

**WASHINGTON STATE BOUNDARY REVIEW BOARD FOR KING COUNTY**  
**SPECIAL MEETING AND PUBLIC HEARING MINUTES**  
**CITY OF REDMOND    ROSE HILL HEIGHTS SOUTH AREA ANNEXATION**  
**(FILE NO. 2278)**  
**AUGUST 18, 2008**

The following Minutes are a summary of the Special Meeting/Public Hearing for the City of Redmond Rose Hill Heights South Area Annexation (File No. 2278). Complete written transcripts are available for purchase from the Boundary Review Board.

**I. CALL TO ORDER**

Claudia Hirschey, Chair, convened the meeting of August 18, 2008 at 7:10 P.M.

**II. ROLL CALL**

The following members were present at the Special Meeting and Public Hearing:

Evangeline Anderson	Charles Booth
Robert Cook	AJ Culver
Claudia Hirschey	John Holman
Roger Loschen	Michael Marchand

**III. PUBLIC HEARING**

**INTRODUCTION:**

Chair Hirschey stated that the purpose of the Special Meeting is to conduct a Public Hearing on the Rose Hill Heights South Area Annexation, a proposal submitted by the City of Redmond to the Boundary Review Board in June 2008. The Boundary Review Board is charged with the task of providing independent review and decision-making with respect to applications for municipal annexation.

Chair Hirschey opened the public hearing. The Chair described the standards for a quasi-judicial public hearing and the scope of the hearing. She explained the process for taking public testimony. Chair Hirschey requested that Lenora Blauman describe the proposed annexation.

Mrs. Blauman reported that, on June 2, 2008, the City of Redmond filed with the Boundary Review Board a Notice of Intention to annex the Rose Hill Heights South Area (20.5 acres). The Rose Hill Heights South Area Annexation is proposed based upon a Resolution by the Redmond City Council approving a plan to incorporate this territory. This Resolution was approved in May of 2008.

The Rose Hill Heights South Area is located on the western edge of the City of Redmond. The site is bounded on the north, south, and east by the City of Redmond. The site is generally bordered on the west by 132<sup>nd</sup> Avenue NE and the adjacent City of Kirkland.

With the annexation application, the City of Redmond has invoked jurisdiction (submitted a request for a public hearing) before the Boundary Review Board. The City is seeking a public hearing in order to provide an opportunity for Rose Hill Heights South citizens to comment upon the proposed annexation.

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Based upon the City of Redmond's invoking of jurisdiction, the Boundary Review Board scheduled this public hearing to review the proposed basic Rose Hill Heights South Area Annexation.

Following the conclusion of the public hearing, the Boundary Review Board will deliberate and make a decision with respect to the Rose Hill Heights South Area. The Board will consider the state, regional, and local regulations which guide annexations. The Board can approve the Rose Hill Heights South Area Annexation as proposed by the City of Redmond. The Board can modify the Rose Hill Heights South Area Annexation. The Board can deny the entire Rose Hill Heights South Area Annexation.

PROPONENT PRESENTATION: CITY OF REDMOND: JAMES HANEY, CITY ATTORNEY

At the Special Meeting/Public Hearing of August 18, 2008, James Haney presented the proposed Rose Hill Heights South Area Annexation. Following is a summary of the statement (including responses to inquiries).

Mr. Haney reported that the City of Redmond proposes the annexation of 20.5 acres, known as the Rose Hill Heights South Area. In May of 2008, the Redmond City Council adopted the Resolution for annexation, pursuant to Chapter 35A.14 RCW.

This City based the Resolution upon a petition of citizens. The citizens defined the specific boundaries of the Rose Hill Heights South Area Annexation. More specifically, the proposed Rose Hill Heights South Area is bounded on the west by the City of Kirkland. The remainder of the Rose Hill Heights South Area is bordered by the City of Redmond.

The City of Redmond is proposing the Rose Hill Heights South Area Annexation as an appropriate, timely action in order to permit citizens to participate in local governance by the City of Redmond, to develop properties under City of Redmond regulations and to receive public services (e.g., water services, sewer services, police services, fire and medical emergency services) from the City of Redmond.

The Rose Hill Heights South Area is entirely within the boundaries of King County's Urban Growth Area. The Rose Hill Heights South unincorporated area is included in the "Annexation Element" of the City of Redmond Comprehensive Plan and is located within the Redmond Potential Annexation Area. The proposed action is consistent with City of Redmond Comprehensive Plan policies addressing annexation, including those provisions which call for inclusion of urban areas and provision of services (e.g., A-44 – A-53; LU 378; LU-379; LU-380; LU-383, LU-386; LU-394).

The Rose Hill Heights South annexation is also consistent with a Subarea Plan (known as the Grasslawn Plan) for this portion of Redmond's Potential Annexation Area. The area proposed for annexation includes both single-family homes and vacant land which is suitable for residential development. Presently there are 47 parcels developed with single-family homes and six vacant parcels suitable for future residences.

The City of Redmond has planned for growth in the Rose Hill Heights South Area at urban densities. More specifically, the City has proposed designating this area for Moderate Residential Use (6 units per acre). Thus permitted new development would essentially equivalent to densities permitted currently under the jurisdiction of King County.

The City of Redmond is planning to provide services to the Rose Hill Heights South Area either directly or by contract with other providers. The City would provide for utilities, infrastructure, and amenities (e.g., parks, recreational facilities, open spaces), law and justice services, and human services.

More specifically, upon annexation, the City of Redmond will include the Rose Hill Heights South properties in its Service Area. The City of Redmond has planned and can provide land administration and urban services to the area either directly or via agreements between the City

and service providers. For example, the City of Redmond will assume responsibility for land use management through the City's Comprehensive Plan and land use regulations. The City of Redmond will assume responsibility for protection of environmentally sensitive areas through the Comprehensive Plan, Critical Areas Ordinance, Stormwater Management Plan, and other state, regional and local guidelines.

Further, the City of Redmond will provide the Rose Hill Heights South properties with utility services. The City has sufficient capacity to accommodate the build out of the estimated remaining developable land in the entire proposed Rose Hill Heights South Annexation Area. More specifically:

- The City currently provides water services to the Rose Hill Heights South properties and will continue to do so.
- The City will regulate stormwater through Stormwater Management standards.
- The majority of Rose Hill Heights South Area properties are currently on septic systems. With annexation, the City can also make sewer services available to the Rose Hill Heights South Area. Sewer services would be provided upon property owner request. Sewers would only be required if the City or the King County Public Health Department deem that service to be necessary to protect public health and welfare..
- The City will provide for policing, fire protection, and emergency medical services consistent with levels of service currently provided to the existing City of Redmond.
- The City will provide for local and regional amenities – e.g., libraries, parks, and recreation facilities -- to be available to residents of the area.
- Area students would be served by the Lake Washington School District.

Mr. Haney reported that King County Comprehensive Plan/Countywide Planning Policies support the Rose Hill Heights South Area Annexation. For example, Countywide Planning policies encourage cities to annex territory within their designated potential annexation area. Other policies establish cities as the appropriate units to govern, develop, and serve Urban Areas.

Of central importance are the King County Comprehensive Plan policies that call for King County to work with cities to address transition of services from county to cities. The Rose Hill Heights South Annexation is reported to address key King County policies that call for contiguous orderly growth of local jurisdictions and for local services to urban areas (e.g., Comprehensive Plan: U-304, U-208, U-301, U-304.). Mr. Haney further reported that RCW 36.93 (Boundary Review Board Regulations) supports the proposed Rose Hill Heights South Area Annexation to the City of Redmond.

For example, this action would be consistent with Objective 1, which calls for the preservation of neighborhoods. The Rose Hill Heights South Area Annexation will preserve an existing, well-defined neighborhood. This Area is linked to Redmond by social fabric (e.g., similar land uses and open spaces, shared sense of community) and by natural/built geographic features (e.g., Rose Hill Heights South terrain). The boundaries of the proposed Rose Hill Heights South Area annexation reflect citizen interest in affiliation with this local jurisdiction.

Further, King County has designated the Rose Hill Heights South Area for urban development based upon its location within the Urban Growth Area boundary. County policies support immediate annexation of urban areas to provide for local governance and services.

In keeping with Objective 2, the proposed Rose Hill Heights South Area shares physical boundaries with the City of Redmond. The Rose Hill Heights South Area is located on the western edge of the City. The Rose Hill Heights South Area is generally bordered on the north, south, and east by the City. The Rose Hill Heights South Area is bordered on the west by 132nd Avenue NE; the nearest adjacent jurisdiction is the City of Kirkland.

Territory within the Rose Hill Heights South Area is specifically established for annexation by Redmond under the City's Comprehensive Plan (approved by the State of Washington in 1995). This annexation is considered to be consistent with Objective 2 as the Area is based upon logical boundaries. Further, the annexation would reduce unincorporated urban lands in King County.

The Rose Hill Heights South Area Annexation would also reportedly be consistent with Objective 3, which calls for creation of logical service areas. Service to the Rose Hill Heights South Area would be improved by placing this entire area under a single municipal jurisdiction for provision of public services, including, police, fire, emergency aid, sewer, water, storm water management, and roads. Coordinated services should benefit the Rose Hill Heights South Area.

Similarly, the Rose Hill Heights South Area Annexation would be consistent with Objective 4 which calls for the prevention of abnormally irregular boundaries. The proposed boundaries of the Rose Hill Heights South Area are generally geometric in form; and, thus, do provide regularity based upon the fact that the Rose Hill Heights South Area is located within the borders of the Redmond Potential Annexation Area. Similarly, the Rose Hill Heights South Area boundaries coincide with the established King County Urban Growth Area boundary. The remaining surrounding urban unincorporated land will be annexed to Redmond in the future through a phased plan in keeping with the interests of the citizens.

The proposed Rose Hill Heights South Area Annexation reportedly achieves Objective 7, which calls for the achievement of practical boundaries for a jurisdiction. The present Rose Hill Heights South Area is a peninsula of unincorporated land. The Rose Hill Heights South Area Annexation would provide for reasonable and practical boundaries for governance and service.

The City has planned and can provide for a full array of urban services (e.g., utilities, public facilities) to the Rose Hill Heights South Area either directly or via agreements between the City and service providers. Services – including police service and road services – are expected to improve in the area following annexation.

The Rose Hill Heights South Area Annexation would also reportedly be consistent with Objective 8, which calls for inclusion of urban areas within municipalities. Annexation would permit citizens to affiliate with a local government and thus to participate in the local government process.

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Mr. Haney reported that the City of Redmond officials report that sufficient funds are available both at current development and at full development to provide a full array of services/facilities to the community.

Costs of services will be essentially offset by property taxes, standard service fees, and other revenues based on population and provision of services, including property taxes, levies for capital facilities and public services, local improvement districts, latecomers' agreements.

Upon annexation to Redmond, all services for the Rose Hill Heights South Area reportedly will be efficiently coordinated under unified regulatory authorities administered by a single local government unit. Services would be equal to – or improved over – services currently provided by King County.

Thus, with annexation to Redmond, the Rose Hill Heights South Area will benefit from land use regulations and services that may be efficiently coordinated under unified regulatory authorities administered by a single local government unit.

#### PRESENTATIONS BY GOVERNMENT JURISDICTIONS:

King County: Karen Freeman, King County Executive – Office of Management and Budget

Karen Freeman, representing the King County Executive Office of Management and Budget, stated that King County officials support the City of Redmond's proposal to annex the Rose Hill Heights South Area.

The County supports the interests of the citizens of the Rose Hill Heights South Area and the City of Redmond's commitment to annex the Rose Hill Heights South Area based upon the following considerations:

- The State Growth Management Act (RCW 36.70A) calls for local jurisdictions to govern urban lands. The Act supports timely incorporation of urban lands to local jurisdictions.
- The King County Comprehensive Plan/Countywide Planning Policies and the City of Redmond Comprehensive Plan support annexation of Rose Hill Heights South Area to Redmond.
- RCW 36.93 (Boundary Review Board) criteria support annexation of Rose Hill Heights South Area to Redmond. This action creates a logical municipal service area. The City of Redmond provides an established record as an entity capable of providing for zoning, development standards, and environmental protection appropriate to the area.
- Ms. Freeman noted that although the City of Redmond proposes different zoning from that permitted by the County, the County does not commit to continuing a particular level of density in a community so that Rose Hill Heights South could be rezoned by the County if appropriate/necessary to address the King County Comprehensive Plan.
- The City of Redmond's proposed density would be only modestly different from the County's proposed zoning designation. Further, the City can provide more cohesive policies, standards, programs, cohesive operations, and efficient, economic control of services. Thus, development and services will be more effective, more efficient, and less costly to both government and citizens of the Rose Hill Heights South Area.

Ms. Freeman reported that, therefore, King County requests that the Boundary Review Board favorably consider the request by the City of Redmond to approve the Rose Hill Heights South Area Annexation.

#### OPPONENT PRESENTATION (JURISDICTION):

No jurisdiction came forward to oppose the Rose Hill Heights South Area Annexation.

#### GENERAL TESTIMONY:

Two citizens testified on the matter of the Rose Hill Heights South Annexation. A summary of testimony appears below:

Yuval Sofer testified in support of the Rose Hill Heights South annexation. He reported that the community has been working for a considerable period of time to gain support for this action. Community members support affiliation with Redmond in order to achieve development under the jurisdiction of the City of Redmond and to receive from the City a full array of public services (e.g., sewer services). Mr. Sofer spoke to the consistency of the proposed annexation with the City of Redmond Comprehensive Plan.

Kim Yates testified that there is considerable support from the community for annexation to the City of Redmond. She testified, further, however, that there are questions with respect to impacts upon residents from changes to land use designations, changing taxing authorities, and requirements for public services. More specifically, Ms. Yates spoke to concerns that assumption of jurisdiction by the City of Redmond would result in increased property values, increased taxes, and increased requirements for infrastructure (e.g., sewer services) that could result in hardship for residents who are elderly and/or with limited incomes. Ms. Yates requested support for programs to assist community members in need.

#### REBUTTAL: CITY OF REDMOND: JAMES HANEY, CITY ATTORNEY; WAYNE CAMPBELL, DIRECTOR OF PUBLIC WORKS

Mr. Haney testified that citizens joining the City of Redmond will benefit from annexation by virtue of gaining access to local governance. The City will work with the residents to provide for transition in a manner that benefits the entire community.

For example, Mr. Haney stated that property values are likely to increase in this community following annexation. The rate of taxation for the City of Redmond is less than the taxation rate under the jurisdiction of King County. Citizens may expect improved services and facilities.

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Mr. Campbell reported that it is the general policy of the City of Redmond to provide sewers only to properties within City limits. Sewers are customarily not required – although the City may require sanitary sewers in response to a directive from the King County Public Health Department and/or in the event that sanitary sewers are necessary to protect public health and safety.

Sanitary sewers for new development are typically provided by the developer. However there are options for local improvement districts and latecomers' agreements to address connections from existing development to sanitary sewer systems.

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Mr. Haney concluded that the City has a commitment to annex the Rose Hill Heights South Area (20.5 acres). The City has the necessary resources to govern and serve this community. In the event that the Boundary Review Board approves the proposed Rose Hill Heights South Area Annexation, the City will provide for citizens of the Rose Hill Heights South Area to voice their views concerning governance and the provision of public services/facilities.

The City looks forward to providing governance and service to the citizens of the Rose Hill Heights South Area.

#### **IV. DETERMINATION OF THE STATUS OF THE PUBLIC HEARING**

At the completion of public testimony at the August 18 2008 Special Meeting/Public Hearing for the Rose Hill Heights South Area Annexation, Chair Hirschey instructed the Board with respect to procedures for closure (or continuation) of the public hearing. She reported that the Board could choose to continue the hearing to obtain more information, to close the public hearing while holding open the record for additional information, or to close the hearing and deliberate for a decision on the proposed action.

*Action: Roger Loschen moved and Evangeline Anderson seconded a motion that the Boundary Review Board proceed to close the record and enter into deliberations and preliminary decision-making for the City of Redmond Rose Hill Heights South Area Annexation (file No. 2278). The motion was adopted by unanimous vote.*

#### **V. DISCUSSION AND DELIBERATION**

Chair Hirschey stated that the Board is required by statute to consider the state, regional, and local regulations which guide annexations. The Board may approve the Rose Hill Heights South Area Annexation as proposed by the City of Redmond. The Board may adjust the boundaries of the Rose Hill Heights South Area Annexation. The Board may deny the entire Rose Hill Heights South Area Annexation.

Chair Hirschey invited the Board members to begin discussion of the proposed annexation.

Board members offered the following statements with respect to review of the proposed City of Redmond Rose Hill Heights South Annexation:

- Citizens of the Rose Hill Heights Area have stated, by petition, their interest in joining the City of Redmond. The petition has been approved by the Office of the King County Assessor.
- The City of Redmond includes the Rose Hill Heights South Area properties in its Comprehensive Plan and Potential Annexation Area.

- City of Redmond representatives have provided the Board with both substantial written documentation and oral testimony. These materials are sufficient for the Board to determine that the City of Redmond is willing and has the capacity to undertake annexation in order to govern and provide services to the Rose Hill Heights South Area.
- The City of Redmond has a Comprehensive Plan, consistent with the requirements of the Growth Management Act (RCW 36.70A) which does provide for annexation of the Rose Hill Heights South Area and including a larger Potential Annexation Area including the surrounding territory.
- The proposed annexation generally satisfies the factors and objectives to be considered by the Board under the Boundary Review Board Act (e.g., RCW 36.93.170, RCW 36.93.180, et seq.), the State Growth Management Act (RCW 36.70A), and the City of Redmond Comprehensive Plan. More specifically:
  - The proposed Rose Hill Heights South Area Annexation satisfies RCW 36.93.180 Objective 1, which calls for the preservation of neighborhoods and Objective 2 which calls for use of physical boundaries to define an annexation area.
  - The Rose Hill Heights South Area Annexation would also reportedly be consistent with Objective 3, which calls for creation of logical service areas, and Objective 5 and Objective 7, which call for the achievement of reasonable boundaries for a jurisdiction
 

The City of Redmond has planned and can provide urban services to the Rose Hill Heights South Area either directly or via agreements between the City and service providers (e.g., water, storm water, sanitary sewer, emergency services, law and justice, public health, parks and recreation).
  - The Rose Hill Heights South Area Annexation is consistent with Objective 8, which calls for inclusion of urban areas within municipalities. Annexation would permit citizens to affiliate with a local government and thus to participate in the local government process.
- The City of Redmond has in place plans, programs, and funding necessary to serve the citizens of the Rose Hill Heights South Area in a manner equal to or better than the levels of service provided by King County. King County has limited resources to govern and serve “island” areas such as Rose Hill Heights South.
 

City officials report anticipation that citizens will benefit from improved public services, including policing, fire protection, and emergency medical services. Further, the City is prepared to provide for public health and safety through:

  - Provision of water services
  - Provision of sanitary sewer systems to serve the community upon request and/or to resolve problems raised by failed septic systems.
- City officials report anticipation that citizens will benefit from a slightly lower rate of taxation while achieving improved local governance and services.

## VI. CONCLUSION

At the close of discussion, Chair Hirschey called for a motion for a preliminary decision with respect to the Rose Hill Heights South Area Annexation.

*Action: Roger Loschen moved and Evangeline Anderson seconded a motion that the Boundary Review Board direct the Executive Secretary to prepare a Resolution and Hearing Decision approving the Rose Hill Heights South Area Annexation by the City of Redmond, File No. 2278, as submitted to the Board on June 2., 2008. This Resolution and Hearing Decision shall be presented to the Board for consideration and final action on Thursday, September 11, 2008. The motion was adopted by unanimous vote.*

## VII. ADJOURNMENT

*Action: AJ Culver moved and Michael Marchand seconded a motion to adjourn the Boundary Review Board Public Hearing/Special Meeting. The Board voted unanimously in favor of the motion. The meeting was adjourned at 8:25 P.M.*