



**CITY OF KIRKLAND**  
**Planning and Building Department**  
**123 Fifth Avenue, Kirkland, WA 98033**  
**425.587-3225 - [www.kirklandwa.gov](http://www.kirklandwa.gov)**

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**MEMORANDUM**

**To:** Kurt Triplett, City Manager

**From:** Eric Shields, AICP, Planning Director  
Tony Leavitt, Project Planner

**Date:** November 17, 2015

**Subject:** Meritage Ridge Final Subdivision, File No. SUB13-02088

**RECOMMENDATION**

City Council approves the Final Subdivision application for the Meritage Ridge Plat. The City Council may do so by adopting the enclosed resolution through approval of the consent calendar.

**BACKGROUND DISCUSSION**

The Preliminary Subdivision was heard by City's Hearing Examiner on June 18, 2014. The Hearing Examiner approved the project with conditions on June 25, 2014.

The proposal includes the following elements:

- Subdivide five existing parcels (totaling 5.98 acres) into 36 separate lots in a RSA 8 Zone;
- Access to the lots will be provided via a new access road off of 136th Avenue NE. The new access road will also connect to the existing NE 129th Street right-of-way to the west of the site, to create a new through road.
- A SEPA Determination of non-significance was issued on May 13, 2014.

An appeal of the Hearing Examiner's decision was filed by a party of record and heard by the City Council on September 16, 2014. After testimony and deliberation, the City Council upheld the Hearing Examiner's Decision.

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

**ENCLOSURES**

1. Planning Director Findings, Conclusion and Recommendation with Attachments



**CITY OF KIRKLAND**  
**Planning and Community Development Department**  
**123 Fifth Avenue, Kirkland, WA 98033 425.587.3225**  
[www.kirklandwa.gov](http://www.kirklandwa.gov)

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**MEMORANDUM ADVISORY REPORT**  
**FINDINGS, CONCLUSION, AND RECOMMENDATIONS**

**To:** Eric R. Shields, AICP, Planning Director  
**From:** Tony Leavitt, Senior Planner  
**Date:** November 17, 2015  
**File:** MERITAGE RIDGE FINAL SUBDIVISION, FILE NO. SUB13-02088

**I. RECOMMENDATION**

Approve the Final Subdivision application for the Meritage Ridge Plat.

**II. BACKGROUND**

- A. The applicant is Harbor Homes LLC
- B. The site is located at 12817 136th Avenue NE; 13407, 13419, & 13505 NE 129th Street and 13511 NE 129th Place (See Attachment 1)
- C. This is a final subdivision application to approve a 36-lot subdivision on a 5.98-acre site in a RSA 8 zone (see Attachment 2).

**III. HISTORY**

- A. On June 25, 2014, the Kirkland Hearing Examiner approved, with conditions, the preliminary plat of Meritage Ridge (see Attachment 3).
- B. An appeal of the decision was filed by a party of record and heard by the City Council on September 16, 2014. After testimony and deliberation, the City Council upheld the Hearing Examiner's Decision (see Attachment 4).
- C. A SEPA Determination of non-significance was issued on May 13, 2014.

**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 (SUB13-02088) by the Hearing Examiner and with all provisions of the subdivision ordinance and RCW 58.17. The applicant has completed all public improvements and utilities as required by the 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 4 are attached.

- 1. Vicinity Map
- 2. Final Plat
- 3. Hearing Examiner Decision
- 4. City Council Resolution 5068

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Review by Planning Director:

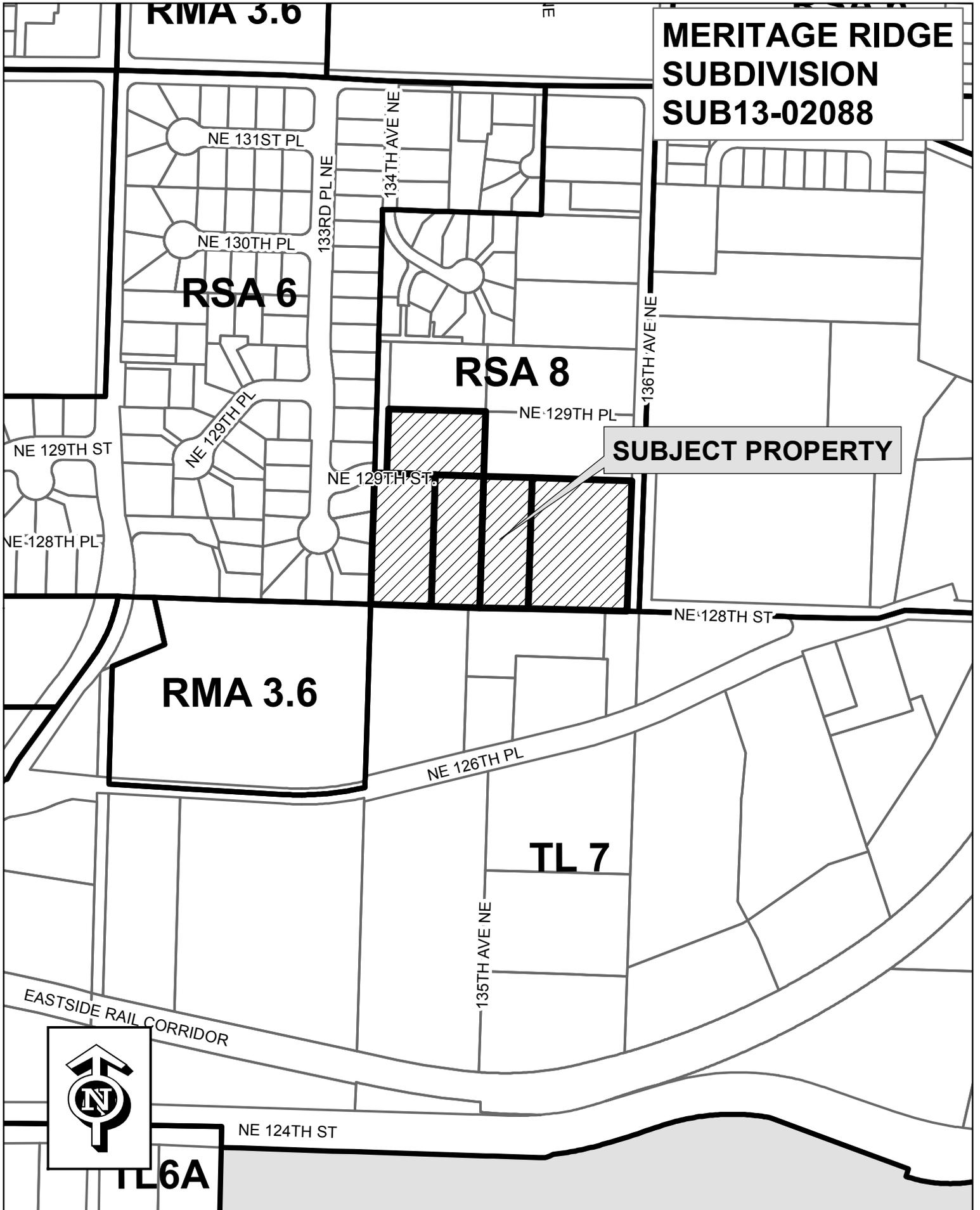
I concur                            I do not concur     



November 16, 2015

Eric R. Shields, AICP

Date



RECORDING NO.	VOL./PAGE
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**MERITAGE RIDGE**  
A PORTION OF NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 27,  
TOWNSHIP 26 N., RANGE 5 E., W.M., CITY OF KIRKLAND, KING COUNTY, WASHINGTON  
FILE NO. SUB13-02088

**DEDICATION**

KNOW ALL PEOPLE BY THESE PRESENTS THAT WE, THE UNDERSIGNED BEING ALL OF THE OWNERS OF THE LAND HEREBY SUBDIVIDED, HEREBY DECLARE THIS PLAT TO BE THE GRAPHIC REPRESENTATION OF THE SUBDIVISION MADE HEREBY AND DO HEREBY DEDICATE TO THE USE OF THE PUBLIC FOREVER, ALL STREETS AND AVENUES NOT SHOWN AS PRIVATE HEREON AND DEDICATE THE USE THEREOF FOR ALL PUBLIC PURPOSES NOT INCONSISTENT WITH THE USE THEREOF FOR PUBLIC HIGHWAY PURPOSES, AND ALSO THE RIGHT TO MAKE ALL NECESSARY SLOPES FOR CUTS AND FILLS UPON THE LOTS SHOWN HEREON IN THE ORIGINAL REASONABLE GRADING OF SAID STREETS AND AVENUES, AND FURTHER DEDICATE TO THE USE OF THE PUBLIC ALL EASEMENTS AND TRACTS SHOWN ON THIS PLAT FOR ALL PUBLIC PURPOSES AS INDICATED HEREON, INCLUDING BUT NOT LIMITED TO PARKS, OPEN SPACES, UTILITIES AND DRAINAGE UNLESS SUCH EASEMENTS OR TRACTS ARE SPECIFICALLY IDENTIFIED ON THIS PLAT AS BEING DEDICATED OR CONVEYED TO A PERSON OR ENTITY OTHER THAN THE PUBLIC, IN WHICH CASE WE DO HEREBY DEDICATE SUCH STREETS, EASEMENTS, OR TRACTS TO THE PERSON OR ENTITY IDENTIFIED AND FOR THE PURPOSE STATED.

FURTHER, THE UNDERSIGNED OWNERS OF THE LAND HEREBY SUBDIVIDED WAIVE FOR THEMSELVES, THEIR HEIRS AND ASSIGNS AND ANY PERSON OR ENTITY DERIVING TITLE FROM THE UNDERSIGNED, ANY AND ALL CLAIMS FOR DAMAGES AGAINST THE CITY OF KIRKLAND, ITS SUCCESSORS AND ASSIGNS WHICH MAY BE OCCASIONED BY THE ESTABLISHMENT, CONSTRUCTION, OR MAINTENANCE OF ROADS AND/OR DRAINAGE SYSTEMS WITHIN THIS SUBDIVISION OTHER THAN CLAIMS RESULTING FROM INADEQUATE MAINTENANCE BY THE CITY OF KIRKLAND.

FURTHER, THE UNDERSIGNED OWNERS OF THE LAND HEREBY SUBDIVIDED AGREE FOR THEMSELVES, THEIR HEIRS AND ASSIGNS TO INDEMNIFY AND HOLD THE CITY OF KIRKLAND, ITS SUCCESSORS AND ASSIGNS, HARMLESS FROM ANY DAMAGE, INCLUDING ANY COSTS OF DEFENSE, CLAIMED BY PERSONS WITHIN OR WITHOUT THIS SUBDIVISION TO HAVE BEEN CAUSED BY ALTERATIONS OF THE GROUND SURFACE, VEGETATION, DRAINAGE OR SURFACE OR SUB-SURFACE WATER FLOWS WITHIN THIS SUBDIVISION OR BY ESTABLISHMENT, CONSTRUCTION OR MAINTENANCE OF THE ROADS WITHIN THIS SUBDIVISION. PROVIDED THIS WAIVER AND INDEMNIFICATION SHALL NOT BE CONSTRUED AS RELEASING THE CITY OF KIRKLAND, ITS SUCCESSORS OR ASSIGNS, FROM LIABILITY FOR DAMAGES, INCLUDING THE COST OF DEFENSE, RESULTING IN WHOLE OR IN PART FROM THE NEGLIGENCE OF THE CITY OF KIRKLAND, ITS SUCCESSORS OR ASSIGNS.

THIS SUBDIVISION, DEDICATION, WAIVER OF CLAIMS AND AGREEMENT TO HOLD HARMLESS IS MADE WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF SAID OWNERS.

IN WITNESS WHEREOF WE SET OUR HANDS AND SEALS.

GEONERCO PROPERTIES WA, LLC,  
A WASHINGTON LIMITED LIABILITY COMPANY

By:  
ITS:

U.S. BANK NATIONAL ASSOCIATION,  
D/B/A HOUSING CAPITAL COMPANY

By:  
ITS:

**ACKNOWLEDGMENTS**

STATE OF WASHINGTON }  
COUNTY OF \_\_\_\_\_ } SS

I CERTIFY THAT I KNOW OR HAVE SATISFACTORY EVIDENCE THAT \_\_\_\_\_ SIGNED THIS INSTRUMENT ON OATH STATED HE WAS AUTHORIZED TO EXECUTE THE INSTRUMENT AND ACKNOWLEDGED IT AS THE \_\_\_\_\_ OF GEONERCO PROPERTIES WA, LLC, A WASHINGTON LIMITED LIABILITY COMPANY TO BE THE FREE AND VOLUNTARY ACT OF SUCH PARTY FOR THE USES AND PURPOSES MENTIONED IN THIS INSTRUMENT.

DATED \_\_\_\_\_

SIGNATURE OF  
NOTARY PUBLIC \_\_\_\_\_

TITLE \_\_\_\_\_

MY APPOINTMENT EXPIRES \_\_\_\_\_

STATE OF WASHINGTON }  
COUNTY OF \_\_\_\_\_ } SS

I CERTIFY THAT I KNOW OR HAVE SATISFACTORY EVIDENCE THAT \_\_\_\_\_ SIGNED THIS INSTRUMENT ON OATH STATED HE WAS AUTHORIZED TO EXECUTE THE INSTRUMENT AND ACKNOWLEDGED IT AS THE \_\_\_\_\_ OF U.S. BANK NATIONAL ASSOCIATION, D/B/A HOUSING CAPITAL COMPANY TO BE THE FREE AND VOLUNTARY ACT OF SUCH PARTY FOR THE USES AND PURPOSES MENTIONED IN THIS INSTRUMENT.

DATED \_\_\_\_\_

SIGNATURE OF  
NOTARY PUBLIC \_\_\_\_\_

TITLE \_\_\_\_\_

MY APPOINTMENT EXPIRES \_\_\_\_\_

**LEGAL DESCRIPTION**

PARCEL A:  
LOTS 1 THROUGH 4, INCLUSIVE, KING COUNTY SHORT PLAT NO. 678109, RECORDED UNDER RECORDING NO. 7904241065, BEING A PORTION OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 27, TOWNSHIP 26 NORTH, RANGE 5 EAST, W.M., IN KING COUNTY, WASHINGTON.  
PARCEL B:  
PARCEL A CITY OF KIRKLAND ALTERATION OF LOT LINE NO. LLA14-00720, RECORDED UNDER RECORDING NUMBER 2015011290007, IN KING COUNTY, WASHINGTON.

**APPROVALS**

CITY OF KIRKLAND  
DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT  
EXAMINED, REVIEWED AND APPROVED BY THE CITY OF KIRKLAND PURSUANT TO THE SUBDIVISION PROVISIONS OF TITLE 22 (LAND SUBDIVISION), KIRKLAND MUNICIPAL CODE, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2015.

\_\_\_\_\_  
DIRECTOR DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

DEPARTMENT OF PUBLIC WORKS  
EXAMINED AND APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2015.

\_\_\_\_\_  
DIRECTOR

**CITY TREASURER CERTIFICATE**

I HEREBY CERTIFY THAT THERE ARE NO DELINQUENT LOCAL IMPROVEMENT ASSESSMENTS AND THAT ALL SPECIAL ASSESSMENTS ON ANY OF THE PROPERTY HEREIN CONTAINED, DEDICATED AS STREETS OR FOR OTHER PUBLIC USE ARE PAID IN FULL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2015.

\_\_\_\_\_  
TREASURER, CITY OF KIRKLAND

**KING COUNTY DEPARTMENT OF ASSESSMENT**

EXAMINED, AND APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2015.  
KING COUNTY DEPARTMENT OF ASSESSMENTS

\_\_\_\_\_  
KING COUNTY ASSESSOR DEPUTY KING COUNTY ASSESSOR  
PARCEL NO. 2726059095, 2726059035, 2726059098, 2726059099 AND 2726059100

**FINANCE DIVISION CERTIFICATE**

I HEREBY CERTIFY THAT ALL PROPERTY TAXES ARE PAID, THAT THERE ARE NO DELINQUENT SPECIAL ASSESSMENTS CERTIFIED TO THIS OFFICE FOR COLLECTION AND THAT ALL SPECIAL ASSESSMENTS CERTIFIED TO THIS OFFICE FOR COLLECTION ON ANY OF THE PROPERTY HEREIN CONTAINED DEDICATED AS STREETS, ALLEYS, OR FOR ANY OTHER PUBLIC USE, ARE PAID IN FULL.

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

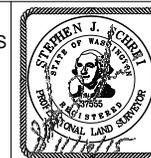
\_\_\_\_\_  
MANAGER, KING COUNTY OFFICE OF FINANCE DEPUTY



RECORDER'S CERTIFICATE .....  
FILED FOR RECORD THIS ..... DAY OF ....., 20.....  
AT ..... M IN BOOK ..... OF ..... AT PAGE..... AT  
THE REQUEST OF GEONERCO PROPERTIES WA, LLC,  
.....  
MANAGER SUPT. OF RECORDS

**SURVEYOR'S CERTIFICATE:**  
I HEREBY CERTIFY THAT THIS PLAT OF MERITAGE RIDGE IS BASED UPON AN ACTUAL SURVEY AND SUBDIVISION OF SECTION 27, TOWNSHIP 26 NORTH, RANGE 5 EAST, W.M., THAT THE COURSES AND DISTANCES ARE SHOWN CORRECTLY, THAT THE MONUMENTS WILL BE SET AND THE LOT CORNERS STAKED CORRECTLY ON THE GROUND FOLLOWING THE COMPLETION OF CONSTRUCTION OF THE SITE IMPROVEMENTS AND THAT I HAVE FULLY COMPLIED WITH THE PROVISIONS OF THE PLATTING REGULATIONS.  
\_\_\_\_\_  
37555  
STEPHEN J. SCHREI, P.L.S. CERTIFICATE NO.

**DRS D.R. STRONG**  
CONSULTING ENGINEERS  
ENGINEERS PLANNERS SURVEYORS  
620 7TH AVENUE  
KIRKLAND, WA 98033  
425.827.3063 OFFICE  
800.962.1402 TOLL FREE  
425.827.2423 FAX  
www.dstrong.com



A PORTION OF  
THE NW. 1/4 OF THE NW. 1/4,  
SEC. 27, TWP. 26N. RGE. 5E., W.M.

DWN. BY	DATE	PROJECT NO.
SJS	8/11/15	13029
CHKD. BY	SCALE	SHEET
SJS		1 OF 5

**MERITAGE RIDGE**

A PORTION OF NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 27, TOWNSHIP 26 N., RANGE 5 E., W.M., CITY OF KIRKLAND, KING COUNTY, WASHINGTON  
FILE NO. SUB13-02088

**EASEMENT PROVISIONS**

THE EASEMENTS DEPICTED ON THE MAP SHEET OF THIS FINAL PLAT ARE FOR THE LIMITED PURPOSES LISTED BELOW AND ARE HEREBY CONVEYED FOLLOWING THE RECORDING OF THIS FINAL PLAT AS SPECIFIED ACCORDING TO THE RESERVATIONS LISTED BELOW.

1. AN EASEMENT IS HEREBY RESERVED, GRANTED AND CONVEYED TO THE CITY OF KIRKLAND, PUGET SOUND ENERGY COMPANY, QWEST, COMCAST, NORTHSHORE UTILITY DISTRICT, WOODINVILLE WATER DISTRICT AND THEIR RESPECTIVE SUCCESSORS AND ASSIGNS, UNDER AND UPON THE EXTERIOR TO FEET OF ALL LOTS AND TRACTS, PARALLEL WITH AND ADJOINING THE EXISTING OR PROPOSED PUBLIC RIGHT-OF-WAY, AS SHOWN HEREON, IN WHICH TO INSTALL, LAY, CONSTRUCT, RENEW, OPERATE AND MAINTAIN UNDERGROUND DISTRIBUTION SYSTEMS WITH NECESSARY FACILITIES, SIDEWALKS AND OTHER EQUIPMENT FOR THE PURPOSE OF SERVING THIS SUBDIVISION AND OTHER PROPERTY WITH UTILITY SERVICES AND SIDEWALKS, TOGETHER WITH THE RIGHT TO ENTER UPON THE LOTS AT ALL TIMES FOR THE PURPOSE HEREIN STATED. NO LINES OR WIRES FOR THE TRANSMISSION OF ELECTRIC CURRENT, OR FOR TELEPHONE USE, CABLE TELEVISION, FIRE OR POLICE SIGNAL OR FOR OTHER PURPOSES, SHALL BE PLACED OR BE PERMITTED TO BE PLACED UPON ANY LOT UNLESS THE SAME SHALL BE UNDERGROUND OR IN CONDUIT ATTACHED TO A BUILDING.
2. THE 10.00 FOOT PRIVATE STORM DRAINAGE EASEMENT SHOWN ON LOT 1 IS FOR THE BENEFIT OF LOT 2 FOR PRIVATE STORM DRAINAGE FACILITIES. THE OWNERS OF SAID LOTS 1 AND 2, ARE HEREBY RESPONSIBLE FOR THE MAINTENANCE OF THEIR RESPECTIVE PRIVATE DRAINAGE FACILITIES AND SHALL SHARE EQUALLY IN THE MAINTENANCE RESPONSIBILITIES OF THE PRIVATE DRAINAGE FACILITIES USED IN COMMON WITHIN SAID EASEMENT.
3. THE 10.00 FOOT PRIVATE STORM DRAINAGE EASEMENT SHOWN ON LOTS 4, 5 AND 6 IS FOR THE BENEFIT OF LOTS 3, 5, 6 AND 7 FOR PRIVATE STORM DRAINAGE FACILITIES. THE OWNERS OF SAID LOTS 3, 4, 5, 6 AND 7 ARE HEREBY RESPONSIBLE FOR THE MAINTENANCE OF THEIR RESPECTIVE PRIVATE DRAINAGE FACILITIES AND SHALL SHARE EQUALLY IN THE MAINTENANCE RESPONSIBILITIES OF THE PRIVATE DRAINAGE FACILITIES USED IN COMMON WITHIN SAID EASEMENT.
4. THE 10.00 FOOT PRIVATE STORM DRAINAGE EASEMENT SHOWN ON LOTS 1 THROUGH 7 IS FOR THE BENEFIT OF LOTS 2 THROUGH 8 FOR PRIVATE STORM DRAINAGE FACILITIES. THE OWNERS OF SAID LOTS 1 THROUGH 8 ARE HEREBY RESPONSIBLE FOR THE MAINTENANCE OF THEIR RESPECTIVE PRIVATE DRAINAGE FACILITIES AND SHALL SHARE EQUALLY IN THE MAINTENANCE RESPONSIBILITIES OF THE PRIVATE DRAINAGE FACILITIES USED IN COMMON WITHIN SAID EASEMENT.
5. THE 10.00 FOOT PRIVATE STORM DRAINAGE EASEMENT SHOWN ON LOTS 11, 12, 13 AND 14 IS FOR THE BENEFIT OF LOTS 10, 11, 12 AND 13 FOR PRIVATE STORM DRAINAGE FACILITIES. THE OWNERS OF SAID LOTS 10, 11, 12 AND 13 ARE HEREBY RESPONSIBLE FOR THE MAINTENANCE OF THEIR RESPECTIVE PRIVATE DRAINAGE FACILITIES AND SHALL SHARE EQUALLY IN THE MAINTENANCE RESPONSIBILITIES OF THE PRIVATE DRAINAGE FACILITIES USED IN COMMON WITHIN SAID EASEMENT.
6. THE 10.00 FOOT PRIVATE STORM DRAINAGE EASEMENT SHOWN ON LOT 15 IS FOR THE BENEFIT OF LOT 16 FOR PRIVATE STORM DRAINAGE FACILITIES. THE OWNERS OF SAID LOTS 15 AND 16 ARE HEREBY RESPONSIBLE FOR THE MAINTENANCE OF THEIR RESPECTIVE PRIVATE DRAINAGE FACILITIES AND SHALL SHARE EQUALLY IN THE MAINTENANCE RESPONSIBILITIES OF THE PRIVATE DRAINAGE FACILITIES USED IN COMMON WITHIN SAID EASEMENT.
7. THE 10.00 FOOT PRIVATE STORM DRAINAGE EASEMENT SHOWN ON LOTS 17, 18, 19 AND 20 IS FOR THE BENEFIT OF LOTS 18, 19, 20 AND 21 FOR PRIVATE STORM DRAINAGE FACILITIES. THE OWNERS OF SAID LOTS 17, 18, 19, 20 AND 21 ARE HEREBY RESPONSIBLE FOR THE MAINTENANCE OF THEIR RESPECTIVE PRIVATE DRAINAGE FACILITIES AND SHALL SHARE EQUALLY IN THE MAINTENANCE RESPONSIBILITIES OF THE PRIVATE DRAINAGE FACILITIES USED IN COMMON WITHIN SAID EASEMENT.
8. THE 10.00 FOOT PRIVATE STORM DRAINAGE EASEMENT SHOWN ON LOTS 22, 23 AND 24 IS FOR THE BENEFIT OF LOTS 23, 24 AND 25 FOR PRIVATE STORM DRAINAGE FACILITIES. THE OWNERS OF SAID LOTS 22, 23, 24 AND 25 ARE HEREBY RESPONSIBLE FOR THE MAINTENANCE OF THEIR RESPECTIVE PRIVATE DRAINAGE FACILITIES AND SHALL SHARE EQUALLY IN THE MAINTENANCE RESPONSIBILITIES OF THE PRIVATE DRAINAGE FACILITIES USED IN COMMON WITHIN SAID EASEMENT.
9. THE 10.00 FOOT PRIVATE STORM DRAINAGE EASEMENT SHOWN ON LOTS 26 AND 27 IS FOR THE BENEFIT OF LOTS 27 AND 28 FOR PRIVATE STORM DRAINAGE FACILITIES. THE OWNERS OF SAID LOTS 26, 27 AND 28 ARE HEREBY RESPONSIBLE FOR THE MAINTENANCE OF THEIR RESPECTIVE PRIVATE DRAINAGE FACILITIES AND SHALL SHARE EQUALLY IN THE MAINTENANCE RESPONSIBILITIES OF THE PRIVATE DRAINAGE FACILITIES USED IN COMMON WITHIN SAID EASEMENT.
10. THE 10.00 FOOT PRIVATE STORM DRAINAGE EASEMENT SHOWN ON LOTS 30 AND 31 IS FOR THE BENEFIT OF LOTS 29 AND 30 FOR PRIVATE STORM DRAINAGE FACILITIES. THE OWNERS OF SAID LOTS 29, 30 AND 31 ARE HEREBY RESPONSIBLE FOR THE MAINTENANCE OF THEIR RESPECTIVE PRIVATE DRAINAGE FACILITIES AND SHALL SHARE EQUALLY IN THE MAINTENANCE RESPONSIBILITIES OF THE PRIVATE DRAINAGE FACILITIES USED IN COMMON WITHIN SAID EASEMENT.
11. THE 10.00 FOOT PRIVATE STORM DRAINAGE EASEMENT SHOWN ON LOTS 33, 34 AND 35 IS FOR THE BENEFIT OF LOTS 32, 33, 34 AND 36 FOR PRIVATE STORM DRAINAGE FACILITIES. THE OWNERS OF SAID LOTS 32, 33, 34, 35 AND 36 ARE HEREBY RESPONSIBLE FOR THE MAINTENANCE OF THEIR RESPECTIVE PRIVATE DRAINAGE FACILITIES AND SHALL SHARE EQUALLY IN THE MAINTENANCE RESPONSIBILITIES OF THE PRIVATE DRAINAGE FACILITIES USED IN COMMON WITHIN SAID EASEMENT.
12. THE 10.00 FOOT PRIVATE STORM DRAINAGE EASEMENT SHOWN ON LOTS 17 THROUGH 23 IS FOR THE BENEFIT OF LOTS 18 THROUGH 24 FOR PRIVATE STORM DRAINAGE FACILITIES. THE OWNERS OF SAID LOTS 17 THROUGH 24 ARE HEREBY RESPONSIBLE FOR THE MAINTENANCE OF THEIR RESPECTIVE PRIVATE DRAINAGE FACILITIES AND SHALL SHARE EQUALLY IN THE MAINTENANCE RESPONSIBILITIES OF THE PRIVATE DRAINAGE FACILITIES USED IN COMMON WITHIN SAID EASEMENT.
13. THE 20.00 FOOT PUBLIC STORM DRAINAGE EASEMENT SHOWN ON LOTS 1 AND 16 IS HEREBY RESERVED, GRANTED AND CONVEYED TO THE CITY OF KIRKLAND FOR PUBLIC STORM DRAINAGE FACILITIES. THE CITY OF KIRKLAND IS HEREBY RESPONSIBLE FOR THE MAINTENANCE OF THE PUBLIC STORM DRAINAGE FACILITIES WITHIN SAID EASEMENT.
14. THE 15.00 FOOT PUBLIC STORM DRAINAGE EASEMENT SHOWN ON TRACT B IS HEREBY RESERVED, GRANTED AND CONVEYED TO THE CITY OF KIRKLAND FOR PUBLIC STORM DRAINAGE FACILITIES. THE CITY OF KIRKLAND IS HEREBY RESPONSIBLE FOR THE MAINTENANCE OF THE PUBLIC STORM DRAINAGE FACILITIES WITHIN SAID EASEMENT.

CONTINUED UPPER RIGHT

**EASEMENT PROVISIONS CONTINUED FROM LOWER LEFT**

15. THE 10.00 FOOT PUBLIC PEDESTRIAN ACCESS EASEMENT SHOWN ON TRACT B IS HEREBY RESERVED, GRANTED AND CONVEYED TO THE GENERAL PUBLIC FOR PUBLIC PEDESTRIAN ACCESS PURPOSES. THE MERITAGE RIDGE HOMEOWNERS ASSOCIATION IS HEREBY RESPONSIBLE FOR THE MAINTENANCE OF THE PUBLIC PEDESTRIAN ACCESS FACILITIES WITHIN SAID EASEMENT.
16. THE 10.00 FOOT PUBLIC PEDESTRIAN ACCESS EASEMENT SHOWN ON TRACT A AND LOT 16 IS HEREBY RESERVED, GRANTED AND CONVEYED TO THE GENERAL PUBLIC FOR PUBLIC PEDESTRIAN ACCESS PURPOSES. THE MERITAGE RIDGE HOMEOWNERS ASSOCIATION IS HEREBY RESPONSIBLE FOR THE MAINTENANCE OF THE PUBLIC PEDESTRIAN ACCESS FACILITIES WITHIN SAID EASEMENT.
17. THE 10.00 FOOT PUBLIC PEDESTRIAN ACCESS EASEMENT SHOWN ON LOT 30 IS HEREBY RESERVED, GRANTED AND CONVEYED TO THE GENERAL PUBLIC FOR PUBLIC PEDESTRIAN ACCESS PURPOSES. THE MERITAGE RIDGE HOMEOWNERS ASSOCIATION IS HEREBY RESPONSIBLE FOR THE MAINTENANCE OF THE PUBLIC PEDESTRIAN ACCESS FACILITIES WITHIN SAID EASEMENT.
18. THE 2.50 FOOT PUBLIC SIDEWALK EASEMENT SHOWN ON TRACT B IS HEREBY RESERVED, GRANTED AND CONVEYED TO THE CITY OF KIRKLAND FOR PUBLIC SIDEWALK FACILITIES. THE CITY OF KIRKLAND IS HEREBY RESPONSIBLE FOR THE MAINTENANCE OF THE PUBLIC SIDEWALK FACILITIES WITHIN SAID EASEMENT.
19. THE 15.00 FOOT WATER EASEMENT SHOWN ON LOT 1, 16 AND TRACT A IS HEREBY RESERVED, GRANTED AND CONVEYED TO WOODINVILLE WATER DISTRICT FOR WATER FACILITIES. WOODINVILLE WATER DISTRICT IS HEREBY RESPONSIBLE FOR THE MAINTENANCE OF THE WATER FACILITIES WITHIN SAID EASEMENT.
20. THE 15.00 FOOT WATER EASEMENT SHOWN ON LOT 30 IS HEREBY RESERVED, GRANTED AND CONVEYED TO WOODINVILLE WATER DISTRICT FOR WATER FACILITIES. WOODINVILLE WATER DISTRICT IS HEREBY RESPONSIBLE FOR THE MAINTENANCE OF THE WATER FACILITIES WITHIN SAID EASEMENT.
21. THE 15.00 FOOT PUBLIC STORM DRAINAGE EASEMENT SHOWN ON LOT 29 IS HEREBY RESERVED, GRANTED AND CONVEYED TO THE CITY OF KIRKLAND FOR PUBLIC STORM DRAINAGE FACILITIES. THE CITY OF KIRKLAND IS HEREBY RESPONSIBLE FOR THE MAINTENANCE OF THE PUBLIC STORM DRAINAGE FACILITIES WITHIN SAID EASEMENT.

**NOTES AND RESTRICTIONS**

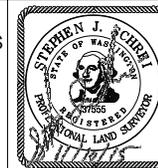
1. ADDRESSING SHALL BE IN ACCORDANCE WITH KIRKLAND BUILDING DIVISION POLICY MANUAL NUMBER 9.001, ASSIGNMENT OF STREET NUMBERS AND ROAD SIGNAGE.
2. UTILITY MAINTENANCE: EACH PROPERTY OWNER SHALL BE RESPONSIBLE FOR MAINTENANCE OF THE SANITARY SEWER OR STORM WATER STUB, RAIN GARDENS, PERMEABLE PAVEMENT, OR ANY OTHER INFILTRATION FACILITIES (KNOWN AS LOW IMPACT DEVELOPMENT) FROM THE POINT OF USE ON THEIR OWN PROPERTY TO THE POINT OF CONNECTION IN THE CITY SANITARY SEWER MAIN OR STORM WATER MAIN. ANY PORTION OF A SANITARY SEWER OR SURFACE WATER STUB, RAIN GARDEN, PERMEABLE PAVEMENT, OR ANY OTHER INFILTRATION FACILITIES, 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 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. TRACT A IS A PUBLIC STORM DRAINAGE TRACT AND IS GRANTED AND CONVEYED TO THE CITY OF KIRKLAND OR ITS SUCCESSOR AGENCY FOR PUBLIC STORM DRAINAGE FACILITY PURPOSES UPON THE RECORDING OF THIS PLAT. THE CITY OF KIRKLAND IS HEREBY RESPONSIBLE FOR THE PUBLIC STORM DRAIN FACILITIES WITHIN SAID TRACT. AN EASEMENT OVER SAID TRACT IS HEREBY GRANTED AND CONVEYED TO THE MERITAGE RIDGE HOMEOWNERS ASSOCIATION FOR ACCESS AND LANDSCAPE MAINTENANCE.
5. TRACT B IS A PRIVATE OPEN SPACE TRACT AND IS HEREBY GRANTED AND CONVEYED TO THE MERITAGE RIDGE HOMEOWNERS ASSOCIATION UPON THE RECORDING OF THIS PLAT. SAID HOMEOWNERS ASSOCIATION IS HEREBY RESPONSIBLE FOR THE MAINTENANCE AND MANAGEMENT OBLIGATIONS ASSOCIATED WITH SAID TRACT. SHOULD THE MERITAGE RIDGE HOMEOWNERS ASSOCIATION FAIL TO PROPERLY MAINTAIN SAID TRACT, THE OWNERS OF LOTS 1 THROUGH 36 OF THIS PLAT SHALL BE EQUALLY RESPONSIBLE FOR THE MAINTENANCE OF SAID TRACT.

**SURVEYOR'S NOTES**

1. ALL TITLE INFORMATION SHOWN ON THIS MAP HAS BEEN EXTRACTED FROM CHICAGO TITLE INSURANCE COMPANY SUBDIVISION GUARANTEE ORDER NUMBER 0019664-06 DATED JULY 30, 2015. IN PREPARING THIS MAP, D.R. STRONG CONSULTING ENGINEERS INC. HAS CONDUCTED NO INDEPENDENT TITLE SEARCH NOR IS D.R. STRONG CONSULTING ENGINEERS INC. AWARE OF ANY TITLE ISSUES AFFECTING THE SURVEYED PROPERTY OTHER THAN THOSE SHOWN ON THE MAP AND DISCLOSED BY REFERENCED CHICAGO TITLE INSURANCE COMPANY COMMITMENTS. D.R. STRONG CONSULTING ENGINEERS INC. HAS RELIED WHOLLY ON CHICAGO TITLE COMPANY REPRESENTATIONS OF THE TITLE'S CONDITION TO PREPARE THIS SURVEY AND THEREFORE D.R. STRONG CONSULTING ENGINEERS INC. QUALIFIES THE MAP'S ACCURACY AND COMPLETENESS TO THAT EXTENT.
2. ALL SURVEY CONTROL INDICATED AS "FOUND" WAS RECOVERED FOR THIS PROJECT IN JUNE, 2007.
3. ALL DISTANCES ARE IN FEET.
4. THIS IS A FIELD TRAVERSE SURVEY. A LEICA FIVE SECOND COMBINED ELECTRONIC TOTAL STATION WAS USED TO MEASURE THE ANGULAR AND DISTANCE RELATIONSHIPS BETWEEN THE CONTROLLING MONUMENTATION AS SHOWN. CLOSURE RATIOS OF THE TRAVERSE MET OR EXCEEDED THOSE SPECIFIED IN WAC 352-130-090. ALL MEASURING INSTRUMENTS AND EQUIPMENT ARE MAINTAINED IN ADJUSTMENT ACCORDING TO MANUFACTURER'S SPECIFICATIONS.



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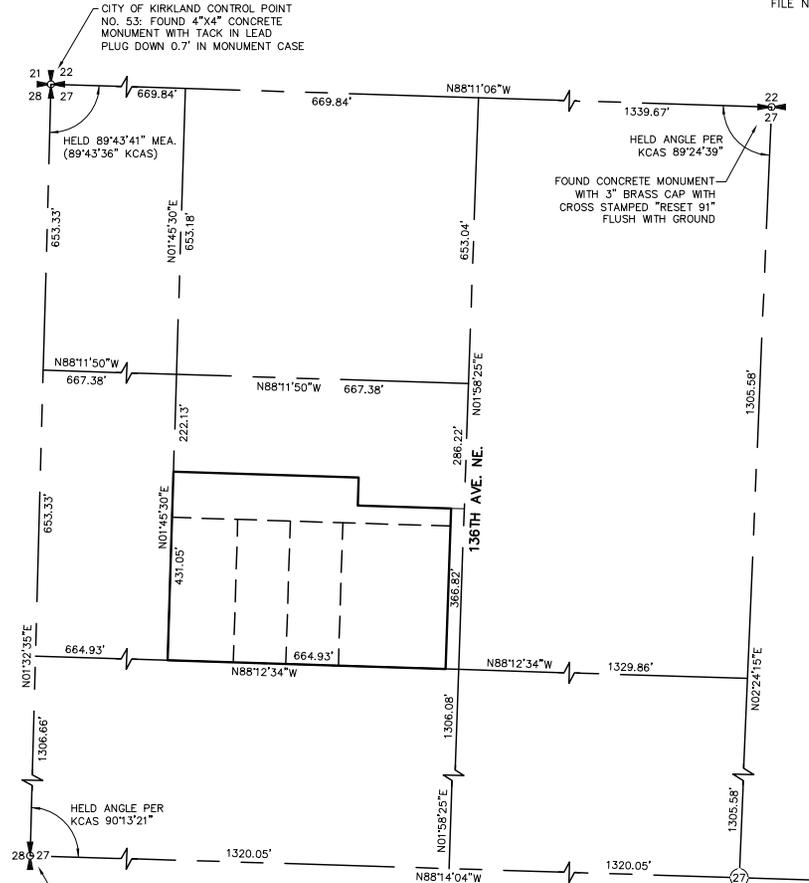


A PORTION OF  
THE NW, 1/4 OF THE NW, 1/4,  
SEC. 27, TWP. 26N. RGE. 5E., W.M.

DWN. BY	DATE	PROJECT NO.
SJS	8/11/15	13029
CHKD. BY	SCALE	SHEET
SJS		2 OF 5

**MERITAGE RIDGE**

A PORTION OF NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 27,  
TOWNSHIP 26 N., RANGE 5 E., W.M., CITY OF KIRKLAND, KING COUNTY, WASHINGTON  
FILE NO. SUB13-02088



CITY OF KIRKLAND CONTROL POINT NO. 53: FOUND 4\"/>

HELD ANGLE PER KCAS 90°13'21\"/>

CITY OF KIRKLAND CONTROL POINT NO. 47: FOUND CONCRETE MONUMENT WITH PUNCHED 3\"/>

FOUND CONCRETE MONUMENT WITH 3\"/>

HELD ANGLE PER KCAS 89°24'39\"/>



**NORTH**  
GRAPHIC SCALE  
0 100' 200' 400'  
1 INCH = 200 FT.

**BASIS OF BEARINGS:**

N01°32'35\"/>

**TITLE RESTRICTIONS**

1. THIS SITE IS SUBJECT TO AN EASEMENT AND THE RIGHTS INCIDENTAL THERETO GRANTED TO PUGET SOUND POWER AND LIGHT COMPANY FOR AN ELECTRIC TRANSMISSION AND/OR DISTRIBUTION SYSTEM AS DISCLOSED BY INSTRUMENT RECORDED UNDER RECORDING NUMBER 2555283 AND IS SHOWN HEREON.
2. THIS SITE IS SUBJECT TO AN EASEMENT AND THE RIGHTS INCIDENTAL THERETO GRANTED TO OLYMPIC PIPE LINE COMPANY FOR A PIPE LINE OR LINES AS DISCLOSED BY INSTRUMENT RECORDED UNDER RECORDING NUMBER 5685811 AND IS SHOWN HEREON.
3. THIS SITE IS SUBJECT TO AN EASEMENT AND THE RIGHTS INCIDENTAL THERETO GRANTED TO OLYMPIC PIPE LINE COMPANY FOR A PIPE LINE OR LINES AS DISCLOSED BY INSTRUMENT RECORDED UNDER RECORDING NUMBER 5685812 AND IS SHOWN HEREON.
4. THIS SITE IS SUBJECT TO AN EASEMENT AND THE RIGHTS INCIDENTAL THERETO GRANTED TO OLYMPIC PIPE LINE COMPANY FOR A PIPE LINE OR LINES AS DISCLOSED BY INSTRUMENT RECORDED UNDER RECORDING NUMBER 7305100464 AND IS SHOWN HEREON.
5. THIS SITE IS SUBJECT TO AN EASEMENT AND THE RIGHTS INCIDENTAL THERETO GRANTED TO PUGET SOUND POWER AND LIGHT COMPANY FOR AN UNDERGROUND ELECTRIC DISTRIBUTION SYSTEM AS DISCLOSED BY INSTRUMENT RECORDED UNDER RECORDING NUMBER 791200631. THE LEGAL DESCRIPTION CONTAINED WITHIN SAID INSTRUMENT IS INSUFFICIENT TO DETERMINE THE EASEMENTS' EXACT LOCATION WITHIN THIS SITE.
6. THIS SITE IS SUBJECT TO AN EASEMENT AND THE RIGHTS INCIDENTAL THERETO GRANTED TO KING COUNTY FOR A DRAINAGE FACILITY AS DISCLOSED BY INSTRUMENT RECORDED UNDER RECORDING NUMBER 8910160179 AND IS SHOWN HEREON.
7. THIS SITE IS SUBJECT TO AN EASEMENT AND THE RIGHTS INCIDENTAL THERETO GRANTED TO WOODINVILLE WATER DISTRICT FOR UTILITIES AS DISCLOSED BY INSTRUMENT RECORDED UNDER RECORDING NUMBER 9301211043 AND IS SHOWN HEREON.
8. THIS SITE IS SUBJECT TO AN EASEMENT AND THE RIGHTS INCIDENTAL THERETO GRANTED TO WOODINVILLE WATER DISTRICT FOR UTILITIES AS DISCLOSED BY INSTRUMENT RECORDED UNDER RECORDING NUMBER 9301211044 AND IS SHOWN HEREON.
9. THIS SITE IS SUBJECT TO AN EASEMENT AND THE RIGHTS INCIDENTAL THERETO GRANTED TO WOODINVILLE WATER DISTRICT FOR UTILITIES AS DISCLOSED BY INSTRUMENT RECORDED UNDER RECORDING NUMBER 9301211045 AND IS SHOWN HEREON.
10. THIS SITE IS SUBJECT TO AN EASEMENT AND THE RIGHTS INCIDENTAL THERETO GRANTED TO WOODINVILLE WATER DISTRICT FOR UTILITIES AS DISCLOSED BY INSTRUMENT RECORDED UNDER RECORDING NUMBER 9301211574 AND IS SHOWN HEREON.
11. THIS SITE IS SUBJECT TO AN EASEMENT AND THE RIGHTS INCIDENTAL THERETO FOR A STORM DRAIN LINE AS DISCLOSED BY INSTRUMENT RECORDED UNDER RECORDING NUMBER 9310252095 AND IS SHOWN HEREON.
12. THIS SITE IS SUBJECT TO AN EASEMENT AND THE RIGHTS INCIDENTAL THERETO GRANTED TO THE QUADRANT CORPORATION FOR SANITARY SEWER AND OTHER UTILITIES AS DISCLOSED BY INSTRUMENT RECORDED UNDER RECORDING NUMBER 2015020600659.
13. THIS SITE IS SUBJECT TO AN EASEMENT AND THE RIGHTS INCIDENTAL THERETO GRANTED TO NORTSHORE UTILITY DISTRICT FOR SANITARY SEWER AS DISCLOSED BY INSTRUMENT RECORDED UNDER RECORDING NUMBER 20150213000872 AND IS SHOWN HEREON.
14. THIS SITE IS SUBJECT TO AN EASEMENT AND THE RIGHTS INCIDENTAL THERETO GRANTED TO PUGET SOUND ENERGY, INC. FOR THE CONSTRUCTION, MAINTENANCE AND OPERATION OF UTILITY SYSTEMS FOR THE PURPOSES OF TRANSMISSION, DISTRIBUTION AND SALE OF GAS AND ELECTRICITY, INCLUDING ALL NECESSARY APPURTENANCES THERETO AS DISCLOSED BY INSTRUMENT RECORDED UNDER RECORDING NUMBER 20150730000834. THE LEGAL DESCRIPTION CONTAINED WITHIN SAID INSTRUMENT IS INSUFFICIENT TO DETERMINE THE EASEMENTS' EXACT LOCATION WITHIN THIS SITE.
15. THIS SITE IS SUBJECT TO THE COVENANTS, CONDITIONS, RESTRICTIONS, RECITALS, RESERVATIONS, EASEMENTS, EASEMENT PROVISIONS, DEDICATIONS, BUILDING SETBACK LINES, NOTES, STATEMENTS AND OTHER MATERS, TO THE EXTENT THE SAME ARE PERMITTED BY APPLICABLE LAW AS SET FORTH KING COUNTY SHORT PLAT NUMBER 1177115, RECORDED UNDER RECORDING NUMBER 7865300830.
16. THIS SITE IS SUBJECT TO THE COVENANTS, CONDITIONS, RESTRICTIONS, RECITALS, RESERVATIONS, EASEMENTS, EASEMENT PROVISIONS, DEDICATIONS, BUILDING SETBACK LINES, NOTES, STATEMENTS AND OTHER MATERS, TO THE EXTENT THE SAME ARE PERMITTED BY APPLICABLE LAW AS SET FORTH KING COUNTY SHORT PLAT NUMBER 678109, RECORDED UNDER RECORDING NUMBER 7904241065.
17. THIS SITE IS SUBJECT TO THE COVENANTS, CONDITIONS, RESTRICTIONS, RECITALS, RESERVATIONS, EASEMENTS, EASEMENT PROVISIONS, DEDICATIONS, BUILDING SETBACK LINES, NOTES, STATEMENTS AND OTHER MATERS, TO THE EXTENT THE SAME ARE PERMITTED BY APPLICABLE LAW AS SET FORTH CITY OF KIRKLAND ALTERATION OF LOT LINE NO. LLA14-00720, RECORDED UNDER RECORDING NUMBER 20150112900007.
18. THIS SITE IS SUBJECT TO THE TERMS AND CONDITIONS OF AN AGREEMENT BETWEEN CORONET HOMES AND KING COUNTY WATER DISTRICT NO. 104 FOR TEMPORARY WATER SERVICE AS DISCLOSED BY INSTRUMENT RECORDED UNDER RECORDING NUMBER 7811081016.
19. THIS SITE IS SUBJECT TO THE TERMS AND CONDITIONS OF KING COUNTY WATER DISTRICT NO. 104 AGREEMENT-RESOLUTION 586 AS DISCLOSED BY INSTRUMENT RECORDED UNDER RECORDING NUMBER 7912200627.
20. THIS SITE IS SUBJECT TO THE TERMS AND CONDITIONS OF A ROAD MAINTENANCE AGREEMENT AS DISCLOSED BY INSTRUMENT RECORDED UNDER RECORDING NUMBER 8911010950.
21. THIS SITE IS SUBJECT TO AN AGREEMENT FOR INTERIM SEWER SERVICE EXECUTED BY WOODINVILLE WATER DISTRICT AND NORTSHORE UTILITY DISTRICT AS DISCLOSED BY INSTRUMENT RECORDED UNDER RECORDING NUMBER 20141023000727.
22. THIS SITE IS SUBJECT TO AN AGREEMENT FOR RECIPROCAL TEMPORARY CONSTRUCTION EASEMENTS EXECUTED BY THE QUADRANT CORPORATION AND GEONERCO PROPERTIES, WA, LLC AS DISCLOSED BY INSTRUMENT RECORDED UNDER RECORDING NUMBER 20150206000660.
23. THIS SITE IS SUBJECT TO THE RIGHTS GRANTED TO KING COUNTY TO MAKE NECESSARY SLOPES FOR CUTS OR FILLS AS GRANTED IN DEED RECORDED UNDER RECORDING NUMBER 7810110487.
24. THIS SITE IS SUBJECT TO THE TERMS AND CONDITIONS OF A NOTICE OF CHARGES BY WATER, SEWER, AND/OR STORM AND SURFACE WATER UTILITIES AGREEMENT AS DISCLOSED BY INSTRUMENT RECORDED UNDER RECORDING NUMBER 9408091502.



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A PORTION OF THE NW 1/4 OF THE NW 1/4, SEC. 27, TWP. 26N. RGE. 5E., W.M.		
DWN. BY SJS	DATE 8/11/15	PROJECT NO. 13029
CHKD. BY	SCALE 1"=200'	SHEET 3 OF 5

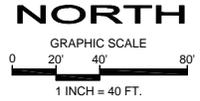
LINE	BEARING	DISTANCE
L1	N01°58'25"E	24.44'
L2	N46°23'28"E	15.96'
L3	N86°30'50"E	63.20'
L4	N70°08'40"E	32.15'
L5	N77°25'49"W	9.00'
L6	N12°34'11"E	23.82'
L7	N77°25'49"W	5.47'
L8	N01°47'48"E	24.43'
L9	N88°12'34"W	31.12'
L10	N43°30'52"W	9.08'

CURVE	RADIUS	DELTA ANGLE	ARC LENGTH
C1	116.00'	29°16'00"	8.17'
C2	22.50'	40°05'22"	16.74'
C3	97.50'	16°22'10"	27.86'
C4	45.00'	02°37'22"	2.06'
C5	45.00'	10°36'33"	8.33'

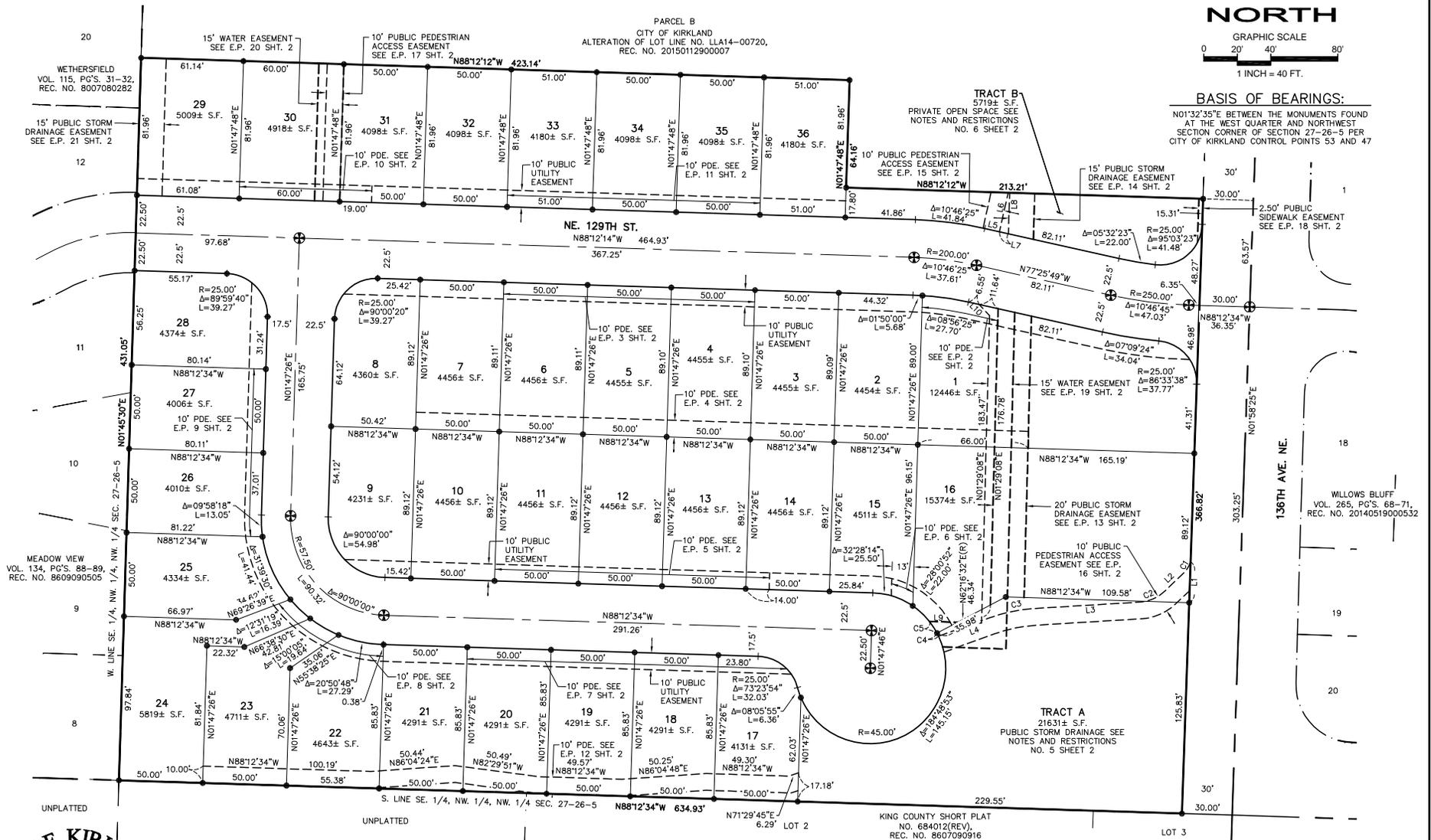
**MERITAGE RIDGE**  
 A PORTION OF NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 27,  
 TOWNSHIP 26 N., RANGE 5 E., W.M., CITY OF KIRKLAND, KING COUNTY, WASHINGTON  
 FILE NO. SUB13-02088

RECORDING NO.

VOL./PAGE



**BASIS OF BEARINGS:**  
 N01°32'35"E BETWEEN THE MONUMENTS FOUND  
 AT THE WEST QUARTER AND NORTHWEST  
 SECTION CORNER OF SECTION 27-26-5 PER  
 CITY OF KIRKLAND CONTROL POINTS 53 AND 47



- LEGEND**
- ⊕ SET CITY OF KIRKLAND STANDARD MONUMENT WITH BRASS DISK STAMPED 37555 IN MONUMENT CASE
  - FOUND CORNER MONUMENT AS NOTED
  - SET 5/8" X 24" REBAR WITH PLASTIC CAP STAMPED "DRS 37555" AT CORNER OR ON LINE AT 4.00 FEET FROM CORNER AS INDICATED
- E.P. EASEMENT PROVISION  
 PDE PRIVATE STORM DRAIN EASEMENT

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DWN. BY	DATE	PROJECT NO.
SJS	8/11/15	13029
CHKD. BY	SCALE	SHEET
	1"=40'	4 OF 5

RECORDING NO.

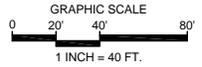
VOL./PAGE

**MERITAGE RIDGE**

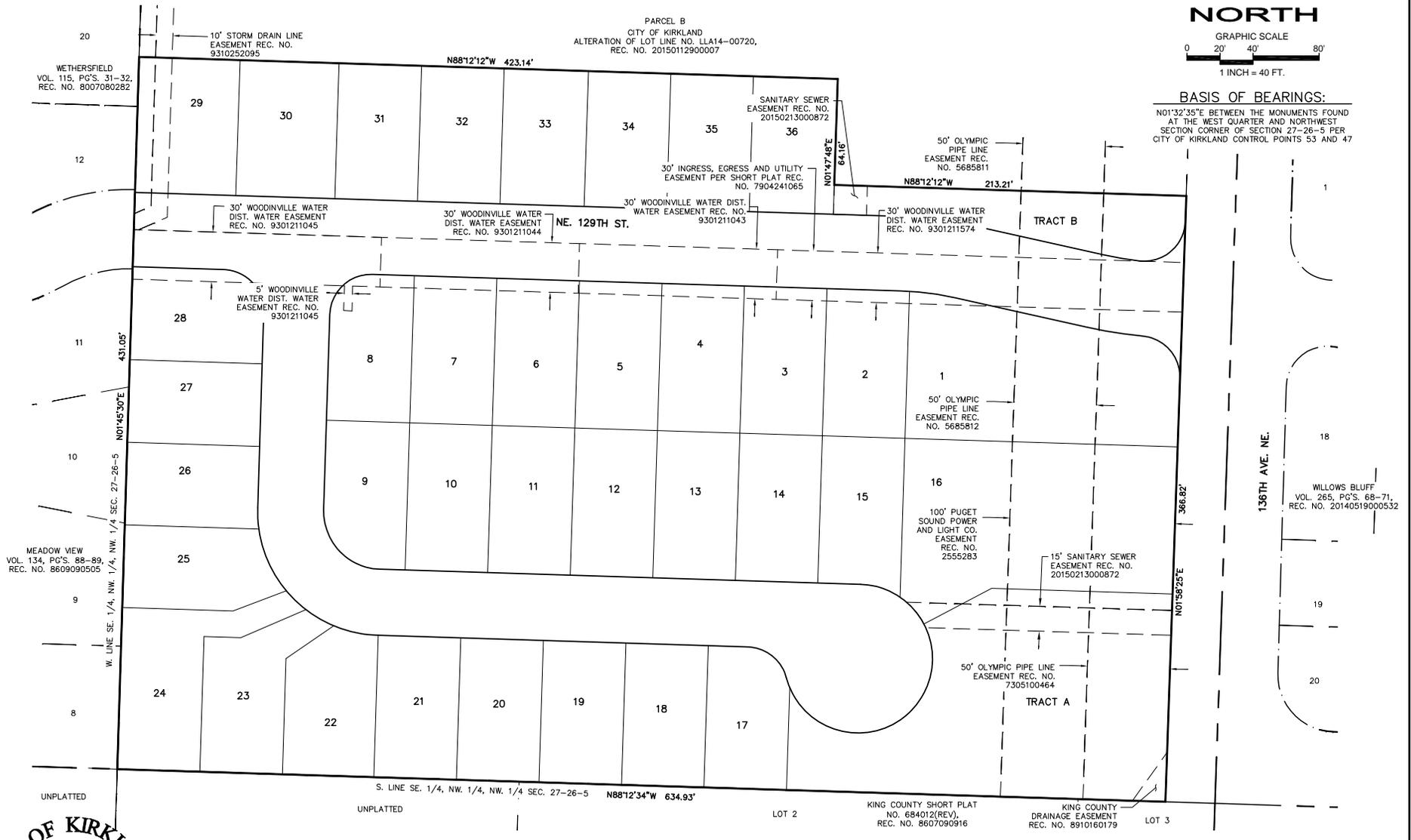
A PORTION OF NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 27,  
TOWNSHIP 26 N., RANGE 5 E., W.M., CITY OF KIRKLAND, KING COUNTY, WASHINGTON  
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**NORTH**



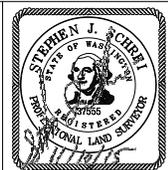
**BASIS OF BEARINGS:**  
N01°32'35"E BETWEEN THE MONUMENTS FOUND  
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MEADOW VIEW  
VOL. 134, PG'S. 88-89,  
REC. NO. 8609090505



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DWN. BY SJS	DATE 8/11/15	PROJECT NO. 13029
CHKD. BY	SCALE 1"=40'	SHEET 5 OF 5

RECEIVED

JUN 27 2014

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

AM  
PLANNING DEPARTMENT PM  
BY \_\_\_\_\_

**APPLICANT:** Harbor Homes LLC

**FILE NO:** SUB13-02088

**APPLICATION:**

1. Site Location: 12817 136<sup>th</sup> Avenue NE, 13407, 13419 & 13505 NE 129<sup>th</sup> Street, and 13511 NE 129<sup>th</sup> Place
2. Request: To subdivide five parcels into 36 lots with access provided via a new access road from 136<sup>th</sup> Avenue NE which connects to the existing NE 129<sup>th</sup> Street right-of-way to the west of the plat to create a new through road
3. Review Process: Process IIA, the Hearing Examiner conducts a public hearing and makes a final decision on the preliminary subdivision
4. Key Issues: Compliance with applicable subdivision criteria and development regulations

**RECOMMENDATION:**

Department of Planning and Community Development Approve with conditions

**PUBLIC HEARING:**

The Hearing Examiner held a public hearing on the preliminary subdivision application on June 18, 2014, 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 and on the City of Kirkland website. 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 in advance of 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.

## **FINDINGS AND CONCLUSIONS:**

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

### **Findings of Fact**

#### Site and Vicinity

1. The site is located in the Kingsgate neighborhood and, following a proposed lot line alternation with property to the north (Vintner's West Plat and PUD), will be 260,327 square feet (4.69 acres) in area. It is presently developed with five single-family residences and accessory structures that are proposed for removal. Puget Sound Energy transmission lines and the underground Olympic pipeline cross the eastern part of the site.
2. The site is zoned RSA 8, a single-family residential zone with a maximum density of 8 units per acre and a minimum lot size of 3,800 square feet.
3. The site slopes up steeply from south to north and is designated as a high landslide hazard area on the City's Sensitive Area Maps. It includes 198 significant trees (6 inches or more diameter at breast height).
4. To the north and west is RSA 8 zoning and existing or planned single-family development; to the east is RSA 6 zoning and several new single-family developments; and to the south is TL 7 zoning, part of which is developed with an industrial park.
5. NE 129<sup>th</sup> Street presently extends from 136<sup>th</sup> Avenue NE, an arterial, through the site to its western boundary. Properties to the west of the proposed subdivision consist of three subdivisions approved by King County. The northernmost plat, Totem Vista, was approved in 1978 and included dedication of 133<sup>rd</sup> Place NE, a new road off of NE 132 Street, to serve the plat and future development to the south. The Wethersfield plat to the south of Totem Vista was approved in 1980 and continued 133<sup>rd</sup> Place NE to the south boundary of the plat. In 1986, the Meadow View plat was approved to the south of Wethersfield and continued 133<sup>rd</sup> Place NE to the south, where it terminates in a cul-de-sac. North of the cul-de-sac, Wethersfield includes a spur road, NE 129<sup>th</sup> Street, that extends to the east boundary of the property. See Exhibit A, Staff Advisory Report, Attachment 10.

#### Proposal

6. The applicant proposes to divide the five existing parcels into 48 single-family lots, all of which would meet the minimum lot size, with access provided from 136<sup>th</sup> Avenue NE via NE 129<sup>th</sup> Street. NE 129<sup>th</sup> Street would be extended to connect to the NE 129<sup>th</sup> Street right-of-way to the west, thereby creating a through road from 133<sup>rd</sup> Place NE to 136<sup>th</sup> Avenue NE. The road would be designed as a neighborhood access road

with a curb to curb width of 24 feet. A private access road within the plat, "Road A" would provide access from NE 129<sup>th</sup> Street to some of the proposed lots.

7. As part of its SEPA review of the proposal, the Public Works Department recommended that the Applicant install traffic calming measures on NE 129<sup>th</sup> Street and stop signs at the intersections with 136<sup>th</sup> Avenue NE and 133<sup>rd</sup> Place NE to discourage cut-through traffic and speeding.

8. Pursuant to KZC 95.30.6.a, the applicant is proposing phased review of tree retention on the property and submitted an arborist report and tree inventory, which were reviewed and confirmed by the City's Urban Forester. There are 172 viable trees on the site. Twenty are of High Retention Value, 84 are of Moderate Retention Value, and 68 are of Low Retention Value.

9. The applicant submitted a geotechnical report pursuant to KZC 85.15.3. The report concludes that construction of the proposed development is feasible from a geotechnical standpoint and includes recommendations for site development. Exhibit A, Attachment 9.

10. The applicant has not submitted letters of water and sewer service availability, but the Development Standards include a requirement for both letters. Exhibit A, Attachment 3, page 35.

#### State Environmental Policy Act and Traffic Concurrency

11. The traffic impact analysis (TIA) and revised supplemental TIA for the proposal are included in Exhibit A as Attachment 6, Enclosures 4 and 5. The supplement was done to evaluate the traffic impacts of the NE 129<sup>th</sup> Street connection.

12. A traffic count and a speed survey were conducted on 133<sup>rd</sup> Place NE. Approximately 665 trips per day and 66 PM peak hour trips occur north of NE 130<sup>th</sup> Place, and 340 trips per day and 34 PM peak hour trips occur south of NE 130<sup>th</sup> Place. The speed survey showed an average speed of 21 mph and no pattern of speeding. Exhibit A, Attachment 6, Enclosure 5 at 2.

13. Trip generation in the TIA and supplemental TIA is calculated using the average trip rates in the Institute of Transportation Engineers Trip Generation for Single-Family Detached Housing, which account for all site trips made by all vehicles for all purposes. Trip distribution is based on the concurrency model output provided by the City in its Traffic Impact Analysis Guidelines.

14. The TIA shows that approximately 86 daily project-generated trips would travel on NE 129<sup>th</sup> Street to 133<sup>rd</sup> Place NE and then to NE 132<sup>nd</sup> Street, and that approximately 164 daily trips from homes served by 133<sup>rd</sup> Place NE would now use NE 129<sup>th</sup> Street, through the proposed development, to access 136<sup>th</sup> Avenue NE. In a worst case scenario 9 project-generated PM peak hour trips may use 133<sup>rd</sup> Place NE, and in the best case, 11

PM peak hour trips from 133rd Place NE would reroute to the NE 129<sup>th</sup> Street connection. Exhibit A, Attachment 6, Enclosure 5.

15. Public Works and Fire staff determined that the widths of the existing and proposed rights-of-way for NE 129<sup>th</sup> Street are adequate for both normal and emergency vehicle traffic.

16. The Public Works Director has recommended that the NE 129<sup>th</sup> Street connection be required as part of the proposed plat in order to provide even traffic distribution, as well as a secondary access for emergency vehicles to residences in both the existing and proposed plats.

17. The City's Transportation Engineer concluded that traffic from the proposed subdivision and the NE 129<sup>th</sup> Street road connection will not have a significant adverse impact on 133<sup>rd</sup> Place NE and the neighborhoods to the west.

18. The application passed Traffic Concurrency on October 14, 2013. Pursuant to the State Environmental Policy Act (SEPA), the Department issued a Determination of Nonsignificance (DNS) for the proposal on May 13, 2014. Neither the DNS nor the concurrency test notice was appealed.

#### Public Comment

19. During the comment period on the application, the Department received 18 comment letters and emails, and a petition signed by numerous residents of the subdivisions to the west of the proposed plat. Many comments opposed the proposed NE 129<sup>th</sup> Street connection due to the narrowness and the sharp turn on the existing stub road, potential impacts to homes near the new intersection with NE 133<sup>rd</sup> Place NE, and the potential for cut-through traffic and resulting impacts to NE 133<sup>rd</sup> Place and residents who use the street. One letter, from BERPS Associates, expressed concern with the proposed development's conveyance of stormwater to a private stormwater system. *See Exhibit A, Attachments 4 and 5.*

20. Testimony and comment letters received at the hearing largely mirrored those in the comment letters received by the Department. *See Exhibits B, C and D.* Some residents who use 133<sup>rd</sup> Place NE indicated that there is presently a periodic problem with speeding in the neighborhood and asked that speed bumps be installed on 133<sup>rd</sup> Place NE. Others emphasized that the neighborhood "won't put up with speeding". Several mentioned that children play and ride bicycles in the street because it is safe to do so and asked how the impacts of the development on their neighborhood would be mitigated. One neighbor asked for crosswalks at the new intersections on NE 129<sup>th</sup> Street. Several residents near NE 132<sup>nd</sup> Street mentioned the difficulty they presently have in getting out of their driveways because of the traffic backed up at the stop sign to turn from 133<sup>rd</sup> Place NE onto NE 132<sup>nd</sup> Street. Overall, the testimony and letters expressed frustration at the pressures from the recent spike in development in the area.

21. Some neighbors who testified expressed concern that everyone in the neighboring subdivisions to the west was not notified of the application and hearing on the proposed subdivision.

22. A comment letter from the owners of much of the land that will be sold for the proposed development stated that they had watched open fields and trees be transformed into the three plats now developed to the west of the proposed project. They noted that with each plat, a road was stubbed out for connection to the next new development and asserted that the connection of NE 129<sup>th</sup> Street should therefore come as no surprise to the neighborhood. Exhibit B.

23. A letter from the attorney for BERPS Associates reports that they have reached agreement with the applicant on the stormwater issues raised in their earlier letter, and that they are working with the City to address a separate stormwater issue. Exhibit B.

#### Comprehensive Plan

24. The Comprehensive Plan Land Use Map designates the subject property for low density residential use, with a density of eight dwelling units per acre.

25. Comprehensive Plan 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.

26. Comprehensive Plan 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.*

27. Comprehensive Plan Policy T-1.2 states that the City should "[m]itigate adverse impacts of transportation systems and facilities on neighborhoods." The policy recognizes that "[t]ransportation systems and facilities can have adverse impacts on neighborhoods," such as "[s]afety problems due to speeding vehicles and increasing traffic volumes," "[i]ncreased traffic resulting from drivers seeking alternate routes to congested arterials," "and/or [a]ir and noise pollution." The policy states that a combination of techniques should be used to avoid or mitigate these impacts, including "[d]eveloping and implementing neighborhood appropriate street design standards," "[c]reating an interconnected system of streets to distribute the traffic load and lessen the burden on any given street," and "[a]voiding connections through residential neighborhoods when they will create new routes for commercial/industrial traffic or bypass routes for I-405." Comprehensive Plan at X-8.

28. Comprehensive Plan Policy T-4.4 addresses minimizing "bypass traffic and safety impacts on neighborhood streets." It acknowledges that "[c]ut-through traffic onto neighborhood streets from nearby congested arterials or collectors does occur," and explains that the "intent of this policy is to minimize the amount of cut-through traffic and the impacts of this traffic when it does occur by the use of various forms of traffic calming techniques." Comprehensive Plan at X-13.

29. Comprehensive Plan Policy T-6.1 states that the City should "[p]ave streets and access easements to the smallest dimensions necessary to accommodate their designed function, including emergency access." Comprehensive Plan at X-20.

#### Applicable Law

30. KZC 150.22.2 provides the requirements for distribution of notice of a subdivision application. It requires notice to owners of all property within 300 feet of any boundary of the subject property and to residents of each piece of property adjacent to or directly across the street from the subject property. It also requires publication in the City's official newspaper, and posting on the City's official notification boards and on the City's website. This Code section also includes the requirement for the applicant to post the property. Requirements for the notice of hearing are similar. *See* KZC 150.30.2.

31. Exhibit A, Attachment 3 includes surface water, stormwater, street and pedestrian improvement, tree retention, and other development standards and requirements for the project.

32. KZC 110.60.1 authorizes the Public Works Director to require dedication of land for rights-of-way and utility infrastructure if reasonably necessary as a result of a proposed development.

33. KZC 110.60.6 authorizes the City to require stop signs "in the manner and location established by the Department of Public Works."

34. KZC 95.30.6.a allows for phased review of tree retention as part of the subdivision process. In phased review, the applicant submits a tree retention plan that addresses only trees affected by known improvements at the time of application, and tree removal is limited to those affected areas. A new tree retention plan is required for each subsequent phase of the project.

35. KZC 85.25 lists the performance standards the City may require for development in a landslide hazard area.

36. KZC 150.65.3 provides that the Hearing Examiner may approve a Process IIA application only if it is "consistent with all applicable development regulations, and to the extent there is no applicable development regulation, the Comprehensive Plan," and is "consistent with the public health, safety and welfare."

37. KMC 22.12.230 provides that the Hearing Examiner may approve a proposed subdivision only if:

- (1) There are adequate provisions for open spaces, drainage ways, rights-of-way, easements, water supplies, sanitary waste, power service, parks, playgrounds and schools; and
- (2) It will serve the public use and interest and is consistent with the public health, safety and welfare. The Hearing Examiner shall be guided by the policy and standards and may exercise the powers and authority set forth in RCW 58.17.

38. In Process IIA application, the applicant bears the burden of convincing the Hearing Examiner that the applicant is entitled to the requested decision. KZC 150.50.

**Conclusions:**

1. There is no evidence in the record that the Department failed to comply with the notice requirements of KZC 150.22 or KZC 150.30.
2. Size, land use, zoning, and neighboring development do not raise issues of concern for the proposed subdivision.
3. The proposal is consistent with the site's zoning, which is consistent with the Comprehensive Plan's designation for the site.
4. The proposal has satisfied SEPA and Traffic Concurrency requirements.
5. The proposed subdivision will create infill residential development and is consistent with the goals of the Comprehensive Plan. The NE 129<sup>th</sup> Street connection recommended by the Public Works Department is consistent with Comprehensive Plan Policies T-4.3 and T-4.5, which call for an interconnected network for vehicular circulation including convenient access for emergency vehicles. The Public Works Department's recommendation for use of traffic calming techniques on the road, such as speed bumps, and stop signs at intersections, is consistent with Comprehensive Plan Policies T-1.2 and T-4.4, which suggest use of such techniques to mitigate adverse impacts of transportation systems on neighborhoods. And the construction of the paved road at 24 feet is consistent with Comprehensive Plan Policy T-6.1, which calls for the City to pave streets to the smallest dimensions necessary to accommodate their designed function.
6. As conditioned, the proposed subdivision complies with KMC 22.12.230 and KZC 150.65. As conditioned, it is consistent with zoning, subdivision, and other applicable 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.

**DECISION:**

Based on the foregoing findings and conclusions, the application for a preliminary subdivision is approved, subject to the following conditions:

1. This application is subject to the applicable requirements contained in the Kirkland Municipal Code, Zoning Code, and Building and Fire Code. It is the responsibility of the applicant to ensure compliance with the various provisions contained in these ordinances. Exhibit A, Attachment 3, Development Standards, is provided to familiarize the applicant with some of the additional development regulations. This attachment does not include all of the additional regulations. When a condition of approval conflicts with a development regulation in Exhibit A, Attachment 3, the condition of approval shall be followed.
2. The applicant shall comply with the applicable tree retention requirements of KZC Chapter 95. The tree retention conditions as outlined in Exhibit A, Attachment 3 shall be followed.
3. Prior to recording the subdivision, the applicant shall record the proposed lot line alteration to adjust the property boundaries to match the proposed site plan.
4. As part of any development permits, the applicant shall follow the recommendations contained in the report by Earth Solutions NW, LLC dated October 3, 2013.

Entered this 25<sup>th</sup> day of June, 2014, pursuant to authority granted by KZC 150.65 and KMC 22.12.230.

  
Sue A. Tanner  
Hearing Examiner

**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.

**LAPSE OF APPROVAL**

Under Section 22.16.130 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 seven 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 seven years is tolled for any period of time during which a court order in said judicial review proceeding prohibits the recording of the plat.

**PARTIES OF RECORD:**

Maher Jacobi, Applicant  
Parties of Record prior to the hearing  
Kathryn and Keith O'Neill  
Kevin Smit  
Elaine H. Berryman  
Lara Sosnosky  
Jack Berryman  
Luanna Chandler  
Tom and Jill McGowan  
Kim Chandler  
Bob and Lisa Hedrick  
Jeff Parks  
Liz Parks  
Frankie Bottinelli  
Tin Su  
Department of Planning and Community Development  
Department of Public Works  
Department of Building and Fire Services

**EXHIBITS:**

The following exhibits were entered into the record:

- Exhibit A Department's Advisory Report with Attachments 1 through 10  
Exhibit B Comment letters from Rod W. Tucker, Robert and Stacy Segundo, William Michael Frickberg, Joseph W. Martin, and John T. Cook, attorney-at-law, on behalf of BERPS Associates  
Exhibit C Copy of Elaine T. Berryman's testimony and 8 photographs  
Exhibit D Comment letters from Lyman Perkins, Kathleen Perri, and W.D. and Adelia T. Gran

**APPEALS AND JUDICIAL REVIEW**

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

**APPEAL TO THE CITY COUNCIL**

Section 150.80 of the Zoning Code allows the Hearing Examiner's decision to be appealed by the applicant and any person who submitted written or oral testimony or comments to the Hearing Examiner. Under Section 150.80, a party who signed a petition may not appeal unless such party also submitted independent written comments or information. The appeal 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 14, 2014, fourteen (14) calendar days following the

postmarked date of distribution of the Hearing Examiner's decision on the application.

**JUDICIAL REVIEW**

Section 150.130 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 21 calendar days of the issuance of the final land use decision by the City.

## **Exhibit A**

The Staff Advisory Report and Attachments for June 18, 2014 Hearing can be found here:

[Staff Report and Attachments 1 thru 5](#)

[Attachments 6 thru Attachment 10](#)

June 2, 2014

Examiner  
c/o Tony Leavitt  
City of Kirkland Planning & Community Development  
123 5<sup>th</sup> Avenue  
Kirkland, WA. 98033

RECEIVED  
JUN 04 2014  
AM \_\_\_\_\_ PM \_\_\_\_\_  
PLANNING DEPARTMENT  
BY \_\_\_\_\_

RE: Permit No. SUB13-02088

Submitted By:  
Rod W Tucker  
13227 NE 130<sup>th</sup> Pl  
Kirkland, WA. 98034  
rod.nic@comcast.net

I vehemently challenge the proposal to create a new through road at 129<sup>th</sup> St!

What is the benefit to creating a new through road at 129<sup>th</sup> Street????? None! There is absolutely zero benefit to creating a new through road. If the new neighborhood has access via 136<sup>th</sup> Ave NE, then why is a new through road even being considered???? This is a ridiculous proposal that only serves to benefit the developer. On the other hand, the number of negative ramifications of creating a through road at 129<sup>th</sup> Street is significantly higher than zero.

Non residents will use this new path as a short cut between 132<sup>nd</sup> St and 136<sup>th</sup> Ave, especially during high traffic periods, which already cause 132<sup>nd</sup> St to back up for blocks, causing significant difficulty, at times, for existing residents trying to exit the neighborhood and travel West on 132<sup>nd</sup> St. This group of short cutters will not be concerned with maintaining the speed limit and will immediately create a new, significant, hazard to children, pets, and pedestrians who currently enjoy some level of safety knowing there are very few vehicles entering and leaving the neighborhood who do not share the same concerns as the residents who live there!

I have three active boys and they enjoy playing outside and having friends over. Our cul-de-sac is relatively quiet and we enjoy some peace of mind knowing they and their friends can play outside without significant traffic concerns. A new through street will eliminate this for all of us.

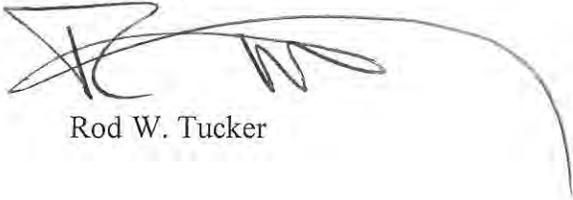
Look at the records of bursting pipe repairs in this neighborhood. The system is not built to withstand the current traffic load, let alone the massive increase in traffic that would be created by a new through street. Crumbling sidewalks, created by existing rumbling traffic, is already an issue that needs attention. Through traffic will only perpetuate this problem and create more issues.

CITY OF KIRKLAND  
**Hearing Examiner Exhibit**  
Applicant \_\_\_\_\_  
Department \_\_\_\_\_  
Public   
FILE # SUB13-02088 B

The "No Outlet" sign seen when entering this neighborhood was a major selling point for many who currently live here and will continue to be a major selling point for any new residents. The value of ALL of our homes will decrease by creating a new through street where one does not need to be. We have lived here happily for years without the need for a through street and the new residents of RSA 8 will be perfectly fine without it as well. In fact, their property values will likely be higher as a result of less through traffic in *their* neighborhood.

It is my belief that a through street consideration is being proposed as the only means by which the developer can squeeze in a few extra lots to sell. PLEASE do not compromise our standard of living so that a developer can make a few extra bucks. Be reasonable when making your considerations and please weigh the actual pros and cons and who is actually benefiting from this. Is it the residents? No! Clearly! It is the developer. Take care of the families who made the choice to live here.

Regards,

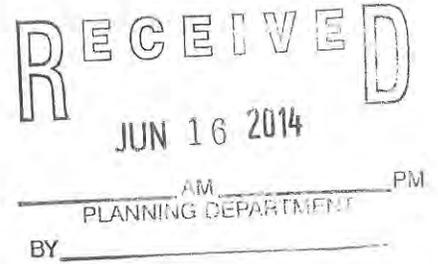
A handwritten signature in black ink, appearing to read "Rod W. Tucker". The signature is stylized with a large, sweeping flourish that extends to the right and then curves back down.

Rod W. Tucker

June 13, 2014

Hearing Examiner  
c/o Mr. Tony Leavitt  
City of Kirkland-Planning and Community Development Department  
123 5<sup>th</sup> Avenue  
Kirkland, WA 98033

Re: Permit # SUB13-02088



To Whom It May Concern:

We are writing to express our concerns regarding the construction of the Meritage Ridge Subdivision and the subsequent traffic impact.

Our primary concern is the proposed access road off of 136<sup>th</sup> Ave NE that will also connect to the existing NE 129<sup>th</sup> Street and subsequently 133<sup>rd</sup> Place NE. It is our understanding that traffic studies have been conducted and study results have indicated that there will be no adverse impact. Traffic counters were placed on 133<sup>rd</sup> Place NE after a 2<sup>nd</sup> traffic study was requested. However, it is the time it takes to take a left onto NE 132<sup>nd</sup> in peak traffic times that could pose challenges. Merging onto NE 132<sup>nd</sup> can be difficult due to traffic backing up from the traffic light at the intersection of NE 132<sup>nd</sup> and 132<sup>nd</sup> NE. This factor along with the increased traffic from the completion of the new developments of Vintners Ridge (51 homes), Willows Bluff (26 homes), and Meritage Ridge (36 homes) will adversely affect the neighborhood traffic flow when traffic backs up onto 133<sup>rd</sup> Place NE.

The "Environmental Determination for Meritage Ridge Preliminary Subdivision" Memorandum dated May 8, 2014 did not address this.

We ask that you consider the increase in traffic volume when all developments are completed and consider another option other than the connection of NE 129<sup>th</sup> Street to 133<sup>rd</sup> Place NE. 133<sup>rd</sup> Place NE was not built to handle the volume of traffic that is anticipated.

Thank you for your consideration.

Sincerely,

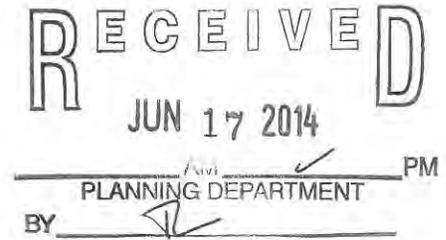
A handwritten signature in blue ink that reads "Stacy Segundo". To the right of the signature is a blue circular stamp containing the text "CITY OF KIRKLAND" and "PLANNING DEPARTMENT".

Robert and Stacy Segundo  
13226 NE 130<sup>th</sup> Place  
Kirkland, WA 98034  
425.495.1500 (c)  
stacy\_oda2001@yahoo.com

## Tony Leavitt

---

**From:** Mike <mfrickberg@whidbey.com>  
**Sent:** Tuesday, June 17, 2014 12:42 PM  
**To:** Tony Leavitt  
**Subject:** Meritage Ridge, Case No. SUB13-02088



Tony Leavitt  
City of Kirkland  
123 Fifth Avenue  
Kirkland, WA 98033

Re: Meritage Ridge, Case No. SUB13-02088

Dear Mr Leavitt,

My wife's grandparents in the 1940's purchased the five acre property that is the majority of the south portion of the proposed Meritage Ridge development.

My wife clearly remembers when there was only a few houses with open grass fields, meadows and trees where the Totem Vista, Weathersfield, and Meadow View developments now exist.

Over time these three developments evolved. The developers designed and built the homes following the The King County Master Plan in place at that time.

As a result the roads were layout and built with the clear intention of continuing the road as future properties developed. This was obvious and clear to us when we bought our property at 13419 NE 129th St in 1982 - that the property was zoned as multiple houses per acre.

When the Meadow View development was finished in the mid 1980's the prospective home buyers bought into a developed community concept which included a road stubbed (NE 129th St) that was clearly defined, curbed, paved, complete with utilities pointing east toward future development. For that matter it was the same for Totem Vista, and Weathersfield with their roads stubbing out toward the south at each of their development completions.

From our perspective, each of the original and current home owners bought their homes knowing of the road continuation potential.

We have owned our property and lived here for many years as we watched the grass filled meadows as they became developed - for which those that are opposing this now call home.....with all due respect, we expect the same curtiouisy that we have previously extended with their developments.

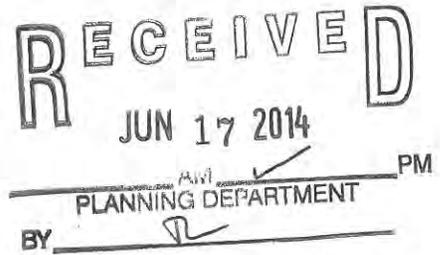
Respectfully,

William Michael Frickberg  
Vicki B Frickberg  
13419 NE 129th St  
Kirkland, WA, 98034

June 17, 2014

Via Email: TLeavitt@kirklandwa.gov

City of Kirkland Hearing Examiner  
c/o Tony Leavitt, City of Kirkland Planning Dept.  
123 5<sup>th</sup> Avenue  
Kirkland, WA 98033



**Re: Meritage Ridge, Case No. SUB13-02088**

Dear Hearing Examiner:

This firm represents a group of individuals commonly referred to as BERPS Associates (“BERPS”). BERPS is the owner of King County Tax Parcels 2726059123, 2726059051, & 2726059122 which abut the southern boundary of the above-referenced subdivision (“BERPS Properties”). By letter dated February 7, 2014 BERPS submitted comments to the City of Kirkland Planning Department which identified BERPS’ concerns with the proposed subdivision. Specifically, BERPS raised concern over the impact any increase in stormwater may have on the stability of a slope along the southern boundary of the proposed Meritage Ridge subdivision.

Since that time, BERPS has met with the applicant and its engineers and has addressed its concerns subject to the applicant adhering to the following conditions:

- Drain System—Applicant agrees to construct and maintain a French Drain or similar structure along the length of the southern boundary of the property (“Drain System”). The Drain System shall be designed to capture stormwater runoff and convey it away from the slope. The Drain System shall be maintained by applicant until the post-construction is complete and operational.
- Retention of CESCL—Applicant agrees to retain a Certified Erosion and Sediment Control Lead (“CESCL”). The CESCL shall inspect and monitor the site during



Written comments submitted by

Joseph W. Martin

Telephone: 206-334-5302

12942 133rd PL NE

joemartin500@msn.com

Kirkland, WA 98034

To:

Tony Leavitt, Associate Planner , et al

Regarding:

Meritage Ridge 36 Lot Preliminary Plat      FILE NO.: SUB13-02088

My wife, Alison D. Martin and I have resided at / owned the above property since September, 1984.

We wish to argue against the opening of the "existing NE 129th Street right -of-way, to the west of the plat, to create a new through road."

This action will effectively turn 133rd Place NE into an arterial.

Speeds of vehicles originating from the cul-de-sac at the south end of 133rd Place NE frequently exceed the posted limit of 25 mph.

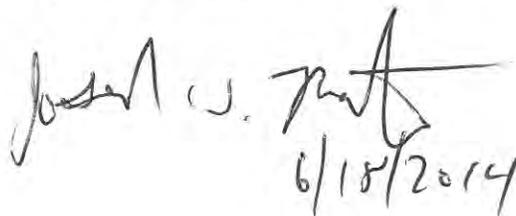
Routing vehicles from the proposed development, as well as traffic from

136th Avenue NE will add to the problem and most definitely affect the safety and serenity of our neighborhood in an adverse way.

We realize that most people are apt to advance a "NIMBY" argument, but we appeal to a sense of fair play- since annexation by the City of Kirkland, our property taxes have increased, as well as the utility bills- owing to "franchise fees" tacked on by the city.

Under this proposal, the Developer realizes their profit- and produces an externality degrading our quality of life.

Please consider a compromise- restrict access to the new development to 136th Avenue NE and preserve the safety and character of Totem Vista / Wethersfield.

  
6/18/2014

June 18<sup>th</sup> 2014

ELAINE BERRYMAN, 12924 133<sup>RD</sup> PLACE NE (WETHERSFIELD SUBDIVISION)

LOCATION: THE SPUR ROAD (AT NE 129<sup>TH</sup> ST AND 133<sup>RD</sup> PLACE NE) IS SITUATED ONLY THREE PROPERTIES SOUTH OF MY HOUSE. THIS EXITING SMALL, DEAD END STREET HAS BEEN THERE SINCE APPROXIMATELY 1986 WHEN THE LAST SUBDIVISION WAS BUILT. ALL THREE SUBDIVISIONS LOCATED IN THE SAME VACINITY WITH THE TRAFFIC FLOW IN AND OUT ON ONLY 133<sup>RD</sup> PLACE NE OFF OF NE 132. WE HAVE ALL, OVER THE PAST 35-40 YEARS, THOUGHT THIS WOULD BE A PERFECT LOCATION FOR ALL OUR FAMILIES TO BE RAISED. IT IS A VERY QUIET AND SAFE NEIGHBORHOOD TO RAISE OUR CHILDREN, GRANDCHILDREN, OLDER ADULTS, AND PETS. BEING IN UNINCORPORATED KING COUNTY WHEN THESE HOUSES WERE ORIGINALLY BUILT, WE ALL UNDERSTOOD THAT NE 129<sup>TH</sup> STREET WOULD REMAIN CLOSED AND NEVER OPENED AS A THROUGH STREET. NOW, THAT WE ARE IN THE "CITY OF KIRKLAND", WE ARE TOLD THAT THINGS HAVE TO BE APPLIED DIFFERENTLY. THIS IS VERY DISTURBING TO WE HOME OWNERS, KNOWING YOU ARE INSISTING ON CHANGING THIS STREET, WHICH IS VERY NARROW, INTO A STREET THAT WOULD CAUSE US TO DEAL WITH HEAVIER TRAFFIC FLOW IN OUR NEIGHBORHOOD ALONG WITH THE SMELL OF EXHAUST FUMES TO BREATHE, DIRT, DANGER TO OUR CHILDREN, GRANDCHILDREN, AND PETS, THE DROP OF PROPERTY VALUES, AND SPEEDING TRAFFIC. MANY OF WE ENJOY SO MUCH TO WALK OUR CALTISACS WHEN WE CHOOSE TO GET OUR DAILY EXERCISE. WE DO NOT HAVE AN "OPEN PLAY AREA" FOR OUR CHILDREN, WE DO NOT HAVE FANCY PICNIC AREA, A DOG PLAY AREA, ETC. THAT IS EXACTLY WHAT IS BEING PLANNED FOR THESE NEW DEVELOPMENTS. IN THE PAST YEARS, WE HAVE ALWAYS KNOW OUR STREET TO BE SAFE ENOUGH TO HAVE ANNUAL PICNICS, A PLACE TO SHARE CONVERSATIONS WITH OUR GREAT NEIGHBORS AND OF COURSE WATCH OUR CHILDREN RIDE THEIR BIKES AND PLAY SOCCER OR SOFTBALL. WE KNOW ALL OF OUR NEIGHBORS' CARS, PETS, AND CHILDREN. WITH THIS ROAD OPEN – WE WON'T HAVE THIS GREAT OPPORTUNITY AGAIN. WE ARE SURROUNDED BY NE 124<sup>TH</sup> (WHICH IS A MAJOR ROAD TO THE SOUTH OF OUR DEVELOPMENT) – ALONG WITH 132 NE TO THE WEST, ALONG WITH NE132 TO THE NORTH, AND 136NE TO THE EAST OF OUR PROPERTIES. WE ARE DIRECTLY SITUATED IN THE MIDDLE OF ALL THE CARS GOING EVERY DIRECTION ON THESE ROADS EVERY DAY AROUND US – AND, NOW THE CITY OF KIRKLAND WANTS TO DIRECT THAT SAME TRAFFIC THROUGH A NEIGHBORHOOD THAT HAS BEEN HERE FOR 40 YEARS AND SO ADMIRER BY THEIR HOMEOWNERS. WE ALL WOULD PREFER TO KEEP OUR NEIGHBORHOOD A PROUD, FRIENDLY, AND SAFE NEIGHBORHOOD. THERE'S AN OLD SAYING "IF IT AIN'T BROKE, DON'T ~~FIX~~ FIX IT" -- THIS ROAD NEEDS TO REMAIN CLOSED!

THE CITY OF KIRKLAND SAY THEY ARE CONCERNED WITH EMERGENCY VEHICLES GETTING TO THE NEW DEVELOPMENT OF "MERITAGE RIDGE". RATHER THEN GO SOUTH IN OUR NEIGHBORHOOD, ON 133<sup>RD</sup> PLACE NE., DOWN TO NE129 ST WITH THESE EMERGENCY VEHICLES, WHY DON'T THEY FOCUSED ON DOING SOMETHING ABOUT THE PARKING ON NE 132<sup>ND</sup>, WHICH SOME OF THOSE BROKEN-DOWN CARS, TRAILERS, AND TRUCKS HAVE BEEN PARKED THERE FOR MONTHS AND MONTHS. THESE VEHICLES ARE AN OVER-FLOW FROM THE "KIRKLAND HEIGHTS APARTMENTS" WHICH ARE LOCATED NORTH OF OUR SUBDIVISION. WE THINK THE CITY OF KIRKLAND SHOULD TAKE THE TIME, MONEY, AND EFFORT THAT THEY WOULD USE OPENING NE129TH AND APPLY IT IN CLEANING-UP NE 132<sup>ND</sup> FROM THOSE VEHICLES AND DEMAND "NO PARKING ON THAT STREET". THE KIRKLAND HEIGHTS APARTMENTS OWN THE LARGE AND VACANT PARCEL OF LAND TO THE EAST OF THEIR UNITS. THERE IS NOTHING ON THIS

CITY OF KIRKLAND  
Hearing Examiner Exhibit

Applicant \_\_\_\_\_  
Department \_\_\_\_\_  
Public

C

FILE # SUB13-02088

PARCEL AT ALL AND IT WOULD PROVIDE THE "KIRKLAND HEIGHTS" APARTMENTS WITH A PERFECT SOLUTION TO THEIR OVERFLOW. DOING THIS, IT WOULD PROVIDE THE CITY WITH A MUCH WIDER AND SAFER ROUTE TO NE 136<sup>TH</sup>, POSSIBLY ADDING EVEN A BIKE LANE. WORKING ON SOLVING NE132 PROBLEMS WOULD ALLOW MORE SAFE AND DIRECT ACCESS TO ALL DEVELOPMENTS OFF OF NE136<sup>TH</sup>. THIS WOULD SEEM MORE LOGICAL, LESS EXPENSIVE, AND WOULD AVOID INTERRUPTING OUR DAILY LIVES IN "OUR SUBDIVISION" ON 133<sup>RD</sup> PLACE NE WITH EMERGENCY VEHICLES AND OTHER LOCAL TRAFFIC THAT WOULD CUT THROUGH TO "MERITAGE RIDGE". THE NEW HOUSING DEVELOPMENT JUST NORTH OF "MERITAGE RIDGE" WHICH IS CALLED "VINTNER'S WEST" CONTAINS 35 HOUSES (ONE SHORT OF MERITAGE RIDGE", HAS "NO" PLANS FOR A THROUGH STREET, SO THAT MEANS ANY EMERGENCY VEHICLES WOULD BE FORCED TO ENTER THAT SUBDIVISION ONLY OFF OF 136<sup>TH</sup> NE. IT WILL BE THE "ONLY ENTRANCE AND EXIT" TO THIS NEW DEVELOPMENT, SO WHY CAN'T THOSE SAME EMERGENCY VEHICLES ENTER AND EXIT TO THE SOUTH DEVELOPMENT, ONLY A FEW HUNDRED YARDS SOUTH OF VINTNER'S RIDGE OFF OF 136<sup>TH</sup> NE. SEEMS TO ME, THE CITY WOULD SAVE A LOT MORE TIME AND TAX PAYER'S MONEY, IF THEY WOULD IMPROVE THE CONDITIONS ON NE 132 AND 136<sup>TH</sup> NE TO PROVIDE THE BEST EMERGENCY ACCESS POSSIBLE.

WE IN THE SUBDIVISIONS THAT ARE LOCATED ON 133<sup>RD</sup> PLACE NE, NE 129<sup>TH</sup>, NE 130<sup>TH</sup>, AND NE 131<sup>ST</sup> WOULD LIKE TO HAVE THE NE 129<sup>TH</sup> STREET REMAIN CLOSED. WE WOULD LIKE OUR NEIGHBORHOOD TO REMAIN THE QUIET, PEACEFUL, CLEAN, SAFE, AND PROUD PLACE THAT EXIST NOW!

(SUBMIT EXHIBITS)

{ 7 Photos submitted of NE 132<sup>nd</sup> with overflow parking at the Kirkland Heights Apartments and vacant lot east of the apartments which is owned by Boeing Machinist Aerospace Union and 1 picture of NE 129<sup>th</sup> street.  
Also, I'm submitting this letter.

ELAINE H. BERRYMAN  
Elaine H. Berryman  
12924 133<sup>rd</sup> Place NE  
Kirkland, WA. 98034

phone: 425-821-1774  
email: ehberryman@hotmail.com



NE 129th STREET

6/18/14



Vacant parcel, east of Apartment 5

6/18/14



NE 132<sup>nd</sup> headed east towards 136<sup>th</sup>



NE 132 headed West to video section





6/18/124

TO: WHOM IT MAY CONCERN  
I'm LYMAN PERKINS, I  
LIVE AT 13232 NE 129TH PLACE  
KIRKLAND 98034. I VEHEMENTLY  
OPPOSE THE OPENING OF OUR  
COMMUNITY TO A THROUGH ROAD  
FOR TRAFFIC FROM THE NEW  
DEVELOPMENT.

I'm CONCERNED ABOUT THE  
MASSIVE AMOUNT OF TRAFFIC THROUGH  
OUR SMALL COMMUNITY. SAFETY, POLLUTION,  
THE DE-VALUE OF OUR HOMES, etc, etc.

Lyman Perkins

TEL: (425) 823-8250

E MAIL: PERKY474@COMCAST.NET

CITY OF KIRKLAND

Hearing Examiner Exhibit

Applicant \_\_\_\_\_

Department \_\_\_\_\_

Public

FILE # SUB13-02088

**D**

*Kathleen M. Perri  
13246 NE 129<sup>th</sup> Place  
Kirkland, WA 98034*

TO: City of Kirkland

RE: Proposal to create new through road using 133<sup>rd</sup> place.

As a resident of Kirkland, living at the corner of 129<sup>th</sup> Place and 133<sup>rd</sup> Place, I wish to express my concerns regarding the new proposed through road in my neighborhood.

There is already enough traffic on 133<sup>rd</sup> Place and opening the cul de sac to allow new and more traffic is a serious safety issue. There are children at play in a quiet, safe neighborhood and that would be dramatically changed.

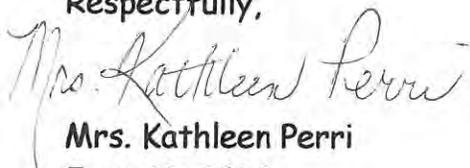
Also, the speed and number of vehicles is a major concern. There are currently no speed limit signs and no stop signs on our streets, until you get to the main intersection at 132<sup>nd</sup>. Traffic would be out of control without signs. Since most new developments attract younger families, visitors and relatives would create much more traffic. Also speed would definitely be a great concern and should be a major factor in this decision process. How about delivery trucks, trash and yard waste trucks, home repair and utility companies coming to do their work. All of this will have an impact on our neighborhood.

The air quality and the noise are also factors which all residents must be concerned about. I know I do not want more noise from vehicles passing my home every day, or the pollution from more vehicles. Our health as well as safety is a concern.

The value of our homes will also be affected by changing our neighborhood to an open/easy access area.

The list can go on and on.....I'm sure many people will have additional items for your consideration. I hope my concerns are given consideration in this process. If a vote is taken, I vote NO for the new through road!

Respectfully,



Mrs. Kathleen Perri

June 18, 2014

July 16, 2014

To: City of Kirkland Hearing Examiner

c/o Mrs Tony Leavitt &  
Planning Dept.

Re: File No. SUB13-02088  
Meritage Ridge Subdivision

We are opposed to opening NE 129th Street as a new through road connecting to 133rd Place NE. It will create more traffic, noise and bring our house value down. The residents of this new development should exit off of the new road with access to 136th Ave. NE. Keep our neighborhood separate. Thank you for your consideration.

Signed

Adelia T Gran  
13040 - 133<sup>rd</sup> Pl NE  
425-823-7098

Name Mr. D. Gran  
Address 13040 133 Pl NE  
Telephone 425-823-7098

Due to old age and health we are not able to attend meeting. Very concerned.

RESOLUTION R-5068

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND AFFIRMING THE HEARING EXAMINER DECISION APPROVING THE MERITAGE RIDGE PRELIMINARY SUBDIVISION IN DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT FILE NO. SUB13-02088.

WHEREAS, Harbor Homes LLC filed an application with the Department of Planning and Community Development for approval, through Process IIA review, of a preliminary subdivision located within a Single-Family (RSA) 8 zone; and

WHEREAS, the Hearing Examiner held an open record hearing on the application on June 18, 2014; and

WHEREAS, after considering all of the documents, testimony, and comments submitted at the hearing, the Hearing Examiner entered her Findings, Conclusions, and, Decision approving the application for the preliminary subdivision on June 25, 2014; and

WHEREAS, Kathryn O'Neill filed a timely appeal of the Hearing Examiner's decision to approve the application for the preliminary subdivision on July 14, 2014; and

WHEREAS, the City Council, in a closed record appeal hearing held during the September 16, 2014, regular meeting, having carefully considered the appeal, the staff report on the appeal, the record developed in the hearing before the Hearing Examiner, and the oral and written arguments of the persons entitled to participate in the appeal hearing.

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

Section 1. The Hearing Examiner decision approving the Meritage Ridge Preliminary Subdivision is affirmed and the Findings, Conclusions, and Decision of the Hearing Examiner entered June 25, 2014, and filed in the Department of Planning and Community Development File No. SUB13-02088 are adopted by the City Council.

Passed by majority vote of the Kirkland City Council in open meeting this 16th day of September, 2014.

Signed in authentication thereof this 16th day of September, 2014.

  
MAYOR

Attest:

  
City Clerk

RESOLUTION R-5172

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING THE SUBDIVISION AND FINAL PLAT OF MERITAGE RIDGE BEING DEPARTMENT OF PLANNING AND BUILDING FILE NO. SUB13-02088 AND SETTING FORTH CONDITIONS TO WHICH SUCH SUBDIVISION AND FINAL PLAT SHALL BE SUBJECT.

1 WHEREAS, a subdivision and preliminary plat was approved by  
2 the Hearing Examiner on June 25, 2014; and  
3

4 WHEREAS, the Department of Planning and Building subsequently  
5 received an application for approval of the subdivision and final plat from  
6 Harbor Homes LLC, the owner of the real property described in the  
7 application, which is located within a Residential Single Family RSA 8  
8 zone; and  
9

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

16 WHEREAS, pursuant to the State Environmental Policy Act, RCW  
17 43.21C and the Administrative Guidelines and local ordinance adopted  
18 to implement it, an environmental checklist has been submitted to the  
19 City of Kirkland, reviewed by the Responsible Official and a  
20 determination was made that the proposed action will not have  
21 significant adverse effect on the environment; and  
22

23 WHEREAS, the 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 ("Director") issued Findings, Conclusions and  
29 Recommendations recommending approval of the subdivision and the  
30 final plat; and  
31

32 WHEREAS, the City Council, in open meeting, considered the  
33 environmental documents received from the Responsible Official along  
34 with the Findings, Conclusions and Recommendations of the Director.  
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. SUB13-02088, are adopted  
42 by the Kirkland City Council as though fully set forth in this Resolution.

43           Section 2. The City Council hereby approves the subdivision and  
44 final plat of Meritage Ridge. Approval of the subdivision and the final  
45 plat of Meritage Ridge is subject to the applicant's compliance with the  
46 conditions set forth in the recommendations adopted above 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 in this Resolution.

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

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

62  
63           Passed by majority vote of the Kirkland City Council in open  
64 meeting this \_\_\_\_ day of \_\_\_\_\_, 2015.

65  
66           Signed in authentication thereof this \_\_\_\_ day of \_\_\_\_\_,  
67 2015.

\_\_\_\_\_  
MAYOR

Attest:

\_\_\_\_\_  
City Clerk