CITY OF KIRKLAND

CITY COUNCIL

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

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AGENDA
KIRKLAND CITY COUNCIL MEETING
City Council Chamber
Tuesday, August 1, 2006
6:00 p.m. – Study Session – Peter Kirk Room
7:30 p.m. – Regular Meeting

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

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

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

P - denotes a presentation from staff or consultant

1. *CALL TO ORDER*
2. *ROLL CALL*
3. *STUDY SESSION,* Peter Kirk Room
   - *a.* Single Family Floor Area Ratio Regulations and Setback Encroachments
4. *EXECUTIVE SESSION*
   - *a.* To Discuss Property Acquisition
   - *b.* To Discuss Labor Negotiations
5. *SPECIAL PRESENTATIONS*
   - *a.* Suburban Cities Association
   - *b.* Kirkland Free Wireless Project
6. *REPORTS*
   - *a.* *City Council*
     - (1) Regional Issues
   - *b.* *City Manager*
     - (1) Calendar Update
7. *COMMUNICATIONS*
   - *a.* *Items from the Audience*

b. Petitions

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

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

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

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

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

8. CONSENT CALENDAR

a. Approval of Minutes: July 18, 2006

b. Audit of Accounts:

Payroll $

Bills $

c. General Correspondence

d. Claims

(1) David N. Buck

(2) Brad Stuller, King County Risk Management

(3) Kevin Patrick Murphy

(4) Verizon by CMR Claims

e. Authorization to Call for Bids

(1) City Hall Direct Digital Control Replacement Project

f. Award of Bids

g. Acceptance of Public Improvements and Establishing Lien Period

h. Approval of Agreements

i. Other Items of Business

(1) Resolution R-4586, Initiating Street and Alley Vacation and Set a Hearing Date

(2) Resolution R-4587, Relinquishing the City's Interest in a Portion of Unopened Alley

(3) Resolution R-4588, Relinquishing the City's Interest in a Portion of Unopened Alley

(4) Authorizing Purchase of Five Properties from King County

* (5) Resolution R-4589, Approving the Subdivision and Final Plat of the Forbes Creek 11 and Setting Forth Conditions to Which Such Subdivision and Final Plat Shall be Subject

9. PUBLIC HEARINGS

P - denotes a presentation from staff or consultant

10. UNFINISHED BUSINESS

a. Authorizing Mayor to Sign Correspondence Requesting Transit Now Initiative for Inclusion on the November Ballot

b. Slater Avenue Status Report

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

11. NEW BUSINESS

a. Award Bid for Waverly Beach Park Lift Station to McClure and Sons, Inc. and Authorize Budget Increase

12. ANNOUNCEMENTS

13. ADJOURNMENT

P - denotes a presentation from staff or consultant

To: Dave Ramsay, City Manager

From: Eric R. Shields, AICP, Director
Michael Bergstrom, AICP, Consultant

Date: July 18, 2006

Subject: RECOMMENDATION ON SINGLE-FAMILY FLOOR AREA RATIOS AND SETBACK ENCROACHMENTS, FILE NO. ZON05-00019

RECOMMENDATION:

1. Schedule a hearing on the SEPA appeal for September 19, 2006.
2. Identify any additional information needed from Staff prior to taking final action on the proposed amendments.
3. Schedule final consideration and action on the proposed amendments for September 19, 2006.

POLICY IMPLICATIONS:

The proposed amendments to the Zoning Code would affect the manner in which Floor Area Ratios (FAR) are calculated for detached dwelling units in low density zones. They would reduce allowable FAR in the RS 5.0 and RSX 5.0 zones, remove the FAR exemption for detached accessory structures, and prohibit building architectural features from projecting closer than 4 feet to any property line. FAR regulations would continue to not be effective in Houghton (see Enclosures 1 and 2).

BACKGROUND DISCUSSION:

At the request of the City Council, over the past several months Staff and the Planning Commission have been examining the City's FAR regulations that apply to detached dwelling units in low density zones. Included in this effort was a review of allowable encroachments into required yards by architectural features such as chimneys, eaves, and bay windows. This review began with a Planning Commission study session on November 10, 2005. Based on direction of the City Council provided at your January 5, 2006 meeting, the following six items were the focus of two additional study sessions held by the Commission on March 9 and April 13, 2006. The Houghton Community Council also held study sessions on these six items on March 27 and April 24, 2006:

1. FAR in the RS 5.0 and RSX 5.0 zones.
2. The FAR exemption for accessory structures located more than 20 feet from primary structures.

3. Allowable setback encroachments.
4. The treatment of vaulted space in FAR calculations.
5. FAR for lots not meeting the minimum lot size of the underlying zone.
6. Determining setbacks based on building massing.

At the conclusion of the study sessions, the Commission determined that options for each of the first four items should be prepared and reviewed through the public hearing process. The final two items were excluded from further consideration.

The Commission chose not to pursue item 5 since the current FAR regulations already serve to reduce allowable house size on smaller lots. Although the FAR percentage (e.g., 50% in RS 7.2 and 8.5 zones) remains constant, that FAR is applied against the actual size of the lot. Therefore, as lots get smaller and smaller, allowable house sizes also get smaller proportionately. The Commission felt that item 6 would be more appropriately included with a more comprehensive review of the City's dimensional regulations. There also was concern about whether, or how, item 6 should apply in the RSX zones since those zones have different yard requirements than the RS zones.

The Planning Commission held a public hearing on June 8, 2006 and received substantial testimony from the public. The hearing was continued to July 13 to allow receipt of a recommendation from the Houghton Community Council, additional written testimony from the public, and further information from Staff.

The Houghton Community Council held a public hearing on June 27, 2006 and concluded that they did not desire to have FAR regulations or any of the amendments that were under consideration extended to Houghton. However, the Community Council did recommend that a broader review of single-family regulations occur in the future, to include a review of required yards and impervious surface coverage provisions, and possibly other regulations.

At the close of the public hearing on July 13, the Planning Commission voted to recommend certain changes to the Zoning Code text. These changes are identified below. Because of the position of the Houghton Community Council taken at their June 27 hearing, the options reviewed by the Planning Commission on July 13 and their recommendations to the City Council (see Enclosure 1) retain the current Zoning Code language that makes the FAR regulations ineffective in Houghton.

The recommendation of the Planning Commission was arrived at after substantial community outreach and public input. In addition to the meetings, study sessions, and public hearings mentioned above, involving the City Council, Planning Commission, and Houghton Community Council, several additional steps were taken to inform the public and elicit input, including:

- Staff held a meeting on April 13 with builders, realtors, and lenders to explain the possible changes and get their feedback;
- Staff attended neighborhood association meetings to discuss the issue and receive input;
- A list-serve was created to keep interested parties up to date on progress of the review;
- Information was posted on the Planning Department's website;
- An article was written and published in the Kirkland Courier; and
- Legal notices were published in advance of meetings as required by law.

This issue has generated significant interest from property owners and building-related industries. The enclosed materials, particularly the written public comments, illustrate the range of questions, concerns, and desires of those parties.

RECOMMENDED AMENDMENTS:

The Planning Commission has recommended the following amendments to the FAR regulations and provisions governing encroachments into required yards. Specific Zoning Text revisions reflecting these amendments are contained in Enclosure 2.

1. Amend KZC 15.10.050, Special Regulation No. 2, to reduce the maximum allowable Floor Area Ratio (F.A.R.) in the RS 5.0 and RSX 5.0 zones from 60% to 50%; provided, that 60% F.A.R. is allowed for the first 5,000 square feet of lot area if:
    1. The primary roof form of all structures on the site is peaked, with a minimum pitch of 4' vertical: 12' horizontal; and
    b. A setback of at least 7.5 feet is provided along each side yard.

2. Amend KZC 115.42 to remove the F.A.R. exemption for accessory structures located more than 20 feet from the main structure (i.e., eliminate KZC 115.42.c).

3. Amend KZC 115.115.3.c to prohibit building architectural features (chimneys, bay windows, greenhouse windows, cornices, canopies, and awnings) from extending closer than 4 feet to any property line. Continue to allow eaves to project 18 inches into a required yard, regardless of distance from the property line.

4. Make no change to how vaulted spaces are calculated toward F.A.R. (i.e., count vaulted space only once toward F.A.R.).

In addition, the Planning Commission proposed that the effective date of any adopted changes be delayed by a period of four to six months after City Council adoption, to

provide a transition period for builders or homeowners who have started the design process based on existing regulations.

The Planning Commission has also recommended a future work program task to more comprehensively review Zoning Code provisions affecting building design, siting, height, and massing. This recommendation is more fully described in Enclosure 1.

ADDITIONAL BACKGROUND INFORMATION:

Minutes of the June 8 and July 13 Planning Commission meetings are contained in Enclosures 3 and 5. Copies of the Planning Commission packets that were prepared for their June 8 and July 13 public hearing are found in Enclosures 4 and 6. These packets contain the majority of the written public comments that have been received on this topic. Additional public comments, received since the issuance of the July 13 packet, are contained in Enclosure 7. The City Council may also access related information from the three Planning Commission study sessions, the two Houghton Community Council study sessions, and the Houghton Community Council public hearing on the City's website at the address listed below, and clicking on the "Helpful Links" that are listed:

http://www.ci.kirkland.wa.us/depart/Planning/Plans_and_Projects/Floor_Area_Ratio__FAR_.htm

SEPA APPEAL:

A Determination of Non-Significance was issued for this proposal on May 19, 2006. A timely appeal of the DNS was filed by Mike Nykreim on June 2, 2006 (see Enclosure 8). In response to the appeal, the Planning Director sent a letter to Mr. Nykreim clarifying that the City Council is the proper body to hear the SEPA appeal (see Enclosure 9). The SEPA appeal will need to be heard and decided prior to the City Council adopting any of the proposed amendments. We recommend that this hearing be scheduled for September 19, 2006. The hearing will be limited to SEPA-related issues, and will involve testimony only from eligible participants. The Planning staff or City Attorney's office will prepare a memo with more information and guidance prior to the September 19 hearing.

CONCLUSION:

The City Council should review the enclosed information and discuss it at a study session on August 1, 2006. At that study session, the Council should identify any additional information needed to take final action at a future meeting. Because of the SEPA appeal, a hearing needs to be scheduled to resolve that appeal. Resolution of the appeal must occur prior to the Council adopting any of the amendments.

Staff recommends that the City Council hold the SEPA appeal hearing on September 19, 2006. Depending on the outcome of that appeal, we also recommend that the Council consider final action on the proposal that same evening. The City Council has the option, but not the obligation, to conduct its own public hearing on the proposal. If the Council is interested in holding such a hearing, they should direct Staff on August 1 to schedule the hearing for September 19.

ENCLOSURES:

1. Planning Commission Recommendation Transmittal Memo
2. Proposed Zoning Code Amendments
3. Minutes from July 13, 2006 Planning Commission Meeting
4. Planning Commission Packet for July 13, 2006 Public Hearing
5. Minutes from June 8, 2006 Planning Commission Meeting
6. Planning Commission Packet for June 8 Public Hearing
7. Additional Public Comments
8. Appeal of SEPA Determination From Mike Nykreim, June 2, 2006
9. June 7, 2006 Letter From Eric Shields to Mike Nykreim RE: Appeal of SEPA Determination

To: Members of the City Council

From: Planning Commission Chair Janet Pruitt

Date: July 18, 2006

Subject: PLANNING COMMISSION RECOMMENDATION ON SINGLE-FAMILY FLOOR AREA RATIOS AND SETBACK ENCROACHMENTS, FILE NO. ZON05-00019

RECOMMENDATION:

1. Make the following changes to the F.A.R regulations and setback encroachment provisions:

   a. Amend KZC 15.10.050, Special Regulation No. 2, to reduce the maximum allowable Floor Area Ratio (F.A.R.) in the RS 5.0 and RSX 5.0 zones from 60% to 50%; provided, that 60% F.A.R. is allowed for the first 5,000 square feet of lot area if:
      i. The primary roof form of all structures on the site is peaked, with a minimum pitch of 4' vertical: 12' horizontal; and
      ii. A setback of at least 7.5 feet is provided along each side yard.

   b. Amend KZC 115.42 to remove the F.A.R. exemption for accessory structures located more than 20 feet from the main structure (i.e., eliminate KZC 115.42.c).

   c. Amend KZC 115.115.3.c to prohibit building architectural features (chimneys, bay windows, greenhouse windows, cornices, canopies, and awnings) from extending closer than 4 feet to any property line. Continue to allow eaves to project 18 inches into a required yard, regardless of distance from the property line.

   d. Make no change to how vaulted spaces are calculated toward F.A.R. (i.e., count vaulted space only once toward F.A.R.).

   e. Delay the effective date of any adopted changes by a period of four to six months after City Council adoption.

2. Identify a future work program task to more fully evaluate the City's development regulations that affect the size, siting, height, and massing of single-family residences.

BACKGROUND DISCUSSION:

In late 2005, the Planning Commission began a broad review of the City's Floor Area Regulations pertaining to detached dwelling units in low density zones. Based on City Council direction provided at your January 17, 2006 meeting, the Commission narrowed our focus of review to six items:

1. F.A.R. in the RS 5.0 and RSX 5.0 zones.
2. The F.A.R. calculation exemption for detached accessory structures located more than 20 feet from the primary structure.
3. Allowable setback encroachments (chimneys, bay windows, etc).
4. The treatment of "vaulted space" in F.A.R. calculations.
5. Reduced F.A.R. for lots that do not meet minimum size requirements of the underlying zone; and
6. Establishing setback requirements based on building massing.

The Planning Commission held study sessions this spring to discuss these six items, and to identify and develop options for those which we felt should be more fully considered through the public hearing process. We concluded that of the six items listed above, the first four warranted further review as part of the current effort. The Commission decided to not evaluate item 5 further, since existing regulations already have the effect of limiting house size on undersized lots, since allowable gross floor area is a percentage of actual lot size. In other words, a 6,000 square foot lot in the RS 7.2 zone would only be allowed 3,000 square feet, which is 600 square feet less than the amount allowed on a "full-size" 7,200 square foot lot. Item 6 has possible merit, but the Commission felt that such a change would be better evaluated as part of a larger review of the City's dimensional regulations, such as height, lot coverage, and effect on properties lying in RSX zones.

On June 8, 2006 and July 13, 2006, the Commission held a public hearing in which options addressing items 1 through 4 were debated and evaluated. After considering substantial public testimony, both oral and written, on July 13 the Commission closed the public hearing, deliberated, and arrived at the above recommendation. Because items 5 and 6 were excluded from consideration during the public hearing process, our recommendation addresses only the first four items. However, due to concerns raised by the public about the effect these changes would have on someone who recently purchased property with an expectation to build or make improvements under current regulations, we further recommend that the effective date of any changes be delayed by a period of four to six months after City Council adoption. This would provide sufficient transition time for builders or homeowners who are just embarking on plans for construction under existing regulations.

The Commission also heard much testimony questioning whether changes to the F.A.R. rules address the concerns that led to our review of those rules. Several members of the public believe that house design or siting on the lot should be looked at, either instead of, or in addition to, the F.A.R. rules. Recognizing that F.A.R. is only one zoning regulation among several that affect single-family construction, the Commission recommends that the City Council identify a future

work program item to take a more comprehensive look at the development regulations that affect house design, siting, and massing. The Commission noted that, since F.A.R. rules do not apply in Houghton, studying residential development in that area might provide a useful comparison of development with and without F.A.R. rules. Some of the additional areas that Commission members expressed an interest in exploring are:

1. F.A.R. as a concept. Is there a better approach to addressing house size? Perhaps a volumetric measurement?
2. Setacks, siting on the lot.
3. Perhaps different setback requirements for upper stories.
4. Incentives for pitched roofs.
5. Landscaping.
6. Basement heights and their relationship to F.A.R.

A comprehensive examination of our regulations would require a more in-depth evaluation of concerns of the community at large as well as of the building industry, to make sure that any regulatory changes that would result from such a review effectively address those concerns. Such examination was outside the scope of our current effort, and is more appropriately undertaken as a separate work program item in the future given the requirement it will have for staff resources and funding. The Commission therefore recommends that such an examination be identified as a future work program task.

Signed: _____ Date: _____

Kirkland Planning Commission
Janet Pruitt, Chair

Floor Area Ratios – Zoning Code Amendments
Recommended by the Planning Commission
File No. ZON05-00019

A. FAR in RS 5.0 and RSX 5.0 Zones

Amend KZC 15.10.010, Special Regulation No. 2, as follows:

2. Floor Area Ratio (F.A.R.) allowed for the subject property is as follows:
   a. In RS 35 zone, F.A.R. is 20 percent of lot size.
   b. In RS 12.5 zones, F.A.R. is 35 percent of lot size.
   c. In RS 8.5 zones, F.A.R. is 50 percent of lot size.
   d. In RS 7.2 zones, F.A.R. is 50 percent of lot size.
   e. In RS 5.0 zones, F.A.R. is ~~60~~ 50 percent of lot size; provided, that F.A.R. may be increased up to 60 percent of lot size for the first 5,000 square feet of lot area if the following criteria are met:
      i. The primary roof form of all structures on the site is peaked, with a minimum pitch of 4' vertical:12' horizontal; and
      ii. A setback of at least 7.5' is provided along each side yard.

   This special regulation is not effective within the disapproval jurisdiction of the Houghton Community Council.

   See KZC 115.42, Floor Area Ratio (F.A.R.) Calculation for Detached Dwelling Units in Low Density Residential Zones, for additional information.

Amend KZC 17.10.010, Special Regulation No. 2, as follows:

2. Floor Area Ratio (F.A.R.) allowed for the subject property is as follows
   a. In RSX 35 zone, F.A.R. is 20 percent of lot size.
   b. In RSX 12.5 zones, F.A.R. is 35 percent of lot size.
   c. In RSX 8.5 zones, F.A.R. is 50 percent of lot size.
   d. In RSX 7.2 zones, F.A.R. is 50 percent of lot size.
   e. In RSX 5.0 zones, F.A.R. is ~~60~~ 50 percent of lot size; provided, that F.A.R. may be increased up to 60 percent of lot size for the first 5,000 square feet of lot area if the following criteria are met:
      i. The primary roof form of all structures on the site is peaked, with a minimum pitch of 4' vertical:12' horizontal; and
      ii. A setback of at least 7.5' is provided along each side yard.

   See KZC 115.42, Floor Area Ratio (F.A.R.) Calculation for Detached Dwelling Units in Low Density Residential Zones, for additional information.

B. Detached Accessory Structures

Amend KZC 115.42 Floor Area Ratio (F.A.R.) Calculation for Detached Dwelling Units in Low Density Residential Zones as follows:

1. Gross floor area for purposes of calculating F.A.R. and maximum floor area for detached dwelling units in low density residential zones does not include the following:
   a. Attic area with less than five feet of headroom.
   b. Floor area with a ceiling height, including the horizontal supporting members for the ceiling, less than six feet above finished grade. The ceiling height will be measured along the outside perimeter of the building (see Plate 23).
   ~~c. Accessory structures located more than 20 feet from the main structure (see KZC 115.30 for additional information on the required distance between structures).~~
   ~~d~~ c. Uncovered and covered decks, porches, and walkways.

2. *This section is not effective within the disapproval jurisdiction of the Houghton Community Council.*

C. Allowable Setback Encroachments

Amend KZC 115.115.3 as follows:

3. Structures and Improvements – No improvement or structure may be in a required yard except as follows:

   a. – c. No change

   d. Chimneys, bay windows, greenhouse windows, eaves, cornices, awnings, and canopies may extend up to 18 inches into any required yard. Eaves on bay windows may extend an additional 18 inches beyond the bay window. The total horizontal dimension of the elements that extend into a required yard, excluding eaves and cornices, may not exceed 25 percent of the length of the façade of the structure. Except for properties located within the disapproval jurisdiction of the Houghton Community Council, chimneys, bay windows, greenhouse windows, cornices, awnings, and/or canopies may not extend closer than 4 feet to any property line. See Plate 10.

   e. – o. No change.

KIRKLAND PLANNING COMMISSION
July 13, 2006

DRAFT

1. **CALL TO ORDER/ROLL CALL** - 7:00 p.m.

Members Present: Matthew Gregory, Carolyn Hayek, Byron Katsuyama, Janet Pruitt (Chair), Kiri Rennaker, and Karen Tennyson.

Members Absent: Andy Held.

Staff Present: Eric Shields, Paul Stewart, Nancy Cox, and Michael Bergstrom (Consultant).

2. **ANNOUNCEMENT OF AGENDA** - 7:00 p.m.

3. **REQUESTS FROM THE AUDIENCE** - None

4. **PUBLIC HEARINGS** - 8:23 p.m.

A. Single Family Floor Area Ratio Regulations (File NO. ZON05-00019)
Chair advised that Commission's purpose tonight is to complete and close the public hearing and forward a recommendation to City Council regarding FAR.

Mr. Bergstrom proceeded with the Staff report and referred to his and Mr. Shields' July 7, 2006 memo to Commission regarding this subject. He said that public comments are included with the memo and additional public comments have been provided to members of the Commission tonight. He reported that the Houghton Community Council expressed to him that they have no interest in FAR; he noted that FAR currently does not apply in Houghton Neighborhood.

Commissioner Held joined the meeting.

Commission posed questions to Mr. Bergstrom regarding the Houghton Community Council's input, which he addressed. Ms. Pruitt and Mr. Katsuyama attended the Council's recent meeting and related their impressions of Houghton Community Council's comments on FAR. Mr. Bergstrom explained Houghton's authority over land use regulations that affect that Neighborhood.

Mr. Bergstrom spoke regarding Commission's direction to Staff to show a comparison of the Cities of Bellevue and Redmond to Kirkland regarding FAR. He commented that each city has vastly different approaches to building elements that weakens comparison among the cities. He cited some differences and provided a comparison chart to Commissioners.

Mr. Bergstrom spoke to the issue of visual aids regarding FAR. He said that he snapped a random sampling of photographs of houses that were built near or at the maximum FAR. They

ENCLOSURE 3
FILE NO. ZON05-00019

were included as Attachment 4 in each Commissioner's packet. There was discussion about photos submitted by the public. Mr. Gregory clarified that Staff does not agree with the calculations submitted to them by a citizen. Also submitted were visual aids rendered by "The Makers" that showed FAR housing images, comparing current standards to changes under consideration.

Mr. Bergstrom briefly discussed Staff recommendations. sp. City Council will study this issue August 1. ~~and it would then be brought back to the Planning Commission.~~

Chair mentioned that public comment on FAR to date opined that the Commission is reacting to a small vocal minority She reviewed the history of Planning Commission study sessions on this matter and the many comments made in well attended public ~~hearings.~~ and neighborhood meetings. Ms. Tennyson commented that she reviewed her early Market and Norkirk work group notes and stated that "large houses on small lots" was a topic of discussion at each of the meetings that were also well attended. Chair related the comments that overlapped in the Market and Norkirk Neighborhoods. ~~Mr. Gregory said that a lot of the comments received were not regarding the issue the Planning Commission is studying.~~

Chair related her tally of verbal testimony and written comments on proposed exclusions and changes to the FAR regulations in the 5.0 Zone. Ms. Rennaker spoke regarding her tally of comments. Mr. Gregory said he looked at the number of realtors who live in Kirkland who spoke on the subject.

Chair led discussion on the changes in the 5.0 zone. Ms. Hayek raised a question regarding application of the 60% to the first 5,000 sq ft in larger lots in the 5.0 zone, and a lower FAR to the remainder of the lot. Mr. Shields said this would add complexity to the calculations but it is a solution that is preferable to assigning different FAR for different lot sizes in the same zone. Mr. Bergstrom said that some cities have that model for FAR.

Chair listed the four items under discussion tonight:

1. RS and RSX 5.0 zones
2. ~~Reducing the FAR~~
2. ~~3.~~ Detached Accessory Structures ~~and~~ 3. Vaulted Spaces
4. Setback Encroachments

Mr. Shields advised that if Commission were to consider additional options that came up during study sessions, those options would have to be opened for public comment.

There was extensive Commission discussion regarding the above four items. They reviewed photographs of houses and computerized drawings from Makers Architecture. Commissioners related their personal research into these matters and stated their rationale as to action the Commission should take. Mr. Shields clarified some matters for the Commission.

There was extensive discussion about Detached Accessory Structures.

Vaulted Space was discussed. ~~Commissioners agreed on Option 2 by a vote of 4-3.~~

Commissioners discussed Allowable Setback Encroachments.

Discussion was concluded and Chair closed the public hearing on FAR.

Motion to recommend to City Council, amendments to Single Family Floor Area Ratio Regulations (File NO. ZON05-00019):

A. FAR in RS/RSX 5.0 Zones: Option 2, Reduce from 60% to 50%, with incentives to reach 60% where those incentives are both of the following:
i. The primary roof form of all structures on the site is peaked, with a minimum pitch of 4' vertical:12' horizontal; and
ii. A setback of at least 7.5' is provided along each side yard.

Motion carried 4-3.
Moved by Andy Held, seconded by Karen Tennyson
Pertaining to the above Motion, additionally Chair Pruitt moved, seconded by Commissioner Held, further to recommend to City Council that the 60% applies only to the first 5,000 sq ft of the lot and the rest of the lot size is to be figured at 50% FAR. Motion carried unanimously.

Staff clarified the intent of the two motions: If the builder does not meet both criteria of the first motion, the FAR is 50% across the board; if those criteria are met, 60% FAR applies to the first 5,000 sq ft.

B. Detached Accessory Structures: Option 1, Remove Exemption. Moved by Commissioner Held, seconded by Commissioner Gregory. Carried 4-3.

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C. Vaulted Space: Option 2: No change to existing treatment of vaulted space. Moved by Commissioner Held, seconded by Commissioner Gregory. Carried 5-2.

D. Allowable Setback Encroachments: Option 4, retain the existing language of the Zoning Code, with the additional clause that in no case shall any extensions into the setback be closer than 4' from property line. Moved by Commissioner Held, seconded by Commissioner Hayek. Carried 4-3.

Commission members expressed an interest in spending some time understanding the causes of some citizens' distress over new construction and, if appropriate, look at a broad spectrum of areas such as a more in-depth review of bulk and siting of homes in Kirkland, to include such items as:
- measuring volume rather than Floor Area
- looking at setbacks that may be different for various stories
- increased structure height
- basement heights
- pitched roofs
- house siting
- landscaping

Regarding future direction from City Council, Commissioner Rennaker would like a clear

definition of what the perceived problem is, with pictures. She feels emphatically that graphics are needed to study these issues. Commissioner Tennyson referenced the book "Big, Boring, Ugly Houses" as a valuable tool.

Commissioner Katsuyama noted that the issue of citizen concern over infill of larger homes is not something Kirkland invented. It is a national phenomena that he has tracked through the internet.

There was discussion about the Houghton Neighborhood's special status as being exempted from FAR and its possible use as a control group to study the effects of FAR regulations.

On Mr. Bergstom suggestion, Chair will write a general letter to the City Council advising that Commission has an interest in looking beyond what the Planning Commission has been charged with now, and will list a few examples from the above items.

Commission believes this requested additional work would be a major undertaking. If City Council would direct them to proceed, they will try to build this activity into their work program next year or as soon as practicable thereafter.

.

Chair declared a break.

Chair reconvened the meeting meeting at 9:51 p.m.

of four To six months

There was brief discussion regarding a suggested lag time for changes in the the FAR regulations as recommended above.

5. **STUDY SESSIONS** - 9:52 p.m.

A. Miscellaneous Zoning Code Amendments (File NO. ZON05-00001)
PURPOSE: Conduct a study session on proposed amendments to the Zoning Code.
ACTION: Conduct study session and provide direction for consideration at a future public hearing.

Chair requested Staff introduction to this subject. Mr. Bergstrom provided the introduction, explaining attachments to his and Eric Shields' July 7, 2006 memo. He requested direction from the Commission.

Chair invited public comment

Linda Jones, 8725 126th Avenue NE, requested that the term "coffee shop" replace the term "fast food" in the RH-5~~b~~B and RH-8 zones.

Chair declared public comment closed.

Mr. Bergstrom discussed the policy issues delineated in his and Mr. Shields' July 7, 2006 memo on the subject.

Commissioners discussed the policy issue amendments:

A. Common recreational open space requirements for multi-family development. No change was recommended by the Commission; however, this requirement will be removed to a more central place in the Code rather than having it repeated in the Use Zone charts individually.

B. Setbacks in RM Zones. Commission agrees to this change which would allow zero-lot-line multi-family development without the need for Planned Unit Development approval.

C. Allowable Height for Multifamily Structures. This amendment would allow increased height (above 25') for multi-family structures that adjoin a low density zone occupied by a school that has been granted increased height. Commission will continue to discuss this issue.

D. Special Parking Provisions in the CBD 1, 2, and 8 Zones. This would increase the $6,000 per stall fee-in-lieu of parking amount to $20,000. This proposal is a result of working with the various downtown interests. This codifies what is already an interim ordinance.

E. Fast Food Use in RH 5B and RH 8 Zones. Commissioner Tennyson said the 85th Street Action Team voted this down and recommended allowing a Starbuck's in this area. Various types of facilities were discussed as being acceptable. Commissioners feel that rather than approving "fast food", a "coffee house" that serves food not prepared on site is acceptable, but no drive-throughs.

F. Drainage Basin Reasonable Use Provisions. City Council and City Attorney are reviewing and ~~revision~~ revising this issue.

G. Calculating Average Building Elevation. This would codify the Zoning Code interpretation on properties that have been built on. There was discussion regarding this issue.

H. Home Occupations. This section includes ADUs; this provision would restructure this section to include only Home Occupations. There was discussion and Staff addressed Commissioners' questions on this issue.

I. Front Porch Encroachments

Commissioner Held left the meeting due to a family emergency.

J. Minor ~~M~~Modification of a Project Rezone.

K. Development Standards in North Rose Hill Neighborhood - implementing language

6. **UNFINISHED BUSINESS** - 10:52 p.m. - None

7. **NEW BUSINESS** - 10:52 p.m. - None

8. **READING AND/OR APPROVAL OF MINUTES:** - 10: 52 p.m.

A. June 8, 2006

Hayek, Tennyson - approved as amended - add 9. Starbucks, etc.

9. **TASK FORCE REPORTS** - 10:54 p.m. - None

10. **ADMINISTRATIVE REPORTS** - 10:54 p.m.

A. Public Meeting Calendar Update

Commissioner Tennyson will be absent next meeting.

Commissioner Hayek will not be here August 10.

11. **COMMENTS FROM THE AUDIENCE** - 10:55 p.m.

John Kappler, 5025 112th Ave, spoke regarding recreation open space. He said it is a mistake to ...

Aug 1 Council Study Session on FAR. Chair will represent PC and all Commissioners are invited to attend.

12. **ADJOURNMENT** - 10:57 p.m.

_____

Chair
Kirkland Planning Commission

CITY OF KIRKLAND
Planning and Community Development Department
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To: Planning Commission

From: Eric R. Shields, AICP, Director PS
Michael Bergstrom, AICP, Consultant MB

Date: July 7, 2006

Subject: Single-Family Floor Area Ratios (FAR); File No. ZON05-00019

I. RECOMMENDATION

Complete and close the public hearing, and forward a recommendation to the City Council. The Staff is presenting a revised recommendation to the Planning Commission, consisting of the following:

A. RS/SX 5.0 Zones: Do not reduce FAR to 50%. Either retain the 60% FAR or reduce by a lesser extent (i.e., to 55%).
B. Detached Accessory Structures: Retain a partial FAR exemption for accessory structures located more than 20 feet from primary structure. Staff recommends an exemption of 500 sq. ft.
C. Vaulted Space: Count vaulted space twice where such space exceeds a certain height. Staff recommends a height of 16 feet.
D. Setback Encroachments: Reduce allowable setback encroachment for building-mounted features (e.g., chimneys, bay windows) from 18 inches to 12 inches.
E. Effect in Houghton: Do not propose extending FAR regulations to Houghton.

II. BACKGROUND

On June 8, 2006 the Planning Commission held a public hearing on potential changes to the City's regulations relating to single-family floor area ratios (FAR) and allowable setback encroachments. The Commission elected to hold the public hearing open until July 13, 2006 for the following purposes:

A. Receive input from the Houghton Community Council;
B. Have Staff prepare a comparison of single-family regulations of Kirkland, Bellevue, and Redmond;
C. Allow Staff to collect or prepare materials to visually portray the issues under discussion;
D. Receive additional written comments from the public at large; and

E. Allow Commissioners additional time to consider the oral and written testimony received at the June 8 hearing.

The requested materials have been prepared and are included with this memo. On July 13, the Planning Commission will reconvene to review the requested information, deliberate upon the proposal, and forward a recommendation to the City Council. While additional written testimony from the public is being forwarded to the Commission, the Commission closed the oral testimony portion of the hearing on June 8.

III. ADDITIONAL INFORMATION

As stated in Section I, Staff is presenting a revised recommendation to the Planning Commission. Adoption of the Staff recommendation, or of other options (exclusive of the "no change" options) would require changes to the Zoning Code text. The text revisions for each option are contained in Attachment 1.

The information requested by the Commission at the June 8 is included with this memo. This includes the following:

A. Houghton Community Council Input: The Community Council held a public hearing on the proposal on June 27, 2006. Following the hearing, the Council determined that they do not want to extend FAR regulations to their jurisdiction. It was agreed that the current language in the Zoning Code that states FAR regulations are not effective in Houghton would remain. Therefore, Attachment 1 no longer shows that language being removed. If the City Council ultimately adopts an ordinance leaving the existing Houghton exemptions in place, it will not be necessary to return to the Community Council for a final vote on the ordinance.

The Community Council also recommended that a broader review of single-family regulations occur in the future, to include a review of setback allowances and impervious surface coverage provisions, and possibly other regulations. Attachment 2 contains the minutes of the June 27 Community Council meeting.

B. Comparison of Single-Family Regulations: Attachment 3 contains a chart comparing single-family regulations of Kirkland, Bellevue, and Redmond. In addition to the basic regulations for building height, setbacks, lot coverage, etc, the chart compares provisions of the three cities relating to accessory dwelling units and detached accessory structures. Some of the notable differences are:

1. FAR: Neither Bellevue nor Redmond restrict single-family FAR.

2. Building Height: Height allowances and the manner of measurement differ among the three cities, as shown in the following table:

	Kirkland	**Bellevue**	**Redmond**
Allowed Height:	25' RS, 30' RSX	30'	35'
Measured from:	Existing grade	Finished grade	Finished grade
Measured to:	Highest point of roof	Highest point of flat roof; mid-point of pitched roof	Highest point of roof

3. Lot Coverage: Kirkland regulates total impervious surface coverage, but not building coverage. Bellevue does the opposite, regulating building coverage but not total impervious surface coverage. Redmond regulates both building coverage and total impervious surface coverage.

4. ADU Size: Kirkland limits an ADU to 800 sq. ft. Bellevue also limits an ADU to 800 sq. ft., but does not allow a detached ADU (however, Bellevue does allow a detached "guest cottage" on lots 13,500 sq. ft. or greater). Redmond limits a detached ADU to 1000 sq. ft., and an attached ADU to 1,500 sq. ft.

5. Accessory Structure Height Limit: Kirkland allows up to 25', Redmond allows 22', and Bellevue allows 15'.

C. Visual Aids: Staff has collected some photographs and had a consultant prepare some drawings (see Attachments 4 – 7). Following is a brief discussion of each set of materials:

1. Staff Photos: These photos were taken in the Market and Norkirk neighborhoods. Staff randomly chose several addresses from the City's permit database for recent permits for homes at or near the 50% FAR in the Market neighborhood (RS 7.2 zone), and for homes between 50% and 60% in the RS 5.0 zone of the Norkirk neighborhood. Staff is not offering any judgment regarding the quality of design of these homes. We are presenting them to show examples of homes built at or near the maximum allowable FAR. The photos include four "older" homes in Market and Norkirk (for which we do not have FAR data) to illustrate the variety of housing age, condition, and design that exists (see Attachment 4).

2. Baskin Photos: These photos focus on one particular house. The e-mail letter accompanying these photos states that the main issue is the

proximity of the new structure to the neighboring house (see Attachment 5).

3. Spurgeon Photos: These photos provide five examples of where Mr. Spurgeon feels the FAR limits are being exceeded or the FAR provisions are producing undesirable results. Concerns raised by Mr. Spurgeon include: Allowable FAR is exceeded; proximity of related improvements (walls, protruding bay windows, decks) to neighbors; impervious surface coverage; exemption of covered (but not enclosed) upper and lower level decks and entries; and the effect of a detached garage and ADU.

   With respect to FAR limits being exceeded, Staff reviewed the permits of the addresses in the photos to determine their FAR, and found that all of the homes were below the maximum 50% FAR. The differing FAR calculations may result from the various exemptions that apply, such as basement area and vaulted space (see Attachment 6).

4. Drawings: The City hired Makers Architecture and Urban Design to prepare drawings to help illustrate issues of building massing and the effects of some of the code amendment options under consideration. These drawings are included as Attachment 7.

IV. AMENDMENT OPTIONS

In the Staff Report presented to the Planning Commission for your June 8 meeting, Staff listed the various code amendment options under consideration and a summary of arguments supporting and opposing each. The report also stated that "no change" was an option for each of the four issues being discussed. The four issues included: (A) Allowable FAR in the RS 5.0 and RSX 5.0 zones; (B) the exemption from FAR calculation of certain detached accessory structures; (C) the exemption from FAR calculation of the upper levels of vaulted space within a structure; and (D) the extent to which certain building elements may encroach into required setbacks. In addition, the options reflected the possibility of extending FAR regulations to Houghton.

The options have been somewhat revised and are again summarized below. For the purpose of brevity, the pros and cons of each option are not repeated here. Instead, the options are listed and the Staff preferred option for each issue is identified, with a summary of the basis for the Staff position. Each issue area includes a "no change" option. The revisions to the Zoning Code text that needs to occur for each option (other than "no change") is presented in Attachment 1. Based on the feedback of the Houghton Community Council, none of the options foresee extending FAR regulations to Houghton.

A. FAR in RS/RSX 5.0 Zones

Option 1: Reduce allowable FAR from 60% to 50% or 55%:

Option 2: Reduce allowable FAR from 60% to 50%, with incentives/standards to reach 60%:

Option 3: No change. Retain existing FAR of 60%.

Staff Recommendation: Either retain existing FAR of 60%, or, if a reduction is deemed desirable, reduce to 55%. This recommendation is based on the following:

- Due to the smaller size of the lots in the RS/RSX 5.0 zones, it is difficult to separate accessory structures from the primary structure by more than 20 feet and take advantage of the FAR exemption applied to structures so located. Therefore, space that might be excluded from FAR calculation in an RS/RSX 7.2 or RS/RSX 8.5 zone will more often be counted toward FAR in the RS/RSX 5.0 zone, leaving less habitable space. For example, at 50% FAR, a 5,000 sq. ft. lot in the RS 5.0 zone would allow 2,500 gross floor area (gfa). If a 400 sq. ft. garage is attached (or closer than 20 feet), allowable gross floor area is reduced to 2,100 sq. ft., because the garage would count toward FAR. By contrast, a 7,200 sq. ft. lot in the RS 7.2 zone would allow 3,600 gfa with more opportunity to place the garage in a manner that does not reduce that 3,600 gfa.

- Many of the lots in the RS/RSX 5.0 zones do not have alley access. This provides less incentive to place the garage at the rear of the lot, and removes the reduced setback incentive that alley-served lots enjoy. As a result, more garages will be placed closer to the primary structure in the RS/RSX zones, and therefore included in the FAR.

- Staff reviewed data for building permits issued from January 1, 1995 to present in the RS 5.0 zone in the Norkirk neighborhood, and found that permits for 26 new homes were issued during that time (19 of those were issued after FAR regulations went into effect). In addition, 28 permits were issued for additions or remodels. The valuation of the additions/remodels ranged widely, but 5 were $100,000 or greater (4 of those were issued after FAR regulations went into effect), and another 6 were valued at $50,000 to $100,000 (5 of those were issued after FAR regulations went into effect). This represents substantial investment under current rules. A reduction in FAR from 60% to 50% is a 16.7% decrease which, when combined with the reduced opportunity to take advantage of the detached structure exemption,

results in a significant difference in redevelopment opportunity for lots in this zone compared to that enjoyed in the RS 7.2 and RS 8.5 zones.

B. Detached Accessory Structures

Option 1: Remove the FAR exemption for accessory structures located more than 20 feet from the primary structure:

Option 2: Exempt up to a specified limit of accessory structures located more than 20 feet from the primary structure. Variables within this option relate to the type of use in the accessory structure, and the height of the structure. In other words, this exemption could apply only to space used as an Accessory Dwelling Unit, or only to space used as a garage, or to any space regardless of use. Also, the exemption could apply only to accessory structures that are one story in height, or it could apply to accessory structures regardless of height.

Option 3: No change; retain the current exemption provisions.

Staff Recommendation: Select Option 2, with exemption being applicable regardless of use of the accessory structure, and without one-story height restriction. Staff recommends the exemption be set at 500 sq. ft. This option:

- Allows a reasonable exemption for detached structures.
- Acknowledges that separated structures have a different (lesser) impact than a single structure.
- Lets owner/builder choose between exemption for garage or ADU; more flexible than if exemption applied only to ADUs or only to garages.
- Retains some incentive for alley-oriented garage or detached ADU.
- Limiting the FAR exemption will help control impacts to surrounding neighbors.

C. Vaulted Space

Option 1: Require vaulted space be counted twice where ceiling height exceeds a certain height.

Option 2: Retain current code provisions; the floor area of vaulted space is counted only once regardless of height.

Staff Recommendation: Select Option 1, with the threshold set at 16 feet.

- Vaulted spaces can add significant volume to a building, which is counter to the purpose of limiting FAR.
- The proposed 16 foot threshold would still allow reasonable vaulted space, opportunities for clerestories, etc.

- The 16 foot threshold is a reasonable dimension, slightly less than two floors each having a ceiling height of 8 feet and separated by framing.

D. Allowable Setback Encroachments

Option 1: Eliminate allowances for encroachments into required yards by such building features as chimney enclosures, bay windows, and awnings.

Option 2: Reduce encroachment allowance from 18 inches to 12 inches.

Option 3: No change to existing encroachment allowances.

Staff Recommendation: Select Option 2. This option:
- Allows reasonable intrusion into required yards.
- Provides for visual interest to a building façade.
- While not significantly reducing impacts of building mass, the reduced encroachment allowance, in combination with recommended changes to the FAR provisions, will contribute to increased compatibility of neighboring structures.

V. PUBLIC COMMENT

The Planning Commission received public comments prior to and during the June 8 public hearing. At the June 8 hearing, several letters were submitted but may not have been distributed to all Commission members. Therefore, they are included in Attachment 8. In addition, Staff has received e-mails and letters from the public since the June 8 hearing. Those comments are also included in Attachment 8.

VI. CONCLUSION

Staff recommends the following changes to Zoning Code provisions:

A. Either retain the existing 60% FAR in the RS/RSX zones, or reduce to 55%. Do not reduce to 50%.

B. Limit the exemption for detached accessory structures, regardless of type of use contained in the structure and regardless of structure height. Staff recommends an exemption limit of 500 sq. ft.

C. Calculate the floor area of vaulted space twice where the ceiling height of such space exceeds a certain threshold. Staff recommends a threshold of 16 feet.

D. Reduce allowable building-mounted encroachments into required yards from 18 inches to 12 inches (except eaves, which would remain at 18 inches).

E. Do not propose extending FAR regulations to Houghton.

The Planning Commission should make its own recommendation after completing the public hearing on July 13. Following the Commission's recommendation, the City Council is scheduled to have a study session on August 1st, 2006 to review the recommendation and background materials. The Council can then conduct additional study sessions or take action at a future regular Council meeting.

ATTACHMENTS

1. Revisions to Zoning Code Text
2. Meeting Minutes – June 27, 2006 Houghton Community Council
3. Comparison of City Codes - Single-Family Dimensional Regulations - Kirkland, Bellevue, and Redmond, June 30, 2006
4. Photos Submitted by Staff
5. Photos Submitted by Maureen Baskin – House Located at 4th St W and 7th Ave W, Market Neighborhood
6. Photos Submitted by Loren Spurgeon – Various Houses in Market Neighborhood
7. Drawings prepared by The Makers
8. Public Comments

CITY OF KIRKLAND
Planning and Community Development Department
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To: Planning Commission

From: Eric R. Shields, AICP, Director
Michael Bergstrom, AICP, Consultant MB

Date: July 3, 2006 - Revised

Subject: Proposal Options: Floor Area Ratios (FAR) and Allowable Building Element Encroachments, File No. ZON05-00019

The following options have been prepared by Planning and Community Development Staff for consideration through Process IV pursuant to chapter 160 KZC. Similar options were presented to the Planning Commission and Houghton Community Council for public hearing on June 8, 2006 and June 27, 2006, respectively. Following those hearings, Staff revised the options somewhat, as reflected below. One of the primary revisions was to remove the extension of FAR regulations to Houghton.

The options reflect different approaches that could be used to address the following components of current FAR regulations and provisions for setback encroachments: (A) Allowable FAR in the RS 5.0 and RSX 5.0 zones; (B) the exemption from FAR calculation for certain detached accessory structures; (C) the exemption from FAR calculation for vaulted space within a structure; and (D) the extent to which certain building elements may encroach into required setbacks.

A. FAR in RS/RSX 5.0 Zones

OPTION 1: Reduce from 60% to 50% or 55%.

Amend KZC 15.10.010, Special Regulation No. 2, as follows:

2. Floor Area Ratio (F.A.R.) allowed for the subject property is as follows:
   a. In RS 35 zone, F.A.R. is 20 percent of lot size.
   b. In RS 12.5 zones, F.A.R. is 35 percent of lot size.
   c. In RS 8.5 zones, F.A.R. is 50 percent of lot size.
   d. In RS 7.2 zones, F.A.R. is 50 percent of lot size.
   e. In RS 5.0 zones, F.A.R. is ~~60~~ (((50/55))) percent of lot size.

This special regulation is not effective within the disapproval jurisdiction of the Houghton Community Council.
See KZC 115.42, Floor Area Ratio (F.A.R.) Calculation for Detached Dwelling Units in Low Density Residential Zones, for additional information.

ATTACHMENT 1

FILE NO. ZON05-00019

AND Amend KZC 17.10.010, Special Regulation No. 2, as follows:

2. Floor Area Ratio (F.A.R.) allowed for the subject property is as follows
   a. In RSX 35 zone, F.A.R. is 20 percent of lot size.
   b. In RSX 12.5 zones, F.A.R. is 35 percent of lot size.
   c. In RSX 8.5 zones, F.A.R. is 50 percent of lot size.
   d. In RSX 7.2 zones, F.A.R. is 50 percent of lot size.
   e. In RSX 5.0 zones, F.A.R. is ~~60~~ 50 percent of lot size.

See KZC 115.42, Floor Area Ratio (F.A.R.) Calculation for Detached Dwelling Units in Low Density Residential Zones, for additional information.

OPTION 2: Reduce from 60% to 50%, with incentives/standards to reach 60%.

Amend KZC 15.10.010, Special Regulation No. 2, as follows:

2. Floor Area Ratio (F.A.R.) allowed for the subject property is as follows:
   a. In RS 35 zone, F.A.R. is 20 percent of lot size.
   b. In RS 12.5 zones, F.A.R. is 35 percent of lot size.
   c. In RS 8.5 zones, F.A.R. is 50 percent of lot size.
   d. In RS 7.2 zones, F.A.R. is 50 percent of lot size.
   e. In RS 5.0 zones, F.A.R. is ~~60~~ 50 percent of lot size; provided, that F.A.R. may be increased up to 60 percent of lot size, if the following criteria are met:
      i. The primary roof form of all structures on the site is peaked, with a minimum pitch of 4' vertical:12' horizontal; and
      ii. A setback of at least 7.5' is provided along each side yard; and
      iii. The garage utilizes an alley for its primary vehicular access and is setback within 5 feet of the rear property line, as provided by KZC 115.115.3.o (this requirement is not effective within the disapproval jurisdiction of the Houghton Community Council).

This special regulation is not effective within the disapproval jurisdiction of the Houghton Community Council.

See KZC 115.42, Floor Area Ratio (F.A.R.) Calculation for Detached Dwelling Units in Low Density Residential Zones, for additional information.

AND Amend KZC 17.10.010, Special Regulation No. 2, as follows:

2. Floor Area Ratio (F.A.R.) allowed for the subject property is as follows
   a. In RSX 35 zone, F.A.R. is 20 percent of lot size.
   b. In RSX 12.5 zones, F.A.R. is 35 percent of lot size.
   c. In RSX 8.5 zones, F.A.R. is 50 percent of lot size.
   d. In RSX 7.2 zones, F.A.R. is 50 percent of lot size.

e. In RSX 5.0 zones, F.A.R. is ~~60~~ 50 percent of lot size; provided, that F.A.R. may be increased up to 60 percent of lot size, if the following criteria are met:
   i. The primary roof form of all structures on the site is peaked, with a minimum pitch of 4' vertical:12' horizontal; and
   ii. A setback of at least 7.5' is provided along each side yard; and
   iii. The garage utilizes an alley for its primary vehicular access and is setback within 5 feet of the rear property line, as provided by KZC 115.115.3.o.

See KZC 115.42, Floor Area Ratio (F.A.R.) Calculation for Detached Dwelling Units in Low Density Residential Zones, for additional information.

OPTION 3: Retain current FAR at 60% (no change).

B. Detached Accessory Structures

OPTION 1: Remove Exemption.

Amend KZC 115.42 Floor Area Ratio (F.A.R.) Calculation for Detached Dwelling Units in Low Density Residential Zones as follows:

1. Gross floor area for purposes of calculating F.A.R. and maximum floor area for detached dwelling units in low density residential zones does not include the following:
   a. Attic area with less than five feet of headroom.
   b. Floor area with a ceiling height, including the horizontal supporting members for the ceiling, less than six feet above finished grade. The ceiling height will be measured along the outside perimeter of the building (see Plate 23).
   ~~c. Accessory structures located more than 20 feet from the main structure (see KZC 115.30 for additional information on the required distance between structures).~~
   ~~d~~ c. Uncovered and covered decks, porches, and walkways.

2. *This section is not effective with the disapproval jurisdiction of the Houghton Community Council.*

OPTION 2: Exempt up to a specified limit of accessory structures *(recommended by Staff, with the limit set at 500 sq. ft, regardless of use, and without the 15 foor height limit).* NOTE: This option contains variables related to the type of use in the accessory structure and the height of that structure.

Amend KZC 115.42 Floor Area Ratio (F.A.R.) Calculation for Detached Dwelling Units in Low Density Residential Zones as follows:

1. Gross floor area for purposes of calculating F.A.R. and maximum floor area for detached dwelling units in low density residential zones does not include the following:
   a. Attic area with less than five feet of headroom.
   b. Floor area with a ceiling height, including the horizontal supporting members for the ceiling, less than six feet above finished grade. The ceiling height will be measured along the outside perimeter of the building (see Plate 23).
   c. No more than 500 sq. ft. of **(((an Accessory Dwelling Unit / a garage / an Accessory Dwelling Unit or garage)))** contained in an ~~A~~accessory structures. Such structure shall be located more than 20 feet from the main structure **(((and shall be no greater than 15 feet in height above finished grade)))** (see KZC 115.30 for additional information on the required distance between structures).
   d. Uncovered and covered decks, porches, and walkways.

2. *This section is not effective with the disapproval jurisdiction of the Houghton Community Council.*

OPTION 3: No change to existing accessory structure exemption.

C. Vaulted Space

OPTION 1: Count vaulted space twice, where the ceiling height exceeds a specified dimension *(recommended by Staff, with threshold set at 16 feet).*

Amend KZC 115.42 Floor Area Ratio (F.A.R.) Calculation for Detached Dwelling Units in Low Density Residential Zones as follows:

1. Gross floor area for purposes of calculating F.A.R. and maximum floor area for detached dwelling units in low density residential zones does not include the following:
   a. Attic area with less than five feet of headroom.
   b. Floor area with a ceiling height, including the horizontal supporting members for the ceiling, less than six feet above finished grade. The ceiling height will be measured along the outside perimeter of the building (see Plate 23).
   c. Accessory structures located more than 20 feet from the main structure (see KZC 115.30 for additional information on the required distance between structures).
   d. Uncovered and covered decks, porches, and walkways.

2. *This section is not effective with the disapproval jurisdiction of the Houghton Community Council.*

3. Floor area with a ceiling height greater than 16 feet shall be calculated at twice the actual floor area.

OPTION 2: No change to existing treatment of vaulted space.

D. Allowable Setback Encroachments

OPTION 1: Eliminate allowances for wall-mounted encroachments.

Amend KZC 115.115.3 as follows:

3. Structures and Improvements – No improvement or structure, including chimneys, bay windows, greenhouse windows, cornices, awnings, and canopies, may be in a required yard except as follows:

   a. – c. No change

   d. ~~Chimneys, bay windows, greenhouse windows, eaves, cornices, awnings, and canopies may extend up to 18 inches into any required yard. Eaves on bay windows may extend an additional 18 inches beyond the bay window. The total horizontal dimension of the elements that extend into a required yard, excluding eaves and cornices, may not exceed 25 percent of the length of the façade of the structure. See Plate 10.~~ Eaves may extend up to 18 inches into any required yard.

   e. – o. No change.

OPTION 2: Reduce allowances for wall-mounted encroachments from 18 inches to 12 inches *(recommended by Staff)*.

Amend KZC 115.115.3 as follows:

3. Structures and Improvements – No improvement or structure may be in a required yard except as follows:

   a. – c. No change

   d. For detached dwelling units in low density residential zones, eaves may extend up to 18 inches into any required yards; chimneys, bay

windows, greenhouse windows, cornices, awnings, and canopies may extend up to 12 inches into any required yard; eaves on bay windows may extend an additional 12 inches beyond the bay window. For all other uses in low density residential zones, and for all uses in all other zones, ~~C~~chimneys, bay windows, greenhouse windows, eaves, cornices, awnings, and canopies may extend up to 18 inches into any required yard. Eaves on bay windows may extend an additional 18 inches beyond the bay window. In any zone, ~~T~~the total horizontal dimension of the elements that extend into a required yard, excluding eaves and cornices, may not exceed 25 percent of the length of the façade of the structure. See Plate 10.

e. – o. No change.

OPTION 3: No change to existing setback encroachment allowances.

KIRKLAND HOUGHTON COMMUNITY COUNCIL
June 27, 2006

DRAFT

1. **Call to Order/Roll Call**

Members Present: Hugh Givens, Bill Goggins, David Hess, Betsy Pringle, Rick Whitney (Chair), and James Nickle.

Members Absent: None.

Staff Present: Paul Stewart, and Michael Bergstrom, Consultant.

2. **Reading and/or Approval of Minutes**

A. May 22, 2006 - approved as written.

3. **Announcement of Agenda**

Chair announced the agenda.

4. **Council Member Reports and Comments**

James Nickle thanked the Community Council, especially Hugh Givens, and staff for their time and assistance during his tenure on this Council.

Chair discussed the matter of filling the chair to be vacated by Mr. Nickle. He asked that the deadline be extended one week for this and encouraged members to "talk it up" so that a wide pool of applicants can be contacted. Members of the Community Council concurred. Chair will consult with the City Clerk regarding this.

5. **Work Program Review**

Mr. Stewart said that there is a bundle of miscellaneous Code amendments on this Council's calendar with a courtesy hearing scheduled on July 24. Mr. Bergstrom is working on that. Additionally, there will be special meetings July 31st and August 2nd.

6. **Requests from the Audience**

Chair invited comments from the audience regarding matters not on tonight's agenda.

Jennifer Linden, 10522 NE 48th Place, asked some questions regarding the seat being vacated by Council Member Nickle. The chair addressed her questions.

Myron Richards, 6555 102nd Avenue NE, thanks the Community Council for putting in their

ATTACHMENT 2

FILE NO. ZON05-00019

time on this Council. He expressed concerns regarding the tree ordinance. *Chair Whitney referred Mr. Richards to Staff for assistance with his questions about removal of trees on his property.*

There being no further comment from the audience, Chair closed public comment.

7. **Hearings**

A. Single-Family Floor Area Ratio Regulations - Potential Amendments ZON05-00019

Community Council conducted a public hearing on the proposed amendments.

Chair asked if all members of the audience had received the printed information [Staff's June 19, 2006 memo to the Community Council]. All had received the material, so Chair dispensed with the verbal Staff report. He called for public testimony on this matter.

Elizabeth Wange, 5618 104th Avenue NE, spoke regarding FAR and design. She said she feels that those who oppose change are not well represented at these public hearings. She submitted her letter and photos.

Jennifer Linden supports various elements of FAR. She feels regulations should be for the common good.

Mr. Goggins reminded the audience that, although FAR is open for consideration, it does not affect the Houghton area at this time.

Dana Adams, 11016 NE 65th Street, does not support FAR or any change in the regulations.

Lora Hein, 4725 108th Avenue NE, feels that the desired future of the community as a whole should be considered, not just pieces of the problem, such as FAR. She feels that restrictions in Houghton are fine as they are.

Donald Winters, 417 Sixth Avenue S, is opposed to the portion of FAR that reduces the maximum size of the house from 60% to 50% on 5,000 sq ft lots.

Mike Nykreim, 101 Tenth Avenue, opposes FARs.

Hearing no other comment, Chair closed public comment.

Commission asked questions of Staff who clarified various points regarding FAR.

Community Council discussed the potential amendments to FAR regulations.

Motion to withdraw consideration of Single-Family Floor Area Ratio Regulations, File No. ZON05-00019, and suggest that City Council look into addressing setbacks and impervious surfaces to help remedy the situation in the Houghton Neighborhood.
Moved by David Hess, seconded by Bill Goggins
The motion carried unanimously. Chair thanked Mr. Bergstrom for his work.

8. **Unfinished Business/Final Action** - None.

9. **New Business**

Chair declared a short break.

Chair reconvened the meeting at 8:15 p.m.

A. **2006 Comprehensive Plan Amendments** - ZON06-00009

Community Council held a study session on the scope of the 2006 Comprehensive Plan Amendment project and provided comments to staff.

Mr. Stewart reported about the bundle of miscellaneous minor changes to the Comprehensive Plan as set forth in his and Teresa Swan's June 19, 2006 memo to the Community Council. He said that there are no Private Amendment Requests in Houghton this year. One issue that may be substantive relates to the transportation level of service.

10. **Administrative Reports and Community Council Discussion**

A. **Emergency Preparedness** - File number MIS06-00005

Per Community Council's request, Staff provided information on emergency preparedness.

Mr. Stewart reported that information was provided in Community Council's packet. There was brief discussion by the Members. Mr. Goggins recommends that this information be listed on the City website.

11. **Adjournment** - 8:21 p.m.

Chair Houghton Community Council	Planning Staff Department of Planning and Community Development

Comparison of City Codes - Single Family Dimensional Regulations - Kirkland, Bellevue, and Redmond

Kirkland

Regulation ↓ / Zone District →	RS / RSX 35	RS / RSZ 12.5	RS / RSX 8.5	RS / RSX 7.2	RS / RSX 5.0	PLA 6C	PLA 6E	PLA 16
Minimum Lot Size (Sq. Ft. X 1,000)	35	12.5	8.5	7.2	5			35
Maximum Floor Area Ratio (%) [2]	20	35	50		60			20
Front Yard/Setback [4]	20'							
Rear Yard/Setback [4]	10'							
Side Yard/Setback [4]	5'							
Side Yard/Setback Total [4]	15' for RS; 10' for RSX					15'		
Building Height	25' for RS, 30' for RSX [6]					25' [6]		
Lot Coverage - Imp Surface	50%							
Lot Coverage - Building	N/A [10]							
ADU Size Limit - Square Feet	800 sq. ft., whether attached or detached.							
ADU Size Limit - % of Whole	40% of primary residence and ADU combined							
Accessory Structure Size Limit	1200 sq. ft. plus 10% of lot area exceeding 7,200 sq. ft.							
Accessory Structure Height Limit	25', or 15' above height of primary residence, whichever is less							
Effect of ADU or Accessory Structure on Maximum FAR	Not counted toward FAR if located more than 20' from primary structure; otherwise, included in FAR calculation.							

Bellevue

Regulation ↓ / Zone District →	R-1	R-1.8	R-2.5	R-3.5	R-4	R-5	R-7.5
Minimum Lot Size (Sq. Ft. X 1,000)	35	20	13.5	10	8.5	7.2	4.7
Maximum Floor Area Ratio (%) [2]	N/A [3]						
Front Yard/Setback [4]	35'	30'	20'				
Rear Yard/Setback [4]	25'				20'		
Side Yard/Setback [4]	5'						
Side Yard/Setback Total [4]	20'	15'					10'
Building Height	30' [7]						
Lot Coverage - Imp Surface	N/A [9]						
Lot Coverage - Building	35%					40%	
ADU Size Limit - Square Feet	800 sq. ft., excluding associated garage. Must be attached to primary structure. [11]						
ADU Size Limit - % of Whole	40% of primary residence and ADU combined, excluding any garage area						
Accessory Structure Size Limit	10% lot coverage; must also meet overall lot coverage allowance of underlying zone (all structures combined).						
Accessory Structure Height Limit	15'						
Effect of ADU or Accessory Structure on Maximum FAR	N/A [3]						

Redmond

Regulation ↓ / Zone District →	RA-5	R-1	R-2	R-3	R-4	R-5	R-6
Minimum Lot Size (Sq. Ft. X 1,000)	196 [1]	35 [1]	18 [1]	12 [1]	7 [1]	5.5 [1]	4 [1]
Maximum Floor Area Ratio (%) [2]	N/A [3]						
Front Yard/Setback [4]	30'			20'	15'		
Rear Yard/Setback [4]	30'		10'				
Side Yard/Setback [4]	30'	20'	5'				
Side Yard/Setback Total [4]	60'	40'	15' [5]				
Building Height	35' [8]						
Lot Coverage - Imp Surface	20%		40%	60%			65%
Lot Coverage - Building	2.5%	12%	30%	35%		40%	45%
ADU Size Limit - Square Feet	If detached, no more than 1,000 sq. ft., excluding garage area. If attached, no more than 1,500 sq. ft.						
ADU Size Limit - % of Whole	If detached, 40% of primary residence and ADU combined.						
Accessory Structure Size Limit	60% of ground floor area of the primary structure						
Accessory Structure Height Limit	22'						
Effect of ADU or Accessory Structure on Maximum FAR	N/A [3]						

[1] These lot sizes are averages rather than minimums
[2] Not effective in Houghton
[3] City does not have single-family FAR regulations
[4] Applicable to primary structures; each City has various exceptions for accessory structures
[5] City of Redmond requires 5' on one side, plus 10' on the other (e.g., 7' on one side and 8' on the other is not permissible).
[6] Measured from average existing grade to highest point of roof
[7] Measured from average finished grade to top of flat roof or mean height between eaves and ridge of a pitched roof.
[8] Measured from average finished grade to highest point of structure.
[9] City does not regulate total impervious surface area coverage
[10] Building coverage is included in maximum impervious area coverage
[11] Bellevue allows a detached "guest cottage" for use of guests or domestic employees on residential lots containing at least 13,500 sq. ft.

Prepared by Michael Bergstrom, AICP, Consultant to City of Kirkland PCD, in consultation with City of Bellevue and City of Redmond Planning Staff; 06-30-06

ATTACHMENT 3

FILE NO. ZON05-00019

SINGLE-FAMILY FLOOR AREA RATIOS - FILE NO. ZON05-00019

STAFF PHOTOS

Photo 1: RS 7.2 zone; Market Neighborhood; FAR: 0.49

Photo 2: RS 7.2 zone; Market Neighborhood; FAR 0.49

ATTACHMENT 4

FILE NO. ZON05-00019

SINGLE-FAMILY FLOOR AREA RATIOS - FILE NO. ZON05-00019

STAFF PHOTOS

Photo 3: RS 7.2 zone; Market Neighborhood; FAR: 0.50

Photo 4: RS 7.2 zone; Market Neighborhood; FAR 0.50

SINGLE-FAMILY FLOOR AREA RATIOS - FILE NO. ZON05-00019

STAFF PHOTOS

Photo 5: RS 7.2 zone; Market Neighborhood; FAR: 0.50

Photo 6: RS 7.2 zone; Market Neighborhood; FAR 0.66 (includes ADU)

SINGLE-FAMILY FLOOR AREA RATIOS - FILE NO. ZON05-00019

STAFF PHOTOS

Photo 7: RS 5.0 zone; Norkirk Neighborhood; FAR: 0.60

Photo 8: RS 5.0 zone; Norkirk Neighborhood; FAR 0.59

SINGLE-FAMILY FLOOR AREA RATIOS - FILE NO. ZON05-00019

STAFF PHOTOS

Photo 9: RS 5.0 zone; Norkirk Neighborhood; FAR: 0.57

Photo 10: RS 7.2 zone; Norkirk Neighborhood; FAR 0.51 (includes ADU)

SINGLE-FAMILY FLOOR AREA RATIOS - FILE NO. ZON05-00019

STAFF PHOTOS

Photo 9: RS 5.0 zone; Norkirk Neighborhood; FAR: 0.57

Photo 10: RS 7.2 zone; Norkirk Neighborhood; FAR 0.51 (includes ADU)

SINGLE-FAMILY FLOOR AREA RATIOS - FILE NO. ZON05-00019

STAFF PHOTOS

Photo 11: RS 7.2 zone; Market Neighborhood; Pre-FAR

Photo 12: RS 7.2 zone; Norkirk Neighborhood; Pre-FAR

SINGLE-FAMILY FLOOR AREA RATIOS - FILE NO. ZON05-00019

STAFF PHOTOS

Photo 13: RS 5.0 zone; Norkirk Neighborhood; Pre-FAR

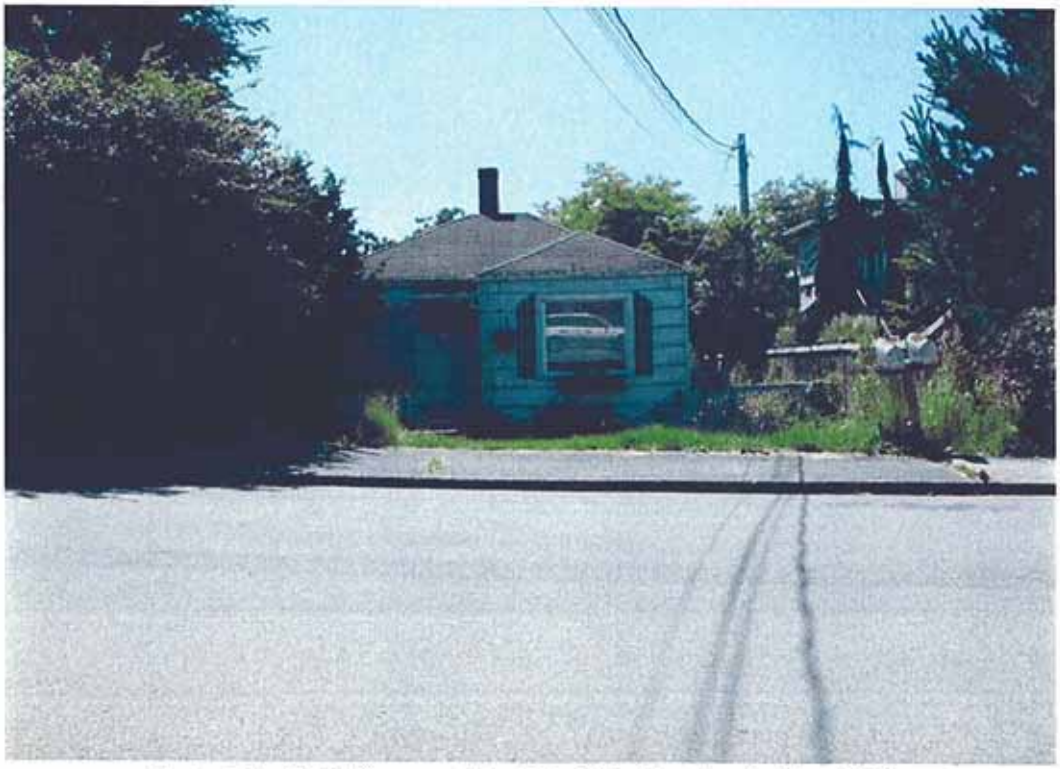


Photo 14: RS 5.0 zone; Norkirk Neighborhood; Pre-FAR

SINGLE-FAMILY FLOOR AREA RATIOS - FILE NO. ZON05-00019

BASKIN PHOTOS (all of the same house)

Photo 1

Photo 2

ATTACHMENT 5

FILE NO. ZON05-00019

SINGLE-FAMILY FLOOR AREA RATIOS - FILE NO. ZON05-00019

BASKIN PHOTOS (all of the same house)

Photo 3

Photo 4

SINGLE-FAMILY FLOOR AREA RATIOS - FILE NO. ZON05-00019

BASKIN PHOTOS (all of the same house)

Photo 5

Photo 6

SINGLE-FAMILY FLOOR AREA RATIOS - FILE NO. ZON05-00019

BASKIN PHOTOS (all of the same house)

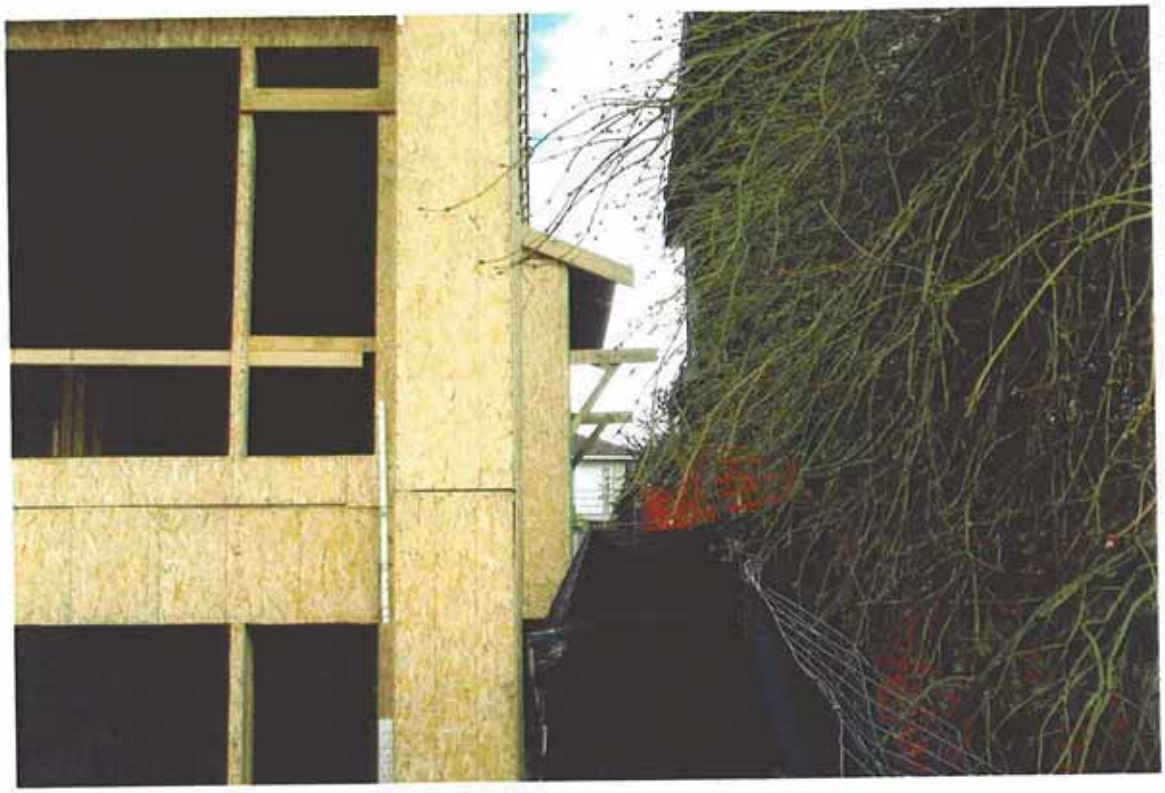


Photo 7

Photo 8

June 8, 2006

Paul Stewart, AICP
Deputy Director
City of Kirkland Planning Department
123 5th Avenue
Kirkland, WA 98033

Dear Paul,

Thanks again for all of the time and effort you have put into the FAR project. Per Kiri Rennaker's request for specific examples of probable overreaches of the existing FAR regulations, I would like to submit the following items. Please keep in mind this is not an all-inclusive list of examples. These are examples of the two issues I mentioned at the meeting Thursday evening.

Example One

This building project is on the northeast corner of 7th Avenue West and 4th Street West. The street address is 340 7th Avenue West and the Tax Parcel number is 3885800825.

The lot square footage is 5,725 square feet. This lot should support a house with a FAR of 2862.50 square feet.

However, if I understand the FAR calculation procedure, the actual FAR on this house so far is:

First Floor Square Footage	1400
Second Floor Square Footage	1090
Attached Garage	480
TOTAL	2970 square feet

The 2970 square foot sum already has a FAR value of 52%. The bay window on the east side of the house is about 5 feet from the neighbor's house. Now a 1200 square foot deck, being built into the side and front setback, is being added. In my opinion, this deck should be counted in the FAR calculation. With the setback variance on the alley, the house will have an impervious surface coverage of about 80%. In my opinion, this house is too large for the lot.

ATTACHMENT 6

FILE NO. ZON05-00019

JUN 9 2006

JUN 9 2006

JUN 9 2006

Example Two

This building project is on the corner of Waverly Way and 5th Street West. For some reason, the King County Parcel Viewer has a street address of 502 7th Avenue West. The Tax Parcel number is 3885800715.

The lot square footage is 5,720 square feet. This lot should support a house with an FAR of 2860 square feet.

The house being built has a footprint of more than1750 feet. The King County Parcel Viewer does not display the updated floor plan of this building. But you can see from the picture below that the added double deck space is in the setback and, once again, should be counted in the FAR.

However, the builder has poured cement pilings on the west side of the house at the entry and will be adding another 200 square feet of porch space.

JUN 9 2006

JUN 9 2006

JUN 9 2006

Example Three

The building project is on the corner of Waverly Way and 2nd Street West. The street address is 409 2nd Street West and the Tax Parcel Number is 3885800135.

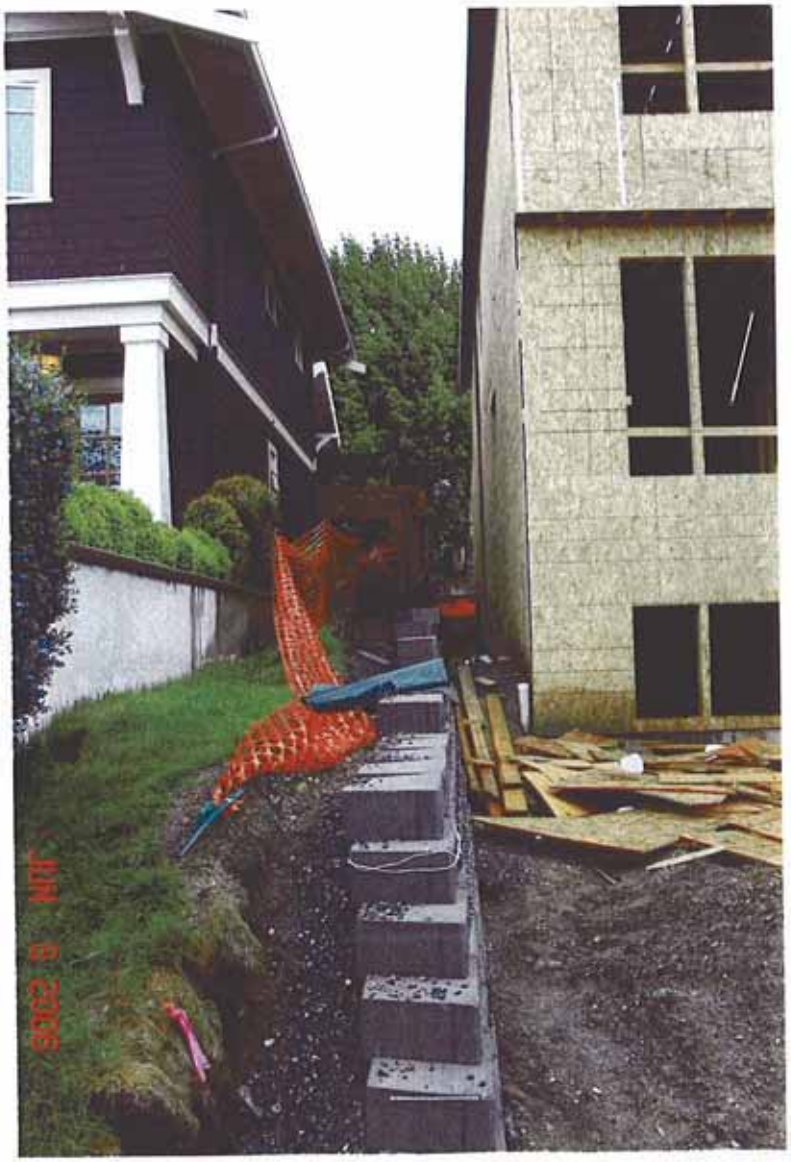
The lot is 5,500 square feet. This lot should support a house with a FAR of 2,750 square feet.

However, if I understand the FAR calculation procedure, the actual FAR on this house so far is:

First Floor Square Footage	1160
Second Floor Square Footage	1180
Attached Garage	550
TOTAL	2890 square feet

The 2890 square feet house already has a FAR value of 52.5%. Now a large deck, which protrudes into the side and front setback, is being added. This deck should be counted towards the FAR.

Further, as you can see on the picture below, both this house and the house next door were built with a 5-foot setback. So now there are two 20-foot walls 10 feet apart. This is the "bulk" to which Market residents object.



JUN 9 2006

JUN 9 2006

JUN 9 2006

Example Four

An example of the ADU issue is on the northwest corner of 11th Avenue West and 5th Street West. There are two separate properties with side-by-side ADUs. The street addresses are 1104 5th Street West and 440 11th Avenue West.

They have Tax Parcel Numbers of 3885802260 and 3885802265.

The 1104 5th Street West house has a lot size of 7,206 square feet and should support a FAR of 3,603.

If I understand the FAR procedures, the FAR calculation would be:

First Floor Square Footage	1650
Second Floor Square Footage	1680
Attached Garage	260
TOTAL	3590

Thus, the main dwelling unit has a FAR of 49.8%.

The porch square footage is 340 square feet so the total is 3930 square feet, which would be a FAR of 54.5%.

The 440 11th Avenue West home directly beside it has a lot size of 7,200 square feet and should support a FAR of 3,600.

If I understand the FAR procedures, the FAR calculation would be:

First Floor Square Footage	2080
Second Floor Square Footage	1680
TOTAL	3760

Thus, the main dwelling unit has a FAR of 52.2%.

The porch square footage is 180 square feet, which would be a FAR of 54.7%.

However, the main issue here, as you can see in the pictures is the amount of actual impervious surface due to four dwellings. Even short-term residents remember that until 2002, this was a single 14,400 square foot lot with one 800 square foot house on it.

Now the exact same property boasts four dwellings instead of one.

After much consideration, I think the Planning Commission should include ADU and garage buildings into the FAR.

JUN 9 2006

JUN 9 2006

JUN 9 2006

Example Five

My last example is located at 404 11th Avenue West and has a Tax Parcel number of 3885802325.

The property is a 12,000 square foot corner lot. As you can see from the accompanying flier and the picture, the construction off the alley is a guesthouse. This second house will be a separate residence with a one-car garage.

The primary house will be torn down and replaced with a 6,000 square foot house. This house will also include a two-car garage.

My main concern here is that there will be two complete houses with garages on one lot. And the second building is not just a garage, but also an entire separate guesthouse.

I don't believe that this was the intention of the FAR and ADU zoning ordinances. We are not at the point where every large Kirkland lot can boast two houses.

This is another example of abuse of the ADU intent.

Just Listed

404 11th Ave. West Kirkland WA 98033

New construction by ROBL Development

West of market

6000 square foot home

12,000 square foot lot

Main house expected to be completed by June 2007

Guest house expected to be completed by August 2006

$3,250,000

SHOP PROP REALTY

4020 Lake Washington Blvd
Suite 210
Kirkland, WA 98033

Ph (425) 284-1505
(888) 821-0556
Fax (425) 284-0302
RobL@shopprop.com

info@shopprop.com

In conclusion, I would like to restate my input.

1. From this point on, all decks and porches should be included in the FAR calculation.
2. All ADU structures should be counted in the FAR.

Thanks again for your consideration on this matter.

If you should want or need more examples from the Market Neighborhood, I will furnish those to you promptly. However, I do not wish to overload you so I limited the examples to five.

Sincerely,

Loren Spurgeon

FAR - HOUSING IMAGES

RS 5.0 ZONE (5,000 SQ FT LOTS) and RS 7.2 ZONE (7,200 SQ FT LOTS)

July 6, 2006

ATTACHMENT 7

FILE NO. ZONO5-00019

RS 5.0 ZONE: 5,000 SF LOTS

House Under Current Standards:
3,000 SF (0.60 F.A.R.)

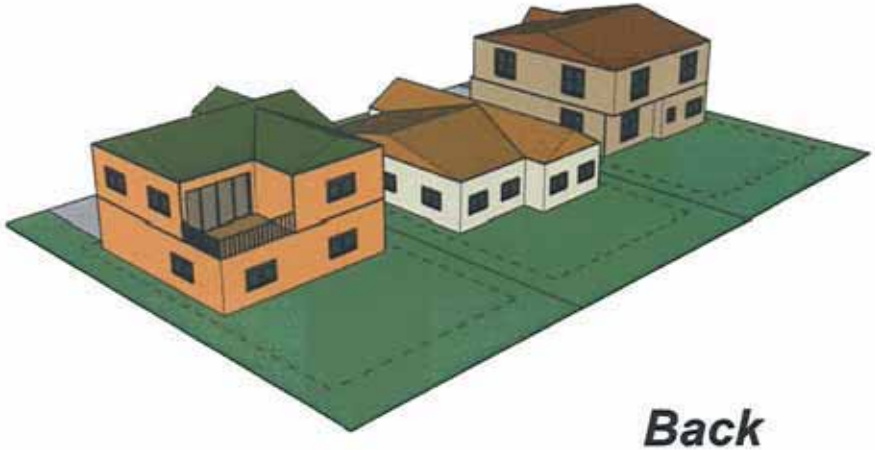
Typical Older Home
1,600 SF (0.32 F.A.R.)

House Under Proposed Standards:
2,500 SF (0.50 F.A.R.)

50' 50' 50'

Street Front

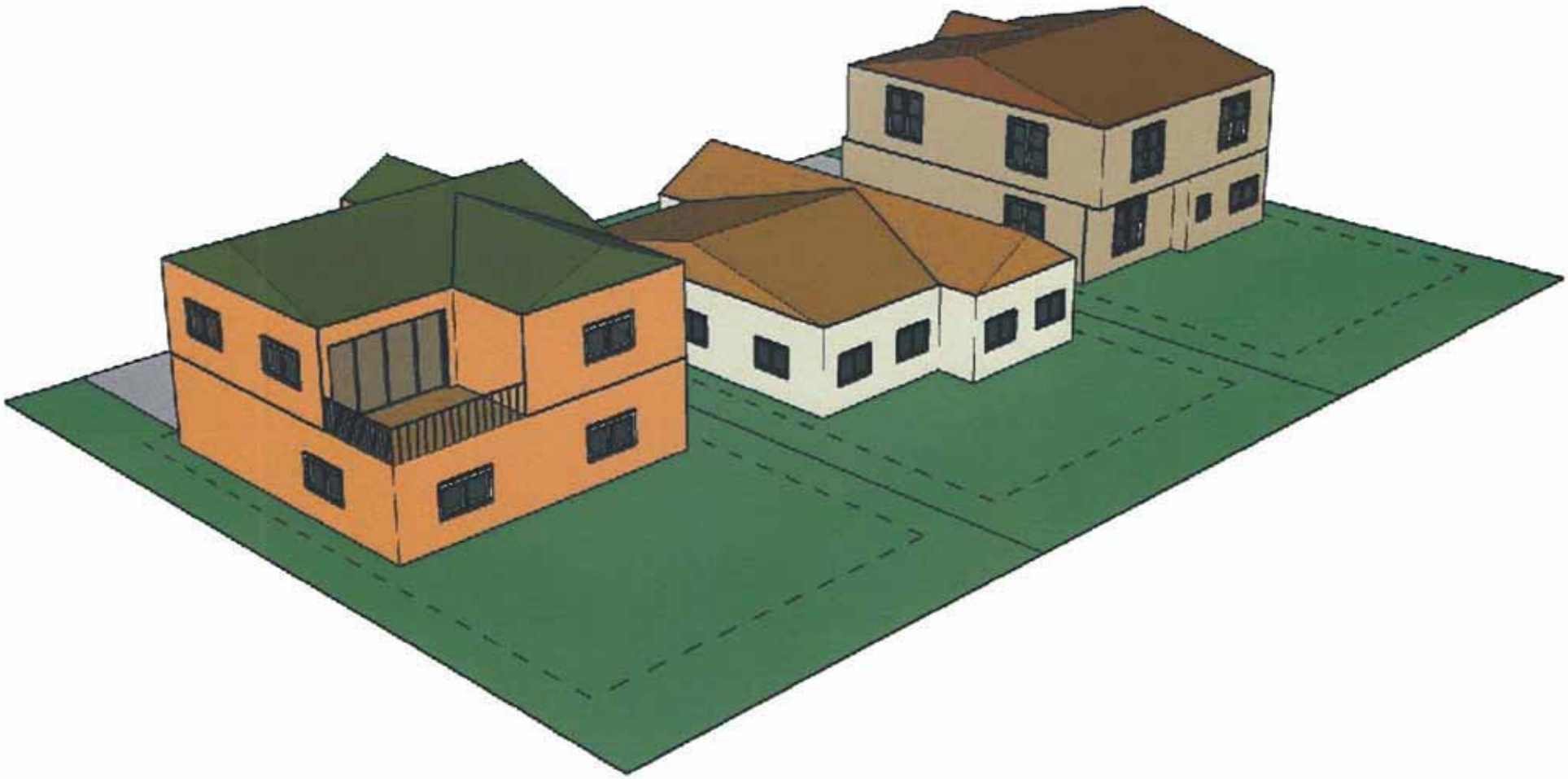
Street Level



Back

RS 5.0 ZONE: 5,000 SF LOTS

RS 5.0 ZONE: 5,000 SF LOTS

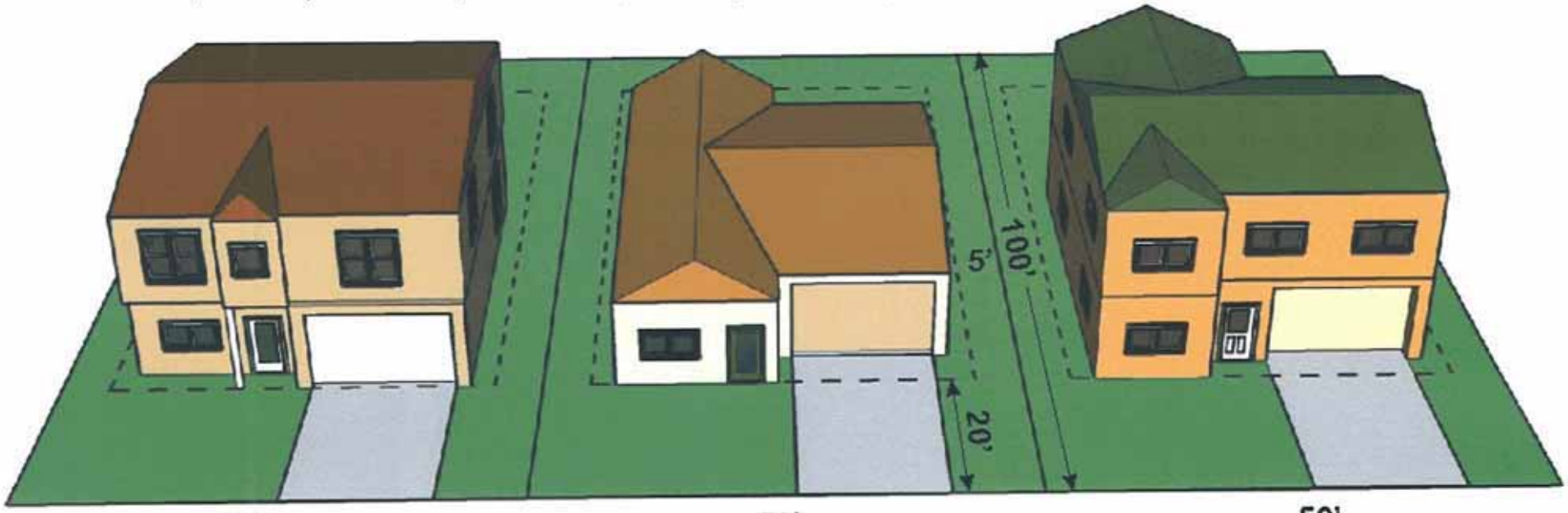


RS 5.0 ZONE: 5,000 SF LOTS

House Under Current Standards:
3,000 SF (0.60 F.A.R.)

Typical Older Home
1,600 SF (0.32 F.A.R.)

House Under Proposed Standards:
2,500 SF (0.50 F.A.R.)



50' **50'** **50'**

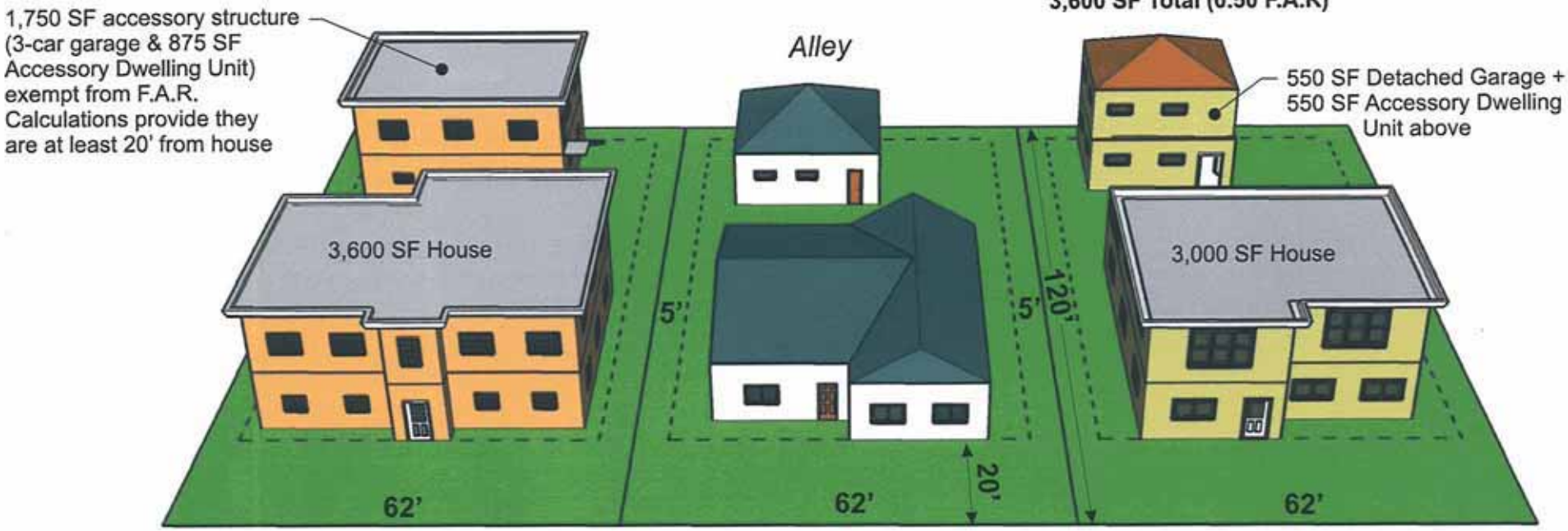
Street Front

RS 7.2 ZONE: 7,200 SF LOTS

House Under Current Standards:
3,600 SF (0.50 F.A.R.)

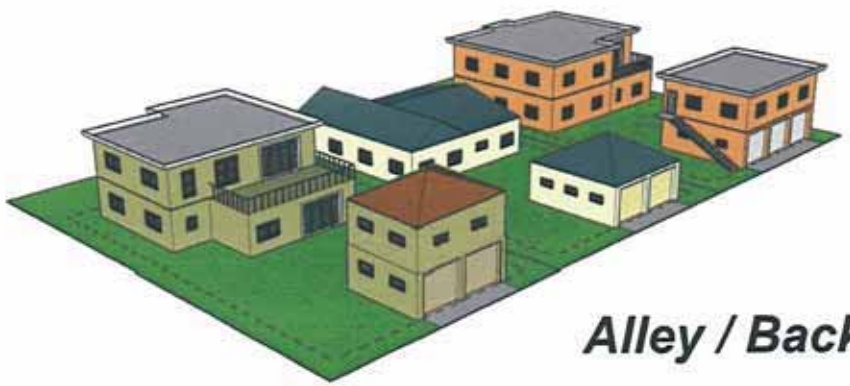
Typical Older Home

House Under Proposed Standards:
3,000 SF House +
1,100 SF Accessory Structure -
500 SF Exempt space (accessory str.)
3,600 SF Total (0.50 F.A.R)



Street Front

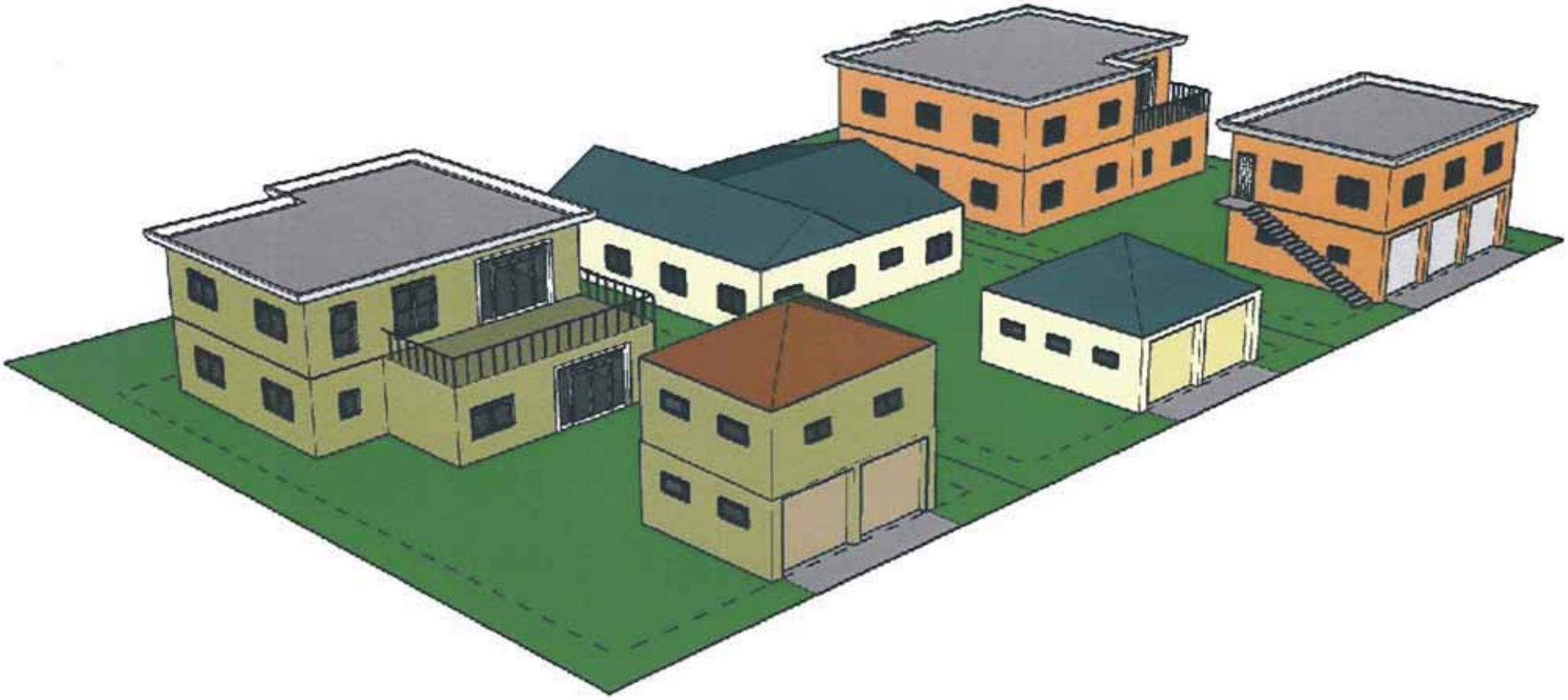
Street Level



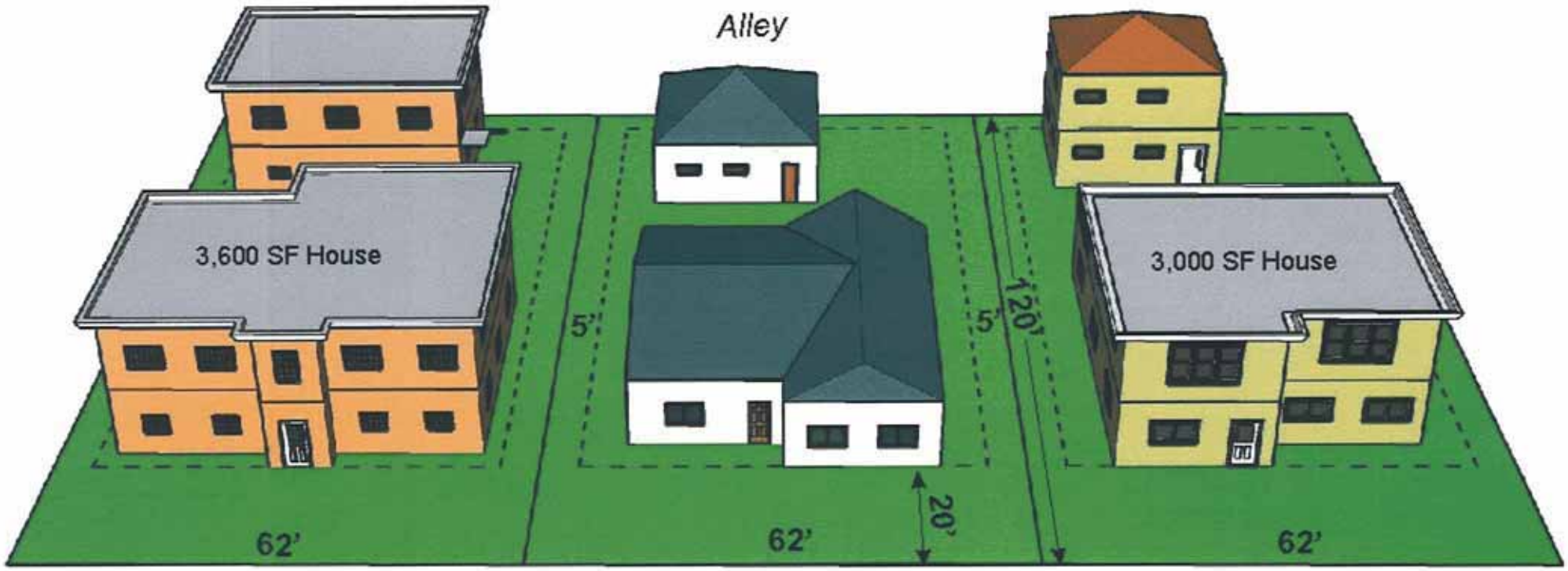
Alley / Back

RS 7.2 ZONE: 7,200 SF LOTS

RS 7.2 ZONE: 7,200 SF LOTS



RS 7.2 ZONE: 7,200 SF LOTS



E-Mail and Comment Letters

Single Family Floor Area Ratio Regulations
File NO. ZON05-00019

July 6, 2006

ATTACHMENT 8
ZON05-00019

July 6, 2006

To: The City of Kirkland Planning Commission
c/o Paul Stewart

cc: Kirkland City Council Members

Re: Response to Proposed FAR regulation changes.

Mr. Stewart and Kirkland City Council Members:

I am writing this letter in response to the City Council Members' current proposal for changes in the current FAR regulations.

I have been a Kirkland property owner since 1974, starting out in Houghton, then moving to East of Market, and now live West of Market in a modest bungalow. I am also a Real Estate Agent practicing for the most part in Kirkland, helping folks buy and sell their homes.

I have attended numerous council meetings regarding the Market Street corridor, as well as the FAR proposal. My observations are arrived at both as a property owner and as a representative of many property owners in Kirkland and the dilemmas they face every time they determine it is time to sell their property.

More often than not, a sale is prompted by some form of a family crisis: the sudden, unexpected loss of a spouse, divorce, unexpected illness, unexpected loss of work. In almost every type of crisis, it was the sale of the "home" that rescued the wife who had never worked outside the home, or the new single mom, or the spouse of a man who suddenly had quadruple by-pass surgery, the same week that his company shut down and he was without a job. In every case, the "home" became the rescuing vehicle because it was worth far more than when the family had originally purchased it.

The man with the by-pass surgery who lost his job did have a home that was paid for...his wife was on disability. Their solution was to sell their home for current market value, take ½ the proceeds to buy a new home, farther out and for less money, and take the remaining ½ of the proceeds and put it in the bank (or stocks) to function as their income. This is exactly what they did, and it saved them...and they avoided the need for "subsidized" or affordable housing.

The single mom had a large piece of land with an old farmhouse on it and actually had a view which had been purchased several years prior to her divorce for much less than it was worth at the time of her divorce...and elected to short-plat it into 4 buildable lots. This enabled her to raise and educate her children...again...taking the burden off society and avoiding the need to be supplemented by affordable housing.

The new widow, with the sudden unexpected loss of her spouse, can now plan her future retirement alone with the aid of their home's appreciation over the years. When it is time for the widow to move into a more assisted living environment, she will have the funds from the proceeds of the sale of her home to do so…once again avoiding supplemental housing, keeping her self-sufficient….which is what she wants, and benefits the community at large.

Finally, there is the 90-year old man who had just lost his wife a year earlier. He had owned a home for over 30 years…it was paid for. It was in a very desirable location with a view in Kirkland. His adult daughter had developed MS, and needed life-long assistance. Because he was able to sell his home at fair market value…he was able to provide for his adult daughter as well as for himself (it was set up in a Trust)….No supplemental housing required…which was very important to him. He was fiercely independent and had relied on himself his whole life…he intended to keep it that way.

Lots of stories to illustrate one point: people buy their homes with the idea that it is their "nest egg"…. It will be the source of funds to provide for their retirement and final years. In most cases, it is all they have. For the Kirkland City Council & Planning Commission to arbitrarily reduce that nest egg under the auspices of FAR is not only unfair; it is unconscionable.

Be assured, FAR will do just that…and the City of Kirkland Planning Commission/City Council will reduce the community's "nest egg" value without exercising the same strict standards they require for any change OR any new proposal conforming to the existing codes. The net result is to deny the new widow, the new single mom, the wife of the newly ill husband who just lost his job, the 90-year old man who only wants to take care of his daughter a means to avoid public assistance. To arbitrarily, and without due notice, actively reduce the value of its citizen's one great resource, their "home", the Council is robbing its constituents of their nest egg for which they so strongly worked to build.

That "nest egg" is all they have…it is all my mother had when my father died suddenly at a relatively young age: peace of mind. They have earned it, they have been responsible in preserving it…and the City Council is in a position to annihilate it with this one FAR motion. I urge the council to re-think this decision. We are talking a lot more than curb appeal here.

Respectfully Submitted,

Kathryne Green
(425) 766-1315

Edmonds Rheumatology Associates

Richard AH. Jimenez, MD ♦ Andrew K. Solomon, MD ♦ Jeff R. Peterson, MD

Kruger Clinic ♦ 21600 Highway 99 ♦ Suite 240 ♦ Edmonds, WA 98026 ♦ 425-774-2632

Kirkland City Council

RE: Proposed zoning changes to FAR and ADU

Council members,

I am very concerned about the proposed changes to FAR and ADU in Kirkland. Recently the State enacted urban sprawl legislation and strongly urged cities to implement measures to improve urban density and make housing affordable. Kirkland has adopted this goal as well. By encouraging the use of accessory dwelling units (ADU) in Kirkland, the City Council has taken great strides to accomplishing this goal. Recent proposals to change the incentives for ADU have jeopardized this goal. By removing the exemption for garage space below an ADU there will be no incentive to build an ADU. I purchased my home on 1st ST with the idea of placing an ADU off the alley behind my home. I will not do this if I will have to cut down on the square footage of my home to build an ADU. The proposal to only exempt 500 square feet of an ADU is also not enough incentive to justify the expense and limit the main house. A 500 square foot apartment is VERY small. I have lived in such a unit. It was a studio and I seriously doubt many people would want to live in such a small place. I strongly urge you to maintain the current ADU language in Kirkland code for building.

Thank You,
Jeff R. Peterson, MD
1112 1st ST Kirkland

Paul Stewart

From: Paul Duren [Paul@durenhomes.com]
Sent: Thursday, July 06, 2006 5:04 PM
To: Paul Stewart; KirklandCouncil
Subject: Comments regarding new FAR regulations
Attachments: FAR letter.pdf

July 6, 2006

To: The City of Kirkland Planning Commission, c/o Paul Stewart
CC: Kirkland City Council Members

RE: Proposed FAR changes

Mr. Stewart:

I am writing to express my strong opposition to the proposed changes to Kirkland's FAR regulations. I have attended public meetings regarding this and have read the proposed changes in detail.

I am a Kirkland property owner and builder. My wife and I are presently at work on our personal home in Kirkland as well as other single family homes in Kirkland. Part of why we have chosen to move to Kirkland is the redevelopment that is making the city such a desirable place to live.

As I know you have heard repeatedly from the overwhelming majority of professionals in real estate, architecture, and construction, these proposed regulations will do nothing to address the concerns that a vocal minority have expressed. Without exception, every argument I have heard in favor of these regulations are based on purely aesthetic concerns which have nothing to do with FAR. People are primarily concerned with what they consider to be pleasing street-front elevations. Obviously, FAR and an attractive curb appeal are unrelated. If there really is a problem, a point I do not concede, then the city should be looking at ways to address *the problem*, not just adopt some poorly conceived regulations that will not achieve their stated goals.

Furthermore, the schedule for the adoption of these new regulations will be financially ruinous for a wide array of people. A property owner wanting to sell a "tear-down" will find overnight that their home is worth $100,000 – 200,000 less than it is in today's market. Hardly a pleasant surprise for a retiree counting on those funds. A developer who owns a parcel that is not able to vest individual building permits under the current regulations would lose proportionally more. From the initial public discussion of these regulations through their scheduled adoption is only a matter of a few months, hardly enough time for people affected by them to make adequate preparations to protect their interests. At the very least, there should be a period of one year from the acceptance of the new regulations to their implementation. I am far from a property rights zealot, but this is the kind of thing that drives people to vote for wrong-headed measures like Initiative 933. If this initiative passes, is the city prepared to compensate the hundreds of property owners who would file claims for damages totaling many millions of dollars?

I could go on at great length on this issue, but many valid points have been raised by the members of the real estate and building community and by this time you are well versed in the arguments. Should the city adopt these new regulations, there will be significant economic dislocation across every strata of the

community. I will certainly contribute any resources I can to fighting alongside my colleagues against these onerous regulations. I urge you to take the path of reason, to more clearly define what problem is being addressed in the first place, and then to consider regulations that will address this problem without causing such great hardship to so many in our community.

Please continue to notify me of any developments of actions taken on this issue. Thank you for your consideration.

Sincerely,
Paul Duren, President
Duren Homes, Inc.
1529 17th Ave. E.
Seattle, WA 98112
Voice: 425-605-8946
Fax: 425-605-8953
Cell: 206-399-2421
www.DurenHomes.com

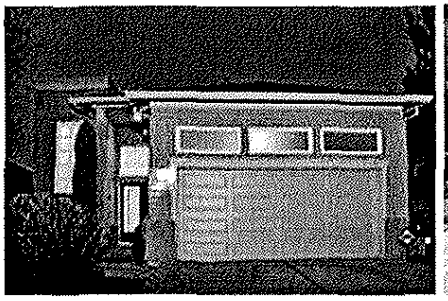
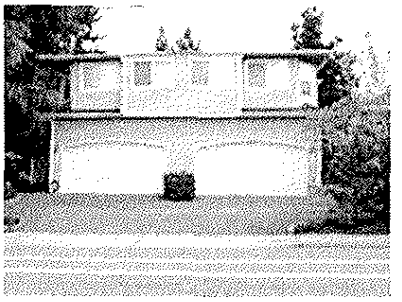
From: Randy Both [mailto:rboth@microsoft.com]
Sent: Thursday, July 06, 2006 2:04 PM
To: KirklandCouncil
Subject: Opposition to proposed FAR Regulation Changes

I'd like to formally express my opposition to the proposed changes to the FAR regulations in Kirkland. My name is Randy Both and I live at 1950 3rd St.

There are much better ways to address the concerns of our citizens. As I understand it, the proposal is aimed at eliminating the "Big Ugly House" in our little Kirkland. The current proposal will serve to accentuate the ugly home factor in Kirkland by eliminating undulation in our side yard set backs, putting garages on the street front and pushing roof lines into flat tops. In general, people will build their homes to the capacity regulation allows for...Kirkland is no exception to this rule (in fact, due to land values, it's the rule). By making a decision to build to less than the code allows for, consumers actually miss out on the growth of the value of their property compared to others that do. Ultimately, the proposed regulation changes will result in a less desirable community to live in...both aesthetically and economically.

I'd like to make two primary points:

ADUs: Accessory Dwelling units help us diversify our community. My parents and my wife's parents are getting older and we'd like to have them live with us until they pass. In an era where our families are becoming more fragmented, we want to have our family stay together. With the ability to have ADUs in our community, we accomplish three things; higher density, larger tax base and prettier street fronts. If we do away with our ADU exception, we will have the majority of new homes constructed with garages facing the street like these on 440 4th Ave S and 724 State St respectively (imagine these homes without any side yard exceptions for bay windows, chimneys or eaves for setbacks and you have our new proposed code made manifest.

With ADUs, we can allow for homes that have very nice curb appeal like the home at 130 11th Ave

The Big Ugly Box House: Archtecture is a living breathing thing…it's not just lines on a paper or the encroachment toward another structure. As a home owner, I'm appauled that Kirkland is considering further legislating how people choose to design their homes. While I may not like what another person chooses to do with their property, it is exactly that, their property. If what someone does with their property is offensive or unsafe, I am all for protecting people, but not from what a house looks like. When you eliminate side yard setback exceptions, you will create flat walls, when you eliminate vaulted space, you will create less interesting building shapes, when you eliminate ADUs, you will create ugly garage facades.

I certainly hope that our city council takes a more long term approach to this problem and considers both raising the max elevation roof peak and adoption of a land volume ratio to more appropriately address the concerns on the table…that said, I believe that we should not be legislating how people choose to build on their land unless it is unsafe for the neighboring properties.

Sincerely,

Randy Both
Sr. Marketing Mgr. - Windows Mobile USBMO
Microsoft Corporation | Email: rboth@microsoft.com
(425) 705-9813 | **Cell: (206) 354-6407**

Paul Stewart

From: sharimclaren@comcast.net
Sent: Thursday, July 06, 2006 12:33 PM
To: Paul Stewart
Cc: KirklandCouncil
Subject: FAR Changes -- Property Owner input

July 6, 2006

To: The City of Kirkland Planning Commission
CC: Paul Stewart, Michael Bergstrom, City Council members

Re: Opposition to proposed changes in FAR regulations

To Whom It May Concern:

Unfortunately I was not able to attend the June 8th meeting regarding proposed changes to FAR regulations and want to ensure the City is aware of my concerns. I am extremely dissatisfied and in complete disagreement regarding the proposed changes in FAR regulations very much opposed to these Staff drafted changes. In fact, I believe that there should be **NO CHANGE** in current regulations, as proposed by the Staff at the City of Kirkland.

Should the City of Kirkland, the Planning Commission, the Kirkland City Council, and others involved ignore the overwhelming opposition, there will certainly be severe economic impact, for my family, the residents and property owners of this City, and the City of Kirkland itself. Many property owners, including ourselves, are prepared to go to great lengths to protect our investments.

After reviewing the proposed changes as made by the The Planning Commission, I have to strongly question the validity of the complaints, as claimed, by residents regarding the size of houses being built. Where are these complaints logged, validated and subsequently and appropriately communicated back to the public?

Secondly, I only learned about this significant proposal via a flyer I received 2 days prior to the meeting on the 8th of June. Provided the City felt such a significant need to invest my tax dollars to commission such a study with sweeping impacts to many, I have an expectation that further information regarding such a matter would have been more readily shared. I believe that the Waverly Park issue regarding dogs in late afternoons a few years ago received much more public notice of hearings than this issue has.

Next, in reviewing the proposed changes and reasons for making such broad changes, it appears that the real issue is not being address. In complaints received by the City, it appears to not so much be the size of houses, but rather their aesthetic appeal to the general community. And as outlined in the proposed changes, there are appropriate manners in which to manage this without the realizing severe economic impacts.

Lastly, I invested in my first Kirkland property years ago as I loved the City. But the City needs to also change with its residents and also maintain a balance of economic demands. If the demand for larger houses is being met with the inventory that is available, who is the City to impose a curb? Our first

Kirkland house is a small cottage that we lived in for over 6 years knowing that if we were patient and sacrificed we would be subsequently rewarded when we finally built our dream home. Now to have the City impose changes to that dream home and to know we have to go back to the drawing board and readjust is both disappointing and appalling.

I cannot stress enough our strong opposition to these changes. I propose that **NO CHANGE** be the solution. I do not perceive a valid problem, nor is there clear evidence that there is a vast majority of parcel owners in favor of the changes. Furthermore, the solutions at hand are not appropriate for the limited banter that does exist.

Sincerely,

Shari McLaren
City of Kirkland Property Owner

July 6, 2006

To: The City of Kirkland Planning Commission
c/o Paul Stewart
cc: City Council Members
Cc: David Leen, Leen and O'Sullivan

Re: Opposition to proposed changes in FAR regulations

To Whom It May Concern:

I am writing today to voice my shock and concern regarding the proposed changes in FAR regulations. I am very much opposed to these Staff drafted changes. In fact, I believe that there should be **NO CHANGE** in current regulations, as proposed by the Staff at the City of Kirkland. I have detailed very specific points of interest in my argument. Should the City of Kirkland, the Planning Commission, the Kirkland City Council, and others involved ignore the overwhelming opposition, there will certainly be severe economic impact, for my family, the residents and property owners of this City, and the City of Kirkland itself. Many property owners and builders, including ourselves, are prepared to go to great lengths to protect our investments.

In addition, I urge the council to remove Janet Pruitt as the chair of the Planning Commission. Her inability to conduct herself in a manner fitting of the position is, in my opinion, directly evidenced by the fact that the commission lost control of the hearing at several times. She was clearly biased and favored those commission members and audience members with comments in favor of change. Her steering, physical reactions, unfair time policies, and conduct within neighborhood meetings should be of GREAT concern to the fellow Planning Commission members, the City Council, the Mayor, and the citizens of this community.

I have spent 10+ years in the real estate industry. I am a licensed real estate agent, a mortgage loan officer, a licensed escrow officer, and a licensed LPO. In addition, my husband and I have been actively involved in investing, building, developing, buying and selling in Kirkland for many years. I am very well versed and studied in numerous aspects of the marketplace, and speaking from personal and professional experience, I am stunned by the financial ramifications of the Staff's proposed changes.

These changes are both economically staggering, and seem to be unconstitutional. I have not seen the City's model for economic impact that these changes will cause, but in my own research and study, the numbers are staggering. The money lost in decreased home values are hundreds and hundreds of thousands of dollars, for homeowners, investors, builders, real estate agents, the City of Kirkland, King County, and the State of

Washington. In addition, this impact will trickle down into all construction trades, mortgage lending, and title companies, just to name a few. All industries that benefit from the physical size of the home as well as the sales price will be affected.

A. Validity of concerns prompting change

In a memo dated May 19, 2006, to the Planning Commission from Eric Shields and Michael Bergstrom, section II, subsection A, states that the staff members and council members have heard, over the past year, concerns that prompted the staff to draft changes to the system. What system was in place to validate, manage, and review these concerns? What is the protocol for dealing with concerns? The proposed changes have severe economic impact on so many. For such a gravely serious issue, the City surely has to follow protocol before investing staff hours to rewrite such serious regulations. What is this protocol? I have seen processes in the past, brought before and ratified by the City Council, that were NOT given due process, even admittedly by a Council Member himself. It is widely believed that a very small group of people is behind the concern for change. Yet such a large majority of residents, investors, and developers will be gravely impacted.

B. Lack of public notice

Frankly, I am appalled at the lack of notice we, as property owners, have received on such a serious matter. Had I not read the damp neighborhood newsletter left under my mat, I would have not received any notice whatsoever. When developing in the City, principals are required to mail notices to adjacent/impacted parcel owners. In addition, they are required to post public notice signs on the property being changed. These requirements are applicable even when operating within existing regulations. As I compare that process to one undertaken for these proposed changes, there is clearly a vast difference in responsibility, even when the stakes are so much higher and all-encompassing. In other words, the City has not delivered any notice to parcel owners affected in CHANGING EXISTING REGULATIONS. This is an unjust imbalance in the system.

C. Define problem

What is the problem? In the limited meetings I have known to occur within the neighborhood associations, the comments are not suited to the solutions proposed by the Staff. In an email submitted to the City by Mr. Jeff Peterson, dated April 26, 2006, this issue was addressed in reference to the neighborhood meeting held. The statement that a woman did not want a big ugly box next to her is a perfect example of this issue. There have been several instances that truly point to design issues, and personal taste, which is not consistent with FAR changes. In an email submitted to the City by Mr. Peter Bartnick, dated May 4, 2006, two of his suggestions for FAR credits are based on design concepts. He mentions the curb appeal of putting garages in the rear of the property, and having front porch structures that appear "friendly" from the street. These are

concerns that are NOT addressed by the City's Staff recommendations. By using these solutions to the people's concerns, I believe the City to be creating a landscape of large, seemingly appealing house, and small ugly houses, all by using the FAR as a puppet and a band aid to a much different issue.
I can tell you for certain, my house is maximizing the FAR allowed on my lot. Yet, upon completion of construction this winter, we have had countless neighbors and residents stopping by to compliment us on the design and attractiveness of our home.

D. Market demands do not warrant change

Have you been in the neighborhoods in the last few years? Homes are selling, and selling fast. These homes are NOT on the market long at all. There is a frenzy for buyers in the market for larger homes, and prices are reflecting this demand. In addition to this demand, builders are buying lots that financially are sensible investments for their building projects, due to the demand. In an email to the City by Mr.Lew Bodman, dated May 1, 2006, affordable housing is addressed in respect to FAR. He mentions that the price of homes in the area are out of most people's budgets. In looking at statistical data, I am of a very different opinion. However, all of that aside, is the City of Kirkland willing to control and influence the financial demographics of the city by imposing building regulations? This is both an example of poor, inappropriate government and bad business.

E. Financial impact to City of Kirkland

Why in the world would the City of Kirkland impose changes that take money out of their own pocket? Again, why in the world would the City of Kirkland impose changes that take money out of their own pocket? Consider this simplified example: under the proposed changes to FAR regulations, the owner of a 5000 square foot lot may be subject to a 10% decrease in FAR, and at maximum value, could result in a home of 2500 square feet instead of 3600 square feet. This reduces the size of the home by 30%. Using an average of the City of Kirkland's property tax levy codes, and an estimated decrease in tax assessed value of $300,000 due to a smaller home being built, this equates to $2781/yr on just one home! Now, consider excise tax when this home sells. Of the 1.78% charged in the sale of the home, 0.28% is considered local tax. At the estimated value of $325/sqft for a new home of this size (non-view), the City of Kirkland is choosing to NOT collect $1001 each time someone sells this one home. (As an interesting side note, the State of Washington would be losing $5362.50 in that example. What would they think of that?) Is our City budget in such a surplus that the Staff members are comfortable turning down this revenue, and compromising the State's share of those taxes? The last time I reviewed the budget, the City was not operating within budget. In considering 100 units for this example, that adds up to $278,100/year in forfeited property taxes, $100,100 in excise tax lost locally, and $536,250 in excise tax loss for the State.

F. Economic impact to property owners and builders

Every builder and property owner's equations for land-to-home cost ratio are different. For argument's sake, consider the land portion of the builder's equation to be 1/3 of the cost of the project, which is conservatively stated, and in line with current appraisal standards. In the case of view homes, this proportion is MUCH higher. If the above mentioned home from Section E, which is compromised by 1100 square feet, or 30%, then a builder will likely look to reduce the cost of the land proportionately. For those builders and property owners who have already invested in land, they will have a very hard time sinking this loss into the sales price of the home. Lost revenues will be astounding. In an email to the City from Joe Bergevin, President of Bergevin Homes, dates May 26, 2006, he addresses this point specifically, and on the city-wide scale. He gives a very realistic scenario of "$125 million dollars in today's new home market value (being) at stake." For future purchases, the builder will not pay as much money for the same lot, under proposed FAR regulation changes, therefore taking money out of the pocket of the existing property owner. If a homeowner was selling a property to a builder for $500,000, a realistic value in today's market for non-view property, the future value of this same lot, under the proposed FAR changes, will be reduced proportionately to compensate for the loss in value of the final product. These changes significantly undermine current and future values of real estate

G. Affordable Housing

As mentioned above, the affordable housing dilemma is not accurately addressed with FAR changes. Is the City willing to impose FAR regulations city-wide to assist in providing affordable housing? Not only is that an inappropriate means for promoting affordable housing, but it will most likely have an adverse, inflationary effect on the smaller homes. Until the land prices drop proportionately, homes of smaller size will be demanded at a higher price/square foot basis. That will be especially apparent in view homes, to such a higher degree.

In addition, consider what the detached ADUs provide: A family can own an adequately sized home, and either work out of their ADU as an office, provide a dwelling for aging parents, rent to local college kids, or others in need of such similar housing, all which allow that family to cut expenses/add rental income, thus making that property more affordable.

H. Intention of the RS 5.0 Zoning

The RS 5.0 Zoning is a residential area created as a transition zone from the multi-family areas to the more desirable 7.2+ zoning. These areas lie between LARGE residential structures, both in size and units, and the ideal spaces for homes. Doesn't it make sense to taper and transition the multi-family structures that are proportionately very large for their lots, down to a situation that the homes are moderately, proportionately larger, to the ideal sized home on the low density, residential lot? This should be a transition, just as the spirit of these zones was intended.

I. **Due diligence on part of all buyers/property owners**
When we invested in property in Kirkland, we were careful to research the factors we considered important. We analyzed countless factors when wisely choosing our investments. For us, one of those items of importance was the size of home we would be able to build. In determining that size, we were able to determine a price for the land we purchased, using a land-to-home cost scenario, and current market prices for homes, as expressed in price/foot. In following through with the Staff recommendations for changing FAR requirements, the City of Kirkland is taking money from my family. It is black and white. **What liability will the City assume in significantly devaluing our investments?** This question will be explored aggressively, by myself and many, many others, should the City make such a foolish decision to approve of these FAR changes. What about the people that have supposedly raised issue with big homes being built next door to them? Whether the basis of their concerns be design or size, one thing comes to mind: Did these property owners perform their due diligence when purchasing their properties? If size and design are so important, careful research would have given these residents indication as to what may be built beside their home. Perhaps a neighborhood of less density or with strict architectural standards may have been more well-suited. However, my financial investment should not be compromised due to their lack of investigation, self-education, research, and awareness.

I cannot stress enough our strong opposition to these changes. I propose that **NO CHANGE** be the solution. I do not perceive a valid problem, nor is there clear evidence that there is a vast majority of parcel owners in favor of the changes. Furthermore, the solutions at hand are not appropriate for the limited banter that does exist.

I move that there be additional hearings and time for residents to submit and discuss their concerns. The Planning Commission chose June 8, 2006, for their Public Hearing. However, Kirkland's one major high school has graduation on this same date. Thousands of residents could not be in attendance tonight, as they are honoring their children for their graduation accomplishments. At this very meeting, the people witnessed a VERY BIASED chairperson in Janet Pruitt. I feel very strongly that she should be removed as chair for this issue, and possibly others. It is very clear that she is not able to conduct these hearings and neighborhood meetings with the standard of care and professionalism that is both required and expected by a person in such a position.

Sincerely,

Wyomia Bonewitz
425-444-6499
wyomiawyomia@comcast.net

Paul Stewart

From: Barbara Trunkhill [btrunkhill@earthlink.net]
Sent: Tuesday, July 04, 2006 7:24 PM
To: Paul Stewart
Subject: Floor Area Rations - File NO. ZON05-00019
Attachments: 2006-07-04 To Planning Commission BET.doc

To Paul Stewart,

I have some concerns I'd like to express in regards to the proposed regulations for Floor Area Ratios. I have written out my thoughts and they are included in the attached document.

Please forward this on to the Planning Commission for their consideration.

Thank you,
Barbara Trunkhill

July 4, 2006

To: Kirkland Planning Commission

Re: Floor Area Ratios
File NO. ZON05-00019

I'm writing with a sense of discouragement because I've come to doubt that the voices of the citizens of Norkirk carry much weight with the Planning Commission. Time and again when there were meetings or petitions or work groups, the neighborhood expressed the desire to reduce the bulk and size of new homes. Rather than hearing and responding to what's already been expressed, the issue is postponed time and again until the everyday folks just weary of the battle. Perhaps that's been the city's intent all along.

So I wonder if it will do any good to express my concerns. But I really do care about the neighborhood in which I live. So here are my comments on the Floor Area Ratio issues.

1. **Do whatever's possible to minimize the appearance of bulk.**
   The citizens of Norkirk have expressed their concerns in this regard time and again. It will be difficult to maintain a neighbor friendly city if the houses look like mansions, dominating the surroundings.

2. **Smaller lots should have smaller houses.**
   There should be a sense of proportion to the homes being built. Norkirk in particular has had a mix of home sizes and styles over the years. Just such variety encourages the type of neighborhood we'd like to live in.

3. **The builders will always look to maximize their profits, but whatever restrictions they face won't keep them from further development in Norkirk.**
   Smaller houses and/or innovations about how to restrict the appearance of bulk could actually encourage the builders to mold new homes to better fit the size and shape of each particular lot. Our neighborhood has proven to be so desirable that they should have no problem making up for smaller building sizes by the appearance and amenities they choose to provide.

4. **The planning process weighs in favor of development.**
   The people of the neighborhood have spoken up several times in spite of lack of information and a process that drags on and on. But none of that seems to carry any weight. So it's no wonder that only the developers remain standing at the end of the day.

In making the decision about floor area ratios I would ask you to look back to past comments from the Norkirk neighborhood. Consider the petitions that were signed that included a concern about the bulk and size of new homes. Consider the results of the Norkirk working groups that also expressed these concerns. And consider the comments during neighborhood meetings that once again stressed that the size of new homes has gotten out of hand.

If you've ceased to hear these concerns at this late stage, it's not because we've changed our minds. It's more a matter that you've just plain worn us out. How many times do we have the say the same thing? Most likely the voices being heard at this point in the process reflect the opinions of builders and developers who have the most financial interest at stake and thus have the staying power to remain in the game until the bitter end.

Please, please remember the voices of the many and opt for reducing bulk and limiting size in a reasonable manner. The citizens of the neighborhood have expressed these concerns time and again. Hopefully, you will remember our voices as you make your decision.

Sincerely,

Barbara Trunkhill

10522 NE 48th Place
Kirkland, WA 98033
June 29, 2006

RECEIVED
JUL - 3 2006
11:20 AM PM
PLANNING DEPARTMENT
BY

City of Kirkland
Planning Commission & City Council
123 5th Avenue
Kirkland, WA 98033

Dear Planning Commissioners and City Council Members:

I wish to comment on the proposed changes to building requirements. I am in favor of more restrictive requirements; in fact, I wish that more limitations were being considered. I am alarmed at some of the houses that have been, and are being, built in Kirkland. I consider that the proposals are baby steps in the right direction, but I have grave doubts that these modest proposals will make a noticeable change in what can be built. I know that a lot of work has been done by staff in researching and coming up with these proposals, but I implore the City Council to open up the issue and consider more sweeping changes that will have a real impact.

Counting vaulted spaces twice in the square footage calculation should reduce some of the volume in the homes being built; I support allowing no more than a 10-foot ceiling height before a space would be counted twice. I think that the accessory units (or at least a substantial portion of the square footage) should count also. The distance that architectural features can protrude into setbacks should be reduced. However, I fear that these will not have a significant impact on the mass of houses being built, since the prevailing mentality seems to be to build the maximum allowable house on a lot. I have heard testimony that the imposition of the FAR regulations on some particular huge houses that loom on their lots, would make no appreciable difference. It appears that a more stringent approach is called for, & I urge the Council to look into one as soon as possible.

Also, the proposed changes are perceived as complex; perhaps tweaking the well-established measurements of lot coverage & setbacks would be a better way to go. That would undoubtedly be perceived as onerous by builders, but at least would be easy to understand & measure. What about decreasing the percentage of a lot that can be covered with impervious surfaces by 10% or more? I have read that other communities have decreased the amount of lot coverage allowed to 45% or less, in an attempt to restore a sense of scale to new houses. Features like driveways, porches, decks, etc. should be included in this percentage. Increasing the setback requirements would also help significantly to buffer new houses from those of their neighbors. I think this would be a more straightforward approach. Another idea I heard mentioned was to come up with a formula for the maximum allowed volume of a house, though it sounds like it would be harder to measure & enforce.

I think that a role of city government is to set regulations for the common good. Sadly, that is not the motivation for many builders and homeowners. It is for the common good that there be enough unbuilt space on a lot for the sake of the environment, for the rain water to soak in, and for plants including big trees to grow and help improve our air quality and climate, and for the benefit of birds and wildlife. When houses are built close together, there is not enough room for significant trees and plantings. The builder who erects a house to the maximum allowable size, gains a benefit from a neighboring lot which has more room for mature plantings. He should be required to leave enough space on the new house's lot for such plantings.

The fact that many lots are being subdivided has a huge impact on the loss of trees and land to soak up rain. I have seen many a lot that was previously wooded, or had one smallish house, be cleared and have numerous big houses built, with token landscaping. Instead of these big houses, I would like to see smaller ones occupying less of a footprint on each subdivided lot.

I understand that some of the homes in Kirkland are of an age and condition such that they need to be replaced. I would like to see them replaced (if that is the decision made) with houses of an appropriate scale to their lots. The big new houses that I admire are ones that are sited on big lots with ample space around them so that they do not look cramped on their lots. If people want a big house, they should get a big lot for it. It would be nice for the city to have a wide variety of house sizes, that are in scale with their lots. The builders & real estate people have been well-organized in their opposition to any restrictions. If the City wishes to gauge the opinion of homeowners in Kirkland, I suggest that a poll or survey be conducted.

I do not believe the argument that there is no market for smaller houses. There are many baby boomers and empty-nesters who wish to downsize, as well as people without children, and families who choose to have a smaller impact on the planet. I recommend the book by Sarah Susanka, The Not So Big House, and others in her series. She describes and gives many examples of features that make a house a home for families of assorted sizes.

The argument that more restrictive regulations will lower the value of properties does not hold merit. Think of Carmel, California and Santa Fe, New Mexico. Properties there are highly valued, the more so because of the value placed on aesthetic considerations that are part of the regulations. If regulations serve to make the whole community a more beautiful area, then property values are enhanced. Let Kirkland forge its way into being a leader in livable, rather than overbuilt, residential neighborhood design.

Sincerely,

Jennifer Linden

From: Per-Ola Selander [mailto:p-o.selander@comcast.net]
Sent: Thursday, June 29, 2006 1:38 PM
To: James Lauinger; Joan McBride; Dave Asher; Mary-Alyce Burleigh; Jessica Greenway; Tom Hodgson; Bob Sternoff
Cc: Eric Shields; David Ramsay
Subject: Planning Commission's meeting + copy of letter to the Commission

Dear Council members,

Please find attached a letter that I handed over to the Planning Commission during the June 8th meeting.

That meeting was a farce, but it was NOT due to lack of hard work of the Commission under Janet Pruitt. My opinion is that part of the chaos that we saw during the meeting stemmed from parties in the audience being disrespectful to the process, and to those of us who had, and still have, dissenting views. Some even resented to scare tactics about "reduced tax revenue for the City" if new construction was not allowed, etc, etc. If that was the concern, one (very smart) person in the audience just pointed out that we could always become a Belltown and allow for only condos. That should increase the property tax base. I think most of who currently live in Kirkland now and then complain about the property taxes, but we also do want to pay for the quality of life this City provides for.

But, I believe and many with me that we have to do something about the "Luxification" of Kirkland. Reducing the FAR on a small number of lots west of Market, or adding new restrictions might not be the best way, but **something** has to be done! Once the eclectic mix of houses we have in Kirkland has been replaced by new "McMansions", this place will no longer be what we have become used, and the quality of life we so dearly paid for will be gone.

The other day, I walked again, from where we live to downtown. Between 20 and 30 minutes depending on speed and route. Once again I see "good" houses demolished, lots being subdivided, and builders utilizing the rules to the very maximum in order to squeeze in something that barely fits on a certain lot.

A few builders/owners build big, but they build big on BIG lots, and I salute them for that. Still fewer takes an old structure and restores/updates it, w/o impacting the neighborhood in a negative way - likely because there are so few incentives to "keep" houses.

There was a really good article in Seattle Times earlier in the spring about a Ballard based builder who saw the economics in buying older homes, updating them, and selling them for less than new comparable new construction. A new owner would not only get a house with character, but fully modernized home that also one that strives to retain the character of the neighborhood.

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Per-Ola Selander
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+1-425-894-5339 Mobile
p-o.selander@comcast.net

<<...>>

Where is Kirkland Heading?

Open Letter to the Planning commission:
Cc: City Council

I am writing you, all of you, to ask you to do the following:
Take a very hard look at Kirkland today - and where we are heading as a city. I do not think anyone of you want to live in a future "*Luxville*" or "*Luxland*", to give just two examples of appropriate names.

Kirkland - the city I love so much that I left my (well paid) job in order to remain up here instead of moving to a (financially brighter) future in Texas - that city is changing at a dramatic pace.

I saw Kirkland first time in the fall of 1994 and I like what I saw. In 1998 I had managed to relocated from Dallas to Bellevue (our office was in Kirkland, Yarrow Bay). In late 1999, I met a "girl" at Grape Choice, a girl that in July of 2000 became my wife. In September of the same year we found our house in Kirkland (we actually started west of Market, but settled on Little Finn Hill, across from the Juanita Bay Park due to the view).

But the Kirkland we settled in is no more - it has changed. Dramatically!
Perfectly good houses with nice yards are being torn down, only to be replaced with 1 or 2 oversized boxes, with zero to no yard left - if one does not count the chunk of conrecte leading up to the garage...

Houses that would be perfect candidates for a good remodel, are disappearing weekly. Just take a walk somewhere East of Market or in our neighborhood. I walk the dog several times a week, and not one week goes by without me passing a new "development". It leaves me in a mixed state of shock and anger. What is happening to "my" city?

Don't take me wrong. Good things are happening as well. Big houses are being built, big houses on big lots (along Waverly Way). That provides both for some type of aesthetic ratio - houses size relative to yard size - as well as keeping the neighborhood open. New developments; Juanita Village, Kirkland Avenue, Tera, The Villas, are both desired and needed to accommodate more people. But, when (good) houses are being torn down for "nothing", and being replaced by what many are calling McMansions - or maybe they'd better be called "McCraftsmans", the neighborhoods are going through too much of a change in too short time.

The developers don't care what happens to a neighborhood. They are ONLY in it for the short term profit. They "smack" up these new houses, sell them for huge $$$$, neighbors at arm' s length. The buyers like it because they can finally get a sought-after Kirkland address. They do not know any better (they do not know what Kirkland was like), but they will eventually start to notice the changes as well. Changes that eventually will make their huge investment seem less sound. And more importantly, the changes once implemented, are probably impossible to turn-around.

We, the residents of Kirkland, compared to the developers, care about our city. Not just the short term profit when we one day sell our house, but the overall quality of life in the city. Without the quality of life, there are no future property values to care for, or worry about.

We care about housing density (we do not like it), we care about green areas (we like them), we care about the views, the openness, the trees that are left, the ease in our walk to downtown for a coffee or a bite to eat, we care about our parks, we care about our streets, the traffic density and (lack of) side walks.

Yes, Kirkland can grow. I am aware that we have to grow, or rather allow for more people to live inside our boundaries. We can do that easily; we can become a "Belltown" with just new condo complexes, we'd make the Olympia Lawmakers/King County Council happy, but we would not make ANYONE (except for the developers) happy in Kirkland. We would be more accommodating to people NOT living here, than to us, the residents of Kirkland. The ones who actually defines what "is" Kirkland today and tomorrow.

One could say that that is the way the city acts in many ways today, seems like it cares more for the people who do not live here - but want to - than for the people already living here today. Kirkland has - until annexation expands it - a given limited physical footprint. "Squeezing" in more people inside this "box", regardless what the GMA says, is simply not feasible without changing the very nature of our wonderful city - a city that would be nothing without its (current) residents.

I therefore urge you, commission members, to take a very hard look at how we manage growth and allow for new developments - even if it is only one or a few houses.
If we need to abide by the GMA, lets do so in areas that are already "dense" (downtown, Totem Lake, North Juanita, Yarrow Bay); build more condos, apartments, taller structures in those areas, but do not change the wonderful openness we have out in the single family/dwelling neighborhoods.

Older home owners are being "pushed out" by developers using various tactics of intimidation, lofty promises, and over development. After a while, you just do not feel "at home" when your neighbor suddenly erects a gigantic house, spends lavishly on all types of "stuff", making the house where the older couple has been living for the past 40 years looking more like a dump - a house that was actually quite nice as long as you compared it to what was common in the neighborhood.

There was a very good article in Seattle Times a few months back about a developer in Ballard. He bought up old houses, gutted them, upgraded them and resold them in great condition - while keeping the both the older style and the quality of the craftsmanship. We can do that in Kirkland as well. People would be willing to pay for it, but for a developer it is trickier and more "complicated" than starting with a clean sheet of paper. So, why should they do it? There's no immediate incentive.

When talking about the craftsmanship, many of us are joking that there is a lot of very expensive "temporary housing" going up in Kirkland today. I can bet that many of the houses being built, will no longer be around - due to shoddy building practices/poor design - in 40 years. On the other hand, the house I am sitting in, was built some 45 years ago, and with some minor upgrades, I am sure it will be around for the coming 45 years as well - as long as no developer succeeds in pushing me out!

Per-Ola Selander
Kirkland

10522 NE 48th Place
Kirkland, WA 98033
June 29, 2006

RECEIVED
JUL - 3 2006
11:20 AM PM
PLANNING DEPARTMENT
BY

City of Kirkland
Planning Commission & City Council
123 5th Avenue
Kirkland, WA 98033

Dear Planning Commissioners and City Council Members.

I wish to comment on the proposed changes to building requirements. I am in favor of more restrictive requirements; in fact, I wish that more limitations were being considered. I am alarmed at some of the houses that have been, and are being, built in Kirkland. I consider that the proposals are baby steps in the right direction, but I have grave doubts that these modest proposals will make a noticeable change in what can be built. I know that a lot of work has been done by staff in researching and coming up with these proposals, but I implore the City Council to open up the issue and consider more sweeping changes that will have a real impact.

Counting vaulted spaces twice in the square footage calculation should reduce some of the volume in the homes being built; I support allowing no more than a 10-foot ceiling height before a space would be counted twice. I think that the accessory units (or at least a substantial portion of the square footage) should count also. The distance that architectural features can protrude into setbacks should be reduced. However, I fear that these will not have a significant impact on the mass of houses being built, since the prevailing mentality seems to be to build the maximum allowable house on a lot. I have heard testimony that the imposition of the FAR regulations on some particular huge houses that loom on their lots, would make no appreciable difference. It appears that a more stringent approach is called for, & I urge the Council to look into one as soon as possible.

Also, the proposed changes are perceived as complex; perhaps tweaking the well-established measurements of lot coverage & setbacks would be a better way to go. That would undoubtedly be perceived as onerous by builders, but at least would be easy to understand & measure. What about decreasing the percentage of a lot that can be covered with impervious surfaces by 10% or more? I have read that other communities have decreased the amount of lot coverage allowed to 45% or less, in an attempt to restore a sense of scale to new houses. Features like driveways, porches, decks, etc. should be included in this percentage. Increasing the setback requirements would also help significantly to buffer new houses from those of their neighbors. I think this would be a more straightforward approach. Another idea I heard mentioned was to come up with a formula for the maximum allowed volume of a house, though it sounds like it would be harder to measure & enforce.

I think that a role of city government is to set regulations for the common good. Sadly, that is not the motivation for many builders and homeowners. It is for the common good that there be enough unbuilt space on a lot for the sake of the environment, for the rain water to soak in, and for plants including big trees to grow and help improve our air quality and climate, and for the benefit of birds and wildlife. When houses are built close together, there is not enough room for significant trees and plantings. The builder who erects a house to the maximum allowable size, gains a benefit from a neighboring lot which has more room for mature plantings. He should be required to leave enough space on the new house's lot for such plantings.

The fact that many lots are being subdivided has a huge impact on the loss of trees and land to soak up rain. I have seen many a lot that was previously wooded, or had one smallish house, be cleared and have numerous big houses built, with token landscaping. Instead of these big houses, I would like to see smaller ones occupying less of a footprint on each subdivided lot.

I understand that some of the homes in Kirkland are of an age and condition such that they need to be replaced. I would like to see them replaced (if that is the decision made) with houses of an appropriate scale to their lots. The big new houses that I admire are ones that are sited on big lots with ample space around them so that they do not look cramped on their lots. If people want a big house, they should get a big lot for it. It would be nice for the city to have a wide variety of house sizes, that are in scale with their lots. The builders & real estate people have been well-organized in their opposition to any restrictions. If the City wishes to gauge the opinion of homeowners in Kirkland, I suggest that a poll or survey be conducted.

I do not believe the argument that there is no market for smaller houses. There are many baby boomers and empty-nesters who wish to downsize, as well as people without children, and families who choose to have a smaller impact on the planet. I recommend the book by Sarah Susanka, The Not So Big House, and others in her series. She describes and gives many examples of features that make a house a home for families of assorted sizes.

The argument that more restrictive regulations will lower the value of properties does not hold merit. Think of Carmel, California and Santa Fe, New Mexico. Properties there are highly valued, the more so because of the value placed on aesthetic considerations that are part of the regulations. If regulations serve to make the whole community a more beautiful arsa, then property values are enhanced. Let Kirkland forge its way into being a leader in livable, rather than overbuilt, residential neighborhood design.

Sincerely,

Jennifer Linden

Michael Bergstrom

From: "Paul Stewart" <PStewart@ci.kirkland.wa.us>
To: "Michael Bergstrom" <bergstrommike@msn.com>
Sent: Thursday, June 29, 2006 4:05 PM
Attach: Where is Kirkland Heading.doc
Subject: FW: Planning Commission's meeting + copy of letter to the Commission

FYI

From: Per-Ola Selander [mailto:p-o.selander@comcast.net]
Sent: Thursday, June 29, 2006 1:38 PM
To: James Lauinger; Joan McBride; Dave Asher; Mary-Alyce Burleigh; Jessica Greenway; Tom Hodgson; Bob Sternoff
Cc: Eric Shields; David Ramsay
Subject: Planning Commission's meeting + copy of letter to the Commission

Dear Council members,

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But, I believe and many with me that we have to do something about the "Luxification" of Kirkland. Reducing the FAR on a small number of lots west of Market, or adding new restrictions might not be the best way, but **something** has to be done! Once the eclectic mix of houses we have in Kirkland has been replaced by new "McMansions", this place will no longer be what we have become used, and the quality of life we so dearly paid for will be gone.

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p-o.selander@comcast.net

<<...>>

Paul Stewart

From: Jeremy M [jeremym@pcsmillwork.com]
Sent: Monday, June 26, 2006 11:30 AM
To: Paul Stewart
Subject: FAR CONCERNS

Hi I feel the Far and zoning issues are not a valid recommendation and that there are only a few home owners that are causing this huge issue and that there are way more people interested in making money than loosing it. If the changes go through I feel the builders and home owners will loose out and that the future home owners will eventually pay the cost because builders are only going to raise prices and be forced to build smaller homes for more. I hope you will reconsider the proposal and not in any way allow a few people to ruin it for every one. So this is how I feel and I am completely against every single part of this recommendation. I live on 327 8th ave.

Thank You,

Jeremy Malsam
Team Manager/Sales
PCS Millwork, Inc.
18715 141st Ave NE
Woodinville, WA 98072
Cell: (206) 396-5590
Email: jeremym@pcsmillwork.com

Paul Stewart

From: Margaret Carnegie [carnegiema@netzero.com]
Sent: Thursday, June 22, 2006 9:15 AM
To: Paul Stewart
Subject: FAR

Dear Mr. Stewart,

I was unable to attend the former meeting to give my opinions on the "floor area ratio" issue, so am now providing some input.

I think the size of many recently built houses are out of proportion for the land they sit on. It seems to me that a 50% floor area ratio on a 5000 square foot lot should be the maximum allowed. I personally would prefer an even smaller ratio. And then there are the exceptions, such as the 18 inch rule for side setbacks or decks and basements with no more than 6 feet exposure above ground, that make the houses even bulkier and should not be allowed. I believe the 50% FAR for a 5000 square foot lot, without exceptions, is more than enough. That limit would make the area more appealing for everyone, while still allowing for substantial house size.

Also, at a recent North Rose Hill Neighborhood Association meeting the FAR issue came up and several people expressed similar opinions, while no one expressed the opposing view. I believe most Kirkland citizens favor the reduced FAR, and therefore as acting NRHNA Chair as well as for myself, am offering this information for your consideration.

Sincerely,

Margaret Carnegie 11259 126th Ave. N.E. Kirkland, WA 98033 425-822-2146

Paul Stewart

From: Mike Nykreim [mike@kirklandbuildersgroup.com]
Sent: Thursday, June 22, 2006 5:19 PM
To: greenetr@aol.com
Subject: RE: FAR presentation

Thanks, absolutely super, so can you forward this to:

Paul Stewart [PStewart@ci.kirkland.wa.us]

Mike Nykreim

Kirkland Builders Group
mike@kirklandbuildersgroup.com
101 10th Ave
Kirkland, WA 98033-5522
tel: 425.827.2234
fax: 425.828.8951
mobile: 425.466.2611

From: greenetr@aol.com [mailto:greenetr@aol.com]
Sent: Thursday, June 22, 2006 1:05 PM
To: mike@kirklandbuildersgroup.com
Subject: FAR presentation

My wife and I spent ten years, off and on, looking to move to Kirkland. We feel fortunate to have finally been able to move into our new home this past February. I understand that the planning commission is considering some changes to the floor area and lot size ratios. We would like to weigh in in favor of some of the changes, *We all abhor the mega house-minimum lot look. However. a balance needs to be struck that allows people of* more normal incomes to afford to build here. We are on a 5000 square foot lot. Under some of the commission's proposals, we would have lost 500 square feet of our house. Since 3000 square feet of our house includes the garage, we were left with only 2400 square feet of living space. Of that, the elevator takes up 36 square feet per floor, or another 100 square feet. The 500 square feet that we would have lost from the proposal allowed us to have an elevator (so that we can stay here as we age), an extra garage space, and other necessary features. As empty nesters, having but three bedrooms is fine. Nevertheless, if you allow too restrictive of a floor area-to-lot ratio, then the diversity and the families will be shut out. These are the qualities that make a home unique.
The current system has been abused, but couldn't that be handled in an *architectural review*? That way, new in-fills could "fit" with the houses around them. Surely, this current proposal will push us (Kirkland) to the DINKS (Dual Income No kids) That would be counter productive.

Paul Stewart

From: Bartnick, Peter A [peter.a.bartnick@boeing.com]
Sent: *Wednesday, June 21, 2006 4:09 PM*
To: Paul Stewart
Subject: RE: Update on Single Family FAR Regulations

Hi Paul,
Since I can still officially comment, please include this focused rewrite of our earlier e-mail exchange in the comments to include for planning commission consideration:

Current trends in neighborhood land use rule making reinforce that cars/garages in back and the value of alleys (as a means to do that) are big parts of a "traditional" neighborhood. And using those concepts allow for greater density with little impact on quality of life. (see link - http://mlui.org/growthmanagement/fullarticle.asp?fileid=17057

Norkirk's situation is to preserve and encourage retaining and adding to our housing stock as we undergo the "tear down/infill" approach to urban renewal.

That is big part of my concern with the current recommendation to lessen the incentive to build garages (with or without an ADU) separate from the main structure. The separate structure concept can contribute to housing choice and cars in back (whether there in an alley or not, if the rules add that stipulation), both parts of the Comp plan goals. Why do we want to reduce the incentive to build them????

Rather than address the separate structure issue through the FAR tool (a blunt instrument that will discourage "good" separate structures (garages in back, more housing choice through ADUs that "fit" in the neighborhood, etc.). It should be addressed by design rules (based on Comp Plan Goals) that reward good ones (in sync with comp goals) and discourage bad ones (not in sync with comp goals).

Thanks

Peter A. Bartnick
BCA Eng. ACIP, Liaison, & Admin. Support Cust. Relationship Mgmt. (CRM)
(425)237-2922, 67-HH, Pager (206)416-3381

From: Paul Stewart [mailto:PStewart@ci.kirkland.wa.us]
Sent: Wednesday, June 21, 2006 2:52 PM
To: billv@kirklandchamber.org; Barbara Loomis; Bob Burke; Bob Cornish; christophe@tennysonhomes.com; crafthomes@comcast.net; Cristina Myers; CurtG@gelotte.com; D. Jean Guth; dankr@tpnevents.com; don.stenquist@verizon.net; donjwinters@comcast.net; ddavis@hallmarkrealty.com; ecampbell@camwest.com; gegriffis@aol.com; irish_2@yahoo.com; Jeff Peterson; Jim Tennyson; Joe Bergevin; John Kemas; jrjordan@isomedia.com; katell32@yahoo.com; Kristen Terpstra; LAHein@washingtonea.org; lewbodman@verizon.net; Liz Hunt; lorenfeldman@msn.com; m.eliasen@verizon.net; magriff@verizon.net; m.redmayne@gmail.com; mary@redmaynes.net; MFeldman@portblakely.com; Michael.Jackling@phs.com; mike@kirklandbuildersgroup.com; mikethebuilder@comcast.ne; Bartnick, Peter A; PSteinfeld@karrtuttle.com; ramulin@hotmail.com; Samar Mahkloug; Scotty51Lass@aol.com; steveandtrudy@comcast.net; stoneyage@msn.com; Tavigny1@aol.com; Tena.Givens@mackie.com; Tim Attebery ; todd@mossbay.biz; trennaker@capstone-partners.com

Paul Stewart

From: Paul Stewart

Sent: *Wednesday, June 21, 2006 2:52 PM*

To: (billv@kirklandchamber.org); Barbara Loomis; Bob Burke; Bob Cornish; christophe@tennysonhomes.com; crafthomes@comcast.net; Cristina Myers; CurtG@gelotte.com; D. Jean Guth; dankr@tpnevents.com; don.stenquist@verizon.net; donjwinters@comcast.net; Doug Davis (ddavis@hallmarkrealty.com); ecampbell@camwest.com; gegriffis@aol.com; irish_2@yahoo.com; Jeff Peterson; Jim Tennyson; Joe Bergevin; John Kemas; jrjordan@isomedia.com; katell32@yahoo.com; Kristen Terpstra; LAHein@washingtonea.org; lewbodman@verizon.net; Liz Hunt; lorenfeldman@msn.com; m.eliasen@verizon.net; magriff@verizon.net; Mary Redmayne (m.redmayne@gmail.com); mary@redmaynes.net; MFeldman@portblakely.com; Michael.Jackling@phs.com; mike@kirklandbuildersgroup.com; mikethebuilder@comcast.ne; peter.a.bartnick@boeing.com; PSteinfeld@karrtuttle.com; ramulin@hotmail.com; Samar Mahkloug; Scotty51Lass@aol.com; steveandtrudy@comcast.net; stoneyage@msn.com; Tavigny1@aol.com; Tena.Givens@mackie.com; Tim Attebery ; todd@mossbay.biz; trennaker@capstone-partners.com

Cc: 'Michael Bergstrom'; Paul Stewart

Subject: Update on Single Family FAR Regulations

UPDATE ON SINGLE FAMILY FLOOR AREA RATIO REGULATIONS

On June 8th, 2006 the Planning Commission conducted a public hearing on proposed revisions to the single family floor area ratio regulations. At the hearing the Commission took both written and oral public comments. They then concluded the oral comment portion of the hearing but left the hearing open for anyone to submit written comments and to receive comments from the Houghton Community Council. The Planning Commission requested that additional written comments be submitted by July 6th.

The Planning Commission will meet again on July 13th in the Council Chambers at City Hall starting at 7:00 pm. The Commission will review the written materials and comments, discuss the proposed revisions, and formulate a recommendation that will be forwarded to the City Council. A public hearing before the Houghton Community Council is scheduled on June 27th in the Council Chambers. That meeting begins at 7:00 pm. The City Council is scheduled to review the Planning Commission's recommendation at study session on August 1st. Depending on the discussion at the study session, the City Council could take action on the proposed amendments in September.

Written comments can be sent to the Planning Commission in care of Paul Stewart, Planning Department, 123 5th Avenue, Kirkland, WA 98033 or e-mailed to pstewart@ci.kirkland.wa.us. Please refer to File NO. ZON05-00019.

For more information you can contact Mike Bergstrom, Planning Consultant at 206-633-0595 (bergstrommike@msn.com) or Paul Stewart at 425-587-3227. Additional information can be viewed on the City's website at the following link http://www.ci.kirkland.wa.us/depart/Planning.htm.

Paul Stewart

From: Janet Jonson
Sent: Monday, June 19, 2006 4:05 PM
To: City Council
Cc: David Ramsay; Eric Shields; Paul Stewart
Subject: FW: FAR - Leave things as they are

This subject is still with the Planning Commission and will be brought to the Council at a future meeting. JJ

Janet Jonson
City Manager's Office
City of Kirkland
123 Fifth Avenue
Kirkland, WA 98033
425-587-3007
425-587-3019
jjonson@ci.kirkland.wa.us

From: Mike & Annie Griff [mailto:magriff@verizon.net]
Sent: Thursday, June 01, 2006 7:56 PM
To: Paul Stewart
Cc: KirklandCouncil; 'Eric Eng'
Subject: FAR - Leave things as they are

Paul,

Regarding FAR's the city should leave things the way the are. I think it is just right the way it is. We have enough density as it is and we can still increase density via double lots and fill in. There is plenty in Norkirk still available where I live. If you go east to the Kirkland border there is an endless amount of land that can still be developed. My main point is that we do not need to make changes to accommodate more density. Leave things as they are. I have not yet heard of a good reason why we should make any changes. I have twice surveyed my neighbors at our neighborhood meetings and 90% say leave things as they are and the other 10% are undecided.

Michael Griff
212 7th Ave

RECEIVED
JUN 19 2006
_____AM_____PM
PLANNING DEPARTMENT
BY_____

June 19, 2006

Hi Eric,

A couple of months back I promised to take some pictures* of a building that many folks have expressed great concern over. This is the property on the corner of 4th St. West and 7th Ave. West. Enclosed are the pictures. The main bone of contention was the fact that the builder was able to legally build the home so close to the neighbor's home.

I realize that the Planning Board is in discussion over a few of the building laws in Kirkland. One way to prevent this type of invasive and destructive building (for the neighbor's quality of life and property value) is to require a minimum of space between buildings, regardless of where the first building lies next to or on the property line. For example, if the builder is seeking plans to build on a vacant lot, his building can be no closer than 10 or 15 feet from the present building on the adjoining lot. If you need to, please call me for clarification. I really don't know all the building jargon. I just know it's not right to build a home so close. We don't live in New York City where it's necessary to build so close or actually attach ones building to the one next to it.

As for the other pictures, I'm not sure what this lot is zoned, or if these are townhouses? I just feel if these are residential, the height looks far higher than what other folks are required to stay under.

Thank you for your time,

Maureen

Maureen Baskin
A concerned neighbor

*Contained in Attachment 5

Paul Stewart

From: Karen VanderHoek
Sent: Wednesday, June 14, 2006 5:13 PM
To: Paul Stewart
Subject: FW: F.A.R., ADU Changes June 8th Meeting

This email came into council but I haven't forwarded it yet. Tracy asked me to check with you to see if you want to write a message before the citizen's comments. Let me know. If you do write something, perhaps you could cut and paste the original letter to omit my and JJ's notes. K

Karen E. Vander Hoek
Administrative Support Associate
City Manager's Office
123 5th Ave.
Kirkland, WA 98033
(425) 587-3006

From: Janet Jonson
Sent: Tuesday, June 13, 2006 5:20 PM
To: Karen VanderHoek
Subject: FW: F.A.R., ADU Changes June 8th Meeting

I can't think of who did the report for this agenda item. Please follow-up. It seems to me that this is just a comment email and should just be sent to Council but I usually talk with staff first. Thank you again. JJ

From: Mike B [mailto:mikethebuilder@comcast.net]
Sent: Mon 6/12/2006 10:26 PM
To: KirklandCouncil
Subject: F.A.R., ADU Changes June 8th Meeting

Dear Mr. Mayor and Council Members,

I attended the June 8, 2006 meeting with the Planning Commissioners and citizens of our community. It was shocking how blatant it was that Janet Pruitt attempted to control the commissioners opinions. She was so biased in favor of making changes to the existing code even with so much opposition from citizens who were there to voice making no changes at all and with so little definition of what is needed to be fixed. I feel it is a serious conflict of interest to have someone who is clearly so biased about wanting these changes to use power to influence people on the commission. I also attended the April 13th meeting for the Norkirk association. One thing that stands out in my mind is how Janet was there voicing her opinion on how something needs to be done about these huge houses being built. She was one of only four who wanted change. She went on about it and clearly was not there in an official manner, she was there on her own mission for implementing changes. I am not the only person who noticed such a immature negative attitude towards the public opposition.
Many citizens have noticed it. It seems to me the City officials should do something about this dictator as she is not representing all the citizens of our community fairly.
I officially request to the City Council, the Mayor and City Manager, that Janet be removed as Chairperson from the Planning Commision, for this and potentially other issues. It is clear by the biased manner by which she conducted the public hearing that she is ill suited for the

position.

Please remember your **Planning Department Mission Statement:**
To assist the Kirkland community in planning for the future and to help guide growth consistent with the community vision.
Also please remember, because some people attend a meeting and complain they are not the voice of the majority people.

It was clear to me in that meeting that this topic is a waste of time and City resources. This was not a meeting of community vision. As stated by Michael Bergstrom at the meeting, the recomendations presented to them were not even complete. One of their proposed options haven't even been written or defined yet. How can a commisioner vote on a proposal if all the options haven't been spelled out in detail. This is evident by the question asked by Kiri, "It is not clear to me what we are even trying to change, please show me some examples what we are supposed to be stopping". I applaud her for that. It was a wise and telling statement that took guts to stand for. I could see how awkward some of the commisioners felt with having to decipher through the muck and how they were pressured by Janet to "just make a decision right now and worry about the rest of it later, lets address BULK for now". This position is grossly irresponsible considering how high the stakes are for our property values.

The clear majority community wants no change. A handful of people who want change is a tiny proportion to the people who don't. If the people who want these changes are so important to have such an influence on our laws then where were they at crunch time? The show of hands at that meeting were at least 10 to 1 against change. I feel The City has better things to do than undermine the fundamental value structure to our real estate market. It is unconstitutional. I reccommend to the council members and Planning Dept. to take your time, make sensible decisions by gathering information about what it is your are fixing, then use professionals in the industry to help with these issues. Builders, architects, designers don't have to be the enemy. We are glad to give suggestions if you define what you are trying to acheive. Then, when you think you have it then let the people vote on it. Remember, we are supposed to be a democracy.
Or as said at the meeting " You have the option to choose no change"

Sincerely,

Michael Bonewits

mikethebuilder@comcast.net

EDMONDS RHEUMATOLOGY ASSOC., INC.
Richard A.H. Jimenez, M.D. • Andrew K. Solomon, M.D. • Jeff R. Peterson, M.D.
Kruger Clinic • 21600 Hwy 99, Suite 240 • Edmonds, WA 98026 • (425) 774-2632

June 13, 2006

To: The Honorable Mayor Lauinger and Kirkland City Council

Dear Sirs and Madams,

I write to you with a troubled heart. I have been most interested in following the discourse regarding the Planning Committee Chair Janet Pruitt about the Council's mandated task of reviewing building codes for single family housing in Kirkland.

As you may recall, the Council mandated the Planning Committee to address some citizen concerns about the growing size of single family homes in Kirkland. Some of the areas the Council wished addressed were the floor area ratio (FAR), encroachments into setback areas, and reducing or eliminating the exemption for accessory dwelling units (mother-in-law apartments or ADU's). I first heard of this endeavor by a flier placed at the back door of my residence indicating a neighborhood gathering to discuss this issue. At the Norkirk neighborhood meeting there were about forty people in attendance, all but three to four were against any changes in the current code. One very strong voice for change was Janet Pruitt. At this meeting she represented herself as a concerned citizen, but later we all discovered she was actually Chair of the committee that was trying to bring about these changes. I specifically asked Janet at that meeting where all the people who wanted these changes were, to which she replied " There have been many, many people at community meetings who have expressed concerns." Also to my astonishment, I discovered the City had already hired a consultant who had a plan set up, clearly long before ANY public comment was made on this issue and at what was likely a considerable cost to the taxpayers of Kirkland.

Since that Norkirk meeting I have attended all of the Planning Committee meetings. Each time I am amazed to see Janet Pruitt clearly using her very strong bias to steer the committee. At an earlier meeting the members were discussing what possible changes were to be made and Andrew Held and Kiri Rennaker made strong suggestions that further discussions be held until more guidance came from the city council regarding exactly what questions were to be answered. There was testimony from several sources that indicated changing the size of the homes was <u>not</u> the answer to citizen concerns and rather that architecture and house placement on the lot were more the issue and where a possible answer lay. To this Janet Pruitt immediately dismissed any further comment and called for a vote on the issues with her opinion being stated first. Three committee members ADAM, KIRI, and Byron Katsuyama all wished for further discussion but were overruled. I addressed the Committee and urged them to truly know what the question was they were trying to answer before hastily making suggestions that would affect nearly every property owner in the city. Janet simply smiled at me and said nothing.

At the Public Hearing regarding these matters nearly one hundred fifty people attended and fifty or so signed up to give testimony. I was the first to speak as I had submitted a

presentation to be loaded on the computer. The second I approached the microphone the timer started but it took nearly thirty seconds of my allotted three minutes for the presentation to appear on the screen, to compensate I started in the middle and rushed through. Before I was at my final two slides Janet called for me to stop and sit down. These two slides were photographs of Councilwoman Jessica Greenway's home that has already taken full advantage of the FAR and ADU exemption. Janet knew the content of my talk beforehand and clearly wished to limit my right to present my opinion. My final comment was that "what is good for the goose is good for the Gander?" Many audience members applauded *this sentiment, but were met with harsh words* from Janet Pruitt. Shortly thereafter, the first of the proponents approached the microphone and asked if she could have six minutes since she had a letter to read from a neighbor. Janet called the woman by her first name and granted extra time even though there were forty other names of people *who had come to the meeting to speak! Several opponents* to change had letters to present as well, but were rebuked until the end of the meeting several hours later. No one wished to stay that long calling into question the fairness of Janet's motives. At that meeting only five people spoke in favor of making changes while **over forty spoke in favor of making no changes. Over 10:1 in the audience were in favor of no chances to the current code**. Several times Janet Pruitt strongly raised her voice and struck her gavel at people making comments against her position though no comments were made to anyone who spoke in her favor.

My point is that Janet Pruitt is a very biased person and should not be chair of the committee on this issue. Clearly there is overwhelming public support in favor of not changing the current code and most people believe the answer lies in addressing architecture and home placement. Even the proponents of change were in agreement that in making no change to the ADU language you can maintain access to affordable housing in Kirkland and making homefronts more neighbor friendly by locating the garage in back. Janet Pruitt does not see any other position than her own and is unfit to lead the committee in this important issue before the council.

Thank you for your consideration.
With Respect,

Jeff R. Peterson, MD
1112 1st ST Kirkland
jeff690@msn.com

Paul Stewart

From: Mike B [mikethebuilder@comcast.net]
Sent: Monday, June 12, 2006 10:34 PM
To: Paul Stewart
Subject: June 8th meeting F.A.R. ADU changes

Dear Paul,

I attended the June 8, 2006 meeting with the Planning Commissioners and citizens of our community. It was shocking how blatant it was that Janet Pruitt attempted to control the commissioners opinions. She was so biased in favor of making changes to the existing code even with so much opposition from citizens who were there to voice making no changes at all and with so little definition of what is needed to be fixed. I feel it is a serious conflict of interest to have someone who is clearly so biased about wanting these changes to use power to influence people on the commission. I also attended the April 13th meeting for the Norkirk association. One thing that stands out in my mind is how Janet was there voicing her opinion on how something needs to be done about these huge houses being built. She was one of only four who wanted change. She went on about it and clearly was not there in an official manner, she was there on her own mission for implementing changes. I am not the only person who noticed such a immature negative attitude towards the public opposition.
Many citizens have noticed it. It seems to me the City officials should do something about this dictator as she is not representing all the citizens of our community fairly.
I officially request to the City Council, the Mayor and City Manager, that Janet be removed as Chairperson from the Planning Commision, for this and potentially other issues. It is clear by the biased manner by which she conducted the public hearing that she is ill suited for the position.

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do than undermine the fundamental value structure to our real estate market. It is unconstitutional. I reccommend to the council members and Planning Dept. to take your time, make sensible decisions by gathering information about what it is your are fixing, then use professionals in the industry to help with these issues. Builders, architects, designers don't have to be the enemy. We are glad to give suggestions if you define what you are trying to acheive. Then, when you think you have it then let the people vote on it. Remember, we are supposed to be a democracy.
Or as said at the meeting " You have the option to choose no change"

Sincerely,

Michael Bonewits

mikethebuilder@comcast.net

CHAFFEY HOMES

RECEIVED
JUN - 9 2006
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PLANNING DEPARTMENT
BY_____

June 8, 2006

Mr. Paul Stewart
Deputy Planning Director
City of Kirkland
Kirkland, WA 98033

RE: City Council Hearing on Floor Area Ratio Ordinance

Mr. Stewart –

Please accept this letter as our statement of opinion regarding the FAR hearing scheduled for today's date by the Kirkland City Council. Although we are unable to attend the hearing as scheduled, we have a significant interest in this issue; a revision of the current ordinance regulating the prescribed Floor Area allowances has a direct economic impact on the nature of this firm's projects within the City.
We would request at this time that all future correspondence, including meeting minutes from this evening's hearing, be forwarded to a designated contact in our office. We would also request the opportunity to address this issue further with the City and/or the Planning department, as the deadline for filing a SEPA appeal for this decision was not received from the City in a clear or timely manner. A reply from your office in recognition of these requests would be greatly appreciated. We look forward to continuing a professional relationship with the City of Kirkland; please do not hesitate to contact our office if there is any capacity in which we may be of assistance.
Please forward all correspondence on this matter to me at the contact information provided below

Kind regards,

Samar Mahklouf

Samar Mahklouf
Chaffey Homes, Corp.
Manager, Drafting Dept.
(425) 822-5981
samarm@chaffeyhomes.com

cc: B. Chaffey

Where is Kirkland Heading?

RECEIVED
JUN - 8 2006
AM PM
PLANNING DEPARTMENT
BY

Open Letter to the Planning commission:
Cc: City Council

I am writing you, all of you, to ask you to do the following:
Take a very hard look at Kirkland today - and where we are heading as a city. I do not think anyone of you want to live in a future "*Luxville*" or "*Luxland*", to give just two examples of appropriate names.

Kirkland - the city I love so much that I left my (well paid) job in order to remain up here instead of moving to a (financially brighter) future in Texas - that city is changing at a dramatic pace.

I saw Kirkland first time in the fall of 1994 and I like what I saw. In 1998 I had managed to relocated from Dallas to Bellevue (our office was in Kirkland, Yarrow Bay). In late 1999, I met a "girl" at Grape Choice, a girl that in July of 2000 became my wife. In September of the same year we found our house in Kirkland (we actually started west of Market, but settled on Little Finn Hill, across from the Juanita Bay Park due to the view).

But the Kirkland we settled in is no more - it has changed. Dramatically!
Perfectly good houses with nice yards are being torn down, only to be replaced with 1 or 2 oversized boxes, with zero to no yard left - if one does not count the chunk of conrecte leading up to the garage...

Houses that would be perfect candidates for a good remodel, are disappearing weekly. Just take a walk somewhere East of Market or in our neighborhood. I walk the dog several times a week, and not one week goes by without me passing a new "development". It leaves me in a mixed state of shock and anger. What is happening to "my" city?

Don't take me wrong. Good things are happening as well. Big houses are being built, big houses on big lots (along Waverly Way). That provides both for some type of aesthetic ratio - houses size relative to yard size - as well as keeping the neighborhood open. New developments; Juanita Village, Kirkland Avenue, Tera, The Villas, are both desired and needed to accommodate more people. But, when (good) houses are being torn down for "nothing", and being replaced by what many are calling McMansions - or maybe they'd better be called "McCraftsmans", the neighborhoods are going through too much of a change in too short time.

The developers don't care what happens to a neighborhood. They are ONLY in it for the short term profit. They "smack" up these new houses, sell them for huge $$$$, neighbors at arm' s length. The buyers like it because they can finally get a sought-after Kirkland address. They do not know any better (they do not know what Kirkland was like), but they will eventually start to notice the changes as well. Changes that eventually will make their huge investment seem less sound. And more importantly, the changes once implemented, are probably impossible to turn-around.

We, the residents of Kirkland, compared to the developers, care about our city. Not just the short term profit when we one day sell our house, but the overall quality of life in the city. Without the quality of life, there are no future property values to care for, or worry about.

We care about housing density (we do not like it), we care about green areas (we like them), we care about the views, the openness, the trees that are left, the ease in our walk to downtown for a coffee or a bite to eat, we care about our parks, we care about our streets, the traffic density and (lack of) side walks.

Yes, Kirkland can grow. I am aware that we have to grow, or rather allow for more people to live inside our boundaries. We can do that easily; we can become a "Belltown" with just new condo complexes, we'd make the Olympia Lawmakers/King County Council happy, but we would not make ANYONE (except for the developers) happy in Kirkland. We would be more accommodating to people NOT living here, than to us, the residents of Kirkland. The ones who actually defines what "is" Kirkland today and tomorrow.

One could say that that is the way the city acts in many ways today, seems like it cares more for the people who do not live here - but want to - than for the people already living here today. Kirkland has - until annexation expands it - a given limited physical footprint. "Squeezing" in more people inside this "box", regardless what the GMA says, is simply not feasible without changing the very nature of our wonderful city - a city that would be nothing without its (current) residents.

I therefore urge you, commission members, to take a very hard look at how we manage growth and allow for new developments - even if it is only one or a few houses.
If we need to abide by the GMA, lets do so in areas that are already "dense" (downtown, Totem Lake, North Juanita, Yarrow Bay); build more condos, apartments, taller structures in those areas, but do not change the wonderful openness we have out in the single family/dwelling neighborhoods.

Older home owners are being "pushed out" by developers using various tactics of intimidation, lofty promises, and over development. After a while, you just do not feel "at home" when your neighbor suddenly erects a gigantic house, spends lavishly on all types of "stuff", making the house where the older couple has been living for the past 40 years looking more like a dump - a house that was actually quite nice as long as you compared it to what was common in the neighborhood.

There was a very good article in Seattle Times a few months back about a developer in Ballard. He bought up old houses, gutted them, upgraded them and resold them in great condition - while keeping the both the older style and the quality of the craftsmanship. We can do that in Kirkland as well. People would be willing to pay for it, but for a developer it is trickier and more "complicated" than starting with a clean sheet of paper. So, why should they do it? There's no immediate incentive.

When talking about the craftsmanship, many of us are joking that there is a lot of very expensive "temporary housing" going up in Kirkland today. I can bet that many of the houses being built, will no longer be around - due to shoddy building practices/poor design - in 40 years. On the other hand, the house I am sitting in, was built some 45 years ago, and with some minor upgrades, I am sure it will be around for the coming 45 years as well - as long as no developer succeeds in pushing me out!

Per-Ola Selander
Kirkland

June 8, 2006

RECEIVED
JUN - 8 2006
_____AM_____PM
PLANNING DEPARTMENT
BY_____

To: The City of Kirkland Planning Commission
CC: Paul Stewart, Michael Bergstrom, City Council members

Re: Opposition to proposed changes in FAR regulations

To Whom It May Concern:

I am writing today to voice my opinion and concern regarding the proposed changes in FAR regulations. I really am opposed to these Staff drafted changes.

Being a long time resident of Kirkland I've seen many changes. I've seen many homes, large and small, fade away only to be replaced by the many five story condominiums. How could The City of Kirkland allow this to happen and now try to draft changes that will not allow property owners to build the kind of home they desire?

I realize that most of the view property etc. has already been purchased by builders and part of it by the city, and now it seems the City of Kirkland wants to draft new regulations regarding what builders and property owners can do with the land they own. I believe there should be NO CHANGE in the current regulations.

As a landowner myself, I believe this change in regulations would have a grave impact on property owners, including me, and the City of Kirkland. The imposed changes, in my opinion, would affect the amount of money that the City would be getting. Why would the City let this happen? No, I do not agree that there should be changes in the FAR regulations. I believe the regulations should remain as they are.

Thank you for your consideration.

Sincerely,

Pauline F. Bowers (Mrs.)

Pauline F. Bowers

RECEIVED
JUN - 8 2006
AM PM
PLANNING DEPARTMENT
BY

Planning Commission
City Hall
Kirkland, WA.98033

June 8, 2006 re FAR proposed changes

Dear Planning Commission,

It would appear that the proposal to change the FAR in certain areas and worries about changing the "character" of neighborhoods is inconsistent with past policies of allowing large condominiums to be built side by side or in close proximity to one another downtown and in the surrounding neighborhoods. I believe the time has passed to worry about too large houses, the character of the downtown area is already changed and will not be further altered by allowing single family homes, like the ones that already exist on various lots, to be built.

Sincerely,

Diana Preice, Mark Boyer
410 6th Ave. South
Kirkland, WA 98033

RECEIVED
JUN - 8 2006
PLANNING DEPARTMENT
BY

To: Kirkland Planning Commission, Kirkland City Council
From: Tom DiGiovanni, CPA / 425.753.0289
Re: Thoughts concerning Floor Area Ratios (FAR) as they are currently written
Date: June 8, 2006

As a resident of Kirkland since 1993, I have seen an enormous amount of change within our City, perhaps the biggest of which is the redevelopment of many older properties. During my time in Kirkland, I have lived in 3 different neighborhoods (Juanita, Rose Hill and West of Market) and I currently own multiple properties West of Market. After reading all of the materials made available by the City on the FAR issue, I am extremely concerned about any proposed changes to the FAR standards. The current direction we are headed in (proposing a reduction to allowable building area) does not seem to be the will of the majority of Kirkland residents. Further, it will have an extremely negative impact on the desirability of Kirkland for new residents and thereby on the City's tax base overall. Any changes of this magnitude should be put to a public vote before being enacted. The City Council **must** act responsibly and look after the interests of ALL Kirkland residents, not those of the vocal minority who are most resistant to change.

Below is a summary of my thoughts on this issue:

1) In my opinion, the current FAR requirements are entirely appropriate to the average size of the lots in the Market and Norkirk neighborhoods.

2) Floor Area Ratio (FAR) is just one of a number of currently existing regulations designed to ensure that new homes are of an appropriate scale as compared to their lots. For example, in addition to FAR, there are lot coverage ratios, height restrictions and required setbacks that govern all new construction projects.

3) Although there are some exceptions, on a typical lot in the RS and RSX 7.2 zones the required front, rear and side yard setbacks **leave at least 40% of the total land area as non-buildable** under current regulations (see example). This provides plenty of view corridors for the neighboring buildings.

   a. Yard Setback Example:
      i. Typical "standard" lot is 60 ft wide x 120 ft deep = **7,200 sq. ft.**
      ii. Required front yard is 60 ft wide x 20 ft deep = **1,200 sq. ft.** +
      iii. Required rear yard is 60 ft wide x 5 ft deep = **300 sq. ft.**** +
      ***on an alley (double that amount if no alley).*
      iv. Required side yards are 15 ft wide x 95 ft deep = **1,425 sq. ft.** =
      v. Total required yard setbacks = **2,925 sq. ft or 40% of the lot*****
      ****if alley present. With no alley, it would be 44% of the lot.*

4) As mentioned above, the current yard setbacks leave plenty of room for view corridors around the new structures to be built. The height limit of 25' also serves to protect views, along with preventing houses from becoming too large and out of character for the neighborhood.

5) Most of the older homes in the Market neighborhood are non-conforming and do not meet the existing setback requirements. For instance, I personally own 6 older homes in the Market neighborhood. Not one of them meets current setback rules. In fact, at least 3 of the houses were built with walls that sit right on the property lines or are within 3 feet of the line. In my opinion, these older homes have a much more negative impact on view corridors and they go much further toward making the houses feel too close together than does most new construction.

6) My belief is that the majority of Kirkland residents have no problem with the size of new homes. However, when a new 2 story home replaces an old single story house, that new second story (regardless of size) will most likely block any views from any remaining single story homes

nearby. In those instances, no amount of tinkering with the Floor Area Ratio will be enough to address the complaints. The only course of action to satisfy those residents living in one story houses would be to limit all houses to one story. These types of changes would have a drastically negative impact on the tax base of the City, as well as the attractiveness of Kirkland as a place to live.

7) The main reason prices are now so high in our lakeside community is our proximity to and view of Lake Washington. Higher prices translate into higher tax revenues. With the existing budget stresses, the City Council needs to be very concerned about not making a move that will stagnate or reduce tax revenues. **Smaller houses = lower prices**, which translates into a lower tax base.

8) Currently, when older houses are sold to developers, the prices received by the previous owners (many of them long term occupants) are much higher in Kirkland than in many surrounding communities. These prices are directly correlated to the expected sales price of a new home on that same lot. Making new homes smaller will have a drastic impact on the value of currently existing older homes, as well as the new homes. This will dramatically reduce both excise tax and sales tax revenues.

9) Kirkland's own 2006 mid-year budget report indicates that the sales tax revenues from construction activities are extremely important, contributing to an estimated 90% of sales tax growth. Sales tax revenues go into the general fund, and are used to cover the salaries of almost 80% of all City employees. This includes police, firefighters, park services and more. Reducing *those receipts will put the City in a serious situation that could cause a reduction to all City* services. No one wants that to happen.

10) Any proposed change to reduce FAR needs to be carefully thought through, as there will be a sizable negative affect on development, home prices and tax revenues. Smaller homes will reduce tax revenues, but will not reduce Kirkland's population. **There will be consistent demand for City services, but less money to pay for those services. *This will lead to the* need for tax increases across the board. This would have the affect of penalizing every property owner in Kirkland, when only a very few are complaining currently**. That is not right and should not be allowed to happen.

11) Will we be changing regulations to allow smaller houses than in Bellevue, Redmond and other surrounding cities? If so, any change will make Kirkland a less desirable place to live for potential new residents (most of them affluent). Once again, this will serve to make property here less valuable, thereby reducing tax revenues.

12) None of the City memos covering this issue have indicated exactly how many complaints have been heard, who the complaints are coming from and what exactly the complaints are. Instead, a general statement of "there have been some concerns" is being used to affect FAR changes which are unnecessary. In the City's own memo from October 2005, it was indicated that most building permits (22% in Norkirk and 53% in Market) in the neighborhoods with "complaints" have not been maximizing the FAR as it is currently written. How does this indicate a problem?

13) *Instead of reviewing the Floor Area Ratio, we should all be striving to encourage and promote* architectural diversity. One of the complaints that I have heard (which has merit) is that many of the newer homes being built in Kirkland look too much like each other. This results in neighborhoods feeling more like just another generic subdivision devoid of character or uniqueness. Architectural diversity is what makes Kirkland stand out and keeps it a unique place to live. Protecting that is a far better goal than forcing smaller homes on neighborhoods that don't want them.

Buildable Lot Area Illustration
Current Kirkland Setback Requirements
RS and RSX 7.2 (assumes alley behind property)
(rear setback assumes alley behind property, otherwise would be 10 ft rather than 5 ft)

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JUN - 8 2006
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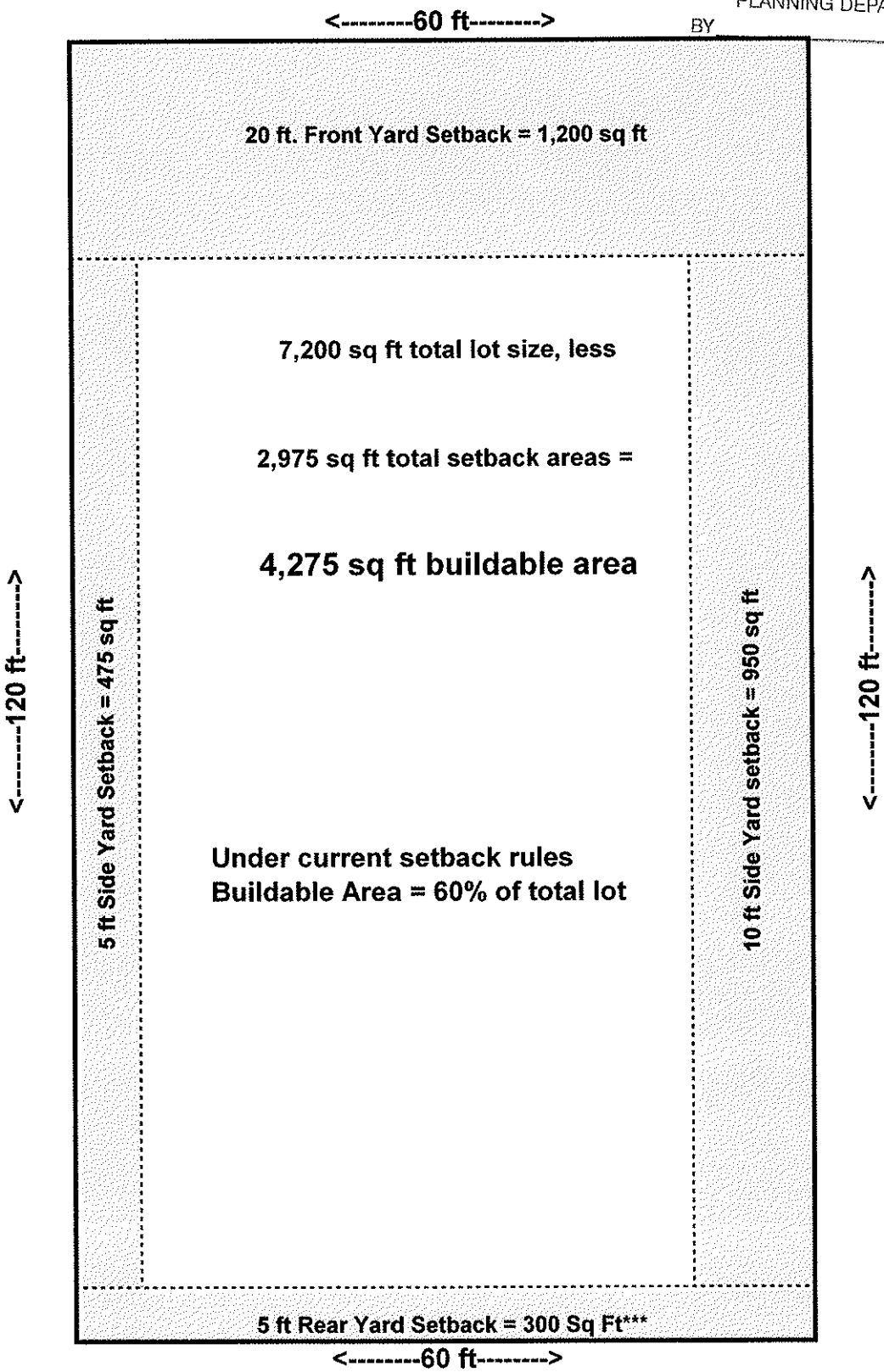
PLANNING DEPARTMENT
BY_____



*** Rear setback assumes alley behind property, otherwise would be 10 ft rather than 5 ft.

Prepared by Tom DiGiovanni, CPA 425.753.0289

6/8/2006

June 8, 2006

RECEIVED
JUN - 8 2006
AM PM
PLANNING DEPARTMENT
BY

Paul Stewart
Planning Department
123 5th Avenue
Kirkland, Washington 98033

Re: Kirkland Planning Commission

PROPOSAL: Potential revisions to Floor Area Ratio (FAR) regulations governing maximum allowable gross floor area for detached dwelling units in low density residential zones. The revisions, if adopted, could revise the allowable Floor Area Ratio in some of all of the following zones: RS 35, RSX 35, RS 12.5, RSX 12.5, RS 8.5, RSX 8.5, RS 7.2, RSX 7.2, RS 5.0, RSX 5.0, PLA 6C, PLA 6E, and PLA 16, and could extend FAR regulations to low density residential zones located within the jurisdiction of the Houghton Municipal Corporation.

Dear Mr. Stewart:

We have been residents of Kirkland for 26 years, moving here from Southern California in 1980. One of the reasons we moved to Kirkland was because it was so charming, and the neighborhoods felt open, alive, and allowed for uniqueness in house design. This was particularly desirable because of our experience in Southern California, where communities (for example, Redondo Beach and Manhattan Beach) allowed large, blocky, square, flat-topped houses to fill up incredible proportions of the lot space, creating an almost impregnable wall of massive stucco sameness. These communities lost their charm, their sense of open space and relationship to nature, and their individuality. They became, essentially, the same as block apartment buildings, with so little space in between as to lose distinction as individual homes.

Filling up a lot with as much floor space as possible and reducing set-backs is not a plan for a suburban, residential community whose character is defined by its charm, its spaciousness, and individuality. These are the characteristics Kirkland has always epitomized, and is already losing to over-sized houses and over-zealous lot coverage and carbon-copy spec houses. When did we stop being a community and start being fishing grounds for contractors and developers? We desperately need more help from the

Planning Commission to retain the unique character and charm of our city and neighborhoods, and allow them to develop more naturally out of a sense of community.

Please, save Kirkland's sense of self. Save Kirkland's character, by choosing to decrease the floor space regulations.

Sincerely,

Melissa and Jeff Thirloway
235 Tenth Avenue West
Kirkland, Washington 98033

Kirkland Planning Commission
Kirkland, WA 98033
June 8, 2006

June 7 the Norkirk Neighborhood Association discussed the Norkirk Vision for 2022. One of the visions was that Norkirk was a friendly neighborhood where people greeted one another. It was explained that it was the vision of Norkirk to be a friendly place where people liked their neighbors. To be frank, we thought this was a bit childish for a vision statement. But after attending the Official Public Hearing regarding changes to the size of the buildings allowed on Kirkland property, we got the picture. People in Kirkland can be very rude. The opponents to the ratio change were immature in their behavior. They were well organized and came in mass to cheer on one another. The old time residents were said to be full of envy and lived in ugly little homes on large lots. The chamber was full of adult school-yard bullies.

The hand full of people who braved the crowd and spoke in favor of lessening the ratio of building to yard space, spoke with truthfulness, honesty and a touch of humor. They were not cheered or egged on by their supporters. We played by the rules and used our manners learned in Kindergarten.

We live in one of the so-called ugly little homes in Kirkland. Built in 1915 and still only 1400 sq feet, we purchased our Bungalow in 1975 and plan to retire here. Our neighbor Bob Carr was born in our home and lived and died next door. Dick Carr, the younger brother to Bob, died in his home on 7th Avenue. This is the history of the ugly homes. Kirkland was a nice place to be born, grow up, retire, and die. The Carr's had over 80 years in Norkirk. After just two years, one of the two mega houses built on Bob Carr's corner lot is for again for sale. A huge profit will be made and they will move on and we will again have new neighbors. Not a real problem but it is hard to get to know neighbors that are chasing the dollar rather than building a neighborhood.

We do not want building restricted to the point that people cannot have a nice comfortable home. But the character of Kirkland will change beyond repair if the mega homes are allowed to continue. People love the charm and character of Kirkland. The developers are out to cash in on this charm and character and leave town with their profits. They will find new communities filled with ugly houses that other people call home.

It would be interesting to know how many of the speakers of June 8th lived in Kirkland 5 years ago. Most were new faces from the last round of hearings. One major change was that the developers did their own speaking. Earlier hearings were attended by many lawyers of the landowners and developers. They too were rude. But the people that jeered on June 8th were shameful.

You have our thanks for putting in the time to study the building ratio. We would like to see the 50% include porches, garages, decks, etc. The speaker that talked about volume...total volume had a good point. We think it deserves some consideration.

Sincerely,

Dale and Loita Hawkinson
246 -9th Avenue, Kirkland, WA 98033
425-827-1950

cc: Kirkland City Council

Petition opposing FAR reductions in RS 5.0 areas, including zone PLA 6E

Petition summary and background	The Kirkland Planning Department is proposing a reduction in the Floor Area Ration (FAR) from 60% to 50% in RS 5.0 areas, which will change the maximum size of allowed housing from the current 3000 sq. ft. to 2500 sq. ft., including garage. This proposal actually means a maximum 2100 sq ft house with a 400 sq ft garage. That size is small and not popular in today's US housing market.
Action petitioned for	We, the undersigned, are concerned citizens who urge our leaders to act now to prevent the FAR reductions in our area from being implemented with the resulting loss of our property value.

Printed Name	Signature	Address	Comment	Date
Betty Jo Davis	Betty Jo Davis	412 6th Ave S KIRKLAND	Decrease property value	6-3-06
Erik Ruf	[illegible]	421 6th Ave S Kirkland 98033		6/3/06
GEEMAN YIP	[illegible]	423 6TH Ave S, 98033		6/3/06
STACY PAYNE	Stacy Payne	434 6th AVE S 98033		6/3/06
Heidi Jung	Heidi Jung	407-6th Ave S. 98033		6/3/06
Nancy Hellstrom	Nancy Hellstrom	415 6th Ave. S. 98033		6/3/
Greg Griffin	[illegible]	317 6th AVE So 98033	Decreases Value	6/3/06
Olivia Price	Olivia Price	410 6th Ave South 98033	Decrease Value	6/3/06
MARK BOYER	Mark Boyer	410 6TH AVE SOUTH 98033		6/3/06
Steve Sirich	[illegible]	329 6th Ave South 98033		6/3/06
Amy Sirich	Amy Sirich	329 6th Ave South 98033		

RECEIVED
JUN - 8 2006
_____ AM _____ PM
PLANNING DEPARTMENT
BY_____

Printed Name	Signature	Address	Comment	Date
ROBIN B CLAWSON		325 6TH AVE SOUTH		6/3/06
FRANK MonteCalvo		332 6th Ave. S		6/3/06
Karen MonteCalvo		332 6th Ave S		6/3/06
Richard Nollette		323-6th Ave S		
EDNA PRICE	Edna Price	321-6th Ave So		6/3/06
STEVE CLAWSON		325 6th Ave S.		6/3/6
RICHARD D. HOWELL	R. Howell	422 6th ave. S		6/3/06
Trudy Goldkamp	Trudy Goldkamp	450 7th AVE So		6-3-06
DAN Krehbiel		446-7th Ave. South		6-3-06
Ron Reisig		442 7th Ave South		6-3-06
Natalya Reisig	Natalya Reisig	442 7th Ave S		6-3-06
ELSE JENSEN	Else Jensen	440-7 Ave. So.		6-3-06
LEO COVER	Leo Cover	408 7th Ave SO		6-3-06
MATT COOPER		420 6TH AVE SO		6-3-06
Leanne Small		420 6th ave So		6-3-06
Erik Wallace		418 6th Ave S		

Printed Name	Signature	Address	Comment	Date
SOPHIA RHODES	Sophia Rhodes	444 7th Ave S.		6-5-06
PETER HACHE	Peter Hache	444 7th Ave S.		6-5-06
JANE HATT	Jane Hatt	403 6TH AVE S.		6-5-06
Jeff Wischman	Oked by phone	332/326 7th Ave S	owner of both properties	6/5/06
Donald Winters	Donald Winters	417- 6th Ave S		6/7/06
33 Roseanne Winters	Roseanne Winters	417 6th Ave S		6/8/06

KIRKLAND PLANNING COMMISSION
June 08, 2006

1. **CALL TO ORDER/ROLL CALL - 7:00 p.m.**
Chair called the meeting to order and asked for the roll call.
Members present: Matthew Gregory, Carolyn Hayek, Andrew Held, Byron Katsuyama, Janet Pruit (Chair), Kiri Rennaker, and Karen Tennyson
Members absent: None.
Staff present: Eric Shields, Paul Stewart, Teresa Swan, and Michael Bergstrom (Consultant)

2. **ANNOUNCEMENT OF AGENDA** - Chair announced the Agenda

3. **REQUESTS FROM THE AUDIENCE** - None.

4. **PUBLIC HEARINGS - 7:02 p.m.**

A. Floor Area Ratio (FAR), ZON05-00019
PURPOSE: Conduct a public hearing on proposed code amendments and continue hearing to July 13th to allow receipt of recommendation from the Houghton Community Council.
ACTION: Conduct public hearing and continue to July 13th, 2006.

Chair opened the public hearing on the proposed Zoning Code amendments.

Michael Bergstrom gave an overview and the background on the purpose for the FAR, a zoning rule that helps control the maximum house size on a single-family lot in areas other than the Houghton District. He said there have been some study sessions with the Planning Commission and Houghton Community Council. Direction was given Staff by City Council and those directions have been incorporated in the packet provided the Planning Commission.

Mr. Bergstrom is not asking that the Commission take a position on this tonight. A hearing is set for June 27 (changed from June 19) with the Houghton Community Council. It will return to the Planning Commission July 13 and this Commission's recommendation will then go forward to City Council.

There was an appeal to the SEPA determination on this issue. This appeal was a non-project action, so the Commission's attention does not have to be addressed to this appeal.

Mr. Bergstrom explained the attachments to his and Mr. Shields' May 19, 2006 memo to the Commission. Additional written and oral testimony have been received and more is expected. The options on various topics that were requested by this Commission are addressed in the memo.

He explained the FAR as pertain to the zone wherein the residence resides. The most common floor area-to-land ratio is 50%. He commented on how gross square feet is measured. He referenced a map to show RS/RSX 5.0 Zones that have a FAR of 60%. Mr. Bergstrom addressed Commission questions.

Enclosure 5
File No. ZON05-00019

He clarified that the current FAR of 60% on a 5,000 sq ft lot would allow a 3,000 sq ft house. Mr. Bergstrom commented on the various proposed options for FAR changes, what they provide, and explained why Staff supports the options they support.

Ms. Rennaker clarified that the FAR change is for RS/RSX 5.0 Zones only. Mr. Bergstrom concurred and said that this is the focus of the public hearing tonight.

Chair opened the meeting to comments from the audience.

Jeff Peterson, 1112 First St, reviewed the current code and does not support any changes.

Wyomia Bonewits, 1328 Third Street, wants additional opportunity for testimony beyond tonight's hearing. She thinks the problem is design, not size and wants to see an economic model design for the proposed FAR.

Stacy Bouska, 509 Eighth Avenue opposes change in FAR regulations.

Loren Feldman, 9518 130th Avenue NE, opposes FAR regulation changes. He wants the issue of rebuilding after an earthquake addressed.

Jeannette Simecek, 12015 NE 61st St, supports some changes in the FAR, especially exemptions that allow too much volume to homes.

Mike Nykreim, 101 Tenth Street, opposes changes in FAR.

Greg Griffis, 312 Sixth Avenue South, opposes changes in FAR.

Mark Isaacs, 13006 NE 95th St, wants FAR regulations relaxed, not made more restrictive.

Erik Wickman, 13041 NE 94th Street, opposes FAR changes.

Tracy Hendershott, 1314 Fourth Place, supports reduction of footprint size, more green space, wants garages counted as part of the FAR.

Myron Richards, 6555 102nd Avenue NE, wants remind the Commission that their main obligation is to see that Kirkland remains a good place in which to live.

Maury Schafer, 212 Fifth Place South, opposes reduction in the FAR. He opposes reduction in ADUs.

Tom DiGiovanni, 331 Eighth Avenue West, opposes any change to FAR regulations.

Bill Andrews, 8529 132nd Avenue NE, fears that reductions in the FAR will eventually be applied to the City as a whole.

Donald Winters, 417 Sixth Avenue South, opposes FAR regulation changes. He presented a neighborhood petition with 26 signatures to oppose the changes.

Kevin Young, 125 Lake Avenue W, opposes changes to FAR regulations.

Loren Spurgeon, 1021 Fifth Street West, wants to leave FAR at 50%, not include basement in FAR, count all decks in FAR, and allow ADUs in a second building only if it contains a garage.

Greg Slayden, 1314 Fourth Place, supports some FAR changes and cottage housing.

Barbara Loomis, 304 Eighth Avenue West, supports various options of the FAR regulations revisions. She presented a letter from a neighbor who supports FAR regulation changes.

Randy Both, 8664 NE 123rd Pl, opposes FAR regulation changes.

Jim McElwee, 12907 NE 78th Place, generally favors Staff recommendations. Wants to see incentives for setbacks for upper stories and alley garages.

Per-ola Selander, 10830 101st Avenue NE, supports proposed FAR regulation changes. He submitted a letter to the Commission.

Tim Olson, 1571 Third St, wants volume measured, not floor area. He opposes some of the proposed changes.

Todd Woosley, PO Box 3325, Bellevue, agrees that volume should be considered and urges the City not to eliminate ADUs.

Lisa Oelsner 315 Seventh Avenue West, supports FAR regulations changes.

Dana Adams, 11016 NE 65th Street, opposes modifications of the FAR regulations.

Chair, hearing no further comment, closed public testimony and called for a short break.

Chair reconvened the public hearing at 9:20 p.m.

Chair asked if Commission would like to discuss the issues tonight or wait until a later time. The consensus was that, because additional emails and letters are coming in, written comment should be encouraged up to July 6, but spoken testimony should be closed at this time. It was stated that, if citizens desire to given spoken testimony, the Houghton Community Council will hold a public hearing where they may do so.

MOTION to approve closing public comments in the meeting regarding the Floor Area Ratio, ZON05-00019, but allow further written testimony; continue the hearing to July 13th to allow receipt of additional written testimony and recommendation from the Houghton Community Council. Moved by Andrew Held, seconded by Karen Tennyson. Carried.

Ms. Rennaker asked that photographs be submitted to identify what is felt to be the problem, i.e., the reason regulation changes are proposed. Ms. Tennyson stated that Market/Norkirk Working Groups had taken pictures of the "worst" and "best" examples of homes and that those pictures may be available.

Chair reviewed City Council's direction to the Commission on this matter. There was discussion. Mr. Held asked Staff to generate a simple table regarding these issues as relates to neighboring cities.

Mr. Gregory pointed out that Staff's March 2, 2006 letter to the Commission outlines the specific direction from City Council.

5. **STUDY SESSION - 9:46 p.m.**

A. 2006 Comprehensive Plan Amendments, ZON06-00009
PURPOSE: Scope of Work and Schedule for the 2006 Comprehensive Plan Amendments.

ACTION: Review memo and provide comments to staff.

Ms. Swan referred to her and Mr. Stewart's May 30 memo to the Commission. She said that the City's annual Comprehensive Plan Amendments generally do not amend text in neighborhood plans since that is done with each Neighborhood Plan update. She reviewed the proposed amendments. Staff answered Commissioners' questions.

Ms. Swan spoke regarding two PARs reviewed on Page 5 of the memo. She answered Commissioners' questions. Questions put to the Commission were as follows:

1. Should additional items be added to the scope? COMMISSION DECISION: NO OTHER ITEMS SHOULD BE ADDED TO THE SCOPE.

2. Should the study area be expanded for the Daniels request, to look at the properties to the west? COMMISSION DECISION: AGREE TO EXPAND THE STUDY AREA TO INCLUDE THE TWO PARCELS TO THE WEST.

Ms. Swan stated that both property owners will perform wetland and stream studies.

The Meeting Schedule was discussed. Chair thanked Ms. Swan for her report.

6. **UNFINISHED BUSINESS** - None.

7. **NEW BUSINESS** - None.

8. **READING AND/OR APPROVAL OF MINUTES**

A. April 27, 2006: approved as written.

9. **TASK FORCE REPORTS**

Market Traffic Meeting - Mr. Gregory said it was well attended and well organized and presented. He said that there was a project overview for the Market Street access and shared his copy of that paper with the Chair.

Ms. Hayek reported that Downtown Action Team met yesterday and relayed items that were discussed. She said that there is some consensus that DAT needs to concentrate on vision and education and not to concentrate on advocacy for specific projects.

Mr. Gregory submitted a project overview for the Market Street Access project.

10. **ADMINISTRATIVE REPORTS**

A. City Council Actions

Mr. Shields reported that the Council adopted the Totem Lake Zoning plan. He related Council's adjustments to the plan.

B. Hearing Examiner Actions - None.

C. Public Meeting Calendar Update

Mr. Stewart related the rationale for moving the September 28 meeting to September 21.

Mr. Stewart asked interested Commissioners to notify him if they wish to attend the 13th Annual Affordable Housing Conference.

11. **COMMENTS FROM THE AUDIENCE - 10:17 p.m.**

Mike Nykreim asked if public hearing on FAR is still open. Chair answered that written comment is still open as well as comments from the Houghton Community Council. On Mr. Nykreim's request, Mr. Shields will confirm that this is correct procedure.

Jeff Peterson thanks Staff and Commission for their time.

12. **ADJOURNMENT - 10:20 p.m.**

_____

Chair
Kirkland Planning Commission

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

To: Planning Commission

From: Eric R. Shields, AICP, Director ES
Michael Bergstrom, AICP, Consultant MB

Date: May 19, 2006

Subject: Single-Family Floor Area Ratios (FAR); File No. ZON05-00019

I. RECOMMENDATION

Conduct a public hearing on proposed Zoning Code amendments. Continue the hearing until July 13, 2006 to allow receipt of a recommendation from the Houghton Community Council before forwarding a recommendation to the City Council.

II. BACKGROUND

Although the Planning Commission is familiar with the background of this issue, the general public may not be. Therefore, it is important to include a discussion of existing FAR and related regulations and the purpose of the current review.

A. Why the City is Considering Changes to FAR and Setback Encroachment Regulations

Over the past year or more, Staff and members of the City Council have heard concerns from Kirkland residents about the size of houses being built in their neighborhoods. There is a perception among some residents that many houses are too large and out of scale with their lot or their surroundings. In response to those concerns, the City Council has asked Staff and the Planning Commission to review certain Zoning Code regulations that affect building size and massing and make recommendations on code amendments to address the concern.

B. Current Provisions for Controlling House Size - General

In the late 1990's, the City adopted regulations establishing maximum floor area ratios (FAR) for single-family residences. These ratios are intended to result in houses that are sized in proportion to the lots on which they are built, while reasonably accommodating the demands of the housing market. FAR regulations do not apply within the jurisdiction of the Houghton Community Council, and they only apply to low density residential zones. Multifamily and commercial

development is not subject to these regulations, nor are non-residential uses, such as churches and schools, even if located in low density residential zones.

C. What FAR Does

The FAR determines the maximum allowable gross floor area (gfa) for a given lot in a given zone. See definition of "gross floor area" in paragraph C.2 below. The FAR is expressed as a percentage of the lot size. For example, in the RS 7.2 zone the FAR is 50% of the lot size. Therefore, if a lot in that zone contains 7,200 sf, the maximum gfa allowed is 3,600 sf (50% of 7,200 sf). A 7,800 sf lot would allow 3,900 gfa, an 8,200 sf lot would allow 4,100 gfa, and so forth.

D. Current FAR Regulations - Specific

The sections of the Zoning Code that govern FAR include the following:

1. Floor Area Ratio (FAR) is defined as: "The maximum permitted gross floor area allowed, expressed as a percentage of the lot size (Gross floor area / lot size = FAR). See KZC 115.42."

2. Gross Floor Area is defined as: "The total square footage of all floors in a structure as measured from either the interior surface of each exterior wall of the structure or, if the structure does not have walls, from each outer edge of the roof. Exterior areas may constitute gross floor area. See Chapter 115 KZC."

3. Floor Area Ratios: The Zoning Code establishes the following floor area ratios for the affected zones:

Zone	FAR
RS 35 / RSX 35	20%
RS 12.5 / RSX 12.5	35%
RS 8.5 / RSX 8.5	50%
RS 7.2 / RSX 7.2	50%
RS 5.0 / RSX 5.0	60%
PLA 6C	60%
PLA 6E	60%
PLA 16	20%

4. KZC 115.42 – Floor Area Ratio (FAR) Calculation for Detached Dwelling Units in Low Density Residential Zones excludes the following areas from FAR calculation:

a. Attic area with less than five feet of headroom;
b. Floor area with a ceiling height, including the horizontal supporting members for the ceiling, less than six feet above finished grade (this might include a basement or portion of a basement);
c. Accessory structures located more than 20 feet from the main structure; and
d. Uncovered and covered decks, porches, and walkways.

Although not specifically addressed in the above, the upper reaches of "vaulted" space, such as a vaulted entry, are not calculated in the FAR since there is not a physical floor separating the lower and upper portions of that vaulted space.

E. Other Zoning Provisions Potentially Contributing to Perceived Building Mass

The Zoning Code allows certain building elements to encroach into setbacks (KZC 115.115), such as chimney enclosures, bay windows, eaves, etc. These features may extend up to 18 inches into any required yard. Because these encroachments might contribute to perceived building mass by bringing portions of a wall closer to a shared property line, the City Council asked that Staff and the Planning Commission review these allowances to determine if changes should be made.

III. STATUS OF REVIEW

The Planning Commission last discussed the issue of single-family Floor Area Ratios (FAR) in a study session on April 13, 2006. At that meeting, the Commission requested that Staff return with certain code amendment options to discuss at a public hearing. The options have been developed and will be discussed at a June 8 public hearing before the Planning Commission (see Attachment 1). Although public comment has been given at prior study sessions, this will be the formal opportunity for the public to comment on the potential code changes.

Following your April 13 meeting, PCD Staff met with the Houghton Community Council in a study session on April 24. The Community Council expressed a desire to stay involved with this effort, but did not have any input at that time that would alter the options requested by the Planning Commission on April 13. Therefore, the options being presented to the Planning Commission for the June 8 public hearing will be the same options that will be the subject of a public hearing with the Community Council on June 19. The Community Council will eventually vote whether to extend FAR regulations to their jurisdiction; currently, FAR regulations do not apply in Houghton.

IV. DISCUSSION OF ALTERNATIVES

Attachment 1 contains draft Zoning Code language for each of the options requested by the Planning Commission at your April 13 study session. These options address the following components of current FAR and building element encroachment regulations: (A) Allowable FAR in the RS 5.0 and RSX 5.0 zones; (B) the exemption from FAR calculation for certain detached accessory structures; (C) the exemption from FAR calculation for vaulted space within a structure; and (D) the extent to which certain building elements may encroach into required setbacks. In addition, the options reflect the possibility of extending FAR regulations to the Houghton area of the city.

Pros and cons of each option are presented below. When reviewing these options, it should be kept in mind that there are general considerations for supporting or opposing any changes to FAR regulations and setback encroachment provisions. Generally, considerations in support of the changes would be based on a desire for smaller building envelopes, neighborhood compatibility, or similar concerns. Considerations opposing changes would generally be based on investment expectations, perceived market demands, appropriateness of the proposed "solution" to the perceived "problem" (i.e., is the problem one of size or one of design), or similar concerns. Additional considerations will no doubt arise during the public hearing process.

When considering the following discussion of each option, the Planning Commission might find it helpful to refer at the same time to Attachment 1, so that you can see the actual Zoning Code language that would be adopted.

A. FAR in RS/RSX 5.0 Zones

Option 1 reduces allowable FAR from 60% to 50% (*recommended by Staff*):

Considerations supporting this option include:

- An FAR of 50% would be consistent with the RS/RSX 7.2 and 8.5 zones, which are the prevailing single-family zones throughout Kirkland.
- The RS/RSX 5.0 zones allow denser development than allowed by other single-family zones, and a higher FAR exacerbates the impacts of dense development

Considerations opposing this option include:

- Today's housing market expects a 3,000 sq. ft. house or greater. The current FAR of 60% allows a 3,600 sq. ft. house on a 5,000 sq. ft. lot. An FAR of 50% on a 5,000 sq. ft. lot would allow only 2,500 sq. ft.
- A reduction in FAR reduces the expected return on investment by homeowners and/or builders or developers.

Option 2 reduces allowable FAR from 60% to 50%, with incentives/standards to reach 60%:

Considerations supporting this option include:

- It is fair to "give back" through some means what has been "taken away" by a change in regulation.
- An FAR of 60% might be acceptable if designed and built appropriately or has some other extraordinary benefit.

Considerations opposing this option include:

- Not clear what standards for increased FAR would be appropriate.
- Introduction of incentives or standards involves subjectivity and process for review; while this may be a viable alternative, it is not a "quick" response to the issues raised.

Reasons for Staff Support of Option 1:

- A 50% FAR would be consistent with other prevailing single-family zones in Kirkland.
- While a 3,000 sq. ft. house might be demanded by a certain sector of the buying market, it does not represent the minimum demand by buyers as a whole. Recent experiences with "innovative" housing in Kirkland shows that there is a demand for homes smaller than 3,000 sq. ft.
- The RS 5.0 and RSX 5.0 zones contain a small portion of the total number of residential lots in the city. Opportunities to construct a 3,000 sq. ft. or larger house will continue to exist.
- The FAR calculation excludes several enclosed areas from its calculation. For example, if FAR in the RS 5.0 zone is reduced to 50%, an owner would still be allowed 2,500 sq. ft. of gross floor area plus sunken basement space of unlimited area (as long as it is less than 6 feet above finished grade) plus a roof form that contains any amount of square footage with a headroom less than 5 feet plus several hundred square feet of enclosed (but not counted) upper levels of vaulted space plus space contained in an accessory structure that is located more than 20 feet from the primary structure.

B. Detached Accessory Structures

Option 1 removes the FAR exemption for accessory structures located more than 20 feet from the primary structure:

Considerations supporting this option include:

- Total gross floor area (gfa) would be based on all structures on the site added together. Simple to measure and administer.

- Whether the gfa is contained in one structure or more than one structures, it all contributes to building volume and should be counted the same.

Considerations opposing this option include:

- Separation of structures helps relieve the perceived total mass. Two separated structures have less impact than one single structure incorporating the same total area.
- The current exemption encourages the placement of garages near the alley, a community priority.
- The current exemption encourages the provision of ADUs, a community priority.

Option 2 exempts up to 500 sq. ft. of accessory structures located more than 20 feet from the primary structure. Variables within this option relate to the type of use in the accessory structure, and the height of the structure. In other words, this exemption could apply only to space used as an Accessory Dwelling Unit, or only to space used as a garage, or to any space regardless of use. Also, the exemption could apply only to accessory structures that are one story in height, or it could apply to accessory structures regardless of height *(recommended by Staff, with exemption applied to either ADU or garage space, and without the one-story restriction).*

Considerations supporting this option include:

- Retains some incentive for detached ADUs and/or alley-oriented garages.
- Acknowledges that separated structures have a different (lesser) impact than a single structure.
- A one story height limit lessens the impact on neighboring properties.

Considerations opposing this option include:

- A one story height limit will remove the possibility for an over-garage ADU.
- May reduce or remove incentive for alley-oriented garage or detached ADU; may force a choice between the two.

Option 3 would retain the current exemption provisions.

Considerations supporting this option include:

- Retains incentives for both alley-oriented garages and detached ADUs.
- Acknowledges that separated structures have a different (lesser) impact than a single structure.

Considerations opposing this option include:

- Size of detached structure can be significant.

- Amount of potential exemption represents substantial added FAR. A 1,200 sq. ft. accessory structure on an 7,200 sq. ft. lot is equal to 16% added FAR.

Reasons for Staff Support of Option 2, with exemption being applicable regardless of use of the accessory structure, and without one-story height restriction:

- Allows a reasonable exemption for detached structures.
- Acknowledges that separated structures have a different (lesser) impact than a single structure.
- Lets owner/builder choose between exemption for garage or ADU; more flexible than if exemption applied only to ADUs or only to garages.
- Retains some incentive for alley-oriented garage or detached ADU.
- Limiting the FAR exemption to 500 sq. ft. will help control impacts to surrounding neighbors.

C. Vaulted Space

Option 1 requires that vaulted space be counted twice where ceiling height exceeds 16 feet *(recommended by Staff)*.

Considerations supporting this option include:

- Vaulted space can affect building volume as much as space that is built as separate floors.
- The proposed 16 foot threshold allows for reasonable vaulted spaces.

Considerations opposing this option include:

- Vaulted spaces are popular with homebuyers/owners.
- Counting vaulted space twice may provide a disincentive for such space, or require room size trade-offs elsewhere.

Option 2 retains current code provisions; the floor area of vaulted space is counted only once regardless of height.

Considerations supporting this option include:

- Vaulted spaces are popular with homebuyers/owners.
- Some vaulted spaces are created by careful selection of roof truss systems or use of other construction techniques that add little increased building volume.

Considerations opposing this option include:

- Vaulted space can affect building volume as much as space that is built as separate floors.

Reasons for Staff Support of Option 1:

- Vaulted spaces can add significant volume to a building, which is counter to the purpose of limiting FAR.
- The proposed 16 foot threshold would still allow reasonable vaulted space, opportunities for clerestories, etc.
- The 16 foot threshold is a reasonable dimension, slightly less than two floors each having a ceiling height of 8 feet and separated by framing.

D. Allowable Setback Encroachments

Option 1 eliminates allowances for encroachments into required yards by such building features as chimney enclosures, bay windows, and awnings.

Considerations supporting this option include:
- Such building elements bring portions of a house closer to a shared property line, affecting sense of privacy and distance.
- Even though such encroachments are limited to 25% of the length of the structure façade, they can affect views as much as a larger encroachment from certain viewpoints.

Considerations opposing this option include:
- Architectural features provide visual interest to a building façade.
- Eliminating the allowances would encourage stark walls along common property lines.
- Architectural features do not contribute significantly to building volume.

Option 2 reduces the encroachment allowance from 18 inches to 12 inches *(recommended by Staff).*

Considerations supporting this option include:
- Allows reasonable intrusion of architectural features into required yards.
- Accommodates such features as greenhouse windows.
- Provides for visual interest to a building façade.

Considerations opposing this option include:
- May affect building design or siting to accommodate certain building features such as chimney enclosures.
- A 6 inch reduction in the encroachment allowance will not produce significant reduction of building mass or privacy/distance impacts.

Reasons for Staff Support of Option 2:
- Allows reasonable intrusion into required yards.
- Provides for visual interest to a building façade.

- While not significantly reducing impacts of building mass, the reduced encroachment allowance, in combination with recommended changes to the FAR provisions, will contribute to increased compatibility of neighboring structures.

V. PUBLIC COMMENT

Although the formal public comment period had not commenced at the time this memorandum was prepared, Staff has received comments from various interested parties over the past several months. Comments received prior to the Commission's April 13 study session were forwarded to the Commission on or before that date.

On April 13, a few hours before the Planning Commission study session, Staff met with representatives of the real estate and building industries to get initial feedback. We verbally reported that feedback to the Commission later that evening. We have since put that feedback into written form. Our understanding of industry concerns expressed at that April 13 meeting is summarized in Attachment 2. One of the concerns raised by the industry has to do with the financial assumptions on which builders or developers have based recent land purchase decisions. Because the length of the time between the signing of a purchase and sale agreement for land and the offering of new homes for sale upon that land can be extensive, the industry is concerned about the financial impact that a reduction in potential house size, and therefore market value, will have on their investment. For that reason, Staff believes that it is appropriate to at least consider delaying the effective date of any Zoning Code changes for a period of several months in order to allow developers and builders who have already invested under existing financial conditions to vest their building permits.

Since the April 13 Planning Commission, Staff has received additional comments via e-mail. Those are enclosed as attachments to this memo (see Attachment 3).

We expect to receive additional public comment prior to the public hearing, which we will forward to the Planning Commission. In addition, we expect to receive testimony at the hearing itself.

VI. SEPA

The proposed code changes are subject to the requirements of the State Environmental Policy Act. A Determination of Nonsignificance was issued on May 19, 2006. The requirements of SEPA have been fulfilled for this proposal (see Attachment 4).

VII. CONCLUSION

Staff recommends the following changes to Zoning Code provisions:

A. Reduce allowable FAR in the RS 5.0 and RSX 5.0 zones from 60% to 50%.
B. Limit the exemption for detached accessory structures to 500 sq. ft. regardless of type of use contained in the accessory structure and regardless of structure height.
C. Calculate the floor area of vaulted space twice where the ceiling height of such space exceeds 16 feet.
D. Reduce allowable building-mounted encroachments into required yards from 18 inches to 12 inches (except eaves, which would remain at 18 inches).

The Planning Commission should make its own recommendation after holding a public hearing on June 8. The hearing record should be held open until July 13 to allow the receipt and consideration of a recommendation from the Houghton Community Council.

ATTACHMENTS

1. Proposal Options, May 19, 2006
2. Summary of Concerns Expressed at April 13, 2006 Meeting with PCD and Industry Representatives
3. E-mail Comments Received Since April 13, 2006
   a. April 26, 2006 e-mail from Jeff Peterson to Mike Bergstrom
   b. April 27, 2006 e-mail from John Kemas to Kirkland City Council, Planning Commission, and Eric Shields
   c. May 1, 2006 e-mail from Lew Bodman to Mike Bergstrom
   d. May 4, 2006 e-mail from Peter Bartnick to Paul Stewart and Eric Shields
   e. May 26, 2006 e-mail from Joe Bergevin to Eric Shields
4. Environmental Documents

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

To: Planning Commission

From: Eric R. Shields, AICP, Director
Michael Bergstrom, AICP, Consultant MB

Date: May 19, 2006

Subject: Proposal Options: Floor Area Ratios (FAR) and Allowable Building Element Encroachments, File No. ZON05-00019

The following options have been prepared by Planning and Community Development Staff for consideration through Process IV pursuant to chapter 160 KZC. These options are based on prior input from the City Council and Planning Commission, and will be the subject of a public hearing before the Planning Commission on June 8, 2006.

The options reflect different approaches that could be used to address the following components of current FAR regulations and provisions for setback encroachments: (A) Allowable FAR in the RS 5.0 and RSX 5.0 zones; (B) the exemption from FAR calculation for certain detached accessory structures; (C) the exemption from FAR calculation for vaulted space within a structure; and (D) the extent to which certain building elements may encroach into required setbacks. In addition, the options reflect the possibility of extending FAR regulations to the Houghton area of the city.

A. FAR in RS/RSX 5.0 Zones

OPTION 1: Reduce from 60% to 50 *(recommended by Staff).*

Amend KZC 15.10.010, Special Regulation No. 2, as follows:

2. Floor Area Ratio (F.A.R.) allowed for the subject property is as follows:
   a. In RS 35 zone, F.A.R. is 20 percent of lot size.
   b. In RS 12.5 zones, F.A.R. is 35 percent of lot size.
   c. In RS 8.5 zones, F.A.R. is 50 percent of lot size.
   d. In RS 7.2 zones, F.A.R. is 50 percent of lot size.
   e. In RS 5.0 zones, F.A.R. is ~~60~~ 50 percent of lot size.

~~*This special regulation is not effective within the disapproval jurisdiction of the Houghton Community Council.*~~
See KZC 115.42, Floor Area Ratio (F.A.R.) Calculation for Detached Dwelling Units in Low Density Residential Zones, for additional information.

AND Amend KZC 17.10.010, Special Regulation No. 2, as follows:

ATTACHMENT 1
FILE NO. ZON05-00019

2. Floor Area Ratio (F.A.R.) allowed for the subject property is as follows
   a. In RSX 35 zone, F.A.R. is 20 percent of lot size.
   b. In RSX 12.5 zones, F.A.R. is 35 percent of lot size.
   c. In RSX 8.5 zones, F.A.R. is 50 percent of lot size.
   d. In RSX 7.2 zones, F.A.R. is 50 percent of lot size.
   e. In RSX 5.0 zones, F.A.R. is ~~60~~ 50 percent of lot size.

See KZC 115.42, Floor Area Ratio (F.A.R.) Calculation for Detached Dwelling Units in Low Density Residential Zones, for additional information.

OPTION 2: Reduce from 60% to 50%, with incentives/standards to reach 60%.

Amend KZC 15.10.010, Special Regulation No. 2, as follows:

2. Floor Area Ratio (F.A.R.) allowed for the subject property is as follows:
   a. In RS 35 zone, F.A.R. is 20 percent of lot size.
   b. In RS 12.5 zones, F.A.R. is 35 percent of lot size.
   c. In RS 8.5 zones, F.A.R. is 50 percent of lot size.
   d. In RS 7.2 zones, F.A.R. is 50 percent of lot size.
   e. In RS 5.0 zones, F.A.R. is ~~60~~ 50 percent of lot size; provided, that F.A.R. may be increased up to 60 percent of lot size, if the following criteria are met:
      i. The primary roof form of all structures on the site is peaked, with a minimum pitch of 4' vertical:12' horizontal; and
      ii. A setback of at least 7.5' is provided along each side yard; and
      iii. The garage utilizes an alley for its primary vehicular access and is setback within 5 feet of the rear property line, as provided by KZC 115.115.3.o (this requirement is not effective within the disapproval jurisdiction of the Houghton Community Council).

~~*This special regulation is not effective within the disapproval jurisdiction of the Houghton Community Council.*~~

See KZC 115.42, Floor Area Ratio (F.A.R.) Calculation for Detached Dwelling Units in Low Density Residential Zones, for additional information.

AND Amend KZC 17.10.010, Special Regulation No. 2, as follows:

2. Floor Area Ratio (F.A.R.) allowed for the subject property is as follows
   a. In RSX 35 zone, F.A.R. is 20 percent of lot size.
   b. In RSX 12.5 zones, F.A.R. is 35 percent of lot size.
   c. In RSX 8.5 zones, F.A.R. is 50 percent of lot size.
   d. In RSX 7.2 zones, F.A.R. is 50 percent of lot size.
   e. In RSX 5.0 zones, F.A.R. is ~~60~~ 50 percent of lot size; provided, that F.A.R. may be increased up to 60 percent of lot size, if the following criteria are met:

i. The primary roof form of all structures on the site is peaked, with a minimum pitch of 4' vertical:12' horizontal; and
ii. A setback of at least 7.5' is provided along each side yard; and
iii. The garage utilizes an alley for its primary vehicular access and is setback within 5 feet of the rear property line, as provided by KZC 115.115.3.o.

See KZC 115.42, Floor Area Ratio (F.A.R.) Calculation for Detached Dwelling Units in Low Density Residential Zones, for additional information.

B. Detached Accessory Structures

OPTION 1: Remove Exemption.

Amend KZC 115.42 Floor Area Ratio (F.A.R.) Calculation for Detached Dwelling Units in Low Density Residential Zones as follows:

1. Gross floor area for purposes of calculating F.A.R. and maximum floor area for detached dwelling units in low density residential zones does not include the following:
   a. Attic area with less than five feet of headroom.
   b. Floor area with a ceiling height, including the horizontal supporting members for the ceiling, less than six feet above finished grade. The ceiling height will be measured along the outside perimeter of the building (see Plate 23).
   ~~c. Accessory structures located more than 20 feet from the main structure (see KZC 115.30 for additional information on the required distance between structures).~~
   ~~d~~ c. Uncovered and covered decks, porches, and walkways.

~~2. *This section is not effective with the disapproval jurisdiction of the Houghton Community Council.*~~

OPTION 2: Exempt up to 500 sq. ft. of accessory structures *(recommended by Staff).* NOTE: This option contains variables related to the type of use in the accessory structure and the height of that structure.

Amend KZC 115.42 Floor Area Ratio (F.A.R.) Calculation for Detached Dwelling Units in Low Density Residential Zones as follows:

1. Gross floor area for purposes of calculating F.A.R. and maximum floor area for detached dwelling units in low density residential zones does not include the following:
   a. Attic area with less than five feet of headroom.

b. Floor area with a ceiling height, including the horizontal supporting members for the ceiling, less than six feet above finished grade. The ceiling height will be measured along the outside perimeter of the building (see Plate 23).
c. No more than 500 sq. ft. of **(((an Accessory Dwelling Unit / a garage / an Accessory Dwelling Unit or garage)))** contained in an ~~A~~accessory structures. Such structure shall be located more than 20 feet from the main structure **(((and shall be no greater than 15 feet in height above finished grade)))** (see KZC 115.30 for additional information on the required distance between structures).
d. Uncovered and covered decks, porches, and walkways.

~~2. *This section is not effective with the disapproval jurisdiction of the Houghton Community Council.*~~

OPTION 3: No change to existing accessory structure exemption.

C. Vaulted Space

OPTION 1: Count vaulted space twice, where the ceiling height exceeds a specified dimension *(recommended by Staff).*

Amend KZC 115.42 Floor Area Ratio (F.A.R.) Calculation for Detached Dwelling Units in Low Density Residential Zones as follows:

1. Gross floor area for purposes of calculating F.A.R. and maximum floor area for detached dwelling units in low density residential zones does not include the following:
   a. Attic area with less than five feet of headroom.
   b. Floor area with a ceiling height, including the horizontal supporting members for the ceiling, less than six feet above finished grade. The ceiling height will be measured along the outside perimeter of the building (see Plate 23).
   c. Accessory structures located more than 20 feet from the main structure (see KZC 115.30 for additional information on the required distance between structures).
   d. Uncovered and covered decks, porches, and walkways.

~~2. *This section is not effective with the disapproval jurisdiction of the Houghton Community Council.*~~

2. Floor area with a ceiling height greater than 16 feet shall be calculated at twice the actual floor area.

OPTION 2: No change to existing treatment of vaulted space.

D. Allowable Setback Encroachments

OPTION 1: Eliminate allowances for wall-mounted encroachments.

Amend KZC 115.115.3 as follows:

3. Structures and Improvements – No improvement or structure, including chimneys, bay windows, greenhouse windows, cornices, awnings, and canopies, may be in a required yard except as follows:

   a. – c. No change

   d. ~~Chimneys, bay windows, greenhouse windows, eaves, cornices, awnings, and canopies may extend up to 18 inches into any required yard. Eaves on bay windows may extend an additional 18 inches beyond the bay window. The total horizontal dimension of the elements that extend into a required yard, excluding eaves and cornices, may not exceed 25 percent of the length of the façade of the structure. See Plate 10.~~ Eaves may extend up to 18 inches into any required yard.

   e. – o. No change.

OPTION 2: Reduce allowances for wall-mounted encroachments *(recommended by Staff).*

Amend KZC 115.115.3 as follows:

3. Structures and Improvements – No improvement or structure may be in a required yard except as follows:

   a. – c. No change

   d. For detached dwelling units in low density residential zones, eaves may extend up to 18 inches into any required yards; chimneys, bay windows, greenhouse windows, cornices, awnings, and canopies may extend up to 12 inches into any required yard; eaves on bay windows may extend an additional 12 inches beyond the bay window. For all other uses in low density residential zones, and for all uses in all other zones, ~~C~~chimneys, bay windows, greenhouse windows, eaves, cornices, awnings, and canopies may extend up to 18 inches into any required yard. Eaves on bay windows may extend an additional 18

inches beyond the bay window. In any zone, ~~T~~the total horizontal dimension of the elements that extend into a required yard, excluding eaves and cornices, may not exceed 25 percent of the length of the façade of the structure. See Plate 10.

e. – o. No change.

OPTION 3: No change to existing setback allowances.

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

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

FAR – INDUSTRY CONCERNS
File No. ZON05-00019

The following is a summary of industry concerns related to possible changes to the City of Kirkland Floor Area Regulations, voiced at an April 13, 2006 meeting attended by PCD Staff and industry representatives. They are not listed in order of importance, and are not considered exhaustive.

- If changes are made, they should only apply to new plats, rather than apply zoning-wide.
- FAR does not address the real issue. The issue appears to be more design-related than size-related.
- The City of Clyde Hill has a good approach, essentially requiring greater setbacks for upper stories.
- Kirkland's 25' height allowance is restrictive and encourages boxy structures.
- The use of architectural standards might be a better alternative.
- A 10% reduction in allowable FAR, combined with a requirement to count vaulted space twice, is a significant (undesirable) reduction.
- The City should consider performance zoning; planners should be able to administer such an approach.
- The City should consider allowing greater height in exchange for reduced lot coverage.
- The size of contemporary homes is market driven; the market should be allowed to respond to demand.
- Concern over house size has been expressed by a vocal minority.
- Concerns raised by some members of the public are due more to the effects of change than to house sizes.

ATTACHMENT 2
FILE NO. ZON05-00019

- Reduced building potential would negatively affect property values and would decrease homeowners investments.

- Builders and developers have invested in properties based on certain economic assumptions, and need to feel their investment is secure.

- Overall, Kirkland's current FAR regulations are not ideal, but they're a known quantity and should not be changed.

Prepared by: Michael Bergstrom, AICP, Consultant
Planning & Community Development
City of Kirkland

Michael Bergstrom

From: "Jeff Peterson" <jeff690@msn.com>
To: <pstweart@ci.kirkland.wa.us>
Cc: <bergstrommike@msn.com>
Sent: Wednesday, April 26, 2006 1:31 PM
Subject: Kirkland planning

Hello gentlemen,

I have been thinking about the outcome of the last planning committee meeting and wanted to reiterate some points.

1) It is very clear to me (and several of the committee members) that the problem the committee is trying to solve is still not defined. I was shocked that decisions were made on several topics that seemed to go completely against the trend of discussion. The push to make changes seemed to come from one committee member (Janet) who also voiced the opinion for change at the Norkirk meeting the week before.

2) I was at the Norkirk meeting and there was only three people there who had a say about making changes to the current code. One of them was Janet of the planning committee, the other was a woman who stated " I don't want a big ugly box next to my house", and the third only wanted any changes to be done "green". All the other voices raised were in favor of no change to the current code. Janet's report of the tone of the meeting in Norkirk was completely off base and I wanted to let the other committee members know that the vast majority of voices there were against change.

3) I was dismayed that there was quite a bit of discussion about FAR with input from the builders and real estate agents etc. about the trends of home buying in the area that was completely ignored when it came time to actually vote on the issue.

4) The vote to make changes to the detached structures again is off base. An arbitrary number of 500 square feet for an ADU is very small. I doubt any of the committee members have ever lived in an apartment that small. Under the current recommendations exempting only 500 square feet of ADU and not a detached structure would reduce the possible square footage of a home on my property to 2675 square feet. This is only 675 square feet more than the current home on my property which is only a 2 bedroom house with a small kitchen!

5) I want to reiterate that by limiting the size of houses that the market will not look favorably on this. The trends are for the affluent to purchase homes with larger bedrooms and great rooms and more square footage. By limiting square footage prices WILL drop and the city will not increase it's taxes. For example: a current home valued at 600,000 pays approximately 3000 dollars for taxes, the same property with an adequate remodel valued at 1.2 million would pay 6000 for taxes without any change in needs for services. An extra $3000 for nothing!. Also any new construction

ATTACHMENT 3.a
FILE NO. ZON05-00019

is required to improve any old or damaged sidewalks and have underground electrical, telephone and cable services which improves the overall look of the neighborhood by reducing unsightly wires.

6) the bottom line is I still do not see the backing for the move to make these changes to the code. There is dissention amongst the committee members if there is even a problem and what the problem is, so making changes that will affect everyone without having a clearly defined problem is a mistake. I urge the committee to re-examine its purpose and goals before making any final recommendations. Perhaps a well publicized city-wide meeting prior to the recs going to the city council would be in order.

Thank you,

Jeff R Peterson, MD
1112 1st St
Kirkland

On the road to retirement? Check out MSN Life Events for advice on how to get there! http://lifeevents.msn.com/category.aspx?cid=Retirement

Michael Bergstrom

From: "Paul Stewart" <PStewart@ci.kirkland.wa.us>
To: "Michael Bergstrom" <bergstrommike@msn.com>; <public@andyheld.com>; "Byron Katsuyama" <bkatsuyama@mrsc.org>; "Carolyn Hayek" <chayek@verizon.net>; "Janet Pruitt" <janetpruitt@hotmail.com>; "Karen Tennyson" <tennysonkk@aol.com>; "Kiri Rennaker" <kiri@rennakerco.com>; "Mathew Gregory" <mjg@awerks.com.>
Sent: Friday, April 28, 2006 4:04 PM
Subject: FW: Changes to Kirkland's FAR and Development Regulations

This was received by the City Manager's office. I wasn't sure if you received this so I'm forwarding it just to make sure.

From: John Kemas [mailto:nbkemas@hotmail.com]
Sent: Thursday, April 27, 2006 2:39 PM
To: KirklandCouncil; planningcommission@ci.kirkland.wa.us; eshields@ci.krikland.wa.us
Cc: dcrowell@nwrealtor.com; todd@woosley.org
Subject: Changes to Kirkland's FAR and Development Regulations

TO: Dear Mayor Lauinger & Council members, and

Planning Commission Chair Carolyn Hayek & Commission members

Courtesy Copy to: Mr. Eric Shields, Director of Planning & Community Development

FROM: Jeanette M. McKague, Asst. Director for Land Use/Planning

Washington Association of REALTORS®

RE: Changes to Kirkland's FAR & Development Regulations

CC: David Crowell, JD, SKCAR Director of Governmental & Public Affairs

(dcrowell@nwrealtor.com)

Todd Woosley, SKCAR Housing Specialist (Todd@Woosley.org)

DATE: April 27, 2006

ATTACHMENT 3.b
FILE NO. ZON05-00019

Dear Mayor Lauinger, Chair Hayek, Members of the Council and Planning Commission and Mr. Shields:

I'm writing to you on behalf of the 24,000+ members of the Washington REALTORS®.

Our members also include more than 8,000 members of the Seattle-King County Association of REALTORS® who are represented in Kirkland by my professional colleagues, Todd Woosley (Housing Specialist) and David Crowell (Director of Governmental and Public Affairs).

Michael Bergstrom

From: "lewbodman@verizon.net" <lew.bodman@verizon.net>
To: <bergstrommike@msn.com>
Sent: Monday, May 01, 2006 9:42 AM
Subject: FAR

With all this-keep in mind one must not forget **we are a big city and getting bigger** with the addition of all the MS buildings,etc.

We are becoming the core, not the suburbs any more.We need higher density zoning, cheaper lots for smaller homes.

It's nothing new. Most of Seattle, and look at the old Burke and Farrar plat maps on the Eastside, 25x100 lots.Ballard is 30x 100. and then there is Columbia City Md. and Levitttown, Long island.

We are talking about affordable housing for the **upper** middle class around here.$1,000,000 average sale prices(98033) aren't in most people's budgets.There is resistance above $750,000.

At $3.50/gal. commuting to Marysville isn't the answer.

The permit process along with demand have all taken their toll on building costs. A builder can't pay $300,000-350,000 for a lot on Rose Hill (7200) and put an 1800 sq.ft. house on it. (no profit) Result-BIG UGLY.

If a restaurant can't keep it's doors open by selling $5 sandwiches, it will make 'em twice as big and charge $10 and add a salad and fries. (Have you noticed this over the last few years ?)

Cottage zoning is part of the answer. Look at lot sizes in the old days W.of Market.

Families are smaller and in case you haven't noticed a lot of single profdessionals and single parents. We need more of it close to the core of cities such as Kirkland and Redmond.We DON"T need mega homes on 124th NE across from condos and near commercial. 124th NE north of 85th needs to be at least condominiums if not multi use to 116th.

It is crucial to decide these issues ASAP. Changing horses in the middle of the stream will really botch up a neighborhood ambience if it hasn't already. Rose Hill is a great example.

Redmond has a huge parcel in annexation that would be a prime project for higher density zoning. East of 132nd on N.Rose Hill. This area should be studied as a package. It has the most underdeveloped area left this close to the core of Kirkland/Redmond.

.....and what will all this do to the trees ? :)

Lew Bodman
Senior Residential Agent
Since 1970
John L. Scott
N. Rose Hill resident since 1967.

ATTACHMENT 3.c
FILE NO. ZON05-00019

Enclosure 6
File No. ZON05-00019

Paul Stewart

From: Bartnick, Peter A [peter.a.bartnick@boeing.com]
Sent: Thursday, May 04, 2006 12:21 PM
To: Paul Stewart; Eric Shields
Cc: mailto:jbrill@ci.kirkland.wa.us; janetpruitt@hotmail.com; eng_eric@hotmail.com
Subject: Comments on proposed changes to F.A.R.s

Paul, Eric,

Speaking as a resident of Norkirk (not representing the NNA), I'd like to encourage leaving the incentives in place for accessory buildings.
In Norkirk, we want to encourage folks who live on alley streets to build their garages in back (with or with out an ADU). Actually, we want to encourage everyone to build their garage in back.

I'd like to see a rule that states you can get an F.A.R. "break" (either full or partial like 75%) if you build your garage "in back", but not if you build a garage on your main street. So, for those who don't live on alleys, they can still design a plan that has a narrow driveway back to their garage, leaving the front of their property less "car dominated".
Removing the "break" will, I think, result in construction that attaches garages (and big, wide driveways) to the front of houses, and end result, bulkier structures, car dominated properties. Both outcomes contrary to what I'd like to see.

I'd be in favor of not counting front porches as part of a building's F.A.R. (to some reasonable size of course). Again, it's an incentive to make the house friendly to the street.

I am supportive of tightening up the Vaulted space exception. Most of the out of scale structures that I see in the neighborhood have extensive vaulted spaces inside, which I have to believe was used to exceed the 50% F.A.R. rule.

I think by tightening up that rule it would not be necessary to reduce the F.A.R. in the 7.2 and 8.5 zones to 45%.

You're recommending "no change" on a lot of the other factors that all figure in to a neighborhood's outcome as result of changes (smaller lot's, setback encroachment, structure placement) and aren't considering design elements (flat roofs, etc.). I'm concerned with a change that addresses only part of the factors resulting in limiting the ability to enact a more holistic solution.

Tough, tough issues, I appreciate your efforts.

Thanks for your time.

Peter A. Bartnick
BCA Eng. ACIP, Liaison, & Admin. Support Cust. Relationship Mgmt. (CRM) (425)237-2922, 67-HH, Pager (206)416-3381

ATTACHMENT 3d
FILE NO. ZON05-00019

From: Joe [mailto:joe@jdbergevinhomes.com]
Sent: Friday, May 26, 2006 1:08 PM
To: Eric Shields
Cc: tattebery@mbaks.com; Mike Nykreim
Subject: Public Notification of FAR Issue in 5000 sf zoning -

Hi Erik,

I'd like to pass on some of my thoughts regarding the potential for FAR change (reduction) in the 5000 square foot zoning areas. I do believe that the process should include public notification to ALL property owners who could be effected by ANY change to the use of their property, PRIOR TO scheduling any 'hearing' on this issue. I also believe the zoning change would have a negative financial impact on all the property owners in these zoning areas being considered for FAR reduction. For example, currently I am in the process of planning a home for a property owner that purchased his lot within this zoning area just this month. His purchase price would likely have been much less if the home he was able to build would have been smaller, in fact, the sale may not have happened at all. To put approximate numbers to this scenario ~ If a 3000 sq foot floor area (60% far) can be built on a 5000 sq foot lot, and a new home with a view in this neighborhood is selling for $500 per square foot, then a 3000 sq ft FAR could yield a new home worth $1.3M when you subtract the garage (2600sq.ft. x $500). By the same token, if it were changed to 50% FAR, the same lot would yield 2500 sq. ft. FAR, or 2100 sq. ft. home, which in turn may sell for $1.05M, or, $250K less than the other home. If there were 500 homeowners affected by this change, then the potential for (500 x $250K) $125 Million dollars in today's new home market value would be at stake. I'm not sure how many homeowners are affected by the decision, but if we could determine the correct number of homeowners, we could then multiply that number by $250K and come up with a pretty good assessment of how this decision impacts the everyday Kirkland homeowner. The business impact on the builder of the new home due to lost revenues is still another important component to consider. Just some food for thought.

Thank you for considering my opinion, I look forward to being involved in this discussion. I'm sure there are some valid points I'm not considering for the benefits of making this change, but I'm having a hard time thinking of what they may be, thus, the importance of having a discussion.

Call me at your convenience; I look forward to hearing from you.

Joe

JOE BERGEVIN, PRESIDENT
JD BERGEVIN HOMES, INC.
425-736-9312

ATTACHMENT 3.e
FILE NO. ZON 05-00019

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

DETERMINATION OF NONSIGNIFICANCE (DNS) .

CASE #: SEP05-00024 DATE ISSUED: 5/19/2006

DESCRIPTION OF PROPOSAL

Amendments to the Kirkland Zoning Code affecting permitted Floor Area Ratios in residential zones.

PROPONENT:

LOCATION OF PROPOSAL

CITY-WIDE

LEAD AGENCY is **The City of Kirkland**

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21.030 (2) (c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public upon request.

There is no comment period for this DNS.

Responsible official: 5/19/06
Date

Eric Shields, Director
Department of Planning and Community Development
425-587-3225

Address: City of Kirkland
123 Fifth Avenue
Kirkland, WA 98033-6189

You may appeal this determination to **NANCY COX at Kirkland City Hall, 123 Fifth Avenue, Kirkland, WA 98033 no later than 5:00 p.m., Friday, June 02, 2006 by WRITTEN NOTICE OF APPEAL.**

You should be prepared to make specific factual objections. Contact Nancy Cox to read or ask about the procedures for SEPA appeals.

Please reference case # SEP05-00024.

cc: Case # SEP05-00024

ATTACHMENT 4
FILE NO. ZON05-00019

Distributed By: Date:

SEPA_A, rev: 5/19/2006

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

MEMORANDUM

To: Eric Shields, AICP, SEPA Responsible Official

From: Michael Bergstrom, AICP, Consultant MB

Date: May 16, 2006

File: SEP05-00024

Subject: ENVIRONMENTAL DETERMINATION FOR POTENTIAL AMENDMENTS TO THE KIRKLAND ZONING CODE REGULATING (1) MAXIMUM ALLOWABLE FLOOR AREA RATIOS (F.A.R.) FOR DETACHED DWELLING UNITS IN LOW DENSITY RESIDENTIAL ZONES, AND (2) ALLOWABLE SETBACK ENCROACHMENTS.

Background:

The City adopted Floor Area Ratio (FAR) regulations in the late 1990's in an effort to control the size of new or expanding houses. The regulations were intended to result in houses that are sized in proportion to the lot on which they are built, while reasonably accommodating the demands of the housing market. In recent months, City staff and City Council members have heard concerns from some members of the community that the FAR regulations are not effectively controlling the size of new or remodeled homes and the impacts related thereto. In response, the City Council has directed Staff to work with the Planning Commission and develop recommended changes to the regulations.

Over the past several months, Staff has worked with the City Council, Planning Commission, and Houghton Community Council in study sessions to develop options for consideration through the public review process. We have also met with industry representatives to obtain preliminary feedback and input. The City has received some input to date from the public at large and additional input is expected once the formal public hearing process gets underway. Staff has obtained sufficient input and direction to develop a proposal, including options, for public review and evaluation pursuant to SEPA. The proposal is likely to change to some extent as a result of additional public input during the public review process.

The proposal is considered a "Non-Project Action" pursuant to WAC 197-11-704(2)(b)(ii) (SEPA Definitions). The proposal is not categorically exempt from the environmental review requirements pursuant to WAC 197-11-800, and therefore an Environmental Checklist and Threshold Determination are required. An environmental checklist has been prepared for this action, and is enclosed.

A memo dated May 3, 2006 is attached to the environmental checklist, and describes the proposal and the various options that will be the subject of public review. The memo also identifies some options that had been evaluated but are not being recommended by Planning and Community Development Staff for further consideration. However, given that the City Council will make the ultimate decision on which options to adopt, including options not currently being forwarded by the staff, they are included for evaluation pursuant to SEPA.

Environmental Issues

Due to the non-project nature of the proposed amendments, no environmental issues were identified. Future development projects proposed in accordance with the amendments will be subject to, and reviewed pursuant to, the applicable provisions of SEPA.

Conclusions and Recommendation:

Based on my review of all available information and adopted policies of the City, I recommend that a Determination of Non-Significance (DNS) be issued for this proposal.

SEPA ENCLOSURES

Environmental Checklist, with proposal attached.

Review by Responsible Official:

I concur ✓

I do not concur __________

Comments: __________

Eric Shields, Director — Date: 5/18/06

CITY OF KIRKLAND ENVIRONMENTAL CHECKLIST

Purpose of Checklist:

The State Environmental Policy Act (SEPA), Chapter 43.21C RCW, requires all governmental agencies to consider the environmental impacts of a proposal before making decisions. An environmental impact statement (EIS) must be prepared for all proposals with probable significant adverse impacts on the quality of the environment. The purpose of this checklist is to provide information to help you and the City identify impacts from your proposal, and to reduce or avoid impacts from the proposal, whenever possible

Instructions for Applicants:

This environmental checklist asks you to describe some basic information about your proposal. Answer the questions briefly with the most precise information known, or give the best description you can.

You must answer each question accurately and carefully to the best of your knowledge. In most cases, you should be able to answer the questions from your own observations or project plans without the need to hire experts. If you really do not know the answer, or if a question does not apply to your proposal, write "do not know" or "does not apply." Complete answers to the questions now may avoid unnecessary delays later.

Some questions ask about governmental regulations, such as zoning, shoreline, and landmark designations. Answer these questions if you can. If you have problems, the City staff can assist you.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The City may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impacts.

Use of Checklist for Non-project Proposals:

Complete this checklist for non-project proposals also, even though questions may be answered "does not apply." IN ADDITION, complete the SUPPLEMENTAL SHEET FOR NON-PROJECT ACTIONS (Part D).

For non-project actions, the references in the checklist to the words "project," "applicant," and "property or site" should be read as "proposal," "proposer," and "affected geographic area," respectively.

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File No. ZON05-00019

BACKGROUND

1. Name of proposed project, if applicable: **Zoning Code Amendments – Floor Area Ratios (FAR) for Detached Dwelling Units in Low Density Residential Zones and Allowable Setback Encroachments. File No. ZON05-00019, SEP05-00024.**

2. Name of applicant: *City of Kirkland.*

3. Tax parcel number: *City-wide.*

4. Address and phone number of applicant and contact person:

   Paul Stewart, Deputy Director, Planning & Community Development, City of Kirkland, 123 Fifth Avenue, Kirkland, WA 98033-6189. (425) 587-3227.

5. Date checklist prepared:

   May 9, 2006.

6. Agency requesting checklist:

   City of Kirkland.

7. Proposed timing or schedule (including phasing, if applicable):

   Amendments are anticipated to be adopted by City Council in Summer, 2006.

8. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal?

   New construction of or additions to detached single-family structures will be subject to the revised regulations. Additional revisions to FAR regulations are possible but not proposed at this time. Any such additional revisions will be reviewed through a separate SEPA review process.

9. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.

   None.

10. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.

    Any building permit applications which are currently vested or will become vested prior to the adoption and effective date of the proposal will not be affected by the proposal. It is possible that some proposed building activity that is in the design phase but not yet vested by means of a complete building permit application will, depending on the timing of vesting, be subject to the new regulations. Any permit applications vested after the effective date of the proposal will be subject to the new or amended regulations.

11. List any government approvals or permits that will be needed for your proposal, if known.

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City Council adoption of the proposed amendments by ordinance. Houghton Community Council approval or lack of disapproval for amendments within its jurisdiction.

12. Give brief, complete description of your proposal, including the proposed uses, the size and scope of the project and site including dimensions and use of all proposed improvements. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page.

    The proposal would revise existing Zoning Code regulations governing allowable Floor Area Ratios (FAR) for single-family detached dwelling units in Low Density Residential Zones, affecting some or all of the following zones: RS 35, RSX 35, RS 12.5, RSX 12.5, RS 8.5, RSX 8.5, RS 7.2, RSX 7.2, RS 5.0, RSX 5.0, PLA 6C, PLA 6E, and PLA 16. The proposal would (a) reduce maximum allowable FAR for some zones, (b) change the manner in which FAR is calculated, (c) clarify FAR provisions through text changes and addition of graphic illustrations (Plates), and (d) expand the geographical area to which the FAR regulations apply to include the jurisdiction of the Houghton Municipal Corporation (if the Houghton Community Council so elects). It would also reduce the extent to which certain building elements may encroach into required yards. A complete copy of the proposal is attached to this checklist, in a memo dated May 3, 2006. The proposal is likely to change to some extent as a result of industry and public input during the public review process.

13. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

    The proposed amendments will apply city-wide, unless the Houghton Community Council elects to disapprove the amendments within its jurisdiction.

TO BE COMPLETED BY APPLICANT

EVALUATION FOR AGENCY USE ONLY
REVIEWED BY:

B. ENVIRONMENTAL ELEMENTS

1. EARTH

a. General description of the site (circle one): Flat, rolling, hilly, steep, slopes, mountainous, other
N/A - Proposal is a non-project action.

b. What is the steepest slope on the site (approximate percent slope)?
N/A - Proposal is a non-project action.

c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any prime farmland.
N/A - Proposal is a non-project action.

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.
N/A - Proposal is a non-project action.

e. Describe the purpose, type, and approximate quantities of any filling or grading proposed. Indicate source of fill.
N/A - Proposal is a non-project action.

f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.
N/A - Proposal is a non-project action.

g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt, buildings)?
N/A - Proposal is a non-project action.

h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:
N/A - Proposal is a non-project action.

2. AIR

a. What types of emissions to the air would result from the proposal (i.e., dust, automobile, odors, industrial wood smoke) during construction and when the project is completed? If

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any, generally describe and give approximate quantities, if known.
N/A - Proposal is a non-project action.

b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.
N/A - Proposal is a non-project action.

c. Proposed measures to reduce or control emissions or other impacts to air, if any:
N/A - Proposal is a non-project action.

3. WATER

a. Surface

1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.
N/A - Proposal is a non-project action.

2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.
N/A - Proposal is a non-project action.

3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.
N/A - Proposal is a non-project action.

4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.
N/A - Proposal is a non-project action.

5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.
N/A - Proposal is a non-project action.

6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.
N/A - Proposal is a non-project action.

b. Ground

1) Will ground water be withdrawn, or will water be discharged to ground water? Give general description, purpose, and approximate quantities if known.
N/A - Proposal is a non-project action.

2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals...; agricultural; etc.) Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.
N/A - Proposal is a non-project action.

c. Water Runoff (including storm water):

1) Describe the source of runoff (include storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.
N/A - Proposal is a non-project action.

2) Could waste materials enter ground or surface waters? If so, generally describe.
N/A - Proposal is a non-project action.

d. Proposed measures to reduce or control surface, ground, and runoff water impacts, if any:
N/A - Proposal is a non-project action.

4. PLANTS

a. Check or circle types of vegetation found on the site:

_____ deciduous tree: alder, maple, aspen, other
_____ evergreen tree: fir, cedar, pine, other
_____ shrubs
_____ grass
_____ pasture
_____ crop or grain
_____ wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
_____ water plants: water lily, eelgrass, milfoil, other

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_____ other types of vegetation
N/A - Proposal is a non-project action.

b. What kind and amount of vegetation will be removed or altered?
N/A - Proposal is a non-project action.

c. List threatened or endangered species known to be on or near the site.
N/A - Proposal is a non-project action.

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:
N/A - Proposal is a non-project action.

5. ANIMALS

a. Circle any birds and animals which have been observed on or near the site or are known to be on or near the site:

birds: hawk, heron, eagle, songbirds, other
mammals: deer, bear, elk, beaver, other
fish: bass, salmon, trout, herring, shellfish, other
N/A - Proposal is a non-project action.

b. List any threatened or endangered species known to be on or near the site.
N/A - Proposal is a non-project action.

c. Is the site part of a migration route? If so, explain.
N/A - Proposal is a non-project action.

d. Proposed measures to preserve or enhance wildlife, if any:
N/A - Proposal is a non-project action.

6. ENERGY AND NATURAL RESOURCES

a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.
N/A - Proposal is a non-project action.

b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.
N/A - Proposal is a non-project action.

c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:
N/A - Proposal is a non-project action.

7. ENVIRONMENTAL HEALTH

a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, describe.
N/A - Proposal is a non-project action.

1) Describe special emergency services that might be required.
N/A - Proposal is a non-project action.

2) Proposed measures to reduce or control environmental health hazards, if any:
N/A - Proposal is a non-project action.

b. Noise

1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?
N/A - Proposal is a non-project action.

2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.
N/A - Proposal is a non-project action.

3) Proposed measures to reduce or control noise impacts, if any:
N/A - Proposal is a non-project action.

8. LAND AND SHORELINE USE

a. What is the current use of the site and adjacent properties?
The proposal will affect properties that lie within a Low Density Zone, and on which future development or redevelopment may occur. The sites include a combination of currently vacant properties and properties with existing single-family residential structures, as well as possibly some non-conforming uses.

b. Has the site been used for agriculture? If so, describe.

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N/A - Proposal is a non-project action.

c. Describe any structures on the site.
It is likely that many of the affected sites contain existing residential structures and structures accessory thereto.

d. Will any structures be demolished? If so, what?
It is likely that some existing structures will be demolished over time as they become obsolete and the desire to rebuild arises.

e. What is the current zoning classification of the site?
The proposal some or all of the following Low Density Zones: RS 35, RSX 35, RS 12.5, RSX 12.5, RS 8.5, RSX 8.5, RS 7.2, RSX 7.2, RS 5.0, RSX 5.0, PLA 6C, PLA 6E, and PLA 16.

f. If applicable, what is the current shoreline master program designation of the site?
N/A - Proposal is a non-project action.

g. Has any part of the site been classified as an "environmentally sensitive" area? If so, specify.
N/A - Proposal is a non-project action.

h. Approximately how many people would reside or work in the completed project.
N/A - Proposal is a non-project action.

i. Approximately how many people would the completed project displace?
N/A - Proposal is a non-project action.

j. Proposed measures to avoid or reduce displacement impacts, if any:
N/A - Proposal is a non-project action.

k. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:
Proposal will be reviewed through a public review process. A public hearing will be held to invite public comment.

9. HOUSING

a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.
The proposal is not expected to have any effect on the number of housing units that might be built in the future.

b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.
The proposal is not expected to have any effect on the number of housing units that might be demolished in the future in order to accommodate redevelopment.

c. Proposed measures to reduce or control housing impacts, if any:
The proposal is intended to reduce and control the impacts of new single-family residential development on adjacent residential development, by ensuring that new or expanded residences are in scale with their surroundings.

10. AESTHETICS

a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?
Proposal is a non-project action, and will not affect allowable building heights.

b. What views in the immediate vicinity would be altered or obstructed?
If allowable FAR is reduced as a result of this proposal, future impacts on existing views should be somewhat less than without the FAR reduction.

c. Proposed measures to reduce or control aesthetic impacts, if any:
The proposal is intended to reduce and control aesthetic impacts of new single-family residential development on adjacent residential development, by ensuring that new or expanded residences are in scale with their surroundings.

11. LIGHT AND GLARE

a. What type of light or glare will the proposal produce? What time of day would it mainly occur?
N/A - Proposal is a non-project action.

b. Could light or glare from the finished project be a safety hazard or interfere with views?
N/A - Proposal is a non-project action.

c. What existing off-site sources of light or glare may affect your proposal?
N/A - Proposal is a non-project action.

d. Proposed measures to reduce or control light and glare impacts, if any:
N/A - Proposal is a non-project action.

12. RECREATION

a. What designated and informal recreational opportunities are in the immediate vicinity?
N/A - Proposal is a non-project action.

b. Would the proposed project displace any existing recreational uses? If so, describe.
N/A - Proposal is a non-project action.

c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:
N/A - Proposal is a non-project action.

13. HISTORICAL AND CULTURAL PRESERVATION

a. Are there any places or objects listed in, or proposed for, national, state, or local preservation registers known to be on or next to the site? If so, generally describe.
N/A - Proposal is a non-project action.

b. Generally describe any landmarks or evidence of historic, archaeological, scientific, or cultural importance known to be on or next to the site.
N/A - Proposal is a non-project action.

c. Proposed measures to reduce or control impacts, if any:
N/A - Proposal is a non-project action.

14. TRANSPORTATION

a. Identify public streets and highways serving the site, and describe proposed access to the existing street system. Show on-site plans, if any.
N/A - Proposal is a non-project action.

b. Is site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?
N/A - Proposal is a non-project action.

c. How many parking spaces would the completed project have? How many would the project eliminate?
N/A - Proposal is a non-project action.

d. Will the proposal require any new roads or streets, or improvements to existing roads or streets, not including driveways? If so, generally describe (indicate whether public or

private).
N/A - Proposal is a non-project action.

e. Will the project use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.
N/A - Proposal is a non-project action.

f. How many vehicular trips per day would be generated by the completed project? If know, indicate when peak volumes would occur.
N/A - Proposal is a non-project action.

g. Proposed measures to reduce or control transportation impacts, if any:
N/A - Proposal is a non-project action.

15. PUBLIC SERVICES

a. Would the project result in an increased need for public services (for example: fire protection, police protection, health care, schools, other)? If so, generally describe.
N/A - Proposal is a non-project action.

b. Proposed measures to reduce or control direct impacts on public services, if any.
N/A - Proposal is a non-project action.

16. UTILITIES

a. Circle utilities currently available at the site: electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other
N/A - Proposal is a non-project action.

b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.
N/A - Proposal is a non-project action.

17. SIGNATURE

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature:

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Date Submitted: May 10, 2006

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File No. ZON05-00019

D. SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS

(Do not use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?
The proposed amendments will have no effect on these elements of the environment.

Proposed measures to avoid or reduce such increases are:
None necessary.

2. How would the proposal be likely to affect plants, animals, fish, or marine life?
The proposed amendments will not affect plants, animals, fish, or marine life.

Proposed measures to protect or conserve plants, animals, fish, or marine life are:
None necessary.

3. How would the proposal be likely to deplete energy or natural resources?
The proposed amendments will not deplete energy or natural resources.

Proposed measures to protect or conserve energy and natural resources are:
None necessary.

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?
The proposed amendments will not use or affect environmentally sensitive areas.

Proposed measures to protect such resources or to avoid or reduce impacts are:
None necessary.

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?
The proposal will amend the City's regulations governing the maximum size of single-family

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detached dwelling units in low density residential zones, expressed and regulated as Floor Area Ratio (FAR). Through reductions to the allowable FAR and/or revisions to how FAR is calculated, potential house sizes will be reduced. While not all new houses are constructed to the maximum allowable FAR, and therefore may not be affected by the changes, those future homes that do wish to design to the maximum size allowable will be somewhat smaller than they would be without the amendments. The proposal will not allow or encourage uses incompatible with existing plans.

Proposed measures to avoid or reduce shoreline and land use impacts are:
The proposal is intended to reduce impacts of new development on existing residential uses and neighborhoods, while allowing new residential development that reasonably responds to and satisfies current and expected market demand.

6. How would the proposal be likely to increase demands on transportation or public services and utilities?
The proposed amendments will have no effect on transportation, public services, or utilities.

Proposed measures to reduce or respond to such demand(s) are:
None necessary.

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.
The proposal will not conflict with such requirements.

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

To: Interested Parties

From: Eric R. Shields, AICP, Director
Michael Bergstrom, AICP, Consultant MB

Date: May 3, 2006

Subject: Potential Revisions to City of Kirkland Floor Area Ratios (FAR) and Allowable Building Element Encroachments, File No. ZON05-00019 and SEP05-00024

The following options have been prepared by Planning and Community Development Staff for consideration through Process IV pursuant to chapter 160 KZC. These options are based on prior input from the City Council and Planning Commission, and are intended to serve as a basis for public discussion.

The options reflect different approaches that could be used to address the following components of current FAR regulations and provisions for setback encroachments: (A) Allowable FAR in the RS 5.0 and RSX 5.0 zones; (B) the exemption from FAR calculation for certain detached accessory structures; (C) the exemption from FAR calculation for vaulted space within a structure; and (D) the extent to which certain building elements may encroach into required setbacks. In addition, the options reflect the possibility of extending FAR regulations to the Houghton area of the city.

A. FAR in RS/RSX 5.0 Zones

OPTION 1: Reduce from 60% to 50% (Staff recommended option).

Amend KZC 15.10.010, Special Regulation No. 2, as follows:

2. Floor Area Ratio (F.A.R.) allowed for the subject property is as follows:
   a. In RS 35 zone, F.A.R. is 20 percent of lot size.
   b. In RS 12.5 zones, F.A.R. is 35 percent of lot size.
   c. In RS 8.5 zones, F.A.R. is 50 percent of lot size.
   d. In RS 7.2 zones, F.A.R. is 50 percent of lot size.
   e. In RS 5.0 zones, F.A.R. is ~~60~~ 50 percent of lot size.

~~*This special regulation is not effective within the disapproval jurisdiction of the Houghton Community Council.*~~
See KZC 115.42, Floor Area Ratio (F.A.R.) Calculation for Detached Dwelling Units in Low Density Residential Zones, for additional information.

AND Amend KZC 17.10.010, Special Regulation No. 2, as follows:

2. Floor Area Ratio (F.A.R.) allowed for the subject property is as follows
   a. In RSX 35 zone, F.A.R. is 20 percent of lot size.
   b. In RSX 12.5 zones, F.A.R. is 35 percent of lot size.
   c. In RSX 8.5 zones, F.A.R. is 50 percent of lot size.
   d. In RSX 7.2 zones, F.A.R. is 50 percent of lot size.
   e. In RSX 5.0 zones, F.A.R. is ~~60~~ 50 percent of lot size.

See KZC 115.42, Floor Area Ratio (F.A.R.) Calculation for Detached Dwelling Units in Low Density Residential Zones, for additional information.

OPTION 2: Reduce from 60% to 50%, with incentives/standards to reach 60%.

Amend KZC 15.10.010, Special Regulation No. 2, as follows:

2. Floor Area Ratio (F.A.R.) allowed for the subject property is as follows:
   a. In RS 35 zone, F.A.R. is 20 percent of lot size.
   b. In RS 12.5 zones, F.A.R. is 35 percent of lot size.
   c. In RS 8.5 zones, F.A.R. is 50 percent of lot size.
   d. In RS 7.2 zones, F.A.R. is 50 percent of lot size.
   e. In RS 5.0 zones, F.A.R. is ~~60~~ 50 percent of lot size; provided, that F.A.R. may be increased up to 60 percent of lot size, if the following criteria are met:
      i. The primary roof form of all structures on the site is peaked, with a minimum pitch of 4' vertical:12' horizontal; and
      ii. A setback of at least 7.5' is provided along each side yard; and
      iii. The garage utilizes an alley for its primary vehicular access and is setback within 5 feet of the rear property line, as provided by KZC 115.115.3.o (this requirement is not effective within the disapproval jurisdiction of the Houghton Community Council).

~~*This special regulation is not effective within the disapproval jurisdiction of the Houghton Community Council.*~~

See KZC 115.42, Floor Area Ratio (F.A.R.) Calculation for Detached Dwelling Units in Low Density Residential Zones, for additional information.

AND Amend KZC 17.10.010, Special Regulation No. 2, as follows:

2. Floor Area Ratio (F.A.R.) allowed for the subject property is as follows
   a. In RSX 35 zone, F.A.R. is 20 percent of lot size.
   b. In RSX 12.5 zones, F.A.R. is 35 percent of lot size.
   c. In RSX 8.5 zones, F.A.R. is 50 percent of lot size.
   d. In RSX 7.2 zones, F.A.R. is 50 percent of lot size.
   e. In RSX 5.0 zones, F.A.R. is ~~60~~ 50 percent of lot size; provided, that F.A.R. may be increased up to 60 percent of lot size, if the following criteria are met:

i. The primary roof form of all structures on the site is peaked, with a minimum pitch of 4' vertical:12' horizontal; and
ii. A setback of at least 7.5' is provided along each side yard; and
iii. The garage utilizes an alley for its primary vehicular access and is setback within 5 feet of the rear property line, as provided by KZC 115.115.3.o.

See KZC 115.42, Floor Area Ratio (F.A.R.) Calculation for Detached Dwelling Units in Low Density Residential Zones, for additional information.

B. Detached Accessory Structures

OPTION 1: Remove Exemption.

Amend KZC 115.42 Floor Area Ratio (F.A.R.) Calculation for Detached Dwelling Units in Low Density Residential Zones as follows:

1. Gross floor area for purposes of calculating F.A.R. and maximum floor area for detached dwelling units in low density residential zones does not include the following:
   a. Attic area with less than five feet of headroom.
   b. Floor area with a ceiling height, including the horizontal supporting members for the ceiling, less than six feet above finished grade. The ceiling height will be measured along the outside perimeter of the building (see Plate 23).
   ~~c. Accessory structures located more than 20 feet from the main structure (see KZC 115.30 for additional information on the required distance between structures).~~
   ~~d~~ c. Uncovered and covered decks, porches, and walkways.

~~2. *This section is not effective with the disapproval jurisdiction of the Houghton Community Council.*~~

OPTION 2: Exempt up to 500 sq. ft. of one story accessory structures (Staff recommended option).

Amend KZC 115.42 Floor Area Ratio (F.A.R.) Calculation for Detached Dwelling Units in Low Density Residential Zones as follows:

1. Gross floor area for purposes of calculating F.A.R. and maximum floor area for detached dwelling units in low density residential zones does not include the following:
   a. Attic area with less than five feet of headroom.

b. Floor area with a ceiling height, including the horizontal supporting members for the ceiling, less than six feet above finished grade. The ceiling height will be measured along the outside perimeter of the building (see Plate 23).
c. No more than 500 sq. ft. of an Accessory Dwelling Unit or garage contained in an ~~A~~accessory structures. Such structure shall be located more than 20 feet from the main structure, shall be no more than 15 feet in height above finished grade and, if a garage, shall utilize an alley for primary vehicle access (see KZC 115.30 for additional information on the required distance between structures).
d. Uncovered and covered decks, porches, and walkways.

~~2. *This section is not effective with the disapproval jurisdiction of the Houghton Community Council.*~~

OPTION 3: Exempt up to 800 sq. ft. of the portion of accessory structure containing an ADU.

Amend KZC 115.42 Floor Area Ratio (F.A.R.) Calculation for Detached Dwelling Units in Low Density Residential Zones as follows:

1. Gross floor area for purposes of calculating F.A.R. and maximum floor area for detached dwelling units in low density residential zones does not include the following:
   a. Attic area with less than five feet of headroom.
   b. Floor area with a ceiling height, including the horizontal supporting members for the ceiling, less than six feet above finished grade. The ceiling height will be measured along the outside perimeter of the building (see Plate 23).
   c. No more than 800 square feet of the floor area of an Accessory Dwelling Unit within an ~~A~~accessory structures, if such accessory structure is located more than 20 feet from the main structure (see KZC 115.30 for additional information on the required distance between structures).
   d. Uncovered and covered decks, porches, and walkways.

~~2. *This section is not effective with the disapproval jurisdiction of the Houghton Community Council.*~~

OPTION 4: Combination of Options 2 and 3 (Note: The Planning Commission did not specifically request this option).

Amend KZC 115.42 Floor Area Ratio (F.A.R.) Calculation for Detached Dwelling Units in Low Density Residential Zones as follows:

extend into a required yard, excluding eaves and cornices, may not exceed 25 percent of the length of the façade of the structure. See Plate 10.

e. – o. No change.

OPTION 3: No change to existing setback allowances.

Additional options have been evaluated over the past several months and are not being recommended by PCD Staff for further consideration at this time. They include:

- Reducing allowable FAR for lots that do not meet the minimum lot size of the underlying zone. For example, if a 6,000 sq. ft. lot exists in the RS 7.2 zone, the 50% FAR could be reduced to 45% or some other number.

- Further reducing the extent to which certain building elements are allowed to encroach into required setbacks. For example, limiting such encroachments to 6 inches, rather than 12 inches or the current 18 inches.

- Requiring the larger side elevation of a structure to maintain the larger side yard setback. While the current side yard setbacks of the RS zone would not be changed from a combined total of at least 15 feet, the larger façade would be required to maintain a setback of 7.5 feet or 10 feet

ADDITIONAL PUBLIC COMMENTS

SINGLE FAMILY FAR REGULATIONS
FILE NO. ZON05-00019

ENCLOSURE 7

FILE NO. ZON05-00019

Michael Bergstrom

From: "Eric Shields" <EShields@ci.kirkland.wa.us>
To: "Michael Bergstrom" <bergstrommike@msn.com>
Cc: "Paul Stewart" <PStewart@ci.kirkland.wa.us>
Sent: Monday, July 17, 2006 11:32 AM
Subject: FW: FW: Update on Single-Family Floor Area Ratio (FAR) Regulations

FYI

Eric Shields
Director
Kirkland Dept. of Planning & Community Development

From: Janet Jonson
Sent: Monday, July 17, 2006 9:00 AM
To: City Council
Cc: David Ramsay; Eric Shields; Paul Stewart
Subject: FW: FW: Update on Single-Family Floor Area Ratio (FAR) Regulations

These are comments following the Planning Commission meeting last Thursday night. JJ

Janet Jonson
City Manager's Office
City of Kirkland
123 Fifth Avenue
Kirkland, WA 98033
425-587-3007
425-587-3019
jjonson@ci.kirkland.wa.us

From: Wyomia Bonewits [mailto:wyomiawyomia@comcast.net]
Sent: Sunday, July 16, 2006 9:31 PM
To: KirklandCouncil
Subject: FW: FW: Update on Single-Family Floor Area Ratio (FAR) Regulations

Read these obvious comments below regarding Janet's steering of this issue! This is unbelievable – the issue of her unfair and inappropriate handling of the issues at hand needs to be addressed. In addition, the issue itself should be dead. It is hard to believe this is still being kicked around. I urge you to consider removing her from this position. I am of the opinion that failure to do so leaves the Council exposed to equal accountability to favoritism and steering.

Thank you,

Wyomia Bonewits

From: Jeff Peterson [mailto:jeffpeterson65@comcast.net]
Sent: Friday, July 14, 2006 9:04 AM
To: Mike Nykreim
Cc: 'Bob Douglas'; 'Brennan Taylor'; 'Brett Dean'; 'Brian Darrow'; 'Christopher Loisey'; 'Dona Adams'; 'Dori Hanson'; 'Doug Davis'; 'James Bargfrede'; 'Jason Jones'; 'Jeff Ireland'; 'Jim Tennyson'; 'Joe Bergevin'; john kappler; 'John Lux'; 'John Rubenkonig'; 'John Rudolph'; 'Josh Lyson'; 'Kelly Baker'; 'Ken Nash'; 'Laura Westerlund'; 'Mark Alguard'; 'Mark Conner'; 'Paul Duren'; 'Rob Stewart'; Stacy Bouska; 'Steve Holzknecht'; 'Tim Olson'; Wendy Unzelman; Wyomia Bonewits
Subject: Re: FW: Update on Single-Family Floor Area Ratio (FAR) Regulations

Hello everyone,
I attended the planning committee meeting last night. The committee seemed to have spent a lot of time reviewing the data and driving around to look at houses etc. There was a long debate on each of the 4 issues with preliminary voting (4-3) to no change for FAR in 5.0 zones, no change to ADU and no change to vaulting. However in usual fashion, a quick vote was called and when the dust settled they voted (4-3) to 1) reduce FAR to 50% with exceptions i and ii , 2) completely eliminate the exemption for accessory structures, 3) no change to existing vaulting, and 4) no change in encroachments except that they can not be any closer than 4 ft to the side property line. On the FAR issue there was an amendment that 60% could be achieved if i and ii were met but only on the first 5000 sq ft of the lot, after that only 50%.

As you can imaging I was shocked that the vote changed on several major issues just at the end. This has happened before in exactly the same manner. I was about to leave when the city manager and the planning commissioner suggested an extension to the implementation the the changes so property owners can apply for grandfather status. Suggestions were made between 3 and 6 months from the city council vote. The only high point for me.

City Council will hear these recommendations August 1 and likely vote Sept 19, giving us until mid December to have plans submitted for any projects you want grandfathered.

Of serious note, Janet Pruitt again was her usual zealous self and started off the session with statements that many people signed petitions to change the size of houses The then incredibly stated that there were equal letters and verbal comments presented at public forum (she obviously counted wrong as she stated 26 people gave verbal testimony 8 in favor of changes and 18 in favor of no change. As I recall there were 4 who spoke in favor of change and several people waved their right to speak against changes as the issues had already been addressed. She also neglected the 33 people on the petition. She continued to steer the committee in her usual way " I strongly move for the removal of exemptions" and " I completely agree with Karen(Tennyson) that we need to reduce the FAR". I have the vote on each issue if you are interested. They were considering eliminating basement exemptions and deck exemptions, but the planning commissioner told Janet she could not do that (thank God). Considered a partial increase in height limit but only if you have a pitched roof. Again, the only voice of reason was Kiri Rennaker who seemed to have done the most legwork and felt ADU that were done for the most part were quite nice, but some trees would soften the blow of the structure near the alley. Janet shut her down again and Kiri (exasperated) said she will not do this again and sounded like she would resign from the committee. I hope not.

It is vital that we collect as many signatures on petitions to present to city council on the 1st so that they will call for further study of the issue. It is also vital as many people as possible attend the study session on the 1st (I think there will be public comment taken) or at least on the 19th of September. Otherwise I suggest you flood the building department with applications to get your projects done and start looking in another city to build as Janet Pruitt and Karen Tennyson have won this round. Of interesting note Andy Held was the one who placed the rapid call to vote and voted for removal of the ADU exemption.

Please each of you try to collect as many signatures as possible to present to council and show up in force. Good Luck to us all. Jeff Peterson
On Tuesday, July 11, 2006, at 07:07 PM, Mike Nykreim wrote:

This meeting is for July 13th, this Thursday.

I will be out of town. There is NOT to be a public hearing on this. If there is any public comment allowed, then the PC will be Out of Order. It will be important to see how staff presents Houghton's decision, since Houghton soundly voted this down with NO descending decision. The PC Chair was in attendance at that meeting and if see tries to make it seem that Houghton really wanted 'not' to vote this down, then someone will need to correct her misinformation. Bottom line, only 6 people spoke at Houghton's hearing only 2 were clearly in favor of this new regulation.

This Planning Commission will be counting noses in the audience. It is very important for people to attend to make a 'noisy showing' that this commission should follow Houghton's lead, and vote this policy down.

Thanks and Good Luck to all of us....

Mike Nykreim

Kirkland Builders Group
mike@kirklandbuildersgroup.com
101 10th Ave
Kirkland, WA 98033-5522
tel: 425.827.2234
fax: 425.828.8951
mobile: 425.466.2611

<image.tiff>

From: City of Kirkland [mailto:webmaster@ci.kirkland.wa.us]
Sent: Tuesday, July 11, 2006 1:45 PM
To: mike@kirklandbuildersgroup.com
Subject: Update on Single-Family Floor Area Ratio (FAR) Regulations

<image.tiff>

Subscription Information
This e-mail was sent to: mike@kirklandbuildersgroup.com

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Paul Stewart

From: Ray Hansen [rayshansen@verizon.net]
Sent: Wednesday, July 12, 2006 7:55 PM
To: Paul Stewart
Subject: FAR, Input for July 13 CC Mtg
Attachments: FAR Msg.txt

Hi, Paul,

Attached is a statement for Council package for tomorrow night's meeting. It is same as the below.

Regards,
Ray
~~~~~~

Subject: FAR Percentages

I urge Council to approve Staff's recommendations, or even tighten (reduce) them. The FAR percentages are far too high already, from point of view of neighborhood character, at least North Rose Hill's. Even under the existing FAR, most new houses have virtually no "playable" yard for the kids of the family. When houses overwhelm lots, residents' social lives are internalized--essentially confining people to the insides of their homes, and kids to TV sets.

Large FAR's can be a real blow to kids and to front-porch neighborliness in general--both of which are already in short supply. Is that the kind of neighborhoods we want to foster? If it is, you might as well allow row-houses and multi-family.

Developers and real estate folks will argue: Give people what they want. That's pretty specious. If that's the philosophy, might as well forget zoning entirely and turn 'em loose--like in Texas.

Ray Hansen
11034 130 Ave NE
Kirkland WA 98033
827-7315
~~~~~~

Paul Stewart

From: mnmisaacs [mnm@mnmisaacs.com]
Sent: Wednesday, July 12, 2006 10:38 PM
To: Paul Stewart
Cc: BergstromMike@msn.com
Subject: Re: Floor Area Ratio

July 12th. 2006.

Dear Paul,
As one of the attendees at the recent Planning Commission meeting seeking input on the proposed changes to the FAR, I was truly disturbed that such an issue even made the agenda of the Commission. I see the proposal as a direct assault on the property rights of individuals whom are granted those rights by the Constitution.
There is absolutely no basis in fact whatsoever which merits such a consideration. If any proponent could justify this proposal with anything other than emotional claptrap then it may be worth considering, the fact is, it is not justifiable.
Some proponents speak of the creation of Luxville which is a direct assault on an independent business which has fulfilled the hopes and dreams of many new home purchasers in the City. Others claim the houses are too big yet they conform to all the stringent regulations in place. Others wish to maintain the charm of Kirkland, whatever that means, any honest observer will admit the City's charm is consistently being enhanced if that were not the case the demand for housing would not be what it is.

Change, is an irrefutable fact of life. Market forces through the supply and demand phenomenon dictate that it is impossible to control the needs and desires of the City's growing population by regulation opposed to human nature. The City of Kirkland is unquestionably a great place to live and that is why the demand for housing is what it is. Are Developers and Builders, who are able to respond to the demand by creating additional lots and subsequently building houses, to be considered evil for making profits? After all, this is America. Which of the proponents in an effort to maintain the character of Kirkland would sell their small ramblers at 50% of their value for that purpose, none, I believe.

Due to the desirability of Kirkland as a place to live, many residents have invested in Kirkland real estate with a view to their retirement in the future. To assault and subsequently negate those hopes and dreams in whole or in part is a travesty. Do not forget, Ken Lay of Enron fame obliterated the hopes of many who trusted him for the future; he did it for personal gain. Apart from satisfying the underlying political desires of a minute vocal minority what would be gained by the approval of this proposal. Nothing, nothing at all apart from injury to those who are looking to the future.

Both the Planning Commission and the Council, as judges in this case, are obligated on my behalf and all the residents of Kirkland to consider this proposal wholly and solely on its merit and benefit to the City and its residents. Emotionalism cannot be the basis for far reaching decisions. Hopefully, the facts will be considered and a sane and sensible decision made to reject the proposal.

Yours truly,

Mark P. Isaacs.

RECEIVED
JUL 10 2006
_____AM_____PM
PLANNING DEPARTMENT
BY_____

June 26, 2006

To: The City of Kirkland Planning Commission
CC: Paul Stewart, Michael Bergstrom, City Council members

RE: FAR regulations and changes

To whom it may concern:

I am writing today to express my concern regarding the proposed changes in FAR regulations. I think there should be no change in the current regulations. I have lived in Kirkland for three years and I am very glad to see my neighborhood improving with the many new homes being built.

For example, when we first moved to Kirkland there was a small home that was an eyesore that had garbage piles all over the front and back yard. I did not like seeing this every time I drove to and from home and I was embarrassed that Kirkland would have areas like this. This neglected home was a small dwelling on a spacious lot – precisely what the proposed regulations would desire. But just because a home fits a certain "FAR ratio" does not automatically make it a desirable home for a neighborhood. Imposing arbitrary size regulations do nothing to improve the aesthetic qualities of an area. Had the new proposed regulations been implemented, then this property would have stayed unchanged due to lack of marketability of the land. However, recently the home was sold to a builder and a nice new, architecturally appealing home is being built in its place, thus removing a negative feature of the neighborhood.

I purposely moved away from the cities in the south end to raise my family in a more self-conscious area where the homeowners value design and take pride in their residences. Placing unrealistically harsh restrictions on development do nothing to improve the future quality of a community, but only offer to placate those residents who yearn for a time that has long-since passed. These proposed regulations would make it so creative developers will pass on looking to Kirkland for building pleasing new residences, and relegate Kirkland to some long-passed ideals of a former sleepy rural town. This is definitely not in the interests of the majority of Kirkland homeowners and residents. Please ignore these few people with unrealistic yearnings, and look forward to allowing a creative, yet managed growth of our beautiful city. Just because a home is small, doesn't necessarily mean that it's architecturally pleasing.

Sincerely,

Beth Kovacevich
10226 NE 110th Street
Kirkland, WA 98033

Paul Stewart

From: Peter Speer [PeterSpeer@filtrona.com]
Sent: Monday, July 10, 2006 10:21 AM
To: Paul Stewart; Eric Shields
Cc: KirklandCouncil; James Lauinger; Joan McBride; Jessica Greenway
Subject: Concern over overly large dwellings on Norkirk lots
Importance: High

Kirkland Planning Commission
Kirkland, WA

To Whom It May Concern:

The stated mission of the City of Kirkland reads as follows: "We are committed to the enhancement of Kirkland as a community for living, working and leisure, with an excellent quality of life which preserves the City's existing charm and natural amenities."

We are writing to express our very strong concerns over current FAR regulations, and the inordinately large and completely out of proportion homes which are being allowed to be built in our Norkirk community.

The latest example of this kind of monstrosity is the building going on at 331 15th Ave, just two blocks from our home. There was a very large home recently built on the lot, which used to have a driveway and a nice, open green front yard facing the public street.

Now another home (or ADU?) is being constructed where the front lawn used to be. Once this is complete, all that will be visible from 15th Ave. is a driveway and two dwellings dominating all of the visible property. This building is completely out of character with Norkirk, and can be considered nothing more than an eyesore. I cannot imagine why the Planning Department would have allowed this project to go forward.

If this kind of project is allowed under existing regulations, we urge you to amend the regulations to provide for more sensible and livable community. There will now be that much more traffic, noise and congestion in the neighborhood and our quality of life we have enjoyed for 20 years gets taken down one more notch.

Please take a stand to prevent the degradation of our Norkirk neighborhood; please amend the FAR regulations now to help maintain the integrity and quality of life in our Norkirk neighborhood.

Best regards,

Peter Speer & Marian Osborne
1520 2nd Street
Kirkland WA 98033

Paul Stewart

From: C.P. Grosenick [Cgrosenick@commonw.com]
Sent: Monday, July 10, 2006 11:06 AM
To: Paul Stewart; Eric Shields
Cc: KirklandCouncil; James Lauinger; Joan McBride; Jessica Greenway
Subject: Concern over overly large dwellings on Norkirk lots

Kirkland Planning Commission

Kirkland, WA

To Whom It May Concern:

The stated mission of the City of Kirkland reads as follows: "We are committed to the enhancement of Kirkland as a community for living, working and leisure, with an excellent quality of life which preserves the City's existing charm and natural amenities."

We are writing to express our very strong concerns over current FAR regulations, and the inordinately large and completely out of proportion homes which are being allowed to be built in our Norkirk community.

We live at 1917 3rd Street. Many of you may remember the Pagel property fiasco that was allowed by the Cify of Kirkland. By allowing homes to be built out of proportion to the lot sizes, built to the extremes of all of the set - backs and height limits, you have degraded the value of our own property and our neighbors' properties. In our existing property, we have lost our view to the west not to mention the feeling that our own space has been encroached upon by the owners' of these monstrocities that out of character for the neighborhood. Just because the homes are new doesn't mean bigger is better. Don't supersize Kirkland for you'll regret the change of the character of our City.

The latest example of this kind of monstrosity is the building going on at 331 15th Ave. There was a very large home recently built on the lot, which used to have a driveway and a nice, open green front yard facing the public street.

Now another home (or ADU?) is being constructed where the front lawn used to be. Once this is complete, all that will be visible from 15th Ave. is a driveway and two dwellings dominating all of the visible property.

If this kind of project is allowed under existing regulations, we urge you to amend the regulations to provide for more sensible and livable community. There will now be that much more traffic, noise and congestion in the neighborhood and our quality of life we have enjoyed for 20 years gets taken down one more notch.

Please take a stand to prevent the degradation of our Norkirk neighborhood; please amend the FAR regulations now to help maintain the integrity and quality of life in our Norkirk neighborhood.

Carl P Grosenick and Martha T. Grosenick

1917 3rd St., Kirkand, WA 98033

Paul Stewart

From: mank@rocketwire.net
Sent: Friday, July 07, 2006 8:52 AM
To: Paul Stewart
Subject: File NO. ZON05-00019

I have not been able to attend the open house on this matter. Want to let you know that I would like to see current setbacks, FARs, vaulted ceilings, and other tricks builders/developers are using to build larger homes on smaller lots tightened up. Kirkland has already lost considerable charm, and we need designs that keep home sizes smaller. I also feel that the meetings I have been to, were stacked by developers and builders who may not even live in Kirkland. Please listen to the what the citizens of Kirkland want and to my understanding they do not like what is going on.

Thanks
Manny Mankowski
1510 5th Place
Kirkland

Paul Stewart

From: Wyomia Bonewits [wyomiawyomia@comcast.net]
Sent: Friday, July 07, 2006 8:40 AM
To: Paul Stewart; KirklandCouncil
Cc: annaormsby@comcast.net; barbie.young@gmail.com; Becker, Robert H.; brian@stantonproperties.com; carol@caroltruex.com; Catie Ristow; Clive Egdes; david@davidleen.com; jenisisfitness@hotmail.com; jfisher@Homestone.com; kchildress@windermere.com; Kelly Baker; kyoung@venture2show.com; lacey@tecrealestate.com; Mary Shular; Maury Schafer; mikethebuilder@comcast.net; Paul Duren; Randy Both; Shari McLaren; stacybouska@comcast.net; Tim Cowin; Todd Ormsby; Tom Bach; Wendy Unzelman; danavadams@windermere.com; jeff690@msn.com
Subject: seattletimes.com: Expect to see I-933 on November ballot

Council Members, Planning Commission Members, and City Staff:

If you did not see this article in the Seattle Times, it is certainly worth reading and considering as you move to make decisions on the use of privately owner property in the City of Kirkland. Both myself and others have posed the question as to whether or not the City is prepared to compensate land owners for the extreme financial impact these FAR decisions will have, on homeowners, retirees, builders/developers, etc. This very topic will likely be on the November ballot, which, if passed, could force that issue.

There is a good deal of information out there on this topic, which should be explored.

Thank you,

Wyomia Bonewits
425-444-6499
wyomiawyomia@comcast.net

This message was sent to you by wyomiawyomia@comcast.net, as a service of The Seattle Times (http://www.seattletimes.com).

Expect to see I-933 on November ballot
Full story:
http://archives.seattletimes.nwsource.com/cgi-bin/texis.cgi/web/vortex/display?slug=proprights07m&date=20060707

By Eric Pryne
Seattle Times staff reporter

Backers of a controversial property-rights initiative filed petitions Thursday bearing 315,000 signatures in support of the measure, almost guaranteeing it will appear on the November ballot.

They also set the stage for what's likely to be one of the noisiest issue campaigns in the state this fall.

To qualify, Initiative 933 needs the signatures of 224,880 registered voters by today's deadline. While the Secretary of State's office must verify the petition signatures, the property-rights measure appears to have a much larger cushion than what's usually needed.

Its success in reaching the ballot isn't a surprise. Initiative campaigns with the resources to employ paid signature-gatherers almost always qualify, and I-933's supporters, led by the Washington Farm Bureau, had enough money to start paying for

signatures as soon as the petitions were printed.

The initiative, inspired by a similar measure Oregon voters approved in 2004, would require state and local governments either to compensate property owners when regulations lower property values or to waive those rules.

It's retroactive: Owners would be entitled to waivers or compensation for restrictions imposed after 1995.

Farm Bureau spokesman Dean Boyer said I-933 is needed to protect property owners from increasingly intrusive rules that reduce property values.
"Government land-use regulations have increased exponentially in the past 10 years," he said

Opponents said I-933 is a "developer's initiative" that would gut zoning and other regulations that protect communities and the environment, imposing new bureaucratic burdens on local governments and fiscal burdens on taxpayers.

"It will remove a lot of the protections that people take for granted," said Barbara Seitle, president of the League of Women Voters of Washington.

While the election is four months away, total fundraising by both sides is approaching $1 million.

The pro-933 Property Fairness Coalition consists mostly of farm and local property-rights groups. The most recent reports filed with the state Public Disclosure Commission indicate the coalition has raised more than $500,000 in cash and in-kind contributions, and spent $352,000.

Americans for Limited Government, a national organization based in Chicago, has given $200,000. The group, whose leaders are associated with the term-limits movement and other conservative causes, is backing property-rights and spending-cap measures in 12 states this year.

The state Farm Bureau has donated the equivalent of $151,000 in staff time, office support and other in-kind contributions, and has loaned the campaign an additional $69,000.

The lion's share of the pro-933 campaign spending -- $240,000 through the end of May -- has gone to Citizen Solutions, a Lacey paid-signature-gathering firm.

The opposition group, Citizens for Community Protection, is dominated by environmental, labor and Democratic organizations. It had raised $388,000 through the end of May and spent $184,000.

Its largest contributors included the anti-sprawl group Futurewise, $96,000; retired software entrepreneur Paul Brainerd, $50,000; and The Nature Conservancy, $41,000. It has been 11 years since Washington voters considered a property-rights proposal. In 1995, a Republican-dominated Legislature approved a law similar to I-933, but opponents collected enough signatures to put the law on the ballot, and voters repealed it that November by a 60-to-40 ratio.

Eric Pryne: 206-464-2231 or epryne@seattletimes.com

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TO: Kirkland Planning Commission
From: Lora Hein, 4725 108th Ave NE, Kirkland, 98033, 425-822-5302
Re: FAR regulation changes

First of all I would like to say that I hope any decision the Planning Commission, or City Council or Houghton Community Council makes will be with careful consideration of the long term effects on all the citizens of Kirkland and with less willingness to bend to serve the immediate gain that feeds the greed of the commercial interests of a vocal few.

I refer specifically to the following statement in the Kirkland Council Budget document adopted for 2005-2006:
"We commit to the proactive protection of our environment. An integrated system of natural resource management focuses on the preservation of wetlands, trees, open space, and other sensitive areas, water quality, clean air and waste reduction."

To that admirable goal I would like to add energy conservation and reduction of greenhouse gases in keeping with the goals of what are commonly referred to as "The Kyoto Accords", which are in the process of being considered for adoption by our city among many others in the Puget Sound Basin.

Having finally found a means to move within walking distance of my workplace, as well as within walk, bike and bus range of most necessary services, I hope my home, neighborhood and community will not be sacrificed so a few can profit from that which they seem bent on destroying, the very livability of Kirkland. To paraphrase a columnist I read recently: "regulations are the price we pay for living in a nice place." There is much more to neighborhood than square footage and there are many values of property beyond the price it can bring in sale.

Right now, Kirkland as a whole and Houghton in particular are very desirable locations to live. I hope we will not lose that desirability by overbuilding as I have seen happen in other communities. We have the chance now to ensure that Kirkland will continue to be one of the few remaining most livable communities in the region. I doubt that most of the people who have built Kirkland over the last 100 years made their choice to make a home here because they hoped to appreciate a maximum profit on the sale of their property. The people I have met in Kirkland, including a number of realtors, whether they have lived here most of their lives, just moved here, or are hoping to move here someday were and are looking for a comfortable and secure home and the pleasant community where people greet each other walking along the street, from their gardens, or in the local grocery store. Those who desire HUGE isolating and energy guzzling homes, looking to get bigger are mostly looking to get bigger for cheaper than is available in Kirkland. There are plenty of communities sacrificing their character to meet those wishes. I hope Kirkland does not get swallowed up and destroyed in the same game.

Do we see our community primarily as homes where people live? Or as a resource or commodity for investors seeking maximum profit?

If we choose the former, we might find even better ways than tweaking FAR to achieve that goal. I hope the Planning Commission and/or the City Council make any decisions based on the greater good for the best foreseeable future. I also hope that if measures need to be taken to keep the destruction from outpacing the ability to make the wisest long range decision, those decisions will be made before it is too late.

I have heard builders say Kirkland is already too restrictive. I don't want to live in most of the communities that don't restrict as much as Kirkland does. I have seen many other very lovely communities choose even greater restrictions and not go wanting for people willing and eager to make their homes and bring their businesses to such attractive places. I hope Kirkland will not lose sight of itself and what is most precious about it as a place to live and ENJOY living!

Restrictions such as FAR are the necessary agreements we make when we come together in community and consider what is best not just for us today but for the generations we hope will be privileged to enjoy what we make of our community and the planet we leave to them.

As far as expressing my particular preferences on the options currently being considered:

Regarding FAR in RSJRSX 5.0 Zones
Option 1 reduces allowable FAR from 60% to 50%
I support this option because the FAR of 50% would be consistent with the RS/RSX 7.2 and 8.5 zones, which are the prevailing single-family zones throughout Kirkland. This simplifies understanding and reduces confusion about regulations throughput the residential areas of the city.

I also agree that the RS/RSX 5.0 zones allow denser development than allowed by other single-family zones, and a higher FAR exacerbates the impacts of dense development.

I would even be in favor of making the smaller lots comply with even more strenuous restrictions in keeping with the character of the neighborhoods. For example, I know of municipalities that restrict the size of replacement structures to no more than 50% greater that the previously existing structure. If this were the case an example would be that if a 600 sq. Ft. home existed on a 5,500 sq. ft. lot, a replacement home could not be larger than 900 sq. ft. However, if the exceptions for outbuildings were allowed, this would make it possible to add a garage with shop/studio accessory dwelling to also improve on the livable sheltered space as well as contribute to infill which the current 3,000 + sq. ft. structures leave no room for.

In addressing some of the considerations opposing this option, I have heard testimony in each of the hearings I have attended (Planning Commission and Houghton Community Council) claiming that "today's housing market expects a 3,000 sq. ft. house or greater" and that "it is impossible to raise a family in a home that is less than 2400 sq. ft.". The FAR of 50% on a 5,000 sq. ft. lot would allow a home of 2,500 sq. ft. which is sufficient even if one accepts the claim. However, I would dispute it; I was happily and comfortably raised in a very active family of six in a climate with the same amount of rainy days as this in a house half the "minimum" of 2400 sq. ft. If people want a bigger house, there are plenty of communities nearby that will provide that opportunity. None of them has the same character that attracts people to Kirkland.

I have also heard the concern raised that reduction in FAR reduces the expected return on investment by homeowners and/or builders or developers. In today's market, a home of 2,500 square feet that replaces one that is 800 – 1200 sq. ft. will still yield a substantial return on investment.

The city of Kirkland has a decision to make. Is our goal to be a city that is healthy and habitable? Or are we up for sale to the highest bidder for the sake of pure profit?

Additionally. while a *3,000* sq. ft. house might be demanded by a certain sector of the buying market, it does not represent the minimum demand by all buyers. In the last 2 years I have observed the housing market in Kirkland intently. With much effort I was able to snag an affordable house only because the owner had a personal preference to seeing it lived in rather than torn down and refused to entertain any offers by builders. Since I was able to purchase my home a little over a year ago, I have watched numerous smaller homes getting bought up before they are on the market a week, some by builders and others lucky or clever enough to get an offer accepted in spite of the enticements offered by developers. Meanwhile, I have also watched the bigger replacement mansions sit empty or go unsold until the builder moves in themselves or has a family member move in due to lack of a buyer. There are three such examples within one block of me. Unfortunately, it is too late without an enormous waste of resources to replace the mega-houses with something on a more affordable and manageable scale.

As a side note, I was recently privileged to be able to salvage a limited amount of valuable, even pricelessly unattainable, building materials before the remainder were hauled away to the landfill. In addition to FAR, I hope in the near future we make some regulations to halt the wasteful destruction of so much valuable material when sound homes are torn down for profit. Kirkland is a leader in recycling locally. Building materials ought to be considered in that effort.

Additionally, the RS *5.0* and RSX *5.0* zones contain a small portion of the total number of residential lots in the city. Plenty of opportunities to construct houses of *3,000* sq. ft or larger will continue to exist, if not in Kirkland then some other unlucky community. I would like to see some additional regulation ammendment for the other zones to protect more homes from the incursion of light and air blocking structures. I have read a lot of material about "Craftsman" homes recently. The ones being built here today do not deserve the name. They are anything but healthful and are only facades imitating the real thing. The motto of the Craftsman movement was "Have nothing that is not essential for your use or that you do not know to be beautiful." The houses being built today are big for the primary purpose of storing a lot of unessential stuff.

Furthermore, the exemption of up to 500 sq. ft. of accessory structures located more than 20 feet from the primary structure used as an Accessory Dwelling Unit, or as a garage, retains some incentive for detached ADUs and/or alley-oriented garages and a one story height limit lessens the impact on neighboring properties. While a one story height limit will remove the possibility for an over-garage ADU, the option exists for a choice of one or the other for those who may prefer Kirkland's walk-ability in favor of a car-less lifestyle. Or for those who still must have a place to store the stuff that does not fit in an otherwise livable home.

Vaulted Space

I strongly concur with the Option 1 that requires vaulted space be counted twice where ceiling height exceeds 16 feet. Vaulted space does affect building volume as much as space that is built as separate floors. Building volume has a greater impact on adjacent properties than actual floor area. Allowing that vaulted spaces are popular with some homebuyers/owners, they are not in and of themselves energy efficient without very careful design consideration and the proposed 16 foot threshold allows for more than reasonable vaulted spaces, including opportunities for clerestories, etc. Also, the feeling of light and air can more authentically be enjoyed with houses that have some real yard between neighbors.

Allowable Setback Encroachments

I am in favor of Option 1, which eliminates allowances for encroachments into required yards by such building features as chimney enclosures, bay windows, and awnings. Such encroaching elements bring portions of a house much closer to a shared property line, affecting sense of privacy and distance. In my own experience, I can reach across my five foot high fence and touch the gutter on the house next door. The bedroom wall and window are exactly 5 feet from the fence, making for far too intimate encounters being forced on both myself and the teen-ager whose bedroom window is only 12 feet (about average room width) from my kitchen window.

One way to address this would be to pay greater attention to footprint or impervious surface as the limiting factor, especially if combined with a total mass limit instead of FAR. While I agree that Architectural features provide visual interest to a building facade, a stark wall along common property lines would be less obtrusive if it were the full five to ten feet away from the adjacent property, or more if allowing for a sensible overhang of a roof. Also, such features as greenhouse windows can still be tucked under eaves to make them more solar/seasonally efficient.

I oppose Option 2 as a mere *6* inch reduction in the encroachment allowance will not produce significant reduction of building mass or privacy/distance impacts.

Even though overall, I am more in favor of other means towards reducing the encroaching impact of excessively large houses on small lots, I appreciate the provision of an exemption that may be

considered for increasing F.A.R., or mass limitations, by a small (5%?) percent of lot size, if the following criteria are met:
The primary roof form of all structures on the site is peaked, with a minimum pitch of 4' vertical: 12' horizontal; and a minimum setback from the **extreme** outer edge of a dwelling of at least 7.5' is provided along each side yard, including **any** encroaching elements.

I object to the exemption from the changes to amend KZC 115.115.3 that allows for eaves to extend up to 18 inches into any required yard. Having recently observed at too close range a fire that erupted in the corner of a friend's neighbor's house, placing potential fuel sources that close together is one concern. The other concern is allowing sufficient space for enjoying solar gain into a neighboring house. One of the comments made by one of those who testified at the Houghton hearing was that they appreciate the lightness and airy feeling of their vaulted ceilings. Perhaps such vaulting would not be necessary if we ensured a little more space between the sides of houses, especially on the south side to allow for winter sun to get in between houses.

Door or window?
This brings me to another issue that has been alluded to in some comments linking FAR with the recently adopted Tree Ordinance. I have heard more than one council person speculate that they see some contradiction between "saving trees while restricting houses that do just as much to block views."

Trees make very different neighbors than do built structures. Need I enumerate?
There was an expression we used when I was a kid and someone stood between oneself and something one was trying to see. We said, "You make a better door than a window." Perhaps we should have said "wall" instead of "door" since doors can be opened. Walls are stiff, relatively stark, immobile and opaque structures while trees have perforated density, creating windows to whatever can be seen through them. In the case of deciduous trees, when properly placed they can provide screening with greater access to solar gain in the winter and energy saving shading in the summer. I say this at the risk of curtailing the potential profits of the air conditioning salesfolk, but the solar PV and water heating sellers will benefit in turn as that market grows.

Furthermore, trees provide connection with nature, something we are all in too short a supply of, and they provide changing interest in colors and motion that bring an aesthetic into ones life that even the most architecturally magnificent building can not do.

It may be difficult to dictate taste, but I doubt that anyone can argue that the planet would be better off with more of its natural surfaces covered in manufactured substance. We may very soon come to appreciate the day we saved a little patch of arable soil with access to water and sunlight in close proximity to our dwelling places. Wasn't that what the "Craftsman" movement was really about?

Thanks for considering the many comments you receive and I look forward to a fair and wise decision that will improve rather than destroy the last town I hope to call "home".

To: Eric Shields Re: Appeal of File # ZON05-00019

From: Mike Nykreim
101 10th Ave
Kirkland, WA 98033

Date: 6-2-6

RECEIVED JUN - 2 2006 AM PM PLANNING DEPARTMENT BY

Phone: home 425-822-8031
off 425-827-2234
CELL 425-466-2611
Email MIKE@KIRKLANDBUILDERSGROUP.COM

APPEALS (SEPA)

Any person wishing to file an appeal must do the following:

1. Deliver the appeal to the Planning Department within fourteen (14) days of the date the determination is issued by the responsible official. (An appeal of a determination of significance must be filed within seven (7) days of the date it is published under Section 85 of Municipal Code Chapter 24.02.) The appeal must be in the form of a written notice of appeal and must contain a brief and concise statement of the matter being appealed, the specific components or aspects that are being appealed, the appellant's basic rationale or contentions on appeal, and a statement demonstrating standing to appeal. The appeal may also contain whatever supplemental information the appellant wishes to include.

2. Submit to the Planning Department a filing fee along with the appeal.

*Appeal is on behalf of any person who is of stand by any communication to Sta concerning this issue-

* My Standing: Owner & Taxpayer of Kirkland property since 1978.
Owner & Co owner of 12 homes &/or lots in the City.

Reason: Lack of City Wide notification to
(A) effected property owners.
(B) Violation of GMA & SEPA.

Request: City Staff to Complete Full Environmental Impact Statement as to the Effects on our environment for our City's Current Land Use Policies Contributing to SPRAWL.

ENCLOSURE 08 FILE NO. ZON05-00019

115

June 7, 2006

Mike Nykreim
101 10th Avenue
Kirkland, WA 98033

RE: Appeal of SEPA Determination; File No. ZON05-00019

Dear Mr. Nykreim:

This confirms that the City received your appeal of the City's issuance of a Determination of Non-Significance (DNS) with respect to the non-project action on the proposed Kirkland Zoning Code amendments to the City's floor area ratio (FAR) regulations. Your appeal was filed on June 2, 2006 within the applicable 14 day appeal period for State Environmental Policy Act (SEPA) determinations.

I would like to explain the process by which your SEPA appeal will be heard. Both state law and the Kirkland Municipal Code (KMC) encourage the hearing of SEPA appeals as part of the process of deciding the underlying government action. See Wash. Rev. Code Section 43.21C.075(2); Wash. Admin. Code (WAC) 197-11-680(3); KMC 24.02.105(f). In addition, the City may not provide for more than one appeal of a threshold determination at the administrative level. See WAC 197-11-680(3).

In this case, the proposed FAR amendments will be considered by the Kirkland Planning Commission. The Planning Commission will make a recommendation to the Kirkland City Council. The City Council will consider the public comments and the Planning Commission's recommendation and ultimately decide which amendments to the FAR regulations to adopt, if any.

Based on the applicable law, and since the City Council is the final decision maker with respect to the proposed FAR amendments, the City Council is the governmental body to hear your SEPA appeal in connection with its consideration of the proposed FAR amendments. Since the Planning Commission only makes recommendations, the Commission is not the appropriate forum for the appeal and will not consider your SEPA appeal as a part of its deliberations. Its role will be limited to making recommendations to the City Council regarding the proposed FAR amendments.

Please let me know if you have any questions regarding the process by which your SEPA administrative appeal will be heard.

Sincerely,

PLANNING & COMMUNITY DEVELOPMENT

Eric Shields, AICP
Director

ENCLOSURE 9

FILE NO. ZON05-00019

CITY OF KIRKLAND
Information Technology Department
123 Fifth Avenue, Kirkland, WA 98033 425.587.3050
www.ci.kirkland.wa.us

MEMORANDUM

To: David Ramsay, City Manager

From: Brenda Cooper, CIO

Date: July 24th, 2006

Subject: Kirkland Free Wireless

RECOMMENDATION

No formal recommendation at this time. This is an update on the wireless pilot project for Council. Council members who are interested in using the wireless are encouraged to take advantage of the service.

POLICY IMPLICATIONS

None at this time.

BACKGROUND DISCUSSION

Project History

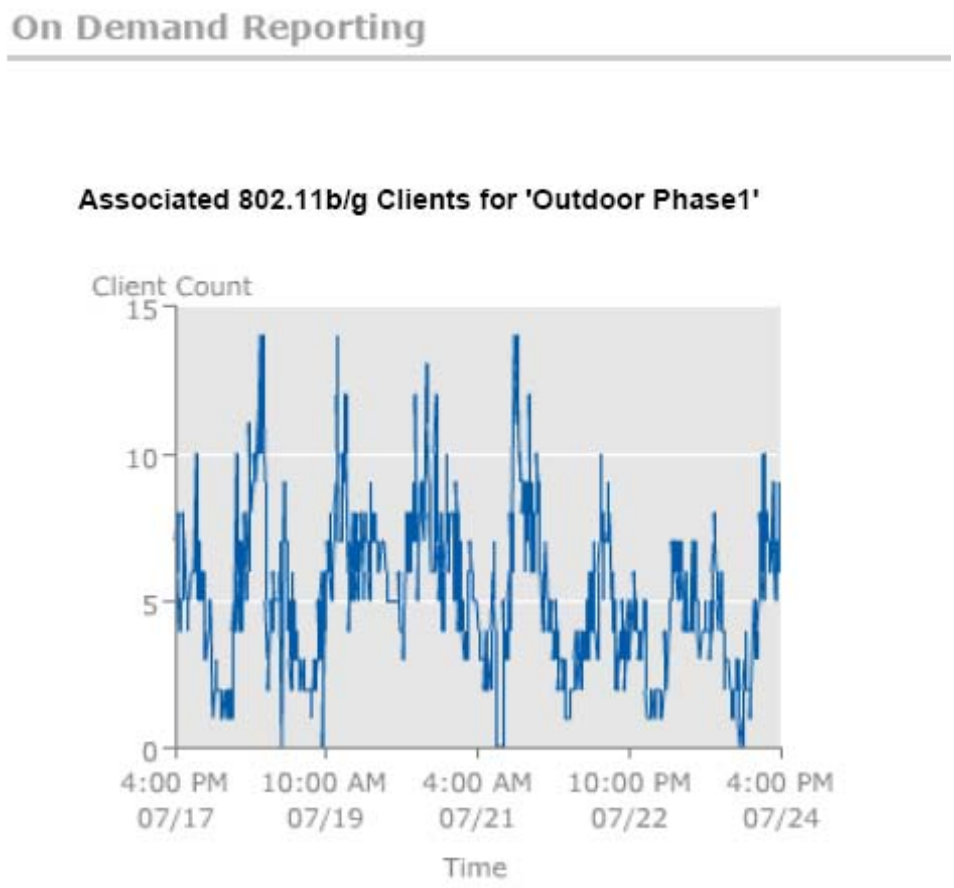
During the last budget process, City Council approved a wireless pilot project for selected city parks. The goals of the project were to run a pilot program from this summer through the following summer and use that time to gather usage information and community reaction the project. We will keep the council informed about the project as it continues, and will produce both a budget white paper for the upcoming budget process and a formal report near the end of the project. Council may be asked to provide preferences on next steps at each of those times. Next steps could be to leave the pilot in place as is, to expand the network either as a free service or in partnership with a private firm, or to dismantle the network.

Current Status

The pilot project is up and running. It has been installed and in test mode since early June. We had hoped to take it "prime time" on June 21st, but we experienced a number of technical challenges as parts of the project turned out to be more complex than we anticipated. This memorandum is being written on July 24th, and at this time we believe the system is stable enough to be moved from test to production mode on August 1st.

The pilot area includes Marina Park, Peter Kirk Park, and parts of downtown. Coverage expectations and other usage information are on the website in a FAQ format, and a copy has been provided to you as part of this report.

Even though we have been in test mode, there has been a lot of community usage so far. Below is an example report for the last seven days which shows that around fourteen computers at a time are connected during peak periods, and that usage seldom falls off to zero. We expect that usage will go up as we move from the test phase.



Communication To and From the Community

So far we have announced the presence of the network with information in Currently Kirkland, on the front page of the City website, and with signs in the coverage area which look like the round project logo that is on the top of this memo. Our Kirkland Courier page for August will feature the pilot project, and we will also issue press releases. We plan to post a web survey and to have an email discussion group that interested people can join. We will also explore providing information at the Wednesday Market and on fliers that we can distribute to the local businesses.

Most of the feedback that we've received has been provided for you below. We included comments about the project, but did not include emails that only addressed technical issues, although we can get those for you if you like. Almost all of the feedback we've received directly has been positive, although the kirklandblog questioned the project. We've provided all of the information we have that strongly supports or pans the project, since a primary goal of the

project is to gather community reaction. Please keep in mind that since this is all email feedback, and is all voluntary, the information below should not be considered comprehensive or statistically accurate.

Email Feedback

I'm sitting here at Tully's on Lake Street. Thanks for the free WiFi – it's great!

Dear Kirkland,
Although, I have internet through another company, I sometimes use the free Kirkland Wifi when I am not at home. It makes it convenient to sit down at a coffee shop in downtown Kirkland and work on your computer. Keep it going!

---

love it. Faster, stronger, coverage ASAP please

This is an excellent idea. I have often wondered about this.
I have been a stay-at-home single dad who has spent a tremendous amount of time with my daughter doing this like playing in the parks. Having the ability to have my laptop with me would enable me to stay in contact with the business I started (for this reason) at intervals between activities.

In my opinion this a foolish way to spend taxpayer dollars. Parks are for the public to enjoy and a place to get away from laptops etc.

Wow! This is awesome. I think that it's a great idea for the city to offer wireless access in public places. personally, I live next to juanita beach park and would love to be able to chill there and work there sometimes.

pls keep up the good work!

Your service is really convenient and a great idea... but it seems to be running very slow for "broadband"... your home page takes for ever to load... also, I tried to do some file downloading and it wouldn't work at all...

Hope you iron out the bugs and keep it up.

Hello Kirkland,

Free Wi-Fi in the parks is a great idea. BTW, my office is in the Parkplace building (tower portion) and I am able to connect from here pretty well too.

Thank you for doing this. I am traveling all day on the eastside during
the week. Since I stumbled onto the wireless connection in Kirkland, I
literally plan my day so that I'm in the Kirkland area around lunchtime. I can grab lunch, check my email and be back on the road. The added bonus is I've found some great lunch spots as well.

It's great. I'm sending you this email from the free wireless in Kirkland right now.

Thanks,

It reminds me of what a great place Kirkland is to live now that I can do my work while roaming from coffee house to coffee house!

Great use of taxpayer money. I hope this works well for everybody.

Let me know if there anything I can do to help (my roof?).

Thank you!

This is awesome! I sent this in as a suggestion a while ago (presumably along with a lot of other folks), glad someone was listening!

Thank you city of Kirkland for free wifi!! I love that I can come downtown to study and have FREE wireless (free is always a good thing for a poor college student!!) SO THANK YOU KIRKLAND!!

I LOVE IT! I find it very nice to be able to have access while downtown and enjoying the outdoors! This is a great addition to our city and park system. My only complaints are that I wish it was started about two years ago, and I hope it becomes more consistent....Thanks and keep up the great work.

I am a fairly new local tax payer in Kirkland and I think this is a creative, fun idea. Its very innovative, gets people out of their homes and will be excellent for downtown businesses as well.

I work out of my home, but this will offer me an opportunity to do otherwise.

I am in support of it 100%.

Although I'll unlikely to use WiFi at those locations, it is a very good start. The locations that I think would be benefiting a lot from a project like this are parks where people "hang out" for a longer period of time (just as in coffee shops), not just sit down for a cup of java or stroll through. Juanita Beach, Juanita Bay, the parks along the water south of downtown, Everest, etc, etc.

All in all a great idea and I realize that it has to start somewhere. Please do not take the success, or potential lack thereof, as a sign on how it'd be in the rest of Kirkland. WiFi will be gladly accepted once it roils out city wide.

Providing wireless service should be fairly to very inexpensive and there are numerous other "pilots" from where experiences can be drawn, such as limit connection time, reduce throughput, add some type of security, etc, etc.

One issue, and it is all about engineering, is to prevent "neighbors" to WiFi locations to get a free ride and sort of use up the available capacity in lieu of paying for a "fixed" (wired or wireless) high-speed connection.

At the end, it is all about making sound technical decisions, and market the service so the investment actually gets used.

The following link will get you to the kirklandblog comments on the project:
http://kirklandweblog.typepad.com/kirkland_weblog/2006/07/wirless_in_the_.html

We've provided a link instead of just copying the blog, both for copyright reasons and because there is an ongoing conversation in the comments area that you might be interested in.

FAQ Information from our Website

Here is the FAQ page as of July 24th, 2006. Note that we add new information frequently.

Introduction

The City of Kirkland is running a pilot program to provide free wireless access in Marina Park and Peter Kirk Park, as well as parts of downtown that are near the parks. Hopefully this FAQ will answer any questions you may have about the project. If we missed a question that you have, please send your question via email to wireless@ci.kirkland.wa.us. As we get more questions, we'll update this document on our website at www.ci.kirkland.wa.us.

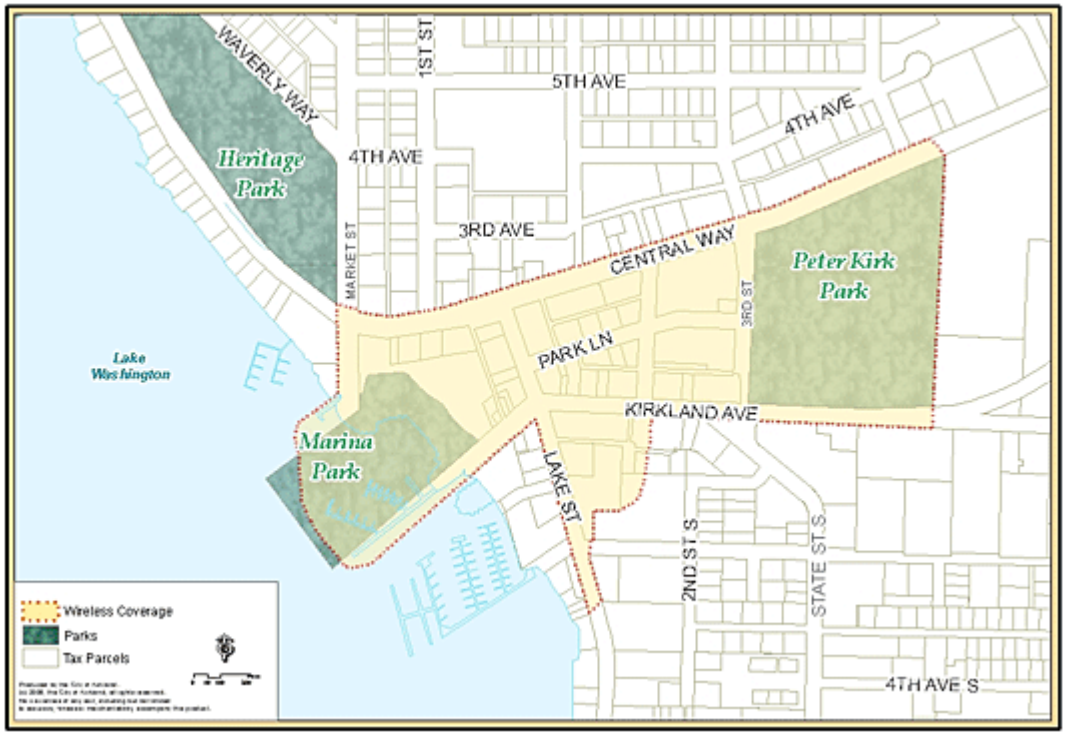
When will the wireless be available?
The service is up now in test mode, and you are welcome to use it if you like. Please be patient and expect some challenges as we finish tuning and testing. Please email us about your experience.

How is the testing process going?
Most people are having good experiences on the network. We've received many positive notes from users. However, sometimes the network reports that it has a good connection, when it really does not. The symptom for this is that web pages will be slow to load or will not load at all, and other applications may also cease working. If this happens to you, restarting your computer will fix it at least temporarily. Please let us know where you were and when. That may help us fix this problem.

How long will the pilot run?
We plan to offer the service from the beginning of this summer to the end of next summer.

What happens after the pilot?
Throughout the project, we'll collect comments from users of the service. We'll learn what it costs to keep the program going throughout the pilot. The City Council will receive periodic updates, and when we feel there is enough information, city staff will make a recommendation to Council about whether to continue, expand, change, or stop the program.

What is the coverage area for the project?
Marina Park, Peter Kirk Park, and most of the downtown core.



Click Here to download a higher resolution of the coverage map (PDF)

How do I use the wireless network?
Simply bring your wireless-enabled laptop down, set your network id (SSID) to KIRKWIFI and connect. Access is free.

How secure is this network?
This is a free and open network, which means it is not secure. We don't recommend its use for business transactions that need wireless encryption. This is similar to most networks available in coffee shops or other locations that provide free or low-cost wireless service.

Will the network reach into businesses downtown?
That's a tough question. We designed it to provide access of the streets and benches, but any wireless network will penetrate into various buildings that it is around, depending on what natural interference like trees and walls exist. Since it is unsecured, we do not recommend that businesses choose to use this network to replace their regular business connectivity to the internet.

How will the city support this network? How do I get help if I have a problem connecting?
The city is committed to keeping the network up and running and working well. We encourage users to email us with questions and problems at wireless@ci.kirkland.wa.us. We will post common answers to frequent questions on our website. Yes, we realize that if you can't connect you can't send an email at that moment, but we do not have the staff to provide telephone or other direct support to customers. One of the things we will evaluate as part of the pilot is whether or not we should provide additional support.

I've read about other cities like San Francisco and Philadelphia providing city-wide wireless connectivity. Is the City planning to provide city-wide wireless access?
Large networks that provide city-wide coverage are expensive. One possible outcome of the pilot is a significant expansion of the program, which would probably require either extensive

citizen support for a taxpayer-funded network or partnership with local internet providers. We will evaluate those options. Kirkland is lucky to have a strong telecommunications business sector. We believe in municipal networking where appropriate, but we also support the success of our commercial providers. We chose parks and a portion of downtown for the pilot because those are public spaces where we feel access to the internet will enhance the quality of life for our citizens and for visitors to the area.

If I already operate a wireless network downtown, will this network interfere?
We hope not. The nature of this technology might require adjustments of our network. Please contact us at wireless@ci.kirkland.wa.us if you have questions or problems.

I am a downtown business owner. Can I advertise my business on this network?
Not during the pilot. Some city wireless networks which have for-profit partners include advertising as a revenue source. This option will be evaluated. Please tell us how you feel either as a user of the network (Do you mind having ads downloaded to your computer in exchange for free service?) and as a business owner (Would you advertise on a local wireless network?).

Are there any restrictions on usage?
There will not be any restrictions on usage at kick-off, but we may add restrictions (such as two hours usage a day) as needed at any time during the pilot. We'll let you know.

How fast will it be?
This will depend largely on how many people are connected and using it at any give time. The connectivity is shared by all wireless users and can become slower as more users connect and use the network.

When is this pilot planned to kick-off and this service readily available?
We plan to have the service, installed, tested and ready before the official start of summer in June. Because we are still waiting for equipment, we aren't ready to post a firm date. I really don't want to build any community expectation that we don't meet.

How will you measure the success of the pilot?
We are specifically evaluating both cost and community value. I think it's fair to say that if we keep the service up reliably, we have a good conversation with the community about whether or not they value the service, and the project stays roughly in-budget, we'll have succeeded. Since this is a pilot – we're testing a service – it doesn't matter if the next steps are to dismantle it, leave it in place, or expand it. It matters if we have a good conversation about it and learn from the project.

You said the pilot project is taxpayer-funded. What is the cost of the project?
Well, we're not done yet, so we don't have actual costs. The project was planned for during 2004, and priced based on a specific technology that is no longer even available. The original budget was $114,671 for the approximately 15 month pilot. Almost half of that was for equipment and half for services and supplies (things like installation, signs, etc.). We've had to retool the technology completely. We're still under budget so far. More later!

What is the city's vision for wireless connectivity in Kirkland parks?
We're hoping this pilot will help us define a clear vision!

KIRKLAND CITY COUNCIL REGULAR MEETING MINUTES
July 18, 2006

1. CALL TO ORDER

2. ROLL CALL

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

3. STUDY SESSION

a. Downtown Transit Center

Joining Councilmembers for this discussion in addition to City Manager Dave Ramsay and Assistant City Manager Marilynne Beard were Public Works Director Daryl Grigsby and Public Works Capital Projects Manager Ray Steiger, as well as Dan Eder, Sound Transit Project Manager for the Kirkland Transit Center, and Scott Williams, Inca Engineers.

4. EXECUTIVE SESSION

5. SPECIAL PRESENTATIONS

6. REPORTS

a. City Council

(1) Regional Issues

Councilmembers shared information regarding the North Rose Hill Neighborhood Association Picnic; Kirkland Classic Car Show; Summerfest; Suburban Cities Association Public Issues Committee meeting; Sound Transit Board meeting; and the City Council Finance Committee meeting. Mayor Lauinger expressed appreciation for the City Manager's and City Clerk's office staff support.

b. City Manager

(1) Introduction of Tracey Dunlap, Director of Finance and Administration

(2) Calendar Update

7. COMMUNICATIONS

a. Items from the Audience

Penny Sweet, 700 20th Avenue West, Kirkland, WA
Kellie Jordan, 11410 NE 106th Lane, Kirkland, WA
Sean Youssefi, 13120 NE 70th Place, Ste. 1, Kirkland, WA
Terry Rennaker, 100 20th Avenue, Kirkland, WA
JonErik Johnson, 12052 NE 100th Street, Kirkland, WA
Peter Constable, 13320 NE 117th Way, Redmond, WA
Jeff Smith, 10046 Slater Avenue NE, Kirkland, WA

b. Petitions

8. CONSENT CALENDAR

a. Approval of Minutes: July 5, 2006

b. Audit of Accounts:
Payroll $ 1,774,276.66
Bills $ 1,258,105.22
run # 612 check #'s 479929 - 480095
run # 613 check # 480096
run # 614 check #'s 480097 - 480235

c. General Correspondence

(1) Dick Beazell, Executive Director, Kirkland Downtown Association, Regarding Garbage Collection in Downtown Kirkland

d. Claims

(1) Raymond S. Kekoa

e. Authorization to Call for Bids

f. Award of Bids

(1) Award Bid for North Kirkland Community Center Roof Replacement to Northwest Roofing Solutions and Request Additional Funding

Council awarded the contract to Northwest Roofing Solutions in the amount of $81,125.00 and further authorized the transfer of $25,000.00 from the Facilities Sinking Fund to fund the project.

g. Acceptance of Public Improvements and Establishing Lien Period

(1) NE 52nd Street Railroad Crossing Project

h. Approval of Agreements

i. Other Items of Business

(1) Approving A Regional Coalition for Housing (ARCH) Spring 2006 Housing Trust Fund Recommendations

(2) Resolution R-4584, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND RELINQUISHING ANY INTEREST THE CITY MAY HAVE, EXCEPT FOR A UTILITY EASEMENT, IN AN UNOPENED ALLEY AS DESCRIBED HEREIN AND REQUESTED BY PROPERTY OWNERS R. PATRICK AND KELLI A. PRIMAVERA."

(3) Authorizing Certificates of Appreciation for Participants of Pilot Commercial Organics Recycling Program

(4) Resolution R-4585, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND RELATING TO THE NATIONAL INCIDENT MANAGEMENT SYSTEM."

(5) Ordinance No. 4053, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO RODENT CONTROL."

(6) Ordinance No. 4054, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND AMENDING THE BIENNIAL BUDGET FOR 2005-2006."

(7) Dedication of Concours d'Elegance Admissions Tax Receipts

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

9. PUBLIC HEARINGS

10. UNFINISHED BUSINESS

a. Discussing Potential Annexation Timeline

Assistant City Manager Marilynne Beard presented information on possible annexation timeline scenarios for Council discussion.

b. Reviewing King County Water District #1 Water Rights Update

Motion to Approve the purchase of 41.8 acre feet of water at $1,330 per acre foot with the understanding that additional water rights can be purchased in the future if addional uses are identified.
Moved by Deputy Mayor Joan McBride, seconded by Councilmember Jessica Greenway
Vote: Motion carried 6-0
Yes: Mayor Jim Lauinger, Deputy Mayor Joan McBride, Councilmember Mary-Alyce Burleigh, Councilmember Jessica Greenway, Councilmember Tom Hodgson, and Councilmember Bob Sternoff.

c. Discussing Puget Sound Regional Council (PSRC) Vision 2020+20 Regional Plan

Planning and Community Development Director Eric Shields reviewed the issues for discussion and responded to Council questions. Council provided direction for discussion at the July Suburban Cities Association Public Issues Committee meeting and for comment submittal to the Puget Sound Regional Council regarding preparation of a preferred growth alternative.

Council recessed for a short break. Councilmember Asher left the meeting due to illness.

11. NEW BUSINESS

a. Design Review Board Resignation and Appointment

Motion to authorize the letter acknowledging the resignation of Paul Duffy, and to appoint Jeffrey Bates to the remainder of an unexpired term ending March 31, 2007 on the Design Review Board.
Moved by Councilmember Mary-Alyce Burleigh, seconded by Deputy Mayor Joan McBride
Vote: Motion carried 6-0

Yes: Mayor Jim Lauinger, Deputy Mayor Joan McBride, Councilmember Mary-Alyce Burleigh, Councilmember Jessica Greenway, Councilmember Tom Hodgson, and Councilmember Bob Sternoff.

12. ANNOUNCEMENTS

13. ADJOURNMENT

The Kirkland City Council regular meeting of July 18, 2006 adjourned at 9:40 p.m.

City Clerk Mayor

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

MEMORANDUM

To: David Ramsay, City Manager

From: Kathi Anderson, City Clerk

Date: July 26, 2006

Subject: CLAIM(S) FOR DAMAGES

RECOMMENDATION

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

POLICY IMPLICATIONS

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

BACKGROUND DISCUSSION

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

(1) David N. Buck
16443 SE 35th Street
Bellevue, WA 98008

Amount: $3,289.96

Nature of Claim: Claimant states damages to vehicle resulted from being struck by a City vehicle.

(2) Brad Stuller
King County Risk Management
400 Yesler Way, Room 410
Seattle, WA 98104

Amount: Unspecified

Nature of Claim: Claimant states damages occurred to a light pole.

(3) Kevin Patrick Murphy
21214 NE 151st St.
Woodinville, WA 98077

Amount: Unspecified

Nature of Claim: Claimant states damages occurred arising from employment matters

(4) Verizon by CMR Claims
614 N. Claussen Blvd.
Oklahoma City , OK 73106

Amount: Unspecified

Nature of Claim: Claimant states damages occurred to a buried cable.

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

MEMORANDUM

To: David Ramsay, City Manager

From: Erin J. Leonhart, Public Works Facilities & Administrative Manager
Daryl Grigsby, Public Works Director

Date: July 20, 2006

Subject: CITY HALL DDC (DIRECT DIGITAL CONTROL) REPLACEMENT PROJECT (23-06-PW) – AUTHORIZATION TO ADVERTISE FOR BIDS

RECOMMENDATION:

It is recommended that the City Council authorize the staff to advertise for bids for replacement of the City Hall Direct Digital Controls (DDC).

BACKGROUND DISCUSSION:

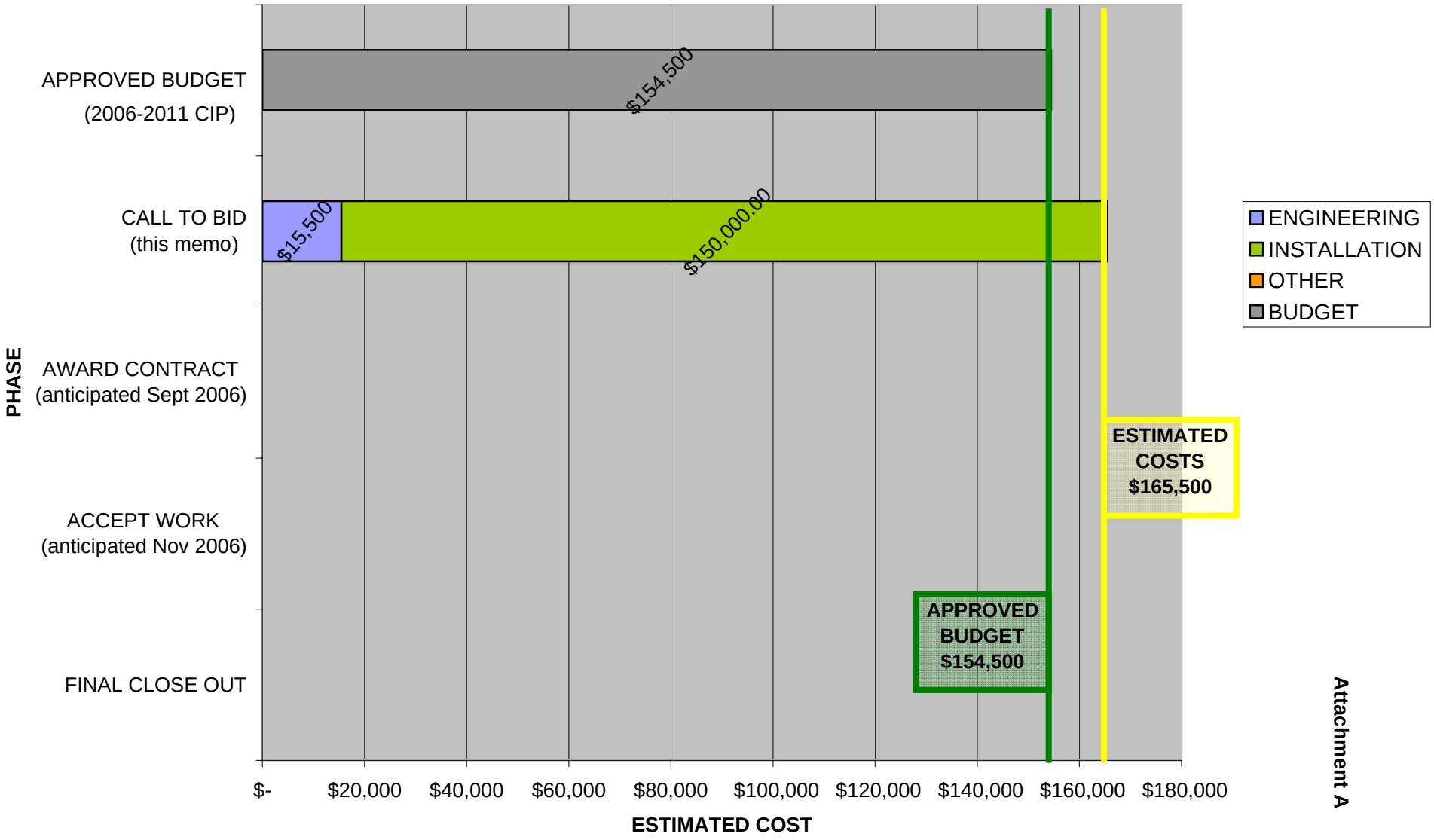
As part of the ongoing Life Cycle program, the City has provided capital funds for the replacement of the digital controls for heating, ventilation, and air conditioning (HVAC) equipment at City Hall in 2006. This replacement is a part of the 2006-2011 Capital Improvement Program. The existing hardware and software that controls the system is outdated and is no longer supported by the vendor. The replacement system will improve energy efficiency through enhanced ability to control City Hall's HVAC equipment.

Given the highly technical nature of this project, the specifications were written by an engineer from Aardvark Engineering Services, Inc.; the engineer's estimate for this project is $150,000. Although costs related to HVAC equipment and systems have increased, we are hopeful the entire project cost will be within 10% of original budget. Additional funds, if needed, are anticipated to come from Facilities Sinking Fund Reserves at the time of Council award. With Council authorization to bid, it is expected that bids for this project will be opened in August, 2006, with replacement to be completed by the end of 2006.

Attachment

BUDGET COMPARISON (Expenditures)

CITY HALL DIRECT DIGITAL CONTROL REPLACEMENT, JOB NO. 23-06-PW



Attachment A

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

MEMORANDUM

To: David Ramsay, City Manager

From: Janice Soloff, AICP, Senior Planner
Eric Shields, AICP, Planning Director

Date: July 20, 2006

Subject: RESOLUTION TO INITIATE STREET AND ALLEY VACATIONS AND SET HEARING DATE FOR MERRILL GARDENS STREET VACATION, FILE NO. VAC06-00001

RECOMMENDATION

Staff recommends that the City Council adopt a resolution to initiate vacation proceedings and set a hearing date of September 5, 2006 to consider vacation of a portion of 1st St. So. right of way and an unopened east/west alley located south of Kirkland Avenue.

POLICY IMPLICATIONS

The Kirkland Municipal Code Section 19.16.060 establishes that the City Council shall set hearing dates for street vacations by resolution. The hearing date shall be no more than 60 days and no less than 20 days after the date of passage of this resolution. Policy issues related to the proposed vacation will be addressed in the advisory report to the City Council at the time of the hearing.

BACKGROUND DISCUSSION

The street vacation petition involves several requests:

1) To vacate an unopened east/west alley located in the middle of the proposed Merrill Gardens assisted living project at 205 Kirkland Avenue.
2) To vacate the southern portion of 1st St. So., south of Kirkland Avenue where it dead ends at the base of the hillside.
3) Dedicate a portion of private property to the City of Kirkland for alignment the driveway entrance of 1st St. So. at Kirkland Avenue with Main Street to the north.

The applicant proposes several improvements as public benefits related to the street vacation and development proposal for consideration by the City Council at the public hearing. To date, such improvements include a new redesigned 1st St. So. street and pedestrian pathway connecting to the Portsmith Condominiums public walkway and replacing the existing 20 public stalls located within 1st St. So. Discussions are also underway with the developer to explore incorporating

additional public parking stalls within their parking garage as a result of an excess number of stalls to serve the facility. The Downtown Parking Study and Plan and the Downtown Plan promotes development of new public parking in this area. This will be discussed in more detail at the public hearing.

ENCLOSURES

1) Vicinity Map/survey
2) Development proposal

cc: Rob Jammerman, Kirkland Public Works Department
Andy Loos, SRM Development, 808 5th Avenue N, Seattle, WA 98109
Chad Lorentz, Runberg Architecture Group, One Yesler Way, Suite 200, Seattle WA 98104
Ken Dayton, Olympiad Investment, 2339 11th Avenue E, Seattle Wa 98102
Brian Leibsohn, Linc Properties, 11715 Southeast 5th Street, Suite #111, Bellevue, WA 98005

RECEIVED
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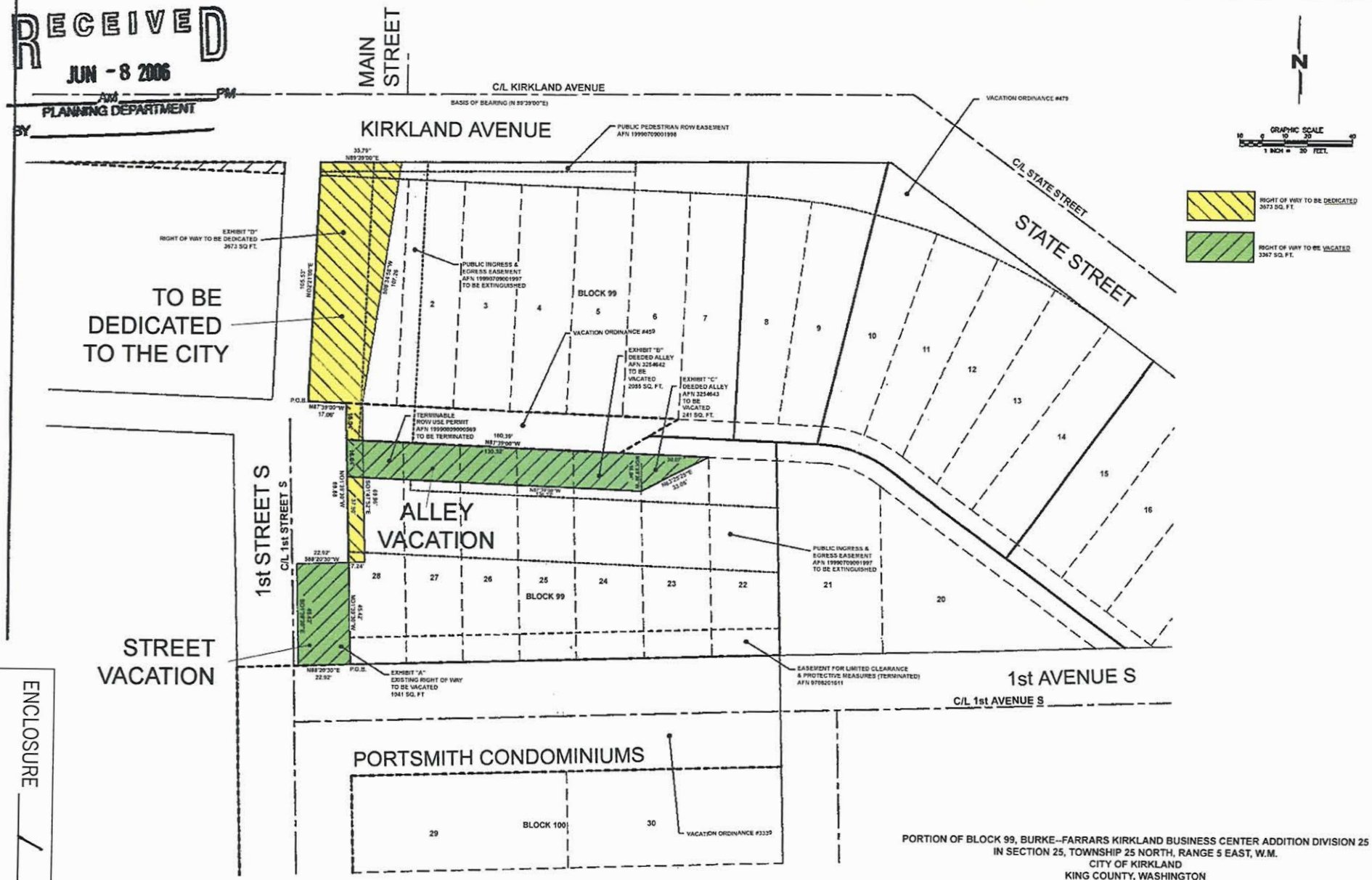
PLANNING DEPARTMENT
BY



PORTION OF BLOCK 99, BURKE--FARRARS KIRKLAND BUSINESS CENTER ADDITION DIVISION 25
IN SECTION 25, TOWNSHIP 25 NORTH, RANGE 5 EAST, W.M.
CITY OF KIRKLAND
KING COUNTY, WASHINGTON

ENCLOSURE 1

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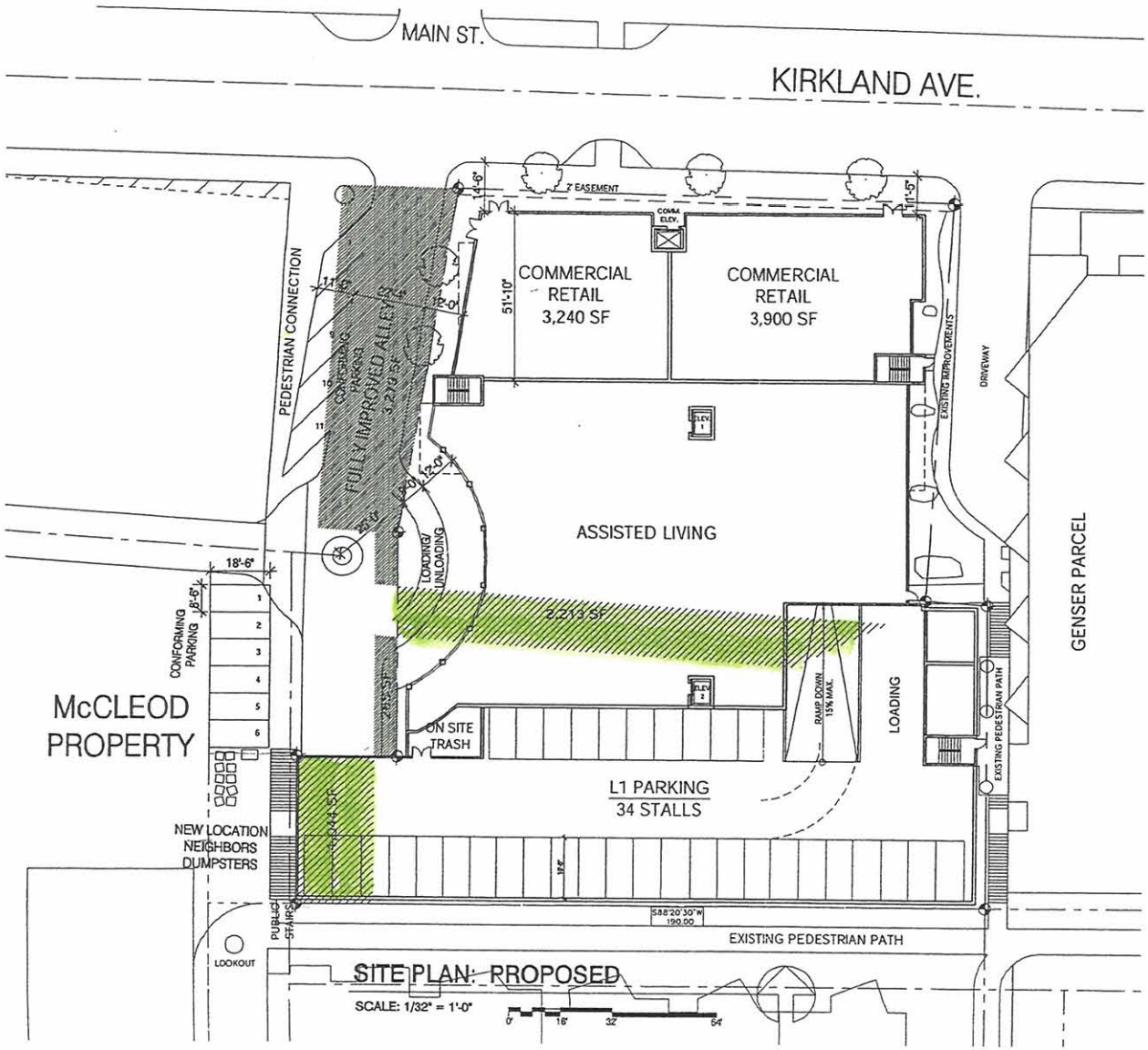


PROPOSED SITE PLAN

CITY PARKING STALLS
11 CONFORMING

GARBAGE
ON-SITE
2 DUMPSTERS
(IN BUILDING)

NEW ALLEY LOCATION
10 CANS
1 GREASE DISPOSAL

LAND EXCHANGE
CITY GIVES - 3,257 SF
CITY RECEIVES - 3,544 SF
NET - + 287 GSF

*IN ADDITION CITY RECEIVES A FULLY IMPROVED ALLEY, PEDESTRIAN CONNECTION, NEW PUBLIC STAIR, AND CONNECTION TO LAKE ST.

RINBERG group
One Yesler Way
Suite 200
Seattle, WA 98104
p 206-956-1970
f 206-956-1971

PROPOSED SITE PLAN

Merrill Gardens at Kirkland Assisted Living

6/27/06

ENCLOSURE 2

RESOLUTION R-4586

A RESOLUTION OF THE CITY OF KIRKLAND FOR THE VACATION OF A PORTION OF 1ST STREET SOUTH AND ALLEY RUNNING WEST TO EAST LOCATED BETWEEN KIRKLAND AVENUE AND 1ST AVENUE SOUTH AND PROVIDING NOTICE OF HEARING TO CONSIDER THE VACATION OF SAID RIGHT OF WAYS, (FILE NO. VAC06-00001).

WHEREAS, a petition has been filed with the City of Kirkland signed by the owners of real property representing more than two-thirds of the property abutting upon the hereinafter described portions of 1ST Street South and the alley located between Kirkland Avenue and 1st Avenue So.

WHEREAS, it appears that the public interest of the City of Kirkland, Washington, would be served by holding a public hearing to consider the vacation of said portion of said right of ways.

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

1) That a public hearing be held to consider whether the public interest and general welfare of the City of Kirkland will be served by the vacation of said right of ways, situate in Kirkland, King County, Washington, and described as follows:

Portion of 1st Street So. described as follows: Beginning at the southwest corner of Lot 28, Block 99, Burke and Farrar's Kirkland Business Center Addition, Division No. 25, according to the Plat thereof recorded in Volume 25 of Plats at Page 14, Records of King County, Washington;
Thence North 01 ^{0} 39'30" West along the West line of said Lot 28, a distance of 45.42 feet; Thence South 88 ^{0} 20'30" West, a distance of 22.92 feet; Thence South 01^{0} 39'30" East, a distance of 45.42 feet;
Thence North 88^{0}20'30" East, a distance of 22.92 feet, to the Point of Beginning. Containing 1,041 square feet, more or less.

Alley described as follows: That portion dedicated to the City of Kirkland November 21, 1941 and recorded July 28, 1942 under Auditor file No. 3254642, Records of King County, Washington. Beginning at the intersection of the Northwest corner of Lot 28, Block 99, Burke and Farrar's Kirkland Business Center Addition, Division No. 25, according to the Plat thereof recorded in Volume 25 of Plats at Page 14, Records of said county; Thence Southeasterly along the North lines of Lots 28, 27, 26, 25, and 24, to the Northeast corner of Lot 24; Thence south, along the Easterly line, 16 feet; Thence Northwesterly to a point on the West line of Lot 28, 16 feet South of the Northwest corner; Thence North 16 feet, to the Point of Beginning. Dedicated to the City of Kirkland for street and alley purposes only. Containing 2,085 square feet, more or less.

Alley described as follows: That portion dedicated to the City of Kirkland December 4, 1941 and recorded July 28, 1942 under Auditor file No. 3254643, Records of King County, Washington. Starting at the Northwest corner of Lot 23, Block 99, Burke and Farrar's Kirkland Business Center Addition, No. 25, in the city of Kirkland, Washington; Thence Easterly along said North line of Lot 23, to the Northeast corner of same; Thence southwesterly 34 feet, more or less, to a point on the West line of said Lot 23, which point is 16 feet South of the Northwest corner of said Lot; Thence 16 feet north to the Point of Beginning; Dedicated to the City of Kirkland for street and alley purposes only. Containing 241 square feet, more or less.

BE IT FURTHER RESOLVED AND NOTICE OF HEARING:

2) That said public hearing will be held before the Kirkland City Council in the Kirkland City Hall, 123 Fifth Avenue, on September 5, 2006, at 7:00 p.m.

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

SIGNED IN AUTHENTICATION thereof this _____ day of _____, 2006.

_____
Mayor

Attest:

_____
City Clerk

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

MEMORANDUM

To: David Ramsay, City Manager

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

Date: July 20, 2006

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

RECOMMENDATION**:**

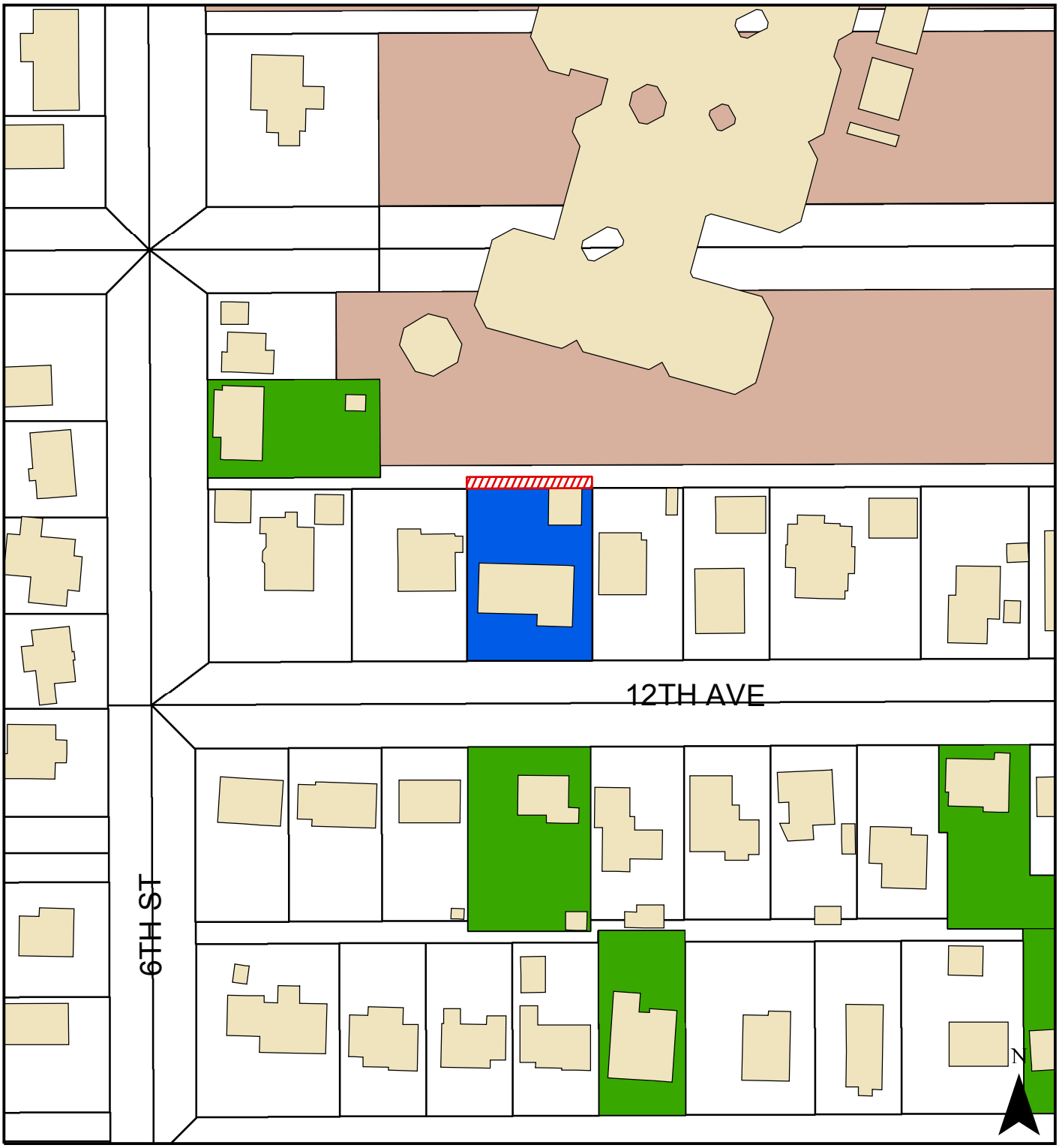
It is recommended that the City Council adopt the enclosed Resolution, relinquishing interest in the south 8 feet of the unopened alley abutting the north boundary of the following described property: Parcel 1 of City of Kirkland Short Plat No. 78-4-25 as recorded May 1, 1978 under Recording No. 7805011128, records of King County, Washington.

BACKGROUND DISCUSSION:

The unopened alley abutting the property of 636 12th Avenue was originally platted and dedicated in 1890 as the Lake Avenue Addition to Kirkland. The Five Year Non-User Statute provides that any street or right-of-way platted, dedicated or deeded prior to March 12, 1904, which was outside City jurisdiction when dedicated and which remains unopened or unimproved for five continuous years is then vacated.

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

Attachments: Vicinity Map
Resolution



CHAFFEY HOMES NON-USER VACATION
636 12TH AVE

- Chaffey Homes
- Proposed Vacation
- Granted Non-User Vacation
- Pedestrian Easement
- Building Outline
- School
- Park

Produced by the City of Kirkland.

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

Map Printed May 11, 2006 - Public Works GIS

RESOLUTION R-4587

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND RELINQUISHING ANY INTEREST THE CITY MAY HAVE IN AN UNOPENED ALLEY AS DESCRIBED HEREIN AND REQUESTED BY PROPERTY OWNER CHAFFEY CUSTOMS, LLC.

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

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

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

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

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

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

A portion of unopened alley being identified as the south 8 feet of unopened alley abutting the north boundary of the following described property: Parcel 1 of City of Kirkland Short Plat No. 78-4-25 as recorded May 1, 1978 under Recording No. 7805011128, records of King County, Washington.

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

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

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

_____
MAYOR

Attest:

_____
City Clerk

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

MEMORANDUM

To: David Ramsay, City Manager

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

Date: July 20, 2006

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

RECOMMENDATION**:**

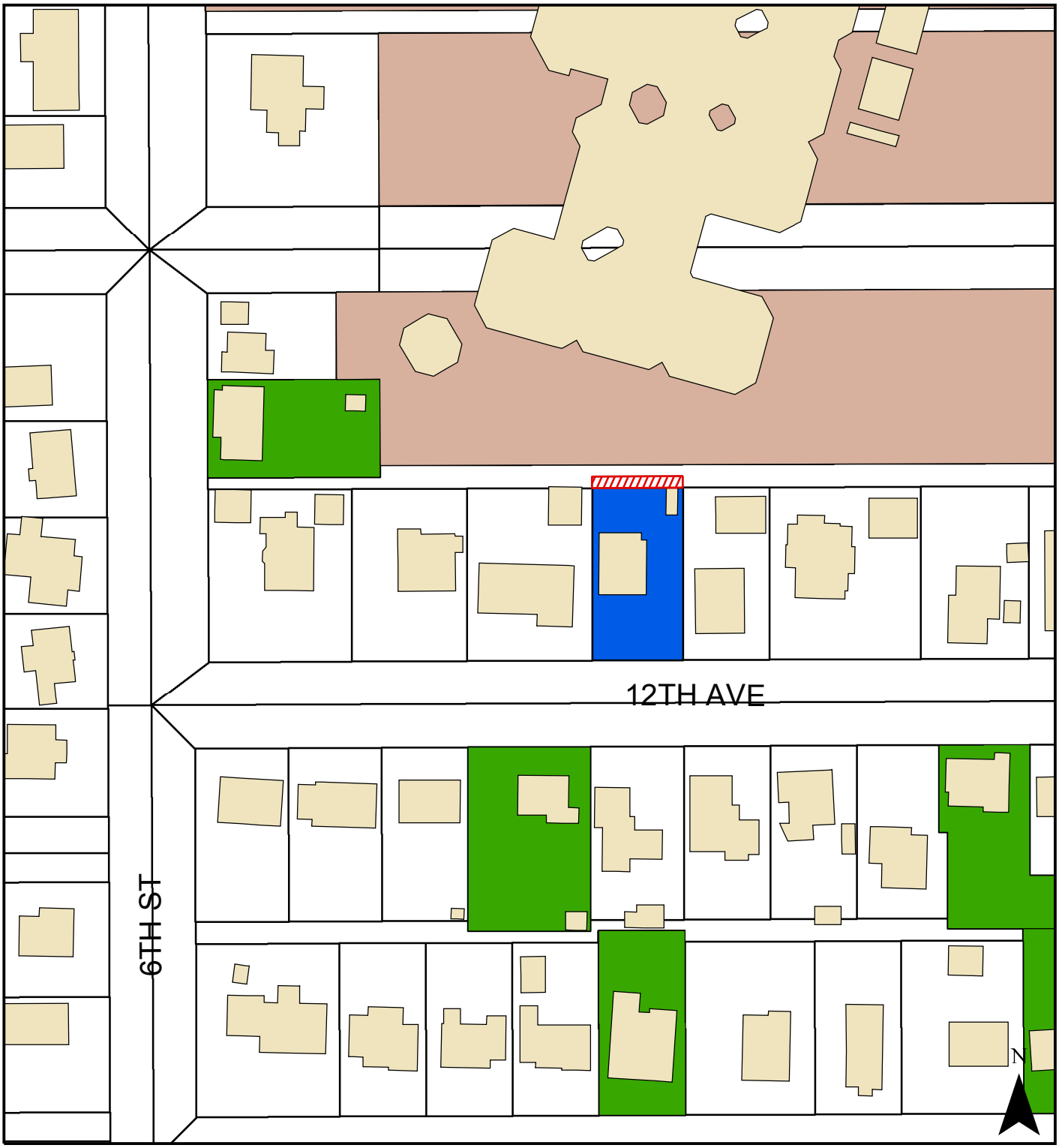
It is recommended that the City Council adopt the enclosed Resolution, relinquishing interest in the south 8 feet of the unopened alley abutting the north boundary of the following described property: Parcel 2 of City of Kirkland Short Plat No. 78-4-25JH, according to the Short Plat recorded May 1, 1978 under Recording No. 7805011128, said parcel being a portion of Lots 32, 33, 34, 35 and 36, Block 21, Lake Avenue Addition to Kirkland, according to Plat thereof recorded in Volume 6 of Plats, page 86, records of King County, Washington.

BACKGROUND DISCUSSION:

The unopened alley abutting the property of 638 12th Avenue was originally platted and dedicated in 1890 as the Lake Avenue Addition to Kirkland. The Five Year Non-User Statute provides that any street or right-of-way platted, dedicated or deeded prior to March 12, 1904, which was outside City jurisdiction when dedicated and which remains unopened or unimproved for five continuous years is then vacated.

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

Attachments: Vicinity Map
Resolution



CHAFFEY HOMES NON-USER VACATION
638 12TH AVE

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

Produced by the City of Kirkland.

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

Map Printed May 11, 2006 - Public Works GIS

RESOLUTION R-4588

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND RELINQUISHING ANY INTEREST THE CITY MAY HAVE IN AN UNOPENED ALLEY AS DESCRIBED HEREIN AND REQUESTED BY PROPERTY OWNER CHAFFEY CUSTOMS, LLC.

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

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

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

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

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

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

A portion of unopened alley being identified as the south 8 feet of unopened alley abutting the north boundary the following described property: Parcel 2 of City of Kirkland Short Plat No. 78-4-25JH, according to the Short Plat recorded May 1, 1978 under Recording No. 7805011128, said parcel being a portion of Lots 32, 33, 34, 35 and 36, Block 21, LAKE AVENUE ADDITION TO KIRKLAND, according to the Plat thereof recorded in Volume 6 of Plats, page 86, records of King County, Washington.

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

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

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

_____
MAYOR

Attest:

_____
City Clerk

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

MEMORANDUM

To: Kirkland City Council

From: Rob Jammerman, Development Engineering Manager
Daryl Grigsby, Public Works Director

Date: July 19, 2006

Subject: Transfer of 5 Properties from King County ownership to the City of Kirkland

RECOMMENDATION**:**

That the Council authorizes the purchase of 5 tax parcels from King County for the total sales price of $2,362.91.

BACKGROUND DISCUSSION:

The Public Works Department has been contacted by King County Real Estates Services Division about several tax parcels. These are tax parcels that have been foreclosed upon by the County for non-payment of property taxes. King County notified us of these particular parcels because they are small parcels adjacent to the public right-of-way, or are used as access for several properties. There are five parcels that we have an interest in retaining as public right-of-way (see Exhibit A). They are as follows:

	Tax parcel #	Location
1.	148980-0015	A strip of land along the east side of 17th Ave, south of 6th St
2.	172505-9061	A triangle of land in the NE 52nd St right-of-way, on the east side of BNSFRR right-of-way
3.	332605-9249	A strip of land along the north side of NE 105th St between Slater Ave NE & 124th Ave NE
4.	172505-9288	The south side of the cul-de-sac on NE 59th Street, east of 112th Place NE
5.	674370-0345	All of NE 105th Court, west of 128th Ave NE (serves as access for four properties)

The sales price of $2,362.91 covers the amount of the back taxes and administrative costs by the County. Once payment is received, a deed will be recorded, and ownership of the parcels will be assumed by the City.

If the City chooses not to purchase these parcels, the County will attempt to sell them to the adjacent property owners or others. If the parcels are purchased by private parties, this could complicate future use of the affected right-of-ways by the public or adjacent property owners. Also, often these types of parcels are bought sight unseen; once the buyer discovers their un-usability for development, the property taxes go unpaid and the County is forced to foreclose again.

Exhibit A

Agenda Item: Purchase of 5 tax parcels from King County

Parcel #1
148980-0015 (100 sq. ft.)

Parcel #2
172505-9061 (810 sq. ft.)

Exhibit A (cont)

Parcel #3
332605-9249 (1874 sq. ft)

Parcel #4
172505-9288 (420 sq. ft.)

Exhibit A (cont)

Parcel #5
674370-0345 (7650 sq. ft.)

ATTACHMENT B

FISCAL NOTE

CITY OF KIRKLAND

Source of Request

Daryl Grigsby, Public Works Director

Description of Request

Request for funding of $2,362.91 from the Building and Property Reserve to purchase several small parcels of land from King County. The parcels are within Kirkland and have been foreclosed on by King County for non-payment of property taxes. They are adjacent to the public right-of-way or are used as access for several properties and there is an interest in retaining these parcels as public right-of-way.

Legality/City Policy Basis

Fiscal Impact

One-time use of $2,362.91 of the Building and Property Reserve. The reserve is able to fully fund this request.

Recommended Funding Source(s)

	Description	2006 Est End Balance	Prior Auth. 2005-06 Uses	Prior Auth. 2005-06 Additions	Amount This Request	Revised 2006 End Balance	2006 Target
Reserve	Building and Property Reserve	1,817,461	215,000	159,311	2,363	1,759,409	N/A
	2005-06 Prior Authorized Uses includes $215,000 for the purchase of an affordable condo unit on State Street. 2005-06 Prior Authorized Additions includes proceeds from the sale of the affordable condo unit on State Street.						
Revenue/ Exp Savings							
Other Source							

Other Information

Prepared By	Sandi Miller, Financial Planning Manager	Date	July 17, 2006

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

MEMORANDUM

To: David Ramsay, City Manager **QUASI-JUDICIAL**

From: Eric Shields, AICP, Planning Director
Désirée Goble, AICP, Planner

Date: July 20, 2006

Subject: Forbes Creek Final Planned Unit Development and Subdivision, File No. FSB06-00002

RECOMMENDATION

Approve with conditions the Forbes Creek 11 Final Subdivision and Planned Unit Development. The City Council may do so by adopting the enclosed Resolution.

BACKGROUND DISCUSSION

The Preliminary Subdivision and Planned Unit Development was heard by the City Council on September 20, 2005. The City Council approved the project with conditions on September 20, 2005. A concurrency test was passed for traffic, water, and sewer on October 20, 2004. A Determination of Non-significance was issued for the proposal on May 26, 2005. The proposal includes the following general elements:

- Subdivide 3 existing lots, 5.68 total acres, into 11 lots for single-family residences within a RS 12.5 zone with a minimum lot size of 12,500 square feet. The proposed lots will range in size from 5,100 square feet to 7,163 square feet, with an average lot size of 5,640 square feet. However, if you include the NGPE on the southern two-thirds of the site the average lot size is 20,363 square feet. All of the lots are less than 12,500 square foot minimum lot size requirement and are clustered on the north side of the property. Therefore, the subdivision was reviewed and approved through the planned unit development provisions of Kirkland Zoning Code Section 125.35.

- Primary access to the subdivision will be from Forbes Creek Drive. A new public right-of-way will be dedicated within the subdivision for access to the new lots.

- A 3.82 acre natural growth protective easement (NGPE) (Tract "B)" is located on the south side of the site.

The applicant is not proposing any modifications to the size, configuration, or location of any of the lots, access easements, or the open space tract approved with the preliminary subdivision.

The Planning Director recommends approval of the final subdivision with the conditions outlined in the staff advisory report dated July 20, 2006 (See Enclosure 1).

ENCLOSURES

1. Staff Advisory Report dated July 19, 2006

cc: File FSB06-00001

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

MEMORANDUM
ADVISORY REPORT
FINDINGS, CONCLUSION, AND RECOMMENDATIONS

To: Eric R. Shields, AICP, Planning Director

From: Désirée Goble, AICP, Project Planner

Date: July 20, 2006

File: FORBES CREEK 11 FINAL PLANNED UNIT DEVELOPMENT AND SUBDIVISION, FSB06-00002

I. RECOMMENDATION

Recommend approval of the application subject to the following conditions:

A. The application is subject to the applicable requirements contained in the Kirkland Municipal Code, Zoning Code, Building and Fire Code, and Subdivision Ordinance. It is the responsibility of the applicant to ensure compliance with the various provisions contained in these ordinances. Attachment 1, Preliminary Subdivision Notice of Approval, is provided in this memo to familiarize the applicant with some of the additional development regulations. This attachment does not include all of the additional regulations.

B. Prior to recording of the final plat mylar, the applicant shall:

1. Install or bond for the completion of required right-of-way improvements. A plat bond or other approved security performance undertaken in an amount determined by the director of Public Works in accordance with the requirements therefore in the Kirkland Subdivision Ordinance shall be deposited with the City of Kirkland and be conditioned on the completion and acceptance by the City of all conditions of approval including public improvements within one year from the date of plat approval.

2. Submit a title report no more than 30 days old from the date the final plat mylar was signed by the owners.

3. Provide the correct dedication language on the final plat mylar.

4. Provide the seal of the registered land surveyor responsible for preparation of the plan on the final plat mylar.

II. BACKGROUND

A. The applicant is Chaffey Homes.

B. This is a final subdivision application to approve a 11-lot subdivision on a 5.68-acre site (see Attachment 2).

C. The site is located at 10623 Forbes Creek Drive (see Attachment 2).

III. HISTORY

The Preliminary Subdivision and Planned Unit Development was heard by the City Council on September 6, 2005. The City Council approved the project with conditions on September 20, 2005. A concurrency test was passed for traffic, water, and sewer on October 20, 2004. A Determination of Non-significance was issued for the proposal on May 26, 2005. The proposal includes the following general elements:

1. Subdivide 3 existing lots, 5.68 total acres, into 11 lots for single-family residences within a RS 12.5 zone with a minimum lot size of 12,500 square feet. The proposed lots will range in size from 5,100 square feet to 7,163 square feet, with an average lot size of 5,640 square feet. However, if you include the NGPE on the southern two-thirds of the site the average lot size is 20,363 square feet. All of the lots are less than 12,500 square foot minimum lot size requirement and are clustered on the north side of the property. Therefore, the subdivision was reviewed and approved through the planned unit development provisions of Kirkland Zoning Code Section 125.35.

2. Primary access to the subdivision will be from Forbes Creek Drive. A new public right-of-way will be dedicated within the subdivision for access to the new lots.

3. A 3.82 acre natural growth protective easement (NGPE) (Tract "B)" is located on the south side of the site.

IV. ANALYSIS

A. FINAL SUBDIVISION

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:

1. Consistency with the preliminary plat, except for minor modifications as allowed under Kirkland Municipal Code Section 22.16.080; and

2. Consistency with the provisions of the Subdivision Ordinance and RCW 58.17.

The applicant has not proposed any modifications to the size, configuration or location of any of the lots, access easements, or the open space tract approved with the preliminary subdivision.

The applicant has complied with all of the conditions that were placed on the preliminary subdivision application approved by the City Council, except for those conditions that must be accomplished prior to Final Plat recording. The applicant is required to submit a bond to

ensure future completion of the remaining required public improvements prior to recording of the final plat.

B. FINAL PLANNED UNIT DEVELOPMENT

Section 125.55 of the Kirkland Zoning Code discusses the conditions under which the final planned unit development may be approved by the City Council. These conditions are as follows:

1. Ensure that the final planned unit development site plan conforms in all respects to that which was approved by City Council.

2. Ensure that any decisions or determinations made by the City Council in the approving ordinance have been made to the site plan.

The applicant has not proposed any modifications to the approved preliminary planned unit development proposal. The City Council did not require any modifications to the preliminary site plan that were to be incorporated into the final planned unit development site plan.

The applicant has determined that they can meet the existing height for Lot 9 (see Attachment 3). Furthermore, they will comply with all of the conditions that were placed on the preliminary planned unit development application approved by the City Council. The applicant will submit a bond to ensure future completion of the remaining required public improvements prior to recording of the final plat.

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 Subdivision Ordinance 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 requires that the final plat be submitted to the City for recording with King County within four (4) years of the date of approval of the preliminary plat, unless specifically extended in the decision on the plat, or the decision becomes void: provided, however, that in the event judicial review is initiated per Section 22.16.110, the running of the four years 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. Preliminary Subdivision Notice of Approval, including Development Standards
2. Final Plat
3. E-mail correspondence from Aileen Zavales dated July 20, 2006

4. Ordinance 4030 and Approved Preliminary Plat

Review by Planning Director:

I concur ✓ I do not concur _____

Comments: _____

Eric R. Shields 7/20/06

Eric R. Shields, AICP Date

cc: Applicant
Notebook
File PRE04-00002

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

PLANNED UNIT DEVELOPMENT
NOTICE OF APPROVAL

FILE NO. PSB04-00002

PROJECT NAME: Forbes Creek PUD

PROJECT ADDRESS: 10623 Forbes Creek Drive

APPLICANT OR AGENT: Chaffey Corporation

CITY OF KIRKLAND APPROVAL DATES: September 20, 2005, but must submit a complete application for Final Planned Unit Development and Subdivision by January 20, 2009 (8 months prior to lapse of approval).

LAPSE OF APPROVAL DATE(S) September 20, 2009

LAPSE OF APPROVAL DATE APPLIES UNLESS JUDICIAL REVIEW PROCEEDINGS ARE INITIATED WITHIN 21 CALENDAR DAYS OF ISSUANCE OF THE FINAL LAND USE DECISION BY THE CITY.

This NOTICE OF APPROVAL is granted subject to the attached conditions and development standards. Failure to meet or maintain strict compliance shall be grounds for revocation in accordance with the Kirkland Zoning Ordinance No. 2740 as amended.

The applicant must also comply with any federal, state or local statutes, ordinances or regulations applicable to this project. This Notice of Approval does not authorize grading or building without issuance of the necessary permits from the Kirkland Building Department.

CITY OF KIRKLAND
PLANNING AND COMMUNITY DEVELOPMENT

By: Désirée Goble
Desiree Goble
Title: Planner

Attachments:

Conditions of Approval
Development Standards

ATTACHMENT 1
FSB06-00002

CONDITIONS OF APPROVAL

FORBES CREEK 11 PUD AND PRELIMINARY SUBDIVISION FILE NO. PSB04-00002

_____ 1. This application is subject to the applicable requirements contained in the Kirkland Municipal Code, Zoning Code, Subdivision Ordinance, and Building and Fire Code. It is the responsibility of the applicant to ensure compliance with the various provisions contained in these ordinances. Attachment 3, Development Standards, is provided in this report 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 Attachment 3, the condition of approval shall be followed.

Comments: _____

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_____ 2. As part of an application for a Final PUD and Final Subdivision, the applicant shall submit:

a. Plans showing any changes to the project.

b. Submit a cross elevation for Lot 9, showing the minimum fill needed to achieve the maximum driveway grade acceptable to the City. The final approved increase in building height for Lot 9 shall be determined with the final PUD (see Conclusion II.G.5.b). All other lots shall comply with a maximum building height of 30 feet ABE.

Comments: _____

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_____ 3. Prior to recording the subdivision, the applicant shall:

a. Submit a geotechnical report meeting the requirement of KZC Section 85.15.3 and 85.15.4 for the site and any proposed rockery over 4 feet in height (refer to Conclusion II.A.1.b).

b. Submit a shared driveway easement for the shared driveway on Lots 8 and 9. *This easement should provide adequate vehicular turnaround area* (see Conclusion II.H.2).

c. Install the required improvements as follows:

(1) Half-street improvements within the Forbes Creek Drive right-of-way bordering the subject property (see Attachment 3 and Conclusion II.F.4.b):

(a) Widen the street to 22 feet from centerline to face of curb.

(b) Install storm drainage, curb and gutter, a 4.5 feet planter

strip with street trees 30 feet on-center, and a five-foot wide sidewalk.

(c) Dedicate 2 feet of property as public right-of-way to encompass the sidewalk.

(d) Install curb bump-outs at the new intersection between Road A in the subdivision and Forbes Creek Drive define the on-street parking along Forbes Creek Drive. The bump-outs shall be a maximum of 6 feet wide.

(2) Full street improvements within the newly dedicated right-of-way in the subdivision shown on the plans as Road A and B (see Attachment 3 and Conclusion II.F.4.b):

(a) Dedicate right-of-way 35 feet wide.

(b) Install storm drainage, 24 feet asphalt pavement, curb, and gutter.

(c) Install 4.5-foot wide landscape strip planted with street trees 30 feet on center around the entire perimeter of the new streets.

(3) Install the following PUD improvements (see Attachment 12):

(a) A handrail along one side the staircase in 6th Street/108th Avenue NE right-of-way between Forbes Creek Drive and 20th Avenue (see Conclusion II.G.4.b).

(b) Two historic interpretive signs, after review and approval of the proposed language by the Planning and Community Development Department, at two locations to be determined by Planning and Community Development (see Conclusion II.G.4.b).

(c) A 5-foot wide asphalt walkway on the south side of Forbes Creek Drive right-of-way starting at the east side of the property, extending to the unimproved right-of-way of 6th Street/108th Avenue NE and then continuing south up the hill within the unimproved right-of-way. The pedestrian trail in the unimproved 6th Street/108th Avenue NE right-of-way connects Forbes Creek Drive with 20th Avenue NE. (see Conclusion II.G.4.b).

(4) Prior to installing any (the public right-of-way and PUD public benefit) improvements, plans must be submitted for approval by the Department of Public Works.

Comments: _____

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_____ 4. As part of the application for a Land Surface Modification permit the applicant shall submit:

a. A geotechnical report meeting the requirement of KZC Section 85.15.3 and 85.15.4, covering the overall project and the rockeries above 4 feet in height (see Conclusion II.A.1.b).

b. A revised tree preservation and removal plan (see Attachment 4) to retain all significant trees, except trees located within the proposed public right-of-way and for installation of utilities. *Only those significant trees required to be* removed for installation of plat improvements may be removed in conjunction with the Land Surface Modification permit. If site disturbance is proposed within the drip lines of any trees required to be saved, an arborist report may be required by the Planning Department to address specific grading impacts to the trees and recommended mitigating measures. An arborist report may also be require if it appears that there are hazardous trees on the site that need to be removed (see Conclusion II.F.6.).

c. Plans for installing the half-street improvements in the Forbes Creek Drive right-of-way bordering the subject property as outlined in Condition I.B.4.c.1 to be approved by the Department of Public Works (see Conclusion II.F.4.b).

d. Plans for installing the street improvements within the newly dedicated right-of-way shown on the plans as Road A and B as outlined in Condition I.B.4.c.2 (see Conclusion II.F.4.b).

e. Plans for installing the PUD benefits as outlined in Condition I.B.4.c.3 (see Conclusion II.F.5.b).

Comments: _____

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_____ 5. With the submittal of the building permit on each new lot created with the subdivision, the applicant shall submit:

a. A copy of the tree preservation and removal plan approved with the Land Surface Modification permit. Any proposed changes to the approved tree preservation and retention plan must be approved by the Planning Department in conjunction with the building permits. As part of the building permit approval, the City may require minor alterations to the arrangements of structures on each lot and elements in the proposed development in order *to achieve the maximum retention of these significant trees (see Conclusion* II.F.6.b)

b. Submit building plans for each home that meet all Zoning Code requirements (for example, driveway width, driveway setback and garage facades, and combined rockery/fence requirements) unless specifically approved as part

of the PUD (see Conclusion II.H.2).

c. Facade treatments for the north facade of Lots 1 and 11 as shown in Attachment 2, (see Conclusion II.G.5.b).

Comments: _____

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_____ 6. Incorporate some form of design element that will prevent skateboarders inappropriate use of the handrail along the side of the staircase running between Forbes Creek Drive and 20th Avenue.

Comments: _____

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_____ 7. Install greenery between the fence and the rockery on the north side of Lots 1 and 11 that will provide plants of varying heights and density.

Comments: _____

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_____ 8. Sign a modified Natural Greenbelt Protective Easement requiring continuing removal of invasive species that may be detrimental to the long term wellbeing of the trees protected by the easement; and require removal of ivy from all healthy trees located within the area covered by the NGPE prior to release of the two year maintenance security for plat improvements.

Comments: _____

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CITY OF KIRKLAND

Planning and Community Development Department
123 Fifth Avenue, Kirkland, WA 98033 425.587-3225

www.ci.kirkland.wa.us

DEVELOPMENT STANDARDS LIST

File: Forbes Creek 11, PSB04-00002

PLANNING DEPARTMENT CONDITIONS

Subdivision Standards

22.28.030 Lot Size. Unless otherwise approved in the preliminary subdivision or short subdivision approval, all lots within a subdivision must meet the minimum size requirements established for the property in the Kirkland zoning code or other land use regulatory document.

22.28.050 Lot Dimensions. For lots smaller than 5,000 square feet, the lot width at the back of the required front yard shall not be less than 50 feet unless the garage is located at the rear of the lot or the lot is a flag lot.

22.28.130 Vehicular Access Easements. The applicant shall comply with the requirements found in the Zoning Code for vehicular access easements or tracts.

22.28.210 Significant Trees. The applicant shall retain at least twenty-five percent of the healthy significant trees, together with any associated groundcover or understory vegetation necessary to assure long-term health and prevent erosion. The tree retention plan is shown on Attachment 4. There are 141 significant trees; the applicant is proposing to retain 112 trees, or 79%. All trees designated to be saved under the tree retention plan must be retained, unless a modification to the tree retention plan is approved by the Department of Planning and Community Development.

22.32.010 Utility System Improvements. All utility system improvements must be designed and installed in accordance with all standards of the applicable serving utility.

22.32.030 Stormwater Control System. The applicant shall comply with the construction phase and permanent stormwater control requirements of the Municipal Code.

22.32.050 Transmission Line Undergrounding. The applicant shall comply with the utility lines and appurtenances requirements of the Zoning Code.

22.32.060 Utility Easements. Except in unusual circumstances, easements for utilities should be at least ten feet in width.

27.06.030 Park Impact Fees. New residential units are required to pay park impact fees prior to issuance of a building permit. The impact fee for new single-family dwelling units is $612. The impact fee for new multifamily dwelling units is $430. Exemptions and/or credits may apply pursuant to KMC 27.06.050 and KMC 27.06.060. If a property contains an existing unit to be removed, a "credit" for that unit shall apply to the first building permit of the subdivision in the amount of $612 for a single family unit and $430 for a multi-family unit.

Prior to Recording:

22.16.030 Final Plat - Lot Corners. The exterior plat boundary, and all interior lot corners shall be set by a registered land surveyor.

22.16.040 Final Plat - Title Report. The applicant shall submit a title company certification which is not more than 30 calendar days old verifying ownership of the subject property on the date that the property owner(s) (as indicated in the report) sign(s) the subdivision documents; containing a legal description of the entire parcel to be subdivided; describing any easements or restrictions affecting the property with a description, purpose and reference by auditor's file number and/or recording number; any encumbrances on the property; and any delinquent taxes or assessments on the property.

22.16.150 Final Plat - Improvements. The owner shall complete or bond all required right-of-way, easement, utility and other similar improvements.

22.32.020 Water System. The applicant shall install a system to provide potable water, adequate fire flow and all required fire-fighting infrastructure and appurtenances to each lot created.

22.32.040 Sanitary Sewer System. The developer shall install a sanitary sewer system to serve each lot created.

22.32.080 Performance Bonds. In lieu of installing all required improvements and components as part of a plat or short plat, the applicant may propose to post a bond, or submit evidence that an adequate security device has been submitted and accepted by the service provider (City of Kirkland), for a period of one year to ensure completion of these requirements within one year of plat/short plat approval.

Prior to occupancy:

22.32.020 Water System. The applicant shall install a system to provide potable water, adequate fire flow and all required fire-fighting infrastructure and appurtenances to each lot created.

22.32.040 Sanitary Sewer System. The developer shall install a sanitary sewer system to serve each lot created.

22.32.090 Maintenance Bonds. A two-year maintenance bond may be required for any of the improvements or landscaping installed or maintained under this title.

Zoning Code Standards

90.45 Wetlands and Wetland Buffers. No land surface modification may take place and no improvement may be located in a wetland or within the environmentally sensitive area buffers for a wetland, except as specifically provided in this Section.

90.50 Wetland Buffer Fence. Prior to development, the applicant shall install a six-foot high construction phase fence along the upland boundary of the wetland buffer with silt screen fabric installed per City standard. The fence shall remain upright in the approved location for the duration of development activities. Upon project completion, the applicant shall install between the upland boundary of all wetland buffers and the developed portion of the site, either 1) a permanent 3 to 4 foot tall split rail fence, or 2) permanent planting of equal barrier value.

90.80 Streams. No land surface modification may take place and no improvements may be located in a stream except as specifically provided in this Section.

90.90 Stream Buffers. No land surface modification may take place and no improvement may be located within the environmentally sensitive buffer for a stream, except as provided in this Section.

90.95 Stream Buffer Fence. Prior to development, the applicant shall install a six-foot high construction phase fence along the upland boundary of the entire stream buffer with silt screen fabric installed per City standard. The fence shall remain upright in the approved location for the duration of development activities. Upon project completion, the applicant shall install between the upland boundary of all stream buffers and the developed portion of the site, either 1) a permanent 3 to 4 foot tall split rail fence, or 2) permanent planting of equal barrier value.

95.35 Plant Replacement. The applicant shall replace any plants required by this Code that are unhealthy or dead for a period of two years after initial planting.

100.25 Sign Permits. Separate sign permit(s) are required.

105.20 Required Parking. Two parking spaces are required for each detached dwelling unit.

110.60.8 Street Trees. All trees planted in the right-of-way must be approved as to species by the City. All trees must be two inches in diameter at the time of planting as measured using the standards of the American Association of Nurserymen with a canopy that starts at least six feet above finished grade and does not obstruct any adjoining sidewalks or driving lanes.

115.25 Work Hours. It is a violation of this Code to engage in any development activity or to operate any heavy equipment before 7:00 am. or after 8:00 pm Monday through Friday, or before 9:00 am or after 6:00 pm Saturday. No development activity or use of heavy equipment may occur on Sundays or on the following holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving, and Christmas Day. The applicant will be required to comply with these regulations and any violation of this section will result in enforcement action, unless written permission is obtained from the Planning official.

115.40 Fence Location. Fences over 6 feet in height may not be located in a required setback yard. A detached dwelling unit abutting a neighborhood access or collector street may not have a fence over 3.5 feet in height within the required front yard.

115.42 Floor Area Ratio (F.A.R.) limits. Floor area for detached dwelling units is limited to a maximum floor area ratio in low density residential zones. Unless otherwise approved in the planned unit development request all lots within Forbes Creek 11 must meet the maximum FAR established for the property as found in the Use Zone charts.

115.43 Garage Setback Requirements for Detached Dwelling Units in Low Density Zones. The garage must be set back five feet from the remaining portion of the front façade of a dwelling unit if: the garage door is located on the front façade of the dwelling unit; and the lot is at least 50 feet wide at the front setback line; and the garage width exceeds 50 percent of the combined dimensions of the front facades of the dwelling unit and the garage. This regulation does not apply within the disapproval jurisdiction of the Houghton Community Council.

115.75.2 Fill Material. All materials used as fill must be non-dissolving and non-decomposing. Fill material must not contain organic or inorganic material that would be detrimental to the water quality, or existing habitat, or create any other significant adverse impacts to the environment.

115.90 Calculating Lot Coverage. The total area of all structures and pavement and any other impervious surface on the subject property is limited to a maximum percentage of total lot area. See the Use Zone charts for maximum lot coverage percentages allowed. Section 115.90 lists exceptions to total lot coverage calculations including: wood decks; access easements or tracts serving more than one lot that does not abut a right-of-way; detached dwelling unit driveways that are outside the required front yard; grass grid pavers; outdoor swimming pools; and pedestrian walkways. See Section 115.90 for a more detailed explanation of these exceptions.

115.115.3.g Rockeries and Retaining Walls. Rockeries and retaining walls are limited to a maximum height of four feet in a required yard unless certain modification criteria in this section are met. The combined height of fences and retaining walls within five feet of each other in a required yard is limited to a maximum height of 6 feet, unless certain modification criteria in this section are met or approved by the planned unit development application for this project.

115.115.3.n Covered Entry Porches. In low density residential zones, covered entry porches on detached dwelling units may be located within 13 feet of the front property line if certain criteria in this section are met.

115.115.3.o Garage Setbacks. In low density residential zones, garages meeting certain criteria in this section can be placed closer to the rear property line than is normally allowed in those zones.

115.115.5.a Driveway Width and Setbacks. For a detached dwelling unit, a driveway and/or parking area shall not exceed 20 feet in width in any required front yard, and shall not be closer than 5 feet to any side property line unless certain standards are met.

115.135 Sight Distance at Intersection. Areas around all intersections, including the entrance of driveways onto streets, must be kept clear of sight obstruction as described in this section.

152.22.2 Public Notice Signs. Within seven (7) calendar days after the end of the 21-day period following the City's final decision on the permit, the applicant shall remove all public notice signs.

Prior to recording:

110.60.6 Mailboxes. Mailboxes shall be installed in the development in a location approved by the Postal Service and the Planning Official. The applicant shall, to the maximum extent possible, group mailboxes for units or uses in the development.

Prior to issuance of a grading or building permit:

85.25.1 Geotechnical Report Recommendations. A written acknowledgment must be added to the face of the plans signed by the architect, engineer, and/or designer that he/she has reviewed the geotechnical recommendations and incorporated these recommendations into the plans.

85.40 Natural Greenbelt Protective Easement. The applicant shall submit for recording a natural greenbelt protective easement, in a form acceptable to the City Attorney, for recording with King County (see Attachment 15).

85.45 Liability. The applicant shall enter into an agreement with the City, which runs with the property, in a form acceptable to the City Attorney, indemnifying the City for any damage resulting from development activity on the subject property which is related to the physical condition of the property (see Attachment 16).

90.50 Wetland Buffer Fence. Prior to development, the applicant shall install a six-foot high construction phase fence along the upland boundary of the wetland buffer with silt screen fabric installed per City standard. The fence shall remain upright in the approved location for the duration of development activities. Upon project completion, the applicant shall install between the upland boundary of all wetland buffers and the developed portion of the site, either 1) a permanent 3 to 4 foot tall split rail fence, or 2) permanent planting of equal barrier value.

90.95 Stream Buffer Fence. Prior to development, the applicant shall install a six-foot high construction phase fence along the upland boundary of the entire stream buffer with silt screen fabric installed per City standard. The fence shall remain upright in the approved location for the duration of development activities. Upon project completion, the applicant shall install between the upland boundary of all stream buffers and the developed portion of the site, either 1) a permanent 3 to 4 foot tall split rail fence, or 2) permanent planting of equal barrier value.

90.150 Natural Greenbelt Protective Easement. The applicant shall submit for recording a natural greenbelt protective easement, in a form acceptable to the City Attorney, for recording with King County (see Attachment 15).

90.155 Liability. The applicant shall enter into an agreement with the City which runs with the property, in a form acceptable to the City Attorney, indemnifying the City for any damage resulting from development activity on the subject property which is related to the physical condition of the stream, minor lake, or wetland (see Attachment 18).

95.15.4 Tree Protection Techniques. In order to provide the best possible conditions for the retention of significant trees, the applicant shall construct a temporary but immovable 4 foot high chain-link fence generally corresponding to the drip line of each tree or group of trees shown on the tree retention plan to be retained (see Attachment 4). Additional tree protection measures may be required of the applicant. The protective fencing must remain in place throughout the demolition, clearing, grading, excavation, and construction processes, including the construction of homes. No grading, operation of heavy equipment, stockpiling, or excavation may occur inside the protective fences.

27.06.030 Park Impact Fees. If a property contains an existing unit to be removed, a "credit" for that unit shall apply to the first building permit of the subdivision in the amount of $612 for a single family unit and $430 for a multi-family unit.

Prior to occupancy:

90.145 Bonds. The City may require a bond and/or a perpetual landscape maintenance agreement to ensure compliance with any aspect of the Drainage Basins chapter or any decision or determination made under this chapter.

110.60.6 Mailboxes. Mailboxes shall be installed in the development in a location approved by the Postal Service and the Planning Official. The applicant shall, to the maximum extent possible, group mailboxes for units or uses in the development.

110.75 Bonds. The City may require or permit a bond to ensure compliance with any of the requirements of the Required Public Improvements chapter.

PUBLIC WORKS CONDITIONS:

General Conditions:

1. All public improvements associated with this project including street and utility improvements, must meet the City of Kirkland Public Works Pre-Approved Plans and Policies Manual. A Public Works Pre-Approved Plans and Policies manual can be purchased from the Public Works Department, or it may be retrieved from the Public Works Department's page at the City of Kirkland's web site at www.ci.kirkland.wa.us.
2. All civil engineering plans which are submitted in conjunction with a building, grading, or right-of-way permit must conform to the Public Works Policy titled ENGINEERING PLAN REQUIREMENTS. This policy is contained in the Public Works Pre-Approved Plans and Policies manual.
3. All street improvements and underground utility improvements (storm, sewer, and water) must be designed by a Washington State Licensed Engineer; all drawings shall bear the engineers stamp.
4. All plans submitted in conjunction with a building, grading or right-of-way permit must have elevations which are based on the King County datum only (NAVD 88).
5. A completeness check meeting is required prior to submittal of any Building Permit applications.
6. This project has applied for and passed concurrency. The concurrency test notice will expire on October 20, 2005. For more information regarding concurrency and the traffic impact analysis, please review the memorandum in the staff report from Thang Nguyen, Transportation Engineer.
7. Building Permits associated with this proposed project will be subject to the traffic impact fees per Chapter 27.04 of the Kirkland Municipal Code. The impact fees shall be paid prior to issuance of the Building Permit(s).

8. The two houses that will be demolished within this project will receive a Traffic Impact Fee credit. This credit will be applied to the first two Building Permit that are applied for within this subdivision (and subsequent Building Permits if multiple houses are demolished). The credit amount for each demolished single family home will be equal to the most currently adopted Traffic Impact Fee schedule.

Sanitary Sewer Conditions:

1. The applicant shall extend the existing public sewer system to provide sanitary sewer service for each lot within the proposed project. The sewer can be extended from: 1) the existing sewer manhole located at the northwest property corner or 2) it can be extended from the sewer manhole approximately 100 ft to the east on the opposite side of Forbes Creek drive. If the first option is chosen the main only needs to be extended east to the new road intersection. If the second option is chosen, the main only needs to be extended west to the new intersection as long as each lot can be provided with a side sewer stub. In addition, extend an 8-inch sewer main into the project to serve all of the lots.
2. Provide a plan and profile design for the sewer line extension
3. Provide a 6-inch minimum side sewer stub to each lot.

Water System Conditions:

1. The applicant shall extend the existing public water system to provide water service for each lot. Extend water mains along the new access roads; the main extensions shall be 8-inch diameter when serving a hydrant and 4-inch diameter when only providing service to the lots. All extensions shall be terminated with a blow-off or hydrant.
2. Provide a separate 1" minimum water service from the water main to the meter for each lot; City of Kirkland will set the water meter.
3. The existing water services may be used provided that they are in the right location, they are not galvanized, and they are sized adequately to serve the building (per the Uniform Plumbing Code).
4. Provide fire hydrants per the Fire Departments requirements.

Surface Water Conditions:

1. Provide temporary and permanent storm water control per the 1998 King County Surface Water Design Manual. The site does discharge to a stream and level II detention should be anticipated.
2. Storm detention calculations for the entire site are required.
3. Provide a level one off-site analysis (based on the King County Surface Water Design Manual, core requirement #2).
4. For new or reconstructed impervious areas, subject to vehicular use, provide storm water quality treatment per the most current City-adopted Surface Water Design Manual. 5. Any off-site storm water must by-pass the on-site storm water detention system or accounted for in the design of the detention system.
5. Provide collection and conveyance of right-of-way storm drainage
6. Provide an erosion control plan with Building or Land Surface Modification Permit application. The plan shall be in accordance with the 1998 King County Surface Water Design Manual.
7. The National Pollutant Discharge Elimination System (NPDES) Phase II Final Rule requires operators of small construction sites (disturbing between 1 and 5 acres of land) to obtain a Construction Storm water General Permit through the Washington State Department of Ecology. Information about the permit can be obtained at: Washington State Department of Ecology
http://www.ecy.wa.gov/programs/wq/stormwater/construction/ U.S. EPA Office of Wastewater

Management http://cfpub.epa.gov/npdes/stormwater/const.cfm Specific question can be directed to: Jeff Killelea PO Box 47600 Olympia, WA 98504-7600 (360) 407-6127 jkil461@ecy.wa.gov

8. Construction drainage control shall be maintained by the developer and will be subject to periodic inspections. During the period from April 1 to October 31, all denuded soils must be covered within 15 days; between November 1 and March 31, all denuded soils must be covered within 12 hours. If an erosion problem already exists on the site, other cover protection and erosion control will be required.
9. Provide a separate storm drainage connection for each lot.
10. Provide a plan and profile design for the storm sewer system.
11. The detention system shall be encompassed in a tract dedicated to the City. Paved access must be provided to the vault manholes.

Street Improvement Conditions:

1. The subject property abuts Forbes Creek Drive which is a collector type street and a priority 1 bike route. Zoning Code sections 110.10 and 110.25 require the applicant to make half-street improvements in rights-of-way abutting the subject property. Section 110.30-110.50 establishes that this street must be improved with the following:
   A. Widen the street to 22 ft. from centerline to face of curb.
   B. Install storm drainage, curb and gutter, a 4.5 ft. planter strip with street trees 30 ft. on-center, and a 5 ft. wide sidewalk.
   C. Dedicate 2 ft. of property as public right-of-way to encompass the sidewalk.
   D. At the new intersection between road A and Forbes Creek Drive, curb bump-outs shall be used to define the on-street parking along Forbes Creek Drive. The bump-outs shall be a maximum of 6 ft wide.
2. The new interior streets should meet the following standards:
   A. Dedicate right-of-way 35 ft. wide.
   B. Install storm drainage, 24 ft of asphalt, and curb and gutter.
   C. Install a 4.5 min. landscape strip with street trees 30 ft. on-center around the entire perimeter of the new streets.
   D. Although the west leg of the new street exceeds the 200 ft. max allowed by the code (without a cul-de-sac), Public Works and the Fire Department recommend approval of this design because the tee intersection can be used as a turn-around area.
3. The subject property also abuts 20th Ave. which is an unopened and unimproved right-of-way along the south side of the property that the project can not gain access to (due to the topography). Because this project can not use this right-of-way, and because it would be extremely difficult to improve, due to the steep slopes and drainage ravines, Public Works recommends that waiver of the street improvements be granted. A waiver is allowed by Chapter 110.70.5 (a) & (d) of the Zoning Code.
4. Public Works has reviewed and recommends approval of the proposed public benefit package
5. A 2-inch asphalt street overlay will be required where more than three utility trench crossings occur with 150 lineal ft. of street length or where utility trenches parallel the street centerline. Grinding of the existing asphalt to blend in the overlay will be required along all match lines.
6. The driveway for each lot shall be long enough so that parked cars do not extend into the access easement or right-of-way (20 ft. min.)

7. Prior to the final of the building or grading permit, pay for the installation of stop and street signs at the new intersections.
8. Install "NO PARKING ANYTIME" signs along both sides of the street at the tee intersection to provide a turn-around area for emergency vehicles.
9. Install new monuments at all of the new street interactions, including Forbes Creek Dr.
10. It shall be the responsibility of the applicant to relocate any above-ground or below-ground utilities which conflict with the project associated street or utility improvements.
11. Underground all new and "existing" on-site utility lines and overhead transmission lines.
12. Zoning Code Section 110.60.9 establishes the requirement that existing utility and transmission (power, telephone, etc.) lines on-site and in rights-of-way adjacent to the site must be underground. The Public Works Director may determine if undergrounding transmission lines in the adjacent right-of-way is infeasible. If undergrounding is not feasible, the applicant is required to sign a concomitant agreement to underground the overhead lines at a future date. In this case, the Public Works Director has determined that undergrounding of existing overhead utility on Forbes Creek Dr. is infeasible at this time and the undergrounding of off-site/frontage transmission lines should be deferred with a concomitant agreement. The applicant shall submit a signed and notarized concomitant agreement to underground all existing utility lines bordering the subject property to be approved the Department of Public Works and recorded with the King County Records and Elections Division.
13. New street lights are required per Puget Power design and Public Works approval. Design must be submitted prior to issuance of a grading or building permit.

FIRE DEPARTMENT CONDITIONS:

1. One additional hydrant is required. It may be placed on Forbes Creek Drive right of way at the entrance to the property.
2. The turning radius of the road shall be a 45 foot outside radius and 25 foot inside radius.
3. Grade not to exceed 15 percent

BUILDING DEPARTMENT CONDITIONS:

1. Buildings must comply with 1997 editions of the Uniform Building, Mechanical, Plumbing and Fire Codes as adopted and amended by the State of Washington and the City of Kirkland.
2. Structure must comply with Washington State Energy Code (WAC 51-11); and the Washington State Ventilation and Indoor Air Quality Code (WAC 51-13).
3. Geotechnical report required to address development activity. Report must be prepared by a Washington State licensed Professional Engineer. Recommendations contained within the report shall be incorporated into the design of the Short Plat and subsequent structures.
4. Demolition permits are required for removal of existing structures.

CITY OF KIRKLAND

CRESTWOOD AT FORBES CREEK

NE4, SW4, SEC. 32, TWP 26N, RGE 5E, W.M.

CITY OF KIRKLAND, KING COUNTY, WASHINGTON

DEDICATION

KNOW ALL PEOPLE BY THESE PRESENTS THAT WE, THE UNDERSIGNED BEING ALL OF THE OWNERS OF THE LAND HEREBY SUBDIVIDED, ...

IN WITNESS WHEREOF WE SET OUR HANDS AND SEALS

STATE OF WASHINGTON } SS

COUNTY OF

ACKNOWLEDGMENTS

STATE OF WASHINGTON } SS

COUNTY OF

I CERTIFY THAT I KNOW OR HAVE SATISFACTORY EVIDENCE THAT ...

DATED:

SIGNATURE:

PRINT NAME:

NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON

RESIDING AT:

MY APPOINTMENT EXPIRES:

APPROVALS

CITY OF KIRKLAND

APPROVED BY THE KIRKLAND CITY COUNCIL THIS ____ DAY OF ____, 20__

ATTEST

EXAMINED AND APPROVED THIS ____ DAY OF ____, 20__

KING COUNTY

RECORDER'S CERTIFICATE

FILED FOR RECORD THIS ____ DAY OF ____, 20__ AT ____ M. IN BOOK ____ OF ____ AT PAGE ____ AT THE REQUEST OF ____

SURVEYOR'S CERTIFICATE

This map correctly represents a survey made by me or under my direction in conformance with the requirements of the Survey Recording Act at the request of ____ in ____ 20__

Surveyor's Certificate No.

American Engineering Corporation

JOB No. 0448

1 of 4

ATTACHMENT 2

FSB06-00002

CITY OF KIRKLAND

FILE NO. [illegible]

CRESTWOOD AT FORBES CREEK

NE4, SW4, SEC. 32, TWP 26N, RGE 5E, W.M.

CITY OF KIRKLAND, KING COUNTY, WASHINGTON

LEGAL DESCRIPTION

PARCEL A
THE WEST HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 26 NORTH, RANGE 5 EAST, W.M. IN KING COUNTY, WASHINGTON

EXCEPT THE NORTH 30 FEET THEREOF,

AND EXCEPT THE NORTH 150 FEET OF THE WEST 30 FEET OF THE EAST 330 FEET OF THE WEST HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 32, TOWNSHIP 26 NORTH, RANGE 5 EAST, W.M., IN KING COUNTY, WASHINGTON

(ALSO KNOWN AS A PORTION OF LOT 6, KIRKLAND 5 ACRE TRACTS, AN UNRECORDED PLAT)

PARCEL B
THE NORTH HALF OF THE FOLLOWING DESCRIBED PROPERTY

THE EAST HALF OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 26 NORTH, RANGE 5 EAST, W.M., IN KING COUNTY, WASHINGTON;

EXCEPT THE NORTH 30 FEET THEREOF,

AND EXCEPT THE EAST 150 FEET THEREOF,

(ALSO KNOWN AS A PORTION OF LOT 6, KIRKLAND 5 ACRE TRACTS, AN UNRECORDED PLAT)

PARCEL C
THE NORTH 150 FEET OF THE WEST 30 FEET OF THE EAST 330 FEET OF THE WEST HALF OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 26 NORTH, RANGE 5 EAST, W.M. IN KING COUNTY, WASHINGTON;
EXCEPT THE NORTH 30 FEET THEREOF.

(ALSO KNOWN AS A PORTION OF LOT 6, KIRKLAND 5 ACRE TRACTS, AN UNRECORDED PLAT)

REFERENCE

/ PLAT OF PARK ESTATES VOL. 156, PGS. 3-4

BASIS OF BEARING

THE CENTERLINE OF FORBES CREEK DRIVE (NE 124TH STREET) BEARING NORTH 89°51'11" WEST PER PLAT OF PARK ESTATES AS RECORDED IN VOLUME 156 OF PLATS AT PAGES 3-4

NOTES

1. SUBJECT TO COVENANTS, CONDITIONS AND RESTRICTIONS AS PROVIDED IN DOCUMENT UNDER RECORDING NO. [illegible]

2. TRACT B IS A DEVELOPING AREA TRACT. OWNERSHIP OF A LOT WITHIN THIS PLANNED UNIT DEVELOPMENT INCLUDES AN EQUAL AND UNDIVIDED OWNERSHIP INTEREST IN TRACT B. THE CRESTWOOD AT FORBES CREEK HOMEOWNERS ASSOCIATION SHALL BE RESPONSIBLE FOR THE MAINTENANCE AND REVEGETATION IN SAID DEVELOPING AREA. TRACT TRACT B IS HEREBY GRANTED AND DEDICATED TO THE CRESTWOOD AT FORBES CREEK HOMEOWNERS ASSOCIATION UPON RECORDING OF THIS PLAT.

3. TRACT D IS A STORM DRAINAGE TRACT THAT IS HEREBY DEDICATED TO THE CITY OF KIRKLAND UPON RECORDING OF THIS PLAT. THE CITY OF KIRKLAND SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF IMPROVEMENTS WITHIN SAID TRACT.

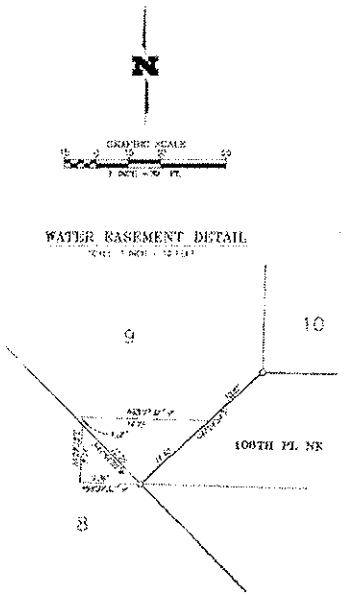
	CITY OF KIRKLAND WASHINGTON	American Engineering Corporation	JOB No. 0448
			DWN BY: [illegible]
			CHKD BY: [illegible]
			DWD BY: [illegible]
			2 OF 4

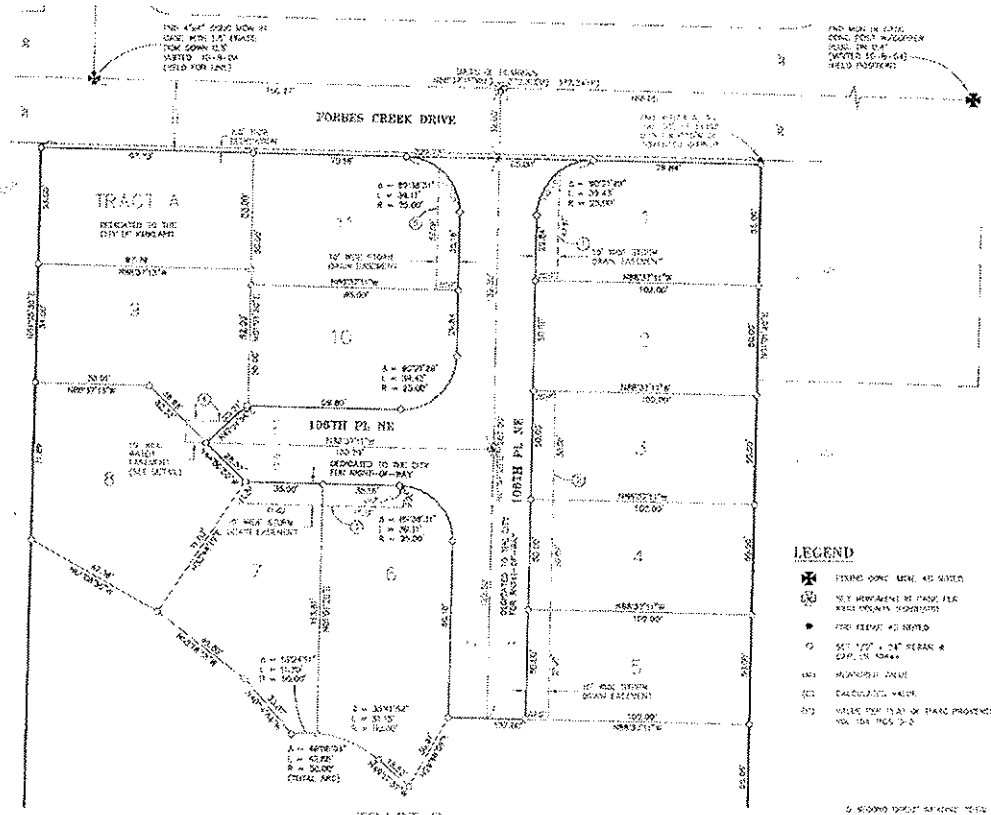
CITY OF KIRKLAND

CRESTWOOD AT FORBES CREEK

NE4, SW4, SEC 32, TWP 26N, RGE 5E, W.M.

CITY OF KIRKLAND, KING COUNTY, WASHINGTON





EASEMENT NOTES

ALL PRIVATE ACCESS, UTILITY AND WATER EASEMENTS AND STORM DRAINAGE SYSTEMS AND EASEMENTS IN THIS PLAT ARE HEREBY DEDICATED TO THE CRESTWOOD AT FORBES CREEK HOMEOWNERS ASSOCIATION. THE HOMEOWNERS ASSOCIATION SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF SAID EASEMENTS.

(1) 10' WIDE PRIVATE STORM DRAINAGE EASEMENT OVER LOTS 10 AND 11 SHOWN HEREON CONTAINS A PRIVATE STORM DRAINAGE SYSTEM SERVICING LOT 7.

(2) 10' WIDE PRIVATE STORM DRAINAGE EASEMENT OVER LOTS 3, 4 AND 5 SHOWN HEREON CONTAINS A PRIVATE STORM DRAINAGE SYSTEM SERVICING LOTS 4, 5 AND TRACT B.

(3) 10' WIDE PRIVATE STORM DRAINAGE EASEMENT OVER LOTS 6 AND 7 SHOWN HEREON CONTAINS A PRIVATE STORM DRAINAGE SYSTEM SERVICING LOTS 7 AND 8.

(4) A PUBLIC WATER EASEMENT IS HEREBY GRANTED TO THE CITY OF KIRKLAND UNDER A PORTION OF LOTS 10 AND 11 FOR A WATER BLOCK VAULT VALVE. THE CITY OF KIRKLAND IS SOLELY RESPONSIBLE FOR THE MAINTENANCE OF THE PUBLIC WATER APPURTENANCES WITHIN SAID EASEMENTS (SEE WATER EASEMENT DETAIL ABOVE ON THIS SHEET).

(5) 10' WIDE PRIVATE STORM DRAINAGE EASEMENT OVER LOT 11 SHOWN HEREON CONTAINS A PRIVATE STORM DRAINAGE SYSTEM SERVICING LOT 10.

LEGEND

- FOUND CONC. MON. AS NOTED
- SET MONUMENT IN CASE PER KING COUNTY STANDARDS
- FIRE HYDRANT AS NOTED
- SET 1/2" x 24" REBAR & CAP, PLS 16442
- (M) MEASURED VALUE
- (C) CALCULATED VALUE
- (R1) VALUE PER PLAT OF PARK PROPERTY VOL 104 PGS 3-5

A WOODED BUFFER STRIPE TYPE LANDSCAPE MEETING WASHINGTON AND KING COUNTY REQUIREMENTS WAS PLANTED ALONG THE NORTHERLY LINE OF TRACT A. THE BUFFER WAS PLANTED IN THE 2003-2004 GROWING SEASON.

JOB No.	0448
DWN BY:	MLS
CHKD BY:	[illegible]
DATE:	[illegible]
	3 OF 4

American Engineering Corporation

CITY OF KIRKLAND WASHINGTON

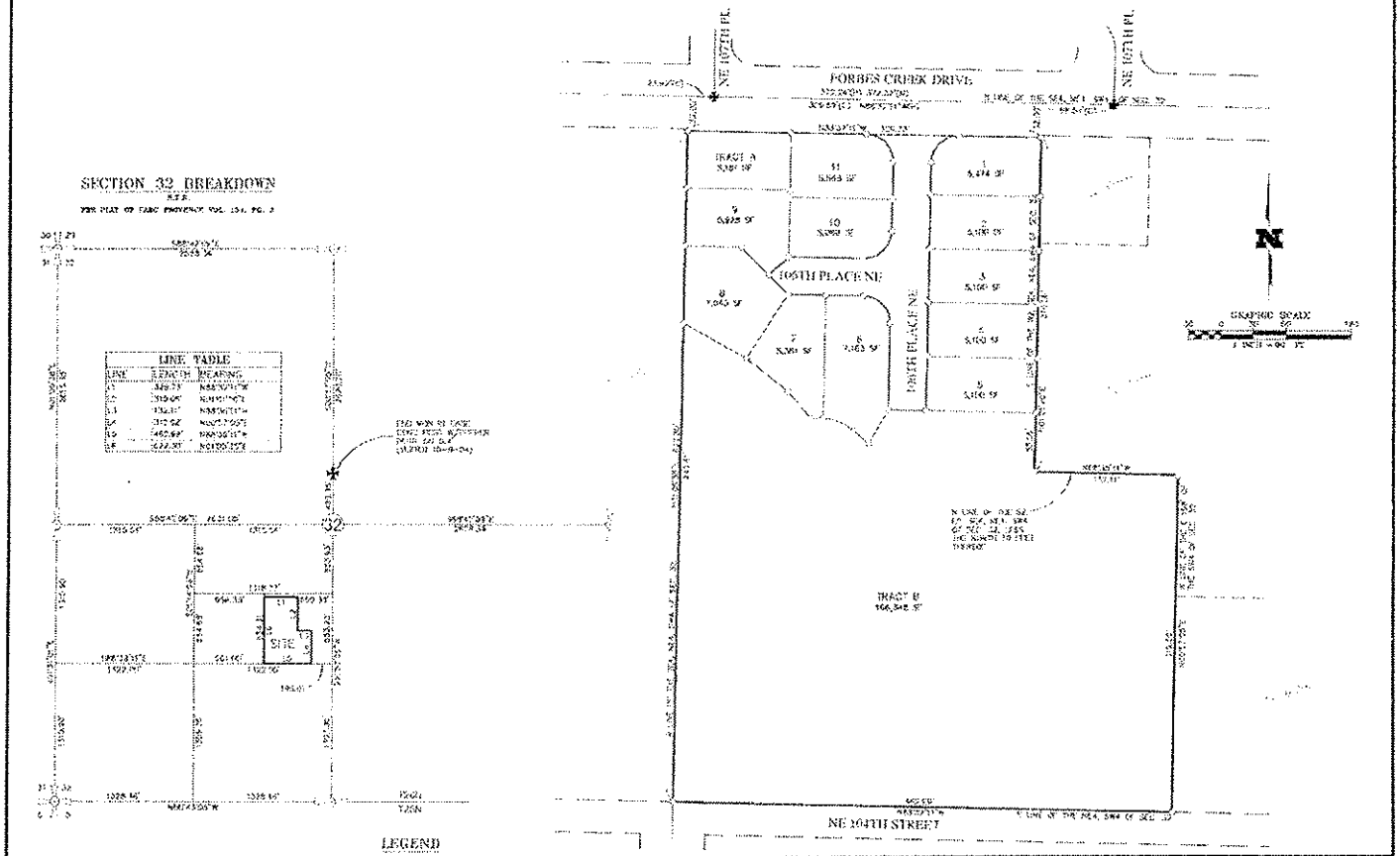
CITY OF KIRKLAND

FILE NO. [illegible]

CRESTWOOD AT FORBES CREEK

NE4, SW4, SEC. 32, TWP 26N, RGE 5E, W.M.

CITY OF KIRKLAND, KING COUNTY, WASHINGTON



American Engineering Corporation

CITY OF KIRKLAND WASHINGTON

JOB NO. 0448

DWN BY:

CHKD BY:

CKD BY:

4 of 4

Aileen Zavales

From: Aileen Zavales
Sent: Thursday, July 20, 2006 1:27 PM
To: Desiree Goble
Cc: Ed Leitis
Subject: Crestwood at Forbes Creek (fka Forbes Creek 11) final plat and PUD

Chaffey Homes has reviewed the Lot 9 situation and condition of approval and we do not need additional height consideration with final plat/PUD approval. The 30' height limitation can be met. Thank you.

Aileen Zavales

-----Original Message-----
From: Desiree Goble [mailto:DGoble@ci.kirkland.wa.us]
Sent: Thursday, July 20, 2006 1:25 PM
To: Aileen Zavales
Subject: test

Desiree Goble, AICP
Planning and Community Development
City of Kirkland
123 5th Avenue
Kirkland, WA 98033

e-mail: dgoble@ci.kirkland.wa.us
Phone: 425.587.3251
Fax: 425.587.3232

ATTACHMENT 3
FSB06-00002

ORDINANCE NO. 4003

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO LAND USE, APPROVAL OF A PRELIMINARY PUD AS APPLIED FOR BY CHAFFEY HOMES IN DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT FILE NO. PSB04-00002 AND SETTING FORTH CONDITIONS OF SAID APPROVAL.

WHEREAS, the Department of Planning and Community Development has received an application, pursuant to Process IIB, for a Preliminary Planned Unit Development (PUD) filed by Chaffey Homes as Department of Planning and Community Development File No. PSB04-00002 to construct an eleven lot planned unit development and preliminary subdivision within a RS 12.5 zone; and

WHEREAS, pursuant to the City of Kirkland's Concurrency Management System, KMC Title 25, a concurrency application has been 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, RCW 43.21C, and the Administrative Guideline 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 negative determination was issued; and

WHEREAS, said 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 thereon at a regular meeting on July 6, 2005; and

WHEREAS, the Kirkland Hearing Examiner after a public hearing and consideration of the recommendations of the Department of Planning and Community Development did adopt certain Findings, Conclusions and Recommendations and did recommend approval of the Process IIB Permit subject to the specific conditions set forth in said recommendations; and

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

WHEREAS, the City Council, in regular meeting, determined that as designed the proposed handrail located on the side of the staircase running between Forbes Creek Drive and 20th Avenue could result in inappropriate use by skate boarders, that the landscaping between the rockery and fence needed to include a greenery fence along the north side of Lots 1 and 11 and that the required Natural Greenbelt Protective Easement should include an obligation to remove invasive species of

vegetation harmful to trees and further require that the NGPE would be superseded by any future laws more protective of such greenbelts; and

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

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Kirkland as follows:

Section 1. The Findings, Conclusions, and Recommendations of the Kirkland Hearing Examiner as signed by him and filed in the Department of Planning and Community Development File No. PSB04-00002 are adopted by the Kirkland City Council as though fully set forth herein. The City Council further finds that as designed the proposed handrail located on the side of the staircase running between Forbes Creek Drive and 20th Avenue could result in inappropriate use by skate boarders, that the landscaping between the rockery and fence along the north side of Lots 1 and 11 needs to include a greenery fence that will provide 50% coverage of the fence within 2 years and that the required Natural Greenbelt Protective Easement should be modified to include a continuing obligation to remove invasive species of vegetation harmful to trees.

Section 2. After completion of final review of the PUD, as established in Sections 125.50 through 125.75 (inclusive) of the Kirkland Zoning Code, the Process IIB Permit shall be issued to the applicant subject to the conditions set forth in the Recommendations hereinabove adopted by the City Council, and to address the Councils' further findings, subject to the additional conditions that the applicant (Chaffey Homes): incorporate some form of design element that will prevent skateboarders inappropriate use of the handrail along the side of the staircase running between Forbes Creek Drive and 20th Avenue; install greenery between the fence and the rockery on the north side of Lots 1 and 11 that will provide plants of varying heights and density; sign a modified Natural Greenbelt Protective Easement requiring continuing removal of invasive species that may be detrimental to the long term wellbeing of the trees protected by the easement; and require removal of ivy from all healthy trees located within the area covered by the NGPE prior to release of the two year maintenance security for plat improvements.

Section 3. 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 as expressly set forth herein.

Section 4. 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 of the permit.

Section 5. This ordinance shall be in full force and effect five (5) days from and after its passage by the Kirkland City Council and publication, pursuant to Section 1.09.010.

Section 6. A complete copy of this ordinance, including Findings, Conclusions and Recommendations adopted by reference, shall be certified by the City Clerk, who shall then forward the certified copy to the King County Department of Assessments.

Section 7. A certified copy of this ordinance, together with the Findings, Conclusions, and Recommendations herein adopted shall be attached to and become a part of the Process IIB Permit.

Section 8. Certified or conformed copies of this ordinance shall be delivered to the following:

(a) Department of Planning and Community Development of the City of Kirkland
(b) Fire and Building Departments of the City of Kirkland
(c) Public Works Department of the City of Kirkland
(d) The City Clerk for the City of Kirkland.

PASSED by majority vote of the Kirkland City Council in open meeting this 20th day of September, 2005.

SIGNED IN AUTHENTICATION THEREOF on this 20th day of September, 2005.

Mary Alice Burleigh
Mayor

Attest:

Kathi Anderson
City Clerk

Approved as to Form:

Robin Jenkinson
City Attorney

CITY OF KIRKLAND
HEARING EXAMINER FINDINGS, CONCLUSIONS, AND RECOMMENDATION

APPLICANT: Aileen Zavales, Chaffey Homes, Inc.

FILE NO. PSB04-00002

APPLICATION: A request for Preliminary Subdivision and Planned Unit Development (PUD) approval to develop a 5.68 acre site into 11 single family residential lots (see Exhibits A, B, and C).

SUMMARY OF RECOMMENDATIONS:

Department of Planning and Community Development: Approve with conditions.

Hearing Examiner: Approve with conditions.

PUBLIC HEARING:

After reviewing the official file, which included the Department of Planning and Community Development Advisory Report and after visiting the site, the Hearing Examiner conducted a public hearing on the application. The hearing on the Chaffey application was opened at 7:00 p.m., June 29, 2005, in the Council Chamber, City Hall, 123 Fifth Avenue, Kirkland, Washington, and was closed at 7:30 p.m. Participants at the public hearing and the exhibits offered and entered are listed in this report. A verbatim recording of the hearing is available in 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.

Hearing Testimony
The following persons testified at the public hearing:

<u>From the City:</u>

Desiree Goble, Project Planner: Noted several corrections including that the pedestrian pathway along Forbes Creek would be five rather than four feet wide, an additional condition, 5.f, should be added on page 5 of the staff report and have the same language as condition 6.b, and that a handrail was being added to only one side of an existing stairway. Ms. Goble entered Exhibits B, C and D. She described the project, went through the approval criteria

and presented staff's analysis and recommendations (see also Exhibit A). She noted that the reduced wetland buffer would require enhancement.

From the Applicant:

Rob Stewart: Gave a brief review of the public benefits and design features of the project, noting the majority of the site was being retained in a natural state.

Pete Super: Described the conditions of the existing wetland buffer area and detailed the enhancements being made to the buffer to meet the conditions for a buffer reduction, which generally consists of removing invasive plant species and replacing them with indigenous species.

From the Community:

Maxine Keesling: Came primarily to see how the process works. She was curious about some property she had along Forbes Creek. Staff indicated they would be happy to answer her questions if she wanted to come in during business hours and talk.

FINDINGS AND CONCLUSIONS

Having considered the entire record in this matter, the Hearing Examiner now makes and enters the following:

1. The Facts and Conclusions regarding the Site Description and permit History on pages 5 through 7 in Exhibit A, Planning Division Advisory Report, June 22, 2005, accurately reflects the site circumstances, zoning requirements and land use, and are hereby adopted by reference.
2. The description of Public Comments and associated staff responses on pages 7 and 8 in Exhibit A, Planning Division Advisory Report, June 22, 2005 are accurate and supported by hearing testimony and hereby adopted by reference.
3. The Facts and Conclusions regarding compliance with KMC 22.28.040, lot averaging, on pages 7 and 8 in Exhibit A, Planning Division Advisory Report, May 26, 2005, are accurate and are hereby adopted by reference.
4. The Facts and Conclusions regarding compliance with SEPA and Concurrency reviews on page 8 in Exhibit A, Planning Division Advisory Report, June 22, 2005, are accurate and are hereby adopted by reference.
5. The Facts and Conclusions regarding compliance Preliminary Plat criteria on pages 8 through 14 in Exhibit A, Planning Division Advisory Report, June 22, 2005, are accurate and are hereby adopted by reference.

6. The Facts and Conclusions regarding compliance with PUD criteria on pages 14 through 18 in Exhibit A, Planning Division Advisory Report, June 22, 2005, are accurate and are hereby adopted by reference.
7. The Fact and Conclusion regarding compliance with RS zoning regulations on pages 18 and 19 in Exhibit A, Planning Division Advisory Report, June 22, 2005, are accurate and are hereby adopted by reference.
8. The Facts and Conclusions regarding compliance with the Comprehensive Plan on pages 19 and 20 in Exhibit A, Planning Division Advisory Report, June 22, 2005, are accurate and are hereby adopted by reference.

RECOMMENDATION:

Based upon the foregoing findings of fact and conclusions, approval of this application is recommended subject to the conditions found on pages 3 through 5 in Exhibit A, Planning Division Advisory Report, June 22, 2005; to include a new condition 5.f to read the same as condition 6.b.

EXHIBITS:

The following exhibits were offered and entered into the record:

A. Department of Planning and Community Development Staff Advisory Report dated June 22, 2005.
B. Revised site plan
C. Subdivision plan
D. Proposed building elevations

PARTIES OF RECORD:

Rob Stewart & Pete Super, Chaffey Homes, 205 Lake St. South ste. 101, Kirkland, WA, 90322
Maxine Keesling, 15241 NE 153rd St., Woodinville, WA, 98072
Department of Planning and Community Development
Department of Public Works
Department of Building and Fire Services

Entered this 6th day of July, 2005, per authority granted by Section 152.70, Ordinance 2740 of the Zoning Code. A final decision on this application will be made by the City Council. My recommendation may be challenged to the City Council within seven (7) working days as specified below.

Donald B. Largen
Hearing Examiner Pro Tem

CHALLENGES AND JUDICIAL REVIEW

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

A. 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. 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., 7/15/05, 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.

B. 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

Under Section 152.115 of the Zoning Code, the applicant must submit to the City a complete building permit application approved under Chapter 152, within four (4) years after the final approval on the matter, or the decision becomes void; provided, however, that in the event judicial review is initiated per Section 152.110, the running of the four 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. Furthermore, the applicant must substantially complete construction approved under Chapter 152 and complete the applicable conditions listed on the Notice of Approval within six (6) years after the final approval on the matter, or the decision becomes void.

Desiree

CITY OF KIRKLAND
Planning and Community Development Department
123 Fifth Avenue, Kirkland, WA 98033 425.587-3225
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ADVISORY REPORT
FINDINGS, CONCLUSION, AND RECOMMENDATIONS

To: Kirkland Hearing Examiner

From: Désirée Goble, AICP, Project Planner
Eric R. Shields, AICP, Planning Director

Date: June 22, 2005

File: FORBES CREEK 11, PSB04-00002

Hearing Date and Place: June 29, 2005
City Hall Council Chamber
123 Fifth Avenue, Kirkland

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I. INTRODUCTION

A. APPLICATION

1. Applicant: Aileen Zavales, Chaffey Homes, Inc.

2. Site Location: 10623 Forbes Creek Drive (see Attachment 1).

Request: The applicant is requesting a Preliminary Subdivision and a Planned Unit Development (PUD) to develop the 5.68 acre site into 11 single-family residential lots (see Attachment 2). The proposed density is 1.94 dwelling units per acre while the allowable density in the Comprehensive Plan is 3.0 dwelling units per acre. Under the Maximum Development Potential provisions in the Zoning Code for sites with sensitive areas (KCZ Section 90.135), the applicant could propose 19 units.

a. The first request is for a Preliminary Subdivision to create 11 lots and two tracts. One tract will preserve 3.82 acres in a permanent open space (67% of the site) containing a steep hillside, two streams and a wetland in a natural greenbelt protective easement. A second tract will contain a 5,179.69 square foot storm water detention facility.

b. The second request is for a Preliminary Planned Unit Development (PUD) to allow a clustered development on the northern portion of the property as supported in the Comprehensive Plan (see Section II.I). The applicant proposes to install the following public benefits for the PUD:

- A four-foot wide pedestrian pathway along the south side of Forbes Creek Drive starting from the east side of the site to 6th Street/108th Avenue NE and then turning south to the existing staircase linking Forbes Creek Drive to 6th Street/108th Avenue NE (see Attachment 12). The pathway would be separated from the driving lanes of Forbes Creek Drive by an extruded curb.

- A 64 square foot landing at the bottom of the staircase, a handrail on the side of the entire staircase, replacement of any damaged stairs and two historical interpretative signs.

- Preservation of the steep hillside.

Under the PUD permit, the applicant proposes the following modifications to the Zoning Code requirements:

- Allow all lots in the preliminary subdivision to be below the prescribed 12,500 square foot minimum lot size within the RS 12.5 zone. The lots vary in size from 5,089 to 7,043 square feet. (With the protective open space area, the average lot size is 22,492.8 square feet.)

- Increase the maximum allowable height from 25 feet above average building elevation (ABE) to 30 feet above ABE as described in Attachment 9 (actual proposed building heights shown in Section II.G.5.a.3 on Page 16 exceed 30 feet above ABE).

- Reduce the required 20-foot front yard setback on all corner lots from 20 feet to 15 feet (Lots 1, 6, 10, and 11) to accommodate the clustered housing and to preserve the protected open space.

- Reduce floor area ratio requirement (FAR) from 35 percent of the lot size to 65 percent of the lot size to accommodate the clustered housing and to preserve the protected open space. (With the protective open space area, the average FAR is 18 percent.)

- Reduce the required combined total side yard setback from 15 feet to 10 feet on all interior lots (Lots 2, 3, 4, 5, 7, 8, and 9) to accommodate the clustered housing and to preserve the protected open space.

3. Review Process: Process IIB, preliminary subdivision and PUD request. Hearing Examiner conducts public hearing and makes recommendation; City Council makes final decision.

4. Summary of Key Issues and Conclusions: lot size, building height, floor area ratio, reduced side yard setbacks, and the criteria for approving a planned unit development. These issues are discussed in the Preliminary Subdivision, PUD, and Development Regulations sections (Sections II.F through II.H) of this report.

B. RECOMMENDATIONS

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

2. This application is subject to the applicable requirements contained in the Kirkland Municipal Code, Zoning Code, Subdivision Ordinance, and Building and Fire Code. It is the responsibility of the applicant to ensure compliance with the various provisions contained in these ordinances. Attachment 3, Development Standards, is provided in this report 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 Attachment 3, the condition of approval shall be followed.

3. As part of an application for a Final PUD and Final Subdivision, the applicant shall submit:

   a. Plans showing any changes to the project.

   b. Submit a cross elevation for Lot 9, showing the minimum fill needed to achieve the maximum driveway grade acceptable to the City. The final approved increase in building height for Lot 9 shall be determined with the final PUD (see Conclusion II.G.5.b). All other lots shall comply with a maximum building height of 30 feet ABE.

4. Prior to recording the subdivision, the applicant shall:

   a. Submit a geotechnical report meeting the requirement of KZC Section 85.15.3 and 85.15.4 for the site and any proposed rockery over 4 feet in height (refer to Conclusion II.A.1.b).

   b. Submit a shared driveway easement for the shared driveway on Lots 8 and 9. This easement should provide adequate vehicular turnaround area (see Conclusion II.H.2).

   c. Install the required improvements as follows:

      (1) Half-street improvements within the Forbes Creek Drive right-of-way bordering the subject property (see Attachment 3 and Conclusion

II.F.4.b):

(a) Widen the street to 22 feet from centerline to face of curb.

(b) Install storm drainage, curb and gutter, a 4.5 feet planter strip with street trees 30 feet on-center, and a five-foot wide sidewalk.

(c) Dedicate 2 feet of property as public right-of-way to encompass the sidewalk.

(d) Install curb bump-outs at the new intersection between Road A in the subdivision and Forbes Creek Drive define the on-street parking along Forbes Creek Drive. The bump-outs shall be a maximum of 6 feet wide.

(2) Full street improvements within the newly dedicated right-of-way in the subdivision shown on the plans as Road A and B (see Attachment 3 and Conclusion II.F.4.b):

(a) Dedicate right-of-way 35 feet wide.

(b) Install storm drainage, 24 feet asphalt pavement, curb, and gutter.

(c) Install 4.5-foot wide landscape strip planted with street trees 30 feet on center around the entire perimeter of the new streets.

(3) Install the following PUD improvements (see Attachment 12):

(a) A handrail along one side the staircase in 6th Street/108th Avenue NE right-of-way between Forbes Creek Drive and 20th Avenue (see Conclusion II.G.4.b).

(b) Two historic interpretive signs, after review and approval of the proposed language by the Planning and Community Development Department, at two locations to be determined by Planning and Community Development (see Conclusion II.G.4.b).

(c) A 5-foot wide asphalt walkway on the south side of Forbes Creek Drive right-of-way starting at the east side of the property, extending to the unimproved right-of-way of 6th Street/108th Avenue NE and then continuing south up the hill within the unimproved right-of-way. The pedestrian trail in the unimproved 6th Street/108th Avenue NE right-of-way connects Forbes Creek Drive with 20th Avenue NE. (see Conclusion II.G.4.b).

(4) Prior to installing any (the public right-of-way and PUD public benefit) improvements, plans must be submitted for approval by the Department of Public Works.

5. As part of the application for a Land Surface Modification permit the applicant shall submit:

a. A geotechnical report meeting the requirement of KZC Section 85.15.3 and 85.15.4, covering the overall project and the rockeries above 4 feet in height

(see Conclusion II.A.1.b).

b. A revised tree preservation and removal plan (see Attachment 4) to retain all significant trees, except trees located within the proposed public right-of-way and for installation of utilities. Only those significant trees required to be removed for installation of plat improvements may be removed in conjunction with the Land Surface Modification permit. If site disturbance is proposed within the drip lines of any trees required to be saved, an arborist report may be required by the Planning Department to address specific grading impacts to the trees and recommended mitigating measures. An arborist report may also be require if it appears that there are hazardous trees on the site that need to be removed (see Conclusion II.F.6.).

c. Plans for installing the half-street improvements in the Forbes Creek Drive right-of-way bordering the subject property as outlined in Condition I.B.4.c.1 to be approved by the Department of Public Works (see Conclusion II.F.4.b).

d. Plans for installing the street improvements within the newly dedicated right-of-way shown on the plans as Road A and B as outlined in Condition I.B.4.c.2 (see Conclusion II.F.4.b).

e. Plans for installing the PUD benefits as outlined in Condition I.B.4.c.3 (see Conclusion II.F.5.b).

6. With the submittal of the building permit on each new lot created with the subdivision, the applicant shall submit:

a. A copy of the tree preservation and removal plan approved with the Land Surface Modification permit. Any proposed changes to the approved tree preservation and retention plan must be approved by the Planning Department in conjunction with the building permits. As part of the building permit approval, the City may require minor alterations to the arrangements of structures on each lot and elements in the proposed development in order to achieve the maximum retention of these significant trees (see Conclusion II.F.6.b)

b. Submit building plans for each home that meet all Zoning Code requirements (for example, driveway width, driveway setback and garage facades, and combined rockery/fence requirements) unless specifically approved as part of the PUD (see Conclusion II.H.2).

c. Facade treatments for the north facade of Lots 1 and 11 as shown in Attachment 2, (see Conclusion II.G.5.b).

II. FINDINGS OF FACT AND CONCLUSION

A. SITE DESCRIPTION

1. Site Development and Zoning:

a. Facts:

(1) Size: 247,240.5 square feet (5.68 acres)

(2) Land Use: Currently vacant. All on-site structures have been demolished (two single-family residences and a number of out buildings).

(3) Zoning: RS 12.5, single-family residential with a minimum lot size of 12,500 square feet.

(4) Terrain: Approximately two-thirds of the southern portion of the property is covered by slopes in excess of 25%. The Kirkland Sensitive Area map indicates the presence of high landslide hazard over the southern portion of the site. A geotechnical report prepared by Associated Earth Sciences, Inc. dated October 3, 2000 was submitted by the applicant. This report was generated for a previous 24 unit proposal and was not reanalyzed for the current proposal (see Attachment 7, SEPA-Attachment 3).

(5) Vegetation: According to the tree retention plan, the site contains 141 trees on the subject property. The majority of the trees are located on the steep slope, within the stream buffer or within the wetland buffer. Of the 141 on-site trees, 29 (20%) have been proposed for removal (see Attachment 4).

b. Conclusion: Zoning, terrain, and vegetation are relevant factors in this subdivision and PUD permit application. The applicant should have the geological report updated prior to submittal of the Land Surface Modification Permit to reflect the current proposal and assure that the criteria in Chapter 85 have been addressed.

2. Neighboring Development and Zoning:

a. Facts:

(1) North: The property to the north of the subject property is zoned RS 35, single-family residential with a minimum lot size of 35,000 square feet and is developed with single-family residences (see Attachment 5). It is the site of the 8.78 acre Parc Provence PUD approved in 1990. The Parc Provence PUD is similar to the proposed Chaffey Homes PUD in that the lots are clustered and are below the minimum lot size (range from 3,354 to 5,956 square feet) while retaining a large sensitive area (6.18 acres). The site contains 18 detached dwelling units with an average lot size of 21,242.57 square feet and a density of 2.1 dwelling units per acre. The Parc Provence PUD is denser than the proposed Chaffey Home PUD.

Similar to the proposed Chaffey Homes PUD, the front yard setbacks for all lots fronting Forbes Creek Drive within Parc Provence were reduced from 20 feet to 15 feet and the front yard setbacks for all lots fronting the loop road within the development were reduced to 16 feet. Floor area regulations went into effect well after Parc Provence was approved.

(2) Northeast: Zoned PLA 9, Planned Area 9 allows multifamily residential with a minimum lot size of 5,000 square feet per unit. The area is developed with a large multi-family complex. The total property size is 66 acres and contains 496 units (an average of 5,796 square feet per unit).

(3) South: Zoned RS 7.2, single-family residential with a minimum lot size of 7,200 square feet and is developed with single-family residences

(4) East and West: Zoned RS 12.5, single-family residential with a

minimum lot size of 12,500 square feet. The property to the west is undeveloped. The property abutting the northeast corner of the subject property is developed with single-family residence on a 10,000 square foot lot. Directly to the east is the Puget Power's sub-station located on a 31,185 square foot lot wrapping around the existing single family residence and abutting the subject property. On the southeast side of the property is another single family residence abutting the steep hillside on the project.

b. Conclusion: The proposed detached single family project is consistent with existing neighborhood zoning and residential development. The applicant is *requesting approval of a similar cluster housing PUD project with reduction in* setback yards as was approved for the Parc Provence development across the street. The proposed average lot size for the Chaffey Homes PUD is greater than the average lots size for the Parc Provence PUD across the street.

B. HISTORY

1. Facts: Since 1999, two different proposals have been submitted for the subject property. The initial proposal had one access point approximately 100 feet west of the east property line and proposed 22 units consisting of 12 attached units lining the east and west perimeter. The remaining 10 units consisted of attached and stacked dwelling units. Access to all 22 units was proposed by an internal road with one access point to Forbes Creek Drive.

   The second proposal had a total of 24 units consisting of 6 detached dwelling units fronting Forbes Creek Drive, and 15 townhouses attached in clusters of no more than 4 units and an additional 3 stacked dwelling units. This plan included two access points to Forbes Creek Drive and most of the east/west perimeter consisted of internal circulation.

   The applicant proposed a buffer modification for the Class C Stream on the site to reduce a short segment of the buffer from 35 feet to 24 feet. Pursuant to KZC 90.100.2, the Planning Official may approve a stream buffer modification for a Class C stream (the lowest rated steam) if nine decisional criteria have been met. The buffer modification has been approved.

2. Conclusion: Both of the previous proposals proposed a higher residential density for the site and utilized detached, attached, and stacked units. Both prior applications were withdrawn.

C. PUBLIC COMMENT

1. Facts: The public comment period ran from March 17, 2005 through April 4, 2005. To date the City has received one petition, one letter, and three e-mails about the proposal (see Attachment 6).

   Below is a summary of the issues raised in the correspondence:

   The writers are unsupportive of the Zoning Code deviation requests for flexibility to the minimum lot size, height, floor area ratio, and setback requirements. They feel that the applicant is trying to place too much in a small area. The Parc Provence PUD property across the street from the subject property was able to achieve density without encroaching on the road (setback from Forbes Creek Drive). This development should also conform to the aesthetic of the area.

2. Responses:

   a. The Comprehensive Plan supports clustering development in a smaller area to preserve sensitive areas. Also, the applicant proposes a number of benefits to the community that could not otherwise required. For a full discussion on the how these issues have been addressed, please refer to Section II.G of this report.

   b. The Parc Provence PUD to the south was approved with a reduction in setbacks next to Forbes Creek Drive from 20 feet to 15 feet, a reduction in setbacks from NE 107th Place (the loop road within the site) from 20 feet to 16 feet, a reduction in yard setbacks between the homes, and even smaller lots (see to Section II.B).

D. STATE ENVIRONMENTAL POLICY ACT (SEPA)

1. Facts: A Determination of Nonsignificance (DNS) was issued on May 26, 2005. The Environmental Checklist, Determination, and additional environmental information are included as Attachments 7.

2. Conclusion: The applicant and the City have satisfied the requirements of SEPA.

E. CONCURRENCY

1. Facts: The Public Works Department has reviewed the application for concurrency. A concurrency test was passed for water, sewer and traffic on October 20, 2004 (see Attachment 7, SEPA Attachment 5).

2. Conclusion: The applicant has satisfied the requirements of concurrency.

F. PRELIMINARY PLAT

1. Approval Criteria

   a. Facts: Municipal Code Section 22.12.230 states that the Hearing Examiner may approve a proposed plat 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.

      Zoning Code Section 150.65 states that the Hearing Examiner may approve a proposed plat only if:

      (3) It is consistent with the all applicable development regulations, including but not limited to the Zoning Code and Subdivision Code, and to the extent there is no applicable development regulation, the Comprehensive Plan.

   b. Conclusion: The proposal complies with Municipal Code Section 22.12.230 and Zoning Code Section 150.65. It is consistent with the Comprehensive Plan in that the Plan supports clustering housing in this area to preserve the sensitive

areas (see Section II.I). With the recommended conditions of approval, it is consistent with the Zoning Code and Subdivision Ordinance (see Sections II.F through II.H, and Attachment 3) and there are adequate provisions for open spaces, drainage ways, rights-of-way, easements, water supplies, sanitary waste, power service, parks, playgrounds, and schools. It will serve the public use and interest and is consistent with the public health, safety, and welfare because it will allow infill development, place approximately 67 percent of the site into a natural greenbelt protective easement thereby protecting the streams, wetland, and their associate buffers, steep hillside, and all vegetation on the hillside.

2. General Lot Layout and Site Development Standards

a. Facts: Municipal Code Section 22.28.040 states that the minimum lot area shall be deemed to have been met if the average lot area is not less than the minimum lot area required of the zoning district in which the property is located. Lots that contain less area than required for the zoning district shall be located so as to have the least impact on surrounding properties and public rights-of-way.

This proposal does not meet any of three options in KMC Section 22.28.040 by which an applicant can propose to subdivide and not meet the minimum lot size for each individual lot. However, KMC 22.28.040 provides that lot averaging may be used to meet the minimum lot size requirement through a PUD.

(1) The proposed lots range in size from 5,089 to 7,043 square feet while underlying zoning requires a minimum lot size of 12,500 square feet the prescribed zoning minimum of 12,500 square feet. However, when the 3.82 acre sensitive area is included the average density of each lot is 20,763 square feet, 166% above the minimum lot size requirement.

The overall density for the proposal is 1.94 dwelling units per acre which is well below the 3 dwelling units per acre allowed by the Comprehensive Plan.

(2) When a site contains streams, wetlands and/or their associated buffers, the potential number of units allowed on the site is reduced using a formula called the Maximum Development Potential (Kirkland Zoning Code Section 90.135). Based on this formula, the Chaffey Homes site would be allowed to have up to 19 detached dwelling units.

MAXIMUM DEVELOPMENT POTENTIAL	
Total Property Size	247,340.50 s.f.
Sensitive Areas Only (Wetland/Stream)	3,916.00 s.f.
Unmodified Sensitive Area Buffer	44,707.00 s.f.
Buildable Area	198,717.50 s.f.
Percentage of Site in Sensitive Area Buffer	18%
Minimum Lot Size Requirement	12,500 s.f.
Development Factor	0.90
Maximum Development Potential	19.12 units

(3) Municipal Code Section 22.28.050 states that lots must be of a shape so that reasonable use and development may be made of the lot. Generally, the lot depth should not be more than twice the width of the lot. The width of all of the proposed lots in the proposed Chaffey Homes

PUD is roughly half of the depth.

(4) The fundamental site development standards pertaining to detached dwelling units in a RS 12.5 zone are set forth in Zoning Code Section 15.10. Through the PUD process, the applicant is asking to modify yard setbacks, height, and floor area ratio requirements.

b. Conclusion: The proposal does not comply with the lot size requirements of the RS 12.5 zone. Reductions of 100 percent of the lots below the prescribed minimum lot area must be approved through the PUD process and is discussed in Section II.G below. The proposal does meet the average lot size requirement so the project can be approved through the PUD process. Other deviations from KZC Section 15.10 have been requested and are discussed in Section II.G. The lot dimensions comply with the dimensional requirements.

3. Pedestrian Access

a. Facts: Municipal Code Section 22.28.070 states that, generally, blocks should not exceed five hundred feet in length. In addition, blocks that are more than 750 feet in length should allow for mid-block pedestrian access. Vehicular connections are not available from Forbes Creek Drive south to 20th Avenue in the Norkirk Neighborhood due to steep slopes, a high community desire to retain the naturally treed slope, and numerous streams and wetlands located on the slope as discussed in Section II.I. However, a pedestrian connection exists between Forbes Creek Drive south to 20th Avenue in the Norkirk Neighborhood up a staircase in the unimproved right-of-way of 6th Street/108th Avenue NE. The connection provides pedestrian access from the Juanita Neighborhood to Crestwoods Park and Kirkland Junior High.

As part of the PUD benefit package, the applicant is proposing to improve this connection in the 6th Street/108th Avenue NE right-of-way and then extend the connection west to the subject property along the south side of Forbes Creek Drive. Refer to Section II.G.4 of this report for further discussion.

b. Conclusion: Several physical constraints (streams, wetland, slopes, and trees) prohibit vehicular connection between Forbes Creek Drive and 20th Avenue in the Norkirk Neighborhood. However, an existing staircase is located approximately 330 feet to the east of the site that connects Forbes Creek Drive and 20th Avenue to the south. The applicant is proposing to enhance the staircase as part of the PUD benefit package (see Section II.G.4). In addition, they are proposing to add a paved connection between the subject property and the existing staircase along the south side of Forbes Creek Drive.

4. Right-of-Way Improvements

a. Facts: Municipal Code Section 22.28.090 Access - Right-of-Way: Requires the applicant to comply with the requirements of Chapter 110 of the Zoning Code with respect to dedication and improvement of adjacent right-of-way.

(1) Zoning Code Chapter 110 establishes right-of-way improvement requirements.

(2) The subject property abuts the south side of Forbes Creek Drive, classified as a Collector Street and a Priority 1 bike route. Currently, Forbes Creek Drive is improved with curb and sidewalk only on the north side of the right-of-way, and 30 feet of pavement. Zoning Code Sections

110.10 and 110.25 require the applicant to make half-street improvements in rights-of-way abutting the subject property (see Attachment 3). Based on the requirements of Section 110.30-110.50 the Public Works Director determined that the applicant improve the street with the following:

(a) Widen the street to 22 feet from centerline to face of curb.

(b) Install storm drainage, curb and gutter, a 4.5 feet planter strip with street trees 30 feet on-center, and a five-foot wide sidewalk.

(c) Dedicate 2 feet of property as public right-of-way to encompass the sidewalk.

(d) At the new intersection between Road A in the proposed subdivision and Forbes Creek Drive, install curb bump-outs to define the on-street parking along Forbes Creek Drive. The bump-outs shall be a maximum of 6 feet wide.

(3) Zoning Code Section 105.10.1.b requires a dedicated and improved right-of-way when a road will serve five or more lots. The proposed road will serve all 11 lots. Zoning Code Section 110.35 establishes that a Neighborhood Access Street must be improved with: 24 feet pavement, storm drainage, curb, gutter, and a 4.5 foot wide landscape strip planted with street trees 30 feet on center around the entire perimeter of the new streets. The west leg of the new street (Road B) exceeds the 200 feet maximum allowed by the Zoning Code (without a cul-de-sac). This requirement can be modified providing that it meets the following criteria:

(a) The modifications will not affect the ability to provide any property with police, fire, emergency medical, or other essential services.

The Public Works and Fire Departments recommend approval of this design because the tee intersection can be used as a turn-around area negating the need for a cul-de-sac (see Attachment 3)

(b) One of the following requirements is met:

i. The modification is necessary because of a preexisting physical condition; or

ii. The modification will produce a site design superior to that which would result from adherence to the adopted standard.

The Public Works and Fire Departments recommend approval of this design. An alternative design would require a cul-de-sac with additional paved surface and further reduce the number of lots that could be constructed.

(4) The subject property also abuts the north side of 20th Avenue, a Neighborhood Access Street. Zoning Code Sections 110.70.5 provides the City with the means to waive and not require or allow installations of

a required improvement if the City determines that the current level and extent of the improvement in the right-of-way adjacent to the subject property will not be changed in the future.

The area of the subject property fronting 20th Avenue encompasses two ravines, two intermittent streams that will be placed in a natural greenbelt easement. The properties on the south side of 20th Avenue between 5th and 6th Streets are fully developed and are of insufficient size to short plat with one possible exception. The corner lot with frontage on 5th Street between 19th Place and 20th Avenue may have sufficient land area to short plat, depending on the development factor calculation that takes into account the stream and stream buffer on the east side of the property (see Attachment 5).

b. Conclusion:

(1) The applicant should install the right-of-way improvements as recommended by the Public Works Department in Attachment 3. Prior to recording the PUD and final subdivision, the applicant should sign a concomitant agreement to underground the overhead utility lines within the Forbes Creek Drive right-of-way (see Attachment 19) unless they are placed underground during construction. As required through the Subdivision Ordinance, the applicant should dedicate an additional 2 feet of right-of-way along Forbes Creek Drive and dedicate the new Road A and B rights-of-way within the new development to accommodate the proposed lots.

(2) The application meets the criteria for a modification of the cul-de-sac requirements for the interior roads. Pursuant to KMC Section 105.103.3, a modification is justified since the applicant can provide a safe turn-around that meets the Public Works and Fire Departments standards.

(3) The application meets the criteria for a waiver of the right-of-way improvement requirements along 20th Avenue. Pursuant to KMC Section 110.70.5, a waiver is justified due to natural features such as topography, streams, and/or prior development patterns that would negate the need for the right-of-way improvement.

5. Environmentally Sensitive Areas – Slopes, Streams, and Wetlands

a. Facts:

(1) Municipal Code Section 22.28.180 states that the applicant has the responsibility to propose a plat that is sensitive to the natural features, including topography, streams, lakes, wetlands, habitat, geologic features, and vegetation on the property. The plat must be designed to preserve and enhance as many of these valuable features as possible.

The applicant proposes to preserve 3.82 acres in a natural growth protective easement (NGPE). This accounts for 61 percent of the total site prior to development or 71 percent of the site when right-of-way dedication is deducted from the lot area.

(2) The property is located within Forbes Creek Drainage Basin, a primary basin. The site contains two separate wetlands and two streams. The

applicant has submitted Adolfson Associates, Inc. wetland/stream report (see Attachment 8). Adolfson Associates, Inc. evaluated the stream buffer modification in November 2003 and did not note any changes to the wetland boundary.

Kirkland Zoning Code Section 90.15.1.c establishes that within primary basins, wetlands less than 1,000 square feet in size are not regulated. Wetland A on the site is unregulated because it is a Type 3 wetland and is 415 square feet. Wetland B on the site is regulated since it is a Type 3 wetland and is 1,904 square feet in size.

As required by the Zoning Code, the applicant proposes a 50–foot buffer from the edge of Wetland B and a 10-foot building setback from the edge of the buffer for Wetland B.

(3) Both streams on the site are intermittent and, therefore, are classified as Class C streams with a required 35-foot buffer. Class C streams are the lowest rating of streams in the city. One steam is located along the eastern portion of the property and is more than 120 feet away from the closest building site. The second stream is located approximately 120 feet east of the west property line, and flows northward approximately 290 feet before it veers westward and flows onto the adjoining property.

Pursuant to KMC Section 90.100.2, the applicant has received approval for a stream buffer modification to reduce the stream buffer from 35 feet to 24 feet in width (1/3 of the buffer). The Zoning Code allows the buffer to be reduced by one-third. A stream buffer modification for Class C stream may be approved by the Planning Official if the stream buffer is enhanced and the buffer reduction will not be detrimental to the stream.

b. Conclusion: The plat has been designed to preserve the slope, all of the trees located on the slope, the regulated wetland and its associated buffer, the streams, and most of the stream buffers. A geotechnical evaluation will need to be provided for the proposed retaining wall stream and wetland buffer.

6. Natural Features - Significant Vegetation

a. Facts: Kirkland Municipal Code Section 22.28.210 and Ordinance No. 3865 require that at least 25 percent of all significant trees on the site and all significant trees located within 10 feet of existing and proposed property lines be retained, provided that areas where structures will be located, areas required for access and areas to be cleared for required roads, utilities, sidewalks, trails or storm drainage improvements are exempt from this requirement. In addition, Zoning Code Section 95.15 the City may require minor alterations in the arrangement of buildings and other elements of the proposed development in order to achieve maximum retention of significant trees.

The site contains 141 significant trees (see Attachment 4). The applicant proposes to retain 112 trees (79%) and remove 29 trees for installation of the right-of-way, utilities, and development of the lots (see Attachment 4).

A copy of the approved tree preservation and removal plan with any required changes outlined in the conditions of approval is required to be submitted with the Land Surface Modification permit. Only those significant trees that need to be removed for installation of the plat improvements can be removed in

conjunction with the Land Surface Modification permit. An arborist report may be required to address hazardous trees that need to be removed or grading impacts to trees proposed for retention.

A copy of the tree preservation and removal plan approved with the Land Surface Modification permit is required to be submitted with the building permit on each lot. Any proposed changes to the plan should be approved by the Planning Department.

b. Conclusion: The applicant should retain all of the significant trees on the site at the plat approval stage, except for installation of the right-of-way and utilities. All proposed revisions to the tree preservation and removal plan should be approved by the Planning Department in conjunction with the Land Surface Modification permit and with the building permit on each lot created in the plat.

G. PLANNED UNIT DEVELOPMENT (PUD)

1. PUD Modification Request

a. Fact: The applicant seeks PUD approval for the following modifications to Zoning Code and Subdivision Ordinance:

(1) Allow 11 of the lots in the Preliminary Subdivision to be below the prescribed 12,500 square foot minimum lot size within the RS 12.5 zone. The lots range in size from 5,089 to 7,043, but the average lot size is 22,492.80 square feet.

(2) Increase the maximum building height from 25 feet above average building elevation (ABE) to 30 feet above ABE.

(3) Reduce the required 20-foot front yard setback on all corner lots from 20 feet to 15 feet for Lots 1, 6, 10, and 11.

(4) Reduce floor area ratio requirement from 35% of the lot size to 65% of the lot size.

(5) Reduce the required combined total side yard setback from 15 feet to 10 feet on all interior lots (Lots 2, 3, 4, 5, 7, 8, and 9).

b. Conclusion: The reduced lot size, increased height, increased FAR, reduced setbacks, reduced lot sizes should be allowed if the proposal complies with the PUD approval criteria discussed below. The additional height for the combination rockery and fence should not be approved because of the visual impact of this high wall as seen from Forbes Creek Drive and from the single family home to the east.

2. Approval Criteria

a. Fact: Zoning Code Section 125.35 establishes four decisional criteria with which a PUD request must comply in order to be granted. The applicant's response to these criteria can be found in Attachment 9. Sections II.G.3 through II.G.6 contain the staff's Findings of Fact and Conclusion for each of the four criteria.

b. Conclusion: Based on the following analysis, the application meets the established criteria for a PUD.

3. PUD Criterion 1: The proposed PUD meets the requirements of Zoning Code Chapter 125.

   a. Facts: Chapter 125 sets forth the procedures by which a PUD is to reviewed, criteria for PUD approval, and Code provisions that may be modified through a PUD. The proposal is being reviewed through the process established by Chapter 125. As discussed in paragraphs 4 through 5 below, the application complies with the PUD approval criteria. The increased building height, increased FAR, reduced setbacks and lot size may be approved through the PUD process.

   b. Conclusion: The proposal is consistent with Chapter 125.

4. PUD Criterion 3:

   a. Facts: The applicant has identified the following elements of the proposal as public benefits justifying the PUD request (see Attachment 9).

   - The applicant is *providing public facilities* that could not be required by the City for development of the subject property without a PUD.

     The applicant is proposing a four-foot wide meandering pedestrian pathway within the right-of-way starting from the east side of the subject property to 6th Street/108th Avenue NE on the south side of Forbes Creek Drive (see Attachment 10), a distance of approximately 350 feet. The pedestrian pathway would be separated from the vehicular traffic by an extruded asphalt curb. The pedestrian pathway would then turn south and extend to the existing staircase linking Forbes Creek Drive to 6th Street/108th Avenue NE. At the bottom of the staircase, the applicant would install an 8-foot square landing (64 square feet), and historical interpretive signage for the pathway to be placed at the top of the staircase and the easterly property line of the subject property. Furthermore, the applicant would replace any steps that needed replacing and add handrails on both sides of the steps.

   - The proposed PUD will *preserve, enhance or rehabilitate natural features of the subject property*, such as significant woodlands, wildlife habitats or streams that the City could not require the applicant to preserve, enhance or rehabilitate through development of the subject property without a PUD.

     The City could require that the applicant place the regulated streams, wetland, and their associated buffers within a natural greenbelt protective easement. Furthermore, the City could require the applicant to preserve existing vegetation to the greatest extent feasible on the slope. However, the City cannot prevent or prohibit development on the slope, provide that any such proposal met all development standards. The applicant is proposing to place the southern two-thirds of the property into a natural greenbelt protective easement that will include the streams, wetland, their associated buffers, as well as the steep slope and vegetation on the slope (see Attachment 11).

   - The *design of the proposed PUD is superior* in one or more of the following ways to the design that would result from development of the subject property without a PUD:

     - *Increased provision of open space or recreational facilities.*

       As discussed above the proposal includes a pedestrian pathway

connecting the site to the 6th Street/108th Avenue NE pedestrian pathway. This is a major pedestrian connection between the Forbes Valley/South Juanita Neighborhood, and the Norkirk Neighborhood that includes Crestwoods Park and Kirkland Junior High School.

If one were to calculate only the wetland (1,904 square feet), stream (2,012 square feet) and their unmodified associated buffers (44,707 square feet) the maximum area that the City could require to be placed into a NGPE would be approximately 1.2 acres, whereas the proposed PUD will place 3.82 acres into a NGPE, more than triple the amount that the City could require (see Attachment 11).

➢ *Superior circulation patterns or location or screening of parking facilities.*

Vehicular access to the site has been designed so that there is only one access point to Forbes Creek Drive. Only two of the proposed homes front on Forbes Creek Drive, and the garages and associated parking will be located on the south sides of these lots setback at least 35 feet from the property line fronting Forbes Creek Drive.

b. Conclusion: The proposed PUD will meet the approval criteria of Section 125.35. The proposed benefits will provide a new pedestrian pathway between the subject property and 6th Street/108th Avenue NE, improve the pedestrian trail to Crestwoods Park, preserve the treed slope and provide wildlife habitat, and limit vehicular access. To assure that the benefits are implemented the PUD should be conditioned upon the following:

(1) The applicant should install the pedestrian improvements within Forbes Creek Drive right-of-way and within 6th Street/108th Avenue NE as proposed.

(2) The content and location of the two historic signs should be reviewed and approved by the Planning and Community Development Department prior to installation.

(3) The applicant should provide a NGPE, as proposed, covering the southern two-thirds of the site.

5. PUD Criterion 2: Any adverse impacts or undesirable effects of the proposed PUD are clearly outweighed by specifically identified benefits to the residents of the city.

a. Facts: Concerns about the undesirable effects of the proposed modifications might include decreased vegetative buffer for the property to the east, increased building mass and bulk above Forbes Creek Drive due to increased height, decreased setbacks, the perception of large houses on small lots and the combination high rockery and fence wall facing Forces Creek Drive.

DECREASED VEGETATIVE BUFFER

(1) A number of large trees are located close to the east property line on the subject property that will be removed if the proposal is approved. Removal of these trees will have the greatest impact on the existing single-family home to the east. These trees on the subject property provide a vegetative buffer for the single-family residents to the east, but do block a substantial amount of solar access to the property to the east.

A parking area and vegetative hedge are located on the single family lot to the east between the proposed new homes and the existing single family home (see Attachment 12). The vegetative hedge screens the existing home to the east from the proposed home on Lot 2.

INCREASED MASS AND BULK

(2) The property to the west of the subject property is currently undeveloped. One existing house is located on the east side of the subject property. The length of the shared property line is 100 feet and the existing residence is setback approximately 15 feet from this shared property line (see Attachment 12). The applicant is proposing to locate two houses within this 100 foot shared property line and the plans indicate that the houses on Lot 1 and 2 would be setback 27 and 22 feet respectively from the shared property line (see Attachment 2). That would put between 42 to 37 feet between the existing house on the neighboring property and the proposed structures. The Zoning Code requires a minimum 10-foot rear yard setback and the applicant has more than doubled this requirement.

(3) The applicant is requesting to increase the height of the structures to 30 feet above average building elevation. However, the applicant's actual proposed height as shown in the chart below for Lots 1-3 and 9 exceed 30 feet above ABE. The increased building heights result from opting for a more steeply pitched roof rather than a more gentle pitch and from the need to add fill to provide a safe and reasonable access grade (see Attachment 13). Below is a chart showing the proposed heights:

Lot	ABE	Max. Allowable Height (ABE + 25 Feet)	Proposed Ridge Elevation	Exceeds Height By
1	75.18	100.18	105.58	5.40
2	77.50	102.50	108.33	5.83
3	83.91	108.91	114.67	5.76
4	88.53	113.53	116.33	2.80
5	95.12	120.12	121.67	1.55
6	94.45	119.45	116.67	-2.78
7	95.90	120.90	119.58	-1.32
8	87.62	112.62	115.08	2.46
9	80.64	105.64	114.80	9.16
10	81.97	106.97	108.67	1.70
11	78.90	103.90	107.67	3.77

(4) The applicant is also requesting to reduce the front yard setbacks on all corner lots from 20 feet to 15 feet (Lots 1, 6, 10, and 11) on the longer (east/west of Lots 1, 10 and 11 and north/south of Lot 6) of the two front property lines.

Lots 1 and 11 front on Forbes Creek Drive where the greatest public impact of increased height, decreased setbacks, and 10-foot high combination retaining wall and fence will be realized. The applicant has proposed building facade treatments for the north facade of the homes located on Lots 1 and 11 (see Attachment 2).

Increased heights, rockeries, and fences on Lots 1 and 2 will also impact the neighboring property to the east containing the single family home.

b. Conclusion: The Comprehensive Plan encourages clustering in order to preserve open space. Deviations in lot sizes, FAR, and setbacks are necessary to achieve this objective. Height modifications will have minimal impacts to the surrounding neighborhoods.

(1) The public benefits of the increased open space with preservation of the sensitive areas, the improved pedestrian pathway between the property and 6th Street/108th Avenue NE and the staircase in the pedestrian connection outweigh any adverse impacts that may occur. The PUD benefits are more fully discussed in Section 4 above.

(2) The overall impact to the single-family residents to the east should be minimal since the parking area and vegetative hedge on the existing lot separate the new development from the existing home and the existing residents should realize a net gain solar gain when the project is done.

(3) Regarding the requested height deviation on Lot 9, the applicant should submit a cross section showing the minimum fill needed to achieve the maximum driveway grade acceptable to the City. The final approved increase in building height for Lot 9 over 25 feet above ABE should be determined with the final PUD based on this information.

(4) The adverse impacts and undesirable effects of 6-foot high fences on top of a four-foot high rockery have not been adequately addressed. The 10-foot high combination of fence and rockery should not be approved.

(5) The applicant should incorporate their proposed building facade treatments for the north facade of the homes located on Lots 1 and 11.

6. PUD Criterion 4: Any PUD which is proposed as special needs housing shall be reviewed for its proximity to existing or planned services (i.e., shopping centers, medical centers, churches, parks, entertainment, senior centers, public transit, etc.)

a. Facts: Special needs housing is not proposed as part of this application

b. Conclusion: This is not a relevant factor in this PUD application.

H. DEVELOPMENT REGULATIONS

1. Fact: The property is located within the RS 12.5 zone and must comply with the criteria established in KZC Section 15.10 and associated chapters as referenced in the chart, other than the deviations requested as part of the PUD. An initial review revealed the following areas of conflict with the Zoning Code requirements:

a. Garage Facades and Driveways:

(1) The driveway on Lot 8 is not setback 5 feet from the side property line and may exceed the 30-foot driveway width requirement for driveways serving a 3-car garage (KZC Section 115.115.5.a.2).

(2) Except Lot 8, all of the garages exceed 50 percent of the front facade, and none of the garages are setback five feet from the remaining portion

of the front facade (KZC Section 115.43). All of the homes have covered porches, but none of the porches project five feet forward from the garage facade for 100 percent of the remaining facade.

(3) The plans indicate that the driveway between Lots 8 and 9 will share a section of the driveway, but do not indicate any easement over the shared area.

b. Zoning Code Section 115.115.3.g.2 states that the combined height of fences and retaining walls within five feet of each other in a required yard may be a maximum of six feet. This section also contains modification criteria.

2. Conclusion: The proposal should comply with all driveway width and setback requirements as found in KZC Section 115.115.5 and bring the facades of all houses where the garage exceeds 50 percent of the front facade into compliance with KZC Section 115.43. The proposal should be modified to include a shared driveway easement for a portion of the shared driveway on Lots 8 and 9. This easement should provide adequate vehicular turnaround area. The applicant should meet the combined fence/rockery height requirements or revise the plans to meet the modification criteria.

I. COMPREHENSIVE PLAN

1. Facts:

a. The majority of the subject property is located within the Juanita Slough Area of the South Juanita neighborhood. Figure J-2 on page XV.I-5 designates the subject property for 3 dwelling units per acre (see Attachment 14.a).

b. The Juanita Slough Section of the neighborhood plan also establishes the criteria by which a clustered development may occur on the property as found on page XV.I-38. This Section establishes the base density for residential development on the unstable slope at one to three dwelling units per acre subject to the following standards:

(1) Soils analysis is required.

The applicant has submitted a geological report that needs to be updated to reflect the current project as discussed in Section II.A.1 of this report. The previous project was for 24 detached and attached residential units.

(2) Clustering of structures is encouraged.

The applicant is proposing to cluster 11 dwelling units on individual lots located on the north one-third of the property.

(3) The maintenance of maximum vegetative cover is required.

The southern two-thirds of the site or 3.82 acres will be placed in a NGPE restricting the removal of trees or other vegetation on the slope. The creation of this NGPE over the slope will also address the neighborhood plan acknowledgement of the significant aesthetic and biological value of the wooded cover, its contribution to slope stability.

(4) Watercourses are to be retained in a natural state.

All streams, wetland, and their associated buffers will be placed in a protective NGPE.

(5) Surface runoff is to be controlled at predevelopment levels.

A storm water detention vault will be placed on the northwest corner of the site. The proposal will have to meet all of surface water regulations as regulated by Public Works (see Attachment 3).

(6) Points of access are to be minimized.

One newly created right-of-way will connect to Forbes Creek Drive and all eleven lots will access the property at this point.

(7) There is to be a special review of all development plans.

This proposal requires a preliminary subdivision and a Planned Unit Development (PUD). Processing these applications involved public notification of the proposal to all parcels within 300 feet of the subject property, public notice signs, and a public hearing before the Hearing Examiner.

c. The Natural Environment Section of the Juanita Slough Area (Page XV.I-38) states, "....The slope area is heavily wooded and of significant aesthetic value, particularly for those who enter the City from the north on 98th Avenue NE. ..."

d. One of the parcels comprising the subject property is located within the Norkirk neighborhood. Figure MNH-2 on page XV.J-3 designates the subject property for 5 dwelling units per acre (see Attachment 14.b).

2. Conclusion: The proposed Preliminary Subdivision and Planned Unit Development is consistent with the Juanita Neighborhood Plan because the proposed density of 1.9 units per acre is consistent with the low density residential development designation for the subject property on the neighborhood land use map. As conditioned in other Sections of this report, the proposal to cluster the homes on the north site of the property is complies with the seven standards as explained above and will retain the maximum vegetation on the slopes.

J. DEVELOPMENT REVIEW COMMITTEE

1. Fact: Additional comments and requirements placed on the project are found on the Development Standards Sheet, Attachment 3.

2. Conclusion: The applicant should follow the requirements set forth in Attachment 3.

III. CHALLENGES AND JUDICIAL REVIEW

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

A. 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., _____ 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.

B. 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.

IV. LAPSE OF APPROVAL

Under Sections 125.10, 125.45, 125.50, 125.80, and 152.115 of the Zoning Code, the applicant must obtain approval of a Final PUD and submit a complete building permit for the PUD within four (4) years after the approval on the Preliminary PUD, or the lapse provisions of Section 152.115 will apply. Site work may begin before approval of the Final PUD only if specifically approved as a condition listed on the Notice of Approval of the Preliminary PUD.

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

V. APPENDICES

Attachments 1 through 18 are attached.

1. Vicinity Map
2. Site Development Plans
3. Development Standards
4. Tree Retention Plan
5. Map of Surrounding Properties, Zoning, and Lot Sizes
6. Public Comments:
   a. Krista and Patrick Fay
   b. Dean Wilson
   c. Barbara Trunkhill
   d. Gary Colburn
7. SEPA Determination of Nonsignificance and SEPA Related Documents
   SEPA Attachment 1 Vicinity Map
   SEPA Attachment 2 Environmental Checklist

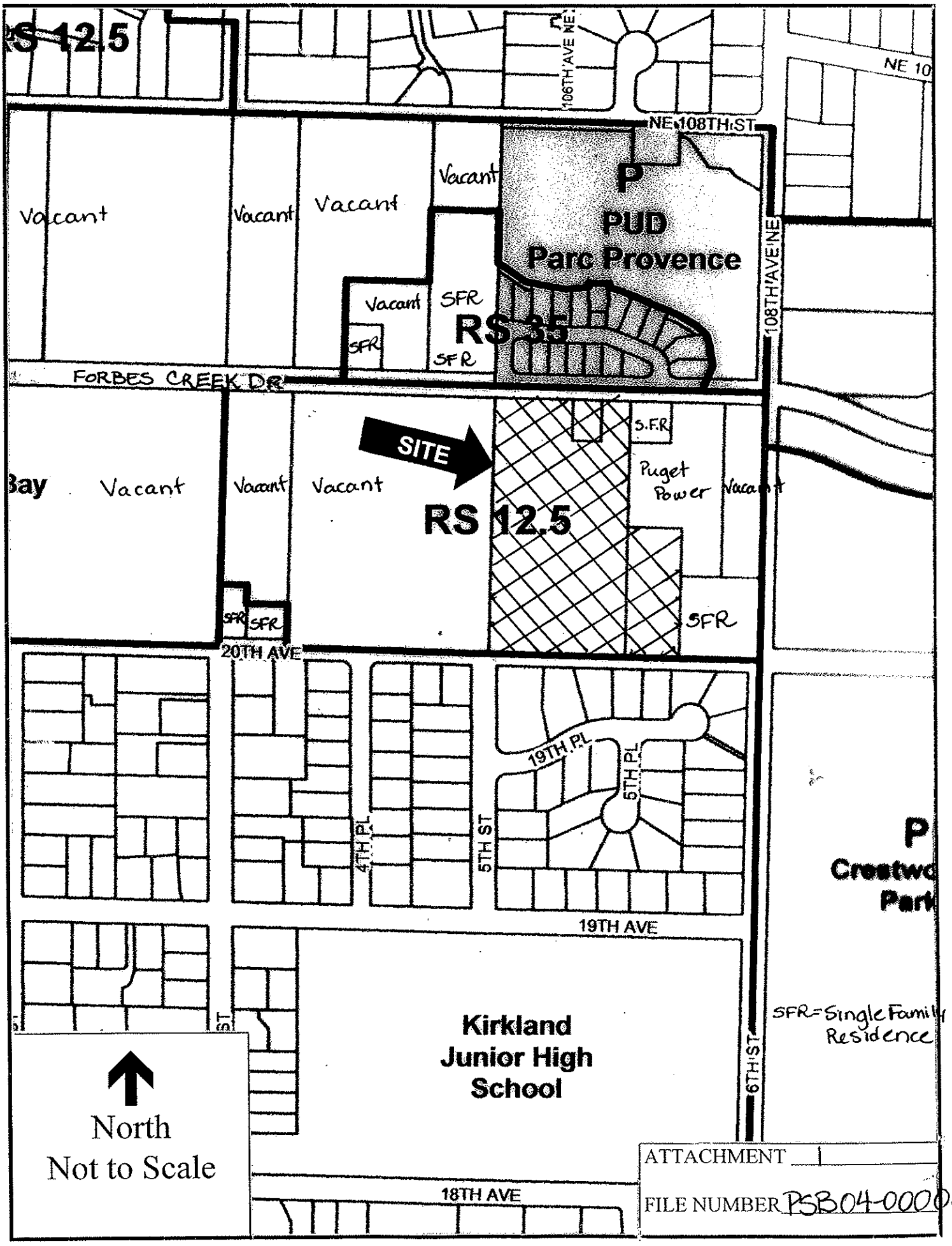
SEPA Attachment 3 Soils Report
SEPA Attachment 4 Traffic Report
SEPA Attachment 5 Concurrency Memo
SEPA Attachment 6 Stream Buffer Modification Request
SEPA Attachment 7 Adolfson Review of Stream Buffer Modification Report

8. *Stream and Wetland Reports*
9. Applicants Response to PUD Criteria
10. PUD Pedestrian Trail
11. Regulated Streams, Wetlands, and Stream & Wetland Buffers
12. Aerial Photo of Site and House to the East
13. Elevation Drawings of Roof Pitch
14. Comprehensive Plan Maps
    a. Juanita Slough
    b. Market/Norkirk/Highlands
15. NGPE
16. Slope Covenant
17. Hold Harmless – Stream
18. Hold Harmless –Wetland
19. Concomitant Agreement

VI. PARTIES OF RECORD

Aileen Zavales, Chaffey Homes, 205 Lake St. South Suite 101, Kirkland, WA 90322
Gary Colburn, 1925 6th St., Kirkland, WA 98033
Dean Wilson, 504 19th Pl., Kirkland, WA 98033
Krista and Patrick Fay, 1334 2nd St., Kirkland, WA 98033
Barbara Trunkhill, 345 19th Ave., Kirkland, WA 98033
Department of Planning and Community Development
Department of Public Works
Department of Building and Fire Services

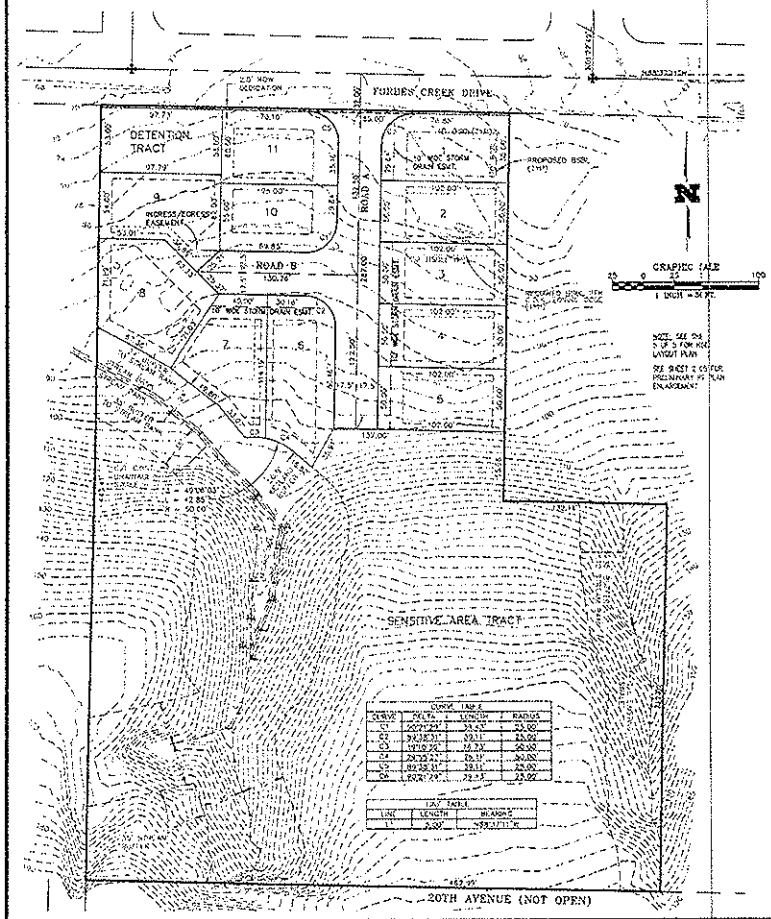
A written recommendation will be issued by the Hearing Examiner within eight calendar days of the date of the open record hearing.



ATTACHMENT 1

FILE NUMBER PSB04-00002

SW 4 OF SECTION 32, TOWNSHIP 26 NORTH, RANGE 5 EAST, W.M



APPLICANT/DEVELOPER:

CHAPLEY HOMES
CONTACT: KEITH ZWANICK
105 LAKE STREET SOUTH, SUITE 101
KIRKLAND, WA 98033
PHONE (425)822-5051

REGISTERED ENGINEER:

AMERICAN ENGINEERING CORPORATION
CONTACT: EMAR CHRISTENSEN
4032 148TH AVE. NE
REDMOND, WA 98052
PHONE (425) 881-7430

LAND SURVEYOR

AMERICAN ENGINEERING CORPORATION
CONTACT: EMAR CHRISTENSEN
4032 148TH AVE. NE
REDMOND, WA 98052
PHONE (425) 881-7430

LEGAL DESCRIPTION

PER STEWART TITLE PRELIMINARY CERTIFICATE, ORDER NO. 2004-88014 DATED MAY 3, 2004 AT 8:00 AM.

PARCEL A:
THE WEST HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 26 NORTH, RANGE 5 EAST, W.M. IN KING COUNTY, WASHINGTON;
EXCEPT THE NORTH 30 FEET THEREOF;
AND EXCEPT THE NORTH 130 FEET OF THE WEST 10 FEET OF THE EAST 140 FEET OF THE WEST HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 32, TOWNSHIP 26 NORTH, RANGE 5 EAST, W.M. IN KING COUNTY, WASHINGTON.

(ALSO KNOWN AS A PORTION OF LOT 6, KIRKLAND 5 ACRE TRACTS, AN UNRECORDED PLAT)

PARCEL B:
THE SOUTH HALF OF THE FOLLOWING DESCRIBED PROPERTY:
THE EAST HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 26 NORTH, RANGE 5 EAST, W.M. IN KING COUNTY, WASHINGTON;
EXCEPT THE NORTH 30 FEET THEREOF;
AND EXCEPT THE EAST 198 FEET THEREOF.

(ALSO KNOWN AS A PORTION OF LOT 6, KIRKLAND 5 ACRE TRACTS, AN UNRECORDED PLAT)

PARCEL C:
THE NORTH 130 FEET OF THE WEST 20 FEET OF THE EAST 140 FEET OF THE WEST HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 26 NORTH, RANGE 5 EAST, W.M. IN KING COUNTY, WASHINGTON;
EXCEPT THE NORTH 30 FEET THEREOF;

(ALSO KNOWN AS A PORTION OF LOT 6, KIRKLAND 5 ACRE TRACTS, AN UNRECORDED PLAT)

VERTICAL DATUM

NAVD 88

HORIZONTAL DATUM

WASHINGTON STATE PLANE, NORTH ZONE.
NAD 83/91

BENCH MARK

WITNESS CORNER TO THE COMMON OF SECTIONS 5 AND 6, FOUND BRASS CAP MONUMENT IN CONCRETE. WITH POINT ID 84 (POINT ALIAS FCMS), OBSERVATION, CITY OF KIRKLAND.
ELEVATION=200.026 FEET NAVD 1988

BUILDING SETBACKS

FRONT	20 FEET MINIMUM
SIDE	VARIED (SEE LAYOUT)
REAR/STREAM	10 FEET MINIMUM

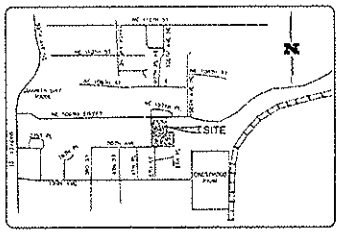
SERVICES

UTILITY PURVEYORS:

WATER	CITY OF KIRKLAND
SEWER	CITY OF KIRKLAND
FIRING	CITY
GAS & ELEC.	PUGET SOUND ENERGY
CABLE TV	AT&T

SCHOOL DISTRICT:

SCHOOLS	LAKE WASHINGTON SCHOOL DIST



VICINITY MAP
NTS

PROJECT DATA:

TAX PARCEL ID	0326059-0045 0326059-0046 0326059-0036
SITE ADDRESS	10023 FORBES CREEK DRIVE
PROPOSED USE:	SINGLE FAMILY RESIDENTIAL
TOTAL AREA (SF):	247,840.3 SF
TOTAL AREA (ACRES):	5.55 AC
NO. OF PROPOSED LOTS	11
EXISTING ZONING:	RS-12.5
PROPOSED FAR:	0.35
PROPOSED DENSITY	2.1 DU/AC
LOT SIZE TABLE:	
LOT 1	5,474.0 SF
LOT 2	5,003.1 SF
LOT 3	5,100.1 SF
LOT 4	5,100.1 SF
LOT 5	5,100.1 SF
LOT 6	6,243.2 SF
LOT 7	5,949.6 SF
LOT 8	7,043.3 SF
LOT 9	5,927.3 SF
LOT 10	5,930.0 SF
LOT 11	5,267.2 SF
DETENTION TRACT	5,131.2 SF
AREAS:	
SQUARE FOOTAGE OF LAND IN SENSITIVE AREA TRACT	156,348.4 SF
SQUARE FOOTAGE OF LAND IN PUBLIC STREETS/ROW	12,763.7 SF
SQUARE FOOTAGE OF LAND IN PRIVATE ACCESS EASEMENTS	0 SF
PARKING STALLS PROPOSED	22
MAXIMUM BUILDING HEIGHT PROPOSED (ABOVE AVERAGE BUILDING ELEVATION)	30 FT
MAXIMUM BUILDING COVERAGE PROPOSED	30%

SHEET INDEX:

PRELIMINARY PLAT PLAN	SHEET 1 OF 5
PRELIMINARY PLAT PLAN ENLARGEMENT	SHEET 2 OF 5
BOUNDARY & TOPOGRAPHIC SURVEY	SHEET 3 OF 5
PROPOSED PUBLIC DENSITY PLAN	SHEET 4 OF 5
HOUSE LAYOUT PLAN	SHEET 5 OF 5

RECOMMENDED FOR APPROVAL

BY: _____ DATE: _____
BY: _____ DATE: _____
BY: _____ DATE: _____
BY: _____ DATE: _____

Revisions			
No.		Date	By
1	PER CITY OF KIRKLAND COMMENTS	4-3-05	MLS

Date	11-20-04
Scale	50
Drawn	MLS
Designed	RWS
Checked	RWS/GTC

FORBES CREEK 11
PRELIMINARY PLAT PLAN

RECEIVED
JUN 2 0 2005
AM PM
PLANNING DEPARTMENT
BY: _____

American Engineering Corporation
Engineers • Planners • Surveyors
4032 148th Ave. N.E.
Redmond, WA 98052
PHONE (425) 881-7430 Fax (425) 881-7731

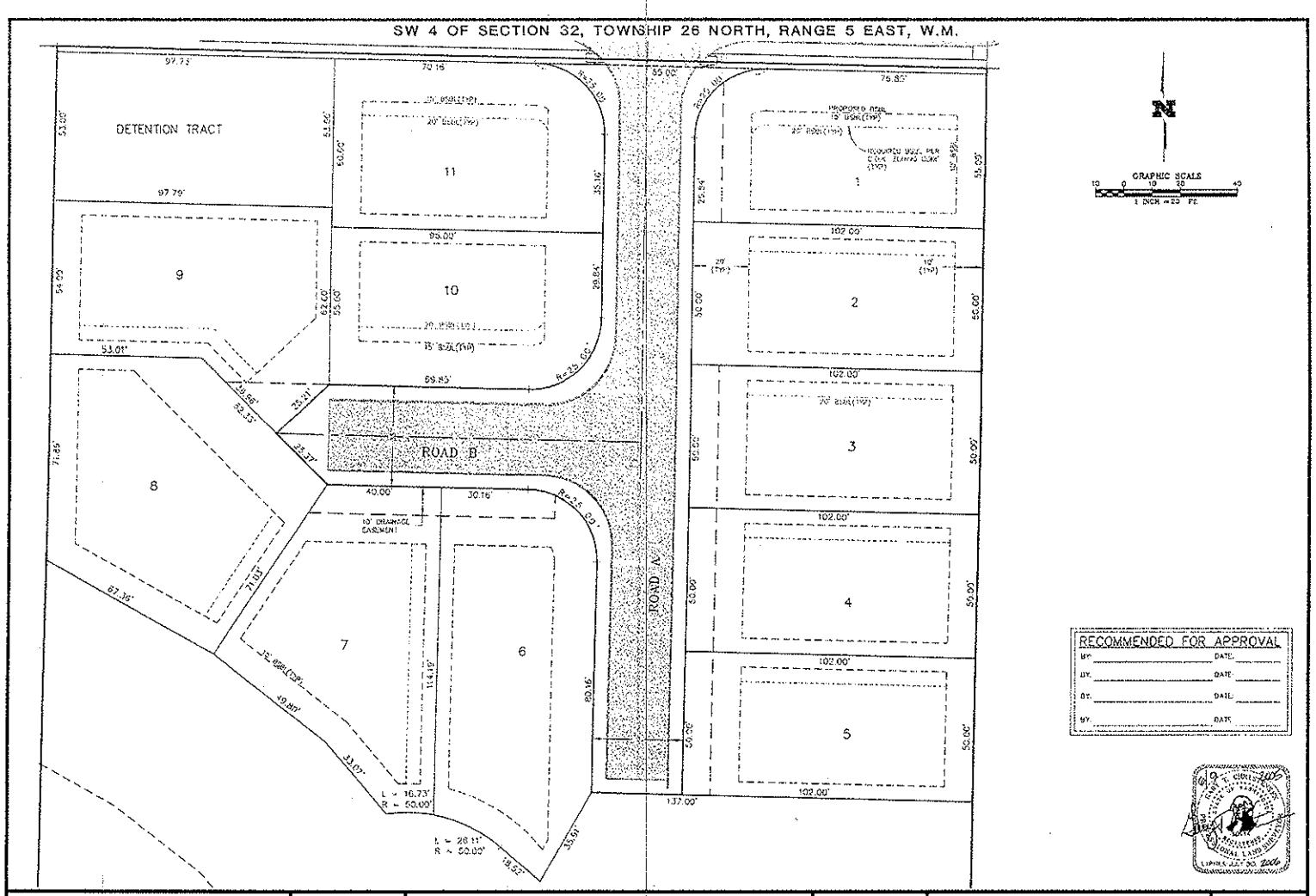
Date Plotted	Plotting Description & Name
11-1-04	AS SHOWN

JOB NO. 0448

SHEET 1 OF 5

ATTACHMENT 2
PSB04-00002

SW 4 OF SECTION 32, TOWNSHIP 26 NORTH, RANGE 5 EAST, W.M.



Revisions			
No.		Date	By
1	NEW CITY OF KIRKLAND COMMENTS	8-3-05	MES

Date	11-20-04
Scale	20
Drawn	MLS
Designed	RMS
Checked	RMS/GTC

FORBES CREK 11
PRELIMINARY PLAT PLAN ENLARGEMENT

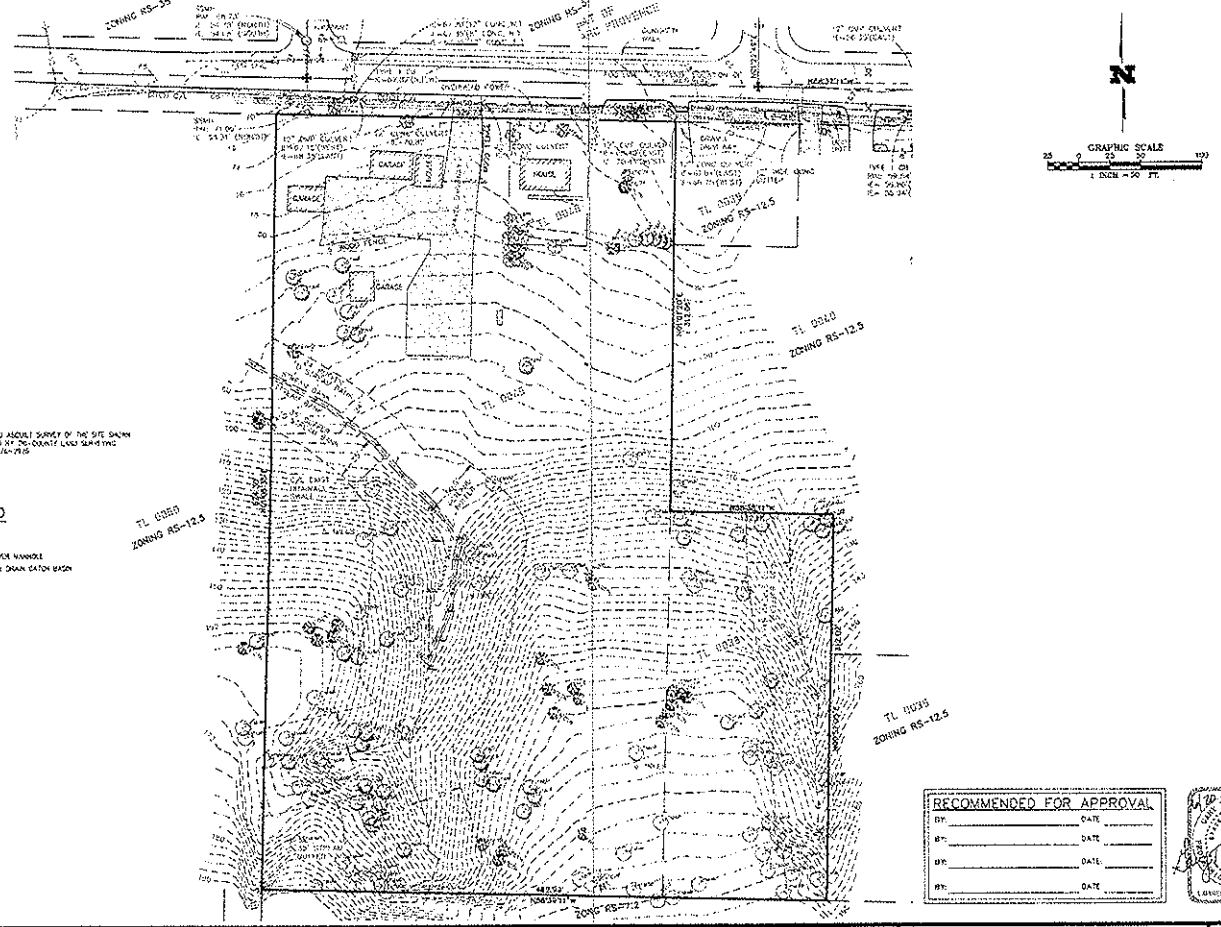
American Engineering Corporation
Engineers • Planners • Surveyors
4032 148th Ave. N.E.
Redmond, WA 98052
PHONE (425) 881-7430 Fax (425) 881-7731

Date Plotted 1-13-05 | Plotting Scale 20 | File path & Name

JOB NO. 0448

SHEET 2 OF 5

SW 4 OF SECTION 32, TOWNSHIP 26 NORTH, RANGE 5 EAST, W.M.



NOTE

TOPOGRAPHIC AND ABOVE SURVEY OF THE SITE SHOWN HEREON PROVIDED BY TRI-COUNTY LAND SURVEYING COMPANY (425)776-7915

LEGEND

- WATER VALVE
- UTILITY POLE
- SANITARY SEWER MANHOLE
- TYPE 1 STORM DRAIN CATCH BASIN

RECOMMENDED FOR APPROVAL

BY: _____ DATE: _____

BY: _____ DATE: _____

BY: _____ DATE: _____

BY: _____ DATE: _____

Revisions			
No.		Date	By
1	PER CITY OF MARYLAND COMMENTS	5-3-05	MLS

Date	11-20-04
Scale	50
Drawn	MLS
Designed	RNS
Checked	RNS/GTC

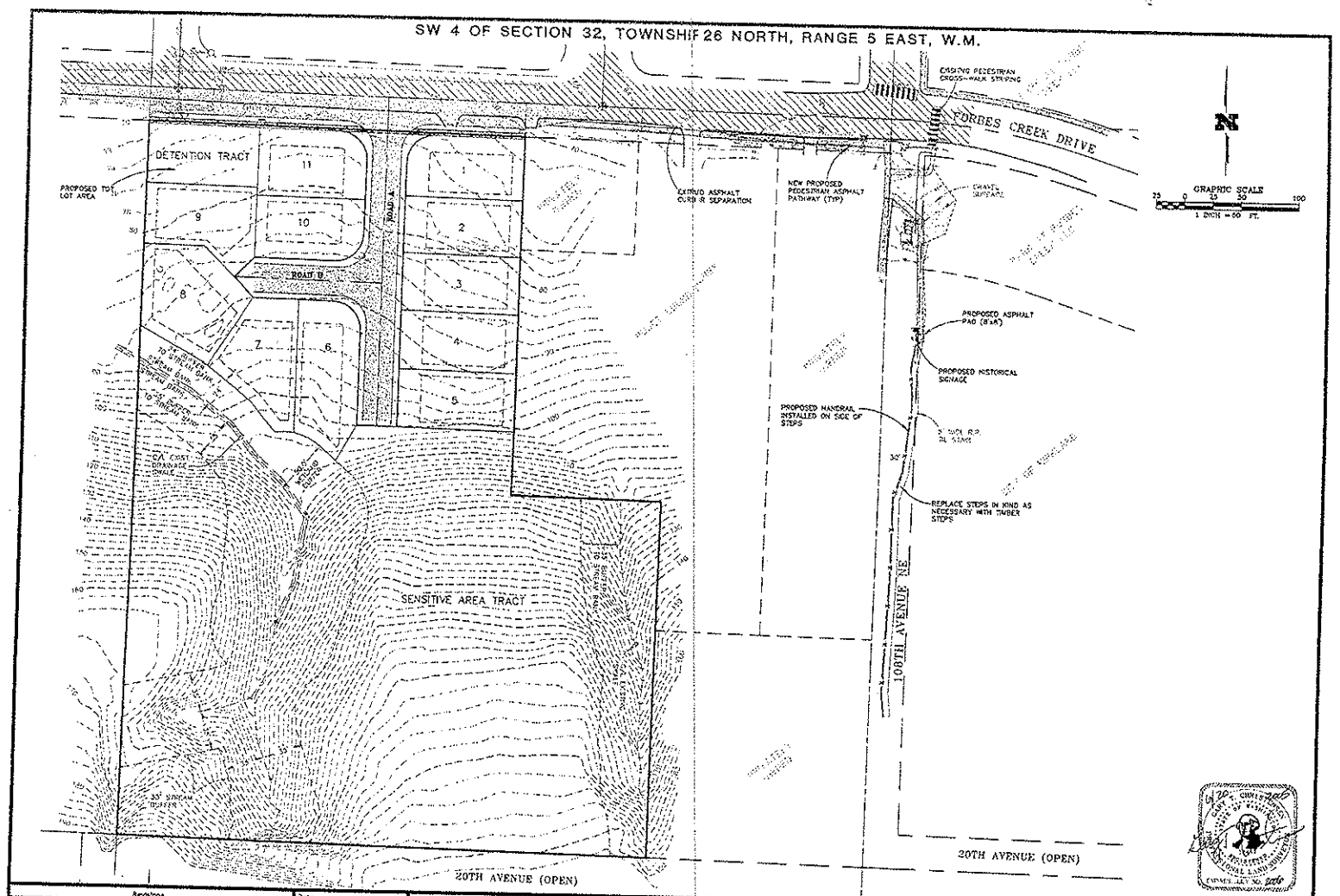
FORBES CREK 11
BOUNDARY & TOPOGRAPHIC SURVEY

American Engineering Corporation
Engineers • Planners • Surveyors
4032 148th Ave. N.E.
Redmond, WA 98052
PHONE (425) 861-7430 Fax (425) 861-7731

Date Plotted 11-1-04 | Plotting Scale AS SHOWN | File path & Name

JOB NO. 0448

SHEET 3 OF 5



Revisions			
No.		Date	By
1	ADDED 35 FOOT STREAM BUFFER	6-3-05	MLS

Date	11-20-04
Scale	50
Drawn	MLS
Designed	RWS
Checked	RWS/CTC

FORBES CREEK 11
PROPOSED PUBLIC BENEFIT PLAN

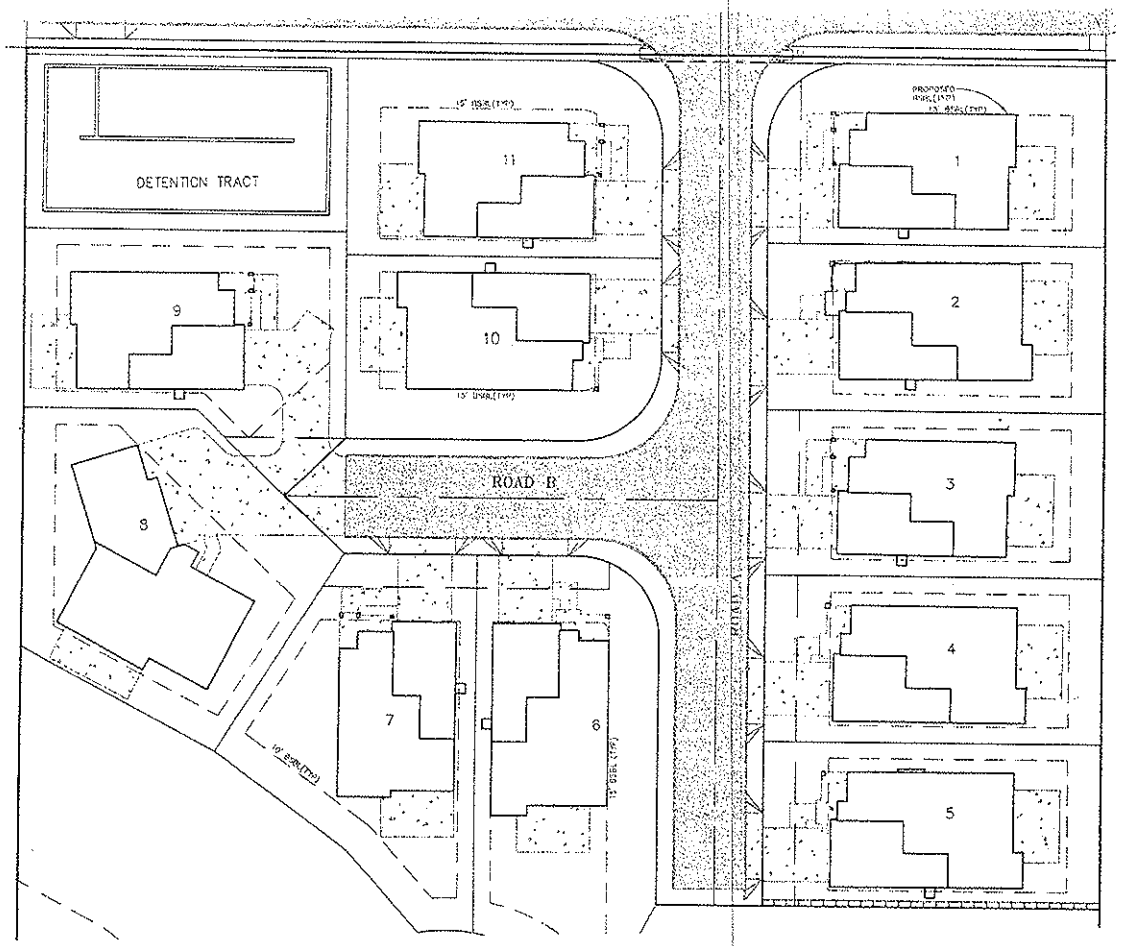
American Engineering Corporation
Engineers • Planners • Surveyors
4032 148th Ave. N.E.
Redmond, WA 98052
PHONE (425) 881-7430 Fax (425) 881-7731

Date Plotted	11-1-04
Plotting Scale	AS SHOWN
File path & Name	

JOB NO. 0448

SHEET 4 OF 5

SW 4 OF SECTION 32, TOWNSHIP 26 NORTH, RANGE 5 EAST, W.M.



N

GRAPHIC SCALE
10 0 10 20 40
1 INCH = 20 FT

RECOMMENDED FOR APPROVAL
BY: _____ DATE: _____
BY: _____ DATE: _____
BY: _____ DATE: _____
BY: _____ DATE: _____

Revisions			
No.		Date	By
1	PER CITY OF KIRKLAND COMMENTS	5-3-05	MLS

Date	11-20-04
Scale	20
Drawn	MLS
Designed	RWS
Checked	RWS/GTC

FORBES CREEK 11
HOUSE LAYOUT PLAN

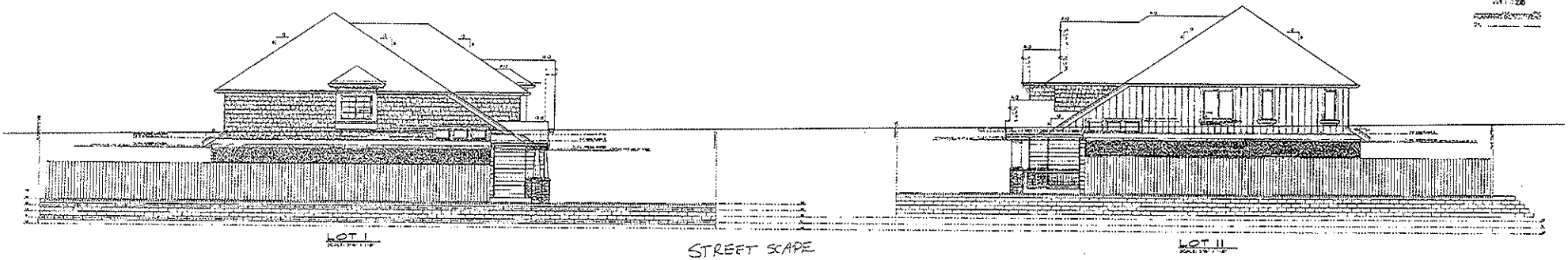
American Engineering Corporation
Engineers • Planners • Surveyors
4032 148th Ave. N.E.
Redmond, WA 98052
PHONE (425) 881-7430 Fax (425) 881-7731

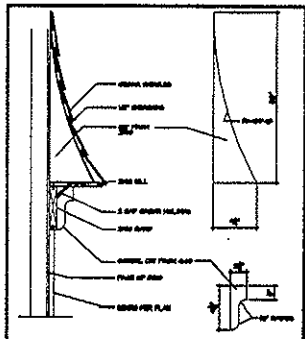
Date Plotted	Plotting Scale	File path & Name
5-19-05	20	

JOB NO. 0448

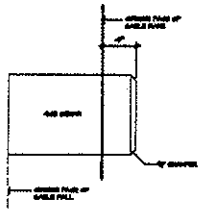
SHEET 5 OF 5

RECEIVED

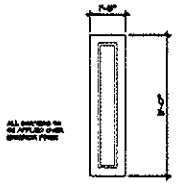




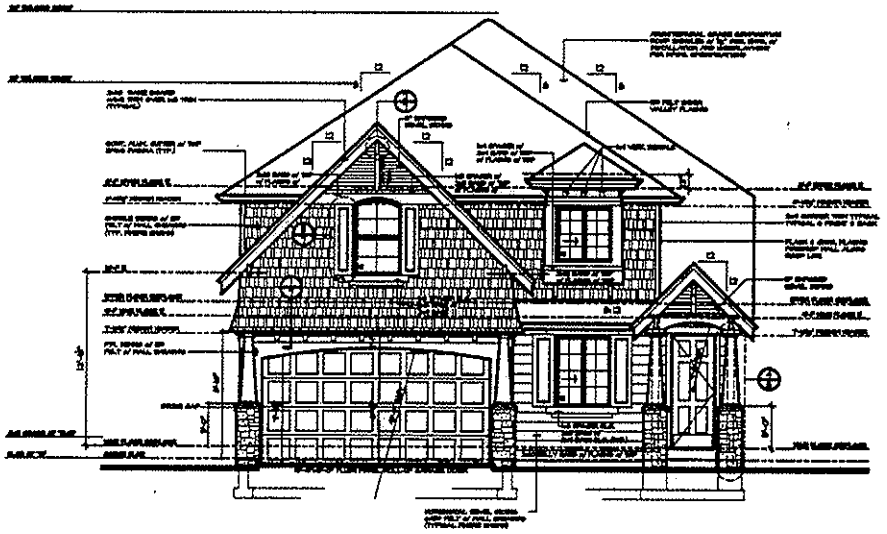
COREBEL DETAIL 1



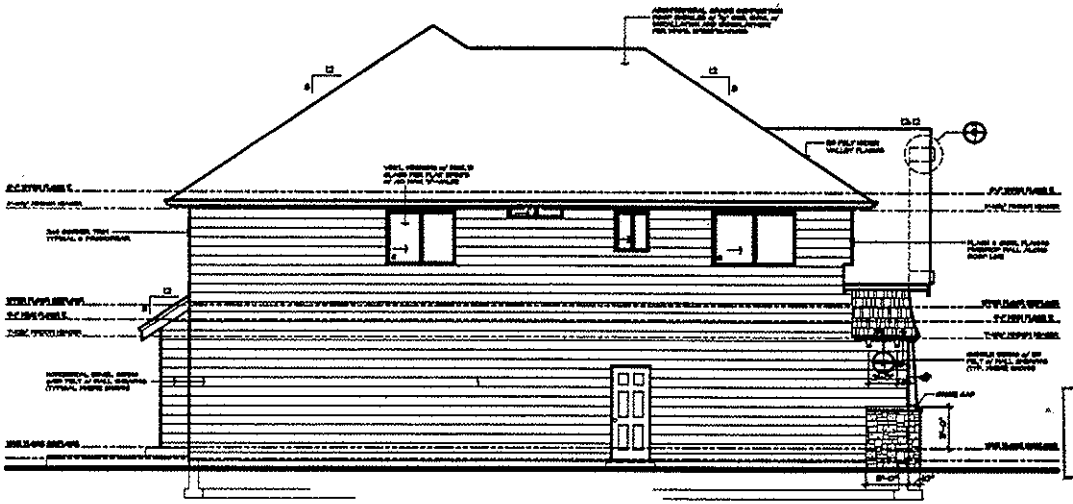
OUTLOOKER DETAIL 2



SHUTTER DETAIL 3



SCALE: 1/4" = 1'-0" FRONT ELEVATION



SCALE: 1/4" = 1'-0" LEFT ELEVATION

GENERAL NOTES

1. [redacted]
2. [redacted]
3. [redacted]
4. [redacted]
5. [redacted]
6. [redacted]
7. [redacted]

[redacted]

DATE	REVISIONS
[redacted]	[redacted]

[redacted]

CHAFFEY CORPORATION

205 LAKE STREET SOUTH SUITE 101 • KIRKLAND, WA 98033 • TEL (425) 822-5881

THE WRITTEN DIMENSIONS ON THESE PLANS SUPERSEDE SCALED DIMENSIONS. ANY VARIATIONS FROM CONDITIONS AND MATERIALS FROM CONDITIONS SHOWN ON THESE PLANS SHALL BE REPORTED TO THE DESIGNER FOR RESOLUTION PRIOR TO PROCEEDING WITH THE WORK. CONTRACTOR SHALL BE RESPONSIBLE FOR ALL ASSOCIATED FINANCIAL WORK.

[redacted]

BASE PLAN

FC-1

702-03A

7 | 11

[redacted]

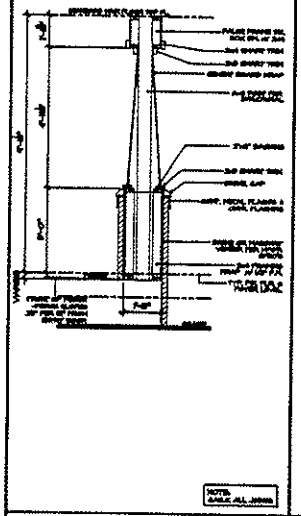
RECEIVED

FEB 15 2005

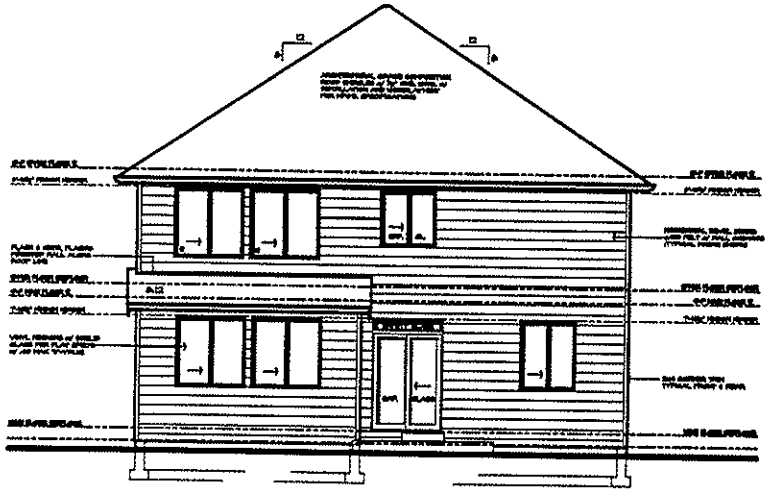
AM PM

PLANNING DEPARTMENT

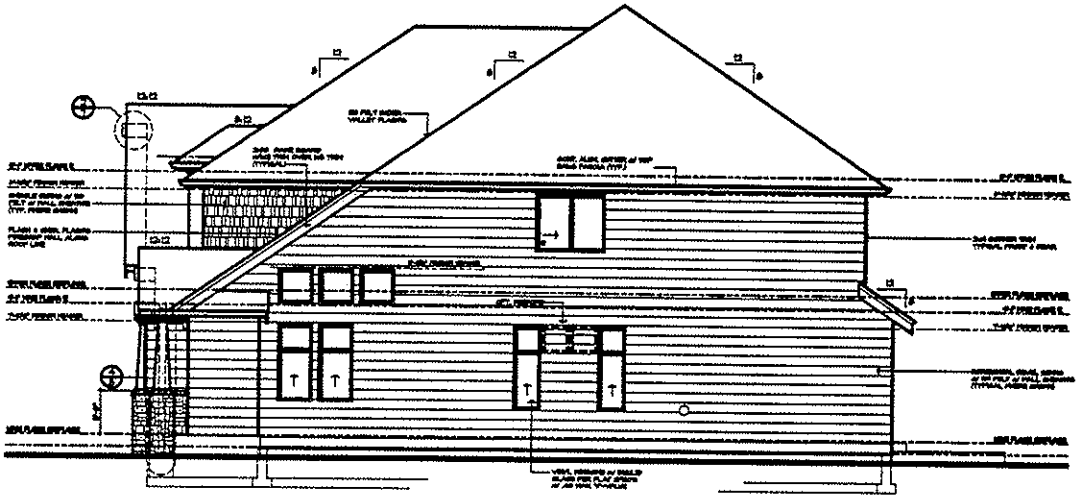
BY



COLUMN DETAIL | 4



SCALE: 1/4" = 1'-0" REAR ELEVATION



SCALE: 1/4" = 1'-0" RIGHT ELEVATION

GENERAL NOTES

1. [illegible]
2. A. [illegible]
3. [illegible]
4. VERIFY ALL DIMENSIONS LOCATIONS PER LOT.
5. [illegible]
6. [illegible]
7. [illegible]

DESIGNED BY:
Jackson Construction
1997 Uniform Building Code

DATE	REVISIONS
8/13/03	[illegible]
12/17/03	[illegible]

CHAFFEY CORPORATION

205 LAKE STREET SOUTH SUITE 101 • KIRKLAND, WA 98033 • TEL (425) 822-5661

THE INFORMATION SHOWN ON THIS PLAN IS PROVIDED TO THE CONTRACTOR AS A GUIDE ONLY. THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND CONDITIONS PRIOR TO CONSTRUCTION. ANY DISCREPANCIES SHALL BE REPORTED TO THE ARCHITECT. THE CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR COSTS OF ANY NECESSARY REWORK WHICH MAY BE REQUIRED DUE TO THE CONTRACTOR'S FAILURE TO VERIFY DIMENSIONS AND CONDITIONS PRIOR TO THE WORK OTHERWISE, THE CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR COSTS OF ANY NECESSARY REWORK.

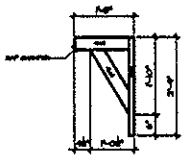
DRAWN BY: [illegible]
CHECKED BY: [illegible]
DATE: [illegible]

BASE_PLAN

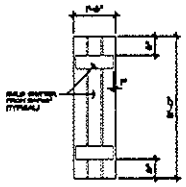
702-03A

8 | 11

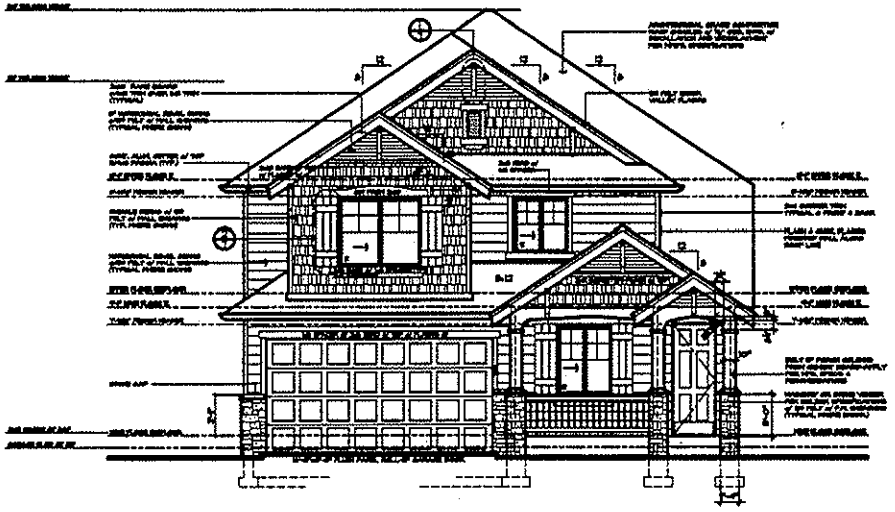
LEVEL_GARAGE



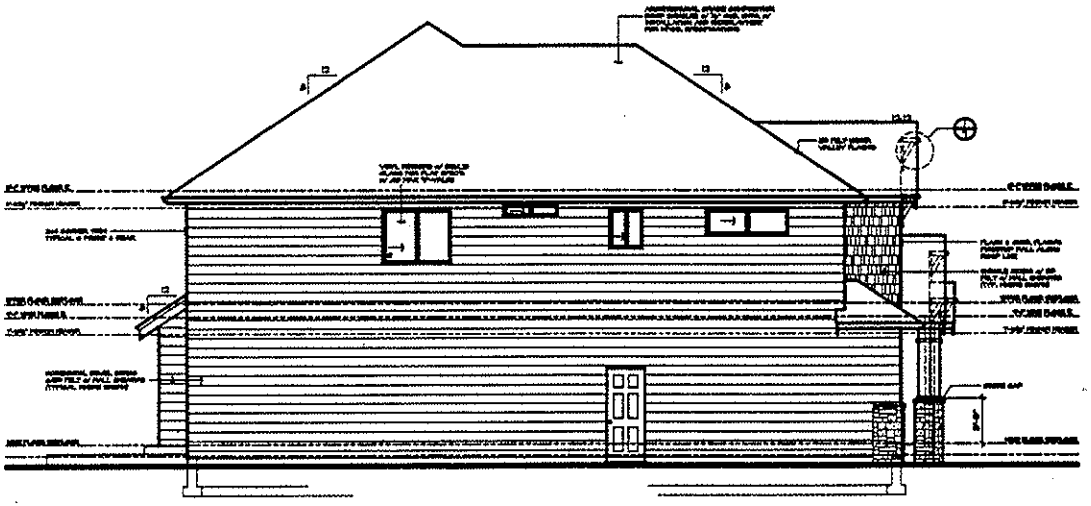
OUTLOOKER DETAIL 1



SHUTTER DETAIL 2



SCALE: 1/4" = 1'-0" FRONT ELEVATION



SCALE: 1/4" = 1'-0" LEFT ELEVATION

GENERAL NOTES

1. [illegible]
2. A PLANER OR LANDING 2" HIGH, SOLID THRESHOLD TO FRONT DOOR AS SHOWN, 7 MAX. HANDRAILS
3. PLANS AT TOPS OF FOOTINGS & GARAGE OR VERIFY.
4. VERIFY ALL EXHAUST LOCATIONS PER LOC.
5. [illegible]
6. [illegible]
7. [illegible]

DESIGNED BY: Architect Consulting 24 Kirkland Building Circle

DATE	REVISIONS
07/10/03	[illegible]

CHAFFEY CORPORATION

205 LAKE STREET SOUTH SUITE 101 * KIRKLAND, WA 98033 * TEL. (425) 822-5881

THE WRITTEN DIMENSION ON THIS PLAN IS PRECISE, SCALED DIMENSIONS, INVESTIGATIONS, FIELD CONDITIONS AND DEVIATIONS FROM CONDITIONS NOT SHOWN ON THE DRAWING SHALL BE REPORTED TO THE DESIGNER FOR RESOLUTION PRIOR TO PROCEEDING WITH THE WORK. THE CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR COST OF ANY REDISPLACED WORK.

DRAWN BY: RJR
CHECKED BY: JK
DATE: 06/06/03

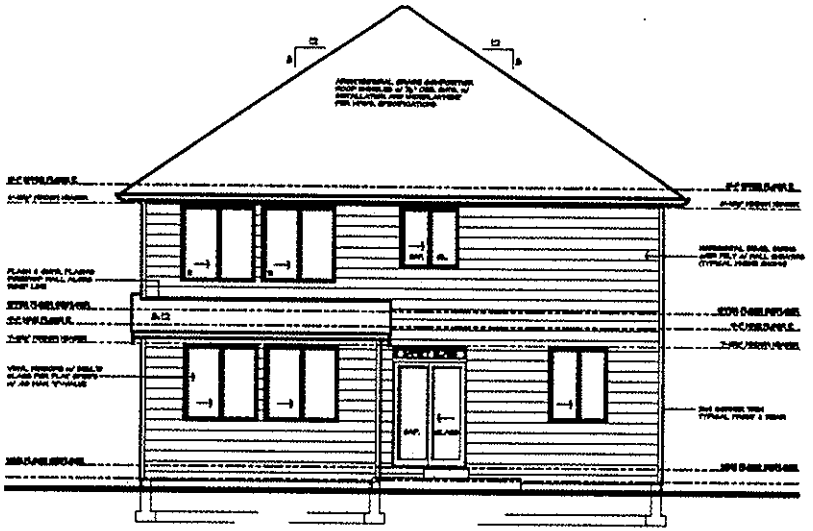
BASE_PLAN

FC-3

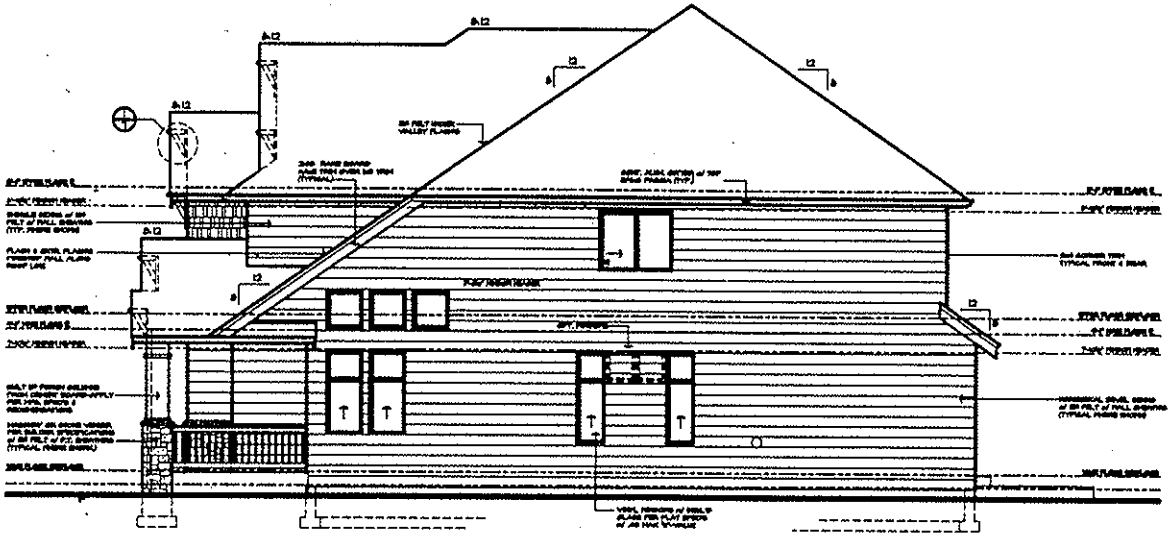
702-03B

7 | 11

LEVEL_GARAGE



SCALE: 1/4" = 1'-0" **REAR ELEVATION**



SCALE: 1/4" = 1'-0" **RIGHT ELEVATION**

GENERAL NOTES

1. FIRST ADDRESS SO AS TO BE LEGIBLE FROM STREET AND AID TO DISPLAY FROM DAMAGING
2. A FLASH ON LAYING 1" VINYL SIDING WHERE IS FROM FRONT OR BACK DOOR, 7 ROW, INSIDE
3. FLASH OF TOPS OF FENCES & GATES OF TRIM
4. VERIFY ALL DIMENSIONS LOCATIONS PER LAY.
5. AT ALL GABLE END ADDITIONS, ALL PLYWOOD SHEATHING MUST BEGIN IMMEDIATELY FROM THE EXISTING WALL. THE EXISTING ROOF OF ALLOWING OF THE TRIM, FOR FUTURE OR ADDITIONS WHICH ARE DONE TWICE IN THEIR LIFETIME. THE ARCHITECHURAL AND STRUCTURAL ENGINEER SHALL BE CONTACTED BY WHICH A DIAGRAM AND AS THE CASE MAY BE, WITH ATTACHMENT AS CALCULATED PRIOR TO THE START OF WORK.
6. PRIOR A GABLE WALL IS DEMOLISHED ON THE EXISTING TIER, A PORTION OF A WALL THE REMAINING PORTION IS THE SAME PLANE SHALL BE EQUALLY DESIGNED TO PROVIDE FOR A SEPARATE SURFACE.
7. INSTALLATION OF ALL SHEATHING AND WALL FLASHING TO BE PER BOARDS' STANDARD AND THE NW NSA. STAPLE, NAILS, SIDE, AND SIDE.

ENGINEERED BY:
Jameson Consulting
TRIFT Uniform Building Code

DATE	REVISIONS
12/17/03	KNOCKOVE/ROOF COORD
1/16/04	MA(REAR_GARDE_@ROE)

CHAFFEY CORPORATION

205 LAKE STREET SOUTH SUITE 101 * KIRKLAND, WA 98033 * TEL (425) 822-5881

THE WRITTEN DIMENSIONS ON THIS PLAN SUPERSEDE SCALED DISTANCE. ANY VARIATIONS FROM CONDITIONS AND VARIATIONS FROM CONDITIONS AND DIMENSIONS SHOWN ON THE DRAWING SHALL BE REPORTED TO THE DESIGNER FOR RESOLUTION PRIOR TO PROCEEDING WITH THE WORK OTHERWISE, THE CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR COSTS OF ANY NECESSARY REWORK WORK.

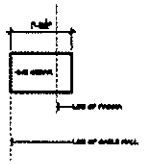
DRAWN BY: H.R.
CHECKED BY: JH
DATE: 09/03/03

BASE_PLAN

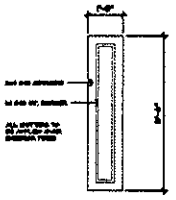
702-03B

8 | 11

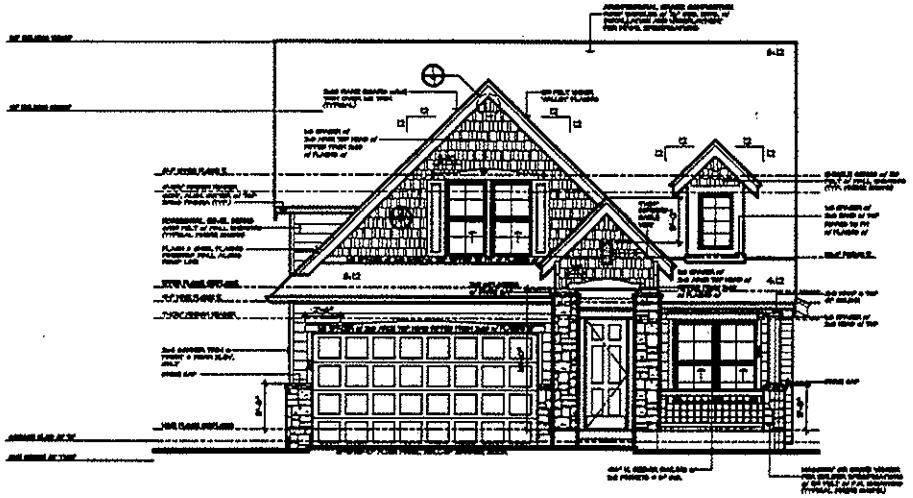
LEVEL_GARAGE



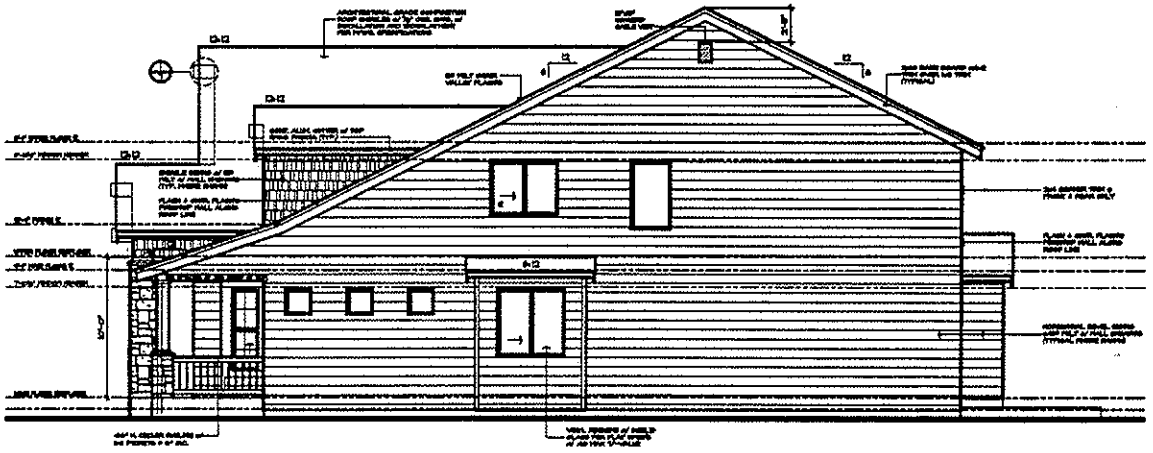
OUTLOOKER DETAIL 1



TYPICAL SHUTTER 2



FRONT ELEVATION



LEFT ELEVATION

GENERAL NOTES

1. [illegible]
2. [illegible]
3. [illegible]
4. [illegible]
5. [illegible]
6. [illegible]
7. [illegible]

ENGINEERED BY:
Justinian Consulting
1997 Uniform Building Code

DATE	REVISION
07/00	1/RM(UPDATE-NOTES)
08/04	2/RE(REMASTER-BATHRM)

CHAFFEY CORPORATION

205 LAKE STREET SOUTH SUITE 101 • KIRKLAND, WA 98033 • TEL (425) 822-5881

THE WRITTEN DIMENSIONS ON THESE PLANS PREVAIL AND TAKE PRECEDENCE OVER ANY SCALED DIMENSIONS. ANY AMBIGUITIES OR DISCREPANCIES IN THE DRAWINGS SHOULD BE REPORTED TO THE OWNER FOR RESOLUTION PRIOR TO PROCEEDING WITH THE WORK OTHERWISE, THE CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR COSTS OF ANY RECEIVED REWORK.

DRAWN BY JN
CHECKED BY
DATE 07/00

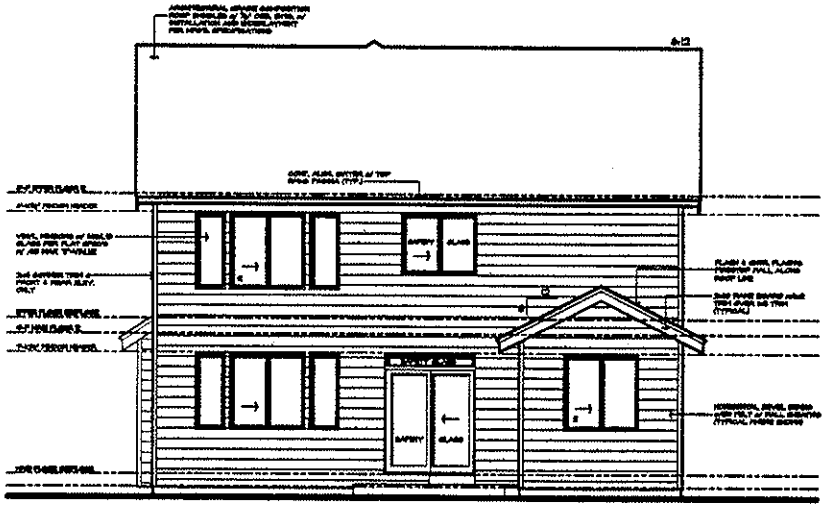
BASE_PLAN

FC-2

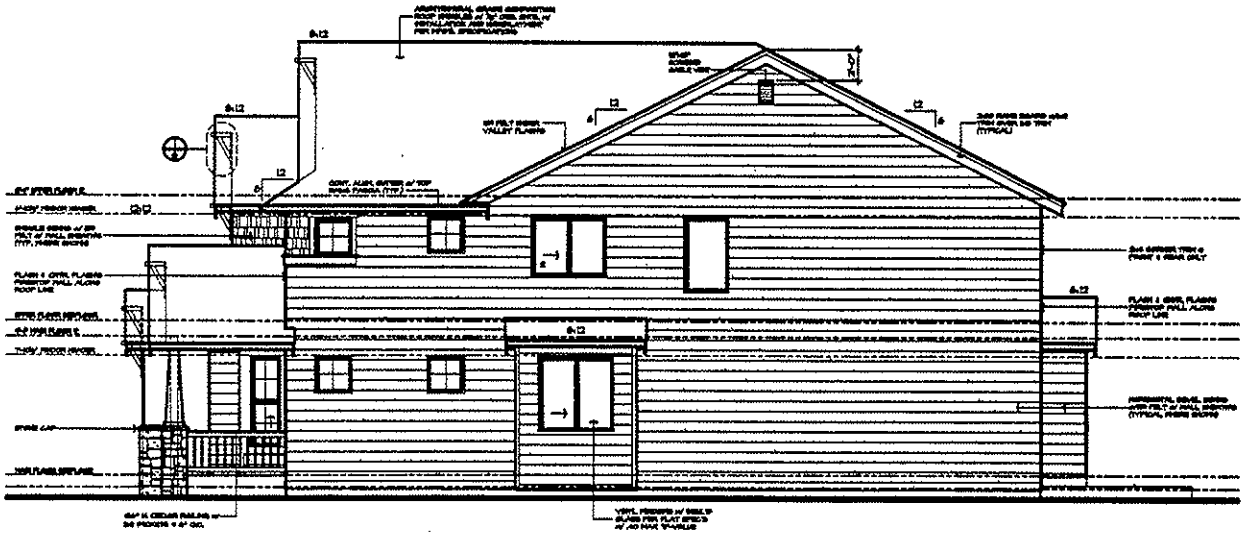
703-03A

7 | 11

LEVEL_GARAGE



SCALE: 1/4" = 1'-0" **REAR ELEVATION**



SCALE: 1/4" = 1'-0" **RIGHT ELEVATION**

GENERAL NOTES

1. [illegible]
2. A FLASH AN LANDING 1" HIGH, BELOW THRESHOLD IS REQ'D FROM AN EXT DOOR, / GRD. SHELLS
3. FLASH AT TOP OF REQUIRED & ATTAP AT TRIM.
4. VERIFY ALL DIMENSIONS LOCATIONS PER LOT.
5. AT ALL GABLE END ADDITIONS, ALL FLITCHED BEAMS, PLANK AND BEAM ADDITIONS FROM THE MAINHOUSE. THE REINFORCING MAY BE ELIMINATED IF THE BEAM WITH PROVIDES AN ADEQUATE SPAN OR EVALUATED IF THERE LOCATIONS. THE ARCHITECTURAL AND STRUCTURAL DRAWINGS WILL BE REVISED OR SEAL A REPORT AND BE REVIEWED WITH APPROVING CALCULATIONS PRIOR TO THE START OF WORK.
6. [illegible]
7. INSTALLATION OF ALL FLASHING AND WALL FLASHING TO BE PER MANUFACTURER AND THE INTL RESIDENTIAL CODE, 2003 EDITION.

ENGINEERED BY:
Jackson Consulting
1997 Uniform Building Code

DATE	REVISIONS
3/9/04	PRE/REVIEW-MITH-BALTY-WOW

CHAFFEY / CORPORATION

205 LAKE STREET SOUTH SUITE 101 * KIRKLAND, WA 98033 * TEL (425) 822-5981

THE PROTECTED PROPERTY RIGHT IN THE INTERPRETATION OF ALL DOCUMENTS, PROVISIONS, PROVISIONS AND VARIATIONS HEREIN AND THEREON ARE SUBJECT TO THE DESIGNS FOR REVOLUTIONS AND CONDITIONS THE WORK OTHERWISE SHOWN ON THE DRAWING SHALL BE REPORTED TO THE DESIGNER FOR REVOLUTIONS AND CONDITIONS THE WORK OTHERWISE, THE CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR COSTS OF ANY NECESSARY REWORK WORK.

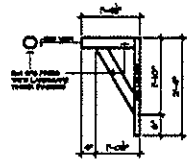
DRAWN BY: JM
CHECKED BY: SM
DATE: 07/14/03

BASE_PLAN

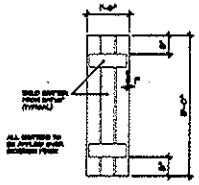
703-03B

8 | 11

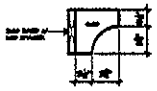
LEVEL_GARAGE



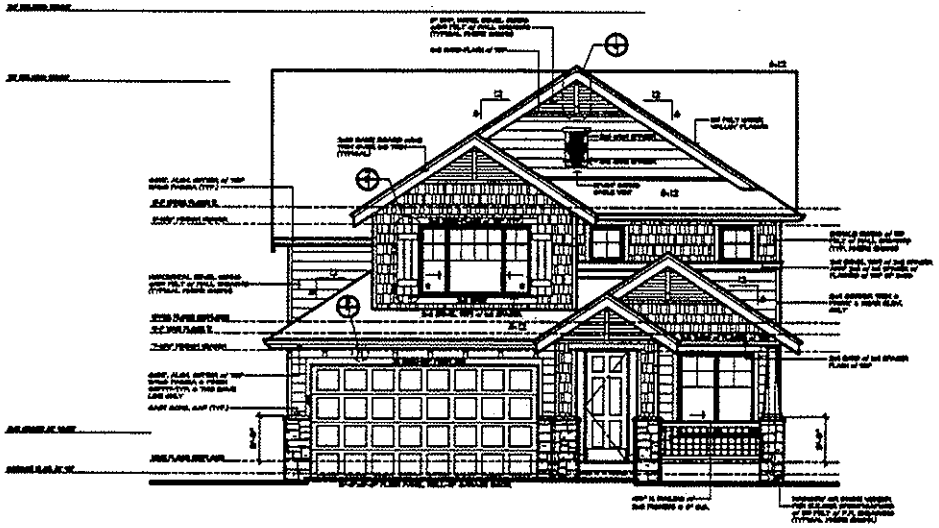
OUTLOOKER DETAIL | 1



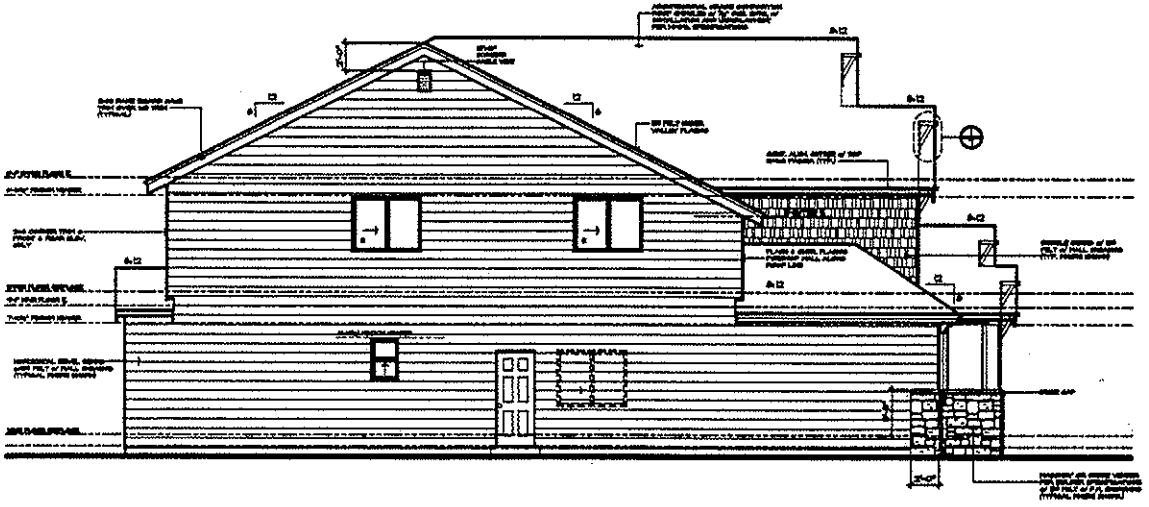
TYPICAL SHUTTER | 2



CORBEL DETAIL | 3



FRONT ELEVATION



LEFT ELEVATION

GENERAL NOTES

1. [illegible]
2. A FLOOR OR LANDING 7" MAX. BELOW THRESHOLD IS PERMITTED FOR ANY DOOR. / [illegible]
3. PLANS AT 100% OF DESIGN & AHEAD OF WORK.
4. VERIFY ALL DIMENSIONS LOCATIONS FOR L.P.C.
5. AT ALL GABLE END ENDWALLS, ALL PLYWOOD SHEATHING SHALL BE FASTENED WITH EDGE NAILING TO THE ROOFSHEATHING. [illegible]
6. FOR A DOWN FOOL TO PROVIDE AT THE ENTRYWAY FOR A PERIOD OF A HALL, THE [illegible]
7. INSTALLATION OF ALL WINDOWS AND WALL FLASHING [illegible]

ENGINEERED BY:
Jackson Consulting
1307 Union Building Dock

DATE	REVISIONS
3/04	[illegible]

CHAFFEY CORPORATION

205 LAKE STREET SOUTH SUITE 101 * KIRKLAND, WA 98033 * TEL (425) 822-5961

THE WINTER DIMENSIONS ON THE PLAN REFLECTS BOARD DEVICE. ANY VARIATIONS FROM CONDITIONS AND DIMENSIONS FROM CONDITIONS THE CONTRACTOR SHALL BE ACCOUNTABLE FOR ALL DIMENSIONS AND CONDITIONS ASSOCIATED WITH THE WORK OTHERWISE, THE CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR COSTS OF ANY NECESSARY REWORK WORK.

DRAWN BY: JK
CHECKED BY: [illegible]
DATE: [illegible]

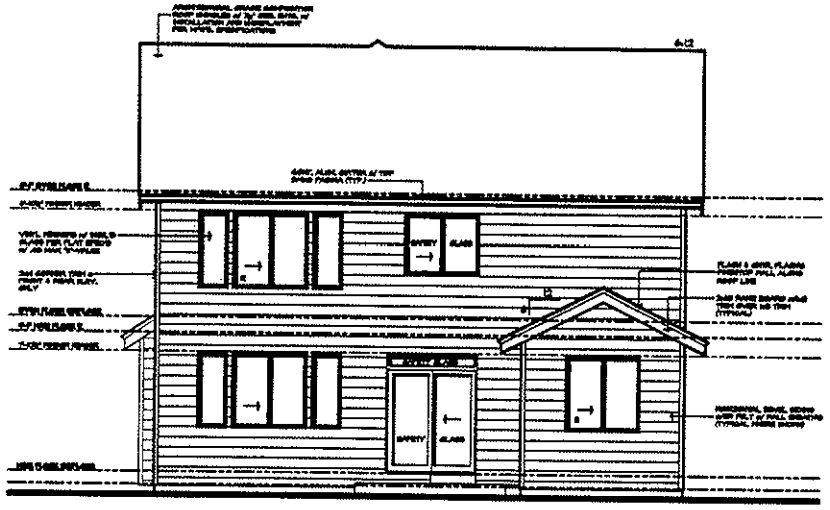
BASE_PLAN

FC-5

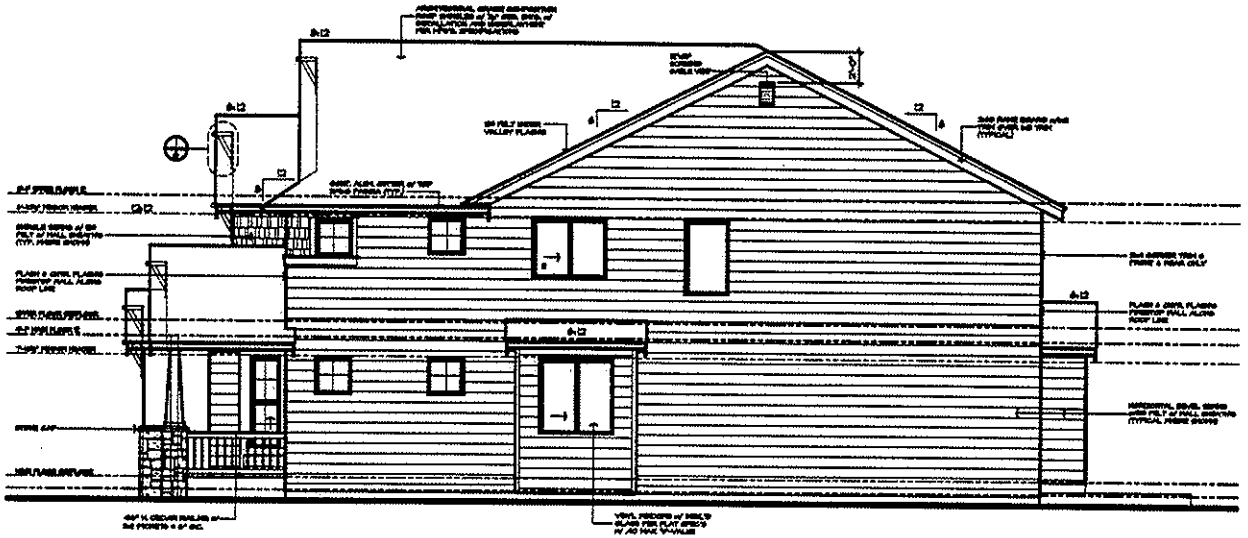
703-03B

7 | 11

LEVEL_GARAGE



SCALE: 1/4" = 1'-0" **REAR ELEVATION**



SCALE: 1/4" = 1'-0" **RIGHT ELEVATION**

GENERAL NOTES

1. PRINT DRAWING SO AS TO BE LEGIBLE FROM STREET, AND PER TO ADDITIONS FROM BUILDINGS
2. A FLASH OR LARGER 1" VINYL SIDING VERSIBLE IS REQUIRED FROM AS SHIT SIDING / U.B.C. 1406.3.2.2
3. FLASH AT TOPS OF WINDOWS & DOOR OF TRIM.
4. VERIFY ALL SETBACKS LOCATIONS PER LOT.
5. AT ALL GABLE END ADDITIONS, ALL FUTURE ROOF TRUSS & RAFT SHOULD ADDITIONS THE DRAWING CAN, THE ENGINEERING THAT THE ELEVATION IF THE TRUSS WILL CONTAIN AN ADDITIONS WHICH ON DRAG TRUSS IN THIS LOCATION, THE ARCHITECTURAL AND STRUCTURAL ENGINEER SHALL BE NOTIFIED OF SUCH A REQUEST AND BE PROVIDED ANY ATTACHMENT CALCULATIONS PRIOR TO THE START OF WORK.
6. NOW A SIDING WALL IS REMOVED ON THE DRAWING FOR A PORTION OF A WALL, THE REMOVED PORTION IS THE SIDE PLANE SHALL BE SIMILARLY SHAPED TO PROVIDE FOR A SMOOTH SURFACE.
7. INSTALLATION OF ALL WINDOWS AND WALL FLASHING TO BE PER MANUFACTURERS AND THE 1997 U.B.C. SHAP, HOLES, SEAL AND SIDE.

ENGINEERED BY:
Jenkinson Consulting
1997 Uniform Building Code

DATE	REVISIONS
3/8/04	KRS/REM-MSTR-BATH-WHQ

CHAFFEY CORPORATION

205 LAKE STREET SOUTH SUITE 101 * KIRKLAND, WA 98033 * TEL (425) 822-5981

THE WRITTEN DIMENSIONS ON THE PLAN IS PERFECT SCALED DISTANCE. ANY VARIATIONS FROM CONDITIONS AND VARIATIONS FROM CONDITIONS THE WORK OTHER SHALL BE REPORTED TO THE DESIGNER FOR RESOLUTION PRIOR TO PROCEEDING WITH THE WORK. OTHERWISE, THE CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR ANY ERRORS OR ANY INCORRECT PERFORMED WORK.

DRAWN BY: JK
CHECKED BY: JK
DATE: 07/1/02

BASE_PLAN

703-03B

8 | 11

LEVEL_GARAGE

CITY OF KIRKLAND

Planning and Community Development Department
123 Fifth Avenue, Kirkland, WA 98033 425.587-3225

www.ci.kirkland.wa.us

DEVELOPMENT STANDARDS LIST

File: Forbes Creek 11, PSB04-00002

PLANNING DEPARTMENT CONDITIONS

Subdivision Standards

22.28.030 Lot Size. Unless otherwise approved in the preliminary subdivision or short subdivision approval, all lots within a subdivision must meet the minimum size requirements established for the property in the Kirkland zoning code or other land use regulatory document.

22.28.050 Lot Dimensions. For lots smaller than 5,000 square feet, the lot width at the back of the required front yard shall not be less than 50 feet unless the garage is located at the rear of the lot or the lot is a flag lot.

22.28.130 Vehicular Access Easements. The applicant shall comply with the requirements found in the Zoning Code for vehicular access easements or tracts.

22.28.210 Significant Trees. The applicant shall retain at least twenty-five percent of the healthy significant trees, together with any associated groundcover or understory vegetation necessary to assure long-term health and prevent erosion. The tree retention plan is shown on Attachment 4. There are 141 significant trees; the applicant is proposing to retain 112 trees, or 79%. All trees designated to be saved under the tree retention plan must be retained, unless a modification to the tree retention plan is approved by the Department of Planning and Community Development.

22.32.010 Utility System Improvements. All utility system improvements must be designed and installed in accordance with all standards of the applicable serving utility.

22.32.030 Stormwater Control System. The applicant shall comply with the construction phase and permanent stormwater control requirements of the Municipal Code.

22.32.050 Transmission Line Undergrounding. The applicant shall comply with the utility lines and appurtenances requirements of the Zoning Code.

22.32.060 Utility Easements. Except in unusual circumstances, easements for utilities should be at least ten feet in width.

27.06.030 Park Impact Fees. New residential units are required to pay park impact fees prior to issuance of a building permit. The impact fee for new single-family dwelling units is $612. The impact fee for new multifamily dwelling units is $430. Exemptions and/or credits may apply pursuant to KMC 27.06.050 and KMC 27.06.060. If a property contains an existing unit to be removed, a "credit" for that unit shall apply to the first building permit of the subdivision in the amount of $612 for a single family unit and $430 for a multi-family unit.

Prior to Recording:

22.16.030 Final Plat - Lot Corners. The exterior plat boundary, and all interior lot corners shall be set by a registered land surveyor.

22.16.040 Final Plat - Title Report. The applicant shall submit a title company certification which is not more than 30 calendar days old verifying ownership of the subject property on the date that the property owner(s) (as indicated in the report) sign(s) the subdivision documents; containing a legal description of the entire parcel to be subdivided; describing any easements or restrictions affecting the property with a description, purpose and reference by auditor's file number and/or recording number; any encumbrances on the property; and any delinquent taxes or assessments on the property.

22.16.150 Final Plat - Improvements. The owner shall complete or bond all required right-of-way, easement, utility and other similar improvements.

22.32.020 Water System. The applicant shall install a system to provide potable water, adequate fire flow and all required fire-fighting infrastructure and appurtenances to each lot created.

22.32.040 Sanitary Sewer System. The developer shall install a sanitary sewer system to serve each lot created.

22.32.080 Performance Bonds. In lieu of installing all required improvements and components as part of a plat or short plat, the applicant may propose to post a bond, or submit evidence that an adequate security device has been submitted and accepted by the service provider (City of Kirkland), for a period of one year to ensure completion of these requirements within one year of plat/short plat approval.

Prior to occupancy:

22.32.020 Water System. The applicant shall install a system to provide potable water, adequate fire flow and all required fire-fighting infrastructure and appurtenances to each lot created.

22.32.040 Sanitary Sewer System. The developer shall install a sanitary sewer system to serve each lot created.

22.32.090 Maintenance Bonds. A two-year maintenance bond may be required for any of the improvements or landscaping installed or maintained under this title.

Zoning Code Standards

90.45 Wetlands and Wetland Buffers. No land surface modification may take place and no improvement may be located in a wetland or within the environmentally sensitive area buffers for a wetland, except as specifically provided in this Section.

90.50 Wetland Buffer Fence. Prior to development, the applicant shall install a six-foot high construction phase fence along the upland boundary of the wetland buffer with silt screen fabric installed per City standard. The fence shall remain upright in the approved location for the duration of development activities. Upon project completion, the applicant shall install between the upland boundary of all wetland buffers and the developed portion of the site, either 1) a permanent 3 to 4 foot tall split rail fence, or 2) permanent planting of equal barrier value.

90.80 Streams. No land surface modification may take place and no improvements may be located in a stream except as specifically provided in this Section.

90.90 Stream Buffers. No land surface modification may take place and no improvement may be located within the environmentally sensitive buffer for a stream, except as provided in this Section.

90.95 Stream Buffer Fence. Prior to development, the applicant shall install a six-foot high construction phase fence along the upland boundary of the entire stream buffer with silt screen fabric installed per City standard. The fence shall remain upright in the approved location for the duration of development activities. Upon project completion, the applicant shall install between the upland boundary of all stream buffers and the developed portion of the site, either 1) a permanent 3 to 4 foot tall split rail fence, or 2) permanent planting of equal barrier value.

95.35 Plant Replacement. The applicant shall replace any plants required by this Code that are unhealthy or dead for a period of two years after initial planting.

100.25 Sign Permits. Separate sign permit(s) are required.

105.20 Required Parking. Two parking spaces are required for each detached dwelling unit.

110.60.8 Street Trees. All trees planted in the right-of-way must be approved as to species by the City. All trees must be two inches in diameter at the time of planting as measured using the standards of the American Association of Nurserymen with a canopy that starts at least six feet above finished grade and does not obstruct any adjoining sidewalks or driving lanes.

115.25 Work Hours. It is a violation of this Code to engage in any development activity or to operate any heavy equipment before 7:00 am. or after 8:00 pm Monday through Friday, or before 9:00 am or after 6:00 pm Saturday. No development activity or use of heavy equipment may occur on Sundays or on the following holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving, and Christmas Day. The applicant will be required to comply with these regulations and any violation of this section will result in enforcement action, unless written permission is obtained from the Planning official.

115.40 Fence Location. Fences over 6 feet in height may not be located in a required setback yard. A detached dwelling unit abutting a neighborhood access or collector street may not have a fence over 3.5 feet in height within the required front yard.

115.42 Floor Area Ratio (F.A.R.) limits. Floor area for detached dwelling units is limited to a maximum floor area ratio in low density residential zones. Unless otherwise approved in the planned unit development request all lots within Forbes Creek 11 must meet the maximum FAR established for the property as found in the Use Zone charts.

115.43 Garage Setback Requirements for Detached Dwelling Units in Low Density Zones. The garage must be set back five feet from the remaining portion of the front façade of a dwelling unit if: the garage door is located on the front façade of the dwelling unit; and the lot is at least 50 feet wide at the front setback line; and the garage width exceeds 50 percent of the combined dimensions of the front facades of the dwelling unit and the garage. This regulation does not apply within the disapproval jurisdiction of the Houghton Community Council.

115.75.2 Fill Material. All materials used as fill must be non-dissolving and non-decomposing. Fill material must not contain organic or inorganic material that would be detrimental to the water quality, or existing habitat, or create any other significant adverse impacts to the environment.

115.90 Calculating Lot Coverage. The total area of all structures and pavement and any other impervious surface on the subject property is limited to a maximum percentage of total lot area. See the Use Zone charts for maximum lot coverage percentages allowed. Section 115.90 lists exceptions to total lot coverage calculations including: wood decks; access easements or tracts serving more than one lot that does not abut a right-of-way; detached dwelling unit driveways that are outside the required front yard; grass grid pavers; outdoor swimming pools; and pedestrian walkways. See Section 115.90 for a more detailed explanation of these exceptions.

115.115.3.g Rockeries and Retaining Walls. Rockeries and retaining walls are limited to a maximum height of four feet in a required yard unless certain modification criteria in this section are met. The combined height of fences and retaining walls within five feet of each other in a required yard is limited to a maximum height of 6 feet, unless certain modification criteria in this section are met or approved by the planned unit development application for this project.

115.115.3.n Covered Entry Porches. In low density residential zones, covered entry porches on detached dwelling units may be located within 13 feet of the front property line if certain criteria in this section are met.

115.115.3.o Garage Setbacks. In low density residential zones, garages meeting certain criteria in this section can be placed closer to the rear property line than is normally allowed in those zones.

115.115.5.a Driveway Width and Setbacks. For a detached dwelling unit, a driveway and/or parking area shall not exceed 20 feet in width in any required front yard, and shall not be closer than 5 feet to any side property line unless certain standards are met.

115.135 Sight Distance at Intersection. Areas around all intersections, including the entrance of driveways onto streets, must be kept clear of sight obstruction as described in this section.

152.22.2 Public Notice Signs. Within seven (7) calendar days after the end of the 21-day period following the City's final decision on the permit, the applicant shall remove all public notice signs.

Prior to recording:

110.60.6 Mailboxes. Mailboxes shall be installed in the development in a location approved by the Postal Service and the Planning Official. The applicant shall, to the maximum extent possible, group mailboxes for units or uses in the development.

Prior to issuance of a grading or building permit:

85.25.1 Geotechnical Report Recommendations. A written acknowledgment must be added to the face of the plans signed by the architect, engineer, and/or designer that he/she has reviewed the geotechnical recommendations and incorporated these recommendations into the plans.

85.40 Natural Greenbelt Protective Easement. The applicant shall submit for recording a natural greenbelt protective easement, in a form acceptable to the City Attorney, for recording with King County (see Attachment 15).

85.45 Liability. The applicant shall enter into an agreement with the City, which runs with the property, in a form acceptable to the City Attorney, indemnifying the City for any damage resulting from development activity on the subject property which is related to the physical condition of the property (see Attachment 16).

90.50 Wetland Buffer Fence. Prior to development, the applicant shall install a six-foot high construction phase fence along the upland boundary of the wetland buffer with silt screen fabric installed per City standard. The fence shall remain upright in the approved location for the duration of development activities. Upon project completion, the applicant shall install between the upland boundary of all wetland buffers and the developed portion of the site, either 1) a permanent 3 to 4 foot tall split rail fence, or 2) permanent planting of equal barrier value.

90.95 Stream Buffer Fence. Prior to development, the applicant shall install a six-foot high construction phase fence along the upland boundary of the entire stream buffer with silt screen fabric installed per City standard. The fence shall remain upright in the approved location for the duration of development activities. Upon project completion, the applicant shall install between the upland boundary of all stream buffers and the developed portion of the site, either 1) a permanent 3 to 4 foot tall split rail fence, or 2) permanent planting of equal barrier value.

90.150 Natural Greenbelt Protective Easement. The applicant shall submit for recording a natural greenbelt protective easement, in a form acceptable to the City Attorney, for recording with King County (see Attachment 15).

90.155 Liability. The applicant shall enter into an agreement with the City which runs with the property, in a form acceptable to the City Attorney, indemnifying the City for any damage resulting from development activity on the subject property which is related to the physical condition of the stream, minor lake, or wetland (see Attachment 18).

95.15.4 Tree Protection Techniques. In order to provide the best possible conditions for the retention of significant trees, the applicant shall construct a temporary but immovable 4 foot high chain-link fence generally corresponding to the drip line of each tree or group of trees shown on the tree retention plan to be retained (see Attachment 4). Additional tree protection measures may be required of the applicant. The protective fencing must remain in place throughout the demolition, clearing, grading, excavation, and construction processes, including the construction of homes. No grading, operation of heavy equipment, stockpiling, or excavation may occur inside the protective fences.

27.06.030 Park Impact Fees. If a property contains an existing unit to be removed, a "credit" for that unit shall apply to the first building permit of the subdivision in the amount of $612 for a single family unit and $430 for a multi-family unit.

Prior to occupancy:

90.145 Bonds. The City may require a bond and/or a perpetual landscape maintenance agreement to ensure compliance with any aspect of the Drainage Basins chapter or any decision or determination made under this chapter.

110.60.6 Mailboxes. Mailboxes shall be installed in the development in a location approved by the Postal Service and the Planning Official. The applicant shall, to the maximum extent possible, group mailboxes for units or uses in the development.

110.75 Bonds. The City may require or permit a bond to ensure compliance with any of the requirements of the Required Public Improvements chapter.

PUBLIC WORKS CONDITIONS:

General Conditions:

1. All public improvements associated with this project including street and utility improvements, must meet the City of Kirkland Public Works Pre-Approved Plans and Policies Manual. A Public Works Pre-Approved Plans and Policies manual can be purchased from the Public Works Department, or it may be retrieved from the Public Works Department's page at the City of Kirkland's web site at www.ci.kirkland.wa.us.
2. All civil engineering plans which are submitted in conjunction with a building, grading, or right-of-way permit must conform to the Public Works Policy titled ENGINEERING PLAN REQUIREMENTS. This policy is contained in the Public Works Pre-Approved Plans and Policies manual.
3. All street improvements and underground utility improvements (storm, sewer, and water) must be designed by a Washington State Licensed Engineer; all drawings shall bear the engineers stamp.
4. All plans submitted in conjunction with a building, grading or right-of-way permit must have elevations which are based on the King County datum only (NAVD 88).
5. A completeness check meeting is required prior to submittal of any Building Permit applications.
6. This project has applied for and passed concurrency. The concurrency test notice will expire on October 20, 2005. For more information regarding concurrency and the traffic impact analysis, please review the memorandum in the staff report from Thang Nguyen, Transportation Engineer.
7. Building Permits associated with this proposed project will be subject to the traffic impact fees per Chapter 27.04 of the Kirkland Municipal Code. The impact fees shall be paid prior to issuance of the Building Permit(s).

8. The two houses that will be demolished within this project will receive a Traffic Impact Fee credit. This credit will be applied to the first two Building Permit that are applied for within this subdivision (and subsequent Building Permits if multiple houses are demolished). The credit amount for each demolished single family home will be equal to the most currently adopted Traffic Impact Fee schedule.

Sanitary Sewer Conditions:

1. The applicant shall extend the existing public sewer system to provide sanitary sewer service for each lot within the proposed project. The sewer can be extended from: 1) the existing sewer manhole located at the northwest property corner or 2) it can be extended from the sewer manhole approximately 100 ft to the east on the opposite side of Forbes Creek drive. If the first option is chosen the main only needs to be extended east to the new road intersection. If the second option is chosen, the main only needs to be extended west to the new intersection as long as each lot can be provided with a side sewer stub. In addition, extend an 8-inch sewer main into the project to serve all of the lots.
2. Provide a plan and profile design for the sewer line extension
3. Provide a 6-inch minimum side sewer stub to each lot.

Water System Conditions:

1. The applicant shall extend the existing public water system to provide water service for each lot. Extend water mains along the new access roads; the main extensions shall be 8-inch diameter when serving a hydrant and 4-inch diameter when only providing service to the lots. All extensions shall be terminated with a blow-off or hydrant.
2. Provide a separate 1" minimum water service from the water main to the meter for each lot; City of Kirkland will set the water meter.
3. The existing water services may be used provided that they are in the right location, they are not galvanized, and they are sized adequately to serve the building (per the Uniform Plumbing Code).
4. Provide fire hydrants per the Fire Departments requirements.

Surface Water Conditions:

1. Provide temporary and permanent storm water control per the 1998 King County Surface Water Design Manual. The site does discharge to a stream and level II detention should be anticipated.
2. Storm detention calculations for the entire site are required.
3. Provide a level one off-site analysis (based on the King County Surface Water Design Manual, core requirement #2).
4. For new or reconstructed impervious areas, subject to vehicular use, provide storm water quality treatment per the most current City-adopted Surface Water Design Manual. 5. Any off-site storm water must by-pass the on-site storm water detention system or accounted for in the design of the detention system.
5. Provide collection and conveyance of right-of-way storm drainage
6. Provide an erosion control plan with Building or Land Surface Modification Permit application. The plan shall be in accordance with the 1998 King County Surface Water Design Manual.
7. The National Pollutant Discharge Elimination System (NPDES) Phase II Final Rule requires operators of small construction sites (disturbing between 1 and 5 acres of land) to obtain a Construction Storm water General Permit through the Washington State Department of Ecology. Information about the permit can be obtained at: Washington State Department of Ecology
http://www.ecy.wa.gov/programs/wq/stormwater/construction/ U.S. EPA Office of Wastewater

Management http://cfpub.epa.gov/npdes/stormwater/const.cfm Specific question can be directed to: Jeff Killelea PO Box 47600 Olympia, WA 98504-7600 (360) 407-6127 jkil461@ecy.wa.gov

8. Construction drainage control shall be maintained by the developer and will be subject to periodic inspections. During the period from April 1 to October 31, all denuded soils must be covered within 15 days; between November 1 and March 31, all denuded soils must be covered within 12 hours. If an erosion problem already exists on the site, other cover protection and erosion control will be required.
9. Provide a separate storm drainage connection for each lot.
10. Provide a plan and profile design for the storm sewer system.
11. The detention system shall be encompassed in a tract dedicated to the City. Paved access must be provided to the vault manholes.

Street Improvement Conditions:

1. The subject property abuts Forbes Creek Drive which is a collector type street and a priority 1 bike route. Zoning Code sections 110.10 and 110.25 require the applicant to make half-street improvements in rights-of-way abutting the subject property. Section 110.30-110.50 establishes that this street must be improved with the following:
   A. Widen the street to 22 ft. from centerline to face of curb.
   B. Install storm drainage, curb and gutter, a 4.5 ft. planter strip with street trees 30 ft. on-center, and a 5 ft. wide sidewalk.
   C. Dedicate 2 ft. of property as public right-of-way to encompass the sidewalk.
   D. At the new intersection between road A and Forbes Creek Drive, curb bump-outs shall be used to define the on-street parking along Forbes Creek Drive. The bump-outs shall be a maximum of 6 ft wide.
2. The new interior streets should meet the following standards:
   A. Dedicate right-of-way 35 ft. wide.
   B. Install storm drainage, 24 ft of asphalt, and curb and gutter.
   C. Install a 4.5 min. landscape strip with street trees 30 ft. on-center around the entire perimeter of the new streets.
   D. Although the west leg of the new street exceeds the 200 ft. max allowed by the code (without a cul-de-sac), Public Works and the Fire Department recommend approval of this design because the tee intersection can be used as a turn-around area.
3. The subject property also abuts 20th Ave. which is an unopened and unimproved right-of-way along the south side of the property that the project can not gain access to (due to the topography). Because this project can not use this right-of-way, and because it would be extremely difficult to improve, due to the steep slopes and drainage ravines, Public Works recommends that waiver of the street improvements be granted. A waiver is allowed by Chapter 110.70.5 (a) & (d) of the Zoning Code.
4. *Public Works has reviewed and recommends approval of the proposed public benefit package*
5. A 2-inch asphalt street overlay will be required where more than three utility trench crossings occur with 150 lineal ft. of street length or where utility trenches parallel the street centerline. Grinding of the existing asphalt to blend in the overlay will be required along all match lines.
6. The driveway for each lot shall be long enough so that parked cars do not extend into the access easement or right-of-way (20 ft. min.)

7. Prior to the final of the building or grading permit, pay for the installation of stop and street signs at the new intersections.
8. Install "NO PARKING ANYTIME" signs along both sides of the street at the tee intersection to provide a turn-around area for emergency vehicles.
9. Install new monuments at all of the new street interactions, including Forbes Creek Dr.
10. It shall be the responsibility of the applicant to relocate any above-ground or below-ground utilities which conflict with the project associated street or utility improvements.
11. Underground all new and "existing" on-site utility lines and overhead transmission lines.
12. Zoning Code Section 110.60.9 establishes the requirement that existing utility and transmission (power, telephone, etc.) lines on-site and in rights-of-way adjacent to the site must be underground. The Public Works Director may determine if undergrounding transmission lines in the adjacent right-of-way is infeasible. If undergrounding is not feasible, the applicant is required to sign a concomitant agreement to underground the overhead lines at a future date. In this case, the Public Works Director has determined that undergrounding of existing overhead utility on Forbes Creek Dr. is infeasible at this time and the undergrounding of off-site/frontage transmission lines should be deferred with a concomitant agreement. The applicant shall submit a signed and notarized concomitant agreement to underground all existing utility lines bordering the subject property to be approved the Department of Public Works and recorded with the King County Records and Elections Division.
13. New street lights are required per Puget Power design and Public Works approval. Design must be submitted prior to issuance of a grading or building permit.

FIRE DEPARTMENT CONDITIONS:

1. One additional hydrant is required. It may be placed on Forbes Creek Drive right of way at the entrance to the property.
2. The turning radius of the road shall be a 45 foot outside radius and 25 foot inside radius.
3. Grade not to exceed 15 percent

BUILDING DEPARTMENT CONDITIONS:

1. Buildings must comply with 1997 editions of the Uniform Building, Mechanical, Plumbing and Fire Codes as adopted and amended by the State of Washington and the City of Kirkland.
2. Structure must comply with Washington State Energy Code (WAC 51-11); and the Washington State Ventilation and Indoor Air Quality Code (WAC 51-13).
3. Geotechnical report required to address development activity. Report must be prepared by a Washington State licensed Professional Engineer. Recommendations contained within the report shall be incorporated into the design of the Short Plat and subsequent structures.
4. Demolition permits are required for removal of existing structures.

SW 1/4 SECTION 32, TWP. 26 N., RGE. 5 E., W.M.

TREES ON SITE

TREES TO BE REMOVED (29)

TREES TO BE RETAINED (112)

TREES IN ROW

TREES TO BE REMOVED (3)

TREES TO BE RETAINED (0)

CALL 48 HOURS BEFORE YOU DIG 1-800-424-5555

GRAPHIC SCALE

FORBES CREEK 11
TREE RETENTION PLAN

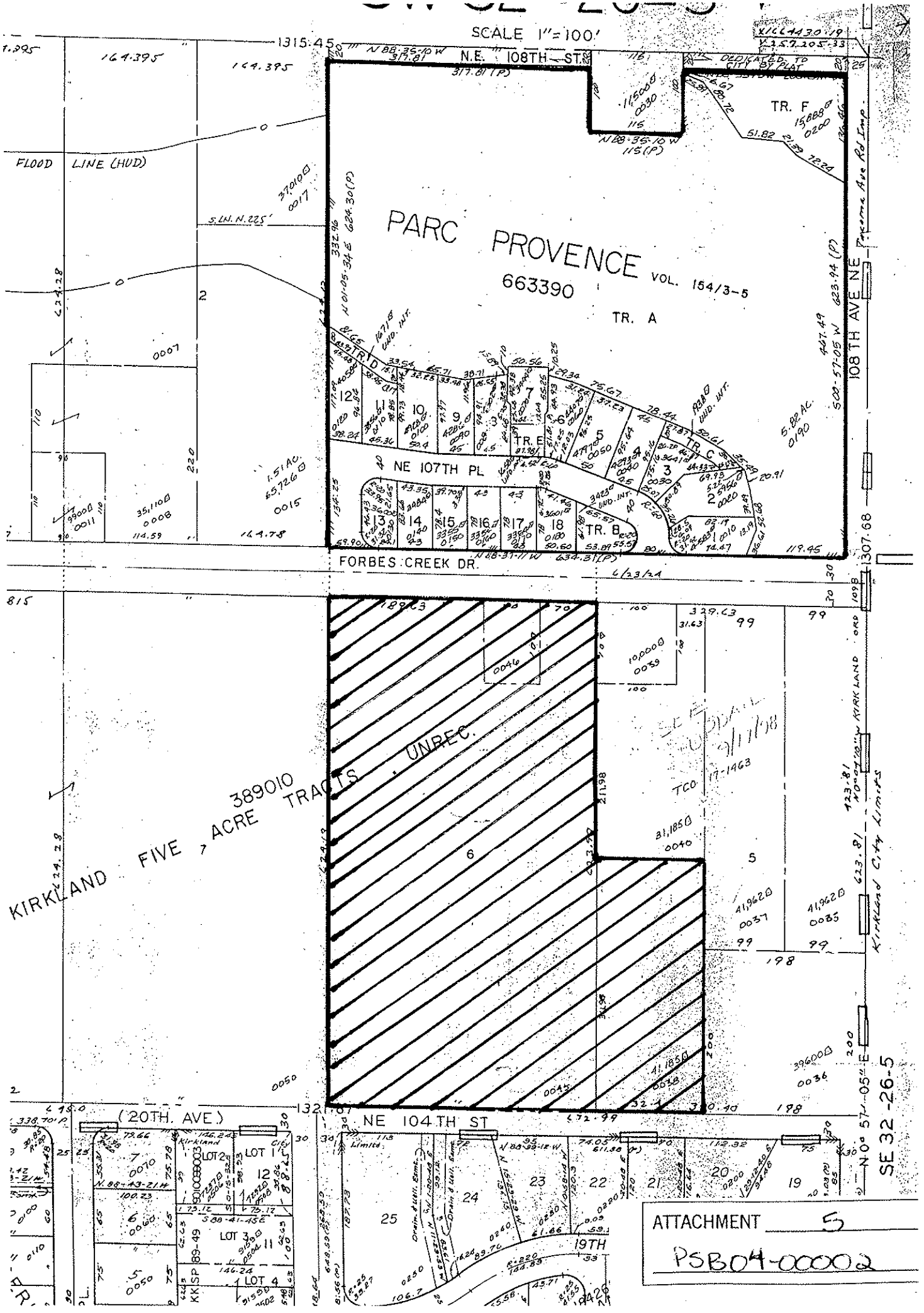
LOG NO. 0448

SHEET 4 OF 4

American Engineering Corporation

ATTACHMENT 4

PSB04-00002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FLOOD LINE (HUD)
KIRKLAND FIVE ACRE TRACTS
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UNREC.
NE 104TH ST
(20TH. AVE)
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ATTACHMENT 5
PSB04-00002

RECEIVED
APR - 1 2005
_____AM_____PM
PLANNING DEPARTMENT
BY_____

Desiree Goble
City of Kirkland Planning Department
123 5th Ave
Kirkland, WA 98033

March 29, 2005

Re: File no. PSB04-00002

Dear Ms. Goble,

We are writing to voice our opposition to Chaffey Homes requests for the development at 10623 Forbes Creek Drive. Namely we do not support having the setback reduced to 10 feet, we do not support increasing the height of the buildings to 30 feet from the standard 25 feet, we do not support reducing the setback on the interior lots to a minimum 5 feet with both side yards equaling 10 feet, and we do not support increasing the floor area to 65 percent.

We do not want to see houses so close to each other that it looks like nothing but houses stuffed into an area with no sense of space. We find it to be very unattractive and not fitting with the charm of Kirkland.

We absolutely do not support reducing the stream buffer by one-third (from 35 feet to 24 feet). The stream buffers should be made larger not reduced. The stream buffer of 35 feet is very tight as it is. Please do not allow our streams to be compromised in this manner.

Sincerely,

Krista K. Fay
1334 2nd St.
Kirkland, WA 98033-5545
425-827-4587

Patrick M. Fay

ATTACHMENT 6a
PSB04-00002

RECEIVED
APR - 4 2005
_____AM_____PM
PLANNING DEPARTMENT
BY_____

Desiree Goble
Kirkland Planning and Community Development Department
123 Fifth Avenue
Kirkland, WA 98033

Re: Forbes Creek II, File No. PSB04-00002, Application for Development at 10623 Forbes Creek Drive

Dear Ms. Goble

Thank you for the opportunity to comment on the plans by Chaffey homes to develop a subdivision at 10623 Forbes Creek Drive.

We the undersigned residents of the Crestwoods neighborhood have several comments and issues with the current plan. The biggest issue seems to be the incredible number of variances that are being requested. The first one is the request to reduce the set back on Forbes Creek Drive from 20 feet to 10 feet. This would radically affect the street and is completely out of character with the naturalized aesthetics of the Drive and neighborhood. The development across the street was able to achieve density without encroaching on the road. This development should also conform to the aesthetic of the area.

Next is the disturbing request to make the buildings 20 percent higher than the surrounding neighborhood. This area not only has a naturalized aesthetic, enhanced incidentally to a large degree by its proximity to Juanita Bay park and the Forbes Creek wetland, but it also is part of a neighborhood aesthetic in which huge buildings built right on the road would ruin completely.

The other variance requests include reducing lot size, reducing lot set back and incredibly, increasing the floor area to lot size ratio. All of these things are completely contrary to the types of plans that have made the neighborhood what it is today. It seems ridiculous to change an entire neighborhood plan based on one developer. Increasing density to this degree needs to be part of a broader plan that takes into account traffic, transit, walk ability, bike ability, community amenities, and commercial and city services. This development takes none of these into account. This type of development is much better suited closer to downtown or closer to the Totem Lake mall where there is a possibility of reduced vehicle trips using alternative forms of transportation. As it is now, this development will only increase the cut-through traffic through Norkirk, which is already a difficult and problematic issue.

Lastly, this development is requesting a reduction in stream buffer width. With the increase in impervious surfaces and the increase in vehicle trips that this development will cause, stream buffer widths should be increased or at least maintained. A water quality index recently published by King County on their web page lists Forbes Creek as one of the most polluted creeks in the Lake Washington watershed. The types of pollution problems in Forbes Creek are associated with impervious surfaces and

ATTACHMENT 6b
PSB04-00002

urbanization. Careful planning and development can mitigate many of the effects of urbanization, but developments that are planned to preserve ecologically important habitats such as streams and wetlands maximize buffers on streams. Ecological science is very clear on this subject, as stream buffers are minimized or compromised, the biological community present in these streams will be degraded.

It appears that this developer is merely trying to squeeze every last bit of profit out of this piece of property without regard to the overall city plan, the neighborhood, or the environmental setting in which it will be placed. We, the undersigned residents of the adjacent Crestwoods neighborhood, believe a carefully planned development that fits in with the city plan, the neighborhood aesthetics, and the environment can be constructed without these variances to the city building codes. If you have any questions about this letter, please contact Dean Wilson of 504 19th Place (residence adjacent to the proposed development) at 828-3745.

Sincerely,

Dean Wilson	504 19th Pl
Judith Radell	504 19th Pl.
Goldberg	536 19th Pl.
Robert Low	1922 5th Street
Susan Low	1922 - 5th St.
Meredith Goldstein	1937 5th St.
Melanie Thompson	449 20th Ave.
Betsy [illegible]	507 19th Place
(Morrisons)	515 19th Pl Kirkland
Nada + Tim Donnelly	1928 5th Pl, Kirkland
[illegible] Williams	1940 ✓ ✓ ✓
Karen Gee	552 19th Place Kirkland.
[illegible] Lindstedt	1923 5th Street, Kirkland
John Lindstedt	1923 5th St, Kirkland

RECEIVED
APR - 4 2005
PLANNING DEPARTMENT
AM PM
BY

Desiree Goble
Kirkland Planning and Community Development Department
123 Fifth Avenue
Kirkland, WA 98033

Re: Forbes Creek II, File No. PSB04-00002, Application for Development at 10623 Forbes Creek Drive

Dear Ms. Goble

Thank you for the opportunity to comment on the plans by Chaffey homes to develop a subdivision at 10623 Forbes Creek Drive.

We the undersigned residents of the Crestwoods neighborhood have several comments and issues with the current plan. The biggest issue seems to be the incredible number of variances that are being requested. The first one is the request to reduce the set back on Forbes Creek Drive from 20 feet to 10 feet. This would radically affect the street and is completely out of character with the naturalized aesthetics of the Drive and neighborhood. The development across the street was able to achieve density without encroaching on the road. This development should also conform to the aesthetic of the area.

Next is the disturbing request to make the buildings 20 percent higher than the surrounding neighborhood. This area not only has a naturalized aesthetic, enhanced incidentally to a large degree by its proximity to Juanita Bay park and the Forbes Creek wetland, but it also is part of a neighborhood aesthetic in which huge buildings built right on the road would ruin completely.

The other variance requests include reducing lot size, reducing lot set back and incredibly, increasing the floor area to lot size ratio. All of these things are completely contrary to the types of plans that have made the neighborhood what it is today. It seems ridiculous to change an entire neighborhood plan based on one developer. Increasing density to this degree needs to be part of a broader plan that takes into account traffic, transit, walk ability, bike ability, community amenities, and commercial and city services. This development takes none of these into account. This type of development is much better suited closer to downtown or closer to the Totem Lake mall where there is a possibility of reduced vehicle trips using alternative forms of transportation. As it is now, this development will only increase the cut-through traffic through Norkirk, which is already a difficult and problematic issue.

Lastly, this development is requesting a reduction in stream buffer width. With the increase in impervious surfaces and the increase in vehicle trips that this development will cause, stream buffer widths should be increased or at least maintained. A water quality index recently published by King County on their web page lists Forbes Creek as one of the most polluted creeks in the Lake Washington watershed. The types of pollution problems in Forbes Creek are associated with impervious surfaces and

urbanization. Careful planning and development can mitigate many of the effects of urbanization, but developments that are planned to preserve ecologically important habitats such as streams and wetlands maximize buffers on streams. Ecological science is very clear on this subject, as stream buffers are minimized or compromised, the biological community present in these streams will be degraded.

It appears that this developer is merely trying to squeeze every last bit of profit out of this piece of property without regard to the overall city plan, the neighborhood, or the environmental setting in which it will be placed. We, the undersigned residents of the adjacent Crestwoods neighborhood, believe a carefully planned development that fits in with the city plan, the neighborhood aesthetics, and the environment can be constructed without these variances to the city building codes. If you have any questions about this letter, please contact Dean Wilson of 504 19th Place (residence adjacent to the proposed development) at 828-3745.

Sincerely,

Jeanette Weaver
1927 - 5th St
Kirkland, WA
98033

day 425 - 822 - 0630

Desiree Goble

From: Barbara Trunkhill [btrunkhill@earthlink.net]
Sent: Monday, April 18, 2005 10:14 AM
To: Desiree Goble
Cc: Mary Redmayne; Greg Butler; Elisa Bakker
Subject: Forbes Creeks II, file no PSB04-00002

I am writing about a request for an 11 lot subdivision in hopes it is not too late for my comments to be considered. This subdivision request (Forbes Creek II, file no. PSB04-00002) is for a parcel of land on Forbes Creek drive. This parcel currently has a natural wooded setting and includes a very steep hill at the back of the property. It is also adjacent to another piece of property that is undeveloped at this time but that has been approved for significant development at any time. I would also like to note that the signage for this proposal could easily have been overlooked. I only noticed it because I was walking along the road. This is a section of road that is infrequently traveled. When I looked, I didn't find a sign at the top of the property in Norkirk and the sign board on Forbes Creek drive could easily have been mistaken, when driving by, for the very old sign board (from several years ago) for the neighboring project.

As I look at the proposal and at the many variances it requests, I can not help but be concerned about the environmental and esthetic impact this proposed development would have. I am especially concerned about the reduction of the stream buffer by one-third. How does it make sense to replace woods and fields with 11 lots worth of buildings and driveways and walkways and not expect increased problems with water run off? This would suggest the stream buffer needs to be augmented, not reduced. Since this property is immediately across the road from open space that feeds into Juanita bay, it should be given extra consideration and protection.

In addition, the small lot size combined with reduced setbacks and increased floor area ratios would result, once again, in oversized houses jammed into a very small space. As a long time Kirkland resident I am concerned about the overdevelopment currently taking place in the Norkirk neighborhood. The city is allowing such monster size homes on such itty-bitty lots that we are losing the character and flavor of our neighborhood. While many of the subdivisions and variances make sense on an individual basis, there have been so many of these in recent years that the neighborhood feels like one big overblown development. This is especially true when several subdivisions connect with one another.

I am asking that special attention be given to the consequences of allowing the multiple variances that are inherent in this request. I believe extra consideration should be given to the water run-off and stream buffer issue because of the steepness of the site. I would also

ATTACHMENT 6C
Page 1 of 2

like to see consideration of the fact that this project borders another subdivision with similar concerns. All-in-all it seems like 'too much' in 'too little' space. I would like to see this request either rejected or modified to a more reasonable change.

Thank you for your consideration.

Sincerely,
Barbara Trunkhill

Barbara Trunkhill
btrunkhill@earthlink.net
EarthLink Revolves Around You.

Desiree Goble

From: Jerry Colburn [jerry@ener-g.com]
Sent: Wednesday, March 23, 2005 1:53 PM
To: Desiree Goble
Subject: File number PSB04-0002 Forbes Creek II

Desiree: I am a neighbor to the purposed project, living at 1925 6th St right across from Crestwoods Park. I absolutely oppose the waving of any of the building requirements for this development. The setbacks should continue to be 10 foot. I also oppose raising the allowable building heights to 30 feet. And really oppose any reduction of the stream buffer.
King County has been very active in trying to maintain the open space that is available and I agree that we need to guard what little open space is left. Therefore I do not support the proposed relaxing of the current building requirements for this development. If the requirements stay the same it may mean that instead of 11 lots Chaffy Homes will only get 9 or 10.
Jerry Colburn 1925 6th Street, Kirkland, WA 98033

CONFIDENTIALITY NOTICE: This document is intended only for the use of the individual or entity to which it is addressed. It may contain information that, by law, is privileged, confidential, and exempt from disclosure. If this document is not addressed to you, or if you are not an employee or agent of the addressee, then you are hereby notified that distribution or copying of this document is strictly prohibited. If you have received this document in error, please call me right away and mail the original document or message to me by first class mail. Your postage will be reimbursed and your assistance is appreciated. Thank you.

ATTACHMENT 6d
PSB04-00002

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

DETERMINATION OF NONSIGNIFICANCE (DNS) .

CASE #: SEP04-00053 DATE ISSUED: 5/26/2005

DESCRIPTION OF PROPOSAL

Proposal to subdivide a 247,340.5 sq ft into 11 single-family residential lots in an RS 12.5 zone

PROPONENT: **CHAFFEY CORP**

LOCATION OF PROPOSAL

10623 FORBES CREEK DRIVE

LEAD AGENCY IS THE CITY OF KIRKLAND

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21.030 (2) (c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is *available to the public upon request.*

This DNS is issued under 197-11-340 (2); the lead agency will not act on this proposal for 14 days from the date above. Comments must be submitted by 5:00 p.m. 6/9/2005

Responsible official: 5/26/05

Eric Shields, Director Date
Department of Planning and Community Development
425-587-3225

Address: City of Kirkland
123 Fifth Avenue
Kirkland, WA 98033-6189

You may appeal this determination to NANCY COX at Kirkland City Hall, 123 Fifth Avenue, Kirkland, WA 98033 no later than 5:00 p.m., June 09, 2005 by WRITTEN NOTICE OF APPEAL.

You should be prepared to make specific factual objections. Contact Nancy Cox to read or ask about the procedures for SEPA appeals.

Please reference case # SEP04-00053.

Publish in the Eastside Journal (date): 6/2/2005

Distribute this form with a copy of the checklist to the following:

ATTACHMENT 7
PSB04-00002

✓ Environmental Review Section, Department of Ecology,
P.O. Box 47703, Olympia, WA 98504-7703

✓ Department of Fish and Wildlife (for streams and wetlands - with drawings)
North Lake Washington Tributaries Area Habitat Biologist
16018 Mill Creek Boulevard, Mill Creek, WA 98012

____ Department of Fish and Wildlife (for shorelines and Lake Wa. - with drawings)
Lake Washington Tributaries Area Habitat Biologist
C/O DOE
3190 160th Avenue SE, Bellevue, WA 98008

✓ Seattle District, U.S. Army Corps of Engineers,
P.O. Box C-3755, Seattle, WA 98124

____ Attn: Lynn Best, Acting Director
Environmental Division, Seattle City Light
700 5th Avenue, Suite 3316
Seattle, WA 98125-4023

✓ Muckleshoot Tribal Council, Environmental Division,
Fisheries Department, 39015 172nd SE, Auburn, WA 98092

____ Northshore Utility District, P.O. Box 82489, Kenmore, WA 98028-0489

____ Shirley Marroquin
Environmental Planning Supervisor
King County Wastewater Treatment Division
201 South Jackson Street, MS KSC-NR-0505
Seattle, WA 98104-3855 - and -

____ Gary Kriedt
King County Metro Transit Environmental Planning
201 South Jackson Street, MS KSC-TR-0431
Seattle, WA 98104-3856

____ Director of Support Services Center
Lake Washington School District No. 414
P.O. Box 97039
Redmond, WA 98073-9739

____ John Sutherland, Developer Services
Washington State Department of Transportation
15700 Dayton Ave. N., MS 240
P.O. Box 330310
Seattle, WA 98133-9710

✓ Tim McGruder, Conservation Chair
East Lake Washington Audubon Society
13450 NE 100th St.
Kirkland, WA 98033

Applicant / Agent Aileen Zavales, Chaffey Homes, 205 Lake St. S., Suite 101 Kirkland, WA 98032

cc: Case # ZON04-00024

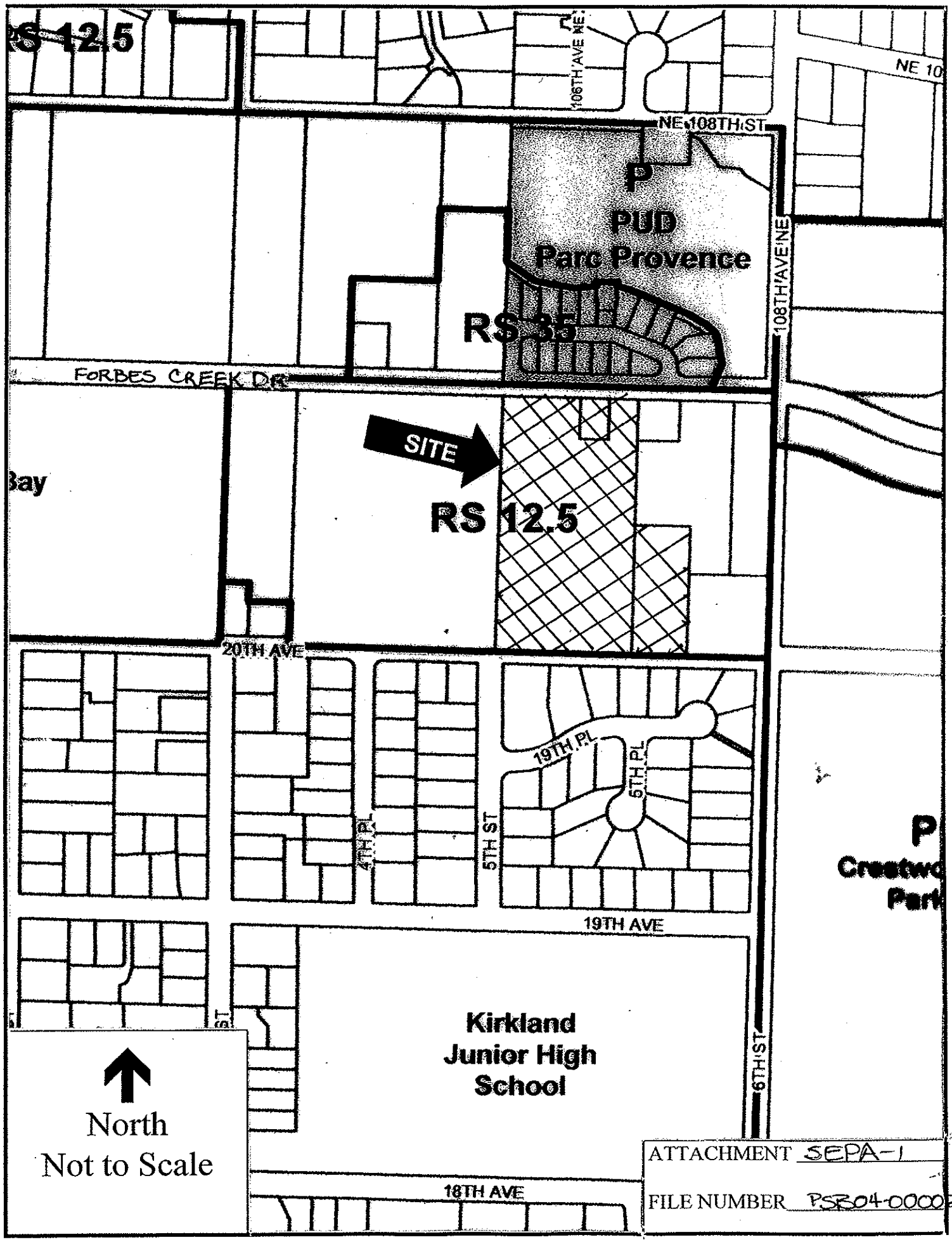
Distributed to agencies along with a copy of the checklist. (see attached).

Suzanne Kersikofski

Distributed By:

Date: 5/26/05

SEPA_C_A, rev: 5/26/2005



ATTACHMENT SEPA-1

FILE NUMBER PSB04-00002

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

MEMORANDUM

To: Eric R. Shields, AICP, SEPA Responsible Official

From: Désirée Goble, AICP, Planner

Date: ***May 26, 2005***

File: **PSB04-00002 / SEP04-00053**

Subject: ENVIRONMENTAL DETERMINATION FOR CHAFFEY HOMES, FORBES CREEK 11, 10623 FORBES CREEK DRIVE

The property known as Forbes Creek 11 encompasses three tax parcels with frontage on both Forbes Creek Drive and 20th Avenue. The sensitive areas maps and site visits indicate that a high landslide area, streams, and wetlands are located on the property. The proposal includes the following: an eleven lot preliminary subdivision, a stream buffer reduction through enhancement, a planned unit development process (PUD) proposing clustering of the houses on the north side of the property, and the following deviations from zoning standards increased height, increased floor area ratio, and decreases to various front and side yard setback.

I have had an opportunity to visit the site (see Attachment 1) and review the environmental checklist (see Attachment 2), the geotechnical report (see Attachment 3), the traffic study report (see Attachment 4), the Public Works Traffic Impact Analysis memo (see Attachment 5), the Concurrency Test Notice (see Attachment 6).

It will be necessary to further analyze certain aspects of the proposal to determine if the project complies with all the applicable City codes and policies. That analysis is most appropriately addressed within the staff advisory report. In contrast, State law specifies that this environmental review under the State Environmental Policy Act (SEPA) is to focus only on potential significant impacts to the environment that could not be adequately mitigated through the Kirkland regulations and Comprehensive Plan.[1]

Based on my review of all available information and adopted policies of the City, I am recommending that a Determination of Nonsignificance (DNS) be issued.

SEPA ENCLOSURES

1. Vicinity Map
2. Environmental Checklist
3. Soils Report
4. Traffic Report
5. Concurrency Memo
6. Stream Buffer Modification Request
7. Adolfson Review of Stream Buffer Modification Report

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[1]ESHB 1724, adopted April 23, 1995

Review by Responsible Official:
__✓_____ I concur _____ I do not concur

Comments:_____

Eric R. Shields, Planning Director 5/26/05
Date

cc: Aileen Zavales, Chaffey Homes, 205 Lake St. South Suite 101, Kirkland, WA 90322

CITY OF KIRKLAND
Planning and Community Development Department
123 Fifth Avenue, Kirkland, WA 98033 425.828.1257
www.ci.kirkland.wa.us

RECEIVED
NOV 24 2004
AM PM
PLANNING DEPARTMENT
BY

SEPA ENVIRONMENTAL DOCUMENTS

If an application for a land use or building permit is subject to environmental review under Chapter 43.21C RCW, all SEPA environmental documents must be submitted with the filing of a land use permit or building permit application or the City will not accept the application.

The following is a list of the environmental documents that must be submitted with the land use or building permit application:

1. **Environmental Checklist.** The checklist form can be obtained from the Kirkland Planning Department.
2. **Road concurrency test decision memo.** Applicants must pass road concurrency *before* submitting for a land use or building permit and the environmental documents. Concurrency application forms are available from Public Works or the Planning Departments. If the application passes road concurrency, the Public Works Department's Transportation Engineer will provide the applicant or applicant's traffic engineer with a concurrency test decision memo and traffic information that needs to be included in the Traffic Impact Analysis. A copy of this memo must be submitted to show that road concurrency has been passed.
3. **Traffic Impact Analysis.** Traffic Impact Analysis Guidelines can be obtained from the Planning or Public Works Departments. The Traffic Impact Analysis is to be completed after the road concurrency test has been successfully passed. Information from the City's Transportation Engineer is to be included in the Traffic Impact Analysis along with all other information specified in the guidelines.
4. **Other supplemental environmental information.** Ask the assigned planner at the pre-application meeting what other environmental information will be required with the environmental submittal. All studies and reports must be prepared by a licensed and qualified specialist in the field and approved by the City. Supplemental impact assessment reports or studies that may be required include, but not be limited to the following:

- Lighting
- Environmental health hazard
- Historic
- Wetland and/or stream delineation and analysis, prepared or reviewed by the City's consultant
- Hydrology
- Wildlife
- Views
- Noise
- Geotechnical soils analysis

YOU ARE ENCOURAGED TO MEET WITH A PLANNER FROM THE DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT PRIOR TO AND DURING PROJECT DESIGN TO DISCUSS PROJECT DESIGN AND PROJECT COMPLIANCE WITH CITY REGULATIONS AND TO OBTAIN GUIDANCE ON THE ENVIRONMENTAL MATERIALS THAT YOU MUST SUBMIT. 1/02

ATTACHMENT SEPA 2
FILE NO. PSB04-00002
Page 5 of 5

Purpose of Checklist:

The State Environmental Policy Act (SEPA), Chapter 43.21C RCW, requires all governmental agencies to consider the environmental impacts of a proposal before making decisions. An environmental impact statement (EIS) must be prepared for all proposals with probable significant adverse impacts on the quality of the environment. The purpose of this checklist is to provide information to help you and the City identify impacts from your proposal, and to reduce or avoid impacts from the proposal, whenever possible

Instructions for Applicants:

This environmental checklist asks you to describe some basic information about your proposal. Answer the questions briefly with the most precise information known, or give the best description you can.

You must answer each question accurately and carefully to the best of your knowledge. In most cases, you should be able to answer the questions from your own observations or project plans without the need to hire experts. If you really do not know the answer, or if a question does not apply to your proposal, write "do not know" or "does not apply." Complete answers to the questions now may avoid unnecessary delays later.

Some questions ask about governmental regulations, such as zoning, shoreline, and landmark designations. Answer these questions if you can. If you have problems, the City staff can assist you.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The City may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impacts.

Use of Checklist for Non-project Proposals:

Complete this checklist for non-project proposals also, even though questions may be answered "does not apply." IN ADDITION, complete the SUPPLEMENTAL SHEET FOR NON-PROJECT ACTIONS (Part D).

For non-project actions, the references in the checklist to the words "project," "applicant," and "property or site" should be read as "proposal, "proposer," and "affected geographic area," respectively.

A. BACKGROUND

1. Name of proposed project, if applicable: ***Forbes Creek 11*** ✓
2. Name of applicant: ***Chaffey Homes*** ✓
3. Tax parcel number: ***0389010-0038, 0389010-0045, 0389010-0046*** ✓

4. Address and phone number of applicant and contact person:

Applicant: Chaffey Homes
205 Lake Street South
Kirkland, WA. 98033
(425) 822 - 5981
Contact:Aileen Zavales

Engineer: American Engineering Corporation
4032 148th Avenue NE
Redmond, WA. 98052
(425)881-7430
Contact: Rob Stewart

5. Date checklist prepared: ***November 2004***

6. Agency requesting checklist: ***City of Kirkland***

7. Proposed timing or schedule (including phasing, if applicable): ***Plat Development: May 2005 to Septmber 2005***

8. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal?

   Constrction of single-family residences on new lots following final plat approval and recording.

9. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.

   Geotechnical Engineering Study, Associated Earth Sciences, Inc. dated October 3, 2000
   Proposed Stream Buffer Modification Plan, Associated Earth Sciences, Inc. dated September 9, 2003
   Wetland Buffer Reduction and Enhancement Plan, Associated Earth Sciences, Inc. dated March 16, 2001
   Traffic Impact Assesment, Geralyn Reihart, P.E. dated November 2004
   Preliminary TIR, American Engineering Corporation dated November 22, 2004

10. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.

    None that we are aware of.

11. List any government approvals or permits that will be needed for your proposal, if known.

Transportation Concurrency - City of Kirkland
Preliminary Plat / PUD Approval - City of Kirkland
Final Engineering Approval - City of Kirkland
Right-of-Way Use Permit - City of Kirkland
Sewer Developer Extension - City of Kirkland
Water Developer Extension - City of Kirkland
Final Plat Approval - City of Kirkland

12. Give brief, complete description of your proposal, including the proposed uses, the size and scope of the project and site including dimensions and use of all proposed improvements. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page.

The project is an 11-lot subdivision/PUD in Kirkland, WA. The proposed site is approximatly 5.6 acres. The project site is currently zoned RS-12.5. Several deviations are being applied for concurrently with the Prelimianry Plat/PUD application. Plat improvements will include road and utilities infrastructure construction. A separate tract will be set aside for the stormwater detnetion vault. Following subdivision, the resultant 11 lots will be developed with detached single-family residences.

13. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

The proposed project (Forbes Creek 11) is located at approximately 10623 Forbes Creek Drive in Kirkland, WA. 98033. More generally the site is located within the SW 1/4 of Section 32, Township 26 North, and Range 5 East, in King County, Washington. The site consists of 3 tax parcel numbers 0389010-0038, 0389010-0045, and 0389010-0046. The site can currently be accessed from two separate driveways off of Forbes Creek Drive.

TO BE COMPLETED BY APPLICANT

EVALUATION FOR AGENCY USE ONLY REVIEWED BY:

B. ENVIRONMENTAL ELEMENTS

1. EARTH

a. General description of the site (circle one): Flat, rolling, hilly, steep, slopes, mountainous, other
ROLLING TO HILLY

steep slope on southern 1/2 of property

b. What is the steepest slope on the site (approximate percent slope)?
+/- 40%

✓

c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any prime farmland.
The site generally consits of silty sand. However, some areas of fill soils were encountered during the soil test pit exploration. See (Subsurface Exploration, Geologic Hazard, and Preliminary Engineering Report, Associated Earth Sciences, October 3, 2000).

✓

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.
None that the above referenced geotechnical report mentioned. Also, none that were observed on-site during field visits.

✓

e. Describe the purpose, type, and approximate quantities of any filling or grading proposed. Indicate source of fill.
Grading will occur as part of this applcation. Cut and fill will be requierd to construct on-site roads, utilities, and stormwater facilities. The approximate quantity of excavation cut is approximatley 1,760 CY. Excavation material will be stockpiled on site until such time it is used to flatten or contour grade the individaul lots. Any import material required for filling the utility trenches or road subgrade will be imported from a source to be determined at a later date.

✓

f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.
Every project carries a risk for erosion during the clearing and grading process. However these risks are minimal if proper erosion control measures are in place during the clearing and grading process. Therefore, a temporary erosion and sedimentation control plan will be designed and submitted to the City of Kirkland

✓

for approval prior to beginning clearing and grading. With these measures in place during the clearing and grading process, the opportunity for erosion should be minimal for this particaulr project.

g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt, buildings)?
1.19 acres will be covered with impervious surface including roads, sidewalks, driveways, patios, and walkways. Therefore, approximately 21% of the entire site will be impervious surfce post developmetn.

h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:
As discussed above in "f", a temproary erosion control plan will be submitted to the City of Kirkland for approval prior to beginning construction. The items contained within the plan may include but not be limited to, silt fence, a construction entrance, seed and/or mulch de-nuded areas, interceptor swale with rock check dams, and plastic covering over stock pile areas.

2. AIR

a. What types of emissions to the air would result from the proposal (i.e., dust, automobile, odors, industrial wood smoke) during construction and when the project is completed? If any, generally describe and give approximate quantities, if known.
Emissions during construction may include dust and exhaust from equipment and other vehicles. Once construction is completed no significant amounts emmisions will be generated as a result of this subdivision. The primary source of emmisions generated will be from residents vehicles.

b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.
None that are known.

c. Proposed measures to reduce or control emissions or other impacts to air, if any:
During construction watering will occur if needed to keep dust to a minimum. No other measures are proposed at this time.

3. WATER

a. Surface

1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

Two wetlands were identified on site (Wetland A and B) along with a stream. Both wetlands are located in the central portion of the property and the stream is located on the western portion of the site flowing to the northwest. Wetland B is a smaller wetland consisting of approximately 415 SF. This wetland is less than 1,000sf in area, therefore, it is exempt from provisions of the Kirkland Zoning Code. A portion of this smaller wetland will be filled as part of the project. The other wetland is a Type III wetland consisting of approximately 1,900 SF. This wetland will remain undeveloped and protected as part of this project. Wetland B will contain a 50-foot no touch buffer and a 10-foot building setback line. See (Wetland Buffer Reduction and Enhancement Plan, Associated Earth Sciences, March 16, 2001). The onsite stream is a Class III stream requires a 35-foot buffer and 10-foot building set back line per City of Kirkland Standards. A 1/3 buffer reduction is being proposed as part of this project. Therefore, the stream will remain protected using a 24-foot buffer and 10-foot building set back line. See (Proposed Stream Buffer Modification, Associated Earth Sciences, September 9, 2003). The runoff from the site eventually flows into Forbes Creek, located approximately 800 feet downstream from the site.

2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.
Yes, most site work will be within 200 feet of the above mentioned wetlands, and streams. However, buffers and setbacks will remain in place during construction and sensative areas will remain un-touched, with the exception of wetland B which will be filled as part of this project.

3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.
Approximately 30 CY of structural fill material will be used to fill a portion of the smaller wetland, Wetland B.

4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.
None.

5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.
No.

6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.
No waste materials will be discharged into surface waters as part of this proposal.

b. Ground

1) Will ground water be withdrawn, or will water be discharged to ground water? Give general description, purpose, and approximate quantities if known.
No water is proposed to be withdrawn from the ground or discharged into the ground. This project will be served by public water.

2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals...; agricultural; etc.) Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.
No septic tanks or other sources of waste materials are proposed to discharge into the ground. This project will be served by public sewer.

c. Water Runoff (including storm water):

1) Describe the source of runoff (include storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.
New sources of stormwater runoff includes roads, sidewalks, lawn areas, roof areas, patio, and other walkways common to residential development. All onsite runoff will be collected in a closed conveyace system and conveyed to the underground detention facility located in the northwest corner of the site. The runoff will be released at predeveloped rates as required by the City of Kirkland, to the existing culvert on the south side of Forbes Creek Drive approximately 200 feet westerly of the site. The runof will eventually enter Forbes Creek approximatly 800 feet from the site. The dention facility will be deisgned to contain a total volume (live storage + dead storage) of approxiamtly 36,000 CF. Please refer to the Preliminary TIR by American Engineering Corporation for further details on stormwater runoff sources, collection, and quantities.

2) Could waste materials enter ground or surface waters? If so, generally describe.
With any residential development, there carries a slight risk of waste materials entering the stormwater system other than natural runoff from precipitation. These waste materials could include automotive/machinery fluid drops, or other pollutants from the developed impervious surfaces.

Proposed measures to reduce or control surface, ground, and runoff water impacts, if any:
The detention vault will serve as a wet vault as well containing dead storage in the lower portion of the vault. The wet vault will treat the runoff from the developed site in accordance with the 1998 King County Storm Water Design Manual as adopted by the City of Kirkland. The runoff will be treated prior to discharging into the existing drainge system.

4. PLANTS

a. Check or circle types of vegetation found on the site:

- [x] deciduous tree: alder, maple, aspen, other
- [x] evergreen tree: fir, cedar, pine, other
- [x] shrubs
- [x] grass
- [x] pasture
- [ ] crop or grain
- [x] wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
- [ ] water plants: water lily, eelgrass, milfoil, other
- [x] other types of vegetation: Ornamental and fruit trees

b. What kind and amount of vegetation will be removed or altered?
Approximately 2.0 acres of additional land will be required to be cleared as part of this project. The site is currently pasture in the majority of the area that will be cleared/developed. Some trees will be removed as part of this project as well. Furthermore, approximately 68% (3.8 acres) of the total site will be set aside in a sensative area tract as part of the developement.

c. List threatened or endangered species known to be on or near the site.
There are no know threatened or endangerd vegetation species on or near the site.

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:
Proposed landscaping will include landscaping street planters as required by the City of Kirkland. This will include landscaping the planter strip with street trees 30-foot on center. The proposed stream buffer reduction will also include a modification and habitat enhancement. The proposal is to remove all non-native species within the remaining 24-foot buffer and establish woody plant species native to Western Washington. See (Proposed Stream Buffer Modification, Associated Earth Sciences, September 9, 2003).

5. ANIMALS

a. Circle any birds and animals which have been observed on or near the site or are known to be on or near the site:

birds:hawk, heron, eagle, **songbirds**, other
mammals: deer, bear, elk, beaver, other
fish: bass, salmon, trout, herring, shellfish, other

✓
coyote, deer
raccoon, beaver

b. List any threatened or endangered species known to be on or near the site.
None that are known.

c. Is the site part of a migration route? If so, explain.
The Puget Sound is part of the Pacific Flyway. Birds that inhabit the area vary seasonally due to migrations, however, this site is not contiguous with a larger, permanently preserved migratory bird habitat area.

d. Proposed measures to preserve or enhance wildlife, if any:
The area where the clearing and grading will occur has few trees, which in turn provide very little habitat/sanctuary for migrating birds. However, 68% of the site area, in the southern portion of the property will be set aside as a Sensitive Area Tract. This set aside area will preserve existing natural habitat for migrating birds.

6. ENERGY AND NATURAL RESOURCES

a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.
The project will use electricity for general energy purposes. Natural gas is available in the vicinity and will be used for heating and water heater needs.

b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.
No.

c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:
Following final plat recording, construction of energy efficient homes on the 11 new lots per City of Kirkland building code will most likely be the only energy conservation feature associated with this project.

7. ENVIRONMENTAL HEALTH

a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste that could occur as a result of this proposal? If so, describe.
As with any residential community/development, a risk of fire is present. However, fire risks are minimal because all new homes will be built to the current City of Kirkland building code. No other know enviromental health hazards should be associated with this project.

1) Describe special emergency services that might be required.
Emergency services will include Fire Protection and Emergency Medical Response Units. No other special emergency services associated with enviornmental health are predicted.

2) Proposed measures to reduce or control environmental health hazards, if any:
No special measures are proposed to reduce or control envioronmental health hazards.

b. Noise

1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?
No known existing noise in the area should affect this project.

2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.
Short term noise may include the noise associated with construction of the required plat improvements such as roads, utilities, and storm drainage facilities. Noise is also expected with the construction of the single family homes on the individaul lots following final plat approval. Once construction is completed long term noise associated with this project may increase due to the additional vehicular traffic that is associated with all new single family subdivision developments.

3) Proposed measures to reduce or control noise impacts, if any:
Short term noise should be kept to a minimum during construction by following City of Kirkland constuction hours. Following construction no long term measures are proposed to reduce or control noises resulting from this single family development.

8. LAND AND SHORELINE USE

a. What is the current use of the site and adjacent properties?
The sites current use is single family residential. Two existing single family residences are present on two of the parcels. The third parcel is vacant and is currently undeveloped. The area to the south, north and east of the site are currently comprised of residental development. The area to the west is undeveloped.

b. Has the site been used for agriculture? If so, describe.
No. Does not apply.

c. Describe any structures on the site.
There are two existing single family residences on site, and associated detached out buildings.

all structures have been demolished

d. Will any structures be demolished? If so, what?
All structures on site will be demolished as part of this project.

e. What is the current zoning classification of the site?
The existing zoning classification is RS-12.5.

f. If applicable, what is the current shoreline master program designation of the site?
Not applicable.

g. Has any part of the site been classified as an "environmentally sensitive" area? If so, specify.
Yes, wetlands and stream have been identified and surveyed. Please refer to Enviornmental Elemnts B.3.a.1 for more detailed information regarding these sensative areas.

also there is a high landslide hazard area identified on the prop.

h. Approximately how many people would reside or work in the completed project.
Based on an estimated 3 persons per residnce, and a potential build-out for 11 single family residences, it is estimated that approximaltey 33 people would reside at the completed project.

i. Approximately how many people would the completed project displace?
The two existing residences are currently being used as rental properties. However, the completed project does not permanently displace anyone. The leasees would have to relocate.

j. Proposed measures to avoid or reduce displacement impacts, if any:
No measures are proposed to avoid or reduce discplacement impacts.

k. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:
This project will be developed and constructed per the City of Kirkland Development and zoning standards. Therefore, this project will be compatible with existing and projected land uses and plans.

9. HOUSING

a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.
11 single family middle income units are expected to be constructed.

b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.
Two older single family residences will be eliminated as part of this project.

c. Proposed measures to reduce or control housing impacts, if any:
No measures are proposed to reduce or control housing impacts.

10. AESTHETICS

a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?
City of Kirkland Code States that the average height of a residence on a lot shall not exceed 25 feet. A deviation is being requested as part of the PUD to allow a five foot increase in height for the proposed structure compared to the 25-feet allowed by City of Kirkland Code. Principal building materials may include but not be limited to, wood, masonry, and/or stone.

b. What views in the immediate vicinity would be altered or obstructed?
The general residential landscape within the area will be altered due to the construction of this plat. No views are expoected to be obstructed as a result of this project. However, as a public benefit to allow the deviation request, all buildings that are facing Forbes Creek Drive will contain enhanced elevations on the facades facing the street to create a more aesthetically pleasing look to the development.

c. Proposed measures to reduce or control aesthetic impacts, if any:
Construction of aesthiectially pleasing homes on lots. All lots will be landscaped with grass/turf, shrubs, and flowers following construciton of the new homes.

11. LIGHT AND GLARE

a. What type of light or glare will the proposal produce? What time of day would it mainly occur?
The required street lighting will be low intensity and directed downwards. The only glare expected to be produced as a result of this project will be from headlights of cars entering and exiting the project and from outdoor lights on the new single family residences following final plat approval.

b. Could light or glare from the finished project be a safety hazard or interfere with views?
It is not expected that light or glare from the finished project will be a saftey hazrd or interfere with views.

c. What existing off-site sources of light or glare may affect your proposal?
None that are known.

d. Proposed measures to reduce or control light and glare impacts, if any:
No known measures are proposed.

12. RECREATION

a. What designated and informal recreational opportunities are in the immediate vicinity?
Approximately 350 feet east of the site the Forbes Creek pedestrian walking trail begins. This trail meanders southerly through both Crestwood Park, 500 feet from the site and also Cotton Hill Park, approximately 0.60 miles from the site.

b. Would the proposed project displace any existing recreational uses? If so, describe.
None that are known.

c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:
As part of the public benefits for the deviations request a meandering paved pathway is being proposed easterly along Forbes Creek Drive for approximately 300-feet until meeting up with the existing Forbes Creek pedestrain trail near the intersection of 108th and Forbes Creek Drive. The public benefits will also include replacing as necessary the wooden steps south of the intersection on the Forbes Creek Pedestrain Trail and also adding a handrail along the meandering pathway as required by code and along both sides of the steps. Furthermore, a

paved landing at the bottom of the wooden steps will be installed as well as a historcal/interpretive sign at the top of the trail near the trail head.

13. HISTORICAL AND CULTURAL PRESERVATION

a. Are there any places or objects listed in, or proposed for, national, state, or local preservation registers known to be on or next to the site? If so, generally describe.
None that are known.

b. Generally describe any landmarks or evidence of historic, archaeological, scientific, or cultural importance known to be on or next to the site.
None that are known.

c. Proposed measures to reduce or control impacts, if any:
No measures are proposed.

14. TRANSPORTATION

a. Identify public streets and highways serving the site, and describe proposed access to the existing street system. Show on-site plans, if any.
The site is located in northern Kirkland near the intersection of Forbes Creek Drive and NE 107th Place, in the northern Kirkland Area. The site will be accessed directly off of Forbes Creek Drive using a 35-foot wide public ROW containing a 24-foot wide driving surface.

b. Is site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?
A transit stop is present at the intersection of Market Street and Forbes Creek Drive. This is approximately 0.45 miles west of the site.

c. How many parking spaces would the completed project have? How many would the project eliminate?
The project, at a minimum, will contain 2 off-street parking spaces per residence. Therefore, 22 off-street parking spaces will be available at full build out. No know desginated parking spaces will be eliminated as part of this project.

d. Will the proposal require any new roads or streets, or improvements to existing roads or streets, not including driveways? If so, generally describe (indicate whether public or private).
The south side of Forbes Creek Drive will be improved to include a bike lane, vertical curb and gutter, planter strip and sidewalk. The ROW width from

centerline of ROW to the existing property line adjacent to Forbes Creek Drive is currently 30 feet. This proposal is required to dedicate 2-feet of additional ROW on the southern side of Forbes Creek Drive. The onsite street will include a 35 foot public ROW with 24 feet of asphalt, vertical curb and gutter, and planter strip on both sides of the street. No other new roads or streets are proposed.

e. Will the project use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.
No.

f. How many vehicular trips per day would be generated by the completed project? If know, indicate when peak volumes would occur.
Roughly 108 ADT will be generated by this project. See Traffic Impact Assessment Forbes Creek PUB, Geralyn Reinart, P.E., November 2004.

g. Proposed measures to reduce or control transportation impacts, if any:
No known transporation impact measrures are proposed except for mitigation fees as required by the City of Kirkland.

15. PUBLIC SERVICES

a. Would the project result in an increased need for public services (for example: fire protection, police protection, health care, schools, other)? If so, generally describe.
As with any new residential development, this project would also require an increased need for public service.

b. Proposed measures to reduce or control direct impacts on public services, if any.
Mitigation fees will be paid to the City of Kirkland as required for local service, schools, parks, and roads.

16. UTILITIES

a. Circle utilities currently available at the site: **electricity**, natural gas, **water**, refuse service, **telephone**, **sanitary sewer**, septic system, other

b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.
Sewer and Water will be extended onto the site from Forbes Creek Drive via underground systems. The sewer and water agency is the City of Kirkland. Other utilites will also be extended onto the site from Forbes Creek Drive may include but are not limited to electricity/power, natural gas, cable and telephone.

PSE is the agency in charge of the electricty and natural gas, while Verizon is the agency lead for telephones, and Comcast will be the agency lead for cable.

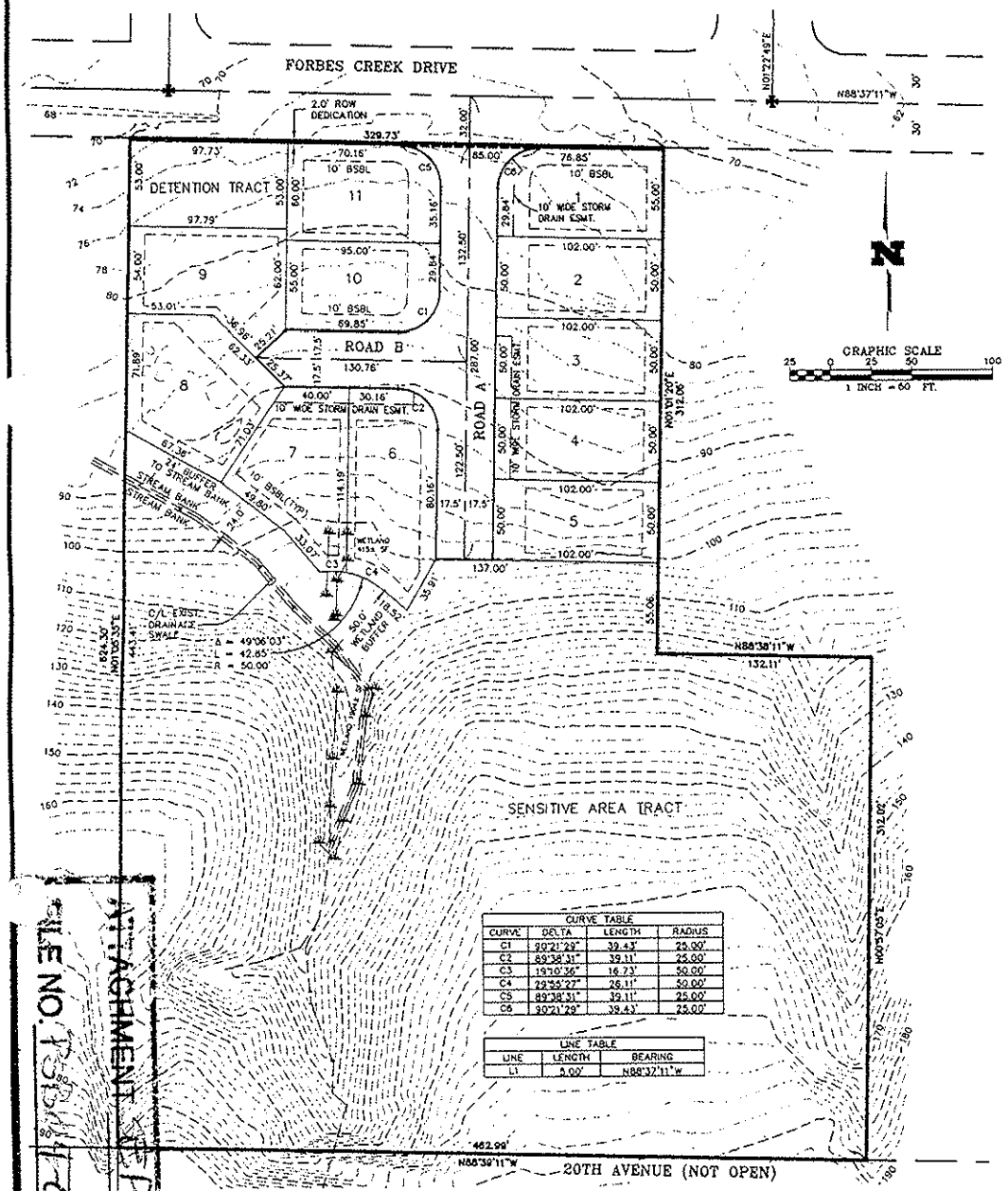
C. SIGNATURE

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: _____ _____

Date Submitted: 11/24/04 5/02/05

SW 4 OF SECTION 32, TOWNSHIP 26 NORTH, RANGE 5 EAST, W.M



CURVE TABLE			
CURVE	DELTA	LENGTH	RADIUS
C1	90°21'29"	39.43'	25.00'
C2	89°38'31"	39.11'	25.00'
C3	19°10'36"	16.73'	50.00'
C4	29°55'27"	26.11'	50.00'
C5	89°38'31"	39.11'	25.00'
C6	90°21'29"	39.43'	25.00'

LINE TABLE		
LINE	LENGTH	BEARING
L1	5.00'	N88°37'11"W

APPLICANT/DEVELOPER:

CHAFFEY HOMES
CONTACT: AILEEN ZAVALES
205 LAKE STREET SOUTH, SUITE 101
KIRKLAND, WA 98033
PHONE: (425)822-5981

REGISTERED ENGINEER:

AMERICAN ENGINEERING CORPORATION
CONTACT: EINAR GUNDERSEN
4032 148TH AVE. NE
REDMOND, WA 98052
PHONE: (425) 881-7430

LAND SURVEYOR

AMERICAN ENGINEERING CORPORATION
CONTACT: GARY CHRISTENSEN
4032 148TH AVE NE
REDMOND, WA 98052
PHONE: (425) 881-7430

LEGAL DESCRIPTION

PER STEWART TITLE PLAT CERTIFICATE, ORDER NO. 200488014 DATED MAY 3, 2004 AT 8:00 AM.

PARCEL A:
THE WEST HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 26 NORTH, RANGE 5 EAST, W.M. IN KING COUNTY, WASHINGTON;
EXCEPT THE NORTH 30 FEET THEREOF;
AND EXCEPT THE NORTH 130 FEET OF THE WEST 70 FEET OF THE EAST 140 FEET OF THE WEST HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 32, TOWNSHIP 26 NORTH, RANGE 5 EAST, W.M., IN KING COUNTY, WASHINGTON.

(ALSO KNOWN AS A PORTION OF LOT 6, KIRKLAND 5 ACRE TRACTS, AN UNRECORDED PLAT)

PARCEL B:
THE SOUTH HALF OF THE FOLLOWING DESCRIBED PROPERTY:
THE EAST HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 26 NORTH, RANGE 5 EAST, W.M., IN KING COUNTY, WASHINGTON;
EXCEPT THE NORTH 30 FEET THEREOF;
AND EXCEPT THE EAST 198 FEET THEREOF;

(ALSO KNOWN AS A PORTION OF LOT 6, KIRKLAND 5 ACRE TRACTS, AN UNRECORDED PLAT)

PARCEL C:
THE NORTH 130 FEET OF THE WEST 70 FEET OF THE EAST 140 FEET OF THE WEST HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 26 NORTH, RANGE 5 EAST, W.M IN KING COUNTY, WASHINGTON;
EXCEPT THE NORTH 30 FEET THEREOF,

(ALSO KNOWN AS A PORTION OF LOT 6, KIRKLAND 5 ACRE TRACTS, AN UNRECORDED PLAT)

VERTICAL DATUM

NAVD 88

HORIZONTAL DATUM

WASHINGTON STATE PLANE, NORTH ZONE
NAD 83/91

BENCH MARK

WITNESS CORNER TO 1 CORNER OF SECTIONS 5 AND 6. FOUND BRASS CAP MONUMENT IN CONCRETE. WCGS POINT ID 84 (POINT ALIAS FG45). CUSTODIAN, CITY OF KIRKLAND. ELEVATION=200.020 FEET NAVD 1988

BUILDING SETBACKS

FRONT	20 FEET MINIMUM
SIDE	VARIES (SEE LAYOUT)
REAR/STREAM	10 FEET MINIMUM

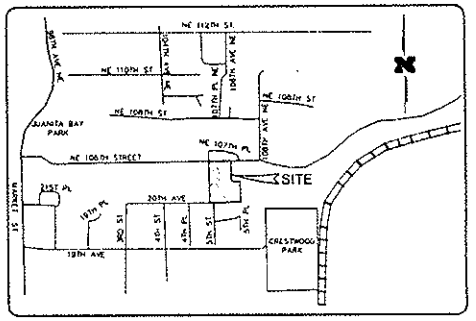
SERVICES

UTILITY PURVEYORS:

WATER	CITY OF KIRKLAND
SEWER	CITY OF KIRKLAND
PHONE	GTE
GAS & ELEC.	PUGET SOUND ENERGY
CABLE TV	AT&T

SCHOOL DISTRICT:

SCHOOLS	LAKE WASHINGTON SCHOOL DIST.



VICINITY MAP

N.T.S

PROJECT DATA:

TAX PARCEL ID.	0389010-0045 0389010-0046 0389010-0038
SITE ADDRESS	10623 FORBES CREEK DRIVE
PROPOSED USE:	SINGLE FAMILY RESIDENTIAL
TOTAL AREA (SF):	247,340.5 SF
TOTAL AREA (ACRES).	5.68 AC
NO. OF PROPOSED LOTS	11
EXISTING ZONING	RS-12.5
PROPOSED FAR.	65%
LOT SIZE TABLE:	
LOT 1	6,474.0 SF
LOT 2	5,100.1 SF
LOT 3	5,100.1 SF
LOT 4	5,100.1 SF
LOT 5	5,100.1 SF
LOT 6	6,593.3 SF
LOT 7	5,949.8 SF
LOT 8	7,043.3 SF
LOT 9	5,927.5 SF
LOT 10	5,059.0 SF
LOT 11	5,367.9 SF
DETENTION TRACT	5,181.2 SF
AREAS:	
SQUARE FOOTAGE OF LAND IN SENSITIVE AREA TRACT	166,348.4 SF
SQUARE FOOTAGE OF LAND IN PUBLIC STREETS/ROW	13,765.7 SF
SQUARE FOOTAGE OF LAND IN PRIVATE ACCESS EASEMENTS	0 SF
PARKING STALLS PROPOSED	22
MAXIMUM BUILDING HEIGHT PROPOSED (ABOVE AVERAGE BUILDING ELEVATION)	30 FT
MAXIMUM BUILDING COVERAGE PROPOSED	50%

SHEET INDEX:

PRELIMINARY PLAT PLAN	SHEET 1 OF 3
BOUNDARY & TOPOGRAPHIC SURVEY	SHEET 2 OF 3
PROPOSED PUBLIC BENEFITS PLAN	SHEET 3 OF 3

RECOMMENDED FOR APPROVAL

BY: _____ DATE: _____
BY: _____ DATE: _____
BY: _____ DATE: _____
BY: _____ DATE: _____

GARY T. CHRISTENSEN
STATE OF WASHINGTON
0448
REGISTERED
PROFESSIONAL LAND SURVEYOR
EXPIRES: JULY 30,

ATTACHMENT "E" TO ORDINANCE NO. 4

No.	Revisions	Date	By

Date	11-20-04
Scale	50
Drawn	MLS
Designed	RWS
Checked	RWS/GTC

FORBES CREEK 11
PRELIMINARY PLAT PLAN

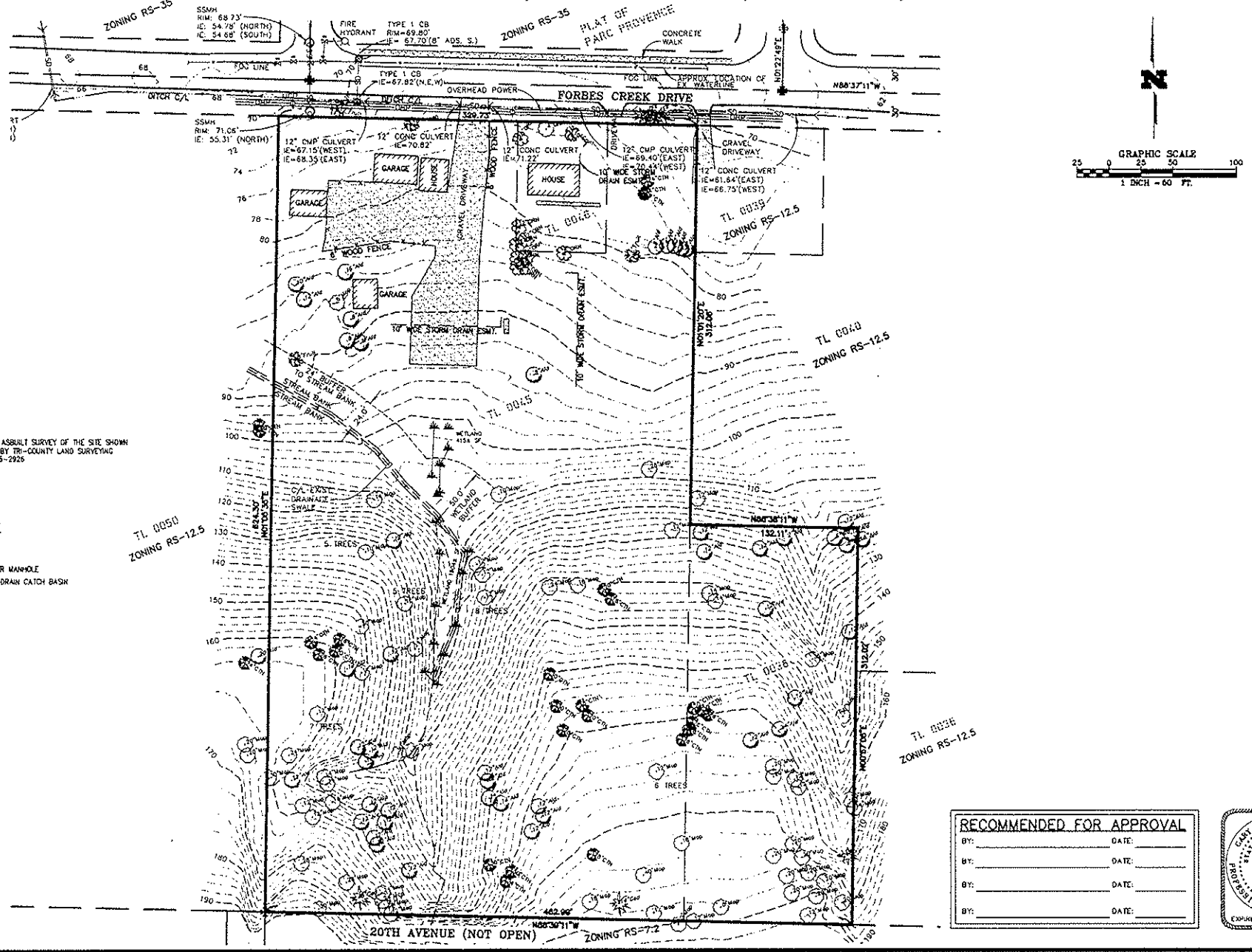
American Engineering Corporation
Engineers • Planners • Surveyors
4032 148th Ave. N.E.
Redmond, WA 98052
PHONE (425) 881-7430 Fax (425) 881-7731

Date Plotted	Plotting Scale	File path & Name
11-1-04	AS SHOWN	

JOB NO. 0448

SHEET 1 OF 3

SW 4 OF SECTION 32, TOWNSHIP 26 NORTH, RANGE 5 EAST, W.M.



NOTE

TOPOGRAPHIC AND ASBUILT SURVEY OF THE SITE SHOWN HEREON PROVIDED BY TRI-COUNTY LAND SURVEYING COMPANY. (425)776-2926

LEGEND

- WATER VALVE
- UTILITY POLE
- SANITARY SEWER MANHOLE
- TYPE 1 STORM DRAIN CATCH BASIN

RECOMMENDED FOR APPROVAL

BY: _____ DATE: _____

BY: _____ DATE: _____

BY: _____ DATE: _____

BY: _____ DATE: _____

GARY T. CHRISTENSEN — STATE OF WASHINGTON — 30444 — REGISTERED PROFESSIONAL LAND SURVEYOR — EXPIRES JULY 30,

Revisions			
No.		Date	By

Date	11-20-04
Scale	50
Drawn	MLS
Designed	RWS
Checked	RWS/GTC

FORBES CREEK 11
BOUNDARY & TOPOGRAPHIC SURVEY

American Engineering Corporation
Engineers • Planners • Surveyors
4032 148th Ave. N.E.
Redmond, WA 98052
PHONE (425) 881-7430 Fax (425) 881-7731

Date Plotted	Plotting Scale	File path & Name
11-1-04	AS SHOWN	

JOB NO. 0448

SHEET 2 OF 3

SW 4 OF SECTION 32, TOWNSHIP 26 NORTH, RANGE 5 EAST, W.M.

FORBES CREEK DRIVE

DETENTION TRACT

ROAD A

ROAD B

EXISTING PEDESTRIAN CROSS-WALK STRIPING

EXACT LOCATION OF 4' WIDE PAVED MEANDERING TRAIL TO BE DETERMINED (LOCATED WITHIN ROW)

PROPOSED PEDESTRIAN PATHWAY

PROPOSED ASPHALT PAD (8'x8')

PROPOSED STEPS AND RAILING REPLACE STEPS IN KIND AS NECESSARY (ADD RAILING ON BOTH SIDES OF STEPS)

PROPOSED HISTORICAL SIGNAGE

STREAM BANK

C/L EXIST. DRAINAGE SWALE

SENSITIVE AREA TRACT

108TH AVENUE NE

20TH AVENUE (NOT OPEN)

20TH AVENUE (OPEN)

GRAPHIC SCALE

1 INCH = 60 FT.

NOTE

LOTS WILL HAVE ENHANCED BUILDING ELEVATIONS/FACADES ON BUILDING SIDE FACING FORBES CREEK

Revisions			
No.		Date	By

Date	11-20-04
Scale	50
Drawn	MLS
Designed	RWS
Checked	RWS/GTC

FORBES CREEK 11
PROPOSED PUBLIC BENEFITS PLAN

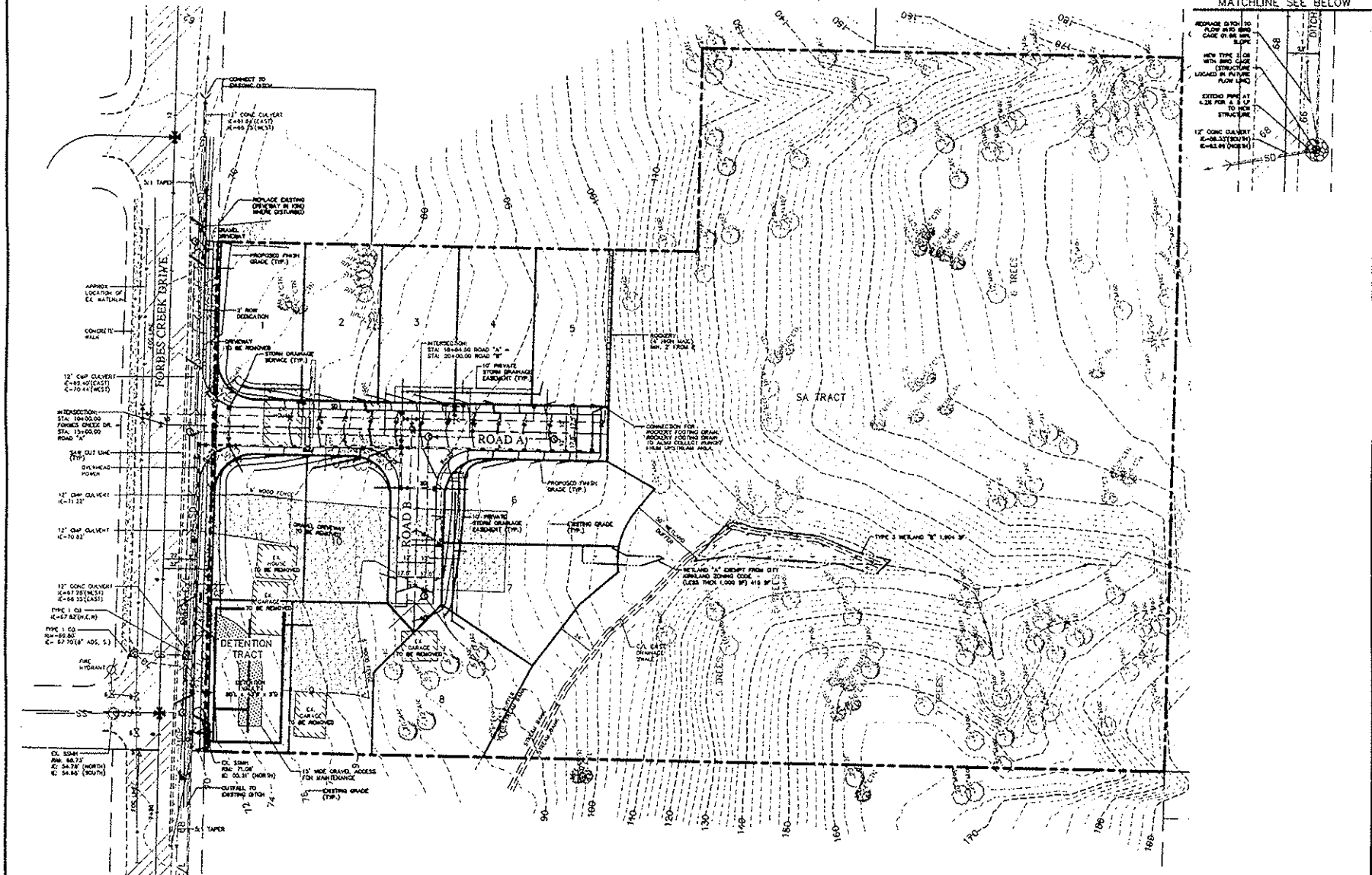
American Engineering Corporation
Engineers • Planners • Surveyors
4032 148th Ave. N.E.
Redmond, WA 98052
PHONE (425) 881-7430 Fax (425) 881-7731

Date Plotted	Plotting Scale	File path & Name
11-1-04	AS SHOWN	

JOB NO. 0448

SHEET 3 OF 3

SW 1/4 SECTION 32, TWP. 26 N., RGE. 5 E., W.M.



NOTES:

1. ALL APPURTENANCES ON SITE TO BE REMOVED UNLESS OTHERWISE DESIGNED HEREIN
2. ALL OVERHEAD POWER SHALL BE MOVED TO UNDERGROUND ON PROPERTY FRONTAGE
3. NO LOT SHALL HAVE DIRECT ACCESS OFF OF FORBES CREEK DRIVE

CUT/FILL QUANTITIES
CUT = 1,795 C.Y.
FILL = 5 C.Y.
NET = 1,790 C.Y. CUT

GRAPHIC SCALE
15 0 15 30 60
1 INCH = 30 FT

CALL 48 HOURS BEFORE YOU DIG
1-800-424-5555

No.	Revisions	Date	By

Date 11-22-04
Scale AS SHOWN
Drawn CWA
Designed EC
Checked EC

American Engineering Corporation
Engineers • Planners • Surveyors
8000 Mill Plain Blvd.
Vancouver, WA 98662
PHONE (360) 891-7400 Fax (360) 891-7731
File: FORB & ROYAL
R:\DRAWINGS\Engineering\Forbes Creek\ 11/22/2004 8:34:31 AM PST

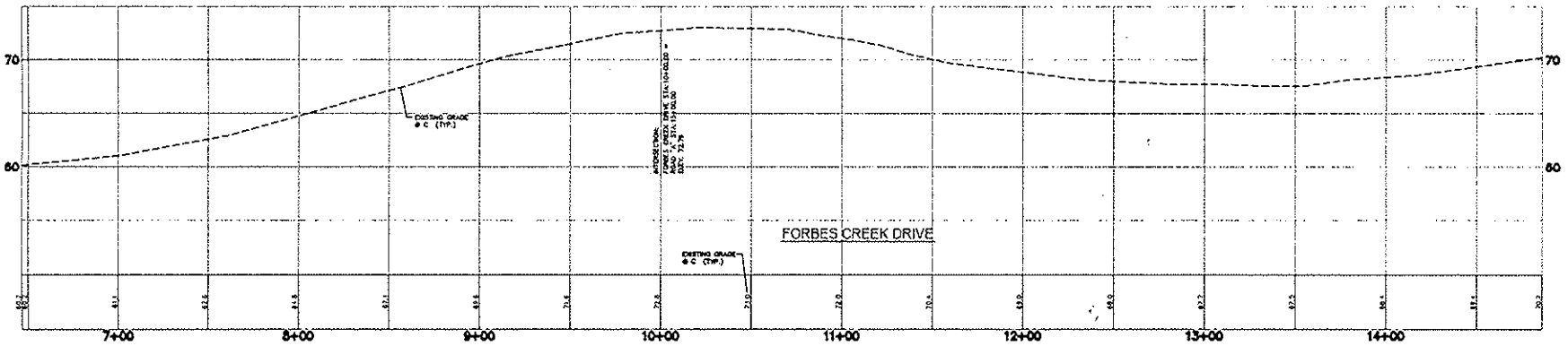
EXPIRES 5-10-2006

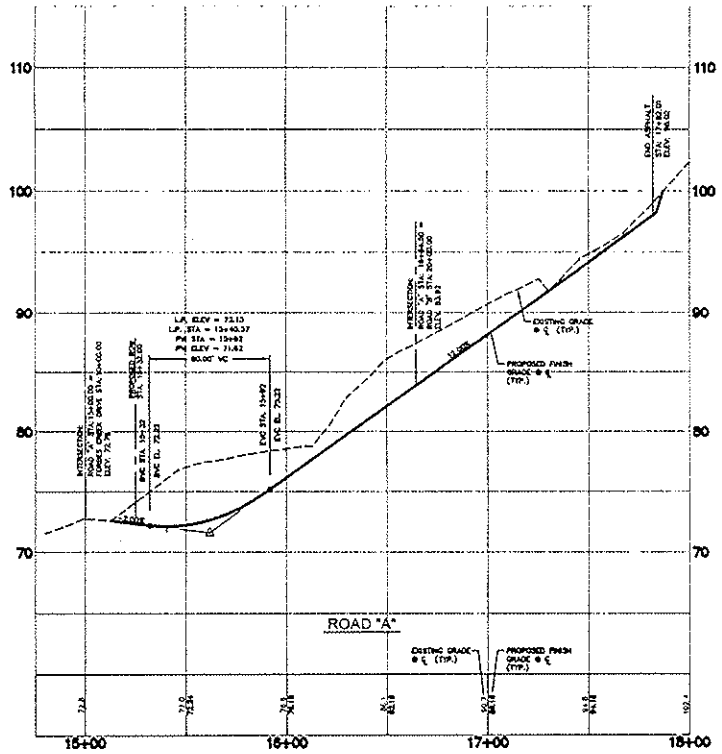
FORBES CREEK 11 ROAD & STORM DRAINAGE PLAN

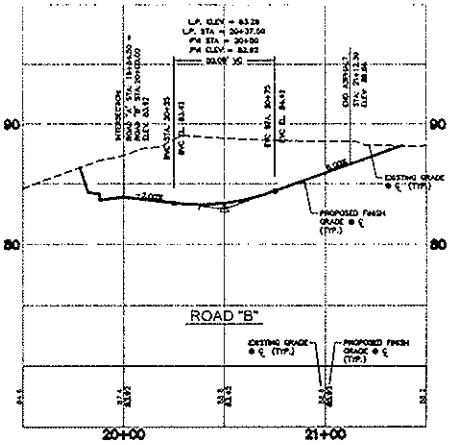
JOB NO. 0448

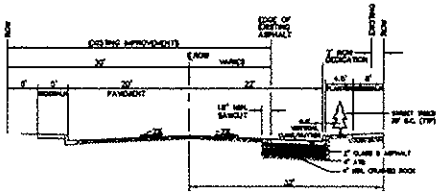
SHEET 1 OF 1

SW 1/4 SECTION 32, TWP. 26 N., RGE. 5 E., W.M.

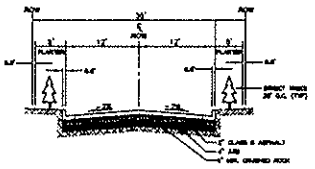








FORBES CREEK DRIVE SECTION
SCALE 1"=10'



ROAD A & B SECTION
SCALE 1"=10'

GRAPHIC SCALE
1 INCH = 30 FT. HORIZONTAL
1 INCH = 10 FT. VERTICAL

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No.	Revisions	Date	By

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Redmond, WA 98052
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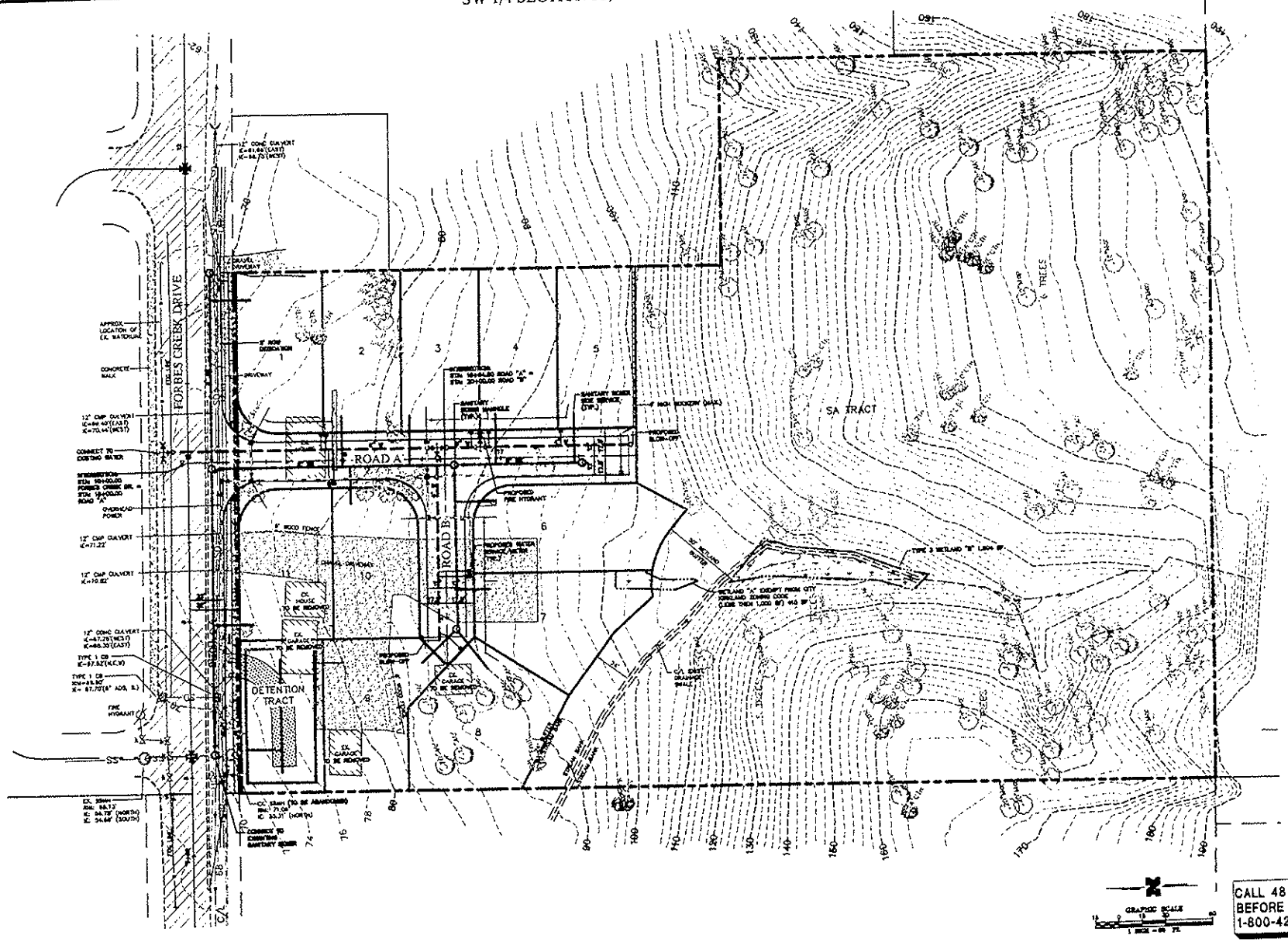
FORBES CREEK 11 ROAD PROFILES AND SECTIONS

JOB NO. 0448

SHEET 1 OF 1

SW 1/4 SECTION 32, TWP. 26 N., RGE. 5 E., W.M.



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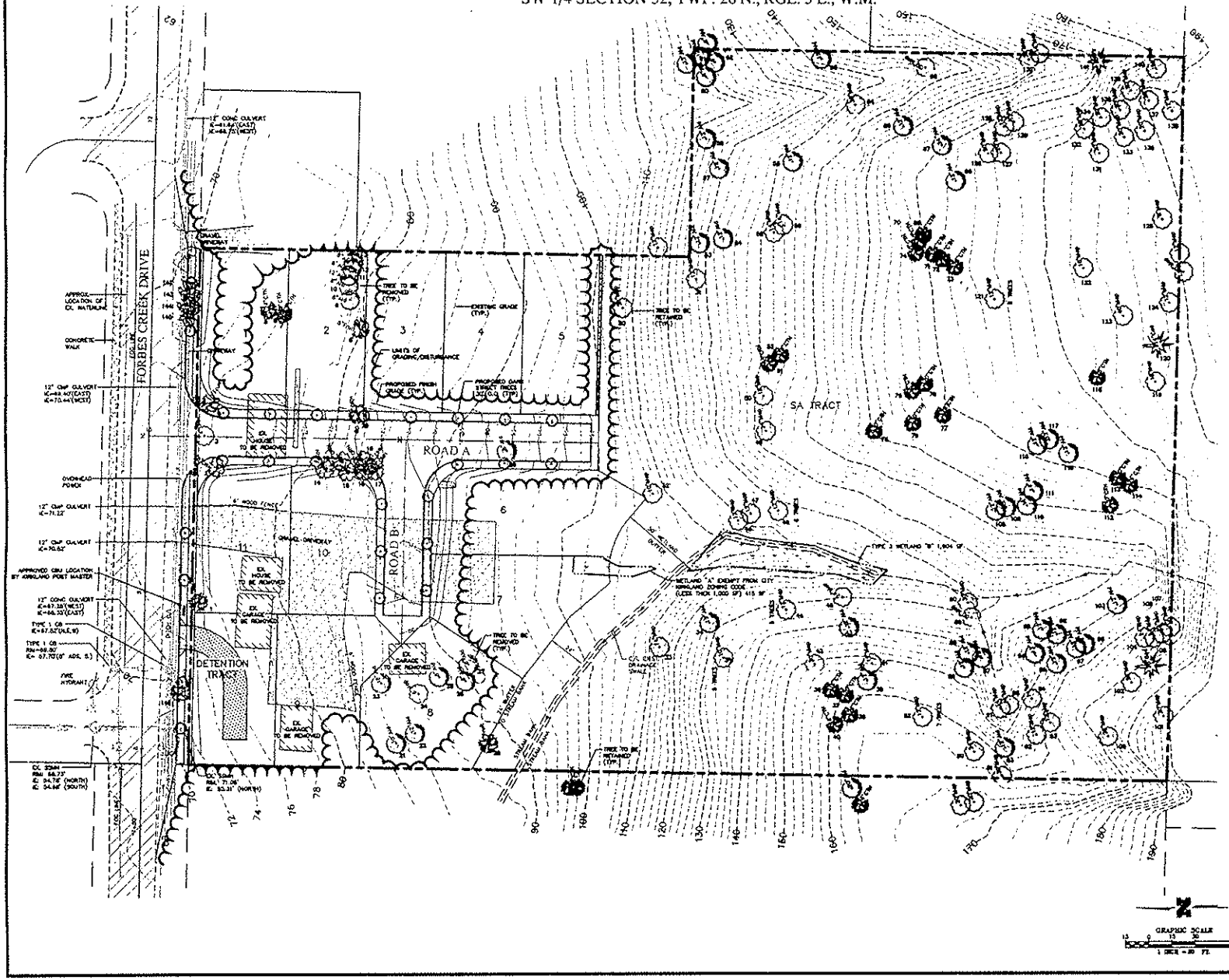
FORBES CREEK 11 CONCEPTUAL SEWER & WATER PLAN

JOB NO. 0448

SHEET 1 OF 1

SW 1/4 SECTION 32, TWP. 26 N., RGE. 5 E., W.M.



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FORBES CREEK 11
TREE RETENTION PLAN

JOB NO. 0448

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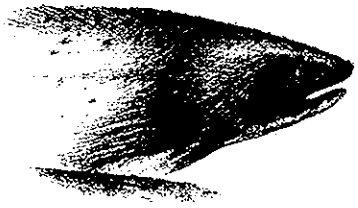

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Geologic Assessments

Associated Earth Sciences, Inc.

Subsurface Exploration, Geologic Hazard, and Preliminary Geotechnical Engineering Report

FORBES CREEK STATION

Kirkland, Washington

Prepared for

Puget Sound Investment Group

Project No. KE00520A
September 6, 2000
Revised October 3, 2000

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SUBSURFACE EXPLORATION, GEOLOGIC HAZARD, AND PRELIMINARY GEOTECHNICAL ENGINEERING REPORT

FORBES CREEK STATION

Kirkland, Washington

Prepared for:
Puget Sound Investment Group
4720 200th Street SW, Suite 202
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Prepared by:
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September 6, 2000
Revised October 3, 2000
Project No. KE00520A

I. PROJECT AND SITE CONDITIONS

1.0 INTRODUCTION

This report presents the results of our subsurface exploration, geologic hazard, and geotechnical engineering study for the proposed Forbes Creek Station project. Our recommendations are preliminary in that definite building locations and/or construction details have not been finalized at the time of this report. The proposed building locations and approximate locations of the explorations accomplished for this study are presented on the Site and Exploration Plan, Figure 1. In the event that any changes in the nature, design, or location of the project are planned, the conclusions and recommendations contained in this report should be reviewed and modified, or verified, as necessary.

1.1 Purpose and Scope

The purpose of this study was to provide subsurface data to be utilized in the preliminary design and development of the subject project. Our study included a review of available geologic literature, excavation of exploration pits, and performing geologic studies to assess the type, thickness, distribution, and physical properties of the subsurface sediments and shallow ground water conditions. Geotechnical engineering studies were also conducted to determine the type of suitable foundation, allowable foundation soil bearing pressures, anticipated settlements, lateral earth pressures for the storm water vaults, floor support recommendations, and drainage considerations. This report summarizes our current fieldwork and offers development recommendations based on our present understanding of the project.

1.2 Authorization

Written authorization to proceed with this study was granted by Mr. Jim Keller of Puget Sound Investment Group. Our study was accomplished in general accordance with our proposal dated July 21, 2000. This report has been prepared for the exclusive use of Puget Sound Investment Group and their agents, for specific application to this project. Within the limitations of scope, schedule, and budget, our services have been performed in accordance with generally accepted geotechnical engineering and engineering geology practices in effect in this area at the time our report was prepared. No other warranty, expressed or implied, is made.

2.0 PROJECT AND SITE DESCRIPTION

This report was completed with an understanding of the project based on a site plan prepared by Tri-County Land Surveying Company and G.R. Parrott, dated May 2000. Present plans call for several duplex units along the east and west sides of the northern portion of the site,

with two multi-unit dwellings located in the central portion of the northern part of the site. Associated road improvements, utilities, a curtain drain, and a storm water detention vault are also planned. Parking below the multi-unit dwellings is proposed; however, the cut depths were not indicated on the plans. No other construction details were known at the time of this report.

The property was located on the south side of Forbes Creek Drive in Kirkland, Washington. Existing structures on the property include two houses and several garages and sheds. Vegetation around the existing structures was predominantly grass with scattered areas of blackberry bushes. Farther to the south, the vegetation consisted primarily of deciduous and evergreen trees with an understory of shrubs and blackberries. The property sloped down toward the north at inclinations ranging from 1H:1V to 10H:1V (Horizontal:Vertical), based on the previously mentioned site plan. Total elevation change across the property was on the order of 80 feet. A drainage ditch, flowing toward the north to northeast, and wetlands are located on-site. The proposed curtain drain, as shown on the referenced site plan, intercepts the drainage ditch and is positioned adjacent to the northern wetland area.

3.0 SUBSURFACE EXPLORATION

Our field study included excavating a series of exploration pits to gain information about the site. The various types of sediments, as well as the depths where characteristics of the sediments changed, are indicated on the exploration logs presented in the Appendix. The depths indicated on the logs where conditions changed may represent gradational variations between sediment types in the field. Our explorations were approximately located in the field by measuring from known site features shown on the previously mentioned site plan.

The conclusions and recommendations presented in this report are based on the seven exploration pits completed for this study. The number, location, and depth of the explorations were completed within site and budgetary constraints. Because of the nature of exploratory work below ground, extrapolation of subsurface conditions between and beyond field explorations is necessary. It should be noted that differing subsurface conditions may sometimes be present due to the random nature of deposition and the alteration of topography by past grading and/or filling. The nature and extent of any variations between the field explorations may not become fully evident until construction. If variations are observed at that time, it may be necessary to re-evaluate specific recommendations in this report and make appropriate changes.

3.1 Exploration Pits

Exploration pits were excavated with a trackhoe. The pits permitted direct, visual observation of subsurface conditions. Materials encountered in the exploration pits were studied and

classified in the field by a geotechnical engineer from our firm. All exploration pits were backfilled immediately after examination and logging. Selected samples were then transported to our laboratory for further visual classification and testing, as necessary.

4.0 SUBSURFACE CONDITIONS

Subsurface conditions on the parcel were inferred from the field explorations accomplished for this study, visual reconnaissance of the site, and review of topography provided on the previously mentioned topographic survey. As shown on the field logs, the exploration holes generally encountered alluvial soils. The following section presents more detailed subsurface information organized from the upper (youngest) to the lower (oldest) sediment types.

4.1 Stratigraphy

Fill Soil

Fill soils (those not naturally placed) were encountered in EP-1 and EP-3. The fill ranged in thickness from 2 to 5 feet in EP-3 and EP-1, respectively. As noted on the exploration logs, the fill consisted of loose to medium dense, moist, brown to blue-gray, gravelly, silty sand with organics and debris. These materials appear to vary in both quality and depth across the site. It should be noted that fill soil is likely present around each of the existing structures, driveway areas, and around the existing underground utilities. Since the quality, thickness, and compaction of the fill materials are low or variable, the fill is considered unsuitable for structural support.

Alluvium/Colluvium

Soils exposed below the surficial layer of topsoil/forest duff, or below the fill soil (where present) were classified as alluvial or colluvial soils. Alluvial soils are deposited by flowing water such as creeks and rivers; colluvial soils are deposited by gravity as the material gradually erodes from banks or hills. These soils have not been glacially overridden and therefore are not as dense as other soils commonly found in this region. The alluvial/colluvial soils found on-site generally consisted of loose to medium dense, moist to wet sand with variable amounts of silt.

Olympia

Below the alluvial/colluvial soils in EP-5 and EP-6, older nonglacial sediments were exposed. These soils were generally dense, moist to wet, oxidized tan to gray sand with variable amounts of silt and gravel. This soil has been tentatively classified as sediments from the nonglacial Olympia period. These sediments were deposited in alluvial environments and were

subsequently overridden by at least one glacial ice sheet. The weight of the glacial ice consolidated the alluvial sediment to a dense state.

4.2 Hydrology

Ground water seepage was not encountered in any of our exploration pits at the time of our field study. However, a large portion of the exposed soil was wet and seepage may occur over time or during wetter times of the year. A drainage ditch is located on the site flowing generally to the north and northwest. Ground water seepage is expected in this area, particularly during the wetter seasons. Wetland areas have also been mapped (by others) on the property.

An interceptor (curtain) drain is currently planned for the upslope (south) side of the development area, near the existing drainage ditch and a mapped wetland. Installation of this drain is recommended to reduce the potential for ground water impacts to the development area. The geotechnical engineer and wetland biologist should review the location of the drain in the field prior to construction. The final drain location/depth should be adjusted to provide suitable protection of the development area and minimize impacts to the wetland.

It should be noted that fluctuations in the level of the ground water may occur due to the time of the year, variations in precipitation, changes in nearby land use, and other factors. Seepage may also occur at random depths and locations in unsupervised or non-uniform fills.

II. GEOLOGIC HAZARDS AND MITIGATIONS

The following discussion of potential geologic hazards is based on the geologic, slope, and ground/surface water conditions as observed and discussed herein. The discussion will be limited to seismic, landslide or mass wasting, and erosion, including sediment transport.

5.0 SEISMIC HAZARDS AND RECOMMENDED MITIGATION

Earthquakes occur in the Puget Lowland with great regularity. The vast majority of these events are small and are usually not felt by people. However, large earthquakes do occur as evidenced by the 1949, 7.2 magnitude event and the 1965, 6.5 magnitude event. The 1949 earthquake appears to have been the largest in this area during recorded history. Evaluation of earthquake return rates indicates that an earthquake of the magnitude between 5.5 and 6.0 is likely within a given approximate 20-year period.

Seismicity at the site would occur as the result of deep-seated faults that underlay the region. The site is located near the east-west trending Seattle Fault zone, and the northwest-trending Whidbey Island Fault zone. A recurrence interval for movement along the Seattle Fault has not been conclusively determined. The most recent movement is interpreted to have occurred over 1,000 years ago. The recurrence interval on the Seattle Fault has been estimated to be in the range of thousands of years instead of tens or hundreds of years (Pratt, 1995). Using a method described by Slemmons (1977), the maximum credible Richter magnitude is estimated to be approximately 7.2. The recurrence interval of the Whidbey Island Fault is estimated to be thousands of years (Pratt, 1995), with a magnitude of $\geq$ 7.0 (Johnson, 1994).

Generally, there are four types of potential geologic hazards associated with large seismic events: 1) surficial ground rupture; 2) landslides; 3) liquefaction; and 4) ground motion. The potential for each of these hazards to adversely impact the proposed project is discussed below.

5.1 Surficial Ground Rupture

Generally, the largest earthquakes which have occurred in the Puget Sound area are sub-crustal events with epicenters ranging from 50 to 70 kilometers in depth. For this reason, no surficial faulting, or earth rupture, as a result of deep, seismic activity has been documented, to date, in the King County region. Therefore, it is our opinion, based on existing geologic data, that the risk of surface rupture impacting the proposed project is low and no mitigations are recommended.

5.2 Landslides

No evidence of past landslides was observed in the sloped areas south of the proposed developments. For the observed slope heights and inclinations, and interpreted subsurface soil and ground water conditions, it is Associated Earth Sciences, Inc.'s (AESI's) opinion that there is a low risk of deep-seated earth movement on the site. Deep-seated movement is unlikely for both seismic and static conditions. The potential for shallow earth movement in the form of rapid erosion, or a debris flow is low to moderate, depending primarily upon the local slope inclinations. To mitigate the risk of erosion/debris flow impacts to the proposed structures, a 15-foot setback from the toe of the south slope should be used for the southernmost buildings. The currently planned building locations with a regraded (flat) landscape area, rockery, and drainage swale provide suitable mitigation, in our opinion, between the structures and toe of the regraded slopes. Details of the final plans for grading and drainage elements in this area should be reviewed by AESI prior to final design completion.

5.3 Liquefaction

Liquefaction is a condition where loose, saturated, typically sandy soils lose shear strength when subjected to high intensity, cyclic loads, such as occur during earthquakes. The resulting reduction in strength can cause differential foundation settlements and slope failures. Loose, saturated, fine-grained sands that cannot dissipate the buildup of pore water pressure, are the predominant type of sediments subject to liquefaction.

The encountered stratigraphy has a low potential for liquefaction due to the medium dense, well graded state, and absence of adverse ground water conditions. No liquefaction mitigations are required.

5.4 Ground Motion

Based on the site stratigraphy and visual reconnaissance of the site, it is our opinion that any earthquake damage to the proposed structures founded on a suitable bearing strata, and following the setback recommendations, would be caused by the intensity and acceleration associated with the event and not any of the above-discussed impacts. Structural design of the building should follow 1997 Uniform Building Code (UBC) standards for Seismic Zone 3 (Z-Factor = 0.3, 1997 UBC Table 16I), and a soil profile type S_D (1997 UBC Table 16J) and should take into consideration stress caused by seismically induced earth shaking.

6.0 EROSION HAZARDS AND MITIGATION

To mitigate the erosion and off-site sediment transport during and after construction, we would recommend the following:

1. If possible, construction should proceed during the drier periods of the year and disturbed areas should be re-vegetated as soon as possible. Temporary erosion control measures should be maintained until permanent erosion control measures are established.

2. Check dams should be used along roadways and silt fences should be placed along the lower elevations of all cleared areas.

3. Soils which are to be reused around the site should be stored in such a manner as to reduce erosion. Protective measures may include, but are not necessarily limited to, covering with plastic sheeting, the use of low stockpiles in flat areas, or the use of hay bales/silt fences.

III. PRELIMINARY DESIGN RECOMMENDATIONS

7.0 INTRODUCTION

Our exploration indicates that, from a geotechnical standpoint, the parcel is suitable for the proposed development provided the recommendations contained herein are properly followed. The bearing stratum was relatively shallow in our exploration pits and conventional spread footing foundations may be used for structural support. Consequently, footings or structural fill bearing on the lower, medium dense to dense sand will be capable of providing suitable building support.

8.0 SITE PREPARATION

Site preparation of planned building and road areas should include removal of all trees, brush, debris, and any other deleterious material. Additionally, the upper organic topsoil/forest duff should be removed and the remaining roots grubbed. Areas where loose surficial soils exist due to grubbing operations should be considered as fill to the depth of disturbance and treated as subsequently recommended for structural fill placement.

Loose sands and existing fill soil should be stripped down to the underlying, medium dense to dense, natural soil. Since the density of the soil is variable, random soft pockets may exist and the depth and extent of stripping can best be determined in the field by the geotechnical engineer or engineering geologist. This depth generally occurred at approximately 2 to 6 feet in our subsurface explorations. We recommend that road and parking areas be proofrolled with a loaded dump truck to identify any soft spots; soft areas should be overexcavated and backfilled with structural fill.

8.1 Temporary Cut Slopes

In our opinion, stable construction slopes should be the responsibility of the contractor and should be determined during construction. For estimating purposes, however, we anticipate that temporary, unsupported cut slopes in the alluvial/colluvial deposits can be made at a maximum inclination of 1.5H:1V. As is typical with earthwork operations, cut slopes may have to be adjusted in the field. In addition, WISHA/OSHA regulations should be followed at all times.

8.2 Site Disturbance

The on-site soils contain fine-grained material, which makes them moisture-sensitive and subject to disturbance when wet. The contractor must use care during site preparation and

excavation operations so that the underlying soils are not softened. If disturbance occurs, the softened soils should be removed and the area brought to grade with structural fill. Consideration should be given to protecting access and staging areas with an appropriate section of crushed rock or asphalt treated base (ATB).

If crushed rock is considered for the access and staging areas, it should be underlain by engineering stabilization fabric to reduce the potential of fine-grained materials pumping up through the rock and turning the area to mud. The fabric will also aid in supporting construction equipment, thus reducing the amount of crushed rock required. We recommend that at least 10 inches of rock be placed over the fabric; however, due to the variable nature of the near-surface soils and differences in wheel loads, this thickness may have to be adjusted by the contractor in the field.

9.0 STRUCTURAL FILL

Structural fill may be necessary to establish desired grades. All references to structural fill in this report refer to subgrade preparation, fill type, placement, and compaction of materials as discussed in this section.

If fill is to be placed on slopes steeper than 5H:1V, the base of the fill should be tied to firm, stable subsoil by appropriate benching which would be established in the field to suit the particular soil conditions at the time of grading. Level benches should be cut horizontally across the hill, following the contours of the slope. No specific width is required for the benches, although they are usually a few feet wider than the dozer being used to cut them. All filling activities proposed on slopes should be reviewed by our office prior to construction.

After overexcavation/stripping has been performed to the satisfaction of the geotechnical engineer/engineering geologist, the upper 12 inches of exposed ground should be recompacted to at least 90 percent of the modified Proctor maximum density using ASTM:D 1557 as the standard. If the subgrade contains too much moisture, adequate recompaction may be difficult or impossible to obtain and should probably not be attempted. In lieu of recompaction, the area to receive fill should be blanketed with washed rock or quarry spalls to act as a capillary break between the new fill and the wet subgrade. Where the exposed ground remains soft and further overexcavation is impractical, placement of an engineering stabilization fabric may be necessary to prevent contamination of the free-draining layer by silt migration from below.

After recompaction of the exposed ground is tested and approved, or a free-draining rock course is laid, structural fill may be placed to attain desired grades. Structural fill is defined as non-organic soil, acceptable to the geotechnical engineer, placed in maximum 8-inch loose lifts with each lift being compacted to at least 95 percent of ASTM:D 1557. In the case of roadway and utility trench filling, the backfill should be placed and compacted in accordance with

current municipal codes and standards. The top of the compacted fill should extend horizontally outward a minimum distance of 3 feet beyond the location of the perimeter footings or roadway edges before sloping down at an angle of 2H:1V.

The contractor should note that any soil proposed to be used as fill must be evaluated by AESI prior to their use in fills. This would require that we have a sample of the material 48 hours in advance to perform a Proctor test and determine its field compaction standard. Soils in which the amount of fine-grained material (smaller than No. 200 sieve) is greater than approximately 5 percent (measured on the minus No. 4 sieve size) should be considered moisture-sensitive. Use of moisture-sensitive soil in structural fill should be limited to favorable dry weather conditions. The on-site soils generally contained significant amounts of silt and are considered moisture-sensitive. At the time of our explorations, many of the sediments were judged to be above their optimum moisture content, particularly in the lower portions of the exploration pits. In addition, construction equipment traversing the site when the soils are wet can cause considerable disturbance. If fill is placed during wet weather or if proper compaction cannot be obtained, a select import material consisting of a clean, free-draining gravel and/or sand should be used. Free-draining fill consists of non-organic soil with the amount of fine-grained material limited to 5 percent by weight when measured on the minus No. 4 sieve fraction.

A representative from our firm should inspect the stripped subgrade and be present during placement of structural fill to observe the work and perform a representative number of in-place density tests. In this way, the adequacy of the earthwork may be evaluated as filling progresses and any problem areas may be corrected at that time. It is important to understand that taking random compaction tests on a part-time basis will not assure uniformity or acceptable performance of a fill. As such, we are available to aid the owner in developing a suitable monitoring and testing frequency.

10.0 FOUNDATIONS

Spread footings may be used for building support when founded on medium dense to dense, natural soils or on structural fill placed as previously discussed. We recommend that an allowable bearing pressure of 2,000 pounds per square foot (psf) be used for design purposes, including both dead and live loads. An increase of one-third may be used for short-term wind or seismic loading. Perimeter footings should be buried at least 18 inches into the surrounding soil for frost protection. However, all footings must penetrate to the prescribed bearing stratum and no footing should be founded in or above loose, organic, or existing fill soils. All footings should have a minimum width of 14 inches one-story structures, 16 inches for two-story structures, and 18 inches for three-story structures.

It should be noted that the area bounded by lines extending downward at 1H:1V inclination from any footing must not intersect another footing or intersect a filled area which has not been

compacted to at least 95 percent of ASTM:D 1557. In addition, a 1.5H:1V line extending down from any footing must not daylight because sloughing or raveling may eventually undermine the footing. Thus, footings should not be placed near the edge of steps or cuts in the bearing soils.

Anticipated settlement of footings founded on medium dense sand or approved structural fill should be on the order of 1 inch. However, disturbed soil not removed from footing excavations prior to footing placement could result in increased settlements. AESI should inspect all footing areas prior to placing concrete to verify that the design bearing capacity of the soils has been attained and that construction conforms to the recommendations contained in this report. The governing municipality may require such inspections. Perimeter footing drains should be provided as discussed under the section on *Drainage Considerations*.

11.0 LATERAL WALL PRESSURES

We understand that an underground storm water vault is proposed in conjunction with the development of this property. In addition, retaining walls are anticipated for below-grade parking areas, and along the upslope sides of the southernmost buildings. Backfill behind retaining walls and around the vault should be placed as per our recommendations for structural fill and as described in this section of the report. Horizontally backfilled walls, which are free to yield laterally at least 0.1 percent of their height, may be designed using an equivalent fluid equal to 35 pounds per cubic foot (pcf). Fully restrained, horizontally backfilled rigid walls that cannot yield should be designed for an equivalent fluid of 55 pcf. An additional surcharge, due to traffic loading, equivalent to 2 feet of soil should be added in determining lateral design forces.

The lateral pressures presented above are based on the conditions of a uniform horizontal backfill consisting of on-site sandy silt to sand with some silt compacted to 90 percent of ASTM:D 1557. A higher degree of compaction is not recommended, as this will increase the pressure acting on the vault. Surcharges from adjacent footings, heavy construction equipment, or sloping ground must be added to the above values. Footing drains should be provided as discussed under the section on *Drainage Considerations*.

It is imperative that proper drainage be provided so that hydrostatic pressures do not develop against the wall. This would involve installation of a minimum 1-foot-wide blanket drain for the full vault height using imported, washed gravel against the walls.

12.0 ROCKERIES

Rockery walls are shown on the referenced site plan. Rockeries may be used for erosion control of stable cuts into medium dense, natural soils. They should not be used in fill or

loose/soft soil. Where rockeries are not feasible, engineered retaining walls may be used for grade separation. Rockeries should be planned for a maximum height of 10 feet with a backslope no steeper than 2H:1V. In addition, rockeries should be constructed in accordance with City of Kirkland standards. Final rockery locations, heights, and geometry with respect to other site development elements and natural site features should be reviewed by AESI prior to final design completion.

13.0 FLOOR SUPPORT

Slab-on-grade floors may be used over structural fill or natural sediments. Where moisture migration through the floor slab is to be controlled, such as in occupied portions of the units, the floor should be cast atop a minimum of 4 inches of pea gravel to act as a capillary break. A polyethylene plastic vapor barrier should also be used under the floor to help prevent passage of moisture vapor through the floor. We suggest placing a 2- to 3-inch layer of clean sand over the vapor barrier to protect the barrier and to allow some moisture loss through the bottom of the slab to aid in the curing process.

14.0 DRAINAGE CONSIDERATIONS

At the site, wet soils and moisture-sensitive soils were encountered. Traffic across these soils when they are damp or wet will result in disturbance of the otherwise firm stratum. Therefore, prior to site work and construction, the contractor should be prepared to provide drainage and subgrade protection as necessary.

We understand from the site plans that a curtain drain is proposed to be located to the south of the proposed site improvements. This drain should collect both surface and subsurface water and convey it from the building areas. The drain should consist of an 18-inch-wide trench excavated a minimum of 1 foot into the lower dense soils. A rigid, perforated, PVC pipe should be placed near the bottom of the trench, embedded in washed drain rock. The trench should then be backfilled to grade with crushed rock. We recommend placing filter fabric at a depth of approximately 6 inches to prevent fines from plugging the free-draining backfill. The pipe should be sloped to allow gravity discharge to an approved location.

All perimeter footing walls, retaining walls, and the storm water vault walls should be provided with a drain at the footing elevation. Drains should consist of rigid, perforated, PVC pipe surrounded by washed pea gravel. The level of the perforations in the pipe should be set at least 2 inches below the bottom of the footing and the drains should be constructed with sufficient gradient to allow gravity discharge away from the building/vault. The vault walls should be lined with a minimum 12-inch-thick washed gravel blanket provided over the full height of the wall that ties into the footing drain. Roof and surface runoff should not discharge

into the footing drain system, but should be handled by a separate, rigid tightline drain. In planning, exterior grades adjacent to walls should be sloped downward away from the structure to achieve surface drainage.

15.0 PROJECT DESIGN AND CONSTRUCTION MONITORING

At the time of this report, site grading, structural plans, and construction methods had not been finalized, and the recommendations presented herein are preliminary. We are available to provide additional geotechnical consultation as the project design develops and possibly changes from that upon which this report is based. We recommend that AESI perform a geotechnical review of the plans prior to final design completion. In this way, our earthwork and foundation recommendations may be properly interpreted and implemented in the design.

We are also available to provide geotechnical engineering and monitoring services during construction. The integrity of the foundation depends on proper site preparation and construction procedures. In addition, engineering decisions may have to be made in the field in the event that variations in subsurface conditions become apparent. Construction monitoring services are not included in this current scope of work. If these services are desired, please let us know and we will prepare a proposal.

We have enjoyed working with you on this study and are confident that these recommendations will aid in the successful completion of your project. If you should have any questions, or require further assistance, please do not hesitate to call.

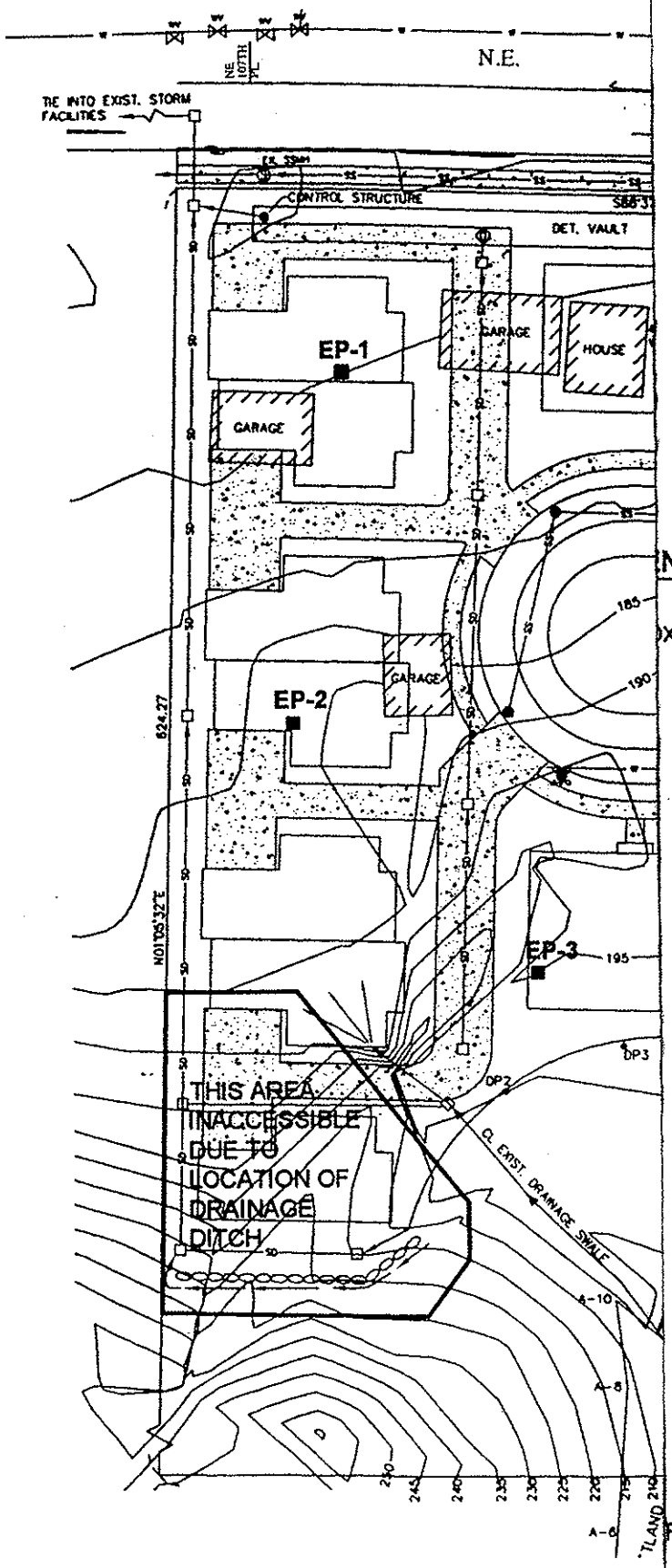
Sincerely,
ASSOCIATED EARTH SCIENCES, INC.
Kirkland, Washington

BRUCE BLYTON
STATE OF WASHINGTON
26890
REGISTERED
PROFESSIONAL ENGINEER
10/3/00
EXPIRES 5/3/02

Melissa A. Bianco, P.E.
Senior Staff Engineer

Bruce L. Blyton, P.E.
Senior Associate Engineer

Attachments: Figure 1: Site and Exploration Plan
Appendix: Exploration Logs



ND

ximate location of exploration pit

N

0 25 50
FEET

RI-COUNTY LAND SURVEYING COMPANY
PARROT, P.E., SEPTEMBER 2000.

Associated Earth Sciences, Inc.

FIGURE 1

DATE 8/00

PROJECT NO. KE00520A

APPENDIX

LOG OF EXPLORATION PIT NO. EP-1

Depth, ft	This log is part of the report prepared by Associated Earth Sciences, Inc. (AESI) for the named project and should be read together with that report for complete interpretation. This summary applies only to the location of this trench at the time of excavation. Subsurface conditions may change at this location with the passage of time. The data presented are a simplification of actual conditions encountered. **DESCRIPTION**
	Fill
1	Loose to medium dense, moist, brown, gravelly silty SAND with pieces of brick, tile, and plastic.
2	
3	Grades to blue-gray, fine SAND with minor organics; strong organic-like odor.
4	
5	**Alluvium/Colluvium**
6	Medium dense, moist, tan SAND.
7	
8	
9	
10	
11	
12	Grades to dense, oxidized.
13	Wet, brown silty SAND.
14	
15	
16	
17	Bottom of exploration pit at depth 16 feet No seepage or caving.
18	
19	
20	

Forbes Creek Station
Kirkland, WA

Logged by: MAB

Approved by:

ASSOCIATED EARTH SCIENCES, INC

Project No. KE00520A

August 2000

KCTP3 00520.GPJ August 23, 2000

LOG OF EXPLORATION PIT NO. EP-2

Depth, ft	This log is part of the report prepared by Associated Earth Sciences, Inc. (AESI) for the named project and should be read together with that report for complete interpretation. This summary applies only to the location of this trench at the time of excavation. Subsurface conditions may change at this location with the passage of time. The data presented are a simplification of actual conditions encountered. **DESCRIPTION**
	Topsoil/Duff
	Alluvium/Colluvium
1	Medium dense, moist, tan, silty fine SAND with silt. Rootlets to 3'.
2	
3	
4	
5	Grades to dense.
6	
7	
8	
9	
10	Grades to wet.
11	
12	
13	Bottom of exploration pit at depth 12 feet No seepage or caving.
14	
15	
16	
17	
18	
19	
20	

Forbes Creek Station
Kirkland, WA

Logged by: MAB

Approved by:

ASSOCIATED EARTH SCIENCES, INC

Project No. KE00520A

August 2000

LOG OF EXPLORATION PIT NO. EP-3

Depth, ft	This log is part of the report prepared by Associated Earth Sciences, Inc. (AESI) for the named project and should be read together with that report for complete interpretation. This summary applies only to the location of this trench at the time of excavation. Subsurface conditions may change at this location with the passage of time. The data presented are a simplification of actual conditions encountered. **DESCRIPTION**
	Fill
1	Medium dense, moist, brown, gravelly silty SAND with roots, plastic.
2	**Alluvium/Colluvium**
3	Medium dense, moist, tan fine SAND with silt to silty fine SAND; small amount of organics.
4	
5	
6	
7	
8	
9	
10	
11	Grades to dense, wet, brown, silty SAND.
12	
13	
14	
15	Grades to light brown.
16	
17	Bottom of exploration pit at depth 16 feet No seepage or caving.
18	
19	
20	

Forbes Creek Station
Kirkland, WA

Logged by: MAB

Approved by:

ASSOCIATED EARTH SCIENCES, INC

Project No. KE00520A

August 2000

KCTP3 00520.GPJ August 23, 2000

LOG OF EXPLORATION PIT NO. EP-4

Depth, ft	This log is part of the report prepared by Associated Earth Sciences, Inc. (AESI) for the named project and should be read together with that report for complete interpretation. This summary applies only to the location of this trench at the time of excavation. Subsurface conditions may change at this location with the passage of time. The data presented are a simplification of actual conditions encountered. **DESCRIPTION**
	Topsoil/Sod
	Alluvium/Colluvium
1	Loose to medium dense, damp, tan, silty SAND to SAND with silt. Small amount of organics.
2	
3	
4	
5	
6	Grades to wet, brown, silty SAND.
7	
8	
9	
10	
11	
12	
13	Bottom of exploration pit at depth 12 feet No seepage or caving.
14	
15	
16	
17	
18	
19	
20	

Forbes Creek Station
Kirkland, WA

Logged by: MAB

Approved by:

ASSOCIATED EARTH SCIENCES, INC

Project No. KE00520A

August 2000

KCTP3 00520.GPJ August 23, 2000

LOG OF EXPLORATION PIT NO. EP-5

Depth, ft	This log is part of the report prepared by Associated Earth Sciences, Inc. (AESI) for the named project and should be read together with that report for complete interpretation. This summary applies only to the location of this trench at the time of excavation. Subsurface conditions may change at this location with the passage of time. The data presented are a simplification of actual conditions encountered. **DESCRIPTION**
	Duff
	Alluvium/Colluvium
1	Loose to medium dense, moist to wet, oxidized gray SAND with silt.
2	
3	
4	
5	
6	
7	Grades to medium dense to dense, wet, gravelly SAND with silt.
	Olympia?
8	Dense, moist to wet, oxidized gray/tan (layers) SAND with silt and gravel. Pieces of wood (9'-10').
9	
10	
11	
12	
13	Bottom of exploration pit at depth 12 feet No seepage or caving.
14	
15	
16	
17	
18	
19	
20	

KCTP3 00520.GPJ August 23, 2000

Forbes Creek Station
Kirkland, WA

Logged by: MAB

Approved by:

ASSOCIATED EARTH SCIENCES, INC

Project No. KE00520A

August 2000

LOG OF EXPLORATION PIT NO. EP-7

Depth, ft	This log is part of the report prepared by Associated Earth Sciences, Inc. (AESI) for the named project and should be read together with that report for complete interpretation. This summary applies only to the location of this trench at the time of excavation. Subsurface conditions may change at this location with the passage of time. The data presented are a simplification of actual conditions encountered. **DESCRIPTION**
	Topsoil/Sod
	Alluvium/Colluvium
1	Loose to medium dense, moist, slightly oxidized tan, fine SAND with rootlets to 3'.
2	
3	
4	
5	
6	
7	Medium dense to dense, wet, brown silty SAND, mica.
8	
9	
10	
11	
12	
13	
14	Oxidized/mottled.
15	
16	Bottom of exploration pit at depth 15 feet No seepage or caving.
17	
18	
19	
20	

Forbes Creek Station
Kirkland, WA

Logged by: MAB

Approved by:

ASSOCIATED EARTH SCIENCES, INC

Project No. KE00520A

August 2000

KCTP3 00520.GPJ August 23, 2000

TECHNICAL MEMORANDUM

TRAFFIC IMPACT ASSESSMENT
FORBES CREEK PUD
KIRKLAND, WASHINGTON

RECEIVED
NOV 24 2004
AM PM
PLANNING DEPARTMENT
BY

November 2004

Prepared for:
Chaffey Homes

GERALYN REINART, P.E.
1319 DEXTER AVENUE NORTH, SUITE 103
SEATTLE, WASHINGTON 98109
(206) 285-9035

ATTACHMENT SEPA 4
FILE NO. PSB04-00002

TECHNICAL MEMORANDUM

TRAFFIC IMPACT ASSESSMENT
FORBES CREEK PUD
KIRKLAND, WASHINGTON

RECEIVED
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PLANNING DEPARTMENT
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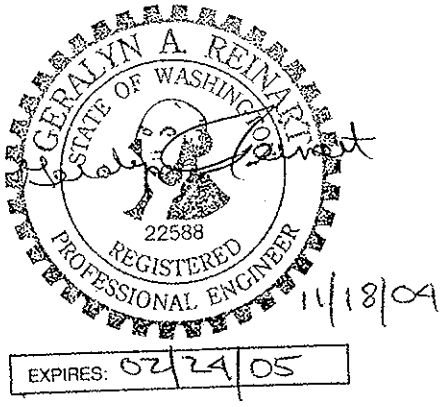
November 2004



Prepared for:
Chaffey Homes

GERALYN REINART, P.E.
1319 DEXTER AVENUE NORTH, SUITE 103
SEATTLE, WASHINGTON 98109
(206) 285-9035

TECHNICAL MEMORANDUM

November 18, 2004

To: Thang Nguyen, Transportation Engineer
City of Kirkland

From: Geralyn Reinart, P.E.

Subject: Forbes Creek PUD - Traffic Impact Assessment

Introduction & Summary

The information that follows summarizes the anticipated transportation impacts resulting from the development of an 11-lot single-family residential subdivision in the City of Kirkland. This report has reviewed the existing traffic conditions in the vicinity of the site, the proposed action and its impacts to the transportation system, and developed the appropriate mitigation as necessary per the requirements of the City of Kirkland Traffic Impact Guidelines.

The results of the analysis indicate that the project will impact one off-site intersection in the City of Kirkland with a proportionate share greater than 1%. The project will have its greatest off-site impact at the Market Street/Forbes Creek Drive intersection with a 1.08% share. Level of service analyses indicate that this intersection is currently operating at level of service "B" and will continue to operate at level of service "B" with or without the development of the PUD. Thus, no intersection improvements are required under SEPA since the proportionate share at this intersection is less than 5% and the level of service is acceptable.

The proposed PUD will be paying a road impact fee to the City based on the number of lots in order to mitigate its system wide traffic impacts. A transportation concurrency certificate is required for this project and was issued separately from this report. Specific details on the project and the analysis of its impacts can be found in the subsequent sections.

The remainder of this report will briefly analyze the effects of the development of the proposed action, and the traffic-related impacts that can be expected on the adjacent intersections and roadways in the area.

Project Description

The proposed Forbes Creek plat will subdivide a 5.58-acre site into 11 single-family lots of 5000 square feet each. Development will occur on approximately 2.21 acres, with a portion of the property left undeveloped. Two existing single-family residences are currently located on the site. The proposed PUD is located on the south side of Forbes Creek Drive in approximately the 10600 block in the south Juanita area, southwest of Totem Lake. Access to the individual lots will be from newly constructed local access streets, one of which will intersect Forbes Creek Drive. No direct access from Forbes Creek Drive to the individual lots will be provided. Build-out and occupancy of the plat is expected by mid-2007.

The area surrounding the site includes a mix of single and multi-family dwellings and undeveloped parcels. A vicinity map of the area is shown on Figure 1 and a reduced copy of the site plan has been attached. The project developer is Chaffey Homes (project contact: Aileen Zavales at 425-822-5981). A prior proposal was submitted for development of the site that would have constructed seven detached and 13 attached single-family residences plus four stacked flats.

Area Conditions

The proposed subdivision will have its primary impacts on Forbes Creek Drive, with minor impacts to Market Street/98th Avenue NE and NE 112th Street. The area surrounding the site consists primarily of a mix of single-family and multi-family development, parks, and undeveloped parcels.

1. <u>Roadways</u>

Forbes Creek Drive is a predominantly east-west arterial adjacent to the project site, connecting Market Street/98th Avenue NE with NE 112th Street and the Totem Lake area. East of Market Street, Forbes Creek Drive is striped for two lanes, with two to three foot paved shoulders on the south side and six foot paved shoulders on the north side. Curb, gutter and sidewalk have been installed along the north side of the street across from the project site and a crosswalk has been marked at 108th Avenue NE. The road is characterized by gentle horizontal and vertical curvature. Forbes Creek Drive curves into 116th Avenue NE where curb, gutter and some sidewalk have been installed. A section of two-way left-turn lane has also been striped for several hundred feet south of NE 112th Street. The posted speed along the roadway is 25 mph and the adjacent land use includes a mix of apartments, single-family residences, and undeveloped parcels/park land.

Market Street/98th Avenue NE is a north-south arterial connecting downtown Kirkland with the Juanita area. South of Forbes Creek Drive the street is striped for one lane in

each direction with channelized left-turn lanes and some merge/acceleration lanes. Curb, gutter, sidewalk, bicycle lanes, streetlights, and center landscaped islands have also been installed. Intermittent pedestrian crossings have been marked. North of Forbes Creek Drive the roadway widens to two lanes in each direction. The area south of Forbes Creek Drive is fronted by a mix of single-family residences and small offices, transitioning to a more commercial area near Juanita Drive. The posted speed ranges from 30 to 35 mph.

NE 112th Street is an east-west arterial striped for three lanes between 120th Avenue NE and 116th Avenue NE, transitioning to a 2 lane section west of 116th Avenue NE. The street is straight with a downgrade in the eastbound direction east of 116th Avenue NE and an at-grade railroad crossing. NE 112th Street includes sections of curb, gutter, and sidewalk and is fronted by light industrial/warehouse/office buildings near 120th Avenue NE, with single-family residences to the west. The posted speed is 25 mph.

2. Transit/Pedestrian/Bicycle Facilities

Metro Transit is responsible for providing bus service in the City of Kirkland. Limited service is provided along Forbes Creek Drive, adjacent to the project site. **Route 236** provides service between Woodinville and the Kirkland Transit Center. This route usually travels along Market Street and NE 116th Street, however, one AM run and one PM run diverts to Forbes Creek Drive. Otherwise additional service (routes #234 and #255) is available from Market Street to the west of the site.

Areas for cyclists have been striped on Market Street/98th Avenue NE and sidewalks have been constructed. The shoulder on the north side of Forbes Creek Drive is wide enough to accommodate cyclists and pedestrians, and the section of street that has been upgraded to an urban standard to the east/northeast of the site is sufficiently wide to accommodate cyclists. Many sections of sidewalk have also been constructed in this area of Forbes Creek Drive to the east/northeast. As noted earlier, a pedestrian crossing has been marked across Forbes Creek Drive at 108th Avenue NE.

3. Traffic Volumes

Daily traffic counts were available from the City of Kirkland for Forbes Creek Drive and Market Street/98th Avenue NE. A PM peak hour turning movement count was also available from the City for the Forbes Creek Drive/Market Street intersection. The 2002 average daily traffic and PM peak hour volumes at the Forbes Creek Drive/Market Street intersection are shown on Figure 2.

Project Traffic/Impacts

The development of the subject site will generate additional traffic onto the adjacent transportation system. The following sections summarize the impacts associated with the development of the subdivision.

1. Trip Generation

The proposed PUD would generate new traffic onto the adjacent roadways. The *ITE Trip Generation Manual* (published by the Institute of Transportation Engineers, 2003, 7th Edition) is typically used to estimate the number of trips expected to be generated by a development. Land Use Code 210, Single-Family Detached Housing, best represents the proposed use. The following table shows the estimated number of trips for the subdivision using the fitted curve equations, with the number of lots as the independent variable. The table also includes a deduction for the two existing single-family residences on the property.

TABLE 1
FORBES CREEK PUD
TRIP GENERATION

	Trip Generation (Using Equations)		
	11 Single-Family Lots	Less 2 Existing Residences	Net New Trips
Daily Trip Equation	0.92 Ln(X)+2.71	0.92 Ln(X)+2.71	
Daily Trips	136	28	108
AM Peak Trip Equation	0.70(X)+9.43	0.70(X)+9.43	
AM Trips Entering	4	3	1
AM Trips Exiting	13	8	5
Total AM Peak Trips	17	11	6
PM Peak Trip Equation	0.90Ln(X)+0.53	0.90Ln(X)+0.53	
PM Trips Entering	9	2	7
PM Trips Exiting	6	1	5
Total PM Peak Trips	15	3	12

The above table shows that the proposed PUD will generate a small amount of traffic. As stated earlier, a prior development proposal was submitted for the site that would have included seven detached and 13 attached single-family residences plus four stacked flats. Using Land Use Code 210 for the detached single-family units and Land Use Code 230 for the attached units and stacked flats, the prior proposal would have generated 204 new daily trips and 21 PM peak hour trips per the ITE equations. Thus, the current proposal of 11 single-family residences would have a lesser impact than the prior proposal.

2. Trip Distribution/Assignment

The new trips associated with the PUD will impact the adjacent streets. The traffic from the site will initially be routed to the east or west on Forbes Creek Drive, with further dispersion to the north or south at Market Street or to the east at NE 112th Street. Access to I-405 is available from NE 116th Street (to and from the south only) and from NE 124th Street. The City of Kirkland provided trip assignment information from the concurrency model run.

Figure 3 shows the trip assignment/distribution for the daily and PM peak hour trips (net new trips). It should be noted that these values are approximate and may vary slightly from day to day. The trip distribution indicates that just over 80% of the site traffic would initially travel to and from the west and just under 20% to and from the east on Forbes Creek Drive. Twenty-five percent of the traffic routed to and from the west would be distributed to and from the north upon reaching Market Street/98th Avenue NE, with the remainder routed to and from the south on Market Street.

3. Traffic Volumes

Figure 4 shows the projected future daily and PM peak hour volumes without the development. The year 2007 has been used as the expected year when the project site would be built out. The daily volumes on Figure 4 have been estimated using a 1% annual background traffic growth rate, and the peak hour volumes were provided by the City of Kirkland. The net new daily and peak hour trips associated with the project were added into these base volumes shown on Figure 4 to produce the "with project" volumes shown on Figure 5. Also shown on Figure 5 are the projected site access volumes.

4. Significant Intersections

A level of service analysis is required for intersections that have a proportionate share greater than 1% at critical intersections. Based on calculations that were performed (and attached in the Appendix), the intersection of Forbes Creek Drive/Market Street would fall under this requirement with a 1.08% share.

"Level of service" is a common term used in the Traffic Engineering profession that is defined as a qualitative measure describing operational conditions within a traffic stream, and its perception by motorists and/or passengers. These conditions are usually described in terms of such factors as speed and travel time, freedom to maneuver, traffic interruptions, comfort and convenience, and safety.

Six levels of service are designated, ranging from "A" to "F", with level of service "A" representing the best operating conditions and level of service "F" the worst. Calculations for the level of service analyses were conducted using the McTrans Highway Capacity Software version 4.1e based on the *2000 Highway Capacity Manual*. The manual traffic counts described earlier were used in these analyses. (Note: the northbound through movement was adjusted for the 72/28 lane utilization split per discussions with City Staff.) The following table shows the current and future levels of service.

TABLE 2
CURRENT & FUTURE PM PEAK HOUR LEVELS OF SERVICE
FORBES CREEK DRIVE/MARKET STREET

	NORTH-BOUND	SOUTH-BOUND	EAST-BOUND	WEST-BOUND	OVERALL
Current	LOS A 9.4 sec.	LOS A 5.4 sec.	LOS D 47.3 sec.	LOS D 49.4 sec.	LOS B 10.4 sec.
2007 w/out project	LOS B 15.5 sec.	LOS A 6.3 sec.	LOS D 47.3 sec.	LOS D 50.1 sec.	LOS B 14.4 sec.
2007 with project	LOS B 15.5 sec.	LOS A 6.3 sec.	LOS D 47.3 sec.	LOS D 50.3 sec.	LOS B 14.4 sec.

Where:

LOS	Delay
A	$\leq$ 10 seconds
B	> 10 & $\leq$ 20 seconds
C	> 20 & $\leq$ 35 seconds
D	> 35 & $\leq$ 55 seconds
E	> 55 & $\leq$ 80 seconds
F	> 80 seconds

(for signalized intersections)

The results of the capacity analyses show that the intersection is currently operating at level of service "B" overall, although the east/west movements are experiencing a level of service "D" condition. The results of the capacity analyses for the future conditions show some minor increases in delay, however, all of the critical movements at the intersection are expected to operate at level of service "D" or better in the future, with or without the project, with the overall level of service at "B".

The Forbes Creek Drive/Market Street intersection was also reviewed for safety conditions. Traffic accident statistics provided by the City of Kirkland showed a total of three reported accidents in 2003, four in 2002, and one in 2001. The accident rates for those years were 0.35, 0.46, and 0.12 respectively. These rates fell below the yearly averages for all three years and discussions with City Staff indicated no major problems at this location.

4. Site Access

The PUD will be served from a single access off Forbes Creek Drive. The projected PM peak hour volumes at the site access have been shown on Figure 5. Level of service calculations have been conducted for this access and are shown in the following table.

TABLE 3
SITE ACCESS PM PEAK HOUR LEVELS OF SERVICE

	NORTH-BOUND	SOUTH-BOUND	EAST-BOUND	WEST-BOUND	OVERALL
Site Access/Forbes Creek Drive	LOS B 10.0+ sec.	N.A.	N.A.	LOS A 7.6 sec.	N.A.

N.A. – not applicable (i.e., calculation not provided for specific analysis or not a critical/conflicting movement)

Where:

LOS	Delay
A	$\leq$ 10 seconds
B	> 10 & $\leq$ 15 seconds
C	> 15 & $\leq$ 25 seconds
D	> 25 & $\leq$ 35 seconds
E	> 35 & $\leq$ 50 seconds
F	> 50 seconds

(for unsignalized intersections)

The results of the capacity analyses indicate that all of the critical movements at the site access will operate at level of service "B" or better during the PM peak hour.

The entering and stopping sight distances along Forbes Creek Drive for the site access were reviewed. Forbes Creek Drive has some minor vertical curvature adjacent to the project site and the posted speed is 25 mph. The entering sight distance for the new access was measured (by American Engineering Corporation) and exceeds 390 feet to the west and east. The required entering sight distance is 390 feet (using current AASHTO standards) for a 35-mph design speed. The stopping sight distance exceeds 250 feet from both the east and west. The required stopping sight distance is 250 feet for a 35-mph design speed.

Accident data for the section of Forbes Creek Drive adjacent to the project site was also requested from the City of Kirkland. The accident database showed only one accident in the vicinity. This collision occurred in 1991 at the 107th Place NE/Forbes Creek Drive intersection. No other collisions had been reported in this area.

Conclusions/Recommendations

Development of the Forbes Creek PUD for single-family residences would have a small impact on the adjacent streets. The site is located in a residential area of northwest Kirkland. The new single-family residences would generate just under 110 daily trips, with 12 new trips during the PM peak hour. The impact to any street or intersection would be minor.

The City of Kirkland's traffic impact analysis guidelines require a calculation of the project's proportionate share at critical intersections that will be impacted by the project. One intersection, Forbes Creek Drive/Market Street, would be impacted by the project with a 1.08% proportionate share. Intersections with a proportionate share greater than 1% are considered significant; however, the installation of an improvement is not required until the share is more than 15% for LOS "E", or 5-15% for LOS "F". Thus, improvements to the one impacted intersection are not required due to the low proportionate share and the acceptable level of service. The accident history was also reviewed at this intersection and no high accident rates have occurred here.

The project will be paying a road impact fee to the City based on the number of lots to mitigate its system wide traffic impacts. Furthermore, half-street improvements including curb, gutter, sidewalk, and street trees will be constructed along the PUD frontage. These improvements will require the dedication of two feet of additional right-of-way. The project will also be constructing a walkway from the site frontage to the existing Forbes Creek stairs within the existing right-of-way and paving the bottom portion of the trail, repairing existing steps (as needed) and installing a handrail.

No other mitigation is recommended at this time.

FIGURES/ATTACHMENTS

Proportional Share Impact Worksheet

Input cells in green with appropriate information

[1] See "*Intersection Description*" worksheet for descriptions

1. May Change without notice, call Thang Nguyen 425-576-2901 if unsure.

			Through Lanes[1]
Project Name:	Forbes Creek PUD		
Major Street[1]	Forbes Creek Drive	# of Lanes*=	1
Minor Street[1]	Site Access	# of Lanes*=	1

DATE:

10/23/00

Daily Project Traffic Entering the Intersection

		Daily Volumes	*Entering Volumes**		
(Total of both approaches divided by two)	Major Street Volume V_1 =	54	90	18	*Major*
(Total of both approaches divided by two)	Minor Street Volume V_2 =	54	0	108	*Minor*

***Do not leave cell empty for zero volume**

Determine Geometric Factors

Number of Lanes		Geometric Factors			
Major Street	Minor Street	f_1	f_2	f_3	f_4
2	2	1.000	1.330	1.000	1.330
2	1	1.000	1.000	1.000	1.000
1	2	0.833	1.330	0.833	1.330
1	1	0.833	1.000	0.833	1.000

f_1	f_2	f_3	f_4
0.833	***1***	***0.833***	***1***

Calculate Base Percentages

$P_1=V_1/(10{,}000 \times f_1)$ =	0.65%
$P_2=V_2/(5{,}000 \times f_2)$ =	1.08%
$P_3=V_1/(15{,}000 \times f_3)$ =	0.43%
$P_4=V_2/(2{,}500 \times f_4)$ =	2.16%

Calculate Proportional Share

$S_1=(P_1+P_2)/2$=	0.86%
$S_2=(P_3+P_4)/2$=	1.30%

Intersection Proportional Share = Maximum of S1 and S2 = 1.30%

Significant Intersection? **yes**

*Number of through lanes. Do not count exclusive turn lanes. Use the smaller number of lanes if the number of lanes is unequal on two legs. For Example, if one minor leg has two lanes and one minor leg has one lane, the number of lanes on the minor leg is one.

Computed By: G. Reinart

Company: Geralyn Reinart, P.E.

Proportional Share Impact Worksheet

Input cells in green with appropriate information

[1] See "*Intersection Description*" worksheet for descriptions

1. May Change without notice, call Thang Nguyen 425-576-2901 if unsure.

			Through Lanes[1]
Project Name:	Forbes Creek PUD		
Major Street[1]	Market Street	# of Lanes*=	1
Minor Street[1]	Forbes Creek Drive	# of Lanes*=	1

DATE:

10/23/00

Daily Project Traffic Entering the Intersection

		Daily Volumes	*Entering Volumes* *		
(Total of both approaches divided by two)	Major Street Volume V_1 =	45	63	27	*Major*
(Total of both approaches divided by two)	Minor Street Volume V_2 =	45	0	90	*Minor*

***Do not leave cell empty for zero volume**

Determine Geometric Factors

Number of Lanes		Geometric Factors			
Major Street	Minor Street	f_1	f_2	f_3	f_4
2	2	1.000	1.330	1.000	1.330
2	1	1.000	1.000	1.000	1.000
1	2	0.833	1.330	0.833	1.330
1	1	0.833	1.000	0.833	1.000

f_1	f_2	f_3	f_4
0.833	***1***	***0.833***	***1***

Calculate Base Percentages

$P_1=V_1/(10{,}000 \times f_1)$ =	0.54%
$P_2=V_2/(5{,}000 \times f_2)$ =	0.90%
$P_3=V_1/(15{,}000 \times f_3)$ =	0.36%
$P_4=V_2/(2{,}500 \times f_4)$ =	1.80%

Calculate Proportional Share

$S_1=(P_1+P_2)/2$=	0.72%
$S_2=(P_3+P_4)/2$=	1.08%

Intersection Proportional Share = Maximum of S1 and S2 = 1.08%

Significant Intersection? **yes**

*Number of through lanes. Do not count exclusive turn lanes. Use the smaller number of lanes if the number of lanes is unequal on two legs. For Example, if one minor leg has two lanes and one minor leg has one lane, the number of lanes on the minor leg is one.

Computed By:	G. Reinart
Company:	Geralyn Reinart, P.E.

2004 concurrency test

1) Project ID: Forbes Creek Chaffey Homes single-family development		4) Transportation Concurrency Status: PASS	6) Transportation Concurrency Certificate Date:
2) Project Description: replace a single-family home with 11 new single-family homes		5) Transportation Concurrency Test Date: 20-Oct-04	7) Certificate of Occupancy Date
3) Build-out Year: 2007			

SUMMARY OF TRAFFIC IMPACTS

8) Daily Trips 108	PM Peak Trips: 12	Impacted Subarea(s): SW,NW	TAZ: 281	

Signalized Intersection PM Peak Traffic Impact

Code	Intersection	Project PM Peak Turning Volumes: Eastbound LT	Eastbound TH	Eastbound RT	Westbound LT	Westbound TH	Westbound RT	Northbound LT	Northbound TH	Northbound RT	Southbound LT	Southbound TH	Southbound RT	PM Peak Trips	Daily Trips	Sum of Critical Vol*	Vol. Capacity Ratio*
102	Lake Wash/Lakeview Dr													0		1194	0.87
107	Central Way/Lake St		1											1		1231	0.86
108	Lake St/Kirkland Ave													0		904	0.60
201	98th Ave NE/Juanita Dr			1	1	2						1		5		1167	0.82
202	100th Ave NE/NE 124th St								1	1		1		3		1379	1.00
205	Market St/Forbes Creek				3		1			4	2			10		1246	0.87
	#N/A													0		#N/A	#N/A
	#N/A													0		#N/A	#N/A
	#N/A													0		#N/A	#N/A
	#N/A													0		#N/A	#N/A
	#N/A													0		#N/A	#N/A
	#N/A													0		#N/A	#N/A
	#N/A													0		#N/A	#N/A
	#N/A													0		#N/A	#N/A
	#N/A													0		#N/A	#N/A
	#N/A													0		#N/A	#N/A
	#N/A													0		#N/A	#N/A
	#N/A													0		#N/A	#N/A

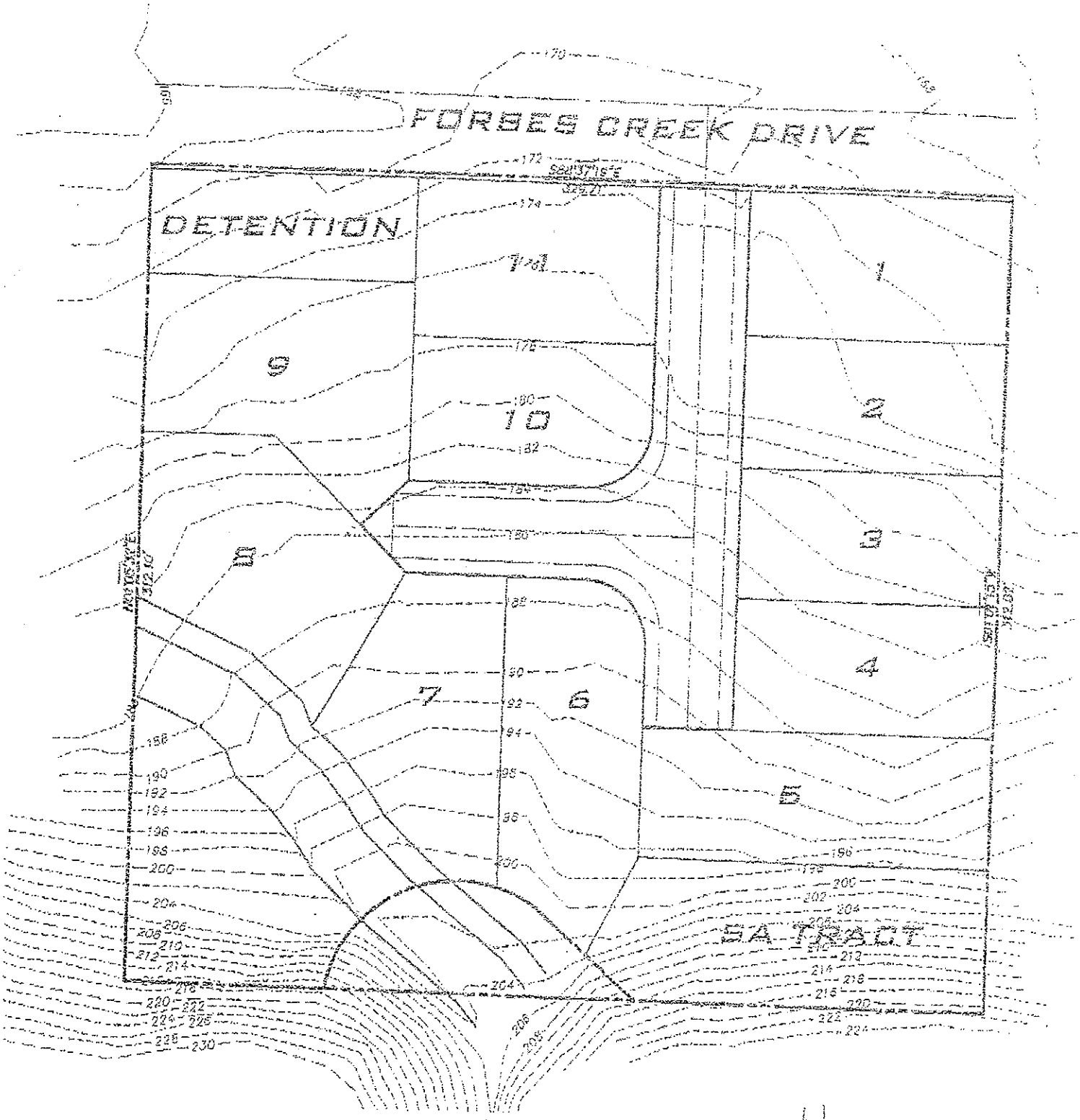
Transportation Concurrency Test

Subarea No	LOS Standards: A= Max. Intersection LOS	B=Average 2009 V/C	LOS with Project Impacts: a=No. exceeding 1.4	b=Average V/C	a <= A?	b<= B?
Southwest (1xx)	1.4	1.01	0	0.90	yes	yes
Northwest (2xx)	1.4	1.20	0	0.95	yes	yes
Northeast (3xx)	1.4	1.04	0	0.86	yes	yes
East(4xx)	1.4	1.10	0	1.02	yes	yes

TEST RESULTS

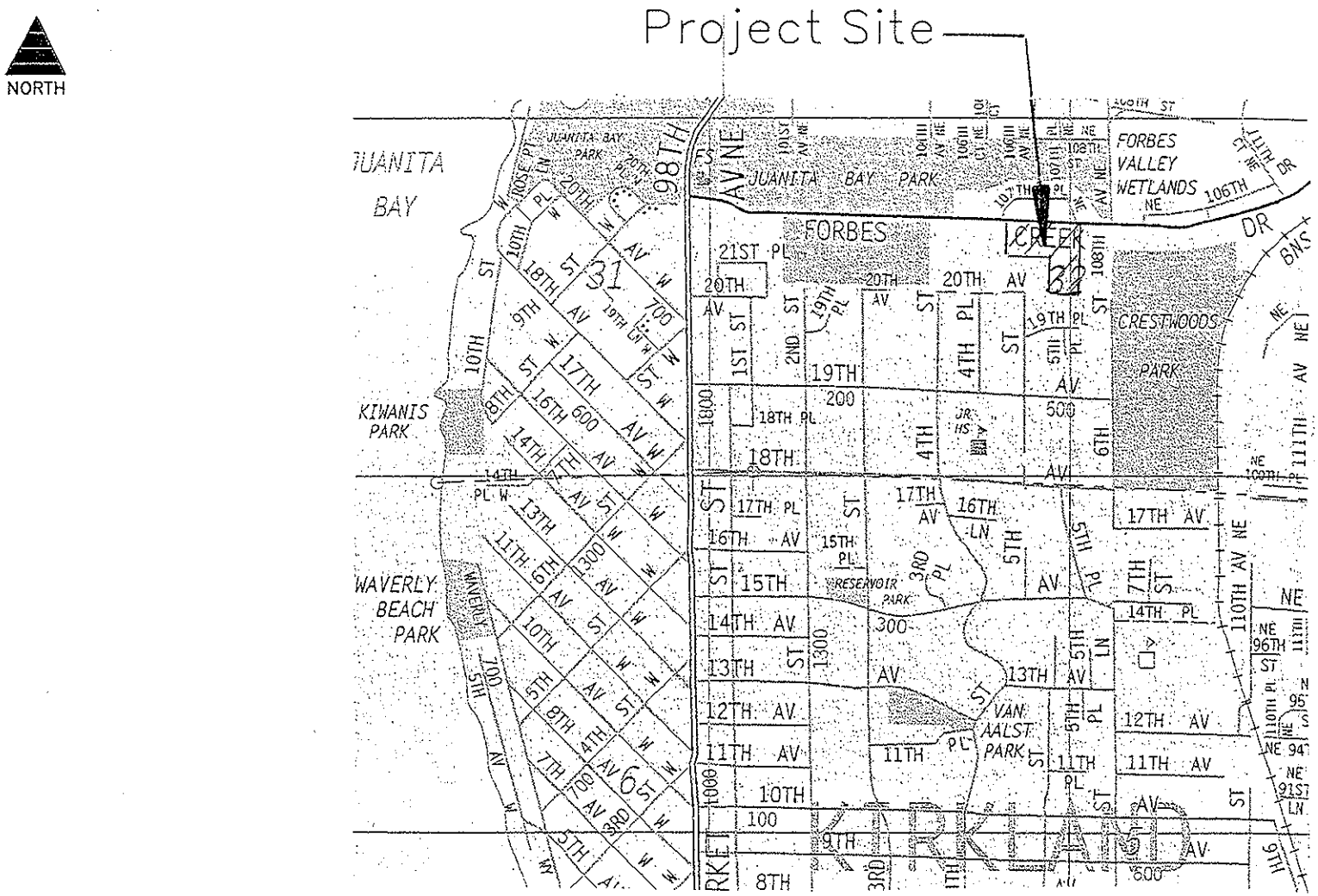
Result: PASS

* Based on Critical Movement, Planning Method TRC #212.
1. Number of intersection exceeding Average V/C LOS Standard (2012)
1. Sixth Year Target Average V/C ratio, see step 6, part 1 of the guidelines



1" = 50'

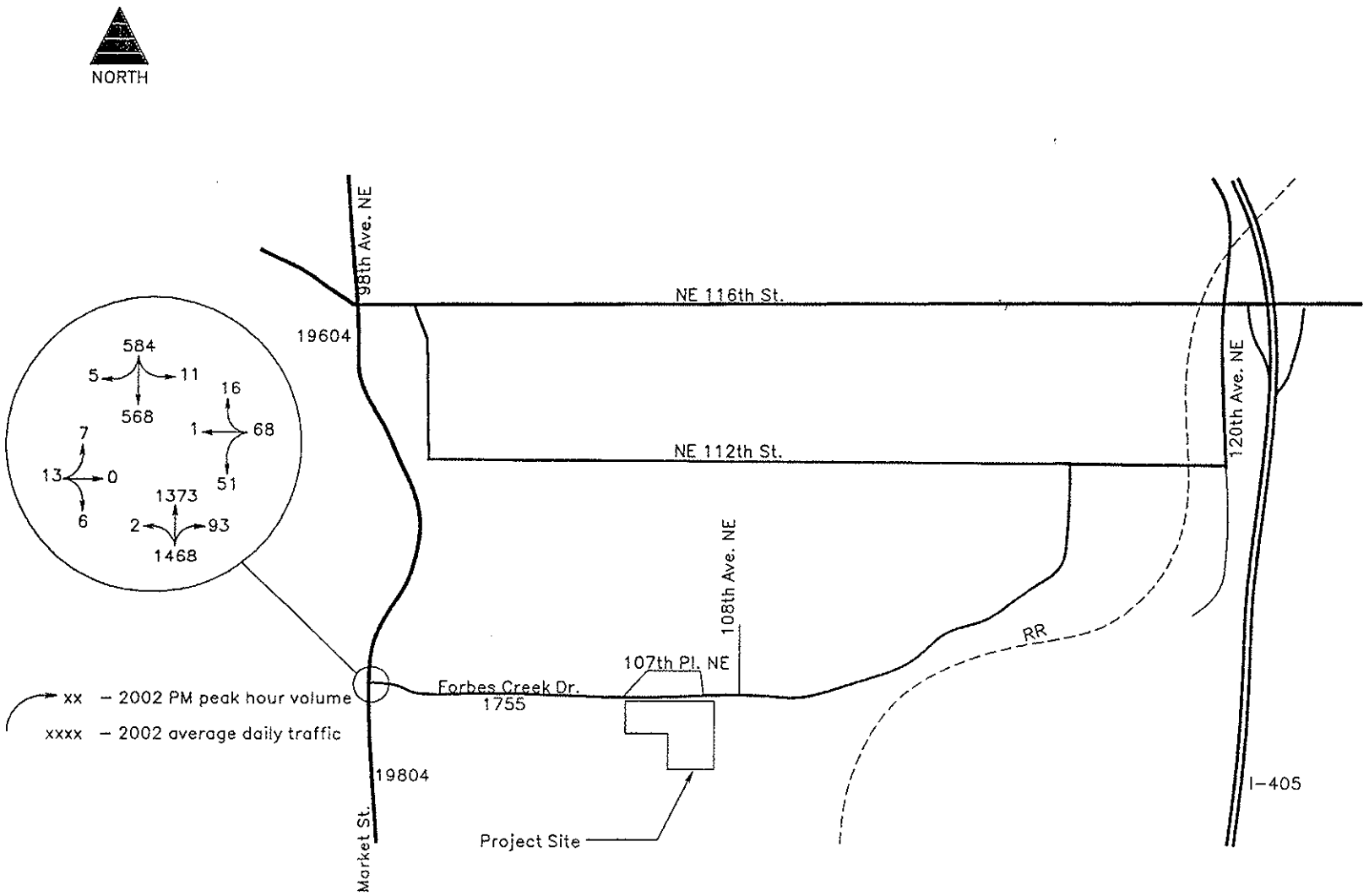
N



PROJECT VICINITY MAP
FIGURE 1

Geralyn Reinart, P.E.
1319 Dexter Avenue North, #103
Seattle, WA. 98109

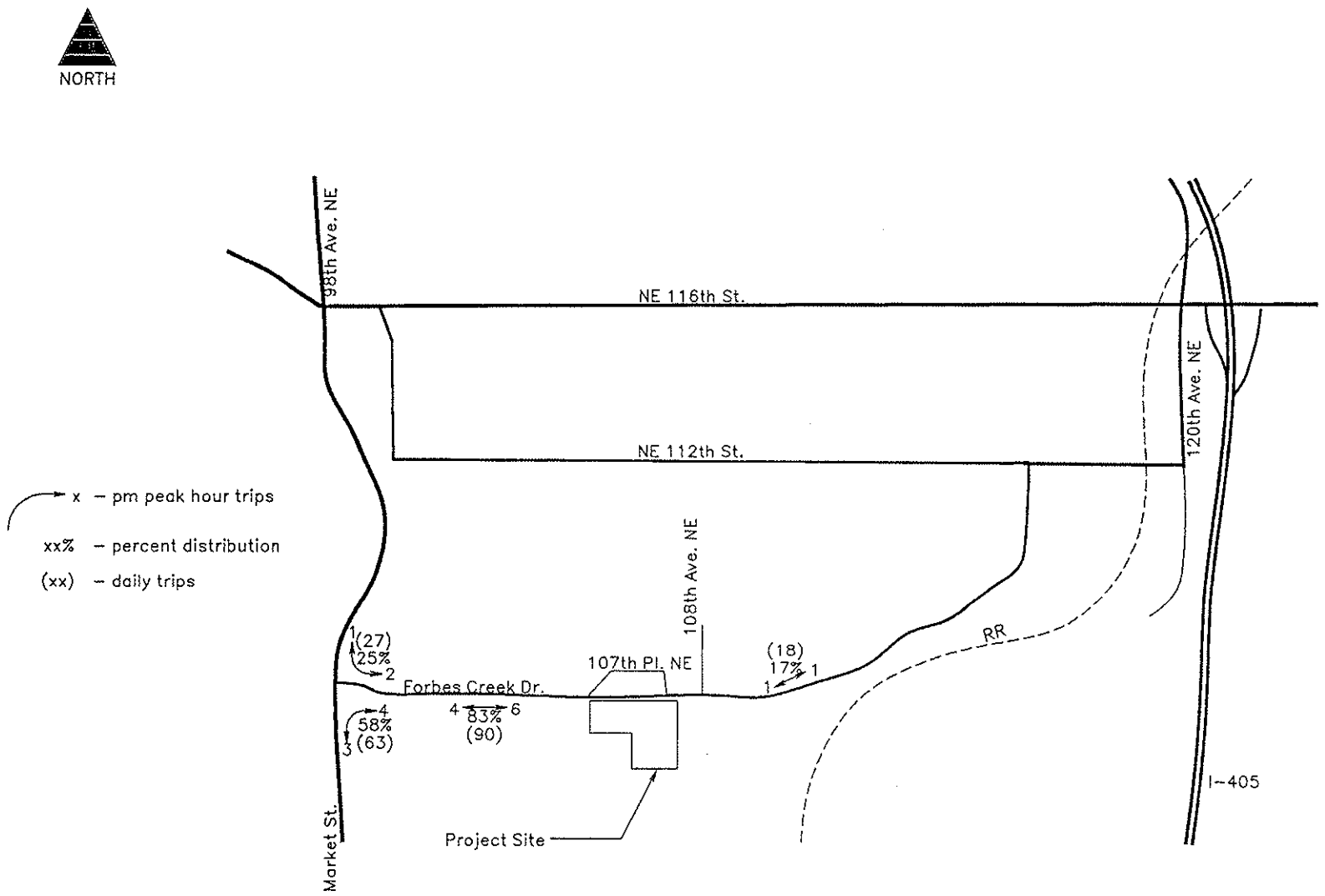
Forbes Creek PUD
Kirkland, WA.



EXISTING DAILY & PM PEAK HOUR VOLUMES
FIGURE 2

Geralyn Reinart, P.E.
1319 Dexter Avenue North, #103
Seattle, WA. 98109

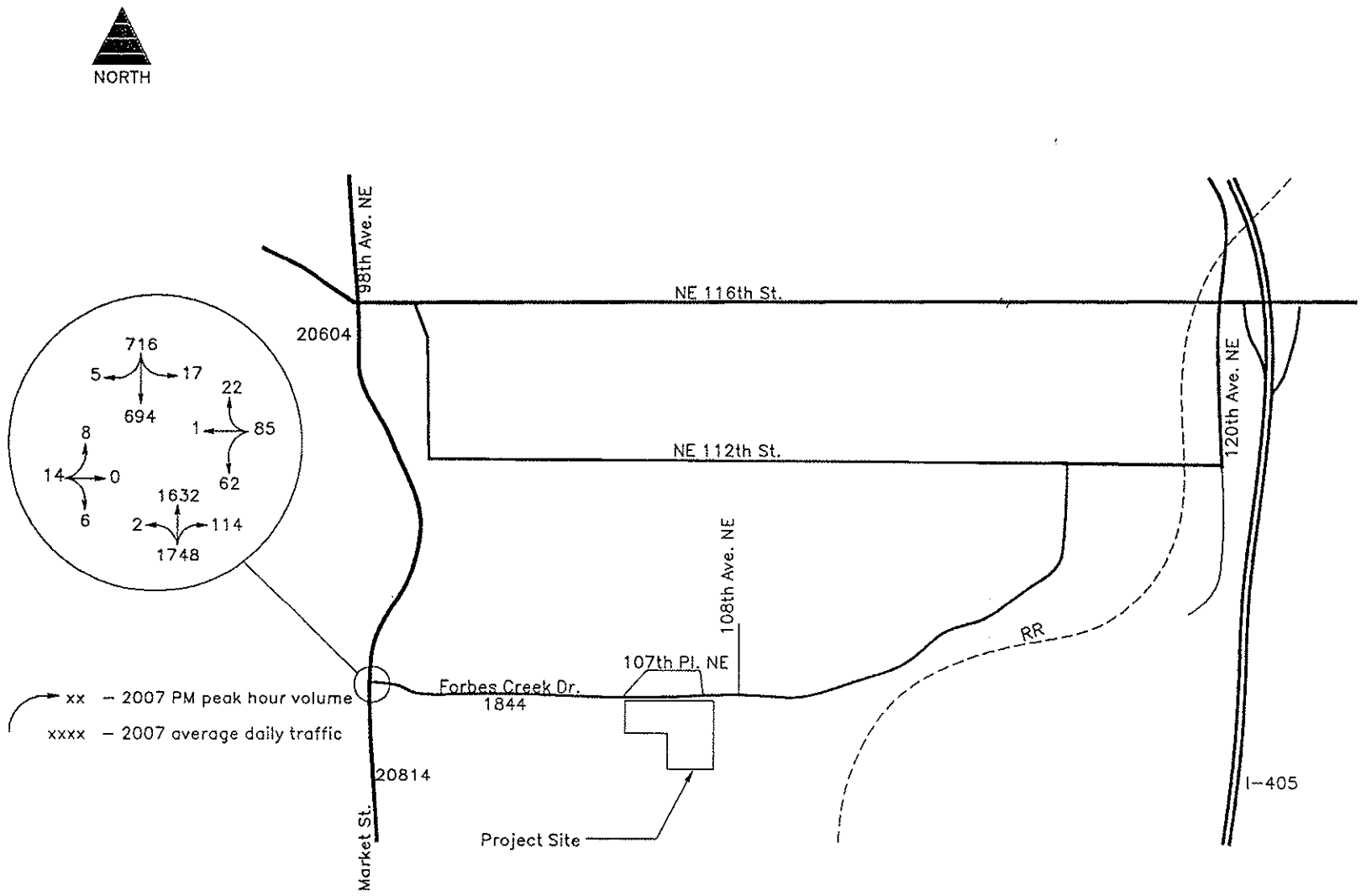
Forbes Creek PUD
Kirkland, WA.



ESTIMATED DAILY & PM PEAK HOUR TRIP ASSIGNMENT/DISTRIBUTION
FIGURE 3

Geralyn Reinart, P.E.
1319 Dexter Avenue North, #103
Seattle, WA. 98109

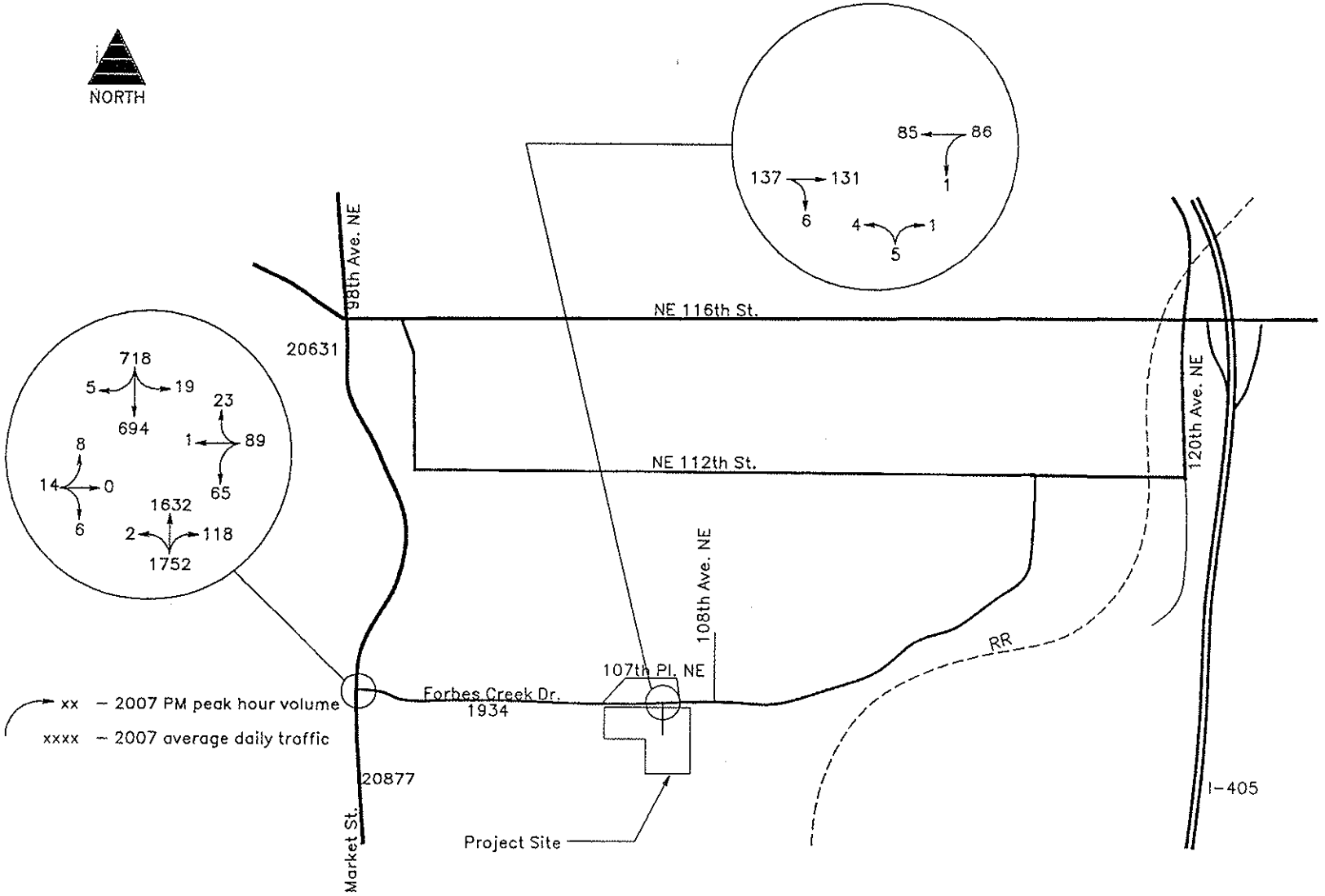
Forbes Creek PUD
Kirkland, WA.



2007 ESTIMATED DAILY & PM PEAK HOUR VOLUMES - WITHOUT PROJECT
FIGURE 4

Geralyn Reinart, P.E.
1319 Dexter Avenue North, #103
Seattle, WA. 98109

Forbes Creek PUD
Kirkland, WA.



2007 ESTIMATED DAILY & PM PEAK HOUR VOLUMES - WITH PROJECT
FIGURE 5

Geralyn Reinart, P.E.
1319 Dexter Avenue North, #103
Seattle, WA. 98109

Forbes Creek PUD
Kirkland, WA.

HCS2000: Signalized Intersections Release 4.1e

Analyst: gr
Agency:
Date: 10/27/2004
Period: pm peak hour
Project ID: Forbes Creek PUD
E/W St: Forbes Creek Drive

Inter.: Market St./Forbes Creek Dr.
Area Type: All other areas
Jurisd: City of Kirkland
Year : Existing

N/S St: Market St.

SIGNALIZED INTERSECTION SUMMARY

	Eastbound			Westbound			Northbound			Southbound		
	L	T	R	L	T	R	L	T	R	L	T	R
No. Lanes	0	1	0	0	1	1	1	1	1	1	1	0
LGConfig		LTR			LT	R	L	T	R	L	TR	
Volume	7	0	6	51	1	16	2	989	93	11	568	5
Lane Width		12.0			11.0	11.0	12.0	11.0	11.0	12.0	11.0	
RTOR Vol			0			0			0			0

Duration 0.25 Area Type: All other areas

Signal Operations

Phase Combination	1	2	3	4		5	6	7	8
EB Left	A				NB Left	A			
Thru	A				Thru	A			
Right	A				Right	A			
Peds					Peds				
WB Left	A				SB Left	A			
Thru	A				Thru	A			
Right	A				Right	A			
Peds					Peds				
NB Right					EB Right				
SB Right					WB Right				
Green	20.0					100.0			
Yellow	3.0					4.0			
All Red	1.0					2.0			

Cycle Length: 130.0 secs

Intersection Performance Summary

Appr/ Lane Grp	Lane Group Capacity	Adj Sat Flow Rate (s)	Ratios v/c	Ratios g/C	Lane Group Delay	Lane Group LOS	Approach Delay	Approach LOS
Eastbound								
LTR	242	1575	0.08	0.15	47.3	D	47.3	D
Westbound								
LT	203	1320	0.33	0.15	50.0	D	49.4	D
R	239	1553	0.09	0.15	47.3	D		
Northbound								
L	572	744	0.00	0.77	3.5	A		
T	1406	1828	0.73	0.77	9.9	A	9.4	A
R	1207	1569	0.08	0.77	3.7	A		
Southbound								
L	281	365	0.04	0.77	3.6	A		
TR	1390	1807	0.44	0.77	5.5	A	5.4	A

Intersection Delay = 10.4 (sec/veh) Intersection LOS = B

HCS2000: Signalized Intersections Release 4.1e

Geralyn Reinart, P.E.

1319 Dexter Ave. North, #103
Seattle, WA. 98109

Phone: (206) 285-9035 Fax: (206) 285-6345
E-Mail:

OPERATIONAL ANALYSIS

Analyst: gr
Agency/Co.:
Date Performed: 10/27/2004
Analysis Time Period: pm peak hour
Intersection: Market St./Forbes Creek Dr.
Area Type: All other areas
Jurisdiction: City of Kirkland
Analysis Year: Existing
Project ID: Forbes Creek PUD
East/West Street: Forbes Creek Drive
North/South Street: Market St.

VOLUME DATA

	Eastbound			Westbound			Northbound			Southbound		
	L	T	R	L	T	R	L	T	R	L	T	R
Volume	7	0	6	51	1	16	2	989	93	11	568	5
% Heavy Veh	0	0	0	0	0	0	0	1	0	0	1	0
PHF	0.65	0.65	0.65	0.77	0.77	0.77	0.96	0.96	0.96	0.93	0.93	0.93
PK 15 Vol	3	0	2	17	1	5	1	258	24	3	153	2
Hi Ln Vol												
% Grade		0			1			-1			1	
Ideal Sat		1900			1900	1900	1900	1900	1900	1900	1900	
ParkExist												
NumPark												
No. Lanes	0	1	0	0	1	1	1	1	1	1	1	0
LGConfig		LTR			LT	R	L	T	R	L	TR	
Lane Width		12.0			11.0	11.0	12.0	11.0	11.0	12.0	11.0	
RTOR Vol			0			0			0			0
Adj Flow		20			67	21	2	1030	97	12	616	
%InSharedLn												
Prop LTs		0.550			0.985		1.000	0.000		1.000	0.000	
Prop RTs	0.450			0.000	1.000		0.000	1.000		0.008		
Peds Bikes	0			0			0			0		
Buses		0			0	0	0	0	0	0	0	
%InProtPhase												

Duration 0.25 Area Type: All other areas

OPERATING PARAMETERS

	Eastbound			Westbound			Northbound			Southbound		
	L	T	R	L	T	R	L	T	R	L	T	R
Init Unmet		0.0			0.0	0.0	0.0	0.0	0.0	0.0	0.0	
Arriv. Type		3			3	3	3	3	3	3	3	
Unit Ext.		3.0			3.0	3.0	3.0	3.0	3.0	3.0	3.0	
I Factor		1.000			1.000			1.000			1.000	
Lost Time		2.0			2.0	2.0	2.0	2.0	2.0	2.0	2.0	
Ext of g		2.0			2.0	2.0	2.0	2.0	2.0	2.0	2.0	

Ped Min g	3.2	3.2	3.2	3.2

PHASE DATA

Phase Combination	1	2	3	4	5	6	7	8
EB Left	A				NB Left	A		
Thru	A				Thru	A		
Right	A				Right	A		
Peds					Peds			
WB Left	A				SB Left	A		
Thru	A				Thru	A		
Right	A				Right	A		
Peds					Peds			
NB Right					EB Right			
SB Right					WB Right			
Green	20.0				100.0			
Yellow	3.0				4.0			
All Red	1.0				2.0			

Cycle Length: 130.0 secs

VOLUME ADJUSTMENT AND SATURATION FLOW WORKSHEET

Volume Adjustment

	Eastbound			Westbound			Northbound			Southbound		
	L	T	R	L	T	R	L	T	R	L	T	R
Volume, V	7	0	6	51	1	16	2	989	93	11	568	5
PHF	0.65	0.65	0.65	0.77	0.77	0.77	0.96	0.96	0.96	0.93	0.93	0.93
Adj flow	11	0	9	66	1	21	2	1030	97	12	611	5
No. Lanes	0	1	0	0	1	1	1	1	1	1	1	0
Lane group		LTR			LT	R	L	T	R	L	TR	
Adj flow		20			67	21	2	1030	97	12	616	
Prop LTs		0.550			0.985		1.000	0.000		1.000	0.000	
Prop RTs		0.450			0.000	1.000		0.000	1.000		0.008	

Saturation Flow Rate (see Exhibit 16-7 to determine the adjustment factors)

	Eastbound			Westbound		Northbound			Southbound		
LG	LTR			LT	R	L	T	R	L	TR	
So	1900			1900	1900	1900	1900	1900	1900	1900	
Lanes 0	1	0	0	1	1	1	1	1	1	1	0
fW	1.000			0.967	0.967	1.000	0.967	0.967	1.000	0.967	
fHV	1.000			1.000	1.000	1.000	0.990	1.000	1.000	0.990	
fG	1.000			0.995	0.995	1.005	1.005	1.005	0.995	0.995	
fP	1.000			1.000	1.000	1.000	1.000	1.000	1.000	1.000	
fBB	1.000			1.000	1.000	1.000	1.000	1.000	1.000	1.000	
fA	1.000			1.000	1.000	1.000	1.000	1.000	1.000	1.000	
fLU	1.000			1.000	1.000	1.000	1.000	1.000	1.000	1.000	
fRT	0.939			1.000	0.850		1.000	0.850		0.999	
fLT	0.882			0.722		0.390	1.000		0.193	1.000	
Sec.											
fLpb	1.000			1.000		1.000	1.000		1.000	1.000	
fRpb	1.000			1.000	1.000		1.000	1.000		1.000	
S	1575			1320	1553	744	1828	1569	365	1807	
Sec.											

CAPACITY AND LOS WORKSHEET

Capacity Analysis and Lane Group Capacity

Appr/ Mvmt	Lane Group	Adj Flow Rate (v)	Adj Sat Flow Rate (s)	Flow Ratio (v/s)	Green Ratio (g/C)	--Lane Group-- Capacity (c)	v/c Ratio
Eastbound							
Prot							
Perm							
Left							
Prot							
Perm							
Thru	LTR	20	1575	0.01	0.15	242	0.08
Right							
Westbound							
Prot							
Perm							
Left							
Prot							
Perm							
Thru	LT	67	1320	# 0.05	0.15	203	0.33
Right	R	21	1553	0.01	0.15	239	0.09
Northbound							
Prot							
Perm							
Left	L	2	744	0.00	0.77	572	0.00
Prot							
Perm							
Thru	T	1030	1828	# 0.56	0.77	1406	0.73
Right	R	97	1569	0.06	0.77	1207	0.08
Southbound							
Prot							
Perm							
Left	L	12	365	0.03	0.77	281	0.04
Prot							
Perm							
Thru	TR	616	1807	0.34	0.77	1390	0.44
Right							

Sum of flow ratios for critical lane groups, Yc = Sum (v/s) = 0.61
Total lost time per cycle, L = 10.00 sec
Critical flow rate to capacity ratio, Xc = (Yc)(C)/(C-L) = 0.67

Control Delay and LOS Determination

Appr/ Lane Grp	Ratios v/c	Ratios g/C	Unf Del d1	Prog Adj Fact	Lane Grp Cap	Incremental Factor k	Incremental Del d2	Res Del d3	Lane Group Delay	Lane Group LOS	Approach Delay	Approach LOS
Eastbound												
LTR	0.08	0.15	47.1	1.000	242	0.11	0.1	0.0	47.3	D	47.3	D
Westbound												
LT	0.33	0.15	49.0	1.000	203	0.11	1.0	0.0	50.0	D	49.4	D
R	0.09	0.15	47.2	1.000	239	0.11	0.2	0.0	47.3	D		
Northbound												
L	0.00	0.77	3.5	1.000	572	0.11	0.0	0.0	3.5	A		
T	0.73	0.77	7.9	1.000	1406	0.29	2.0	0.0	9.9	A	9.4	A
R	0.08	0.77	3.7	1.000	1207	0.11	0.0	0.0	3.7	A		
Southbound												
L	0.04	0.77	3.6	1.000	281	0.11	0.1	0.0	3.6	A		

TR	0.44	0.77	5.3	1.000	1390	0.11	0.2	0.0	5.5	A	5.4	A

Intersection delay = 10.4 (sec/veh) Intersection LOS = B

SUPPLEMENTAL PERMITTED LT WORKSHEET
for exclusive lefts

Input

	EB	WB	NB	SB
Opposed by Single(S) or Multiple(M) lane approach			M	M
Cycle length, C 130.0 sec				
Total actual green time for LT lane group, G (s)			100.0	100.0
Effective permitted green time for LT lane group, g(s)			100.0	100.0
Opposing effective green time, go (s)			100.0	100.0
Number of lanes in LT lane group, N			1	1
Number of lanes in opposing approach, No			1	1
Adjusted LT flow rate, VLT (veh/h)			2	12
Proportion of LT in LT lane group, PLT			1.000	1.000
Proportion of LT in opposing flow, PLTo			0.00	0.00
Adjusted opposing flow rate, Vo (veh/h)			616	1030
Lost time for LT lane group, tL			6.00	6.00
Computation				
LT volume per cycle, LTC=VLTC/3600			0.07	0.43
Opposing lane util. factor, fLUo	1.000	1.000	1.000	1.000
Opposing flow, Volc=VoC/[3600(No)fLUo] (veh/ln/cyc)			22.24	37.19
gf=G[exp(- a * (LTC ** b))]-tl, gf<=g			0.0	0.0
Opposing platoon ratio, Rpo (refer Exhibit 16-11)			1.00	1.00
Opposing Queue Ratio, qro=Max[1-Rpo(go/C),0]			0.23	0.23
gq, (see Exhibit C16-4,5,6,7,8)			9.61	34.13
gu=g-gq if gq>=gf, or = g-gf if gq<gf			90.39	65.87
n=Max(gq-gf)/2,0)			4.80	17.06
PTHo=1-PLTo			1.00	1.00
PL*=PLT[1+(N-1)g/(gf+gu/EL1+4.24)]			1.00	1.00
EL1 (refer to Exhibit C16-3)			2.32	3.42
EL2=Max((1-Ptho**n)/Plto, 1.0)				
fmin=2(1+PL)/g or fmin=2(1+Pl)/g			0.04	0.04
gdiff=max(gq-gf,0)			0.00	0.00
fm=[gf/g]+[gu/g]/[1+PL(EL1-1)], (min=fmin;max=1.00)			0.39	0.19
flt=fm=[gf/g]+[gu/g]/[1+PL(EL1-1)]+[gdiff/g]/[1+PL(EL2-1)],(fmin<=fm<=1.00)				
or flt=[fm+0.91(N-1)]/N**				
Left-turn adjustment, fLT			0.390	0.193

For special case of single-lane approach opposed by multilane approach, see text.

* If Pl>=1 for shared left-turn lanes with N>1, then assume de-facto left-turn lane and redo calculations.

** For permitted left-turns with multiple exclusive left-turn lanes, flt=fm.

For special case of multilane approach opposed by single-lane approach or when gf>gq, see text.

SUPPLEMENTAL PERMITTED LT WORKSHEET
for shared lefts

Input

	EB	WB	NB	SB
Opposed by Single(S) or Multiple(M) lane approach	M	S		
Cycle length, C 130.0 sec				
Total actual green time for LT lane group, G (s)	20.0	20.0		
Effective permitted green time for LT lane group, g(s)	20.0	20.0		
Opposing effective green time, go (s)	20.0	20.0		

Number of lanes in LT lane group, N	1	1		
Number of lanes in opposing approach, No	1	1		
Adjusted LT flow rate, VLT (veh/h)	11	66		
Proportion of LT in LT lane group, PLT	0.550	0.985	0.000	0.000
Proportion of LT in opposing flow, PLTo	0.99	0.55		
Adjusted opposing flow rate, Vo (veh/h)	67	20		
Lost time for LT lane group, tL	4.00	4.00		
Computation				
LT volume per cycle, LTC=VLTC/3600	0.40	2.38		
Opposing lane util. factor, fLUo	1.000	1.000	1.000	1.000
Opposing flow, Volc=VoC/[3600(No)fLUo] (veh/ln/cyc)	2.42	0.72		
gf=G[exp(- a * (LTC ** b))]-tl, gf<=g	8.7	0.5		
Opposing platoon ratio, Rpo (refer Exhibit 16-11)	1.00	1.00		
Opposing Queue Ratio, qro=Max[1-Rpo(go/C),0]	0.85	0.85		
gq, (see Exhibit C16-4,5,6,7,8)	4.12	0.00		
gu=g-gq if gq>=gf, or = g-gf if gq<gf	11.31	19.47		
n=Max(gq-gf)/2,0)	0.00	0.00		
PTHo=1-PLTo	0.01	0.45		
PL*=PLT[1+(N-1)g/(gf+gu/EL1+4.24)]	0.55	0.99		
EL1 (refer to Exhibit C16-3)	1.48	1.40		
EL2=Max((1-Ptho**n)/Plto, 1.0)	1.00	1.00		
fmin=2(1+PL)/g or fmin=2(1+Pl)/g	0.16	0.20		
gdiff=max(gq-gf,0)	0.00	0.00		
fm=[gf/g]+[gu/g]/[1+PL(EL1-1)], (min=fmin;max=1.00)	0.88	0.72		
flt=fm=[gf/g]+[gu/g]/[1+PL(EL1-1)]+[gdiff/g]/[1+PL(EL2-1)],(fmin<=fm<=1.00) or flt=[fm+0.91(N-1)]/N**				
Left-turn adjustment, fLT	0.882	0.722		

For special case of single-lane approach opposed by multilane approach, see text.

* If Pl>=1 for shared left-turn lanes with N>1, then assume de-facto left-turn lane and redo calculations.

** For permitted left-turns with multiple exclusive left-turn lanes, flt=fm.

For special case of multilane approach opposed by single-lane approach or when gf>gq, see text.

SUPPLEMENTAL PEDESTRIAN-BICYCLE EFFECTS WORKSHEET

Permitted Left Turns	EB	WB	NB	SB
Effective pedestrian green time, gp (s)				
Conflicting pedestrian volume, Vped (p/h)				
Pedestrian flow rate, Vpedg (p/h)				
OCCpedg				
Opposing queue clearing green, gq (s)				
Eff. ped. green consumed by opp. veh. queue, gq/gp				
OCCpedu				
Opposing flow rate, Vo (veh/h)				
OCCr				
Number of cross-street receiving lanes, Nrec				
Number of turning lanes, Nturn				
ApbT				
Proportion of left turns, PLT				
Proportion of left turns using protected phase, PLTA				
Left-turn adjustment, fLpb				
Permitted Right Turns				
Effective pedestrian green time, gp (s)				
Conflicting pedestrian volume, Vped (p/h)				
Conflicting bicycle volume, Vbic (bicycles/h)				
Vpedg				
OCCpedg				
Effective green, g (s)				

Vbicg
OCCbicg
OCCr
Number of cross-street receiving lanes, Nrec
Number of turning lanes, Nturn
ApbT
Proportion right-turns, PRT
Proportion right-turns using protected phase, PRTA
Right turn adjustment, fRpb

SUPPLEMENTAL UNIFORM DELAY WORKSHEET

		EBLT	WBLT	NBLT	SBLT
Cycle length, C	130.0 sec				
Adj. LT vol from Vol Adjustment Worksheet, v					
v/c ratio from Capacity Worksheet, X					
Protected phase effective green interval, g (s)					
Opposing queue effective green interval, gq					
Unopposed green interval, gu					
Red time r=(C-g-gq-gu)					
Arrival rate, qa=v/(3600(max[X,1.0]))					
Protected ph. departure rate, Sp=s/3600					
Permitted ph. departure rate, Ss=s(gq+gu)/(gu*3600)					
XPerm					
XProt					
Case					
Queue at beginning of green arrow, Qa					
Queue at beginning of unsaturated green, Qu					
Residual queue, Qr					
Uniform Delay, d1					

DELAY/LOS WORKSHEET WITH INITIAL QUEUE

Appr/ Lane Group	Initial Unmet Demand Q veh	Dur. Unmet Demand t hrs.	Uniform Delay Unadj. ds	Uniform Delay Adj. d1 sec	Initial Queue Param. u	Final Unmet Demand Q veh	Initial Queue Delay d3 sec	Lane Group Delay d sec
Eastbound								
Westbound								
Northbound								
Southbound								

Intersection Delay 10.4 sec/veh Intersection LOS B

BACK OF QUEUE WORKSHEET

	Eastbound	Westbound		Northbound			Southbound	
LaneGroup	LTR	LT	R	L	T	R	L	TR
Init Queue	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Flow Rate	20	67	21	2	1030	97	12	616
So	1900	1900	1900	1900	1900	1900	1900	1900
No.Lanes	0 1 0	0 1	1	1	1	1	1	1 0
SL	1575	1320	1553	744	1828	1569	365	1807
LnCapacity	242	203	239	572	1406	1207	281	1390
Flow Ratio	0.01	0.05	0.01	0.00	0.56	0.06	0.03	0.34
v/c Ratio	0.08	0.33	0.09	0.00	0.73	0.08	0.04	0.44
Grn Ratio	0.15	0.15	0.15	0.77	0.77	0.77	0.77	0.77
I Factor	1.000	1.000			1.000			1.000
AT or PVG	3	3	3	3	3	3	3	3
Pltn Ratio	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PF2	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Q1	0.6	2.2	0.7	0.0	19.7	0.9	0.1	7.8
kB	0.4	0.3	0.4	0.6	1.1	1.0	0.4	1.0
Q2	0.0	0.2	0.0	0.0	2.7	0.1	0.0	0.8
Q Average	0.7	2.3	0.7	0.0	22.4	0.9	0.1	8.6
Q Spacing	25.0	25.0	25.0	25.0	25.0	25.0	25.0	25.0
Q Storage	0	0	0	0	0	0	0	0
Q S Ratio								
70th Percentile Output:								
fB%	1.2	1.2	1.2	1.2	1.2	1.2	1.2	1.2
BOQ	0.8	2.8	0.8	0.0	25.9	1.1	0.1	10.2
QSRatio								
85th Percentile Output:								
fB%	1.6	1.6	1.6	1.6	1.4	1.6	1.6	1.5
BOQ	1.0	3.7	1.1	0.0	32.3	1.5	0.2	13.1
QSRatio								
90th Percentile Output:								
fB%	1.8	1.8	1.8	1.8	1.5	1.8	1.8	1.7
BOQ	1.2	4.1	1.2	0.0	34.3	1.7	0.2	14.3
QSRatio								
95th Percentile Output:								
fB%	2.1	2.0	2.1	2.1	1.7	2.1	2.1	1.9
BOQ	1.4	4.7	1.4	0.0	37.5	2.0	0.3	16.1
QSRatio								
98th Percentile Output:								
fB%	2.7	2.5	2.6	2.7	1.9	2.6	2.7	2.2
BOQ	1.7	5.9	1.8	0.1	42.1	2.5	0.3	19.1
QSRatio								

ERROR MESSAGES

No errors to report.

HCS2000: Signalized Intersections Release 4.1e

Analyst: gr
Agency:
Date: 10/27/2004
Period: pm peak hour
Project ID: Forbes Creek PUD
E/W St: Forbes Creek Drive

Inter.: Market St./Forbes Creek Dr.
Area Type: All other areas
Jurisd: City of Kirkland
Year : 2007 w/out project

N/S St: Market St.

SIGNALIZED INTERSECTION SUMMARY

	Eastbound			Westbound			Northbound			Southbound		
	L	T	R	L	T	R	L	T	R	L	T	R
No. Lanes	0	1	0	0	1	1	1	1	1	1	1	0
LGConfig		LTR			LT	R	L	T	R	L	TR	
Volume	8	0	6	62	1	22	2	1175	114	17	694	5
Lane Width		12.0			11.0	11.0	12.0	11.0	11.0	12.0	11.0	
RTOR Vol			0			0			0			0

Duration 0.25 Area Type: All other areas

Signal Operations

Phase Combination		1	2	3	4			5	6	7	8
EB	Left	A				NB	Left	A			
	Thru	A					Thru	A			
	Right	A					Right	A			
	Peds						Peds				
WB	Left	A				SB	Left	A			
	Thru	A					Thru	A			
	Right	A					Right	A			
	Peds						Peds				
NB	Right					EB	Right				
SB	Right					WB	Right				
Green		20.0						100.0			
Yellow		3.0						4.0			
All Red		1.0						2.0			

Cycle Length: 130.0 secs

Intersection Performance Summary

Appr/ Lane Grp	Lane Group Capacity	Adj Sat Flow Rate (s)	Ratios v/c	Ratios g/C	Lane Group Delay	Lane Group LOS	Approach Delay	Approach LOS
Eastbound								
LTR	240	1557	0.09	0.15	47.3	D	47.3	D
Westbound								
LT	201	1304	0.41	0.15	51.0	D	50.1	D
R	239	1553	0.12	0.15	47.7	D		
Northbound								
L	472	614	0.00	0.77	3.5	A		
T	1406	1828	0.87	0.77	16.7	B	15.5	B
R	1207	1569	0.10	0.77	3.8	A		
Southbound								
L	150	195	0.12	0.77	4.2	A		
TR	1391	1808	0.54	0.77	6.3	A	6.3	A

Intersection Delay = 14.4 (sec/veh) Intersection LOS = B

HCS2000: Signalized Intersections Release 4.1e

Geralyn Reinart, P.E.

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Seattle, WA. 98109

Phone: (206) 285-9035 Fax: (206) 285-6345
E-Mail:

OPERATIONAL ANALYSIS

Analyst: gr
Agency/Co.:
Date Performed: 10/27/2004
Analysis Time Period: pm peak hour
Intersection: Market St./Forbes Creek Dr.
Area Type: All other areas
Jurisdiction: City of Kirkland
Analysis Year: 2007 w/out project
Project ID: Forbes Creek PUD
East/West Street: Forbes Creek Drive
North/South Street: Market St.

VOLUME DATA

	Eastbound			Westbound			Northbound			Southbound		
	L	T	R	L	T	R	L	T	R	L	T	R
Volume	8	0	6	62	1	22	2	1175	114	17	694	5
% Heavy Veh	0	0	0	0	0	0	0	1	0	0	1	0
PHF	0.65	0.65	0.65	0.77	0.77	0.77	0.96	0.96	0.96	0.93	0.93	0.93
PK 15 Vol	3	0	2	20	1	7	1	306	30	5	187	2
Hi Ln Vol												
% Grade		0			1			-1			1	
Ideal Sat		1900			1900	1900	1900	1900	1900	1900	1900	
ParkExist												
NumPark												
No. Lanes	0	1	0	0	1	1	1	1	1	1	1	0
LGConfig		LTR			LT	R	L	T	R	L	TR	
Lane Width		12.0			11.0	11.0	12.0	11.0	11.0	12.0	11.0	
RTOR Vol			0			0			0			0
Adj Flow		21			82	29	2	1224	119	18	751	
%InSharedLn												
Prop LTs		0.571			0.988		1.000	0.000		1.000	0.000	
Prop RTs	0.429			0.000	1.000		0.000	1.000		0.007		
Peds Bikes	0			0			0			0		
Buses		0			0	0	0	0	0	0	0	
%InProtPhase												

Duration 0.25 Area Type: All other areas

OPERATING PARAMETERS

	Eastbound			Westbound			Northbound			Southbound		
	L	T	R	L	T	R	L	T	R	L	T	R
Init Unmet		0.0			0.0	0.0	0.0	0.0	0.0	0.0	0.0	
Arriv. Type		3			3	3	3	3	3	3	3	
Unit Ext.		3.0			3.0	3.0	3.0	3.0	3.0	3.0	3.0	
I Factor		1.000			1.000			1.000			1.000	
Lost Time		2.0			2.0	2.0	2.0	2.0	2.0	2.0	2.0	
Ext of g		2.0			2.0	2.0	2.0	2.0	2.0	2.0	2.0	

Ped Min g	3.2	3.2	3.2	3.2

PHASE DATA

Phase Combination	1	2	3	4	5	6	7	8
EB Left	A				NB Left	A		
Thru	A				Thru	A		
Right	A				Right	A		
Peds					Peds			
WB Left	A				SB Left	A		
Thru	A				Thru	A		
Right	A				Right	A		
Peds					Peds			
NB Right					EB Right			
SB Right					WB Right			
Green	20.0				100.0			
Yellow	3.0				4.0			
All Red	1.0				2.0			

Cycle Length: 130.0 secs

VOLUME ADJUSTMENT AND SATURATION FLOW WORKSHEET

Volume Adjustment

	Eastbound			Westbound			Northbound			Southbound		
	L	T	R	L	T	R	L	T	R	L	T	R
Volume, V	8	0	6	62	1	22	2	1175	114	17	694	5
PHF	0.65	0.65	0.65	0.77	0.77	0.77	0.96	0.96	0.96	0.93	0.93	0.93
Adj flow	12	0	9	81	1	29	2	1224	119	18	746	5
No. Lanes	0	1	0	0	1	1	1	1	1	1	1	0
Lane group		LTR			LT	R	L	T	R	L	TR	
Adj flow		21			82	29	2	1224	119	18	751	
Prop LTs		0.571			0.988		1.000	0.000		1.000	0.000	
Prop RTs		0.429			0.000	1.000		0.000	1.000		0.007	

Saturation Flow Rate (see Exhibit 16-7 to determine the adjustment factors)

	Eastbound			Westbound		Northbound			Southbound	
LG	LTR			LT	R	L	T	R	L	TR
So	1900			1900	1900	1900	1900	1900	1900	1900
Lanes 0	1	0	0	1	1	1	1	1	1	1 0
fW	1.000			0.967	0.967	1.000	0.967	0.967	1.000	0.967
fHV	1.000			1.000	1.000	1.000	0.990	1.000	1.000	0.990
fG	1.000			0.995	0.995	1.005	1.005	1.005	0.995	0.995
fP	1.000			1.000	1.000	1.000	1.000	1.000	1.000	1.000
fBB	1.000			1.000	1.000	1.000	1.000	1.000	1.000	1.000
fA	1.000			1.000	1.000	1.000	1.000	1.000	1.000	1.000
fLU	1.000			1.000	1.000	1.000	1.000	1.000	1.000	1.000
fRT	0.942			1.000	0.850		1.000	0.850		0.999
fLT	0.870			0.714		0.322	1.000		0.103	1.000
Sec.										
fLpb	1.000			1.000		1.000	1.000		1.000	1.000
fRpb	1.000			1.000	1.000		1.000	1.000		1.000
S	1557			1304	1553	614	1828	1569	195	1808
Sec.										

CAPACITY AND LOS WORKSHEET

Capacity Analysis and Lane Group Capacity

Appr/ Mvmt	Lane Group	Adj Flow Rate (v)	Adj Sat Flow Rate (s)	Flow Ratio (v/s)	Green Ratio (g/C)	--Lane Group-- Capacity (c)	v/c Ratio
Eastbound							
Prot							
Perm							
Left							
Prot							
Perm							
Thru	LTR	21	1557	0.01	0.15	240	0.09
Right							
Westbound							
Prot							
Perm							
Left							
Prot							
Perm							
Thru	LT	82	1304	# 0.06	0.15	201	0.41
Right	R	29	1553	0.02	0.15	239	0.12
Northbound							
Prot							
Perm							
Left	L	2	614	0.00	0.77	472	0.00
Prot							
Perm							
Thru	T	1224	1828	# 0.67	0.77	1406	0.87
Right	R	119	1569	0.08	0.77	1207	0.10
Southbound							
Prot							
Perm							
Left	L	18	195	0.09	0.77	150	0.12
Prot							
Perm							
Thru	TR	751	1808	0.42	0.77	1391	0.54
Right							

Sum of flow ratios for critical lane groups, Yc = Sum (v/s) = 0.73
Total lost time per cycle, L = 10.00 sec
Critical flow rate to capacity ratio, Xc = (Yc)(C)/(C-L) = 0.79

Control Delay and LOS Determination

Appr/ Lane Grp	Ratios v/c	Ratios g/C	Unf Del d1	Prog Adj Fact	Lane Grp Cap	Incremental Factor k	Incremental Del d2	Res Del d3	Lane Group Delay	Lane Group LOS	Approach Delay	Approach LOS
Eastbound												
LTR	0.09	0.15	47.2	1.000	240	0.11	0.2	0.0	47.3	D	47.3	D
Westbound												
LT	0.41	0.15	49.7	1.000	201	0.11	1.4	0.0	51.0	D	50.1	D
R	0.12	0.15	47.4	1.000	239	0.11	0.2	0.0	47.7	D		
Northbound												
L	0.00	0.77	3.5	1.000	472	0.11	0.0	0.0	3.5	A		
T	0.87	0.77	10.5	1.000	1406	0.40	6.2	0.0	16.7	B	15.5	B
R	0.10	0.77	3.7	1.000	1207	0.11	0.0	0.0	3.8	A		
Southbound												
L	0.12	0.77	3.8	1.000	150	0.11	0.4	0.0	4.2	A		

TR	0.54	0.77	5.9	1.000	1391	0.14	0.4	0.0	6.3	A	6.3	A

Intersection delay = 14.4 (sec/veh) Intersection LOS = B

SUPPLEMENTAL PERMITTED LT WORKSHEET
for exclusive lefts

Input

	EB	WB	NB	SB
Opposed by Single(S) or Multiple(M) lane approach			M	M
Cycle length, C 130.0 sec				
Total actual green time for LT lane group, G (s)			100.0	100.0
Effective permitted green time for LT lane group, g(s)			100.0	100.0
Opposing effective green time, go (s)			100.0	100.0
Number of lanes in LT lane group, N			1	1
Number of lanes in opposing approach, No			1	1
Adjusted LT flow rate, VLT (veh/h)			2	18
Proportion of LT in LT lane group, PLT			1.000	1.000
Proportion of LT in opposing flow, PLTo			0.00	0.00
Adjusted opposing flow rate, Vo (veh/h)			751	1224
Lost time for LT lane group, tL			6.00	6.00
Computation				
LT volume per cycle, LTC=VLTC/3600			0.07	0.65
Opposing lane util. factor, fLUo	1.000	1.000	1.000	1.000
Opposing flow, Volc=VoC/[3600(No)fLUo] (veh/ln/cyc)			27.12	44.20
gf=G[exp(- a * (LTC ** b))]-tl, gf<=g			0.0	0.0
Opposing platoon ratio, Rpo (refer Exhibit 16-11)			1.00	1.00
Opposing Queue Ratio, qro=Max[1-Rpo(go/C),0]			0.23	0.23
gq, (see Exhibit C16-4,5,6,7,8)			15.48	57.75
gu=g-gq if gq>=gf, or = g-gf if gq<gf			84.52	42.25
n=Max(gq-gf)/2,0)			7.74	28.88
PTHo=1-PLTo			1.00	1.00
PL*=PLT[1+(N-1)g/(gf+gu/EL1+4.24)]			1.00	1.00
EL1 (refer to Exhibit C16-3)			2.63	4.10
EL2=Max(`1-Ptho**n)/Plto, 1.0)				
fmin=2(1+PL)/g or fmin=2(1+Pl)/g			0.04	0.04
gdiff=max(gq-gf,0)			0.00	0.00
fm=[gf/g]+[gu/g]/[1+PL(EL1-1)], (min=fmin;max=1.00)			0.32	0.10
flt=fm=[gf/g]+[gu/g]/[1+PL(EL1-1)]+[gdiff/g]/[1+PL(EL2-1)],(fmin<=fm<=1.00)				
or flt=[fm+0.91(N-1)]/N**				
Left-turn adjustment, fLT			0.322	0.103

For special case of single-lane approach opposed by multilane approach, see text.

* If Pl>=1 for shared left-turn lanes with N>1, then assume de-facto left-turn lane and redo calculations.

** For permitted left-turns with multiple exclusive left-turn lanes, flt=fm.

For special case of multilane approach opposed by single-lane approach or when gf>gq, see text.

SUPPLEMENTAL PERMITTED LT WORKSHEET
for shared lefts

Input

	EB	WB	NB	SB
Opposed by Single(S) or Multiple(M) lane approach	M	S		
Cycle length, C 130.0 sec				
Total actual green time for LT lane group, G (s)	20.0	20.0		
Effective permitted green time for LT lane group, g(s)	20.0	20.0		
Opposing effective green time, go (s)	20.0	20.0		

Number of lanes in LT lane group, N	1	1		
Number of lanes in opposing approach, No	1	1		
Adjusted LT flow rate, VLT (veh/h)	12	81		
Proportion of LT in LT lane group, PLT	0.571	0.988	0.000	0.000
Proportion of LT in opposing flow, PLTo	0.99	0.57		
Adjusted opposing flow rate, Vo (veh/h)	82	21		
Lost time for LT lane group, tL	4.00	4.00		
Computation				
LT volume per cycle, LTC=VLTC/3600	0.43	2.92		
Opposing lane util. factor, fLUo	1.000	1.000	1.000	1.000
Opposing flow, Volc=VoC/[3600(No)fLUo] (veh/ln/cyc)	2.96	0.76		
gf=G[exp(- a * (LTC ** b))]-tl, gf<=g	8.3	0.0		
Opposing platoon ratio, Rpo (refer Exhibit 16-11)	1.00	1.00		
Opposing Queue Ratio, qro=Max[1-Rpo(go/C),0]	0.85	0.85		
gq, (see Exhibit C16-4,5,6,7,8)	5.47	0.00		
gu=g-gq if gq>=gf, or = g-gf if gq<gf	11.68	20.00		
n=Max(gq-gf)/2,0)	0.00	0.00		
PTHo=1-PLTo	0.01	0.43		
PL*=PLT[1+(N-1)g/(gf+gu/EL1+4.24)]	0.57	0.99		
EL1 (refer to Exhibit C16-3)	1.50	1.41		
EL2=Max((1-Ptho**n)/Plto, 1.0)	1.00	1.00		
fmin=2(1+PL)/g or fmin=2(1+Pl)/g	0.16	0.20		
gdiff=max(gq-gf,0)	0.00	0.00		
fm=[gf/g]+[gu/g]/[1+PL(EL1-1)], (min=fmin;max=1.00)	0.87	0.71		
flt=fm=[gf/g]+[gu/g]/[1+PL(EL1-1)]+[gdiff/g]/[1+PL(EL2-1)],(fmin<=fm<=1.00)				
or flt=[fm+0.91(N-1)]/N**				
Left-turn adjustment, fLT	0.870	0.714		

For special case of single-lane approach opposed by multilane approach, see text.

* If Pl>=1 for shared left-turn lanes with N>1, then assume de-facto left-turn lane and redo calculations.

** For permitted left-turns with multiple exclusive left-turn lanes, flt=fm.

For special case of multilane approach opposed by single-lane approach or when gf>gq, see text.

SUPPLEMENTAL PEDESTRIAN-BICYCLE EFFECTS WORKSHEET

Permitted Left Turns	EB	WB	NB	SB
Effective pedestrian green time, gp (s)				
Conflicting pedestrian volume, Vped (p/h)				
Pedestrian flow rate, Vpedg (p/h)				
OCCpedg				
Opposing queue clearing green, gq (s)				
Eff. ped. green consumed by opp. veh. queue, gq/gp				
OCCpedu				
Opposing flow rate, Vo (veh/h)				
OCCr				
Number of cross-street receiving lanes, Nrec				
Number of turning lanes, Nturn				
ApbT				
Proportion of left turns, PLT				
Proportion of left turns using protected phase, PLTA				
Left-turn adjustment, fLpb				
Permitted Right Turns				
Effective pedestrian green time, gp (s)				
Conflicting pedestrian volume, Vped (p/h)				
Conflicting bicycle volume, Vbic (bicycles/h)				
Vpedg				
OCCpedg				
Effective green, g (s)				

Vbicg
OCCbicg
OCCr
Number of cross-street receiving lanes, Nrec
Number of turning lanes, Nturn
ApbT
Proportion right-turns, PRT
Proportion right-turns using protected phase, PRTA
Right turn adjustment, fRpb

SUPPLEMENTAL UNIFORM DELAY WORKSHEET

		EBLT	WBLT	NBLT	SBLT
Cycle length, C	130.0 sec				
Adj. LT vol from Vol Adjustment Worksheet, v					
v/c ratio from Capacity Worksheet, X					
Protected phase effective green interval, g (s)					
Opposing queue effective green interval, gq					
Unopposed green interval, gu					
Red time r=(C-g-gq-gu)					
Arrival rate, qa=v/(3600(max[X,1.0]))					
Protected ph. departure rate, Sp=s/3600					
Permitted ph. departure rate, Ss=s(gq+gu)/(gu*3600)					
XPerm					
XProt					
Case					
Queue at beginning of green arrow, Qa					
Queue at beginning of unsaturated green, Qu					
Residual queue, Qr					
Uniform Delay, d1					

DELAY/LOS WORKSHEET WITH INITIAL QUEUE

Appr/ Lane Group	Initial Unmet Demand Q veh	Dur. Unmet Demand t hrs.	Uniform Delay Unadj. ds	Uniform Delay Adj. d1 sec	Initial Queue Param. u	Final Unmet Demand Q veh	Initial Queue Delay d3 sec	Lane Group Delay d sec
Eastbound								
Westbound								
Northbound								
Southbound								

Intersection Delay 14.4 sec/veh Intersection LOS B

BACK OF QUEUE WORKSHEET

	Eastbound	Westbound		Northbound			Southbound	
LaneGroup	LTR	LT	R	L	T	R	L	TR
Init Queue	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Flow Rate	21	82	29	2	1224	119	18	751
So	1900	1900	1900	1900	1900	1900	1900	1900
No.Lanes	0 1 0	0 1	1	1	1	1	1	1 0
SL	1557	1304	1553	614	1828	1569	195	1808
LnCapacity	240	201	239	472	1406	1207	150	1391
Flow Ratio	0.01	0.06	0.02	0.00	0.67	0.08	0.09	0.42
v/c Ratio	0.09	0.41	0.12	0.00	0.87	0.10	0.12	0.54
Grn Ratio	0.15	0.15	0.15	0.77	0.77	0.77	0.77	0.77
I Factor	1.000	1.000			1.000			1.000
AT or PVG	3	3	3	3	3	3	3	3
Pltn Ratio	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PF2	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Q1	0.7	2.7	0.9	0.0	30.9	1.1	0.2	10.7
kB	0.4	0.3	0.4	0.5	1.1	1.0	0.3	1.0
Q2	0.0	0.2	0.1	0.0	5.7	0.1	0.0	1.2
Q Average	0.7	2.9	1.0	0.0	36.6	1.2	0.2	11.9
Q Spacing	25.0	25.0	25.0	25.0	25.0	25.0	25.0	25.0
Q Storage	0	0	0	0	0	0	0	0
Q S Ratio								
70th Percentile Output:								
fB%	1.2	1.2	1.2	1.2	1.1	1.2	1.2	1.2
BOQ	0.8	3.5	1.1	0.0	41.7	1.4	0.2	14.0
QSRatio								
85th Percentile Output:								
fB%	1.6	1.6	1.6	1.6	1.4	1.6	1.6	1.5
BOQ	1.1	4.6	1.5	0.0	50.8	1.9	0.3	17.9
QSRatio								
90th Percentile Output:								
fB%	1.8	1.7	1.8	1.8	1.5	1.8	1.8	1.6
BOQ	1.2	5.1	1.7	0.0	53.5	2.1	0.4	19.3
QSRatio								
95th Percentile Output:								
fB%	2.1	2.0	2.1	2.1	1.6	2.1	2.1	1.8
BOQ	1.4	5.8	2.0	0.0	57.7	2.4	0.4	21.6
QSRatio								
98th Percentile Output:								
fB%	2.6	2.5	2.6	2.7	1.8	2.6	2.7	2.1
BOQ	1.8	7.2	2.5	0.1	64.3	3.1	0.5	25.0
QSRatio								

ERROR MESSAGES

No errors to report.

HCS2000: Signalized Intersections Release 4.1e

Analyst: gr
Agency:
Date: 10/27/2004
Period: pm peak hour
Project ID: Forbes Creek PUD
E/W St: Forbes Creek Drive

Inter.: Market St./Forbes Creek Dr.
Area Type: All other areas
Jurisd: City of Kirkland
Year : 2007 with project

N/S St: Market St.

SIGNALIZED INTERSECTION SUMMARY

	Eastbound			Westbound			Northbound			Southbound		
	L	T	R	L	T	R	L	T	R	L	T	R
No. Lanes	0	1	0	0	1	1	1	1	1	1	1	0
LGConfig		LTR			LT	R	L	T	R	L	TR	
Volume	8	0	6	65	1	23	2	1175	118	19	694	5
Lane Width		12.0			11.0	11.0	12.0	11.0	11.0	12.0	11.0	
RTOR Vol			0			0			0			0

Duration 0.25 Area Type: All other areas

Signal Operations

Phase Combination		1	2	3	4			5	6	7	8
EB	Left	A				NB	Left	A			
	Thru	A					Thru	A			
	Right	A					Right	A			
	Peds						Peds				
WB	Left	A				SB	Left	A			
	Thru	A					Thru	A			
	Right	A					Right	A			
	Peds						Peds				
NB	Right					EB	Right				
SB	Right					WB	Right				
Green		20.0						100.0			
Yellow		3.0						4.0			
All Red		1.0						2.0			

Cycle Length: 130.0 secs

Intersection Performance Summary

Appr/ Lane Grp	Lane Group Capacity	Adj Sat Flow Rate (s)	Ratios v/c	Ratios g/C	Lane Group Delay	Lane Group LOS	Approach Delay	Approach LOS
Eastbound								
LTR	239	1556	0.09	0.15	47.3	D	47.3	D
Westbound								
LT	201	1304	0.42	0.15	51.2	D	50.3	D
R	239	1553	0.13	0.15	47.7	D		
Northbound								
L	472	614	0.00	0.77	3.5	A		
T	1406	1828	0.87	0.77	16.7	B	15.5	B
R	1207	1569	0.10	0.77	3.8	A		
Southbound								
L	150	195	0.13	0.77	4.3	A		
TR	1391	1808	0.54	0.77	6.3	A	6.3	A

Intersection Delay = 14.4 (sec/veh) Intersection LOS = B

HCS2000: Signalized Intersections Release 4.1e

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OPERATIONAL ANALYSIS

Analyst: gr
Agency/Co.:
Date Performed: 10/27/2004
Analysis Time Period: pm peak hour
Intersection: Market St./Forbes Creek Dr.
Area Type: All other areas
Jurisdiction: City of Kirkland
Analysis Year: 2007 with project
Project ID: Forbes Creek PUD

East/West Street: Forbes Creek Drive
North/South Street: Market St.

VOLUME DATA

	Eastbound			Westbound			Northbound			Southbound		
	L	T	R	L	T	R	L	T	R	L	T	R
Volume	8	0	6	65	1	23	2	1175	118	19	694	5
% Heavy Veh	0	0	0	0	0	0	0	1	0	0	1	0
PHF	0.65	0.65	0.65	0.77	0.77	0.77	0.96	0.96	0.96	0.93	0.93	0.93
PK 15 Vol	3	0	2	21	1	7	1	306	31	5	187	2
Hi Ln Vol												
% Grade		0			1			-1			1	
Ideal Sat		1900			1900	1900	1900	1900	1900	1900	1900	
ParkExist												
NumPark												
No. Lanes	0	1	0	0	1	1	1	1	1	1	1	0
LGConfig		LTR			LT	R	L	T	R	L	TR	
Lane Width		12.0			11.0	11.0	12.0	11.0	11.0	12.0	11.0	
RTOR Vol			0			0			0			0
Adj Flow		21			85	30	2	1224	123	20	751	
%InSharedLn												
Prop LTs		0.571			0.988		1.000	0.000		1.000	0.000	
Prop RTs	0.429			0.000	1.000		0.000	1.000		0.007		
Peds Bikes	0			0			0			0		
Buses		0			0	0	0	0	0	0	0	
%InProtPhase												

Duration 0.25 Area Type: All other areas

OPERATING PARAMETERS

	Eastbound			Westbound			Northbound			Southbound		
	L	T	R	L	T	R	L	T	R	L	T	R
Init Unmet		0.0			0.0	0.0	0.0	0.0	0.0	0.0	0.0	
Arriv. Type		3			3	3	3	3	3	3	3	
Unit Ext.		3.0			3.0	3.0	3.0	3.0	3.0	3.0	3.0	
I Factor		1.000			1.000			1.000			1.000	
Lost Time		2.0			2.0	2.0	2.0	2.0	2.0	2.0	2.0	
Ext of g		2.0			2.0	2.0	2.0	2.0	2.0	2.0	2.0	

Ped Min g	3.2	3.2	3.2	3.2

PHASE DATA

Phase Combination	1	2	3	4	5	6	7	8
EB Left	A				NB Left	A		
Thru	A				Thru	A		
Right	A				Right	A		
Peds					Peds			
WB Left	A				SB Left	A		
Thru	A				Thru	A		
Right	A				Right	A		
Peds					Peds			
NB Right					EB Right			
SB Right					WB Right			
Green	20.0				100.0			
Yellow	3.0				4.0			
All Red	1.0				2.0			

Cycle Length: 130.0 secs

VOLUME ADJUSTMENT AND SATURATION FLOW WORKSHEET

Volume Adjustment

	Eastbound			Westbound			Northbound			Southbound		
	L	T	R	L	T	R	L	T	R	L	T	R
Volume, V	8	0	6	65	1	23	2	1175	118	19	694	5
PHF	0.65	0.65	0.65	0.77	0.77	0.77	0.96	0.96	0.96	0.93	0.93	0.93
Adj flow	12	0	9	84	1	30	2	1224	123	20	746	5
No. Lanes	0	1	0	0	1	1	1	1	1	1	1	0
Lane group		LTR			LT	R	L	T	R	L	TR	
Adj flow		21			85	30	2	1224	123	20	751	
Prop LTs		0.571			0.988		1.000	0.000		1.000	0.000	
Prop RTs		0.429			0.000	1.000		0.000	1.000		0.007	

Saturation Flow Rate (see Exhibit 16-7 to determine the adjustment factors)

	Eastbound			Westbound		Northbound			Southbound	
LG	LTR			LT	R	L	T	R	L	TR
So	1900			1900	1900	1900	1900	1900	1900	1900
Lanes 0	1	0	0	1	1	1	1	1	1	1 0
fW	1.000			0.967	0.967	1.000	0.967	0.967	1.000	0.967
fHV	1.000			1.000	1.000	1.000	0.990	1.000	1.000	0.990
fG	1.000			0.995	0.995	1.005	1.005	1.005	0.995	0.995
fP	1.000			1.000	1.000	1.000	1.000	1.000	1.000	1.000
fBB	1.000			1.000	1.000	1.000	1.000	1.000	1.000	1.000
fA	1.000			1.000	1.000	1.000	1.000	1.000	1.000	1.000
fLU	1.000			1.000	1.000	1.000	1.000	1.000	1.000	1.000
fRT	0.942			1.000	0.850		1.000	0.850		0.999
fLT	0.869			0.713		0.322	1.000		0.103	1.000
Sec.										
fLpb	1.000			1.000		1.000	1.000		1.000	1.000
fRpb	1.000			1.000	1.000		1.000	1.000		1.000
S	1556			1304	1553	614	1828	1569	195	1808
Sec.										

CAPACITY AND LOS WORKSHEET

Capacity Analysis and Lane Group Capacity

Appr/ Mvmt	Lane Group	Adj Flow Rate (v)	Adj Sat Flow Rate (s)	Flow Ratio (v/s)	Green Ratio (g/C)	--Lane Group-- Capacity (c)	v/c Ratio
Eastbound							
Prot							
Perm							
Left							
Prot							
Perm							
Thru	LTR	21	1556	0.01	0.15	239	0.09
Right							
Westbound							
Prot							
Perm							
Left							
Prot							
Perm							
Thru	LT	85	1304	# 0.07	0.15	201	0.42
Right	R	30	1553	0.02	0.15	239	0.13
Northbound							
Prot							
Perm							
Left	L	2	614	0.00	0.77	472	0.00
Prot							
Perm							
Thru	T	1224	1828	# 0.67	0.77	1406	0.87
Right	R	123	1569	0.08	0.77	1207	0.10
Southbound							
Prot							
Perm							
Left	L	20	195	0.10	0.77	150	0.13
Prot							
Perm							
Thru	TR	751	1808	0.42	0.77	1391	0.54
Right							

Sum of flow ratios for critical lane groups, Yc = Sum (v/s) = 0.73
Total lost time per cycle, L = 10.00 sec
Critical flow rate to capacity ratio, Xc = (Yc)(C)/(C-L) = 0.80

Control Delay and LOS Determination

Appr/ Lane Grp	Ratios v/c	Ratios g/C	Unf Del d1	Prog Adj Fact	Lane Grp Cap	Incremental Factor k	Incremental Del d2	Res Del d3	Lane Group Delay	Lane Group LOS	Approach Delay	Approach LOS
Eastbound												
LTR	0.09	0.15	47.2	1.000	239	0.11	0.2	0.0	47.3	D	47.3	D
Westbound												
LT	0.42	0.15	49.8	1.000	201	0.11	1.4	0.0	51.2	D	50.3	D
R	0.13	0.15	47.5	1.000	239	0.11	0.2	0.0	47.7	D		
Northbound												
L	0.00	0.77	3.5	1.000	472	0.11	0.0	0.0	3.5	A		
T	0.87	0.77	10.5	1.000	1406	0.40	6.2	0.0	16.7	B	15.5	B
R	0.10	0.77	3.8	1.000	1207	0.11	0.0	0.0	3.8	A		
Southbound												
L	0.13	0.77	3.9	1.000	150	0.11	0.4	0.0	4.3	A		

TR	0.54	0.77	5.9	1.000	1391	0.14	0.4	0.0	6.3	A	6.3	A

Intersection delay = 14.4 (sec/veh) Intersection LOS = B

SUPPLEMENTAL PERMITTED LT WORKSHEET
for exclusive lefts

Input

	EB	WB	NB	SB
Opposed by Single(S) or Multiple(M) lane approach			M	M
Cycle length, C 130.0 sec				
Total actual green time for LT lane group, G (s)			100.0	100.0
Effective permitted green time for LT lane group, g(s)			100.0	100.0
Opposing effective green time, go (s)			100.0	100.0
Number of lanes in LT lane group, N			1	1
Number of lanes in opposing approach, No			1	1
Adjusted LT flow rate, VLT (veh/h)			2	20
Proportion of LT in LT lane group, PLT			1.000	1.000
Proportion of LT in opposing flow, PLTo			0.00	0.00
Adjusted opposing flow rate, Vo (veh/h)			751	1224
Lost time for LT lane group, tL			6.00	6.00
Computation				
LT volume per cycle, LTC=VLTC/3600			0.07	0.72
Opposing lane util. factor, fLUo	1.000	1.000	1.000	1.000
Opposing flow, Volc=VoC/[3600(No)fLUo] (veh/ln/cyc)			27.12	44.20
gf=G[exp(- a * (LTC ** b))]-tl, gf<=g			0.0	0.0
Opposing platoon ratio, Rpo (refer Exhibit 16-11)			1.00	1.00
Opposing Queue Ratio, qro=Max[1-Rpo(go/C),0]			0.23	0.23
gq, (see Exhibit C16-4,5,6,7,8)			15.48	57.75
gu=g-gq if gq>=gf, or = g-gf if gq<gf			84.52	42.25
n=Max(gq-gf)/2,0)			7.74	28.88
PTHo=1-PLTo			1.00	1.00
PL*=PLT[1+(N-1)g/(gf+gu/EL1+4.24)]			1.00	1.00
EL1 (refer to Exhibit C16-3)			2.63	4.10
EL2=Max((1-Ptho**n)/Plto, 1.0)				
fmin=2(1+PL)/g or fmin=2(1+Pl)/g			0.04	0.04
gdiff=max(gq-gf,0)			0.00	0.00
fm=[gf/g]+[gu/g]/[1+PL(EL1-1)], (min=fmin;max=1.00)			0.32	0.10
flt=fm=[gf/g]+[gu/g]/[1+PL(EL1-1)]+[gdiff/g]/[1+PL(EL2-1)],(fmin<=fm<=1.00) or flt=[fm+0.91(N-1)]/N**				
Left-turn adjustment, fLT			0.322	0.103

For special case of single-lane approach opposed by multilane approach, see text.

* If Pl>=1 for shared left-turn lanes with N>1, then assume de-facto left-turn lane and redo calculations.

** For permitted left-turns with multiple exclusive left-turn lanes, flt=fm.

For special case of multilane approach opposed by single-lane approach or when gf>gq, see text.

SUPPLEMENTAL PERMITTED LT WORKSHEET
for shared lefts

Input

	EB	WB	NB	SB
Opposed by Single(S) or Multiple(M) lane approach	M	S		
Cycle length, C 130.0 sec				
Total actual green time for LT lane group, G (s)	20.0	20.0		
Effective permitted green time for LT lane group, g(s)	20.0	20.0		
Opposing effective green time, go (s)	20.0	20.0		

Number of lanes in LT lane group, N	1	1		
Number of lanes in opposing approach, No	1	1		
Adjusted LT flow rate, VLT (veh/h)	12	84		
Proportion of LT in LT lane group, PLT	0.571	0.988	0.000	0.000
Proportion of LT in opposing flow, PLTo	0.99	0.57		
Adjusted opposing flow rate, Vo (veh/h)	85	21		
Lost time for LT lane group, tL	4.00	4.00		
Computation				
LT volume per cycle, LTC=VLTC/3600	0.43	3.03		
Opposing lane util. factor, fLUo	1.000	1.000	1.000	1.000
Opposing flow, Volc=VoC/[3600(No)fLUo] (veh/ln/cyc)	3.07	0.76		
gf=G[exp(- a * (LTC ** b))]-tl, gf<=g	8.3	0.0		
Opposing platoon ratio, Rpo (refer Exhibit 16-11)	1.00	1.00		
Opposing Queue Ratio, qro=Max[1-Rpo(go/C),0]	0.85	0.85		
gq, (see Exhibit C16-4,5,6,7,8)	5.73	0.00		
gu=g-gq if gq>=gf, or = g-gf if gq<gf	11.68	20.00		
n=Max(gq-gf)/2,0)	0.00	0.00		
PTHo=1-PLTo	0.01	0.43		
PL*=PLT[1+(N-1)g/(gf+gu/EL1+4.24)]	0.57	0.99		
EL1 (refer to Exhibit C16-3)	1.51	1.41		
EL2=Max((1-Ptho**n)/Plto, 1.0)	1.00	1.00		
fmin=2(1+PL)/g or fmin=2(1+Pl)/g	0.16	0.20		
gdiff=max(gq-gf,0)	0.00	0.00		
fm=[gf/g]+[gu/g]/[1+PL(EL1-1)], (min=fmin;max=1.00)	0.87	0.71		
flt=fm=[gf/g]+[gu/g]/[1+PL(EL1-1)]+[gdiff/g]/[1+PL(EL2-1)],(fmin<=fm<=1.00)				
or flt=[fm+0.91(N-1)]/N**				
Left-turn adjustment, fLT	0.869	0.713		

For special case of single-lane approach opposed by multilane approach, see text.

* If Pl>=1 for shared left-turn lanes with N>1, then assume de-facto left-turn lane and redo calculations.

** For permitted left-turns with multiple exclusive left-turn lanes, flt=fm.

For special case of multilane approach opposed by single-lane approach or when gf>gq, see text.

SUPPLEMENTAL PEDESTRIAN-BICYCLE EFFECTS WORKSHEET

Permitted Left Turns

	EB	WB	NB	SB
Effective pedestrian green time, gp (s)				
Conflicting pedestrian volume, Vped (p/h)				
Pedestrian flow rate, Vpedg (p/h)				
OCCpedg				
Opposing queue clearing green, gq (s)				
Eff. ped. green consumed by opp. veh. queue, gq/gp				
OCCpedu				
Opposing flow rate, Vo (veh/h)				
OCCr				
Number of cross-street receiving lanes, Nrec				
Number of turning lanes, Nturn				
ApbT				
Proportion of left turns, PLT				
Proportion of left turns using protected phase, PLTA				
Left-turn adjustment, fLpb				
Permitted Right Turns				
Effective pedestrian green time, gp (s)				
Conflicting pedestrian volume, Vped (p/h)				
Conflicting bicycle volume, Vbic (bicycles/h)				
Vpedg				
OCCpedg				
Effective green, g (s)				

Vbicg
OCCbicg
OCCr
Number of cross-street receiving lanes, Nrec
Number of turning lanes, Nturn
ApbT
Proportion right-turns, PRT
Proportion right-turns using protected phase, PRTA
Right turn adjustment, fRpb

SUPPLEMENTAL UNIFORM DELAY WORKSHEET

		EBLT	WBLT	NBLT	SBLT
Cycle length, C	130.0 sec				
Adj. LT vol from Vol Adjustment Worksheet, v					
v/c ratio from Capacity Worksheet, X					
Protected phase effective green interval, g (s)					
Opposing queue effective green interval, gq					
Unopposed green interval, gu					
Red time r=(C-g-gq-gu)					
Arrival rate, qa=v/(3600(max[X,1.0]))					
Protected ph. departure rate, Sp=s/3600					
Permitted ph. departure rate, Ss=s(gq+gu)/(gu*3600)					
XPerm					
XProt					
Case					
Queue at beginning of green arrow, Qa					
Queue at beginning of unsaturated green, Qu					
Residual queue, Qr					
Uniform Delay, d1					

DELAY/LOS WORKSHEET WITH INITIAL QUEUE

Appr/ Lane Group	Initial Unmet Demand Q veh	Dur. Unmet Demand t hrs.	Uniform Delay Unadj. ds	Uniform Delay Adj. d1 sec	Initial Queue Param. u	Final Unmet Demand Q veh	Initial Queue Delay d3 sec	Lane Group Delay d sec
Eastbound								
Westbound								
Northbound								
Southbound								

Intersection Delay 14.4 sec/veh Intersection LOS B

BACK OF QUEUE WORKSHEET

	Eastbound	Westbound		Northbound			Southbound	
LaneGroup	LTR	LT	R	L	T	R	L	TR
Init Queue	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Flow Rate	21	85	30	2	1224	123	20	751
So	1900	1900	1900	1900	1900	1900	1900	1900
No.Lanes	0 1 0	0 1	1	1	1	1	1	1 0
SL	1556	1304	1553	614	1828	1569	195	1808
LnCapacity	239	201	239	472	1406	1207	150	1391
Flow Ratio	0.01	0.07	0.02	0.00	0.67	0.08	0.10	0.42
v/c Ratio	0.09	0.42	0.13	0.00	0.87	0.10	0.13	0.54
Grn Ratio	0.15	0.15	0.15	0.77	0.77	0.77	0.77	0.77
I Factor	1.000	1.000			1.000			1.000
AT or PVG	3	3	3	3	3	3	3	3
Pltn Ratio	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PF2	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Q1	0.7	2.8	0.9	0.0	30.9	1.1	0.2	10.7
kB	0.4	0.3	0.4	0.5	1.1	1.0	0.3	1.0
Q2	0.0	0.2	0.1	0.0	5.7	0.1	0.0	1.2
Q Average	0.7	3.0	1.0	0.0	36.6	1.2	0.2	11.9
Q Spacing	25.0	25.0	25.0	25.0	25.0	25.0	25.0	25.0
Q Storage	0	0	0	0	0	0	0	0
Q S Ratio								
70th Percentile Output:								
fB%	1.2	1.2	1.2	1.2	1.1	1.2	1.2	1.2
BOQ	0.8	3.6	1.2	0.0	41.7	1.5	0.3	14.0
QSRatio								
85th Percentile Output:								
fB%	1.6	1.6	1.6	1.6	1.4	1.6	1.6	1.5
BOQ	1.1	4.7	1.6	0.0	50.8	1.9	0.4	17.9
QSRatio								
90th Percentile Output:								
fB%	1.8	1.7	1.8	1.8	1.5	1.8	1.8	1.6
BOQ	1.2	5.3	1.8	0.0	53.5	2.2	0.4	19.3
QSRatio								
95th Percentile Output:								
fB%	2.1	2.0	2.1	2.1	1.6	2.1	2.1	1.8
BOQ	1.4	6.1	2.0	0.0	57.7	2.5	0.5	21.6
QSRatio								
98th Percentile Output:								
fB%	2.6	2.5	2.6	2.7	1.8	2.6	2.7	2.1
BOQ	1.8	7.5	2.6	0.1	64.3	3.2	0.6	25.0
QSRatio								

ERROR MESSAGES

No errors to report.

HCS2000: Unsignalized Intersections Release 4.1d

TWO-WAY STOP CONTROL SUMMARY

Analyst: gr
Agency/Co.:
Date Performed: 10/27/04
Analysis Time Period: pm peak
Intersection: Forbes Creek Drive/Site Access
Jurisdiction: City of Kirkland
Units: U. S. Customary
Analysis Year: 2007 with project
Project ID: Forbes Creek PUD
East/West Street: Forbes Creek Drive
North/South Street: site access
Intersection Orientation: EW Study period (hrs): 0.25

Vehicle Volumes and Adjustments

Major Street: Approach	Eastbound			Westbound		
Movement	1	2	3	4	5	6
	L	T	R	L	T	R
Volume		131	6	1	85	
Peak-Hour Factor, PHF		0.75	0.75	0.75	0.75	
Hourly Flow Rate, HFR		174	8	1	113	
Percent Heavy Vehicles		--	--	0	--	--
Median Type/Storage	Undivided			/		
RT Channelized?						
Lanes		1	0	0	1	
Configuration		TR		LT		
Upstream Signal?		No			No	

Minor Street: Approach	Northbound			Southbound		
Movement	7	8	9	10	11	12
	L	T	R	L	T	R
Volume	4		1			
Peak Hour Factor, PHF	0.70		0.70			
Hourly Flow Rate, HFR	5		1			
Percent Heavy Vehicles	0		0			
Percent Grade (%)		0			0	
Flared Approach: Exists?/Storage			No	/		/
Lanes	0		0			
Configuration		LR				

Delay, Queue Length, and Level of Service

Approach	EB	WB	Northbound			Southbound		
Movement	1	4	7	8	9	10	11	12
Lane Config		LT		LR				
v (vph)		1		6				
C(m) (vph)		1405		725				
v/c		0.00		0.01				
95% queue length		0.00		0.03				
Control Delay		7.6		10.0+				
LOS		A		B				
Approach Delay				10.0+				
Approach LOS				B				

HCS2000: Unsignalized Intersections Release 4.1d

GERALYN REINART, P.E.

1319 DEXTER AVE. NORTH, SUITE 103
SEATTLE, WA 98109

Phone: 206-285-9035 Fax: 206-285-6345
E-Mail: trafficsignals@msn.com

TWO-WAY STOP CONTROL(TWSC) ANALYSIS

Analyst: gr
Agency/Co.:
Date Performed: 10/27/04
Analysis Time Period: pm peak
Intersection: Forbes Creek Drive/Site Access
Jurisdiction: City of Kirkland
Units: U. S. Customary
Analysis Year: 2007 with project
Project ID: Forbes Creek PUD
East/West Street: Forbes Creek Drive
North/South Street: site access
Intersection Orientation: EW Study period (hrs): 0.25

Vehicle Volumes and Adjustments

Major Street Movements	1 L	2 T	3 R	4 L	5 T	6 R
Volume		131	6	1	85	
Peak-Hour Factor, PHF		0.75	0.75	0.75	0.75	
Peak-15 Minute Volume		44	2	0	28	
Hourly Flow Rate, HFR		174	8	1	113	
Percent Heavy Vehicles		--	--	0	--	--
Median Type/Storage	Undivided			/		
RT Channelized?						
Lanes		1	0	0	1	
Configuration			TR	LT		
Upstream Signal?		No			No	

Minor Street Movements	7 L	8 T	9 R	10 L	11 T	12 R
Volume	4		1			
Peak Hour Factor, PHF	0.70		0.70			
Peak-15 Minute Volume	1		0			
Hourly Flow Rate, HFR	5		1			
Percent Heavy Vehicles	0		0			
Percent Grade (%)		0			0	
Flared Approach: Exists?/Storage			No	/		/
RT Channelized?						
Lanes	0		0			
Configuration		LR				

Pedestrian Volumes and Adjustments

Movements	13	14	15	16
Flow (ped/hr)	0	0	0	0

Lane Width (ft)	12.0	12.0	12.0	12.0
Walking Speed (ft/sec)	4.0	4.0	4.0	4.0
Percent Blockage	0	0	0	0

Upstream Signal Data

	Prog. Flow vph	Sat Flow vph	Arrival Type	Green Time sec	Cycle Length sec	Prog. Speed mph	Distance to Signal feet
S2 Left-Turn							
Through							
S5 Left-Turn							
Through							

Worksheet 3-Data for Computing Effect of Delay to Major Street Vehicles

	Movement 2	Movement 5
Shared ln volume, major th vehicles:		113
Shared ln volume, major rt vehicles:		0
Sat flow rate, major th vehicles:		1700
Sat flow rate, major rt vehicles:		1700
Number of major street through lanes:		1

Worksheet 4-Critical Gap and Follow-up Time Calculation

Critical Gap Calculation

Movement		1 L	4 L	7 L	8 T	9 R	10 L	11 T	12 R
t(c,base)			4.1	7.1		6.2			
t(c,hv)		1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
P(hv)			0	0		0			
t(c,g)				0.20	0.20	0.10	0.20	0.20	0.10
Grade/100				0.00	0.00	0.00	0.00	0.00	0.00
t(3,lt)			0.00	0.70		0.00			
t(c,T):	1-stage	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
	2-stage	0.00	0.00	1.00	1.00	0.00	1.00	1.00	0.00
t(c)	1-stage		4.1	6.4		6.2			
	2-stage								

Follow-Up Time Calculations

Movement	1 L	4 L	7 L	8 T	9 R	10 L	11 T	12 R
t(f,base)		2.20	3.50		3.30			
t(f,HV)	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90
P(HV)		0	0		0			
t(f)		2.2	3.5		3.3			

Worksheet 5-Effect of Upstream Signals

Computation 1-Queue Clearance Time at Upstream Signal

	Movement 2		Movement 5	
	V(t)	V(l,prot)	V(t)	V(l,prot)
V prog				

Total Saturation Flow Rate, s (vph)
Arrival Type
Effective Green, g (sec)
Cycle Length, C (sec)
Rp (from Exhibit 16-11)
Proportion vehicles arriving on green P
g(q1)
g(q2)
g(q)

Computation 2-Proportion of TWSC Intersection Time blocked	Movement 2		Movement 5	
	V(t)	V(l,prot)	V(t)	V(l,prot)
alpha				
beta				
Travel time, t(a) (sec)				
Smoothing Factor, F				
Proportion of conflicting flow, f				
Max platooned flow, V(c,max)				
Min platooned flow, V(c,min)				
Duration of blocked period, t(p)				
Proportion time blocked, p	0.000		0.000	

Computation 3-Platoon Event Periods	Result
p(2)	0.000
p(5)	0.000
p(dom)	
p(subo)	
Constrained or unconstrained?	

Proportion unblocked for minor movements, p(x)	(1) Single-stage Process	(2) Two-Stage Process Stage I	(3) Two-Stage Process Stage II
p(1)			
p(4)			
p(7)			
p(8)			
p(9)			
p(10)			
p(11)			
p(12)			

Computation 4 and 5
Single-Stage Process

Movement	1 L	4 L	7 L	8 T	9 R	10 L	11 T	12 R
V c,x		182	293		178			
s								
Px								
V c,u,x								
C r,x								
C plat,x								

Two-Stage Process

7	8	10	11

	Stage1	Stage2	Stage1	Stage2	Stage1	Stage2	Stage1	Stage2
V(c,x)								
s		1500						
P(x)								
V(c,u,x)								
C(r,x)								
C(plat,x)								

Worksheet 6-Impedance and Capacity Equations

Step 1: RT from Minor St.	9	12
Conflicting Flows	178	
Potential Capacity	870	
Pedestrian Impedance Factor	1.00	1.00
Movement Capacity	870	
Probability of Queue free St.	1.00	1.00
Step 2: LT from Major St.	4	1
Conflicting Flows	182	
Potential Capacity	1405	
Pedestrian Impedance Factor	1.00	1.00
Movement Capacity	1405	
Probability of Queue free St.	1.00	1.00
Maj L-Shared Prob Q free St.	1.00	
Step 3: TH from Minor St.	8	11
Conflicting Flows		
Potential Capacity		
Pedestrian Impedance Factor	1.00	1.00
Cap. Adj. factor due to Impeding mvmnt	1.00	1.00
Movement Capacity		
Probability of Queue free St.	1.00	1.00
Step 4: LT from Minor St.	7	10
Conflicting Flows	293	
Potential Capacity	702	
Pedestrian Impedance Factor	1.00	1.00
Maj. L, Min T Impedance factor		1.00
Maj. L, Min T Adj. Imp Factor.		1.00
Cap. Adj. factor due to Impeding mvmnt	1.00	1.00
Movement Capacity	702	

Worksheet 7-Computation of the Effect of Two-stage Gap Acceptance

Step 3: TH from Minor St.	8	11
Part 1 - First Stage		
Conflicting Flows		
Potential Capacity		
Pedestrian Impedance Factor		
Cap. Adj. factor due to Impeding mvmnt		
Movement Capacity		
Probability of Queue free St.		

Part 2 - Second Stage		
Conflicting Flows		
Potential Capacity		
Pedestrian Impedance Factor		
Cap. Adj. factor due to Impeding mvmnt		
Movement Capacity		
Part 3 - Single Stage		
Conflicting Flows		
Potential Capacity		
Pedestrian Impedance Factor	1.00	1.00
Cap. Adj. factor due to Impeding mvmnt	1.00	1.00
Movement Capacity		
Result for 2 stage process:		
a		
y		
C t		
Probability of Queue free St.	1.00	1.00
Step 4: LT from Minor St.	7	10
Part 1 - First Stage		
Conflicting Flows		
Potential Capacity		
Pedestrian Impedance Factor		
Cap. Adj. factor due to Impeding mvmnt		
Movement Capacity		
Part 2 - Second Stage		
Conflicting Flows		
Potential Capacity		
Pedestrian Impedance Factor		
Cap. Adj. factor due to Impeding mvmnt		
Movement Capacity		
Part 3 - Single Stage		
Conflicting Flows	293	
Potential Capacity	702	
Pedestrian Impedance Factor	1.00	1.00
Maj. L, Min T Impedance factor		1.00
Maj. L, Min T Adj. Imp Factor.		1.00
Cap. Adj. factor due to Impeding mvmnt	1.00	1.00
Movement Capacity	702	
Results for Two-stage process:		
a		
y		
C t	702	

Worksheet 8-Shared Lane Calculations

Movement	7 L	8 T	9 R	10 L	11 T	12 R
Volume (vph)	5		1			
Movement Capacity (vph)	702		870			
Shared Lane Capacity (vph)		725				

Worksheet 9-Computation of Effect of Flared Minor Street Approaches

Movement	7 L	8 T	9 R	10 L	11 T	12 R
C sep	702		870			
Volume	5		1			
Delay						
Q sep						
Q sep +1						
round (Qsep +1)						
n max						
C sh		725				
SUM C sep						
n						
C act						

Worksheet 10-Delay, Queue Length, and Level of Service

Movement	1	4	7	8	9	10	11	12
Lane Config		LT		LR				
v (vph)		1		6				
C(m) (vph)		1405		725				
v/c		0.00		0.01				
95% queue length		0.00		0.03				
Control Delay		7.6		10.0+				
LOS		A		B				
Approach Delay				10.0+				
Approach LOS				B				

Worksheet 11-Shared Major LT Impedance and Delay

	Movement 2	Movement 5
p(oj)	1.00	1.00
v(i1), Volume for stream 2 or 5		113
v(i2), Volume for stream 3 or 6		0
s(i1), Saturation flow rate for stream 2 or 5		1700
s(i2), Saturation flow rate for stream 3 or 6		1700
P*(oj)		1.00
d(M,LT), Delay for stream 1 or 4		7.6
N, Number of major street through lanes		1
d(rank,1) Delay for stream 2 or 5		0.0

CITY OF KIRKLAND

123 FIFTH AVENUE • KIRKLAND, WASHINGTON 98033-6189 • (425) 828-1243

DEPARTMENT OF PUBLIC WORKS
MEMORANDUM

To: Desiree Goble, Planner

From: Thang Nguyen, Transportation Engineer

Date: December 9, 2004

Subject: Forbes Creek PUD, ZON 04-00024

This memo summarizes Staff review of the traffic impact analysis report dated November 2004 for the proposed Forbes Creek PUD located 10623 Forbes Creek Drive.

Project Description

The applicant proposes to redevelop the properties that currently have two existing single-family homes into an 11-lot single-family residential subdivision. The project is forecasted to generate 108 net daily trips and 12 net PM peak hour trips. One driveway is proposed to serve the development.

Traffic Concurrency

Traffic concurrency was tested for the proposed project. The project passed concurrency. The concurrency test notice will expire on October 20, 2005 unless a development permit and certificate of concurrency are issued or an extension is granted.

Traffic Impact

The traffic analysis is in accordance with the City's TIA Guidelines and Staff's requirements. The level of service (LOS) analyses was calculated for the project driveways and at the intersection of Market Street/Forbes Creek Drive. The LOS at all analyzed locations are LOS-B or better. Thus, specific traffic mitigation for level of service is not required.

Sight distances were measured for the project two driveways and they all exceed the City's requirements.

Road Impact Fees

The applicant shall pay road impact fees. The assess fee is $10,626 ($966 x 11 single-family units). The project will get a credit of $1,932 ($966 x 2) for the two existing single-family homes. The net road impact fee is $8,694 ($10,626 minus $ 1,932). Final road impact fees shall be determined at time of building permit.

ATTACHMENT SEPA 5

FILE NO. PSB04-00002

Staff Recommendations

Staff recommends approval of the proposed project with the following conditions:

- Applicant pays road impact fees
- Landscaping shall be designed so that sufficient sight distance is maintained.

If you have questions or comments, please call me at x2901.

cc: Rob Jammerman, Development Engineer Manager
File

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cc: Rob Jammerman, Development Engineer Manager
File

Associated Earth Sciences, Inc.

PROPOSED STREAM BUFFER MODIFICATOIN

RECEIVED
SEP 2003
AM PM
PLANNING DEPARTMENT
BY

THE COURTYARDS AT FORBES CREEK

Kirkland, Washington

RECEIVED
NOV 24 2004
AM PM
PLANNING DEPARTMENT
BY

Prepared for:

CLS Financial Services, LLC

Project No. KB00858B

September 9, 2003

ATTACHMENT SEPA 6
FILE NO. PSB04-00002

911 Fifth Avenue, Suite 100 • Kirkland, WA 98033 • Phone 425 827-7701 • Fax 425 827-5424

PROPOSED STREAM BUFFER MODIFICATION

THE COURTYARDS AT FORBES CREEK

Kirkland, Washington

Prepared for:
CLS Financial Services, LLC
4720 200th Street SW, Suite 200
P.O. Box 719
Lynnwood, Washington 98046-0596

Prepared by:
Associated Earth Sciences, Inc.
911 5th Avenue, Suite 100
Kirkland, Washington 98033

September 9, 2003
Project No. KB00858B

Peter P. Super
Project Biologist

Frederick L. Huston, Jr.
Senior Biologist/Wetlands

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2.0 PROPOSED BUFFER REDUCTION 1
3.0 CITY OF KIRKLAND REVIEW CRITERIA 2
4.0 REFERENCES 7

LIST OF APPENDICES

Appendix A. Stream Buffer Enhancement Plan
Sheet L-1: Site Plan, Plant Schedule, and Planting Details
Sheet L-2: Overview, Materials Specifications, General Notes, Monitoring Information, and Performance Standards

1.0 INTRODUCTION

Since December 2000, Associated Earth Sciences, Inc. (AESI) has provided wetland- and stream-related services on an approximately 5.5-acre site located at 10623 Forbes Creek Drive in Kirkland, Washington (hereafter referred to as the "project site"). On-site aquatic habitats and associated buffers were previously identified and documented by B-Twelve Associates, Inc. (B-Twelve 1999) and Adolfson Associates, Inc. (AAI 1999). The City of Kirkland (Kirkland) has previously determined that two Type III wetlands are present on the project site and one Class C stream is present on the project site (1999).

A planned urban development (PUD) is currently proposed for the project site. Site improvements associated with the PUD do not lie within the boundaries of on-site aquatic resources. However, a small portion of a proposed roadway (less than approximately 5 square feet [ft^2]) lies within the standard width 35-foot wide stream buffer associated with the on-site Class C stream. In addition to limited encroachment of the standard width stream buffer, the same proposed roadway also lies within the 10-foot buffer setback associated with the standard width 35-foot stream buffer. Consequently, to facilitate construction of the proposed PUD, a one-third reduction in the required 35-foot stream buffer (with a corresponding enhancement of the remaining on-site portion of the stream buffer) is requested to allow for the establishment of the required stream buffer and associated 10-foot buffer setback beyond the limits of the proposed roadway associated with the on-site PUD.

As required by KZC 90.100(2), this report has been prepared to address the proposed stream buffer reduction proposal. The required buffer enhancement plan, consisting of large-scale drawing set, has been included in Appendix A.

2.0 PROPOSED BUFFER REDUCTION

As proposed, a limited portion of the on-site stream buffer located in the vicinity of the southwestern portion of the proposed PUD will be reduced by approximately 1,572 ft^2. Although the extent of the on-site stream buffer will be reduced, the habitat value of the reduced stream buffer will be enhanced through the removal of non-native species and the establishment of woody plant species (shrubs and trees) native to western Washington. The reduced on-site stream buffer will be enhanced using Douglas-fir (*Pseudotsuga menziesii*), western redcedar (*Thuja plicata*), bigleaf maple (*Acer macrophyllum*), vine maple (*Acer circinatum*), hazelnut (*Corylus cornuta*), baldhip rose (*Rosa gymnocarpa*), and snowberry (*Symphoricarpos albus*). Please see the buffer enhancement plan set included in Appendix A for the proposed planting plans, installation notes and details, and associated monitoring and maintenance standards. As a result of the proposed enhancement, the overall habitat capabilities of the enhanced stream buffer will be improved over those currently offered by the limited segment of stream buffer.

3.0 CITY OF KIRKLAND REVIEW CRITERIA

Under Kirkland's Stream Buffer Modification process (KZC 90.100), an improvement or land surface modification may be approved in a stream buffer only if specific criteria are satisfied. A review of proposed PUD elements in light of the relevant Kirkland review process and decisional criteria identified in KZC 90.100(2) is presented below:

1. **Requirement (KZC 90.100.2.a): It is consistent with *Kirkland's Streams, Wetlands, and Wildlife Study* (The Watershed Company [Watershed] 1998) and the *Kirkland Sensitive Areas Regulatory Recommendations Report* (AAI 1998).**

   Permanent protection of wetland areas, the establishment of vegetated buffers, and the enhancement of stream buffers are identified by Watershed (1998) as opportunities to restore and enhance the functions and aquatic features located in the Forbes Creek system. As the proposed stream buffer reduction allows for the permanent preservation of on-site stream, wetland, and associated buffer habitats as well as the enhancement of the existing buffer associated with the on-site stream, the proposed stream buffer proposal is consistent with *Kirkland's Streams, Wetlands, and Wildlife Study* (Watershed 1998).

2. **Requirement (KZC 90.100,2.b): It will not adversely affect water quality.**

   Under existing conditions, rainfall realized within the project site likely infiltrates into existing soils and/or sheetflows to the north. Based on topography, overland flows originating within the affected stream buffer, if any, are directed away from the on-site stream rather than toward the stream. Due to its small area, the opportunity for significant ground water recharge within the affected buffer is minimal. Therefore, the affected stream buffer likely provides minimal, if any, water quality capabilities relative to surface flows and/or ground water recharge entering the on-site stream.

   During construction of the proposed PUD, temporary erosion and sediment control (TESC) measures appropriate for weather and site conditions will be implemented to minimize erosion potentials. Following construction of the proposed PUD, stormwater generated by impervious surfaces within the project site will be collected, detained, and treated by on-site stormwater control facilities. Stormwater collected by on-site facilities will discharge to existing stormwater facilities located within the NE 106th Street right-of-way. All TESC and permanent stormwater control measures will be designed to existing Kirkland standards and reviewed by Kirkland either in conjunction with approval of the PUD and/or under separate approval processes.

   Therefore, as TESC measures will be implemented during construction, and appropriate permanent stormwater control facilities will be installed on-site, no adverse

impacts to water quality relative to the on-site stream segments and/or ground water resources are anticipated as a result of the proposed stream buffer reduction.

3. **Requirement (KZC 90.100.2.c): It will not adversely affect fish, wildlife, or their habitat.**

Although a study to determine fisheries use of the on-site stream was not completed as part of this project, the on-site stream is identified in *Kirkland's Streams, Wetlands, and Wildlife Study* (Watershed 1998), though fisheries use of the on-site stream is not discussed. Regardless, the Class C designation recognized by Kirkland implies that no salmonids are present in the on-site stream. Consequently, as fish are not known to be present within the on-site stream and construction of the proposed PUD will not directly impact in-stream stream conditions, adverse affects to fisheries resources are not anticipated as a result of the proposed stream buffer reduction.

Although the existing vegetation within the affected stream buffer does likely provide some habitat for small mammals and passerine birds, the capabilities of the affected stream buffer to provide riparian functions is compromised by the existing plant community composition. The stream buffer affected by the proposed buffer reduction is dominated primarily by invasive and/or non-native plant species such as Himalayan blackberry (*Rubus discolor*), Japanese knotweed (*Polygonum cuspidatum*), creeping buttercup (*Ranunculus repens*), and common velvetgrass (*Holcus lanatus*). Additionally, other species such as salmonberry (*Rubus spectabilis*) and small-diameter (i.e., less than 6 inches diameter breast height [dbh]) red alder (*Alnus rubra*) also occur within portions of this area of stream buffer. In addition to being dominated by non-native and/or invasive plant species, trash, construction debris, and landscaping debris also lie within the affected stream buffer.

As part of the proposed buffer reduction, non-native vegetation will be controlled and the area of reduced stream buffer width will be enhanced through the installation of woody plant species native to western Washington. Consequently, the overall habitat function and value of the on-site stream buffer will be increased relative to existing conditions and adverse impacts to wildlife and/or their habitat are not anticipated as a result of the stream buffer reduction proposal. As the existing stream buffer provides minimal habitat functions and existing native vegetation will be maintained within the reduced stream buffer, as practicable, a temporal loss of existing habitat functions is not anticipated as a result of the proposed stream buffer reduction.

4. **Requirement (KZC 90.100.2.d): It will not have an adverse effect on drainage and/or storm water detention capabilities.**

   Based on topography, overland flows originating within the affected stream buffer, if any, are directed away from the on-site stream rather than toward the stream. Due to its small area, the opportunity for significant ground water recharge within the affected buffer is minimal. Therefore, the affected stream buffer likely provides no stormwater detention capabilities and provides the opportunity for only minimal, if any, ground water recharge.

   Stormwater generated by impervious surfaces within the project site will be collected, detained, and treated by on-site stormwater control facilities. Stormwater collected by on-site facilities will discharge to existing stormwater facilities located within the NE 106th Street right-of-way. All permanent stormwater control measures will be designed to existing Kirkland standards and reviewed by Kirkland either in conjunction with approval of the PUD and/or under separate approval processes.

   Therefore, as the affected stream buffer does not provide stormwater detention functions and stormwater generated by the PUD will be controlled, as per Kirkland standards, no adverse impacts to drainage and/or storm water detention capabilities of the affected buffer relative to existing conditions are anticipated as a result of the proposed stream buffer reduction.

5. **Requirement (KZC 90.100.2.e): It will not lead to unstable earth conditions or create an erosion hazard or contribute to scouring actions.**

   Under existing conditions, rainfall realized within the project site likely infiltrates into existing soils and/or sheetflows to the north. Based on topography, overland flows originating within the affected stream buffer, if any, are directed away from the on-site stream rather than toward the stream. If overland flows are present, the plant community within the stream buffer (e.g., non-native blackberries, etc.) likely provides the affected stream buffer some protection from erosion. In their letter-report, AAI (1999a) notes that the banks of the stream of interest are comprised of silt loams and fine sandy loams that are easily eroded and the AAI report (1999) also notes some slumping of stream banks. However, the flows contributing to this erosion originate from upgradient areas along 20th Avenue.

   During construction of the proposed PUD, TESC measures appropriate for weather and site conditions will be implemented to minimize erosion potentials. Following construction of the proposed PUD, stormwater generated by impervious surfaces within the project site will be collected, detained, and treated by on-site stormwater control facilities. Stormwater collected by on-site facilities will discharge to existing

stormwater facilities located within NE 106th Street right-of-way. All TESC and permanent stormwater control measures will be designed to existing Kirkland standards and reviewed by Kirkland either in conjunction with approval of the PUD and/or under separate approval processes.

Therefore, as the affected stream buffer likely provides minimal, if any, erosion protection relative to flows realized within the on-site stream, a reduction in the standard width buffer will not lead to unstable earth conditions or create an erosion hazard or contribute to scouring actions within the on-site stream.

6. **Requirement (KZC 90.100.2.f): It will not be materially detrimental to any other property or the City as a whole.**

   The proposed road permits the clustering of development in an economically viable fashion under current zoning and allows for the permanent preservation of on-site stream, wetland, and associated buffer habitats. The limited modification of the standard width buffer will no be materially detrimental to any other property or the City as a whole.

7. **Requirement (KZC 90.100.2.g): Fill material does not contain organic or inorganic material that would be detrimental to water quality or to fish, wildlife, or their habitat.**

   No fill material will be placed within the reduced/enhanced stream buffer. Additionally, all fill material, if any, used to facilitate construction of the proposed PUD will satisfy accepted technical specifications for the specific approved use. Consequently, no materials that could detrimentally affect fish, wildlife, or their habitat will be used on-site.

8. **Requirement (KZC 90.100.2.h): All exposed areas are stabilized with vegetation normally associated with native stream buffers, as appropriate.**

   The reduced on-site stream buffer will be enhanced through the installation of woody plants native to western Washington following the control of non-native vegetation. As noted earlier, existing native vegetation (e.g., red alder, salmonberry, etc.) will be maintained, as practicable, within reduced buffer habitats.

9. **Requirement (KZC 90.100.2.i): There is no practicable or feasible alternative that results in less impact to the buffer.**

   The proposed road permits the clustering of development in an economically viable fashion and allows for the permanent preservation of other on-site sensitive areas,

associated buffers, and buffer setback areas. Site improvements associated with the PUD are not located within identified wetlands and streams. The proposed PUD also lies beyond all applicable sensitive area buffers as required under Chapter 90 – Drainage Basins of the KZC except for the limited portions of on-site standard width stream buffer proposed for reduction. Consequently, the proposed stream buffer reduction and associated enhancement allows the development of the proposed PUD while minimizing impacts to other on-site sensitive habitats.

4.0 REFERENCES

Adolfson Associates, Inc. (AAI). 1999. Letter to Mr. Sev Jones (City of Kirkland) from Ms. Linda Krippner (Adolfson Associates, Inc.) regarding "Wetland Investigation, Daniels Property, 10623 Forbes Creek Drive, Kirkland, Washington". November 17, 1999.

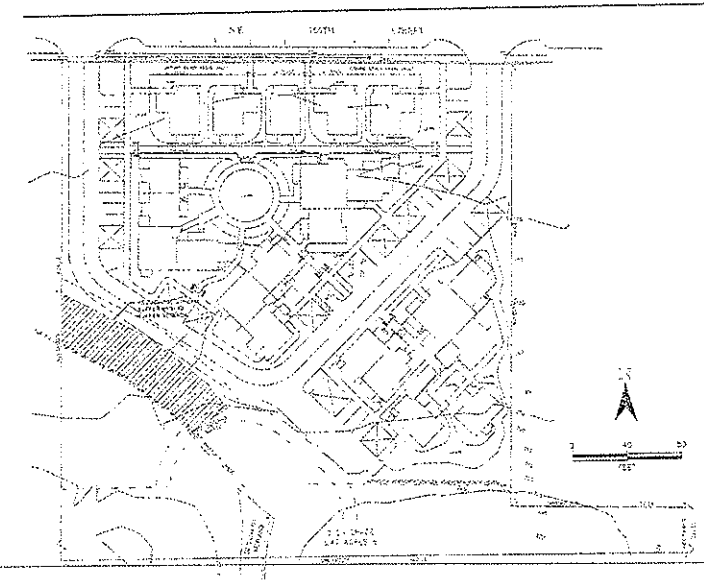
B-Twelve Associates, Inc. (B-Twelve). 1999. Letter to Mr. Mike Daniels from Mr. Ed Sewall (B-Twelve Associates, Inc.) regarding "Wetland/Stream Determination – 10623 Forbes Creek Drive; B-Twelve Job #99-133. April 7, 1999.

Kirkland, City of. (Kirkland). 1999. Letter to Mr. Mervin Johnson, Jr. (Puget Sound Investment Group, Inc.) from Mr. Sev Jones (City of Kirkland) regarding "Wetland and Stream Regulatory review – 10623 Forbes Creek Drive". November 18, 1999.

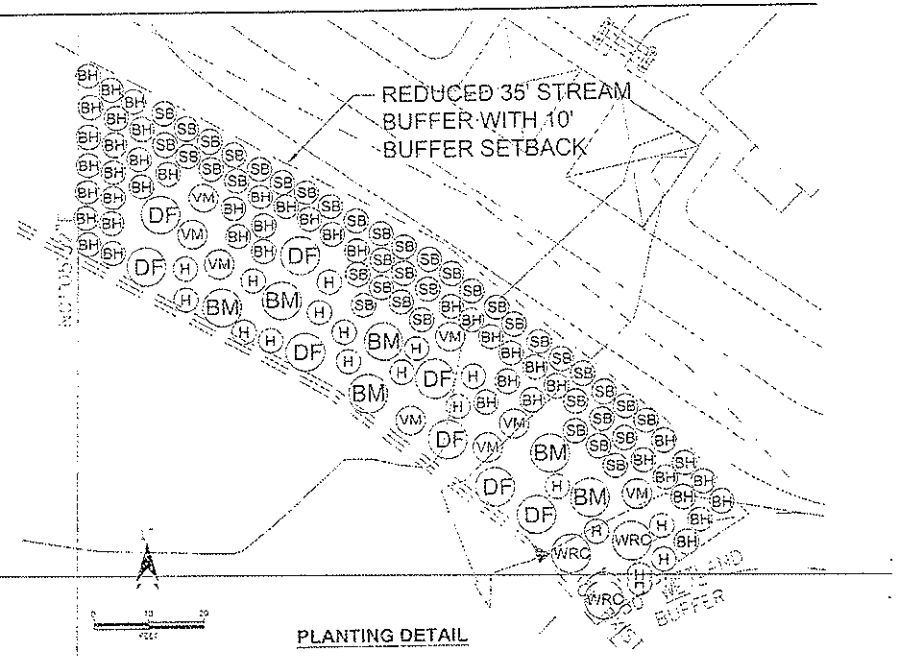
Watershed Company, The. 1998. Kirkland's streams, wetlands, and wildlife study. Prepared for the City of Kirkland.

APPENDIX A

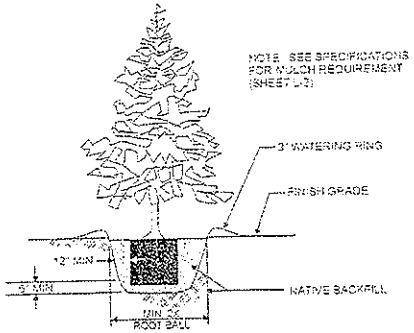
Stream Buffer Enhancement Plan



SITE PLAN



PLANTING DETAIL



TYPICAL TREE/SHRUB INSTALLATION

NO SCALE

PLANT SCHEDULE

	COMMON NAME	SCIENTIFIC NAME	MINIMUM SIZE	QUANTITY
DF	Douglas-fir	*Pseudotsuga menziesii*	4' to 6'	8
WRC	western redcedar	*Thuja plicata*	4' to 6'	3
BM	bigleaf maple	*Acer macrophyllum*	4' to 6'	6
VM	vine maple	*Acer circinatum*	4' to 6'	8
BH	baldhip rose	*Rosa gymnocarpa*	2-gallon	46
SB	snowberry	*Symphoricarpos albus*	2-gallon*	40
H	hazelnut	*Corylus cornuta*	2-gallon	18

* ALL BALDHIP ROSE SHALL HAVE A MINIMUM OF 4 LIVE STEMS.

Associated Earth Sciences, Inc.

SITE PLAN, PLANTING SCHEDULE, AND PLANTING DETAILS
THE COURTYARDS AT FORBES CREEK
KIRKLAND, WASHINGTON

SHEET L-1
DATE 9/03
PROJECT NO. KB008588

GENERAL NOTES

INVASIVE SPECIES CONTROL

For the purposes of invasive species control within the portion of stream buffer to be enhanced (Sheet L-1), the planting contractor shall control all invasive vegetation as described below. All vegetative debris shall be disposed of off-site in a manner consistent with all codes and ordinances governing locations and methods of disposal. Herbicide use to control invasive plant species will be allowed only with written approval from the City of Kirkland. If allowed, herbicides will be applied per manufacturer's recommendations and only by a Washington State licensed applicator. For the purposes of this project, the vegetation to be controlled consists of:

Himalayan blackberry (*Rubus discolor*)
evergreen blackberry (*Rubus laciniatus*)
Japanese knotweed (*Polygonum cuspidatum*)

As proposed, invasive species control will be accomplished through a variety of methods including mechanical clearing and the selective application of a glyphosate-based herbicide to control emerging seedlings following mechanical clearing (as allowed by the City of Kirkland).

FENCING

Prior to the initiation of onsite construction activities, a 4-foot high construction grade chain-link fence (or equivalent) will be erected along the upland boundary of the entire on-site portion of stream buffer as required under Chapter 90.93 of the Kirkland Zoning Code (KZC). Additionally, a fence of silt screen fabric will also be installed. Both fences shall remain installed in Kirkland-approved locations throughout the duration of development activities.

Following construction of the proposed project, a split rail fence that meets the City of Kirkland's specifications and standards will be constructed between the enhanced on-site stream buffer and the on-site developed areas.

SEED MIXTURE

The removal of non-native vegetation within the remaining on-site stream buffer to be enhanced should be accomplished in a manner that results in minimal, if any, disturbances to the area to be enhanced through the installation of native woody plant species. However, if soil disturbances affect contiguous areas greater than 100 square feet (ft²) in size, grass shall be seeded in the enhanced on-site stream buffer. The grass seed mixture applied within the enhanced stream buffer shall be composed of: low-growing creeping red fescue (*Festuca rubra* var. *littoralis*) (50 percent by weight), colonial bentgrass (*Agrostis tenuis*) (25 percent by weight), and redtop bentgrass (*Agrostis alba* var. *stolonifera*) (25 percent by weight). The minimum percent pure seed within this seed mixture shall be 95 percent and the minimum percent germination shall be 85 percent.

Application - Seed shall be applied by hand-held spreader at a rate of 55 pounds per acre. [illegible] at a rate of 60 pounds per acre.

PLANT MATERIAL

General
All native plant material to be installed as part of the enhancement activities covered by these specifications and drawings shall be of accepted size standards as specified in American Standard Nursery Stock (latest edition). All native plants shall be of normal habit of growth and shall be healthy, vigorous, and free of disease, insect eggs, and larvae.

Scientific nomenclature shall conform with Standard Plant Names (latest edition). Names not present in this listing shall conform to accepted scientific nomenclature in the nursery trade. For native trees and shrubs, no less than 10 percent of each variety or species shall be accurately labeled upon delivery to the site.

Size, quality, and quantity requirements shall meet the standards listed in these specifications and drawings.

All native plants shall be at least equal to size specified on the mitigation plant schedules. Oversize native plants are acceptable, but without an increase in the contract price. Native trees and shrubs of a size reduced from those specified will not be permitted unless such a request is received by and subsequently approved by the project biologist.

Delivery of native plant materials shall be as close to plant installation as possible to avoid extended storage of live materials on-site.

Native plant materials shall be packaged with care for transit to the planting area. Branches shall be tied back, and bark shall be protected with burlap bags to prevent damage from chafing by ropes and wires. Native plants in storage shall be protected from weather and packed to provide protection against climate and breakage during transit.

Native plant material shall not be dragged without proper root and branch protection. Containerized native plants shall be lifted by container only. Native plant materials shall not be dropped or root systems damaged.

PLANT MATERIAL SOURCE

The following are acceptable sources for each particular type of native plant material:

Native Trees and Shrubs
Local nursery grown plants are acceptable for native plant materials. Native plants are to be derived from stock acclimated to Pacific Northwest environmental conditions, having been consistently cultivated and grown under similar conditions.

PLANT QUALITY

Native Trees and Shrubs
General. Native plant material shall have all leaders and buds intact. Native trees shall not have sunscalds, disfiguring knots, fresh cuts of limbs, damaged leader or deformed trunk.

Native Container Stock. Provide native container stock grown in container long enough to provide a root system that reaches the edges of the container in which it has grown. Native shrubs shall be well rooted and shall have sufficient root mass to hold together the soil in which it is growing when removed from the pot.

MULCH

Cedar Grove medium grade compost mix, or approved equal, uniform in color, free from weed seed, sawdust, and splinters. Mulch shall not contain resin, tannin, wood fiber or compounds detrimental to plant growth. Mulch source shall be from a freshwater mill.

PLANTING

General
Only personnel experienced in the installation of native plant materials shall perform planting, and all planting shall occur under the direct supervision of a qualified supervisor. Planting locations shall be checked by the project biologist prior to and/or during planting.

Planting of native plant materials shall not take place during freezing weather or when the ground is frozen or excessively wet.

Once accepted on-site, all native plants shall be protected at all times from animal damage, vandalism, drought damage, frost damage, and wind damage.

Native plants that cannot be planted within one (1) day after arrival on-site shall be [illegible] or otherwise stored temporarily in accordance with accepted horticultural practices in a manner that does not compromise the health of the plant material.

Native plants stored under temporary conditions shall be kept moist and protected from extreme weather conditions. Native plant stock shall remain securely wrapped and protected, shall be stored in moist sawdust, and shall be kept cool, using cold storage if necessary.

All existing native vegetation, if any, shall remain undisturbed except for that occurring in the immediate vicinity of plant installation.

All plant pits shall be excavated with vertical sides. Herbaceous species, if any, within the [illegible] radius of the planting pit shall be scraped out, removed from the site, and disposed of appropriately. The bottom of all excavated planting pits shall be scarified to a depth of 4 inches and the sides of the pit shall be roughened.

All plants shall be thoroughly watered within 24 hours after planting.

Containerized Plants Installation Sequencing
In the absence of precipitation, the rootball of all containerized native plants shall be thoroughly soaked prior to planting.

Excavate a planting hole twice as large as rootball.

Remove native plant from container with rootball completely intact. Insert rootball into planting hole without bending or damaging the roots, and place root collar at finished grade.

If native container stock appears to be rootbound, slash roots vertically with a sharp knife along the outside of rootball in three (3) places minimum before planting.

Use moist, pulverized, native soil for backfilling, ensuring that good contact with rootball is made. Frozen or muddy mixtures shall not be used for backfilling. If site conditions dictate, use topsoil (from an off-site source) as approved by the project biologist for backfilling of the planting pit.

Midway through the backfill process, water thoroughly to settle soil.

Complete backfill to finished grade and ensure the native plant is at proper elevation. Water again to settle soil and add additional backfill as necessary to finished grade.

PERFORMANCE STANDARDS

PERFORMANCE STANDARDS/GUARANTEE
PLANTING CONTRACTOR

Plants shall be guaranteed for one year against defects of materials and workmanship. The guarantee period begins after the date of the provisional acceptance of plantings by the owner or appointed representative. Final acceptance will be certified in writing by the owner or appointed representative. The planting contractor has the right during the entire warranty period to enter upon the property for inspection and curative treatment of any material needing such and which are still under warranty. The owner shall be notified in advance in writing of any corrective treatment measures so as to arrange for convenient access to the area.

A 100 percent survivorship of newly installed native plant material, after the first growing season, is required under this guarantee. Specified plants shall be replaced with native plants species and sizes identified in the plant schedule in general conformance with and according to planting details on these plans unless otherwise directed in writing by the owner.

The contractor will be expected to re-set settled plants to proper grade and position during the guarantee period, restore raised soil water basin (if any) and adjacent materials, and remove dead material. The contractor should correct defective work as soon as possible after defects become apparent and weather and/or season permit.

All planted material should be maintained and weeded for at least one year following installation.

Native tree and shrub material that are greater than or equal to 25 percent dead or disfigured will be considered dead and must be replaced by the contractor at no additional charge. This includes damage from animal browse or insects. A tree will be considered dead when the main leader has died back or when a minimum of 25 percent of the crown/canopy is dead. Plants will be considered disfigured when excessive dead wood has been removed or when the symmetry or typical habit of growth has been impaired by the removal of the dead wood.

The planting contractor shall replace native trees and shrubs when plants are no longer in a satisfactory growing condition as determined by the owner, for the duration of the guarantee period. Replacements shall be made within seven (7) days of notification from project biologist unless otherwise approved in writing by the owner.

After each replacement period, if any, the planting contractor shall submit a marked planting plan showing the location of each item replaced at that time. Replacement plants shall be marked with colored survey tape, and shall be guaranteed for one full year following planting.

MONITORING/PERFORMANCE STANDARDS
OWNER

Monitoring Schedule
In addition to plant installation oversight (as necessary), monitoring and reporting will be performed over a 5-year period as follows:

Immediately after planting is to provide an as-built report. The as-built monitoring survey will consist of a direct count of all planted materials and all determinations of the survival of woody plants installed as part of the on-site stream buffer enhancement effort will be derived from these direct counts of the planted materials. The as-built monitoring survey will also include the documentation of the overall distribution of plant materials and the establishment of permanent photostations. The as-built report will be submitted to the City of Kirkland within 45 days of acceptance of plantings by the owner or appointed representative. In addition to the report, nursery invoices (or equivalent documentation) will also be submitted detailing the plant material species and quantity. However, a detailed survey drawing indicating the exact location of each plant shall not be provided.

Monitoring of the enhanced on-site stream buffer will be completed according to the following schedule:

Year 1 - as-built report during the spring following installation and late summer
Year 2 - late summer
Year 3 - late summer
Year 5 - late summer

Following the submittal of the as-built report, all subsequent written reports will be submitted to the City of Kirkland no later than October 15th of the monitoring year for review and approval. The written reports shall include:

- Percent survival of planted woody materials based on information collected from a direct count of planted materials.
- Condition of plants including survivorship, percent cover and health and vigor. Rationale for poor condition of plants, if present, will be determined and recommendations to rectify improper conditions will be provided in the report. A discussion of the natural establishment of native species not included in the planting plans (e.g., red alder) will also be provided.
- Documentation of native and non-native invasive species within the enhancement area.
- Observations of wildlife use.
- Overall condition of the mitigation area including signs of erosion, human disturbance, etc.
- Photo documentation from the permanently established photostations.

Enhancement Performance Standards
100 percent survival of all plantings after one year, and 80 percent after five years.

Tree and shrub cover of 10 percent following one growing season.

Tree and shrub cover of 25 percent following two growing seasons.
Tree and shrub cover of 30 percent following three growing seasons.
Tree and shrub cover of 40 percent following five growing seasons.

Maximum ten percent cover of non-native plant species within the enhanced on-site stream buffer during the monitoring period.

If any monitoring report or City inspection reveals that the enhancement is not satisfying the above-stated performance standards, the owner will perform corrective actions as may be necessary (e.g., replacement of dead/severely stressed plants, continued/more removal of invasive species, etc.).

Contingency
Appropriate contingency plans will be developed during the 5-year monitoring period to correct problems identified during monitoring. If necessary, replanting will be conducted after the reason for failure has been determined (e.g., poor planting stock, moisture regime, herbivory, disease, shade/sun conditions, hydrologic conditions, vandalism, plant competition, etc.). All contingency plans will be submitted to the City of Kirkland for approval prior to implementation. A report would also be submitted to the City of Kirkland upon completion of any contingency plans.

Associated Earth Sciences, Inc.

MATERIALS SPECIFICATIONS, GENERAL NOTES, MONITORING INFORMATION, AND PERFORMANCE STANDARDS

THE COURTYARDS AT FORBES CREEK
KIRKLAND, WASHINGTON

SHEET L-2
DATE 9/03
PROJ NO. KB00568B

CITY OF KIRKLAND
123 FIFTH AVENUE • KIRKLAND, WASHINGTON 98033-6189 • (425) 828-1243

DEPARTMENT OF PUBLIC WORKS MEMORANDUM

To: Desiree Goble, Planner

From: Thang Nguyen, Transportation Engineer

Date: October 20, 2004

Subject: Forbes Creek Single-family Residential Development

This memo summarizes Staff preliminary review of the traffic information submitted by Chaffey Homes and serves as the concurrency test notice for the project.

Project Description
The applicant proposes to construct 11 single-family homes. The project is forecasted to generate 108 daily trips and 12 PM peak hour trips.

Traffic Concurrency
Traffic concurrency was tested for the proposed project. The project passed concurrency. The concurrency test notice will expire on October 20, 2005 unless a development permit and certificate of concurrency are issued or an extension is granted. Attached is the concurrency test result.

Expiration
The concurrency test notice shall expire and a new concurrency test application is required unless:

1. A complete SEPA checklist, traffic impact analysis and all required documentation are submitted to the City within 90 calendar days of the concurrency test notice.

2. A Certificate of Concurrency is issued or an extension is requested and granted by the Public Works Department within one year of issuance of the concurrency test notice. (A Certificate of Concurrency is issued at the same time a development permit or building permit is issued if the applicant holds a valid concurrency test notice.)

3. A Certificate of Concurrency shall expire six years from the date of issuance of the concurrency test notice unless all building permits are issued for buildings approved under the concurrency test notice.

Appeals

The concurrency test notice may be appealed by the public or agency with jurisdiction. The concurrency test notice is subject to an appeal until the SEPA review process is complete and the appeal deadline has passed. Concurrency appeals are heard before the Hearing Examiner along with any applicable SEPA appeal. For more information, refer to the Kirkland Municipal Code, Title 25.

Scope of Traffic Impact Analysis

A limited scope of traffic analysis is required for the proposed project. The scope of the analysis shall include the following:

- Proportional share calculation to identify significant intersection for level of service and safety analysis
- A survey of Forbes Creek Drive within fifty feet of the project site's east and west property lines should be provided for Staff review of access management.
- Operation and sight distance analysis for the project's driveway

If you have questions or comments, please call me at x2901.

cc: Rob Jammerman, Development Engineer Manager
File

1) Project ID: Forbes Creek Chaffey Homes single-family development		4) Transportation Concurrency Status: PASS	6) Transportation Concurrency Certificate Date:
2) Project Description: replace a single-family home with 11 new single-family homes		5) Transportation Concurrency Test Date: 20-Oct-04	7) Certificate of Occupancy Date
3) Build-out Year: 2007			

SUMMARY OF TRAFFIC IMPACTS

8) Daily Trips	108	PM Peak Trips:	12	Impacted Subarea(s):	SW,NW	TAZ:	281

Signalized Intersection PM Peak Traffic Impact

		Project PM Peak Turning Volumes															
		Eastbound			Westbound			Northbound			Southbound						
Code	Intersection	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT	PM Peak Trips	Daily Trips	Sum of Critical Vol*	Vol Capacity Ratio*
102	Lake Wash/Lakeview Dr													0		1194	0.87
107	Central Way/Lake St		1											1		1231	0.86
108	Lake St/Kirkland Ave													0		904	0.60
201	98th Ave NE/Juanita Dr			1	1	2						1		5		1167	0.82
202	100th Ave NE/NE 124th St								1	1		1		3		1379	1.00
205	Market St/Forbes Creek				3		1			4	2			10		1246	0.87
	#N/A													0		#N/A	#N/A
	#N/A													0		#N/A	#N/A
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Transportation Concurency Test

	LOS Standards		LOS with Project Impacts			
Subarea No	A= Max. Intersection LOS	B=Average 2009 V/C	a=No. exceeding 1.4	b=Average V/C	a <= A?	b<= B?
Southwest (1xx)	1.4	1.01	0	0.90	yes	yes
Northwest (2xx)	1.4	1.20	0	0.95	yes	yes
Northeast (3xx)	1.4	1.04	0	0.86	yes	yes
East(4xx)	1.4	1.10	0	1.02	yes	yes

TEST RESULTS

Result: PASS

* Based on Critical Movement, Planning Method TRC #212.

1. Number of intersection exceeding Average V/C LOS Standard (2012)

1 Sixth Year Target Average V/C ratio, see step 6, part 1 of the guidelines

ADOLFSON

Environmental Solutions

November 21, 2003

RECEIVED
DEC 3 2003
✓ AM PM
PLANNING DEPARTMENT
BY

Desiree Goble
City of Kirkland
Planning and Community Development
123 5th Avenue
Kirkland, Washington 98033-6189

RE: REVIEW FOR THE COURTYARDS AT FORBES CREEK PROPOSED STREAM BUFFER MODIFICATION, 10623 FORBES CREEK DRIVE, KIRKLAND, WASHINGTON

Dear Desiree,

Adolfson Associates, Inc. (Adolfson) is pleased to present the following summary of our review of the Proposed Stream Buffer Modification for The Courtyards at Forbes Creek planned urban development (PUD) prepared by Associated Earth Sciences, Inc. in September 2003. This development was previously known as Forbes Creek Station PUD.

Adolfson identified two Type III wetlands and one Class C stream on the project site in 1999. One of the wetlands onsite is exempt from Kirkland regulations in accordance with Kirkland Zoning Code (KZC) 90.20 because it is less than 1,000 square feet in size. The regulated wetland on the site has a standard buffer of 50 feet and the Class C stream has a standard buffer of 35 feet.

Adolfson scientists, Linda Krippner and Adam Merrill, conducted a site visit on November 5, 2003 to assess current site conditions and the stream buffer area proposed for modification. The buffer area proposed for modification is dominated by invasive plant species including Japanese knotweed and Himalayan blackberry and by native red alder and salmonberry. Native soils have recently been piled in one area of the buffer, and wood construction debris, grown over with Himalayan blackberry, is located near the soil piles in the buffer. The Class C stream is deeply incised with nearly vertical banks, up to six feet deep in places. This severe stream erosion is likely caused by high peak stormwater flows from impervious areas upstream of the site.

The project applicant proposes to reduce the stream buffer by approximately 1,572 square feet. The minimum width of this buffer at any given location is no less than 23 feet, or approximately 33 feet if the 10-foot building set back is included. The 10-foot building set back is included in the buffer enhancement plan and will be replanted. Buffer reductions are allowed in accordance with criteria set forth in KZC 90.100. Mitigation for this stream buffer reduction would include invasive plant species management and replanting with native trees and shrubs within the reduced stream buffer. The area of buffer mitigation is approximately 4,000 square feet in size and would extend between the planned development and the stream. Additional buffer areas upstream of the reduced buffer, also dominated by invasive plants, are not included in this enhancement plan.

ADOLFSON ASSOCIATES, INC. 5309 Shilshole Avenue NW, Suite 200 Seattle, WA 98107
tel 206 789 9658 fax 206 789 9684 adolfson@adolfson.com

ATTACHMENT SEPA 7
FILE NO. PSB04-00002

The buffer modification report describes how the proposed stream modification meets the nine decision criteria outlined in KZC 90.100.2. The buffer modification proposal meets applicable KZC criteria for the following reasons:

- KZC 90.100.1.b. The buffer would be reduced to approximately 23 feet with a 10-foot set back, it would not be reduced by more than one-third of the standard 35-foot buffer. According to the buffer enhancement plan, invasive plant species would be removed and native shrubs and trees would be planted to increase habitat diversity in the buffer. Once the new plantings become established, the enhanced buffer should function at a higher level than the existing standard buffer.

- KZC 90.100.2.a. The stream buffer modification is consistent with *Kirkland's Streams, Wetlands and Wildlife Study* (The Watershed Company, 1998) and the *Kirkland Sensitive Areas Recommendations Report* (Adolfson Associates, Inc., 1998) because buffer reduction of not more than one third of the standard buffer is accepted as long as adequate buffer enhancement is provided. Although the restoration of incised stream banks onsite would likely provide greater ecological benefit overall, stream buffer enhancement is accepted for providing enhancement for stream buffer reduction according to these documents.

- KZC 90.100.2.b. Water quality should not be adversely affected by the buffer modification plan because temporary erosion and sediment control (TESC) measures will be implemented to minimize erosion in the buffer area to be reduced and throughout the areas to be developed. The buffer enhancement plan is not anticipated to adversely affect water quality. The stream buffer is not hydrologically connected to the stream due to the incised nature of the existing stream banks at this location. On the other hand, greater benefit to water quality in the stream would be realized by instream channel improvements, such as installation of rock boulders and large woody debris, to reduce flows and minimize future down cutting

- KZC 90.100.2.c. The proposed stream buffer modification would not adversely affect fish, wildlife, or their habitat, rather it should result in the establishment of a more diverse native plant community within the remaining, planted (23 foot plus 10 foot buffer set back) buffer area.

- KZC 90.100.2.d. The proposed stream buffer modification would not have an adverse effect on drainage and/or storm water detention capabilities. The reduced buffer area would continue to provide retention capabilities typical of native forest areas. New impervious surfaces on the site would be controlled by directing storm water to existing storm water facilities located within the NE 106th Street right-of-way (Associated Earth Sciences, 2003).

- KZC 90.100.2.e. The proposed stream buffer modification would not lead to unstable earth conditions, create an erosion hazard, or contribute to scouring actions because the enhancement plan would preserve native forest conditions within 33 feet of the stream. However, if the proposed enhancement incorporated stream and stream bank restoration on the site, further instream erosion would be prevented or minimized thereby improving existing erosion problems associated with the stream.

- KZC 90.100.2.f. The proposed stream buffer modification would not be materially detrimental to any other property or the City as a whole. However, bank restoration would likely provide

more ecological benefit to the City as a whole, than the proposed stream buffer enhancement plan.

- KZC 90.100.2.g. Fill material placed within the standard 10-foot buffer set back or elsewhere on the site would meet accepted technical specifications and would not contain material that would be detrimental to water quality or to fish, wildlife, or their habitat (Associated Earth Sciences, 2003). No fill material would be placed within the reduced buffer or other sensitive areas and their buffers. The buffer enhancement plan would include the removal of existing soils piles and wood construction debris within the buffer.

- KZC 90.100.2.h. Exposed areas would be stabilized with vegetation. Existing native vegetation, including red alder and salmonberry, would be retained in the buffer enhancement area. Any areas of disturbed soils more than 100 square feet in size in the reduced buffer area would be seeded with an approved grass seed mix.

- KZC 90.100.2i. The placement of the road that would encroach into the standard 10-foot buffer set back allows the PUD to cluster homes in the development. Moving the proposed road outside of the 10-foot buffer set back would result in a smaller PUD development. Although the City could determine that reducing the size of the PUD development is a practicable or feasible alternative, the buffer modification plan meets the above KZC criteria. In addition, the current buffer modification plan or a modified stream restoration plan, should provide more ecological benefit overall than preserving the entire standard buffer and set back, assuming that success criteria are met.

Although the proposed buffer modification and enhancement plan technically meets the requirements of KZC 90.100, the regulatory criteria above would be met much more completely with a combination buffer enhancement and stream restoration plan given current site conditions. Due to the degraded nature of the existing, incised stream, we recommend the applicant include stream restoration in the proposal along with buffer enhancement to fully mitigate impacts on this site. Restoration activities in the stream are needed to minimize erosion and maintain habitat integrity in the stream system.

Thank you for the opportunity to review this proposed stream buffer modification plan for The Courtyards at Forbes Creek. If you have any questions you may contact me or Teresa Vanderburg at 206-789-9658.

Sincerely,

ADOLFSON ASSOCIATES, INC.

Linda Krippner

Linda Krippner
Senior Ecologist

ADOLFSON

Environmental Solutions

RECEIVED
NOV 18 1999
.....AM .....PM
PLANNING DEPARTMENT
BY

November 17, 1999

Mr. Sev Jones
Department of Planning and Community Development
City of Kirkland
123 Fifth Avenue
Kirkland, WA 98033-6189

RE: Wetland Investigation, Daniels Property, 10623 Forbes Creek Drive, Kirkland, WA

Dear Mr. Jones:

Adolfson Associates, Inc. (Adolfson) is pleased to present the results of our wetland delineation on the approximately 5.5 acre Daniels property, located at 10623 Forbes Creek Drive. in the City of Kirkland, Washington. The purpose of the wetland study was to delineate wetlands and determine the City of Kirkland regulatory classification of the wetlands located on or near the Daniels property. You instructed us to focus our evaluation on the northern half of the property, which is flatter, and more easily developed; steep areas in the southern half of the property were only investigated within 100 feet of the flatter areas.

Our wetland identification methods are based on the *Washington State Wetlands Identification and Delineation Manual* (Washington State Department of Ecology, 1997) and require observations of plants, soils, and hydrologic conditions on a site. Soil colors below are described both by common color name (for example, "dark brown") and by a numerical description of their hue, value, and chroma (for example, 10YR 2/2) as identified on a Munsell soil color chart (Munsell Color 1992). Our wetland classification methods are based on the definitions provided in the *City of Kirkland Interim Sensitive Areas Ordinance Chapter 90.VI. Definitions* and the City's Wetland Field Data Form (attached).

Preliminary Review. A preliminary review of existing information was conducted to identify mapped wetlands or site characteristics indicative of wetlands on the subject property. No wetlands are identified on the property by the US Fish and Wildlife Service National Wetlands Inventory (NWI) (Kirkland quadrangle, 1988), or by the *Kirkland Streams, Wetlands and Wildlife Study* (The Watershed Company, 1998). One stream is identified on the Daniels property in the *Kirkland Streams, Wetlands and Wildlife Study*.

The *Soil Survey of King County* (Snyder et al., 1973) indicates that soils on the site are classified as Indianola loamy fine sand and Ragnar fine sandy loam. Although these soils are not considered "hydric" or wetland soils by the *Hydric Soils of the State of Washington* (Soil Conservation Service, 1991), hydric soil inclusions may be found within these soil types.

A wetland/stream determination letter to Mike Daniels, prepared by B-twelve Associates, Inc. dated April 7, 1999, describes the findings of their field study conducted in March 1999. The letter describes two streams located in steep sided ravines flowing north towards Forbes Creek Drive. The letter indicates that wetlands were not found on the Daniels property.

Adolfson also surveyed the on-site streams and presented the results of this survey in a letter dated June 8, 1999. In this letter, Adolfson classified the two on-site streams as Class C streams because they are seasonal and do not provide habitat for salmonids.

Findings. Adolfson scientist Kris Jaeger and I conducted a site visit on November 2, 1999. A single-family residence, an office building and other outbuildings are located on the northern

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ATTACHMENT 3
PSB04-00002

portion of the property. The remaining area is forested with two steep ravines located in the south portion of the property. Two wetland areas were delineated during the survey. No other wetland areas were identified within 100 feet of the flatter, more easily developed land on the northern half of the property.

Wetland A. Wetland A is located along the deeply incised stream near the center of the main parcel (Figure 1). Wetland A begins near the center of the site and follows the stream channel upstream to the south. We only delineated Wetland A to a point approximately 100 feet south of the flatter, north portion of the property. The wetland continues south along the stream from flag numbers one and two (Figure 1).

Wetland A is a sparsely vegetated palustrine scrub-shrub wetland dominated by salmonberry (*Rubus spectabilis*), youth-on-age (*Tolmeia menziesii*), and lady fern (*Athyrium felix-femina*). The tree canopy, overhanging but not rooted in the wetland, includes big-leaf maple (*Acer macrophyllum*), red alder (*Alnus rubra*), and western red cedar (*Thuja plicata*). The soil is black (2.5Y 2.5/1) silt loam with prominent, large oxidized rhizospheres. The stream influences wetland hydrology. The wetland soil was saturated to the surface during the survey. Data plot seven characterizes Wetland A.

Wetland B. Wetland B is approximately 400 square feet in size and therefore not large enough (due to it's classification and size) to be considered a regulated wetland by the City of Kirkland. Wetland B is a narrow depression located along what appears to have been the old stream channel. An old, man-made berm of rock fill is located between Wetland A and Wetland B. This gravel berm directs stream flow to the northwest.

Wetland B is a palustrine scrub-shrub wetland that is dominated by a mix of non-native and native invasive species including red alder, Himalayan blackberry (*Rubus procerus*), Japanese knotweed (*Polygonum cuspidatum*), and reed canarygrass (*Phalaris arundinacea*). The soil met the criteria for hydric conditions because at 5 to 15 inches in depth the soil was a silt loam with low chroma (5Y 5/1) and abundant mottles (10YR 4/6). The soil was saturated to the surface during the survey. Data plot three characterizes Wetland B.

Streams. Two streams are located on the site. The stream near the center of the property is very deeply incised with banks that have obviously slumped in recent years. The soil along these banks is erodable silt loam and fine sandy loam. The deeply eroded stream banks are up to eight to ten feet higher than the stream channel in some places. Any future developments draining to this stream should provide adequate stormwater detention to prevent peak flows and address stream bank erosion on site. The second stream is located along the east edge of the site. The streams shown on and west of this site in the *Kirkland Streams, Wetlands and Wildlife Study* are not located accurately.

The steep slopes on the south portion of the site are covered by deciduous forest. Dominant plants in this forest include big-leaf maple, vine maple (*Acer circinatum*), red alder, black cottonwood (*Populus balsamifera*), red elderberry (*Sambucus racemosa*), Indian plum (*Oemleria cerasiformis*), salmonberry, and sword fern (*Polystichum munitum*). Invasive plants such as Himalayan blackberry and Japanese knotweed are encroaching on the lower and less steep portions of these slopes. Areas near the buildings were covered with grass lawn, and there was a small open field dominated by creeping buttercup (*Ranunculus repens*), velvetgrass (*Holcus lanatus*), and reed canarygrass behind the house and near the pumphouse. The soil is generally dark grayish brown (10YR 3/2) silt loam in the upper horizon and yellowish brown (10YR 5/6) fine sandy loam in the lower horizon. The upland soils also included some silty sandy loams. Data plots one, two, four, five, and six characterize these various upland areas (Figure 1).

Regulatory Implications. The Daniels property lies within the Forbes Creek Basin considered a primary basin in the City of Kirkland. Wetlands A and B are considered a Type III wetlands by the City of Kirkland (see attached rating form). Due it's small size (less than 1,000 square feet) and Type III classification, Wetland B is exempt from the provisions of Chapter 90 (*City of Kirkland Interim Ordinance Chapter 90.IV.C.*). The City requires a 50-foot buffer for Type III wetlands within primary basins (*City of Kirkland Interim Ordinance Chapter 90.VII.B*). The majority of Wetland B should be within the 50-foot buffer of Wetland A.

The two on-site streams are considered Class C streams with standard buffers of 35 feet (*City of Kirkland Interim Ordinance Chapter 90.VIII.C*). The building set back from regulated wetland buffers and stream buffers is ten feet (*City of Kirkland Interim Ordinance Chapter 90.VII.C. and VIII.D.*)

Limitations. It should be recognized that wetland identification is an inexact science and that differences in professional opinion often occur between trained individuals. Final wetland determinations are the responsibility of the resource agencies that regulate activities in and around wetlands. Further, wetlands are by definition transition areas and the definition of jurisdictional wetlands is subject to change. We recommend that another wetland survey be conducted on this site if greater than three years elapse from the date of this letter, or if physical changes occur on this property.

Within the limitations of schedule, budget, and scope-of-work, we warrant that this study was conducted in accordance with generally accepted environmental science practices, including the technical guidelines and criteria in effect at the time this study was performed, as outlined in the Methods section. The results and conclusions of this report represent the authors' best professional judgment, based upon information provided by the project proponent in addition to that obtained during the course of this study. No other warranty, expressed or implied, is made.

Thank you for the opportunity to prepare this material for you. If you have any questions please call Teresa Vanderburg or me at (206) 789-9658.

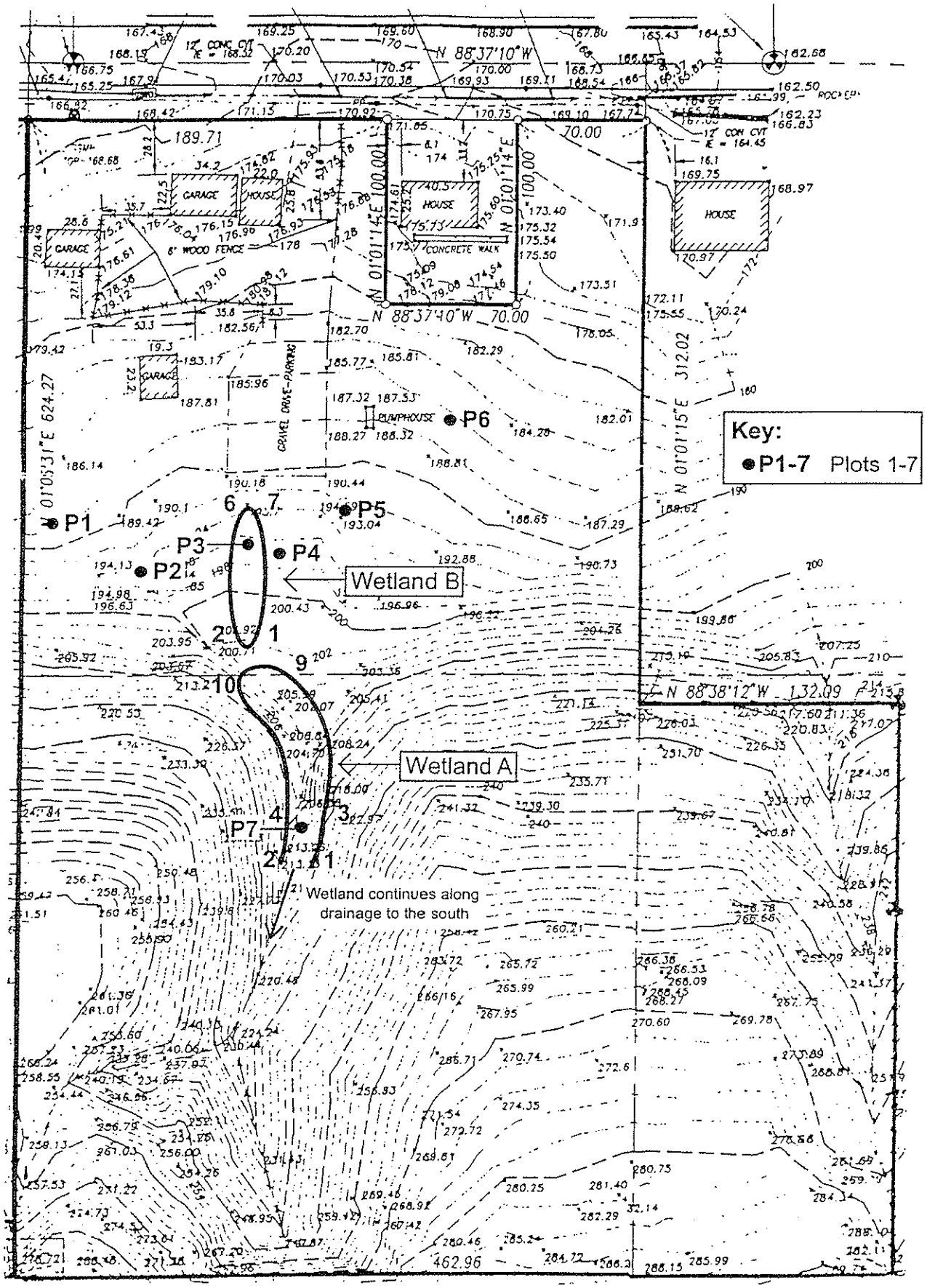
Sincerely,

ADOLFSON ASSOCIATES, INC.

Linda Krippner

Linda Krippner
Project Ecologist

Attachments: Figure 1
Data forms
Wetland rating form



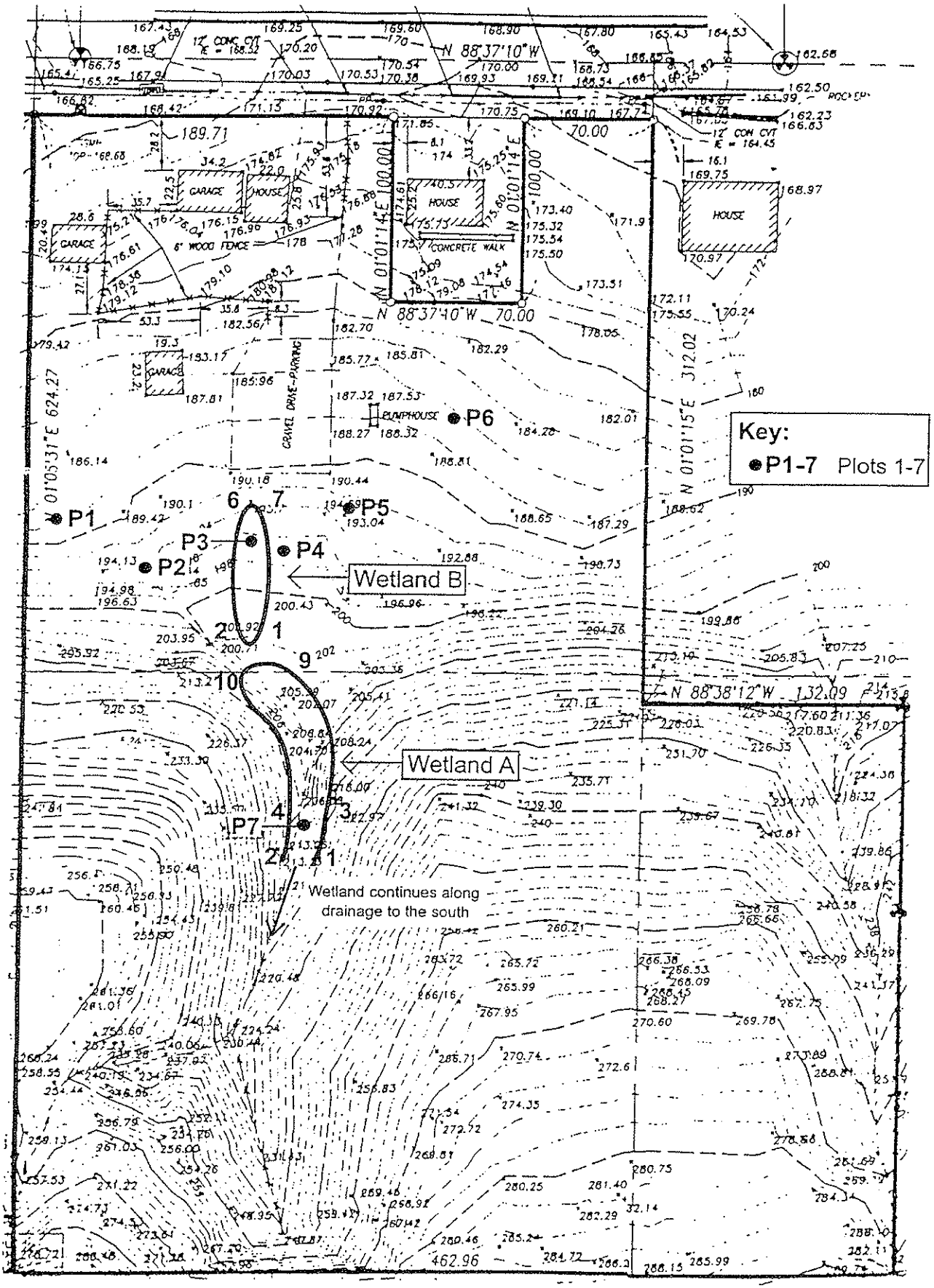
NORTH
No Scale

File name: 99033-151Bwet.ai
Original Graphic by: ACT
Edits by:
Date: 11/12/99

SOURCE: Western Surveyors Inc.
Topograhic Map.

ADOLFSON

FIGURE 1.
APPROXIMATE WETLAND BOUNDARIES
DANIEL'S PROPERTY
KIRKLAND, WASHINGTON



NORTH
No Scale

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ADOLFSON

FIGURE 1.
APPROXIMATE WETLAND BOUNDARIES
DANIEL'S PROPERTY
KIRKLAND, WASHINGTON

DATA FORM 1
Routine Wetland Determination
(WA State Wetland Delineation Manual or
1987 Corps Wetland Delineation Manual)

Project/Site: Daniels property
Applicant/owner: Mike Daniels
Investigator(s): Linda Kruppner (LK), Kris Jaeger (KJ)

Date: 11/2/99
County: Kit
State: WA
S/T/R: 32/26 N/5E

Do Normal Circumstances exist on the site? (yes) no
Is the site significantly disturbed (atypical situation)? (yes) no - invasive weeds dominant
Is the area a potential Problem Area? yes (no)

Community ID:
Transect ID:
Plot ID: Plot 1 near west border of stream

VEGETATION

Dominant Plant Species	Stratum	Indicator	Dominant Plant Species	Stratum	Indicator
Rubus procerus 50%		FACU			
~~Equisetum telmateia 5%~~					
Rubus spectabilis 20%		FAC			
Alnus rubra 50%		FAC			
Phalaris arundinacea 20%		FACW			

HYDROPHYTIC VEGETATION INDICATORS:

% of dominants OBL, FACW, & FAC: 75%

heck all indicators that apply & explain below:

Regional knowledge of plant communities ____ Wetland plant list (nat'l or regional) ____ OTHER ____
Physiological or reproductive adaptations ____ Morphological adaptations ____
Technical Literature ____ Wetland Plant Data Base ____

Hydrophytic vegetation present? (yes) **no**
Rationale for decision/Remarks:

HYDROLOGY

Is it the growing season? (yes) no
Based on:

Dept. of inundation: — inches
Depth to free water in pit: — inches
Depth to saturated soil: — inches

Water Marks: yes (no)
Drift Lines: yes (no)
Oxidized Root (live roots) Channels <12 in. yes (no)
FAC Neutral: yes (no)

Sediment Deposits: yes no
Drainage Patterns: (yes) no
Local Soil Survey: yes no
Water-stained Leaves: yes no

Check all that apply & explain below:
Stream, Lake or gage data: ____
Aerial photographs: ____ Other: ____

Other:

Wetland hydrology present? yes (no)
Rationale for decision/Remarks:

Robins, spotted towhee, stellars jay

DATA FORM 1
Routine Wetland Determination
(WA State Wetland Delineation Manual or
1987 Corps Wetland Delineation Manual)

Project/Site: Daniels Wetland Delineation
Date: 11/2/99
Applicant/owner: Mike Daniels
County: King
State: WA
Investigator(s): KK + KJ
S/T/R: 32/26N/5E

Do Normal Circumstances exist on the site? (yes) no
Is the site significantly disturbed (atypical situation)? yes (no)
Is the area a potential Problem Area? yes (no)

Community ID:
Transect ID:
Plot ID: #2

VEGETATION

Dominant Plant Species	Stratum	Indicator	Dominant Plant Species	Stratum	Indicator
Rubus procerus	Shrub	30% NA			
Phalaris arundinaceae	Grass	70% FACW			
Alnus rubra	Tree	45% FAC			
Equisetum telmateia	Herb	trace			

HYDROPHYTIC VEGETATION INDICATORS:

% of dominants OBL, FACW, & FAC: 2/3 - 66.6%

Check all indicators that apply & explain below:

Regional knowledge of plant communities ____ Wetland plant list (nat'l or regional) ____ OTHER ____
Physiological or reproductive adaptations ____ Morphological adaptations ____
Technical Literature ____ Wetland Plant Data Base ____

Hydrophytic vegetation present? (yes) **no**
Rationale for decision/Remarks:

HYDROLOGY

Is it the growing season? (yes) no
Based on:

Water Marks: yes no	Sediment Deposits: yes no	
Drift Lines: yes no	Drainage Patterns: yes no	
Oxidized Root (live roots) Channels <12 in. yes no	Local Soil Survey: yes no	
FAC Neutral: yes no	Water-stained Leaves: yes no	

Dept. of inundation: 0 inches some surface saturation
Depth to free water in pit: 0 inches due to recent precipitation
Depth to saturated soil: 0 inches

Check all that apply & explain below:
Stream, Lake or gage data: ____
Aerial photographs: ____ Other: ____

Other:

Wetland hydrology present? yes (no)
Rationale for decision/Remarks:
soil pit ~ 6' from drainage, severly incised banks measuring approx 8ft in depth

DATA FORM 1
Routine Wetland Determination
(WA State Wetland Delineation Manual or
1987 Corps Wetland Delineation Manual)

Project/Site: Daniels Wetland, Kirkland	Date: 11/2/19
Applicant/owner: Mike Daniels	County: King State: WA
Investigator(s): LX + KJ	S/T/R: 32/26N/5E
Do Normal Circumstances exist on the site? (yes) no Is the site significantly disturbed (atypical situation)? yes (no) Is the area a potential Problem Area? yes (no)	Community ID: Transect ID: Plot ID: #3

VEGETATION

Dominant Plant Species	Stratum	Indicator	Dominant Plant Species	Stratum	Indicator
Polygonum cuspidatum	H 20%	FACU	Alnus rubra	T 55%	FACW
Rubus procerus	S 30%	FACU			
Athyrium filix-femina	H 10%	FACW			
Phalaris arundinacea	H 4.0%	FACW			
Rhododendron 2 large shrubs					

HYDROPHYTIC VEGETATION INDICATORS:

% of dominants OBL, FACW, & FAC: 3/4 66.7%

Check all indicators that apply & explain below:

Regional knowledge of plant communities ____ Wetland plant list (nat'l or regional) ____ OTHER ____
Physiological or reproductive adaptations ____ Morphological adaptations ____
Technical Literature ____ Wetland Plant Data Base ____

Hydrophytic vegetation present? (yes) no
Rationale for decision/Remarks:

HYDROLOGY

Is it the growing season? (yes) no Based on:	Water Marks: yes (no) Drift Lines: yes (no)	Sediment Deposits: yes no Drainage Patterns: (yes) no
Dept. of inundation: Ø inches	Oxidized Root (live roots) Channels <12 in. yes (no)	Local Soil Survey: yes no
Depth to free water in pit: Ø inches Depth to saturated soil: 0 inches	FAC Neutral: yes no	Water-stained Leaves: yes (no)
Check all that apply & explain below: Stream, Lake or gage data: ____ Aerial photographs: ____ Other: ____	Other:	

Wetland hydrology present? (yes) no
Rationale for decision/Remarks:

DATA FORM 1
Routine Wetland Determination
(WA State Wetland Delineation Manual or
1987 Corps Wetland Delineation Manual)

Project/Site: Daniel's property
Applicant/owner: Mike Daniels
Investigator(s): Linda Kruppner, Kris Jaeger

Date: 11/2/99
County: King
State: WA
S/T/R: 32/26N/5E

Do Normal Circumstances exist on the site? (yes) no
Is the site significantly disturbed (atypical situation)? yes (no)
Is the area a potential Problem Area? yes (no)

Community ID:
Transect ID: 4
Plot ID:

VEGETATION

Dominant Plant Species	Stratum	Indicator	Dominant Plant Species	Stratum	Indicator
Polygonum cuspidatum 20%	shrub	FACU			
Rubus procerus 30%	shrub	FACU			
Rhododendron					
Alnus rubra 80%	tree	FAC			
Phalaris arundinacea 10%	herb	FACW			

HYDROPHYTIC VEGETATION INDICATORS:

% of dominants OBL, FACW, & FAC: 50% or maybe less depending on Rhododendron

Check all indicators that apply & explain below:

Regional knowledge of plant communities ____ Wetland plant list (nat'l or regional) ____ OTHER ____
Physiological or reproductive adaptations ____ Morphological adaptations ____
Technical Literature ____ Wetland Plant Data Base ____

Hydrophytic vegetation present? yes (no)
Rationale for decision/Remarks:
50% hydric veg

HYDROLOGY

Is it the growing season? (yes) no
Based on:

Water Marks: yes no	Sediment Deposits: yes no
Drift Lines: yes no	Drainage Patterns: yes no
Oxidized Root (live roots) Channels <12 in. yes no	Local Soil Survey: yes no
FAC Neutral: yes no	Water-stained Leaves: yes no

Dept. of inundation: — inches
Depth to free water in pit: — inches
Depth to saturated soil: — inches

Check all that apply & explain below:
Stream, Lake or gage data: ____
Aerial photographs: ____ Other: ____

Other:

Wetland hydrology present? yes (no)
Rationale for decision/Remarks:

DATA FORM 1
Routine Wetland Determination
(WA State Wetland Delineation Manual or
1987 Corps Wetland Delineation Manual)

Project/Site: Daniels property	Date: 11/2/99
Applicant/owner: Mike Daniels	County: King State: WA
Investigator(s): LK, KJ	S/T/R: 32/26N/5E
Do Normal Circumstances exist on the site? (yes) no Is the site significantly disturbed (atypical situation)? yes (no) Is the area a potential Problem Area? yes (no)	Community ID: Transect ID: Plot ID: Plot 5

VEGETATION

Dominant Plant Species	Stratum	Indicator	Dominant Plant Species	Stratum	Indicator
Rubus procerus 90%	shrub	FACU			
Equisetum telemateia 20%	herb	FACW			
Alnus rubra 90%	tree	FAC			

HYDROPHYTIC VEGETATION INDICATORS:

% of dominants OBL, FACW, & FAC: 67%

Check all indicators that apply & explain below:

Regional knowledge of plant communities ____ Wetland plant list (nat'l or regional) ____ OTHER ____
Physiological or reproductive adaptations ____ Morphological adaptations ____
Technical Literature ____ Wetland Plant Data Base ____

Hydrophytic vegetation present? (yes) **no**
Rationale for decision/Remarks:

HYDROLOGY

Is it the growing season? (yes) no Based on:		Water Marks: yes (no) Drift Lines: yes (no)	Sediment Deposits: yes (no) Drainage Patterns: yes (no)
Dept. of inundation: — inches Depth to free water in pit: — inches Depth to saturated soil: — inches		Oxidized Root (live roots) Channels <12 in. yes (no) FAC Neutral: yes (no)	Local Soil Survey: yes no Water-stained Leaves: yes no
Check all that apply & explain below: Stream, Lake or gage data: ____ Aerial photographs: ____ Other: ____		Other:	

Wetland hydrology present? yes (no)
Rationale for decision/Remarks:

DATA FORM 1
Routine Wetland Determination
(WA State Wetland Delineation Manual or
1987 Corps Wetland Delineation Manual)

Project/Site: Daniels property
Applicant/owner: Mike Daniels
Investigator(s): LK, KJ

Date: 11/2/99
County: King
State: WA
S/T/R: 32/25N/5E

Do Normal Circumstances exist on the site? yes no
Is the site significantly disturbed (atypical situation)? (yes) no - only the vegetation
Is the area a potential Problem Area? yes no

Community ID:
Transect ID:
Plot ID: Plot 6

VEGETATION

Dominant Plant Species	Stratum	Indicator	Dominant Plant Species	Stratum	Indicator
Ranunculus repens 100%	herb	FACW			
Holcus sp. 30%	herb	FAC			

HYDROPHYTIC VEGETATION INDICATORS:

% of dominants OBL, FACW, & FAC: 100%

Check all indicators that apply & explain below:

Regional knowledge of plant communities ____ Wetland plant list (nat'l or regional) ____ OTHER ____
Physiological or reproductive adaptations ____ Morphological adaptations ____
Technical Literature ____ Wetland Plant Data Base ____

Hydrophytic vegetation present? (yes) no
Rationale for decision/Remarks:

HYDROLOGY

Is it the growing season? (yes) no
Based on:

Dept. of inundation: ___ inches
Depth to free water in pit: ___ inches
Depth to saturated soil: ___ inches

Water Marks: yes (no)
Drift Lines: yes (no)
Oxidized Root (live roots) Channels <12 in. yes (no)
FAC Neutral: (yes) no

Sediment Deposits: yes (no)
Drainage Patterns: yes (no)
Local Soil Survey: yes (no)
Water-stained Leaves: yes (no)

Check all that apply & explain below:
Stream, Lake or gage data: ____
Aerial photographs: ____ Other: ____

Other:

Wetland hydrology present? yes (no)
Rationale for decision/Remarks:

DATA FORM 1

Routine Wetland Determination
(WA State Wetland Delineation Manual or
1987 Corps Wetland Delineation Manual)

Project/Site: Daniels Property

Date: 11/2/99

Applicant/owner: Mike Daniels

County: King
State: WA

Investigator(s): LK, KJ

S/T/R: 32/26N/5E

Do Normal Circumstances exist on the site? (yes) no
Is the site significantly disturbed (atypical situation)? yes (no)
Is the area a potential Problem Area? yes (no)

Community ID:
Transect ID:
Plot ID: Plot 7

VEGETATION

Dominant Plant Species	Stratum	Indicator	Dominant Plant Species	Stratum	Indicator
Rubus spectabilis 30%	Shrub	FAC			
Bare ground 70%					
overstory maples					

HYDROPHYTIC VEGETATION INDICATORS:

% of dominants OBL, FACW, & FAC: 100%

Check all indicators that apply & explain below:

Regional knowledge of plant communities ____ Wetland plant list (nat'l or regional) ____ OTHER ____
Physiological or reproductive adaptations ____ Morphological adaptations ____
Technical Literature ____ Wetland Plant Data Base ____

Hydrophytic vegetation present? (yes) no
Rationale for decision/Remarks:

HYDROLOGY

Is it the growing season? (yes) no
Based on:

Dept. of inundation: — inches

Depth to free water in pit: — inches

Depth to saturated soil: 0" inches Sat. to surface

Water Marks: (yes) no	Sediment Deposits: (yes) no
Drift Lines: (yes) no	Drainage Patterns: (yes) no
Oxidized Root (live roots) Channels <12 in. (yes) no	Local Soil Survey: yes (no)
FAC Neutral: yes (no)	Water-stained Leaves: yes (no)

Check all that apply & explain below:
Stream, Lake or gage data: ____
Aerial photographs: ____ Other: ____

Other:

Vetland hydrology present? (yes) no
Rationale for decision/Remarks:

APPENDIX

CITY OF KIRKLAND For Wetland A and Wetland B

DETERMINATION OF SIGNIFICANT WETLAND HABITAT

Wetlands that provide significant habitat are rated as Type I wetlands. These wetlands typically have least two wetland vegetation classes, are at least partially surrounded by buffers of native vegetation, connected by surface water flow (perennial or intermittent) to other wetlands or streams, and contain are associated with forested habitat.

1. Total wetland area **POIN**

Estimate wetland area and score from choices.

Acres		Point Value
>20.00	=	6
10-19.99	=	5
5-9.99	=	4
1-4.99	=	3
0.1-0.99	=	2
<0.1	=	1

2. Wetland classes: Determine the number of wetland classes that qualify, and score according to tl table.

	# of classes		points
Open Water: if the area of open water is >1/3 acre or > 10% of the total wetland area.	1	=	1
Aquatic Beds: if the area of aquatic beds >10% of the open water area or >1/2 acre.	2	=	3
Emergent: if the area of emergent class is >1/2 acre or >10% of the total wetland area.	3	=	5
Scrub-Shrub: if the area of scrub-shrub class is >1/2 acre or >10% of the total wetland area.	4	=	7
Forested: if area of forested class is >1/2 acre or >10% of the total wetland area.	5	=	10

there is a tree canopy but the trees are not rooted in the wetland

3. Plant species diversity.

For all wetland classes which qualified in 2 above, count the number of different plant species and score according to table below. You do not have to name them.

e.g. If a wetland has an aquatic bed class with 3 species, an emergent class with 4 species and a scrub-shrub class with 2 species you would circle 2, 2, and 1 in the second column, below.

Class	# of Species	Points	Class	# of Species	Points
Aquatic Bed	1-2	1	Scrub-Shrub	1-2	1
	3	2		3-4	2
	>3	3		>4	3
Emergent	1-2	1	Forested	1-2	1
	3-4	2		3-4	2
	>4	3		>4	3

8. Buffers.

Step 1: Estimate (to the nearest 5%) the percentage of each buffer or land-use type (below) that adjoins the wetland bour
Then multiply these percentages by the factor(s) below and enter result in the column to the right.

	% of Buffer				Step 1		Width Factor		Step 2
roads, buildings or parking lots:	____%	x	0	=	0				
lawn, grazed pasture, vineyards or annual crops:	____%	x	1	=	____	x	____	=	____
ungrazed grassland or orchards:	____%	x	2	=	____	x	____	=	____
open water or native grasslands:	____%	x	3	=	____	x	____	=	____
forest or shrub:	100 %	x	4	=	400	x	3	=	1200

Add buffer total 1200

Step 2: Multiply result(s) of step 1:
by 1, if buffer width is 25-50'
by 2, if buffer width is 50-100'
by 3, if buffer width is >100'.
Enter results below and add subscores:

Step 3: Score points according to table at right:

Buffer total		
900-1200	=	4
600-899	=	3
300-599	=	2
100-299	=	1

4

9. Connection to other habitat areas:

Is there a riparian corridor to other wetlands within 0.25 of a mile, or a corridor >100' wide with good forest or shrub cover to any other habitat area? = 5

Is there a narrow corridor <100' wide with good cover or a wide corridor >100' wide with low cover to any other habitat area? = 3

Is there a narrow corridor <100' wide with low cover or a significant habitat area within 0.25 mile but no corridor? = 1

Is the wetland and buffer completely isolated by development and/or cultivated agricultural land = 0

5

Add the scores to get a total:

Total = 19

Is the total greater than or equal to 22 points? Yes: Type ~~I~~ II
No: Type ~~II~~ III

Forbes Creek 11 – Project Description

Chaffey Homes, is respectfully requesting a permit to build "Forbes Creek 11", which is a planned unit development (PUD) proposal consisting of 11 detached single-family homes. The site is 5.98 acres located on the south side of Forbes Creek Drive. The proposal includes a request to reduce a portion of the stream buffer by one-third (from 35-feet to 24-feet) and would enhance the reduced stream buffer with native plants. Furthermore, approximately 68% (3.82 acres) of the site will remain in a natural green belt, preserved as a "Sensitive Area Tract". The proposed overall density for this project is only 2.1 dwelling units per acres due to the large amount of set aside area that is being proposed.

Under this PUD development scenario, this project proposes a number of deviations to development requirements for the RS-12.5 zone. The proposed deviations include the following:

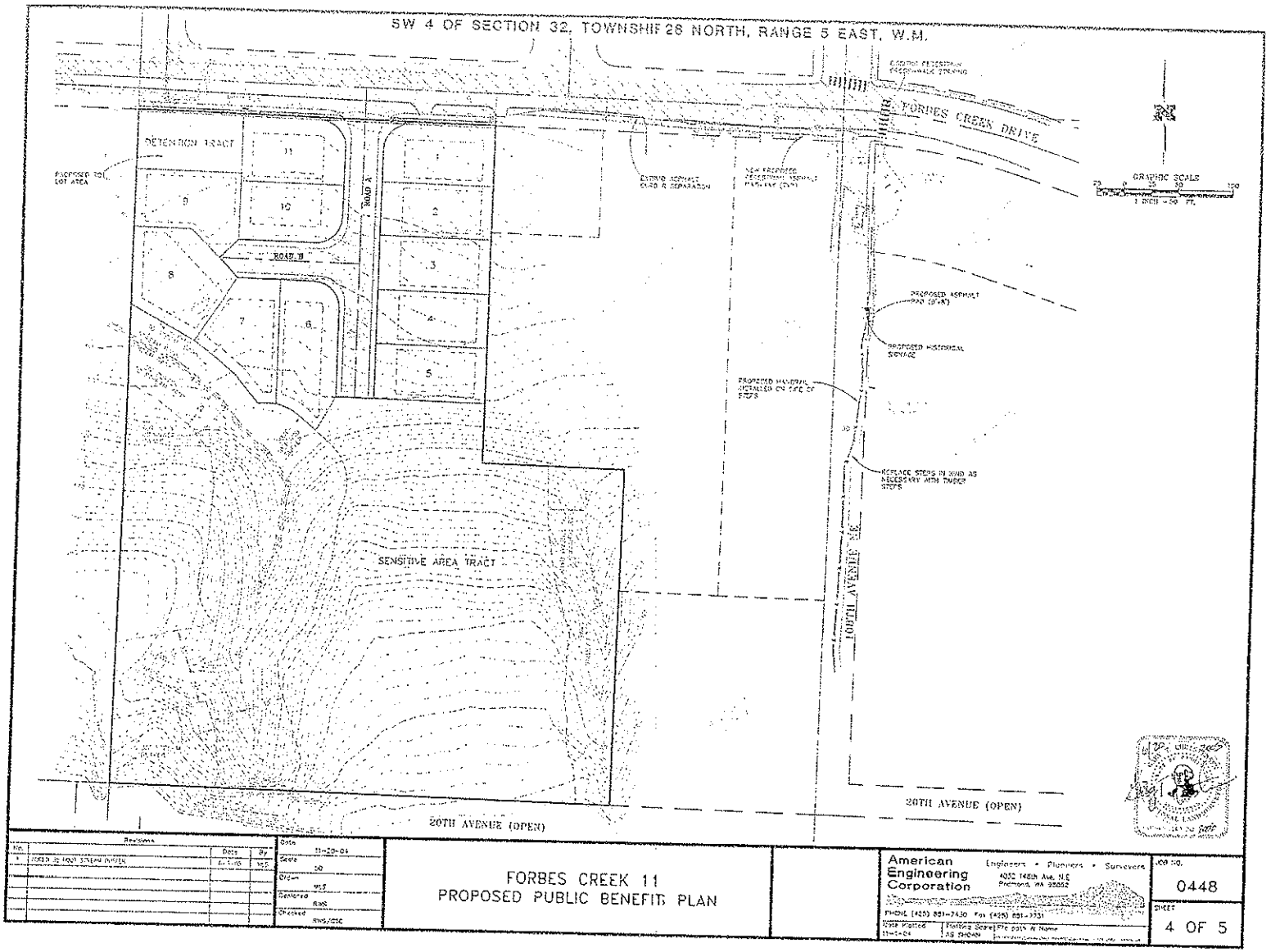
- increasing the maximum above average building elevation from 25-feet to 30-feet for all lots
- proposed interior lot side yard setbacks of 5-feet & 5-feet (10-feet total combined side yard) for lots 2, 3, 4, 5, 7, 8, and 9
- proposed corner lot side yard setbacks of 5-feet & 15-feet (20-feet total combined side yard) for lots 1, 6, 10, and 11
- reduced lot size from 12,500 SF to a minimum of 5,000 SF for all lots
- increase the maximum allowable floor area ratio (FAR) from 60% to 65% for all lots

Per City of Kirkland Zoning Code No. 125.35.3.b the above development deviations in conjunction with this PUD may be approved if the applicant is providing public facilities that could not be required by the City for development of the subject property without a PUD. As part of this PUD application, the applicant is proposing a number of public facilities, these public facilities are being proposed as follows:

- constructing a 5-foot asphalt pathway within the Forbes Creek Drive ROW heading easterly to 108th Avenue NE that will connect to the existing Forbes Creek trail leading to Crestwood Park (total path length approximately 500 lf)
- replacing, in kind, steps of the existing trail heading southerly up the hill towards the park with new timber steps
- building an asphalt landing at bottom of aforementioned steps
- adding a handrail down one side of the steps (total length approximately 340 lf)
- installing Historical / Interpretive Signage for the pathway in two separate places (at the proposed projects easterly property line and at the top of the steps)
- providing a tot lot within the detention tract (this lot at a minimum will include a primetime play structure, two benches, and a picnic table)
- constructing an extruded asphalt curb on Forbes Creek Drive to provide separation between the proposed pedestrian pathway and vehicles traveling easterly on Forbes Creeks Drive
- proposing a larger than required sensitive area set aside tract, going beyond normal buffers for the streams, steep slopes and wetlands within this area
- proposing a concentrated lot development area in return for a larger open space tract
- proposing a much lower overall lot yield of 11 lots rather than the allowed lot yield of 20 lots as allowed in the RS-12.5 Zone

Please refer the Public Benefit Exhibit (Sheet 5 of 5) attached with preliminary plat application documents for more detailed information.

ATTACHMENT 9
PSB04-00002



Revisions			
No.		Date	By
1	ISSUED IN FRONT STYLE (NOTES)	6/1/05	MJS

Date	11-20-04
Scale	50
Drawn	MJS
Designed	RWS
Checked	RWS/DSC

FORBES CREEK 11
PROPOSED PUBLIC BENEFIT PLAN

American Engineering Corporation
Engineers • Planners • Surveyors
4002 148th Ave. N.E.
Redmond, WA 98052
PHONE (425) 881-7430 Fax (425) 881-3931

Date Plotted	Plotting Scale
11-1-04	AS SHOWN

JOB NO. 0448

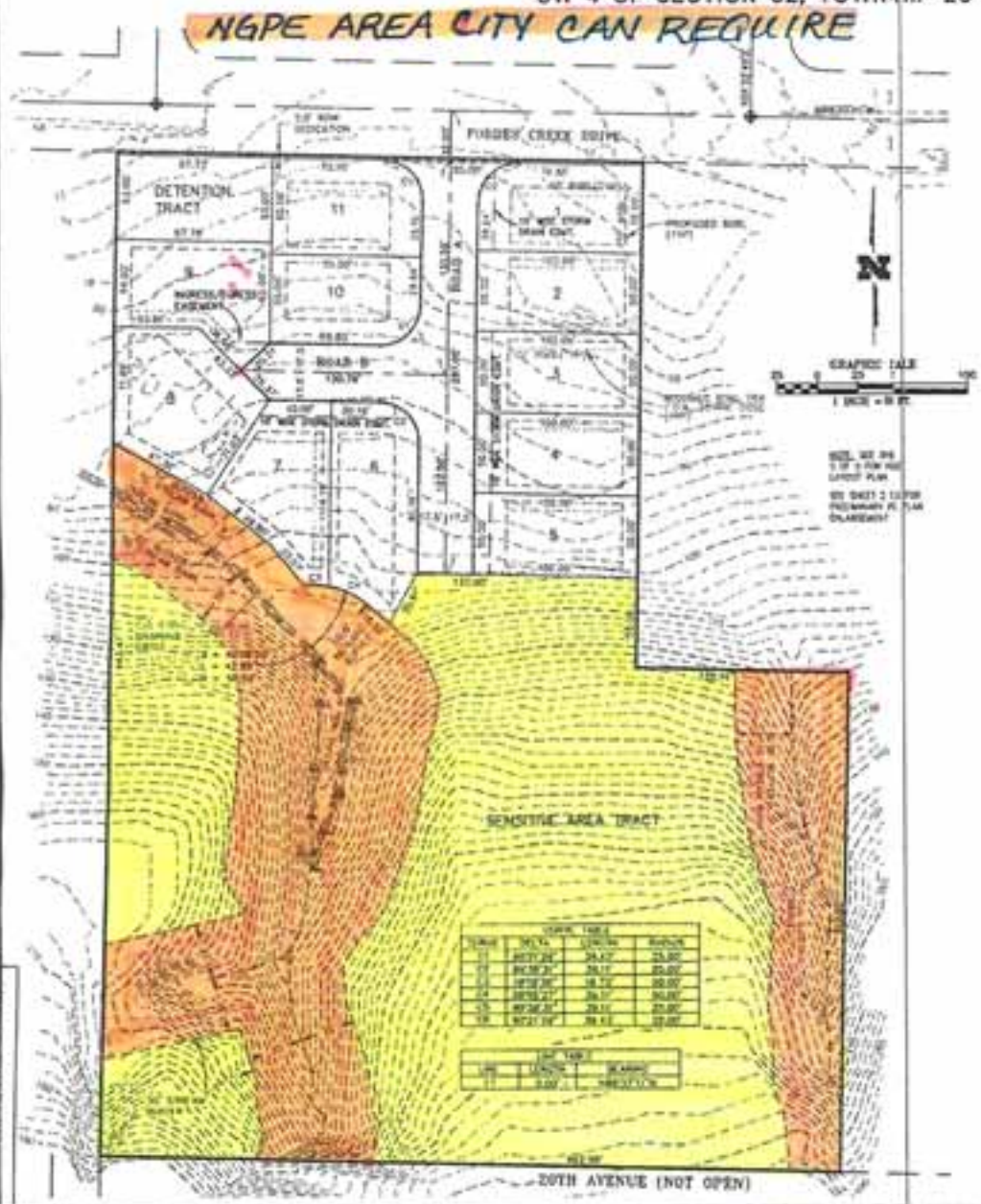
SHEET 4 OF 5

ATTACHMENT 19
98B04-00003

HIGHLIGHTED AREA SHOWING NGPE

SW 4 OF SECTION 32, TOWNSHIP 26 NORTH, RANGE 5 EAST, W.M

NGPE AREA CITY CAN REQUIRE



APPLICANT/DEVELOPER:

REGISTERED ENGINEER:

LAND SURVEYOR

LEGAL DESCRIPTION

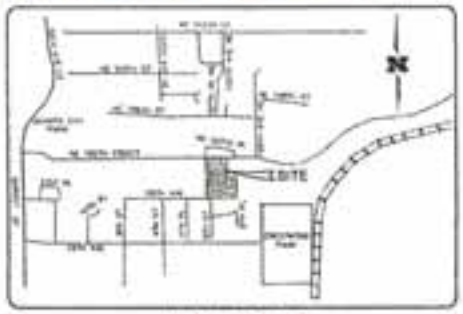
VERTICAL DATUM

HORIZONTAL DATUM

BENCH MARK

BUILDING SETBACKS

SERVICES



VICINITY MAP

PROJECT DATA:

SHEET INDEX:

RECOMMENDED FOR APPROVAL

BY:	DATE:
BY:	DATE:
BY:	DATE:
BY:	DATE:

Revisions			
No.		Date	By
1	PER CITY OF MARYSVILLE COMMENTS	6-3-05	MLS

Date 11-20-04
Scale 50
Drawn MLS
Designed RWS
Checked RWS/DTC

FORBES CREEK 11
PRELIMINARY PLAT PLAN

RECEIVED
JUN 3 0 2005
PLANNING DEPARTMENT
BY

American Engineering Corporation
Engineers • Planners • Surveyors
8222 148th Ave. N.E.
Redmond, WA 98052
PHONE (425) 881-7430 Fax (425) 881-7231

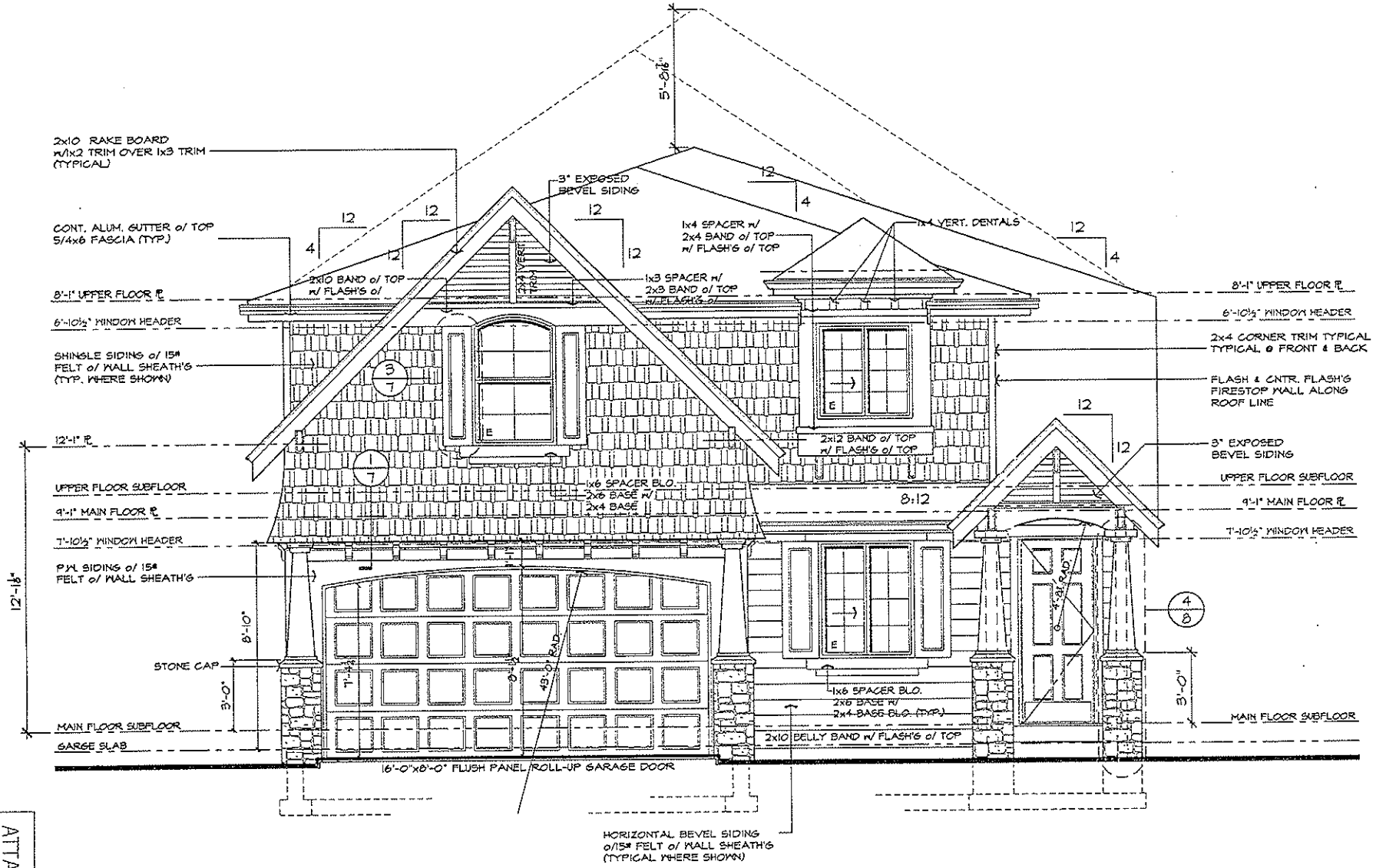
Date Plotted 11-17-04
Plotting Scale AS SHOWN
File path & Name

JOB NO. 0448
SHEET 1 OF 5

ATTACHMENT 11
PSB 04-00002

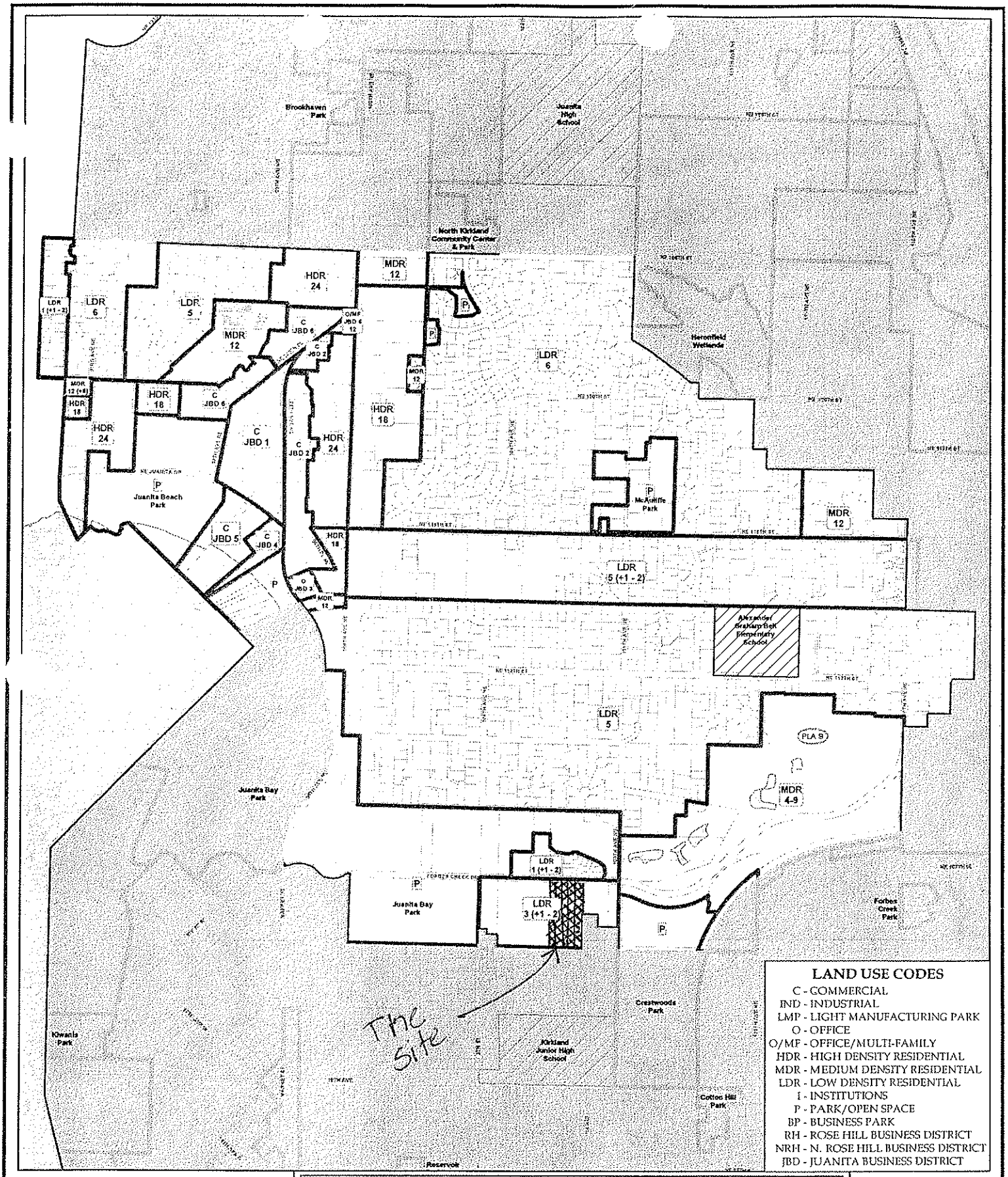
ATTACHMENT 12

PSB04-00002



ROOF RIDGE EXHIBIT

ATTACHMENT 13
PSB04-00003



South Juanita Neighborhood

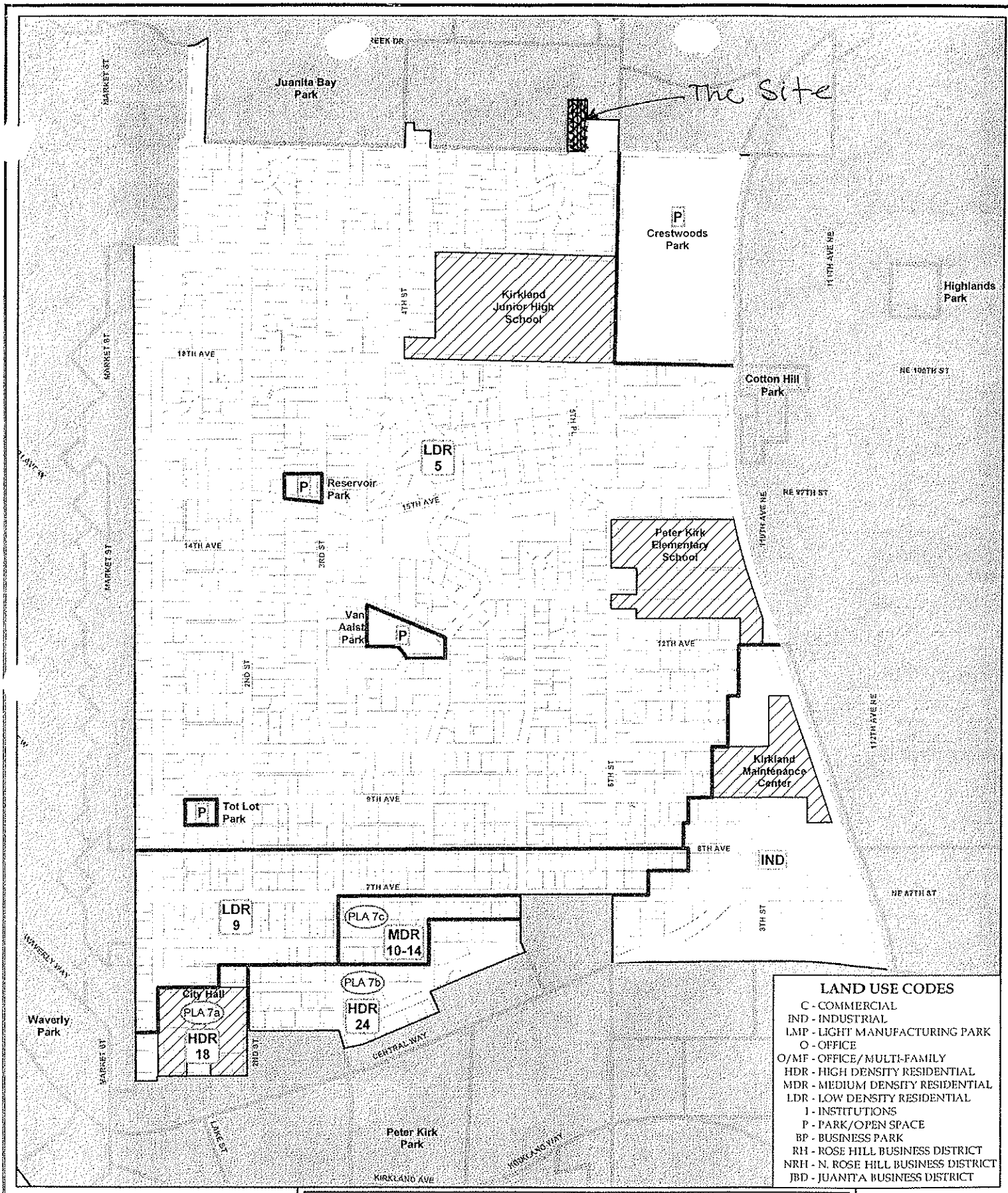
Land Use Map

ORDINANCE NO. 3974
ADOPTED by the Kirkland City Council
December 14, 2004

LAND USE BOUNDARIES
PUBLIC FACILITIES
(PLA) PLANNED AREA NUMBER
PARCEL BOUNDARIES
SUBAREA BOUNDARY
LDR 5* — LAN / DEN
TOTEM CENTER
NOTE: WHERE NOT SHOW
* INDICATES CLUST

Maps produced March 10, 2005.
Produced by the City of Kirkland. (c) 2005, the City of Kirkland, all rights reserved.
No warranties of any sort, including but not limited to accuracy, fitness or merchantability, accor

ATTACHMENT 14-a
PSB 04-00002



Norkirk Neighborhood

Land Use Map

ORDINANCE NO. 3974
ADOPTED by the Kirkland City Council
December 14, 2004

LAND USE BOUNDARIES
PUBLIC FACILITIES
(PLA) PLANNED AREA NUMBER
PARCEL BOUNDARIES
SUBAREA BOUNDARY
LDR 5* LAND US DENSITY
TOTEM CENTER
NOTE: WHERE NOT SHOWN, NO
* INDICATES CLUSTERED

Maps produced March 10, 2005.
Produced by the City of Kirkland. (c) 2005, the City of Kirkland, all rights reserved.
No warranties of any sort, including but not limited to accuracy, fitness or merchantability, accompany th

ATTACHMENT 14b
PSB04-00002

NATURAL GREENBELT PROTECTIVE EASEMENT

Parcel Data File: _____

Grantor: _____, owner of the hereinafter described real property, hereby grants to

Grantee: The City of Kirkland, a municipal corporation.

A natural greenbelt protective easement over and across the following described real property to-wit:

See Exhibit A.

No tree trimming, tree topping, tree cutting, or tree removal, nor shrub or brush-cutting or removal, (((nor application of pesticides, herbicides, or fertilizers))) nor construction, clearing, or alteration activities shall occur within the easement area without prior written approval from the City of Kirkland. Application for such written approval to be made to the Kirkland Department of Planning and Community Development who may require inspection of the premises before issuance of the written approval and following completion of the activities. Any person conducting or authorizing such activity in violation of this paragraph or the terms of any written approval issued pursuant hereto, shall be subject to the enforcement provisions of Chapter 170, Ordinance 3719, the Kirkland Zoning Code. In such event, the Kirkland Department of Planning and Community Development may also require within the immediate vicinity of any damaged or fallen vegetation, restoration of the affected area by planting shrubs of comparable size and/or trees of three inches or more in diameter measured one foot above grade. The Department also may require that the damaged or fallen vegetation be removed.

Each of the undersigned owners agree to defend, pay, and save harmless the City of Kirkland, its officers, agents, and employees from any and all claims of every nature whatsoever, real or imaginary, which may be made against the City, its officers, agents, or employees for any damage to property or injury to any person arising out of the existence of said Natural Greenbelt Protective Easement over said owner's property or the actions of the undersigned owners in carrying out the responsibilities under this agreement, including all costs and expenses, and recover attorney's fees as may be incurred by the City of Kirkland in defense thereof; excepting therefrom only such claims as may arise solely out of the negligence of the City of Kirkland, its officers, agents, or employees.

ATTACHMENT 15

PSB04-00002

This easement is given to satisfy a condition of the development permit approved by the City of Kirkland under Kirkland File/Permit No. PSB04-00002, for construction of Forbes Creek II upon the following described real property:

PARCEL A:
THE WEST HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 26 NORTH, RANGE 5 EAST, W.M., IN KING COUNTY, WASHINGTON;
EXCEPT THE NORTH 30 FEET THEREOF;
AND EXCEPT THE NORTH 130 FEET OF THE WEST 70 FEET OF THE EAST 140 FEET OF THE WEST HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 32, TOWNSHIP 26 NORTH, RANGE 5 EAST, W.M., IN KING COUNTY, WASHINGTON;
(ALSO KNOWN AS A PORTION OF LOT 6, KIRKLAND 5 ACRE TRACTS, AN UNRECORDED PLAT)

PARCEL B:
THE SOUTH HALF OF THE FOLLOWING DESCRIBED PROPERTY:
THE EAST HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 26 NORTH, RANGE 5 EAST, W.M. IN KING COUNTY, WASHINGTON;
EXCEPT THE NORTH 30 FEET THEREOF;
AND EXCEPT THE EAST 198 FEET THEREOF;
(ALSO KNOW AS A PORTION OF LOT 5, KIRKLAND 5 ACRE TRACTS, AN UNRECORDED PLAT)

PARCEL C:
THE NORTH 130 FEET OF THE WEST 70 FEET OF THE EAST 140 FEET OF THE WEST HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 26 NORTH, RANGE 5 EAST, W.M., IN KING COUNTY, WASHINGTON;
EXCEPT THE NORTH 30 FEET THEREOF;
(ALSO KNOWN AS A PORTION OF LOT 6, KIRKLAND 5 ACRE TRACTS, AN UNRECORDED PLAT)

This easement shall be binding upon the parties hereto, their successors and assigns, and shall run with the land.

DATED at Kirkland, Washington, this _____ day of _____, _____.

GEOLOGICALLY HAZARDOUS AREAS COVENANT

File No.:	PSB04-00002
Parcel No.:	389010-0046, 389010-0038, 389010-0045
Project Name:	FORBES CREEK II
Project Address	

Declarant _____ hereby declares and agrees as follows:

1. Declarant is the owner of the real property described below and incorporated herein by reference, which is the "property" referred to herein.
2. Declarant agrees to defend, indemnify, and hold the City of Kirkland harmless from all loss, including claim made therefor, which the City may incur as a result of any landslide or seismic activity occurring on the property and for any loss including any claim made therefor resulting from soil disturbance on the "property" in connection with the construction of improvements, including but not limited to storm water retention and foundations. "Loss" as used herein means loss including claim made therefor from injury or damage incurred on or off the "property," together with reasonable expenses including attorneys fees for investigation and defense of such claim.
3. This hold harmless is a perpetual covenant running with the "property" and is binding upon the Declarant's successor and assigns.
4. The real property subject to this Agreement is situated in Kirkland, King County, Washington, and described as follows:

PARCEL A:
THE WEST HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 26 NORTH, RANGE 5 EAST, W.M., IN KING COUNTY, WASHINGTON;
EXCEPT THE NORTH 30 FEET THEREOF;
AND EXCEPT THE NORTH 130 FEET OF THE WEST 70 FEET OF THE EAST 140 FEET OF THE WEST HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 32, TOWNSHIP 26 NORTH, RANGE 5 EAST, W.M., IN KING COUNTY, WASHINGTON;
(ALSO KNOWN AS A PORTION OF LOT 6, KIRKLAND 5 ACRE TRACTS, AN UNRECORDED PLAT)

ATTACHMENT 16
PSB04-00002

PARCEL B:
THE SOUTH HALF OF THE FOLLOWING DESCRIBED PROPERTY:
THE EAST HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 26 NORTH, RANGE 5 EAST, W.M. IN KING COUNTY, WASHINGTON;
EXCEPT THE NORTH 30 FEET THEREOF;
AND EXCEPT THE EAST 198 FEET THEREOF;
(ALSO KNOW AS A PORTION OF LOT 5, KIRKLAND 5 ACRE TRACTS, AN UNRECORDED PLAT)

PARCEL C:
THE NORTH 130 FEET OF THE WEST 70 FEET OF THE EAST 140 FEET OF THE WEST HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 26 NORTH, RANGE 5 EAST, W.M., IN KING COUNTY, WASHINGTON;
EXCEPT THE NORTH 30 FEET THEREOF;
(ALSO KNOWN AS A PORTION OF LOT 6, KIRKLAND 5 ACRE TRACTS, AN UNRECORDED PLAT)

DATED at Kirkland, Washington, this _____ day of _____, _____.

SAVE HARMLESS AGREEMENT - STREAM

The undersigned, being all of the owners of the hereinafter described real property, hereby agree to indemnify, defend, and save harmless the City of Kirkland, its officers and employees from any claim, real or imaginary, filed against the City of Kirkland, its officers, or employees, alleging damage or injury caused by fault on the part of the undersigned, their employees or agents, and/or the City of Kirkland, its officers, or employees and arising out of maintenance, flooding, damming or enlargement of the stream existing on the hereinafter described real property; provided, however, this agreement shall not include damage resulting from the sole fault of the City of Kirkland, its officers, or employees. Fault as herein used shall have the same meaning as set forth in RCW 4.22.01. This Agreement shall also include all reasonable cost and expense, including attorney's fees, incurred by the City of Kirkland in investigation and/or defense of any such claim.

This Agreement shall be binding upon the heirs, successors, and assigns of the parties hereto and shall run with the land.

The real property subject to this Agreement is situated in Kirkland, King County, Washington, and described as follows:

PARCEL A:
THE WEST HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 26 NORTH, RANGE 5 EAST, W.M., IN KING COUNTY, WASHINGTON;
EXCEPT THE NORTH 30 FEET THEREOF;
AND EXCEPT THE NORTH 130 FEET OF THE WEST 70 FEET OF THE EAST 140 FEET OF THE WEST HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 32, TOWNSHIP 26 NORTH, RANGE 5 EAST, W.M., IN KING COUNTY, WASHINGTON;
(ALSO KNOWN AS A PORTION OF LOT 6, KIRKLAND 5 ACRE TRACTS, AN UNRECORDED PLAT)

PARCEL B:
THE SOUTH HALF OF THE FOLLOWING DESCRIBED PROPERTY:
THE EAST HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 26 NORTH, RANGE 5 EAST, W.M. IN KING COUNTY, WASHINGTON;
EXCEPT THE NORTH 30 FEET THEREOF;
AND EXCEPT THE EAST 198 FEET THEREOF;
(ALSO KNOW AS A PORTION OF LOT 5, KIRKLAND 5 ACRE TRACTS, AN UNRECORDED PLAT)

ATTACHMENT 17
PSB04-00002

PARCEL C:
THE NORTH 130 FEET OF THE WEST 70 FEET OF THE EAST 140 FEET OF THE WEST HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 26 NORTH, RANGE 5 EAST, W.M., IN KING COUNTY, WASHINGTON;
EXCEPT THE NORTH 30 FEET THEREOF;
(ALSO KNOWN AS A PORTION OF LOT 6, KIRKLAND 5 ACRE TRACTS, AN UNRECORDED PLAT)

DATED at Kirkland, Washington, this _____day of _____, _____.

SAVE HARMLESS AGREEMENT - WETLAND

The undersigned, being all of the owners of the hereinafter described real property, hereby agree to indemnify, defend, and save harmless the City of Kirkland, its officers and employees from any claim, real or imaginary, filed against the City of Kirkland, its officers, or employees, alleging damage or injury caused by fault on the part of the undersigned, their employees or agents, and/or the City of Kirkland, its officers, or employees and arising out of maintenance, flooding, damming or enlargement of the wetland existing on the hereinafter described real property; provided, however, this agreement shall not include damage resulting from the sole fault of the City of Kirkland, its officers, or employees. Fault as herein used shall have the same meaning as set forth in RCW 4.22.01. This Agreement shall also include all reasonable cost and expense, including attorney's fees, incurred by the City of Kirkland in investigation and/or defense of any such claim.

This Agreement shall be binding upon the heirs, successors, and assigns of the parties hereto and shall run with the land.

The real property subject to this Agreement is situated in Kirkland, King County, Washington, and described as follows:

PARCEL A:
THE WEST HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 26 NORTH, RANGE 5 EAST, W.M., IN KING COUNTY, WASHINGTON;
EXCEPT THE NORTH 30 FEET THEREOF;
AND EXCEPT THE NORTH 130 FEET OF THE WEST 70 FEET OF THE EAST 140 FEET OF THE WEST HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 32, TOWNSHIP 26 NORTH, RANGE 5 EAST, W.M., IN KING COUNTY, WASHINGTON;
(ALSO KNOWN AS A PORTION OF LOT 6, KIRKLAND 5 ACRE TRACTS, AN UNRECORDED PLAT)

PARCEL B:
THE SOUTH HALF OF THE FOLLOWING DESCRIBED PROPERTY:
THE EAST HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 26 NORTH, RANGE 5 EAST, W.M. IN KING COUNTY, WASHINGTON;
EXCEPT THE NORTH 30 FEET THEREOF;
AND EXCEPT THE EAST 198 FEET THEREOF;
(ALSO KNOW AS A PORTION OF LOT 5, KIRKLAND 5 ACRE TRACTS, AN UNRECORDED PLAT)

ATTACHMENT 18
PSB04-00002

PARCEL C:
THE NORTH 130 FEET OF THE WEST 70 FEET OF THE EAST 140 FEET OF THE WEST HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 26 NORTH, RANGE 5 EAST, W.M., IN KING COUNTY, WASHINGTON;
EXCEPT THE NORTH 30 FEET THEREOF;
(ALSO KNOWN AS A PORTION OF LOT 6, KIRKLAND 5 ACRE TRACTS, AN UNRECORDED PLAT)

DATED at Kirkland, Washington, this _____day of _____, _____.

SW 1/4 SECTION 32, TWP. 26 N., RGE. 5 E., W.M.

FORBES CREEK II
SITE PLAN EXHIBIT

0448

1 OF 1

EXHIBIT B

FILE NO. PSB 04-00002

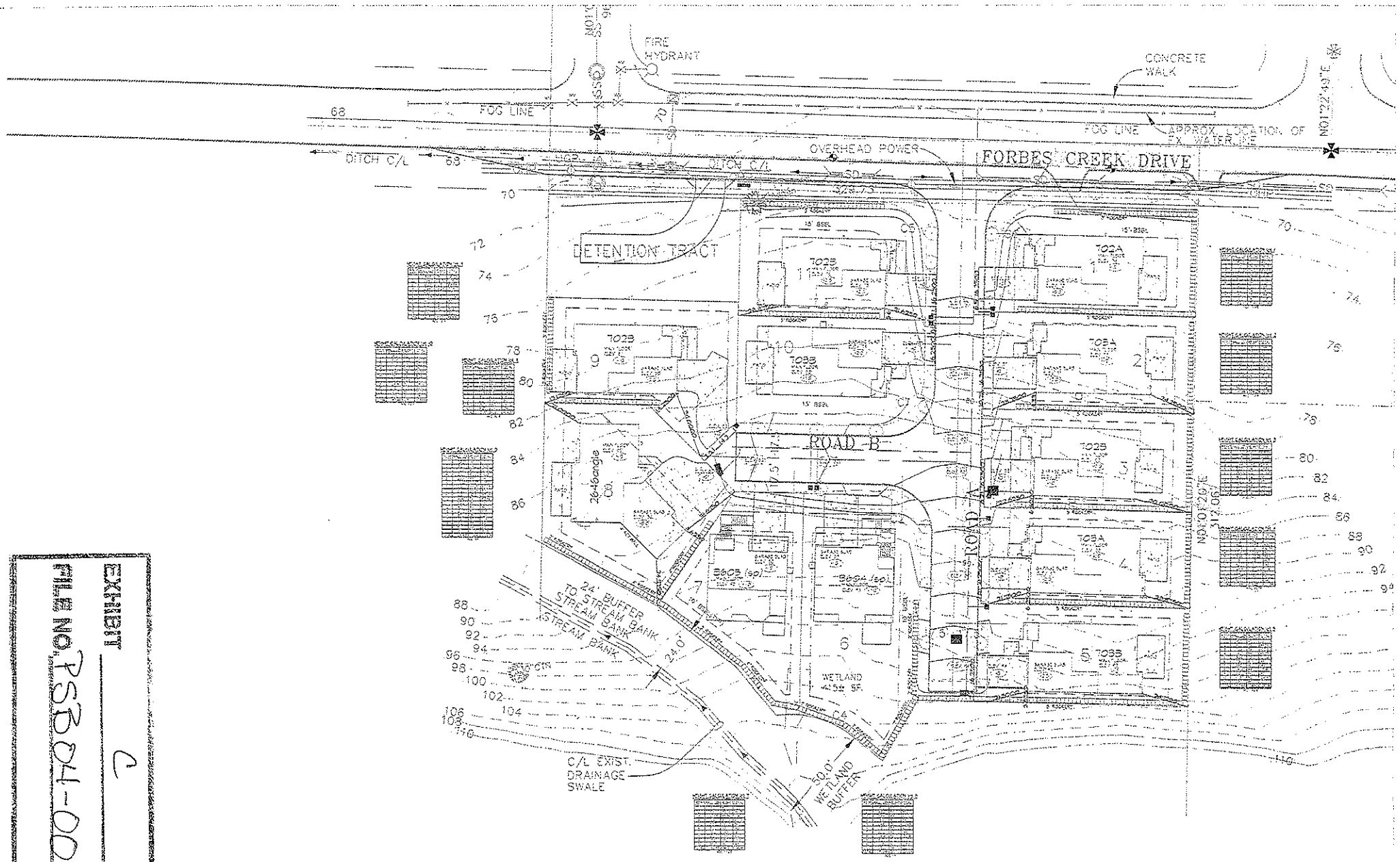
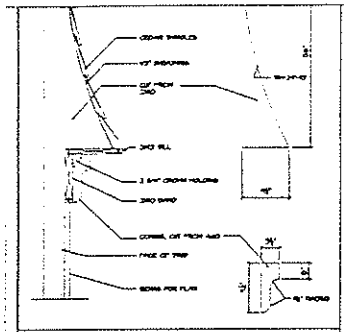
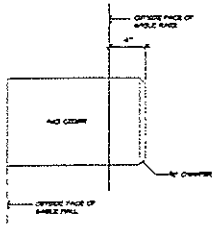


EXHIBIT C

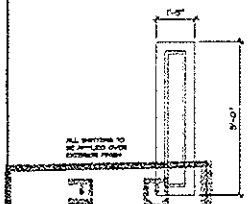
FILE No. PSB04-00002



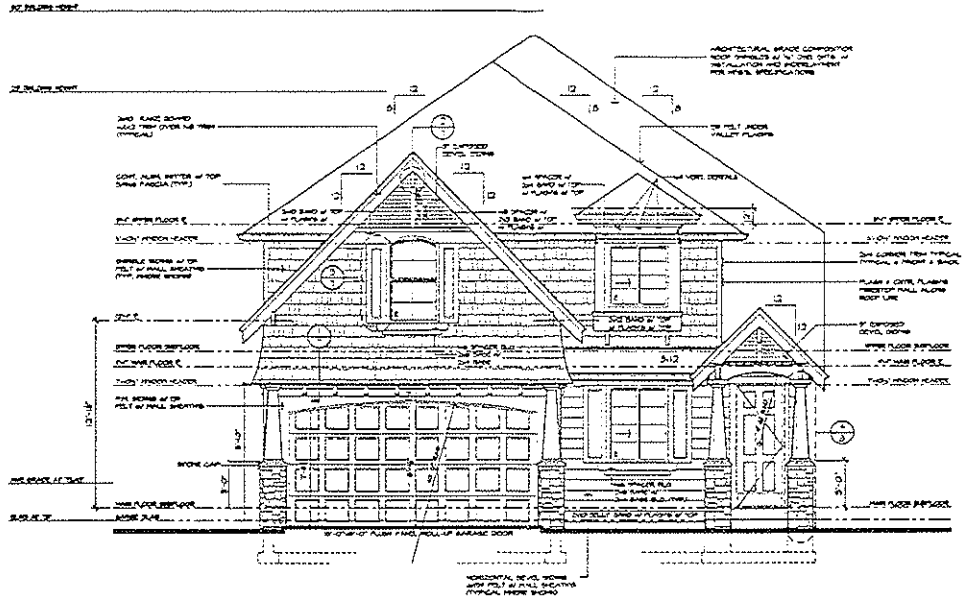
CORBEL DETAIL | 1



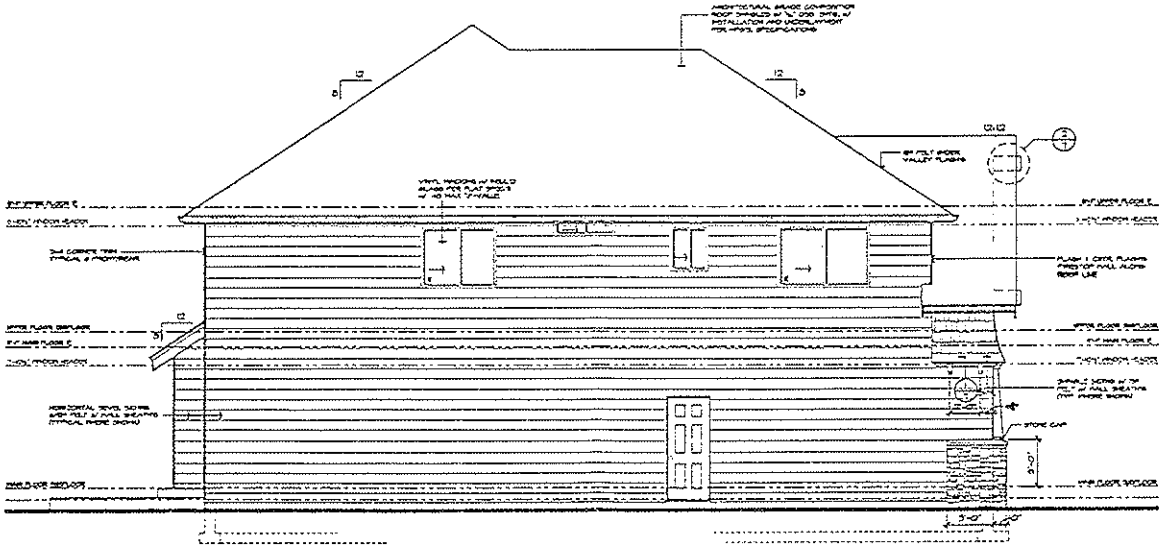
OUTLOOKER DETAIL | 2



SHUTTER DETAIL | 3



SCALE: 1/4" = 1'-0" FRONT ELEVATION



2. A FLOOR OR LANDING 7" MAX. BELOW THRESHOLD IS REQUIRED FROM AN EXIT DOOR. (UBC 1003.3.4)
3. FLOOR OF TOPS OF FIREPLACE 1 OUTSIDE OF TRUSS.
4. VERIFY ALL DIMENSIONS LOCATIONS PER LOT.
5. AT FULL GABLE END CONDITIONS, FULL PLYWOOD SHEAR PANELS MUST EXTEND SIMULTANEOUSLY FROM THE CONTINUOUS UNITS, THIS REQUIREMENT IS NOT ELIMINATED BY THE TRUSS LAYOUT PROVIDED. THE ARCHITECT SHALL CHECK FOR TRUSS TO TRUSS LOCATIONS. THE ARCHITECT ASSUMES NO STRUCTURAL CHANGES SHALL BE NOTICED OF SUCH A DISCUSSION AND BE PROVIDED WITH APPROPRIATE CALCULATIONS PRIOR TO THE START OF WORK.
6. WHEN A SHEAR WALL IS INDICATED ON THE DRAWINGS FOR A PORTION OF A WALL, THE REMAINING PORTION IN THE SAME PLANE SHALL BE SATISFACTORY SHEATHED TO PROVIDE FOR A UNIFORM SURFACE.
7. INSTALLATION OF ALL ROOFING AND WALL FLASHING TO BE PER INDUSTRY STANDARDS AND THE MANUFACTURER'S GUIDELINES, DOOR, AND DOOR.

DATE	REVISIONS
3/04	FOUND GREENHOUSE FOR ADDL. SHEET, VICINITY AL.

CHATTEY CORPORATION
205 LAKE STREET, SOUTH SUITE 101 • KIRKLAND, WA 98033 • TEL (425) 822-5081

DRAWN BY
CHECKED BY
DATE

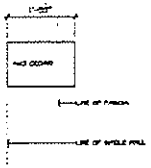
BASE_PLAN

FC-1

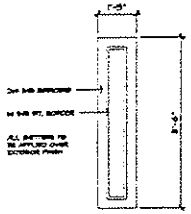
702-03A

7 11

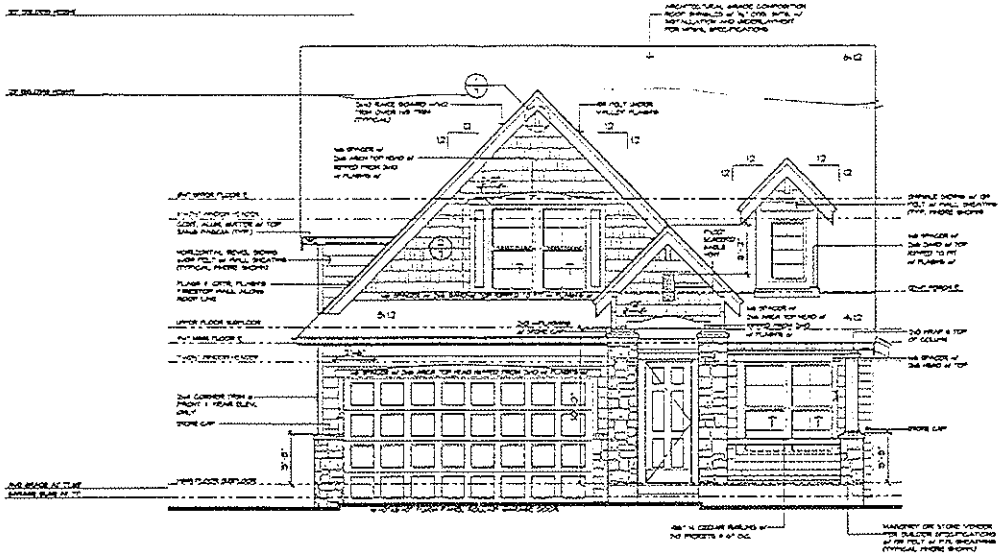
FILE No. 1230-1-00008



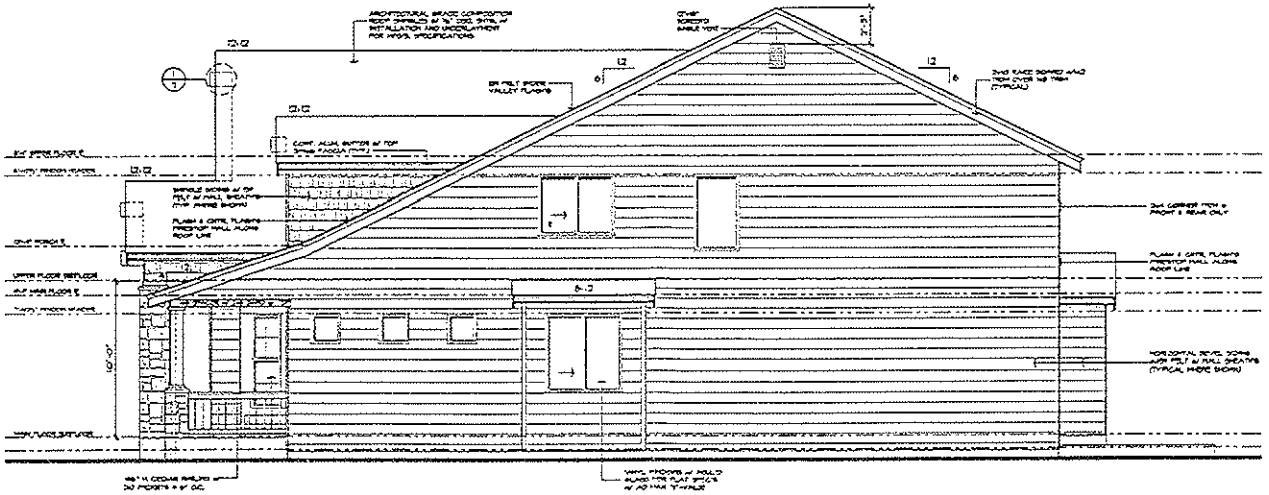
SCALE: 1"=1'-0" OUTLOOKER DETAIL | 1



SCALE: 1"=1'-0" TYPICAL SHUTTER | 2



SCALE: 1/4" = 1'-0" FRONT ELEVATION



CHAFFEY CORPORATION

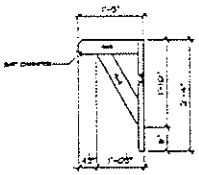
2205 LAKE STREET SOUTH SUITE 101 • KIRKLAND, WA 98033 • TEL (425) 822-5961

BASE PLAN

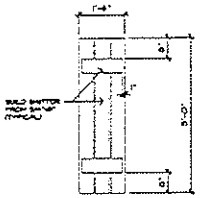
FC-2

703-03

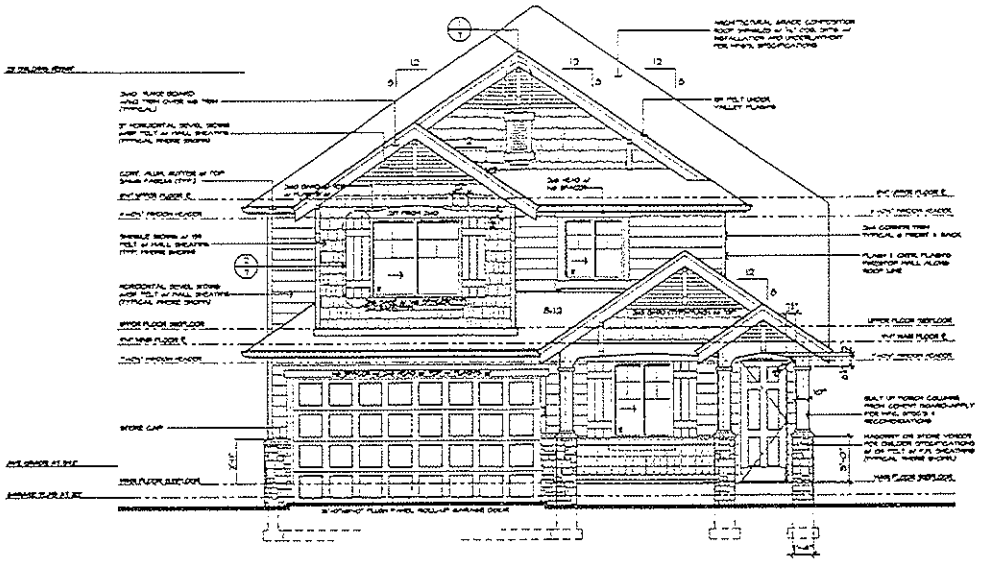
7 1



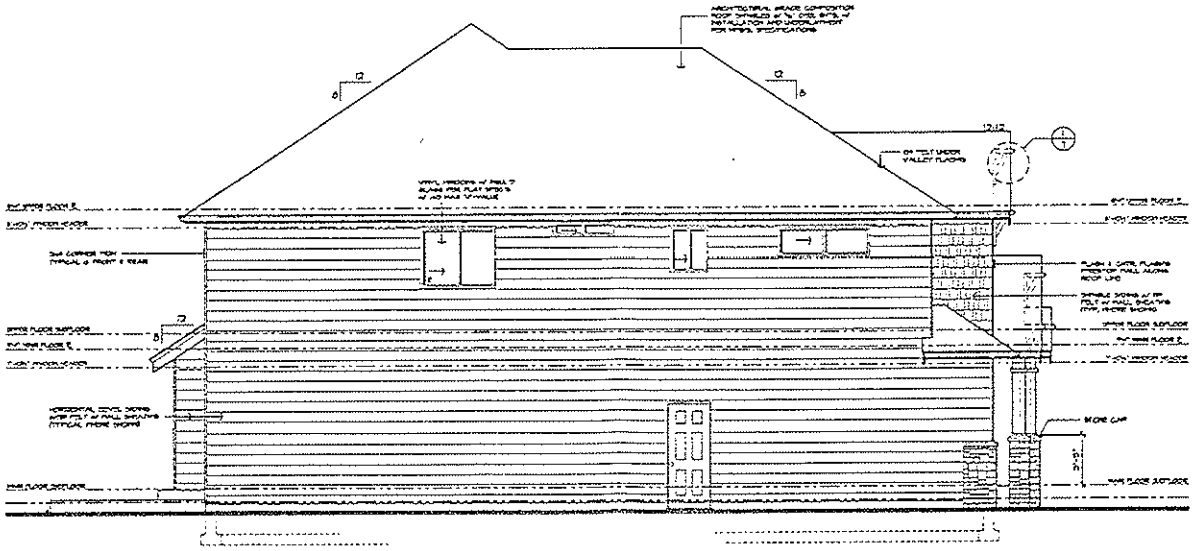
OUTLOOKER DETAIL | 1



SHUTTER DETAIL | 2



SCALE: ¼" = 1'-0" FRONT ELEVATION



1. A FLOOR OR LANDING 7" MAX. BELOW THRESHOLD IS REQ'D FROM AN EXT DOOR. / U.B.C. 1003.3.1.3
2. FLASH AT TOPS OF WINDOWS & OVER OF TRIM.
3. VERIFY ALL DOWNSPOUT LOCATIONS FOR LOT.
4. AT ALL GABLE END CONDITIONS, ALL PLYWOOD SHEAR PANELS MUST EXTEND CONTINUOUS FROM THE OVERHANG LINE. THE INDEPENDENT WALL BE ELIMINATED IF THE TRUSS WAS PROVIDED WITH ADEQUATE SHEAR OR DRAG TRUSS IN MORE LOCATIONS. THE ARCHITECT, ENGINEER AND STRUCTURAL ENGINEER SHALL BE NOTIFIED OF THIS A DEVIATION AND BE PROVIDED WITH APPROPRIATE CALCULATIONS PRIOR TO THE START OF WORK.
5. WHEN A SHEAR WALL IS INDICATED ON THE DRAWING FOR A PORTION OF A WALL THE REMAINING PORTION IN THE SAME PLANE SHALL BE SATISFACTORILY SHEATHED TO PROVIDE FOR A UNIFORM SURFACE.
6. INSTALLATION OF ALL ROOFING AND WALL FLASHING TO BE PER INDUSTRY STANDARD AND THE MFR'S U.B.C. CAMP MODEL CODE AND REPORT.

DATE REVISIONS

CHAFFEY CORPORATION
205 LAKE STREET, SOUTH SUITE 101 • KIRKLAND, WA 98033 • TEL (425) 822-5991

DRAWN BY
CHECKED BY
DATE

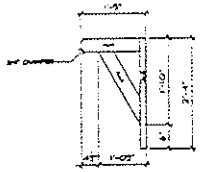
BASE PLAN

FC-3

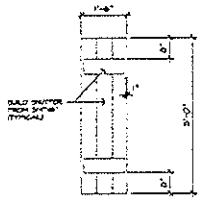
702-03

7 1

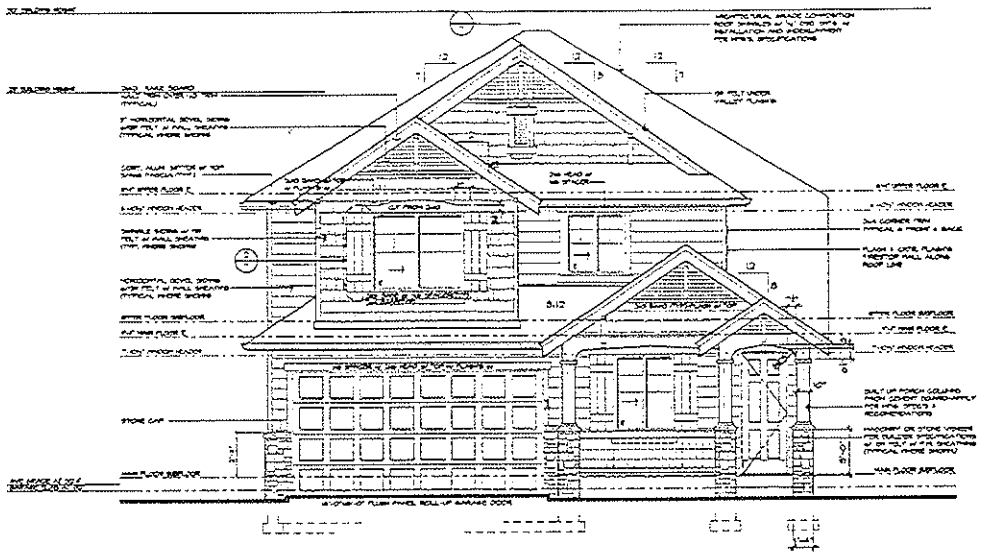
LEVEL GARAGE



OUTLOOKER DETAIL | 1



SHUTTER DETAIL | 2



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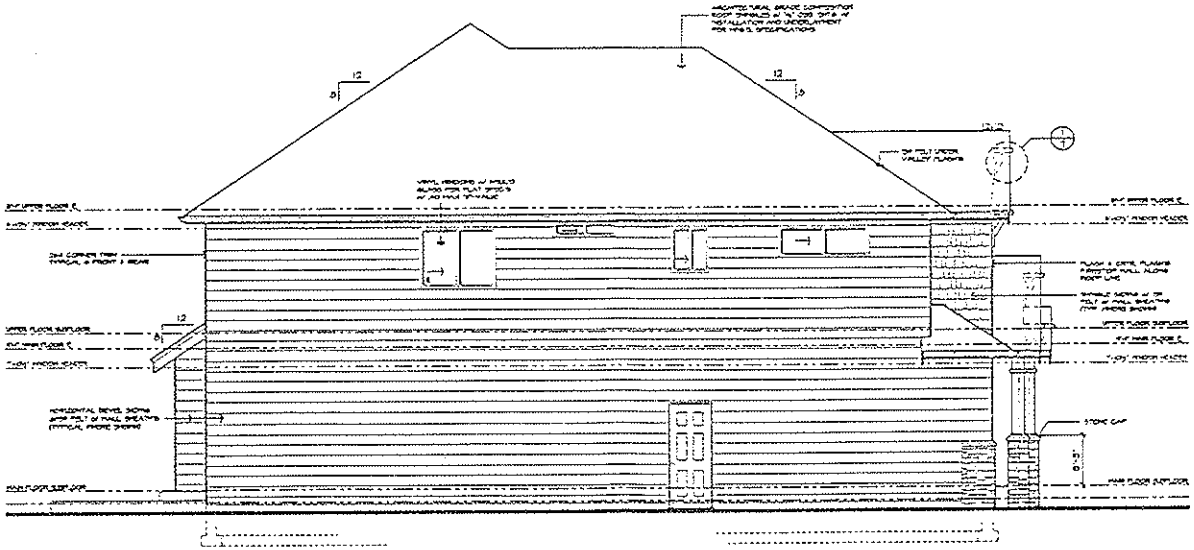


CHAFFEY CORPORATION

DATE

BASE PLAN

FC-

702-0

7

RESOLUTION R-4589

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING THE SUBDIVISION AND FINAL PLAT OF THE FORBES CREEK 11 BEING DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT FILE NO. PSB04-00002 AND SETTING FORTH CONDITIONS TO WHICH SUCH SUBDIVISION AND FINAL PLAT SHALL BE SUBJECT.

WHEREAS, a subdivision and preliminary plat of Forbes Creek 11 was approved by the City Council on September 20, 2005; and

WHEREAS, thereafter the Department of Planning and Community Development received an application for approval of subdivision and final plat, said application having been made by Chaffey Homes, the owner of the real property described in said application, which property is within a Residential Single Family RS 12.5 zone; and

WHEREAS, pursuant to the City of Kirkland's Concurrency Management System, KMC Title 25, a concurrency application has been 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, RCW 43.21C and the Administrative Guideline and local ordinance adopted to implement it, an environmental checklist has been submitted to the City of Kirkland, reviewed by the responsible official of the City of Kirkland, and a negative determination reached; and

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

WHEREAS, the Director of the Department of Planning and Community Development did make certain Findings, Conclusions and Recommendations and did recommend approval of the subdivision and the final plat, subject to specific conditions set forth in said recommendation.

WHEREAS, the City Council, in regular meeting, did consider the environmental documents received from the responsible official, together with the recommendation of the Planning Commission, and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Kirkland as follows:

Section 1. The Findings, Conclusions and Recommendations of the Director of the Department of Planning and Community Development, filed in Department of Planning and Community Development File No. PSB04-00002, are hereby adopted by the Kirkland City Council as though fully set forth herein.

Section 2. Approval of the subdivision and the final plat of Forbes Creek 11 is subject to the applicant's compliance with the conditions set forth in the recommendations hereinabove adopted by the City Council and further conditioned upon the following:

(a) A Plat Bond or other approved security performance undertaking in an amount determined by the Director of Public Works in accordance with the requirements therefor in Ordinance No. 2178 shall be deposited with the City of Kirkland and be conditioned upon the completion and acceptance by the City of all conditions of approval, including public improvements, within one year from the date of passage of this Resolution. No City official, including the Chairperson of the Planning Commission, the Mayor, or the City Engineer, shall affix his signature to the final plat drawing until such time as the plat bond or other approved performance security undertaking herein required has been deposited with the City and approved by the Director of Public Works as to amount and form.

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

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

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

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

SIGNED IN AUTHENTICATION thereof this _____ day of _____, 2006.

_____
Mayor

Attest:

_____
City Clerk

CITY OF KIRKLAND
123 Fifth Avenue, Kirkland, WA 98033 (425) 587-3000
www.ci.kirkland.wa.us

To: Dave Ramsay, City Manager

From: Daryl Grigsby, Public Works Director
David Godfrey P.E., Transportation Engineering Manager

Date: July 21, 2006

Subject: Recommendation for placing Transit Now initiative on the ballot

RECOMMENDATION:
It is recommended that the Council authorize the Mayor to sign the attached letter to the King County Council requesting that the County Executive's Transit Now initiative be placed before the voters in fall 2006.

BACKGROUND:
The County Executive has proposed an initiative known as Transit Now which would provide increased transit service for Metro Transit. The measure would be funded by a 0.1% increase in sales tax. The County Council must approve placing the measure on the ballot. The Council's Transportation Committee is expected to act on July 26 and refer the measure to the full Council for action on August 21.

Council received a detailed briefing on the plan in May. The key points of the plan as described on the King County website are listed below:

RapidRide—Create "bus rapid transit" (BRT) with frequent all-day service and faster travel times on five key travel corridors: three in Seattle; one connecting Bellevue and Redmond; and one serving SeaTac, Des Moines and Federal Way.
Improve current service—Enhance 35 major Metro routes with the highest ridership to provide more frequent two-way, all-day service between key cities and neighborhoods.
New service for growing areas—Develop new peak and midday service for residential areas in East and South King County.
Service partnerships—Set aside resources for partnerships with major employers and cities, potentially leveraging millions in additional funding from other sources to add new service in rapidly expanding employment centers.

With the proposed letter, the Kirkland Council would not be taking a position on the measure but simply supporting its inclusion on the November 2006 ballot.

DRAFT

August 2, 2006

Mr. Larry Philips
Chair, King County Council
516 Third Avenue, Room 1200,
Seattle, WA 98104-3272

Dear Mr. Phillips:

It is our understanding that later this month the County Council will consider whether or not to place the County Executive's Transit Now proposal before the voters. In May, we received a briefing from Metro staff and found the proposal intriguing.

Because the final plan details are still under consideration by the County Council we are not able to take a position on the initiative at this time. However, we support its inclusion on the November 2006 ballot. This is primarily because we believe asking the voter's opinion on Transit Now initiative fits well with other transportation questions scheduled for the 2007 ballot. These of course are the Regional Transportation Improvement District and the second phase of Sound Transit. Because these proposals primarily concern highways and regional transit respectively, the Transit Now proposal; aimed largely at local transit, makes for a balanced group of questions to put before the voters.

Thank you for your consideration of our position and we look forward to learning more about the final Transit Now proposal in the months ahead.

Sincerely,
Kirkland City Council

James L. Lauinger
Mayor

cc Jane Hague, King County Councilmember

CITY OF KIRKLAND
123 Fifth Avenue, Kirkland, WA 98033 (425) 587-3000
www.ci.kirkland.wa.us

To: Dave Ramsay, City Manager

From: Daryl Grigsby, Public Works Director
David Godfrey P.E., Transportation Engineering Manager

Date: July 21, 2006

Subject: Slater Avenue Update

RECOMMENDATION:
It is recommended that Council review the background information and identify next steps for staff to take.

BACKGROUND:
This memo is divided into three parts; a) information about the July 14th bicycle collision at the intersection of Slater Avenue and NE 100th Street b) a description of traffic calming measures on Slater Avenue and intersection treatments c) Next Steps – a description of measures to be taken immediately and in the near future. The section of Slater Avenue in question is the portion between the dead-end south of NE 97th Street and 124th Avenue NE. The intersection of Slater Avenue NE and NE 100th Street is where the west end of the 100th Street ped bridge is located See Figure 1.

The July 14th Collision
The collision occurred on Friday, July 14th at approximately 7:00 PM. A young cyclist was struck by a car driven by a 19 year old male. The cyclist entered the roadway from west to east and the motorist was south bound. Police investigation indicates that the driver was traveling at less than 35 MPH and that alcohol was not involved. The driver and witnesses report that the bicycle entered the roadway without giving the motorist adequate time to stop. The driver was not cited. The cyclist sustained ankle injuries and was transported to Evergreen Hospital.

Previous traffic calming efforts on Slater Avenue
In 2002, Public Works' Neighborhood Traffic Control Program worked with neighbors to develop a potential traffic calming treatment for Slater Avenue. The plan included a median, and intersection treatments such as bump outs. It was difficult to come up with a robust plan for traffic calming because of the length of the street, the lack of curb and gutter and the long stretches between intersections. While the plan had support from some neighbors, it did not achieve the 70% of votes necessary to pass. The City did re-stripe the pavement markings on portions of Slater to narrow the travel lanes and provide a larger pedestrian refuge area.

Next Steps

Given the nature of the recent collision, Public Works staff is installing a stop sign for eastbound pedestrians and cyclists coming off the bridge. Pedestrian warning signs for motorists will also be installed on northbound and southbound Slater Avenue north and south of NE 100th Street. Measures such as trimming of grass and trees will also be taken to improve sight distance at the intersection. These actions are scheduled to be completed by July 26th.

At the July 18th meeting, Council requested that staff schedule a session to hear neighbors' ideas about improvements neighbors would like to see on Slater Avenue. This session could be scheduled for early September. Based on the outcome of that meeting staff will further define other steps to be taken and report back to Council.

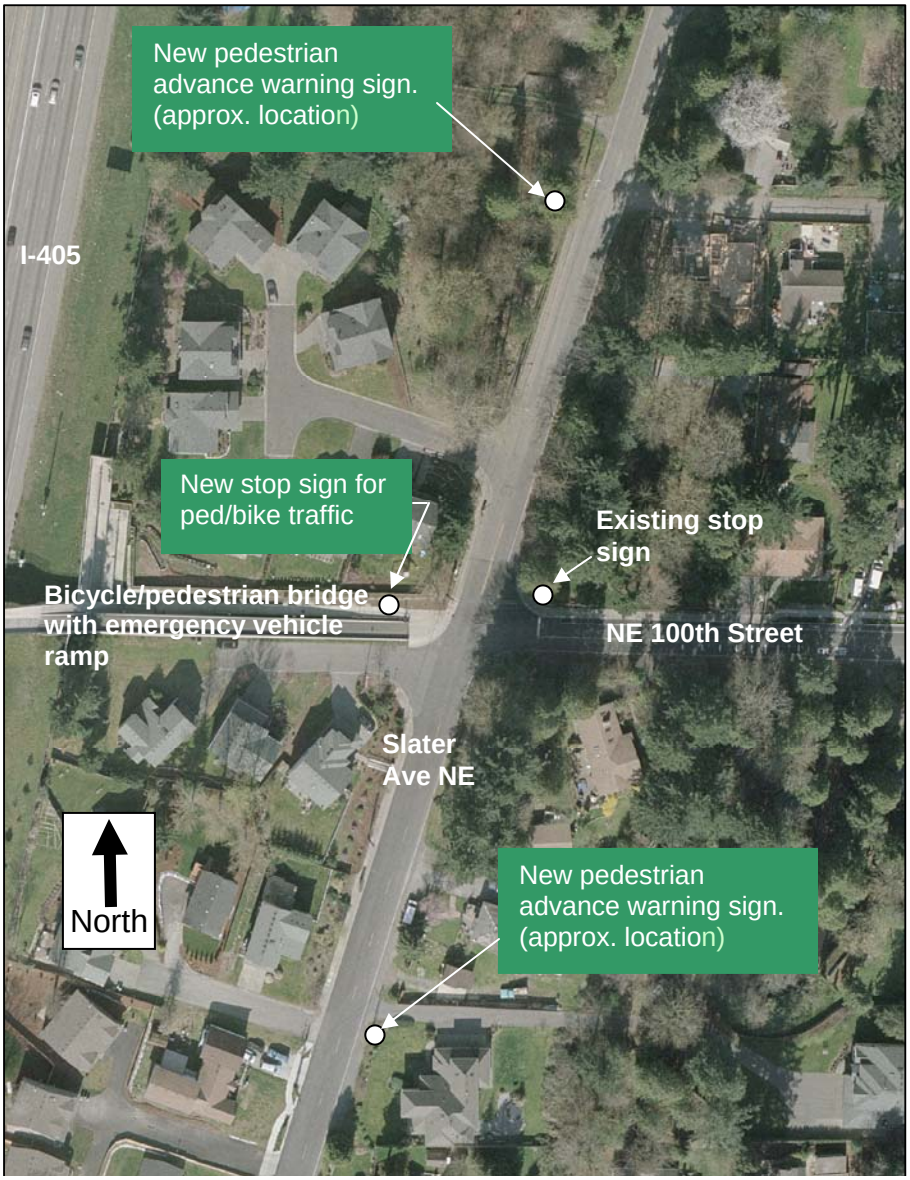


Figure 1.
Vicinity of NE 100th Street and Slater Avenue NE

CITY OF KIRKLAND
Department of Public Works
123 Fifth Avenue, Kirkland, WA 98033 425.587.3830
www.ci.kirkland.wa.us

MEMORANDUM

To: David Ramsay, City Manager

From: Daryl Grigsby, Public Works Director
Ray Steiger, P.E., Capital Projects Manager

Date: July 20, 2006

Subject: WAVERLY BEACH PARK LIFT STATION – AWARD CONSTRUCTION CONTRACT

RECOMMENDATION:

It is recommended that the City Council award the construction contract for the Waverly Beach Park Lift Station to McClure and Sons, Inc. of Mill Creek, WA in the amount of $866,735.62, and authorize a budget increase of $470,000, with additional funds coming from the currently approved Trend Sewer Lift Station (CSS-0060.)

BACKGROUND DISCUSSION:

The Waverly Beach Park Lift Station provides wastewater services to 125 residents along the shores of Lake Washington. Through several major modifications, the last in 1979, the existing facility has been able to provide basic wastewater services, however, the lift station has reached its useful design life and has many operational and maintenance deficiencies. The plan to upgrade this lift station was originally identified in the 1993 Sanitary Sewer Comprehensive Plan and a corresponding project was identified in the 2000-2005 CIP – the project design first began in 2000. The project scope was revised in the 2004 - 2009 CIP to include a replacement of the entire facility and to provide for appropriate levels of construction impact mitigation, all as an outcome of design development involvement by the Kirkland Park Board, the Kirkland Parks Department and the general public.

The Project consists of the construction of a new lift station immediately north of the existing Waverly Beach Park restroom facilities (Attachments A, B and C). The new building will house two pumps, an emergency generator, an odor control system, electrical controls, telemetry system and confined space safety improvements. The project also includes the placement of a new sewer main from existing lift station to the new lift station, a new force main along the access road leading to and from the Park and reconstruction of the Park's access road. Following the construction of the new lift station, the old lift station, located at the south end of the park, will be demolished and the site made usable for general Park usage.

The community and surrounding neighbors were actively involved in the development of the design and siting for the new lift station facility. At the April 20, 2004, Park Board meeting, Public Works presented several conceptual designs from which the Park Board selected the final location and design. This design was then presented to the Park's users at an open house at City Hall on May 25, 2004. Following the public presentation, additional meetings were held with individual members of the Park Board and the Park's users to address specific concerns and to incorporate additional features into the design.

At their meeting on November 15, 2005, Council authorized the Public Works staff to advertise for contractor bids on the Project with an engineer's estimate of $586,000. At that time Council was informed that the anticipated costs for the project were significantly higher than those originally budgeted in the 2004-2009 CIP. Council was also informed that additional costs were occurring as a result of engineering fees expended pursuing a thorough evaluation of lift station replacement options and the iterative public and Park Board design process. In addition, it was noted that the current bidding climate was suggesting that the estimated construction costs for the lift station would be above the budgeted amount. (Attachment D.)

Staff originally went to Council for authorization to advertise for contractor bids in November of last year when it was thought that construction could start in January and be completed in July 2006. As we approached the beginning of the new year final building permitting was delayed pushing the anticipated start date to a point where construction activities would significantly impact Park activities. In discussing the delay with the Parks Department it was decided that by postponing the project start date until after Labor Day 2006 the Waverly Park would be guaranteed a full summer of uninterrupted use by the general public.

During the bidding process staff was advised by various consultants and construction industry leaders that it would not be unreasonable for us to anticipate a 30% increase above our November 2005 engineer's estimate in order to be consistent with local contractor pricing (re.: July 2006 engineer's estimate below.) On July 18, 2006 four contractor bids were received with the bid tabulation as follows:

Contractor	Total Bid
Engineers Estimate (Nov. 2005)	*$ 586,000*
*Engineer's Estimate (July 2006)**	*$ 764,455*
McClure & Sons, Inc.	**$ 866,735.62**
Hisey Construction	$ 884,973.76
David L. Sack	$ 891,954.57
Shoreline Construction	$ 967,748.80

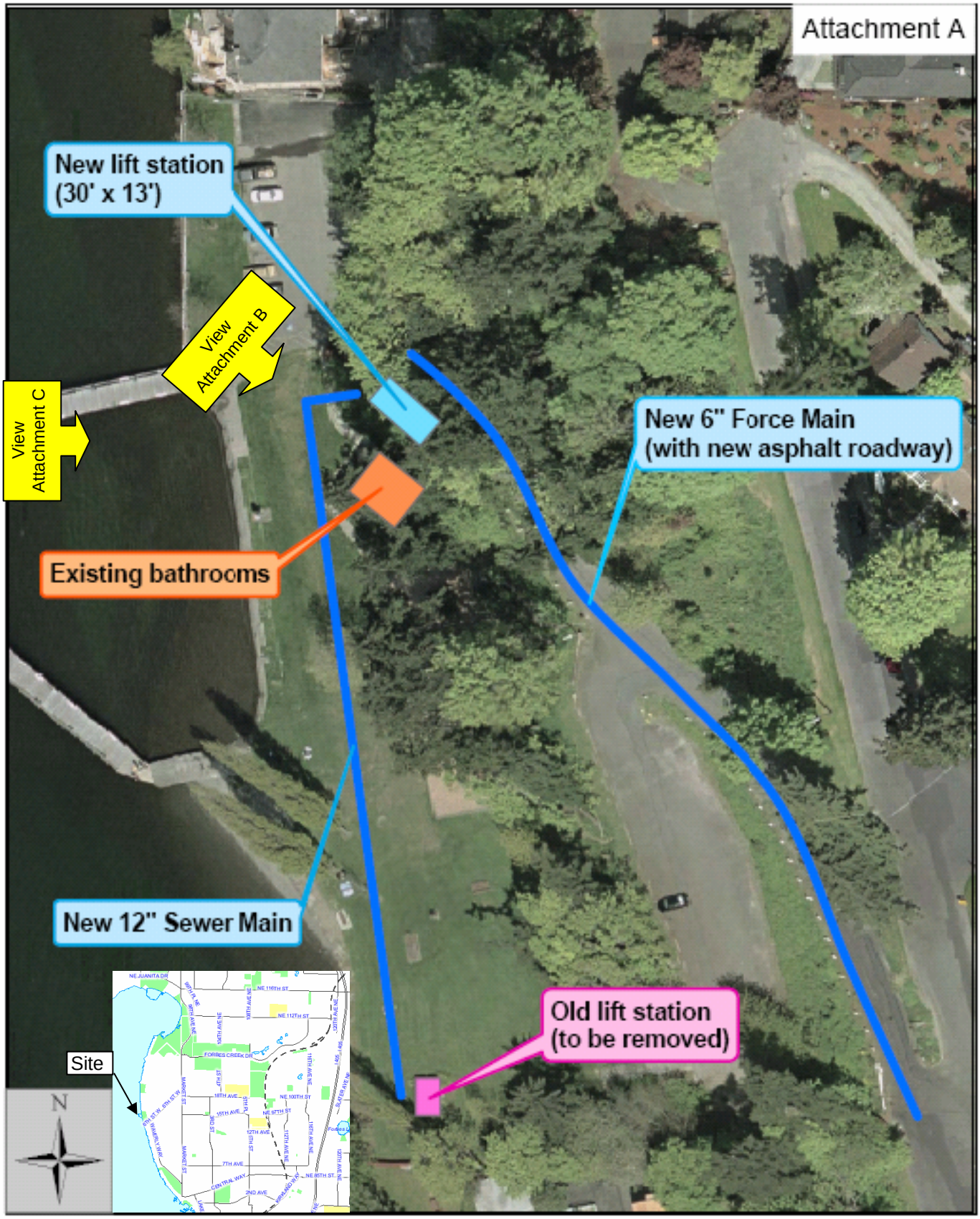
* 30% bidding premium added

The original list of prospective bidders contained seven contractors, however, only four bidders actually submitted. One of the potential bidders who chose not to submit a bid was the same contractor who constructed the City's Plaza Lift Station in 1996. In a conversation with a representative of TEK Construction, Mr. Scott stated that the Waverly Lift Station Project looked like a good project for them but that TEK had just been awarded another job and wouldn't be able to start our project soon enough to complete it by summer 2007. For that reason, Mr. Scott elected not to submit, however, he did say that the mid-$800,000 range appeared consistent with his number and with similar projects in other jurisdictions.

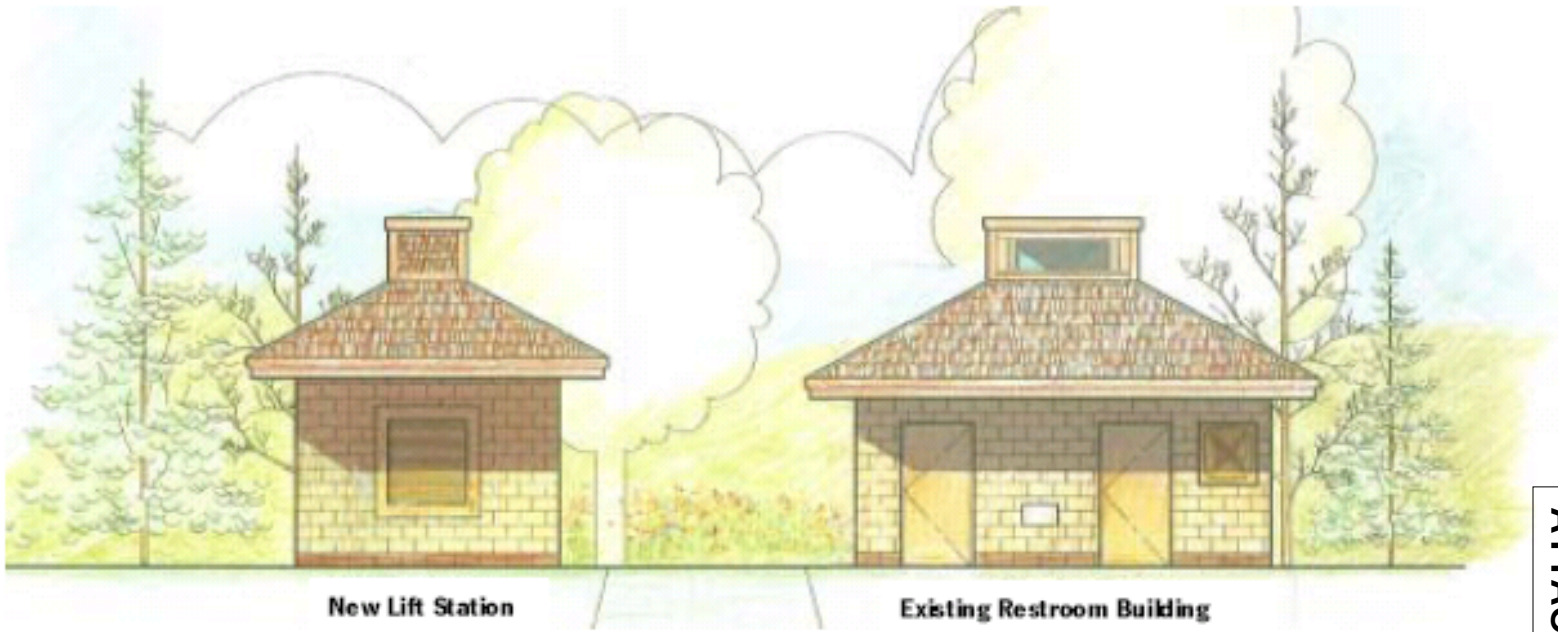
In consideration of the continued upward escalation of bid prices and the City's objective to reconstruct this critical facility during a time when Park use is at a minimum, staff proposes moving forward with the construction of the Waverly Park Lift Station Project. As a result, it is proposed that the additional funds for the Project come from another lift station project that is currently funded within the CIP. The Trend Lift Station, located in North Rose Hill, serves approximately 40 residents and in the 2004 – 2009 CIP it was moved from the "unfunded" to the "funded" category as a result of the possibility of coordinating the work with the City of Redmond and a development activity that was to occur east of 132nd Ave NE. Presently, the Redmond development has not proceeded as originally anticipated and, as such, the opportunity for coordinating the elimination of the Trend Lift Station with our neighbor to the east is not viable. Our work on the Trend Lift Station Elimination project feasibility will continue and the project reprogrammed within the CIP with a modification being reflected in the CIP update this Fall.

With a budget increase, as proposed by staff, and an award of the contract at the Council meeting of August 1st, construction would begin after September 6th with total project completion occurring before summer 2007.

Attachments: (5)
Site Map, Architect's Rendering, Photo Rendition, Project Budget Report, Fiscal Note



Aerial View
Waverly Beach Park and the New Lift Station



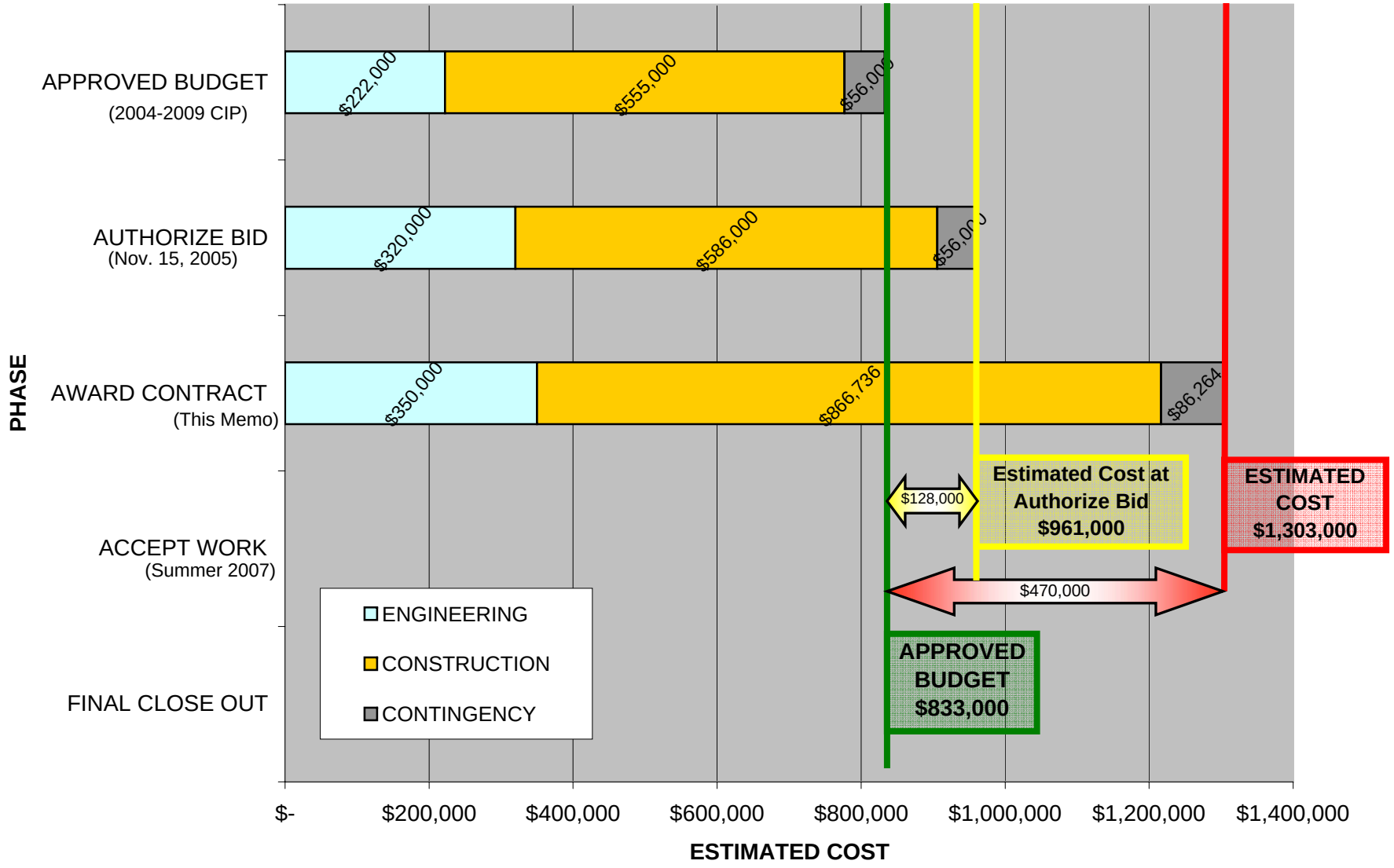
Architect's Rendering of New Lift Station
(Looking Southwesterly)

ATTACHMENT B

Photo Rendering of Lift Station
Adjacent to Existing Restroom
(From Dock)

ATTACHMENT C

PROJECT BUDGET REPORT
(Waverly Beach Lift Station CIP#SS-0053)



Attachment D

ATTACHMENT F

FISCAL NOTE

CITY OF KIRKLAND

Source of Request

Daryl Grigsby, Public Works Director

Description of Request

Request for additional funding of $470,000 for the Waverly Beach Park Lift Station project, to be funded from the approved Trend Lift Station Elimination Project. The costs for the Waverly Beach Park Lift Station project have increased due to changes in the scope of the project, design alterations based on the adjusted scope, and the continuation of escalating construction costs.

The Trend Lift Station Elimination project is an approved CIP project in the 2006-2011 CIP. Due to expected development in the area that was prompting the current timing of this project not occuring to-date, the elimination of the Trend Lift Station can be delayed. The delay in this project frees up current funding that can be used for the increase on the Waverly Beach Lift Station project.

Legality/City Policy Basis

Fiscal Impact

Use of $470,000 from the currently approved Trend Lift Station Elimination project. The Trend Lift Station Elimination project will be delayed and it will be reprogrammed in the CIP during the CIP update process to happen during the fall of 2006.

Recommended Funding Source(s)

	Description	2006 Est End Balance	Prior Auth. 2005-06 Uses	Prior Auth. 2005-06 Additions	Amount This Request	Revised 2006 End Balance	2006 Target
Reserve							
Revenue/ Exp Savings	The Trend Lift Station Elimination Project (CSS0060) in the adopted 2006-2011 CIP is budgeted in 2006 for $869,000. Use of $470,000 of this total budget will allow the lift station elimination feasibility to be completed and the actual elimination of the station and extension of the sewer main to be delayed till future years. The project will be reprogrammed as part of the 2006-2011 CIP Update in the fall of 2006.						
Other Source							

Other Information

Prepared By	Sandi Miller, Financial Planning Manager	Date	July 19, 2006