



**COMMUNITY
DEVELOPMENT
DEPARTMENT**

38624 SE River Street
PO Box 987
Snoqualmie, WA 98065

Office: 425-888-5337

www.ci.snoqualmie.wa.us

CITY OF SNOQUALMIE

COMMUNITY DEVELOPMENT DEPARTMENT

Decision: Retaining Wall Height Waiver to SR II Mixed Use Final Plan Conditions

Report Date: September 28, 2017

File Number: WHW 17-0001 (Related Permits: MOD 17-0001; CUP 17-0002; MUCR 17-0004)

Applicant: Panorama Apartments, LLC

Project: Affordable Housing – SR II Parcel S-20

I. NATURE OF PROJECT

Panorama Apartments, LLC (Applicant) proposes to develop Snoqualmie Ridge II Parcel S-20 for 191 affordable rental apartment units. In a General Land Use Application, under requested consolidated review, the Applicant seeks administrative approval to increase retaining wall heights above six feet (WHW 17-0001); administrative approval of a Minor Modification to establish net developable acreage; Hearing Examiner approval of a Conditional Use Permit to permit four-story building heights (CUP 17-02); and, Mixed Use Consistency Review (Phase I and Phase II) to determine consistency of the proposed development with the SR II Development Standards (MUCR 17-04). (See Exhibit I) This decision addresses the request for administrative approval of a wall height waiver pursuant to Condition 4.11 of the Mixed Use Final Plan for Snoqualmie Ridge II.

The apartments will complete the affordable housing program requirements for Snoqualmie Ridge II. Parcel S-20 is designated in the Snoqualmie Ridge II Mixed Use Final Plan for a density of 8-16 dwelling units per acre. The 191 total unit apartment project design proposes three multi-family buildings adjacent to the single-family development to the north (EaglePointe) that will be 2-story carriage house units over a garage (7 total units). The next tier of development, downslope of the carriage house units, proposes two 3-story apartment buildings that will provide 24 units each (48 total units). As the project site slopes further to the south, the next tier of development proposes two 4-story buildings that will provide 32 units each (64 total units). The fourth tier proposes two 4-story buildings that will provide 24 and 32 units (56 total units). The on-site recreation and leasing center building is proposed as a 2-story building with pool and elevator. The last apartment building is located south of the leasing center building, and is proposed as a 2-story building with 16 units.

The project will extend Frontier Avenue into the site as a public local access road that will terminate in a cul-de-sac. A private internal vehicular circulation route will be constructed to serve the residents and the leasing center, which will include parking, sidewalks, and landscaping. The internal circulation route will terminate at the south property line providing an emergency vehicle access (EVA) connection to the Snoqualmie Valley

Hospital on Parcel S-21. The site will provide required parking, landscaping, trails, three outdoor play areas, and other site amenities.

II. NATURE OF REQUESTED APPROVAL

As stated above, this decision addresses the request for administrative approval of a wall height waiver pursuant to Condition 4.11 of the Mixed Use Final Plan for Snoqualmie Ridge II. Due to the topography of the project site, the Applicant has requested a waiver to the 6-foot retaining wall height limitation as provided for in Mixed Use Final Plan Condition 4.11, which states:

*"Residential development shall be designed to minimize clearing and grading and to fit the existing topography of the parcel to the maximum extent feasible. The preliminary plat or binding site plan pre-application conference shall include review of existing topography, sensitive areas, buffers, parks, or open space areas on and adjacent to the parcel and evaluation of alternative plat designs and associated grading requirements to minimize the amount of grading required and to provide as much as possible for natural transitions between the residential lots, between the lots and any adjacent open spaces or sensitive areas, and between residential lots and streets. Before permitting construction of retaining walls at the edge of a sensitive areas buffer, the City shall evaluate and require mitigation for impacts to the sensitive area and its buffer, including potentially additional setbacks from the sensitive areas buffer, if necessary, to mitigate impacts. The Applicant shall be required to consider design suggestions provided by the City to accomplish the objectives of this Condition, and if rejected, shall provide the City with a written explanation of why the suggestion is not feasible, for review during the preliminary plat hearing. **The use of retaining walls in excess of 6 feet shall not be allowed unless the City determines this limitation should be waived because there is no feasible alternative layout, plat design, or site grading without a retaining wall that exceeds this limitation.** Proposed preliminary plats or binding site plans also shall consider use of step foundations or other residential design and construction techniques to minimize the total amount of site grading and to minimize the use of retaining walls, provided nothing in this Condition is intended to require step foundations in any particular parcel or plat."*

As provided in the Mixed Use Final Plan, the administrative decision on the Wall Height Waiver will be made by the Community Development Director. It is important to note that the Wall Height Waiver is *not* required in order to allow construction of affordable or multi-family housing on Parcel S-20. Those decisions have been previously made. The Snoqualmie Ridge II Mixed Use Final Plan includes a condition requiring construction of affordable housing in the SR II development, which includes Parcel S-20. A covenant has been recorded against Parcel S-20 limiting its use to satisfying the SR II Mixed Use Final Plan condition for affordable housing.

III. BACKGROUND AND HISTORY OF THE AFFORDABLE HOUSING REQUIREMENT IN SR II

The following is a summarized overview of the historical documents relevant to the current requirement that Parcel S-20 provide the remaining affordable housing units at SR II.

1. As set forth in Resolution 712, a Development Agreement for Snoqualmie Ridge Phase II was approved by the City Council on June 28, 2004 and subsequently recorded at #20040629001943, which contains Mixed Use Final Plan Condition 4.12 requiring affordable housing mitigation as further described in Attachment G to the Mixed Use Final Plan. (See Exhibit A)
2. Attachment G to Mixed Use Final Plan, Affordable Housing Credits, contains the details of the affordable housing requirements. The program is based on "credits" with a total requirement of 278 credits divided between for-sale and for-rent. All of the for-sale credits have been met, and the remaining credits must be for-rent units. (See Exhibit B)

3. Attachment B to Mixed Use Final Plan, Use Table, establishes the density ranges and permitted uses for each parcel in Snoqualmie Ridge II. Various types of residential uses including multi-family are allowed at a density of 8-16 units per acre. (See Exhibit C)
4. The street shown on the Mixed Use Final Plan Map, Circulation Map Snoqualmie Ridge II (South), in the approximate location of Frontier is designated as a collector serving parcels S-16, S-19 and S-20. This was further carried into the Snoqualmie Ridge Development Standards and implemented in Plat 25. (See Exhibit D)
5. Resolution 907 determined the Permitted Uses on Parcel S-21 (Snoqualmie Valley Hospital). (See Exhibit E) While Parcel S-21 does not take access from Jacobia or Frontier (and the Final Maps have never shown any connection), when the allowable uses for Parcel S-21 were finally determined, Section 5.A required connectivity but foreclosed the possibility of any public road connection, stating: "*There shall be connectivity between Parcels S-20 and S-21, which shall be constructed as an emergency access road normally closed with bollards or other similar means*".
6. The Minor Modification to SR II MUFP acknowledged that the for-sale affordable housing requirement had been met with the 94 for-sale units, confirmed 184 for-rent affordable housing credits as the remaining obligation, and modified the former dispersal requirement that would have required this obligation to have been met on two non-contiguous parcels, allowing it to be met entirely on Parcel S-20. In accordance with requirements, the Minor Modification was recommended by the Planning Director and approved by the chair of the Planning and Parks Committee. (See Exhibit F)
7. A Declaration of Covenant was then recorded against Parcel S-20 in 2009 (20091221001600) eliminating the dispersal requirement and restricting the use of Parcel S-20 for affordable rental apartment development. Specifically, Parcel S-20 is now required to accommodate the remaining affordable housing obligations (minimum 184). (See Exhibit G)
8. The Snoqualmie Ridge II Draft Environmental Impact Statement, Transportation Impact Study analyzed the transportation impacts of the entire Snoqualmie Ridge II Development, and looked at potential impacts to major intersections with Snoqualmie Parkway, major roads and intersections in Snoqualmie Ridge I, as well as impacts to off-site transportation facilities and intersections.
9. The Snoqualmie Ridge II Final Environmental Impact Statement, Additional Transportation Analysis, slightly modified the original analysis.
10. The Snoqualmie Ridge II Development Standards, Street Classification Plan South, amplifies the Mixed Use Final Plan Circulation Map and confirms that Frontier Avenue (not yet named) will be a Neighborhood Collector.
11. The Snoqualmie Ridge II Development Standards, Table 2-1, Street Standards describes the physical characteristics of a Neighborhood Collector and discloses the capacity of Neighborhood Collectors such as Frontier Avenue as 8,000 to 10,000 average daily trips.
12. Portion of Final Plat of Plat 25, Phase 1 illustrates that Frontier Avenue, now named, is designed to meet the Neighborhood Collector standard. (See Exhibit H)

IV. FINDINGS OF FACT

- A. The intent of the MUFP affordable housing requirements is to provide units affordable to households earning 80% or less than the median income for King County (minimum 184). Panorama Apartments proposes to provide 191 affordable rental apartment units affordable to households earning 60% or less of the King County median income. The proposed development of 191 units at this income level will meet the remaining affordable housing obligation.

- B. The requested waiver to the 6-foot retaining wall height limitation is analyzed herein for consistency with Mixed Use Final Plan Condition 4.11, which states in part: *"The use of retaining walls in excess of 6 feet shall not be allowed unless the City determines this limitation should be waived because there is no feasible alternative layout, plat design, or site grading without a retaining wall that exceeds this limitation."*
- C. Parcel S-20 has a significant drop in elevation across the site from north to south of approximately 100 feet. The site slopes from Elev. 1,080' westerly at an average grade of 14% for approximately 700 feet to Elev. 980'.
- D. The connecting roads into the site are fixed; Frontier to the north and the emergency vehicle access (EVA) connection to the south.
- E. In order to comply with the Americans with Disability Act (ADA) and take up grade across the site, the Applicant has determined that the private internal vehicular circulation route must be a minimum 2,000 feet in length, resulting in a serpentine vehicular drive route, and that pedestrian paths require multiple switchbacks.
- F. A retaining wall in excess of 15 feet is proposed on the uphill side of the carriage house units so that from the single-family residential neighborhood, only the third story and a portion of the second story would be visible. Excavating building pads below existing grade and utilizing retaining walls in excess of 6 feet will ameliorate views of the apartment buildings from the adjacent single-family housing upslope of the site.
- G. The proposal to provide 191 affordable housing units increases the minimum required by 6. It is not the addition of 6 units that is driving the need for increased retaining wall height. The roadway and layout of the project (as described above) would be similar if the number of units were reduced to the minimum 184 that is required.
- H. Draft and Final Environmental Impact Statements for Snoqualmie Ridge II were issued on June 2, 2003, and February 23, 2004, respectively. This environmental review identified and evaluated impacts, and recommended mitigations for the probable significant environmental impacts from development of the Snoqualmie Ridge II proposal. The requested waiver will not change the total number of allowable units or change the allowable density within any parcels. The proposed waiver does not involve changes that are likely to have significant adverse impacts not previously analyzed in the existing environmental documents. The proposed waiver does not involve any new information that would indicate new or different environmental probable significant adverse impacts that have not been previously evaluated and mitigated. No new SEPA review is required.

V. CONCLUSIONS OF LAW

The requested waiver to the 6-foot retaining wall height limitation, as detailed more fully above, is consistent with SR II Mixed Use Final Plan Condition 4.11, which states in part: *"The use of retaining walls in excess of 6 feet shall not be allowed unless the City determines this limitation should be waived because there is no feasible alternative layout, plat design, or site grading without a retaining wall that exceeds this limitation."* The project design relies on excavation and existing sloping grade to minimize structural bulk on views to and from the site. To the extent the documented existing site topography necessitates any project design to include retaining wall heights of up to a story, development of the site as depicted and proposed requires taller retaining walls to balance cut and fill grading for construction on the site to reasonably proceed. Further, in order to "dig in" and take advantage of the existing sloping grade to minimize visual bulk and mass, retaining wall heights in excess of 6 feet are necessary. No feasible alternative design or site grading with retaining walls less than 6 feet would achieve balanced grading, adequate site access, and minimized bulk and mass.

The requested wall height waiver will allow for the site and building design to work with the site's downhill sloping grade and is necessary in order for Parcel S-20 to meet the affordable housing obligation as specified

in the recorded Covenant. The techniques available to adjust grades are limited. The sidewalks and paths have been designed at 4% where feasible. The Wall Height Waiver allows development of the site in compliance with the approved Mixed Use Final Plan Land Use Plan and Conditions and the applicable Development Standards.

Due to the project site's constraints as outlined above, the City has determined that there is no feasible, less impacting alternative or engineering alternative that would allow for wall heights of 6 feet or less, and therefore, waives the 6-foot height limitation for walls associated with development of Parcel S-20.

VI. APPROVAL OF WALL HEIGHT WAIVER

Parcel S-20 has all required entitlements for the construction of the Panorama Apartments affordable housing project, and the proposal is consistent with all governing documents. On the basis of the foregoing findings and conclusions, the proposed Wall Height Waiver (WHW 17-0001) is hereby **APPROVED** for application only to Parcel S-20 for development of affordable rental housing.



Mark Hofman, AICP
Community Development Director
City of Snoqualmie

Dated: 9/28/17

Panorama Apartment Project – Wall Height Waiver (WHW 17-0001)

Exhibit List

Exhibit No.	Description	Date
A.	Resolution 712	06/28/04
B.	Attachment G	
C.	Final Plan Use Table (Modified)	08/28/17
D.	Circulation Map Snoqualmie Ridge II (South)	
E.	Resolution 907	
F.	MUFP Mod 09-01	
G.	Covenant	12/21/09
H.	Plat 25	06/21/07
I.	General Land Use Application from Panorama Apartments, LLC	05/25/17
J.	Notice of Application (2)	06/28/17 & 07/19/17
K.	Mailing List (500 ft)	06/28/17
L.	Modification Decision (MOD 17-01)	08/28/17
M.	Public Comments / Responses	08/28/17
N.		
O.		
P.		
Q.		
R.		
S.		
T.		
U.		
V.		
W.		
X.		
Y.		
Z.		
AA.		