b>Contact:</b>	Lafe Hermansen, Core Design, Inc. 14711 NE 29 <sup>th</sup> Place, Ste 101, Bellevue, WA 98007
<b>Project Location:</b>	700-800 Block of Cedar Avenue South / PID 202305-9085 and 000720-0194
<b>Project Summary:</b>	The applicant is requesting to subdivide two parcels totaling approximately 160,943 square feet (3.69 acres) into seven single family lots and one tract (Critical Area Tract A) in the Residential-8 (R-8) zone, resulting in a density of 6.86 dwelling units per net acre. The site is located southwest of the intersection of South 7th Street and Cedar Avenue South in Renton, Washington. The proposed lots would range in size from 6,595 sf to 7,989 sf, and would be accessed via private driveways from Cedar Avenue South. The project site is roughly 1.5 acres in size and is currently covered in grass. The site was mass graded as part of the I-405 widening project, so there will be minimal grading to construct seven single family lots, stormwater vault and associated utilities, and no clearing. One combined detention and water quality treatment vault will be located at the south end of Cedar Ave S in the cul-de-sac. Half street frontage improvements will be constructed on the west side of Cedar Ave S. The site contains sensitive areas, such as coal mine hazards, erosion hazards, steep slopes, and landslide hazards. The applicant submitted a Technical Information Report, Geotechnical Engineering Services Critical Areas Report, Coal Mine Hazard Assessment, and an exception through a waiver under RMC 4-3-050J.5.d for the placement of a wedge-shaped sliver fill and part of a retaining wall within the protected slope area on proposed Tract A.
<b>Site Area:</b>	3.69 acres
<b>STAFF RECOMMENDATION:</b>	<b>Staff Recommends that the Environmental Review Committee issue a Determination of Non-Significance - Mitigated (DNS-M).</b>



**Project Location Map**

**PART ONE: PROJECT DESCRIPTION / BACKGROUND**

**A. EXHIBITS:**

- Exhibit 1 ERC Report
- Exhibit 2 Merlino Short Plat Site Plan
- Exhibit 3 Existing Conditions
- Exhibit 4 Grading and Utility Plan
- Exhibit 5 Landscaping Plan
- Exhibit 6 Icicle Creek Engineers, Inc. Geotechnical Engineering Services, Critical Areas Report (dated April 23, 2014)
- Exhibit 7 Icicle Creek Engineers, Inc. Geotechnical Engineering Services, Coal Mine Hazard Assessment (dated April 23, 2014)
- Exhibit 8 Preliminary Technical Information Report prepared by Core Design Inc. (dated April 18, 2014)
- Exhibit 9 Associated Earth Sciences Inc. (AESI) Contract Agreement
- Exhibit 10 Associated Earth Sciences Inc. (AESI) Secondary Review Report (dated June 30, 2014)
- Exhibit 11 Icicle Creek Engineers, Inc. Geotechnical, Geologic and Environmental Services Response to AESI Secondary Review Comments (dated August 6, 2014)
- Exhibit 12 Raedeke Associates, Inc. Technical Memorandum, Standard Stream Study (dated August 8, 2014)
- Exhibit 13 Muckleshoot Tribe Email: Walter
- Exhibit 14 Public Comment Email: Custer
- Exhibit 15 Advisory Notes to Applicant

**B. GENERAL INFORMATION:**

- 1. Owner(s) of Record:** Jim Blais, Merlino Land Development Co., Inc., 5050 1<sup>st</sup> Ave Ste 102, Seattle, WA 98134-2400
- 2. Zoning Designation:** Residential – 8 du/ac (R-8)
- 3. Comprehensive Plan Land Use Designation:** Residential Single Family (RS)
- 4. Existing Site Use:** Vacant Residential
- 5. Neighborhood Characteristics:**

Location	Parcel No.	Address	Land Use	Zoning
Site	000720-0194 202305-9085	700-800 Block of Cedar Ave S	Residential Single Family	Residential-8
North	722140-0281	610 Mill Ave S	Residential Medium Density	Residential-10
North	780416-0000	629 Cedar Ave S	Residential Single Family	Residential-8
South	202305-9163	WSDOT	Residential Single Family	Residential-8
East	329470-0005	1209 S 7 <sup>th</sup> St	Residential Single Family	Residential-8
East	329470-0006, -0015, -0010, -0021, -0020, -0031, -0030, -0032	708-818 Cedar Ave S	Residential Single Family	Residential-8
West	202305-9007	901 Grady Way	Commercial Corridor	Commercial Arterial

- 6. Access:** Access to the short plat is proposed via private driveways from Cedar Ave S.
- 7. Site Area:** 160,943 square feet (3.69 acres)

**C. HISTORICAL/BACKGROUND:**

<u>Action</u>	<u>Land Use File No.</u>	<u>Ordinance No.</u>	<u>Date</u>
Comprehensive Plan	N/A	5099	11/01/2004
Zoning	N/A	5100	11/01/2004
Annexation	N/A	1547	06/07/1956
Short Plat	LUA05-093	N/A	01/12/2006 (expired)

**D. PROJECT NARRATIVE:**

The applicant is requesting Short Plat approval and Environmental (SEPA) Review for the subdivision of two King County parcels (Parcel Nos. 000720-0194 and 202305-9085) into one tract (Critical Area Tract A) and seven (7) lots for the future construction of single family residences (*Exhibit 2*).

The site is located southwest of the intersection of South 7th Street and Cedar Avenue South, in the 700-to-800 block of Cedar Avenue South; specifically, the site is located in the NW ¼, Section 20, Township 23N, Range 5E, W.M. The subject site is generally rectangular in shape and is bordered by Cedar Crest Condominiums to the north, single family homes on the east, vacant land to the south, and I-405 is down the vegetated slope.

The 3.69-acre vacant project site is located within the Residential - 8 (R-8) dwelling units per net acre zoning classification. The proposed lots would range in size from 6,595 square feet in area to 7,989 square feet. The lots are positioned within the level, upper area (plateau) of the Engineered Fill. There will be minimal excavation onsite, approximately ±350 cubic yards cut for foundations and utilities, and approximately ±700 cubic yards fill (*Exhibit 4*). Half-street frontage improvements on Cedar Avenue South will be completed to provide 13.5 feet of pavement from the right-of-way centerline with a cul-de-sac to be located at the south end of Cedar Avenue South. To construct the cul-de-sac bulb, a "sliver fill" and retaining wall up to 6-feet high and up to 6-feet thick will be required (*Exhibit 4*).

The site was mass graded as part of the I-405 widening project, so there will be minimal grading to construct the lots, stormwater vault and associated utilities, and no clearing. As part of the improvements, the applicant is seeking an exception through waiver under RMC 4-3-050J.5.d to complete the road widening, stormwater and associated utilities in the protected slope. No vegetation in the protected slope areas should be cut down or otherwise removed during construction of the short plat improvements, other than the cul-de-sac improvements (i.e., the small sliver fill and/or retaining wall to the south and southwest edge of the cul-de-sac). Staff will recommend this as a condition of approval of the short plat.

The site is underlain by structural fill with a fill slope on the west side of the site to I-405, creating a bench or nearly-level plateau (slopes from north to south at 1.8 percent) area that extends west of the existing Cedar Avenue South about 112 to 122 feet to the plateau's crest) for future single family development. The site west of the bench slopes steeply toward I-405, measured at approximately 30 degrees (circa 1.75H:1V). The deepest fill section is 40 feet and is located at the southwest corner of the proposed site. The filled site is underlain by till and bedrock. The southern portion contains areas of medium coal mine hazards, high coal mine hazards and high landslide hazards, as identified by Icicle Creek Engineers Inc. in their Coal Mine Hazard Assessment Report (*Exhibit 7*). The combined detention and water quality treatment vault will be located in the proposed cul-de-sac. The treated and detained flows will then be discharged west into the existing rock-lined ditch (2:1 slope) north of the WSDOT access road where it will combine with a ditch flowing south towards WSDOT's stream mitigation area on State-owned property.

This short plat is an administrative review process.

**E. PUBLIC SERVICES:**

**1. Utilities**

- a. **Water:** Water service is provided by the City of Renton. There is an existing 4-inch water main in Cedar Avenue South and an existing 12-inch water main on the west side of Cedar Avenue South, north of the site.
  - b. **Sewer:** Sewer service is provided by the City of Renton. There is an existing 10-inch sewer main in Cedar Avenue South.
  - c. **Surface/Storm Water:** There is an existing 12-inch diameter conveyance system and catch basins along Cedar Avenue South.
- 2. Streets:** There is an existing sidewalk on the east side of Cedar Avenue South. Existing right-of-way width for Cedar Avenue South fronting the site is 40 feet. Existing width of pavement is approximately 22 feet. The plan set submitted to the City of Renton on April 29, 2014 shows the proposed Cedar Avenue South right-of-way section which meets the City of Renton's Residential Access code, including half street frontage improvements of 13.5 feet of pavement width with curb and gutter, an 8-foot planting strip and a 5-foot sidewalk.
- 3. Police and Fire Protection:** City of Renton Police and Fire Departments would provide service.
- 4. Schools:** The site is within the Renton School District.

## **PART TWO: ENVIRONMENTAL REVIEW**

In compliance with RCW 43.21C.240, the following environmental (SEPA) review addresses only those project impacts that are not adequately addressed under existing development standards and environmental regulations.

### **A. Environmental Threshold Recommendation**

Based on analysis of probable impacts from the proposal, staff recommends that the Responsible Officials:

#### **Issue a DNS-M with a 14-day Appeal Period**

### **B. Mitigation Measure(s)**

1. Project is subject to both Iclike Creek Engineers Inc., Geotechnical Engineering Services Reports, dated April 23, 2014, including but not limited to:
  - a. The applicant shall be required to record on the face of the short plat plan that the rear yard building setback, for all structures, shall be a minimum distance of 25 feet from the Engineered Protected Slope along the west property lines of all seven lots.
  - b. The applicant shall be required to record on the face of the short plat plan that the side yard building setback from the portion of the engineered fill slope area to the north of Lot 1 and to the south of Lot 7 shall be 10 feet for all structures.
  - c. The applicant shall be required to slightly berm/grade the west edge of the plateau at the crest of the Engineered Slope to prevent surface water runoff onto the slope from the plateau.

### **C. Environmental Impacts**

*The Proposal was circulated and reviewed by various City Departments and Divisions to determine whether the applicant has adequately identified and addressed environmental impacts anticipated to occur in conjunction with the proposed development. Staff reviewers have identified that the proposal is likely to have the following probable impacts:*

#### **1. Earth**

**Impacts:** The future development area of the site can best be characterized as flat. Outside the proposed development area, the site is sloping and is characterized primarily by steep slopes (measured at roughly 30 degrees). The applicant is proposing 700 cubic yards of fill for the proposed cul-de-sac portion of the road and anticipating roughly 350 cubic yards of cut for construction of foundations and utilities.

The applicant submitted a Geotechnical Engineering Services, Critical Areas Report and Coal Mine Hazard Assessment, dated April 23, 2014 prepared by Icicle Creek Engineers, Inc. (ICE) (*Exhibits 6 & 7*). The reports state that the engineered fill that was installed as a part of the I-405 widening project was designed such that residences could be constructed on this fill. They further state that CH2M Hill evaluated the stability of the engineered fill for sliding global stability, compound failure, internal stability, and seismic stability; and that the final design of the engineered fill slope required a minimum factor of safety (FOS) of at least 1.5 for all the factors evaluated. Special inspections were performed and completed by Mayes Testing Engineer's Inc. (Mayes) for the construction of the reinforced soil slope constructed on the subject site. On April 23, 2014, Mayes wrote "all work inspected was either performed in accordance with or corrected to conform to the I-405 Corridor Design Builder's Geotechnical Design Recommendations Memorandum."

In ICE's 2014 Coal Mine Hazard Assessment, identifies 12 test pits and three test borings of the Merlino Property (2005 Report) and concludes that a "High Coal Mine Hazard Area" occurs at the south end of Cedar Ave S. Additional subsurface evaluation, following seven test borings in 2009, indicated that the high coal mine hazard area are consistent with RMC 4-3-050J.1 *Geologic Hazards – Applicability* and RMC 4-3-050J.2 *Geologic Hazards – Special Studies Required*.

No surface water was observed within the subject site in either 2009 or 2014 as part of ICE's reconnaissance efforts, and boring log information indicates that groundwater was found generally in the Renton Formation, below elevation 100 feet. The Natural Resources Conservation Service has mapped the site soils as Alderwood and Kitsap soils. However, in the area of the site that is proposed for residential development, fill soil was placed in 2009 as part of the WSDOT I-405 widening project.

The City of Renton has identified concerns regarding the compounded impacts placed on the slope through the introduction of seven single family homes, a vault, road improvements to Cedar Ave S, and the addition of a retaining wall to the steep slope. The improvements to the hillside create a potential for instability on the slope both during and after construction. Specific areas of concern include the following items: 1) existing slope versus designed slope and their respective factor of safeties; 2) wall design over proposed fill on recently constructed steep slopes; 3) increased drainage discharge onto WSDOT downstream steep slopes and drainage ditch and how it would affect toe issues for that existing slope; 4) soil liquefaction; 5) slope stability analysis; 6) anticipated weights before and after constructed plat (weight analysis would assume full water weight of soils per cubic feet due to required flow control BMPs for each home.); 7) coal seam impacts from past boring records; and 8) effectiveness of proposed mitigating measures for impacts. As a result of these concerns, the City facilitated a contract agreement with Associated Earth Sciences, Inc. (AESI) to engage in an independent secondary peer review of the Icicle Creek reports, as they relate to the steep slope, the proposed project, and the Renton Municipal Code (RMC) Critical Areas Regulations (RMC 4-3-050). The City of Renton's Community Economic Development Department contracted with Associated Earth Sciences Inc. (AESI) to conduct an independent secondary review of the two reports prepared by Icicle Creek Engineers, Inc. (*Exhibit 9*). AESI provided comments that addressed staff concerns, denoted as items 1-8 as identified (*Exhibit 10*). The applicant was given the opportunity to respond to the independent secondary review completed by AESI (*Exhibit 11*). The responses from both AESI and ICE provide adequate comments that address these specific areas of concerns. For example, the 25-foot setback from the top of RSS is a conservative plan and was identified as being within the base assumptions for evaluating the adequate slope stability factor of safety by the CDB August 2009 Memorandum; or the increased stormwater discharge to the current rock-lined ditch has more capacity to convey the 100-year undetained peak flow; or the engineer used a conservative traffic surcharge of 250 psf in the slope stability analysis and the final design plans for a typical two-story, wood-frame construction (setback at least 25 feet from the top of the RSS) that provides for adequate FOS.

An exception through waiver under RMC 4-3-050J.5.d for placement of a wedge-shaped sliver fill and part of a retaining wall, within a small portion of the protected slope area on proposed Tract A, is necessitated by and associated with the public road widening for a required 90-foot cul-de-sac turnaround at the south end

of Cedar Avenue South (the road exceeds 300 feet in length). The proposal's design was challenging due to an existing gravel access road, in addition to an existing gravel access road on the south end of the property, which leads to the WSDOT stream mitigation area and also due to the location of the exiting steep slope at the end of the road. The location of the cul-de-sac will require a portion of the gravel road to be relocated to the south of the cul-de-sac. The filling will allow the cul-de-sac's southwest edge to be high enough in order to keep the roads surface's cross-slope to a reasonable maximum grade (approximately 6%). Widening Cedar Ave S with a cul-de-sac will improve the livability of the exiting neighborhood via increased fire accessibility through a fully sized cul-de-sac turnaround that meets the dimensions and requirements of the code. Under current conditions, Cedar Ave S is considered to be a dead end; no other location is functionally feasible because the cul-de-sac has to be on the south end of the exiting road. ICE's geotechnical evaluation indicates that the proposal will not increase the risk of occurrence of a geologic hazard and identifies measures to eliminate or reduce risks; and the applicant will be required to design a Temporary Erosion and Sedimentation Control Plan (TESCP) pursuant to the 2009 King County Surface Water Design Manual Erosion and Sediment Control Requirements.

The applicant is proposing that Tract A will include a Native Growth Protection Easement (NGPE) over portions of the tract that encompasses the protected slopes. The specific language states "such easement proposed to be subject to a right of lot owners and the homeowners association, if any, to top trees within the NGPE for preservation of views to the west and northwest from the future homes and rear yards on the proposed lots." Staff supports encompassing Tract A with a NGPE with the Home Owners Association (HOA) having responsibility for basic tree maintenance, provided the work is conducted outside the jurisdiction held by WSDOT through the several easements (20-foot perpetual ingress/egress, 12-foot terminable ingress/egress, 35-foot ingress/egress and utility, and an 80-foot soil nails per KC recording no. 20110802000538). Staff will not support short plat language that encourages or allows the topping of trees within Tract A so that future property owner may maintain views.

**Mitigation Measures:** Project construction shall be required to comply with the mitigation recommendations identified in the submitted Icicle Creek Engineers, Inc. Geotechnical Engineering Services reports (dated April 23, 2104).

**Nexus:** SEPA Environmental Review, RMC 4-3-050 Critical Areas Regulations, RMC 4-4-060 Grading, Excavation, and Mining Regulations.

## 2. Water

### a. Wetland, Streams, Lakes

**Impacts:** The applicant submitted a Critical Areas Report, prepared by Icicle Creek Engineers, Inc., dated April 23, 2014, identifying an existing Class 3 stream, an existing Class 5 stream, and an existing Category 3 wetland all offsite on the WSDOT property to the south of the subject property (*Exhibit 3*). The City requested a standard stream study be conducted by the applicant on July 11, 2014. The applicant submitted a technical memorandum, from an aquatic scientist, that provided classification for the two offsite stream channels directly adjacent and south of the project site, in parcel no. 2023059163 (*Exhibit 12*). The stream channels lie within the north margin of the wooded portion of the WSDOT site and flow east to west parallel to each other. They are tributary to Thunder Hill Creek and confluence with the creek shortly before passing beneath Interstate 405. Thunder Hill Creek then becomes Rolling Hills Creek, which is tributary to Spring Brook Creek.

The two streams are identified as Streams B and C, with Stream B occurring farther south than Stream C (Exhibits 2 and 4). Neither stream channel occurs on the map of Renton Water Classes. Both Stream B and Stream C are very similar in characteristics. The two streams are only 40 to 60 feet apart, share a common riparian corridor of similar composition, are roughly four to five feet in bank full width, and are incising heavily in the native soils. Stream B flows through a previously identified Class 3 wetland before joining with

Stream C. Stream B was identified as the Class 3 stream which requires a 75-foot standard buffer. Stream C doesn't appear to exist in historical photographs; it originates from a stormwater outfall located at the south end of Cedar Ave S, is intermittent and non-salmonid-bearing; it has been classified as the Class 5 stream, and carries no standard buffer requirement.

The project is within 200 feet of these streams, and only the undisturbed southeast corner of Tract A (103,440 square feet) is located within the Stream B's 75-foot buffer. The proposed relocation of WSDOT's existing 12-foot terminable ingress, egress easement (Recording No. 20110802000538) or gravel road for stream mitigation is planned within 200 feet of the offsite wetland in order to complete the retaining wall and cul-de-sac road improvements. No impacts are proposed to the existing buffers, as identified on the southeast corner of the site. It is also expected that there will be less stormwater runoff from Cedar Ave S to the discharge point at the head of Stream C. In the developed conditions, storm water from the short plat and the west half of Cedar Avenue S will be collected by a proposed storm drain system in the cul-de-sac on the south end of the project. The vault will discharge to an existing rock-lined ditch on the north side of the existing WSDOT access road, which heads southwest where it drains north to a Type 2 Catch basin with a bird cage structure.

The Muckleshoot Tribe has identified two concerns, based on a review of the proposed project (*Exhibit 13*). The first concern was that the project will need to demonstrate compliance with the City's stream buffer regulations for potential fish bearing waters; and the second concern involved treating stormwater using enhanced water quality treatment methods to reduce pollutants in stormwater released from the stream's site that would ultimately drain to the Cedar River. The purpose of the stream buffer regulations are to protect riparian habitat in order to provide for bank and channel stability, sustained water supply, flood storage, recruitment of woody debris, leaf litter, nutrients, sediment and pollutant filtering, shade, shelter, and other functions that are important to both fish and wildlife; prevent the loss of riparian acreage and functions and strive for a net gain over present conditions through restoration where feasible; protect aquatic habitat for salmonid species. Buffer widths are set by RMC 4-3-050 *Critical Areas Regulations* based upon the water body or wetland classification. The offsite stream (Thunder Hills Creek), located to the south of the subject site, is partially piped and conveyed underneath roads and buildings downstream of I-405. The stream has been documented in the WDFW/WSDOT 2013 Fish Passage Barrier Assessment report as a fish-passage barrier, as subject to replacement per Federal Court injunction under *U.S. v Washington*, and as a potential fish bearing water based on available habitat conditions upstream of I-405.

Class 3 waters are non-salmonid-bearing perennial waters during years of normal rainfall. They are mapped on Figure Q4, Renton Water Class Map, as Class 3. Class 2 waters are perennial or intermittent salmonid-bearing waters which historically and/or currently is known to support salmonids, including resident trout, at any stage in the species lifecycle. Thunder Hills Creek is mapped in the Renton Water Class Map as a Class 3 stream and is therefore subject to a minimum width of seventy-five feet (75') per RMC 4-3-050L.5.a.i.b. The buffer widths have been identified on the project site map, and all new construction must comply with Renton Municipal Code. An additional 25-foot buffer enhancement could potentially require mitigation, such as greater biologic and hydrologic functions, or no net loss of riparian habitat, or water body function for the proposed relocation of the gravel ingress/egress access road to WSDOT's stream mitigation area. BMPs will be required to help mitigate the impacts created as a result of the relocation of an 80-foot section of WSDOT's wetland access road.

**Mitigation Measures:** No further mitigation needed.

**Nexus:** Not applicable

**b. Storm Water**

**Impacts:** The applicant submitted a preliminary Technical Information Report (TIR), prepared by Core Design, Inc. (dated April 18, 2014; *Exhibit 8*). The project was designed using the guidelines and

requirements established in the 2009 King County Surface Water Design Manual. According to the TIR, Cedar Avenue South drains south through an existing storm drain system and outlets to a Class 5 stream south of the proposed project. The existing 2:1 slope constructed in 2010 as part of the construction of WSDOT I-405 widening project drains west to a ditch flowing south on the west boundary or bottom of the site. The flatter portion of the site drains south to an existing onsite ditch north of the WSDOT access road where it has its confluence with the ditch on the west boundary. The two ditches drain to a 54-inch catch basin with a birdcage into a piped system continuing west for 250 feet down the side slope on the east side of I-405 to a drainage structure in the shoulder. Drainage continues north for approximately 2,800 feet through a series of catch basins and pipes in I-405 to a WSDOT detention pond located west of I-405 and east of S 3<sup>rd</sup> Street.

The project will be served by a stormwater vault that will serve 1.60 acres (1.01 acres of impervious area and 0.59 acres of till-grass). The applicant indicates that stormwater runoff will be collected and routed to a stormwater detention and water quality vault beneath the proposed cul-de-sac at the south end of the project. The design of the vault will be constructed in accordance with the 2009 King County Surface Water Design Manual, as amended by the City of Renton, in order to mitigate any adverse impacts from stormwater runoff. The applicant is proposing to implement the reduced impervious surface credit to meet the requirements for individual lot BMPs, with the anticipation that less than 4,000 square feet of impervious area will be constructed on each lot. Due to topographic constraints, a small portion of the area on top of the vault will not discharge to the vault and will therefore be modeled as onsite bypass area. As a result, the detention vault will over-detain the remainder of the project to compensate for unmitigated flows. The Basic Wetvault includes a permanent wetpool that allows for the removal of 80% of Total Suspended Solids thereby meeting the pollutant removal targets.

**Mitigation Measures:** No further mitigation needed.

**Nexus:** Not applicable

#### **D. Comments of Reviewing Departments**

The proposal has been circulated to City Department and Division Reviewers. Where applicable, their comments have been incorporated into the text of this report and/or "Advisory Notes to Applicant" (*Exhibit 15*).

✓ **Copies of all Review Comments are contained in the Official File and may be attached to this report.**

### **PART THREE: ADMINISTRATIVE SHORT PLAT REVIEW**

#### **A. APPLICABLE SECTIONS OF THE RENTON MUNICIPAL CODE:**

##### **1. Chapter 2 Land Use Districts**

- a. Section 4-2-020: Purpose and Intent of Zoning Districts
- b. Section 4-2-060: Zoning Use Table – Uses Allowed in Zoning Designations
- c. Section 4-2-110: Residential Development Standards
- d. Section 4-2-115: Residential Design and Open Space Standards

##### **2. Chapter 3 Environmental Regulations and Overlay Districts**

- a. Section 4-3-050: Critical Areas Regulations

##### **3. Chapter 4 Property Development Standards**

- a. Section 4-4-030: Development Guidelines and Regulations – General
- b. Section 4-4-060: Grading, Excavation and Mining Regulations

##### **4. Chapter 6 Streets and Utility Standards**

- a. Section 4-6-030: Drainage (Surface Water) Standards
- b. Section 4-6-060: Street Standards

**5. Chapter 7 Subdivision Regulations**

- a. Section 4-7-070: Detailed Procedures for Short Subdivisions
- b. Section 4-7-120: Compatibility with Existing Land Use and Plan – General Requirements and Minimum Standards
- c. Section 4-7-150: Streets – General Requirements and Minimum Standards
- d. Section 4-7-170: Residential Lots – General Requirements and Minimum Standards

**6. Chapter 9 Procedures and Review Criteria**

- a. Section 4-9-070: Environmental Review Procedures

**7. Chapter 11 Definitions**

**B. APPLICABLE SECTIONS OF THE COMPREHENSIVE PLAN:**

- 1. Land Use Element: *Residential Single Family (RS) land use designation*
- 2. Community Design Element

**C. DEPARTMENT ANALYSIS:**

**1. Environmental Review**

The proposed project is subject to environmental review due to critical areas on the site and direct impacts to protected slopes, for the placement of a wedge-shaped sliver fill and part of a retaining wall within the protected slope area on proposed Tract A is subject to City of Renton Environmental Review Procedures (RMC 4-9-070). A Determination of Non-Significance-Mitigated was issued on September 15, 2014, with one mitigation measure, complying with the State Environmental Policy Act (SEPA), required.

**2. Renton Staff Review Comments**

Representatives from various city departments and the Renton School District have reviewed the application materials to identify and address issues raised by the proposed development. These comments are contained in the official file, and the essence of the comments has been incorporated into the appropriate sections of this report and the Departmental Recommendation at the end of this report.

**3. Comments from Other Agencies**

Comments were received from The Muckleshoot Tribe identifying two concerns: 1) compliance with the City's stream buffer regulations for potential fish bearing waters and 2) treating stormwater using enhanced water quality treatment methods.

**4. Comments from the Public**

Comments received from the public were considered during review of the proposed project. Copies of these comments are included in the project file and in this report (*Exhibit 14*).

**D. CONCLUSIONS:**

**SHORT PLAT REVIEW CRITERIA:** Approval of a plat is based upon several factors. The following short plat criteria have been established to assist decision-makers in the review of the plat.

(✓ Compliant)

**1. CONFORMANCE WITH THE COMPREHENSIVE PLAN:**

The site has the Comprehensive Plan Land Use designation of Residential Single Family (RS). The proposal is consistent with the following Comprehensive Plan Land Use and Community Design Element policies if all conditions of approval are complied with:

✓	<b>Policy LU-158.</b> Net development densities should fall within a range of 4.0 to 8.0 dwelling units per net acre in Residential Single Family neighborhoods.
✓	<b>Objective CD-C.</b> Promote reinvestment in and upgrade of existing residential neighborhoods through redevelopment of small, underutilized parcels with infill development, modification and alteration of older housing stock, and improvements to streets and sidewalks to increase property values.
✓	<b>Policy CD-12.</b> Sidewalks or walking paths should be provided along streets in established neighborhoods, where sidewalks have not been previously constructed. Sidewalk width should be ample to safely and comfortably accommodate pedestrian traffic and, where practical, match existing sidewalks.
✓	<b>Policy CD-15.</b> Infill development should be reflective of the existing character of established neighborhoods even when designed using different architectural styles, and /or responding to more urban setbacks, height or lot requirements. Infill development should draw on elements of existing development such as placement of structures, vegetation, and location of entries and walkways, to reflect the site planning and scale of existing areas.

**2. COMPLIANCE WITH THE UNDERLYING ZONING DESIGNATION:**

The site is classified Residential-8 (R-8) on the City of Renton Zoning Map. RMC 4-2-110A provides development standards for development within the R-8 zoning classification. The proposal is consistent with the following development standards if all conditions of approval are complied with:

✓	<p><b>Density:</b> The allowed density range in the R-8 zone is a maximum of 8.0 dwelling units per net acre. There is also a minimum density of 4 dwelling units per net acre.</p> <p><i>Staff Comment:</i> After subtracting 8,190 square feet for proposed right-of-way dedications, 5,072 square feet for private access easements, and 103,440 square feet for critical areas, the net square footage of the site is 116,702 square feet (1.02 net acres). The 7-lot proposal would arrive at a net density of 6.86 dwelling units per net acre (7 lots / 1.02 acres = 6.86 du/ac), which falls within the permitted density range for the R-8 zone.</p>																																											
✓	<p><b>Lot Dimensions:</b> The minimum lot size permitted in the R-8 zoning designation is 4,500 square feet. A minimum lot width of 50 feet is required for interior lots and 60 feet for corner lots. Lot depth is required to be a minimum of 65 feet (<i>Exhibit 2</i>). <b>The proposed lots would meet these requirements, as demonstrated below:</b></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: center;"><u>Proposed Lots</u></th> <th style="text-align: center;"><u>Lot Size</u></th> <th style="text-align: center;"><u>Width</u></th> <th style="text-align: center;"><u>Depth</u></th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">Lot 1</td> <td style="text-align: center;">7,112 sf</td> <td style="text-align: center;">78 feet</td> <td style="text-align: center;">112 feet</td> </tr> <tr> <td style="text-align: center;">Lot 2</td> <td style="text-align: center;">6,709 sf</td> <td style="text-align: center;">60 feet</td> <td style="text-align: center;">111 feet</td> </tr> <tr> <td style="text-align: center;">Lot 3</td> <td style="text-align: center;">6,652 sf</td> <td style="text-align: center;">60 feet</td> <td style="text-align: center;">110 feet</td> </tr> <tr> <td style="text-align: center;">Lot 4</td> <td style="text-align: center;">6,595 sf</td> <td style="text-align: center;">60 feet</td> <td style="text-align: center;">109 feet</td> </tr> <tr> <td style="text-align: center;">Lot 5</td> <td style="text-align: center;">7,080 sf</td> <td style="text-align: center;">65 feet</td> <td style="text-align: center;">108 feet</td> </tr> <tr> <td style="text-align: center;">Lot 6</td> <td style="text-align: center;">7,013 sf</td> <td style="text-align: center;">65 feet</td> <td style="text-align: center;">107 feet</td> </tr> <tr> <td style="text-align: center;">Lot 7</td> <td style="text-align: center;">7,989 sf</td> <td style="text-align: center;">99 feet</td> <td style="text-align: center;">107 feet</td> </tr> <tr> <td style="text-align: center;">All Lots</td> <td style="text-align: center;">Avg: 7,021 sf</td> <td style="text-align: center;">Avg: 70 feet</td> <td style="text-align: center;">Avg: 109 feet</td> </tr> <tr> <td style="text-align: center;">Tract A</td> <td style="text-align: center;">103,440 sf</td> <td style="text-align: center;">-</td> <td style="text-align: center;">-</td> </tr> </tbody> </table>				<u>Proposed Lots</u>	<u>Lot Size</u>	<u>Width</u>	<u>Depth</u>	Lot 1	7,112 sf	78 feet	112 feet	Lot 2	6,709 sf	60 feet	111 feet	Lot 3	6,652 sf	60 feet	110 feet	Lot 4	6,595 sf	60 feet	109 feet	Lot 5	7,080 sf	65 feet	108 feet	Lot 6	7,013 sf	65 feet	107 feet	Lot 7	7,989 sf	99 feet	107 feet	All Lots	Avg: 7,021 sf	Avg: 70 feet	Avg: 109 feet	Tract A	103,440 sf	-	-
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✓	<p><b>Setbacks:</b> The required setbacks in the R-8 zone are as follows: front yard is 15 feet for the primary structure and 20 feet for garages; interior side yard is 5 feet; side yard along a street is 15 feet for the primary structure; and the rear yard is 20 feet.</p> <p><i>Staff Comment:</i> The setback requirements for the proposed lots would be verified at the time of building permit review. The proposed lots appear to contain adequate area to provide all the required setback areas. Staff recommends as a condition of approval that the rear yard building setback, for all structures shall be a minimum distance of 25 feet from the Engineered Protected Slope along the west property lines of all seven lots, and the side yard building setback from the portion of the engineered fill slope area to the north of Lot 1 and to the south of Lot 7 shall be 10 feet for all structures. These specific setbacks shall be recorded on the face of the short plat.</p>
Not yet determined	<p><b>Building Standards:</b> Building height is restricted to 30 feet and two stories. Detached accessory structures must remain below a height of 15 feet and one story. The allowed building lot coverage for lots over 5,000 SF in size in the R-8 zone is 35 percent (35%) or 2,500 SF, whichever is greater. The allowed impervious surface coverage is 75 percent (75%).</p> <p><i>Staff Comment:</i> One dwelling unit, of typical two-story, wood-frame construction per lot is planned. Building elevations, which would be used to determine building height, have not been submitted. The building standards for the proposed lots would be verified at the time of building permit review.</p>
Compliant if Conditions of Approval Met	<p><b>Landscaping:</b> Ten (10) feet of onsite landscaping is required along all public street frontages, with the exception of areas for required walkways and driveways per RMC 4-4-070. Such landscaping shall include a mixture of trees, shrubs, and groundcover as approved by the Department of Community and Economic Development.</p> <p>Minimum planting strip widths between the curb and sidewalk are established according to the street development standards of RMC 4-6-060. Street trees and, at a minimum, groundcover are to be located in this area when present.</p> <p>Where there is insufficient right-of-way space or no public frontage, street trees are required in the front yard. A minimum of two (2) trees are to be located in the front yard prior to final inspection.</p> <p><i>Staff Comment:</i> The applicant has submitted a conceptual landscape plan (Exhibit 5). Staff recommends that a final detailed landscape plan shall be submitted to and approved by the Current Planning Project Manager prior to construction.</p>
✓	<p><b>Parking:</b> Off-street parking for two (2) vehicles per residential unit is required.</p> <p><i>Staff Comment:</i> Sufficient area exist, on each lot, to accommodate off-street parking for a minimum of two (2) vehicles.</p>
<p><b>3. CRITICAL AREAS:</b> The proposal is consistent with critical area regulations as stated in RMC 4-3-050 if all conditions of approval are met:</p>	
Compliant if Conditions of Approval Met	<p><b>Critical Areas:</b> The site contains sensitive areas, such as coal mine hazards, erosion hazards, steep slopes, seismic, and landslide hazards. Manage development activities to protect wetlands, fish and wildlife habitat, and geologically hazardous areas as defined by the Growth Management Act and RMC 4-3-050, Critical Area Regulations.</p> <p><i>Staff Comment:</i> The applicant submitted a Critical Area Report and Coal Mine Hazard Assessment prepared by Icicle Creek Engineers, Inc. (dated April 23, 2014; Exhibits 6 and 7) and a Standard Stream Study prepared by Raedeke Associates, Inc. (dated August 8, 2014; Exhibit 12), which addresses the sites sensitive areas. Approval of the project is subject to both Icicle Creek Engineers Inc., Geotechnical Engineering Services Reports, dated April 23, 2014. The reports</p>

identified engineered fill installed as a part of the I-405 widening project such that residences could be constructed on this fill with a minimum factor of safety (FOS greater than 1.5). A current topographic survey, stamped by a Professional Land Surveyor, will be required to be submitted with the civil plans. The Reinforced Soil Slope (RSS) was evaluated for slope stability with the assumption that residences would be constructed in the level area created at the top of the RSS where it borders Cedar Avenue South. As a condition of approval the applicant must provide a note on the face of the short plat that divulges this information.

A total of 12 test pits and three test borings concluded that a "High Coal Mine Hazard Area" occurs at the south end of Cedar Ave S. As part of the development plan, Cedar Ave S is proposed to be widened along its west edge up to 48 feet, including a 7 feet of right-of-way dedication for the first 470 feet with additional widening to include construction of a cul-de-sac bulb at the south end (up to 59 feet). A storm water vault is proposed to be located within the cul-de-sac, but outside of the High Coal Mine Hazard area so no mitigation is proposed for the underground concrete stormwater vault. No structures should be constructed in High Coal Mine Hazard Areas. Fill may be placed in High Coal Mine Hazard Areas provided that the fill is not used to support structures. The stormwater vault and underground pipes could be supported by a deep foundation that extends below the underground mine, or structurally designed to span a void of 10 feet in diameter along with the drag forces caused by caving soils around these structures should a sinkhole occur. Manholes would need to be structurally supported on the side of the vault. Road access, including fill placement for road access (no cuts), may be constructed in the High Coal Mine Hazard Areas with the approval of the City of Renton. In accordance with Fire Code, fire access roadways shall be constructed to support a 30-ton vehicle with 322-psi point loading. The applicant will be required to retain an engineer to review the construction plans for the cul-de-sac at the south end of Cedar Ave S once the design details are available to ensure that the road can support large vehicles, such as 30-ton fire trucks.

The sliver fill will consist of a tapered thickness of soil fill (up to 6 feet thick) along the downhill side of the cul-de-sac where additional space is needed to provide the required radius for the cul-de-sac. The cul-de-sac as required for Cedar Ave S because it is a dead end street that exceeds 300-feet in length. According to RMC 4-3-050J.5.a, development is prohibited on protected slopes unless an exception through waiver to the prohibition is granted by the City of Renton under subsection d for installation of public utilities which are needed to protect slope stability and public road widening. The following criteria were demonstrated during the review of the short plat application: i. The utility or road improvement is consistent with the Renton Comprehensive Plan, adopted utility plans, and the Transportation Improvement Program where applicable; ii. Alternative locations have been determined to be economically or functionally infeasible; iii. A geotechnical evaluation indicates that the proposal will not increase the risk of occurrence of a geologic hazard, and measures are identified to eliminate or reduce risks; iv. The plan for the improvement is based on consideration of the best available science as described in WAC 365-195-905; or where there is an absence of valid scientific information, the steps in RMC 4-9-250F are followed. Staff recommends approval of the placement of the cul-de-sac and any associated improvements necessary to complete the construction of a cul-de-sac at the south end of Cedar Avenue South, provided that the development applications comply with erosion control requirement of RMC 4-3-050.

Water discharge from the stormwater vault will be to an existing rock-lined ditch that runs parallel to and along the north edge of a portion of the existing WDDOT gravel access road that extends towards WSDOT's stream mitigation area just south of the property. The applicant's engineer concludes that the increased stormwater discharge to the current rock-lined ditch has more capacity to convey the 100-year undetained peak flow, thereby providing for safe stormwater discharge onto the slope area (within the rock-lined ditch). No vegetation in the

	<p><i>protected slope areas should be cut down or otherwise removed during construction of the short plat improvements, other than those directly tied to the construction of the cul-de-sac road improvements. Staff will recommend this as a condition of approval.</i></p> <p><i>The technical memorandum identified an existing Class 3 stream, an existing Class 5 stream, and an existing Category 3 wetland all offsite on the WSDOT property to the south of the subject property. The applicant is not proposing to impact the 75-foot buffer of the Category 3 stream at the southwest corner of Tract A. A condition of approval shall be installation of a wood, split-rail fence with stream signage along the Category 3 stream buffer. Such fence shall be constructed prior to recording of the short plat. Staff recommends a condition of approval requiring the Homeowners' Association to ensure maintenance of the split-rail fence.</i></p> <p><i>The applicant is proposing that Tract A will include a Native Growth Protection Easement (NGPE) over portions of the tract that encompasses the protected slopes. Staff supports encompassing the steep slope area of Tract A with a NGPE with the Home Owners Association (HOA) having responsibility for basic tree maintenance, provided the work is conducted outside the jurisdiction held by WSDOT through the several easements (20-foot perpetual ingress/egress, 12-foot terminable ingress/egress, 35-foot ingress/egress and utility, and an 80-foot soil nails per KC recording no. 20110802000538). The NGPE shall be recorded on the face of the short plat. NGPE Staff will recommend this as a condition of approval.</i></p> <p><i>Vegetation in the area consists primarily of grasses, various weedy herbs, Douglas fir saplings, red alder saplings, Himalayan blackberries, snowberries, giant horsetail, and a variety of grasses. The engineer has anticipated soil moisture weight of 130 pounds per cubic foot (pcf) in the I-405 Corridor Design Builders (CDB) slope stability analysis and the soil moisture should not increase as a result of site development. The applicant would be required to berm the west edge of the plateau at the crest of the Engineered Slope to prevent surface water runoff onto the slope from the plateau. Staff will recommend this as a condition of approval of the short plat.</i></p> <p><i>The applicant would be required to address impacts created by the construction of the sliver fill and cul-de-sac road. In addition, temporary erosion, sedimentation control measures and construction impacts shall be in accordance with City of Renton requirements. The applicant would be required to identify and mitigate accordingly.</i></p>
	<p><b>4. DESIGN STANDARDS:</b> The Residential Design and Open Space Standards (RMC 4-2-115) are applicable to all new dwelling units in the R-8 zone. These standards implement policies established in the Land Use and Community Design Elements of the Comprehensive Plan. Furthermore, the Residential Design Standards mitigate impacts of the proposed residential development. Compliance with Residential Design Standards is required prior to the issuance of building permits.</p>
<p>✓</p>	<p>One of the following is required:</p> <ol style="list-style-type: none"> <li>1. Lot width variation of 10 feet (10') minimum of one per four (4) abutting street-fronting lots, or</li> <li>2. Minimum of four (4) lot sizes (minimum of four hundred (400) gross square feet size difference), or</li> <li>3. A front yard setback variation of at least five feet (5') minimum for at least every four (4) abutting street fronting lots.</li> </ol>
	<p><b>5. COMPLIANCE WITH SUBDIVISION REGULATIONS:</b> Chapter 4-7 RMC, <i>Subdivision Regulations</i> provides review criteria for proposed subdivisions. The proposed project is consistent with the following subdivision regulations if all conditions of approval are complied with:</p>
<p>✓</p>	<p><b>Access:</b> Each lot must have access to a public street or road. Access may be by private access easement street per the requirements of the street standards.</p>

	<p><u>Staff Comment:</u> The new lots would be accessed from Cedar Ave South. Realignment of the existing gravel road would be needed in order to maintain direct access to WSDOT's stream mitigation area around the proposed cul-de-sac.</p>
✓	<p><b>Streets:</b> Street improvements and lighting will be required.</p> <p><u>Staff Comment:</u> The project fronts Cedar Ave S, which will be improved to the City of Renton's Residential Access street standard. The half street frontage improvements will include 13.5 feet of pavement from the right-of-way centerline, an 8-foot planting strip, a 5-foot sidewalk, and a cul-de-sac at the south end of the Cedar Ave S for fire emergency turnaround capabilities.</p> <p>A wedge-shaped sliver fill and retaining wall will allow for the cul-de-sac road improvements. Rockeries or retaining walls greater than four (4) feet in height will require a separate building permit. Structural calculations and plans shall be submitted for review by a licensed engineer and special inspection(s) is required.</p> <p>Street lighting is required along Cedar Ave South to meet City standards.</p> <p>The maximum width of a single loaded garage driveway shall not exceed nine feet (9') and a double-loaded garage driveway shall not exceed sixteen feet (16').</p> <p>A traffic impact analysis was not required because the estimated vehicular traffic generated from the proposed development did not exceed 20 vehicles per hour in either the AM (6:00 - 9:00) or PM (3:00 - 6:00) peak periods. A peak hour volume of 20 vehicles per hour is equivalent to a daily volume of roughly 200 vehicles per day. 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 pay an appropriate Transportation Impact Fee. Currently, this fee is assessed at \$1,430.72 per net new single family home.</p>
N/A	<p><b>Blocks:</b> Blocks shall be deep enough to allow two tiers of lots.</p> <p><u>Staff Comment:</u> No new blocks would be formed.</p>
✓	<p><b>Relationship to Existing Uses:</b> The proposed project is compatible with existing surrounding uses.</p> <p><u>Staff Comment:</u> The properties surrounding the subject site are residential single family or residential medium density and are designated R-8 or R-10 on the City's zoning map. The proposal is similar to existing development patterns in the area and is consistent with the Comprehensive Plan and Zoning Code, which encourage residential infill development.</p>
<b>6. AVAILABILITY AND IMPACT ON PUBLIC SERVICES:</b>	
✓	<p><b>Police:</b> Service would be provided by the Renton Police Department.</p> <p><u>Staff Comment:</u> The Renton Police Department has commented that there would be minimal impacts from the project.</p>
✓	<p><b>Fire:</b> Service would be provided by the Renton Fire Department.</p> <p><u>Staff Comment:</u> Sufficient resources exist to furnish services to the proposed development, subject to the condition that the applicant provides code required improvements and fees. Fire impact fees are applicable at the rate of \$479.28 per single family unit. This fee is paid at time of building permit issuance.</p>
✓	<p><b>Schools:</b> Service would be provided by the Renton School District.</p> <p><u>Staff Comment:</u> It is anticipated that the Renton School District can accommodate any additional students generated by this proposal at the following schools: Talbot Hill Elementary (1 mile from the subject site), Dimmitt Middle School (1.88 miles from the subject site), and Renton High School (0.67 miles from the subject site). RCW 58.17.110(2) provides that no subdivision be</p>

	<p>approved without making a written finding of adequate provision made for safe walking conditions for students who walk to and from school. While the designated schools are located within a close proximity of the subject site, future students to the elementary and middle schools are designated to be transported to school via bus, and the high school has been determined to be within walking distance of the school. A 5-foot sidewalk exists between the subject property and Renton High School, which would provide a safe walking route from the proposed short plat. A School Impact Fee, based on new single family lots, will also be required in order to mitigate the proposal's potential impacts to Renton School District. The fee is payable to the City as specified by the Renton Municipal Code. Currently, the 2014 fee is assessed at \$5,455.00 per single family residence.</p>
✓	<p><b>Parks:</b> Although there would be no significant impacts to the City of Renton Park System anticipated from the proposed project, a Park Impact Fee is required of all new residential development. The Park Impact Fee shall be paid prior to building permit issuance. As of January 1, 2014, the Park Impact Fee is \$963.01 per new residence.</p>
Compliant if conditions are meet	<p><b>Storm Water:</b> There is an existing 12" diameter conveyance system and catch basins along Cedar Avenue South. A Preliminary Technical Information Report was submitted on April 29, 2014 by CORE Design (Exhibit 8). The existing developable portion of the site is approximately 1.50 acres in size and is covered by grass. The existing storm conveyance system in Cedar Avenue South drains to a Class 5 stream south of the site. The project is within the Flow Duration Standard (Forested Conditions) and requires Basic Water Quality. A combined detention/water quality vault is proposed and based on the 2009 King County Surface Water Design Manual (KCSWDM) and the City of Renton's Amendments to the 2009 KCSWDM. All Core Requirements and Special Requirements are discussed in the report.</p> <p>The applicant shall submit a quantitative Level 2 downstream analysis to include capacity examination of the WSDOT ditch and storm water pond. According to Renton COR Maps, the downstream pond is private; a copy of the agreement between the applicant and WSDOT allowing site runoff from the short plat to be added to the WSDOT pond shall be provided to the City.</p> <p>Surface water system development fee is \$1,128.00 per dwelling unit. Fees are payable prior to issuance of the construction permit.</p> <p>All construction utility permits for drainage will require separate plan submittals. All utility plans shall conform to the Renton Drafting Standards. A licensed Civil Engineer shall prepare the civil plans.</p>
✓	<p><b>Water Service:</b> Water service would be provided by the City of Renton. System development fees for water are based on the size of the new domestic water meters that will serve the new homes on each new lot. Fee for ¾-inch or 1-inch water meter install is \$2,809.00.</p> <p>The new proposed main in Cedar Avenue South shall be an 8-inch pipe diameter and tie into the existing 12-inch diameter water main along the west side of Cedar Ave S, and then tie into the existing 8-inch diameter main at the south end of Cedar Avenue South. Separate permits and fees for side sewer connection, water meter and storm connection will be required.</p>
✓	<p><b>Sanitary Sewer Service:</b> Sanitary sewer service will be provided by the City of Renton. There is an existing 10-inch sewer main in Cedar Avenue South. System development charge (SDC) for sewer is based on the size of the domestic meter size. Sewer fees for a ¾" meter or 1-inch meter is \$2,033.00 per new single-family lot. This is payable at the time the utility construction permit is issued.</p>

**E. FINDINGS OF FACT:**

Having reviewed the written record in the matter, the City now enters the following:

1. **Request:** The project proponent has requested approval of a short plat of 160,943 square feet (3.69 acres) and a net area of 116,702 square feet (1.02 net acres), located in the Renton Hill Neighborhood, into seven (7) lots, suitable for development with single-family residential structures, and one Critical Areas Tract. The project would have a density of 6.86 dwelling units per net acre.
2. **Application:** The property, located at 700-800 Block of Cedar Avenue South, is owned by the Merlino Land Development Co., Inc.
3. **Comprehensive Plan:** The property has a Comprehensive Plan land use designation of Residential Single Family (RS). The proposed project furthers the objectives and policies of the RS section of the Land Use Element of the Comprehensive Plan.
4. **Zoning:** Objectives and policies of the RS designation are implemented by standards and regulations of the Residential 8 zone. The project, as proposed, meets or exceeds the R-8 standards and regulations if all conditions are met.
5. **Subdivision Regulations:** The short plat, as proposed, would meet the requirements of Chapter 4-7 RMC, *Subdivision Regulations* if all conditions are met.
6. **Existing Land Uses:** The site is a vacant residential site.
7. **Exception through Modification:** The applicant has submitted a request for an exception through modification fill on a protected slope in order to construct a cul-de-sac for fire accessibility.
8. **Setbacks:** Minimum building setback requirements would be met or exceeded provided the project is conditioned to enhance the following setbacks: five (5) additional feet to the rear yard building setback for Lots 1-7 to a minimum 25-foot rear yard setback, and five (5) additional feet to the side yard building setbacks from the top of slope engineered fill slope area to the north of Lot 1 and to the south of Lot 7 for a minimum 10-foot side yard setback.
9. **Public Utilities:** Impacts to public services are assessed on a per single-family dwelling basis. The fee for transportation impacts is \$1,430.72 per single-family; for parks is \$963.01; for schools is \$5,455.00; and for fire is \$479.28. The identified 2014 fee rates are effective from January 1, 2014 through December 31, 2014. City of Renton 2015 development fees become effective January 1, 2015.

**F. CONCLUSIONS:**

1. The subject site is designated **Residential Single Family (RS)** in the Comprehensive Land Use Plan and complies with the goals, objectives, and policies established with this designation.
2. The subject site is zoned **Residential 8 (R-8)** and complies with the zoning and development standards established with this designation, provided the applicant complies with the Renton Municipal Code, mitigation measures, and conditions of approval.
3. The proposed 7-lot short plat complies with the **subdivision regulations** as established by Renton Municipal Code and state law, provided all advisory notes and conditions are complied with.
4. The proposed short plat complies with the **street standards** as established by Renton Municipal Code, provided the project complies with all advisory notes and conditions of approval contained herein.
5. The **Exception through Modification** per RMC 4-3-05J.5.d allows for the placement of a wedge-shaped sliver fill and part of a retaining wall within the protected slope area on proposed Tract A.

**G. DECISION:**

The **Merlino Short Plat and Exception through Modification**, File No. **LUA14-000568; ECF, SHPL-A, MOD** is approved subject to meeting the following mitigation measures:

1. The applicant shall comply with the SEPA mitigation measures. They are as follows:
  - a. Project is subject to both Icicle Creek Engineers Inc., Geotechnical Engineering Services Reports, dated April 23, 2014, including but not limited to:
    - i. The applicant shall be required to record on the face of the short plat plan that the rear yard building setback, for all structures, shall be a minimum distance of 25 feet from the Engineered Protected Slope along the west property lines of all seven lots.
    - ii. The applicant shall be required to record on the face of the short plat plan that the side yard building setback from the portion of the engineered fill slope area to the north of Lot 1 and to the south of Lot 7 shall be 10 feet for all structures.
    - iii. The applicant shall be required to slightly berm/grade the west edge of the plateau at the crest of the Engineered Slope to prevent surface water runoff onto the slope from the plateau.
2. The applicant shall make a note on the face of the short plat that states that the Reinforced Soil Slope (RSS) was evaluated for slope stability for residences (typical two-story, wood-frame construction) only. Additional structures should be evaluated for slope stability.
3. Copies of Washington State Department of Transportation's (WSDOT) Inspector Daily Reports and all material testing reports from the original project are required to be submitted with the civil plans.
4. A current topographic survey, stamped by a Professional Land Surveyor, will be required to be submitted with the civil plans.
5. No vegetation in the protected slope areas should be cut down or otherwise removed during construction of the short plat improvements, other than those directly tied to the construction of the cul-de-sac road improvements.
6. The applicant shall be required to create a Homeowners' Association (HOA) with shared responsibility for basic tree and vegetation maintenance of Native Growth Protection Easement over portions of Tract A, including protected slopes. A draft of the document(s) shall be submitted to the Current Planning Project Manager for review and approval prior to the recording of the short plat.
7. A wood, split-rail fence shall be constructed along the south boundary of Category 3 stream buffer. The fence shall be constructed prior to recording the short plat. A requirement to maintain the fence by a Homeowners' Association shall be placed on the face of the short plat.

**DECISION ON LAND USE ACTION:**

**SIGNATURE:**



**Jennifer Henning, Planning Director**  
**Department of Community & Economic Development**

**9/19/2014**  
**Date**

TRANSMITTED this 19<sup>th</sup> day of September, 2014 to the Contact/Applicant/Owner(s):

<i>Applicant/Owner(s):</i>	<i>Contact:</i>
<i>Jimmy Blais</i>	<i>Lafe Hermansen</i>
<i>Merlino Land Development Co</i>	<i>Core Design</i>
<i>5050 1st Ave, 102</i>	<i>14711 NE 29th Pl, 101</i>
<i>Seattle, WA 98134</i>	<i>Bellevue, WA 98007</i>

TRANSMITTED this 19<sup>th</sup> day of September, 2014 to the Parties of Record:

<i>Gina Custer</i>	<i>Nancy Osborn</i>
<i>1209 S 7th St</i>	<i>4635 Morris Ave S, #F</i>
<i>Renton, WA 98057</i>	<i>Renton, WA 98055</i>

TRANSMITTED this 19<sup>th</sup> day of September, 2014 to the following:

*Jan Conklin, Development Services*  
*C.E. "Chip" Vincent, CED Administrator*  
*Vanessa Dolbee, Current Planning Manager*  
*Plan Review*  
*Fire Marshal*

#### **H. LAND USE ACTION APPEALS, REQUEST FOR RECONSIDERATION, & EXPIRATION**

The Environmental Determination and the Administrative Short Plat Review decisions will become final if the decisions are not appealed within the 14-day appeal period (RCW 43.21.C.075(3); WAC 197-11-680).

**Environmental Determination Appeal: Appeals of the environmental determination must be filed in writing to the Hearing Examiner on or before 5:00 p.m. October 3, 2014.**

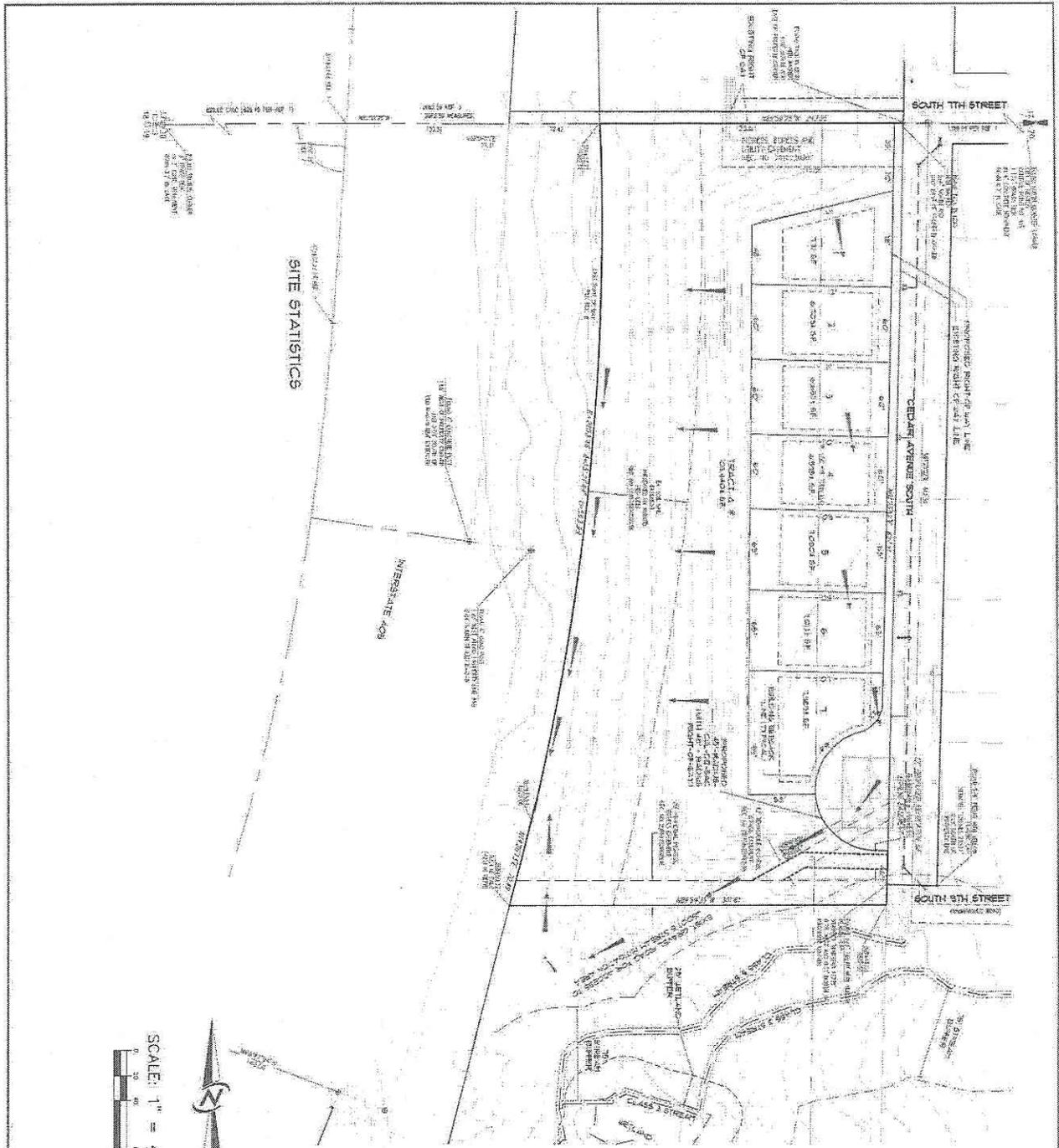
**Administrative Short Plat Approval Appeal: Appeals of the administrative site development plan review decision must be filed in writing to the Hearing Examiner on or before 5:00 p.m. on October 3, 2014.**

**APPEALS:** The above land use decisions will become final if not appealed in writing together with the required fee to: Hearing Examiner, City of Renton, 1055 South Grady Way, Renton, WA 98057. RMC 4-8-110 governs appeals to the Hearing Examiner and additional information regarding the appeal process may be obtained from the City Clerk's Office, Renton City Hall - 7th Floor, (425) 430-6510.

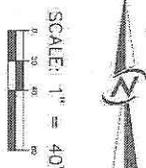
**RECONSIDERATION:** Within 14 days of the decision date, any party may request that the decision be reopened by the approval body. The approval body may modify his decision if material evidence not readily discoverable prior to the original decision is found or if he finds there was misrepresentation of fact. After review of the reconsideration request, if the approval body finds sufficient evidence to amend the original decision, there will be no further extension of the appeal period. Any person wishing to take further action must file a formal appeal within the 14-day appeal time frame.

**EXPIRATION:** The Administrative Short Plat approval will expire two (2) years from the date of decision. A single one (1) year extension may be requested pursuant to RMC 4-7-070.M.

**THE APPEARANCE OF FAIRNESS DOCTRINE:** provides that no ex parte (private one-on-one) communications may occur concerning the land use decision. The Doctrine applies not only to the initial decision, but to Appeals to the Hearing Examiner as well. All communications after the decision/approval date must be made in writing through the Hearing Examiner. All communications are public record and this permits all interested parties to know the contents of the communication and would allow them to openly rebut the evidence in writing. Any violation of this doctrine could result in the invalidation of the appeal by the Court.



NW 1/4 NW 1/4 SEC 30 TWP 23 N. RGE 5 E. W 1/4



**EXHIBIT 2**

DATE	MARCH 2011
DESIGNED BY	SHERA H. MURPHY
DRAWN BY	RANDALL R. LAMBERT
CHECKED BY	LAFRANCA PERINASSI
PROJECT MANAGER	LAFRANCA PERINASSI

**SITE MAP**  
**MERLINO SHORT PLAT**  
**MERLINO LAND DEVELOPMENT CO., INC.**  
 1000 1ST AVE S SUITE 2  
 SEATTLE, WA 98108

**CORE DESIGN**  
 ENGINEERING • PLANNING • SURVEYING

12711 NE 28th Street, #100  
 Bellevue, Washington 98007  
 425.452.7300 Fax 425.452.7302









# ICICLE CREEK ENGINEERS

Geotechnical, Geologic and Environmental Services

April 23, 2014

Merlino Land Development Co., Inc.  
Attn: Gary Merlino  
5050 1<sup>st</sup> Ave S, Suite 102  
Seattle, Washington 98134-2400

Report  
Geotechnical Engineering Services  
Critical Areas Report  
Merlino Short Plat  
Proposed 7-Lot Residential Development  
Renton, Washington  
ICE File No. 0864-002

## 1.0 INTRODUCTION

This report summarizes the results of Icicle Creek Engineers' (ICE's) geotechnical engineering services for a Critical Areas Report related to our evaluation of the Merlino Short Plat (referred to as the Merlino Property in this report) 7-Lot Residential Development located southwest of the intersection of South 7<sup>th</sup> Street and Cedar Avenue South in Renton, Washington. The Merlino Property is shown relative to nearby physical features on the Vicinity Map, Figure 1. The general layout of the Merlino Property is shown on the Site Plan, Figure 2.

Our services were completed in general accordance with our Proposal dated January 31, 2014 and were authorized in writing by Gary Merlino of the Merlino Land Development Co., Inc. (MLDC) on January 31, 2014.

## 2.0 SCOPE OF SERVICES

The purpose of our services was to review available geologic and geotechnical information and complete a site visit as a basis for evaluating Critical Areas (Geologic Hazards) consistent with the City of Renton Municipal Code (RMC) 4-3-050 (Critical Areas Regulations). Our evaluation of Critical Areas provides recommendations for mitigation, as appropriate, for these areas. Specifically, our services included the following:

- Review readily available information concerning project site topography, geology, soil conditions and other relevant site characteristics. Published materials include geologic maps prepared by the US Geological Survey and the Washington State Department of Natural Resources, and geotechnical reports prepared for the I-405 widening project.
- Complete a geologic record of Critical Areas (Protected Slope) areas.
- Evaluate the presence of Coal Mine Hazards, Landslides, and Volcanic Hazards defined by the RMC.

Entire Document  
Available Upon Request

ular emphasis on Steep Slope  
Protected and Sensitive Slopes),  
Hazards, and Volcanic Hazards, as

## EXHIBIT 6



# Preliminary Technical Information Report

FOR

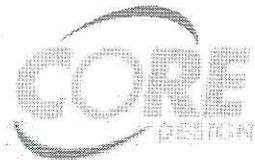
MERLINO SHORT PLAT  
CITY OF RENTON  
KING COUNTY, WASHINGTON



**Project Manager:**  
**Prepared by:**  
**Date:**  
**Revised:**  
**Core No.:**

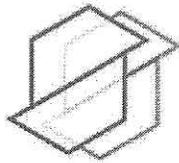
**Lafe Hermansen**  
**Sheri Hermansen**  
**Apr 17, 2014**  
**0413**

Entire Document  
Available Upon Request



14711 NE 29th Place, Suite 101  
Bellevue, Washington 98007  
Ph 425.885.7877  
[www.coredesigninc.com](http://www.coredesigninc.com)

**EXHIBIT 8**



a s s o c i a t e d  
e a r t h s c i e n c e s  
i n c o r p o r a t e d

May 23, 2014  
Revised May 29, 2014  
Project No. KE140299A

**CONTRACT AGREEMENT TO ENGAGE THE SERVICES OF  
ASSOCIATED EARTH SCIENCES, INC.  
AS A CONSULTANT AND ADVISOR**

**This agreement has been entered into at**

Associated Earth Sciences, Inc.  
911 5<sup>th</sup> Avenue  
Kirkland, Washington 98033

**on this 29<sup>th</sup> day of May 2014 between**

**Client:** City of Renton - Current Planning  
1055 South Grady Way  
Renton, Washington 98057

**Attention:** Clark H. Close

hereinafter referred to as "Client," and Associated Earth Sciences, Inc. (AESI), hereinafter referred to as "Geotechnical Consultant," for mutual consideration as hereinafter set forth:

**1.0 The description and location of the project on which the Client contracts the Geotechnical Consultant's services are:**

The subject site consists of property located at 700-800 Block of Cedar Ave. S. / PID 202305-9085 and 000720-0194 in Renton, Washington. Based on our discussions with you, we understand that, as part of a proposed seven-lot residential development at the subject site, two reports were prepared by Icicle Creek Engineers, Inc. (Icicle Creek). We understand that the City of Renton has a concern regarding the potential for instability on the steep slope at the subject site, both during and after construction of the proposed improvements. Specific areas of concerns include the following items: 1) existing slope versus designed slope and their respective factor of safeties; 2) wall design over proposed fill on recently constructed steep slopes; 3) increased drainage on steep slopes and drainage

Entire Document  
Available Upon Request

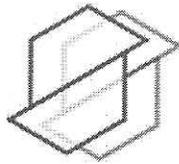
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Kirkland Office | 91  
Everett Office | 2911 1/2 H  
Tacoma Office | 1552 Comn

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01 F | 425.827.5424  
59-0522 F | 425.252.3408  
722.2992 F | 253.722.2993

**EXHIBIT 9**



a s s o c i a t e d  
e a r t h s c i e n c e s  
i n c o r p o r a t e d

June 30, 2014  
Project No. KE140299A

City of Renton - Current Planning  
1055 South Grady Way  
Renton, Washington 98057

Attention: Mr. Clark H. Close

Subject: Letter of Opinion – Geotechnical Third-Party Review  
Merlino Short Plat  
700-800 Block of Cedar Avenue South  
Renton, Washington

Dear Mr. Close:

As requested, we have reviewed provided documents related to the proposed Merlino Short Plat project, located at the 700-800 block of Cedar Avenue South (King County Parcel Nos. 2023059085 and 0007200194) in Renton, Washington. Based on our discussions with you, we understand that, as part of a proposed seven-lot residential development at the subject site, two reports were prepared by Icicle Creek Engineers, Inc. (Icicle Creek). We understand that the City of Renton has a concern regarding the potential for instability on the steep slope at the subject site, both during and after construction of the proposed improvements. Specific areas of concerns include the following items: 1) existing slope versus designed slope and their respective factor of safeties; 2) wall design over proposed fill on recently constructed steep slopes; 3) increased drainage discharge onto Washington State Department of Transportation (WSDOT) downstream steep slopes and drainage ditch and how it would affect toe issues for that existing slope; 4) soil liquefaction; 5) slope stability analysis; 6) anticipated weights before and after constructed plat (weight analysis would assume full water weight of soils per cubic feet due to required flow control best management practices [BMPs] for each home.); 7) coal seam impacts from past boring records; and 8) effectiveness of proposed mitigating measures for impacts. Associated Earth Sciences, Inc. (AESI) has been requested to perform a geotechnical peer review of the Icicle Creek reports.

For our review in preparing this letter, we have been provided with the following project-related documents:

Entire Document  
Available Upon Request

Kirkland Office  
Everett Office | 2911  
Tacoma Office | 1552 4

27.7701 F | 425.827.5424  
425.259-0522 F | 425.252.3408  
| 253.722.2992 F | 253.722.2993

**EXHIBIT 10**

# AnMarCo

9125 Tenth Avenue South • Seattle, Washington 98108 • (206) 762-9125 Office • (206) 766-9000 Fax

8/20/2014

Mr. Clark Close  
City of Renton - Current Planning  
1055 South Grady Way  
Renton, WA 98057

Subject: On Hold Notice - Continued; Merlino Short Plat, LUA 14-000568

Mr. Close,

I am writing you on behalf of Merlino Land Development Co. in order to respond to your July 11th "On Hold" Notice. Below I have listed responses to each of your comments and requests for additional information. Please feel free to contact me should you have any additional questions.

#### City Comments:

1) A response to the Independent Secondary Review completed by Associated Earth Sciences, Inc. (AESI).

Response: Attached (Attachment A), is Icicle Creek Engineers' response to each of the items included in AESI's Independent Secondary Review.

2) Icicle Creek Engineers, Inc. Geotechnical Engineering Services, Critical Areas Report (dated April 23, 2014): Please provide 5 copies of the following attachments identified in the Icicle Creek report.

Response: Attachment B - Exploration Logs: The exploration logs were a part of the Coal Mine Hazard Report. These logs were previously submitted as part of said report and thus have not been included as part of this response.

Attachment C - The "Technical Specifications for the Reinforced Soil Slope (RSS)" from the I-405 Renton Stage 2 Design/Build Project's Technical Memorandum are included on a thumb drive with this response. The requested report is more than 400 pages in length and thus was not printed as part of this resubmittal.

Entire Document  
Available Upon Request

Bella Bottega  
Caseffa Lago  
Cava Materials  
Cedar Shores Land

LaDenze  
Liberty Rid  
Merlino Hc  
Merlino La

**EXHIBIT 11**

Strial Park  
ers

Strada da Valle  
Sumner Terra  
2235 Fifth Avenue  
501 Monster Road

**TECHNICAL MEMORANDUM**

August 8, 2014

To:	Mr. Jimmy Blais, Merlino Land Development Co., Inc.
From:	William J. Taylor, M.S. Aquatic Scientist Raedeke Associates, Inc.
RE:	Merlino Short Plat Renton – Standard Stream Study (RAI Project No. 2014-049-001)

At your request, this technical memorandum is intended to provide a Standard Stream Study following the Renton Municipal Code (City of Renton 2014a) for two stream channels adjacent to the Merlino Renton Short Plat project in Renton Washington. This assessment is intended to provide a narrative of the stream and surrounding vegetated conditions, and proposed classification of the stream channels adjacent to the site. We visited the project site on August 4, 2014 to review the existing stream channel and vegetation conditions.

**SITE LOCATION**

The Merlino Renton Short Plat project site consists of two King County Tax Parcels (No.'s 2023059085 and 0007200194) located in the 800 block of Cedar Avenue S., in the City of Renton, King County, Washington. Specifically, the property is located in the northwest quarter of the northwest quarter of Section 20, Township 23 North, Range 5 East, W.M., as depicted on the Site Map and Preliminary Grading and Utility Plan for the project by Core Design, Inc. (2014; attached).

**SITE DESCRIPTION**

The project site currently consists of a level graded terrace (Photo 1), with adjacent fill slopes graded at 1.75:1 that extend down to the Interstate 404 right-of-way to the west (see attached Site Map, Core Design, Inc. 2014). The graded terrace is dominated by grasses and various weedy herbs. The graded slopes are vegetated with sapling Douglas-fir (*Pseudotsuga menziesii*) and red alder (*Alnus rubra*), with patches of Himalayan blackberry (*Rubus armeniacus*), snowberry (*Symphoricarpos albus*), giant horsetail (*Equisetum telmateia*), ar

Entire Document  
Available Upon Request

**From:** Karen Walter [mailto:KWalter@muckleshoot.nsn.us]  
**Sent:** Wednesday, June 04, 2014 10:15 AM  
**To:** Clark Close  
**Subject:** RE: Merlino Short Plat - LUA14-000568

Clark,

Thank you again for sending us the additional information for the proposed Merlino Short Plat referenced above. We have reviewed this information and have some comments as noted below:

1. The stream classification is incomplete and likely incorrect based on Renton's 2012 water classification map. The stream to the south is Thunder Hills Creek, a tributary to the Springbrook Creek/Black River. It is a potential fish bearing water based on available habitat conditions upstream of I-405. As noted in the WDFW/WSDOT 2013 Fish Passage Barrier Assessment report, the I-405 culvert is currently a fish-passage barrier and subject to replacement per the Federal Court injunction under U.S. v Washington. (see [http://www.wsdot.wa.gov/NR/ronlyres/E22DAC11-525B-4A27-9B91-852D1F790377/0/FP\\_Appendix1.pdf](http://www.wsdot.wa.gov/NR/ronlyres/E22DAC11-525B-4A27-9B91-852D1F790377/0/FP_Appendix1.pdf)). We are aware that portions of Thunder Hills Creek and Rolling Hills Creek are piped as they are conveyed underneath roads and buildings downstream of I-405. However, there is available fish habitat upstream as document in the I-405 Tukwila to Renton EIS and appendices. However, these pipes and culverts should be fish passable as required by the State's Hydraulic code and does not negate the available fish habitat upstream of the I-405 crossing. This project site is north of these open channel sections upstream of I-405. The project needs to demonstrate compliance with the City's stream buffer regulations for potential fish bearing waters.
2. Per the TIR, the project proposes to use basic water quality treatment via dead storage in a combined detention/water quality, then discharge this stormwater to a ditch that ultimately drains to the Cedar River (see I-405 drainage plans (see downstream drainage map in TIR). The Cedar River is host to several salmon species which may be adversely affected by pollutants commonly found in stormwater, i.e. PAHs, copper, zinc, etc. There is research from the NW Science Center of NOAA Fisheries that suggests stormwater pollutants are creating toxic conditions and causing pre-spawn mortality in adult salmon (see attached paper). Juvenile salmon may also be adversely affected by stormwater pollutants and subject to increased predation (see second attached paper). Consequently, we recommend that this project be required to treat its stormwater using enhanced water quality treatment methods to reduce the pollutants in stormwater released from this site that will ultimately drain to the Cedar River.

We appreciate the opportunity to review this proposal and look forward to the City's responses. We may have further comments.

Best regards,  
Karen Walter  
Watersheds and Land Use Team Leader

*Muckleshoot Indian Tribe Fisheries Division  
Habitat Program  
39015 172nd Ave SE  
Auburn, WA 98092  
253-876-3116*

**EXHIBIT 13**

Appendix I. WSDOT Region 1 (Northwest) Fish Passage Barriers. Sorted by road and mile post in ascending order as of May 15, 2013.

WSDOT Region	Site ID	Road/Detail	Mile Post	Feature Type	Stream Name and Tributary	WRIA	W/ Fish Pass	SR	Culvert Size	Culvert Shape	Material	Span (m)	Span Rise (m)	Length (m)	WSDrop (m)	% Slope	Lines Gal (m)	Resp Area (m <sup>2</sup> )	Spawn Area (m <sup>2</sup> )	
1	995857	I-405; NB on-ramp	0.42	Culvert	Gilliam Cr	09.0032	67	Yes	14.8	1.1	RND	SPS	1.9	1.9	34.1	0	0.49	4048	3055	3055
1	998967	I-405	0.61	Culvert	Gilliam Cr	09.0032	67	Yes	15.1	1.1	RND	SS	2.68	2.68	304.4	0	0.2	4129	3228	3228
1	995470	I-405	2.31	Culvert	Springbrook Cr trib	09	0	Yes	8.83	1.1	RND	OTH	1.22	1.22	270	0		1865	699	699
1	994406	I-405	3.06	Culvert	Thunder Hills Cr	09	0	Yes	7.96	1.1	RND	OTH	1.3	1.3	140.9	0.13	4.47	810	465	465
1	999410	I-405	6.31	Culvert	Clover Cr	08	0	Yes		1.1	RND	CST	0.61	0.61		0.41				
1	996032	I-405	7.62	Culvert	Gypsy Cr	08	33	Yes		1.1	RND	OTH	0.61	0.61	94.4	0	1			
1	998971	I-405	7.83	Culvert	Lk Washington trib	08	33	Yes		1.1	RND	CST	0.46	0.46	47	0	4.9			
1	998972	I-405	7.9	Culvert	Lk Washington trib	08	33	Yes		1.1	RND	OTH	0.31	0.31	74.8	0	2.62			
1	998973	I-405	9.2	Dam	Lakehurst Cr	08.0281	0	Yes	20.2									1378	1667	1667
1	998974	I-405; SB	12.51	Culvert	Mercer Sl trib	08	0	No		1.1	RND	PCC	0.61	0.61		1	155			
1	992385	I-405	15.09	Culvert	Yarrow Cr	08.0252	0	Yes	28.5	1.1	RND	OTH	0.75	0.75	204.8	0.8		2001	10761	10761
1	998982	I-405	19.07	Culvert	Forbes Cr trib	08	0	No	3.65	1.1	RND	PCC	0.61	0.61	76.1	0.13	2.4	59	15	15
1	992654	I-405	20.95	Culvert	Juanita Cr trib	08.0238	0	Yes	12	1.1	RND	CST	1.14	1.14	220.9	0	5.9	1025	4061	4061
1	998979	I-405; SB	21.44	Culvert	Juanita Cr trib	08	0	No		1.1	RND	CST	0.76	0.76	44.7	2.6	3			
1	998602	I-405	21.94	Culvert	Juanita Cr	08.0230	0	Yes	13.8	1.1	RND	CST	1.22	1.22	109.3	0.8	3	399	269	269
1	993106	I-405	25.33	Culvert	North Cr trib	08	0	No		1.1	RND	CST	0.76	0.76	114.6	0.45	6.3	90		
1	08.0070 A 0.25	I-405	26.46	Culvert	Perry Cr	08.0070	33	Yes	11.4	1.1	RND	PCC	1.52	1.52	112.3	0.2	2.4	2524	4525	4525
1	993109	I-405	26.87	Culvert	North Cr trib	08	0	Yes	20.1	1.1	RND	CST	1.07	1.07	136.6	0	3.43	1684	1093	1093
1	993111	I-405	27.74	Dam	North Cr trib	08	0	Yes												
1	998977	I-405; SB	27.83	Culvert	North Cr trib	08	0	Yes		1.1	RND	CST	0.76	0.76		0.46				
1	993898	I-405; ROW	29.67	Culvert	Martha Cr	08	67	Yes	11.4	1.1	RND	PCC	0.91	0.91	9.9	0	1.41	2817	1825	1825
1	995295	I-5; NB ROW	141.2	Culvert	EF Hylebos Cr trib	10.0016	67	Yes	7.71	1.1	RND	PCC	0.61	0.61	16.5	0	1.3	1637	1522	1522
1	995292	I-5	141.5	Culvert	EF Hylebos Cr trib	10.0016	33	Yes	7	1.1	RND	PCC	1.22	1.22	81.1	0	0.73	1229	1021	1021
1	995297	I-5; SB Ext 142	142	Culvert	EF Hylebos Cr trib	10.0016	0	Yes	7.16	1.1	RND	PCC	0.76	0.76	145.6	0.05	2.2	558	375	375
1	995293	I-5; SB Ext 142	142.2	Culvert	Hylebos Cr trib	10.0016	33	Yes	4.55	1.1	RND	PCC	0.76	0.76	78.1	0	0.68	201	91	91
1	995300	I-5; NB Ext 143	143	Culvert	Hylebos Cr trib	10.0013	33	Yes	8.58	1.1	RND	OTH	0.76	0.76	65.7	0	1.6	725	2347	2347
1	995299	I-5; NB Ext 143	143	Culvert	Hylebos Cr trib	10.0013	67	Yes	8.58	1.1	RND	PCC	0.76	0.76	205	0	0.3	725	2347	2347
1	992364	I-5	143.6	Culvert	EF Hylebos Cr trib	10.0013	0	Yes	10.8	1.1	RND	PCC	0.91	0.91	745			1314	3855	3855

**From:** Gina Custer <gcuster@ywcaworks.org>  
**Sent:** Wednesday, May 28, 2014 4:21 PM  
**To:** Clark Close  
**Subject:** Merlino short plat

I would like to be a party of record for any work being done at this site.

I hope you will consider the fact Merlino Construction was fined in 2013 for \$36k by the US EPA in regards to violations of the Storm Water GP.

Also concerned Merlino has been allowed to hire his choice of Geotechnical Engineers, seems self serving and not good for the city of Renton or the taxpayers.

Thank you

Gina Custer  
1209 S. 7th St.  
Renton 98057

Sent from my iPhone

**EXHIBIT 14**

# PLAN REVIEW COMMENTS (LUA14-000568)



PLAN ADDRESS:

APPLICATION DATE: 04/28/2014

**DESCRIPTION:** The applicant is requesting to subdivide two parcels totaling approximately 160,943 square feet (3.69 acres) into seven single family lots and one tract (Critical Area Tract A) in the Residential-8 (R-8) zone, resulting in a density of 1.9 dwelling units per acre. The site is located southwest of the intersection of South 7th Street and Cedar Avenue South in Renton, Washington. The proposed lots would range in size from 6,595 square feet to 7,989 square feet. The proposed lots would be accessed via private driveways from Cedar Ave S. The project site is roughly 1.5 acres in size and is currently covered in grass. The site was mass graded as part of the I-405 project, so there will be no clearing and minimal grading to construct seven single family lots, stormwater vault and associated utilities. One combined detention and water quality treatment vault will be located at the south end of Cedar Ave S in the cul-de-sac. Half street frontage improvements will be constructed on the west side of Cedar Ave S. The site contains sensitive areas, such as coal mine hazards, erosion hazards, steep slopes, and landslide hazards. The applicant submitted a Technical Information Report, Geotechnical Engineering Services Critical Areas Report, Coal Mine Hazard Assessment, and an exception through a waiver under RMC 4-3-050J.5.d for the placement of a wedge-shaped sliver fill and part of a retaining wall within the protected slope area on proposed Tract A. Placed on hold on July 11, 2014. Taken off hold on August 29, 2014.

## Community Services Review

Leslie Betlach Ph: 425-430-6619 email: LBetlach@rentonwa.gov

Recommendations: Environmental Impact Comments: The Parks Mitigation fee is incorrect - the applicant is using the outdated SEPA-Based fee. Parks mitigation fee should utilize G.M.A. fee based upon Ordinance 5670.

Policy-Related Comments: There are no impacts to parks.

Code-Related Comments: There are no impacts to parks.

## Engineering Review

Vicki Grover Ph: 425-430-7291 email: vgrover@rentonwa.gov

Recommendations: The Applicant should provide a more comprehensive Level 2, quantitative, downstream analysis. According to COR maps, the downstream pond for the proposed site's runoff is a private pond owned by WSDOT. In addition, we are requesting Attachment B - Exploration Logs and Attachment C - Technical Specifications for the RSS that are part of the Tech Memo created by CDB (Corridor Design Builders) on 8-14-09 for the original WSDOT project and the stream study that was conducted in order to identify the classification of the stream shown on the plans.

## Planning Review

Clark Close Ph: 425-430-7289 email: cclose@rentonwa.gov

Recommendations: 1. RMC section 4-4-030.C.2 limits haul hours between 8:30 am to 3:30 pm, Monday through Friday unless otherwise approved by the Development Services Division.

2. Commercial, multi-family, new single family and other nonresidential construction activities shall be restricted to the hours between seven o'clock (7:00) a.m. and eight o'clock (8:00) p.m., Monday through Friday. Work on Saturdays shall be restricted to the hours between nine o'clock (9:00) a.m. and eight o'clock (8:00) p.m. No work shall be permitted on Sundays.

3. Within thirty (30) days of completion of grading work, the applicant shall hydroseed or plant an appropriate ground cover over any portion of the site that is graded or cleared of vegetation and where no further construction work will occur within ninety (90) days. Alternative measures such as mulch, sodding, or plastic covering as specified in the current King County Surface Water Management Design Manual as adopted by the City of Renton may be proposed between the dates of November 1st and March 31st of each year. The Development Services Division's approval of this work is required prior to final inspection and approval of the permit.

## Technical Services

Bob MacOnie Ph: 425-430-7369 email: bmaconie@rentonwa.gov

Recommendations: The property at issue needs to be properly subdivided via a Lot Line Adjustment from that portion of the underlying two parcels reserved by WSDOT in their conveyance to the applicant. This will change the legal description of the property at issue.

Note the City of Renton land use action number and land record number, LUA14-000568 and LND-20-0602, respectively, on the final short plat submittal. The type size used for the land record number should be smaller than that used for the land use action number.

The legal description on the final short plat will need to be revised to reflect the lot line adjustment required to properly segregate the property at issue from the property reserved by WSDOT by conveyance to the applicant.

The dedication of right of way for short subdivisions requires a separate Deed of Dedication; provide a space to the recording number of same on the short plat. The Deed of Dedication document includes both a legal description exhibit and a map exhibit of the dedicated parcel. The legal description exhibit should be prepared, stamped, dated and signed by the applicant's surveyor. The surveyor should also prepare the map exhibit. The dedication process requires an updated Plat Certificate dated within 45 days of approval of said dedication. Talk to the Project Manager if there are questions or further information is needed.

Show two ties to the City of Renton when the ties have been provided.

# EXHIBIT 15

by the city when the ties have been

Provide sufficient information to determine how the plat boundary was established.

Include a statement of equipment and procedures used, per WAC32-130-100.

Provide short plat and lot closure calculations.

Indicate what has been, or is to be, set at the corners of the proposed lots.

Note discrepancies between bearings and distances of record and those measured or calculated, if any.

The city will provide addresses for the proposed lots as soon as possible. Note said addresses on the final short plat drawing.

Do note encroachments, if any.

Do include a "LEGEND" block for the short plat drawing, detailing any symbols used thereon.

Do not include topography and utility infrastructure as they are only part of the initial submittal requirements unless they have a direct influence on the subdivision.

Note all easements, covenants and agreements of record on the drawing.

Note any relevant researched resources on the short plat submittal.

Note the plat name and lot and tract numbers of the adjoining properties or note as "Unplatted."

Remove the building setback lines noted on the final short plat lots. Setbacks will be determined at the time that building permits are issued.

The City of Renton Administrator, Public Works Department, is the only city official who signs the final short plat. Provide an appropriate approval block and signature line. Pertinent King County approval blocks also need to be noted on the drawing.

All vested owner(s) of the subject final short plat need to sign the final short plat drawing. Include notary blocks as needed.

Include a declaration block on the drawing, titled "OWNERS' DECLARATION" not "CERTIFICATION" or other.

Note that if there are easements, restrictive covenants or agreements to others (City of Renton, etc.) as part of this subdivision, they can be recorded concurrently with the final short plat. The final short plat drawing and the associated document(s) are to be given to the Project Manager as a package. The recording number(s) for the associated document(s) are to be referenced on the final short plat drawing. Provide spaces for the recording numbers thereof.

The new easements for the benefit of future owners of the proposed lots each need a note defining the rights associated with the easement at issue. Since these new "proposed" easements shown aren't "granted and conveyed" until the benefited and/or burdened lots are conveyed to others add the following language on the face of the short plat drawing:

**DECLARATION OF COVENANT:**

The owners of the land embraced within this short plat, in return for the benefit to accrue from this subdivision, by signing hereon covenant and agree to convey the beneficial interest in the new private easements shown on this short plat to any and all future purchasers of the lots, or of any subdivisions thereof. This covenant shall run with the land as shown on this short plat.

The preceding statement obligates the seller of the lots created to "expressly grant and convey" the lots "together with and/or subject to" any new private easements delineated on the short plat in the conveying document.

**ERC Mitigation Measure Created On: 05/13/2014**

**Reviewer Comments**

Bob MacOnie Ph: 425-430-7369 email: bmaconie@rentonwa.gov

**Technical Services Created On: 06/02/2014**

Include the addresses document in PLAN>Documents>Attachments with the comments.

**Fire Review - Building**

Corey Thomas Ph: 425-430-7024 email: cthomas@rentonwa.gov

Recommendations: Environmental Impact Comments:

1. The fire impact fees are applicable at the rate of \$479.28 per single family unit. This fee is paid at time of building permit.

Code Related Comments:

1. The fire flow requirement for a single family home is 1,000 gpm minimum for dwellings up to 3,600 square feet (including garage and basements). If the dwelling exceeds 3,600 square feet, a minimum of 1,500 gpm fire flow would be required. A minimum of one fire hydrant is required within 300-feet of the proposed buildings and two hydrants if the fire flow goes up to

1,500 gpm. Existing 4-inch water main cannot provide minimum fire flow requirements and shall be replaced and new hydrants added to meet current code, including 5-inch storz fittings.

2. Fire department apparatus access roadways are required to be minimum 20-foot wide fully paved, with 25-foot inside and 45-foot outside turning radius. Fire access roadways shall be constructed to support a 30-ton vehicle with 322-psi point loading. Access is required within 150-feet of all points on the buildings. Dead end streets that exceed 150-feet in length require an approved turnaround. An approved 90-foot minimum cul-de-sac turnaround is required when the roadway exceed 300-feet long.

**Police Review**

Cyndie Parks Ph: 425-430-7521 email: cparks@rentonwa.gov

Recommendations: Minimal impact on police services.