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, October 16, 2007
6:00 p.m. – Study Session – Peter Kirk Room
7:30 p.m. – Regular Meeting

COUNCIL AGENDA materials are available on the City of Kirkland website www.ci.kirkland.wa.us, 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. Downtown Strategic Plan Update

4. *EXECUTIVE SESSION*

   a. To Discuss Labor Relations

5. *SPECIAL PRESENTATIONS*

   a. Twenty-five Year Service Award:
      Planning and Community Development Director Eric Shields

   b. National Community Planning Month Proclamation

   c. Pedestrian Flag Program Kick-off Proclamation

   d. John Chadwick, Washington District 9 Little League Administrator - Junior Softball Little League World Series

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.

8. CONSENT CALENDAR

a. Approval of Minutes: (1) September 18, 2007

(2) October 2, 2007

b. Audit of Accounts:

Payroll $

Bills $

c. General Correspondence

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.

(1) Linda Jones, Regarding Noise Level

(2) Keith Maehlum, Regarding Plaza at Yarrow Bay Office Park

d. Claims

(1) Janice Belt

e. Award of Bids

f. Acceptance of Public Improvements and Establishing Lien Period

(1) 2007 Sidewalk Maintenance Project

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.

g. Approval of Agreements

(1) Resolution R-4672, Approving an Interlocal Agreement Between the City of Kirkland and Other Participating Agencies for the Providing of Automatic Aid and Training Cooperation with Respect to Fire and Emergency Medical Services; and Authorizing the City Manager to Sign the Agreement on Behalf of the City of Kirkland

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.

h. Other Items of Business

(1) Ordinance No. 4114, Relating to Vacating a Portion of a Right-of-Way Based on an Application Filed by John Van Buskirk and Johal Karnail

(2) Resolution R-4673, Adopting Performance Standards as the Kirkland Fire Department's Response Time Objectives as Required in Chapter 35A.92 RCW

P - denotes a presentation from staff or consultant

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.

9. PUBLIC HEARINGS

a. Proposition 1 Medic One – Emergency Medical Services Renewal of Existing Regular Property Tax Levy:

(1). a. The King County Council adopted Ordinance 15861 concerning funding for the Medic One emergency medical services system. This proposition would replace an expiring levy to continue funding of Medic One emergency medical services. It would authorize King County to impose regular property tax levies of $0.30 or less per thousand dollars of assessed valuation for each six consecutive years, with collection beginning in 2008, as provided in King County Ordinance 15861. Shall this proposition be:

{ } Approved
{ } Rejected

(1). b. Resolution R-4671, Supporting the County-wide 2008-2013 Medic One/Emergency Medical Services Levy, Proposition No. 1, on the November 6, 2007, General Election Ballot

10. UNFINISHED BUSINESS

a. Regarding Development Fee Update - Credit Card Considerations

b. Ordinance No. 4115 and its Summary, Relating to Solid Waste Collection Rates and Amending Section 16.12.030 of the Kirkland Municipal Code

c. Regional Jail Planning Update

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. Green Building Program

b. Ordinance No. 4116 and its Summary, Repealing Chapter 19.24 of the Kirkland Municipal Code and Reenacting a New Chapter 19.24 of the Kirkland Municipal Code Relating to the Permitting of Special Events

12. ANNOUNCEMENTS

13. ADJOURNMENT

P - denotes a presentation from staff or consultant

CITY OF KIRKLAND
Planning and Community Development Department
123 Fifth Avenue, Kirkland, WA 98033 425.587-3225
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MEMORANDUM

To: David Ramsay, City Manager

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

Date: October 2, 2007

Subject: DOWNTOWN STRATEGIC PLAN ASSESSMENT AND UPDATE – SITUATION ASSESSMENT REPORT. STUDY SESSION WITH DOWNTOWN ADVISORY COMMITTEE (FILE NO MIS07-00011)

RECOMMENDATION

Meet with the Downtown Advisory Committee (DAC) and receive their report and recommendations on Phase I of the Downtown Strategic Plan (DSP) Update. Provide the DAC, staff, and the consulting team with preliminary direction on next steps. Based on preliminary direction from Council, staff will report back at a subsequent meeting with a draft scope of work and a budget proposal for Phase II.

BACKGROUND DISCUSSION

The process of updating the 2001 Downtown Strategic Plan was divided into two phases - Phase I (assessment) and Phase II (update). The delivery of the Strategic Situation Assessment marks the completion of the first phase. The 16-member committee has met five times, held one community meeting, and sponsored two stakeholder meetings. In addition, the consulting team has met with over 100 downtown stakeholders, documented their input, and reviewed results with the DAC. The product is a comprehensive year 2007 assessment of the downtown and of community sentiments. This assessment is intended to form the basis of an update to the 2001 DSP.

The recommendations of the DAC are summarized in Section 5.0 of the report. The strategy areas that they propose to focus on in the DSP update are divided into three major categories:

- **Management and Organizational Strategies** (e.g. – complete vision, demonstrate City leadership, develop partnerships, etc.)
- **Design, Infrastructure and Regulatory Strategies** (e.g. – identify and address development barriers, connect sub-districts, refine parking strategies)
- **Marketing and Promotion Strategies** (e.g. – coordinated marketing)

The primary recommendation is that the City Council authorizes the DAC to move forward and complete the DSP update. The DAC has established itself as a well-functioning citizen's advisory committee that is eager to continue at the direction of the Council. Based on the Strategic Opportunities identified in Section 5.0 of the Assessment, the DAC now asks Council:

- If the process should continue to complete the update
- If so, to prioritize which Strategic Opportunities should be pursued; and
- To identify funding to allow the work to continue.

While staff has not yet scoped Phase II, we would recommend initial funding for the update be authorized from the Lakeshore Plaza study budget (approximately $30,000). A detailed scope of work and project budget will be brought to City Council for review following initial direction at the October study session.

cc: Berk & Associates

KIRKLAND DOWNTOWN STRATEGIC PLAN

Strategic Situation Assessment

BERK & ASSOCIATES
LELAND CONSULTING GROUP

October 2007

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Jeff Trager, co-chair
Brian Berg
Rob Butcher
Denise Campbell
Margaret Carnegie
Joe Castleberry
Jeff Cole
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LELAND CONSULTING GROUP

Project Team: Chris Zahas

CITY OF KIRKLAND DOWNTOWN STRATEGIC PLAN

Strategic Situation Assessment: October 2, 2007

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CITY OF KIRKLAND DOWNTOWN STRATEGIC PLAN

Strategic Situation Assessment: October 2, 2007

1.0 INTRODUCTION: PURPOSE AND PROJECT OVERVIEW

Kirkland has a downtown that most communities would love to have. It is a really good downtown, and much better than the great majority of suburban city downtowns nationally and in the region. Yet could downtown be better; could it be improved? Yes, definitely.

1.1 Purpose of this Strategic Situation Assessment

In early 2007, the City of Kirkland commissioned an update to the Downtown Strategic Plan (DSP). The product of 18 months of work by a citizen Downtown Action Team (DAT), the DSP was adopted by the Kirkland City Council in June 2001. With the 2001 Plan now six years old, the City sought a fresh look at the downtown, with a new citizen committee, the Downtown Advisory Committee, a citizen advisory board made up of downtown and neighboring residents, downtown property owners, Planning Commissioners, Parking Advisory Board members, and more. As an initial step, the City charged the Advisory Committee (the DAC) and its consultants with undertaking a phased approach to the project, beginning with a Strategic Situation Assessment of downtown Kirkland's strengths, challenges and opportunities.

This Strategic Situation Assessment summarizes the results of nearly eight months of research, inquiry, and community dialogue about downtown. During this period, the DAC has conducted a 360-degree assessment of downtown's current situation and future potential. This Assessment is the DAC's report to the City Council, and includes:

- An overview of downtown's major strengths from a market perspective
- A review of the outcomes of the 2001 DSP
- A synopsis of the stakeholder and community meeting findings
- The DAC's working vision for downtown
- Recommended next steps for the project.

1.2 DAC Tasks Conducted to Support the Assessment

Downtown Kirkland inspires passion, ideas, concerns and opinions among many people. Very few people are neutral about what is working and what can be improved downtown. Rather, there are many, many perspectives on the downtown – ranging from "don't change anything" to "significant changes are needed." There is also considerable data available on downtown's economic strengths and financial contributions to the City. To capture these perspectives and information, the DAC and consultant team undertook a comprehensive outreach and analytical approach. Their approach encompassed:

- Facilitation of 11 focus groups and 17 individual stakeholder interviews, for a total of more than 100 people initially interviewed about downtown. The results of these stakeholder interviews and focus groups was summarized in a 35-page *Stakeholder Feedback Summary Report* (June 1, 2007) (see Attachment A)

- A community meeting sponsored by the DAC and attended by 80 people, held at the Kirkland Teen Union Building (July 16, 2007) (summarized in Attachment B)

- Two special stakeholder group meetings organized and facilitated by DAC members: a property owners meeting attended by more than 20 owners (see Attachment C), developers and their representatives; and a downtown condo owners association meeting with 12 of the 19 downtown condo associations represented (see Attachment D)

- An on-line survey posted on the City's website, to which 47 people responded, and City staff summarized into a themes and findings document (see Attachment E)

- Quantitative market analysis and qualitative market trends assessment prepared by the consulting team (see Attachment F)

- Five meetings of the DAC, which focused on visioning, discussion of stakeholder and community perspectives, and the market analysis (see Attachment G)

These materials and all of the inputs and analytics provided to the DAC are contained in the DSP Strategic Situation Assessment Supplemental Appendices.

2.0 OVERVIEW OF DOWNTOWN'S BUSINESS PROFILE

2.1 Community Context for Downtown Planning

Based on community conversations and market analysis, the DAC has found that the downtown fills multiple roles. Downtown is:

A Beloved and Beautiful Urban Center. Downtown Kirkland is a beloved city center. Many people feel that it is the heart of the community, and a major contributor to what makes Kirkland such a desirable place to live, work and spend time. It has a very special set of assets—water and waterfront access, including a marina; beautiful parks and lots of natural beauty; an attractive, walkable scale; a neighborhood and pedestrian-friendly feeling; public art and a performing arts center; community amenities including a library and pool; popular restaurants and nightlife; and many small shops.

A Regional Destination for Residents and Visitors. Kirkland is a regional destination for visitors and Eastside residents. People come to downtown Kirkland for its parks, restaurants, galleries, nightlife, arts performances, shops and services. Downtown is also home to several community events and celebrations, which attract people from throughout the city and the region.

There is also a sense of community downtown, a welcoming sense of a family-friendly, pet-friendly district where people feel safe and can walk and meet their friends and neighbors. Especially on warm, sunny days, downtown is a gathering place for people enjoying the outdoors and the area's restaurants and cafes.

People are passionate about downtown and have a sense of ownership about its future. They do not want to harm the special character of the district, even as downtown changes.

2.2 Summary Business Profile

Downtown is an Employment Node. Exhibit 1 shows downtown employment (the core area and Park Place) for firms with City business licenses (these figures thus exclude government employment, such as City Hall employment). As the Exhibit shows, there are a total of 614 businesses operating downtown, supporting nearly 4,000 employees. The majority of these are small businesses (defined as businesses with an average of 2 to 39 employees per firm); the overall average number of employees per firm is six.

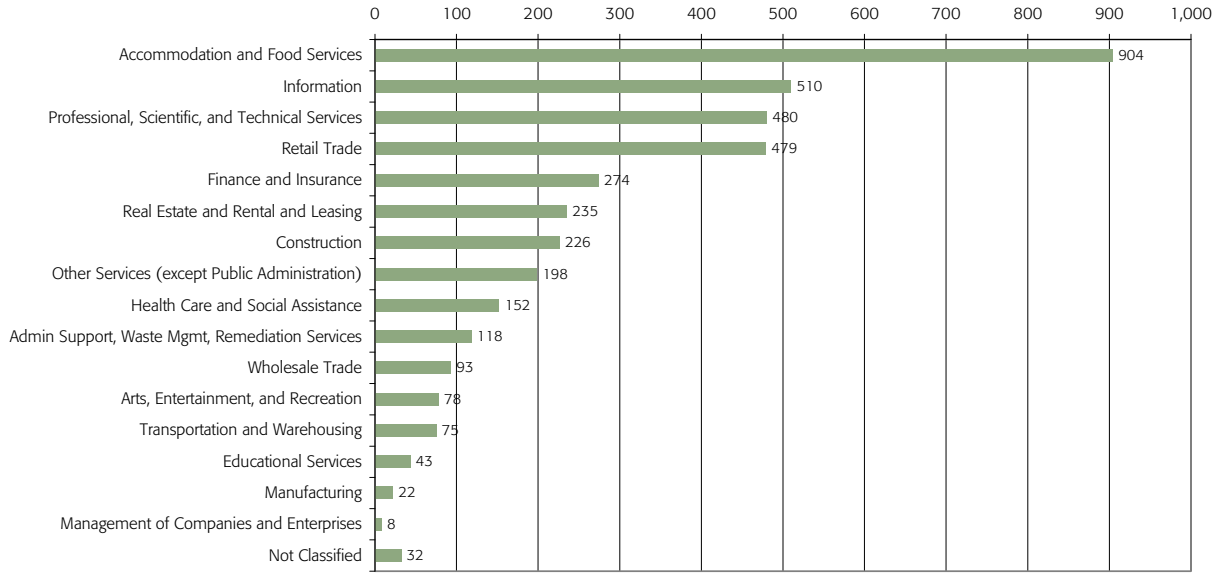
Exhibit 1
Employment and Count of Downtown Kirkland Businesses by Industry, 2007

2-Digit NAICS Code	Industry Description	Number of Businesses	Total Employees	% of Total Employment	Avg Employees per Business
72	Accommodation and Food Services	61	904	23%	15
51	Information	13	510	13%	39
54	Professional, Scientific, and Technical Services	103	480	12%	5
44-45	Retail Trade	96	479	12%	5
52	Finance and Insurance	50	274	7%	5
53	Real Estate and Rental and Leasing	38	235	6%	6
23	Construction	25	226	6%	9
81	Other Services (except Public Administration)	88	198	5%	2
62	Health Care and Social Assistance	52	152	4%	3
56	Admin Support, Waste Mgmt, Remediation Services	24	118	3%	5
42	Wholesale Trade	10	93	2%	9
71	Arts, Entertainment, and Recreation	14	78	2%	6
48-49	Transportation and Warehousing	4	75	2%	19
61	Educational Services	6	43	1%	7
31-33	Manufacturing	6	22	1%	4
55	Management of Companies and Enterprises	5	8	0%	2
00	Not Classified	19	32	1%	2
	Total all Industries	**614**	**3,927**	**100%**	**6**

Source: City of Kirkland Business License Database, 2007

Exhibit 2 below presents employment by business type downtown. As the Exhibit shows, Accommodation and Food Service is far and away the largest employment category, followed by Information, Professional Services and Retail Trade.

Exhibit 2
Total Employment of Downtown Kirkland Businesses by Industry, 2007



Source: City of Kirkland Business License Database, 2007

Exhibit 3 shows a significant portion of the city's total office and retail space is located within the downtown core and Park Place. Combined, the retail square footage in downtown (13%) and Park Place (4%) is only behind Totem Lake. In terms of office space, Park Place has a larger share of inventory.

Most of the retail and office space in Downtown Kirkland is found in smaller scale buildings.

Exhibit 3
Retail and Office Square Footage in Kirkland, 2005

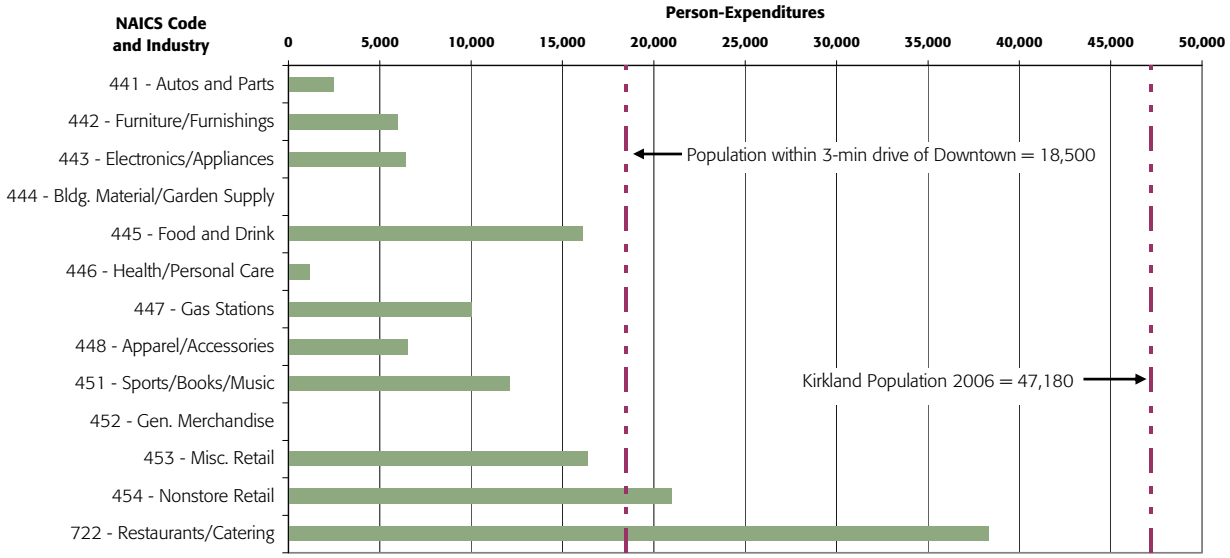
	Retail Space		Office Space	
Retail Area	**Gross SF**	**% of Total**	**Gross SF**	**% of Total**
Downtown	365,915	13%	133,922	3%
Park Place	117,834	4%	609,870	12%
Rose Hill Business District	462,779	17%	123,952	2%
Totem Lake	1,264,456	46%	1,555,902	31%
Juanita Village	251,796	9%	109,195	2%
Houghton Market	106,867	4%	86,278	2%
Bridle Trails	99,782	4%	2,854	0%
Other	67,126	2%	2,385,902	48%
Total Downtown/Park Place	**483,749**	**18%**	**743,792**	**15%**
Total all Areas	**2,736,554**	**100%**	**5,007,875**	**100%**

Source: King County Assessors Office, 2005

Retail and Restaurant Sales. Exhibit 4 shows the City's taxable retail sales (TRS) data in terms of person-expenditures[1] for the downtown core area and Park Place area.

[1] Person-expenditures are calculated by taking the total TRS in a retail category and dividing it by the annual per capita average spending in the same category statewide. For example, if a city has $100,000 of TRS in the groceries category and the statewide TRS per capita average spending on groceries is $1,000, the city would have 100 person-expenditures ($100,000/$1,000=100). Person-expenditures are a useful way to measure the relative strength of different retail sectors in a city.

Exhibit 4
Kirkland Downtown/Park Place Person-Expenditures by Industry, 2006



Source: Washington Department of Revenue TRS data compiled by the City of Kirkland Department of Finance and Administration, 2007

As the Exhibit shows:

- **In terms of revenue generation, the most significant retail businesses downtown are restaurants.** Analysis of TRS data show that downtown Kirkland restaurants are attracting customers from outside the market area, and this is confirmed by focus group interviews with restaurateurs, who say that they draw from Kirkland during the week and from Kirkland, Bellevue, Redmond, and Bothell on weekends. Their business however, is affected by weather and recently, by new competitors in downtown Bellevue and Redmond (including about 20 new restaurants in the Bellevue Square/Lincoln Center complexes.). As Bellevue's downtown and its nightlife grows, this competition could become more of a threat to downtown Kirkland restaurants.

- **Kirkland is known for its galleries, and there is a concentration of galleries downtown**. In recent years, some galleries have expanded into internet sales, which is reflected in the relatively strong TRS category of Non-store Retail, which captures e-commerce sales. Galleries are included in "All Other Miscellaneous Store Retailers" in Exhibit 4.

Exhibits 4 and 5 focus on downtown's retail and food service businesses. Exhibit 4 shows that there are 98 retail businesses in downtown, with a total of 479 employees. Exhibit 5 shows that there are 61 restaurants or food service establishments downtown. The majority these restaurants are full service (59% or 34 restaurants), with another 25% or 11 restaurants providing limited service. These businesses also support considerable employment—904 jobs total, of which 530 are generated by the 34 full service restaurants.

Exhibit 4
Employment and Count of Downtown Kirkland Retail Businesses, 2007

6-Digit NAICS Code	Industry Description	Number of Businesses	Total Employees	% of Total Employment
443120	Computer and Software Stores	4	148	31%
452910	Warehouse Clubs and Supercenters	1	61	13%
453998	All Other Miscellaneous Store Retailers	21	57	12%
4481XX	Clothing Stores (all categories)	10	31	6%
453920	Art Dealers	11	20	4%
454111	Electronic Shopping	4	19	4%
453220	Gift, Novelty, and Souvenir Stores	5	18	4%
447190	Other Gasoline Stations	1	15	3%
451120	Hobby, Toy, and Game Stores	2	13	3%
454390	Other Direct Selling Establishments	7	9	2%
448310	Jewelry Stores	3	9	2%
442110	Furniture Stores	3	8	2%
	Total All Retail Businesses	**98**	**479**	**100%**

Source: City of Kirkland Business License Database, 2007

Note: Retail categories with fewer than 8 employees excluded from list.

Exhibit 5
Employment and Count of Downtown Kirkland Food Service Businesses, 2007

6-Digit NAICS Code	Industry Description	Number of Businesses	Total Employees	% of Total Employment
722110	Full-Service Restaurants	34	530	59%
722211	Limited-Service Restaurants	11	222	25%
722213	Snack and Nonalcoholic Beverage Bars	9	106	12%
722410	Drinking Places (Alcoholic Beverages)	3	30	3%
722310	Food Service Contractors	2	9	1%
722212	Cafeterias	1	4	0%
722330	Mobile Food Services	1	3	0%
	Total All Food Service Businesses	**61**	**904**	**100%**

Source: City of Kirkland Business License Database, 2007

3.0 ASSESSMENT OF THE 2001 DSP AND CURRENT CHALLENGES

3.1 Overview of the Plan's Principles and Recommendations

The 2001 DSP focused on "making downtown Kirkland into a high quality pedestrian village," and defined the downtown as comprising three districts: the Core Area, Marina Park and Park Place. The Plan's pedestrian-friendly vision was further defined by five Guiding Principles: (1) maintain a pedestrian orientation to the downtown and surrounding districts; (2) balance the need for efficient vehicular circulation with the downtown's vital pedestrian character through appropriate traffic calming measures; (3) acknowledge Park Place as an integral part of downtown by establishing clearly defined pedestrian connections with the core area and the waterfront; (4) enhance the core area of downtown by assuring a mix of mutually supportive uses as well as a human scale for any new development; and (5) celebrate the waterfront setting by reorienting the downtown to the lake.

The organizing theme for the 2001 Plan was "Public Actions, Private Opportunities," and both the Plan and its implementation were focused on downtown improvement and development projects. City staff have prepared a summary *Performance Assessment of the 2001 Plan,* which was presented to the DAC at its initial meeting. Public actions in the Plan included: site-specific planning and development projects (Lakeshore Plaza @ Marina Park, and the Lake & Central development site); improvements to the circulation network (Transit Center planning; Central Way traffic calming and Kirkland Avenue intersection and circulation changes); and parking planning and management. The implementation status of these projects is as follows:

- **City Development Projects.** The two site-specific City development projects have not been implemented, despite considerable planning and initial effort. The Lakeshore Plaza project was added to the City's Comprehensive Plan, and initial planning and public outreach conducted. The City Council approved a preferred concept, but the project stalled due to a funding gap and a lack of property owner and public support for the project. The sale of the Lake & Central property to a mixed use developer was rejected by the City Council following significant and vocal public opposition to the project.

- **Transit Center Development.** The existing location on Third Street has been confirmed as the location for this Sound Transit project. Detailed design work is currently underway. After extensive analysis of multiple sites, the former Downtown Action Team had identified a Kirkland Avenue site as preferred. The site required a rezone for transit-oriented development (to allow a percentage of housing) but the City Council ultimately rejected the rezone required to make this site work.

- **Central Way Project.** Phase I of the Central Way traffic calming project has been completed. The project was designed to improve pedestrian mobility along and across Central Way, reduce cut-through traffic in the Norkirk Neighborhood, and add additional on-street parking along Central Way. The project involved several coordinated infrastructure improvements and upgrades including new fiber optic power lines laid underground, sewer and water main replacement, and new streetscape amenities such as curb bulbs, planter islands, and lighted crosswalks. Conversion of an eastbound lane into 32 parking stalls has been completed as a pilot project. Monitoring of

the pilot project's traffic and parking impacts is underway. Based on results, City Council is to decide if the parking will remain and permanent pedestrian improvements should be installed.

- **Kirkland Avenue Improvements.** Kirkland Avenue circulation and streetscape improvements are mostly complete, including installation of a public plaza at State Street and Kirkland Avenue and ongoing sidewalk improvements being installed in conjunction with private development. When the Transit Center project is completed the Kirkland Avenue and Third Street intersection will be signalized.

- **Parking Management.** In response to DSP direction that the City take "a strong leadership role in ensuring adequate parking in the core area and waterfront," the City worked to: complete a *Downtown Parking Study and Plan (2003);* manage parking through funding a half-time parking coordinator, support a Parking Advisory Board (PAB), survey businesses, add wayfinding signage and new pay stations, and implement employee parking programs, including free parking for employees of downtown businesses in the City's library garage. The City also added to the on-street parking supply by restriping and by adding the new spaces on Central Way. The PAB has overseen the creation of 68 new parking stalls on-street and in City lots. The PAB is also exploring market-based pricing of parking, financing options for adding new parking supply, public-private partnerships to foster shared parking, and review of parking requirements.

- **Zoning Code and Comprehensive Plan**. The DSP supported the basic comprehensive planning and established zoning of the downtown with recommendations for minor updates. The City implemented several recommended changes to its zoning codes, including adding a one-story bonus provision to incent residential development in the core area (CBD 1); reducing setback requirements to incent retail development along portions of Kirkland Avenue and Central Way (CBD 3 & 7); tightened retail frontage requirements, and enacted incentives for residential uses in Park Place.

Private Sector Development. The concept of encouraging development at "opportunity sites" was a key element in the 2001 DSP. In the six years since the Plan was adopted, a number of mixed use projects have been developed or are currently under construction. These include the Kirkland Central condominiums on State Street, Boulevard Condos on Kirkland Avenue, 123 State Street condos, the Merrill Gardens Assisted Living development on Kirkland Avenue, the Bungie Studios office development on Kirkland Way (remodel of the former hardware store into tech-oriented office space), and the Heathman Hotel on Kirkland Avenue.

3.2 Building on the 2001 DSP: Current Challenges Facing Downtown

Assessing the outcomes of the 2001 DSP yields a multi-faceted conclusion. On the one hand, downtown Kirkland has fulfilled part of the Plan's vision for a friendly, neighborhood-scaled, residential core served by a combination of local and destination retail. Taking downtown as a whole (Lake Washington to Sixth Street) the area has a broad range of uses, including entertainment, civic spaces, office, and a wide spectrum of retail. The City has taken several public actions that have been effective at improving the pedestrian character of the district and the private sector appears to have responded by investing in redevelopment of key downtown properties. Nonetheless, planning for and maintaining a downtown is an ongoing project and many challenges still exist or have arisen since 2001.

Current challenges and areas for improvement can be arrayed in the following categories:

- Ongoing challenges and areas for continued improvement surrounding the goals of the 2001 DSP
- New challenges related to market trends and the development process
- Challenges related to economic vitality, specifically the retail climate and the design of public spaces
- Concerns and issues from the downtown residential community

3.3 Ongoing Challenges and Areas for Continued Improvement

The 2001 Plan's vision and many of its objectives are shared by communities across the country, and represent ongoing community planning challenges. For downtown Kirkland, these ongoing challenges include the need for continued work to:

- **Be a high quality pedestrian village.** This goal translates into managing access to ensure a convenient, safe, enjoyable experience downtown and balancing the needs of cars and pedestrians. The DAC heard multiple comments and concerns about pedestrian safety crossing streets, and the impacts of cut-through traffic transiting downtown.
- **Manage parking to support downtown's retail and restaurant businesses.** Downtown stakeholders believe that parking is a critical issue for continued economic vitality and quality of experience downtown. With greater success of downtown's restaurant and retail businesses, parking will only become more of a challenge than it is today.
- **Strive for connectivity among downtown's sub-districts and streets.** Downtown encompasses the Park Place sub-district and increasingly will be influenced by new office developments to the east, in the Sixth Street corridor. In the coming years, connecting these sub-districts physically and from a community perspective will increasingly provide opportunities to enhance the economic success of businesses in the core area and the experience of office tenants in the area's emerging Sixth Street tech corridor.
- **Address seasonality to create a more robust shopping and dining district.** The restaurant focus group, especially, noted that downtown is very busy for four months a year, and under-utilized for the remaining months. Making Kirkland a more all-seasons destination will improve the viability of existing businesses and provide opportunities for desirable new retailers to locate downtown.
- **Strengthen the retail base in the core area.** This can be accomplished through defining and implementing specific new business retention and attraction strategies, business partnerships and strategic marketing.
- **Embrace the waterfront.** Access to Lake Washington is one of Downtown Kirkland's most discussed strengths—access to the Lake is identified in two 2001 Plan Guiding Principles. The Lake, marina, and waterfront are priorities for the community and many residents feel more can

be done to connect the waterfront with downtown and Park Place. Many would also like the Lakeshore Plaza project to be completed, to create a direct linkage between the street and the lake.

Each of these objectives was identified in the 2001 Plan, and each remains a challenge for downtown today.

3.4 New Challenges Related to Market Trends and the Development Process

The following issues were identified by several of the focus groups and the property owner meeting as areas that need to be addressed by the City going forward:

Housing: Improving the Diversity of Options

Quality Residential Development, Not Affordable to Many People. The 2001 Plan encouraged residential development, and this objective has thoroughly met with success. Downtown is now known as a high quality, very desirable place to live. However, most of the units constructed in recent years are relatively spacious, high priced, for-sale units. These units have attracted an older, affluent demographic to downtown.

Particularly as office employment grows, there will be a need for entry-level and work force housing options for the new workers—either ownership or rental. Currently, there are limited housing options downtown for younger and less affluent people. Housing opportunities for a more demographically diverse group of downtown residents will require construction of smaller units at more affordable price points and rental housing. There are recent occurrences of rental housing (128 State Street Condos has converted to an apartment project) and senior housing (Merrill Gardens). Live-work units are also a way to meet the needs of some potential new residents, and would provide for diversity of housing products as well as be attractive to a mix of different kinds of people, including professionals and small business owners. Live-work units also allow development to take housing down to the ground floor while still allowing for some street-level interest and activity.

City Parking Regulations Drive Housing Development Choices. Developers and property owners point to the City's parking requirements—the base code requirement is currently 1.7 spaces per residential unit—as driving development of large and relatively high priced residential units. They note that parking costs need to be incorporated in condo unit prices, and at $15,000-20,000 for structured, above ground spaces and $25,000-35,000 per below-grade parking space, only certain types of housing development makes sense to build. City staff note that parking requirements have often been modified to one parking stall per bedroom, which has been consistent with what developers have requested based on market demand. Parking requirements should be monitored on a continuing basis and amended if needed to reflect actual demand and provide more certainty to the development process, while not contributing to spillover parking from new residential developments.

Consideration of Expanding Office Use Downtown

Feasibility of Downtown Office Development is Challenging. Currently, the office market in downtown is strong, and the core area may be able to attract new, small-scale office development, if current impediments to that development are addressed. Now that downtown has successfully attracted residential development, it may be appropriate for the City to facilitate smaller scale office development in this area. This is a strategic issue for the DAC and the City to consider in the next phase of the DAC's work.

Allowing additional office development in the core area could provide a healthy diversity of uses, and will bolster the area's foot traffic and "daylife"—which will provide additional support to retailers, restaurateurs, and other existing businesses. As the market analysis shows, downtown already has more than 200 service businesses, including professional service firms, financial management and other firms using office space. Downtown is a desirable place for smaller office firms to locate, and the current office market is good, with demand and financing available for such space.

Although the demand for new office development may exist in the core area, current height limits (bonus floor only applicable to housing projects) pose a barrier to new office development, as do parking requirements. Encouraging additional office development downtown will likely require the City to address the need for additional parking capacity.

Given the high cost of office development (expensive structured parking, typical use of steel and concrete construction methods), a three or four story building may not be able to justify the high fixed cost of parking and foundation requirements. On the whole, larger buildings can achieve better economies of scale; however, in the core area the sites are relatively small. With standard office parking ratios at three or four spaces per 1,000 square feet, office users can require three or four times as much parking as a residential unit. And with structured and underground parking costs what they are, it is no wonder that development in downtown Kirkland has focused almost exclusively on housing in the past six years.

Reviewing Development Regulations in Light of Market Trends and Impacts

Density and Greater Building Heights are Needed to Support Development Feasibility. Developers and property owners note that feasibility for many downtown development projects hinges on obtaining additional height. The property owners and some DAC members also state that increased density and building heights are fundamental to make Kirkland a vibrant, charming, urban waterfront community. They maintain that additional density will help the City achieve the DAC's vision for downtown, including addressing current seasonality-related challenges. This issue was discussed in many DAC meetings, and will require further review and discussion to develop a DAC consensus.

Bonus Floor Requirements are Problematic. The City's 2001 Plan provided for a "bonus floor" to encourage its goal of residential development downtown, facilitate redevelopment of opportunity sites, and support downtown retail. Three projects (Heathman Hotel, Kirkland Central Condominiums, and Merrill Gardens) have utilized these provisions. The zoning code and 2001 Downtown Strategic Plan allow the bonus floor through the Design Review process if the upper

floors are residential, the upper floors are terraced to minimize the impact of the additional story, and "superior retail" is provided on the ground floor. Developers and property owners report several problems with the bonus floor concept.

- Developer's feel the City's development process lacks predictability. The City's development process is unusual in the region for the amount of discretion and authority provided in the DRB process. The DRB has discretion, for example, to determine the definition of "superior retail" on a project-by-project basis, and to award or deny a bonus floor. Property owners and developers are frustrated, and in some cases confounded, by the City's process. As one focus group participant said, "There are no specifics that we can prepare for in order to understand if our project will be economically feasible within the guidelines, and if we can get design approvals." Another stated, "To have a healthy environment for development downtown there should not be an arbitrary decision-making process."

- They note that the City's design/development review process does not provide for approval of the bonus floor until relatively late in the planning process. With economic feasibility hinging on the bonus floor, applicants lack certainty about the feasibility of their projects—a crucial requirement for a healthy development climate.

- Because the bonus floor is primarily for residential development (office is allowed on the second floor), it effectively precludes mixed use development incorporating office space. While the City had intended to encourage residential development, the bonus requirement restricts owners' ability to respond to the market and provide a mix of uses downtown.

- The "superior retail" provision is one of the most criticized elements of the current code—downtown property owners, developers, designers and architects all state that the definition of "superior retail" is not written, is not understood in the development community, and is decided on a case-by-case basis by the City's Design Review Board (DRB). And again, the determination of what constitutes superior retail comes relatively late in the planning process. In focus groups, this provision was highlighted as very unusual, and very challenging for project developers.

3.5 Economic Vitality: Retail Climate and Public Spaces

Strengthening the Retail Climate

Ground Floor Retail Requirements Present Some Problems. Many cities require retail uses on the ground floors of business districts, and Kirkland has enacted such provisions downtown. While active retail at street level is an appropriate goal, in practice there have been instances where non-retail businesses have set up shop and offered limited quantities of retail goods to meet City requirements. In the retail focus group, retailers stated that the result of these actions is to undercut the true retail businesses. (In some cases the storefronts have sold the same goods, at lower process, than the retail shops.) The retailers want the City to know that its current regulations—while well intentioned—are not helping their businesses. They suggest that the City revisit the regulations that encourage non-retailers to sell retail goods. One way to address this issue would be to take a more fine-grained or block-specific view of allowable ground floor uses, encouraging a flexible mix of uses that create activity and street-level interest. In the heart of the

core retail area, ground floor uses could be strictly retail. In surrounding streets, a broader mix of services and even live-work uses could be allowed.

Focus on Retail Business Retention and Attraction. Downtown has some major strengths (restaurants, galleries) and emerging clusters (women's clothing, home décor and accessories). The downtown retail environment could be significantly improved by developing and supporting a focused retail business strategy, in which the merchant community works together to identify current market gaps and complementary business types, then reaches out to attract specific businesses to fill those niches. Joint messaging and marketing of downtown's retail offerings to the public could also help raise downtown's profile and visibility, and attract new customers. The City is already supporting some marketing and business retention efforts downtown; the opportunity to coalesce and enhance these efforts to strengthen downtown retail overall could be a major focus of the DAC's continued work.

Integrating Sustainable Development into Downtown Planning and Actions

Embracing Sustainability and Green Building Strategies. Sustainability should be incorporated as a fundamental concept into downtown planning and development. Kirkland is one of the region's "early city adopters" of sustainability policies, with the City initiating land use and building code provisions to facilitate sustainable building and development Citywide. The City is defining sustainability as "balancing the need for development (i.e. housing construction) and growth (i.e. population increase) against the need to protect the natural and built environment while meeting the needs of the present generation without compromising the ability to meet the needs of future generations."

These concepts should specifically be incorporated and applied to the downtown. An updated DSP provides an opportunity to think holistically about how the concept of sustainability can be applied to downtown as it changes and grows.

Improving Urban Design and Signage

Improve the Public Realm: Downtown Streetscape and Wayfinding. The DAC has noted that a considerable portion of the total acreage downtown is City-owned; this includes the streets, alleys, sidewalks and other public spaces. Thus, as a key "downtown property owner" itself, the City has a substantial opportunity to influence the look and feel and overall functionality and attractiveness of the downtown.

The focus groups, particularly the urban design group, noted a number of improvements to downtown's sidewalks, alleys, street lighting, and signage that could make the residential visitor's experience safer, easier, and more enjoyable. Several participants noted that downtown was "looking a little tired" and could benefit from some upgrades and investments in its appearance through City actions. Downtown residents, too, have identified opportunities for improvement in the streetscape, all of which could be considered as part of an updated DSP strategy.

Marina Improvements

Some DAC members and focus group participants noted that the City's marina is a tremendous public asset. It is also an underutilized asset, in need of updating and infrastructure improvements. Planning for and investing in the marina could potentially be an effective tourism and business attraction strategy, as well as help achieve greater retail vitality downtown.

3.6 Community Concerns, Issues, and Priorities

Many residents continue to be concerned about changes to the downtown and the possibility of losing elements of downtown that make it special. The DAC-sponsored community conversations and focus groups with downtown and neighboring residents revealed the following sentiments:

Maintaining Downtown Kirkland's Small Town Character

Respect and Encourage the Small-town Feel. Residents feel downtown is a great place to live and visit because of its robust character. Downtown's ambiance and soul, residents say, are what make downtown and Kirkland as a whole different from other cities, especially other Eastside cities. Many in the community note that downtown has a European charm and flair—pointing specifically to the human-scale and walkability of the downtown core. Participants at the downtown resident focus group, condo owners meeting, and community conversation all cite Park Lane as an example of what they love and would like to see more of in Downtown Kirkland. Residents do not want to lose the character that makes downtown so attractive and special.

Respecting Heritage and Historical Character. Many in Kirkland also feel that downtown needs to celebrate and retain its historical assets, including the Historic Church. Residents stress that currently proposed developments and other future developments must be in keeping with the existing character and history because they are what makes Kirkland an attractive desirable place to be.

Protect Downtown Character by Limiting Downtown Heights. While much of the development community would like the City to increase building height limits in the downtown, the residential and neighboring communities stress a desire to keep heights low. At the DAC-sponsored Community Conversation nearly every small group suggested the downtown should be a "bowl"—where heights are kept low on the waterfront and increased moving away from downtown. Residents feel maintaining or even reducing height limits is an integral part of retaining downtown's character.

Maintaining Downtown Livability

Transit Center Impacts. Some residents have expressed concerns about the effects of the new Transit Center on downtown livability and character. They are unhappy with the loitering and public safety issues associated with the current Transit center, and are also concerned about the potential noise, pollution, loitering, and public safety impacts of the new and larger facility.

Tree Maintenance. Residents are concerned about how downtown trees are maintained. Many would like to see the City establish a tree pruning program that regularly maintains trees at an appropriate height.

Traffic, Parking, and Safety: Challenges of a Growing Urban Area

Traffic Congestion. From almost all stakeholders' perspectives, traffic congestion has become one of Downtown Kirkland's biggest challenges. Lake Street is a through-fare, a corridor for commuters to avoid highway congestion and construction. Add to that narrow streets and traffic coming to Downtown Kirkland as a final destination—residents and shoppers alike—many fear traffic is and will continue to impact downtown's vitality.

Parking is Frustrating for Residents and their Guests. While many residents kid they purchased a condo in downtown Kirkland so they could have easy parking, parking is one of the most frequently discussed challenges among residents and downtown neighbors. Residents complain it is difficult for their guests to park. They state that both parking supply and the length of time allowable in metered spaces is a challenge for downtown livability.

Safety Challenges: Real and Perceived. According to downtown residents and neighbors, safety, both real and perceived, is an increasing challenge in the downtown. Many complain about late-night activity on the street surrounding the bars and restaurants and have suggested more police presence is necessary. Other areas of safety concerns include: area around the transit center, library parking garage, and some areas of Peter Kirk Park. While residents say that some safety concerns may only be perception, they feel perception is reality in terms of attracting new residents and visitors.

Retail Needs: Retail for Residents versus Destination Retail

Creating Neighborhood-Serving Retail Options. Residents express additional concern regarding the shift of downtown's retail base from primarily local-serving retail to more of an arts and entertainment district–galleries, restaurants, boutiques. This market-based shift has occurred primarily due to national trends in the way people purchase goods and services. At the strategic level, leaders must decide whether to play to downtown's strengths or try to steer the market away from its natural tendencies. It should be acknowledged that cities have limited tools to influence fundamental market trends.

4.0 VISION STATEMENT TO GUIDE THE DOWNTOWN STRATEGIC PLAN

Through multiple meetings and much brainstorming and discussion, the DAC has drafted a "working vision statement" to inform the DSP process. The DAC proposed to continue to refine and "flesh out" this vision with additional specificity as the update process moves forward:

Downtown Kirkland is a vibrant and charming urban waterfront community with unique shopping, destination dining, public art and galleries, beautiful parks and gathering places.
It is an economically vital, pedestrian-friendly district that attracts the City's residents and visitors to enjoy its heritage and waterfront ambiance.

Guiding Principles for a Great Downtown Kirkland

The City and the community will collaborate to encourage:

- A safe, family-friendly environment
- Year-round activity with a mix of daytime and night-time uses
- A complimentary and successful mix of retail shops and services
- A balance of residential, office, retail, and entertainment uses
- Adequate transportation access and parking
- Sustainable and visually appealing architecture, public spaces, and amenities
- Improvements that embrace the waterfront and connect the Lake to downtown and Park Place

With this vision, downtown will flourish, help build community, and uniquely reflect Kirkland

5.0 STRATEGIC OPPORTUNITIES AND RECOMMENDED NEXT STEPS

After eight months of work, the Downtown Advisory Committee and the City's Downtown Strategic Plan are at a critical juncture. In the six years since the 2001 Plan was adopted by the City Council, much has happened downtown, and even more change is on the horizon. The impact of the Heathman Hotel's opening, the Park Place redevelopment proposal and the economic activity it could bring to downtown, the Google office development in the Sixth Street corridor, and potential redevelopment of key privately owned opportunity sites in the core area, sum together to create the next chapter in downtown's lifecycle.

The DSP process has created energy and enthusiasm to thoughtfully address how the City can plan, manage and invest in the downtown's future. The DAC and many downtown stakeholders (for example, the property owner groupand condo association owners group) are invested in the work that has already been accomplished and want to participate in defining the City's new Plan to guide downtown's best future.

5.1 DAC's Recommended Next Steps: Completion of the Downtown Strategic Plan Update

Downtown is the heart of Kirkland. It is a community, residential, and economic center that must be supported. The DAC is committed to fostering a healthy downtown. After five meetings, multiple stakeholder and expert focus groups, a community meeting and online survey, market analysis, and input from national downtown experts, the DAC recommends the City should consider:

1. Continuation of the DAC to complete an update to the DSP in 2008, utilizing the strategic opportunities outlined in the Strategic Situation Assessment, and allocate supportive funding.

2. Strategic additions to the DAC to broaden its representation of the downtown community and all of the stakeholders. Possible additions include representatives from retail, restaurant, galleries, and youth.

3. Support for ongoing communication with stakeholders and the community at-large to ensure successful DSP implementation.

The DAC is committed to finishing the update to the DSP. Our group has worked diligently for months and accomplished much, including drafting a vision statement that encompasses wide-ranging community views, developing a deep understanding of the current situation, challenges, and strategic issues facing downtown Kirkland, and energizing the community around the downtown–with specific ongoing commitments from many downtown condo associations and property owners. The DAC feels strongly that this effort must not be wasted–and, without moving forward to complete the update to the Downtown Strategic Plan, it will be.

There are many areas of community disagreement that need additional conversation, many of which are outlined in the discussion of challenges in the Strategic Situation Assessment. The DAC is the appropriate body to negotiate through these complex issues because of our diverse range of opinions and backgrounds—many of the key disagreements are represented on the DAC. We feel that during

the Strategic Planning process, we can and hope to negotiate through these controversial issues. We hope the Council will recognize the importance of this effort and invest in the completion of the Downtown Strategic Plan Update.

The DAC thanks the Council for their commitment to the process so far, and looks forward to ongoing commitment and discussion of these important topics.

5.2 Strategic Recommendations for the 2007-08 DSP Update

Should the Council decide to go forward with the DSP update, the DAC presents the following recommendations for potential strategy areas and issues for further inquiry, summarized below in three major categories: management and organizational strategies; design, infrastructure and regulatory strategies; and marketing and promotion strategies.

Management and Organizational Strategies

- **Complete the New Vision for Downtown and Communicate it Broadly.** The focus groups and stakeholder interviews showed that the vision for downtown is not clear to people. People aren't sure what the City is doing downtown now, what its vision is, and how it is working to operationalize that vision. There is a desire for the City to clearly define and communicate its vision. This will be especially important as the City addresses specific planning and redevelopment proposals in the next year.

- **City Commitment and Leadership.** Given downtown's challenges and many opportunities, people want the City to show leadership downtown. In nearly every focus group, people were asking for decisions, action strategies and steps to address problems and make improvements. Citizens would like the City to articulate downtown's next chapter and lead the way in making it a reality. Key to that leadership is clarity in the vision, an effective supporting implementation strategy, and maintaining effective communication with the community.

- **Focus on Retention and Recruitment of Complimentary Businesses.** In the 2001 DSP, a major focus was on improvements to the physical environment. In the updated Plan, a special focus could be devoted to improving the downtown business climate, especially through identifying complimentary businesses to attract and recruit to downtown. Another focus area could be on organizing businesses to work together, and in concert with the City, the Kirkland Downtown Association (KDA), and the Greater Kirkland Chamber of Commerce (Chamber). Specific strategy recommendations may include building on Kirkland's existing identified market strengths.

- **Focus and Strategically Direct City Resources.** The City is investing resources and money downtown through several avenues—planning, economic development, tourism and Lodging Tax revenue, direct financial support to the KDA, and to the Chamber for business retention technical assistance. With City resources diffused across multiple resources, there is confusion among stakeholders about what the City is and isn't doing, and where to turn for help. Moreover, the public doesn't fully see the City's role or support for downtown; it isn't clearly visible. Many businesses likewise don't know about the resources that are available through the City, the Chamber, and KDA. Pulling all of these resources together through an integrated City funding and

resource strategy would create leverage and provide clarity to stakeholders and the public about the City's role and the resources available.

- **Define and Develop New Partnerships Downtown.** Expectations of what the City can do alone in the downtown are often too high. More effective would be an approach in which the City and the downtown business community develop an integrated strategy for improving downtown, with clear roles and responsibilities for each party. Following the theme of "Public Actions, Private Opportunities" the downtown should have strong, collaborative partnerships with each of the key segments of the downtown business community. In particular, there is an opportunity to define a larger role and responsibilities for the KDA—to make the organization a full partner in realizing the vision and goals of the DSP, and to hold the organization accountable for achieving certain performance objectives.

- **Identify and Encourage New Roles for Property Owners.** Property owners play a critical role in downtowns—in selecting the right retail mix and tenants, in maintaining, managing and investing in their properties, and in participating in partnerships with the City and other businesses for marketing, communications, and business attraction purposes.

  The emerging property owners group presents a significant opportunity for the City to develop improved relationships and partnerships with downtown property owners. Building on the interest and momentum that has been generated through the planning process, there are likely opportunities for business-to-business partnerships as well. Some of these were suggested in the focus groups, involving joint marketing and communications across businesses. The City can help guide and support all of these partnerships.

Design, Infrastructure and Regulatory Strategies

- **Identify and Address Barriers to Desired Development.** Revisit the City's regulatory requirements to remove barriers to high quality development, particularly to enable a more diverse mix of housing and to support creation of office uses to bolster the area's business climate while supporting the overall vision for Downtown Kirkland.

  This area has been perhaps the most contentious and debated issue in Downtown Kirkland. As outlined in the Assessment of Current Challenges, many developers would like the City to increase height limits to improve economic feasibility, while many residents would prefer height limits are maintained or reduced to retain Kirkland's character.

  This kind of community discussion, debate, and even disagreement about the specifics of zoning codes is not uncommon, and can even be expected in an attractive and successful community. Moreover, the codes and policies that govern downtown Kirkland are the product of previous public process that has taken place over many years. At the strategic level, this kind of debate challenges leaders to either develop strategies that build on established codes and policies or to revisit established codes and policies. The DAC will look to the City Council for guidance on what specific issues to explore versus issues that should be left to the Planning Commission, Parking Advisory Board, or other appropriate groups.

- **Streetscape, Signage and Wayfinding Upgrades.** Review and make investments in downtown's urban design realm, including particularly streetscape, signage, and wayfinding, all of which would improve downtown's appearance and accessibility. This recommendation stems from the focus group research, which showed that people coming from outside the area aren't sure where to go in downtown. Improved signage would help direct people and publicize the district's offerings. Similarly, there are opportunities to improve sidewalks (broken and cracked in places), lighting, and tree plantings that would create a fresher and more vibrant feeling downtown.

- **Connectivity Between Downtown's Sub-Districts.** Focus groups consistently emphasized the importance of strengthening the pedestrian spine between the waterfront and Park Place. Design, management and marketing strategies that better connect the two activity centers would benefit economic activity in both places, and would improve the overall downtown experience.

- **Downtown Parking Strategy.** Parking plays an important supportive role in the success of downtown. The City will have to refine its downtown parking strategy to achieve the vision. An effective parking management strategy will utilize existing spaces more efficiently, and will add to the inventory effectively, to serve new development. Working with the Parking Advisory Board and key downtown stakeholders (including the KDA, the Chamber, and downtown property owners and individual businesses), the City should consider a review and updates to the downtown parking management strategy and the codified parking requirements for various property uses to ensure that they support the updated vision and strategic plan. This strategy could possibly include parking validation programs, establishing an a long-term approach to paid parking, encouragement of public/private parking provision, shared parking, and a feasibility study and plan to develop potential new parking supply downtown.

Marketing and Promotion Strategies

- **Downtown Marketing Strategy.** Downtown retailers say that additional marketing is needed for downtown to increase awareness and attract new customers. Retailers noted that customers don't know all of the offerings and the opportunities to shop in various downtown businesses. They urge a coordinated, broad marketing and increased awareness campaign for the downtown, with memorable messages that will bring shoppers to the area. A coordinated marketing program, with walking maps, joint advertising, signage and window display standards, and related strategies could help package the downtown as an attractive, cohesive shopping district, rather than a series of individual stores working alone.

5.3 Ongoing Communication: Developing and Implementing a Shared Vision and Strategic Plan in Downtown Kirkland

The DAC recognizes the importance of developing a vision and Plan that are supported and embraced by the community. The DAC is committed to working with the stakeholders and Downtown Kirkland community to develop a collective, common, and embraced vision and DSP. Furthermore the DAC is interested in establishing strategies for continued community dialogue and advocacy for the Plan's strategies upon completion of the Plan.

KIRKLAND DOWNTOWN STRATEGIC PLAN

Strategic Situation Assessment
Supplemental Attachments

BERK & ASSOCIATES
LELAND CONSULTING GROUP

October 2007

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KIRKLAND DOWNTOWN STRATEGIC PLAN UPDATE

Attachment A: Stakeholder Interview Summary

KIRKLAND DOWNTOWN STRATEGIC PLAN
FOCUS GROUP AND STAKEHOLDER INTERVIEW SUMMARY

June 29, 2007

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STAKEHOLDER INTERVIEWS AND FOCUS GROUP ATTENDEES

From March to May 2007, 11 focus groups and 17 individual interviews were conducted with over 100 participants. The 10 focus groups were: Architect/Urban Design; Developers; Downtown Residents; Galleries; High Tech; Neighborhood Residents; Property Owners; Real Estate Brokers; Retailers; Restaurants; and Tourism. All participants are listed below alphabetically by focus group.

City Council Interviews

James L. Lauinger, Mayor

Joan McBride, Deputy Mayor

Dave Asher, Council Member

Mary-Alyce Burleigh, Council Member

Jessica Greenway, Council Member

Tom Hodgson, Council Member

Bob Sternoff, Council Member

Staff Interviews

Dave Ramsay, City Manager

Eric Shields, Planning Director

Jeremy McMahan, Planning Supervisor

Ellen Miller-Wolfe, Economic Development Manager

Ray Steiger, Public Works Director

Sheila Cloney, Special Projects Coordinator

Other Individual Interviews

Bill Vadino, Greater Kirkland Chamber of Commerce

Brenda Nunes, Greater Kirkland Chamber of Commerce

Ron Parker, Greater Kirkland Chamber of Commerce

Dick Beazell, Kirkland Downtown Association

Julie Metteer, Kirkland Downtown Association

Doug Howe, Touchstone

Architect/Urban Design

Bob Becker, Becker Architects

Brian Brand, Baylis Architects

Susan Busch, Baylis Architects

William Castillo, GGLO

Rober Cornish, Fellow American Institute of Certified Planners

Charles Fritzemeier, Jensen/Fey Architecture and Planning

Curtis Gelotte, Curtis Gelotte Architects

Mark Hinshaw, LMN Architects

Chad Lorentz, Runberg Architecture Group

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Dean Little, Brezza

Rich Mialovich, Brezza

Bea Nahon, Marina Heights

Avril Pattenaude, Kirkland Central

Galleries

Luanne Erikson, Howard/Mandville

Dan and Pat Howard, Howard/Mandville

Jason Huff, Kirkland Arts Center

Alison McCarthy, Images of Nature

Gunnar Nordstrom, Gunnar Nordstrom Gallery

Elka Rouskov, Elka Rouskov Gallery

Patricia Rovzar, Patricia Rovzar Gallery

Ellen Williams, Parklane Gallery

High Tech

Melissa Acton, Chameleon Technologies
Dave Despard, FileNet
Christopher Krueger, Google
Mike Luckenbaugh, Chameleon Technologies
Steve Weed, Wave Broadband

Neighborhood Residents

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Ernst Anderson
Dave Asher, City Council
Dave Aubrey, Everest
Margaret Carnegie, Rose Hill
Mark Eliason, Moss Bay
Kevin Hanefeld, Juanita
Marianna Hanefeld, Juanita
Bob Kamuda, Highlands
Glenn Peterson, Moss Bay
Rod Wilson, NorKirk

Property Owners

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Don Holt, Heathman Hotel
Douglas Howe, Touchstone
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Restaurants

Dick Beazell, Kirkland Downtown Association
Mike Douglas, Trellis Restaurant @ the Heathman
John Hageland, Marina Park and Shark Club Restaurants
Jessica , Jocha Café
Brian McNaughton, Kirkland Police Dept
Julie Metteer, Kirkland Downtown Association
Chris Nelson, Hector's
Ben Pittman, Wilde Rover Irish Pub and Restaurant
Kelly Simonson, Marina Park and Shark Club Restaurants
John Smiley, Heathman Hotel
Billy Whelan, Wilde Rover Irish Pub and Restaurant

Retailers

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Dennis Johnson, River Rock
A Liengboonlertchai, Simplicity Decor
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Penny Sweet, Grape Choice

Tourism

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Bob Burke, Kirkland Heritage Society
Susan Burnash, Residence XII
Betina Carey, Carlton Inn at Totem Lake
Sandra Cook, The Heathman Hotel
Nancy DeMond, The Heathman Hotel
Steve Lerian, Kirkland Performance Center
A Liengboonlertchai, Simplicity Decor
Ben Lindekugel, Evergreen Hospital
Julie Metteer, Kirkland Downtown Association
Michael Metteer, City of Kirkland Business Services
Rick Seim, Kirkland Chamber of Commerce
Penny Sweet, The Grape Choice
Vic Valdez, Kirkland Performance Center

FOCUS GROUP AND INTERVIEW RESPONSES

1.0 DOWNTOWN'S STRENGTHS AND ASSETS

1.1 Community Character

- Kirkland still has a neighborhood type atmosphere
- We have water, character, art and a neighborhood feel
- Park Lane is quaint
- Ambiance and character, comfortable, friendly, safe character that is different than other cities
- The funky core, Bellevue is soulless and corporate, Kirkland is funky, local, and vibrant
- There is variety downtown, tied together by the Performance Center, the library, the merchants and the parks
- It has character and diversity (of uses), but it is expensive
- We have the quaintness of La Conner - we have originality, small business, feeling of history, and fresh air
- The library and theatre together – a downtown core that's vital, an organic core
- The place has a stellar identity
- You feel welcomed and want to stay
- It's very safe place (especially during the day)
- Kirkland has a certain spirit
- Collegial and intimate atmosphere (everyone knows everyone)
- Lots of community involvement, people in Kirkland are open
- Kirkland's got a great reputation.
- Contrast this with Bellevue, which has many of the same upper-end attributes as Kirkland, yet doesn't have nearly the same character and soul as Kirkland.
- Village feel makes it special.
- Compare Kirkland to small waterfront communities in California such as Sausalito, Laguna Beach, and Carmel.
- Downtown Kirkland is a nice place and is generally working well.
- More density will increase foot traffic downtown, which is a good thing
- Eagerness to raise new ideas (openness within the community to discuss issues)

1.2 Scale and Walkability

- Has a nice scale – its manageable, in your mind and on foot
- We are condensed, not too spread out
- We have a small town charm, people are drawn to the walkable feel
- Downtown has small-scale, pedestrian vibrancy, intimacy, there are no high rises, there is no intimidation

- It is compact, you can walk everywhere and partake in all the activities by walking
- Not sterile; it has a "neighborhoody" feel to it, the rest of the Eastside is bereft of that
- There is a European air because downtown is pedestrian friendly and personable, European travelers are drawn here
- I can go to the library, the senior center and to and from City Hall
- Downtown is so multi-faceted, from one parking spot I can get coffee, go to the baseball park, visit the library, City Hall, and the performance center
- Downtown is not soulless, it's local
- Downtown is on a small scale, manageable size, it is not overwhelmed by structures and blocks, it is human scale
- For me, it's a walking destination from Moss Bay, I go to the market
- The streets are narrow and have short blocks – you can move easily through downtown
- There are trees and wide sidewalks, small streets
- Walkability, laid back style
- With the transit center you don't need a car you can use the buses, I know a number of people who don't even have cars. You need a reason to get in your car
- We have done a pretty good job of creating a walkable place. Parking is OK too.
- We really love that walkable environment

1.3 Uniqueness and Location

- On the water; uniqueness of our location
- A fantastic location – the City needs to fully control it
- You can stick you foot in the water – downtown! That's an amazing thing.
- The fact that our downtown has a baseball field, boat launch, and other amenities makes it unique
- Kirkland's scenic location and high quality will continue to drive its success in the future.
- Like the combination of high-end atmosphere, beautiful location, and great restaurants with the overall laid back atmosphere.
- Kirkland has done well by virtue of its location and views.
- Downtown Kirkland is the jewel of the eastside, we are unique, not like Bellevue
- The art helps to define the community
- It is an indefinable area, given that I'm from farther away, I even consider south NorKirk to be downtown, while downtown resident don't
- Downtown has become more walkable; it's a great place to walk around
- Good place for kids and teens to walk
- The fact that it is identifiable, many small towns don't have a downtown; there aren't many old style downtowns in this area
- Historic structures
- The art

1.4 Parks

- The water, the parks
- The Lake and the Park
- Peter Kirk Park – a pretty rare place. Can't think of another example of a Northwest city with such a large downtown park
- The City deserves some kudos for Heritage Park
- Peter Kirk Park is a jewel. It will also be a lightning rod for criticism if any changes are made to it.
- The water, the marina and the greenery makes Kirkland the little Sausalito of the Northwest
- Parks in downtown, access to the water are good; the parks are a huge draw

1.5 Economic Activity

- There is a diversity of goods, but maybe not enough diversity
- It is a focus, a place that people know. It has centralized amenities
- We are unique and not homogenized, there isn't the same Pottery Barn/chain store that is in every shopping district
- There are a variety of activities, businesses, and cultural amenities
- It's a place where you can live/work/eat/play
- We picked Kirkland because it is a "just right town" (office tenant). What is attractive to us as a company: green areas, marina, family-friendly environment
- Being in Kirkland has been a huge positive for us, in terms of employee attraction and retention. Our employees like it even more than we had hoped
- The Wednesday market is good
- Downtown is multi-faceted: recreation, shops, parks, the performance center, the library
- Downtown is a great place to work
- More attractive to business owners as it's a great place to live
- This is a destination/tourist spot
- The Wednesday market is good for merchants, though the location won't always work
- Great restaurants, great entertainment
- Nightlife and many special events
- Great real estate investment
- We should consider some type of economic development authority
- The mixed use component of the zoning code – the City had the foresight to encourage that kind of development
- It provides a unique fit with our culture—its part of our business proposition

1.6 City Hall

- Past Councils have made some good decisions
- The City has a good website
- We have a professional City Hall
- We know we can fight City Hall

2.0 VISION FOR DOWNTOWN

- Does the city know what the vision is for downtown? Not sure what the City's vision is, or what it thinks the vision is.
- And what is the City doing to realize their vision, to get there?
- We need to define what we are going to be, define the vision, and then communicate it
- Needs to be a vision that the majority of the citizenry can buy off on
- If downtown is going to work, we're going to need to have a vision, and Council will need to buy into that
- Residents care a lot about downtown, but there is a lack of cultural consensus about the vision
- Need to create a vision for the downtown and follow through—but you've got to know what you want when you're done
- Need to define what the downtown should be and be willing to fight for that vision, outcome
- Kirkland doesn't understand what it wants to be
- Need to achieve cultural consensus for downtown
- Prefer incremental change rather than a large transition. Take downtown to the "next level," whatever that may be.
- However Kirkland grows, it needs to preserve its special qualities. If it loses the village feel, the quality and uniqueness of its shopping, or other identifying attributes, people will be disappointed.
- Vision means nothing if not everyone agrees on how it should be actualized. Consider using artistic renderings and photos for what zoning and design standards would look like
- Kirkland needs a mission statement.

3.0 DOWNTOWN USE TYPES

3.1 Office Space, Uses and Opportunities

Tenant Perspectives on Office Uses

- As we grow, we are running into space challenges. We want to stay in Kirkland and we could use more space. We don't want to have to move to Bellevue
- Parking is a challenge for our employees
- There is not enough commercial parking spaces – we have 600 people and 300 spots. We started valet service in the garage, to try to manage the problem
- In Park Place, people are double parked and others are circling to find parking
- The City could have a tech development center – a place with smaller spaces for multiple tech tenants. We could help identify tenants for such buildings – it would be filled in a few weeks.
- We could recruit companies for that kind of space – I can think of 10-12 companies that would be a good fit, and might be interested
- Need to have more Class A office space developed
- The issue is: how do you get more office space that's close to downtown. Totem Lake doesn't cut it

- Really need certain kinds of space for software developers. Need large floor plate, open floor plan. Like the FileNet building, which is 120,000 square feet, on four floors—its designed for developers.
- The economic development plan for office should be for tech. Create the spaces and we'll go recruit the tenants for you.
- Need more conference space in the city.

Developer Perspectives on Office Uses

- Downtown lacks vitality – it needs employment, residential, and retail. Right now, it is missing employment.
- Office users by Park Place are largely technology based, including a division of Google and Bungie Studios, part of the gaming division of Microsoft.
- Bungie recently moved into a remodeled hardware store at Park Place, remodeled that space
- These types of businesses choose office locations largely based on the locational desires of their workers – not based on price.
- The younger, creative workers who are employed by the tech companies really enjoy the location and amenities of Kirkland.
- Reportedly far more demand for office space than there are buildings to accommodate users
- Employers like to be in Kirkland (mainly by Park Place) because their employees like it so much. Rents and parking are not major factors like they are at suburban office parks.
- Office uses would help smooth out the seasonality of the retail.
- More intense zoning is appropriate at Park Place.
- More office jobs downtown should be encouraged.
- Office uses would help balance parking demand also.
- If more office space were made available, there would be many more tech employers who would come. There is pent-up demand.
- Focus on the tech companies – the younger creative workers like Kirkland.
- Need more office space in downtown; currently, there is some office space at Park Place and surrounding properties, but the downtown core below Peter Kirk Park is devoid of significant office space.
- Retail users would like to see more office workers as they would help balance out the seasonality of the tourist trade, would boost lunchtime spending, and would generally add vitality downtown.
- Office uses downtown should complement, not compete with, Totem Lake, which serves a more traditional suburban office park market.
- Office rents should be in the $30-$35 range.
- Park Place is a huge part of the Downtown Strategic Plan; it needs to stay in the Plan
- There's quite a bit of opportunity at the Post Office
- If you redo the marina lid --- there is 40,000 more square feet possible
- Encourage the Park Place development
- Height and parking issues need to be addressed there

Retail Perspectives on Office Uses

- Need to have more people using downtown during the daytime
- Office would be great, people come in the morning leave in the evening.
- We already see people coming from Nextel and Google for lunch. Businesses need to figure out how to capitalize on the lunch traffic. Happy hours are an opportunity to get office workers to stay
- There is definitely a demand for office uses

3.2 Retail Uses

Mix and Usage

- Our storefront should be dedicated to retail but right now 50 percent is not retail. We should not put any more tax accounts in to fill in the empty storefronts.
- Need to have the right kind of retail business mix in town; there are 40-70 landlords and they have different approaches
- Only one-third of storefronts are actually being used for retail uses—not restaurants, salons, yoga studios. There are 8-9 banks in the core.
- In the downtown we don't have retail that is friendly for kids. The kids don't want to look at the art. We could pull in a different demographic if we started catering to children. The Park Place Bookstore and Theater are good for kids but the retail shops don't service kids.
- We are going to be a real retail center – or not. Now we have a lot of businesses downtown that aren't really retail.
- There aren't a lot of useful places to go downtown – to buy a hammer, a toothbrush…
- There are too many service oriented offerings in key retail location
- There is a debate between high end retail and residential services, from our perspective we need high-end fashion, designer associations, law offices to support our businesses
- The retail is not aimed at day-to-day services, there is no book store or newsstand or pharmacy
- Are we going to be a retail or a service oriented downtown?
- How can it be done better? Mill creek does a good job. Service uses are on the second floor. Even some of the restaurants are on the second floor.
- The merchants are independent business people, not managed at a higher level like a mall to ensure good mix of retail
- Could we put a quota on some businesses like salons or nail shops?
- I'm not opposed to some salons, but we need a better mix of retail, with fewer services
- We have a cluster of women's clothing shops and home décor—there has been an increase recently in home decor
- We have a cluster of women's wear, bridal, etc – need more diversity of goods
- We don't have the diversity that draws broad audiences
- We don't have a lot for kids to do
- Its really becoming an entertainment district, more than a retail district
- The shops could be better

- I see Kirkland turning into a place like La Conner – a place where people visit once a year. We should not go this route and need to start attracting more of the basic service retailers in the downtown area to get people to buy their basic supplies here.
- Retail is what downtown Kirkland is about but it seems a very low priority. There is a lot of turnover as rents are high, there is not enough traffic, and there is no anchor retail to bring people in. There needs to be a greater draw for people to come here for retail. People just think of Kirkland as consignment shops and hair salons.
- Thriving downtown retail does not include what is mostly in downtown
- Need to improve the shopping corridor
- There is a perception of these wonderful eclectic shops here in Kirkland, but there is not a critical mass of these stores. We need to better develop this.
- Concerned about the marginal retail – e.g. State and Kirkland Ave – retailers there aren't going to succeed
- Need a critical mass of retailers and need retailers who are unified and can work together
- There isn't that much of a mix, diversity of retailers. The City should play a role in filling the retail
- There is a City role in discouraging more banks downtown
- The retail side is comparatively weak; it's a struggle. We need to have a more vibrant retail mix; need more reasons for people to come down here.
- Downtown needs more vibrancy, activity. Sometimes seems like a ghost town
- Some retailers in recent years haven't been strong enough to stay in business.
- Have more mixed use buildings – half the buildings seem like they are banks
- There is not a focal point in downtown, that pulls people in
- Tacoma has offered incentives to landlords to rent to certain tenants; Tacoma has programs that help retailers – Kirkland should copy that
- Make Kirkland more of a destination stop – a place for people to hang out, spend 3-4 hours.
- Downtown retail thrives off of foot traffic.
- Retail along Central Way has always had a rough time. The streetscape improvements and on-street parking help, but it is still a tough place to be a retailer.
- One reason might be because Central Way is really a one-sided retail street (north side), without the same pedestrian character on the south side. The failure of the Lake and Central project killed the best opportunity to strengthen retail at this end of downtown.
- The Chamber of Commerce is in the process of completing a survey of why businesses locate in Kirkland; results should be available soon

Retail Climate

- Good retailers do well, particularly the restaurants. Adding office workers would help round out the seasonality.
- Still too much seasonality and that it is hard for the businesses to handle the slow months.
- Retail suffers seasonally. People perceive Kirkland as a seasonal destination.
- Surprising that retail doesn't do even better – although it is really not bad.

- There is a lot of turnover, but if you go to Belltown, there is a lot of turnover too. We want a higher class of merchants but we have to support it and buy the goods. The downtown population is not enough to support higher class stores, we need to be drawing people in
- Restaurants bring people downtown, but there is not a lot to keep them there beyond the dining
- There is a lack of vitality downtown and that what vitality there is does not span enough time (throughout the day and throughout the year).

Vacancy

- We need to look more at storefront occupancy as it doesn't look good to see open windows.
- Seeing empty retail space is a problem
- In Leavenworth there is not an empty storefront. We need more retail that stays open. We need critical mass with a diverse group of businesses.
- Empty retail spaces – work with the landlords to get complimentary tenants
- Downtown is fragile – it ebbs and flows. Had about 25 vacant storefronts a couple of years ago.

Anchor Tenants

- Downtown can work without an anchor retailer.
- There isn't a retail anchor, or businesses that stay open 18 hours. That's happening in Bellevue and Seattle
- We might need an anchor store like Tommy Bahamas. Starbucks coming in downtown was controversial, but it brought it more people.
- Shops like Sur la Table and Design within Reach are good models of what is needed
- We need a few more anchor type developments, but no one is willing to come here without other similar developments, which comes first, the chicken or the egg?

Landlord and Management Challenges

- Tacoma has offered incentives to landlords to rent to certain tenants; Tacoma has programs that help retailers – Kirkland should copy that
- More selective landlords can hold out for the right tenants. Some of the problems have been because landlords take the first tenant that comes along, even if they're not strong.
- How do we get the landlords together to determine long-term strategies? How can we band these guys together on a common thread? It should not just be about rent, we also need a good strategy. We have to ask questions such as are we small retail (like La Conner) or do we bring in a big box business as an anchor?
- Someone needs to take a leadership role
- One opportunity is to put clauses in leases that have regulations for window displays or flower pots or whatever
- We need a downtown coordinator to get the merchants on the same page with a clear vision
- We need a consolidated manager to think about our retail from a system level, but there is no means to do that, we don't have the advantages of Bellevue Square's Kemper Freeman
- We need common practices and design standards for things like window displays

- If I were an owner I would sit on the fence and wait for someone else to make a move, I'm making money now, why take the risk?
- There isn't the sophistication to go after the right mix of tenants, many of the current stores don't draw locals
- We need to establish retail management principles
- There is a weakness in our in property owners, they are just collecting rent, not investing in upgrades or façade improvements
- Landlords are not putting anything into the infrastructure, parking situation, or advertising
- Individual property owners are out for their own dollar, not to cooperate with others, and there is no way to put real pressure on them

Hours of Operation

- As a business owner, I want to stay open late not just for profitability reasons. Customers are grateful that I am open at night. For me, if we can somehow bring businesses together and show them that this is what people want. Businesses, and not just City government and the Chamber of Commerce, should get involved with the push for businesses to stay open later.
- Some retail businesses are open, some are not open in the evenings; "after 5 pm there is no reason to come out here"
- Need a longer shopping season and shopping hours
- We are concerned about working hours, businesses staying open later into the evenings could help vitality
- The stores need to be open at night. The world shops at night
- The challenge is knowing that we have enough customers to make it worthwhile for our businesses to stay open.
- The retail businesses are family owned. It's tough for them to stay open late as many of them have children.
- The theater brings a lot of people downtown, but the retail shops are not open at night. These people could be potential shoppers and users of other stores so we need to work to maximize our potential.
- We need to bring businesses together to make this town not just a 9am-5am town but also an evening town too. Our businesses are not taking advantage of the restaurants that are open at late hours. How do we encourage our businesses to stay open until the evening?

Competition and Leakage

- Another issue is that we tend to look at Kirkland in chunks instead of as a whole. There is significant development in other parts of Kirkland (not just downtown) that should also be factored in. We need to have a more systems approach.
- We should find out if nearby cities (like Bellevue) are stealing businesses from us.
- Maybe it is good that Bellevue is our neighbor. In Bellevue, the bigger retailers are pushing the smaller retailers out. We should attract these smaller business to locate to Kirkland.
- Totem Lake is not a destination but downtown is.
- We need to distinguish ourselves from Bellevue and Bellevue Square

- We are limited in what shops can come to Kirkland because many retailers sign deals with Kemper Freeman saying they won't locate within a certain distance of Bellevue Square
- You won't get the national retailers in Kirkland because there is no room to reach a critical mass and it is too close to Bellevue.
- Kirkland needs to differentiate itself from Bellevue with a focus on specialty, local, and unique retailers. Leave the chains to Bellevue.

Rents

- Rents are going up for some spaces, that's a factor
- People don't understand that the rents being charged downtown are the same as Bellevue Square and Redmond Town Center—and they will guarantee you as tenant, $250 per square foot in revenue.
- It's a real struggle with the high rents. This has a lot to do with the turnover rates – there is a lack of understanding communitywide about what it takes to survive as a retail business
- Landlords keep rents so high, I've even heard of $50 per square foot at the Miller property. They need to be talked to, we don't have the foot traffic to sustain that
- Who can pay $60 square foot for rent? Banks, mortgage companies. Basic retail has trouble paying more than $24 square foot—we don't have the density and synergy to make retail work at higher rent rates
- When you put mixed use in place and charge those rents – it just doesn't work for true retailers. What you'll get are banks, spas, beauty salons. We are seeing that.
- Others who will pay those rates are certain national retailers that want market penetration. For example T Mobile, Starbucks. They aren't necessarily the kind of retailers that you want in the downtown core.
- The rents are skyrocketing so it hurts the specialty boutique stores. Some people are looking at $50 square foot and many retailers can't afford it.
- The banks have bid up the rents, but we can't have every block taken up by a bank!

Landlords and Brokers Perspectives on Retail

- Things are getting better. We are concentrating on tenants with business plans—do they know their market; try to make sure that they will stay open at night. Do they have a product that will sell?
- Some spaces become vacant every two years. We do a lease with people and then they struggle
- We are encouraging them to stay open at night
- About 80% of retail sales happen after 4:00 pm. Stores need to stay open.
- Some of the retail properties are difficult to lease
- Some of our buildings downtown have odd spaces, that aren't attractive
- The owners need redevelopment incentives, to make improvements and positive changes
- We've seen changes; in past years there were older tenants, with their own markets
- A lot of the old tenants were not at market rents.
- What is appropriate rent? For restaurants, about $30 ft. For retail, $19-25 is affordable. Some businesses should be at $15 ft to stay alive

- What works: the cohesiveness of businesses working off of each other.
- There are a lot of vacant spaces in the older retail buildings. They are old, dilapidated buildings
- The City needs to ease the height restrictions – with the three-story limit, there is no place to go. The City needs to start giving incentives to developer, to make something happen downtown
- Developers need the City to help them; the City needs to do a shared parking project, a public-private parking project
- Encourage developers to put in more parking; have the City participate in parking
- We can have more height on North Central

Retail Opportunities

- The TJ's building on Lake Street could be an opportunity
- Regarding the empty storefronts, there is not enough critical mass in the retail sector downtown
- Its going to take additional density and development to make downtown more vital
- The idea of density is frightening to people – they need to be educated about what it means and how it can improve the situation
- Need to educate the City on how density can improve downtown – there is a big void now downtown. Parking lots and alleys are a detriment to downtown
- We need a Lake and Central type development, a strong owner to raise the bar, otherwise it's like herding cats, they need to lead by example, what can be done
- Wants Marina Park to be more open – likes the idea of having the park be more of a focal point

Defining Retail/Zoning Issues

- The City could change the definition of what is allowable retail – to exclude banks and exercise studios, for example. The City hasn't wanted to take that on.
- You'll notice that all the prominent corners downtown are banks. Nine major corners and they are all banks.
- We have a problem with the definition of retail – it shouldn't include banks.
- The requirement that storefronts be retail has led to some abuses – example, the condo sales office that had a hand mixer in the window. Its sham retail, but it actually harmed the true retailers – since they were selling the mixer at wholesale prices. They were undercutting our store – which was selling the same product at retail!
- The condo sales office was selling stuff at wholesale prices, trying to meet the City's requirements. They were selling mixers, glasses, toasters.
- The City's requirement for "superior retail" space as a condition of getting a bonus floor on condo buildings is driving developers to build retail space where it really doesn't make sense. This might explain some of the weakness of retail in the downtown and the fact that some of the high-end condos away from Lake Street have relatively weak retail on the ground floor.
- We need to be more strategic with they types of development that will bring economic vitality, for example senior housing downtown is not increasing shoppers
- Condo sales offices should not be considered retail. The City needs to define retail, it should be active use
- The City should redefine "retail" – to encourage traditional retail uses, and discourage others

3.3 Restaurant Business Trends and Demand

- We are suffering five months of the year. We took a hit with Bellevue and Redmond opening new restaurants – there are lots more choices
- We need to capture the restaurant customers, 400 tables turn per night at Anthony's and I'm right next door, but since they have parking in the building, I never see any traffic from that
- Some restaurants should have valet parking, especially in the rainy season. (This was tried by the Marina Grill and discontinued—it was expensive)
- Have heaters on the sidewalk, for outdoor seating
- Some new restaurants represented in the group; not a lot of operating history
- Bellevue has taken some business away; there are 10 new restaurants in downtown Bellevue
- Where are patrons coming from? On weekends, it's an Eastside circle –Bothell, Bellevue, Redmond. During the week, its locals from Kirkland
- Business is seasonal in downtown; restaurants make their money in a 4 month period
- Its really seasonal –we have a great 4 months!
- April/May-October, there is a 25-week period when our town really jumps. Also, Thanksgiving to the holidays
- We need a winter event
- Dining on the sidewalks should be permitted – get people out on the street, year-round
- As more of the residential has shifted to condos and a more affluent group, some of these people are out of town (Palm Springs) in the winter.

3.4 Downtown Residential

- More downtown residential would provide more people and new people, new faces
- Older people love Kirkland and want to support it. We have a strong community environment here
- We don't need more condos in downtown.
- Growth and affordable housing are challenges
- The residents can pretty much determine what happens downtown (from a retailer)
- The condos are nice in theory, but the residents aren't shopping here, maybe the restaurants are benefiting

3.5 Hotel Uses

- The Heathman is an opportunity. It should pull more people downtown
- The hotel didn't get an extra floor – that should have happened
- Looking forward to the hotel coming—that will be good
- The hotel right in the center can help create a regional destination
- The Heathman Hotel will be a great addition to downtown.
- There are two new condos and a hotel that were developed without the public sector. So this shows that the private sector can be involved in downtown development.
- Bellevue is branded as the Beverly Hills of Washington. We need to promote the water and lake. Once our hotel is open you are going to have a lot more demand.
- The hotel is our future

4.0 DOWNTOWN'S IMAGE AND IDENTITY

4.1 Marketing and Branding Downtown

- Market Kirkland better. We have assets that no one else has, yet when people come into my store, many of them don't realize that there is a waterfront here.
- We ought to market Kirkland better – I'd like to see more money spent on advertising.
- Spend money advertising Kirkland as a place with great shops. We are charming accessible, friendly
- Need advertising to promote downtown in general. A lot of people don't realize that Kirkland has boutique shops
- Need to increase the marketing of downtown
- There is a perception that you can't find parking; that can be overcome
- There is not a city north of San Francisco that has the amenities that Kirkland has. Yet we can't figure out how to market it!
- The Lodging tax money has not been spent well it is a huge opportunity for marketing
- We need a signature event, Kirkland Uncorked is a good start
- Kirkland Uncorked is an opportunity to market ourselves (the retailers) in conjunction with this event. Get coupons; when we have an event, we need to take advantage of it.
- It's all about branding and PR. People should come here not for just one store.
- Explore Kirkland is a good start for branding but we need to focus more on what Kirkland is really about.
- People will want to be part of a theme and brand as it brings in people.
- Explore Kirkland has done an outstanding job and can bring people to town. But businesses need to step up too in trying to attract people.
- We are starting a program called the Weekend Starts on Thursday in Kirkland. We have developed a marketing campaign and reward incentives to businesses that stay open later. We are getting buy-in from merchants to help cross promote this program.
- Lots of people have been coming to my business as it was featured in Seattle Magazine. Nobody said anything in Kirkland about this though or seemed aware of the article. We need more public relations and marketing to promote our businesses.
- We need a shift in our thinking – we need to think about who are our potential visitors not just in Kirkland but in other nearby cities. We should look at Seattle, Canada, and Bellevue to see how we can attract their visitors. We need to piggy back and partner with organizations (for example, the Kirkland brand that is sold at Costco).
- We maybe should market events more (i.e. link up with tourism British Columbia).
- We should push the Kirkland brand so it is know all over the world. Leavenworth has done this successfully and has global recognition. We need 100% buy-in that Kirkland is a destination of the world, not just the Seattle area.
- We also need to talk about restaurants and galleries. They are very important to the downtown.

- On a practical level, we can think about marking strategies and how to piggy back on other tourist spots When you are visiting Seattle you should be made aware that there is this cute little town 30 minutes away.
- Maybe we can do free shuttles that would take you downtown to Totem Lake.
- If you brand enough, businesses will be willing to pay higher prices because this is the place to be. People will risk parking problems because this is the place to be.
- We haven't really recovered from the winter storms. How do you get people back here?
- Bellingham has taken on a new theme for the development of downtown so everything has a cohesive look. Maybe we can have some downtown theme with the storefronts (this could be part of the branding idea).

4.2 Downtown Merchants and the KDA

- Regarding KDA and the merchants – the challenge is to get us on the same page. We want to support each other; we don't know how. We are mom and pop firms.
- KDA has tried, but its hard
- I want to be involved in improving downtown, but I don't have much spare time.
- There is a lot of potential with KDA. But the retail community is polarized – Park Place vs. Lake Street. They never get together, but its not for lack of trying by the KDA.
- We (galleries) work as a network, always recommending customers around to other galleries, the businesses need to work that way, it should be symbiotic
- The KDA spends too much time fundraising and not enough time promoting the downtown. It becomes a circle: no one wants to give money to an organization that's not doing enough
- The City expects a lot of the KDA
- The KDA didn't advocate for the Lake and Central project
- KDA has about only 100 members, and of those about half are residents. Many downtown businesses don not belong to the KDA
- Only a few property owners are involved and the KDA doesn't have much pull with them
- They need to focus, they need a mission statement that promotes downtown
- Events like a puppy parade are not appropriate, even the car show that has Mustangs isn't right for our businesses
- They need to get away from event promotion and be doing focused, ongoing outreach to the media and to the region
- Dues are $365 per year, but now they have some corporate sponsorships
- The KDA is turning into an events-focused organization. They are not doing the advocacy and information sharing work for downtown. They need to get back to doing public policy and advocacy work
- When I started by (retail) businesses, I could have used help. Who should I talk to, who are the landlords in town? There were no obvious resources; I didn't know who to call. I called the Chamber. The City could provide some help on this; be a concierge of sorts…. I haven't heard that the City has an economic development coordinator.
- The City needs a retail liaison

- The Chamber has a half-time business retention consultant available
- The City is helping to fund explorekirkland, it is using lodging tax funding
- KDA's focus is longer shopping hours and quality retail. Trying to get businesses to stay open til 8 pm on Thursday and Friday nights. Have 2nd Thursday Art Walk event—want to broaden that to have businesses open every Thursday night.
- The KDA is a product of themselves – "they are they". It is not effective because retailers can't tell other retailers how to run their businesses and they don't respond to one another. For example, they won't stay open in the evenings on the word of their neighbor and there is no enforcer
- Condo associations should join the KDA to work in partnership to focus our voices

4.3 Tourism and Events

- Need to build on tourism.
- You could create a tourist attraction – Carillon and the three parks
- What reason is there to go downtown? Why come here – there is nor real draw in downtown Kirkland.
- The Art Walk is good, good for business
- The Summer Fest, Vintage Car show – I like it but it doesn't draw business
- Events aren't a big draw for business in the City—we need more general marketing
- I agree about events – they are good for exposure but not for earning money
- All the Christmas activities take place on Lake Street – they aren't dispersed across the downtown districts.

5.0 GETTING IN AND AROUND DOWNTOWN

5.1 Traffic

- The Moss Bay neighborhood association did a survey and our respondents said that traffic, parking, pedestrian safety and transit were the biggest challenges
- Because of the crowded freeways, we are used as a through-fare, downtown has become a commuting corridor
- We are a bypass area – not sure what we can do about that
- Add to that the Kirkland is a destination, traffic has become a huge challenge
- When I-405 is done we may feel some relief, but I have doubts
- The traffic prohibits access to downtown
- The transit system is poorly designed, everything is oriented toward Seattle so there are few good paths in and around Kirkland
    - Others felt differently: my kids use busses daily to and from school
- Downtown has narrow streets and cars that are pulling in and out of parking spaces can cause congestion
- There is limited traffic access to all the downtown streets, often it can take 15 minutes to go 5 blocks

- Can we reroute traffic to avoid the congestion?
- The traffic is inevitable
- The transit center is a challenge because of the clientele that end up around it and the baseball field
- Central Way is a big problem – its not in character with the rest of the downtown. A lot of the traffic is queue jumpers – people cutting through the area to get to somewhere else
- There are constant efforts to kill the traffic flow—huge traffic tie-ups. If you make it hard for people to get here, that affects vitality
- North-south connections in and out of downtown are poor.
- There is a real and perceived perception of accessibility challenges. Many people have to sit in a lot of traffic to get here. Despite recent highway transportation improvements, we think this problem is going to get worse.

5.2 Parking

Parking Supply

- There is a huge parking problem; people from Bellevue won't come because they can't park
- Parking is our biggest challenge. When especially? Friday/Saturday night: 5-8 p.m.
- The library garage has a poor design—hard to know where to exit. The transit center could block an entrance into the garage
- Friday night is the big parking challenge
- Having a parking garage would help – a lot
- I'm at the end of Central Ave and the library is just too far for my customers
- The problem with the library garage is that its not in the core area. A lot of people don't know about it, and you have to go through an unattractive, icky area to get there
- We are filling that garage up with employees, and will still end up needing more employee parking
- If you want downtown to be a regional destination, parking has to be improved
- Walk-by traffic has decreased. We've had negative press about how hard it is to park
- They compared us to Pasadena in a parking study, I've also heard Sausalito, that's just not accurate, we are different and in a different region. We should be comparing to similar size and similar scale
- We've been talking about the parking challenge for 30 years
- Why do we keep talking about it! We know what needs to be done. We need another parking structure – the question is where do you put it?
- I agree that there isn't a parking problem.
- We joke that the reason we bought a condo in downtown Kirkland was to have a parking space
- You need more parking than just what supports the building services, it needs to support downtown
- Its hard to get into the parking lot,; need to circle all around to figure out the access
- There is a lot of pressure on parking in the summer between the art walk and summer concerts

- As more stores stay open at night, that's when access is problematic
- Traffic citations are overly aggressive in the City. It's a very negative thing for people to come downtown and get a parking ticket. That leaves a bad taste. Someone who has gotten a parking ticket is less likely to return.
- The City is really aggressive about ticketing…you can also get a ticket on top of a ticket. The parking enforcement is ruthless!
- We don't have the opportunity to cross-merchandise because of the two-hour parking limit. If people are allowed to go on a journey downtown (walk the streets) they will come back.
- The one comment that drives me (as a retailer) insane: "I need to move my car." We want people to experience the entire downtown. People are in a two-hour space and it restricts the amount of time they spend downtown, the number of stores that they can go into.
- The City's facilities have a huge impact on parking downtown – the Kirkland Performing Arts Center, the teen center and the senior center – all contribute to parking need. The City should contribute to parking for these facilities
- Downtown should feel like U Village, but we need the parking. When U Village built the structured garage it was the smartest things they ever did
- The Lake and Central lot is a mess, with the different types of parking; the City would be better off making everyone pay or making it all free. Paid parking throughout would simplify things – that would be an improvement
- Hoping that Heathman Hotel's new 221 parking spaces will make a difference
- Previously there was an employee parking lot. When this went away, took 365 spots off the street
- Parking is constrained at Park Place.

Perceptions and Communication-Parking

- The parking garage is half full whenever I go there
- People are trying to understand the City's parking system—they are confused by it. Free parking/2-hour parking/4-hour, etc.
- People don't realize that there is a parking lot at the library –400 spaces; a 2-block walk. The perception is that this lot is farther away than it really is
- The parking garage is rarely full and is just three blocks away
- What's paid parking and what's not is confusing
- There are parking options on the periphery of downtown, how do we market them?
- If I go down to Freemont or Belltown I will park five blocks away as it's the big city and I expect to walk a little. However, people think that Kirkland is more rural and are maybe less accepting to park a little distance to get to downtown.
- The parking problem is both perception and reality. There may be enough spaces, but they're scattered and hard to find – give people, especially tourists, a central place to go, drop off the car, and walk from.
- We don't think people really utilize all the available parking. That said, there are some nights, such as when there is an event, where we are at our parking maximum. If people have difficulties parking once they may not want to come back to Kirkland.

- If you live here you know where all the parking is, but if you are from out of town you might have difficulty finding a spot in the downtown area.
- Some people think that there is a real parking problem while others think that there is a perceived problem (However, perceived problems are often as serious as real ones).
- Communication and signage: I've never seen a sign saying that library parking is free! Maybe it should be in bold letters on explorekirkland…
- The main perceived problem is that it is not clear to visitors where they should go to park – this is a signage and wayfinding issue.
- There is a perception that there is not parking in the downtown area. While this may not be the reality, this perception hurts businesses.

Opportunities-Parking

- There are extra spaces in some condos, maybe those could be used somehow
- Maybe we should look at putting a parking garage under the baseball field.
- Could turn the Antique Mall into a parking garage – like Santa Barbara, when you get there, there is a big garage, you can park all day and walk around
- A central parking garage would really jumpstart redevelopment. This is something the City should lead – but it will need to be strong and stick to the plan.
- Put a large underground garage beneath Peter Kirk Park that could serve both the downtown core and Park Place.
- A shared City-owned garage would spur redevelopment by relieving property owners of the burden to build expensive underground parking on their own sites.
- The local government can't put the burden of the perceived parking problem on land owners. The local government needs to step up.
- The Heathman Hotel had to build more parking than they thought was needed for a hotel that will have a valet and will have a lot of customers arriving by taxi and other modes. With the higher parking requirements, had to build an entire extra level of parking (for construction efficiencies) and will end up leasing the extra space to other downtown users. Would have rather not built the extra parking in the first place

Parking Standards for Development

- Offering lower parking ratios on new development is one way that the City can provide incentives and compensate for the high cost of land.
- Parking is one additional factor that drives the condo market, since parking ratios are much lower for housing than for other uses.
- City's parking requirements are too high and should be lowered to a more urban level.
- Parking standards for new development are too high – they should be brought down to urban standards, which would make development less costly.

Paid Parking

- The merchants are frustrated by paid parking
- People want to go to downtown and park for free. This might not be viable over the long-term.
- Parking should be free

- I'm not opposed to paid parking (as a retailer) but make it simple! Don't make it complicated.
- 21 Central restaurant – previously had valet parking; City gave 2 spots and charged $500 mo. for garage spaces, with insurance it ran $12-13K year. City shouldn't be charging for these spots
- Santa Barbara is a model – has a big garage, people pay $2 park, and walk up and down the streets for hours
- We need to think about parking differently in Kirkland – Bellevue has a lot of paid parking!
- Paid parking may not fly with the public
- We've got to have paid parking. That way people can stay all day.
- The City is interested in enforcing paid parking because it's a revenue generator, but actually – it just breaks even.
- We can reward loyal customers through a token program.
- I am against paid parking. In La Conner, the tourists are avoiding the paid parking lots and using residential streets
- The Parking Advisory Board has been talking about paid parking and I am significantly opposed to that. Free parking adds to the character of downtown; I embrace the small town feel, I left the city living and the stressful life, and I have no desire to go back

Parking Management, Parking Advisory Board

- Parking should never be problem, we should manage demand and turnover
- It's a parking management problem – need to make sure that the on-street parking is short-term
- Dealing with the Parking Advisory Board is like Chinese water torture, they are always throwing a new idea in and it never progresses. But I do know that people have invested a lot of volunteer time in this effort
- Originally the Parking Advisory Board thought they could take the money to invest in downtown. But the revenue from paid marking is so minimal
- The Parking Advisory Board is intimidating to people and developers
- The Parking Advisory Board should hold off until Berk finishes their study
- Some people think it's a supply problem, others think it's a management problem
- We have a parking management problem, not a supply problem. There is a surplus of parking in private lots.
- Parking has been studied to death in the City. Just implement the parking plan! And integrate it with a public transportation plan
- The City needs to fund more parking. Successful cities provide adequate parking.
- An opportunity that is there is to use the private lots – through management agreements.
- As a City we haven't entertained creative options. The DAT did a really good job, but we haven't exhausted all our options for parking ideas
- Parking management is a fascinating combination of psychology and engineering
- Reemphasize parking management—just do something! We don't need more data. Manage the existing parking resources downtown-wide; that includes the private and public lots.

5.3 Pedestrian Activities, Issues, and Safety

- People have been hit in the crosswalks, make them safer, maybe with flashing lights. Like in Juanita
- Improve crosswalk safety – keep the downtown pedestrian friendly
- There should be a flow from Gunner's gallery to the arts center: a corridor to give pedestrians purpose
- There are two crosswalk areas that are challenging: Lake and Kirkland Avenue and Lake and Central. They aren't as pedestrian friendly as they could be.
- Tenants on Central are concerned because people don't want to cross the street.
- A trolley system, or free public transit to and from parking would be great
- Lets see creative thinking about how to get people across the street – try four-way crossings or a foot bridge
- Need to focus on the entire pedestrian experience from one end of downtown to the other; pedestrian links are critical to the success of downtown
- Central, Kirkland and Lake – they are the main pedestrian avenues and the City should zone according to that
- Kirkland Way is starting to take shape as a street people want to walk around
- Make downtown Kirkland interesting for people that are going to walk. Look at Park City, Utah – they force all parking at the ends of the vibrant urban zone – seven days a week
- Improve the pedestrian walkway behind Park Lance – could have a pedestrian corridor there. Encourage the City to open it up.
- Need a loop or obvious walking route – sense of place. A walking plan.
- Improve the trail connection between Park Place (and farther east) and downtown.

5.4 Connectivity

- Need clear planning on how we are going to connect downtown – there have been lots of attempts to connect it through walkways -- what makes most sense now?
- The connection and continuation of Park Lane into the Marina would be good – need to fully utilize that asset
- Link together the waterfront and the park, those are the assets
- A disconnect between the park and the waterfront. Hopefully this will be addressed in coming work
- I'd extend Park Lane through the Marina – to create a strong tie
- Don't turn our backs to the water
- Connect the corridor – make it a people-moving corridor
- The walk through the park is boring
- Downtown turns it's back to the lake, how can we correct that?
- The parks downtown need to be involved synergistically – they need to work together—Marina Park, Waverly Park, Peter Kirk Park

5.5 Marina and Boating

- The marina is pretty poor shape – no breakwater, no power. You can't plug into shore power. That's our back door and we are losing all kinds of business because the marina is not adequate
- The marina could be the core of downtown; it's a tremendous asset
- Redo the marina and realize the synergy there with the retail core
- Need more boat parking at the marina. It brings people into the downtown
- All the boat parking is four-day parking – need more short term spaces.
- It's a real asset for the city, and the city needs to make better use of it
- We need to integrate the marina and pedestrian access points
- The City should look at working/developing the marina.
- To a certain degree we are in a conflict with the parks. On a sunny Sunday the marina parking lot is completely full. Do we charge people to come to the park? This is a difficult question.
- We need to spend more time looking at our marina as the lake is one of our greatest assets. We should start developing to make more space for yacht owners, which in turn could generate money for the City.

5.6 Public Safety

- There have been break-ins in Park Lane – that goes with the territory.
- We get broken into pretty regularly – its bar-related. Police response is really quick.
- There are problems around the park.
- There is a perceived safety problem around the transit center. People hang out there and that's intimidating to some people. The DMZ is around the Antique Mall – developing that would improve peoples' feelings of safety
- It feels dangerous and dirty where the transit center is going
- The garage safety issue is an urban legend. The City has tried – pulled the bushes out. There is a perceived safety problem because of the transit center

6.0 PUBLIC SPACES AND URBAN DESIGN

6.1 Overall Downtown Environment and Appearance

- Downtown is looking a little tired
- The City needs to do something to freshen up the look of downtown. The City needs to take action
- We are aware of all the new competition – south of Lake Washington – the Landing, the new Bellevue shops, Neiman Marcus coming….
- The facades on Lake Street are dated, nasty, they need to be redone. The storefronts don't look appealing.
- By keeping it the same, you die
- The way the buildings are being maintained is poor. We have to decide – are we going to enforce appearances?
- There is a difference between quaint and antiquated—some of the spaces in the City are antiquated. They are bizarre spaces—no heat, half bath…
- The storefronts are old, dated, need a refresh.
- Get rid of the antiquated buildings—how are they going to redevelop?
- There are 30-40 landlords downtown, most are absentee landlords
- The City won't let the Hallmark building redevelop upstairs. The whole second floor above the Marina Grill is vacant. That's a comedy of errors, what's happened
- The Antique Mall is a blighted piece of downtown
- Olde Main in Bellevue has done such a nice job of creating a unified look. Its updated and upscale. Our downtown could use a little more consistency.
- Need a tree project downtown; so trees are uniform.
- Overall, things are looking pretty good. Along Central there's an alley that's a disgrace—its consistently filthy; there should be a gate there. There are so many trash receptacles and its visible from Central.
- There is a problem with trash pick-up – a bin in front of the bronze cow that's consistently overflowing. But this is minor.
- The City and community need to work together on trash pick-up
- Need to take opportunities to enhance the beauty of downtown. City needs increased trash pick up—it's a problem.
- How do you keep it small and local, with big chains – that wrecks it
- Its charming now – how to keep the charm
- How do you make sure that you get development in small increments?
- Downtown is right on the tipping point – its character could be lost

6.2 Sidewalks

- The City's sidewalks need attention; there is a lack of consistency there, the City isn't taking the lead in designing these spaces.
- Widen some of the sidewalks, they are only 4-5 feet wide and its hard to have activity on sidewalks that narrow
- Widen the sidewalks; get more trees and benches
- The sidewalks on Kirkland Avenue connecting to the new condo development are disintegrating. The wrong street trees were planted; they are ruining the sidewalks
- The sidewalks need to be twice as wide as they are. If you eliminated some parking and widened the sidewalk, you'd have improved walkability and street life

6.3 Streetscape and Signage

- The design for aprons in the driveways should be designed more for pedestrians. Have had conversations with Public Works about this.
- Lighting is lacking – Christmas is a magical time – make it look like a Tivoli Garden
- The spaces between the buildings are important – the plazas
- The back alleys are the pedestrian connections – would be great not to ignore these.
- Lack of consistency in street improvements. Each development puts in its own street trees and sidewalks. The City lets developers pick from a list of trees. Better to have all the trees be the same, it's a hodge podge now, it hurts the continuity of the street.
- The City needs an improved streetscape and clarity about what they want. Developers are willing, but don't know what the City wants – there is a definite lack of clarity there
- Other studies have said that the streetscape needs to be more varied. We've been hearing the same thing, but nothing happens
- The Marina Park lot is fine for locals, but for those new to town, you have to look for it, it's not obvious how much parking there is
- Places to sit and congregate would be helpful
- It's a great area for art
- Lake & Central: we need to specify design requirements and set backs. We weren't specific enough and left too much to the Design Review Board
- We need better, more rigorous design guidelines
- We need streetscape guidelines that are at a human scale
- It is anti-Kirkland for everything to look the same, but we can be eclectic and thematic at the same time
- Development needs to be at street level – not six stories going straight up
- Other studies have said that the streetscape needs to be more varied. We've been hearing the same thing, but nothing happens

6.4 Building Design

- The scale of the downtown is great. You can't get peripheral development because of the hills and the water. Its sort of a containerized downtown
- Maintaining the walkable, European contextual scale is important
- There is a fabric in downtown – the core has a sense of community fabric
- The scale is so much helped by its two-story buildings
- There is confusion in Kirkland– when people mention view protection, they are talking about protecting private views. There is no precedent to protect private views, it's the public views the City should be concerned about. You can't tie public policy to protect private use. You can't go down that road
- The urban design of the buildings is problematic – how cheap some of the buildings look
- The City should focus more on the quality of building materials, versus height
- The current plan is overly nostalgic—in reference to the past in its design detailing. Where is the freshness?
- The goal when people speak about "quaint" is to be visually interesting and interactive. The word its self has no meaning, its ambiguous.
- Quaint means that people are thinking about the quality of life in the community; it's a value that has to do with being a place for all types of people in downtown
- The City needs to dump the concept of nostalgic architecture—it should be forward-looking and up-to-date; 21st Century
- There shouldn't be a parking lot on any corner of downtown. Shouldn't have parking on the ground floor of any building
- Look at Kirkland Avenue and Lake Street – there is a Bank of America branch; its open 9-5; its more of key corner than many others, and there is a parking lot there! Need to fill these parking lot spaces up with active uses; start to fill in those blocks
- There are a lot of properties that aren't contributing to the flow – some blocks are helping, some are neutral, some are negative. The block north of the Antique Mall is neutral.
- Look to Whistler Village as an example – all parking has to be below grade. It's a vibrant, well lit, active place
- Main Street in Bellevue has a historic district, and its well done. The buildings were also old and didn't have good bones
- Emeryville, CA has also been very successful in creating a vibrant mixed use environment
- Lake and Central – it should be a plaza or park, with parking below
- Keep everything low in the core – that's a really smart idea. Zoning should start low and build up
- TJ's on Lake Street is an impediment
- Sur la Table is three stories high and a very successful building; that could be a model for potential redevelopment
- A live/work environment could also work well for the downtown

6.5 Public Spaces and Infrastructure

- Almost every city has a hidden code – in public works infrastructure.
- Some cities are rewriting the public works standards, making them work for social spaces. That's the place you have to start
- The City controls the sidewalk, curb, gutter. The zoning code makes developers shy away from non-prescriptive alternative designs that could improve the street experience
- Revise the public works code – for sidewalks and streets. Take control from Public Works and put it in a larger context of downtown planning and vitality
- The spaces between the buildings are especially important. The City needs to step up to the plate on those spaces – make some investments to improve the infrastructure between the buildings
- Lighting: we worked on a development project in the City where the developer wanted to put smaller scale street lighting in, but the Public Works Department insisted on cobra head lamps. That was a lost opportunity for an improved streetscape
- Fairhaven in Bellingham has really worked those spaces. Signs, brackets, sitting areas – they have worked every sidewalk and public space. All the retail is local and full – sign of success!
- The trees are almost unique – need to have more trees
- Who makes the decisions on benches in Kirkland – they are all facing the wrong way! Who has that responsibility?

6.6 Design Review Process

- The Design Review Board is working well, they are trying to keep a consistent character downtown and that's difficult
- Design review and permitting functions are one of the best in the region. Staff is willing to look at alternatives; the timeframe it takes is reasonable, very good
- Its time to reexamine the design review process. The public comes to the Board with zoning issues. They should clarify their role, announce that "those issues aren't before us" – height, density, traffic, etc

7.0 BUSINESS CLIMATE AND REGULATORY ENVIRONMENT

7.1 Business Climate

- Need to do better working together between the merchants and the City—we are responsible for our own success
- Want to keep the downtown's culture, but can it be more business friendly?
- The business community perceives that the City is not business friendly
- It takes the longest time to get things done in the City
- Kirkland issues a lot of penalties and Nos, versus incentives
- In other cities they are tearing down one-story buildings and constructing more vibrant places.
- You're not seeing evidence of business vitality in downtown Kirkland. Where is the new construction? That's telling us something
- We are in the midst of an unprecedented urban boom, and yet downtown doesn't seem to be a part of that.
- There has to be public investment to incent private development
- To be successful, you need to be able to get approvals and make tenant improvements in a few weeks. The permit counter needs to be more responsive; we need a to have a more streamlined system of tenant improvements.
- Tenants can miss a whole season waiting for permits – that can happen now
- Landlords don't have a positive feeling working with the City. The City has to show that it is open for business
- An example would be ease of the signage requirements for tenants
- The City needs to let the market decide what is needed and quit trying to control everything
- The Lake and Central project has tainted Kirkland's reputation in the development and investment community. The way the City handled the project was a "case study in how to do everything wrong in a public-private partnership."
- Staff is always wonderful to work with and often supports projects throughout the process, the City council and/or Planning Commission often doesn't back them up when it comes time to make a decision.
- If the City would relax some of the development regulations (heights, parking), downtown would really take off – there is a huge pent up demand for more intensive use. Do it in a way that preserves the character though.
- The City has history of exacting property concessions for things such as trails without paying for it.
- Discretionary processes are unpredictable. Often not worth the trouble to try and get a zone change. Design review similarly troublesome.

7.2 Permitting Process and Regulations

- The antique mall is an ideal redevelopment site and potential location for the highest densities (6 to 8 stories). However, many developers have made a run at the property without success.

- The height limits downtown coupled with the high land prices are what drive the type of development that is occurring (strictly condos). With higher height limits, it might be possible to make other land uses feasible.
- Won't see any apartments built downtown unless zoning is extended out of downtown – high land prices will keep it in condos. This will have an implication to Kirkland's overall affordability as a community.
- If you intend to protect the core, need to allow room to grow elsewhere.
- There are quite a few discretionary elements to the entitlement process; building height allowances (bonus fourth or fifth floor) and design review.
- 6 to 8 stories should be fine downtown – particularly at the antique mall site.
- Preserve existing zoning flexibility – don't downzone.
- Consider drawing some of downtown's energy (zoning) up the hills surrounding downtown.
- I'd love to see the Plaza go in, and additional parking
- At the Antique Mall site, development could go to five stories, easily
- Have higher density in the core area—higher buildings and more open areas
- We've got to go up – to get the views of the Lake
- Streamline the building department process. People at the desk don't want to help – there is not goodwill there.
- Some developers frustrated with the uncertainty that this process entails, and that their project may move along fine, incurring significant design costs, and not get rejected until much later. Would rather have the certainty up front (e.g., whether they can get a fifth floor or not) and design around that rather than take a crapshoot.

7.3 Zoning Issues

- Now height is tied to these subjective requirements; not sure that can be fixed. Its an ambiguity, creates a lot of tension and adds to public hearing challenges and requirements
- Other cities define what "superior retail" is. Not clear at all what the City means by this. Does it mean gallery space?
- "Superior retail" has been an impediment – its up to people on the Board to say "its superior"
- It would be better to design the building to attract superior retail. What is the retail profile for the City anyway?
- It would be better not to focus on "retail" but rather "pedestrian-oriented uses." So that would rule out banks, for example
- Kirkland is working a bit at cross purposes – its desire for good retail and its regulations
- Kirkland is going to see a jump, an acceleration – its going to go from quaint to 5 stories. The biggest issue will be the mitigation strategy.
- Is there an opportunity to get public parking in some developments. Have the City allow enough height to make that parking feasible.

8.0 CITY ACTION AND LEADERSHIP

8.1 Need for Leadership

- We need the Council to have the courage to take the lead – they have had amazing courage before, to buy land and take other steps. This big parking lot downtown has to be changed sometime soon
- The private sector on its own is not going to get involved with downtown development. The City needs to get involved to make this happen. There needs to be follow through with development plans. We need to invest money.
- The Council needs to have the guts and show leadership
- Previously the City had a more solid, consistent vision. Now, who knows who is in charge?
- Politically, the city has not been very visionary. If this changes and the City demonstrates a strong will, its negative stigma in the development world will be forgotten.
- The City Council needs a unified vision of what the community wants to do
- Need the City to show leadership on the decisions that need to be made
- We need more support from the Council and the City – to do what's right for downtown. Work with us and support us.
- We have a woeful lack of political courage to allow the kind of development and redevelopment that will bolster the downtown
- Need to have courage and yet be cautious. A balance of courage is needed
- For the last 12 years, not much has happened downtown. There are great ideas, and nothing Leaders have to talk better across subsets as opposed to against subsets. This curtails Kirkland's potential.
- happens; it doesn't go anywhere. The courage to do something doesn't seem to be there.
- When the City has a design competition, it needs to follow through. The City has a history of shelving things – they can be rolled
- There were guts on the Council 10 years ago – to make leadership decisions. That is needed now
- The City talks about these things – with the park with the lid over the top—and then it goes away and dies. That's the leadership thing. The reality is that the downtown is a big key to the City's success, and it needs that care and attention
- I don't feel like we are embraced by the leadership. We don't necessarily see our leaders shopping in downtown Kirkland. Our citizens do not understand that the vitality of our retail section is important to the overall economic health of Kirkland.
- The City could follow through on what they've started—the parking lot at Marina Park—do something creative there, that would be an impetus for development and vitality. They've got a good parking study already
- There is very strong leadership in the Planning Department and Planning Commission; it doesn't seem as thought the Council trusts them. There was a time when the Council seemed to have more trust in their staff and commissions
- Maybe the paradigm should shift – to a recognition that the City is not doing enough

- The City listens to the squeaky wheels. We can have 1-2 people with loud voices. It gets hard for those of us that are trying to make things work, when there's one squeaky wheel.
- City Hall needs to take a leadership role
- Don't force it down our throats
- City government needs a backbone – create a plan/vision and stick to it.
- Need good open dialogue and workshops, we need to have a unified strategic vision before talking about or defending any specific project
- We have an existing vision, start with that
- The City has mixed messages about zoning. How is Windemere retail because they sell some artwork through a gallery in Seattle? The taxes aren't even going to Kirkland!
- The City should take a measure of support for issues and willingness to pay
- It is a three-step process:
  - First, get input, make the plan more specific and update it with the help of the community
  - Second, resolve existing issues and get elected officials ownership of the issues, educate the public, help the community understand there are tradeoffs, preempt mis-information
  - Communicate and sell the vision, use visuals, it should be sophisticated and professional
- The idea here is for the City to be a leader – it could have been the impetus for downtown activity, but the Council backed out. They got to the edge and backed off
- Our experience working with the City has been very good. We had an excellent experience with the planning and building departments. The Planning Department championed the building, and we had a single point of contact – that was great
- The City should make building permits easier. Is there a way we can expedite this process? This type of action needs to come from the City and Council leadership. Tacoma expedited their building process and have developed their marina.
- A single point of contact at the Planning Department has made a big difference; now there's a person that you can turn to
- Its sending out mixed messages – the City has sent a message to developers: don't work with us
- I think non-elected leaders can also be very effective in making downtown successful. In Tacoma there are a lot of informal leaders that really help with development. We need to bring more of these types of leaders to the table as they are not politically restrained like the elected leaders. We need to look at who the leadership is in Kirkland (elected and non-elected) as we can't just wait for elected groups to start something.
- There is a perception that developers don't want to come to Kirkland as the business environment is difficult. You can't blame the private sector for this perception. The City is now working to try to change this perception.
- There are also problems with leadership. There are too many people within the leadership that see some benefit of pitting downtown and the neighborhoods against one another (making this a zero sum game) instead of trying to help promote the idea that these areas are complimentary.
- From a pure revenue perspective, compared to the car dealerships in Totem Lake, downtown doesn't bring in close to the amount of money. So there is little financial incentive for elected leaders to really support downtown.

8.2 Opportunities for Action

- The lakefront area is a missed opportunity. In retrospect, the City should have been buying up properties as they became available. The fractured ownership pattern makes it extremely difficult to get anything going here.
- Kirkland needs to identify and focus on 1-2 things they do really well
- The City manager should be helping with business attraction and working with the property owners
- The City needs to address facades and sidewalks, many are dangerous to walk on
- Improve the marina—breakwater and power. The whole thing can be improved, reconfigured
- The City should consider public/private partnerships as parcels are developed
- The City needs to have an ombudsman.
- The Plaza at Marina Park should have happened as this was key to the whole downtown focus. (and it also was a good solution to the parking problem). This could be the center of the branding theme.
- Maybe we should create a business development committee that has no ties to government.
- We should look to Bellevue to see what they are doing. Bellevue has fee for parking for most of its downtown. Bellevue has a very strong Chamber of Commerce and has brought big retail players into town.
- We can't enforce rules but the City should offer incentives to businesses that stay open later.
- Kirkland is starting to lose it – others are taking its place as a good place to develop. Developers are going to Tacoma, Bremerton, auburn – where they find its consistent, cities learn from their experiences, say that they will make things happen, work cooperatively with developers. These cities are reorganizing themselves to be responsive

8.3 Lessons Learned and Ways to Improve Going Forward

- There is buzz about Renton – it once had a horrible image and now they have turned themselves around. They took advantage of their strengths and acted on it. We should look more at our strengths and try to capitalize on them.
- There are too many fractious groups in Kirkland.
- The public process needs to be reworked–nobody comes to the meeting until the plan is nearly done and everyone gets worked up. We need to bring the public in on the process earlier. The City needs to enhance public outreach.
- In regards to public outreach, we became electronic heavy too quickly. The website is great but not everyone has it. We mailed postcards and got a better response – sometimes the old fashioned way is best.
- If you want people to come to meetings you should bring food.
- We should allow people a place to hear and give feedback and have a real dialog. We should tailor meetings to meet business schedules and not convene in the middle of the day.
- Maybe we need a small convention center so we have a large enough space where people can meet. The hotels here can't give us this.

- The City of Kirkland maybe has too many meetings. There are a lot of neighborhood groups that are not focused on City-wide issues. It is almost impossible to get meetings setup that deal with the bigger issues as there are so many separate smaller meetings going on that focus on specific neighborhoods.

8.4 How Successful was the City in Undertaking Projects in the 2001 Plan?

- There has been misinterpretation of the Plan because of poor wording, the intent was not clear
- It had unrealistic visions of opening up our living room. Good idea, but not going to happen
- Lakeshore Plaza is a good idea
- The City should just back off for a while and stop trying to push projects
- I am diametrically opposed to a 4-story building downtown
- There needs to be more process and earlier involvement of the public
- There were some things we really liked about the project but others that didn't work
- Lake and Central: there should be sidewalk ground floor retail, we need active uses on the street
  - You should use that space for parking
  - It is a "node" for people arriving in Kirkland, you get the sense of arrival there, it is a landmark intersection
- It would be a shame to develop that site without a comprehensive plan and vision
- Residents weren't engaged publicly in the projects

8.5 Lake & Central Situation

- If the City were to get a strong backbone to see Lake and Central through, it could overcome the negative reputation and do something positive for downtown. Absent that, investing in a public parking facility could have a similar positive impact.
- Given the history at Lake and Central, the City should just surplus the site and get out of the way.
- It's a dead corner, it needs retail there. The City needs to make something happen there
- Lake and Central is the City's 100% corner – there could not possibly be a worse use that a parking lot for that corner
- Lake and Central is a dead space; it prevents people from going across to Central. Developing that area to be interesting corner will help the people on the north side of Central
- It has the potential to be a fantastic public square, the hub of the wheel
- If there were four stories at Lake and Central it would be better to be a big parking garage, you can even go down two stories
- Would like the City to take another run at redeveloping Lake and Central since it such a pivotal site; not sure that the City has the leadership or stomach to actually see it through.
- With more population and more growth, we need more parking
- It is a terrible place for a grocery store, that won't help our businesses and it won't help the traffic
- The City ramroded that project
- Developing the Lake and Central property, identify the economic considerations that would satisfy developers

- Its a flagship corner; it should be a central gathering place – "meet me at Lake and Central"
- We need a city square, an active space

8.6 What would make this a successful project from your perspective?

- This project should be seen as more about making things better than about turning around a serious problem.
- We would have a cohesive plan and a time table
- Kirkland will be a regional draw and maintain it's small-town, pedestrian-friendly, village feel
- We will have a timely update to the Plan
- There will be a good connection between the vision and implementation (zoning/design/usage)
- The Plan will incorporate access to the neighborhoods and improve transit
- We will build on the strengths and the existing Plan
- Communication is they key along with leadership
- The plan will be implemented
- An updated plan that lends itself to the future, anticipates growth and builds for that
- We need to find out what types of stores are likely to be successful here in Kirkland
- We should fund an evaluation of what it takes to have a viable business and provide that guidance and support to entrepreneurs and local independent merchants
- Strong partnership between the City and residents
- First step leading to step 2 and step 3, ACTION!, City leadership
- An alliance between the City/Chamber/KDA/businesses/residents to promote a common vision
- See some photos of the vision
- Like to see some simple things updated to reflect new buildings and what makes a successful business district
- A consensus about public space – where to have it

8.7 Working Together and Communication between the City and Stakeholders

- Part of the challenge is educating the neighborhood
- The City needs to come to the neighborhoods, talk about the issues, give us something to react to and then stand up and make a decision – we need leadership
- That's hard because if someone doesn't like it leadership can feel like dictatorship. But sometimes projects just need to proceed
- The City just handles things, they don't have public forums
- We need to hear from one another, to all sit in one place and hear the answers to our neighbor's questions
- It has to be a partnership, not just take it or leave it
- Retailers feel that they are not being heard by the City. For example, the City says that they want our involvement in downtown parking issues, but then the parking meeting is scheduled for 3-6 pm. I can't come to a meeting between 3-6 pm! I don't think that they get it.

- Be careful that the program doesn't change mid-stream, at Lake and Central the project changed and we were no longer buying into the same project
- The business community is on a different planet from the City; there is animosity toward the Council, who folded after the Lake and Central issue
- Be clear on the desire and mission
- The City needs to communicate through multiple ways: yard signs, website, every mode of communication

KIRKLAND DOWNTOWN STRATEGIC PLAN UPDATE

Attachment B: Community Meeting Summary

CITY OF KIRKLAND:
DOWNTOWN STRATEGIC PLAN

Phase 1: Community Conversation Summary
July 16, 2007

COMMUNITY ASSESSMENT AND VISIONING

The City of Kirkland and the Downtown Kirkland Advisory Committee sponsored a Community Conversation for residents to provide early feedback that will guide the Downtown Strategic Plan. The meeting was held on Monday, July 16, from 6:30 p.m. to 8:30 p.m. at the Kirkland Teen Union Building. The meetings were advertised on the City's website, in utility bills, on posters and flyers in the community, through a press release distributed to all local papers, and through local organizations including the Chamber of Commerce and the Kirkland Downtown Association.

Approximately 80 members of the public participated. Mayor Lauinger and DAC co-chairs Mike Nelson and Jeff Trager introduced the project purpose, scope, and timeline. DAC members led small groups in a discussion of the following questions:

- What are Downtown Kirkland's most notable strengths?
- What challenges does Kirkland face?
- What opportunities are available to the City?
- How do you envision Kirkland in 5-10 years?

After the small group discussions, representatives from each group reported the highlights of their conversations to the rest of the Community Conversation participants. Comments made in small group conversations were recorded on flip charts by volunteer facilitators. A complete summary of the comments is attached. Numbers in parenthesis indicated when a comment was made multiple times.

Key Themes

During the small group sessions, group members discussed what they felt were Downtown Kirkland's strengths, challenges, opportunities, and vision for the future. In general, participants care about downtown and consider it an important part of Kirkland's identity. Participants consider Lake Washington and downtown's access to natural beauty as an important part of what makes downtown a special place for residents and for tourists. Other strengths include the human-scale dimensions of the area and walkability, safety and friendly character, and high quality of life based on civic and commercial amenities, including restaurants and retail, parks, the library, and the Kirkland Performing Arts Center. Traffic and parking are considered significant challenges for downtown Kirkland. Participants were also concerned about the high rents and high retail turnover in the downtown.

Participants' vision for downtown is a more vibrant version of the existing downtown. They envisioned that the downtown would retain its identity and character while providing opportunities for appropriately scaled development. Many participants would like to see the downtown develop in a bowl or tiered fashion, limiting building heights in the core, with increasing heights further from the water. Participants were interested in strategies to encourage and support more vibrant and stable retail development, including services for residents and tourists. Many groups also mentioned expanding opportunities for downtown office space. Participants were interested in improving connectivity for pedestrians and cars between the Lake and Parkplace to expand the downtown footprint.

What are Kirkland's Most Notable Strengths?

Good Geographic Location, Parks, Open Spaces, and Natural Surroundings

- Natural surroundings: lakes, parks (2)
- Appreciate Peter Kirk Park for its open space and waterfront and playfields (3)
- Enjoy waterfront and accessibility to the Lake (5)
- Good parks and open spaces: Waverly, Marina, Carillon (3)
- We are the waterfront of the eastside
- Green

Accessibility and Scale

- Walkability, pedestrian friendly, for example Lake Street to Fish Café and Kirkland Parkplace to Central Avenue (6)
- The one block of Park Lane is great to walk on
- Good freeway access from downtown
- Mobility
- City is scaled to humans (3)
- There is great boat access from the marina
- Strategic location/accessibility
- User friendly, easy parking/free parking, access, street side parking

The Community, Quality of Life, Amenities

- Community members are interested and involved (2)
- Responsive city government (3)
- Access to good public transit system; good transit center
- Diversity of facilities for sports, entertainment, and retail
- Well-maintained parks/facilities, i.e. the maintenance of flowers (2)
- Good schools
- Kirkland is kid and family friendly
- Safe community
- Library (2)
- Restaurants (3)
- There are great businesses and amenities in downtown including the bookstore, a place to hang out, the marina, hotels, QFC, the Kirkland Performing Arts Center and others
- Parkplace is great to have near downtown
- Good community facilities, including the senior center and town center (3)
- Enjoy a variety of amenities including movies, galleries, tennis courts, swimming pool, the Argosy (2),
- Pets Persona
- Pet friendly (2)
- "Not Bellevue"
- Mixture of generations
- 24-hour population
- Art-sensitive community, i.e. the art center (3) and public art, (2) art center, and the Kirkland Performance Center (2)
- Diversity of population
- Enjoy City and downtown events including summer concerts, the Lights of Christmas, the 4th Parade (7)
- Draws tourism (2)

The City's Charm, Historic Feel, and Small-Town Atmosphere

- Historic buildings
- Quaint, unique village atmosphere (2)
- Enjoy the small-town scale (2)
- Unique, resort-like atmosphere
- Historic buildings add to the charm of the City (2)
- Urban village "home town" appeal
- City is open because of low rise buildings and is not canyon-like
- Height limits
- Restrict building regulations to a 3-story max for buildings – to maintain current density and scale

What Challenges does Kirkland Face?

Traffic and Parking

- There are pedestrian versus traffic conflicts
- Traffic (3)
- We need to understand where traffic comes from
- Kirkland is a "cut through" for I-405 traffic
- Need a restricted north-south corridor
- Reroute traffic to alleviate congestion and minimize rush hour traffic (3)
- No traffic light at 3rd Street and Kirkland Ave
- Need more parking supply and more free parking
- Parking is challenging, perhaps hidden or underground parking (6)
- Reach an agreement about putting a lid on Marina Park parking
- Downtown is dealing with construction issues related to traffic including noise, water, and air pollution

Pedestrian Issues

- Some pedestrian crossings feel unsafe, especially at 3rd Street (2)
- Sidewalks are narrow and in need of repair
- Keep it pedestrian-friendly

Commercial Areas, Business Mix, and Diversity

- Rents are too high, and that affects the diversity of businesses (2)
- Limited variety of retail
- Has ambiance – shopping, family – window shop, but no necessities – limited shopping
- Need a mix of viable businesses
- Household goods are not available downtown
- There is no anchor retail, nothing to draw people in
- Downtown has difficulty securing national tenants
- Downtown needs more offices
- Multiple owners of property and buildings
- There is a lot of retail turnover in the downtown

Safety

- There is loitering at the transit center
- Downtown has too much vandalism, crime, loud motorbikes (3)
- There are problems with late-night rowdy behavior and irresponsible drinkers
- Not enough police

Preserving Kirkland's Atmosphere and Personality

- Create a balance between vitality and sleepiness
- There is no central city gathering spot; is Lake and Central the right location?
- Preserving small town historic building feel is a challenge
- Need to develop an identity and market our strengths (2)

Managing Growth and Development, Balancing Old and New

- Old buildings/conditions
- Too many services vs. retail
- Ensure balance of the village feel, including height and views, and businesses that can succeed
- Need to decide how much development is enough
- Pressure to increase height of buildings, but we need to restrict building heights (3)
- Maintain views
- "Canyon" effect – too many high rise buildings (2)
- Balance between people and cars
- Limit bulk and height of buildings through zoning while also enhancing central Kirkland, west of 3rd
- The City's back is turned from the water
- Parkplace redevelopment
- Struggling downtown business, perhaps because of a lack of retail diversity (3)
- Examine the Design Review Board's policies and zoning related to new retail space; are they appropriate for Kirkland?

Funding for City Projects

- The City needs to find funding to support projects

What Opportunities are Available to the City?

General Development Opportunities and Principles

- Encourage green development
- Sustainable community
- More trees
- Facelift for downtown
- Work with landlords and/or provide low interest loans to renovate buildings (2)
- Change zoning code to three stories/limit building heights (2)
- Reconsider the existing height limits
- More office space
- Be flexible with development while keeping city character
- Pedestrian friendly
- Pedestrian mall
- Retail in alley
- Controlled growth (zero, limited growth, height restrictions)
- Infill redevelopment
- Incorporate a broader foot print for downtown
- Develop from Lake to Kirkland Parkplace

Specific Strategic Development Opportunities

- There are many redevelopment opportunities including Parkplace, Antique Mall, and Marina Park
- Redevelopment of underutilized properties, including Parkplace and many of the surface parking lots

- Antique Mall site redevelopment (2)
- Marina is a huge asset; continue with what's working
- Redevelop Parkplace; we must be careful, prudent, and wise
- Extend Park Lane another block
- Increase height of Parkplace
- Redesign and add more office and residential space in Parkplace (3)
- Put the "parking" back in ballpark; consider putting a parking lot below Peter Kirk Park

Address Parking and Traffic Challenges and Increase Connectivity

- Lake and Central City Square with underground parking
- Redevelop Marina Park to allow more pedestrian zones and more parking
- Shut down Lake Street to traffic so it is pedestrian only
- Review the proposed facility at 3rd street, consider an overpass
- Plan for increased traffic and noise
- Extend parking hours to allow for more retail business activity
- Create a linkage between the Lake and Kirkland Parkplace
- Open Lake Street to the Lake
- Better use of the Lake – access, walkways
- Explore a plaza at Lake and Central (2)
- Link Peter Kirk Park to Park Lane to Marina Park
- Build a walkway over the water

Protect the City's Historic Feeling

- Preserve old buildings
- Historic value of buildings lends charm to the City (2)

Provide a Place for Residents to Work, Shop, Live, and Play

- Encourage year-round activities
- Encourage events downtown
- General store within walking distance
- Kirkland ball parks redevelopment with parking below
- Promote tourism

Build on Tourism Opportunities

- Make Kirkland more of a destination town
- Attract more rainy weather visitors
- Look at developments like the Redmond Town Center
- More signage announcing "Now in Kirkland" – roads and marina entries

Citizen Involvement and City Government

- Get more people to participate
- Raise taxes to pay for projects
- Active City involvement in redevelopment

How do you Envision Kirkland in 5-10 Years?

Vibrant, Diverse Retail Activity

- Night life for mature audiences/adults over 40 (i.e. Jazz clubs)
- More arts activity
- Practical retail
- Healthy vibrant downtown
- All the services you need will be downtown
- Establish upscale retail businesses as destination (2)
- Retail that supports household needs
- Build a full size QFC with household goods
- Diverse retail businesses
- Perception of too many banks and spas; decrease the number of salons and restaurants (3)
- Caps on like businesses
- More necessity and destination retail
- Unique retail (no strip mall businesses); more and diverse retail businesses (2)
- Landlords and tenants living in harmony
- Self-sustained community
- More variety of retail
- Lots of storefronts
- Retail ground – 1 floor/residential upper
- Good mix office and residential
- Permanent Farmers Market
- Healthy retail
- I want Penney's back

Tourism

- Successful tourism business year-round

Retain Kirkland's Identity

- Same as it is now
- No skyscrapers like Bellevue
- Encourage a small village feel
- Tweak downtown but do not wholly redevelop
- Cohesive identity
- Keep downtown as is; limit construction
- No new construction
- It will look like Kirkland
- Preserve character of city

Community

- More police presence – on streets and out of cars
- All age community-oriented celebrations
- Keep downtown family friendly
- Safe

Increase Connectivity and Connect Downtown to the Lake

- Downtown more connected to the Lake
- Revisit Lake Shore Plaza project
- Develop Marina Park in conjunction with vision of downtown and as a commercial draw (2)
- Connectivity from Parkplace to the Lake
- More parking structures but keep them out of sight
- Reorient buildings toward the Lake
- No buildings between Lake and Central to open corridor to the Lake
- Pedestrian friendly
- Pedestrian oriented and more walkways (2)
- Create some areas closed to automobile traffic in downtown
- Reduced traffic

Parking

- Parking underground/stacked
- No surface parking
- More parking garages
- Parking lot under Peter Kirk Park
- Plenty of visible parking (underground or screened)

Development Standards, Height Limits

- Bowl effect: building heights decrease as you move towards the Lake
- Gracefully accommodate a higher density population and traffic flow by high rises around the core, not in the core; the core is between between Central Kirkland Ave and west of Peter Kirk Park
- Downtown core height limit to 4 floors
- Core of downtown should have no cars and have a height limit
- Limit height to 1999 standards
- Low buildings, 3-story max for downtown
- Improved design without increased height
- Parkplace should have 8 floors on 6th street and be tiered to 3 to 4 floors as you approach Peter Kirk Park
- Build green
- Optimize land use
- Noise absorbing pavement

Development Opportunities

- Central square for downtown
- Pedestrian-only street (Lake Street or Central Way?)
- Antique Mall could become Central Plaza
- New north-south arterial
- Water-centric, pedestrian friendly, small, historical city character with tiered-down buildings
- More office space
- Develop an infill core area founded by Lake Street and Main Street and Central and Kirkland Avenues, with linkages to Parkplace and with a central park
- Need high wage office jobs to support retail stores (Microsoft, Google)

KIRKLAND DOWNTOWN STRATEGIC PLAN UPDATE

Attachment C: Property Owner Meeting Summary

KIRKLAND DOWNTOWN STRATEGIC PLAN

Property Owner Group Meeting Summary
July 24, 2007

Property Owner and Developer Participants		Support Staff
Patty Brandt	Andy Loos	
Jann Castleberry	Bonnie McLeod	Bonnie Berk, Berk & Associates
Joe Castleberry	Michael Nelson	Meghann Glavin, Berk & Associates
Rick Chaffey	Joel Ostroff	
Jeff Cole	Jerry Ostroff	
Bill Corbett	Steve Panos	
Gary Craig	Tim Panos	
Mike DeLaurenti	Terry Rennaker	
Marilyn Dillard	Mimi Rosen	
Douglas Howe (guest presenter)	Steve Shinstrom	
Brian Leibsohn	Steve Suskin	
	Bill Woods	

WELCOME & INTRODUCTIONS

Joe Castleberry welcomed the group and thanked them for their participation. He reviewed the meeting's purpose and objectives: to bring downtown Kirkland property owners together and obtain their feedback on the early stages of the Downtown Strategic Plan. Joe also thanked Stuart McLeod of Hector's for providing space and refreshments.

Joe introduced Bonnie Berk, of Berk & Associates, who presented a brief overview of the Downtown Strategic Planning project and the Downtown Advisory Committee (DAC). She reviewed the meeting agenda and described the Downtown Strategic Planning process before opening the floor for questions. The group had multiple questions about the current situation with downtown, what the process and objectives were for revising the DSP and the goals that Berk was hired to achieve including what the City is doing and the status of City projects:

Q. What is happening with downtown planning now? What is the City doing and what are the City's intentions?

   A. The City and the Downtown Advisory Committee (DAC) are evaluating everything from a fresh perspective. The planning process is taking a broad look at downtown's strengths, challenges, and opportunities.

Q. What City projects have been completed from the 2001 Plan?

   A. The Central Way traffic calming project, and there has been initial planning for the Lakeshore Plaza project.

Q. Will there be specific plans and projects coming out of this Plan? What will be the outcome of the updated Plan?

A. That is yet to be determined. The DAC is focusing first at a strategic and visionary level. We want to make sure the entire community, staff, and Council have a shared vision before we discuss specific projects.

Q. What is the result of Phase 1 and Phase 2 of the Downtown Strategic Plan?

A. In Phase 1, in addition to a vision statement, the DAC will develop a Strategic Situation Assessment that identifies opportunities and next steps. In Phase 2, the DAC will develop a Strategic Plan with implementable goals and action strategies.

OVERVIEW OF KIRKLAND PARKPLACE DEVELOPMENT PROPOSAL

Douglas Howe of Touchstone Corporation gave a brief overview of the proposal for Kirkland Parkplace. He started by stressing how important he believes it is for the property owners to get involved in the downtown strategic planning process, telling them "you can make a difference."

Touchstone entered into a contract from the Shulman family four months ago to develop Parkplace. The firm's development proposal is intended to revitalize a crucial commercial center and to meet City goals of connectivity by connecting Parkplace with the rest of downtown, from a pedestrian perspective. There will be five office buildings, two hotels, a sports club, 1.2 million square feet of office, and 3,500 parking spaces. Approximately 250,000 s.f. of retail including a QFC that will double in size.

Currently, Howe said, Parkplace doesn't function well. Touchstone is proposing to tear down every building on the site, in two phases. The buildings are proposed to be five to eight stories, with two to two and half acres of open space, almost 20% more than what is there now. Transportation access to the site will be improved, through signalization and other approaches, and it will be safer for pedestrians than currently.

Howe said that Kirkland has become a bedroom community and there is pent-up demand for office space. The parking on the site that will be used for office during the day; it will provide a huge opportunity for additional parking the City could use on the weekend and evenings.

Howe also said that he has been making many presentations to community groups, and that the community has been supportive of what he sees as a significant opportunity to improve the assets and enhance downtown amenities. The City has also been supportive, according to Howe. City staff has said that they believe the development could energize day-life and the downtown core. To move forward with its plan, Touchstone has made a private amendment request to the Comprehensive Plan for increased height and revised setback requirements. The City Council has formally agreed to consider the Comp Plan amendment.

Howe said the private amendment request and design review processes should take approximately six months. The City has allocated $200,000 to do a planned action and they have authorized funds to review the economic impact of the development.

Howe asked for support from the other property owners and developers in the room if they believe this is a project that will catalyze downtown Kirkland. He invited anyone who was available to come to the Design Review Board (DRB) meetings and Council meetings to show support. The next DRB meeting is Monday, July 30, 2007.

Questions for Douglas Howe

Q. How realistic do you think it is to get approval in six months?

A. We are confident, the City has been supportive. We are set to purchase the property next month.

Q. What about resistance of building owners around the site?

A. Mostly people have been supportive and interested. Most of what we are proposing is sustainable green development. We are encouraging bicycle traffic, for example. Neighboring retailers have also been supportive. They see increased office space as a benefit. Downtown could benefit from more critical mass and density, to create more opportunities for retail spending.

Q. What will your rents have to be to make this development financially feasible?

A. Our pro forma rents are in the $30's s.f. triple net, even $40 s.f.. For retail we expect high $20's s.f. to $30 s.f. We anticipate being in the $40 s.f. range for successful restaurants.

Q. Is the DRB looking at the proposal assuming the Comprehensive Plan would be amended?

A. Yes. We are going through the process as if we had applied under normal circumstances.

Q. Who has the approval for the private amendment request?

A. The Planning Commission and City Council. We expect that should happen in the first part of next year.

Q. Are you concerned about what happened at the Lake and Central property, where everything was through the approval level and the City Council caved to a vocal minority of residents, at the last minute? They went through two years of process to come up with a viable plan, that everyone signed off on. Council supported it, staff supported it, and then it just fell through. Nothing you have described addresses that; how can you avoid that?

A. You never have total predictability in a project but we trust the City Council will make the right decision this time around.

We are also working closely with the stakeholders and the community. I've been to all the neighborhood groups to present the proposal and get feedback. I'm going to talk to the neighborhoods again this fall. I also think that you all can also make a big difference. I invite you to the DRB meetings to show support. In addition to July 30th, we are scheduled for September 17th.

Joe thanked Douglas for his presentation and said he believed a revitalized Kirkland Parkplace would be a catalyst for change and could have a good ripple effect through the core of downtown.

DISCUSSION OF CURRENT PROPERTY OWNER PLANS, PROJECTS, AND ISSUES

The group shared information on their current plans to improve their properties, and on the status and challenges of other active projects in the downtown. The following is a list of general comments and lessons learned that participants felt were important to share, organized by theme.

Development Regulations and Review Process are Problematic

- **The discretionary nature of the DRB Board is unorthodox, unpredictable, over reaching and challenging**. (Stated by multiple participants)
- The DRB process gives us pause in thinking about development projects downtown. I would be hesitant and think carefully before considering starting a project. It may prove workable but you have to be willing to risk some time and money but developers are not interested in entering processes that are clearly defined .
- **Several property owners commented on the ambiguity and discretion associated with the City's code provisions for superior retail.** What is "superior retail"? How is it clearly defined in implementable terms? It seems arbitrary considering it is the catalyst for higher density and therefore the economic viability of a given project.
- The whole process for determining what is "superior" retail is nebulous. (Stated by several people.)
- We have a potential development project, but we are struggling to understand superior retail.
- Superior retail, as interpreted by the DRB, seems to have something to do with ceiling height. The DRB doesn't like blank facades and they like height. In Seattle retail spaces are around 13 feet, whereas here the City is asking for 14 to 17 feet ceiling heights. That feels unnecessary because a lot of retailers will drop the ceilings anyway to give a warmer feeling to the store. So you are paying for height when its not desired by retailers.
- The DRB likes height and glazing requirements. There are some general guidelines, but no published guidelines.
- **There are no specifics that we can prepare for in order to understand if our project will be economically feasible within the guidelines, and if we can get design approvals.**
- Predictability is a problem; that's a **huge problem**.
- The DRB also has inserted themselves without authority to determine discretion over setbacks; its a subjective approval process for setbacks which is and should remain clear based on the zoning codes. The same can be said for the width of sidewalks that exceed code requirements.
- The discretionary setbacks are also part of the unpredictability we see as developers. Most DRBs have discretion on design, but not on code matters.
- Most DRBs can't force you to have setbacks that are greater than code. They can in Kirkland.

- The setback requirements are OK, if the City will stand up for the zoning guidelines, but the requirements around extra floors are a make or break financial issue for projects.
- In other cities, the DRB can't require or decide about additional floors, for example.
- **Kirkland is the only place I've ever seen where the DRB decides if its superior – and you need to guess what their decision will be.**
- An extra floor can be the determining factor for financial feasibility of projects, so the discretionary DRB process is breaking deals. That type of control is unique in my experience. And I have worked with many, many cities.
- **That discretion and amount of control exercised by a DRB is unique in the country. It's a big issue.**
- **Property owners need predictability for zoning, height and yield (financial feasibility)**. That determines the economic feasibility of projects. If we are operating in an environment we can predict, we can plan appropriately and find a way to make a project feasible. Property owners do not want to invest in planning for an extra story and find out later if it was worth their effort.
- With the City's requirements and the lack of support against the DRB discretionary approvals, there are a lot of properties that won't be redeveloped – but at least you can know that! There should be a situation where you do not have to guess.
- The City has control over zoning, but they have to understand that if they only listen to neighborhood groups without considering the property owners needs, then the City will continue to want heights significantly limited, then some buildings won't be worth redeveloping.
- There is a conflict between the City's requirements for superior retail and the other element in the community that are asking for small, tight streets like Park Lane; these are mutually exclusive. You can't have what I understand to be superior retail on a meandering street. Superior retailers want high volumes of traffic to drive past the store.
- **The City's requirements are very prescriptive; overly prescriptive**. Many people don't understand these requirements and the City and the DRB do not understand their impacts on development in the real world.
- In order to get a fifth story, I would have to develop three of four floors as residential and cap them at 10 foot floors. These requirements are working against the City getting mixed use projects, with office components. Because three of the floors have to be residential there can only be one floor of office. The current code works against the need for more office downtown.
- The City needs to have a code that results in financially viable, feasible projects. It is clear the city, and the DRB and the City Council do not understand what it takes for property owners to be incentivized to develop.

Effect of Parking Requirements

- Parking is the biggest issue for me in making my project feasible. We will have to replace existing stalls, plus build structured parking spots to meet code. The unnecessary parking requirements are enough to make you give up on redevelopment.
- In Kirkland, the code calls for 1.7 stalls per residential unit. The City has the freedom to analyze parking requirements on a case-by-case basis and staff is helpful, but the code requirement is too high. Again, there is unpredictability for developers which prevents these projects from getting started.
- Assuming a reasonable cost of $25,000 to $35,000 per below grade parking stall, if you actually build 1.7 stalls per unit, that's around $50,000 of building cost per unit. That has to be a huge residential unit to spread out the high cost of parking. We're talking about 3,000 square feet condo units. And that is actually happening. That has a huge impact on the housing stock in downtown Kirkland. The City and community should understand if that fits into their vision. The result is fewer people and a less vibrant downtown.
- The City needs to revisit the parking requirement! Its one of the most difficult impediments to development in downtown.
- There is discussion at the City of vesting existing parking spaces, which could be helpful. It could change the equation; help facilitate redevelopment projects.
- There can be some interchange for office and retail parking. Office workers need spots on weekdays, shoppers need spots in the evenings and on weekends. If the City is interested in promoting office, they should consider that. There is currently no clear path for this shared parking situation.

City Leadership & City Investments

- The City needs backbone. Until the Council steps up and take command nothing is going to happen in this City. Property owners and developers are very skeptical that anything will change. Most property owners will not even enter the development process because of the way things can fall through. I love being in town but it is very hard to make investments in large projects with the planning and development climate as it is.
- Does the City have any funds to invest in major capital improvements on its own? Right now redevelopment feels like it is on the backs of downtown property owners, not the City.
- The City needs to adopt a Development Agreement process like many other cities have in the county. This will enable smart development planning on an individual project basis. The Development Agreement process will also allow developers to better project certainty before expending the huge amounts of money and time only to face uncertainty with the City, City Council and DRB.

ROUNDTABLE DISCUSSION: DSP & SUPPORTING CODE

After a brief break, Bonnie asked the group to go around the room and speak to what is working well in the downtown and what could be improved.

City Vision, City Understanding, and the Impacts of the Development Process on Downtown Vitality

- There are many good projects that can't work – aren't economically feasible – under the current code and zoning restrictions.
- **The City and the DRB can be arbitrary when it comes to the development process.** The staff, volunteers, and elected officials don't have skin in the game the way developers do. When we get burned, it can hurt for a long time, and I don't think the City understands that because they haven't felt it. The City needs to know they have a stake in it.
- **To have a healthy environment for development downtown there cannot be an arbitrary DRB process.**
- The DRB is out of control; making arbitrary decisions.
- There is a lack of education on the Council's part. They don't understand what it takes to complete a project. The City staff should take it upon themselves to educate the City Council, DRB, Planning commission, Park Advisory Board, etc. on what developers need economically to make a project go.
- Lots of the City staff are great, but ultimately they take vision and direction from Council. The Council sets priorities. And the Council seems to only listen to the most vocal minority neighborhood group without taking a stand that would promote growth in downtown.
- What kind of businesses do the City and the community want here? Do they want banks and salons? Because that is what the current code and environment perpetuates.
- Economics is what drives property owners. Retail tenants have other options and will take them, if there isn't space that works for them. Retailers need people, density, traffic flow and a pro growth environment.
- I have had comments from members of the City Council that indicate they do not understand economic drivers. The Councilmember didn't seem to understand that I would do a project if it made money and if the project did not make money, I would not take it on. This Councilmember said I could attract a superior retailer without two-way traffic which obviously proves a lack of knowledge and understanding.
- Good retail won't just come to downtown. We have to create a physical environment that works for retail. This means more density. The City really needs to understand that better.
- The City needs to look at uses and the impact of those uses. Development has to make sense economically, but that's just one part.
- The existing code is maddening.

- The City needs to apply consistency and common sense to its development planning.
- Would like to see the City offer some incentives – open space, greenery, etc – to obtain an additional floor height.
- Kirkland will never be a Bellevue or Seattle, there isn't enough space. And that's fine. We are geographically limited. We just need enough flexibility to make projects pencil. And given that you have to go down for parking because of the limited space, it would be at least nice to be able to go up one or two stories. Many projects can not go underground for parking due to the lake level.
- Kirkland has to think about its reputation and how the Downtown Strategic Plan is viewed by the development community. Is the City development-friendly and more importantly, is it perceived to be? Renton is seen regionally as being business friendly, they know and understand how to work with developers. In Kirkland that understanding is unclear and vague and many developers will steer clear of Kirkland until things are clearly changed.

City, Property Owners, and the Community

- In the last strategic planning process, our property lost a potential floor because of changes in zoning. In that process, a small group of residents were vocal about their feelings in downtown. We didn't get involved, and it's had an economic impact on our property. It is time we stand up for ourselves.
- The community thinks they own my property and should determine its uses. I have also found it interesting that the community feels they have a proprietary interest in my property.
- Parkplace will have fewer challenges developing than others in the downtown core because there isn't the same community ownership over that property.
- The City Council is oriented to the neighborhoods and their vision for downtown, but the residents don't shop or eat in downtown. I don't know how we can change anything unless the Council gets the message and stops being influenced by a small group of no-growthers. They just don't understand development or return on investment.
- There is definitely a "Lake and Central" effect. The City has not assured anyone that this won't happen again.
- The Council seems to be influenced by a small group of vocal people who do not understand what it takes to build a village.

Density to Create Vitality

- All downtowns are reliant upon density and this City discourages density. So businesses that rely on density are suffering. Businesses are turning over.
- The Council has to come to grips with the fact that it takes density to create vitality. Density will help create an economically viable, thriving, exciting downtown.
- Density is the key to increased vitality. The code is written to limit office and residential density.
- Density also requires height. It may also require an investment on the City's part for parking. They cannot put the whole burden on developers or it won't happen. Density won't kill the downtown.

Density will enhance it. Where are the City projects to create a parking garage? Where is the funding to get things done?

- We have heard of at least one group of vocal residents that want downtown building heights to be low. This is the formula for "killing" downtown and the property owners.

Development Agreements to Improve the Planning Process

- There should be a partnership between the City and property owners. The stage has not yet been set for that.
- For example, approval of the fourth and fifth floors comes very late in the process. And there is a lot of discretion being exercised by the DRB in making that decision.
- We would like clarity on development requirements otherwise property owners and developers will not even get started.
- City doesn't have a development agreement process in place. (Other cities do.) This is needed.

Parking and Access

- There are so many signs about parking as you come into town, but none of them make sense. Many of the signs at parking spots take three signs to define the parking rules. We have to clarify all of this for visitors.
- A concern is access in and out of Kirkland, which seems to be getting more and more difficult, in part because the City is cutting down the amount of lanes. Talking about increasing parking is great, but if people can't get here it doesn't matter. The traffic calming project on Central has resulted in increased gridlock, which is worse on nice days. I think we need the lanes back.
- I think the redoing of Central Avenue was a fiasco. It has taken traffic that comes west from the freeway and funneled it more slowly though town. This is an example where the needs of retailers and property Owners were not considered.
- The City needs to step up and play a role in expanding parking. You can't put 100% of the parking needs on the developers.

Central Avenue Traffic Calming. Based on these comments, Joe asked if any of the group believed the Central Way improvements were positive for downtown. Everyone agreed they were not. Everyone also agreed the financial investment did not benefit property owners in any way.

LakeShore Plaza at Marina Park

Property owners indicated that they generally did not support this project:

- This project does not make a lot of sense. If the project happens, the people who own the lower floors are looking into a parking lot so you will lose retail there. Also, they won't be able to go up in height because the City took away the third floor and the City won't get that many parking stalls in the end.

- I wonder if there is really any funding for this project. Again there is uncertainty with this project. As long as this and other projects are still on the books, no surrounding property owners can do any real planning with their properties due to this uncertainty.
- Again, the problem with the LakeShore Plaza project is uncertainty. No one will redevelop around that site as long as the City's actions are unclear, and pending.
- What is the purpose and goal for the project? It seems that it will only hurt surrounding businesses and discourage development.

What Property Owners Can Do: Working Together

- There is a vocal minority that has negatively impacted development by putting pressure on the City Council. We [property owners] could also stand up for our needs and be another vocal minority. The property owners speaking with a united voice is critical to economic vitality and viability for downtown Kirkland. I really think this is our opportunity to be heard.
- I think its time we became more active and vocal as a group about what we need. This seems like the perfect storm and we should continue following the Downtown Strategic Plan process and stay involved.
- Property owners need to give their feedback. We need to be the vocal minority. We should continue meeting and have a communications line to the City.
- We need a communication plan and we need to be getting in front of the Council. We should also be educating the Council about our needs.
- I think we need to outline a list of development principles that we would like to see. Development in the downtown needs to be a partnership and we can help set the stage for that.

NEXT STEPS

The property owners agreed to continue meeting. They agreed that it was important to provide input to the Downtown Strategic Plan and to work on a list of development principles. They also agreed to continue with support from Ellen Miller-Wolfe, the City's Economic Development Manager.

Joe thanked the group for their participation and commitment, and adjourned the meeting.

KIRKLAND DOWNTOWN STRATEGIC PLAN UPDATE

Attachment D: Condo Homeowners Association Meeting Summary

KIRKLAND DOWNTOWN STRATEGIC PLAN

Downtown Condominium Homeowners' Associations Leadership Meeting
September 5, 2007

Condominium Association Participants		DAC Attendees and Staff
Bea Nahon, Facilitator		Jeff Trager, Chair
Brezza Condominiums	Rich Miailovich & Dean Little	Jeff Cole
Kirkland Central	Marna Hanneman & Stanley Hill	Gary Harshman
Marina Heights	Jerry Ryles & Rob Sanfilippo	Jeremy McMahan (City staff)
Mariner Condominiums	Kenneth Coke	Glenn Peterson (also as a resident of Kensington House)
Pointe Overlook	Sandy Fredric	
Portsmith Condominiums	Rob Brown & Tami Moe	
Tiara de Lago	Lawrence Israel, Helga Simmons & Steve Maita	
Townhomes At Kirkland	Scott McClelland & Jessica Friedman	
Waterview Condominiums	Sarah Andeen & Thomas Jeyaseelan	
520 Sixth Avenue	Gerry Ostroff & Gary Edwards	
602 Fifth Avenue	Robert Pringle	

In addition, Mark Eliasen (Moss Bay Neighborhood Association) and Bruce Nahon (resident of Marina Heights) were in attendance.

WELCOME & INTRODUCTIONS

Bea Nahon welcomed the group and thanked them for participating. She asked attendees to introduce themselves and reviewed the purpose of the meeting. She noted the success of a recent downtown commercial property owners meeting and saw the need to provide the Downtown Advisory Committee with similar input from downtown condominium owners. To facilitate the discussion, she had invited the presidents and a representative of all of the downtown condominium associations in the CBD and adjacent WF zones.

Jeremy McMahan described the 2001 Downtown Strategic Plan (DSP) and reviewed work to date on that plan. He also discussed the process in place to update the plan and reviewed permitted and potential development projects in the downtown.

Jeff Trager, co-chair of the Downtown Advisory Committee (DAC) talked more about the process of updating the DSP and asked who has been involved in various types of public meetings. Many of the attendees had also attended the July 16th community meeting. He went on to describe the DAC representatives and their responsibilities to the group and to their constituencies. He noted that the project in the assessment stage now,

with analysis devoted to the mix of existing businesses, the sales performance of various business types, and what it takes to create a vibrant community. He discussed the importance of getting involved in the community and working with the City. He noted that the DAC has heard from the downtown commercial property owners and now wants to hear from downtown condominium owners to make sure they are included in the planning process for downtown.

RESOURCES FOR DOWNTOWN RESIDENTS

Mark Eliasen of the Moss Bay Neighborhood Association introduced himself and described the area of the neighborhood, which includes all of downtown. He described how the organization got started opposing a project near downtown and noted their goal of preserving the neighborhood character. He discussed their process of communicating with the City and with developers early in the process to learn about projects. He invited attendees to participate in the neighborhood associations and help get the word out. Mark went on to review various accomplishments of the Association and noted that City Council members always attend and listen. He noted that they do have clout, more so as a group than as individuals. Meetings are on the 3rd Mondays of odd months at Heritage Hall. He suggested that attendees visit their website at www.mossbay.org to learn more.

On behalf of Dick Beazell, who was unable to attend, Glenn Peterson discussed the role and activities of the Kirkland Downtown Association (KDA) as an organization composed of businesses, residents, property owners, restaurants, and others. The KDA sponsors various community events and programs like the Wednesday Market, the downtown flower pots, the 4th of July parade, the car show, and the "Weekend Starts on Thursday" promotion. Their offices are on Park Lane and staff includes Dick Beazell and Julie Metteer.

DISCUSSION OF STRATEGIES FOR DOWNTOWN KIRKLAND

Bea introduced discussion guide topics and got things started by stating that people choose to live in downtown Kirkland in downtown condos. She asked attendees to describe what it is that drove them to purchase here. Attendees responded:

- Everything is so convenient. The waterfront, 24 hour fitness, downtown is walkable
- Convenient by foot and for commuting just about anywhere. Central location near major freeways
- Safe at night, can walk downtown, not so in Seattle
- Small town feel, convenience. European character, shops and services are close and can do most on foot. Like the little stores and galleries. Can do most things by foot. Need more little stores where people can purchase things. Don't need any more real estate offices.
- European flair is attractive - hope core of downtown stays like that. We can lose that European flair if chain stores and the like come to downtown
- Many take buses, don't take cars. Downtown is user friendly

- Originally looked at downtown Bellevue, then ran screaming because liked European, less "corporate" feel of Kirkland
- Smaller feel, great "world class" restaurants, upscale, need more retailers to meet day to day needs. Likes idea of Amazon Fresh. Need to keep funkier retailers to meet day to day needs
- Waterfront access very generous, lots of parks, visual access to waterfront, no dominant buildings
- Small town feel with many local events like Taste, Concourse and the downtown car show. Hard to pull off similar events in Bellevue. Kirkland has smaller, more manageable events, and would like to have more
- Comparisons to Sausalito, like community feeling

ISSUES

The group then discussed issues that they encounter as downtown residents, including:

- Concerned about revolving door of small merchants., parking problems, trees growing up and blocking views, noise and bar scene. The City needs to be more attentive to needs of downtown residents
- The City needs to address parking on perimeter with pedestrian downtown
- Crime has increased dramatically – vandalism, break-in's, car theft, unpleasant things in Peter Kirk Park, graffiti, not a lot of patrolling in park. Two groups of problems - party goers and teen elements.
- A lot of outsiders can access the Park easily by bus, teen center users not the problem, but peripheral elements are
- City Council and City Manager don't believe that there is a police problem. Police officers comment that they don't have the resources. Need more police presence at the dock, Peter Kirk Park, and the Teen Union Building.
- Ground floor retail is forced on developer for extra story, creating stores that have no future
- The requirement for superior retail saddles developer and property owners. Most retail needs more than just foot traffic, need parking. As a property owner, have paid for two Local Improvement Districts for parking and now the City is collecting parking fees
- There is retail turn-over everywhere, Kirkland not unique
- Moved here for unique, funky downtown. Should get together and keep uniqueness.
- Retail does not need the higher ceilings required by the City. It just adds mass to buildings, makes space more expensive, and we lose unique retailers and affordable retail
- Regarding business turn-over – KDA economic development committee and downtown brokers try to make sure tenants have a business plan
- Heard that some retailers had to leave because rent was doubled and property owners wanted a five-year lease.

- In scheme of things, retail has not changed much. Turn-over and rents have not changed that much compared to other cities
- The Central Way traffic calming project is not working
- Arterials into town are congested and that constrains retail and restaurant
- Need better integration of Parkplace and core area. Maybe take more of the traffic and parking out of downtown and put it into Parkplace, make Park Lane a more pedestrian-oriented connection, and provide a shuttle to move people back and forth*
- Do not want big box stores in downtown.
- Have heard that businesses struggle to survive because rent is so high.
- If we can't get home after 3:00 p.m., how can people get in to shop.
- Don't understand the transit center on 3rd Street, nobody wants it there
- Bus routes and transit center- obstacle to connectivity.
- Success of Parkplace key to success of downtown*
- What Parkplace wants is in direct conflict with why we moved here – livability and small town feel*
- Common themes at the community meeting were creating linkages and providing destination retail (e.g. – Grape Choice – 80% of customers are repeat customers),
- Like to see the City have a tree pruning program, not cutting, just pruning to that 2-story height
- Trees are heaving sidewalk, messing up irrigation system. Offered to replace, at his cost, but the City would not let him
- Trees are another example of the City not listening
- Attitude that trees are nature and should not be touched. Downtown trees seem to be going wild, blocking the views of a view community.
- Downtown Kirkland needs to stay unique or it will be the same as everywhere else. This should be a regional destination.

* designates comments which were made subsequent to Jeff Cole's remarks about Parkplace as described below

During the course of the group discussion, DAC member Jeff Cole explained his experience with Parkplace as it relates to the retail issues discussed by the group. He noted that while retail in Parkplace struggles mightily, the restaurants do quite well. The problem with the national tenants is that they want an aggressive deal because they argue that they are a draw. However, unless Parkplace or downtown has a critical mass of retail that can take advantage of that draw, then they can't take advantage of it. To make successful retail come, it needs vehicles, parking, and density. He suggested that what would make retail work in Kirkland is to stop the leakage by creating adequate retail sizes (e.g. 2,400 square foot spaces rather than little awkward spaces) and providing parking.

Jeff outlined the Parkplace redevelopment proposal being put forward by Touchstone.

VISION

Bea asked attendees to describe their vision for the perfect downtown. Ideas from the group included:

- Kirkland is a mish mash of signs and storefronts. Some communities like Leavenworth identified a unifying theme. Maybe we should consider a unifying design theme, particularly on the waterfront
- Lakeshore Plaza project needs to be brought back to bring people up from the water into the community. Like the Concourse idea from the waterfront to Parkplace
- Why not take advantage of strengths and use concerts, galleries, the KPC, and the new hotel to turn downtown into a destination art venue
- Like Shuttle idea – park your car on the perimeter and walk around downtown. Might be more important in 10 years with green initiatives, pollution issues.
- Although opposed the development at Lake & Central, still feel that the 2001 DSP is an excellent plan and the 5 guiding principles are still relevant. The issue is that the DSP has been open to interpretation.. My vision very much echos those principles, but need more specificity.
- Can't do any of these things unless parking and traffic is solved. Otherwise can't be livable
- We probably spend 90% of our money outside of Kirkland, how do we turn that around?
- If you want downtown residents to shop in downtown, need to create retail that provides the things that people want
- Don't destroy what we have – there is a reason that Google etc. seek Kirkland. Keep the scale down to the water.
- Save the little core with short buildings. If we don't want people to go to Bellevue, we have our own mall in Totem Lake to serve that retail demand without doing it in our downtown
- The City needs to listen to the residents, and it could be a win-win
- We want to accentuate the natural beauty.

CONCLUSIONS

Bea explained that the DAC has received disparate input about density downtown – some commenters assert a need for more density to achieve economic critical mass to whereas other commenters assert that there is sufficient density and that there should not be any more condominiums downtown. She asked attendees for their opinion on condominium density. Eight attendees thought the density of condos in downtown was just right, three attendees think there are already too many condominiums, and no attendees thought that there were not enough condominiums. Bea then asked for opinions on building heights in the downtown, but withdrew the question when it was clear that attendees did not all understand existing height rules as to feet, stories, mix of housing/retail/office, etc.

NEXT STEPS

Bea summarized the meeting, encouraged attendees to stay involved, and encouraged better communications with City of Kirkland. She noted that there are challenges to provide outreach to condominium leadership and residents, because of the hesitance of some managing agents to act as conduits of information and because individual condominium residents do not receive City utility bills (which is a commonly used method of postal delivery of information from the city). Accordingly, it is important for the condominium leadership to stay involved, sign up for city e-mail lists, etc. and to encourage their residents to do the same. Sarah Andeen offered to take the e-mail list of condominium leadership that Bea had assembled and create a listserve of downtown condos association boards as a way to communicate and to exchange ideas. Attendees all agreed that there was a need for that.

Other associations

For the record, it should be noted that Bea also sent invitations to the following associations which either were not able to send a representative, or which did not respond:

Boulevard
French Quarter
Moss Bay
Park Avenue
Park 34
Plaza on State
Soho

KIRKLAND DOWNTOWN STRATEGIC PLAN UPDATE

Attachment E: Online Community Survey Results

KIRKLAND DOWNTOWN STRATEGIC PLAN ONLINE SURVEY RESULTS

August 13, 2007

From July 5th to July 31st, 2007, the city posted on online survey on the main page of the City's website. The survey was timed to support the July 16, 2007 Community Meeting by providing additional opportunities for public comment both before and after that forum. The community was notified of the survey availability via the City webpage, the project listserve electronic newsletter, the City's Neighborhood e-bulletin, the Kirkland Downtown Association and Chamber of Commerce weekly electronic newletters, and the Eastside Digest column of the Seattle Times. The City received 47 electronic survey responses and one general e-mail comment in this time period. Survey responses were anonymous.

Survey participants were asked for their responses to three prompts:

1. ***The most important thing to me about downtown Kirkland is _____.***
2. ***What would make downtown Kirkland a better place is _____.***
3. ***A question I have about the future of downtown is _____.***

Results are reported below. Key themes that emerge from survey responses are those related to access (both pedestrian and automotive), the waterfront, scale, retail, and community character. In the "questions about the future category", another theme emerged around the community vision for downtown.

SECTION I – Responses by Survey Prompt

MOST IMPORTANT THING:

Access:

Pedestrian:

- Access to Lake Washington.
- That it is a good transportation to other locations and I can get there by bus. Also that it be a comfortable place to walk around and bike to.
- Walking friendly.
- The walkability
- The pedestrian friendly environment.
- Walking to enjoy the waterfront, restaurants, art galleries, and movie theater.
- Pedestrian friendly
- The walkability aspect of town.
- Walkability. Open spaces that have a connection for community.

- Its development as a pedestrian-friendly city with fun things to do and places to live
- The walkability and access to the waterfront
- Easy access for pedestrians/bikers.
- Proximity to Lake Washington and walkability.
- Ability to walk and integration with the water.
- Making it more accessible to get there without a car, and increasing the area that is zoned like the downtown area.
- Very safe and friendly for peds.

Automobile:

- I really love downtown the way it is right now, except that parking is a pain.
- It will be accessible to all Kirkland residents and visitors. Until Metro expands bus service, people get here primarily by car. I hope the city will partner with a new development and create an underground parking garage in or near downtown core. The cities I visit with free underground parking make it easy and convenient for me to shop. I happen to live in downtown Kirkland so I walk downtown all the time. But it is a pain for people to visit me.
- User friendly, i.e. low cost or no cost ample parking, provides for a good cross section of businesses, therefore there should be adequate space, which includes being able to go vertical.
- Access to parking, parks, beaches, restaurants, shops.

General:

- Its convenience.
- An ability to access the businesses with convenience.
- Its convenience.

Waterfront:

- ...its proximity to Lake Washington and the ease with which the lake can be accessed. It feels like a small, easy-going community, a welcome relief from Bellevue and Seattle.
- The waterfront.
- Public access to waterfront
- Access to, and views of, the waterfront!
- The waterfront.
- Access to the water.
- The beauty of the lakefront and park areas.
- Inviting waterfront.
- Keeping it unique, preserving the waterfront, and improving pedestrian and bike friendliness.
- The Water front park and Peter Kirk Park are two vital parts of the down town that you do not see in most towns around.
- Connection to the lake and open, light feeling makes me want to linger.

Scale:

- Limit the growth of multiple story buildings, by keeping the number of condominiums down.
- Low profile buildings (lower building heights that allow more visible sky to those walking along the streets.)
- Keeping the downtown building levels at one story. This will keep the views of the sky water, and trees. This will keep the downtown core a place where people like to "hang out."
- The openness provided by the pedestrian-scale (low) building heights along Lake Street, Park Lane, and Central Way add to the appeal.
- The low height requirements.
- Low rise, small town feel
- The small town nature of the city ... the fact that it is not full of high-rise buildings (with the exception of the eye-sore Portsmith).
- The relatively low buildings giving small town rather than city/urban feel.

Retail:

- Availability of outstanding restaurants.
- Vibrant and diverse restaurants.
- Interesting shops, great restaurants.
- I enjoy the restaurants mostly, but I like the idea of the diversity of businesses that have sprung up downtown.
- The interesting quality of the shops. Not just cookie cutter.
- Having businesses that serve nearby Kirkland residents. WE don't need any more beauty salons, banks, or boutique clothing stores.
- I live downtown, the most important things to me are the QFC, the pharmacy in the QFC, the library, and the transit center.

Character:

- Keeping the downtown core vibrant and family friendly. There seems to be a teetering balance between the 20-something bar scene and activities that kids can participate in.
- Family friendly.
- It is vibrant
- Safety - keep patrols around the teen center and especially the transit center. Too many drug addicts/criminals down there! Also, too many bars and drunks that frequent the
- Living in an environmentally sustainable, people and family friendly, safe, mixed and vibrant community.
- The trees and the recreational amenities.
- Its quaintness, give some tax concessions to first class men stores maybe drug stores otherwise its pretty nice the way it is.
- Small town character such as the 4th of July parade events.
- The library and Peter Kirk park area.

- The small town feel. Please let us not lose the feel.
- Keeping the "small town" atmosphere.
- Keeping the character outlined in the vision above - diverse, pedestrian friendly, etc, at least for the two blocks closest to the water. In other words, start at the water and head two or three blocks east
- A small town feeling. Feeling welcome. Not feeling as if its just about growing "business".
- A good "style". That means more buildings in eccentric colors, shapes. We need to ensure that we keep Kirkland from becoming more of "suburbia" (like parts of Redmond and Bellevue), but build on what is truly unique: the views, the lake, the arts, the parks, the fact that we are actually so small so most people SHOULD be able to walk to downtown from ANY part of town (it is no more than 30-45 minutes)
- Small & green enough to be peaceful, big enough to be interesting.
- Like the music and art related activities.
- The concentrated core of shops, restaurants, galleries, library, pool, etc.
- The city is doing a good job with flowers, parks, etc.

WHAT WOULD MAKE DOWNTOWN BETTER

Access:

Pedestrian:

- Repair and widening of sidewalks.
- Enforcement of pedestrian crossings. This is absolutely not being done.
- Blocking of flow of through traffic through the center of town.
- More availability for parking and free parking.
- A few more bike racks would be a good way to encourage the city's goal of healthy citizens.
- Keeping it pedestrian friendly.
- Wider sidewalks / paths down Lake St towards Carillon Point. Bike lane down entire length?
- Get rid of traffic. Would love to see a pedestrian only block or two.
- Improve pedestrian access and space (wider sidewalks along waterfront!)
- Pedestrian only access between Central, Lake, 1st Street (Portsmith) and 3rd Ave. The new parking garages, along with the library parking and the new parking planned for Park Place, would provide a parking and entry point to this pedestrian only area.
- Make it more pedestrian-friendly by increasing the number of cross-walks along State Street. There are none between 2nd Ave S and 7th Ave S, whereas Lakeview has many more. Also improve State St's lighting. Also the northbound bus stop in the 100 block of State St should be reinstated now that construction allows it.

- Better pedestrian connections uphill and into residential areas. Feel like I have to walk through a lot of blank space to get from the library to the downtown area, though that's probably not true. Landscaping etc. to help add interest or friendliness where you walk by parking lots or other utilitarian stuff would make it feel less onerous. I like what you did with Central Way bump-outs etc.!
- Access to the water. Easy access for pedestrians/bikers.
- Improve the sidewalk along the lake into a promenade with art and landscaping like they have in many Canadian cities such as Vancouver or even Nanaimo.
- Establish intermodal rail/bus stops at the South Kirkland P&R, off of 85th/Kirkland Ave, and in Totem Lake. Also create an inexpensive way to help people go from the intermodal stop off of 85th towards the water, perhaps following the current pedestrian route.
- I live on Rose Hill, and it feels pretty dangerous to walk to downtown. You should try it sometime.
- Something that ties Parkplace with the rest of downtown

Automobile:

- Improved parking (perhaps underground / out of sight somehow)
- Put in a parking structure under Peter Kirk Park.
- More parking.
- Get rid of the traffic calming circles, they cause more harm than good. Or shrink the circles to widen the lane area around them, so cars can get by without coming so close to the opposing traffic.
- Less commute traffic; regular traffic isn't an issue
- I see tremendous pressure by real estate people to develop downtown. We add several minutes each year, on to the "Kirkland Crawl". Put the high-rise city of Kirkland at Totem Lake where it's connected to the freeway.
- No parking fees. Even though I live in Houghton, I hadn't been back to the Cactus Restaurant since I received two $20 parking tickets. I had joined two friends, who parked in front of the Cactus a couple years ago. I parked around the corner at around 5 p.m. Not familiar with the restrictions, I arrived back to my car at 7 p.m. and found $40 worth of parking tickets. I haven’t' been back to that restaurant since due to the harsh parking fees.
- Parking garages (set into hillsides) at the sites across the street from 3rd Floor Fish Cafe and on the north side of Central Way where the Christmas Store used to be. The sites both need pedestrian overpasses and could be up to four stories of parking if the top level is left uncovered with planter boxes. Also a decent hill climb with benches and a water feature leading to the Market and Norkirk Neighborhoods next to the (new) Central Ave. parking garage (where that REALLY steep parking lot is now.
- A by-pass route for commuters skipping the freeway congestion.
- Less bus service. Moving the bus service a little farther north would cut down on noise and also safer for pedestrians.
- Free parking. Keep the free parking there is and make more. If I'm going to pay for parking, I might as well go to Seattle. If I can't get free parking here, why

wouldn't I just go to Bellevue and enjoy all the amenities there - with free parking?

Waterfront:

- More of public access waterfront
- Increase access to, and views of, the waterfront.
- Buy up waterfront properties and convert them to public open space!
- I think Marina Park needs to get bigger, it's getting crowded. I'm favorable towards marina park lid to get more park plaza above and keep parking below if we can make it work.
- Totally redoing the entire Marina Park block including ALL the buildings from Central Way to Kirkland Ave and having something that actually works for the people, businesses and visitors.
- Better integration of the Lake with the nearby businesses.

Scale:

- Making sure there's no high-rise construction that would block the views of or access to the lake, especially in the core downtown area (the area near the Central Way and Lake Street intersection)
- Keep it low rise, to minimize the big city, tunnels-with-no-sun, and over congested feel. Less density!
- Refuse to permit high rises!
- Refuse to give in to state pressure to overcrowd our downtown. The GMA is mistaken! Higher density downtown will NOT create less urban sprawl or less downtown traffic!
- Keep the buildings small ... do NOT increase the height limits.
- I don't mind two story buildings being built. I would even live with three or four story buildings being built if we step them back wedding cake style.
- Get rid of the antique store that wastes so much space or subsume it within a multi story development
- Keep development at a scale consistent with what is already in the downtown core. Resist temptation to relax height limit codes, encourage creative design of buildings that synthesizes natural beauty with buildings (for instance, beautiful Montreux, Switzerland on Lake Geneva has lakefront promenade and beautiful buildings that get smaller as they get taller and have trailing plantings growing down their sides. very lovely and diminishes the urban sterile feel of higher buildings. Make sure that development is people centered, not only based on increasing tax base.
- Completely redo the area between Central and Kirkland Ave and between Lake Street & 3rd. Create a cohesive design with multi stories, gathering places, that is more pedestrian friendly, more protected, but less dark than the current corridor e. Implement a themed theater festival with venues at the current theater, an outside venue at Waverly Park and perhaps a third venue.
- St. John’s consolidated their lots into 1 lot as far as I know. Consider running 4 story zone over to State?

- Continuing to extend the mixed-use zoning (commercial street-front with residential above) to more areas of the City, extending the walkable downtown area.
- I was terribly disappointed in the council for not going forward with the Lake and Central development, to leave that corner a parking lot was a huge mistake. I look at the buildings in down town and they are very "tired". I do not see why two stories would not work. Look at the redevelopment in down town Lake Oswego, I think it has helped in making that town a better place. Believe me I love Kirkland, it just needs a bit of a face lift.

Retail:

- Improved retail and more office space to use it.
- Improved shopping opportunities.
- More interesting and useful shopping sites.
- Encouraging small businesses and shops to come to and get established in the area.
- Bars/clubs/restaurants which attract a more sophisticated and mature crowd and less tolerance for "dive" bars pulling in immature (if not under-age) drunken kids that vandalize the town and create noise nuisances at bar closing time.
- Keeping the "big box stores" out of downtown but supporting their growth in the Totem Lake Mall area.
- Some stores that are useful like a hardware store. Less galleries.
- More retail variety! We need shops with affordable children's clothing, shoe stores, a drug store. I'd prefer to spend my retail dollar in Kirkland, not Bellevue and Redmond.
- A better grocery store
- Retail that appeals to a more diverse audience; maybe some affordable clothes for women (Something other than over-the-top designer and consignment)
- Less turnover of businesses, an increase in the number of galleries (we've lost so many in the last 5 years), and more free parking
- A wider variety of shops...with all the boats coming here, what about a nautical theme shop? A Christmas shop (ornaments)? A toy store with stuffed animals?
- Improved retail and more office space to use it.
- Make it possible to meet most of my shopping needs without having to leave downtown.
- We need downtown shops that stay open a few weeknights or weekend nights. I work 9-5 p.m. weekdays and can't start seriously shopping until after 6:30 p.m. or Saturdays so it limits my local shopping. I'd love more basic household stores like a hardware store.
- We need at least two good sized grocery stores close to downtown, what currently is available is inadequate and of poor quality. Along with at least two large fitness facilities in the downtown core. A place to go to shop, be entertained, work out, and rest, instead of going to downtown Bellevue or Redmond.
- More shopping, restaurants and services, and a sincere effort to keep the place clean, especially in the summer, especially in the parks and along the waterfront.

- Downtown also need to see a bit more of "long term/lower rent" tenants. The galleries and the upscale shops are great, but they come and go. The rents are simply too high for most businesses to endure in the newer construction. Property owners should take more of a "community" approach and look towards tenants that might not be paying as much per month, but their businesses (anchored in the community) would be more stable and hence better in the long term. What is now lost in empty spaces could easily be made up by keeping commercial space occupied all the time.
- What businesses could we need? A baker. Florist. Independent coffee shops. Family eatery (not a trendy spot). PC/electronics repair store. Cobbler. Small thrift shop. Store front for non-profits. Just look to Capitol Hill to get a better "neighborhood" feel. The truth is, and that was made vocal during the annexation forums, there are MANY residents who never shop in downtown Kirkland (apart from their java) since there is nothing that they are looking for. Many can not afford the restaurants, and are not interested in the bar scene.
- A stronger effort from the bar owners to keep the "scum" out of Kirkland would help as well. Be it residents, or visitors, those who can not behave at our bars, should be taken to the "city line" and not welcome back. Well, maybe a bit harsh, but there's still some rowdiness in Kirkland.
- More every day retail. There are no decent bookstores, newstands, drug stores and way too many hair/nail stores, banks and other limited use stores.
- A cool indoor market that would be run all the time would be great. The Antique Mall would be a perfect place.
- More mixed use developments like Kirkland Central, but with stores providing what residents want to buy daily.
- Create something similar to the Third Place books environment in Kenmore, on the site of the Lake Street parking area/US Bank property with a gathering place, lectures, activities, retail and perhaps even multi family residential
- Rent control of retail in downtown Kirkland to slow turnover of retail and build a better mix and balance of shops
- I would hope that the future of Downtown would create a better shopping district in town. New businesses have come in and that is good but a wider variety would be great.
- Diversity of property ownership so that all available space is not held in the hands of a few individuals.

Character:

- Please keep Kirkland small. We chose Kirkland as a place to live because it was a small town in a larger suburban area. I was disappointed to hear that the annexation was a real possibility.
- More art!
- Continue smart growth of the core.
- Less condos and apartments.
- No more condos!

- More development of the areas between Parkplace and Downtown, and very importantly, to me, is to clean up and develop the industrial area - 87th street starting at the Highlands and going down. It seems like this could become residential or some other use. It's really junky looking.
- Newer, nicer buildings. Please remove that old antique store by the bus stop. It's an eye sore.
- Should Kirkland have a "theme"? A "mascot" i.e. Kangaroo??
- More places to hang out in the evenings. Walking is nice in the summer but somewhere to go AFTER dinner in the winter would be good.
- Garbage cans so the city can be kept clean (since there still are those who thinks it is "alright" to drop wrappers/cigarettes everywhere)
- A good "style". That means more buildings in eccentric colors, shapes. We need to ensure that we keep Kirkland from becoming more of "suburbia" (like parts of Redmond and Bellevue), but build on what is truly unique: the views, the lake, the arts, the parks, the fact that we are actually so small so most people SHOULD be able to walk to downtown from ANY part of town (it is no more than 30-45 minutes)
- Replicate the good points about downtown Kirkland to Juanita and Totem Lake areas as they continue to develop, creating other attractive "downtown cores" that can attract people and be "third places" that have their own unique character and attraction.
- Keep protecting and acquiring parkland, open spaces.
- Try and leave it basically like it is
- Parkplace center as a pedestrian area with parking on the perimeter, garage or underground. Definitely no high rises along the water. Further up by park place would be fine.
- Take the "bank parking" (corner of Lake Street and Central and make it into a European style "piazza", or a "Grand Place", or "Plaza Major". Yes, we'll lose some parking spots, but they can easily be regained in nearby neighborhoods (once again, short walking distance, if we even need them). A properly designed plaza should have a central water feature, benches and areas where you actually can sit down and relax, get out of the sun in the summer, and meet people at the same time. Merchants will likely oppose this initially (loss of parking), but the mere fact that a "plaza" will allow for more people to "hang around" more and longer, should easily make up for the eventual (and short term) impact of a few lost parking stalls (67 stalls if I remember).
- A clear vision for the highest and best PUBLIC use of the SE corner of Lake St. and Central.

Other:

- More comfortable, safer streets at night after 9 PM.
- Enforcement of noise control ordinances, with emphasis on motorcycles and nightclubs.
- More police presence.
- Also, enforce scoop laws south along lake wa blvd.

- Downtown would also be better if we got a better grip over the boaters. I own a boat, but far too many are now "guest" moored there longer than is permitted. They just "swap" spots with friends and hence they get a new 72 hour period, while locking us out, looking for a spot to tie up to during a few short hours. KPD and KC Sheriff also need to duly enforce existing noise ordinances when it comes to boats. "Open pipes" is loud and obnoxious, and disturbing the peace and beauty the lake provides + give most responsible boaters a bad and undeserved rap.
- Garbage cans so the city can be kept clean (since there still are those who thinks it is "alright" to drop wrappers/cigarettes everywhere)
- Redevelopment of Parkplace.
- The city has a plan for KTUB and the Senior Center to grow in place. I want to see them grow and perhaps be part of the Parkplace redevelopment.
- Slow down tearing down of smaller homes and replacing with huge McMansions with nearly zero setback. (create zoning that prevents this)

QUESTION ABOUT THE FUTURE OF DOWNTOWN

Access:

Pedestrian:

- How can we encourage more folks to leave their cars behind and ride the bus or bike to downtown?
- When will we address pedestrian pathways from other parts of Kirkland into downtown?
- Kirkland is easy to walk around once you are there, parking is hard and traffic can be bad. How can we make it easier for people to use mass transit?

Automobile:

- ...where will people park? Parking seems pretty well maxed out in the core area, and any kind of high-rise parking garage would not be in keeping with the feel of the community. Remote parking with a shuttle bus system maybe? Underground parking? In any case, discouraging cars and encouraging walking and some kind of shuttle system will help maintain Kirkland's "Sausalito feel."
- How will the traffic from all the additional building and development be handled?
- How is the four-way stop by the library going to be improved?
- Will there be more than one public parking garage?
- Will the city build a free, underground municipal parking garage in or near downtown to encourage shoppers to stay and spend money? Can the city partner with downtown merchants to build a bigger underground parking garage when one of the new downtown buildings is built?
- What's with 1 lane on Central Avenue? Seems like a great idea to create more congestion. Most cities in this country look to expand lanes since cars are 96% of the means of transportation of the citizens, not busses!

- How is it going to handle the traffic generated by all the new housing?
- How are we going to handle the increase in traffic? Can we have a more consistent/better bus route configuration for within Kirkland city limits?
- Could we build, modify or designate a route as a "bypass" for through traffic and make the central corridor pedestrian only? (Probably a little late and a lot expensive and just shifts the impacts elsewhere. The current "one-laning" approach effectively shuts out through traffic, except for the truly patient drivers.)
- Is the narrowing of Central really a good thing? The additional traffic congestion caused by this move is disheartening. Heavier traffic is not pedestrian friendly either.

Waterfront:

- Are there any plans to purchase privately owned waterfront?
- What will the Marina Park lid look like and can it be fair to street level merchants?
- How to keep and enhance the waterfront with the series of parks- what steps do we have in place so that it doesn't become condo-city and block the view along the water- like the big fancy condo as you approach Houghton beach park?

Scale:

- Will the City begin to restrict the volume of multi-family development? There seems to be no end in sight to the number of large commercial/residential developments that seem to be eating up the downtown corridor.
- Who really drives the vision for downtown Kirkland? I sense there is a real disconnect between what the people who live in Kirkland want and what developers and certain Kirkland council members want (multi story downtown).
- How do citizens get involved and give our input about building height restrictions? I am concerned that even when height restrictions are set, the developers are able to cut deals with the city so that a four story building turns into a five story building because there is retail on the ground floor. I think four should mean four!
- Can we keep height and/or scale restrictions so we don't get the dark canyon effect and block the lake?

Retail:

- Will it retain the eclectic nature or begin to have the "big box" franchise feel?
- Will Kirkland turn into another Bellevue with no character? (Hope not) Will Kirkland turn into another Fremont renovation (building height growth) disaster which changed its "feel" for the worse?
- Could Kirkland get more quirky places to eat and drink like getting Hale's Ales to come back to open another store in Kirkland or get a McMinamins pub to take over a place?
- Is there a way to calm rent fees and rate of increases so the turn over of retail shops slows? The turnover is disheartening.

Character:

- Will Kirkland keep its small town character or sell out to the county and developers via annexation and relaxed building restrictions?
- Do we want to be a destination point or do we want to figure out how to get our downtown residents to support and use the downtown?
- Can we keep it from becoming a Lincoln Center feel? I guess I see Kirkland as being more like Half Moon Bay, than downtown Bellevue. However, I'm completely in favor of higher rise buildings at Park Place and between Park Place and downtown, such as the Heathman Hotel development. I like that.
- How will we address the dirge of incoming people and how will we be able to keep the same quality of life?
- How well it will survive and grow to keep the young crowd living downtown with all the new condos? Want the young crowd - not the second home people.
- Is it possible to maintain and provide more affordable housing to promote economic diversity within our community in spite of the high land values?
- Is it possible to allow development while still maintaining the small town atmosphere?

Vision:

- Will we be able to agree on and execute a real creative "out-of-the-box" solution?
- Can we really reach agreement on our long-term vision/image for Kirkland? What is our motto? How about leaving future generations a better city than the one we now enjoy." Or something like that...If we can truly agree on a motto, the rest is implementation.
- How will the powers that be keep "in touch" with keeping the vitality in the city, and not approve more "assisting living" housing which does not bring vitality rather the opposite?
- Why can't our city council, along with our community get its act together and get us moving forward in a timely fashion? Look at the growth the City of Bellevue has going on (along I do not want Kirkland to be like Bellevue), they do get things done.
- How much "real" power does the city really have in shaping our future? Or, are we really in the hands of the "gracious" developers?
- Why does Kirkland city government allow small groups of vocal dissenters to come late to the party to influence development decisions? Not only are these people selfish NIMBY's, but they also don't speak up during the planning process when decisions are properly made. Planning becomes almost futile when the city council listens to these people. The same applies to some businesses (i.e., Honda on 85th).
- Do the citizens of Kirkland really want the city to prosper, or do they want things to stay where they are, with the emphasis on lowest tax structure in the area, no highrises to block views, and no developments that will increase taxes?

Other:

- Why do the residents of Kirkland not have a vote on the annexation issue?

- How would the proposed annexation affect the future of downtown Kirkland? No to annexation!
- I've heard that Park Place is up for redevelopment and plans are slowly being considered. I would be interested to know how this fits in the future development of Kirkland.
- Does the city have a plan for KTUB and Senior Center to grow in the downtown area? Will they be a part of Park Place redevelopment? Will the Park Place redevelopment or downtown development have more community rooms for park and rec classes and public rental?
- Are we going to get more law enforcement to discourage the late night vandals and round-the-clock stop sign-runners? A few well-publicized heavy fines would work wonders but nobody ever hears about anyone being caught.

KIRKLAND DOWNTOWN STRATEGIC PLAN UPDATE

Attachment F: Market Analysis

KIRKLAND DOWNTOWN STRATEGIC PLAN UPDATE

Quantitative Market Analysis

KIRKLAND DOWNTOWN STRATEGIC PLAN

Market Analysis Summary: Part I

Note: Additional "Part II" material will be provided at the August 23, 2007 DAC Meeting.

1.0 INVENTORY OF RETAIL AND OFFICE SPACE

Exhibit 1
Retail and Office Square Footage in Kirkland, 2005

	Retail Space		Office Space	
Retail Area	**Gross SF**	**% of Total**	**Gross SF**	**% of Total**
Downtown	365,915	13%	133,922	3%
Park Place	117,834	4%	609,870	12%
Rose Hill Business District	462,779	17%	123,952	2%
Totem Lake	1,264,456	46%	1,555,902	31%
Juanita Village	251,796	9%	109,195	2%
Houghton Market	106,867	4%	86,278	2%
Bridle Trails	99,782	4%	2,854	0%
Other	67,126	2%	2,385,902	48%
Total Downtown/Park Place	**483,749**	**18%**	**743,792**	**15%**
Total all Areas	**2,736,554**	**100%**	**5,007,875**	**100%**

Source: King County Assessors Office, 2005

- Downtown Kirkland has over 350K SF of retail space (about 13% of the City's inventory) and Park Place adds an additional 100K SF.
- For office space, Park Place has a larger share of inventory (about 600K SF) with Downtown adding another 130K SF.
- Most of the retail and office space in Downtown Kirkland is found in smaller scale buildings.
- The largest concentration of retail space in Kirkland is in the Totem Lake area and the majority of office space is located in Totem Lake, Carillon Point, and at the 520 interchange.
- An additional 45K SF of office and 81K SF of retail space has been permitted in the Downtown area.

Exhibit 2
Kirkland Commercial Centers, Retail Square Footage, and Zoning

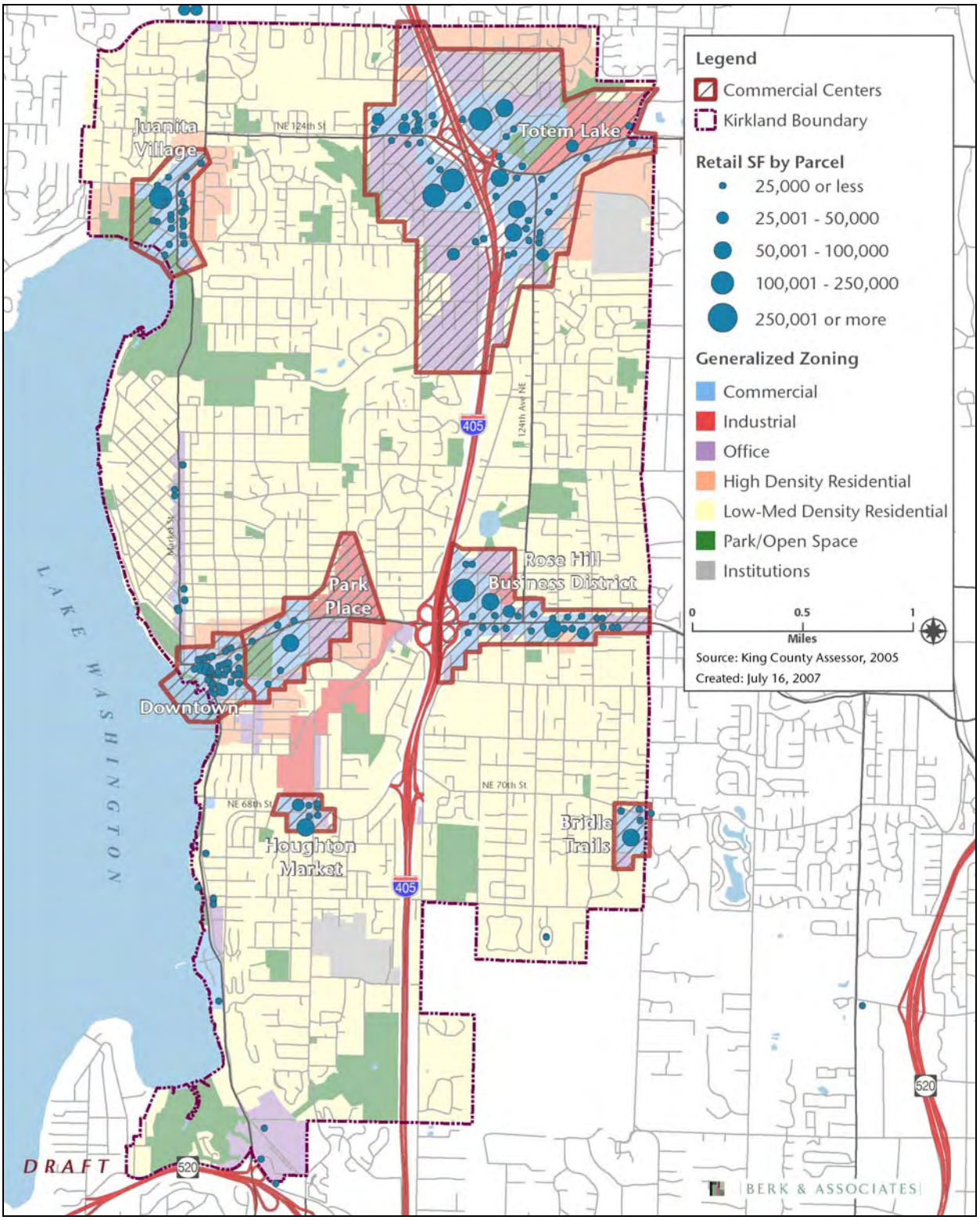
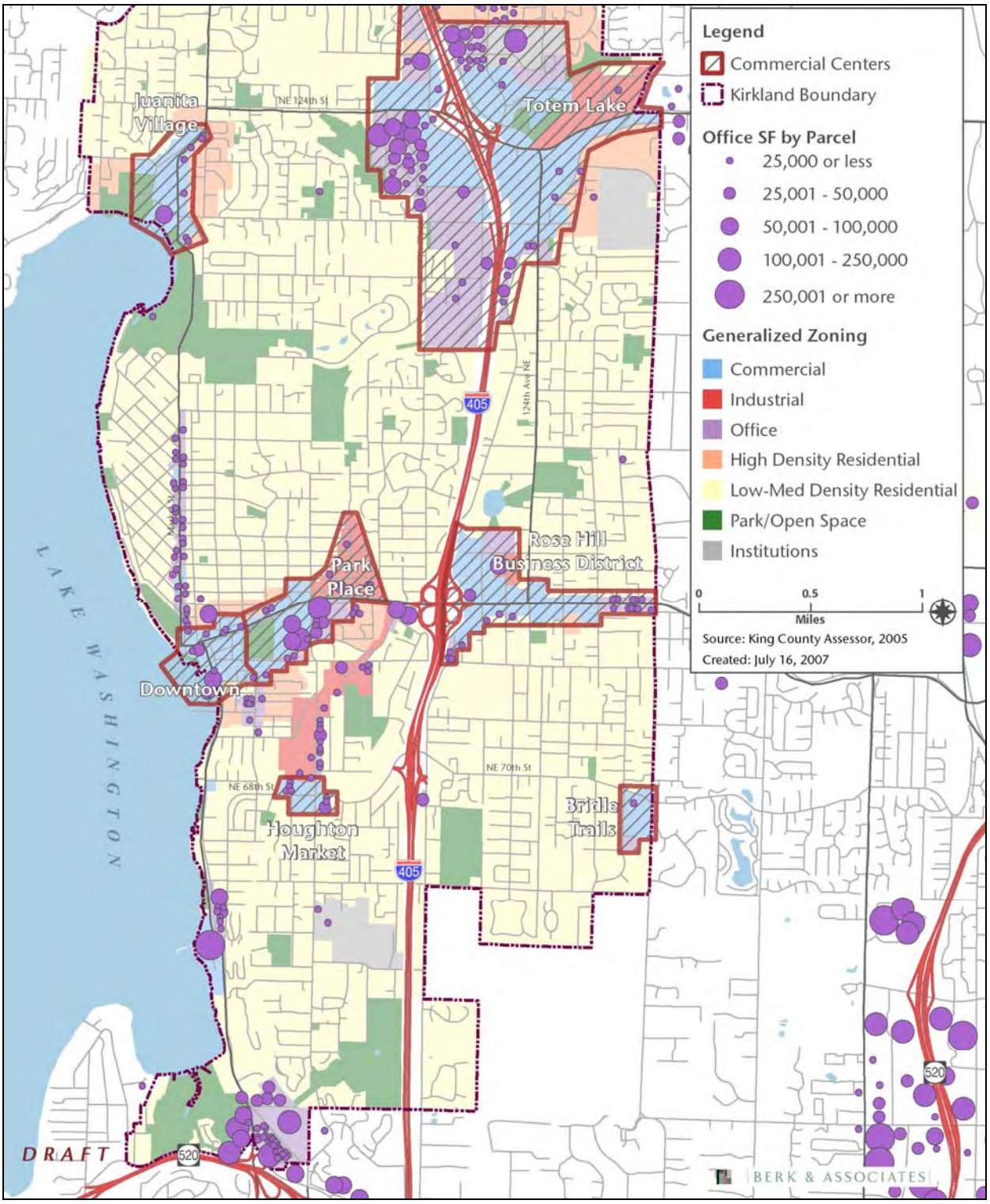


Exhibit 3
Kirkland Commercial Centers, Office Square Footage, and Zoning



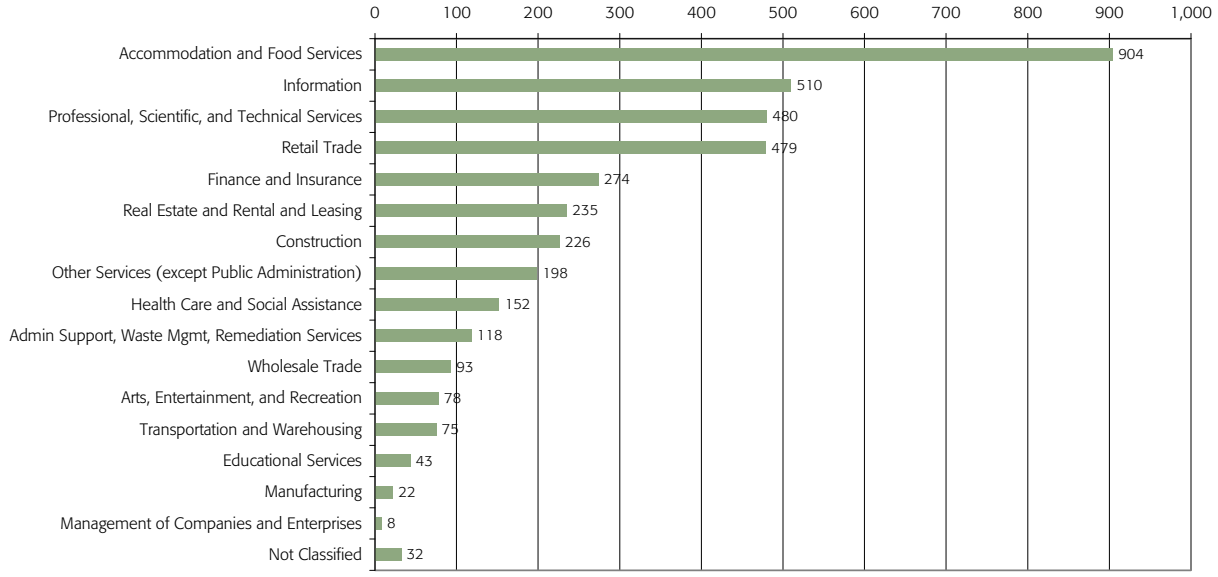
2.0 BUSINESS LICENSE DATA

Exhibit 4
Employment and Count of Downtown Kirkland Businesses by Industry, 2007

2-Digit NAICS Code	Industry Description	Number of Businesses	Total Employees	% of Total Employment	Avg Employees per Business
72	Accommodation and Food Services	61	904	23%	15
51	Information	13	510	13%	39
54	Professional, Scientific, and Technical Services	103	480	12%	5
44-45	Retail Trade	96	479	12%	5
52	Finance and Insurance	50	274	7%	5
53	Real Estate and Rental and Leasing	38	235	6%	6
23	Construction	25	226	6%	9
81	Other Services (except Public Administration)	88	198	5%	2
62	Health Care and Social Assistance	52	152	4%	3
56	Admin Support, Waste Mgmt, Remediation Services	24	118	3%	5
42	Wholesale Trade	10	93	2%	9
71	Arts, Entertainment, and Recreation	14	78	2%	6
48-49	Transportation and Warehousing	4	75	2%	19
61	Educational Services	6	43	1%	7
31-33	Manufacturing	6	22	1%	4
55	Management of Companies and Enterprises	5	8	0%	2
00	Not Classified	19	32	1%	2
	Total all Industries	**614**	**3,927**	**100%**	**6**

Source: City of Kirkland Business License Database, 2007

Exhibit 5
Total Employment of Downtown Kirkland Businesses by Industry, 2007



Source: City of Kirkland Business License Database, 2007

Exhibit 6
Downtown/Park Place Business Counts and Total Employment by Business Size, 2007

Size of Business (# of Employees)	Number of Businesses	% of All Businesses	Total Employees	% of Total Employment
5 or less	483	79%	975	25%
6-10	55	9%	421	11%
11-25	45	7%	752	19%
26-50	15	2%	508	13%
51-100	12	2%	802	20%
100 or more	4	1%	469	12%
Total	**614**	**100%**	**3,927**	**100%**

Source: City of Kirkland Business License Database, 2007

- 41% of employees in Downtown/Park Place are in the services industries (NAICS codes 51-56); 23% are in food services; and 17% are in Retail.
- **Exhibit 6** shows that 88% of Downtown/Park Place businesses are small businesses with ten or fewer employees.
- The larger businesses are primarily found in the Information Services and Full-Service Restaurant categories.

Additional Materials to be Presented at August 23 DAC Meeting

- Summary statistics on Downtown Kirkland retail and office space rents and vacancy rates.
- Taxable retail sales data
- Additional business license data – more detail on NAICS sub-categories

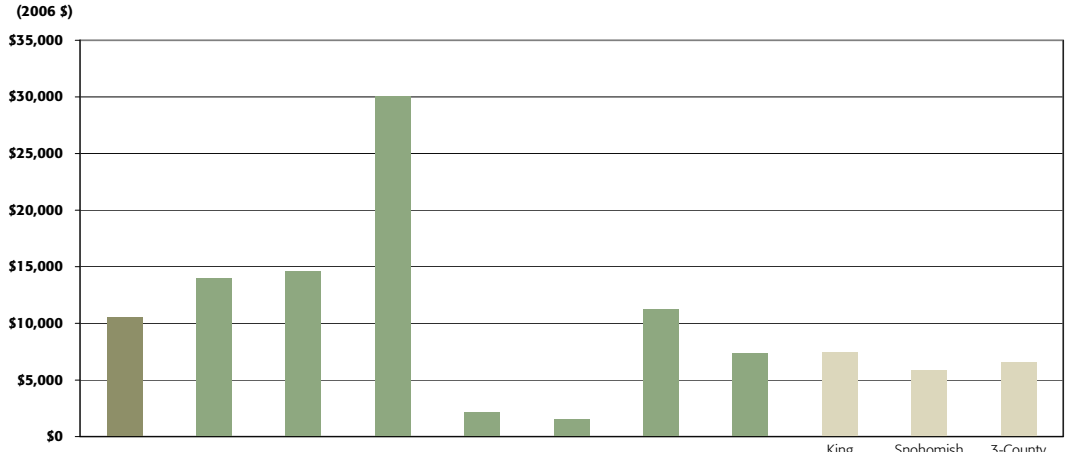
KIRKLAND DOWNTOWN STRATEGIC PLAN

Market Analysis Summary: Part II

Note: This is a continuation of the Part I market analysis materials sent out by email on Tuesday, August 21.

3.0 TAXABLE RETAIL SALES

Exhibit 7
Taxable Retail Sales Per Capita, 2006 (All Retail)

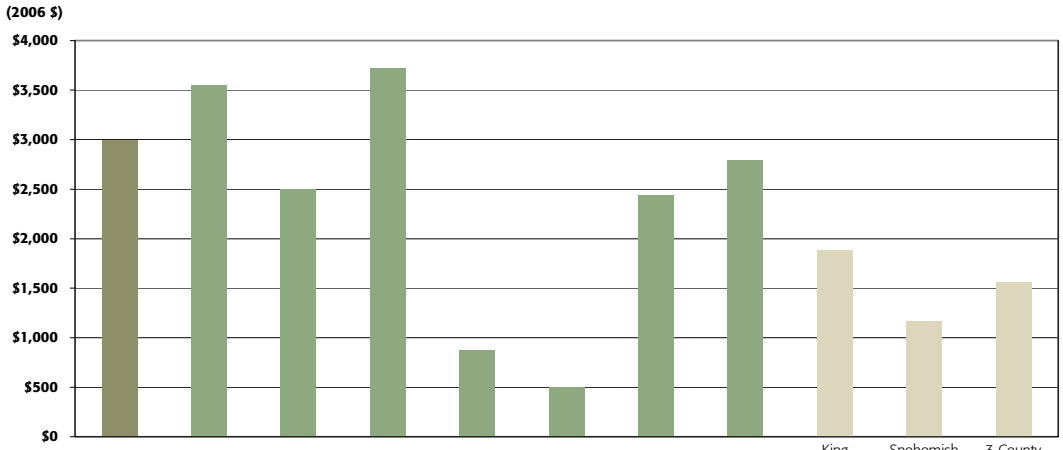


	Kirkland	Redmond	Bellevue	Issaquah	Kenmore	Sammamish	Renton	Seattle	King County	Snohomish County	3-County Region
TRS Per Capita	$10,503	$14,029	$14,593	$30,097	$2,134	$1,583	$11,241	$7,358	$7,436	$5,848	$6,595
2006 Taxable Retail Sales (Millions)	$496	$700	$1,707	$589	$42	$63	$656	$4,258	$13,648	$3,928	$21,637
2006 Population	47,180	49,890	117,000	19,570	19,680	39,730	58,360	578,700	1,835,300	671,800	3,280,600

Source: Washington Department of Revenue, 2007
Note: This chart only includes TRS from retail businesses (NAICS categories 44 and 45). Auto related sales are excluded from this chart.

- Kirkland has relatively strong taxable retail sales (TRS) per capita ($10,503), which is slightly higher than Seattle's rate, similar to Renton, and slightly lower than neighboring Redmond and Bellevue.

Exhibit 8
Taxable Retail Sales per Capita, 2006 (Restaurants)

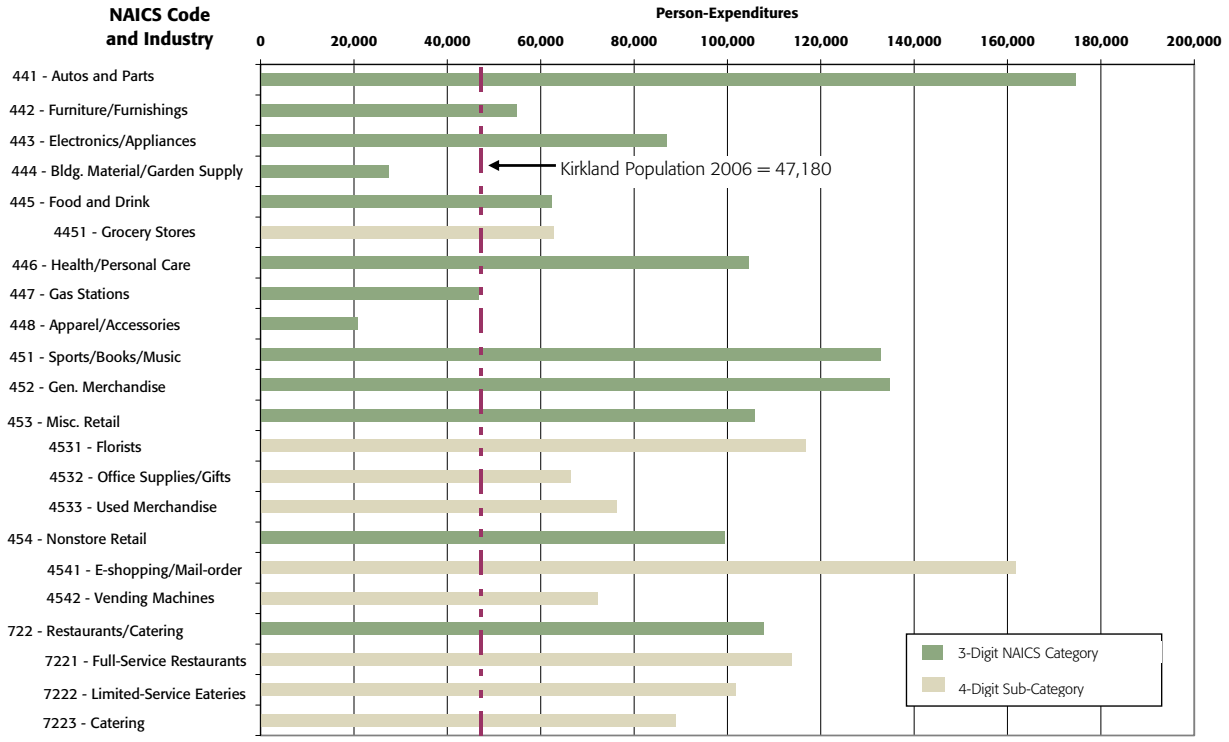


	Kirkland	Redmond	Bellevue	Issaquah	Kenmore	Sammamish	Renton	Seattle	King County	Snohomish County	3-County Region
TRS Per Capita	$2,997	$3,548	$2,498	$3,723	$878	$506	$2,438	$2,793	$1,882	$1,170	$1,561
2006 Taxable Retail Sales (Millions)	$141	$177	$292	$73	$17	$20	$142	$1,616	$3,453	$786	$5,120
2006 Population	47,180	49,890	117,000	19,570	19,680	39,730	58,360	578,700	1,835,300	671,800	3,280,600

Source: Washington Department of Revenue, 2007

- Kirkland's relative TRS per capita is higher in the restaurants category – only being exceeded by Redmond and Issaquah.

Exhibit 9
Kirkland Person-Expenditures by Industry, 2006



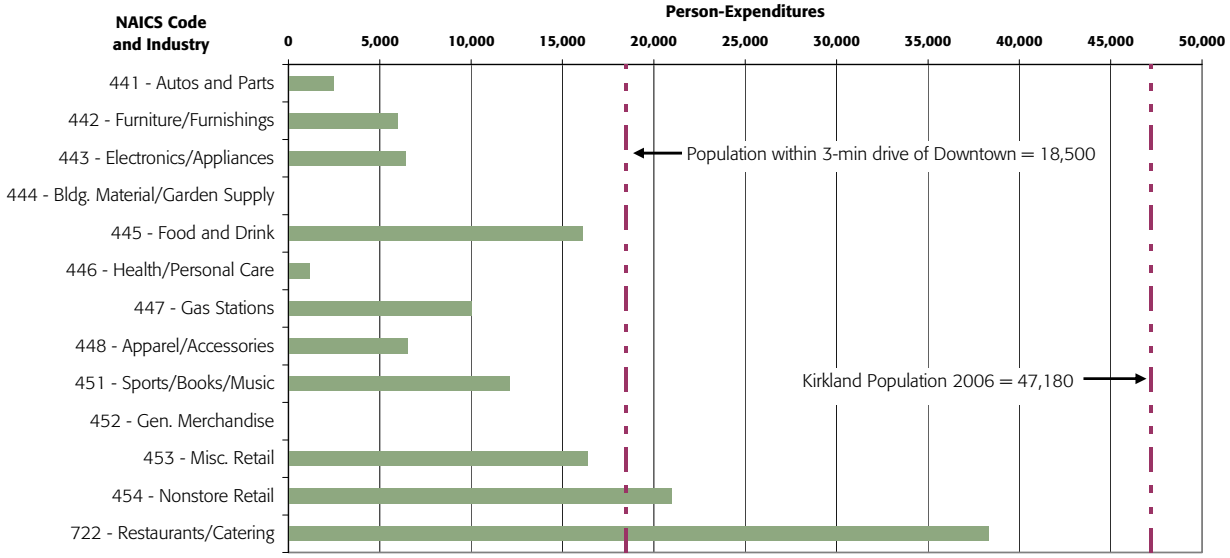
Source: Washington Department of Revenue, 2007

- Person-expenditures are calculated by taking the total TRS in a retail category and dividing it by the annual per capita average spending in the same category statewide. For example, if a city has $100,000 of TRS in the groceries category and the statewide TRS per capita average spending on groceries is $1,000, the city would have 100 person-expenditures ($100,000/$1,000=100). Person-expenditures are a useful way to measure the relative strength of different retail sectors in a city.

- Kirkland has very strong Autos, Sports/Books/Music, General Merchandise, and E-shopping/Mail-order sales. The person-expenditures in these categories are much higher than the City's existing population, so it is likely that shoppers from outside the City are being attracted to the City for these types of shopping opportunities.

- The weakest retail categories are Building Materials/Garden Supply and Apparel/Accessories.

Exhibit 10
Kirkland Downtown/Park Place Person-Expenditures by Industry, 2006



Source: City of Kirkland Department of Finance and Administration, 2007

- The strongest category in the Downtown/Park Place business area is Restaurants, with over 38,000 person-expenditures.
- Nonstore Retail is also relatively strong, which could potentially be due to strong e-commerce sales in the area.

4.0 OFFICE AND RETAIL RENTS AND VACANCY

Exhibit 11
Summary of Eastside Office Market, 4th Quarter 2006

	Inventory			Lease Rates (Full Service $/sf)		
Market Area	**Buildings**	**Sq. Ft.**	**Total Vacancy**	**Class A**	**Class B**	**Class C**
Bellvue CBD	47	5,541,020	4.75%	$25.00-$38.50	$20.00-$26.50	$21.00
I-405 Corridor	104	2,987,593	12.75%	$21.50-$29.00	$20.00-$29.00	$20.50-$24.50
SR-520 Corridor	106	2,525,403	13.33%	$21.00-$29.00	$21.00-$25.00	$16.50-$18.50
I-90 Corridor	88	5,904,051	5.24%	$21.50-$33.00	$24.00-$28.01	$18.00
Bel-Red Rd Corridor	88	1,351,287	9.16%	$27.50	$18.00-$24.00	$17.00-$24.00
Kirkland	30	1,170,918	8.18%	$27.00-$36.00	$28.00	$18.75-$21.00
Redmond	58	4,003,278	5.28%	$26.00-$28.00	$19.00-$24.00	
Bothell	46	2,658,433	20.00%	$20.00-$29.00	$21.00-$23.00	
Total Eastside	**567**	**26,141,983**	**8.62%**	**$21.00-$38.50**	**$18.00-$29.00**	**$16.50-$24.50**

Source: Central Puget Sound Real Estate Research Report, Spring 2007

- The overall Kirkland office market currently has an 8% vacancy rate and average lease rates on the high end of the Eastside market (only exceeded by the Bellevue CBD).

Exhibit 12
Summary of Downtown Office Space for Lease, August 2007

Name	Address	Building SF	Available Space (SF)	Vacancy	Avg Asking Rent	Year Built/ Renovated
Lakeview Plaza	747 - 787 6th St S	194,825	194,825	100%	$28.85	2008
Kirkland Ave Office Park Ph II	811 Kirkland Ave	36,000	8,700	24%	$25.50	1999
Marina Park Building	25 Central Way	32,204	2,525	8%	$27.00	1996
Kirkwood Building	200 - 218 Kirkland Ave	16,851	7,939	47%	$0.00	1996
Kirkland Lake Building	105 Central Way	30,000	1,503	5%	$28.00	1990
570 Kirkland Way Plaza	570 Kirkland Way	13,440	5,685	42%	$32.00	1990
Continential Plaza	550 Kirkland Way	101,786	29,099	29%	$24.50	1990
1313 Market	1313 Market St	8,037	4,282	53%	$31.00	1990
1201 Office Park	1205 Market St	5,385	1,382	26%	$24.00	1989
Homeport Building	135 Lake St S	31,065	2,888	9%	$29.50	1987
Choice Office Building	1715 Market St	20,785	2,205	11%	$28.00	1986
Progressive Building	720 8th Ave	4,000	1,000	25%	$25.50	1984
McDonald Insurance	235 6th St S	17,000	3,000	18%	$20.00	1974
Strauss Building	121 Lake St S	2,857	0	0%	$0.00	1950
Total (excluding Lakeview Plaza)		**319,410**	**70,208**	**22%**		

Source: Hallmark Realty, 2007

Exhibit 13
Summary of Downtown Retail Space for Lease, August 2007

Name	Address	Building SF	Available Space (SF)	Vacancy	Avg Asking Rent	Year Built/ Renovated
The Boulevard	375 Kirkland Ave	8,442	1,572	19%	$37.00	2006
Hossman Building	268 Central Way	16,000	2,058	13%	$27.00	2000
WM Building	103 Lake St S	17,505	1,160	7%	$38.00	1985
Lake Street Mall	15 Lake St	12,834	1,600	12%	$20.00	1980
Olympic Building	200 - 204 Central Way	7,163	980	14%	$23.00	1964
Lake Street Mall	15-16 Lake St	12,834	2,900	23%	$20-$30	1980
Total		**74,778**	**10,270**	**14%**		

Source: Hallmark Realty, 2007

- Variety of types of space available – some with lower rents closer to $20 per SF and some with very high rents in the high $30s. The lower rents tend to be in older buildings with owners who want stable tenants.
- Shorter two to three year leases are not uncommon as some owners prepare for the possibility of redevelopment.

5.0 ADDITIONAL BUSINESS LICENSE DATA DETAIL

Exhibit 14
Employment and Count of Downtown Kirkland Retail Businesses, 2007

6-Digit NAICS Code	Industry Description	Number of Businesses	Total Employees	% of Total Employment
443120	Computer and Software Stores	4	148	31%
452910	Warehouse Clubs and Supercenters	1	61	13%
453998	All Other Miscellaneous Store Retailers	21	57	12%
4481XX	Clothing Stores (all categories)	10	31	6%
453920	Art Dealers	11	20	4%
454111	Electronic Shopping	4	19	4%
453220	Gift, Novelty, and Souvenir Stores	5	18	4%
447190	Other Gasoline Stations	1	15	3%
451120	Hobby, Toy, and Game Stores	2	13	3%
454390	Other Direct Selling Establishments	7	9	2%
448310	Jewelry Stores	3	9	2%
442110	Furniture Stores	3	8	2%
	Total All Retail Businesses	**98**	**479**	**100%**

Source: City of Kirkland Business License Database, 2007
Note: Retail categories with fewer than 8 employees excluded from list.

Exhibit 15
Employment and Count of Downtown Kirkland Food Service Businesses, 2007

6-Digit NAICS Code	Industry Description	Number of Businesses	Total Employees	% of Total Employment
722110	Full-Service Restaurants	34	530	59%
722211	Limited-Service Restaurants	11	222	25%
722213	Snack and Nonalcoholic Beverage Bars	9	106	12%
722410	Drinking Places (Alcoholic Beverages)	3	30	3%
722310	Food Service Contractors	2	9	1%
722212	Cafeterias	1	4	0%
722330	Mobile Food Services	1	3	0%
	Total All Food Service Businesses	**61**	**904**	**100%**

Source: City of Kirkland Business License Database, 2007

Exhibit 16
Employment and Count of Downtown Kirkland Service Businesses, 2007

6-Digit NAICS Code	Industry Description	Number of Businesses	Total Employees	% of Total Employment
531210	Offices of Real Estate Agents and Brokers	14	119	8%
515210	Cable and Other Subscription Programming	1	115	8%
511210	Software Publishers	1	101	7%
531390	Other Activities Related to Real Estate	10	78	5%
541620	Environmental Consulting Services	2	66	5%
561499	All Other Business Support Services	9	64	4%
541110	Offices of Lawyers	20	64	4%
541511	Custom Computer Programming Services	7	63	4%
524210	Insurance Agencies and Brokerages	10	53	4%
541611	Administrative Mgmt. and General Mgmt. Consulting	11	48	3%
541330	Engineering Services	8	43	3%
522292	Real Estate Credit	4	40	3%
522120	Savings Institutions	6	39	3%
522110	Commercial Banking	5	36	3%
519120	Libraries and Archives	1	33	2%
541219	Other Accounting Services	2	32	2%
522310	Mortgage and Nonmortgage Loan Brokers	6	31	2%
541612	Human Resources and Executive Search Consulting	4	30	2%
541310	Architectural Services	8	28	2%
512131	Motion Picture Theaters (except Drive-Ins)	1	25	2%
518210	Data Processing, Hosting, and Related Services	2	22	2%
541613	Marketing Consulting Services	5	21	1%
541890	Other Services Related to Advertising	1	20	1%
522320	Financial Transactions Processing Activities	2	15	1%
522390	Other Activities Related to Credit Intermediation	3	14	1%
524127	Direct Title Insurance Carriers	2	13	1%
561510	Travel Agencies	1	13	1%
541618	Other Management Consulting Services	3	11	1%
561730	Landscaping Services	3	10	1%
517110	Wired Telecommunications Carriers	2	10	1%
523999	Miscellaneous Financial Investment Activities	3	10	1%
	Total All Service Businesses	**231**	**1,437**	**100%**

Source: City of Kirkland Business License Database, 2007

Note: Service categories with fewer than 10 employees excluded from list. 188 Google employees in the Information sector (2-Digit NAICS code 51) did not have an accurate 6-Digit NAICS code in the database and are not included in this table.

6.0 POSSIBLE NEXT STEPS

- Downtown TRS comparisons to the rest of the City
- Home-based business analysis
- TRS per square foot analysis
- Analysis of business turnover (openings and closings) using business license data. Comparison between Downtown and other areas of the City.

KIRKLAND DOWNTOWN STRATEGIC PLAN UPDATE

Leland Consulting Group Situation Assessment

LELAND CONSULTING GROUP

DOWNTOWN KIRKLAND
Project Memorandum

TO: Bonnie Berk, Berk & Associates

FROM: Chris Zahas, Leland Consulting Group

DATE: 14 August 2007

SUBJECT: Situation Assessment
Project Number: 4704

This memorandum summarizes the situation assessment of Downtown Kirkland as prepared by Leland Consulting Group. It answers several questions asked by the City of Kirkland regarding Downtown's current state of health, barriers to realizing the vision, and opportunities for success. The assessment relies largely on information gathered by the project team to date (visual assessment, stakeholder interviews, preliminary market research) and on best practices seen by Leland Consulting Group in other downtowns across the U.S. The assessment is organized into several categories, but there is considerable overlap between topic areas.

Vision for Downtown

Downtown Kirkland today has largely fulfilled the vision of the original DSP – it includes a residential core with a combination of local and destination retail. When viewing downtown in the larger context (Lake Street to Sixth), Downtown actually has a much broader range of uses, including entertainment, civic uses, office, and a wider spectrum of retail. Recent developments and proposals at Park Place indicate that the market in Downtown Kirkland is shifting to include office uses. It is likely that over the next ten years, Downtown Kirkland will see significant office development whereas it has largely only seen residential development in the past five years. The challenge for the next Downtown Strategic Plan will be how to integrate and connect these uses throughout the various parts of Downtown.

On the retail side, the market tendency for Downtown Kirkland is essentially what it is seeing today. Since there is an open market of leasable retail space (multiple owners, variety of spaces and locations), tenants have a choice, thus the mix of retail uses is reflective of the market from a theoretical economic point of view. Assuming that there is enough market demand for a retailer to afford Downtown Kirkland rents, smaller retailers who desire to be in Downtown Kirkland should be able to find sites in which to locate. On the other hand, larger retailers (e.g., supermarkets, large bookstores, department stores, etc.) may find themselves excluded from Downtown due to the lack of large sites that can accommodate both a larger building footprint and parking.

While no amount of public investment will attract a market that does not already exist, planning and strategic investments can help accelerate the pace of development and can attract what is desired in greater quantities and at a higher quality than would otherwise occur. On the other hand, if a plan targets a market that is not present and ignores one that is, a city sets itself up for failure by laying the groundwork for uses that will not come; meanwhile it ignores (or even prohibits through new zoning) investment that is waiting in the wings. Therefore, it is important to strike a balance between the aspirational goals of a strategic plan and market realities.

Office Uses

There is no single standard formula for the mix of office and residential uses in a downtown. That is part of the uniqueness of one city's downtown from another's. A balance is important, however, in terms of strengthening retail (workers shopping/dining during the day; residents shopping/dining on the weekends), balancing parking demand, and creating an 18-7 or 24-7 environment.

The current height limits in Downtown Kirkland (bonus floor only applicable to housing projects) may be a real barrier to new office development. Given the high cost of office development (expensive structured parking, typical use of steel and concrete construction methods), a three or four story building may not be able to justify the huge fixed cost of parking and foundation and the site may not be able to accommodate the needs of larger employers. Larger buildings, however, can achieve better economies of scale. With parking ratios at three or four spaces per 1,000 square feet, office users require three or four times as much parking as a residential unit would. With structured parking costing upwards of $15,000 to $20,000 per stall and underground parking costing $25,000 to $30,000 per stall, it is no wonder that development in downtown Kirkland has focused almost exclusively on housing in the past five years.

Additional constraints to office development in the downtown core include the smaller size of sites, which reduces flexibility in building configuration and makes parking more inefficient to build. An expansion of office development at Park Place at the east end of Downtown could bring new employment on a site that can more easily accommodate the floor plate and parking requirements of modern offices.

While efforts to increase office employment Downtown should be encouraged, it should not necessarily be done by restricting housing. For one thing, office markets are very cyclical while housing tends to be steadier year to year. Thus, zoning that restricts housing may inhibit new investment in the downtown (in new housing) in periods when the office economy is slow. These down cycles can last for many years as the period between 2001 and 2006 has shown. When the goal is to sustain momentum, sometimes it is more important to assure an ongoing stream of investment rather than worry about the specific uses. Flexibility is key – allowing buildings to pursue office development when employment is growing and residential development when it is slower.

Keep in mind, also, that mixed-use is inherently a complicated and difficult development type. If additional height is only allowed when housing is included in a structure, as it is today, then a building that includes office uses and maximizes height must incorporate

three uses (ground floor retail, office, and housing). This is a very complicated and inefficient mix of uses, requiring multiple entrances, lobbies, and elevators (residents and office tenants should be segregated).

Since parking is one of the greatest costs for office development and it is often inefficient to build parking on small sites (higher cost per stall), a centralized parking structure that offers monthly parking to office tenants could help level the playing field and make office development more feasible. The parking structure would have a lot of shared use potential, filling with office users during the day and shoppers during evenings and on weekends.

Retail Uses

The perception that the downtown retail is suffering due to a lack of office workers may or may not be reality. Retail businesses fail for a wide range of reasons – lack of customers, poor merchandising, rising costs (wages, rent, insurance, wholesale products), lack of advertising, low-visibility location, lack of business planning, short hours (most shopping happens on evenings and weekends), inexperienced management, failure to adjust to changing market preferences, and a myriad of other reasons. Just because a cluster of small businesses has failed does not indicate a common cause. Each failure must be examined individually to determine the true cause – only then can conclusions be drawn as to what strategies should be used to strengthen the market.

Cities frequently require retail uses at the ground floor of *all* buildings in certain districts. While it is a reasonable goal to encourage an active ground floor experience, this can also force developers to build retail in locations that don't have the visibility, foot traffic, or proximity to other retail that is necessary for a merchant to succeed. Two outcomes typically occur:

- The spaces stay vacant for long periods of time; and
- "Weak" retailers fill the spaces, but often fail and turn over frequently.

Neither of these is a good outcome for a downtown. The developer is discouraged by poor financial returns on the building (although many developers will completely discount the value of ground floor retail if it is not a strong location) and the downtown is blighted by empty or weak storefronts.

A downtown retail strategy should identify core retail districts where retailers can cluster and feed off of each other. This has the added benefit of sending a clear signal to visitors and new merchants as to where the "heart" of downtown lies and where to walk and browse. When retail is forced everywhere, it can be hard to identify the center and visitors can be confused as to the best "loop" walk that will let them see all the retailers.

Even in the most unique and quaint downtowns, there is a need for anchor retailers. This does not necessarily mean a need for national chains, although increasing numbers of chains are finding ways to fit into smaller downtowns. An anchor simply needs to be a retailer that does one of the following:

- Draws local residents to the area again and again on a frequent basis (e.g., grocery store that attracts residents two or more times per week); or

- Draws people from throughout the region to a unique destination on a less frequent basis (e.g., specialty restaurant, entertainment venue, one-of-a-kind retailer).

Anchor retailers ensure a steady flow of customers to the downtown. Traditionally, anchor retailers in shopping centers and malls are the largest stores in the center (typically department stores). In a downtown setting, however, the definition of an anchor retailer can be much broader. For example, in a downtown an anchor retailer could be a highly regarded restaurant, a bookstore, a specialty grocer, or even an espresso shop. Anything that serves as the primary reason to draw locals on a frequent basis or regional visitors on a less frequent basis can be considered an anchor.

Strategies to attract anchor retailers to a downtown can include:

- Coordinated marketing program with visitors maps, events, advertising, logos, etc. This helps package the downtown as a shopping district instead of a series of individual stores working alone.

- Strong downtown business association that encourages common (and late) business hours, signage and window display standards, data gathering (sales, patronage, customer demographics), parking validation, etc. The business association should also build strong relationships with real estate brokers to make contacts with regional retailers.

- Patient landlords who carefully consider the tenant mix in their buildings and weed out those that don't support the greater downtown vision. Unlike a mall where a single landlord controls all the tenants, landlords in a downtown must cooperate in order to achieve the proper synergies.

Ground floor uses can vary throughout the downtown. Along main streets (e.g., Lake, Central), "true" retail should be encouraged (i.e., stores that sell merchandise, restaurants). Elsewhere in the downtown, the goal is to ensure active uses at the ground level, which does not always mean retail. Hair salons, copy centers, and similar services could keep the streetscape active in a location that may not be prime retail real estate. The key is to keep the ground floor occupied and active. Even when service or office uses are at the ground floor, care should be taken to ensure that window displays are interesting and creative. When a traditional retailer cannot be found for a site, finding a less active user is often better than letting the space go vacant. Indeed, in order to keep pedestrians interested in the street scene and to get them to walk the few blocks it may take to get from a central garage to the retail core, interesting ground-level uses with few, if any, gaps is a must.

On the outskirts of the downtown as the downtown streets extend into adjacent neighborhoods, retail and services may not be viable at all due to the limited visibility and foot traffic. In such locations, live-work units can be a viable alternative, allowing

development to take housing down to the ground floor while still allowing for some street-level interest. Live-work units often appeal to professionals (lawyers, architects, realtors, accountants), service providers (massage, psychiatry), and even small boutiques.

Parking

Creating and managing a centralized parking supply is often the role of the public sector. In smaller cities, where parking has traditionally been free, private parking operators simply are not present. It is important to keep in mind, however, that the main purpose of paid parking is parking management, not revenue generation. Thus, the pricing, regulations, enforcement, and marketing should all be geared to encourage turnover of short-term on-street spaces, while directing longer-term parkers to centralized lots or garages. While paid parking is sometimes seen as a negative by downtown merchants, the benefits of a comprehensive parking program should allow the merchants to achieve higher sales and be more successful. Key elements of a parking program should include:

- Validation
- Metered parking for on-street spaces
- Centralized garages and lots
- Prices lower in garages than on the street
- Monthly permit program for garage stalls to keep resident and employee parking off the street
- Good signage and marketing
- Education and enforcement
- Separate accounting that keeps parking revenues in the downtown (as opposed to going to the general fund)

Housing

A new housing strategy may be needed to encourage a broader and more affordable range of housing in Downtown Kirkland. Particularly as office employment grows, there will be a need for entry-level housing options for the new workers – either ownership or rental.

As mentioned earlier, parking is a huge expense for both housing and office uses. While current standards require multiple parking spaces per dwelling unit, cities such as Seattle and Portland have successfully seen many urban housing projects built with parking ratios of less than one space per unit (i.e., some units do not come with any parking at all). In a downtown such as Kirkland, where a wide range of services are within walking distance, these lower ratios may be feasible and could be a useful tool to encourage a wider range of housing options.

KIRKLAND DOWNTOWN STRATEGIC PLAN UPDATE

Attachment G: DAC Meeting Agendas, Summaries, and Supplemental Materials

Please Visit:

http://www.ci.kirkland.wa.us/depart/Planning/Code_Updates/DSP/DAC_Meeting_Information.htm

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

MEMORANDUM

Date: October 3, 2007

To: Dave Ramsay, City Manager

From: Paul Stewart, Deputy Planning Director
Nancy Cox, Development Review Manager

Subject: 25 YEAR SERVICE AWARD FOR ERIC SHIELDS

One thing about Eric, as Planning Director he has never been accused of making "fishy" decisions. However, he is not unlike a salmon that returns to its original home after venturing out.

Thirty years ago Eric started working for the City of Kirkland earning $3.50/hour. He began as an intern. His first assignments included coloring the land use map and hand drawing rezones and changes to the Zoning Map. He was hired on as a Planning Technician while Jerry Link was the Planning Director working under former City Manager, Al Locke. Eric quickly and steadily climbed the ladder in the Planning Department specializing in intergovernmental relations, annexation, and policy issues. He worked under Joe Tovar's lead for several years until resigning in 1989 after 11 years. Eric ventured out to be the Planning Director for the City of Des Moines, but returned to Kirkland as Planning Director in September, 1992.

Major projects that Eric was involved with over the course of his career with the City include:

- Updates and amendments to the Land Use Policy Plan (LUPP)
- Major revisions to the Zoning Code
- The 1988 Annexation
- Carillon Point Project
- Revised Comprehensive Plan per the Growth Management Act
- Critical Area Regulations
- Housing Strategy Plan and Affordable Housing Regulations
- Downtown Strategic Plan
- Design Guidelines
- Totem Lake Mall
- Major development projects (Evergreen Healthcare; Juanita Village)
- Downtown redevelopment projects
- The NE 85th Street Corridor Plan and Zoning
- Neighborhood Plans for North Rose Hill, Totem Lake, Highlands, Norkirk and Market

- Single Family and Cottage Housing standards

Eric also has been a respected staff representative working with the King County Growth Management Planning Council, Suburban Cities and the Puget Sound Regional Council.

Eric's leadership during Kirkland's critical growth years is unparalleled. He has seen the Department and City through Growth Management and economic downturns. Through it all, he is respected for quickly grasping the issue at hand and being able to articulate options that lead to rational decisions. In addition, his upbeat nature and quick wit are appreciated by many. Finally, he has "spawned" many good ideas over the years that have benefited staff and the City.

It is time for Council to recognize and thank Eric for his years of service; we all look forward to many more.

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

MEMORANDUM

To: David Ramsay, City Manager

From: Eric Shields, Planning Director
Date: October 2, 2007

Subject: PROCLAMATION FOR NATIONAL COMMUNITY PLANNING MONTH

RECOMMENDATION

Recognize Kirkland's citizen and professional planners as part of National Community Planning month.

BACKGROUND DISCUSSION

October is National Community Planning month. Each year, the American Planning Association and its members, chapters, divisions, and professional institute (AICP) sponsor National Community Planning Month to raise the visibility of planning efforts in communities across the U.S., and throw a spotlight on the many residents, leaders, officials, and professionals who contribute to making great communities. The purpose of the proclamation is to advance public and professional interest in the contributions that these individuals have made to the quality of life in communities across the nation. Members of the Planning Commission and Department of Planning and Community Development will be in attendance to receive the proclamation.

cc: Planning Commission

A PROCLAMATION OF THE CITY OF KIRKLAND

Designating October 2007 as "National Community Planning Month" of the City of Kirkland

WHEREAS, change is constant and affects all cities, towns, suburbs, counties, boroughs, townships, rural areas, and other places; and

WHEREAS, community planning and plans can help manage this change in a way that provides better choices for how people work and live; and

WHEREAS, community planning provides an opportunity for all residents to be meaningfully involved in making choices that determine the future of their community; and

WHEREAS, the full benefits of planning require public officials and citizens who understand, support, and demand excellence in planning and plan implementation; and

WHEREAS, the month of October is designated as National Community Planning Month throughout the United States of America and its territories, and

WHEREAS, The American Planning Association and its professional institute, the American Institute of Certified Planners, endorse National Community Planning Month as an opportunity to highlight the contributions sound planning and plan implementation make to the quality of our built and natural environment; and

WHEREAS, the celebration of National Community Planning Month gives us the opportunity to publicly recognize the participation and dedication of the members of Planning Commission and all citizen planners who have contributed their time and expertise to the improvement of the City of Kirkland; and

WHEREAS, We recognize the many valuable contributions made by professional community and regional planners of the City of Kirkland and extend our heartfelt thanks for the continued commitment to public service by these professionals;

NOW, THEREFORE, I James L. Lauinger, Mayor of Kirkland, do hereby proclaim October as *"Community Planning Month"* in the City of Kirkland in conjunction with the celebration of National Community Planning Month**.**

Signed this 16th day of October, 2007

_____

James L. Lauinger, Mayor

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

To: Dave Ramsay, City Manager

From: Daryl Grigsby, Public Works Director
David Godfrey, P.E., Transportation Engineering Manager

Date: October 4, 2007

Subject: PEDESTRIAN FLAG KICK OFF

RECOMMENDATION**:**

It is recommended that the Mayor present pedestrian flag merchant partners with certificates of participation and proclaim the week of October 15 through October 21, 2007 Take it to Make it pedestrian flag week in Kirkland.

BACKGROUND DISCUSSION:

In 2006 the City of Kirkland received a grant to increase usage of pedestrian flags in downtown Kirkland. A Social Marketing approach was taken in order to accomplish this goal. We began by talking to users and non-users of pedestrian flags. From these interviews we identified barriers to usage such as: no flags available, no need to use the flags, uncertain what the flags were for, etc. The program was then redesigned in order to remove these barriers. For example, a new holder was developed that holds more flags, is easier to use, and illustrates the importance of pedestrian flags. The flags themselves were redesigned to convey their purpose at a glance. The new program's slogan is *Take it to Make it*. Our goal is to increase usage from 8% in March 2007 to 14% in March 2008, 25% in 2009 and 40% in March 2010.

Another important part of the new program is the introduction of merchant partners. These partners have agreed to:

- Display a sign in their business reminding customers to use pedestrian flags.
- Offer a small discount on products or services to customers "caught" using a flag.
- Help maintain the supply of flags at the crosswalk near their business.

In exchange, partners' logos are displayed on the flag containers near their business and they will be recognized in publicity about the pedestrian flag program.

Partners continue to join the program and as of this writing, partners are: Ben and Jerry's Ice Cream, Coyote Creek Pizza, Epicurean Edge, Kirkland Arts Center, U.S. Bank, White Swan Car Wash and Chevron, and Windermere Realty

The attached proclamation recognizes the new program and the participation of the partner businesses. It is expected that several representatives of the partner businesses will be at the October 16 Council meeting to receive the plaques they will display in their businesses.

A PROCLAMATION OF THE CITY OF KIRKLAND

Designating October 15th – 21st as "Take it to Make it Week" in the City of Kirkland

WHEREAS, pedestrian flags were pioneered in Kirkland over 10 years ago and are now being used by communities across the country and;

WHEREAS, increasing the use of pedestrian flags has been shown to increase pedestrian safety which is in turn leads to a more walkable community and;

WHEREAS, a formal process for increasing pedestrian flag usage has generated a number of improvements to the program including redesigned flags and holders and;

WHEREAS, Kirkland businesses have recognized the value of pedestrian safety and agreed to partner with the City to promote flag usage and;

WHEREAS, *Take it to Make it* is the slogan for the new program;

NOW, THEREFORE, I, James L. Lauinger, Mayor of the City of Kirkland, do hereby proclaim October 15th to 21st, 2007, as *Take it to Make it Week* in Kirkland, and urge all the citizens of Kirkland to use pedestrian flags when walking in Kirkland.

Signed this 16th day of October, 2007

_____

James L. Lauinger, Mayor

KIRKLAND CITY COUNCIL REGULAR MEETING MINUTES
September 18, 2007

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 Design

Joining Councilmembers for this discussion in addition to Assistant City Manager Marilynne Beard, were Public Works Director Daryl Grigsby, Capital Projects Manager Ray Steiger, David Hewitt, Hewitt Architects and Mark Johnson, Capital Project Manager, Sound Transit Capital Projects.

4. EXECUTIVE SESSION

None.

5. SPECIAL PRESENTATIONS

a. Constitution Week Proclamation

Judith Finney, Regent with the Daughters of the American Revolution, accepted the proclamation.

b. Day of Concern for the Hungry Proclamation

Brian Anderson, Program Coordinator for the Emergency Feeding Program of Seattle-King County, accepted the proclamation.

c. SR 520 Bridge Replacement and HOV Project

Washington State Department of Transportation 520 representatives Julie Meredith, Lindsay Yamane and Michael Hornbeck provided an update on the progress of the project.

Mayor Lauinger recognized members of Girl Scout Troop 3114, Juanita

Service Unit, in the audience.

6. REPORTS

a. City Council

(1) Regional Issues

Councilmembers shared information regarding the Kirkland Concours d'Elegance; Kirkland Art Center Exhibit and introduction to the Japanese Consul General; Annual Board and Commission Dinner meeting; Highlands Neighborhood Picnic; Police and Fire Memorial Service; Sustainable September kickoff breakfast meeting; Metropolitan Solid Waste Advisory Committee meeting; Tourism Committee meeting; Kirkland Triathalon; Holy Family School 50th Anniversary Celebration; SR520 Mediation Session; Suburban Cities Public Issues meeting; Eastside Transportation Partnership meeting; Report to King County Council on Flood Control District; Kirkland Entertainment Group Benefit for Anna's Ride Home; and local volunteer efforts by members of Su Chi Buddist Temple.

b. City Manager

(1) 2008 Community Survey

Assistant City Manager Marilynne Beard received approval for the survey timeline. Councilmembers Greenway, Sternoff and Asher were selected as the subcommittee members to work on the development of the content and general themes to be incorporated in the survey.

(2) Annexation Update

A brief status report on timeline issues was provided by Intergovernmental Relations Manager Tracy Burrows.

(3) Calendar Update

7. COMMUNICATIONS

a. Items from the Audience

b. Petitions

8. CONSENT CALENDAR

a. Approval of Minutes: September 4, 2007

b. Audit of Accounts:
Payroll $ 2,055,200.37
Bills $ 2,255,895.87
run # 693 check # 491822
run # 694 check #'s 491846 - 491976
run # 695 check #'s 491979 - 492149
run # 696 check #'s 492150 - 492196

c. General Correspondence

(1) Melinda Bronsdon, Regarding New Home Construction in Kirkland

d. Claims

(1) Kent C. Baxter

(2) Emily Jackson

e. Award of Bids

f. Acceptance of Public Improvements and Establishing Lien Period

(1) Accepting Public Improvements, Establishing Lien Period and Authorizing Additional Funds for 7th Avenue/114th Avenue NE Watermain Replacement Project

(2) Accepting Public Improvements, Establishing Lien Period and Authorizing Additional Funds for Waverly Beach Park Lift Station

g. Approval of Agreements

h. Other Items of Business

(1) Resolution R-4667, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND ADOPTING THE 2008-2013 SIX-YEAR CAPITAL IMPROVEMENT PROGRAM FOR THE CITY OF KIRKLAND."

(2) Ratifying Property Acquisition

(3) Establishing October 2, 2007 as Public Hearing Date for Proposed 2008-2013 Transportation Improvement Plan

(4) Ordinance No. 4112, amending Chapter 27.04 of the Kirkland Municipal Code (KMC) relating to transportation impact fees; amending KMC 27.04.050 to provide an exemption for development activities by human services agencies with broad

public purposes.

This item was moved to New Business, item 11.f..

Motion to Approve the Consent Calendar with the exception of item 8.h.(4)., which was moved to item 11.f.
Moved by Councilmember Mary-Alyce Burleigh, seconded by Councilmember Jessica Greenway
Vote: Motion carried 7-0
Yes: Mayor Jim Lauinger, Deputy Mayor Joan McBride, Councilmember Dave Asher, Councilmember Mary-Alyce Burleigh, Councilmember Jessica Greenway, Councilmember Tom Hodgson, and Councilmember Bob Sternoff.

9. PUBLIC HEARINGS

a. Resolution R-4668, Approving the Kirkland Comprehensive Water System Plan

Mayor Lauinger opened the public hearing. Capital Projects Manager Ray Steiger provided an overview of the plan. No other testimony was offered and the Mayor declared the hearing closed.

Motion to Approve Resolution R-4668, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING THE KIRKLAND COMPREHENSIVE WATER SYSTEM PLAN."
Moved by Councilmember Dave Asher, seconded by Deputy Mayor Joan McBride
Vote: Motion carried 7-0
Yes: Mayor Jim Lauinger, Deputy Mayor Joan McBride, Councilmember Dave Asher, Councilmember Mary-Alyce Burleigh, Councilmember Jessica Greenway, Councilmember Tom Hodgson, and Councilmember Bob Sternoff.

Council recessed for a short break at 9:30 p.m.

10. UNFINISHED BUSINESS

a. Commute Trip Reduction and Growth Transportation Efficiency Centers

Transportation Engineer Thang Nguyen presented information on the draft plans and responded to Council questions and comment.

Motion to Approve the Commute Trip Reduction and Growth Transportation Efficiency Centers plan as presented.
Moved by Councilmember Dave Asher, seconded by Councilmember Jessica Greenway
Vote: Motion carried 7-0

Yes: Mayor Jim Lauinger, Deputy Mayor Joan McBride, Councilmember Dave Asher, Councilmember Mary-Alyce Burleigh, Councilmember Jessica Greenway, Councilmember Tom Hodgson, and Councilmember Bob Sternoff.

b. Pedestrian Safety Update

Public Works Director Daryl Grigsby reviewed background information related to the Pedestrian Safety Taskforce activities and introduced Youth Services Coordinator Regi Schubiger, who presented a new Youth Council Pedestrian Safety video targeted for teens.

11. NEW BUSINESS

a. Extending Contract with Kirkland Chamber of Commerce for Business Retention Services

Motion to extend the contract with Kirkland Chamber of Commerce for delivery of Business Retention Services until December 31, 2008.
Moved by Councilmember Mary-Alyce Burleigh, seconded by Deputy Mayor Joan McBride
Vote: Motion carried 7-0
Yes: Mayor Jim Lauinger, Deputy Mayor Joan McBride, Councilmember Dave Asher, Councilmember Mary-Alyce Burleigh, Councilmember Jessica Greenway, Councilmember Tom Hodgson, and Councilmember Bob Sternoff.

b. Transit Now Partnership Proposals

David Hull, Supervisor for Service Planning with King County METRO, and Public Works Transportation Engineering Manager David Godfrey responded to Council comment and questions. Council took no action on the proposal at this time.

c. Community Involvement in Environmental Stewardship

Planning and Community Development Deputy Director Paul Stewart presented information and received Council feedback and direction as requested.

d. Accepting Human Services Advisory Committee Resignation and Appointing New Youth Member

Motion to accept the Human Services Advisory Committee Resignation of Bonnie Stinson and to appoint Anahita Nakhjiri as the new youth member to the remainder of the unexpired term ending March 31, 2009.
Moved by Councilmember Mary-Alyce Burleigh, seconded by

Councilmember Jessica Greenway
Vote: Motion carried 7-0
Yes: Mayor Jim Lauinger, Deputy Mayor Joan McBride, Councilmember Dave Asher, Councilmember Mary-Alyce Burleigh, Councilmember Jessica Greenway, Councilmember Tom Hodgson, and Councilmember Bob Sternoff.

e. Updating Public Records Act:

(1) Ordinance No.4113, Relating to the Repeal of the KMC Chapter 3.84 Public Records and Procedures

Motion to Approve Ordinance No.4113, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO THE REPEAL OF KMC CHAPTER 3.84 PUBLIC RECORDS AND PROCEDURES."
Moved by Councilmember Mary-Alyce Burleigh, seconded by Deputy Mayor Joan McBride
Vote: Motion carried 7-0
Yes: Mayor Jim Lauinger, Deputy Mayor Joan McBride, Councilmember Dave Asher, Councilmember Mary-Alyce Burleigh, Councilmember Jessica Greenway, Councilmember Tom Hodgson, and Councilmember Bob Sternoff.

(2) Resolution R-4669, Relating to Compliance with the Public Records Act, Specifically, Adopting Public Records Act Rules, Issuing a Formal Order that Maintaining an Index Would be Unduly Burdensome, Ordering Publication of this Resolution and the Public Records Act Rules and Appointing the City Clerk as the Public Records Officer

Motion to Approve Resolution R-4669, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND RELATING TO COMPLIANCE WITH THE PUBLIC RECORDS ACT, SPECIFICALLY, ADOPTING PUBLIC RECORDS ACT RULES, ISSUING A FORMAL ORDER THAT MAINTAINING AN INDEX WOULD BE UNDULY BURDENSOME, ORDERING PUBLICATION OF THIS RESOLUTION AND THE PUBLIC RECORDS ACT RULES AND APPOINTING THE CITY CLERK AS THE PUBLIC RECORDS OFFICER."
Moved by Councilmember Mary-Alyce Burleigh, seconded by Deputy Mayor Joan McBride
Vote: Motion carried 7-0
Yes: Mayor Jim Lauinger, Deputy Mayor Joan McBride, Councilmember Dave Asher, Councilmember Mary-Alyce Burleigh, Councilmember Jessica Greenway, Councilmember Tom

Hodgson, and Councilmember Bob Sternoff.

f. Ordinance No. 4112, amending Chapter 27.04 of the Kirkland Municipal Code (KMC) relating to transportation impact fees; amending KMC 27.04.050 to provide an exemption for development activities by human services agencies with broad public purposes.

This item was moved from the Consent Calendar, item 8.h.(4).

Motion to Approve Ordinance No. 4112, as revised, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND AMENDING CHAPTER 27.04 OF THE KIRKLAND MUNICIPAL CODE (KMC) RELATING TO TRANSPORTATION IMPACT FEES; AMENDING KMC 27.04.050 TO PROVIDE AN EXEMPTION FOR DEVELOPMENT ACTIVITIES BY HUMAN SERVICES AGENCIES WITH BROAD PUBLIC PURPOSES."
Moved by Councilmember Dave Asher, seconded by Deputy Mayor Joan McBride
Vote: Motion carried 7-0
Yes: Mayor Jim Lauinger, Deputy Mayor Joan McBride, Councilmember Dave Asher, Councilmember Mary-Alyce Burleigh, Councilmember Jessica Greenway, Councilmember Tom Hodgson, and Councilmember Bob Sternoff.

12. ANNOUNCEMENTS

13. ADJOURNMENT

The Kirkland City Council regular meeting of September 18, 2007 adjourned at 11 p.m.

City Clerk Mayor

KIRKLAND CITY COUNCIL REGULAR MEETING MINUTES
October 02, 2007

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. Annexation Update

Joining Councilmembers for this discussion in addition to City Manager Dave Ramsay were Assistant City Manager Marilynne Beard, Intergovernmental Relations Manager Tracy Burrows, Financial Planning Manager Sandi Hines, and Capital Projects Manager Ray Steiger. Also providing information and responding to Council's questions were Planning Director Eric Shields, Finance and Adminstration Director Tracey Dunlap, Director of Fire and Building Fire Chief Jeff Blake, and Parks and Community Services Planning and Development Manager Michael Cogle.

4. EXECUTIVE SESSION

None.

5. SPECIAL PRESENTATIONS

Council presented City Manager Dave Ramsay with his ten year service award.

a. Pacific Northwest Clean Water Association's Award for Washington State Collection Operator of the Year - City of Kirkland's Dan Van Iterson.

b. Domestic Violence Awareness Proclamation

Eastside Domestic Violence Program Boardmember Wesley Moorhead accepted the proclamation.

c. Puget Sound Clean Air Agency

Air Resource Specialist Paul Carr provided Council with information on air quality considerations and growth management.

d. Government Finance Officers Association Distinguished Budget Presentation Award

Mark Neary of Thurston County, representing the Government Finance Officers' Association, presented the award to Finance and Administration Director Tracey Dunlap, who acknowledged staff members who contributed to the document.

e. Green Tips

Public Works Fleet Supervisor Tim Llewellyn shared information on the first biodiesel lawnmower in the United States developed by Mechanics Tim Ultican and Scott Seeley.

6. REPORTS

a. City Council

(1) Regional Issues

Councilmembers shared information regarding the "Extreme Makeover Home Edition" in progress in Kirkland; Kirkland Steppers ceremony; Complete Streets inquiry from St. Augustine, Florida; Lecture featuring Dr. Wangari Matthai, 2004 Nobel Peace Prize winner; Shoreline Master Plan Tour; Cascade Water Alliance negotiations; Eastside Domestic Violence Program Breakfast; Sustainable September closing event; Emergency Readiness Fair at Evergreen Medical Center; Kirkland Business Association’s annual fundraising event; Active Living Task Force Meeting; Kirkland Performance Center Fundraising Auction; Heathman Hotel opening ceremony; Appreciation for City Finance staff; and Walk Your Child To School Week. An appearance was made by Ped Bee, pedestrian representative.

b. City Manager

(1) Council Meeting with the Lakeview Neighborhood

(2) Calendar Update

7. COMMUNICATIONS

a. Items from the Audience

Teresa Lindo, Eastside Baby Corner, 22018 NE 86th Place Sammamish, WA
Jeanne Acutanza; 1514 3rd Place, Kirkland, WA
Rob Butcher, 1640 2nd Street, Kirkland, WA
Rob Johnson, Transportation Choices Coalition, Seattle, WA
Carsten Hansen, 217 !8th Avenue, Kirkland WA
Mike O'Brien, Sierra Club, 604 North 45th Street, Seattle, WA

b. Petitions

None.

8. CONSENT CALENDAR

a. Approval of Minutes: September 18, 2007

This item was postponed until the next regular Council meeting.

b. Audit of Accounts:
Payroll $ 1,869,140.31
Bills $ 2,084,253.77
run #697 check #'s 491846 - 491976
run #698 check #'s 492402 - 492554

Motion to Approve the consent calendar with the exception of items 8.a. and 8.c.(2).
Moved by Deputy Mayor Joan McBride, seconded by Councilmember Mary-Alyce Burleigh
Vote: Motion carried 7-0
Yes: Mayor Jim Lauinger, Deputy Mayor Joan McBride, Councilmember Dave Asher, Councilmember Mary-Alyce Burleigh, Councilmember Jessica Greenway, Councilmember Tom Hodgson, and Councilmember Bob Sternoff.

c. General Correspondence

(1) Sarah Johnson, Regarding Intersection of Railroad Avenue and Kirkland Way

(2) Dennis R. McNamara, Regarding the N.E. 85th Street Project

This item was pulled from the consent calendar as New Business, item 11.e.

d. Claims

e. Award of Bids

f. Acceptance of Public Improvements and Establishing Lien Period

g. Approval of Agreements

h. Other Items of Business

(1) Supporting Metropolitan Solid Waste Management Advisory Committee (MSWMAC) Correspondence to the King County Council Regarding Comparative Evaluation of Waste Export and Conversion Technologies Disposal Options

(2) Reporting on Procurement Activities

Motion to Approve the Consent Calendar with the exception of item 8.a. and 8.c. (2).
Moved by Deputy Mayor Joan McBride, seconded by Councilmember Mary-Alyce Burleigh
Vote: Motion carried 7-0
Yes: Mayor Jim Lauinger, Deputy Mayor Joan McBride, Councilmember Dave Asher, Councilmember Mary-Alyce Burleigh, Councilmember Jessica Greenway, Councilmember Tom Hodgson, and Councilmember Bob Sternoff.

The Council recessed for a short break.

9. PUBLIC HEARINGS

a. Resolution R-4670, Approving and Adopting the Annual Update for the Six-Year Transportation and Street Construction and Improvement Program in Accordance with Section 19.08.051, Kirkland Municipal Code

Mayor Lauinger opened the public hearing. Public Works Capital Projects Manager Ray Steiger reviewed information on planned transportation projects. No other testimony was offered and the Mayor closed the hearing.

Motion to Approve Resolution R-4670, entitled "A RESOLUTION OF THE CITY OF KIRKLAND APPROVING AND ADOPTING THE ANNUAL UPDATE FOR THE SIX-YEAR TRANSPORTATION AND STREET CONSTRUCTION AND IMPROVEMENT PROGRAM IN

ACCORDANCE WITH SECTION 19.08.051, KIRKLAND MUNICIPAL CODE
Moved by Councilmember Mary-Alyce Burleigh, seconded by Councilmember Jessica Greenway
Vote: Motion carried 7-0
Yes: Mayor Jim Lauinger, Deputy Mayor Joan McBride, Councilmember Dave Asher, Councilmember Mary-Alyce Burleigh, Councilmember Jessica Greenway, Councilmember Tom Hodgson, and Councilmember Bob Sternoff.

10. UNFINISHED BUSINESS

a. Sound Transit (A Regional Transit Authority) and RTID (A Regional Investment Transportation District) Proposition #1:

(1).a. To reduce transportation congestion, increase road and transit capacity, promote safety, facilitate mobility, provide for an integrated regional transportation system, and improve the health, welfare, and safety of the citizens of Washington, shall Sound Transit (a regional transit authority) implement a regional rail and transit system linking Lynnwood, Shoreline, Northgate, Seattle, Bellevue, Redmond, SeaTac airport, Kent, Federal Way and Tacoma as described in the Sound Transit 2 plan, financed by the existing taxes approved by the voters in 1996 and an additional sales and use tax of up to five-tenths of one percent imposed by Sound Transit, all as provided in Resolution No. R2007-15; and shall a regional transportation investment district (RTID) be formed and authorized to implement and invest in improving the regional transportation system by replacing vulnerable bridges, improving safety, and increasing capacity on state and local roads to further link major education, employment, and retail centers as described in Moving Forward Together: A Blueprint for Progress - King Pierce Snohomish Counties, financed by a sales tax and use tax of one-tenth of one percent and a local motor vehicle excise tax of eight-tenths of one percent imposed by RTID, all as provided in Resolution No. PC-2007-02; further provided that the Sound Transit taxes shall be imposed only within the boundaries of Sound Transit, and the RTID taxes shall be imposed only within the boundaries of RTID?
YES [ ]
NO [ ]

(1).b. Resolution R-4662, Stating the City Council's Support for the Sound Transit (A Regional Transit Authority) and RTID (A Regional Investment Transportation District) Proposition #1, Regional Roads and Transit System, on the November 6, 2007, General Election Ballot

Motion to to table Resolution R-4662 indefinitely.
Moved by Deputy Mayor Joan McBride, seconded by Councilmember Mary-Alyce Burleigh
Vote: Motion carried 5-2
Yes: Deputy Mayor Joan McBride, Councilmember Mary-Alyce Burleigh, Councilmember Jessica Greenway, Councilmember Tom Hodgson, and Councilmember Bob Sternoff.
No: Mayor Jim Lauinger, and Councilmember Dave Asher.

Motion to support the Sound Transit 2 Package as presented by the Sound Transit Board.
Moved by Councilmember Dave Asher, seconded by Councilmember Jessica Greenway
Vote: Motion failed 2 - 5
Yes: Councilmember Dave Asher, and Councilmember Jessica Greenway.
No: Mayor Jim Lauinger, Deputy Mayor Joan McBride, Councilmember Mary-Alyce Burleigh, Councilmember Tom Hodgson, and Councilmember Bob Sternoff.

11. NEW BUSINESS

a. 2008 Solid Waste Rates

Public Works Director Daryl Grigsby provided background on various issues related to the proposed rates for Council discussion and direction.

b. Organizational Process Improvements Report

Assistant City Manager Marilynne Beard updated Council on the status of the planned process improvements program.

c. Kirkland Uncorked Report

Special Projects Coordinator Sheila Cloney provided an overview of the first year event, including results, planned modifications and recommendations for 2008. She was joined by Phil Magenhart of Bold Hat Productions.

d. Correspondence to King County Executive Ron Sims

This item was added to the evening's agenda. Council provided direction to staff for revisions to the draft letter.

e. Correspondence to Dennis McNamara

This item was pulled from the Consent Calendar (item 8.c.(2).) Council asked staff to continue to work on possible solutions to the issues presented by Mr. McNamara. The draft response was not approved.

12. ANNOUNCEMENTS

13. ADJOURNMENT

The Kirkland City Council regular meeting of October 2, 2007 was adjourned at 11:26 p.m.

City Clerk Mayor

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: Nancy Cox, Development Review Manager

Date: October 3, 2007

Subject: COMPLAINTS ABOUT NOISE FROM HONDA OF KIRKLAND

RECOMMENDATION

Staff recommends that Council authorize the Mayor to sign the enclosed letter to Linda Jones in response to email from her.

BACKGROUND DISCUSSION

Code Enforcement has been investigating noise complaints against Honda of Kirkland from Ms. Jones since Sept. 21, 2007. There have been two different noises of concern to her: 1) car alarms and honking, and 2) metal banging. Code Enforcement and Police have been working the case and have made numerous calls and contacts with Honda. Honda management stated that they have notified staff and vendors to desist using horns to locate vehicles in the lots. As of today, Ms. Jones reports the situation is improved, but there are still isolated events of honking. With regard to the iron banging noise, Code Enforcement Officer Judd Tuberg has been tracking down various possibilities to try to determine its source. On several occasions the Police have gone out on-site in the early morning hours to try to hear it themselves. At this time, we believe the source has been identified and the noisy activity will cease.

Honda management has been cooperating with our investigations. If the situation persists, however, staff may instigate a public nuisance violation.

cc: COM07-00414

ATTACHMENT 1

9/23/07

Council members we need your help to resolve a noise problem with HONDA in our neighborhood.

After people in the neighbor came to us, my husband had a talk with Larry Mallory in June to ask him to PLEASE **stop the car alarms and horn honking to locate cars** on the lot. Besides Larry, we have Brian Slish to contact and have been assured this will be resolved and they will try everything to make the car alarms and horn honking to cease. This has been going on all summer and we have tried to work with Honda but it continues. Honda asked us to work with them and not call the police. However, we've called the police numerous times when management seemed to be gone and things like a power washer was being used from 10 PM to 5 AM. They also start board slapping and iron dropping on the parking lot at 6 AM most mornings.

Corporal Nathan Rich of the Kirkland Police Department will be back in on Wednesday, September 26th. He knows we have been trying to work with Honda but I left the message that after almost 4 months we want to take the next step to bring a resolve to this neighborhood problem and that after having 7 children and 7 grandchildren; we have heard all the excuses possible to not resolve a situation. Honda has every 'reasonable' excuse imaginable but after so long they are not appropriate any more.

Honda management has always been polite and sensitive to our requests to eliminate the noise, saying they want to resolve the problem. They have told us that they were taking the car locator off the key ring and only the key would be available for the sales staff but even yesterday several times the blasts went off and when we called Honda management phone numbers, we only got messages. So, I left a message that we were tired of trying to work with them and would be calling the police every time.

Since that message we've called the police twice yesterday and after that it was quiet at Honda until this morning's wake up again at 6 AM. So, the police were called again and now it's quiet. I had talked with an officer yesterday and said we can't do this any more and we'd like to call them every time there's a Honda car blast. I don't think the police should be trying to resolve the Honda noise problem. They have been to Honda for the noise at least 3 times in the last month.

All of this has started since they were rezoned the single-family property for expansion of their dealership. Since, Council was apart of that rezoning, I plead that you take some steps for the resolve; not excuses but resolve. Maybe getting citations, hearing from Council members, or a letter from City Council or Staff would bring a noise resolve to our single-family residential area.

Thank you for you assistance. I look forward to a noise resolve for our neighborhood families.

Yours truly,

Linda Jones
425-822-9880
lindajones.yes@verizon.net

October 16, 2007

Linda Jones
8725 126th Ave. NE
Kirkland, WA 98033-5906)

DRAFT

Dear Ms. Jones:

Subject: Noise Reports

The City Council has received your email messages about various noise events that are disturbing to you. You have reported these events to the Police and Code Enforcement who have been following up with the managers at Honda of Kirkland where you believe the noise is coming from. We understand that you have been inconvenienced several times by noises from car alarms and/or horns when cars are being located in the sales lots. In addition you have reported instances of loud noises sounding like metal banging that occurred several early mornings around 5 AM.

As Kirkland becomes more urbanized a natural part of growth is increased noise. Residents living in or adjacent to commercial areas are particularly exposed. However, noise must be controlled in the hours especially when citizens are sleeping to the greatest extent possible. According to Code Enforcement, should the noise events persist the City could pursue a violation of the City's noise or public nuisance ordinances.

Code Enforcement has informed the Council that numerous calls and visits to Honda of Kirkland have been made as a result of your complaints. We have every confidence that the management of Honda of Kirkland will identify and take the necessary actions to stop it. Please continue to contact Code Enforcement or Police should there be any more problems.

Thank you for contacting the City Council.

Sincerely,
KIRKLAND CITY COUNCIL

By James Lauinger, Mayor

CC: Honda of Kirkland

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

MEMORANDUM

To: Dave Ramsay, City Manager

From: Jenny Gaus, Surface Water Engineering Supervisor
Daryl Grigsby, Public Works Director

Date: October 4, 2007

Subject: Response Letter to Keith Maehlum

RECOMMENDATION**:**
It is recommended that Council authorize the Mayor to sign the enclosed response letter to Keith Maehlum which details changes that have been made to the 2008-2013 Surface Water CIP.

BACKGROUND DISCUSSION:

Mr. Maehlum met with City staff in July of 2007 to discuss flooding that has been occurring at the Plaza at Yarrow Bay Business Park. Mr. Maehlum is a part-owner of this office park. He was concerned because a project that included measures to reduce flooding of the office park as well as replacement of the culvert beneath Lake Washington Boulevard, SD-0048 Cochran Springs/Lake Washington Boulevard Crossing Enhancement, had been moved to the unfunded list in the Preliminary 2008-2013 CIP. The flooding of the office park appears to result from sediment buildup in Cochran Springs Creek, which runs through the office park in a city-owned parcel. Following discussions with Mr. Maehlum, and in further investigation of the situation, staff recommended that the flood relief measures for the office park be constructed separately from the rest of the SD-0048 project.

The SD-0048 project had been moved to the unfunded portion of the CIP because it does not appear that replacement of the culvert beneath Lake Washington Boulevard will be necessary, based on the fact that the existing culvert has not caused flooding of Lake Washington Boulevard through the several extreme (100-year plus intensity) rain events that have occurred in the past few years. The Lake Washington Boulevard culvert replacement comprised the majority of the project budget, making the cost/benefit of the overall project unfavorable.

The following changes have been made in the 2008-2013 CIP in response to staff review and to Mr. Maehlum's letter and testimony:

- New project SD-0065 Cochran Springs Creek/Plaza at Yarrow Bay Flood Control has been added. Project will provide flood reduction at the office park and riparian restoration. It is funded at $156,000 and is scheduled to begin in 2008.

- The budget for project SD-0048 Cochran Springs/Lake Washington Boulevard Crossing Enhancement has been reduced by $156,000. This project will remain on the unfunded list. Staff will continue to monitor the Lake Washington Boulevard culvert to determine whether or not a replacement crossing for the stream is warranted.

The letter to Mr. Maehlum details these changes. Should you have any questions or concerns about these changes to the CIP, please contact Jenny Gaus, Surface Water Engineering Supervisor.

Attachment 1:
Letter from Keith Maehlum to the Honorable Mayor Lauinger and Kirkland City Council dated September 4, 2007

September 4, 2007

Honorable Mayor Lauinger and Kirkland City Council
City of Kirkland
123 Fifth Avenue
Kirkland, WA 98033

Re: Preliminary 2008-2013 CIP
Cochran Springs Creek, Project Number SD 0048

Honorable Mayor Lauinger and Kirkland City Council,

We would appreciate your consideration of dividing the Cochran Springs Creek project into two parts; the first part to be funded as soon as possible would address flood control measures for Cochran Springs Creek and the second part to remain unfunded would address the Lake Washington Boulevard crossing.

We are the owners of the Plaza at Yarrow Bay, a 300,000 sf, Class A office campus on Lake Washington Boulevard just north of SR-520 and home to many high quality office tenants such as University of Washington, Manpower International, Windermere Real Estate and Electronic Evidence Discovery, just to name a few.

A public stream corridor containing Cochran Springs Creek bisects the northern portion of the office campus as shown on the enclosed photo. Several times over the last several years, the creek has overflowed its south bank and flooded a significant portion of the parking lot as shown on the enclosed diagram. At least once in recent years, the creek overflowed to such a degree that the flooding extended beyond the parking lot to the lower structured parking area and the campus's exercise facility. Every time that the parking lot and exercise facility is flooded, there is a fair amount of property damage and extensive clean up required. We have not sought reimbursement from the City for this damage in the past. In addition, the flooding causes considerable inconvenience to the campus's employees who cannot get access to their cars due to the depth of the water in the parking lot.

After reviewing this matter with City Staff from Parks and Public Works, we understand that the cause of the creek flooding is sediment buildup in the stream channel west of

The Plaza at Yarrow Bay, Inc.
2025 First Avenue • Suite 700 • Seattle, WA 98121
Telephone: (206) 448-5080 • Facsimile: (206) 448-5075

Lake Washington Boulevard. The 2006-2011 CIP included the entire project as funded with construction starting in 2009 and included a description that "sand in the stream appears to originate from springs and upwelling, as opposed to large-scale bank erosion," and that "sediment deposition downstream of Lake Washington Boulevard may increase the risk of overbank flooding water in the Yarrow Bay business park." Since then the project has been re-designated as unfunded.

Our experience over the past few years is that the frequency and the severity of the flooding are increasing as the buildup of the sediment increases. We feel that the existing temporary flood control measures as shown on the enclosed photo are unsightly, could soon fail and do not convey a sense of quality or security to our tenants. Therefore, we request your consideration of authorizing a more permanent flood control improvement be constructed to eliminate future creek flooding as soon as possible.

Please call me at 206-839-9867 or email me at kmaehlum@halrealestate.com if you have any questions.

Respectfully,

Keith Maehlum

The Plaza at Yarrow Bay, Inc.
2025 First Avenue • Suite 700 • Seattle, WA 98121
Telephone: (206) 448-5080 • Facsimile: (206) 448-5075

Attachment A

City of Kirkland
Preliminary 2008-2013 Capital Improvement Program

SURFACE WATER MANAGEMENT UTILITY PROJECTS

Funded Projects:

Project Number	Project Title	Prior Year(s)	2008	2009	2010	2011	2012	2013	2008-2013 Total	Funding Source: Current Revenue	Reserve	Debt	External Source
SD 0045*	Carillon Woods Erosion Control Measures			22,400	84,100	451,000			557,500	557,500			
SD 0047	Annual Replacement of Aging/Failing Infrastructure		200,000	200,000	200,000	200,000	200,000	200,000	1,200,000	1,200,000			
SD 0049*	Forbes Creek/108th Ave NE Fish Passage Impr			103,500	256,600				360,100	360,100			
SD 0050*	NE 93th St/120th Ave NE Flood Control Measures					16,700	69,200		85,900	85,900			
SD 0051*	Forbes Creek/KC Metro Access Road Culvert Enh.	279,200	202,300						202,300	155,300			47,000
SD 0052*	Forbes Creek/Slater Ave Streambank Stabilization				75,200	90,200			165,400	165,400			
SD 0053*	Forbes Creek/Coors Pond Channel Grade Controls	260,200	200,300						200,300	200,300			
SD 0054*	Forbes Creek/BNSF/FR Fish Passage Improvements	51,500						519,800	519,800	519,800			
SD 0055*	Forbes Creek Ponds Fish Passage/Riparian Plantings				110,700	193,400			304,100	304,100			
SD 0058*	Surface Water Sediment Pond Reclamation Phase II		90,000	169,000	149,000	63,200			471,200	471,200			
SD 0059*	Totem Lake Blvd Flood Control Measures	82,400	408,500	479,200	410,800				1,298,500	1,298,500			
SD 0060*	Juanita Creek/NE 122nd St Bank Stabilization	103,300	253,500						253,500	253,500			
SD 0061*	Everest Park Stream Channel/Riparian Enhancements					274,200	542,700	528,600	1,345,500	1,345,500			
SD 0062*	Stream Flood Control Measures at Post Office					36,500	265,000	244,900	546,400	546,400			
SD 0063	***Everest Creek-Slater Ave at Alexander St.***		***168,200***	***514,400***	***125,400***				809,000	809,000			
SD 0064	***NE 68th St Storm Drainage Improvements***		***60,000***	***96,000***					156,000	156,000			
SD 0537*	Streambank Stabilization Program - NE 86th Street	50,000			171,200	253,200	509,100		933,500	933,500			
Total Funded Surface Water Management Utility Projects		**826,600**	**1,583,800**	**1,584,500**	**1,583,000**	**1,578,400**	**1,586,000**	**1,493,300**	**9,409,000**	**9,362,000**	**0**	**0**	**47,000**

Unfunded Projects:

Project Number	Project Title	Total
SD 0046*	Regional Detention in Forbes & Juanita Creek Basins	2,173,100
SD 0048*	Cochran Springs/Lk Washington Blvd Crossing Enh.	1,082,600
SD 0055*	Forbes Creek/98th Ave NE Riparian Plantings	58,000
Total Unfunded Surface Water Management Utility Projects		**3,293,700**

Project Number	Project Title	Budget	Actual	Balance
SD 0051	Forbes Creek/KC Metro Access Road Culvert Enh.	279,200	72,694	206,506
SD 0053	Forbes Creek/Coors Pond Channel Grade Controls	260,200	74,418	185,782
SD 0054	Forbes Creek/BNSF/FR Fish Passage Improvements	51,500	105	51,395
SD 0059	Totem Lake Blvd Flood Control Measures	82,400	4,046	78,354
SD 0060	Juanita Creek/NE 121st St Bank Stabilization	103,300	51,698	51,602
SD 0537	Streambank Stabilization Program - NE 86th Street	50,000	21,228	28,772
Total Prior Year(s) Funding (Budget to Actuals):		**826,600**	**224,189**	**602,411**

Notes
* = Modification in timing and/or cost (see Project Modification/Deletion Schedule for greater detail)
= = Moved from unfunded status to funded status
* = Moved from funded status to unfunded status
Shaded year(s) = Previous timing
Bold italics = New projects

CITY OF KIRKLAND
CAPITAL IMPROVEMENT PROGRAM
2006 TO 2011

PROJECT #	**SD 0048 000**
DEPARTMENT	Public Works
DEPARTMENT CONTACT	Ray Steiger

PROJECT TITLE	COCHRAN SPRINGS / LAKE WASHINGTON BLVD CROSSING ENHANCEMENT

CRITERIA	**PROJECT IMPACTS (RESPOND TO ALL SECTIONS WHICH APPLY)**
Amount of public disruption and inconvenience caused	*The preferred alternative for this project would require closure and detours on Lake Washington Boulevard which handles approximately 25,000 vehicles per day including transit, residential, commuting traffic, and business services. It is anticipated that the installation of the bottomless culvert would require closure of approximately two weeks and require a dedicated detour.*
Community economic impacts	*The closure during construction will have a temporary economic impact to drivers and possibly surrounding businesses. The long-term impact of continued sedimentation would contribute to seasonal flooding of the Boulevard which would have disruptive impacts to drivers.*
Health and safety, environmental, aesthetic, or social effects	*Localized flooding and environmental degradation will continue if the sedimentation along this stretch of Cochran Creek is not addressed. Available fish habitat would be enhanced with the projects.*
Responds to an urgent need or opportunity	*This project is identified as a high priority in the Surface Water Comprehensive Plan.*
Feasibility, including public support and project readiness	*The preferred alternative will require significant permitting, community information, and a significant detour/traffic control plan in order to be successful.*
Conforms to legal or contractual obligations	*Will be designed and constructed per professional and legal standards and guidelines.*
Responds to state and/or federal mandate	*Environmental and habitat enhancement for fish including native cutthroat and other species is consistent with the Endangered Species Act.*
Benefits to other capital projects	*None identified.*
Implications of deferring the project	*Continued sedimentation, loss of habitat, and potential flooding of Lake Washington Boulevard and surrounding commercial properties.*
CONFORMANCE WITH ADOPTED COMPRE-HENSIVE PLAN	Name of Neighborhood(s) in which located: *Lakeview* Is there a specific reference to this project or land use in the immediate vicinity? How does the project conform to such references? Attachments: ☐ (Specify)
LEVEL OF SERVICE IMPACT	☐ Project provides no new capacity (repair, replacement or renovation). ☑ Project provides new capacity. Amount of new capacity provided: approximately 30-40% ☐ Project assists in meeting/maintainting adopted level of service. ☐ Project required to meet concurrency standards.

PROJECT SUMMARY SHEET

Cochran Springs Creek - Culvert Improvement at Lake Washington Boulevard and Sediment Control Downstream of Lake Washington Boulevard

Problem Description:

The culvert and channel at Lake Washington Boulevard were evaluated for fish passage and flood conveyance (Penhellagon Associates 2000). Under existing conditions, a high spot in the channel downstream of the culvert results in backwater conditions and sedimentation at the culvert. This presents an ongoing maintenance task for City crews. The backwater condition may impede the culvert's capacity to convey large peak events. However, the backwater also creates conditions that allow fish passage at the culvert (as long as the culvert is maintained to remove sediment).

Additionally, sediment deposition downstream of Lake Washington Boulevard may increase the risk of overbank flooding water in the Yarrow Bay business park.

Project Description:

The preferred alternative identified by Penhellagon for improving this culvert would address both fish passage and flood conveyance, by (1) replacing the Lake Washington Boulevard culvert with a box culvert, (2) regrading the channel to remove the downstream control point, and (3) including habitat structures and streamside vegetation to improve habitat conditions. The budget estimate for this project is based on these actions.

Sand in the stream appears to originate from springs and upwelling, as opposed to large-scale bank erosion. Culvert design should be analyzed to ensure that sediment accumulation will not continue to impede the culvert. In addition to culvert improvements, sediment passage at the culvert could be increased by flattening the channel grade upstream of the culvert and increasing the grade through the culvert.

In addition to the work recommended by Penhellagon, a berm should be considered on the left bank of the stream along to prevent flooding of the business park. The berm should be set back from the stream bank as far as possible. Although there is existing vegetation in the riparian zone, additional enhancement planting should be included.

Design Assumptions:

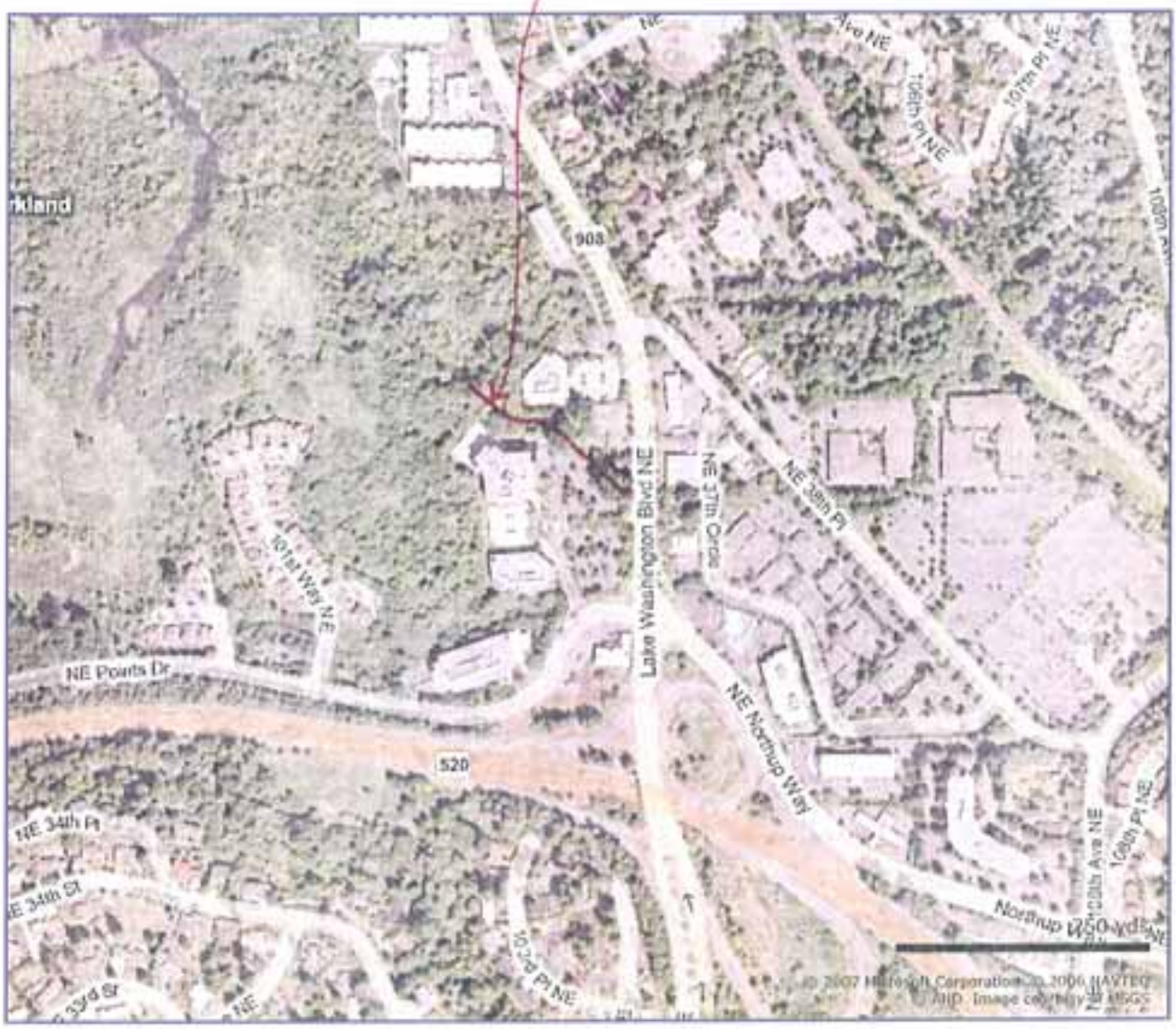
Planting along approximately 525 feet of channel, 55 feet each side; with existing vegetation. Assume planting is necessary in approximately 50 percent of this area. A temporary or permanent easement would be needed from private property owners on each side of the stream. No costs for easements are included. Construction of a berm may require an individual Corps permit.

Project Benefits:

Improving fish passage at the culvert will allow access to approximately 375 feet of breeding and rearing habitat. Increasing the culvert's flow capacity will reduce the risk of flooding on Lake Washington Boulevard.

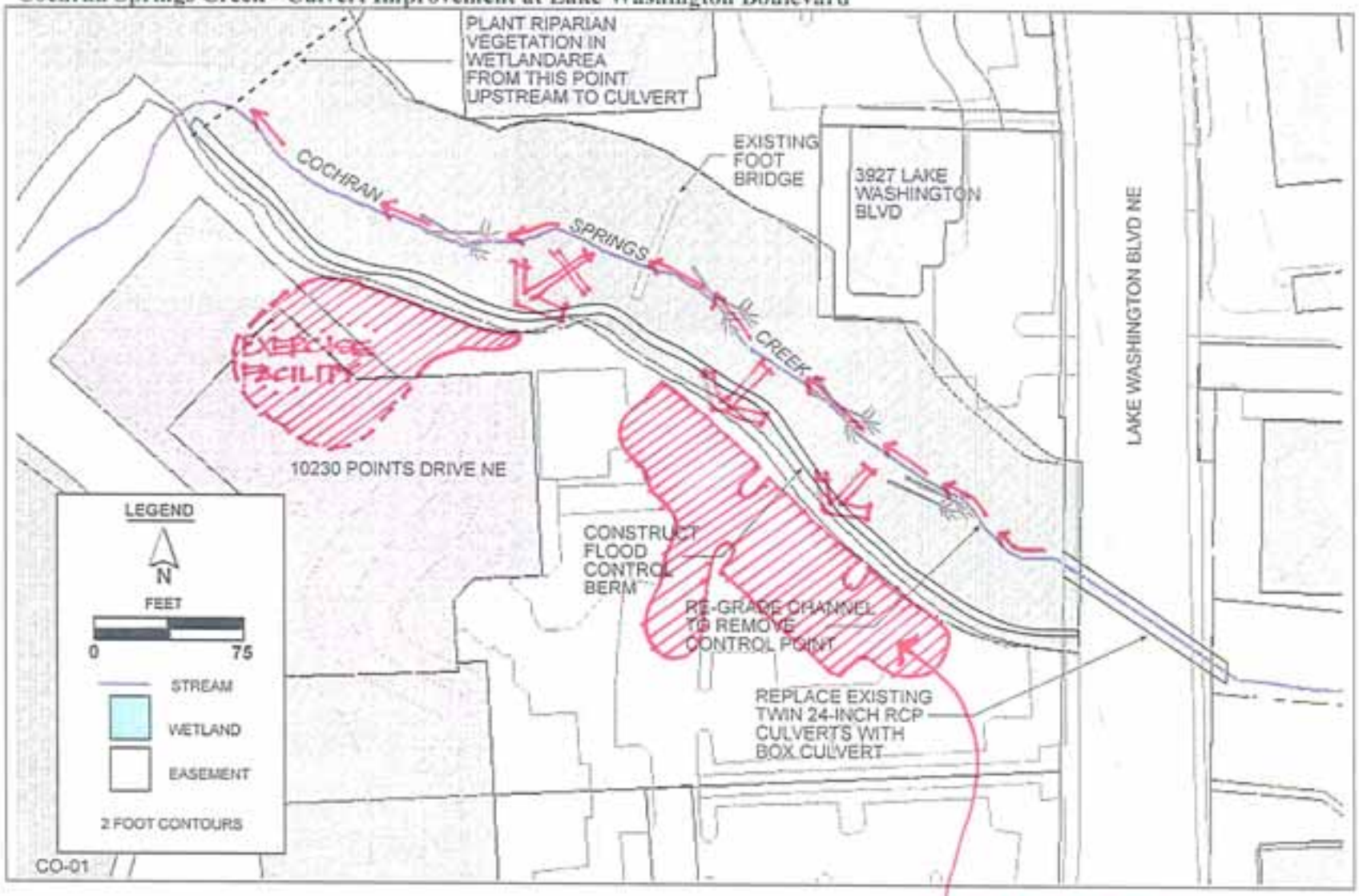
Live Search

COCHRAN SPRINGS CREEK



PROJECT SKETCH

Cochran Springs Creek - Culvert Improvement at Lake Washington Boulevard



D R A F T

October 17, 2007

Keith Maehlum, Vice President
The Plaza at Yarrow Bay Inc.
2025 First Avenue, Suite 700
Seattle, WA 98121

RE: Flood Control Project in 2008-2013 CIP

Dear Mr. Maehlum:

Thank you for your letter and September 4th testimony concerning the 2008-2013 CIP and flooding at the Plaza at Yarrow Bay office park. In response to your concerns, and after review by surface water staff, the 2008-2013 CIP has been altered as follows:

- A new project, SD-0065 Cochran Springs Creek/Plaza at Yarrow Bay Flood Control has been added. This project is funded at $156,000, and is scheduled to begin in 2008.

- The estimated cost for SD-0048, which is currently unfunded, has been reduced by $156,000 to reflect the work that will be done under SD-0065.

Should you have any questions or concerns about the 2008-2013 CIP, please contact Jenny Gaus, Surface Water Engineering Supervisor, at (425) 587-3850. The project will be assigned to a project engineer in January of 2008, and that person will be in contact with you concerning specifics such as design and schedule. Thank you for your interest in surface water issues.

Sincerely,
City of Kirkland

James Lauinger, Mayor

Cc: Dave Snider, Capital Projects Supervisor
Jenny Gaus, Surface Water Engineering Supervisor

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: October 8, 2007

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) Janice Belt
3954 S. Summerspring Lane
Salt Lake City, Utah 84124

Amount: $1271.56
Nature of Claim: Claimant states vehicle damage resulted from being struck by a City vehicle.

Council Meeting: 10/16/2007
Agenda: Establish Lien Period
Item #: 8. f. (1).

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: Ray Steiger, P.E., Capital Projects Manager
Daryl Grigsby., Public Works Director

Date: October 4, 2007

Subject: 2007 SIDEWALK MAINTENANCE PROGRAM - ACCEPT CONSTRUCTION

RECOMMENDATION:

It is recommended that the City Council accept the construction work for the 2007 Sidewalk Maintenance Project, as completed by Dennis R. Craig Construction, Inc. of Redmond, Washington, and establish the statutory lien period.

Damaged Sidewalk on Kirkland Ave

BACKGROUND DISCUSSION:

The Annual Sidewalk Maintenance Program project consists of removing and replacing broken or damaged segments of cement concrete sidewalk at various locations throughout the City. The 2007 project resulted in the repair of sidewalk segments in the North Juanita, South Juanita, Totem Lake, Market, Norkirk and Moss Bay neighborhoods. (Attachment A)

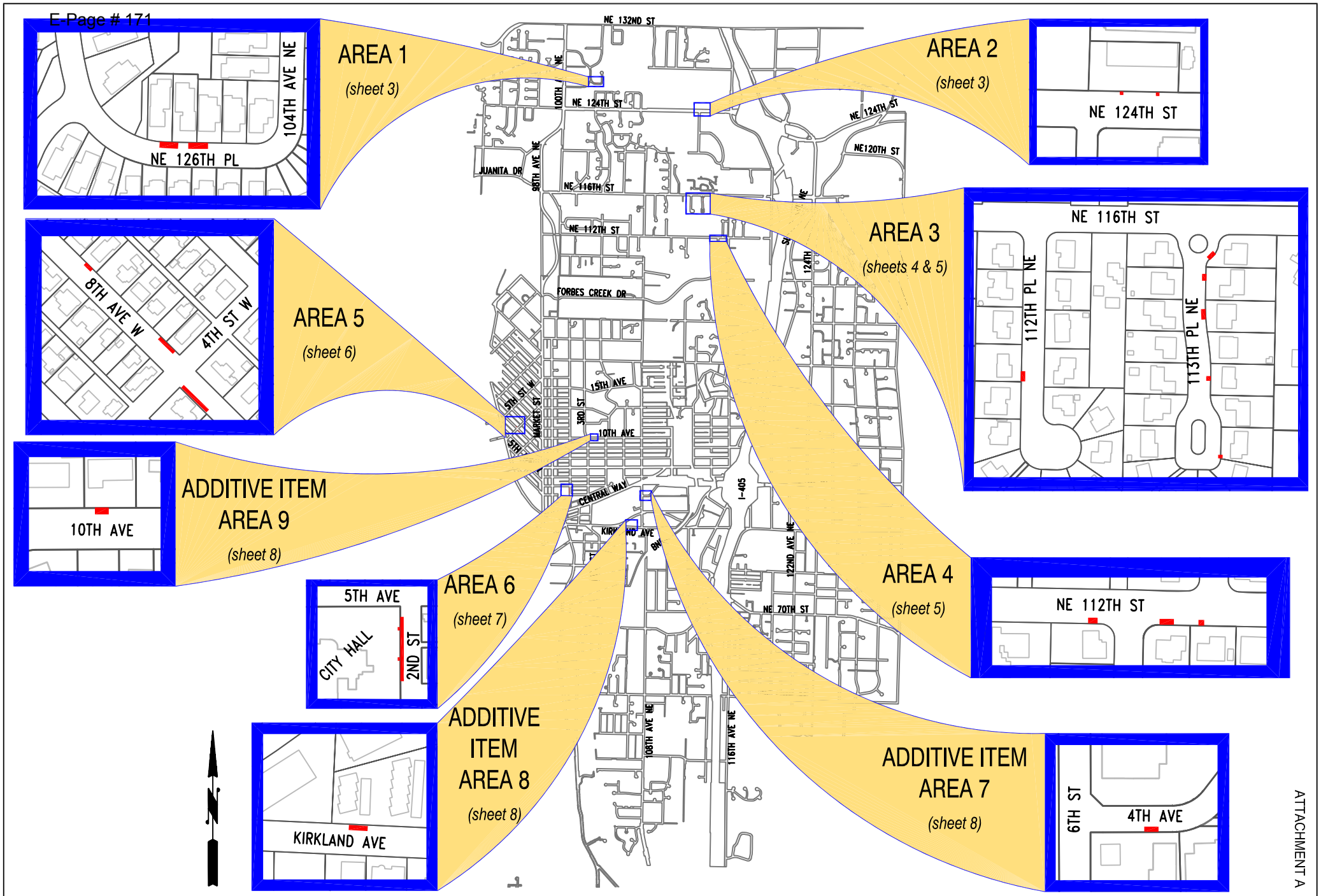
New Sidewalk on Kirkland Ave

The annual budget for the Sidewalk Maintenance Program is $200,000. At their regular meeting of May 15, 2007 Council approved the carry-over of the remaining funds in the 2006 Sidewalk Maintenance Project resulting in an approved budget for the 2007 Project of $227,500. (Attachment B) Approximately $15,000 of the 2007 budget will be used for sidewalk replacement associated with the 2007 Street Preservation Project.

At their regular meeting of June 5, 2007, Council awarded the contract for the 2007 Sidewalk Maintenance Project to Dennis R. Craig Construction in the amount of $138,245.50. Construction began on June 13, 2007 and was completed on September 5, 2007 and, due to a reduction in actual versus estimated material quantities, the total payment to the contractor was $136,590.28 (Attachment B). Also, due to a very smooth and trouble free construction process the overall construction schedule was shortened resulting in additional cost savings for engineering and construction administration. The net surplus for the 2007 Sidewalk Maintenance Program came to $40,910 and staff recommends that these funds be transferred to the 2008 Sidewalk Maintenance Project, with scoping and design for next year's Project beginning this fall.

The 2007 Program repaired approximately 399 square yards of sidewalk at a construction cost of approximately $342 a square yard. The cost of sidewalk maintenance repair in 2006, which included the installation of some areas of rubber sidewalk, was approximately $345 a square yard, which resulted in a 0.6% decrease in construction costs for 2007 (Attachment C).

Attachments (3)



ATTACHMENT A

CITY OF KIRKLAND
DEPARTMENT OF PUBLIC WORKS
123 FIFTH AVE KIRKLAND, WA 98033
(425) 587-3800 www.ci.kirkland.wa.us

DATE	BY	APPR.	REVISION

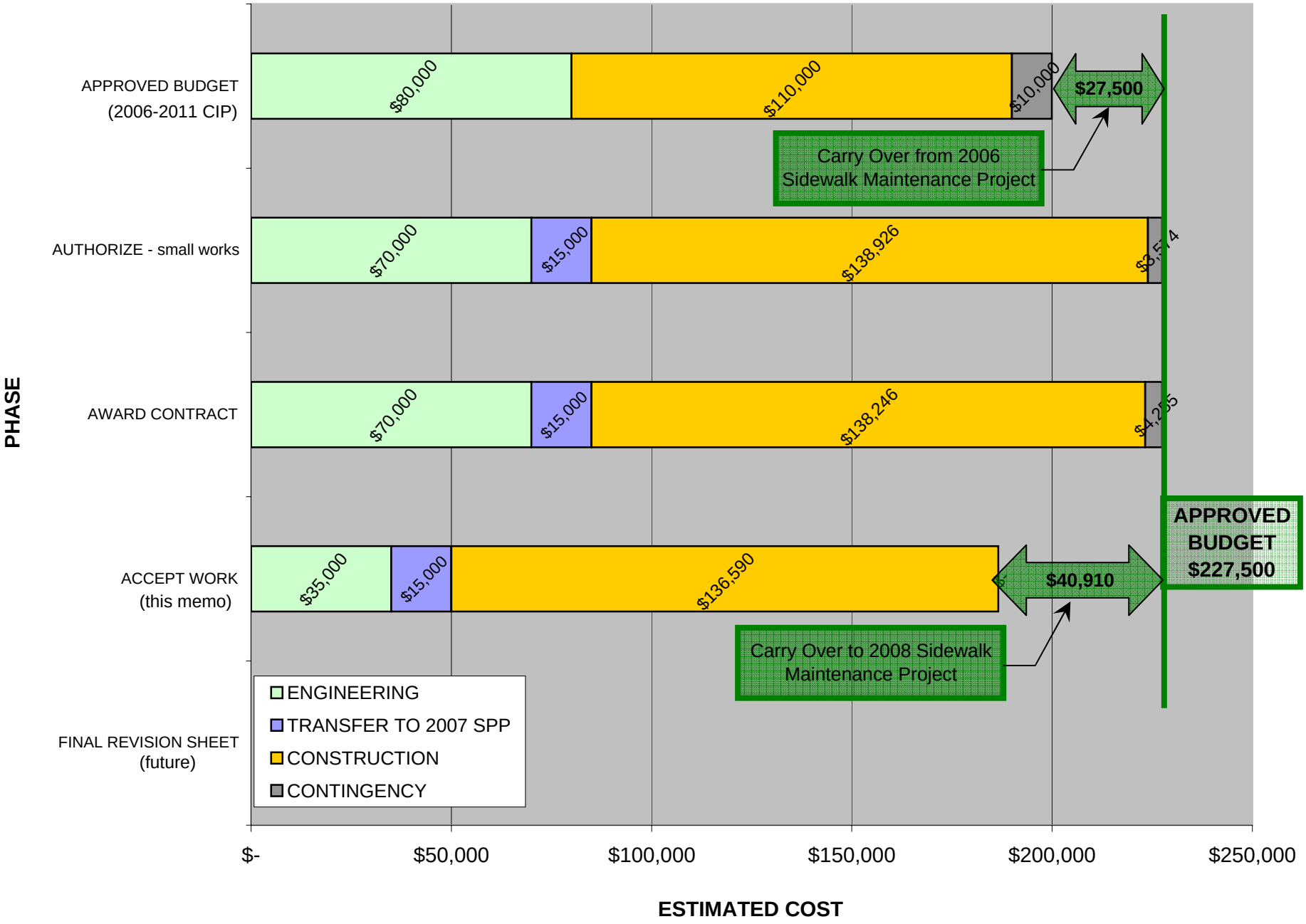
AFM 04/23/2007 DRAWN BY: DATE
JJ 04/26/2007 REVIEWED BY: DATE
DWS 04/27/2007 CHECKED BY: DATE

2007 SIDEWALK MAINTENANCE PROGRAM
PROJECT AREAS

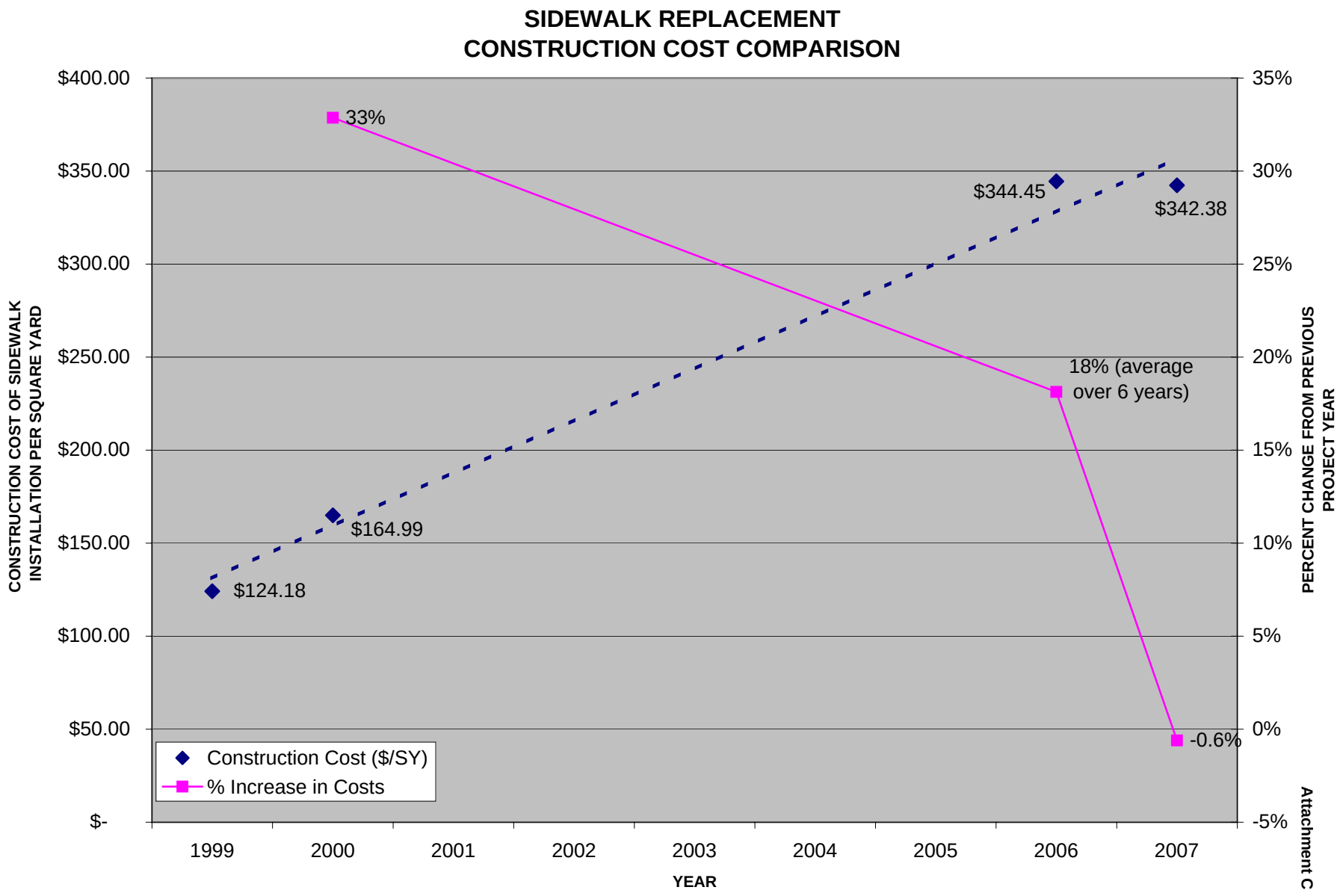
SHEET:
SCALE: NTS
FILENAME: SW07-P-COUNCIL.DWG

2007 SIDEWALK MAINTENANCE PROJECT (CNM 0757)

PROJECT BUDGET REPORT



Attachment B



Attachment C

9/14/2007 3:35 PM
H:\Pw\CIP group\CIP\Unit prices & eng fees\Historical Costs of CNM0057 - SW Maint Project.xls

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

MEMORANDUM

To: David Ramsay, City Manager

From: Jack Henderson, Deputy Fire Chief, operations

Date: October 2, 2007

Subject: Interlocal Agreement Automatic Aid and Training Cooperation Agreement.

RECOMMENDATION:

The City Council adopt the resolution authorizing the City Manager to sign the Interlocal Automatic Aid and Training Cooperation Agreement.

BACKGROUND DISCUSSION:

The King County Zone 1 Fire Agencies operate with Automatic Aid on a daily basis and have for at least thirty years; however, a written interlocal agreement has not been in place to document this operational method.
As a result of Woodinville Fire and Life Safety Department recently going through the Commission on Fire Accreditation International (CFAI) accreditation process it was called out that the department needed to have a written agreement providing for Automatic Aid. At Woodinville's request and concurrence from the Zone One Fire Departments; an Automatic Aid Interlocal has been developed.

While processing the Automatic Aid Agreement with the Operations Committee of the King County Zone 1 Chiefs the committee added a section on training. Risk Managers had recommended that departments have a written agreement for the combined training that also takes place almost daily.

This agreement does not change how we do business however it does formalize what we do and meets accreditation criteria. As Zone 1 fire agencies continue to operate in this fashion this agreement will assist in the assurance we will be able to share resources on a regional basis.

It is staff's recommendation the City Council approves entering into the Automatic Aid and Training Interlocal Agreement

RESOLUTION R-4672

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF KIRKLAND AND OTHER PARTICIPATING AGENCIES FOR THE PROVIDING OF AUTOMATIC AID AND TRAINING COOPERATION WITH RESPECT TO FIRE AND EMERGENCY MEDICAL SERVICES; AND AUTHORIZING THE CITY MANAGER TO SIGN THE AGREEMENT ON BEHALF OF THE CITY OF KIRKLAND.

WHEREAS, the participating agencies each desire to assist the other, when needed, with respect to providing fire and emergency medical services; and

WHEREAS, the participating agencies each desire to cooperate and participate with each other with respect to training;

WHEREAS, the participating agencies are authorized to enter into this Agreement pursuant to RCW 39.34; the Interlocal Cooperation Act;

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

Section 1. The City Manager is hereby authorized and directed to execute on behalf of the City an interlocal agreement substantially similar to the Agreement attached hereto as Exhibit A.

Passed by majority vote of the Kirkland City Council in open meeting this _____ day of _____, 2007.

Signed in authentication thereof this _____ day of _____, 2007.

_____
MAYOR

Attest:

_____
City Clerk

INTERLOCAL AGREEMENT
AUTOMATIC AID and Training Cooperation AGREEMENT

This agreement is entered into between various King County local government agencies, all of which are municipal corporations of the State of Washington.

This agreement is entered into under the authority of Chapter 39.34 RCW, the Interlocal Cooperation Act and RCW 52.12.031(3).

RECITALS

A. Each of the parties owns and maintains apparatus and equipment for the suppression of fires and for the supplying of emergency medical services and responses to other situations, which may be hazardous to the public. Each of the parties also retains firefighting personnel who are trained to provide various levels of emergency medical services and response to other hazardous conditions.

B. Each of the parties is so situated as to be capable of providing fire suppression and/or emergency medical services to one or more other agencies in King County, Zone 1, and/or in portions of another party's service area.

C. Each of the parties may have the necessary equipment and personnel to enable it to provide such services to another party in the event of such an emergency.

D. Each of the parties has a need to be trained and prepared to respond to emergencies.

E. The geographical boundaries of each party are located so as to enable each party to render automatic aid service to certain other parties in described areas.

The parties subject to the terms of this agreement, to carry out the purposes and functions described above and in consideration of the benefits to be received by each of the parties, agree as follows:

1. Purpose of Agreement. The purpose and intent of this agreement is to provide for dispatch of the nearest available units, within Zone 1, to all parties to the agreement. Eastside Communications Center, operated by the City of Bellevue Police Department, will automatically dispatch the nearest available unit to all emergency responses, as established by each fire department's response plan. Training with participating agencies is necessary to enhance the abilities of those agencies.

2. Compensation. Each party agrees not to seek compensation for services rendered under this agreement. The mutual consideration supporting this agreement is the reciprocal services provided by each agency to the other parties; provided, however, that upon request by a responding agency, the party requesting assistance shall attempt to obtain financial assistance from federal and State agencies where such assistance is available to reimburse the assisting party for losses or damages incurred in supplying aid under this agreement.

3. Command Responsibility at Emergency Scene. Command responsibility at the scene rests with the party whose personnel are dispatched with the nearest available unit. Incidents shall be managed using the Incident Command System in compliance with the National Incident Management System (NIMS). All responding equipment and personnel shall fall under the authority of the incident commander. The equipment and personnel of any responding party shall be released from service and returned to the responding party by the incident commander as soon as conditions warrant.

4. Impact. A jurisdiction utilizing automatic aid from a neighboring jurisdiction must consult with the affected jurisdiction prior to implementing response plan changes. When impacts are deemed to be overwhelming to one agency, either agency may request a revision to the response plans.

5. Liability. The parties agree that the department assuming command control at the scene shall assume liability for, defend, indemnify and hold all other parties harmless from all liabilities arising out of command decisions or judgments.

When training at a location owned or managed by another department, visiting departments maintain responsibility for their personnel, apparatus, and equipment. Departments will defend, indemnify and hold all other parties harmless from all liabilities stemming from training activities.

Subject to the above, each party hereto agrees to assume responsibility for liabilities arising out of the actions of its own personnel and to defend, indemnify and hold the other parties hereto harmless therefrom as to each party's own actions relating to performance under this agreement.

6. Insurance. Each party agrees to maintain adequate Automobile and Commercial General Liability insurance coverage for its own equipment and personnel, covering their operations. Limits of such coverage should be no less than $2,000,000.00 combined single limit per occurrence.

7. Pre-emergency Planning/Training/First Response. The command officers of the parties may, from time to time, mutually establish pre-emergency plans which shall indicate: the types of and locations of potential problem areas where emergency assistance may be needed; the type of equipment that should be dispatched under various possible

circumstances. Such plans shall take into consideration and ensure proper protection by the responding party of its own geographical area.

8. Duration. The duration of this agreement shall be for one year commencing from the date of filing. However, the agreement shall be automatically continued from year to year unless terminated as provided below.

9. Termination. This agreement shall remain in full force and effect unless and until terminated as follows:

9.1 Written notice shall be served by any party hereto upon all parties of its intention to terminate the agreement. Such notice shall be served not less than thirty days prior to the termination date set forth therein, and a copy shall be forwarded to each party signatory hereto. Said notice shall automatically terminate the agreement on the date set out unless rescinded prior thereto in writing.

9.2 Termination of the agreement between parties affected by such notification shall not affect the continuation of the agreement as to any party hereto not indicating an intention to withdraw as provided herein.

9.3 Termination of the relationship effected by this agreement shall not preclude future agreements for mutual aid between the parties terminated hereunder.

10. Agreement Not Exclusive. This agreement is not intended to be exclusive as between the several parties hereto. Any of the parties hereto may, as they deem necessary or expedient, enter into separate mutual aid agreements with any other party or parties. Entry into such separate agreements shall not, unless specifically stated therein, affect any relationship or covenant herein contained; provided,, that no such separate

agreement shall terminate any responsibility herein undertaken unless notice shall be given pursuant to Section 8 of this agreement.

11. Filing. As provided by RCW 39.34.040, this agreement shall be separately filed prior to its entry in force, with the City Clerk of any participating city, with the district secretary of any participating fire protection district and with the County Auditor. Alternatively, the agreement may be posted on an agency's web site, and filing shall be deemed completed as to such agency. For "filing" to be complete, all of the foregoing filings shall be accomplished. An agreement shall be deemed "filed" on the date of the last filing of the foregoing.

12. Complete Agreement. This Agreement is the full and complete understanding of the parties and there are no other agreements, either verbal or written, which would alter the terms of this document.

DATED: _____

List of Parties Executing this Agreement

[Followed by one signature page per agency]

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

MEMORANDUM

To: David Ramsay, City Manager

From: Eric R. Shields, AICP, Planning Director
David Barnes, Planner

Date: October 2, 2007

Subject: Van Buskirk Street Vacation, File No.VAC07-00002

RECOMMENDATION

The Department of Planning and Community Development recommends that City Council adopt an Ordinance to vacate a portion of NE 97th PL NE right-of-way lying east of Slater Avenue NE and west of Interstate 405 as filed by John Van Buskirk and Johal Karnail.

BACKGROUND DISCUSSION

John Van Buskirk and Johal Karnail submitted a petition to vacate a 10,211 square foot portion of NE 97th PL located adjacent to their property lying east of Slater Avenue NE and west of Interstate 405.

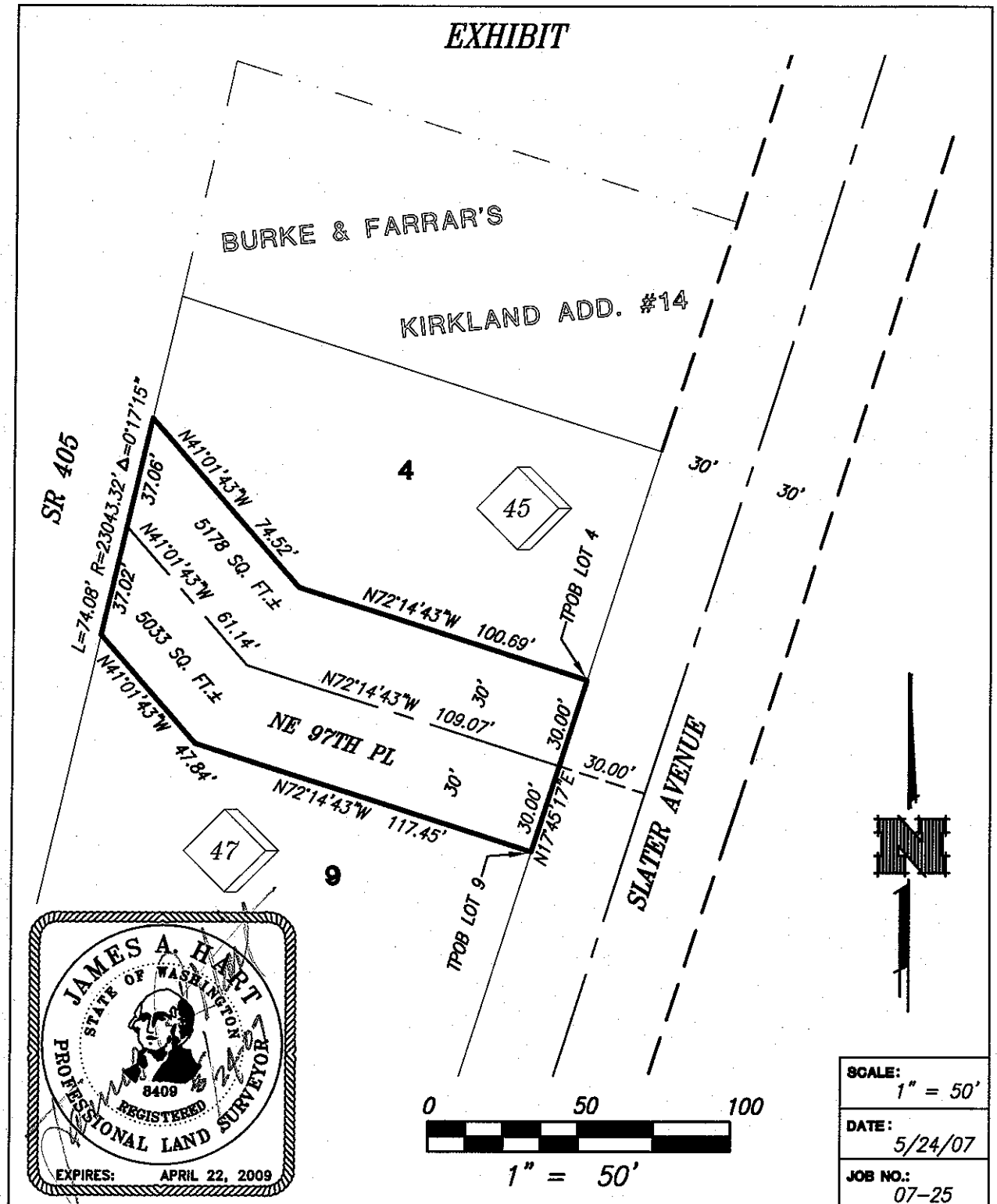
On May 17, 2005, City Council adopted Resolution 4648 that set July 17, 2007 as the hearing date for this application. The hearing was continued to August 7, 2007.

On August 7, 2007 City Council adopted Resolution 4658 expressing an Intent to Vacate.

The resolution stated that the applicant had 90 days or until November 5, 2007 to meet three conditions. All three of the conditions have been met by the applicant.

ATTACHMENTS:
1. Vicinity Map and Site Plan
2. Intent to Vacate Resolution
3a. Ordinance to Vacate
3b. Legal Description

EXHIBIT



JAMES A. HART
STATE OF WASHINGTON
8409
REGISTERED
PROFESSIONAL LAND SURVEYOR
EXPIRES: APRIL 22, 2009

SCALE:	1" = 50'
DATE:	5/24/07
JOB NO.:	07-25

JIM HART AND ASSOCIATES
PROFESSIONAL LAND SURVEYOR
220 6TH STREET - KIRKLAND, WA 98033
PH. (425) 822-4171 / FAX (425) 827-3085

ROAD VACATION EXHIBIT
JAMAX ASSOC., LLC
18709 SE 44TH PL
ISSAQUAH, WA 98027

RESOLUTION R-4658

A RESOLUTION OF THE CITY OF KIRKLAND EXPRESSING AN INTENT TO VACATE A PORTION OF A RIGHT-OF-WAY FILED BY John VanBuskirk and Johal Karnail, FILE NUMBER VAC07-00002.

WHEREAS, the City has received an application filed by John VanBuskirk and Johal Karnail to vacate a portion of a right-of-way; and

WHEREAS, by Resolution Number 4648, the City Council of the City of Kirkland established a date for a public hearing on the proposed vacation; and

WHEREAS, proper notice for the public hearing on the proposed vacation was given and the hearing was held in accordance with the law; and

WHEREAS, an Environmental Checklist was filed pursuant to the State Environmental Policies Act and applicable state guidelines and local implementing ordinances, which was reviewed by the Responsible Official of the City of Kirkland who issued a negative declaration of the proposed vacation; and

WHEREAS, this Environmental Checklist and Negative Declaration have been available and accompanied this application through the entire review process; and

WHEREAS, it is appropriate for the City to receive compensation for vacating the right-of-way as allowed under state law; and

WHEREAS, no property owner will be denied direct access as a result of this vacation.

WHEREAS, it appears desirable and in the best interest of the City, its residents and property owners abutting thereon that said street to be vacated;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Kirkland as follows:

Section 1. The Findings and Conclusions as set forth in the Recommendation of the Department of Planning and Community Development contained in File Number VAC07-00002 are hereby adopted as though fully set forth herein.

Section 2. Except as stated in Section 3 of this resolution, the City will, by appropriate ordinance, vacate the portion of the right-of-way described in Section 4 of this resolution if within 90 days of the date of passage of this resolution the applicant or other person meets the following conditions:

(a) Pays to the City $210,000 as compensation for vacating this portion of the right-of-way.

(b) Within seven (7) calendar days after the final public hearing, the applicant shall remove all public notice signs and return them to the Department of Planning and Community Development.

(c) Within ninety (90) days of the passage of the Resolution of Intent to grant the vacation, the applicants should submit to the City a copy of the recorded easement as requested by Washington State Department of Transportation.

Section 3. If the portion of the right-of-way described in Section 4 of this resolution is vacated, the City will retain and reserve an easement, together with the right to exercise and grant easements along, over, under and across the vacated right-of-way for the installation, construction, repair and maintenance of public utilities and services.

Section 4. The right-of-way to be vacated is situated in Kirkland, King County, Washington and is described as follows:

See Attachment 1 for legal description

Section 5. Certified or conformed copies of this Resolution shall be delivered to the following within seven (7) days of the passage to this resolution:

(a) Applicant;
(b) Department of Planning and Community Development of the City of Kirkland;
(c) Fire and Building Departments of the City of Kirkland;
(d) Public Works Department of the City of Kirkland; and
(e) The City Clerk for the City of Kirkland.

Passed by majority vote of the Kirkland City Council in open meeting on the 7th day of August, 2007.

SIGNED IN AUTHENTICATION THEREOF this 7th day of August, 2007.

Mayor

ATTEST:

City Clerk

ORDINANCE NO. 4114

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO VACATING A PORTION OF A RIGHT-OF-WAY BASED ON AN APPLICATION FILED BY JOHN VAN BUSKIRK AND JOHAL KARNAIL, FILE NO. VAC07-00002.

WHEREAS, by Resolution adopted on August 7th 2007, the City Council of the City of Kirkland established that it would vacate a portion of a right-of-way if certain conditions were met; and

WHEREAS, the conditions specified in Resolution No. 4658 have been satisfied.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Kirkland as follows:

Section 1. The portions of public right-of-way situated in Kirkland, King County, Washington and described as follows:

A portion of NE 97th Place Right-of-way as described in Attachment 1,

be and the same hereby are vacated, except that the City shall retain and reserve an easement together with the right to grant easements along, over and under the vacated street for the installation, construction, repair and maintenance of public utilities and services.

Section 2. This ordinance shall be in full force and effect five days from and after its passage by the Kirkland City Council and publication, as required by law.

PASSED by majority vote of the Kirkland City Council in open meeting this _____ day of _____, 20___.

SIGNED in authentication thereof this _____ day _____, 20___.

_____
Mayor

Attest:

_____
City Clerk

Approved as to Form:

_____
City Attorney

JIM HART AND ASSOCIATES
220 6TH STREET, KIRKLAND, WA 98033-6335, 425-822-4171 FAX 425-827-3085

07-25
5/24/07

ROAD VACATION NORTH ONE HALF NE 97TH PLACE

LEGAL DESCRIPTION:

BEGINNING AT THE SOUTHEAST CORNER OF LOT 4, BLOCK 45, BURKE AND FARRAR'S KIRKLAND ADDITION, DIVISION NO. 14, AS RECORDED IN VOLUME 20 OF PLATS, PAGE(S) 14, RECORDS OF KING COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:
THENCE SOUTH 17°45'17" WEST 30.00 FEET TO THE CENTERLINE OF NE 97TH PLACE (MORETON AVENUE);
THENCE NORTH 72°14'43" WEST ALONG SAID CENTERLINE 109.07 FEET;
THENCE NORTH 41°01'43" WEST ALONG SAID CENTERLINE 61.14 FEET, MORE OR LESS, TO THE EASTERLY RIGHT OF WAY OF I-405 WHOSE RADIAL CENTER BEARS NORTH 77°16'24" WEST 23,043.22 FEET;
THENCE ALONG A CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 00°05'32" AN ARC DISTANCE OF 37.06 FEET ALONG SAID RIGHT OF WAY TO THE NORTHERLY MARGIN OF NE 97TH PLACE (MORETON AVENUE) AND THE SOUTHWESTERLY LINE OF LOT 4, BLOCK 45, OF SAID PLAT;
THENCE SOUTH 41°01'43" EAST ALONG THE NORTHERLY MARGIN OF NE 97TH PLACE 74.52 FEET;
THENCE SOUTH 72°14'43" EAST ALONG THE NORTHERLY MARGIN OF NE 97TH PLACE 100.69 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINING 5,178 SQUARE FEET, MORE OR LESS.

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

JAMES A. HART
STATE OF WASHINGTON
8409
REGISTERED
PROFESSIONAL LAND SURVEYOR
EXPIRES 4-29-08

JIM HART AND ASSOCIATES
220 6TH STREET, KIRKLAND, WA 98033-6335, 425-822-4171 FAX 425-827-3085

07-25
5/21/07

ROAD VACATION SOUTH ONE HALF NE 97TH PLACE

LEGAL DESCRIPTION:

BEGINNING AT THE NORTHEAST CORNER OF LOT 9, BLOCK 47, BURKE AND FARRAR'S KIRKLAND ADDITION, DIVISION NO. 14, AS RECORDED IN VOLUME 20 OF PLATS, PAGE(S) 14, RECORDS OF KING COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:
THENCE NORTH 17°45'17" EAST 30.00 FEET TO THE CENTERLINE OF NE 97TH PLACE (MORETON AVENUE);
THENCE NORTH 72°14'43" WEST ALONG SAID CENTERLINE 109.07 FEET;
THENCE NORTH 41°01'43" WEST ALONG SAID CENTERLINE 61.14 FEET, MORE OR LESS, TO THE EASTERLY RIGHT OF WAY OF I-405 WHOSE RADIAL CENTER BEARS NORTH 77°16'24" WEST 23,043.22 FEET;
THENCE ALONG A CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 00°05'31" AN ARC DISTANCE OF 37.02 FEET ALONG SAID RIGHT OF WAY TO THE SOUTHERLY MARGIN OF NE 97TH PLACE (MORETON AVENUE) AND THE NORTHEASTERLY LINE OF LOT 9, BLOCK 47, OF SAID PLAT;
THENCE SOUTH 41°01'43" EAST ALONG THE SOUTHERLY MARGIN OF NE 97TH PLACE 47.84 FEET;
THENCE SOUTH 72°14'43" EAST ALONG THE SOUTHERLY MARGIN OF NE 97TH PLACE 117.45 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINING 5,033 SQUARE FEET, MORE OR LESS.

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

JAMES A. HART
STATE OF WASHINGTON
8409
REGISTERED
PROFESSIONAL LAND SURVEYOR
EXPIRES 4/22/09

Council Meeting: 10/16/2007
Agenda: Other Business
Item #: 8. h. (2).

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

MEMORANDUM

To: Dave Ramsay, City Manager

From: Helen Ahrens-Byington, Deputy Chief

Date: October 16th, 2007

Subject: Substitute House Bill 1756

RECOMMENDATION:

City Council pass the resolution to adopt the attached performance standards to be compliant with Substitute House Bill 1756

BACKGROUND DISCUSSION:

Introduction

On April 15, 2005 the Washington State Legislature passed into law SHB 1756. This law impacts every fire organization within the State of Washington.

The law directs Fire Departments in Washington State to determine and develop performance standards and reporting standards relative to response time measurements and first alarm assignments and then to make public a report on how we are doing in relation to those times.

History & Background

One of the major issues the fire service has been addressing is defining levels of service relative to standards, comparable data and levels of acceptable risk for each community. The Kirkland Fire Department has used response times as part of their performance measures for the City Council for many years.

Response times have long been a standard of measurement of service, within the Fire Service nationally. However this data has never been used in setting standards which can be used on a comparison basis

In 2001 NFPA 1710, the first national standard for response times, was adopted. As a standard it was not legally binding for Fire Departments, though it has and will increasingly carry significant weight in legal actions resulting from incidents attributable to response times.

Establishing standards for the fire service continues to develop momentum and increasingly communities are being directed to establish policies in regards to the delivery of emergency fire and EMS services. SHB 1756 is Washington State's solution to address the issue of setting response time standards.

The Commission of Fire Accreditation International has described a standard of response coverage as "written policies and procedures that establish the distribution and concentration of fixed and mobile resources of an organization".

City of Kirkland

The City of Kirkland already adopted performance standard for Fire Department response times in the "Kirkland Fire and Building Department Strategic Plan 2000". In this standard, the City adopted that the definition of "response time" will be from the time of the 911 call to time the Fire Department arrives on scene.

To meet the requirements of the SHB1756 we will need to divide our current overall response time in to the following categories, turnout time and response time as defined below per the SHB 1756.

Definitions from the SHB 1756

Dispatch Time: The time when the dispatcher, having selected appropriate units for response with assistance from the CAD system, initiates the notification of response.

Turnout Interval: Measured time between dispatch time and turnout time.

Turnout Time: When units acknowledge notification of the event to the beginning point of response time (wheels rolling).

Travel Interval: Measured time between turnout time and on scene time of initial company.

Response Time: The combined measured time from dispatch time (unit dispatched) to the initial company arrival time (includes turnout interval).

SHB 1756 Requirements

Fundamentally this bill simply requires, through ordinance, a community to determine the level of Fire & EMS services it wishes to provide to its community, and set performance measures that will be annually reported by Fire Departments.

This bill requires the following:

- City Ordinance – Policy Statements
  - ✓ Existence of Fire Department
  - ✓ Services provided by Fire Department

- ✓ Expected number of Fire Department employees
- ✓ Functions performed by employees

- Adopted Standards
  - ✓ Turnout Time
  - ✓ Response Time – Deployment of First Alarm Assignments at Fire Suppression Incidents
  - ✓ Response Time – First arriving unit at Fire Suppression Incidents
  - ✓ Response Time – Emergency Medical Incidents
  - ✓ Response Time – Technical Rescue Incidents

- Annual Fire Department Performance Measures Reporting
  - ✓ Includes Policy Statements
  - ✓ Provides the established standard
  - ✓ Reports on Departments Performance against established standard
  - ✓ Explanations where the standard is not being met.
  - ✓ Predictable consequences of any deficiencies and necessary improvements needed to correct these.

After review by the Public Safety Committee; staff is recommending the following in order to meet the requirements of the SHB1756.

RECOMMENDATIONS:

1. Use the standards already developed and adopted in the Strategic Plan as the foundation to develop the report for the SHB1756 compliance.
2. Update the standards to reflect the definitions used in SHB1756
3. Along with the response times divided as required by the SBH1756, also continue to report on the how the response time was defined in the "Kirkland Fire and Building Department Strategic Plan 2000" - Time of 911 call to first arriving unit.
4. The City also needs to adopt a response time standard for the **Initial Full Alarm Assignment -** Defined as the time when all of the personnel, equipment, and resources ordinarily dispatched upon a fire alarm arrive on the scene. The Full alarm assignment for 2006 was 3 Engine companies, 1Truck company, 1 Battalion Chief.
5. The City also needs to adopt a response time standard for a **the First Arriving Technical Rescue Unit -** Defined as personnel that is trained as Technical rescuers and have a unit with all the equipment to perform a rescue; for the City of Kirkland, Truck 26 is the only unit that meets these requirements.
6. The City needs to adopt a standard for Turnout Time.
7. The City Council should adopt a resolution as prescribed by HB1756 that will out line these recommendations (attached).

Fire: First Arriving Unit Response

(Dispatch time)	Turnout time	Travel Interval	Response time	(From 911 – Arrival)
(45 sec)	60 sec	3 min 45 sec	4 min 45 sec	(5 min 30 sec)

(not required to report on)

Emergency Medical: First Arriving Unit Response

(Dispatch time)	Turnout time	Travel Interval	Response time	(From 911 – Arrival)
(30 sec)	60 sec	3 min 30 sec	4 min 30 sec	(5 min)

Fire Suppression Incidents: Deployment of First Alarm Assignments

(Dispatch time)	Turnout time	Travel Interval	Response time	(From 911 – Arrival)
(45 sec)	60 sec	9 min	10 min	(10 min 45 sec)

Technical Rescue: First Arriving Technical Rescue Unit

(Dispatch time)	Turnout time	Travel Interval	Response time	(From 911 – Arrival)
(45 sec)	60 sec	9 min	10 min	(10 min 45 sec)

1. In Parentheses (Not required to report on based on HB1756)
2. Difference in Dispatch time is in relation to the length of time it take Dispatch to assign units for different types of incidents.

RESOLUTION R-4673

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND ADOPTING PERFORMANCE STANDARDS AS THE KIRKLAND FIRE DEPARTMENT'S RESPONSE TIME OBJECTIVES AS REQUIRED IN CHAPTER 35A.92 RCW.

WHEREAS, the Kirkland Fire Department is legally established as a fire department through RCW 35A.01.01 and RCW 35A.11.020; and

WHEREAS, the Kirkland Fire Department has a mission statement and goals and objectives to guide the organization in providing fire and medical services to our community; and

WHEREAS, the Kirkland Fire Department has a basic organizational structure; and

WHEREAS, the Kirkland Fire Department has a certain number of members who now and in the future will perform the tasks required to accomplish our response objectives; and

WHEREAS, the City Council previously adopted performance standards for Kirkland Fire Department response times in the Kirkland Fire and Building Department Strategic Plan 2000; and

WHEREAS, the City of Kirkland is now required by state law to establish Kirkland Fire Department turnout and response time goals for the first arriving basic life support and fire engine responses to fire suppression calls, and response time goals for a full alarm assignment; and

WHEREAS, the Kirkland Fire Department has evaluated all the elements identified in Chapter 35A.92 RCW and included those provisions deemed appropriate in the Department's emergency service delivery; and

WHEREAS, the Kirkland Fire Department has developed written response coverage objectives required to comply with applicable provisions of Chapter 35A.92 RCW;

NOW, THEREFORE, be it resolved by the City Council of the City of Kirkland that the attached performance standards are hereby adopted as the Kirkland Fire Department's response time objectives as required in Chapter 35A.92 RCW.

Passed by majority vote of the Kirkland City Council in open meeting this _____ day of _____, 2007.

Signed in authentication thereof this _____ day of _____, 2007.

_____
MAYOR

Attest:

_____
City Clerk

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

MEMORANDUM

To: Dave Ramsay, City Manager

From: Jeff Blake, Fire Chief

Date: October 2, 2007

Subject: Medic One Levy Resolution

RECOMMENDATION:

That the Council consider the attached resolution following a public hearing.

BACKGROUND DISCUSSION:

The Medic One/Emergency Medical Services (EMS) system provides life-saving medical assistance to all residents of King County. It is recognized as one of the best emergency medical services programs in the country, and its response model has garnered an international reputation for innovation and excellence in out-of-hospital emergency care. It serves over 1.8 million people throughout King County and, on average, responds to a medical emergency in the region every three minutes. In 2005, Medic One/EMS responded to over 162,000 calls for assistance.

The patient and program services of the Medic One/EMS system are funded by a Medic One/EMS levy that expires December 31, 2007. To continue providing this service in 2008 and beyond, a new strategic plan, defining the roles, responsibilities and programs for the system, and a levy rate to fund these approved functions, needed to be crafted.

In early October 2005, the King County EMS Division initiated a region-wide effort to review the issues and options facing our system, and develop recommendations for the next strategic plan. This process brought together Stakeholders that represented the full range of Medic One/EMS providers - urban and rural fire departments and districts, paramedic providers, emergency physicians and medical directors, labor representatives, finance specialists, dispatch agencies and private ambulance companies.

Elected officials and appointees from large cities, suburban cities, and fire districts joined the discussions later in the process to advise the group on political aspects of the new strategic plan and recommendations. In total, these Stakeholders spent one year reviewing the needs of the Medic One/EMS system, the financial and programmatic policies necessary to meet these needs of the regional system.

In October 2006, regional representatives developed consensus around the future funding and operational plans for a 2008-2013 Medic One/EMS levy, unanimously endorsing a levy proposal that they deemed appropriate and prudent.

This document summarizes the results of these discussions, and includes the Stakeholders' approved proposals:

- A six-year Medic One/EMS levy at $.30 per $1,000 Assessed Value (AV);
- A financial plan that provides full funding for Advanced Life Support (ALS)/ paramedic service and identifies ALS as a funding priority;
- The funding of an anticipated 3.0 new paramedic units over the span of the six-year levy period to maintain existing levels of services in anticipation of moderate growth in call volumes and anticipated increases in the age of the population in the region;
- Provision of paramedic service to outlying areas;
- A funding increase for Basic Life Support (BLS) services, tying BLS financial support to incidents where BLS most closely supports paramedic services;
- *Medic One/EMS 2008 - 2013 Strategic Plan*
- Sustained and enhanced funding in anticipation of expected demands for the Core Regional Services/Programs that support the Medic One/EMS system;
- Continued emphasis on Medic One/EMS Strategic Initiatives designed to improve patient care, manage growth in paramedic services, and develop system efficiencies and cost savings;
- Development of a reserve fund to address unanticipated service or demand needs, potential emergencies, and/or significant changes in strategic and financial plan assumptions; and
- Placement of this proposal on the November 2007 General Election ballot.

The ability to provide emergency medical services using a regional EMS property tax levy was passed by the Washington State legislature in 1979. The Revised Code of Washington (RCW) 84.52.069 allows jurisdictions to levy a property tax for the purpose of providing emergency medical services.

As identified above, the 2008 – 2013 Medic One/EMS Strategic Plan is a consensus document of staff, and elected official in King County developed over an 18 month planning period. The Strategic Plan is comprehensive analysis of the needs, options, and direction necessary to provide emergency medical services throughout King County, including Kirkland, through the year 2013.

RESOLUTION R-4671

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND SUPPORTING THE COUNTY-WIDE 2008-2013 MEDIC ONE/EMERGENCY MEDICAL SERVICES LEVY, PROPOSITION NO. 1, ON THE NOVEMBER 6, 2007, GENERAL ELECTION BALLOT.

WHEREAS, the existing Medic One/EMS Levy will expire at the end of the year 2007; and

WHEREAS, King County is seeking voter authorization of a six-year Medic One/EMS levy of up to $0.30 per thousand dollars of assessed valuation for the period of 2008 through 2013; and

WHEREAS, the Medic One/EMS Levy supports the valuable and renowned regional Medic One/EMS program; and

WHEREAS, a region-wide effort to thoroughly review the future needs of the emergency medical services system began in October of 2005 and involved the full range of Medic One/EMS Stakeholders; and

WHEREAS, such analysis included the impacts that a specific levy type, length, and rate might have on the regional system and taxpayers; and

WHEREAS, the City of Kirkland was a significant participant throughout these discussions and was represented as a Stakeholder on both the Technical Stakeholder and the Elected Official Committees; and

WHEREAS, in October of 2006, Stakeholders developed consensus around the future funding and operational plans for a 2008-2013 Medic One/EMS levy and unanimously endorsed a six-year, $0.30 per thousand dollars of assessed value levy proposal;

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

Section 1. The City Council, after considering comment at a duly noticed public hearing, hereby supports the County-Wide 2008-2013 Medic One/Emergency Medical Services Levy, Proposition No. 1, on the November 6, 2007, General Election Ballot.

Section 2. The City Council hereby urges citizens to vote yes on the Medic One/Emergency medical Services Levy, Proposition No. 1 on November 6, 2007.

Passed by majority vote of the Kirkland City Council in open meeting this _____ day of _____, 2007.

Signed in authentication thereof this _____ day of _____, 2007.

_____
MAYOR

Attest:

_____
City Clerk

Council Meeting: 10/16/2007
Agenda: Unfinished Business
Item #: 10. a.

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

MEMORANDUM

To: David Ramsay, City Manager

From: Tracey Dunlap, Director of Finance and Administration
Michael Olson, Deputy Director of Finance and Administration
Sri Krishnan, Senior Financial Analyst

Date: October 3, 2007

Subject: Development Fee Update – Credit Card Considerations

Recommendation:
City Council review background information regarding credit cards, such as the fees paid by the City and estimated credit card usage, in preparation for the development fee discussion on November 7. There has been a lot of customer interest in the City accepting credit cards for in-person development services transactions, in addition to online transactions (E-Permits, Utility On-Line, and Parks & Recreation programs) for which the City currently accepts credit cards.

Credit Card Rates
There are three (3) components that make up the credit card charges: interchange, assessment, and transaction fees. The first two are set by the credit card associations (Visa and MasterCard) and the last is set by the City's bank (Bank of America). The associations, Visa and MasterCard, have various rates depending on the type of card. In fact, Visa has 13 or more different card types and related fees while MasterCard has 9 or more different card types and related fees. Table 1 lists the fees charged by Visa for ten (10) types of cards and the associated transaction fees charged by Bank of America.

Table 1
Interchange, Assessment and Transaction Fees by Visa Card Type

VISA Card Type	Interchange		Assessments	Transaction Fees		Total Per Item	Total % Rate
	% Rate	Per Item	% Rate	% Rate	Per Item		
CPS Retail (Card Present)	1.54%	$0.10	0.09%	0.07%	$0.10	$0.20	1.70%
CPS Retail Debit (Card Present)	1.03%	$0.15	0.09%	0.07%	$0.10	$0.25	1.19%
CPS Retail Key Entered	1.85%	$0.10	0.09%	0.07%	$0.10	$0.20	2.01%
CPS Retail 2 (Card Present)	**1.43%**	**$0.05**	**0.09%**	**0.07%**	**$0.10**	**$0.15**	1.59%
CPS Retail 2 Debit	**0.80%**	**$0.25**	**0.09%**	**0.07%**	**$0.10**	**$0.35**	0.96%
CPS Visa Utility	**0.00%**	**$0.75**	**0.09%**	**0.07%**	**$0.10**	**$0.85**	0.16%
Commercial Card Rate II	**1.90%**	**$0.10**	**0.09%**	**0.07%**	**$0.10**	**$0.20**	2.06%
Standard debit	1.90%	$0.25	0.09%	0.07%	$0.10	$0.35	2.06%
Commercial Card Electronic	2.20%	$0.10	0.09%	0.07%	$0.10	$0.20	2.36%
Commercial Card Standard	2.70%	$0.10	0.09%	0.07%	$0.10	$0.20	2.86%

Based on the current rates, the total per item charge would range from $0.15 to $0.85 and 0.16% to 2.86% of the transaction amount. These charges are paid by the City each time a customer opts to pay a bill with a credit card. Note that the cost is considered a "cost of doing business" and the Visa and MasterCard agreements preclude the City from directly passing it on to the individual customer. Common practice for development permits is to build the charges into all of the fees, which would increase fees by about 1.1% as described later.

Table 2 illustrates the charges paid by the City for all the credit card transactions that the City currently accepts during the first eight months of 2007.

Table 2
Credit Card Fees January – August 2007

Account	Total Sales	Discount Fee	Other Fees	Total Fees	% of Sales
Utilities Counter	$ 234,263.88	$ 221.74	$ 1,426.20	$ 1,647.94	0.70%
Cemetery	$ 71,262.18	$ 50.28	$ 1,084.46	$ 1,134.74	1.59%
Utility On-Line	$ 506,203.99	$ 371.30	$ 3,309.28	$ 3,680.58	0.65%
E-Permits	$ 63,663.14	$ 49.35	$ 1,455.51	$ 1,504.86	2.29%
Parks & Recreation	$ 353,482.64	$ 273.57	$ 5,711.88	$ 5,985.45	1.62%
KirklandParks.NET	$ 313,773.08	$ 238.28	$ 5,027.25	$ 5,265.53	1.60%
Parking	$ 45,374.05	$ 798.36	$ 4,909.76	$ 5,708.12	10.82%
Municipal Court*	$ 208,876.98	$ 811.23	$ 32.13	$ 843.36	0.02%
Totals	**$ 1,796,899.94**	**$ 2,814.11**	**$ 22,956.47**	**$ 25,770.58**	**1.43%**

* Only debit cards are accepted for fines imposed buy the Municipal Court.

The current average credit card fee associated with permits is 2.29% of the transaction amount. The credit card fees associated with Parking is well above this average because of the smaller total transaction amount and the fewer number of transactions. The Municipal Court accepts debit cards only on-site; the Court's on-line credit card transactions are processed through a third-party card service provider. An additional fee is charged to the customer for this convenience. This convenience fee is particularly onerous on people charging smaller amounts. Table 3 represents the convenience fees charged by the vendor, Official Payments, as a percent of Municipal Court fine/charge.

Table 3
Convenience Fee as a Percent of the Municipal Court Charge

Transaction Amount	Convenience Fee	Convenience Fee as a Percent of the Transaction Amount (% to top of range)
$0-$99	$ 6.95	>7%
$100-$199	$ 9.95	>5%
$200-$499	$15.95	>3.2%
$499-$1000	$25.95	>2.6%
$1000-$99,999	$29.95	n/a

Expected Credit Card Usage

Staff estimates that approximately 5% of the City's utility customers pay their bills using credit and debit cards. The City accepts credit cards for all online transactions (E-Permits, Utility On-Line, and Parks & Recreation programs) currently. An initial survey of other jurisdictions indicates that up to 50% of development services customers may prefer credit cards to checks or cash. Over time, customers have requested that the City revise its current policy of not accepting credit cards for development services-related charges. The estimated total service charges would be approximately $50,000 per year ($4.5 million in development revenues*50%*2.29%=$51,525) if credit cards were accepted for development services-related charges. As part of the development fee update process, staff discussed this issue with the Finance Committee. The Finance Committee directed staff to proceed with the implementation of this new policy of accepting credit cards for in-person development services-related transactions by incorporating this additional cost into the development fee model and to present this background information to the full Council. Assuming costs of $50,000, this would equate to a 1.1% increase in fees.

Summary

Credit card charges vary by the issuer (Visa or MasterCard) and the type of cards in addition to the transaction fee charged by the City's bank (Bank of America). Staff estimates that the cost of accepting credit cards for in-person development services-related transactions would be approximately $50,000 per year. Per the Finance Committee's direction, staff is including this cost in the evaluation of new development services fees which will be brought to the Council later this year.

cc: Sandi Hines, Financial Planning Manager

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

MEMORANDUM

To: Dave Ramsay, City Manager

From: Daryl Grigsby, Public Works Director

Date: October 4, 2007

Subject: Solid Waste Rates for 2008

RECOMMENDATION**:** Council Adoption of the 2008 Solid Waste Rate Ordinance.

BACKGROUND DISCUSSION:

On October 2, 2007, the City Council reviewed a rate proposal for the City of Kirkland's Solid Waste services. This proposal calls for a rate increase of 10.9% for the average single-family residential customer. In addition, rates for multi-family/commercial classifications are increased by an average of 10.9%.

The proposal for the Solid Waste rate increase is a consequence of two factors. First of all, the King County tipping fee for disposal at the Cedar Hills Landfill is increasing from $82.50 to $95.00 per ton. This is the first increase in nine (9) years. The second factor is the increased collection costs incurred by Waste Management for curbside pickup. The current contract allows for periodic contract increases based on increases in actual operating costs. The proposed increase raises rate of the average single-family residence with a 64 gallon container from $24.44 to $27.11 per month. Solid Waste billings are processed by City staff and are a part of the City of Kirkland bi—monthly utility bill for Water, Sewer and Solid Waste.

The proposed rate increase was reviewed by the Finance Committee at two meetings in September, and the full Council reviewed and approved the Finance Committee's recommendation on October 2, 2007.

In addition, the Finance Committee and the City Council asked that staff develop proposals in 2008 that would implement a 'Cost of Service' rate structure. This structure would balance expenditures and revenues within each of the classifications. Therefore, single-family and multi-family/commercial would generate enough revenue to fund their collection and disposal costs. Currently single-family subsidizes multi-family/commercial by about $400,000 per year, assuming passage of the current rate increase. Of this amount, $21,000 per year was a policy decision by the Council for fund a portion of the Commercial Organics Program in 2007. That cost-share would not be impacted by any proposed 'Cost of Service' model. As mentioned at the Finance Committee and the Council meeting, the Cost of Service model should provide more incentives for recycling in the future. This is accomplished because it allows for a more linear rate model whereby the cost differentials in both can size and frequency of service can be in realized in larger increments. Therefore, reducing either size or frequency through recycling can lead to potential lower monthly rates. .

Council Meeting: 10/02/2007
Agenda: New Business
Item #: 11. a.

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

MEMORANDUM

To: David Ramsay, City Manager

From: Daryl Grigsby, Public Works Director
Ray Steiger, P.E., Capital Projects Manager

Date: September 27, 2007

Subject: 2008 SOLID WASTE RATES

RECOMMENDATION:

It is recommended that the City Council discuss various issues related to the proposed 2008 Solid Waste rates; based on the outcome of the discussion, staff will return with an ordinance to adopt the 2008 Solid Waste rates at a subsequent regular meeting.

BACKGROUND AND DISCUSSION:

Solid Waste rates were not raised in 2005. In 2006, they were increased by 4% to fund Consumer Price Index changes in the contract with Waste Management and additional recycling and outreach programs managed by the City of Kirkland. At the time of the 2006 rate increase, staff informed the Council that the King County Tipping Fee (further discussed below) would increase in 2008. In addition, the Council asked staff to look at rate structures that would provide additional incentives for recycling.

As stated earlier, the City Council approved a 4% rate increase from $23.50 to the existing $24.44, in order to fund the following elements:

- COLA contract provisions. Prior to 2006, the City of Kirkland absorbed the COLA increases in Waste Management's contract for collection services. Our current contract allows for COLA increases for collection services.
- Environmental Stewardship programs such as battery recycling and community outreach.
- Commercial Organics Program to enhance business recycling opportunities.

Issues

Tipping Fee – It was noted at the time of the 2007 rate adoption, in the fall of 2006 that King County was contemplating a tipping fee increase, and the County Council has now approved the rate increase. The City Council approved a one year rate increase in 2006 for 2007 Solid Waste rates since the tipping fee issue would not be finalized or implemented by the County until 2008. This one-year rate adoption by City Council was in contrast to the Water Utility and the Sewer Utility, both of which received rate increases for both 2007 and 2008.

Since 1999 the tipping fee has been $82.50 per ton; in 2008 the fee will be increased to $95.00 per ton – a 15.2% increase. The tipping fee covers all of the services provided by King County Solid Waste, including administration, public outreach, operations, and facility modernization and maintenance. The increase in the tipping fee is needed to realize funding levels consistent with the Solid Waste master plan adopted by the King County Council. There are two types of tipping fees charged at King County facilities for disposal – the basic fee and the regional direct fee.

Many years ago, the King County Council decided that all citizens of King County were entitled to a certain level of solid waste handling service at a reasonable and affordable system-wide rate. Currently, the basic fee charged to all customers who use the County-owned transfer stations is $82.50 per ton, with a minimum charge of $13.72. This fee is based on an average system cost – which means that customers at the Houghton Transfer Station in Kirkland pay the same amount as those at the Cedar Falls Drop Box near North Bend, even though the cost of providing the service at each facility is not the same. Average system cost includes the total cost of all solid waste programs and services. The basic fee covers all of these costs except for funding from the regional direct fee and a limited contribution from the other funding sources. The other tipping fee is called the regional direct fee, which is currently $59.50 per ton. The regional direct fee is charged to the private collection companies authorized to transport waste directly to the Cedar Hills Regional Landfill from their own private transfer stations or processing facilities. The regional direct fee is a rate negotiated between the private companies and the County that covers the full cost of disposal at Cedar Hills but only some of the costs of services and programs that are provided by the Solid Waste Division.

The 2008 tipping fee increase will fund the system enhancements and modifications that are part of the King County Waste Export Plan. This plan has been reviewed and approved by the Metropolitan Solid Waste Management Advisory Committee (MSWMAC), the Solid Waste Advisory Committee (SWAC), and other forums. Kirkland is represented on the MSWMAC by Councilmember Jessica Greenway, with Mayor Jim Lauinger as an alternate. The MSWMAC fully supported the financial requirements that led to the tipping fee increase.

The Waste Export Plan is the region's long range look at waste disposal needs. Specifically, the Cedar Hills Landfill useful life was initially established at 2012. As results of recycling, solid waste management techniques (such as increased density), innovations regarding settling, and other initiatives, the latest estimate is the landfill may have adequate capacity until 2016. Even with that extended life, the County Solid Waste Division and the region needs to develop a plan to address the eventual closure. In addition to Cedar Hills, the Waste Export Plan addressed current deficiencies in the existing Transfer Station system. Specifically, many of the existing Transfer Stations were deemed to be inadequate in the long-term. Six of the eight transfer stations in the system have been operating since the 1960's and have only been updated to meet regulatory requirements. Even with recycling, annual tonnage is increasing and adding strain on the existing Transfer Station system.

The Waste Export Plan meets Kirkland's needs in that it calls for the eventual closure of the Houghton Transfer Station. County staff conducted an extensive review of the existing conditions at the transfer stations, and on many criteria Houghton failed to meet standards the County would employ today if constructing a Transfer Station. Specifically, Houghton is closer to residential areas than any other facility in the region. This challenge is heightened since Houghton handles up to 20% of the total system tonnage at certain times of the year.

On November 16, 2004, the Kirkland City Council adopted the Revised Houghton Transfer Station Position statement that called for the long-term closure of the Transfer Station. Currently the Waste Export Plan calls for the elimination of the Houghton Transfer Station and recommends the location and construction of a new station to serve the NE Lake Washington area. The site is not determined at this time. The tipping fee increase provides the financial foundation for the new transfer stations proposed in the plan, as well as the infrastructure for an inter-modal facility and the costs of transporting the County's waste at landfills other than Cedar Hills.

In addition to the tipping fee increase that is incorporated into the rate adjustment, in the spring of 2007 Council members requested that Staff look at a rate structure that would further enhance recycling opportunities for the residents and businesses of Kirkland. As a result, staff employed a consultant to review the adequacy of our rate structure for encouraging recycling.

Recycling – The existing rate structure has been developed in large part to encourage recycling. Diversion from mixed waste to recycle and yard waste containers allows customers to downsize waste containers and therefore reduce their monthly bill while moving toward the City's goal of recycling. Single family recycling is nearing a 70% participation rate, which is up from nearly 57% in 2003:

	Single-family	Multi-family	
2003	56.6%	13.70%	
2004	60.06%	12.09%	
2005	59.76%	16.35%	
2006	62.54%	16.91%	
2007	69.27%	13.83%	(through July only)

These rates are excellent when compared to the goals established in the 2001 Solid Waste Management Comprehensive Plan prepared for King County:

	SF	MF
2006	50%	35%
2012	52%	40%
2018	53%	40%

Single-family participation is substantially above the goals established in the regional plan; however the participation rate for the multi-family/commercial accounts is significantly below the target. As such, modifications to the rate structure to encourage additional recycling efforts have been discussed. In 2006, the City Council approved a Commercial Organics Program that allowed for the single-family accounts to fund 1/3 of the costs of the $65,000 program. The premise was that residents benefit from commercial recycling through the possible extended life of the landfill. Additional modifications to the rate structure may on the one hand encourage increased participation by multi-family/commercial, but could also have a marginally negative effect on single family.

Rates and Recycling

Single-family

As stated earlier, the consultant reviewing the rates for the City of Kirkland believes that a Cost of Service model and a Linear model would further enhance our recycling opportunities. Yet, the current rate model does, for the reasons noted below, encourage recycling.

At the time of the last contract update with Waste Management, the City of Kirkland negotiated a single family rate structure that embedded the cost of recycling into the rate for the single-family container size. Therefore, the rate was based on the size of the container for trash disposed of at the landfill, and not the weight of the recycle containers. A single-family customer paid a rate based on the trash container size (35 gallon, 64 gallon, etc). A feature of this rate is that the customer has an incentive to recycle by reducing the size of their trash container and recycling increased weight in their mixed waste or yard waste (including food waste) containers. We believe this has been successful in the single-family sector as evidenced by our single-family recycling diversion rates.

Another feature of the Waste Management contract that has enhanced recycling rates has been the introduction of All-in-One recycling carts. This allows the customer to combine recyclable plastics, paper, newspaper, cardboard and other recyclables in the same cart. Previous to All-in-One recycling, customers had separate bins for plastics, glass/aluminum, and paper.

Finally, the City of Kirkland was one of the first jurisdictions to implement Food Waste recycling in the King County region. This allows customers to include organic food waste, soiled paper plates, napkins or paper towels soiled with food waste, and similar items in their Yard Waste container. A customer can maximize both the All-in-One cart and the yard waste container, reduce the size of their solid waste container, and have a lower monthly solid waste bill as a result. Specifically, reducing from a 96 gallon container to a 64 gallon container can reduce your bill from $39/month to $24.44/month.

The use of All-in-One carts, the availability of food waste, and the ability to lower your rate based on increased recycling has led to the successful single-family programs in the City of Kirkland.

Commercial and Multi-family

Commercial programs are set up different from the multi-family and single-family accounts. According to State law, commercial establishments have the ability to contract with whomever they choose for recycling. Therefore, even if the City of Kirkland has a contract with Waste Management, commercial establishments within the city can still use another contractor for recycling. In light of this requirement, the City of Kirkland and Waste Management have provisions for commercial to have 'free' recycling, i.e., with the costs embedded in the overall rates, for 1.5 times the size of the trash container. Consequently, a 96 gallon trash container enables you to have 144 gallons worth of recycling at no extra charge.

Within the City of Kirkland and throughout the region, recycling rates are lower for multi-family and commercial than for single family. Some of the reasons for this include the transient nature of apartment populations, access to more recycling programs (curb-side electronics and food waste recycling, for example), recycling container access and availability, and the absence of the same direct financial rate benefits realized by single-family residents. In order to enhance the recycling rates for the multi-family and commercial sector the City has implemented a number of programs.

- In 2007, a Commercial Organic Food Waste program was established to enable businesses to potentially lower their rate by off-loading enough food waste to reduce the number of pickups for the container size
- Also new in 2007, increasing the production of the Reuse/Recycle/Conserve newsletter from once to twice a year for single- and multi-family. Feedback from the newsletter indicates this is an effective public education tool.
- Use of a business outreach consultant, whose duties include an on-site audit of new businesses to inform them of their recycling opportunities, and ongoing business education.
- In conjunction with the Chamber of Commerce and Puget Sound Energy, development of the Green Business program. This program is new, and was announced at the Chamber's Sustainable September events.
- Last year the City Council approved funding for .5 public education staff to provide additional outreach and education for both single-family and multi-family/commercial customers.

In addition to the above programs, the City of Kirkland is working with other jurisdictions in King County to enhance recycling rates among businesses and multi-family. Last year as part of the MSWMAC meetings, we received a briefing from County staff regarding their Waste Characterization Study. This study is done every couple years and

utilizes waste sampling and customer surveys to determine what components are in the waste stream. Recent analysis indicates the following elements in the waste stream.

- ✓ Single Family 14% recyclable or compostable paper
- ✓ Single Family 25% Food Waste
- ✓ Commercial 13% recyclable or compostable paper
- ✓ Commercial 19% Food Waste

Staff from the County, the City of Seattle (currently in a separate waste disposal system from the County), and the suburban cities are working to develop programs to reduce the amount of recyclable materials that are currently in the waste stream. Kirkland staff is involved in these discussions. We believe currently that continued outreach and education can impact the disposal rates of the items noted above. Targeted outreach, education, recognition, and other programs are the tools we are currently exploring to increase our recycling rates. This information has led the City of Kirkland to develop programs like the Kirkland Green Business Program and the business and multi-family outreach efforts noted above. In addition, given the high amount of food waste in the waste stream, City of Kirkland staff are working to make the existing single-family program more effective, and are still working to build up the newly-created Commercial Organics Program. We will have a report for Council later in the year regarding the progress and continued development of the Commercial Organics program, including the potential for expansion to multi-family customers. Also, much of the information in the Reuse/Recycle/Conserve newsletters has information on the food waste recycling programs.

Cost of Services

Although the existing rate structure has in part contributed to a strong participation rate in single family recycling over the last few years, the revenue generated for single-family solid waste services more than offsets the costs of operations for single-family. Conversely the revenue from multi-family/commercial accounts is less than that required for those operations. With the current rate structure, single-family accounts generate approximately 44% of the utility's revenue while multi-family/commercial accounts generate approximately 56% of the revenue; on the other hand, single-family expenses are only 39% of the operational costs and multi-family requires 61%. This approximate 5% disparity between revenue and operating requirements amounts to approximately $370,000 annually. One approach to addressing this imbalance would be to move the utility to a more "cost of services" approach where rates would be adjusted over a one to two year timeframe with multi-family/commercial accounts increasing significantly. Of the $370,000, approximately $21,000 was approved by Council in 2006 as a policy of having residents pay a portion of the Commercial Organics Program given its broader solid waste system benefits.

Rate Options

There are a number of rate options available, however at this point, three options are being proposed for discussion with the Council:

<u>Option 1</u> – Keep the existing structure as is: continues to encourage strong single-family recycling participation, single-family benefits sufficiently to support the $370,000 "offset" cost of multi-family/commercial programs, rates increase 10.9% (2008) and 2.3% (2009);

<u>Option 1A</u> – Adopt a rate structure that implements the increased King County Tipping Fee and the Consumer Price Index increases, and develop proposed rates for 2009 which implements a 'cost of services' model for Single Family Accounts and Multi-family/Commercial accounts such that the revenues and expenditures in each classification are balanced. In addition, work closely with the various customer classifications in the City to inform them of the rate impacts as well as the opportunities for recycling.

Option 2 – Adopt a more linear or "cost of services" structure that would approach the true cost of services for each class; rates are tied directly to the services with some increasing and some decreasing in 2008, but in general single-family would decrease 2% and increase 2.4% (for '08 and '09 respectively), and multi-family/commercial would increase 18.4% and 2.4%, respectively.

Option 3 – Implement a two-step cost of services structure (i.e. phased in) with multi-family/commercial at 9.5% and approximately 9.5% based on 2008 performance; single family would be increased in 2008 to provide for the transition funding needed.

Finance Committee Discussion and Recommendation

Three policy issues were discussed at the Finance Committee at their September 25th meeting:

1) Should rates be implemented differently among classes to approach a cost of services rate structure?
2) Does Council desire to adopt a one-year rate for 2008, or a two-year rate that covers both 2008 and 2009?
3) Are there additional modifications to the rate structure needed to encourage recycling?

The Finance Committee discussed recycling programs, trends in solid waste rates in the region, and appropriate rate structures. They heard from the rate consultant that many cities are moving toward a Cost of Service and Linear rate model. Further, those models can increase recycling rates, as each customer class is paying their true program costs and the container size is more closely aligned with the billing. Under a Cost of Service model, each class of customer, Single Family and Multi-Family/Commercial, is billed for their actual program costs. The consultant noted that this model increases both disposal awareness and recycling rates because the customer class is paying exactly for what they are receiving in services. Further, a Cost of Service model enables a clearer Linear rate structure. A Linear structure simply means that there is a close correlation between the size of your disposal container and your actual bill. As an example, decreases from a 96 gallon container to a 64 gallon one would result in a bill proportionately similar to the reduction in container size. The consultant noted that the City of Kirkland's rates are Linear to a degree, but could and should move more in that direction. He also noted that implementation of the Cost of Service model lays the framework for developing a more Linear billing structure.

The Finance Committee also discussed the current imbalance in the Kirkland Solid Waste Rate Model. Specifically, the Single Family category is subsidizing the Multi-Family/Commercial categories by approximately $370,000 per year.

They recommended rate option 1A for 2008 which reflects pass-through increases due to tipping fee and consumer price index increases (see details under *Rate Options* discussion above). There are no new programs or increased levels of service included in the 2008 Solid Waste Rate proposal. In addition, they recommended that staff return with a work program that includes possible implementation of a 2009 rate adjustment with a cost of service rate structure. This cost of service structure enables each classification, Single Family, and Multi-Family/Commercial, to have billings match program costs for each particular classification. This work program will include outreach to the solid waste customers in Kirkland, including business, single-family and multi-family. Staff was asked to have the outreach sessions include information on the proposed rates, and how those rates could enhance recycling efforts in the City of Kirkland. In addition, given the impacts to the Multi-family and Commercial accounts, the Committee asked staff to work with the various Kirkland customer classifications to discuss both the rate structures and incentives/programs for recycling.

As a result of the increase recommended by Finance Committee, the monthly bill for a typical single family service (64 gallon cart) would be:

- $24.44 (existing 2007 – see Attachment A for breakdown)
- $27.11 (proposed 2008)

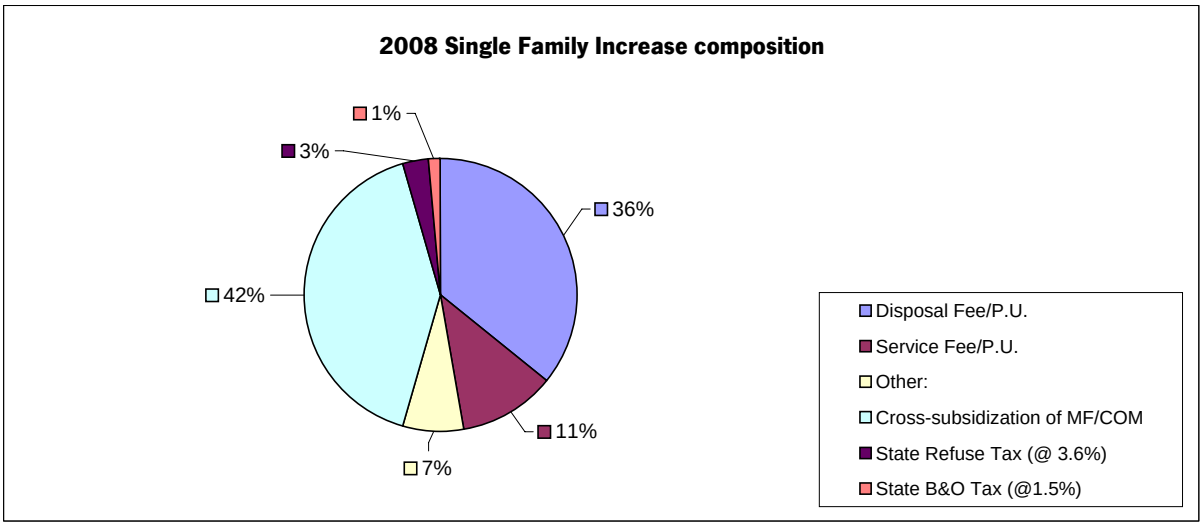
Cc: Tracey Dunlap, Finance Director
Erin Leonhart, Facilities & Operations Admin Manager

Attachment A

64-gallon single family (using the existing rate structure scenario)

	2007 Rate		Monthly Increase	2008 Rate	
Disposal Fee/P.U.	$ 1.49	*26.4%*	$ 0.95	$ 1.71	*27.3%*
Service Fee/P.U.	$ 2.84	*50.4%*	$ 0.30	$ 2.91	*46.5%*
Pick Ups per month --->	4.33			4.33	
Contractor monthly Charge	$ 18.75			$ 20.02	
Other:	$ 2.50	*10.2%*	$ 0.19	$ 2.69	*9.9%*
administration					
operating (recycle/organics)					
Cross-subsidization of MF/COM	$ 2.00	*8.2%*	$ 1.09	$ 3.09	*11.4%*
Pre-tax Subtotal	$ 23.25			$ 25.80	
State Refuse Tax (@ 3.6%)	$ 0.84	*3.4%*	$ 0.08	$ 0.92	*3.4%*
State B&O Tax (@1.5%)	$ 0.35	*1.4%*	$ 0.04	$ 0.39	*1.4%*
Total monthly bill	**$ 24.44**		**$ 2.66**	**$ 27.11**	
Percentage check		*100.1%*			*100.0%*

Assumptions: CPI in 2008 = 3.3%



ORDINANCE 4115

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO SOLID WASTE COLLECTION RATES AND AMENDING SECTION 16.12.030 OF THE KIRKLAND MUNICIPAL CODE.

The City Council of the City of Kirkland do ordain as follows:

Section 1. Section 16.12.030 of the Kirkland Municipal Code is hereby amended to read as follows:

16.12.030 Collection rates.

The rates to be charged for solid waste collection service in the city shall be as follows:

(1) Residential.

A. **Single-Family (Per Month) Rate**

Monthly Service

35-gallon cart	$~~6.24~~ 6.92
Ongoing Carry-out surcharge	~~15.46~~ 16.21

Weekly Service

20-gallon mini cart	$~~11.44~~ 12.69
35-gallon cart	~~17.73~~ 19.67
64-gallon cart	~~24.44~~ 27.11
96-gallon cart	~~39.00~~ 43.26
35-gallon equivalent “extra”	~~6.76~~ 7.50

Extra Yard Debris Service

32-gallon can	$3.79

96-gallon cart	~~$10.04~~ 10.53

As stated in Section 16.12.025, a senior citizen's discount of forty percent of the rate set forth here is available for qualified residents.

One gray yard waste cart and one blue recycling cart is provided to each customer at no extra charge. The contractor will charge a fee for additional yard waste receptacles above the first set provided. The contractor will provide a 35 or 96 gallon recycling cart on request to new residents and those residents needing less or additional capacity than provided by the default 64 gallon recycling cart.

B. **Miscellaneous Service Fees (Per Occurrence)**	**Rate**
Return trip	$~~13.06~~ 13.69
Drive-in charge	~~5.95~~ 6.24
Redelivery fee (carts)	~~17.83~~ 19.78
Carry-out surcharge	~~3.57~~ 3.74

C. **On-Call Bulky Waste Collection Fees (Per Occurrence – Per Item)**	**Rate**
Appliances	$~~89.15~~ 98.89
Refrigerator/Freezer	~~89.15~~ 98.89
Sofa	~~89.15~~ 98.89
Chair	~~89.15~~ 98.89
Mattress or box springs	~~88.15~~ 98.89
Tire: Auto/light truck	~~23.77~~ 26.37

Tire: Bus/heavy truck	~~29.72~~ 32.97
Tire: Additional for rims or wheels	~~17.83~~ 19.78
Miscellaneous, per cubic yard	~~65.36~~ 72.50

D.

Temporary Container Service	**Rate**
Temp. 2-yard container	$~~51.40~~ 53.89
Daily rent	~~1.14~~ 1.20
Delivery fee	~~43.47~~ 45.58
Temp. 4-yard container	~~65.15~~ 68.31
Daily rent	~~1.42~~ 1.49
Delivery fee	~~43.47~~ 45.58
Temp. 6-yard container	~~78.46~~ 82.26
Daily rent	~~1.72~~ 1.80
Delivery fee	~~43.47~~ 45.58
Temp. 100-yard container	~~2,558.57~~ 2,682.62

(2) Multifamily and Commercial.

A.

Carts

Weekly Service	**Rate**
20-gallon mini cart	$~~11.44~~ 12.69
35-gallon cart	~~17.73~~ 19.67

64-gallon cart	~~24.44~~ 27.11
96-gallon cart	~~39.00~~ 43.26
35-gallon equivalent "extra"	~~6.76~~ 7.50

As stated in Section 16.12.025, a senior citizen's discount of forty percent of the rate set forth here is available for qualified residents.

B. **Miscellaneous Services (Per Event)**	**Rate**
Return trip	$~~30.36~~ 31.83
Carry-out service (per container)	~~3.38~~ 3.54
Redelivery	~~42.72~~ 44.79
Roll-out container	~~5.62~~ 5.89
Unlock container	~~1.91~~ 2.00
Gate opening	~~3.38~~ 3.54
Steam cleaning (per yard)	~~20.24~~ 21.22

C. **Comm./Mf Uncompacted Containers**	**Rate**
1 Cubic Yard Uncompacted	
1 pickup/week/container	$ ~~82.85~~ 91.90
2 pickups/week/container	~~155.90~~ 172.94
3 pickups/week/container	~~228.96~~ 253.98

4 pickups/week/container	~~302.03~~ 335.04
5 pickups/week/container	~~375.09~~ 416.08
6 pickups/week/container	~~448.15~~ 497.13

1.5 Cubic Yard Uncompacted

1 pickup/week/container	$ ~~98.20~~ 108.93
2 pickups/week/container	~~184.91~~ 205.12
3 pickups/week/container	~~271.62~~ 301.31
4 pickups/week/container	~~358.33~~ 397.49
5 pickups/week/container	~~445.06~~ 493.70
6 pickups/week/container	~~531.77~~ 589.89

2 Cubic Yard Uncompacted

1 pickup/week/container	$~~112.78~~ 125.11
2 pickups/week/container	~~211.35~~ 234.45
3 pickups/week/container	~~309.92~~ 343.79
4 pickups/week/container	~~408.49~~ 453.13
5 pickups/week/container	~~507.04~~ 562.46
6 pickups/week/container	~~605.61~~ 671.80

3 Cubic Yard Uncompacted

1 pickup/week/container	$~~138.57~~ 153.71
2 pickups/week/container	~~260.83~~ 289.34
3 pickups/week/container	~~383.09~~ 424.96
4 pickups/week/container	~~505.38~~ 560.61
5 pickups/week/container	~~627.65~~ 696.25
6 pickups/week/container	~~749.92~~ 831.88

4 Cubic Yard Uncompacted

1 pickup/week/container	$~~165.03~~ 183.07
2 pickups/week/container	~~310.99~~ 344.98
3 pickups/week/container	~~456.98~~ 506.92
4 pickups/week/container	~~602.95~~ 668.85
5 pickups/week/container	~~748.92~~ 830.77
6 pickup/week/container	~~894.90~~ 992.71

6 Cubic Yard Uncompacted

1 pickup/week/container	$~~215.96~~ 239.56
2 pickups/week/container	~~409.33~~ 454.07
3 pickups/week/container	~~602.71~~ 668.58
4 pickups/week/container	~~796.11~~ 883.12

5 pickups/week/container	~~989.49~~ 1,097.63
6 pickups/week/container	~~1,182.88~~ 1,312.16

8 Cubic Yard Uncompacted

1 pickup/week/container	$ ~~265.98~~ 295.05
2 pickups/week/container	~~506.78~~ 562.17
3 pickups/week/container	~~747.57~~ 829.27
4 pickups/week/container	~~988.36~~ 1,096.38
5 pickups/week/container	~~1,229.16~~ 1,363.50
6 pickups/week/container	~~1,469.95~~ 1,630.60

"Extra" Uncompacted Cubic Yard	~~41.59~~ 46.14

D. **Comm./Mf Compacted Containers (Weekly Pulls)**		**Rate**
1	cubic yard container	$~~163.78~~ 181.68
1.5	cubic yard container	~~213.10~~ 236.39
2	cubic yard container	~~261.46~~ 290.04
3	cubic yard container	~~353.92~~ 392.60
4	cubic yard container	~~447.24~~ 496.12
6	cubic yard container	~~894.24~~ 991.97

E. **Comm./Mf Yard Debris (Per Month)**	**Rate**

96-gallon cart (weekly collection)	$ ~~10.20~~ 10.69
2 cubic yard container (weekly)	~~78.34~~ 82.14
Extra cubic yard	~~24.37~~ 25.55
Extra yard debris 32-gallon can	~~3.61~~ 3.79

F. **Roll-Off Container Rental Permanent Noncompacted Service**	**Rate**
10 cubic yard container	$~~31.20~~ 32.71
15 cubic yard container	~~36.40~~ 38.16
20 cubic yard container	~~46.80~~ 49.07
25 cubic yard container	~~52.00~~ 54.52
30 cubic yard container	~~57.20~~ 59.97
40 cubic yard container	~~62.40~~ 65.43

G. **Roll-Off Container Rental Temporary Noncompacted Service**	**Rate**
10 cubic yard container	$~~36.40~~ 38.16
15 cubic yard container	~~41.60~~ 43.62
20 cubic yard container	~~47.84~~ 50.16
25 cubic yard container	~~54.08~~ 56.70
30 cubic yard container	~~59.28~~ 62.16

40 cubic yard container	~~69.68~~ 73.06

(3) Comm./Mf Drop-Box Collection (Per Haul).

A. **Noncompacted Service**	**Rate**
10 cubic yard container	$~~105.68~~ 110.80
15 cubic yard container	~~105.68~~ 110.80
20 cubic yard container	~~105.68~~ 110.80
25 cubic yard container	~~105.68~~ 110.80
30 cubic yard container	~~105.68~~ 110.80
40 cubic yard container	~~105.68~~ 110.80

B. **Compacted Service**	**Rate**
10 cubic yard container	$~~116.94~~ 122.61
15 cubic yard container	~~116.94~~ 122.61
20 cubic yard container	~~116.94~~ 122.61
25 cubic yard container	~~116.94~~ 122.61
30 cubic yard container	~~116.94~~ 122.61
40 cubic yard container	~~116.94~~ 122.61

C. **Temporary**	**Rate**
10 cubic yard container	$~~111.30~~ 116.70
15 cubic yard container	~~111.30~~ 116.70

20 cubic yard container	~~111.30~~ 116.70
25 cubic yard container	~~111.30~~ 116.70
30 cubic yard container	~~111.30~~ 116.70
40 cubic yard container	~~111.30~~ 116.70
Delivery fee – all temp. customers	~~84.32~~ 88.41

D. **Additional Services**

Additional mileage charge for hauls to other sites

Charge per mile	$ ~~4.16~~ 4.36
Return trip	~~36.40~~ 38.16
Solid drop-box lid charge (per month)	~~36.40~~ 38.16
Pressure washing (per yard)	~~8.32~~ 8.72
Stand-by time (per minute)	~~2.08~~ 2.18

Hourly Rates

Rear/side load packer and driver	$~~109.20~~ 114.49
Front load packer and driver	~~109.20~~ 114.49
Drop-box truck and driver	~~109.20~~ 114.49
Additional labor (per person)	~~52.00~~ 54.52

(4) Wherever detachable containers are used having a capacity for which a rate has not been established, the director of public works is authorized to establish a rate for

such container, which shall be consistent with the ratio of the container capacity to rate charged for the rate herein established.

(5) In addition to the collection rates established in subsections (1), (2) and (3) of this section, there shall be included a county board of health hazardous waste charge as follows:

(A) For each single-family residential customer the amount of eighty cents per month;

(B) For each multifamily and nonresidential (commercial) customer the sum of nine dollars and seven cents per month.

Section 2. Effective date for new rates: The monthly rates established in this Ordinance shall go into effect and become the rates to be charged as of January 1, 2008.

Section 3. The garbage rates set forth in KMC 16.12.030, which is amended by this ordinance, shall remain in force and effect until the rates set forth in this ordinance go into effect.

Section 4. If any provision of this ordinance or its application to any person or circumstance is held invalid, the remainder of the ordinance, or the application of the provision to other persons or circumstances is not affected.

Section 5. This ordinance shall be in force and effect five days from and after its passage by the Kirkland City Council and publication pursuant to Section 1.08.017, Kirkland Municipal Code in the summary form attached to the original of this ordinance and by this reference approved by the City Council.

Passed by majority vote of the Kirkland City Council in open meeting this _____ day of _____, 2007.

Signed in authentication thereof this _____ day of _____, 2007.

_____
MAYOR

Attest:

_____
City Clerk

Approved as to Form:

_____
City Attorney

PUBLICATION SUMMARY
OF ORDINANCE NO. 4115

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO SOLID WASTE COLLECTION RATES AND AMENDING SECTION 16.12.030 OF THE KIRKLAND MUNICIPAL CODE.

SECTION 1. Amends Section 16.12.030 of the KMC by amending solid waste collection rates and adding an additional cart size choice for extra yard debris service.

SECTION 2 - 3. Provides an effective date for the rates.

SECTION 4. Provides a severability clause for the ordinance.

SECTION 5. Authorizes publication of the ordinance by summary, which summary is approved by the City Council pursuant to Section 1.08.017 Kirkland Municipal Code and establishes the effective date as five days after publication of summary.

The full text of this Ordinance will be mailed without charge to any person upon request made to the City Clerk for the City of Kirkland. The Ordinance was passed by the Kirkland City Council at its meeting on the _____ day of _____, 2007.

I certify that the foregoing is a summary of Ordinance _____ approved by the Kirkland City Council for summary publication.

_____
City Clerk

Council Meeting: 10/16/2007
Agenda: Unfinished Business
Item #" 10. c.

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

MEMORANDUM

To: Dave Ramsay, City Manager

From: Marilynne Beard, Assistant City Manager

Date: October 2, 2007

Subject: REGIONAL JAIL PLANNING UPDATE

RECOMMENDATION:

Council receives an update on regional efforts to plan for new jail beds in King County.

BACKGROUND:

The City of Kirkland currently houses misdemeanor offenders in one of several facilities including its own jail (located in City Hall). Inmates that cannot be housed in Kirkland are housed in one of several contracted facilities including King County and Yakima County. The King County and Yakima County contracts will expire in 2012 and 2010 respectively, creating a need for cities within the King County to locate or build new misdemeanant jail beds.

In 2002, Kirkland joined 36 other King County cities in an interlocal agreement to collectively manage the local system of jails and to plan for future jail facilities. A Jail Task Force was formed to develop a recommendation for implementing the results of a 2006 report (the Ricci Greene Report) that estimated future jail bed needs. The Jail Planning Task Force has been working as a committee since June 2007 and would like to provide a status report on their efforts to each of the City's involved in the study. A copy of the PowerPoint presentation is included as Attachment A to this memo.

What to do about . . .

MISDEMEANANT JAIL BEDS IN THE FUTURE?

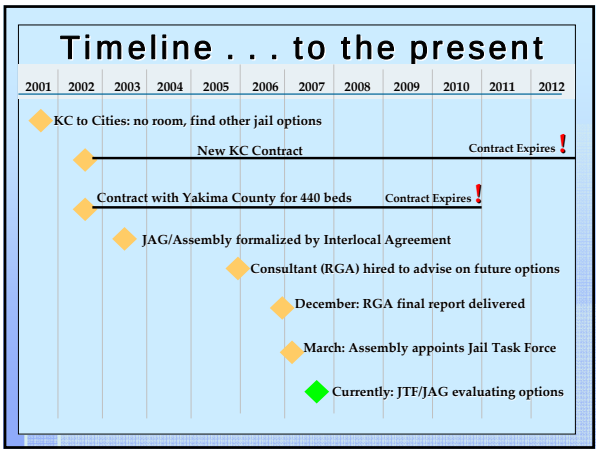
Interim Report of the Jail Task Force

This presentation:

- Misdemeanant jail bed needs now and future
- Cities' cooperative planning effort
- Twelve-year context
- Findings to date
- King County's interests
- Jail Task Force agenda thru December
- The next step - feasibility study

Who's Who in jail planning

- JOA Jail Oversight Assembly
  Elected representatives of the 37 King County cities collaborating on jail issues
- JAG Jail Advisory Group
  Policy and law enforcement staff of those cities
- JTF Jail Task Force
  Electeds and staff of the JAG cities, appointed to the Task Force by the Assembly and the JAG



Jail Task Force

Appointed by Assembly to further review report and make recommendations

Cities directly represented

Auburn	Des Moines	Redmond
Bellevue	Federal Way	Renton
Burien	Issaquah	Seattle
	Kirkland	Shoreline

Others welcome to participate

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Who goes to jail?

- Pre-Sentence (jailed on arrest)
  - threat to public (e.g. DUI or domestic violence)
  - can't post bail
  - awaiting arraignment
- Those convicted and sentenced to jail by a Judge
  - most have prior convictions / jail time
  - mandatory sentencing rules
  - not good candidates for alternatives

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Cities' jail bed needs

- 1,000 beds available now
- Where are the beds?

King Co. contract = 330* Yakima contract = 440

*Cities' cap is at 220; KC currently allowing up to 330

Renton municipal = 50 Issaquah municipal = 62

Auburn municipal = 51 Kirkland municipal = 12

other contract beds = 65

- 1,175 beds needed by year 2011
- 1,450 needed by year 2026

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Charge of the JTF

-By the end of 2007 –

-Examine and update jail bed options provided by Ricci Greene

-Narrow range of options

-Make recommendations to Assembly to include in a feasibility study

-Draft scope for feasibility study

-Outline basic governance features

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Preliminary Findings
of the Jail Task Force

- Contract beds won't be available in the future
- New jail(s) must be built
- Cities together need 1,450 beds by 2026
- Alternatives will reduce bed need by additional 10%
- JAG cities will partner

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A sample Ricci Greene option

1,450 beds

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Broad range of scenarios

How many beds?	Accommodating	How many new JAG jails?	**Location?**
1450	all JAG cities	one	**Any city**
632	North, Seattle & East -SCORE cities build their own jail (1)	one	**Seattle, North or Eastside city**
192	North & East cities -SCORE and Seattle build their own jails (2)	one	**North or Eastside city**
1143	North, Seattle, East & King County -SCORE cities build their own jail (1)	one or two	**Seattle, North, East or unincorporated King County**

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Parallel planning

- **S.Co.R.E.** - Renton Tukwila Federal Way Des Moines
  - planning for a new 500 bed jail in south KC
  - $175K for a feasibility study to begin this year to analyze sites, design, construction and operational costs
  - Non-S.Co.R.E. south cities invited to join S.CoR.E., if contribute financially
- **Auburn**
  - may replace current jail to meet their bed need
  - staff is developing proposal for a 150 bed facility
- **Seattle**
  - may build jail for own use or partner with cities/King County to meet bed need
- **Kirkland**
  - reviewing bed need & replacement of jail, concurrent with annexation work

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What about King County?

- King County contract expires at the end of 2012
- No beds left for cities after 2015
- County needs 511 more beds by 2024
- Build-out at Regional Justice Center (RJC) may meet KC need, but still no beds for cities
- KC open to partnership with cities
- JTF and KC now discussing

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Next Steps

Feasibility Study

- Update bed need projections
- Determine most efficient size to operate
- Identify acreage and siting requirements
- Identify needed booking and transport system
- Identify geographic areas that meet requirements
- Estimate capital and operating costs
- Explore feasibility of phased openings
- Estimate cost of operating med-psych unit versus contract for special services

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Timeline . . . into the future

2007 | 2008 | 2009 | 2010 | 2011 | 2012

Currently: JTF/JAG evaluating options

December: JTF delivers recommendations to Assembly and Assembly approves scope of work for feasibility study

Yakima Contract Expires !

King County Contract Expires !

Next Steps:
-Undertake feasibility study
-Design governance structure
-Identify jail site(s)
-Hire executive director
-Develop facility layout, design, architecture and engineering
-Assemble financing
-Construction
-Hire and train staff

Late 2012: jail facility(-ies) open, operational and populated

Summary

- There are insufficient beds for all cities' misdemeanants after 2010
- Contracting into the future will not fulfill majority of need
- Cities need to move forward with planning for construction of beds in partnership or alone
- Task Force narrowing options to include in feasibility study beginning in 2008
- Seeking feedback – are we on the right track? Are we missing options that should be considered?

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Council Meeting: 10/16/2007
Agenda: New Business
Item #: 11. a.

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

MEMORANDUM

To: David Ramsay, City Manager

From: David Barnes, Planner and Green Building Team Lead
Stacy Clauson, Senior Planner
Scott Guter, Planning Information Specialist
Tom Jensen, Plans Examiner Supervisor
Stacey Rush, Surface Water Engineer
Paul Stewart, Deputy Planning Director

Date: October 4, 2007

Subject: Green Building Program

RECOMMENDATION:

Staff recommends that the City Council do the following:

- Review the following memorandum and background materials
- Provide direction on the phasing and components for a Green Building Program
- Consider funding for Phase I as part of the Mid-Biennial Budget Review Process

BACKGROUND DISCUSSION:

The City Council's philosophy includes a commitment to proactively protect the environment and to facilitate the incorporation of sustainable building practices in both public and private sector development. This memorandum presents several different options for the City Council to consider to support and encourage sustainable development practices. Project activities in this plan seek to carry out goals established by existing policies.

Kirkland has consistently placed high value on a healthy environment, as evidenced by long-standing policies, programs, and development standards. The Comprehensive Plan emphasizes the importance of community stewardship of the environment. This vision has been translated into two framework goals, FG-5 and FG-7, which emphasize protection of environmentally sensitive areas, preservation of a healthy environment, and encouragement of low-impact development (LID) and sustainable building practices. Additionally, the Natural Environment policy NE-1.5 also suggests that the City should educate, promote, support incentives and provide resources to encourage citizens, businesses, builders and the development community to adopt sustainable building practices. More specifically the Natural Resource Management Plan adopted by the Council states that the City should "design a program to provide incentives for low energy use and green construction."

Sustainable building practices further the stated goals of the City because buildings have a tremendous impact on environmental quality, resource use, and human health and productivity. In the United States, buildings account for 36% of the total energy use [65% of electricity consumption; 30% of the greenhouse gas emissions; 30% of raw materials use; 30% of waste output (136 million tons annually); and, 12% of potable water consumption (U.S. Green Building Council)]. Green buildings conserve water and energy and use healthier materials, while innovative site design reduces impacts to aquatic resources and habitats.

As an example, the construction of one home using green building design and construction along with an Energy Star (www.energystar.com) rating can keep 2,070 pounds of green house gasses out of the environment each year. For reference, this reduction is the equivalent to driving 2,200 less vehicle miles or planting 200 trees (King County Green Tools 2007). The implementation of a green building program would align with the City's efforts to respond to climate change and our carbon reduction targets. It will help significantly with the conservation of energy and water, as well as the reduction of impacts to aquatic resources and habitats.

PROJECT UPDATE

At the City Council study session on May 12, 2007, the Green Building Team proposed an action plan that outlined three goals in relation to the creation of a Green Building program for the City of Kirkland. The goals of this program are threefold and include:
(1) Establishing a public outreach and education program;
(2) Creating a green building permitting program; and
(3) Incorporating green building construction into new or renovated City facilities.

The City Council expressed interest in pursuing a green building program. Additionally, Council looked favorably at the idea of having a green building ordinance for City facilities. Since this time the Green Building Team, which is part of the larger Green Team, has been working diligently to achieve the goals of the green building program action plan (Attachment 1)

Some of our accomplishments include:

- Hosted a Kirkland Green Building Developers Forum with a focus of sustainable building practices, including emerging Real Estate trends in Green Building, existing Green Building programs, and a builder's view of Green Building (Attachment 2)
- Conducted interviews with other local jurisdictions and Green Building professionals (Attachment 3)
- Participated in the creation of King County's Green Toolkit and rollout event
- Attended the Built Green Conference and other local education events. Training topics included: Intro to Green Building Programs; Low Impact Development practices; Cost Benefit Analysis of Green Building; and a field trip to Built Green projects.
- Worked to establish a basic website with background information and links to sustainable building and low-impact development resources.

Our program has been discussed with Aaron Adelstein from Built Green and Brenda Nunes from the Kirkland Chamber of Commerce and they have written letters to support our efforts in creating a Green Building program (Attachment 4).

After completing the research activities of the Green Building Action Plan, our team is now at the point of making a recommendation of a program scope that is a phased approach to the full program implementation.

EXPLORING OPTIONS FOR A GREEN BUILDING PROGRAM

Depending upon the desired purpose and scope of a Green Building program, there are several options for different components that can be included in the program. Generally, staff has tried to separate these options into three different categories: incentives, education, and regulations. There are varying levels of activities that can be included as a component to any program. This memorandum defines three phases of the Green Building program for Council consideration, with each phase requiring additional resources and funding. It is recommended that Phase 1 be implemented starting in January, 2008, with the later phases assessed as part of the next regular 2009-2010 budget cycle. As part of Phase I, some "start-up" funding in the amount of $18,500 is needed for 2008. Staff is requesting that this be added to the list of possible mid-biennial service package requests for Council's consideration.

If additional educational or incentive programs noted in Phase 2 or 3 are desired at this time, the Council can provide direction on whether or not to include these as part of the 2007-2008 budget review or to be considered as part of the next budget cycle.

Phase 1: Green Building Pilot Program

Phase 1 (see Attachment 6): This phase is primarily focused on a priority permit processing incentive to facilitate sustainable building in the construction of new single family residential development. Priority permit processing means that the designated reviewer of the green permit would begin that permit next after completing the current permit on their desk. This incentive could substantially reduce the turnaround time compared to that of a typical new single family residence. It should be noted that under this option, permit turnaround times for other pending permits could be deferred to account for any priority permits processed under this program. Alternatively, additional resources could be allocated to ensure that no permit goals are adversely impacted.

This incentive would work with existing regional and national programs to provide the tools needed to define and measure the cost benefits and performance of sustainable development. In our research and in discussions with other communities, the King County Master Builders and others, priority permitting is the most attractive incentive. Cities such as Seattle, Issaquah and Olympia have such a system in place.

Based on a review of these existing programs, staff is recommending that this incentive be tied to New Single Family Building permits that achieve a level of 4 and 5 Stars under the Built Green program or a certified LEED home under the LEED for Homes Program. The level of achievement that we propose to receive the benefit of a priority permit processing is one which is more challenging and requires an Energy Star rating (www.energystar.com) in addition to all the checklist requirements for Built Green (http://www.builtgreen.net/) and LEED for Homes (http://www.usgbc.org/)
green building programs (See attachment 9). The term Energy Star is a measure of energy efficiency and is independently verified by a third party. In order to receive the benefit of the priority permit processing by the City of Kirkland, the applicant would provide proof of registering their project with the green building

program provider if required, sign an agreement with the City to complete the project as proposed and submit a valid contract with a third party verifier to certify the project. These steps will ensure the commitment of the applicant and their understanding of what the City will do to expedite their permit and the applicant's responsibilities to complete the project as proposed.

It is recommended that this component be implemented beginning in 2008 as the first phase in the rollout of the Green Building Program. This process has been discussed with Tom Phillips, Building Services Manager, Nancy Cox, Development Review Manager and Rob Jammerman, Development Engineering Manager. They are in support of the program and suggest that the City consider it a pilot program beginning January 1, 2008. As part of the budget discussion next year, staff will bring back an evaluation of this effort for the Council's consideration.

As part of the start-up costs, staff is requesting $18,500. These funds will be utilized for educational and promotional materials, outreach to the building and development community, technical assistance and assistance with review of the priority permits. In addition, staff will continue to evaluate new green building programs and options for alteration/additions, multi-family and commercial projects for inclusion in the City's program.

Phase 2: Green Building Basic Program

Phase 2 (Attachment 7): This phase would include additional incentives and educational resources. As an additional incentive, this phase would include a technical advisory program to assist developers in integrating sustainable building practices. In order to implement this program, this phase would include staff training. A local Government Division Competitive GMA Planning Grant with CTED has been applied for to help offset the projected costs for technical advisor training.

This phase includes increased educational outreach component for builders, homeowners and others in the professional building field. It provides an increased awareness of the City's commitment to sustainability by proactively promoting the green building program and working with other entities such as United States Green Building Council, Built Green and others to host workshops and seminars. This phase also includes a recognition program for green builders who help take Kirkland to new and higher levels of sustainability in the built environment.

Essentially, the Basic Program would continue to provide the priority permit processing for new single family building permits but would have the following additional components:

- Increased Staffing requirements
- Additional in-house technical Staff training
- Staff time allocated to Public Outreach
- Green Building Recognition Program

Initially the program would need .50 FTE for these additional items, but after the completion of Phase 1 there will be a better idea of ongoing staffing requirements.

Phase 3: Expanded Program

Phase 3 (Attachment 8): This phase seeks to broaden the educational element to provide for increased public awareness of sustainable building techniques. In addition to the elements proposed in Phase 2, this alternative would include a very prominent display of sustainability in the form of an information/kiosk that could be located at a City facility. The display would be designed to explain the facets of green building, its many advantages and provides physical examples of materials and resources for citizens of all ages and experience.

The Expanded Program would continue to provide the priority permit processing for New single family building permits. But, above and beyond the basic program would have the following components and would require 1.0 FTE:

- Consideration for expansion of program to Multi-family, Commercial and alteration/addition permits
- Technical Assistance for large scale projects
- Additional Public Outreach

CONCLUSION

A challenge confronts the City of Kirkland and presents a unique opportunity to help promote efforts to increase the level of sustainability in our built environment. It is clear from the tremendous work that is being done City-wide that a green building program which encourages builders, developers and homeowners to reduce waste, preserve resources and increase energy efficiency will be a great tool to reduce carbon and greenhouse gas emissions.

ATTACHMENTS

1. City of Kirkland Green Building Program Action Plan
2. Kirkland Green Building Developers Forum
3. Interviews with other local jurisdictions and Green Building professionals
4. Letters of support from Kirkland Chamber of Commerce and Built Green/King and Snohomish County Master Builders
5. Letter of support from Kirkland Chamber of Commerce
6. Green Building Program Phase 1
7. Green Building Program Phase 2
8. Green Building Program Phase 3
9. Built Green program and LEED for Homes program checklists

cc: Green Team

Kirkland Green Building Program - Action Plan 10/07 Attachment 1

Task	Action Items	Description	Due Date
Phase 1: Research/Startup. Phase I of the Action Plan focuses on background research on existing sustainable building programs as well as sustainable building practices. The following tasks would be associated with Phase I:			
Task 1: Research		Research general background information including:	June 1-30, 2007
		1. Existing programs for measuring the performance of green buildings, including LEED, Built Green, Energy Star, and Home Energy Rating System (HERS). Identify key benefits to each program and costs for builders to implement. Research to include interviews with local builders who have developed under these programs as well as staff from other jurisdictions familiar with the programs.	Completed
		2. Identify existing sources for technical assistance, including King County Solid Waste, O'Brien & Associates, and Resource Venture.	Completed
		3. Identify and compile resources for existing incentive programs, such as existing federal tax credits, rebate programs offered through Puget Sound Energy, King County grants, etc.	Completed
		4. Investigate the costs, time commitment, and requirement for staff training. There are several different training opportunities that are available, including LEED Certification (LEED-AP), Sustainable Building Advisor Program through Seattle Central Community College), Workshops (e.g. Built Green conference)	Completed
		5. Investigate funding sources for a Green Building Program.	Completed
		6. Investigate existing green building programs (City of Seattle, King County, City of Issaquah) to determine structure of program, funding sources for program, staff resources, and incentives offered.	Completed
		7. Identify any existing barriers to implementation of a green building program. This would include analysis of existing codes, permit processing, and fee structure. Identify any key strengths and opportunities to build upon.	Pending
		8. Identify key stakeholders, including staff, developers, and community leaders. Convene stakeholders group to gain input on program structure and components.	Completed
		9. Investigate potential incentives for promoting green building, including priority permit review, financial assistance for soft costs of certifying construction, development of a recognition program, variations to development regulations, fee reductions, etc.	Completed
Task 2: Determine program scope		Prepare a recommendation for a program scope to present to City Council members, City Manager, Natural Resources Management Team and the Development Review Committee. In preparing a recommendation, the following issues should be considered: Vision, funding commitment, staff resources, anticipated benefits of program, developer interest, and standards for success.	Completed
Phase 2: Implementation			
Task 1: Service Package Request		Develop service package request, if necessary, to cover any identified funding requirements of program.	September 1, 2007
Task 2: Communication and Outreach.		Develop a public outreach program to promote program. Components could include:	Winter 2008
		1. Development of website with links to sustainable building resources.	Fall 2007

Kirkland Green Building Program - Action Plan 10/07 Attachment 1

Task	Action Items	Description	Due Date
		2. Develop Community Lecture series to inform developers and public of program and green building opportunities.	To Be determined
		3. Investigate other outreach opportunities, including public access TV spots, City Update, newspaper article, etc.	Ongoing
Task 3: Staff Training		Completion of any necessary staff training identified in Phase 1.	Winter 2008
Task 4: Code and Fee Schedule Revisions		Move forward on any code or fee revisions identified under Phase 1.	Winter 2008
Phase 3: On-going Program Maintenance			
Task 1: Benchmarking		Tracking of structures built under program.	Advantage Updated
Task 2: Feedback		Communication with developers and community on successes and barriers to implementation of program	

Attachment 2
Green Building Program

Green Builder's Forum
June 21, 2007 from 8:00 – 10:00 AM
Council Chambers, City Hall, 123 5th Avenue

Participate in making Kirkland a green place to live as we take steps to create a city green building program. Come to this month's Developer's Forum and learn what it takes to successfully build green from three local experts. Provide vital input to the city about what you need to support your efforts when building green.

RSVP today by emailing David Barnes at dbarnes@ci.kirkland.wa.us.

Speakers:

Alistair Jackson
Project Associate
O'Brien & Company
811 First Avenue, Suite 380
Seattle, WA 98104

(360) 756 – 9599
Alistair@obrienandco.com

Alistair Jackson provides project design & construction consulting, verification and rating services to clients in the affordable and market-rate housing sector in the Western US. Alistair is a certified Sustainable Building Advisor, a LEED Accredited Professional, and a BuiltGreen™, EnergyStar® and LEED® for Homes verifier/rater/Faculty member, and an accredited Real Estate Trainer.

- Alistair will discuss the two prominent green building programs, Built Green and Leadership in Energy and Environmental Design (LEED) and certifications for both.

Ben Kaufman
Co-Owner & Managing Broker
GreenWorks Realty
7406 Greenwood Avenue N., Suite A
Seattle, Washington 98103

(206) 283-8181
ben@greenworksrealty.com

Ben is the co-founder of GreenWorks Realty, a real estate brokerage and land development firm specializing in environmentally friendly homes and community focused real estate developments. Ben holds an urban planning degree from the University of Washington and a Certificate in Permaculture Design from Crystal Waters, Australia. Ben graduated from the University of Washington's Commercial Real Estate

Certificate program. Ben studied innovative community development and green building internationally and is the author of several published articles on marketing and selling green realty. Current projects include a 34 unit courtyard housing project in the permitting phase incorporating the latest Low Impact Development standards available.

- Ben will discuss the importance of recent green building real estate marketing trends in the Pacific Northwest.

Jim Tennyson
Owner
Tennyson Homes
405 Slater Avenue South
Kirkland, WA 98033
(425) 827-9060

Tennyson Homes, Inc. specializes in building single-family homes with a focus in the Greater Puget Sound Area. Tennyson Homes encourages environmental awareness by partnering with the Master Builders Association of King and Snohomish Counties Built Green program. Built Green is an environmentally-friendly, non-profit, residential building program developed in partnership with King County, Snohomish County, and other agencies in Washington State. Tennyson Homes actively engages in a comprehensive salvage and re-cycle program on all re-development and new home projects.

- Jim will lend his practical experience at a seasoned green builder and the lessons he’s learned.

June 21, 2007
Green Builder's Forum

Roster and Questionnaire

Last Name	First Name	Organization	Filled out Questionnaire	Phone	Email
Baker	Kelly	Bayridge Development	Yes	206-459-1659	kelly@bayridgedevelopment.com
Coakley	Joe	Coakley Development Group	Yes	206-979-0693	josephcoakley@msn.com
Darrow	Brian	Blueline	Yes	425-216-4051, x222	bdarrow@thebluelinegroup.com
Digovanni	Tom	Newhouse Development	Yes	425-753-0289	tom@newhousedev.com
Eng	Hunter	Eng Consulting	Yes	206-778-1035	hunter-eng@msn.com
Gebhard	Deanna	Blueline	Yes	425-216-4051, x239	dgebhard@thebluelinegroup.com
Harmon	Darrell	COK Building Department			
Heni	Lora				
Hollingbery	Aaron	CamWest	Yes	425-825-1955	ahahollingbery@camwest.com
Holzknecht	Steve	Four Suns Inc	Yes	425-869-1891	steve@foursunsinc.com
Jones	Jason	Chaffey Homes	Yes	425-822-5981	jasonj@chaffeyhomes.com
Kaifer	Mark				
Kappler	John	Kappler Architects PS	Yes	425-641-5320	Johnk@kapplerhomeplans.com
Kelly	Tim	T.E. Kelly Co-LLC			
Klein	Rose	Four Suns Inc			
Konrad	Monika	Chaffey Homes	Yes	425-822-5981	monikak@chaffeyhomes.com
Lysen	Josh	Merit Homes, Inc.			
McCoy	Melonie	COK Building Department			
Nelson	Michael	Frontier Bank	Yes	425-889-2265	mnelson@frontierbank.com
Nunes	Brenda	Kirkland Chamber/AESI			
Olson	Tim	Tim Olson Architect	Yes	425-889-9066	tim.olson6@verizon.net
Ramsey	Dave	COK City Manager			
Robertson	Kirsten	Coldwell Banker Bain	Yes	425-802-0414	kirstenrobertson@cbbain.com
Rudolph	John	Kirkland Builders Group President			
Stone	Steve	Sinclair Thimgan Homes	Yes	425-450-1197	steve@sinclairthimgan.com
Wig	Christopher	Tennyson Homes Inc.			

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Green Builder's Forum

	Q1	Q2	Q2sub	Q2sub2	Q3	Q4	Q5
1	yes	no			yes	yes	Cost and Valuation information
2	yes	yes	no	Issaquah H	yes	yes	LID, Clustered Housing
3	yes	no			yes	yes	Green Building for Engineers
4	yes	yes	yes	541 14th A	yes	yes	Alternative Materials & methods, City Green Building incentives and progress report
5	yes	yes	no	Mercer Isla	yes	yes	Material resource/suppliers, design consultants, web listings
6	yes	no			yes	yes	Site design and housing components
7	yes	yes			yes	yes	Site development, LID
8	yes	no			yes	maybe	cost & value
9	yes	yes	yes	Forbes Cre	yes	yes	Product availability, pricing, incentives
10	yes	yes	yes		yes	yes	
11	yes	yes	yes	Forbes Cre	yes	yes	product availability, incentives, utility upgrades to support GB
12	N/A	N/A	N/A		yes	yes	
13	yes	no			yes	yes	
14	N/A	N/A	N/A		yes	yes	
15	yes	yes	no	Issaquah H	yes	no	BuiltGreen Checklist (most points for least amount of money)
	100.00%	**61.54%**	**30.77%**		**100.00%**	**86.67%**	

June 21, 2007
Green Builder's Forum

Q6	Q7sub1	Q7sub2	Q7sub3	Q7sub4
	5	5	5	
	5	5	5	Customer & Realtor education, subcontractor training
	5	3	4	
Excellent Presentations	5	5	5	
City inspectors perform 3rd party verification, GB cost rolled into permit	5	5	5	
	5	5	4	
	3	5	3	
Wanted presentations to be more Kirkland focus	5	5	3	Expedited review may be difficult; will GB projects be further expedited
Cities need to be up to built green speed	3	5	5	Subcontractor training
	5	5	5	
	5	0	5	
	0	0	0	
	3	5	4	
	0	0	5	
	3	4	4	Provide a copy of a GB home, describe the process
	3.8	**3.8**	**4.133333**	
	4.384615385 (net median)	4.384615385 (net median)		

June 21, 2007
Green Builder's Forum

Question 1 **100%** of questionnaire participants plan on building green.

Question 2 **61.54%** are currently building green.
30.77% have a green building in Kirkland.

Question 3 **100%** of the forum participants found it useful.

Question 4 **86.67%** said they would attend future forums. The remaining said they may come or sent other staff to the forum.

Question 5 A list of what participants would like to hear in future forums:

Cost and valuation infromation
LID, Clustered Housing information
Green Building for Engineers
Alternative Materials & methods, City Green Building incentives and progress report
Material resource/suppliers, design consultants, web listings
Site design and housing components
Site development and LID
Cost and value of green building projects
Product availability, pricing, incentives
Utility upgrades to support green building
Review BuiltGreen Checklist to evaluate how to get the most points for least amount of money

Question 6 A list of additional comments include:

Excellent Presentations
City inspectors should perform 3rd party verification and if opting to build green extra costs should be rolled into pe
Wanted presentations to be more Kirkland focus
All cities need to be up to built green speed

Question 7 When asked to rate three possible green building services from 1 - 5 (1 being the least desired and 5 being the most desired):
The median score for technical assistance is **4.39** for questionnaire participants identified as builders.
The median score for expedited review is **4.39** for questionnaire participants identified as builders.
The median score for education programs and training is **4.13**

Attachment 3

Interviews

8/16/07 Meeting with Aaron Adelstein, Built Green Director

Notes by Stacey Rush

Built Green

- They are launching new multifamily checklist
- Have about 550 members
- Use of certified products – recycled products
- They address all aspects of building
- They rate and certify "projects" only (not supplies), over 1100 projects in the Puget sound area.
- They will be doing a real estate agent course to certify agents as "built green"

Aaron sees multiple roles for greater good of Built Green.

Aaron sees the COK role as to:

- Facilitate
- Support
- Remove barriers
- Give incentives
- Increase public awareness/provide resources to public
- Don't legislate too much, but make sure project/idea is good

Barriers Aaron has seen:

Biggest barrier – items are treated differently – need consistency between jurisdictions.

- Pervious pavement – some jurisdictions allow it, some don't. Some give 100% credit, others only 50% credit.
- Skinny streets – fire access issue
- Sloped roofs, out vents, spray foam
- Advanced framing
- Energy systems, geothermal heating
- Gray water or rain water to flush toilets
- Rainwater harvesting
- BRAC system
- Composting toilets

Built Green does training – they have a "built green" newsletter.

Huge Incentive: Seattle has expedited review for 4 & 5 star projects.

Best things COK can do to promote Built Green program

- Allocate some FTE towards built green issue
- Tie incentives to 4 and 5 star projects (since these are verified).
- Remove slow process for review and inspection
- Prepare permit departments staff and inspectors to understand green building.
- Dedicate a project manager to provide technical advice
- Have kiosks, printed material, etc. here at city hall where people come in for permits
- Have display of what is green building – it's not just straw bale walls...

- Dispel barrier that green building is more expensive – it's not more expensive.

7/19/07 Meeting with Brenda Nunes, President – Kirkland Chamber of Commerce

Notes by Stacey Rush

Education first, then incorporate in permitting process, then implement in projects

Incentives

- Need to show why a project is green building and why it is good
- Expedited permit process – faster review time
- Reduced permit fees
- Assign a technical advisor to project (King Co. does this)
- Highlight project – give recognition to builder/architect

Barriers

- Biggest hurdle is getting through the permit process and construction inspections to make project successful.
- Problems with permitting – crawl space issues, need to get inspectors on board with inspecting built green projects.
- Need flexibility
- Make sure inspectors and reviewers know built green techniques
- Predictability – developers don't want to build anything that is going to slow down the process.
- Convince the residents that we have to take more density in Kirkland, and that developers can add density responsibly. Really focus on benefits to community.
- Show developers the benefit

LEED – started with commercial projects, now moving into residential projects
PSE may have info on energy side.
Sustainable September – have fun handouts for residents.
"home" pocket with cards inside – each card is for a different type of green building.
Street of Dreams this year – focus on green building

Ways to build momentum for our program

- Highlight existing Kirkland businesses that are doing it right
- Have graphics, posters of projects and expo
- Developers forum
- Identify local engineering consultants as "green engineering" – Otak, Blueline, Triad, etc.
- Yarrow Bay Development does green building projects, is located in Kirkland, but most projects are done outside of Kirkland.
- Focus on builders that build in Kirkland first, then go to developers/builders that are located here but build elsewhere.
- Realtors – need to include them. MLS has a check box for "green building" now
- Ben Coffman, Joe Cokely
- COK Council is green, mayor, city manager – we have the internal support for green building program.

Biggest role COK can have is EDUCATION

Make sure staff is trained on what is green building and why green building is good.
Need to show traditional and then see "green" method – Inspectors need to know what to look for.

Bruce Chattin – concrete rep that lives in Kirkland
Kevin Coleburg – painting and mold prevention

BUILT GREEN™

A Program of the Master Builders Association in Partnership with King and Snohomish Counties

Attachment 4

10/8/2007

Re: Kirkland Green Building Program

Kirkland City Council
123 5th Avenue
Kirkland, WA 98033

Dear Kirkland City Council,

I am writing this letter in support of the Green Building Program being proposed by the City of Kirkland staff. Green building techniques are becoming widely recognized as an effective way to minimize negative environmental impacts in the building process, as well as significantly reduce the fossil fuel emissions causing climate change. The Pacific Northwest is already considered a national leader in green building, and the policies and programs created here often inspire similar programs in other jurisdictions nationwide. This initiative will also directly benefit both the residential and business communities of Kirkland. We are excited to see another municipality be proactive in support of environmental stewardship in the building sector.

Built Green™ is a non-profit certification program for residential construction. As a program of the Master Builders Association of King and Snohomish Counties, in partnership with both King and Snohomish Counties, we provide a mechanism as well as a rating system for builders to lessen the environmental impacts of their construction projects. Since our inception in 1999 we have certified over 11,500 homes in King and Snohomish Counties, and have over 250 participating builders.

As demonstrated by this Green Building initiative, Kirkland is lucky to have a visionary staff that is committed to environmental stewardship. We urge you to approve the program and look forward to helping make it successful in whatever capacity our help is needed.

Sincerely,

Aaron Adelstein, Executive Director
Built Green of King and Snohomish Counties

MBA MASTER BUILDERS ASSOCIATION of King and Snohomish Counties

Built Green and Master Builders Association
335 116th Avenue SE ▪ Bellevue WA 98004
(425) 460-8230 ▪ www.builtgreen.net

401 Parkplace, Suite 102
Kirkland, WA 98033
www.kirklandchamber.org

Phone 425-822-7066
Fax 425-827-4878

October 1st, 2007

Kirkland City Council
City Hall
123 5th Avenue
Kirkland, WA 98033

Subject: City of Kirkland's Green Building Program

Honorable City Council:

As the population of Kirkland grows, more demands will be placed on our environment and we must find ways to leverage the use of our available resources. The Kirkland Chamber of Commerce is encouraged that the City of Kirkland is developing a Green Building Program. The Chamber supports an incentive based program (not regulations) that promotes innovation and market based solutions resulting in better resource efficiencies.

While developing the program, we would also like to encourage the City to evaluate building regulations for inconsistencies between regulations and incentive based programs. We also recommend training and education for planners, engineers, inspectors and other personnel involved in the building process so they understand and support green building practices.

The Kirkland Chamber appreciates their partnership with the City of Kirkland during the 2007 Sustainable September and hopes that we will continue to work together to provide long term sustainable solutions that balance environment, economic vitality and societal good. We welcome the opportunity to provide input to the Green Building Program during the development phase.

Brenda Nunes

Brenda Nunes, President
Kirkland Chamber

Bill Vadino

Bill Vadino, Executive Director
Kirkland Chamber

CITY OF KIRKLAND GREEN BUILDING PROGRAM -- Phase One- Pilot Program

Priorities are ranked in order of importance (1-3) and categorized as **Education, **I**ncentives, & **R**egulations*

PRIORITY*	PROGRAMS	RESOURCES ($)	RESOURCES (FTE)	PROGRAM ELEMENTS
1-I	Expedited Permit Processing (half normal review time)		Ongoing Start up	1. Research number of Green Building permits processed in other jurisdiction. Check with King County on when in the process to trigger certification contract. 2. Develop process and receive approval from DRC II 3. Conduct financial analysis of process impacts 4. Continual tracking of Green Building permits received for appropriate program adjustments
1-E	Technical Advisors	$1,500.00	5 personnel at 24 hours each (1 PW, 2 PCD, & 2 BLD) + training materials	1. Receive approval from DRC 2. Maintain equivalence of new/ongoing green building methodologies
2-E	Public Outreach	$15,000.00		1. Additional education and technical assistance
2-I	Green Builders Recognition	$2,000.00	Maintenance & initial cost for design/materials for awards	1. Create green building award to be presented to developer (coordinate with Green Businesses Program). 2. Council proclamation 3. Track and maintain list of awarded green builders. 4. Publication of recognition
		$18,500.00	**0**	
		TOTAL DOLLAR COSTS	**TOTAL FTE**	

CITY OF KIRKLAND GREEN BUILDING PROGRAM -- Phase Two- Basic Program

Priorities are ranked in order of importance (1-3) and categorized as **Education, **I**ncentives, & **R**egulations*

PRIORITY*	PROGRAMS	RESOURCES ($)	RESOURCES (FTE)	PROGRAM ELEMENTS
1-I	Expedited Permit Processing (half normal review time)		0.3 Ongoing Start up	1. Research number of Green Building permits processed in other jurisdiction. Check with King County on when in the process to trigger certification contract. 2. Develop process and receive approval from DRC II 3. Conduct financial analysis of process impacts 4. Continual tracking of Green Building permits received for appropriate program adjustments
1-E	Development Review Services (DRS) Education		30 personnel at 4 hours each	1. Determine the educational needs of DRS for number of trained personnel in LEED & BuiltGreen programs. 2. Develop training materials 3. Conduct LEED & BuiltGreen seminar training seminars
1-E	Technical Training for in-house staff	$3,000.00	0.1	1. Receive approval from DRC 2. Maintain equivalence of new/ongoing green building methodologies
2-E	Public Outreach	$10,000.00	0.1	1. Conduct ongoing public informational/educational forums 2. Develop and maintain a green building program website 3. Develop and maintain a green building resource list
2-I	Green Builders Recognition	$2,000.00	Maintenance & initial cost for design/materials for awards	1. Create green building award to be presented to developer (coordinate with Green Businesses Program). 2. Council proclamation 3. Track and maintain list of awarded green builders. 4. Publication of recognition
		$15,000.00	**0.5**	
		TOTAL DOLLAR COSTS	**TOTAL FTE**	

Attachment 8

CITY OF KIRKLAND GREEN BUILDING PROGRAM -- Phase Three - Expanded Program

Priorities are ranked in order of importance (1-3) and categorized as **Education, **I**ncentives, & **R**egulations*

PRIORITY*	PROGRAMS	RESOURCES ($)	RESOURCES (FTE)	PROGRAM ELEMENTS
1-I	Expedited Permit Processing (half normal review time)		0.5 Ongoing Start up	1. Research number of Green Building permits processed in other jurisdiction. Check with King County on when in the process to trigger certification contract. 2. Develop process and receive approval from DRC II 3. Conduct financial analysis of process impacts 4. Continual tracking of Green Building permits received for appropriate program adjustments
1-E	Development Review Services (DRS) Education		60 personnel at 4 hours each	1. Determine the educational needs of DRS for number of trained personnel in LEED & BuiltGreen programs. 2. Develop training materials 3. Conduct LEED & BuiltGreen seminar training seminars
1-E	Technical Advisors	$10,000.00	0.3	1. Receive approval from DRC 2. Maintain equivalence of new/ongoing green building methodologies
1-R	Ordinance/Regulatory Changes			1. Integration into comprehensive plan and zoning code updates (coordinate with Joan Liebermann-Brill for comprehensive plan updates).
2-E	Public Outreach	$20,000.00	0.2 Kiosk & forum materials	1. Conduct ongoing public informational/educational forums 2. Partner with other agencies with public outreach efforts

				3. Develop and maintain a green building program website 4. Develop and maintain a green building resource list 5. Sponsor/support a green building demonstration project 6. Develop a green building kick-off competition 7. Offer a green building auditing service for developed properties 8. Create Green A to Z Educational Building Opportunities G.A.Z.E.B.O.
2-I	Green Builders Recognition	$2,000.00	Maintenance & initial cost for design/materials for awards	1. Create green building award to be presented to developer (coordinate with Green Businesses Program). 2. Council proclamation 3. Track and maintain list of awarded green builders. 4. Publication of recognition
		$32,000.00	**1**	
		TOTAL DOLLAR COSTS	**TOTAL FTE**	

A program of the Master Builders Association in Partnership with King and Snohomish Counties

Single-Family New Construction
Self-Certification Checklist

Project Address

Company Name

Check items you will be including in this project to qualify for a BUILT GREEN™ star rating. **Version 2007**

Number	Possible Points	CREDITS	Point Totals	Comments
TWO-STAR REQUIREMENTS (100 points minimum)				
	required	All ★items	★	
	required	Program Orientation (one time only)	★	
	required	Section 1: Build to "Green" Codes/Regulations and Program Requirements	★	
	required	Earn 75 additional points from Sections 2 through 5, with at least 6 points from each Section	★	
	required	Attend a Built Green™ approved workshop within past 12 months prior to certification	★	
THREE-STAR REQUIREMENTS (180 points minimum)				
	required	Meet 2-Star requirements plus point minimum	★	
	required	Achieve 10% of minimum point requirements in each section	★	
FOUR-STAR REQUIREMENTS (250 points minimum)				
	required	Meet 3-Star requirements plus point minimum	★	
	required	3rd party verification required (See reference)	★	
Site & Water	required	No zinc galvanized ridge caps, copper flashing or copper wires for moss prevention (2-35)	★	
Site & Water	required	Landscape with plants appropriate for site topography and soil types, emphasizing use of plants with low watering requirements [drought tolerant] (2-39)	★	
Site & Water	required	Use the most efficient aerator available for the faucets used (2-44 and 2-45)	★	
Energy	required	Energy Star Homes or equivalent required (See action item 3-3)	★	
IAQ	required	Use low toxic/low VOC paint on all major surfaces (except for PVA primer which is currently not available) (4-32)	★	
IAQ	required	Ventilate with box fans in windows blowing out during drywall sanding and new wet finish applications (4-9)	★	
Materials	required	Practice waste prevention and recycling and buy recycled products (5-1)	★	
	required	**Choose one of the following:**	★	
IAQ		Provide built in walk-off matt and shoe storage area (4-76)		
IAQ		Use plywood and composites of exterior grade or with no added urea formaldehyde for interior uses (4-25)		
IAQ		Use high efficiency pleated filter of MERV 12 or better, or HEPA (4-53b)		
IAQ		Install sealed combustion heating and hot water equipment (4-63)		
FIVE-STAR REQUIREMENTS (500 points minimum)				
	required	Meet 4-Star requirements plus point minimum	★	
Site & Water	required	Minimum of 125 points earned for Site & Water	★	
Site & Water	required	Amend disturbed soil with compost to a depth of 10 to 12 inches to restore soil environmental functions (2-15)	★	
Site & Water	required	Use pervious materials for at least one-third of total area for driveways, walkways, and patios (See action item 2-21)	★	
Site & Water	required	Limit use of turf grass to 25% of landscaped area (2-37)	★	
Site & Water	required	Avoid soil compaction by limiting heavy equipment use to building footprint and construction entrance (2-4)	★	
Site & Water	required	Preserve existing native vegetation as landscaping (2-5)	★	
Site & Water	required	Retain 30% of trees on site (2-6)	★	
Energy	required	Minimum R-26 for overall wall insulation (3-4)	★	
Energy	required	Maximum average U-value for all windows of 0.30 ACH (3-10)	★	
Energy	required	Advanced framing with double top plates (3-17)	★	
Energy	required	Pre-wire for future PV (3-74)	★	
Energy	required	75% minimum *Energy Star* light fixtures (3-5)	★	
Energy	required	Alternate: In Lieu of above energy requirements demonstrate home energy performance 30% beyond code per action item 3-1	★	
IAQ	required	Detached or no garage OR garage air sealed from house with automatic exhaust fan (4-21)	★	
IAQ	required	Use plywood and composites of exterior grade or formaldehyde free (for interior use) (4-25)	★	
Materials	required	Achieve a minimum recycling rate of 70% of waste by weight	★	
Materials	required	Use a minimum of 10 materials with recycled content	★	

Number	Possible Points	CREDITS	Point Totals	Comments
Section One: Build to "Green" Codes/Regulations and Program Requirements				
1-1	required	Meet Washington State Water Use Efficiency Standards	★	
1-2	required	Meet Stormwater/Site Development Standards	★	
1-3	required	Meet Washington State Energy Code	★	
1-4	required	Meet Washington State Ventilation/Indoor Air Quality Code	★	
1-5	required	Provide Owner with Operations and Maintenance Kit	★	
1-6	required	Prohibit Burying Construction Waste	★	
1-7	required	Do Not Dispose of Topsoil in Lowlands or Wetlands	★	
1-8	required	When Construction is Complete, Leave No Part of the Disturbed Site Uncovered or Unstabilized	★	
1-9	required	Dispose of Non-Recyclable Hazardous Waste at Legally Permitted Facilities	★	
1-10	required	Prepare Jobsite Recycling Plan and Post On Site	★	
1-11	required	2 - 3 Stars: Install CO Detector (Hardwire Preferred) for All Houses with a Combustion Devise or Attached Garage	★	
1-12	required	4 - 5 Stars: Install CO Detector (Hardwire Required) for All Houses with a Combustion Devise or Attached Garage	★	
1-13	required	Conform to the House Size Matrix (Square Feet Limit Refers to Conditioned Space)	★	
SECTION ONE TOTALS		**SECTION ONE TOTALS**	**Required**	
SECTION TWO: SITE AND WATER				
SITE PROTECTION				
Overall				
2-1	10	Build on Infill Lot to Take Advantage of Existing Infrastructure, Reduce Development of Virgin Sites		
2-2	10	Build in a Built Green™ Development		
2-3	3-5	Use Low Impact Foundation System, Such as PIN Systems or Post and Pier, for at least 50% of the Foundation		
		Subtotal		
Protect Site's Natural Features				
2-4	3	Avoid Soil Compaction by Limiting Heavy Equipment Use to Building Footprint and Construction Entrances		
2-5	3	Preserve Existing Native Vegetation as Landscaping		
2-6	4	Retain 30% of Trees On Site		
2-7	4	Retain (or Add) Deciduous Trees South of House		
2-8	4	Do Not Build Near Wetlands, Shorelines, Bluffs, and Other Critical Areas		
2-9	2	If Building Near Wetlands, Shorelines, Bluffs, and Other Critical Areas, Preserve & Protect Beyond Code		
2-10	5-10	Set Aside Percentage of Buildable Site to be Left Undisturbed		
		Subtotal		
Protect Natural Processes On--Site				
2-11	2	Install and Maintain Temporary Erosion Control Devices That Significantly Reduces Sediment Discharge from the Site Beyond Code Requirements		
2-12	3	Use Compost to Stabilize Disturbed Slopes		
2-13	3	Balance Cut and Fill, While Maintaining Original Topography		
2-14	4	Limit Grading to 15 Feet All Around, Except for Driveway Access		
2-15	4	Amend Disturbed Soil with Compost to a Depth of 10 to 12 Inches to Restore Soil Environmental Functions		
2-16	2	Replant or Donate Removed Vegetation for Immediate Reuse		
2-17	2	Use Plants Donated from Another Site		
2-18	3	Grind Land Clearing Wood and Stumps for Reuse		
2-19	3	Use a Water Management System That Allows Groundwater to Recharge		
		Subtotal		
Impervious Surfaces				
2-20	7	Design to Achieve Effective Impervious Surface Equivalent to 0% for 5 Acres and Above; <10% for Less Than 5 Acres		
2-21	3	Use Pervious Materials for At Least One-Third of Total Area for Driveways, Walkways, Patios		
2-22	10	Bonus Points: Install Vegetated Roof System (e.g. Green-Roof) to Reduce Impervious Surface		
2-23	10	Bonus Points: Construct No Impervious Surfaces Outside House Footprint		
		Subtotal		
Eliminate Water Pollutants				
2-24	4	Protect Topsoil On Site for Reuse		
2-25	1	Wash Out Concrete Trucks into Storage Containers		
2-26	1	Establish and Post Clean Up Procedures for Spills to Prevent Illegal Discharges		
2-27	1	Reduce Hazardous Waste Through Good Jobsite Housekeeping		
2-28	4	Provide an Infiltration System for Rooftop Runoff		
2-29	2	Construct Tire Wash, Establish and Post Clean Up Protocol for Tire Wash		
2-30	2	Use Slow-Release Organic Fertilizers to Establish Vegetation		
2-31	2	Use Less Toxic Form Releasers		
2-32	3	Use Non-Toxic or Low-Toxic Outdoor Materials for Landscaping (e.g. Plastic, Least-Toxic Treated Wood)		

Number	Possible Points	CREDITS	Point Totals	Comments
2-33	4	Phase Construction so that No More Than 60% of Site Is Disturbed at a Time and to Prevent Adverse Impacts On Adjoining Properties or Critical Areas		
2-34	5	No Clearing or Grading During Wet Weather Periods		
2-35	2	No Zinc Galvanized Ridge Caps, Copper Flashing, or Copper Wires For Moss Prevention		
		Subtotal		
WATER PROTECTION				
Outdoor Conservation				
2-36	2	Mulch Landscape Beds with 2 Inches of Organic Mulch		
2-37	5	Limit Use of Turf Grass to 25% or Less of Landscaped Area		
2-38	10	Bonus Points: No Turf Grass		
2-39	5	Landscape with Plants Appropriate for Site Topography and Soil Types, Emphasizing Use of Plants with Low Watering Requirements (Drought Tolerant)		
2-40	3	Plumb for Greywater Irrigation		
2-41	2	Sub-Surface or Drip Systems Used for Irrigation		
2-42	10	Install Landscaping That Requires No Potable Water for Irrigation Whatsoever After Initial Establishment Period (Approximately 1 Year)		
2-43	1-15	Install Rainwater Collection System (Cistern) for Reuse		
		Subtotal		
Indoor Conservation				
2-44	1	Select Bathroom Faucets with GPM Less than Code		
2-45	1	Select Kitchen Faucets with GPM Less than Code		
2-46	1	Select High Performance Low-Flush Toilets from List in Resources		
2-47	2-8	Install Dual Flush Toilets		
2-48	10	Install Composting Toilets		
2-49	5	Bonus Points: Stub-In Plumbing to Use Greywater Water for Toilet Flushing		
2-50	10	Use Greywater Water for Toilet Flushing		
2-51	2	Install a Recirculating Pump for Domestic Hot Water		
		Subtotal		
Eliminate Water Pollutants				
2-52	1	Educate Owners/Tenants About Fish-Friendly Moss Control		
2-53	3	Provide Food Waste Chutes and Compost or Worm Bins Instead of a Food Garbage Disposal		
2-54	3	Install a Whole House Water Filter System		
		Subtotal		
ENVIRONMENTAL DESIGN CONCEPTS				
2-55	10	Provide Accessory Dwelling Unit or Accessory Living Quarters		
2-56	1	Build North Area of the Lot First, Retaining South Area for Outdoor Activities		
2-57	5	Provide a Front Porch		
2-58	2	Position Garage So It Is Not in Front of House		
2-59	2-5	Minimize Garage Size		
2-60	4	Build within ¼ mile of a transit stop		
		Subtotal		
Extra Credit for Site and Water				
2-61		Extra Credit for Innovation in Site and Water		
		Subtotal		
		SITE AND WATER SECTION TOTALS		
Section Three: Energy Efficiency				
ENVELOPE				
Thermal Performance				
3-1	10-40	Document Envelope Improvements Beyond Code (Component Performance Approach)		
3-2	1-55	Document Envelope Improvements Beyond Code (Prescriptive Approach)		
3-3	1	Install Rigid Insulation Beneath Any Slabs on Grade		
3-4	5	Install Dense Packed Cellulose (Over 2.5 lbs/inch), or Wet-Blown Cellulose, or Blown-in Foam or Fiberglass BIBS as Insulation		
3-5	8	Bonus Points: Participate in a Program that Provides Third-Party Review and Inspection		
3-6	1	Install No More Than 1% of Floor Space of Skylights		
3-7	50	Build a Zero Net Energy Home That Draws Zero Outside Power or Fuel On a Net Annual Basis		
		Subtotal		
Air Sealing				
3-8	3	Airtight Drywall Approach for Framed Structures		
3-9	3	Use Airtight Building Method, Such as SIP or ICF		
3-10	5-10	Blower Door Test Results Better than 0.30 ACH (5 points), 0.25 ACH (10 points)		
		Subtotal		
Reduce Thermal Bridging				
3-11	1	Use Insulated Headers		
3-12	1	Fully Insulate Corners (Requires 2-Stud Corners Instead of 3-Stud Corners)		
3-13	1	Fully Insulate at Interior/Exterior Wall Intersection By Open Cavity Framing (See Reference Guide)		

Number	Possible Points	CREDITS	Point Totals	Comments
3-14	3	Use Energy Heels of 6 Inches or More on Trusses to Allow Added Insulation Over Top Plate		
3-15	10	Use Structural Insulated Panels (SIPs) on Whole House		
3-16	2	Use Insulated Exterior Sheathing		
3-17	5	Use Advanced Wall Framing - 24-Inch OC, With Double Top Plate		
3-18	5	Innovative Stick Framing to Reduce Thermal Bridging, by Methods Such as Double Wall Framing and Horizontal Wall Furring		
		Subtotal		
Solar Design Features				
3-19	6	Passive Solar Design, Basic Features Installed		
3-20	12	Passive Solar Design, Advanced Features Installed		
3-21	3	Model Solar Design Features Using Approved Modeling Software		
3-22	4-10	Demonstrate a Reduction in Space Conditioning Energy, Using Approved Energy Modeling Software		
		Subtotal		
HEATING/COOLING SYSTEM				
Distribution				
3-23	1	Centrally Locate Heating/Cooling System to Reduce the Size of the Distribution System		
3-24	1	Two Properly Supported Ceiling Fan Pre-Wires		
3-25	2	Use Advanced Sealing of All Ducts Using Low-Toxic Mastic		
3-26	3	Performance Test Duct for Air Leakage Meets Third-Party Review and Certification		
3-27	5	Third-Party Duct Test Results Less Than 6% Loss of Floor Area to Outside/Total Flow		
3-28	5	All Ducts Are In Conditioned Space		
3-29	4	Locate Heating/Cooling Equipment Inside the Conditioned Space		
3-30	5-10-15	Install Hydronic Heating Systems, Point Range Based on Boiler Efficiency		
		Subtotal		
Controls				
3-31	1	Install Thermostat with On-Switch for Furnace Fan to Circulate Air		
3-32	2	Install 60-Minute Timers or Humidistat for Bathroom and Laundry Room Fans		
3-33	2	Install Programmable Thermostats		
3-34	3	Select High Efficiency Heat Pumps Instead of Electric Heat		
		Subtotal		
Heat Recovery				
3-35	3	Install a Heat Recovery Ventilator		
		Subtotal		
Heating / Cooling				
3-36	3	Select Energy Star® Heating/Cooling Equipment		
3-37	2	Install Biofuel Appliances		
3-38		No Gas Fireplaces, Use Direct Vent Gas or Propane Hearth Product		
3-39	5	No Air Conditioner		
3-40	3	Install On-Demand Hot Water Heating Used for Space Heating		
3-41	10	Install Geothermal Heat Pumps		
		Subtotal		
WATER HEATING				
Distribution				
3-42	2	Locate Water Heater Within 20 Pipe Feet of Highest Use		
3-43	1	Insulate All Hot Water Pipes and Install Cold Inlet Heat Traps on Hot Water Heater		
		Subtotal		
Drainwater Heat Recovery				
3-44	2	Install Drainwater Heat Recovery System (DHR)		
		Subtotal		
Water Heating				
3-45	2	Passive or On-Demand Hot Water Delivery System Installed at Farthest Location From Water Heater		
3-46	2	Install Tankless Hot Water Heater		
3-47	2-7	Upgrade Gas or Propane Water Heater Efficiency to EF 0.61, 0.83, or 0.90		
3-48	2	Install Water Heater Inside the Heated Space (Electric, Direct Vent, or Sealed Venting Only)		
3-49	4	Upgrade Electric Water Heater to Exhaust Air Heat Pump Water Heater or De-Superheater: EF 1.9		
3-50	3	Install a Timer to Regulate Standby Hot Water Loss in Hot Water Heater		
		Subtotal		
LIGHTING				
Natural Light				
3-51	1	Light-Colored Interior Finishes		
3-52	2	Use Clerestory for Natural Lighting		
3-53	2	Use Light Tubes for Natural Lighting and to Reduce Electric Lighting		
		Subtotal		

Number	Possible Points	CREDITS	Point Totals	Comments
Efficient Lighting				
3-54	1	Solar Powered Walkway or Outdoor Area Lighting		
3-55	1	Furnish Four Compact Fluorescent Light Bulbs to Owners		
3-56	2-5	Use Compact Fluorescent Bulbs, Ballast, or Fixtures in Three High-Use Locations (Kitchen, Porch/Outdoors, and One Other Location)		
3-57	1-10	Install Hard-Wired Fluorescent Fixtures, with 1 Point for each 10% of Lighting		
3-58	1	Hard Wired Fluorescents on Dimmer		
3-59	3	Install Lighting Dimmer, Photo Cells, Timers, and/or Motion Detectors (Interior)		
3-60	2	Install Photo Cells, Timers, Motion Detectors (Exterior)		
3-61	1	Install LED Lighting		
3-62	1	Use Air Lock Can Lights Instead of IC Rated		
		Subtotal		
Appliances				
3-63	1	Provide an Outdoor Clothesline		
3-64	1	Install Gas Clothes Dryer		
3-65	3	Install Front Loading or Energy Star® Washing Machine		
3-66	1	Install an Energy Star® Dishwasher		
3-67	2	Install Energy Star® Refrigerator		
3-68	2	Install Gas Stove/Cooktop (Requires a Carbon Monoxide Detector)		
3-69	2	Install Energy Star® Exhaust Fan		
		Subtotal		
EFFICIENT DESIGN				
3-70	2	Use Building and Landscaping Plans That Reduce Heating/Cooling Loads Naturally		
3-71	5	Install Heat Systems with Separate Zones for Sleeping and Living Areas		
		Subtotal		
ALTERNATIVE ENERGY				
3-72	2-3	Enroll the Residence in the Local Utility's Electricity Program for Renewable Electricity Sources		
3-73	10	Solar Water Heating System Sized to Provide a Minimum of 40% Hot Water Designed Energy Use		
3-74	2	Pre-Pipe for Solar Water Heater		
3-75	5-25	House Powered by Photovoltaic		
3-76	5-25	Install Innovative Non-Solar Renewable Power Systems That Produce a Minimum of 15%, 30%, or 50% of the House's Total Annual Energy		
		Subtotal		
Extra Credit for Energy Efficiency				
3-77		Extra Credit for Innovation in Energy Efficiency		
		Subtotal		
		ENERGY EFFICIENCY SECTION TOTALS		
Section Four: Health and Indoor Air Quality				
OVERALL				
4-1	5	Assist Homeowners with Chemical Sensitivities to Identify Preferred IAQ Measures and Finishes		
4-2	5	Project Team Member to Have Taken American Lung Association (ALA) of Washington "Healthy House Professional Training" Course or Other IAQ Class With 8 Hours of Curriculum Minimum		
4-3	15	Certify House Under ALA Health House Program or Other Program As Approved By Program Director		
4-4	2	Provide Homeowners With Maintenance Checklists (Furnace Filters, Under the Fridge, Etc.)		
		Subtotal		
JOBSITE OPERATIONS				
4-5	1	Use Less-Toxic Cleaners		
4-6	1	Require Workers to Use VOC-Safe Masks When Applying VOC Containing Wet Products, and N-95 Dust Masks When Generating Dust		
4-7	3-5	Take Measures During Construction Operations to Avoid Moisture Problems Later (See Handbook for Basics and Expanded Levels)		
4-8	2	Take Measures To Avoid Problems Due To Construction Dust (Perform All Measures Listed In Handbook)		
4-9	3	Ventilate With Box Fans In Windows Blowing Out During Drywall Sanding and New Wet Finish Applications		
4-10	2	No Use of Unvented Heaters During Construction		
4-11	3	Clean Duct and Furnace Thoroughly Just Before Owners/Tenants Move In		
4-12	4	Train Subs in Implementing a Healthy Building Jobsite Plan for the Project		
		Subtotal		
LAYOUT AND MATERIAL SELECTION				
4-13	1	Use Pre-Finished Flooring		
4-14	15	No Carpet		
4-15	2	If Using Carpet, Specify Products Certified by Third-Party for Indoor Air Quality		
4-16	1	Do Not Install Either Insulation or Carpet Padding With Brominated Flame Retardant		

Number	Possible Points	CREDITS	Point Totals	Comments
4-17	1	Install Low Pile or Less Allergen-Attracting Carpet and Pad		
4-18	3	Limit Use of Carpet to One-Third of Home's Square Footage		
4-19	2-6	Optimize Air Quality in Family Bedrooms to Basic or Advanced Level (Perform All Measures Listed in Handbook for Basic or Advanced Level)		
4-20	1	If Using Carpet, Install by Dry Method		
4-21	5	Detached or No Garage, or Garage Air-Sealed from House with Automatic Exhaust Fan		
4-22	3	Use Urea Formaldehyde-Free Insulation or Greenguard Certified Product		
4-23	4	Do Not Use Fiberglass Insulation		
4-24		Inside the House, Use Only Low-VOC, Low-Toxic, Water-Based, Solvent-Free Sealers, Grouts, Mortars, Caulks, Adhesives, Stains, Pigments, and Additives for:		
4-24a	2	Tile and Grout		
4-24b	2	Framing		
4-24c	4	Flooring		
4-24d	2	Plumbing		
4-24e	2	HVAC		
4-24f	2	Insulation		
4-24g	2	Drywall		
4-25	3	Use Plywood and Composites of Exterior Grade or With No Added Urea Formaldehyde (For Interior Use)		
4-26	5	Install Cabinets Made with No Added Urea Formaldehyde Board and Low-Toxic Finish		
4-27	3	Use Ceramic Tile for 5% of Flooring		
4-28	5	Use Only Shelving, Window Trims, Door Trim, Base Molding, Etc., With No Added Urea Formaldehyde		
4-29	3	Use No PVC Piping for Plumbing		
4-30	1	Install Natural Fiber Carpet (e.g. Wool)		
4-31	3	Use Only Low-VOC/Low-Toxic Interior Paints and Finishes for Large Surface Areas		
4-32	5	Use Only Low-VOC/Low-Toxic Interior Paints and Finishes for All Surface Areas (Including Doors, Windows, Trim)		
4-33	1	Use Only Paints and Finishes Without Cadmium or Lead		
		Subtotal		
MOISTURE CONTROL				
4-34	1	Grade to Drain Away from Buildings		
4-35	1	Verify Seal at Doors, Windows, and Plumbing and Electrical Penetrations Against Moisture and Air Leaks		
4-36	3	Envelope Inspection at Pre-Installation by a Qualified Professional		
4-37	2	Slab On Grade, Upgrade Under Slab Moisture Barrier Beyond Code to 10 mil Minimum; Minimum of 10 mil Poly in Crawl Spaces with Sealed Seams and Sealed Perimeter		
4-38	1	Use Ridge Vents for Venting Attic		
4-39	1	Prepare a Roof Water Management Plan Showing Best Practices for the Site Soils and Storm Water Infrastructure		
4-40	3	Roof Overhangs Are at Least 24" Inches		
4-41	2	Protect Windows and Doors on Tall Walls with Additional Overhang Protection		
4-42	6	Install a Drain Plane for Walls Between Siding, Trim, and Building Paper or House Wrap		
4-43		Install:		
4-43a	7	A Sloped Sill Pan with End Dams and Back Dams for All Windows, and Back Dams for All Exterior Doors Exposed to the Weather		
4-43b	3	Back Dams or Sloped Sill at All Window Sills		
4-44	1	Install Metal Flashing at All Windows		
4-45	1	Install Metal Flashing at Door Heads Exposed to the Weather		
4-46	3	Hose Test First Installed Windows to Verify Resistance to Wind Driven Rain		
4-47	2	Install Working "Radon" Type Vent System to Eliminate Potential Moisture, Methane, and Radon Problems in Crawl Space or Under Slabs on Grade		
4-48	1	Install A Rigid Perforated Footing Drain at Foundation Perimeter, Not Connected to Roof Drain System		
4-49	3	Show and Build Moisture Management Details for Below Grade Walls Beyond Code, Such as Dimple Drainage Mat at Exterior Face and Capillary Breaks		
4-50	2	Perform Calcium Chloride Moisture Test on All Slabs on Grade Prior to Installing Any Finish Flooring in Conformance with Product Warranties		
4-51	3	Have Crawl Space, Attic, and Garage Building Performance Tested for Disconnection to the Living Space of House		
		Subtotal		
AIR DISTRIBUTION AND FILTRATION				
4-52	2	Do Not Install Electronic, Metal Mesh, Horse Hair, or Non-Pleated Fiberglass Filters		
4-53		Use Effective Air Filter		
4-53a	1	Use Medium Efficiency Pleated Filter, MERV 10		
4-53b	5	Use High Efficiency Pleated Filter, MERV 12 or Better, or HEPA		
4-54	2	Balance Airflow System Based on Filter Being Used		
4-55	3	Install Central Vacuum, Exhausted to Outside		
4-56	2	Provide for Cross Ventilation Using Operable Windows		
		Subtotal		

Number	Possible Points	CREDITS	Point Totals	Comments
HVAC EQUIPMENT				
4-57	1	Flow Test All Fans In the House		
4-58	1	Use Heating System Controls That Are Free of Mercury		
4-59	1	Limit Kitchen Exhaust Fan to 300 CFM Maximum		
4-60	1	Install 60-Minute Timer Switches for Bath Exhaust Fans or HRV Override Switch		
4-61	2	Install Quiet (<1.5 sone) Bath Fan with Smooth Ducting, Minimum 4 Inch or Employ Other Quiet Ventilation Strategy		
4-62	1	Install Exhaust Fans in Rooms Where Office Equipment is Used		
4-63	3	Install Sealed Combustion Heating and Hot Water Equipment		
4-64	3	Install Power Venting for Combustion Furnaces and Water Heating Equipment (Cannot Be Taken in Addition to Action Item 4-63)		
4-65	3	Install Exhaust Fan in Attached Garage On Timer or Wired to Door Opener, or No Garage Attached to Home		
4-66	2	Install Whole House Fan Beyond the Code Requirements		
4-67	1	No Sound Insulation or Other Fibrous Materials Installed Inside Ducting		
4-68	5	Bonus Points: Provide Balanced or Slightly Positive Indoor Pressure Using Controlled Ventilation		
4-69	3	Install Timer Control Integrated with Thermostat On Whole House Ventilation System with Balanced or Positive Pressure, or Continually Running HRV		
4-70	10	Install Whole House Radiant Heating System (No Ducted Heating)		
		Subtotal		
Health and Indoor Air Quality				
4-71	1	Build a Lockable Storage Closet for Hazardous Cleaning and Maintenance Products, Separate from Occupied Space		
4-72	1	If Installing Water Filter at Sink, Select One with Biodegradable Carbon Filter		
4-73	1	Install Showerhead Filter		
4-74	3	Do Not Install a Wood-Burning Fireplace Inside House		
4-75	1	Do Not Install Gas-Burning Appliances Inside House		
4-76	3	Design a Shoe Removal Vestibule at Major Entrances to House (Front, Back, Garage)		
4-77	1-2	Install Floor Drain or Catch Basin with Drain Under Washing Machine and/or Water Heater		
4-78	1	Install Moisture Alarms Under Sinks and Dishwasher		
		Subtotal		
Extra Credit for Health and Indoor Air Quality				
4-79		Extra Credit for Innovation in Health and Indoor Air Quality		
		Subtotal		
		HEALTH AND INDOOR AIR QUALITY SECTION TOTALS		
SECTION FIVE: MATERIALS EFFICIENCY				
OVERALL				
5-1	10	Practice Waste Prevention and Recycling and Buy Recycled Products		
5-2	5-9	Design and Build for Deconstruction Concept		
5-3	1-5	Eliminate Materials and Systems That Require Finishes on a Minimum of 100 Square Feet		
		Subtotal		
JOBSITE OPERATIONS				
5-4	1	Provide Weather Protection for Stored Materials		
5-5	1	Substitute Products That Require Solvent-Based Cleaning Methods with Solvent-Free or Water-Based Methods		
		Subtotal		
Reduce				
5-6	2	Create Detailed Take-Off and Provide as Cut List to Framer		
5-7	2	Use Central Cutting Area or Cut Packs		
5-8	2	Require Subcontractors and Contractor's Employees to Participate in Waste Reduction Efforts		
		Subtotal		
Reuse				
5-9	2-20	Use Deconstruction to Dismantle and Reuse Existing Building(s) On Site		
5-10	1	Sell or Give Away Wood Scraps, Lumber, and Land Clearing Debris		
5-11	1	Donate, Give Away, or Sell Reusable Finish Items		
5-12		Reuse Building Materials {{Suggestion: Move Section Here as Primary for new Breakouts}}		
5-12a	1	Reuse Doors		
5-12b	1	Reuse Flooring		
5-12c	1	Reuse Windows		
5-12d	1	Reuse Appliances		
5-12e	1	Reuse Fixtures		
5-12f	1	Reuse Hardware		
5-12g	1	Reuse Cabinets		
5-12h	1	Reuse Siding		

Number	Possible Points	CREDITS	Point Totals	Comments
5-12i	1	Reuse Decking		
5-12j	1	Reuse Trim		
5-12k	1	Reuse Framing Lumber		
		Subtotal		
Recycle				
Source Separation Recycling				
5-13	1	Recycle Cardboard by Source Separation, 85% Minimum Recycling Rate		
5-14	2	Recycle Metal Scraps by Source Separation, 85% Minimum Recycling Rate		
5-15	5	Recycle Clean Scrap Wood and Broken Pallets by Source Separation, 85% Minimum Recycling Rate		
5-16	2	Recycle Package Wrap and Pallet Wrap by Source Separation, 85% Minimum Recycling Rate		
5-17	3	Recycle Drywall by Source Separation, 85% Minimum Recycling Rate		
5-18	2	Recycle Concrete/Asphalt Rubble, Masonry Materials, or Porcelain by Source Separation, 85% Minimum Recycling Rate		
5-19	1	Recycle Paint by Source Separation, 85% Minimum Recycling Rate		
5-20	4	Recycle Asphalt Roofing by Source Separation, 85% Minimum Recycling Rate		
5-21	2	Recycle Carpet Padding and Upholstery Foam by Source Separation, 85% Minimum Recycling Rate		
5-22	1	Recycle Glass by Source Separation, 85% Minimum Recycling Rate		
5-23	3	Recycle Land Clearing and Yard Waste, Soil, and Sod by Source Separation, 85% Minimum Recycling Rate		
		Subtotal		
Commingle Recycling				
5-24	10	Send At Least 85% of Jobsite Waste (By Weight, Excluding Concrete) to a Commingle Recycling Facility with a 50% Recycling Rate		
5-25	18	Send At Least 85% of Jobsite Waste (By Weight, Excluding Concrete) to a Commingle Recycling Facility with a 75% Recycling Rate		
5-26	24	Send At Least 85% of Jobsite Waste (By Weight, Excluding Concrete) to a Commingle Recycling Facility with a 90% Recycling Rate		
5-27	4	Commingle Recycle at Least 50% of Jobsite Debris, and Take to a Facility With a Minimum Recycling Rate of 50%		
5-28	3-12	Bonus Points: Overall Recycling Rate Above 50%, 70%, or 90% by weight		
		Subtotal		
DESIGN AND MATERIAL SELECTION				
Overall				
5-29	1	Use Standard Dimensions in Design of Structure		
5-30	1	Install Materials with Longer Life Cycles		
5-31	1-3	Install Locally Produced Materials		
5-32	1-8	Use Building Salvaged Lumber, Minimum 200 Board Feet		
5-33	2-3	Use Urban or Forest Salvaged Lumber, Minimum 250 Board Feet		
5-34	1	Use Any Amount of Rapidly Renewable Building Materials and Products Made From Plants Harvested Within a Ten-Year Cycle or Shorter		
5-35	3	In Three Applications, Use Rapidly Renewable Building Materials and Products Made From Plants Harvested Within a Ten-Year Cycle or Shorter		
5-36	1-10	Bonus Points: Reuse Salvaged Materials		
5-37	3	Use No Endangered Wood Species		
5-38	2	Use Environmentally Preferable Products with Third-Party Certification, such as SCS, Greenguard, Green Seal, and Floor Score (Not Applicable to Carpet)		
		Subtotal		
Framing				
5-39	7	Use Dimensional Lumber that is Third-Party Certified Sustainably Harvested Wood that Meets the Tier 1 Requirements Outlined in the Handbook, 50% Minimum		
5-40	1	Use Dimensional Lumber that is Third-Party Certified Sustainably Harvested Wood that Meets the Tier 2 Requirements Outlined in the Handbook		
5-41	5	Use Sheathing That Is Third-Party Certified Sustainably Harvested Wood that Meets the Tier 1 Requirements Outlined in the Handbook, 50% Minimum		
5-42	1	Use Sheathing That Is Third-Party Certified Sustainably Harvested Wood that Meets the Tier 2 Requirements Outlined in the Handbook		
5-43	5	Use Beams That Are Third-Party Certified Sustainably Harvested Wood that Meets the Tier 1 Requirements Outlined in the Handbook, 50% Minimum		
5-44	1	Use Beams That Are Third-Party Certified Sustainably Harvested Wood that Meets the Tier 2 Requirements Outlined in the Handbook		
5-45	1	Use Factory Framed Wall Panels (Panelized Wall Construction)		
5-46		Use Stacked Floor Plan		
5-47	3	Use Engineered Structural Products and Use No Dimensional 2xs Larger Than 2x8, and No 4xs Larger Than 4x8		
5-48	4	Use Structural Insulated Panels (SIPs)		
5-49	3	Use Insulated Concrete Forms (ICFs)		
5-50	2-3	Use Finger-Jointed Studs		
5-51	5	Use Advanced System Framing With Double Top Plate		
		Subtotal		

Number	Possible Points	CREDITS	Point Totals	Comments
Foundation				
5-52	1	Use Regionally Produced Block		
5-53	6	Use Flyash or Blast Furnace Slag For 25% by Weight of Cementitious Materials for All Concrete (20% for Flat Work)		
5-54	2	Use Recycled Concrete, Asphalt, or Glass Cullet For Base or Fill		
		Subtotal		
Sub--Floor				
5-55	1	Use Recycled-Content Sub-Floor		
		Subtotal		
Doors				
5-56	2	Use Domestically-Grown Wood Interior Doors		
		Subtotal		
Finish Floor				
5-57	4	No Vinyl Flooring		
5-58	1	Use Any Amount of Rapidly Renewable Flooring Products With a Ten-Year Harvest Cycle or Shorter (Excluding Carpet)		
5-59	3	On More Than 250 Square Feet, Use Rapidly Renewable Flooring Products With a Ten-Year Harvest Cycle or Shorter (Excluding Carpet)		
5-60	1	Use Recycled-Content Carpet Pad		
5-61	1	Use Recycled, Renewed Carpet or Wool Carpet		
5-62	1	Use Replaceable Carpet Tile		
5-63	3	Use 40% Recycled-Content Hard Surface Tile, 100 Square Feet Minimum		
5-64	3	Use Natural Linoleum		
5-65	1-5	Use Locally Salvaged Wood Flooring		
5-66	5	Use Flooring that is Third-Party Certified Sustainably Harvested Wood that Meets the Tier 1 Requirements Outlined in the Handbook, 50% Minimum		
5-67	1	Use Flooring that is Third-Party Certified Sustainably Harvested Wood that Meets the Tier 2 Requirements Outlined in the Handbook		
5-68	1	Use Durable/Spot Repairable Floor Finish		
5-69	2	Use Concrete Slab or Sub-Floor as a Finished Floor in Living Space		
		Subtotal		
Interior Walls				
5-70	4	Use Drywall with a Minimum of 90% Recycled-Content Gypsum or Flue Gas Substitute for Recycled Gypsum		
5-71	2	Use Recycled or “Reworked” Paint and Finishes		
5-72	1	Use Recycled Newspaper or Cork Expansion Joint Filler		
5-73	1-3	Use Natural Wall Finishes, Like Lime Paint and Clay		
5-74	2	Reduce Interior Walls Through Open Plan for Kitchen, Dining, and Living Areas		
		Subtotal		
Exterior Walls				
5-75	3	Use Siding with Reclaimed or Recycled Material On At Least 20% of Solid Wall Surface		
5-76	4	No Vinyl Siding or Exterior Trim		
5-77	2	Use 50-Year Warranted Siding Product		
5-78	5	Use Wood Siding that is Third-Party Certified Sustainably Harvested Wood that Meets the Tier 1 Requirements Outlined in the Handbook, On At Least 20% of Solid Wall Surface		
5-79	1	Use Wood Siding that is Third-Party Certified Sustainably Harvested Wood that Meets the Tier 2 Requirements Outlined in the Handbook, On At Least 20% of Solid Wall Surface		
5-80	3	Use Salvaged Masonry Brick or Block, 50% Minimum		
5-81	2	Use Regionally-Produced Stone or Brick		
5-82	5	Use Straw Bale Walls, Minimum R-28		
		Subtotal		
Windows				
5-83	3	Use Wood/Composite or Fiberglass Windows		
5-84	4	No Vinyl Windows		
5-85	1	Use Finger-Jointed Wood Windows		
5-86	5	Use Wood Windows that are Third-Party Certified Sustainably Harvested Wood that Meets the Tier 1 Requirements Outlined in the Handbook		
5-87	1	Use Wood Windows that are Third-Party Certified Sustainably Harvested Wood that Meets the Tier 2 Requirements Outlined in the Handbook		
		Subtotal		
Cabinetry and Trim				
5-88		If Using Trim:		
5-88a	1	Use Regional Trim Products, 50% Minimum		
5-88b	3	Use Trim That Is Third-Party Certified Sustainably Harvested Wood that Meets the Tier 1 Requirements Outlined in the Handbook, 50% Minimum		
5-88c	1	Use Trim that is Third-Party Certified Sustainably Harvested Wood **that Meets the Tier 2 Requirements Outlined in the Handbook**, 50% Minimum		
5-89	3	Use Finger-Jointed or MDF Trim With No Added Urea Formaldehyde, 90% Minimum		
5-90	1	Use Wood Veneers that are Third-Party Certified Sustainably Harvested Wood that Meets the Tier 1 Requirements Outlined in the Handbook, 50% Minimum		

Number	Possible Points	CREDITS	Point Totals	Comments
5-91		For Cabinets:		
5-91a	2	Use Regional Products, 90% Minimum		
5-91b	3	Use Wood that is Third-Party Certified Sustainably Harvested Wood that Meets the Tier 1 Requirements Outlined in the Handbook, 50% Minimum		
5-91c	1	Use Wood that is Third-Party Certified Sustainably Harvested Wood that Meets the Tier 2 Requirements Outlined in the Handbook, 50% Minimum		
5-92	2-3	Use Cabinet Casework and Shelving Constructed of Agricultural Fiber With No Added Urea Formaldehyde		
5-93	1	Use Countertops That Are Salvaged, Recycled, or Third-Party Certified Sustainably Harvested Wood that Meets the Tier 1 Requirements Outlined in the Handbook		
		Subtotal		
Roof				
5-94	2	Use Recycled-Content Roofing Material		
5-95	2	Use 30-Year Warranted Roofing Material		
5-96	3	Use 40-Year Warranted Roofing Material		
5-97	2	Use Solar Shingles		
5-98	3	Install a Metal Roof		
		Subtotal		
Insulation				
5-99	2	All Insulation to have a Minimum of 40% Recycled-Content		
5-100	3	Use Environmentally Friendly Foam Building Products (Formaldehyde-Free, CFC-Free, HCFC-Free)		
		Subtotal		
Other Exterior				
5-101	2	Use Reclaimed or Salvaged Material for Landscaping Walls		
5-102	3	Use 100% Recycled Content HDPE, Salvaged Lumber or Lumber that is Third-Party Certified Sustainably Harvested Wood that Meets the Tier 1 Requirements Outlined in the Handbook for Decking and Porches		
5-103	4	Use No Pressure Treated Lumber		
5-104	5+	Points for B20 Biodiesel or Better Equipment (5 Points for 100% Excavation Equipment on Biodiesel, 1 Point for Any Additional Vehicle Frequently On Site)		
		Subtotal		
Recycling				
5-105	2	Provide Built-In Kitchen or Utility Room Recycling Center		
		Subtotal		
Extra Credit for Materials Efficiency				
5-106		Extra Credit for Innovation in Materials Efficiency		
		Subtotal		
		MATERIALS EFFICIENCY SECTION TOTALS		
Extra Credit				
EC-1	**1-10**	Extra Credit for Innovation in Marketing		
		Subtotal		
		EXTRA CREDIT TOTALS		
		Project Scoring Sub-Total		
		(Action Item 1-13) Multiplier		
		PROJECT SCORING TOTAL		
		PROJECT SUMMARIES		
		CODES & REGULATIONS		
		SITE & WATER SECTION TOTALS		
		ENERGY EFFICIENCY SECTION TOTALS		
		HEALTH AND INDOOR AIR QUALITY SECTION TOTALS		
		MATERIALS EFFICIENCY SECTION TOTALS		
		EXTRA CREDIT TOTALS		

_____**Total Points for Project**

Program Level Obtained

☐ 1-Star ★ ☐ 2-Star ★★ ☐ 3-Star ★★★

☐ 4-Star ★★★★ ☐ 5-Star ★★★★★

By my signature, I certify that I have performed all Action Items checked above.

X_____

(Home Builder Signature and Date)

Smaller houses use a multiplier for their *overall* points based on SF size.
Larger houses are required to earn a minimum of points in the energy and materials section. *(points listed are for each section)*
Project size to include all conditioned space of house except for an ADU

2005 avg. size in King Co.
(outside of Seattle)

	Bedrooms						Multiplier	min. points req in energy section**	min. points req in materials section**
	1	2	3	4	5	6			
SF	<500	<700	<900	<1300	<1900	<2400	1.20	N/A	N/A
	501- 800	701-1000	901-1200	1301-1750	1901-2350	2401-2700	1.15	N/A	N/A
	801-1200	1001-1400	1201-1800	1751-2350	2351-2950	2701-3500	1.10	N/A	N/A
	1201-1600	1401-1800	1801-2400	2351-3000	2951-3600	3501-4300	1.05	N/A	N/A
	1600	***1800***	***2400***	***3000***	***3600***	***4300***	1.00	0	0
	1601-1800	1801-2000	2401-2700	3001-3400	3601-4000	4301-4700	1.00	25*	25
	1801-2000	2001-2200	2701-3000	3401-3800	4001-4400	4701-5100	1.00	35*+	35+
	2001-2200	2201-2400	3001-3300	3801-4200	4401-4800	5101-5500	1.00	45*+	45+
	>2200	>2400	>3300	>4200	>4800	>5500	1.00	55*+	55+

* Energy Star Certification or Equivalent can be substituted for the required point minimum
+ These totals will be initially under review pending participant feedback

Project Checklist

LEED for Homes

for Homes

Builder Name:	
Responsible Party (if different):	
Home Address (Street/City/State):	

Input Values: *Click here if you're experiencing problems*

No of Bedrooms: **4** Floor Area (SF): **2400**

Minimum No. of Points Required:

Certified: **45** Silver: **60** Gold: **75** Platinum: **90**

Detailed information on the measures below are provided in the companion document "LEED for Homes Rating System"

Y / Pts	No	N/A							Max Points Available
					Innovation and Design Process (ID)		(Minimum of 0 ID Points Required)		**9**
				1.1	**Integrated Project Planning**		Preliminary Rating		Prerequisite
				1.2			Integrated Project Team		1
				1.3			Design Charrette		1
				2.1	**Quality Management for**		Durability Planning; (Pre-Construction)		Prerequisite
				2.2	**Durability**		Wet Room Measures		Prerequisite
				2.3			Quality Management		Prerequisite
				2.4			Third-Party Durability Inspection		3
				3.1	**Innovative / Regional Design**		Provide Description and Justification for Specific Measure		1
				3.2			Provide Description and Justification for Specific Measure		1
				3.3			Provide Description and Justification for Specific Measure		1
				3.4			Provide Description and Justification for Specific Measure		1
0				Sub-Total					
					Location and Linkages (LL)		(Minimum of 0 LL Points Required)	OR	**10**
				1	**LEED-ND Neighborhood**			**LL2-5**	10
				2	**Site Selection**		Avoid Environmentally Sensitive Sites and Farmland	**LL1**	2
				3.1	***Preferred Locations***		Select an Edge Development Site	**LL1**	1
				3.2		***OR***	Select an Infill Site	**LL1**	2
				3.3			Select a Previously Developed Site	**LL1**	1
				4	**Infrastructure**		Site within 1/2 Mile of Existing Water and Sewer	**LL1**	1
				5.1	**Community Resources**		Basic Community Resources / Public Transportation	**LL1**	1
				5.2	**& Public Transit**	***OR***	Extensive Community Resources / Public Transportation	**LL1**	2
				5.3		***OR***	Outstanding Community Resources / Public Transportation	**LL1**	3
				6	***Access to Open Space***		Publicly Accessible Green Spaces	**LL1**	1
0				Sub-Total					
					Sustainable Sites (SS)		(Minimum of 5 SS Points Required)	OR	**21**
				1.1	**Site Stewardship**		Erosion Controls (During Construction)		Prerequisite
				1.2			Minimize Disturbed Area of Site		1
				2.1	**Landscaping**		No Invasive Plants		Prerequisite
				2.2			Basic Landscaping Design		2
				2.3			Limit Turf		3
				2.4			Drought Tolerant Plants		2
				3	**Shading of Hardscapes**		Locate and Plant Trees to Shade Hardscapes		1
				4.1	**Surface Water Management**		Design Permeable Site		4
				4.2			Permanent Erosion Controls / Professional Design of Erosion Control		2
				5	**Non-Toxic Pest Contro**		Select Insect and Pest Control Alternatives from List		2
				6.1	**Compact Development**		Average Housing Density≥ 7 Units / Acre	**LL1**	2
				6.1		***OR***	Average Housing Density≥ 10 Units / Acre	**LL1**	3
				6.3		***OR***	Average Housing Density≥ 20 Units / Acre	**LL1**	4
0				Sub-Total					
					Water Efficiency (WE)		(Minimum of 3 WE Points Required)	OR	**15**
				1.1	**Water Reuse**		Rainwater Harvesting System		4
				1.2			Grey Water Re-Use System		1
				2.1	**Irrigation System**		Select High Efficiency Measures from List		3
				2.2			Third Party Verification		1
				2.3		***OR***	Install Landscape Designed by Licensed or Certified Professional	**WE 2.2**	4
				3.1	**Indoor Water Use**		High Efficiency Fixtures (Toilets, Showers, and Faucets)		3
				3.2		**OR**	Very High Efficiency Fixtures (Toilets, Showers, and Faucets)	**WE 3.1**	6
0				Sub-Total					

Project Checklist (cont'd)

HERS Index Value Achieved: 85
IECC Climate Zone: 1

EA 1.2 Pts Achieved: 0.0

Y / Pts	No	N/A							
				Energy and Atmosphere (EA)		(Minimum of 0 EA Points Required)	OR		**38**
				1.1	**ENERGY STAR Home**	Meets Performance Requirements of ENERGY STAR for Homes			Prerequisite
				1.2		Exceeds Performance of ENERGY STAR for Homes		**EA 2-10**	34
			✎	7.1	**Water Heating**	Improved Hot Water Distribution System			2
				7.2		Pipe Insulation			1
			✎	11	**Refrigerant Management**	Minimize Ozone Depletion and Global Warming Contributions			1
0				Sub-Total (or Sub-Total from Adendum A - Prescriptive EA Credits)					
Y / Pts	No	N/A		**Materials and Resources (MR)**		(Minimum of 2 MR Points Required)			**14**
			✎	1.1	**Material Efficient Framing**	Overall Waste Factor for Framing Order Shall be No More than 10%.			Prerequisite
				1.2		Advanced Framing Techniques			3
				1.3	***OR***	Structurally Insulated Panels		**MR 1.2**	2
			✎	2.1	**Environmentally Preferable**	Tropical Woods, if Used, Must be FSC			Prerequisite
			✎	2.2	**Products**	Select Environmentally Preferable Products from List			8
			✎	3.1	**Waste Management**	Document Overall Rate of Diversion			Prerequisite
				3.2		Reduce Waste Sent to Landfill by 25% to 100%			3
0				Sub-Total					
Y / Pts	No	N/A		**Indoor Environmental Quality (IEQ)**		(Minimum of 6 IEQ Points Required)	OR		**20**
				1	**ENERGY STAR with IAP**	Meets ENERGY STAR w/ Indoor Air Package (IAP)		**IEQ2-10**	11
				2.1	**Combustion Venting**	Space Heating & DHW Equip w/ Closed/Power-Exhaust		**IEQ 1**	Prerequisite
				2.2		Install High Performance Fireplace		**IEQ 1**	2
			✎	3	**Moisture Control**	Analyze Moisture Loads AND Install Central System (if Needed)		**IEQ 1**	1
			✎	4.1	**Outdoor Air Ventilation**	Meets ASHRAE Std 62.2		**IEQ 1**	Prerequisite
				4.2		Dedicated Outdoor Air System (w/ Heat Recovery)		**IEQ 1**	2
				4.3		Third-Party Testing of Outdoor Air Flow Rate into Home			1
			✎	5.1	**Local Exhaust**	Meets ASHRAE Std 62.2		**IEQ 1**	Prerequisite
				5.2		Timer / Automatic Controls for Bathroom Exhaust Fans		**IEQ 1**	1
				5.3		Third-Party Testing of Exhaust Air Flow Rate Out of Home			1
			✎	6.1	**Supply Air Distribution**	Perform Duct Design Calculations		**IEQ 1**	Prerequisite
				6.2		Third-Party Testing of Supply Air Flow into Each Room in Home			2
				7.1	**Supply Air Filtering**	≥ 8 MERV Filters, w/ Adequate System Air Flow		**IEQ 1**	Prerequisite
				7.2	***OR***	≥ 10 MERV Filters, w/ Adequate System Air Flow			1
				7.3	***OR***	≥ 13 MERV Filters, w/ Adequate System Air Flow			2
				8.1	**Contaminant Control**	Seal-Off Ducts During Construction		**IEQ 1**	1
				8.2		Permanent Walk-Off Mats *OR* Shoe Storage *OR* Central Vacuum			2
			✎	8.3		Flush Home Continuously for 1 Week with Windows Open			1
			✎	9.1	**Radon Protection**	Install Radon Resistant Construction if Home is in EPA Zone 1		**IEQ 1**	Prerequisite
			✎	9.2		Install Radon Resistant Construction if Home is not in EPA Zone 1		**IEQ 1**	1
				10.1	**Garage Pollutant Protection**	No Air Handling Equipment OR Return Ducts in Garage		**IEQ 1**	Prerequisite
				10.2		Tightly Seal Shared Surfaces between Garage and Home		**IEQ 1**	2
				10.3		Exhaust Fan in Garage			1
				10.4	***OR***	Detached Garage or No Garage		**IEQ 1**	3
0				Sub-Total					
Y / Pts	No	N/A		**Awareness and Education (AE)**		(Minimum of 0 AE Points Required)			**3**
			✎	1.1	**Education for Homeowner**	Basic Occupant's Manual and Walkthrough of LEED Home			Prerequisite
			✎	1.2	**and/or Tenants**	Comprehensive Occupant's Manual and Multiple Walkthroughs / Trainings			1
			✎	1.3		Public Awareness of LEED Home			1
			✎	2.1	**Education for Building Mgrs**	Basic Building Manager's Manual and Walkthrough of LEED Home			1
0				Sub-Total					
0				**Project Totals (pre-certification estimates)**		*Estimated Performance Tier:*			***130***

for Homes

Project Checklist, Addendum A

Prescriptive Approach for Energy and Atmosphere (EA) Credits

Detailed information on the measures below are provided in the companion document "LEED for Homes Rating System"

Y / Pts	No	N/A		Energy and Atmosphere (EA)		(Minimum of 0 EA Points Required)	OR	Max Points Available
								38
			2.1	**Insulation**		Third-Party Inspection of Insulation, At Least HERS Grade II	**EA 1**	Prerequisite
			2.2			Third-Party Inspection of Insulation, Grade I AND 5% above code	**EA 1**	2
			3.1	**Air Infiltration**		Third-Party Envelope Air Leakage Tested <= 7.0 ACH50 (CZ 1-2)	**EA 1**	Prerequisite
			3.2			Third-Party Envelope Air Leakage Tested <= 5.0 ACH50 (CZ 1-2)	**EA 1**	2
			3.3		***OR***	Third-Party Envelope Air Leakage Tested <= 3.0 ACH50	**EA 1**	3
			4.1	**Windows**		Windows Meet ENERGY STAR for Windows (See Table)	**EA 1**	Prerequisite
			4.2			Windows Exceed ENERGY STAR for Windows (See Table)	**EA 1**	2
			4.3		***OR***	Windows Exceed ENERGY STAR for Windows (See Table)	**EA 1**	3
			5.1	**Duct Tightness**		Third-Party Duct Leakage Tested <= 4.0 CFM25 / 100 SF to Outside	**EA 1**	Prerequisite
			5.2			Third-Party Duct Leakage Tested <= 3.0 CFM25 / 100 SF to Outside	**EA 1**	2
			5.3		***OR***	Third-Party Duct Leakage Tested <= 1.0 CFM25 / 100 SF to Outside	**EA 1**	3
			6.1	**Space Heating and Cooling**		Meets ENERGY STAR for HVAC w/ Manual J & refrigerant charge test	**EA 1**	Prerequisite
			6.2			HVAC is Better than ENERGY STAR	**EA 1**	2
			6.3		***OR***	HVAC Substantially Exceeds ENERGY STAR	**EA 1**	4
			7.1	**Water Heating**		Improved Hot Water Distribution System		2
			7.2			Pipe Insulation		1
			7.3	**Water Heating**		Improved Water Heating Equipment	**EA 1**	3
			8.1	**Lighting**		Install at Least Three ENERGY STAR labeled Light Fixtures (or CFLS)	**EA 1**	Prerequisite
			8.2			Energy Efficient Fixtures and Controls	**EA 1**	2
			8.3		***OR***	ENERGY STAR Advanced Lighting Package	**EA 1**	3
			9.1	**Appliances**		Select Appliances from List	**EA 1**	2
			9.2			Very Efficient Clothes Washer (MEF > 1.8, *AND* WF< 5.5)	**EA 1**	1
			10	**Renewable Energy**		Renewable Electric Generation System (1 Point / 5% Reduction	**EA 1**	10
			11	**Refrigerant Management**		Minimize Ozone Depletion and Global Warming Contributions		1
0				Sub-Total				

By affixing my signature below, the undersigned does hereby declare and affirm to the USGBC that the LEED for Homes requirements, as specified in the LEED for Homes Rating System, have been met for the indicated credits and will, if audited, provide the necessary supporting documents.

Responsible Party's Name		Company	
Signature		Date	

By affixing my signature below, the undersigned does hereby declare and affirm to the USGBC that the required inspections and performance testing for the LEED for Homes requirements, as specified in the LEED for Homes Rating System, have been completed, and will provide the project documentation file, if requested.

Rater's Name		Company	
Signature		Date	

By affixing my signature below, the undersigned does hereby declare and affirm to the USGBC that the required inspections and performance testing for the LEED for Homes requirements, as specified in the LEED for Homes Rating System, have been completed, and will provide the project documentation file, if requested.

Provider's Name		Company	
Signature		Date	

Council Meeting: 10/16/2007
Agenda: New Business
Item #: 11. b.

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

MEMORANDUM

To: David Ramsay, City Manager

From: Sheila Cloney, Special Project Coordinator

Date: September 20, 2007

Subject: City of Kirkland Special Events

RECOMMENDATION:

City Council adopt the attached ordinance which repeals and reenacts Chapter 19.24 of the Kirkland Municipal Code entitled Special Events.

BACKGROUND DISCUSSION:

Chapter 19.24 of the Kirkland Municipal Code Chapter entitled Temporary Special Events has not been significantly updated since 1983. Much of the existing language is antiquated and the code is silent in areas that staff must address when processing event applications.

The attached ordinance was developed based on other municipalities' special event ordinances, Washington Cities Insurance Authority (WCIA) recommendations and requirements, and the current practices employed by the Special Event Coordinator and Special Event Service Team. The proposed cost recovery policy was reviewed by the Finance Committee at their September 11, 2007 meeting.

The following is the proposed definition of a special event which combines the two existing categories of event permits into one (Temporary Special Event permit and Parade/Run permit):

> "Special event" means any fair, show, parade, run/walk, festival, or other publicly attended entertainment or celebration which is to be held in whole or in part upon publicly owned property or public rights-of-way, or if held wholly upon private property, will nevertheless affect or impact the ordinary and normal use by the general public of public property or public rights-of-way within the vicinity of such event.

The proposed ordinance defines special events and expressive activities covered under the first and fourteenth amendments. Cost recovery, beer and wine gardens, and an updated timeline for submitting special event applications are also addressed. Besides revising the definition of a special event, and formally acknowledging the existence of a Special Event Service Team, a number of minor housekeeping items have also been included in the ordinance.

What follows is a summary of the most significant additions or changes to Chapter 19.24 of the Kirkland Municipal Code:

Types of Permits and Events

Currently KMC 19.24 provides for the issuance of a "Special Event" permit and a "Parade, Run, Motorcade, and Street Dance" permit. The proposed ordinance combines the two existing categories of event permits into one and exempts block parties.

Cost Recovery

The City code section regulating special events (KMC 19.24), is silent on cost recovery for special events. Given the increased number and scope of special events occurring in our community, it is appropriate to articulate cost recovery policies that will guide the development of fees and charges paid by event organizers. As with all fees for service, the City Council can base fees on a continuum of cost recovery objectives including recovery of all direct and indirect costs (full cost recovery) to charging no fee at all (fully subsidized or "tax supported"). Aside from pure financial considerations, the Council will consider all of the policy objectives met by a program. In the case of special events, the public benefits include economic benefits from increased tourism, community building and the ability to better control the impacts of events on the community at large. Market considerations are also a factor. Special event cost recovery policies should be developed in such a way as to attract and retain sustainable events that support community, tourism and economic development goals. The policy should also take into consideration the risk of raising fees to a point that it becomes cost prohibitive for organizations to produce events.

Currently, event organizers are charged a permit fee of $100 for a special event and $50 for a run/parade and are billed for additional direct services as they are needed. This "al a carte" approach recognizes the unique needs of each event and only charges the event for services actually used.

The proposed cost recovery language was developed under the assumption that special events are produced by, or on behalf of, or benefit non-profit public service agencies and have a public benefit as they are a positive addition to the community fabric. Under the proposed cost recovery language the full range of costs associated with special events would be documented for all events. For events in which benefit to recognized charitable organizations is a significant component, staff time and costs associated with day of event activities shall be charged based on the City's direct costs only. For all other special events, staff time and costs incurred shall be for the full amount of costs incurred by the City in connection with the event, including indirect costs of staff time such as benefits and all overhead costs associated with the position.

Staff recommends that for events in which benefits to recognized charitable organizations is a significant component, the portion of costs that are not recovered include the special event coordinator's time associated with planning the event and time spent the day of the event, indirect staff time and overhead, park fees and right of way use fees. The costs that would be recovered include a special event permit fee and the direct staff time and direct costs associated with "day of" event activities (e.g. traffic control provided by Police, use of reader boards, Parks staff time).

The rationale for not charging for the special event coordinator's time, indirect staff time and overhead, park fees and right of way use fees is as follows:

1. **Special Event Coordinator's time and indirect staff time and overhead.**
   The role of the Special Event Coordinator and Event Service Team is to provide a connection between the event organizer and the City departments that support or regulate events. The Coordinator and service team assure that all City departments are notified of an event and that conditions are met by the event organizer. This role minimizes risk for the City and creates a more centralized venue for event organizers to access and understand City services needed for the event (e.g. traffic control, trash pick-up, etc).

2. **Park and Right of Way Use Fees**
   Park and right of way use fees associated with events are different than those accrued for private activities. The annual special event program is made up of activities that are produced by, or on behalf of, or to benefit non-profit public service agencies. Additionally, they are open to the public, have wide appeal, and aim to provide an overall benefit to the Kirkland community and economy.

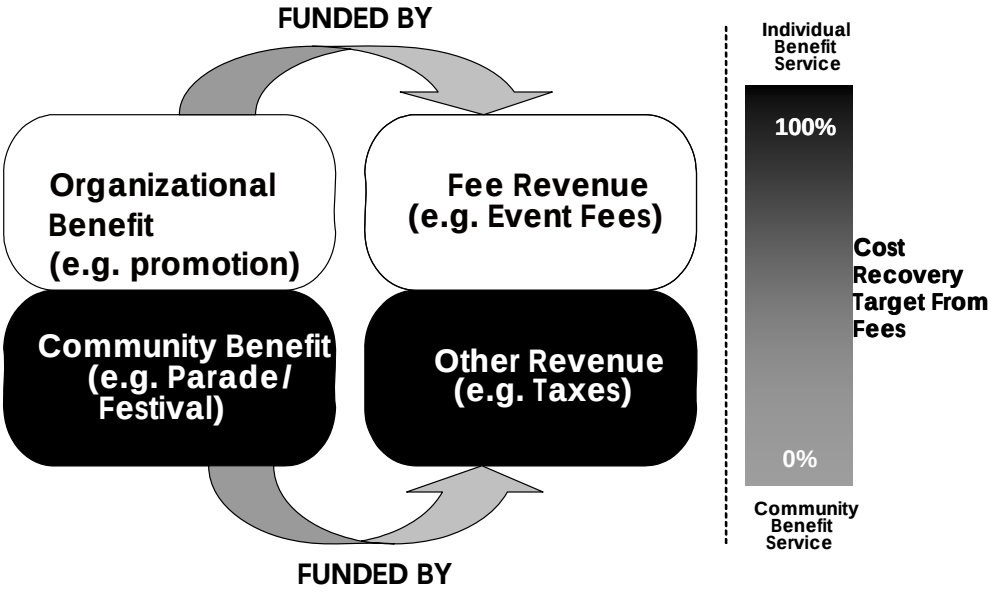
These components recognize the public benefit that result from special events.

Staff recommends that costs that should be recovered for all events include:

1. **A special event permit fee**, set administratively and based on a portion of the average staff time it takes the Special Event Service Team and other department staff to review and process a special event application; and

2. **The direct staff time and direct costs associated with "day of" event activities** (e.g. Parks and Public Works crew, equipment and materials) **based on the City's direct costs.**

This proposed pricing policy is generally consistent with the cost recovery policies of other departments such as Parks, which establishes a level of community benefit (to be funded by taxes) versus benefits accruing to the individual or organization putting on the event (to be funded by fees – see diagram below).



Examples of Recovery Rates

Attachment A is a summary of typical costs associated with small, medium and large events along with the recommended recovery rate for each type of cost.

For the purposes of the table represented in Attachment A, actual costs are "fully loaded" in that hourly staff rates are multiplied by a factor that takes into consideration wages, benefits and all overhead costs associated with the position (a standard factor of 2.04 is applied to hourly wage rates to derive a "fully loaded" hourly rate).

The "Recommended Fees" column reflects the recommended level of cost recovery and the "Recovery Rate" column reflects the proposed percentage of cost recovery.

Fee Structures

As noted earlier, the current practice is to charge a $100 Special Event or a $50 Parade/Run permit fee and then to apply an "a la carte" fee based on actual services rendered by the City for the event. In this case, the event organizer only pays for what they use. The table below reflects the average costs associated with producing a small, medium or large event in Kirkland. Attachment B is a list of special events held over the past few years and staff's estimate of the "size" of each event (for example a 5K run/walk would be considered a small event, the Kirkland Wednesday Market a medium sized event, and the Kirkland Triathlon at Carillon Point a large event).

The following chart reflects cost recovery rates that range from 47% to 58% (the underlying detail for this chart is shown in Attachment A).

	Actual Cost	Recommended Fee	Recovery Rate
Small Event			
Staff time	1,261		
Other Direct	1,278		
Total	2,539	1,438	56.6%
Medium Event			
Staff Time	7,035		
Other Direct	6,097		
Total	13,132	7,569	57.6%
Large Event			
Staff time	17,650		
Other Director	11,695		
Total	29,345	13,839	47.2%

One option that staff considered was a graduated fee approach whereby a fixed permit fee would be established for small, medium and large events and that fee would cover all City costs. The drawback of this method is that event organizers may consider themselves to be small or medium events when they are actually large events from the perspective of City staff time and costs. Sometimes it is difficult to judge in advance which category an event will fall into. For this reason, staff proposes that the City continue the flat permit fee plus an "a la carte" method of billing. The City then recovers direct costs and "day of" staff time for those events with significant charitable components or public benefits.

Staff proposes that the event permit fee be set administratively, and increased at this writing to $160 as shown below to better reflect current costs.

Current Permit Fees	Proposed Increase	New Permit Fees
Special Event Permit $100	Proposal $60	Special Event Permit $160
Parade/Run/Walk $50	Proposal $110	Parade/Run/Walk $160

Although exempt from receiving a special event permit, neighborhood block parties held in the public right of way will pay a flat permit fee of $50 which is consistent with current practice. The fee is representative of a portion of the staff time it takes to coordinate resources and notifications, and review proposed street closures for safety.

Staff proposes that special events related to commercial entertainment such as Teatro Zin Zanni and Cirque du Soleil be treated just like a business, subject to a business license fee, admission tax, and a cabaret license as applicable. Staff time and costs incurred shall be for the full amount of costs incurred by the City in connection with the event, including indirect costs of staff time such as benefits and all overhead costs associated with the position.

Expressive Events - First and Fourteenth Amendments

Washington Cities Insurance Authority (WCIA) is in the process of completing an audit on special event practices employed by Washington cities. KMC 19.24 currently does not provide for expressive events protected by the first and fourteenth amendments (i.e. political or religious demonstrations). The closest KMC 19.24 comes to addressing an expressive event is under the definition of a temporary special event that reads as follows:

> "Temporary special event" means any fair, show, festival, or other attended entertainment or celebration, conducted by a nonprofit, public service organization, which entertainment is not of a political, religious or commercial nature. . ."

The proposed ordinance will bring the Kirkland Municipal Code into compliance. An expressive event is defined as follows:

> "Expressive Activity" includes conduct, the sole or principal object of which is the expression, dissemination, or communication by verbal, visual, literary, or auditory means of opinion, views, or ideas and for which no fee or donation is charged or required as a condition of participation in or attendance at such activity. For purposes of this chapter, expressive activity does not include sports events, including marathons, fundraising events, or events the principal purpose of which is entertainment.

Besides specifically defining an expressive event, the proposed ordinance requires a permit application to be filed seven days in advance, and limits cost recovery to actual, direct costs not to exceed $500.

Alcohol (i.e. Beer and Wine Gardens)

KMC 19.24 is silent on special events that include the serving of alcohol as an activity. Currently, KMC 11.80.201 gives the Parks Director the authority to issue an "Alcohol Use" permit for activities involving the serving of alcohol in a park. Under the proposed ordinance, an activity meeting the definition of a special event that includes serving alcohol to the public in a city facility or right of way would require a Special Event Permit. If alcohol is to be served to the public in a park as part of a special event, a Special Alcohol Use permit must also be issued by the Parks Department Director. In either case the requirement for a Special Event permit provides for coordination between the City of Kirkland and the Washington State Liquor Control Board including the city's local enforcement agent.

Pre-application Meetings and Application Deadline

KMC 19.24 requires that an applicant submit an application 45 days prior to an event (note that currently a complete application is not required just general information about the event). In many cases 45 days is not enough time to:

1) Work out all of the details involved in producing an event;
2) Effectively promote an event or have it included in annual event guides or reach local media publications and outlets; or
3) Secure a park reservation as popular locations are reserved as far as a year in advance.

Under the proposed ordinance:

1) Applicants would be required to schedule a pre-application meeting at least six months in advance of an annual event, and at least one year in advance for a new event.
2) A complete event application including all supporting documentation (i.e. application, insurance, notifications) would be due 45 days prior to the event. In almost all cases applicants currently meet with the Special Event Coordinator according to these proposed deadlines.
3) At the discretion of the Special Event Coordinator the timeline can be waived.

Summary

Special events present a number of unique circumstances that increase the possibility of risk to the City. Although each event must be evaluated individually, the proposed changes to the Municipal Code are relevant to most special events. Adoption of the attached ordinance will bring the special event ordinance into compliance with the requirements and recommendations of Washington Cities Insurance Authority and set the stage for the next generation of special events in Kirkland. A coordinated effort by the Economic Development and Tourism Program with special events will also help to target events that will have positive economic impact on Kirkland as a whole.

Attachments A
Attachment B
Ordinance

Attachment A

Cost Recovery Worksheet

	Staff Hours	Direct Hourly Rate	Fully Loaded Hourly Rate	Expenses			Revenues	
				Staff Time Costs	**Other Direct Costs**	**Total Costs**	**Recommended Fees**	**Recovery Rate**
Small Event								
Service Team Review	4.25	$33	$67	$286		$286		
Other Department Staff	1.25	$33	$67	$84		$84		
Event Coordinator Planning	3.00	$28	$58	$173		$173		
Subtotal Permit Review Costs				$544	$0	$544	$160	29.4%
Event Coordinator - Day of Event	3.00	$28	$58	$173		$173	$0	0.0%
Off-Duty Police					$1,120	$1,120	$1,120	100.0%
Explorers					$100	$100	$100	100.0%
Reader Board					$30	$30	$30	100.0%
Publicity					$28	$28	$28	100.0%
Total Small Event	**11.50**			**$1,261**	**$1,278**	**$ 2,539**	**$1,438**	**56.6%**

	Staff Hours	Direct Hourly Rate	Fully Loaded Hourly Rate	Expenses			Revenues	
				Staff Time Costs	**Other Direct Costs**	**Total Costs**	**Recommended Fees**	**Recovery Rate**
Medium Event								
Service Team Review	8.50	$33	$67	$572		$572		
Other Department Staff	1.50	$33	$67	$101		$101		
Event Coordinator Planning	16.00	$28	$58	$925		$925		
Subtotal Permit Review Costs				$1,598	$0	$1,598	$160	10.0%
Event Coordinator - Day of Event	6.00	$28	$58	$347		$347	$0	0.0%
Off-Duty Police					$4,907	$4,907	$4,907	100.0%
Public Works Truck Rental (2)					$140	$140	$140	100.0%
Barricade Delivery and Pick-Up	2.00	$21	$43	$86		$86	$42	49.0%
Banners - Hanging	16.00	$22	$44	$707		$707	$347	49.0%
Public Works Crew Staffing of Event - Garbage	16.00	$15	$31	$500		$500	$245	49.0%
Parks Crew Staffing - garbage and sanitation	70.00	$15	$31	$2,142		$2,142	$1,050	49.0%
Parks Truck Rental					$70	$70	$70	100.0%
Readerboard					$30	$30	$30	100.0%
Electric Cart					$50	$50	$50	100.0%
Fire Inspection					$40	$40	$40	100.0%
Building Inspection					$60	$60	$60	100.0%
Explorers					$400	$400	$400	100.0%
ROW Use Fee					$100	$100	$0	0.0%
Parks Use Fee					$300	$300	$0	0.0%
Publicity - MMS	1.00	$28	$57	$57		$57	$28	49.0%
TOTAL MEDIUM EVENT	**137.00**			**$7,035**	**$6,097**	**$13,132**	**$7,569**	**57.6%**

	Staff Hours	Direct Hourly Rate	Fully Loaded Hourly Rate	Expenses			Revenues	
				Staff Time Costs	**Other Direct Costs**	**Total Costs**	**Recommended Fees**	**Recovery Rate**
Large Event								
Service Team Review	12.50	$33	$67	$842		$842		
Other Department Staff	1.50	$33	$67	$101		$101		
Event Coordinator Planning	81.00	$28	$58	$4,682		$4,682		
Subtotal Permit Review Costs				$5,624	$0	$5,624	$160	2.8%
Event Coordinator - Day of Event	12.50	$28	$58	$723		$723	$0	0.0%
Fire and Aid - Overtime (4 Firefighters and Truck)				$0	$ 1,170	$1,170	$1,170	100.0%
Water Inspection	1.50	$33	$68	$102		$102	$50	49.0%
FOG Inspection	1.50	$33	$68	$102		$102	$50	49.0%
Barricade Delivery and Pick-Up - 2 hours staff time	2.00	$21	$43	$86		$86	$42	49.0%
Banners - Hanging	28.00	$22	$45	$1,257		$1,257	$616	49.0%
Public Works Crew Staffing of Event - garbage	16.00	$15	$31	$490		$490	$240	49.0%
Parks Crew Staffing - garbage and sanitation	114.00	$15	$31	$3,488		$3,488	$1,710	49.0%
Publicity	1.00	$28	$57	$57		$57	$28	49.0%
Multi-Media Services	1.00	$20	$41	$41		$41	$20	49.0%
GIS Mapping	1.00	$28	$57	$57		$57	$28	49.0%
Readerboard					$30	$30	$30	100.0%
Off-Duty Police					$7,520	$7,520	$7,520	100.0%
Public Works Truck Rental (2)					$140	$140	$140	100.0%
Parks Truck Rental					$70	$70	$70	100.0%
Electric Cart Rental					$50	$50	$50	100.0%
Fire Inspection					$50	$50	$50	100.0%
Building Inspection					$65	$65	$65	100.0%
Explorers					$500	$500	$500	100.0%
Marine Patrol - crew and boat 4 hours					$1,200	$1,200	$1,200	100.0%
Caution tape, safety vests, small equipment					$100	$100	$100	100.0%
ROW Use Fee					$200	$200	$0	0.0%
Parks Use Fee					$600	$600	$0	0.0%
TOTAL LARGE EVENT	**273.50**			**$17,650**	**$11,695**	**$29,345**	**$13,839**	**47.2%**

Attachment B

Examples of 2007 Special Event Permits by Size

SMALL

Opening Day Little League Baseball Parade - small
St. John's Episcopal Good Friday Walk - small
Seven Hills of Kirkland - small
Dock Dogs at Carillon Point - small
Seafair Marathon - small
Concours de Elegance - small
Residence XII - small
PACE 5K Walk/Run - small
Houghton Hought-Down - small
Hopelink Turkey Trot - small
Argosy Opening Ceremony Tree Lighting - small
Saturday Night Tree Lighting throughout December – small

MEDIUM

Hope Heart ½ Marathon – Medium
Kirkland Wednesday Market - Medium
KDA – Artists in Action as part of Uncorked - Medium
Kirkland Classic Car Show - medium
Kirkland Tree Lighting Saturday after Thanksgiving - medium
12K's of Kirkland Run/Walk – medium

LARGE

4th of July Parade, Picnic and Fireworks Show - Large
Kirkland Uncorked - Large
Kirkland Triathlon at Carillon Point - Large

2007 Activities to Date that receive no permit but are processed internally using the Special Events coordination process – Note: The following events do not qualify under the current definition of "special event" because they take place entirely on private property and/or in a City park. Special event staff assists with the logistics of some of these activities to assure that they are coordinated internally/externally, impacts to the community are minimized, and they receive the City support they may need.

KAST (Kirkland Artists Studio Tour)
Party in the Park
Ben and Jerry's Free Cone Day
Assistance with KPC parking resources
Softball World Series at Everest Park
Duck Dash
Downtown Kirkland Holiday Lighting Program
Argosy Christmas Ship Cruise Festival_
Assistance with filming (ads, tv show spots – 3 so far in 2007)

Block Parties

8 block parties permits in 2007

Other type of events that have received event permits in the past

Summerfest – large
Taste Kirkland – large

Seahawks Fan Appreciation Parade – medium
Kirkland Centennial Celebration – medium
½ Marathon and 5K at Carillon Point – medium

3-Day Walk - small
Volkswalk – 5-10K walk – small
Hobie Cat Regatta – small
Splash – small
Sail Sandpoint – Free Sailing day – small
KDA Artists in Action as part of Summerfest – small
SID's 5K Run/Walk – small
Night of Lights – Downtown Night of Shopping – small

ORDINANCE NO. 4116

AN ORDINANCE OF THE CITY OF KIRKLAND REPEALING CHAPTER 19.24 OF THE KIRKLAND MUNICIPAL CODE AND REENACTING A NEW CHAPTER 19.24 OF THE KIRKLAND MUNICPAL CODE RELATING TO THE PERMITTING OF SPECIAL EVENTS

WHEREAS, periodically, non-profit organizations, private organizations, and the City desire to use City streets and other City-owned property as venues for special events; and

WHEREAS, such special events include fund raising for nonprofit organizations serving the community, free speech expression activities, and entertainment; and

WHEREAS, the City has developed and is in the process of developing public places and other areas that are potential venues for special events; and

WHEREAS, the existing City permit process for such special events does not contemplate all of the impacts of special events; and

WHEREAS, the City Council desires to implement a new special events permitting code that will provide an efficient process for the public to utilize various public venues for expression and entertainment that enhances civic life in the City;

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

Section 1. Chapter 19.24 of the Kirkland Municipal Code ("KMC") is hereby repealed.

Section 2. A new Chapter 19.24 of the KMC, entitled "Special Events," is hereby adopted to read as follows:

19.24.010 Definitions.

Terms used in this Chapter shall have the following meanings:

(1) "Demonstration" means a public display of group opinion as by a rally or march, the principal purpose of which is expressive activity.

(2) "Event Organizer" means any person who conducts, manages, promotes, organizes, aids, or solicits attendance at a special event.

(3) "Event Management Company" means an entity with expertise in managing special events.

(4) "Expressive Activity" includes conduct, the sole or principal object of which is the expression, dissemination, or communication by verbal, visual, literary, or auditory means of political or religious opinion, views, or ideas and for which no fee or donation is charged or required as a condition of participation in or attendance at such activity. For purposes of this chapter, expressive activity does not include sports events, including marathons, fundraising events, or events the principal purpose of which is entertainment.

(5) "Gross Revenues" means the sum of all revenues received by an event organizer for a special event including, but not limited to, cash receipts, licensing, sponsorships, television, advertising and similar revenues, and concessions.

(6) "March" means an organized walk or event whose principal purpose is expressive activity in service of a public cause.

(7) "Noncommercial special event" means any special event organized and conducted by a person or entity that qualifies as a tax-exempt nonprofit organization, or a special event whose principal purpose is expressive activity.

(8) "Rally" means a gathering whose principal purpose is expressive activity, especially one intended to inspire enthusiasm for a cause.

(9) "Sidewalk" means that portion of a right of way, other than the roadway, set apart by curbs, barriers, markings, or other delineation for pedestrian travel.

(10) "Sign" means any sign, pennant, flag, banner, inflatable display, or other attention–seeking device.

(11) "Special Event Service Team" means representatives assigned by their respective Department Directors to represent the interests of their department as it relates to the issuance of Special Event Permits.

(12) "Special event" means any fair, show, parade, run/walk, festival, or other publicly attended entertainment or celebration which is to be held in whole or in part upon publicly owned property or public rights-of-way, or if held wholly upon private property, will nevertheless affect or impact the ordinary and normal use by the general public of public property or public rights-of-way within the vicinity of such event.

(13) "Special event permit" means a permit issued under this chapter.

(14) "Special event venue" means that area for which a special event permit has been issued.

(15) "Street" means any place that is publicly maintained and open to use of the public for purposes of vehicular travel, including highways.

(16) "Tax–exempt nonprofit organization" means an organization that is exempted from payment of income taxes by federal or state law and has been in existence for a minimum of six months preceding the date of application for a special event permit.

(17) "Vendor" means any person who sells or offers to sell any goods, food, or beverages within a special event venue.

19.24.020 Special event permit required.

(1) Except as provided elsewhere in this chapter, any person or entity who conducts, promotes, or manages a special event shall first obtain a special event permit from the Special Event Coordinator.

(2) The Special Event Coordinator is authorized to issue permits for special events occurring within the City limits, pursuant to the procedures established in this chapter. The Special Event Coordinator is authorized to determine the special event venue. The Special Event Coordinator may impose reasonable conditions on the use of the special events venue based on the provisions of this Chapter. The Special Event Coordinator shall coordinate the issuance of a special event permit with the Special Event Team and other public agencies through whose jurisdiction or property the special event or portion thereof occurs and to issue a special event permit upon the concurrence of other public agencies involved.

19.24.030 Exceptions to special event permit requirement.

(1) Although not required to be issued a special event permit, an event organizer of an activity exempted from this Chapter is required to comply with all local, state and federal laws and regulations governing public safety or health.

(2) The following activities are exempt from having to obtain a special event permit:

(a) Parades, athletic events or other special events that occur exclusively in City parks and are sponsored or conducted in full by the City of Kirkland Parks Department.

(b) Funeral procession by a licensed mortuary.

(c) Gatherings of 100 or fewer people in a City park, unless merchandise or services are offered for sale or trade to the public, in which case a special event permit is required.

(d) Temporary sales conducted by businesses, such as holiday sales, grand opening sales, sidewalk sales, or anniversary sales.

(e) Garage sales, rummage sales, lemonade stands and car washes.

(f) Private events held entirely on private property that do not involve the use of or have an impact on public property or facilities and that do not require the provision of City public safety services.

(g) Activities conducted by a governmental agency acting within the scope of its authority;

(h) Lawful picketing on sidewalks; and

(i) Block parties, which must be applied for through a separate, streamlined City process.

19.24.040 Issuance of a special event permit does not obligate City services.

(1) Issuance of a special event permit under this chapter does not obligate or require the City of Kirkland to provide City services, equipment, or personnel in support of a special event.

19.24.050 Priority of special event permit issuance.

Except for a special event sponsored by the City, priority shall be given for the issuance of a special event permit to local tax–exempt nonprofit organizations operating in and providing services to the citizens of the City.

19.24.060 Time for filing application for special event permit.

(1) Except as otherwise provided in this Chapter, a pre-application meeting shall be held no less than one year in advance of a new special event and no less than six months in advance of a repeat special event. Upon good cause shown and provided that there is no significant risk or burden to the City, the Special Event Coordinator may, in his or her discretion, allow a later pre-application meeting.

(2) A complete application for a special event permit shall be filed with the Special Event Coordinator not less than 45 calendar days before the time when it is proposed to conduct the special event. Upon good cause shown and provided that no risk or burden to the City ensues, the Special Event Coordinator has discretion to allow a later filing.

(3) An application for an expressive activity special event permit shall be filed with the Special Event Coordinator no less than seven calendar days before the time when it is proposed to conduct the expressive activity special event. Upon good cause shown and provided that no risk or burden to the City

ensues, the Special Event Coordinator may, in his or her discretion, allow a later filing.

19.24.070 When application for special event permit is deemed complete.

An application for a special event permit is deemed completed when the applicant has provided all of the information required in KMC 19.24.090, including any additional information required by the Special Event Coordinator, and where City services are to be provided, the application has been approved by any involved City department, or the Special Event Service Team, and the City Manager and the City Council, if required.

19.24.080 Date of special event not confirmed until notice of confirmation issued.

Notwithstanding the Special Event Coordinator's acceptance of a completed application, the date of the event shall not be considered confirmed and the applicant shall not market or promote the event until the Special Event Coordinator issues a written notice of confirmation.

19.24.090 Content of special event permit application.

The application for a special event permit should include the following:

(1) The name, address, fax, cell, email, and office telephone number of the applicant;

(2) A certification that the applicant will be financially responsible for any City fees or costs that may be imposed for the special event;

(3) The name, address, fax, cell, email address and telephone number of the event organizer, if any, and the chief officer of the event organizer, if any;

(4) A list of emergency contacts that will be in effect during the event, and the event web address, if any, and;

(5) If the special event is designed to be held by, on behalf of, or for any organization other than the applicant, the applicant for the special event permit shall file a signed, written communication from such organization:

(a) Authorizing the applicant to apply for the special event permit on its behalf;

(b) Certifying that the applicant will be financially responsible for any costs or fees that may be imposed for the special event;

(c) A copy of the tax exemption letter issued for any applicant claiming to be a tax–exempt nonprofit organization;

(6) All permit applications should include:

(a) A statement of the purpose of the special event;

(b) A statement of fees to be charged for the special event, including Admissions Tax documentation;

(c) The proposed location for the special event;

(d) Dates and times when the special event is to be conducted;

(e) The approximate times when assembly for, and disbanding of, the special event is to take place;

(f) The proposed locations of the assembly or production area;

(g) The specific proposed site or route, including a map and written narrative of the route;

(h) The proposed site of any reviewing stands;

(i) The proposed site for any disbanding area;

(j) Proposed alternate routes, sites or times, where applicable;

(k) The approximate number of persons, animals or vehicles that will constitute the special event;

(l) The kinds of animals anticipated to be part of the special event;

(m) A description of the types of vehicles to be used in the special event;

(n) The number of bands or other musical units and the nature of any equipment to be used to produce sounds or noise;

(o) The number and location of portable sanitation facilities;

(p) Other equipment or services necessary to conduct the special event with due regard for participant and public health and safety;

(q) The number of persons proposed or required to monitor or facilitate the special event and provide spectator or participant control and direction for special events using City streets, sidewalks, or facilities;

(r) Provisions for first aid or emergency medical services, or both, based on special event risk factors;

(s) Insurance and surety bond information;

(t) Any special or unusual requirements that may be imposed or created by virtue of the proposed special event activity; and,

(u) The marketing plan with proposed timelines associated with marketing the activity to the general public;

(v) Event timeline documenting activities from event set-up to event tear-down;

(w) Any other information required by the Special Event Coordinator.

19.24.100 Conditions affecting the issuance of a special event permit.

(1) Where the event organizer has not requested and the special event does not require City services, equipment, or personnel, the Special Event Coordinator may issue a special event permit, when based upon the completed application, all of the conditions listed in this section, are met:

(a) The special event will not substantially interrupt public transportation or other vehicular and pedestrian traffic in the area of its route;

(b) The special event will not cause an irresolvable conflict with construction or development in the public right–of–way or at a public facility;

(c) The special event will not block traffic lanes or close streets during peak commuter hours on weekdays between 7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m. on streets designated as arterials by the City's Public Works Department;

(d) The special event will not require the diversion of police employees from their normal duties;

(e) The concentration of persons, animals or vehicles will not unduly interfere with the movement of police, fire, ambulance, and other emergency vehicles on the streets;

(f) The special event will move from its assembly location to its disbanding location expeditiously and without stopping en-route;

(g) The special event will not substantially interfere with any other special event for which a permit has already been granted or with the provision of City services in support of other scheduled special events or unscheduled governmental functions; and

(h) The special event will not have significant adverse impact upon residential or business access and traffic circulation in the same general venue.

(2) In order to ensure that the conditions in this section are met, the Special Event Coordinator may place conditions on the special event permit.

19.24.110 Reasons for denial of a special event permit.

(1) The Special Event Coordinator may deny a special event permit to an applicant who has not:

(a) Provided for the services of a sufficient number of trained and certified traffic controllers;

(b) Provided sufficient monitors for crowd control and safety two weeks prior to the event date;

(c) Provided sufficient safety, health, or sanitation equipment services, or facilities that are reasonably necessary to ensure that the special event will be conducted with due regard for safety;

(d) Provided sufficient off–site parking or shuttle service, or both, when required, to minimize any substantial adverse impacts on general parking and traffic circulation in the vicinity of the special event; or

(e) Met all of the requirements for submitting an application for a special event permit.

(2) The Special Event Coordinator may deny a special event permit if in the Special Event Coordinator's opinion:

(a) The special event will create the imminent possibility of violent disorderly conduct likely to endanger public safety or to result in significant property damage;

(b) The special event will violate public health or safety laws;

(c) The special event fails to conform to the requirements of law or duly established City Policy;

(d) The applicant demonstrates an inability or unwillingness to conduct a special event pursuant to the terms and conditions of this chapter;

(e) The applicant has failed to conduct a previously authorized or exempted special event in accordance with law or the terms of a permit, or both;

(f) The applicant has not obtained the approval of any other public agency within whose jurisdiction the special event or portion thereof will occur; or

(g) The applicant has failed to provide an adequate first aid or emergency medical services plan based on special event risk factors.

(h) The applicant has failed to pay all fees due from previous special events.

(3) The Special Event Coordinator may deny a special event permit to an applicant who has failed to comply with any term of this chapter or with any condition of a special event permit previously issued to the applicant.

19.24.120 Denial of a special event permit application; appeals from denial.

(1) If the Special Event Coordinator denies the application for the special event permit, pursuant to KMC 19.24.120, he or she shall notify the applicant in writing as soon as is reasonably practical.

(2) The denial of a special event permit may be appealed to the City Manager or his or her designee.

(3) An appeal shall be made in writing within seven calendar days of the date of the written denial. An appeal is made by filing a written petition with the Special Event Coordinator, setting forth the grounds for appeal and any documentation in support of the appeal.

(4) The City Manager shall consider and decide the appeal as soon as is reasonably practicable and issue a written decision.

19.24.130 Display of special event permit required.

A copy of the special event permit shall be displayed in the special event venue in the method prescribed by the Special Event Coordinator applicable to the particular special event and shall be exhibited upon demand of any City official.

19.24.140 Contents of special event permit.

(1) The City may condition the issuance of a special events permit by imposing reasonable requirements concerning the time, place and manner of the event, and such requirements as are necessary to protect the safety and rights of persons and property, and the control of traffic. A special event permit may include the following information or conditions:

(a) The location of the special event venue, which may be identified by a map attached to the special event permit;

(b) The date, assembly area, time for assembly, and starting time of the special event;

(c) The specific route plan of the special event;

(d) The minimum and maximum speeds of the special event;

(e) The number and types of persons, animals, and vehicles or structures at the event; the number of bands, other musical units, and equipment capable of producing sound, if any; and limitations thereon pertaining to noise abatement, and inspection and approval of floats, structures, and decorated vehicles for fire safety.

(f) The maximum interval of space to be maintained between booths or other structures to be used for the special event;

(g) The portion of the street and sidewalk that is to be occupied by the special event;

(h) The location of reviewing or audience stands, if any;

(i) The number and location of traffic controllers, monitors, other support personnel and equipment, and barricades to be furnished by the special event organizer;

(j) The area and time for disbanding;

(k) The conditions or restrictions on the use of alcoholic beverages and authorization for and conditions of the exclusive control or regulation of vendors and related sales activity by the event organizer during the special event;

(l) The provisions for any required emergency medical services; and

(m) Such other information and conditions as are reasonably necessary for the conduct of the special event and the enforcement of this chapter, including the requirement for a professional event management company to produce an event or for the on–site presence of the event organizer or its designated representative for all special event coordination and management purposes.

(2) As a condition of the issuance of a special event permit, the applicant shall be required to do a walk through of the event site with the Special Event Coordinator prior to the event, and make adequate provisions for cleaning the area or route of the special event both during and upon

completion of the special event and to return the area or route to the same condition of material preservation and cleanliness as existed prior to the special event.

19.24.150 Special Event Coordinator's action on special event permit application.

(1) Except as otherwise provided in this Section, the Special Event Coordinator shall take final action upon a completed application for a special event permit as soon as practicable.

(2) The Special Event Coordinator is not required to take final action upon any special event permit application prior to 180 calendar days before the special event.

(3) The Special Event Coordinator is not required to take final action on an incomplete or untimely special event permit application.

(4) The Special Event Coordinator is not required to process more than one application for a special event permit per applicant during any two–week period.

(5) The Special Event Coordinator is not required to take final action upon two or more special event permit applications submitted by the same applicant unless two or more weeks shall have elapsed between the respective dates of submission of each.

(6) Final action on a completed special event permit application shall consist of one of the following:

(a) Issuance of a special event permit in accordance with the terms of the application; or

(b) Issuance of a special event permit in accordance with the terms of the application, as conditioned by the Special Event Coordinator or as modified by mutual agreement between the Special Event Coordinator and the applicant; or

(c) Denial of the special event permit application by the Special Event Coordinator.

19.24.160 Insurance required to conduct special event.

(1) The event organizer of a special event must possess or obtain comprehensive general liability insurance to protect the City against loss from liability imposed by law for damages on account of bodily injury and property damage arising from the special event. Such insurance shall name the City of Kirkland, its officers, employees, and agents, and, as required, any other public entity involved in the special event, as additional insured. Insurance coverage must be maintained for the duration of the special event. Notice of cancellation shall be provided immediately to the City.

(2) Except as provided in this Section, the comprehensive general liability insurance coverage required shall be in a combined single limit of at least $1,000,000.

(3) If the special event is of a demonstrated high- or low-risk category, according to recognized insurance and risk management standards, the City's Risk Manager may authorize a greater or lesser amount of coverage than otherwise required, or may require a particular type of insurance coverage different from that specified in this Section.

(4) The insurance required by this Section shall encompass all liability insurance requirements imposed for other permits required under other sections of this chapter and is to be provided for the benefit of the City and not as a duty, express or implied, to provide insurance protection for spectators or participants.

(5) The event organizer's current effective insurance policy, or copy, along with necessary endorsements, shall be filed with the Special Event Coordinator at least 30 calendar days before the special event, unless the Special Event Coordinator for good cause modifies the filing requirements.

19.24.170 Waiver of insurance requirements.

(1) Except for special events where the sale of alcoholic beverages is authorized, the insurance requirements of KMC 19.24.160 may be waived. In making the determination of whether to waive insurance, the City shall consider the following factors:

(a) Whether it is an expressive activity special event governed by KMC 19.24.220;

(b) Whether it is objectively impossible to obtain insurance coverage;

(c) Whether the special event will involve the use of equipment (other than sound equipment), vehicles, animals, fireworks, or pyrotechnics; or

(d) Whether a fee or donation is charged or required as a condition of admission or participation in the special event.

(2) To claim that it is objectively impossible to obtain insurance coverage pursuant to this Section, the applicant shall submit a statement from at least two independent licensed insurance brokers demonstrating the insurance is unavailable in the market place.

(3) Even though insurance is waived, the City may require the event organizer of a special event to defend, indemnify, and hold harmless the City from any claim or liability arising from the special event.

19.24.180 Revocation of special event permit.

(1) Any special event permit issued pursuant to this chapter is subject to revocation, pursuant to this Section.

(2) A special event permit may be revoked if the City determines:

(a) That the special event cannot be conducted without violating the standards or conditions for special event permit issuance;

(b) The special event is being conducted in violation of any condition of the special event permit;

(c) The special event poses a threat to health or safety;

(d) The event organizer or any person associated with the special event has failed to obtain any other permit required pursuant to the provisions of this chapter; or

(e) The special event permit was issued in error or contrary to law.

(f) The applicant has not paid all fees when due;

(g) The applicant has failed to provide confirmation or proof that it has obtained the minimum number of required volunteers to perform safety functions.

(3) Except as provided in this Section, notices of revocation shall be in writing and specifically set forth the reasons for the revocation.

(4) If there is an emergency requiring immediate revocation of a special event permit, the Special Event Coordinator may notify the permit holder verbally of the revocation.

(5) An appeal from a revocation shall be handled in the same manner and under the same time requirements as denials of special event permits, pursuant to KMC 19.24.120.

19.24.190 Cost recovery for special events.

Upon approval of an application for a permit for a special event not protected under the First and Fourteenth Amendments of the U.S. Constitution, the Special Event Coordinator should provide the applicant with a statement of the estimated cost of city services and of equipment, materials and permit fees.

(1) The full range of costs associated with special events shall be documented.

(2) A special event permit fee shall be charged. The amount of the fee shall be set administratively by the City Manager or his or her designee.

(3) For special events in which benefits to recognized charitable organizations is a significant component, staff time and costs associated with day of event activities shall be charged based on the City's direct costs only. For all other special events, staff time and costs incurred shall be for the full amount of costs incurred by the City in connection with the event, including indirect costs of staff time such as benefits and all overhead costs associated with the position.

(4) The Special Event Coordinator shall require payment of fees, or a reasonable estimate thereof, at the time the completed application is approved, unless the Special Event Coordinator for good cause extends time for payment.

(5) If the event organizer fails to comply with the clean up requirements of KMC 19.24.140, the event organizer will be billed for actual City costs for cleanup and repair of the special event area or route.

(6) If the event organizer failed to comply with KMC 19.24.140 or this Section under a previously issued special event permit, the Special Event Coordinator may require the event organizer to deposit adequate surety in the form of cash or bond.

19.24.200 Effect of receipt of donations on status of tax–exempt nonprofit organizations.

A tax-exempt nonprofit organization hosting a special event may acknowledge the receipt of cash or in–kind services or goods, donations, prizes, or other consideration from for–profit organizations without causing the special event to be considered a commercial special event within the meaning of this chapter. Such acknowledgment may include use of the name, trademark, service mark, or logo of such a for–profit organization in the name or title of the special event or the prominent appearance of the same in advertising or on collateral material associated with the special event.

19.24.220 Expressive activity special event.

When a special event permit is sought for an expressive activity such as a demonstration, rally, or march as defined in this chapter, the following exceptions shall apply:

(1) Where the special event will not require temporary street closures, cost recovery, pursuant to KMC 19.24.190, shall be limited solely to a fee based on the cost of processing the permit application.

(2) The insurance requirement of KMC 19.24.160 shall be waived provided that the event organizer has filed with the application a verified statement that he or she intends the special event purpose to be First Amendment expression and the cost of obtaining insurance is financially burdensome and would constitute an unreasonable burden on the right of First Amendment expression. The verified statement shall include the name and address of one insurance broker or other source for insurance coverage contacted to determine premium rates for coverage.

(3) Where the special event will require temporary street closures and any one or more of the conditions of KMC 19.24.220.C, 1 through 8, are met

requiring the City to provide services in the interests of public health, safety, and welfare, the Special Event Coordinator may condition the issuance of the special event permit upon payment of actual, direct costs incurred by the City to a maximum of $500. Any fee schedule adopted by the City shall contain a provision for waiver of or a sliding scale for payment of fees for city services, including police costs, on the basis of ability to pay.

(4) The City may deny a special event permit for a demonstration, rally or march if:

(a) The special event will substantially interrupt public transportation or other vehicular and pedestrian traffic in the area of its route;

(b) The special event will cause an irresolvable conflict with construction or development in the public right–of–way or at a public facility;

(c) The special event will block traffic lanes or close streets during peak commuter hours on weekdays between 7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m. on streets designated as arterials by the City's Public Works Department;

(d) The special event will require the diversion of police employees from their normal duties;

(e) The concentration of persons, animals, or vehicles will unduly interfere with the movement of police, fire, ambulance, and other emergency vehicles on the streets;

(f) The special event will substantially interfere with another special event for which a permit has already been granted or with the provision of City services in support of other scheduled special events; or

(g) The special event will have significant adverse impact upon residential or business access and traffic circulation in the same general venue.

(5) With regard to the permitting of expressive activity special events where the provisions in this section conflict with the provisions in any other section of this chapter, the provisions of this section shall prevail.

(6) Sections 19.24.100, 19.24.110, 19.24.210 and 19.24.260 of this chapter shall not apply to expressive activity special events.

19.24.240 Delegation of City Manager's authority.

The City Manager may delegate any or all of his or her functions under this chapter to his or her deputies or subordinates.

19.24.250 City Manager authorized to adopt rules and regulations.

The City Manager is authorized to promulgate additional rules and regulations that are consistent with and that further the terms and requirements set forth within this chapter and the provisions of law that pertain to the conduct and operation of a special event.

19.24.260 Authorized special event vendors.

(1) The issuance of a special event permit confers upon the permit holder or event organizer the right to control and regulate the sale of goods, food, and beverages within the special event venue in accordance with the terms and conditions of the special event permit.

(2) Vendors authorized to sell goods, food, or beverages in the special event venue shall display their authorization in the manner required by the City Manager. Only vendors displaying the required authorization shall be allowed to sell goods, food, or beverages in the special event venue.

19.24.270 Unlawful to conduct or promote attendance at special event without permit.

(1) It is unlawful to conduct a special event without a special event permit as required pursuant to this chapter.

(2) It is unlawful for any person to conduct, promote, or manage any special event for which a special event permit has not been issued.

19.24.280 Other permits and licenses.

The issuance of a special event permit does not relieve any person from the obligation to obtain any other permit or license required pursuant to the Kirkland Municipal Code or any other applicable law.

19.24.290 Unlawful to sell goods in special event venue without authorization.

It is unlawful for any person to sell, resell, or offer to sell or resell, any goods, food, or beverages in a special event venue except for authorized special event vendors.

19.24.300 Cost recovery for unlawful special event.

Whenever special event is conducted without a special event permit when one is required or is conducted in violation of the terms of an issued special event permit, the event organizer shall be responsible for, and the City shall charge the event organizer for all City costs incurred as a result of the adverse impacts of the special event or the violation of the special event permit.

19.24.310 Penalties for violations.

(1) The special event permit authorizes the applicant to conduct only such an event as is described in the permit, and in accordance with the terms and conditions of the permit. It is unlawful for the applicant to violate the terms and conditions of the permit, or for any event participant to violate the terms and conditions of the permit or to continue with the event if the permit is revoked or expired. An event applicant cannot make changes to the permit. All requests for changes must by submitted for review by the Special Event Coordinator.

(2) Any person or organization violating the provisions of this chapter shall be guilty of a misdemeanor, and upon conviction thereof, shall be subject to a penalty of a fine of not more than five hundred dollars or by imprisonment of not more than ninety days, or both such fine and imprisonment.

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

Section 4. This ordinance shall be in force and effect five days from and after its passage by the Kirkland City Council and publication pursuant to Section 1.08.017, Kirkland Municipal Code in the summary form attached to the original of this ordinance and by this reference approved by the City Council.

Passed by majority vote of the Kirkland City Council in open meeting this _____ day of _____, 2007.

Signed in authentication thereof this _____ day of _____, 2007.

_____
MAYOR

Attest:

_____
City Clerk

Approved as to Form:

_____
City Attorney

PUBLICATION SUMMARY
OF ORDINANCE NO. 4116

AN ORDINANCE OF THE CITY OF KIRKLAND REPEALING CHAPTER 19.24 OF THE KIRKLAND MUNICIPAL CODE AND REENACTING A NEW CHAPTER 19.24 OF THE KIRKLAND MUNICPAL CODE RELATING TO THE PERMITTING OF SPECIAL EVENTS

SECTION 1. Repeals Chapter 19.24 of the Kirkland Municipal Code relating to Temporary Special Events.

SECTION 2. Adopts a new Chapter 19.24 of the Kirkland Municipal Code relating to the permitting of Special Events.

SECTION 3. Provides a severability clause for the ordinance.

SECTION 4. Authorizes publication of the ordinance by summary, which summary is approved by the City Council pursuant to Section 1.08.017 Kirkland Municipal Code and establishes the effective date as five days after publication of summary.

The full text of this Ordinance will be mailed without charge to any person upon request made to the City Clerk for the City of Kirkland. The Ordinance was passed by the Kirkland City Council at its meeting on the 2nd day of October, 2007.

I certify that the foregoing is a summary of Ordinance _____ approved by the Kirkland City Council for summary publication.

_____
City Clerk