CITY OF KIRKLAND

CITY COUNCIL

James Lauinger, Mayor • Joan McBride, Deputy Mayor • Dave Asher • Mary-Alyce Burleigh
Jessica Greenway • Tom Hodgson • Bob Sternoff • David Ramsay, City Manager

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AGENDA
KIRKLAND CITY COUNCIL MEETING
City Council Chamber
Tuesday, May 16, 2006
6:00 p.m. – Study Session
7:30 p.m. – Regular Meeting

COUNCIL AGENDA material is available for public review at the Public Resource Area at City Hall or at the Kirkland Library on the Friday afternoon prior to the City Council meeting. Information regarding specific agenda topics may also be obtained from the City Clerk's Office on the Friday preceding the Council meeting. You are encouraged to call the City Clerk's Office (587-3190) or the City Manager's Office (587-3001) if you have any questions concerning City Council meetings, City services, or other municipal matters. The City of Kirkland strives to accommodate people with disabilities. Please contact the City Clerk's Office at 587-3190, or for TTY service call 587-3111 (by noon on Monday) if we can be of assistance. If you should experience difficulty hearing the proceedings, please bring this to the attention of the Council by raising your hand.

EXECUTIVE SESSIONS may be held by the City Council to discuss matters where confidentiality is required for the public interest, including buying and selling property, certain personnel issues, and lawsuits. An executive session is the only type of Council meeting permitted by law to be closed to the public and news media

ITEMS FROM THE AUDIENCE provides an opportunity for members of the public to address the Council on any subject which is not of a quasi-judicial nature or scheduled for a public hearing. (Items which may not be addressed under Items from the Audience are indicated by an asterisk*.) The Council will receive comments on other issues, whether the matter is otherwise on the agenda for the same meeting or not. Speaker's remarks will be limited to three minutes apiece. No more than three speakers may address the Council on any one subject. However, if both proponents and opponents wish to speak, then up to three proponents and up to three opponents of the matter may address the Council.

P - denotes a presentation from staff or consultant

1. *CALL TO ORDER*
2. *ROLL CALL*
3. *STUDY SESSION*
   a. Home Occupations
4. *EXECUTIVE SESSION*
5. *SPECIAL PRESENTATIONS*
   a. Puget Sound Regional Council
   b. Transit Now Initiative
   c. Salvation Army Week Proclamation
   d. Public Works Week Proclamation
   e. Introducing Bobbi Wallace, Public Works Department Storm/Sewer Division Manager
6. *REPORTS*
   a. *City Council*
      (1) Regional Issues
   b. *City Manager*
      (1) Calendar Update

CONSENT CALENDAR consists of those items which are considered routine, for which a staff recommendation has been prepared, and for items which Council has previously discussed and no further discussion is required. The entire Consent Calendar is normally approved with one vote. Any Council Member may ask questions about items on the Consent Calendar before a vote is taken, or request that an item be removed from the Consent Calendar and placed on the regular agenda for more detailed discussion.

GENERAL CORRESPONDENCE Letters of a general nature (complaints, requests for service, etc.) are submitted to the Council with a staff recommendation. Letters relating to quasi-judicial matters (including land use public hearings) are also listed on the agenda. Copies of the letters are placed in the hearing file and then presented to the Council at the time the matter is officially brought to the Council for a decision.

ORDINANCES are legislative acts or local laws. They are the most permanent and binding form of Council action, and may be changed or repealed only by a subsequent ordinance. Ordinances normally become effective five days after the ordinance is published in the City's official newspaper.

RESOLUTIONS are adopted to express the policy of the Council, or to direct certain types of administrative action. A resolution may be changed by adoption of a subsequent resolution.

PUBLIC HEARINGS are held to receive public comment on important matters before the Council. You are welcome to offer your comments after being recognized by the Mayor. After all persons have spoken, the hearing is closed to public comment and the Council proceeds with its deliberation and decision making.

P - denotes a presentation from staff or consultant

7. COMMUNICATIONS

a. Items from the Audience

b. Petitions

8. CONSENT CALENDAR

a. Approval of Minutes: (1) May 2, 2006

(2) May 9, 2006

b. Audit of Accounts:

Payroll $

Bills $

c. General Correspondence

d. Claims

(1) Marc Lagen

(2) David and Jody Orbits

e. Authorization to Call for Bids

f. Award of Bids

g. Acceptance of Public Improvements and Establishing Lien Period

h. Approval of Agreements

(1) "Journeys of Imagination" Sculpture Agreement

i. Other Items of Business

(1) Approving Cabaret Dance License for Wilde Rover LLC, dba: Wilde Rover Irish Pub and Restaurant

(2) Confirming Appointment to Civil Service Commission

(3) Resolution R-4576, Relinquishing the City's Interest in a Portion of Unopened Alley

9. PUBLIC HEARINGS

a. Ordinance No. 4050, Relating to the Second Renewal of Interim Parking Regulations in Central Business District Zones 1, 2, and 8

b. Resolution R-4577, Expressing Intent to Vacate a Portion of 118th Avenue NE Right-of-Way

10. UNFINISHED BUSINESS

a. Awarding Bid for 2006 Pavement Marking Project to Stripe Rite, Inc. and Approving Additional Funding

b. Resolution R-4570, Adopting a Master Plan for Juanita Beach Park

c. Approving Correspondence to King County Metro Transit Regarding Proposed Service Changes to the Eastside

d. Reviewing Kirkland Economic Partnership

NEW BUSINESS consists of items which have not previously been reviewed by the Council, and which may require discussion and policy direction from the Council.

11. NEW BUSINESS

a. Juanita Beach Park:

(1) Resolution R-4578, Authorizing Application to the Interagency Committee for Outdoor Recreation (IAC) for Funding Assistance for a Washington Wildlife and Recreation Program

(2) Resolution R-4579, Authorizing Application to the Interagency Committee for Outdoor Recreation (IAC) for Funding Assistance for an Aquatic Lands Enhancement Account Program

b. Providing Information on Kirkland Clean Up Day

c. Discussing Potential Annexation

12. ANNOUNCEMENTS

13. ADJOURNMENT

P - denotes a presentation from staff or consultant

CITY OF KIRKLAND
Planning and Community Development Department
123 Fifth Avenue, Kirkland, WA 98033 425.587-3225
www.ci.kirkland.wa.us

MEMORANDUM

To: David Ramsay, City Manager

From: Eric Shields, Planning Director
Nancy Cox, Development Review Manager

Date: May 4, 2006

Subject: HOME OCCUPATIONS

RECOMMENDATION

Staff recommends that the Council provide preliminary direction about code amendments related to home occupations. The Planning Commission will be holding a public hearing on the amendments as part of a larger package of code amendments in July. The code amendment package is tentatively scheduled for Council decision in August.

BACKGROUND DISCUSSION

The Council requested that staff review and analyze the home occupation rules after several home occupation-related code enforcement cases gained Council's attention. At their January 17, 2006 meeting, the Council discussed the cases, the issues and provided some direction about where to focus efforts.

First and foremost, the Council recommended that staff look at ways to make the code more enforceable. They said the focus should be on finding the loopholes or areas in the code that are creating difficulties for enforcement.

Home Occupations are regulated under KZC Section 115.65 (Attachment 1). The code lays out a number of standards that must be met for home occupations to be permitted (KZC Section 115.65.2). The only approval for the majority of home occupations is a business license. However, applicants have an option of applying for a Process IIA zoning permit (hearing examiner hearing, appeal to City Council) if they wish to operate a home business that exceeds the standards. When cases are referred to enforcement, they typically involve proving that one or more of the standards are not met. Often these are difficult cases for the City to investigate and prove. In code enforcement appeal hearings, the City has the burden of proof by a preponderance of the evidence that a violation has occurred.

The Numbers

In 2005 there were 1122 home occupation business licenses out of a total 3389 issued (33%). The City received $129,472 in fees from these applications which was 11% of the total fees received for business licensing ($1,133,858). Home occupations are an important resource for start-up businesses in Kirkland and therefore are extremely valuable for the City and our residents in terms of economic development.

Keeping the problem in perspective, out of the 1122 home occupations, the City received only 17 complaints that were investigated by code enforcement in 2005.

Still, the few home occupations that are in violation and become enforcement cases can be very time consuming for staff and troublesome to the neighborhood. The following are some of the key areas staff has identified to try to improve.

The Process

Existing Process

An applicant for a home occupation is provided three pieces of information from the Business Licensing division: 1) an application form that contains several questions specific to home occupations; 2) a "Business License Information" sheet providing information about the application process, exemptions fees, penalties for violation, definitions, and the complete home occupation rules from the Zoning Code; and 3) a "Business License Application Fee Worksheet" (Attachment 2).

The business license applications for home occupations are distributed to the Planning Department and reviewed by a Planner. If a question is answered in a way that the Planner is not sure whether the home occupation follows the rules, then the Planner calls the applicant for clarification. If a problem is revealed, then the Planner requests the applicant come in and amend their form and initial it. The business license is not issued until the Planning Department signs-off.

Home Occupations that exceed the standards in the code must either cease or receive approval through a Process IIA zoning permit. Process IIA permits are decided by the Hearing Examiner and appealable to City Council. A typical IIA permit is processed in about 6 months. During the permit processing time, the home occupation may be asked to cease the activity that exceeds the code standards.

Process Problems

A problem with the existing process occurs when applicants start the home occupation before understanding the rules and proceeds to operate in violation of the standards. Once they are operating the business, it is difficult to cease or change locations. Sometimes people fill out the application form correctly and later add employees or begin behavior that is in violation. A complaint can come in after years of operation. In other instances applicants fill out the form in such a way to avoid detection by staff because they understand the rules. They are taking the risk that their neighbors won't file a complaint.

Process Options

1. Home Occupation permit – Some jurisdictions require an administrative permit from the Planning Director for operating a home occupation. This is an option that staff has considered and is not recommending because it does not really solve the problem. A permit does not ensure that a home occupation will continue to operate within the rules. Also, adding a new permit will require additional work for the applicant and the staff.

2. Approval at the Planning Counter – Another option is to require applicants to get a sign-off from the Planning Department at the counter verifying compliance with the rules. Staff is not recommending this option because a significant number of applications are received via US mail, and for the reason noted above.

3. Provide better information up-front by improving the information available to the home occupation applicant. Improvements can be made to the application form, information form and perhaps

distributed in additional ways to try to let people know before starting their home business. One idea is to have a separate section within the business license application for home occupations. Staff is recommending this option because it will help those applicants who want to go by the rules to get information early. The City can also require the applicant certify in writing that they continue to conform to the home occupation rules each year at time of renewal.

Prohibited Businesses

Existing code
The code (KZC 115.65.2.b.6) prohibits the following: motor vehicle businesses, repair or sales of large equipment, welding, kennels, inventory storage, restaurants, and landscaping. The code states that "office-only" activities for these uses may be allowed.

The Problem
Several home occupation enforcement cases involve businesses that by their very nature are more likely to exceed standards and impact a residential neighborhood. Examples are a construction company, a house cleaning business, a towing business, and a landscaping business. Problems occur when the businesses dispatch crews from the home or have employees come to pick up paychecks. Should more businesses be added to the list of prohibited businesses? Is the code too lenient in allowing even office-only operations for these prohibited businesses?

Options

1. Ban certain businesses outright, even when "office-only." Staff does not recommend this option because it penalizes all because of the action of a few. There probably are businesses within the prohibited list that can and do operate within the "office-only" rules just fine.

2. Clarify in the code that businesses whose activities are conducted off-site but are staged from the home such as construction, landscaping or house cleaning are prohibited. Staff recommends this option because it regulates based on the type of activities that can cause problems and provides the City flexibility because it does not presume to list all such businesses.

3. Define "office-only" in the Code. Staff recommends adding this definition to help applicants understand what is and is not permitted.

Residency Requirement

Existing requirement
The code requires that the home occupation business owner reside in the dwelling (KZC 115.65.2.b 1).

The problem
The language in the code regarding the residency requirement is a little vague. It states, "Is carried on exclusively by family members who reside in the dwelling unit." It has been a challenge for Code Enforcement officers in a few cases to verify the primary residence of the business owner.

Recommendation
Staff recommends adding new code language stating that the business "is carried on in the principal dwelling unit of the permanent on-going residents" because it may help clarify the intent for applicants.

Residential Character

Existing requirement

The International Building Code (IBC), as amended by Washington State, states that if more than 500 square feet is used for a home occupation in a residential structure then any of the following might be required:

- full fire separation between the uses
- larger separation to the property line
- compliance with ADA (Americans with Disabilities Act)

In essence, the structure becomes non-residential.

The Zoning Code states that a home occupation may be conducted if it "requires no alteration to the interior or exterior of the dwelling that changes its residential character." (115.65.2.b 3) The intent is to allow home businesses that will not bother the neighbors with excessive traffic, noise or visual indication.

The Problems

The City has not been requiring information about the number of square feet devoted to the home occupation to check compliance with the IBC. In a few instances, the Building Department has required compliance in enforcement cases. This can be very costly and by complying a residence might no longer be in character with the neighborhood.

The IBC and Zoning Code are silent about the number of home occupations that can be on one property. If there is a home occupation in both the main residence and the ADU (Accessory Dwelling Unit), would the impacts be too great? If a husband and wife each have a home business, would that be a problem? How many home occupations should be permitted within a condominium or apartment unit or property?

Recommendations

1. Clarify the code that all standards apply per single family property regardless of the number of home occupations on site. Staff recommends this amendment because the City would be regulating the impacts while providing flexibility for property owners.

2. Staff recommends adding a standard that home occupations may be conducted if they utilize less than 500 square feet per single family property, and that home occupations utilizing more than 500 square feet per property must get approval through a Process IIA permit.

3. Clarify the code that for medium or high density residential uses home occupations are limited to office-only uses with no outside employees, storage, visitors, or indication. A Process IIA permit could be an option to modify this requirement.

Chronic Cases

Existing Code

The City's code enforcement process is displayed in the flow chart in Attachment 3. There are different routes a case can take, but unless a violator is cooperative, most will take months and possibly years to resolve.

The Problem

Uncooperative violators can "work the system." The impact to the neighborhood can continue during the process. Unfortunately there are no good options to solve this problem. It takes time to do a thorough investigation. Part of what staff must do is to inform all parties that the cases take time to resolve, and the best the City can do is to move as quickly as possible while following the process.

ATTACHMENTS

1. Home Occupation Regulations, KZC 115.65
2. Business license application form, information form, and fee schedule
3. Enforcement flow chart

Cc: Kirkland Chamber of Commerce
File ZON05-0001

c. Radio Tower – A radio tower and antenna structure for use by a noncommercial, licensed amateur operator shall be allowed, if the Planning Official determines that:

1) A reasonable effort is made to minimize radio tower and antenna structure visibility from adjacent properties, while still permitting effective operation; and

2) The radio tower and antenna structure does not extend higher than reasonably necessary to operate effectively; and

3) The radio tower and antenna structure does not physically interfere with nearby utility lines.

Notice of filing application for building or other permit to construct a radio tower and/or antenna shall be given in the manner required by KZC 145.22 as to each such application which shows the proposed tower and/or antenna to either exceed the maximum allowable height for the zone in which it is located, or be within 20 feet of an electrical power or telecommunication utility line.

Any person believing a radio tower or antenna structure does not comply with the foregoing may request in writing a determination of compliance from the Planning Director, providing such request is filed with the City and a copy delivered to the permit applicant within 14 days of the date of publication of the notice of filing. The Planning Director shall make such determination utilizing Process I described in Chapter 145 KZC. In making his determination, the Planning Director shall take into consideration the strong federal interest in promoting amateur communications and the rules adopted by the Federal Communications Commission in support of that interest to regulate the amateur service (47 CFR Part 97 and FCC PRB-1).

d. Structures Requiring Design Review – If a structure is reviewed through design review pursuant to Chapter 142 KZC and has a peaked roof, the peak may extend the following amount above the height limit:

1) Five feet, if the slope of the roof is equal to or greater than three feet vertical to 12 feet horizontal; or

2) As allowed by the underlying zone.

115.65 Home Occupations, Accessory Dwelling Units, and Other Accessory Components of Residential Uses

1. General – The regulations of this section apply to every residential use within the City.

2. Home Occupations

a. Purpose – The purpose of this section is to allow commercial occupations incidental to residential uses to be located in residences while guaranteeing all residents freedom from excessive noise, excessive traffic, nuisance, fire hazard, and other possible effects of commercial uses being conducted in residential neighborhoods.

b. Home Occupation Regulations – A home occupation may be conducted subject to the following regulations:

A home occupation is permitted if it:

1) Is carried on exclusively by family members who reside in the dwelling unit and not more than two additional people who are not residents of the dwelling;

ATTACHMENT 1
ZON05-00001

2) Is conducted indoors and has no outside storage, exterior indication, or outside activity, including equipment stored on vehicles;

3) Requires no alteration to the interior or exterior of the dwelling that changes its residential character;

4) Involves activities, including but not limited to heavy equipment, power tools, power sources, or other equipment, which do not result in noise, vibration, smoke, dust, odors, heat, or other conditions that exceed in duration or intensity, such conditions normally produced by a residential use;

5) Has no pickup or delivery by commercial vehicles; however, occasional mail and courier deliveries are permitted;

6) Does not include the following businesses:

   a) Motor vehicle-related businesses including but not limited to auto, truck, body work, detailing, painting, or taxicab, van shuttle, limousine, towing, or other transportation service or sales;

   b) Repair or sales of large appliances or heavy equipment;

   c) Welding;

   d) Kennels or commercial stables;

   e) Inventory storage of more than 1,200 cubic feet of materials;

   f) Restaurants; and

   g) Landscaping.

   Office-only activities for the above uses may be allowed as home occupations; provided, all other requirements of this section are met;

7) Does not include more than four persons per day and no more than two persons at any time coming to and leaving from the subject property for goods or services. Customer visits or deliveries to a home occupation shall be between the hours of 8:00 a.m. and 8:00 p.m.(not applicable to a bed and breakfast house);

8) Operates no more than one vehicle, van, truck or similar vehicle, not exceeding a gross vehicle weight of 10,000 pounds; and

9) Has no signs other than one building-mounted, nonilluminated sign with a maximum size of two square feet.

10) For a bed and breakfast house, the following additional regulations apply in addition to those listed above:

   a) It is operated by the owner of the dwelling in which it is located and it is the primary residence of the owner/operator;

   b) There is a maximum of two guest rooms;

   c) Guests stay a maximum of 30 days;

d) Food service shall be limited to serving overnight guests of the establishment. Individual rooms shall not be equipped with cooking facilities;

e) The applicant may be required to provide up to one parking stall per guest room. The applicant shall demonstrate the parking provided will be adequate based on the following criteria:

i. The number of guest rooms;

ii. The number of permanent residents of the dwelling proposed for the bed and breakfast;

iii. The number of parking stalls that can be accommodated in a garage or driveway; and

iv. The number of legal on-street parking stalls immediately adjacent to the bed and breakfast;

f) Concentrations of Bed and Breakfast Houses – Where a bed and breakfast house is proposed within 500 feet of another bed and breakfast house, the applicant shall demonstrate that the neighborhood will not be adversely affected by the concentration.

c. A home occupation which does not meet one or more of the requirements of subsection (2)(b) of this section may be approved using Process IIA, described in Chapter 150 KZC, if it:

1) Will not harm the character of the surrounding neighborhood;

2) Will not include outdoor storage and/or operation of building materials, machinery, commercial vehicles, or tools, except if it meets the following criteria:

a) Is appropriately screened from other properties;

b) Does not emit noise, odor, or heat; and

c) Does not create glare; and

3) Does not create a condition which injures or endangers the comfort, repose, health or safety of persons on abutting properties or streets; and

4) Will not generate excessive traffic or necessitate excessive parking; and

5) For bed and breakfast houses, there will be a maximum of four guest rooms.

d. Licensing – A business license shall be required for all home occupations.

e. Revocation of Home Occupation Permit – Upon determination that there has been a violation of any decision criteria or condition of approval of a home occupation permit granted pursuant to subsection (2)(c) of this section, the Director of Planning and Community Development may revoke a home occupation permit pursuant to the provisions of Chapter 170 KZC, Zoning Code Enforcement.

3. Accessory Structure (detached dwelling unit uses only) – Structures, to be used as a tool shed, greenhouse, private garage, accessory dwelling unit, barns or similar use are permitted. The total size of all such structures may not exceed the gross floor area of 1,200 square feet plus

10 percent of the lot area that exceeds 7,200 square feet. The height (roof peak elevation) of an accessory structure may not exceed 15 feet above the existing height (roof peak elevation) of the primary residence or 25 feet above average building elevation, whichever is less. Accessory dwelling units must also comply with subsection (5) of this section.

4. Domestic Animals – Please see KZC 115.20, Animals in Residential Zones, for regulations for keeping animals in residential zones.

5. Accessory Dwelling Units – One accessory dwelling unit (ADU) is permitted as subordinate to a single-family dwelling; provided, that the following criteria are met:

   a. Number of Occupants – The total number of occupants in the principal dwelling unit and the ADU combined shall not exceed the maximum number established for a single-family dwelling as defined in KZC 5.10.300.

   b. Owner Occupancy – One of the units must be owner-occupied. Owner occupancy is defined as a person with an ownership interest in the property.

   c. Subdivision – Accessory dwelling units shall not be subdivided or otherwise segregated in ownership from the principal dwelling unit.

   d. Scale – The square footage of the accessory dwelling unit shall not exceed 40 percent of the primary residence and accessory dwelling unit combined. If the accessory unit is completely located on a single floor, the Planning Director may allow increased size in order to efficiently use all floor area.

      Detached accessory dwelling units shall not exceed 800 square feet of gross floor area. When calculating the square footage of the ADU (see KZC 5.10.340, definition of "gross floor area"), covered exterior elements such as decks and porches will not be included; provided, the total size of all such covered exterior elements does not exceed 200 square feet. An accessory dwelling unit will be considered to be "detached" from the principal unit if it has any of the following characteristics:

      1) It does not share a common roof structure with the principal unit.

      2) It is not integrated into the footprint of the principal unit.

      3) The design is inconsistent with the existing roof pitch, siding treatment, and window style of the principal unit.

   e. Location. The accessory dwelling unit may be added to or included within the principal unit, or located in a detached structure. Detached structures must conform with the setbacks, height restrictions, lot coverage and other applicable zoning regulations required for single-family dwellings in the applicable use zone; provided, that an accessory dwelling unit shall not be considered a "dwelling unit" in the context of Special Regulations in Chapters 15 through 60 KZC which limit the number of detached dwelling units on each lot to one.

   f. Entrances. The primary entrance to the accessory dwelling unit shall be located in such a manner as to be clearly secondary to the main entrance to the principal unit and shall not detract from or alter the single-family character of the principal unit.

   g. Parking. There shall be one off-street parking space provided for the accessory dwelling unit.

h. WD I and WD III Zones. Properties located in the WD I and WD III Zones which develop accessory dwelling units must provide public pedestrian access consistent with the regulations contained in KZC 30.15.020 and 30.35.020 for attached or stacked dwelling units.

i. Applicable Codes. The portion of a single-family dwelling in which an accessory dwelling unit is proposed must comply with all standards for health and safety contained in all applicable codes, with the following exception for ceiling height. Space need not meet current Uniform Building Code (UBC) ceiling height requirements if it was legally constructed as habitable space.

j. Permitting

1) Application

a) The property owner shall apply for an accessory dwelling unit permit with the Building Department. The application shall include an affidavit signed by the property owner agreeing to all the general requirements outlined in this section.

In the event that proposed improvements in the accessory dwelling unit do not require a building permit, a registration form for the unit must be completed and submitted to the Planning Department.

b) The registration form as required by the City shall include a property covenant. The covenant must be filed by the property owner with the City for recording with the King County Department of Records and Elections to indicate the presence of the accessory dwelling unit, and reference to other standards outlined in this section. The covenant shall run with the land as long as the accessory dwelling unit is maintained on the property.

c) If an ADU was or is created without being part of a project for which a building permit was or is finaled, an ADU inspection will be required for issuance of an ADU permit. The ADU inspection fee will cover a physical inspection of the ADU. This fee will be waived if the ADU existed on January 1, 1995, and the ADU permit is applied for by December 31, 1995.

2) Eliminating an Accessory Dwelling Unit. Elimination of a registered accessory dwelling unit may be accomplished by the owner filing a certificate with the Planning Department, or may occur as a result of enforcement action.

3) Preexisting Units. That portion of a single-family residence which meets the definition of accessory dwelling unit which existed on January 1, 1995, may be legally established, and not subject to zoning violation fines, if the following requirements are met:

a) An application for an accessory dwelling permit is filed by December 31, 1997;

b) The accessory dwelling unit is determined to meet the requirements of this section, as well as the other code requirements referred to in KZC 115.65(5)(g).

4) Appeals. The decision of the Planning Official in approving or denying a request to construct an accessory dwelling unit may be appealed using the appeal provision, as applicable, of Process I, KZC 145.60 through 145.110.

City of Kirkland
APPLICATION FOR BUSINESS LICENSE

INSTRUCTIONS:

Items 1-26 must be completed, or application will not be accepted.
Please **print** or **type**.
Attach additional paper if needed.
Application must be signed.
If form is not fully completed, a delay in processing the application will occur.

License Fee:

Please refer to the Business License Application Fee Worksheet for fee calculations.
Return application and check (made payable to City of Kirkland) to:

City of Kirkland
Customer Accounts/Licensing
123 5th Avenue
Kirkland, WA 98033-6189
Phone 425.587.3140

$ _____
Fee due from Business License Application Fee Worksheet

1. Business Organization: ☐ Sole Proprietor ☐ Partnership ☐ Corporation ☐ LLP ☐ LLC

2. _____
Name of Firm *DBA (Doing Business As)* *Business Phone*

3. _____
Business Address *PBX Phone/Service Provider*

_____
Mailing Address (if different from business address)

6 _____ _____
Unified Business Identifier Number (UBI) *Standard Industrial Code*

4. List names of all owners partners, or officers:

	(1)	(2)	(3)
Name:			
Address:			
City/State/Zip:			
Home Phone:			
Drivers Lic. No:			

ATTACHMENT 2
ZONO5-00001

5. **Emergency Notification (must list two contacts):**

	(1)	(2)
Name:		
Address:		
City/State/Zip:		
Home Phone:		

6. **Property Owner(s)/Leasing Agent:**

	(1)	(2)
Name:		
Address:		
City/State/Zip:		
Home Phone:		

7. **List other business locations in Kirkland:**

	(1)	(2)
Name:		
Address:		
Bus. Phone:		

8. **Specifically describe your business activity:** _____

_____

9. **Is this business a change of ownership, location change (within City of Kirkland), or business activity change?**

☐ Yes ☐ No If yes, please indicate: _____

10. **Is this a business conducted in a residence?** ☐ Yes ☐ No

11. **Occupancy Type:**

☐ Apartment Building/Condo ☐ Office Building ☐ Single Family/Duplex ☐ Church
☐ Hospital/Nursing Home ☐ Retail ☐ Warehouse
☐ Hotel/Motel ☐ School ☐ Other (Please Specify)_____

12. **Number of square feet (gross) of floor space/business activity uses:** __

13. **Number of workers at this location including owner/manager:** _____

14. **Type of Business:**

☐ Business/Prof. Office ☐ Restaurant ☐ Wholesale ☐ Religious
☐ Manufacturing ☐ Retail ☐ Government
☐ Medical/Dental ☐ Services (Personal) ☐ Other (Please Specify)_____

15. **Is this a non-profit organization?** ☐ Yes ☐ No

If yes, please provide a copy of IRS 501(c)(3) Federal Tax Exemption Certificate.

16. **Will any type of live music be conducted at business?** ☐ Yes ☐ No

17. **Will any admission fees be charged:** ☐ Yes ☐ No

18. **Do you store flammable or hazardous materials?** ☐ Yes ☐ No
If yes, please attach a list of type and quantity.

19. **Do you use any spray painting equipment?** ☐ Yes ☐ No

20. **Do you or will you have a burglar alarm(s)?** ☐ Yes ☐ No

If yes, please indicate type, i.e., audible, silent, etc.: _____

What is the name(s) and after-hour phone number(s) of the person(s) to be notified in case the alarm is activated?

_____

_____

21. **Do you have a fire alarm system?** ☐ Yes ☐ No

22. **Do you have a fire sprinkler system?** ☐ Yes ☐ No

23. **Will waste material (other than restrooms) be discharged into the sewer?** ☐ Yes ☐ No
If yes, indicate type:

☐ Cooling Water ☐ Grease ☐ Wash Down or Floor Cleaning
☐ Food Waste ☐ Product Waste ☐ Other (Please Specify) _____

24. **Will you have any sanitary sewer connections from your production area (other than restrooms)?**
☐ Yes ☐ No

If yes, indicate type:

☐ Catch Basins ☐ Floor Drains ☐ Sinks ☐ Sumps
☐ Other (Please Specify) _____

25. **Opening date of your business at this location:** _____

26. **Are you the first tenant at this location?** ☐ Yes ☐ No

If not, name of previous business at this location: _____

(If Question #10 was answered yes, please answer Questions 27 and 28.)

27. **Is this business license application for a Home Daycare?** ☐ Yes ☐ No

If yes, please indicate the following:

DSHS License/Certification No.: _____ Expiration Date: _____

Maximum number of children authorized by DSHS: _____

Actual number of children enrolled: _____

28. For all other Home Occupations, answer the following (if you answer yes to any of these questions, please explain in the space provided. If needed, a separate sheet may be attached):

a. Does the business employ individuals who are not residents of the subject dwelling unit? ☐ Yes ☐ No
If yes, how many? _____

b. Does the business include any outside storage, exterior indication, or outside activity on the subject property?
☐ Yes ☐ No

c. Does the business use any heavy equipment, power tools, or power sources not common to a residence?
☐ Yes ☐ No If yes, what type? _____

d. Are there any noise, dust, glare, vibration, odor, smoke, or other impacts to a residential area?
☐ Yes ☐ No

e. Is there pickup or delivery by commercial vehicles (excluding occasional mail or courier deliveries)?
☐ Yes ☐ No

f. Do customers come to the subject property for goods and/or services? ☐ Yes ☐ No
If yes, how many persons per day and how many persons at any one time? _____

g. Does the business include parking or operating a vehicle, van or truck that exceeds 10,000 pounds in gross vehicle weight? ☐ Yes ☐ No

BUSINESS OWNER MUST ENSURE COMPLIANCE WITH ALL LAWS:

Do not engage in business until you receive an approved license. When the City issues a business license, the City is not representing that the business is in compliance with all local, state and federal laws.

DECLARATION:

I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

Applicant's Signature: _____ *Title:* _____ *Date:* _____

FOR OFFICE USE ONLY

Receipt No.: _____

Check No.: _____

Application Date: _____

Revised 11/04

CITY OF KIRKLAND
BUSINESS LICENSE INFORMATION

PURPOSE OF LICENSING

To license for regulation and revenue generation.

APPLICATION PROCESS

1. A City of Kirkland Business License Application form shall be completed and submitted to the CAS - Licensing, 123 Fifth Avenue, Kirkland, WA 98033-6189, along with the license fee.
2. All sections of the application must be completed.
3. If more than one business is conducted, operated, engaged in, or practiced on a single premises, a separate registration and license will be required for each business.
4. If a business is conducted from more than one premises in the City, a separate registration and license will be required for each premises.
5. If the business is a partnership, the application must be made by one of the partners; if a corporation, by one of the officers; if a foreign corporation, partnership, or nonresident individual, by the resident agent or local manager of the corporation, partnership, or individual.
6. The license or refusal of license will be issued within fifteen (15) days.
7. All businesses located and / or engaged in business within the City will be required to obtain licenses and pay all fees.
8. Each license issued will be for one year.
9. The City of Kirkland, in issuing a Business License, makes no representation that the registered business is in compliance with City or state laws and regulations regarding the operation of the business within the City of Kirkland. It is the responsibility of the business owner to investigate, maintain, and ensure compliance with all applicable laws and regulations.

EXEMPTIONS

You may be eligible to pay a registration fee of $25 in lieu of a business license fee under the following circumstances:

- Any business with less than $2,000 average annual gross receipts.

Also any business that holds a valid regulatory license or is a utility company that pays a utility tax to the City may take a credit for the amount paid for the regulatory license or utility tax up to the total amount of the business license fee.

REGISTRATION FEE

The following entities may claim an exemption from the basic license fee or registration, but if exempt under this subparagraph, such entities shall still register under this chapter:

1. Certain Organizations Exempt from Federal Income Tax. An organization that files with the city a copy of its current IRS 501(c)(3) exemption certificate issued by the Internal Revenue Service.
2. A governmental entity that engages solely in the exercise of governmental functions. Activities which are not exclusively governmental, such as some of the activities of a hospital or medical clinic, are not exempt under this chapter.
3. A nonprofit business operated exclusively for a religious purpose, upon furnishing proof to the finance director of its nonprofit status. For the purposes of this chapter, the activities that are not part of the core religious functions are not exempt.
4. Civic groups, service clubs, and social organizations that are not engaged in any profession, trade, calling, or occupation, but are organized to provide civic, service, or social activities in the city.

FEES

1. Base License Fee is $100.00 for all new applicants (except for exempt businesses)
2. Surcharge: The new business license fee consists of two parts: a base fee and a surcharge based on number of employees. A partial exemption is granted to businesses with gross receipts below the designated threshold.

# Employees or FTEs	More than $100,000	$50,000-$100,000	$2,000-$49,999
1	$125	$75	$0
2-5	$225	$150	$0
6-20	$750	$500	$0
21-100	$1,500	$1,000	$0
100+	$2,500	$2,000	$0

SALE OR TRANSFER OF BUSINESS

A business license terminates with the sale or transfer of any business. The new owner intending to continue the business must apply for a new business license.

LICENSE DENIAL

1. If a business is refused a license, the reason(s) for refusal will be set forth in writing and mailed to the business.
2. The business may appeal the refusal to the Finance Director by filing a Notice of Appeal within fourteen (14) calendar days from the mailing of the Notice of Refusal.

PENALTY FOR VIOLATION

A business that fails to apply and/or renew its license on time shall pay a penalty in addition to the amount charged for the annual license as follows:

1. Up to 29 days late, a penalty of $25.00 or 10% of the amount of the license, whichever is greater;
2. Between 30 and 59 days late, a penalty of $50.00 or 50% of the amount of the license, whichever is greater;
3. 60 or more days late, a penalty of $100.00 or 100% of the amount of the license, whichever is greater.

For a copy of ordinance and further information or clarification, please visit our website at www.ci.kirkland.wa.us or call 425.587.3130

REVOCATION OR SUSPENSION

1. The City Council may, at any time, suspend or revoke any license whenever the licensee or an officer or partner has been convicted, in any court of competent jurisdiction, of violating any criminal statute of the United States or the State of Washington, or any ordinance of the City of Kirkland, upon the business premises stated in the license or in connection with the business stated in the license.
2. A hearing shall be held before the revocation or suspension.
3. The licensee shall be notified in writing, by certified mail, fourteen (14) days prior to the hearing date.

DEFINITIONS

Person
Includes individual natural persons, any firm, corporation, association, sole proprietor, club, partnership, trust, receiver, administrator, executor, estate, company, independent contractor, society, any officer, agent, personal representative, any group of individuals acting as a unit, the United States or the State of Washington or any instrumentality thereof, and includes the singular and the plural.

Business
Includes all activities, occupations, pursuits or professions located and/or engaged within the City, with the object of gain, benefit or advantage to the person engaging in the same, or to any other person or class, directly or indirectly, and includes nonprofit enterprises.

Retail
A business which provides goods which are available for immediate purchase and consumption or removal from the premises by the purchaser.

Wholesale
A business which sells goods to retail establishments.

Manufacturing
A business engaged in the fabrication or assembly of goods.

Business Office
A business which provides administrative or technical support for retail, wholesale, manufacturing, personal services, or medical services businesses.

Personal Services
All other activities or services including repair or counseling services, but excluding medical and dental services.

Medical/Dental Services
A business providing medical, dental, or veterinary health care.

Cabaret
Permitting music only, or permitting both music and dancing in a place of business in which food or liquor is sold and consumed on the premises.

Celebration
Any one-time event.

Permit/License
Unless the context in which it is used clearly indicates otherwise, the words "license" and "permit" as used herein both mean the official approval or authorization of the City of Kirkland.

Place of Business
Place of business or office" includes, but is not limited to, the following: maintaining, occupying, or using a permanent building or facility, or fixed location as an office or location for conducting business; or a location where the regular business of the person is conducted and which is either owned by the person or over which the person exercises legal dominion and control; or a location which includes a business sign, mailing address, and permanent phone. A vehicle such as a pick-up, van, truck, boat or other motor vehicle will not be considered a place of business for purposes of this chapter.

Public Dance
Any dance to which the general public is admitted for which an attendance charge or donation is imposed as a condition of attendance.

CITY OF KIRKLAND RULES GOVERNING BUSINESSES CONDUCTED WITHIN RESIDENCES

A business conducted incidental to a residential use is termed home occupation and is governed by Section 115.65 of the Kirkland Zoning Code. A home occupation is permitted without a zoning permit if it complies with all of the following:

1) It is carried on exclusively by family members who reside in the dwelling unit and not more than two additional people who are not residents of the dwelling;
2) It is conducted indoors and has no outside storage, exterior indication, or outside activity, including equipment stored on vehicles;
3) It requires no alteration to the interior or exterior of the dwelling that changes its residential character;
4) It involves activities, including but not limited to heavy equipment, power tools, power sources, or other equipment, which do not result in noise, vibration, smoke, dust, odors, heat, or other conditions that exceed in duration or intensity, such conditions normally produced by a residential use;
5) It has no pickup or delivery by commercial vehicles; however, occasional mail and courier deliveries are permitted;
6) It does not include the following businesses:
   a) motor vehicle-related businesses including but not limited to auto, truck, body work, detailing, painting, or taxicab, van shuttle, limousine, towing, or other transportation service or sales;
   b) repair or sales of large appliances or heavy equipment;
   c) welding;
   d) kennels or commercial stables;
   e) inventory storage of more than 1,200 cubic feet of materials;
   f) restaurants; and
   g) landscaping/gardening/lawn services.

Office-only activities for the above uses may be allowed as home occupations provided all other requirements of this section are met;

7) It does not include more than 4 persons per day and no more than 2 persons at any time coming to and leaving from the subject property for goods or services. Customer visits or deliveries to a home occupation shall be between the hours of 8:00 a.m. and 8:00 p.m.
8) It operates no more than one vehicle, van, truck or similar vehicle, not exceeding a gross vehicle weight of 10,000 pounds; and
9) It has no signs other than one building-mounted, non-illuminated sign with a maximum size of 2 square feet.

For information about operating a bed and breakfast house see Zoning Code Section 115.65.2.f.

If the home occupation does not meet all of the above, it must be approved through a public hearing process before a Hearing Examiner. The Examiner may only allow a home occupation if he/she finds that it:

1) will not harm the character of the surrounding neighborhood;
2) will not include outdoor storage and/or operation of building materials, machinery, commercial vehicles, or tools, except if it meets the following criteria:
   a) is appropriately screened from other properties;
   b) does not emit noise, odor, or heat; and
   c) does not create glare.
3) does not create a condition which injures or endangers the comfort, repose, health or safety of persons on abutting properties or streets; and
4) will not generate excessive traffic or necessitate excessive parking

For more information about the City's home occupation regulations, contact:

Department of Planning and Community Development
123 Fifth Avenue
Kirkland, WA 98033
(425) 587-3225

All home occupations are required to obtain a business license, regardless of whether or not a zoning permit is required.

Business License Application
Fee Worksheet

Registration Fee Fee Due

(You may be eligible to pay a registration fee of $25 in lieu of a business license fee under the following circumstances).

1. Are you a qualified ***nonprofit organization***? Yes _____ No _____ $_____
   (Do you have a 501(c)(3) designation from the Internal Revenue Service?)
   If yes, stop here. Your registration fee is $25.

2. Are the ***annual gross receipts of your business less than $2,000?*** Yes _____ No _____ $_____
   If yes, stop here. Your registration fee is $25.

3. Are you a qualified ***governmental* or *religious organization?*** Yes _____ No _____ $_____
   If you engage exclusively in religious activities or governmental functions, stop here. Your registration fee is $25. However, if any of your activities go beyond core religious functions, or if any of your activities go beyond core governmental functions, then skip down to the regular business license section. You will pay a base fee and follow special instructions for calculating the surcharge (see back of form).

Base Fee: All businesses operating in Kirkland are subject to a base fee of $100 unless eligible for a registration fee based on questions 1 through 3 above or if they are a utility paying a utility tax to the City. **$ 100**

Surcharge:

How many employees (or FTEs), including officer/owner/manager, do you currently employ at this location?
(If using FTEs, use the FTE calculation worksheet on the back of this form.) _____

Designate which category best describes your business' annual gross receipts for the most recent twelve months.

$100,000 or more	$50,000-$99,999	$2,000 - $49,999	Less than $2,000*
☐	☐	☐	☐

**If you have less than $2,000 annual gross receipts, return to question two in section one above.*

Using the table below, find the surcharge that corresponds to the number of employees or FTE's and gross receipts you indicated above.

# Employees or FTE's	Annual Gross Receipts			
	$100,000 or more	$50,000 - $99,999	$2,000 - $49,999	Less than $2,000
1	$125	$75	$0	$0
2-5	$225	$150	$0	$0
6-20	$750	$500	$0	$0
21-100	$1,500	$1,000	$0	$0
100+	$2,500	$2,000	$0	$0

Enter your surcharge amount from the table above. $_____

Add the surcharge amount and the base fee. This total amount is your business license fee. $_____

Credits: If you hold a *regulatory license* (cabaret, dance, etc.), or you are a utility company that pays a utility tax to the City, you may deduct the amount of the regulatory license fee or utility tax remittal from your business license fee up to the full amount of the business license fee (see back for complete list of regulatory licenses).

Enter your regulatory license fee or utility tax credit here. $(_____)

Subtract your regulatory license fee from your total business license fee. **Net Fee** **$_____**

PLEASE RETURN THIS FORM WITH BUSINESS LICENSE APPLICATION OR RENEWAL FORM

Business License Application
Fee Worksheet

Definitions:

Qualified Nonprofit Organization – Certain organizations exempt from Federal Income Tax. An organization that files with the City a copy of its current IRS 501(c)(3) exemption certificate issued by the Internal Revenue Service.

Government Organization – A governmental entity that engages solely in the exercise of governmental functions. Activities which are not exclusively governmental, such as some of the activities of a hospital or medical clinic, are not exempt under this chapter.

Religious Organization – A nonprofit business operated exclusively for a religious purpose, upon furnishing proof to the Finance Director of its nonprofit status. For the purposes of this chapter, the activities that are not part of the core religious functions are not exempt.

If your business is a religious organization or government entity *that pays a $100 base fee, follow these special instructions in calculating your surcharge. Determine the percentage of your activities that go beyond core religious functions or beyond core governmental functions. Apply this percentage to your total number of employees or FTE's and report the result. Apply the same percentage to your total gross receipts and report the result.*

Full Time Equivalent - A business may choose to calculate the number of employees for the purpose of the surcharge according to the following alternative method based on the number of employee hours worked for the business during the previous year. Where there are employees who work less than 1,920 hours per year, the total number of hours worked by all such employees during the previous four quarters shall be added together and divided by 1,920. A fraction of .5 or over shall be rounded up. The City may require the business to submit copies of its Washington State Department of Labor and Industries (L & I) reports for the prior four quarters.

If you do not have physical premises within Kirkland but conduct business in Kirkland, you should consider only the number of worker hours spent working in Kirkland or direct hours related to work completed for a customer located in Kirkland (use the same approach for estimating annual gross receipts).

Note for New Businesses - The surcharge for a business that did not submit reports for each of the last 4 quarters to L & I shall be based on the estimated number of employees of that business. If, during the license year, the City determines that the actual number of employees is significantly different than estimated, then the amount of the surcharge may be recalculated for the new business. If the revised surcharge is higher, the business must pay the difference within 30 days after notification. If the revised surcharge is lower, then the difference will be refunded within 30 days.

Worker hours reported during the most recent four quarters:

_____ Quarter 1 + _____ Quarter 2 + _____ Quarter 3 + _____ Quarter 4 = _____ Total for four quarters

Divide by (÷) 1920

_____ *

* A fraction of .5 or over shall be rounded up.

Hours worked by persons who are defined as employees for surcharge purposes must be included in the calculation even if the business is not required to report to the Washington State Department of Labor and Industries (L&I) concerning such person.

Regulatory License Credit - A business that holds a current valid City of Kirkland regulatory license under another Chapter of the Code may take a credit for the amount paid for the regulatory license up to the total amount of general business license fee plus the surcharge. Regulatory licenses that fall under this category are:

- Ambulances
- Amusement Devices
- Auctions, Auctioneers
- Cabarets
- Carnivals and Circuses
- Dances and Dance Halls
- Massage Parlors and Public Bath Houses
- Pawnbrokers, Junk Dealers
- Taxicabs and For Hire Vehicles
- CATV Franchises

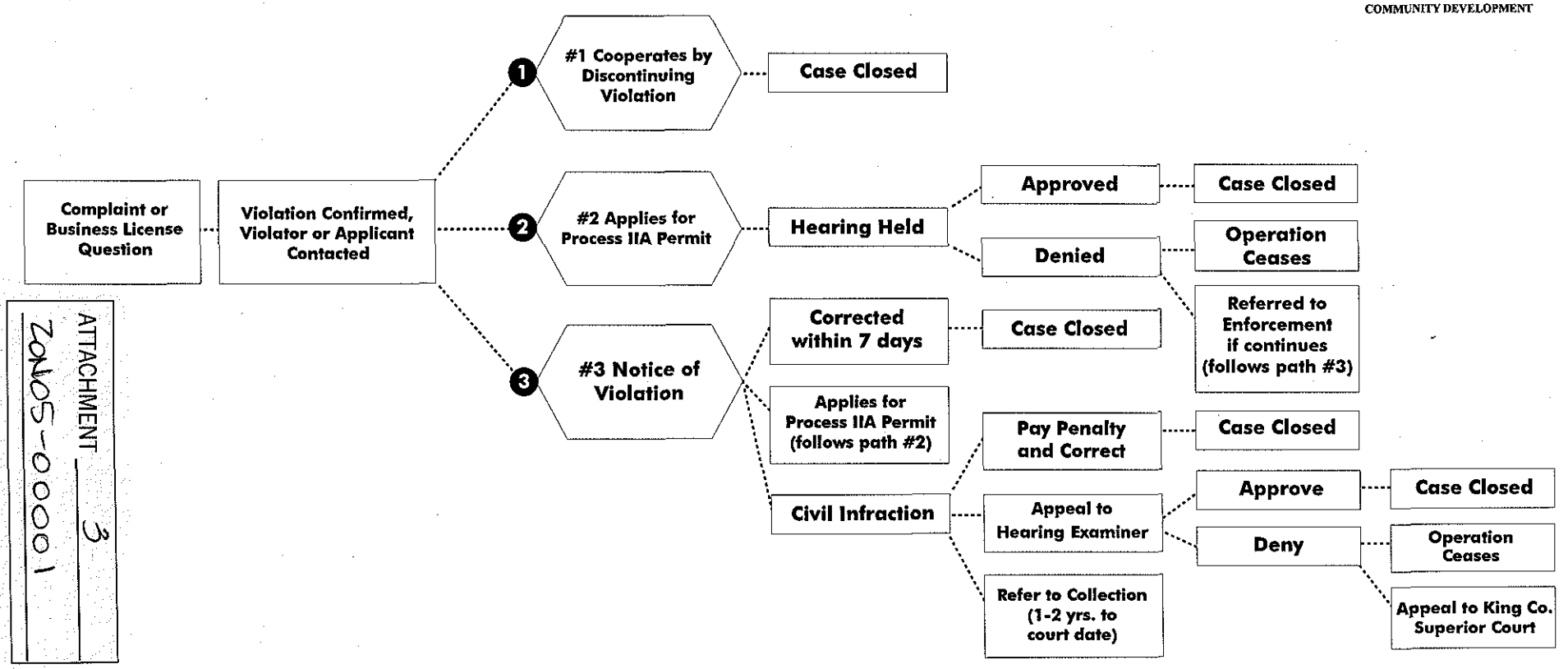
The City reserves the right to request verification of information provided on the application form and fee worksheet.

CITY OF KIRKLAND

PCD

DEPARTMENT OF PLANNING & COMMUNITY DEVELOPMENT

Home Occupation Violation Flow Chart



ATTACHMENT 3

ZON05-00001

CITY OF KIRKLAND WASHINGTON

CITY OF KIRKLAND
City Manager's Office
123 Fifth Avenue, Kirkland, WA 98033 425.587.3001
www.ci.kirkland.wa.us

MEMORANDUM

To: David Ramsay, City Manager

From: Tracy Burrows, Senior Management Analyst

Date: May 8, 2006

Subject: Presentation on "Transit Now" Initiative

At the May 16th City Council meeting, a representative from the King County Department of Transportation will be giving a presentation on County Executive Sims' "Transit Now" initiative for increased bus service to be funded by a sales tax increase. The measure is proposed for the November 2006 ballot.

"Transit Now" is a new four-point initiative that will increase King County Metro Transit service to provide up to 21 million more annual rides within ten years. It will result in an overall increase of bus service by up to 20 percent systemwide.

The "Transit Now" Initiative includes the following improvements:

RapidRide—A "bus rapid transit" (BRT) with frequent all-day service and faster travel times on five key travel corridors: three in Seattle; one connecting Bellevue and Redmond; and one serving SeaTac, Des Moines and Federal Way.

Improvements to current service—Enhancements to 35 major Metro routes with the highest ridership to provide more frequent two-way, all-day service between key cities and neighborhoods.

New service for growing areas—Development of new peak and midday service for residential areas in East and South King County.

Service partnerships—Set aside of resources for partnerships with major employers and cities, potentially leveraging additional funding from other sources to add new service in rapidly expanding employment centers.

The initiative will be funded by a one-tenth of one percent sales tax measure to be approved by voters in King County. When all sales taxes are combined, people in the county's urban areas now pay $8.80 on most purchases of $100, which would rise to $8.90 if the plan were to pass. The sales tax increase amounts to an estimated $50 million in annual revenues for Metro. If approved by the voters, the initiative would cost the average household in King County approximately $25 more a year in sales tax.

CITY OF KIRKLAND
City Manager's Office
123 Fifth Avenue, Kirkland, WA 98033 425.587.3001
www.ci.kirkland.wa.us

MEMORANDUM

To: David Ramsay, City Manager

From: Tracy Burrows, Senior Management Analyst

Date: May 4, 2006

Subject: Salvation Army Proclamation

Captain Kelly Nolan of the Salvation Army has asked that Mayor Lauinger designate May 15 – 21 as National Salvation Army Week. In years past, both King County and the City of Seattle have honored the good works of The Salvation Army by publicly proclaiming National Salvation Army Week. These local proclamations, made in conjunction with National Salvation Army Week, have increased exposure to The Salvation Army and the services it offers to the community.

The Salvation Army has been serving the city of Kirkland since 1992. Their social service programs are primarily focused on providing emergency rent and utility assistance to families and individuals in financial distress. The Salvation Army helps hundreds of Kirkland residents each year, not only by keeping them in their homes with their energy turned on, but also by providing food, clothing, transportation, school supplies, jackets and blankets, Thanksgiving meals, Christmas gifts, and summer camping opportunities.

The Salvation Army uses a holistic approach which enables it to minister to people's physical, mental, emotional, social, and spiritual needs. Services are provided free of charge to all persons without discrimination. Programs include weekly activities for children, teens, and families; fellowship groups for both men and women; music programs, "scouting" troops, and worship and spiritual enrichment activities; and senior ministries and hospital visitation.

Captain Kelly Nolan of the Salvation Army Eastside Corps, will be on hand at the May 16th meeting to accept the proclamation.

A PROCLAMATION OF THE CITY OF KIRKLAND

Designating May 15 - 21, 2006 as "Salvation Army Week" in the City of Kirkland

WHEREAS, May 15 - 21 marks The Salvation Army's internal observance of making a difference within their community through the dedication and hours of many employees, citizens and volunteers, and

WHEREAS, in the last year alone, The Salvation Army's Northwest Division has assisted 421,895 people within Washington, northern Idaho, and western Montana; and

WHEREAS, the Salvation Army has provided basic human services to an increasing number of unemployed, homeless and hungry within the City of Kirkland through care of mind, body and soul;

WHEREAS, nationwide, The Salvation Army provides 42 million Americans with comprehensive assistance, including: helping men and women overcome serious life problems such as alcohol and drug dependencies; giving a hand up to families by providing assistance during holidays and throughout the year; visiting and ministering the forgotten such as seniors, the ill, and the incarcerated; providing safety for those fleeing from domestic abuse; caring for disadvantaged youth and offering emergency housing assistance when needed, among others;

NOW, THEREFORE, I, James L. Lauinger, Mayor of the City of Kirkland, do hereby proclaim May 15 - 21, 2006, as *Salvation Army Week* in Kirkland, I urge all citizens to join me in expressing gratitude to those who are working tirelessly on behalf of the less fortunate in our city.

Signed this 16th day of May, 2006

_____

James L. Lauinger, Mayor

CITY OF KIRKLAND
Department of Public Works
123 Fifth Avenue, Kirkland, WA 98033 425.587.3800
www.ci.kirkland.wa.us

MEMORANDUM

To: David Ramsay, City Manager

From: Daryl Grigsby, Public Works Director

Date: May 4, 2006

Subject: Proclamation for Public Works Week, May 21-27, 2006

RECOMMENDATION:

It is recommended that Mayor James L. Lauinger proclaim the week of May 21-27, 2006, as 'Public Works Week' for the City of Kirkland to acknowledge the contributions of the Public Works Department staff to the quality of life in the City of Kirkland.

BACKGROUND DISCUSSION:

The National American Public Works Association (APWA) each year sets aside one week to acknowledge the value of public works to community vitality. The purpose is two-fold; one, to honor the contributions of the field, engineering and administrative staff in the public works profession, and second, to inform the public of the value and benefits of various elements of the public works infrastructure. In response, the City of Kirkland Public Works Department is hosting an open house at City Hall for the public on May 23, 2006. There will be education booths and activities for children available. In addition, we request the Mayor proclaim the week of May 21-27, as 'Public Works Week.' Public Works Director Daryl Grigsby will be available to accept the proclamation.

A PROCLAMATION OF THE CITY OF KIRKLAND

Designating May 21-27, 2006 as "Public Works Week" in the City of Kirkland

WHEREAS, Public Works is an essential fabric of the quality of life in modern society, and

WHEREAS, many of the benefits we take for granted, clean water, drainage, safe roads, solid waste pick up, bike lanes, safe walk routes, wastewater collection, and other elements are built or inspected by, and maintained by our Public Works Department, and

WHEREAS, the citizens, businesses, and visitors are served by the public infrastructure of the City, and

WHEREAS, among the inventory maintained by Public Works includes, 310 lane miles of roads, 29 lighted crosswalks, 202 vehicles, 168 miles of water mains, 141 miles of storm pipe, 114 miles of sewer main, 200,000 square feet of buildings and grounds, and

WHEREAS, the 102 employees of the Kirkland Public Works Department are among the most efficient, talented, dedicated and caring workers anywhere, and

WHEREAS, the City of Kirkland Public Works Department is known around the state for being innovative and professional, and

WHEREAS, every month the City receives phone calls, emails, letters and comments regarding excellent customer service and responsiveness from Public Works staff

WHEREAS, the American Public Works Association is celebrating the contributions of public works departments across the United States this month,

NOW, THEREFORE, I, James L. Lauinger, Mayor of Kirkland, do hereby proclaim the week of May 21-27, 2006, as Public Works Week in the City of Kirkland, and call upon all citizens to join me in appreciating both the staff of the Kirkland Public Works Department; and the infrastructure they maintain on our behalf. Whenever you drive, walk, drink, recycle, bike, flush; or almost anything else you do in the City of Kirkland, appreciate the quality of the infrastructure, and the professionalism of the people who deliver it to all of us.

Signed this 16th day of May, 2006

_____

James L. Lauinger, Mayor

CITY OF KIRKLAND
Department of Public Works
123 Fifth Avenue, Kirkland, WA 98033 425.587.3800
www.ci.kirkland.wa.us

MEMORANDUM

To: Dave Ramsay, City Manager

From: Daryl Grigsby, Public Works Director

Date: May 4, 2006

Subject: Introduction of New Public Works Storm/Sewer Division Manager

RECOMMENDATION:

It is recommended that we introduce the new Storm/Sewer Division Manager for the Public Works Department to the City Council.

BACKGROUND DISCUSSION:

I am pleased to introduce Bobbi Wallace as the new Storm/Sewer Division Manager for the Public Works Department. Bobbi is a proven manager with a track record of innovation, strategic planning, and service-oriented program implementation. She most recently was the King County Parks Maintenance and Facilities Manager. In that role she managed 84 staff and a $12 M annual budget. Prior to that, Bobbi was a Parks Manager for the City of Seattle. Her management roles were preceded by working her way through the ranks in the Seattle Engineering Department. She started as an Assistant Gardner, and from there was promoted to Truck Driver, Heavy Equipment Operator, Concrete Paving Crew Chief, and Street Maintenance Supervisor.

Bobbi's references cited her abilities as a supportive supervisor with high expectations and a 'can-do' attitude. She was also praised for her problem-solving skills, innovation, teamwork, creativity, and positive energy. She has received the Seattle Management Association Award for Excellence in Innovation, the National Association of Counties Innovation Award, and her section received the County's Martin Luther King Humanitarian Award. In addition, Bobbi was appointed to the Governor's Early Action Oil Spill Task Force and is a member of the National Urban and Community Forest Advisory Council.

It is my pleasure to introduce Bobbi Wallace to the City Council.

KIRKLAND CITY COUNCIL REGULAR MEETING MINUTES - May 02, 2006

1. CALL TO ORDER

2. ROLL CALL

ROLL CALL:
Members Present: Mayor Jim Lauinger, Deputy Mayor Joan McBride, Councilmember Dave Asher, Councilmember Mary-Alyce Burleigh, Councilmember Jessica Greenway, Councilmember Tom Hodgson, and Councilmember Bob Sternoff.
Members Absent: None.

3. STUDY SESSION

a. Joint Meeting with the Kirkland Youth Council Leadership

Council was joined for the discussion by members of the Kirkland Youth Council leadership including Co-Chairs Lucas Bischofberger and Neil Rotta, and Dani Ferrigno; as well as City Manager Dave Ramsay and Parks and Community Services Youth Coordinator Regi Schubiger.

4. EXECUTIVE SESSION

a. To Discuss Potential Litigation

5. SPECIAL PRESENTATIONS

a. Arts Education Week Proclamation

Una McAlinden, Executive Director, accepted the proclamation on behalf of ArtsEd Washington.

b. 2006 T.H.A.N.K.S. Scholarship Recipients

Lucas Bischofberger, International Community School, Kirkland Youth Council and Phillip Cheyne, Juanita High School, Kirkland Police Explorer were honored with scholarships for their volunteer service to the City of Kirkland.

c. National Nursing Home Week Proclamation

Mayor Lauinger will present the proclamation to honor residents and staff of local nursing homes on May 16th at the Lake Vue Gardens National Nursing Home luncheon.

d. Relay for Life Proclamation

Mayor Lauinger will present the proclamation at the Redmond-Kirkland Relay for Life event being held May 6-7, 2006.

6. REPORTS

a. City Council

(1) Regional Issues

Councilmembers shared information regarding the Kirkland Downtown Association Clean Sweep; Puget Sound Regional Council Growth Management Policy Committee meeting; the City of Kirkland Volunteer Recognition dinner; Green Kirkland Ivy Pull at Carillon Woods; King County Solid Waste Comprehensive Plan process; kudos to the Public Works Department; Regional Law Safety and Justice Committee; Cascadia Community College Foundation Scholarship fundraising breakfast; Cascade Water Alliance Board meeting and retreat; Suburban Cities Association Dinner; City Council's first Legislative Committee breakfast meeting with State Legislators; Wednesday Market begins on May 3; Totem Lake and Juanita Beach Park tour with senior staff from Senator Patty Murray and Congressman Jay Inlee's office; Neighborhood U; incineration of garbage; and Eastside Human Services Forum which will be held June 14 at Bellevue Community Center.

b. City Manager

(1) Calendar Update

Parks and Community Services Director Jennifer Schroder has been elected the incoming President of the Washington Recreation and Parks Association and at their conference she was awarded the Citation of Merit Professional Award, of which only one is given out per year. Way-finding signs in the form of color coded arrows are being installed around Kirkland to highlight a series of walks around town.

7. COMMUNICATIONS

a. Items from the Audience

David Hiller, Cascade Bicycle Club, P.O. Box 15165, Seattle, WA 98115

b. Petitions

8. CONSENT CALENDAR

a. Approval of Minutes: (1) April 18, 2006
(2) April 18, 2006
(3) March 24 & 25, 2006

b. Audit of Accounts:

Payroll $ 1,610,764.08
Bills $ 1,830,629.63
Run #595 Check #'s 477767-477898
Run #596 Check #'s 477905-478037

c. General Correspondence

(1) Kevin St. John, Regarding an Ordinance to Prohibit Parking in Front of Mailboxes

d. Claims

(1) Amica Mutual Insurance for Stefano Ruocco

e. Authorization to Call for Bids

(1) 2006 Street Preservation Program

f. Award of Bids

g. Acceptance of Public Improvements and Establishing Lien Period

(1) Heritage Park Phase 1 Improvements

h. Approval of Agreements

(1) Resolution R-4571, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND AUTHORIZING THE CITY MANAGER TO EXECUTE AN INTERLOCAL AGREEMENT BETWEEN THE SEATTLE DEPARTMENT OF PARKS AND RECREATION, THE UNIVERSITY OF WASHINGTON, THE CITIES OF BELLEVUE, KENT, RENTON, SEATAC, MERCER ISLAND, MOUNTLAKE TERRACE, WOODINVILLE AND KIRKLAND TO MANAGE WATERFOWL."

i. Other Items of Business

(1) Appointing New Members to Lodging Tax Advisory Committee

(2) Approving Surplus of Equipment Rental Vehicles/Equipment

(3) Resolution R-4572, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND RELINQUISHING ANY INTEREST THE CITY MAY HAVE IN AN UNOPENED ALLEY AS DESCROBED HEREIN AND REQUESTED BY PROPERTY OWNERS TERRENCE J. AND KAREN L. CASEY."

(4) Resolution R-4573, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND RELINQUISING ANY INTEREST THE

CITY MAY HAVE IN AN UNOPENED ALLEY AS DESCRIBED HEREIN AND REQUESTED BY PROPERTY OWNER MICHAEL C. GROBER."

(5) Resolution R-4574, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND RELINQUISHING ANY INTEREST THE CITY MAY HAVE IN AN UNOPENED ALLEY AS DESCRIBED HEREIN AND REQUESTED BY PROPERTY OWNER RICHARD D. ERWIN."

Fleet #	Year	Make	VIN/Serial Number	License #	Mileage
BG-3	2000	John Deere 1200A Field Rake	TC1200A110274	n/a	n/a
C-03	1998	Ford Contour Sedan	1FAFP65Z6WK281367	26101D	31,898
F204X	1990	Chevrolet 2500 Pickup	2GCGC29K5L1243088	08591D	94,344
F206	1995	Chevrolet Astro Van	1GNEL19W0SB202992	16974D	39,454
F209	1998	Jeep Cherokee	1J4FJ28S7WL254816	23996D	47,117
PU-08	1996	Ford F150 Pickup	1FTEF15N0TLB57528	22111D	51,598
PU-11	1998	Ford F150 Pickup	1FTRF17Z8WKC04798	26110D	53,271
PU-24	1998	Dodge 2500 Pickup	3B7KC26Z3WM276423	24500D	44,353
PU-80	1998	Dodge 1500 RAM Van	2B7HB11X4WK146214	24498D	41,974
PU-81	1998	Dodge 1500 RAM Van	2B7HB11X6WK146215	24497D	50,483
PU-82	1998	Dodge 1500 RAM Van	2B7HB11X8WK146216	24499D	37,435
U-02X	1992	GMC 3500 Utility Box	1GDKC34N2NJ525453	11623D	62,957
V-02	1997	Freightliner Camel	1FV4JLCB2VH698752	23990D	6,959 hrs.

Motion to Approve the Consent Calendar
Moved by Councilmember Jessica Greenway, seconded by Deputy Mayor Joan McBride
Vote: Motion carried 7-0
Yes: Mayor Jim Lauinger, Deputy Mayor Joan McBride, Councilmember Dave Asher, Councilmember Mary-Alyce Burleigh, Councilmember Jessica Greenway, Councilmember Tom Hodgson, and Councilmember Bob Sternoff.

9. PUBLIC HEARINGS

10. UNFINISHED BUSINESS

a. Recommending Additional Funding for enterpriseSeattle

Motion to Approve Recommending Additional Funding for enterpriseSeattle
Moved by Deputy Mayor Joan McBride, seconded by Councilmember Mary-Alyce Burleigh
Vote: Motion carried 7-0
Yes: Mayor Jim Lauinger, Deputy Mayor Joan McBride, Councilmember Dave Asher, Councilmember Mary-Alyce Burleigh, Councilmember Jessica Greenway, Councilmember Tom Hodgson, and Councilmember Bob Sternoff.

b. 2005 Annual Road and Impact Fee Report

c. Authorizing Additional Funding for 116th Avenue NE (North Section) Non-motorized Facilities

Public Works Capital Project Manager Ray Steiger provided an overview of the Phase 1 (north section) 116th Avenue NE non-motorized plan to install a bicycle lane and sidewalk as well as other planned improvements.

Motion to Approve Authorizing Additional Funding for 116th Avenue NE (North Section) Non-motorized Facilities
Moved by Councilmember Jessica Greenway, seconded by Deputy Mayor Joan McBride
Vote: Motion carried 7-0
Yes: Mayor Jim Lauinger, Deputy Mayor Joan McBride, Councilmember Dave Asher, Councilmember Mary-Alyce Burleigh, Councilmember Jessica Greenway, Councilmember Tom Hodgson, and Councilmember Bob Sternoff.

d. Resolution R-4541, Approving the Issuance of a Process IIB Permit to Charlie Rosinski and Setting Forth Conditions

Councilmembers disclosed the receipt of an email from a Kirkland citizen which was introduced into the record. Councilmembers declared that it did not pose a risk of bias or influence. The Mayor declared the hearing open. Planning and Community Development Planner Tony Leavitt summarized the history of the Rosinski Process IIB Permit. The mayor closed the hearing.

Motion to Suspend the rule to vote on the matter at the next meeting and to vote on the application at this meeting.
Moved by Councilmember Dave Asher, seconded by Councilmember Mary-Alyce Burleigh
Vote: Motion carried 7-0
Yes: Mayor Jim Lauinger, Deputy Mayor Joan McBride, Councilmember Dave Asher, Councilmember Mary-Alyce Burleigh, Councilmember Jessica Greenway, Councilmember Tom Hodgson, and Councilmember Bob Sternoff.

Motion to Approve Resolution R-4541, ENTITLED "A RESOLUTION OF THE CITY OF KIRKLAND APPROVING THE ISSUANCE OF A PROCESS IIB PERMIT AS APPLIED FOR IN DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT FILE NO. ZON05-00016 BY CHARLES ROSINSKI BEING WITHIN A PLA 17 ZONE, AND SETTING FORTH CONDITIONS TO WHICH SUCH PROCESS IIB PERMIT SHALL BE SUBJECT."
Moved by Councilmember Bob Sternoff, seconded by Deputy Mayor Joan McBride
Vote: Motion carried 6-1
Yes: Mayor Jim Lauinger, Deputy Mayor Joan McBride, Councilmember Mary-Alyce Burleigh, Councilmember Jessica Greenway, Councilmember Tom Hodgson,

and Councilmember Bob Sternoff.
No: Councilmember Dave Asher.

Council adjourned for a short break.

11. NEW BUSINESS

a. Authorizing Proposed Land Trade along the South Side of Mark Twain Park

Motion to Approve Authorizing Proposed Land Trade along the south Side of Mark Twain Park with provision that the applicant provide a tree plan on the south side of the adjoining property of Mark Twain Park.
Moved by Councilmember Dave Asher, seconded by Councilmember Jessica Greenway
Vote: Motion carried 7-0
Yes: Mayor Jim Lauinger, Deputy Mayor Joan McBride, Councilmember Dave Asher, Councilmember Mary-Alyce Burleigh, Councilmember Jessica Greenway, Councilmember Tom Hodgson, and Councilmember Bob Sternoff.

b. Resolution R-4575, Approving the Issuance of a Process IIB Permit to Barbara and Jeffrey Hindle and Setting Forth Conditions

The Mayor opened the hearing. Planning and Community Development Planner Desiree Goble reviewed the record and the Councils options for their consideration. The mayor closed the hearing.

Motion to suspend the rule to vote on the matter at the next meeting and to vote on the application at this meeting.
Moved by Councilmember Mary-Alyce Burleigh, seconded by Councilmember Bob Sternoff
Vote: Motion carried 5-2
Yes: Mayor Jim Lauinger, Councilmember Dave Asher, Councilmember Mary-Alyce Burleigh, Councilmember Tom Hodgson, and Councilmember Bob Sternoff.
No: Deputy Mayor Joan McBride, and Councilmember Jessica Greenway.

Motion to Approve Resolution R-4575, entitled "A RESOLUTION OF THE CITY OF KIRKLAND APPROVING THE ISSUANCE OF A PROCESS IIB PERMIT AS APPLIED FOR IN DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT FILE NO. ZON05-00011 BY BARBARA AND JEFFREY HINDLE BEING WITHIN A RS 12.5 ZONE, AND SETTING FORTH CONDITIONS TO WHICH SUCH PROCESS IIB PERMIT SHALL BE SUBJECT."
Moved by Councilmember Mary-Alyce Burleigh, seconded by Councilmember Bob Sternoff
Vote: Motion carried 5-2
Yes: Mayor Jim Lauinger, Deputy Mayor Joan McBride, Councilmember Mary-Alyce Burleigh, Councilmember Tom Hodgson, and Councilmember Bob Sternoff.

No: Councilmember Dave Asher, and Councilmember Jessica Greenway.

12. ANNOUNCEMENTS

13. ADJOURNMENT

The Kirkland City Council regular meeting of May 2, 2006 adjourned at 10:26 p.m.

City Clerk

Mayor

KIRKLAND CITY COUNCIL SPECIAL MEETING

Minutes

May 9, 2006

1. CALL TO ORDER

Mayor Lauinger called the Special Meeting of the Kirkland City Council to order at 6:00 p.m.

2. ROLL CALL

The following Councilmembers were in attendance: Mayor James Lauinger, Deputy Mayor Joan McBride, Councilmembers Dave Asher, Mary-Alyce Burleigh, Jessica Greenway, Tom Hodgson and Bob Sternoff.

3. CULTURAL COUNCIL INTERVIEWS

a. Leah Kliger
b. Barbara Stock-Barrett
c. Mary Jane Vinella

4. EXECUTIVE SESSION

a. Discussion of Qualifications for Cultural Council Members

5. SELECTION AND APPOINTMENT OF CULTURAL COUNCIL MEMBER

Councilmember Asher moved to appoint Mary Jane Vinella to position 3 for the remainder of an unexpired term ending 3/31/2007 on the Cultural Council. Councilmember Burleigh seconded the motion. Mayor Lauinger recused himself from the vote for the appearance of fairness. The motion carried on a 6 – 0 vote.

6. ADJOURNMENT

The May 9, 2006 Special Meeting of the Kirkland City Council adjourned at 6:45 p.m.

City Clerk

Mayor

CITY OF KIRKLAND
Department of Finance and Administration
123 Fifth Avenue, Kirkland, WA 98033 425.587.3100
www.ci.kirkland.wa.us

MEMORANDUM

To: David Ramsay, City Manager

From: Kathi Anderson, City Clerk

Date: May 10, 2006

Subject: CLAIM(S) FOR DAMAGES

RECOMMENDATION

It is recommended that the City Council acknowledge receipt of the following Claim(s) for Damages and refer each claim to the proper department (risk management section) for disposition.

POLICY IMPLICATIONS

This is consistent with City policy and procedure and is in accordance with the requirements of state law (RCW 35.31.(040).

BACKGROUND DISCUSSION

The City has received the following Claim(s) for Damages from:

(1) Marc Lagen
1906 4th Street
Kirkland, WA 98033

Amount: Unknown

Nature of Claim: Claimant states damage to property resulted from a broken watermain.

(2) David and Jody Orbits
17028 NE 139th Street
Redmond, WA 98052

Amount: Unknown

Nature of Claim: Claimant states damage to property resulted when a tree fell from the greenbelt into property.

(3) Randa Robinson
143 NW 137th
Seattle, WA 98177

Amount: $1,892.27

Nature of Claim: Claimant states damage to vehicle occurred when struck by a City vehicle.

CITY OF KIRKLAND
City Manager's Office
123 Fifth Avenue, Kirkland, WA 98033 425.587.3001
www.ci.kirkland.wa.us

MEMORANDUM

To: Dave Ramsay, City Manager

From: Tracy Burrows, Senior Management Analyst

Date: May 4, 2006

Subject: Rotating Art Exhibit Proposal – Journeys of the Imagination

RECOMMENDATION:

Authorize the City Manager to enter into an "Artistic Sculpture Display" Agreement with the Howard Mandville Gallery to display a sculpture on Park Lane (see attached photo), which is cast bronze.

BACKGROUND DISCUSSION:

The Howard Mandville Gallery in downtown Kirkland recently requested authorization to place the "Journeys of the Imagination" sculpture on a pedestal east of the Gallery and east of its Park Lane location. The size of the piece is 50" x 32" x 22". The Cultural Council has recommended authorizing this sculpture placement.

The City maintains three pedestals, including this one, in downtown where art is displayed on a rotating basis. Sculpture is usually on display for six months to a year (sometimes longer if there is mutual agreement for an extension) and can be replaced if the art sells. Howard Mandville does have a buyer who is interested in purchasing this piece. Under this proposal, if the purchase goes forward the sculpture could be replaced with a full-sized version (84" tall) of the same "Journeys of the Imagination" sculpture. The agreement is for one year with possible extensions. As with other similar agreements, the City will insure the artwork (valued at $5,900), assist in its installation, and Howard Mandville Gallery will maintain the art.

CITY OF KIRKLAND
Department of Finance & Administration
123 Fifth Avenue, Kirkland, WA 98033 425.587.3100
www.ci.kirkland.wa.us

MEMORANDUM

To: Dave Ramsay

From: Gwen Chapman, Acting Director of Finance and Administration

Date: May 1, 2006

Subject: Cabaret Dance License

RECOMMENDATION:

City Council authorize the issuance of a Cabaret Dance License to the Wilde Rover LLC, Dba: Wilde Rover Irish Pub & Restaurant.

POLICY IMPLICATIONS:

The request and recommended action being presented to the City Council is consistent with the Municipal Code and City Council practice.

BACKGROUND DISCUSSION:

The Wilde Rover LLC, dba: Wilde Rover Irish Pub & Restaurant, located at 111 Central Way, has made Application for a Cabaret Dance License. Staff has completed its review/investigation and the above Referenced establishment has met the requirements of the Municipal Code. Staff recommends the Issuance of a Cabaret Dance License be granted.

CITY OF KIRKLAND

123 FIFTH AVENUE KIRKLAND, WASHINGTON 98033-6189 425.587.3140

LICENSE APPLICATION FOR CABARET, CELEBRATION, PUBLIC DANCE

This application may be used for the procurement of any of the following: **a Public Dance License** whereby a public dance shall include any dance to which the general public is admitted for which an attendance charge or donation is imposed as a condition of attendance; **a Celebration License** for a one-time event, **a Cabaret License** permitting music only, or permitting both music and dancing, in a place of business in which food or liquor is sold and consumed on the premises.

This license may be issued to the manager of the place of business or in the name of a corporation or partnership. Full information must be supplied with references to all of the partners, officers and directors of the corporation, as required by City ordinances. Upon report by the Chief of Police, this application will be referred to the City Council for final determination.

PLEASE PRINT OR TYPE

1. **CHECK ONE**

____	* Application for Public Dance License	$ 100.00 yearly
____	* Application for Public Dance Permit	$ 25.00 per dance
✓	** Application for Cabaret Music License	$ 100.00 yearly
____	** Application for Cabaret Dance License	$ 250.00 yearly
____	Application for Celebration License	$ 25.00 one day - one-time

Date of Event Only _____

(* Application must be submitted 48 hours prior to dance.)

(** $ 15.00 deposit for investigative costs required with application.)

RECEIVED APR 14 2006

2. Name of Applicant: Wilde Rover, LLC Applicant's Telephone: 425 822 8940

   Applicants Address: 111 Central Way Kirkland WA 98033

3. Name of Business: Wilde Rover Irish Pub & Restaurant Business Telephone: 425 822 8940

4. Will any admission fee be charged for the listed activity? If so, how much? yes, various

5. Name and address where event is to be held (if different from business address): _____

6. Name of Manager: Benjamin Pittman Manager's Telephone: 206 854 4251

   Manager's Address: 16723 Corliss Pl N Shoreline WA 98133

7. Name of person(s) or corporation to whom or which license is to be issued: Wilde Rover, LLC

8. Qualifications of person signing this application:

   a. How long have you resided in King County? 96 years

   b. How long have you resided in the State of Washington? 25 years

   c. Previous address: 7600 NE 124th St Dates at that address: Apr 1994 - 2000

9. Have you ever been convicted of committing a felony? NO

DECLARATION:

I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

10. Signature and official capacity of applicant: [signature] Managing Member

11. Signature of person accepting fee: [signature] Date: 4/11/06 4/14/06

RETURN COMPLETED FORM AND PAYMENT TO: Gloria Martin

City of Kirkland/Licensing
123 Fifth Avenue
Kirkland WA 98033
(425) 587-3140 or Fax (425)587-3110

H:\!DesignGroup\MMS\F&A\BL\Lic Appl-Dance.doc\04-03-06\GM:th

FOR OFFICIAL USE ONLY

Record of Report of Chief of Police/or his designee

I hereby recommend BENJAMIN PITTMAN of license for which application has been made.

Remarks: RECORDS CHECK COMPLETED 4/21/06. NO CRIMINAL HISTORY FOUND. DRIVERS LICENSE CLEAR

Signature of the Chief of Police Designee [signature] Date: 4/21/06

Action of the Kirkland City Council (where applicable)

Application Approved by _____ Date: _____

Application Approved by _____ Date: _____

Reason for Disapproval _____

License No. _____ Date: _____

Receipt No. _____ Date: _____

Fee Amount: _____

CITY OF KIRKLAND
City Manager's Office
123 Fifth Avenue, Kirkland, WA 98033 425.587.3001
www.ci.kirkland.wa.us

MEMORANDUM

To: Dave Ramsay, City Manager

From: Marilynne Beard, Assistant City Manager

Date: May 2, 2006

Subject: CONFIRMATION OF APPOINTMENT TO CIVIL SERVICE COMMISSION

RECOMMENDATION:

City Council confirms the City Manager's reappointment of Bill Petter to a six-year term on the Kirkland Civil Service Commission effective immediately and ending on December 31, 2011.

BACKGROUND DISCUSSION:

KMC 3.54.010 provides for appointments to the Civil Service Commission by the City Manager with the confirmation of the City Council. Appointments are for six-year terms. Mr. Petter has served on the Civil Service Commission since 1998 and has agreed to serve another term. In addition to Mr. Petter, Sandra Fredric and Robert Wahl serve on the commission and their terms end on December 31st of their sixth year. Mr. Petter's current term expires mid-year and staff recommends that his term be made consistent with other members of the commission, expiring on December 31, 2011.

Cc: B. Kenny
R. Lank
K. Anderson

CITY OF KIRKLAND
Department of Public Works
123 Fifth Avenue, Kirkland, WA 98033 425.587.3800
www.ci.kirkland.wa.us

MEMORANDUM

To: David Ramsay, City Manager

From: Elaine Borjeson, Solid Waste Coordinator
Daryl Grigsby, Public Works Director

Date: May 3, 2006

Subject: RESOLUTION TO RELINQUISH THE CITY'S INTEREST IN A PORTION OF UNOPENED RIGHT OF WAY

RECOMMENDATION**:**

It is recommended that the City Council adopt the enclosed Resolution, relinquishing interest in that portion of Block 170, TOWN OF KIRKLAND, according to the plat thereof recorded in Volume 6 of Plats, Page 64, records of King County, Washington, described as follows:

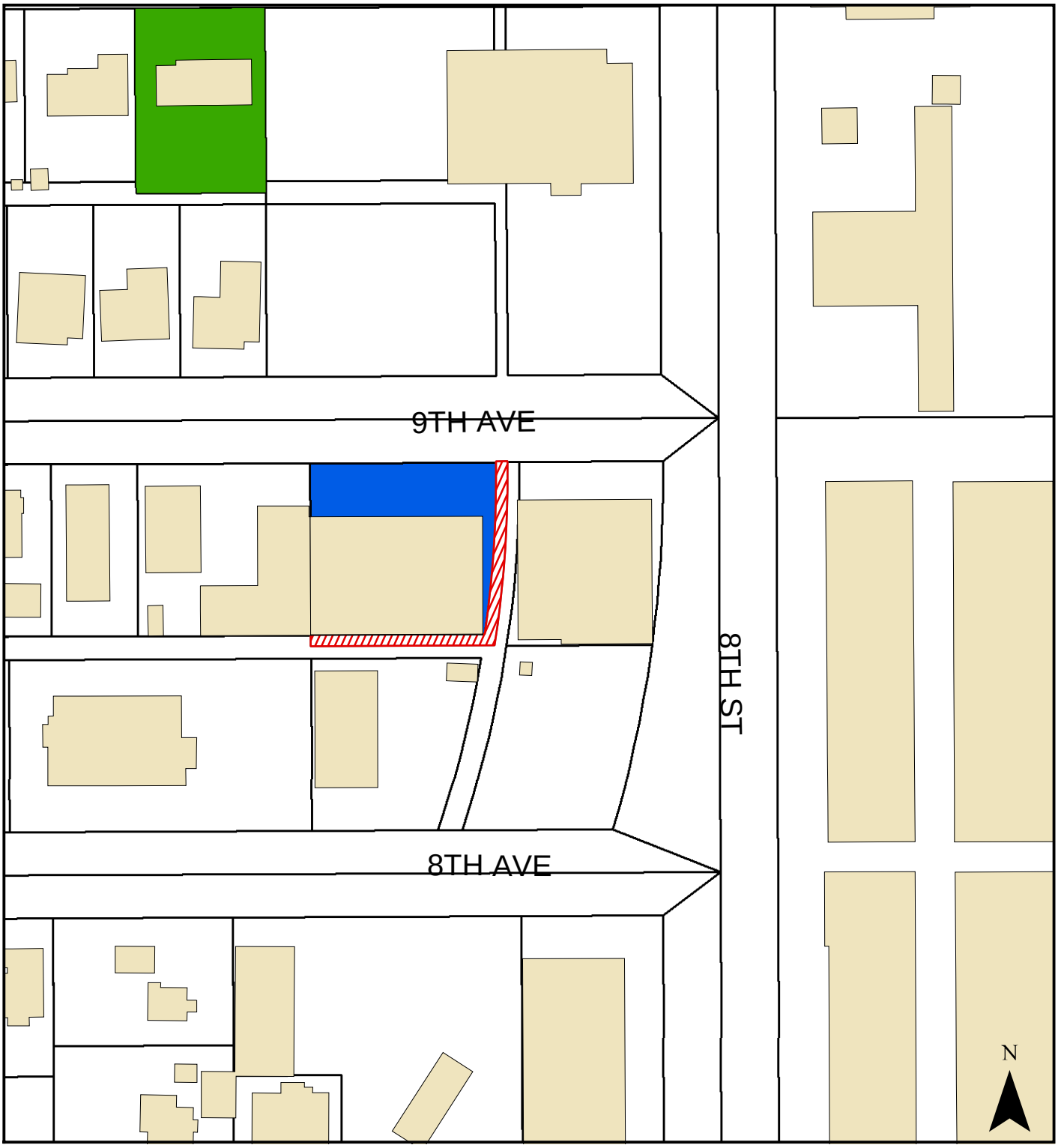
Beginning at the Southwest corner of Lot 12, said Block 170; thence Southerly on the extension of the West line of said Lot 12, a distance of 8.00 feet to the centerline of the 16 foot wide alley abutting the Southerly line of said Lot 12; thence Easterly along said centerline to a point on the centerline of that 16 foot wide alley abutting the Westerly line of Lots 1 through 8, said Block 170; thence Northerly along said centerline to a point on the Easterly extension of the Northerly line of Lots 9 through 12, said Block 170; thence Westerly along said extension, a distance of 8.00 feet to the Northeast corner of said Lot 9; thence Southerly along the Easterly line of said Lot 9 to the Southeast corner of said Lot 9; thence Westerly along the Southerly line of said Lots 9 through 12 to the point of beginning.

BACKGROUND DISCUSSION:

The unopened alley abutting the property of 723 9th Avenue was originally platted and dedicated in 1890 as the Town of Kirkland. The Five Year Non-User Statute provides that any street or right-of-way platted, dedicated or deeded prior to March 12, 1904, which was outside City jurisdiction when dedicated and which remains unopened or unimproved for five continuous years is then vacated.

Benjamin and Constance Casady, the owners of the property abutting this right-of-way, submitted information to the City claiming the right-of-way was subject to the Five Year Non-User Statute (Vacation by Operation of Law), Laws of 1889, Chapter 19, Section 32. After reviewing this information, the City Attorney believes the approval of the enclosed Resolution is permissible.

Attachments: Resolution
Vicinity Map



CASADY PROPERTY NON-USER VACATION
723 9TH AVE

- Casady Property
- Proposed Vacation
- Granted Non-User Vacation
- Pedestrian Easement
- Building Outline
- School
- Park

Produced by the City of Kirkland.

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No warranties of any sort, including but not limited to accuracy, fitness or merchantability, accompany this product.

Map Printed January 26, 2006 - Public Works GIS

RESOLUTION R-4576

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND RELINQUISHING ANY INTEREST THE CITY MAY HAVE IN AN UNOPENED ALLEY AS DESCRIBED HEREIN AND REQUESTED BY PROPERTY OWNERS BENJAMIN AND CONSTANCE CASADY.

WHEREAS, the City has received a request to recognize that any rights to the land originally dedicated in 1890 as right-of-way abutting a portion of the Town of Kirkland have been vacated by operation of law; and

WHEREAS, the Laws of 1889, Chapter 19, Section 32, provide that any county road which remains unopened for five years after authority is granted for opening the same is vacated by operation of law at that time; and

WHEREAS, the area which is the subject of this request was annexed to the City of Kirkland, with the relevant right-of-way having been unopened; and

WHEREAS, in this context it is in the public interest to resolve this matter by agreement,

Now, therefore, be it resolved by the City Council of the City of Kirkland as follows:

Section 1. As requested by property owners Benjamin and Constance Casady, the City Council of the City of Kirkland hereby recognizes that the following described right of way has been vacated by operation of law and relinquishes all interest it may have, if any, in the portion of right-of-way described as follows:

That portion of Block 170, TOWN OF KIRKLAND, according to the plat thereof recorded in Volume 6 of Plats, Page 64, records of King County, Washington, described as follows:

Beginning at the Southwest corner of Lot 12, said Block 170;
thence Southerly on the extension of the West line of said Lot 12, a distance of 8.00 feet to the centerline of the 16 foot wide alley abutting the Southerly line of said Lot 12;
thence Easterly along said centerline to a point on the centerline of that 16 foot wide alley abutting the Westerly line of Lots 1 through 8, said Block 170;
thence Northerly along said centerline to a point on the Easterly extension of the Northerly line of Lots 9 through 12, said Block 170;
thence Westerly along said extension, a distance of 8.00 feet to the Northeast corner of said Lot 9;
thence Southerly along the Easterly line of said Lot 9 to the Southeast corner of said Lot 9;
thence Westerly along the Southerly line of said Lots 9 through 12 to the point of beginning.

Section 2. This resolution does not affect any third party rights in the property, if any.

Passed by majority vote of the Kirkland City Council in open meeting this _____ day of _____, 2006.

Signed in authentication thereof this _____ day of _____, 2006.

_____
MAYOR

Attest:

_____
City Clerk

CITY OF KIRKLAND
123 Fifth Avenue, Kirkland, WA 98033 425.587.3000
www.ci.kirkland.wa.us

MEMORANDUM

To: Dave Ramsay, City Manager

From: Jeremy McMahan, Planning Supervisor
Eric Shields, Planning Director

Date: May 4, 2006

Subject: Public hearing to extend interim fee-in-lieu of parking ordinance (originally adopted as O-3996), File No. MIS05-00019

Recommendation

Hold public hearing to receive testimony on extending the interim fee-in-lieu of parking ordinance. Adopt the interim ordinance for another six-month period. Staff would also ask Council for direction on the key issues noted in the status report below.

Background

On June 7, 2005, the City Council adopted Ordinance 3996 as an interim ordinance modifying the fee-in-lieu parking provisions of the Kirkland Zoning Code. The ordinance increased the parking in-lieu fee (Kirkland Zoning Code Section 50.60.4, attached) from $6,000 to $20,000 per stall and established the fee-in-lieu option for more than 10 stalls as being at the City's discretion, rather than its current status as a development right.

This is the second extension of the interim ordinance. The interim ordinance will expire on May 20th, 2006 if not renewed. No fee-in-lieu requests have been filed or are currently anticipated under the interim ordinance.

Status of Permanent Code Amendment

Staff has started the Zoning text amendment process to codify a new fee-in-lieu rate, limit the number of stalls eligible, and a tie the amount to a construction index. The process has been delayed somewhat and become more complicated as three key issues have been discussed with the Planning Commission and Parking Advisory Board:

A. *Are legal requirements for expenditure of fee-in-lieu contributions a fundamental flaw in the program?*

Under RCW 82.02.020, fee-in-lieu contributions are allowed as voluntary contributions to mitigate a development impact. However, the law requires that payments not expended in five years must be refunded with interest. Although all voluntary contributions to the fund have now been expended on the Library Garage, the City does not have capital plans in place for new parking supply. The implication is that if an applicant used the fee-in-lieu option today to reduce their parking obligation, the City would be required to refund the payment in five years.

Staff will recommend to the Planning Commission that the permanent code amendments should limit the acceptance of all contributions to being at the City's discretion (the interim ordinance allows 10 stalls "by-right") unless there is a planned capital expenditure within five years.

B. *If the program is not being utilized anyway, is it worth keeping it as a placeholder?*

The PAB is discussing alternative sources of funding new parking supply, including on-street parking revenue. The PAB will be discussing ideas with the City Council at their joint meeting in June. The PAB and Planning Commission have indicated an initial inclination to retain the program as a placeholder to see if it can be integrated with a more comprehensive funding policy in the future. Staff agrees with this approach.

C. *Should the Planning Commission consider other amendments to parking regulations as part of the fee-in-lieu amendments?*

At their February 23, 2006 study session on fee-in-lieu amendments, the Planning Commission also deliberated whether the 2002 Zoning Code amendment that exempted retail to restaurant conversions from incurring additional parking obligations in CBD 1, 2, and 8 should be rescinded. The City Council adopted that amendment following a public process that yielded a recommendation form KDA and a unanimous recommendation for the Planning Commission.

The Planning Commission has requested that the PAB review the exemption and make a recommendation to the Commission. Preliminary discussions with the PAB indicate that any such decision should be deferred and considered with other parking management and supply being considered. They anticipate having a better sense of these issues later this summer. The City Council should provide direction as to whether to expand the scope of the fee-in-lieu code amendments to include consideration of parking exemptions.

If the Zoning Code amendments can proceed without a significant expansion of the scope (and related public process), staff would anticipate completing the amendments prior to expiration of this interim ordinance.

ORDINANCE NO. 4050

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO THE SECOND RENEWAL OF INTERIM PARKING REGULATIONS IN CENTRAL BUSINESS DISTRICT ZONES 1, 2, AND 8.

WHEREAS, the City has the authority to adopt interim zoning ordinances pursuant to RCW 35A.63.220 and 36.70A.390; and

WHEREAS, the Kirkland City Council at its June 7, 2005 Council meeting determined that there is a need for an interim zoning ordinance modifying the parking requirements for Central Business District ("CBD") Zones 1,2 and 8 and adopted an interim zoning ordinance at said meeting by Ordinance No. 3996, AN INTERIM ORDINANCE OF THE CITY OF KIRKLAND RELATING TO PARKING PROVISIONS IN CENTRAL BUSINESS DISTRICT ZONES 1, 2, AND 8. AND MODIFYING SECTION 50.60 OF THE KIRKLAND ZONING CODE;

WHEREAS, the Kirkland City Council at its November 15, 2005 Council meeting, after a public hearing, extended the interim zoning ordinance for an additional six months; and

WHEREAS, the Kirkland City Council desires to extend the interim zoning ordinance for an additional six month period; and

WHEREAS, pursuant to RCW 35A.63.220, a public hearing was held prior to the adoption of this ordinance.

NOW, THEREFORE, the City Council of the City of Kirkland do ordain as follows:

Section 1. The Kirkland City Council makes the following findings:

a. The purpose and intent of this Ordinance is to: (1) increase the fee-in-lieu rate charged for required parking stalls under Kirkland Zoning Code ("KZC") Section 50.60.4.b.1; (2) provide that the fee-in-lieu option of meeting parking requirements is available to applicants only with City approval.

b. Raising the fee-in-lieu rate from $6,000 to $20,000 per parking stall is appropriate because the $6,000 rate has been in place since 1982 and the rate increase will more accurately reflect the current cost of parking development.

c. An applicant's ability to use the fee-in-lieu option should be subject to certain limits and criteria. Use of the option to meet a parking obligation for more than ten parking stalls should require City approval based on whether the City has plans or provisions to expend the fee in a manner consistent with Section 5.50.020 (Off-Street Parking Fund) of the Kirkland Municipal Code.

d. The City is currently implementing a work plan to develop zoning code amendments that specifically address parking in Zones 1, 2 and 8 of the CBD;

e. Until permanent amendments to KZC Section 50.60 regarding parking in Zones 1, 2 and 8 of the CBD can be implemented, there is a need for an interim ordinance.

Section 2. Section 4 of Ordinance 3996 is amended to renew its effect as an interim zoning ordinance for an additional six months. The interim zoning ordinance thereafter may be renewed for one or more six month periods if a subsequent public hearing is held and findings of fact are made prior to each renewal.

Section 3. If any provision of this ordinance or its application to any person or circumstance is held invalid, the remainder of the ordinance, or the application of the provision to other persons or circumstances is not affected.

Section 4. This Ordinance shall be in force and effect five days from and after its passage by the Kirkland City Council and publication, as required by law.

Passed by majority vote of the Kirkland City Council in open meeting this _____ day of _____, 2006.

Signed in authentication thereof this _____ day of _____, 2006.

_____
MAYOR

Attest:

_____
City Clerk

Approved as to Form:

_____
City Attorney

CITY OF KIRKLAND
Planning and Community Development Department
123 Fifth Avenue, Kirkland, WA 98033 425.587-3225
www.ci.kirkland.wa.us

MEMORANDUM

Date: May 1, 2006

To: David Ramsay, City Manager

From: Eric R. Shields, AICP, Planning Director
Stacy Clauson, Associate Planner

Subject: 118TH AVENUE NE RIGHT-OF-WAY VACATION, FILE NO. VAC05-00003

RECOMMENDATION:

The Department of Planning and Community Development recommends that City Council hold a Public Hearing and adopt a Resolution of Intent to Vacate a portion of the 118th Ave NE right-of-way, subject to the conditions established in the proposed Resolution of Intent to Vacate.

RULES FOR CITY COUNCIL CONSIDERATION:

The City Council shall consider the vacation at a public hearing. Any interested person may participate in the public hearing by either or both submitting written comments to the City Council or by appearing in person, or through a representative, at the hearing and make oral comments directly to the City Council.

After the public hearing, the City Council shall, by motion approved by a majority, do one of the following:

1. Adopt an ordinance granting the vacation; or
2. Adopt a motion denying the vacation; or
3. Adopt a resolution of intent to vacate stating that the City Council will, by Ordinance, grant the vacation if the applicant meets specified conditions within 90 days, unless otherwise specified in the ordinance.

BACKGROUND DISCUSSION:

LMJ Enterprises Limited Partnership has filed a petition to vacate an 18,128 square foot portion of 118th Avenue NE. The Public Hearing on the proposed street vacation commenced on January 3, 2006. City Council continued the Public Hearing to the February 7 and March 7, 2006 meeting to allow for additional review of the appraisal work to be completed. At the March 7, 2006 meeting, the City Council requested that a new appraisal be completed to provide additional information to Council to consider in their review of the monetary compensation for the area to be vacated.

Establishment of a public hearing date by City Council resolution is required by KMC 19.16.060. Since the hearing was not continued to a specific date at the March 7, 2006 meeting, a new

hearing date was required to be set by resolution. On April 18, 2006, the City Council adopted Resolution No. 4567 setting a public hearing date on May 16, 2006.

The key issue remaining to be resolved concerns the condition of approval from the Staff Advisory Report addressing monetary compensation. As established in the Staff Advisory Report (see Enclosure 1), under the provisions of KMC 19.16.160 the City may require the following as conditions:

I. Monetary compensation to be paid to the City in an amount of up to one-half the appraised value for the subject property; provided, that compensation may be required in an amount of up to full appraised value of the subject property if either of the following applies to the street vacation:

- **A.** It has been part of a dedicated public right-of-way for twenty five years or more; or
- **B.** The subject property or portions thereof were acquired at public expense.

II. The grant of a substitute public right-of-way which has value as right-of-way at least equal to the subject property; or

III. Any combination of I and II above, provided that the total value of the combined conditions shall not total more than the maximum amount of monetary compensation allowed under subsection I.

The Staff Advisory Report contained the results of an independent appraisal of the subject site from Washington Appraisal Service, Inc (see Attachment 8 in Staff Advisory Report) which concluded a fair market land value of $30 per square foot.

After concerns were raised about the accuracy of the market comparison approach contained in the appraisal by Washington Appraisal Service, Inc. the City of Kirkland obtained a second independent appraisal of the subject site from CJM Investment (see Enclosure 2) which concludes a market land value of just under $20 per square foot.

After review of the two appraisals, staff recommends that the results of the second appraisal completed by CJM Investment be used as the basis for determining the amount of monetary compensation. The comparable sales technique in the appraisal completed by CJM Investment contains a wide selection of sites which are similar to the subject property and the basis for comparison is detailed and clear. The results of the appraisal completed by CJM Investments have also been reviewed by the representative for the applicant, Tod Johnson, who has indicated that he is willing to accept the proposed valuation contained in the CJM Investment report.

Based upon a market land value of $19.31 per square foot, the value of the total right-of-way to be vacated is $350,051.68 (18,128 square feet times $19.31 per square foot). The value of the right-of-way to be dedicated to construct the new cul-de-sac is $42,269.59 (2,189 square feet times $19.31 per square foot). Therefore, the net value of the right-of-way would be $307,782.09 (15,939 square feet times $19.31 per square foot).

ENCLOSURES:

1. Staff Report
2. Appraisal completed by CJM Investment dated April 15, 2006
3. Resolution of Intent to Vacate

CITY OF KIRKLAND
Planning and Community Development Department
123 Fifth Avenue, Kirkland, WA 98033 425.587.3225
www.ci.kirkland.wa.us

ADVISORY REPORT
FINDINGS, CONCLUSIONS, AND RECOMMENDATIONS

To: Kirkland City Council

From: _____ Eric R. Shields, AICP, Planning Director

_____ Stacy Clauson, Project Planner

Date: December 12, 2005

File: 118TH AVENUE NE RIGHT-OF-WAY VACATION, FILE NO. VAC05-00003

Hearing Date and Place: January 3, 2006
City Hall Council Chamber
123 Fifth Avenue, Kirkland

I. INTRODUCTION

A. APPLICATION

1. Applicant: LMJ Enterprises Limited Partnership

2. Site Location: A portion of 118th Ave NE right-of-way located between NE 80th and NE 85th Streets (see Attachment 1).

3. Request: The proposal is to vacate a portion of the 118th Ave NE right-of-way that currently separates the applicant's property, which adjoins 118th Ave NE on the east and west. The proposal is to vacate the full width of 118th Ave NE right-of-way extending south from I-405 approximately 323 feet. A portion of the applicant's property is proposed to be dedicated to the City of Kirkland to allow for construction of a new cul-de-sac at the proposed new terminus of 118th Ave NE (see Attachment 2).

4. Review Process: City Council conducts public hearing. Following the public hearing, the Council makes the final decision by motion approved by a majority of the entire membership in a roll call vote.

5. Summary of Key Issues: Compliance with right-of-way vacation criteria.

B. RECOMMENDATIONS

Based on Statements of Fact and Conclusions (Section II), and Attachments in this report, we recommend approval of this application subject to the following conditions:

1. Within ninety (90) days of the passage of the Resolution of Intent to grant the vacation, the applicants shall:

a. Pay to the City as compensation for vacating the requested portion of right-of-way, the full appraised value of the subject site totaling $539,610 (see Conclusion II.C.3.b).

b. Submit to the City a copy of the following recorded easements (see Conclusion II.C.4.b).

(1) A 20-ft minimum width easement for the sewer main.
(2) A 15-ft minimum width easement for the water main.
(3) A 15-ft minimum width easement shall for the storm main.
(4) An access easement for maintenance of the sewer manhole in the vacated right-of-way should be provided from the end of the new cul-de-sac or through the car dealership site from 120th Ave. NE.
(5) A utility easement encompassing the entire vacated right-of-way unless the applicant prepares individual legal descriptions for each specific easement based on the location and minimum size determined by each utility company.

c. Install the required improvements as described in Attachment 3 (see Conclusion II.C.1.b). Prior to installing these improvements, plans must be submitted for approval by the Department of Public Works.

In lieu of completing these improvements, the applicant may submit to the Department of Public Works a security device to cover the cost of installing the improvements and guaranteeing installation within one year (see Conclusion II.C.5.b).

d. As shown on Attachment 2, dedicate sufficient land to the city to allow installation of a 70-foot diameter paved cul-de-sac with a 6-ft wide paved parallel parking area on the north and east side of the cul-de-sac and a 4.5-ft minimum landscape strip behind the curb. (see Conclusion II.C.1.b).

II. FINDINGS OF FACT AND CONCLUSIONS

A. SITE DESCRIPTION

1. Site Development and Zoning:

a. Facts:

(1) Size: The portion of the 118th Ave NE right-of-way requested to be vacated is 60 feet wide by approximately 345 feet long along the east site street frontage. The area to be vacated also contains a partial cul-de-sac. The total area of proposed vacation is 19,439 square feet.

(2) Land Use: The right-of-way to be vacated is currently developed with a public roadway. The applicant's property on the west side of the roadway is undeveloped, with the exception of a personal wireless service facility that has a lease agreement with LMJ Enterprises Limited Partnership. The right-of-way to be vacated also partially adjoins the Spruce Villas Condominium project, a multifamily project containing 4 units. The applicant's property on the east side of the roadway is vacant, except on the north half where the renovated Lee Johnson Chevrolet Mazda site is currently under construction.

(3) Zoning: The north portion of the right-of-way is located in the PLA 13A and PLA 13A(1) zones, a commercial zoning district. The south portion of the right-of-way is located in the PLA 13B zone, an office/residential zone (see Attachment 4). New zoning classifications affecting the area are expected to be adopted by the City Council in January, 2006. Under the draft new zoning regulations, a portion of the

vacated right-of-way would be located in the RH 2B and RH 2C zones, both designated as commercial zones. A portion would be located in the PR 3.6 zone, a professional office/residential zone (see Attachment 5).

(4) Development Potential: The portion of the right-of-way to be vacated could be aggregated with the surrounding property owned by LMJ Enterprises Limited Partnership for future commercial, office, or residential development.

(5) Terrain: The portion of right-of-way to be vacated slopes downhill to the north.

(6) Vegetation: The portion of right-of-way to be vacated contains a 12" Hawthorn tree, a 24" Maple tree partially located in the right-of-way, and 4 smaller deciduous street trees, two located on the east side of 118th Ave NE and two fronting the Spruce Villas Condominiums.

b. Conclusions: Size, Land Use, Zoning, Terrain, Vegetation and Development Potential are not constraining factors in the proposed street vacation application.

2. Neighboring Development and Zoning:

a. Facts: The area of the proposed street vacation and adjoining site are located just east of I-405 and south of NE 85th Street. The immediate area is developed with a mixture of single-family and multi-family uses to the south, located in the PLA 13B zone.

b. Conclusion: The neighboring development and zoning are not constraining factors in the proposed street vacation application.

B. PUBLIC COMMENT

The Department of Planning and Community Development has received one public comment letter prior to the issuance of this staff report (see Attachment 6). The questions raised in the letter concern traffic on 118th Avenue NE, particularly access for the car dealership and other uses from this street. The proposed street vacation would not affect any access rights. Access restrictions, if there are any, would be established as part of the new zoning regulations contemplated for the area, which are to be reviewed by City Council in January, 2006.

C. KIRKLAND MUNICIPAL CODE – COMPLIANCE WITH STREET VACATION CRITERIA

1. Street Vacation Criteria

a. Facts:

(1) Section 19.16.130 of the Kirkland Municipal Code states: "Criteria for granting Street Vacation - The City Council may, in its discretion vacate a street, alley or public easement if it determines the vacation is in the public interest and that:

(a) The street, alley, or public easement is not currently necessary for travel or other street purposes, nor likely to be in the future; and

(b) No property will be denied all access as a result of the vacation.

(2) The City Council may consider any other fact or issue it deems relevant when deciding whether to vacate a street, alley or public easement.

(3) 118th Ave NE is a dead-end street that terminates at the I-405 right-of-way on the north. The properties that border the portion of 118th Ave proposed to be vacated include properties owned by LMJ Enterprises Limited Partnership and the Spruce Villas Condominiums.

(4) The right-of-way vacation has been designed to retain an access driveway connection to 118th Ave NE for the Spruce Villas Condominium project.

(5) All of the other potentially impacted parcels are in common ownership of the applicant, LMJ Enterprises Limited Partnership. LMJ Enterprises Limited Partnership has extensive contiguous land holdings in the area which have frontage on other public streets, including NE 85th Street and 120th Ave NE.

(6) 118th Ave NE is designated as an R-28 Neighborhood Access Street. Pursuant to KZC 110.38, an R-28 street requires a cul-de-sac on dead-end streets exceeding 200 feet in length. The portion of 118th Ave NE that would not be vacated is a dead-end street that would exceed 200 feet in length. The existing partial cul-de-sac is proposed to be vacated, eliminating the existing turnaround area.

(7) The proposal has been designed and includes a street dedication on property owned by LMJ Enterprises Limited Partnership to provide a cul-de-sac at the new terminus of 118th Ave NE.

(8) The Public Works Department has recommended approval of the proposed street vacation, subject to conditions (see Attachment 3, Development Standards).

b. Conclusion: The proposed street vacation will not deny all access to any lots. Prior to the use of the vacated area, the applicant should dedicate and construct a new cul-de-sac at the new north end of 118th Ave NE, consistent with the recommendations by the Public Works Department contained in Attachment 3. With this improvement, the vacated area would no longer be needed for travel or other street purposes.

2. Initiation of Vacation Procedure

a. Facts:

(1) Section 19.16.030 of the Kirkland Municipal Code (Initiation of Proceedings) allows a vacation to be initiated by the City Council or by owners of more than two thirds of the property abutting the part of the street or alley to be vacated. The applicants represent more than two-thirds of the property abutting the proposed vacation.

(2) A petition signed by LMJ Enterprises Limited Partnership has been submitted (see Attachment 7).

b. Conclusion: The requirements of Section 19.16.030 have been met.

3. Street Vacation - Final Decision and Compensation

a. Facts:

(1) Section 19.16.160 of the Kirkland Municipal Code indicates that following the public hearing, the City Council shall, by motion approved by a majority of the entire membership in a roll call vote, either (a) adopt an ordinance granting the vacation; or (b) adopt a motion denying the vacation, or (c) adopt a resolution of intent to vacate stating that the City Council will, by ordinance, grant the vacation if the

applicant meets specified conditions within 90 days, unless otherwise specified in the resolution.

(2) The City may require the following as conditions:

(a) Monetary compensation to be paid to the City in an amount of up to one-half the appraised value for the subject property; provided, that compensation may be required in an amount of up to full appraised value of the subject property if either of the following applies to the street vacation:

(i) It has been part of a dedicated public right-of-way for twenty five years or more; or

(ii) The subject property or portions thereof were acquired at public expense.

(b) The grant of a substitute public right-of-way which has value as right-of-way at least equal to the subject property; or

(c) Any combination of (a) and (b) above, provided that the total value of the combined conditions shall not total more than the maximum amount of monetary compensation allowed under subsection (2) (a) of this section.

(3) The City has acquired an independent appraisal of the subject site from Washington Appraisal Service, Inc (see Attachment 8) concluding a fair market land value of $30 per square foot.

(4) The value of the total right-of-way to be vacated is $583,170 (19,439 square feet times $30 per square foot). The value of the right-of-way to be dedicated to construct the new cul-de-sac is $43,560 (1,452 square feet times $30 per square foot). Therefore, the net value of the right-of-way would be $539,610 (17,987 square feet times $30 per square foot).

(5) The 118 Ave NE right-of-way was dedicated with the recording of the plat of Burke & Farrar's Kirkland Addition to the City of Seattle, Division No. 6 on December 28, 1910.

(6) A portion of the 118th Ave NE right-of-way to be vacated was later acquired for construction of I-405 and then relinquished by Washington State to the City of Kirkland on June 20, 1980.

(7) Since the right-of-way was dedicated more than 25 years ago, the City may require compensation in any amount up to the full-appraised value of the subject site.

b. Conclusion: The applicant should compensate the City $539,610 (the full appraised value) for vacating this portion of the 118th Ave NE right-of-way.

4. Street Vacation – Easements

a. Facts:

(1) KMC Section 19.16.140 allows the City Council to reserve for the City any easement or the right to exercise and grant any easements for public utilities and services, pedestrian trail purposes; and any other type of easement relating to the City's right to control, use and manage rights-of-way.

(2) The City has the following utilities located within the right-of-way to be vacated (see Attachment 3):

i. An existing 8-inch sewer main and sewer manhole.
ii. An existing 8-inch water main that is being connected to a new water main that loops through the project site over to 120th Ave. NE as part of the renovation of the Lee Johnson Chevrolet Mazda dealership.
iii. An existing public storm main.

(3) The City has obtained written comments from applicable franchise utilities regarding their need to retain a utility easement over the area to be vacated (see Attachment 9.a-d). To date, Verizon and Puget Sound Energy have both expressed an interest in a utility easement. Comcast has indicated that the existing utility route can potentially be removed or relocated per a new utility design.

b. Conclusion: If the vacation is approved, the following easements shall be reserved over the right-of-way to be vacated:

- A 20-ft minimum width easement for the sewer main.
- A 15-ft minimum width easement for the water main.
- A 15-ft minimum width easement shall for the storm main.
- An access easement for maintenance of the sewer manhole in the vacated right-of-way should be provided from the end of the new cul-de-sac or through the car dealership site from 120th Ave. NE.

In addition, utility easements will be retained for any franchise utility companies that express an interest in retaining a utility easement for their existing or future utilities, including Verizon, Puget Sound Energy, and Comcast. The utility easement should encompass the entire vacated right-of-way unless the applicant prepares individual legal descriptions for each specific easement based on the location and minimum size determined by each utility company.

A copy of the completed easements should be submitted to the City within ninety (90) days of the passage of the Resolution of Intent to grant the vacation.

5. Bonds and Securities

a. Fact: Zoning Code section 175.10.2 establishes the circumstances under which the City may consider the use of a performance security in lieu of completion of certain site work prior to occupancy or other permit. The City may consider a performance security only if: the inability to complete work is due to unavoidable circumstances beyond the control of the applicant; there is certainty that the work can be completed in a reasonable period of time; and granting the certificate of occupancy or other permit prior to completion will not be materially detrimental to the City or properties adjacent to the subject site.

b. Conclusion: In order to ensure timely completion of all required site and right-of-way improvements, such improvements should be completed prior to passage of the ordinance vacating the street, unless the applicant can demonstrate compliance with the criteria in Zoning Code section 175.10.2.

D. COMPREHENSIVE PLAN

1. Fact: The subject property is located within the NE 85th Street Subarea. The NE 85th Street Subarea Land Use Map designates the subject property for both commercial (RH 2B and 2C districts) and office/multifamily (see Attachment 10).

2. Conclusion: The vacation of the right-of-way would not change the Comprehensive Plan Land Use Designation.

E. STATE ENVIRONMENTAL POLICY ACT (SEPA)

Street Vacations are categorically exempt from SEPA pursuant to WAC 197-77-800 (2)(h).

III. APPENDICES

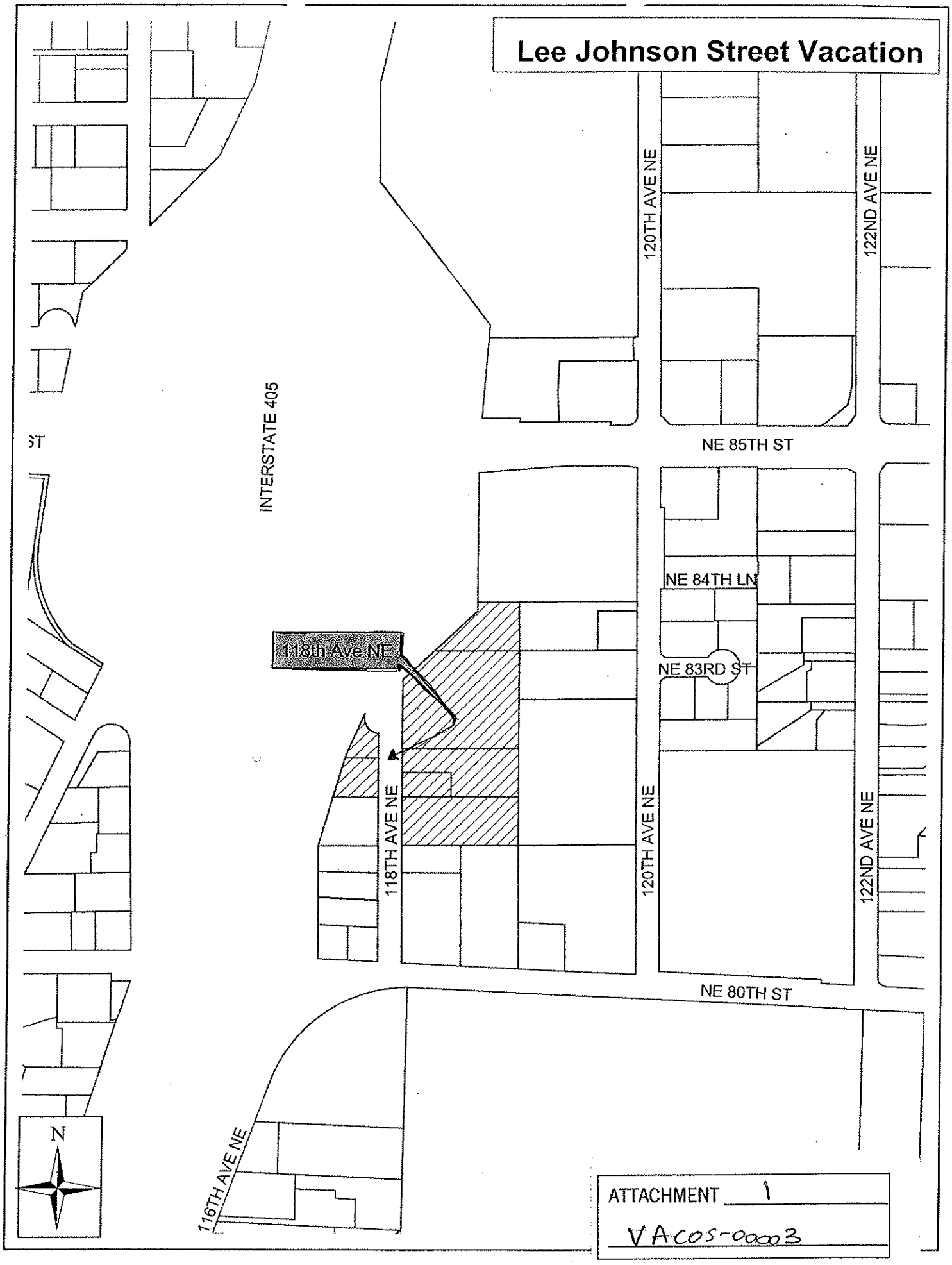
Attachments 1 through 10 are attached.

1. Vicinity Map
2. Site Map
3. Development Standards
4. Current Zoning Map
5. Draft Zoning Map for NE 85th Street Subarea
6. Letter from Tom Gill dated September 12, 2005
7. Petition to Vacate Right-of-Way
8. Land Appraisal Report
9. Letters from Utility Companies
   a. Letter from King County Wastewater Treatment Division
   b. Letter from Verizon
   c. Letter from Comcast
   d. Letter from Puget Sound Energy
10. NE 85th Street Subarea Land Use Map

IV. PARTIES OF RECORD

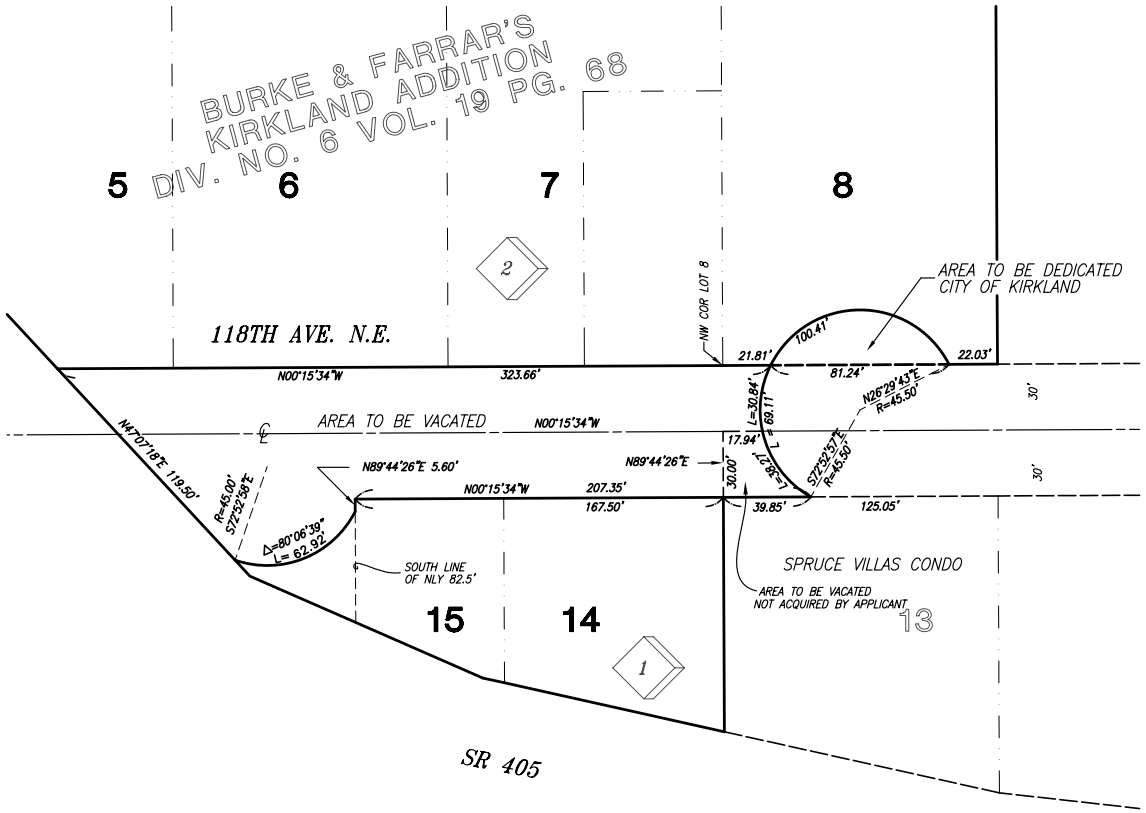
Applicant, Tod Johnson, LMJ Enterprises Limited Partnership, 11845 NE 85th Street, Kirkland, WA 98033
Dan Hardin, Jim Hart & Associates, 220 Sixth Street, Kirkland, WA 98033
Department of Planning and Community Development
Department of Public Works
Department of Building and Fire Services
Tom Gill, LCSW, Attachment Center NW, 8011 118th Ave NE, Kirkland, WA 98033
Diane Albright, Comcast, 1525 75th St SW, Suite 200, Everett, WA 98203
Chung-I Lin, Verizon, PO Box 1003, Everett, WA 98206-1003
Shirley Marroquin, King County Wastewater Treatment Division, Department of Natural Resources and Parks, King Street Center, 201 South Jackson Street, Seattle, WA 98104-3855
William Craven, Puget Sound Energy, Inc., PO Box 90868, Bellevue, WA 98009-0868

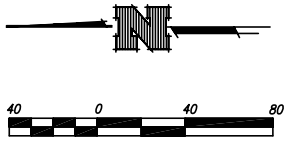
Lee Johnson Street Vacation



ATTACHMENT 1

VACOS-00003





BASIS OF BEARING: NAD 83 (91)

AREAS	
TOTAL VACATION	19,439' ±
TO BE VACATED TO APPLICANT	18,671' ±
VACATED AREA NOT ACQUIRED BY APPLICANT	768' ±
DEDICATED	1,452' ±

LEGEND

PROPERTY LINE

ADJACENT PROPERTY LINE

EXISTING R.O.W.

R.O.W. CENTERLINE

TOTAL ROAD VACATION

LEGAL DESCRIPTION:

THAT PORTION OF 118TH AVE NE (DONALD STREET) AND THAT PORTION OF LOT 15, BLOCK 1, BURKE AND FARRAR'S KIRKLAND ADDITION, DIVISION No. 6, AS RECORDED IN VOLUME 19 OF PLATS, PAGE 68, RECORDS OF KING COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 8, BLOCK 2 OF SAID PLAT; THENCE SOUTH 00°15'34" EAST ALONG THE WESTERLY LINE THEREOF 21.81 FEET TO THE TRUE POINT OF BEGINNING; THENCE RETURNING NORTH 00°15'34" WEST ALONG SAID WESTERLY LINE 323.86 FEET, MORE OR LESS, TO THE EASTERLY RIGHT OF WAY OF S.R. 405; THENCE SOUTH 47°07'18" WEST ALONG SAID RIGHT OF WAY 119.50 FEET, MORE OR LESS, TO THE SOUTHWESTERLY LINE OF THAT PORTION OF ABOVEMENTIONED LOT 15 RELINQUISHED TO THE CITY OF KIRKLAND UNDER RECORDING No. 8006200424, BEING A CURVE TO THE SOUTHWEST; THENCE ALONG SAID CURVE HAVING A RADIUS OF 45 FEET THE CENTER OF WHICH BEARS SOUTH 72°52'58" EAST, FOR AN ARC LENGTH OF 62.92 FEET, MORE OR LESS, TO A POINT ON THE SOUTH LINE OF THE NORTHERLY 82.5 FEET OF SAID LOT 15; THENCE NORTH 89°44'26" EAST 5.60 FEET, MORE OR LESS, TO THE EASTERLY LINE OF SAID LOT 15; AND THE WESTERLY MARGIN OF 118TH AVE. NE THENCE SOUTH 00°15'34" EAST ALONG THE WESTERLY MARGIN OF SAID 118TH AVE. NE; 207.35 FEET TO A POINT ON A CURVE; THENCE NORTHEASTERLY ALONG SAID CURVE HAVING A RADIUS OF 45.50 FEET, THE CENTER OF WHICH BEARS SOUTH 72°52'57" EAST, FOR AN ARC LENGTH OF 69.11 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINING 19,439 SQUARE FEET, MORE OR LESS.

SITUATE IN THE CITY OF KIRKLAND, KING COUNTY, WASHINGTON.

ROAD DEDICATION

LEGAL DESCRIPTION:

THAT PORTION OF LOT 8, BLOCK 2, BURKE AND FARRAR'S KIRKLAND ADDITION, DIVISION No. 6, AS RECORDED IN VOLUME 19 OF PLATS, PAGE 68, RECORDS OF KING COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 8; THENCE SOUTH 00°15'34" EAST ALONG THE WESTERLY LINE THEREOF 21.81 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING SOUTH 00°15'34" EAST ALONG SAID WESTERLY LINE 81.24 TO A POINT ON A CURVE THE CENTER OF WHICH BEARS NORTH 27°02'21" WEST 45.50 FEET; THENCE NORTH EASTERLY ALONG SAID CURVE 100.41 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINING 1,452 SQUARE FEET, MORE OR LESS.

SITUATE IN THE CITY OF KIRKLAND, KING COUNTY, WASHINGTON.

ROAD VACATION
SPRUCE VILLAS PORTION

LEGAL DESCRIPTION:

THAT PORTION OF 118TH AVE NE (DONALD STREET), BURKE AND FARRAR'S KIRKLAND ADDITION, DIVISION No. 6, AS RECORDED IN VOLUME 19 OF PLATS, PAGE 68, RECORDS OF KING COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF LOT 13, BLOCK 1 OF SAID PLAT BEING THE TRUE POINT OF BEGINNING; THENCE SOUTH 00°15'34" EAST ALONG THE WESTERLY MARGIN OF SAID 118TH AVE. NE 39.85 FEET TO A POINT ON A CURVE; THENCE NORTHEASTERLY ALONG SAID CURVE HAVING A RADIUS OF 45.50 FEET, THE CENTER OF WHICH BEARS SOUTH 72°52'57" EAST, FOR AN ARC LENGTH OF 38.27 FEET TO THE CENTERLINE OF SAID 118TH AVE NE; THENCE NORTH 00°15'34" WEST ALONG SAID CENTERLINE 17.94 FEET; THENCE SOUTH 89°44'26" WEST 30.00 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINING 768 SQUARE FEET, MORE OR LESS.

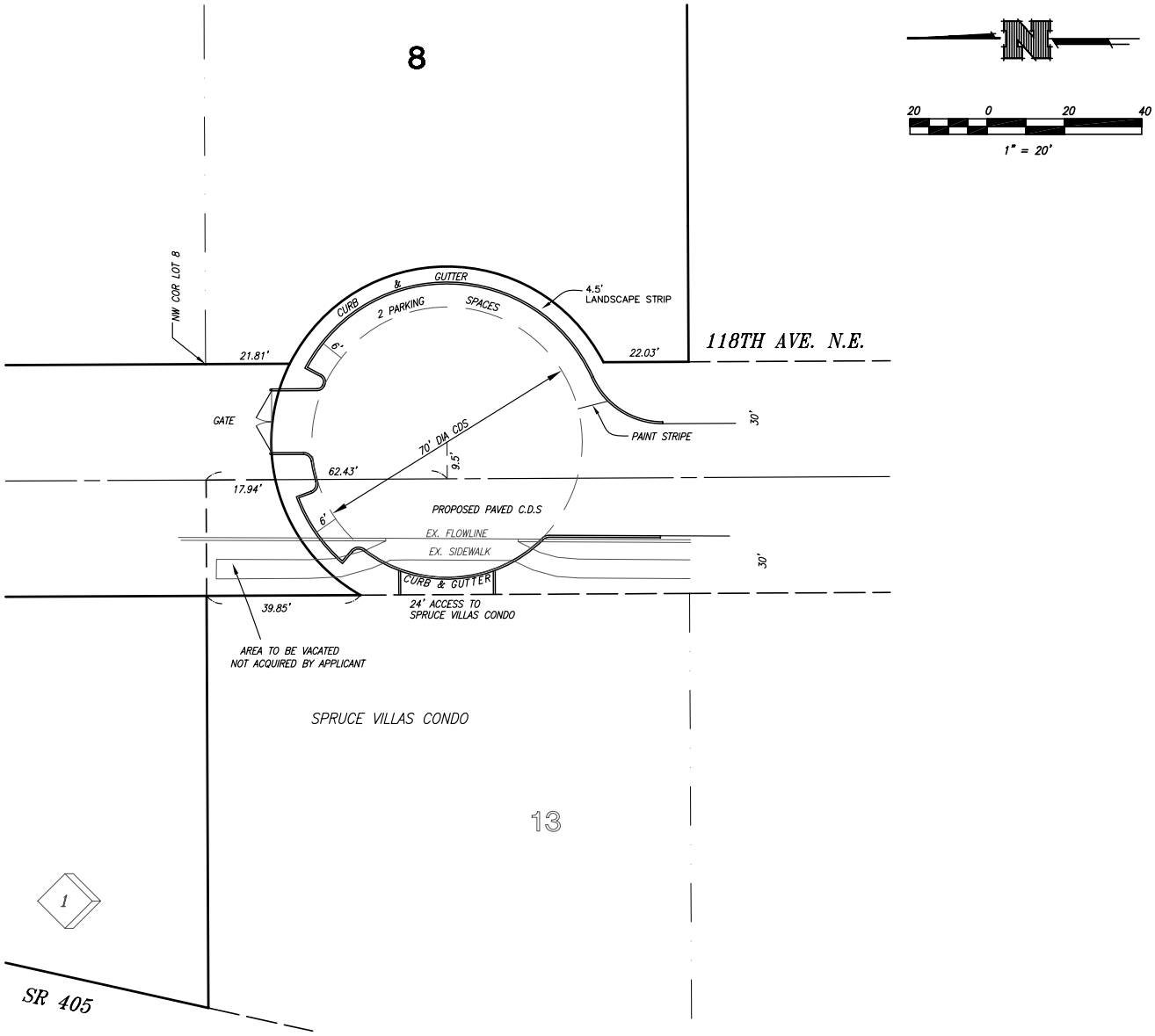
SITUATE IN THE CITY OF KIRKLAND, KING COUNTY, WASHINGTON.

JIM HART AND ASSOCIATES
PROFESSIONAL LAND SURVEYORS
220 - 6th St. KIRKLAND, WASHINGTON 98033
PHONE (425) 822-4171

DEDICATION & VACATION PROPOSAL
FOR: LMJ ENTERPRISES
11845 NE 85TH ST
KIRKLAND, WA 98033

SW 1/4 SW 1/4 Section 4, Twp. 25 N.R. 5 E.W.M.

SCALE: 1"=40'	DATE: 7/7/05
FIELD BOOK: N/A	
DRAWN BY: BJM	
CHECKED BY: DH	
APPV'D BY: JAH	
PROJECT NO. 05-41	SHEET 1/1



JIM HART AND ASSOCIATES
PROFESSIONAL LAND SURVEYORS
220 - 6th St. KIRKLAND, WASHINGTON 98033
PHONE (425) 822-4171

SUGGESTED CONSTRUCTION PLAN
FOR: *LMJ ENTERPRISES*
11845 NE 85TH ST
KIRKLAND, WA 98033

SW 1/4 SW 1/4 Section 4, Twp. 25 N.R. 5 E.W.M.

SCALE: 1"=20'	DATE: 11/11/05
FIELD BOOK: N/A	
DRAWN BY: BJM	
CHECKED BY: DH	
APPV'D BY: JAH	
PROJECT NO. 05-41	SHEET 2/2

CITY OF KIRKLAND
123 FIFTH AVENUE, KIRKLAND, WASHINGTON 98033-6189 (425) 587-3225

Date:
12/12/2005

DEVELOPMENT STANDARDS
CASE NO.: VAC05-00003
PCD FILE NO.:VAC05-00003

You can review your permit status and conditions at www.kirklandpermits.net

PUBLIC WORKS CONDITIONS

Permit Information
Permit #: VAC05-00003
Project Name: 118th Ave. NE Street Vacation
Project Address: 11845 NE 85th St.
Date: September 1, 2005

Public Works Staff Contacts
Land Use and Pre-Submittal Process:
Rob Jammerman, Development Engineering Manager
Phone: 425-587-3845 Fax: 425-587-3807
E-mail: rjammer@ci.kirkland.wa.us

Building and Land Surface Modification (Grading) Permit Process:
John Burkhalter, Senior Development Engineer
Phone: 425-587-3846 Fax: 425-587-3807
E-mail: jburkhal@ci.kirkland.wa.us

General Conditions:

1. All public improvements associated with this project including street and utility improvements, must meet the City of Kirkland Public Works Pre-Approved Plans and Policies Manual. A Public Works Pre-Approved Plans and Policies manual can be purchased from the Public Works Department, or it may be retrieved from the Public Works Department's page at the City of Kirkland's web site at www.ci.kirkland.wa.us.

2. This project will be subject to Public Works Permit Fees. It is the applicant's responsibility to contact the Public Works Department by phone or in person to determine the fees. The fees can also be review the City of Kirkland web site at www.ci.kirkland.wa.us. The applicant should anticipate the following fees:
- o Right-of-way Fee
- o Review and Inspection Fee (for utilities and street improvements).

3. This project is exempt from concurrency review.

4. All civil engineering plans which are submitted in conjunction with a building, grading, or right-of-way permit must conform to the Public Works Policy titled ENGINEERING PLAN REQUIREMENTS. This policy is contained in the Public Works Pre-Approved Plans and Policies manual.

ATTACHMENT 3
VAC05-00003

5. All street improvements and underground utility improvements (storm, sewer, and water) must be designed by a Washington State Licensed Engineer; all drawings shall bear the engineers stamp.

6. All plans submitted in conjunction with a building, grading or right-of-way permit must have elevations which are based on the King County datum only (NAVD 88).

7. Utility easements will be retained for any franchise utility companies that express an interest in retaining a utility easement for their existing or future utilities. To date, Comcast, Verizon, and Puget Sound Energy have all expressed an interest in a utility easement. The utility easement will encompass the entire vacated right-of-way unless the applicant desires to have their surveyor prepare individual legal descriptions for each specific easement based on the location and minimum size determined by each utility company.

Sanitary Sewer Conditions:

1. The City has an existing 8-inch sewer main in the right-of-way to be vacated. If the vacation is approved, a 20-ft minimum width easement shall be retained for the sewer main. In addition, access for maintenance of the sewer manhole in the vacated right-of-way shall be provided from the end of the new cul-de-sac or through the car dealership site from 120th Ave. NE.

Water System Conditions:

1. There is an existing 8-inch water main in the right-of-way to be vacated. If the vacation is approved, a 15-ft minimum width easement shall be retained for the water main. Note: this water is being connected to a new water main that loops through the project site over to 120th Ave. NE. All of the water main will be encompassed in a 15-ft minimum width easement.

Surface Water Conditions:

1. At the end of new cul-de-sac, install surface water collection and conveyance.

2. There is an existing public storm main in the right-of-way to be vacated. If the vacation is approved, a 15-ft minimum width easement shall be retained for the storm main.

Street and Pedestrian Improvement Conditions:

1. With approval of this street vacation , a new cul-de-sac turn-around will need to be constructed at the new north end of 118th Ave. NE. The improvements in the cul-de-sac shall match the preliminary drawings submitted by Jim Hart and Associates on November 21, 2005 and include the following:
" 70-ft diameter paved cul-de-sac
" 6-ft wide paved parallel parking area on the north and east side of the cul-de-sac.
" 4.5-ft wide landscape strip behind the curb with street trees planted 30-ft on-center
" Vertical curb and gutter around the entire perimeter of the cul-de-sac.
" Installation of "NO PARKING ANYTIME" signs in the cul-de-sac where parking is not provided for.
" Surface water collection and conveyance.
" Fire Department access drive from the north end of the cul-de-sac.
" Dedication of public right-of-way north the existing 118th Ave. NE right-of-way to encompass these new cul-de-sac improvements.

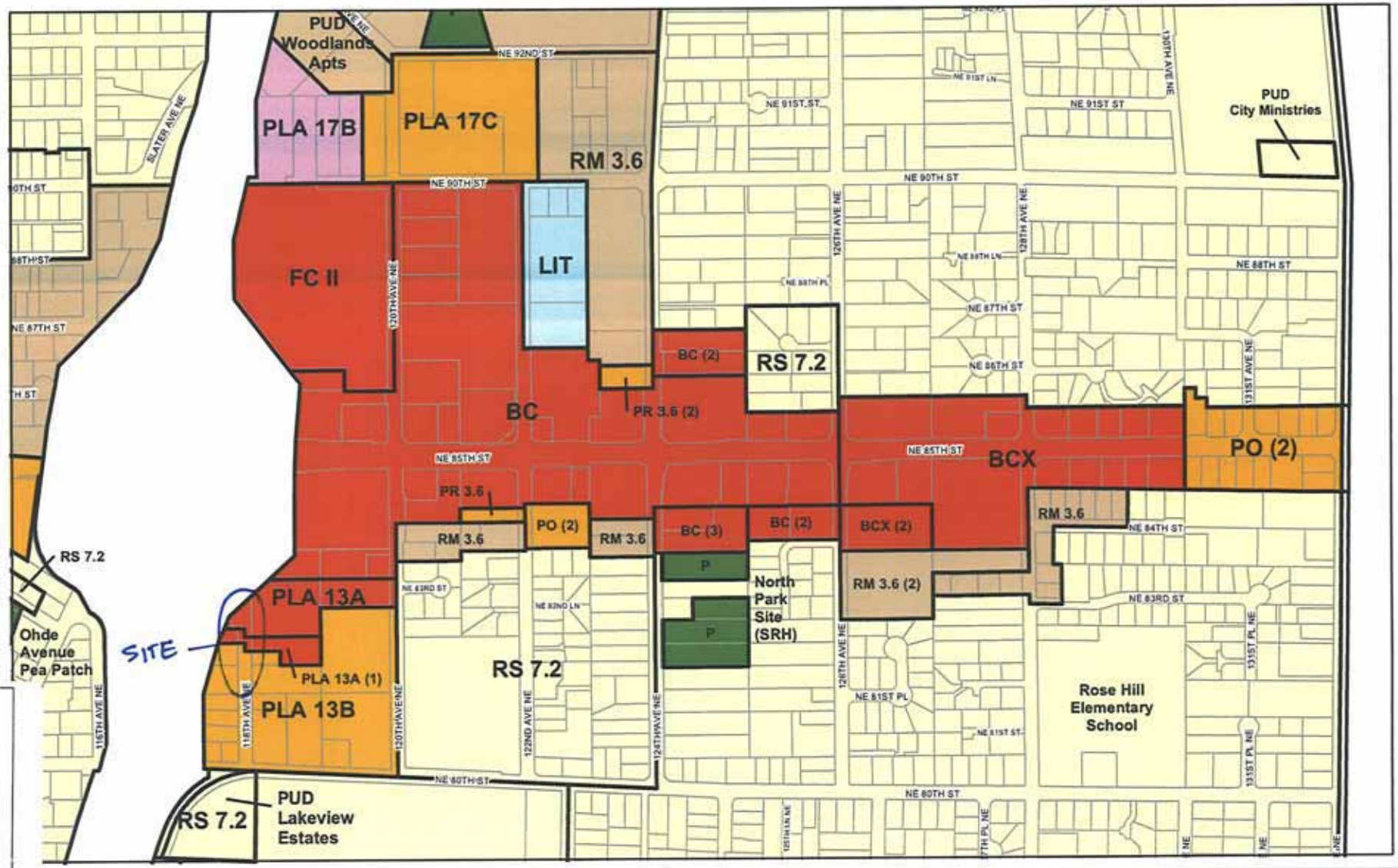
2. The required street improvements shall be installed, or a Performance Bond posted, prior to recording of the street vacation area. The bond shall be in accordance with Chapter 175 of the Kirkland Zoning Code.

3. Install a new survey monument marker in the center of the new cul-de-sac.

4. It shall be the responsibility of the applicant to relocate any above-ground or below-ground utilities which conflict with the project associated street or utility improvements.

5. Install new street lights in the new cul-de-sac Puget Power design and Public Works approval. Design must be submitted prior to issuance of a permit to install the street improvements.

NE 85th Street Subarea Current Zoning



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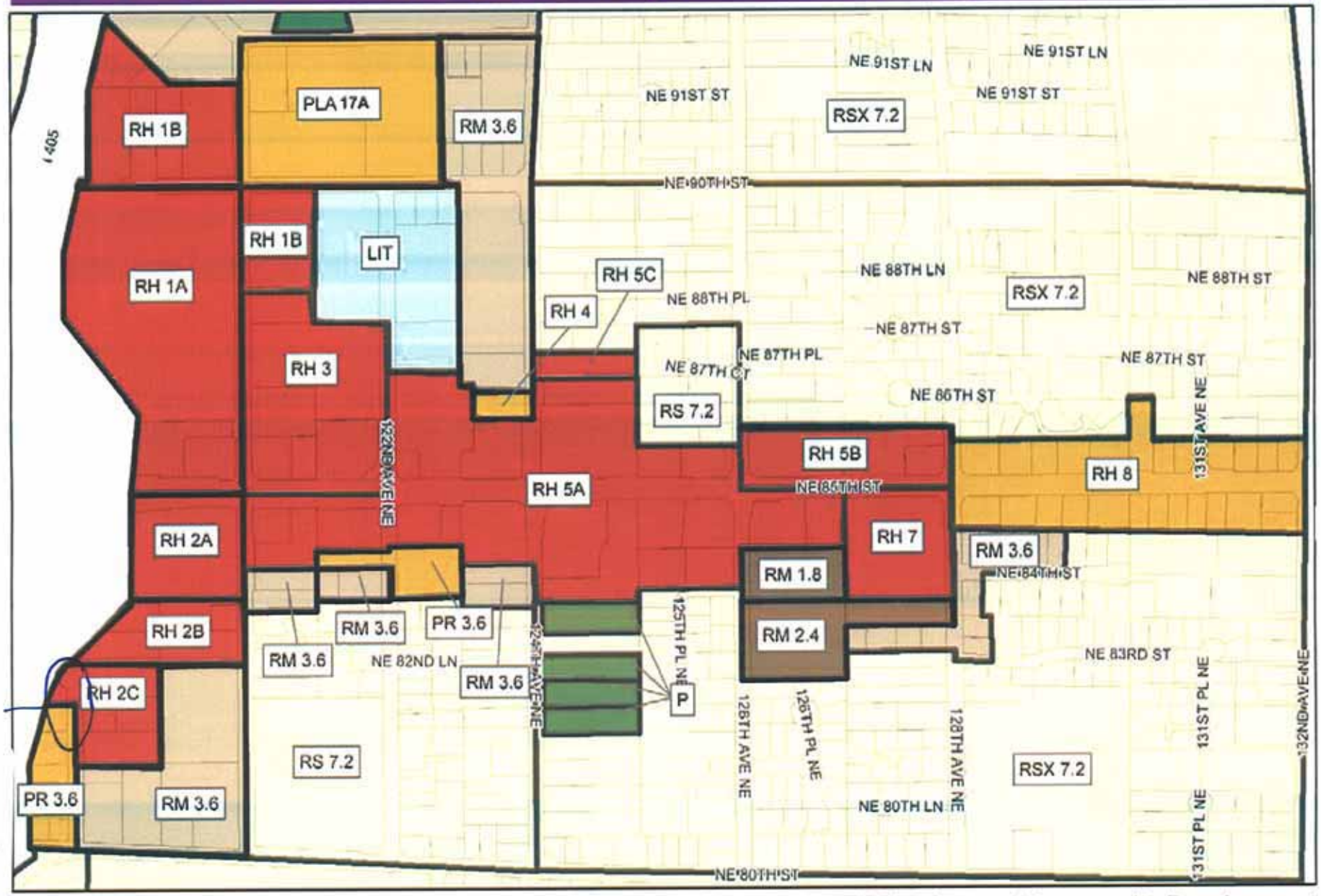
ATTACHMENT 4

~~VAC~~ SCS-00003

NE 85th St Subarea Proposed Zoning - 8/4/2005



SITE

ATTACHMENT 5

VAC05-00003

Commercial
Industrial
Office or Office MF
High Density Residential
Medium Density Residential
Low Density Residential
Institutions
Park/Open Space

N

Department of Planning and Community Development

CITY OF KIRKLAND WASHINGTON

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to accuracy, fitness or merchantability, accompany this product.

Attachment Center Northwest

8011 118th Avenue NE Kirkland, WA 98033 www.attachmentcenternw.com Fax: 425-576-8274 Phone: 425-889-8524

RECEIVED
SEP 15 2005
_____AM _____PM
PLANNING DEPARTMENT
BY_____

September 12, 2005

Stacy Clauson, Associate Planner
City of Kirkland
123 Fifth Ave
Kirkland, WA 98033-6189

Re: Lee Johnson Street Vacation, File No. VAC05-00003

Dear Ms. Clauson:

Thank you for sending the information regarding the proposed vacating of a portion of 118th NE. My question, consequent to this proposal, is what changes in traffic on 118th NE would occur if this request is granted. Specifically:

1. Would the car dealership have access to 118th NE after the temporary access, related to current construction, is terminated?

2. Would Lee Johnson, or whatever legal entity owns the property, have access for other than a car dealership? What would the restrictions, if any, be?

Thank you for your assistance.

Yours truly,

Tom A. Gill, L.C.S.W.

TG/pgh

ATTACHMENT 6
VAC05-00003

PETITION TO VACATE A STREET, ALLEY OR PUBLIC EASEMENT

Name of Person Filing Petition (Agent): Dan Hardin

Address: Jim Hart & Associates
220 Sixth Street
Kirkland, WA 98033

Phone: (425) 822-4171

RECEIVED
JUL 26 2005
AM
PLANNING DEPARTMENT
BY

Name of additional recipient of staff report, meeting agendas and final decision:

Tod Johnson

Address: LMJ Enterprises Limited Partnership
11845 NE 85th St
Kirkland, WA 98033

Daytime Phone: (425) 827-0521

Legal Description of Street, Alley, or Public Easement to be Vacated:

See Site Map and Vacation and Dedication Proposal Map
And Proposed Legal Description

Tax parcel number:

123310-0075; 123310-0080; 123310-0145; 123310-0150; 123310-0151;
123310-0155

Does the Street, Alley, Public Easement or Part Thereof abut any body of water? No If so, please describe:

Will the vacation result in any parcel of land being denied direct access?

No.

How is the vacation in the public interest?

See attachment

Size of Street, Alley, Public Easement, or Part Thereof to be vacated (in square feet):

Total area to be vacated	20,123 sq ft
Area to be Vacated to applicant	19,032 sq ft
Area to other than applicant	1,091 sq ft
Area to be Dedicated for turnaround	1,216 s

ATTACHMENT 7

VACOS-00003

PETITION TO VACATE A STREET. ALLEY OR PUBLIC EASEMENT

We, the owners of two-thirds of the real property abutting the street, alley, or part thereof, or underlying the public ease-ment, or part thereof, legally described on page 1 of this Petition, petition the City Council of the City of Kirkland to vacate this street, alley, public easement, or part thereof:

NAME	ADDRESS	LEGAL DESCRIPTION
LMJ Enterprises Ltd Partnership **Tax Parcel # 123310-0145**	8208 118th Ave NE Kirkland, WA 98033	Lots 5 -6, Block 2, Burke & Farrars Kirkland Addition to the City of Seattle, Division No. 6, according to the Plat thereof recorded in volume 19 of Plats, Page 68, records of King County, Washington; Except that portion conveyed to the State of Washington by deed recorded under King County Recording No. 6479537. Situate in the County of King, State of Washington
LMJ Enterprises Ltd Partnership **Tax Parcel # 12310-0150**	(none)	Lot 7, Block 2, Burke & Farrars Kirkland Addition to the City of Seattle Division No. 6, according to the Plat thereof recorded in volume 19 of Plats, Page 68, records of King County, Washington; Except the South 63 feet of the West 125 feet thereof. Situate in the County of King, State of Washington
LMJ Enterprises Ltd Partnership **Tax Parcel # 12310-0151**	8044 118th Ave NE Kirkland, WA 98033	The South 63 feet of the West 125 feet of Lot 7, Block 2, Burke & Farrars Kirkland Addition to the City of Seattle Division No. 6, according to the Plat thereof recorded in volume 19 of Plats, Page 68, records of King County, Washington. Situate in the County of King, State of Washington
LMJ Enterprises Ltd Partnership **Tax Parcel # 12310-0155**	8034 118th Ave NE Kirkland, WA 98033	Lot 8, Block 2, Burke & Farrars Kirkland Addition to the City of Seattle Division No. 6, according to the Plat thereof recorded in volume 19 of Plats, Page 68, records of King County, Washington. Situate in the County of King, State of Washington
LMJ Enterprises Ltd Partnership **Tax Parcel # 12310-0075**	8051 118th Ave NE Kirkland, WA 98033	The East 100 feet of Lot 14 Block 1 Burke & Farrars Kirkland Addition to the City of Seattle Division No. 6, according to the Plat thereof recorded in volume 19 of Plats, Page 68, records of King County, Washington; Except the North 25 feet thereof; and Except the Westerly portion thereof conveyed to State of Washington for Primary

State Highway "SR 405" by deed recorded under No. 6415661; Together with that part of the South 100 feet of lot 14 14 Block 1 Burke & Farrars Kirkland Addition to the City of Seattle Division No. 6, according to the Plat thereof recorded in volume 19 of Plats, Page 68, records of King County, Washington, lying Southeasterly of a line described as Beginning at Point on the West line Lot 12, Said Block 1, which is 66 feet Southerly of the Northwest corner thereof; Thence Northeasterly to a point opposite Highway Engineer's Station 557+00 on the L line survey of SR 405, Northrup Interchange to Northeast 140th St., and 230 feet Easterly therefrom and the end of this line description; Excepting therefrom the East 100 feet of Said Lot 14. Situate in the County of King, State of Washington.

LMJ Enterprises Ltd Partnership (none)
Tax Parcel # 12310-0080

That portion of Lots 14 and 15, Block 1, Burke & Farrar's Kirkland Addition to the City of Seattle, Division No. 6, according to the plat thereof recorded in Volume 19 of Plats, Page 68, records of King County, Washington, lying North of South 100 feet of said Lot 14, lying Easterly of the following described right-of-way line "A" and lying Southwesterly of the following described right-of-way line "B":

Line "A" description: Beginning at point on West line of said Lot 12 in said block distant 66 ft South of Northwest corner of said Lot; Thence Northeasterly to a point opposite Highway Engineer's Station L-557+00 on the L-Line Survey of State Highway No 405 & 230 feet Easterly therefrom; Thence Northeasterly to a point opposite Highway Engineer's Station L-558+00 on said L-Line Survey and 270 feet Easterly therefrom; Thence Northeasterly to a point opposite Highway Engineer's Station L-560+50 on said L-Line Survey and 550 feet Easterly therefrom and the end of this right-of-way Line "A" description;

Line "B" description: Beginning at the intersection of the above-described right-of-way Line "A" with arc of a curve having a radius of 45 feet, the radial center of which is 45 feet Westerly, when measured at right angles, from the Easterly line 118th Ave NE and 40 feet Northerly, when measured at right angles, from Easterly production of Southerly line of the Northerly 82.5 feet of said lot 15; Thence Southerly and Southeasterly, along the arc of said curve, to the Southerly line of the Northerly 82.5 feet of said Lot 15 and the end of this right-of-way Line "B" description.

Tod Johnson
LMJ Enterprises

7/26/05
Date

NOTE: If any petitioner is purchasing the property under a real estate contract, the signature of the contract seller is also required.

MARKET VALUE APPRAISAL

OF

A STREET VACATION
118TH AVENUE NE
KIRKLAND, WASHINGTON

DATE OF APPRAISAL:

OCTOBER 4, 2005

CLIENT:

THE CITY OF KIRKLAND

PREPARED BY:

GARRETT W. WALDNER, MAI

WASHINGTON APPRAISAL SERVICES, INC.
10020 MAIN STREET, SUITE A229
BELLEVUE, WA 98004
(425) 453-1456

W.A.S. 05-124

ATTACHMENT 8
VACOS-00003

WASHINGTON APPRAISAL SERVICES, INC.

10020 MAIN STREET, SUITE A229 - BELLEVUE, WA 98004-4289 - (425) 453-1456

October 10, 2005

Stacy Clauson
Planning & Community Development
City of Kirkland
123 Fifth Avenue
Kirkland, WA 98033

Re: Street Vacation
118th Avenue NE
Kirkland, WA

Dear Ms. Clauson:

As requested by you, our client, I have made an appraisal of the above described property for the purpose of estimating the Market Value of the fee simple rights of ownership.

As a result of this appraisal, it is my opinion that the estimated Market Value of the subject property, as of October 4, 2005 was:

FIVE HUNDRED SIXTY FOUR THOUSAND FIVE HUNDRED DOLLARS
($564,500)

This estimate of value is based on inspection, investigation and analysis as set forth in the attached appraisal report and is subject to the Assumptions and Limiting Conditions set forth therein. This appraisal may not be used or relied upon by anyone other than the stated client, for any purpose whatsoever, without the express written consent of the appraiser.

This is a Summary Appraisal Report which is intended to comply with the reporting requirements set forth under Standards Rule 2-2(b) of the Uniform Standards of Professional Appraisal Practice for a Summary Appraisal Report. As such it presents only summary discussions of the data, reasoning, and analysis that were used in the appraisal process to develop the opinion of value. Supporting documentation concerning the data, reasoning, and analysis is retained in my files. The depth of discussion contained in this report is specific to the needs of the client and for the intended use stated below. I am not responsible for the unauthorized use of this report.

If I can be of further service please do not hesitate to call on me.

Sincerely,

Garrett W. Waldner, MAI

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ADDENDA

Section "M" - Market Data
Section "Q" - Qualifications
Section "Z" - Zoning

ASSUMPTIONS AND LIMITING CONDITIONS

This appraisal has been made with the following general assumptions:

1. No responsibility is assumed for the legal description or for matters including legal or title considerations. Title to the property is assumed to be good and marketable unless otherwise stated.

2. The property is appraised free and clear of any or all liens of encumbrances unless otherwise stated.

3. Responsible ownership and competent property management are assumed.

4. The information furnished by others is believed to be reliable.

5. All engineering is assumed to be correct. The plot plans and illustrative material in this report are included only to assist the reader in visualizing the property.

6. It is assumed that there are no hidden or unapparent conditions of the property, subsoil, or structures that render it more or less valuable. No responsibility is assumed for such conditions or for arranging for engineering studies that may be required to discover them.

7. It is assumed that there is full compliance with all applicable federal, state, and local environmental regulations and laws unless noncompliance is stated, defined, and considered in the appraisal report.

8. It is assumed that all applicable zoning and use regulations and restrictions have been complied with, unless a nonconformity has been stated, defined, and considered in the appraisal report.

9. It is assumed that all required licenses, certificates of occupancy, consents, or other legislative or administrative authority from any local, state, or national government or private entity or organization have been or can be obtained or renewed for any use on which the value estimate contained in this report is based.

10. It is assumed that the utilization of the land and improvements is within the boundaries or property lines of the property described and that there is no encroachment or trespass unless noted in the report.

This appraisal has been made with the following General Limiting Conditions:

1. The distribution, if any, of the total valuation in this report between land and improvements applies only under the stated program of utilization. The separate allocations for land and buildings must not be used in conjunction with any other appraisal and are invalid if so used.

2. Possession of this report, or a copy thereof, does not carry with it the right of publication. It may not be used for any purpose by any person other than the party to whom it is addressed without the written consent of the appraiser, and in any event only with proper written qualification and only in its entirety. Further, the appraiser or firm assumes no obligation, liability, or accountability to any third party. If this report is placed in the hands of anyone but the client, client shall make such party aware of all the assumptions and limiting conditions of the assignment. Any party who uses or relies upon any information in this report, without the written consent of the preparer, does so at his own risk.

3. The appraiser herein by reason of this appraisal is not required to give further consultation, testimony, or be in attendance in court with reference to the property in question unless arrangements have been previously made.

4. Neither all nor any part of the contents of this report (especially any conclusions as to value, the identity of the appraiser, or the firm with which the appraiser is connected) shall be disseminated to the public through advertising, public relations, news, sales, or other media without the prior written consent and approval of the appraiser.

5. No environmental impact studies were ordered or made in conjunction with this appraisal investigation; therefore, no responsibility is assumed by the appraisers for any factors which might be disclosed as the result of such studies and thereby influence the opinions or values set forth in this appraisal report.

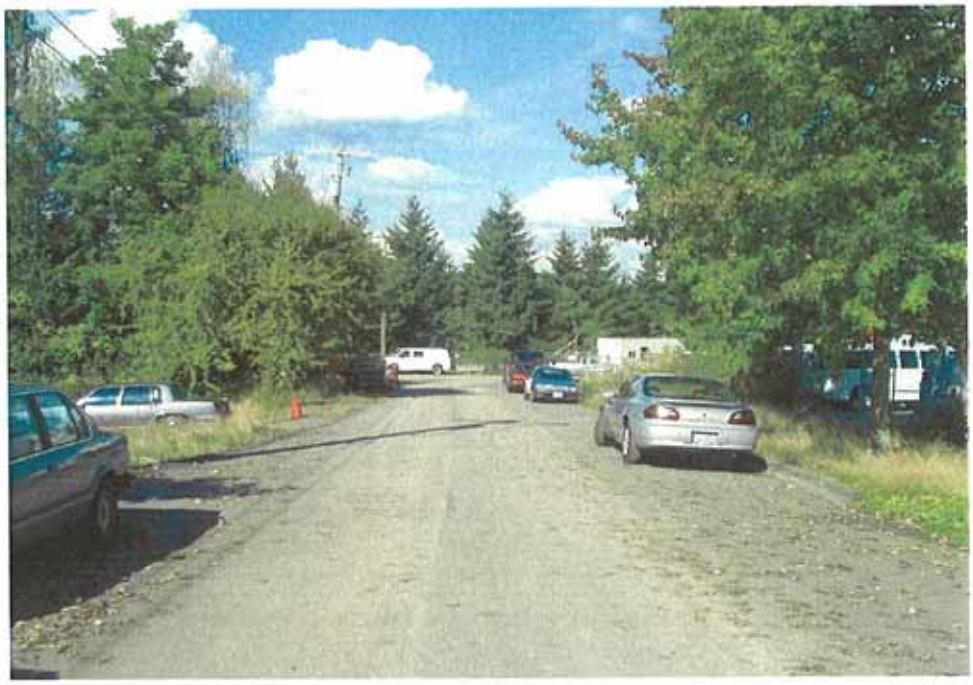
   In the absence of such studies, the appraisers hereby reserve the right to review, alter, revise and/or rescind this report, or any part thereof, based upon any subsequent environmental impact studies.

6. The liability of Washington Appraisal Services, Inc., and its employees is limited to the client only and only up to the amount of the fee actually paid. There is no liability, accountability or obligation to any third party.

Subject Property

Real Estate Geodata Inc. ©COPYRIGHT 1996

SUBJECT PHOTOGRAPHS



VIEW NORTHERLY

VIEW SOUTHERLY

PURPOSE AND FUNCTION OF THE APPRAISAL

The purpose of this appraisal is to estimate the Market Value of the Subject property as of October 4, 2005, to assist the city in a street vacation request.

DEFINITION OF MARKET VALUE

Market Value is defined in the third edition of The Dictionary of Real Estate Appraisal, published by The Appraisal Institute, 1993, pages 222 and 223, as:

> "The most probable price in terms of money which a property should bring in competitive and open market under all conditions requisite to a fair sale, the buyer and seller, each acting prudently, knowledgeably and assuming the price is not affected by undue stimulus"

Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

1. buyer and seller are typically motivated.

2. both parties are well informed or well advised, and each acting in what they consider their own best interest.

3. a reasonable time is allowed for exposure in the open market.

4. payment is made in cash in United States dollars or in terms of financial arrangements comparable thereto.

5. the price represents a normal consideration for the property sold unaffected by special financing amounts and/or terms, services, fees, costs, or credits incurred in the transaction.

IDENTIFICATION OF SUBJECT PROPERTY

Subject property consists of a 18,817 square foot (20,033 sf vacation less 1,216 sf dedication) portion 118th Avenue NE at its northerly terminus. The legal description of the portion to be vacated was not provided, thus the reader is referred to the property sketch.

PROPERTY RIGHTS APPRAISED

The fee simple rights of ownership are appraised in this report. Fee simple interest is defined by *The Appraisal of Real Estate, Tenth Edition* as:

> The maximum possible estate one can possess in real property. A fee simple estate is the least limited interest and the most complete and absolute ownership in land; it is of indefinite duration, freely transferrable, and inheritable. Fee simple title is sometimes referred to as "the fee". All other estates may be created from it, which means that all other estates must be something less than fee simple (such as life estates, leaseholds, etc.) Any limitations that exist on the control and use of the land held in fee do not result from the nature of the estate itself but are the result of limitations of eminent domain, escheat, police power, and taxation.

STATEMENT OF OWNERSHIP

The reputed owner of Subject property is the City of Kirkland.

DATE OF INSPECTION

The appraiser personally inspected Subject property, on October 4, 2005 .

DATE OF APPRAISAL

The value estimate reported herein is applicable on October 4, 2005 .

SCOPE OF THE REPORT

This is a complete appraisal, presented in a summary report. The Subject property is a portion of a street right-of-way. Instead of valuing the right-of-way as a separate entity, the appraisers have estimated the value of the land in the adjacent sites, or "across the fence" from the Subject land, since when vacated, the Subject will assume a similar unit value as the adjacent properties, if they were vacant and available for development. Based on comparable sales of similar land sites, the appraisers have been able to estimate a unit value, before and after the vacation, which we have applied to the Subject land.

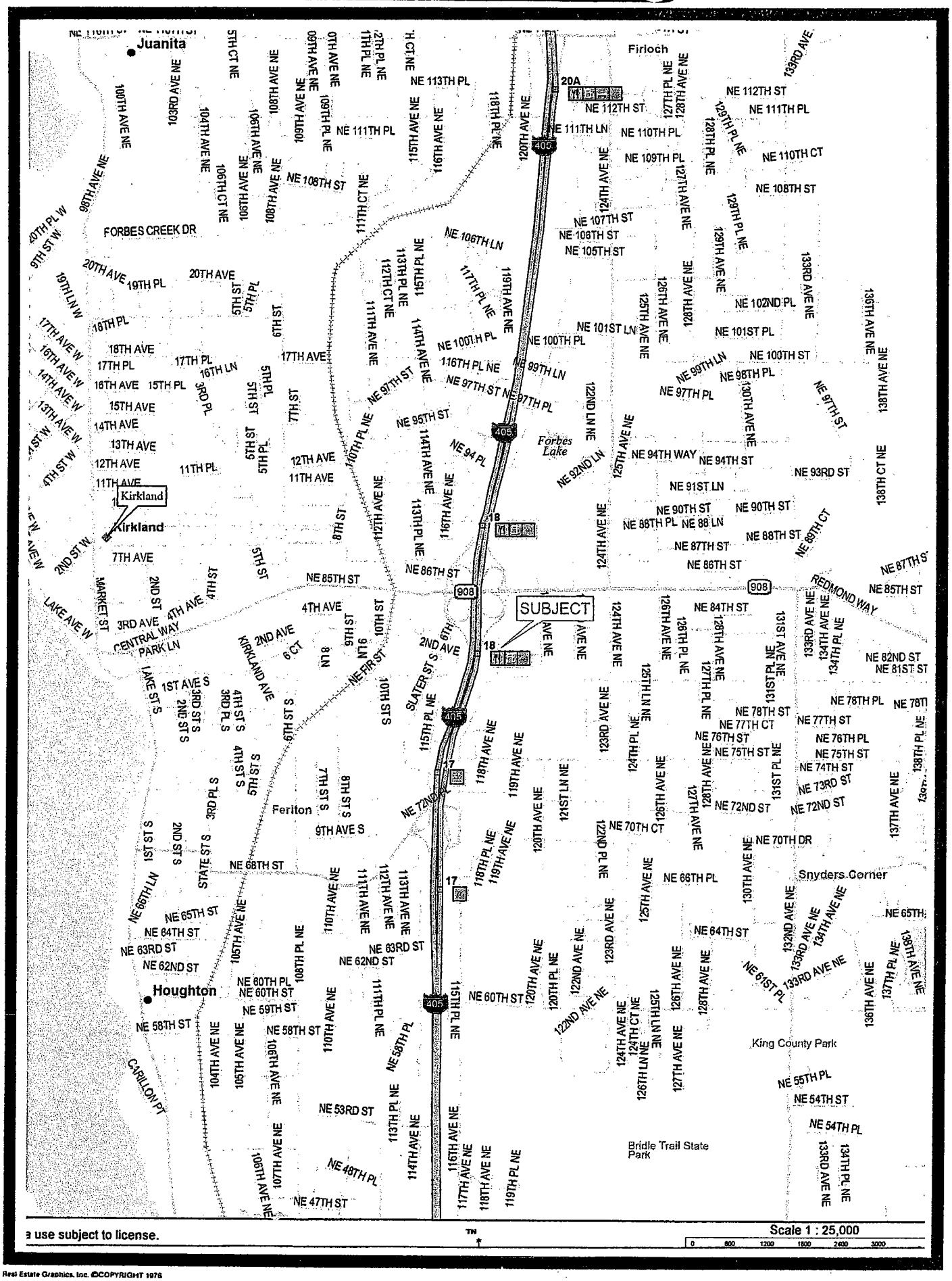
Public records and the computer data services to which the appraiser subscribes were researched, and other appraisers were consulted to uncover recent transactions involving comparable properties. In addition to a personal inspection of Subject, all market indicators utilized in the report were inspected and photographed.

REASONABLE EXPOSURE TIME

Exposure time is defined as "the estimated length of time the property interest being appraised would have been offered on the market prior to the consummation of a sale at market value on the effective date of appraisal, assuming a competitive and open market.."

Based on upon research and analysis of the subject market, and discussions with individuals active in said market, I am of the opinion that a reasonable exposure time of six months to one year is appropriate for subject, predicated upon the indicated market value. The exposure time estimate is based upon cash or cash equivalent financing available at market rates in effect as of the date of valuation, and a marketing effort which is typical for this type of property, such as listing the property with an independent broker who is experienced in the local market for this type of property.

Neighborhood Map



a use subject to license.

Scale 1 : 25,000

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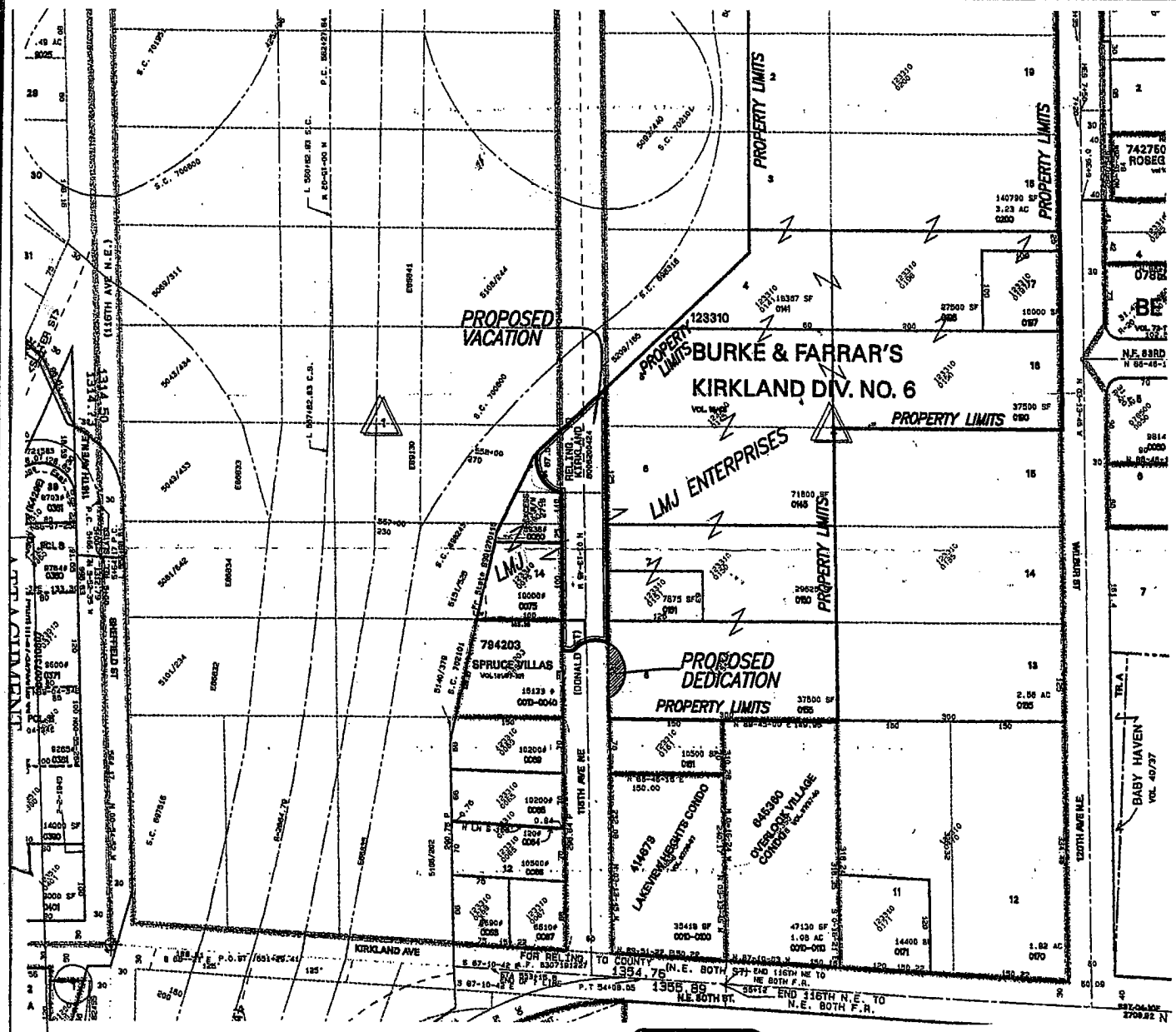
NEIGHBORHOOD DATA

The Subject property is located in the City of Kirkland, just east of I-405 and south of NE 85th Street.. The immediate area consists mainly of older, mixed single family and multi-family uses to the east, west and south. The area to the north is dominated by Lee Johnson Chevrolet. The other dominate feature in the immediate area is Lake Washington High School, approximately one block to the southeast.

Overall, the neighborhood has access to, all desired amenities and has convenient access to and is centrally located with respect to the major Puget Sound employment centers of Seattle, Redmond, and Bellevue.

This section is intentionally brief, since the intended user of this report, the City of Kirkland, is familiar with the area demographics and economics.



JUL 26 2005

PLANNING DEPARTMENT

BY

100 0 100 200

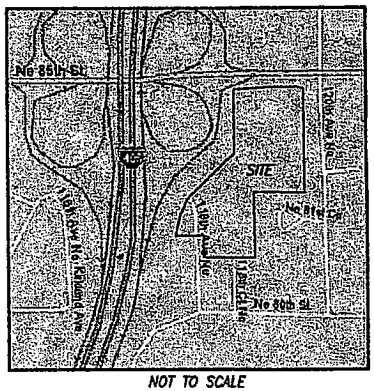
SCALE: 1" = 100'

LEGEND

TO BE VACATED

TO BE DEDICATED

VICINITY MAP



NOT TO SCALE

N

JIM HART AND ASSOCIATES PROFESSIONAL

SITE MAP

FOR LMJ ENTERPRISES

11845 NE 85TH ST

KIRKLAND WA

SCALE: 1" = 100'

FIELD BOOK

DRAWN BY:

CHECKED BY

Subject Property

Real Estate Graphics Inc ©KCVPARCEL 1979

SITE DESCRIPTION AND ANALYSIS

PRESENT USE:

Public right of way. The sites to which it will accrue are vacant land.

ACCESSIBILITY AND ROAD FRONTAGE:

Subject street is a sixty foot right of way. The recipient sites have approximately 250 feet of frontage on both the east and west sides.

LAND CONTOUR AND ELEVATIONS:

The site is level and at grade with the adjoining properties.

LAND AREA:

Vacation:	20,033 square feet
Dedication	1,216 square feet
Net Vacation	18,817 square feet

LAND SHAPE:

Irregular

UTILITIES:

All are available in the area.

SITE IMPROVEMENTS:

None of value.

PROPERTY HISTORY

As a portion of the public right of way, the portion to be vacated does not have a sales history.

REAL PROPERTY ASSESSMENT AND TAXES

Since subject is a public right of way, it is exempt from taxes.

SPECIAL ASSESSMENTS

Not applicable.

ZONING AND RESTRICTIONS

The underlying zoning of the surrounding properties is PLA 13 A & B, mixed use zonings that permit residential, office and some commercial uses. Revised zonings of O/MF and RH-2c, substantially similar classifications are expected to be implemented in December. The reader is referred to the Addenda for details on these classifications.

HIGHEST AND BEST USE

In common appraisal practice, the concept of Highest and Best Use represents the premise upon which value is based. The determination of Highest and Best Use is the result of the appraiser's judgment and analytical skill. The use determined from analysis represents an opinion, not a fact to be found.

Highest and Best use is defined in The Dictionary of Real Estate Appraisal, American Institute of Real Estate Appraisers, Chicago, Illinois, 1984, page 152, as:

1. "The reasonable and probable use that supports the highest present value of vacant land or improved property, as defined, as of the date of the appraisal.

2. The reasonably probable and legal use of land or sites as though vacant, found to be physically possible, appropriately supported, financially feasible, and that results in the highest present land value.

3. The most profitable use.

Implied in these definitions is that the determination of highest and best use takes into account the contribution of a specific use to the community and community development goals as well as the benefits of that use to individual property owners. Hence, in certain situations, the highest and best use of land may be for parks, greenbelts, preservation, conservation, wildlife habitats, and the like."

Four considerations are imposed upon a site in the estimation of Highest and Best Use:

1. Possible Use: What uses of the site in question are physically possible?

2. Permissible Use (legal): What uses are permitted by zoning, deed restrictions, etc., on the site in question?

3. Financially Feasible Use: Among the possible and permissible uses, which use(s) will produce a positive net return?

4. Maximally Productive: Among the feasible uses, which use will produce the highest rate of return or the highest present worth?

As indicated previously, the Subject site is limited by its configuration as a portion of a right-of-way. The highest and best use of the Subject property is as a vacated street section to be assembled with the adjacent property. As part of the larger parcel, any use which conforms to the zoning designation, would be a permissible use. Due to the large size of the assembled parcel, the availability of utilities, access, and the physical characteristics, the highest and best use, as vacant, would be for a commercial use as permitted by zoning. As improved, the existing use as an auto dealership is considered the highest and best use.

LAND VALUATION

Land is customarily appraised as if vacant and available for development to its Highest and Best Use. Of the accepted procedures available for valuing land, the most reliable (when there is adequate data) is the market comparison procedure. This procedure entails gathering data on transactions involving land similar, to the Subject land. These transactions are analyzed and adjusted to reflect any differences in financing terms, market conditions and physical characteristics with the net result being an indication of the Subject's land value.

Following is a tabulation which summarized the important data from each of the transactions considered most pertinent.

Trans. #	Date	Price	Area	Zoning	$/SF
1	9-04	$1,595,000	30,017 SF	PR 3.6	$53.14
2	3-05	$550,000	19,988 SF	PR-3.6	$27.52
3	1-04	$3,760,000	164,312 SF	RM-5.0	$22.88

Transaction #1: This is the sale of a level, cleared, rectangular, at grade site in the 1800 Block of Market Street with a view of Lake Washington. At the time of sale, it was improved with two older buildings that were demolished and did not contribute to value. A multi-family project is currently under construction. An upward adjustment for time is indicated. Overall, the sale property is considered superior and that the Subject would sell for less on a unit basis.

Transaction #2: This is the sale of level, cleared, rectangular, at grade site in the 8500 Block of 124th Avenue NE, behind Mc Donalds. At the time of sale, it was improved with an older single family residence that did not contribute to value. Like the Subject, it is in the process of being rezoned in December. A two story office building is planned for the site. Overall the sale property is considered on par with the Subject.

Transaction #3: This is the sale of a slightly irregular, brushed over site in the 6500 Block of 108 Avenue NE that also fronts on 106th Avenue NE. The easterly 15% +/- portion of the property slopes down 15'-20' from 108th, with the balance being generally level and at the grade of 106th Avenue NE. It is in an area of, almost exclusively, residential uses and has an inferior zoning. An upward adjustment for time is indicated. Overall, it is felt that the Subject would sell for more on a unit basis.

After consideration of the above, with allowances for the differences indicated, it is my opinion that the indicated unit value applicable to subject, as part of the larger parcel, would closely approximate $30.00 per square foot. This develops as follows:

18,817 SF X $30.00/SF = $564,510

INDICATED VALUE: **$564,500**

CERTIFICATE OF APPRAISAL

I, Garrett W. Waldner, MAI, SRA certify that, to the best of my knowledge and belief:

- the statements of fact contained in this report are true and correct.
- the reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and are my personal, unbiased professional analysis, opinions, and conclusions.
- I have no present or prospective interest in the property that is the subject of this report, and I have no personal interest or bias with respect to the parties involved.
- my compensation is not contingent upon the reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value estimate, the attainment of a stipulated result, or the occurrence of a subsequent event.
- the appraisal assignment was not based on a requested minimum valuation, a specific valuation, or loan approval. The employment of the appraiser was not conditioned upon the appraisal producing a specific value or value within a given range.
- my analysis, opinion, and conclusions were developed, and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice (USPAP) as adopted by the Appraisal Standards Board of the Appraisal Foundation, and with the requirements of the Code of Professional Ethics and the Standards of Professional Practice of the Appraisal Institute.
- I have made a personal inspection of the property that is the subject of this report.
- no one provided significant professional assistance in developing the analysis or conclusions in this report.
- I have the required knowledge and experience necessary to complete this appraisal competently.
- the use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.
- as of the date of this report, I have completed the requirements of the continuing education program of the Appraisal Institute.
- The Americans with Disabilities Act ("ADA") became effective January 26, 1992. I have not made a specific compliance survey and analysis of this property to determine whether or not it is in conformity with the various detailed requirements of the ADA. It is possible that a compliance survey of the property, together with a detailed analysis of the requirements of the ADA, could revel that the property is not in compliance with one or more of the requirements of the Act. If so, this fact could have a negative effect upon the value of the property. Since I have no direct evidence relating to this issue, I did not consider possible non-compliance with the requirements of ADA in estimating the value of the property.

Garrett W. Waldner, MAI, SRA
Certified General Appraiser
27011-1100617

ADDENDA

SECTION "M"

MARKET DATA

LAND SALE COMPARABLE # 1

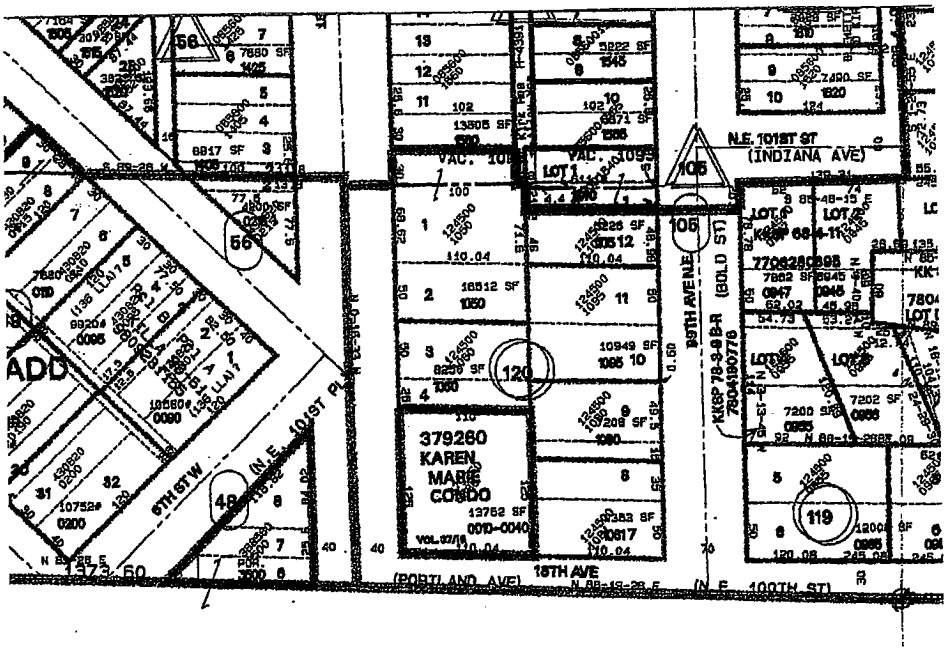
Address:	1830-40 Market Street
City:	Kirkland **County:** King **State:** Washington
S-T-R:	SE 31-26-05
Zoning:	PR-3.6
Highest & Best Use:	Office/Residential
Access:	Paved
Utilities:	All available
Land Area (SF):	30,017 SF
Seller:	T&A Market Associates
Buyer:	Chaffey Homes, Inc.
Sale Date:	09-14-04
Price:	$1,595,000
Unit Price:	$53.14/SF
Instrument:	WD
Terms:	Cash
Aud. File No.:	20040914-2051
Legal Description:	Assessor's #085600-1560 & 124500-1050
Confirmation:	Public Records

Remarks:

This is the sale of a level, cleared, rectangular, at grade site in the 1800 Block of Market Street with a view of Lake Washington. At the time of sale, it was improved with two older buildings that were demolished and did not contribute to value. A multi-family project is currently under construction.

PHOTO

MAP


N.E. 101ST ST
(INDIANA AVE)
379260
KAREN
MARIE
CONDO
18TH AVE
(PORTLAND AVE)
(N.E. 100TH ST)
6TH ST W
(N.E. 101ST PL)
99TH AVE N.E.
(BOLD ST)

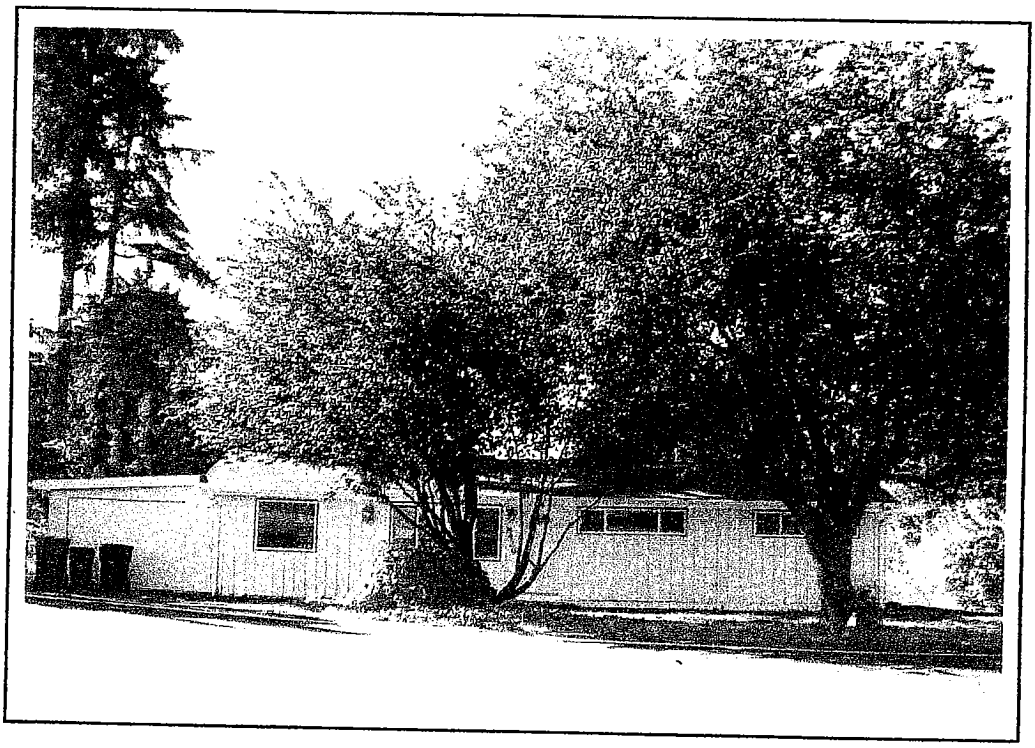
LAND SALE COMPARABLE # 2

Address:	8529 124th Avenue NE
City:	Kirkland **County:** King **State:** Washington
S-T-R:	SW 04-25-05
Zoning:	PR-3.6
Highest & Best Use:	Office/Residential
Access:	Paved
Utilities:	All available
Land Area (SF):	19,988 SF
Seller:	T&H International
Buyer:	Mi S. Song
Sale Date:	03-10-05
Price:	$550,000
Unit Price:	$27.52/SF
Instrument:	WD
Terms:	Cash
Aud. File No.:	20050310-0953
Legal Description:	Assessor's #123850-0245
Confirmation:	Public Records

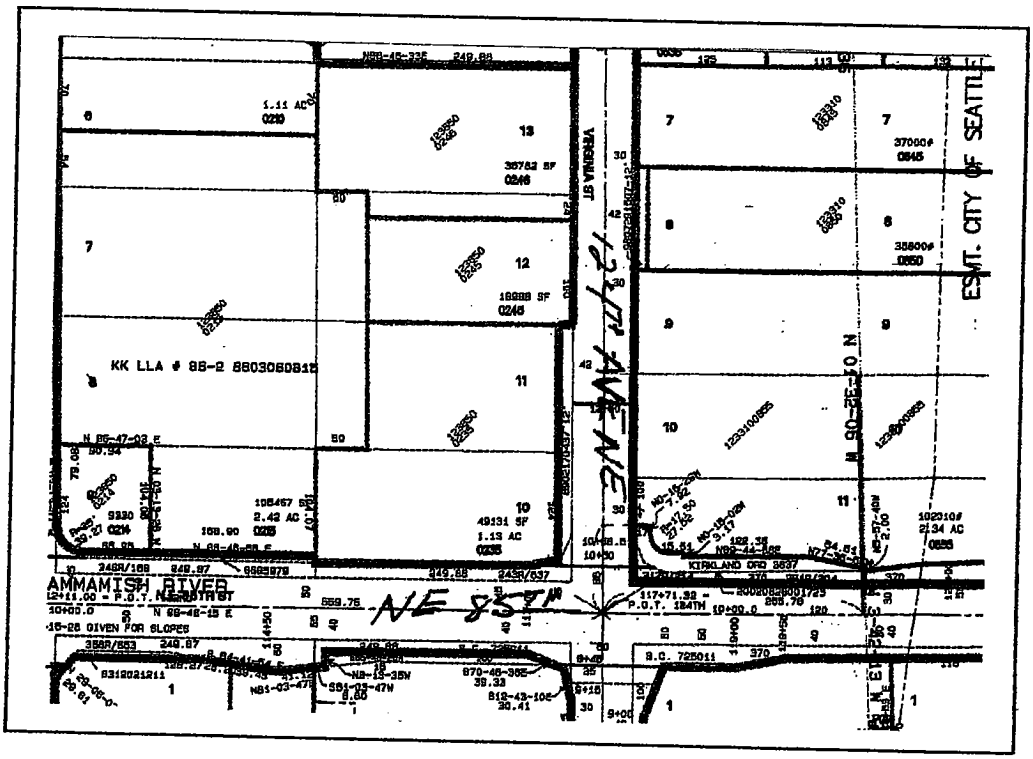
Remarks:

This is the sale of level, cleared, rectangular, at grade site in the 8500 Block of 124th Avenue NE, behind Mc Donalds. At the time of sale, it was improved with an older single family residence that did not contribute to value. Like the Subject, it is in the process of being rezoned in December.

PHOTO



MAP


KK LLA # 88-2
AMMAMISH RIVER
NE 85TH
12TH AVE NE
VIRGINIA ST
KIRKLAND ORD 3637
EST. CITY OF SEATTLE

LAND SALE COMPARABLE # 3

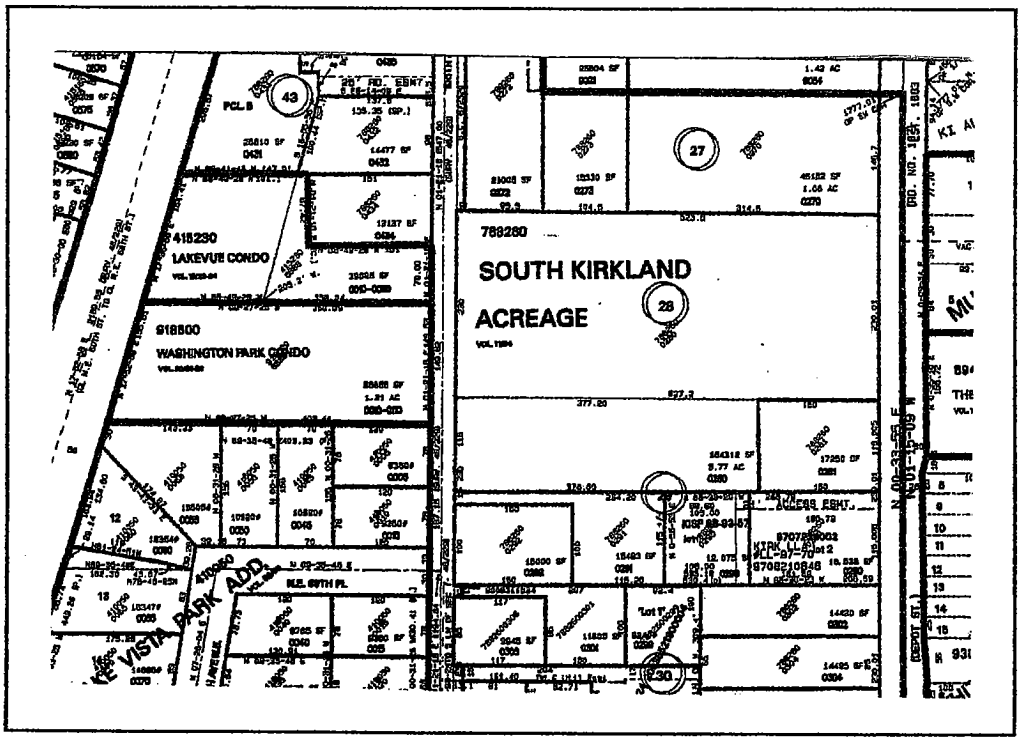
Address:	108th Avenue NE
City:	Kirkland **County:** King **State:** Washington
S-T-R:	SW 08-25-05
Zoning:	RM-5.0
Highest & Best Use:	Office/Residential
Access:	Paved
Utilities:	All available
Land Area (SF):	164,312/SF
Seller:	CR Merriwether
Buyer:	Lakeview Residential, LLC
Sale Date:	01-30-04
Price:	$3,760,000
Unit Price:	$22.88/SF
Instrument:	WD
Terms:	Cash
Aud. File No.:	20040130-2861
Legal Description:	Assessor's #788260-0280
Confirmation:	Public Records

Remarks:

This is the sale of a slightly irregular, brushed over site in the 6500 Block of 108 Avenue NE that also fronts on 106th Avenue NE. The easterly 15% +/- portion of the property slopes down 15'-20' from 108th , with the balance being generally level and at the grade of 106th Avenue NE.

PHOTO

MAP


43
PCL B
25' RD. ESMT.
415230
LAKEVUE CONDO
918500
WASHINGTON PARK CONDO
27
788280
SOUTH KIRKLAND
ACREAGE
28
30
N.E. 64TH PL.
VISTA PARK ADD.
DEPOT ST.

SECTION "Q"

QUALIFICATIONS

QUALIFICATIONS AND EXPERIENCE
GARRETT W. WALDNER, MAI, SRA

State Certified General Appraiser
Certificate #27011-1100617

EDUCATION:

Graduate Augsburg College
Majors: Mathematics, Business Administration

American Right-of-Way Association
Courses I, II, III

Appraisal Institute
Courses II, VI, & VIII, 550, Standards of Professional Practice & Litigation Valuation

Various Appraisal, Finance, Economics Seminars & Workshops

PROFESSIONAL ASSOCIATIONS:

The Appraisal Institute

MAI & SRA - Chapter Officer	1975-1981 President 1981
National Governing Council	1981-1983, 1984-1987
Vice Chairman Northwest Region	1986-1987

American Public Works Association

Homebuilders Association of Alaska, Inc.
Past State Vice-President

Alaska Landlords & Property Managers Association
Past State President

Society of Real Estate Appraisers
Past President, Alaska Chapter

American Right-of-Way Association

Anchorage Board of Equalization 1977-1978

EXPERIENCE:

1988-Present	President & Senior Appraiser	Washington Appraisal Services, Inc.
1973-1988	President & Senior Appraiser	Real Estate Services Company
1974-1988	Partner & Agent	Professional Realty/Equivest Corp.
1971-1973	Director, Urban Renewal	Alaska State Housing Authority
1966-1971	Real Estate Officer	Alaska State Housing Authority
1964-1966	Staff Appraiser	Minnesota Department of Taxation

Lecturer
Anchorage Board of Realtors
Private Real Estate Schools
University of Alaska

Court Experience
Expert Witness
Master & Arbitrator - Real Estate Valuation Proceedings

CLIENTS:

Alaska State Housing Authority
Atlantic Richfield Company
Bank of St. Louis
City of Auburn
City of Bainbridge Island
City of Barrow
City of Bellevue
City of Burien
City of Cordova
City of Federal Way
City of Fife
City of Homer
City of Kent
City of Kirkland
City of Kodiak
City of Lynnwood
City of Mount Vernon
City of Puyallup
City of Renton
City of Seattle
City of Sumner
City of Tukwila
City of Unalaska
City of Whittier
City of Woodinville
City of Yakutat
Clallam County
Everett School District
First National Bartlesville,Oklahoma
General Electric Company
INA Corporation
Island County
Jefferson County
King County
Municipality of Anchorage
New England Fish Company
Northshore School District
Numerous Banks, Savings & Loan Assoc.
Owen-Corning Fiberglass Corporation
Pierce County
Snohomish County
Standard Oil Company
Stanford University
State of Alaska`
State of Washington - Attorney General
Tiger Investors Mortgage Insurance Co.
U.S. Postal Service
United States Steel Corporation
Westinghouse Corporation
Whitney-Fidalgo Seafoods, Inc.

PROPERTIES:

Houses	Apartments	Warehouses
Service Stations	Condominiums	Canneries
Shopping Centers	Office Buildings	Retail Stores
Bulk Plants	Hotels & Motels	Subdivisions
Mobile Home Parks	Recreational Prop.	Tidelands
Public Facilities	Nursing Homes	Marinas
Retirement Homes	Airport Facilities	Schools

ATTORNEYS:

Stephanie Croll	(206) 623-8861
Teena Killian	(206) 628-6600
John Salmon	(360) 753-1622
Steve DiJulio	(206) 447-4400
Janis Cunningham	(206) 583-8607
Livingston Wernecke	(206) 292-9988
Kelly Wiley	(206) 623-8861

SECTION "Z"

ZONING

or wholesale uses through establishment of a size limitation that, in recognition of convenient access to I-405, may be greater than in the rest of the Subarea.

- **Building bulk:**

  Establish a maximum building height that allows for a maximum of five stories if offices above retail or a maximum of six stories if residential above retail. The maximum height should be 67 feet with additional height allowed for a sloping roof form (five feet) and roof top appurtenances. Provide openness by limiting the total floor area, separating the buildings and including ample building modulation. Step back upper stories from NE 85th Street.

- **Traffic and access:**

  Recognizing that redevelopment will generate additional traffic compared to traffic generated by existing development, require mitigation for traffic impacts from the redevelopment. Allow vehicular access to NE 85th Street and 120th Avenue NE. Permit emergency vehicles only to access from 118th Avenue NE.

- **Design considerations:**

  Buffer new structures from nearby residential uses through the use of substantial landscaping, fences, and/or berms. Mitigate noise and light and glare impacts on adjacent residential properties. Encourage underground or structured parking (discourage large ground level parking lots).

Policy NE85-4.2b:

Area RH-2b:

- **Land Use:**

  Permit retail (including car dealer) if developed in conjunction with RH-2a, office and/or residential uses.

- **Building bulk:**

  Establish a maximum building height that allows for a maximum of four stories if office above retail or a maximum of five stories if residential above retail. The maximum height should be 55 feet with additional height allowed for a sloping roof form (five feet) and roof top appurtenances. Provide openness by limiting the total floor area, separating the buildings and including ample building modulation. Step back upper stories from 120th Avenue NE.

- **Traffic and access:**

  Same as RH-2a.

- **Design considerations:**

  Same as RH-2a. Limit the impacts of new signs for residents across 120th Avenue NE.

Policy NE85-4.2c:

Area RH-2c:

- **Land use:**

  Permit a car dealer use if developed in conjunction with RH-2a and RH-2b, office and/ or residential uses.

- **Building bulk:**

  Allow buildings to step up to three stories with lower heights starting next to existing residences. Provide openness by limiting the total floor area, separating the buildings and including ample building modulation.

- **Traffic and access:**

  Recognizing that redevelopment will generate additional traffic compared to traffic generated by existing development, require mitigation for traffic impacts from the redevelopment. Allow vehicular access for the car dealer use from NE 85th Street or 120th Avenue NE. Permit traffic from office and residential uses to access from 118th Avenue NE that is equal to traffic that could be generated from office/residential

ATTACHMENT 5

development at 12 units per acre. Any traffic in excess of this amount should access from NE 85th or 120th Avenue NE.

- **Design considerations:**

  Buffer new structures from nearby residential uses through the use of substantial landscaping, fences, and/or berms. Design new signs facing onto 118th Avenue NE to be compatible with nearby properties. Mitigate noise and light and glare impacts on adjacent residential properties. Encourage underground or structured parking (discourage large ground level parking lots).

Policy NE85-4.3:

Area RH-3:

Allow this area to redevelop with mixed use development up to five stories in height on the northern part of the site (where the ground elevation is lower) if the area is developed as a single, coordinated project with ground-level retail and pedestrian amenities. This mixed-use development may be phased to include office, retail, hotel and multifamily residential. Emphasize transit access in any such redevelopment. Require redevelopment to include an east-west pedestrian connection near the north end of the site, between 120th to 122nd Avenues NE. Encourage infill or "liner" retail along NE 85th Street as an interim alternative to complete site redevelopment. Reduce the number of vehicular access points onto NE 85th Street in any redevelopment, and encourage existing development to consolidate driveways and curb cuts.

Policy NE85-4.4:

Area RH 4:

Allow office or medium-density multifamily residential uses in this area. Alternately, allow the site to be developed as parking and access for the commercial use to the south. Do not allow Area RH-4 to be developed as a self-contained commercial use.

Policy NE85-4.5:

Areas RH-5a, 5b, and 5c:

Continue to allow general commercial uses in this core portion of the NE 85th Street commercial area, subject to district-wide design guidelines. Require new development to limit the number of driveways on NE 85th Street, and encourage existing development to consolidate driveways and curb cuts. In addition, observe the following transition standards:

(1) Set vehicular access points located on north-south side streets back from adjacent residential properties as much as possible without creating problems for traffic turning to and from NE 85th Street. Allow only one driveway for access to commercial property on the east side of 124th Avenue NE.

(2) Locate a heavily landscaped buffer strip along any boundary with residential properties or along streets separating commercial development from residential properties.

(3) Retain existing significant trees and vegetation within the buffer. Preclude this landscaped area from further development by the creation of a greenbelt protective easement.

(4) Keep sources of noise and light to a minimum and directed away from adjacent residential properties.

(5) Area RH-5b: On the north side of NE 85th Street east of 126th Avenue NE, restrict permitted uses to those that generate limited noise, light and glare, odor, and traffic impacts. Examples of uses that would be appropriate in this area include medical/dental offices, insurance offices, dry cleaners, and coffee shops. Examples of uses that would not be appropriate in this location include gas stations, car washes, uses with drive-through windows, and uses with extended hours of operation.

3. LAND USE

A. INTRODUCTION

The NE 85th Street Subarea is characterized by a wide range of land uses, from single-family residences to large regional stores such as the Costco membership warehouse and several car dealerships. Commercial (retail, office, and service) land uses are located along and adjacent to NE 85th Street itself. Generally speaking, the largest and most intensive of these uses are in the west end of the Subarea, nearest I-405. In this area, the commercial uses also extend farther north and south than they do in the east end of the Subarea, where the retail and commercial uses are generally smaller and less intensive. North and south of the NE 85th Street commercial area, the Subarea is almost exclusively residential, with the exception of the Kirkland Cemetery and Rose Hill Elementary School. Lake Washington High School is located immediately south of NE 80th Street, just out of the Subarea.

The Subarea includes some multifamily housing, generally on properties adjacent to commercial uses. Much of the Subarea was developed in unincorporated King County prior to annexation by the City of Kirkland. Following annexation, the City of Kirkland adopted a dual set of zoning categories that recognized the earlier King County standards in the annexation areas and facilitated the transition of these areas to City of Kirkland standards. Eventually, new and remodeled commercial structures in these areas should meet the same standards as those that apply in similar zones throughout the City.

B. RESIDENTIAL

Outside of the NE 85th Street commercial area, most of the NE 85th Street Subarea is designated for, and developed as, residential use. There are several limited areas designated for multifamily residential (medium-density, up to 12 units per acre, and high density, between 12 and 24 units per acre) development south of NE 85th Street, and one area to the north. (See Figure NE85-2, "NE 85th Subarea Land Use").

With the exception of these multifamily areas (most of which have already been developed with multifamily housing), and the Kirkland Cemetery and Rose Hill Elementary School, all of the areas north of the NE 85th Street commercial area and east of 124th Avenue NE, and south of the commercial area and east of 120th Avenue NE, are designated for and developed in single-family (low density residential) use. Although there are a few older single-family homes (such as in the area south of NE 85th Street between 122nd and 126th Avenues NE) there also are several areas of newly constructed homes.

New residential development in the low-density residential areas should be compatible with the current character of the neighborhood. New multifamily development or redevelopment should incorporate architectural and site design features to assure compatibility with adjacent single-family areas.

Goal NE85-1: Maintain and enhance the predominantly single-family residential character of the neighborhoods adjacent to the north and south of the NE 85th Street commercial area.

Policy NE85-1.1:

Maintain low-density detached residential housing as the primary land use in the areas north of the NE 85th Street commercial area and east of 124th Avenue NE, and south of the commercial area and east of 120th Avenue NE.

Policy NE85-1.2:

Encourage the efficient use of larger lots within the Subarea at the maximum densities allowed by the underlying zoning.

ATTACHMENT 6

60.159 User Guide. The charts in KZC 60.162 contain the basic zoning regulations that apply in Planned Area 13A, including sub-zones. Use these charts by reading down the left hand column entitled Use. Once you locate the use in which you are interested, read across to find the regulations that apply to that use.

Section 60.160

Zone PLA13A

Section 60.160 – GENERAL REGULATIONS

The following regulations apply to all uses in this zone unless otherwise noted:

1. Refer to Chapter 1 KZC to determine what other provisions of this Code may apply to the subject property.
2. If any portion of a structure is adjoining a low density zone, then either:
   a. The height of that portion of the structure shall not exceed 15 feet above average building elevation, or
   b. The horizontal length of any facade of that portion of the structure which is parallel to the boundary of the low density zone shall not exceed 50 feet in width.

   See KZC 115.30, Distance Between Structures Regarding Maximum Horizontal Facade Regulation, for further details. (Does not apply to Detached Dwelling Units uses).
3. If the subject property adjoins a low density use, the minimum setback of any structure from the lot containing that low density use is equal to the height of that structure, as measured on the side of that structure closest to the detached unit (does not apply to Vehicle Service Station, Retail establishment providing new vehicle or boat sales or vehicle or boat service or repair, Restaurant or Tavern, Fast Food Restaurant and Any retail establishment other than those specifically listed in this zone, selling goods or providing services including banking and related financial services uses).

ATTACHMENT 2

Zone PLA13A

USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 60.162	USE ⇩ / REGULATIONS ⇨	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	MAXIMUMS: Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.010	Vehicle Service Station See Special Regulation 1.	Process I, Chapter 145 KZC.	22,500 sq. ft.	20′	15′ on each side	15′	80%	If adjoining a low density zone other than RSX, then 25′ above average building elevation. Otherwise, 30′ above average building elevation.	A See Spec. Reg. 10.	E See Spec. Reg. 3.	See KZC 105.25.	1. May develop this use only in conjunction with the development located the property in the commercial zone abutting the northern boundary of t. zone. 2. If the subject property adjoins a non-retail use, the minimum setback of any structure from the lot containing that non-retail use is twice the height of that structure, as measured on the side of that structure closest to the non-retail use. 3. Free-standing signs and back-lit signs are not permitted along or oriented to 118th NE and 120th NE. 4. The City may require that the topography be recontoured and that structures be depressed to mitigate the impacts of bulk and noise on surrounding uses. 5. May not access directly onto 118th NE. 6. Parking and circulation must be coordinated with commercial development to the north. 7. The following regulations apply only to vehicle service stations: a. May not be more than two vehicle service stations at any intersection. b. Gas pump islands may extend 20 feet into the front yard. Canopies or covers over gas pump islands may not be closer than 10 feet to any property line. Outdoor parking and service areas may not be closer than 10 feet to any property line. See KZC 115.30, Outdoor Use, Activity and Storage, for further regulations. 8. The following regulation applies only to new vehicle or boat sales or v cle or boat repair or service: a. Vehicle and boat rental and used vehicles or boat sales are allowed as part of this use. 9. On Lot 6, within Block 2, automobile service areas, body shops, and customer parking are not permitted. 10. Uses that abut a residential use must install a landscape buffer consisting of a berm that is a minimum of 20 feet wide and five feet high at the center or an equal to or superior alternate design. The berm shall include fencing, trees, and shrubs in sufficient size and spacing to provide for a screening of the views of the subject property from the abutting residential uses. 11. The site must be designed so that noise from the use will not be audible off the subject property. A certification to this effect by an acoustical engineer must be submitted with the development permit application. 12. The type of exterior lighting may be limited by the City to reduce glare on neighboring properties. See KZC 115.50, Glare Regulation.
				See Special Regulations 2 and 7.								
.020	A retail establishment providing new vehicle or boat sales or vehicle or boat service and repair. See Special Regulation 1.	None	None	20′	10′ on each side	10′						
				See Special Regulation 2.								

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 60.162	USE ⇩ / REGULATIONS ⇨	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.030	Restaurant or Tavern See Special Regulation 1.	None	None	20′	10′ on each side	10′	80%	If adjoining a low density zone other than RSX, then 25′ above average building elevation. Otherwise, 30′ above average building elevation.	A See Spec. Reg. 12.	E See Spec. Reg. 3.	1 per each 100 sq. ft. of gross floor area.	1. May develop this use only in conjunction with the development located on the property in the commercial zone abutting the northern boundary of this zone. 2. If the subject property adjoins a non-retail use, the minimum setback of any structure from the lot containing that non-retail use is twice the height of that structure, as measured on the side of that structure closest to the non-retail use. 3. Free-standing signs and back-lit signs are not permitted along or oriented to 118th NE and 120th NE. 4. The City may require that the topography be recontoured and that structures be depressed to mitigate the impacts of bulk and noise on surrounding uses. 5. May not access directly onto 118th NE. 6. Parking and circulation must be coordinated with commercial development to the north. 7. The following regulation applies only to fast food restaurants: a. Must provide one outdoor waste receptacle for every 8 parking stalls. 8. A delicatessen, bakery, or other similar use may include, as part of the use, accessory seating if: a. The seating and associated circulation area does not exceed more tha 10 percent of the gross floor area of the use; and b. It can be demonstrated to the City that the floor plan is designed to preclude the seating area from being expanded. 9. Access from drive-through facilities must be approved by the Public Works Department. Drive-through facilities must be designed so that vehicles will not block traffic in the right-of-way while waiting in line to be served. 10. Ancillary assembly and manufactured goods on the premises of this use are permitted only if: a. The assembled or manufactured goods are directly related to and are dependent upon this use, and are available for purchase and removal from the premises. b. The outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from other retail uses. 11. On Lot 6, Block 2, automobile service area, body shops, customer parking are not permitted. REGULATIONS CONTINUED ON NEXT PAGE
.040	Fast Food Restaurant See Special Regulation 1.										1 per each 80 sq. ft. of gross floor area.	
.050	Any retail establishment other than those specifically listed in this zone, selling goods or providing services including banking and related financial services See Special Regulation 1.										1 per each 300 sq. ft. of gross floor area.	

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 60.162	USE ⇩ / REGULATIONS ⇨	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.050	Any retail establishment other than those specifically listed in this zone, selling goods or providing services including banking and related financial services (continued)											REGULATIONS CONTINUED FROM PREVIOUS PAGE 12. Uses that abut a residential use must install a landscape buffer consisting of a berm that is a minimum of 20 feet wide and five feet high at the center, or an equal to or superior alternative design. The berm shall include fencing, trees, and shrubs in sufficient size and spacing to provide for screening of the views of the subject property from the abutting residential uses. 13. The site must be designed so that noise from the use will not be audible off the subject property. A certification to this effect by an acoustical engineer must be submitted with the development permit application. 14. The type of exterior lighting may be limited by the City to reduce glare on neighboring properties. See KZC 115.50, Glare Regulation.
.060	Office Use	None	7,200 sq. ft.	20′	5′, but 2 side yards must equal at least 15′.	10′	70%	If adjoining a low density zone other than RSX, then 25′ above average building elevation. Otherwise, 30′ above average building elevation.	C	D	If a Medical, Dental, or Veterinary office, then 1 per 200 sq. ft. of gross floor area. Otherwise, 1 per each 300 sq. ft. of gross floor area.	1. The following regulations apply to veterinary offices only: a. May only treat small animals on the subject property. b. Outside runs and other outside facilities for the animals are not permitted. c. Site must be designed so that noise from this use will not be audible off the subject property. A certification to this effect, signed by an Acoustical Engineer, must be submitted with the development permit application. 2. Ancillary assembly and manufacture of goods on the premises of this use are permitted only if: a. The ancillary assembled or manufactured goods are subordinate and dependent on this use. b. The outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from other office uses.
.070	Detached Dwelling Unit	None	3,600 sq. ft.						E	A	2.0 per unit	1. For this use, only one dwelling unit may be on each lot regardless of lot size. 2. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.

Section 60.162	USE ⇩ / REGULATIONS ⇨	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
		Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARDS (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.080	Detached, Attached or Stacked Dwelling Units	None	3,600 sq. ft. per unit	20′	5′, but 2 side yards must equal at least 15′.	10′	70%	If adjoining a low density zone other than RSX, then 25′ above average building elevation. Otherwise, 30′ above average building elevation.	C	A	1.7 per unit.	1. If the subject property contains four or more units, then it must contain at least 200 square feet per unit of common recreational open space usable for many activities. This required common recreational open space must have the following minimum dimensions: a. For four to 20 units, the open space must be in one or more pieces each having at least 800 square feet and having a length and width of at least 25 feet. b. For 21 units or more, the open space must be in one or more pieces having a length and width of at least 40 feet. The required common recreational open space may be reduced to 150 square feet per unit if permanent outdoor furniture, pool, cooking facilities, playground equipment, and/or a recreation building are provided in the common open space. The City shall determine if these outdoor provisions provide comparable recreational opportunities as would the open space that is reduced based on the number of residents that they would serve at one time. Also, the required minimum dimension for the open space containing these outdoor provisions may also be reduced in proportion to the reduced open space area. 2. Chapter 115 KZC contains regulations regarding home occupations an other accessory uses, facilities and activities associated with this use.

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 60.162	USE ⇩ / REGULATIONS ⇨	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.090	Development containing attached or stacked dwelling units and office uses. See Special Regulation 1.	None	3,600 sq. ft. per unit	20′	5′, but 2 side yards must equal at least 15′.	10′	70%	If adjoining a low density zone other than RSX, then 25′ above average building elevation. Otherwise, 30′ above average building elevation.	C	D	See KZC 105.25.	1. A veterinary office is not permitted in any development containing dwe units. 2. If the subject property contains four or more units, then it must contain at least 200 square feet per unit of common recreational open space usable for many activities. This required common recreational open space must have the following minimum dimensions: a. For four to 20 units, the open space must be in one or more pieces each having at least 800 square feet and having a length and width of at least 25 feet. b. For 21 units or more, the open space must be in one or more pieces having a length and width of at least 40 feet. The required common recreational open space may be reduced to 150 square feet per unit if permanent outdoor furniture, pool, cooking facilities, playground equipment, and/or a recreation building are provided in the common open space. The City shall determine if these outdoor provisions provide comparable recreational opportunities as would the open space that is reduced based on the number of residents that they would serve at one time. Also, the required minimum dimension for the open space containing these outdoor provisions may also be reduced in proportion to the reduced open space area. 3. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.
.100	Church		7,200 sq. ft.		20′ on each side.	20′				B	1 for every 4 people based on maximum occupancy load of any area of worship. See Special Regulation 1.	1. No parking is required for day-care or school ancillary to the use.

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 60.162	USE ⇩ / REGULATIONS ⇨	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	MAXIMUMS: Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.110	School or Day-Care Center	None	7,200 sq. ft.	If this use can accommodate 50 or more students or children, then: 50′	50′ on each side	50′	70%	If adjoining a low density zone other than RSX, then 25′ above average building elevation. Otherwise, 30′ above average building elevation. See Spec. Reg. 8.	D	B	See KZC 105.25.	1. A six-foot-high fence is required only along the property lines adjacent to the outside play areas. 2. Hours of operation may be limited to reduce impacts on nearby residential uses. 3. Structured play areas must be setback from all property lines as follows: a. 20 feet if this use can accommodate 50 or more students or children. b. 10 feet if this use can accommodate 13 to 49 students or children. 4. An on-site passenger loading area must be provided. The City shall determine the appropriate size of the loading areas on a case-by-case basis, depending on the number of attendees and the extent of the abutting right-of-way improvements. Carpooling, staggered loading/unloading time, right-of-way improvements or other means may be required to reduce traffic impacts on any nearby residential uses. 5. May include accessory living facilities for staff persons. 6. The location of parking and passenger loading areas shall be designed to reduce impacts on any nearby residential uses. 7. These uses are subject to the requirements established by the Department of Social and Health Services (WAC Title 388). 8. For school use, structure height may be increased, up to 35 feet, if: a. The school can accommodate 200 or more students; and b. The required side and rear yards for the portions of the structure exceeding the basic maximum structure height are increased by one foot for each additional one foot of structure height; and c. The increased height is not specifically inconsistent with the applicable neighborhood plan provisions of the Comprehensive Plan. d. The increased height will not result in a structure that is incompatible with surrounding uses or improvements.
				If this use can accommodate 13 to 49 students or children, then: 20′	20′ on each side	20′						

Zone PLA13A

USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 60.162	USE ⇩ / REGULATIONS ⇨	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.120	Mini-School or Mini-Day-Care	None	3,600 sq. ft.	20′	5′, but 2 side yards must equal at least 15′.	10′	70%	If adjoining a low density zone other than RSX, then 25′ above average building elevation. Otherwise, 30′ above average building elevation.	E	B	See KZC 105.25.	1. A six-foot-high fence is required only along the property lines adjacer the outside play areas. 2. Structured play areas must be setback from all property lines by five feet. 3. An on-site passenger loading area may be required depending on the number of attendees and the extent of the abutting right-of-way improvements. 4. The location of parking and passenger loading areas shall be designed to reduce impacts on any nearby residential uses. 5. May include accessory living facilities for staff persons. 6. These uses are subject to the requirements established by the Department of Social and Health Services (WAC Title 388).
.130	Assisted Living Facility								C	A	1.7 per independent unit. 1 per assisted living unit.	1. A facility that provides both independent dwelling units and assisted living units shall be processed as an assisted living facility. 2. If a nursing home use is combined with an assisted living facility use in order to provide a continuum of care for residents, the required review process shall be the least intensive process between the two uses. 3. For density purposes, two assisted living units shall constitute one dwelling unit. Total dwelling units may not exceed the number of stacked dwelling units allowed on the subject property. Through Process IIB, Chapter 152 KZC, up to 1 1/2 times the number of stacked dwelling units allowed on the subject property may be approved if the following criteria are met: a. Project is of superior design, and b. Project will not create impacts that are substantially different than would be created by a permitted multifamily development. 4. The assisted living facility shall provide usable recreational space of at least 100 square feet per unit, in the aggregate, for both assisted living units and independent dwelling units, with a minimum of 50 square feet of usable recreational space per unit located outside. 5. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.
.140	Convalescent Center or Nursing Home		7,200 sq. ft.		10′ on each side					B	1 for each bed.	1. If a nursing home use is combined with an assisted living facility use in order to provide a continuum of care for residents, the required review process shall be the least intensive process between the two uses.
.150	Public Utility		None		20′ on each side	20′			A		See KZC 105.25.	1. For a Government Facility Use, Landscape Category A or B may be required depending on the type of use on the subject property and the impacts associated with the use on the nearby uses.
.160	Government Facility or Community Facility				10′ on each side	10′			C See Spec. Reg. 1			

(Revised 9/03)

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 60.162	USE ⇩ / REGULATIONS ⇨	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.170	Public Park	See Special Regulations 1 and 2.	None	Will be determined on a case-by-case basis.					--	B	See KZC 105.25.	1. Except as provided for in Special Regulation 2 below, any development or use of a park must occur consistent with a Master Plan. A Master Plan shall be reviewed through a community review process, established by the Parks and Community Services Director, which shall include at a minimum: a. One formal public hearing, conducted by the Parks Board, preceded by appropriate public notice. b. The submittal of a written report on the proposed Master Plan from the Parks Board to the City Council, containing at least the following: 1) A description of the proposal; 2) An analysis of the consistency of the proposal with adopted Comprehensive Plan policies, including the pertinent Park and Recreation Comprehensive Plan policies; 3) An analysis of the consistency of the proposal with applicable developmental regulations, if any; 4) A copy of the environmental record, if the proposal is subject to the State Environmental Policy Act; 5) A summary and evaluation of issues raised and comments received on the proposed Master Plan; and 6) A recommended action by the City Council. c. City Council review and approval. The City Council shall approve the Master Plan by resolution only if it finds: 1) It is consistent with all applicable development regulations and, to the extent there is no applicable development regulation, the Comprehensive Plan; and 2) It is consistent with the public health, safety, and welfare. In addition to the features identified in KZC 5.10.505, the Master Plan shall identify the following: a. Location, dimensions, and uses of all active and passive recreation areas; b. Potential users and hours of use; c. Lighting, including location, hours of illumination, lighting intensity, and height of light standards; d. Landscaping; e. Other features as appropriate due to the character of the neighborhood or characteristics of the subject property. REGULATIONS CONTINUED ON NEXT PAGE

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 60.162	USE ⇩ / REGULATIONS ⇨	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.170	Public Park (continued)											REGULATIONS CONTINUED FROM PREVIOUS PAGE 2. Development and use of a park does not require a Master Plan under this code if it will not involve any of the following: a. Lighting for outdoor nighttime activities; b. The construction of any building of more than 4,000 square feet; c. The construction of more than 20 parking stalls; d. The development of any structured sports or activity areas, other than minor recreational equipment including swing sets, climber toys, slides, single basketball hoops, and similar equipment.

60.164 User Guide. The charts in KZC 60.167 contain the basic zoning regulations that apply in Planned Area 13B, including sub-zones. Use these charts by reading down the left hand column entitled Use. Once you locate the use in which you are interested, read across to find the regulations that apply to that use.

Section 60.165

Zone PLA13B

Section 60.165 – GENERAL REGULATIONS

The following regulations apply to all uses in this zone unless otherwise noted:

1. Refer to Chapter 1 KZC to determine what other provisions of this Code may apply to the subject property.
2. If any portion of a structure is adjoining a low density zone, then either:
   a. The height of that portion of the structure shall not exceed 15 feet above average building elevation, or
   b. The horizontal length of any facade of that portion of the structure which is parallel to the boundary of the low density zone shall not exceed 50 feet in width.

   See KZC 115.30, Distance Between Structures Regarding Maximum Horizontal Facade Regulation, for further details. (Does not apply to Detached Dwelling Unit and Vehicle Storage uses).
3. If the subject property adjoins a low density use, the minimum setback of any structure from the lot containing that low density use is equal to the height of that structure, as measured on the side of that structure closest to low density use (does not apply to Detached Dwelling Unit, Vehicle Storage, School or Day-Care Center and Public Park uses).

ATTACHMENT 3

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 60.167	USE ⇩ / REGULATIONS ⇨	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.010	Detached Dwelling Unit	None	3,600 sq. ft.	20′	5′, but 2 side yards must equal at least 15′.	10′	70%	If adjoining a low density zone other than RSX, then 25′ above average building elevation. Otherwise, 30′ above average building elevation.	E	A	2.0 per unit.	1. For this use, only one dwelling unit may be on each lot regardless c size. 2. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.
.020	Detached, Attached or Stacked Dwelling Units		3,600 sq. ft. per unit		5′, but 2 side yards must equal at least 15′.				C		1.7 per unit.	1. If the subject property contains four or more units, then it must contain at least 200 square feet per unit of common recreational open space usable for many activities. This required common recreational open space must have the following minimum dimensions: a. For four to 20 units, the open space must be in one or more pieces each having at least 800 square feet and having a length and width of at least 25 feet. b. For 21 units or more, the open space must be in one or more pieces having a length and width of at least 40 feet. The required common recreational open space may be reduced to 150 square feet per unit if permanent outdoor furniture, pool, cooking facilities, playground equipment, and/or a recreation building are provided in the common open space. The City shall determine if these outdoor provisions provide comparable recreational opportunities as would the open space that is reduced based on the number of residents that they would serve at one time. Also, the required minimum dimension for the open space containing these outdoor provisions may also be reduced in proportion to the reduced open space area. 2. Chapter 115 KZC contains regulations regarding home occupations other accessory uses, facilities and activities associated with this use.
.030	Office Use	Process I, Chapter 145 KZC.	7,200 sq. ft.							D	If a Medical, Dental, or Veterinary office, then 1 per 200 sq. ft. of gross floor area. Otherwise, 1 per each 300 sq. ft. of gross floor area.	1. The following regulations apply to veterinary offices only: a. May only treat small animals on the subject property. b. Outside runs and other outside facilities for the animals are not permitted. c. Site must be designed so that noise from this use will not be audible off the subject property. A certification to this effect, signed by an Acoustical Engineer, must be submitted with the development permit application. 2. Ancillary assembly and manufacture of goods on the premises of this use are permitted only if: a. The ancillary assembled or manufactured goods are subordinate to and dependent on this use. b. The outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from other office uses.

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 60.167	USE ⇩ / REGULATIONS ⇨	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.040	Development Containing Attached or Stacked Dwelling Units and Office Uses See Special Regulation 1.	Process I, Chapter 145 KZC.	3,600 sq. ft. per unit	20′	5′, but 2 side yards must equal at least 15′.	10′	70%	If adjoining a low density zone other than RSX, then 25′ above average building elevation. Otherwise, 30′ above average building elevation.	C	D	See KZC 105.25.	1. A veterinary office is not permitted in any development containing dwelling units. 2. If the subject property contains four or more units, then it must contain at least 200 square feet per unit of common recreational open space usable for many activities. This required common recreational open space must have the following minimum dimensions: a. For four to 20 units, the open space must be in one or more pieces each having at least 800 square feet and having a length and width of at least 25 feet. b. For 21 units or more, the open space must be in one or more pieces having a length and width of at least 40 feet. The required common recreational open space may be reduced to 150 square feet per unit if permanent outdoor furniture, pool, cooking facilities, playground equipment, and/or a recreation building are provided in the common open space. The City shall determine if these outdoor provisions provide comparable recreational opportunities as would the open space that is reduced based on the number of residents that they would serve at one time. Also, the required minimum dimension for the open space containing these outdoor provisions may also be reduced in proportion to the reduced open space area. 3. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.

Zone PLA13B

USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 60.167	USE ⇩ / REGULATIONS ⇨	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.050	Vehicle Storage See Special Regulation 1.	Process I, Chapter 145 KZC.	None	20′	5′, but 2 side yards must equal at least 15′.	10′	80%	If adjoining a low density zone other than RSX, then 25′ above average building elevation. Otherwise, 30′ above average building elevation.	See Spec. Reg. 7.	None See Spec. Reg. 3.	See KZC 105.25.	1. This use is only permitted on Lot 7 within Block 2 if it is ancillary to t existing land use on Lot 6 in PLA 13A. When the use on Lot 6 is no longer associated with the automobile sales and service establishment abutting NE 85th Street zoned BC, the use of Lot 7 must cease. 2. Vehicular access to 118th Avenue NE is prohibited. 3. Signs are prohibited. 4. See also KZC 115.105, Outdoor Use Activity and Storage, for further regulations. 5. The type of exterior lighting may be limited by the City to reduce glare on neighboring properties. See KZC 115.50, Glare Regulation. 6. The site must be designed so that noise from the use will not be audible off the subject property. A certification to this effect, signed by an acoustical engineer, must be submitted with the development application. 7. Uses that abut a residential use must install a landscape buffer consisting of a berm that is a minimum of 20 feet wide and five feet high at the center or an equal to or superior alternate design. The berm shall include fencing, trees, and shrubs in sufficient size and spacing to provide for screening of the views of the subject property from the abutting residential uses.
.060	Church		7,200 sq. ft.		20′ on each side.	20′	70%		C	B	1 for every 4 people based on maximum occupancy load of any area of worship. See Special Regulation 1.	1. No parking is required for day-care or school ancillary to the use.

Zone PLA13B

USE ZONE CHART

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 60.167	USE ⇩ / REGULATIONS ⇨	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115) Front	Side	Rear	MAXIMUMS: Lot Coverage	MAXIMUMS: Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.070	School or Day-Care Center	None	7,200 sq. ft.	If this use can accommodate 50 or more students or children, then:			70%	If adjoining a low density zone other than RSX, then 25′ above average building elevation. Otherwise, 30′ above average building elevation. See Spec. Reg. 9.	D	B	See KZC 105.25.	1. If the subject property adjoins a low density use, the minimum setback of any structure from the lot containing that low density use is equal to the height of that structure, as measured on the side of that structure closest to the detached unit. 2. A six-foot-high fence is required only along the property lines adjacent to the outside play areas. 3. Hours of operation may be limited to reduce impacts on nearby residential uses. 4. Structured play areas must be setback from all property lines as follows: a. 20 feet if this use can accommodate 50 or more students or children. b. 10 feet if this use can accommodate 13 to 49 students or children. 5. An on-site passenger loading area must be provided. The City shall determine the appropriate size of the loading areas on a case-by-case basis, depending on the number of attendees and the extent of the abutting right-of-way improvements. Carpooling, staggered loading/unloading time, right-of-way improvements or other means may be required to reduce traffic impacts on any nearby residential uses. 6. May include accessory living facilities for staff persons. 7. The location of parking and passenger loading areas shall be designed to reduce impacts on any nearby residential uses. 8. These uses are subject to the requirements established by the Department of Social and Health Services (WAC Title 388). 9. For school use, structure height may be increased, up to 35 feet, if: a. The school can accommodate 200 or more students; and b. The required side and rear yards for the portions of the structure exceeding the basic maximum structure height are increased by one foot for each additional one foot of structure height; and c. The increased height is not specifically inconsistent with the applicable neighborhood plan provisions of the Comprehensive Plan. d. The increased height will not result in a structure that is incompatible with surrounding uses or improvements.
				50′	50′ on each side	50′						
				If this use can accommodate 13 to 49 students or children, then:								
				20′	5′, on side yards must equal at least 15′.	20′						
				See Special Regulation 1.								

(Revised 9/03)

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 60.167	USE / REGULATIONS	Required Review Process	MINIMUMS: Lot Size	MINIMUMS: REQUIRED YARDS (See Ch. 115): Front	Side	Rear	MAXIMUMS: Lot Coverage	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
.080	Mini-School or Mini-Day-Care	None	3,600 sq. ft.	20′	5′, but 2 side yards must equal at least 15′.	10′	70%	If adjoining a low density zone other than RSX, then 25′ above average building elevation. Otherwise, 30′ above average building elevation.	D	B	See KZC 105.25.	1. A six-foot-high fence is required along the property lines adjacent to outside play areas. 2. Structured play areas must be setback from all property lines by five feet. 3. An on-site passenger loading area may be required depending on the number of attendees and the extent of the abutting right-of-way improvements. 4. The location of parking and passenger loading areas shall be designed to reduce impacts on any nearby residential uses. 5. May include accessory living facilities for staff persons. 6. These uses are subject to the requirements established by the Department of Social and Health Services (WAC Title 388).
.090	Assisted Living Facility								C	A	1.7 per independent unit. 1 per assisted living unit.	1. A facility that provides both independent dwelling units and assisted living units shall be processed as an assisted living facility. 2. If a nursing home use is combined with an assisted living facility use in order to provide a continuum of care for residents, the required review process shall be the least intensive process between the two uses. 3. For density purposes, two assisted living units shall constitute one dwelling unit. Total dwelling units may not exceed the number of stacked dwelling units allowed on the subject property. Through Process IIB, Chapter 152 KZC, up to 1 1/2 times the number of stacked dwelling units allowed on the subject property may be approved if the following criteria are met: a. Project is of superior design, and b. Project will not create impacts that are substantially different than would be created by a permitted multifamily development. 4. The assisted living facility shall provide usable recreational space of at least 100 square feet per unit, in the aggregate, for both assisted living units and independent dwelling units, with a minimum of 50 square feet of usable recreational space per unit located outside. 5. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.
.100	Convalescent Center or Nursing Home	Process I, Chapter 145 KZC.	7,200 sq. ft.		10′ on each side					B	1 for each bed.	1. If a nursing home use is combined with an assisted living facility use in order to provide a continuum of care for residents, the required review process shall be the least intensive process between the two uses.
.110	Public Utility		None		20′ on each side	20′			A		See KZC 105.25.	1. Landscape Category A or B may be required depending on the type of use on the subject property and the impacts associated with the use on the nearby uses.
.120	Government Facility or Community Facility				10′ on each side	10′			C See Spec. Reg. 1			

Section 60.167 USE ⇩ REGULATIONS ⇨		DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
		Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARDS (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.130	Public Park	See Special Regulations 1 and 2.	None	Will be determined on a case-by-case basis.					--	B	See KZC 105.25.	1. Except as provided for in Special Regulation 2 below, any development or use of a park must occur consistent with a Master Plan. A Master Plan shall be reviewed through a community review process, established by the Parks and Community Services Director, which shall include at a minimum: a. One formal public hearing, conducted by the Parks Board, preceded by appropriate public notice. b. The submittal of a written report on the proposed Master Plan from the Parks Board to the City Council, containing at least the following: 1) A description of the proposal; 2) An analysis of the consistency of the proposal with adopted Comprehensive Plan policies, including the pertinent Park and Recreation Comprehensive Plan policies; 3) An analysis of the consistency of the proposal with applicable developmental regulations, if any; 4) A copy of the environmental record, if the proposal is subject to the State Environmental Policy Act; 5) A summary and evaluation of issues raised and comments received on the proposed Master Plan; and 6) A recommended action by the City Council. c. City Council review and approval. The City Council shall approve the Master Plan by resolution only if it finds: 1) It is consistent with all applicable development regulations and, to the extent there is no applicable development regulation, the Comprehensive Plan; and 2) It is consistent with the public health, safety, and welfare. In addition to the features identified in KZC 5.10.505, the Master Plan shall identify the following: a. Location, dimensions, and uses of all active and passive recreation areas; b. Potential users and hours of use; c. Lighting, including location, hours of illumination, lighting intensity, and height of light standards; d. Landscaping; e. Other features as appropriate due to the character of the neighborhood or characteristics of the subject property. REGULATIONS CONTINUED ON NEXT PAGE

Section 60.167 USE ⇩ REGULATIONS ⇨		DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
		Required Review Process	MINIMUMS				MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
			Lot Size	REQUIRED YARDS (See Ch. 115)			Lot Coverage	Height of Structure				
				Front	Side	Rear						
.130	Public Park (continued)											REGULATIONS CONTINUED FROM PREVIOUS PAGE 2. Development and use of a park does not require a Master Plan under this code if it will not involve any of the following: a. Lighting for outdoor nighttime activities; b. The construction of any building of more than 4,000 square feet; c. The construction of more than 20 parking stalls; d. The development of any structured sports or activity areas, other than minor recreational equipment including swing sets, climber toys, slides, single basketball hoops, and similar equipment.

King County
Wastewater Treatment Division
Department of Natural Resources and Parks
King Street Center
201 South Jackson Street
Seattle, WA 98104-3855

RECEIVED
AUG 12 2005
AM PM
PLANNING DEPARTMENT
BY

August 10, 2005

Stacy Clauson, Planner
City of Kirkland
Department of Planning and Community Development
123 Fifth Avenue
Kirkland, WA 98033

RE: Request for Public Utility Review of a Proposed Street Vacation of 118th Avenue NE between I-405 and a Line About 430 Feet North of NE 80th Street

Dear Stacy:

I'm writing in response to the August 3, 2005, letter requesting a statement to the City of Kirkland concerning existing and potential utility routes in the area of the proposed street vacation of 118th Avenue NE. We have reviewed the information provided by Jim Hart and Associates on behalf of the City of Kirkland—a site map, legal description, and map showing the configuration after the street vacation, and we are providing the following information:

- There is not an existing King County utility route or facility within the area described.
- King County does not have an interest in a potential utility route being retained in the vacated right-of-way.

If you have further questions, please contact Eric Davison in the Design, Construction and Asset Management Program, Civil/Architectural Section, at (206) 684-1707 or eric.davison@metrokc.gov .

Thank you for the opportunity to review and comment on this proposal.

Sincerely,

Shirley Marroquin, Supervisor
Environmental Planning and Community Relations

cc: Dan Hardin, AICP, Jim Hart and Associates
Eric Davison, DCAM, Civil/Architectural Section

ATTACHMENT 9.a
VACOS-00003

PO BOX 1003
EVERETT, WA 98206-1003

RECEIVED
AUG 16 2005
_____AM_____PM
PLANNING DEPARTMENT
BY_____

August 12, 2005

Ms. Stacy Clauson, Planner
Department of Planning and Community Development
City of Kirkland
123 Fifth Avenue
Kirkland, WA 98033

RE: Request for Public Utility Review of a proposed street vacation of 118th Avenue NE, between I-405 and a line about 430 feet north of NE 80th Street

Dear Ms. Clauson:

A Verizon staff visited the proposed street vacation area and has determined that a Verizon utility route exists within the area described in the legal description. Verizon has an interest in a potential utility route being retained in the vacated right-of-way.

If there are any questions please contact Chung-I Lin at 425-710-4112.

Sincerely,

Chung-I Lin

ATTACHMENT 9.b
VACOS-00003

Comcast

RECEIVED
AUG 19 2005
PLANNING DEPARTMENT
BY

August 18, 2005

Stacy Clauson, Planner
City of Kirkland
Department of Planning and Community Development
123 – Fifth Ave
Kirkland, WA 98033

Dan Hardin
Jim Hart & Associates
220 – Sixth St
Kirkland, WA 98033

RE: Request to vacate 118th Ave NE

Dear Stacy and Dan;

This letter is in response to the vacation request.

- There is an existing utility route with in the area described, but they can be removed or relocated underground per a new utility design. Please see enclosed map.

Any questions, please give me a call at 425.263.5361

Sincerely,

Diane Albright

Diane Albright
1525 75th St SW, Suite 200
Everett, WA 98203

Enclosure: Comcast plant map

ATTACHMENT 9.c
VAC05-00003

NE 85TH ST
122ND AVE NE
83RD ST
118TH AVE NE
NE 80TH ST
aerial drop
aerial drop
aerial drop
aerial drop
aerial drops
aerial drops
aerial drops
Guy pole
C-11845
8208 1/2
8208
12020
12005
12009
12021
12132
8209
11906
11832
12218
12203
NODE-KL14

PUGET SOUND ENERGY

Puget Sound Energy, Inc.
P.O. Box 90868
Bellevue, WA 98009-0868

RECEIVED
OCT 07 2005
Jim Hart and Associates

October 5, 2005

Dan Hardin
Jim Hart & Associates
220 – 6th Street
Kirkland, WA 98033

RE: Road Vacation at 118th AVE NE

Dear Mr. Hardin;

After careful review Puget Sound Energy, INC has determined that there are existing gas and electric facilities within the requested road vacation of 118th AVE NE. If LMJ Enterprises decides to move forward with the street vacate, PSE requests that this easement be signed to protect our facilities.

I am enclosing an original and copy of the easement. Please have the original signed by an authorized agent of LMJ Enterprises in the presence of a notary of the public, and return it to my office in the self addressed stamped envelope.

Should you or LMJ Enterprises have any questions regarding this I can be reached at 425-462-3446, or via email at william.craven @ pse.com.

Sincerely,

William (Bill) Craven
Right of Way Agent
Puget Sound Energy, INC

ATTACHMENT 9.d
VAC05-00003

RETURN ADDRESS:
Puget Sound Energy, Inc.
Attn: ROW Department
PO BOX 90868 GEN - 03E
Bellevue, WA 98009-0868
ATTN.: WRC

COPY

EASEMENT

REFERENCE #:
GRANTOR: **LMJ Enterprises Limited Partnership**
GRANTEE: **PUGET SOUND ENERGY, INC.**
SHORT LEGAL: **Vacated 118th AVE NE (Ronald Street) being a portion of SW ¼ of SW ¼ 4 – 25N. – 5E.W.M.**
ASSESSOR'S PROPERTY TAX PARCEL:

For and in consideration of One Dollar ($1.00) and other valuable consideration in hand paid, LMJ ENTERPRISES, LIMITED PARTNERSHIP ("Grantor" herein), hereby conveys and warrants to **PUGET SOUND ENERGY, INC.**, a Washington Corporation ("Grantee" herein), for the purposes hereinafter set forth, a nonexclusive perpetual easement over, under, along across and through the following described real property ("Property" herein) in KING County, Washington:

SEE EXHIBIT "A" ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF.

Except as may be otherwise set forth herein Grantee's rights shall be exercised upon that portion of the Property ("Easement Area" herein) described as follows:

A RIGHT OF WAY TEN (10) FEET IN WIDTH WITH FIVE (5) FEET ON EITHER SIDE OF A CENTERLINE DESCRIBED AS FOLLOWS:

THE CENTERLINE OF GRANTEE'S FACILITIES AS NOW CONSTRUCTED, TO BE CONSTRUCTED, EXTENDED OR RELOCATED LYING WITHIN THE ABOVE DESCRIBED PARCEL.

1. **Purpose.** Grantee shall have the right to construct, operate, maintain, repair, replace, improve, remove, enlarge, and use the easement area for one or more utility systems for purposes of transmission, distribution and sale of gas and electricity. Such systems may include, but are not limited to:

a. **Overhead facilities.** Poles, towers and other support structures with crossarms, braces, guys and anchors; electric transmission and distribution lines; fiber optic cable and other lines, cables and facilities for communications; transformers, street lights, meters, fixtures, attachments and any and all other facilities or appurtenances necessary or convenient to any or all of the foregoing; and.

b. **Underground facilities.** Conduits, lines, cables, vaults, switches and transformers for electricity; pipes, pipelines, mains, laterals, conduits, regulators and feeders for gas; fiber optic cable and other lines, cables and facilities for communications; semi-buried or ground-mounted facilities and pads, manholes, meters, fixtures, attachments and any and all other facilities or appurtenances necessary or convenient to any or all of the foregoing.

Following the initial construction of all or a portion of its systems, Grantee may, from time to time, construct such additional facilities as it may require for such systems. Grantee shall have the right of access to the Easement Area over and across the Property to enable Grantee to exercise its rights hereunder. Grantee shall compensate Grantor for any damage to the Property caused by the exercise of such right of access by Grantee.

2. **Easement Area Clearing and Maintenance.** Grantee shall have the right to cut, remove and dispose of any and all brush, trees or other vegetation in the Easement Area. Grantee shall also have the right to control, on a continuing basis and by any prudent and reasonable means, the establishment and growth of brush, trees or other vegetation in the Easement Area.

3. **Trees Outside Easement Area.** Grantee shall have the right to cut, trim remove and dispose of any trees located on the Property outside the Easement Area that could, in Grantee's sole judgment, interfere with or create a hazard to Grantee's systems. Grantee shall, prior to the exercise of such right, identify such trees and make a reasonable effort to give Grantor prior notice that such trees will be cut, trimmed, removed or disposed of (except that Grantee shall have no obligation to identify such trees or give Grantor such prior notice when trees are cut, trimmed, removed or otherwise disposed of in response to emergency conditions). Grantor shall be entitles to no compensation for trees cut, trimmed, removed or disposed of except for the actual market value of merchantable timber (if any) cut and removed from the Property by Grantee.

4. Grantor's Use of Easement Area. Grantor reserves the right to use the Easement Area for any purpose not inconsistent with the rights herein granted, provided, however, Grantor shall not construct or maintain any buildings, structures or other objects on the Easement Area and Grantor shall do no blasting within 300 feet of Grantee's facilities without Grantee's prior written consent.

5. Indemnity. Grantee agrees to indemnify Grantor from and against liability incurred by Grantor as a result of Grantee's negligence in the exercise of the rights herein granted to Grantee, but nothing herein shall require Grantee to indemnify Grantor for that portion of any such liability attributable to the negligence of Grantor or the negligence of others.

6. Abandonment. The rights herein granted shall continue until such time as Grantee ceases to use the Easement Area for a period of five (5) successive years, in which event, this easement shall terminate and all rights hereunder, and any improvements remaining in the Easement Area, shall revert to or otherwise become the property of Grantor; provided, however, that no abandonment shall be deemed to have occurred by reason of Grantee's failure to initially install its systems on the Easement Area within any period of time from the date hereof.

7. Successors and Assigns. Grantee shall have the right to assign, apportion or otherwise transfer any or all of its rights, benefits, privileges and interests arising in and under this easement. Without limiting the generality of the foregoing, the rights and obligations of the parties shall inure to the benefit of and be binding upon their respective successors and assigns.

DATED this _____ day of _____, 2005.

GRANTOR:

BY: _____

ITS: _____

STATE OF WASHINGTON)
) ss
COUNTY OF)

On this _____ day of _____, 2005, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared _____, to me known to be the person who signed as _____, of **LMJ Enterprises**, the corporation that executed the within and foregoing instrument, and acknowledged said instrument to be his/her free and voluntary act and deed and the free and voluntary act and deed of **LMJ Enterprises** for the uses and purposes therein mentioned; and on oath stated that _____ was authorized to execute the said instrument on behalf of said **LMJ Enterprises.**

IN WITNESS WHEREOF I have hereunto set my hand and official seal the day and year first above written.

_____
(Signature of Notary)

_____
(Print or stamp name of Notary)
NOTARY PUBLIC in and for the State of
Washington, residing at _____
My Appointment Expires: _____

Notary seal, text and all notations must not be placed within 1" margins

EXHIBIT "A"
LEGAL DESCRIPTION OF 118TH AVE NE
VACATION NUMBER _____

JIM HART AND ASSOCIATES
220 6TH STREET, KIRKLAND, WA 98033-6335, 425-822-4171 FAX 425-827-3065

05-41
7/22/05

TOTAL ROAD VACATION

LEGAL DESCRIPTION:

THAT PORTION OF 118TH AVE NE (DONALD STREET) AND THAT PORTION OF LOT 15, BLOCK 1, BURKE AND FARRAR'S KIRKLAND ADDITION, DIVISION No. 6, AS RECORDED IN VOLUME 19 OF PLATS, PAGE 68, RECORDS OF KING COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 8, BLOCK 2 OF SAID PLAT; THENCE SOUTH 00°15'34" EAST ALONG THE WESTERLY LINE THEREOF 29.60 FEET TO THE TRUE POINT OF BEGINNING; THENCE RETURNING NORTH 00°15'34" WEST ALONG SAID WESTERLY LINE 331.45 FEET, MORE OR LESS, TO THE EASTERLY RIGHT OF WAY OF S.R. 405; THENCE SOUTH 47°07'18" WEST ALONG SAID RIGHT OF WAY 119.50 FEET, MORE OR LESS, TO THE SOUTHWESTERLY LINE OF THAT PORTION OF ABOVEMENTIONED LOT 15 RELINQUISHED TO THE CITY OF KIRKLAND UNDER RECORDING No. 8006200424, BEING A CURVE TO THE SOUTHWEST; THENCE ALONG SAID CURVE HAVING A RADIUS OF 45 FEET THE CENTER OF WHICH BEARS SOUTH 72°52'58" EAST, FOR AN ARC LENGTH OF 62.92 FEET, MORE OR LESS, TO A POINT ON THE SOUTH LINE OF THE NORTHERLY 82.5 FEET OF SAID LOT 15; THENCE NORTH 89°44'26" EAST 5.60 FEET, MORE OR LESS, TO THE EASTERLY LINE OF SAID LOT 15; THENCE SOUTH 00°15'34" EAST ALONG THE WESTERLY MARGIN OF SAID 118TH AVE. NE 207.35 FEET; THENCE NORTH 89°44'26" EAST 14.02 FEET TO A POINT ON A CURVE; THENCE NORTHEASTERLY ALONG SAID CURVE HAVING A RADIUS OF 39.50 FEET, THE CENTER OF WHICH BEARS SOUTH 49°25'52" EAST, FOR AN ARC LENGTH OF 50.47 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINING 20,033 SQUARE FEET, MORE OR LESS.

SITUATE IN THE CITY OF KIRKLAND, KING COUNTY, WASHINGTON.

JAMES A. HART
STATE OF WASHINGTON
8409
REGISTERED
PROFESSIONAL LAND SURVEYOR
EXPIRES 4/22/07

LMJ Enterprises, 118th S.V.
REDT: 56660
Date: October 2005

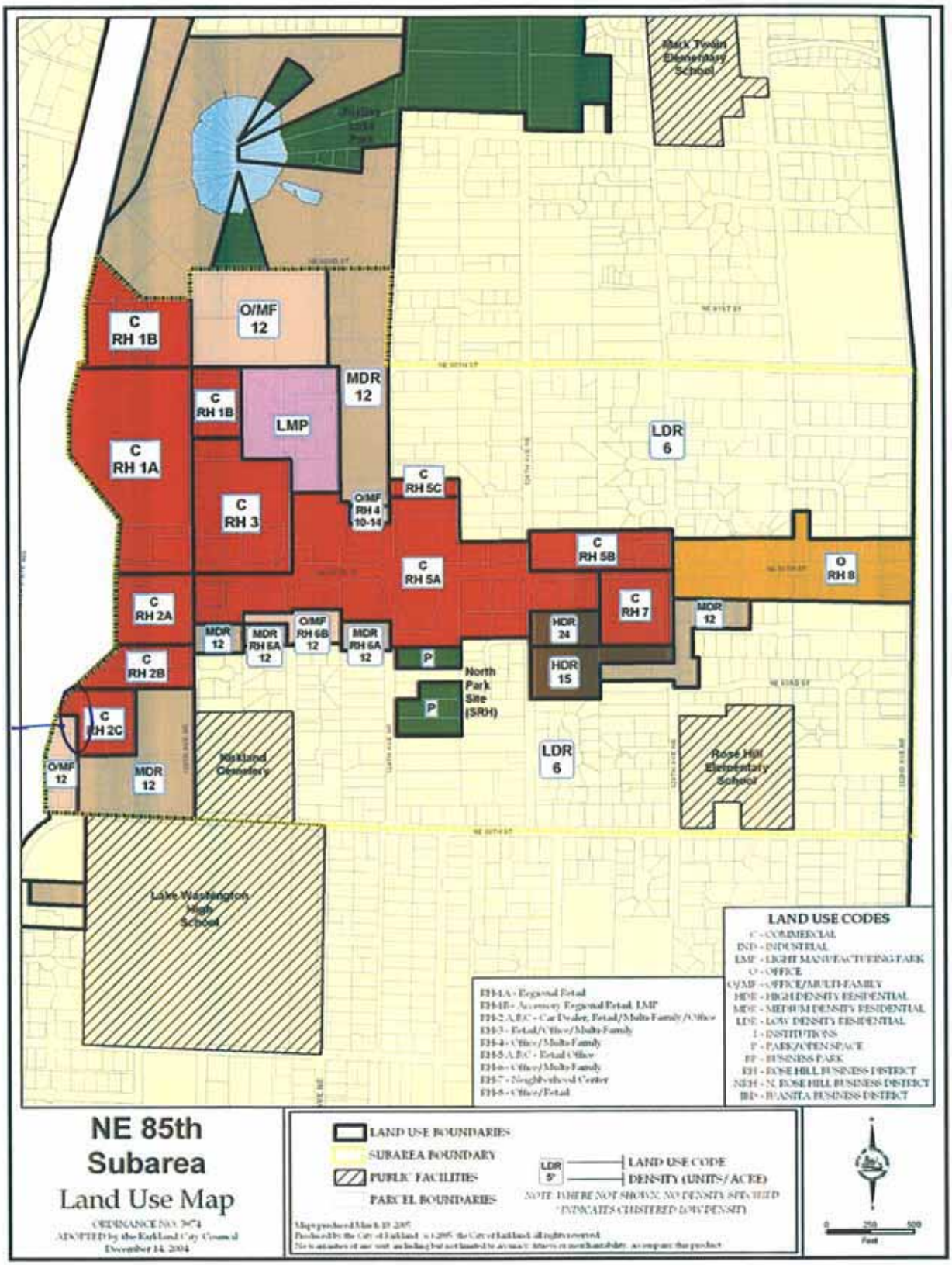


Figure NE85-2: NE 85th Subarea Land Use

ATTACHMENT 10

VAL05-00003

COMPLETE APPRAISAL
SELF-CONTAINED REPORT

118th AVENUE NE STREET VACATION

80xx 118th Avenue NE
Kirkland, Washington

Client: City of Kirkland

RECEIVED
APR 19 2006
_____ AM _____ PM
PLANNING DEPARTMENT
BY_____

Date of Appraisal: April 15, 2006

By
C. J. Munson, MAI
&
John Halverson

April 15, 2006

CJM File No.: L06-077

Mr. Eric R. Shields
Planning Director
City of Kirkland
123 5th Avenue
Kirkland, Washington 98033

Re: 118th Avenue NE Street Vacation, 80xx 118th Avenue NE, Kirkland, Washington.

Dear Mr. Shields:

In accordance with your request, we have performed a complete appraisal, self-contained report and formed an opinion of the value in cash or cash equivalent terms of the fee simple estate as defined in the addendum of this report, of the above-captioned property.

As the result of the inspection, investigation, and analyses, it is our opinion that the value, estimated as of April 15, 2006, and subject to the assumptions and limiting conditions appearing in the addendum of this report, is:

THREE HUNDRED FIFTY THOUSAND DOLLARS
($350,000)

The value estimate above assumes exposure and marketing periods of 12 months or less.

It is the intent of this report to comply with the *Uniform Standards of Professional Appraisal Practice* (USPAP) of the Appraisal Foundation, Title XI of the Financial Institutions Reform Recovery and Enforcement Act of 1989 ("FIRREA"), and current OCC Appraisal Standards and any additional appraisal requirements of the client. The standards required are by 12 CFR Part 34 and 225 dated June 7, 1997 and OCC 94-55 dated October 10, 1994.

All financial services providers, including appraisers, must inform clients of non-public personal information security measures undertaken in the course of business. We maintain electronic and procedural safeguards to insure the security of our information and we generally do not disclose non-public information to non-affiliated third parties without permission except when required by law.

Mr. Shields
City of Kirkland
April 15, 2006

The report that follows provides pertinent facts about the market area and subject property and the reasoning leading to the conclusions of value stated above.

Sincerely,

CJM Investment Property Advisors

C. J. Munson, MAI
1100720

John Halverson, Appraiser
1100860

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Regional Map

© 2003 DeLorme. Street Atlas USA® 2004.
www.delorme.com

TN
MN (17.5°E)

Scale 1 : 1,500,000
1" = 23.67 mi
Data Zoom 7-1

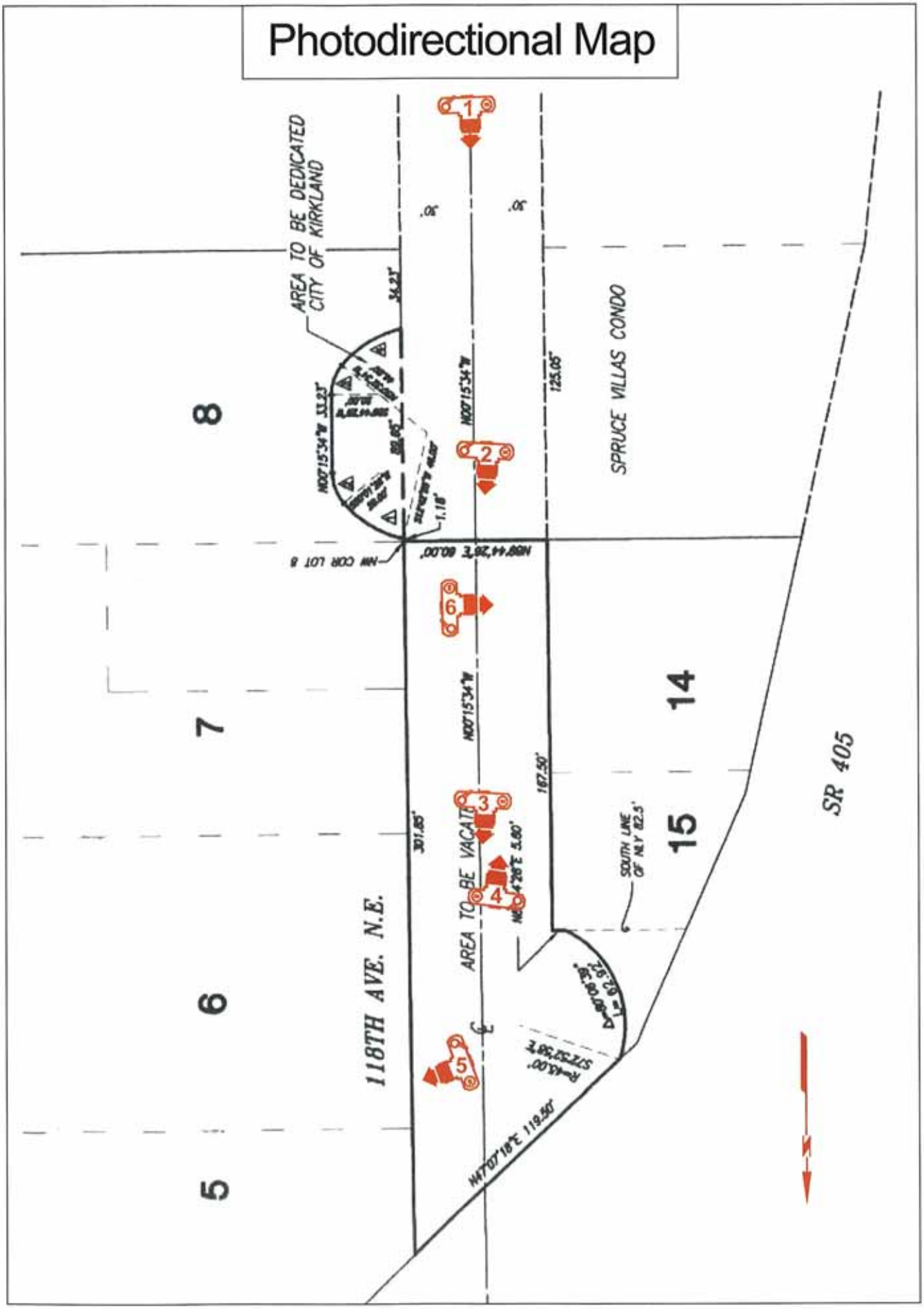
Area Map

© 2003 DeLorme. Street Atlas USA® 2004.
www.delorme.com

TN
MN (17.6°E)

Scale 1 : 200,000
1" = 3.16 mi
Data Zoom 10-0

Photodirectional Map



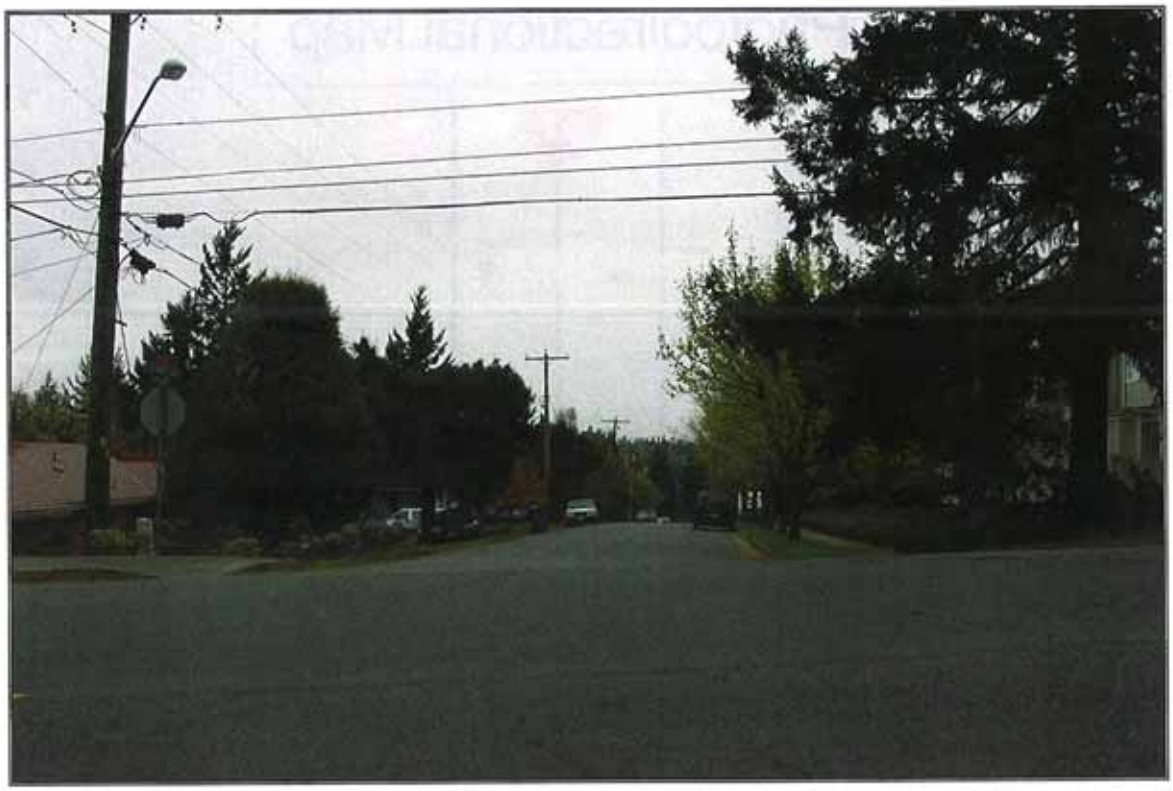


Photo 1: Looking south along 118th Avenue NE from NE 80th Street

Photo 2: Looking south along 118th Ave toward the subject, which is the section proposed for vacation

Photo 3: The northern terminus dead-end of 118th Avenue NE that is proposed for vacation

Photo 4: Looking south from the northern terminus of 118th Avenue NE

Photo 5: A driveway from the terminus of 118th Avenue leads to the parking lot of Lee Johnson Chevrolet

Photo 6: Vacant lot on the west side of 118th Avenue NE adjoining the ROW to be vacated

INTRODUCTORY APPRAISAL PREMISES AND DATA

PROPERTY LOCATION

80xx 118th Avenue NE
Kirkland, Washington 98033

Reference *The Thomas Guide,* map 535, grid F-3

LEGAL DESCRIPTION

That portion of 118th Avenue NE (Donald Street) and that portion of Lot 15, Block 1, Burke and Farrar's Kirkland Addition Division No. 6, as recorded in Volume 19 of Plats, page 68, records of King County, Washington, described as follows:

Beginning at the northwest corner of said Lot 8, Block 2, of said plat; Thence north 00° 15' 34" west along the westerly line of Lot 7, Lot 6 and Lot 5, said Block 2 of said plat 301.85 feet, more or less, to the easterly right of way of S.R. 405; thence south 47° 07' 18" west along said right of way 119.50 feet, more or less, to the southwesterly line of that portion of above mentioned Lot 15 relinquished to the City of Kirkland under recording No. 8006200424, being a curve to the southwest; thence along said curve having a radius of 45 feet the center of which bears south 72° 52' 58" east, for an arc length of 62.92 feet, more or less, to a point on the south line of the northerly 82.5 feet of said lot 15; thence north 89° 44' 26" east 5.60 feet, more or less, to the easterly line of said Lot 15; and the westerly margin of said 118th Avenue NE; thence south 00° 15' 34" east along the westerly margin of said 118th Avenue NE 167.50 feet, more or less; thence north 89° 44' 26" east along the southerly line of Lot 14, Block 1 of said plat, produced easterly 60 feet, more or less, to the northwest corner of Lot 8, Block 2 and the true point of beginning.

Containing 18,128 square feet, more or less.

Situate in the City of Kirkland, King County, Washington

SCOPE OF WORK

This complete appraisal, self contained report analyzes the market conditions affecting the value of the subject property. The *Sales Comparison Approach* is used to estimate the applicable values appearing in the transmittal letter. The *Cost Approach* and *Income Capitalization Approach* are not used because the subject is vacant land, a public street right-of-way, not an income-producing rental property nor are proposed improvements valued in this appraisal.

PURPOSE

The purpose of this appraisal is to estimate the As Is market value of the property.

FUNCTION

This report is to be used by the City of Kirkland to assist in establishing value for possible sale negotiations.

CLIENT & INTENDED USERS

Our client is the City of Kirkland. This report is intended for its use and other individuals requiring access to this report in conformity with its function as stated above.

EFFECTIVE DATE

April 15, 2006. The date of inspection was April 13, 2006.

PERSONAL PROPERTY

No chattel property was included in the estate appraised.

COMPETENCY STATEMENT

The individuals signing this report, as the qualifications appearing at the end of this report verify, are qualified to do this appraisal.

MARKET VALUE DEFINITION

Market value is defined as:

The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably, and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby: 1) buyer and seller are typically motivated; 2) both parties are well informed or well advised and each acting in what they consider to be their own best interests; 3) a reasonable time is allowed for exposure in the open market; 4) payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and 5) the price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.

Source: Volume 12, Code of Federal Regulation, Part 34, Subpart C; Washington. Also appears in: Appraisal Standards Board, Uniform Standards of Professional Appraisal Practice.

ASSUMPTIONS AND/OR LIMITING CONDITIONS

This appraisal does not address unforeseeable events that could alter the proposed property improvements and/or the market conditions reflected in the analyses that follow. See the addendum for additional information.

PROPERTY RIGHTS APPRAISED

This is a valuation of the fee simple estate.

SUBMARKET & NEIGHBORHOOD CHARACTERISTICS

INTRODUCTION

This section of the appraisal considers trends within the primary market area that affect property values.

AREA PROFILES

Physical Profile

Relative Location

The subject property is in the South Rose Hill neighborhood of Kirkland. Neighborhood boundaries are 85th Street on the north, 70th Street on the south, Interstate-405 on the west and the city limits on the east (132nd Avenue). Downtown Kirkland is immediately west across I-405 from the neighborhood.

Neighborhood Cycle

Neighborhoods are subject to periods of growth, stabilization, decline, and revitalization. The subject neighborhood is long established and has a mix of housing types, old-new, single-family-multifamily as well as a mix of commercial properties, old-new, office, retail, and service types. The neighborhood is stabilized but slow in-fill growth continues.

Property Appearances

The subject property is the dead-end of a residential street with older single and multifamily housing. On the west side of 118th Avenue adjacent to the south of the proposed vacation section is Spruce Villa Condominiums, a four-townhouse building constructed in 2002.

Spruce Villa Townhouses

At the northeast corner of 118th Avenue and 80th Street is a 10-unit condominium building constructed in 1988; to the north of that is a house and then the remaining properties along the east side of 118th Avenue are parking lots for Lee Johnson Chevrolet Mazda. The maintenance and appearance of properties in the immediate neighborhood are average.

Linkages

Public schools, community shopping, and employment opportunities are located within the neighborhood. Lake Washington High School is one block south of the subject site. Linkages are adequate.

Access

Primary access to the neighborhood is from Interstate-405. A major interchange is at NE 85th Street (a.k.a. State Route 908). Access is good.

Government Profile

Zoning & Land Use Policy

Kirkland's zoning maps and codes were updated early in 2006. The city has dozens of zoning designations plus additional overlay districts. Kirkland's online zoning map shows at least 16 separate zoning designations in the South Rose Hill neighborhood. Interpretation of the intricate regulations is best left to public planning department professionals with advanced training.

Based on the number of designations and the intricate regulatory text it appears that the City's land use policy is the micromanagement of public and private property by its Planning Department.

Protective Services

The Kirkland Police and Fire departments serve the subject neighborhood. A fire station is about ¾-mile north of the subject site. Protective services are adequate.

Utilities Services

All public utilities are available. Utilities services are adequate.

Environmental Profile

Environmental Concerns

In the immediate area there is no evidence of dumping of solid waste materials, soil erosion, over-use of pesticides or other elements which may be hazardous to plants, animals, ground water, etc. This statement does not mean that we warrant the non-existence of any of these potential problems but, rather, that none were evident during inspections conducted as part of this appraisal report. The reader is reminded that the properties on the subject's block are light industrial and several have open storage yards for equipment and materials.

External Obsolescence

There is no justification for an assumption of external obsolescence.

Demographic Profile

Statistics comparing the subject neighborhood (the area within a one mile radius of the subject site) with King County are presented in the following table.

DEMOGRAPHIC PROFILE

Category	Neighborhood	King County
Population	12,991	1,788,300
Average Household Income	$92,340	$78,853
Median Household Income	$74,131	$59,140
Average Household Size	2.18	2.27
College Graduates (age 25+)	47.8%	32.2%
Owner-Occupied Housing	*62.5%*	*58.1%*

Source: Experian

1-, 2-, & 3-Mile Radii Map

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TN
MN (17.6°E)

Scale 1 : 62,500
1" = 5,208.3 ft
Data Zoom 11-6

The neighborhood population is slowly increasing, but few large development sites exist. The median neighborhood household income is 25% higher than the countywide median. Generally speaking, the composite neighborhood household as compared to the countywide composite household, is better educated, earns more money, and is about equally likely to own their home.

Economic Profile

Kirkland is a minor employment center. The adjacent cities of Bellevue and Redmond have larger employment bases but Kirkland is part of the Greater Eastside area with substantial employment opportunities, Microsoft in particular. Microsoft and other successful companies continue to bolster the Eastside economy.

OFFICE TRENDS

Rental Rate Trends

The subject property is zoned primarily for commercial use. CB Richard Ellis (CBRE) in their Puget Sound Officel Marketview reports that, *"The average asking rate for the Puget Sound continued its upward climb for the second consecutive quarter after declining during the first half of the year...The Eastside market led the way with the greatest increase from last quarter rising $0.84 to $24.14, due in part to low vacancy rates and diminishing concessions."*

Vacancy Trends

CB Richard Ellis estimated the 4th Quarter 2005 office vacancy rate for the Kirkland submarket, with a total of 1,544,220 square feet, at 4.35%. This is down from 3rd Quarter 2005 when it was 6.35%.

Value Trends

A cursory review of recent sales of small Eastside office buildings indicated sales prices ranging generally between $190 and $230 per square foot with a central tendency of about $200. Prices per square foot have been steady during the past year.

CONDOMINIUM TRENDS

Price & Absorption Trends

The subject property could be improved with low-density multifamily residential housing. Consequently, Northwest Multiple Listing Service data is presented in the following table to provide a general indication of condominium absorption and pricing trends for the primary market area, which is defined for this search as NWMLS Areas 560 (Kirkland/Bridle Trails). The data is for new construction.

CONDOMINIUM SALES ACTIVITY
NWMLS Area 560, New Construction, Past 6 Months

Category	Units	Price Range	Average Price	Median Price	Days on Mkt
Active Listings	20	$259,950 - $1,750,000	$769,140	$669,950	80
Pending	31	$199,950 - $794,950	$360,176	$304,950	101
Sold	3	$580,000 - $642,000	$609,000	$605,000	209

Source: NWMLS

The sample is rather small. Many new condominiums in Area 560 are luxury units in popular, and expensive, downtown Kirkland.

Condominium Price Appreciation Trends

Northwest Multiple Listing Service reports the median price of closed sales of new construction condominiums in King County in March 2006 (year-to-date) was 9.5% higher than in March 2005, $251,000 versus $274,950.

HOUSE SALES ACTIVITY
King County, New Construction, Closed Sales, March Report

Category	Units	Average Price	Median Price
Y-T-D 2005	312	$286,599	$251,000
Y-T-D 2006	221	$358,257	$274,950
% Change	-29.2%	+25.0%	+9.5%

Source: NWMLS

Demand is expected to continue with an adequate supply, indicating prices should continue to rise slowly.

CONCLUSION

Kirkland is attractive for its above average linkages and access. The eclectic retail shops and facilities sited on the shore of Lake Washington have made downtown Kirkland a very popular location for both residential and office projects. The subject neighborhood, east across the freeway from downtown, is nevertheless well located to take advantage of these amenities, as well as access to employment centers and commuting routes.

SUBJECT SITE DESCRIPTION

INTRODUCTION

An appraisal assignment requires the analysis of factual data including physical characteristics of the site to determine its marketability.

IDENTICATION

Assessor's Parcel Number & Owner of Record

APN: not applicable
Owner: City of Kirkland

Location

80xx 118th Avenue NE
Kirkland, Washington 98033

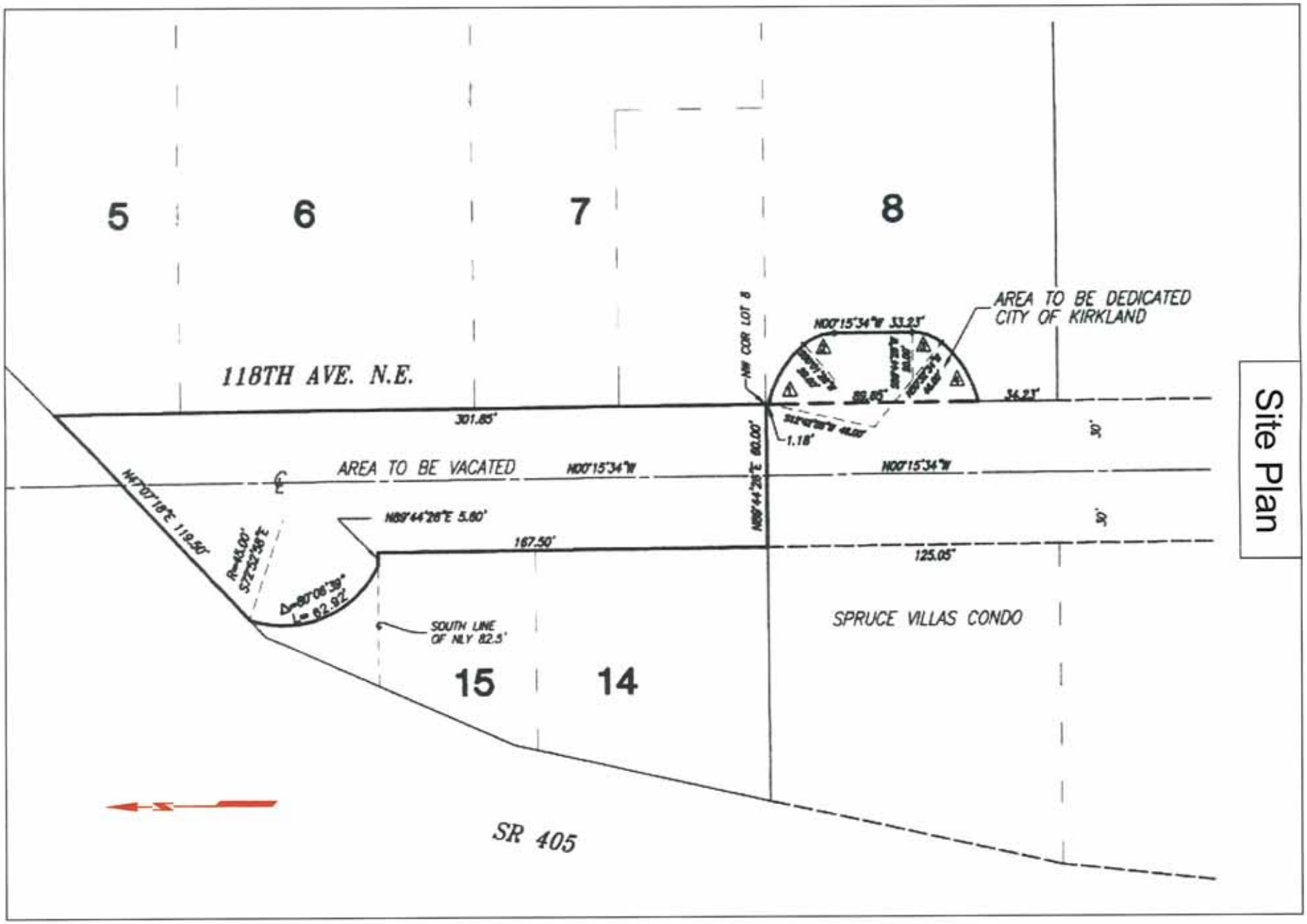
Immediately Surrounding Properties

The subject property is the northern dead-end section of a one-block-long public street, 118th Avenue NE. It dead-ends at the right-of-way for the I-405 freeway ramp. The freeway ramp is not visible from the street because of an approximately 100-foot wide strip of trees and vegetation separating the end of the street and the ramp. Adjacent to the west of the subject site are two lots, one is vacant and the other has a utility tower.

Vacant lot on the west side of 118th Avenue NE; Spruce Villa townhouses beyond

If the proposed street vacation is completed, the red fence in the preceding photograph, if extended, marks the approximate line of where the street would then end.

Assessor's Parcel Map


5
6
7
8
118TH AVE. N.E.
NW COR LOT 8
N00°15'34"W 33.23'
AREA TO BE DEDICATED
CITY OF KIRKLAND
55.05'
34.23'
301.85'
1.18'
30'
AREA TO BE VACATED
N00°15'34"W
N00°15'34"W
N89°44'26"E 60.00'
N47°07'18"E 119.50'
R=45.00'
S72°52'38"E
N89°44'26"E 5.60'
167.50'
125.05'
30'
Δ=80°08'39"
L=62.92'
SOUTH LINE
OF NLY 82.5'
SPRUCE VILLAS CONDO
15
14
SR 405

Site Plan

On the east side of 118th Avenue NE are parking lots used by Lee Johnson Chevrolet Mazda. The properties on both sides of the subject section of 118th Avenue NE are owned by LMJ Enterprises (Lee M. Johnson of the auto dealership).

Lee Johnson Chevrolet Mazda parking lot on east side of 118th Avenue NE

South of the subject site on either side of 118th Avenue NE are single and multifamily residential properties that are well-maintained. Surrounding properties range from below average to average in maintenance and appearance.

DESCRIPTION

Shape, Topography and Area

The subject site is irregular-shaped, although for the most part is 60 feet wide by 300+ feet long. It is flat with an area of 18,128 square feet, according to a survey by Jim Hart and Associates.

Visibility & Exposure

The subject site is at the end of a residential street with essentially no visibility or exposure. Although a site delineation map shows proximity to I-405, due to topography, off-ramp proximity, and freeway corridor flora maturity, it is not visible from the freeway. Visibility and exposure are below average.

Ingress & Egress

Again, the site is the dead-end of a one block long street.

Soils Conditions

No soils report has been provided CJM. Based on the appearance of the existing improvements (the asphalt-paved street) and surrounding properties, it appears soils conditions are adequate to accommodate the existing or future improvements. No guarantee of soils conditions is made, however.

Utilities

All public utilities are available.

Existing Improvements

The street is asphalt-paved.

Proposed Use

LMJ Enterprises Limited Partnership has submitted a petition proposing the City vacate a portion of 118th Avenue NE and, if approved, subsequently sell the vacated street to LMJ. The City describes the action as follows:

"Proposal to vacate a portion of the 118th Ave NE right-of-way that currently separates the applicant's property, which adjoins 118th Ave NE on the east and west. The proposal is to vacate the full width of 118th Ave NE right-of-way extending south from I-405 approximately 361 feet. A portion of the applicant's property is proposed to be dedicated to the City of Kirkland to allow for construction of a new cul-de-sac at the proposed new terminus of 118th Ave NE."

According to Ms. Clauson of the Planning Department, the city council has expressed its desire to proceed with the street vacation and sale but has delayed action while the City and LMJ negotiate a sale price.

LMJ is in the process of building a new automobile dealership on the property to the east of the subject street, replacing their older facility that has been located there for many years. LMJ wants to further improve and expand the facility. Mr. Tod Johnson of LMJ (425-827-0521) says the vacated street and his property on its west side would likely be used as landscaped area to satisfy the City's pervious-to-impervious surface ratio requirements and thus allowing him to place buildings, etc., on a larger portion of his current site on the east side of 118th Avenue.

LAND USE RESTRICTIONS & LIMITATIONS

Zoning & Land Use

Portions of the subject site are covered by three different zoning classifications. The west half of the street south of the present cul-de-sac (an area 30 feet by 167.50 feet) is zoned PR3.6, Professional Office Residential. The 3.6 refers to minimum allowed lot size of 3,600 square feet or 3,600 square feet of lot area per dwelling unit. Some of the allowed uses in PR3.6 are: Detached, Attached, or Stacked Dwelling Units, Office, Church, School, Daycare, Nursing Home, and Public Utility.

The east half of the street and the cul-de-sac are zoned RH2C. The very northern tip of the site is zoned RH2B. The RH apparently refers to Rose Hill. The zoning map shows RH zones as red, which is referred to as "commercial" in the map legend. Some of the allowed uses in RH2C are: Office, College or University, Attached or Stacked Dwelling Units, Nursing Home, Church, School, Daycare, and Public Utility. The Kirkland Zoning Code states, *"No retail uses are permitted in RH2C unless the use is a retail establishment providing the sale, lease, service or repair of automobiles, trucks, boats...or similar vehicles also located in the RH2A and RH2B zones."*

Lee Johnson Chevrolet Mazda operates an automobile dealership on the property adjoining to the east of the subject site and, as luck would have it, their business operation extends across RH2B-zoned parcels to RH2A-zoned parcels fronting NE 85th Street and they are therefore allowed to operate a retail automobile dealership on land zoned RH2C.

The site is also located within the NE 85th Street Subarea, which can involve additional or special City review and land use requirements beyond the standard regulations.

Assessments

No unusual assessments are known to impact the use of the site.

Flood Hazard

The subject is within a Zone "X" on FEMA Flood Map No. 53033C0370F dated May 16, 1995. The subject is not in a flood hazard area.

Seismic Activity

The project is in Seismic Zone 3, according to the Seismic Zone Map of the United States (1997 Edition of the *Uniform Building Code*), an area not prone to spontaneous liquefaction under seismic loadings. Seismic activity does not appear to be a matter of concern among developers, general contractors, or prospective homeowners.

Easements, Covenants & Restrictions

No title report was provided CJM. According to Stacy Clauson, Associate Planner, City of Kirkland (425-587-3248), utility easements allow access to buried utilities in the street right-of-way. If the street is vacated and sold, the buyer has the option of continuing the utility easements or moving the utilities at buyer's expense. This would no doubt also apply to providing access to the existing utility tower on the lot at the northwest corner of the dead-end street.

Apparent Encroachments

No encroachments are known to CJM.

Hazardous Waste

Based on a cursory inspection of the subject property, there does not appear to be any hazardous waste. There is no refuse in the area and the likelihood the subject property was a dumping ground in the past is minimal. To determine the existence or absence of hazardous waste or site contamination, it is recommended a professional environmental assessment firm be contacted to provide additional tests to determine beyond any degree of doubt the status of the site in this regard. The conclusions of value and highest and best use within this report are contingent upon the absence of hazardous waste or site contamination.

Other Environmental Concerns

The site does not appear to have any archeological significance and there appears to be no threatened aquifers, endangered species, etc. CJM does not guarantee that there are no additional environmental concerns, but only that none were evident during inspection. Again, no guarantee of this statement is made, and it is recommended that a professional environmental assessment firm be retained if the status of the subject site in this regard is questioned.

CONCLUSION & MARKETABILITY

The subject site is odd-shaped (60 feet wide by 300+ feet deep); its functional utility for improvement with a building is below average. Development is further exacerbated by access restrictions for certain uses as written in the zoning code as well as the separate zoning designations that meet at the centerline of the street.

Essentially the site has no visibility or exposure to passing traffic, making it below average for retail or office use. Being across from an automobile storage yard and next to the freeway also makes it below average for residential use, although its general location is amenable to residential use, as demonstrated by the well-kept townhouses along 118th Avenue.

Its marketability, and probably its only use other than as a street, is as part of an assemblage with adjacent property. The site has below-average desirability and marketability.

SUBJECT HISTORY

INTRODUCTION

The Subject History section is primarily concerned with the operating and sale history of the subject property.

HISTORY

Date of Construction

The street was paved years ago; the date is not known to CJM.

Sales History

The City and adjacent property owner LMJ Enterprises Limited Partnership are presently negotiating a sale of the proposed street vacation area of 18,128 square feet. In a related but apparently separate discussion between the parties, if the north section of the street is vacated LMJ would dedicate 2,189 square feet of its property on the east side of 118th Avenue NE to facilitate a new cul-de-sac turnaround at the new street terminus.

We are not aware of any listing, pending sale or discussions between the City and interested parties, other than LMJ Enterprises, to acquire the proposed vacated street. Again, we note that LMJ Enterprises owns all property adjoining the proposed vacated street except the northern tip that abuts the freeway right-of-way.

ASSESSED VALUE & TAXES

As a public street right-of-way, the subject property has no assessed value or property tax.

PROBABLE IMMEDIATE FUTURE ACTIVITY

It is probable that the City and LMJ Enterprises can negotiate the street vacation and transfer of ownership to LMJ.

HIGHEST AND BEST USE

INTRODUCTION

The traditional concerns of the highest and best use analysis are 1) the use which is legally permissible, 2) the most likely and physically possible use, 3) the use which is most financially feasible and, ultimately, 4) the use which maximizes productivity, specifically income productivity. The four considerations are not isolated but are, rather, overlapping and to varying degrees inseparable.

THE FOUR HIGHEST & BEST USE CRITERIA

Legally Permissible Uses

The subject street is zoned for commercial use, although residential use is allowed by the City. As discussed earlier, no retail use is allowed on land zoned RH2C except vehicle sales and then only if developed in conjunction with land in the RH2A and RH2B zones.

The highest and best legally permissible use of the subject property as a stand-alone site would be a cross reference of uses allowed in the three zoning classifications covering separate sections of the site, as listed earlier, e.g., office or attached dwelling units.

Most Likely & Physically Possible Use

The current use is a public street. The topography is flat and it appears the site is all useable. Buried utility lines and the easements that exist for them restrict the placement of any buildings on the site unless the utility lines and easements are moved assuming this could be done at all. The odd shape of the site also restricts the functional utility of the site as a stand-alone parcel.

The highest and best use of the property, excluding public street, is for assemblage with adjacent parcels for inclusion in a redevelopment, which would most likely be of a commercial type.

Financial Feasibility

The most likely candidate for highest and best use is assemblage with adjoining parcels and redevelopment.

Productivity Maximization

Following from preceding discussions, the maximum productivity of the subject site is for assemblage with adjoining parcels as part of a redevelopment.

HIGHEST & BEST USE CONCLUSION

Highest & Best Use As Vacant

A public street is the highest and best use as (effectively) vacant.

Highest & Best Use As If Improved

The highest and best use of the subject site, as if improved, would be as part of a site for redevelopment.

INCOME CAPITALIZATION APPROACH

INTRODUCTION

The subject is a public street proposed for vacation and sale to the adjoining property owner. It is not an income-producing rental property. No future use or improvement of the site is part of this valuation report. Consequently, the Income Capitalization Approach is not used.

SALES COMPARISON APPROACH

INTRODUCTION

The *Sales Comparison Approach* is a method of estimating the *market value* of the subject by comparing it with similar properties. A premise of the *Sales Comparison Approach* is the market will determine the price for the property being appraised in the same manner that it determines the value of comparable competitive properties. Essentially, this approach is systematic comparative shopping.

COMPARABLE SALES TECHNIQUE

Comparable Sales Summary

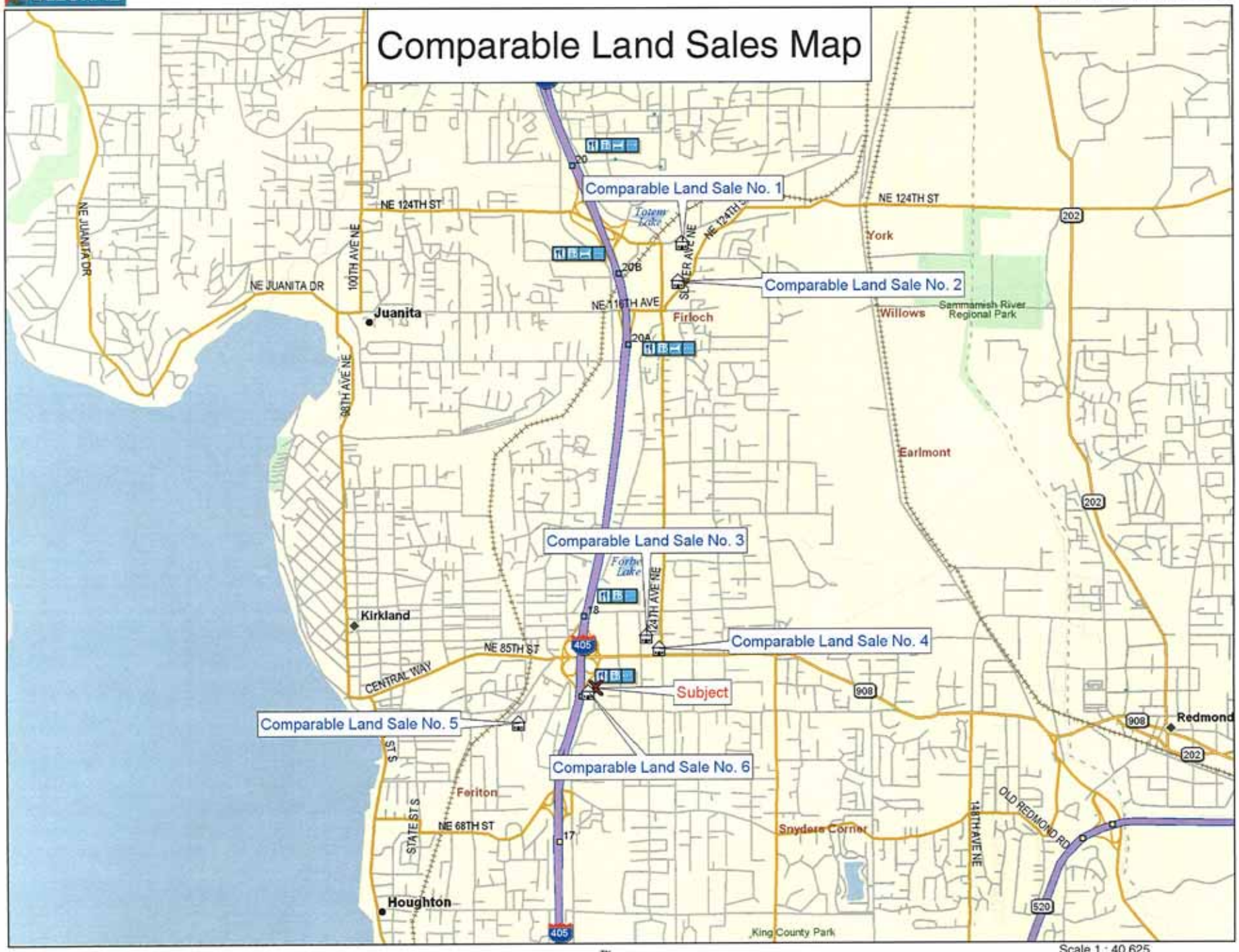
We made an extensive effort to find sales of similar properties utilizing published sources including CoStar Comps, Commercial Brokers Association, Northwest Multiple Listing Service, Metroscan as well as inquiries to real estate agents.

Given the unique characteristics of the subject property, no sales of truly comparable sites were found, i.e., no street right-of-ways with multiple zoning designations or sites at the very end of dead-end streets with virtually no visibility or exposure. Consequently, sales of commercial sites in Kirkland are presented in the following table as an indication of land values in general. These sales will be compared with the subject site and, according to the judgment of the appraisers, an estimate of subject site market value will be concluded.

DELORME

Street Atlas USA® 2004

Comparable Land Sales Map



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MN (17.6°E)

Scale 1 : 40,625

1" = 3,385.4 ft

Data Zoom 12-3

COMPARABLE LAND SALES SUMMARY

No.	Property Location	Sale Date	Sale Price	Zoning	Existing Use	Sq Ft	$ / Sq Ft	Comments
1	126xx NE 124th St Kirkland	03/24/2005	$1,443,940	LIT	asphalt parking lot	62,780	$23.00	Slopes up from street grade. Fronts a busy commercial street. A City-initiated rezone to TL6A, a commercial rather than industrial classification, took effect about one year after the sale. Buyer re-listed the site at $30.00 per sq ft. *Bill Chadek, Western Properties, 425-453-5354*
2	11651 Slater Av NE Kirkland	02/02/2005	$280,000	BC	4-Unit apartment	12,632	$22.17	Fronts minor arterial street. Listing agent reported the zoning as BC at time of sale; a recent city-initiated rezone was to TL6A; both are commercial-use designations. Slope down from street grade. Buyer remodeled small 1-story residential building for personal office space for his construction business. Most of site is covered by electric transmission easement. Asking price was $290,000. George Rudiger, broker, 206-949-6672
3	8626 122nd Av NE Kirkland	08/22/2005	$725,000	LIT	2 tear-down houses	48,351	$15.00	Mid-block lot on a commercial side street one block east of Costco. Slopes up from street grade. Some wetlands on site. Old houses on site of no value. Buyer intends to build a speculative office building. Mike McKinstry, Yates-Wood-McDonald, 206-268-3300
4	8529 124th St NE Kirkland	03/10/2005	$550,000	RH4	old house	19,988	$27.52	Zoning apparently is an office-type designation. Mid-block lot fronting an arterial street. Flat, rectangular, at street grade. Improved with old house that contributed no value to price but was remodeled for office use after the sale. Next door to McDonald's restaurant and across street from Honda dealership. Michael Moore, Coldwell Banker Bain, 425-519-4205
5	101 10th St S. Kirkland	04/05/2006	$1,150,000	LIT	gravel storage yard & old house	38,125	$30.16	On dead-end street in mixed residential & industrial neighborhood near downtown Kirkland. Flat topography. A 1,540-sq-ft house built in 1955 will used on an interim basis for shop office & storage. Large gravel storage yard was used by landscaper, painter, and septic truck operator. Carol Rozday, JF Buchan, Inc. (buyer), 425-827-2266
6	8051 118th Av NE Kirkland	10/11/2002	$350,000	PR3.6	Small house built in 1947	10,000	$35.00	Flat rectangular lot next to the freeway at end of dead-end street. Purchased by adjoining property owner as part of a 1031 exchange. Property was not listed for sale; seller was approached by buyer. House was rented for a few months post-sale then torn down. Tod Johnson, buyer's son, 425-827-0521
S	**118th Av NE ROW 80xx 118th Av NE Kirkland**	**n/a**	**n/a**	**RH2B RH2C PR3.6**	**Public Street**	**18,128**	**n/a**	**Dead end section of 118th Av NE. Flat topography. 2 vacant lots on west side; parking lots for overflow storage of car dealer on east side. Below average visibility & exposure.**

Comparable Land Sales Discussions

Comparable Sale No. 1

Comparable Sale No. 1 fronts a busy arterial street in the Totem Lake neighborhood of Kirkland. Nearby properties are new car dealers, tire stores and other service-retail uses. The location is superior compared to the subject. The comparable site is a parcel carved out of a multi-acre parcel owned by Verizon, who retained the rear section of the original parcel. The site slopes up from street grade and has been terraced into an asphalt parking lot (Verizon's old use). The site sold in March 2005 for $23.00 per square foot. The site was zoned Light Industrial Technology (LIT) at the time of sale but has now been rezoned by the City for a more general commercial designation.

126xx NE 124th Street, Kirkland

126xx NE 124th Street, Kirkland, Comparable Land Sale No. 1

The property was re-listed for sale recently at $30.00 per square foot and received multiple offers at or exceeding the asking price, according to the broker, Bill Chadek. Mr. Chadek relates that the City-initiated rezone gave the site a retail/mixed-use designation. The rezone however, apparently had little effect on the new asking price. The location, visibility and exposure suggest a value for the subject on a per-square-foot basis should be less than $23.00, the March 2005 sale price for the comparable. The size of this site, 1.44 acres compared to the subject's 0.42 acre, places it in a different size class than the subject, which may have a negative effect on value per square foot. The subject's shape and topography are superior. Overall, a value for the subject should be less than $23.00 per square foot, the price per square foot paid for Comparable Sale No. 1.

Comparable Sale No. 2

This is the sale of a parcel that fronts a minor arterial street in the Totem Lake neighborhood. The site slopes down from street grade. Nearby properties include small office buildings, apartments, and a new car dealership. The broker reported that he had tried to sell the site to the car dealer, who has cars parked on numerous adjacent lots, but with no success. The site is impacted by overhead electric lines which restrict the uses for the site. It was marketed as a parking lot with a (grandfathered) tear-down building. However, the buyer kept and remodeled the small, old, one-story apartment building on site for an office for his construction business. The asking price was $290,000 and the property sold for $280,000, or $22.17 per square foot of land.

11651 Slater Avenue NE, Kirkland

11651 Slater Avenue NE, Kirkland, Comparable Land Sale No. 2

Because of location, a value per square foot for the subject should be less than $22.17, the price per square foot paid for Sale No. 2.

Comparable Sale No. 3

Comparable Sale No. 3 is one block east of the Kirkland Costco store. Nearby properties include a new office building and an old shopping center. The site slopes up from street grade and has some wetlands along the street. The broker reports the City claims the site has a class C stream, which is non-salmon bearing. Although the stream is carried in an underground pipe along much of the block, the City wants it to remain open along the comparable site's frontage, a desire at odds with their stated desire to also require a sidewalk along the frontage.

The property was listed for sale at $998,000 and sold for $725,000 ($15.00 per sq ft) because of the unknown costs to deal with the so-called wetlands. The buyer paid additional extension fees of $25,000. The broker believes that when the wetland issue is settled the effective price for useable site area will approximate $20.00 per square foot. The buyer intends to construct an office building on the site. The zoning is LIT.

8626 122nd Avenue NE, Kirkland

8626 122nd Avenue NE, Kirkland, Comparable Land Sale No. 3

This site has superior location compared to the subject. It is inferior in topography and utility because of the wetland. Its size at 1.11 acres puts it in a larger size class than the subject. Overall, a value per square foot for the subject should approximate $15.00 to $20.00 per square foot, the price per square foot paid for Sale No. 3.

Comparable Sale No. 4

This property is in the Rose Hill neighborhood of Kirkland, east of I-405, about eight blocks northeast of the subject site. The site fronts an arterial street and is adjacent to a McDonald's restaurant and across the street from a Honda dealership. The location, for visibility and exposure, is superior compared to the subject site. The zoning is commercial, apparently intended primarily for office use. An old house on the site was remodeled to an office after the sale but contributed no value a the time of sale, according to the agent in the transaction, who had marketed the property as a development site with a tear-down house.

8529 124th Street NE, Kirkland

8529 124th Street NE, Kirkland, Comparable Land Sale No. 4

Because of inferior subject visibility and exposure, a value for the subject should be less than $27.52 per square foot, the price per square foot paid for Sale No. 4.

Comparable Sale No. 5

This is the recent sale of a site zoned Light Industrial Technology located on the west side of I-405 to the southeast of downtown. The site is halfway down a dead-end street that has newer houses, office-warehouse buildings and commercial storage yards. The site is improved with a 50-year-old, one-story house, where the seller lived until the sale, and which the buyer will use on an interim basis for a construction office and storage space. Much of the site is a gravel parking lot that the buyer (John Buchan Homes) will use to park their construction trucks. The property was listed for sale for $1,200,000 and sold for the asking price; however, the price was reduced prior to closing to $1,150,000 to account for site clean-up costs. Although the house and gravel storage yard added value to the site, the buyer did not place firm separate values on the improvements and the land. According to the broker, the property had been under contract to a developer planning to build a warehouse on speculation but the land price was eventually determined to be too high to make that use feasible. The site offers a convenient central location for Buchan to store their trucks and equipment. The house offers indoor heated storage for business files and furniture or even temporary office space. The entire site is flat and useable and comes already graded and graveled as a storage yard. In other words, the site offered attractions to this buyer for its own use that it did not offer to investors looking to develop a speculative industrial building.

101 10th Street S., Kirkland

101 10th Street S., Kirkland, Comparable Land Sale No. 5

Because of site shape and the onsite improvements of the comparable sale, a value for the subject should be less than $30.16 per square foot, the price per square foot paid for Sale No. 5.

Comparable Sale No. 6

This property is on the west side of the subject site and backs to I-405. It is a flat, nearly square lot. Lee Johnson, who owns the car dealership nearby, purchased the property in October 2002. His son, Tod Johnson, described the transaction. Lee needed to purchase a property to complete a 1031 exchange. He had also been acquiring properties near his car dealership as they became available. The comparable property was not listed for sale but, rather, Lee approached the seller, who was reluctant to sell. The house was a rental property for the seller. The transaction was finally consummated at $350,000, which equates to $35.00 per square foot of land; however, the price

was not set on a per-square-foot basis. Lee believes he paid well-above market value because of his need to complete the 1031 exchange and his desire for this specific property. The sale does not conform with the definition of market value but is included in this report because of its location contiguous the subject of this appraisal.

8051 118th Avenue NE, Kirkland

8051 118th Avenue NE, Kirkland, Comparable Land Sale No. 6

After the sale, the renters stayed on for several months before Lee had the house torn down. Because of the sale date and circumstances surrounding the sale, the price per square foot (again, considered well-above market by the purchaser) paid is a weak indication of potential value for the subject. A value for the subject should be less than $35.00 per square foot, the price per square foot paid for Sale No. 6.

Potential Value Discussion

As described earlier, the site's location, shape, and size make it an unlikely prospect for a stand-alone development, which is probably not a legal use since access would have to be maintained to adjoining parcels. The subject site has only one probable purchaser, an adjacent property owner who could assemble it with existing parcels to make a larger useable site. In the subject's case, LMJ Enterprises owns all adjoining property, with the exception of the northern tip abutting the freeway ramp. The Washington State Department of Transportation, it appears to us, would be an unlikely buyer especially since they do not need the street to access their property, Interstate-405.

Since there is only one possible buyer, in this case value may lie entirely in the eye of that one beholder. The buyer's expressed intent is to use the subject and his adjacent parcels to the west as landscaping and open space buffers to satisfy the City's requirements for such landscaping in order that he might better utilize his property to the east of the subject by transferring the open space set-asides to the subject street vacation area. The City, if they can in fact refuse to sell that section of street in the subject's particular circumstances, would otherwise likely have little motivation to sell.

The comparable sales are all commercial sites in Kirkland. Their prices were $23.00, $22.17, $15.00, $27.52, $30.15, and $35.00 per square foot. The low end of $15.00 has wetlands and the useable portion yielded a net price of about $20.00 per square foot. The high end at $35.00 is the lot that adjoins the subject site; however, it sold in 2002 and is a weak indication of value, as discussed earlier.

The general range of value for commercial land in Kirkland useable for office or other uses, but not prime retail locations, ranges from $20.00 to $30.00 per square foot. Based on the subject's physical characteristics, e.g., location, shape, lack of visibility and exposure, impact of freeway noise, etc., a value at the low end of that range is reasonable.

LMJ Enterprises or their successor, the only probable purchaser, would likely gain enough utility from the subject site in assembling it with their other parcels to justify paying $20.00 per square foot, although this is speculation on our part.

CONCLUSION

As Is Market Value

$350,000

The comparable sales support a value conclusion of $20.00 per square foot, which would equate to $362,560. Again, weighing the unique intervening variables impacting the subject value, e.g., 1) the subject's unique physical characteristics, 2) only one probable buyer exists, and 3) the seller has below-average motivation, a value of $362,500 is too specific to truly conform with probable market behavior; a negotiated agreement would probably round the asking price to $350,000. Consequently, the As Is market value of the subject is estimated at $350,000 (rounded), which equates to $19.31 per square foot.

Exposure & Marketing Times

The exposure period is the estimated length of time the subject property would have been offered on the market prior to a hypothetical sale at market value on the effective date of the appraisal. The marketing period is an estimate of the time it might take to sell a property at the estimated market value during the period immediately following the effective date of the appraisal. Following from discussions appearing earlier in this report, at the above value estimate the anticipated exposure and marketing periods for the subject property are elusive but are estimated at twelve months, more or less.

The *Cost Approach* section begins on the following page.

COST APPROACH

INTRODUCTION

The subject property is effectively vacant land. Consequently, the *Cost Approach* is not used in this report.

CERTIFICATE

I certify that, to the best of my knowledge and belief:

the statements of fact contained in this report are true and correct;

the reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and are my personal, impartial and unbiased professional analyses, opinions, and conclusions;

I have no present or prospective interest in the property that is the subject of this report, and no personal interest with respect to the parties involved;

I have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment;

my engagement in this assignment was not contingent upon developing or reporting predetermined results;

my compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal;

my analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice and the requirements of the Code of Professional Ethics and the Standards of Professional Appraisal Practice of the Appraisal Institute;

I have made a personal inspection of the property that is the subject of this report;

no one provided significant real property appraisal assistance to the persons signing this certification;

the use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representative; and

as of the date of this report, C. J. Munson has completed the requirements of the continuing education program of the Appraisal Institute.

C. J. Munson, MAI

John Halverson, Appraiser

APPENDIX

Definition of Highest and Best Use
Highest and best use is defined as:

The reasonably probable and legal use of vacant land or an improved property, which is physically possible, appropriately supported, financially feasible, and that results in the highest value. The four criteria the highest and best use must meet are legal permissibility, physical possibility, financial feasibility, and maximum profitability.

Source: Appraisal Institute., *The Dictionary of Real Estate Appraisal*, 3rd Edition (Chicago: Appraisal Institute, 1993), page 171.

Definition of Fee Simple Estate
Possession of a title in fee establishes the interest in property known as the fee simple estate-*i.e., absolute ownership unencumbered by any other interest or estate, subject only to the limitations imposed by the governmental powers of taxation, eminent domain, police power, and escheat.*

Source: Appraisal Institute, *The Appraisal of Real Estate*, 12th Ed. (Chicago: Appraisal Institute, 2001), 68.

Owners in fee simple may choose to improve or not to improve their property. They may also retain ownership or transfer property title by selling the property or giving it away. They may also lease the property to a leaseholder, or tenant, over a defined period of time. This latter act creates the leased fee, or lessor's (landlord's), estate and the leasehold, or lessee's (tenant's), estate.

Definition of Leased Fee Estate
Again, the leased fee estate is the lessor's or landlord's, estate. A leased fee estate is *an ownership interest held by a landlord with the rights of use and occupancy conveyed by lease to others. The rights of lessor (the leased fee owner) and leased fee are specified by contract terms contained within the lease.*

Source: Appraisal Institute, *The Appraisal of Real Estate*, 12th Ed. (Chicago: Appraisal Institute, 2001), 83.

There is a misconception that the concepts of fee simple interest and leased fee estate are identical if market rent and contractual rent are identical. Implicit in the prior definition of fee simple estate above is the fact that if the right of use and occupancy is conveyed by lease to another, then absolute ownership unencumbered by any other interest or estate ceases to exist during the term of conveyance. No mention is made of relative rental levels being either a necessary or sufficient condition for the creation of either estate.

Definition of Leasehold Estate
The interest held by the lessee (the tenant or renter) through a lease conveying the rights of use occupancy for a stated term under certain conditions.

Source: Source: Appraisal Institute, *The Appraisal of Real Estate*, 12th Ed. (Chicago: Appraisal Institute, 2001), 83..

Definition of Marketing Time
The reasonable marketing time is:

An estimate of the amount of time it might take to sell a property interest in real estate at the estimated market value level during the period immediately after the effective date of an appraisal.

Source: "Statement On Appraisal Standards No. 6 (SMT-6)", *Appraiser News*, Volume 3, No. 2 (February 1993), page 10.

Marketing time differs from exposure time, which is always presumed to precede the effective date of an appraisal. The reasonable marketing time is a function of price, time, use and anticipated market conditions such as changes in costs, availability of funds, and labor force; not an isolated estimate of time alone. It can be appropriate for an appraisal to discuss the impact of price/value relationships on marketing times and contrast different potential prices and the associated marketing time with the reasonable marketing time at the estimate of market value.

Definition of Gross Floor Area
The gross floor area is:

Obtained by measuring from the outer dimensions of the building with no deductions.

Source: John Robert White, MAI, CRE, Editor in Chief, *The Office Building* (Chicago: a joint publication of AI, BOMA, ASREC, etc., 1993), 363.

Also known as Construction Area; includes basement, if any.

Definition of Rentable Area
Rentable area is:

Typically, either 1) gross building area less vertical penetrations plus a proportionate share of common facilities such as air conditioning and electrical rooms or 2) gross floor area less elevators, stairways, risers and ducts times a common area factor typically ranging from 1.15 to 1.25.

Source: John Robert White, MAI, CRE, ibid., 363-364.

Based on the above definition, it is hypothetically possible for rentable area to exceed the gross floor area. For example, a gross floor area may be 40,000 square feet. From this is deducted elevators, stairs, risers, and ducts, having a total of 3,000 square feet, with a consequent usable area of 37,000 square feet. The usable area of 37,000 square feet is then multiplied by a factor of 1.25 to obtain a rentable area of 46,250 square feet. This example is provided on page 364 of *The Office Building* referenced above.

Also defined as *the inside finished surface of the dominant portion of the permanent outside wall, less vertical penetrations.*

Source: BOMA seminar manual: "Property Description," *BOMA Standards*, 7-3.

Definition of Usable Area
Usable area is:

Gross floor area less elevators, stairs, risers, and ducts.

Source: John Robert White, MAI, CRE, op. cit.

Also defined as *the finished surface of outside of corridor wall, to the midsection of adjoining walls, and inside finish surface of the dominant portion of permanent outside wall.*

Source: BOMA seminar manual: "Property Description," *BOMA Standards*, 7-3.

Refers to the space the tenant actually occupies.

Definition of Market Area
Market area is:

The geographic or locational delineation of the market for a specific category of real estate, i.e., the area in which alternative, similar properties effectively compete with the subject property in the minds of probable, potential purchasers and users.

Source: Appraisal Institute, *The Dictionary of Real Estate Appraisal*, 3rd Edition (Chicago: Appraisal Institute, 2001), 220.

Definition of Effective Rent

Gross rents less the loss from rental concessions, excess tenant improvement costs over normal building standards, and miscellaneous costs such as moving expenses, lease buy-outs or assumptions, or other enticements.

Source: John Robert White, MAI, CRE, op. cit., 161

Definition of Equilibrium Vacancy Rate

The "frictional" vacancy level which occurs in theory when there is neither an upward pressure on rents due to strong competition among tenants, nor a downward pressure on rents due to strong competition among owners for tenants.

Source: John Robert White, MAI, CRE, ibid

ASSUMPTIONS AND LIMITING CONDITIONS

1. No legal questions are considered such as title, encumbrances, ownership, etc. The property is appraised in fee simple estate as though free and clear of all encumbrances, except as specifically noted within this report. No responsibility is assumed for matters legal in character or nature or matters of land survey or of any architectural, structural, mechanical or engineering nature.

   The legal description, site and improvement measurements are assumed to be correct as used in this report as furnished by the client, his designee, or as derived by the appraiser.

2. The appraiser has inspected, as far as possible by observation, the land and any improvements; however, it was not possible to personally observe conditions beneath the soil or hidden structural or toxic materials which would render it more or less valuable. No responsibility is assumed for any such conditions or for any engineering expertise to discover them. All mechanical components are assumed to be in operable condition and status standard for properties of the subject type. Conditions of heating, cooling, ventilating, electrical, and plumbing equipment are considered commensurate with the condition of the balance of the improvements unless otherwise stated. No judgment may be made by me as to adequacy of insulation, type of insulation, or energy efficiency of the improvements or equipment which are assumed standard for subject age and type. The appraiser does not warrant against problems arising from soil conditions.

3. Unless otherwise stated in this report, the existence of hazardous material, which may or may not be present on the property, was not observed by the appraiser. The appraiser has no knowledge of the existence of such materials on or in the property. The appraiser, however, is not qualified to detect such substances. The presence of substances, such as asbestos, urea-formaldehyde foam insulation, or other potentially hazardous materials, may affect the value of the property. The value estimate is predicated on the assumption that there is no such material on or in the property that would cause a loss in value. No responsibility is assumed for any such conditions, or for any expertise or engineering knowledge required to discover them. The client is urged to retain an expert in this field, if desired.

4. If the appraiser has been supplied with a termite inspection, survey or occupancy permit, no responsibility or representation is assumed or made for any costs associated with obtaining same or form any deficiencies discovered before or after they are obtained. No representation or warranties are made concerning obtaining the above-mentioned items.

5. All information as found in data provided by others and relied upon in this appraisal has been reasonably checked and is deemed to be reliable. If any errors or omissions are found, the appraiser reserves the right to modify the conclusions reached. The appraiser similarly reserves the right to modify the analyses, conclusions or any value estimate in the appraisal report if there become known facts pertinent to the appraisal process which were unknown when the report was finished.

6. The distribution of the total valuation in this report between land and improvements applies only under the existing program of utilization; and the value shown for either may or may not be its correct Fair Market Value. The separate valuations for land and building must not be used in conjunction with any other appraisal and are invalid if so used.

7. Possession of this report or any copy thereof does not carry with it the right of publication nor may it be used for other than its intended use; the physical report(s) remain the property of the appraiser for the use of the client, the fee being for the analytical services only.

8. This appraisal is to be used only in its entirety, and no part is to be used without the whole report. All conclusions and opinions concerning the analysis, as set forth in the report, were prepared by the appraiser whose signature appears on the appraisal unless indicated as review appraiser. No change of any item in the report shall be made by anyone other than the appraiser, and the appraiser and firm shall have no responsibility if any such unauthorized change is made.

9. The bylaws and regulations of the Appraisal Institute require each member and candidate to control the use and distribution of each appraisal report; except as provided, the client may distribute copies of this appraisal report in its entirety to such third parties as he may select. However, selective portions of this appraisal report shall not be given to third parties without the prior written consent of the appraiser.

   Neither all nor any part of this appraisal report shall be disseminated to the general public by use of advertising media, public relations, news, sales, or other media for public communication without the prior written consent of the appraiser.

10. Employment to make this appraisal does not require testimony in court unless mutually satisfactory arrangements are made in advance. If testimony or deposition is required because of any subpoena, the client shall be responsible for any additional time, fees, and charges, regardless of issuing party.

11. The liability of **CJM Investment Property Advisors**, and employees is limited to the client only and to the fee actually received by the appraiser. Further, there is no accountability, obligation or liability to any third party. If this report is placed in the hands of anyone other than the client, the client shall make such party aware of all limiting conditions. In the case of limited partnerships or syndication offerings or stock offerings in real estate, clients agree that, in case of lawsuit (brought by lender, partner, or part-owner in any form of ownership, tenant, or any other party) any and all awards, settlements of any type in such suit, regardless of outcome, client will hold appraiser completely harmless in any such action. Acceptance of or use of this appraisal report by client or any third party constitutes acceptance of the above conditions.

12. The appraisal is based on the premise that there is full compliance with all applicable federal, state, and local environmental regulations and laws unless otherwise stated in this report. Improvements proposed, if any, as well as repairs required, are considered for purposes of this appraisal to be completed in good and workmanlike manner according to information submitted or considered by the appraiser. In cases of proposed construction, the appraisal is subject to change upon inspection of property after construction is completed. This estimate of Market Value is as of the date shown, as proposed, as if completed and operating at income levels shown and projected in the appraisal.

    It is assumed that the property which is the subject of this report will be under prudent and competent ownership and management, neither inefficient nor superefficient.

QUALIFICATIONS OF CHUCK MUNSON, MAI

EXPERIENCE SUMMARY

Mr. Munson has held positions in real estate appraisal, development, marketing, and financing. Appraisal work for purposes of real estate acquisition, financing, estate valuation, just compensation, and dissolution has been conducted since 1971. Development work has included apartments, an office building, and residential subdivisions. Market studies have been prepared leading to most profitable development as well as determining the feasibility of renovation and remodeling, or conversion, of existing commercial or multi-family projects. Market and feasibility studies for commercial and multifamily developments have been conducted since 1977. Experience in financing has included residential, multifamily, and commercial developments.

EDUCATION SUMMARY

B. A., Western Washington University, Bellingham, Washington.

AIREA Course 1A: **Basic Principles of Appraising:** An overview of the valuation process including fundamental, economic and valuation assumptions, basic appraisal techniques, the three approaches to value, and appraisal ethics.

AIREA Course 1B: **Income Capitalization Approach Introduction:** Introduction to direct capitalization, basic cash equivalency, yield capitalization, financial functions, and discounted cash flow analysis.

AIREA Course II: **Advanced Income Capitalization:** Cursory review of information studied in course 1-B, summarized above, with subsequent detailed analysis of practical applications for financial functions, cash equivalency, discounted cash flow analysis, etc.

AIREA Course VI: **Urban Appraisal Practices:** This class involved advanced analyses and application of cash-flow forecasting, risk analysis, development feasibility, financial alternatives, and tax considerations.

AI Course 2-1: **Case Studies:** Dissection of individual sample valuation cases dealing with, among other topics, valuation of leased interests, present value calculations, various forms of depreciation, and sales comparison analyses.

AI Course 410: **Standards of Professional Appraisal Practice A:** Study of the statements appearing in, underlying reasons behind, and consequences of violation of the *Uniform Standards of Professional Appraisal Practice* (USPAP) of the Appraisal Standards Board of the Appraisal Foundation.

AI Course 420: **Standards of Professional Appraisal Practice B:** Study of the statements appearing in, underlying reasons behind, and consequences of violation of *The Code of Professional Ethics* of the Appraisal Institute.

AI Course 520: **Highest & Best Use and Market Analysis:** Supply and demand theory; market studies; marketability studies; feasibility analysis; highest and best use analysis.

AI Course 550: **Advanced Applications:** Case studies of complicated appraisal problems dealing with income producing properties. Also included economic trend and market demand analysis, competing investments, and appropriate yield rate selection.

AI Course 600: **Small, Mixed-Use Properties:** Review of alternative appraisal techniques, potential short comings to be avoided, purchaser profile and case studies applicable to valuation of small, mixed-use, income-producing properties.

AI Course 800 **Separating Real and Personal Property From Intangible Business Assets:** Endeavored to show how to separate business assets values from total assets including real and personal property.

TYPES OF PROPERTIES APPRAISED

Apartments
Office Buildings
Medical Office Buildings
High Tech Buildings
Retail Facilities
Shopping Centers
Residential Subdivisions
Condominiums
Marinas
Automobile Dealership Facilities
Hospitality Facilities
Self-Storage Facilities
Office/Warehouses
Cross-dock Truck Terminals

FEASIBILITY AMD MARKET STUDIES

Apartments
Condominiums
Office Space
Residential Subdivisions

ADDITIONAL QUALIFICATIONS

General Certification, State of Idaho
General Certification, State of Oregon
General Certification, State of Washington
Expert witness testimony, Washington Superior Court

CLIENTS HAVE INCLUDED:

Action Mortgage
Amresco
Archon
Bank One
Bank of America
Bank of the Northwest
Bank United
Bank of the West
Banner Bank
Base Capital
Bay Mortgage
Cascade Mortgage Co.
Cascade Bank
Centennial Bank
Charter Bank
Chevron USA
City of Bellingham
City of Everett
City of Oak Harbor
Clackamas County Bank
Colonial Bank
Columbia Bank
Commerce Bank
Community Financial Corp.
Continental Wingate Capital
Cornerstone Realty Advisors
Covenant Mortgage
Crossland Mortgage
EF & A
Enterprise Bank
Evergreen Bank
EverTrust Bank
Farmers Bank of China
FBI
First Community Bank
First Horizon
First Nationwide Bank
First Mutual Savings Bank
First Union National Bank
Franklin Bank
Frontier Bank
GMAC
General Bank
Gibraltar Savings
Glacier Real Estate Finance
Hanover Financial
Homestreet Bank
Horizon Bank
Key Bank
King County, Real Property Division
Lend Lease
Lutheran Brotherhood
Merchants Bank
Metropolitan Federal Savings Bank
Midfirst Bank
National Bank of Renton
National Bank of Tukwila
Northstar Bank
Northwest International Bank
Pacific Consulting Group
Pacific Northwest Bank
Peoples Bank
Pioneer Bank
Preferred Funding
P. W. Funding
RBC Builder Finance
Riverview Community Bank
Safeco
Schiro Financial
Seattle Mortgage
Summit Savings
United Security Bank
University Federal Savings
U. S. Bancorp
Viking Community Bank
Washington Business Bank
Washington Federal Savings Bank
Washington First International Bank
Washington Mutual Savings Bank
Washington Square Capital
Wells Fargo
West Coast Bank
Wilmington Trust Company (Delaware)
WMF / Huntoon, Paige

QUALIFICATIONS OF JOHN HALVERSON, APPRAISER

EXPERIENCE SUMMARY

Mr. Halverson has held positions in real estate appraisal and construction as well as management positions in the financial services industry. Commercial and multifamily appraisal reports and market studies have been prepared by Mr. Halverson since 1990. Appraisal work has been for the purpose of real estate acquisition and financing.

EDUCATION SUMMARY

B. S., Financial Management, University of Massachusetts, Boston, Massachusetts

AI Course 1A1: **Real Estate Appraisal Principles:** An overview of the valuation process and the level of performance required in appraisal analysis and reports.

AI Course 1A2: **Basic Valuation Procedures in Real Estate Appraising:** An in-depth study of Sales Comparison and Cost approaches to value along with the Income Capitalization Approach.

AI Course 102: **Applied Residential Property Valuation:** An application course in which 1) two approaches to value and 2) one valuation technique (Direct Sales Comparison and Cost approaches, and Gross Rent Multiplier Technique) are used to prepare a residential appraisal report using a series of case studies.

AI Course 320: **General Applications:** A study of the significant questions to be asked and answered in performing each step of the valuation process and reporting the results of the appraisal analysis.

AI Course 410: **Standards of Professional Appraisal Practice A:** Study of the statements appearing in, underlying reasons behind, and consequences of violation of the *Uniform Standards of Professional Appraisal Practice* (USPAP) of the Appraisal Standards Board of the Appraisal Foundation.

AI Course 420: **Standards of Professional Appraisal Practice B:** Study of the statements appearing in, underlying reasons behind, and consequences of violation of *The Code of Professional Ethics* of the Appraisal Institute.

AI Course 510: **Advanced Income Capitalization**: Advanced income capitalization concepts, discounted cash flow analysis, investment and risk analysis, financial leverage, and general applications.

AI Course 520 **Highest & Best Use and Market Analysis:** How to apply market analysis to appraisal procedures with particular emphasis on estimating supply and demand.

AI Course 530: **Advanced Sales Comparison and Cost Approaches:** An in-depth study of these two approaches as they apply to income-producing properties.

AI Course 540: **Report Writing and Valuation Analysis:** Instruction in and practice of the communication structure and style of a narrative appraisal.

AI Course 600: **Income Valuation of Small, Mixed-Use Properties:** Review of alternative appraisal techniques, potential short comings to be avoided, purchaser profile and case studies applicable to valuation of small, mixed-use, income-producing properties.

TYPES OF PROPERTIES APPRAISED

Apartments	Office Buildings	Residential Subdivisions
Condominiums	Office/Warehouse Buildings	Medical Office Buildings
Retail Buildings	Raw Land	Special Use Properties
Self-Storage Facilities	Auto Dealership Facilities	Shopping Centers

CLIENTS HAVE INCLUDED:

Action Mortgage
Banner Bank
Cascade Bank
Columbia Bank
Covenant Mortgage Corp
EverTrust Bank
First Commercial Bank
First Horizon Corporation
First Mutual Bank
Franklin Bank
Frontier Bank
General Bank
HomeStreet Bank
Issaquah Bank
Key Bank
Metropolitan Federal Savings
Northwest Business Bank
Northstar Bank
P.W. Funding
RBC Builder Finance
Schiro Financial
Seattle Mortgage
U.S. Bancorp
Washington Federal Savings
Washington First International Bank
Washington Mutual Savings Bank
Wells Fargo

ADDITIONAL QUALIFICATIONS

General Certification, State of Washington

STATE LICENSES

STATE OF WASHINGTON

DEPARTMENT OF LICENSING - BUSINESS AND PROFESSIONS DIVISION
THIS CERTIFIES THAT THE PERSON NAMED HEREON IS AUTHORIZED, AS PROVIDED BY LAW, AS A

CERTIFIED GENERAL REAL ESTATE APPRAISER

CARL J MUNSON
10655 NE 4TH ST STE 204
BELLEVUE WA 98004

Cert/Lic No.	Issued Date	Expiration Date
1100720	07/25/1991	04/23/2007

Director

Appraiser Certification and Licensure Board

State Certified General Appraiser

28 hours of continuing education required for renewal

License No: C000641
Issue Date: 5/1/2004
Expiration Date: 4/30/2006

Carl J Munson
CJM Investment Property Advisors
10655 NE 4th Street, Suite 204
Bellevue WA 98004

R. A. (Bob) Keith, Administrator

Bureau of Occupational Licenses
Department of Self Governing Agencies

The person named has met the requirements for licensure and is entitled under the laws and rules of the State of Idaho to operate as a(n)

CERTIFIED GENERAL APPRAISER

CARL JON MUNSON
10655 NE 4TH ST. STE 204
BELLEVUE WA 98004

Rayola Jacobsen	CGA-86	04/23/2007
Chief, B.O.L.	Number	Expires

STATE OF WASHINGTON

DEPARTMENT OF LICENSING - BUSINESS AND PROFESSIONS DIVISION

THIS CERTIFIES THAT THE PERSON NAMED HEREON IS AUTHORIZED, AS PROVIDED BY LAW, AS A

CERTIFIED GENERAL REAL ESTATE APPRAISER

JOHN T HALVERSON
20325 156TH AVE NE
WOODINVILLE WA 98072

Cert/Lic No.	Issued Date	Expiration Date
1100860	05/02/1995	11/28/2006

Director

PROFESSIONAL SERVICES AGREEMENT

The City of Kirkland, Washington, a municipal corporation (hereinafter the "City") and CJM, whose address is 10655 NE 4th Street, Suite 204, Bellevue, WA 98004 (hereinafter the "consultant"), agree and contract as follows:

I. SERVICES BY CONSULTANT

A. The Consultant agrees to perform the services described in Attachment 1 to this Agreement, which attachment is incorporated herein by reference.

B. All services, and all duties incidental or necessary thereto, shall be conducted and performed diligently and completely and in accordance with professional standards of conduct and performance.

II. COMPENSATION

A. The total compensation to be paid to Consultant for these services shall not exceed $3,500.00, as detailed in Attachment 1.

B. Payment to Consultant by the City in accordance with the payment ceiling specified above shall be the total compensation for all work performed under this Agreement and supporting documents hereto as well as all subcontractors' fees and expenses, supervision, labor, supplies, materials, equipment or the use thereof, reimbursable expenses, and other necessary incidentals.

C. The Consultant shall be paid monthly on the basis of invoices submitted. Invoicing will be on the basis of percentage complete or on the basis of time, whichever is applicable in accordance with the terms of this Agreement.

D. The City shall have the right to withhold payment to Consultant for any work not completed in a satisfactory manner until such time as consultant modifies such work to the satisfaction of the City.

E. Unless otherwise specified in this Agreement, any payment shall be considered timely if a warrant is mailed or is available within 45 days of the date of actual receipt by the City of an invoice conforming in all respects to the terms of this Agreement.

III. TERMINATION OF AGREEMENT

The City reserves the right to terminate or suspend this Agreement at any time, with or without cause, by giving ten (10) days notice to Consultant in writing. In the event of termination, all finished or unfinished reports, or other material prepared by the Consultant pursuant to this Agreement, shall be provided to the City. In the event the City terminates prior to completion without cause, consultant may complete such analyses and records as may be necessary to place its files in order. Consultant shall be entitled to receive just and equitable compensation for any satisfactory work completed on the project prior to the date of suspension or termination, not to exceed the payment ceiling set forth above.

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IV. OWNERSHIP OF WORK PRODUCT

A. Ownership of the originals of any reports, data, studies, surveys, charts, maps, drawings, specifications, figures, photographs, memoranda, and any other documents which are developed, compiled or produced as a result of this Agreement, whether or not completed, shall be vested in the City. Any reuse of these materials by the City for projects or purposes other than those which fall within the scope of this contract or the project to which it relates, without written concurrence by the Consultant will be at the sole risk of the City.

The City acknowledges the Consultant's plans and specifications as instruments of professional service. Nevertheless, the plans and specifications prepared under this Agreement shall become the property of the City upon completion of the work. The City agrees to hold harmless and indemnify consultant against all claims made against Consultant for damage or injury, including defense costs, arising out of any reuse of such plans and specifications by any third party without the written authorization of the Consultant.

B. Methodology, materials, software, logic, and systems developed under this contract are the property of the consultant and the City, and may be used as either the consultant or the City sees fit, including the right to revise or publish the same without limitation.

V. GENERAL ADMINISTRATION AND MANAGEMENT

The Planning Official for the City of Kirkland shall review and approve the Consultant's invoices to the City under this Agreement, shall have primary responsibility for overseeing and approving services to be performed by the Consultant, and shall coordinate all communications with the Consultant from the City.

VI. COMPLETION DATE

The estimated completion date for the consultant's performance of the services specified in Section I is April 13, 2006.

Consultant will diligently proceed with the work contracted for, but consultant shall not be held responsible for delays occasioned by factors beyond its control which could not reasonably have been foreseen at the time of the execution of this Agreement. If such a delay arises, Consultant shall forthwith notify the City.

VII. SUCCESSORS AND ASSIGNS

The Consultant shall not assign, transfer, convey, pledge, or otherwise dispose of this Agreement or any part of this Agreement without prior written consent of the City.

VIII. NONDISCRIMINATION

The Consultant shall, in all hiring or employment made possible or resulting from this Agreement, take affirmative action to ensure that there shall be no unlawful discrimination against any employee or applicant for employment because of sex, race, age, color, creed, national origin, marital status or the presence of any sensory, mental, or physical handicap, unless based upon a bona fide occupational qualification, and this requirement shall apply to but not be limited to the following: employment, advertising, layoff, or termination, rates of pay or other forms of compensation and selection for training, including apprenticeship.

A14

No person shall be denied or subjected to discrimination in receipt of the benefit of any services or activities made possible by or resulting from this Agreement on the grounds of sex, race, color, creed, national origin, age except minimum age and retirement provisions, marital status, or the presence of any sensory, mental, or physical handicap.

IX. HOLD HARMLESS/INDEMNIFICATION

The Consultant agrees to indemnify, defend, and save harmless the City and its officers, agents, and employees, from any claim, real or imaginary, filed against the City or its officers, agents, or employees, alleging damage or injury arising out of the subject matter of this Agreement; provided, however, that such provision shall not apply to the extent that damage or injury results from the fault of the City or its officers, agents, or employees. "Fault" as herein used shall have the same meaning as set forth in RCW 4.22.015.

X. LIABILITY INSURANCE COVERAGE

Consultant will, at Consultant's sole expense, obtain and maintain during the life of this contract, policies of comprehensive general liability insurance and professional liability insurance, each with the combined single limits of not less than $1,000,000 per occurrence and placed with an insurer having no less than a Best's rating of A VII and authorized to do business in the State of Washington. Certificate(s) issued by the insurance carriers for said policies showing such insurance to be in force shall be filed with the City not less than ten (10) days following signing of this Agreement. Any policy of required insurance written on a claims-made basis shall provide coverage as to all claims arising out of the services performed under the contract and filed within three (3) years following completion of the services so to be performed. A failure to obtain and maintain such insurance or to file said certificates shall be a material breach of this Agreement.

XI. COMPLIANCE WITH LAWS/BUSINESS LICENSE

The Consultant shall comply with all applicable State, Federal, and City laws, ordinances, regulations, and codes. Contractor must obtain a City of Kirkland business license or otherwise comply with Kirkland Municipal Code Chapter 7.02.

XII. FUTURE SUPPORT

The City makes no commitment and assumes no obligations for the support of Consultant activities except as set forth in this Agreement.

XIII. INDEPENDENT CONTRACTOR

Consultant is and shall be at all times during the term of this Agreement an independent contractor and not an employee of the City. Consultant agrees that he is solely responsible for the payment of taxes applicable to the services performed under this Agreement and agrees to comply with all federal, state, and local laws regarding the reporting of taxes, maintenance of insurance and records, and all other requirements and obligations imposed on him as a result of his status as an independent contractor. The Consultant is responsible for providing the office space and clerical support necessary for the performance of services under this Agreement. The City shall not be responsible for withholding or otherwise deducting federal income tax or social security or for contributing to the state industrial insurance of unemployment compensation programs or otherwise assuming the duties of an employer with respect to the Consultant, or any employee of consultant.

XIV. EXTENT OF AGREEMENT/MODIFICATION

This Agreement, together with all attachments and addenda, represents the entire and integrated Agreement between the parties hereto and supersedes all prior negotiations, representations, or agreements, either written or oral. This Agreement may be amended, modified, or added to only by written instrument properly signed by both parties hereto.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the dates written below:

CONSULTANT:

By: _____

Date: 23 MAR 06

CITY OF KIRKLAND:

By: _____
Eric R. Shields, Planning Director

Date: 3/16/06

APPROVED AS TO FORM:

_____
Kirkland City Attorney

Date: 3/20/06

A16

Attachment 1

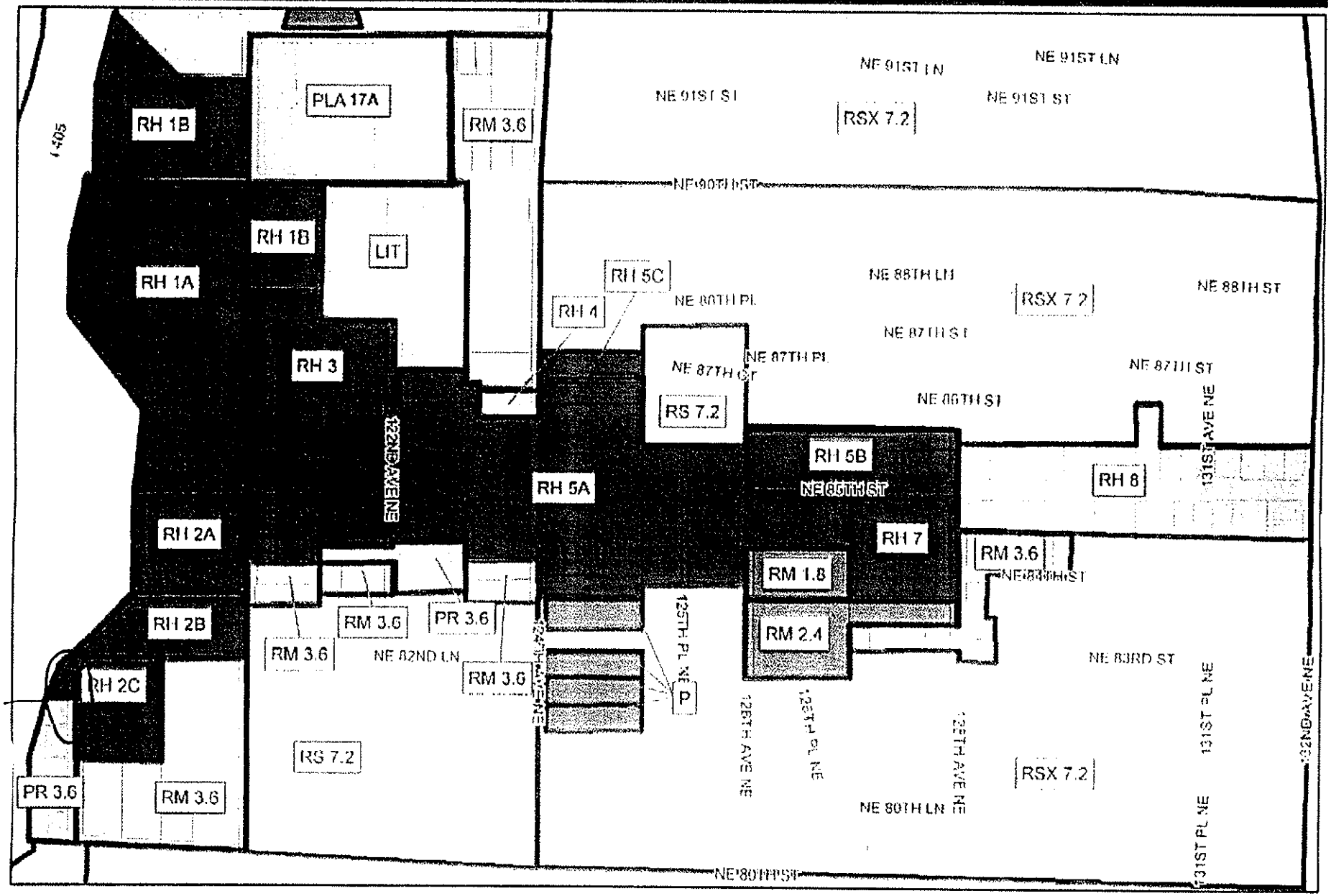
I. Contract Work

The Appraiser will appraise the 18,128 square foot parcel of land located at 11845 NE 85th, Kirkland, Washington. The Appraiser will provide the Client with three copies of a Complete Self-Contained appraisal report no later than April 13, 2006 or 4 weeks from receipt of the signed contract, whichever is later.

II. Contract Sum

The Appraiser will perform the services outlined above for a fixed fee of $3,500. If court testimony is required, the additional charge is $225 per hour.

NE 85th St Subarea Proposed Zoning - 8/4/2005



Commercial
Industrial
Office or Office MF
High Density Residential
Medium Density Residential
Low Density Residential
Institutions
Park/Open Space

N

Department of Planning and Community Development

CITY OF KIRKLAND WASHINGTON

Produced by the City of Kirkland
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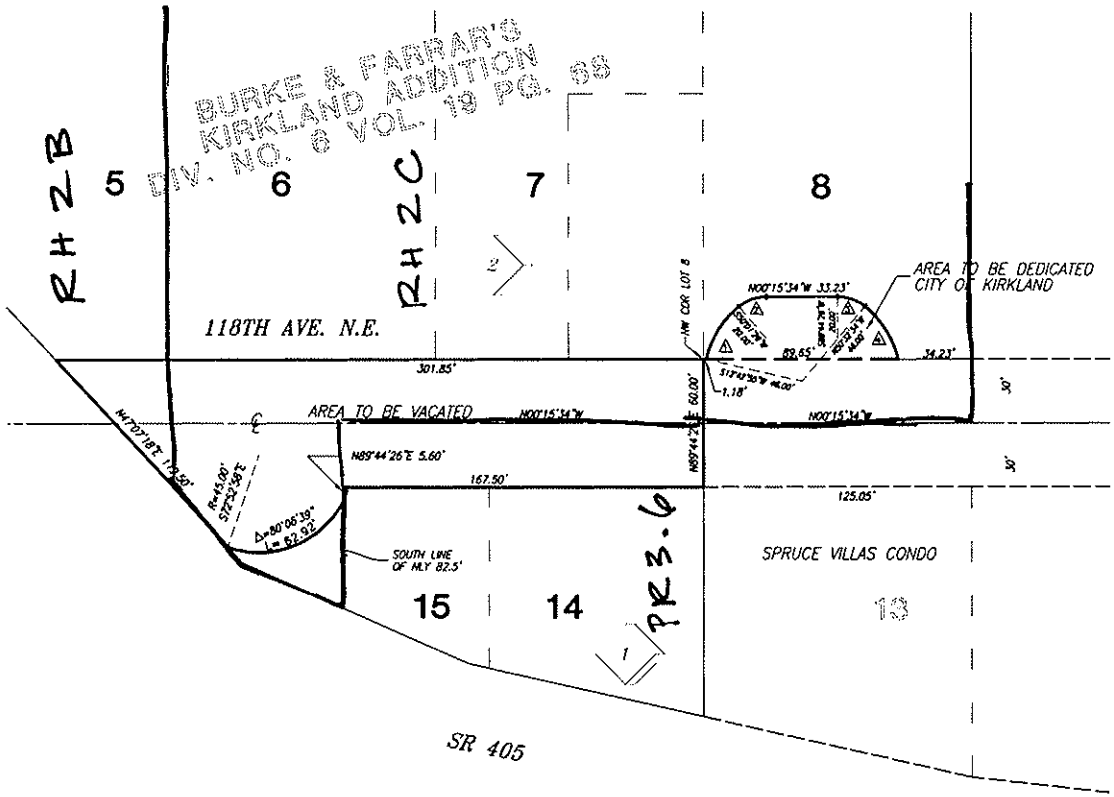
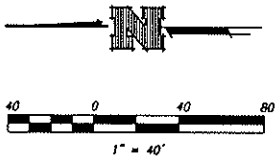
No warranties of any sort, including but not limited
to accuracy, fitness or merchantability, accompany this product

ATTACHMENT 5
VAC05-00003

A19





BASIS OF BEARING: NAD 83 (91)

CURVE TABLE			
	DELTA	RADIUS	LENGTH
1	37°18'31"	46.00'	29.95'
2	39°43'00"	20.00'	13.86
3	39°43'00"	20.00'	13.86
4	37°18'31"	46.00'	29.95'

AREAS	
VACATION	18,128' ±
DEDICATED	2,189' ±

LEGEND

PROPERTY LINE

ADJACENT PROPERTY LINE

EXISTING R.O.W.

R.O.W. CENTERLINE

TOTAL ROAD VACATION

LEGAL DESCRIPTION:

THAT PORTION OF 118TH AVE NE (DONALD STREET) AND THAT PORTION OF LOT 15, BLOCK 1, BURKE AND FARRAR'S KIRKLAND ADDITION, DIVISION No. 6, AS RECORDED IN VOLUME 19 OF PLATS, PAGE 68, RECORDS OF KING COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 8, BLOCK 2 OF SAID PLAT; THENCE NORTH 00°15'34" WEST ALONG THE WESTERLY LINE - OF LOT 7, LOT 6 AND LOT 5, SAID BLOCK 2 OF SAID PLAT 301.85 FEET, MORE OR LESS, TO THE EASTERLY RIGHT OF WAY OF S.R. 405; THENCE SOUTH 47°07'18" WEST ALONG SAID RIGHT OF WAY 119.50 FEET, MORE OR LESS, TO THE SOUTHWESTERLY LINE OF THAT PORTION OF ABOVE MENTIONED LOT 15 RELINQUISHED TO THE CITY OF KIRKLAND UNDER RECORDING No. 8006200424, BEING A CURVE TO THE SOUTHWEST; THENCE ALONG SAID CURVE HAVING A RADIUS OF 45 FEET THE CENTER OF WHICH BEARS SOUTH 72°52'58" EAST, FOR AN ARC LENGTH OF 62.92 FEET, MORE OR LESS, TO A POINT ON THE SOUTH LINE OF THE NORTHERLY 82.5 FEET OF SAID LOT 15; THENCE NORTH 89°44'26" EAST 5.60 FEET, MORE OR LESS, TO THE EASTERLY LINE OF SAID LOT 15; AND THE WESTERLY MARGIN OF 118TH AVE. NE; THENCE SOUTH 00°15'34" EAST ALONG THE WESTERLY MARGIN OF SAID 118TH AVE. NE 167.50, MORE OR LESS; THENCE NORTH 89°44'26" EAST ALONG THE SOUTHERLY LINE OF LOT 14, BLOCK 1 OF SAID PLAT, PRODUCED EASTERLY 60 FEET, MORE OR LESS, TO THE NORTHWEST CORNER OF LOT 8 , BLOCK 2 AND THE TRUE POINT OF BEGINNING.

CONTAINING 18,128 SQUARE FEET, MORE OR LESS.

SITUATE IN THE CITY OF KIRKLAND, KING COUNTY, WASHINGTON.

ROAD DEDICATION

LEGAL DESCRIPTION:

THAT PORTION OF LOT 8, BLOCK 2, BURKE AND FARRAR'S KIRKLAND ADDITION, DIVISION No. 6, AS RECORDED IN VOLUME 19 OF PLATS, PAGE 68, RECORDS OF KING COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

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CONTAINING 2,189 SQ FT ±

JIM HART AND ASSOCIATES
PROFESSIONAL LAND SURVEYORS
220 - 6th St. KIRKLAND, WASHINGTON 98033
PHONE (425) 822-4171

DEDICATION & VACATION PROPOSAL

FOR: LMJ ENTERPRISES
11845 NE 85TH ST
KIRKLAND, WA 98033

SW 1/4 SW 1/4 Section 4, Twp. 25 N.R. 5 E.W.M.

SCALE: 1"=40'	DATE: 1/3/06
FIELD BOOK: N/A	
DRAWN BY: BJM	
CHECKED BY: DH	
APP'D BY: JAH	
PROJECT NO. 05-41	SHEET 1/2

CITY OF KIRKLAND
Planning and Community Development Department
123 Fifth Avenue, Kirkland, WA 98033 425.587.3225
www.ci.kirkland.wa.us

CITY OF KIRKLAND
NOTICE OF HEARING

PETITION TO: Proposal to vacate a portion of the 118th Ave NE right-of-way that currently separates the applicant's property, which adjoins 118th Ave NE on the east and west. The proposal is to vacate the full width of 118th Ave NE right-of-way extending south from I-405 approximately 361 feet. A portion of the applicant's property is proposed to be dedicated to the City of Kirkland to allow for construction of a new cul-de-sac at the proposed new terminus of 118th Ave NE.

AREA/STREET: 118th Avenue N.E.

APPLICANT LMJ Enterprises Limited Partnership – Tod Johnson

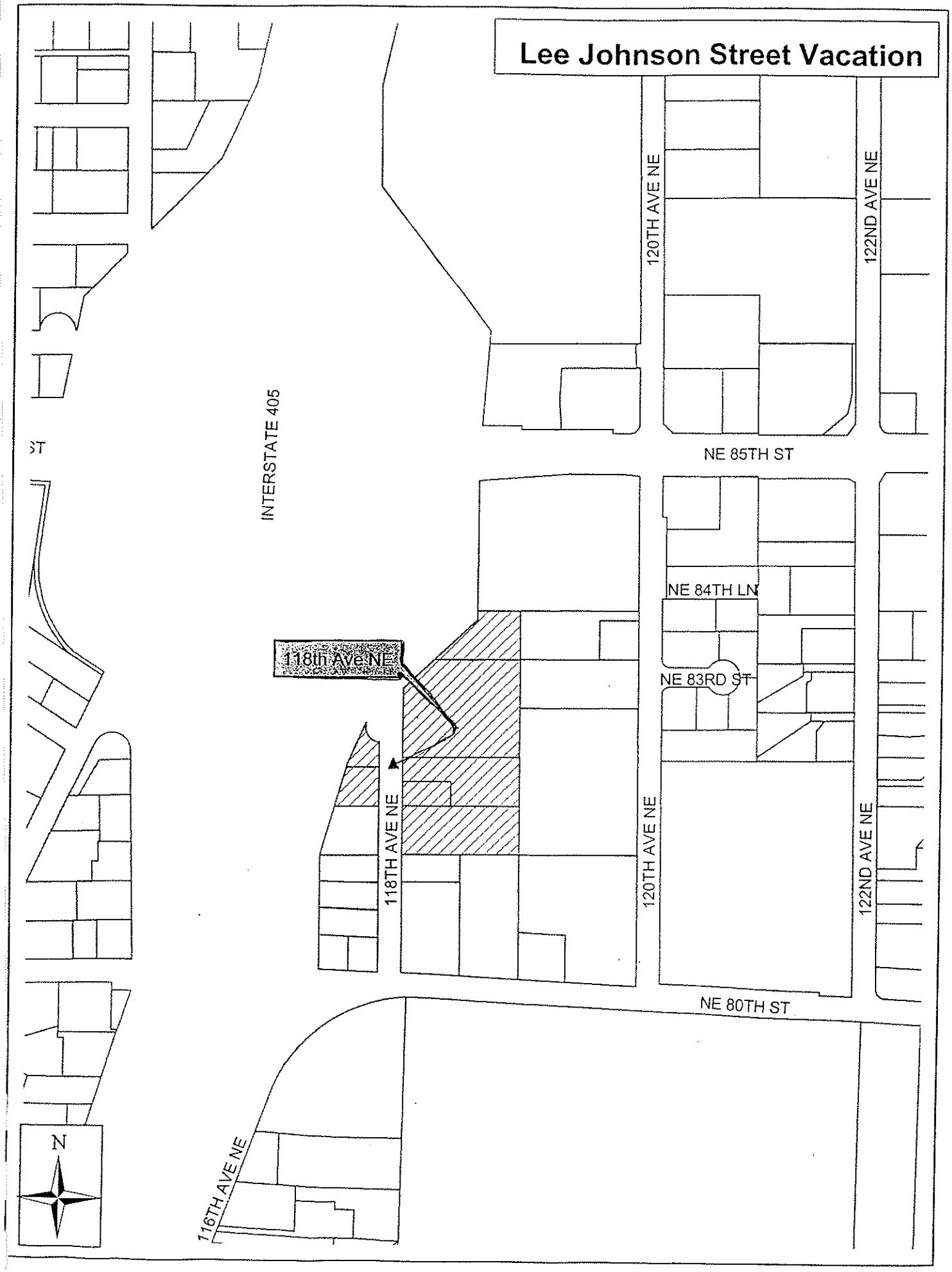
PUBLIC HEARING: Will be held before the KIRKLAND CITY COUNCIL on January 3, 2006 at 7:30 p.m. (or as soon thereafter as possible) in the Council Chamber at 123 5th Avenue

PUBLIC COMMENT: The hearing is open to the public. During the hearing, anyone may speak or submit written comments. Before the hearing, written comments may be submitted to the City Council in care of Stacy Clauson of the Planning Department. Please refer to File No.VAC05-00003, and include your name and address.

FOR MORE INFORMATION: Information on the proposal is contained in the official file (File No. VAC05-00003), available at the Planning Department by contacting project planner, Stacy Clauson, at (425)-587-3248. Any person requiring a disability accommodation should contact the City in advance at (425) 587-3000 or for TTY service call (425) 587-3111.

Publishing Date: December 14, 2005

120


Lee Johnson Street Vacation
120TH AVE NE
122ND AVE NE
NE 85TH ST
INTERSTATE 405
ST
NE 84TH LN
118th Ave NE
NE 83RD ST
118TH AVE NE
120TH AVE NE
122ND AVE NE
NE 80TH ST
116TH AVE NE
N

A21

RESOLUTION R-4577

A RESOLUTION OF THE CITY OF KIRKLAND EXPRESSING AN INTENT TO VACATE A PORTION OF A RIGHT-OF-WAY FILED BY LMJ Enterprises Limited Partnership, FILE NUMBER VAC05-00003.

WHEREAS, the City has received an application filed by LMJ Enterprises Limited Partnership to vacate a portion of a right-of-way; and

WHEREAS, by Resolution Number R-4534 and R-4567, the City Council of the City of Kirkland established a date for a public hearing on the proposed vacation; and

WHEREAS, proper notice for the public hearing on the proposed vacation was given and the hearing was held in accordance with the law; and

WHEREAS, it is appropriate for the City to receive compensation for vacating the right-of-way as allowed under state law; and

WHEREAS, no property owner will be denied direct access as a result of this vacation; and

WHEREAS, it appears desirable and in the best interest of the City, its residents and property owners abutting thereon that said street to be vacated;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Kirkland as follows:

Section 1. The Findings and Conclusions as set forth in the Recommendation of the Department of Planning and Community Development contained in File Number VAC05-00003 are hereby adopted as though fully set forth herein, with the exception of the conclusion set forth in Section II.C.3.b.

Section 2. An independent appraisal of the subject site has been completed by CJM Investment which concluded a market value of $19.31 per square foot.

Section 3. Except as stated in Section 4 of this Resolution, the City will, by appropriate ordinance, vacate the portion of the right-of-way described in Section 4 of this Resolution if within 90 days of the date

of passage of this Resolution the applicant or other person meets the following conditions:

(a) Pays to the City $307,782 as compensation for vacating this portion of the right-of-way.

(b) Within seven (7) calendar days after the final public hearing, the applicant shall remove all public notice signs.

(c) Submit to the City a copy of the following recorded easements:

(1) A 20-ft minimum width easement for the sewer main.

(2) A 15-ft minimum width easement for the water main.

(3) A 15-ft minimum width easement shall for the storm main.

(4) An access easement for maintenance of the sewer manhole in the vacated right-of-way should be provided from the end of the new cul-de-sac or through the car dealership site from 120th Ave. NE.

(5) A utility easement encompassing the entire vacated right-of-way unless the applicant prepares individual legal descriptions for each specific easement based on the location and minimum size determined by each utility company.

(d) Install the required improvements as described in Attachment 3. Prior to installing these improvements, plans must be submitted for approval by the Department of Public Works.

In lieu of completing these improvements, the applicant may submit to the Department of Public Works a security device to cover the cost of installing the improvements and guaranteeing installation within one year.

(e) Dedicate the area described in Exhibit B to the city to allow installation of a 70-foot diameter paved cul-de-sac with a 6-ft wide paved parallel parking area on the north and east side of the cul-de-sac and a 4.5-ft minimum landscape strip behind the curb.

Section 4. If the portion of the right-of-way described in Section 5 of this resolution is vacated, the City will retain and reserve an easement, together with the right to exercise and grant easements along, over, under and across the vacated right-of-way for the installation, construction, repair and maintenance of public utilities and services.

Section 5. The right-of-way to be vacated is situated in Kirkland, King County, Washington and is described in Exhibit A.

Section 6. Certified or conformed copies of this Resolution shall be delivered to the following within seven (7) days of the passage to this resolution:

(a) Applicant;
(b) Department of Planning and Community Development of the City of Kirkland;
(c) Fire and Building Departments of the City of Kirkland;
(d) Public Works Department of the City of Kirkland; and
(e) The City Clerk for the City of Kirkland.

Passed by majority vote of the Kirkland City Council in open meeting on the _____ day of _____, 20___.

SIGNED IN AUTHENTICATION THEREOF on the _____ day of _____, 20___.

_____
Mayor

ATTEST:

_____
City Clerk

Exhibit A

JIM HART AND ASSOCIATES
220 6TH STREET, KIRKLAND, WA 98033-6335, 425-822-4171 FAX 425-827-3085

05-41
1/3/06

TOTAL ROAD VACATION

LEGAL DESCRIPTION:

THAT PORTION OF 118TH AVE NE (DONALD STREET) AND THAT PORTION OF LOT 15, BLOCK 1, BURKE AND FARRAR'S KIRKLAND ADDITION, DIVISION No. 6, AS RECORDED IN VOLUME 19 OF PLATS, PAGE 68, RECORDS OF KING COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

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CONTAINING 18,128 SQUARE FEET, MORE OR LESS.

SITUATE IN THE CITY OF KIRKLAND, KING COUNTY, WASHINGTON.

RECEIVED
JAN - 3 2006
_____AM_____PM
PLANNING DEPARTMENT
BY_____

JAMES A. HART
STATE OF WASHINGTON
8409
REGISTERED
PROFESSIONAL LAND SURVEYOR
EXPIRES 4/22-07
1/04-06

R-4577

Exhibit B

JIM HART AND ASSOCIATES

220 6TH STREET, KIRKLAND, WA 98033-6335, 425-822-4171 FAX 425-827-3085

05-41
1/3-06

ROAD DEDICATION

LEGAL DESCRIPTION:

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CONTAINING 2,189 SQ FT ±

RECEIVED
JAN - 3 2006
AM PM
PLANNING DEPARTMENT
BY

JAMES A. HART
STATE OF WASHINGTON
3409
REGISTERED
PROFESSIONAL LAND SURVEYOR
EXPIRES 4/22-07
1/04-06

CITY OF KIRKLAND
123 FIFTH AVENUE, KIRKLAND, WASHINGTON 98033-6189 (425) 587-3225

Date: 4/27/2006

DEVELOPMENT STANDARDS
CASE NO.: VAC05-00003
PCD FILE NO.:VAC05-00003

You can review your permit status and conditions at www.kirklandpermits.net

PUBLIC WORKS CONDITIONS

Permit Information
Permit #: VAC05-00003
Project Name: 118th Ave. NE Street Vacation
Project Address: 11845 NE 85th St.
Date: September 1, 2005

Public Works Staff Contacts
Land Use and Pre-Submittal Process:
Rob Jammerman, Development Engineering Manager
Phone: 425-587-3845 Fax: 425-587-3807
E-mail: rjammer@ci.kirkland.wa.us

Building and Land Surface Modification (Grading) Permit Process:
John Burkhalter, Senior Development Engineer
Phone: 425-587-3846 Fax: 425-587-3807
E-mail: jburkhal@ci.kirkland.wa.us

General Conditions:

1. All public improvements associated with this project including street and utility improvements, must meet the City of Kirkland Public Works Pre-Approved Plans and Policies Manual. A Public Works Pre-Approved Plans and Policies manual can be purchased from the Public Works Department, or it may be retrieved from the Public Works Department's page at the City of Kirkland's web site at www.ci.kirkland.wa.us.

2. This project will be subject to Public Works Permit Fees. It is the applicant's responsibility to contact the Public Works Department by phone or in person to determine the fees. The fees can also be review the City of Kirkland web site at www.ci.kirkland.wa.us. The applicant should anticipate the following fees:
- o Right-of-way Fee
- o Review and Inspection Fee (for utilities and street improvements).

3. This project is exempt from concurrency review.

4. All civil engineering plans which are submitted in conjunction with a building, grading, or right-of-way permit must conform to the Public Works Policy titled ENGINEERING PLAN REQUIREMENTS. This policy is contained in the Public Works Pre-Approved Plans and Policies manual.

ATTACHMENT 3

5. All street improvements and underground utility improvements (storm, sewer, and water) must be designed by a Washington State Licensed Engineer; all drawings shall bear the engineers stamp.

6. All plans submitted in conjunction with a building, grading or right-of-way permit must have elevations which are based on the King County datum only (NAVD 88).

7. Utility easements will be retained for any franchise utility companies that express an interest in retaining a utility easement for their existing or future utilities. To date, Comcast, Verizon, and Puget Sound Energy have all expressed an interest in a utility easement. The utility easement will encompass the entire vacated right-of-way unless the applicant desires to have their surveyor prepare individual legal descriptions for each specific easement based on the location and minimum size determined by each utility company.

Sanitary Sewer Conditions:

1. The City has an existing 8-inch sewer main in the right-of-way to be vacated. If the vacation is approved, a 20-ft minimum width easement shall be retained for the sewer main. In addition, access for maintenance of the sewer manhole in the vacated right-of-way shall be provided from the end of the new cul-de-sac or through the car dealership site from 120th Ave. NE.

Water System Conditions:

1. There is an existing 8-inch water main in the right-of-way to be vacated. If the vacation is approved, a 15-ft minimum width easement shall be retained for the water main. Note: this water is being connected to a new water main that loops through the project site over to 120th Ave. NE. All of the water main will be encompassed in a 15-ft minimum width easement.

Surface Water Conditions:

1. At the end of new cul-de-sac, install surface water collection and conveyance.

2. There is an existing public storm main in the right-of-way to be vacated. If the vacation is approved, a 15-ft minimum width easement shall be retained for the storm main.

Street and Pedestrian Improvement Conditions:

1. With approval of this street vacation , a new cul-de-sac turn-around will need to be constructed at the new north end of 118th Ave. NE. The improvements in the cul-de-sac shall match the preliminary drawings submitted by Jim Hart and Associates on November 21, 2005 and include the following:
" 70-ft diameter paved cul-de-sac
" 6-ft wide paved parallel parking area on the north and east side of the cul-de-sac.
" 4.5-ft wide landscape strip behind the curb with street trees planted 30-ft on-center
" Vertical curb and gutter around the entire perimeter of the cul-de-sac.
" Installation of "NO PARKING ANYTIME" signs in the cul-de-sac where parking is not provided for.
" Surface water collection and conveyance.
" Fire Department access drive from the north end of the cul-de-sac.
" Dedication of public right-of-way north the existing 118th Ave. NE right-of-way to encompass these new cul-de-sac improvements.
" The existing sidewalk in front of the Spruce Villa Apartments may remain in place.

2. The required street improvements shall be installed, or a Performance Bond posted, prior to recording of the street vacation area. The bond shall be in accordance with Chapter 175 of the Kirkland Zoning Code.

3. Install a new survey monument marker in the center of the new cul-de-sac.

4. It shall be the responsibility of the applicant to relocate any above-ground or below-ground utilities which conflict with the project associated street or utility improvements.

5. Install new street lights in the new cul-de-sac Puget Power design and Public Works approval. Design must be submitted prior to issuance of a permit to install the street improvements.

CITY OF KIRKLAND
Department of Public Works
123 Fifth Avenue, Kirkland, WA 98033 425.587.3800
www.ci.kirkland.wa.us

MEMORANDUM

To: David Ramsay, City Manager

From: Daryl Grigsby, Public Works Director
Ray Steiger, P.E., Capital Projects Manager

Date: May 9, 2006

Subject: 2006 PAVEMENT MARKING PROJECT
AWARD CONTRACT AND AUTHORIZE ADDITIONAL FUNDS

RECOMMENDATION:

It is recommended that the City Council award the contract for the 2006 Pavement Marking Project to Stripe Rite, Inc. of Auburn, Washington in the contract amount of $149,901.30. Additionally, it is also recommended that Council authorize the use of an additional $57,000 from the street improvement reserve.

BACKGROUND DISCUSSION:

The purpose of this City-wide project is to maintain the pavement markings that define the path of safe travel for motorists, bicyclists, and pedestrians. This project includes restriping lane lines, bike lanes, and on-street public parking stalls as well as replacing worn crosswalk markings, stop lines, turn arrows, railroad crossing, and other symbols. The annual striping program is broken into two phases: Phase I is performed in the spring and includes striping of all aforementioned facilities, Phase II is performed in the fall and restripes all collectors and arterials; both phases are included with this contract award.

The project has an annual budget of $120,000 that is programmed in the street operating fund. In 2006, overall unit price increases of approximately 30% for double yellow center line striping, 70% for removal of thermoplastic striping and the installation of new advance stop bars at crosswalks for pedestrian safety, have lead to a significant rise in the cost of this annual program. It is proposed that additional funds of $57,000 come from the street improvement reserve as identified in the attached fiscal note. During the upcoming budget process, staff will propose adjustments in the annual program to address additional quantities and increasing unit prices of material; the current budget was established in 2000.

Four general contractors expressed interest in the project and received the bid documents placed on the Builders Exchange of Washington website on April 7, 2006. On April 24, 2006, two bids were received and tabulated with Stripe Rite, Inc. being the lowest responsive bidder. The total bid prices are as follows:

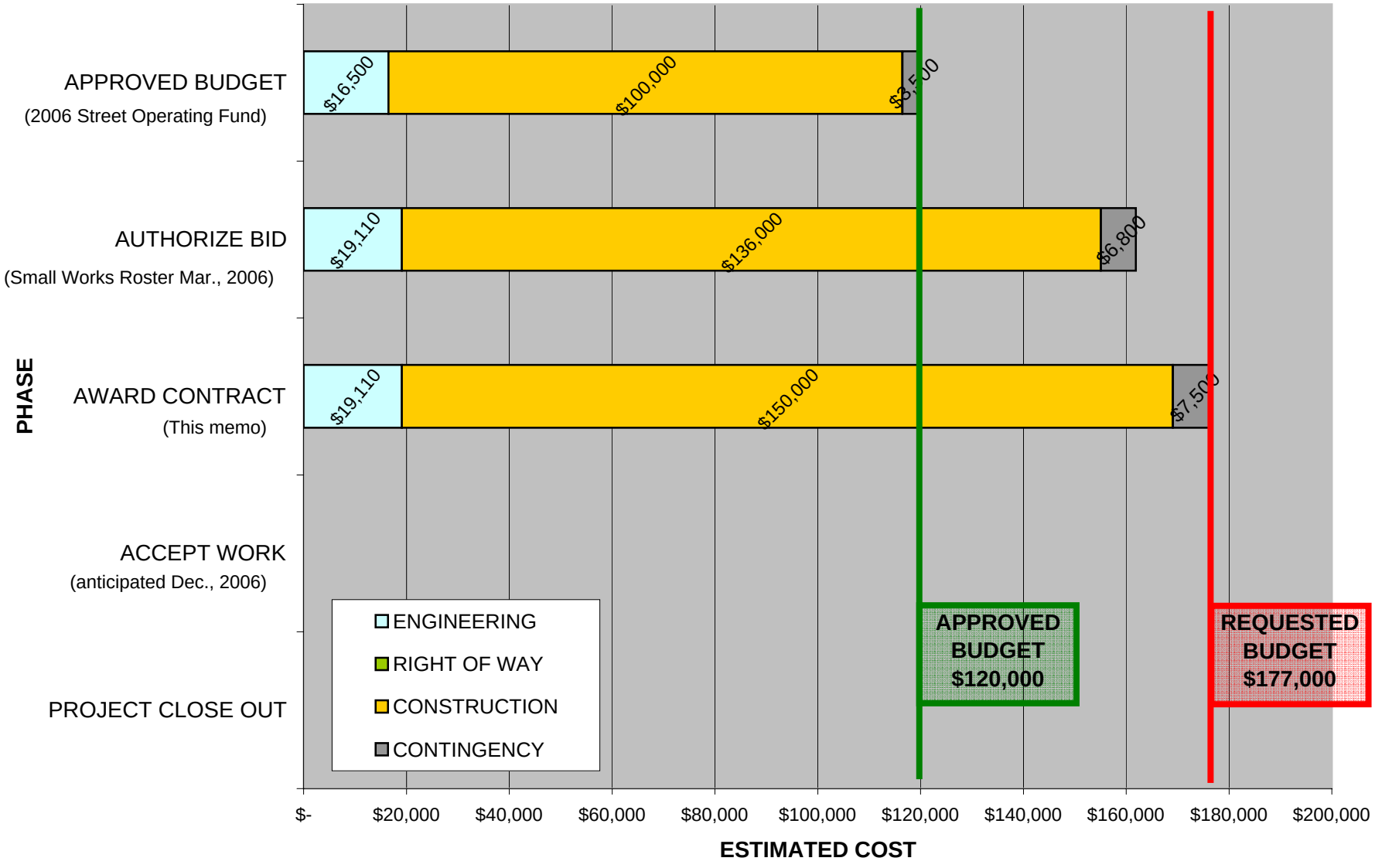
Contractor	Total Bid
Engineer's Estimate	*$ 135,974.26*
Stripe Rite, Inc.	**$ 149,901.30**
Apply-A-Line, Inc.	$ 227,604.00

With Council approval, Phase I striping will begin in May and Phase II striping will be completed in October.

Attachments: (2)

2006 PAVEMENT MARKING PROJECT

PROJECT BUDGET REPORT



Attachment A

ATTACHMENT B

FISCAL NOTE

CITY OF KIRKLAND

Source of Request

Daryl Grigsby, Public Works Director

Description of Request

Request for additional funding of $57,000 from Street Improvement Reserve for the 2006 Pavement Marking project. The following factors are responsible for the significant rise in the cost of this annual program (with an annual budget of $120,000): overall unit price increases of approximately 30% for double yellow center line striping, 70% for removal of thermoplastic striping and the installation of new advance stop bars at crosswalks for pedestrian safety.

Legality/City Policy Basis

Fiscal Impact

One-time use of $57,000 of the Street Improvement Reserve. The reserve is able to fully fund this request.

Recommended Funding Source(s)

	Description	2006 Est End Balance	Prior Auth. 2005-06 Uses	Prior Auth. 2005-06 Additions	Amount This Request	Revised 2006 End Balance	2006 Target
Reserve	Street Improvement Reserve	1,901,759	537,536	263,558	57,000	1,570,781	N/A
	2005-2006 Prior Authorized Uses includes $24,000 in additional funding for the Kirkland Ave. Sidewalk project and $513,536 as final payment for the Slater Ave. Roadway project. 2005-06 Prior Authorized Additions include return of funds from several projects that have closed under budget.						
Revenue/ Exp Savings							
Other Source							

Other Information

Prepared By	Sri Krishnan, Sr. Financial Analyst	Date	May 8, 2006

CITY OF KIRKLAND
Department of Parks & Community Services
505 Market Street, Suite A, Kirkland, WA 98033 425.587.3300
www.ci.kirkland.wa.us

MEMORANDUM

To: David Ramsay, City Manager

From: Jennifer Schroder, Director of Parks and Community Services
Michael Cogle, Park Planning Manager

Date: May 5, 2006

Subject: Resolution Adopting Juanita Beach Park Master Plan

RECOMMENDATION:

City Council adopt the attached Resolution approving the Juanita Beach Park Master Plan.

BACKGROUND DISCUSSION:

At their meeting of April 18, 2006, the City Council reviewed the recommendation of the Kirkland Park Board for the Juanita Beach Park Master Plan. Upon review and in light of concerns raised by the East Lake Washington Audubon Society about the potential negative impact by boaters to the nearby wildlife habitat, the City Council asked staff to incorporate changes to the Plan. These changes include new provisions requiring that a mitigation plan be approved by the Council prior to the City implementing the boating components of the master plan.

The attached Juanita Beach Park Master Plan document incorporates the following new text (found on page 31 of the Master Plan report):

> ***Boating Mitigation Plan Required***
>
> The Juanita Beach Park Master Plan includes several new opportunities for boating on Lake Washington, as described above. However, these boating opportunities must be balanced with the protection of wildlife habitat areas in and around nearby Juanita Bay Park. Establishment of the non-motorized boat rental facility, hand carry boat launch, or day-use motorized boat moorage is contingent upon the implementation of a City Council-approved boating mitigation plan which describes in detail how wildlife habitat areas will be protected from intrusion by both motorized and non-motorized watercraft. The mitigation plan should detail the effective strategies to be implemented, which may include use of appropriate physical barriers and signage, establishment of rules and enforcement, seasonal restrictions, and boater education (especially to non-motorized boat renters). The mitigation plan will be developed in consultation with groups and agencies such

as the State Department of Fish and Wildlife, King County Marine Patrol, East Lake Washington Audubon Society, Juanita Bay Park volunteer park rangers, and others as necessary.

The East Lake Washington Audubon Society has been consulted on the proposed new text and they are supportive of the mitigation plan language.

At the Council's direction, one additional change to the report eliminates references to the number of slips incorporated in the master plan, as follows: (page 31 of the report)

Day Use Motorized Boat Moorage

Short stay day use moorage is provided outside of the water walk to allow boat access to the park. A gangway and concrete floats are provided for boat ~~(12) 30 foot slips and (2) 40'~~ slips.

All other aspects of the Master Plan report as presented to the City Council on April 18 remain the same.

Attachments:

April 4 Letter from East Lake Washington Audubon Society
Master Plan Report
Resolution

EAST LAKE WASHINGTON AUDUBON SOCIETY

P.O. Box 3115 • Kirkland, WA 98083-3115 • (425) 576-8805 • www.elwas.org

April 4, 2006

Kirkland City Council
123 Fifth Avenue
Kirkland, WA 98033

Re: Juanita Beach Park Draft Master Plan

Dear Councilmembers:

As you know, the East Lake Washington Audubon Society (ELWAS) has been very active in Juanita Bay Park, working on restoration projects, leading bird walks, installing nest boxes and holding events there. We consider Juanita Bay Park to be a very special place, unique among parks in Kirkland and on the entire eastside, and believe that Juanita Beach Park must be a compatible addition to Kirkland parks.

We view Juanita Beach Park primarily as an active recreation park and support the City's plans for this park, although we do have some comments about the Plan as set forth below.

Restoration and Enhancement:
ELWAS fully supports the environmental goals of restoration and enhancement of Juanita Creek and the Lake Washington shoreline buffers in order to improve salmon habitat, and other natural systems enhancements as set forth in the Plan.

Watercraft Activity
Juanita Bay Park's master plan of 1998 sets the park aside as a passive wildlife park for wildlife preservation, and one of its goals is the protection of wildlife. Juanita Bay Park is specifically mentioned in the Comprehensive Park, Open Space and Recreation Plan of 2001 as an example of the City of Kirkland's commitment to managing and protecting the park system's natural and fragile resources. In the Juanita Bay Park Vegetation Plan, that same year, the park is referred to as a sanctuary and a refuge.

We know that human activity can have a profound effect on birds, but existing trails and boardwalks in Juanita Bay Park are laid out in a way that leaves much of the habitat undisturbed. This gives upland birds an adequate amount of protection. But access from the water threatens wildlife from another direction.

The Juanita Beach Park Draft Master Plan includes a rental facility for 40 non-motorized boats and an additional 14 slips for day-use motorized boats. This will provide a wonderful opportunity for people to get out on the lake and to appreciate this body of water from a new

"Raven in Flight" used by permission of artist Tony Angell

perspective. Although paddling and sailing seem like very benign activities, even the presence of a quiet boater causes the birds stress, as they often move away, causing an interruption of their feeding or other activity. This higher level of watercraft activity combined with unlimited access to Juanita Bay Park's shoreline will have a devastating effect on birds near the shore of Juanita Bay Park.

Many birds depend on the sheltered wetlands, shoreline, and open water areas of Juanita Bay to rest, feed, nest and rear their young. Once young ducks have hatched and take to the water – immediately upon hatching - any type of watercraft would be seen as a threat to these new families. Young ducklings cannot swim fast enough to get away, and their parents would become overly stressed at a perceived menace.

One particular species of concern is the Pied-billed Grebe. The grebes' nesting activity in the Park is well documented, and because they are unable to walk on land, and struggle to get to and from their nests any human activity in the Bay will likely cause them to cease nesting in the park. This would be tragic considering the fact that Juanita Bay Park is one of the very few places on Lake Washington where grebes still nest.

In the past when we've voiced our concerns to City Staff about watercraft activity, we were told that there was so little watercraft activity in the bay that this was a non-issue. This would obviously change with the plan currently under consideration.

We know that voluntary compliance with existing signs and regulations is inadequate and that monitoring and enforcement is limited, at best. The Draft Master Plan states, "Boating in Juanita Bay is anticipated to be attractive to many users and some visitors may paddle toward Juanita Bay Park. Educational signage should be provided to minimize the impact of boaters on wildlife habitat. Buoys or logs with signage could be used to identify sensitive areas that are off limits to boaters."

This statement is a clear recognition of the problem, but falls short of properly addressing a meaningful solution. *ELWAS strongly believes that the Juanita Beach Park Master Plan must include a physical barrier of some sort that will keep boaters away from the critical shore areas of Juanita Bay Park, in addition to an educational element.* In addition, the non-motorized boat rental contract should state areas that are off-limits to boaters, such as Juanita Bay. Reading this information and signing the contract would be an important piece of the education effort.

Water Quality and Sediment in Juanita Bay:
We support the use of passive schemes to improve water quality in Juanita Bay. The natural circulation of the lake should be relied upon as the primary method to improve water quality and reduce sedimentation. *ELWAS strongly suggest the use of dredging only as a last resort, as dredging will have a serious effect on the turbidity of the lake.*

Forbes House:
We encourage the City to replace the Forbes House roof using materials other than the historically-accurate wood shingles recommended in the Draft Plan. Wood shingles are not considered a "green" building material. Numerous manufacturers have developed shingles that look historically-accurate, but are made from sustainable, low-maintenance materials.

Lighting:
We believe lighting is an important element and merits more than two sentences on page 33 of the Draft Plan. We believe that the lighting throughout the Park, not only in the active recreation area, should be kept to a minimum, and any required lighting be kept at a "human scale." Excessive light radiates into the night sky, disrupting migration patterns of birds, which depend on the stars for navigation. To diminish the effects of outdoor lights, light standards should be kept as low to the ground as possible and include shields that direct the light downwards.

Planning:
ELWAS attempts to participate in public forums which we consider important. Unfortunately, we were unable to participate in the Juanita Beach Park planning effort at the Citizen Advisory Team level, but were very disappointed to find that among the stakeholders included in the CAT there were no representatives from the environmental community. *It would be our hope that the Parks Department would attempt to include an environmental organization at the CAT level in future planning efforts.*

East Lake Washington Audubon Society is listed in the Draft Plan as an organization with whom to collaborate, and as the plans for Juanita Beach Park go forward we would like to work with the City, especially on any projects that might have an affect on the birds in Juanita Bay. Collaboration with the City in any areas or projects that might affect the birds, wildlife and natural areas of the entire City is important to ELWAS. Juanita Bay and Juanita Beach Parks are very special places to us all, and we appreciate the care taken to protect them.

Thank you for the opportunity to participate in this process. We are all looking forward to the improvements at Juanita Beach Park.

Sincerely,

Christy Anderson
President

Tim McGruder
Conservation Chair

Juanita Beach Park
Master Plan Report

May 1, 2006

Prepared for
City of Kirkland Parks and Community Services

Prepared by
J.A. Brennan Associates, PLLC

In Association with
J.T. Atkins & Company PC
Makers Architecture + Urban Design
Douglass Consulting
TetraTech Inc.
Property Counselors
Landau Associates

ACKNOWLEDGEMENTS

This report represents a collaborative process between the citizens of Kirkland, City of Kirkland Parks and Community Services staff, and various public agencies and/or organizations. By taking the time to participate in public meetings, review documents, and share ideas, the following individuals assisted in insuring the success of this Master Plan effort.

City Council

Mary-Alyce Burleigh, *Mayor*
Joan McBride, *Deputy Mayor*
Dave Asher
Nona Ganz
Jessica Greenway
Jim Lauinger
Dave Russell
David Ramsay, *City Manager*

Park Board

Cindy Zech, *Chair*
Chuck Bartlett, *Vice Chair*
Colleen Cullen
Kevin Hanefeld
Bob Kamuda
Liesl Olson
Bob Sternoff
Jeff Trager

Citizen Advisory Team

Bob Sternoff, *Kirkland Park Board*
Kevin Hanefeld, Kirkland *Park Board*
Terry Cole, *Kirkland Senior Council*
Jack Staudt, *Kirkland Senior Council*
Lucas Bischofberger, *Kirkland Youth Council*
Paul Green, *Kirkland Youth Council*
Brenda Kauffman, *Kirkland Chamber of Commerce*
Greg Butler, *South Juanita Neighborhood Association*
Elisa Bakker, *Kirkland Alliance of Neighborhoods*
Rick Ockerman, *Kirkland National Little League*
John Gebe, *Kirkland National Little League*
Megan Hershberger, *Avalon Bay – Juanita Village*
Merrily Dicks, *Kirkland Heritage Society & Cultural Council*
Kate Krafft, *King County Landmark Commission*
Kathryn Emtman, *Park Neighbor*
Dan Hughes, *Skateboard Advocate*

Parks Staff

Jennifer Schroder, *Director of Parks and Community Services*
Michael Cogle, *Project Manager*
Teresa Sollitto, *Project Coordinator*
Carrie Hite, *Community Services Manager*
Jason Filan, *Park Operations Manager*

Consultants

J.A. Brennan Associates, PLLC
J.T. Atkins & Company PC
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INTRODUCTION

Juanita Beach Park sits on the scenic shores of Lake Washington's Juanita Bay. The bisection of the park by NE Juanita Drive effectively creates two separate park sections, a northern section with active recreation features such as tennis courts and little league fields and a southern section with swimming beach, trails, and over-water pedestrian pier. Juanita Beach Park has a long history of attracting City of Kirkland residents and visitors to the park to enjoy its scenic swimming beach and other park amenities.

This report offers a master plan for revitalizing the much-loved and time-degraded park. New development in the area has resulted in an adjacent village core that will connect to the revitalized park. Park improvements will fulfill the growing community's need for appropriately programmed green and open space. The surrounding residential neighborhoods will be well served by new recreation amenities such as a skateboard park and the Community Commons area. The revitalized park will also attract visitors from throughout the region, as the park has one of best swimming and wading beaches on Lake Washington. Improvements to the shoreline and Juanita Creek will also protect and enhancement the natural environment of the park.

Purpose of the Juanita Beach Park Master Plan

When the City of Kirkland received ownership of Juanita Beach Park from King County in 2002, the City began improving park maintenance standards, as well as initiating the process of planning for future upgrades to the park.

Following a consultant selection process, the City of Kirkland Parks and Community Services hired J.A. Brennan Associates to help develop a Master Plan for the park in 2004. Park staff met with members of the design team and walked the site and discussed historic site uses, opportunities, and constraints. The consultant team began by accumulating background information about the site, revising the site topographic survey, researching regulatory aspects of the project, and gathering information about related projects such as the Juanita Village development.

Park facilities considered during the master planning phase include swimming, picnicking, sports fields and supporting facilities, such as: access and parking, lighting, storm water measures, concession, and restroom facilities. Other park uses considered were passive recreation, playgrounds, picnic areas, shelters, vehicular and pedestrian access and circulation, park maintenance areas, and natural enhancement areas.

The primary objective of the Master Plan is to begin developing Juanita Beach Park into a community and regional park. Specifically, the master planning phase of the project is focused on the design of swimming beach and associated water quality improvements, Little League baseball fields, multi-use play field, related drainage, fencing, bleachers, walkways, parking, access drive, park signage, playground, picnic facilities, hand carry boat launch and rental facility, skate park, and other recreational amenities. Habitat restoration components of the project include vegetation restoration, and stream and lake buffer enhancements.

The City of Kirkland's Recreational Needs

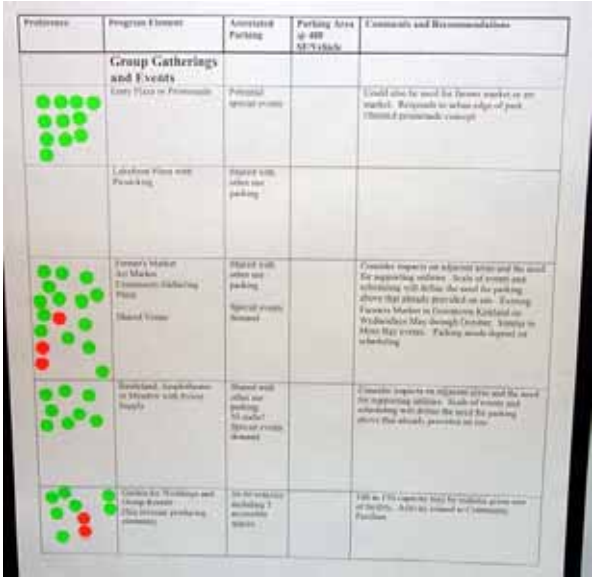
The Juanita Beach Park project will alleviate local and regional need for active recreation play areas that include Little League baseball fields, skateboard facilities, and volleyball courts. Redevelopment of existing recreation areas will provide state-of-the-art facilities that meet user expectations for modern park facilities. Modifications to the pedestrian pier structure and Juanita Creek will improve the quality of the swimming beach, an important focus of the revitalization project.

Design Process

The planning process involved synthesizing input from stakeholders, the public, and the City. An involved public process began with the formation of a Citizen Advisory Team that guided the process along. Members of the Citizen Advisory team represented the community as well as the Park Advisory Board and local sport groups. Six Citizen Advisory Team meetings were held. Four of the Citizen Advisory Team meetings were followed by public meetings, where concerns were heard and design ideas were discussed. An agency meeting with regulators was also held to understand regulatory issues impacting park development.

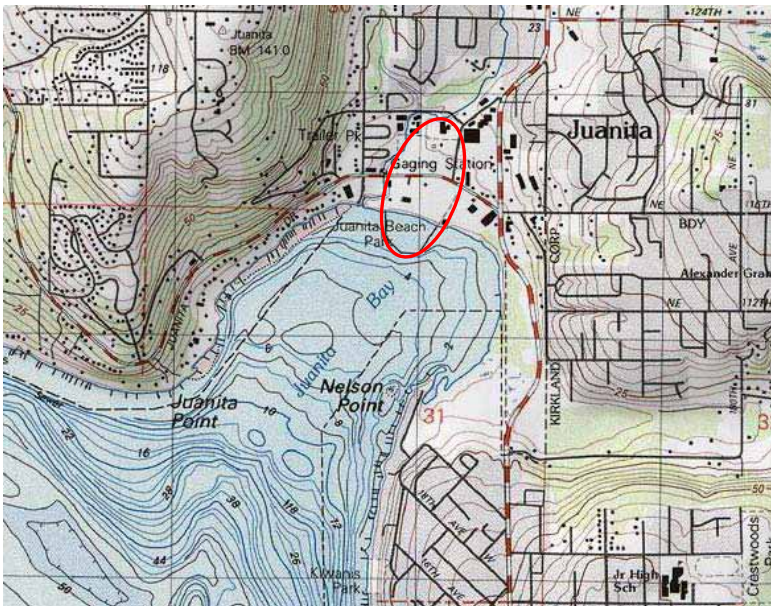
The City's Parks and Community Services Department issued press releases to inform the public about the project's progress and opportunities to become involved in the public process. The City's website also offered updated information about the project on a regular basis. By listening to the community and stakeholders, the team has identified program elements that represent the community's needs and worked with the City of Kirkland to develop an appropriate preferred Master Plan for the park. See Appendix for public meeting notes.

The designers gained a thorough understanding of the site and its context in the community by reviewing extensive site data and the public's input from the first three public meetings, where community needs and desires and uses appropriate to the site were discussed. From this discussion two alternatives were developed. Input was then solicited from the City, the Park Board, and a draft master plan was developed taking elements from each of the alternatives.



Public Meeting attendees were able to express opinions about various program elements during the design process.

Project Location and Site Description



Juanita Beach Park is located in the Juanita neighborhood of the City of Kirkland, on Lake Washington's Juanita Bay. The park is bisected into southern and northern sections by NE Juanita Drive. The park's southern edge is bordered by 1,000 feet of Lake Washington shoreline, where a 1,350 foot long pedestrian pier extends 580 feet into Juanita Bay. The southern section of the park also includes the swimming beach, restroom, meadow areas, picnic areas, and Juanita Creek.

The northern park area includes tennis courts, ballfields, open play areas, the historic Forbes house, and Juanita Creek. King County transferred ownership of the 29.5 acre park to the City of Kirkland in 2002. On November 5, 2002 Kirkland voters voted for slight property tax increase to pay for maintenance and improvements at the park.

EXISTING CONDITIONS / SITE DATA AND ANALYSIS

Cultural Elements

Historic or Cultural Resources

- 1876 Juanita Beach property homesteaded by Dorr and Eliza Forbes
- Urania Dock – ferry Urania and Urania Club House (Scandinavian meeting place from Finn Hill) (west of Forbes property
- 1906 Forbes House/Juanita House: Two story wood frame house
- 1916 Construction of Lake WA Ship Canal caused Lake Washington to drop 8.8 feet, exposing vast expanse of fine white sand at Juanita. Sand shelf extended 500 ft. from shore, only 5 ft deep
- 1921 Forbes and Nelson constructed restrooms and 20x30 foot bath house and opened beach business for day use resort
- 1925 Forbes built open-air kitchen with tables, stove and hot water
- 1928 Forbes built a larger, two-story bath house with jukebox and dance floor, swimsuits for rent
- After WW II Juanita Beach lost its appeal, people went into mountains instead.
- 1957 King County bought the Shady Beach and Sandy Beach properties
- Forbes House/Juanita House: Two story wood frame house, 1906
- Community Landmark designation, City of Kirkland
- King County Parks used for interpretive program offices

Existing Structures

Structure and Location	Size	Description	Comment/Condition
Picnic Shelter #1*(SE):*	24'x38'	Open, wood, post and beam, flat-roofed shelter; not ADA accessible; 3-4 picnic tables, grill box, water and electricity. Reserve for up to 150 persons. Several outdoor grills nearby.	
Picnic Shelter #2 *(SW):*	20'x30'	Half open, wood, post and beam, gable-roofed shelter with 6 tables, nearby fire pit, water and electricity. Reserve for up to 150 persons.	(Preferred)
Bath House:		Built in 1965, CMU building: dressing rooms, restrooms and concession stand	
Parks Maintenance Shop	4,500 SF CMU building	Lacks adjacent supporting yard area and covered vehicle parking	Condition: good. Located within Juanita Creek buffer zone.
Restroom (North of Juanita Drive):	10'x32	Prefabricated' metal restroom building.	Condition: fair to poor.
Concession Stand and Storage shed			Condition: fair exterior condition
Pedestrian Pier/Breakwater		Built in early 1970's; horseshoe-shaped. Projects 580 feet into Juanita Bay from the shoreline. 1350 foot long pier of timber bents and pile caps	Every other plank was removed from the south sections of the pier, where

		which support a concrete deck, and a bent-to-bent wood vertical planking system on the inner and outer faces on the west and south legs of the pier.	greatest wave forces experienced. This modification reduced wave attenuation, but also silted in the diving area. Diving platform. "Juanita Beach Pier Inspection and Condition Report", April 1999, Summit Technology Consulting Engineers, Inc., P.S.
Pedestrian Bridge		Provides access to Picnic Shelter #2 and a large scenic area with views of the Creek and Bay. Timber bridge and timber railings are in good condition. (not ADA accessible, because no ADA path on west side)	

Conclusion: Except for Forbes House, the pier, and the pedestrian bridge, site structures are in poor locations, poor conditions, and/or functionally inadequate.

Existing Recreational Features:

Structure and Location	Description	Comment/Condition
Two ball fields	Poor condition with short outfields (178 LF), inadequate fencing and rough turf. Ball field #1: outfield ranges from 146 LF to 154 LF. Neither field meets Little League standards for regulation play.	Both fields present a potential safety hazard for players, spectators, and other Park users due to location and size.
Tennis Courts	Fenced and lighted; Use: formal and informal games;	Not ADA accessible (no access path); good condition, but require resurfacing; Light glare and noise may disturb neighbors (Inn on the Park); located in the Juanita Creek Buffer zone
Sand Volleyball Courts		
Horse Shoe Pits		
Play Area		new
Swimming Area	Enclosed by pier/breakwater: +/- 190 M x 180 M area	

Land Use and Zoning

The following land uses and zoning regulations impact and/or surround the immediate area of the park:

- High-density multi-family zones: contain detached, attached or stacked dwelling units
- Apartments and Condos flank the southern portion of the park and the west and north sides of the northern portion f the Park.
- Commercial and business zoning: east of the northern portion (east of 97th Ave. NE)
- Spuds Restaurant
- German Retirement Village
- Chelsea at Juanita Village and Avalon Juanita Village east of park
- Proposed: Juanita Village 5, east of park

Paths/Pedestrian Circulation

Pedestrian circulation is an important element of a park's functionality in the community. Because the park is bisected by NE Juanita Drive, safe pedestrian connections are particularly important at Juanita Beach Park. Currently path and pedestrian circulation at the site includes the following elements:

- Sidewalks along NE Juanita Beach Drive
- Safe signalized pedestrian crossing at 97th Ave. NE
- Pedestrian links to surrounding apartments and condominiums
- Secondary pedestrian crossing south of tennis courts
- King County considered construction of a pedestrian underpass or overpass across Juanita Drive, but too expensive ($400,000 to $500,000)
- Two paved paths: One between the Maintenance Shop and western pier entrance (also maintenance vehicle route) intersects the bridge across Juanita Creek. The other path leads from the main parking lot to the bathhouse.
- Pedestrian path along southern boundary of south parking lot (too narrow for ADA), poor condition
- Pedestrian Pier
- Park is largely inaccessible to persons with disabilities due to the lack of ADA-compliant paths connecting facilities.

Traffic, Vehicular Circulation and Parking

The park is accessed by vehicle from NE Juanita Beach Drive, a two-lane road with five foot bike lanes in each direction, planted median and sidewalks or from 97th Avenue NE, also a two-lane road. Access to/from I-405 is 1¼ miles east of the Park on NE 116th St.

Entries:	Main South Entry at 97th Ave NE and NE Juanita Drive (at traffic signal) Main North Entry off 97th Ave NE to gravel parking lot (near intersection) Second North Entry, off 97th Ave. NE to Forbes House loop driveway
Parking:	South lot: approx. 200 Parking spaces North lot: 50 Parking spaces (gravel)

Utilities

Water Supply Systems

- Water lines area located on east side of Park with connections to existing facilities.
- A water meter is located in southern portion of Park, serving both sides of the Park. (King County requested two meters be installed one in each side of the Park as part of the Juanita Drive Improvements Project.

Sanitary Sewer Systems

- Twin sanitary sewer force mains run south across Juanita Drive from the Metro Pump Station and then east along the south side of the Juanita Drive right-of-way.
- Additional lines and manholes: see plan
- Metro Pump Station – existing at NW corner of 93rd Ave. NE

- Juanita Bay Pump Station – new
- It is assumed that existing restrooms still utilize septic tanks.

Stormwater Systems

There are storm sewer lines and catch basins located in the southern portion of the Park. None are visible on the northern portion. Upgrades to the stormwater system will be required in the master plan to improve water quality.

Electricity and Telephone

- The Juanita Drive Improvement Project placed power lines and telephone lines underground along Juanita Drive.
- Services to the Forbes House are from sources along 97th Ave. NE

Natural Systems Elements

Lake Washington

This below memorandum summarizes Tetra Tech's review of sediment, hydrology, water quality and fisheries conditions at Juanita Beach Park and includes recommendations on actions to include in the Master Plan for improving those conditions.

Sediment

A review of historic to current aerial photos (1936, 1960, 1974) of Juanita Beach Park shows that there has always been a very shallow sandy beach and shoreline at the location of the Park beach and the north and east ends of the bay. In the oldest photos, there were long linear piers that went out to deep water, presumably to allow boats to tie up in deeper water. In the early 1970's, King County built the existing pier that entirely encloses Juanita Beach and added planking on the north and west sides, presumably to reduce wave action at the beach, but perhaps also to prevent sediment from Juanita Creek from depositing at the beach. Juanita Creek delivers a significant load of sediment (approximately 20,000 tons/year) including small gravel, sands, and fine silts that are deposited in the bay. It is estimated that 10,000 tons per year to the delta, 4400 tons in the swimming area, and remaining 5200 tons is lost the deep sediments of Lake Washington.

It has to be understood that Juanita Creek has historically been a significant source of sand to the Juanita Beach area. However, it can be assumed that the total delivery of sediment to Lake Washington has increased as the result of urbanization of it watershed. In addition, the particle size distribution may be different today then prior to human development of the basin. Specifically, the sediment delivered to the lake probably is made up of a larger fraction of fines. This is based on the reduced biofiltration capacity of the watershed as land-use changed from forested/vegetated to impervious urban surfaces.
Currently, sediment has deposited to a depth of about 3 feet against the north pier and planking and the reduction in current and wave action has facilitated the deposition of silt and organic material within the pier and at Juanita Beach. There is also a large delta that has built up between Juanita Creek and the pier that was not visible in the historic photos. The prevailing current in the bay is clockwise from west to east and then south. This has likely caused the outward growth of the delta because the planking on the piers prevent the coarser sediment from moving on eastward in the bay. Though the planking reduces the ability for the nearshore current to transport the coarser sediments, the finer silts and calys are likely still transported eastward with some of the silt to be deposited in the sheltered, low energy environment of the beach area.

Options to reduce the sediment buildup are: 1) dredge the delta to a depth of 3-5 feet; 2) dredge up fine sediment at the beach; 3) implement maintenance dredging program at delta to remove sediment every few years; 4) remove the planking on the piers to allow natural sediment movement in the bay; 5) implement sediment detention and removal in the creek basin to reduce sediment load into the lake; 6) reduce sources of sediment in the basin.

Because the prevailing winds during the summer are from the north and northwest and the fetch is very small in Juanita Bay from that direction, the planking on the piers does not appear to provide any useful measure of wave reduction or increased swimmer safety when the beach will primarily be used. During the winter, the prevailing winds are from the south and southwest, with a very long fetch directly towards the beach. However, the historic aerial photos do not indicate that wave action significantly affected the shallow beach, although it may have removed fine sediments (silts and organics) that had deposited along the beach. Thus, removal of the planking on the piers appears to be an easy method to allow natural water and sediment circulation around the bay and provide winter scour to remove some of the fine sediment deposited at the beach. This would help restore the beach to its historic condition. How rapidly this would occur is difficult to estimate and initial dredging of the delta may help facilitate a quicker return to the historic condition. Removal of the planking would however, allow sediment to be deposited in the shallow area down current of the beach as in historic conditions. Thus, additional sand would likely be delivered to the docks immediately to the east of the swim beach.

It should also be noted that removal of the planking would allow eastward movement of sand currently deposited in the delta and into the swim area. This could initially create a slug of sand moving through the beach area and through areas beyond the beach. This possibility should be investigated further and if necessary, considerations of dredging the delta deposits to prevent such an occurrence should be considered.

Options to manage the sediment loading to the lake include upstream bank stabilization and stormwater runoff best management practices within the Juanita Creek drainage basin. Within the park, side channel floodplain connectivity could be provided to help trap sediments in small storm events, less than two year.

Hydrology

Juanita Creek is approximately 3 miles in length, with approximately 9 miles of open stream in the basin. The watershed area is 6.6 mi^2. Base flows in Juanita Creek are approximately 5 cfs (with minimum discharges of 2-3 cfs). Juanita Creek flows have been modified as a result of urbanization and removal of forested cover in the basin and can be considered to be typical of urban stream in western Washington with higher peak flows and larger runoff volumes during storm events. Annual peak flows range from 90-270 cfs.

Prevailing winds and wave energy in Juanita Bay are from the southwest and south in the winter (5 mile fetch from southwest on Lake Washington; 4.3 mile fetch from the south) and from the northwest and north in the summer (beach is largely protected; only 0.1 mile fetch). The current flows clockwise around the bay from the west to east and then south.

Lake Washington elevation fluctuates by two feet and is controlled by the U.S. Army Corps of Engineers at the Hiram Chittenden Locks. The lake level is controlled to provide flood storage in the winter months and to provide sufficient water supply for navigation and fish enhancement at the Locks during the spring, summer, and fall. The lake is typically at its lowest level (Elevation 20) starting in October and continuing until February, when the Corps begins to slowly fill the lake back to its high level (Elevation

22) reached in April-May. The pre-lock level (prior to 1917) of Lake Washington was approximately 30 feet-MLLW.

1. Options to restore a portion of the natural hydrologic functions to Juanita Creek and Juanita Bay include: restore floodplain and floodplain wetlands/side channels along Juanita Creek;
2. provide upstream stormwater detention;
3. remove baffles on pier to restore natural bay circulation;
4. remove or raise a portion of the encircling pier to restore natural wave energy and bay circulation;
5. perform dredging to remove portions of the delta that have grown out into Lake Washington as a result of the blockage of sand transport by the pier baffles.

Water Quality

Juanita Creek is listed on the Washington Department of Ecology's draft 2002/2004 303(d) list for water quality impairments including dissolved oxygen, fecal coliform, temperature, mercury, pH, alpha-Endosulfan, ammonia-N, arsenic, beta-Endosulfan, cadmium, chlorpyrifos, chromium, copper, Endosulfan, hexachlorobenzene, lead, nickel, pentachlorophenol, selenium, silver, and zinc. The USGS found 17 pesticides during a storm event in 1998, which was the highest number detected in that larger King County survey (Voss and Embrey 2000 cited in Kerwin 2001). The water quality impairments in Juanita Creek adversely affect the fish and aquatic food web.

Of particular concern to Juanita Beach Park, are the high levels of fecal coliform after storms. Juanita Beach is frequently closed during the summer season due to dangerous levels of coliform bacteria in the lake water. It is likely that the high levels of bacteria in the bay are due to a combination of fecal coliform from the creek, direct runoff from the park and adjacent lawns (high amounts of geese and duck feces at the park), and potential leakage from the old sewer pipe that runs under the beach (although this was not indicated by the RNA tracking performed by King County, personal communication Jonathan Frodge, 2005). Bacteria can bind to fine sediments and organic matter, such as is present all along the beach inside the ring pier, although previous investigations at Juanita Beach have failed to demonstrate that the sediments at the beach are in fact a source of bacterial contamination (J. Frodge, personal communication 2005). The main body of water within Lake Washington has good water quality and does not reflect any of the problems documented for Juanita Creek of the swim beach. To improve the water quality at the beach for all parameters there is a need to promote more exchange of water with the open water of the lake. In previous years King County installed a pump to try to get more exchange, but it was undersized relative the volume of water that needs to move through the beach area to avoid water quality problems.

Options to improve water quality at the beach and in the creek include: 1) reduce sources of pollutants in Juanita Creek basin through stormwater BMPs; 2) restore floodplain wetlands to filter pollutants; 3) create a high flow sand filtration system to filter creek flows; 4) reduce attractiveness of park to geese and ducks by reducing area of lawn adjacent to the beach and creating a visual barrier using shrubs to reduce their direct access from the water to lawn; 5) create swales and rain garden to filter runoff from the park prior to entering the bay or creek; 6) remove planking on piers to restore natural circulation and wave action to scour fine sediments away from beach; 7) investigate the integrity status of the sewer pipe adjacent to the beach to ensure it is not leaking; 8) reduce runoff in park by repaving parking area with pervious pavement, reducing lawn area especially with inadequate drainage and attraction to waterfowl for feeding, reducing other pervious surfaces.

Reducing fine sediment deposition along the beach, increasing lake–beach circulation, and reducing direct runoff from fecal material from the park will be the most significant in reducing fecal coliform concentrations at the beach.

Fisheries and Fish Habitat

Juanita Creek and Juanita Beach both provide potential habitat for a variety of fish species. Species that are known to be present, or are likely to be present, in Juanita Creek include coho and sockeye salmon, kokanee, cutthroat and rainbow trout, longfin smelt, lamprey, three-spine stickleback, largescale sucker, dace, shiner, sculpins, and crayfish. Species that utilize the shoreline and beach area likely include chinook, coho, and sockeye salmon, steelhead, cutthroat and rainbow trout, peamouth chub, yellow perch, northern pikeminnow, largescale sucker, sunfish, bullhead, largemouth bass, smallmouth bass, carp, sculpins, and crayfish. (King County 2002; Kerwin 2001; Martz *et al* 1996)

The habitat in Juanita Creek was assessed by King County (2002) in 2000. In general, throughout the watershed, bank stability is poor in many locations, the riparian vegetation is limited in width and percent canopy, very few pieces of large woody debris (LWD) are present and they are predominantly small diameter alder, pool frequency is low, and pool quality is low. Particular problems included significant quantities of fine sediment in most reaches; the only suitable spawning gravel is in the park and in their surveyed Segment 4 (just downstream of 141st St). Pools throughout the creek, while moderately frequent, are all very shallow and do not provide sufficient depth or cover. Several potential fish passage barriers are present upstream of 141st Street.

In the lower segment of the creek, including Juanita Beach Park, the riparian zone was only 21% forested, primarily with young alders (*Alnus rubra*), with significant presence of blackberry (*Rubus armeniacus*) and reed canary grass (*Phalaris arundinaceae*) and mowed lawn in the park. Purple loosestrife (Lythrum salicaria) and Japanese knotweed (*Polygonum cuspidatum*) are also present. The stream banks are eroding in several locations in the park on the outside of meander bends. Many banks have been armored, including banks with low risk of erosion. While pools are riffles are present between Juanita Drive and the pedestrian bridge at the upper end of the park, the channel is incised and appears to be entirely disconnected from the floodplain. Downstream of Juanita Drive, the creek floods into the park frequently, a maintenance building is located immediately adjacent to the left bank and the channel appears to have been moved to the edge of the park to bring it as far away from the swimming beach as possible.

The Lake Washington shoreline along Juanita Beach is shallow water with sandy or silty/organic substrate and minimal vegetation. No wood or overhanging vegetation for cover is present along the shoreline at the park. To the southeast of the park are the extensive wetlands in Juanita Bay Park. This area is indicative of the historic shoreline condition in Juanita Bay.

The historic condition in the basin was coniferous forest with Douglas fir (*Pseudotsuga menziesii*), western red cedar (*Thuja plicata*), western hemlock (*Tsuga heterophylla*), with likely alder, willows (*Salix* sp.) and cottonwood (*Populus balsamifera*) along the creek and lakeshore. The 1936 aerial photos show much of the basin forested, even after 50 years of timber harvest and development. Current photos show much of the watershed developed to residential and commercial uses. Although Juanita Creek has generally always flowed through a narrow ravine and narrow floodplain, much of that former floodplain has now been developed. The park downstream of Juanita Drive now serves as the only floodplain available.

High quality salmonid habitat is characterized by a diversity of pools, riffles, glides, side channels, wetlands, and oxbows to provide suitable habitat during multiple life history stages such as spawning, rearing, refuge, and adult holding and migration. Large woody debris is believed to play a major role in the formation of habitats in the Pacific northwest via energy dissipation, pool formation, sediment retention, and provision of cover (Maser *et al* 1988; Bilby and Ward 1991; Harmon *et al* 1986 all cited in King County 2002). In Lake Washington, salmonids use the shoreline for short-term rearing and migration. Key features that chinook appear to utilize are shallow shorelines with sandy or small gravel substrate, overhanging vegetation, and small woody debris (Tabor *et al* 2004). Sockeye fry were also

commonly encountered at a shallow sandy beach with natural vegetation adjacent to the Cedar River mouth in 1994 and 1995 (Martz *et al* 1996).

Numerous opportunities for habitat restoration and enhancement exist along Juanita Creek and Juanita Beach including: 1) excavate floodplain side channels/wetlands along Juanita Creek downstream of pedestrian bridge, in lower park where frequently flooded, where maintenance building currently resides; 2) remove maintenance building and restore riparian and create floodplain; 3) remove armoring on banks except where absolutely necessary; 4) slope banks back and revegetation; 5) restore riparian zone; 6) place LWD in the channel; 7) restore shoreline between north pier and creek mouth to natural vegetation such as willows and cottonwoods to provide buffer and overhanging vegetation; 8) place small woody debris along shoreline in clumps, best to be associated with overhanging vegetation; 9) revegetate clumps of willows along shoreline at swimming beach or eastern edge of property, in select locations to provide overhanging vegetation.

Geotechnical and Soils

- Indianola soils – along streams and lakes, excessively drained soils
- Alluvium and glacial till: along NE Juanita Drive
- Sandy beach: sands imported over the years that overlay stream deposits of silty sands and gravels.

Juanita Creek

Juanita Creek is a perennial creek that flows from the north to the south through the park and has its mouth on Lake Washington through the beach portion of Juanita Beach Park. It is located in the Juanita Creek Drainage Basin, a Primary Drainage Basin under the City of Kirkland Code (KZC). Juanita Creek is used by resident salmonids and anadromous salmonids. In the northern portion of the park where the creek enters the park, flows are relatively shallow with areas of gravel and cobble-lined glide habitat. The creek deepens as it flows under NE Juanita Drive and turns to the west and flows to the mouth of the creek. The channel is deeper near the mouth and has a sand/mud bottom. The creek channel has been realigned in locations and is influenced by upstream sedimentation, bank incising, and areas of bank armoring.

The riparian zone along the creek is highly urbanized with areas of lawn and foot traffic up to the edge of the creek. There are also areas where shrubs and trees provide some vegetative buffer in the northern portion of the park. Himalayan blackberry (Rubus armeniacus) dominates the shrub layer in many locations and competes with the native vegetation. The minimal vegetative cover within the riparian zone has allowed for easy access to the channel and foot traffic has eroded the creek banks in some locations.

Juanita Creek is rated as a Type A stream by the City of Kirkland code due to the use of the creek by salmonid species. Required buffers on Type A streams within Primary Drainage Basins are a minimum of 75 feet wide per the KZC Chapter 90.90. The City requires a 10-foot building setback from the stream buffer (KZC 90.45 and 90.90).

Opportunities for enhancement of Juanita Creek as it flows through Juanita Beach Park are numerous. The recent Stream Inventory Report prepared by Parametrix (2004) identifies numerous opportunities to restore and enhance the creeks. Some key opportunities include:

- Control upstream sedimentation inputs to moderate sedimentation within the creek channel.

- Remove the failed bank armoring and replace with bio-engineered approaches to channel stabilization.
- Remove invasive species within the stream buffer.
- Establish a wider buffer for the creek by planting native species within the 75-foot buffer.
- Develop trails in the outer 50% of the buffer to allow some human access along the creek, but minimize uncontrolled access to the creek banks.
- Relocate buildings currently located within the 75-foot creek buffer to outside the creek buffer.

Wetlands

Three reviews of wetland boundaries have been performed at the Juanita Creek Park property to date:

1. Wetlands, Stream, and Wildlife Report prepared by B-Twelve Associates, Inc. August 1999 (incorporated into the Juanita Beach Park Site Inventory and Analysis Report in August 1999).
2. Wetland Delineation Report prepared for the Juanita Bay Pump Station and Forcemain Upgrade Project, prepared by HDR in July 2002; and
3. Memorandum summarizing peer review of the HDR Wetland Delineation Report prepared by Adolfson Associates, Inc. in September 2002.

Additionally, a review of wetland buffers, Shoreline Management Act regulations, and Endangered Species Act implications that relate to potential redevelopment at Juanita Beach Park was prepared by The Watershed Company in July 2001.

The 1999 wetland delineation conducted by B-Twelve identified two large wetland areas along the shoreline at Juanita Beach Park, Wetland A and Wetland B. These areas were identified based on observations of soil conditions and inference of hydrology. Because the two areas are located in mowed grass areas of the park, vegetation was not used as a decisive parameter for the wetland determination. No data sheets or hydrologic monitoring data was provided with this wetland delineation, without which specific soil conditions and hydrologic conditions observed cannot be confirmed.

The 2002 wetland delineation conducted by HDR identified two small wetland areas adjacent to Juanita Creek, but disagreed with the B-Twelve delineation regarding the two large wetland areas identified in the mowed grass area along the shoreline. HDR used hydric soil criterion developed specifically for sandy soils such as those found at Juanita Beach Park and determined that the soils in these locations did not meet the necessary criterion for sandy hydric soils. The report also refers to multiple visits to the site to observe hydrologic conditions, and based on these observations, determined that the wetland hydrology parameter was not met in the two areas determined to be wetland in the 1999 wetland determination. The 2002 HDR wetland determination report includes data sheets. However, data for hydrologic monitoring conducted during the multiple site visits was not included in the report.

The 2002 memorandum prepared by Adolfson reviewing the 2002 HDR report indicated that their biologists were in agreement with the location of the two wetlands identified adjacent to Juanita Creek, but indicated that three other wetlands were also present adjacent to the creek. The review also requested hydrologic monitoring data to document HDRs observances of hydrologic conditions in the areas previously delineated as wetland by B-Twelve in 1999.

Issues regarding wetland boundaries to be resolved include:

1. Are the two areas delineated by B-Twelve in 1999 jurisdictional wetlands or not?

Resolution of this question is important as these two wetland areas are large and have significant buffers. If present, they represent significant limitations to development in this area of the park.

Potential methods for resolving this question include:

- Contacting HDR to request any hydrologic data collected; and
- Conduct hydrologic monitoring within these areas through the first three months of the growing season in 2005 (March, April, May, and potentially June).

This data, in combination with the existing soil data, should clarify the presence or absence of wetlands in these areas. Ideally, a redelineation of these areas would be confirmed by the US Army Corps of Engineers (USACE), as the USACE has final jurisdiction over determination of wetland boundaries. However, it is difficult to obtain USACE review for a project unless there is a specific USACE permit application submitted. A Master Plan level of design does not generate a USACE permit as these are typically prepared at the time of project development.

2. Are there additional wetlands along Juanita Creek that are not shown on the 2002 HDR wetland determination, as indicated in the 2002 Adolfson review memorandum?

- Potential methods for resolving this question include:
- Contacting HDR and requesting any data collected along the Juanita Creek that was not included in the wetland determination report. The report is thorough and it is unlikely that there is additional data available.
- Conduct another wetland determination to clarify the presence of absence of wetlands along Juanita Creek.

Resolution of the wetland locations and boundaries is an important first step to identifying the permitting issues associated with various Master Plan designs and establishing predictability for the permitting process. For the purpose of designing a Master Plan for Juanita Beach Park, and based on the above information, it is recommended that the design incorporate the four wetland areas identified along Juanita Creek by HDR and Adolfson Associates, jointly. The two areas identified as wetland by B-Twelve will need further documentation to confirm their presence or absence but it is recommended that these areas not be identified as wetland for master planning purposes.

The wetlands along Juanita Creek would be classified as Type 1 wetlands because the wetland is contiguous with Lake Washington and adjacent to Juanita Creek, both water bodies that provide habitat for federally-listed fish species. The wetlands are all located within a Primary Drainage Basin and therefore, buffers on the wetlands along Juanita Creek would be 100 feet wide per the KZC Chapter 90.45. As with Juanita Creek, a 10-foot building setback from the buffer is required.

Opportunities for enhancement of the wetlands adjacent to Juanita Creek in Juanita Beach Park are numerous. Some key opportunities include:

- Restore and enhance vegetation within the wetlands by planting native wetland species.
- Diversify the vegetation structure and species by planting a mixture of trees, shrubs, and herbaceous species.
- Remove invasive species within the wetlands.
- Establish a wider buffer for the wetlands by planting native species within the 100-foot buffer.
- Relocate buildings currently located within the 100-foot wetland buffer to outside the wetland buffer.

- Develop trails in the outer 50% of the buffer to allow some human access along the wetlands and creek, but minimize uncontrolled access to the creek banks.

Vegetation

Vegetation at Juanita Beach Park is highly urbanized and consists mostly of non-native landscape species. Along Lake Washington, south of NE Juanita Drive, vegetation is characterized by lawn grass species with plantings of landscaped trees, including black cottonwood (Populus balsamifera), Scarlet oak, and willow. On the north side of NE Juanita Drive are more large areas of lawn grass species with landscape tree species. Many of the trees, especially the cottonwoods (150 Cottonwoods were planted by Forbes in 1925) are reaching the end of their life spans.

Opportunities for enhancement of the vegetation at Juanita Beach Park are numerous. Some key opportunities are included in the Juanita Beach Park Natural Resource Inventory and Analysis Report.

Wildlife

Although Juanita Beach Park has some function as a wildlife refuge within the larger urban environment, the habitat has been degraded through human impact and lack of vegetative diversity. Wildlife habitat in the park is degraded by expanses of non-native lawn grass species and stands of invasive plant species, including primarily Himalayan blackberry. In addition, predatory animals including bullfrogs and domestic cats are a threat to the survival of small mammals, amphibians, and birds in the park. Wildlife at Juanita Beach Park is typical of an urban waterfront park with gulls, ducks, and Canada geese dominating the avian species along the shoreline. The heavy use of the park by Canada geese especially is noted to contribute to waste and water quality issues along the shoreline.

The presence of federally-listed threatened and endangered species is identified within the park in the shoreline environments of Lake Washington and Juanita Creek. Federally-protected fish species in these water bodies include:

- Chinook salmon (*Oncorhynchus tshawytscha*)(threatened) and present in Lake Washington, with potential presence in Juanita Creek only;
- Coho salmon (*Oncorhynchus kisutch*); and
- Cutthroat trout (*Oncorhynchus clarki*)

State-listed fish species identified at Juanita Creek Park include:

- longfin smelt (*Spirinchus thaleichthys*);
- sockeye salmon (*Oncorhynchus nerka*), and
- kokanee (*Oncorhynchus nerka*).

The nearest bald eagle nest is identified by the Washington Department of Fish and Wildlife (WDFW) priority habitats and species maps as being located 1.2 miles to the west of Juanita Beach Park (WDFW pers. comm. 12/6/04). Based on studies of wildlife use at the nearby Juanita Bay Park in 1992 (Watershed Dynamics 1992), other state-listed sensitive species that have the potential to be present at Juanita Beach Park include: great blue heron (*Ardea herodias*), bufflehead (*Bucelphala albeola*), hooded merganser (*Lophodytes cucullatus*), and western pond turtle (*Clemmys marmorata*). All of these species except for western pond turtle were identified at Juanita Bay Park during the 1992 wildlife study and have the potential to be found at Juanita Beach Park also.

See the *Juanita Beach Park Natural Resource Inventory* report for additional wildlife data and enhancement opportunities.

PROGRAM OPPORTUNITIES

In order to develop park programming appropriate to the site, the design team worked with the City, the Citizens Advisory Team (CAT), and the public to create a vision for the park that was based on community input and the site's context. Goals for the park revitalization led to appropriate programming for the park.

Vision Statement

Juanita Beach Park is a family friendly, multi-generational community park that fits the scale, character, and history of the park site and the surrounding neighborhood. The park provides waterfront access and a balanced mix of active and passive recreation opportunities while protecting and enhancing the natural environment.

Goals

Park Integration Goals:

- Link park to surrounding community
- Unify north and south sides of the park
- Buffer parking lot views
- Encourage bike and pedestrian access

Recreation Goals:

- Create multi-use recreational facilities where possible
- Develop facilities that respond to the needs of the community
- Provide recreation appropriate to the site character
- Balance development with environmental issues
- Balance active and passive recreation activities

Environmental Stewardship Goals:

- Enhance Juanita Creek to create a healthy stream environment. (This could include the reach within the park and up-stream reaches)
- Create a salmon and wildlife friendly shoreline
- Enhance and restore wetlands
- Educate the visitors about habitat values

Community-Building Goals:

- Create community gathering areas
- Create sense of community ownership
- Consider adopt a park opportunities

Aesthetic Goals:

- Buildings should not dominate the landscape
- Provide aesthetically pleasing night lighting
- Create naturalistic landforms

- Improve the visual quality of the shoreline
- Maintain framed views of the lake

Historical Resources Goals:

- Maintain and restore Forbes House and associated landscape
- Provide appropriate interpretation of area history
- Protect cultural resources

Revenue Goals:

- Develop revenue opportunities that can contribute funds to operations and/or development of the Park.
- Include commercial activities that enhance the experience of park users and fit the park's character
- Attract users that can support other businesses in the surrounding commercial district

Maintenance Goals:

- Consider the cost / benefits of dredging the swimming area
- Create a park in balance with maintenance resources

Park Program

Through extensive meetings with the public, CAT, City staff, the Park Board, and City Council the designers developed the programming elements for the park. The two alternative concepts developed take these program elements to the next step, integrating ideas and concepts into the site.

Program Element	Associated Parking	Parking Area @ 400 SF/Vehicle	Comments and Recommendations
Passive Recreation			
Picnic Areas	10 spaces per shelter, or minimum group area 2 cars per picnic table	4,000 SF	Group picnic (minimum 25 people) Family & individual picnicking
Lakefront Promenade	Shared with other use parking		Walkway adjacent to the beach that leads visitors to beach access points, the water walk and other view points. Enhances goose control
Forbes House Garden	Shared with multi-use playfield parking		Entry garden used for events as well as landscape feature. Consider historical context of the garden
Interpretive Trails, Signage, Shelters, & Wayfinding	Shared with other uses		Located in selected areas to present information about the environment that is being viewed
Active Recreation			

Program Element	Associated Parking	Parking Area @ 400 SF/Vehicle	Comments and Recommendations
Multi-use Playfield	20 to 60 vehicles if used concurrently with other recreational elements Could be shared use if scheduled properly	8,000-24,000 SF	Informal play lawn for various sports and activities, such as soccer, football, Frisbee, etc. Could be more than one playfield of varying size
Little League Baseball Field	62 spaces per field including 3 accessible spaces	24,800 SF	2 fields exist – consider relocating and improving fields, could reduce to one field, or could eliminate fields and use for other activities. Consider orientation of fields and facility location 205' foul lines, 215' center field, 50' to 60' infield Little league season is from March to mid June. Opportunity to share parking with swimming which starts mid June
Skate Park	Assume 20 vehicles	4,000 SF	Minimum the size (approximately 40FTx80FT) or up to 14,000 S.F. Should be more challenging than skate park at Peter Kirk. Provide good visibility and access. Consider other teen and young adult activities in area such as rock climbing, and space nets
Basketball **Multi-Use Sport Court**	10 spaces per court including a accessible space	4,000 SF per court	Consider ½ court and full court basketball. Potential multi-use sport court Badminton, pickle ball, basketball
Tennis Courts	3-4 spaces per court	1600 SF per court	Relocate tennis courts, resurface existing courts, or eliminate. Existing tennis court are lighted
Participatory Fountain **Spray Park**	Shared with other use parking		Consider location in association with playground, beach area or beach plaza area. Could be sculptural element of more of a package play feature
Water & Beach Related Recreation			
Day Use Moorage	Shared with other use parking		Consider use of portion of water walk for short-term day moorage if water depth is adequate. Locate floating docks on outside of water walk

Program Element	Associated Parking	Parking Area @ 400 SF/Vehicle	Comments and Recommendations
Hand Carry Boat Launch. Wind surf and kite board rigging & launching	Shared with other uses Parking 6 stalls	2,400 S.F.	Requires relatively close vehicle access to unload equipment and access to open water. Grass rigging areas desirable. Consider load and un-load zone for peak use
Small Boat Rental Facility (Canoe, Kayak, Paddle Boat, Sail Boats)	Assume 30 vehicle spaces including 3 accessible space	12,000 SF	Facility would require relatively close service access and a connection to open water. Parking figure assumes 40 boats. Enatai has 80 boats, all of which might be out at once on sunny day. Boathouse is 2400 square feet. Ideal facility would include 4-foot wide floating dock with finger piers for launch and return
Swimming Beach	50 SF of beach area and water area per person. 50 – 270 vehicles 6 vehicles	135' x 600' if 200 stall 81,000 S.F. 2400 SF Lifeguard house	Consider the "carrying capacity" of the area adjacent to the beach regarding the amount of parking that is appropriate for that park area. The existing parking lot holds approximately 200 vehicles. At 3 people per vehicle that equals 600 people (requiring 30,000 SF of beach area). The existing beach area is approximately 40,000 SF. Using the 50 SF/person standard, the existing beach can accommodate 800 people requiring approximately 270 parking spaces Consider options for swimming facilities. Existing formal swimming area is enclosed by water walk and protected by breakwater. Consider modification of pier to T pier, complete or partial removal of breakwater, lifeguard facilities, water depths, and dredging options See water quality section. Lake scientists indicate that with intervention water can be safe for swimming Men's and woman's restrooms, changing area, life guard office and first aid, indoor or outdoor shower, storage area, link to possible concession Life Guard Facilities
Outdoor Classroom	Shared with other use parking		Could be associated with a shelter, small-scale plaza, amphitheater, or open lawn area. Consider solar orientation
Group Gatherings and Events			
Entry Plaza or Promenade	Potential special events		Could also be used for farmer market or art market. Responds to urban edge of park. Olmsted promenade concept
Lakefront Plaza with Picnicking	Shared with other use parking		

Program Element	Associated Parking	Parking Area @ 400 SF/Vehicle	Comments and Recommendations
Farmer's Market **Art Market** **Community Gathering Plaza** **Shared Venue**	Shared with other use parking Special events demand		Consider impacts on adjacent areas and the need for supporting utilities. Scale of events and scheduling will define the need for parking above that already provided on site. Existing Farmers Market in Downtown Kirkland on Wednesdays May through October. Similar to Moss Bay events. Parking needs depend on scheduling
Bandstand, Amphitheater or Meadow with Power Supply	Shared with other use parking 50 stalls? Special events demand		Consider impacts on adjacent areas and the need for supporting utilities. Scale of events and scheduling will define the need for parking above that already provided on site
Garden for Weddings and Group Rentals **(See revenue producing elements)**	30-50 vehicles including 3 accessible spaces		100 to 150 capacity may be realistic given size of facility. Activity related to Community Pavilion
Forbes House as support facility for outdoor rental events (e.g. restrooms, changing, and setup)			
Community Pavilion	Assume (100 to 150) guests at an event – average of 3 people per vehicle. 30 –50 vehicles		Rental Facility for community meetings and programs. Weekday uses to complement weekend rentals for weddings banquets, and receptions. Could be at Forbes house, near Forbes house or by lake
Plaza / Garden Space	Shared use		Near Forbes house and / or by events rental element. Multi purpose plaza space. Creative focal point
Revenue Producing Elements			
Event Facility Rental	See Community Pavilion		Weddings Meetings Corporate Use at Forbes House or new facility
Commercial Recreation			Appropriate use and scale Boat rental Others?
Food/ Restaurant Concession			Trailer Pad Snack Bar Small Restaurant Range of scale
Entertainment Events			

MASTER PLAN ALTERNATIVES

Park Theme and Character Alternatives

The following themes and alternative characters were discussed in public meetings and at CAT meetings to help focus on the design of park. The designers and City staff considered a range of possibilities.

Landscape Alternatives Considered

- Wild landscape character
- Naturalistic landscape character
- Formal landscape character
- Open landscape character
- Park room concept – defined spaces
- Ecological landscape / edges / patterns/ diversity / corridors / structure

Architectural Alternatives Considered

Character

- Rustic architectural character
- Craftsmen architectural character
- Modern architectural character

Site Planning and Massing

- Building programs clustered
- Building organized around meadows or plazas
- Buildings tucked into landforms or vegetation edges

Experiential Quality Discussion

The discussion about the experiential quality of the park resulted a few different design ideas:

The park could be developed to define a consistent character that is homogeneous throughout, or alternatively a series of park rooms could be developed each with a different character, however the rooms would achieve unity by repeating materials and forms to tie the park together. In no case should the park be fragmented and chaotic.

Transitions in one alternative could lead the visitor through a series of spaces ranging from formal on the urban edge to wild along the stream or within the natural shoreline buffer.

Another alternative could provide a naturalistic feel immediately from the edge of the park creating a green oasis juxtaposed with the urban setting of the project.

ALTERNATIVE CONCEPT 1
JUANITA BEACH PARK MASTER PLAN
CITY OF KIRKLAND PARKS AND COMMUNITY SERVICES
DATE: 6-06-05
FIGURE:

ALTERNATIVE CONCEPT 2
JUANITA BEACH PARK MASTER PLAN
CITY OF KIRKLAND PARKS AND COMMUNITY SERVICES
DATE: 06-06-05
FIGURE:

Alternative Description

This table is provided to highlight differences between the two alternative designs to be presented at public meeting number three. Note that various elements can be selected from either alternative or recombined to create the preferred alternative design.

There are many elements common to both alternatives such as preserving and enhancing stream and lake buffers, water quality improvement measures, loop paths for strolling and interpretation, and passive recreation amenities.

Park Element	Alternative No. 1	Alternative No. 2
N. Side Parking	Parking south and east boarders	Parking north and east boarders
S. Side Parking	Arched parking lot. This allows for the retention of some of the trees along Juanita Drive	Parking located along Juanita Drive, parallel to the roadway. Most of the trees along Juanita Drive removed. Some could be saved in parking lot islands. Fingers of green extend from Juanita drive to the lake
Community Events Plaza	Located along 97th Ave. Promenade leading from village to Juanita Drive	Located along shoreline as part of waterfront promenade. Provide service access from parking lot
Community Commons W/ Amphitheater	Small scale amphitheater (120' x 60') centrally located along shore. Minimize or omit bandstand	Larger amphitheater 200' x 175') centrally located along shore
Multi-use Playfield	Locate north toward northern property line. Provide minimum 15' buffer	Locate south toward Juanita Drive and southern property line
Skate Park	Locate adjacent to tennis court. Note that this will be close to parking located along Juanita Drive	Locate east of multi-use playfield near entry plaza.
Restroom	Combine with boathouse & Bathhouse on west side of park shoreline near stream buffer	Central location between bathhouse and amphitheater
Boathouse	Boathouse provided, include kiosk on dock for life jacket and sales	No Boathouse provided
Waterfront Promenade	The promenade has a more sinuous or meandering form	The promenade is simpler in form allowing for integration of community gathering plaza

Public Reaction to the Master Plan Alternatives

At public meeting number three, where the alternatives were presented to the public, the general consensus was that the design for the northern park section from Option 2 was preferred and the southern park section from Option 1 was preferred. See graphics attached.

Please refer to the Appendix for more specific meeting notes from each of the public meetings.

PREFERRED MASTER PLAN

Juanita Beach Park, a Green and Blue Oasis

Working collaboratively with the City and the public, the design team developed a Master Plan that will create a healthy place for the City with both passive and active recreational elements meeting the needs of the community and regional park users. Meeting the needs of diverse users, from people to fish, the new Juanita Beach Park is about putting smiles on the faces of children and adults. Lake and beach access, beach volleyball, multi-use recreational fields, picnic facilities, boating facilities, a skate park, and community activity areas will coalesce to create a special place for Kirkland residents. Juanita Beach Park will be a place where the community can come together to recreate and enjoy healthy and life-sustaining activities. (See Appendix, Figures - and - for Master Plan graphics.)

Park Theme and Character

Juanita Beach Park character is defined by the history of lakefront recreation within the region as well as the history of recreational use on the site. The Forbes House provides an important historic treasure for the park. This park history is complemented by the natural landscape that defines the edges of Juanita Creek and the trees and lawn that define the remainder of the park. The landscape patterns and Juanita Drive divide the park into a series of use areas and outdoor rooms that define distinctive areas of the park. The north area is defined by attractive tree plantings, lawn areas, play fields and the Juanita Creek natural area to the west. The southern park area is defined by trees and lawn, a large parking area, the beach and pier. The connection of Juanita Creek to Lake Washington is an important landscape element for the park.

The park is developed to present a character that is consistent thematically throughout the park. The design is carefully integrated into the park's setting at Juanita Village to promote use and access, and compatibility with the park surroundings. Unity is achieved in design by repeating materials and forms that tie the park together. This is important to connect the park experience across Juanita Drive.

Architectural Character/ Site Planning and Massing

Buildings are developed with a craftsmen style architectural character that strongly ties to the parks natural landscape, open lawn character and the historic recreational use of the site. The buildings are sited at the edges of the lawn and plaza areas to assist in defining the spaces. The building scale and locations complements and reinforces the landscape character and provide focal points for park visitors. Buildings are tucked into gentle landforms or vegetation edges.

Plan Description

Juanita Beach Park is a unique mix of landscapes, open space and recreational opportunities within a rapidly growing area of Kirkland. The park provides open lawns for organized and informal games, natural landscapes that define the course of the Juanita Creek as it meanders through the park and access to the Lake Washington waterfront. The park has two distinct characters. It is an urban park, providing open space and amenities for the urban land uses on the west, north and east of the park. It is a natural park providing lakefront access and opportunities to experience the natural landscapes along Juanita Creek.

Juanita Drive defines two sections of the park. The north section provides the urban amenities for Juanita Village and other surrounding residential areas. Along NE 97th Ave. park visitors can stroll along a wide sidewalk or promenade defined by a double row of street trees. This urban space provides opportunities to sit, read the paper and on weekends attend a Saturday market. A paved area to the west of NE 97th

Ave. provides parking for the ball fields, tennis courts and soccer green to the west. When appropriate the market functions can expand into the parking area. A picnic shelter, play ground, restroom and skate park enrich the plaza space located between the ball fields and parking. The Forbes House provides a focal point for public and private functions. The Historic residence provides space for park offices, meetings, family reunions, and weddings. The entry garden and small orchard provide outdoor rooms for events and celebrate the historic character of the house. Overflow parking is provided at the north edge of the park. This parking area provides parking for Forbes House activities as well as additional parking for baseball and soccer games. It will be constructed with a grass pave material that will provide a green turf surface and permeable paving. This will minimize the impact to surface water resources while providing a functional and aesthetically pleasing character.

The skate park plaza provides an important focal point and park entry gateway at the northwest corner of the NE 97th Ave. and Juanita Drive intersection. The skate park plaza provides color and activity that greet park visitors as they enter the park from the corner. Consideration should be given to lighting the skate park to extend the hours of use into the evening. From this area park visitors are linked to other areas in the north section of the park. The skate park plaza also provides a strong tie to the pedestrian crosswalk and plaza on the south side of Juanita Drive.

Another pedestrian cross walk occurs in the center of the park. This crossing is marked by rows of trees that define the crossing and adjacent open spaces.

The southern section of the park is dominated by the large lawns defined by trees, beach and pier that provide park visitor with waterfront access. Pedestrian paths connection the two sections of park pass through a series of landscapes as the visitors proceed to the beach. The first is a transitional landscape on the south side of Juanita Drive. This landscape provides a buffer between the Juanita Drive and park areas to the south as well as framing views of the park and lake for travelers on Juanita Drive. The parking area is the next area encountered. Within this area the majority of parking for the beach is located. The parking area is diversified by biofiltration / raingarden areas and tree stands. Pedestrian ways through the parking area are strongly defined with paving patterns and landscape elements to announce the crossing points to drivers and pedestrians. Consideration should be given to the use of permeable pavers to minimize the impact to surface water resources and to reduce costs for stormwater treatment facilities.

The lawn landscape is the next area the visitor passes through. Three lawn areas providing a striking series of landscape experiences. A central lawn area, defined by gentle landforms and formal rows of trees, provides an amphitheater for small scale performances. Within this area families could picnic on the lawn while watching the performances with the Lake providing a beautiful backdrop to the plaza "stage" area. The lawn areas to the west and east of the central space provide picnic and informal play opportunities within the lawn and scattered shade tree setting. Picnic shelters are located within each of these lawn areas.

The beach is the next area the visitor encounters. This area is defined by the lakefront promenade on its upland edge. The expansive beach area is softened by informal stands of trees which ad salmon habitat and aesthetic value. The trees in addition defining the beach areas provide shade and informal play spaces. The lakefront promenade connects the east and west edges of the beach as well as providing access to the two entries to the pier. The restroom / concession building are located adjacent to the western end of the lakefront promenade. This facility provides beach amenities as well as a food concession for the beach and lawn areas. A playground is to the east of this building. The pier provides park visitors with opportunities to get out over the lake, to fish, to dock a boat as well as rent a canoe or kayak.

Another unique park area is the area on the west side of Juanita Creek. This area provides space for additional water quality treatment for stream flows as well as interpretive trails through this natural area.

Entry Signage and Gate

A City of Kirkland Parks entry sign and lockable entry gate will be provided at all four parking lot entries. Accent plantings are provided to highlight the park entries.

Drop Off Area / Entry Plaza

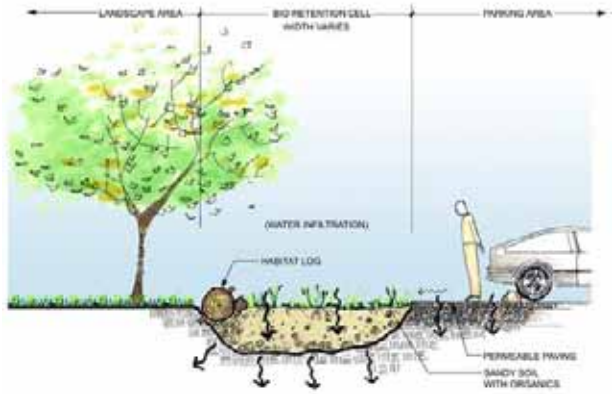
Two entry plaza/ drop-off areas are provided on the south side of the park. A drop off area is provided near the south entry of the park to allow for convenient drop off of park users and providing a minimum of traffic conflict through the use of a circular turn-around. The turn-around is 24 feet wide and is defined by an attractive landscaped island. Three short term load and unload parking spaces are provided at the east end of the parking lot, and five are located at the west end of the parking lot.

Parking Lot

The site, with its gentle slopes can easily accommodate parking facilities. Important considerations will be:

1. Minimization of impervious surfaces
2. The development of efficient site access to both the north and south portions of the site
3. Optimizing the elevation difference between the parking surfaces and the water quality facilities so that storm water management options are available.
4. Saving existing trees, particularly between the parking lot and Juanita Drive.
5. Soften parking with tree and shrub plantings.
6. Create strong pedestrian crossings through parking lots.
7. Provide efficient drop-off areas to avoid congestion.
8. Provide ADA and short term parking.

Consideration should be given to providing some or all of the parking on permeable paving. Poured in place permeable concrete paving is available from specialty contractors. The installed price of this material is three to four times more expensive than asphalt but it allows infiltration of storm water that will reduce storm water treatment and detention costs. Permeable concrete unit pavers are also available for four to five times the cost of asphalt. This material has a superior appearance and is readily available. Pervious asphalt paving could be considered for use on paths or parking lot pavement. Issues and concerns relating to pervious asphalt pavement include clogging and wear issues, in addition to an increase in cost compared to conventional asphalt paving. Further analysis of these options will be made as the design moves ahead. Pervious grass pavement is proposed for the overflow parking along the northern perimeter of the park. It would be advantageous to design the parking to allow decentralized water quality treatment facilities.



Low Impact Design: Parking lot with permeable paving and rain gardens.

Rain gardens should be considered for integration into the parking lot design. These could be located to the east of the village lot and they could be integrated into the central planting strip of the south parking lot.
Parking for a total of 350 cars is provided. 270 stalls exist now. Of the 350 proposed stalls 125 spaces are proposed for the north portion of the park and 225 spaces are proposed on the south or waterfront portion of the park. Assuming 2% of the parking spaces are ADA accessible parking a total of 7 ADA spaces are provided.

Emergency Vehicle Access

Emergency Vehicle access is provided to the parking lots and to the beach area. The service access near the bathhouse is designed with removable bollards that all access to the beach area. A hammerhead turn around constructed with grass pave or unit pavers is provided near the beach.

Park and Recreation Elements

Swimming Beach

The large sandy swimming beach that exists on the shoreline will be maintained and enhanced. The beach offers opportunities for sunning, picnicking, and sand castle building. Life guard viewing areas will also be developed on the beach and walking pier as required. Water depths within the swimming area are very shallow with summer depths ranging from 1 to 5 feet in depth. No diving will be allowed from the pier. The swimming beach has always been very shallow and is perfect for water play for younger swimmers, and stronger swimmers who don't mind the shallow water. Consideration could be given to providing a float line to delineate water play and lap swimming areas.

See the water quality section for recommendations for improving water quality.

Community Commons

The Community Commons offers a flexible lawn area that provides an informal passive recreational feature as well as a place for community oriented entertainment including moderate to small scaled music events, and movies in the park or other community events. It will also make a great place to gather on the 4th of July. A small informal stage area is provided along the Lakefront Promenade which also serves as an informal gathering and picnic area when not used for events.

Lakefront Promenade

The Lakefront Promenade makes a great place to stroll with opportunities to socialize and enjoy views toward the lake and park areas. Low concrete seating walls provide opportunities for resting, sunning, and also limit geese access to the lawn areas. Easy access from the lawn areas to the beach are provided across the promenade. Art elements could be incorporated into the seat walls or paving to explore the history of the site, water quality improvement and issues, or other interpretive topics. Integrated into the dock entry plaza on the east end of the promenade is a water channel feature that interprets the function of the rain garden and the cleaning of water flows before they enter the lake.

Children's Playgrounds

Playgrounds are provided in the north and south portions of the park. The southern playground space is located between the Bathhouse and the Picnic shelter to create a strong connection between the picnic shelter and the playground. Families will be able to use the picnic shelter while children are able to enjoy the Playground.

The northern play area is located between the picnic shelter and the restroom. Parents will be able to sit near the playground or at the picnic shelter and watch their children. This smaller play area will serve younger children in groups or families utilizing the multi-use playfield. The play areas will be ADA accessible with a ramp located off the plaza to accommodate wheel chair access. Encompassing the Playground is a walk that contains the wood chips. At either end of the play area picnic tables are located on widened portions of the walk to create a small gathering space and seating area for adults to monitor the children at play. Placement of play structures will comply with ASTM Playground Safety Guidelines. The play surface will be a wood chip material set at a depth of 12" and compacted in place to provide ADA access. Location of structures will provide for good site lines to the play area for parental monitoring of children.

Playstructure Ages 2-5
Play ground structure that will accommodate ages 2-5. The play elements will be appropriate for children of this age.

Playground Ages 5-12
Play ground structure that will accommodate ages 5-12. The play elements will be appropriate for children of this age.

Consideration could be given to a young teen climbing structure to cater to an age group that is often missed in recreation other than organized activities.

Playground Elements and Issues

- Seating for parents/guardians
- Pre-teen climbing structure
- Older children's play structure
- Tot lot
- Curb walls
- Play surface
- Provide ample room for fall zones
- Drainage
- Geo-fabric

Juanita Beach Park Path System

The park's Path system will provide recreation opportunities for strollers, and joggers. One trail will loop around the multi-use playfield. Distance markers for walking and jogging reference would be placed along the loop paths. Generally all on site trails will be handicapped accessible. Another series of loops are provided on the south side of the park that includes the water walk pier. Pedestrian entries are designed to encourage efficient and attractive access to reduce parking demands.

The IAC contributed to the federal Architectural and Transportation Barriers Compliance Board's (Access Board) report on the minimum guidelines for picnic and camping areas, beaches and trails. The new ADA Accessibility rule was due out in late 2004 and was intended to apply to federal agencies only. These guidelines are the most current available, and should be followed during the detailed design of the trails and park facilities, to assure that ADA accessibility is incorporated to the maximum extent possible. A final report is available from the Access Board's web site: http://www.accessboard.gov/.

Drinking fountains will be located at several key places in the park. Locations include restrooms, playgrounds, ball fields, skate park, bathhouse and picnic shelters.

Educational Opportunities

Incorporated into the Juanita Creek streamside and lakeside buffers are educational opportunities for the general community, in addition to area schools. Passive park areas such as interpretive viewpoints, an interpretive pavilion and boardwalk crossing the water quality treatment / flood zone wetland, riparian enhancement areas, stream enhancement areas, rain gardens, and a potential backyard wildlife display area, and a potential historical display at the Forbes House Garden can serve as a part of an educational resource for the community.

Potential Interpretive Themes:
Riparian and salmon habitat

- Site & community history
- Ethno-botany
- Backyard wildlife
- Salmon habitat
- Innovative use of stormwater
- Stormwater treatment/ water quality

Architectural Elements

This study team concurs with the conclusions of the 1970 Recreational Master Plan, 1987 Master Plan Report, and 1999 Site Inventory & Analysis Report. All three of these documents assessed the condition of the existing structures in the Park and recommended that, with the exception of the historically-significant Forbes House and the repairable pier, none of the existing structures were worth repairing and retaining. Most, like the bath house, restroom building and picnic shelters, were so deteriorated that it would be more cost-effective to accommodate their functions in new structures. Others, like the district maintenance building and the small out-buildings next to the Forbes house, should be removed and not replaced on this site at all.

Bathhouse

The bath house represents a building type that was appropriate in the past when it made economic sense for a Parks Department to staff locker and towel concessions for public bath houses at swimming beaches. Bath houses are seldom included now when swimming beaches are developed unless the number of users is substantially higher than is likely at Juanita Beach. Swimmers can change into swimsuits in changing areas in adjacent restrooms and are more likely for security purposes to bring clothes and valuables down to the beach rather than to leave them in self-lock lockers in a changing area. For this reason changing areas and lockers have been limited in the design.

Restrooms

New restrooms can take advantage of vandal-resistant and easy-to-maintain materials such as polycarbonate interior wall cladding, stainless steel plumbing fixtures and casework cladding and solid polyethylene toilet partitions. Full skid-resistant tile floors can provide a good-quality floor finish. Building shell materials such as concrete masonry unit walls, steel doors and steel roofs with polycarbonate-glazed skylights can provide attractive, low-maintenance toilet and changing facilities. Prior planning documents recommended building one new toilet building on each side of the park and providing room for changing in the building on the south near the beach.

For purposes of the current Master Plan effort, we have developed a schematic design for a restroom prototype that will have four toilets and three lavatories on the women's side and three toilets, two urinals and three lavatories on the Men's side. The toilet building near the beach will have a 200 s.f. space for dressing and will also have 15-20 lockable lockers with free-standing benches on each side of the toilet Room.

Food Concessions in Juanita Park

The possibility of small-scale concessions in the Park has been brought up many times in past reports and in public meetings conducted by the current design team. Several King County Parks and some North West municipal parks rent space to food concessions. These food service operations tend to be small, locally-owned takeout food businesses although King County has had excellent experience renting space to national chains selling fast but relatively-healthy food in Park's' recreational buildings. The restroom building near the beachfront will have about 340 S.F. as a leasable concession area.

Lifeguard Office

A 240 S.F. lifeguard office is provided in the bathhouse building.

Non Motorized Boat Rental Facility

The specific program and design for the small boat rental facility will need to be determined once a lessee has been identified. The schematic plan shows 432 S.F. for office and storage. The design program has mentioned storage buildings for rental kayaks or rowing shells. A small-scale boat rental business could be operated from a building of 850 S.F. This floor area would allow for a 100 S.F. rental office plus a 700 S.F. boat storage room opening to a garage door on a sidewall. An additional 50 S.F. would provide space for a small mechanical/utility room. Architecturally the boat rental building could either be part of the Bathhouse or could be a free-standing building with materials, colors and details similar to the other new buildings on the site.

A kiosk is also proposed on the pier for staffing on the dock. The kiosk would provide storage or life jackets and paddles as well as a cashier function. A 120' x 24' float and two finger floats are provided off of the water walk. A gangway will provide access to the float. Grated decking should be used for improved light penetration to minimize impacts to salmonids. Consideration should be given to installing a mooring anchor and float within the DNR lease area for winter moorage of the float. This would reduce maintenance costs due to damage from winter storms.

Hand Carry Boat Launch

A hand carry boat launch is provided west of the water walk near the stream delta. This will allow easy water access for small boats in an area of the beach outside of the enclosed swimming area. Access is provided from the west end of the parking lot. Boats, windsurfers, and kite boards will need to be carried approximately 400 feet from the end of the parking lot. 5 load and unload short term parking spaces are provided in this area. Boating in Juanita Bay is anticipated to be attractive to many users and some visitors may paddle toward Juanita Bay Park. Educational signage should be provided to minimize the impact of boaters on wildlife habitat. Buoys or logs with signage could be used to identify sensitive areas that are off limit to boaters.

Day Use Motorized Boat Moorage

Short stay day use moorage is provided outside of the water walk to allow boat access to the park. A gangway and concrete floats are provided for boat slips. Water in this area is approximately 5 feet deep in the summer. Grated decking should be used for improved light penetration to minimize impacts to salmonids. Consideration should be given to installing a mooring anchor and float within the DNR lease area for winter moorage of the float. This would reduce maintenance costs due to damage from winter storms.

Boating Mitigation Plan Required

The Juanita Beach Park Master Plan includes several new opportunities for boating on Lake Washington, as described above. However, these boating opportunities must be balanced with the protection of wildlife habitat areas in and around nearby Juanita Bay Park. Establishment of the non-motorized boat rental facility, hand carry boat launch, or day-use motorized boat moorage is contingent upon the implementation of a City Council-approved boating mitigation plan which describes in detail how wildlife habitat areas will be protected from intrusion by both motorized and non-motorized watercraft. The mitigation plan should detail the effective strategies to be implemented, which may include use of appropriate physical barriers and signage, establishment of rules and enforcement, seasonal restrictions, and boater education (especially to non-motorized boat renters). The mitigation plan will be developed in consultation with groups and agencies such as the State Department of Fish and Wildlife, King County Marine Patrol, East Lake Washington Audubon Society, Juanita Bay Park volunteer park rangers, and others as necessary.

Picnic Shelters

New picnic shelters should to accommodate groups of varying sizes. Prior master plans recommended building two small and one large shelter south of Juanita Drive and two small shelters north of the Drive. This recommendation seems to reflect current trends in park use, with most picnic groups being 4-8 and a few being 16 or more. Each shelter will be able to accommodate 20-40 people.

The Forbes House

This house and its site have been nominated as a historic property by the City. Its significance as a pioneer farmhouse and the prominence of the Forbes family in the development of early Kirkland has earned the house a permanent position in the Park. During the planning process, the issue as to whether the House could be moved slightly to a better location for planning and site-use purposes came up. The national standard for historic property preservation dictates that the only justification for moving a historic structure is if the building's existence is threatened and moving it is the only way to save it. This is not the case with the Forbes House, so the Master Plan team is recommending that the House stays where it is. The historic designation report by Mimi Sheridan recommends that work be done to the interior and exterior of the house, as well as site improvements. The historic designation report by Mimi Sheridan recommends that the following work be done to the House's exterior:

- Remove the west carport roof and ramp and patch wall at carport attachment.
- Restore deteriorated porch, stairs, trim, siding, windows and doors.
- Replace roof with historically-accurate wood shingles treated for fire resistance
- Repair chimney and foundation to original design.

In addition to the above historic restoration effort, this Master Plan team has recommended restoring the Forbes House's surrounding site to enhance its attractiveness as a rental facility for special events. The Historic residence provides space for park offices, meetings, family reunions, and weddings. Historic

photos of the site show a substantial fruit tree orchard north and west of the house and gardens to the north and east of the House. The recommended site improvements for the Forbes House are:

- Replant a portion of the orchard and restore flower and food gardens to the north and east to enhance the historic setting for the House.
- Develop parking lots or landscaped aprons to the east to accommodate rental uses. If the house can accommodate up to 99 people, parking should be provided for 30-40 cars.
- Given the relatively hard, urban edge on the east edge of the site on 97th Avenue, the east edge of the Forbes House site on 97th might be enhanced with heavier, vertical plantings or arbors to reinforce this edge and to define a break between the street scale and this historic farm house property.

Proposed interior work:

- Remove interior walls as needed to provide meeting space for up to 99 people.
- Refit kitchen as a catering-style kitchen with room for warming and cooling modules. Replace sink and cabinets as needed.
- Refit bathroom to ADA standards with attention to historic appropriateness.
- Refit bedrooms and basement spaces as appropriate for rental functions.
- Refit/replace building structural, mechanical, electrical and plumbing systems as needed.
- Paint and patch all interior surfaces per needs of rental function.

If the House's exterior shell were restored and its interior were reconfigured to accommodate a larger variety of rental uses, the House could become a revenue-producer for the Parks Department. Another opportunity to tell the Forbes House story could be satisfied by the installation of interpretive panels detailing the house's history and the significance of the Forbes family in the development of Juanita Beach. These panels could be displayed near approaches to the house on posts and could also be mounted in old-style frames on the interior as pictures would have been hung.

Active Recreation Components

1. Providing soccer and little league is a component of the project.
2. All fields should serve the same level of competition.
3. Park to include two Little League baseball fields
4. Construction of one multi-use playfield that can be used for multiple sports activities.
5. The fields are to be natural turf; synthetic turf options were not considered.
6. It is assumed that no lighting will be provided for the fields.

The Master Plan shows a multi-use field that could be marked as required to accommodate a 250' x 150' soccer field and two little league fields with 200' foul lines.

Fencing

Fencing is recommended for each of the little league fields. Backstop fencing will be included and this fence will extend down each foul line past 1st and 3rd bases to the end of the dugout or to the edge of the outfield. The recommended height of this fence at the backstop is 30 ft and can be a combination of chain link fence and nylon netting. Outfield fences are optional and if provided would need to be portable so that fencing could be removed and stored during soccer season since the fields overlap.

Lighting

Lighting is proposed for Tennis Courts, Skate Park, Bathhouse, Parking Lots, and on the dock. Lighting should be low level, with attractive fixtures that fir the character of the park and Juanita Village.

Basketball Court

A basketball court is provided for use by children and adults in the community, and is proposed for location at the west end of the south parking lot. Basket ball backstops are provided within the parking lot to reduce the amount of impervious paving and can be used during the fall, winter and spring when swimming is closed. This location will allow use during non-peak park use periods, when the parking lot is not fully occupied.

Skate Park

The skate park is 10,000 S.F. in area and includes street skating and bowl skating opportunities. The details of the design should be developed with a specialist in skate park design and with input from user groups. Consideration should be given to lighting the park to extend the hours of use. Seating walls and bollards are used to control access to the skate park and to create a safe park environment.

Beach Volleyball

Two sand volley ball courts are provided with nets and boundary lines. Safe clear areas are also provided.

Tennis Courts

The two existing tennis courts are maintained in there current location. It is anticipated that the courts will need re-surfacing in the future. Consideration should be given to upgrading the lighting in future phases.

Public Art

Public art will be incorporated into the Park design. A collaborative effort between the Cultural Council, artist, the design team, and the community will help to create lasting art focal points to explore history and culture and provide a sense of ownership to the neighborhood.

Natural Systems Enhancement Opportunities

The greatest opportunities for natural systems enhancement include:

Juanita Creek Flood Zone Water Quality Enhancement

Recommendations

1. Restoration of natural bay circulation and wave energy to the swimming beach will improve water quality, sediment quality, and reduce deposition of sediment along the park shoreline. It will also allow fish passage along the shoreline. This can most easily be accomplished by removal of all of the planking and baffles on the existing circular pier structure. Beyond removal of planking/baffles, raising a portion of the pier up in an arch to allow more wave energy into the swimming area (and potentially small boats) would further increase circulation. Dredging may be necessary to prevent a slug of sediment being transported from the delta to the swim beach and further eastward. It may also be expeditious to dredge material from the swim beach area to reduce the time for recovery of the beach to a more natural condition. . Though the sediments from the delta and swim beach will naturally erode and move along the shoreline once circulation and wave energy are restored, the period for recovery could be lengthy.
2. Restoration of the creek riparian zone and creation of floodplain habitats will improve water quality, sediment quality and sediment loading to the lake, and significantly improve fish and wildlife habitats. (A) Recommend an average 75 foot wide buffer on both banks to meet City of Kirkland requirements and provide significant habitat benefits. (B) Excavate an overflow channel and floodplain in upper area of park (downstream of pedestrian bridge on right bank) through blackberry dominated site and revegetate with native trees and shrubs (cedar, hemlock, big leaf maple, crabapple, willow, salmonberry, twinberry, spirea, etc.). (C) Excavate floodplain in lower area of park (right bank across from existing maintenance building) and revegetate entire area with native trees, shrubs, and emergent vegetation (cedar, cottonwood, alder, crabapple, serviceberry, mock orange, willow, twinberry, red elderberry, sedges, etc.). (D) Remove maintenance building and revegetate as riparian/floodplain area. (E) Restore the shoreline between north pier and creek mouth to natural wetland and riparian area (willows, cattails, sedges, cottonwood, cedar).
3. Sediment and bacteria control can be further enhanced by installation of a sand filtration system under the parking area to collect high flows. After filtration, the water can be returned to Juanita Creek.
4. Reduce runoff of fecal material from the park by creating a grassy swale to intercept overland flows and filter flow to discharge at east end of property, create a visual barrier between the water and the lawns by a raised walkway with shrub plantings to reduce geese and waterfowl numbers.

Riparian Buffer Enhancement

Existing scientific studies show 25- to 300-foot minimum buffer widths are necessary to provide bank stabilization, sediment, nutrient and pollutant removal, and habitat functions.[1,2,3]

Based on site visits, areas with the greatest opportunities for stream or riparian buffer enhancement include:

- Riparian vegetation enhancement at the northwest end of the park, including removal of Himalayan blackberry and English ivy (*Hedera helix*).

Dense riparian plantings will be provided along the creek for shade, to provide cover and food, and limit access by dogs and humans. Pine rail fences could be provided at the edge of the riparian buffer in high use areas to control access. Viewpoints are provided at strategic locations to allow viewing of the stream and ponds. Railings or pine rail fencing will be provided at viewpoints to limit access. Interpretive signage is included a key view point for public education and enjoyment.

Opportunities for enhancement of Juanita Creek as it flows through Juanita Beach Park are numerous. The recent Stream Inventory Report prepared by Parametrix (2004) identifies numerous opportunities to restore and enhance the creeks. Some key opportunities include:

- Control upstream sedimentation inputs to moderate sedimentation within the creek channel.
- Remove the failed bank armoring and replace with bio-engineered approaches to channel stabilization.
- Remove invasive species within the stream buffer.
- Establish a wider buffer for the creek by planting native species within the 75-foot buffer.
- Develop trails in the outer 50% of the buffer to allow some human access along the creek, but minimize uncontrolled access to the creek banks.
- Relocate buildings currently located within the 75-foot creek buffer to outside the creek buffer.

Wetlands

Opportunities for enhancement of the wetlands adjacent to Juanita Creek in Juanita Beach Park include:

- Restore and enhance vegetation within the wetlands by planting native wetland species.
- Diversify the vegetation structure and species by planting a mixture of trees, shrubs, and herbaceous species.
- Remove invasive species within the wetlands.
- Establish a wider buffer for the wetlands by planting native species within the 100-foot buffer.
- Relocate buildings currently located within the 100-foot wetland buffer to outside the wetland buffer.
- Develop trails in the outer 50% of the buffer to allow some human access along the wetlands and creek, but minimize uncontrolled access to the creek banks.

Park Planting

Existing vegetation along the stream and throughout the park will be maintained and enhanced to provide a natural character of the park. Some of the existing trees will need to be removed however, many of these trees are old and in declining health. New Plantings will be utilized to highlight entry areas, define different rooms, offer shade, increase opportunities for habitat enhancement, and provide an enhanced park experience. Trees will be selected that are rich in texture and provide vibrant fall color. Concerns of safety and ensuring views into the Park will limit shrub plantings. Strategically locating and appropriate selection of shrubs will provide for safe site lines into the Park and buffer perimeters and parking lots. All newly created planting areas will be mulched. Trees should be selected to minimize the impact to view especially from the condominiums to the east of the park near the lake.

Awareness to maintenance requirements for the Park should assist with decisions being made about the selection of tree species. Input from Maintenance crews should be taken into consideration when defining tree types to be used on site.

Playfield lawn areas will be prepped for appropriate play surface; seed mix for the playfield area should be a suitable seed mix for the anticipated type of activity that will be taking place on the playfield areas, i.e. soccer, football, baseball such as a Perennial Rye Grass mix.

Some meadow areas could be planted with a seed mix that is more drought tolerant and would require less water application. Eco-turf could be used as a drought tolerant seed mix. Potential to seed less actively used areas with wildflower seed mix could add interest and beauty as well offer a playful meadow landscape for children.

Landform Development and Soil Preparation

Landform development is proposed for drainage improvement of very level grass areas, definition of outdoor spaces, and improvement of soils to support a healthy plant community.

Proposed Soil Improvements

A minimum soil replacement depth of four inches of topsoil is recommended.

Mulch

Chip on site material for stream, forest and buffer planting area mulching as available. Utilize bark mulch for the remainder of planting areas, spreading bark throughout the entire planting bed. In areas where trees are planted within meadow or grass areas, place a three-foot circle of mulch around each individual tree. Mulch is important for its moisture-holding capacity, which is a critical element for plant survival through the dry summer months. Mulch also reduces maintenance requirements and keeps grass from competing with plants for water and soil nutrients.

Stormwater Management and Drainage

Water Quantity

It is assumed that stormwater detention will not be required for the parking area(s) south of Juanita Drive since discharge will be directly to Lake Washington. Use of low impact design methods will be maximized in the design of these parking facilities for management of peak flows. The underlying soils south of Juanita Drive may not have the capacity to infiltrate during more extreme events, and if this is the case, excess flows from the parking areas will be directed into the swale running adjacent to the parking areas. The swale will convey excess flows to the lake.

North of Juanita Drive detention may be required for the proposed parking areas due the fact that any proposed outfall would be outlet directly to Juanita Creek. If runoff from new parking areas is conveyed directly to Juanita Creek, detention will likely be required. Similar to the case for the parking areas south of Juanita Drive, the use of low impact design methods will be maximized in the design of these parking facilities for management of peak flows. It is expected that the soil texture north of Juanita Drive is more conducive to infiltration and it may be possible to manage runoff from the parking areas without requiring detention. However, in the event that detention is required it is assumed that it will be provided in underground detention vaults and that Level 2 flow control will be required as per King County Surface Water Design Manual (King County 1998), the design manual currently used by the City.

Water Quality

Water quality facilities for parking areas will need to treat sediment, hydrocarbons, and heavy metals. Water quality facilities may not be required for playfields if runoff is infiltrated and there is no surface discharge. If infiltration is not possible water quality requirements will apply. Treatment would need to respond to nutrient loading and organic chemical components of other materials used in playfield maintenance.

Low Impact Design (LID) methods could be used to infiltrate runoff in rain gardens in each of the parking lots. Infiltration is considered to be the most naturalistic and most effective mechanism for management of peak flows. Infiltration can also provide significant water quality benefits and can greatly reduce construction costs by eliminating or minimizing pipe networks.

Water quality requirements for the fertilizers used on the playfields could likely be met if a minimum 18-inch sand layer is used for the subgrade?

Utilities

Irrigation

Irrigation of the park is proposed through the Park.

- Irrigated turf for play areas: full head to head automatic irrigation
- Irrigation Equipment:
- Rainbird /Hunter / Toro
- Provide CCU computer link
- Rain sensor
- Per United Pipe

Sanitary Sewer Systems

Provide sewer connection for the bathhouse and the restroom north of Juanita Drive.

Power Supply

Provide upgraded power supply to all park buildings and for site lighting. Power will also be provided for the stage area at the Community Commons.

PHASING PLAN AND COST ESTIMATE

The total anticipated cost for the development of Juanita Beach Park is $15 million dollars (2005).

A general phasing strategy will be developed before the end of 2005. As funding becomes available the subsequent phases will be further defined to fit the available budgets and community priorities.

See Appendix for the Master Plan Cost Estimate

REGULATORY IMPLICATIONS

Wetland, lake, stream and upland habitats are regulated by state, federal, and local agencies. Some of the key agencies that will have review and approval of proposed master plan activities at Juanita Beach Park are summarized below.

US Army Corps of Engineers

The US Army Corps of Engineers (USACE) regulates fill or discharge into the waters of the United States through the Clean Water Act (CWA) Section 404 regulatory program and Section 10 of the Rivers and Harbors Act. Activities involving up to 0.5-acre of aquatic impact would likely require a Section 404 Nationwide Permit (NWP) and impacts over 0.5-acres would likely require an Individual Permit (IP) from the Corps. The NWP program allows for activities in wetlands under a program of various permits tailored to specific types of projects. NWPs each have unique criteria for their use and specific requirements. NWPs are applied for through the submittal of a Joint Aquatic Resource Permit Application (JARPA). IPs are discretionary permits that involve an alternatives analysis and public review and comment.

For projects where there is a CWA permit from the USACE, the USACE is typically the lead agency for coordinating consultation to determine a project's compliance with the Endangered Species Act (ESA) Section 7 and the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act). This consultation is conducted with NOAA Fisheries and/or the US Fish and Wildlife Service (USFWS) through review of a Biological Assessment/Biological Evaluation.

NOAA Fisheries

NOAA Fisheries is the federal agency that provides consultation for projects affecting federally-listed marine and anadromous species. They will review the project and the BA or BE and consult with the other federal agencies on the potential effects of the project on federally-listed marine and/or anadromous species. Per preliminary discussions with NOAA Fisheries regarding the Juanita Beach Park Master Plan, NOAA Fisheries indicated that there are restoration and enhancement activities that they strongly encourage to be implemented for projects along the shoreline of Lake Washington. These measures are aimed at improving the fish habitat along the shoreline, while accommodating human uses:

- Removing and/or minimizing bulkheads and breakwaters to the maximum extent feasible;
- Redesign bulkheads and breakwaters to include bioengineering techniques.
- Provide a shallow grade along the beach to dissipate wave energy at the shore.
- Provide overhanging vegetation along a minimum of 50% of the shoreline. Overhanging vegetation should include a mixture of conifers, deciduous, and typically willow species.
- Plant emergent vegetation along the shoreline.

USFWS

While NOAA Fisheries is the federal agency that provides consultation for projects affecting federally-listed marine and anadromous species, the USFWS provides consultation for projects affecting all other federally-listed species. They will review the project and the BA or BE and consult with the other federal agencies on the potential effects of the project on all non-marine and/or federally-listed species. USFWS will provide comment on habitat restoration and enhancements that are proposed in the project.

Department of Natural Resources and Environmental Protection Agency

The Department of Natural Resources (DNR) may have review, comment, and approval of activities entailing removal or disturbance of the substrate in the shoreline of Lake Washington at Juanita Beach Park. The extent of DNRs involvement in potential projects entailed in the Master Plan is still being

explored. The Environmental Protection Agency (EPA) will have review, comment, and approval of the project activities in Lake Washington under Section 303 of the Clean Water Act, specifically addressing water quality issues.

WDOE

The WDOE has review and approval authority for several federal, state, and local permits including Clean Water Act (CWA) Section 401 Water Quality Certification; CWA Section 402 National Pollutant Discharge Elimination System (NPDES) permits; Section 303 of the CWA; and Shoreline Development Permits under the Shoreline Management Act (SMA). WDOE may review the JARPA for the USACE permit submittal, although typically WDOE does not review or issue Section 401 Water Quality Certifications for projects with under 0.5 acres of impact to wetlands. WDOE administers the SMA and reviews permits issued under the each jurisdiction's Shoreline Management Program (SMP). The City of Kirkland has a SMP and will serve as the lead jurisdiction for issuance of any shoreline permits, while the WDOE will review any proposed permits. WDOE will also have administrative review of any State Environmental Policy Act (SEPA) permits that are issued by the City of Kirkland. Any projects with a ground disturbance of over 5 acres will require an NPDES permit from WDOE.

WDFW

The WDFW administers the State Hydraulic Code (75.20 RCW), which is intended to protect fish life and its supporting habitat. The WDFW issues Hydraulic Project Approvals (HPAs) for work within the ordinary high water mark (OHWM) or work landward of the OHWM that has direct impacts on fish or fish habitat. An HPA would be required for any proposed work within Juanita Creek and/or Lake Washington.

City of Kirkland

The City of Kirkland administers several codes and programs that would apply to activities affecting natural resources at Juanita Beach Park including the Kirkland Zoning Code (KZC), especially Chapter 90. Drainage Basins that addresses wetlands, streams, lakes and other water resources within the City; the Kirkland Municipal Code (KMC), especially Chapter 24.02 SEPA Procedures; and Chapter 24.04 Shoreline Master Program.

Juanita Creek is rated as a Type A stream by the KZC Chapter 90 due to the use of the creek by salmonid species. Required buffers on Type A streams within Primary Drainage Basins are a minimum of 75 feet wide per the KZC Chapter 90.90. The City requires a 10-foot building setback from the stream buffer (KZC 90.45 and 90.90). Under Chapter 90, the wetlands along Juanita Creek would be classified as Type 1 wetlands because the wetland is contiguous with Lake Washington and adjacent to Juanita Creek, both water bodies that provide habitat for federally-listed fish species. The wetlands are all located within a Primary Drainage Basin and therefore, buffers on the wetlands along Juanita Creek would be 100 feet wide per the KZC Chapter 90.45. As with Juanita Creek, a 10-foot building setback from the buffer is required.

Chapter 90 of the KZC details City requirements and opportunities for proposed development within these aquatic resources or their buffers. Minor improvements (likely including pedestrian trails, benches, and viewing areas) can be located within the outer 50% of the resource buffer so long as various criteria are met, including:

a. It will not adversely affect water quality;
b. It will not adversely affect fish, wildlife, or their habitat;
c. It will not adversely affect drainage or storm water detention capabilities;
d. It will not lead to unstable earth conditions or create erosion hazards or contribute to scouring actions; and

e. It will not be materially detrimental to any other property in the areas of the subject property or to the City as a whole, including the loss of significant open space or scenic vistas.

Buffer reductions or averaging can also be requested and for Type 1 wetlands will be reviewed by the Hearing Examiner pursuant to Process IIA as required in KZC Chapter 150. Any proposed activities in the Type 1 wetlands would have additional requirements such as demonstrating that there is no feasible alternative to the proposed fill, limiting fill to less than five percent of the wetland area, and providing compensatory mitigation per Chapter 90.55.

The City of Kirkland's Shoreline Management Program (SMP) requirements will apply to the shoreline designated along Lake Washington. Currently, the shorelines within Juanita Beach Park are designated as "Urban Residential 1". However, under the state requirements for updating SMPs, the City of Kirkland is expected to begin updating its SMP in 2005 or 2006, including the classification of shoreline environment designations. This will provide the City with the opportunity to apply a new environmental designation to the shoreline of Lake Washington within Juanita Beach Park, and may thus affect management policies and regulations within the park. The most likely environmental designation for Juanita Beach Park under the new guidelines would be "Urban Conservancy."

Within environments designated as Urban Conservancy, development should have an overall goal of improving ecological functions while providing public recreational opportunities and access. Predicting specific zoning requirements under the Urban Conservancy or any other environmental designation is inherently speculative. However, development within the shoreline area would have some limitations under most foreseeable scenarios. Typically, existing buildings are allowed to remain with limitations on new development. The opportunities for habitat enhancement along Lake Washington and Juanita Creek are numerous and the project could propose reconstruction of existing buildings, some relocation of existing buildings, along with shoreline habitat enhancement as a way of addressing the public needs and the goals and requirements of the SMA and SMP.

The Master Plan has been developed consistent with the City of Kirkland's zoning and development regulations. The City will evaluate the implementation of this Master Plan for Critical Areas permits, as applicable. A master use permit may be necessary. Further review will be necessary as part of the permit process. (See Existing Conditions above for further discussion Fish and Wildlife permitting implications.)

National Environmental Policy Act (NEPA) and State Environmental Policy Act (SEPA) compliance will be completed in the next phase. Permit requirements for implementing the Juanita Beach Park Master Plan include the following:

The Joint Aquatic Resources Permits Application (JARPA) is used by US Army Corps of Engineers (ACOE) to coordinate the various federal, state and local jurisdiction permits that are required for work within aquatic areas and includes the below permit applications:

- ACOE Nation Wide Permit (NWP) or Individual Section 404 Permit
- Hydraulic Project Approval, issued by the Washington Department of Fish and Wildlife
- Section 401 Water Quality Certification. The Washington State Department of Ecology must determine whether a project complies with state water quality standards before the ACOE will issue a Section 401 certification
- Services Review under ESA. The information required for an ESA evaluation must be prepared in the form of a Biological Evaluation (BA)
- City Critical Area permit, if applicable.

Washington State Department of Natural Resources

The lease for aquatic land with the DNR will expire and will need to be re-negotiated. Consideration should be given to expanding the lease area to include winter moorage for floats. The DNR has indicated that the cost of the lease will be affected by the amount of fee collected by revenue producing elements.

Community Opportunities for Public Involvement in the Implementation of Restoration Projects

Collaboration with the following agencies or public groups is possible**.**

- WRIA 8 project coordination
- East Lake Audubon Society
- Salmon Watch stewards
- Neighborhood environmental stewardship groups

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MASTER PLAN

JUANITA BEACH PARK MASTER PLAN
CITY OF KIRKLAND PARKS AND COMMUNITY SERVICES

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SECTION A

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SECTION B

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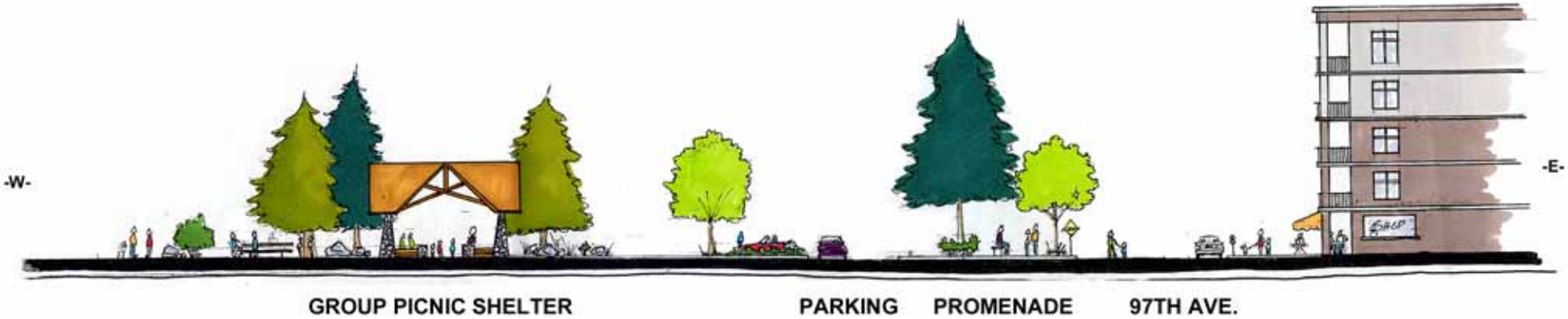

SECTION C

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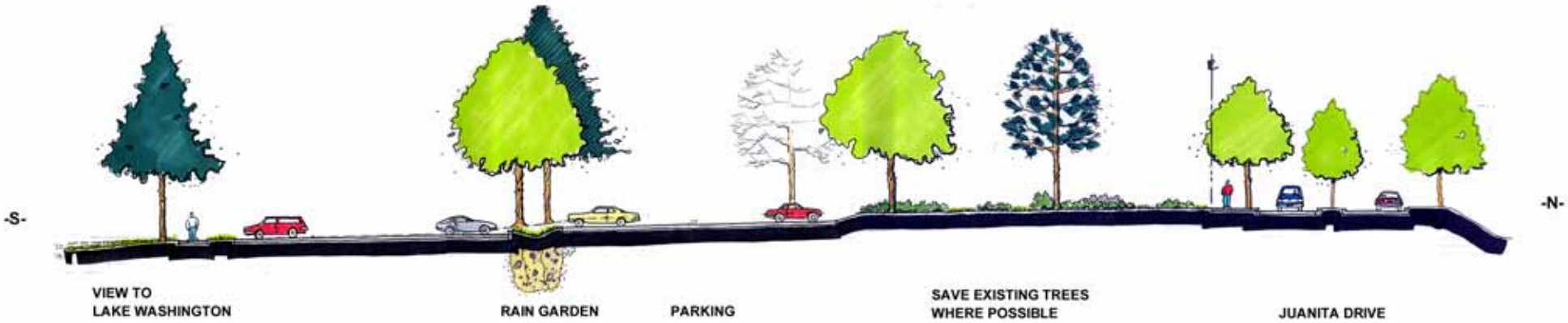

SECTION D-NORTH

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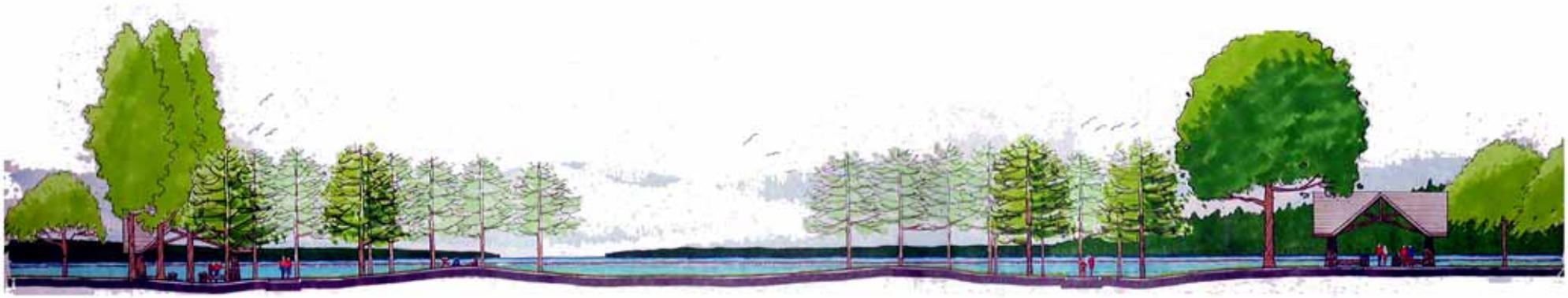

SECTION E

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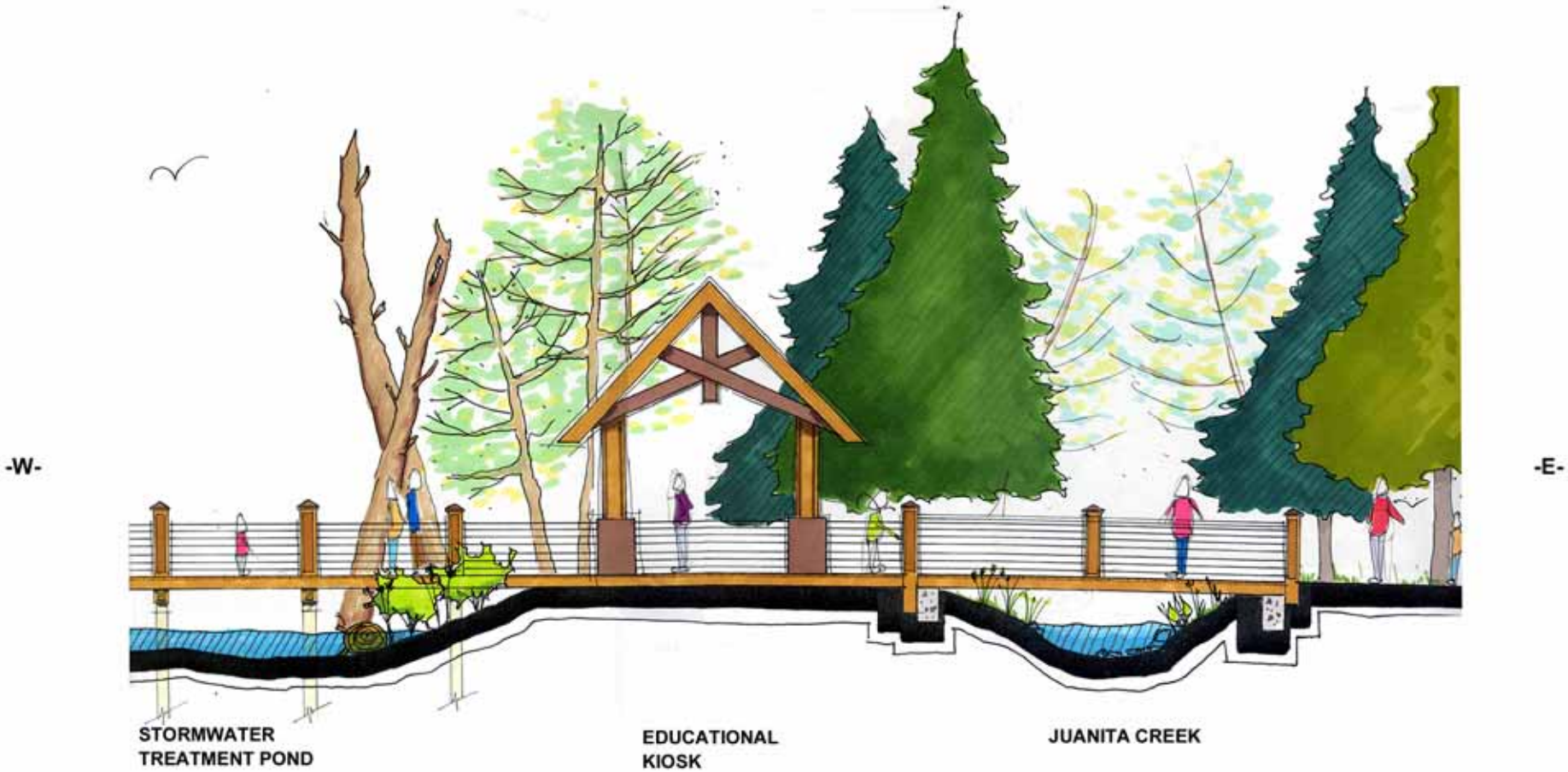

SECTION F

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COMMONS DETAIL

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FIELD PARKING

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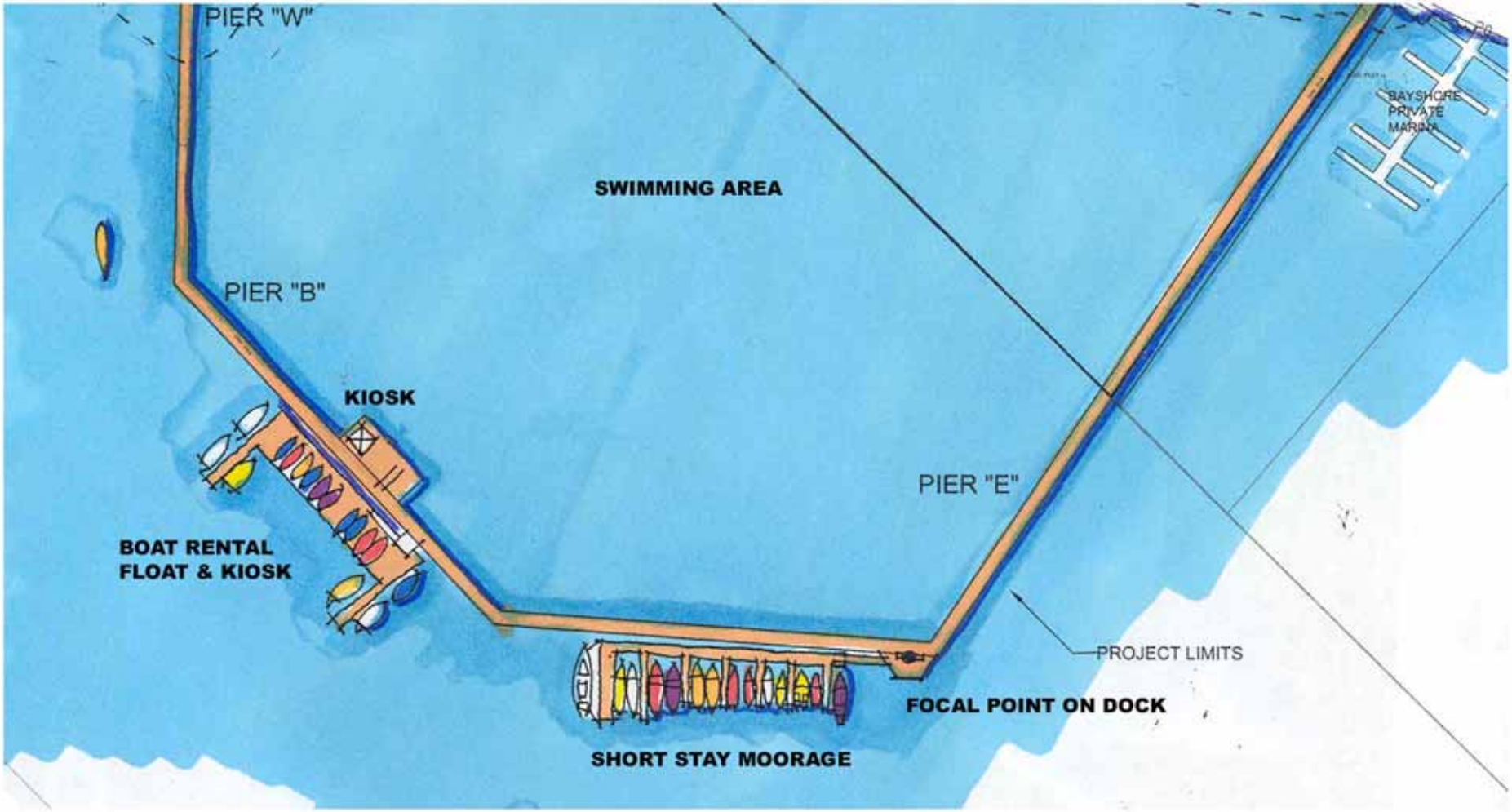

MARINA

JUANITA BEACH PARK MASTER PLAN
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STREAM AND BEACH AREA

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ILLUSTRATIVE SKETCH

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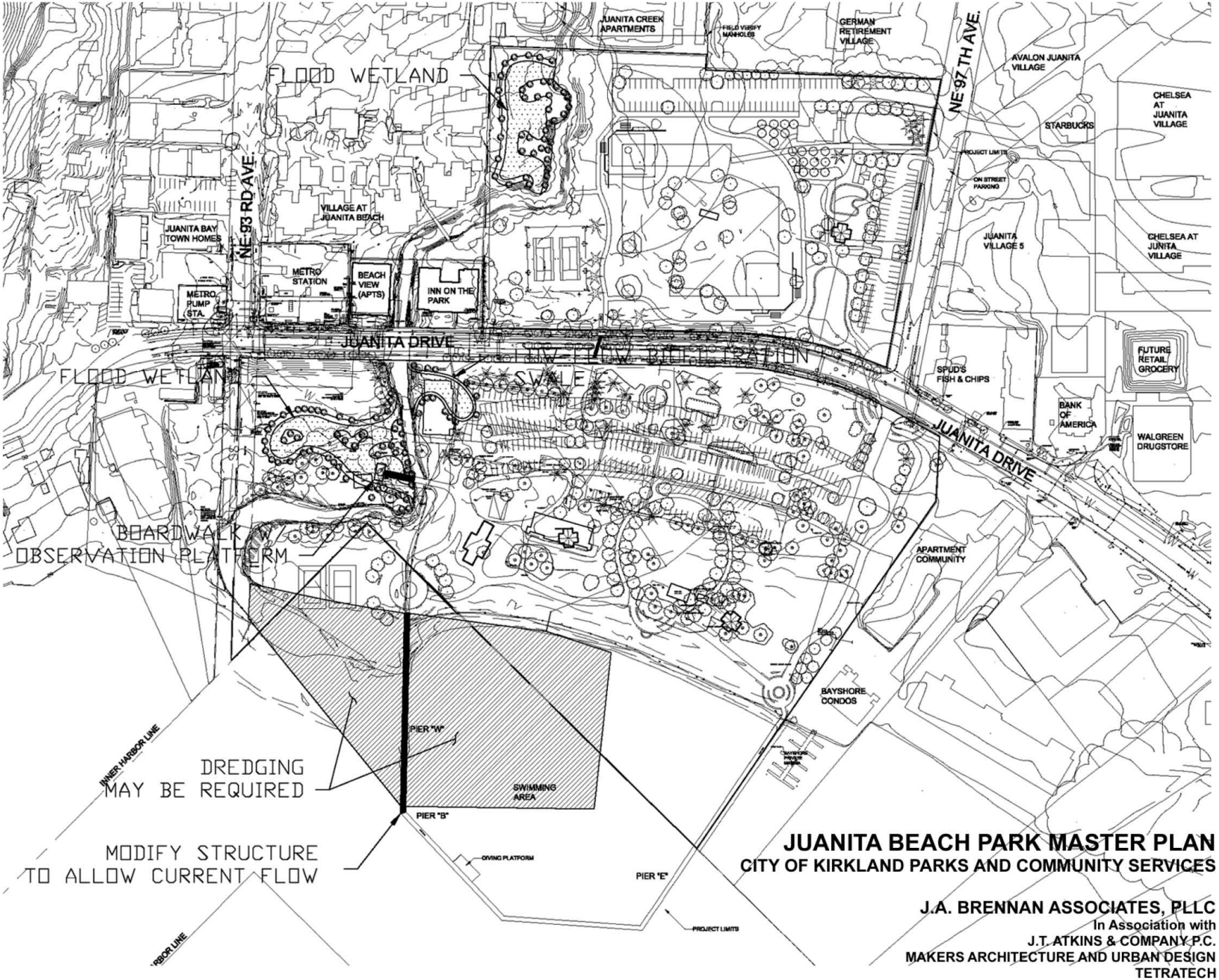

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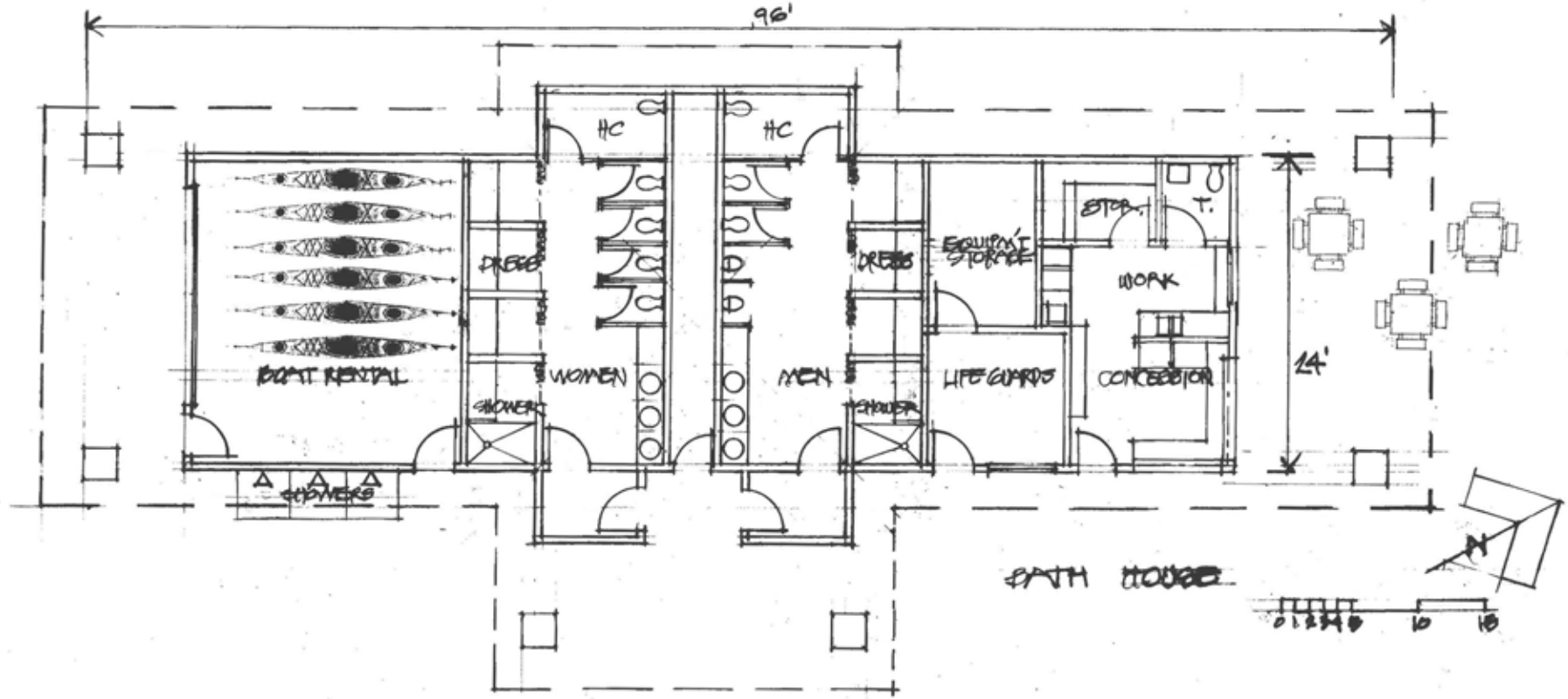
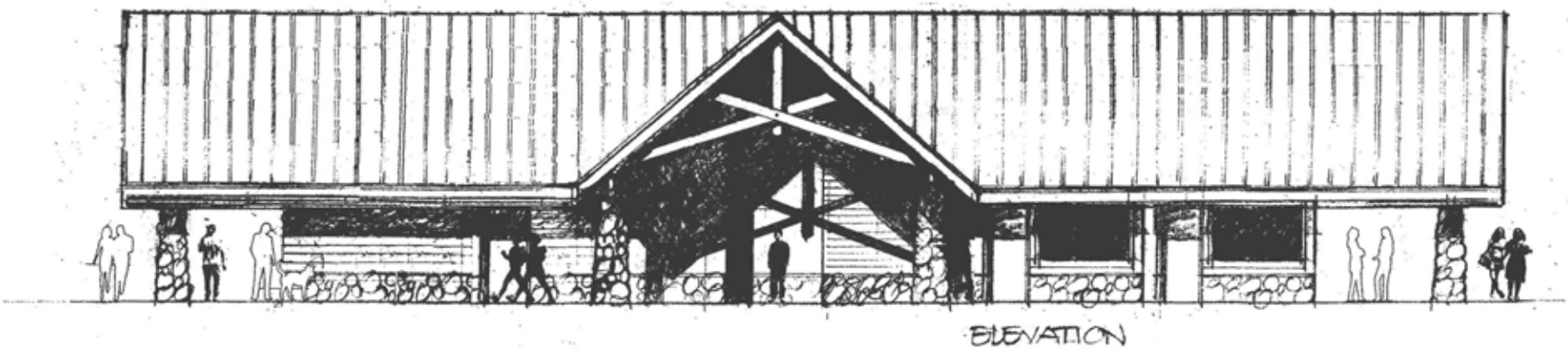
WATER QUALITY IMPROVEMENT CONCEPTS

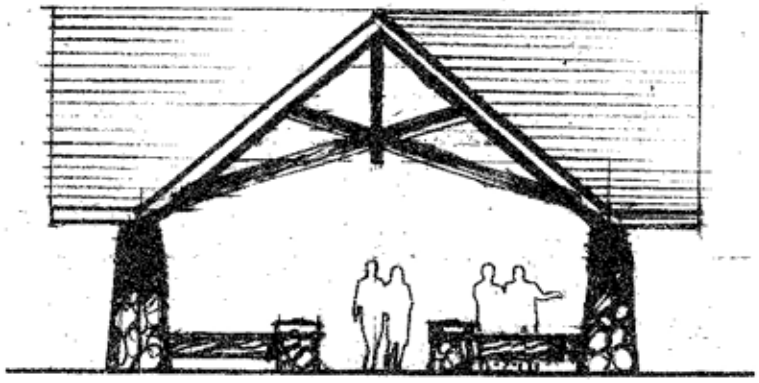




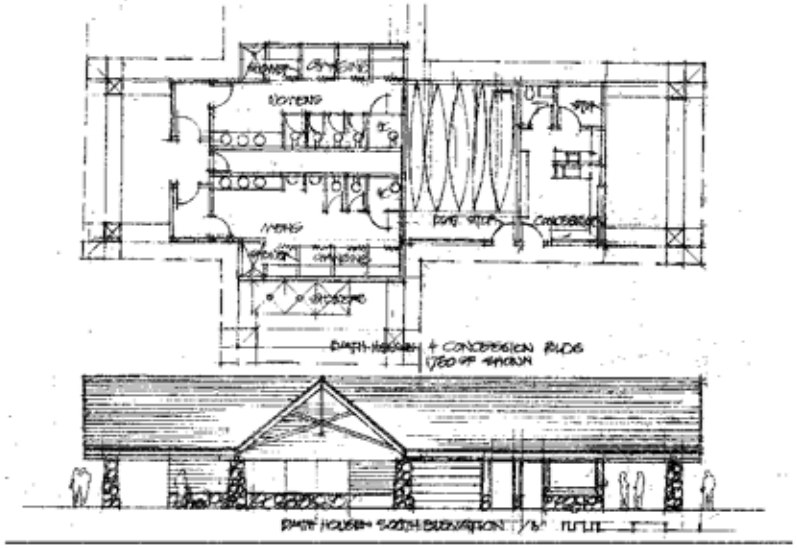
BATHHOUSE PLAN AND ELEVATION

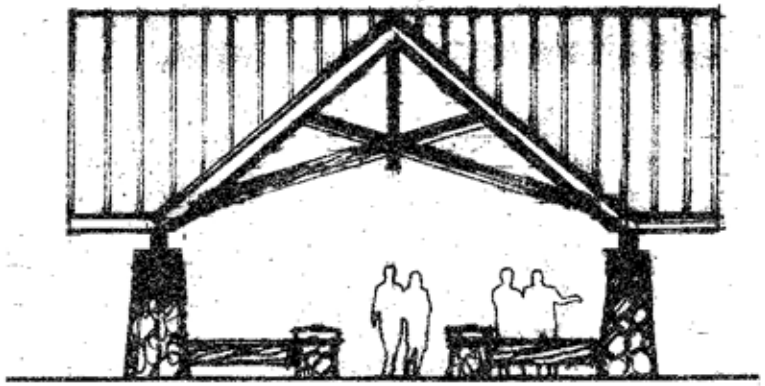
JUANITA BEACH PARK MASTER PLAN
CITY OF KIRKLAND PARKS AND COMMUNITY SERVICES

J.A. BRENNAN ASSOCIATES, PLLC
In Association with
J.T. ATKINS & COMPANY P.C.
MAKERS ARCHITECTURE AND URBAN DESIGN
TETRATECH
DOUGLASS CONSULTING
LANDAU ASSOCIATES



24-PERSON SHELTER





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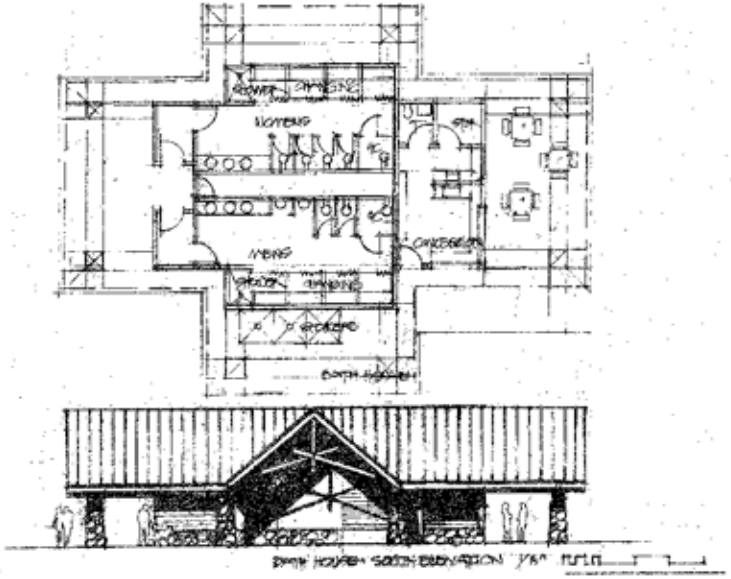

PICNIC SHELTER

JUANITA BEACH PARK MASTER PLAN

CITY OF KIRKLAND PARKS AND COMMUNITY SERVICES

J.A. BRENNAN ASSOCIATES, PLLC
In Association with
J.T. ATKINS & COMPANY P.C.
MAKERS ARCHITECTURE AND URBAN DESIGN
TETRATECH
DOUGLASS CONSULTING
LANDAU ASSOCIATES

JUANITA BEACH PARK COST ESTIMATE

PLANNING LEVEL

PRELIMINARY BUDGET ESTIMATE

Date: 02-Nov-05

J.A. Brennan & Associates
Landscape Architects & Planners
100 S. King Street
Suite 200
Seattle, WA 98104
(206) 583-0620

01100 MOBILIZATION

Item	Description	Quantity	Unit	Unit Costs	Subtotal	Total
	Mobilization		5%		$ 462,459.91	
						$462,459.91

02000 DEMOLITION & CLEARING

Item	Description	Quantity	Unit	Unit Costs	Subtotal	Total
	Asphalt Demolition	11500	SY	$ 6.00	$ 69,000.00	
	Asphalt & Concrete, Haul & Dump	1248	CY	$ 8.50	$ 10,608.00	
	Clear, Grub, Haul, & Dump	590000	SF	$ 0.06	$ 35,400.00	
	Selective Clearing and Grubbing	195000	SF	$ 0.06	$ 11,700.00	
	Concrete Demolition	300	SY	$ 12.00	$ 3,600.00	
	Demolish Crushed Rock Paving	8669	SY	$ 12.00	$ 104,028.00	
	Curb and Gutter Demolition	2000	LF	$ 4.00	$ 8,000.00	
	Traffic Control	1	LS	$ 8,000.00	$ 8,000.00	
	Building Demolition (north restroom) incl. Haul & dump)	1	LS	$ 7,200.00	$ 7,200.00	
	Building Demolition (concession stand & storage b incl. Haul & dump)	1	LS	$ 2,000.00	$ 2,000.00	
	Building Demolition (bathhouse) incl. Haul & dump)	1	LS	$ 45,000.00	$ 45,000.00	
	Building Demolition (maintenance bldg) incl. Haul & dump)	1	LS	$ 43,000.00	$ 43,000.00	
	Building Demolition (picnic shelter) incl. Haul & dump)	1	LS	$ 5,000.00	$ 5,000.00	
	Demolish Backstop & Bleacher at Ballfields	2	LS	$ 1,250.00	$ 2,500.00	
	Tree Removal	1	LS	$ 15,000.00	$ 15,000.00	
	Septic Tank Removal	1	LS	$ 1,500.00	$ 1,500.00	
	Demolish Timber Breakwater	1	LS	$ 8,000.00	$ 8,000.00	
						$379,536.00

02200 GRADING and EROSION CONTROL

Item	Description	Quantity	Unit	Unit Costs	Subtotal	Total
	Grading (Cut & Fill with Equipment)	4000	CY	$ 6.00	$ 24,000.00	
	Import Fill	1000	CY	$ 20.00	$ 20,000.00	
	Temporary Sedimentation & Erosion Control	1	LS	$ 20,000.00	$ 20,000.00	
	Water Quality Monitoring During Construction	1	LS	$ 5,000.00	$ 5,000.00	
						$69,000.00

02500 PAVING

Item	Description	Quantity	Unit	Unit Costs	Subtotal	Total
	Asphalt Paving (8' Path)	5500	LF	$ 20.00	$ 110,000.00	
	Concrete Paving	24000	SF	$ 5.00	$ 120,000.00	
	Asphalt Paving (Parking Lot)	127000	SF	$ 3.00	$ 381,000.00	
	Permeable Concrete Paving	5000	SF	$ 10.00	$ 50,000.00	
	Grasspave Permeable Paving (n. lot)	32000	SF	$ 5.00	$ 160,000.00	
	Conc. Curb Ramp	20	EA	$ 500.00	$ 10,000.00	
						$831,000.00

02600 SITE UTILITIES

Item	Description	Quantity	Unit	Unit Costs	Subtotal	Total
	Fire Hydrant	2	EA	$ 3,500.00	$ 7,000.00	
	Power Supply w/ panal & transformer	2	EA	$ 20,000.00	$ 40,000.00	
	Sanitary Sewer	500	LF	$ 25.00	$ 12,500.00	
	Water System - 4" Main w/ meter & POC	1	LS	$ 50,000.00	$ 50,000.00	
	Electrical disconnect for Community Commons	1	EA	$ 2,500.00	$ 2,500.00	
						$112,000.00

02700 STORM DRAINAGE

Item	Description	Quantity	Unit	Unit Costs	Subtotal	Total
	Biofiltration-drainage swale	1	LS	$ 18,000.00	$ 18,000.00	
	Catch Basins	15	EA	$ 2,000.00	$ 30,000.00	
	Storm Drain Piping	2000	LF	$ 10.00	$ 20,000.00	
	Rain Garden	1000	LF	$ 15.00	$ 15,000.00	
	Below Grade Detention Vaults	1	LS	$ 150,000.00	$ 150,000.00	
						$233,000.00

02700 SITE IMPROVEMENTS

Item	Description	Quantity	Unit	Unit Costs	Subtotal	Total
	Signage					
	Directional Sign	5	EA	$ 250.00	$ 1,250.00	
	Entry Sign	6	EA	$ 1,500.00	$ 9,000.00	
	Entry Gate	6	EA	$ 2,000.00	$ 12,000.00	
	Interpretive Kiosk	2	EA	$ 8,000.00	$ 16,000.00	
	Interpretive Signage	10	EA	$ 1,200.00	$ 12,000.00	
						$50,250.00
	Structures					
	Group Picnic Shelter	3	EA	$ 76,000.00	$ 228,000.00	
	Group Picnic Plaza and Site Furniture	3	EA	$ 15,000.00	$ 45,000.00	
	Restroom (North Side)	1	EA	$ 155,000.00	$ 155,000.00	
	Bath House	1	EA	$ 520,000.00	$ 520,000.00	
	Forbes House Renovation	1	LS	$ 712,000.00	$ 712,000.00	
	Interpretive Pavilion	1	EA	$ 35,000.00	$ 35,000.00	
	Boat Rental Kiosk (on pier)	1	EA	$ 10,000.00	$ 10,000.00	
	Boat Rental Float & Gangway	1	EA	$ 75,000.00	$ 75,000.00	
	Bridge - 6'x40', Pedestrian	1	LS	$ 5,000.00	$ 5,000.00	
	Focal Piont on Dock	1	LS	$ 35,000.00	$ 35,000.00	
	Stream View Point - Crushed Rock w/ Railing	2	EA	$ 3,000.00	$ 6,000.00	
	Viewing Pier - 6'x25'	1	EA	$ 4,000.00	$ 4,000.00	
						$1,830,000.00
	Recreational Facilities					
	Entry Plaza SE Corner (North)	4000	SF	$ 26.00	$ 104,000.00	
	Entry Plaza SW Corner (North)	1500	SF	$ 26.00	$ 39,000.00	
	Skate Park	1	LS	$ 335,000.00	$ 335,000.00	
	Playground W/ Play Curb	13000	SF	$ 6.00	$ 78,000.00	
	Little League Athletic Fields	2	EA	$ 300,000.00	$ 600,000.00	
	Tennis Court Resurfacing	2	EA	$ 4,000.00	$ 8,000.00	
	Bleachers	2	EA	$ 1,500.00	$ 3,000.00	
	Entry Plaza NE Corner (South)	5000	SF	$ 26.00	$ 130,000.00	
	Entry Plaza NW Corner (South)	1400	SF	$ 26.00	$ 36,400.00	
	Basketball Goals	6	EA	$ 2,000.00	$ 12,000.00	
	Sand Volleyball	2	LS	$ 8,500.00	$ 17,000.00	
	Lakefront Promenade	1	EA	$ 112,000.00	$ 112,000.00	
	Day-Use Moorage Float & Gangway	3500	SF	$ 40.00	$ 140,000.00	
						$1,614,400.00
	Landscaping					
	Stream Buffer Enhancement	1	LS	$ 90,000.00	$ 90,000.00	
	Forbes House Historic Garden	10000	SF	$ 9.00	$ 90,000.00	
	Landscaping (high Intensity)W/ IRRIGATION	85000	SF	$ 7.00	$ 595,000.00	
	Landscaping (moderate intensity) w/ irrigation	365000	SF	$ 5.00	$ 1,825,000.00	
						$2,600,000.00
	Habitat Enhancement and Mitigation					
	Water Quality Marsh (North)	1	LS	$ 100,000.00	$ 100,000.00	
	Water Quality Marsh (South)	1	LS	$ 250,000.00	$ 250,000.00	
						$350,000.00
	Paths					
	Boardwalk - 6' Wide ,Wood, Pin Pile - Over Water	150	LF	$ 300.00	$ 45,000.00	
	Crushed Rock Path (6' wide)	100	LF	$ 11.00	$ 1,100.00	
	Pin-pile Supported Bridge - 8' wide	40	LF	$ 200.00	$ 8,000.00	
						$54,100.00
	Site Furniture & Amenities					
	Bench	25	EA	$ 750.00	$ 18,750.00	

Bike Rack	4	EA	$ 350.00	$ 1,400.00	
Bollard	20	EA	$ 200.00	$ 4,000.00	
Art Elements	1	LS	$ 50,000.00	$ 50,000.00	
Drinking Fountain	4	EA	$ 1,200.00	$ 4,800.00	
Picnic Grill	10	EA	$ 275.00	$ 2,750.00	
Picnic Table (with conc. pad)	18	EA	$ 1,600.00	$ 28,800.00	
Trash Receptacle	15	EA	$ 250.00	$ 3,750.00	
Seatwalls - Conc.	700	LF	$ 162.00	$ 113,400.00	
					$227,650.00
Lighting					
Lighting - Skate Park	1	LS	$ 20,000.00	$ 20,000.00	
Lighting - Tennis Courts (Group of 4)	0	LS	$ 20,000.00	$ -	
Parking Lot Luminaire - 30' (South Lot)	15	EA	$ 6,500.00	$ 97,500.00	
Parking Lot Luminaire - 30' (North Lot)	6	EA	$ 6,500.00	$ 39,000.00	
Parking Lot Luminaire - 30' (Village Lot)	12	EA	$ 6,500.00	$ 78,000.00	
Roadway Luminaire - 20'	6	EA	$ 8,500.00	$ 51,000.00	
Walkway Luminaire - 10'	45	EA	$ 3,000.00	$ 135,000.00	
Walkway Bollard - 42"	30	EA	$ 500.00	$ 15,000.00	
					$435,500.00
Subtotal					**$9,248,895.91**
Sales Tax 9%					**$ 832,400.63**
Estimating and Design Contingency 25%					$2,312,223.98
Construction Contingency 10%					$ 924,889.59
Design/Engineeering/Testing/Inspections 15%					$1,387,334.39
Permits					$50,000.00
City Project Management 3%					$277,466.88
Total Preliminary Cost Estimate					$ 15,033,211.38

EXHIBIT A

Meeting Notes:

Public Meetings #1-5

Agency Meeting

City Of Kirkland
Parks and Community Services
Juanita Beach Park Master Plan

Public Meeting #1 Minutes

December 9, 2004

Attendees:

Prepared by:

J.A. Brennan Associates, PLLC – Landscape Architects & Planners
In association with J.T. Atkins & Company
The first public meeting was held on December 9, 2004 to gather input from the community, receive feedback on the appropriate levels of park development, and generate ideas for park character and programming.

I. **Introductions**

Jennifer and Michael introduced the design team, outlined the project's scope and schedule, and stressed the importance of the public involvement process. The City communicated its openness to all ideas.

II. Site Inventory and Analysis (30 minutes) Jim

An overview of Juanita Park, including site context was given. The consultant led a discussion where the following issues and opportunities, some relating to existing conditions, were brought up by attendees:

- Consider setting aside specific areas within the park for cultural activities.
- Invasive plants are located in the wetland and should be managed.
- One attendee asked what the causes of water pollution are. It was noted that water pollution is primarily coming from the stream and from waterfowl in the lake and along the shore. Failed septic systems may be contributing to the problem in the Juanita Creek Drainage, and high numbers of geese along the shoreline also adds to the bacteria problem which causes health risks to swimmers. The walking pier also has an impact on water quality by limiting mixing, reducing waves and sediment disturbance, and by keeping polluted stream flows out of the swimming area. The effects of the walking pier will need to be studied in more detail to look at how it is beneficial and how it potentially adds to the pollution problem
- The impacts of removing the waterwalk need to be studied before removal is considered.
- Wind/wave fetch, lake dynamics all impact the shore and need to be considered in redevelopment plans.
- The waterwalk is more accessible in summer; it is difficult to access from the parking lot in winter.
- A lack of lighting is apparent on the site. It was noted that part of the walking pier (west side) is lighted.
- View issues need to be considered. The view of the lake is important and should be maintained, particularly the view from Juanita Drive and the ballfields.
- Groundwater flows/depth and drainage patterns should be carefully studied for impacts to new park elements.

- Should the beach be maintained for swimming? The cost of maintaining it needs to be considered. It was noted that if enough resources are committed to improving water quality the beach could be safe for swimming.
- Storm drainage has been diverted to run away from the creek. Could water be redirected into creek to improve water quality?
- The amount, location and surface treatment of parking should be considered.
- How many structures are within setbacks and have grandfathered use? (SF credit – Purpose to be near water) It was noted that several of the structures are located within the stream buffer, shoreline setbacks, and wetland buffers. Consideration will be given to using the removal of these structures for mitigation of buffer impacts.
- What can be done about the milfoil problem? It was noted that design team members have expertise in milfoil control, but that control can be maintenance intensive.

III. Vision and Goals

The consultants facilitated a preliminary discussion about vision and goals for the Park. The consultants provided the following draft vision concepts for the park that had been suggested by the Citizen Advisory Team (CAT) at an earlier meeting:

Juanita Beach Park: Restoration of a dynamic vibrant natural preserve in the middle of the City that provides active and passive leisure activities.

The recreation room of Juanita, with family recreation opportunities, links for walking and connecting to the neighborhood and commercial district.

A place of timeless aesthetic beauty, that celebrates Juanita Beach's water sports history Environmental Vision: Clean up of stream and creating educational opportunities.

Previously the CAT met and developed the following vision statement:

Juanita Beach Park: Serving as a center of social activity for the community, creating areas for play, gathering, spontaneous events, and informal fun.

At the public meeting, the consultants asked the public to consider, "What will the experience of this site be like in 20 years?" Goals solicited from the pubic included:

Goals:

- Enhance Juanita Creek to create a healthy stream environment. This could include the reach within the park and up-stream reaches.
- Limit commercial activities in the park to those that serve the needs of park users and avoid over-development of the park.
- Limit the number of buildings on the site.
- Light the park's perimeter.
- Develop rowing club and facility at the park
- Create a revenue source by providing day moorage for boaters. This will allow access to the commercial district.
- Create recreation opportunities that generate revenue.
- Consider the cost / benefits of dredging the swimming area

Goals developed by the CAT (at the CAT meeting) included

- Balance active and passive recreation activities.
- Restore park to a dynamic vibrant natural preserve.
- The park should sere the greater community.

Vision:

- A revitalized Juanita Beach Park should be a quiet place to enjoy nature
- Juanita Beach Park serves as both a neighborhood park and a City park.
- Develop water recreation opportunities while protecting the environment.
- Develop park amenities that are not out of scale with neighborhood while protecting the environment.
- The beach should be family-friendly, oriented for children with playground and picnic facilities.
- The park should reflect the neighborhood (younger demographics).
- The park should be family-friendly for multi-generational use.

IV. Recreation, Restoration and Other Uses

Various banners were posted to the wall in order to facilitate responses for programming opportunities. The lists below document public response to each "banner" category of programming.

Passive Recreation

Comments included:

- Areas of the park are great for picnicking, tables, spreading blankets.
- Group picnic areas are very popular: develop group picnic area for rental use, on North side of park as well as South side.
- Consider tent camping for scouting activities.
- Consider Frisbee golf.
- Consider off-leash dog area.

Active Recreation

Comments included:

- Add playgrounds.
- Design all weather user pay soccer and football (competition size)
- Add skate park. Provided covered teen and young adult area.
- Add dog off-leash area.
- Add beach volleyball.
- Add basketball court.
- Add workout facility (par course)
- Improve tennis courts – Lighted, pay as you go
- Improve and/or add baseball/softball fields (3 fields) for small kids

Water Related Recreation

Comments included:

- Create rowing facilities.
- Add moorage opportunities.
- Create upland water features for kids.

- Enhance swimming, life guard, lap swimming, kids water play areas.
- Take advantage of the only nice sandy beach in Juanita.
- Fishing from the waterwalk is important.

Pedestrian Bike Trails

Comments included:

- Design unpaved trail system.
- Create a pedestrian/bicycle link to shopping areas.
- Create a pedestrian/bicycle link to Juanita Bay Park.
- Use a trail system to tie the North and South segments of the park together.
- Consider a lid or tunnel to connect the two park halves together.
- Connect the two parts of the park together as well as link to Juanita Village.

Environmental Education

Comments included:

- Add interpretive signage to park.
- Consider guided nature trips, as at Mercer Slough.
- Integrate education program with a school program.

Wayfinding

No comments were made regarding wayfinding

Community Gathering Opportunities

Comments included:

- Create a smaller group shelter.
- Create an active water feature.
- Design group picnic areas on both the North and South park sides.
- Create a barbecue area.
- Add picnic tables.

Events and Entertainment Opportunities

Comments included:

- Create events area similar to Moss Bay.
- Share venue of the Farmer's Market to Juanita Beach Park.
- Design bandstand with power supply for entertainment.
- Tap into wedding and reunion market.
- Use existing structure and program.

Forbes House

Comments included the following:

- Generate income by using it for wedding events.
- Create a plaza space.
- Convert it to an interpretive Center.
- Relocate the Forbes house to another part of the park.

Parking Lots

Comments included the following:

- Screen parking from park areas.

- Create a buffer between parking and adjacent condominium without impacting condominium views.
- Add trees to park.
- Use pervious surfacing treatment.
- Shift south lot to north, existing parking creates a no man's land.
- Create a treed canopy along Juanita Drive.
- No parking by the Forbes House – there's well-defined adequate space paved.

Water Quality Facilities

No suggestions/comments were noted.

Environmental Restoration

Suggestions included:

- Sensitive areas should be restored but should be balanced with recreation needs.
- Salmon habitat should be considered.
- Park improvements should be natural in character.

Revenue Producing Elements:

Event Facility Rental

Weddings were suggested as a possibility.

Commercial Recreation

Comments included:

- Add day moorage rental.
- Add kayak and sailboat rentals.
- Add coin operated lights for sports areas.
- Add group picnic area for fee.

Food Concession

Public opinion ranged from "food concessions not needed" to the suggestion that low key concession development could bring in revenue. Comments included:

- Supplying a food cart pad.
- A desire to minimize commercialization of the park.
- Many concession opportunities are already available in Juanita Village.

V. Design Character

The consultants initiated a discussion about the design character of the renovated park. The diverse character of the site offers many opportunities for developing a range of character(s) for the park. Should the North and South segments each be unique in character or should they be linked and similar in character? The consultants pointed out that Juanita Creek, which flows through both park segments, offers an opportunity to unite the sites in a swath of green, creating a continuum of greenspace and natural areas. These natural areas will certainly

be mandated by stream and wetland buffering requirements.
Another character consideration is that the spectrum of development can range from "Wild" to "Urban." Does the public prefer a more natural park, with habitat restoration elements, or a more built-up/urban development with plazas, public gathering spaces, and water features?

Ideas developed by the public include:

- Look at under used areas of the park and consider different uses.
- The Park should not be over programmed, passive informal space is a valuable park asset.
- Traffic impacts on adjacent areas should be considered.
- Consider the context of the site, this park is one piece of a larger community park system
- Tie the park to the community.
- Look at the neighborhood walking system.
- Consider placing a restroom on both park areas.
- Could there be commercial activities on the water side (south park segment)?
- Consider the history of the site and how it relates to futures use.
- Balance seasonal activities with four season activities.
- What type of structure(s) would be appropriate to the site.
  The consultants responded that potentially the structure could be similar to the Marina Park pavilion, and serve as a multi functional structure.
- Another attendee recommended a covered space for winter month activities.

VI. Summary of Input

In summary, the next meeting will need to address the divergent opinions about the park's future uses, character, and development level. Recurring issues include determining park character: should the character be more natural versus more urban? Initial feedback points to a preference for a more urban character for the park with the understanding that the park provides the opportunity for a range of landscape characters.
Another issue of some controversy includes determining an appropriate level of income producing activity on the site.
Decisions about the level of development will also need to be made.

VII. Next Step In Process

- Development of criteria with C.A.T.
- Next Steering Committee meeting
- Next Public meeting (Jan 27th)

City Of Kirkland
Parks and Community Services
Juanita Beach Park Master Plan

Public Meeting #2 Minutes

January 27, 2005

Attendees:

Prepared by:

J.A. Brennan Associates, PLLC – Landscape Architects & Planners
In association with J.T. Atkins & Company

The second public meeting was held on January 27, 2005 to gather input from the community, receive feedback on the appropriate levels of park development, and generate ideas for park character and programming.

VIII. **Open House Program Review**

Presentation boards were set up for the public to view prior to the start of the presentation with possible program elements and built structures for Juanita Beach Park. In addition, a packet was handed out to attendees, which provided them a list of possible program elements for the Juanita Beach Park site. Attendees will be asked to rate and discuss these elements later in the meeting.

IX. Introductions to General Meeting

Michael introduced the city team, consultant team, steering committee members, and the project scope and schedule.

X. Review of Public Meeting #1

The consultants reviewed input from public meeting #1 which was held December 9, 2004. The review highlighted some of the comments brought up during the last meeting which are as follows:

- Input on site conditions
- Vision and goal guidance
- Preliminary suggestions for recreation and use program
- Design character input

XI. **Vision and Goals Discussion**

The consultants briefly introduced the draft vision statement and draft goals for Juanita Beach Park. As the meeting moves forward, there was a more involved discussion about particular program element opportunities within the park and the character of possible built structures for the Juanita Beach Park site. The draft vision statement presented at the meeting follows:

DRAFT VISION STATEMENT
Juanita Beach Park is a family friendly, multi-generational community park that fits the scale, character, and history of the park site and the surrounding neighborhood. The park provides waterfront access and a balanced mix of active and passive recreation opportunities while protecting and enhancing the natural environment.

XII. Draft Park Program Presentation

The consultants reviewed the program from meeting #1 and focused on the need to refine and prioritize the list of program elements presented at that meeting. During this discussion, a map of surrounding parks and some of the existing amenities are presented to the attendees to help facilitate the discussion. This discussion helped participants evaluate some of the trade-offs and consultants used a flip chart to record participant's comments.

Next the consultants provided a brief recap of existing site conditions and a brief review of site analysis plans. The consultants then assisted the participants in visualizing the program elements and scale by providing templates that represent the size and diagrammatic layout of many of the major proposed program elements such as the small boat rental center , skate park, and little league fields.

A draft program list was then presented and handouts were distributed to facilitate discussion of programming opportunities. The lists below document public response to each program category.

Active Recreation

Comments included:

Little League:

- Most of the little league schedule takes place From March to mid June. Limited little league also takes place summer months of July – August.
- A question was asked about plans for little league field lighting – the City responded by saying that no field lighting proposed. The tennis courts are currently lighted.
- It is noted that there was mention of eliminating little league from the Juanita Beach Park site. A question was asked about the availability of little league field at other nearby sites like Big Finn Hill Park. A little league member mentioned that there is no other fields available
- One attendee felt that little league fields with a 200' centerfield would be adequate and commented that parking was the big issue. Note that peak parking is needed for little league from May-June. This attendee noted that summer leagues were not as big a concern for parking. During May and June there is not high intensity use of the swimming area so little league is fairly compatible with the park in terms of shared parking.
- One attendee was concerned that facilities should be available for casual pick-up games over scheduled recreation.
- Another noted that organized sports should not be considered for this park.
- One attendee noted concern about scheduling conflicts or program duplication with McAuliffe Park's organized sports programs. Micheal Cogle noted that there are no scheduled organized sports at McAuliffe Park.
- Question: What is the little league use level? Answer: There are 100- 130 games April-July with no place to relocate.

- Note that one attendee felt that currently, there is no apparent conflict between baseball and other park uses.
- One attendee emphasized the need for younger little league over older leagues.

Soccer:

- Soccer field should be part of the multi-use sports field, not as a single program element.

Skate Park:

- Participant noted that Kirkland already has a skate park at Peter Kirk Park and would not like to see another one.
- Another participant noted that Peter Kirk is too small to accommodate the amount of interest in the sport in that area.
- Noted that one attendee says there are not enough skate parks on the east side and that Peter Kirk is not that accessible.
- One participant suggested refurbishing Peter Kirk instead of building a new skate park at Juanita Beach Park.
- A comment was made by one participant in favor of skateparks because they help to keep kids and teens out of trouble, i.e. drugs.
- One participant noted that the skatepark should include lights because this is a year - round sport unlike baseball. Without lights winter-time users would either have to relocate to other unsanctioned locations with lights such as local business parking lots or perhaps risk injury by attempting to ride without lights at all.
- One participant noted that the skatepark should be located near Juanita Drive to ensure visibility.
- A roof could be added to the skatepark to help with year round use.

Tennis Court:

- Participant notes that current tennis courts are in poor condition (paving & surfacing).

Multi-Use Sport Court:

- Commented that there is an existing multi-use sport court at North Kirkland Community Center and this would be duplication.
- One participant noted that this would be a useful and well-used amenity because it allows for several different uses such as inline hockey, badminton, dodge ball. These could be rotated daily.

Water Related Recreation

Comments included:

Lake Front Promenade:

- ADA , stroller, and wheelchair access would be a welcomed improvement for the pier access and beach area.
- Visibility of Lake Washington from Juanita Beach Park is very important to the Juanita community.

Day Moorage:

- Concerns about safety were raised in regards to day-moorage.
- Noise pollution from motor boats was brought up by one attendee.
- One attendee thought day-moorage was a benefit to local business district but felt that a 2-hr limit on slips would be appropriate.

- Day-moorage for non- motorized vessels only was recommended by a meeting attendee.
- Another attendee raised the question of pollution from motor boats
- Attendee noted that there are currently hand launch boat users are active at the site.
- Some boaters are docking at the water walk now and stated that it works fairly well.

Car-Top Launch:

- Attendee noted the issue of human intrusion at the Juanita Bay Park from small boaters. Juanita Bay Park is a natural area, which currently feels like a wildlife sanctuary.

Boat Center:

- Noted that a boat center would be a good attribute and would be used by kids and families.
- Concern was raised about safety due to close proximity of motorized water recreation and skiers on Lake Washington.
- One attendee noted they would like to see the boat rental facility be located near current maintenance building with a rooftop deck accessible from Juanita Drive.

Passive Recreation

Comments included:

- Overall, there is a lot of public approval for picnic tables and similar gathering spaces.

Pedestrian Bike Trails

- An attendee noted that neighboring Juanita Bay Park has a lot of interpretive trails but they are limited near the stream.
- One attendee notes they would like to see the focus at Juanita Beach Park remain on cultural elements.
- One attendee noted that they would like to see a loop path provided for rollerbladers and bikers.
- One participant raised the question of possible foot passenger ferry service to this location. There is some discussion of foot passenger fleet on lake Washington. This issue will be researched by the team.
-

Environmental Education

- Attendee raised the interest of school participation.
- Could Juanita Bay Park docents use both parks for education?
- Juanita Bay Park, Juanita Beach Park, and Forbes Valley serve educational needs of Lake Washington Schools.

Wayfinding

- No comments were made regarding wayfinding

Community Gathering Opportunities

- Amphitheater suggestion was well received and one attendee noted they really liked the example presented at the meeting. This slide depicted grass with stone seating walls and scattered deciduous trees.

Events and Entertainment Opportunities

- Comments were made about an existing Juanita Farmer's Market in the same location and that attendance is good there.

Forbes House

Comments included the following:

- Attendee noted that the Marymoore Clise Mansion is a great example of potential uses for the Forbes House.
- Question: Will this location become a city office? Response: There are no plans for that to occur at this time.
- Attendee suggests a connection between the German Retirement Home and the Forbes House, which shares the north property line of the park. This could include a gate and possibly a sidewalk connection.

Parking Lots

Comments included the following: No suggestions/comments were noted

Environmental Restoration

- Suggestions included: No suggestions or comments were noted.

Revenue Producing Elements

Event Facility Rental

- There were no comments made at this meeting.

Food Concession

Comments included:

- Public opinion ranged from "food concessions not needed" to the suggestion that low key concession development could bring in revenue.
- One attendee noted that they would not like to see any restaurants within the park.
- Another comment mentions that snack concessions that focus on small ticket items such as ice cream and hot dogs would be good.

- One member of the public felt that concessions would not be needed but that they would like to see a link provided that would lead you to surrounding businesses and food vendors.
- Small, scale concessions that were opened on a seasonal basis would be adequate.

Design Character

The consultants initiated a discussion about the design character of the built structures within the park. The diverse character of this site offers many opportunities for developing a range of character. During the slideshow, consultants proposed that each participating member think about some of the built characteristics they are exposed to during this presentation. They offer participants the chance to view examples of several landscape and architectural styles. The styles presented at this meeting were northwest contemporary, rustic, and traditional. Landscape character presented included wild, naturalistic, and urban. Photographic examples for each style were presented by the consultants for community input.

Ideas developed by the public include:

- Look at historical images for inspiration.
- A need for cover and sheltered facilities should be considered.
- Participants commented on the need to consider the function of proposed structures in order to choose a style.
- Due to the proximity of Juanita Bay Park, which has a more rustic character, consider the relationship of those structures with proposed structures for Juanita Beach Park.
- An attendee felt that they would like to see a more rustic character to Juanita Beach Park when compared to downtown Kirkland.
- One participant would like a beach house feel to the structures proposed for the site.
- There was discussion of the relationship to the Juanita Village Style. Would the park be a juxtapositions or contrast to the village look, or would it mimic the urban village feel. Another suggestion discussed was the ideas of transitioning from urban to rustic as the visitor moves deeper into the park, with some consistent and unifying elements to tie the park together.

XIII. Public Preference Selection

Consultants asked the meeting participants to use green sticky dots to identify their 5 most important program elements. The participants were given 2 red dots as well and were asked to use those to represent program elements they would not like to see in the park (if any). This should not be considered as voting, but a visual representation of trade offs and preferences.

XIV. Next Step In Process

- Next Steering Committee Meeting
- Park Board Meeting
- City Council Meeting
- Public Meeting #3 – Presentation of two alternatives (May12)
- Public Meeting#4- Presentation of draft master plan (June 16)

November 2, 2005

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JUANITA BEACH PARK MASTER PLAN

Presentation of Alternatives

Public Meeting No. 3

7:00 pm City of Kirkland City Hall, Peter Kirk Room

Prepared by:
J.A. Brennan Associates

In Association with:
J.T. Atkins & Company
MAKERS Architecture + Urban Design
TetraTech Inc.
Douglass Consulting
Landau Associates

Meeting Notes:

Review of Program Elements / Update of Design Program Status

Michael Cogle presented a PowerPoint show that summarized programming elements (see below). The purpose of this meeting is to get feedback on alternatives; Michael reiterated that we are not asking for attendees to pick one alternative over the other, but are looking for features from each. There will be no voting.

Michael introduced Park Board Members, representatives from the Citizen Advisory Team (CAT), and the Directory of Parks, Jenny Schroder.

Michael explained the design program; that the alternatives are based on:

- The approved program elements, as discussed at the previous two meetings
- Looking at information the public has provided in public meetings and to the CAT.
- City Council's approval of the programming elements.

The next step: In two weeks the alternatives will be shared with City Council. They will give feedback for developing the preferred alternative.

In the fall, the preferred plan will be presented at open house. In October, the plan will be presented to City council for approval.

The PowerPoint show outlined:

- Vision Statement:
- Project Goals:
- Park integration goals
- Recreation Goals
- Environmental Stewardship
- Community-Building Goals
- Aesthetic goals
- Historical resources goals
- Revenue goals
- Maintenance goals
- Programming Goals
    - Active Recreation
    - Incorporate Little league fields
    - Removable outfield fencing
    - Natural grass
    - Unlit sports fields
    - Sport Court multi use court
    - Baseketball
    - Tennis courts, want to keep only lighted courts in Juanita, coin operated lights, adding a court?
    - Courts are in stream buffer now, could be relocated
    - Skate Park

    Looking at incorporating in North side of Juanita Drive, designing to reduce noise impacts, good design is key to success.

    Water and beach

    Swimming beach

    Water quality problems, feel that water quality and depth can be improved, want to maintain beach, will need new bathhouse.

    Swim beach drives parking needs.

    Hand – carry boat launch. Improve access for non-motorized boats only, need for vehicle access for load/unload

    Boat Rental Facility

    Boat storage, water and land boathouse facility, canoes, kayaks, sail, rowing, class and tours. Concerns expressed include capital cost, operating costs, private vs. public. Safety concerns. Habitat impacts to Juanita Bay park from increasing boat / people access.

    - Day Use Boat Moorage

      Would provide nominal number of rental slips/ day use only. Historically boaters have used docks illegally to pick up / drop off passengers.
    - Group gathering and events, entry or events plaza, linear plaza, tie two slides of park, farmer's market, art shows. 30 acre property well equipped for this kind of event.
    - Amphitheater, bandstand on south side, consider multi-use facility.
    - Picnic shelter - Want to keep the group picnic shelter in park

- Passive recreation, in addition to group picnic, individual picnic areas
- Forbes House Garden - Near German Retirement Village, strolling garden, historically appropriate to garden
- Interpretive trails along creek,
- Lakefront promenade, parallels shoreline, connecting to pier with evening lighting, could host events.
- The Pier, definitely want to keep it, make it look nicer, though it contributes to water quality problem, removing baffles could improve water circulation
- Forbes House, the only existing building that City plans on keeping, possible uses, meeting space, office space, leased space, house is in good shape.
- Pedestrian systems, no pedestrian routes within park, want to improve accessibility, connections to park, neighborhood connections.
- Parking improvements, just a really big lot south side, want to make improvements. Interested in getting public feedback on parking.

Programming QuestionS & AnswerS

At the conclusion of the PowerPoint Show, Michael took questions:

Q: Question
A: Answer
C: Comment
R: Response

Skate Park

Q: How would a skate park at Juanita Beach Park be different than the skate park at Peter Kirk Park?
A: The skate park at Peter Kirk Park was designed for the "novice skater." It's smaller than the proposed skate park at Juanita Beach Park. The City of Kirkland has a deficit in skate parks and Juanita Beach Park's location, central to Juanita, in an area where people already congregate, makes it ideal for developing a larger, attractive park feature.

Q: How would the proposed skate park compare with size of skate park at Seattle Center?
A: The skate park at Seattle Center is approximately 6,000 sq. ft.; the skate park at Juanita Beach Park would be approximately 10,000 sq ft.

Q: Have you considered developing a skate park at another park/community center?
A: The City (Michael Cogle) responded that that site is smaller and would put the skate park closer to housing, whereas at Juanita Beach Park, the skate park (in Option 2) would be closer to a commercial district and away from housing.

C: Believes putting a skate park at Juanita Beach Park is appropriate and where a skate park should be located, as this is already where teenagers gather.

C: Concerned about view corridors and the number of boats in bay, and that the size of the proposed boat rental facility might obstruct views.

Promenade

Q: Where would the promenade be located? Would it be at the water's edge?
A: The City responded that in this case, the promenade would be designed to separate the beach area from the lawn area. In any case, there will be a sandy beach.

Off-Leash Dog Area

Q: What happened to the concept of an off-leash dog area?
A: The City responded that the off-leash dog area has been taken out of consideration because there is not enough space available at Juanita Beach Park for a dedicated, fenced in off-leash dog area.

Traffic Concerns

Q: Due to the heavy traffic of Juanita Drive, would it be possible to develop an overpass?
A: An overpass would be very costly and perhaps not too attractive. The City shares concerns about the crossing, but believes it would cost at least a $1,000,000, be prohibitively large and require long ramps to provide ADA access.

Q: What about a tunnel option for crossing Juanita Drive?
A: A tunnel is not practical due to the sewer/force main under Juanita Drive. Recently traffic calming improvements have been made to Juanita Drive which has made crossing Juanita Driver easier and safer.

Q: Would it be possible to add pedestrian activated crossing lights?
A: It's a possibility. Confirm they already exist?

Beach and Swimming Area

Q: Will the beach stay as deep as it is now? It's really good for volleyball now.
A: The beach is an important amenity and its size should not be impacted.

Q: What is the approximate depth of the swimming area now?
A: The City responded that it is very shallow now. Historically the swimming area has always been shallow, due to sediment from upstream. The project team will work with City surface engineers to control sediment from upstream. The City received $500,000 to tackle this problem.

Programming

C: Believes Alternative Concepts might include too many activities in a small space (Juanita Beach Park site), values open green space. Sees an immense undertaking here and wonders if it is too much development for the space.

Q What is the project budget.
A: Plenty of funds for design, none yet for implementation.

Michael ended the discussion of programming elements and turned the presentation over to Jim Brennan (J.A. Brennan Associates) for an introduction of the alternatives.

Introduction of Alternatives

Jim noted that the alternatives consider a range of activities; the goal is to develop a draft master plan after hearing the comments at this meeting and receiving feedback from the City Council.

When viewing the two alternatives, consider the landscape character of the renovated park. Should the character be wild, or formal, or naturalistic, with open or bands of vegetation that create spatial definition?

Things to think consider when thinking about the alternatives:

- The architectural character of the buildings, signage picnic shelters, bathhouse, Forbes house.
- What style of architecture is appropriate for the site?
- Both of these alternatives meet the approved park program.
- Boat rental concession is not a certain item.
- Experiential qualities?
- Looking to get feed back from the public about preferences

Jim presented ideas that are common to both alternatives. Both designs:

- Address water quality issues. Deal with bacteria problem comes from two areas:
    1. Bacteria coming down stream, during summer storm events, especially in July and August
    2. Coming off lawns from geese, dogs, etc.

- Address water circulation impediments from dock.
- Include water filtration under parking lot for storm events.
- Capture lawn runoff in swales and treat the water before it goes into water.
- Include plantings on the shore side of the lawn, to dissuade geese from entering.
- Include stream and lake buffer enhancement
- Include loop paths and other passive recreation elements such as places to sit and meet people.
- Include the Forbes
- Maintain view corridors
- Retain the beach environment.
- Show 375 stalls for parking. This number is based on national parking standards for the activities that are included in the alternatives. The parking can be developed in phases as needed. Parking should be adequate to minimize parking impacts on the neighborhood.

Discussion of Alternatives

Tom Atkins (J.T. Atkins & Co.) introduced the alternatives and the programming elements table.
The following issues were discussed:

Parking and Traffic

North Side Parking:
Described where parking is
Option 1 east side accessed off 97th and along Juanita Drive
Option 2: north and east parking accessed off 97th

South Side Parking:
Option 1: parking pushed down in crescent shape, to save trees
Option 2: parking is parallel to Juanita drive, closer to the drive, while not encroaching on park space closer to water, but does not preserve trees as much.

C: Likes the parking design on the north side of Option 2, but the south parking design on Option 1. There was a general consensus in the audience that this would be the preferred parking design.

C: Prefers parking near Forbes house, (N. side of the site) easier for event access.

Q: Will there be a sidewalk across from the German Retirement Village?
A: Yes.

Vegetation

Q: What does dark green on plan denote?
A: Dark green tree signifies tree canopy with lawn or understory vegetation below, light green, low grasses.

Q: How will greenery on shore impact water safety? How can parents see kids swimming? The City noted that the lifeguards are closer to the water and would not be behind the greenery. The City also noted that parental responsibility plays a role in swimming safety. The sandy beach is area is wide, with plenty of room for parents to be close to the water to observe swimming activities.

Q: Do the alternatives offer opportunities to save trees?
A: The health of trees on north side of the park is a concern. Some trees will be retained; others will need removal.

Q: What is the current condition of the trees? Mike Mateer parks supervisor, says north side trees are ending their natural life spans. South side trees such as young willows are in good condition. Silver maples are brittle, with dead tops.

Q: Does the City use natural lawn care and avoid the use of pesticides?
A: Yes. The City avoids the use pesticides, and uses organic fertilizers whenever possible.

Entry Plazas

Q: What would the entry plaza look like? Concerned that Option 2 includes the skate park at the park entry, whereas Option 1 shows skate park adjacent to tennis courts.

Q: What is a plaza?
A: A plaza is space in the park, perhaps at the edge of traffic with benches, kiosks, and planted areas, where one can rest or get away from traffic.

Skate Park

Discussion followed, with general consensus, that having the skate park at the entry (Option 2) would be preferred because it will be nearer to the commercial district, away from sensitive habitat areas. The skate park would also be adjacent to the children's play area, a desired location for parents with multi-aged children.

Q: The Skate park looks bigger on Option 1.
A: Both are similar in size, Option 2 meets the minimum size standard.

C: Would like to see lights added to skate park. Perhaps coin operated.

C: Wants to ensure that there will be a power supply at the skate park area for contest events, bands, etc.

Other Active Recreation

Q: Where is G, the multi sport court located? Does the City have a sports court at any of its facilities?
A: The City does not have one in its park system but would like to try it. There would be management issues, such as controlling access and changing use.

Q: Multiuse sport court lighted?
A: City response: No

Q: Not advocating more buildings; but where would moveable fences, goals, etc. be stored?
A: Potentially under Forbes House in cellar or in storage building.

C: Prefer the volleyball area down by the sand, as shown on Option 2.

Community Events Area

C: Option 1: L, community events area, is by the parking on North side leading to the possibility of using the parking lot and ball fields for events too.

Concessions

Q: What kind of concessions
A: Not yet determined.

C: Thinks small concession carts would be okay on promenade.

Q: On Option 1: What is X?
A: Boat rental; the diving dock area is used for boat rental.

Q: Where would boat storage go?
A: Bathhouse building and on float

Architecture

Q: What is the proposed architectural style for the bathhouse?
A: Potentially relate to the Forbes House roofline or use rustic look to tie buildings throughout the park together. Or potentially use Northwest style. 4,800 sq. feet is the size of current building. The new bathhouse structure will be smaller.

C: Re: architecture. Likes Northwest style, the look of fresh natural wood. Modern yet still rustic, feels that this would fit into neighborhood better.

Q: Describe bathhouse.
A: The bathhouse includes women's and men's rooms with shower, changing rooms, small concession and storage corridor down the middle. The design includes 320 ft for concession.

Restrooms

C:Restrooms should be open year round.
R: The City says keeping restrooms open is an issue of providing heat and having the funds to keep it clean. The vision of the park in future is that it should be open year round.

Playgrounds

Q: Are the playgrounds the same size as the existing ones?
A: Yes, in both options.

Amphitheater

C: Wants to ensure that the amphitheater will have room for a portable a bandstand and include electrical access. Be sure to make it a multi-purpose facility.

Lighting

C: Wants to ensure that lights will not be on after the park closes.
R: Coin operated lights don't work past park closure times.

Boat Access

C: Believes that the whole dock is really about providing restroom access for boaters.
R: The City responded that there are people who would tie up and eat lunch at Spuds or pick-up and drop-off passengers.

C: Doesn't believe in providing day use for motorized boats, thinks that hand-carry boat access should also be included. Please provide access for both or none. Would like paddle boat, rowboat rental

C: Believes motorized and non-motorized boats can coexist, in a no-wake zone.

Fishing Access

C: Likes to fish on dock, but boats come up and cut lines, particularly intoxicated boaters.
R: Could incorporate a designated load/unload area.

Miscellaneous

Q: What year will project be completed?
A: Unknown, but working towards implementation.

Summary

In closing Michael Cogle noted that:

- The City appreciates the public's involvement in this process.
- The next step is going to the City Council (will be webcast and on TV) for approval.
- Blending of the two alternatives based on public and Council feedback.
- There will be an open house at the Forbes House on Saturday, June 11, 10-2.

October 19, 2005

JUANITA BEACH PARK MASTER PLAN

Open House Presentation of Draft master plan

Public Meeting No. 4

October 13, 2005, 5:00 – 7:00 pm Forbes House

Prepared by:
J.A. Brennan Associates

In Association with:
J.T. Atkins & Company
MAKERS Architecture + Urban Design
TetraTech Inc.
Douglass Consulting
Landau Associates

Meeting Notes:

The consultants and City staff posted the draft master plan, detail area plans, and sections for public review and comment. J.A. Brennan noted the comments of attendees are documented below.

comments of Attendees:

- An attendee suggested considering naming rights, perhaps selling engraved paving stones, benches, or tables. Potentially this could be organized through the Heritage Society. Naming rights for the ballfield could also be considered to increase park funding.

- Someone asked whether the outfield fence could be a moveable one.

- Another person asked what funding is available for implementation. The City responded that improvements are included in the City's Six Year Plan. There is also a bond issue that could bring additional funding.

- One person likes the trees, but would like designers and the city to consider views when selecting the size and type of trees. This person suggested that vine maples would be good for the park, as well as shrubby trees.

- Someone else thinks bringing music into the park is a good idea. Festivities on July 4th would make for a great event.

- Someone commented that picnic shelters look good and requested that more square, durable tables be added, as well as barbeques and some moveable tables.

- One person prefers low level lighting for the water walk and for paths through the park.

- A condominium owner requested a path to a locked gate at the Bayview condominium for condo owners to access the park.

- Another person requested that the park supply lots of pet waste bags.

- Someone else shared that he/she liked the Community Commons design and that the landforms add interest to the park and make it look larger.

- Someone suggested that interpretive signage could focus on water quality issues and the natural history of the area, including the salmon story.

- An attendee thought that bringing concessions to the park was a good idea.

- Someone else requested that the City and the designers consider CPTED issues when finalizing the design.

- One person commented that lighting at the skate park and tennis court would be fine, but would prefer no lighting in the rest of the park.

- An attendee suggested that the designers should consider raising the landforms higher so that there would be more height at the edge of the Commons.

- Someone else said they felt the berm/landforms were good; that they create an interesting dynamic to the site, as well as create drier areas of the park.

- Another person noted that the landforms offer a sense of surprise.

- Someone felt that having a sense of discovery would be nice, as defined by landforms and plantings. Perhaps a garden room and raingarden outlet, creating a hidden/revealed sequence.

- An attendee thought that boat storage inside the bathhouse was a good idea.

- One attendee suggested that picking up on the forms for historical structures, such as resorts would be a good idea for the structures on the site.

- Someone noted that he/she could provide pictures of resorts that may be a good inspiration for the architectural elements of the park.

- Someone noted that he/she likes the picnic shelters, Community Commons, and stream/wetland habitat areas.

- One person noted an interest in trees at the beach over-hanging the water.

- Someone else loves the promenade and loop path design.

- One attendee preferred the more intense use of the park.
- An attendee noted he/she liked the hand-carry boat launch area.
- Someone suggested that the plaza next to the skate park include seating walls constructed of hard materials, such as granite, so that skateboarders could use the seating area when it is not used for sitting.
- Someone suggested that the skateboard area be lighted until 10pm.
- An attendee loved the proposed design of the park structures and suggested that subtle roof colors blend in to the landscape. Perhaps consider using dark green or gray colors.
- One person recommended that views from the condominiums be maintained from the east to an access point to the catwalk.
- Someone commented that he/she liked the skate park and day use boat moorage area.
- One person likes the basketball concept.
- Someone requested that art and sculpture be considered for focal points on the dock and park to add interest and attract attention.
- One person recommended a graffiti wall near the Skate Park.
- An attendee requested that the City consider adding climbing walls, boulders, and a tower recreation elements.
- A young attendee requested climbing bars in the play area.
- Someone else requested that historical/interpretive signs be developed.
- An attendee suggested that the lighting at the Skate park be similar to the tennis court lighting.
- Someone else noted that he/she likes the flowing paths and trees, seating walls, and landforms as proposed.

JUANITA BEACH PARK MASTER PLAN

Public Meeting No. 5

Park Board Public Meeting

October 19, 2005

Public Comments:

Don Tressell – 11844 108th Ave NE
Mr. Tressell inquired into what the ongoing maintenance costs for the park will be.

Merrily Dicks – 10635 NE 116th street
Ms. Dicks expressed concern about trees near the beach blocking the ability for parents to watch their children. She also suggested that the promenade wall would do the same.
Ms. Dicks expressed concern at the number of sport activities being offered and inquired as to whether or not this may become a financial burden for maintenance of the park. Ms. Dicks encouraged the Parks Dept. to make sure that the Forbes House historic garden area is a significant feature and that the orchard and garden areas are left intact from a historical perspective. She noted that she was unclear as to why the additional playground near the historic property was desired. She noted that she is happy to see the water improvement issues being addressed in the plan, and believes that soft-surface walkways and interpretive areas are important.

Patricia Dorackson – 9717 NE Juanita Drive #303
Ms. Dorackson commended Park staff and planners involved on the park plan. She commented that the public process has been a wonderful experience. Ms. Dorackson noted that the residents of Bayview Condos adjacent to the park would be happy to work with the planners in tree placement. These residents are in the second building from the water and want to ensure they retain their water view. She expressed concern about the proposed placement of trees in the turnaround area, at the end of the fence near the water, believing that they may pose a safety and security problem. Ms. Dorackson noted that the Bayview residents would also like to see a path to their existing gate made available to condominium residents. She noted that she is happy to see opportunities for wheelchair accessibility, and wants to make sure the paths are not too soft, as to limit mobility for people with walkers. Ms Dorackson requested that Juanita Beach Park be closed at dusk, and would like to see some lighting at the end of the dock to help denote where the dock ends for boaters.

Laura Pendergrass – 9601 NE 128th Street.
Ms. Pendergrass offered commendations for the master plan public process. She noted that she was not initially in favor of the skate park, but she is accepting of it at this point, particularly the location. She expressed concern about the proposed size of the skate park and questioned whether or not the proposed size had grown from previous alternatives.

Jim Halred – 11101 109th Pl. NE
Mr. Halred noted he is from the "Goat Hill" area and has been involved in many regional planning ventures related to increasing citizen access to Lake Washington. He noted that providing access for motorized boats will help keep the lake clean as boater would have access to public restrooms. He would

like to see a boat launch added to allow small fishing boats launched in this area Mr. Halred encouraged the City to remove existing Cottonwood trees in the park and replace with a more suitable species.

Dan Hughes – 2139 NE 20th Street Renton
Mr. Hughes expressed a desire to see lights at the skate park to make the park more accessible to skaters in the winter months, and encouraged the City to make the skate park as large as possible.

Pat Kasey 9617 NE 131st Pl.
Ms. Kasey asked for a clarification of the size of the skate park, and wondered if the size of the skate park pushed the playfields into the creek buffer area.

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DATE: February 1, 2005

TO: Michael Cogle, City of Lynnwood Parks
Jim Brennan, JA Brennan
Harry Gibbons, Tetra Tech, Inc.

SUBJECT: Agenda for Agency Meeting for Juanita Beach Park Master Plan
DATE: February 14, 2005
TIME: 10:00 am to 1:30 pm
PLACE: Forbes House, Juanita Beach Park, Kirkland, Washington

Introductions
City of Kirkland Parks and Recreation Department, USACE, Muckleshoot Tribe, WA DNR, WDFW, WRIA 8, City of Kirkland Planning and Surface Water Mgmt., Consultant Team (JA Brennan, Douglass Consulting, Tetra Tech, Inc.)

10:00 to 10:30 Overview of Juanita Beach Park Master Plan Process

10:30 to 11:30 Tour of Juanita Beach Park
We will look at Lake Washington shoreline, Juanita Creek, wetlands, riparian habitats, and trail system. Review attached Suitability Analysis Map.

11:30 - 12:00 Discussion of Current Conditions at Park
Focus on water quality, shoreline, riparian, and creek conditions.

12:00 – 12:30 Park Vision and Suitability for Development
Enhancing riparian area and shoreline area for habitat.
Strategies for water quality improvement program.
Redesign of park buildings, parking lot, and landscaping

12:30 - 1:00 Permitting Considerations/Granting Opportunities
Goals and strategies for restoring Juanita Beach and Juanita Creek and enhancing fish habitat.
Permitting considerations.
Grant opportunities.

1:00 – 1:30 Next Steps and Wrap-Up

EXHIBIT B

Meeting Notes:

Agency Meeting

Meeting Minutes

Desirée Douglass
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DATE: February 17, 2005

TO:	Jim Brennan, JA Brennan and Associates (JAB)
FROM:	Desiree Douglass
SUBJECT:	Minutes for Agency Meeting on February 14, 2005 for Juanita Beach Park Master Plan
COPIES:	Harry Gibbons, Tetra Tech, Inc. Stewart Reinhold, WDFW Janet Curran, NOAA Fisheries Teresa Sollitto, City of Kirkland Parks Stacey Rush, City of Kirkland Planning Angela Ruggeri, City of Kirkland Planning Monica Durkin, WADNR
Project:	Juanita Beach Park Master Plan
Project No.:	JAB0001
No. Pages	6

Memorandum for Juanita Beach Park Agency Meeting
February 16, 2005

Attendees:
See Attached List

SUBJECT: Agenda for Agency Meeting for Juanita Beach Park Master Plan
DATE: February 14, 2005
TIME: 10:00 am to 1:30 pm
PLACE: Forbes House, Juanita Beach Park, Kirkland, Washington

Introductions
City of Kirkland Parks and Recreation Department, WA DNR, WDFW, City of Kirkland Departments of Planning and Surface Water Mgmt., Consultant Team (JA Brennan, Douglass Consulting, Tetra Tech, Inc.)

Overview of Juanita Beach Park Master Plan Process to Date

- Discuss Project and Site Background
- 2002 Juanita Beach Park ownership transferred to City from King County
- Key Habitat Restoration features of Master Plan
  - Off-channel rearing habitat of Juanita Creek

    - Riparian restoration for Juanita Creek
    - Potentially relocate parking lot toward Juanita Drive
    - Potential Boat rental center –located in part on shore and in part on the dock
- Public input on Program Elements
    - Balance actively used park with natural resource
    - Community recreation room
    - Large scale gathering areas
    - Access to waterfront
    - Similar to Gene Coulon Park in Renton – snack bar near waterfront, food concession carts, boat rentals etc.
    - Idea of snack bar on lake discussed, most likely small scale bldg.
- Questions regarding Juanita Beach Park as a regional park
    - Regional vs. Community Park
    - Most likely regional
    - Used by more than Kirkland residents
    - Restore quality of destination park
    - Potential for park to provide some revenue generation
    -

Lake Washington/Juanita Creek General Information

- Information from McCleod Reckord Site Analysis Report (1998)
    - 20,000 tons of sediment deposited annually at mouth of Juanita Creek
    - 10,000 sf delta
    - 268,000 sf swimming area
    - ??Peak 90-270 cfs flow in Juanita Creek
    - Low 2-3 cfs in Juanita Creek (flashy system)
    - Stream is flashy – manage for habitat
    - USGS gauge north of Juanita Drive
    - Shoreline moved 15-20' between 1985 and 1998
    - 5 mile fetch from SW – protected in summer
- Sockeye spawning:
    - Reports of sockeye going up Juanita, not normally spawning
    - Sockeye spawning
        - Not in sand typical
        - 2-7' depth spawn was thought
        - could be up to 30' now – upwelling
    - Pleasure Point good area for sockeye - as case study
    - Sockeye spawning at 30' depth according to some reports
        -
- Coho documented in Juanita Creek
- Chinook
    - Reports – not confirmed
- Steelhead

May be present

- Juanita Beach doesn't have big milfoil problem
- Fine materials are big attraction for spawning
    - overall net transport of sediments in area is to the north but in this location sediment transport is to the south
- City recommends using USACE: 21.85 foot elevation for?? OHW?
- Lake WA elevation drops in fall starting in September (drops to 2 feet below OHWM)

- Lake WA rises in spring to a summer high
- Neighbors complaint about beavers activities upstream

DNR Ownership

- DNR lease currently approximately 12 acres
- In 2007 DNR lease expires
- Need to be renegotiated
- If we rent boats, DNR may increase lease. Current lease very old $100/yr at first, now free to city.

Water Quality in Juanita Creek and Swimming Area

- WDOE 303(d) Listing of Juanita Creek
  - Bacteria
  - Sediments
  - Temp (advisory)
  - Nutrients? (Tetra Tech check on this)
- Bacteria levels main issue for swimming
- On-site input of pollutants –bacteria from geese populations
- Off-site inputs of sediment, bacteria and pollutants
  - Sediments deposited at mouth of Juanita Creek – major sources outside City limits
  - Need to study upstream areas in City and King County to identify sources of sediment
  - Capture sediment at the source
  - Juanita Creek sedimentation. rate: 20,000 thousand tons/yr
- Baffles on Overwater walk
  - Baffles may have been to protect swimming area from waves, or thought to keep pollutants from creek from entering swimming beach (note that this doesn't work, and that the baffles make water quality worse by limiting mixing & dilution.
  - Pollution comes in from shoreline lawns, and associated goose droppings, and stagnates in swimming area
  - Baffles prevent circulation of water in swimming area.
  - Skirting and baffles attract bass – predators
- Approaches for improving water quality at swimming beach:
  - open up bay by removing baffles and allow flushing and dilution of water in swimming area
  - use pervious pavement, rain gardens, and bioswales
  - City of Seattle has tried some water quality approaches - pumping scheme didn't work.
  - goose control – use low shrubs to block view of grass from beach
  - Dredging in Lake Washington may still occurs but is more complicated due to regulatory issues. The swimming beach area has been dredged in the past.
  - 5-year HPA to dredge the sediment is required

Off Channel Water Quality Treatment Flood Fringe and Marsh Restoration Habitat

- Potential to develop sedimentation pond in park to remove sediments from Juanita Creek prior to discharge to Lake Washington
  - See Juanita Creek – 124th Avenue sedimentation pond
  - Space constraints to treat for sediment

- Maintenance of sedimentation pond an issue with volumes of sediment
- Summer treatment could be provided to treat for bacteria
- Different system for bacteria treatment than sediment removal – smaller area needed
- Cells
- Off- channel habitat LWD complexity
- Not let all the sediment get captured in the pond – let some pass through to feed spawning beds
- Need to allow fish functions
- Can we give up that much area for a channel sedimentation pond?
- make sure side channel flow through doesn't interfere with main channel
- focus on bacteria control
- Off channel habitat restoration and bacterial treatment and sediment control
- Direct creek mouth away from swimming area is possibility.
- If proposing to relocate channel to relocated mouth of creek – need to show net benefit overall.
- Upstream BMPs – riparian restoration – invasive control - shade black berry with plants
- Buffer enhancement opportunities - Vegetate banks of creek upstream
- Look at collaboration with King County for sediment control in creek
- Goat Hill high source of sediment into Juanita Creek
- Look at aerials of sedimentation over time and water quality data
- Develop water quality treatment alternatives
- Potentially use LWD to capture islands at mouth of creek
- LWD could replace sheltering function of baffling
- How would sediment control affect surrounding neighbors

Shoreline Restoration

- Provide planted shoreline buffer in locations but not too high adjacent to Bayside Condos to preserve views
- View corridor – red osier dogwood, willow, carefully placed larger trees
- Buffer – can we have something close to boat rental
  - Bayview condos
  - Substantial development permit
  - Public process

Approach to Overwater Walk

- NOAAs issue is the overwater boardwalk
- Replace concrete covering with grating – let light in to the deck grating
- Possibly add a small float at 3-6' water depth on the breakwater for boat launch
- Keep float as far offshore as possible
- Look at dimensions of structure – use grating.
- 70% of light coming through pontoon style.
- 2:1 ratio and grate the float
- 60% ambient light requirement
- If can only get 40% light, then explain the WDFW
- Float – keep as far off shore as possible
  Minimize size of float
  Can get float up to 70% grating pontoon style float
- Lots of mitigation potential, remove b/water

- Consider 2:1 ratio new dock vs. adding grating. 60% ambient under structure is goal

On-Site Buildings

- City Parks have indicated that other than the Forbes House all buildings on the park property will be removd or replaced with new buildings
- Relocate maintenance building from buffer or remove entirely
- Remodel (less permit issue) i.e. Picnic shelter
- Replace
  - Picnic
  - Swimming supports-building
  - Life guard
  - Changing
  - Restroom
- Small boat concession (needs discussion)
  - On shore
  - Function issues
  - Float required
  - Building near shore
  - Rough water and bower boat conflicts
  - City operation/vendor operation
  - DNR release
  - DNR wants permit removed to loosen execution (?)
  - Number of bathhouses within 200' shoreline
  - SMP setback
  - Residential zone (confirm)
  - Houton, Waverly has structure in (200'), SMP will uphold
  - Determine by for non-motorized craft
  - Conditions with novice boaters with winds
  - Sensitive areas in Juanita Bay Park
  - Profitability
  - DNR state-land would need a share of fees

Circulation System (Trails and Parking)

- Bayview Condos – no linkage along water in front of their property.
- Path promenade linkage to south along Juanita Blvd. to bypass condos and apartments
- Consider use of pervious pavement

Lighting

- attracts birds
- easy to improve
- pumping system not working, must have 15% exchange
- artificial lighting didn't work under dock in previous project.

Grants

- Centennial Clean Water Grant (for offsite study to ID off-site water quality issues)
- Forbes House – Landmark Building grant for historical buildings – see King County
- Start SRFBD – meet with WRIA 8 - WRIA 8 – can apply now next 2 years
- IAC
- Match issues

Permitting Nexus:

- Feds and WDFW looks for similar things
- Track City's SMP update process – coordinate with staff
- Zoning permit possible
- Douglass Consulting prepare permit nexus table for Master Plan projects

Mitigation & Enhacement Potentials:

- Grating of portions of the overwater walk
- Grating of the proposed small boat rentl float and day use moorage docks
- Shoreline & buffer plantings

Next Steps

- Send meeting notes out to attendees and agencies
- Coordinate with USACE, WDFW, Muckleshoot, WRIA 8, WDOE, King County, etc.

PROPERTY COUNSELORS

REAL ESTATE RESEARCH & APPRAISAL

MEMORANDUM

To: Jim Brennan
From: Greg Easton
Subject: Juanita Beach Park Master Plan
Economic Opportunities Analysis
Date: April 18, 2005

BACKGROUND:

The City of Kirkland is developing a new master plan for Juanita Beach Park. Among several goals identified to guide the overall master plan, are three goals related to potential revenues:

- Develop revenue opportunities that can contribute funds for operation and/or the development of the Park.
- Include commercial activities that enhance the experience of Park users and fit the Park's character.
- Attract users that can support other businesses on the surrounding commercial districts.

A Citizens Advisory Committee has recommended that commercial activity in the park be limited, but that several program elements with revenue potential be included:

Non-Motorized Boat Rental Facility

Amphitheater/Bandstand

Small Concessions

Forbes House Rentals

The revenue potential for those uses is evaluated in this memo. The evaluation addresses the nature of each use, experience elsewhere, and general conclusions about the potential. Revenue projections will be prepared for selected uses in the next phase of the Master Plan.

NON MOTORIZED BOAT RENTAL

DESCRIPTION:

Storage and launch space would be available for kayaks, sailboats and rowing shells. Activities could include rentals, classes, and storage of private boats. Facilities would include administration space, secured storage, and a launch float.

EXPERIENCE ELSEWHERE:

There are several facilities in King County offering these services.

Seattle Parks Department Mt. Baker Rowing and Sailing Center and Green Lake Small Craft Center. The City of Seattle offers boating centers at both Green Lake and at Mt. Baker on Lake Washington. Both offer rowing and sailing classes and events. Green Lake also offers kayak and canoe classes and events, while Mt. Baker also offers windsurfing. Programs at both locations are provided through non-profit advisory councils. The councils provide all operating equipment and instruction. The City provides building maintenance, a director and assistant director, and building utilities. A portion of the class and event fees is returned to the City. At each center, the City gross expenditure are approximately $175,000, of which $100,000 is recovered from Council fees. The balance of approximately $75,000 is provided from the City General Fund. The Advisory Councils supplement their class fees with fundraising and volunteer services. The boating centers are open year-round.

Green Lake Boat Rental. A private company provides rentals of canoes, paddle boats, and row boats on the east side of Green Lake near Evans Pool. This facility is open in the summer only. It is operated by Good Sports under a five year contract. The City provides the land and building (and parking) and receives 13 percent of gross revenue.

Cascade Canoe and Kayak Center. This private business operates facilities at Enetai Park in Bellevue, and at the mouth of the Cedar River in Renton. The cities of Bellevue and Renton provide buildings for boat storage and administration (1,800 square feet in Renton and 2,400 in Bellevue). The fleet at Enetai has approximately 80 boats, and the fleet at Renton has 50 boats. The City of Renton receives $200 in base rent per month or a percentage of gross revenue (8.5 percent of rentals and trips and 1.5 percent of retail sales). Payments to the City are as high as $2,000 per month during the peak months.

Northwest Outdoor Center. This private operation on the west side of Lake Union is open year-round and offers kayak rentals, classes, and trips. The Center has a fleet of 80 boats. The Center does most of its business on summer weekends between July 4 and mid-September. The Center rents space from a private landlord.

Agua Verde Paddle Club. The Paddle Club is located on north Lake Union and is a part of Agua Verde restaurant. It's open between March and October each year and has a fleet of 35 boats. Weekend days and Friday nights are the busiest times of the week.

CONCLUSIONS

Small boat rentals are a popular activity at waterfront sites throughout the area. The major challenge for these activities is their seasonality. These conditions can be offset somewhat by aggressive programming and event activity. Such activity is often demonstrated by committed non-profit advisory councils or private ambassadors of the sports. The agreements that Seattle, Renton, and Bellevue have entered, take advantage of this attribute. Such an approach can minimize the cost impact to a City, if not provide a modest net revenue.

Juanita Beach offers a waterfront setting in relatively protected waters. It is a desirable location for small boating activity.

AMPHITHEATER/BANDSTAND

DESCRIPTION

The Amphitheater would include a covered bandstand and lawn seating. The facility could be designed to host a range of events that are free to the public or to ticket holders only. In the latter case, the facility would have to be designed to provide some buffer between events and other park activities.

EXPERIENCE ELSEWHERE

Parks and recreation departments throughout the region offer performances and community events. For example, the City of Bothell offers a concert series at the Bothell Landing amphitheater, with events every Friday night in July and August. These events are free to the public and do not generate revenue for the City.

An amphitheater can also host concerts with well-know entertainers and be available to ticket holders only. There are several examples of these types of venues in the region, including large amphitheaters with seating for 20,000 at White River and the Columbia Gorge, and smaller facilities with seating for 3,000 to 5,000 at Marymoor Park, Chateau Ste. Michelle, and the Seattle Waterfront (Summer Nights at the Pier concert series). The Marymoor Park series is a good example of the revenue generating potential of an amphitheater facility in a public park.

The Concerts at Marymoor series began in 2003. A specialized facility offering seating for 5,000 (including 600 reserved seats) on a 1.2 acre site. The facilities include a covered stage, sloped grassy seating, concession stands, and permanent restrooms. The

2005 series offers ten concerts including artist such as Garrison Keillor, Natalie Merchant, and the Steve Miller Band. The series is operated by a private presenter. King County receives approximately $20,000 to $25,000 per concert in rental payments, share of concession income and parking fees.

CONCLUSIONS

An amphitheater with seating for 3,000 to 5,000 can attract well-known performers, command high ticket prices and generate a revenue stream to the facility owners. However, such a facility requires significant investment in specialized performance and audience features. Juanita Beach would certainly be an attractive venue for such events, but they may not be compatible with other park uses, and neighboring land uses.

SMALL SCALE CONCESSIONS

DESCRIPTION

A small scale concession facility could take the form of a food and drink cart or a small building.

EXPERIENCE ELSEWHERE

Food and drink carts are a common point of sales in urban areas. They are also a cost-effective means of providing food and beverage service at recreation facilities. The City of Seattle Parks and Recreation Department has an agreement with Health Fare to operate a cart near Evens Pool at Green Lake. The City collects 22 percent of the gross sales. Such a business is highly seasonal and heavily dependant on good weather. A mobile facility reduces the initial capital investment and risk of such activity.

A successful food cart can generate $250 to $500 per day in sales of drinks and packaged food items. Gross sales of $100,000 per year would be strong performance for a cart at a seasonal location.

By contrast, the City of Renton has a contract with Ivar's and Kidd Valley to operate a restaurant at Gene Coulon Park. The restaurants pay a total base rent of $110,000 plus 12 percent of net sales over $1.1 million, and $20,000 to fund events held in the park. The agreement has been beneficial to both the restaurants and the City. Part of the success of the restaurants is due to the employment base in the immediate area. Prior to the restaurants lease, the same space was used by a concession operation that was not successful.

CONCLUSION

A small food and drink cart is a cost-effective way to serve seasonal park users. A fixed facility to serve park users would likely not justify the investment. A fast food restaurant

serving surrounding residents and employees as well as park users would probably be successful, but would have to be evaluated against the City's overall objective for the park.

FORBES HOUSE RENTALS

DESCRIPTION

The existing Forbes House could be rented out on an event basis, or for a full-time tenant, either to the City or an organization with a mission compatible with the Park Department.

EXPERIENCE ELSEWHERE

There are several examples of former residences in public parks that are available for rental as a meeting facility, or site for a reception.

	Capacity		Reduced Rate	
	Meetings	**Receptions**	**Meetings[1]**	**Receptions[2]**
Clise Manor (Marymoor Park)	65	325 Outdoor 170 Indoor	$1,090	$2,525
Robinswood House (Bellevue)	45	200 Outdoor	750	1,600
Tibbetts Creek Manor (Issaquah)	90	175 Outdoor 130 Indoor	375	1,575

1. Entire Facility
2. Entire Facility, Peak Season

The three facilities have several similarities:

- They are typically used during the week for meetings and on weekends for receptions.
- Use for receptions typically involves the grounds as well as the home itself. Tents are provided for the contingency of inclement weather.
- Receptions, particularly weddings, command a much higher rental rate than the meetings. The facilities are usually reserved for Friday nights, day and evening Saturday, and day and evening Sunday, throughout the summer.
- Tibbetts Creek reports that 90 percent of its revenues come from weddings.

These three facilities are popular for weddings because they can accommodate the typical wedding (reported by Hallmark to be 186 guests) and the outdoor grounds provide a comfortable environment and a popular setting for photos.

The facilities differ in terms of their operation and management. Both the Clise Manor and Robinswood are operated by Premier Properties. Premier Properties' contract with the City of Bellevue is for three years with a two year option to the City. The City is responsible for grounds maintenance and utilities, while the contractor is responsible for scheduling, janitorial services, event operations and marketing. The City keeps the following percentages of gross revenues:

Building Rentals:	45% of rents up to $175,000
	40% of rents above $175,000
Use of City-Owned Tents:	35% of rents
Licensing Agreements:	35% of revenue from service providers.

The contractor keeps revenues from all over the counter food purchases, beer and wine sales, rental of contractor owned assets, service fees, and gratuities.

The City of Issaquah operates its own rental facilities, including Tibbetts Creek Manor, the Pickering Barn, and Issaquah Community Center. There is a staff member on-site full time at Tibbetts Creek, as well as two administrative staff for management and scheduling.

CONCLUSION

Rental of the Forbes House for receptions and events could provide a greater revenue stream than for small meetings. However, such use would require that the buildings and grounds are suitable for such occasions. This would require a higher level of investment by the City. If the City chooses to make the Forbes House available for short-term rentals, it is likely that a private contractor could operate the facility and provide net revenue to the City. Alternatively, if the City has existing staff and resources available for such activities, it may be cost-effective for the City to operate the facility itself.

City of Kirkland Zoning Code
Special Regulations
Provisions for the Review of Park Master Plans

1) Except as provided for in Special Regulation 2 below, any development or use of a park must occur consistent with a master plan. A master plan shall be reviewed through a community review process, established by the Parks and Community Services Director, which shall include at a minimum:

   a) One formal public hearing, conducted by the Parks Board, preceded by appropriate public notice. The required public hearing on a master plan within the Houghton Community Municipal Corporation shall be conducted by the Houghton Community Council, which may be a joint hearing with the Parks Board.
   b) The submittal of a written report on the proposed master plan from the Parks Board to the City Council, containing at least the following:
      i) A description of the proposal;
      ii) An analysis of the consistency of the proposal with adopted Comprehensive Plan policies, including the pertinent Park and Recreation Comprehensive Plan policies;
      iii) An analysis of the consistency of the proposal with applicable development regulations, if any;
      iv) A copy of the environmental record, if the proposal is subject to the State Environmental Policy Act;
      v) A summary and evaluation of issues raised and comments received on the proposed master plan; and
      vi) A recommended action by the City Council.
   c) City Council review and approval. The City Council shall approve the master plan by resolution only if it finds:
      i) It is consistent with all applicable development regulations and, to the extent there is no applicable development regulation, the Comprehensive Plan; and
      ii) It is consistent with the public health, safety and welfare.
      iii) If the master plan is proposed within the Houghton Community Municipal Corporation, it shall become effective according to the procedure in KMC 2.12.040.

   In addition to the features identified in KZC 5.10.505[1], the master plan shall identify the following:
   a. Location, dimensions, and uses of all active and passive recreation areas.
   b. Potential users and hours of use.
   c. Lighting, including location, hours of illumination, lighting intensity, and height of light standards.
   d. Landscaping.
   e. Other features as appropriate due to the character of the neighborhood or characteristics of the subject property.

2) Development and use of a park does not require a master plan under this Code if it will not involve any of the following:

   a) Lighting for outdoor nighttime activities.
   b) The construction of any building of more than 4,000 square feet.
   c) The construction of more than 20 parking stalls.
   d) The development of any structured sports or activity areas, other than minor recreational equipment including swingsets, climber toys, slides, single basketball hoops, and similar equipment.

[1] KZC 5.10.505 states the definition of a Master Plan: A complete development plan for the subject property, showing placement, dimensions, and uses of all structures as well as streets and other areas used for vehicular circulation.

Juanita Beach Park Master Plan

Compliance with 2001 Comprehensive Park, Open Space and Recreation Plan

Goals (Section 1, Page 5)

"Goal 1: Acquire, develop, and renovate a system of parks, recreational facilities, and open spaces that are attractive, safe, functional, an available to all segments of the population."

Conclusion: The goal of the Juanita Beach Park Master Plan is to develop the City-owned property into an attractive, safe, and functional community park available to all Kirkland residents and is in compliance with this goal.

Recommendations for Major Issues and Opportunities (Section 2, Page 21)

"The City should strive to maximize waterfront use to benefit its citizens. Providing opportunities for small craft programs such as canoeing, kayaking, sailing, rowing, and sail-boarding should be encouraged. Programs oriented around non-motorized boating activities provide excellent opportunities to teach lifelong recreation skills emphasizing water and boating safety.

Conclusion: The Juanita Beach Park Master Plan is consistent with the vision for use of community waterfront park sites as described in the Comprehensive Park Plan.

Capital Recommendations (Section 2, Page 33)

"Renovation: Juanita Beach Park"

Conclusion: Juanita Beach Park is identified as a priority for renovation in the Comprehensive Park Plan. Completion of the Master Plan is consistent with achieving this priority.

CITY OF KIRKLAND
Planning and Community Development Department
123 Fifth Avenue, Kirkland, WA 98033 425.587-3225
www.ci.kirkland.wa.us

COMPLIANCE WITH KIRKLAND'S COMPREHENSIVE PLAN

File: Juanita Beach Park Master Plan (File no. MIS06-00018)

The Parks, Recreation, and Open Space Chapter of the City's Comprehensive Plan includes three goals that are listed below:

Goal PR-1: To acquire, develop, and redevelop a system of parks, recreation facilities, and open spaces that is attractive, safe, functional, and accessible to all segments of the population.

Goal PR-2: Provide services and programs that enhance the quality of life in the community.

Goal PR-3: Protect and preserve natural resource areas.

The proposed master plan for Juanita Beach Park addresses all three of these Comprehensive Plan Goals as indicated by the vision statement the City has developed for the Park based on community input:

"Juanita Beach Park is a family friendly, multi-generational community park that fits the scale, character, and history of the park site and the surrounding neighborhood. The park provides waterfront access and a balanced mix of active and passive recreation opportunities while protecting and enhancing the natural environment."

The park is located in the South Juanita neighborhood and is designated as parklands in the neighborhood plan. The Juanita Business District (JBD) plan also talks about the relationship of the business district to the nearby parks. It states that the JBD should take advantage of the natural features and emphasize the recreation-oriented community with better connections to nearby parks and Lake Washington. The new master plan for Juanita Beach Park will help to connect the park to the business district and will relate well to the surrounding development.

CITY OF KIRKLAND
Planning and Community Development Department
123 Fifth Avenue, Kirkland, WA 98033 425.587-3225
www.ci.kirkland.wa.us

DEVELOPMENT STANDARDS LIST

File: Juanita Beach Park Master Plan (File no. MIS06-00018)

Development of the Juanita Beach Park Master Plan will be completed in three phases which will be implemented as funding becomes available. Each phase of the master plan will include site-specific design and will undergo project-specific permit reviews. The following development standards list is included to give an idea of what the requirements will be. A more complete list will be produced when the site-specific design for each phase is submitted.

Shoreline Master Program Standards

WAC173-27-190 Substantial development, conditional use, or variance permits. Construction pursuant to a substantial development, conditional use, or variance permit shall not begin and is not authorized until 21 days from the date of filing, or until all review proceedings initiated within 21 days from the date of filing have been terminated, except as provided in RCW90.58.140(5)(a) & (b).

Zoning Code Standards

85.25.1 Geotechnical Report Recommendations. The geotechnical recommendations contained in the required reports for each phase of development shall be implemented.
85.25.3 Geotechnical Professional On-Site. A qualified geotechnical professional shall be present on site during land surface modification and foundation installation activities.
90.45 Wetlands and Wetland Buffers. No land surface modification may take place and no improvement may be located in a wetland or within the environmentally sensitive area buffers for a wetland, except as specifically provided in this Section.
90.50 Wetland Buffer Fence. Prior to development, the applicant shall install a six-foot high construction phase fence along the upland boundary of the wetland buffer with silt screen fabric installed per City standard. The fence shall remain upright in the approved location for the duration of development activities. Upon project completion, the applicant shall install between the upland boundary of all wetland buffers and the developed portion of the site, either 1) a permanent 3 to 4 foot tall split rail fence, or 2) permanent planting of equal barrier value.
90.80 Streams. No land surface modification may take place and no improvements may be located in a stream except as specifically provided in this Section.
90.90 Stream Buffers. No land surface modification may take place and no improvement may be located within the environmentally sensitive buffer for a stream, except as provided in this Section.
90.95 Stream Buffer Fence. Prior to development, the applicant shall install a six-foot high construction phase fence along the upland boundary of the entire stream buffer with silt screen fabric installed per City standard. The fence shall remain upright in the approved location for the duration of development activities. Upon project completion, the applicant shall install between the

upland boundary of all stream buffers and the developed portion of the site, either 1) a permanent 3 to 4 foot tall split rail fence, or 2) permanent planting of equal barrier value.
100.25 Sign Permits. Separate sign permit(s) are required.
105.18 Pedestrian Walkways. All uses, except single family dwelling units and duplex structures, must provide pedestrian walkways designed to minimize walking distances from the building entrance to the right of way and adjacent transit facilities.
105.18 Bicycle Parking. All uses, except single family dwelling units and duplex structures, must provide covered bicycle parking within 50 feet of an entrance to the building.
105.18 Entrance Walkways. All uses, except single family dwellings and duplex structures, must provide pedestrian walkways between the principal entrances to all businesses, uses, and/or buildings on the subject property.
105.18 Service Bay Locations. All uses, except single family dwellings and multifamily structures, must locate service bays away from pedestrian areas.
105.18 Overhead Weather Protection. All uses, except single family dwellings, multifamily, and industrial uses, must provide overhead weather protection along any portion of the building, which is adjacent to a pedestrian walkway.
105.18.2 Walkway Standards. Pedestrian walkways must be at least 5' wide; must be distinguishable from traffic lanes by pavement texture or elevation; must have adequate lighting for security and safety. Lights must be non-glare and mounted no more than 20' above the ground.
105.18.2 Weather Protection Standards. Overhead weather protection may be composed of awnings, marquees, canopies or building overhangs; must cover at least 3' of the width of the adjacent walkway; and must be at least 8 feet above the ground immediately below it.
105.65 Compact Parking Stalls. Up to 50% of the number of parking spaces may be designated for compact cars.
105.60.2 Parking Area Driveways. Driveways which are not driving aisles within a parking area shall be a minimum width of 20 feet.
105.60.3 Wheelstops. Parking areas must be constructed so that car wheels are kept at least 2' from pedestrian and landscape areas.
105.60.4 Parking Lot Walkways. All parking lots which contain more than 25 stalls must include pedestrian walkways through the parking lot to the main building entrance or a central location.
105.77 Parking Area Curbing. All parking areas and driveways, for uses other than detached dwelling units must be surrounded by a 6" high vertical concrete curb.
95.40.7 Parking Area Buffers. Applicant shall buffer all parking areas and driveways from the right-of-way and from adjacent property with a 5-foot wide strip as provided in this section.
110.60.5 Street Trees. All trees planted in the right-of-way must be approved as to species by the City. All trees must be two inches in diameter at the time of planting as measured using the standards of the American Association of Nurserymen with a canopy that starts at least six feet above finished grade and does not obstruct any adjoining sidewalks or driving lanes.
115.25 Work Hours. It is a violation of this Code to engage in any development activity or to operate any heavy equipment before 7:00 am. or after 8:00 pm Monday through Friday, or before 9:00 am or after 6:00 pm Saturday. No development activity or use of heavy equipment may occur on Sundays or on the following holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving, and Christmas Day. The applicant will be required to comply with these regulations and any violation of this section will result in enforcement action, unless written permission is obtained from the Planning official.

115.75.2 Fill Material. All materials used as fill must be non-dissolving and non-decomposing. Fill material must not contain organic or inorganic material that would be detrimental to the water quality, or existing habitat, or create any other significant adverse impacts to the environment.
115.95 Noise Standards. The City of Kirkland adopts by reference the Maximum Environmental Noise Levels established pursuant to the Noise Control Act of 1974, RCW 70.107. See Chapter 173-60 WAC. Any noise, which injures, endangers the comfort, repose, health or safety of persons, or in any way renders persons insecure in life, or in the use of property is a violation of this Code.
115.115.3.g Rockeries and Retaining Walls. Rockeries and retaining walls are limited to a maximum height of four feet in a required yard unless certain modification criteria in this section are met. The combined height of fences and retaining walls within five feet of each other in a required yard is limited to a maximum height of 6 feet, unless certain modification criteria in this section are met.
115.115.5.d Driveway Setbacks. Parking areas and driveways for uses other than detached dwelling units, attached and stacked dwelling units in residential zones, or schools and day-cares with more than 12 students, may be located within required setback yards, but, except for the portion of any driveway which connects with an adjacent street, not closer than 5 feet to any property line.
115.120 Rooftop Appurtenance Screening. Vents, mechanical penthouses, elevator equipment and similar appurtenances that extend above the roofline must be surrounded by a solid sight obscuring screen, unless certain conditions are met.
115.135 Sight Distance at Intersection. Areas around all intersections, including the entrance of driveways onto streets, must be kept clear of sight obstruction as described in this section.

Prior to issuance of a grading or building permit:
85.25.1 Geotechnical Report Recommendations. A written acknowledgment must be added to the face of the plans signed by the architect, engineer, and/or designer that he/she has reviewed the geotechnical recommendations and incorporated these recommendations into the plans.
90.50 Wetland Buffer Fence. Prior to development, the applicant shall install a six-foot high construction phase fence along the upland boundary of the wetland buffer with silt screen fabric installed per City standard. The fence shall remain upright in the approved location for the duration of development activities. Upon project completion, the applicant shall install between the upland boundary of all wetland buffers and the developed portion of the site, either 1) a permanent 3 to 4 foot tall split rail fence, or 2) permanent planting of equal barrier value.
90.95 Stream Buffer Fence. Prior to development, the applicant shall install a six-foot high construction phase fence along the upland boundary of the entire stream buffer with silt screen fabric installed per City standard. The fence shall remain upright in the approved location for the duration of development activities. Upon project completion, the applicant shall install between the upland boundary of all stream buffers and the developed portion of the site, either 1) a permanent 3 to 4 foot tall split rail fence, or 2) permanent planting of equal barrier value.
95.35.6 Tree Protection Techniques. Prior to development activity or initiating tree removal on the site, vegetated areas and individual trees to be preserved shall be protected from potentially damaging activities pursuant to the standards outlined in this code section.

CITY OF KIRKLAND
Planning and Community Development Department
123 Fifth Avenue, Kirkland, WA 98033 425.587-3225
www.ci.kirkland.wa.us

MEMORANDUM

To: Eric R. Shields, AICP
Planning Director

From: Angela Ruggeri, AICP AR
Senior Planner

Date: March 29, 2006

Subject: Environmental Determination for Juanita Beach Park Master Plan
File No SEPA 06-00010

The City of Kirkland Department of Parks and Community Services has submitted a proposal for a master plan to guide future park development at the Juanita Beach Park site located at 9703 NE Juanita Drive and 11829 97th Avenue NE.

Development of the Juanita Beach Park Master Plan will be completed in three phases which will be implemented as funding becomes available. Phase 1 focuses on development of the southern portion of the park along Lake Washington, including the south plaza entry, the south parking lot, grading, and planting of the community commons, the new bathhouse, the new group picnic shelter, the lakefront promenade, renovation of the over-water pier, Lake Washington shoreline habitat restoration, and stormwater facilities including biofiltration swales, rain gardens, and a constructed water quality marsh. Elements in the north portion of the park include the north plaza entry, the skate park, and temporary parking. Phase 2 has elements in both the north and south portions of the park including the community events plaza, restroom, parking, Juanita Drive pedestrian crossings, a new playground, community commons landscaping, south side pedestrian trails, and Juanita Creek restoration. Phase 3 focuses on the restoration of the Forbes House, a new group picnic area and playground on the north side of the park, non-motorized boat facilities on the pier, and more stream habitat enhancement.

The master plan will be used to guide the development of Juanita Beach Park. This SEPA review is a programmatic, non-project review of the master plan design. If the master plan is adopted, each phase of the master plan will include site-specific design and each phase will also undergo project-specific SEPA environmental review and other necessary permit reviews. WAC 197-11-060 (5) allows for phased review of a project when the scope and level of review will become more intense as the sequence moves from the non-project to the project state.

I have had an opportunity to visit the site and review the environmental checklist for the project referenced above. The proper time to analyze the potential impacts of site-specific development proposals for Juanita Beach Park is when the principal characteristics are readily identifiable. Therefore, I recommend that a Determination of Non-Significance be issued for this proposed non-project action and that according to WAC 197-11-060(5) a phased review be done.

Should you have any questions, please contact me.

Review by Responsible Official:

I concur ☑

I do not concur ☐

Comments:

Eric R. Shields, AICP
Planning Director

3/29/06
Date

Document3 rev050101sjc

CITY OF KIRKLAND
123 FIFTH AVENUE, KIRKLAND, WASHINGTON 98033-6189
(425) 587-3225

DETERMINATION OF NONSIGNIFICANCE (DNS) .

CASE #: SEP06-00010 DATE ISSUED: 3/30/2006

DESCRIPTION OF PROPOSAL

Phased SEPA review for the Juanita Beach Park Master Plan

PROPONENT: **MICHAEL COGLE**

LOCATION OF PROPOSAL

9703 NE JUANITA DRIVE AND 11829 97TH AVENUE NE

LEAD AGENCY IS THE CITY OF KIRKLAND

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21.030 (2) (c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public upon request.

This DNS is issued under 197-11-340 (2); the lead agency will not act on this proposal for 14 days from the date above. Comments must be submitted by 5:00 p.m. 4/13/2006

Responsible official: 3/30/06

Eric Shields, Director Date
Department of Planning and Community Development
425-587-3225

Address: City of Kirkland
123 Fifth Avenue
Kirkland, WA 98033-6189

You may appeal this determination to NANCY COX at Kirkland City Hall, 123 Fifth Avenue, Kirkland, WA 98033 no later than 5:00 p.m., April 13, 2006 by WRITTEN NOTICE OF APPEAL.

You should be prepared to make specific factual objections. Contact Nancy Cox to read or ask about the procedures for SEPA appeals.

Please reference case # SEP06-00010.

Publish in the Eastside Journal (date): 4/4/06, Tuesday

Distribute this form with a copy of the checklist to the following:

✓ Environmental Review Section, Department of Ecology,
P.O. Box 47703, Olympia, WA 98504-7703

✓ Department of Fish and Wildlife (for streams and wetlands - with drawings)
North Lake Washington Tributaries Area Habitat Biologist
16018 Mill Creek Boulevard, Mill Creek, WA 98012

✓ Department of Fish and Wildlife (for shorelines and Lake Wa. - with drawings)
Lake Washington Tributaries Area Habitat Biologist
C/O DOE
3190 160th Avenue SE, Bellevue, WA 98008

✓ Seattle District, U.S. Army Corps of Engineers,
P.O. Box C-3755
Seattle, WA 98124

____ Attn: Lynn Best, Acting Director, Environmental Division, Seattle City Light
700 5th Avenue, Suite 3316
P.O. Box 34023
Seattle, WA 98125-4023

✓ Muckleshoot Tribal Council, Environmental Division, Fisheries Department
39015 172nd SE
Auburn, WA 98092

____ Northshore Utility District,
P.O. Box 82489
Kenmore, WA 98028-0489

✓ Shirley Marroquin
Environmental Planning Supervisor
King County Wastewater Treatment Division
201 South Jackson Street, MS KSC-NR-0505
Seattle, WA 98104-3855 - and -

✓ Gary Kriedt
King County Metro Transit Environmental Planning
201 South Jackson Street, MS KSC-TR-0431
Seattle, WA 98104-3856

____ Director of Support Services Center
Lake Washington School District No. 414
P.O. Box 97039
Redmond, WA 98073-9739

✓ John Sutherland, Developer Services
Washington State Department of Transportation
15700 Dayton Ave. N., MS 240
P.O. Box 330310
Seattle, WA 98133-9710

✓ Tim McGruder, Conservation Chair
East Lake Washington Audubon Society
13450 NE 100th St.
Kirkland, WA 98033

Applicant / Agent _____

cc: Case # MIS06-00018

Distributed to agencies along with a copy of the checklist. (see attached).

Suzanne Kerschke

Distributed By:

SEPA_C_A, rev: 3/29/2006

3/30/06

Date:

CITY OF KIRKLAND ENVIRONMENTAL CHECKLIST

Purpose of Checklist:

The State Environmental Policy Act (SEPA), Chapter 43.21C RCW, requires all governmental agencies to consider the environmental impacts of a proposal before making decisions. An environmental impact statement (EIS) must be prepared for all proposals with probable significant adverse impacts on the quality of the environment. The purpose of this checklist is to provide information to help you and the City identify impacts from your proposal, and to reduce or avoid impacts from the proposal, whenever possible

Instructions for Applicants:

This environmental checklist asks you to describe some basic information about your proposal. Answer the questions briefly with the most precise information known, or give the best description you can.

You must answer each question accurately and carefully to the best of your knowledge. In most cases, you should be able to answer the questions from your own observations or project plans without the need to hire experts. If you really do not know the answer, or if a question does not apply to your proposal, write "do not know" or "does not apply." Complete answers to the questions now may avoid unnecessary delays later.

Some questions ask about governmental regulations, such as zoning, shoreline, and landmark designations. Answer these questions if you can. If you have problems, the City staff can assist you.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The City may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impacts.

Use of Checklist for Non-project Proposals:

Complete this checklist for non-project proposals also, even though questions may be answered "does not apply." IN ADDITION, complete the SUPPLEMENTAL SHEET FOR NON-PROJECT ACTIONS (Part D).

For non-project actions, the references in the checklist to the words "project," "applicant," and "property or site" should be read as "proposal," "proposer," and "affected geographic area," respectively.

A. BACKGROUND

1. Name of proposed project, if applicable: ***Juanita Beach Park Master Plan***

2. Name of applicant: ***City of Kirkland Parks and Community Services***

3. Tax parcel number: ***1791500425***

4. Address and phone number of applicant and contact person: ***Michael Cogle, Director, 505 Market Street, Suite A, Kirkland, Washington 98033-6189***

5. Date checklist prepared: ***February 13, 2006***

6. Agency requesting checklist: ***City of Kirkland Planning Department***

7. Proposed timing or schedule (including phasing, if applicable): ***Development of the Juanita Beach Park Master Plan will be completed in three phases with the phases implemented as funding becomes available. Phase 1 focusses on development of the southern portion of the park, along Lake Washington, including the south plaza entry, the south parking lot, grading, and planting of the community commons, new bathhouse, new group picnic shelter, the lakefront promenade, renovation of the over-water pier, Lake Washington shoreline habitat restoration, and stormwater facilities including biofiltration swales, rain gardens, and constructed water quality marsh. Two elements in the north portion of the park include the north plaza entry, skate park, and temporary parking. Phase 2 includes elements in both the north and south portions of the park including the community events plaza, restroom, parking, Juanita Drive pedestrian crossings, new playground, community commons landscaping, south side pedestrian trails, and Juanita Creek habitat restoration. Phase 3 focusses on the restoration of the Forbes House, an new group picnic area and playground on the north side of the park, non-motorized boat facilities on the pier, and more stream habitat enhancement.***

8. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal?

   The Juanita Beach Park Master Plan is the planning document that will guide the development of Juanita Beach Park. Ther are no plans to add to or expand the park facilities beyond those proposed in the Master Plan. This SEPA review is a programmatic, non-project review for the Master Plan design. After City approval and adoption of the Master Plan, each phase of the Master Plan will have site-specific design and will undergo project-specific SEPA environmental review and other necessary permit reviews.

9. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.

Environmental documents and information that have been compiled in relation to this Master Plan include:

Juanita Beach Park Master Plan Site Inventory and Analysis Report by MacLeod Reckord Landscape Architects, B-Twelve Associates, Inc. and Summit Technology Consulting Engineers, Inc. P.S., August 1999

Juanita Beach Park Natural Resource Inventory and Analysis Report, Douglass Consulting, December 9, 2004

Juanita Beach Park Pier Inspection & Condition Report, Summit Technology, April 1999

Juanita Beach Park Recreational Master Plan, Chaffee – Zumwalt and Associates, Landscape Architects and Site Planners, January 1970
Juanita Park Breakwater Repairs, King County Department of Planning and Community Development, Architecture Division, 1976

Architectural Program Memo, by MAKERS, January 19, 2005

Juanita Beach Park Wetland Delineation Report, Juanita Bay Pump Station and Forcemain Upgrade Projects, HDR, July 31, 2002.

Kerwin, J. Salmon and Steelhead Habitat Limiting Factors for the Cedar-Sammamish Basin (Water Resource Inventory Area 8). Washington Conservation Commission, Olympia, Washington. 2001.

King County. Habitat Inventory and Assessment of Juanita Creek in 2000. Prepared for the City of Kirkland, WA. 2002.

Landscape Plans for Juanita Beach Creek, King County Natural Resources and Parks Division, December 20, 1988

Master Plan Report Juanita Beach Park, Ned Gulbran, ASLA, Landscape Architect, King County Division of Natural Resources and Parks, September 1987

Report of Inspection Juanita Park Breakwater Repairs, Dames and Moore, January 3, 1977

Specifications for Juanita Beach Park, Juanita Creek Settling Basin, Joseph J. Millegan & Associates, Inc., Consulting Engineers and Chaffee-Zumwalt & Associates, Landscape Architects and Site Planners, 1972

Wetland, Stream, and Wildlife Report Draft, Juanita Beach Park, King County Parks Department, B-Twelve Associates, Inc., September 1988

Environmental Documents that are anticipated to be prepared in relation to this Master Plan include:

Traffic Study
Biological Assessment
Wetland Determination Report
Cultural Resources Study
Visual Study
Lake Washington, Juanita Creek, and Wetland Habitats Mitigation Plan
Stormwater Management Plan
Stormwater Pollution Prevention Plan
Spill Prevention and Contingency Plan

10. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.

    No other applications are known to be pending for proposals that would directly affect the park property.

11. List any government approvals or permits that will be needed for your proposal, if known.

    This non-project SEPA review references the concepts of the Juanita Beach Park Master Plan and does not require additional approvals or permits, beyond the adoption of the Master Plan by City of Kirkland. Each phase of the Master Plan development will require additional project-specific approvals and permits. The following permits and approvals are anticipated to be required at the time of design and construction of specific elements of the Master Plan.

Permits and Approvals	***Required Documentation***

US Army Corps of Engineers (USACE)	
Clean Water Act Section 404 Wetland Fill Permit - Individual Permit (IP)	***Joint Aquatic Resource Permit Application (JARPA)***
USACE CWA Section 404 Wetland Fill Permit - Nationwide Permit 27 for Restoration	***JARPA***
USACE Section 401 Water Quality Certification	***JARPA***
	JARPA
USACE Section 10 Permit - Work in Navigable Waters (Individual Permit or Letter of Permission)	***JARPA***
Washington Department of Ecology (WDOE)	
Clean Water Act Section 402 NPDES Municipal Phase II permit	***Notice of Intent to be covered***
WDOE Clean Water Act Construction Stormwater Permit	***Notice of Intent to be covered***
WDOE Certification of Consistency with Coastal Management Zone (CZM)	***Certificate of Consistency with CZM***
Department of Natural Resource (DNR) Lease for Use of Aquatic Lands (12 years) Authorization	***Application for Aquatic Lands Use***
NOAA Fisheries and US Fish and Wildlife (USFWS)	
Endangered Species Act (ESA) Section 7 Consultation	***Biological Assessment (BA)***
National Historic Preservation Act (NHPA)	***Cultural Resources Assessment***
State Department of Fish and Wildlife Hydraulic Project Approval (HPA)	***JARPA***
Kirkland State Environmental Policy Act (SEPA)	***EIS, EA, or SEPA Checklist for projects***
Kirkland Shoreline Development Program (SMP) Permits	***SMP Substantial Development or Conditional Use Permit***
Kirkland Zoning Permit	***Zoning Permit Application***
Kirkland Zoning Code (KZC) Chapter 90 Critical Areas Review	***Zoning Permit for Streams and Wetlands and buffers***
Kirkland Land Surface Modification Permit	***LSM Permit Application***
Kirkland Road Right of Way Approval	***Request for work in Road ROW***
City of Kirkland Building Permit	***Building Permit Application***
City of Kirkland Tree Removal Approval	***Tree Removal Request***

12. Give brief, complete description of your proposal, including the proposed uses, the size and scope of the project and site including dimensions and use of all proposed improvements. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page.

The Juanita Beach Park Master Plan was developed as a collaboration with the City of Kirkland and the public to create a healthy place for the City with both passive and active recreational elements, meeting the needs of the community and regional park users. Meeting the needs of diverse users, from people to fish, the new Juanita Beach Park provides lake and beach access, beach volleyball, multi-use recreational fields, picnic facilities, boating facilities, a skate park, and community activity areas.

Juanita Beach Park character is defined by the history of lakefront recreation within the region as well as the history of recreational use on the site. The Forbes House provides an important historic treasure for the park. This park history is complemented by the natural landscape that defines the edges of Juanita Creek and the trees and lawn that define the remainder of the park. The landscape patterns and Juanita Drive divide the park into a series of use areas and outdoor rooms that define distinctive areas of the park. The north area is defined by attractive tree plantings, lawn areas, play fields and the Juanita Creek natural area to the west. The southern park area is defined by trees and lawn, a large parking area, the beach and pier. The connection of Juanita Creek to Lake Washington is an important landscape element for the park.

Juanita Drive defines two sections of the park. The north section provides the urban amenities for Juanita Village and other surrounding residential areas. Along NE 97th Ave. park visitors can stroll along a wide sidewalk or promenade defined by a double row of street trees. This urban space provides opportunities to sit, read the paper and on weekends attend a Saturday market. A paved area to the west of NE 97th Ave. provides parking for the ball fields, tennis courts and soccer green to the west. When appropriate the market functions can expand into the parking area. A picnic shelter, play ground, restroom and skate park enrich the plaza space located between the ball fields and parking. The Forbes House provides a focal point for public and private functions. The Historic residence provides space for park offices, meetings, family reunions, and weddings. The entry garden and small orchard provide outdoor rooms for events and celebrate the historic character of the house. Overflow parking is provided at the north edge of the park. This parking area provides parking for Forbes House activities as well as additional parking for baseball and soccer games. It will be constructed with a grass pave material that will provide a green turf surface and permeable paving. This will minimize the impact to surface water resources while providing a functional and aesthetically pleasing character.

The skate park plaza provides an important focal point and park entry gateway at the northwest corner of the NE 97th Ave. and Juanita Drive intersection. The skate park plaza provides color and activity that greet park visitors as they enter the park from the corner. Consideration should be given to lighting the skate park to extend the hours of use into the evening. From this area park visitors are linked to other areas in the north section of the park. The skate park plaza also provides a strong tie to the pedestrian crosswalk and plaza on the south side of Juanita Drive. Another pedestrian cross walk occurs in the center of the park. This crossing is marked by rows of trees that define the crossing and adjacent open spaces.

The southern section of the park is dominated by the large lawns defined by trees, beach and pier that provide park visitor with waterfront access. Pedestrian paths connection the two sections of park pass through a series of landscapes as the visitors proceed to the beach. The first is a transitional landscape on the south side of Juanita Drive. This landscape provides a buffer between the Juanita Drive and park areas to the south as well as framing views of the park and lake for travelers on Juanita Drive. The parking area is the next area encountered. Within this area the majority of parking for the beach is located. The parking area is diversified by biofiltration / raingarden areas and tree stands. Pedestrian ways through the parking area are strongly defined with paving patterns and landscape elements to announce the crossing points to drivers and pedestrians. Consideration should be

given to the use of permeable pavers to minimize the impact to surface water resources and to reduce costs for stormwater treatment facilities.

The lawn landscape is the next area the visitor passes through. Three lawn areas providing a striking series of landscape experiences. A central lawn area, defined by gentle landforms and formal rows of trees, provides an amphitheater for small scale performances. Within this area families could picnic on the lawn while watching the performances with the Lake providing a beautiful backdrop to the plaza "stage" area. The lawn areas to the west and east of the central space provide picnic and informal play opportunities within the lawn and scattered shade tree setting. Picnic shelters are located within each of these lawn areas.

The beach is the next area the visitor encounters. This area is defined by the lakefront promenade on its upland edge. The expansive beach area is softened by informal stands of trees which ad salmon habitat and aesthetic value. The trees in addition defining the beach areas provide shade and informal play spaces. The lakefront promenade connects the east and west edges of the beach as well as providing access to the two entries to the pier. The restroom / concession building are located adjacent to the western end of the lakefront promenade. This facility provides beach amenities as well as a food concession for the beach and lawn areas. A playground is to the east of this building. The pier provides park visitors with opportunities to get out over the lake, to fish, to dock a boat as well as rent a canoe or kayak. Another unique park area is the area on the west side of Juanita Creek. This area provides space for additional water quality treatment for stream flows as well as interpretive trails through this natural area.

13. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

Juanita Beach Park is located in the Juanita neighborhood of the City of Kirkland, on Lake Washington's Juanita Bay. The park is bisected into southern and northern sections by NE Juanita Drive (T26N, R5E, Section 30). The park's southern edge is bordered by 1,000 feet of Lake Washington shoreline, where a 1,350 foot long pedestrian pier extends 580 feet into Juanita Bay. The southern section of the park also includes the swimming beach, restroom, meadow areas, picnic areas, and Juanita Creek. The northern park area includes tennis courts, ballfields, open play areas, the historic Forbes house, and Juanita Creek. King County transferred ownership of the 29.5 acre park to the City of Kirkland in 2002.

TO BE COMPLETED BY APPLICANT

EVALUATION FOR
AGENCY USE ONLY
REVIEWED BY:

B. ENVIRONMENTAL ELEMENTS

1. EARTH

a. General description of the site (circle one): Flat, rolling, hilly, steep, slopes, mountainous, other
The site is generally flat with very gentle slopes toward Juanita Bay to the south

b. What is the steepest slope on the site (approximate percent slope)?
Slopes on the property range from 1% to 10% slope.

c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any prime farmland.
Along NE Juanita Drive are alluvium and glacial till soils; along Juanita Creek and Lake Washington are Indianola soils, which are characterized by fast draining sandy soils. In the beach area are found sandy soils that have been imported and built up over the years over the native silty sands and gravels.

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.
There are no surface indications or history of unstable soils on or in the immediate vicinity of the site.

e. Describe the purpose, type, and approximate quantities of any filling or grading proposed. Indicate source of fill.
There will be some filling and grading to construct specific elements of the Master Plan. Overall, it is estimated that there will be approximately 2,800 cubic yards on on-site cut and fill work and approximately 650 cubic yards of imported fill that will be required to complete all elements of the Master Plan.

However, exact quantities are undetermined at this time as this is a non-project analysis for the Master Plan. Exact fill and grade quantities will be determined during design and engineering of each Master Plan element and will be addressed, as necessary, during future project-specific environmental review. Elements the will entail filling and grading include: New Bathhouse; Restroom; two Picnic Shelters; Interpretive Pavilion, Parking Areas; Skate Park; Lakefront Promenade; Sand Volleyball; Basketball Courts; Athletic Fields; and Pedestrian

Paths.

f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.
The potential for erosion from the project would occur primarily during construction activities. Little potential for erosoin is anticipated after construction is complete and during normal operation of the park. Based on the soil erosion factors for the soils on-site, the potential for erosion is low.

Because this is a non-project analysis for the Master Plan, specific activities that could result in erosion are identified but not analyzed for quantitative erosion impacts. Specific erosion potentials will be determined during the project-level environmental review for each element of the Master Plan.

Elements of the Master Plan that will require specific attention to erosion control measures include all work within Juanita Creek and the buffers and any work within Lake Washington and its shorelines. Projects in the Master Plan within the creek and lake shoreline include: pedestrian bridge, creek restoration, bank stabilization and creek restoration projects, construction of bath house, retrofit and reconstruction of over-water pier, construction of the lakefront promenade and boardwalk, and the community commons with amphitheatre.

g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt, buildings)?
There will be increased impervious surfaces that will result from the specific elements of the Master Plan. The Master Plan includes recommendations for use of pervious pavements where appropriate to reduce new impervious surfaces and to promote infiltration of surface water. An estimate of the impervious surface that would result from construction of the Master Plan are FILL IN acres or FILL IN*** percent of the overall site.***

Because this is a non-project analysis for the Master Plan update, specific quantities of new impervious surface are undetermined at the time. Areas of impervious surface will be determined during design of each of the Master Plan elements and will be addressed during future project-specific environmental review.

h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:
Because this is a non-project analysis for the Master Plan, specific measures to reduce or control erosion and other impacts to the earth are not specified for each Master Plan element at this time.

Temporary sedimentation and erosion control measures will be implemented for all construction. Permanent stormwater treatment facilities will be

implemented for all pollutant producing impervious surfaces such as the parking areas. Stormwater approaches include: infiltration, Low Impact Development (LID) design including rain gardens, biofiltration swales, and underground detention vaults.

Specific erosion control measures and stormwater treatment will be determined during the project-specific design and environmental review for each phase of theh Master Plan. As indicated under Section A.9, the project will require a Stormwater Pollution Prevention Plan (SWPPP), which will include Best Management Practices (BMPs) for control of construction-related sediments.

2. AIR

a. What types of emissions to the air would result from the proposal (i.e., dust, automobile, odors, industrial wood smoke) during construction and when the project is completed? If any, generally describe and give approximate quantities, if known.
Emissions to the air during construction of the various elements of the Master Plan can occur from machinery and truck exhaust and from fine soil particles that become airborne as a result of construction disturbance. Dust generated from grading will be short term.

Because this is a non-project analysis for the Master Plan, quantitative analysis for specific activities that could result in emissions are not determined at this time. Each phase of the Master Plan will undergo separate environmental and permit review for development approval. Specific quantities and types of air emissions that could result from construction of the elements of the Master Plan will be determined during the project-specific environmental review for each phase of the Master Plan.

b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.
No off-site sources of emissions or odors are known at this time that would affect this proposal.

c. Proposed measures to reduce or control emissions or other impacts to air, if any:
Because this is a non-project analysis for the Master Plan, specific measures to reduce or control emissions or other impacts to the air are undetermined at this time. Typical measures generally include maintenance of construction vehicles, management of fine sediments at the construction site, securing construction entryways, and wetting dry soils during construction of the project.

Each element of the Master Plan will undergo separate environmental and permit review for development approval. Specific emission control measures and BMPs will be determined during the project-specific environmental review

for each phase of the Master Plan.

3. WATER

a. Surface

1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

Juanita Beach Park is uniquely sited on the northeast shore of Lake Washington in the Juanita Creek Drainage Basin. The watershed area is 6.6 square miles. The Lake Washington shoreline along Juanita Beach Park is shallow water with sandy or silty/organic substrate and minimal vegetation. No wood or overhanging vegetation for cover is present along the shoreline at the park. To the southeast of the park are the extensive wetlands in Juanita Bay Park. This area is indicative of the historic shoreline condition in Juanita Bay.

Juanita Creek is a perennial creek that flows from the north to the south through the park and has its mouth on Lake Washington through the beach portion of Juanita Beach Park. It is located in the Juanita Creek Drainage Basin, a Primary Drainage Basin under the City of Kirkland Code (KZC). Juanita Creek is approximately 3 miles in length, with approximately 9 miles of open stream in the basin. Base flows in Juanita Creek are approximately 5 cfs (with minimum discharges of 2-3 cfs).

Juanita Creek flows have been modified as a result of urbanization and removal of forested cover in the basin and can be considered to be typical of urban stream in western Washington with higher peak flows and larger runoff volumes during storm events. Annual peak flows range from 90-270 cfs.

Juanita Creek is rated as a Type A stream by the City of Kirkland code due to the use of the creek by salmonid species. Required buffers on Type A streams within Primary Drainage Basins are a minimum of 75 feet wide per the KZC Chapter 90.90. The City requires a 10-foot building setback from the stream buffer (KZC 90.45 and 90.90).

A review of historic to current aerial photos (1936, 1960, 1974) of Juanita Beach Park shows that there has always been a very shallow sandy beach and shoreline at the location of the Park beach and the north and east ends of the bay. In the oldest photos, there were long linear piers that went out to deep water, presumably to allow boats to tie up in deeper water. In the early 1970's, King County built the existing pier that entirely

encloses Juanita Beach and added planking on the north and west sides, presumably to reduce wave action at the beach, but perhaps also to prevent sediment from Juanita Creek from depositing at the beach. Juanita Creek delivers a significant load of sediment (approximately 20,000 tons/year) including small gravel, sands, and fine silts that are deposited in the bay. It is estimated that 10,000 tons per year to the delta, 4400 tons in the swimming area, and remaining 5200 tons is lost the deep sediments of Lake Washington.

In addition to Lake Washington and Juanita Creek, several wetland areas have been identified on the park property during previous wetland determination reviews (see Section A.9). In the latest review of on-site wetlands in 2002 by Adolfson, five wetland areas were identified along Juanita Creek. In addition, reviews in 1999 by B-Twelve Associates identified two large wetland areas within the shoreline of Lake Washington. However, in 2002 a wetland determination conducted by HDR indicated that hydrology in these areas did not meet the criteria for jurisdictional wetlands. The City of Kirkland is conducting hydrologic monitoring of these areas in the spring of 2006 to confirm HDR findings.

2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

The Master Plan includes plans to conduct a number of activities within Lake Washington and its shoreline and Juanita Creek and its buffers, including: Construction of a new bathhouse; community commons with amphitheatre, lakefront promenade, group picnic areas, over-water pier restoration, boat rental float, gangway, and kiosk, pedestrian bridge and trails, day-use morage float and gangway, sand volleyball, stream buffer enhancement, Lake Washington shoreline enhancement, and constructed water quality treatment wetlands.

The above projects represent projects that provide water-related recreational activities within an urban waterfront park setting while providing habitat enhancement and water quality improvement projects to enhance the Juanita Creek and Lake Washington environments. Because of the history and current use of the park as a popular swimming beach, there is a need to have recreational facilities within the shoreline zone. However, with thoughtful layout, use of LID design and construction techniques, and addition of habitat restoration elements, the impacts of these projects can be minimized. Pending confirmation of the absence of wetlands in the Lake Washington shoreline zone, no activities are anticipated to take place within any of the on-site wetland areas.

Because this is a non-project analysis for the Master Plan more specific

information regarding proposed activities within the Lake Washington and Juanita Creek environs and their buffers is not fully developed at this time. Each element of the Master Plan will undergo an environmental and permit review for development approval. Specific types, locations, and quantities of activities in or adjacent to the lake, stream, or wetlands that could result from construction of the Master Plan will be determined during the project-specific environmental review for each phase of the Master Plan.

3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

Because this is a non-project analysis for the Master Plan, specific quantities of fill that would be placed or removed from surface waters or wetlands is undetermined at this time. The Master Plan elements have been sited outside of the wetland boundaries. Various elements such as the over-water pier restoration, boat rental float, gangway, and kiosk, pedestrian bridge and trails, day-use morage float and gangway, the stream buffer enhancement, and the Lake Washington shoreline enhancement will require some work over, within, and adjacent to the surface waters.

Each element of the Master Plan will undergo environmental and permit review for development approval. Specific types, locatoins, and quantities of fill in or adjacent to the lake, streams, or wetlands that could result from construction of the elements of the Master Plan will be determined during the project-specific environmental review for each phase of the Master Plan.

4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.

Because this is a non-project analysis for the Master Plan, a specific determination of surface water withdrawals or diversions is undetermined at this time. However, no surface water withdrawals or diversions are anticipated to result from implementation of the Master Plan.

5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.

Due to the development and associated filling of this urbanized area, the only portion of the project area that lies within the 100-year floodplain is the portion of the park that lies downstream or south of Juanita Drive. Although Juanita Creek has generally always flowed through a narrow ravine and narrow floodplain, much of that former floodplain has now been developed. DOUBLE CHECK 100-YEAR FLOODPLAIN.

Review of floodplain will occur with specific plans when actual development proposals are reviewed.

6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

Because this is a non-project analysis for the Master Plan, a specific determination of waste discharges to surface waters is undetermined at this time. However, no discharges of waste materials to surface waters are anticipated. A WDOE NPDES construction permit will be required for construction of the new park facilities. Construction of the various Master Plan elements and the Juanita Creek and Lake Washington restoration projects will utilize BMPs to avoid discharges to surface waters.

A SWPPP will be prepared at the time of permitting to detail the BMPs and other measures to be taken to minimize any discharges of construction-related materials into surface waters during construction. In addition, the Juanita Creek buffer the Lake Washington shoreline enhancement projects will establish additional native plantings along the lake and creek and associated wetlands. These projects will further protect surface waters from discharges after construction is complete.

b. Ground

1) Will ground water be withdrawn, or will water be discharged to ground water? Give general description, purpose, and approximate quantities if known.

Because this is a non-project analysis for the Master Plan, a specific determination of ground water withdrawals or discharges is undetermined at this time. However, no ground water withdrawals or discharges are anticipated to result from the construction of the Master Plan.

2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals...; agricultural; etc.) Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

No waste materials will be discharged into the ground from septic tanks or other sources. It is assumed that currently the existing bathhouse and restrooms utilize existing septic tanks. Under the Master Plan, new sewer connections will be provided for the new bathhouse and restrooms, thereby reducing discharges of wastewater to ground water..

c. Water Runoff (including storm water):

1) Describe the source of runoff (include storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

There will be increased impervious surfaces that will result from specific elements of the Master Plan. The Master Plan elements that include impervious surfaces are anticipated to result in additional stormwater runoff. These elements include: park entry plazas, new bathhouse; restroom; two picnic shelters; community commons with amphitheatre, parking areas; skate park; lakefront promenade; sand volleyball; basketball courts; athletic fields; and pedestrian paths. The Master Plan includes recommendations for use of pervious pavements where appropriate to reduce new impervious surface and to promote infiltration.

Because this is a non-project analysis for the Master Plan, specific sources and quantities of stormwater runoff are undetermined at this time. Design for collection, treatment and discharge for stormwater are also undetermined at this time. Sources and quantities of stormwater, along with collection and treatment facilities will be determined during design of each of the Master Plan elements and will be addressed during future project-specific environmental review. A stormwater plan will be prepared for the construction of specific elements in the Master Plan in preparation for Clean Water Act, Section 401 Water Quality Certification permitting from the WDOE.

2) Could waste materials enter ground or surface waters? If so, generally describe.

Because this is a non-project analysis for the Master Plan, a specific determination of waste discharges to surface waters is undetermined at this time. However, no discharges of waste materials to surface waters are anticipated. A WDOE NPDES construction permit will be required for construction of the new facilities. A SWPPP will be prepared at the time of permitting the specific elements in the Master Plan update to establish BMPs for all construction activities on the site and to detail the measures to be taken to minimize any discharges of construction-related materials into surface waters during construction.

Proposed measures to reduce or control surface, ground, and runoff water impacts, if any:

Specific erosion control measures and stormwater treatment will be determined during the project-specific design and environmental review for each phase of the Master Plan. As indicated under Section A.9, the project will require a Stormwater Pollution Prevention Plan (SWPPP), which will include Best Management Practices (BMPs) for control of construction-related sediments.

Permanent stormwater treatment facilities will be implemented for all pollutant producing impervious surfaces such as the parking areas. Stormwater approaches include: infiltration, Low Impact Development (LID) design including pervious pavements, rain gardens, biofiltration swales, and underground detention vaults.

4. PLANTS

a. Check or circle types of vegetation found on the site:

- [x] deciduous tree: alder, maple, aspen, other
- [x] evergreen tree: fir, cedar, pine, other
- [x] shrubs
- [x] grass
- [ ] pasture
- [ ] crop or grain
- [x] wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
- [x] water plants: water lily, eelgrass, milfoil, other
- [ ] other types of vegetation:

b. What kind and amount of vegetation will be removed or altered?

Vegetation at Juanita Beach Park is highly urbanized and consists mostly of non-native landscape species. Along Lake Washington, south of NE Juanita Drive, vegetation is characterized by lawn grass species with plantings of landscaped trees, including black cottonwood (Populus balsamifera), Scarlet oak, and willow. On the north side of NE Juanita Drive are more large areas of lawn grass species with landscape tree species. Many of the trees, especially the cottonwoods (150 Cottonwoods were planted by Forbes in 1925) are reaching the end of their life spans.

Because this is a non-project analysis for the Master Plan, a specific determination of types and quantities of vegetation to be removed or altered is undetermined at this time. Some removal of existing landscaping and vegetation is anticipated to allow grading and fill activities at the time of project implementation. In addition, many of the existing planted trees at the park (primarily black cottonwoods) are reaching the end of their lifespan and will need to be replaced. Specific impacts to vegetation will be determined during the project-specific environmental review for each phase of the Master Plan.

c. List threatened or endangered species known to be on or near the site.

Because this is a non-project analysis for the Master Plan, a specific determination of threatened and endangered plant species on the site is undetermined at this time. At the time of project-specific design for each of the Master Plan elements, a Biological Assessment will be prepared to identify the

presence of and address potential impacts to any threatened and endangered plant species.

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:

Because this is a non-project analysis for the Master Plan, specific measures to preserve or enhance vegetation on the site are undetermined at this time. Landscaping, native plantings and other measures to preserve and enhance vegetation will be determined during the project-specific design and environmental review for each phase of the Master Plan. Some of the opportunities for enhancement of vegetation communities at the park are discussed in the Site Analysis Programming Technical Memorandum, dated February 6, 2006, and are summarized below:

1 .Restore shoreline between north pier and creek mouth to natural vegetation such as willows and cottonwoods to provide buffer and overhanging vegetation.

2. Revegetate clumps of willows along shoreline at swimming beach or eastern edge of property, in select locations to provide overhanging vegetation.

3. Restoration of the creek riparian zone will improve water quality, sediment quality and sediment loading to the lake, and significantly improve fish and wildlife habitats. Recommend an average 75 foot wide buffer on both banks to meet City of Kirkland requirements and provide significant habitat benefits. This buffer will be planted with native vegetation.

4. Excavate an overflow channel and floodplain in upper area of park (downstream of pedestrian bridge on right bank) through blackberry dominated site and revegetate with native trees and shrubs (cedar, hemlock, big leaf maple, crabapple, willow, salmonberry, twinberry, spirea, etc.).

5. Excavate floodplain in lower area of park (right bank across from existing maintenance building) and revegetate entire area with native trees, shrubs, and emergent vegetation (cedar, cottonwood, alder, crabapple, serviceberry, mock orange, willow, twinberry, red elderberry, sedges, etc.).

6. Remove maintenance building and revegetate with native plants as riparian/floodplain area.

7. Restore the shoreline between north pier and creek mouth to natural wetland and riparian area (willows, cattails, sedges, cottonwood, cedar).

As indicated in Section A.9, a stream and lake shoreline habitat enhancement plan will be prepared for the Master Plan. Landscape plans for each phase of

the Master Plan will also be prepared detailing the landscaping and native plantings proposed for each of the phases.

5. ANIMALS

a. Circle any birds and animals which have been observed on or near the site or are known to be on or near the site:

birds: hawk, heron, eagle, songbirds, other ***Juanita Beach Park has some function as a wildlife refuge within the larger urban environment, the habitat has been degraded through human impact and lack of vegetative diversity. Wildlife habitat in the park is degraded by expanses of non-native lawn grass species and stands of invasive plant species, including primarily Himalayan blackberry. In addition, predatory animals including bullfrogs and domestic cats are a threat to the survival of small mammals, amphibians, and birds in the park. Wildlife at Juanita Beach Park is typical of an urban waterfront park with gulls, ducks, and Canada geese dominating the avian species along the shoreline. The heavy use of the park by Canada geese especially is noted to contribute to waste and water quality issues along the shoreline. Other species that are anticipated to be found at the park include herons, waterfowl, and songbirds, and potentially some presence of hawks and eagles.***

mammals: deer, bear, elk, beaver, other ***beaver, various small mammals, rodents, domestic cats and dogs. See discussion under 'birds', above for general wildlife conditions at the park.***

fish: bass, salmon, trout, herring, shellfish, other ***Juanita Creek and Juanita Beach both provide potential habitat for a variety of fish species. Species that are known to be present, or are likely to be present, in Juanita Creek include coho and sockeye salmon, kokanee, cutthroat and rainbow trout, longfin smelt, lamprey, three-spine stickleback, largescale sucker, dace, shiner, sculpins, and crayfish. Species that utilize the shoreline and beach area likely include chinook, coho, and sockeye salmon, steelhead, cutthroat and rainbow trout, peamouth chub, yellow perch, northern pikeminnow, largescale sucker, sunfish, bullhead, largemouth bass, smallmouth bass, carp, sculpins, and crayfish. (King County 2002; Kerwin 2001; Martz et al 1996)***

b. List any threatened or endangered species known to be on or near the site.

The presence of federally-listed threatened and endangered species is identified within the park in the shoreline environments of Lake Washington and Juanita Creek. Federally-protected fish species in these water bodies include:

- ***Chinook salmon (Oncorhynchus tshawytscha)(threatened) and present in Lake Washington, with potential presence in Juanita Creek only;***
- ***Coho salmon (Oncorhynchus kisutch); and***
- ***Cutthroat trout (Oncorhynchus clarki)***

State-listed fish species identified at Juanita Creek Park include:

- ***longfin smelt (Spirinchus thaleichthys);***
- ***sockeye salmon (Oncorhynchus nerka), and***
- ***kokanee (Oncorhynchus nerka).***

The nearest bald eagle nest is identified by the Washington Department of Fish and Wildlife (WDFW) priority habitats and species maps as being located 1.2 miles to the west of Juanita Beach Park (WDFW pers. comm. 12/6/04). Based on studies of wildlife use at the nearby Juanita Bay Park in 1992 (Watershed Dynamics 1992), other state-listed sensitive species that have the potential to be present at Juanita Beach Park include: great blue heron (Ardea herodias), bufflehead (Bucelphala albeola), hooded merganser (Lophodytes cucullatus), and western pond turtle (Clemmys marmorata). All of these species except for western pond turtle were identified at Juanita Bay Park during the 1992 wildlife study and have the potential to be found at Juanita Beach Park also.

c. Is the site part of a migration route? If so, explain.
The project site is located within the Pacific Flyway, which is a flight corridor for migrating waterfowl and other avian fauna. The Pacific Flyway extends from Alaska south to Mexico and South America.

d. Proposed measures to preserve or enhance wildlife, if any:
Because this is a non-project analysis for the Master Plan, specific measures to preserve or enhance wildlife on the site are undetermined at this time. Specific habitat enhancement measures will be determined during the project-specific design and environmental review for each phase of the Master Plan. Some of the opportunities for habitat enhancement at the park are discussed in the Site Analysis Programming Technical Memorandum, dated February 6, 2006, and are summarized below:

1 .All vegetation restoration and enhancement measures discussed in Section 4.d, above.

2. Excavate floodplain side channels/wetlands along Juanita Creek downstream of pedestrian bridge, in lower park where frequently flooded, where maintenance building currently resides.

3. Remove maintenance building and restore riparian and create floodplain.

4. Remove armoring on banks except where absolutely necessary.

5. Slope banks back and revegetation.

6. Restore riparian zone.

7. Place LWD in the creek channel.

8. Restoration of natural bay circulation and wave energy to the swimming beach will improve water quality, sediment quality, and reduce deposition of sediment along the park shoreline. It will also allow fish passage along the shoreline.

As indicated in Section A.9, a stream and lake shoreline habitat enhancement plan will be prepared for the Master Plan.

6. ENERGY AND NATURAL RESOURCES

a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.
The currently available resources include electricity and natural gas. Because this is a non-project analysis, all specific uses are not yet determined. It is anticipated that the primary energy uses will be for heating, lighting, irrigation and sewer system pumps, etc.). Energy uses and rates will be determined during the project-specific design and environmental review for each phase of the Master Plan.

b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.
The proposal would not affect the potential use of solar energy by adjacent properties.

c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:
Because this is a non-project analysis, specific energy conservation features are not yet determined. Energy conservation features will be determined during the project-specific design and environmental review for each phase of the Master Plan.

7. ENVIRONMENTAL HEALTH

a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If

so, describe.
None known or anticipated.

1) Describe special emergency services that might be required.
None anticipated.

2) Proposed measures to reduce or control environmental health hazards, if any:
None anticipated.

b. Noise

1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?
Traffic from Juanita Drive and the overall urban environment in the community are the only sources of noise.

2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.
Because this is a non-project analysis for the Master Plan, short and long-term generators of noise associated with the elements of the Master Plan have not been determined at this time. Potential noise impacts will be determined during the project-specific design and environmental review for each phase of the Master Plan. It is anticipated that potential noise impacts will be limited to short-term noise generated during normal construction activities. Long-term noise impacts are anticipated to be limited to the normal noise associated with recreational uses at a park.

3) Proposed measures to reduce or control noise impacts, if any:
Because this is a non-project analysis, specific measures to reduce or control noise are not yet determined. Noise reduction measures will be determined during the project-specific design and environmental review for each phase of the Master Plan. Typical noise control measures during construction include construction vehicle maintenance and working hours during daylight hours.

8. LAND AND SHORELINE USE

a. What is the current use of the site and adjacent properties?
The current use of the site is as a public park with a swimming beach and overwater pier. Adjacent uses include single- and multi-family residential, commercial, business, and retail, and a retirement community, as described

below:

- ***High-density multi-family zones: contain detached, attached or stacked dwelling units***
- ***Apartments and Condos flank the southern portion of the park and the west and north sides of the northern portion f the Park.***
- ***Commercial/business zoning: east of 97th Ave. NE***
- ***Spuds Restaurant***
- ***German Retirement Village***
- ***Chelsea at Juanita Village and Avalon Juanita Village east of park***
- ***Proposed: Juanita Village 5, east of park***

b. Has the site been used for agriculture? If so, describe.
No

c. Describe any structures on the site.

Picnic Shelter #1(SE): 24'x38' Open, wood, post and beam, flat-roofed shelter; not ADA accessible; 3-4 picnic tables, grill box, water and electricity. Reserve for up to 150 persons. Several outdoor grills nearby.

Picnic Shelter #2 (SW): 20'x30' Half open, wood, post and beam, gable-roofed shelter with 6 tables, nearby fire pit, water and electricity. Reserve for up to 150 persons. (Preferred)

Bath House: Built in 1965, CMU building: dressing rooms, restrooms and concession stand

Parks Maintenance Shop 4,500 SF CMU Building. Lacks adjacent supporting yard area and covered parking. Condition: good. Located within Juanita Creek buffer.

Restroom (North of Juanita Drive): 10'x32 Prefabricated' metal restroom building. Condition: fair to poor.

Concession Stand and Storage Shed. Condition: fair exterior

Pedestrian Pier/Breakwater Built in early 1970's; horseshoe-shaped. Projects 580 feet into Juanita Bay from the shoreline. 1350 foot long pier of timber bents and pile caps which support a concrete deck, and a bent-to-bent wood vertical planking system on the inner and outer faces on the west and south legs of the sections of the pier. Condition: Every other plank was removed from the south sections of the pier, where the greatest wave forces experienced. This modification reduced wave pier attenuation, but also silted in the diving area. Diving platform. "Juanita Beach Pier Inspection and Condition Report", April 1999, Summit Technology Consulting Engineers, Inc., P.S.

Pedestrian Bridge Provides access to Picnic Shelter #2 and a large scenic area with views of the Creek and Bay. Timber bridge and timber railings are in good condition. (not ADA accessible, because no ADA path on west side)

Conclusion: Except for Forbes House, the pier, and the pedestrian bridge, site structures are in poor locations, poor conditions, and/or functionally inadequate.

d. Will any structures be demolished? If so, what?
Several structures will be demolished and of these, some will be reconstructed in the same or close location. The following is a list of structures to be demolished:

Maintenance building - not replaced on-site
North Restroom - replace on-site
Concession stand and storage - replace on-site
Bathhouse - replace on-site
Picnic shelter - replace on-site
Backstop and bleacher at ballfield - replace on-site
Timber breakwater -

e. What is the current zoning classification of the site?
Park/Open Space

f. If applicable, what is the current shoreline master program designation of the site?
Urban Residential 1 or Urban Conservancy

Urban Residential 1

~~***NEED TO CONFIRM WITH PLANNING DEPARTMENT***~~

g. Has any part of the site been classified as an "environmentally sensitive" area? If so, specify.
While this is a non-project analysis for the Master Plan, environmentally sensitive areas have been identified on the site and include Lake Washington and shoreline environments, Juanita Creeks and its buffers, and wetlands associated with Juanita Creek. Additional environmentally sensitive areas include the cultural resource of the Forbes House..

h. Approximately how many people would reside or work in the completed project.
No residents are anticipated at the completed park. An estimated 4 to 7 persons are anticipated to work at the park, depending on the season and facilities open. Potential positions include: lifeguard, concession stand, boat rentals, maintenance staff, and event staff.

i. Approximately how many people would the completed project displace?

The proposed project would not dispace people.

j. Proposed measures to avoid or reduce displacement impacts, if any:
Not applicable.

k. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:
Renovation of the Juanita Beach Park through a new Master Plan is identified in the City of Kirkland Comprehensive Park, Open Space, and Recreation Plan as one of the top priorities for the Comprehensive Plan.

The Master Plan has incorporated the goals and objectives expressed in the Plan, especially those associated with waterfront parks. The Master Plan has included key City goals for waterfront parks such as restrooms, small craft opportunities, teen recreation opportunities, water access, habitat restoration, and community gathering opportunities.

9. HOUSING

a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.
No housing units would be provided.

b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.
No housing units would be eliminated.

c. Proposed measures to reduce or control housing impacts, if any:
Not applicable.

10. AESTHETICS

a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?
Because this is a non-project analysis for the Master Plan, specific design of structures associated with the elements of the Master Plan have not been determined at this time. Design of structures will be determined during the project-specific design and environmental review for each phase of the Master Plan.

b. What views in the immediate vicinity would be altered or obstructed?

An assessment of potential impacts to views that could result from the proposed elements of the Master Plan has not been completed at this time, but as described under Section A.9, a Visual Study is anticipated to be prepared during project-specific design and environmental review for each phase of the Master Plan update. No views are anticipated to be obscured by the proposed Master Plan.

c. Proposed measures to reduce or control aesthetic impacts, if any:
Because this is a non-project analysis, measures to reduce or control any potential aesthetic impacts are not yet determined. Such measures will be determined during the project-specific design and environmental review for each phase of the Master Plan update. It is anticipated that new structures at the Juanita Beach Park will be designed to blend into the surrounding setting and to provide a visual amenity in the area.

11. LIGHT AND GLARE

a. What type of light or glare will the proposal produce? What time of day would it mainly occur?
Because this is a non-project analysis for the Master Plan, light and glare associated with the elements of the Master Plan has not been determined at this time. Potential sources of light and glare will be determined during the project-specific design and environmental review for each phase of the Master Plan. It is anticipated that the primary potential source of light and glare impacts will result from the construction of the proposed lighting for the tennis courts and skate park.

b. Could light or glare from the finished project be a safety hazard or interfere with views?
An assessment of potential light and glare impacts for the proposed elements of the Master Plan has not been fully determined at this time, but will be prepared during project-specific design and environmental review for each phase of the Master Plan update.

c. What existing off-site sources of light or glare may affect your proposal?
No off site sources of light or glare would affect this proposal.

d. Proposed measures to reduce or control light and glare impacts, if any:
Because this is a non-project analysis, specific measures to reduce or control light and glare are not yet determined. Such measures will be determined during the project-specific design and environmental review for each phase of the Master Plan update. Lights will be properly shielded and directed as necessary to reduce skyward glare.

12. RECREATION

a. What designated and informal recreational opportunities are in the immediate vicinity?
In the immediate vicinity of the Juanita Beach Park are a number of recreational opportunities. The park lies on the banks of Lake Washington. A number of parks lie within the area including: 144-acre Juanita Bay Park to the east, the Kiwanis and Waverly Parks, further east along the shoreline of Lake Washington; the North Kirkland Community Center to the northwest, and several neighborhood parks in the immediate vicinity. Walking trails are available at Juanita Beach Park and Juanita Bay Park, although there are no trail connections between the two parks. Numerous water-related recreational activities are available on Lake Washington including, sailing, boating, kayaking, canoeing, fishing, bird-watching, and water skiing.

b. Would the proposed project displace any existing recreational uses? If so, describe.
No. The Master Plan would greatly increase the availability of recreational opportunities in the area by adding boating, tennis, skateboarding, and community gatherings to the park.

c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:
None necessary.

13. HISTORICAL AND CULTURAL PRESERVATION

a. Are there any places or objects listed in, or proposed for, national, state, or local preservation registers known to be on or next to the site? If so, generally describe.
The Dorr and Eliza Forbes House has been nominated for listing as a historic property on the federal register by the City. The original portion of the Dorr and Eliza Forbes House was constructed in 1905, after an earlier family home on the same site, was destroyed by fire. Dorr and Eliza Forbes were early settlers and important figures in local history, who continued to reside in the house until their deaths in 1919 and 1942, respectively. A major addition and remodel occurred in 1936-37, when a side-gable wing was adding to the original gable-front wing and the interior was updated. The current interior reflects this remodel and there is little evidence of the earliest interior construction. However, the original 1905 exterior form and finishes remain in place and the 193637 addition was designed and constructed in keeping with the vernacular character of the original section.

The wood-frame construction and vernacular design character of the initial wing of the house is typical of domestic designs built in Kirkland between the 1870s and 1920. The 1936-37 construction and interior remodel is associated with revival design styles that were popular in the 1920s and commonly constructed

in a minimal traditional mode throughout the 1930s and 1940s. The house was used by King County for various purposes after the property came into public ownership in 1956 and necessitated more recent relatively minor exterior alterations.

b. Generally describe any landmarks or evidence of historic, archaeological, scientific, or cultural importance known to be on or next to the site.

Because this is a non-project analysis, identification of specific cultural resources are not yet determined. As described in Section A.9, a Cultural Study is anticipated to be prepared to identify and describe any other cultural resources in the vicinity and to propose any measures to protect cultural resources. No other landmarks or evidence of historic, arcaeological, scientific, or cultural importance are known on or near the site at this time. A brief history of the Juanita Beach Park site is summarized in the bullets below:

- ***1876 Juanita Beach property homesteaded by Dorr and Eliza Forbes***
- ***Urania Dock – ferry Urania and Urania Club House (Scandinavian meeting place from Finn Hill) (west of Forbes property)***
- ***1906 Forbes House/Juanita House: Two story wood frame house constructed by the Forbes family.***
- ***1916 Construction of Lake WA Ship Canal caused Lake Washington to drop 8.8 feet, exposing vast expanse of fine white sand at Juanita. Sand shelf extended 500 ft. from shore, only 5 ft deep***
- ***1921 Forbes and Nelson constructed restrooms and 20x30 foot bath house and opened beach business for day use resort***
- ***1925 Forbes built open-air kitchen with tables, stove and hot water***
- ***1928 Forbes built a larger, two-story bath house with jukebox and dance floor, swimsuits for rent***
- ***After WW II Juanita Beach lost its appeal, people went into mountains instead.***
- ***1957 King County bought the Shady Beach and Sandy Beach properties***
- ***Forbes House/Juanita House: Two story wood frame house, 1906***
  - ***King County Parks used Forbes House for interpretive program offices***

The Forbes house is the only remaining structure on the property of cultural or historic interest.

c. Proposed measures to reduce or control impacts, if any:

The Master Plan includes restoration of the Forbes House and development of historical gardens around the house to showcase the house. Proposed restoration measures are based upon the historic designation report prepared for the house and surrounding grounds.

No other measures are proposed at this time. Because this is a non-project analysis, additional specific measures to reduce or control impacts to cultural resources are not yet determined. As described in Section A.9, a Cultural Study is anticipated to be prepared to identify and describe any other cultural resources in the vicinity and to propose any measures to protect cultural resources. If necessary, additional measures will be determined during the project-specific design and environmental review for each phase of the Master Plan through NHPA Section 106 coordination with City of Kirkland and SHPO.

14. TRANSPORTATION

a. Identify public streets and highways serving the site, and describe proposed access to the existing street system. Show on-site plans, if any.

Juanita Beach Park is bisected and accessed by NE Juanita Drive, a two-lane road with five-foot wide bicycle lanes in each direction, a planted median and sidewalks. The park is also accessed from 97th Avenue NE, also a two-lane road. Access to/from I-405 is 1.25 miles east of the park on NE 116th Street. There are entrys at the main south entry at 97th Avenue NE and NE Juanita Drive; Main north entry off 97th Avenue NE to gravel pit; and second north entry of 97th Avenue NE to the Forbes house loop driveway.

b. Is site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?

~~***NEED TO FILL IN***~~

Public transit is available on 98th Ave NE just south of Juanita Drive

c. How many parking spaces would the completed project have? How many would the project eliminate?

The completed project will include parking for 350 stalls with 125 parking spaces located in the north parking lots and 225 parking spaces in the southern or waterfront portion of the park. Approximately two percent of the stalls will be ADA designated.

Currently the park has 270 parking stalls so no parking will be eliminated but rather will be increased under the Master Plan.

d. Will the proposal require any new roads or streets, or improvements to existing roads or streets, not including driveways? If so, generally describe (indicate whether public or private).

No new roads or streets, public or private, are proposed under the Master Plan. There will be circulation improvements within the park and on Juanita Drive to improve the entryways, drop-off areas in the parking lots, and pedestrian circulation within the park. Key elements of the Master Plan include:

Entry signs and lockable entry gates at all four parking lot entries;
Two entry plaza/drop-off areas on the south side of the park with circular turn-arounds with landscaped islands;
Pedestrian crossing of Juanita Drive
Designated pedestrian crossings through the parking areas;
Emergency vehicle access to parking lots and beach area;
Service access near the bathhouse;
Looped pedestrian trails in the north and south sides of the park. These trails will generally be designed to be ADA accessible; and
Overwater pedestrian pier.

e. Will the project use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.
No

f. How many vehicular trips per day would be generated by the completed project? If know, indicate when peak volumes would occur.
Because this is a non-project analysis, average daily trips (ADT) and peak volumes are not yet determined. This analysis will be determined during the project-specific design and environmental review for each phase of the Master Plan. It is anticipated that a Traffic Study will be prepared for the project at that time. The traffic study will address access to the site from NE Juanita Drive and 97th Avenue NE, and, any additional traffic needs to facilitate access in these locations and pedestrian safety for pedestrians crossing NE Juanita Drive.

g. Proposed measures to reduce or control transportation impacts, if any:
Because this is a non-project analysis, additional specific measures to reduce or control traffic are not yet determined. Such measures, beyond the anticipated upgrade to park entryways, parking lots, and internal pedestrian trails will be determined during the project-specific design and environmental review for each phase of the Master Plan.

15. PUBLIC SERVICES

a. Would the project result in an increased need for public services (for example: fire protection, police protection, health care, schools, other)? If so, generally describe.
No additional health care or school services are anticipated for the Master Plan.

Because this is a non-project analysis, specific needs for public services such as fire protection or police protection are not yet determined. Some additional fire and police protection services may be needed as some of the new elements in the Master Plan are developed, such as the community commons, amphitheatre, skate park, and other new elements that increase use of the park. The additional level of services that will be needed has not been determined at this time but will be determined during the project-specific environmental review for each Master Plan phase.

b. Proposed measures to reduce or control direct impacts on public services, if any.
Because this is a non-project analysis, specific measures to reduce or control impacts to public services are not yet determined. Such measures will be determined during the project-specific design and environmental review for each Master Plan phase.

16. UTILITIES

a. Circle utilities currently available at the site: electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other ***Water Supply Systems***

- ***Water lines area located on east side of Park with connections to existing facilities.***
- ***A water meter is located in southern portion of Park, serving both sides of the Park.***

Sanitary Sewer Systems

- ***Twin sanitary sewer force mains run south across Juanita Drive from the Metro Pump Station and then east along the south side of the Juanita Drive right-of-way.***
- ***Additional lines and manholes***
- ***Metro Pump Station – existing at NW corner of 93rd Ave. NE***
- ***Juanita Bay Pump Station – new***
- ***It is assumed that existing restrooms still utilize septic tanks.***

Stormwater Systems

There are storm sewer lines and catch basins located in the southern portion of the Park. None are visible on the northern portion. Upgrades to the stormwater system will be required in the master plan to improve water quality.

Electricity and Telephone

- ***The Juanita Drive Improvement Project placed power lines and telephone lines underground along Juanita Drive.***
- ***Services to the Forbes House are from sources along 97th Ave. NE***

b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

Irrigation:
Irrigation of the park is proposed through the Park.

Sanitary Sewer Systems
Provide sewer connection for the bathhouse and the restroom north of Juanita Drive.

Power Supply
Provide upgraded power supply to all park buildings and for site lighting. Power will also be provided for the stage area at the Community Commons.

C. SIGNATURE

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: Michael Cogle (by Angela Ruggeri) City of Kirkland

Date Submitted: 2/13/06

D. SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS

(Do not use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?
Potential discharges of waste materials to surface waters could result from construction activities at the park, especially for elements of the Master Plan located within the environs and shoreline of Lake Washington and the within Juanita Creek and its buffers. These elements include the overwater pier, the non-motorized boat facilities, the new bathhouse, lakefront promenade, and various habitat restoration projects. A WDOE NPDES construction permit will be required for construction of the new park facilities. Construction of the various Master Plan elements and the Juanita Creek and Lake Washington restoration projects will utilize BMPs to avoid discharges

to surface waters. A SWPPP will be prepared at the time of permitting to detail the BMPs and other measures to be taken to minimize any discharges of construction-related materials into surface waters during construction.

Potential increases in emissions to air are anticipated to be limited to temporary minor increases during construction related to operation of construction equipment. No permanent increases to air emissions are anticipated to result from the development of the Master Plan.

It is anticipated that potential noise impacts will be limited to short-term noise generated during normal construction activities. Long-term noise impacts are anticipated to be limited to the normal noise associated with recreational uses at a park.

It is anticipated that potential noise impacts will be limited to short-term noise generated during normal construction activities. Long-term noise impacts are anticipated to be limited to the normal noise associated with recreational uses at a park.

Proposed measures to avoid or reduce such increases are:
Measures to reduce discharges to water include implementation of a Stormwater Pollution Prevention Plan (SWPPP) with a Spill Prevention and Contingency Plan and Best Management Practices (BMPs). In addition, the Juanita Creek buffer the Lake Washington shoreline enhancement projects will establish additional native plantings along the lake and creek and associated wetlands. These projects will further protect surface waters from discharges after construction is complete.

Specific measures to reduce emissions to air and BMPs will be determined during the project-specific environmental review for each phase of the Master Plan. Typical measures generally include maintenance of construction vehicles, management of fine sediments at the construction site, securing construction entryways, and wetting dry soils during construction of the project. .

Because no impacts to environmental hazards are anticipated to result from implementation of the Master Plan, no mitigation measures to reduce environnmental hazards are proposed.

Noise reduction measures will be determined during the project-specific design and environmental review for each phase of the Master Plan. Typical noise control measures during construction include construction vehicle maintenance and working hours during daylight hours.

2. How would the proposal be likely to affect plants, animals, fish, or marine life?
There is the potential for temporary impacts to plants, animals, and fish and their

habitats during construction of some of the Master Plan elements due to temporary disturbance within the Lake Washington environs and shoreline and within the Juanita Creek environs and buffers. However, overall, implementation of the Master Plan is anticipated to improve vegetation communities, wildlife, and fish habitat at the Park through the Lake Washington shoreline, Juanita Creek, and wetland habitat enhancement plans that are included in the Master Plan.

Proposed measures to protect or conserve plants, animals, fish, or marine life are:
The Master Plan includes numerous measures to enhance vegetation communities, and improve fish and wildlife habitats at Juanita Beach Park, including:

1. Enhance native plantings wtihin Lake Washington shorelines and Juanita Creek buffers to provide more diverse habitat, overhanging vegetation for shade and fish habitat, and improved sedimentation capture.

2. Capture and reduce sedimentation from Juanita Creek to Lake Washington by developing constructed water quality wetlands and bioengineered streambank stabilization.

3. Improve water quality and fish passage at Juanita Beach by renovating the overwater pier to allow for improved water circulation and connectivity to the deep water habitats of Lake Washington. Dredging sediments at Juanita Beach will also be considered to reduce sedimentation at the beach.

4. Remove structures and buildings from the Juanita Creek buffer area and revegetate this area with native plantings.

5. Provide upgraded stormwater facilities to reduce sedimentation and bacteria inputs to Juanita Creek and Lake Washington.

6. Provide control of geese at the park to improve water quality and improve fish habitat.

Details of the above described proposed plant, wildlife and fish habitat enhancement measures are included in the Master Plan for Juanita Beach Park.

3. How would the proposal be likely to deplete energy or natural resources?
The Juanita Beach Park Master Plan is not anticipated to deplete energy or natural resources. Energy demands will be limited to power to provide lighting, heat, and power for the Forbes House, the bathhouse, restrooms, community commons, and lighting in specific outdoor areas at the park, such as the tennis courts, skate park, and parking lots.

Proposed measures to protect or conserve energy and natural resources are:
No specific measures are anticipated to be need to conserve energy or natural resources at the park. Solar energy options will be considered during project-specific design for each of the park elements.

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?
The Juanita Beach Park Master Plan will have no effect on wilderness, wild and scenic rivers, or prime farmlands as non of these features are found at the park. The Master Plan will enhance park resources, restore the cultural resource of the Forbes House, enhance threatened and endangered species habitat at Juanita Creek (chinook salmon habitat), enhance the on-site wetlands adjacent to Juanita Creek. Because portions of the park are within the 100-year floodplain of Lake Washington, there could be some impact to floodplains. However, additional impervious surfaces within the floodplain will be kept to a minimum and these impacts are anticipated to be minor.

Proposed measures to protect such resources or to avoid or reduce impacts are:
The Master Plan includes numerous measures to enhance parks, threatened and endangered species habitat, historic or cultural sites, and wetlands, as follows:

The Master Plan enhances Juanita Beach Park to provide a local and regional waterfront park with multiple recreational opportunities, community gathering facilities, water-related recreational opportunities, and habitat restoration and education.

The Master Plan enhances threatened and endangered species habitat by providing habitat restoration at Lake Washington shoreline and in Juanita Creek (chinook habitat).

The Master Plan enhances cultural resources by restoring the Forbes House, proposed for listing on the Federal list of historic resources.

The Master Plan provides for enhancement of the wetlands associated with Juanita Creek by increasing the buffers around Juanita Creek and providing for native plantings within the wetlands and buffers.

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?
The Master Plan is consistent with the City of Kirkland zoning designation for the site - Park/Open Space and will provide recreational and open space opportunities for the surrounding residential neighborhoods, as well as visitors to the business

and commercial areas, located in Juanita Village, north of the park. The Master Plan encourages appropriate land uses for the site that are consistent with the City of Kirklands Comprehensive Park, Recreation, and Open Space Plan. .

Proposed measures to avoid or reduce shoreline and land use impacts are:
The Master Plan optimizes the waterfront access and uses for the park while enhancing the natural environments of the Lake Washington shoreline and Juanita Creek and its buffers. The Master Plan proposes several measures to avoid or reduce impacts to shorelines and land use, including:

6. How would the proposal be likely to increase demands on transportation or public services and utilities?
Some increase in demand on transportation, especially along NE Juanita Drive and 97th Street NE, could result from the improvements at Juanita Beach Park as the park becomes a more desirable destination for locals and regional users.

No increase in health services or school facilities are anticipated to result from the Master Plan. However, there is the potential for some slight increase in demand for fire and police services with development of the Master Plan if use of the park increases. Such increases may be limited to special events scheduled at the community gathering facilities.

Some minor increases in utilities are anticipated with development of the Master Plan as the the park use increases.

Proposed measures to reduce or respond to such demand(s) are:
It is anticipated that a Traffic Study will be prepared prior to initiation of Phase 1 of the project. The traffic study will address access to the site from NE Juanita Drive and 97th Avenue NE, and, any additional traffic needs to facilitate access in these locations and pedestrian safety for pedestrians crossing NE Juanita Drive.

Review of existing public services availability will be conducted during the project-specific environmental review to ensure that the City can meet any increase in fire and police services associated with the development of the Master Plan.

Review of utility services and improvements to the current utilities at the park are included in the Master Plan design.

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.
The proposed Master Plan has been designed to be in compliance with local, state, and federal laws protecting the environment. Key elements of the Master Plan that work to meet or exceed the environmental protection requirements are

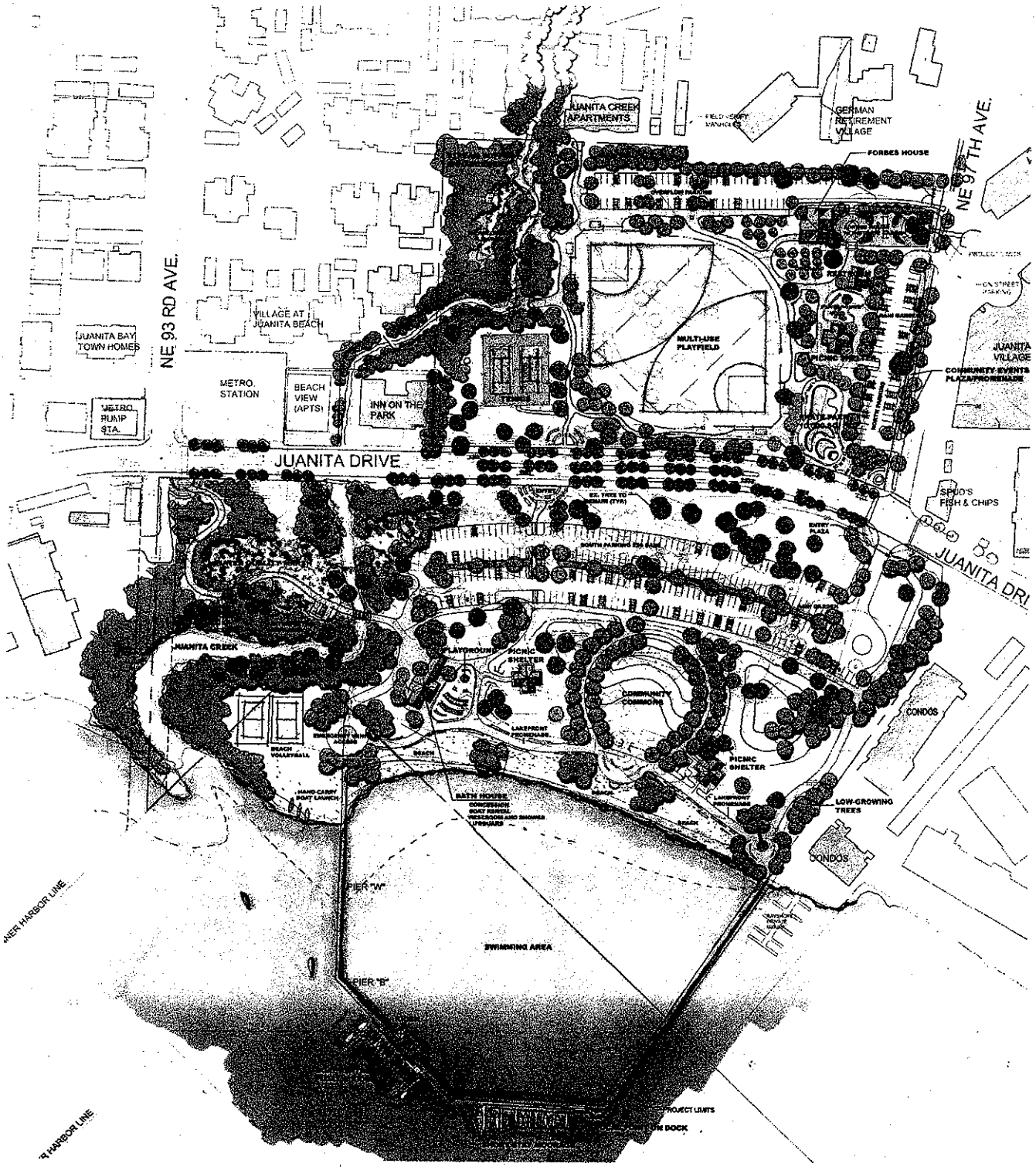
numerous. Some of the key elements are summarized below:

1. ***Protect and enhance the Lake Washington environs and shoreline with increased circulation at the beach, sediment control, water quality improvements, control of goose populations, and increased shoreline plantings of native species. Compliance with local, state, and federal water resource and threatened and endangered species protection laws and codes.***

2. ***Protect and enhance the Juanita Creek environs, wetlands, and buffers with bioengineered bank stabilization, increased buffers, water quality improvements, and increased plantings of native species. Compliance with local, state, and federal water resource and threatened and endangered species laws and codes.***

3. ***Improve water quality at the site through constructed water quality wetlands, new stormwater treatment facilities, implementation of low-impact development techniques, and control of goose populations. Compliance with local, state, and federal water quality laws and codes.***

4. ***Preserve the cultural resource of the Forbes House and restore this house and grounds. Compliance with state and federal historic resource laws and codes.***



MASTER PLAN

JUANITA BEACH PARK MASTER PLAN
CITY OF KIRKLAND PARKS AND COMMUNITY SERVICES

J.A. BRENNAN ASSOCIATES, PLLC
In Association with
J.T. ATKINS & COMPANY P.C.
MAKERS ARCHITECTURE AND URBAN DESIGN
TETRATECH
DOUGLASS CONSULTING
LANDAU ASSOCIATES

RESOLUTION R-4570

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND ADOPTING A MASTER PLAN FOR JUANITA BEACH PARK.

WHEREAS, the City of Kirkland is interested in creating a diverse system of parks, recreational facilities, and open spaces that is attractive, safe, functional, and available to all segments of the population; and

WHEREAS, the City Council passed Ordinance 3852 on August 6, 2002 which in part provides for the review and approval of park master plans; and

WHEREAS, the Park Board and Department of Parks and Community Services organized and completed an extensive planning process to create a vision for the future of Juanita Beach Park, involving important stakeholders and interested citizens; and

WHEREAS, the Department of Parks and Community Services has completed the Juanita Beach Park Master Plan; and

WHEREAS, pursuant to public notice, the Park Board on October 18, 2005 conducted a public hearing for the purposes of soliciting public comment on the Juanita Beach Park Master Plan; and

WHEREAS, the City Council has received from the Park Board a written report and recommendation on a proposed Juanita Beach Park Master Plan; and

WHEREAS, in regular public meeting the City Council considered the written report and recommendation of the Park Board.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Kirkland adopts the Juanita Beach Park Master Plan recommended by the Park Board and set forth in Exhibit A to this Resolution.

PASSED by majority vote of the Kirkland City Council on the 16th day of May, 2006.

SIGNED in authentication thereof on the 16th day of May, 2006.

_____
Mayor

ATTEST:

_____
City Clerk

CITY OF KIRKLAND
123 Fifth Avenue, Kirkland, WA 98033 (425) 587-3000
www.ci.kirkland.wa.us

MEMORANDUM

To: Dave Ramsay, City Manager

From: Daryl Grigsby, Public Works Director
David Godfrey, P.E. Transportation Engineering Manager

Date: May 4, 2006

Subject: Transit Service Alternatives

RECOMMENDATION:
It is recommended that the Council authorize the Mayor to sign the attached letter with comments on the proposed Metro Transit and Sound Transit service change. The letter is based on comments that were generated by the Transportation Commission. It has been reviewed and approved by the Transportation Commission.

BACKGROUND DISCUSSION:
Metro Transit is currently exploring alternatives for service changes in the Bellevue-Kirkland-Redmond area. A Sounding Board has been assembled to help with that process and it includes six Kirkland residents. A tabloid which explains the potential service changes, reasons for the changes and schedule of public meetings has been produced and has been distributed by mail to residents of Kirkland and other eastside cities. The tabloid material is included as an attachment to this memo. *The route proposals in the tabloid are not the final route changes. They are concepts on which people are being asked to comment.* The service change that is being contemplated is broad and covers many eastside routes. This memo focuses on service that operates in Kirkland.

On March 7, Council reviewed the service change and asked that a group of Councilmembers meet with a group of Transportation Commissioners to discuss the proposal. That meeting took place on March 28th. On March 7 Council also requested that the Transportation Commission review the proposal once the Tabloid became available and make a recommendation to Council. The Transportation Commission met on April 26th with Metro staff and sounding board members to prepare recommended comments for Council consideration.

Process

- The Sounding Board is a group of 20 or so citizens assembled by Metro to review potential service changes. It is made up of volunteers from affected communities throughout the Eastside, selected to represent riders of different routes and

representatives of different interest groups. Six members live within Kirkland or the annexation area.

- The Sounding Board has been meeting regularly to offer comments to Metro planners to help shape concepts for new service.
- The comment period closes nominally on May 12. Citizens can comment by mail, by phone, by email or by completing an online questionnaire. Metro staff has indicated that Council's comments are welcome after May 12.
- Sounding Board began meeting last Fall.
- Sounding Board last met on February 8, and is taking a break until public comment has been received .
- Public outreach is currently taking place; including a public meeting at the Kirkland Senior Center on May 4 from 5:30 to 8:00.
- Sounding Board is scheduled to meet 4 to 5 more times through June
- Recommendations complete in June/July.
- Metro staff is responsible for making recommendation to County Executive for possible recommendation to the County Council. Sound Transit changes will require Board approval.
- Changes implemented no sooner than February 2007 and will be phased as resources become available and capital projects are implemented.

Issues reviewed by the Transportation Commission

At the April 26 meeting, the Transportation Commission prepared comments based on the following issues. The comments were then combined into a letter to Metro for Council's consideration.

Issue: Route 540 is proposed for deletion between Kirkland and Bear-Creek (Tabloid page 11, column 3) in order to improve service on the highly productive Route 545 between Redmond and Seattle via Overlake. Route 248 is proposed as a substitute route which will make more stops and offer a longer span of service. Route 248 also replaces the function of Routes 251 and 254 between Kirkland and Redmond. Routes 251 and 254 will be routed outside Kirkland. Riders traveling between Rose Hill and the U-district will have to transfer at Kirkland Transit Center between 248 and the remaining 540 service. On weekends, two transfers will be required between Rose Hill and the U-district. One at the Kirkland transit center between 248 and 255 and another at Evergreen Point on SR 520 between 255 and service such as 271 that connects to the U-District. Alternatively, Rose Hill riders could use routes 238 or 230 to connect with 540 or 255 in Houghton.

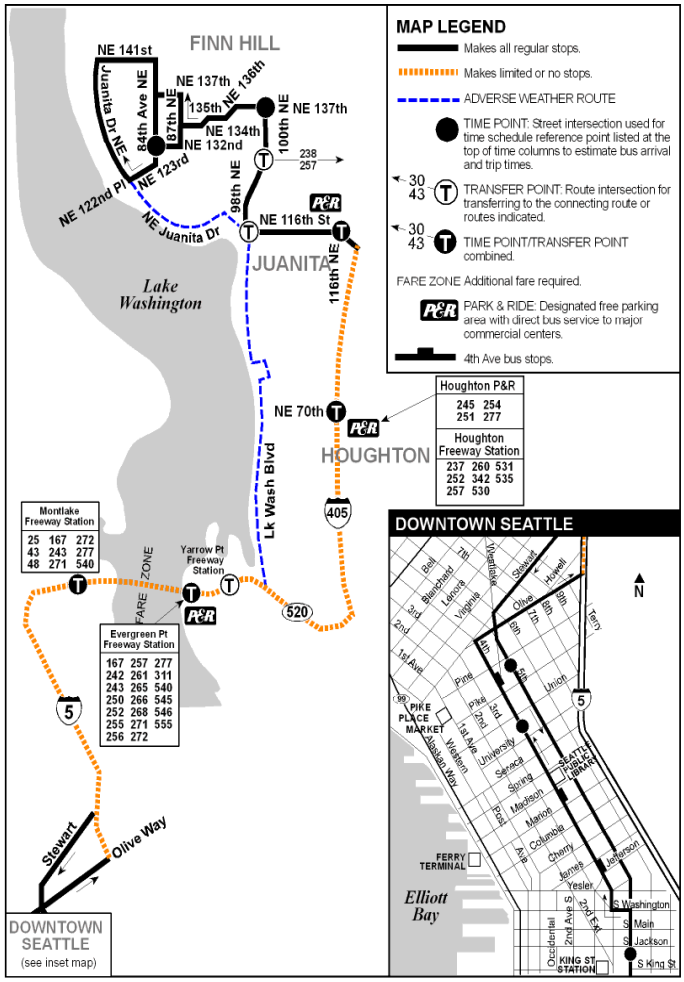


Figure 1 Map of Route 260

Issue: Route 260 (see Figure 1 left) between Kenmore and Seattle via Juanita is proposed for deletion (Tabloid page 13 column 1). Riders can use 255 to Seattle from Juanita or 252/257 (see Tabloid page 13) from Totem Lake/Kingsgate P&R. 260 currently runs on NE 116th Street and future connections along NE 116 could be made via 236 or 935. Current 260 riders lose their one-seat ride to Seattle, and those on NE 116th are concerned about the ability to make a connection at NE 98th/116th NE to travel east up the hill in the afternoon or west down the hill in the morning. Also, travel time is longer via 255 than via current 260. They have also expressed concern at Metro's characterization of ridership, arguing that the 260 has good ridership. Performance of the 260 is slightly below average according to the 2004 Route Performance Report[1]

Issue: Changes in service frequency and routing are proposed between Kirkland and Bellevue. (Tabloid Page 10, column 1) Route 230 currently operates at 15 minute peak frequency between downtown Kirkland and downtown Bellevue via Lake Washington Blvd and Bellevue Way. Route 234 currently operates at 30 minute peak frequency between Kirkland and downtown Bellevue via 108th Avenue NE, Overlake Hospital, and NE 8th Street. The tabloid proposal is to:

- Route both the 230 and the 234 on State Street and Lakeview Dr. then to Lake Washington Blvd at Carillon Point. Between South Kirkland Park & Ride and downtown Kirkland, both routes would maintain current routing.
- Decrease frequency on 230 to 30 minute peak service.

With proper scheduling, the 234-230 combination will still provide 15 minute service all day between Kirkland and Bellevue. Even if the 234 is routed off 108th Avenue NE, both 540 and 255

[1] In a comparison of east subarea peak routes, the route effectiveness sum for the 260 was -0.9 where 0.0 is average. For all eastside peak routes scores ranged from 8.7 to -5.8. Source: Metro 2004 Route Performance Report, July 2005.

remain there to provide 15 minute all day service; again if scheduling is properly managed. The re-route gives more balance; two routes on Lake Washington Blvd, two on 108th Avenue NE.

Issue: Service to Kirkland schools is changing. Currently Lake Washington and Juanita High Schools are served by peak-only routes and one or two deviations of all day routes. Proposed re-routing of 238 (Tabloid page 9) offers all day service connecting both high schools, Lake Washington Technical College and UW Bothell/Cascadia Community College with one route. Connections can be made on Rose Hill with Route 245 which serves Bellevue Community College. Deviations of 236 that currently serve students on Forbes Creek Drive will remain.

Issue: Other changes in service span and frequency. Changes to span and frequency are summarized in Table 1. Besides routes that are proposed for deletion (Routes 260, 277, 256) the main reductions in service in Kirkland are to Routes 540, 251, 254. Besides new route 248, frequency increases are proposed for Route 255, with span increases for Route 234

Issue: General comments. The Transportation Commission felt it was important to emphasize the need for high frequencies and good transfer facilities as the system moves away from one-seat rides to more transfers. Also, they wanted to highlight the need to serve Totem Lake.

Table 1 Proposed and Existing Route span and frequency

Route	**Hours of Operation (Span)**			**Minutes Between Trips; Peak-only is the number of trips: (AM trips, PM trips) Frequency**				
	Weekday	**Sat**	**Sun**	**Peak**	**Midday**	**Eve.**	**Sat.**	**Sun.**
Exist. 230	5:00 am - 12:00 am	6:30 am - 11:30 pm	6:30 am - 11:30 pm	15 Bellevue-Kirkland, 30 elsewhere	30	60	60	60
Proposed 230	No Change			**30 everywhere**	No Change			
Exist. 234	5:30 am – 7:00 pm	8:00 am - 8:00 pm	No service	30	30	None	60	No Service
Proposed 234	5:30 am- **11:00 PM**	**7:00 am - 11:00 pm**	**7:00 am - 11:00 pm**	No change		**60**	No change	**60**
236 No change	5:30 am - 9:00 pm	8:00 am - 7:00 pm	9:00 am - 5:00 pm	30	30	30	60	60
238 No change	5:30 am - 10:00 pm	8:00 am - 7:00 pm	10:00 am - 6:00 pm	30	30	30-60	60	60

Table 1 Continued

Route	Hours of Operation			Minutes Between Trips; Peak-only is the number of trips: (AM trips, PM trips)				
	Weekday	**Sat**	**Sun**	**Peak**	**Midday**	**Eve.**	**Sat.**	**Sun.**
245 No changes	6:00 am - 11:00 pm	7:00 am - 11:00 pm	7:00 am - 11:00 pm	30	30	60	30	60
Existing 540 Kirkland TC to Bear Creek Proposed for deletion	6:00 am - 10:30 pm	6:30 am-6:00 pm		30	30	60	60	60
Existing 251 compare to proposed 245 and 248	6:00 am- 7:00 pm	9:00 am-6:00	No service	60	60	None	60	None
Existing 254 compare to proposed 245 and 248	5:00 am – 8:00 pm	8:00 am – 11:00 pm	8:00 am – 9:00 pm	60	60	60	60	120
New route 248 replaces part of 540 and routes 251 and 254	**5:00 am** - 10:30 pm	**7:00 am - 10:30 pm**		30	30	60	**30**	60
Existing 255	5:00 am - 12:00 am	5:30 am - 11:00 pm	5:30 am - 11:00 pm	15 peak direction Seattle-Kirkland 30 elsewhere	30	30-60	30-60	30-60
Proposed 255	No change			15	No change			

Table 1 Continued

Route	Hours of Operation			Minutes Between Trips; Peak-only is the number of trips: (AM trips, PM trips)				
	Weekday	**Sat**	**Sun**	**Peak**	**Midday**	**Eve.**	**Sat.**	**Sun.**
252 no change	Peak	—	—	(7,8) trips				
257 no change	Peak	—	—	(6,6) trips				
Existing 540 Kirkland Transit Center to U-District	6:00 am - 9:45 pm	7:30 am – 6:30 pm		15 peak direction	30	30	60	60
Proposed 540 ST Kirkland Transit Center To U-District	6:00 am - 9:45 pm	—	—	15	30	30-60	—	—
935 no change	5:00 am - 7:15 pm	—	—	30	60	—	—	—
256 proposed for deletion	Peak	—	—	(5,5) trips				
260 proposed for deletion	Peak	—	—	(3,3) trips				
277 proposed for deletion	Peak	—	—	(6,6) trips				

TRANSIT SERVICE
N.E.W.S.
Metro – North, East, West, South

King County METRO
We'll Get You There

SOUNDTRANSIT

April 2006

King County Metro Transit and Sound Transit want to hear from you about potential bus service changes

Changes to bus service are being considered for the following areas:

- **Bellevue**
- **Kirkland**
- **Redmond**
- **Juanita**
- **Finn Hill**
- **Kingsgate**
- **Woodinville**
- **Duvall**

King County Metro and Sound Transit are working together to propose potential changes to bus service in Bellevue, Kirkland, Redmond, Juanita, Finn Hill, Kingsgate, Woodinville and Duvall. These changes, which will be phased in as resources allow, include new service in some areas and changes to existing routes. Some service might be shifted to under-served areas. Your comments will help Metro and Sound Transit decide which, if any, of these changes to make.

In this newsletter, you will find:

- descriptions of the potential changes;
- maps showing the potential changes;
- the reasons behind each potential change;
- a postage-paid questionnaire to fill out and return to us with your comments; and
- a list of other ways for you to tell us what you think about the potential changes.

Questionnaire and comments are due by May 12, 2006.

Please tell us what you think about the potential changes outlined in this newsletter. They include:

- **changes** to routes 222, 230, 232, 233, 234, 236, 238, 249, 251, 252, 253, 254, 255, 257, 265, 271, 272, 311, 540, 545, and 935;
- **new routes** 221, 224, 227, 235, 244, and 248;
- **replacement** of routes 225, 229, and 926 with new service; and
- **discontinuation** of routes 220, 237, 243, 247, 250, 256, 260, 261 266, 277, 291, and 922.
- **No changes** are being considered for routes 240, 242, 245, 268, 269, 280, 306, 312, 342, 522, 554, 555, 556, 560, 564, 565, and 921.

Ways to comment on these potential changes

In addition to completing the enclosed questionnaire and returning it to us by mail, or filling it out online at **http://transit.metrokc.gov**, you can:

- **attend a drop-in open house** (see dates, places and times below);
- **E-mail your comments** to **barbara.demichele@metrokc.gov;**
- **Call our message line** at 206-684-1146 to record your comments; or
- **Send written comments** to:
  King County
  Department of Transportation
  Community Relations
  and Communications
  KSC-TR-0824
  201 S. Jackson St.
  Seattle, WA 98104

Public meetings schedule

Drop in at an open house or stop by an information table to share your ideas with Metro Transit planners.

Information Table

Tuesday, April 25, 11 a.m. to 6 p.m.
Bellevue Transit Center
108th Avenue NE & NE 6th Street in Bellevue

Served by routes 220, 222, 230, 232, 233, 234, 237, 240, 243, 249, 253, 261, 271, 342, 530, 532, 535, 555, 555, 556, 560, 564, 565, 630, 921

Open House

Wednesday, April 26, 5:30 to 8 p.m.
new Redmond City Hall, foyer
15670 NE 85th St., Redmond

Also featuring City of Redmond transportation plans.

Served by routes 220, 230, 232, 249, 250, 251, 253, 254, 265, 266, 291, 540, 545, 922 and 929

Open House

Thursday, April 27, 5:30 to 8 p.m.
new Bellevue City Hall, IE-108
450 110th Ave. NE, Bellevue

Also featuring City of Bellevue transportation plans.

Served by routes 220, 222, 230, 232, 233, 234, 237, 240, 243, 249, 253, 261, 271, 342, 530, 532, 535, 555, 555, 556, 560, 564, 565, 630, 921

Information Table

Saturday, April 29, 10 a.m. to noon
Duvall Safeway Food & Drug
14020 Main St., Duvall

Open House

Wednesday, May 3, 5:30 to 8 p.m.
Kirkland Senior Center
352 Kirkland Ave., Kirkland

Also featuring City of Kirkland transportation plans.

Served by routes 230, 234, 236, 238, 245, 251, 254, 255 and 540

Information Table

Saturday, May 6, noon to 3 p.m.
Crossroads Mall at Bellevue, Market Stage
15600 NE 8th St., Bellevue

Served by routes 230, 245 and 253

Questionnaire inside

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King County Department of Transportation
Community Relations and Communications
201 S. Jackson St.
Seattle, WA 98104

Why make changes?

Under the guidance of King County's Six-Year Transit Development Plan, Metro redesigns bus service in response to changes in where people live, work, and travel. Since September 2001, when Metro undertook its last major service redesign on the Eastside, Sound Transit has introduced significant additional service, and the Overlake Transit Center and two projects near Totem Lake will open soon. By continuing to work together, to plan their routes together, and by responding to changing conditions, Metro and Sound Transit hope to provide Eastsiders with more efficient, accessible bus service.

What's the difference between Metro and Sound Transit?

King County Metro provides transit service within King County. In the 1990s, the state legislature enabled the creation of the Regional Transit Authority (RTA) to serve cross-county needs. After its 1996 approval by voters in its three-county district, the RTA changed its name to Sound Transit. Through ST Express, Sound Transit provides over 400,000 hours of bus service in East King County, and is also making major investments in transit centers, center access ramps, and park-and-ride lots.

Metro and Sound Transit are committed to working together to provide a seamless transit system.

Overall goals of this service review

During this Eastside service public outreach, Metro and Sound Transit are looking for ways to:

- make the best use of existing resources;
- respond to needs identified by bus riders in a fall 2005 public outreach effort;
- provide better transit connections at Eastgate Park-and-Ride, Bellevue Transit Center, and Overlake Transit Center;
- integrate bus service with new facilities at Overlake, Totem Lake, and NE 128th Street;
- better serve growing areas such as Overlake, Redmond Town Center, and Totem Lake;
- move bus service to areas with greater potential ridership; and
- improve bus stop facilities.

What happens next?

Metro and Sound Transit are gathering public comments on proposed changes. At the end of the comment period, Metro staff members will review all comments and produce a staff recommendation. The recommendation will be reviewed by a citizen Sounding Board composed of bus riders and key stakeholders.

Proposed improvements will be phased in between 2007 and 2009, as new service resources become available. When appropriate, the staff and Sounding Board recommendations will be forwarded to the King County Executive, who, after review, will forward his recommendations to the King County Council Transportation Committee. Similarly, Sound Transit staff will make recommendations to their management and board. The King County Council and Sound Transit board will either approve or reject the proposed changes to their agency's service.

If you would like to receive notices about King County Council and Sound Transit board meetings related to these service changes, please include your name and address when you fill out the enclosed questionnaire or complete it online at **http://transit.metrokc.gov**.

How to use this publication

This publication includes several maps and descriptions. Study the maps and descriptions carefully, looking for how your particular trip may change.

Begin by reading the chart on page 3. This chart lists current routes and how the service on each route will be improved, replaced, or discontinued. The chart also points you to the page where you can read more detailed descriptions of the proposed changes, as well as review a route map.

After you have studied the potential changes, please fill out the questionnaire and return it to King County Metro Transit by **May 12, 2006**.

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13 I-405 North peak-only services

14 Discontinued peak-only routes

15 Potential service changes: Route frequency and span

How new service might replace current service

Current Route	Potential Change	New Route or transfer connection (transfer = /)	Page	Map # and Option
220	Discontinued	224	8,10	Maps 3 and 4
222	Bellevue TC to Eastgate	222	12	Map 8
	Eastgate P&R to Overlake	221	12	Map 8
225	Discontinued	212/227	4-7, 14	Maps 1 and 2
229	Discontinued	212/245	12, 14	Map 8
230	Bellevue TC - new Totem Lake TC	230	9	Map 5
	Bellevue TC - Crossroads (NE 8th St) - Option A	253	4-5	Map 1
	Bellevue TC - Crossroads (NE 8th St) - Option B	227, 235, 249	6-7	Map 2
	Crossroads to Overlake TC - Option A	235, 253	4-5	Map 1
	Crossroads to Overlake TC - Option B	235	6-7	Map 2
	Overlake TC - Redmond P&R via 156th Avenue NE	221, 233 or 253	4-7, 12	Maps 1, 2, 8
232	English Hill and west of Avondale Rd. NE	251	10-11	Map 7
	Revised routing via Avondale Rd. NE	232	10-11	Map 7
233	Avondale Rd. - Bear Creek P&R	232, 248	10-11	Maps 6 and 7
	Bear Creek P&R - Overlake TC at NE 40th Street	268, 269, 545	10-11	Map 7
	Bel-Red Rd west of 148th Ave NE	233	4-7	Maps 1 and 2
234	Revised Kirkland TC - S Kirkland P&R	255, 540	9	Map 5
236	Revised Kingsgate-Totem Lake-Brickyard	230, 238	9	Map 5
237	Discontinued	311/532-535	13	(no map)
238	NE 85th St	230,248	9	Map 5
	Revised routing via Houghton P&R	238	9-10	Maps 5 and 6
243	Discontinued	68, 372/271, 555	14	(no map)
247	Discontinued	564-565	14	(no map)
249	Discontinued - Option A	224, 227	4-5, 8	Maps 1 and 4
	Restructured - Option B	224, 249	6-8	Maps 2 and 3
250	Discontinued - Option A	227/545, 268	4-5, 14	Maps 1 and 4
	Discontinued - Option B	249/545, 268	6-7, 14	Map 2
251	Univ. of Washington - Bothell/Cascadia Comm. College - Woodinville P&R - Redmond P&R	251	10-11	Map 7
	Kirkland TC - Redmond P&R - Avondale Rd. NE	232,248	10-11	Map 6
252	Revised routing - Kingsgate P&R - Brickyard P&R	252	13	Map 9
253	Bear Creek P&R - Redmond P&R	248, 254, 545	10-11	Maps 6 and 7
	Redmond P&R - 148th Ave NE at NE 40th St - Option A	253	4-5	Map 1
	Redmond P&R - 148th Ave NE at NE 40th St - Option B	233	6-7	Map 2
	Crossroads - Bellevue TC (NE 8th St) - Option A	253	4-5	Map 1
	Crossroads - Bellevue TC (NE 8th St) - Option B	227, 235, 249	6-7	Map 2
254	Education Hill - Redmond P&R	254	10-11	Map 7
	Kirkland TC - Redmond P&R	248	10-11	Maps 6 and 7
255	Totem Lake - Seattle	255	14	Current routing
	Totem Lake - Brickyard	236	9	Map 5
256	Discontinued	224/255	8, 14	Maps 3 and 4
257	Revised routing - Kingsgate P&R - Brickyard P&R	252	13	Map 9
260	Discontinued	234/255, 935/255	9, 13	Map 5
261	Crossroads - Bellevue TC (NE 8th St) - Option A	253/545-550	4-5, 14	Map 1
	Crossroads - Bellevue TC (NE 8th St) - Option B	227-235-249/545-550	6-7, 14	Map 2
	Bellevue TC - Seattle	271/545-550	14	(no map)
265	Peak trip reductions	265	15	Current routing
266	Discontinued - Redmond P&R - Seattle - Option A	221, 245/268-545	4-5, 14	Map 1
	Discontinued - Redmond P&R - Seattle - Option B	221, 233, 245/268-545	6-7, 14	Map 2
271	University District - Eastgate P&R frequency change	271	14	Current routing
272	Midday trip reductions	272	15	Current routing
277	Discontinued	230-236-238-255/540	9-10, 13	Maps 5 and 6
291	Discontinued	No replacement service	10	(no map)
311	Duvall - Woodinville trip reductions	311	13	Current routing
540	Bear Creek P&R - Kirkland TC	248	10-11	Maps 6 and 7
	Kirkland TC - University District	540	10-11	Map 6
545	Frequency Improvement	545	11	Map 7
922	Discontinued	No replacement service	10	(no map)
926	Discontinued	227	4-7	Maps 1 and 2
935	Revised Routing: Totem Lake - Juanita	255, 935	9	Map 5

Letter from Kevin Desmond

Dear Eastside resident,

King County Metro Transit is pleased to send you this tabloid detailing potential changes to bus service in Bellevue, Kirkland, Redmond, Woodinville and Duvall. I hope you will participate in this service planning project by completing the enclosed questionnaire and returning it to us soon. You may also want to attend one of the open houses or information tables listed in this publication.

Why is Metro sponsoring a public planning process now? The Eastside is growing rapidly, causing severe problems across a range of transportation issues. Eastside employment is growing at a much faster rate than Metro's ability to respond with new services. The nature of Eastside service is slowly evolving from a commuter-only focus to one that also serves people who live, work, shop and travel only on the Eastside. From past experience, we know that people increase their use of transit when they have the right choices, service and connections available. For these reasons, it is very important for Metro planners to identify and prioritize the right types of transit improvements that can be phased in over the next few years as resources become available.

Kevin Desmond

During this process, we are looking first to make bus service offered on our Eastside network as efficient as possible. Last fall, during the first phase of the planning process, over 1,200 people sent comments to Metro. These comments gave us invaluable information about which routes you like best, about where service improvements and new connections need to be made, and about the location of important capital improvements, such as bus stop shelters, benches, improved lighting, and park-and-ride lots.

By responding to these comments, we believe we will provide Eastsiders with more efficient, convenient bus service that will get them where they want to go, and attract many more riders. We are working cooperatively with Sound Transit on this outreach, because we both recognize that our two agencies need to integrate services into a single seamless network.

Please help us in this effort to thoroughly understand and develop better service on the Eastside. I am looking forward to hearing from you.

Sincerely,

Kevin Desmond, General Manager
King County Metro Transit

Bellevue and Redmond connections via Overlake, East Bellevue, and NE 8th Street

Maps 1 and 2 (pages 5 and 7) show two different ways of organizing bus service between Bellevue and Redmond and in the East Bellevue area. Option A (Map 1) shows the transit network organized around increased service on Route 253, which would be revised to serve the Overlake Transit Center. In Option B (Map 2), Route 253's lost coverage would be replaced by a combination of increased service on revised Route 233 and three routes on NE 8th Street that would provide direct connections between East Bellevue and downtown Bellevue.

Specific connections under each option are discussed below.

Option A: Map 1

Bellevue-Overlake-Redmond service: Routes 233 (revised), and 253 (revised)

Rationale

- Combine routes connecting Bellevue and Redmond via Crossroads and Overlake to provide more frequency.
- Make service more direct between downtown Bellevue and Redmond.
- Improve connections between 148th Avenue NE and other destinations by serving the Overlake Transit Center.
- Make service more direct between Bel-Red Road and Overlake Transit Center.

Potential changes

- Revise Route 253 to serve the Overlake Transit Center at NE 40th Street, traveling 156th Avenue NE between NE 24th Street and the Overlake Transit Center; Route 253 would no longer serve the Overlake Park-and-Ride and 148th Avenue NE between NE 24th and 40th streets.
- Route 253 would start and end at the Redmond Park-and-Ride. (For replacement service between Redmond Park-and-Ride and Bear Creek Park-and-Ride, see revised Route 254, page 11.)
- Revise Route 233 to serve 148th Avenue NE south of NE 40th Street; and start and end all trips at Overlake Transit Center; for service along Avondale Road NE, see revised Route 232, page 11, and new Route 248, page 10.
- New Route 224 would serve Overlake Park-and-Ride and the Microsoft campus streets.

Frequency and hours of service

- Revised Route 253: Every 15 minutes weekdays and Saturdays until about 7 p.m., and every 30 minutes evenings and Sundays.
- Revised Route 233: Every 30 minutes weekdays until 7 p.m., and every 60 minutes evenings and weekends.

Advantages

- Maintains the high-ridership Route 253 connection between downtown Bellevue and downtown Redmond via NE 8th Street, Crossroads, and Overlake.
- Provides more direct service between Redmond and Bellevue.
- Connects Route 253 with ST Express routes and Microsoft shuttle services at Overlake Transit Center.
- Operates Route 253 more frequently at all times.
- Route 248 would provide longer span of service to Avondale Road NE than current Route 233.

Disadvantages

- Transfers may be required for some existing Route 253 riders traveling to and from 148th Avenue NE between NE 24th and NE 40th streets, and along NE 24th Street.
- Trips between downtown Redmond east of the Redmond Park-and-Ride and Route 253 would require transfers at the park-and-ride.
- Trips between Avondale Road NE and Overlake, Bel-Red Road, and downtown Bellevue would require a transfer at the Redmond Park-and-Ride.

NE 8th Street and east Bellevue service: Routes 227 (new), 235 (new), and 253 (revised)

Rationale

- Provide more frequent service along NE 8th Street west of 156th Avenue NE.
- Provide full-time service to east Bellevue. (Currently, Route 249 does not run on Sundays and holidays, Route 926 does not run on weekends, and neither runs in the evenings.)
- Provide connections to Crossroads and service hubs at Eastgate and Overlake Transit Center.

Potential changes

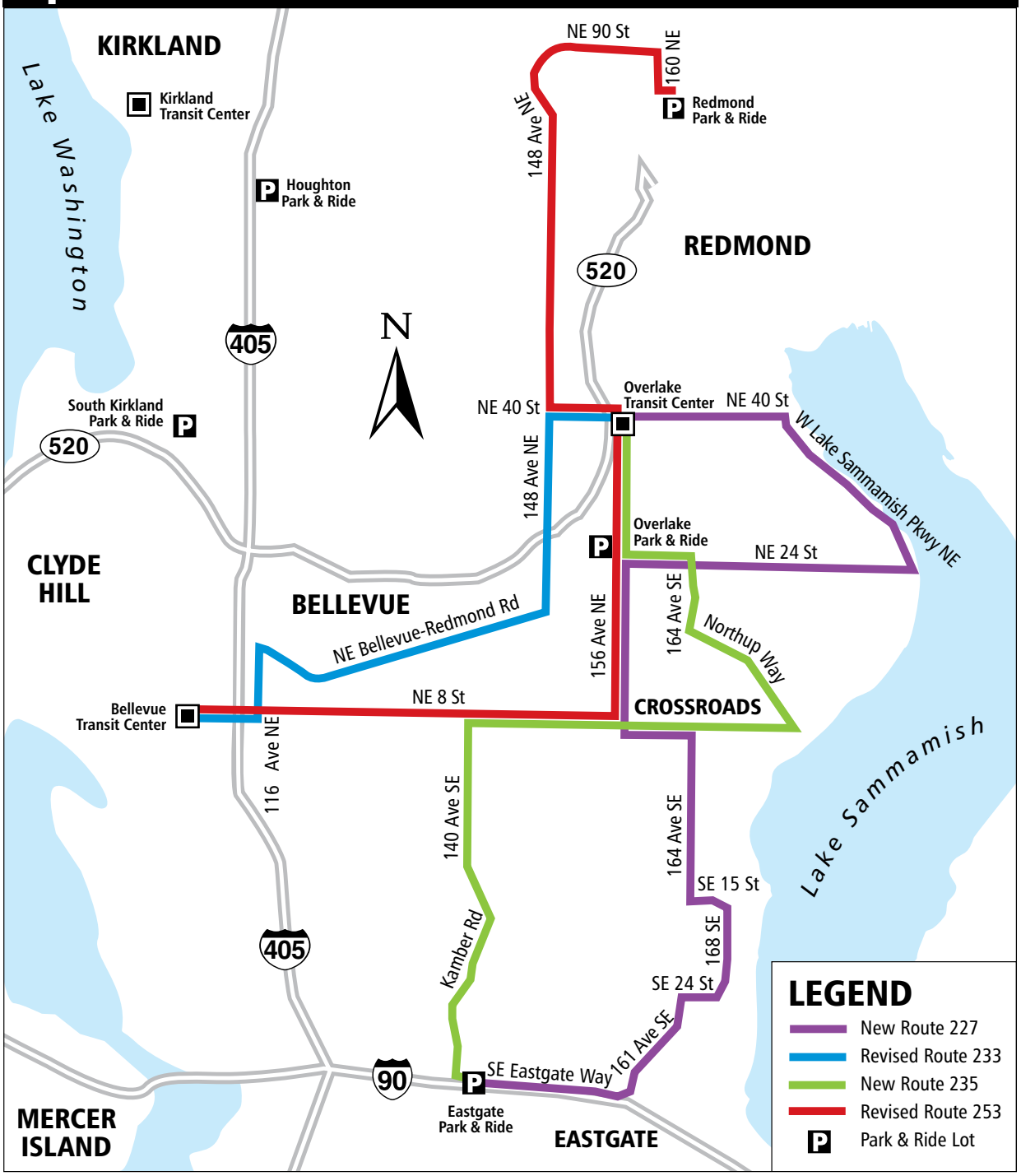
- Route 253 would continue to operate on NE 8th Street between downtown Bellevue and 156th Avenue NE, but would operate more frequently (for other changes to Route 253 under Option A, see previous section).
- Replace existing Route 926 DART and a portion of existing Route 249 with new Route 227 between Eastgate and Overlake Transit Center via the 164th Avenue corridor and Crossroads, NE 24th Street, West Lake Sammamish, and NE 40th Street; for service west of 152nd Avenue NE along NE 20th Street, NE 24th Street, and Northup Way, see new Route 224 (page 8).
- Replace the eastern portion of existing Route 230 with new Route 235, which would operate between Overlake Transit Center and Eastgate Park-and-Ride via 140th Avenue NE south of NE 8th Street.

Frequency and hours of service

- New Route 227: Every 30 minutes Monday through Saturday daytimes, and every 60 minutes evenings, Sundays, and holidays.
- New Route 235: Every 30 minutes on weekdays, Saturdays, and early evening hours, and every 60 minutes on Sundays until 11 p.m.
- Revised Route 253: Every 15 minutes weekdays and Saturdays

MAP 1

Option A: Routes 227, 233, 235, and 253



until about 7 p.m., and every 30 minutes evenings and Sundays.

Advantages

- Route 227 would provide a more complete span of service and connect neighborhoods to Crossroads and transfer points at the Overlake Transit Center and Eastgate Park-and-Ride.
- New Route 235 would serve Overlake Transit Center, provide all-day service to Sammamish High School and Interlake High School, and would provide new service to 140th/145th avenues SE south of NE 8th Street, connecting this area to Crossroads.
- Service on NE 8th Street west of 156th Avenue NE would be consolidated into a single, more frequent service on Route 253.

Disadvantages

- More riders traveling between East Bellevue and downtown Bellevue would have to transfer.
- SE 22nd Street between 148th and 156th avenues would no longer have bus service.
- Riders who use existing DART service on Route 926 may have to walk farther to access service on new Route 227.

Bellevue and Redmond connections via Overlake, East Bellevue, and NE 8th Street

continued

Option B: Map 2

Bellevue-Overlake-Redmond service: Route 233 (revised)

Rationale

- Combine routes connecting Bellevue and Redmond via Overlake to provide more frequency.
- Make service more direct between downtown Bellevue and Redmond.
- Improve connections from 148th Avenue NE to other destinations by serving the Overlake Transit Center.

Potential changes

- Revise Route 233 to travel between Bellevue Transit Center and Redmond via Bel-Red Road, 148th Avenue NE, NE 40th Street; 156th Avenue NE, Overlake Transit Center, NE 51st Street; 148th Avenue NE, NE 90th Street, and downtown Redmond.
- Route 253 would be discontinued; for replacement service, see the following revised and new routes:
- Revised Route 233 along 148th Avenue NE and NE 90th Street;
- Revised Route 245 along 156th Avenue NE (page 12);
- Revised Route 249 and new routes 227 and 235 along NE 8th Street and 156th Avenue NE (page 7); and
- Revised Route 254 for service between Bear Creek and downtown Redmond (page 11).

Frequency and hours of service

- Revised Route 233: Every 15 minutes on weekdays until 7 p.m., and every 30 minutes in the evening and on weekends.

Advantages

- The connection between downtown Bellevue and downtown Redmond would be more direct and faster, and the connection for most riders along 148th Avenue NE to downtown Bellevue would be faster.
- Revised Route 233 would provide a more direct trip between Bellevue Transit Center and Overlake Transit Center.
- Revised Route 233 would connect 148th Avenue NE with the Overlake Transit Center and numerous bus routes.
- Bel-Red Road would have more frequent service.

Disadvantages

- Transfers would be required for travel between areas north of NE 40th Street and Crossroads and NE 8th Street.
- Off-peak trips between Avondale Road NE and Overlake, Bel-Red Road, and downtown Bellevue would require a transfer at the Redmond Park-and-Ride. Peak-period trips could be made on revised Route 232.

NE 8th Street and east Bellevue service: Routes 227 (new), 235 (new), 249 (revised)

Rationale

- Combine routes connecting Bellevue and Crossroads via NE 8th Street.
- Provide better service and improved connections between downtown Bellevue and east Bellevue.
- Provide more frequent service along NE 8th Street.
- Improve connections to Crossroads and transfers at Overlake Transit Center to routes 268, 545, 564, and 565 at Overlake Transit Center.
- Improve north-south service in East Bellevue on 164th Avenue.

Potential changes

- Provide three routes (Route 249 and new routes 227 and 235) along NE 8th Street between 156th Avenue NE and downtown Bellevue. Combined, they would provide a trip every ten minutes on weekdays during the day.
- New Route 235 would connect the Bellevue and Overlake transit centers.
- New Route 227 would replace most of DART Route 926 service, connecting NE 8th Street to Eastgate Park-and-Ride via 164th, 166th, and 161st avenues and SE Eastgate Way.
- Route 249 would operate via 156th Avenue NE and NE 8th Street.

Frequency and hours of service

- Along their common NE 8th Street segment, routes 227, 235, and 249 would combine to run every ten minutes during weekday daytime hours.
- New routes 227 and 235 and revised Route 249 would run every 30 minutes during the day on weekdays and Saturdays, and every 60 minutes at other times.

Advantages

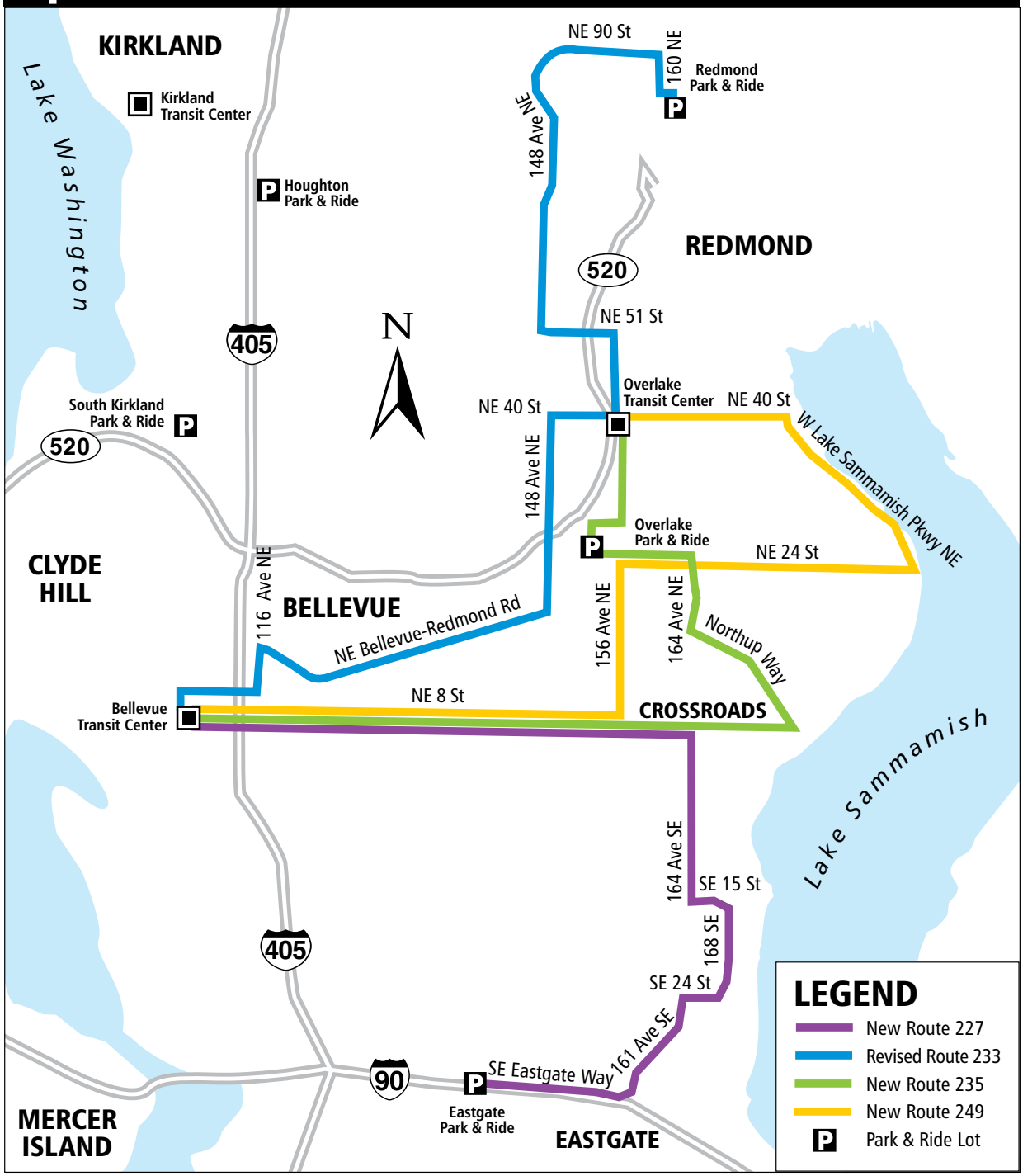
- Routes 227, 235, and 249 would provide a direct connection between neighborhoods east of 156th Avenue NE, Crossroads, and downtown Bellevue.
- Routes 227, 235, and 249 would provide frequent east-west service along NE 8th Street between Bellevue Transit Center and Crossroads.

"Now is our chance to tell Metro the improvements we want on our transit routes, and what would encourage us to commute by bus."

Holly Plackett, member Central-Eastside Transit Sounding Board

MAP 2

Option B: Routes 227, 233, 235, and 249



- Route 227 would provide more regular service than does the current DART Route for the Phantom Lake neighborhood and riders along 164th Avenue NE.
- Service would be available in east Bellevue later in the evening and on Saturday, Sunday, and holidays.
- Route 249 would provide a new connection to and from routes 268, 545, 564, and 565 at the Overlake Transit Center.

Disadvantages

- Route 230 riders would have to transfer to revised routes 221, 233, or 245 in order to reach Overlake destinations north of the Overlake Transit Center and downtown Redmond.
- No door-to-door service for current Route 926 riders.
- SE 22nd Street between 148th and 156th avenues NE would no longer have service.
- Route 249 riders east of 156th Avenue NE would have to transfer to reach NE 20th Street and Northup Way.

Northup Way revised service options

Two options have been identified to provide restructured service along Northup Way: Under both options, new Route 224 would replace portions of existing routes 220 and 256, which would be discontinued.

Frequency and hours of service

Under both options, new Route 224 would operate every 30 minutes on weekdays until about 7 p.m., and every 60 minutes at other times.

Option A: Map 3

Operate new Route 224 between the Overlake and Bellevue transit centers via 156th Avenue NE, NE 20th Street, Northup Way, and 116th Avenue NE. During peak periods, route would extend to the South Kirkland Park-and-Ride in the reverse peak direction (eastbound in the morning and westbound in the afternoon).

Advantages

- New Route 224 would provide connections between South Kirkland Park-and-Ride and the Overlake Transit Center during peak periods.
- Northup Way and portions of NE 20th and 24th streets would have bus service seven days a week.

Disadvantages

- Riders traveling between downtown Seattle and Northup Way during weekday peak hours would have to transfer at either South Kirkland Park-and-Ride or the Overlake Transit Center.
- Riders along NE 24th Street and at the Overlake Park-and-Ride would have to transfer to reach downtown Bellevue.

MAP 3

Route 224 Option A

Option B: Map 4

Operate new Route 224 between the South Kirkland and Eastgate park-and-rides via Northup Way and 140th Avenue SE.

Advantages

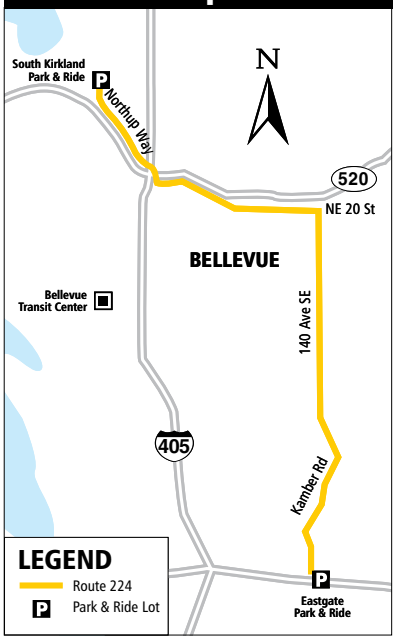
- New Route 224 would provide connections with service at South Kirkland and Eastgate park-and-rides.
- Northup Way and portions of NE 20th and 24th streets as well as 140th Avenue SE and Kamber Road would have bus service seven days a week.

Disadvantages

- No transit service on NE 20th Street between 140th NE and 148th NE.

MAP 4

Route 224 Option B



"I became involved with the Sounding Board process because I'm a potential daily bus rider but in practice I am only an occasional rider. I want to design a bus system that people like me will use to get out of their cars and into mass transit vehicles."

Ravi Shahani, member
Central-Eastside Transit Sounding Board

Kirkland service

Two Sound Transit projects near Totem Lake will allow improved transfers and reliability. In fall 2006, a new overcrossing of I-405 at NE 128th Street, center access ramps, freeway stops, and a covered walkway connecting the Kingsgate Park-and-Ride with the NE 128th Street bus stops will open. In about 2008, the totem Lake Transit Center will open.

Potential changes for routes 230, 236, 255, and 935

Rationale

- Improve connections to I-405 service.
- Use improved transfer facilities at NE 128th Street ramps and at Totem Lake Transit Center.

Potential changes

The following changes could be made after the new Totem Lake Transit Center opens in 2008:

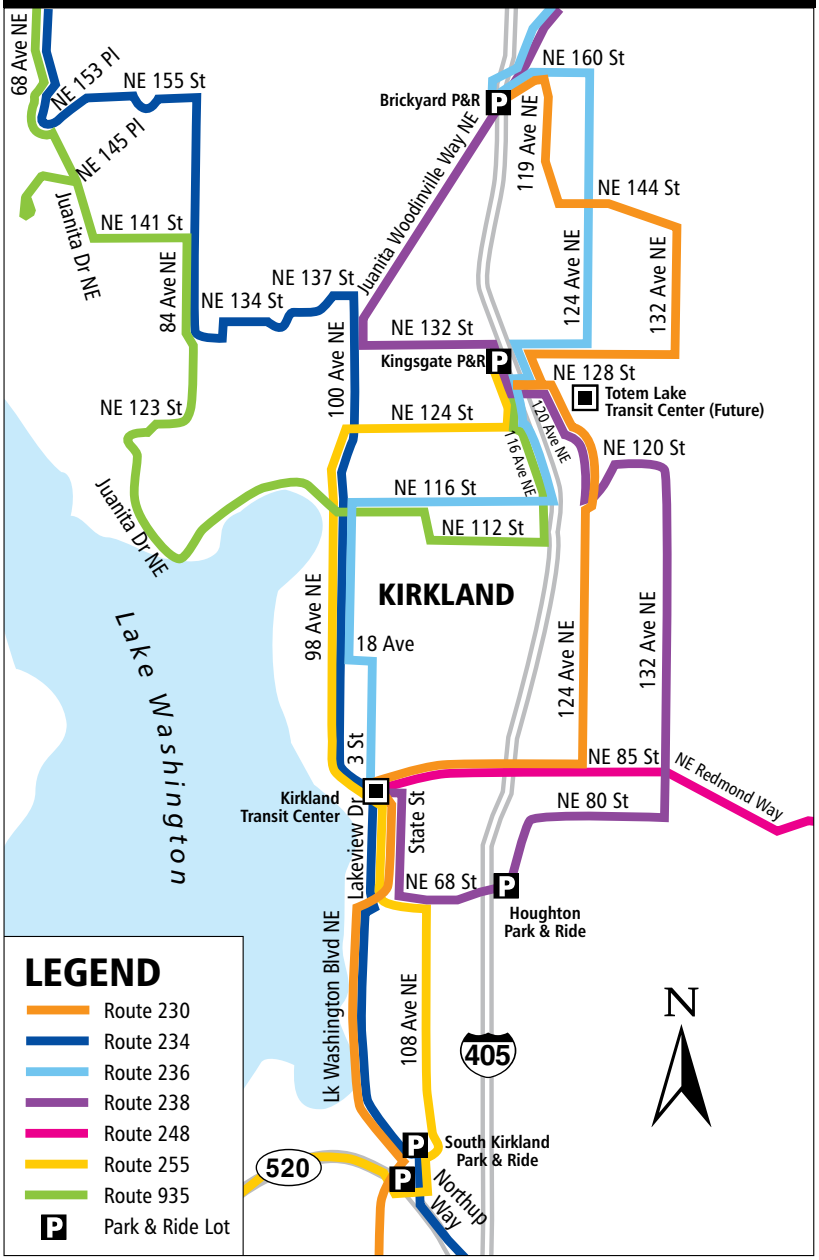
- Start and end all Route 255 and 935 trips at the new Totem Lake Transit Center.
- Revise routes 230, 236, 238, 255, and 935 to cross I-405 via NE 128th Street and serve the new Totem Lake Transit Center when it opens; shift Route 236 from NE 116th Street; shift routes 230, 238, 255, and 935 from NE 132nd Street.
- Revise Route 236 in Kingsgate to serve 124th Avenue NE between NE 132nd and NE 160th streets instead of 132nd Avenue NE, and revise Route 230 to serve 132nd Avenue NE, NE 144th Street, and 119th Avenue NE.
- Revise Route 935 to operate via NE 112th and 116th streets instead of NE 124th Street.
- *For information on Sound Transit Route 540, see page 11.*

Frequency and hours of service

- Route 255: Every 15 minutes in both directions during weekday peak hours; no change in frequencies or hours of operation at other times.
- Routes 230, 236, 238, and 935: No change to frequencies or hours of operation.

MAP 5

Kirkland Service



Advantages

- Offers new connections to and from I-405 services at the new NE 128th Street freeway stops.
- Provides more service on NE 116th Street.
- Provides faster service via 124th Avenue NE for riders traveling between Woodinville and Kirkland.
- Provides more reliable local service between Brickyard and Totem Lake, as compared to existing Route 255 service.

Disadvantages

- Route 236 would no longer serve the Totem Lake Mall; riders would have to either walk or transfer to routes 230 or 238 at the Totem Lake Transit Center.
- Route 236 would use 124th Avenue NE in Kingsgate, requiring some riders to transfer or walk further.
- Riders of Route 255 north of Totem Lake Transit Center would have to transfer to and from revised Route 236.

Continued on Page 10

Continued from page 9

Kirkland-Bellevue routes 230 and 234

Rationale

- Improve service reliability.
- Improve midday service frequency.
- Provide Route 234 service on Sundays and holidays.

Potential changes

- Shift both routes 230 and 234 to new common path between Kirkland Transit Center and South Kirkland Park-and-Ride via State Street, NE 68th Street, Lakeview Drive NE, and Lake Washington Boulevard NE.
- Discontinue the extra peak-period trips on Route 230 between Kirkland and Bellevue.
- Add Route 234 service on Sundays and holidays; there is none now.

Advantages

- Route 230 would be more reliable as it would miss traffic congestion on Lake Street and Lake Washington Boulevard NE.
- Connections between Kirkland and Bellevue would be more frequent weekday evenings and on Sundays and holidays.
- New common corridor would have better service frequency.
- Route 234, between Kenmore and Bellevue via Finn Hill and Kirkland, would have Sunday and holiday service.

Disadvantages

- Those riding between Bellevue and 6th Street and 108th Avenue NE would have to transfer at South Kirkland Park-and-Ride.
- Bellevue Way NE between Northup Way and NE 8th Street would have less service frequency during weekday peak periods.

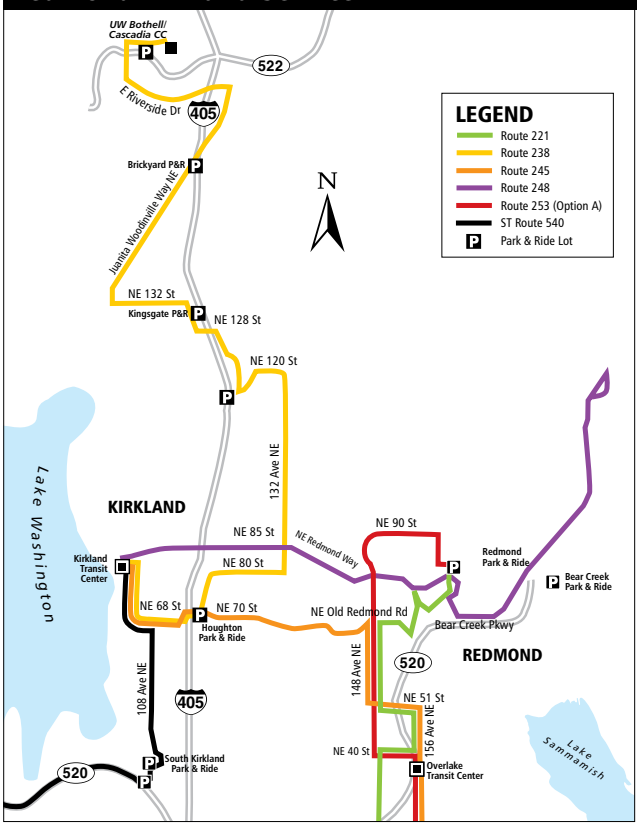
"Given limited resources, we're looking for efficiencies that can help Metro extend service. Where can we start? We need input from all citizens to help guide these decisions."

Katherine Casseday, member
Central-Eastside Transit Sounding Board

Sound Transit service and the Kirkland-Redmond-Duvall Network

MAP 6

Redmond-Kirkland Service



Routes 220 (discontinued), 232 (revised), 238 (revised), 248 (new), 251 (revised), 254 (revised), 265 (revised) 277 (discontinued), 291 (discontinued), and 922 (discontinued)

Rationale

- Improve service frequency between Kirkland and Redmond.
- Provide more service to Redmond Town Center.
- Match service levels to use at Houghton Park-and-Ride.
- Shift resources to where ridership is growing.
- Provide frequent all-day express service on Route 545.

Potential changes

- Replace routes 251, 254, and 540 between Kirkland Transit Center and Redmond Park-and-Ride with new Route 248 via NE 85th Street and Redmond Town Center; Route 248 would also replace Route 233 along Avondale Road NE.
- Revise Route 238 to serve NE 80th Street, Lake Washington High School, and Houghton Park-and-Ride.
- Revise routes 251 and 254 to serve Redmond Town Center and downtown Redmond.
- Revise Route 254 on Education Hill, and extend service to Bear Creek Park-and-Ride.
- Revise peak Route 232 to operate via Avondale Road to and from Redmond Park-and-Ride, and adjust service levels.
- Discontinue routes 220, 277, 291, and 922, and use those resources to support other Eastside service changes.
- Delete Kirkland-Redmond segment of Route 540 and all weekend service due to low ridership, and use those resources to improve weekday service on Route 545.

Frequency and hours of service

- Route 232: Five morning and five afternoon trips in each direction.
- Route 248: Every 30 minutes Monday through Saturday until about 7 p.m. and every 60 minutes evenings and Sundays.

- Route 254: Every 30 minutes on weekdays until 7 p.m., and every 60 minutes evenings and weekends.
- Route 251: Every 30 minutes during weekday peak hours, and every 60 minutes during midday hours and on weekends until 7 p.m.
- Route 265: Five morning and five afternoon trips.

Advantages

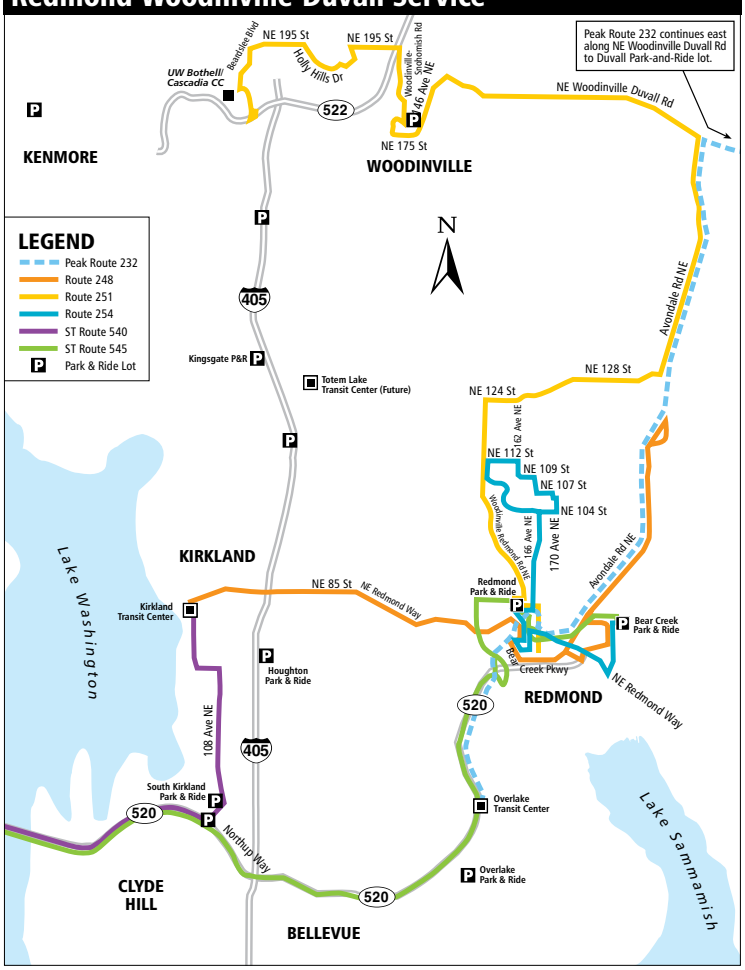
- Rose Hill would have more evening and weekend service.
- Rose Hill riders could connect at Houghton Park-and-Ride to routes 245 and 265 via revised Route 238.
- Education Hill riders would have more frequent service and a direct connection to both Redmond Town Center and the shopping area near Bear Creek Park-and-Ride on revised Route 254.
- English Hill riders and others along NE 124th/128th Street would have all-day service to Redmond and Woodinville on revised Route 251.
- Routes 248, 251, and 254 together would improve service to Redmond Town Center.
- Simplified routing on Route 232 would serve Avondale Road NE and operate more directly than current routing.

Disadvantages

- With the Route 251 change, riders between downtown Redmond and NE 70th Street would have to transfer.
- Revised Route 238 would serve NE 80th Street on Rose Hill; to travel between NE 80th Street and downtown Redmond, riders would have to transfer to or from Route 248.
- Riders along 140th Avenue NE between NE 70th and NE 24th streets would no longer have transit service.
- Current users of peak Route 291 DART between 132nd Ave NE in the Kingsgate area and NE 90th Street in the Redmond area (Willows Road) would no longer have bus service.
- No bus service would be available between Carnation and Redmond-Fall City Road, which peak Route 922 now serves.

MAP 7

Redmond-Woodinville-Duvall Service



Route 248 (new) and routes 540 (revised) and 545 (revised)

Rationale

- Route 540 between the Kirkland Transit Center and Redmond attracts relatively few riders.

Potential changes

- If Metro Transit operates new Route 248 along NE 85th Street, Sound Transit Route 540 would operate between the Kirkland Transit Center and the University District only.
- Sound Transit would add trips to Route 545. Riders traveling between Redmond and the University District would take Route 545 and transfer at either Evergreen Point or Montlake freeway stations.
- Weekend service on Route 540 would be discontinued. Service would be available on new Metro Route 248 (page 10), and on Metro Route 255.
- If Metro decides to operate new Route 248 on a corridor other than NE 85th Street, then Sound Transit would consider leaving Route 540 as is, with no enhancement to Route 545.

Frequency and hours of service

- Route 540: Weekday-only service, every 15 minutes during peak periods and every 30 minutes at other times.
- Route 545: Every 7 to 10 minutes during weekday peak hours, every 15 minutes during weekday hours, and every 30-60 minutes during evening hours and on weekends; hours of operation would not change.

Advantages

- New Metro Route 248 would make additional stops along NE 85th Street, providing more access to bus service for nearby residences and businesses.
- Improved peak-period and midday service on Route 545 would decrease wait times for all riders, including those traveling to or from the University District.

Disadvantages

- Trips between NE 85th Street and the University District would require a transfer at the Kirkland Transit Center between Route 540 and local routes 230, 238, and 248.

Factoria-Overlake-Redmond service

Routes 221 (new), 222 (revised), and 245

Rationale

- Improve service reliability in congested areas.
- Provide more frequent service between Overlake and Eastgate via Bellevue Community College, while maintaining service in south Bellevue and Beaux Arts.

Potential changes

- Divide Route 222 at Eastgate Park-and-Ride. The western part of the route traveling between downtown Bellevue and Eastgate Park-and-Ride via Bellevue Way, Beaux Arts, and Factoria would operate without changes.
- New Route 221, replacing the eastern part of Route 222, would connect Eastgate and Redmond town centers via Overlake Transit Center and Redmond Town Center.
- There would be no changes to Route 245.

Frequency and hours of service

- Route 221 between Eastgate and Overlake: Every 15 to 30 minutes on weekdays between about 6 a.m. and 9 a.m. and between 4 p.m. and 7 p.m. Every 30 minutes midday hours and Saturdays, and every 60 minutes on Sundays.
- There would be no change in the hours and frequency of Route 245 and the remaining western part of Route 222.

Advantages

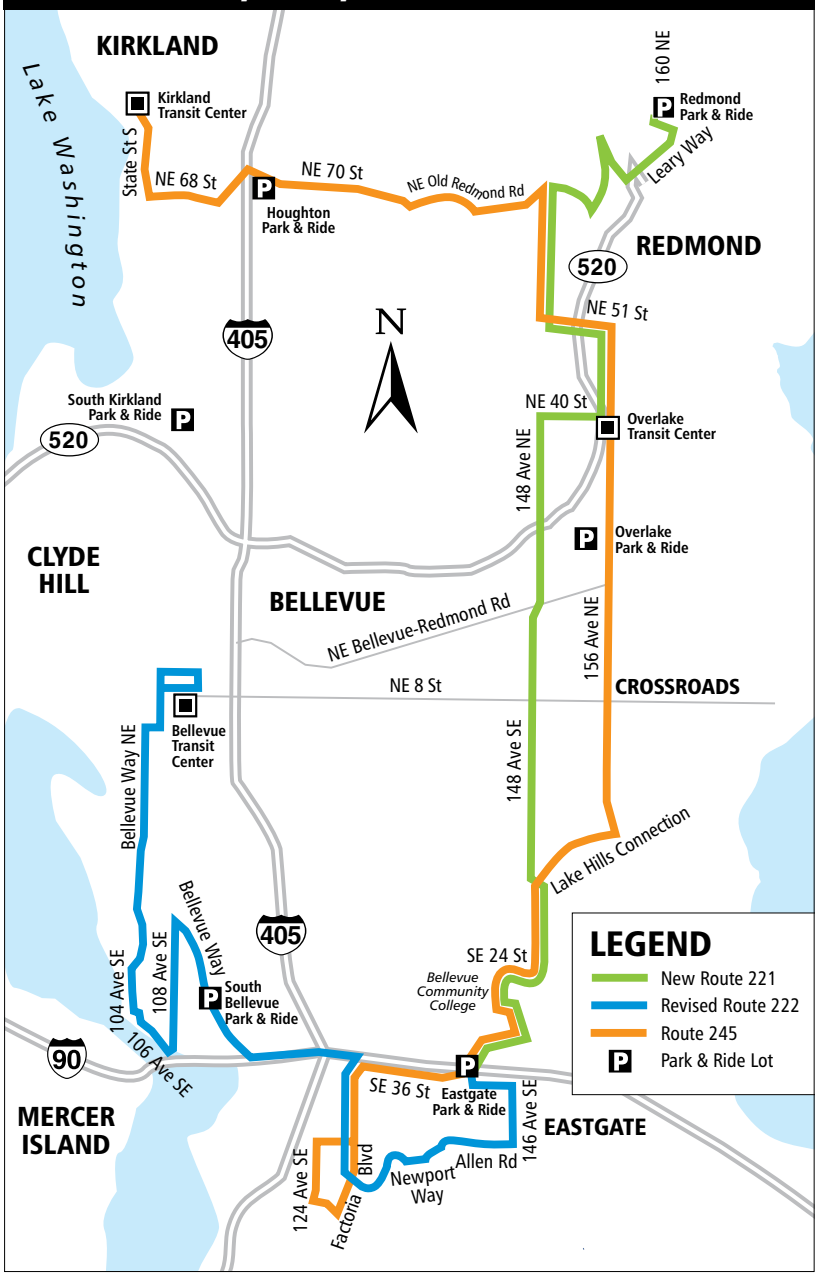
- Route 222 would be shorter and more reliable, and would provide more dependable transfers with other routes at Bellevue Transit Center, South Bellevue Park-and-Ride, and Eastgate Park-and-Ride.
- Shorter waits and faster service along 148th Avenue NE provided by new Route 221.

Disadvantages

- Some existing Route 222 riders traveling between Factoria and Overlake would have to transfer at Eastgate Park-and-Ride.

MAP 8

Routes 221, 222, and 245



I-405 north peak-only services

Routes 237 (discontinued), 252, 257, 260 (discontinued), 277 (discontinued), and 311

Rationale

- Improve connections to I-405 service.
- Match service levels to current ridership.

Potential changes

- Revise the schedules of routes 252, 257, and 311 to improve service and coordinate with local routes at the NE 128th Street transfer point.
- Revise routes 252 and 257 to begin and end at Brickyard Park-and-Ride; Route 252 would serve area east of I-405, and Route 257 would serve area west of I-405.
- Discontinue routes 237, 260, and 277.

Frequency and hours of service

- Routes 252 and 257: No change to current service levels.
- Maintain current service between Woodinville Park-and-Ride and downtown Seattle; reduce the number of trips between Duvall and downtown Seattle to three in the morning and four in the afternoon.

Advantages

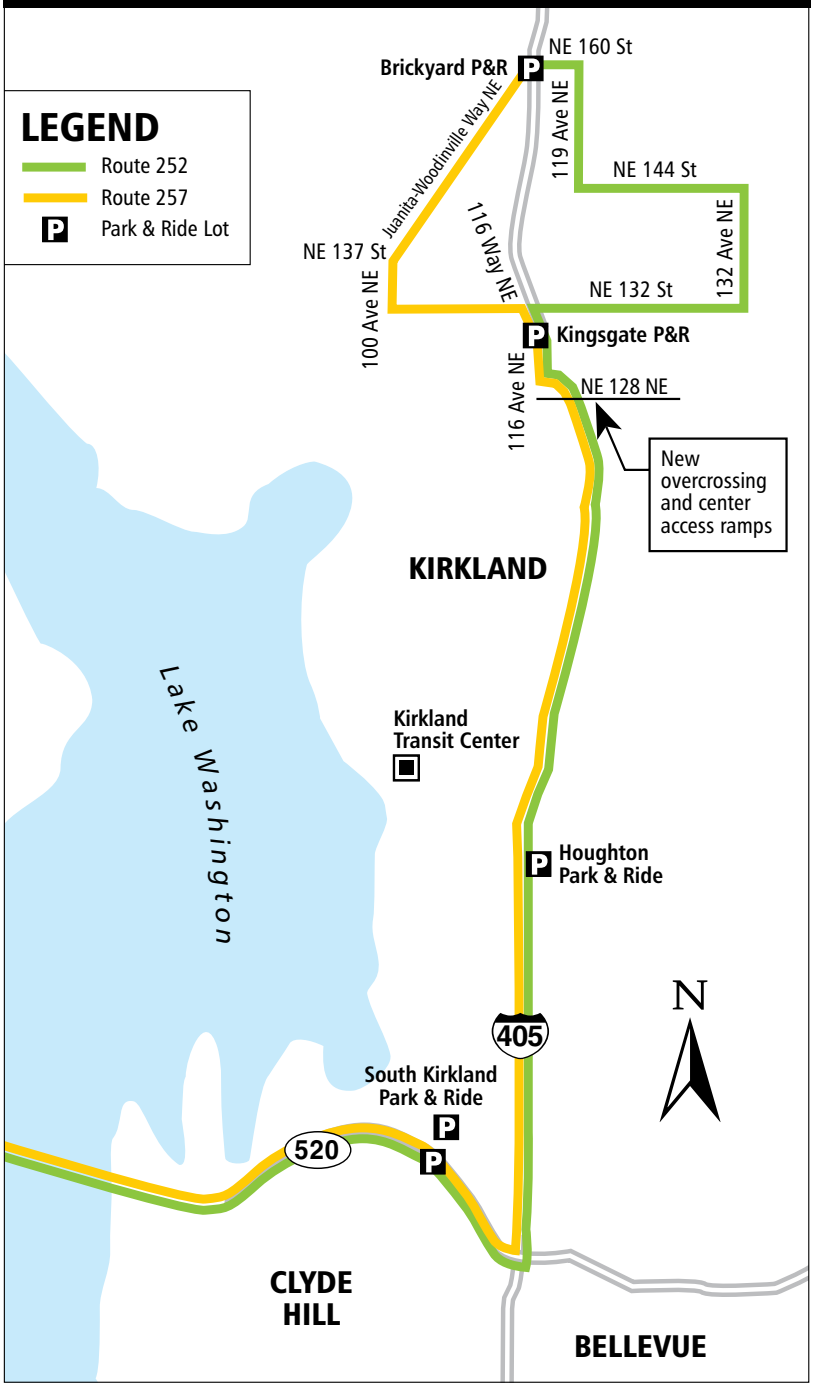
- Improved connections via the new NE 128th Street transfer point with downtown Seattle, downtown Bellevue, and Overlake.
- Streamlined routing for routes 252 and 257.
- Better match of service levels and coverage with ridership.

Disadvantages

- Route 237 riders to and from Bellevue would have to transfer between Route 311 and routes 530, 532, and 535 at the NE 128th Street stops.
- Route 260 riders would have to take routes 234, 236, or 935 and transfer to or from Route 255.
- Route 277 riders would have to transfer to and from other University District routes at Kirkland Transit Center, South Kirkland, Evergreen Point, or Montlake.
- Route 311 riders east of the Woodinville Park-and-Ride would have fewer trips.

MAP 9

Routes 252 and 257



"I'm interested in creating the most efficient and broad-reaching transit service possible because that will improve Eastside transportation as a whole. We are working to include a wide range of views and interests."

Hank Myers, member
Central-Eastside Transit Sounding Board

Discontinued peak-only routes

Routes 225, 229, 247, 250, 261, and 266

Rationale

- Peak-only routes 247, 250, 261, and 266 have attracted fewer riders since Sound Transit's ST Express routes 545, 564, and 565 have been available.
- Improved two-way, all-day service would provide alternatives for riders of discontinued peak-only routes.

Potential changes

- Routes 225 and 229 would be discontinued; between Eastgate and downtown Seattle, they would be replaced by new Route 212 trips.
- Routes 247, 250, 261 and 266 would be discontinued.

Alternatives to discontinued service

- Routes 225 and 229: New Route 227 and existing Route 245 would provide connections with routes 212 and 554 at Eastgate.
- Route 247: Alternative service is available on ST Express routes 564 and 565, with connections to Metro Transit routes 153 and 918.
- Route 250: New Route 227 or revised Route 249 would connect with routes 268 and 545 at Overlake Transit Center.
- Routes 261 and 266: Alternative service every 15 minutes or better would be available along NE 8th Street and 148th Avenue NE connecting with frequent services at the Overlake and Bellevue transit centers.
- Route 261 west of Bellevue Transit Center: Existing Route 271 would provide connections with service to and from downtown Seattle at Evergreen Point Freeway Station along SR-520.
- Route 266 east of Redmond Transit Center: Alternative service would be available on routes 268 or 545.
- Route 266 south of NE 40th Street: New Route 221 would provide transfer connections at SR-520/NE 40th Street to and from routes 268 or 545.

Advantages

- More frequent service on eastside routes.
- Less duplication with all-day network.
- Better match of service levels and coverage with ridership.

Disadvantages

- A transfer would be required for some Route 225 and 229 riders who currently travel through Eastgate Park-and-Ride.
- Riders along SE 26th Street, W Lake Sammamish Parkway SE, and SE 34th/35th streets would no longer have bus service.
- Longer trips and transfers for routes 247, 250, 261 and 266 riders.

Routes 243 and 256

Rationale

- Improve two-way all-day service between the University District and Bellevue to decrease wait times.

Potential changes

- Improve Route 255 to every 15 minutes in both directions during weekday peak periods.
- Improve Route 271 to operate every 15 minutes on weekdays all day until approximately 7 p.m. (evening and weekend frequencies would not change).
- Discontinue Route 243. Riders could access Route 555 at Northgate Transit Center or take Route 68 or 372 and transfer to and from Route 271 on NE Pacific Street.
- Discontinue Route 256; partial replacement service would be available on new Route 224 via a transfer at South Kirkland Park-and-Ride (see page 8 for options).

Advantages

- More frequent Route 255 service would help reduce wait times and provide more service between downtown Seattle, downtown Kirkland, and Totem Lake employment areas.
- More frequent service on Route 271 would help reduce wait times and provide convenient access between the University District, other SR-520 routes, and downtown Bellevue.
- Resources would attract more riders and improve mobility if used on intra-eastside routes.

Disadvantages

- Current Route 243 riders would have to transfer between either Route 68 or Route 372 and Route 271 in the University District.
- Current Route 256 riders would have to transfer between Route 255 and new Route 224 at the South Kirkland Park-and-Ride.

Potential service changes: Route frequency and span

-Route #	Hours of Operation			Minutes Between Trips; Peak-only is the number of trips: (AM trips, PM trips)				
	Weekday	Saturday	Sunday	Peak	Midday	Eve.	Sat.	Sun.
212	Peak	—		(22, 21) trips	—	—	—	—
221	6:00 AM - 10:00 PM	7:00 AM - 10:00 PM	8:00 AM - 10:00 PM	15-30	30	60	30	60
222	6:00 AM - 10:00 PM	7:00 AM - 10:00 PM	8:00 AM - 10:00 PM	30	30	60	60	60
224 OPTION A	6:00 AM - 6:30 PM	7:00 AM - 6:30 PM	—	30	30	—	60	—
224 OPTION B	6:00 AM - 6:30 PM	7:00 AM - 7:00 PM	8:00 AM - 7:00 PM	30	30	—	60	60
227 OPTION A	5:30 AM - 12:00 AM	6:00 AM - 12:00 AM	6:00 AM - 12:00 AM	30	30	60	60	60
227 OPTION B	6:00 AM - 12:00 AM	6:00 AM - 12:00 AM	6:00 AM - 12:00 AM	30	30	60	60	60
230	5:00 AM - 12:00 AM	6:30 AM - 11:30 PM	6:30 AM - 11:30 PM	30	30	60	60	60
227-B 235-B 249	5:00 AM - 12:00 AM	6:00 AM - 12:00 AM	6:00 AM - 12:00 AM	10	10	20	10	20
232	Peak	—	—	(5, 5) trips	—	—	—	—
233 OPTION A	6:00 AM - 9:30 PM	7:30 AM - 9:30 PM	7:30 AM - 9:30 PM	30	30	60	60	60
233 OPTION B	5:30 AM - 12:00 AM	5:30 AM - 12:00 AM	5:30 AM - 12:00 AM	15	15	30	30	30
234	5:30 AM - 11:00 PM	7:00 AM - 11:00 PM	7:00 AM - 11:00 PM	30	30	60	60	60
235 OPTION A	6:00 AM - 11:00 PM	6:00 AM - 11:00 PM	6:00 AM - 11:00 PM	30	30	60	30	60
235 OPTION B	5:00 AM - 12:00 AM	6:00 AM - 12:00 AM	6:00 AM - 12:00 AM	30	30	60	30	60
236	5:30 AM - 9:00 PM	8:00 AM - 7:00 PM	9:00 AM - 5:00 PM	30	30	30	60	60
238	5:30 AM - 10:00 PM	8:00 AM - 7:00 PM	10:00 AM - 6:00 PM	30	30	30-60	60	60
245	6:00 AM - 11:00 PM	7:00 AM - 11:00 PM	7:00 AM - 11:00 PM	30	30	60	30	60
248	5:00 AM - 10:30 PM	7:00 AM - 10:30 PM	7:00 AM - 10:30 PM	30	30	60	30	60
249 OPTION B	6:00 AM - 11:30 PM	6:30 AM - 11:30 PM	6:30 AM - 11:30 PM	30	30	60	60	60
251	5:00 AM - 7:00 PM	7:00 AM - 7:00 PM	7:00 AM - 7:00 PM	30	60	—	60	60
252	Peak	—	—	(7, 8) trips	—	—	—	—
253 OPTION A	5:00 AM - 1:00 AM	5:30 AM - 12:30 AM	5:30 AM - 12:30 AM	15	15	30	15	30
254	5:00 AM - 10:00 PM	7:00 AM - 10:00 PM	7:00 AM - 10:00 PM	30	30	60	60	60
255	5:00 AM - 12:00 AM	5:30 AM - 11:00 PM	5:30 AM - 11:00 PM	15	30	30-60	30-60	30-60
257	Peak	—	—	(6, 6) trips	—	—	—	—
265	Peak	—	—	(5, 5) trips	—	—	—	—
271	5:30 AM - 10:30 PM	6:30 AM - 10:30 PM	7:30 AM - 10:30 PM	15-30	15-30	60	30	60
272	Peak	—	—	(5, 5) trips	—	—	—	—
311	Peak	—	—	(9, 8) trips, Duvall (4,4) trips	—	—	—	—
540 ST	6:00 AM - 9:45 PM	—	—	15	30	30-60	—	—
545 ST	5:00 AM - 12:00 AM	6:30 AM - 11:30 PM	6:30 AM - 11:30 PM	7-10	15	30-60	30	30
935	5:00 AM - 7:15 PM	—	—	30	60	—	—	—

Coming in June

New Metro bus service for Kenmore, Kingsgate, Overlake, Totem Lake, Kirkland and Brickyard Park-and-Ride

To help ease traffic impacts caused by construction along I-405, the Washington State Department of Transportation (WSDOT) is working with King County Metro Transit to help provide additional bus service to key areas impacted by the project.

A brand new bus route, Route 644, will operate during the peak commute hours to connect the Kenmore Park-and-Ride lot with the Overlake Transit Center via Finn Hill, Kingsgate, I-405, and SR-520. It will operate southbound in the morning and northbound in the afternoon.

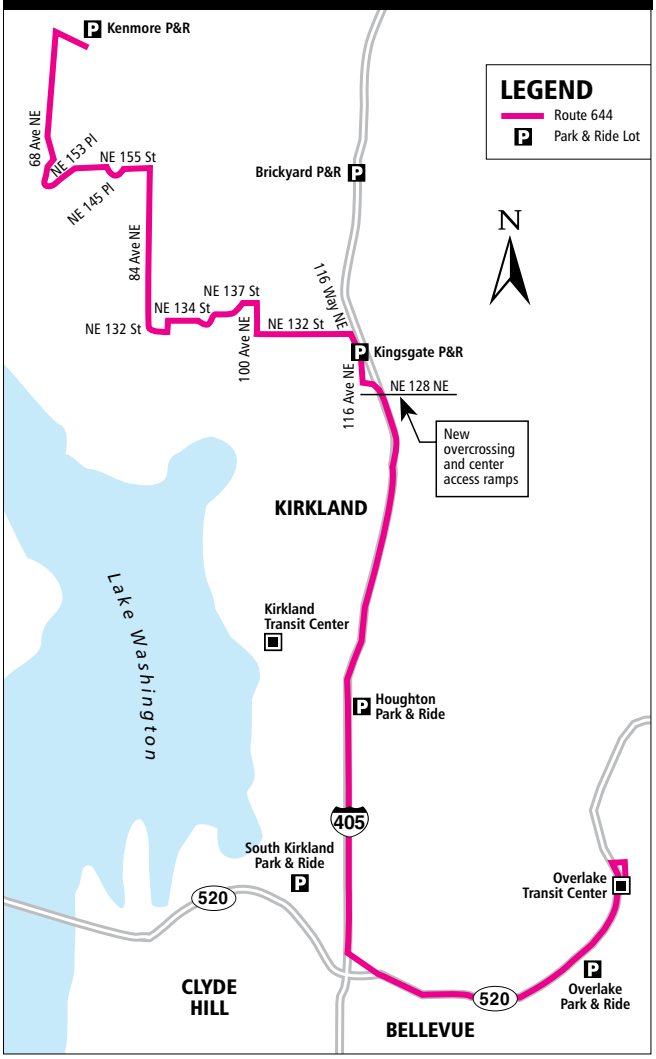
Select peak-hour trips will be extended on Route 255 to the Brickyard Park-and-Ride from the Kirkland Transit Center. All a.m. peak Route 255 trips will begin at the Brickyard Park-and-Ride instead of the Kirkland Transit Center. This change will allow more riders a direct trip through the Kirkland Transit Center to and from north Kirkland, Juanita and Kingsgate.

Printed timetables for these routes will be available beginning May 25, 2006, at timetable kiosks and on buses. At that time you may also call Metro Rider Information at 206-553-3000 (TTY users call 206-684-1739) for trip planning assistance and further information. Online timetables will be available June 2, 2006, on Metro Online, http://transit.metrokc.gov. For online trip planning using these routes, visit the Metro Trip Planner web page, http://tripplanner.metrokc.gov, beginning May 25.

It is anticipated that both services will continue with WSDOT funding until mid-2008, when construction is expected to be completed.

There are various additional commute options available to I-405 commuters. For instance, VanShare will provide a vehicle for you and other bus riders for the ride from your neighborhood to the bus or from your bus destination on to your work site.

New Route 644



RideshareOnline.com can help you find other commuters for your VanShare group. For more details call 206-625-4500 or visit http://transit.metrokc.gov/tops/van-car/vanshare.html.

Is Downtown Bellevue your home or your destination?

In partnership with the City of Bellevue and the Bellevue Downtown Association, King County Metro is promoting incentives and programs to make the bus, vanpool, or other shared rides your choice for transportation. Watch for news on special programs over the Summer and Fall at your residence or place of employment.

King County METRO
Department of Transportation
Metro Transit Division
Community Relations and Communications
KSC-TR-0824
201 S. Jackson St.
Seattle, WA 98104

This publication and questionnaire are available on the Metro Online Web site, **http://transit.metrokc.gov**

Alternate Formats Available

206-263-3703 TTY Relay: 711

60063sm.indd

May 17, 2006

D R A F T

Mr. Kevin Desmond, General Manager
King County Metro Transit
KSC-TR-0824
201 S. Jackson St.
Seattle, WA 98104

Dear Mr. Desmond:

Thank you for the opportunity to comment on Metro's proposed service change for the Eastside. We appreciate the high level of outreach that Metro has built into this process including use of the Sounding Board with its members from Kirkland and the May 4 open house in Kirkland. Our comments are as follows:

Route 540
We realize that changes to Sound Transit service ultimately require decisions by the Sound Transit Board, but because any changes to Metro or Sound Transit must be coordinated, we have included our comments here. The performance of the eastern part of the route 540 between Kirkland and Bear Creek Park & Ride is poorer than performance on the rest of the route. Perhaps performance would be better if more stops and a higher level of service had been put in place as was originally anticipated in *Sound Move*.

If the eastern portion of the 540 is deleted as proposed, we prefer that hours removed be redeployed to improve service between Kirkland and the University of Washington. It is critical that scheduling be carefully planned to allow seamless transfers at the Kirkland Transit Center from route 248 to 540 on weekdays and from 248, to 255 on weekends. Timed transfers should also be available between 230 and 238 to routes 540 and 255 to compensate for the loss of service.

We have been assured by both Metro and Sound Transit service planners that the 540 will not be discontinued until the 248 is available and that if the 540 is discontinued, the 248 will be put in place. This is a condition of our acceptance of the proposal.

Route 260
While we understand that the overall goal of the service proposal requires that certain routes be discontinued, it is important that discontinued routes have viable alternatives. This is particularly important in the case of Route 260. As with other routes, scheduling is important to minimize impact to current 260 riders. To the extent possible, scheduling of routes 234, 236 and 935 should allow easy connections between 255, 252 and 257 as appropriate to mitigate impacts to current 260 riders on NE 116th Street. We suggest that one or two extra runs of route 236 be added to the system in the morning and afternoon to help with transfers. One of the key eastbound morning runs of 236 that could be used to transfer is re-routed to Forbes Creek Drive to help with school service. While we support that deviation and ask that it remain (see School Service section below) its impacts to service on NE 116th Street could be mitigated through the scheduling of extra 236 runs at critical times in the morning. Also, we support an idea

suggested by current 260 riders which is as follows: route 935 proposed to operate on NE 112th Street, should operate instead on NE 116th Street to provide additional coverage on NE 116th Street.

Service to Bellevue
The changes proposed for the 230 and 234 between Kirkland and Bellevue can be successful if scheduling can be implemented properly. It is important the 230/234 combination be scheduled to provide the equivalent of 15 minute service throughout the day on Lake Washington Blvd/Lakeview Drive and that the ST540/255 combination be similarly scheduled to provide 15 minute service on 108th Avenue NE throughout the day.

School Service
We appreciate the proposed changes to Route 238 to better serve students by linking major schools with a single route. As mentioned above, it is important that school related service remain on Forbes Creek Drive.

Span and Frequency increases
Increases in service on Route 255 and better weekend and evening service on Route 234 will be helpful in making transit service more usable for both commute and non-commute trips in Kirkland.

General Comments
As we move to a system with more transfers and fewer one-seat rides, service frequency on key routes becomes more important. Successful transfers require good scheduling and safe, comfortable transfer facilities. Such facilities include shelters, lighting, and real-time route information at key locations. We look forward to a time when all key connection points are linked with service that operates at least every 15 minutes.

We are pleased to see that the new service changes focus service on Totem Lake. It is an important location for good transit service with new employment, shopping and transit facilities soon to be in place

Again, thank you for the opportunity to comment on the proposed service change. We look forward to rapid implementation of a system that will increase transit convenience and coverage for our citizens.

Sincerely,
Kirkland City Council

James L. Lauinger
Mayor

cc King County Councilmember Jane Hague

CITY OF KIRKLAND
City Manager's Office
123 Fifth Avenue, Kirkland, WA 98033 425.587.3001
www.ci.kirkland.wa.us

MEMORANDUM

To: David Ramsay

From: Ellen Miller-Wolfe

Date: May 16, 2006

Subject: Review of Kirkland Economic Partnership

RECOMMENDATION:

It is recommended that the City Council consider revisions to the existing organization and staffing for the Kirkland Economic Partnership (KEP). These revisions include elevating and restructuring the current KEP Board of Advisors; replacement of the Board with a CEO-level business roundtable representing major business clusters in Kirkland, regional real estate and finance interests, Chamber of Commerce and city government. In addition, the recommendation is to make modest changes to the job description and reporting relationships of the current KEP Advocate; focusing the scope of work of this part-time position on business outreach and assistance on permits and other City requirements, while maintaining the current structure - a contract with the Chamber for the position and its support needs. In addition, under this recommendation, the dual reporting relationships to both Chamber and City officials will be maintained with substantial City involvement in developing a scope of work, training the individual and overseeing the carrying out of the work plan.

Staff is seeking input from the Council, and with that, will determine next steps including but not limited to the possibility of bringing back a proposed contract with the Chamber at an upcoming June meeting.

BACKGROUND DISCUSSION:

Findings: Current Organization and Operation of KEP Board of Advisors

The current KEP Board of Advisors, a group comprised of business, institutional, City and neighborhood representatives was chartered in 2003 to oversee business recruitment, retention and promotion efforts. After an ambitious beginning, the KEP Board has devolved to primarily a monthly business networking venue and an opportunity for business to hear about permit assistance (casework) for small businesses, City programs, and the results of retention visits with local companies. Business, institutional and neighborhood interests are represented on the Board. Participation has dwindled in part because of staffing transitions in the KEP organization. Lack of a strategic approach may discourage participation by business leadership. In summary, with the exception of serving as a sounding board for the results of business visits and casework with individual businesses, and hearing about City activities, the Board of Advisors seems to have lost momentum and utility.

Recommendation: Kirkland Business Roundtable

Organization

A CEO-level business roundtable (name to be determined) is recommended to replace the current KEP Board of Advisors. This group would be comprised of representatives from major Kirkland business clusters, the Economic Development Committee of the Kirkland City Council, regionally-active financial and real estate development representatives, Chamber of Commerce and others who can bring a broad perspective on business needs and trends together with a proven commitment to improving the business climate in Kirkland.

Scope of Work

Roundtable members will become familiar with City economic development programs, regional economic development and current challenges and opportunities for the region and for Kirkland's business climate and local economy. City staff (or outside experts as required), will frame major City and regional policy issues for group consideration and feedback. Roundtable members will be asked to help access decision makers, both public and private, that can help to expedite economic development efforts. The group may delegate work to ad hoc task forces. (It is likely that the Roundtable members would not carry out assignments themselves) to lend their support for major ED initiatives.

Meetings

The Roundtable will hold rotating quarterly breakfast meetings with presentations on selected topics followed by discussion and recommendations.

Staffing

The City Manager, ED Manager, and other City managers as needed will staff the Roundtable.

Findings: Current KEP Advocate Position

The current position (salary of approximately $3,600/ mo.) is funded through a contract with the Chamber. The position is a part-time contractor who works 80 hrs/mo. Through a survey of both internal city staff and external clients and KEP Board Advisors, we found that there was general satisfaction with the Advocate's work. External clients are satisfied that their issues have been heard and resolved (i.e. dispatched to the appropriate City staff) and appreciate the convenience of meeting with the Advocate at their place of business. They state that the service requires better promotion and improved communication about the Advocate's contact information and work hours. They value the Advocate's independence from the City and feel it assures impartial treatment. They want the work of the Advocate focused on permits, not business planning etc.

Looking at the economic development practices of comparably-sized cities (see attached), there was no comparable partnership around a business advocate. While there were several examples of distributing economic development tasks among public and private sector organizations, more often the private sector took on the marketing and networking functions of the economic development program.

Recommendation: Business Retention Specialist (former ED Advocate)

Reporting Relationship

There is value in keeping the position at the Chamber and also a value in the perception of independence from government the Chamber umbrella provides. The partnership also helps to cement the relationship between Chamber and City. However, for purposes of training and continuous guidance, the position requires a stronger, more direct reporting relationship with the Economic Development Manager. A shared supervision between Chamber and City is envisioned.

Name Change

The title, Advocate, suggests that a go-between is needed between business and City as opposed to a dispatcher/expediter for business interests. The recommendation is to title this position Business Retention Specialist or something comparable to dispel any notion that the City is unfriendly to business.

Scope of Work

- Respond to business requests for assistance with City permits and related concerns.
- Provide on-site services to businesses to determine the nature of their issues. Dispatch customers to appropriate City staff
- Advise Economic Development Manager of issues that require more complicated response and perform additional duties as required.
- Maintain detailed records of assistance to individual business clients. Provide monthly analysis of business assistance provide. Schedule monthly visitations with Kirkland businesses.
- Develop informational campaign to describe and market the services of the business retention specialist to internal City departments and external business clients.
- Establish standard office hours, possibly two stations (at City and Chamber) and various lines of communication for client convenience

Skills, Knowledge, Abilities

The individual shall have a thorough knowledge of City codes, permitting and enforcement processes, protocols, and key staff. Familiarity with needs of business clusters and small businesses that are located in Kirkland also is important. Computer literacy – including Excel and other commonly used software applications would be required.

Attachments:

KEP Historical Materials
Current Contract with Chamber of Commerce for Advocate and Related Services
Survey results – Economic Development Programs in Comparably-Sized Cities
Washington Roundtable: Mission and Frequently Asked Questions

Council Meeting **04/15/2003**

Agenda **Unfinished Business**

Item # **10. a.**

CITY OF KIRKLAND
City Manager's Office
123 Fifth Avenue, Kirkland, WA 98033 425.828.1100
www.ci.kirkland.wa.us

MEMORANDUM

To: Kirkland City Council

From: David Ramsay

Date: April 7, 2003

Subject: Economic Development Strategy

Recommendation

That the City Council approve the recommendation of the Economic Development Steering Committee for the implementation of an economic development strategy. This would include authorizing the City Manager to negotiate a contract with the Kirkland Chamber of Commerce to provide services consistent with a City Council approved work program and budget and to direct that a Totem Lake Action Team be created with recommendations for membership to be submitted to the City Council for approval.

Background

The City Council met with the Economic Development Steering Committee in January to discuss the Committee's progress on the development of a strategy. At that time, Council gave the Committee direction on the following issues: make appointments of neighborhood association representatives to the Committee, continue development of the recommended economic development strategy and develop a proposal for a committee to pursue development in the Totem Lake area. The Committee is now prepared to report to Council on all three issues.

The Kirkland Alliance of Neighborhoods (KAN) was asked to suggest neighborhood representatives for the Economic Development Steering Committee. The following names were put forward: Karen Tennyson from the North Rose Hill Neighborhood Association and Carol Buckingham from the Central Houghton Neighborhood Association. Both received an orientation from staff and were present at the most recent Committee meeting.

The Committee considered several models for how best to pursue economic development including the use of City staff, a consultant or contracting with an agency. The Committee has spent the last several meetings reviewing a proposal from the Kirkland Chamber of Commerce to design and implement the economic development strategy. After considerable discussion and some modifications, it is the Committee's recommendation that the proposal be approved by the City Council. Please find attached a copy of the Chamber's proposal. The proposal is designed to be considered in two phases. Council is being asked at this time to approve only the first phase. This first phase covers the period of May – December 2003. Council may be asked to consider additional work program items during the remainder of this year.

Key to the effectiveness of this strategy will be the establishment of the Economic Development Partnership (EDP). The EDP will take over from the Steering Committee whose task it was to create this strategy. Reporting directly to the City Council, the EDP will provide leadership for this effort including oversight of the contract with the Chamber. All members will be appointed by the Council and will include representatives from business, neighborhoods, major institutions and the City.

The first phase of the Chamber's proposal focuses on two primary areas. The first area concerns organization of the EDP and development of a specific work program. If the concept for the EDP that is described above is acceptable, specific membership recommendations will be brought back to Council for your consideration. Operating procedures for the EDP will also be established. The EDP's first task will be the development of a recommended work program and budget for Council's consideration. The attached report from the Committee lists the following work program areas:

- Retention, Outreach and Communication
- Targeted Business Recruitment
- Data Collection and Research
- Planning and Policy Development

There are tasks listed for each work program area. The EDP will prioritize these tasks, develop specific strategies for how to accomplish them and propose a budget. This recommendation will then be presented to Council and will form the basis for the next phase. These recommendations will come to the Council during the year and/or as part of the 2004 budget review process. This second phase will represent the on-going economic development strategy. It will also include specific program objectives and measurable outcomes.

The second area of focus during this initial phase will be business retention. This is in recognition of the principle that fundamental to any economic development strategy is working with current businesses to keep them in Kirkland and help them be successful. The Chamber has developed the Keeping Kirkland's Enterprises and Entrepreneurs Prosperous (KEEP) Program of business visits and follow-up for this specific purpose. Under this proposal, the number of KEEP business visits will be expanded significantly and an ombudsman role will be added. The intent here is to create one place where businesses can go with questions, requests or complaints.

To accomplish this first phase (and continue to the next phase), the Chamber's proposal involves the hiring of two part-time (20 hrs/wk) staff – an Economic Development Coordinator and an Economic Development Ombudsman. The proposed budget also calls for some overhead costs for the Chamber and support costs for the City. The total budget for the period of May – December 2003 would be $79,600. It is also recommended that $10,000 be allocated to the Planning Department to reimburse them for economic development work done during January – April that was not part of their 2003 budget. This will cover the costs of planning consultants that were used to "backfill" for staff assigned to economic development. The balance of the $170,000 budgeted for economic development would be held in reserve pending the EDP's development of a recommended work program. Once Council has approved this work program, the contract with the Chamber can be amended to include the additional needed funding. For future years, the EDP's work program recommendations will be considered by Council during the budget process.

The Economic Development Steering Committee has also reviewed and commented on a concept for a Totem Lake Action Team (working title). Please find attached a draft of this proposal. The role and structure are similar to the Downtown Action Team (DAT). The intent is to have a broad representation involving a wide variety of interests. If this concept is acceptable to Council, specific membership recommendations will be brought back for your consideration. City staff will provide support for this committee.

City staff will continue to play an important role in implementing this economic development strategy. Please find attached an outline of the specific activities in which they will be involved. Central to this economic development strategy is the recognition by all the parties involved that a healthy business climate and a high quality of life in the community are very much dependent on each other.

Totem Lake Neighborhood Plan Implementation Committee

Preliminary Draft Concept

To bridge the long term vision for the Totem Lake Neighborhood Plan described in the Comprehensive Plan and the growth and development in the area, it is recommended that a steering committee be formed to help guide and set priorities for the implementation of the Plan's goals, policies and objectives.

What should the group's mission be?

The primary role of the committee will be to develop short and long term action items, priorities, and the resources needed to breathe life into the Neighborhood Plan. Emphasis will be on creating implementation strategies to strengthen the economic vitality of the commercial areas.

Potential Committee Tasks

Below is an example of the tasks that the Committee could pursue:

- Determine the specific action items or key implementation strategies that are needed to achieve the Totem Lake Neighborhood Plan vision.
- Identify economic development strategies that will make the area more competitive.
- In coordination with the Transportation Commission review and prioritize transportation and capital facilities projects listed in the Plan to ensure that they will provide the infrastructure to support future economic development opportunities.
- Identify opportunity sites for redevelopment potential and work with property owners to achieve mutual goals.
- Coordinate with or partner with the Chamber of Commerce efforts to provide business support for their constituents in the area.
- Report back to City Council and the Economic Development Steering Committee on the activities of the committee.

How should the group be structured?

Conceptually, the committee would be structured similar to the Downtown Action Team (DAT) consisting of representatives from the business community, property owners, neighborhoods, institutional, educational and government organizations that have an interest in the future growth of the Totem Lake area. A smaller executive committee could direct or guide the work of a larger committee. The larger committee could meet quarterly with the executive committee meeting monthly.

To ensure that there is a broad representation of the Totem Lake community, staff recommends that the committee include representatives from the business sectors and organizations noted on the following page. To the extent possible, the membership should be appointed by the groups that the members represent, but this may be difficult for some groups.

Membership

Business park/ office/ industrial (7)
- I-405 Corporate Center manager
- Manager of complex on south side of 120th St., south of Fred Meyer
- Par Mac area property owner
- Totem Valley Business Park owner/ manager
- Doctor
- Other free-standing office owner

Retail (7)
- Auto dealer
- Totem Lake Mall owner/ manager
- Other retail center owner/ manager (e.g. Totem Square or Totem West)
- Small retailer (2)
- Large retailer (e.g. Fred Meyer, COSTCO Home, Dania) (2)
- Financial/Banking

Institutions (2)
- Evergreen Hospital representative
- Lake Washington Technical College representative

Hotel manager (1)

Residential (6)
- Neighborhood residents (2)
- Retirement home representative
- North Rose Hill representative
- South Juanita representative
- North Juanita representative

Youth Representative (1)

Councils, Boards and Commissions (5)
- City Council member
- Planning Commission member
- Transportation Commission member
- Parks Board member
- Design Review Board member

City Administration (2)
- City Manager
- Planning Director or Deputy

Chamber of Commerce (3)
- Board member
- Executive Director
- Economic Development Coordinator

TOTAL MEMBERSHIP: 34

Staff support
- Janice Soloff - coordinator
- Dorian Collins - Totem Lake plan and zoning
- Public Works staff - transportation issues
- Sound Transit/ METRO staff - transit issues
- ARCH - housing issues
- Parks staff
- Finance staff

Executive Committee
- Committee Chair
- Committee Vice Chair
- City Manager
- Chamber of Commerce Executive Director
- Planning Commission representative

DRAFT – FOR DISCUSSION PURPOSES

April 2, 2003

TO: Members of the Kirkland City Council
FROM: Economic Development Steering Committee

RE: Recommendations for Implementation of the Kirkland Economic Development Strategy

Background:
Faced with a serious economic downturn expected to last for the next several years, the Council has made the wise decision to invest in a deliberate effort to improve the economic health of the city. The goal of the initiative is to strengthen and diversify Kirkland's economy in order to provide real quality of life and economic returns to the city and its citizens.

Kirkland, like all Washington jurisdictions, receives revenue from a narrow list of sources. Sales tax and property tax top the list, followed by user and utility fees. In the current economic climate, cities look for every reasonable way to reduce expenditures. Additionally, they are forced to consider three options to maintain revenues just to keep up with rising costs and maintain service levels: increase the rates of existing taxes and fees under their jurisdiction; impose new taxes, or stimulate the growth of the tax base as best as they can. The choice is always a difficult one. All of us - elected officials, city staff, business leaders, and citizens alike – agonized over finding the right balance of these approaches.

While the first two choices may appear to be the quickest route to financial stability, these short-term fixes can have serious adverse impacts on the long-term economic health of the city. The choice to grow and diversify the economy is more difficult to achieve, but holds the best promise for long-term prosperity for public, commercial and residential interests.

A serious attempt to produce these long-term returns is central to any city's planning, and in fact is clearly identified in Kirkland's Comprehensive Plan. Many cities throughout King County, the region and the state have similar programs well underway. Kirkland can learn much from these other efforts, some of which have been very successful. Kirkland's program will take the best of these efforts, and adapt them to meet Kirkland's unique character and needs.

2003 - 05 Economic Development Work Program:
The Economic Development Steering Committee has been meeting since August 2002, during which time we have developed the following recommended scope of work for an on-going Economic Development Partnership:

A. Retention, Outreach and Communication

i. Create the position of economic development ombudsman whose job it will be to on the street talking with business owners, trouble-shooting concerns, coordinating solutions, and strengthening communication among current and potential Kirkland business

owners and managers and the ED Partnerships members (City, business sector, community members, and major institutions).

ii. Maintain and enhance the KEEP program and include exit interviews with businesses leaving Kirkland.

iii. Develop branding image and marketing materials around doing business in Kirkland.

iv. Create/maintain web site as information/education tool for use by prospective businesses and a resource for real estate professionals

v. Provide on-going education of the community around the benefits of a strong local economy.

vi. Regularly communicate activity of the ED Partnership to all interested parties.

B. Targeted Business Recruitment

i. Work with the commercial real estate community (owners, developers, agents) and others to attract businesses to Kirkland as identified in the Comp Plan, and that meet the overall goals of the ED program and community character.

ii. Seek collaborative opportunities (such as with the EDC) and research tools to better understand what kinds of business attraction opportunities exist for Kirkland.

C. Data Collection and Research

i. Review and improve the City's capability to collect data from existing Kirkland businesses for use in analysis and tracking trends.

ii. Become familiar with the many outside data sources available from private and public sources for use in achieving our goals.

iii. Make creative use of these outside sources with an eye to leveraging resources and knowing what kinds of data will be most helpful for any given activity (get as much as we can for the least amount of money).

D. Planning and Policy Development

i. Identify a set of measurable targets and goals to achieve by end of 2005.

ii. Develop and promote policies that support an improved business climate including infrastructure needs (transportation, capital facilities, education and training opportunities), and regulatory improvements (speeding permit reviews, making regulations more predictable, etc.)

iii. Make recommendations and advocate for changes to the economic element of the Kirkland Comprehensive Plan.

iv. Seek and create collaborative opportunities with the Chamber, KDL, LTAC, LWTC, the Seattle King County EDC and others to achieve economic goals.

v. Develop a strategy for attracting targeted businesses and to reduce leakage

- Build and strengthen relationships with existing businesses via the KEEP program and other personal visits.
- Act as the 'go-to' person, or caseworker, for businesses considering an expansion, or move into, within, or exiting from Kirkland.
- Collect information from existing and prospective business owners and operators to help shape policy development on business climate issues.
- Other duties as they may arise

Ombudsman Job Description:

- *Contract position @ 20 hours/week funded at up to $3000/month.*
- *Reports to: the ED Coordinator.*

City Contracting with the Chamber to Manage the Program:
We recommend approval for the management of these activities through a contract with the Kirkland Chamber of Commerce drafted and approved by both parties. We recommend this relationship for several reasons:

- Allowing the Chamber to manage the program places it in the hands of the business community as represented by the Chamber.
- It gives the business community a visible return on the new business tax.
- It provides some additional flexibility and agility as the program gets off the ground to have it outside of the City's normal processes.

The Chamber will provide a physical presence for the program including access to a computer, phone for Partnership staff, and mailing address. The Chamber will contribute these services through 2003.

This relationship may change at some point in the future, but we suggest this is the best manner in which to initiate activity in this new economic development effort. An annual evaluation of this relationship would take place along with regular reporting on progress to all interested parties. The contract would reflect all appropriate legal and reporting requirements of the City and be mutually agreed to by the parties.

Funding Request:
To initiate this activity, the Economic Development Steering Committee requests:

- $40,000 for the position of ED Coordinator May – December 2003
- $24,000 for the position of ED Ombudsman May – December 2003
- $1600 to reimburse incidental expenses incurred by the ED staff (parking, meals, etc. @ $200/month)
- $2000 for program set-up costs such as business cards, letterhead, voicemail box, email address, etc.
- $10,000 to City for additional ongoing staff time on economic development tasks (rate of approx. .1 FTE) May – December 2003.
- $2,000 to Chamber for ongoing staff time on economic development tasks through 2003 (approx .1 support FTE May – December 2003).

TOTAL Request: $79,600

The ED Partnership will return to Council to request the balance of the $170,000 ED funds once it has prioritized projects and created a work program and budget for 2003.

GREATER KIRKLAND CHAMBER OF COMMERCE

401 Parkplace Suite 102 Kirkland, WA 98033
Phone (425) 822-7066 Fax (425) 827-4878

April 10, 2003

Kirkland City Council
City Hall
123 Fifth Avenue
Kirkland, Washington 98033

Mayor Springer and Members of the Council:

I am writing as President of the Greater Kirkland Chamber of Commerce to support the efforts of the Economic Development Steering Committee and, in particular, to support the attached proposal which will move the Economic Development initiative into action.

You are all aware that the Chamber has long held the position that developing the economic potential of the City will benefit everyone. Throughout the past year, as the Chamber responded to the various Business License Fee proposals, we stressed the fact that the underlying "structural" problem was the need for effective and appropriate economic development. Indeed, our formal position on the Business License Fee reflected our belief that a significant portion of the proceeds from the fee be targeted to Economic Development.

I want to thank Council members for keeping their word: the funds to address Economic Development are indeed contained in the 2003 Budget. I also want to formally recognize and thank Dave Ramsay and his extraordinary staff for taking the initiative to pull together a Steering Committee to develop consensus on the best way to move this idea into action. This Steering Committee (consisting of representatives of the Chamber, Kirkland Downtown on the Lake, neighborhoods, City Council and staff) after several months' deliberation, achieved consensus on the kinds of work that needed to be done and on an operating structure to ensure that it happens. This proposed operating structure is based on three significant principles:

- **Goal/Outcome Driven**. Optimum use of scarce dollars requires that outcomes be stated and there be general agreement around the outcomes that are expected. At the overall project level, two goals are fundamental: 1) increase the tax base of the city and; 2) increase jobs.

- **Recognizes the Business Community as essential partner in Economic Development.** The strength of this effort is in the partnership between the City and the business community. That said, we believe that the chances of success for this effort

APR 10 2003

will be enhanced if the business community is seen as having an active role in guiding and directing these efforts.

- **Implementation should be based primarily on purchased services**. The most efficient method of accomplishing the Economic Development work plan is by contracting for services needed based on specific hours and/or specific "deliverables". This methodology allows for greater accountability, more efficient use of dollars and a stronger likelihood that the effort will be successful.

The Chamber requests that you adopt the proposal as submitted by Mr. Ramsay, allowing us to "get to work". Thank you for recognizing the importance of Economic Development, not only to the business community, but to all the citizens of Kirkland.

Sincerely,

Ben Lindekugel, President
Greater Kirkland Chamber of Commerce

Greater KIRKLAND CHAMBER of Commerce

401 Parkplace, Suite 102
Kirkland, WA 98033
www.kirklandchamber.org

Phone 425-822-7066
Fax 425-827-4878

MEMORANDUM

To: Dave Ramsay, City Manager, City of Kirkland

From: Bill Vadino, Executive Director, Greater Kirkland Chamber of Commerce

Date: November 21, 2005

Subject: KEP Contract

Per the action of the City Council, we understand that the City of Kirkland's contract with the Greater Kirkland Chamber of Commerce to administer the Kirkland Economic Partnership will be renewed on a rolling 30 day renewal basis.

Given that our contract with the City of Kirkland ends on December 31, 2005 and our consultant contract with John Overton ends on December 31, 2005, we propose that we if we have not been notified by the 1st of the Month, that will be notification that the contract is renewed for the next 30 days. Thus, if we have not been notified on December 1 that the contract is terminated, the contract will be extended to January 31, 2005. If on January 1 we have not been notified that the contract is terminated, the contract will be extended to February 28, etc., etc.

We look forward to continuing the administration of the KEP program while the future of the program is determined.

Economic Development Program Comparables

	RESOURCES					PROGRAMS						
	Who is responsible for economic development?	Reporting Relationship	Staffing / Budget	Funding Sources	Partnerships	Retention	Marketing	Recruitment	Tourism	Planning	Priorities / Projects	External & Internal Agency Implementation
EDMONDS	Jennifer Gerend, Economic Development Director	Mayor	1 FTE	General Fund	Edmonds Chamber of Commerce Downtown Merchant's Committee Port Edmonds Center for the Arts Edmonds Community College Stevens Hospital	√ formerly chamber	√	√	√	√	Retention & Expansion Recruitment Planning Diversify Tax Base	Retention was formerly contracted to Chamber. With Economic Development Director appointment, City has assumed economic development program management.
BELLEVUE	Vacant Economic Development Director, Bob Derrick, Interim ED Manager	City Manager	2 FTE 0.5 Assisant	General Fund, Hotel and Motel Tax	Bellevue Chamber of Commerce Port of Seattle Bellevue Entrepreneur Center Enterprise Seattle Bellevue Economic Partnership: Chamber, Downtown Association, Meydenbauer Convention Center	√	√ Convention Center & Chamber	√ Chamber & City	√ Convention Center	√	Recruitment Planning Ombudsman Small Business Assistance	City and Chamber (BEP lead) share economic development functions. City's major role is providing a supportive business climate (taxes, planning and infrastructure). City contributes $20K to Chamber for BEP staffing and $10K to Bellevue Entrepreneur Center, a nonprofit assistance center for small businesses. Meydenbauer Center funded by Hotel and Motel Tax.
BEND, OR	John Russell, Urban Renewal and Economic Development Director	City Manager	6 FTE	Various Funds	Bend Chamber of Commerce Bend Downtowners Association Visitors' and Conference Bureau Economic Development for Central Oregon (EDCO)	√	√	√ EDCO	√ Visitors' Bureau	√	Redevelopment Attract a University Development of Industrial Land	Economic development programs managed by city departments, with exception of recruitment, provided by regional economic development agency (EDCO). City consults with Chamber and Downtown Association in a collaborative relationship. There are also Economic Improvement Districts (EIDs).
SAN LUIS OBISPO, CA	Claire Clark, Economic Development Manager	Assistant City Manager	1 FTE 0.3 Assistant	General Fund, Transient Occupan-cy Tax	Downtown Association SLO Chamber of Commerce Visitors' and Conference Bureau Economic Vitality Corporation (EVC)	√	√ Chamber & City ($450K)	√	√ Visitors' Bureau	√	Ombudsmanship Permitting Annexation Sales Tax Revenue Transient Occupancy Tax	The city's program is 7 years old. Downtown Association, a "quasi-city" organization, is supported by business licenses and aids retention. Visitors' Bureau, a county agency, derives funds from a Transit Occupancy Tax used for tourism promotion. Chamber receives large portion of marketing funds to complement city marketing efforts. EVC receives $5K/yr from city for regional ED & advocacy.
TIGARD, OR	Sean Farrelly, Associate Planner	Community Development Director	0.5 Planner	General Fund	Tigard Chamber of Commerce Downtown Business Association City Center Advisory Committee Portland Regional Parterners for Business (PRPB)	√	√ Regional Partners	√ Regional Partners		√	Downtown Improvement Plan Develop Freight & Commuter Rail Industrial Growth	Retention and planning programs managed by the City Community Development Department. Portland Regional Partners for Business has an evolved, regionalized plan for economic development in the Portland metro area which provides recruitment and marketing of large scale firms.
KIRKLAND	Ellen Miller-Wolfe, Economic Development Manager	City Manager	1 ED Manager 1 Tourism Manager	General Fund (Business Licenses), LTAC Funds	Kirkland Chamber of Commerce Kirkland Downtown Association Kirkland Economic Partnership (KEP)	√ KEP	√ KEP	√	√	√	Recruit Key Business Clusters Totem Lake Redevelopment Tourism	With appointment of City Economic Development Manager, discussions are underway about permitting/ retention work previously contracted to the Chamber and role of a business advisory group.

Economic Development Program Comparables

	SATISFACTION LEVEL	INFORMATION							
	Satisfaction with Economic Development Program	Population	Type of Government	City Location	City Budget	Economic Development Budget	Area-Square Miles	Median Household Income	Other
EDMONDS	Very satisfied; biggest challenge is no growth constituents	39,860	Mayor-Council	Seattle coastal suburb	$ 67,195,437	$ 226,817	9	$ 53,486	No B&O Tax
BELLEVUE		115,500	Council-Manager	Seattle lakeside suburb	$ 491,200,000		31	$ 64,633	
BEND, OR	Satisfied with direction and progress of program.	70,328	Council-Manager	Inland Central Oregon	$ 181,700,000	$ 4,510,547	32.5	$ 44,684	
SAN LUIS OBISPO, CA	City & Chamber partnership is working well. Stakeholders comfortable with setup. Joint business visits every other month.	44,176	Council-Mayor-Administrator	Central California Coast	$ 74,300,000		10.5	$ 67,700	Tax Increment financing rejected by voters
TIGARD, OR	General satisfaction with ED although city doesn't have staff to handle full time ED. Heavy reliance on external agencies, especially Regional Partners.	44,070	Council-Manager	Portland suburb (10 miles)	$ 106,777,290	$ -	11.5	$ 51,581	Business accessible to Portland metro area and No B&O Tax; use of tax increment financing
KIRKLAND		45,740	Council-Manager	Seattle lakeside suburb	$ 138,571,819	$ 170,000	11	$ 62,553	

WASHINGTON
ROUNDTABLE

The Washington Roundtable is a nonprofit public policy research and advocacy organization composed of chief executives of major Washington state companies. Formed in 1983, the Roundtable studies and makes recommendations on the state's critical public policy issues. The Roundtable's three priority issues are: state fiscal policy, economic climate and education.

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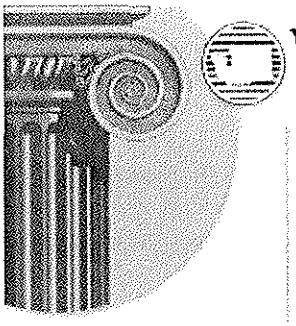
www.waroundtable.com



Washington Roundtable | Making Washington a better place to live an

Frequently Asked Questions

What is the Washington Roundtable?

Why was the Washington Roundtable formed?

What makes the Washington Roundtable different from other business or policy organizations?

Is the Washington Roundtable a government organization?

Does the Washington Roundtable endorse candidates or sponsor bills?

Is the Washington Roundtable a "think tank" or a lobbying group?

How is the Washington Roundtable funded?

Is the Washington Roundtable affiliated with the National Business Roundtable or other state Roundtables?

Are there Roundtables in every state and are they organized the same way?

How does one become a member of th Roundtable?

How long do board members serve?

How is the research for the Washingto Roundtable's studies conducted?

What are the criteria that the Washing Roundtable uses to determine the issu on?

Why does the Washington Roundtable education, economic climate, and fisca

Does the Washington Roundtable have public can attend?

How often does the Washington Rounc

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What is the Washington Roundtable?
The Washington Roundtable is a nonpartisan, nonprofit organization that exists knowledge, creativity, and leadership of its 35 corporate members and five citiz members and their business organizations to serious challenges facing the state Washington.

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Why was the Washington Roundtable formed?
Major business leaders formed the Washington Roundtable in 1983 because the a need to provide private sector leadership in state public policy. They wanted t vehicle for corporate leaders to contribute to our state with the hope of making place to live and do business.

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What makes the Washington Roundtable different from other business organizations?
What sets the Washington Roundtable apart is its board members and long-terr perspective. No other organization in Washington brings together CEOs from th sector to address critical public policy issues. when we decide to focus on a pol do so with a commitment to "stay the course" until we truly make a difference.

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Is the Washington Roundtable a government organization?
No. Although we work to address state policy issues, we are not affiliated with c by the public sector.

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Does the Washington Roundtable endorse candidates or sponsor bills?
The Washington Roundtable places its focus on policy, not politics. For that reas although we work closely with state elected officials, we do not endorse or supp candidates running for office. In select cases where legislation may be needed t an issue we support, we will work with state leaders to see that necessary legis drafted and hopefully passed.

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Is the Washington Roundtable a "think tank" or a lobbying group?
We consider ourselves "thoughtful advocates" who invest the time necessary to research, develop sound recommendations, and then communicate our position they are understood and ultimately adopted.

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How is the Washington Roundtable funded?
The Washington Roundtable is supported solely through member dues.

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Is the Washington Roundtable affiliated with the National Business Rou other state Roundtables?
No. Because we share many of the same priorities, such as education, with the Business Roundtable and other state Roundtables, we exchange information; bu no formal affiliation or alliance with these organizations.

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Are there Roundtables in every state and are they organized the same v

No. There are currently state Roundtables in one form or another in many state organized and has membership reflective of its own needs and mission. For exa have representation from public institutions such as universities, while others li membership to the private sector.

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How does one become a member of the Washington Roundtable?
Prospective board members are nominated to serve on the Washington Roundt board member must either be the chief executive of a Washington state compa ranking executive in Washington of a for-profit company headquartered elsewh significant business activity here in Washington. Candidates for membership m have a demonstrated interest in and commitment to public policy issues affectir In addition, the Washington Roundtable has a select number of citizen member invited to serve because of their unique qualifications, experience, or insights.

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How long do board members serve?
Board members are nominated to serve three-year terms and may be renomina additional terms. Citizen members serve two-year terms and may also be renor additional terms.

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How is the research for the Washington Roundtable's studies conducte
The Washington Roundtable seeks to provide the highest quality research and recommendations for action based on thorough analysis and the experienced ju its board members. Our research projects have been conducted using staff, loa *executives representing the companies of our board members, and hired consul* Regardless of who conducts the research, the Washington Roundtable staff and members are involved and guide the study process, and board members have f approval of all recommendations.

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What are the criteria that the Washington Roundtable uses to determin issues it will focus on?
We normally restrict our involvement to issues that fall within our three areas o education, economic climate and fiscal policy; but, primarily we look for issues broad impact on the social and economic well-being of our state. We consider is are timely and possibly under consideration by state leaders. And finally, we sel that we believe will benefit from the knowledge and perspective of our CEO me

Return to top

Why does the Washington Roundtable focus only on education, econom and fiscal policy?
One of the qualities that makes the Washington Roundtable unique is our willin identify major public policy areas and then dedicate the time and resources ove

term to see positive change occur. We believe that such persistence is extremel to truly making a difference.

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Does the Washington Roundtable have functions the public can attend?
From time to time we will cosponsor a public event that we believe will contribu public's understanding of one of our issues, but we do not normally hold open n events.

Return to top

How often does the Washington Roundtable meet?
The board of directors meets quarterly. Study committees meet more often dep upon the work they have undertaken and the issues they are dealing with.

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CITY OF KIRKLAND
Department of Parks & Community Services
505 Market Street, Suite A, Kirkland, WA 98033 425.587.3300
www.ci.kirkland.wa.us

MEMORANDUM

To: David Ramsay, City Manager

From: Jennifer Schroder, Director of Parks and Community Services
Michael Cogle, Park Planning Manager

Date: May 4, 2006

Subject: Resolutions Authorizing Applications for State IAC Grants – Juanita Beach Park

RECOMMENDATION:

That the City Council approve two resolutions authorizing applications for funding assistance to the Interagency Committee for Outdoor Recreation (IAC) for Juanita Beach Park in the following grant program categories:

1. Washington Wildlife and Recreation Program (WWRP)
2. Aquatic Lands Enhancement Account (ALEA)

BACKGROUND DISCUSSION:

The Parks and Community Services Department is in the process of submitting grant materials to the State of Washington Interagency Committee for Outdoor Recreation (IAC) for funding assistance for Juanita Beach Park. These grants are made available to local communities on a bi-annual basis. As part of the application process, each grant requires a resolution from the City Council.

The grant applications are each for $500,000 and, combined with the City's required 50% match, would allow us to put together up to $2 million for a park redevelopment project focused on the restoration of the Lake Washington shoreline and Juanita Creek, water quality improvements in the swimming beach area, beachfront accessibility improvements, environmental interpretive displays, and landscaping. The City's required 50% match would be met through funding of $1 million dollars already identified in the City's 2006 – 2011 Capital Improvement Program.

The grant process will be very competitive. We should get a preliminary decision on our requests sometime this fall, but final funding allocations will not be made until after the 2007 legislative session in Olympia. Our plan would be to begin park development, consistent with the approved park master plan, in 2008 and 2009.

Attachment: Phasing Plan

IAC ALEA 06-1923
City of Kirkland Parks and Community Services
Juanita Beach Park Redevelopment Phase 1-A

Water quality improvement marsh and In stream habitat enhancements to improve water quality and create desirable habitat features for salmon and other wildlife.

Removal of breakwater planking to enhance water flow and improve water quality at swim beach.

RESOLUTION R-4578

Washington Wildlife and Recreation Program Authorizing Resolution

Organization Name: City of Kirkland Resolution No. **R-4578**

Project Name(s): Juanita Beach Park Redevelopment Phase 1

A resolution authorizing application(s) for funding assistance for a Washington Wildlife and Recreation Program (WWRP) project to the Interagency Committee for Outdoor Recreation (IAC) as provided in Chapter 79A.15 RCW, for acquisition, development, or restoration of habitat conservation and outdoor recreation lands and facilities.

WHEREAS, our agency/organization has approved a comprehensive plan that includes this project area; and

WHEREAS, under the provisions of WWRP, state funding assistance is requested to aid in financing the cost of land acquisition and/or facility development/restoration; and

WHEREAS, our agency/organization considers it in the best public interest to complete the land acquisition and/or facility development/restoration project described in the application;

NOW, THEREFORE, BE IT RESOLVED, that:

1. The City Manager be authorized to make formal application to IAC for funding assistance;
2. Any fund assistance received be used for implementation of the project referenced above;
3. Our agency/organization hereby certifies that its share of project funding is committed and will be derived from the City of Kirkland Capital Improvement Program (CIP) 2006-2011 – Current Revenues ;
4. We acknowledge that we are responsible for supporting all non-cash commitments to the sponsor share should they not materialize; [if *applicable]*
5. We acknowledge that any property acquired or facility developed/restored with IAC financial aid must be placed in use as an outdoor recreation facility and be retained in such use in perpetuity unless otherwise provided and agreed to by our organization and IAC (generally, IAC approves removing facilities from the perpetuity requirement when the facilities have reached their designed life expectancy, or because of extraordinary vandalism, acts of nature, fire, etc.);
6. This resolution becomes part of a formal application to IAC; and
7. We provided appropriate opportunity for public comment on this application.

This resolution was adopted by our organization during the meeting held:

Location: Kirkland City Hall, Kirkland, Washington Date: May 16, 2006

Signed and approved by the following authorized representative:

Signed _____

Title: Mayor Date: May 16, 2006

Attest: _____

Approved as to form: _____

RESOLUTION R-4579

ALEA: Authorizing Resolution

Organization Name: City of Kirkland Resolution No. R-4579

Project Name(s): Juanita Beach Park Redevelopment Phase 1

A resolution authorizing application(s) for funding assistance for a Aquatic Lands Enhancement Account (ALEA) Program project to the Interagency Committee for Outdoor Recreation (IAC) as provided in RCW 79.90.245 and subsequent Legislative action.

WHEREAS, our organization has approved a comprehensive plan that includes this project area; and

WHEREAS, under the provisions of ALEA, state funding assistance is requested to aid in financing the cost of land acquisition and/or facility development; and

WHEREAS, our organization considers it in the best public interest to complete the land acquisition project described in the application;

NOW, THEREFORE, BE IT RESOLVED, that:

1. The City Manager be authorized to make formal application to IAC for funding assistance;
2. Any fund assistance received be used for implementation of the project referenced above;
3. Our agency/organization hereby certifies that its share of project funding is committed and will be derived from the City of Kirkland Capital Improvement Program (CIP) 2006-2011 – Current Revenues ;
4. We acknowledge that we are responsible for supporting all non-cash commitments to the sponsor share should they not materialize; [*if applicable*]
5. We acknowledge that any property acquired or facility developed with IAC financial aid must be placed in use as an outdoor recreation facility and be retained in such use in perpetuity unless otherwise provided and agreed to by our organization and IAC (generally, IAC approves removing facilities from the perpetuity requirement when the facilities have reached their designed life expectancy, or because of extraordinary vandalism, acts of nature, fire, etc.);
6. This resolution becomes part of a formal application to IAC; and
7. We provided appropriate opportunity for public comment on this application.

This resolution was adopted by our organization during the meeting held:

Location: Kirkland City Hall, Kirkland, Washington Date: May 16, 2006

Signed and approved by the following authorized representative:

Signed: _____

Title: Mayor Date: May 16, 2006

Attest: _____

Approved as to form: _____

CITY OF KIRKLAND
Department of Public Works
123 Fifth Avenue, Kirkland, WA 98033 425.587.3800
www.ci.kirkland.wa.us

MEMORANDUM

To: David Ramsay, City Manager

From: Elaine Borjeson, Solid Waste Coordinator
Daryl Grigsby, Public Works Director

Date: May 16, 2006

Subject: INFORMATION ON KIRKLAND CLEAN UP DAY

This report provides preliminary information for a Kirkland Clean Up Day wherein single family residents will be able to place bulky materials at the curb for collection instead of hauling the items directly to a recycling event or transfer station. The purpose of the project is to provide this service for those unable to haul the materials to a transfer station and to encourage the clean up of Kirkland neighborhoods.

Similar Events in Other Cities: The neighboring cities of Renton and Auburn provide this service to single family residents through Waste Management which is the same solid waste hauler contracted by the City of Kirkland. The collection method and cost for the bulky waste event in these two cities vary significantly.

Renton hosted their first bulky waste collection event last year for all single family residents in the city service area. "Clean Sweep Renton" was a one-day-only event and cost approximately $106,000. Auburn has held similar programs for more than twelve years with each event lasting two weeks and costing the city approximately $25,000. The considerable difference in the price of the two events is because Auburn's solid waste collection contract with Waste Management designates that bulky waste shall be collected from all single family residential customers within the city service area at no additional charge once each year. The City of Auburn pays the garbage disposal fees for the increased tonnage taken to the transfer station during the event but does not pay the cost of collecting the materials. Table 1 provides a comparison of the tonnage and duration of the events in Auburn and Renton:

Table 1: Comparison of Bulky Waste Collection Tonnage/Duration -Cities of Auburn & Renton

Bulky Waste Collection Event	Cost	Population	Event Duration	Tonnage Collected	Event included in Solid Waste Collection Contract
Auburn	$ 25,000	45,010	2 weeks	189	Yes
Renton	$106,000	53,840	1 day	265	No

Renton's bulky waste collection event was timed to follow several spring recycling programs to ensure that residents had ample opportunities to recycle appropriate items first rather than dispose of them at the

curb. Renton concluded that the expense would be too great to try to sort and capture recyclable materials at the curb during the day of the event. The only exception to collecting recyclables was for large appliances which were picked up by appointment only using a separate vehicle. A brochure was mailed to all single family residents in advance describing the "Clean Sweep Renton" program and listing both items that would be accepted and *not* accepted. The event was popular, and Renton will hold a similar event again this summer.

The City of Auburn promotes their "Spring Clean Up" through a newsletter mailed directly to residents' homes and the City website. The event takes two weeks in Auburn during which they divide the City in half and collect extra materials on a customer's regular collection day during the appropriate week. Only non-recyclable, non-reusable, non-hazardous household items are accepted. All informational material directs customers to appropriate recyclers for items that should not be left at the curb. Like Renton's program, large appliances are collected and recycled during the event (about 400 in an average year). Spring Clean Up is very popular in Auburn, and the ongoing event is a regularly budgeted item. Table 2 lists the items that are accepted and not accepted in Auburn and Renton during the curbside programs.

Table 2: Items Accepted and Not Accepted at Bulky Waste Event in Auburn and Renton

Items Collected at Curb During Bulky Waste Event	Auburn	Renton
Furniture	Yes	Yes
Carpet	Yes	Yes
Toys, bikes, skateboards	Yes	Yes
Styrofoam packaging blocks	Yes	Yes
Dishes, pots, pans, small appliances	Yes	Yes
Remodeling waste (wood, drywall, flooring, window frames)	No	Yes
Concrete	No	No
Tools, garden equipment, flower pots	Yes	Yes
Scrap metal (less than 65 lbs)	No	Yes
Toilets	Yes	No
Cameras and equipment	Yes	No
Lawn mowers, BBQs	Yes	No
Electronics (computers, monitors, TVs, etc.)	No	No
Automotive parts, engines, batteries	No	No
Household garbage	No	No
Yard waste	No	No
Tires	No	No
Household Hazardous Waste	No	No

<u>Preliminary Cost Estimate for Kirkland Event:</u> Kirkland does not have language in the City's solid waste contract requiring a bulky waste event at no additional charge, therefore the cost of such an event would be based on Waste Management's collection rates. The rates for the one-day program are as follows (subject to a Consumer Price Index adjustment if the event occurs later than 2006):

- $145.00 per truck hour (includes truck, two drivers to handle bulky waste, support staff)

- $ 64.60 per labor hour if needed to meet a contractual minimum eight hour guarantee to drivers
- $ 97.00 per hour for a separate vehicle for appliance collection

These fees do not include the following costs:

- $82.50 per ton disposal fee at the transfer station
- Costs of publicizing the event (direct mail brochure, newspaper notice, etc.)

Waste Management estimates it will take approximately 50 trucks to complete a one-day collection event in Kirkland (60 trucks were used for Renton's event). Preliminary cost estimates are shown in Table 3.

Table 3: Preliminary Cost Estimate for One Day Bulky Waste Collection Event in Kirkland

50 Trucks	220 tons of waste*	11,000 Brochures	Appliance Truck	Total
$145/hr for 8 hrs	$82.50/ton	Printed/mailed	$97/hr for 83 hrs**	
$58,000	$18,150	$5,500	$8,051	**$89,701**

*Estimate based on tonnage collected in Renton (83% of Renton tonnage)
**Estimate based on hours of appliance collection during Renton event

These cost estimates **do not** include fees for the minimum hours guarantee to drivers working less than eight hours, charges for returning for missed pick-ups and taxes. The total for these additional charges for Renton's event was more than $11,000.

Other considerations: In order to conform to the policy goals of King County's Final 2001 Comprehensive Solid Waste Management Plan (approved and adopted by the City of Kirkland), the program must be organized in a manner that discourages the disposal of recyclable materials. This can be accomplished by timing the event to follow recycling collection events and publishing lists of appropriate recyclers in the notification brochure.

Bulky waste collection events can be potential opportunities for scavenging and illegal dumping. There is evidence from other jurisdictions that these activities occur but not to the extent that either city plans to curtail the program.

Conclusion: Bulky waste collection events are popular with the public, and a high volume of waste is collected in a short amount of time. The events are expensive and the preliminary cost estimate for a Kirkland event represents 3.2% of the yearly revenue of single family collection fees in the solid waste utility fund.

CITY OF KIRKLAND
City Manager's Office
123 Fifth Avenue, Kirkland, WA 98033 425.587.3001
www.ci.kirkland.wa.us

MEMORANDUM

To: Dave Ramsay, City Manager

From: Marilynne Beard, Assistant City Manager

Date: May 1, 2006

Subject: ANNEXATION UPDATE

RECOMMENDATION:

City Council receives an update from staff regarding potential annexation and continue their discussion.

BACKGROUND DISCUSSION:

The purpose of this memo is to provide background for the City Council's continuing discussion about the potential annexation. Council last received an update at their April 18th regular meeting. At that meeting (and since that time) a number of steps have been taken to provide for further study of the possible annexation.

- The City Council appointed an annexation subcommittee consisting of Councilmembers Sternoff, Burleigh and Deputy Mayor McBride. The subcommittee is scheduled to meet on May 10TH and will meet with King County Executive Ron Sims on May 12th.

- Staff and Deputy Mayor McBride met with the Annexation Coordinator of Lake Stevens, Washington regarding their communication and implementation process for annexation. Staff will be contacting the City of Vancouver to discuss their experience with annexation.

- A meeting with the State Department of Revenue (DOR) is scheduled for May 11th. Kirkland and representatives from other cities considering annexation will meet with DOR to obtain further information about how SB 6686 will be implemented (SB 6686 is the bill that provides State funding to local jurisdictions for annexations). Staff will provide a summary of the meeting at the May 16th Council meeting.

- The City's website was updated to provide more current information and to incorporate the key messages approved by Council at the last meeting. Current tax comparison information is provided.

- The City's management team held a one-day retreat, with one of the topics being annexation. The group of about forty managers was asked to suggest improvements to the proposed internal structure for studying annexation, to answer the question, "What are you and your staff most worried about with regard to annexation?" and to share any good ideas. As a result of that session, the initial draft of the internal organizational chart was revised to reflect more of a process than an organizational structure. A copy of the revised chart is shown as Attachment A to this memo. A list of stakeholders and interests was drafted to reflect the many parties that will become a part of the annexation discussion (see Attachment B).

  Key themes that emerged from the meeting included:

  -The need to integrate communications and support services with all operational groups when planning for annexation.

  -Concern about the amount of time needed to hire and train new staff and the effective date of the annexation (and the need to begin to provide services on that day).

  -The need for temporary staff and consultants to assist with studying and planning for annexation.

  -The relatively short time between the annexation election and effective date, compared to the time it will take to get new facilities on line.

  -The need to have a consistent, accurate message from the City to the public, including development of key facts and frequently asked questions that would be available to staff when they receive an inquiry.

  -The ability of staff to continue to maintain the current quality and level of services to Kirkland during annexation planning (and possible implementation).

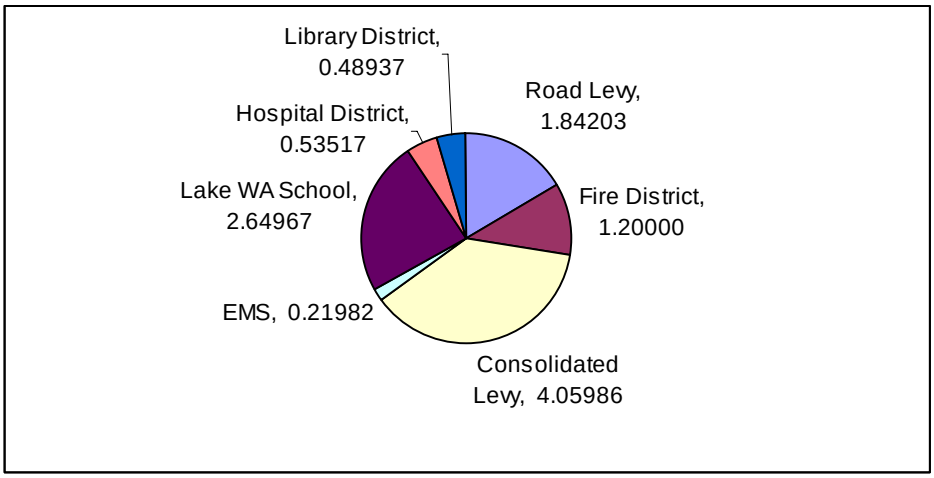
  -Overall, the management team found a great deal of value in the exercise and suggested that staff at all levels have the opportunity for similar brainstorming sessions. There is a great deal of interest and talent in the organization that could be tapped to make our efforts a success.

- Staff met with a communications consultant to discuss approaches and time frames for implementing a community outreach program for annexation. We concluded that the City should engage a communications consultant as soon as possible and that initial efforts should focus on current Kirkland residents. We are beginning to receive inquiries about the City's plan for annexation and how that might affect the existing City character, services and finances. Although we had originally planned on requesting funding for a communications consultant at the mid-year budget review meeting, we are now recommending that Council authorize staff to work with the annexation subcommittee to prepare a Request for Proposals as soon as possible.

- Council requested that staff prepare a draft timeline for annexation so that they could gain a better understanding of the sequence of events and potential timing issues. Two timelines have been prepared – one assuming a January 1, 2008 effective date and one assuming a January 1, 2009 effective date. Both scenarios assume that an annexation election would take place during the

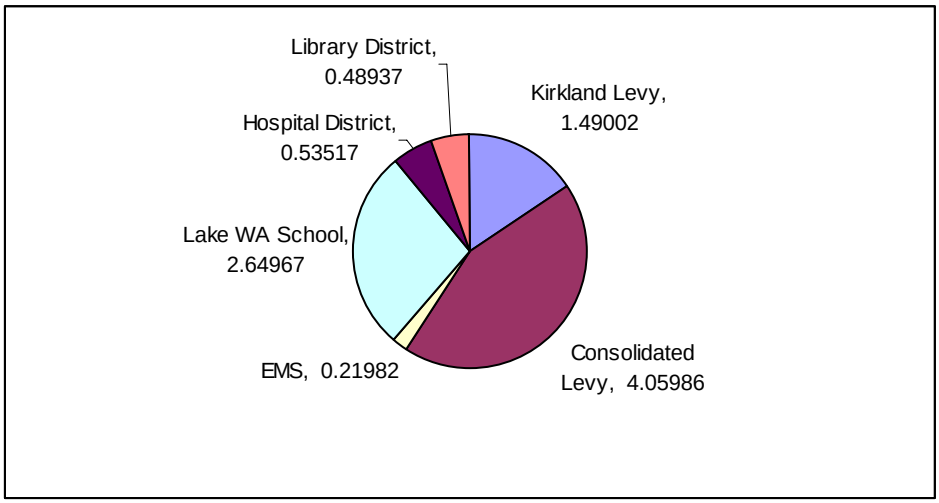
primary election (beginning in 2007, the primary election moves from September to August). The timelines are not intended as recommendations and do not reflect all of the tasks associated with annexation. The purpose is to provide an overview of activities that might take place in advance of an annexation election and the ensuing activities and revenues that take place after an election.

- At the last meeting, staff briefly discussed the impact of receiving the County road levy during the first year after an annexation (the County road levy or "road tax" is part of the overall property tax levy paid by property owners in unincorporated areas). It was noted that, while the road levy tax rate is higher than the City's current general levy rate (and so would generate more property tax revenue than the City's levy in the first year), it can only be spent on road-related expenditures. The following chart shows the current tax rates of PAA residents under King County and the City of Kirkland Levy.



King County 2006 Tax Rate in Kirkland PAA

Road Levy	1.84203
Fire District	1.20000
Consolidated Levy*	4.05986
EMS	0.21982
Lake WA School	2.64967
Hospital District	0.53517
Library District	0.48937
Total Levy	10.99592



City of Kirkland 2006 Tax Rate

City of Kirkland**	1.49002
Fire District	0
Consolidated Levy*	4.05986
EMS	0.21982
Lake WA School	2.64967
Hospital District	0.53517
Library District	0.48937
Total Levy	9.44391

*Consolidated levy refers to the State, Port of Seattle and County levies combined).
**City of Kirkland levy includes existing voted debt

The City of Kirkland's regular levy (general operating levy excluding voted debt) is $1.32 per $1,000 of assessed valuation. When applied to the valuation in the annexation area, the current tax rate would generate $5,173,925 in property tax revenue. The King County Road Levy rate is $1.84 per $1,000 of

assessed valuation and generates $7,212,138 in property tax revenue, over $2 million more than the City's levy generates. During the first year of annexation, the Road Levy could only be used for road purposes by the City, thereby limiting the amount of general revenue available to support non-road services such as police.

In the PAA, property taxes comprise a larger share of the tax base and become a proportionally larger source of funding for basic General Fund services such as police and fire. By receiving the road levy in the first year instead of general property tax, the remainder of the PAA revenue base must support all non-road, General Fund services. Even by diverting existing City property tax away from the Street Operating Fund and replacing it with the road levy, there is still less property tax revenue available for general services. This issue is a short-term problem that exists in the first year of annexation. However, it demonstrates the importance of having an effective date of annexation prior to March 1st of a given year when the boundaries are set for the next year's property tax levy. If the effective date of annexation is after March 1st in any year, then the City would not be eligible to levy taxes in the area for an additional year and would continue to receive the restricted road levy.

Next Steps and Recommendations

Two upcoming Council meetings will include the topic of annexation:

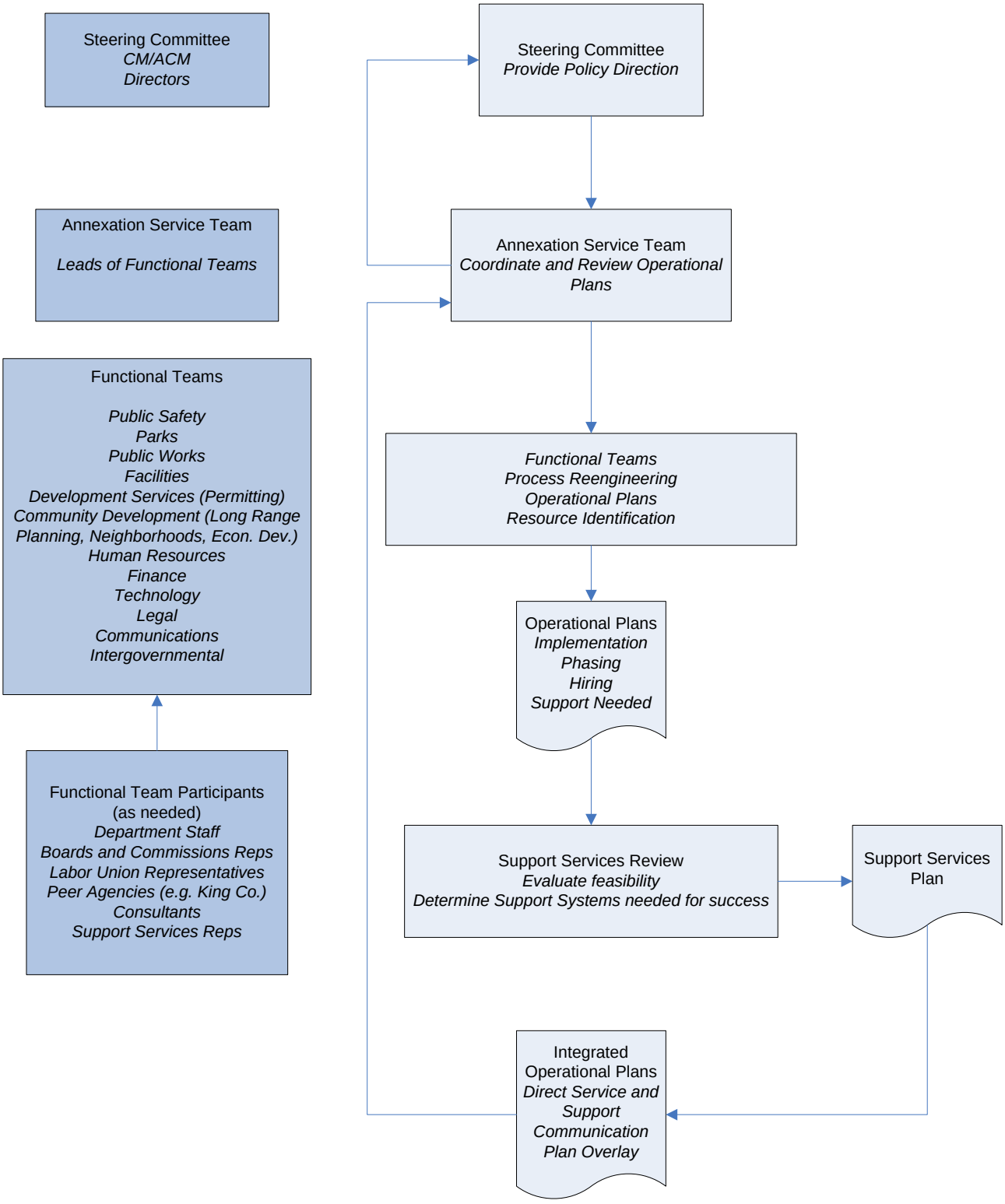
- At the June 20th regular meeting, Eric Shields (Director of Planning and Community Development) will provide an overview of land use issues and tasks associated with annexation. At that time, Eric can also discuss the process needed for the Snyders Corners/Bridlewood annexation which will be a distinct process from the Finn Hill/Juanita/Kingsgate annexation.

- At the June 15th Mid-Year Budget Review, funding requests will be submitted for 2006 temporary staff and consultants needed to assist in short term tasks associated with annexation.

At this time, staff is requesting Council approval to develop an RFP for consultant services for a community outreach program. We recommend that the RFP be designed in phases to acknowledge the Council's need to further consider the financial feasibility of annexation before proceeding. An actual funding request will be made once we know more about the initial costs.

ATTACHMENT A

Annexation Planning Internal Process Model



ATTACHMENT B

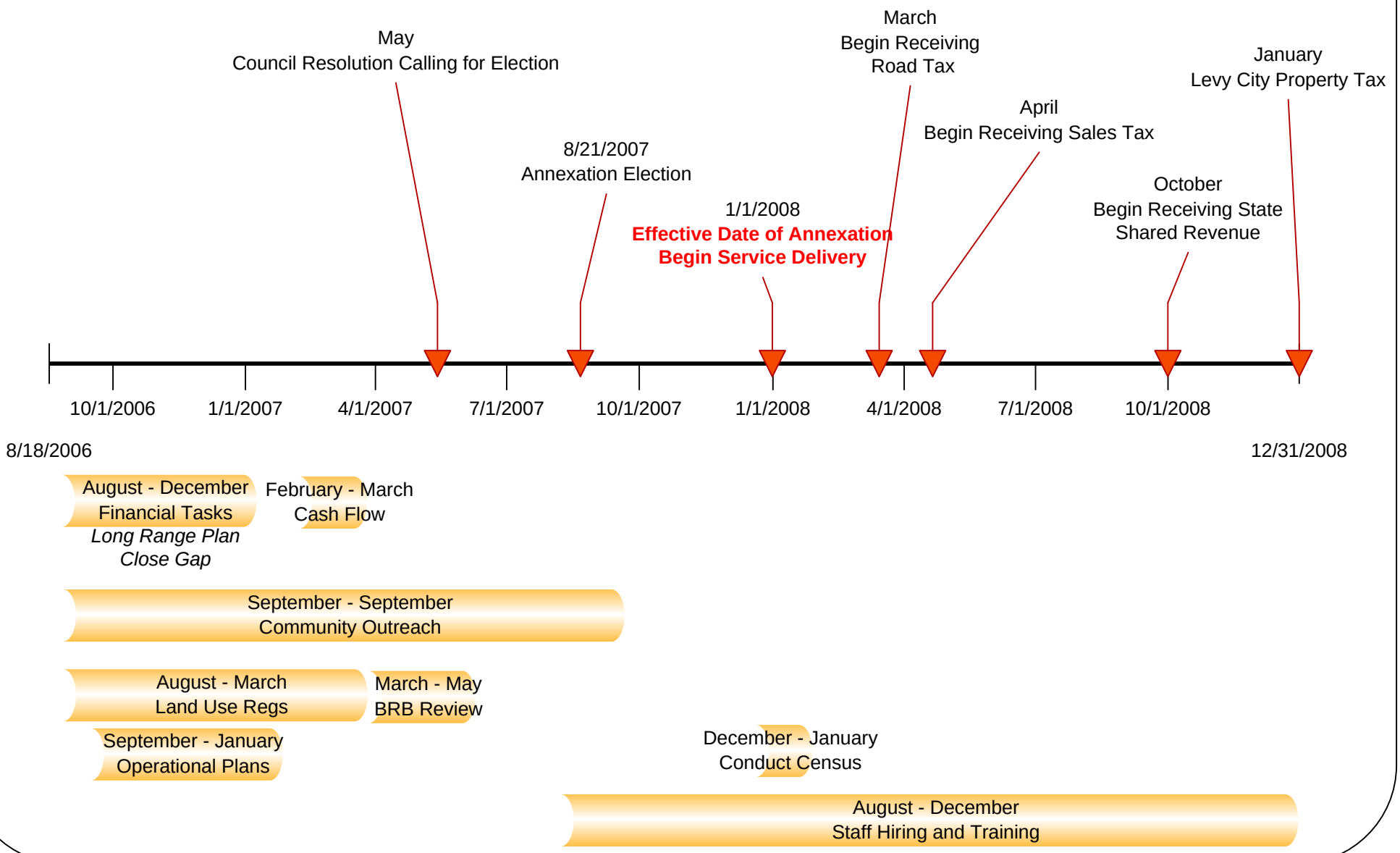
City of Kirkland
Proposed Annexation Stakeholders

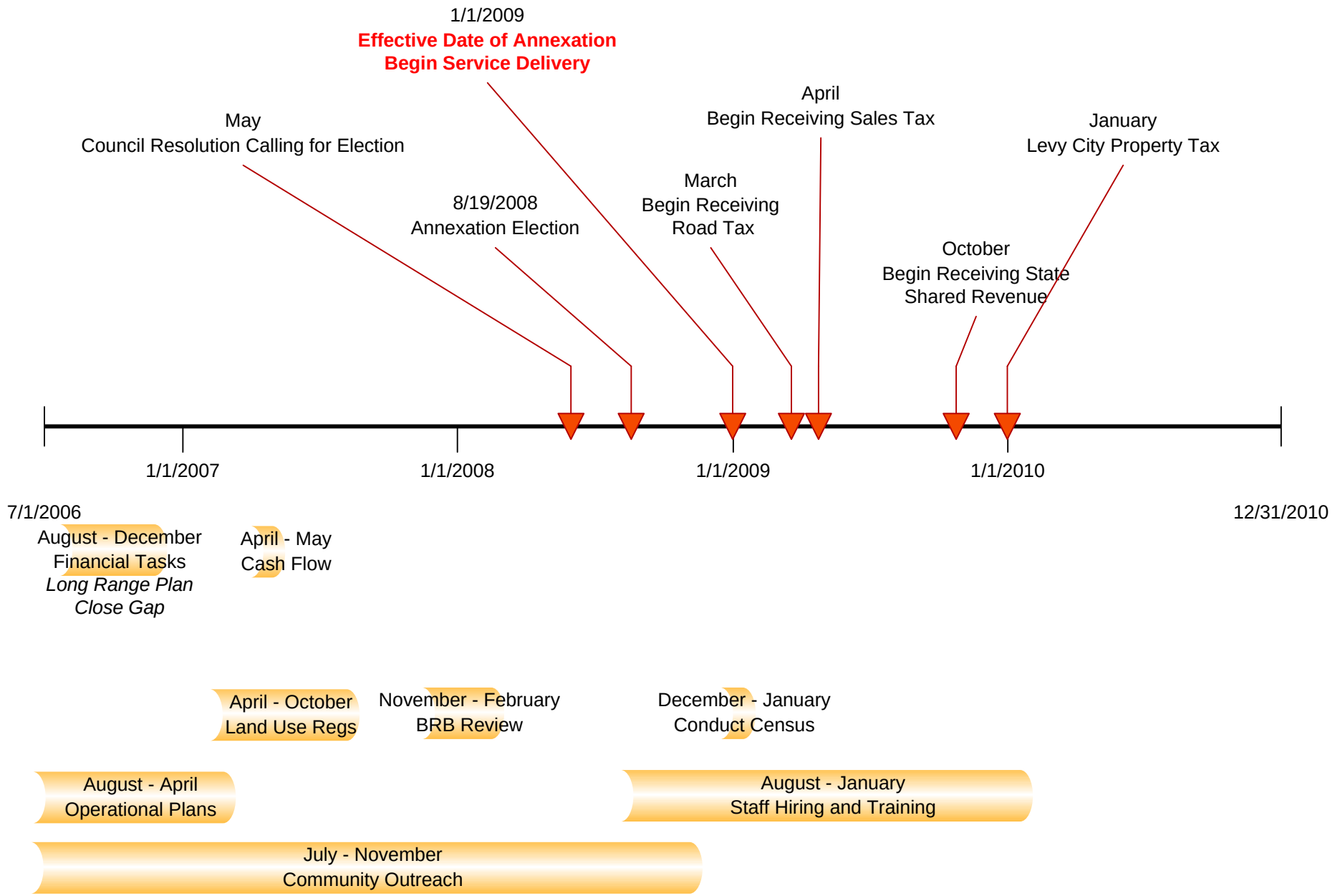
Stakeholders	Interests
City Council	Impact on current citizens Benefits of larger population Governance (GMA responsibility) Long range financial issues Short term financial issues (transition costs; facilities) Service level consistency
PAA residents	Impact on taxes and fees Service levels Access to government Increased regulation (mandatory garbage; code enforcement) Gambling Land use regulations
COK residents	Effect on current City services Impact on taxes Community character Access to government
PAA businesses	Increased regulation Sign code Gambling Increased fees Services
COK businesses	Impact on current services Impact on taxes and fees
Park district	Continued existence City assumption of maintenance responsibility Cost of City providing services vs. contracting out
Organized neighborhood Associations	Competition for neighborhood resources Honor neighborhood character
Fire District #41	Continued existence Partial annexation (and impact on revenue base) Station consolidation

Fire District #36	Closure/relocation of station in Kingsgate Mutual aid in/out of District #41/#36 Asset transfer
COK employees	Impact on current workload Adequate resources to provide level of service Maintenance of current level of service Communication/information (what's going on) Input Transition plan Facilities for present/new employees Timing
King County	Incorporation of urban unincorporated areas Commitment of City of Kirkland Funding allocation Transition of services Contracting back/reverse contracting Impact on County workforce
Kirkland Employee Unions	Recruitment of new employees Impact on current workforce Change in business practices Communication and input
Other cities adjacent to PAA	Changes to boundaries (we want/they want)
Boards and Commissions	Impact on services New/larger jurisdiction Membership from annexation area
State of Washington	Control over funding (continued availability) Accountability for funds
Other Annexing Cities	Competition for County funding Rules regarding state funding
Northshore Utility District	Imposition of franchise fee in PAA
Franchisees/Contractors	Continued contract (e.g. garbage) Loss of customers Gain of customers
Lake Washington School Dist.	City/School partnership

Annexation Timeline – January 2008 Effective Date

ATTACHMENT C



Annexation Timeline – January 2009 Effective Date

ATTACHMENT C