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

MEMORANDUM

QUASI JUDICIAL

To: David Ramsay, City Manager

From: Eric Shields, AICP, Planning Director
Ronald Hanson, Project Planner, Consultant
Dawn Nelson, AICP, Planning Supervisor

Date: December 10, 2007

Subject: Running Short Plat, 7004 122nd Avenue NE, File No. SPL07-00025

RECOMMENDATION

The Department of Planning and Community Development recommends that the City Council consider the Running Short Plat application and direct staff to return to the January 15, 2007 Council meeting with a Resolution to either:

1) Grant the application as recommended by the Hearing Examiner; or
2) Modify and grant the application; or
3) Deny the application.

In the alternative, direct that the application be considered at a reopening of the hearing before the Hearing Examiner and specify the issues to be considered at the hearing.

The City Council may, by a vote of at least five members, suspend the rule to vote on the matter at the next meeting and vote on the application at this meeting. A resolution reflecting the recommendation of the Hearing Examiner is enclosed.

RULES FOR CITY COUNCIL CONSIDERATION

The City Council shall consider the Short Plat application based on the record before the Hearing Examiner and the recommendation of the Hearing Examiner. Process IIB does not provide for testimony and oral arguments. However, the City Council in its discretion may ask questions of the applicant and the staff regarding facts in the record.

BACKGROUND DISCUSSION

Kirkland Municipal Code Title 22 establishes the criteria by which a property that is smaller than the amount required for subdivision may still proceed. The specific criteria are addressed in the staff report. This short plat was required to be reviewed using Process IIB because one of the lots is more than 5 percent below the minimum lot size.

Kirk Running has applied for a two lot short plat pursuant to the requirements of Kirkland Municipal Code Title 22. The proposed project is located at 7004 122nd Avenue NE. The applicant is proposing to retain the existing residence located on proposed Lot 1. The existing carport,

storage structure, covered patio, walkways, and portion of the existing driveway will be removed to meet setback requirements.

The subject property is 13,416 square feet (.30 acres) in size. The RSX 7.2 zoning district has a minimum lot size of 7,200 square feet. A total site area of 14,400 square feet would normally be required for the 2-lot short plat. Lot 1 is 6,612 square feet and Lot 2 is 6,804 square feet. The total site area is 984 square feet (13.6%) less than that normally required which is less than the allowable fifteen percent reduction in total site area (1,080 square feet) as provided in KMC Section 22.28.030.

The Hearing Examiner held a public hearing on the application on November 7, 2007. There were no members of the public that spoke at the hearing. The Hearing Examiner recommended approval with conditions in her report dated November 19, 2007. Her conditions included staff's recommended conditions.

ENCLOSURES

1. Hearing Examiner Recommendation
2. Resolution

CITY OF KIRKLAND
HEARING EXAMINER FINDINGS, CONCLUSIONS AND DECISION

APPLICANT: Kirk Running

FILE NO: SPL07-00025

APPLICATION:

1. **Site Location**: 7004 122nd Avenue NE

2. **Request**: To subdivide one developed 13,416 square foot site (.30 acres) located in the single-family RSX 7.2 zone into two single-family lots. Since the site area is less than normally required for a two lot short plat in the RSX 7.2 zone (14,400 square feet), the lot size reduction provisions of Kirkland Municipal Code (KMC) 22.28.030 apply. The applicant proposes to retain an existing single family house, located on the west end of the site, on proposed Lot 1. (See Attachments 2a and 2b to Exhibit A.)

3. **Review Process:** Process IIB, Hearing Examiner conducts public hearing and makes a recommendation; City Council makes final decision (per KMC 22.28.030).

4. **Summary of Key Issues:** Compliance with established development regulations, removal of the existing carport, covered patio, storage structure, and walkways, and deviation from the minimum lot size requirements.

SUMMARY OF RECOMMENDATIONS:

Department of Planning and Development	Approve with conditions
Hearing Examiner:	Approve with conditions

PUBLIC HEARING:

The Hearing Examiner visited the site and held a public hearing on the application on November 15, 2007, in the Council Chambers, City Hall, 123 Fifth Avenue, Kirkland, Washington. A verbatim recording of the hearing is available at the City Clerk's office. The minutes of the hearing are available for public inspection in the Department of Community Development.

PUBLIC COMMENT:

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

FINDINGS, CONCLUSIONS and RECOMMENDATION:

After considering the evidence in the record and inspecting the site, the Examiner adopts the **Findings of Fact and Conclusions** set forth in Section II of the Planning Department's Advisory Report as the Findings and Conclusions of the Hearing Examiner on this matter. The Examiner also adopts the **Recommendation** set forth in Section I.B of the Planning Department's Advisory Report as the Recommendation of the Hearing Examiner.

SUBSEQUENT MODIFICATIONS

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

CHALLENGES AND JUDICIAL REVIEW

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

CHALLENGE

Section 152.85 of the Zoning Code allows the Hearing Examiner's recommendation to be challenged by the applicant or any person who submitted written or oral comments or testimony to the Hearing Examiner. A party who signed a petition may not challenge unless such party also submitted independent written comments or information. The challenge must be in writing and must be delivered, along with any fees set by ordinance, to the Planning Department by 5:00 p.m., **November 27, 2007**, seven (7) calendar days following distribution of the Hearing Examiner's written recommendation on the application. Within this same time period, the person making the challenge must also mail or personally deliver to the applicant and all other people who submitted comments or testimony to the Hearing Examiner, a copy of the challenge together with notice of the deadline and procedures for responding to the challenge.

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

Proof of such mail or personal delivery must be made by affidavit, available from the Planning Department. The affidavit must be attached to the challenge and response letters, and delivered to the Planning Department. The challenge will be

considered by the City Council at the time it acts upon the recommendation of the Hearing Examiner.

JUDICIAL REVIEW

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

LAPSE OF APPROVAL

Under Section 22.20.370 of the Subdivision Ordinance, the short plat must be recorded with King County within four (4) years following the date of approval, or the decision becomes void; provided, however, that in the event judicial review is initiated, the running of the four years is tolled for any period of time during which a court order in said judicial review proceeding prohibits the recording of the short plat.

Entered this 19th day of November, 2007.

Sue A. Tanner
Hearing Examiner

TESTIMONY:

The following persons testified at the public hearing:

From the City:
Ron Hanson, Project Planner

From the Applicant:
Kirk Running

EXHIBITS:

The following exhibits were offered and entered into the record at the public hearing:

A. Department of Planning and Community Development Staff Advisory Report dated November 7, 2007, with 6 attachments
B. Letter of November 11, 2007, to Ron Hanson from Michael and Sandra Smith

PARTIES OF RECORD:

Kirk Running, 6513 132nd Avenue NE, Kirkland, Wa. 98033
Marian Donnelly-Joss, 7033 122nd Avenue NE, Kirkland, Wa. 98033
Melinda Bronsdon, 12229 NE 64th Street, Kirkland, Wa. 98033
Al Wingert, 12204 NE 68th Place, Kirkland, Wa. 98033
Department of Planning and Community Development
Department of Public Works
Department of Building and Fire Services

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

ADVISORY REPORT
FINDINGS, CONCLUSIONS, AND RECOMMENDATIONS

To: Kirkland Hearing Examiner

From: Ronald Hanson, Project Planner

Dawn Nelson, AICP, Planning Supervisor

Eric R. Shields, AICP, Planning Director

Date: **November 7, 2007**

File: **RUNNING SHORT PLAT (SPL07-00025)**

Hearing Date and Place: November 15, 2007, 9:00 a.m.
City Hall Council Chamber
123 Fifth Avenue, Kirkland

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I. INTRODUCTION

A. APPLICATION

1. Applicant: Kirk Running

2. Site Location: 7004 122nd Avenue NE (See Vicinity Map, Attachment 1).

3. Request: Subdivide one developed 13,416 square foot site (.30 acres) located in the single-family RSX 7.2 zone into two single-family lots. Since the site area is less than normally required for a two lot short plat in the RSX 7.2 zone (14,400 square feet), this short plat application is being reviewed under the lot size reduction provisions of Kirkland Municipal Code Section 22.28.030. There is an existing single family house located on the west end of the site that the applicant is proposing to retain on proposed Lot 1 (See Attachments 2a-b, and Section II.E.2).

4. Review Process: Short Plat, Planning Director decision.

5. Summary of Key Issues and Recommendations: The key issues in consideration of this short plat are compliance with established development regulations, removal of the existing carport, covered patio, storage structure, and walkways, and deviation from the minimum lot size requirements (See Attachment 3, Development Standards, Section II.E, and Section I.B. Recommendations).

B. RECOMMENDATIONS

Based on Findings of Fact and Conclusions (Section II), and the Attachments included in this report, city staff recommends approval of this application subject to the following conditions:

1. This application is subject to the applicable requirements contained in the Kirkland Municipal Code, Zoning Code, and Building and Fire Code. It is the responsibility of the applicant to ensure compliance with the various provisions contained in these ordinances. Attachment 3, Development Standards, is provided in this report to familiarize the applicant with some of the additional development regulations. This attachment does not include all of the additional regulations. When a condition of approval conflicts with a development regulation in Attachment 3, the condition of approval shall be followed (See Conclusion II.G.2).

2. Trees shall not be removed following short plat approval, except as approved by the Planning Department. Attachment 3, Development Standards, contains specific information concerning tree retention requirements (See Conclusion II.E.1.b).

3. Prior to recording the short plat, the applicant shall:

    a. Sign a covenant ensuring that the future buildings on each lot comply with a .40 Floor Area Ratio (See Conclusion II.E.3.c.2).

    b. Revise the lot common property line between Lots 1 and 2 so that both lots are approximately 6,708 square feet (See Conclusion II.E.3.a.2).

    c. Provide two on-site parking spaces for the existing house being retained on Lot 1 (See Conclusion II.A.1.b).

d. Obtain a demolition permit from the City of Kirkland and remove the existing carport, storage structure, covered tile patio, driveway pavement located within 5 feet of the north property line, and walkways that straddle the common property line between proposed Lots 1 and 2 and the proposed access easement (See Conclusion II.A.1.b).

II. FINDINGS OF FACT AND CONCLUSIONS

A. SITE DESCRIPTION

1. Site Development and Zoning:

a. Facts:

(1) Size: The site area is 13,416 square feet (.30 acres). Since the site area is less than normally required for a two lot short plat in the RSX 7.2 zone (14,400 square feet), this short plat is being reviewed under the lot size reduction provisions of Kirkland Municipal Code Section 22.28.030 (See Section II.E.2)

(2) Land Use: The western portion of the site is developed with a single family house, carport, storage structure, covered patio, paved driveway and walkways. The applicant is proposing to retain the existing house and remove all other structures and hard surfaces. The existing house will meet the applicable FAR (40%), site coverage (50%) and structure setback requirements of the RSX 7.2 zone on proposed Lot 1. The carport and storage structure located on the north side of the house, the covered tile patio located on the east side of the house, and other walkways straddle either the proposed access easement or common property line between Lots 1 and 2. In addition, the existing driveway pavement extends to the north property line of the site (See Attachments 2a-b).

(3) Zoning: RSX 7.2, a single-family residential zone with a minimum lot size of 7,200 square feet. The area of proposed Lot 1 is 6,612 square feet and Lot 2 is 6,804 square feet (See Attachments 2a-b, and Section II.E.2).

(4) Terrain: The site is generally level (See Attachments 2a-b).

(5) Vegetation: There are 13 significant trees on the site. Other vegetation consists of lawn and residential landscaping on the western portion of the site (Lot 1), and lawn and a garden on the eastern portion of the site (Lot 2) (See Attachments 2a-b, Attachment 3, Attachment 4, and Section II.E.1).

b. Conclusions: Size, Zoning, Terrain, and Vegetation are not constraining factors in this application. Land Use is not a constraining factor provided the existing carport, storage structure, covered patio, walkways, and the driveway pavement located within 5 feet of the north property line are removed.

2. Neighboring Development and Zoning:

a. Facts: The subject property is surrounded by the following uses:

North: The area is zoned RSX 7.2 and is developed with single family homes.

South: To the south is NE 70th Street and an area zoned RS 8.5 developed with single family homes.

East: The area is zoned RSX 7.2 and is developed with single family homes.

West: To the west is 122nd Avenue NE and an area zoned RSX 7.2 developed with single family homes.

b. Conclusion: The neighborhood development and zoning are not constraining factors in this short plat.

B. HISTORY

Facts: The site consists of a portion of Lot 10, Block 3, of the plat of Orchard Heights. There are no known historical land use actions that would affect the proposed short plat.

2. Conclusion: The subject short plat application is being processed under current Zoning and Subdivision regulations that apply to the property. The short plat will comply with all zoning, subdivision and municipal code requirements currently in effect in order to receive approval (See Section II.D). History is not a constraining factor in this application.

C. PUBLIC COMMENT

The public comment period for the short plat extended from September 6, 2007 to September 24, 2007. The Planning Department received three letters during the above comment period. The first letter is from Marian Donnelly-Joss who resides at 7033 122nd Avenue NE (See Attachment 4a). The second is letter is from Melinda Bronsdon who resides at 12229 NE 64th Street (See Attachment 4b). The third is from Al Wingert who resides at 12204 NE 68th Place (See Attachment 4c).

The concerns raised in the letters include (1) Opposition to the removal of the existing home on the site; (2) opposition to the construction of large homes that are out of character with the neighborhood; (3) safety issues related to driveway location; (4) inadequate guest parking, and (5) compliance with lot size requirements of the RSX 7.2 zone.

Staff Response: (1) The applicant is proposing to retain the existing house on proposed Lot 1 of the short plat. The existing carport and storage enclosure located on the north end of the site, and the covered patio on the east side of the house will be removed to allow for vehicular access, and to meet the structure setback requirements of the RSX 7.2 zone. (2) As required by the Kirkland Subdivision Ordinance, the total square footage of the future home on Lot 2 will be reduced from the normally allowed 50% of the lot area to 40% of the lot area. This will help ensure that the future home to be constructed on Lot2 will be more in scale with the homes in the general vicinity, and with the size of the new lot. (3) Due to the amount of traffic on NE 70th Street, an arterial type street, the Public Works Department is recommending that vehicular access to both Lots be from 122nd Avenue NE (a neighborhood access type street), via the proposed access easement on the north end of the site. In addition, the Public Works Department is recommending that there be no visual

obstructions at the intersection so that required sight distance requirements can be met. (4) The Kirkland Zoning Code requires that a minimum of 2 parking spaces be provided on the lot for each home. The applicant is required to install 2 parking stalls for both the existing home on Lot 1 and the future home on Lot 2. (5) The City of Kirkland Subdivision Ordinance includes lot size reduction provisions which allow subdivision of property with less than the normally required lot sizes under certain circumstances. See Section II.E.2.b for further discussion.

D. APPROVAL CRITERIA

1. Facts: Municipal Code Section 22.20.140 states that the Planning Director may approve a short subdivision only if:

   a. There are adequate provisions for open spaces, drainage ways, rights-of-way, easements, water supplies, sanitary waste, power service, parks, playgrounds, and schools; and

   b. It will serve the public use and interest and is consistent with the public health, safety, and welfare. The Planning Director shall be guided by the policy and standards and may exercise the powers and authority set forth in RCW 58.17.

   Zoning Code Section 145.45 states that the Planning Director may approve a short subdivision only if:

   a. It is consistent with all applicable development regulations, including but not limited to the Zoning Code and Subdivision Code, and to the extent there is no applicable development regulation, the Comprehensive Plan.

2. Conclusion: The proposal complies with Municipal Code Section 22.20.140 and Zoning Code Section 145.45. It is consistent with the Comprehensive Plan (See Section II.F). With the recommended conditions of approval, it is consistent with the Zoning Code and Subdivision regulations (See Section II. D) and there are adequate provisions for open spaces, drainage ways, rights-of-way, easements, water supplies, sanitary waste, power service, parks, playgrounds, and schools. It will serve the public use and interest and is consistent with the public health, safety, and welfare because the proposal will contribute to the housing stock of the community in a manner that is consistent with the Comprehensive Plan.

E. DEVELOPMENT REGULATIONS

1. Natural Features - Significant Vegetation

   a. Facts:

      1) Regulations regarding the retention of trees can be found in Chapter 95 of the Kirkland Zoning Code. The applicant is required to retain all viable trees on the site following the short plat approval. Tree removal will be considered at the land surface modification and building permit stages of development.

      2) The applicant has submitted a Tree Plan III, prepared by a certified arborist (See Attachment 5). Specific information regarding the tree density on site and the viability of each tree can be found in Attachment 3, Development Standards.

b. Conclusions: The applicant has provided a Tree Plan III with the short plat application and this plan has been reviewed by the City's Arborist. The applicant should retain all viable trees during the construction of plat improvements and residences and comply with the specific recommendations of the City's arborist.

2. General Lot Layout and Site Development Standards

a. Fact: Municipal Code Section 22.28.030 requires that all lots meet the minimum size requirements established for the property in the Kirkland Zoning Code or other regulatory documents. If a property is smaller than that required for subdivision by an amount greater than 10 percent and less than or equal to 15 percent of the minimum lot size for the zoning district as shown on the Kirkland Zoning Map, subdivision may still proceed as long as the proposal complies with all of the criteria in Section 3 below.

The RSX 7.2 zone has a minimum lot size of 7,200 square feet. A total of 14,400 square feet would normally be required for the proposed two lot short plat. Proposed Lot 1 is 6,612 square feet and Lot 2 is 6,804 square feet for a total site area of 13,416 square feet. The total site area is 984 square feet less than that normally required (13.6%), for a two lot short plat in the RSX 7.2 zone.

b. Conclusions: The subject property does not meet the minimum lot size requirement of 14,400 square feet for the proposed two lot short plat in the RSX 7.2 zone. However, the property is within the size range that subdivision may proceed as long as the criteria in Section 3 below are met.

3. Lot Size Reduction Criteria

a. The shortage of area is spread evenly over all of the lots in the subdivision (unless an existing structure or other physical feature such as a sensitive area or easement makes even distribution of the size shortage difficult).

1) Fact: The applicant is proposing Lot 1 to be 6,612 square feet, and Lot 2 to be 6,804 square feet. The shortage of area is currently not evenly distributed between the two lots. The existing house is located on proposed Lot 1, the smaller of the two lots. There are no existing structures or other physical features that make even distribution of the size shortage difficult. The shortage of area can be evenly distributed between the two lots by relocating the common property line between Lots 1 and 2 to the east by slightly less than one (1) foot.

2) Conclusion: Prior to recording the short plat with King County, the applicant should revise the proposed lot line between Lots 1 and 2 so that both lots are the same size at approximately 6,708 square feet.

b. All lots have a minimum lot width at the back of the required front yard of no less than 50 feet (unless the garage is located at the rear of the lot or the lot is a flag lot).

1) Fact: Both proposed lots have a minimum lot width at the back of the required front yard of no less than 50 feet. Lot 1 is 64 feet in width and Lot 2 is 58 feet in width.

2) Conclusion: Both lots meet the above minimum lot width requirement.

c. In zoning districts for which the Zoning Code establishes a floor area ratio (FAR) limitation, a covenant is signed prior to recording of the plat ensuring that buildings on the new lots will comply with an FAR restriction at least ten percentage points less than that required by the zoning district as shown on the Kirkland Zoning Map.

1) Facts:

a) The maximum FAR currently allowed within the RSX 7.2 zone for a single family residence is 50%. Under current zoning regulations, 10 percentage points less would allow a maximum FAR of 40%. The subject site is not located within the jurisdiction of the Houghton Community Council, therefore, the above FAR restriction applies to the subject short plat.

b) The existing single story house on Lot 1 is being retained. The house is 1,400 square feet in size based on the applicant survey. Based on the proposed size of Lot 1 (6,612 square feet, the existing house would have a 21% FAR. If both lots are the same size, approximately 6,708 square feet, the resulting FAR would be 20.8%

2) Conclusions:

a) The applicant should submit a covenant stating that the maximum FAR allowed on each lot within the subject short plat is 10 percentage points less than that allowed by the zoning district as shown on the zoning map, to be recorded with the King County.

b) The existing house being retained on Lot 1 meets the 40% FAR restriction.

d. If any lot is smaller than the minimum lot size for the zoning district by an amount greater than 5% of the minimum lot size, the subdivision shall be reviewed and decided using Process IIB described in Chapter 152 of Title 23 of this Code. Approval of the application may only be recommended if the new lots are compatible, with regard to size, with other lots in the immediate vicinity of subdivision.

1) Facts:

a) Lot 1 (developed) is proposed to be 6,612 square feet, approximately 8.1% smaller than the 7,200 square feet required by the RSX 7.2 zoning district. Lot 2 is proposed to be 6,804 square feet, approximately 5.5 % smaller than the 7,200 square feet required by the RSX zoning district. If both lots are the same size (6,708 square feet), each lot will be approximately 6.8% smaller than the 7,200 square feet required by the RSX 7.2 zoning district. Since both lots are more than 5% smaller than the minimum lot size required for its zoning district, this application is being reviewed using Process IIB.

b) The subject property is 13,416 square feet, 984 square feet short of meeting the 14,400 square foot minimum site size for a two lot short plat in the RSX 7.2 zone. If the property were 274 square feet larger, a Process IIB application would not be required. This would be the equivalent of each parcel being about approximately 1.25 feet wider.

c) In the surrounding area zoned RSX 7.2 (within 500 feet of the subject site, north of NE 70th Street) all of the existing lots meet or exceed the minimum lot size of 7,200 square feet. Several of the lots within this area are of sufficient size to be short platted in the future and will have access to the same lot size reduction provisions of the Kirkland Subdivision Code that are being applied to the subject short plat.

d) In the surrounding area zoned RS 8.5 (within 500 feet of the subject property, south of NE 70th Street) two of the lots contain less than the minimum lot size of 8,500 square feet. The lot located at 12033 NE 70th Street contains 7,880 square feet, and the lot located at 12025 NE 70th Street contains 7,575 square feet. Both of these lots are more than 5 percent smaller than the minimum required 8,500 square feet in the RS 8.5 zone.

e) The existing single story 1,400 square foot home on proposed Lot 1 is being retained. The resulting FAR on this lot will be 20.8%. The future home on Lot 2 will have a maximum FAR restriction of 40%. This will result in a total square footage of the house (including garage) of 2,683 square feet. If both proposed lots were 132 square feet larger, or 6,840 square feet in size, the lots would be subject to the normal 50% FAR requirement of the RSX 7.2 zone. The resulting allowable home size would be increased to 3,420 square feet, or 737 square feet (21.5%) larger than will be allowed on the lots with the FAR restriction.

f) There are 47 single family lots zoned RSX 7.2 located on the north side of NE 70th Street within 500 feet of the subject site. Based on King County records, home sizes (including garage) range from 700 square feet to 3,930 square feet. Thirty four (34) of the lots have homes ranging in size from 700 square feet to 2,630 square feet, all of which are smaller than will be permitted on the subject short plat site with the maximum 40% FAR restriction. The smaller homes within this area are generally older homes built in an era prior to the addition of many of the improvements expected in homes built in today's residential market.

2) Conclusion: The proposed short plat is consistent with the criteria established to allow a reduction in lot sizes. The lots are somewhat smaller than those in the immediate neighborhood. However, with the 40% FAR restriction, the resulting development will be compatible with the existing development in the neighborhood.

F. COMPREHENSIVE PLAN

1. Fact: The subject property is located within the South Rose Hill Neighborhood. The Land Use Plan on page XV.G-7, Figure SRH-3, designates the subject property for low-density residential, 6 dwelling units per acre (See Attachment 7). The proposed density is approximately 6.49 dwelling units per acre. Table LU-3 in the Comprehensive Plan provides a range of residential densities described in the Comprehensive Plan with comparable zoning classifications. The table indicates that low density residential zones with a 6-7 dwelling unit per acre designation corresponds to an RS 7.2 zoning classification. The subject site is zoned RSX 7.2.

2. Conclusion: The proposal is consistent with the Comprehensive Plan designation.

G. DEVELOPMENT REVIEW COMMITTEE

1. Fact: Additional comments and requirements placed on the project are found on the Development Standards Sheet, Attachment 3.

2. Conclusion: The applicant should follow the requirements set forth in Attachment 3.

III. SUBSEQUENT MODIFICATIONS

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

IV. JUDICIAL REVIEW

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

V. LAPSE OF APPROVAL

Under Section 22.20.370 of the Subdivision Ordinance, the short plat must be recorded with King County within four (4) years following the date of approval, or the decision becomes void; provided, however, that in the event judicial review is initiated, the running of the four years is tolled for any period of time during which a court order in said judicial review proceeding prohibits the recording of the short plat.

VI. APPENDICES

Attachments 1 through 6.

1. Vicinity Map
2. Boundary and Topographic Survey
3. Development Standards
4. Public Comments
   a. Letter from Marian Donnelly-Joss
   b. Letter from Malinda Bronsdon
   c. Letter from Al Wingert
5. Arborist Report prepared by Giles Consulting
6. South Rose Hill Neighborhood Land Use Plan on Page XV.G-7, Figure SRH-3

VII. PARTIES OF RECORD

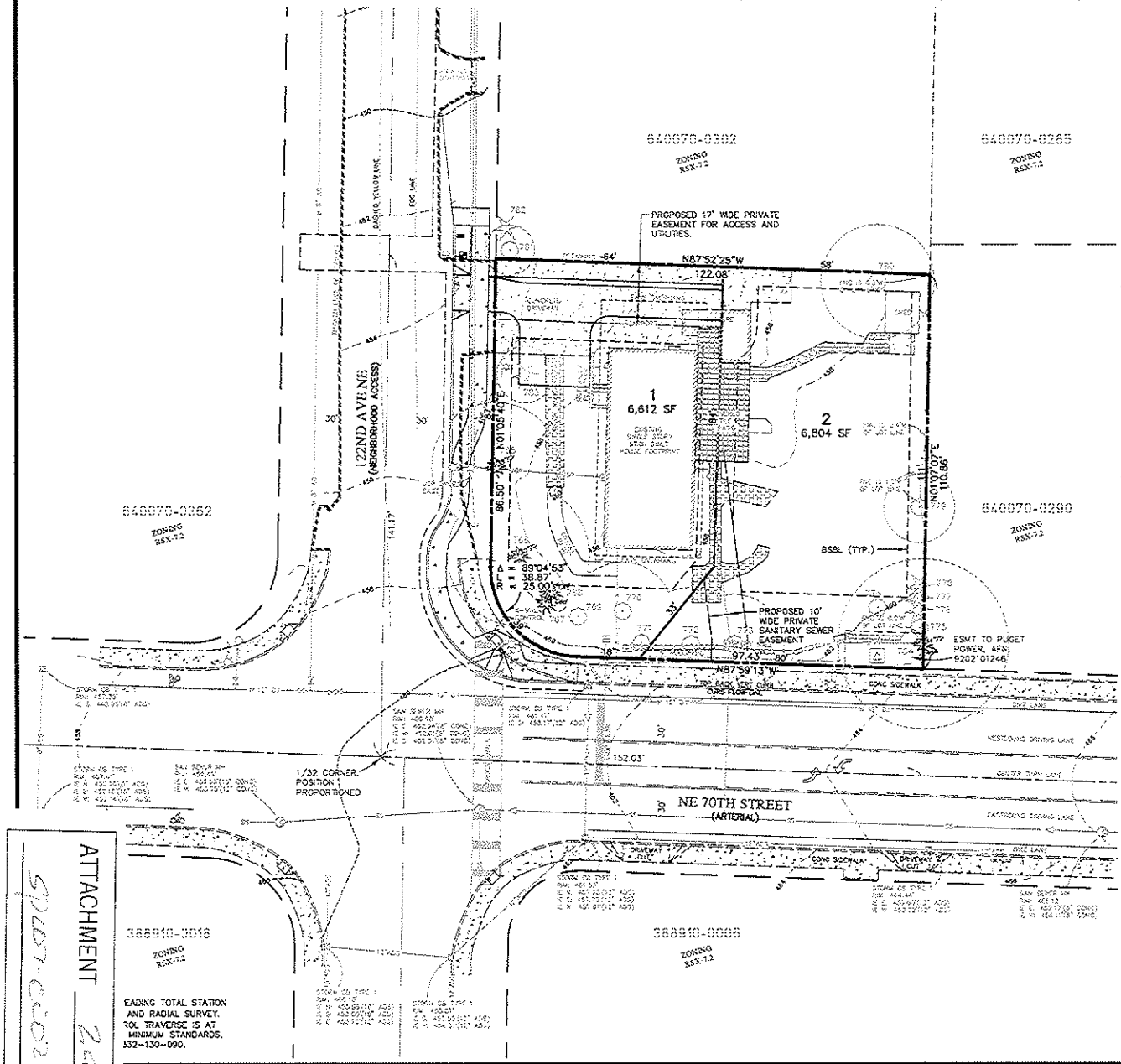
Kirk Running, 6513 132nd Avenue NE, Kirkland, Wa. 98033
Marian Donnelly-Joss, 7033 122nd Avenue NE, Kirkland, Wa. 98033
Melinda Bronsdon, 12229 NE 64th Street, Kirkland, Wa. 98033
Al Wingert, 12204 NE 68th Place, Kirkland, Wa. 98033
Department of Planning and Community Development
Department of Public Works
Department of Building and Fire Services

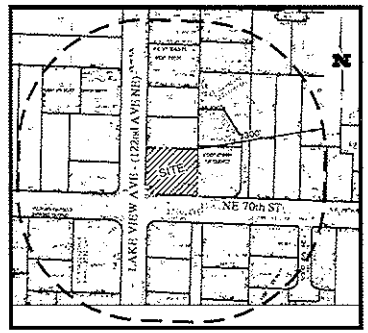
Running Short Plat

ATTACHMENT 1

SPC07-00025

SE 4 OF SECTION 4, TOWNSHIP 25 NORTH, RANGE 5 EAST, W.M





VICINITY MAP

SCALE: 1"=200'

LEGAL DESCRIPTION:

LOT 10, BLOCK 3, PLAT OF ORCHARD HEIGHTS, VOLUME 19, PAGE 89, KING COUNTY, WASHINGTON;

EXCEPT THE NORTH 186 FEET THEREOF; BEING A PORTION OF THE NORTHWEST QUARTER OF SECTION 9, TOWNSHIP 25 NORTH, RANGE 5 EAST, W.M.

LESS THAT PORTION LYING SOUTHWESTERLY OF A 25 FOOT RADIUS CURVER TANGENT TO THE SOUTH AND WEST LINES OF THE PARCEL OF LAND DESCRIBED AS LOT 10, BLOCK 3, ORCHARD HEIGHTS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 19 OF PLATS, PAGE 89, IN KING COUNTY, WASHINGTON; EXCEPT THE NORTH 186 FEET THEREOF.

BASIS OF BEARING:

THE SOUTH LINE OF THE NORTHWEST QUARTER OF SECTION 9, TOWNSHIP 25N, RANGE 5E, W.M., PER WASHINGTON STATE PLANE COORDINATES, NORTH ZONE BEARING NORTH 87°59'13" WEST BETWEEN THE FOUND MONUMENTS AT THE WEST QUARTER CORNER OF SECTION 9 AND THE CENTER OF SECTION 9.

REFERENCE:

1. PLAT OF ORCHARD HEIGHTS, AN ADDITION TO THE CITY OF SEATTLE VOL. 19, PG. 89.

2. KING COUNTY RECORD OF SURVEY VOL. 152, PG. 64.

3. KING COUNTY RECORD OF SURVEY VOL. 78, PG. 198.

BENCHMARK:

VERTICAL:
DATUM: NAVD 1988
WCOS POINT 14 (DE23)
WEST 1/4 CORNER OF SEC. 9-25-5
FOUND MON IN CASE W/2" BRASS DISK
ELEVATION: 313.031 US FEET

HORIZONTAL:
DATUM: NAD 1991
WCOS POINT 14 (DE23)
WEST 1/4 CORNER OF SEC. 9-25-5
FOUND MON IN CASE W/2" BRASS DISK
NORTHING: 246,697.574 FEET
EASTING: 1,307,246.214 FEET

WCOS POINT 13 (DE12)
CENTER OF SEC. 9-25-5
FOUND MON IN CASE W/2" BRASS DISK
NORTHING: 246,603.410 FEET
EASTING: 1,309,925.148 FEET

APPLICANT/DEVELOPER:

KIRK RUNNING
6513 132 AVE NE, PMB 160
KIRKLAND, WA 98033
PHONE: (206)310-0744

ENGINEER/ SURVEYOR:

AMERICAN ENGINEERING CORPORATION
4032 148TH AVE. NE
REDMOND, WA 98052
CONTACT: EINAR GUNDERSEN
PHONE: (425) 881-7430

PROJECT DATA:

TAX PARCEL ID:	640070-0301
SITE ADDRESS:	7004 122ND AVE NE
PROPOSED USE:	SINGLE FAMILY RESIDENTIAL
TOTAL AREA (SF):	13,416 SF
TOTAL AREA (ACRES):	0.308 AC
NO. OF PROPOSED LOTS:	2

LOT SIZE TABLE:

LOT 1	6,878 SF	LOT 2	6,537 SF

ZONING INFORMATION:

EXISTING ZONING:	RSX-7.2
MIN LOT SIZE ALLOWED PER ZONE:	(0.90)(7200)=6,480 SF
MIN. LOT SIZE PROPOSED:	6,612 SF
PROPOSED FAR ALLOWED PER ZONE = 50% (FAR) PROPOSED (DUE TO LOT AVG) = 40% (FAR)	
PARKING STALLS PROPOSED	4 (2 FOR EACH LOT)
MAXIMUM BUILDING HEIGHT PROPOSED (ABOVE AVERAGE BUILDING ELEVATION)	30 FT
BUILDING SETBACKS FRONT(FBSBL)	20 FEET MINIMUM
SIDE(SBSBL)	5 FEET

LOT 1 EX. HOUSE = 1,400 SF
LOT 1 FAR = 21%
ALLOWED SF = (6,612)(0.4) = 2,645 SF

SERVICES:

UTILITY PURVEYORS:

WATER	CITY OF KIRKLAND
SEWER	CITY OF KIRKLAND
PHONE	GTE

RECOMMENDED FOR APPROVAL

BY: _____ DATE: _____
BY: _____ DATE: _____
BY: _____ DATE: _____
BY: _____ DATE: _____

DARYL F. CHRISTENSEN
STATE OF WASHINGTON
30444
REGISTERED PROFESSIONAL LAND SURVEYOR
EXPIRES: JULY 30.

EADING TOTAL STATION AND RADIAL SURVEY. ROL TRAVERSE IS AT MINIMUM STANDARDS. 332-130-090.

ATTACHMENT 2a
SPLOT-0005

Revisions	Date	By

Date	7-24-07
Scale	20
Drawn	BD
Designed	RS
Checked	RS/GTC

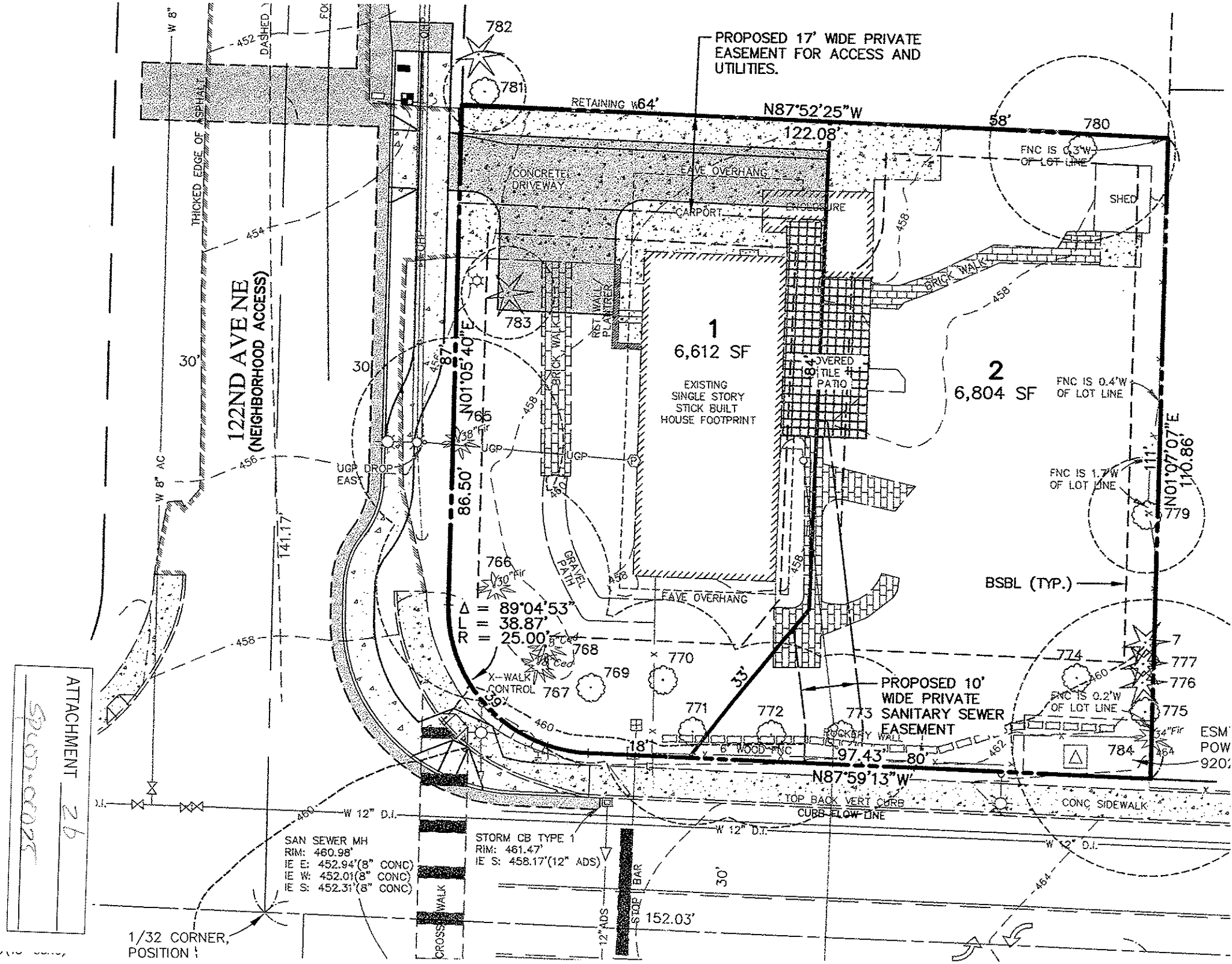
RUNNING SHORT PLAT
PRELIMINARY PLAT PLAN

American Engineering Corporation
Engineers • Planners • Surveyors
4032 148th Ave. N.E.
Redmond, WA 98052
PHONE (425) 881-7430 Fax (425) 881-7731

Date Plotted	Plotting Scale	File path & Name
7-24-07	20	

JOB NO. 0712

SHEET 1 OF 2


PROPOSED 17' WIDE PRIVATE EASEMENT FOR ACCESS AND UTILITIES.
RETAINING W
N87°52'25"W
122.08'
64'
58'
780
782
781
THICKED EDGE OF ASPHALT
DASHED
CONCRETE DRIVEWAY
EAVE OVERHANG
CARPORT
ENCLOSURE
FNC IS 0.3'W OF LOT LINE
SHED
BRICK WALK
122ND AVE NE
(NEIGHBORHOOD ACCESS)
30'
783
RET WALL/ PLANTER
1
6,612 SF
EXISTING SINGLE STORY STICK BUILT HOUSE FOOTPRINT
OVERED TILE PATIO
2
6,804 SF
FNC IS 0.4'W OF LOT LINE
N01°05'40"E
87'
86.50'
765
38"Fir
UGP
UGP DROP EAST
W 8" AC
141.17'
FNC IS 1.7'W OF LOT LINE
111'
N01°07'07"E
110.86'
779
766
30"Fir
GRAVEL PATH
EAVE OVERHANG
BSBL (TYP.)
Δ = 89°04'53"
L = 38.87'
R = 25.00'
768
769
770
X-WALK CONTROL
767
33'
PROPOSED 10' WIDE PRIVATE SANITARY SEWER EASEMENT
771
772
773
774
777
776
775
FNC IS 0.2'W OF LOT LINE
784
ROCKERY WALL
6' WOOD FNC
18'
97.43'
80'
N87°59'13"W
TOP BACK VERT CURB
CURB FLOW LINE
CONC SIDEWALK
W 12" D.I.
SAN SEWER MH
RIM: 460.98'
IE E: 452.94'(8" CONC)
IE W: 452.01(8" CONC)
IE S: 452.31'(8" CONC)
STORM CB TYPE 1
RIM: 461.47'
IE S: 458.17'(12" ADS)
STOP BAR
152.03'
12" ADS
CROSSWALK
1/32 CORNER, POSITION
ATTACHMENT 2b
SPL07-00025

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

Date: 9/7/2007

DEVELOPMENT STANDARDS
CASE NO.: SPL07-00025
PCD FILE NO.:SPL07-00025

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

PUBLIC WORKS CONDITIONS

Permit #: SPL07-00025
Project Name: Running 2-lot Short Plat
Project Address: 7004 122nd Ave. NE
Date: August 6, 2007

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

Building and Land Surface Modification (Grading) Permit Process:
Philip Vartanian, Development Engineer
Phone: 425-587-3853 Fax: 425-587-3807
E-mail: pvartanian@ci.kirkland.wa.us

General Conditions:

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

2. This project will be subject to Public Works Permit and Connection Fees. At the pre-application stage, the fees can only be estimated. It is the applicant's responsibility to contact the Public Works Department by phone or in person to determine the fees. The fees can also be review the City of Kirkland web site at www.ci.kirkland.wa.us. The applicant should anticipate the following fees:
- o Water and Sewer connection Fees (paid with the issuance of a Building Permit)
- o Side Sewer Inspection Fee (paid with the issuance of a Building Permit)
- o Water Meter Fee (paid with the issuance of a Building Permit)
- o Right-of-way Fee
- o Review and Inspection Fee (for utilities and street improvements).
- o Traffic Impact Fee (paid with the issuance of Building Permit). For additional information, see notes below.

3. All street and utility improvements shall be permitted by obtaining a Land Surface Modification Permit.
4. The subdivision can be recorded in advance of installing all the required street and utility

ATTACHMENT 3
SPL07-00025

improvements by posting a performance security equal to 130% of the value of work. Contact the Development Engineer assigned to this project to assist with this process.

5. Because this project is exempt from SEPA, it is also exempt from concurrency review.

6. Building Permits associated with this proposed project will be subject to the traffic impact fees per Chapter 27.04 of the Kirkland Municipal Code. The impact fees shall be paid prior to issuance of the Building Permit(s).

7. Any existing single family homes within this project which are demolished will receive a Traffic Impact Fee credit. This credit will be applied to the first Building Permit that is applied for within the subdivision (and subsequent Building Permits if multiple houses are demolished). The credit amount for each demolished single family home will be equal to the most currently adopted Traffic Impact Fee schedule.

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

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

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

11. A completeness check meeting is required prior to submittal of any Building Permit applications.

12. The required tree plan shall include any significant tree in the public right-of-way along the property frontage.

13. All subdivision recording mylar's shall include the following note:

Utility Maintenance: Each property owner shall be responsible for maintenance of the sanitary sewer or storm water stub from the point of use on their own property to the point of connection in the City sanitary sewer main or storm water main. Any portion of a sanitary sewer or surface water stub, which jointly serves more than one property, shall be jointly maintained and repaired by the property owners sharing such stub. The joint use and maintenance shall "run with the land" and will be binding on all property owners within this subdivision, including their heirs, successors and assigns.

Public Right-of-way Sidewalk and Vegetation Maintenance: Each property owner shall be responsible for keeping the sidewalk abutting the subject property clean and litter free. The property owner shall also be responsible for the maintenance of the vegetation within the abutting landscape strip. The maintenance shall "run with the land" and will be binding on all property owners within this subdivision, including their heirs, successors and assigns.

Sanitary Sewer Conditions:

1. The existing sanitary sewer main within the public right-of-way along the front of the property is adequate to serve all the lots within the proposed project.

2. Provide a 6-inch minimum side sewer stub to the new lot. The existing side sewer that serves the existing house from NE 70th Street can be use to serve the new house on lot 2 as long as it is 6" diameter and determined, via video inspection that it is in good condition.

Water System Conditions:

1. Provide a separate 1" minimum water service from the water main to the meter for the new lot: City

of Kirkland will set the water meter.

2. If the existing house is demolished, the existing water service may be used provided that it is in the right location, is not galvanized or blue poly, and is sized adequately to serve the building (per the Plumbing Code).

3. Provide fire hydrants per the Fire Departments requirements.

Surface Water Conditions:

1. Provide temporary and permanent storm water control per the 1998 King County Surface Water Design Manual. Contact City of Kirkland Surface Water Staff at (425) 587-3800 for help in determining drainage review requirements.

Small Site Drainage Review for Short Plats
The drainage design for short plats that create less than 5,000 square feet of new impervious surface area and clear less than 2 acres or 35% of the site, whichever is greater, should follow Policy D-3 of the Department of Public Works Pre-Approved Plans. Projects this size may require Targeted Drainage Review per Section 1.1.2 of the 1998 King County Surface Water Design Manual, depending on site conditions.

Note: The City is required to adopt the 2005 Dept. of Ecology Surface Water Design Manual (or equivalent) in 2007. The earliest that we anticipate its adoption is June of 2007. This project will be required to meet the most currently adopted surface water design manual at the time of permit application.

2. Provide an erosion control plan with Building or Land Surface Modification Permit application. The plan shall be in accordance with the 1998 King County Surface Water Design Manual.

3. Construction drainage control shall be maintained by the developer and will be subject to periodic inspections. During the period from April 1 to October 31, all denuded soils must be covered within 15 days; between November 1 and March 31, all denuded soils must be covered within 12 hours. If an erosion problem already exists on the site, other cover protection and erosion control will be required.

4. As part of the roof and driveway drainage conveyance system for each new house, each lot shall contain a 10 ft. long (min.) infiltration trench with an overflow to the public storm drain system. These infiltration trenches shall be installed with the individual new houses.

5. Provide a separate storm drainage connection for each lot.

6. All roof and driveway drainage must be tight-lined to the storm drainage system (including the existing roof and driveway).

Street and Pedestrian Improvement Conditions:

1. The subject property abuts 122nd Ave. NE (a Neighborhood Access type street) and NE 70th St (an Arterial type street). Zoning Code sections 110.10 and 110.25 require the applicant to make half-street improvements in rights-of-way abutting the subject property. Section 110.30-110.50 establishes that this street must be improved with the following:

122nd Ave. NE
A. Widen the street to 18 ft. from centerline to face of curb (match the existing curb alignment to the north)
B. Install storm drainage, curb and gutter, a 4.5 ft. planter strip with street trees 30 ft. on-center, and a 5 ft. wide sidewalk.
C. A bump-out at the intersection is not required. Public Works had requested a bump-out during the pre-submittal process, but the Transportation Engineers are recommending that a standard curb return radius be used. To avoid any disruption to the wheelchair ramp and flashing crosswalk, the curb radius

will be extended from the existing curb and the radius will most likely have to be field adjusted.

NE 70th Street.
D. Remove and replace any cracked curb and gutter or sidewalk
E. Grant a public landscape strip that when combined with the extra right-of-way behind the sidewalk totals 5 feet. Within this easement and extra right-of-way, plant street trees 30 ft. on-center. If a new fence is to be constructed, it shall be along the north edge of the said easement.

2. A 2-inch asphalt street overlay will be required where more than three utility trench crossings occur with 150 lineal ft. of street length or where utility trenches parallel the street centerline. Grinding of the existing asphalt to blend in the overlay will be required along all match lines.

3. The driveway for each lot shall be long enough so that parked cars do not extend into the access easement or right-of-way (20 ft. min.)

4. The driveway for lot 2 must be taken from the proposed access easement.

5. All street and driveway intersections shall not have any visual obstructions within the sight distance triangle. See Public Works Pre-approved Policy R.13 for the sight distance criteria and specifications.

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

7. Underground all new and existing on-site utility lines and overhead transmission lines.

8. Zoning Code Section 110.60.9 establishes the requirement that existing utility and transmission (power, telephone, etc.) lines on-site and in rights-of-way adjacent to the site must be underground. The Public Works Director may determine if undergrounding transmission lines in the adjacent right-of-way is not feasible and defer the undergrounding by signing an agreement to participate in an undergrounding project, if one is ever proposed. In this case, the Public Works Director has determined that undergrounding of existing overhead utility on 122nd Ave. NE is not feasible at this time and the undergrounding of off-site/frontage transmission lines should be deferred with a Local Improvement District (LID) No Protest Agreement. The final recorded subdivision mylar shall include a condition requiring all associated lots to sign a LID No Protest Agreement prior to the issuance of a building permit for said lot. In addition, if a house is to be saved on one of the lots within the subdivision, a LID No Protest Agreement shall be recorded against this lot at the time of subdivision recording.

*** FIRE DEPARTMENT CONDITIONS ***

The existing hydrant on the corner of NE 70th & 122nd Avenue NE is adequate to provide coverage for the project. If not already equipped as such, it shall be equipped with a 5" Stortz fitting.

Fire flow in the area is approximately 3,100 gpm, which is adequate.

Per Kirkland Municipal Code, all new buildings which are 5,000 gross square feet or larger require fire sprinklers. This requirement also applies to new single family homes; the garage is included in the gross square footage. (This comment is included in the short plat conditions for informational purposes only.)

BUILDING DEPARTMENT COMMENTS

Prior to issuance of Building, Demolition or Landsurface Modification permit applicant must submit a proposed rat baiting program for review and approval. Kirkland Municipal Ordinance 9.04.050

Building permits must comply with the International Building, Residential and Mechanical Codes and the Uniform Plumbing Code as adopted and amended by the State of Washington and the City of

Kirkland.

Structure must comply with Washington State Energy Code ; and the Washington State Ventilation and Indoor Air Quality Code.

Structures must be designed for seismic zone III, wind speed of 80 miles per hour and exposure B.

Plumbing meter and service line shall be sized in accordance with the 2003 UPC

Demolition permit required for removal of existing structures, if applicable.

Prior to recording of the short plat, a portion of the existing structure must be removed due to its proximity to proposed lot lines. A single family residence alteration permit is required to be applied for, approved, issued and final'd prior to short plat recording.

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

DEVELOPMENT STANDARDS LIST
File: Running Short Plat, SPL-07-00025
Subdivision Standards

22.28.030 Lot Size. Unless otherwise approved in the preliminary subdivision or short subdivision approval, all lots within a subdivision must meet the minimum size requirements established for the property in the Kirkland zoning code or other land use regulatory document.

22.28.130 Vehicular Access Easements. The applicant shall comply with the requirements found in the Zoning Code for vehicular access easements or tracts.

22.28.210 Significant Trees. The applicant shall design the plat so as to comply with the tree management requirements set forth in Chapter 95 of the Kirkland Zoning Code. The Planning Official is authorized to require site plan alterations to retain Type 1 trees. The applicant shall retain all viable trees at the short plat approval stage and all viable trees with the required Land Surface Modification Permit, except for those trees needed to be removed for installation of the plat infrastructure improvements. The applicant shall also retain all viable trees during the development of each single family lot except for those trees required to be removed for the construction of the house and other associated site improvements. A Tree Plan III was submitted with the short plat. There are 13 significant trees on the site, 11 of which are viable trees. A minimum of 9 tree credits are required for the subject site. There are a total of 51 tree credits on the site. If at any stage of development, tree retention on the site falls below the minimum required tree density, replanting shall be required per KZC Section 95.35.

22.32.010 Utility System Improvements. All utility system improvements must be designed and installed in accordance with all standards of the applicable serving utility.

22.32.030 Stormwater Control System. The applicant shall comply with the construction phase and permanent stormwater control requirements of the Municipal Code.

22.32.050 Transmission Line Undergrounding. The applicant shall comply with the utility lines and appurtenances requirements of the Zoning Code.

22.32.060 Utility Easements. Except in unusual circumstances, easements for utilities should be at least ten feet in width.

27.06.030 Park Impact Fees. New residential units are required to pay park impact fees prior to issuance of a building permit. Please see KMC 27.06 for the current rate. Exemptions and/or credits may apply pursuant to KMC 27.06.050 and KMC 27.06.060. If a property contains an existing unit to be removed, a "credit" for that unit shall apply to the first building permit of the subdivision.

Prior to Recording:

22.20.362 Short Plat - Title Report. The applicant shall submit a title company certification which is not more than 30 calendar days old verifying ownership of the subject property on the date that the property owner(s) (as indicated in the report) sign(s)

the short plat documents; containing a legal description of the entire parcel to be subdivided; describing any easements or restrictions affecting the property with a description, purpose and reference by auditor's file number and/or recording number; any encumbrances on the property; and any delinquent taxes or assessments on the property.
22.20.366 Short Plat - Lot Corners. The exterior short plat boundary and all interior lot corners shall be set by a registered land surveyor. If the applicant submits a bond for construction of short plat improvements and installation of permanent interior lot corners, the City may allow installation of temporary interior lot corners until the short plat improvements are completed.
22.20.390 Short Plat - Improvements. The owner shall complete or bond all required right-of-way, easement, utility and other similar improvements.
22.32.020 Water System. The applicant shall install a system to provide potable water, adequate fire flow and all required fire-fighting infrastructure and appurtenances to each lot created.
22.32.040 Sanitary Sewer System. The developer shall install a sanitary sewer system to serve each lot created.
22.32.080 Performance Bonds. In lieu of installing all required improvements and components as part of a plat or short plat, the applicant may propose to post a bond, or submit evidence that an adequate security device has been submitted and accepted by the service provider (City of Kirkland and/or Northshore Utility District), for a period of one year to ensure completion of these requirements within one year of plat/short plat approval.

Prior to occupancy:
22.32.020 Water System. The applicant shall install a system to provide potable water, adequate fire flow and all required fire-fighting infrastructure and appurtenances to each lot created.
22.32.040 Sanitary Sewer System. The developer shall install a sanitary sewer system to serve each lot created.
22.32.90 Maintenance Bonds. A two-year maintenance bond may be required for any of the improvements or landscaping installed or maintained under this title.

Zoning Code Standards
95.45 Tree Installation Standards. All supplemental trees to be planted shall conform to the Kirkland Plant List. All installation standards shall conform to Kirkland Zoning Code Section 95.45.

105.10.2 Pavement Setbacks. The paved surface in an access easement or tract shall be set back at least 5 feet from any adjacent property which does not receive access from that easement or tract. An access easement or tract that has a paved area greater than 10 feet in width must be screened from any adjacent property that does not receive access from it. Screening standards are outlined in this section.
105.20 Required Parking. Two parking spaces are required for each single-family home.
110.60.5 Street Trees. All trees planted in the right-of-way must be approved as to species by the City. All trees must be two inches in diameter at the time of planting as

measured using the standards of the American Association of Nurserymen with a canopy that starts at least six feet above finished grade and does not obstruct any adjoining sidewalks or driving lanes.

115.25 Work Hours. It is a violation of this Code to engage in any development activity or to operate any heavy equipment between the hours of 8 p.m. and 7 a.m., Monday through Saturday, and all day on Sundays or holidays which are observed by the City, unless written permission is obtained from the Planning Official.

115.40 Fence Location. Fences over 6 feet in height may not be located in a required setback yard. A detached dwelling unit abutting a neighborhood access or collector street may not have a fence over 3.5 feet in height within the required front yard. No fence may be placed within a high waterline setback yard or within any portion of a north or south property line yard, which is coincident with the high waterline setback yard.

115.42 Floor Area Ratio (F.A.R.) limits. Floor area for detached dwelling units is limited to a maximum floor area ratio in low density residential zones. See Use Zone charts for the maximum percentages allowed. This regulation does not apply within the disapproval jurisdiction of the Houghton Community Council.

115.43 Garage Setback Requirements for Detached Dwelling Units in Low Density Zones. The garage must be set back five feet from the remaining portion of the front façade of a dwelling unit if: the garage door is located on the front façade of the dwelling unit; and the lot is at least 50 feet wide at the front setback line; and the garage width exceeds 50 percent of the combined dimensions of the front facades of the dwelling unit and the garage. This regulation does not apply within the disapproval jurisdiction of the Houghton Community Council.

115.75.2 Fill Material. All materials used as fill must be non-dissolving and non-decomposing. Fill material must not contain organic or inorganic material that would be detrimental to the water quality, or existing habitat, or create any other significant adverse impacts to the environment.

115.90 Calculating Lot Coverage. The total area of all structures and pavement and any other impervious surface on the subject property is limited to a maximum percentage of total lot area. See the Use Zone charts for maximum lot coverage percentages allowed. Section 115.90 lists exceptions to total lot coverage calculations including: wood decks; access easements or tracts serving more than one lot that does not abut a right-of-way; detached dwelling unit driveways that are outside the required front yard; grass grid pavers; outdoor swimming pools; and pedestrian walkways. See Section 115.90 for a more detailed explanation of these exceptions.

115.95 Noise Standards. The City of Kirkland adopts by reference the Maximum Environmental Noise Levels established pursuant to the Noise Control Act of 1974, RCW 70.107. See Chapter 173-60 WAC. Any noise, which injures, endangers the comfort, repose, health or safety of persons, or in any way renders persons insecure in life, or in the use of property is a violation of this Code.

115.115.3.g Rockeries and Retaining Walls. Rockeries and retaining walls are limited to a maximum height of four feet in a required yard unless certain modification criteria in this section are met. The combined height of fences and retaining walls within five feet of each other in a required yard is limited to a maximum height of 6 feet, unless certain modification criteria in this section are met.

115.115.3.n Covered Entry Porches. In low density residential zones, covered entry porches on detached dwelling units may be located within 13 feet of the front property line if certain criteria in this section are met. This incentive is not effective within the disapproval jurisdiction of the Houghton Community Council.
115.115.3.o Garage Setbacks. In low density residential zones, garages meeting certain criteria in this section can be placed closer to the rear property line than is normally allowed in those zones.
115.115.5.a Driveway Width and Setbacks. For a detached dwelling unit, a driveway and/or parking area shall not exceed 20 feet in width in any required front yard, and shall not be closer than 5 feet to any side property line unless certain standards are met.
115.135 Sight Distance at Intersection. Areas around all intersections, including the entrance of driveways onto streets, must be kept clear of sight obstruction as described in this section.
145.22.2 Public Notice Signs. Within seven (7) calendar days after the end of the 21-day period following the City's final decision on the permit, the applicant shall remove all public notice signs and return them to the Department of Planning and Community Development. The signs shall be disassembled with the posts, bolts, washer, and nuts separated from the sign board.

Prior to recording:
110.60.6 Mailboxes. Mailboxes shall be installed in the development in a location approved by the Postal Service and the Planning Official. The applicant shall, to the maximum extent possible, group mailboxes for units or uses in the development.

Prior to issuance of a grading or building permit:
95.35.2. b. (3) (b) i Tree Protection Techniques. A description and location of tree protection measures during construction for trees to be retained must be shown on demolition and grading plans.

95.35.6 Tree Protection. Prior to development activity or initiating tree removal on the site, vegetated areas and individual trees to be preserved shall be protected from potentially damaging activities. Protection measures for trees to be retained shall include (1) placing no construction material or equipment within the protected area of any tree to be retained; (2) providing a visible temporary protective chain link fence at least 4 feet in height around the protected area of retained trees or groups of trees until the Planning Official authorizes their removal; (3) installing visible signs spaced no further apart than 15 feet along the protective fence stating "Tree Protection Area, Entrance Prohibited" with the City code enforcement phone number; (4) prohibiting excavation or compaction of earth or other damaging activities within the barriers unless approved by the Planning Official and supervised by a qualified professional; and (5) ensuring that approved landscaping in a protected zone shall be done with light machinery or by hand.

Prior to occupancy:

95.50 Tree Maintenance The applicant shall submit a 5-year tree maintenance agreement to the Planning Department to maintain all pre-existing trees designated for preservation and any supplemental trees required to be planted.

95.50.3 Maintenance of Preserved Grove The applicant shall provide a legal instrument acceptable to the City ensuring the preservation in perpetuity of approved groves of trees to be retained.

107.90 Maintenance Bonds. The applicant shall establish a two-year maintenance bond to ensure maintenance of the storm water system.

110.75 Bonds. The City may require or permit a bond to ensure compliance with any of the requirements of the Required Public Improvements chapter.

From: "Marian T. Donnelly-Joss" <jossfam4@juno.com>
To: ronwhanson@comcast.net
Subject: Running Short Plat Application No. SPL07-00025
Date: Sunday, September 16, 2007 3:57:25 PM

Mr. Hanson,

This e-mail is in response to a notice we received by mail regarding a neighbor's application to short plat his property into two lots.

My first comment is a general one and one which will likely have no effect whatsoever on whether this short plat is granted. My husband and I both really hate what is happening to our neighborhood! Everywhere, old houses are being torn down and two, three and sometimes even four houses are being squeezed onto the property!!! Million dollar mega houses loom over more modest homes. Shouldn't it be a consideration of the City to try to maintain neighborhoods with modest homes with yards for growing families and contain some of this overbuilding for the extremely rich?

As for the above-referenced property, besides being very disappointed that a perfectly good house will be torn down to make way for two yard-less towering houses that won't fit in with the character of the street, please note that the corner at 122nd and 70th is a very dangerous one and we don't think it would be a good idea to have a second driveway closer to the intersection. Cars tend to whip onto 122nd from 70th at a high rate of speed. I'm sure the owner has already thought of this however, and is planning to stack the two houses on one driveway -- another really ugly, impractical trend in the area -- which will mean that if the future owners have guests, they will likely have to park down the street, probably in front of our house, which does not please us at all. We say enough already!!! Put some limits on this gross overbuilding of mega houses in our neighborhood.

Marian and Phil Joss
7033 122nd Avenue NE
Kirkland, WA 98033

ATTACHMENT 4 g
SPL07-00025

From: BRONSON874@aol.com
To: ronwhanson@comcast.net
Subject: proposal *SPL07-00025*
Date: Sunday, September 16, 2007 4:22:08 PM

Sir:
I object to the proposal to short plat a lot on the corner of NE 70th Street and 122nd Ave NE. There is no reason to subdivide this lot or destroy a perfectly good house just to satisfy the greed of a seller and a contractor. This zoning practice of replacing modest homes on spacious lots with high density big boxes on small lots needs to stop. There is no reason why this house could not be modernized or upgraded as is and preserve the yard. The increasing high density in the area puts unneeded stress on public services and destroys the character of the neighborhood. Please take a stand and stop this practice under the guise of progress.

Melinda Bronsdon
12229 N. E. 64th Street
Kirkland, WA 98033
425-827-5708
bronson874@aol.com

****
See what's new at http://www.aol.com

ATTACHMENT 11
SPL05-00025

RECEIVED
SEP 20 2007
AM PM
PLANNING DEPARTMENT
BY

City of Kirkland - Ron Hanson
123 Fifth Ave.
Kirkland, WA 98033

September 18, 2007

Ron:

File #: SPL07-00025

I am opposed to the application for a short plat. And request that the application be denied.

The area is zoned for a minimum lot size of 7,200 square feet. If zoning requirements are to have any meaning, 7,200 square feet means just that.

It's nice that the current owner wants to sell off half his property to make a nice profit, but there is no overwhelming need or public concern to break the zoning code. Is the owner proposing the short plat so that two low income housing units would be built? I don't think so.

Now is the time for the city to rigidly enforce the zoning codes. The homeowner bought the property as a unit and should sell it as such. Selling a property with a nice large lot has always been attractive for buyers.

Thanks for your consideration.

Very truly yours

Al Wingert

Al Wingert
12204 NE 68th PL
Kirkland, WA 98033

ATTACHMENT 4c
SPL07-00025

Gilles Consulting
Brian K. Gilles
425-822-4994

TREE PLAN III
AT
RUNNING SHORT PLAT
7004 132ND AVE NE
KIRKLAND, WA 98033

June 11, 2007

PREPARED FOR:
Kirk Running
6513 132nd. Ave NE
PMV 160
Kirkland, WA 98033

PREPARED BY:
GILLES CONSULTING
Brian K. Gilles, Consulting Arborist
ISA Certified Arborist # PN-0260
ASCA Registered Consulting Arborist # RCA-418A
PNW-ISA Certified Tree Risk Assessor #148

CERTIFIED ARBORIST
MEMBER
REGISTERED CONSULTING ARBORIST

Fax: 425-822-
E-mail: bkgil
P.O. Box 2366

Printed on recycled paper

ATTACHMENT 5
SPC07-00025

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ASSIGNMENT

Kirk Running, owner of the property at 7004 122nd Avenue NE, in Kirkland, Washington, contracted with Gilles Consulting to evaluate the trees on the site. The property is under consideration for redevelopment into a two lot short plat. The City of Kirkland requires a Tree Plan III as part of the permit application process. This evaluation report can be used to develop the full sized Tree Plan III.

EXECUTIVE SUMMARY

- 20 Trees were evaluated:
  - 2 trees are presumed to be off the property, they are #'s 781 and 782
  - Both trees are in the neighbor's yard to the north and are just north of the subject property driveway.
  - They can be adequately protected with tree protection fencing placed along the northern edge of the driveway.
  - 18 trees were evaluated on the subject property:
  - **Significance:**
    - 5 Trees are less than 6 inches in diameter and are therefore, *Non-Significant*
      - They are #'s 770, 772, 775, 776, & 778.
    - 15 Trees are greater than 6 inches in diameter and are, therefore, *Significant.*
  - **Viability:**
    - 2 trees are *Non-Viable* due to poor health, poor structure, lack of wind firmness, or a combination.
      - They are #'s 768 & 774.
    - 18 trees have the health, structure, and wind firmness to withstand the stresses of construction if site development requirements allow.
  - **Tree Credits:**
    - The 16 *Viable* trees on the subject property that total 51.5 Tree Credits

METHODOLOGY

To evaluate the trees and to prepare the report, I drew upon my 25+ years of experience in the field of arboriculture and my formal education in natural resources management, dendrology, forest ecology, plant identification, and plant physiology. I also followed the protocol of the International Society of Arboriculture (ISA) for Visual Tree Assessment (VTA) that includes looking at the overall health of the trees as well as the site conditions. This is a scientifically based process to look at the entire site, surrounding land and soil, as well as a complete look at the trees themselves.

In examining each tree, I looked at such factors as: size, vigor, canopy and foliage condition, density of needles, injury, insect activity, root damage and root collar health, crown health, evidence of disease-causing bacteria, fungi or virus, dead wood and hanging limbs. While no one can predict with absolute certainty which trees will or will

not fail, we can, by using this scientific process, assess which trees are most likely to fail and take appropriate action to minimize injury and damage.

Tree Tags

The trees were tagged and numbered 765 through 784. The tags are made of shiny aluminum approximately one inch by three inches in size and are attached to the tree with staples and a one foot strip of brightly colored survey tape. The tags were placed as high as possible to minimize their removal and were generally placed on the backsides of the trees as inconspicuously as possible. Please refer to *Attachment 1, Site Plan* for an orientation to the site and the approximate location of the trees.

OBSERVATIONS

The subject property is located at the northeast corner of the intersection of NE 70th Street and 122nd Avenue NE. The property currently contains an existing single-family home, concrete driveway, a carport, a block and gravel walk way, a covered patio, a garden shed, lawn area in the back, and various landscape beds. The existing trees on the site are primarily around the perimeter of the existing lot.

The proposal is to divide the lot into two with a north/south property line at or near the center of the existing lot. Access to the newly created lot in the rear will be over the existing driveway.

In an effort to present the information and conclusions for each tree in a manner that is clear and easy to understand, I have included a detailed spreadsheet, *Attachment 2, Tree Inventory/Condition Spreadsheet*. The descriptions on the spreadsheet were left brief in order to include as much pertinent information as possible and to make the report manageable. A detailed description of the terms used in the spreadsheet and in this report can be found in *Attachment 3, Glossary*. A brief review of these terms and descriptions will enable the reader to rapidly move through the spreadsheet and better understand the information.

CONCLUSIONS AND RECOMMENDATIONS

There are two trees on the lot that are in poor condition and are *Non-Viable.*

- Tree # 768 is a 9.2-inch diameter Western Red Cedar in the southwest corner of the lot.
    - Unless there is any utility work required in the area the tree can be left at this time since it does not pose a significant threat to life or property.
- Tree # 774 is a dying purple leafed Plum in the back yard.
    - It will likely be in the way of construction and it is advisable to remove the tree.

There are five small trees that are *Non-Significant* by City of Kirkland standards. They are #'s 770, 772, 775, 776, and 778. However, they contribute to the landscape and provide 1.5 tree credits. If construction/developments allow their retention, they are worthy of retention and would contribute to the long-term value of the project.

Trees # 781 and 782, located just north of the north property line, can be adequately protected with a tree protection fence along the north side of the existing driveway. The southern limbs of # 781 may need to be trimmed to allow for the safe entry and exit of the site. It is recommended that the neighbor be contacted and that the neighbor be made aware of the need and allowed to make the necessary pruning cuts themselves.

Tree Protection Measures

In order for trees to survive the stresses placed upon them in the construction process, tree protection must be planned in advance of equipment arrival on site. If tree protection is not planned integral with the design and layout of the project, the trees will suffer needlessly and possibly die. With proper preparation, often costing little or nothing extra to the project budget, trees can survive and thrive after construction. This is critical for tree survival because damage prevention is the single most effective treatment for trees on construction sites. Once trees are damaged, the treatment options available are limited.

The minimum Tree Protection Measures in *Attachment 5, Tree Protection Measures* are on three separate sheets that can be copied and introduced into all relevant documents such as site plans, permit applications and conditions of approval, and bid documents so that everyone involved is aware of the requirements. These Tree Protection Measures are intended to be generic in nature. They will need to be adjusted to the specific circumstances of your site that takes into account the location of improvements and the locations of the trees.

WAIVER OF LIABILITY

There are many conditions affecting a tree's health and stability, which may be present and cannot be ascertained, such as, root rot, previous or unexposed construction damage, internal cracks, stem rot and more which may be hidden. Changes in circumstances and conditions can also cause a rapid deterioration of a tree's health and stability. Adverse weather conditions can dramatically affect the health and safety of a tree in a very short amount of time. While I have used every reasonable means to examine these trees, this evaluation represents my opinion of the tree health at this point in time. These findings do not guarantee future safety nor are they predictions of future events.

The tree evaluation consists of an external visual inspection of an individual tree's root flare, trunk, and canopy from the ground only unless otherwise specified. The inspection may also consist of taking trunk or root soundings for sound comparisons to aid the evaluator in determining the possible extent of decay within a tree. Soundings are only

an aid to the evaluation process and do not replace the use of other more sophisticated diagnostic tools for determining the extent of decay within a tree.

As conditions change, it is the responsibility of the property owners to schedule additional site visits by the necessary professionals to ensure that the long-term success of the project is ensured. It is the responsibility of the property owner to obtain all required permits from city, county, state, or federal agencies. It is the responsibility of the property owner to comply with all applicable laws, regulations, and permit conditions. If there is a homeowners association, it is the responsibility of the property owner to comply with all Codes, Covenants, and Restrictions (CC&R's) that apply to tree pruning and tree removal.

This tree evaluation is to be used to inform and guide the client in the management of their trees. This in no way implies that the evaluator is responsible for performing recommended actions or using other methods or tools to further determine the extent of internal tree problems without written authorization from the client. Furthermore, the evaluator in no way holds that the opinions and recommendations are the only actions required to insure that the tree will not fail. A second opinion is recommended. The client shall hold the evaluator harmless for any and all injuries or damages incurred if the evaluator's recommendations are not followed or for acts of nature beyond the evaluator's reasonable expectations, such as severe winds, excessive rains, heavy snow loads, etc.

This report and all attachments, enclosures, and references, are confidential and are for the use of the client concerned. They may not be reproduced, used in any way, or disseminated in any form without the prior consent of the client concerned and Gilles Consulting.

Thank you for calling Gilles Consulting for your arboricultural needs.

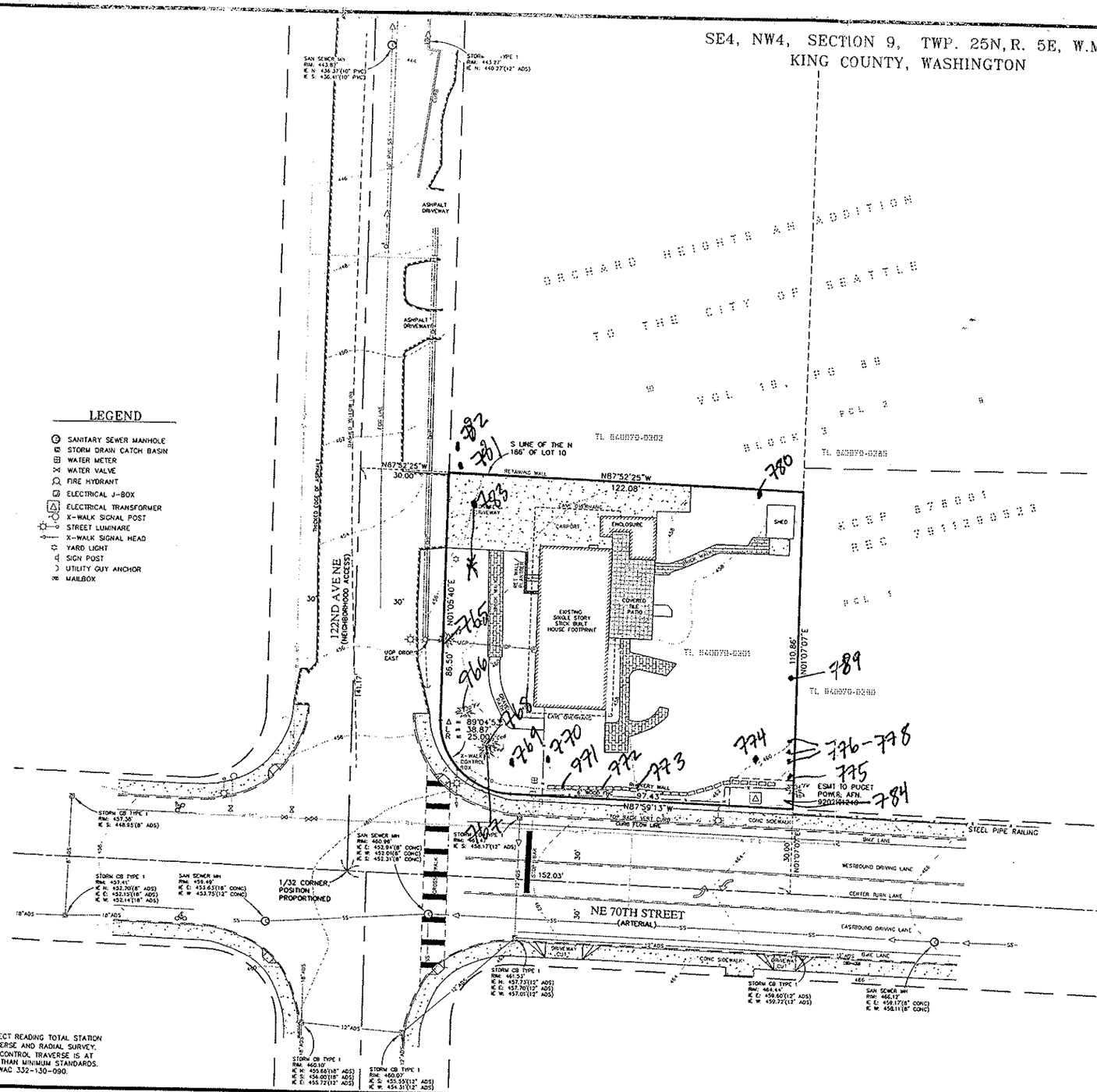
Sincerely,

Brian K. Gilles, Consulting Arborist
ISA Certified Arborist # PN-0260
ASCA Registered Consulting Arborist # RCA-418A
PNW-ISA Certified Tree Risk Assessor #148

ATTACHMENTS

ATTACHMENT 1 - SITE PLAN
ATTACHMENT 2 - TREE INVENTORY/CONDITIONS SPREADSHEET
ATTACHMENT 3 - GLOSSARY
ATTACHMENT 4 - PHOTOS
ATTACHMENT 5 - TREE PROTECTION MEASURES
ATTACHMENT 6 - REFERENCES

SE4, NW4, SECTION 9, TWP. 25N, R. 5E, W.M.
KING COUNTY, WASHINGTON



LEGEND

- SANITARY SEWER MANHOLE
- STORM DRAIN CATCH BASIN
- WATER METER
- WATER VALVE
- FIRE HYDRANT
- ELECTRICAL J-BOX
- ELECTRICAL TRANSFORMER
- X-WALK SIGNAL POST
- STREET LUMINARE
- X-WALK SIGNAL HEAD
- YARD LIGHT
- SIGN POST
- UTILITY GUY ANCHOR
- MAILBOX

5 SECOND DIRECT READING TOTAL STATION METHOD: TRAVERSE AND RADIAL SURVEY. PRECISION OF CONTROL TRAVERSE IS AT HIGHER LEVEL THAN MINIMUM STANDARDS. REQUIRED BY WAC 332-130-090.

GRAPHIC SCALE
10 0 10 20 40
1 INCH = 20 FT.

LEGAL DESCRIPTION

LOT 10, BLOCK 3, PLAT OF ORCHARD HEIGHTS, VOLUME 19, PAGE 89, KING COUNTY, WASHINGTON;

EXCEPT THE NORTH 186 FEET THEREOF;
BEING A PORTION OF THE NORTHWEST QUARTER OF SECTION 9, TOWNSHIP 25 NORTH, RANGE 5 EAST, W.M.

LESS THAT PORTION LYING SOUTHWESTERLY OF A 25 FOOT RADIUS CURVER TANGENT TO THE SOUTH AND WEST LINES OF THE PARCEL OF LAND DESCRIBED AS LOT 10, BLOCK 3, ORCHARD HEIGHTS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 19 OF PLATS, PAGE 89, IN KING COUNTY, WASHINGTON; EXCEPT THE NORTH 186 FEET THEREOF.

BASIS OF BEARING

THE SOUTH LINE OF THE NORTHWEST QUARTER OF SECTION 9, TOWNSHIP 25N, RANGE 5E, W.M., PER WASHINGTON STATE PLANE COORDINATES, NORTH ZONE BEARING NORTH 87°59'13" WEST BETWEEN THE FOUND MONUMENTS AT THE WEST QUARTER CORNER OF SECTION 9 AND THE CENTER OF SECTION 9.

HORIZONTAL DATUM

NAD 1991

VERTICAL DATUM

NAVD 1988

BENCH MARK

VERTICAL:
WCCS POINT 14 (DE23)
WEST 1/4 CORNER OF SEC. 9-25-5
FOUND MON IN CASE W/2" BRASS DISK
ELEVATION: 313.031 US FEET

HORIZONTAL:
WCCS POINT 14 (DE23)
WEST 1/4 CORNER OF SEC. 9-25-5
FOUND MON IN CASE W/2" BRASS DISK
NORTHING: 246,697.574 FEET
EASTING: 1,307,246.214 FEET

WCCS POINT 13 (DE12)
CENTER OF SEC. 9-25-5
FOUND MON IN CASE W/2" BRASS DISK
NORTHING: 246,603.410 FEET
EASTING: 1,309,925.148 FEET

REFERENCE

1. PLAT OF ORCHARD HEIGHTS, AN ADDITION TO THE CITY OF SEATTLE VOL. 19, PG. 89.
2. KING COUNTY RECORD OF SURVEY VOL. 152, PG. 64.
3. KING COUNTY RECORD OF SURVEY VOL. 78, PG. 198.

LOT AREA

13,415.5 SQUARE FEET±
0.308 ACRES±

ZONING

RSX-7.2

Revisions			
No.		Date	By

Date	3-14-2007
Scale	20
Drawn	MLS
Surveyed	GCK/MSS
Checked	GTC

TOPOGRAPHIC SURVEY
FOR
KIRK RUNNING
7004 122ND AVENUE NE
KIRKLAND, WA 98033

GARY T. CHRISTENSEN
STATE OF WASHINGTON
30444
REGISTERED PROFESSIONAL LAND SURVEYOR
EXPIRES: JULY 30,

American Engineering Corporation
Engineers • Planners • Surveyors
4032 148th Ave. N.E.
Redmond, WA 98052
PHONE (425) 881-7430 Fax (425) 881-7731

File path & Name
P:\Proj_ecis\2007\0712\Survey\Dwg\S0712TP20.dwg 5/9/2007 12:42:26 PM PST

JOB NO. 0712

SHEET 1 OF 1

SITE: Running Short Plat
7004 122nd Ave NE
Kirkland, WA 98033

Date of Inspection: 5-23-2007

ion: Indicates the general area of the site where the tree is located.
vidual tree number.

DF/Pm	Douglas Fir, *Pseudotsuga menziezii*
WRC/Tp	Western Red Cedar, *Thuja plicata*
SxM/Mxs	Soulangiana Magnolia, *Magnolia x soulangiana*
TcP/Pc	Thundercloud Plum, *Prunus cerasifera*
VM/Ac	Vine Maple, *Acer circinatum*
Dw/Cf	Dogwood, *Cornus florida*
Plum/Psp	Plum, *Prunus sp.*
WB/Bp	White Birch, *Betula papyrifera*
Js/Js	Juniper species, *Juniperus species*
LC/Cl	Lawson Cypress (Port Orford Cedar), Chamaecyparis lawsoniar
DF/Pm	Douglas Fir, *Pseudotsuga menziezii*

k diameter @ 4.5' above average ground level.

#5 *Tree Credit:* This is based upon Table 95.35.1, Page 12, Chapter 95 of the Kirkland Municipal Code.
#6 *Drip Line:* The radius, the distance from the trunk to the furthest branch tips.
#7 *Limits of Disturbance:* The boundary between the area of minimum protection around a tree and the allowable site disturbance as determined by a qualified professional.
#8 *LCR:* *Live Crown Ratio* - the amount of live canopy expressed as a % of the entire tree height
#9 *Symmetry:* General shape of canopy and weight distribution of the tree around the trunk.
#10 *Foliage:* General description of foliage density that indicates tree health and vigor.
#11 *Crown Condition:* The most important external indication of tree health and vigor.
#12 *Trunk:* Description of trunk condition or abnormalities if any.
#13 *Root Collar:* The base of the tree where the trunk flares into the roots--deformities or problems are noted here.
#14 *Roots:* Root problems are noted here.
#15 *Comments:* Additional observations about the tree's condition.
#16 *Significance:* A "significant" tree is at least 6" in diameter measured at 4.5' above the average ground level.
#17 *Current Health Rating:* a description of general health ranging from dead, dying, hazard, poor, suppressed, fair, good, very good, to excellent.
#18 *Viability:* A significant tree that is in good health with a low risk of failure due to structural defects, is relatively wind firm if isolated or remains as
remains as part of a grove, and is a species that is suitable for its location.
#19 *Recommendation:* This is an estimate of whether or not the tree is of sufficient health, vigor, and structure to consider retaining.

2	3	4	5.0	6	7 -- LIMITS OF DISTURBANCE				8	9	10	11	12	13	14	15	16	17	18	19
TREE #	SPECIES	DBH	TREE CREDIT	DRIP LINE	North	South	East	West	LCR	SYMMETRY	FOLIAGE	CROWN CONDITION	TRUNK	ROOT COLLAR	ROOTS	COMMENTS	SIGNIFICANCE	CURRENT HEALTH RATING	VIABILITY	STATUS / RECOMMENDATION
765	DF/Pm	29.2"	11.0	18'	16'	16'	to house	to sidewalk	65%	Min. Asym.	Dense	Regeneration healthy	Previously topped at 20'	Unusual butt swell south side	Restricted, 5' east of sidewalk	Popping bark, early bark beetle, base rot and possible center rot.	Significant	Fair	Viable	Potential to Retain with Tree Protection Measures
766	DF/Pm	36.5"	15.0	20'	16'	16'	to house	to sidewalk	80%	Gen. Sym.	Dense	Regeneration healthy	Previously topped at 30'	NAD	Restricted, 7' east of sidewalk	Early Bark Beetle Infestation	Significant	Fair	Viable	Potential to Retain with Tree Protection Measures
767	WRC/Tp	12.3"	3.0	12'	6'	to sidewalk	8'	to sidewalk	70%	Min. Asym.	Dense	Healthy	Previously topped at 3' with rot down to base	Base Rot	Restricted	Fill on 45% of critical root zone. Callousedwound south east side at 5.5 feet down to 3 feet.	Significant	Fair	Viable	Potential to Retain with Tree Protection Measures
768	WRC/Tp	9.2"	1.0	12'	7'	to sidewalk	9'	to sidewalk	60%	Maj. Asym.	Average	Regeneration healthy	Previously topped at 5.5', Center rot	Base Rot	Restricted	Fill on 25% of critical root zone. Callused wound south side 7 feet down to base.	Significant	Poor	Non-viable	Potential to Retain with Tree Protection Measures
769	SxM/Mxs	8.0"	1.0	13'	14'	to sidewalk	14'	14'	65%	Min. Asym.	Dense	Average	Forked at 1' with included bark down to 6"	NAD	-	Diameters equal 3.5 and 5.0 inches.	Significant	Good	Viable	Potential to Retain with Tree Protection Measures
770	TcP/Pc	4.5"	0.5	14'	NA	NA	NA	NA	45%	Min. Asym.	Thin	Average	Forked at 4'	NAD	-		Not Significant	Fair	Viable	Potential to Retain with Tree Protection Measures
771	Plum/Psp	6.5"	1.0	16'	12'	to sidewalk	12'	12'	60%	Gen. Sym.	Dense	Healthy	Forked at 3.5'	NAD	Restricted	Bacterial infection in trunk. Lots of suckers at base. Growing on top of 3 foot tall rockery and next to side walk.	Significant	Fair	Viable	Potential to Retain with Tree Protection Measures
772	WB/Bp	5.2"	0.5	16'	6'	to sidewalk	6'	6'	75%	Min. Asym.	Average	Average	Previously topped at 6'. Leans south west over fence	Bowed at base	Surface to west	Growing on top of 3 foot tall rockery and next to side walk.	Not Significant	Fair	Viable	Potential to Retain with Tree Protection Measures
773	Js/Js	8.5"	1.0	14'	8'	to sidewalk	10'	10'	50%	Min. Asym.	Dense	Pruned Off	Forked at 2.5', previously topped at 5.5'	NAD	-		Significant	Fair	Viable	Potential to Retain with Tree Protection Measures

2	3	4	5.0	6	7 -- LIMITS OF DISTURBANCE				8	9	10	11	12	13	14	15	16	17	18	19
TREE #	SPECIES	DBH	TREE CREDIT	DRIP LINE	North	South	East	West	LCR	SYMMETRY	FOLIAGE	CROWN CONDITION	TRUNK	ROOT COLLAR	ROOTS	COMMENTS	SIGNIFICANCE	CURRENT HEALTH RATING	VIABILITY	STATUS / RECOMMENDATION
774	TcP/Pc	7.5"	1.0	6'	NA	NA	NA	NA	50%	Maj. Asym.	Thin	Regeneration weak	Center Rot	Base Rot	-	Open wound east side base up 16 inches. Previously topped at 6.5 feet. Forked at 4 feet with included bark down 12 inches.	Significant	Poor	Non-Viable	Consider Removal
775	Js/Js	2.8"	0.0	7'	4'	to sidewalk	NA	4'	90%	Min. Asym.	Thin	Previously topped at 8'	Straight	NAD	Restricted	Growing in raised bed and adjacent to retaining wall. Adjacent to east property line fence.	Not Significant	Fair	Viable	Potential to Retain with Tree Protection Measures
776	LC/Cl	2.9"	0.0	6'	6'	6'	To property line	6'	98%	Min. Asym.	Dense	Healthy	Straight	NAD	-	Adjacent to east property line fence.	Not Significant	Good	Viable	Potential to Retain with Tree Protection Measures
777	LC/Cl	6.8"	1.0	7'	6'	6'	To property line	7'	98%	Min. Asym.	Dense	Healthy	Forked at 6", straight	NAD	-	Adjacent to east property line fence.	Significant	Good	Viable	Potential to Retain with Tree Protection Measures
778	LC/Cl	4.1"	0.5	7'	6'	6'	To property line	8'	9800%	Min. Asym.	Dense	Healthy	Straight	NAD	-	Adjacent to east property line fence. Early bark beetle.	Not Significant	Good	Viable	Potential to Retain with Tree Protection Measures
779	Js/Js	7.0"	1.0	10'	10'	10'	To property line	10'	50%	Min. Asym.	Dense	Healthy	Forked at base	Partially Exposed	Restricted, surface to west	In raised bed.	Significant	Fair	Viable	Potential to Retain with Tree Protection Measures
780	Js/Js	11.1"	2.0	16'	To property line	12'	to shed	12'	35%	Min. Asym.	Dense	Regeneration good	Forked at 2'	NAD	-	Next to garden shed.	Significant	Fair	Viable	Potential to Retain with Tree Protection Measures
781 OP	VM/Ac	est. 5.5"	0.0	7'	NA	6'	to sidewalk	6'	75%	Maj. Asym.	Average	Healthy	Previously pruned, regeneration good	NAD	-	Forked at 3 feet.	Significant	Good	Viable	Potential to Retain with Tree Protection Measures
782 OP	DF/Pm	Est. 25"	0.0		NA	to property line	to property line	to property line	70%	Maj. Asym.	Short shoot elongation, average	Epicormic growth	Straight	NAD	-	Sap flow all sides, early bark beetle.	Significant	Fair	Viable	Potential to Retain with Tree Protection Measures
783	Dw/Cf	8.0"	1.0	8'	to driveway	10'	10'	10'	70%	Gen. Sym.	Dense	Healthy	Forked at 1.5'	NAD	-		Significant	Good	Viable	Potential to Retain with Tree Protection Measures
784	DF/Pm	28.5"	1.0	24'	NA	to sidewalk	NA	8'	75%	Min. Asym.	Average	Average	Straight	NAD	-	Ivy up 20 feet from base. Epicormic growth. Short shoot elongation.	Significant	Good	Viable	Potential to Retain with Tree Protection Measures
			51.5	= Total number of Tree Credits on the site on the Inspection day.																

SUMMARY:

- 20 Trees were evaluated:
  - 2 trees are presumed to be off the property, they are #'s 781 and 782
    - Both trees are in the neighbor's yard to the north and are just north of the subject property driveway.
    - They can be adequately protected with tree protection fencing placed along the northern edge of the driveway.
  - 18 trees were evaluated on the subject property:
    - **Significance:**
      - 5 Trees are less than 6 inches in diameter and are therefore, *Non-Significant*
        - They are #'s 770, 772, 775, 776, & 778.
      - 15 Trees are greater than 6 inches in diameter and are, therefore, *Significant.*
    - **Viability:**
      - 2 trees are *Non-Viable* due to poor health, poor structure, lack of wind firmness, or a combination.
        - They are #'s 768 & 774.
      - 18 trees have the health, structure, and wind firmness to withstand the stresses of construction if site
    - **Tree Credits:**
      - The 16 *Viable* trees on the subject property that total 51.5 Tree Credits

ATTACHMENT 3 - GLOSSARY

Terms Used in This Report, on the Tree Condition / Inventory Spreadsheet, and Their Significance

In an effort to clearly present the information for each tree in a manner that facilitates the reader's ability to understand the conclusions I have drawn for each tree, I have collected the information onto a spreadsheet format. This spreadsheet was developed by Gilles Consulting based upon the *Hazard Tree Evaluation Form* from the book, *The Evaluation of Hazard Trees in Urban Areas*, by Matheney and Clarke. The descriptions were left brief on the spreadsheet in an effort to include as much pertinent information as possible, to make the report manageable, and, to not bore the reader with infinite levels of detail. A review of these terms and descriptions will allow the reader to rapidly move through the report and understand the information.

1) **TREE LOCATION**—indicates what general area of the site the tree is on, or whether the tree is Off the Project property.
2) **TREE #**—the individual number of each tree.
3) **SPECIES**—this describes the species of each tree with both most readily accepted common name and the officially accepted scientific name.
4) **DBH**—Diameter Breast Height. This is the standard measurement of trees taken at 4.5 feet above the average ground level of the tree base.
    i) Occasionally it is not practical to measure a tree at 4.5 feet above the ground. The most representative area of the trunk near 4.5 feet is then measured and noted on the spreadsheet. For instance, a tree that forks at 4.5 feet can have an unusually large swelling at that point. The measurement is taken below the swelling and noted as, '28.4" at 36"'.
    ii) Trees with multiple stems are listed as a "clump of x," with x being the number of trunks in the clump. Measurements may be given as an average of all the trunks, or individual measurements for each trunk may be listed.
        (1) Every effort is made to distinguish between a single tree with multiple stems and several trees growing close together at the bases.
5) **TREE CREDIT**—Tree Credit based on Trunk Diameter
6) **DRIP LINE**— The radius, the distance from the trunk to the furthest branch tips.
7) **LIMITS OF DISTURBANCE**— The boundary between the area of minimum protection around a tree and the allowable site disturbance as determined by a qualified professional.
8) **% LCR**—Percentage of Live Crown Ratio. The relative proportion of green crown to overall tree height. This is an important indication of a tree's health. If a tree has a high percentage of Live Crown Ratio, it is likely producing enough photosynthetic activity to support the tree. If a tree has less than 30 to 40% LCR it can create a shortage of needed energy and can indicate poor health and vigor.
9) **SYMMETRY**—is the description of the form of the canopy. That is, the balance or overall shape of the canopy and crown. This is the place I list any major defects in

the tree shape—does the tree have all its foliage on one side or in one unusual area. Symmetry can be important if there are additional defects in the tree such as rot pockets, cracks, loose roots, weak crown etc. Symmetry is generally categorized as Generally Symmetrical, Minor Asymmetry or Major Asymmetry:

i) Gen. Sym.—Generally Symmetrical. The canopy/foliage is generally even on all sides with spacing of scaffold branches typical for the species, both vertically and radially.
ii) Min. Asym.—Minor Asymmetry. The canopy/foliage has a slightly irregular shape with more weight on one side but appears to be no problem for the tree.
iii) Maj. Asym.—Major Asymmetry. The canopy/foliage has a highly irregular shape for the species with the majority of the weight on one side of the tree. This can have a significant impact on the tree's stability, health and hazard potential—especially if other defects are noted such as cracks, rot, root defects.

10) **FOLIAGE/BRANCH**—describes the foliage of the tree in relation to a perfect specimen of that particular species. First the branch growth and foliage density is described, and then any signs or symptoms of stress and/or disease are noted. The condition of the foliage, or the branches and buds for deciduous trees in the dormant season, are important indications of a tree's health and vigor.

i) For Deciduous trees in the dormant season:
   (1) The structure of the tree is visible,
   (2) The quantity and quality of buds indicates health, and is described as good bud set, average bud set, or poor bud set. These are abbreviated in the spreadsheet as: gbs, abs, or pbs.
   (3) The amount of annual shoot elongation is visible and is another major indication of tree health and vigor. This is described as:
      a) Excellent, Good, Average, or Short Shoot Elongation. These are abbreviated in the spreadsheet as ESE, GSE, ASE, OR SSE.
ii) For evergreen trees year round and deciduous trees in leaf, the color and density of the foliage indicates if the tree is healthy or stressed, or if an insect infestation, a bacterial, fungal, or viral infection is present. Foliage is categorized on a scale from:
   (1) Dense—extremely thick foliage, an indication of healthy vigorous growth,
   (2) Good—thick foliage, thicker than average for the species,
   (3) Normal/Average—thick foliage, average for the species, an indication of healthy growth,
   (4) Thin or Thinning—needles and leaves becoming less dense so that sunlight readily passes through; an indication that the tree is under serious stress that could impact the long-term survivability and safety of the tree,
   (5) Sparse—few leaves or needles on the twigs, an indication that the tree is under extreme stress and could indicate the future death of the tree

(6) Necrosis—the presence of dead twigs and branchlets. This is another significant indication of tree health. A few dead twigs and branches are reasonably typical in most trees of size. However, if there are dead twigs and branchlets all over a certain portion of the tree, or all over the tree, these are indications of stress or attack that can have an impact on the tree's long-term health.

(7) Hangers—A term to describe a large branch or limb that has broken off but is still hanging up in the tree. These can be particularly dangerous in adverse weather conditions.

11) **CROWN CONDITION**—the crown is uppermost portion of the tree, generally considered the top 10 to 20% of the canopy or that part of the canopy above the main trunk in deciduous trees and above the secondary bark in evergreen trees.

i) The condition of the tree's crown is a reflection of the overall health and vigor of the entire tree. The crown is one of the first places a tree will demonstrate stress and pathogenic attack such as root rot.

ii) If the **Crown Condition** is healthy and strong, this is a good sign. If the crown condition is weak, broken out, or shows other signs of decline, it is an indication that the tree is under stress. It is such an important indication of health and vigor that this is the first place a trained forester or arborist looks to begin the evaluation of a tree. Current research reveals that, by the time trees with root rot show significant signs of decline in the crown, fully 50% or more of the roots have already rotted away. **Crown Condition** can be described as:

(1) Healthy Crown—exceptional growth for the species.

(2) Average Crown—typical for the species.

(3) Weak Crown—thin spindly growth with thin or sparse needles.

(4) Flagging Crown—describes a tree crown that is weak and unable to grow straight up.

(5) Dying Crown—describes obvious decline that is nearing death.

(6) Dead Crown—the crown has died due to pathological or physical injury. The tree is considered to have significant stress and/or weakness if the crown is dead.

(7) Broken out—a formerly weak crown condition that has been broken off by adverse weather conditions or other mechanical means.

(8) Regenerated or Regenerating—formerly broken out crowns that are now growing back, Regenerating crowns may appear healthy, average, or weak and indicate current health of the tree.

(9) Suppressed—a term used to describe poor condition of an entire tree or just the crown. Suppressed crowns are those that are entirely below the general level of the canopy of surrounding trees which receive no direct sunlight. They are generally in poor health and vigor. Suppressed trees are generally trees that are smaller and growing in the shade of larger trees around them. They generally have thin or sparse needles, weak or missing crowns, are prone to insect attack as well as bacterial and fungal infections.

12) **TRUNK**—this is the area to note any defects that can have an impact on the tree's stability or hazard potential. Typical things noted are:
    i) FORKED—bifurcation of branches or trunks that often occur at a narrow angle.
    ii) INCLUDED BARK—a pattern of development at branch or trunk junctions where bark is turned inward rather than pushed out. This can be a serious structural defect in a tree that can and often does lead to failure of one or more of the branches or trunks especially during severe adverse weather conditions.
    iii) EPICORMIC GROWTH—this is generally seen as dense thick growth near the trunk of a tree. Although this looks like a healthy condition, it is in fact the opposite. Trees with Epicormic Growth have used their reserve stores of energy in a last ditch effort to produce enough additional photosynthetic surface area to produce more sugars, starches and carbohydrates to support the continued growth of the tree. Generally speaking, when conifers in the Pacific Northwest exhibit heavy amounts of Epicormic Growth, they are not producing enough food to support their current mass and are already in serious decline.
    iv) INTERNAL STRUCTURAL WEAKNESS—a physical characteristic of the tree trunk, such as a **kink, crack, rot pocket, or rot column** that predisposes the tree trunk to failure at the point of greatest weakness.
    v) BOWED—a gradual curve of the trunk. This can indicate an Internal Structural Weakness or an overall weak tree. It can also indicate slow movement of soils or historic damage of the tree that has been corrected by the curved growth.
    vi) KINKED—a sharp angle in the tree trunk that indicates that the normal growth pattern is disrupted. Generally this means that the internal fibers and annual rings are weaker than straight trunks and prone to failure, especially in adverse weather conditions.
    vii) GROUND FLOWER—an area of deformed bark near the base of a tree trunk that indicates long-term root rot.
13) **ROOT COLLAR**—this is the area where the trunk enters the soil and the buttress roots flare out away from the trunk into the soil. It is here that signs of rot, decay, insect infestation, fungal or bacterial infection are noted. **NAD** stands for **N**o **A**pparent **D**efects.
14) **ROOTS**—any abnormalities such as girdling roots, roots that wrap around the tree itself that strangle the cambium layer and kill the tree, are noted here.
15) **COMMENTS**—this is the area to note any additional information that would not fit in the previous boxes or attributes about the tree that have bearing on the health and structure of the tree.
16) **SIGNIFICANCE**—a "significant" tree is at least 6" in diameter measured at 4.5' above the average ground level.
16) **CURRENT HEALTH RATING**— a description of general health ranging from dead, dying, poor, senescent, suppressed, fair, good, very good, to excellent.

17) **VIABILITY**— A significant tree that is in good health with a low risk of failure due to structural defects, is relatively wind firm if isolated or remains as part of a grove, and is a species that is suitable for its location.
    i) Please note that many trees may be listed as "Non-Viable" due to poor health, poor structure, or the tree may be below the size threshold for a "Viable Tree." However, it is worth examining the Non-Viable Trees to determine if any or all of them can be left on the property. They can add significant benefit to the landscape and contribute to wildlife habitat.
18) **RECOMMENDATION**—This is an estimate of whether or not the tree is of sufficient health, vigor, and structure to consider retaining.

NOTE: TREES WITH THE SAME DESCRIPTION AND DIFFERENT RATINGS: Two trees may have the same descriptions in the matrix boxes, one may be marked "Significant," while another may be marked "Non-Significant." The difference is in the degree of the description—early necrosis versus advanced necrosis for instance. Again, these descriptions were left brief in an effort to include as much pertinent information as possible, to make the report manageable, and, not to bore the reader with infinite levels of detail.

ATTACHMENT 4 - PHOTOS

View of northern property line and driveway

Tree # 782
Tree # 781

View of the southwest property corner at the intersection of NE 70th Street and 122nd Avenue NE

Base of tree # 768 in the southwest property corner at the intersection of NE 70th Street and 122nd Avenue NE

ATTACHMENT 5 - TREE PROTECTION MEASURES

In order for trees to survive the stresses placed upon them in the construction process, tree protection must be planned in advance of equipment arrival on site. If tree protection is not planned integral with the design and layout of the project, the trees will suffer needlessly and will possibly die. With proper preparation, often costing little, or nothing extra to the project budget, trees can survive and thrive after construction. This is critical for tree survival because damage prevention is the single most effective treatment for trees on construction sites. Once trees are damaged, the treatment options available are limited.

The following minimum Tree Protection Measures are included on three separate sheets so that they can be copied and introduced into all relevant documents such as site plans, permit applications and conditions of approval, and bid documents so that everyone involved is aware of the requirements. These Tree Protection Measures are intended to be generic in nature. They will need to be adjusted to the specific circumstances of your site that takes into account the location of improvements and the locations of the trees.

TREE PROTECTION MEASURES:

1. Tree Protection Fences will need to be placed around each tree or group of trees to be retained.
    a. Tree Protection Fences are to be placed according to the attached drawing and as noted in the attached Tree Inventory/Conditions Spreadsheet, Column 6 - Limits of Disturbance.
    b. Tree Protection Fences must be inspected prior to the beginning of any construction work/activities.
    c. Nothing must be parked or stored within the Tree Protection Fences—no equipment, vehicles, soil, debris, or construction supplies of any sorts.

2. Cement trucks must not be allowed to deposit waste or wash out materials from their trucks within the Tree Protection Fences.

3. The Tree Protection Fences need to be clearly marked with the following or similar text in four inch or larger letters:

TREE PROTECTION AREA, ENTRANCE PROHIBITED
To report violations contact
City Code Enforcement
at 425-587-3225

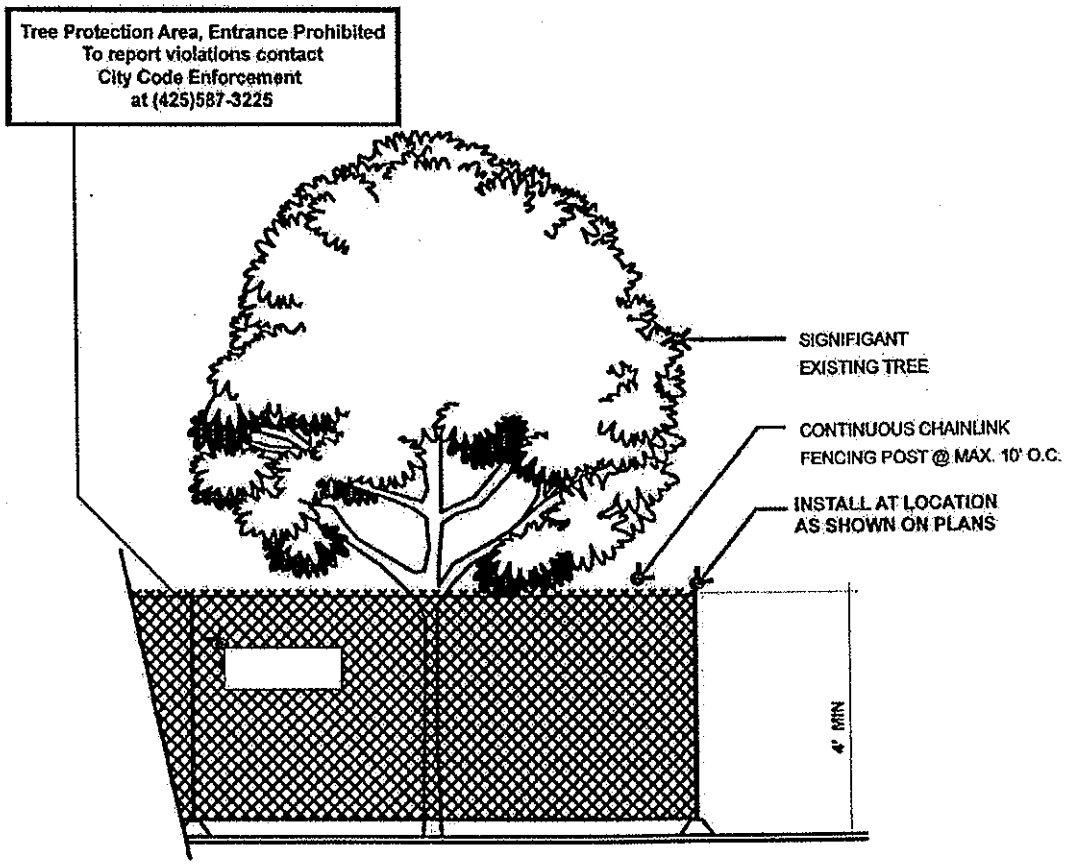
4. The area within the Tree Protection Fencing must be covered with wood chips, hog fuel, or similar materials to a depth of 8 to 10 inches. The materials should be placed prior to beginning construction and remain until the Tree Protection Fencing is taken down.

5. When excavation occurs near trees that are scheduled for retention, the following procedure must be followed to protect the long term survivability of the tree:
    a. An International Society of Arboriculture, (ISA) Certified Arborist must be working with all equipment operators.
        i. The Certified Arborist should be outfitted with a shovel, hand pruners, a pair of loppers, a handsaw, and a power saw (a "sawsall" is recommended).
    b. When any roots of one inch diameter or greater, of the tree to be retained, is struck by the equipment, the Certified Arborist should stop the equipment operator.
    c. The Certified Arborist should then excavate around the tree root by hand/shovel and cleanly cut the tree root.
        i. The Certified Arborist should then instruct the equipment operator to continue.

6. Putting Utilities Under the Root Zone:
    a. Boring under the root systems of trees (and other vegetation) shall be done under the supervision of an ISA Certified Arborist. This is to be accomplished by excavating a limited trench or pit on each side of the critical root zone of the tree and then hand digging or pushing the pipe through the soil under the tree. The closest pit walls shall be a minimum of 7 feet from the center of the tree and shall be sufficient depth to lay the pipe at the grade as shown on the plan and profile.
    b. Tunneling under the roots of trees shall be done under the supervision of an ISA Certified Arborist in an open trench by carefully excavating and hand digging around areas where large roots are exposed. No roots 1 inch in diameter or larger shall be cut.
    c. The contractor shall verify the vertical and horizontal location of existing utilities to avoid conflicts and maintain minimum clearances; adjustment shall be made to the grade of the new utility as required.

7. Watering:
    a. The trees will require significant watering throughout the summer and early fall in order to survive long-term. An easy and economical watering can be done using soaker hoses placed three feet from the trunk of the tree and spiraled around the tree. One 75-foot soaker hose per tree is adequate. It is best to place the soakers using landscape staples, (available from HD Fowler in Bellevue for pennies apiece) then cover the area with two to three inches composed materials. The composted material will act as a mulch to minimize evaporation and will also stimulate the microbial activity of the soil which is another benefit to the health of the tree.
    b. Water the tree to a depth of 18 to 20 inches. I recommended leaving the water on the soaker hoses for six to eight hours and then digging down to determine how deep your water is penetrating. Then adjust accordingly. It may take a good two days of watering to reach the proper depth.
    c. Once the water reaches the proper depth, turn off the hoses for four weeks and then water again. Water more often when temperatures increase—every three weeks when temperatures exceed 80 degrees and every two weeks when temperatures exceed 90 degrees. This drying out of the soil in between watering is important to prevent soil pathogens from attacking the trees.

FENCING SIGN DETAIL



1. MINIMUM FOUR (4) FOOT HIGH TEMPORARY CHAINLINK FENCE SHALL BE PLACED AT THE CRITICAL ROOT ZONE OR DESIGNATED LIMIT OF DISTURBANCE OF THE TREE TO BE SAVED. FENCE SHALL COMPLETELY ENCIRCLE TREE (S). INSTALL FENCE POSTS USING PIER BLOCK ONLY. AVOID POST OR STAKES INTO MAJOR ROOTS. MODIFICATIONS TO FENCING MATERIAL AND LOCATION MUST BE APPROVED BY PLANNING OFFICIAL.

2. TREATMENT OF ROOTS EXPOSED DURING CONSTRUCTION: FOR ROOTS OVER ONE (1) INCH DIAMETER DAMAGED DURING CONSTRUCTION, MAKE A CLEAN STRAIGHT CUT TO REMOVE DAMAGED PORTION OF ROOT. ALL EXPOSED ROOTS SHALL BE TEMPORARILY COVERED WITH DAMP BURLAP TO PREVENT DRYING, AND COVERED WITH SOIL AS SOON AS POSSIBLE.

3. NO STOCKPILING OF MATERIALS, VEHICULAR TRAFFIC, OR STORAGE OF EQUIPMENT OR MACHINERY SHALL BE ALLOWED WITHIN THE LIMIT OF THE FENCING. FENCING SHALL NOT BE MOVED OR REMOVED UNLESS APPROVED BY THE CITY PLANNING OFFICIAL. WORK WITHIN PROTECTION FENCE SHALL BE DONE MANUALLY UNDER THE SUPERVISION OF THE ON-SITE ARBORIST AND WITH PRIOR APPROVAL BY THE CITY PLANNING OFFICIAL.

4. FENCING SIGNAGE AS DETAILED ABOVE MUST BE POSTED EVERY FIFTEEN (15) FEET ALONG THE FENCE.

CITY OF KIRKLAND WASHINGTON

TREE PROTECTION FENCING DETAIL

ATTACHMENT 6 - REFERENCES

1. Dirr, Michael A. *Manual of Woody Landscape Plants, Their Identification, Ornamental Characteristics, Culture, Propagation, and Uses*. Champaign: Stipes Publishing Company, 1990.

2. Harris, Richard W. et al. *Arboriculture, Integrated Management of Landscape Trees, Shrubs, and Vines*. 4th ed. Upper Saddle River: Prentice Hall, 2004.

3. Matheney, Nelda P. and Clark, James R. *Evaluation of Hazard Trees*. 2nd ed. Savoy: The International Society of Arboriculture Press, 1994

4. Matheney, Nelda P. and Clark, James R. *Trees & Development, A Technical Guide to Preservation of Trees During Land Development*. Savoy: The International Society of Arboriculture Press, 1998.

5. Watson, Gary W., and Neely, Dan, eds. *Trees & Building Sites*. Savoy: The International Society of Arboriculture Press, 1995.

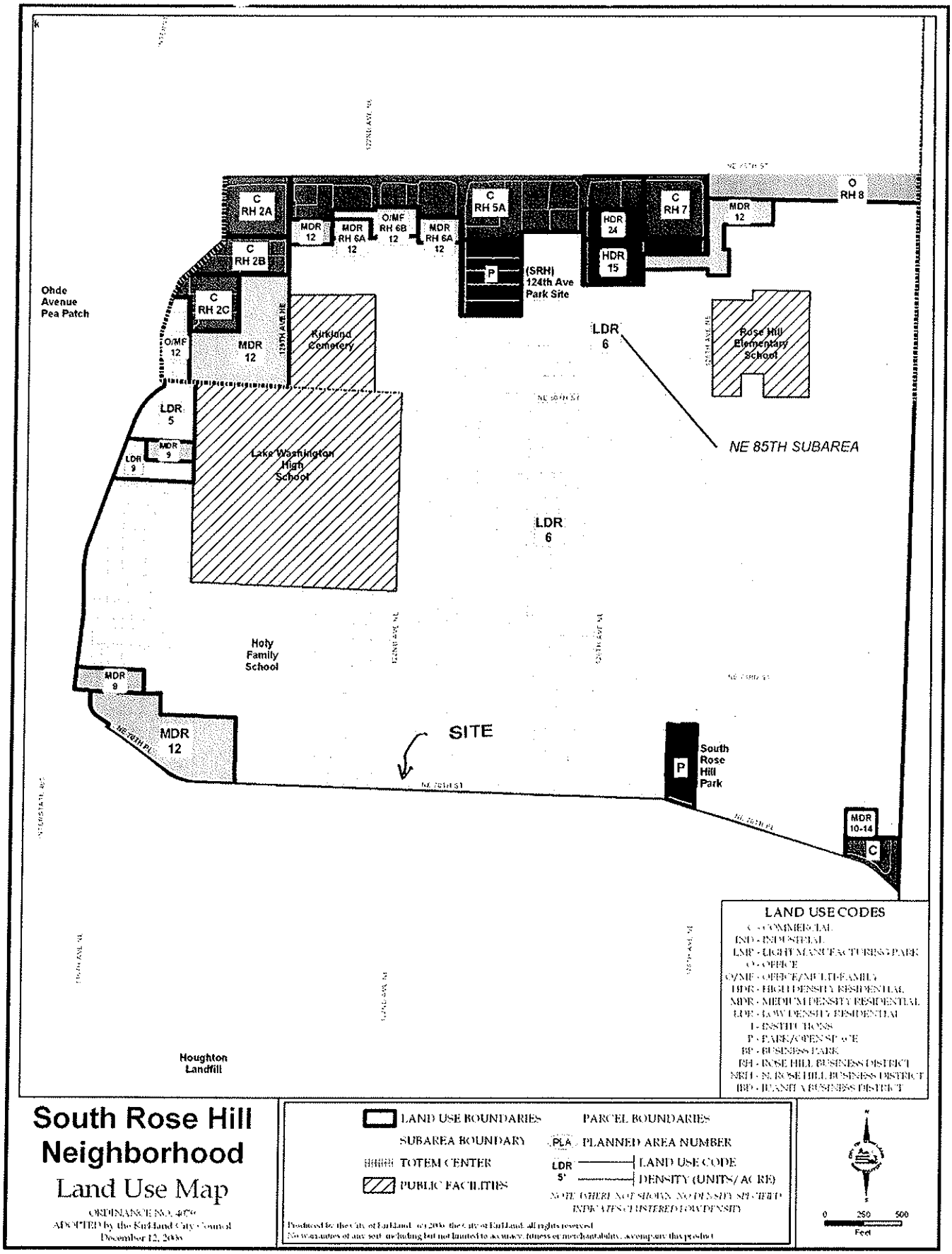


Figure SRH-3: South Rose Hill Lar

ATTACHMENT 7

SP07-00025

November 11, 2007

RECEIVED
NOV 14 2007
AM PM
PLANNING DEPARTMENT
BY

Mr. Ron Hanson
City of Kirkland
Planning Department
123 Fifth Ave.
Kirkand, WA 98033

RE: File no. SPL07-00025

Dear Mr. Hanson

I think it is easily substantiated to approve the short plat at 7004 – 122nd Ave. NE and further that existing RS 7200 zoning be reduced to allow for more building permits and construction of close in affordable housing. Many cities and communities across the nation (including Seattle) have already downsized square footage requirements on lot sizes which has had a very favorable impact in allowing people to purchase properties with established amenities (e.g. schools, shopping, parks, playgrounds, etc.) and, as a result, has greatly reduced both urban and suburban sprawl. This action would also be environmentally favorable towards reducing future acquisition and development of land and forests for homebuilding as well as reduce the need for new sewer systems and associated utilities. Lastly, it would provide an additional ongoing revenue source for the city of Kirkland to sustain balanced budgets both present and future.

With effective development and building codes in place to preserve property values and enhance existing neighborhoods, controlled growth is responsible growth.

Sincerely,

Michael and Sandra Smith
12105 NE 73rd St.
Kirkand, WA 98033
(425) 827-3760
MichaelandSandy@mac.com

CITY OF KIRKLAND
Hearing Examiner Exhibit
Applicant ___ ADMITTED ✓
Department ✓ DENIED ___
B.
FILE # SPL07-00025
ppellant Respondent Department

RESOLUTION R-4682

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING THE SHORT SUBDIVISION OF RUNNING AS APPLIED FOR BY KIRK RUNNING BEING DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT FILE NO. SPL07-00025 AND SETTING FORTH CONDITIONS TO WHICH SUCH SHORT SUBDIVISION BE SUBJECT.

WHEREAS, the Department of Planning and Community Development has received application for a short subdivision of property within a RSX 7.2 zone and said application having been made by Kirk Running the owner of the real property described in said application; and

WHEREAS, pursuant to the City of Kirkland's Concurrency Management System, KMC Title 25, this action is exempt from the concurrency management process; and

WHEREAS, pursuant to the State Environmental Policy Act, RCW 43.21C and the Administrative Guideline and local ordinance adopted to implement it, this action is exempt from the State Environmental Policy Act; and

WHEREAS, the proposal for short subdivision has been submitted to the Kirkland Hearing Examiner, who held public hearing thereon at her regular meeting of November 15, 2007; and

WHEREAS, the Kirkland Hearing Examiner, after public hearing and consideration of the recommendations of the Department of Planning and Community Development, did adopt certain Findings, Conclusions and Recommendations and did recommend approval of the short subdivision subject to the specific conditions set forth in said recommendation; and

WHEREAS, the City Council, in regular meeting, did consider the recommendation of the Hearing Examiner.

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

Section 1. The Findings, Conclusions and Recommendations of the Kirkland Hearing Examiner as signed by her and filed in Department of Planning and Community Development File No. SPL07-00025 are hereby adopted by the Kirkland City Council as though fully set forth herein.

Section 2. The short subdivision is hereby given approval subject to the conditions set forth in the recommendations hereinabove adopted by the City Council.

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

Section 4. A complete copy of this resolution, including Findings, Conclusions and Recommendations adopted by reference, shall be certified by

the City Clerk, who shall then forward the certified copy to the King County Department of Assessments.

Section 5. A copy of this resolution, along with the Findings, Conclusions and Recommendations hereinabove adopted, shall be attached to and become a part of the evidence of the approval of said short subdivision to be delivered to the applicant.

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

SIGNED IN AUTHENTICATION thereof this _____ day of _____, 20____.

_____
Mayor

ATTEST:

_____
City Clerk