

ENVIRONMENTAL COMMITTEE REVIEW REPORT, REVISED

ERC MEETING DATE: ~~July 15, 2013~~ August 18, 2014

Project Name: Vuecrest Estates

Project Number: LUA13-000642; ECF, PP, MOD

Project Manager: Elizabeth Higgins, Senior Planner

Owner: Schneider Homes I, LLC; 6510 Southcenter Blvd #1; Tukwila WA 98188

Applicant: Jamie Waltier; Harbour Homes; 1441 N 34th St #200; Seattle WA 98103

Contact: Maher Joudi; DR Strong Consulting Eng; 10604 NE 38th Pl, Suite 232; Kirkland WA 98033

Project Location: 4800 Block Smithers Ave S; Renton WA 98055

Project Summary: The project proponent has submitted an application for a Preliminary Plat subdivision, which requires an environmental review by the City of Renton Environmental Review Committee. If approved, the project would result in the subdivision of a 6.06 acre property, located in the Talbot planning area of the City, into ~~21~~ 20 lots suitable for single-family residential use. The property has Comprehensive Plan designations of Residential Low Density, Residential Single-Family, and Residential Medium Density and is correspondingly zoned Residential 1, Residential 8, and Residential 14. The west approximately one-third of the property is within the Talbot Urban Separator and is subject to City of Renton Urban Separator Overlay Regulations. The project site is currently undeveloped.

Site Area:	263,328 sf (6.06 acres)	Building Area to remain:	N/A
		Building Area to be demolished	N/A



Project Location Map

PART ONE: PROJECT DESCRIPTION / BACKGROUND

A. EXHIBITS:

- Exhibit 1: Environmental Review Committee Report and Decision, Revised August 18, 2014
- Exhibit 2: Vicinity Map, Revised July 15, 2014
- Exhibit 3: Zoning Map
- Exhibit 4: Talbot Urban Separator Overlay Map
- Exhibit 5: Conceptual Road and Grading Plan, Revised July 15, 2014
- Exhibit 6: Regulated Slopes
- Exhibit 7: Landslide Hazard Areas
- Exhibit 8: Critical Area Study Map
- Exhibit 9: Preliminary Plat Plan, Revised July 15, 2014
- Exhibit 10: Downstream Map
- Exhibit 11: Drainage Control Plan, Revised July 15, 2014
- Exhibit 12: Erosion Hazard Map
- Exhibit 13: Associated Earth Sciences, Inc.; "Geotechnical Review, October 31, 2013
- Exhibit 14: Hart Crowser; "Geotechnical Review of Permit Documents – Vuecrest Residential Development," dated February 24, 2014
- Exhibit 15: Letter from City of Renton to Jamie Waltier, dated April 11, 2014
- Exhibit 16: Technical Information Report for Vuecrest Estates, Revised July 15, 2014 (full report available in project file)
- Exhibit 17: The Coe Law Firm; Letter of Intent, dated July 14, 2014
- Exhibit 18: Proposed Stormwater Vault letter, dated June 24, 2014

B. GENERAL INFORMATION:

- 1. Owner(s) of Record:** Schneider Homes I, LLC; 6510 Southcenter Blvd #1; Tukwila WA 98188
- 2. Comprehensive Plan Land Use Designation:** Residential Low Density (RLD), Residential Single-Family (RSF), Residential Medium Density (RMD)
- 3. Zoning Designation:** Residential 1 (R-1), Residential 8 (R-8), Residential 14 (R-14)
- 4. Existing Site Use:** Undeveloped
- 5. Neighborhood Characteristics:**
 - a. North:** Talbot Ridge residential development (R-1 and R-8 zones)
 - b. East:** Reserve at Stonehaven and low-density residential development (zoned R-8)
 - c. South:** Low-density residential development (R-1 and R-8 zones)
 - d. West:** Talbot Park and Campen Springs residential developments (R-1 and R-14 zones)
- 6. Access:** Smithers Ave S via Main Ave S
- 7. Site Area:** 263,328 sf (6.06 acres)

C. HISTORICAL/BACKGROUND:

<u>Action</u>	<u>Land Use File No.</u>	<u>Ordinance No.</u>	<u>Date</u>
Comprehensive Plan	N/A	5100	11/01/04
Zoning	N/A	5100	11/01/04
Annexation	N/A	3268	12/13/78

D. PROJECT DESCRIPTION:

E. In 2013, the project proponent submitted a land use master application for subdivision of a 9.31 acre property located in the City of Renton. During the application review, the City of Renton required additional information to be submitted. A “hold” was placed on the project review on July 16, 2013. The requested additional information has been submitted and project review recommenced. The project has been revised as follows: there are now 20 lots proposed (not 21), some lot sizes have changed, the primary access road has been realigned slightly to the east, a rockery retaining wall has been eliminated from the top of a steep slope, grading on the west side of the portion of the site to be developed has been modified, and the surface water control plan revised. The project is subject to State Environmental Protection Act (SEPA) compliant environmental review and Preliminary Plat approval for the subdivision. The project proponent has submitted a Modification request of Renton Municipal Code to allow a dead-end road in excess of 700 feet. The site has two Category 2 wetlands, one of which connects to a class 4 stream. The site contains three land use zones, Residential 1 dwelling unit per net acre (du/a), Residential 8 (8 du/a) and Residential 14 (14 du/a). Additionally, the area zoned R-1 is located within the Urban Separator overlay. Only the 6.04 acre portion that is zoned R-8 is proposed to be developed. Subdivision into 20 lots would result in a density of 4.05 dwelling units per net acre. Lot sizes would range from 4,500 square feet to 8,134 square feet. In addition to the 20 lots, 6 tracts are proposed for sensitive areas and tree retention. The site is proposed to be accessed via an extension of Smithers Ave. S. The requested modification of Renton Municipal Code, if approved, would permit this access although it is considered to be a “dead end” road from the intersection of SE 186th St. The undeveloped site has approximately 400 trees that have been deemed to be “significant.” Trees will be removed, retained, and replaced as required by Renton Municipal Code. An estimated 3,396 cy of cut and 10,035 cy of fill would be required for site construction. A stormwater detention vault is proposed that would discharge to a closed conveyance system on site and subsequently transported to an area-wide system off site. The applicant has submitted a Critical Areas Report, Supplement Stream Study, Traffic Impact Analysis, Slope Analysis, Geotechnical Engineering study, and a Drainage Technical Information Report with the application.

The property is located in the Talbot Planning Area in South Renton (Exhibit 2). Goals, objectives, and policies of the Residential Low Density (RLD), Residential Single-Family (RSF), and Residential Medium Density (RMD) Comprehensive Plan Land Use designations are implemented by the regulations and standards of the Residential 1, Residential 8, and Residential 14 zones respectively (Exhibit 3).

The property is also in the Talbot Urban Separator of the City (Exhibit 4).

PART TWO: ENVIRONMENTAL REVIEW

In compliance with RCW 43.21C.240, the following State Environmental Policy Act (SEPA) - compliant environmental review addresses only those project impacts that are not adequately addressed under existing Renton Municipal Code 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 MEASURES

1. Recommendations regarding site preparation, grading, excavation, and slab-on-grade construction included in the report, "Geotechnical Engineering Study, Proposed Smithers Ave Residential Plat...", dated February 25, 2013, by Earth Solutions NW, LLC, shall be followed prior to and during construction.
2. The area west from the line marking the natural top of the protected slope to the west property boundary, between the north and south property lines, shall be designated Native Growth Protection Area 'A'.
3. A Homeowners' Association (HOA) shall be incorporated and the responsibility for maintenance of Native Growth Protection Area 'A' shall be assigned to the HOA on the face of the plat prior to recording.
4. Building permits shall be issued, prior to construction, for any retaining walls at the project, regardless of site location and height, and all such walls shall be structural.
5. Building setbacks from the north-south top-of-slope line located west of Smithers Ave S shall be made a condition of approval of the preliminary plat. Furthermore, the top of slope and the building slope setback line shall be indicated on the final plat map.
6. Easements required to accommodate the conveyance of surface water from the project site to the area-wide, downstream system shall be finalized prior to issuance of utility and site construction permits.
7. A wetland and buffer monitoring plan shall be approved prior to issuance of utility and road construction permits and shall be initiated prior to recording the plat. A bond, meeting the requirements of the Renton Municipal Code, shall be required for the monitoring period of no less than 5 years.
8. Native Growth Protection Easements 'B' and 'C' shall be protected and maintained by the Homeowners' Association in accordance with Renton Municipal Code requirements. This responsibility shall be recorded on the face of the plat.
9. Critical Area Study and Supplemental Stream Study shall be revised to remove the stream from plans where it is shown within the wetland, revising the stream description and its linear dimensions accordingly. Such revisions shall be made prior to recording the Final Plat.

C. ENVIRONMENTAL IMPACTS

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

1. Earth

Impacts: The land use application includes a report by the geotechnical consulting firm of Earth Solutions NW, LLC (ESNW). "Geotechnical Engineering Study, Proposed Smithers Ave Residential Plat...", dated February 25, 2013 that addresses the feasibility of the proposed development from a geotechnical standpoint.

ESNW performed cone penetration tests (CPT) on the project site to determine soil conditions in the vicinity of the proposed new construction. The results of these tests, which took place in mid-January, 2013, indicate that soils to depths of 1 to 2 feet consist of moderate to well-compacted silty, sand fill; soils underlying these fills are highly variable interbedded alluvial soils composed of silts, clay, silty clay, and silty sand layers at depths up to 20 feet. Below this depth the CPT indicate very dense silty sand and sand and gravel. Based on the geotechnical research, ESNW concluded in the Study that the project was "feasible from a geotechnical standpoint."

The western half (approximately) of the site is designated as a critical area, based on the presence of "sensitive" and "protected" slopes (Exhibit 6) and "high landslide hazard" area (Exhibit 7). Sensitive slopes are those with slope angles of between 25 and 40 percent and protected slopes are those estimated to be between 40 and 90 percent. The area west from the line marking the natural top of the protected slope to the west property boundary, between the north and south property lines, shall be designated Native Growth Protection Area (NGPA) 'A'. A Homeowners' Association (HOA) shall be incorporated and the responsibility for maintenance of the NGPA shall be assigned to the HOA on the face of the plat prior to recording.

A subsequent ESNW report, dated April 10, 2013, specifically addressed proposed slope setbacks. Based on this ESNW slope analysis, the proposed development would "not increase the threat of the geologic hazard to adjacent or abutting properties beyond the pre-development conditions." Regardless of this assessment, the Environmental Review Committee, on July 15, 2013, requested a geotechnical report by a second geotechnical firm. On July 29, 2013, the firm of Associated Earth Sciences, Inc. was engaged by the City, with fees paid by the project proponent. Their report of October 31, 2013 (Exhibit 13), provided an assessment of the initial geotechnical report, the proposed grading plan, and made various suggestions for plan revisions, including elimination of the rockery, increasing the building foundation setbacks, and revision of the proposal to discharge stormwater from the vault at the top of the slope. Based on this report, staff recommends that building permits be issued, prior to construction, for any retaining walls at the project, regardless of site location and height, and that all such walls be structural.

ESNW responded to the peer review in a report dated December 2, 2013. Cross-sections of the subsurface conditions were provided in this report, as was a landslide hazard analysis. Additional information was requested by the City, and was provided in a follow-up letter from ESNW dated December 10, 2013.

In January 2014, the City retained the firm of HartCrowser to provide tertiary review of the collective geotechnical reports and analyses to that date. Their conclusion in a report, "Geotechnical Review of Permit Documents – Vuecrest Residential Development," dated February 24, 2014 (Exhibit 14), was that "minimum risk statement" required by Renton Municipal Code 4-3-050J2 and provided by ESNW in their letter of December 10, 2013, was supported by the geotechnical analyses, based on common geotechnical engineering practice.

HartCrowser did not, however, endorse the proposal to discharge surface water at the top of the protected slope, recommending a stormwater collection and discharge design that "specifically address[es] the potential for increased surface erosion and potential for slope instability...associated with the proposed design."

The City, on April 11, 2014, further clarified the necessity to redesign the stormwater collection and discharge system in a letter to the project proponent (Exhibit 15). On July 16, 2014, a resubmittal was made that included revised plans (Exhibits 5, 9, and 11), a revised Technical Information Report (Exhibit 16), a Letter of Intent regarding the ability to utilize an existing downstream private stormwater system (Exhibit 17), and assessment of the weight of the proposed stormwater vault and its effect on the adjacent slope (Exhibit 18).

At this time, staff recommends approval of the revised plans with conditions as listed below.

Mitigation Measures:

1. Recommendations regarding site preparation, grading, excavation, and slab-on-grade construction included in the report, "Geotechnical Engineering Study, Proposed Smithers Ave Residential Plat...," dated February 25, 2013, by Earth Solutions NW, LLC, shall be followed prior to and during construction.
2. The area west from the line marking the natural top of the protected slope to the west property boundary, between the north and south property lines, shall be designated Native Growth Protection Area 'A'.
3. A Homeowners' Association (HOA) shall be incorporated and the responsibility for maintenance of Native Growth Protection Area 'A' shall be assigned to the HOA on the face of the plat prior to recording.
4. Building permits shall be issued, prior to construction, for any retaining walls at the project, regardless of site location and height, and all such walls shall be structural.
5. Building setbacks from the north-south top-of-slope line located west of Smithers Ave S shall be made a condition of approval of the preliminary plat. Furthermore, the top of slope and the building slope setback line shall be indicated on the final plat map.
6. Easements required to accommodate the conveyance of surface water from the project site to the area-wide, downstream system shall be finalized prior to issuance of utility and site construction permits.

Nexus: State Environmental Policy Act (SEPA) Environmental Review; RMC 4-3-050 Critical Areas Regulations; RMC 4-4-060 Grading, Excavation, and Mining Regulations.

2. Water (Wetland and Stream)

Impacts: There is a wetland and a stream on the project site. The land use application included “Critical Area Study for Vuecrest,” dated April 8, 2013, and “Supplemental Stream Study for Vuecrest Estates,” dated May 10, 2013, both by Wetland Resources, Inc. (WRI).

According to the Critical Area Study, a jurisdictional wetland is located in a depression on the east and south areas of the site. It is, apparently, a single wetland, the north portion of which curves off site to the east (Exhibit 8), then back onto the south one-third of the site. The Study further states that a stream flows westward within the south part of the wetland.

The Study classified the wetland as palustrine, forested, broad-leaved deciduous, saturated (Category II), with differing characteristics north and south. The northern portion being more influenced by the proximity to higher-density residential development, with a higher concentration of invasive species than the southern part, which has a higher concentration of native plants. Category II wetlands require a 50-foot buffer. Buffer averaging is available and has been proposed to accommodate roads, a stormwater structure, and building lots.

The stream was identified as an intermittent, non-salmonid, averaging approximately 2 feet wide, with an average gradient of more than 20 percent. Based on these characteristics, the stream has been classified by WRI as Class 4. (See “Otak Review” below)

The northern portion of the wetland is in an area identified as Tract ‘E’ on the Preliminary Plat Plan (Exhibit 9). The southern portion of the wetland, the stream, and two tracts, ‘B’ (“sensitive area”) and ‘C’ (“tree retention”) abut the south property line. Tract ‘E’ shall be designated Native Growth Protection Area ‘B’ and the area of the south wetland, the stream, and Tracts ‘B’ and ‘C’ shall be designated Native Growth Protection Area ‘C.’ The responsibility for protection and maintenance of Tracts ‘B’ and ‘C,’ in accordance with Renton Municipal Code requirements, shall be assigned to the Homeowners’ Association. Such responsibility shall be recorded on the face of the plat.

In order to verify the potential impact on critical areas by the proposed development, the City retained the firm of Otak to provide a peer review of the previously cited Critical Area Study. In their report of April 3, 2014, “Vuecrest Estates Wetland and Stream Review” (Exhibit XX), Otak verified as accurate the wetland delineation as flagged in the field. Furthermore, the Category 2 wetland criteria under RMC 4-3-050M are met.

The Otak Review found, however, that the Class 4 stream (rating verified), does not appear to flow through the wetland, but rather begins at the top of the protected slope. Their recommendation is that the Critical Area Study and Supplemental Stream Study be revised to remove the stream from plans where it is shown within the wetland, revising the stream description and its linear dimensions accordingly. Staff further recommends that this be made a condition of approval.

The Otak Review stated that wetland enhancement may result in increased disturbance of the wetland and buffer. A less invasive approach is recommended that requires that all wetland and buffer areas onsite be monitored for 5 years, once per year in the summer, as a condition of project approval. Therefore, a monitoring plan shall be submitted and approved prior to issuance of utility and road construction permits and shall be initiated prior to recording the plat. A bond, meeting the requirements of the Renton Municipal Code, shall be required for the monitoring period of no less than 5 years.

Mitigation Measures:

1. A wetland and buffer monitoring plan shall be approved prior to issuance of utility and road construction permits and shall be initiated prior to recording the plat. A bond, meeting the requirements of the Renton Municipal Code, shall be required for the monitoring period of no less than 5 years.
2. Native Growth Protection Areas 'B' and 'C' shall be protected and maintained by the Homeowners' Association in accordance with Renton Municipal Code requirements. This responsibility shall be recorded on the face of the plat.
3. Critical Area Study and Supplemental Stream Study shall be revised to remove the stream from plans where it is shown within the wetland, revising the stream description and its linear dimensions accordingly. Such revisions shall be made prior to recording the Final Plat.

Nexus: State Environmental Policy Act (SEPA) Environmental Review; RMC 4-3-050 Critical Areas Regulations

3. Stormwater

Impacts: A "Technical Information Report for Vuecrest Estates Preliminary Plat," by D.R. Strong Consulting Engineers, Inc., dated May 21, 2013, was submitted with the land use master application. This report indicates that most of the undeveloped site drains to the Black River subbasin, following the stream channel at the southern portion of the site westward to discharge near the southwest corner of the property. From the site, the flow follows a vegetated channel near S 50th Street to a conveyance system at Talbot Road S (Exhibit 10).

Development of the site would result in approximately 2.82 acres of impervious surface. Surface water runoff would be collected and conveyed to an on-site stormwater detention facility. A cast-in-place concrete storm detention water quality vault has been proposed on Tract 'A.' The proposed vault would present a 9 to 10-foot wall facing the westerly protected slope, at the top of a 9-foot (+/-) fill slope (Exhibit 11). Upon recommendation of staff, this vault was relocated somewhat to the east away from the top of slope. This change is reflected on the revised site plan dated July 15, 2014.

Runoff was proposed to be discharged from this structure to the existing wetland at the top of the protected slope. During project review, it was determined that runoff should be conveyed in a closed system from the vault to the areawide system at the bottom of the slope and the drainage plan was revised accordingly (see "Earth," above).

Mitigation Measures:

1. Discharge from the vault shall be tight-lined away from the protected slopes.

Nexus: State Environmental Policy Act (SEPA) Environmental Review; RMC 4-6-030, Drainage (Surface Water) Standards

4. Plants

Impacts: There are approximately 401 trees over 6 inches in diameter on the part of the property to be developed (excludes protected slope area on the west approximately half of the site). Most trees on this portion of the site would be removed prior to construction, except 122 within the wetland and wetland/stream buffer and 42 trees to be retained on "tree retention tract" and elsewhere. In the R-8 Zone, thirty percent of the significant trees must be retained or replaced. Based on the Tree Retention

formula (RMC 4-4-130.H), 140 trees must be replaced. The project proposal indicates that replacement of trees would occur as part of the post-construction landscaping. Trees to be planted in the landscape area associated with the public streets, however, must be installed prior to recording the plat. A detailed landscape plan must be submitted prior to issuance of the street and utility construction permits.

Mitigation Measures: N/A

Nexus: N/A

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.

- ✓ Copies of all review comments are contained in the official file and may be attached to this report.

The Environmental Determination decision will become final if the decision is not appealed within the 14-day appeal period (RCW 43.21.C.075(3); WAC 197-11-680).

Environmental Determination Appeal Process: Appeals of the environmental determination must be filed in writing together with the required fee to: Hearing Examiner; City of Renton; 1055 South Grady Way; Renton, WA 98057, on or before 5:00 pm on Friday, September 5, 2014. 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.