



April 1, 2020

Job No. 1352-023-019

RESUBMITTED

Apr 09 2020

**CITY OF FEDERAL WAY
COMMUNITY DEVELOPMENT**

Mr. Brian Davis
Community Development Director
City of Federal Way
33325 8th Avenue S
Federal Way, WA 98003

**RE: Request for Modification to FWRC 19.120 - Wall Height and Mass Grading
The Woodlands at Redondo Creek**

Dear Mr. Davis:

On behalf of RMJ Holdings, LLC, ESM Consulting Engineers is submitting this request for a modification to the standards found in FWRC 19.120. The project includes King County tax parcels 042104-9012 and -9221, which totals approximately 21.85 acres of mixed-zoned property located at 19XX S 304th Street. The proposed plat includes 67 single-family residences, public right-of-way dedications, open space and associated infrastructure.

FWRC 19.120.050 provides provisions for the applicant to request modifications to standards within the chapter. We propose to meet the requirements of a modification request by responding to the criteria of (1) in the following two sections of this letter and meeting the submittal requirements of (2) as described at the end of this letter.

WALL HEIGHT GREATER THAN 6'

FWRC 19.120.120(1) defines City of Federal Way's standards for rockeries and retaining walls for single-family lots within the City. Sub-section (a) restricts the height to retaining walls to 6 feet.

Retaining walls are proposed throughout the project site and do not exceed the 6' maximum height internal to the proposed lots. However, a rockery retaining wall greater than 6' in height is proposed near to the eastern edge of the wetland buffer and outside of lots 47-51 within Tract B, with the tallest above-grade height at approximately 14 feet. Details of the tall wall are shown on the enclosed *Wall Profile Exhibit*, with the *Preliminary Grading Plan* depicted on sheet PP-04 of the preliminary plat plan set.

See below for responses to 2 (b and c) of the 4 approval criteria of FWRC 19.120.050(1) *Modifications* (where one or more are required):

(b) The proposed modification will result in the same or less impacts than meeting the standards.

This project proposes to meet the Wetland Buffer Averaging standards as outlined in FWRC 19.145.440 (5). In order to comply with FWRC 19.145, this project proposes retaining walls in excess of 6' as an effort to reduce and minimize the impacts to the onsite wetland buffer. The site is generally sloped 15% or slightly greater over the entire property. Due to the existing grade onsite, the taller wall avoids additional grading into the wetland buffer while supporting the proposed homes and infrastructure of the development.

All walls will be developed according to recommendations provided by Earth Solutions as stated in the updated *Geotechnical Engineering Study*. Final design of the walls will be prepared for the Final Engineering/EN permit after preliminary approval.

(c) The proposed modification will meet or exceed the intent of this article.

We understand that the tall wall heights are not the City's standard due to the aesthetics of tall blank walls from public access and need for maintenance. The location of the proposed tall retaining wall is not visible to the proposed lots, existing homes or any roadways. Instead, the wall faces the wetland buffer, and landscape trees will be placed along the right-of-way to provide additional screening. Fencing in the rear of the lots and adjacent to the wall will provide safety measures for the residents. Tract B will be owned by the subdivision's HOA, which will include maintenance provisions for the retaining wall.

MASS GRADING IN SITE AREA OF DEVELOPMENT

The *Technical Comment Letter* provided by the City of Federal Way staff states that the project proposes a "mass grading' of the entire subject property." However, of the 21.85 acres of the gross site, only 16.95 acres is developable outside the onsite critical areas and buffers. Further, only 15.79 (72%) acres of the subject property will be cleared and graded for the purpose of the proposed development, with an additional 0.33 acres from the adjacent Lakehaven property to provide road improvements.

FWRC 19.120.080(1) states, "Clearing and grading activities for developments shall be permitted in conjunction with an approved site development plan (e.g., subdivision approval, site plan approval, etc.) that establishes permitted areas of clearing, grading, cutting, and filling. Permitted clearing and grading areas should minimize removal of existing trees and minimize the disturbance or compaction of native soils, except as needed for building purposes. Permitted clearing and grading areas and any other areas required to preserve critical or sensitive areas, buffers, native growth protection easements, or required tree retention areas shall be delineated on the site plans."

This project as proposed slightly deviates from the underlined portion of the above code section. While tree removal and disturbance of native soils is proposed through the development area of the site that includes roads, stormwater infrastructure and building sites, the engineering design minimized these impacts as much as feasible. The proposal also avoids disturbance of and plans to enhance approximately 28% of the project site (refer to the *Critical Areas Report, Memo and Mitigation Plans* provided by Sewall consulting for further enhancement proposal).

See below for responses to 2 of the 4 (a and b) approval criteria of FWRC 19.120.050 *Modifications* (where one or more are required):

- (a) *There are no feasible and reasonable alternatives to the clearing, grading or tree/vegetation removal activity being proposed.*

This project intends to meet the goals and policies of the City's comprehensive plan by providing high-density single-family housing. As such, existing critical areas and grade on site does not provide a reasonable alternative to the proposed clearing, grading and vegetation removal of the proposed project. The proposed homes, roads and stormwater infrastructure are appropriately set away from the onsite wetland and stream. Further, the layout appropriately aligns with existing road and utility infrastructure allowing for looped utility systems and street connectivity. Due to the average 15% slope of existing grade over the project site, it is necessary to grade out areas for the required road and stormwater infrastructure for the project that meet the City's design standards.

- (b) *The proposed modification will result in the same or less impacts than meeting the standards.*

In addition to the critical areas and existing grade of the subject property, the site is currently used by trespassers and transients as a homeless camp and dumping site. In the summer of 2019, trespassers started an uncontrolled fire on the property that destroyed existing vegetation, causing more onsite hazards and ruin to the natural environment.

This subdivision proposal will result in a site that aligns more with the City's goals by removing onsite debris, hazardous vegetation and opportunity for further trespassing. Healthy trees and vegetation will be planted on each lot and throughout the subject site, including within critical area buffers.

Tree retention of the entire site is proposed to be met through tree retention in the undisturbed areas of the site, while also providing tree replacement throughout the subject property. A total of approximately 28.7 tree units per acre is proposed, exceeding the City's standard of 25 units per acre. Please refer to the updated *Tree Conservation Plan* prepared by Washington Forestry Consulting, Inc for further information about tree retention. Replacement trees are displayed on sheets LA-01 - LA-05 prepared by Lyon Landscape Architects.

All other zoning and design standards will be met with this proposed project.

MODIFICATION SUBMITTAL

FWRC 19.120.050(2) Modification submittal requirements. A request for modification shall:

- (a) *Be submitted in the same form and according to the same terms as the required clearing and grading and/or tree and vegetation retention plan documents of this article and subject to the same enforcement requirements.*

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The following items are included in this submittal:

- Modification Request (this letter);
- Clearing and Grading Plan (sheet PP-04 of plan set);
- Wall Profile Exhibit;
- Geotechnical Engineering Study;
- Tree Conservation Plan Report;
- Landscape and Tree Retention Plans;
- Critical Areas Report, Memo and Mitigation Plan.

(b) Be clearly labeled as "Clearing and Grading, and/or Tree and Vegetation Retention Modification Plan"; and

Each plan set sheet provided with this submittal is clearing labeled within the title block.

(c) Clearly delineate and identify the deviations requested from the provisions of this article.

The deviations requested are clearly identified within this letter.

We understand that these materials constitute a complete submittal. Please contact me directly with any questions or comments you have regarding this project. Thank you for your attention to this project and we look forward to working with the City.

Best Regards,

ESM CONSULTING ENGINEERS, L.L.C.



SAVANNA NAGORSKI, MS
Land Use Planner/GIS Analyst

Enc: As Noted

cc: Dmitriy Mayzlin (w/Enc)
Justin Lagers