



CITY OF KIRKLAND
Planning and Building Department
123 Fifth Avenue, Kirkland, WA 98033
425.587-3225 - www.kirklandwa.gov

MEMORANDUM

To: Kurt Triplett, City Manager

From: Eric Shields, AICP, Planning Director
Tony Leavitt, Senior Planner

Date: April 3, 2016

Subject: Marinwood Final Subdivision, File No. SUB14-01891

RECOMMENDATION

That the City Council approve the Final Subdivision application for the Marinwood Plat. The City Council may do so by adopting the enclosed resolution through the approval of the consent calendar.

BACKGROUND DISCUSSION

The Marinwood Preliminary Subdivision application, along with the Marinwood Preliminary and Final Planned Unit Development applications, was heard by the City's Hearing Examiner on June 22, 2015, who subsequently issued a recommendation of approval with conditions on June 24, 2015. The City Council approved the application on August 3, 2015.

The proposal includes the following elements:

- Subdivision of five parcels totaling 8.58 acres, into 48 lots for single-family residences within a RSA 6 zone;
- Access to the lots will be provided via a new access road off of 136th Avenue NE. A connection to the existing 137th Place NE right-of-way, to the north of the subject property, is also proposed.
- A SEPA Determination of Non-Significance was issued on April 7, 2015.

The proposal complies with the Final Subdivision Approval Criteria as stated in Attachment 1.

ENCLOSURES

1. Planning Director Recommendation with Attachments
2. Resolution



MEMORANDUM
ADVISORY REPORT
FINDINGS, CONCLUSION, AND RECOMMENDATIONS

To: Eric R. Shields, AICP, Planning Director
From: Tony Leavitt, Senior Planner
Date: April 5, 2016
File: Marinwood Final Subdivision, File No. SUB14-01891

I. RECOMMENDATION

Approve the Final Subdivision application for the Marinwood Plat

II. BACKGROUND

- A. The applicant is Steve Anderson of LDC, Inc. representing Pulte Group
- B. This is a final subdivision application to approve a 48-lot subdivision on an 8.58-acre site (see Attachment 1).
- C. The site is located at 12860 and 13030 136th Avenue NE (see Attachment 2).

III. HISTORY

On August 3, 2015; the Kirkland City Council approved the Marinwood Preliminary Subdivision as part of the Marinwood Preliminary and Final Planned Unit Development applications (see Attachment 3). A SEPA Determination of Non-significance was issued on April 7, 2015.

IV. ANALYSIS

- A. Approval Criteria
 - 1. Facts: Section 22.16.080 of the Kirkland Municipal Code discusses the conditions under which the final plat may be approved by the City Council. These conditions are as follows:
 - a. Consistency with the preliminary plat, except for minor modifications; and
 - b. Consistency with the provisions of the Subdivision Ordinance and RCW 58.17.
 - 2. Conclusion: The applicant has complied with all of the conditions that were placed on the preliminary subdivision application (File No. SUB13-01508) by the Hearing Examiner. Prior to recording of the plat, the applicant will submit a security with the City to cover all remaining public improvements and utilities as required by the preliminary subdivision approval.

V. CHALLENGE, JUDICIAL REVIEW, AND LAPSE OF APPROVAL

- A. Section 22.16.070 of the Kirkland Municipal Code states that any person who disagrees with the report of the Planning Director may file a written challenge to City Council by delivering it to the City Clerk not later than the close of business of the evening City Council first considers the final plat.
- B. Section 22.16.110 of the Kirkland Municipal Code allows the action of the City in granting or denying this final plat to be reviewed in King County Superior Court. The petition for review must be filed within 21 calendar days of the issuance of the final land use decision by the City.
- C. Section 22.16.130 of the Kirkland Municipal Code states that unless specifically extended in the decision on the plat, the plat must be submitted to the city for recording with King County within six (6) months of the date of approval or the decision becomes void; provided, however, that in the event judicial review is initiated per Section 22.16.110, the running of the six (6) months is tolled for any period of time during which a court order in said judicial review proceeding prohibits the recording of the plat.

VI. APPENDICES

Attachments 1 through 3 are attached.

- 1. Final Plat
- 2. Vicinity Map
- 3. City Council Decision

Review by Planning Director:

I concur I do not concur

Comments: _____



April 5, 2016

Eric R. Shields, AICP

Date

cc: Applicant
File: SUB14-01891

MARINWOOD

NE 1/4, NW 1/4, SEC 27, TWN 26 N, RGE 5 E, W.M.,
KING COUNTY, WASHINGTON

RECORDING NO.	VOL/PAGE
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PLAT NOTES

1. ADDRESSING SHALL BE IN ACCORDANCE WITH KIRKLAND BUILDING DIVISION POLICY MANUAL NUMBER 9.001, ASSIGNMENT OF STREET NUMBERS AND ROAD SIGNAGE.
2. UTILITY MAINTENANCE: EACH PROPERTY OWNER SHALL BE RESPONSIBLE FOR MAINTENANCE OF THE STORM WATER STUB FROM THE POINT OF USE ON THEIR OWN PROPERTY TO THE RIGHT OF WAY. ANY PORTION OF A SURFACE WATER STUB, WHICH JOINTLY SERVES MORE THAN ONE PROPERTY, SHALL BE JOINTLY MAINTAINED AND REPAIRED BY THE PROPERTY OWNERS SHARING SUCH STUB. THE JOINT USE AND MAINTENANCE SHALL "RUN WITH THE LAND" AND WILL BE BINDING ON ALL PROPERTY OWNERS WITHIN THIS SUBDIVISION, INCLUDING THEIR HEIRS, SUCCESSORS AND ASSIGNS.
3. PUBLIC RIGHT-OF-WAY SIDEWALK AND VEGETATION MAINTENANCE: EACH PROPERTY OWNER SHALL BE RESPONSIBLE FOR KEEPING THE SIDEWALK ABUTTING THE SUBJECT PROPERTY CLEAN AND LITTER FREE. THE PROPERTY OWNER SHALL ALSO BE RESPONSIBLE FOR THE MAINTENANCE OF THE VEGETATION WITHIN THE ABUTTING LANDSCAPE STRIP. THE MAINTENANCE SHALL "RUN WITH THE LAND" AND WILL BE BINDING ON ALL PROPERTY OWNERS WITHIN THIS SUBDIVISION, INCLUDING THEIR HEIRS, SUCCESSORS AND ASSIGNS.
4. ALL BUILDING DOWNSPOUTS, FOOTING DRAINS, AND DRAINS FROM ALL IMPERVIOUS SURFACES SUCH AS PATIOS AND DRIVEWAYS SHALL BE CONNECTED TO THE PERMANENT STORM DRAIN OUTLET AS SHOWN ON THE APPROVED CONSTRUCTION DRAWINGS # LSM15-00703 ON FILE WITH THE CITY OF KIRKLAND. ALL CONNECTIONS OF THE DRAINS MUST BE CONSTRUCTED AND APPROVED PRIOR TO THE FINAL BUILDING INSPECTION APPROVAL. FOR THOSE LOTS THAT ARE DESIGNATED FOR INDIVIDUAL LOT INFILTRATION SYSTEMS, THE SYSTEMS SHALL BE CONSTRUCTED AT THE TIME OF THE BUILDING PERMIT AND SHALL COMPLY WITH PLANS ON FILE.
5. TOTAL LOT COVERAGES ARE NOT TO EXCEED 50% FOR ALL 48 LOTS AND TRACTS A, B, C, D AND E THE APPLICANT SHALL PROVIDE TRACKING OF TOTAL LOT COVERAGE WITH EACH BUILDING PERMIT IN THE PLAT.
6. TOTAL FLOOR AREA RATIO (FAR) OF ALL HOMES IS RESTRICTED TO 50% OF THE AREA OF THE 48 LOTS AND TRACTS A, B, C, D AND E, AND ALL DEDICATED ROADS. THE APPLICANT SHALL PROVIDE TRACKING OF TOTAL FLOOR AREA WITH EACH BUILDING PERMIT IN THE PLAT.
7. UPON RECORDING OF THIS PLAT, TRACT A, A UTILITY AND PRIVATE ACCESS TRACT, IS CONVEYED TO THE MARINWOOD HOMEOWNERS ASSOCIATION (HOA) AND ITS SUCCESSORS IN INTEREST. THE MAINTENANCE OF TRACT A SHALL BE THE RESPONSIBILITY OF LOTS 7 AND 8. SEE EASEMENT NOTE 14 FOR PRIVATE ACCESS EASEMENT LOCATED ON TRACT A AND ASSOCIATED MAINTENANCE RESPONSIBILITIES.
8. UPON RECORDING OF THIS PLAT, TRACT B, AN OPEN SPACE AND STORMWATER TRACT, IS CONVEYED TO THE MARINWOOD HOMEOWNERS ASSOCIATION (HOA) AND ITS SUCCESSORS IN INTEREST. THE TRACT IS SUBJECT TO A PUBLIC PEDESTRIAN, ACCESS AND USE EASEMENT. THE MAINTENANCE OF TRACT B GROUNDS AND PUBLIC AMENITIES SHALL BE THE RESPONSIBILITY OF THE MARINWOOD HOA. SEE EASEMENT NOTE 13 FOR PUBLIC STORMWATER EASEMENT LOCATED ON TRACT B AND ASSOCIATED MAINTENANCE RESPONSIBILITIES.
9. UPON RECORDING OF THIS PLAT, TRACT C, A UTILITY AND PRIVATE ACCESS TRACT, IS CONVEYED TO THE MARINWOOD HOMEOWNERS ASSOCIATION (HOA) AND ITS SUCCESSORS IN INTEREST. THE MAINTENANCE OF TRACT C SHALL BE THE RESPONSIBILITY OF LOTS 25 THROUGH 28. SEE EASEMENT NOTE 15 FOR PRIVATE ACCESS EASEMENT LOCATED ON TRACT C AND ASSOCIATED MAINTENANCE RESPONSIBILITIES.
10. UPON RECORDING OF THIS PLAT, TRACT D, AN OPEN SPACE TRACT, IS CONVEYED TO THE MARINWOOD HOMEOWNERS ASSOCIATION (HOA) AND ITS SUCCESSORS IN INTEREST. THE TRACT IS SUBJECT TO A PUBLIC PEDESTRIAN, ACCESS AND USE EASEMENT. THE MAINTENANCE OF TRACT D GROUNDS AND PUBLIC AMENITIES SHALL BE THE RESPONSIBILITY OF THE MARINWOOD HOA.
11. UPON RECORDING OF THIS PLAT, TRACT E, A UTILITY AND PRIVATE ACCESS TRACT, IS CONVEYED TO THE MARINWOOD HOMEOWNERS ASSOCIATION (HOA) AND ITS SUCCESSORS IN INTEREST. THE MAINTENANCE OF TRACT E SHALL BE THE RESPONSIBILITY OF LOTS 43 THROUGH 46. SEE EASEMENT NOTE 16 FOR PRIVATE ACCESS EASEMENT LOCATED ON TRACT C AND ASSOCIATED MAINTENANCE RESPONSIBILITIES.

LEGAL DESCRIPTION

PARCEL 1:
PARCEL B OF CITY OF KIRKLAND LOT LINE ALTERATION NO. 14-01883 AS RECORDED JULY 30, 2015 AS RECORDING NO. 20150730900001, RECORDS OF KING COUNTY, WASHINGTON.

PARCEL 2:
THAT PORTION OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 27, TOWNSHIP 26 NORTH, RANGE 5 EAST, W.M., IN KING COUNTY, WASHINGTON, DISTANT NORTH 0°22'05" WEST 408.437 FEET FROM THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER;
THENCE NORTH 0°22'55" WEST 326.75 FEET;
THENCE NORTH 89°41'27" EAST 450 FEET;
THENCE SOUTH 0°22'05" EAST 326.75 FEET;
THENCE SOUTH 89°41'27" WEST 450 FEET TO THE POINT OF BEGINNING;

EXCEPT THE WEST 30 FEET THEREOF.

(BEING KNOWN AS LOTS 4 AND 5, EXCEPT THE EAST 200 FEET, IN BLOCK 172 OF THE UNRECORDED PLAT OF BURKE AND FARRAR'S KIRKLAND ADDITION, DIVISION #36, AN UNRECORDED PLAT.)

PARCEL 3:
THAT PORTION OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 27, TOWNSHIP 26 NORTH, RANGE 5 EAST, W.M., IN KING COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

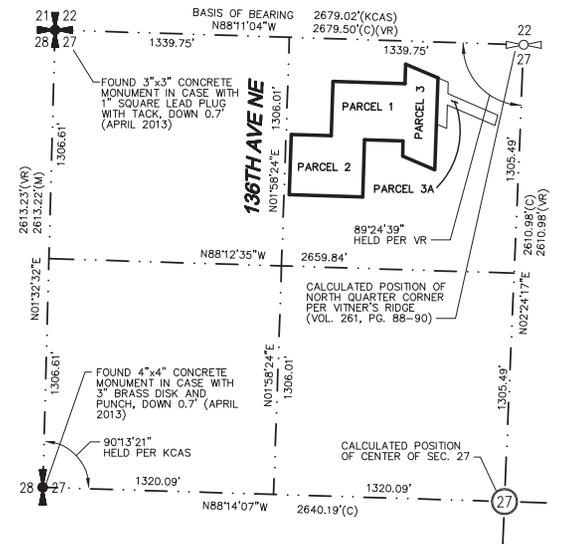
BEGINNING AT A POINT ON THE SOUTH LINE OF SAID SUBDIVISION, DISTANT NORTH 89°41'27" EAST, 640.0 FEET FROM THE SOUTHWEST CORNER THEREOF;
THENCE NORTH 0°22'05" WEST, 245.06 FEET;
THENCE NORTH 89°41'27" EAST, 30.0 FEET;
THENCE NORTH 0°22'05" WEST 403.51 FEET TO THE TRUE POINT OF BEGINNING;
THENCE SOUTH 69°00'30" EAST, 200.0 FEET;
THENCE NORTH 0°22'05" WEST, 526.14 FEET;
THENCE NORTH 69°00'30" WEST, 200.0 FEET;
THENCE SOUTH 0°22'05" EAST, 526.14 FEET TO THE TRUE POINT OF BEGINNING;

PARCEL 3A:
TOGETHER WITH AN EASEMENT FOR INGRESS, EGRESS, UTILITIES AND ROAD PURPOSES ACROSS THE FOLLOWING DESCRIBED TRACT OF LAND:

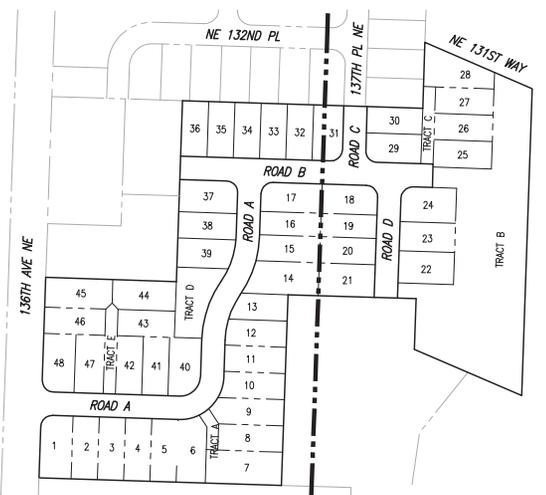
BEGINNING AT THE NORTHEAST CORNER OF THE ABOVE DESCRIBED PARCEL 1;
THENCE SOUTH 69°00'30" EAST 64.42 FEET;
THENCE SOUTH 0°22'05" EAST 64.42 FEET;
THENCE SOUTH 69°00'30" EAST 310.18 FEET;
THENCE SOUTH 13°19'40" WEST, 60.54 FEET;
THENCE NORTH 69°00'30" WEST, 294.78 FEET;
THENCE SOUTH 0°22'05" EAST 134.15 FEET;
THENCE NORTH 69°00'30" WEST, 64.42 FEET;
THENCE NORTH 0°22'05" WEST, 263.00 FEET TO THE POINT OF BEGINNING.

EXCEPTIONS FROM TITLE

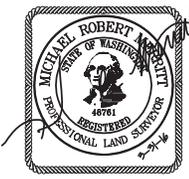
1. SUBJECT TO THE TERMS AND PROVISIONS CONTAINED IN THE DOCUMENT ENTITLED "WELL RESTRICTIONS" RECORDED MAY 9, 1966 AS RECORDERS NO. 6025766 OF OFFICIAL RECORDS. (AFFECTS PARCEL 3)
2. SUBJECT TO THE TERMS, COVENANTS, CONDITIONS AND RESTRICTIONS AS CONTAINED IN RECORDED LOT LINE ADJUSTMENT (BOUNDARY LINE REVISION) 14-01883 : RECORDED: JULY 30, 2015
RECORDING INFORMATION: 20150730900001
(AFFECTS PARCEL 1)



SECTION BREAKDOWN
SCALE: 1"=500'



SHEET INDEX
SCALE: 1"=150'



LDC Engineering
The Civil Engineering Group
Structural
Planning
Survey

14201 NE 200th St, #100 Woodinville, WA 98072
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MARINWOOD

CITY OF KIRKLAND FILE NUMBER: SUB14-01891

NE 1/4, NW 1/4, SEC 27, TWN 26 N, RGE 5 E, W.M.,
CITY OF KIRKLAND, KING COUNTY, WASHINGTON

DRAWN BY:	DATE:	DRAWING FILE NAME:	SCALE:
VJT	1-4-2016	13-176SV-FP	N.T.S.

JOB NUMBER:
13-176

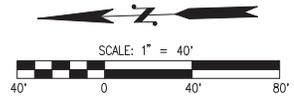
SHEET:
2 OF 4

VOL/PAGE

MARINWOOD

NE 1/4, NW 1/4, SEC 27, TWN 26 N, RGE 5 E, W.M.,
KING COUNTY, WASHINGTON

RECORDING NO. _____ VOL./PAGE _____



SURVEY INSTRUMENTATION

SURVEYING PERFORMED IN CONJUNCTION WITH THIS MAPPING UTILIZED THE FOLLOWING EQUIPMENT AND PROCEDURES:

5" ROBOTIC TOTAL STATION MAINTAINED TO MANUFACTURER'S SPECIFICATIONS AS REQUIRED BY WAC-332-130-100.

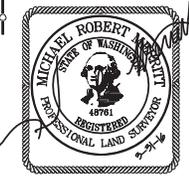
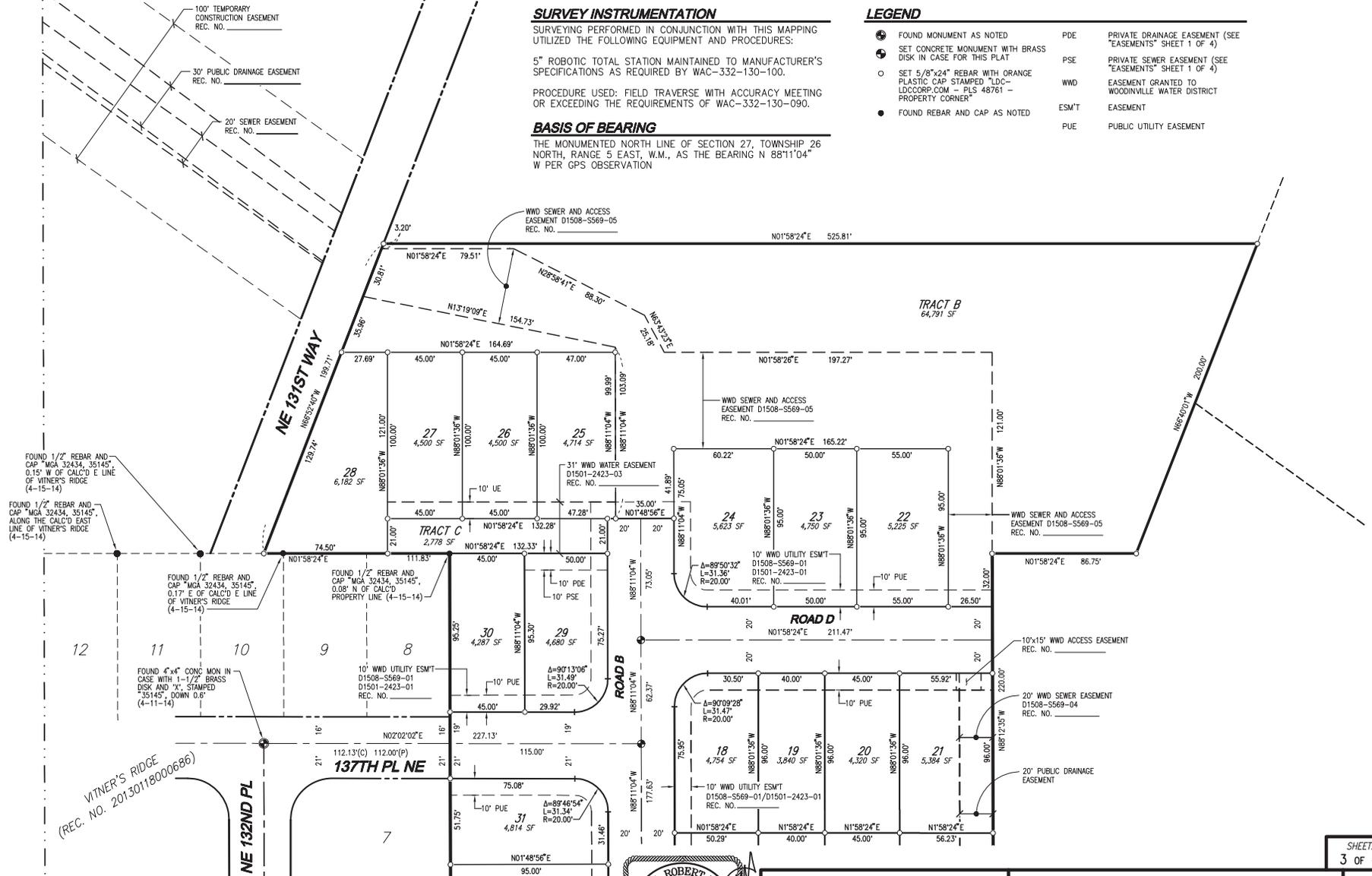
PROCEDURE USED: FIELD TRAVERSE WITH ACCURACY MEETING OR EXCEEDING THE REQUIREMENTS OF WAC-332-130-090.

BASIS OF BEARING

THE MONUMENTED NORTH LINE OF SECTION 27, TOWNSHIP 26 NORTH, RANGE 5 EAST, W.M., AS THE BEARING N 88°11'04" W PER GPS OBSERVATION

LEGEND

- ⊕ FOUND MONUMENT AS NOTED PDE PRIVATE DRAINAGE EASEMENT (SEE "EASEMENTS" SHEET 1 OF 4)
- ⊙ SET CONCRETE MONUMENT WITH BRASS DISK IN CASE FOR THIS PLAT PSE PRIVATE SEWER EASEMENT (SEE "EASEMENTS" SHEET 1 OF 4)
- SET 5/8"x24" REBAR WITH ORANGE PLASTIC CAP STAMPED "LDC-LDCCORP.COM - PLS 48761 - PROPERTY CORNER" WWD EASEMENT GRANTED TO WOODINVILLE WATER DISTRICT
- FOUND REBAR AND CAP AS NOTED ESM/T EASEMENT
- PUE PUBLIC UTILITY EASEMENT



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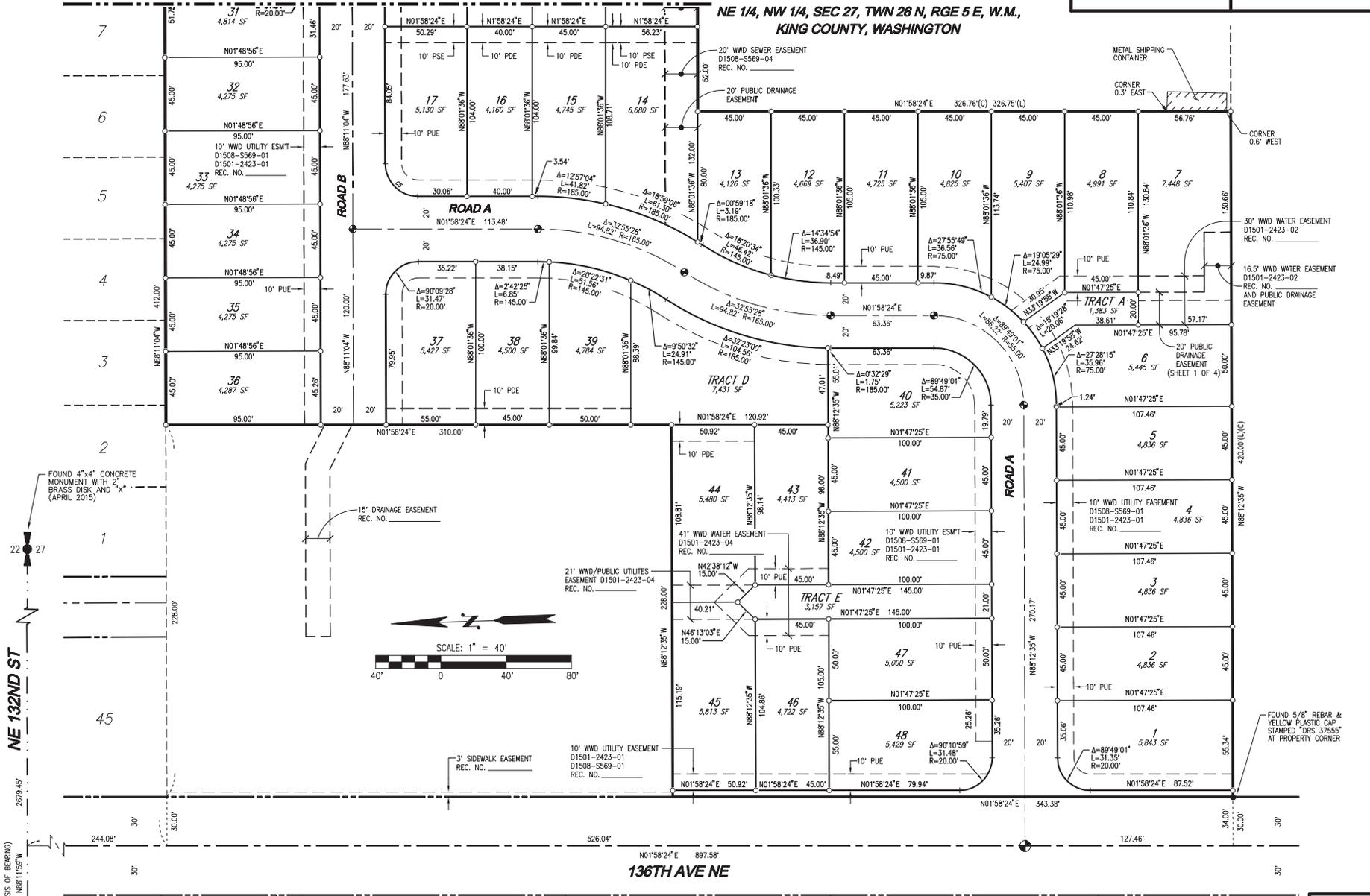
MARINWOOD
CITY OF KIRKLAND FILE NUMBER: SUB14-01891
NE 1/4, NW 1/4, SEC 27, TWN 26 N, RGE 5 E, W.M.,
CITY OF KIRKLAND, KING COUNTY, WASHINGTON

DRAWN BY: VJT DATE: 1-4-2016 DRAWING FILE NAME: 13-176SV-FP SCALE: N.T.S. JOB NUMBER: 13-176

REFERENCE LINE SEE SHEET 3 OF 4

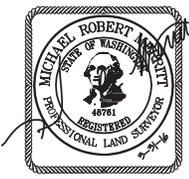
MARINWOOD

NE 1/4, NW 1/4, SEC 27, TWN 26 N, RGE 5 E, W.M.,
KING COUNTY, WASHINGTON



LEGEND

● FOUND MONUMENT AS NOTED	PDE PRIVATE DRAINAGE EASEMENT (SEE "EASEMENTS" SHEET 1 OF 4)
⊕ SET CONCRETE MONUMENT WITH BRASS DISK IN CASE FOR THIS PLAT	PSE PRIVATE SEWER EASEMENT (SEE "EASEMENTS" SHEET 1 OF 4)
○ SET 5/8"x24" REBAR WITH ORANGE PLASTIC CAP STAMPED "LDC" LDCORP.COM - PLS 48761 - PROPERTY CORNER	WWD EASEMENT GRANTED TO WOODINVILLE WATER DISTRICT
● FOUND REBAR AND CAP AS NOTED	ESMT EASEMENT
	PUE PUBLIC UTILITY EASEMENT



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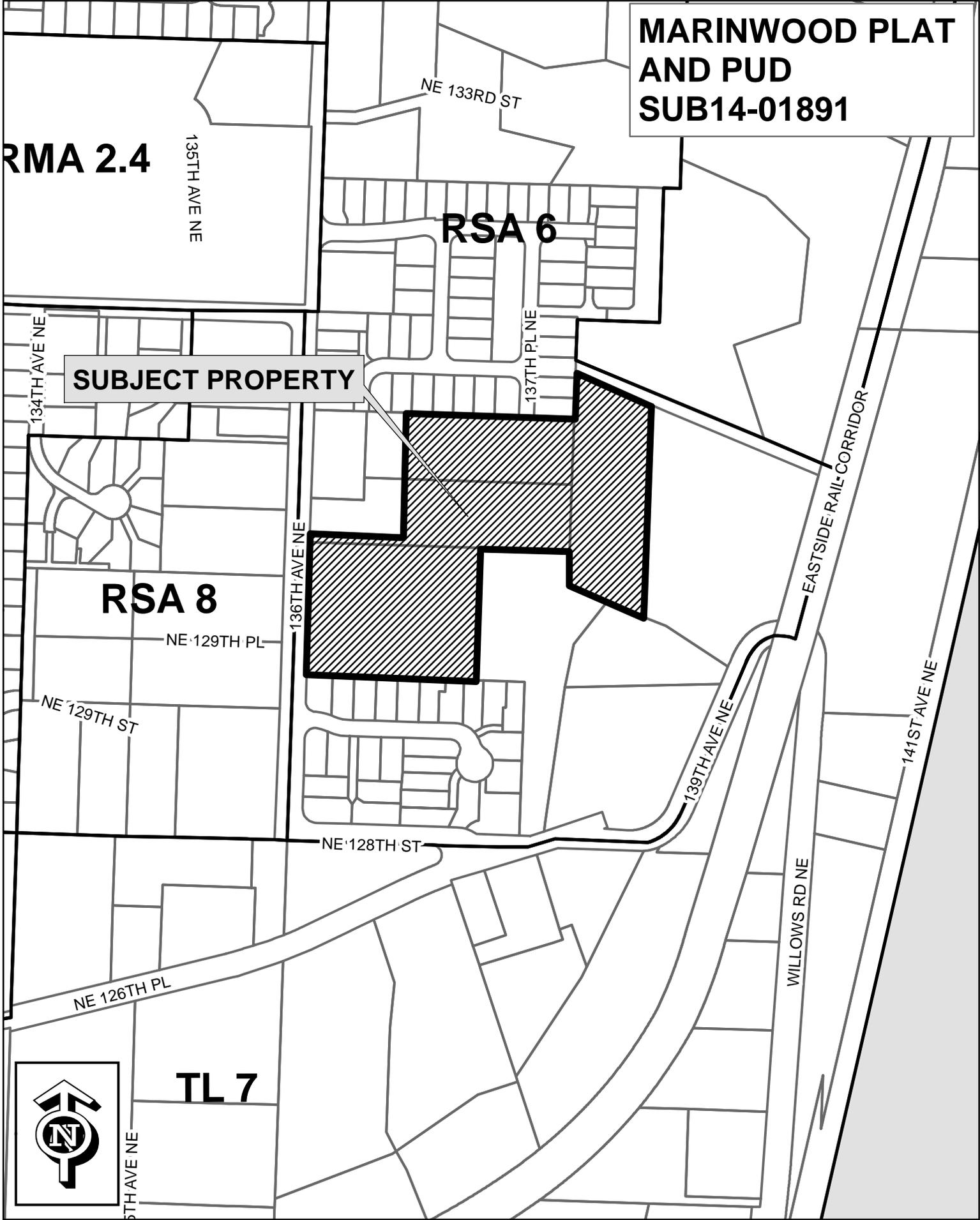
MARINWOOD

CITY OF KIRKLAND FILE NUMBER: SUB14-01891

NE 1/4, NW 1/4, SEC 27, TWN 26 N, RGE 5 E, W.M.,
CITY OF KIRKLAND, KING COUNTY, WASHINGTON

DRAWN BY: VJT	DATE: 1-4-2016	DRAWING FILE NAME: 13-176S-FP	SCALE: N.T.S.	JOB NUMBER: 13-176
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MARINWOOD PLAT AND PUD SUB14-01891



RMA 2.4

135TH AVE NE

NE 133RD ST

RSA 6

SUBJECT PROPERTY

137TH PL NE

RSA 8

NE 129TH PL

NE 129TH ST

136TH AVE NE

NE 128TH ST

139TH AVE NE

EASTSIDE RAIL CORRIDOR

141ST AVE NE

WILLOWS RD NE

TL 7



135TH AVE NE

ORDINANCE O-4488

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO LAND USE; APPROVAL OF A PRELIMINARY (AND FINAL) PUD AND PRELIMINARY SUBDIVISION AS APPLIED FOR BY STEVE ANDERSON FOR THE PULTE GROUP IN DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT FILE NO. SUB14-01891 AND ZON14-01888; AND SETTING FORTH CONDITIONS OF APPROVAL.

WHEREAS, the Department of Planning and Community Development received an application, pursuant to Process IIB, for a Preliminary (and Final) Planned Unit Development ("PUD") and Preliminary Subdivision filed by Steve Anderson for the Pulte Group as Department of Planning and Community Development File No. SUB14-01891 and ZON14-01888 for a 48 lot development within a Single-Family Residential (RSA) 6 zone known as Marinwood ("Development"); and

WHEREAS, pursuant to the City of Kirkland's Concurrency Management System, Kirkland Municipal Code Title 25, a concurrency application was submitted to the City of Kirkland, reviewed by the responsible Public Works official, the concurrency test has been passed, and a concurrency test notice issued; and

WHEREAS, pursuant to the State Environmental Policy Act, chapter 43.21C RCW, and the Administrative Guidelines and local ordinance adopted to implement it, an environmental checklist was submitted to the City of Kirkland, reviewed by the responsible official of the City of Kirkland, and a determination of non-significance was issued; and

WHEREAS, the environmental checklist and determination have been available and accompanied the application through the entire review process; and

WHEREAS, the application was submitted to the Kirkland Hearing Examiner who held hearing a hearing on June 22, 2015; and

WHEREAS, the Kirkland Hearing Examiner after her public hearing and consideration of the recommendations of the Department of Planning and Community Development adopted Findings, Conclusions and Recommendations and recommended approval of the Process IIB Permit subject to the specific conditions set forth in the recommendations; and

WHEREAS, the City Council, in regular meeting, considered the environmental documents received from the responsible official, together with the recommendation of the Hearing Examiner; and

WHEREAS, the Kirkland Zoning Ordinance requires approval of this application for a PUD to be made by ordinance.

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

Section 1. The Findings, Conclusions, and Recommendations of the Kirkland Hearing Examiner, as signed by her and filed in Department of Planning and Community Development File No. SUB14-01891 and ZON14-01888, a copy of which is attached to this ordinance as Exhibit A and incorporated by this reference, are adopted by the Kirkland City Council, with the following clarifications modifications:

A. Open Space Tracts B and D of the Development shall be open to public access and use. Appropriate signage shall be posted indicating that the open space is available for public use.

B. As part of the recording of the final plat for the Development, the applicant shall dedicate a public access and use easement over Open Space Tracts B and D.

C. Open Space Tracts B and D of the Development shall be maintained by the Development homeowner's association. The homeowner's association shall be responsible for any claims arising from use of Open Space Tracts B and D, subject to the protections of RCW 4.24.210, the Washington recreational immunity statute.

Section 2. The City Council approves the application for a preliminary and final PUD and a preliminary subdivision, subject to the conditions set forth in the Findings, Conclusions, and Recommendations and Section 1 of this ordinance including the following public benefits as outlined in the application submitted to the City: onsite public open space and associated improvements, offsite right-of-ways improvements and the installation of a Rectangular Rapid Flash Beacon (RRFB) cross walk.

Section 3. The Process IIB Permit shall be issued to the applicant subject to the conditions set forth in the Findings, Conclusions, and Recommendations adopted by the City Council and Section 1 of this ordinance.

Section 4. Nothing in this ordinance shall be construed as excusing the applicant from compliance with any federal, state or local statutes, ordinances or regulations applicable to this project, other than expressly set forth in this ordinance.

Section 5. Failure on the part of the holder of the permit to initially meet or maintain strict compliance with the standards and conditions to which the Process IIB Permit is subject shall be grounds for revocation in accordance with Ordinance No. 3719, as amended, the Kirkland Zoning Ordinance.

Section 6. This ordinance shall be in full force and effect five (5) days from and after its passage by the City Council and publication pursuant to Kirkland Municipal Code 1.08.017, in the



CITY OF KIRKLAND

Planning and Building Department
123 Fifth Avenue, Kirkland, WA 98033
425.587-3225 - www.kirklandwa.gov

MEMORANDUM

To: Kurt Triplett, City Manager **QUASI-JUDICIAL**

From: Tony Leavitt, Associate Planner
Eric Shields, Planning Director

Date: July 16, 2015

Subject: MARINWOOD PRELIMINARY AND FINAL PUD AND
PRELIMINARY SUBDIVISION, PCD FILE NO. SUB14-01891 AND
ZON14-01888

RECOMMENDATION

Staff recommends that the Council consider the Hearing Examiner recommendation for the proposed Marinwood preliminary and final planned unit development (PUD) and preliminary subdivision application and take one of the following actions:

1. Direct staff to return to the September 1, 2015 City Council meeting with a final ordinance to either:
 - Grant the application as recommended by the Hearing Examiner with the additional conditions outlined in the attached ordinance to clarify the public use, signage, maintenance and liability of the common open spaces; or
 - Modify and grant the application; or
 - Deny the application; or
2. By a vote of at least five members, suspend the Council's rule that requires consideration of a Process IIB application at one meeting and a vote on the application at the next. This would enable the Council to vote on the application at the August 3rd meeting instead of the September 1st meeting. An Ordinance reflecting the recommendation of the Hearing Examiner and the common open space language is included with this agenda item; or
3. Direct that the application to be considered at a reopening of the hearing before the Hearing Examiner and specify the issues to be considered at the hearing.

The Hearing Examiner Recommendation for approval along with her Findings, Conclusions, Exhibits and Public Comments received into the public record is attached to the proposed Ordinance.

RULES FOR CITY COUNCIL CONSIDERATION

The City Council shall consider the Process IIB Zoning Permit for the PUD and Subdivision application based on the record before the Hearing Examiner and recommendation of the Hearing Examiner. Process IIB does not provide for testimony and oral arguments before the City Council. However, the Council in its discretion may ask questions of the applicant and staff regarding facts in the record, and may request oral argument on legal issues.

BACKGROUND DISCUSSION

Proposal

Steve Anderson of LDC Inc., representing the Pulte Group, submitted an application for a preliminary and final Planned Unit Development (PUD) and preliminary subdivision to subdivide 5 parcels totaling 8.58 acres into 48 lots (see Enclosure 1). The property is located at 12860 and 13030 136th Avenue NE in an RSA 6 zone.

The components of the development proposal are described below:

1. A Preliminary Subdivision to subdivide 5 parcels totaling 373,570 square feet into 48 separate lots. Access to the lots will be provided via a new access road off of 136th Avenue NE. A connection to the existing 137th Place NE right-of-way, to the north of the subject property, is proposed.
2. A preliminary and final Planned Unit Development (PUD) and modification of the following Zoning Code and municipal code requirements:
 - a. Provide smaller lot sizes than the minimum lot size of 5,100 square feet in the RSA 8 Zone for 33 of the 48 lots, with an average lot size of 4,935 square feet.
 - b. Provide lot widths less than the minimum 50' as measured from the back of the required front yard. 28 of the lots will not meet the minimum requirement.
 - c. Reduce minimum required front yards to 10 feet and provide a garage setback of 20 feet as measured from the front property line.
 - d. Calculate the 50% floor area ratio (FAR) maximum based on the net development area (total lot area minus public right-of-ways) rather than on an individual lot basis.
 - e. Calculate the 50% lot coverage maximum based on the net development area (total lot area minus public right-of-ways) rather than on an individual lot basis.

- f. Calculate building height based on finished grade instead of predevelopment grades.
3. The PUD proposal includes the following benefits to the City beyond the improvements that would typically be required:

- a. Increased Open Space, On-site Recreation Area and Landscaping

Common open space is planned with a variety of amenities located within Tracts B and D. Tract B has an underground stormwater detention vault and on the surface includes a grass play area, bocce ball court, picnic area with bench seating, and landscaping and trees. Tract D will contain a play lawn, play structure, concrete sitting wall, picnic table seating and landscaping and trees. The applicant has testified that both Tracts will be open to the general public. See Enclosure 1 for detailed plans.

- b. Offsite Right-of-Way Improvements

The applicant is proposing construction of off-site frontage improvements (including a sidewalk) along tax parcel number 272605-9083. This parcel is being retained by the current property owner, Ellis Moore, and is not part of the subdivision. The proposed sidewalk would complete a connection between the sidewalks being installed with this subdivision and the existing sidewalk to the north of the Moore property. Additionally, the applicant is proposing the installation of a Rectangular Rapid Flash Beacon (RRFB) cross walk crossing 132nd Ave NE at its intersection with NE 134th Pl, which is on a designated school walk route.

Public Hearing

The Hearing Examiner held a public hearing on June 22, 2015. City Staff, the applicant, the applicant's representatives and four individuals testified during the hearing. In addition, three emails were submitted to the Hearing Examiner. The [staff advisory report](#) including attachments and parties of record comments are available for viewing at the Hearing Examiner's page on the Planning and Community Development Department webpage.

During the public hearing, the applicant testified that common open spaces would be open to the general public. To ensure continued public use of the common open spaces, Staff is recommending that the Council adopt the enclosed ordinance that will ensure the following:

- Signage will be posted indicating that the Common Open Space is open for public use.
- A public access and use easement is to be recorded over the Common Open Space.
- The Common Open Space will be maintained by the Development's homeowners association who will be responsible for any claims arising from the use of the Common Open Space.

The language in the ordinance is the same language that was included in the ordinance to approve the Vintner's West PUD and Subdivision in 2014.

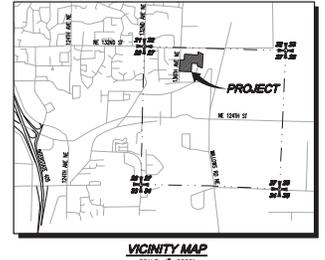
On June 24, 2014, the Hearing Examiner recommended approval of the application as outlined in her report. No challenges of her recommendation were filed.

ENCLOSURES

1. Site Plan and Landscape Plans
2. Hearing Minutes from June 22nd Hearing
3. Hearing Examiner Recommendation and Exhibits

NE 1/4, NW 1/4, SEC 27, TWN 26 N, RGE 5 E, W.M., KING COUNTY, WASHINGTON

MARINWOOD PRELIMINARY PLANS



PROJECT INFORMATION

SITE ADDRESSES: 12880 136TH AVE NE, KIRKLAND, WA 98034
13034 136TH AVE NE, KIRKLAND, WA 98034
272659029, 272659030, 272659031, 272659032, 272659033, 272659034, 272659035 AND 272659036

TAX PARCELS: 374,570 SF 8.58 AC (POST BLA)
374,570 SF 8.58 AC (POST BLA)

GROSS SITE AREA: 374,570 SF
CURRENT ZONING: RS-4
ADVANCED DEVELOPMENT: SINGLE FAMILY RESIDENTIAL
PROPOSED USE: SINGLE FAMILY RESIDENTIAL
PROPOSED ROW AREA (ROWS A, B, C AND D): 57,596 SF 1.32 AC
NET SITE AREA (GROSS SITE AREA LESS PROPOSED ROW AREA): 315,974 SF 7.25 AC

ACCESS/UTILITY TRACTS
TRACT A: 1,383 SF 0.03 AC
TRACT C: 2,211 SF 0.05 AC
TRACT E: 3,151 SF 0.07 AC

TOTAL LOT AREA: 236,831 SF 5.44 AC
TOTAL LOTS: 4,416 (OF LOT 13)
SMALLEST LOT SIZE: 4,936 SF
AVERAGE LOT SIZE: 4,936 SF

SETBACKS:
20' FRONT (OVERHANG), 10' FRONT (LINE AREA),
5' SIDE, 10' REAR

WATER: WOODVILLE WATER DISTRICT (425) 487-4100
SEWER: NORTHSHORE UTILITY DISTRICT (425) 398-4400
SCHOOL DISTRICT: LAKE WASHINGTON (425) 936-1200
CITY OF KIRKLAND (425) 987-3600
TELEPHONE SERVICE PROVIDER: FRONTIER (877) 462-8198
POWER PROVIDER: PUGET SOUND ENERGY (888) 228-5773
CABLE TV PROVIDER: COMCAST (800) 334-6489
CITY OF KIRKLAND PW INSPECTIONS: (425) 587-3800

IMPERVIOUS COVER

TOTAL NEW IMPERVIOUS COVER: 5.59 AC
TOTAL PDS: 2.32 AC
IMPERVIOUS COVER (OFFSITE ROW): 0.26 AC
IMPERVIOUS COVER (ONSITE): 5.33 AC
DISTURBED AREA: 8.52 AC
EXISTING CONDITIONS IMPERVIOUS COVER: 0.00 AC

CONTACT LIST

PROPERTY OWNERS:
BILL MOORE: 12880 136TH AVE NE, KIRKLAND, WASHINGTON 98034
PATRICIA LANTZ: 3232 198TH PL SE, SAMMAMISH, WASHINGTON 98075
PHONE: (425) 392-3834

GEOTECH:
TERRA ASSOCIATES, INC.: 12525 MILLERS RD, KIRKLAND, WA 98033
CONTACT: TED SCHEFFER, PE
PHONE: (425) 851-7777
EMAIL: tscheff@terra-associates.com

APPLICANT:
CENTEX HOMES
JULIE FACTORIA BLVD SE SUITE 110
BELLEVUE, WASHINGTON 98006
CONTACT: ABE BROWN
PHONE: (425) 216-3448
EMAIL: abe.brown@centex.com

LANDSCAPE ARCHITECT:
MESSEMY DESIGN GROUP, INC.: 2322 E MADISON ST, SEATTLE, WA 98112
CONTACT: ROCK WISMAN
PHONE: (206) 322-1732
EMAIL: rock@mdginc.com

SURVEYOR:
LDC, INC.: 14201 NE 200TH ST #100, WOODVILLE, WASHINGTON 98072
CONTACT: WANCE BULL, PLS
PHONE: (425) 808-1869
FAX: (425) 482-2863
EMAIL: wancebull@ldccorp.com

ARCHITECT:
SHOFFNER CONSULTING: 21529 4TH AVE W #C311, BOTTLEWELL, WA 98021
CONTACT: TONY SHOFFNER
PHONE: (206) 258-2871
EMAIL: tony@shoffner.com

SURVEY DISCLAIMER
CONDUCTED SURVEY INFORMATION ON THE LOTS 272659030, 272659031, 272659032, 272659033 AND WITHIN AN ACRE SURROUNDING THESE PLANS HAS BEEN PROVIDED BY GARY SUTTON, INC., L.L.C. FOR LAND DEVELOPMENT PURPOSES. THE SURVEYOR HAS CONDUCTED VISUAL INSPECTIONS OF THE PLANS AND WHAT IS NOTED IN THE FIELD SHOULD BE BROUGHT IMMEDIATELY TO THE ATTENTION OF THE ENGINEER.

ADDITIONAL SURVEY INFORMATION ON THE LOTS 272659034, 272659035, 272659036, 272659037 AND WITHIN AN ACRE SURROUNDING THESE PLANS HAS BEEN PROVIDED BY GARY SUTTON, INC., L.L.C. FOR LAND DEVELOPMENT PURPOSES. THE SURVEYOR HAS CONDUCTED VISUAL INSPECTIONS OF THE PLANS AND WHAT IS NOTED IN THE FIELD SHOULD BE BROUGHT IMMEDIATELY TO THE ATTENTION OF THE ENGINEER.

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7-8	TERC NOTES AND DETAILS
9-10	PRELIMINARY SITE PLAN
11-12	PRELIMINARY GRADING PLAN
13	PRELIMINARY DETAILED GRADING
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17	PRELIMINARY FRONTAGE DETAILED GRADING
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L-101	LANDSCAPE DETAILS AND SCHEDULE

- LEGEND AND ABBREVIATIONS**
- | EXISTING SYMBOLS | DESCRIPTION | PROPOSED SURVEY SYMBOLS | DESCRIPTION |
|------------------|-------------------------|-------------------------|-----------------------------------------------|
| ● | IRON PIPE FOUND | ● | UTILITY MARKERS IN PROPOSED ROAD |
| ○ | IRON PIPE SET | ○ | PROPOSED WALL SYMBOLS |
| ● | MONUMENT FOUND | ○ | DESCRIPTION |
| ● | REBAR & CAP | ○ | REINFORCING WALL |
| ○ | FOUND REBAR | ○ | ABBREVIATIONS |
| + | SECTION CORNER FOUND | CB | CATCH BASIN |
| + | SECTION OR CORNER FOUND | CE | CENTERLINE |
| + | | CALED | CALCULATED |
| + | | (C) | CALCULATED |
| + | | (M) | MEASURED |
| + | | CONC | CONCRETE |
| + | | ELEVATION | ELEVATION |
| + | | EXTS | EXISTING |
| + | | FLUMLINE | FLUMLINE |
| + | | E | INVEST ELEVATION |
| + | | FR | FACE OF VINTNER'S RIDGE (VOL. 261, PG. 84-85) |
| + | | F | PROPERTY LINE |
| + | | FR | FENCES POLE |
| + | | PC | POLYMER COATED PIPE |
| + | | R/W | RIGHT-OF-WAY |
| + | | STA | STATION |
| + | | SD | STORM DRAIN |
| + | | SS | STORM SEWER |
| + | | SSM | SANITARY SEWER MANHOLE |
| + | | TYP | TYPICAL |
| + | | TR | TO BE REBUILT |
| + | | WDF | WOOD FENCE |
| + | | WDF | HORIZONTAL WOOD FENCE |
| + | | WLF | CHAIN LINK FENCE |
| + | | WPF | BARBED WIRE FENCE |
| + | | WPF | SPLIT RAIL FENCE |
| + | | WPA | PAVEMENT |
| + | | WT | MAINTENANCE TRUNK |
| + | | WV | UNPROCESSED VEGETATION |
| + | | A | ALDER |
| + | | CA | CASCARA |
| + | | CH | CHERRY |
| + | | OW | COTTONWOOD |
| + | | DO | DOGWOOD |
| + | | M | MAPLE |
| + | | W | WILLOW |
| + | | C | CEDAR |
| + | | F | FIR |
| + | | L | LAUREL |
| + | | PND | FOUND |
| + | | R/C | REBAR AND CAP AS NOTED |
| + | | WON | SURVEY MONUMENT AS NOTED |
| + | | WYD | ROUND YARD DRAIN |
| + | | WYD | CORROGATED METAL PIPE |
| + | | CPD | CORROGATED POLYETHYLENE PIPE |
| + | | ROP | REINFORCED CONCRETE PIPE |
- PROPOSED SEWER SYMBOLS**
- | SYMBOL | DESCRIPTION |
|--------|----------------|
| ○ | SEWER CAP |
| ○ | SEWER CLEANOUT |
| ○ | SEWER MANHOLE |
| ○ | SEWER PIPE |
- PROPOSED WATER SYMBOLS**
- | SYMBOL | DESCRIPTION |
|--------|---------------------|
| ○ | WATER CAP |
| ○ | CONCRETE BLOORING |
| ○ | BUTTERFLY VALVE |
| ○ | 11" BOND |
| ○ | 45" BOND |
| ○ | 92" BOND |
| ○ | 22" BOND |
| ○ | WIND |
| ○ | HORIZONTAL ASSEMBLY |
| ○ | BLow-OFF VALVE |
| ○ | REDUCER |
| ○ | AR-INC ASSEMBLY |
| ○ | WATER METER |
| ○ | WATER PIPE |
- NOTES**
- SEE SHEET CS-02 FOR HORIZONTAL DATUM, VERTICAL DATUM, LEGAL DESCRIPTION AND SURVEY INFORMATION. THE CITY OF KIRKLAND PUBLIC WORKS INSPECTION REQUEST PHONE NUMBER IS (425) 587-3800.
- EARTHWORK QUANTITIES**
- CUT: 40,000 CY
FILL: 25,500 CY
NET: 14,500 CY (OUT)

REVISIONS

NO.	DATE	DESCRIPTION
1	10-17-15	ISSUED FOR CITY COMMENTS DATED 7-17-15
2	10-17-15	ISSUED FOR PUBLIC COMMENTS

Engineering
Planning
Surveying
LDC
LDC CONSULTING GROUP
14201 NE 200TH ST #100
WOODVILLE, WA 98072
PHONE: (425) 808-1869
FAX: (425) 482-2863
EMAIL: info@ldccorp.com

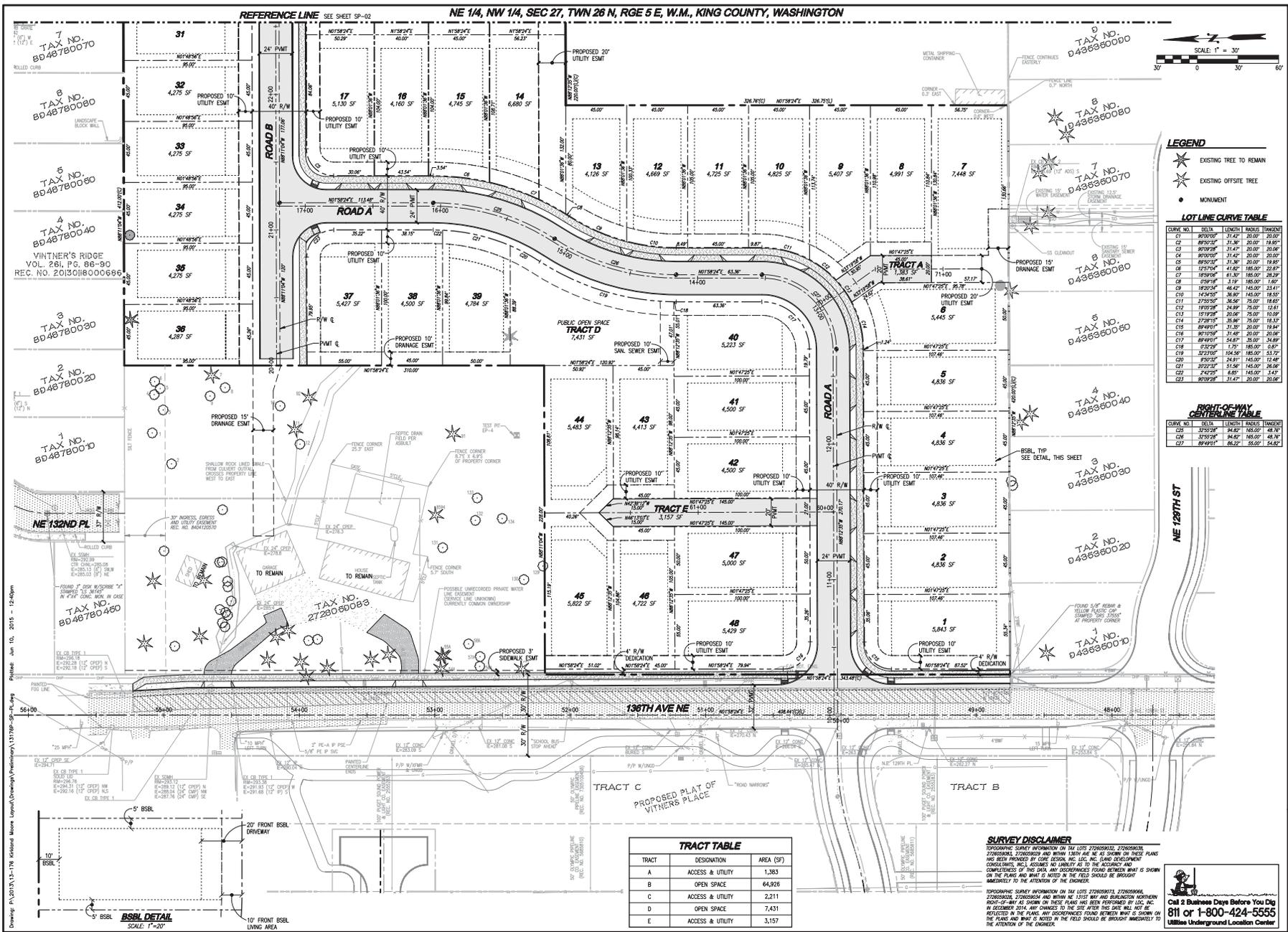
**PULTE GROUP
MARINWOOD
COVER SHEET**

CS-01

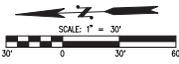
JOB NUMBER: 131-176
DRAWING NUMBER: 13176P-C501
DESIGNER: MAMU
DRAWING BY: REX
DATE: 2-08-15
SCALE: AS NOTED
JURISDICTION: KIRKLAND

CS-01
SHEET 1 OF 35

Drawing: PL13176P-C501-15-1150.kwd, Moore: layout/Drawings/Plumbing/13176P-C501.dwg, Plot Date: Jun 10, 2015, 11:35am



REFERENCE LINE SEE SHEET SP-02 NE 1/4, NW 1/4, SEC 27, T26N 26N, R5E 5E, W.M., KING COUNTY, WASHINGTON



- LEGEND**
- ★ EXISTING TREE TO REMAIN
 - ★ EXISTING OFFSITE TREE
 - MONUMENT

LOT LINE CURVE TABLE

CURVE NO.	BEARS	LENGTH	RADIUS	TANGENT
C1	89°50'58"	31.42'	20.00'	20.00'
C2	89°50'58"	31.36'	20.00'	18.89'
C3	89°50'58"	31.41'	20.00'	18.89'
C4	89°50'58"	31.42'	20.00'	20.00'
C5	89°50'58"	31.36'	20.00'	18.89'
C6	122°21'04"	41.82'	185.00'	28.89'
C7	183°59'58"	61.30'	185.00'	28.29'
C8	122°21'04"	3.12'	185.00'	1.00'
C9	183°59'58"	46.42'	145.00'	23.41'
C10	124°50'58"	36.50'	145.00'	18.55'
C11	173°50'58"	36.50'	75.00'	18.60'
C12	173°50'58"	24.89'	75.00'	12.61'
C13	127°19'58"	20.56'	75.00'	10.99'
C14	272°28'58"	35.86'	75.00'	18.33'
C15	68°49'58"	31.30'	20.00'	18.89'
C16	89°19'58"	31.48'	20.00'	20.00'
C17	89°49'58"	54.81'	20.00'	34.89'
C18	143°29'58"	1.70'	185.00'	0.67'
C19	323°29'58"	24.56'	185.00'	13.72'
C20	375°50'58"	84.82'	185.00'	48.79'
C21	202°22'58"	51.56'	145.00'	26.00'
C22	242°21'04"	4.80'	145.00'	1.41'
C23	89°19'58"	31.41'	20.00'	20.00'

RIGHT-OF-WAY CENTERLINE TABLE

CURVE NO.	BEARS	LENGTH	RADIUS	TANGENT
C24	89°50'58"	84.82'	185.00'	48.79'
C25	89°49'58"	86.32'	55.00'	54.62'

TRACT TABLE

TRACT	DESIGNATION	AREA (SF)
A	ACCESS & UTILITY	1,363
B	OPEN SPACE	64,926
C	ACCESS & UTILITY	2,211
D	OPEN SPACE	7,431
E	ACCESS & UTILITY	3,157

SURVEY DISCLAIMER
 TOPOGRAPHIC SURVEY INFORMATION ON THIS LOT IS PROVIDED BY THE CLIENT. THE ENGINEER HAS CONDUCTED VISUAL VERIFICATION OF THE INFORMATION PROVIDED AND HAS FOUND IT TO BE REASONABLY ACCURATE. THE ENGINEER HAS CONDUCTED VISUAL VERIFICATION OF THE INFORMATION PROVIDED AND HAS FOUND IT TO BE REASONABLY ACCURATE. THE ENGINEER HAS CONDUCTED VISUAL VERIFICATION OF THE INFORMATION PROVIDED AND HAS FOUND IT TO BE REASONABLY ACCURATE.

Call & Business Days Before You Dig
 811 or 1-800-424-5555
 Utility Underground Location Center

REVISIONS

NO.	DATE	DESCRIPTION
1	5-21-15	REVISED PER CITY COMMENTS DATED 2-17-15
2	6-10-15	REVISED PER CITY COMMENTS DATED 2-17-15
3	6-10-15	REVISED PER CITY COMMENTS DATED 2-17-15

Engineering
 Structural
 Planning
 Surveying

LDC
 THE CIVIL ENGINEERING GROUP
 1000 1ST AVE., SUITE 100
 SEASIDE, WA 98148
 PH: 206-425-8888
 WWW.LDCGROUP.COM

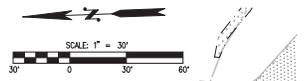
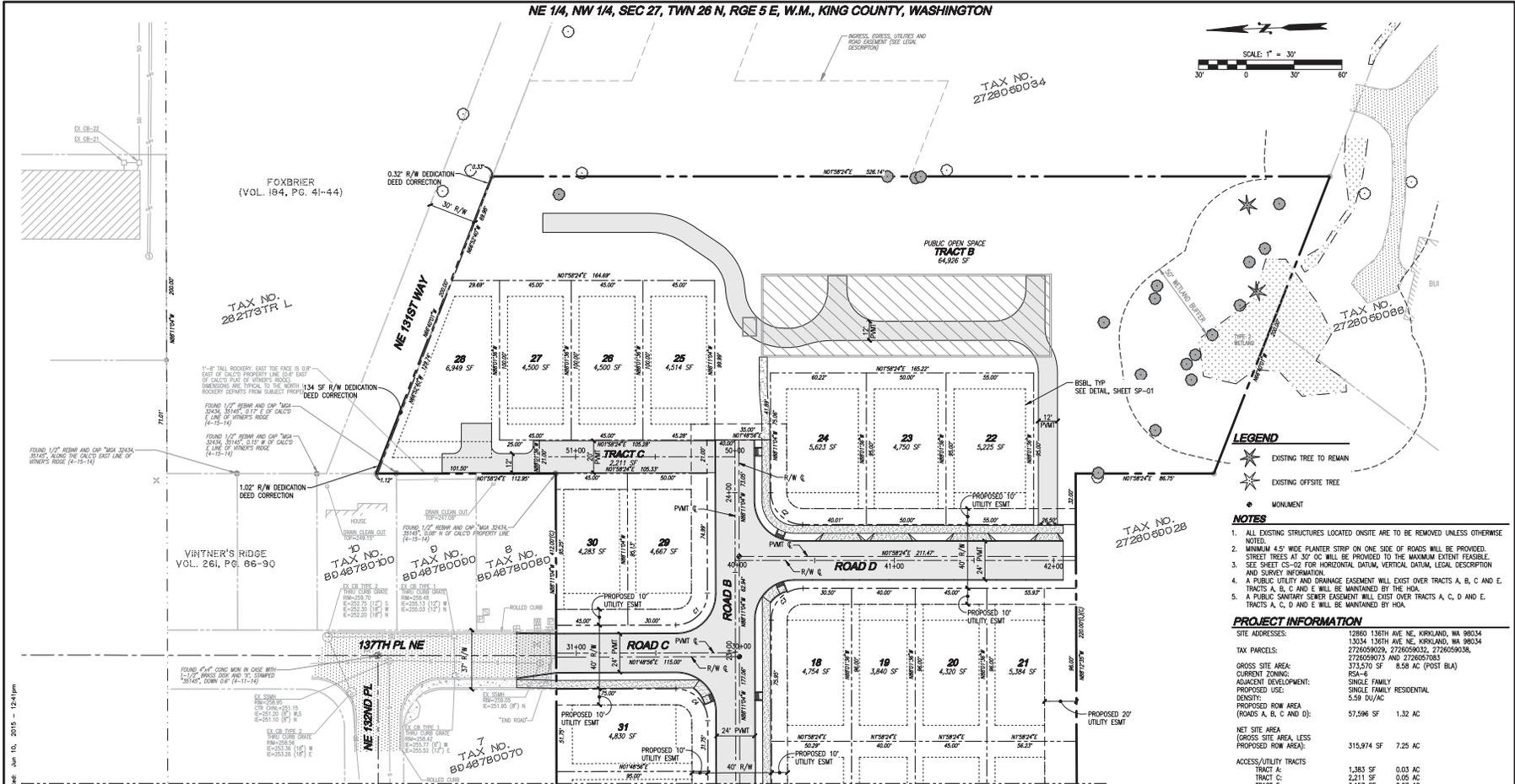
PULTE GROUP
MARINWOOD
 PRELIMINARY PUD SITE PLAN

METRIC ROBERT MCGEE
 LICENSED SURVEYOR
 WASHINGTON STATE

JOB NUMBER: 13-178
DRAWING NAME: 13178P-SP-PL
DESIGNER: MEV
CHECKING BY: RCB
DATE: 2-06-15
SCALE: 1"=30'
LICENSURE: KINGLAND

SP-01
 SHEET 9 OF 35

NE 1/4, NW 1/4, SEC 27, T26N, R5E, W.M., KING COUNTY, WASHINGTON



LEGEND

- EXISTING TREE TO REMAIN
- EXISTING OFFSITE TREE
- MONUMENT

NOTES

1. ALL EXISTING STRUCTURES LOCATED ONSITE ARE TO BE REMOVED UNLESS OTHERWISE NOTED.
2. MINIMUM 4.5' WIDE PLANTER STRIP ON ONE SIDE OF ROADS WILL BE PROVIDED.
3. SEE SHEET CS-02 FOR HORIZONTAL DATUM, VERTICAL DATUM, LEGAL DESCRIPTION AND SURVEY INFORMATION.
4. A PUBLIC UTILITY AND DRAINAGE EASEMENT WILL EXIST OVER TRACTS A, B, C AND E. TRACTS A, B, C AND E WILL BE MAINTAINED BY HOA.
5. A PUBLIC SANITARY SEWER EASEMENT WILL EXIST OVER TRACTS A, C, D AND E. TRACTS A, C, D AND E WILL BE MAINTAINED BY HOA.

PROJECT INFORMATION

SITE ADDRESS: 12860 136TH AVE NE, KIRKLAND, WA 98034
 13034 136TH AVE NE, KIRKLAND, WA 98034
 272609028, 272609003, 272609014, 272609073 AND 272607083

TAX PARCELS: 272609028, 272609003, 272609014, 272609073 AND 272607083

GROSS SITE AREA: 373,576 SF
CURRENT ZONING: RSA-6
ADJACENT DEVELOPMENT: SINGLE FAMILY RESIDENTIAL
PROPOSED USE: SINGLE FAMILY RESIDENTIAL
DENSITY: 5.59 DU/AC
PROPOSED ROW AREA (ROADS A, B, C AND D): 57,596 SF 1.32 AC
NET SITE AREA: 315,974 SF 7.25 AC
GROSS SITE AREA, LESS PROPOSED ROW AREA: 315,974 SF 7.25 AC

ACCESS/UTILITY TRACTS:
 TRACT A: 1,383 SF 0.03 AC
 TRACT C: 2,211 SF 0.05 AC
 TRACT E: 3,157 SF 0.07 AC

TOTAL LOT AREA: 236,931 SF 5.44 AC
TOTAL LOTS: 48
SMALLEST LOT SIZE: 4,126 SF (LOT 11)
AVERAGE LOT SIZE: 4,938 SF

SETBACKS:
 20' FRONT (DRIVEWAY), 10' FRONT (LIVING AREA), 5' SIDE, 10' REAR

WATER: WOODVILLE WATER DISTRICT (425) 487-4100
SEWER: NORTHERSHORE UTILITY DISTRICT (425) 398-4400
SCHOOL DISTRICT: LAKE WASHINGTON (425) 836-1200
FIRE DISTRICT: CITY OF KIRKLAND (425) 587-3600
TELEPHONE SERVICE PROVIDER: FRONTIER (877) 463-8168
POWER PROVIDER: PUGET SOUND ENERGY (888) 225-5773
CABLE TV PROVIDER: COMCAST (800) 534-6489
CITY OF KIRKLAND PW INSPECTIONS: (425) 587-3600

IMPERVIOUS COVER:
TOTAL NEW IMPERVIOUS COVER: 5.59 AC
TOTAL PAVES: 2.32 AC
IMPERVIOUS COVER (OFFSITE ROW): 0.28 AC
IMPERVIOUS COVER (ONSITE): 5.33 AC
IMPERVIOUS COVER (DISTURBED AREA): 8.52 AC
EXISTING CONDITIONS IMPERVIOUS COVER: <35%

SURVEY DISCLAIMER

TOPOGRAPHIC SURVEY INFORMATION ON TAX LOTS 272609028, 272609003, 272609014, 272609073 AND 272607083 HAS BEEN PERFORMED BY LDC, INC. IN ACCORDANCE WITH RCW 9A.46.010. THE DATA AND ASSUMPTIONS ON THESE PLANS HAVE BEEN PROVIDED BY GORE DESIGN, INC. AND DEVELOPMENT CONSULTING. THE ASSUMPTIONS ARE NOT TO BE CONSIDERED AS A GUARANTEE OF THE DATA AND ASSUMPTIONS. THE USER SHOULD BE AWARE OF THE LIMITATIONS OF THIS DATA AND ASSUMPTIONS. THE USER SHOULD BE AWARE OF THE LIMITATIONS OF THIS DATA AND ASSUMPTIONS. THE USER SHOULD BE AWARE OF THE LIMITATIONS OF THIS DATA AND ASSUMPTIONS.

CONTACT LIST

PROPERTY OWNERS:
 BILL MOORE
 12860 136TH AVE NE
 KIRKLAND, WASHINGTON 98034

PATRICIA LANTY
 3332 198TH PL SE
 SUMMERS, WASHINGTON 98075
 PHONE: (425) 392-9834

APPLICANT:
 CENTURY HOMES
 3535 FACTORY BLVD SE SUITE 110
 BELLEVUE, WASHINGTON 98006
 CONTACT: MIKE BEHN
 PHONE: (425) 216-3488
 EMAIL: mike.behn@centurygroup.com

LANDSCAPE ARCHITECT:
 WEDSWAN DESIGN GROUP, INC.
 2329 E MADISON ST
 SEATTLE, WA 98112
 CONTACT: NICK MCGAN
 PHONE: (206) 322-1732
 EMAIL: nick@wedswan.com

ARCHITECT:
 SHOFFNER CONSULTING
 14201 NE 200TH ST #100
 WOODHILL, WASHINGTON 98072
 CONTACT: TONY SHOFFNER
 PHONE: (425) 806-1869
 CONTACT: MIKE BEHN
 PHONE: (425) 482-2893
 EMAIL: tonys@shoffner.com

ENGINEER:
 LDC, INC.
 14201 NE 200TH ST #100
 WOODHILL, WASHINGTON 98072
 CONTACT: MARK WELVOVIC, PE
 PHONE: (425) 806-1869
 FAX: (425) 482-2893
 EMAIL: mwelwovic@ldccorp.com

SURVEY MONUMENT TABLE

NOTE: INSTALL SURVEY MONUMENTS PER CITY OF KIRKLAND DETAIL OF-003. SEE DETAIL SHEET DT-G1. STATIONING BASED OFF OF PAVEMENT CENTERLINE.

STATIONING	ROAD/INTERSECTION
9+990.00/95+022.50	ROAD A/ 136TH AVE NE
12+70.17, 2.50' RT	ROAD A
13+52.47, 2.50' RT	ROAD A
14+153.83, 2.50' RT	ROAD A
15+12.08, 2.50' RT	ROAD A
16+45.46, 2.50' RT	ROAD A
17+18.94/21+19.99	ROAD A/ROAD B
22+97.06/29+97.50	ROAD B/ROAD C
23+58.99/41+02.49	ROAD B/ROAD D

TRACT TABLE

TRACT	DESIGNATION	AREA (SF)
A <td>ACCESS & UTILITY</td> <td>1,383</td>	ACCESS & UTILITY	1,383
B <td>OPEN SPACE</td> <td>64,926</td>	OPEN SPACE	64,926
C <td>ACCESS & UTILITY</td> <td>2,211</td>	ACCESS & UTILITY	2,211
D <td>OPEN SPACE</td> <td>7,431</td>	OPEN SPACE	7,431
E <td>ACCESS & UTILITY</td> <td>3,157</td>	ACCESS & UTILITY	3,157

REFERENCE LINE

SEE SHEET SP-01

CURB CUT TABLE

LOT	STATION	WIDTH (FT)	LOT	STATION	WIDTH (FT)	LOT	STATION	WIDTH (FT)
1	10+73	20.0	22	41+48	20.0	43-46	11+80	20.0
2	11+43	19.0	23	40+99	20.0	47	11+49	20.0
3	11+48	19.0	24	40+46	20.0	48	10+74	20.0
4	11+83	19.0	25-28	24+23	20.0	TRACT B	41+98	12.0
5	12+38	19.0	29	30+53	19.0	ADA RAMP	49+43.01, 22.50' RT	4.5
6-9	12+99	68.0	30	30+98	19.0	ADA RAMP	50+41.58, 22.68' RT	4.5
10	13+49	19.0	31	21+40	20.0	ADA RAMP	15+29.62, 22.50' RT	4.5
11	13+83	19.0	32	21+85	20.0	ADA RAMP	15+29.62, 22.50' LT	5.0
12	14+41	19.0	33	22+50	20.0	ADA RAMP	16+83.85, 13.94' LT	4.5
13	14+74	20.0	34	21+05	20.0	ADA RAMP	16+83.85, 13.94' RT	4.5
14	15+54	19.0	35	20+40	20.0	ADA RAMP	22+72.24, 13.90' LT	4.5
15	15+95	19.0	36	20+15	20.0	ADA RAMP	22+72.24, 13.90' RT	4.5
16	16+25	19.0	37	18+59	20.0	ADA RAMP	24+25.54, 13.90' RT	4.5
17	16+43	19.0	38	16+29	20.0	ADA RAMP	40+27.33, 13.90' LT	4.5
18	40+58	20.0	39	15+81	20.0			
19	40+87	19.0	40	12+65	19.0			
20	41+28	20.0	41	12+20	19.0			
21	41+73	19.0	42	11+75	20.0			

Date: 10/10/2015 10:10 AM
 Project: 15-170 Preliminary PUD Site Plan
 Drawing: 15-170 Preliminary PUD Site Plan
 Scale: 1" = 30'
 Author: MWA
 Checker: MWA
 Date: 10/10/2015 10:10 AM

REVISIONS

NO.	DATE	DESCRIPTION
1	5-21-15	REVISED PER CITY COMMENTS DATED 2-17-15
2	6-10-15	MINOR GRADING REVISIONS

Engineering
 Structural
 Planning
 Surveying

LDC
 THE CIVIL ENGINEERING GROUP
 14201 NE 200TH ST #100
 WOODHILL, WA 98072
 WWW.LDCCORP.COM

PULTE GROUP
MARINWOOD
 PRELIMINARY PUD SITE PLAN

JOB NUMBER: 15-170
DRAWING NAME: 15170P-SP-01
DESIGNER: MEV
CHECKING BY: RCB
DATE: 2-06-15
SCALE: 1"=30'
LOCATION: KIRKLAND

SP-02

SHEET 10 OF 35



WEISMAN DESIGN GROUP
LANDSCAPE ARCHITECTS
1000 1ST AVENUE, SUITE 100
KIRKLAND, WA 98033
PHONE: (206) 835-1100
WWW.WEISMANDSIGN.COM

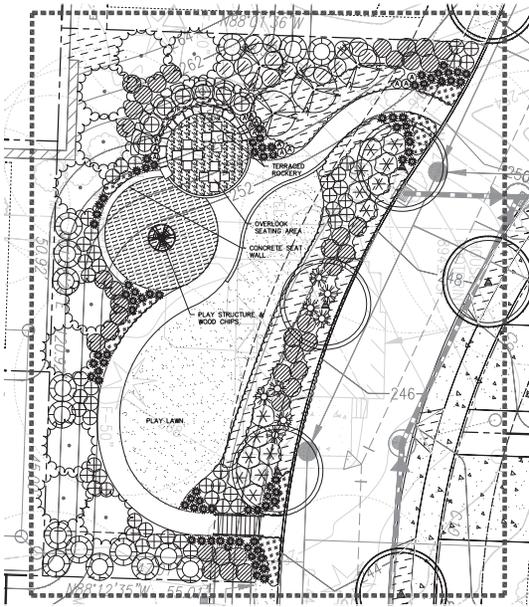
MARINWOOD-PULTE GROUP
KIRKLAND, WA

SCALE: 1"=30'-0"
DATE: 02/21/14
DRAWN BY: TC
CHECKED BY: MB

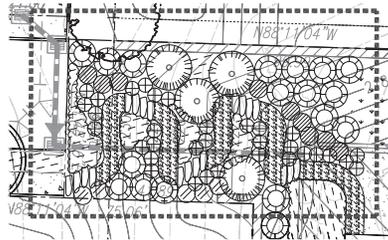
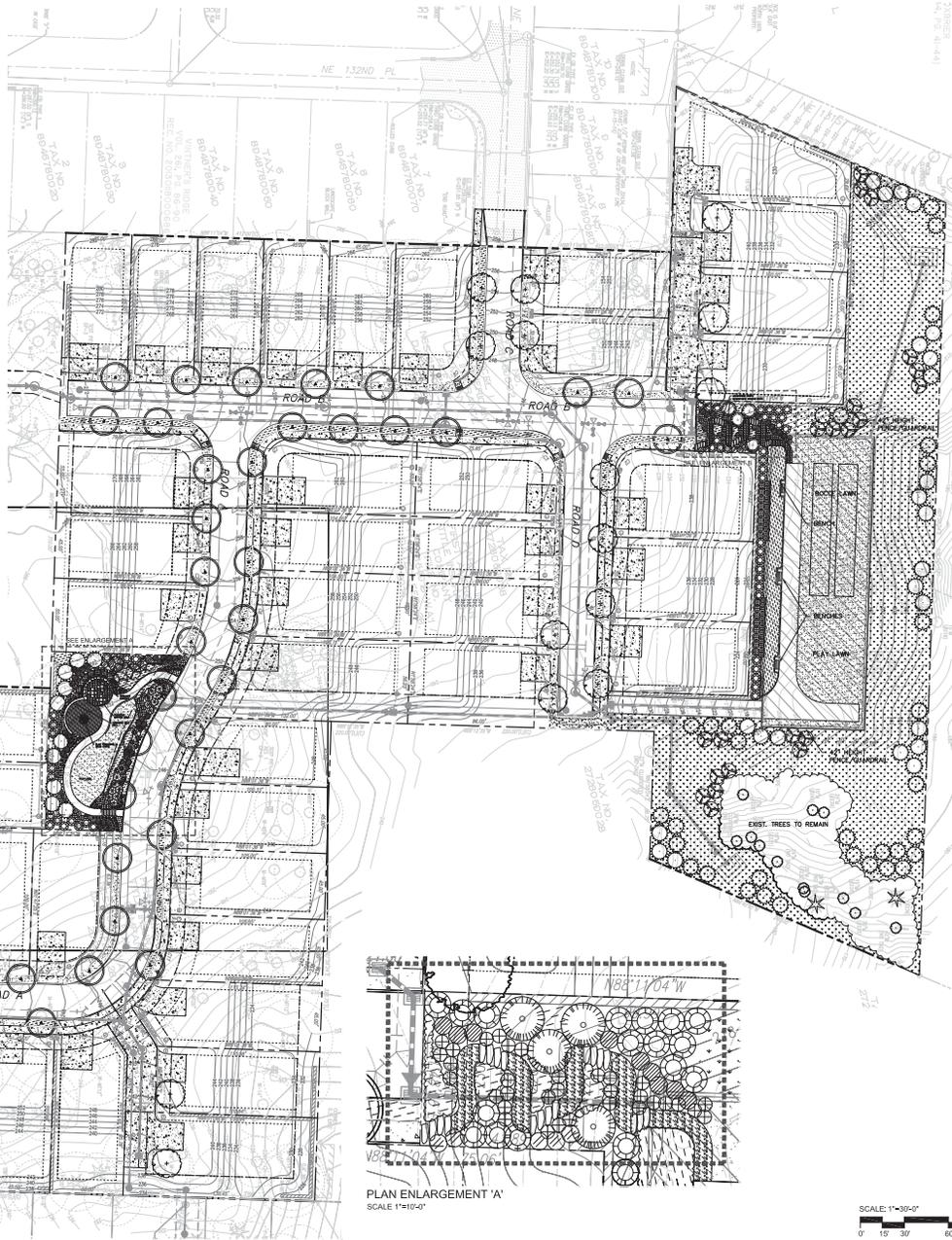
REVISIONS:

LANDSCAPE PLAN

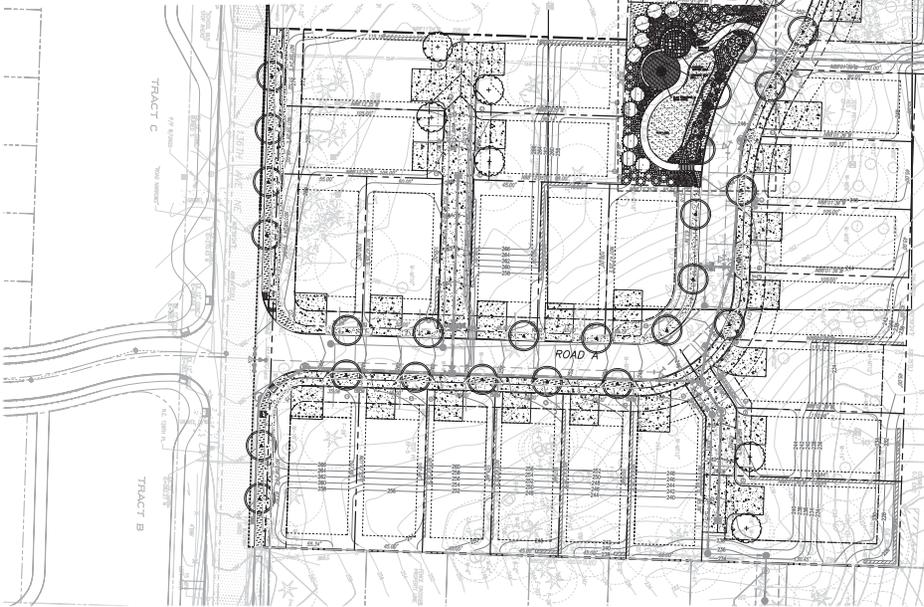
L-100



PLAN ENLARGEMENT 'A'
SCALE 1"=10'-0"



PLAN ENLARGEMENT 'A'
SCALE 1"=10'-0"



OVERALL PLAN
SCALE 1"=30'-0"



KIRKLAND HEARING EXAMINER
June 22, 2015

1. **CALL TO ORDER (7:00 PM)**

Members Present: Sue Tanner - Hearing Examiner.

Members Absent: None.

Staff Present: Tony Leavitt - Associate Planner, Jeremy McMahan - Planning Supervisor, and Jeannie Dines - Recording Secretary.

2. **PUBLIC HEARINGS (7:00 PM)**

A. **Marinwood Subdivision and PUD, FILE NO.: SUB14-01891, ZON14-01888, ADDRESS: 12860 and 13030 136th Ave NE**

Ms. Tanner called the hearing to order at 7:00 PM and provided the file number, SUB14-01891 and ZON14-01888 and address, 12860 and 13030 136th Avenue NE, and described the hearing procedures.

There were no procedural questions.

Ms. Tanner swore in Associate Planner Tony Leavitt. Mr. Leavitt submitted the following exhibits which Ms. Tanner entered into the record:

Exhibit A: Corrected version of staff report

Exhibit B: Letter from Sara Bray

Exhibit C: Letter from S. Sato

Exhibit D: Letter from Mark Hamberg

Mr. Leavitt presented the staff report, describing the subdivision and PUD proposal. Staff recommends approval subject to conditions in the staff report.

Applicant

Ms. Tanner swore in Scott Borgeson, Pulte Group, 3535 Factoria Blvd SE, #110, Bellevue 98006. Mr. Borgeson described the Pulte Group, preliminary home designs, site plan, key features, park improvements, and mitigation of project impacts.

Ms. Tanner entered Mr. Borgeson's PowerPoint as Exhibit E.

Ms. Tanner swore in Steve Anderson, Senior Project Manager, Land Development Consultants, 14201 NE 200th St, Ste, 100, Woodinville 98072. Mr. Anderson provided a comparison between Marinwood and Vintner's Place and described the rectangular rapid flash beacon they propose to install.

Mr. Anderson submitted the following exhibits which Ms. Tanner entered into the record:

Exhibit F: Aerial map with beacon location

Exhibit G: Site map with beacon location

Exhibit H: Photos of RRFB examples

Exhibit I: Estimates used to determine cost comparison between Marinwood and Vintner's Place

Ms. Tanner swore in Darrel Mitsunaga, 11201 SE 8th Street, Bellevue, legal counsel for Pulte Group, who clarified the correction in the staff report.

Public Testimony

Ms. Tanner swore in each person before they provided testimony.

1. Christopher Kringle, 13124 137th Place NE, Vintner's Ridge.

2. Matthew Tillman, 13628 NE 132nd Place, Vintner's Ridge.

3. Larry Miller, 13612 NE 132nd Place, Vintner's Ridge.

4. Sara Bray, 13612 NE 132nd Place, Vintner's Ridge.

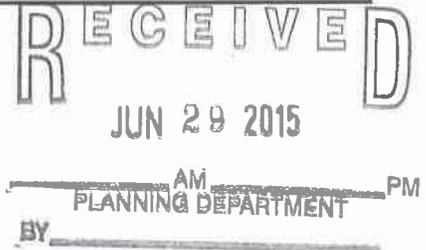
Mr. Kringle provided additional testimony.

Mr. Borgeson responded to questions asked during Public Testimony and to Mr. Leavitt's questions.

3. **ADJOURNMENT (8:03 PM)**

**CITY OF KIRKLAND
HEARING EXAMINER FINDINGS,
CONCLUSIONS AND RECOMMENDATION**

APPLICANT: Pulte Group
FILE NO: SUB14-01891/ZON14-01888
APPLICATION:



1. Site Location: 12860 and 13030 136th Avenue NE

2. Requests: The applicant requests approval of a preliminary subdivision and planned unit development (PUD) as follows:
 - a. Preliminary Subdivision: A proposal to subdivide five parcels totaling 8.58 acres into 48 separate lots with access via a new access road off of 136th Avenue NE, and a new connection to the existing 137th Place NE right-of-way to the north of the subject property. See Exhibit A, Staff Advisory Report and Recommendation (Staff Report), Attachment 2, Sheet CS-01.
 - b. PUD: A request for a preliminary and final Planned Unit Development (PUD) and modification of the following Zoning Code and Municipal Code requirements:
 - (1) Provide smaller lot sizes than the minimum lot size of 5,100 square feet in the RSA 8 Zone for 33 of the 48 lots, with an average lot size of 4,935 square feet.
 - (2) Provide lot widths less than the minimum 50' as measured from the back of the required front yard for 28 of the lots.
 - (3) Reduce minimum required front yards to 10 feet and provide a garage setback of 20 feet as measured from the front property line.
 - (4) Calculate the 50% floor area ratio (FAR) maximum based on the net development area (total lot area minus public rights-of-way) rather than on an individual lot basis.
 - (5) Calculate the 50% lot coverage maximum based on the net development area (total lot area minus public rights-of-way) rather than on an individual lot basis.
 - (6) Calculate building height based on finished grade instead of predevelopment grades.

Pursuant to Chapter 125 KZC, the proposal includes the following proposed benefits to the City beyond the improvements to address potential impacts or undesirable effects of the PUD and provide benefits to the community that typically would not be required for a subdivision under City Code and implementing regulations:

- (1) Increased open space, onsite recreation and landscaping. Common open space is planned in Tracts B and D. Tract B is 1.5 acres in size and has an underground storm water detention vault. On the surface, the applicant proposes a grass play area, bocce ball court, picnic area with bench seating, and landscaping and trees. Tract D is .2 acres in size and is

proposed for a play lawn, play structure, concrete sitting wall, picnic table seating, and landscaping and trees. Both recreation areas would be available for use by the public as well as by residents of the subdivision.

- (2) Offstreet right-of-way improvements. The applicant proposes to extend construction of frontage improvements, including a sidewalk, along the tax parcel that is being retained by the current property owner, which fronts on 136th Avenue NE. See Staff Report, Attachment 2, Sheet CS-01. This would connect the sidewalks being installed as part of the subdivision and the existing sidewalk to the north. The applicant also proposes to install a Rectangular Rapid Flash Beacon cross walk across 132nd Avenue NE at its intersection with NE 134th Place.

3. Review Process: Process IIB, the Hearing Examiner conducts a public hearing and makes a recommendation to the City Council, which makes a final decision.

4. Key Issues:

- Compliance with subdivision criteria
- Compliance with PUD approval criteria
- Compliance with applicable development regulations
- Compliance with Process IIB Zoning Permit approval criteria

SUMMARY OF RECOMMENDATIONS:

Department	Approve with conditions
Hearing Examiner	Approve with conditions

PUBLIC HEARING:

The Hearing Examiner held a public hearing on the applications on June 22, 2015, in the Council Chambers, City Hall, 123 Fifth Avenue, Kirkland, Washington. A verbatim recording of the hearing is available at the City Clerk's office. The minutes of the hearing and the exhibits are available for public inspection in the Department of Planning and Community Development. The Examiner visited the site following the hearing.

TESTIMONY AND PUBLIC COMMENT:

A list of those who testified at the public hearing, and a list of the exhibits offered at the hearing are included at the end of this Recommendation. The testimony is summarized in the hearing minutes.

For purposes of this recommendation, all section numbers refer to the Kirkland Zoning Code (KZC or Code) unless otherwise indicated.

FINDINGS, CONCLUSIONS AND RECOMMENDATION

Having considered the evidence in the record and reviewed the site, the Hearing Examiner enters the following:

Findings of Fact and Conclusions:

A. Site Description

The Facts and Conclusions on this matter set forth at Subsection II.A of the Staff Report are accurate and supported by the record, and therefore are adopted by reference as the Hearing Examiner's Findings and Conclusions.

B. Public Comment

C. State Environmental Policy Act and Concurrency

The Facts and Conclusions on this application set forth at Subsections II.B and II.C of the Staff Report are accurate and supported by the record, and therefore are adopted by reference as the Hearing Examiner's Findings and Conclusions.

Public comments at the hearing reiterated some of the concerns expressed in the comment letters included in the record as Attachment 6 to the Staff Report, particularly those expressing opposition to the proposed connection to 137th Place NE and associated impacts of a potential increase in cut-through traffic, and the need for improvements to traffic flow on 136th Avenue NE in light of increasing traffic volumes. Commenters wondered whether the traffic studies for each new development in the area take into account the additional traffic generated by projects currently being constructed, and there was a general consensus that numerous improvements are needed to 136th Avenue NE. Two speakers thought the Rectangular Rapid Flash Beacon should be located closer to the proposal to safeguard children crossing 136th Street to reach the sidewalk that will be constructed.

Other public comments at the hearing included concerns about storm water issues in light of the area's topography, and the fact that the open space and recreational facilities on Tracts B and D will be available to the public. Homeowners in nearby subdivisions fear that this will draw the public to the open spaces and amenities in their subdivisions, creating safety issues and a need to increase insurance coverage on those spaces.

As noted in the Staff Report, the Public Works Director has recommended the 137th Place road connection pursuant to KZC 150.65 and two Comprehensive Plan Policies:

Policy T-4.3 states that the City should "maintain a system of arterials, collectors, and local access streets that forms an interconnected network for vehicular circulation." Under this policy, the Plan explains that "[t]raffic spread over a 'grid' of streets, which is designed appropriate to neighborhood and system needs, flows smoothly. Kirkland has a number of existing cul-de-sacs, which help to create quiet and private residential areas. At the same time, however, cul de sacs and dead ends result in uneven traffic distribution and benefit some at the expense of others." Comprehensive Plan at IX-13.

Policy T-4.5 states that the City should "maintain and improve convenient access for emergency vehicles," and that "an interconnected street network is the best way to achieve direct access." *Id.*

A Traffic Impact Analysis ("TIA") was required for the proposal. Exhibit A, Attachment 6. Traffic volume forecasts in the TIA use the City's traffic model forecasts, which does account for pipeline development and a background traffic growth rate. *Id.* at 125. Also, as noted in Subsection C of the Staff Report, the proposal passed concurrency review and was not appealed. Localized transportation impacts of the proposal, as addressed in the TIA, are reviewed pursuant to SEPA, and the SEPA Determination of Nonsignificance issued for the proposal also was not appealed. As stated by the Department at the hearing, at the request of the School District, the Rectangular Rapid Flash Beacon is to be located on a school walk route at an existing crosswalk.

As noted above, the applicant will be constructing an underground storm water detention vault on Tract B. And as noted in the Staff Report, comments on storm water concerns have been forwarded to the Public Works Department for consideration, and full drainage review will be required.

As noted in Subsection D of the Staff Report, the provision of open space and recreational facilities to residents in the subdivision is considered a public benefit, in that it goes beyond what is required by City codes. The fact that the proposed open space and recreation facilities in this subdivision also will be open to the public provides an added public benefit.

D. Approval Criteria

The Facts and Conclusions on this matter set forth at Subsection II.D of Exhibit A are accurate and supported by the record, and therefore are adopted by reference as the Hearing Examiner's Findings and Conclusions. The proposed subdivision complies with KMC 22.12.230 and KZC 150.65. With the proposed PUD, and as conditioned, the subdivision is consistent with zoning and subdivision regulations and makes adequate provision for open spaces, drainage ways, rights-of-way, easements, water supplies, sanitary waste, power service, parks, playgrounds, and schools. The proposed subdivision will serve the public use and interest and is consistent with the public health, safety and welfare.

E. Development Regulations

The Facts and Conclusions on this matter set forth at Subsection II.E of Exhibit A are accurate and supported by the record, and therefore are adopted by reference as the Hearing Examiner's Findings and Conclusions.

F. Comprehensive Plan

The Facts and Conclusions on this matter set forth at Subsection II.F of Exhibit A are accurate and supported by the record, and therefore are adopted by reference as the Hearing Examiner's Findings and Conclusions.

G. Development Standards

The Facts and Conclusions on this matter set forth at Subsection II.G of Exhibit A are accurate and supported by the record, and therefore are adopted by reference as the Hearing Examiner's Findings and Conclusions.

H. Process IIB Decisional Criteria

The application for the subdivision and PUD is consistent with all applicable development regulations and, to the extent there is no applicable development regulation, with the Comprehensive Plan. As noted above, it is also consistent with the public health, safety and welfare.

Recommendation:

Based upon the foregoing findings of fact and conclusions, the Hearing Examiner recommends that the City Council approve the Preliminary Subdivision and PUD subject to the conditions set forth in Section I.B of the Staff Report.

Entered this 24th day of June, 2015.


Sue A. Tanner
Hearing Examiner

EXHIBITS:

The following exhibit was entered into the record:

- Exhibit A Department's Advisory Report with Attachments 1 through 11;
- Exhibit B Email dated June 2, 2015 to Tony Leavitt from Sara Bray re: File No. SUB14-01891
- Exhibit C Email dated May 28, 2015 to Tony Leavitt from Sharon Sato re: Marinwood Development
- Exhibit D Email dated June 19, 2015 to Tony Leavitt from Mark Hamburg re: Marinwood comments
- Exhibit E PowerPoint presentation by the applicant
- Exhibit F Map showing location of proposed rectangular rapid flash beacon
- Exhibit G Photographs of typical rectangular rapid flash beacon
- Exhibit H Site plan showing location of proposed off-site sidewalk
- Exhibit I Applicant's cost estimates

PARTIES OF RECORD:

Mike Behn, Pulte Group
Scott Borgesen, Pulte Group
Steve Anderson, LDC, Inc.
Darrell Mitsunaga, Johns, Monroe, Mitsunaga Kolouskova, PLLC
Christopher Kringel
Matthew Tillman
Larry Miller
Sara Bray
Parties of Record prior to hearing
Department of Planning and Community Development
Department of Public Works
Department of Building and Fire Services

SUBSEQUENT MODIFICATIONS

Modifications to the approval may be requested and reviewed pursuant to the applicable modification procedures and criteria in effect at the time of the requested modification.

CHALLENGES AND JUDICIAL REVIEW

The following is a summary of the deadlines and procedures for challenges and appeals. Any person wishing to file or respond to a challenge or appeal should contact the Planning Department for further procedural information.

CHALLENGE

Section 152.85 of the Zoning Code allows the Hearing Examiner's recommendation to be challenged by the applicant or any person who submitted written or oral comments or testimony to the Hearing Examiner. A party who signed a petition may not challenge unless such party also submitted independent written comments or information. The challenge must be in writing and must be delivered, along with any fees set by ordinance, to the Planning Department by 5:00 p.m., July 7, 2015, seven (7) calendar days following distribution of the Hearing Examiner's written recommendation on the application. Within this same time period, the person making the challenge must also mail or personally deliver to the applicant and all other people who submitted comments or testimony to the Hearing Examiner, a copy of the challenge together with notice of the deadline and procedures for responding to the challenge.

Any response to the challenge must be delivered to the Planning Department within seven (7) calendar days after the challenge letter was filed with the Planning Department. Within the same time period, the person making the response must deliver a copy of the response to the applicant and all other people who submitted comments or testimony to the Hearing Examiner.

Proof of such mail or personal delivery must be made by affidavit, available from the Planning Department. The affidavit must be attached to the challenge and response letters, and delivered to the Planning Department. The challenge will be considered by the City Council at the time it acts upon the recommendation of the Hearing Examiner.

JUDICIAL REVIEW

Section 152.110 of the Zoning Code allows the action of the City in granting or denying this zoning permit to be reviewed in King County Superior Court. The petition for review must be filed within twenty-one (21) calendar days of the issuance of the final land use decision by the City.

LAPSE OF APPROVAL

PUD

The applicant must begin construction or submit to the City a complete building permit application for the development activity, use of land or other actions approved under this chapter within five (5) years after the final approval of the City of Kirkland on the matter, or the decision becomes void; provided, however, that in the event judicial review is initiated per KZC 152.110, the running of the five (5) years is tolled for any period of time during which a court order in said judicial review proceeding prohibits the required development activity, use of land, or other actions. The applicant must substantially complete construction for the development activity, use of land, or other actions approved under this chapter and complete the applicable conditions listed on the notice of decision within seven (7) years after the final approval on the matter, or the decision becomes void.

Final Plat

Under Section 22.16.010 of the Subdivision Ordinance, the owner must submit a final plat application to the Planning Department, meeting the requirements of the Subdivision Ordinance and the preliminary plat approval, and submit the final plat for recording, within five years following the date the preliminary plat was approved or the decision becomes void; provided, however, that in the event judicial review is initiated per Section 22.16.110, the running of the five years is tolled for any period of time during which a court order in said judicial review proceeding prohibits the recording of the plat.

Link to Exhibit A:

[http://www.kirklandwa.gov/depart/planning/Boards and Commissions/Hearing Examiner Meeting Information.htm](http://www.kirklandwa.gov/depart/planning/Boards_and_Commissions/Hearing_Examiner_Meeting_Information.htm)

June 22, 2015 Meeting Packet

Tony Leavitt

From: Sara Bray <bray.sara@gmail.com>
Sent: Tuesday, June 02, 2015 1:12 PM
To: Tony Leavitt
Subject: File No. SUB14-01891

Mr. Leavitt,

I am a resident of Vintner's Ridge, address 13612 NE 132nd Place, and I am writing with regard to the plat of land that is scheduled for development just South of our subdivision. Please include this letter for consideration at the hearing scheduled for June 22.

Specifically, there is a plan to connect Vintner's Ridge to this new development by extending 137th Place NE from Vintner's Ridge in to the new proposed neighborhood. **It is my request that this plan be reviewed and modified to be only a pedestrian path vs. a street.**

There is already a tremendous amount of traffic on 136th Avenue NE as commuters use this street to by-pass NE 124th Avenue NE. By connecting our two neighborhoods, another alternative would be created. This alternative would not add any real increase in convenience to the residents of either development, nor would it have any incremental value in supporting neighborly interaction. Instead the result would be increased traffic, safety hazards and noise for our families, many with young children and pets.

A pedestrian path would allow the positive neighborly connection between our two developments, while protecting our families from the traffic, safety risks and noise.

Related to this, and I am not sure if this is the forum, I would like to further request that the city consider plans for 136th Avenue NE. For example, speed bumps and/or a traffic circle at 136th Ave. NE and NE 132nd would slow the traffic down, and hopefully deter non-residents from even taking this route.

Please do not hesitate to reach out to me directly if you have any questions regarding my request.

Thank you for your consideration. I look forward to meeting you at the hearing.

Kind regards,

Sara Bray
13612 NE 132nd Place
Kirkland, WA 98034

206-890-4349 
bray.sara@gmail.com

CITY OF KIRKLAND
Hearing Examiner Exhibit

Applicant _____
Department _____
Public

B

FILE #~~SUB14-01891, 2014-01888~~

Tony Leavitt

From: S Sato <7krazykats@gmail.com>
Sent: Thursday, May 28, 2015 3:44 PM
To: Tony Leavitt
Subject: MARINWOOD DEVELOPMENT

I would like to be put on the mailing list for updates for the above mentioned project. I oppose the project due to the existing development, development being currently built and most recently completed development and the amount of traffic that is already on the street that runs in front of the development.

I suggest a car counter to count the cars currently going up the hill, in front of existing development. I think you will see how much traffic already is a problem.

Thank you!

Sharon Sato
12010 NE 136th Place
Kirkland, WA. 98034-2125

**CITY OF KIRKLAND
Hearing Examiner Exhibit**

Applicant _____
Department _____
Public

C

FILE # SUB14-01891, ZON/4-01888

Tony Leavitt

From: Mark Hamburg <mhamburg.pub@gmail.com>
Sent: Friday, June 19, 2015 4:34 PM
To: Tony Leavitt
Subject: Marinwood comments

Sadly I will be out of town and unable to attend the hearing on Monday. Most of my concerns were covered in my previous communication (replicated below). Having reviewed the more detailed plans, I have two specific concerns to raise:

1. The proposed removal of tree #254 on the northwest corner of lot 28 represents the removal of one of the larger trees in the area as reflected on the arborists report and furthermore would appear to be in a location where it must necessarily be away from the actual house construction. Retaining this tree would both preserve a tree that will take years to replace and will provide some privacy between lot 28 and the houses in Vintners Ridge.
2. The proposed pathway along the proposed route for 131st makes little sense given that if the connection through to 137th goes through there is already a route to the rail trail that could be further improved a bit further up the 137th into Vintners Ridge. Having two paths makes little sense.

Thank you.

Mark Hamburg
13204 137th Pl NE
Kirkland, WA 98034

I am writing to provide public comment on Marinwood Plat and PUD SUB14-01891.

I own one of the houses in Vintners Ridge backing up — or partially backing up — to the easternmost portion of this proposed development. The position of my house gives me a clear sense of the area proposed for development and I see multiple concerns that I believe merit further review at least with regard to how houses are situated on the Marinwood property.

The key issue for any development here is that this back portion of the proposed development falls away relatively sharply as it goes down the hill toward the Eastside rail corridor. In particular, in the area backing up to my house and my neighbor's house, there is a natural gully that collects much of the run off from both Vintners Ridge and from the proposed Marinwood development. What is the plan regarding development around this natural drainage system? How close does the Marinwood developer plan to get to it? What effect will that development have on water runoff in the area? I've seen the proposed lot lines posted by the side of the road on 136th Ave NE and they do not seem to account for these natural issues.

As a related matter, because of this topography, my neighbors and I share a retaining wall near the property line that raises our houses above the falloff on the hillside. This raises questions about how the Marinwood development proposes to interact with this retaining wall. Is the plan to build at the lower level at the base of the wall and if so what will happen with respect to hillside erosion in the areas where they need to dig further down to level out the land? Is the plan to fill in further and raise the level up for construction?

Essentially, the proposed Marinwood development seems to be encroaching into areas that would seem unfriendly to development because of the topography of the land and the potential impacts on drainage and erosion from modifications to that topography and consideration of these issues would seem to call for pulling away from the property lines and focusing on the more construction friendly portions of the land.

CITY OF KIRKLAND
Hearing Examiner Exhibit
Applicant _____
Department _____
Public
FILE # SUB M-01891, ZON14-0888

D

Finally, knowing the concern in Kirkland for preserving trees, I note that while much of the land in question contains relatively unremarkable scrub, it also contains several sizable trees. Is the plan to preserve these trees or to cut them down? Cutting them down could again effect the drainage and erosion on the hillside but would also cost Kirkland some older growth vegetation.

Thank you for taking these concerns into account in reviewing not just the basic proposal but also the particular lot lines and other choices made within the proposed development.

Mark Hamburg
13204 137th PI NE
Kirkland, WA 98034

(206) 250-3223



CITY OF KIRKLAND

Hearing Examiner Exhibit

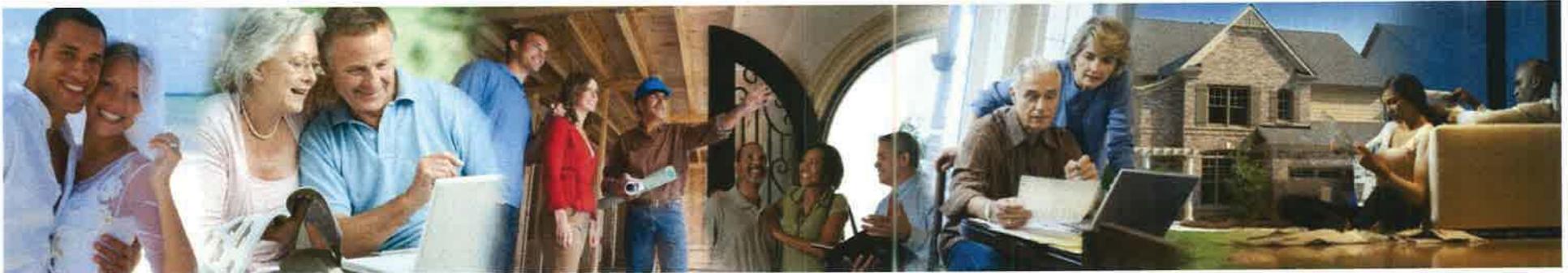
Applicant

Department

Public

FILE # 50814-01884/20114-01888

E



Proposed Marinwood Preliminary Plat City of Kirkland

Public Hearing
June 22, 2015

PulteGroup – Who We Are

- One of America's leading homebuilding companies
- Able to meet the needs of multiple homebuyer groups and respond to changing consumer demand
- PulteGroup conducts extensive research to provide homebuyers with innovative solutions and consumer inspired homes and communities that provide the best quality of life
- Life Tested Home Designs® with an unwavering commitment to quality and attention to detail



Marinwood Home Designs



Marinwood Home Designs



Key Features of Marinwood Site Plan

- 48 Lots and 2 Open Space Tracts
- Two road connections are proposed to existing City Right-of-Way
- Key Site Plan Data:
 - Total Site Area: 8.6 acres
 - Total Lot Area: 5.4 acres
 - Total Open Space Area: 1.7 acres
 - Density: Allowed - 6 units per acre; Proposed – 5.6 units per acre
- Planned Unit Development
 - PUD will provide additional flexibility to fit the site development plan to the existing, natural constraints, such as topography.
 - PUD provides public benefits both within and external to the plat

Marinwood Neighborhood Park Improvements

- Two public parks are proposed and will be built by developer
- Eastern Park
 - Located in large, 1.5-acre open space area on east side of project, designed for a wide range of user ages
 - Amenities will include
 - Bocce lawn
 - Benches for spectators and for enjoying territorial views
 - Stepping stone path meandering through landscaping



Marinwood Neighborhood Park Improvements

■ Central Park

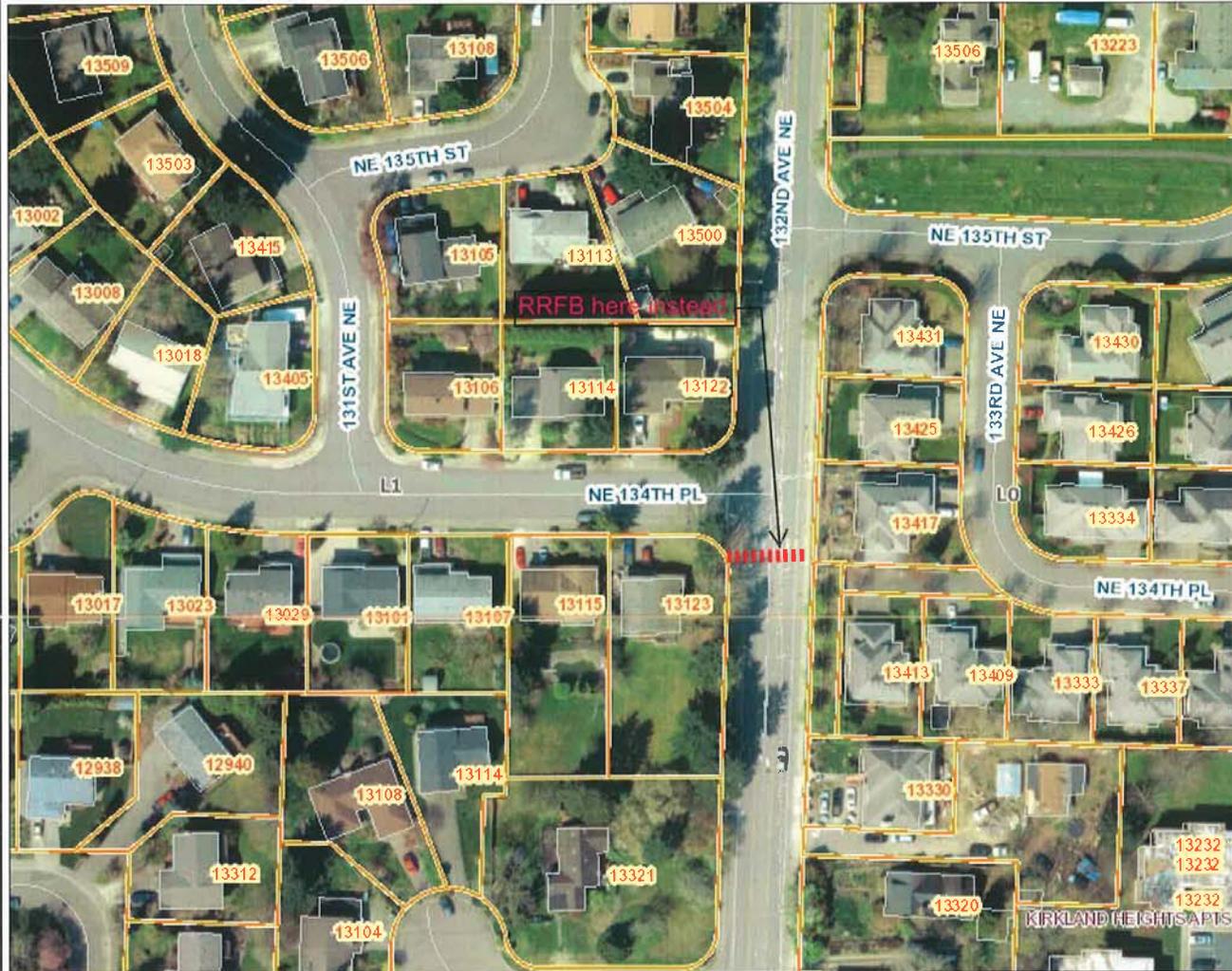
- Located in the middle of the site with play equipment suitable for young children
- Amenities will include
 - Play structure surrounded by a seat wall
 - Picnic table in overlook viewing area
 - Play lawn surrounded by walking path and perimeter landscaping
 - Natural recreation features, including stepping boulders



Mitigation of Project Impacts

- The Marinwood neighborhood has been designed by professional engineers and planners with special expertise in the analysis and design of roads, stormwater facilities, utilities, traffic impacts and critical areas.
- PulteGroup has carefully reviewed all of the comments that the City has received from concerned citizens. We take the concerns of the public very seriously, since often the neighbors of our developments have the best pulse for what is important for the community.
- Some of the key issues that were raised include:
 - Connection of proposed road to existing public road in recently built Vintner's Ridge plat to north
 - Responsible stormwater management
 - Traffic impacts
 - Building heights
- Proposed mitigation measures include:
 - Road connection is supported by the City of Kirkland for many reasons, including neighborhood connectivity and improved emergency vehicle access both to Vintner's Ridge and Marinwood
 - Stormwater management system has been designed by professional engineers with the specific intent of being good stewards of the environment and protecting downstream properties
 - Impacts of traffic have been analyzed by professional engineers, including City staff, to ensure that existing road system has adequate capacity
 - Building heights are proposed to be calculated in a manner similar to the Vintner's Ridge project, based on the average grade of the finished lots
 - Mitigation fees and GFC's will be paid for each proposed home, as established by the City Council and the Woodinville Water District, to address impacts to the transportation infrastructure, schools, parks, fire and utilities. Mitigation fees will fund improvements identified in the City's Comprehensive Plans, including road improvements where the City Council prioritize the need. Fees are approximately \$8,000 to the City and \$6,300 to the School District.





0.0 0 0.02 0.0 Miles

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Legend

- Address
- - City Limits
- Grid
- QQ Grid
- Cross Kirkland Corridor
- Regional Rail Corridor
- Streets
- Parcels
- Place Names
- Buildings
- Lakes
- Parks
- Schools

1: 1,230



**Rectangular Rapid
Flash Beacon (RRFB)
Location**

CITY OF KIRKLAND
Hearing Examiner Exhibit

Applicant
Department
Public

FILE #50814-0891, 2014-08-08

F

Marinwood PUD

Applicant
Department _____
Public _____

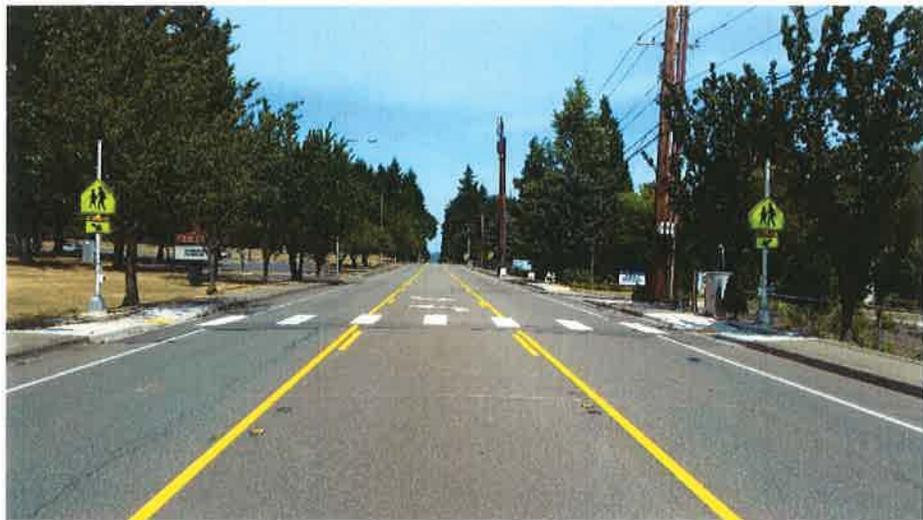
G

Rectangular Rapid Flash Beacon (RRFB)

FILE # SUB14-01891, ZON14-01888

Typical Example between Kamiakin Middle School and John Muir Elementary School

June 22, 2015



Applicant Department Public FILE # 50314-01891, 20114-01898

I



Universal Land

SINCE 1962



CONSTRUCTION COMPANY

P.O. BOX 329 - 20306 144TH AVE. N.E. - WOODINVILLE, WA 98072
 PHONE (425) 483-6200 FAX (425) 485-3186
 UNIVELC159RL

COST ESTIMATE FORM

Project Name: Moore Frontage Improvements
 Street Location: 136th Ave Ne
 Municipality: Kirkland
 Developer: Pulte Group
 Engineer: LDC
 Contractor: Universal Land Construction Company

Date: May 19, 2015
 No. of Lots: 0
 Acreage: NA
 Sales Tax Rate: 9.50%
 Our Job No.: NA

HARD COSTS

ITEM DESCRIPTION	ESTIMATED BUDGET
MOBILIZATION	\$5,475
CLEARING/GRADING/EARTHWORK (PUBLIC)	\$26,658
EROSION CONTROL	\$6,187
PUBLIC ROADWAY IMPROVEMENTS	\$52,480
PRIVATE DRIVEWAY IMPROVEMENTS	\$5,806
Subtotal Hard Costs	\$96,605

US CONTINGENCY	5%	\$4,830
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GRAND TOTAL HARD COSTS + CONTINGENCY	\$101,436
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HARD COSTS

MOBILIZATION				
DESCRIPTION	UNIT	UNIT COST	BUDGET	
			QTY	TOTAL
Mobilization	LS	\$5,000.00	1	\$5,000
SUBTOTAL: GENERAL CONDITIONS (PRIVATE)				\$5,000
PLUS TAX	9.5%			\$475
TOTAL: GENERAL CONDITIONS (PRIVATE)				\$5,475
CLEARING/GRADING/EARTHWORK (PUBLIC)				
DESCRIPTION	UNIT	UNIT COST	BUDGET	
			QTY	TOTAL
Clear/Grub	SF	\$2.25	4000	\$9,000
Strip Topsoil	BCY	\$8.00	150	\$1,200
Traffic Control (per 2 person crew)	HR	\$110.00	20	\$2,200
Import Gravel Borrow - includes placement	TON	\$25.25	390	\$9,848
Dispose of Excess Topsoil Off Site	TCY	\$21.00	210	\$4,410
SUBTOTAL: CLEARING/GRADING/EARTHWORK (PUBLIC)				\$26,658
US TAX	9.5%			N/A
TOTAL: CLEARING/GRADING/EARTHWORK (PUBLIC)				\$26,658
EROSION CONTROL				

DESCRIPTION	UNIT	UNIT COST	BUDGET	
			QTY	TOTAL
Anti Silt Fence - install & remove	LF	\$6.50	300	\$1,950
Hydroseeding/Erosion Protection	LS	\$1,450.00	1	\$1,450
Straw Bales Hand Spread	EA	\$35.00	25	\$875
Temporary Catch Basin Protection (silt-sacs)	EA	\$125.00	1	\$125
Street Cleaning (budgeted hours)	HR	\$125.00	10	\$1,250
SUBTOTAL: EROSION CONTROL (ON SITE)				\$5,650
PLUS TAX	9.5%			\$537
TOTAL: EROSION CONTROL (ON SITE)				\$6,187

PUBLIC ROADWAY IMPROVEMENTS

DESCRIPTION	UNIT	UNIT COST	BUDGET	
			QTY	TOTAL
Fine Grade Curbs and Backfill	LF	\$5.00	300	\$1,500
18" Concrete Curb and Gutter (vertical)	LF	\$15.25	300	\$4,575
Fine Grade Sidewalk and Backfill	SY	\$5.85	200	\$1,170
Concrete Sidewalk (4-inch thick)	SY	\$33.00	200	\$6,600
Driveways (6-inch thick) (include sidewalk and planter strip in measurement)	SY	\$46.00	40	\$1,840
Saw cutting and Removal	LF	\$5.00	310	\$1,550
Compact and Fine Grade Road Subgrade (to back of curbs)	SY	\$3.25	175	\$569
Import Gravel Borrow - includes placement	TON	\$25.25	330	\$8,333
3" HMA Paving (Class B)	SY	\$20.50	175	\$3,588
3" Asphalt Treated Base (ATB)	SY	\$17.85	175	\$3,124
2" HMA - AC Overlay with Edge Grinding	SY	\$31.95	350	\$11,183
Backfill Planter	SF	\$0.60	1500	\$900
Striping/Channelization Marking	LS	\$2,000.00	1	\$2,000
Relocate Street Signs	LS	\$200.00	1	\$200
Traffic Control (per 2 person crew)	HR	\$110.00	40	\$4,400
Raise Existing Sewer Casting to ATB Grade	EA	\$475.00	1	\$475
Raise Existing Sewer Casting to FINAL Grade	EA	\$475.00	1	\$475
SUBTOTAL: PUBLIC ROADWAY IMPROVEMENTS (ON SITE)				\$52,480
PLUS TAX	9.5%			N/A
TOTAL: PUBLIC ROADWAY IMPROVEMENTS (ON SITE)				\$52,480

PRIVATE DRIVEWAY IMPROVEMENTS

DESCRIPTION	UNIT	UNIT COST	BUDGET	
			QTY	TOTAL
Import Crushed Rock - includes placement	TON	\$25.25	210	\$5,303
SUBTOTAL: PRIVATE ROADWAY IMPROVEMENTS (ON SITE)				\$5,303
PLUS TAX	9.5%			\$504
TOTAL: PRIVATE ROADWAY IMPROVEMENTS (ON SITE)				\$5,806

TERMS AND CONDITIONS

STAKING AND SOILS TESTING: All survey and soils compaction testing by owner.

PERMITS, FEES AND BONDS: All permits fees and bonds by owner.

EXISTING UTILITIES: No costs have been included herein for relocating any existing utilities (overhead power, signal, buried gas, phone, cable, water services, etc.) along project limits. Costs to relocate existing utilities by owner.

AFTER QUALITY: Universal Land has included customary costs associated with installing and maintaining erosion BMP's shown on the drawings for up to 2 months from notice to proceed. Costs associated with chemical treatment, pumping, etc. to satisfy DOE standards are not included.

WATER QUALITY MONITORING/REPORTING: All erosion monitoring/reporting to satisfy DOE reporting requirements is excluded.

ACTIVE SOILS: This estimate is based on utilizing native soils and does not include import/export beyond quantities extended herein.

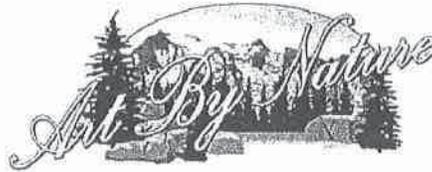
IMPORT / EXPORT: Grading estimate is based on 12" stripping depth. Soil conditions may require a combination of over-excavation, soil conditioning, import or export beyond the quantities extended in this proposal.

ROCK EXCAVATION: Costs associated with rock excavation or required processing are not included.

HAZARDOUS MATERIALS: No costs have been included in our estimate for handling and/or disposing of any hazardous materials.

Art By Nature, Inc
11032 159th Ave NE
Granite Falls, WA 98252

Bid



Date	Bid #
5/13/2015	4133

Pulte Group - 1022
 PO BOX 3660
 Portland, OR 97208

Project
Moore Property (MARINWOOD)

Description	Qty	Rate	Total
Moore Property - Kirkland WA - Plans dated 9/29			
Parks, and Common Spaces -			
Autumn Brilliance Serviceberry - 1" cal / 8-10'	25	225.00	5,625.00T
Hogan Cedar - 6-8'	4	90.00	360.00T
Douglas Fir - 6-8'	66	90.00	5,940.00T
Pacific Wax Myrtle - 30"	48	28.50	1,368.00T
Compact Strawberry Tree - 30"	14	28.50	399.00T
Arctic Fire Redtwig Dogwood - 18-24"	47	28.50	1,339.50T
Red Flowering Currant - 30"	23	28.50	655.50T
Compact Oregon Grape - 18-24"	19	28.50	541.50T
Snowberry - 15-18"	107	18.50	1,979.50T
Blue Oat Grass - 2 gal	84	18.50	1,554.00T
Flame Grass - 2 gal	8	18.50	148.00T
Emerald Green Arborvitae - 5-6'	14	75.00	1,050.00T
~ Shown on plans but not on plant legend - type and size are assumed			
Autumn Joy Stone Crop - 1 gal @ 18" oc	28	9.75	273.00T
Native Planting Mix	675	9.00	6,075.00T
~ Kinnikinnick - 1 gal @ 18" oc			
~ Creeping Mahonia - 1 gal @ 24" oc			
~ Salal - 1 gal @ 24" oc			
Sod (per square foot)	7,997	0.58	4,638.26T
Topsoil (per yard) @ 4"	99	34.50	3,415.50T

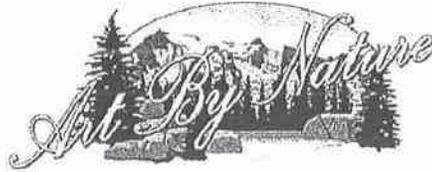
Sales Tax (9.5%)
Total

Phone #	Fax #
(360)691-1810	(360)691-1819

Signature of Acceptance

Art By Nature, Inc
 11032 159th Ave NE
 Granite Falls, WA 98252

Bid



Date	Bid #
5/13/2015	4133

Pulte Group - 1022
 PO BOX 3660
 Portland, OR 97208

Project
Moore Property

Description	Qty	Rate	Total
Topsoil (per yard) @ 6" *9172 sf	170	34.50	5,865.00T
Bark - (per yard) @ 3" *9172 sf	85	48.00	4,080.00T
Topsoil (per yard) Hydroseed Area 45,519 sf	562	34.50	19,389.00T
Hydroseed (per square foot)	45,519	0.15	6,827.85T
Bocce Lawn *2436 sf		24,136.00	24,136.00T
Bench	3	1,200.00	3,600.00T
Picnic Table	3	2,200.00	6,600.00T
Play Structure	1	25,000.00	25,000.00T
Play Chips (per yard) @ 12" compacted	26	62.00	1,612.00T
~ Assumes concrete curbing around play area - done by others			
Ledgestone Steps (per step)	19	1,200.00	22,800.00T
Decomposed Gravel (per yard) @ 6" compacted to 4" (assumed) * Total of 647 sf		2,000.00	2,000.00T
~ Pathway to Bocce Lawn - 398 sf			
~ Overlook Seating Area - 249 sf			
Tree Stakes & Fertilizer - 3 stakes per tree	480	5.25	2,520.00T
Concrete Path in Tot lot area park	900	13.50	12,150.00T
Concrete steps		8,000.00	8,000.00T
Concrete Seat Wall		3,500.00	3,500.00T
Concrete curbing by Overlook Seating Areas	30	33.50	1,005.00T
4' Chain Link Fence (per lineal foot) at park with Play structure (not shown on plan, but budgeting)	263	31.63	8,318.69T
Trellis (not shown on plan, but budgeting)	2	8,500.00	17,000.00T
Dog waste station	2	2,255.00	4,510.00T
Irrigation	1	45,000.00	45,000.00T

Sales Tax (9.5%)
Total

Phone #	Fax #
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Signature of Acceptance

Art By Nature, Inc
11032 159th Ave NE
Granite Falls, WA 98252

Bid



Date	Bid #
5/13/2015	4133

Pulte Group - 1022
 PO BOX 3660
 Portland, OR 97208

Project
Moore Property

Description	Qty	Rate	Total
Exclusions- - 42" Fence / Guardrail - ROW - Terraced Rockery - Any Retaining Walls and/or Rockeries - Monuments - Maintenance & Removal of Invasive Species (can be performed at a rate of \$35/hr+ Dump Fees) - Watering - Any deviation of quantities on this bid can be billed at its per unit cost as listed - Rock Raking, Straw Removal, or Trash Pick up for prep of site is billed out at \$35 per hour. - All Grades must provide adequate drainage prior to installation of landscaping. - All subgrades must be clear of vegetation and rocks prior to installation. - French Drains or Catch Basins - This estimate was provided for budget purposes. Prices are subject to change. - All prices valid for 30 days.			0.00

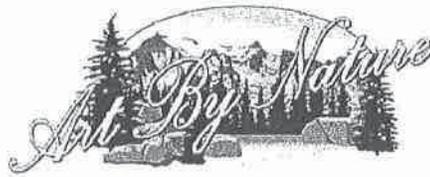
Sales Tax (9.5%)	\$24,631.15
Total	\$283,906.45

Phone #	Fax #
(360)691-1810	(360)691-1819

Signature of Acceptance _____

Art By Nature, Inc
11032 159th Ave NE
Granite Falls, WA 98252

Bid



Date	Bid #
5/13/2015	4132

Pulte Group - 1022
 PO BOX 3660
 Portland, OR 97208

Project
Vintner Place

Description	Qty	Rate	Total
Vintners Place - Draft Landscape Plans dated 1/9/15			
Parks, and Common Spaces -			
Shrubs, perennials and groundcover (per sf) (No centers listed, assuming plantings every 24" at \$8.50 a plant	25,195	2.16	54,421.20T
Low growing berry bushes and other edible shrubs - 6' max	14	42.00	588.00T
Sod (per square foot)	40,432	0.58	23,450.56T
Topsoil (per yard) @ 6" for planting areas	467	34.50	16,111.50T
Topsoil (per yard) @ 4" for lawn areas	502	34.50	17,319.00T
Bark - (per yard) @ 2"	250	48.00	12,000.00T
Gravel Path (per yard) @ 4"	19	58.00	1,102.00T
Bocce Court (per sf) 987 sq ft		8,500.00	8,500.00T
6' x 10' Raised Planter Beds	10	3,500.00	35,000.00T
Compost Bins	3	350.00	1,050.00T
Timber Edging for Play Area (per lineal foot) ~ Assumes 4"x12" PT	106	25.00	2,650.00T
Play Chips (per yard) @ 12" compacted	40	62.00	2,480.00T
Play Station	1	22,000.00	22,000.00T
Swing Set	1	9,500.00	9,500.00T
Picnic Table	3	2,200.00	6,600.00T
Bench	12	1,600.00	19,200.00T
Trellis	2	8,500.00	17,000.00T
Public Access Sign	8	180.00	1,440.00T
Dog Waste Sign	2	225.00	450.00T

Sales Tax (9.5%)

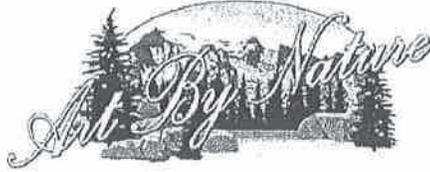
Total

Phone #	Fax #
(360)691-1810	(360)691-1819

Signature of Acceptance

Art By Nature, Inc
11032 159th Ave NE
Granite Falls, WA 98252

Bid



Date	Bid #
5/13/2015	4132

Pulte Group - 1022
 PO BOX 3660
 Portland, OR 97208

Project

Vintner Place

Description	Qty	Rate	Total
4' Horizontal Wooden Fence (per lineal foot)	170	66.24	11,260.80T
4' Chain Link Fence (per lineal foot)	660	31.63	20,875.80T
4' Chain Link Gate	4	258.75	1,035.00T
Tree Stakes & Fertilizer ~ Assumes 2 stakes per tree	140	7.50	1,050.00T
Irrigation		35,000.00	35,000.00T
Sub-Total of Parks and Common Spaces			320,083.86

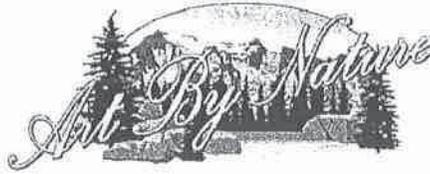
Sales Tax (9.5%)
Total

Phone #	Fax #
(360)691-1810	(360)691-1819

Signature of Acceptance

Art By Nature, Inc
11032 159th Ave NE
Granite Falls, WA 98252

Bid



Date	Bid #
5/13/2015	4132

Pulte Group - 1022
 PO BOX 3660
 Portland, OR 97208

Project
Vintner Place

Description	Qty	Rate	Total
Exclusions- - Hose Bib by Raised Beds - ROW Landscaping - Concrete Pathways - Temporary Shed - Water Meter - Power to Irrigation Controller - Monuments - Maintenance & Removal of Invasive Species (can be performed at a rate of \$35/hr+ Dump Fees) - Watering - Any deviation of quantities on this bid can be billed at its per unit cost as listed - Rock Raking, Straw Removal, or Trash Pick up for prep of site is billed out at \$35 per hour. - All Grades must provide adequate drainage prior to installation of landscaping. - All subgrades must be clear of vegetation and rocks prior to installation. - French Drains or Catch Basins - This bid was created for budgeting purpose, and pricing is subject to change. - All prices valid for 30 days.			0.00
Sales Tax (9.5%)			\$30,407.97
Total			\$350,491.83

Phone #	Fax #
(360)691-1810	(360)691-1819

Signature of Acceptance _____

RESOLUTION R-5193

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING THE SUBDIVISION AND FINAL PLAT OF MARINWOOD BEING DEPARTMENT OF PLANNING AND BUILDING FILE NO. SUB14-01891 AND SETTING FORTH CONDITIONS TO WHICH SUCH SUBDIVISION AND FINAL PLAT SHALL BE SUBJECT.

1 WHEREAS, a subdivision and preliminary plat of Marinwood was
2 approved by the City Council on August 3, 2015; and
3

4 WHEREAS, thereafter the Department of Planning and Building
5 received an application for approval of subdivision and final plat, said
6 application having been made by Steve Anderson of LDC representing
7 the Pulte Group, the owner of the real property described in said
8 application, which property is within a Residential Single Family RSA 6
9 zone; and
10

11 WHEREAS, pursuant to the City of Kirkland's Concurrency
12 Management System, KMC Title 25, a concurrency application has been
13 submitted to the City of Kirkland, reviewed by the responsible Public
14 Works official, the concurrency test has been passed, and a concurrency
15 test notice issued; and
16

17 WHEREAS, pursuant to the State Environmental Policy Act, RCW
18 43.21C and the Administrative Guideline and local ordinance adopted to
19 implement it, an environmental checklist has been submitted to the City
20 of Kirkland, reviewed by the responsible official of the City of Kirkland,
21 and a negative determination reached; and
22

23 WHEREAS, said environmental checklist and determination have
24 been made available and accompanied the application throughout the
25 entire review process; and
26

27 WHEREAS, the Director of the Department of Planning and
28 Building did make certain Findings, Conclusions and Recommendations
29 and did recommend approval of the subdivision and the final plat,
30 subject to specific conditions set forth in said recommendation; and
31

32 WHEREAS, the City Council, in regular meeting, did consider the
33 environmental documents received from the responsible official,
34 together with the recommendation of the Planning Commission.
35

36 NOW, THEREFORE, be it resolved by the City Council of the City
37 of Kirkland as follows:
38

39 Section 1. The Findings, Conclusions and Recommendations of
40 the Director of the Department of Planning and Building, filed in
41 Department of Planning and Building File No. SUB14-01891, are adopted
42 by the Kirkland City Council as though fully set forth herein.
43

44 Section 2. Approval of the subdivision and the final plat of
45 Marinwood is subject to the applicant's compliance with the conditions

46 set forth in the recommendations hereinabove adopted by the City
47 Council.

48
49 Section 3. Nothing in this resolution shall be construed as
50 excusing the applicant from compliance with all federal, state or local
51 statutes, ordinances or regulations applicable to this subdivision, other
52 than as expressly set forth herein.

53
54 Section 4. A copy of this resolution, along with the Findings,
55 Conclusions and Recommendations hereinabove adopted shall be
56 delivered to the applicant.

57
58 Section 5. A completed copy of this resolution, including Findings,
59 Conclusions and Recommendations adopted by reference, shall be
60 certified by the City Clerk who shall then forward the certified copy to
61 the King County Department of Assessments.

62
63 Passed by majority vote of the Kirkland City Council in open
64 meeting this ____ day of ____, 2016.

65 Signed in authentication thereof this ____ day of ____, 2016.
66

DEPUTY MAYOR

Attest:

City Clerk