BEFORE THE HEARING EXAMINER FOR THE CITY OF RENTON

RE: Renton Sunset Terrace Redevelopment Master Site Plan
Site Plan, Conditional Use Permit
LUA14-001475, SA-M, CUP

SUMMARY

The City has requested Master Site Plan review and a Conditional Use Permit to modify the Sunset Terrace Redevelopment Area by adding 90 additional residential units, increasing the height limit and lot coverage requirements and reducing setbacks. The City has also requested a change in the vesting timeline. The Master Site Plan Review and Conditional Use Permit are approved with conditions. The 10 year expiration request is granted.

TESTIMONY

Rocale Timmons, senior planner, described the history of the project and the progress to date. She described the site characteristics and the revisions being requested for this process. Ms. Timmons stated since 2011, there have been some entitlements of land uses. The City and its partners have reevaluated the original Master Site Plan since the 2011 approvals of the Planned Action Ordinance and issuance of the FEIS. The preferred alternative was Alternative 3 from the FEIS. The City and its partners are requesting several changes to the preferred alternative including the addition of 90 more residential units, increased building heights, reduced setbacks, increased lot coverages and reclassification of local streets. In return, the City will be able to expand the proposed public park to 3.2 acres.
The City is requesting Master Site Plan review at this stage to allow for the proposed changes. This is not site plan review for individual project components; that will come later. This decision is conceptual only in nature. As proposed and conditioned, all zoning, development standards and design standards will be met. The decision today covers only lot coverage, residential density, building height and an increased timeline for vesting. The hope is to streamline the process going forward and to reflect the revised design. Approval of the Master Site Plan and Conditional Use Permit will facilitate phased site planning over time and provide more certainty to the development partners. The CUP approval is for the height increase. The City would like this project to have a 10 year vesting timeline.

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

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

Public Testimony

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

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

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

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

EXHIBITS

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

FINDINGS OF FACT

Procedural:

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

The Sunset Terrace public housing community is generally bounded by Sunset Lane NE and Glenwood Avenue NE on the north, NE 10th Street on the east, NE Sunset Boulevard (State Route [SR] 900) on the south, and Edmonds Avenue NE on the west. RHA owns additional vacant and residential land along Edmonds Avenue NE, Glenwood Avenue NE, Harrington Ave NE, Kirkland Ave NE, and Sunset Lane NE, and the Authority plans to incorporate these additional properties into the Sunset Terrace redevelopment for housing and associated services.
Redevelopment of this area envisions Sunset Terrace as a mixed-use, mixed-income community anchored by a new public library and a new park. Mixed-use sites will have both market rate and affordable rental housing in multi-story, multi-family townhomes and apartments, along with commercial and retail space. Proposed residential land includes apartments and attached townhomes that are generally between two and four stories in height, extending to five and six stories along SR 900, which will provide 722 total dwelling units. Proposed commercial space would equal between 19,500-59,000sf, with 15,000sf consisting of a newly relocated Renton Highlands Library (this use has already been permitted and is under construction), and the rest consisting of retail or office space depending on market needs.

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

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

To accomplish these changes, a NEPA Reevaluation, pursuant to Section 58.47 of US Department of Housing and Urban Development’s (HUD’s) NEPA regulations, is required. The NEPA Reevaluation must demonstrate the original conclusions of the FEIS remain valid. SEPA also provides a process, using an Addendum to the prior FEIS where new information or analysis does not substantially change prior conclusions about impacts (WAC 197-11-706). A Reevaluation, consistent with applicable National Environmental Policy Act (NEPA) regulations and a SEPA addendum, was prepared to evaluate the proposed changes to the Master Site Plan. The Reevaluation and Addendum (December 8, 2014) concluded there are no new or different impacts resulting from the change and the conclusions of the FEIS are still valid.
To accommodate the localized change in density, the City has requested Master Site Plan review. The City has requested a Conditional Use Permit to increase the height limit and lot coverage requirements and reduce setbacks in the areas proposed for additional units. The City has also requested an extension of the vesting timeline to 10 years.

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

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

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

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

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

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

2 There is also a discrepancy between the Staff Report Findings Nos. 6 and 11 with respect to the total number of units proposed for this site. As noted above, this decision limits the total number of units in the Master Site Plan to 722.
Site G: The RHA Sunset Park Townhomes East (Piha) site is approximately 1.09 acres in size and zoned CV. The proposed development consists of three multi-story, multi-family residential buildings with a below grade parking structure. Future plans include 3 buildings containing a total of 57 multi-family units with a mix of 1, 2, and 3-bedroom units. Units may be redistributed among Sites D and G provided the NEPA Revaluation conclusions are maintained (Exhibit 2). The buildings range in height from two to four stories, and the overall proposed building height is 48 feet. Proposed off-site improvements include a new sidewalk along Sunset Lane NE. The FEIS considered 56 units for this site.

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

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

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

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

- An expanded Sunset Neighborhood Park centrally located within the site.
- A circular local road system that facilitates circulation around the park, connecting Sunset Lane, NE 10th, and the southern end of Glenwood Avenue NE.
- Compatibility with future multimodal SR 900 improvements.
- Mixed-use development with residential and commercial uses including retail space and a library.

- A Library situated at the corner of NE 10th and Sunset Blvd NE across from the proposed expanded park (LUA13-001720).

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

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

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

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

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

The location of the new water main in SR 900 west of Harrington will be evaluated as part of the pre-design/design of the roadway improvements projects, and consider the need to accommodate existing and future public and private utilities, rockery/retaining walls, street trees, etc.
Sites plans will be required to show the location of the existing sewer system in order to determine the potential re-use of existing sewer (conditioned on lining the existing sewer mains and manholes) provided the location does not interfere with the ultimate roadway/building alignments.

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

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

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

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

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

Both the park and the regional storm water facility require maintenance access and load/unload areas. The maintenance access and load/unload zone will be located on the
north side of the future park along (extended) NE 10th St. An internal walkway system will be incorporated into the park however a perimeter park sidewalk will not be included.

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

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

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

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

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

The transportation analysis in the NEPA Reevaluation and SEPA Addendum indicated relatively little difference between the revised Master Plan and previously reviewed alternatives in terms of traffic (Staff Report Exhibit 2).
F. **Schools.** The assessment of School Impacts and fees will occur during the individual site plan review phase of each proposed improvement. The project will replace some existing public housing units. School impact fees will be assessed only on net new units.

G. **Parking.** Compliance with parking standards will be reviewed during specific Site Plan Reviews for each phase. In general, the majority of parking spaces for the residential components will be accommodated primarily in below grade and partially below grade parking levels. Most of the proposed parking counts for individual sites are within the allowable range determined by RMC 4-4-080, except for Site 9/10, which needs an additional 6 parking spaces to meet the required minimum number of parking spaces. However, because the other sites propose parking spaces well over the required minimum number, there could be adequate parking for the Master Site Plan as a whole. A Joint Parking Agreement could be developed prior to future site plan approval addressing any shared parking arrangements, provided parking is within 750 feet of the intended site (RMC 4-4-080(E)(3)).

H. **Bicycle Stalls.** Required bicycle parking will be addressed during site plan review for the individual phases.

I. **Vehicular Access and Internal Circulation.** The Master Plan proposes a loop road system that creates a more logical and seamless road pattern than exists today. Pedestrian connections from the street to the buildings will be provided. A complete streets vision has been proposed for the area and would serve to guide improvements to streets within the area. A condition of approval will require all phases included in the Master Site Plan to comply with the Sunset Area Street Classification Map (Staff Report Exhibit 12).

J. **Pedestrian Circulation.** A pedestrian circulation system is proposed throughout the project site which connects all opens space and parking areas spaces. Pedestrian circulation will be addressed for each improvement phase at the time of individual site plan approval.

K. **Landscaping.** Landscaping in public spaces and on building sites will be employed to provide transitions between developments and enhance the overall subarea and individual projects’ appearance. This topic will be more specifically reviewed during Site Plan Review for each phase.

L. **Refuse Enclosure.** Compliance with refuse and recycle standards will be reviewed during specific Site Plan Reviews for each phase.
M. Building Facade Modulation. The individual proposals will include a variety of building
articulations and modulations in order to break down the scale and massing of the
structures.

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

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

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

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

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

City Staff have been working with Colpitts in order to develop a methodology and
framework for the needed density transfer including the cost per additional unit and how
the funds obtained will be allocated. A condition of approval will require the City and Colpitts to execute a Development/Density Transfer Agreement prior to detailed Site Plan Review approval for any phase of development which intends to utilize unused residential density from the proposed park acreage.

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

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

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

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

The “rim” of the Sunset Terrace Redevelopment area is particularly well suited to the greater density height proposed as it is immediately adjacent to Sunset Blvd NE, a major
arterial and state highway capable of accommodating the traffic generated by the proposed project.

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

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

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

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

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

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

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

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

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

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

**Master Site Plan**

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

- **a. Compliance and Consistency:** Conformance with plans, policies, regulations and approvals, including:
  - i. **Comprehensive Plan:** The Comprehensive Plan, its elements, goals, objectives, and policies, especially those of the applicable land use designation; the Community Design Element; and any applicable adopted Neighborhood Plan;
  - ii. Applicable land use regulations;
  - iii. Relevant Planned Action Ordinance and Development Agreements; and
  - iv. **Design Regulations:** Intent and guidelines of the design regulations located in RMC 4-3-100.

4. The proposal is consistent with applicable comprehensive plan policies, City of Renton zoning regulations and design guidelines and the Sunset Planned Action area (Staff Report Exhibit 10) as
outlined in Findings 20(a)-(l) of the staff report, which is adopted by this reference as if set forth in full, including the findings and conclusions.

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

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

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

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

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

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

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

5. The design as revised would mass more density in one portion of the subarea than in others and increase the bulk of structures in that area. However, as determined in Finding of Fact No. 5, the increased density and scale of the structures are appropriate along Sunset Boulevard NE because of the heavy regional traffic in that area. The buildings will be modulated and designed to provide relief to pedestrians walking near them. The most important offset, though, is the increased size of the public park afforded by the proposed building massing and density. The design also allows for improved vehicular circulation throughout the entire subarea by creating a new loop road. This decision is a Master Plan Review and therefore is meant to be conceptual in nature. It represents a decade long development of multiple phases of mixed use, mixed income development by public and private entities. As such, issues related to internal circulation, loading and storage areas, landscaping and lighting will be dealt with during the individual site plan review stages as each phase progresses. There are presently no views of attractive natural features. As proposed, the impacts to surrounding properties created by the revised design are mitigated.
RMC 4-9-200(E)(3)(c): On-Site Impacts: Mitigation of impacts to the site, including:

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

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

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

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

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

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

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

ii. Internal Circulation: Promoting safety and efficiency of the internal circulation system, including the location, design and dimensions of vehicular and pedestrian access points, drives, parking, turnarounds, walkways, bikeways, and emergency access ways;
iii. Loading and Delivery: Separating loading and delivery areas from parking and pedestrian areas;

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

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

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

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

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


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

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

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

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

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

RMC 4-9-200(E)(3)(i): Phasing: Including a detailed sequencing plan with development phases and estimated time frames, for phased projects.
12. The Master Plan includes a detailed sequencing plan for development phases over a ten year timeframe. Finding 20L of the Staff Report is adopted here by reference as if set forth in full.

Conditional Use

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

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

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

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

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

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

15. As determined in Finding of Fact No. 5 there are no adverse impacts associated with the proposal, so it will not result in substantial or undue adverse effects on adjacent property. The proposed development would be among the taller developments in the vicinity, though it is essentially the first coordinated development to implement the more intensive vision of the CV zone. The proposed project is compatible with the scale and character of the existing and planned neighborhood.
RMC 4-9-030(C)(4): Compatibility: The proposed use shall be compatible with the scale and character of the neighborhood.

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

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

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

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

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

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

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

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

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

SITE PLAN, CRITICAL AREAS EXEMPTION, STREET MODIFICATION, AND LOT LINE ADJUSTMENT- 19
Time Limits

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

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

DECISION

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

1. A Development/Density Transfer Agreement shall be executed by the City and Colpitts prior to detailed Site Plan Review approval for any phase of development which intends to utilize unused residential density from the proposed park acreage.

2. All phases included in the Master Site Plan shall comply with the Sunset Area Street Classification Map, (Staff Report Exhibit 12). Conceptual frontage improvements shall be submitted at the time of Site Plan Review for each phase and are subject to approval by the Current Planning Project Manager and Plan Reviewer.

3. Prior to beginning construction, each individual project phase or improvement shall provide information to surrounding property owners about timelines, extent of construction, and contact information.

4. This decision is effective until January 14, 2025.

DATED this 14th day of January, 2015.

Emily Terrell
City of Renton
Hearing Examiner Pro Tem
Appeal Right and Valuation Notices

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