



CITY OF KIRKLAND

CITY COUNCIL

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

123 Fifth Avenue • Kirkland, Washington 98033-6189 • 425.587.3000 • TTY 425.587.3111 • www.ci.kirkland.wa.us

AGENDA

KIRKLAND CITY COUNCIL MEETING

City Council Chamber

Tuesday, June 3, 2008

6:00 p.m. – Study Session – Peter Kirk Room

7:30 p.m. – Regular Meeting

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

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

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

1. *CALL TO ORDER*
2. *ROLL CALL*
3. *STUDY SESSION*, Peter Kirk Room
 - a. Technology
4. *EXECUTIVE SESSION*
 - a. To Discuss Labor Negotiations
5. *SPECIAL PRESENTATIONS*
 - a. Honoring Kirkland Youth Council Class of 2008
 - b. Relay for Life Proclamation
 - c. Sound Transit 2 Planning
 - d. Green Tips
6. *REPORTS*
 - a. *City Council*
 - (1) Association of Washington Cities Annual Business Meeting
 - (2) Regional Issues

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

GENERAL CORRESPONDENCE

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

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

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

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

P - denotes a presentation from staff or consultant

- b. *City Manager*
 - (1) Calendar Update

7. *COMMUNICATIONS*

- a. *Items from the Audience*
- b. *Petitions*

8. *CONSENT CALENDAR*

- a. *Approval of Minutes:* May 20, 2008
- b. *Audit of Accounts:*
 - Payroll* \$
 - Bills* \$
- c. *General Correspondence*
 - (1) Correspondence to the Bellevue Planning Commission Regarding Proposed Transit Oriented Development at South Kirkland Park and Ride
- d. *Claims*
- e. *Award of Bids*
- f. *Acceptance of Public Improvements and Establishing Lien Period*
- g. *Approval of Agreements*
- h. *Other Items of Business*
 - (1) R-4708, Authorizing the City Manager to Submit and Sign the Interlocal Cooperation Agreement Which Outlines the Method of Sharing Community Development Block Grant Funds
 - (2) Accepting Park Board Resignation and Appointing New Member
 - (3) Report on Procurement Activities
 - (4) Surplus Equipment Rental Vehicles/Equipment For Sale

9. *PUBLIC HEARINGS* - These quasi-judicial hearings are not open to testimony from the general public. Participation is limited per Kirkland Zoning Code 142.40.6.

- * a. Resolution R-4707, Adopting Findings and Conclusions and Reversing the Decision of the Design Review Board Granting Design Review Approval to the Bank of America/Merrill Gardens Mixed Use Project at 101 Kirkland Avenue (File No.: DRC 07-0006; Appeal Case No.: APL08-0001)
- * b. Appealing Design Review Board Decision of the McLeod Mixed Use Project - (Access *9.b. as separate item in CouncilNet)

10. *UNFINISHED BUSINESS*

- a. Resolution R-4704, Related to Comprehensive Planning and Land Use and Expressing an Intent to Amend the Kirkland Comprehensive Plan, Ordinance 3481 as Amended, the Kirkland Zoning Code Ordinance 3719 as Amended, and Amending the Kirkland Zoning Map Ordinance 3710 as Amended, as a Result of the Gordon Hart Private Amendment Request (File ZON06-00019) and the TL9 Zoning Implementation Project (File ZON07-00023)

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

11. *NEW BUSINESS*

- a. Approving the NE 132nd Street Master Plan Report

12. *ANNOUNCEMENTS*

13. *ADJOURNMENT*



CITY OF KIRKLAND
Information Technology Department
123 Fifth Avenue, Kirkland, WA 98033 425.587.3050
www.ci.kirkland.wa.us

MEMORANDUM

To: David Ramsay, City Manager
From: Brenda Cooper, CIO
Date: May 23rd, 2008
Subject: Information Technology Department Overview

RECOMMENDATION

Primarily the attached report is a briefing designed to keep Council informed of technology issues including successes, challenges, and future opportunities. We will touch on the highlights of projects that we feel are of interest to the Council and the community and not attempt to cover all of the work IT is doing. We recommend that Council read and be familiar with this overview of the IT Department and be prepared to ask any questions they would like to ask.

Note that IT intends to use the actual presentation time to discuss future tools and concepts around government use of Web 2.0 tools, rather than to reiterate this information. A copy of the PowerPoint will be provided the night of the meeting.

POLICY IMPLICATIONS

No immediate implications. Some Council decision related to Information Technology and/or the 2009/10 budget may have policy implications.

BACKGROUND DISCUSSION

Since the year 2000, when the City of Kirkland created the Information Technology Department as a separate entity, the department has grown and changed significantly. The expectations of the community about how and when they interact with government have shifted from five days a week in person to seven days a week online (in addition to traditional methods). Staff in all departments is more dependent on technology to get work done, and the City Council uses computers to read and review information at home and on the dais. Our budget and staffing have also grown (partially through combination with MMS): in 2002 and 2003, the budget for those combined years was \$5,745,520 and we had 7.0 FTE's. For the 2008/9 biennium, our budget is \$10,569,141 and we have 18.75 approved FTE's and an additional 6.5 one-time funded and temporary staff members.

City of Kirkland
Information Technology Department
Report for the Kirkland City Council June 3rd Study Session, 2008

Overview

This is designed to be a policy-maker level overview. I'll touch on success stories, general information, challenges, and what you personally might see changing in your technology.

I culled out a lot of projects and topics which are keeping us busy, but which may not interest you or which are pretty much infrastructure/behind the scenes IT work. The remainder is still a lot of information. For that reason, I'm going touch on most topics in reasonably short form. Many, such as the server room challenges, staffing, or security, could have whole white papers and staff reports written just about them. If you'd like any more in-depth details about any of this information, please let me know and I'll get it for you.

Our Biggest Success Stories

Special Achievement in GIS Award



The primary vendor for GIS worldwide, Environment Systems Research International (ESRI), has selected the City of Kirkland to receive a Special Achievement in GIS award. Recipients of the Special Achievement in GIS award are submitted by ESRI staff from thousands of organizations worldwide, then personally reviewed and selected by Jack Dangermond, the ESRI Founder and CIO. This is a very prestigious international award. Even though the primary reason we earned this award is certainly our very capable GIS Administrator, Xiaoning Jiang, and her dedicated staff, the award also recognizes your support for GIS as city leaders and the support of Dave Ramsay, Ray Steiger, the rest of the city management team, and the many city staff who have embraced and use this technology daily. GIS staff includes Xiaoning Jiang, Kim Sun, Chris Mast, Hunter Barcello, and Joe Plattner (PW).

After we receive the award in August, we will add it to a Council Agenda.

Downtown Wireless

The downtown wireless program continues to be a community favorite. Some of the emails we've received in just the last few months include:

I'm using it now, and it is working great. I would use it while I await my bus, I work in Kirkland. Checking my email outside is so much better, especially in the spring-summer time. Kirkland is a wonderful city. Even now, it is keeping my lap nice and warm. :D It is one of the best things this city has done yet! Love the WiFi!



As a work from home parent, wireless access would allow me to keep working while taking the kids out for some much needed play time and fresh air.

Hi!

I just wanted to send a quick note to provide you my feedback on the wireless internet provided at Marina Park. I think it's wonderful! I'm using it right now to send this message. I needed to find a quiet location this morning with internet access for an important call that I am expecting on my cell phone. We don't have a home phone, my cell phone coverage at our home is not that great, and there is some work being on our street with a jackhammer, so I needed to find another, quieter location to wait for this call. I tried some local coffee shops, but it was too loud, so I was pleasantly surprised to find that the park had wireless internet. What a perfect location – quiet, beautiful, and with wireless internet! Thanks for this great service!

Kirkland Free Wireless:

Thank you so much for the free wireless service. I come to this park when I am in town to watch the sun set as I finish up my work day and wait for the traffic to die down before I head home. Much to my surprise I was able to get on the internet and respond to e-mails making the time spent at the waterfront that much more productive. Not that I often use the computer while I am on the boat, but I will keep in mind that wireless is here when I am boating and need to view a large attachments, etc.

*Thanks,
Ben*

eCityGov Alliance Procurement Portal

The City of Lynnwood used to host a shared small works roster which we (and many other cities) used to support certain types of procurement. Last year, Lynnwood announced



that they would no longer provide this service, and so the eCityGov Alliance, which we are founding members of, filled the void through adapting a City of Bellevue application to a regional application in a very short period of time. This meant that the procurement teams of all of the owner cities needed to work together to solve an unexpected problem in a short period of time. Had they failed, our procurements for small works, simple professional services, etc., would have been more costly in both time and money, and local businesses who are used to this way of doing business with us would have also incurred additional costs. Barry Scott from Finance was instrumental in this effort.

Document Management

When I arrived at the city in the year 2000, Document/Records management was a funded high priority projects. As we re-prioritized based on our first IT strategic plan, the project moved out. We were finally able to fund and staff it adequately in 2006 and selected an industry-leading firm which was bought out immediately after selection in a hostile process. Luckily we hadn't signed a contract yet. That put us back out to bid, and we successfully chose a new firm and executed a contract with them before they were bought out, luckily in a friendly process. Our pilot project is complete, the classification scheme for documents has been completed and implemented, and a way for citizens to obtain certain records online will be rolled out to the public soon. As much progress as we have made, this is only the beginning of a multi-year implementation process. The specific benefits of this project include meeting legal requirements for records management and digital asset management, easier access to the right version of documents for staff, less paper storage, and reduced cost for retrieval of off-site records. The Finance Department including Tracey Dunlap, Anja Mullin, Kathi Anderson, and others have been instrumental as the customer champion of this project and Dawn Walker has supported it from IT.

Communicating With the Public

The Multimedia Division has done some fantastic work, ranging from the Art in Public Places collaboration with the Cultural Council through videos produced to support pedestrian safety, educate about elder abuse, and to keep citizens informed of the news about town. In the past few years this group has won the following awards:

- International Safety Media Awards, Silver Award, Short Film Category, “We’ve Got Issues – Pedestrian Safety”
- NATOA Third Place, “Currently Kirkland”, News Series Category
- NATOA Third Place, “My Building Permit. Com”, Community Awareness Category
- NATOA Third Place, “Kirkland Senior Council”, Seniors Category
- NATOA Honorable Mention, “Currently Kirkland”, News Series Category
- NATOA Honorable Mention, “KGOV21 It’s for You”, Municipal Channel Promotion
- AWC Gold Municipal Achievement Award, Kirkland Senior Council (video was part of submittal)

While winning awards is affirmative, it’s even more important that our streaming video is being watched. The top five shows for 2008 so far are:

Video	Dates	Number of Requests
City Council Meeting	05/06/08	3,176 requests
City Council Meeting	05/20/08	958 requests
City Council Meeting	04/15/08	519 requests
DRB meeting (audio)	04/21/08	519 requests
Currently Kirkland Episode 35	April, 2008	328 requests

These may be skewed from normal due to recent City Council activity of interest to Kirkland citizens. Three of the top five requests from last year were also city council meetings (the others were a Currently Kirkland issue and the Pedestrian Safety video), but they were all just over 300 requests each.

Our Internet page is also reaching citizens. In 2007 across the whole year, there were 2,282,869 page views (pages pulled up and looked at by people who are not inside city hall and not automated crawlers), and 331,780 unique visitors to the website.

The number one page is always jobs. After that, in no particular order since the rankings vary by time of year, are:

- Online Parks Guide
- Current Brochure (recreation guide)
- Police Department Home page
- Municipal Court
- Invitations to bid

Other pages that have had high interest include our city employee contacts information, Planning’s home page, Neighborhood Services, the pool schedule and the city calendar.

Infrastructure Redesign and Upgrade

Since the last time that we reported out to Council, the Network and Operations Division – with the help of pretty much everyone else in IT and a few customers – completed a redesign of our server and storage infrastructure. This large behind-the-scenes project helped us to consolidate servers, develop a more flexible technology architecture and be in a better position to handle the demand for additional data storage that comes with increased use of video (such as the sewer cameras), additional development of GIS data, and implementation of new systems such as document management. It also put us in a better position to begin working on disaster resilience and recovery.

General Information about IT

Strategic Plan Status

The following matrix of high-priority projects was identified when we did our last strategic plan in 2006. In general, we are doing well against our goals in the cases where adequate staffing and funding have been available, and moving slowly in other areas. In a few cases, the technology has changed, and thus the projects have changed in scope or priority. This is our current status on projects identified when we did that plan.

APPLICATIONS		
Implement an Electronic Document Management System (EDMS)	Continue the procurement process and prepare for implementation. Execute a Discovery/Planning project to review and document key use cases associated with that function across the enterprise. Encourage a review of existing processes, and potential re-engineering based on the outcome. Deliver prioritized list of use cases for implementation - the document management roadmap - with target implementation dates.	<i>We have purchased a product, TRIM, from Tower Software (now owned by Hewlett Packard). Our first pilot project was to use TRIM for contracts and that was successful. We also recently completed creating a classification scheme so that we can begin filing other documents. A public-access piece to allow citizens to access ordinances and resolutions via the internet is almost operational.</i>

<p>Develop a Virtual Kirkland GeoSpatial Model</p>	<p>Create a virtual model of the city, or parts of the city, using digital terrain models, building footprints, tree inventory, building textures, window treatments, sidewalks, and other layers to demonstrate how a development (e.g., a new commercial or office building) or policy (e.g., Zoning Code, Comprehensive Plan, etc.) will visually impact the city. This may also incorporate the ability to show changes over time.</p>	<p><i>We successfully completed a pilot project to do the 3D mapping ourselves. One of the things we learned is that this is very staff intensive work. In the meantime, Google Earth and Microsoft Virtual Earth have been doing 3D work, and we are going to evaluate whether or not that effort can meet the city's needs.</i></p>
<p>Analyze recruitment process and implement an online application solution</p>	<p>Improve and automate the process for attracting and hiring quality staff, including leveraging our regional relationships to provide a regional applicant portal. This project will be pursued jointly with regional partners and executed in two phases. Phase I will analyze areas for improvement and how technology can assist with process automation. Phase II will implement an Application Online solution based on the results of Phase I.</p>	<p><i>This successfully became a regional project via the ECityGov Alliance. We anticipate being able to offer online job applications by the end of this year.</i></p>
<p>Streamline permit process workflow</p>	<p>Perform detailed review of all permitting processes, workflow, and roles and responsibilities. This work will prepare the City to scale its permitting function to accommodate new demand post-annexation. In addition, the permit process workflow will provide guidance to the EDMS project to ensure that the system is aligned to effectively support permitting.</p>	<p><i>The Development Services Team had already completed an evaluation of the single family permitting process by a consultant and is currently implementing recommended improvements to the process. They have also begun evaluating the subdivision and LSM permitting process by the same consultant to better document and streamline those processes.</i></p>

Receivables	<p>Document the Accounts Receivable process for each department that currently deals with receivables. Define requirements for an Accounts Receivable system. Implement a centralized AR system (potentially Springbrook) with refined AR processes. Provide automated posting to IFAS.</p>	<p><i>Finance has been working hard on establishing policies and procedures and hopes to complete implementation of the policies by the end of 2008. Systems work will follow the policy work.</i></p>
e-Gov	<p>NWMaps is designed to be an online GIS mapping resource available to the public both for Kirkland-specific information and to provide regional GIS data from multiple entities into a seamless whole for specific data layers.</p> <p>NWProperty.net is a regional property locator service. The eCityGov Alliance Operations and Executive Boards manage the work plan for the system which facilitates decision-making for businesses looking to relocate to or within Kirkland and other eCityGov Alliance members.</p> <p>MyParksandRecreation.com is a single online source for regional information about parks and recreation opportunities. The website allows citizens to search and find availability of classes across the region, and connect to city sites to register for recreation classes. Particular work this year is to integrate parks, facilities, and trails information for the region with a search functionality and GIS component.</p>	<p><i>EGov applications are going great and there is building momentum in the eCityGov Alliance. Currently active work includes:</i></p> <p><i>A regional evaluation of new Permit systems, work on trails in MyParksandRecreation.com, implementation of a salary survey shared data resource, implementation of a way to take job applications online, and a regionally coordinated orthophotography flight.</i></p>

Mobilize Remote Workforce	Develop a city-wide mobile strategy. For example, to what extent do we want to provide mobile systems, and how will we maintain connectivity? There are currently funded in-flight mobility projects to provide GIS connectivity in the field and for field inspectors in public works and building. The City already provides mobility solutions for Police and Fire (Fire's are managed by the City of Bellevue, who also dispatches Fire).	<i>Early this year we began providing computers in the field for inspectors from the Planning and Public Works department and also for some GIS.</i>
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INFRASTRUCTURE		
Implement a storage area network	<i>Install a Storage Area Network (SAN) attached to key servers based on application storage requirements. The system will give the City a flexible central pool of data storage space that can be allocated to applications as needed. It will position the City to spend less money in the future as the need for new data storage grows.</i>	<i>Completed.</i>
Perform server virtualization	<i>Perform server virtualization to reduce the physical footprint of the servers in use (reducing electricity and cooling load), and allow the City to maintain a comprehensive testing environment, potentially reducing the number of outages due to change issues.</i>	<i>Completed.</i>

Improve network redundancy	<i>Consider entering into an agreement with the City of Bellevue to use the fiber connection between the two cities and share connections to King County as a back-up link in the event of an outage. The City of Kirkland recently established multiple pairs of fiber cable between Kirkland City Hall and the City of Bellevue's new data center. The City should also evaluate the redundancy of its phone system.</i>	<i>This is linked to our project to place servers and other infrastructure in the City of Bellevue data center.</i>
Implement automated system monitoring	<i>Select and implement automated system monitoring tools on critical City systems. There are a number of commercially available tools that can be easily implemented, would significantly reduce the time required to perform the daily checklist, and provide a real time view into the health of the infrastructure. The City IT department's current process uses a lengthy daily checklist to verify that infrastructure services are working correctly and to identify potential issues. It is a time consuming process and can benefit from automation.</i>	<i>Completed.</i>
Address disaster recovery needs	<i>Implement back-up and recovery hardware infrastructure and redundancy of various City systems. Also utilize neighboring City of Bellevue data center to store backup systems and Bellevue's connection to other agency networks to ensure connectivity during emergencies.</i>	<i>We have the funding approved to start doing this. Adequate funding to complete the work has not yet become available. We have looked for grants but have not found any to meet this need.</i>

ORGANIZATION		
Continue approach to regionalization and establish a strategic, rational process for regional project planning and selection	<i>Work with regional partners to develop a set of criteria to select projects for consideration. Convene an annual coordination meeting between key regional representatives to share annual programs, priorities, and identify synergies. Regional decision-makers should involve appropriate representation in project selection discussions. These should be individuals that can speak to implementation challenges. Continue current approach to regional project evaluation, which is to move forward if the initiative makes sense for customers, not necessarily because it is cheaper, faster, better, or easier. At times, internal, non-strategic drivers force the need to complete regional initiatives.</i>	<i>We have done much of this work through the executive and Operations Boards of the eCityGov Alliance. It is pretty much an ongoing process, and as “complete” as it will ever be.</i>
Introduce the role of Public Information Officer (PIO)	<i>Add a PIO reporting to the City Manager’s Office (CMO). Tools and technology to support the PIO should reside in IT. The PIO will help the City communicate with the public more effectively.</i>	<i>Completed. The credit goes to the City Manager’s Office and the City Council.</i>
Introduce the role of Application Team Manager	<i>Add a full-time application team manager with responsibilities and high demand for applications staff time for workload leveling, prioritization, issue escalation and project performance monitoring. The application team manager will be able to relieve the project management workload which will exceed existing staff capacity over the duration of the plan.</i>	<i>This has to be an FTE. We have requested this position and will continue to do so.</i>

<p>Implement a project governance body or IT Project Management Organization (PMO)</p>	<p><i>Implement a virtual project management organization to develop project management best practices and delivery standards. A virtual project management organization (PMO) is one where critical project delivery roles are primarily distributed amongst existing staff resources. The IT PMO will provide monitoring and review of projects for quality and also provide project portfolio management and prioritization. It is recommended that the proposed Application Team Manager position chair the PMO and develop an implementation plan. The implementation plan should take a phased approach that defines the PMO components (i.e. standards and best practices) and defines plans for training and resource assignment. It is further recommended that the PMO functions be piloted on major projects and focus on the most challenging aspects of project delivery as currently experienced by City of Kirkland IT, which are scheduling and resource leveling.</i></p>	<p><i>It will be easier to do this once we have the applications manager.</i></p>
<p>Continue to add staff as appropriate and as resources allow</p>	<p><i>Identify and address other staffing gaps such as those currently filled by one-time funded staff and those posed by future growth plans. The City should request ongoing City funding for its four one-time funded staff who are not currently built into the City's base budget and whose workloads are not anticipated to diminish. Other current staffing needs have been identified as a GIS specialist (see GIS Strategic Plan), network specialist, and an intern. As the City grows – in physical size through annexation and in associated staffing and infrastructure – the IT department should continue to assess its customers' growing needs and add staff as appropriate to help support the City's ability to run efficiently.</i></p>	<p><i>We've pretty much failed at this goal. We now have more one-time funded staff than we did in 2006. We did get a one-time windfall payment from Dell which we were able to use to fund an intern, but we are nearly out of that funding.</i></p>

These are the highest priority tasks from the IT Strategic Plan, which had over 104 projects, and which we've continued to add to. Some of those projects will be requested in the CIP and in future budget processes.

Changes in outside support provided

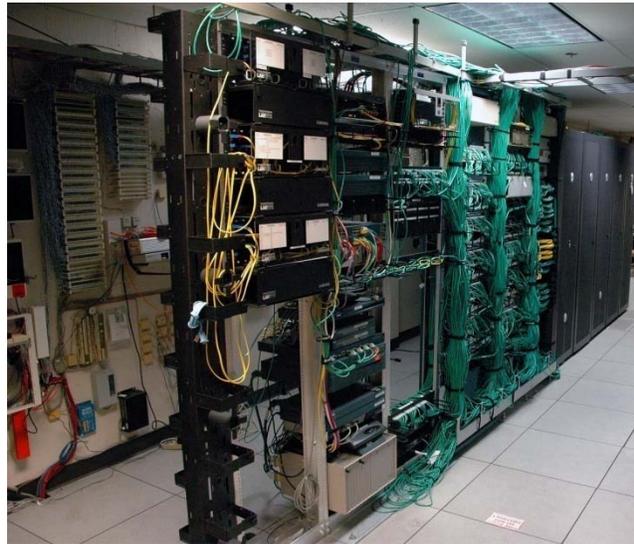
For the past few years, we have provided IT support for the police system components in use at the cities we dispatch for: Mercer Island and Medina. We bill that support hour for hour to those cities. This is not a significant support level – probably a tenth of an FTE or so total across the year. We expect that to continue through the point that NORCOM software is fully implemented around the end of this biennium. These are not full cost recovery contracts, although they do recover all direct costs and a portion of the associated overhead.

A few months ago, Northshore Fire approached us and asked us if we would consider providing complete IT support for them. We have developed a draft statement of work and set of fees, and will be working on an ILA for your consideration soon. This will be a full-cost recovery line of business.

Biggest Challenges

Server room

Servers, switches, and other IT equipment put out a lot of heat and use a lot of electricity. We are running out of room, cooling, and power in our server room downstairs. The equipment is overwhelming the support infrastructure it needs in order to stay cool, to stay powered in power outages and through generator on/off events, power spikes, etc. We have now had two events where one of the three air handlers that keep the equipment cool failed, and the room has overheated. We have fought off the heat death of servers by standing and holding fans pointed at them, and Facilities has helped us install better warning tools so we can start holding fans earlier, but it's probably wise to consider those two events warnings of worse to come.



Last year, Facilities planned to add a cooling unit, but the cost was prohibitive, and more than they had saved. Since the cost of having the server room overheat and damage equipment is high (a few million dollars worth of equipment plus a serious productivity hit for staff), we collectively decided to use the money facilities had set aside for the cooling unit to fund a study and get a short term plan, a long term plan, and a better idea of our collective problems (which we rightly suspected were larger than just the cooling systems; they also include power consumption, load on the UPS, and code compliance).

The preliminary cost for a three-year fix (including a design contingency but excluding taxes, building permits, final engineering, and soft costs) is just under \$530,000 and the cost of doing it right (which includes expanding into the dispatch area, which police has a need for as well), is \$1,280,000 in today's dollars (and \$1,743,000 in 2012 dollars), and it assumes the work for the short term option has been done (the long term option by itself without the short term work will be more expensive). The real costs once everything is included are probably closer to \$1,000,000 and \$2,500,000.

We haven't had time to do significant option thinking yet, and without knowing the timing of a build out of this building, it's hard to say whether or not the short term option is good at all. Based on growth projections it will not be enough for much longer than 3 years, and so may not even be worth doing at this high of a cost.

We are exploring other options entirely – for example, we may be able to move some production servers to the City of Bellevue which has spare capacity in its data center.

None of our options are free, but the least expensive is almost certainly the move to Bellevue, which will have some impact on budget and staff. We cannot move our entire data center to Bellevue for various technical and risk reasons but we can probably move enough to put off the need to upgrade the server room for a few more years. It will not solve the problem indefinitely.

Security

Any computer network, including ours, is under attack from a combination of spam, email viruses, code viruses, malware, and other unsavory electronic actors. This activity grows steadily, and the work and expense of maintaining electronic doorkeepers is increasing. To give you an idea of scope, in the last 30 days we had about 2.9 million email messages sent to the city. Approximately 2.8 million of those were hostile. We recently suffered a hostile attack called a SQL Injection Hack on our listserver software. The automated break-in originated overseas, and was probably the result of a machine trying multiple ways to get into random internet-accessible servers. The



database was cleaned up and restored, and the hack occurred again almost immediately. We stopped providing our email service since we were afraid that citizen emails could be at risk (analysis said they were compromised). The vendor firm did not convince us they were going to redo the code to make it resistant to this kind of hack, so we changed vendors and are just now in the process of rebuilding this popular service. We do not expect keeping our environment secure to become any easier over the next few years.

PCI Compliance

Related to the topic above, there are new rule sets in place for keeping citizen, customer, and staff data safe. Payment Card Industry (PCI) compliance guidelines dictate how we handle much of the data associated with credit card transactions that take place on the internet. Luckily, the eCityGov Alliance handles most of our citizen credit card tracking, but we do take some cards directly. Some of our vendors do not yet fully meet these compliance standards and we have received a few complaints about that from our more savvy citizens. We are working through these issues one by one, and it looks like we will be close to full compliance by the end of this year. This is a joint effort between IT and Finance.

Staffing

Almost a third of our staff are one time funded in one way or another – some through CIP projects, some through service packages, others through administrative choices. Even with all of the people we have in our department, there is more work than staff (which is true Citywide). Going into this tight budget season, we are concerned. We are looking for savings and creative solutions, but may not have enough rabbits in our own hat to cover the funding we need.

Replacement Funding for Major Systems

We do not currently collect money to replace our major systems as they fail. You have set aside money from time to time in good years, and we have programmed much of that toward the upcoming replacement of the permitting system and other smaller systems. We do not have effective plans for replacement of other major systems such as Finance.

Technology Sea Change Challenges

A truth about the technology industry is that rapid change is the usual state of affairs. There are two large sea changes in technology that we thought were worth bringing to your attention.

The first, called “Software as a Service,” refers to the shift of application systems from our world onto the internet. Four specific examples that have affected us in the last few years are:

1. Volunteer management software: As we went to look for volunteer management software, the only place we found viable choices was in software we could only purchase on the internet.
2. When we went to replace our old listserver software after it was security-compromised, we looked for another choice we could run on our servers or host at the City of Bellevue (like our previous listserver software), but the best option was a software as a service company called GovDelivery.
3. Our video streaming software that allows Council Meetings and our television shows like Currently Kirkland to be streamed on the internet is hosted out of the San Francisco area by a company called Granicus.
4. As mentioned in our report on our strategic plan, the 3D GIS being done by commercial vendors like Google and Microsoft may mean we do not have to do the same work ourselves.

This is largely good: it avoids some costs, makes applications available from almost anywhere, and generally has built in disaster preparedness components. It does spread our data out across the world, which has some significant security worries and reduces our control over our data and our customer’s data.

We expect this trend to continue. It will be some time (perhaps a decade or more) before our larger and more critical day to day systems work on this model, so this change won’t give us immediate relief with our data center problem even though it is already helping us with some growth avoidance.

The second sea change worth discussing is a group of technologies often referred to as “Web 2.0,” which includes social networking sites like My Space, Live Journal, LinkedIn, and Facebook, blogging, video like YouTube, and others. There are some particular challenges for governments using these technologies, such as the tension between moderating comments on blogs so that offensive or illegal material does not get posted and honoring first amendment rights.

These technologies are often more “high touch” than the one-way information transmission and simple transactions we support today. In other words, they may take more staff time to administer, largely in the departments rather than in IT.

Web 2.0 will be the primary topic of my presentation during the study session, and so we’ll spend more time on it then.

Council technology: What's coming up for you?

Since your computers will not be replaced until 2011, the biggest IT change that we expect you to see personally is our impending upgrade to Office 2007. Carsten Hasse from our office will be your primary contact on that effort.

Is there anything you wish were coming up for you?



CITY OF KIRKLAND
Department of Parks & Community Services
505 Market Street, Suite A, Kirkland, WA 98033 425.587.3300
www.ci.kirkland.wa.us

MEMORANDUM

To: Mayor and Members of City Council

From: Regi Schubiger, Youth Services Coordinator
Jenny Schroder, Director of Parks and Community Services

Date: May 27, 2008

Subject: Honoring the Youth Council Class of 2008

This year has been another busy and successful year for the 2007-08 Youth Council. As the school year comes to a rapid close, we would like to have the Kirkland City Council recognize our graduating Seniors for all their hard work and dedication to the Youth Council and the City of Kirkland. As in previous years, the names of our graduating Seniors have been engraved on a plaque that hangs at the Parks and Community Services Offices at 505 Market. We would like to ask that the Mayor and the City Council present this plaque to our graduating Seniors at the June 3rd Council meeting. The following 10 KYC members are a part of the Class of 2008:

Annie Asmussen, Lake Washington High School

Nathan Evers, Lake Washington High School

Andrea Georgopolos, Juanita High School

Lori Healow, Juanita High School

Helen Hunt, Juanita High School

Luka Juric, International Community School

Kevin King, Christ Church Academy

Tara Lacy-Hansell, BEST High School

Stephanie Malloy, Running Start

Chris Riley, Lake Washington High School

**CITY OF KIRKLAND****City Manager's Office**

123 Fifth Avenue, Kirkland, WA 98033 425.587.3001

www.ci.kirkland.wa.us

MEMORANDUM

To: David Ramsay, City Manager

From: Marie Stake, Communications Program Manager

Date: May 13, 2008

Subject: Relay for Life Proclamation

RECOMMENDATION:

It is recommended that Mayor James L. Lauinger proclaim June 7-8, 2008 *Relay for Life Days*.

BACKGROUND DISCUSSION:

Erin Becker, chair of the Redmond-Kirkland Relay for Life event, has requested a proclamation to recognize the June 7 – 8 event. It is an overnight community event team fund-raiser for the American Cancer Society held at Redmond High School. Last year \$150,000 was raised and the same goal has been set for this year.

The participants are teams of runners and walkers who have at least one team member on the track at all time. They start at noon on Saturday and go continuously until 9 a.m. Sunday. The theme this year is "Celebrate. Remember. Fight Back." to honor survivors and those who lost their battle with cancer. Many in our community are participating including Kirkland City Staff member Janet Jonson and Brenda Cooper.

Attending the June 3rd City Council meeting will be Cindy Sheehan, Corporate Sponsorship Chair and Co-Captain of team 'Kick Cancer's Butt', Nicole D'Alessandro, a top fund-raiser and doing this as her Senior Project (and JJ's grand-daughter), Kathy Kahn, captain of last year's top fund-raising team and Erin Becker of the American Cancer Society.



A PROCLAMATION OF THE CITY OF KIRKLAND

Designating June 7-8, 2008 as “Relay for Life Days” in the City of Kirkland, Washington

WHEREAS, Relay for Life is the signature fund-raising activity for the American Cancer Society which honors cancer survivors and those lost their lives to the disease; and

WHEREAS, Relay for Life helps fund more than \$100 million in cancer research, education, advocacy and patient services each year and;

WHEREAS, The Relay for Life of Redmond-Kirkland event will be held June 7 – 8, 2008 at Redmond High School; and

WHEREAS, Relay for Life of Redmond-Kirkland participants seek pledges that will help them achieve their goal of \$150,000 and;

NOW, THEREFORE, I, James L. Lauinger, Mayor of Kirkland, do hereby proclaim June 7 and 8, 2008 as *Relay for Life Days* in the City of Kirkland and encourage citizens to participate in or pledge to the Redmond-Kirkland Relay for Life at Redmond High School on June 7 and 8, 2008.

Signed this 3rd day of June, 2008

James L. Lauinger, Mayor



CITY OF KIRKLAND

Department of Public Works

123 Fifth Avenue, Kirkland, WA 98033 425.587.3800

www.ci.kirkland.wa.us

MEMORANDUM

To: David Ramsay, City Manager

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

Date: May 22, 2008

Subject: Sound Transit 2 Planning

RECOMMENDATION:

Sound Transit Staff will present options that are being considered by the Sound Transit Board for a public vote on the next phase of Sound Transit investments.

BACKGROUND:

The Sound Transit Board is considering three basic options for the next phase of Sound Transit. Two of the options are to be completed in 12 years, the difference between them is in the amount of sales tax and therefore the amount of projects in each option. A 20 year plan is also under consideration; this plan is essentially the same plan that was considered in November of 2007 under the Transit portion of Proposition 1. Handouts that describe the proposals under consideration are attached.

The Board is scheduled to make a decision about the package and the date of a vote in late June or early July.



New Options for Expanding Mass Transit

With traffic congestion growing each year, public feedback to Sound Transit has called for expanding mass transit. In response, Sound Transit has identified a targeted set of regional transit expansions that would be delivered between 2009 and 2020. With the region's population projected to increase by 30 percent by 2030, the package responds to the highest priority needs by funding light rail, commuter rail and regional express bus service expansions around the region that will provide the greatest and most immediate public benefits. These regional projects will work in tandem with local transit services to provide more travel options, increasing transit ridership and thereby responding to rising environmental concerns.

The core set of investments described below would be funded by a sales tax increase of four-tenths of one percent (0.4%). Adding a potential one-tenth of one percent (total 0.5%) would fund further light rail expansions in the south and east corridors and a longer line of Link connector service in Capitol Hill, and contribute to an arterial lane partnership project to improve transit time in Shoreline.

LINK LIGHT RAIL

Expands the Link light rail line that opens for service in 2009 by 18 miles (0.4%) or 23 miles (0.5%):

- North from the University of Washington to the Roosevelt and Northgate areas
- East from downtown Seattle across Interstate 90 to Mercer Island, downtown Bellevue, the Overlake Hospital area (0.4%) and Redmond's Overlake Transit Center (0.5%)
- South from Sea-Tac Airport to South 200th Street (0.4%) and Highline Community College (0.5%)
- Link connector service serving Seattle's International District, First Hill and Capitol Hill at John Street (0.4%) and Aloha Street (0.5%)

Expands light rail with a partnership to extend Tacoma Link beyond the downtown area.

SOUNDER COMMUTER RAIL

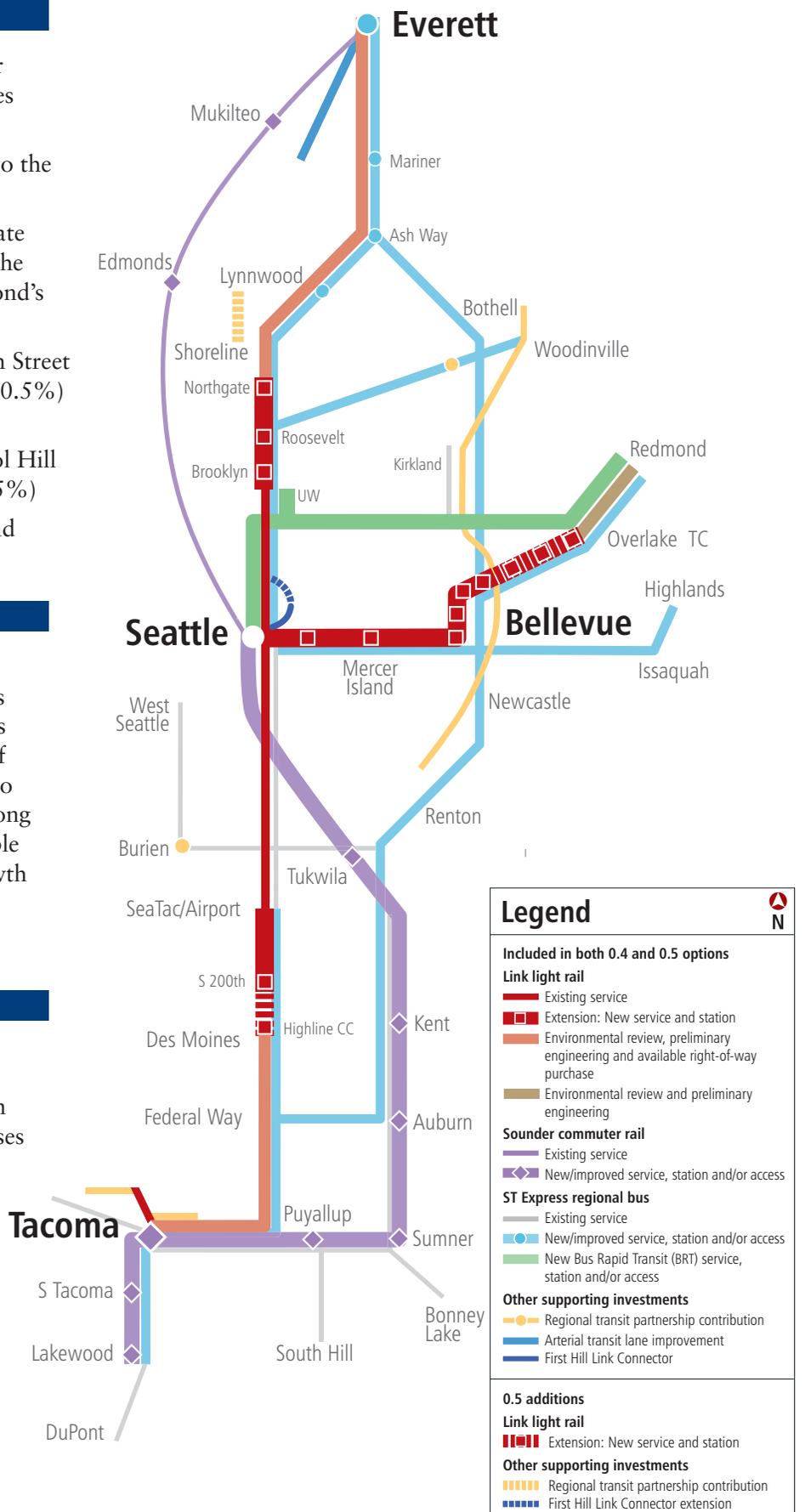
Increases Tacoma-Seattle Sounder commuter rail service by adding up to 12 new daily trips and by potentially increasing platform lengths to accommodate longer trains. With a total of up to 30 daily trips (15 round trips), this 65 to 90 percent increase in service would meet strong rider demand in the corridor, providing reliable and congestion-free travel as population growth continues to worsen roadway congestion.

Contingent upon negotiations with BNSF Railway.

ST EXPRESS REGIONAL BUS

Expands regional express bus routes serving the region's busiest housing and job centers with frequent service on major corridors from early morning to late at night. ST Express buses operate on existing freeway HOV lanes. The draft plan boosts service with:

- New Bus Rapid Transit service on State Route 520 to coincide with bridge replacement and tolling
- Up to 20 miles of new arterial transit lanes to improve transit speed and reliability
- Increase in service by 10-15 percent in key corridors



MAP IS NOT TO SCALE • APRIL 2008

LINK LIGHT RAIL FEATURES

In addition to extending the Central Link light rail line with 18 or 23 miles of new light rail, the package supports moving forward rapidly with further extensions to Tacoma, Redmond and Lynnwood in a future phase by funding environmental review, preliminary engineering and early right-of-way purchases.

Fast, frequent service

Light rail trains operate in their own right-of-way, providing fast, reliable service that isn't delayed by congestion. Trains will run 20 hours per day and every few minutes during rush hours.

Ample room to grow

System capacity can be expanded to meet long-term needs from continued population growth by running trains as often as every four minutes with up to four cars, each train carrying up to 800 riders, for an hourly capacity of up to 12,000 riders in each direction. Stations will act as hubs where riders transfer between buses and congestion-free light rail service.

Sample light rail travel times

Microsoft to downtown Bellevue	11 min.
Northgate to downtown Seattle:	15 min.
Bellevue to Qwest Field:	20 min.
UW to downtown Bellevue:	30 min.
Highline C.C. to Safeco Field:	37 min.

IMPROVED STATION ACCESS

Provides funds that will allow more people to access regional transit services at key locations. Access improvements in and around Auburn, Edmonds, Everett, Kent, Lakewood, Lynnwood (including Ash Way and Mariner), Mukilteo, Puyallup, South Tacoma, Sumner, Tacoma and Tukwila will be tailored to the needs of each location and may include:

- Expanded parking
- Pedestrian improvements at or near stations
- Additional bus/transfer facilities for improved feeder service to stations
- Bicycle access and storage at stations
- New and expanded drop-off areas to encourage ridesharing

EASTSIDE PASSENGER RAIL PARTNERSHIP

Provides funds for a potential contribution to a partnership for Eastside passenger rail operation on freight right-of-way there. Sound Transit and the Puget Sound Regional Council are currently evaluating the potential benefits of passenger rail operation on this corridor.

PARTNERSHIP PROJECTS TO IMPROVE MOBILITY

Contributes funds to complete projects in conjunction with other parties, improving access to service and transit travel times:

- Tacoma Link extension
- Bothell transit center/parking garage
- Burien parking garage
- Kirkland parking garage (0.4% only)
- Shoreline transit lane improvements (0.5% only)

RESPONDING TO REGIONAL GROWTH

Continued growth in population and employment puts increasing pressure on our transportation system. The draft plan responds with targeted investments that provide new and expanded transit options to improve near-term and future mobility for people who live and work here.

<i>Estimated growth by 2030</i>	<i>Population</i>	<i>Employment</i>
Bellevue	+24%	+39%
Burien/Tukwila/Renton	+16%	+34%
Capitol Hill/Queen Anne	+20%	+23%
Downtown Seattle	+79%	+24%
Everett	+25%	+38%
Federal Way/Auburn	+17%	+33%
Kent	+35%	+30%
Lynnwood/Edmonds	+34%	+50%
North Seattle	+13%	+29%
Redmond/Kirkland	+26%	+40%
South Seattle	+7%	+29%
Tacoma	+18%	+28%

[Summary Needs Assessment, Parsons Brinckerhoff for Sound Transit, January 2008]

PROTECTING OUR ENVIRONMENT

With transportation the region's largest contributor to greenhouse gas emissions, one of the most important things people can do to reduce their carbon footprints is to use public transit. By expanding regional transit options, this package would bring about 110,000 more daily riders to Sound Transit services – an increase of 55% or more – by 2030.

RIDERSHIP

This draft plan takes thousands more cars off roads, with expanded train and bus services moving people through the region's most congested corridors.

2030 Estimated Daily Ridership

Service	Without Plan	With Plan
Central Link	120,000	220,000-235,000
ST Express	52,000	58,000
Sounder	19,000	27,000
Tacoma Link	4,000	6,000
Total	195,000	311,000-326,000

Figures reflect near-term demand. Actual long-term system capacity will be much higher. Figures are preliminary and subject to refinement.

PAYING FOR EXPANDED SERVICES

- 4/10 or 5/10 of one percent sales tax increase, or four or five cents for every \$10 retail purchase
- Typical new cost per adult is \$55 (0.4%) or \$69 (0.5%) annually
- Continuation of existing Sound Move taxes (0.4% sales tax and 0.3% vehicle license tax)

COSTS	2007 dollars	Year of expenditure*
0.4% option:		
Capital costs	\$6.8 billion	\$9.0 billion
Operating & maintenance (2008-2020)	\$0.7 billion	\$0.9 billion
0.5% option:		
Capital costs	\$7.8 billion	\$10.3 billion
Operating & maintenance (2008-2020)	\$0.8 billion	\$1.0 billion

*includes inflation



Sound Transit 2 Plan

Approved: May 24, 2007

This regional transit system expansion plan, adopted by the Sound Transit Board in May 2007 following more than two years of extensive planning and public outreach, formed the transit portion of the Roads & Transit ballot, Proposition 1, that voters turned down in November 2007.

The 20-year plan would add more than 50 miles of light rail, improve commuter rail facilities and increase regional express bus service. The result would nearly double Sound Transit system ridership with fast, reliable connections to more places for more people, cutting through congestion in the region's most heavily traveled corridors.

DETAILS

- Extends light rail north from the University of Washington to 164th Street SW/Ash Way in Snohomish County, with service to Northgate, Shoreline, Mountlake Terrace and Lynnwood.
- Extends light rail south from Sea-Tac Airport to downtown Tacoma, adding service to the Des Moines, Federal Way and Fife areas.
- Extends light rail east to Mercer Island, Bellevue and Redmond's Overlake Transit Center and Microsoft campus, with service all the way to Downtown Redmond if sufficient funding is available. The plan identifies the extension to Downtown Redmond as a high priority and provides up-front funding for planning, engineering and some real estate acquisition.
- Expands parking and enhances Sounder stations, increasing access to the regional transit system. Sets aside funding for future service enhancements to the existing ST Express bus network during light rail construction.
- Funds several long term studies: extension of light rail to Everett; future high capacity transit lines to Issaquah via I-90, from UW across SR-520, from Ballard to UW, and in Seattle's west corridor, from Ballard to West Seattle to Burien; additional bus rapid transit; and long-term use of the BNSF rail line in east King County.

BENEFITS

- Provides fast, frequent and reliable light rail service free of delays from congestion and weather, with trains running 20 hours a day and every few minutes at peak times.
- Moves more people through the region's most congested corridors, taking cars off the road.

continued on back



- Light rail stations serve as hubs that collect riders from local bus routes.
- Connects Snohomish, Pierce and East King counties with the almost 19 miles of first-phase light rail investments paid for by North King County and South King County taxpayers.
- Makes strategic bus rapid transit (BRT) investments in the I-405 corridor, complementing BRT investments already completed or under construction.
- Builds on the cost-estimating, engineering and construction experience that Sound Transit acquired over the last decade. Independent experts from around the country also intensively reviewed Sound Transit’s work, further increasing the level of confidence that the proposed rail lines can be built with available funds.
- Reaches Northgate by 2018, and Downtown Bellevue and Kent-Des Moines Road by 2021. Other extensions would be phased through 2027.

ESTIMATED RIDERSHIP (2030)				
SERVICE	ANNUAL		WEEKDAY	
	Without Package	With Package	Without Package	With Package
Central Link	37 million	93 million	118,000	305,000
Tacoma Link	1.1 million	1.6 million	3,800	5,400
Sounder	4 million	4 million	16,000	15,400
ST Express	15 million	9 million	51,000	33,000
TOTAL SYSTEM RIDERSHIP	58 million	108 million	189,000	359,000

BY THE NUMBERS:

- 168,000** More riders on the Sound Transit system
- 11,200** New park-and-ride stalls
- 50-53** Miles of new Link light rail
- 25-27** New light rail stations
- 10** Additional cities connected by light rail
- 7** New/improved Sounder stations
- 2** New I-405 BRT enhancements
- 1** Mile of new/improved Sounder tracks
- 1** New streetcar line

Financial, budget and schedule information presented here and on-line is based on estimates as of May 2007. Figures may be updated periodically to reflect updated estimates as deemed appropriate by the Sound Transit Board.

SAMPLE TRAVEL TIMES (APPROXIMATE)

- Overlake/Microsoft to downtown Bellevue: 10 minutes
- Lynnwood to downtown Seattle: 28 minutes
- SeaTac to the Tacoma Dome: 37 minutes
- University of Washington to downtown Bellevue: 30 minutes
- Downtown Bellevue to Qwest Field: 20 minutes

PAYING FOR EXPANDED SERVICES

- 5/10 of one percent sales tax increase, or five cents for every \$10 retail purchase
- Typical new cost per adult is \$69 (0.5%) annually
- Continuation of existing Sound Move taxes (0.4% sales tax and 0.3% vehicle license tax)

COSTS	2007 dollars	Year of Expenditure*
Capital Costs	\$11.3 billion	\$18.1 billion
Operating & Maintenance (2008-2028)	\$1.5 billion	\$2.4 billion

*includes inflation

For more information visit www.soundtransit.org/ST2 or www.roadsandtransit.org.



CITY OF KIRKLAND
Finance and Administration Department – City Clerk Division
123 Fifth Avenue, Kirkland, WA 98033 425.587.3100
www.ci.kirkland.wa.us

MEMORANDUM

To: David Ramsay, City Manager

From: Tracey Dunlap, Director of Finance and Administration
Kathi Anderson, City Clerk

Date: May 22, 2008

Subject: Voting Delegates - Association of Washington Cities Annual Conference and Business Meeting
June 17-20, 2008
Yakima Convention Center
Yakima, WA

RECOMMENDATION

City Council designates three voting delegates to represent the City of Kirkland at the Association of Washington Cities (AWC) Annual Business Meeting.

POLICY IMPLICATIONS

The City of Kirkland is eligible to designate three voting delegates. The delegate or proxy must be present at the meeting to cast a vote. The recommended action is consistent with Council practice.

BACKGROUND DISCUSSION

The AWC annual business meeting will be held June 20, 2008, 10:30 a.m.– Noon, at the Yakima Convention Center, in Yakima, WA. Should the City Council wish to participate in the meeting, the voting delegates will need to be designated and their names must be filed with the AWC.



KIRKLAND CITY COUNCIL REGULAR MEETING MINUTES
May 20, 2008

1. CALL TO ORDER
2. ROLL CALL

ROLL CALL:

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

Members Absent: None.

3. STUDY SESSION

- a. Joint Meeting with the Park Board

Joining Councilmembers for this discussion in addition to City Manager Dave Ramsay were Director of Parks and Community Services Jennifer Schroder, Park Board members Jennifer Davies, Bob Kamuda, Kevin Hanefeld, Stephanie Johnson, Sue Keller, Chair Colleen Cullen and member-elect Adam White.

4. EXECUTIVE SESSION

- a. Potential Property Acquisition

5. SPECIAL PRESENTATIONS

- a. 2008 Eileen Trentman Memorial Scholarship Recipients

Youth Services Coordinator Regi Schubiger and Terrence Goldberg, representing the Kirkland Fire Fighters Benevolent Association, recognized the three scholarship recipients, Kristen Shimabukuro, Stephanie Johnson and Samara Surface.

- b. Lee Johnson Day Proclamation

Mrs. Ginny Johnson, sons Tod, Brett and extended family accepted the proclamation.

- c. Designating May 19-23, 2008 as Public Works Week

d. Water Without Waste Proclamation

David Walsh, representing the Water Without Waste organization, accepted the proclamation.

6. REPORTS

This item was first moved to the end of the evening's agenda, then pulled due to the late hour.

7. COMMUNICATIONS

a. Items from the Audience

Cami Keyes, 8126 NE 115th Court, Kirkland, WA
Johanna Palmer, 12911 NE 128th Place, Kirkland, WA
Diane Johnson, 1915 2nd Street, Kirkland, WA
Jennifer Turner, 3205 189th Street SE, Bothell, WA
Shawn Etchevers, 4119 107th Place NE, Kirkland, WA
Molly Lawrence, 2025 First Avenue, Ste. 500, Seattle, WA
Ben Durham, 1310 116th Street SE, Lake Stevens, WA
Toby Nixon, 12113 NE 141st St., Kirkland, WA
Elissa Benson, King County, 701 Fifth Avenue, Ste. 3200, Seattle, WA
Rob Butcher, 1640 2nd Street, Kirkland, WA
Jim McElwee, 12907 NE 78th Place, Kirkland, WA
Cal McCausland, 4555 Lake Washington Blvd. NE, Kirkland, WA
Mike Nykreim, 101 10th Avenue, Kirkland, WA

b. Petitions

(1) In support of the Play Structure at 1915 2nd Street.

8. CONSENT CALENDAR

a. Approval of Minutes:

(1) May 6, 2008

(2) May 7, 2008

b. Audit of Accounts:

Payroll \$ 2,018,021.00

Bills \$ 1,314,711.97
run # 746 check #'s 498585 - 498769
run # 747 check # 498770
run # 748 check #'s 498772 - 498917

c. General Correspondence

(1) Chuck Curran, Regarding Zoning of Burlington Northern Railroad Right of Way

d. Claims

e. Award of Bids

(1) Juanita Creek Bank Stabilization Project, Westek Forest, LTD, Olympia, WA

The contract for the base bid only was awarded to Westek Forest, LTD of Olympia, WA in the amount of \$170,200.50.

(2) 2008 Street Preservation Project, Watson Asphalt Paving Co., Redmond, WA

The contract was awarded to Watson Asphalt Paving Co., of Redmond, WA in the amount of \$1,960,709.50.

(3) Award Contract and Authorize Additional Funding for Crosswalk Upgrade Program located on NE 120th Place, Dennis R. Craig Construction, Inc. of Redmond, Washington

The contract was awarded to Dennis R. Craig Construction, Inc. of Redmond, WA in the amount of \$74,145.85, and the use of an additional amount of \$35,000 from the REET II reserve fund was authorized.

f. Acceptance of Public Improvements and Establishing Lien Period

g. Approval of Agreements

Resolution R-4705, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND AUTHORIZING THE CITY MANAGER TO SIGN A NON-DISCRIMINATION AGREEMENT WITH THE WASHINGTON STATE DEPARTMENT OF TRANSPORTATION AS REQUIRED BY WSDOT AND TITLES 23 AND 49 OF THE CODE OF

FEDERAL REGULATIONS IN ORDER THAT THE CITY CAN CONTINUE TO RECEIVE FEDERAL FINANCIAL ASSISTANCE THROUGH WSDOT."

h. Other Items of Business

(1) Resolution R-4704, entitled "A RESOLUTION OF THE CITY OF KIRKLAND RELATED TO COMPREHENSIVE PLANNING AND LAND USE AND EXPRESSING AN INTENT TO AMEND THE KIRKLAND COMPREHENSIVE PLAN, ORDINANCE 3481 AS AMENDED, THE KIRKLAND ZONING CODE ORDINANCE 3719 AS AMENDED, AND AMENDING THE KIRKLAND ZONING MAP ORDINANCE 3710 AS AMENDED, AS A RESULT OF THE GORDON HART PRIVATE AMENDMENT REQUEST (FILE ZON06-00019) AND THE TL9 ZONING IMPLEMENTATION PROJECT (FILE ZON07-00023)."

This item was pulled from the consent calendar for discussion under unfinished business.

(2) Acknowledging Design Review Board Resignations

(3) Requesting Additional Funding for Lake Washington Boulevard Sanitary Sewer

(4) Report on Procurement Activities

Motion to Approve the Consent Calendar with the exception of item 8.h.(1)., which was pulled for consideration under Unfinished Business as item 10.e.

Moved by Councilmember Mary-Alyce Burleigh, seconded by Deputy Mayor Joan McBride

Vote: Motion carried 7-0

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

9. PUBLIC HEARINGS

a. Resolution R-4707, Adopting Findings and Conclusions and Reversing the Decision of the Design Review Board Granting Design Review Approval to the Bank of America/Merrill Gardens Mixed Use Project at 101 Kirkland Avenue (File No. DRC 07-0006; Appeal Case No. APL08-0001)

Mayor Lauinger noted that the hearing had been continued from May 6, 2008. The City Attorney reviewed the parameters of the hearing and actions and submittals which had occurred in the interim. Council discussion ensued. Following the motion to reopen, testimony was provided by the Applicant's attorney Molly Lawrence and by the Appellant's attorney Richard Aramburu. Following the motion to table Resolution R-4707, Council indicated that the only further testimony that would be accepted for consideration would be a response from the Applicant to the Appellant's interim submittals. The hearing was then continued to the Council's next regular meeting on June 3, 2008.

Motion to to allow further testimony in the hearing.

Moved by Councilmember Jessica Greenway, seconded by Councilmember Dave Asher

Vote: Motion carried 6-1

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

No: Councilmember Tom Hodgson.

Motion to Table Resolution R-4707 until the June 3, 2008 City Council meeting.

Moved by Councilmember Dave Asher, seconded by Councilmember Jessica Greenway

Vote: Motion carried 6-1

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

No: Councilmember Tom Hodgson.

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

10. UNFINISHED BUSINESS

- a. Resolution R-4706, Relating to the Decision of the Kirkland City Council Not to Place the Question of Whether to Annex the Potential Annexation Area on a Ballot at this Time

Intergovernmental Relations Manager Tracy Burrows reviewed the outstanding policy issues for consideration.

Motion to Table Resolution R-4706.

Moved by Councilmember Dave Asher, seconded by Deputy Mayor Joan McBride

Vote: Motion carried 5-2

Yes: Mayor Jim Lauinger, Deputy Mayor Joan McBride, Councilmember Dave

Asher, Councilmember Tom Hodgson, and Councilmember Bob Sternoff.
No: Councilmember Mary-Alyce Burleigh, and Councilmember Jessica Greenway.

Council agreed to pull items 10.b., 10.c., 10.d., 10.e., 11.b., and 11.c. from the evening's agenda due to the late hour.

11. NEW BUSINESS

- a. Ordinance No. 4135, Relating to Land Use, Approval of a Master Plan, Preliminary PUD, and Final PUD as Applied for by Lake Washington School District in Department of Planning and Community Development File No. ZON07-00035 and Setting Forth Conditions of Said Approval

Mayor Lauinger opened the hearing. Testimony in the closed record hearing was provided by Project Planner Tony Leavitt; Appellants Amanda Fry, Tim Fry, and their representative Ben Durham; Applicant representatives David Zeitlin (LWSD), Steven Cole (LWSD), and Matt Lane (Architect for LWSD). The Mayor then closed the hearing.

Motion to to bring back for Council consideration Ordinance No. 4135, Relating to Land Use, Approval of a Master Plan, Preliminary PUD, and Final PUD as Applied for by Lake Washington School District in Department of Planning and Community Development File No. ZON07-00035 and Setting Forth Conditions of Said Approval with a plan for the applicant and challenger to work together on construction mitigation, landscape screening and bus shelter.

Moved by Deputy Mayor Joan McBride, seconded by Councilmember Bob Sternoff
Vote: Motion carried 7-0

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

- d. Funding Options for 2008 Pavement Marking Project

Public Works Director Daryl Grigsby outlined the options for Council consideration.

Motion to proceed with Option 2 as outlined by the Public Works Director.

Moved by Councilmember Dave Asher, seconded by Councilmember Mary-Alyce Burleigh

Vote: Motion carried 7-0

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

12. ANNOUNCEMENTS

None.

13. ADJOURNMENT

The Kirkland City Council regular meeting of May 20, 2008 was adjourned at 12:28 a.m. on May 21, 2008.

City Clerk

Mayor

CITY OF KIRKLAND123 FIFTH AVENUE, KIRKLAND, WASHINGTON 98033-6189 (425) 587-3249

**DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
MEMORANDUM**

To: David Ramsay, City Manager

From: Dorian Collins, AICP, Senior Planner
Paul Stewart, AICP, Deputy Director

Date: May 28, 2008

Subject: LETTER TO BELLEVUE PLANNING COMMISSION IN SUPPORT OF STUDY OF
COMPREHENSIVE PLAN AMENDMENT FOR SOUTH KIRKLAND PARK AND RIDE (FILE
ZON08-00002)

RECOMMENDATION

Review and authorize the mayor to sign the enclosed letter to the City of Bellevue Planning Commission. The letter would be submitted to the City of Bellevue for consideration at the June 11th meeting of the Bellevue Planning Commission.

BACKGROUND

The City of Kirkland's adopted Planning Work Program includes the study of transit-oriented-development (TOD) at the South Kirkland Park and Ride. This effort is included within the list of housing tasks scheduled for staff work through 2009. The site is within the corporate limits of Kirkland and Bellevue and both cities would need to amend their respective Comprehensive Plans and zoning to allow housing on the property.

Kirkland staff has learned that Bellevue staff is recommending that the Bellevue Planning Commission not include the Comprehensive Plan Amendment request from King County related to transit-oriented development (TOD) at the South Kirkland Park & Ride in their 2008 annual work program. The Bellevue Planning Commission will consider potential Comprehensive Plan Amendments at their meeting on June 11th. Bellevue's decision has significant implications for Kirkland's efforts, as the scale and scope of housing development at this site would likely be significantly limited if the portion of the site within the jurisdiction of the City of Bellevue could not be developed. In addition, King County has noted that if the City of Bellevue does not move this project forward, the \$6.25 million dollars in Federal funding for 250 additional parking spaces included in the Lake Washington Urban Partnership will be reallocated.

May 28, 2008

Page 2

Attachments

- A. Draft Letter from the Kirkland City Council to the Bellevue Planning Commission

cc: ZON08-00002
Planning Commission
Houghton Community Council
Arthur Sullivan, ARCH

DRAFT

June 3, 2008

Jennifer Robertson, Chair
Bellevue Planning Commission
City of Bellevue
450 110th Avenue NE
Bellevue, WA 98009

Dear Bellevue Planning Commission:

We are writing to you at a critical time for both Kirkland and Bellevue, as our cities make important decisions regarding Comprehensive Plan Amendments for this year. Last month, Kirkland's mayor wrote to Mayor Degginger to encourage him to support a request to study the Comprehensive Plan Amendment proposed by King County for consideration of transit oriented development (TOD) at the South Kirkland Park and Ride. Since this site is located within the corporate limits of Kirkland and Bellevue, our cities will need to work cooperatively to explore the potential for TOD in this location.

The City of Kirkland is very excited about this unique opportunity, as the potential exists for the development of a significant share of affordable housing units to be included in a mixed income housing development at the site. Kirkland is poised to move forward this summer with the study of a Comprehensive Plan Amendment for the site.

We are very concerned at this point, as we understand that the City of Bellevue staff is recommending that the Planning Commission not include this amendment among those to be considered this year. We urge the Bellevue Planning Commission to recommend that the City Council consider this application in the CPA 2008 annual work program. If the City of Bellevue does not move this project forward, the \$6.25 million dollars in Federal funding for 250 additional parking spaces included in the Lake Washington Urban Partnership will be reallocated.

We understand that Bellevue staff is concerned that the consideration of TOD at the South Kirkland Park & Ride may have implications for future development at other Park & Ride sites located within the city of Bellevue. However, we believe strongly that the conditions at the South Kirkland Park & Ride are unique, and that the site can be viewed as an independent entity with potential that may not exist at other locations. The site's location near the freeway and office uses, its sloped topography that may enable greater height and densities, and the interest in promoting affordable housing at the site on the parts of both Kirkland and King County are distinct differences that exist only at South Kirkland.

We would like to proceed with the development of general “Principles of Agreement” that will outline the objectives and expectations for the project that the two cities and King County can endorse as we move forward with this effort. We cannot do this important work without the participation of the City of Bellevue. We would very much appreciate your support in this effort to consider amendments to our Comprehensive Plans.

Sincerely,
KIRKLAND CITY COUNCIL

By James L. Lauinger
Mayor

cc: Bellevue City Council
Matt Terry, Planning and Community Development Director
Dan Stroh, Planning Director
File: ZON08-00002



CITY OF KIRKLAND
Department of Parks & Community Services
505 Market Street, Suite A, Kirkland, WA 98033 425.587.3300
www.ci.kirkland.wa.us

To: David Ramsay, City Manager

From: Sharon Anderson, Human Service Coordinator

Date: June 3, 2008

Subject: RENEWING THE INTERLOCAL COOPERATION AGREEMENT (ICA) FOR THE 2009-2011 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM

RECOMMENDATION

Staff recommends that Council adopt the enclosed resolution authorizing the City Manager to sign the Community Development Block Grant (CDBG) Interlocal Cooperation Agreement (ICA) ensuring Kirkland has continued participation in the King County Consortium from 2009 through 2011.

Upon approval, this agreement will be forwarded to King County.

BACKGROUND DISCUSSION

The City of Kirkland must decide whether to continue its participation in the King County Community Development Block Grant Consortium, which includes most of the suburban cities in King County, as well as the unincorporated areas of the county. (It does not include Seattle, Bellevue, Auburn or Kent, which receive direct entitlements from HUD.) The *current* Interlocal Cooperation Agreement for this federally funded program covers 2006-2008.

The CDBG Consortium's inter-jurisdictional policy body, the Joint Recommendations Committee (JRC), has recommended a new agreement for the next three years, 2009-2011, as shown in Attachment A. The renewal of the agreement includes technical updates, the detail and impact of which is outlined below.

MINOR CHANGES TO THE AGREEMENT

The changes provide the necessary citations for combining coverage of the CDBG and HOME programs within one agreement. This will allow Kirkland and affordable housing developers serving our city to apply for HOME funds to meet housing needs, including affordable rental housing and first-time homeownership programs.

IMPACT

A. Service Delivery

No impact. Kirkland will continue to participate in the consortium and serve on advisory committees to review funding requests and make recommendations for funding of capital projects and human services programs.

B. Fiscal

Kirkland residents will have access to the King County Home Repair Program and benefit from other programs receiving CDBG funding. CDBG funding offsets requests that might otherwise be received through the City's human service general fund dollars.

ALTERNATIVES TO STAFF RECOMMENDATION

The Council could opt not to approve the new Interlocal Cooperation Agreement. In that case, Kirkland would no longer be a member of the King County Consortium, and our residents would not be eligible for any services made available through CDBG funding, including home repair.

ATTACHMENTS

Resolution
2009-2011 CDBG Interlocal Cooperation Agreement (ICA)

RESOLUTION R-4708

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND AUTHORIZING THE CITY MANAGER TO SUBMIT AND SIGN THE INTERLOCAL COOPERATION AGREEMENT WHICH OUTLINES THE METHOD OF SHARING COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS.

WHEREAS, the federal government through adoption and administration of the Housing and Community Development Act of 1974, as amended, will make funds available to King County for expenditure during the 2009 through 2011 funding years; and

WHEREAS, the City of Kirkland wishes to enter into a cooperative agreement with King County for the purpose of undertaking activities to be funded with Community Development Block Grant Funds for the years 2009 through 2011, inclusive, and

WHEREAS, the Kirkland City Council finds it to be in the best interest of the City of Kirkland, and its residents, to enter into such cooperative agreements;

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

Section 1. The City Manager for the City of Kirkland is hereby authorized and directed to submit and sign an Interlocal Cooperation Agreement on behalf of the City of Kirkland with King County for planning the distribution and administration of certain Community Development Block Grant funds and execution of the King County Community Development Block Grant Program under the Federal Housing and Community Development Act of 1974, as amended. A copy of said agreement is attached to the original of this resolution and by this reference incorporated herein.

Passed by majority vote of the Kirkland City Council in open meeting this ____ day of _____, 2008.

Signed in authentication thereof this ____ day of _____, 2008.

MAYOR

Attest:

City Clerk

**INTERLOCAL COOPERATION AGREEMENT
REGARDING THE
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM**

THIS AGREEMENT is entered into by and between King County (hereinafter the "County") and the City of Kirkland (hereafter the "City") said parties to this Agreement each being a unit of general local government in the State of Washington.

WITNESSETH:

WHEREAS, the federal government, through adoption and administration of the Housing and Community Development Act of 1974 (the "Act"), as amended, will make available to King County Community Development Block Grant funds, hereinafter referred to as "CDBG", for expenditure during the 2009-2011 funding years; and

WHEREAS, the area encompassed by unincorporated King County and all participating cities, has been designated by the United States Department of Housing and Urban Development ("HUD"), as an urban county for the purpose of receiving CDBG funds; and

WHEREAS, the Act directs HUD to distribute to each urban county a share of the annual appropriation of CDBG funds based on formula, taking into consideration the social and economic characteristics of the urban county; and

WHEREAS, the Act allows participation of units of general government within an urban county in undertaking activities that further the goals of the CDBG program within the urban county; and

WHEREAS, the CDBG Regulations require the acceptance of the consolidated housing and community development plan ("Consolidated Plan") by participating jurisdictions; and

WHEREAS, King County shall undertake CDBG-funded activities in participating incorporated jurisdictions as specified in the Consolidated Plan by granting funds to those jurisdictions and to other qualifying entities to carry out such activities; and

WHEREAS, King County is responsible to the federal government for all activities undertaken with CDBG funds and shall ensure that all CDBG assurances and certifications King County is required to submit to HUD with the Annual Action Plan are met; and

WHEREAS, King County and the participating jurisdictions agree that it is mutually desirable and beneficial to enter into a consortium arrangement pursuant to and authorized by the National Affordable Housing Act of 1990, as amended, 42 USC 12701 et.seq. and 24 CFR Part 92 for purposes of the HOME Investment Partnerships Program, hereinafter referred to as "HOME Program", and to cooperate in undertaking HOME Program activities; and

WHEREAS, King County and the participating jurisdictions are committed to targeting CDBG and HOME Program funds to ensure benefit for very low to moderate-income persons as defined by HUD; and

WHEREAS, King County and the participating jurisdictions recognize that needs of very low to moderate-income persons may cross jurisdictional boundaries and therefore can be considered regional and sub-regional needs as well as local needs; and

WHEREAS, King County, in conjunction with the participating jurisdictions, must submit an Annual Action Plan to HUD, which is a requirement to receive CDBG funds; and

WHEREAS, the purpose of this Interlocal Cooperation Agreement, entered into pursuant to and in accordance with the State Interlocal Cooperation Act, RCW Chap. 39.34, is to form an urban county consortium, (“Consortium”), for planning the distribution and administration of CDBG, HOME Program, and other federal funds received on behalf of the Consortium from HUD, and for execution of activities in accordance with and under authority of the Act:

NOW, THEREFORE, IN CONSIDERATION OF THE FOREGOING CIRCUMSTANCES AND IN CONSIDERATION OF THE MUTUAL PROMISES CONTAINED HEREIN, IT IS AGREED THAT:

I. GENERAL AGREEMENT

King County and participating jurisdictions agree to cooperate to undertake, or assist in undertaking, activities which further the development of viable urban communities, including the provision of decent housing and a suitable living environment and expanding economic opportunities, principally for persons of low- and moderate income, through community renewal and lower income housing assistance activities, funded from annual CDBG and HOME Program funds from federal Fiscal Years 2009, 2010 and 2011 appropriations, from recaptured funds allocated in those years, and from any program income generated from the expenditure of such funds.

II. GENERAL DISTRIBUTION OF FUNDS

The annual distribution of CDBG and HOME Program funds for the King County urban county Consortium shall be governed by the following provisions:

- A. The amount needed for administration of the Consortium's CDBG, HOME Program and related federal programs that benefit the Consortium shall be reserved by the County. This amount (hereinafter referred to as the “Administrative Setaside”) is contingent upon review by the Joint Recommendations Committee (“JRC”), as provided in Section IV, and approval by the Metropolitan King County Council, as provided by Section V. To the extent that is reasonable and feasible, the County and the Committee shall strive to ensure that some portion of the allowable 20 percent of CDBG for planning and administration remains available for the purposes outlined in II. D. below.
- B. Five percent of the funds available from the CDBG entitlement and program income shall be reserved for the Housing Stability Program, a public service activity in support of homeless prevention and in support of the affordable housing requirements under the implementation of the state Growth Management Act (RCW Chapter 36.70A).
- C. Twenty-five percent of the funds available from the CDBG entitlement and program income shall be reserved for the Consortium-wide Housing Repair program. The JRC may periodically review and recommend increases or decreases to this percentage if, in its

judgment, there has been a substantial change in the Consortium's overall funding or in the need for housing repair that justifies an increase or decrease.

- D. The remaining entitlement and program income funds, including any remaining balance of the 20 percent allowable for planning and administration, as well as any recaptured or prior year funds, shall be divided between two sub-regions of the county—the north/east sub-region and the south sub-region. These funds shall be made available on a competitive basis for a variety of eligible activities consistent with the Consolidated Housing and Community Development Plan.
1. The north/east sub-region shall include those cities in the north and east and those portions of unincorporated King County that lie north of Interstate 90. The cities of Mercer Island, Newcastle, Issaquah, and North Bend, which are at or near the Interstate 90 border, along with their designated potential annexation areas, also shall be included in the north/east sub-region.
 2. The south sub-region shall include those cities south of Interstate 90 and those portions of unincorporated King County that lie south of Interstate 90, except for the cities of Mercer Island, Newcastle, Issaquah, and North Bend and their potential annexation areas, which are part of the north/east sub-region.
 3. The formula for dividing the funds between the two sub-regions shall be based on each sub-region's share of the Consortium's low-and moderate-income population.

III. USE OF FUNDS: GENERAL PROVISIONS

- A. Funds shall be used to support the goals and objectives of the Consolidated Plan.
- B. Funds shall be used in accordance with the CDBG regulations at 24 CFR 570 and all other applicable federal regulations.

IV. JOINT RECOMMENDATIONS COMMITTEE

An inter-jurisdictional Joint Recommendations Committee ("JRC") shall be established.

- A. Composition—The JRC shall be composed of three county representatives and eight cities representatives.
 1. The three county representatives shall be King County Executive staff with broad policy responsibilities and/or department directors. County representatives shall be specified in writing and, where possible, shall be consistently the same persons from meeting to meeting.
 2. Four of the cities representatives shall be from those cities signing this interlocal cooperation agreement, two from each sub-region.
 3. The remaining four cities representatives shall be from cities that qualify to receive CDBG entitlement funds directly from HUD and that are not signing this agreement, but are signing either Joint agreements or HOME-only agreements.

These latter four representatives shall have no vote on matters specific to the jurisdictions that are parties to this agreement.

4. The chairperson and vice-chairperson of the JRC shall be chosen from among the members of the JRC by a majority vote of the members for a term of one year beginning with the first meeting of the calendar year. Attendance of five members shall constitute a quorum.
- B. Appointments—The King County Executive shall appoint the three county representatives. The participating cities shall provide for the appointment of their shared representatives in a manner to be determined by those cities through the Suburban Cities Association or other agreed-upon mechanism for the execution of shared appointing authority. The Suburban Cities Association or other agreed mechanism will select four jurisdictions of varying size from among those signing this agreement, two from the north/east sub-region and two from the south sub-region. The cities representatives shall be elected officials, chief administrative officers, or persons who report directly to the chief administrative officer and who have broad policy responsibilities; e.g., planning directors, department directors, etc. Members of the JRC shall serve for two years, or at the pleasure of their respective appointing authorities.
- C. Powers and Duties—The JRC shall be empowered to:
1. Review and recommend to the King County Executive all policy matters concerning the Consortium CDBG and HOME Program, including but not limited to the Consolidated Plan and related plans and policies.
 2. Review and recommend to the King County Executive the projects and programs to be undertaken with CDBG funds and HOME funds, including the Administrative Setaside.
 3. Monitor and ensure that all geographic areas and participating jurisdictions benefit fairly from CDBG and HOME Program funded activities over the three-year agreement period, so far as is feasible and within the goals and objectives of the Consolidated Plan.
- D. Advisory Committees to JRC—In fulfilling its duty to review and recommend projects and programs to be undertaken with the CDBG and HOME funds, the JRC shall consider the advice of inter-jurisdictional advisory committees. Sub-regional advisory committees, made up of one representative from each participating jurisdiction in a sub-region that wishes to participate, shall be convened to assist in the review and recommendation of projects and programs to be undertaken in that sub-region. The JRC may also solicit recommendations from other inter-jurisdictional housing and community development committee

V. **RESPONSIBILITIES AND POWERS OF KING COUNTY**

- A. Notwithstanding any other provision contained in this Agreement, the County as the applicant and grantee for CDBG and HOME Program funds has responsibility for and assumes all obligations in the execution of the CDBG and HOME Programs, including final responsibility for selecting and executing activities, ensuring compliance with federal requirements and submitting to HUD the Consolidated Plan, Annual Action Plans, and related plans. Nothing contained in this Agreement shall be construed as an abdication of those responsibilities and obligations.
- B. The Metropolitan King County Council shall have authority and responsibility for all policy matters, including the Consolidated Plan, upon review and recommendation by the JRC.
- C. The Metropolitan King County Council shall have authority and responsibility for all fund allocation matters, including approval of the annual CDBG and HOME Program Administrative Setasides and appropriation of all CDBG and HOME Program funds.
- D. The King County Executive, as administrator of the CDBG and HOME Programs, shall have authority and responsibility for all administrative requirements for which the County is responsible to the federal government.
- E. The King County Executive shall have authority and responsibility for all fund control and disbursements.
- F. The King County Executive shall have the authority and responsibility to staff the JRC and provide liaison between HUD and the urban county Consortium. County Executive staff shall prepare and present to the JRC evaluation reports or recommendations concerning specific proposals or policies, and any other material deemed necessary by the JRC to help it fulfill its powers and duties in IV. C., above.
- G. King County Executive staff shall have the authority and responsibility to communicate and consult with participating jurisdictions on CDBG and HOME Program policy and program matters in a timely manner.
- H. King County Executive staff shall have the authority and responsibility to convene sub-regional advisory committees made up of representatives from participating jurisdictions in the sub-region, to advise the JRC on the allocation of the sub-regional funds.
- I. King County Executive staff shall provide periodic reports on clients served by jurisdictions in the Housing Stability and Housing Repair programs and on the status of CDBG and HOME Program funded projects and make them available to all participating jurisdictions and the JRC.
- J. King County Executive staff shall solicit proposals, administer contracts, and provide for technical assistance, both in the development of viable CDBG and HOME Program proposals and in complying with CDBG and HOME Program contractual requirements.
- K. King County shall have environmental review responsibility for purposes of fulfilling requirements of the National Environmental Policy Act, under which King County may require the local incorporated jurisdiction or contractor to furnish data, information, and

assistance for King County's review and assessment in determining whether King County must prepare an Environmental Impact Statement.

VI. RESPONSIBILITIES OF THE PARTICIPATING CITIES

- A. All participating cities shall cooperate in development of the Consolidated Plan and related plans.
- B. All participating cities shall assign a staff person to be the primary contact for the County on CDBG/HOME Program issues. The assigned CDBG/HOME Program contact person is responsible for communicating relevant information to others at the participating city, including any representative the city may choose to send to the sub-regional advisory committee, if that representative is not the CDBG/HOME Program contact person.
- C. At its discretion, a participating city may assign a representative to attend meetings of the sub-regional advisory committee. This representative may or may not be the City's CDBG/HOME Program contact person. It may be the CDBG/HOME Program contact person, a different staff member, an elected official, or a citizen.
- D. If and when a participating city deems necessary or advisable, it may prepare applications for CDBG or HOME Program funds to address the needs of its residents, consistent with the Consolidated Plan.
- E. Each participating city shall obtain its council's authorization for any CDBG or HOME Program application submitted.
- F. All participating cities shall carry out CDBG or HOME Program funded projects in a manner that is timely and consistent with contractual requirements.
- G. All participating cities owning community facilities or other real property acquired or improved in whole or in part with CDBG or HOME Program funds shall comply with use restrictions as required by HUD and as required by any relevant policies adopted by the JRC.
 - 1. During the period of the use restriction, the participating cities shall notify King County prior to any modification or change in the use of real property acquired or improved in whole or in part with CDBG or HOME Program funds. This includes any modification or change in use from that planned at the time of the acquisition or improvement, including disposition.
 - 2. During the period of the use restriction, if the property acquired or improved with CDBG or HOME Program funds is sold or transferred for a use which does not qualify under the applicable regulations, the participating city shall reimburse King County in an amount equal to the current fair market value (less any portion thereof attributable to expenditures of funds other than CDBG or HOME Program funds).

VII. RESPONSIBILITIES OF ALL PARTICIPATING JURISDICTIONS

- A. All participating jurisdictions shall be considered to be those jurisdictions that have signed this Agreement.

- B. All participating jurisdiction shall fulfill to the County's reasonable satisfaction all relevant requirements of federal laws and regulations that apply to King County as applicant, including assurances and certifications described in Section VIII below.
- C. Each participating jurisdiction or cooperating unit of general local government certifies that it has adopted and is enforcing:
 - 1. a policy that prohibits the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and
 - 2. a policy that enforces applicable state and local laws against physically barring entrance to or exit from a facility or location which is the subject of non-violent civil rights demonstrations within jurisdiction.
- D. Pursuant to 24 CFR 570.501(b), all participating units of local governments are subject to the same requirements applicable to sub recipients when they receive CDBG funds to implement an activity. The applicable requirements include, but are not limited to, a written agreement with the County that complies with 24 CFR 570.503 and includes provisions pertaining to: statement of work; records and reports; program income; uniform administrative items; other program requirements; conditions for religious organizations; suspension and termination; and reversion of assets.
- E. All participating units of local government understand that they may not apply for grants under the federal Small Cities or State CDBG Programs that receive separate entitlements from HUD during the period of participation in this Agreement.
- F. All units of local government participating in the CDBG urban county consortium through this interlocal cooperation agreement understand that they are also part of the urban county for the HOME Program and that they may not participate in a HOME consortium except through the urban county, regardless of whether the urban county receives a HOME formula allocation.
- G. All participating units of local government hereby agree to affirmatively further fair housing.
- H. Jurisdictions undertaking activities and/or projects with CDBG funds distributed under this Agreement shall retain full civil and criminal liability as though these funds were locally generated.
- I. Jurisdictions retain responsibility in fulfilling the requirements of the State Environmental Policy Act under which King County has review responsibility only.

VIII. GENERAL TERMS

- A. This Agreement shall extend through the 2009, 2010 and 2011 program years, and shall remain in effect until the CDBG funds and program income received with respect to activities carried out during the three-year qualification period are expended and the funded activities completed. This Agreement shall be automatically renewed for

participation in successive three-year qualification periods, unless the County or the City provides written notice that it wishes to amend this agreement or elects not to participate in the new qualification period by the date set forth by the United States Department of Housing and Urban Development in subsequent Urban County Qualification Notices. King County, as the official applicant, shall have the authority and responsibility to ensure that any property acquired or assisted with CDBG funds is disposed of or used in accordance with federal regulations.

- B. Pursuant to 24 CFR Part 570.307(d)(2), during the period of qualification no included unit of general local government may terminate or withdraw from the cooperation agreement while it remains in effect.
- C. It is understood that by signing this Agreement, the City shall agree to comply with the policies and implementation of the Consolidated Plan.
- D. Parties to this Agreement must take all required actions necessary to assure compliance with King County's certification required by Section 104(b) of Title I of the Housing and Community Development Act of 1974, as amended, including Title VI of the Civil Rights Act of 1964, (Title III of the Civil Rights Act), the Fair Housing Act as amended, Section 109 of Title I of the Housing and Community Development Act of 1974, as amended, the Americans with Disabilities Act of 1990, and other applicable laws.
- E. No CDBG or HOME Program funds shall be expended for activities in or in support of any participating city that does not affirmatively further fair housing within its own jurisdiction or that impedes the County's actions to comply with its fair housing certification.
- F. It is recognized that amendment to the provisions of this Agreement may be appropriate, and such amendment shall take place when the parties to this Agreement have executed a written amendment to this Agreement. The City and the County also agree to adopt any amendments to the Agreement incorporating changes necessary to meet the requirements for cooperation agreements set forth in an Urban County Qualification Notice applicable for a subsequent three-year qualification period, and to submit such amendment to the United States Department of Housing and Urban Development. Failure to adopt such required amendment shall void the automatic renewal of the Agreement for the subsequent qualification period.

KING COUNTY, WASHINGTON

CITY OF KIRKLAND

for King County Executive

By: Signature
David Ramsay, City Manager

Jackie MacLean

Printed Name

Printed Name

Director, Department of Community and Human
Services

Title

Title

Kirkland City Manager

Date

Date

Approved as to Form:
OFFICE OF THE KING COUNTY
PROSECUTING ATTORNEY

Michael Sinsky, King County Senior Deputy Prosecuting Attorney

CITY OF KIRKLAND

123 FIFTH AVENUE • KIRKLAND, WASHINGTON 98033-6189 • (425) 587-3000

**DEPARTMENT OF FINANCE AND ADMINISTRATION
MEMORANDUM**

To: David Ramsay, City Manager

From: Kathi Anderson, City Clerk
Tracey Dunlap, Director, Finance and Administration

Date: May 27, 2008

Subject: Park Board Member Resignation and Appointment

RECOMMENDATION:

That Council acknowledge receipt of Cindy Zech's resignation from the Park Board, approve the attached draft response, and approve a motion to appoint Adam White as the new member to the remainder of the unexpired term, which ends March 31, 2010.

BACKGROUND DISCUSSION:

Ms. Zech cites her eight years on the Board and the quality and number of applicants in Council's recent recruitment as reasons for the timing of her decision to resign. Council interviewed and selected Mr. White as the alternate appointee for any future unanticipated vacancy within the following six-month timeframe at their special meeting on March 13, 2008.

From: C Zech [mailto:ottozech@hotmail.com]
Sent: Thursday, May 15, 2008 9:05 AM
To: KirklandCouncil
Cc: Bob Kamuda; Carrie Hite; CHUCK BARTLETT; colleen cullen; Jason Filan; Jennifer Schroder; Kevin Hanefeld; Michael Cogle; ralph zech; Stephanie Johnson
Subject: Resignation letter

May 15, 2008

Dear Mayor and City Council,

I am writing to you in regards to my involvement on the Kirkland Park Board.

My appointment is through March of 2010 because I accepted an incomplete term in 2000. As a result, I have now served for at least 8 years which constitutes the suggested park board appointment. Realizing that many viable candidates recently applied for a Park Board position has helped me to decide that an early resignation is reasonable.

Please accept this notice as my resignation from Park Board effective immediately.

I want to thank you for the opportunity to serve the city of Kirkland over the past few years. During my tenure, I enjoyed participation in development/acquisition of several parks, especially Heritage Park, Carillon Park, and Juanita Beach Park. School partnerships have been established, and we have added several acres of property including McAuliffe Park, Yarrow Bay wetlands and others. Council support was essential to the process to acquire/develop these sites which add to the list of exceptional properties in our city, and I thank each of you.

I hope to see continued insightful allocation of funds in the future, and diligence to follow through with Juanita Beach Park plans and the McAuliffe property.

Growing our parks and community services to the benefit of Kirkland citizens provides an asset for all. I look forward to working with you in the future!

Sincerely,

Cindy Zech

DRAFT

June 3, 2008

Cindy Zech
1695 10th Street West
Kirkland, WA 98033

Dear Ms. Zech:

We have regretfully received your letter of resignation from the Park Board.

During your eight-year tenure Kirkland's park system has grown and improved dramatically. Vital new community facilities such as the Teen Union Building, McAuliffe Park, and Carillon Woods have been created. The successful Park Bond in 2002 brought Juanita Beach Park into the City's care, and an exciting development plan for the park is being implemented. The City's partnership with the Lake Washington School District has expanded, with a number of school sites improved to better serve the recreational needs of youth and neighborhoods. As well, a number of parks have been developed or expanded during your time with the Board, including Heritage Park, North Rose Hill Woodlands Park, and Cedar View Park. We've acquired some important natural areas and wetlands, and recently the Green Kirkland program was established to help restore our urban forests. The Park Board's strong leadership and advocacy over the years has led directly to all of these accomplishments.

The City Council appreciates your contributions to the Board, and we thank you for volunteering your time and talent to serve our community.

Best wishes in your current and future endeavors.

Sincerely,
KIRKLAND CITY COUNCIL

James L. Lauinger
Mayor



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

MEMORANDUM

To: David Ramsay, City Manager

From: Barry Scott, Purchasing Agent

Date: May 21, 2008

Subject: REPORT ON PROCUREMENT ACTIVITIES FOR COUNCIL MEETING OF MAY 20, 2008

This report is provided to apprise the Council of recent and upcoming procurement activities where the cost is estimated to be in excess of \$50,000. This report also includes the process being used to determine the award of the contract.

Following is a report on the City's major procurement activities since May 7, 2008:

	Project	Process	Estimate/Price	Status
1.	Peterbilt Class 8 Truck Cab & Chassis and 10/12 yard Dump body	Cooperative Purchase	\$177,416	Peterbilt cab & chassis purchased from City of Seattle contract. Dump body purchased from WA State contract.
2.	NE 124 th St/124 th Ave NE Intersection Improvements	Invitation for Bids	\$1,200,000 - \$1,700,000	Advertised on 5/21. Bids due on 6/11.
3.	Carter House Hazmat Abatement/Deconstruction and City Hall Annex Hazmat Abatement Project	Small Works Roster	\$65,000 - \$95,000	Contractors notified on 5/20. Bids due on 6/4.

Please contact me if you have any questions regarding this report.



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

MEMORANDUM

To: David Ramsay, City Manager

From: Tim Llewellyn, Fleet Supervisor
Daryl Grigsby, Public Works Director

Date: May 22, 2008

Subject: SURPLUS EQUIPMENT RENTAL VEHICLES/EQUIPMENT FOR SALE

RECOMMENDATION:

It is recommended that the City Council approve the surplus of the Equipment Rental vehicles/equipment listed below:

POLICY IMPLICATIONS:

The surplusing of vehicles or equipment which have been replaced with new vehicles or equipment, or no longer meet the needs of the City, is consistent with the City's Equipment Rental Replacement Schedule Policy.

BACKGROUND DISCUSSION:

The following equipment has been replaced by new equipment, and if approved for surplusing, will be sold in accordance with purchasing guidelines at public auction or to public agencies.

<u>Fleet #</u>	<u>Year</u>	<u>Make</u>	<u>VIN/Serial Number</u>	<u>License #</u>	<u>Mileage</u>
BG-4	2004	John Deere 1200A Field Rake	TC1200A136197	N/A	N/A
D99-04	1999	Ford Taurus LX	1FAFP52U6XG253821	28045D	46,621
F101	2001	Ford Crown Victoria	2FAFP71W71X156904	32435D	92,097
F208	1995	Chevrolet Astro Van	1GNEL19W8SB202741	16971D	36,830
F311	2000	Ford Road Rescue	1FDXE45F3YHA27321	29921D	68,224
M-4A	2002	John Deere 1435 (62') Mower	TC1435D010176	N/A	N/A
M-5A	2002	John Deere 1445 (62') Mower	TC14450010049	N/A	N/A
M-7	2002	John Deere 1600T WAM	TC1600T020011	N/A	N/A
PU-27	2000	Chevrolet Silverado 1500	1GCEK14V4YE319900	29243D	61,501
PU-28	1998	Dodge Caravan	1B4GP44G4WB730142	23999D	46,959

For clarification purposes, BG-4, is a Parks Field Rake (Ballfield Grader) which achieved its expected useful life of 4 years.

D99-04 is a Police Investigations vehicle, which exceeded its expected useful life of 8 years by 1 year.

F101 is a Fire Training Officer vehicle which met its expected life of 7 years. F208 is a Fire Prevention vehicle which exceeded its expected useful life of 8 years by 5 years. F311 is a Fire Aid Vehicle which achieved its expected useful life of 8 years.

M-4A and M-5A are Parks mowers which achieved their expected useful lives of 6 years. M-7, another Parks wide area mower, exceeded its expected useful life of 5 years by 1 additional year. PU-27 is a Parks pickup truck which reached its normal expected life of 8 years.

PU-28 is a Public Works Engineering vehicle which exceeded its normal expected useful life of 8 years by 2 additional years.

The City's Equipment Rental Replacement Schedule is used as a guideline for vehicle replacement and amortization of equipment. Fleet Management staff evaluates each vehicle and determines the actual replacement date according to vehicle condition.

The above vehicles will be sold at public auction, or in the case of mowers, be traded in on new equipment.

Cc: John Hopfauf, Street Manager

**CITY OF KIRKLAND**

City Attorney's Office

123 Fifth Avenue, Kirkland, WA 98033 425.587.3030

www.ci.kirkland.wa.us

MEMORANDUM

To: David Ramsay, City Manager

From: Robin S. Jenkinson, City Attorney

Date: May 26, 2008

Subject: Bank of America Appeal/Findings and Conclusions

QUASI-JUDICIAL**BACKGROUND DISCUSSION**

The applicant, SRM Development LLC, ("Applicant") applied for design review approval of the Bank of America/Merrill Gardens five-story mixed use project at 101 Kirkland Avenue (Bank of America project). On January 17, 2007, the Design Review Board issued its decision granting design review approval to the Bank of America project. Citizens for a Vibrant Kirkland (CiViK) ("Appellant") timely filed an appeal. On April 15 and May 6, 2008, the City Council heard the appeal in open record hearings. At the conclusion of the hearing on May 6, 2008, the City Council passed a motion to reverse the Design Review Board and directed staff to return to the next regular City Council meeting with a resolution setting forth findings and conclusions that: 1) the development does not contain superior retail that warrants the additional height, bulk, and mass of the project; and 2) the project does not present/meet the requirements of a two-story building along Lake Street South. At the May 20, 2008, Council Meeting, the City Council discussed the Applicant's written request that the City Council consider alternative project designs before making a final decision on the appeal from the Design Review Board. Following City Council discussion, a motion was made and adopted to table Resolution R-4707 to the next regular City Council Meeting.

Submitted for the Council's consideration are the following documents:

A resolution adopting Findings and Conclusion;
Findings and Conclusions prepared by staff;
Findings and Conclusions prepared by the appellant; and
Applicant's response to staff/appellant's Findings and Conclusions.

Please let me know if you have any questions.

RESOLUTION R-4707

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND ADOPTING FINDINGS AND CONCLUSIONS AND REVERSING THE DECISION OF THE DESIGN REVIEW BOARD GRANTING DESIGN REVIEW APPROVAL TO THE BANK OF AMERICA/MERRILL GARDENS MIXED USE PROJECT AT 101 KIRKLAND AVENUE. (FILE NO.: DRC 07-0006; APPEAL CASE NO.: APL08-0001)

WHEREAS, the applicant, SRM Development LLC, applied for design review approval of the Bank of America/Merrill Gardens five-story mixed use project ("Bank of America project") located at 101 Kirkland Avenue; and

WHEREAS, on January 17, 2008, the Kirkland Design Review Board issued its decision granting design review approval to the Bank of America project; and

WHEREAS, the appellant, Citizens for a Vibrant Kirkland, a Washington non-profit corporation, timely filed an appeal of the Design Review Board's decision; and

WHEREAS, on April 15 and May 6, 2008, the Kirkland City Council heard the appeal in an open record proceeding; and

WHEREAS, at the conclusion of the hearing on May 6, 2008, the City Council voted to reverse the Design Review Board's decision granting design review approval to the Bank of America project; and

WHEREAS, Kirkland Zoning Code 142.40.11.b requires that the City Council adopt findings and conclusions.

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

Section 1. In support of the decision reversing the Design Review Board's decision granting design review approval to the Bank of America project, the City Council hereby adopts the Findings, Conclusions, and Decision attached hereto as Exhibit "A" and by this reference incorporated herein.

Section 2. The City shall distribute the Council's decision by mail to the appellant and the applicant.

Passed by majority vote of the Kirkland City Council in open meeting this ____ day of _____, 2008.

Signed in authentication thereof this ____ day of _____, 2008.

MAYOR

Attest:

City Clerk

the Design Review Board; (b) the Planning staff report to the City Council with attachments; and (c) the written submissions by the parties, including briefing and exhibits. After hearing the presentations and oral arguments of the parties, the City Council deliberated and reached a decision on the appeal. By a vote of four-to-three, the City Council reversed the Design Review Board's decision granting design review approval to the Bank of America project. *April 15 and May 6, 2008, Proceedings.*

1.8 The City Council's motion reversed the Design Review Board's decision, denying the application, and directed staff to return to the next regular City Council meeting with a resolution setting forth findings and conclusions that: 1) the development does not contain superior retail that warrants the additional height, bulk, and mass of the project; and 2) the project does not present/meet the requirements of a two-story building along Lake Street South. *May 6, 2008, Proceedings.*

1.9 Any Conclusion set forth below that is deemed a Finding of Fact is hereby adopted as such.

II. STANDARD OF REVIEW

2.1 The Kirkland City Council has jurisdiction over the appeal pursuant to Kirkland Zoning Code (KZC) 142.40.1.a. The appeal was timely filed. Under KZC 142.40.11.a, "[u]nless substantial relevant information is presented which was not considered by the Design Review Board," the City Council is required to accord the decision of the Design Review Board "substantial weight."

2.2 The decision of the Design Review Board "may be reversed or modified if, after considering all of the evidence in light of the design regulations, design guidelines, and Comprehensive Plan" the City Council "determines that a mistake has been made." *KZC 142.40.11.a.*

III. FINDINGS REGARDING APPEAL

3.1 The Central Business District (CBD) 1 zone permits a maximum height of structure of two to five stories above each abutting right of way for attached or stacked dwelling units. *CBD 1 Use Zone Chart KZC 50.12.080.*

3.2 Buildings exceeding two stories in CBD 1 must demonstrate compliance with the design regulations of Chapter 92 KZC and all provisions contained in the Downtown Plan. *KZC 50.10.*

3.3 The Downtown Plan provides guidance concerning the allowed building height in the eight height and design districts within Downtown Kirkland. *Downtown Plan, pages XV.D-9 to XV.D-15.*

3.4 The Downtown Plan provides that the maximum building height in Design District 1 should be between two and five stories with no minimum setback from

property lines and requires that stories above the second story should be set back. *Downtown Plan, pages XV.D-10.*

3.5 South of Kirkland Avenue, building forms should step up from the north and west with the tallest portions at the base of the hillside to help moderate the mass of large buildings on top of the bluff. *Downtown Plan, Page XV.D-10.*

3.6 With respect to building heights along Lake Street South, the Downtown Plan, XV.D-10, provides, in pertinent part:

Buildings should be limited to two stories along all of Lake Street South to reflect the scale of development in Design District 2.

3.7 The scale of development of buildings in Design District 2 is a maximum height of one to three stories. *Downtown Plan, page XV.D-12, Design District 2.* The scale of development in Design District 2 across from the subject property is a maximum height of two stories.

3.8 The Downtown Plan, page XV.D-10, provides a fifth story may be considered by the Design Review Board for a building within Design District 1B where:

at least three of the upper stories are residential, the total height is not more than one foot taller than the height that would result from an office project with three stories of office over ground floor retail, stories above the second story are set back significantly from the street and the building form is stepped back at the third, fourth, and fifth stories to mitigate the additional building mass, and the project provides superior retail space at the street level . . .

3.9 The requirements for the design of retail space are established in the Zoning Code regulations for CBD 1, Design Regulations of KZC Chapter 92, the Downtown Plan, and the Design Guidelines for Pedestrian Oriented District Standards.

3.10 The Bank of America project is located within the CBD 1 Zone of the Zoning Code and Design District 1B of the Downtown Plan. *Downtown Plan, page XV.D-10, Figure C-5.*

3.11 The Bank of America proposal is for a five story building. *Design Review Board Decision, III.A., DRB Conclusions, page 8.*

3.12 Along Lake Street South the second story is proposed to be set back between 14'3" and 32'3" feet from the street. The third and fourth stories are proposed to be set back between 14'3" and 34'8" feet from the street. There is no setback proposed from the 3rd to the 4th story. *Exhibit 201, Final Setbacks Levels 3-4.*

3.13 The bank would occupy the northwest corner of the site and a drive through banking facility would be located within the building, so that automobiles enter on the alley and leave the building on Kirkland Avenue. *Design Review Board Decision, Summary of Decision, page 1.*

3.14 The four proposed retail spaces range in size from approximately 880 square feet for a café to 2,365 SF and 2,450 SF for spaces along Kirkland Avenue and approximately 5,720 square feet for the bank. *Design Review Board Decision, 111.A, Retail Size, page 2.*

3.15 Banking and related financial institutions are an allowed use in the CBD 1 zone, but a drive-through bank is allowed in this location only because a drive-through bank presently exists on the site. *KZC 50.12.025.*

3.16 The bank space has very clearly and specifically been designed for a bank tenant.

3.17 The bank is proposed for the portion of the building at the corner of Kirkland Avenue and Lake Street South, one of the most prominent corners in the CBD.

3.18 The Design Review Board is authorized to determine compliance of buildings in CBD 1 with these provisions, subject to appeal to the City Council. *Downtown Plan, XV.D-10; KZC 50.12.030; KZC 50.12.080; KZC 50.12.100; KZC 142.40.*

3.19 In issuing its decision on the Bank of America project, the Design Review Board determined that the term “superior retail space” applies to the physical characteristics of the retail space and not the use. *Design Review Board Decision, III.A., Superior Retail, page 8.*

3.20 The Design Review Board concluded that the Bank of America project provided superior retail space at the street level. *Design Review Board Decision, III.A., DRB Conclusions, page 8.*

3.21 Restaurants, delicatessens, and specialty shops, including fine apparel, gift shops, art galleries, import shops, and the like constitute the use mix and image contemplated in the Vision for Downtown. These uses provide visual interest and stimulate foot traffic and thereby provide opportunities for leisure time strolling along Downtown walkways for Kirklanders and visitors alike. *Downtown Plan, Page XV, D-4.*

3.22 KCZ 50.12.080, Special Regulation 1 requires that retail uses occupying the street level floor of a building fronting on Lake Street South have a minimum depth of 30 feet.

3.23 The Design Review Board further concluded that the stories above the second story of the Bank of America project are set back significantly from the street, the building form is stepped back at the third, fourth, and fifth stories to mitigate building mass, and approved the fifth story. *Design Review Board, III, DRB Conclusions, page 8.*

IV. CONCLUSIONS AS TO SUPERIOR RETAIL SPACE

4.1 After according substantial weight to the decision of the Design Review Board, the City Council is left with the definite and firm conviction that the Design Review Board committed a mistake with regard to its conclusion that the proposed drive-through bank provides superior retail space at street level, and the Design Review Board's decision on this issue is clearly erroneous.

4.2 In order for the Design Review Board to consider a fifth story, all of the six criteria set forth in the Downtown Plan must be met.

4.3 The Design Review Board correctly noted that banks are listed in the Use Zone Chart as permitted uses in the CBD 1. However, drive-through facilities for banks are permitted only if they have existed since before January 1, 2004. A drive-through facility, moreover, is not consistent with superior retail space in the CBD 1, as explained in the Downtown Plan, page XV.D-6:

The desired pedestrian character and vitality of the core area requires the relatively intensive use of land and continuous compact retail frontage. Therefore, automobile drive-through facilities should be prohibited. Similarly, office uses should not be allowed to locate on the ground level. These uses generally lack visual interest, generate little foot traffic, and diminish prime ground floor opportunities for the retail uses that are crucial to the ambiance and economic success of the core area.

The attractiveness of the core area for pedestrian activity should be maintained and enhanced. . . .

4.4 While a drive-through facility in the proposed new building is permitted because it is a use that has existed since before January 1, 2004, a drive-through facility is not consistent with a superior retail space in the CBD 1, and the proposed building does not warrant the additional height, bulk and mass of a fifth story.

4.5 For each of the reasons noted in this section, and with consideration of the exhibits and expert testimony provided, the City Council determined that the space, which is designed for a bank, fails to achieve the objectives and requirements of superior retail space. Accordingly, the proposed building does not warrant the additional height, bulk and mass of a fifth story.

V. CONCLUSIONS AS TO HEIGHT ON LAKE STREET SOUTH

5.1 After according substantial weight to the decision of the Design Review Board, the City Council is left with the definite and firm conviction that the Design Review Board committed a mistake with regard to its interpretation and application of the provisions of the Downtown Plan regarding height along Lake Street South, and the Design Review Board's decision is clearly erroneous in this regard.

5.2 The Downtown Plan states that "buildings *should* be limited to two stories along all of Lake Street South to reflect the scale of development in Design District 2." The term "should" is directive and not mandatory, but the Design Review Board failed to give meaning and effect to the fact that the Downtown Plan uses different and stronger language in describing height along Lake Street than it does when describing height in other locations. For example, the next sentence of the Plan, which refers to buildings on other streets in Design District 1, says that the height of these buildings should only be limited "along street frontages."

5.3 The Downtown Plan thus says that "buildings" that are "along" Lake Street South should be limited to two stories, and by using the word "should" the Plan requires an applicant who wishes to include a third or fourth floor to demonstrate that exceptional circumstances justify such additional height. No such demonstration has been made in the record before the City Council.

5.4 The Downtown Plan does not, however, require that an entire building located along Lake Street South be limited to two stories, regardless of the depth of the building, because the purpose of this limitation is to "reflect the scale of development in Design District 2." Under the Downtown Plan, it is intended that buildings abutting Lake Street South should create the impression, from a pedestrian's perspective, of being a maximum of two stories in height.

5.5 Upper stories must be sufficiently set back from Lake Street South to minimize their visibility.

5.6 The Bank of America project does not present as or meet the requirements of a two-story building limitation along Lake Street South because the third and fourth floors are not set back from the second floor, nor from Lake Street South, far enough to comply with the Downtown Plan. Further, the proposal has not demonstrated compliance with all of the provisions of the Downtown Plan so as to mitigate the scale and mass of the proposed third and fourth floors.

VI. DECISION

For the reasons set forth in the foregoing Findings and Conclusions, the decision of the Design Review Board is hereby REVERSED.

Decision adopted by the Kirkland City Council _____, 2008.

MAYOR

the Design Review Board; (b) the Planning staff report to the City Council with attachments; and (c) the written submissions by the parties, including briefing and exhibits. After hearing the presentations and oral arguments of the parties, the City Council deliberated and reached a decision on the appeal. By a vote of four-to-three, the City Council reversed the Design Review Board's decision granting design review approval to the Bank of America project. *April 15 and May 6, 2008, Proceedings.*

1.8 The City Council's motion reversed the Design Review Board's decision, denying the application, and directed staff to return to the next regular City Council meeting with a resolution setting forth findings and conclusions that: 1) the development does not contain superior retail that warrants the additional height, bulk, and mass of the project; and 2) the project does not present/meet the requirements of a two-story building along Lake Street South. *May 6 proceedings.*

1.9 Any Conclusion set forth below that is deemed a Finding of Fact is hereby adopted as such.

II. STANDARD OF REVIEW

2.1 The Kirkland City Council has jurisdiction over the appeal pursuant to Kirkland Zoning Code (KZC) 142.40.1.a. The appeal was timely filed. Under KZC 142.40.11.a, "[u]nless substantial relevant information is presented which was not considered by the Design Review Board," the City Council is required to accord the decision of the Design Review Board "substantial weight."

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property lines and requires that stories above the second story should be set back. *Downtown Plan, pages XV.D-10.*

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at least three of the upper stories are residential, the total height is not more than one foot taller than the height that would result from an office project with three stories of office over ground floor retail, stories above the second story are set back significantly from the street and the building form is stepped back at the third, fourth, and fifth stories to mitigate the additional building mass, and the project provides superior retail space at the street level . . .

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3.11 The Bank of America proposal is for a five story building. *Design Review Board Decision, III.A., DRB Conclusions, page 8.*

3.12 Along Lake Street South stories above the second story are proposed to be set back between 15'4" and 32'3" feet from the street. The amount of setback along Lake Street South from the 2nd to the 3rd story is proposed to be between 14'3", 25'1" and

34'8". There is no setback proposed from the 3rd to the 4th story. *Exhibit 201, Final Setbacks Levels 2 and Levels 3-4.*

3.13 The bank would occupy the northwest corner of the site and a drive through banking facility would be located within the building, so that automobiles enter on the alley and leave the building on Kirkland Avenue. *Design Review Board Decision, Summary of Decision, page 1.*

3.14 The four proposed retail spaces range in size from approximately 880 square feet for a café to 2,365 SF and 2,450 SF for spaces along Kirkland Avenue and approximately 5,720 square feet for the bank. *Design Review Board Decision, 111.A, Retail Size, page 2.*

3.15 Banking and related financial institutions are an allowed use in the CBD 1 zone, but a drive-through bank is allowed in this location only because a drive-through bank presently exists on the site. *KZC 50.12.025.*

3.16 The bank space has very clearly and specifically been designed for a bank tenant.

3.17 The bank is proposed for the portion of the building at the corner of Kirkland Avenue and Lake Street South, one of the most prominent corners in the CBD.

3.18 The Design Review Board is authorized to determine compliance of buildings in CBD 1 with these provisions, subject to appeal to the City Council. *Downtown Plan, XV.D-10; KZC 50.12.030; KZC 50.12.080; KZC 50.12.100; KZC 142.40.*

3.19 In issuing its decision on the Bank of America project, the Design Review Board determined that the term "superior retail space" applies to the physical characteristics of the retail space and not the use. *Design Review Board Decision, III.A., Superior Retail, page 8.*

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3.21 KCZ 50.12.080, Special Regulation I requires that retail uses occupying the street level floor of a building fronting on Lake Street South have a minimum depth of 30 feet.

3.22 Restaurants, delicatessens, and specialty shops, including fine apparel, gift shops, art galleries, import shops, and the like constitute the use mix and image contemplated in the Vision for Downtown. These uses provide visual interest and stimulate foot traffic and thereby provide opportunities for leisure time strolling along Downtown walkways for Kirklanders and visitors alike. *Downtown Plan, Page XV, D-4.*

3.23 The Design Review Board further concluded that the stories above the second story of the Bank of America project are set back significantly from the street, the building form is stepped back at the third, fourth, and fifth stories to mitigate building mass, and approved the fifth story. *Design Review Board, III, DRB Conclusions, page 8.*

IV. CONCLUSIONS AS TO SUPERIOR RETAIL SPACE

4.1 After according substantial weight to the decision of the Design Review Board, the City Council is left with the definite and firm conviction that the Design Review Board committed a mistake with regard to its conclusion that the proposed drive-through bank provides superior retail space at street level, and the Design Review Board's decision on this issue is clearly erroneous.

4.2 In order for the Design Review Board to consider a fifth story, all of the six criteria set forth in the Downtown Plan must be met.

4.3 The Design Review Board correctly noted that banks are listed in the Use Zone Chart as permitted uses in the CBD 1. However, drive-through facilities for banks are permitted only if they have existed since before January 1, 2004. A drive-through facility, moreover, is not consistent with superior retail space in the CBD 1, as explained in the Downtown Plan, page XV.D-6:

The desired pedestrian character and vitality of the core area requires the relatively intensive use of land and continuous compact retail frontage. Therefore, automobile drive-through facilities should be prohibited. Similarly, office uses should not be allowed to locate on the ground level. These uses generally lack visual interest, generate little foot traffic, and diminish prime ground floor opportunities for the retail uses that are crucial to the ambiance and economic success of the core area.

The attractiveness of the core area for pedestrian activity should be maintained and enhanced. . . .

4.4 While a drive-through facility in the proposed new building is permitted because it is a use that has existed since before January 1, 2004, a drive-through facility is not consistent with a superior retail space in the CBD 1.

4.5 The guidelines for superior retail provide expectations for "superior" retail space which include consideration of the physical features as well as how the retail space will fit into/contribute to the downtown. The latter requirements include supporting other retail by virtue of its tenants, pedestrian connections/linkages, etc. and that the space attracts desired tenant types (local serving retail, anchor tenant space, etc.) A bank does

not satisfy this criteria. *Planning Department Guidelines, CiViK Exhibit 109, Testimony of Stephen Stephanou.*

4.6 The architect was instructed to design the bank's space to function as a bank, including its size, its drive-through, and other design configuration. Moreover, this space occupies the prominent corner and the largest portion of the ground floor of the proposed building. Moreover, whereas the bank sold the property in December 2007, it has also entered into a binding contract to repurchase its unit. The terms of the agreement support the conclusion that the space will be used as a bank for the indefinite future. *SRM Exhibit 201; Testimony of Chad Lorentz; Short Form Purchase Agreement; Special Warranty Deed.*

4.7 While a bank is an approved use in CBD1, a bank is not a preferred retail use, consistent with the use mix and image contemplated in the Vision for Downtown Kirkland, nor does it strengthen the retail fabric in the core area.

4.8 For each of the reasons noted in this section, and with consideration of the exhibits and expert testimony provided, the City Council determined that the space, which is designed for a bank, fails to achieve the objectives and requirements of superior retail space. Accordingly, the proposed building does not warrant the additional height, bulk and mass of a fifth story.

V. CONCLUSIONS AS TO HEIGHT ON LAKE STREET SOUTH

5.1 After according substantial weight to the decision of the Design Review Board, the City Council is left with the definite and firm conviction that the Design Review Board committed a mistake with regard to its interpretation and application of the provisions of the Downtown Plan regarding height along Lake Street South, and the Design Review Board's decision is clearly erroneous in this regard.

5.2 The Downtown Plan states that "buildings *should* be limited to two stories along all of Lake Street South to reflect the scale of development in Design District 2." The term "should" is directive and not mandatory, but the Design Review Board failed to give meaning and effect to the fact that the Downtown Plan uses different and stronger language in describing height along Lake Street than it does when describing height in other locations. For example, the next sentence of the Plan, which refers to buildings on other streets in Design District 1, says that the height of these buildings should only be limited "along street frontages".

5.3 The Downtown Plan does not, however, require that an entire building located along Lake Street South be limited to two stories, regardless of the depth of the building, because the purpose of this limitation is to "reflect the scale of development in Design District 2." Under the Downtown Plan, it is intended that buildings abutting Lake Street South should create the impression, from a pedestrian's perspective, of being a maximum of two stories in height.

5.4 The Bank of America project does not present as or meet the requirements of a two-story building limitation along Lake Street South because the third and fourth floors are not set back from the second floor, nor from Lake Street South, far enough to comply with the Downtown Plan. Further, the proposal has not demonstrated compliance with all of the provisions of the Downtown Plan so as to mitigate the scale and mass of the proposed third and fourth floors.

VI. DECISION

For the reasons set forth in the foregoing Findings and Conclusions, the decision of the Design Review Board is hereby REVERSED.

Decision adopted by the Kirkland City Council _____, 2008.

MAYOR



May 28, 2008

Kirkland City Council
123 First Avenue
Kirkland, WA 98033

Re: Comments and Suggested Revision regarding Proposed
Findings and Conclusions
Appeal Case No. APL08-00001; DRC 07-00006

Dear Council Members:

Thank you for providing SRM Development with the opportunity to comment on the staff's proposed Findings and Conclusions prepared regarding the above-referenced appeal, and to respond to revisions proposed by the Appellants CiViK. The attached memorandum sets forth SRM's comments and suggested revisions in a format similar to that employed by CiViK. As you will see, SRM's comments include several questions aimed at illuminating and clarifying the Council's collective rationale with the goal of preparing and presenting a modified proposal acceptable to the majority of the Council. SRM very much appreciated the comments of several Council members during the May 20th meeting that we are close to an approvable building. SRM would like to reach that approvable design through the current process.

Consistent with staff's approach, SRM also concluded from the May 6th deliberations that the Council's preliminary decision was based on two primary issues: (1) whether the proposed BOA/Merrill Gardens project as approved by the DRB complies with the height restrictions applicable to Lake Street South; and (2) whether the proposed BOA/Merrill Gardens project satisfied the "superior retail spaces" criteria qualifying the project for a fifth story. Although a majority of the Council directed staff to prepare findings and conclusions on these two issues, SRM did not hear a consensus amongst the Council members regarding your reasoning on each issue. Absent clarification by the Council, SRM, and other owners of property in the CBD-1 zone, are left to guess at the Council's intent and the meaning, as interpreted by Council, of the provision of the Downtown Plan and Kirkland Zoning Code that dictate the development potential of their properties.

As part of its comments on the Findings and Conclusions, SRM has proposed modifying the Council's decision from a reversal of the DRB's approval of the BOA/Merrill Gardens project to an approval of the project as modified. As the Council acknowledged during its May 20th meeting, you have authority to consider modifications under the Kirkland Code. KZC 142.40(11)(b)(3). To facilitate this discussion, SRM has included revised renderings of the project showing increased setbacks between the second and third stories and between the fourth and fifth stories along Lake Street South. We believe that this revised design should resolve any

outstanding questions or concerns regarding the building's compliance with the Lake Street height restrictions. We offer this design as an alternative for your review and approval as a modified design.

With regard to the "superior retail space" criteria, SRM lacks adequate direction from the Council to prepare similar revised drawings for the project. However, we believe that we can address one of the key concerns and misconceptions regarding the corner space – that it was designed as a bank. We have prepared a drawing showing how the corner space as currently designed could also be utilized as a restaurant. As explained in greater detail in the attachment, the corner space was never "designed as a bank." Instead, it was designed as an approximately 5,700 square foot retail space consistent with the joint DRB/staff created criteria for evaluating "superior retail spaces." It could be utilized by any number of different types of retail uses. If the majority of the Council continues to believe that this space does not meet its interpretation of the "superior retail space" criteria, SRM requests clarification from the Council regarding what is necessary for this space to meet the criteria, and an opportunity to revise the project to better conform to that direction. Absent such clear direction, SRM is left to guess at the Council's meaning.

Thank you again for your consideration. We look forward to the Council's continuing discussion regarding this matter at the June 3, 2008, meeting. We will be available at that time to respond to any questions or comments from the Council and to discuss any modification to the proposal that might enable the Council to approve the project as modified.

Very truly yours,



Molly A. Lawrence

MAL:mal

cc: Robin Jenkinson, Kirkland City Attorney
Andy Loos, SRM Development
Richard Aramburu, CiViK

SRM Development's Comments and Suggested Revisions regarding Draft Resolution R-4707, including responses to revisions proposed by CiViK.

May 28, 2008

Text of Resolution R-4707:

Introductory paragraph: If the Council moves forward with its preliminary decision to reverse the DRB's approval of the BOA/Merrill Gardens project, no change. If, however, the Council reviews alternative designs and consequently approves a modified design for the BOA/Merrill Gardens project, the following revisions would be appropriate:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND ADOPTING FINDINGS AND CONCLUSIONS AND MODIFYING THE DECISION OF THE DESIGN REVIEW BOARD GRANTING DESIGN REVIEW APPROVAL TO THE BANK OF AMERICA/MERRILL GARDENS MIXED USE PROJECT AT 101 KIRKLAND AVENUE. (FILE NO.: DRC 07-0006; APPEAL CASE NO.: APL08-0001).

2nd "whereas" paragraph: Accept revision proposed by CiViK.

4th "whereas" paragraph: Modify to include reference to the May 20, 2008, and June 3, 2008, Council meetings.

WHEREAS, on April 15, 2008, May 6, 2008, May 20, 2008, and June 3, 2008, the City Council considered the appeal in an open record proceeding; and

5th "whereas" paragraph: If the Council moves forward with its preliminary decision to reverse the DRB's approval of the BOA/Merrill Gardens project, no change. If, however, the Council reviews alternative designs and consequently approves a modified design for the BOA/Merrill Gardens project, the following revisions would be appropriate:

WHEREAS, at the conclusion of the hearing on June 3, 2008, the City Council voted to approve the Bank of America project as modified; and

Section 1: If the Council moves forward with its preliminary decision to reverse the DRB's approval of the BOA/Merrill Gardens project, no change. If, however, the Council reviews alternative designs and consequently approves a modified design for the BOA/Merrill Gardens project, the following revisions would be appropriate:

In support of the decision modifying the Design Review Board's decision granting design review approval to the Bank of America project, the City Council hereby adopts the

Findings, Conclusions, and Decision attached hereto as Exhibit “A” and by this reference incorporated herein.

Revised Exhibit A to Draft Resolution R-4707

I. Procedural Findings

Paragraph 1.4: Modify to add reference to the May 20, 2008, and June 3, 2008, Council meetings.

On April 15, 2008, May 6, 2008, May 20, 2008, and June 3, 2008, the Kirkland City Council considered the appeal in an open record proceeding. *April 15, 2008, May 6, 2008, May 20, 2008, and June 3, 2008, Proceedings.*

Paragraph 1.7: With regard to the second sentence, modify to make clear that the entire record from the DRB proceedings is part of the record for this appeal. With regard to the fourth sentence, if the Council moves forward with its preliminary decision to reverse the DRB’s approval of the BOA/Merrill Gardens project, no change. If, however, the Council reviews alternative designs and consequently approves a modified design for the BOA/Merrill Gardens project, the following revisions would be appropriate:

The City Council heard testimony from the Department of Planning and Community Development (“Planning”) staff, the Chair of the Design Review Board, testimony and oral argument from members of the Appellant and representatives of the Applicant, and asked questions of the witnesses. The Council had before it the following documents: (a) the decision of the Design Review Board with attachments including Planning staff memoranda, applicant submittals and public comment letters to the Design Review Board; (b) the Planning staff report to the City Council with attachments including the entire record before the Design Review Board; and (c) the written submissions of the parties, including briefing and exhibits. After hearing the presentation and oral arguments of the parties, the City Council deliberated and reached a decision on the appeal. By a vote of ___ to ___, the City Council modified the Design Review Board’s decision granting design review approval to the Bank of America project. *April 15, May 6, May 20, and June 3, 2008, Proceedings.*

Paragraph 1.8: Reject CiViK’s proposed revision. Although CiViK accurately captures the language of Councilmember Asher’s motion, CiViK inaccurately asserts that that motion “reversed the Design Review Board’s decision.” The City Council has not to date taken final action on this appeal. Councilmember Asher’s motion directed staff to return with proposed findings and conclusions. Those findings and conclusions, and not the prior motion, will become the Council’s final decision on this appeal. CiViK’s proposed revision unnecessarily confuses the matter.

II. Standard of Review

No proposed changes to Section II, Standard of Review.

III. Findings Regarding Appeal

Paragraph 3.1: The language proposed by both staff and CiViK is flawed. Between the two, staff's proposed language is more accurate. CiViK's proposed language, by comparison, is confusing and appears to be missing one or more letters or words. If the Council wishes to modify the staff's proposed finding, SRM would recommend the following, which most accurately reflects the language in the KZC:

The Central Business District (CBD) 1 zone permits structures containing attached or stacked dwelling units to heights between two and five stories above each abutting right-of-way. CBD 1 Use Zone Chart; KZC 50.12.030; KZC 50.12.080.

Paragraph 3.4: Modify to more fully and accurately capture the criteria of the Downtown Plan:

The Downtown Plan provides that the maximum building height in Design District should be between two and five stories with no minimum setback from property lines and requires that stories above the second story should be setback from the street. Downtown Plan, page XV.D-10.

Paragraph 3.7: No objection to either staff's proposed language or CiViK's proposed revision.

Paragraph 3.9: Accept staff's language as proposed. Reject CiViK's proposed additional language. CiViK has failed to identify any provisions in the Downtown Plan that specify the design requirements for retail space. SRM is similarly unaware of any provisions of the Downtown Plan that specify the design requirements for retail spaces. Absent such provisions, the proposed addition is inappropriate and inaccurate.

Paragraph 3.11: Staff's proposed language could be misinterpreted as implying that the BOA/Merrill Gardens project is five stories over the entire site. It also overly simplifies the DRB's decision language regarding approval of the fifth story. SRM proposes the following revision to more accurately reflect the project design:

The Bank of America proposal ranges in height from one to five stories. Exhibit 201.

Paragraph 3.12: No objection to the staff's proposed language. If the Council chooses to consider CiViK's proposed revisions, we would request clarifications as follows:

Along Lake Street South, the first and second stories are setback from the street between 14'-0" and 40'-2", the third and fourth stories are setback from the street between 22'-0" and 42'-6", and the fifth story is setback from the street between 46'-9" and 74'-11". The stepbacks between the first and second stories and the third story range between 6'-0" and 22'-4", the stepbacks between the first and second stories and the fifth story range between 34'-4" and 46'-0", and the stepbacks between the fourth and fifth stories ranges between 23'-4" and 36'-0". *Exhibit 201.*

Notably, these dimensions would need to be revised if the Council considers and approves a modified design.

Paragraph 3.14: No objection to CiViK's proposed modification.

Paragraph 3.16: Delete entire paragraph. This paragraph is not factually accurate. It further does not reflect the consensus of the Council members who support reversing the DRB's approval of the BOA/Merrill Gardens project.

Testimony of SRM's architect, Chad Lorentz, indicated that the project was not "designed as a bank." We apologize if there was any confusion about this and would encourage the Council to review Mr. Lorentz's testimony and cross-examination.¹ As Mr. Lorentz testified, SRM gave him an approximate square footage for the corner "bank" space and further told him to design an adjoining drive through. Other than that, he received no direction to design the interior or exterior space as a bank or any other particular type of retail tenant. He also had no knowledge of the operations or functions that would be located in the space. Instead, he sought to design the space consistent with the DRB's and staff's "superior retail space" criteria. The design of the doors, windows, facades, etc., were all generated to meet the "superior retail space" criteria, and were not related in any way to the anticipated tenant. Moreover, the inclusion of a drive through does not indicate that the space was "designed for a bank." Any number of other retail uses, including drug stores, coffee shops and restaurants, regularly include drive throughs.

Further, the DRB proceedings regarding the project evidence that the space was not "designed for a bank." The configuration of the corner space changed repeatedly throughout the design review process. SRM made no effort during those proceedings to design the corner space to accommodate any particular functions or anticipated needs of a bank tenant.

¹ As the Council may recall, during the April 15, 2008, Council meeting, Mayor Lauinger instructed the parties that they could not question their own witnesses to clarify testimony given on cross-exam. This may explain the confusion. But an objective review of Mr. Lorentz's testimony evidences that he was not asked to design the corner space in any particular way in order to accommodate a bank tenant – or any other particular retail tenant.

Moreover, as was discussed extensively during the Council's deliberations on May 6, 2008, there is no question that the corner space could be used by any number of other tenant types in the future. See the attached drawing demonstrating how this space could easily be adapted to accommodate a restaurant.

Finally, the transcript from the Council's May 6, 2008, deliberation document that only one Councilmember asserted that the space was "designed as a bank." See Hodgson, Transcript pp. 23, 29, 46. Consequently, this paragraph does not reflect the consensus of the Council members who support reversing the DRB's approval of the BOA/Merrill Gardens project.

CiViK's proposed additional Paragraph 3.22: Reject proposed additional paragraph. None of the proposed additional language contains relevant review criteria for this appeal. Further, none of the Council members suggested including this language in their findings and conclusions. Inclusion of this language improperly elevates one sentence, which is not even a review criterion, from the Downtown Plan above other policy provisions in the Plan. If the Council proposes to accept CiViK's additional language, it would similarly be appropriate to include the following from the Downtown Plan:

The portions of Design District 1 designated as 1B in Figure C-5 provide the best opportunities for new development that could contribute to the pedestrian fabric of the Downtown. Much of the existing development in these areas consists of older auto-oriented uses defined by surface parking lots and poor pedestrian orientation. To provide incentive for redevelopment and because these larger sites have more flexibility to accommodate additional height, a mix of two to four stories in height is appropriate.

IV. Conclusions as to Superior Retail Space

SRM concurs with CiViK's concern that this section as proposed by staff does not accurately reflect the consensus of the Council Members who support reversing the DRB's decision approving the BOA/Merrill Gardens project. Based on the transcript of the Council's May 6, 2008, deliberations, four different positions were articulated by the Council members regarding the "superior retail space" criteria.

- Council Members Bride, Burleigh, and Sternoff all concluded that the corner "bank" space met the City's criteria for superior retail space.
- Mayor Lauinger and Councilmember Greenway concluded that a bank could not constitute "superior retail" and, therefore, the project did not meet the superior retail space criteria.
- Councilmember Hodgson concluded that the corner space was designed as a bank and therefore could not qualify as superior retail space.
- Councilmember Asher did not express a clear position regarding why the project did not meet the superior retail space criteria.

SRM requests clear direction from the Council regarding: (1) why the project as approved by the DRB does not meet the superior retail space criteria; and (2) what changes are needed to the corner space to meet the “superior retail space” criteria.

At this point in the deliberations, SRM is left guessing at the Council’s intent and interpretation of the Downtown Plan criteria. Once the Council has fully articulated its direction regarding what is needed to meet the “superior retail space” criteria, corresponding findings and conclusions should be drafted. SRM also requests the opportunity at that point to offer a modified proposal that conforms to the Council’s interpretation and direction before the Council enters its final decision regarding this appeal.

With regard to the specific language of the proposed conclusions paragraphs, SRM suggests the following:

Paragraph 4.1: As proposed, this paragraph does not accurately reflect the consensus of the Council members who support reversing the DRB’s approval of the BOA/Merrill Gardens project. This paragraph should be revised in response to clear direction from the Council regarding why the majority of the Council did not believe the project as designed met the superior retail space criteria.

Paragraphs 4.3 and 4.4: SRM objects to the inclusion of the portion of Paragraph 4.3 which begins “A drive-through facility, moreover, is not consistent with superior retail space in the CBD-1, as explained in the Downtown Plan, page XV.D-6 . . . ” through the end of the paragraph. SRM further objects to the inclusion of Paragraph 4.4. Based on the transcript of the Council’s May 6, 2008, deliberations, only one of seven Council members referred to the drive-through as an indication that the project did not meet the “superior retail space” criteria. Consequently, these conclusions do not reflect the consensus of the Council members who support reversing the DRB’s approval of the BOA/Merrill Gardens project.

CiViK’s proposed Paragraphs 4.5 through 4.8: SRM objects to the inclusion of any or all of these proposed paragraphs. These paragraphs restate CiViK’s positions, rather than the consensus of the Council Members who support reversing the DRB’s approval of the BOA/Merrill Gardens project.

With regard to proposed paragraph 4.5, again, this paragraph reflects the position of one or possibly two of the Council members, but does not reflect the consensus position of the Council members who support reversing the DRB’s approvals of the BOA/Merrill Gardens project.

Further, the DRB believes that the superior retail space criteria concerns the design of the space, and not to the use of the space. As Jeff Bates from the DRB explained, the DRB did not intend, and has not applied, any of the superior retail spaces criteria, which were created jointly by staff and the DRB, as referring to or considering use. Even the “does it support other retail by virtue of its tenants, pedestrian connections/linkages, etc.” criterion is a method for

evaluating space, not use. This is easily understood if one considers that different spaces may be designed for different tenant types, but without a specific tenant in mind. This is exemplified by the café space in the proposed building – it could be a coffee shop, a sandwich shop, or an ice cream parlor (to name a few). By comparison, a 5,700 square foot corner space could be utilized by any number of different retail tenant types, and is not limited in any way by its design to a bank use.

With regard to proposed paragraph 4.6, this paragraph does not accurately reflect the testimony of SRM's architect, Chad Lorentz, or other evidence presented. The first sentence is wholly inaccurate. As explained above, SRM gave Mr. Lorentz an approximate square footage and told him to design an adjoining drive through. He was not provided any other details regarding the bank, its functions, or design needs or preferences. Again, we would encourage the Council to review Mr. Lorentz's testimony to avoid any confusion about this.

Further, the second sentence mischaracterizes the project. Also, the fourth sentence involves speculation. Even if accurate, it is irrelevant if the Council's decision is based on the design of the space, and not the use. This proposed paragraph should be rejected in its entirety. Alternatively, if the Council intends to incorporate any portion of this paragraph into its findings and conclusions, SRM proposes the following:

The space at the corner of Lake Street and Kirkland Avenue occupies the most prominent corner and is the largest retail space in the project.

With regard to CiViK's proposed paragraph 4.7, this paragraph is a blatant attempt by CiViK to insert its position into the Council's findings and conclusions. It does not reflect the consensus of the Council members who support reversing the DRB's approval of the BOA/Merrill Gardens project. It should be rejected in its entirety.

For the reasons explained above, CiViK's proposed paragraph 4.8 should also be rejected in its entirety.

V. Conclusions as to the Height on Lake Street

In general, SRM shares CiViK's concern that the staff's original proposed conclusions (dated May 14, 2008) regarding the Lake Street height restrictions do not accurately reflect the consensus of the Council members who support reversing the DRB's approval of the BOA/Merrill Gardens project. SRM was similarly unable to discern from the Council's deliberations a precise mathematical formula regarding the stepbacks required above the second story to satisfy the Lake Street height restrictions.

Indeed, SRM was confused by the Council's vote on the height restriction issue. Approximately half way through the Council's May 6, 2008, deliberations, Mayor Lauinger took a "straw vote." At that time four of the seven Council members expressed their positions that the BOA/Merrill Gardens project as approved by the DRB satisfied the Lake Street height restriction. Subsequently, during the final vote on Councilmember Asher's motion directing staff to prepare findings reversing the DRB's decision, one Council member, who had previously

in the deliberations expressly concluded that the project met the Lake Street height restrictions, reversed his vote on this issue without explanation. Consequently, while SRM agrees with staff's interpretation that the entire project need not be limited to 2 stories, SRM remains unsure of what degree of stepback above the second story is necessary to satisfy the Lake Street height restrictions. SRM requests clear direction from the Council regarding exactly what is required to meet the Lake Street height restrictions. In an effort to advance the dialogue regarding this issue, SRM has enclosed proposed modified renderings of the project showing additional stepbacks at the third and fifth stories. If acceptable, SRM requests that the Council approve this design as modified.

With regard to the specific language of the proposed conclusions paragraphs, we would suggest the following:

Paragraph 5.2: Approximately two-thirds of the paragraph should be deleted beginning on the third line at the words "but the Design Review Board..." through the end of the paragraph. Although this language reflects the arguments articulated by CiViK in this appeal, none of the Council members referred to the different phrasing in the Downtown Plan as the basis for their conclusion that the BOA/Merrill Gardens project did not meet the Lake Street height restrictions.

Paragraph 5.3: SRM appreciates the staff's effort to revise this paragraph since the original draft findings and conclusions (dated May 14, 2008). SRM believes that the current version more accurately reflects the consensus of the Council members who support reversing the DRB's approval of the BOA/Merrill Gardens project. SRM proposes the following additions/revisions to further clarify the Council's interpretation of the Lake Street height restrictions:

The Downtown Plan does not, however, require that an entire building located along Lake Street South be limited to two stories, regardless of the depth of the building, because the purpose of this limitation is to "reflect the scale of the development in Design District 2." Under the Downtown Plan, it is intended that buildings abutting Lake Street South should create the impression, from the perspective of a pedestrian walking next to these buildings, of being a maximum of two stories in height.

Paragraph 5.4: As proposed by CiViK, this paragraph perhaps partially captures the consensus of the Council members who support reversing the DRB's approval of the BOA/Merrill Gardens project, but it is ambiguous and subject to misinterpretation. SRM proposes the following revisions:

The Bank of America project as approved by the DRB is not consistent with the Council's interpretation of the height limitation on Lake Street South, as articulated in paragraph 5.3 above, because the third and fourth floors are not setback from the second floor, nor from Lake Street South, far enough. [*Delete the remainder of the paragraph and insert guidance regarding how large the stepback must be to meet the Council's interpretation of the Lake Street height restriction.*]

Further, if the Council reviews SRM's alternative project design and agrees that it conforms to the majority of the Council's interpretation of the Lake Street height restrictions, SRM would propose appending the following at the end of the paragraph or adding a new Paragraph 5.5 as follows:

During the appeal process, however, SRM offered an alternative design that the majority of the Council members agree conforms to the Council's interpretation of the height restrictions on Lake Street South.

VI. Decision

If the Council moves forward with its preliminary decision to reverse the DRB's approval of the BOA/Merrill Gardens project, no change. If, however, the Council reviews alternative designs and consequently approves a modified design for the BOA/Merrill Gardens project, the following revisions would be appropriate:

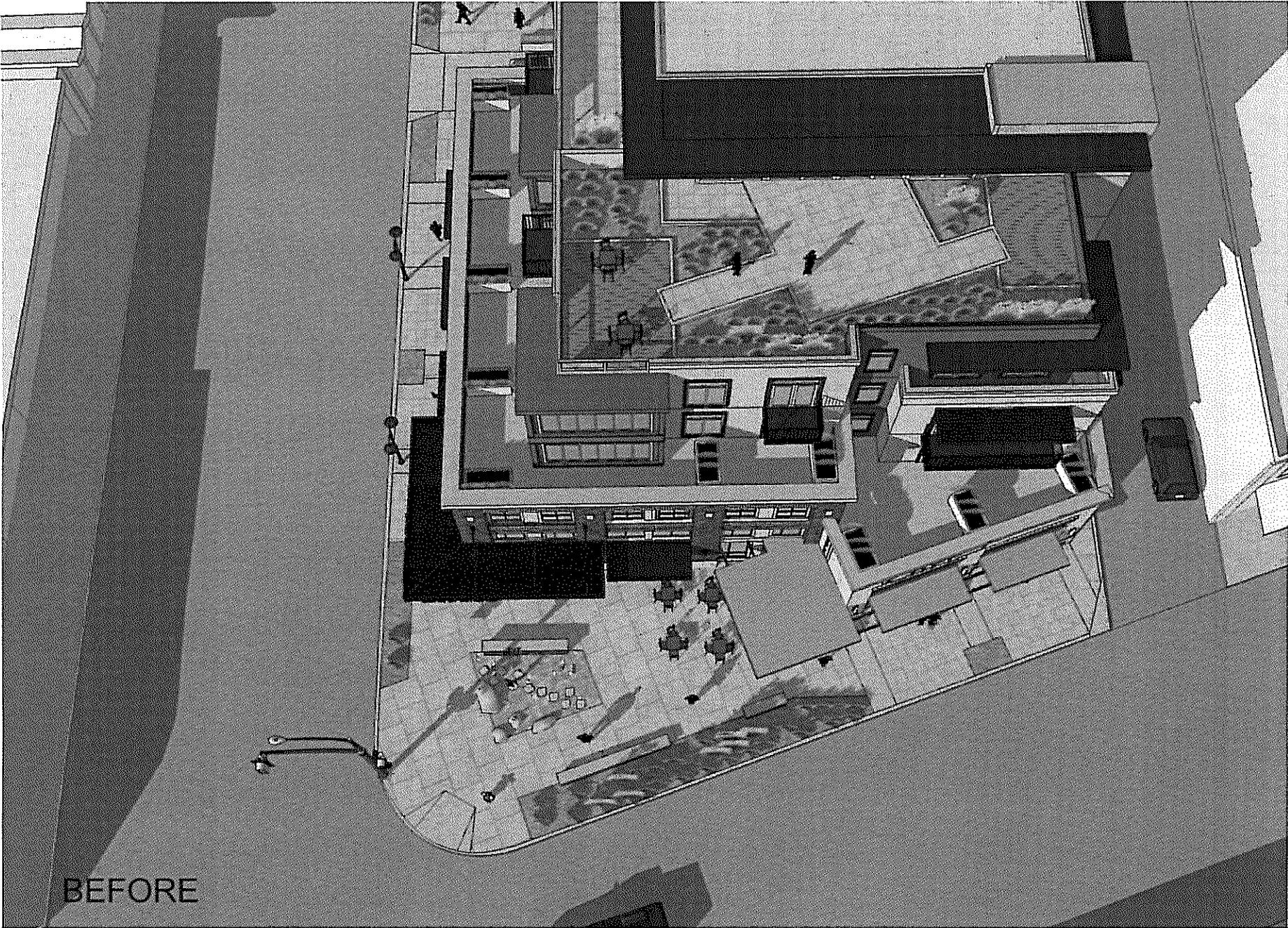
For the reasons set forth in the foregoing Findings and Conclusions, the decision of the Design Review Board is hereby MODIFIED. The approved design for the Bank of America project, as modified by the City Council, is attached hereto as Exhibit A.I.



BEFORE



AFTER



BEFORE



AFTER



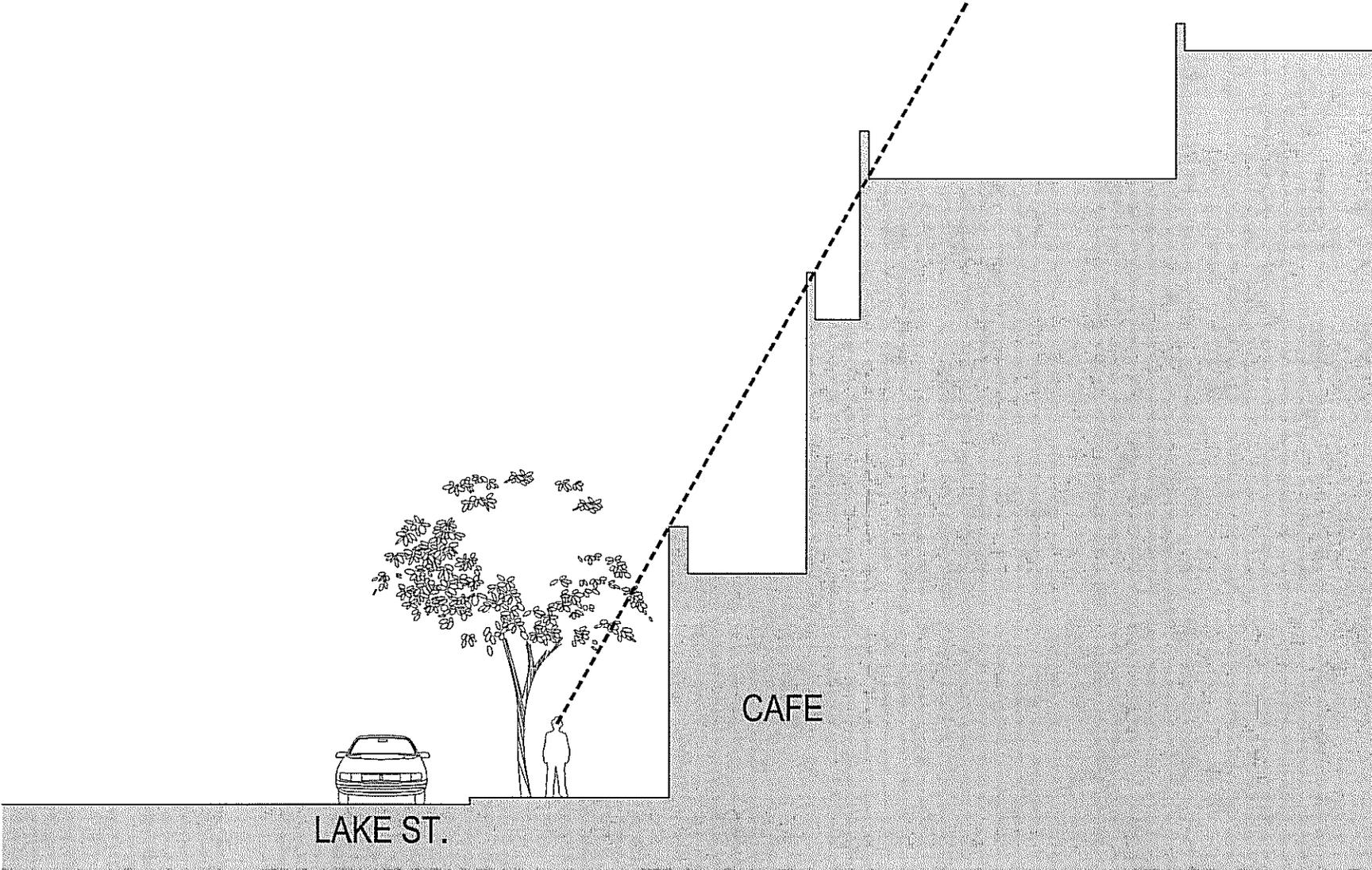
BEFORE



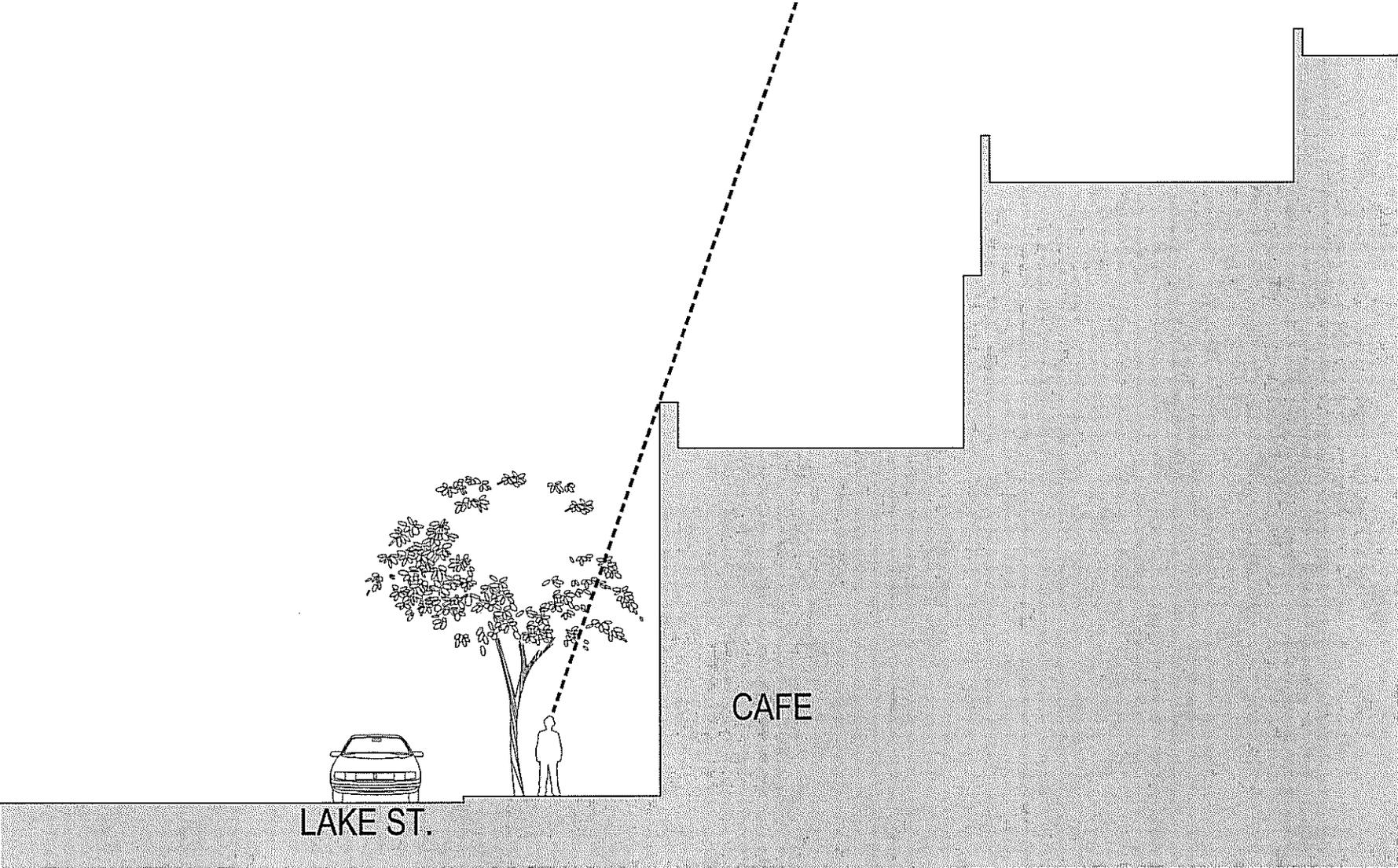
AFTER



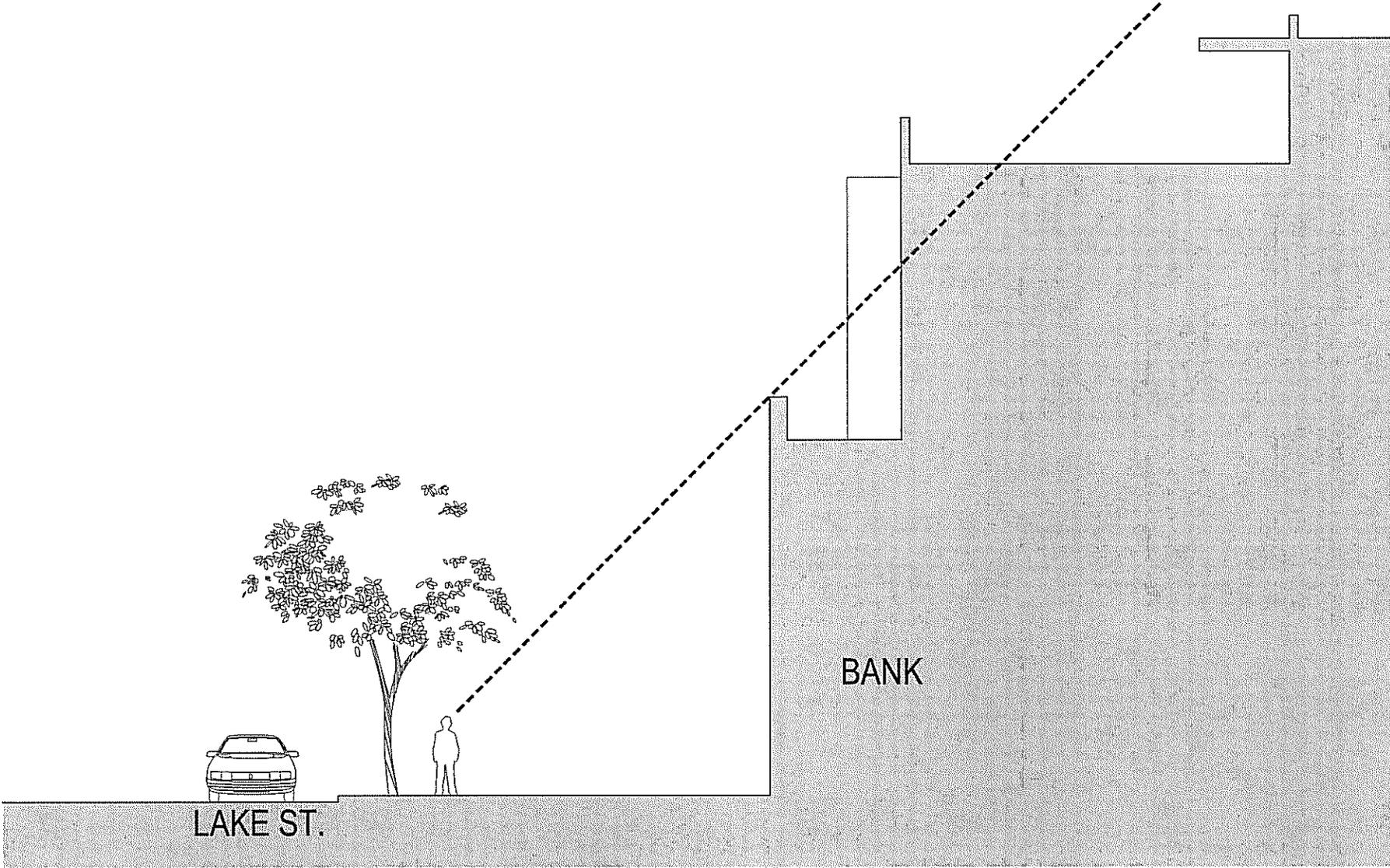




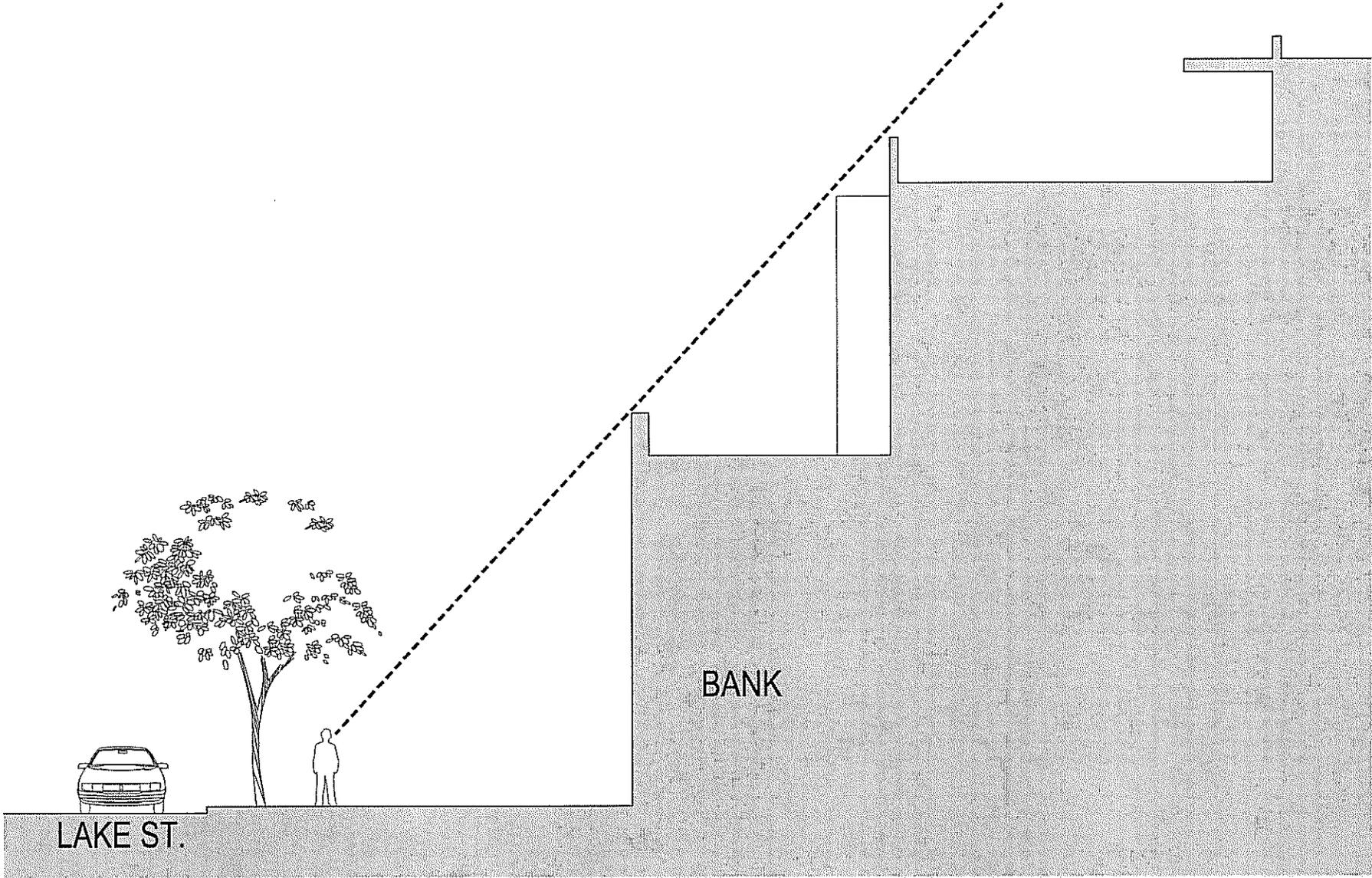
CAFE - PREVIOUS



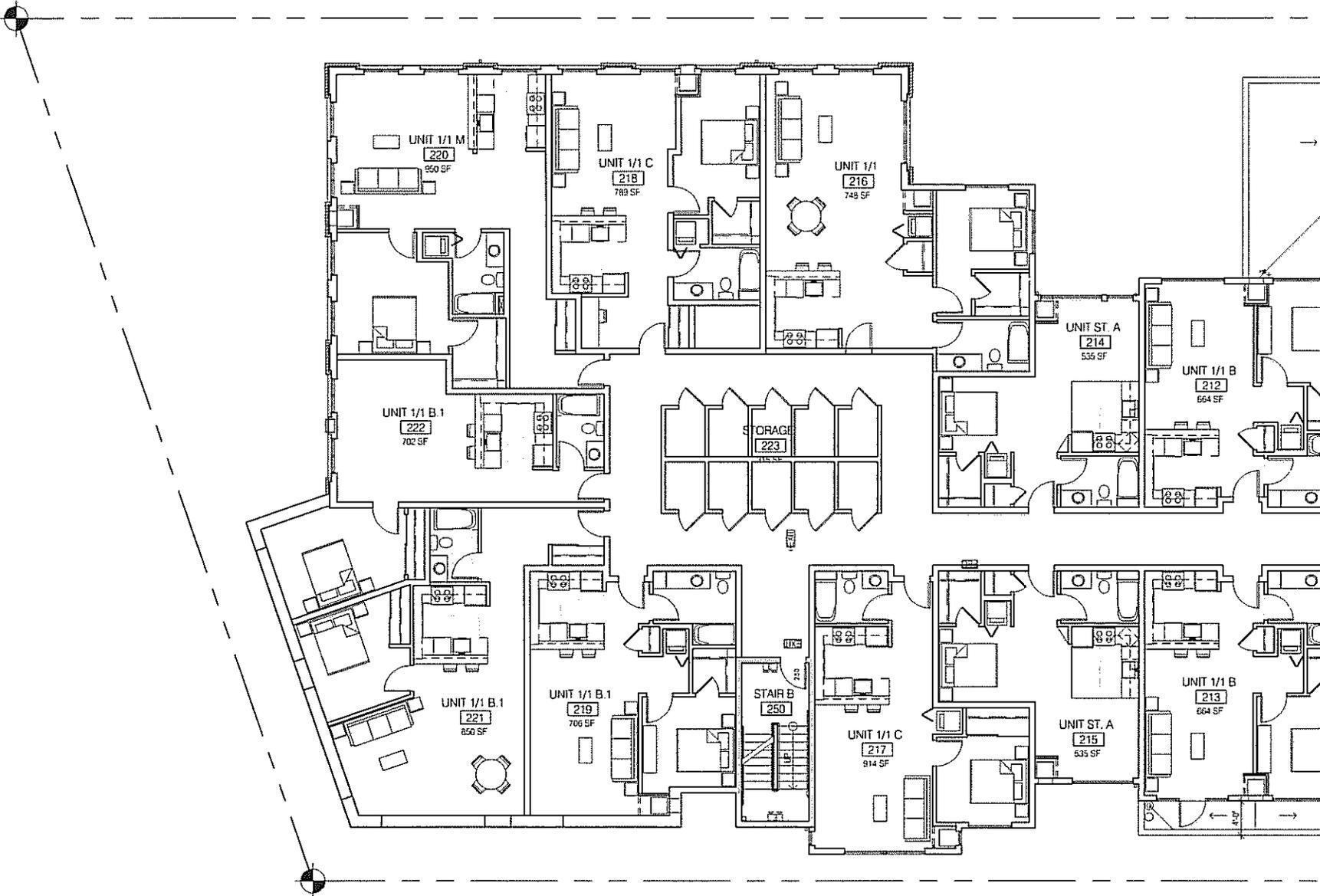
CAFE - REVISED



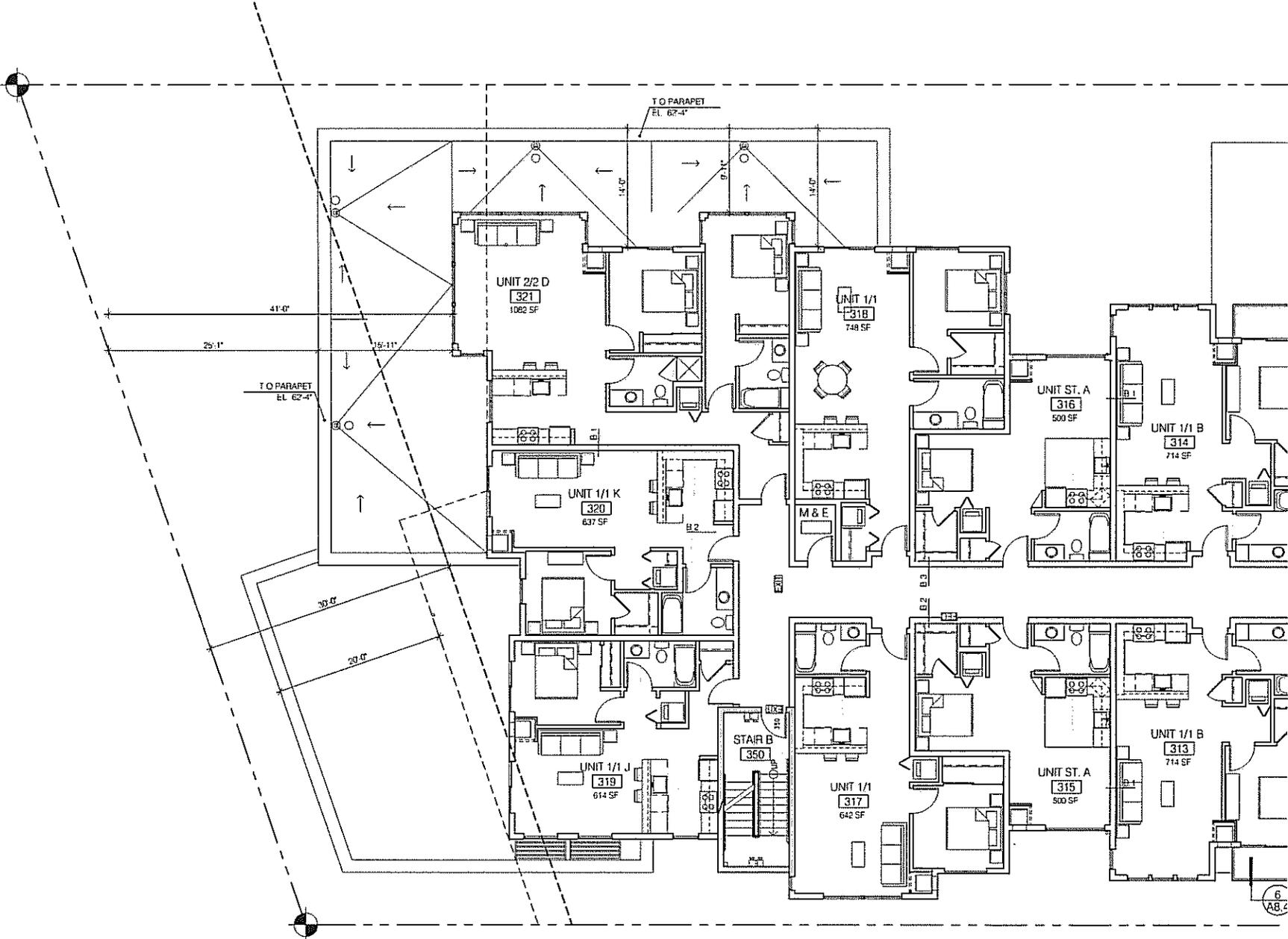
BANK - PREVIOUS



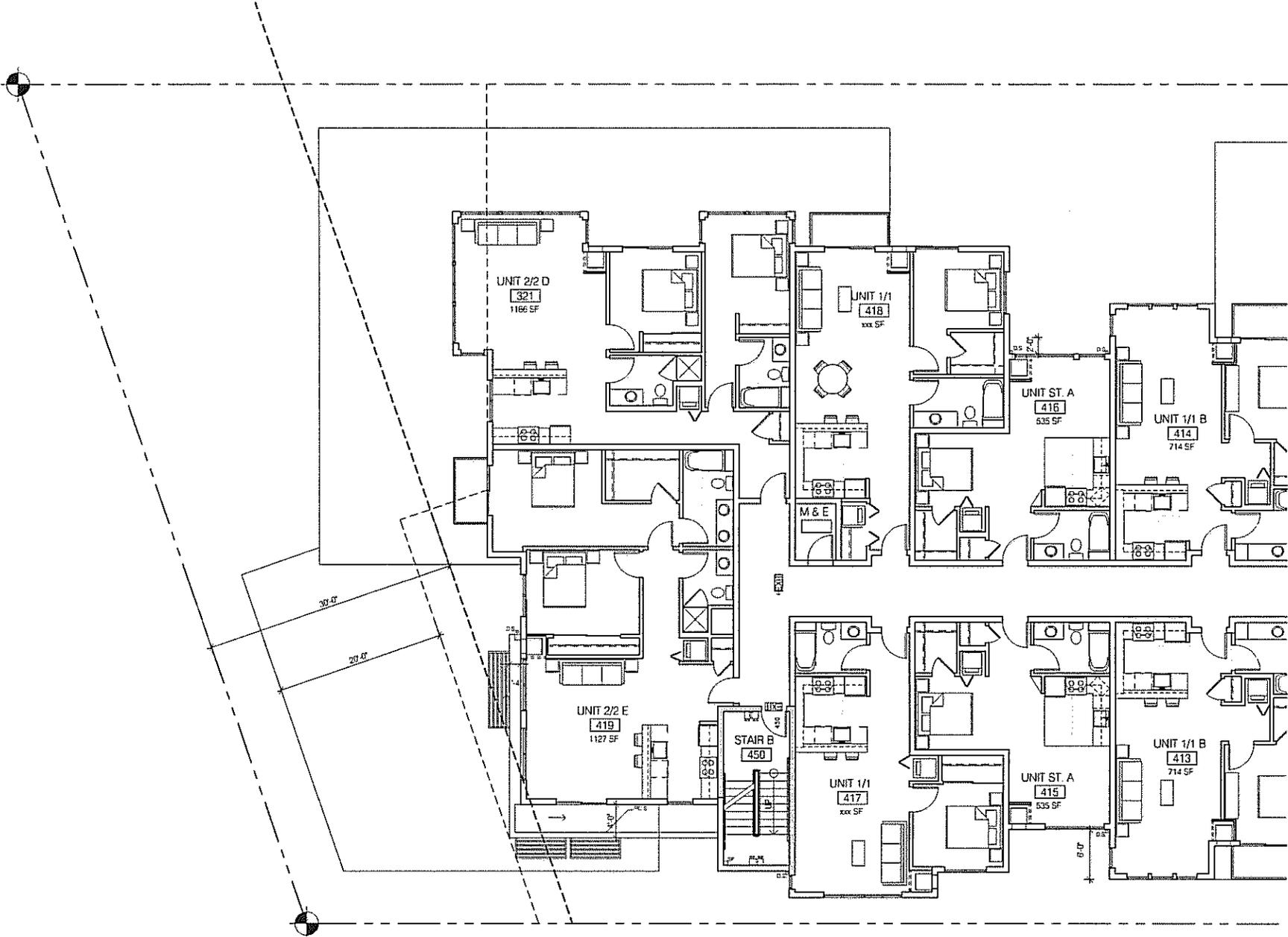
BANK - REVISED



LEVEL L2 - REVISED



LEVEL L3 - REVISED



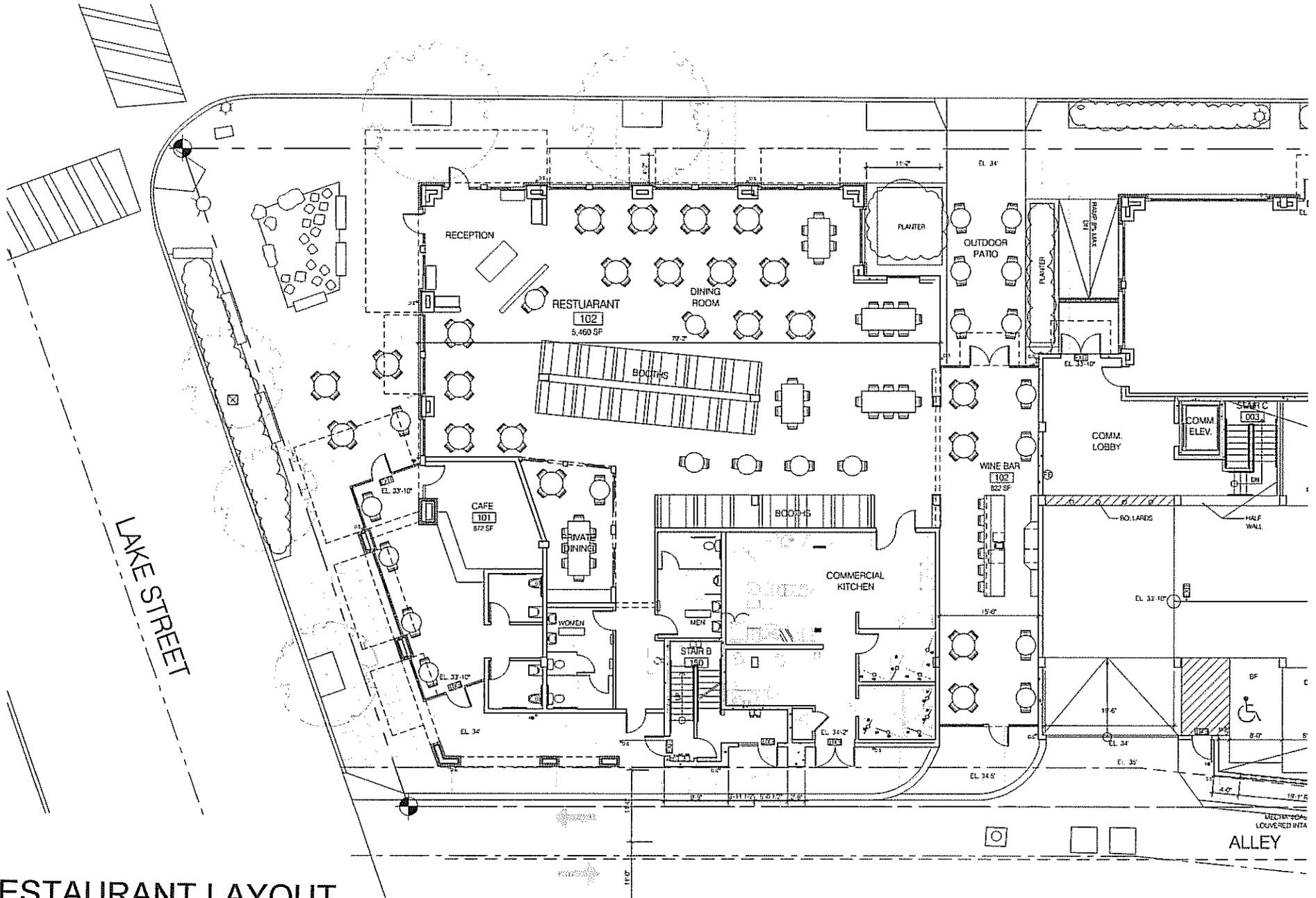
LEVEL L4 - REVISED



BEFORE



AFTER



RESTAURANT LAYOUT



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

MEMORANDUM

To: David Ramsay, City Manager

From: Jon Regala, Senior Planner
Paul Stewart, AICP, Deputy Planning Director
Eric Shields, AICP, Planning Director

Date: May 22, 2008

Subject: INTENT TO ADOPT RESOLUTION – GORDON HART PRIVATE AMENDMENT REQUEST (ZON06-00019) & TL9 ZONING IMPLEMENTATION PROJECT (ZON07-00023)

RECOMMENDATION

Adopt the enclosed resolution setting forth the intention of the City Council to approve the requested land use and zoning changes for the Gordon Hart private amendment request and the TL 9 zoning implementation project later this year concurrent with all other amendments included in the city's annual Comprehensive Plan amendments.

BACKGROUND DISCUSSION

At the City Council's May 20th meeting, the Gordon Hart/TL 9 agenda item was removed from the consent calendar and was continued to the June 3, 2008 City Council meeting.

Previously, the Council, at its March 4, 2008 public meeting, unanimously approved a motion to adopt the Planning Commission's recommendations on the Gordon Hart Private Amendment Request (PAR) and the City Initiated TL 9 Zoning Implementation Project and directed staff to bring back an 'intent-to-adopt' resolution at their May 20, 2008 meeting. Since the results of the Hart PAR are to be incorporated into the final TL 9 zoning charts both projects were combined into one 'intent-to-adopt' resolution. The Exhibits of the 'intent-to-adopt' resolution are consistent with the Planning Commission's recommendations. Exhibit A, Condition 7 was slightly revised by staff to clarify that the adopted 100-foot setback applies to any development on the Gordon Hart property as intended by the Planning Commission and the phrase '*Where residential uses are allowed*' was added to Condition 10 to clarify where in the TL 9 Planning District the affordable unit/bonus height provision applies.

Cc: ZON06-00019
ZON07-00023
Totem Lake Neighborhood Association
Kirkland Chamber of Commerce
Adrienne Brastad, Glacier Management, 12912 NE 125th Way, Kirkland, WA 98034
Teresa Sante, Benaroya Companies, 1100 Olive Way Suite 1700, Seattle, WA 98101
Gordon Hart, 3 -168th Avenue NE, Bellevue, WA 98008
Bill Kost, 328 – 37th Street NW #A, Auburn, WA 98001

RESOLUTION R-4704

A RESOLUTION OF THE CITY OF KIRKLAND RELATED TO COMPREHENSIVE PLANNING AND LAND USE AND EXPRESSING AN INTENT TO AMEND THE KIRKLAND COMPREHENSIVE PLAN, ORDINANCE 3481 AS AMENDED, THE KIRKLAND ZONING CODE ORDINANCE 3719 AS AMENDED, AND AMENDING THE KIRKLAND ZONING MAP ORDINANCE 3710 AS AMENDED, AS A RESULT OF THE GORDON HART PRIVATE AMENDMENT REQUEST (FILE ZON06-00019) AND THE TL9 ZONING IMPLEMENTATION PROJECT (FILE ZON07-00023).

WHEREAS, the City Council has received recommendations from the Kirkland Planning Commission to amend the text of Totem Lake Neighborhood Plan Policy TL-17.3 of the Comprehensive Plan, Ordinance 3481 as amended, and the Kirkland Zoning Code text, Ordinance 3719 as amended, and the Zoning Map Ordinance 3710 as amended, to create the TL 9A and TL9B zoning districts to implement the TL 9 Planning District policies and as a result of the Gordon Hart Private Amendment request, all as set forth in the Planning Commission's recommendations dated February 20, 2008, and bearing Kirkland Department of Planning and Community Development File No. ZON06-00019 (Hart) and ZON07-00023 (TL9); and

WHEREAS, prior to making said recommendation the Planning Commission, following notice thereof as required by RCW 35A.63.070, held on January 24, 2008, a public hearing, on each of the amendment proposals and considered the comments received at said hearings; and

WHEREAS, pursuant to the State Environmental Policy Act (SEPA), there has accompanied the legislative proposal and recommendation through the entire consideration process, a SEPA Addendum to Existing Environmental Documents, issued by the responsible official pursuant to WAC 197-11-600; and

WHEREAS, in an open public meeting the City Council considered the environmental documents received from the responsible official, together with the report and recommendation of the Planning Commission; and

WHEREAS, the Growth Management Act, RCW 36.70A.130, requires the city to review all amendments to the comprehensive plan concurrently and no more frequently than once every year.

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

Section 1. The City Council acknowledges the recommended amendment to the Zoning Ordinance as set forth in File ZON06-00019 and ZON07-00023, and will consider adopting said recommendation by ordinance concurrent with all other amendments included in the City's annual Comprehensive Plan amendments.

Section 2. The recommended amendment to the Comprehensive Plan text is set out in Exhibit "A" attached hereto and by this reference incorporated herein.

Section 3. The recommended amendment to the Zoning Ordinance is set out in Exhibit "B" attached hereto and by this reference incorporated herein

Section 4. The recommended amendment to the Zoning Map is set out in Exhibit "C" attached hereto and by this reference incorporated herein.

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

EXHIBIT A

Policy TL-17.3:

Restrict development in identified landslide hazard areas to ensure public safety and conformity with natural constraints.

High ground water with soft soil conditions in the low-lying parts of the neighborhood may limit or require special measures for development. The presence of loose saturated soils increases the risk for differential settlement and seismically induced soil liquefaction. In these areas, development must demonstrate methods to prevent the settlement of structures and utility systems and to withstand seismic events.

The steep, heavily vegetated hillside in the northeastern portion of the neighborhood lies within an identified high landslide area (see Figures TL-5 and TL-11, District TL 9). Although a range of office, industrial or multifamily uses are permitted in the southern portion of the hillside north of NE 126th Place, this development and all development on the hillside is subject to the following conditions:

- (1) Development should be subject to public review and discretionary approval through the City's Process IIA process.
- (2) The base density for residential development on the slope should be eight dwelling units per acre.
- (3) Lot coverage for development should be lower than that allowed for the less environmentally sensitive properties to the south, to enable the preservation of vegetation and watercourses on the site.
- (4) Vegetative cover should be maintained to the maximum extent possible. Clustering of structures may be required to preserve significant groupings of trees.
- (5) Watercourses should be retained in a natural state.
- (6) Development should only be permitted if an analysis is presented that concludes that the slope will be stable. The analysis should indicate the ability of the slope and adjacent areas to withstand development, the best locations for development, and specific structural designs and construction techniques necessary to ensure long-term stability.
- (7) The hillside with the steepest slopes should be left undisturbed in a natural condition and retained as permanent natural open space through the creation of a greenbelt easement or the dedication of air rights. In order to provide property owners with reasonable development potential, some development may be permitted on the southern, lower portion of the hillside. In no case should such development or associated land surface modification extend ~~northward more than 150 feet into any slope in excess of 15 percent, nor~~ closer than 100 feet to existing single-family residential development north of the slope.
- ~~(8) (7)~~ Any part of the hillside which is retained as permanent natural open space, but which has been previously altered from its natural state, or which is so altered as a result of soils testing or watercourse rehabilitation, should be returned to its natural condition.
- ~~(9) (8)~~ Surface water runoff should be maintained at predevelopment levels.
- ~~(10) The developer should indemnify and hold harmless the City by a covenant running with the land in a form approved by the City Attorney.~~
- ~~(11) (9)~~ Vehicular access should be from south of the slope. If necessary, access may be from 132nd Avenue NE, provided that such access is limited to one point and meets other City standards.
- (10) Where residential uses are allowed, a total of 5 stories measured above an average building elevation are allowed if at least 10% of the units provided are affordable units.

Chapter 48 — LIGHT INDUSTRIAL TECHNOLOGY (LIT) ZONES

48.0555.59 User Guide TL 9A.

The charts in KZC ~~48.1555.63~~ contain the basic zoning regulations that apply in the LIT-TL 9A zones of the City. Use these charts by reading down the left hand column entitled Use. Once you locate the use in which you are interested, read across to find the regulations that apply to that use.

**Section
48.1055.61**

Section ~~48.1055.61~~ – GENERAL REGULATIONS

The following regulations apply to all uses in this zone unless otherwise noted:

1. Refer to Chapter 1 KZC to determine what other provision of this code may apply to the subject property.
- ~~2. If any portion of a structure is adjoining a low density zone, then either:

 - ~~a. The height of that portion of the structure shall not exceed 20 feet above average building elevation; or~~
 - ~~b. The horizontal length of any facade of that portion of the structure which is parallel to the boundary of the low density zone shall not exceed 50 feet.~~

~~— See KZC 115.30, Distance Between Structures/Adjacency to Institutional Use, for further details.~~
~~— (Does not apply to Hazardous Waste Treatment and Storage Facilities uses).~~~~
- ~~3. Except if adjoining a low density zone, structure height may be increased above 35 feet in height through a Process IIA, Chapter 150 KZC, if:

 - a. It will not block local or territorial views designated in the Comprehensive Plan;
 - b. The increased height is not specifically inconsistent with the applicable neighborhood plan provisions of the Comprehensive Plan; and
 - c. The required yard of any portion of the structure may be increased up to a maximum of one foot for each foot that any portion of the structure exceeds 35 feet above average building elevation. The need for additional setback yards will be determined as part of the review of any request to increase structure height.

(Does not apply to Hazardous Waste Treatment and Storage Facilities and Public Parks uses).~~
- ~~4. If the property is located in the NE 85th Street Subarea, the applicant shall install a through-block pedestrian pathway to connect an east-west pathway designated in the Comprehensive Plan between 124th Avenue NE and 120th Avenue NE pursuant to the through-block pathway standards in KZC 105.19(3) (See Plate 34K).~~
- ~~5. Retail uses are prohibited unless otherwise allowed in the use zone charts.~~

**ZONE
TL 9A**

USE ZONE CHART
Section 48-1555.63

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

Section 48-1555.63	USE ↓ REGULATIONS ↑	Required Review Process	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)	
			Lot Size	REQUIRED YARDS (See Ch. 115)			Height of Structure					
				Front	Side	Rear						
			DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS									
.010	Packaging of Prepared Materials Manufacturing See Spec. Regs. 1 and 2.	Within the NE 85th Street Subarea, D.R., Chapter 142 KZC. Otherwise, none. None	None	20'	0'	0'	90%	If adjoining a low density zone other than RSX, then 25' above average building elevation. Otherwise, 35' above average building elevation with a maximum of two stories, exclusive of parking levels.	A	C	1 per each 1,000 sq. ft. of gross floor area.	<ol style="list-style-type: none"> The following manufacturing uses are permitted: <ol style="list-style-type: none"> Food, drugs, stone, clay, glass, china, ceramics products, electrical equipment, scientific or photographic equipment, fabricated metal products; Fabricated metal products, but not fabrication of major structural steel forms, heavy metal processes, boiler making, or similar activities; Cold mix process only of soap, detergents, cleaning preparations, perfumes, cosmetics, or other toilet preparations; Packaging of prepared materials; Textile, leather, wood, paper and plastic products from pre-prepared material; and Other compatible uses which may involve manufacturing, processing, assembling, fabrication and handling of products, and research and technological processes. May include as part of this use, accessory retail sales, office or service utilizing not more than 20 percent of the gross floor area. The landscaping and parking requirements for these accessory uses will be the same as for the primary use.
.020	A Retail Establishment Providing Storage Services								E	See KZC 105.25.	<ol style="list-style-type: none"> May include accessory living facilities for resident security manager. 	

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

.030	Warehouse Storage Service									C	1 per each 1,000 sq. ft. of gross floor area.	1. May include, as part of this use, accessory retail sales, office or service utilizing no more than 20 percent of the gross floor area. The landscaping and parking requirements for these accessory uses will be the same as for the primary use.
.040	Wholesale Trade											
.050	Industrial Laundry Facility											
.060	Wholesale Printing or Publishing											
.070	Wholesale Establishment or Contracting Services in Building Construction, Plumbing, Electrical, Landscaping, or Pest Control	Within the NE 85th Street Subarea, D.R., Chapter 142 KZC. Otherwise, none. None	None	20'	0'	0'	80%	If adjoining a low density zone other than RSX, then 25' above average building elevation. Otherwise, 35' above average building elevation with a maximum of two stories, exclusive of parking levels.	B	E	1 per each 1,000 sq. ft. of gross floor area.	1. Outdoor storage for this use must be buffered as established in Chapter 95 KZC for Landscape Category A.
.080	A Retail Establishment Providing Banking and Related Financial Services										1 per each 300 sq. ft. of gross floor area.	1. This use is permitted if accessory to a primary use, and: a. It will not exceed 20 percent of the gross floor area of the building; b. The use is integrated into the design of the building; and c. There is no vehicle drive-in or drive-through.
.090	High Technology								A	D	If manufacturing, then 1 per each 1,000 sq. ft. of gross floor area. If office, then 1 per 300 sq. ft. of gross floor area. Otherwise, see KZC 105.25.	1. This use may include research and development, testing, assembly, repair or manufacturing or offices that support businesses involved in the pharmaceutical and biotechnology, communications and information technology, electronics and instrumentation, computers and software sectors. 2. May include as part of this use, accessory retail sales or service utilizing not more than 20 percent of the gross floor area. The landscaping and parking requirements for these accessory uses will be the same as for the primary use. 3. Refer to KZC 115.105 for provisions regarding outside use, activity and storage.

USE ZONE CHART
Section 48-1555.63

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

		DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
.100	Office Use	Within the NE 85th Street Subarea, D.R., Chapter 142 KZC. Otherwise, none. None	None	20'	0'	0'	70%	35' above average building elevation with a maximum of two stories, exclusive of parking levels except as specified in Spec. Reg. 2.	C See also Spec. Reg. 1a.	E	If a medical, dental, or veterinary office, then 1 per each 200 sq. ft. of gross floor area. Otherwise, 1 per each 300 sq. ft. of gross floor area.	<ol style="list-style-type: none"> The following regulations apply only to veterinary offices: <ol style="list-style-type: none"> If there are outdoor runs or other outdoor facilities for the animals, then use must comply with Landscape Category A. Outside runs and other outside facilities for the animals must be set back at least 10 feet from each property line and must be surrounded by a fence or wall sufficient to enclose the animals. See KZC 115.105, Outdoor Use, Activity and Storage, for further regulations. a. If adjoining a low density zone other than RSX, then 25 feet above average building elevation; and <ol style="list-style-type: none"> In the Norkirk Neighborhood, south of 7th Avenue and west of 8th Street, maximum height is 40 feet above average building elevation, with no limit on number of stories.
.110	Auction House See Spec. Reg. 1.	Within the NE 85th Street Subarea, D.R., Chapter 142 KZC. Otherwise, none. None	None	20'	0'	0'	80%	If adjoining a low density zone other than RSX, then 25' above average building elevation. Otherwise, 35' above average building elevation with a maximum of two stories, exclusive of parking levels.	B	E	1 per each 300 sq. ft. of gross floor area.	<ol style="list-style-type: none"> Livestock auctions are not permitted. Outdoor storage for this use must be buffered as established in Chapter 95 KZC for Landscaping Category A.
.120	Kennel	Within the NE 85th Street Subarea, D.R., Chapter 142 KZC. Otherwise, none. None		20'	0'	0'	See Spec. Reg. 1.					<ol style="list-style-type: none"> Outside runs and other facilities for the animals must be set back at least 10 feet from each property line and must be surrounded by a fence or wall sufficient to enclose the animals. See KZC 115.105, Outdoor Use, Activity and Storage, for further regulations. Must provide suitable shelter for the animals. Must maintain a clean, healthful environment for the animals.
.130	Day-Care Center See Spec. Reg. 1.	Within the NE 85th Street Subarea, D.R., Chapter 142 KZC. Otherwise, none. None	None	20'	0'	0'	80%	If adjoining a low density zone other than RSX, then 25' above average building elevation. Otherwise, 35' above average building elevation with a maximum of two stories, exclusive of parking levels.	D	B	See KZC 105.25.	<ol style="list-style-type: none"> This use is permitted if accessory to a primary use, and: <ol style="list-style-type: none"> It will not exceed 20 percent of the gross floor area of the building; The use is integrated into the design of the building. A six-foot-high fence is required along the property lines adjacent to the outside play areas. Hours of operation may be limited to reduce impacts on nearby residential uses. Structured play areas must be set back from all property lines as follows: <ol style="list-style-type: none"> Twenty feet if this use can accommodate 50 or more students or children. Ten feet if this use can accommodate 13 to 49 students or children. <p style="text-align: center;">REGULATIONS CONTINUED ON NEXT PAGE</p>

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

		DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS										
.130	Day-Care Center (continued)	REGULATIONS CONTINUED FROM PREVIOUS PAGE 5. An on-site passenger loading area may be provided. The City shall determine the appropriate size of the loading areas on a case-by-case basis, depending on the number of attendees and the extent of the abutting right-of-way improvements. Carpooling, staggered loading/unloading time, right-of-way improvements or other means may be required to reduce traffic impacts on any nearby residential uses. 6. May include accessory living facilities for staff persons. 7. The location of parking and passenger loading areas shall be designed to reduce impacts on any nearby residential uses. 8. These uses are subject to the requirements established by the Department of Social and Health Services (WAC Title 388).										
.140	Mini-Day-Care See Spec. Reg. 1.	Within the NE 85th Street Subarea, D.R., Chapter 142 KZC. Otherwise, none.	None	20'	0'	0'	80%	If adjoining a low density zone other than RSX, then 25' above average building elevation. Otherwise, 35' above average building elevation with a maximum of two stories, exclusive of parking levels.	D	B	See KZC 105.25.	1. This use is permitted if accessory to a primary use, and: a. It will not exceed 20 percent of the gross floor area of the building; b. The use is integrated into the design of the building. 2. A six-foot-high fence is required along the property lines adjacent to the outside play areas. 3. To reduce impacts on nearby residential uses, hours of operation of the use may be limited and parking and passenger loading areas relocated. 4. Structured play areas must be set back from all property lines by five feet. 5. An on-site passenger loading area may be required depending on the number of attendees and the extent of the abutting right-of-way improvements. 6. The location of parking and passenger loading areas shall be designed to reduce impacts on nearby residential uses. 7. May include accessory living facilities for staff persons. 8. These uses are subject to the requirements established by the Department of Social and Health Services (WAC Title 388).
.150	Recycling Center	Within the NE 85th Street Subarea, D.R., Chapter 142 KZC. Otherwise, none.	None	20'	0'	0'	80%	If adjoining a low density zone other than RSX, then 25' above average building elevation. Otherwise, 35' above average building elevation with a maximum of two stories, exclusive of parking levels.	A	C	See KZC 105.25.	1. May deal in metal cans, glass, and paper. Other materials may be recycled if the Planning Director determines that the impacts are no greater than those associated with recycling metal cans, glass, or paper. The individual will have the burden of proof in demonstrating similar impacts.
.160	Public Utility	None.							C	B		1. Landscape Category A or B may be required depending on the type of use on the subject property and the impacts associated with the use on the nearby uses.
.170	Government Facility Community Facility	None.							See Spec. Reg. 1.			

USE ZONE CHART
Section 48-1555.63

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

.180	Hazardous-Waste-Treatment-and-Storage-Facilities	Within the NE 85th-Street-Subarea, D.R., Chapter-142-KZC. Otherwise, none. <u>None</u>	None	30'	0'	0'	90%	35' above average building elevation with a maximum of two stories, exclusive of parking levels. See Spec. Reg. 2.	A	C	1 per each 1,000 sq. ft. of gross floor area.	<ol style="list-style-type: none"> 1. Must comply with the state siting criteria adopted in accordance with RCW 70.105.210. 2. Structure height may be increased above 35 feet in height through a Process IIA, Chapter 150 KZC, if: <ol style="list-style-type: none"> a. It will not block local or territorial views designated in the Comprehensive Plan; and b. The increased height is not specifically inconsistent with the applicable neighborhood plan provisions of the Comprehensive Plan; and c. The need for an increase in height is directly related to the hazardous waste treatment and/or storage activity; and d. The required yard of any portion of the structure may be increased up to a maximum of one foot for each foot that any portion of the structure exceeds 35 feet above average building elevation. The need for additional setback yards will be determined as part of the review of any request to increase structure height.
.190, 180	Vehicle or Boat Repair, Services, Storage, or Washing			20'			80%	If adjoining a low density zone other than RSX, then 25' above average building elevation. Otherwise, 35' above average building elevation with a maximum of two stories, exclusive of parking levels.		E	See KZC 105.25.	<ol style="list-style-type: none"> 1. Outdoor vehicle or boat parking or storage areas must be buffered as required for a parking area in KZC 95.40(6) and (7), landscaping regulations. 2. Access from drive-through facilities must be approved by the Public Works Department. Drive-through facilities must be designed so that vehicles will not block traffic in the right-of-way while waiting in line to be served.
.195	Automobile-Sales	Process I, Chapter-145-KZC	None	20'	0'	0'	80%	If adjoining a low density zone other than RSX, then 25' above average building elevation. Otherwise, 35' above average building elevation with a maximum of two stories, exclusive of parking levels.	A	C See Spec - Reg- 7.	See KZC 105.25.	<ol style="list-style-type: none"> 1. This use is permitted only on properties that adjoin 8th Street or 7th Avenue in the Norkirk Neighborhood. 2. Outdoor automobile sales, storage, and display are not permitted. 3. Outdoor sound systems are not permitted. 4. Outdoor balloons, streamers, and inflatable objects are not permitted. 5. Test drives must be accompanied by an employee through the LIT zone and limited to 8th Street, 7th Avenue, and either 6th Street or 114th Avenue NE enroute to Central Way/NE 85th Street. 6. Hours of operation are limited to 7:00 a.m. to 8:00 p.m. 7. Cabinet signs are not permitted. 8. This use primarily entails the sale of alternative fuel vehicles such as biodiesel, ethanol, and electric vehicles.

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

.200	Fast Food or Restaurant See Spec. Reg. 4.	Within the NE 85th Street Subarea, D.R., Chapter 142 KZC. Otherwise, none.							B	E	1 per each 100 sq. ft. of gross floor area.	1. This use is permitted if accessory to a primary use, and: a. It will not exceed 20 percent of the gross floor area of the building; b. The use is integrated into the design of the building; and c. There is no vehicle drive-in or drive-through.
.210, 190	Public Park	Development standards will be determined on case-by-case basis. See Chapter 49 KZC for required review process.										
.220	Commercial Recreation Area and Use	Within the NE 85th Street Subarea, D.R., Chapter 142 KZC. Otherwise, none.	None	20'	0'	0'	80%	If adjoining a low density zone other than RSX, then 25' above average building elevation. Otherwise, 35' above average building elevation with a maximum of two stories, exclusive of parking levels.	A	E	See KZC 105.25.	1. The use is permitted only if the property is located between NE 107th Street (extended) and NE 116th Street; and between I-405 and 116th Avenue NE. 2. The use shall be conducted within a wholly enclosed building. 3. The building housing the use shall have been in existence on June 1, 2004, and shall not be altered, changed, or otherwise modified to accommodate the use if the cost of such alteration, change, or modification exceeds 30 percent of the replacement cost of that building. 4. The use must be discontinued when there is an alteration, change, or other work in a consecutive 12-month period to the space in which the use is located, and the cost of the alteration, change or other work exceeds 30 percent of the replacement cost of that space.

55.65 User Guide

The charts in KZC 55.67 contain the basic zoning regulations that apply in the TL 9B zone of the City. Use these charts by reading down the left hand column entitled Use. Once you locate the use in which you are interested, read across to find the regulations that apply to that use.

Section 55.66

Section 55.66 – GENERAL REGULATIONS

The following regulations apply to all uses in this zone unless otherwise noted:

- 1. Refer to Chapter 1 KZC to determine what other provisions of this code may apply to the subject property.
- 2. All development or associated land surface modifications shall be setback 100 feet from the north boundary of the TL 9B zone.
- 3. Vehicular access shall be from the south of the slope. If necessary, access may be from 132nd Avenue NE, provided that such access is limited to one point and meets other City standards.

ZONE

TL 9B

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS													
Section 55.67	USE ↓	REGULATIONS →	Required Review Process	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)	
				Lot Size	REQUIRED YARDS (See Ch. 115)			Lot Coverage					Height of Structure
					Front	Side	Rear						
.010	Detached Dwelling Units		Process IIA, Chapter 150 KZC	5,000 sq. ft.	20'	5'	10'	60%	30' above average building elevation	E	A	2.0 per unit.	<ol style="list-style-type: none"> For this use, only one dwelling unit may be on each lot regardless of the size of the lot. Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use.
.020	Detached, Attached or Stacked Dwelling Units		Process IIA, Chapter 150 KZC	5,000 sq. ft.		5' for detached units. For attached or stacked units, 5', but 2 side yards must equal at least 15'. See Spec. Reg. 3.	10' See Spec. Reg. 4.		30' – 50' above average building elevation. See Spec. Reg. 5	D		1.7 per unit.	<ol style="list-style-type: none"> Chapter 115 KZC contains regulations regarding home occupations and other accessory uses, facilities and activities associated with this use. Chapter 115 KZC contains regulations regarding common recreational space requirements for this use. The side yard may be reduced to zero feet if the side of the dwelling unit is attached to a dwelling unit on an adjoining lot. If one side of a dwelling unit is so attached and the opposite side is not, the side that is not attached must provide a minimum side yard of five feet. The rear yard may be reduced to zero feet if the rear of the dwelling unit is attached to a dwelling unit on an adjoining lot. For attached and/or stacked dwelling units, the maximum building height may exceed 30 feet above average building elevation if at least 10 percent of the units provided in new residential developments of 10 units or greater are affordable housing units, as defined in Chapter 5 KZC. The number of affordable housing units is determined by rounding up to the next whole number (unit) if the fraction of the whole number is at least 0.66. An agreement in a form approved by the City must be recorded with the King County Department of Records and Elections to stipulate conditions under which required affordable housing units will remain as affordable housing units for the life of the project for rental units, and at least 30 years from the date of initial owner occupancy for ownership units. Additional affordable housing incentives may be applicable to residential development (see Chapter 112 KZC).

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS													
Section 55.67	USE 	REGULATIONS 	Required Review Process	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)	
				Lot Size	REQUIRED YARDS (See Ch. 115)			Lot Coverage					Height of Structure
					Front	Side	Rear						
.030	Church		Process IIA, Chapter 150 KZC.	7,200 sq. ft.	20'	20'	20'	70%	30' above average building elevation.	C	B	1 for every 4 people based on maximum occupancy load of worship. See Spec. Reg. 2.	1. The property must be served by a collector or arterial street. 2. No parking is required for day-care or school ancillary to the use.

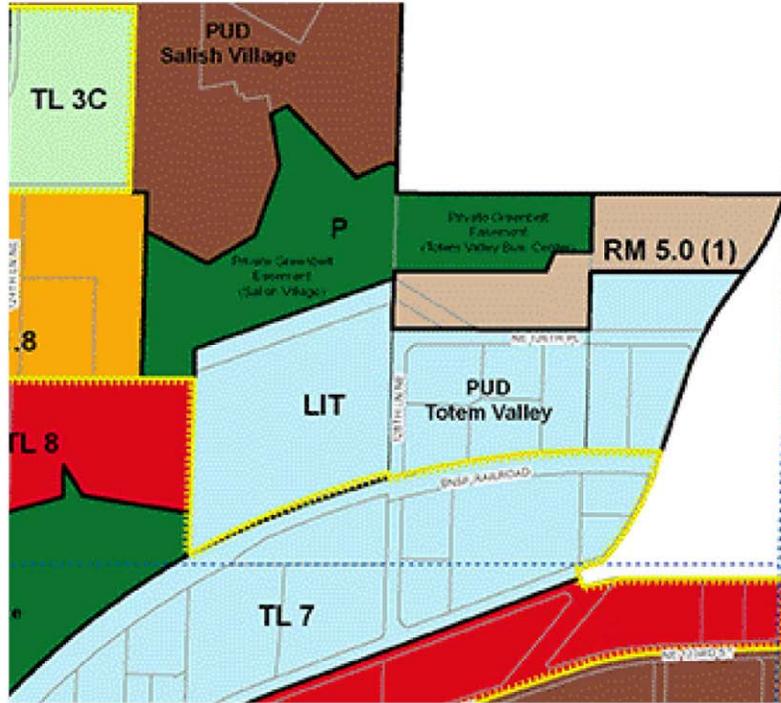
DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS												
Section 55.67	USE 	REGULATIONS 	Required Review Process	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
				Lot Size	REQUIRED YARDS (See Ch. 115)			Height of Structure				
					Front	Side	Rear					
.040	School or Day-Care Center	Process IIA, Chapter 150 KZC.	7,200 sq. ft.	If this use can accommodate 50 or more students or children, then: 50' 50' on each side 50' If this use can accommodate 13 to 49 students or children, then:			70%	30' above average building elevation. See Spec. Reg. 8.	D	B	See KZC 105.25.	1. May locate on the subject property only if: a. It will not be materially detrimental to the character of the neighborhood in which it is located. b. Site and building design must minimize adverse impacts on surrounding residential neighborhoods. 2. A six-foot-high fence is required only along the property line adjacent to the outside play areas. 3. Structured play areas must be set back from all property lines as follows:

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS

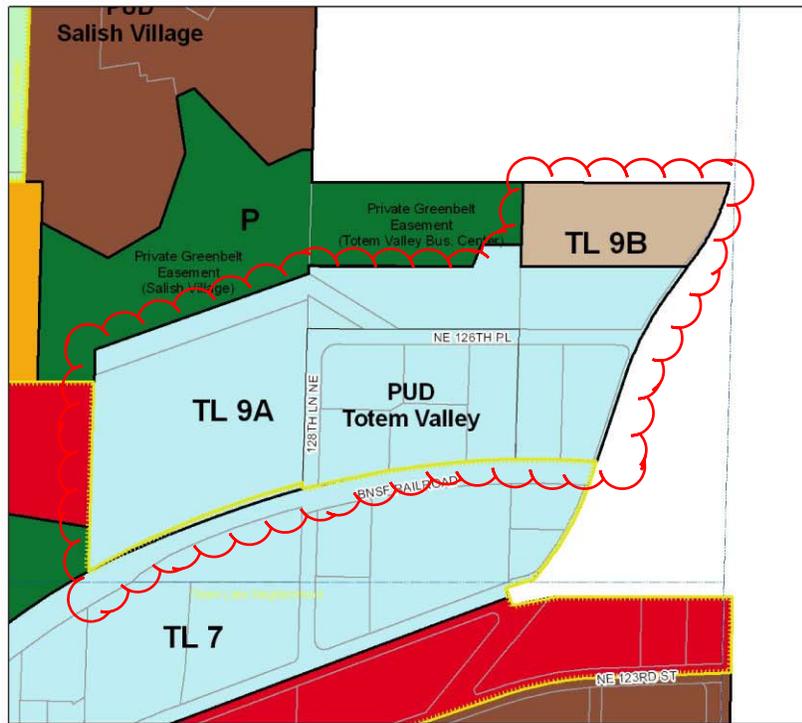
Section 55.67	USE ↓	REGULATIONS ↓	Required Review Process	MINIMUMS			Lot Coverage	MAXIMUMS	Height of Structure	Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
				REQUIRED YARDS (See Ch. 115)									
				Front	Side	Rear							
				20'	20' on each side	20'							<p>a. <u>Twenty feet if this use can accommodate 50 or more students or children.</u></p> <p>b. <u>Ten feet if this use can accommodate 13 to 49 students or children.</u></p> <p>4. <u>An on-site passenger loading area must be provided. The City shall determine the appropriate size of the loading area on a case-by-case basis, depending on the number of attendees and the extent of the abutting right-of-way improvements. Carpooling, staggered loading/unloading time, right-of-way improvements or other means may be required to reduce traffic impacts on nearby residential uses.</u></p> <p>5. <u>May include accessory living facilities for staff persons.</u></p> <p>6. <u>To reduce impacts on nearby residential uses, hours of operation of the use may be limited and parking and passenger loading areas relocated.</u></p> <p>7. <u>These uses are subject to the requirements established by the Department of Social and Health Services (WAC Title 388).</u></p> <p>8. <u>For school use, structure height may be increased, up to 35 feet, if:</u></p> <p>a. <u>The school can accommodate 200 or more students; and</u></p> <p>b. <u>The required side and rear yards for the portions of the structure exceeding the basic maximum structure height are increased by one foot for each additional one foot of structure height; and</u></p> <p>c. <u>The increased height is not specifically inconsistent with the applicable neighborhood plan provisions of the Comprehensive Plan; and</u></p> <p>d. <u>The increased height will not result in a structure that is incompatible with surrounding uses or improvements.</u></p>

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS												
Section 55.67	USE ↓	REGULATIONS →	Required Review Process	MINIMUMS			MAXIMUMS		Landscape Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
				Lot Size	REQUIRED YARDS (See Ch. 115)			Height of Structure				
					Front	Side	Rear					
.050	Mini-School or Mini-Day-Care	Process IIA, Chapter 150 KZC	3,600 sq. ft.					D	B	See KZC 105.25.	<ol style="list-style-type: none"> 1. May locate on the subject property if: <ol style="list-style-type: none"> a. It will not be materially detrimental to the character of the neighborhood in which it is located. b. Site design must minimize adverse impacts on surrounding residential neighborhoods. 2. A six-foot-high fence is required along the property line adjacent to the outside play areas. 3. Structured play areas must be set back from all property lines by five feet. 4. An on-site passenger loading area may be required depending on the number of attendees and the extent of the abutting right-of-way improvements. 5. To reduce impacts on nearby residential uses, hours of operation of the use may be limited and parking and passenger loading areas relocated. 6. May include accessory living facilities for staff persons. 7. These uses are subject to the requirements established by the Department of Social and Health Services (WAC Title 388). 	
.060	Convalescent Center or Nursing Home	Process IIA, Chapter 150 KZC.	7,200 sq. ft.		10' on each side		70%	C See Spec. Reg. 2.	B	1 for each bed.		
.070	Public Utility	Process IIA, Chapter 150 KZC.	None	20'	20' on each side	20'	70%	30' above average building elevation.	A See Spec. Regs. 2 and 3.	B	See KZC 105.25.	<ol style="list-style-type: none"> 1. Site design must minimize adverse impacts on surrounding residential neighborhoods. 2. Landscape Category A or B may be required depending on the type of use on the subject property and the impacts associated with the use on the nearby uses.

DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS												
Section 55.67	USE ↓	REGULATIONS →	Required Review Process	MINIMUMS			MAXIMUMS		Landscaping Category (See Ch. 95)	Sign Category (See Ch. 100)	Required Parking Spaces (See Ch. 105)	Special Regulations (See also General Regulations)
				Lot Size	REQUIRED YARDS (See Ch. 115)			Height of Structure				
					Front	Side	Rear					
.080	Government Facility Community Facility				Lot Coverage			C See Spec. Regs. 2 and 3.				
.090	Public Park		Development standards will be determined on case-by-case basis. See Chapter 49 KZC for required review process.									



EXISTING ZONING



NEW TL9A & TL 9B ZONING



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

MEMORANDUM

To: David Ramsay, City Manager

From: Daryl Grigsby, Public Works Director
Ray Steiger, PE, Capital Projects Manager

Date: May 22, 2008

Subject: NE 132nd Street Master Plan – Final Recommendations

RECOMMENDATION:

It is recommended that City Council review and approve the recommendations of the NE 132nd Street Master Plan, as prepared by Public Works Staff and the City's consultant, KPG, Inc., with contributions and endorsement by the City's Transportation Commission.

BACKGROUND DISCUSSION:

The City first identified improvements along NE 132nd Street from 100th Ave NE to 116th Ave NE as a part of the 2000 - 2005 Capital Improvement Program (CIP). This corridor lies mostly within unincorporated King County but immediately adjacent to the northern-most limits of the City (Attachment A). The improvements were identified as a completion of the predominantly three-lane roadway with bike lanes and sidewalks and were to include \$600K City of Kirkland funding and an additional \$2.3M identified from King County; King County had identified improvements to the corridor in their Transportation Needs Report (TNR Project #N-75.20). The project was listed as unfunded in Kirkland's CIP.

During the City's update of the Totem Lake plan, and eventual designation as an Urban Center recognized by the Puget Sound Regional Council (PSRC), traffic modeling of various transportation options indicated that NE 132nd Street would need to be able to handle additional capacity. The scope and the estimated total budget for the Project were increased dramatically. In the 2006 - 2011 CIP, the Project's scope was modified to a five-lane project with an anticipated budget of \$27.5M; by the 2008 - 2013 CIP, the Project budget had reached \$45M based on general construction escalation, anticipated property acquisition costs, and a project limit that had now extended east to 132nd Avenue NE. During the same time period, King County removed their NE 132nd Street project from the TNR and replaced it with Intelligent Transportation Systems (ITS) in the corridor relying on signal interconnects and video to address their transportation needs and levels of service.

Given the major anticipated impact that the Project would have on the adjacent property owners, the significant amount of funding needed to construct such a large project, and discussions about potential annexation of the entire roadway, the City's Transportation Commission proposed developing a master plan for the corridor in order to better develop a funding strategy and to identify the potential impacts. In 2006 the Commission recommended and the City Council approved funding for a master plan study in the amount of \$200,000.

The Study

The corridor surrounding NE 132nd Street is primarily a residential area between 100th Ave NE and 116th Ave NE, and changes to a mix of residential/multi-family and medical office buildings between I-405 and 124th Ave NE; it

returns to residential east of 124th Ave NE. The Study began by developing a detailed traffic model in order to more fully consider all alternatives that might be available. The primary goal was to identify a roadway cross section that would best meet the current and future (through 2030) needs of the Corridor. The Study included all travel modes including bicycle, pedestrian, transit and auto. It also identified how the Washington State Department of Transportation's (WSDOT) proposed half-interchange at I-405 and NE 132nd Street might affect the operation of the Corridor, and it provided a guide for how to best improve the NE 132nd Street roadway in order to meet the overall regional needs while continuing to serve the adjacent neighborhoods.

The Approach

In 2007 Staff interviewed five regionally experienced transportation engineering firms to perform the Master Plan study on the NE 132nd Street corridor. In April of 2007 the City entered into a contract with KPG Inc., Seattle, WA. and over the past year, KPG and Staff met periodically with the Transportation Commission to discuss the various developments of the Study. Between April 2007 and April 2008, Staff and the Consultant met with the Transportation Commission a total of six times. Through the process, the Consultant developed a traffic model that was able to simulate travel patterns for the entire "traffic basin" from approximately NE 160th Street on the north to NE 124th Street on the south. The model was also used to examine the potential impacts of the proposed WSDOT I-405/NE 132nd Street half-interchange.

The Results

NE 132nd Street is an important multi-modal facility serving the needs of the residents in the area, both in Kirkland and in surrounding King County, as well as being an important arterial connection in the Totem Lake Urban Center; the addition of the WSDOT interchange will further add to that role. Existing traffic counts and growth projections done in the Study modeling confirmed a heavy southeast - northwest commuting pattern crossing the area, and traffic modeling for the year 2030 indicated that capacity will also need to be added to the other east-west corridors of the City (NE 124th Street, NE 116th Street) in order to handle projected congestion and reduce associated intersection delays. Increasing NE 132nd Street to a five lane roadway, as envisioned in the Totem Lake Plan, the City's CIP, and as modeled during the study, would dramatically change the nature and character of the corridor, would require the acquisition of large amounts of right-of-way along the entire corridor, and in some cases entire properties would have to be purchased. The modeling indicated that an expansion of NE 132nd Street to five lanes would also draw traffic from other east/west routes such as NE 124th Street and NE 160th Street to the potential detriment of NE 132nd Street. On a more positive note, the travel demand modeling indicated that the WSDOT's planned half interchange at I-405 and NE 132nd Street will impact the corridor but not as significantly as originally anticipated.

The traffic-basin modeling allowed the Consultant to look comprehensively at alternatives and combinations of alternatives other than the five lane scenario and to develop a solution that will allow the City to meet its concurrency requirements while providing lower collateral impact to the surrounding community. The Study shows that a three-lane roadway section in combination with a series of intersection improvements along the corridor will meet concurrency through 2030 for an estimated cost of approximately \$11M (2008).

The Recommendations

The Study developed a number of specific recommendations for key intersections along NE 132nd Street while generally maintaining the existing three-lane cross section (Attachment B). Improvements identified include modifications at the following intersections:

- 100th Avenue NE
- Juanita High School entrance
- 108th Avenue NE
- I-405/116th Way NE (WSDOT interchange)
- 124th Avenue NE
- 132nd Avenue NE

Further, the Study recommends:

- Modifying the existing signal at Fire Station #27 with a pedestrian actuated option
- Overlaying and restriping the existing 3-lane roadway between 100th Ave NE and 132nd Ave NE to improve bicycle accommodations
- Working with WSDOT in their half-interchange design at I-405/116th Way NE
- Integrating the Kirkland ITS Plan into the corridor (coordinating with King County's Plans)
- Installing a signal interconnect system from 100th Avenue NE to 132nd Avenue NE
- Implementing Transit Signal Priority
- Consolidating transit stops with improved pedestrian crossings
- Repairing or replacing damaged sections of existing sidewalk
- Adding pedestrian-level lighting

Priorities and Implementation

The majority of recommended improvements identified in the Master Plan are currently located outside of the City limits and, as such, will require significant cooperation with King County and the WSDOT in order to implement them. Conclusions reached in the City's annexation study, underway concurrent with the 132nd Street Master Plan process, would have a bearing on the funding approaches for the NE 132nd Street project, and Staff has not yet had an opportunity to work directly with representatives from King County Roads as a part of the NE 132nd Street Master Plan. Staff has however ascertained from the County Staff that, except for the ITS project planned by King County, no other funding has been allocated for NE 132nd Street. However, now that final resolution of annexation has been postponed for a period of time, if the improvement recommendations are approved by Council, Staff will begin dialogue with King County and jointly look at appropriate roadway dedications required by future development and possible joint grant opportunities.

For the Master Plan, the various improvements have been prioritized based on timing of other projects such as the WSDOT I-405 Interchange and on the need for specific improvements to maintain concurrency. At this time, as we move into the City's 2009 – 2014 CIP process, Staff is including each of the Plan's proposed improvements into the prioritization process allowing each improvement to compete with other projects throughout the City. This prioritization will enable Staff to identify the timing of transportation improvements for the corridor and to coordinate with King County and WSDOT on joint transportation projects along the NE 132nd Street corridor.

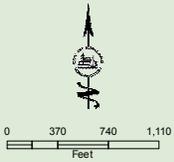
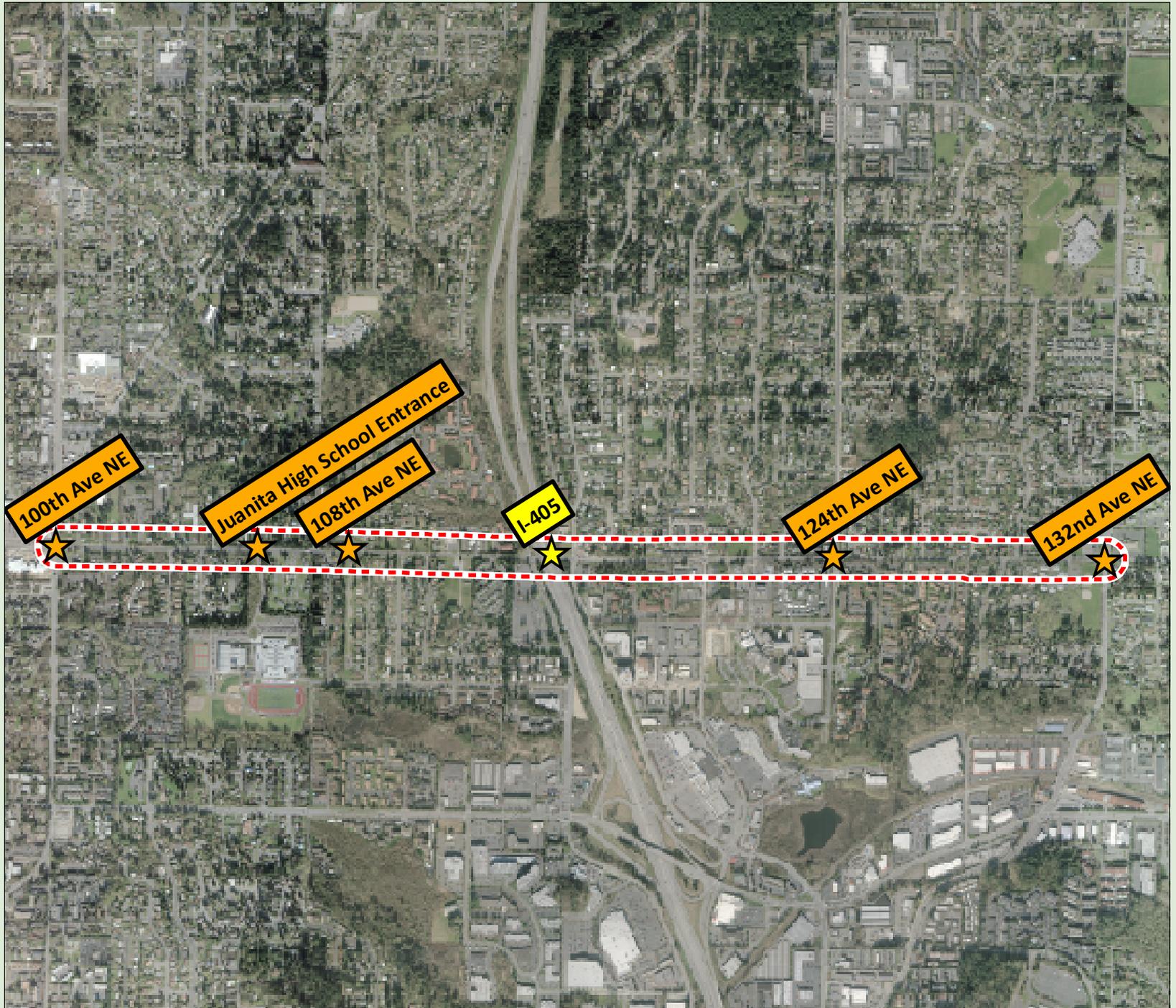
Public Process

Beyond the public comments received during the Transportation Commission meetings there have been no other public forums regarding the Master Plan. There were some public comments presented to the Transportation Commission regarding bike lanes in the corridor and those comments have been addressed in the final recommended roadway design configuration; public input will also be taken during the CIP process. As individual components of the Master Plan become funded or are advanced to design, a Public outreach process consistent with other CIP projects will be implemented.

Attachments (2)



Vicinity Map



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NE 132nd Street Master Plan Study



NE 132nd Street Roadway Master Plan

Traffic Analysis Report

City of Kirkland



April 2008

Prepared for
City of Kirkland
123 5th Avenue
Kirkland, WA 98033

Prepared by



Mirai Transportation Planning & Engineering



KPG Inc.

NE 132nd Street Roadway Master Plan Traffic Analysis Report

Prepared for

City of Kirkland
123 5th Avenue
Kirkland, Washington 98033



Prepared by

Mirai Transportation Planning and Engineering
11410 NE 122nd Way, Suite 320
Kirkland, Washington 98034-6927
(425) 820-0100

In association with

KPG
753 9th Ave N
Seattle, Washington, 98109
(206) 286-1640

February 2008

Table of Contents

Executive Summary	1
Purpose	1
Background	1
Recommendations	1
Priorities for Implementation	3
Introduction	4
Existing Conditions	5
Roadway System	5
Bicycle System	9
Pedestrian System	9
Transit System	12
Collisions	15
Traffic Analysis	18
Current Traffic Volumes	18
AM Peak Hour Conditions	19
PM Peak hour Conditions	19
Future Conditions	25
Year 2030 Forecasts: Travel Demand Modeling	25
Totem Lake Corridor Growth	26
Totem Lake East-West Corridor Analysis	31
Future Baseline Conditions	34
Roadway Alternatives	40
Enhanced Three-Lane Roadway Alternative	40
Five-Lane Roadway Alternative	44
Corridor Analysis Comparisons	47
Travel Time	47
Queue Lengths	47
Concurrency Analysis	47
Congestion	50
Conclusions and Recommendations	51
Conclusions	51
Recommendations	51
Priorities for Implementation	53

List of Tables

Table 1. King County Metro Transit Service.....	14
Table 2. Growth between 2005 and 2030 in the Study Area.....	25
Table 3. Annualized Average Growth between 2005 and 2030 in Percentage.....	25

List of Figures

Figure 1. Existing Roadway Configuration and Intersection Control.....	7
Figure 2. Existing Speed Limit and Intersection Control.....	8
Figure 3. Street Classification.....	10
Figure 4. 2005 Average Weekday Daily Traffic.....	11
Figure 5. Crosswalk and Transit Facility Locations.....	13
Figure 6. Total Number and Type of Collisions.....	16
Figure 7. Average Number of Collisions per Year.....	17
Figure 8. 2007 AM Peak Hour Turning Movement Volumes.....	21
Figure 9. 2007 AM Peak Hour Operations.....	22
Figure 10. 2007 PM Peak Hour Turning Movement Volumes.....	23
Figure 11. 2007 PM Peak Hour Operations.....	24
Figure 12. Forecast PM Peak Hour Traffic Growth from 2005 to 2030.....	27
Figure 13. Select Link Analysis for Westbound Trips along NE 132nd Street East of I-405.....	28
Figure 14. Select Link Analysis for Northbound Trips along I-405 South NE 116th Street.....	29
Figure 15. Comparison of 2005 and 2030 Forecast PM Peak Hour Volumes.....	30
Figure 16. Forecast 2030 PM Peak Hour Volume Change from a 3-Lane to 5-Lane NE 132nd Street.....	32
Figure 17. Forecast 2030 PM Peak Hour Volume Change from a 5-Lane to 7-Lane NE 124th Street.....	33
Figure 18. WSDOT Proposed I-405 Half Interchange at NE 132nd Street.....	35
Figure 19. 2030 PM Peak Hour Turning Movement Volumes – Baseline Conditions.....	36
Figure 20. 2030 PM Peak Hour Operations – Baseline Conditions.....	37
Figure 21. 2014 PM Peak Hour Turning Movement Volumes – Baseline Conditions.....	38
Figure 22. 2014 PM Peak Hour Operations – Baseline Conditions.....	39
Figure 23. 2030 PM Peak Hour Operations – Enhanced Three-Lane Roadway.....	41
Figure 24. 2030 PM Peak Hour Operations – Enhanced Three-Lane Roadway, Without Right-turn Pockets at 108th Avenue NE and 132nd Avenue NE.....	42
Figure 25. 2014 PM Peak Hour Operations – Enhanced Three-Lane Roadway.....	43
Figure 26. 2030 PM Peak Hour Turning Movement Volumes – Five-Lane Roadway.....	45
Figure 27. 2030 PM Peak Hour Operations – Five-Lane Roadway.....	46
Figure 28. PM Peak Hour Travel Time Comparison for NE 132nd Street (100th Ave – 132nd Ave NE).....	48
Figure 29. NE 132nd Street Intersection Peak Hour Queue Length Comparison.....	49

EXECUTIVE SUMMARY

Purpose

The NE 132nd Street corridor considered in this report lies between 100th Avenue NE and 132nd Avenue NE. The purpose of the NE 132nd Street Roadway Master Plan Study is to identify a standard roadway cross section that meets the current and future needs of the corridor (through 2030); provide for all travel modes (including bicycle, pedestrian, transit and auto); identify how the proposed half-interchange at I-405 will affect the operation of the corridor; and provide a guide for how to best improve the NE 132nd Street roadway to meet the overall community needs while continuing to serve the adjacent neighborhoods. Through this study the consultant and City team developed a list of projects to address the NE 132nd Street corridor's needs for today and the future. The traffic projections, analysis, and proposed layouts have been reviewed and approved by the City's Transportation Commission.

Background

The NE 132nd Street corridor is currently under King County ownership and is primarily a residential corridor. The City of Kirkland prepared this study to assist with their annexation analysis of the North Kirkland area. West of I-405 NE 132nd Street is a two lane roadway with narrow bike lanes. East of I-405 it is a two lane roadway with wide bike lanes and turn lanes at major intersections. Juanita High School and Fire Station # 27 are adjacent to NE 132nd Street west of I-405. East of I-405 there are several large subdivisions that outlet to NE 132nd Street. Ten metro bus routes run along NE 132nd Street. The speed limit along NE 132nd Street is 35 mph and the average weekday traffic ranges from approximately 12,000 to 20,000 vehicles per day. There are sidewalks along both sides of NE 132nd Street the length of the corridor and planter strips in most places.

Existing traffic counts and projections show a heavy southeast to northwest commuting pattern that crosses the study area along NE 116th Street, NE 124th Street and NE 132nd Street. Modeling for the year 2030 indicates that capacity will need to be added to the east-west corridors in order to reduce congestion and intersection delays.

Recommendations

One of the primary outcomes of this study is that the new half diamond interchange at I-405 will not require a major reconstruction or widening of NE 132nd Street.

The study did develop the following recommendations for the NE 132nd Street.

- Maintain a three-lane cross section for NE 132nd Street. (see typical cross sections in Appendix A).
- Implement the following intersection and roadway improvement projects along NE 132nd Street (see plan layouts and cost estimates in Appendix A):
 - 100th Avenue NE intersection – Extend the westbound left and right turn lanes to 500 feet. Approximate cost \$1 million.

- Juanita High School intersection – Add a 250-foot eastbound right turn lane. Approximate cost \$750,000.
- 108th Avenue NE intersection – Add a 250-foot westbound right turn lane. Approximate cost \$500,000.
- Modify the signal at the fire station to include a pedestrian actuated option. Approximate cost \$300,000.
- West Segment: Overlay and restripe roadway, add landscaped center medians and perform sidewalk repairs between the east end of the 100th Avenue NE intersection project and the west end of the I-405 project. Approximate cost \$1.2 million.
- Revise the WSDOT half-interchange design at 116th Way NE as follows: restripe northbound approach for one left turn lane and one left + right turn lane, modify the southbound off-ramp to remove the traffic island and stripe for one left turn lane, one through + left lane and one through + right lane. Assume that these changes are part of the WSDOT project with no cost to the City.
- Central Segment: Overlay and restripe roadway, add landscaped center medians and perform sidewalk repairs between the east end of the I-405 project and the west end of the 124th Avenue NE project. Approximate cost \$300,000.
- 124th Avenue NE Intersection – Continue to monitor this intersection to verify the traffic model conclusions of this study. If the eastbound to northbound left turn volumes remain as high as the model is anticipating then the City will need to extend the existing eastbound left turn lane to 500 feet and add a second 500-foot eastbound left turn lane. Widen and restripe east leg at the intersection to match west leg. Widen and restripe north leg for 1000 feet to provide two northbound through lanes, one southbound left turn lane and one southbound through + right turn lane. Restripe south leg at the intersection to match north leg. Approximate cost \$4.5 million.
- East Segment: Overlay and restripe roadway, add landscaped center medians and perform sidewalk repairs between the east end of the 124th Avenue NE project and the west end of the 132nd Avenue NE project . Approximate cost \$1 million.
- 132nd Avenue NE Intersection – Extend eastbound left and right turn lanes to 500 feet. Approximate cost \$700,000.
- Integrate components of the Kirkland ITS Plan into the NE 132nd Street corridor as part of either Overlay or Intersection projects.
 - Upgrade the traffic signal controllers and consider video detection for the intersections
 - Install interconnect system from 100th Avenue NE to 132nd Avenue NE
 - Install CCTV cameras to monitor and manage traffic congestion and queues. Locations could include 100th Avenue NE, Totem Lake Boulevard and 124th Avenue NE intersections to provide visibility throughout the two-mile corridor.

- Implement transit signal priority in the corridor to assist transit passage through the congested intersections. In particular, passage through the interchange area near I-405 will be critical for transit to maintain its schedule.
- Work with King County Metro to consolidate transit stops with improved pedestrian crossing treatments in conjunction with overlay project segments and construction of landscaped medians through the corridor.
- Explore pedestrian-level lighting for the corridor, in conjunction with sidewalk and transit stop enhancements.

Priorities for Implementation

There are many changes underway in the Totem Lake area that will influence travel patterns and traffic demand on NE 132nd Street. This corridor analysis reflects the expected traffic growth assigned to the corridor based on current traffic volumes and patterns.

Changes in circulation are expected with the new NE 128th Street arterial connection across I-405 that provides HOV direct access to I-405. WSDOT plans to construct a half-interchange at NE 132nd Street and this will likely result in additional shifts in traffic and circulation.

The intersection LOS analysis indicates that the 100th Avenue NE and 124th Avenue NE intersection projects should be the first ones to be constructed, due to the high level of congestion. The project at 100th Avenue NE is likely warranted regardless of the circulation changes near I-405. A project to improve access at the Juanita High School signal would also be justified near-term.

Modifying the channelization east of I-405 temporarily to match the Alternate Roadway Section shown in Appendix A is also a near term recommendation. This will provide a consistent bike lane treatment for the corridor.

We recommend that the City monitor traffic volumes on NE 132nd Street, especially east of I-405 to affirm the sequence of the intersection projects in the proposed Master Plan for NE 132nd Street Roadway. The restriping, crosswalk and sidewalk enhancements and center medians could be incorporated into the arterial overlay program or could be stand alone projects.

INTRODUCTION

NE 132nd Street provides an important east-west connection from the growing residential areas of north Kirkland and unincorporated King County to the Totem Lake urban center. NE 132nd Street also provides the connection to major facilities including Juanita High School, Kirkland Fire Station 27, the Kingsgate Park and Ride, the Evergreen Hospital campus and the 132nd Street Square Park. Currently, the street is the boundary between the City of Kirkland and unincorporated King County. The area to the north of NE 132nd Street is included as part of Kirkland's potential annexation area (PAA).



In the near future, several projects along Interstate 405 (I-405) will have an impact on this corridor. Currently, the Washington State Department of Transportation (WSDOT) and Sound Transit are constructing the new Totem Lake Freeway Station. This project is near completion and will provide direct access ramps for buses, carpools and vanpools from the I-405 high occupancy vehicle (HOV) lanes to and from the new NE 128th Street overpass. Another project that will impact NE 132nd Street is the I-405/NE 132nd Street Interchange Improvement Project. WSDOT will construct a new half interchange to and from the north at NE 132nd Street.



In the Totem Lake urban center, the Evergreen Hospital Medical Center recently expanded their Emergency Department and added a new Inpatient Facility. In addition to these buildings, Sound Transit has partnered with Evergreen Health Care to build the new Totem Lake Transit Center on their medical center campus. This six-bay transit center will include sheltered passenger waiting area and bus layover space. Just to the south, Developer Diversified Reality has plans for a major redevelopment of the Totem Lake Mall. The redevelopment includes street reconfigurations, new

housing and denser commercial development.

This report documents the analysis of the current and future needs and conditions for all modes of travel along NE 132nd Street. The focus for the study is a 2-mile section of NE 132nd Street between 100th Avenue NE and 132nd Avenue NE.

EXISTING CONDITIONS

Roadway System

NE 132nd Street is one of three roadways that make up the Totem Lake east-west corridor serving the Totem Lake urban center. This corridor includes:

- NE 132nd Street
- NE 124th Street
- NE 116th Street

The three roadways collectively serve a significant east-west travel demand in the north area of Kirkland. The I-405 freeway divides the travel-shed for the roadway located approximately half-way along the study focus of NE 132nd Street. A full interchange provides access to I-405 at NE 124th Street, with an additional northbound ramp to Totem Lake Boulevard. A half-interchange provides I-405 access to and from the south at NE 116th Street.

Existing roadway configuration and intersection controls are indicated in **Figure 1**. NE 132nd Street has one continuous through lane in each direction between 100th Avenue NE and 132nd Avenue NE. It is a three-lane section with a center, two-way left-turn lane between 100th Avenue NE and I-405. East of I-405, NE 132nd Street is a two-lane roadway with left-turn pockets at signalized intersections.

Direct driveway access is limited along NE 132nd Street, however, 32 cross streets and private drives intersect this 2 mile section. Eight of the intersections are signalized. These intersections are:

- 100th Avenue NE
- Juanita High School
- 108th Avenue NE
- 116th Way NE
- 116th Avenue NE/Totem Lake Boulevard NE
- 120th Avenue NE
- 124th Avenue NE
- 132nd Avenue NE

Figure 1 shows where the signal controlled intersections are located. King County controls the signals at 100th Avenue NE, Juanita High School, 108th Avenue NE and 132nd Avenue NE. The other four intersections are controlled and coordinated by the City of Kirkland. Kirkland Fire Station # 27 controls an emergency signal located near 113th Place NE.

Figure 2 provides the speed limits for the streets along the corridor. The posted speed limit along NE 132nd Street is 35 mph. When children are present, a 20 mph school zone exists near Juanita High School. Helen Keller Elementary school is located at 13820 108th Avenue NE, approximately six blocks to the north of NE 132nd Street. An adult school crossing guard is stationed at the 108th Avenue NE signalized intersection to assist elementary school students to cross during both morning and after-school time periods.



Figure 1. Existing Roadway Configuration and Intersection Control

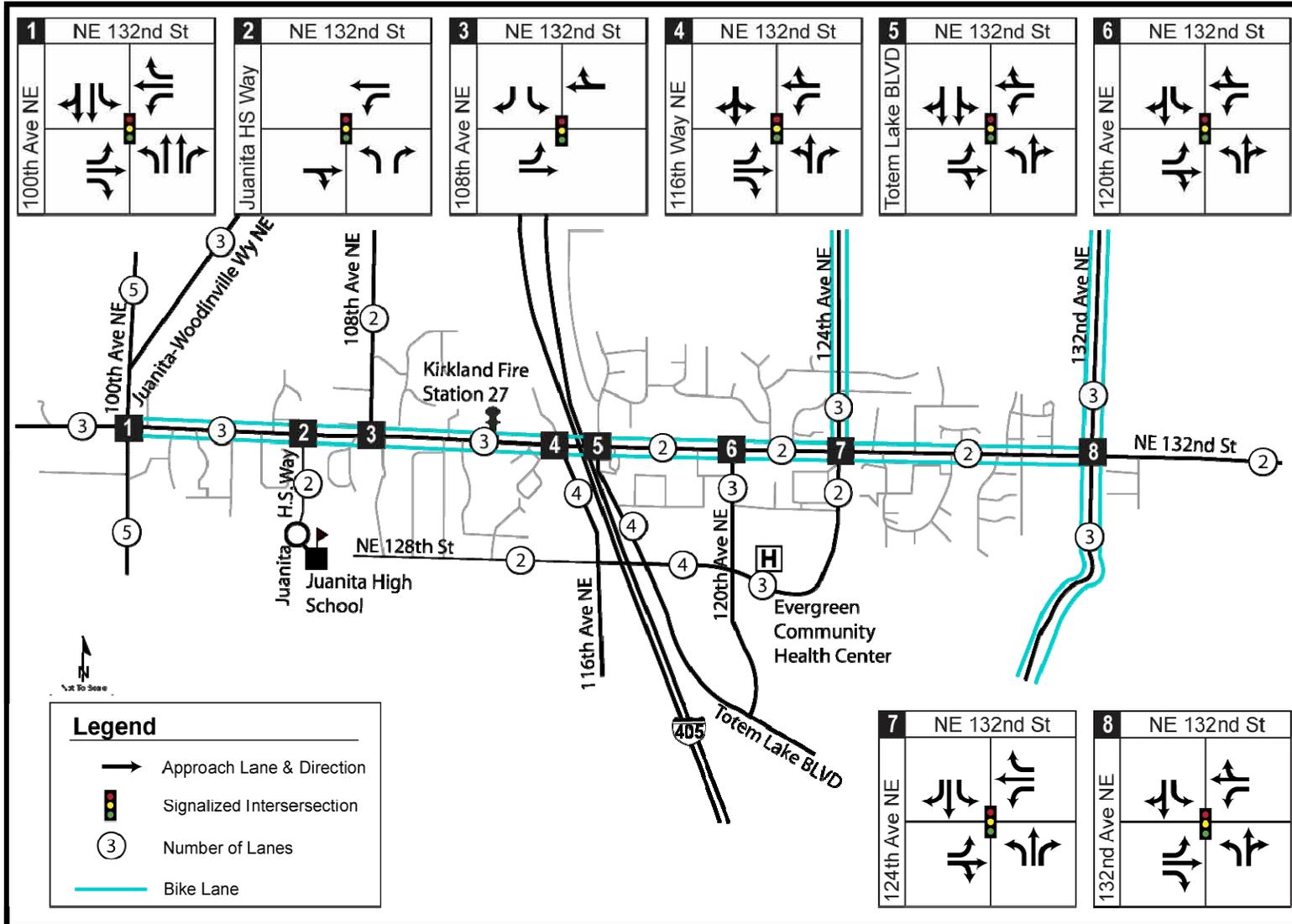


Figure 2. Existing Speed Limit and Intersection Control

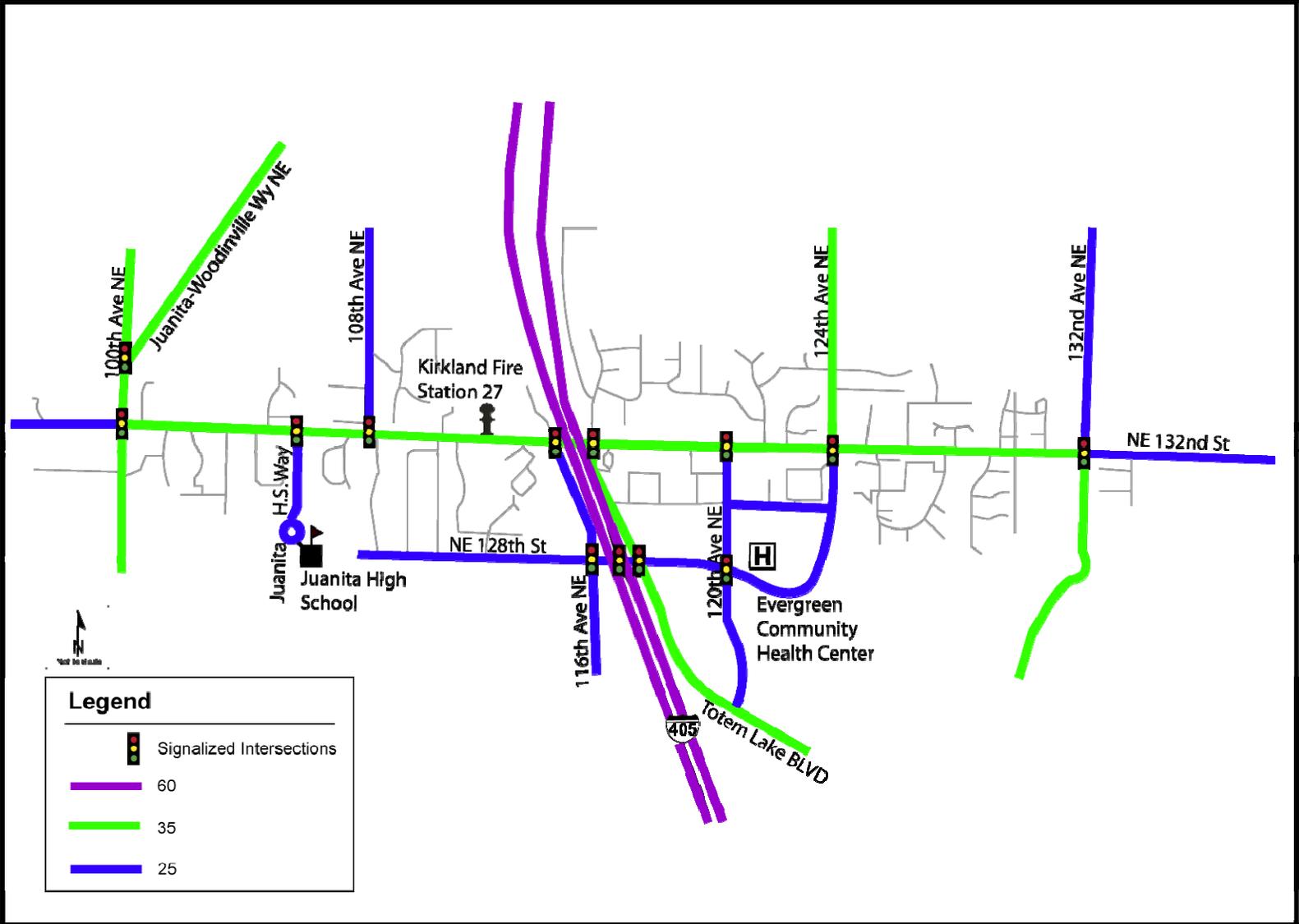


Figure 3 shows the street classifications in the corridor. Note that NE 132nd Street forms the boundary between the City of Kirkland to the south and unincorporated King County to the north between 100th Avenue NE and 128th Avenue NE. East of 128th Avenue NE, NE 132nd Street is within unincorporated King County. The Kirkland Comprehensive Plan identifies NE 132nd Street east of 100th Avenue NE as a principal arterial. The King County street classification map dated June 15, 2005, shows NE 132nd Street as a minor arterial.

Figure 4 provides the average weekday daily traffic, as collected in 2005. However, 116th Way NE was closed to through traffic during much of the study period, due to construction of the direct access ramps at the interchange of NE 128th Street and I-405, Traffic data collected in 2005 form the basis for current conditions of the corridor.

Bicycle System

Figure 1 also shows the location of bike lanes along the corridor. Bicycle lanes are provided along the majority of the NE 132nd Street corridor. The bicycle lane widths vary and are dependent upon the number of travel and turning lanes for that roadway section. Generally, the bicycle lanes are striped to be three feet wide. Where a turning lane is not provided, the lane widens to eight feet wide. The bicycle lane in the eastbound direction ends prior to the 132nd Avenue NE intersection. In the westbound direction, the bike lane ends prior to the 100th Avenue NE intersection. Signage is provided after major intersections to indicate the presence of bicycle lanes.

Pedestrian System

Sidewalks are provided on both sides of the street along the entire NE 132nd Street corridor. The sidewalks are continuous through the study area and conditions are fair to good except where tree roots have grown under the sidewalk causing the sidewalk to buckle. Underneath the I-405 overpass, recent construction has either removed some sidewalk sections or damaged the surface but these will be replaced with completion of the freeway work. Generally, the sidewalks are four to five feet wide with a 3-foot wide planting strip with street trees. Where a planting strip does not exist, the sidewalk is five to six feet wide.

Where trees are in a planter strip adjacent to the roadway, the mature tree roots have often caused sidewalk damage and uneven surfaces near the tree well. This may pose a tripping hazard especially for handicapped and visually impaired persons. The remaining sidewalk width at the tree well is less than three feet – and does not meet current standards for American Disability Association (ADA) access.

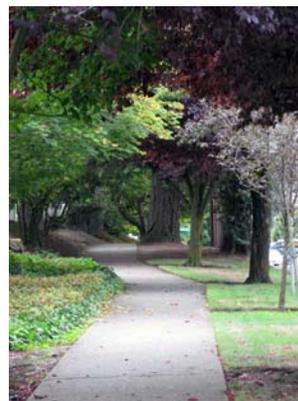


Figure 3. Street Classification

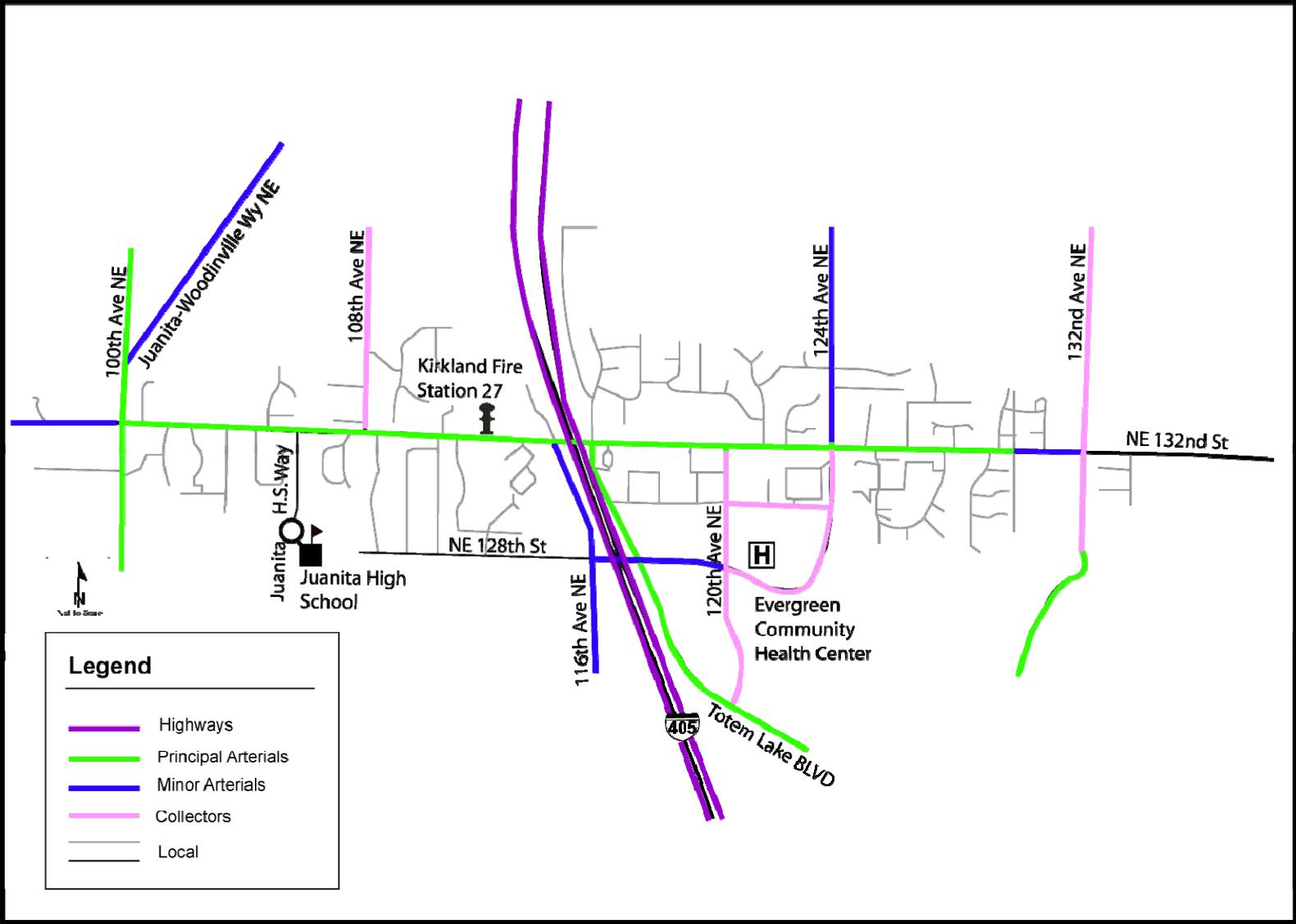


Figure 4. 2005 Average Weekday Daily Traffic

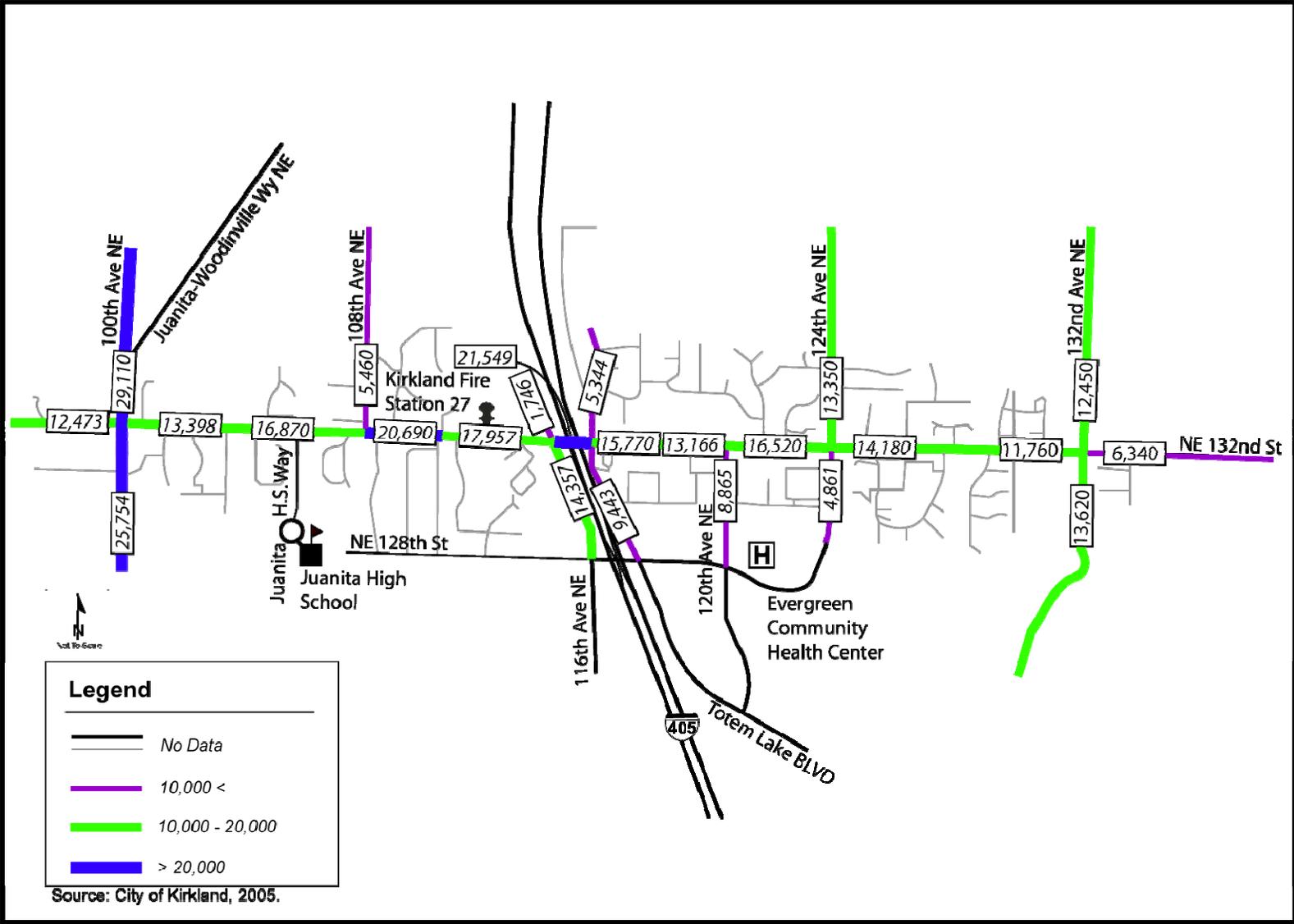


Figure 5 provides the locations of unsignalized marked pedestrian crossings. Crossings are marked at all eight signalized intersections. An additional five marked crossings are located near transit stops or schools at unsignalized intersections. A pedestrian or children crossing sign is posted in both directions prior to each unsignalized, marked crossing. These locations are:

- the west leg at 105th Avenue NE
- the west leg at 109th Avenue NE
- the east leg at 111th Place NE
- the west leg of 121st Avenue NE
- the east leg of 129th Avenue NE

Handicap ramps are provided at all intersection corners, however, they were all built at different times with different standards. Many of these ramps need to be examined for ADA compliance. Truncated domes are only present at newer ramps.

The street trees along the corridor are mature with a full canopy resulting in a tunnel effect for the sidewalks on the south side of NE 132nd Street where trees are in a planting strip. The roadway lighting on the power poles on the north side of NE 132nd Street does not provide pedestrian-level lighting for much of the sidewalk access to transit stops or along the corridor.

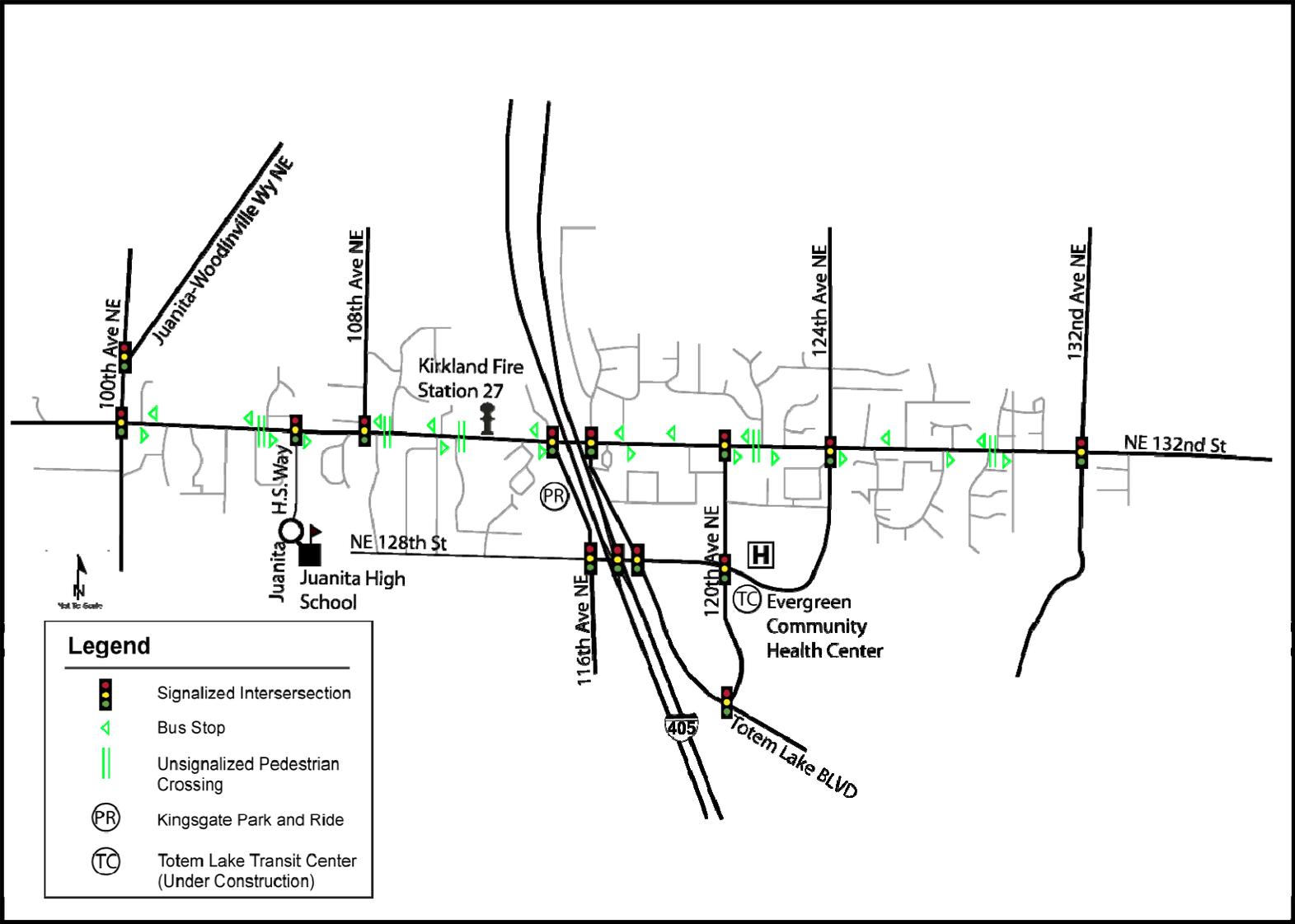


Transit System

Figure 5 also shows the transit facility locations. King County Metro provides the transit service along NE 132nd Street. There are 11 stops on the south side (eastbound) of NE 132nd Street, and 10 stops on the north side (westbound). The stops are spaced roughly every 1,000 feet. The stop on the north side of NE 132nd Street near 121st Avenue NE is the only stop with a shelter.

Ten bus routes travel along this stretch on NE 132nd Street. The majority of these routes make a trip to, from or through the Kingsgate Park and Ride, which is located just south of NE 132nd Street along the west side of 116th Way NE. About half of the routes serve riders during the peak period only. The remaining routes provide all day service on both weekdays and weekends. These routes provide connections to neighboring cities of Bellevue, Redmond, Woodinville and Kenmore. **Table 1** summarizes the transit service along this corridor. Note that during the construction of the Totem Lake Freeway Station and Transit Center, many routes were altered.

Figure 5. Crosswalk and Transit Facility Locations



According to passenger data by stop, provided by King County Metro, the busiest bus zones, with over 20 passengers per day, are located at 100th Avenue NE, 116th Avenue NE, 120th Avenue NE, 121st Avenue NE, 124th Avenue NE in the eastbound direction and at 116th Avenue NE and 121st Avenue NE in the westbound direction. Other locations range from 5 to 19 passengers per day. Some locations are fairly closely spaced and there may be the opportunity to consolidate stops with the potential for improved crosswalk locations.

Table 1. King County Metro Transit Service

Route #	Service Destination	Headways (peak/midday/ evening/Sat/Sun)	Service Period
230	Kingsgate P&R, Totem Lake, Kirkland TC, Bellevue TC, Overlake TC, Redmond	30/30/60/60/60	Weekday/Sat/Sun
236	Woodinville P&R, Kingsgate, Totem Lake, Juanita, Kirkland TC	30/30/30/60/60	Weekday/Sat/Sun
238	UW Bothell, Brickyard P&R, Kingsgate P&R, Totem Lake, Rose Hill, Kirkland TC	30/30/60/60/60	Weekday/Sat/Sun
252	Kingsgate P&R, Downtown Seattle	10-20/ - / - / - / -	Weekday peak direction
255	Brickyard P&R, Kingsgate P&R, Juanita, Kirkland TC, Downtown Seattle	10-15/30/60/ 30-60/30-60	Weekday/Sat/Sun
257	Kingsgate P&R, Downtown Seattle	30/ - / - / - / -	Weekday peak direction
277	Kingsgate P&R, University District	30/ - / - / - / -	Weekday peak direction
630	Kingsgate P&R, Bellevue TC	30/ - / - / - / -	Weekday peak
644	Kenmore P&R, Kingsgate P&R, Overlake TC	30/ - / - / - / -	Weekday peak direction
935	Kenmore, Juanita, Totem Lake, Kingsgate P&R	30/60/ DART / DART / DART	Weekday/Sat/Sun

Note: DART = Dial a Ride Transit

Collisions

King County and the City of Kirkland maintain collision data along NE 132nd Street. King County has three years of collision data for a period starting on January 1, 2002 and ending on December 31, 2004. The City of Kirkland has six years worth of collision data starting from January 1, 2001 and ending on December 31, 2006.

Collision history indicates that most locations along the NE 132nd Street Corridor have less than three accidents per year. Locations with more than three collisions per year tended to be clustered around congested intersections, including:

- 100th Avenue NE/NE 132nd Street
- 116th Way NE/NE 132nd Street
- Totem Lake Boulevard/NE 132nd Street
- 132nd Avenue NE/NE 132nd Street

The largest number of collisions is recorded at the 100th Avenue NE intersection, followed by the Totem Lake Boulevard NE/116th Avenue NE intersection. The largest number of mid-block collisions is noted between 116th Way NE and Totem Lake Boulevard NE/116th Avenue NE. The most common collision type rear endings are noted at two intersections: 100th Avenue NE/NE 132nd Street and 116th Way NE/NE 132nd Street as well as certain mid-block stretches along NE 132nd Street. These patterns and types of recorded collisions suggest that congestion is a major cause.

Figure 6 provides an overview of the total number and most common type of collisions for the three-year collision history. **Figure 7** provides the average number of collisions for the NE 132nd Street corridor.

Figure 6. Total Number and Type of Collisions

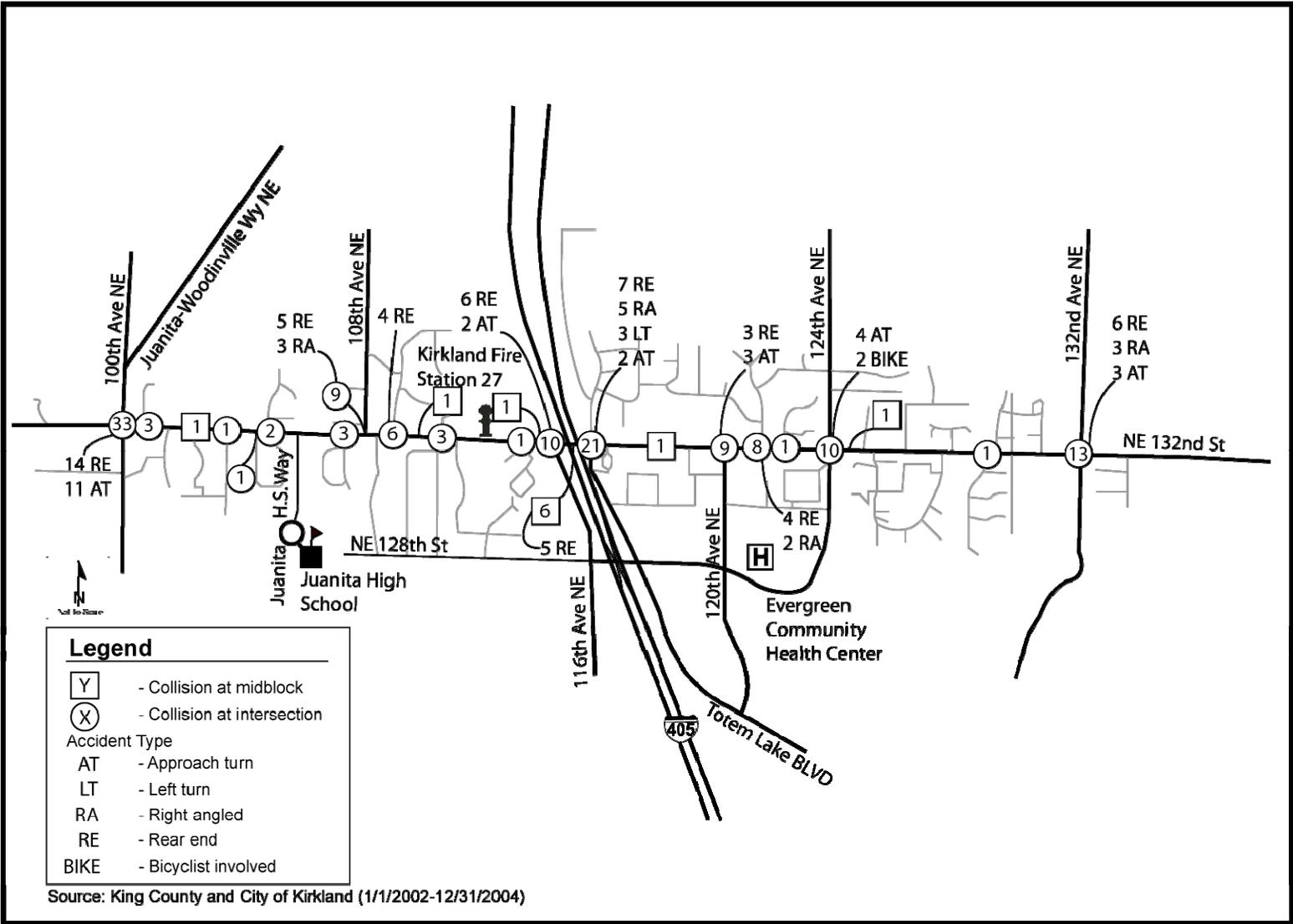
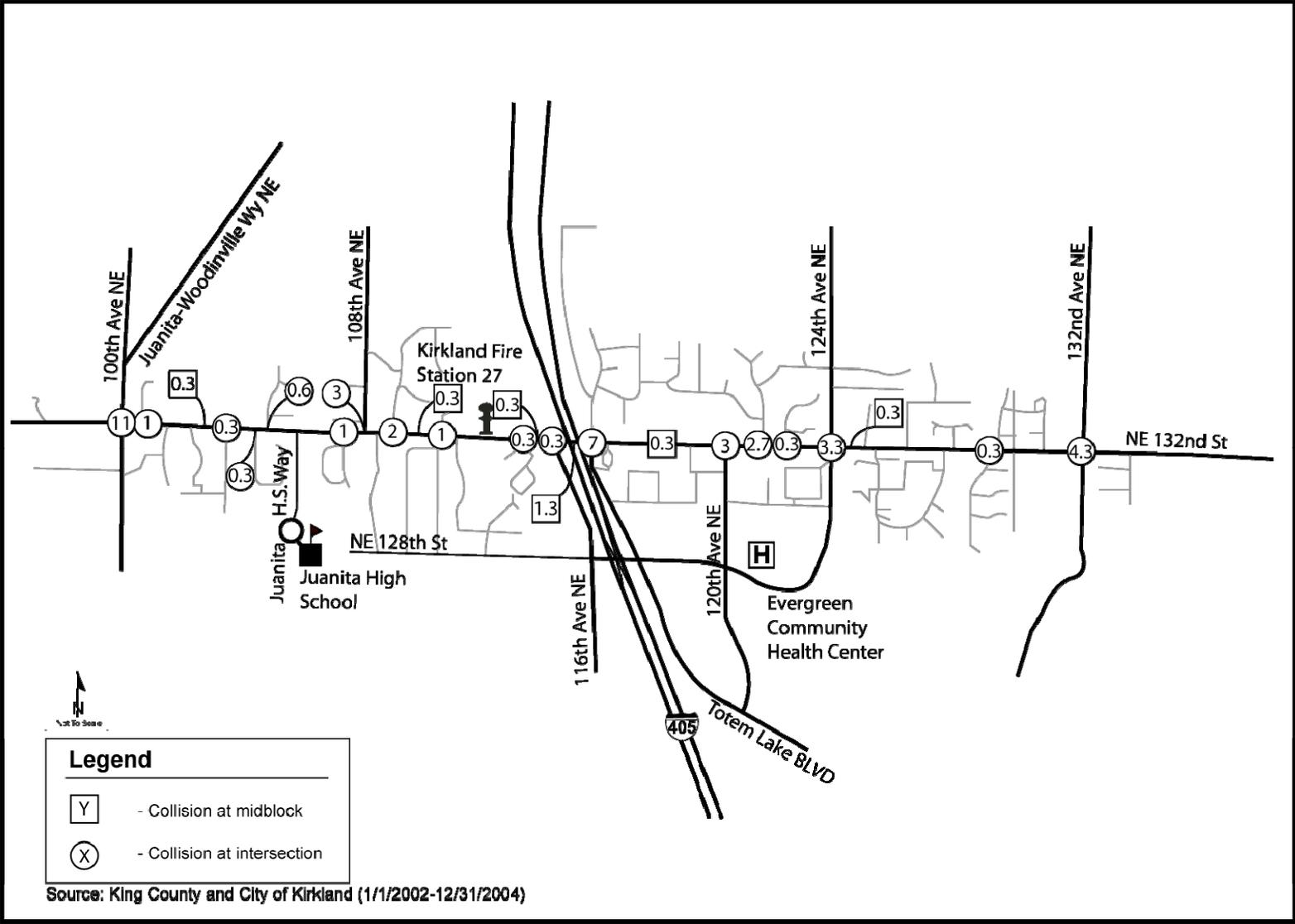


Figure 7. Average Number of Collisions per Year



Traffic Analysis

Mirai analyzed NE 132nd Street operations from 100th Avenue NE to 132nd Avenue NE with the Synchro 6.14 software. This operations analysis software is frequently used by agencies for local street analyses. The main inputs into the Synchro model are lane geometry, roadway speed limits, vehicular traffic volumes, peak hour factor, heavy vehicle percentage and signal phasing and timing information.

The intersections are evaluated based on level of service (LOS) as defined in the Highway Capacity Manual (HCM). Intersection LOS is a measurement of the quality of traffic flow or traffic congestion at an intersection. The LOS grading ranges from A to F, with LOS A assigned when minimal delays are present and low volumes are experienced. LOS F indicates stop-and-go conditions with frequent and lengthy delays.

Synchro calculates intersection LOS, which is defined by the amount of intersection delay per vehicle. For instance, a signalized intersection operating at an average delay per vehicle exceeding 80 seconds is reported to operate at LOS F. The intersection delay for a signalized intersection takes into account the delay caused by the signal control and the queue delay caused by spilling and storage blockage from the adjacent intersections in the network. The average intersection delay for unsignalized intersections, based on the HCM method, is estimated as an average of each traffic movement's delay and does not include delays caused by queuing.

SimTraffic is an extended feature of Synchro that performs micro-simulation and animation of vehicle traffic. With SimTraffic, individual vehicles are modeled and displayed traveling a street network. SimTraffic models signalized and unsignalized intersection operations with cars and heavy vehicles such as trucks and buses. SimTraffic takes multiple inputs from the Synchro model, and then employs driver behavior theories in a further effort to accurately simulate the traffic. Visual and numerical data from the simulation can be used to study traffic flow through the network and identify potential problem areas.

Kirkland assesses the roadway network concurrency on an area-wide basis using a volume to capacity (V/C) ratio for key intersections to identify any potential project requirements. This V/C ratio is determined using the National Cooperative Highway Research Program (NCHRP) Circular 212 method for evaluating intersection operation with the conflicting traffic volumes at an intersection. Kirkland's V/C ratio concurrency standard is 1.40 for individual intersection. Mirai calculated the concurrency V/C values for existing, 2007 and mid-term future year, 2014.

Current Traffic Volumes

Our study was initiated when there were some construction roadway closures in the study area. The construction of the NE 128th Street roadway crossing I-405 and the direct access ramp intersection required partial closure of 116th Way NE south of NE 132nd Street. This change in the network did influence the traffic patterns for travelers accessing southbound I-405. City of Kirkland provided traffic counts from year 2005 as a baseline for the analysis and we conducted some additional turning movement counts at three intersections along the corridor to fill in the gaps in data

and to confirm baseline traffic volumes and conditions. Current traffic volumes for year 2007 were developed using the 2005 counts and applying a small growth factor for two years. Traffic volumes for the NE 132nd Street corridor were adjusted between intersections to use counts from different periods.

AM Peak Hour Conditions

Figure 8 shows the AM peak hour turning movement volumes. During the AM peak hour, traffic congestion is observed in the eastbound and westbound direction approaching the signal at Juanita High School. Morning school peak coincides with the commute peak period and this overlap results in congestion along NE 132nd Street that stretches and impacts the operation of the 100th Avenue NE at the NE 132nd Street signal. The morning peak at Juanita High School is approximately a half-hour during the AM peak hour – and the intensity has an impact on overall travel along NE 132nd Street on the west side of the corridor. To some extent, the signals at 100th Avenue NE and 108th Avenue NE meter the southbound traffic toward the high school. Also, the limitations for entering traffic to flow freely on the school campus leads to backups for traffic on NE 132nd Street on the west side of the corridor.

On-site circulation at the high school provides for access to parking, bus circulation and drop-off traffic – all converging at the traffic circle central to the campus. The single entry lane does not meet the demand for arriving traffic at the school in the morning peak. The constrained entry to the high school creates problems in the morning peak period along the NE 132nd Street arterial.

Traffic simulation of the corridor using the current traffic counts also indicates a high demand for 116th Way NE to be used to access I-405 ramps at the Totem Lake interchange. Morning peak period backups on NE 132nd Street also radiate from the 116th Way NE intersection, at times extending through the signal at 108th Avenue NE. However, congestion at 116th Way NE is not as severe or intense as at the Juanita High School access, especially for the half-hour of student arrivals.

Figure 9 provides an overview of the current AM peak operation at the corridor traffic signals, showing intersection LOS and average delay for the intersection.

PM Peak hour Conditions

Figure 10 shows the PM peak hour turning movement volumes. During the PM peak hour, traffic congestion is observed in the westbound direction towards 100th Avenue NE. This intersection is a node of congestion, with high travel demand in the northbound direction as well as substantial westbound demand from NE 132nd Street. Mirai's observations and traffic simulations suggest that the signal at 100th Avenue NE favors the heavy northbound movements, resulting in travel delays for the lower volume traffic on NE 132nd Street. Many times, the queues in the westbound direction along NE 132nd Street can back up well beyond 108th Avenue NE and a rolling queue can extend through the Totem Lake Boulevard intersection, just to the east of I-405.

Congestion is also observed in the vicinity of the closely spaced intersections at 116th Way NE and 116th Avenue NE/Totem Lake Boulevard NE. At 116th Way NE, the

heavy westbound movement conflicts with the northbound left-turn movements from 116th Way NE. At 116th Avenue NE/Totem Lake Boulevard NE, the eastbound and westbound through movement conflict with the heavy northbound left-turn movement from Totem Lake Boulevard NE. The short spacing between the two intersections and limited storage length for all lane capacity constrain the amount of northbound left-turning vehicles clearing the signal.

At 124th Avenue NE, traffic counts and Mirai observations show a heavy demand for the eastbound left-turn movement. Many times, the left-turn pocket is filled to capacity. However, the queues generally clear within one cycle.

Figure 11 provides an overview of the current PM peak operation at the corridor traffic signals. Currently, the intersections meet the concurrency standards for the City of Kirkland, with V/C ratios under 1.40.

Figure 8. 2007 AM Peak Hour Turning Movement Volumes

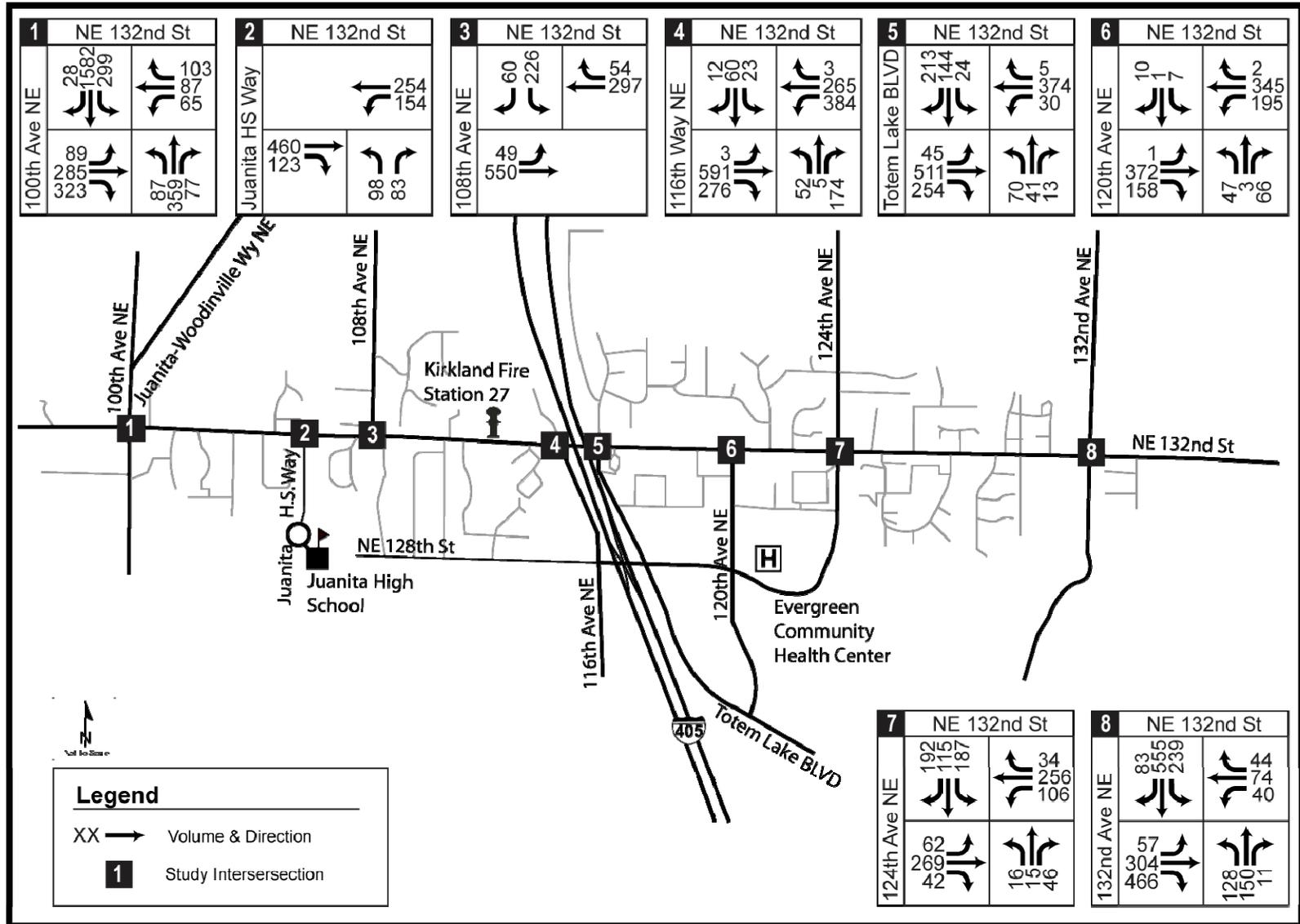
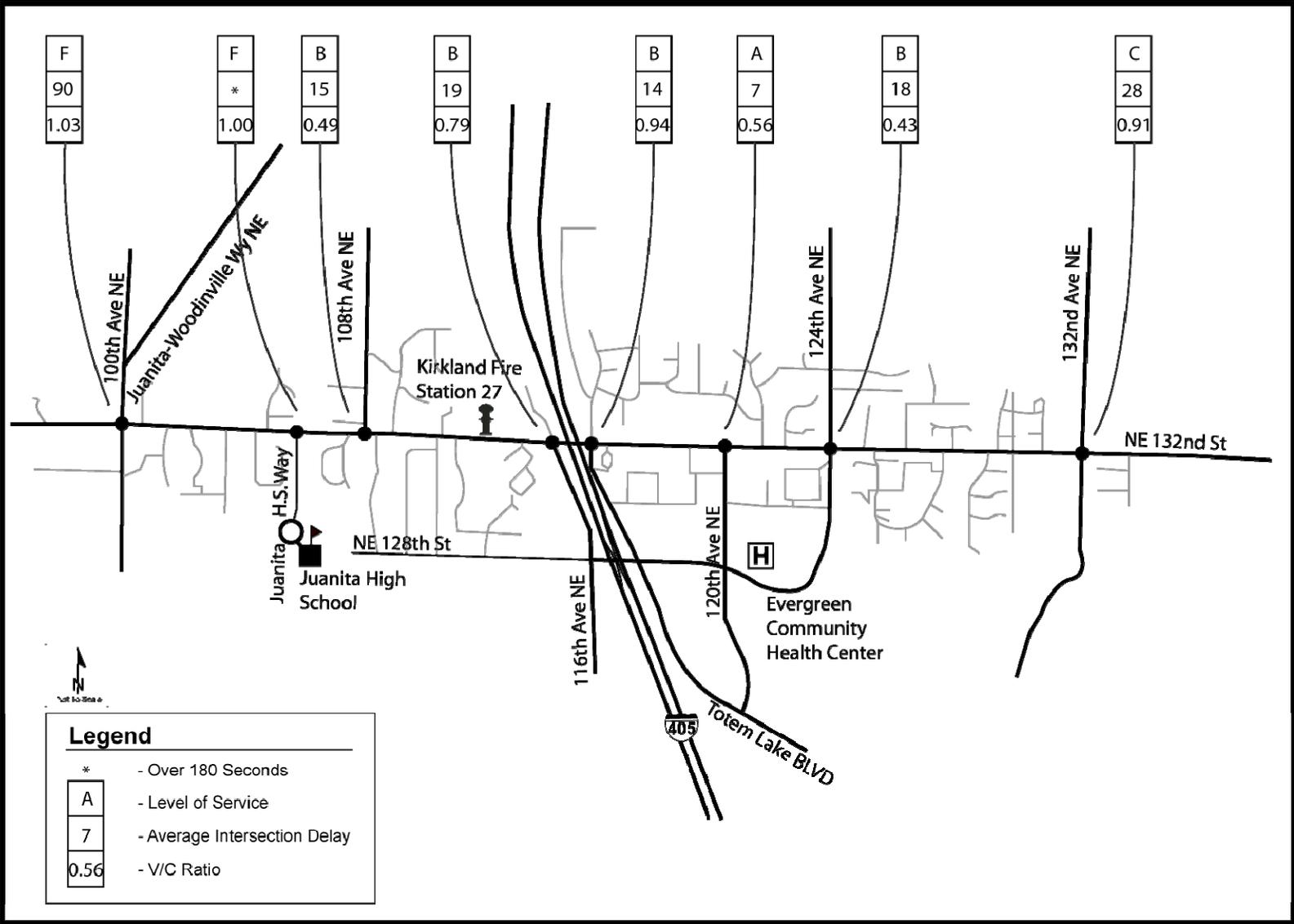


Figure 9. 2007 AM Peak Hour Operations



Legend

- * - Over 180 Seconds
- A - Level of Service
- 7 - Average Intersection Delay
- 0.56 - V/C Ratio

Figure 10. 2007 PM Peak Hour Turning Movement Volumes

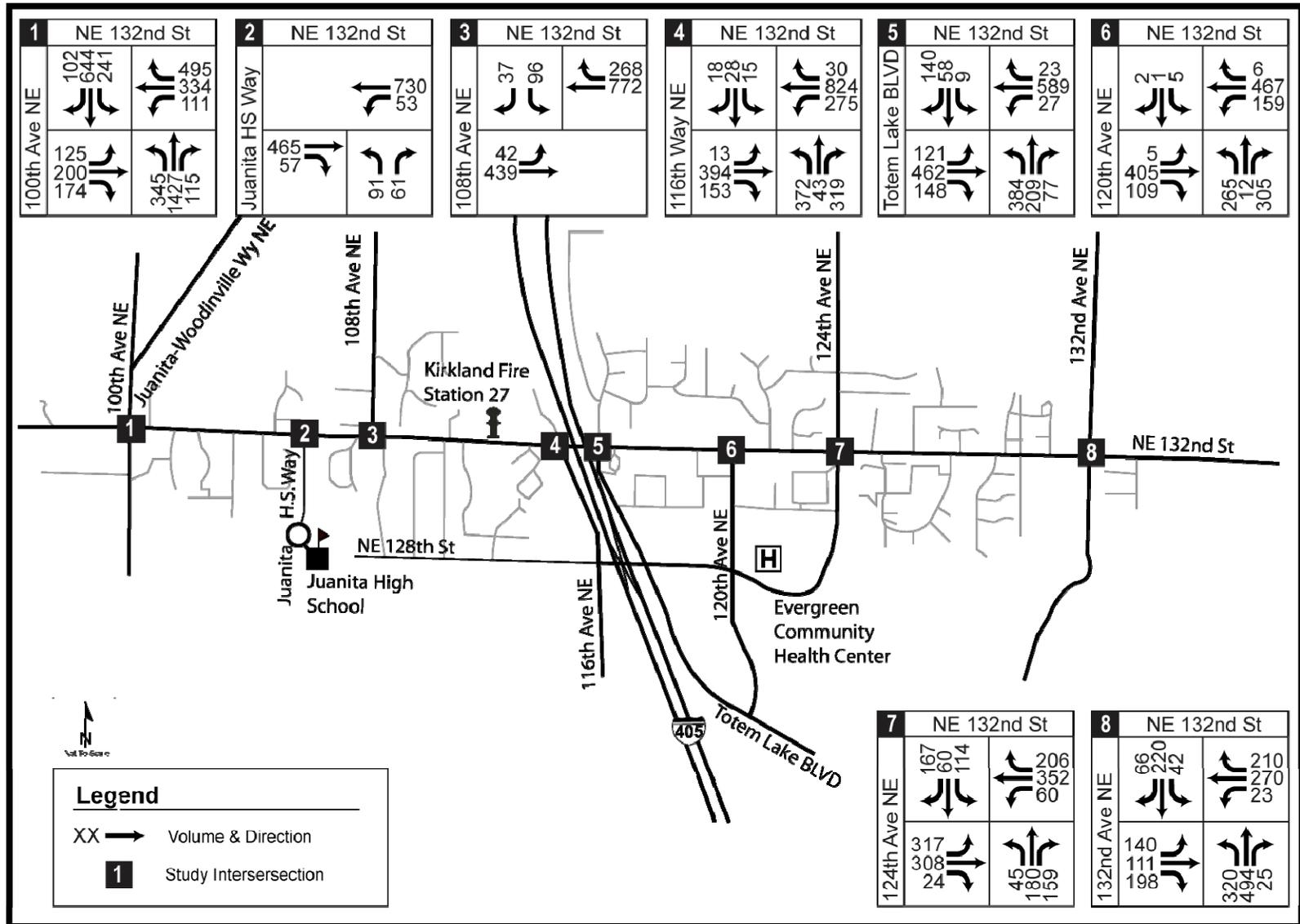
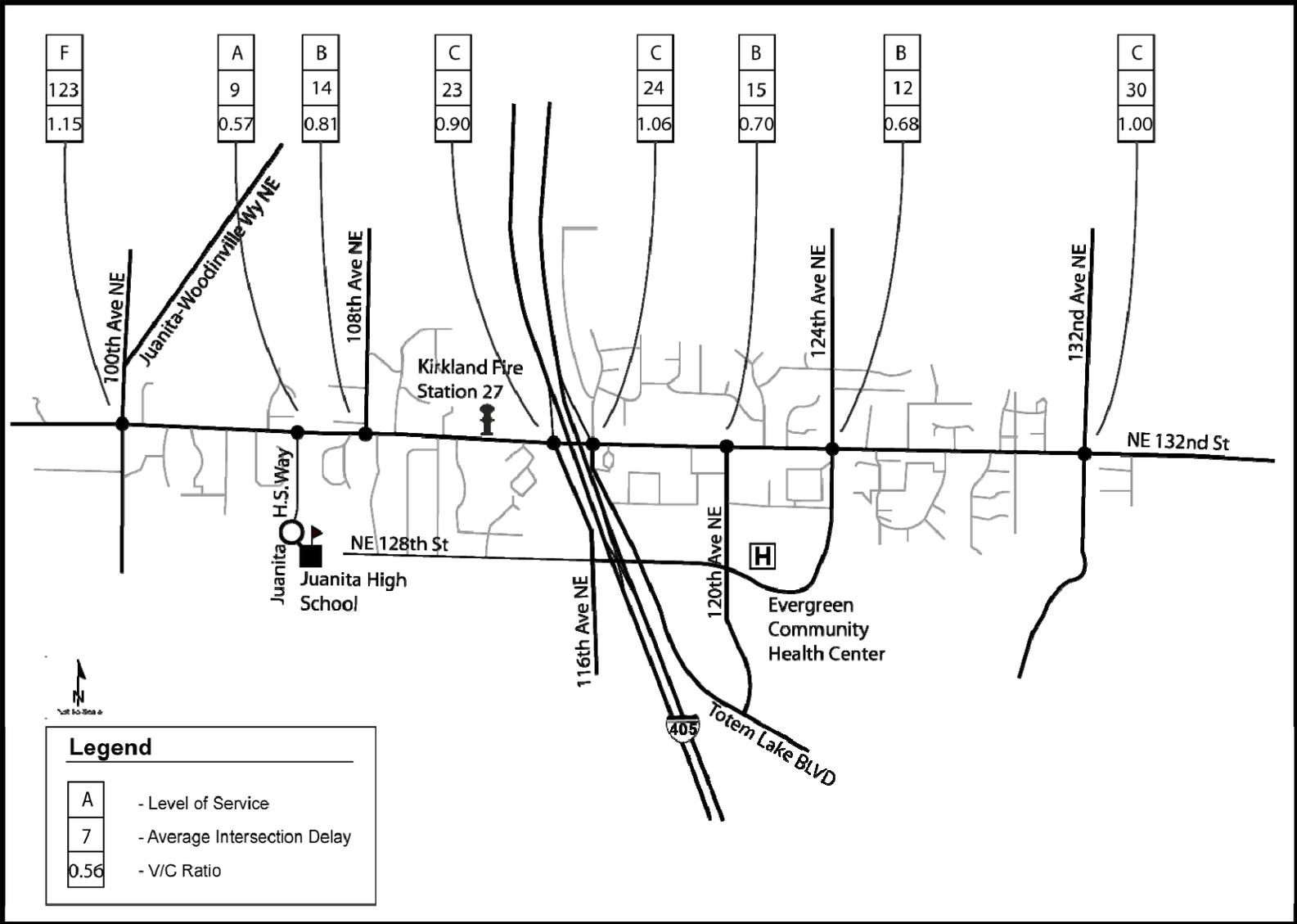


Figure 11. 2007 PM Peak Hour Operations



FUTURE CONDITIONS

An important part of any corridor analysis is to examine the future traffic conditions with the expected roadway configuration. We developed the 2030 forecast for traffic using the Bellevue-Kirkland-Redmond (BKR) travel forecasting model developed for these three cities. This model has land use forecasts approved by both the cities of Redmond and Bellevue. Mirai provided refinements to reflect Kirkland's growth beyond the adopted 2022 land use assumptions. We also assessed traffic operations in the corridor for a mid-year condition in 2014 to reflect how concurrency would be met under the alternatives examined. Traffic volumes for the 2014 PM peak hour turning movement volumes were estimated by interpolating the volumes between existing 2005 volumes and forecasted 2030 volumes.

Year 2030 Forecasts: Travel Demand Modeling

The BKR model was used for this project to estimate traffic volumes for the 2030 PM peak period. Mirai validated the BKR model using 2005/2007 traffic counts along NE 132nd Street, NE 124th Street and NE 116th Street. We can expect traffic growth to increase on all roadways in the study area and throughout the eastside, and as well as expect an overall increase in congestion. The anticipated growth in the area is summarized in **Table 2**; the annualized average growth is shown in **Table 3**. Both of these tables reveal that growth in Bellevue, Kirkland and Redmond is expected to be higher than the growth for the remainder of King, Snohomish, Pierce and Kitsap Counties.

Table 2. Growth between 2005 and 2030 in the Study Area

City	2005		2030			
	Origins	Destinations	Origins		Destinations	
			Number	Percent	Number	Percent
Bellevue	50,193	42,508	87,083	73%	68,268	61%
Kirkland	27,173	27,530	41,807	54%	42,134	53%
Redmond	29,203	25,593	50,799	74%	42,278	65%
Rest of 4 Counties	592,600	603,538	879,440	48%	906,429	50%
TOTAL	699,169	699,169	1,059,109		1,059,109	

Table 3. Annualized Average Growth between 2005 and 2030 in Percentage

City	Origins	Destinations
Bellevue	2.23%	1.91%
Kirkland	1.74%	1.72%
Redmond	2.24%	2.03%
Rest of 4 Counties	1.59%	1.64%

Most of the increase in vehicle trips is oriented north and south and is located along I-405. There is also a significant increase in vehicle trips along SR 202, Woodinville-Redmond Road. The 2005 to 2030 traffic growth is shown in **Figure 12**.

Figure 13 shows the results of the select link analysis for westbound trips on NE 132nd Street east of I-405. This figure shows that most of the trips come from the south or southeast and have destinations north and west of the NE 132nd Street Corridor. NE 132nd Street is one of several paths used to complete these trips connecting the southeast and northwest areas.

Northbound trips using the Totem Lake east-west corridor are shown in **Figure 14**. This select link analysis for northbound trips on I-405 south of NE 116th Street show that most of these trips are destined to the north or northeast and not going east or west along NE 132nd Street.

Totem Lake Corridor Growth

Screenline volumes were developed for the Totem Lake east-west corridor to the east and to the west of I-405, for traffic assigned to NE 116th Street, NE 124th Street and NE 132nd Street. As noted previously, these three arterials make up the east-west travel corridor that serves the Totem Lake urban center and there is substantial interrelation between the three roadways.

The peak hour volumes for the three roadways are summarized in **Figure 15** for 2005 and 2030. Comparing the volumes for several conditions, 2007, three-lane with the 2030, three-lane with I-405 ramps, this figure shows a forecast increase of 1,095 eastbound trips and 2,180 westbound trips in the PM peak hour for the corridor as a whole west of I-405. This same figure shows an increase of 1,280 eastbound trips and 690 westbound trips for the corridor to the east of I-405. This summary indicates a need for additional capacity within the corridor, but does not indicate where it should be implemented.

Of the three arterials, NE 124th Street is the major arterial serving a predominantly commercial and multi-family mix of development. It is the only street with a full interchange connection to I-405. Both NE 116th Street and NE 132nd Street serve predominantly residential land uses and neighborhoods.

Figure 12. Forecast PM Peak Hour Traffic Growth from 2005 to 2030

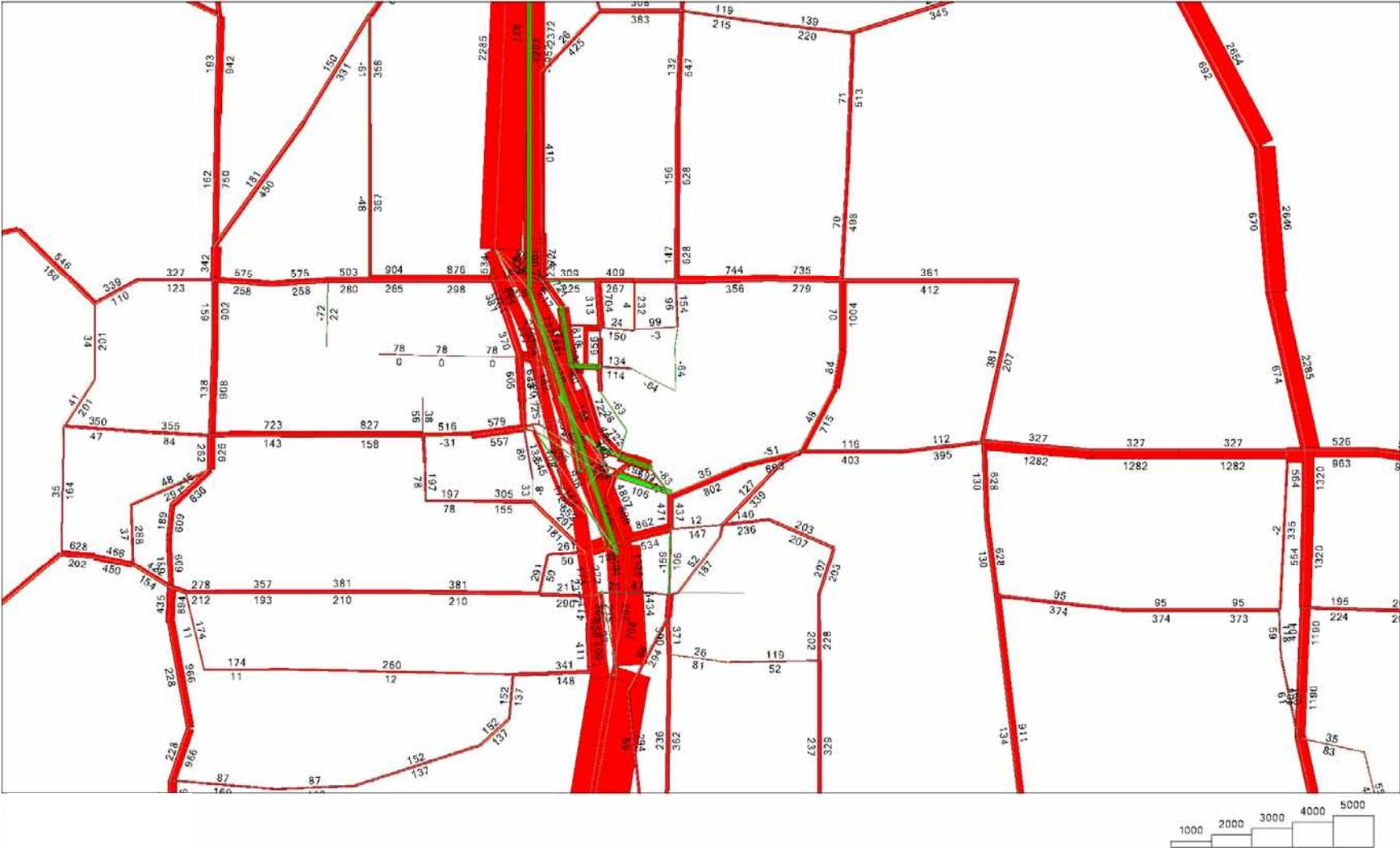


Figure 13. Select Link Analysis for Westbound Trips along NE 132nd Street East of I-405

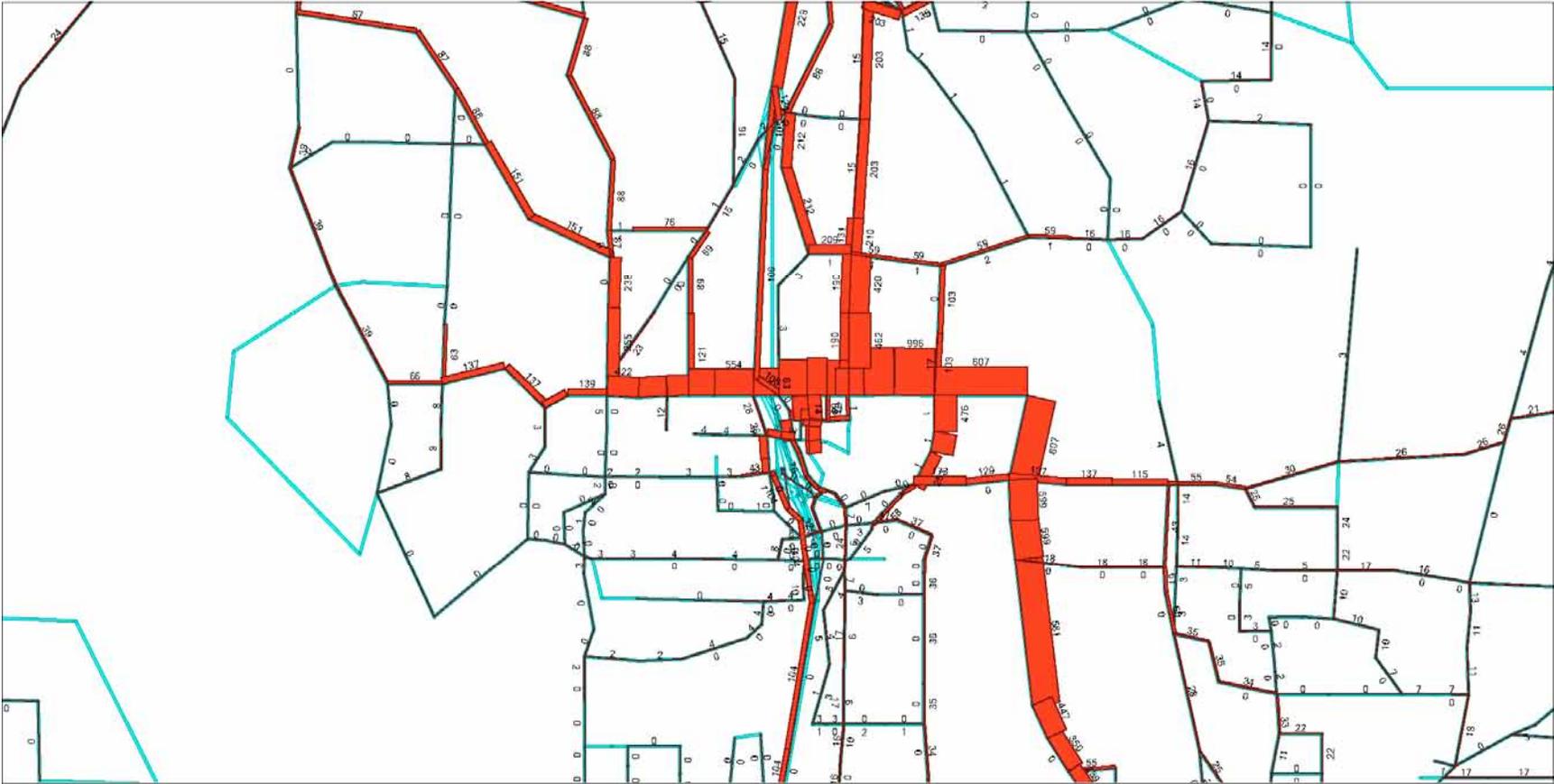


Figure 14. Select Link Analysis for Northbound Trips along I-405 South NE 116th Street

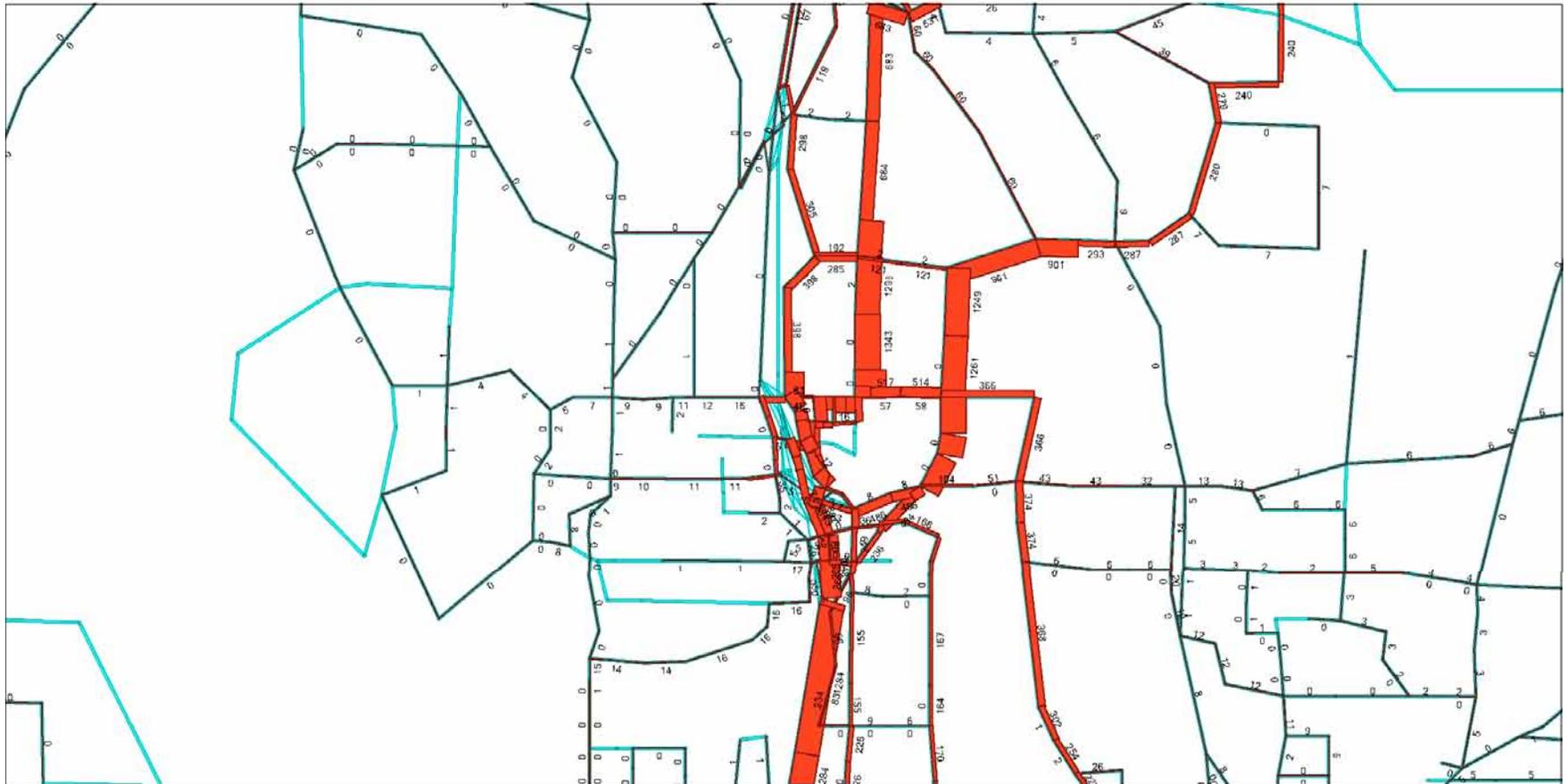
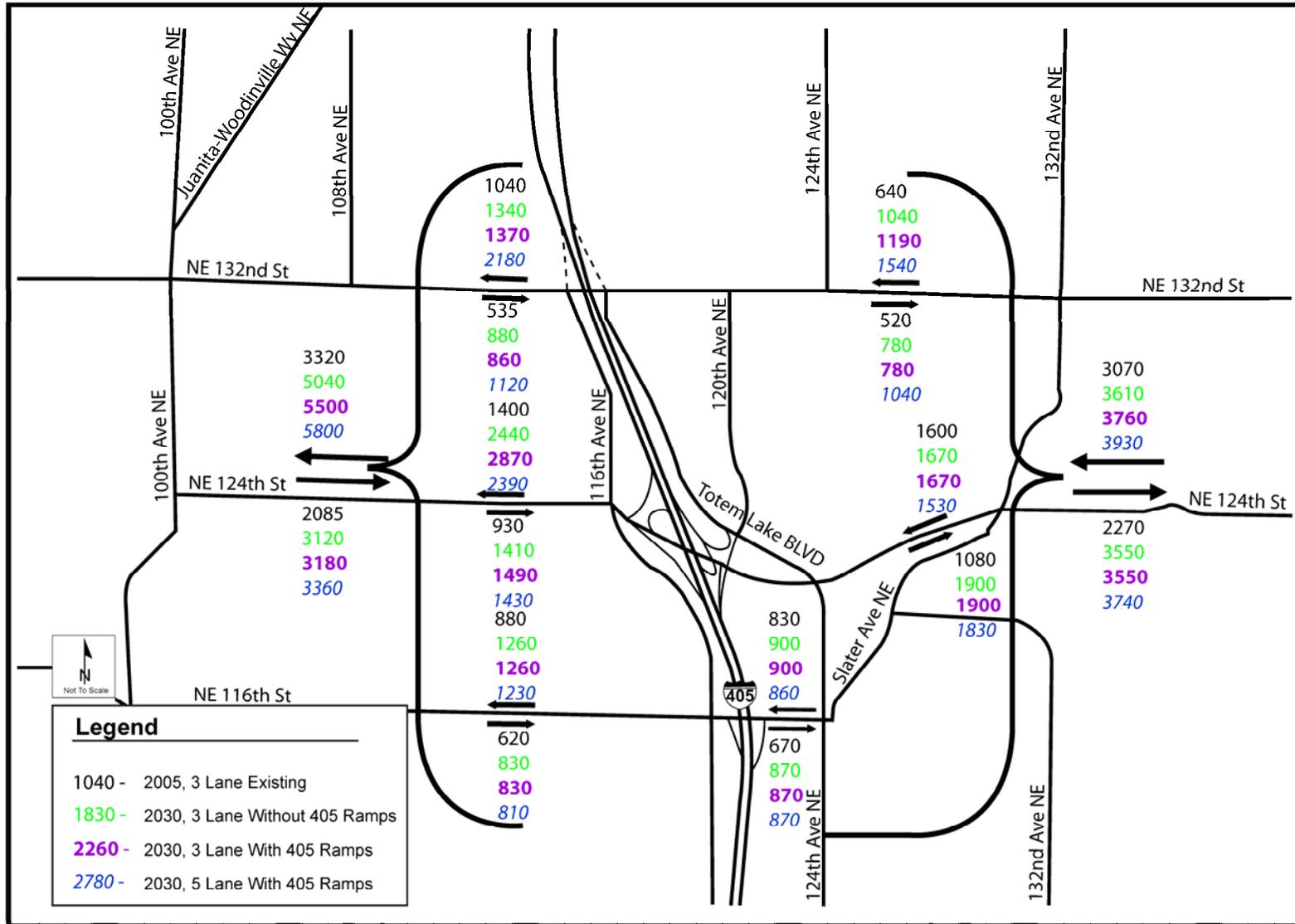


Figure 15. Comparison of 2005 and 2030 Forecast PM Peak Hour Volumes



Totem Lake East-West Corridor Analysis

The Totem Lake east-west corridor will need additional capacity to meet the estimated peak hour demand identified by the BKR model for 2030. However, identifying the best place to add capacity in this corridor goes beyond the analysis for NE 132nd Street alone, and necessitates the exploration of where else capacity could be added in this corridor. Mirai ran some options using the BKR model to estimate the traffic demand under two scenarios:

- Adding a lane in each direction to NE 132nd Street for a five-lane roadway,
- Adding a lane in each direction to NE 124th Street for a 7-lane roadway.

Figure 16 shows the volume changes that would result from adding two lanes to NE 132nd Street. The addition of two lanes would increase the number of trips on NE 132nd Street and decrease the number of trips on NE 124th Street. This shift of trips from NE 124th Street to NE 132nd Street is due to the additional capacity on NE 132nd Street, which reflects a traveler's desire to seek the path with the higher capacity. The number of vehicles using the new half interchange does not change under this scenario. However, the decrease in assigned traffic along NE 124th Street is not realistic since NE 124th Street has the most direct access to the full interchange at I-405 and serves the commercial area of Totem Lake. The addition of lanes on NE 132nd Street could draw traffic from the major arterial in this corridor, which may not be desirable to either the City or to the neighborhoods adjacent to NE 132nd Street.

Under the second scenario two lanes added to NE 124th Street rather than to NE 132nd Street, **Figure 17**, shows a significant increase in trips along NE 124th Street as well as an increase in trips along 100th Avenue NE between NE 124th Street and NE 132nd Street. Meanwhile the number of trips on both NE 116th Street and NE 132nd Street showed some reduction. This option could better serve the overall travel demand patterns between the interchange area and the Willows Road corridor to the east when compared to adding capacity to NE 132nd Street.

Figure 16. Forecast 2030 PM Peak Hour Volume Change from a 3-Lane to 5-Lane NE 132nd Street

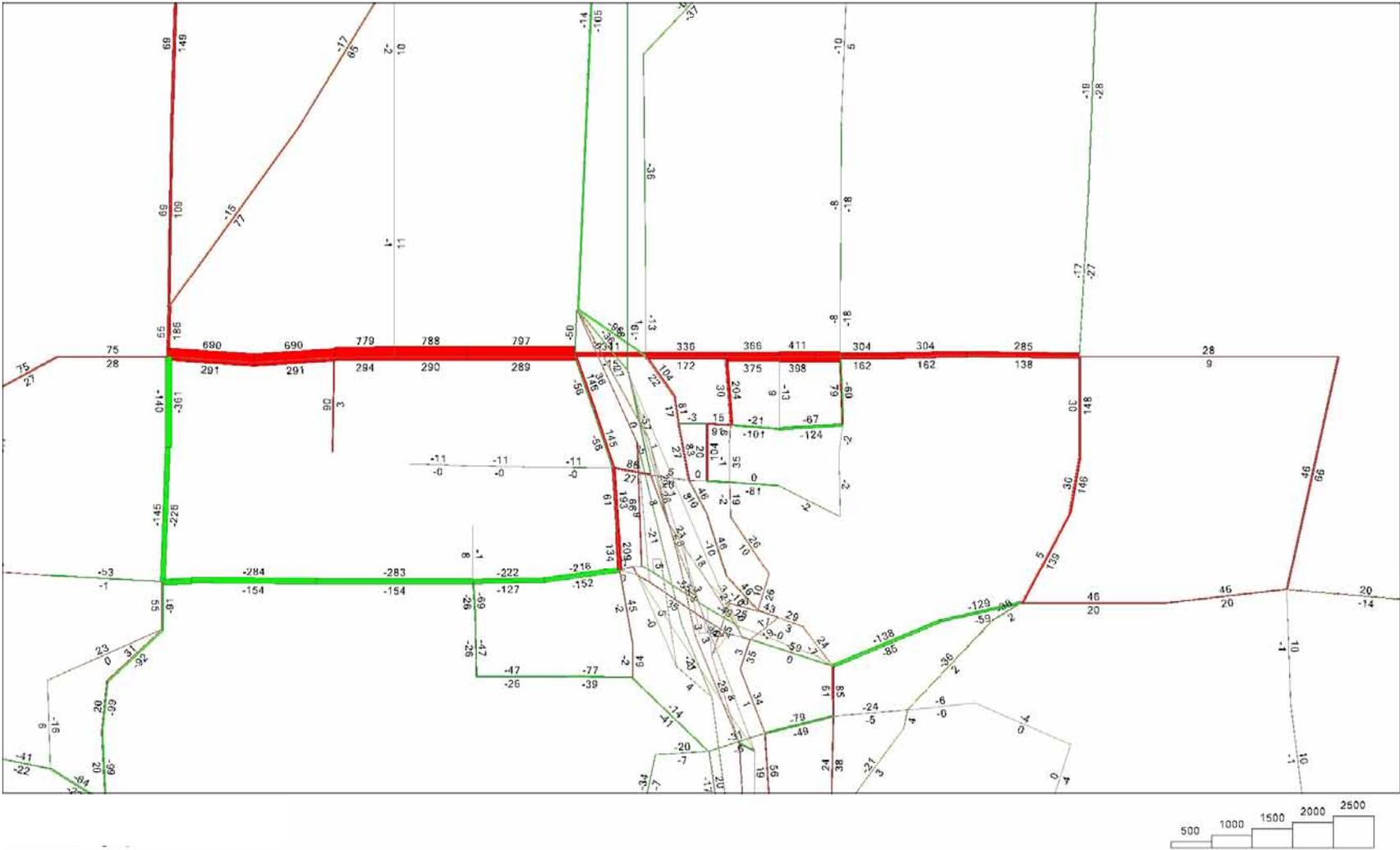
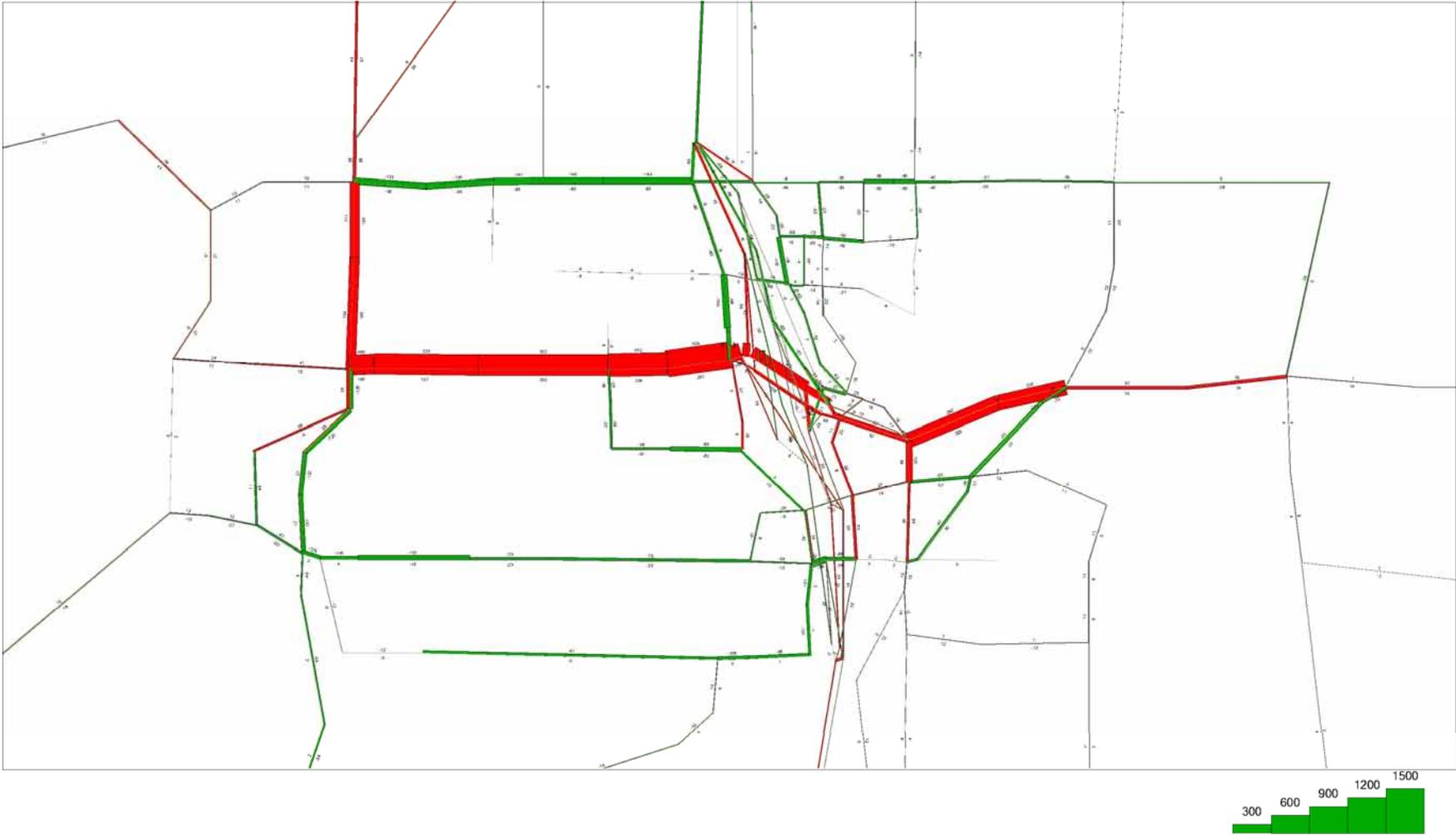


Figure 17. Forecast 2030 PM Peak Hour Volume Change from a 5-Lane to 7-Lane NE 124th Street



FUTURE BASELINE CONDITIONS

The half interchange to be constructed by WSDOT at I-405 and NE 132nd Street will connect with I-405 to and from the north. The project is scheduled to be completed by 2013, prior to this study's forecast year of 2030. The 2030 baseline and mid-year conditions in 2014 for this study include the half interchange but no other improvements to the Totem Lake east-west corridor.

Traffic volume forecasts for NE 132nd Street were developed using the BKR model for year 2030 with the planned half-interchange to I-405. WSDOT is in the process of designing the new ramps, providing a southbound off-ramp and a northbound on-ramp to and from NE 132nd Street. The two intersections adjacent to I-405 will both be modified by adding lanes and changing the signal operations to incorporate the freeway access. Currently, the north leg of the 116th Way NE intersection is a primary access for a multi-family development. This will be relocated to the west, with a separate driveway intersection on NE 132nd Street. No additional improvements are assumed for 2030. See **Figure 18** for the proposed WSDOT layout of the new interchange and the modifications to NE 132nd Street which are part of the project.

Figure 19 shows the 2030 PM peak hour turning volumes for the baseline condition, rounded to the nearest 5 trips. Mirai developed these numbers by validating the model results, adjusting for the volume balancing and comparing to the existing traffic patterns.

Using Synchro software, Mirai conducted traffic operation analysis and traffic simulations of the corridor to assess the expected operation under the future baseline conditions. For future conditions, signals were optimized for cycle lengths and offsets. The maximum cycle length considered for optimization was 120 seconds. Existing coordinated signals were included under the baseline conditions analysis. Additional signal coordination was only considered for tested scenarios.

Figure 20 provides an overview for the expected 2030 PM peak hour intersection operations, the average intersection delays and V/C ratios for the eight signals along the corridor. Based on the observations of the simulation, the corridor will continue to experience some peak period congestion and queuing, specifically on both 116th Way NE and Totem Lake Boulevard northbound approaching NE 132nd Street intersections, and on NE 132nd Street approaching 100th Avenue NE, 124th Avenue NE and 132nd Avenue NE.

Figure 21 provides the PM peak hour turning volumes under the baseline conditions in year 2014. Mirai developed a forecast for this interim year, to give an indication of near term operations in the corridor. **Figure 22** provides an overview of 2014 roadway operations along NE 132nd Street. Even with the planned WSDOT interchange and associated intersection improvements, the congestion and backups will remain along NE 132nd Street, especially at 100th Avenue NE.

Figure 18. WSDOT Proposed I-405 Half Interchange at NE 132nd Street

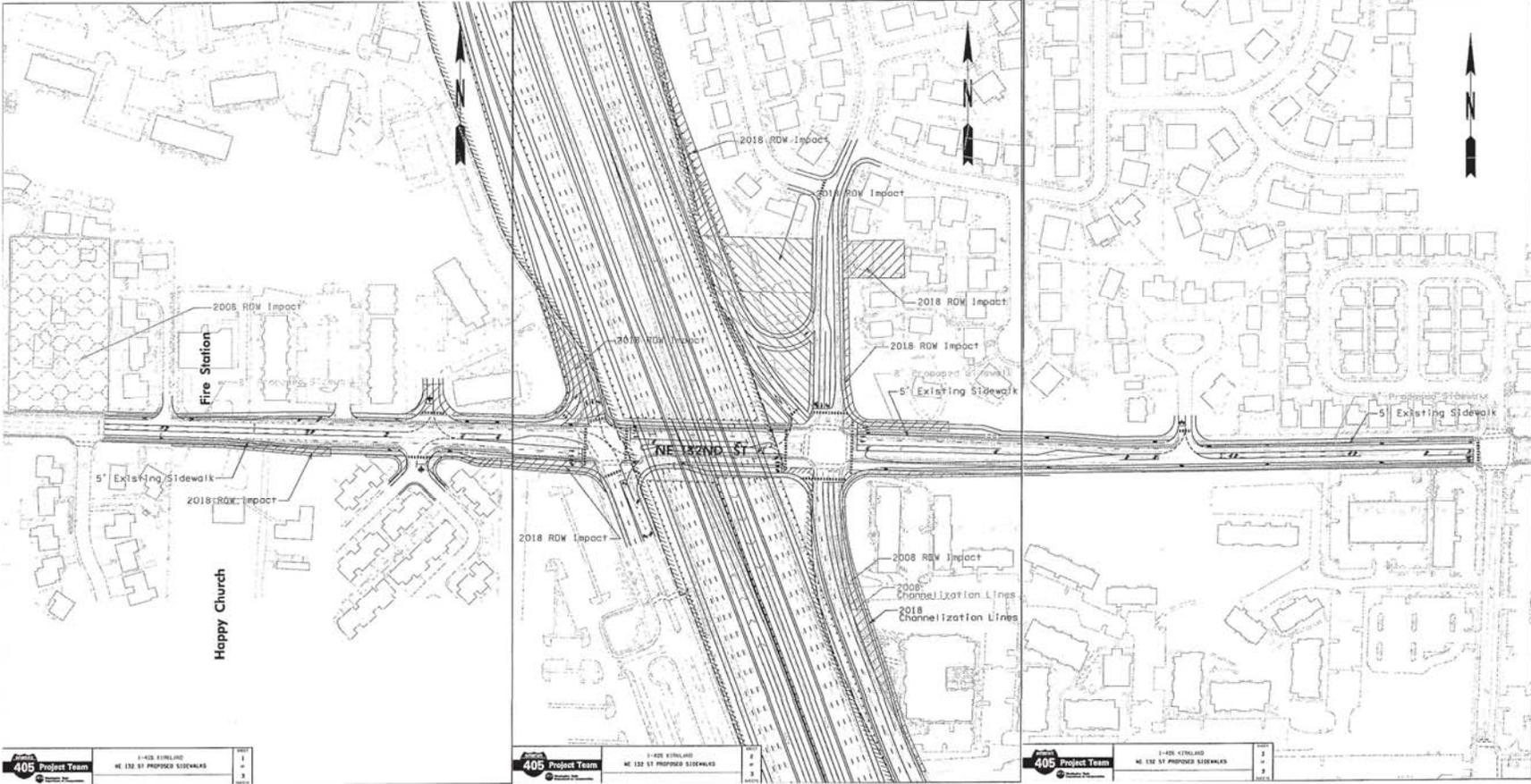


Figure 19. 2030 PM Peak Hour Turning Movement Volumes – Baseline Conditions

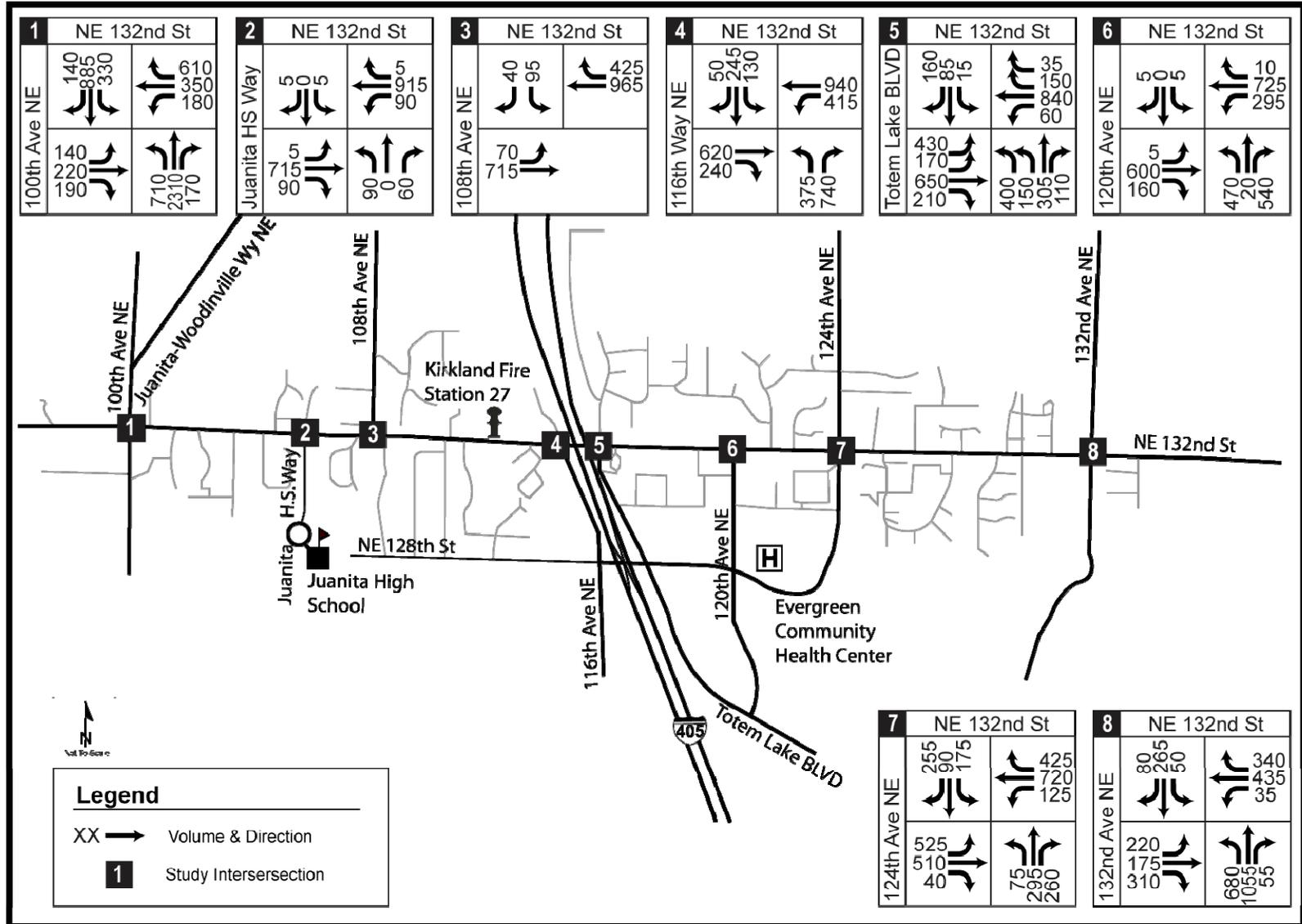


Figure 20. 2030 PM Peak Hour Operations – Baseline Conditions

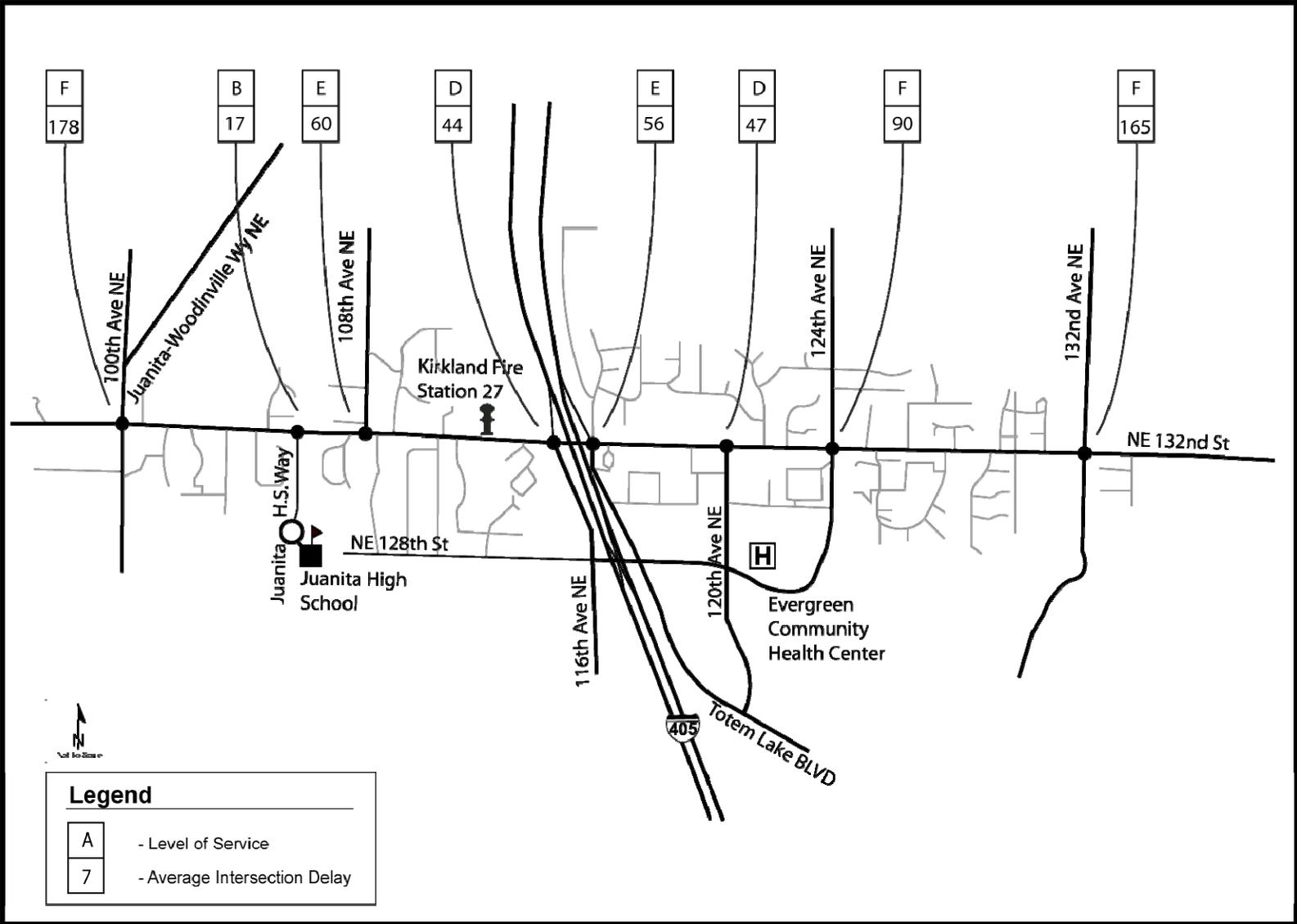


Figure 21. 2014 PM Peak Hour Turning Movement Volumes – Baseline Conditions

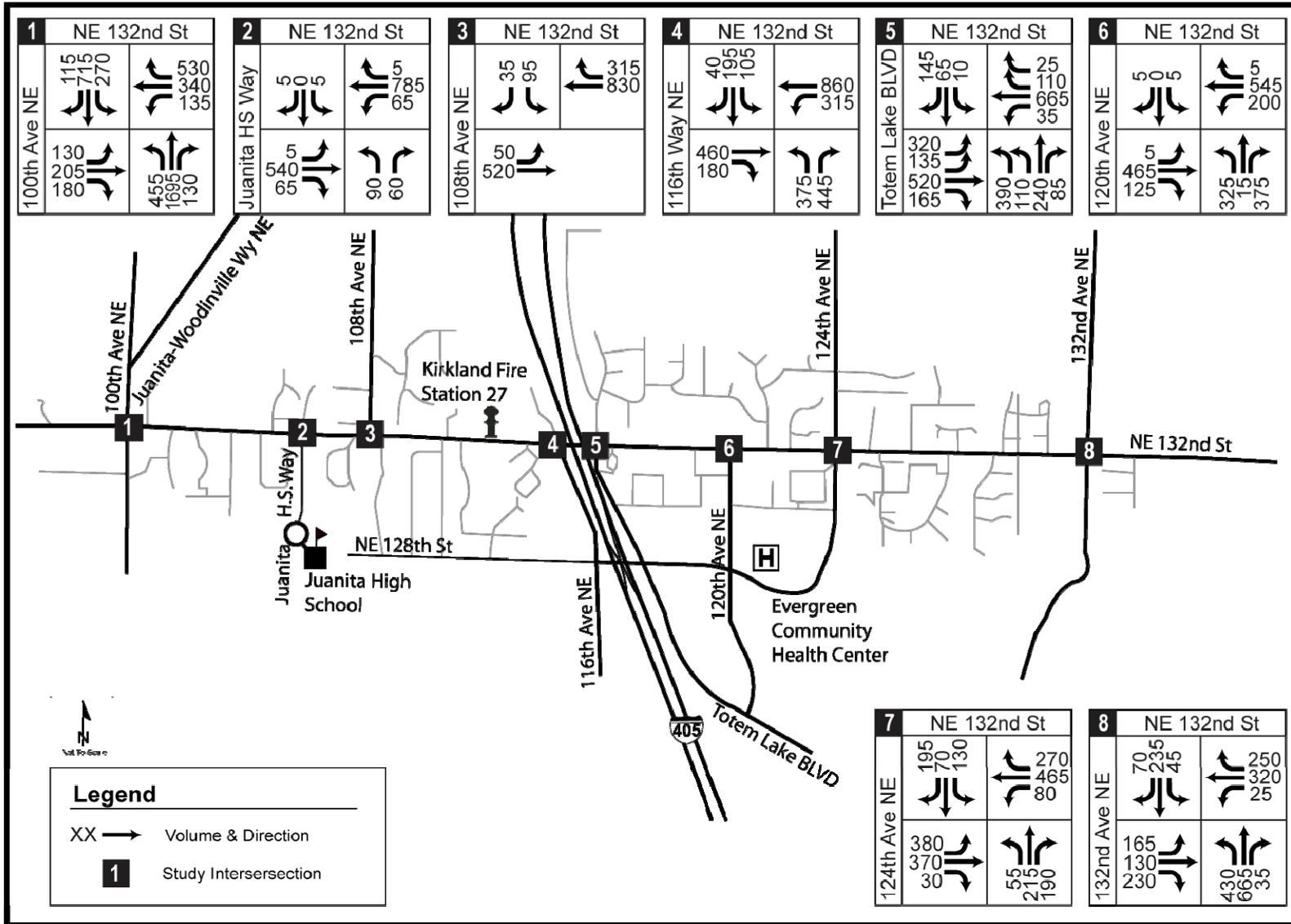
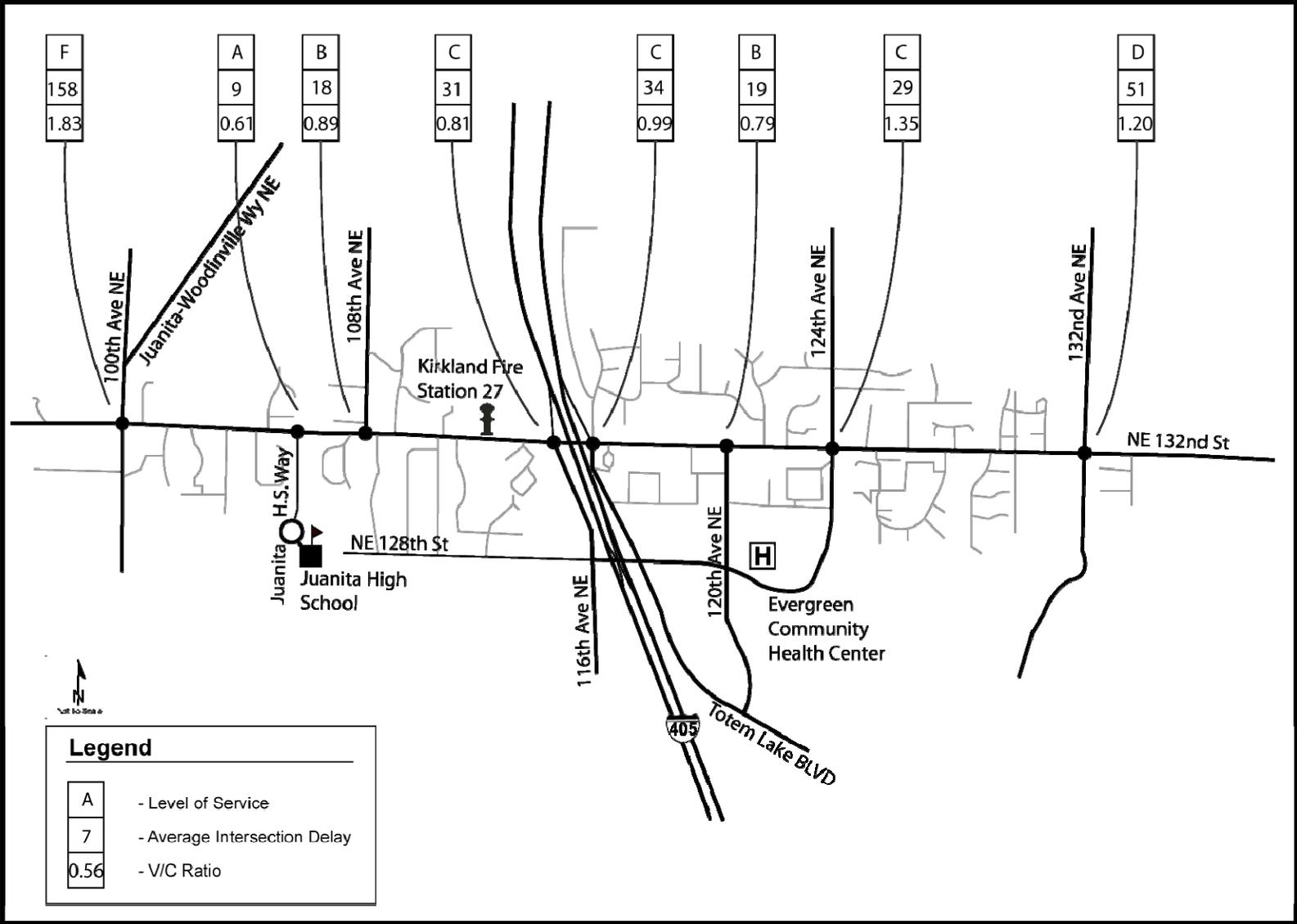


Figure 22. 2014 PM Peak Hour Operations – Baseline Conditions



ROADWAY ALTERNATIVES

Two alternatives were identified for evaluation in this study for the NE 132nd Street corridor:

- Three-lane Roadway with spot improvements at key intersections (Enhanced Three-Lane)
- Five-lane Roadway

Both alternatives incorporate the planned half-interchange at I-405. The three-lane roadway alternative reflects how the existing roadway could be modified for improved operation by adding lanes at key congested intersections. The five-lane roadway alternative examines traffic demand, which would increase with the added capacity, and identifies what is needed to make the five-lane facility work.

Enhanced Three-Lane Roadway Alternative

Based on the congestion and queue lengths in the Synchro analysis for the 2030 Baseline condition, several modifications for the signalized intersections in the NE 132nd Street Corridor were analyzed as part of a three-lane enhanced corridor alternative. This alternative consists of lane additions and modifications at key intersections where congestion and queuing are at issue. Below is a list of the intersection projects that make up the enhanced three-lane alternative.

- Lengthen the westbound, right-turn pocket approaching the 100th Avenue NE intersection. Revise striping to lengthen the westbound left-turn pocket.
- Add a right-turn pocket for the eastbound approach to Juanita High School intersection.
- Add a westbound, right-turn pocket at 108th Avenue NE.
- I-405 Half-Interchange at NE 132nd Street: Reconfigure the southbound off-ramp to have one left-turn lane, one shared through + left turn lane and one shared through + right turn lane. Reconfigure the northbound approach for one left-turn lane and one shared right, left-turn lane.
- 124th Avenue NE: Add a second left-turn lane for the westbound traffic at 124th Avenue NE and add a second northbound exit lane on the north leg. Convert the northbound right-turn lane to be a shared through + right-turn lane at 124th Avenue NE.
- Add a westbound right-turn pocket at 132nd Avenue NE.

The results of the analysis for the enhanced three-lane alternative are presented in **Figure 23**. Congestion would be improved with reduced overall delay and shortened queues in the corridor. Additional analyses tested the value of the westbound right-turn pockets at 108th and 132nd Avenue NE. The analysis confirms that that the proposed westbound right-turn pockets have a dramatic beneficial effect on traffic. **Figure 24** illustrates the operation without the two right turn project elements. Results for the enhanced three-lane alternative with the interim year 2014 traffic volumes are also provided to check for concurrency, see **Figure 25**.

Figure 23. 2030 PM Peak Hour Operations – Enhanced Three-Lane Roadway

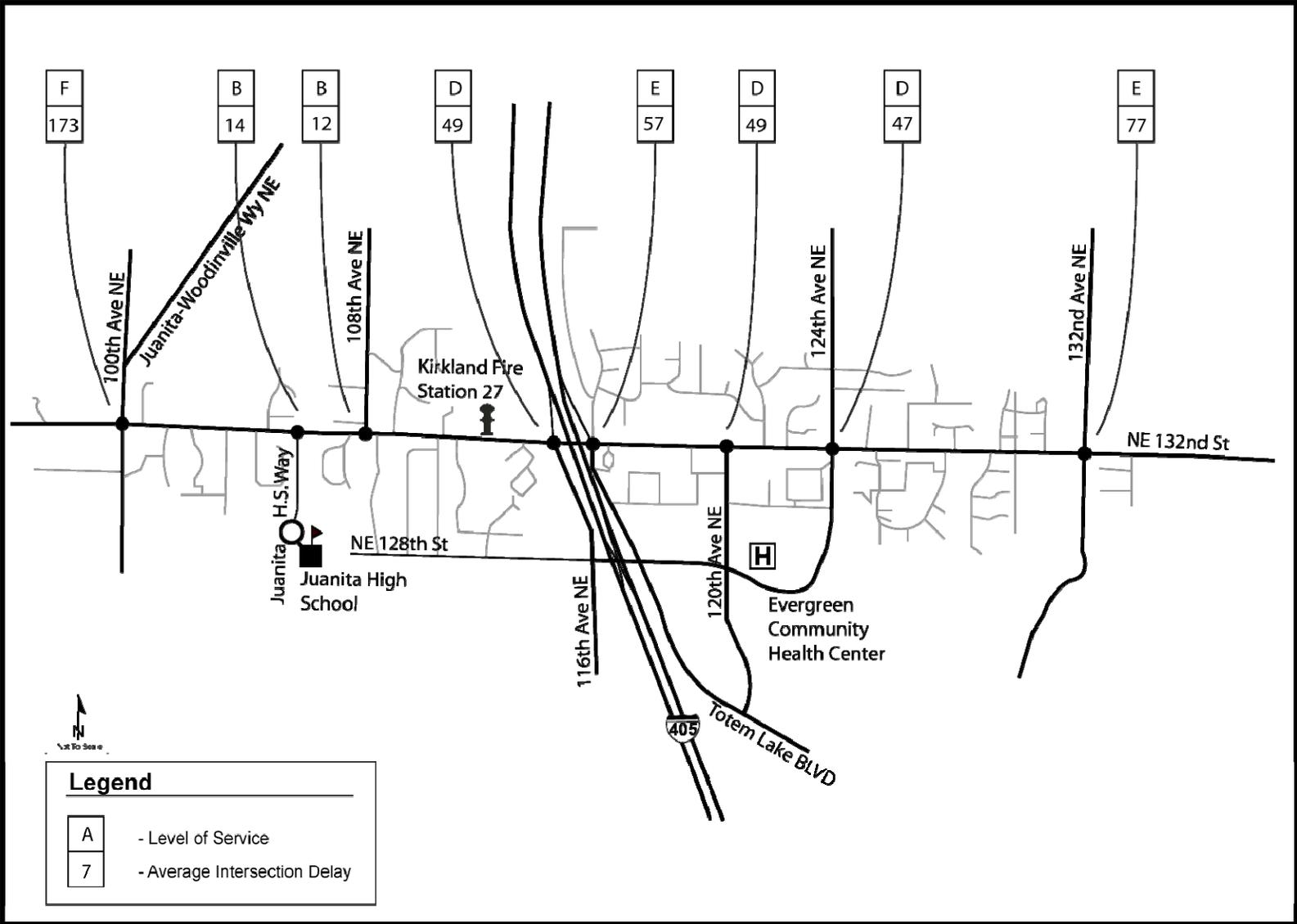


Figure 24. 2030 PM Peak Hour Operations – Enhanced Three-Lane Roadway, Without Right-turn Pockets at 108th Avenue NE and 132nd Avenue NE

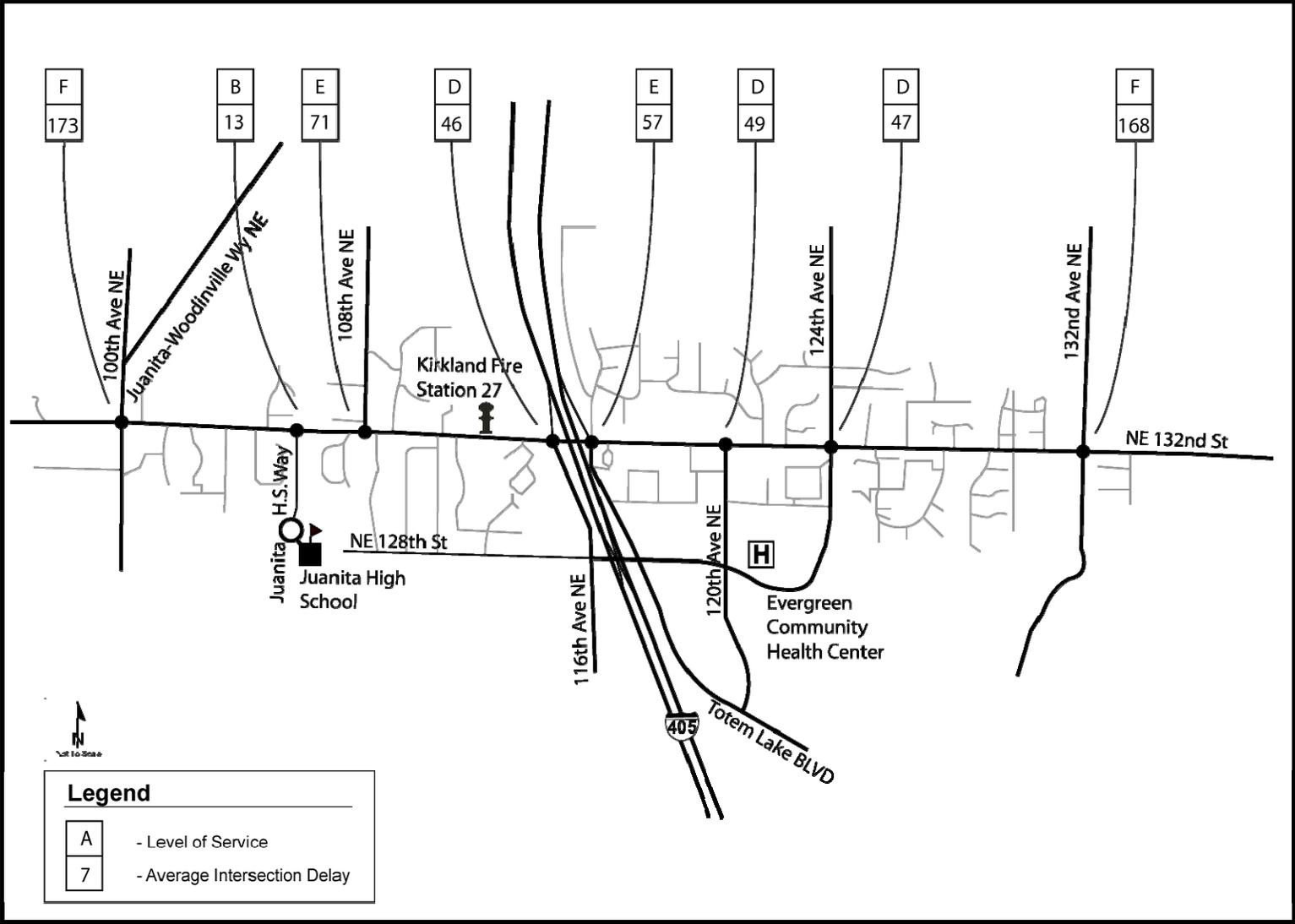
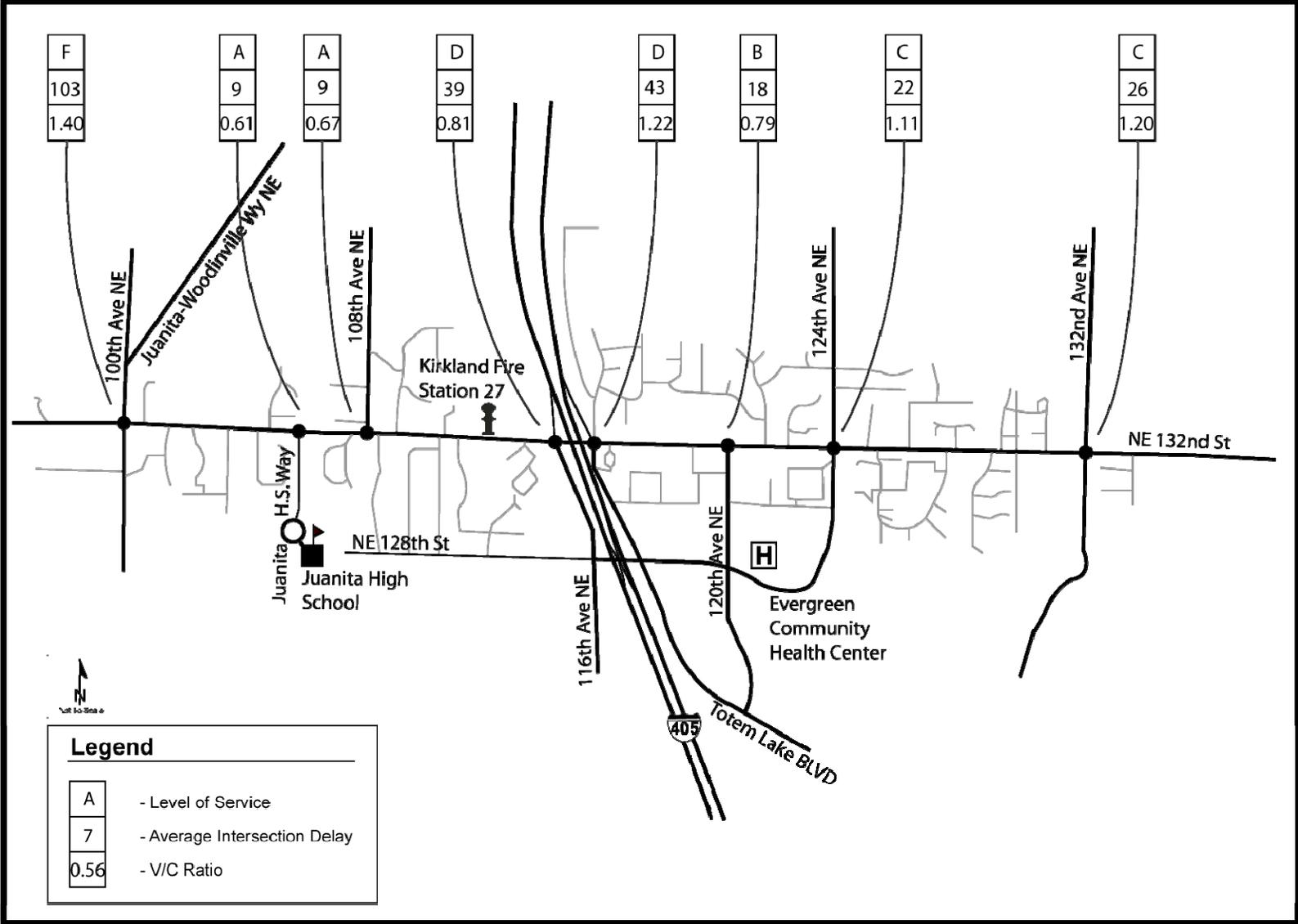


Figure 25. 2014 PM Peak Hour Operations – Enhanced Three-Lane Roadway



Five-Lane Roadway Alternative

Traffic volumes for the five-lane roadway configuration of NE 132nd Street were post-processed from the BKR model output. The volumes are higher than for the three-lane baseline and enhanced alternatives. **Figure 26** summarizes PM peak hour turning volumes with a five-lane configuration. The traffic operation results for the five-lane configuration are shown in **Figure 27**. Congestion is better managed with the five lanes, but intersection operation would still fail at 100th Avenue NE and 132nd Avenue NE, since this alternative has a higher travel demand. Additional right of way is required throughout the length of the corridor in order to construct the five-lane roadway. The net return in traffic operations to reduce congestion and queues may not justify this degree of disruption to the community along the whole corridor.

Refinements to the five-lane configuration would include some of the same modifications as for the three-lane alternative including:

- Retain the westbound, right-turn pocket with the five-lane configuration approaching 100th Avenue NE intersection, and add a receiving lane on the west leg.
- I-405 Half Interchange at NE 132nd Street: Reconfigure the northbound approach at 116th Way NE to have one left-turn lane and one shared right + left-turn lane. Reconfigure WSDOT's I-405 southbound off-ramp lane configuration to be one exclusive right-turn pocket without channelization, one exclusive through lane, one shared through + left-turn lane and one exclusive left-turn pocket.
- Separate out the northbound through and right-turn movement at Totem Lake Boulevard by adding a right-turn pocket
- 124th Avenue NE: Add a second left-turn lane for the eastbound traffic at 124th Avenue NE and add a second northbound, exiting lane on the north leg. Convert the northbound right-turn lane to be a shared through + right-turn lane at 124th Avenue NE.
- Add a westbound shared through, right-turn pocket at 132nd Avenue NE.

Figure 26. 2030 PM Peak Hour Turning Movement Volumes – Five-Lane Roadway

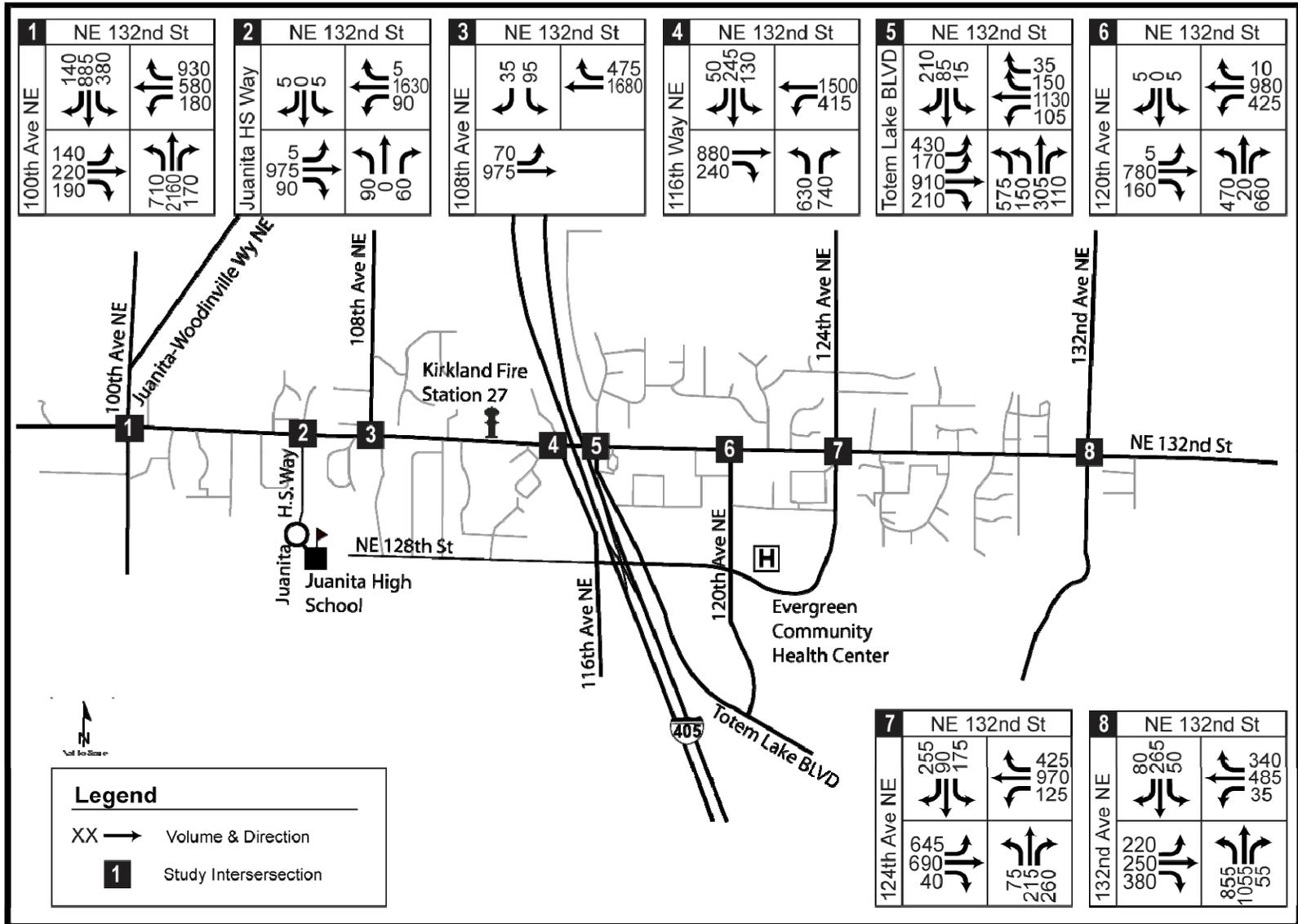
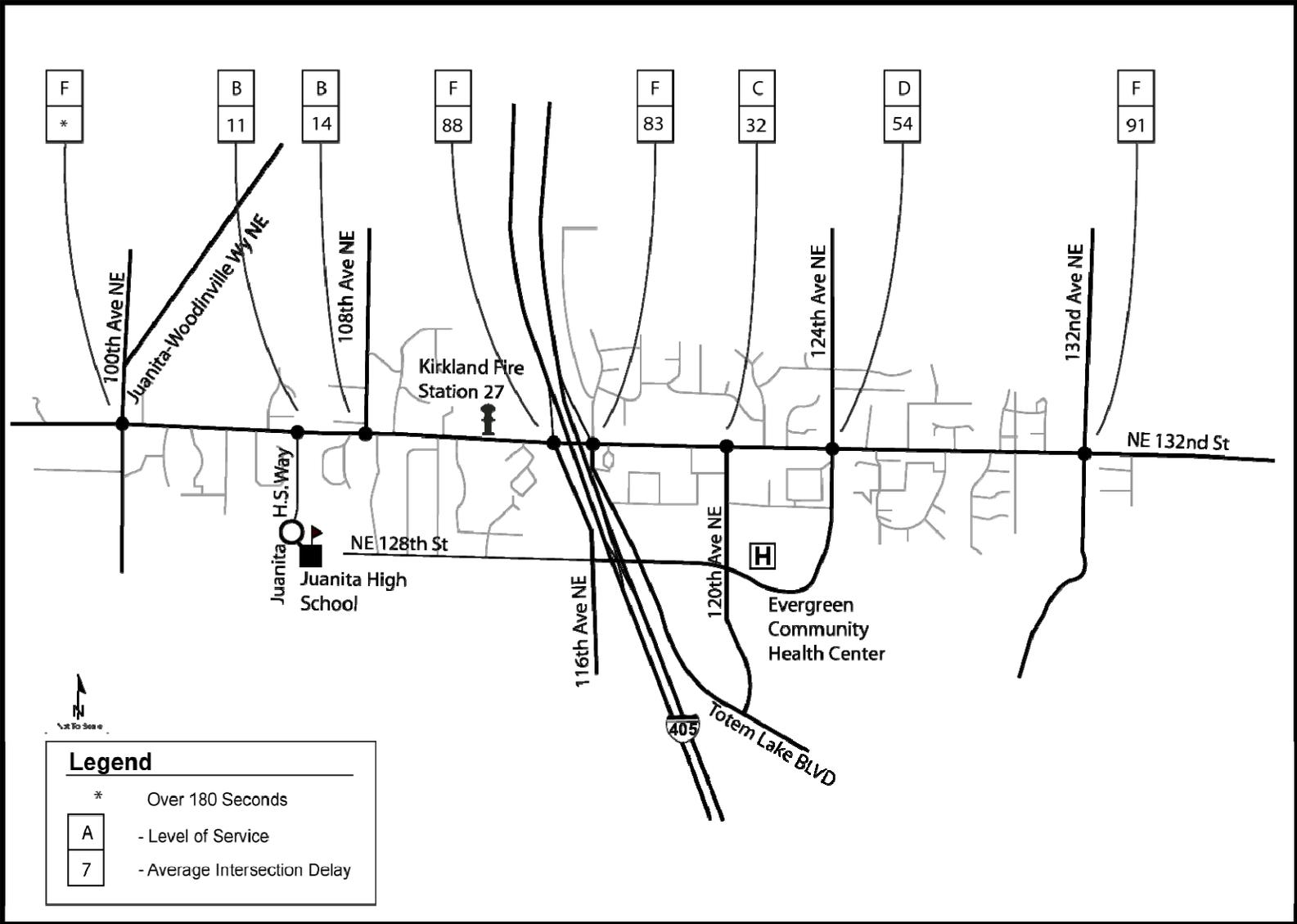


Figure 27. 2030 PM Peak Hour Operations – Five-Lane Roadway



Corridor Analysis Comparisons

Travel Time

Mirai used SimTraffic to calculate the travel time and queue length values for the NE 132nd Street corridor under the 2030 conditions. Travel times were calculated for both eastbound and westbound traffic during the PM peak hour between 100th and 132nd Avenue NE. Congestion in 2030 is expected to be substantially worse than current conditions with slower travel time through the corridor. **Figure 28** summarizes these travel times. Westbound travel time is consistently greater than eastbound travel time. Both the enhanced three-lane and five-lane alternatives show significantly improved travel time when compared to the future baseline, with greater decreases in travel time for the westbound traffic than for eastbound. The future baseline westbound travel time for this corridor is estimated at 62 minutes, based on the forecasted traffic in the peak hour.

The enhanced three-lane alternative would have a travel time of 23 minutes with comparable traffic volumes and the five-lane alternative travel time would be 12 minutes with slightly higher traffic. This would be a decrease of 39 minutes with enhanced three-lanes and 50 minutes with five-lanes on NE 132nd Street. The enhanced three-lane alternative without the right-turn pockets at 108th Avenue NE and 132nd Avenue NE would result in some travel time savings when compared with the baseline, but not as substantial an improvement as the enhanced three-lane configuration. In other words, the proposed right-turn pockets at 108th and 132nd Avenues NE could make a very significant decrease in westbound travel time.

Queue Lengths

Queue lengths along this corridor were also reviewed for each alternative. PM peak hour queue lengths are shown in **Figure 29** in bar chart format. Consistent with greater travel time for westbound traffic, queue lengths are greater for westbound traffic than for eastbound traffic during the PM peak hour. In general the queue lengths are longest for the future baseline condition. The queues for the enhanced three-lane are generally shorter than the baseline queues, and the queues for five-lane roadway are generally shorter than enhanced three-lane queues. One exception is where the westbound queues for the enhanced three-lane layout at Totem Lake Boulevard NE and at 120th Avenue NE are slightly longer than the baseline queues.

Concurrency Analysis

Kirkland's V/C ratio concurrency standard is 1.40 for an individual intersection. Using concurrency as a criterion for comparison, the existing 2007 PM peak hour conditions show that all eight signalized intersections meet or exceed the standard. Under year 2014 baseline conditions, the intersection at 100th Avenue NE would not meet concurrency. However, under the 2014 enhanced three-lane alternative, all intersections would meet concurrency.

Figure 28. PM Peak Hour Travel Time Comparison for NE 132nd Street (100th Ave – 132nd Ave NE)

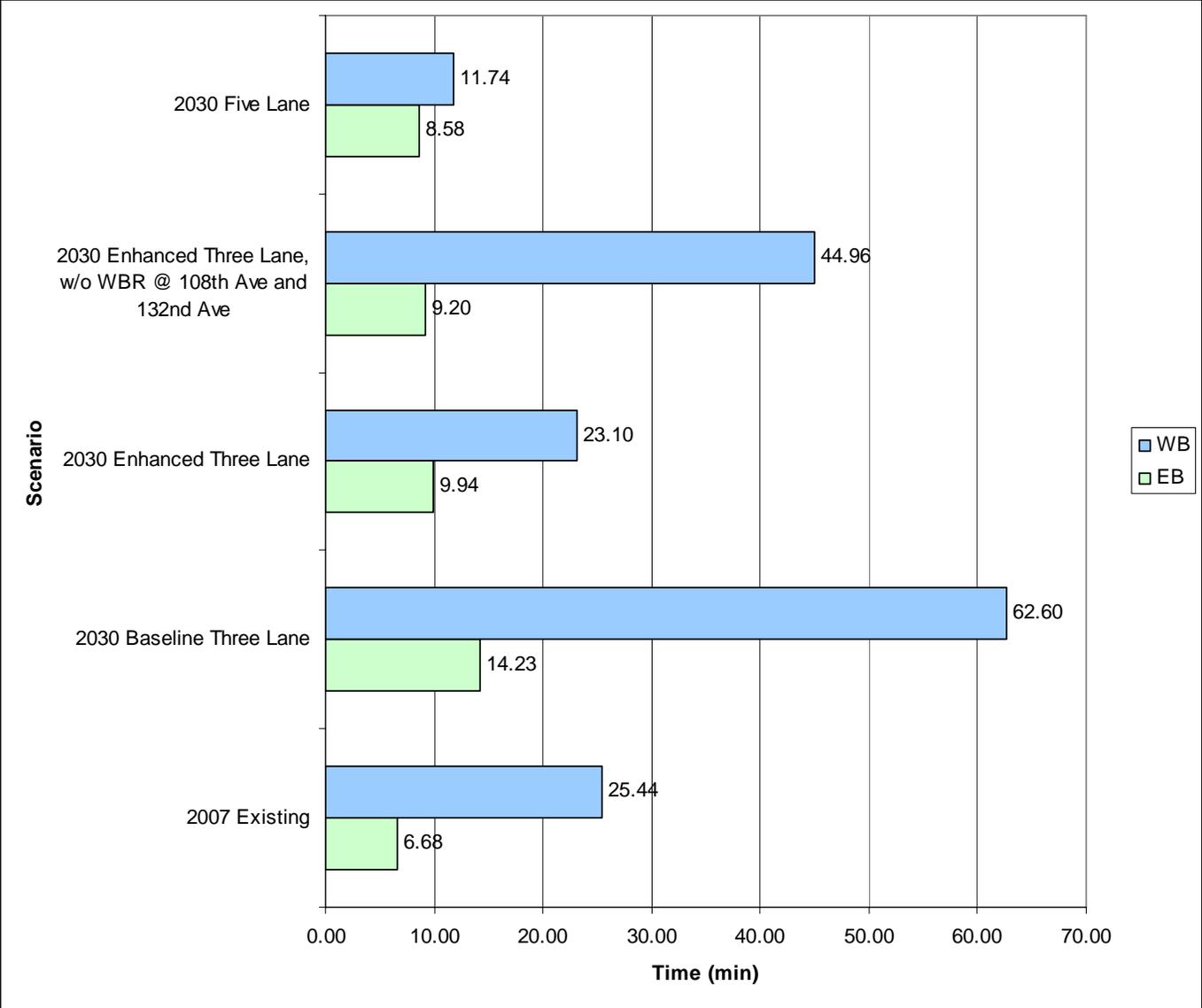
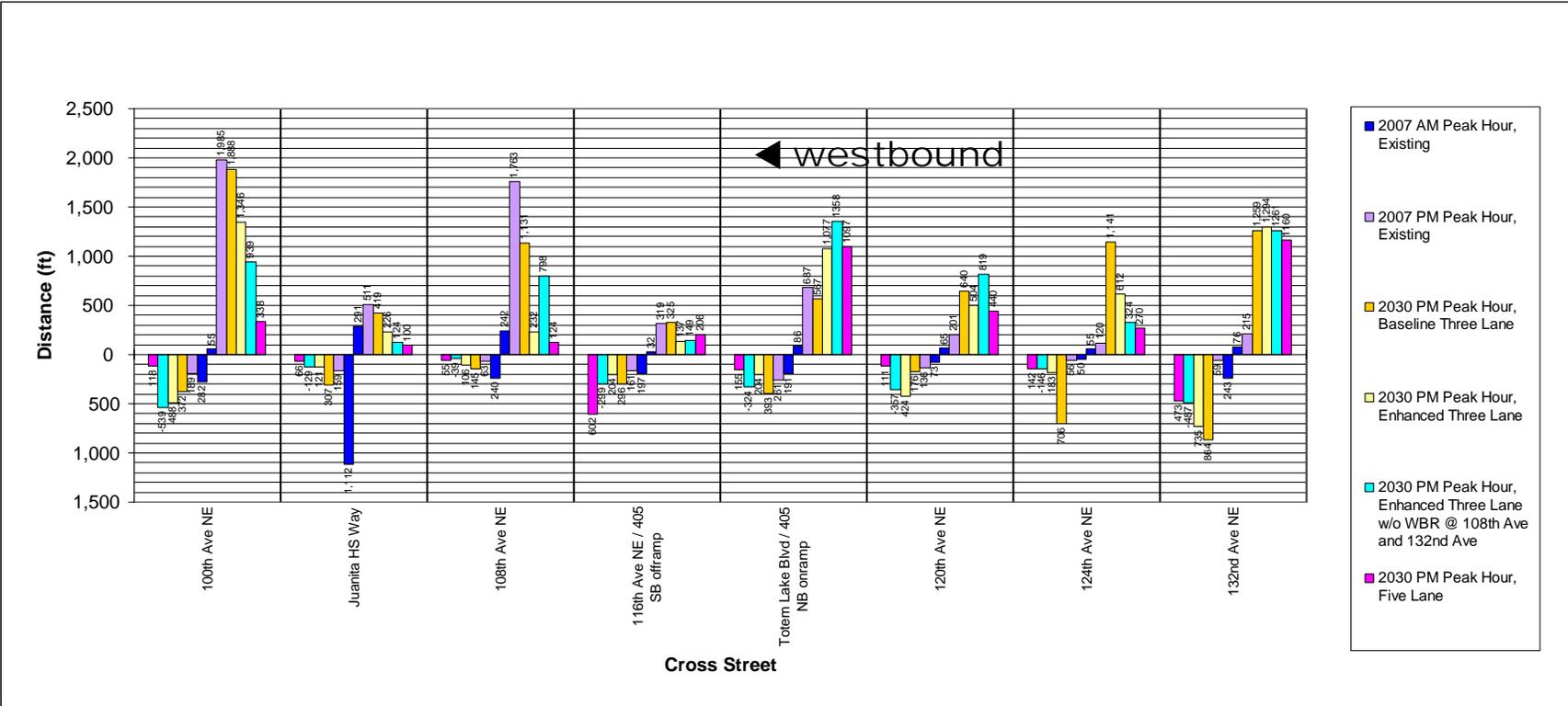


Figure 29. NE 132nd Street Intersection Peak Hour Queue Length Comparison



Congestion

The LOS and intersection delay were calculated for each of the signalized intersections along the NE 132nd Street Corridor. Under the 2007 existing conditions, the intersection at 100th Avenue NE is the only one in the PM peak hour with LOS F. All other intersections operate at LOS C or higher for the intersection as a whole (all movements) and for the peak hour as a whole. Note that the morning peak at the high school is short in duration and quite intense. Peak hour queuing does extend between intersections in the corridor with rolling queues. By 2014 under baseline conditions, 100th Avenue NE would remain at LOS F, and 132nd Avenue NE would drop to LOS D. The average intersection delay at 100th Avenue NE would increase from 123 seconds in 2007 to 158 seconds in 2014. However, under the 2014 enhanced three-lane configuration, the 100th Avenue NE intersection delay would decrease to 103 seconds.

By 2030, under the baseline conditions, the intersections at 100th, 124th and 132nd Avenue NE would operate at LOS F. The 108th Avenue and Totem Lake Boulevard intersections would operate at capacity, or LOS E. The intersections at 116th Way NE and 124th Avenue would operate at LOS D. Under the enhanced three-lane alternative, 100th Avenue NE would remain at LOS F with a slight improvement in delays. However, the improvements under the enhanced three-lane alternative would improve the LOS and delays at 108th and 132nd Avenue NE. The LOS and delays at 116th Way NE and 124th Avenue NE would be similar to those of the baseline. Only one intersection would remain at LOS F and two at LOS E. Without right turn pockets at 108th and 132nd Avenues NE, the enhanced three-lane alternative, the intersection LOS and delays at 108th and 132nd Avenue NE would be the same as with the baseline.

For the five-lane alternative, the LOS and intersection delays would be worse than the enhanced three-lane alternative at several intersections due to the increased traffic in the corridor, attracted to the wider roadway.

CONCLUSIONS AND RECOMMENDATIONS

Conclusions

NE 132nd Street is an important multi-modal roadway serving the needs of the residents in the area as well as being an important arterial connection in the Totem Lake urban center. Growth in the Kirkland, Bellevue and Redmond area is expected to continue at a significant rate and this corridor will continue to play a major role. WSDOT is beginning design for a new half interchange at I-405 and NE 132nd Street and Sound Transit, in conjunction with WSDOT, is completing the HOV direct access ramps at NE 128th Street.

Existing traffic counts and projections show a heavy southeast to northwest commuting pattern that crosses the study area along NE 116th Street, NE 124th Street and NE 132nd Street. Modeling for the year 2030 indicates that capacity will need to be added to the east-west corridors in order to reduce congestion and intersection delays. This capacity could be added at either NE 124th Street or NE 132nd Street. Increasing NE 132nd Street to a five lane roadway between 100th Ave NE and 132nd Ave NE would significantly change the nature and character of the corridor. It would be necessary to take large amounts of right-of-way along the entire corridor, in some cases entire properties would need to be purchased. In contrast NE 124th Street is currently a five-lane major arterial in a largely commercial area. Business and large apartment complexes are set well off the existing roadway. Adding a lane in either direction would not significantly impact most properties along this corridor. NE 124th Street currently has a full interchange at I-405. Travel demand modeling indicates that NE 124th Street is where drivers would prefer to travel if capacity is increased.

The travel demand modeling also indicates that the planned half interchange at I-405 and NE 132nd Street will not significantly alter the traffic patterns and volumes along the NE 132nd Street corridor between 100th Ave NE and 132nd Ave NE. Congestion on I-405 will continue to increase at a significant rate. The only planned improvement to I-405 in this area between now and 2030 is the addition of one lane in the northbound direction. This will not be enough to handle the increased volume in northbound traffic. Drivers will continue to look for alternate north-south routes. As a result the half interchange will not be the most significant contributor to traffic along NE 132nd Street.

Recommendations

This study indicates that capacity does need to be added to the east-west corridors between 100th Ave NE and 132nd Ave NE. Adding travel lanes to NE 124th Street would increase capacity, allow drivers to maintain their desired routes with full access to the Totem Lake interchange at I-405 and keep NE 132nd Street and NE 116th Street as primarily residential arterial corridors.

In order to manage peak period congestion, maintain acceptable travel times and intersection level of service, we recommend several improvement projects to be implemented along NE 132nd Street. While these projects are critical for improving traffic flow to meet future demand, they can be constructed independently of each

other and they do not need to be completed before the half interchange at I-405 is constructed.

Based on the corridor analysis, we recommend WSDOT make two modifications to the preliminary interchange design. This will maintain flow and take advantage of the two westbound lanes on NE 132nd Street. See layout in Appendix A.

- 116th Way NE should be restriped for northbound exclusive left turn and left + right turn lane.
- Modify the southbound off-ramp to remove the traffic island and stripe for one left turn lane, one through + left lane and one through + right lane.

In addition to the modifications to the half-interchange project discussed above, we have identified the following projects necessary to meet 2030 traffic volume projections along the NE 132nd Street corridor. Budget level estimates for each improvement are shown in parentheses.

- Maintain the proposed three-lane cross section for NE 132nd Street. (see typical cross-sections in Appendix A).
- Implement the following intersection and roadway improvement projects along NE 132nd Street (see plan layouts and cost estimates in Appendix A):
 - 100th Avenue NE intersection – Extend the westbound left and right turn lanes to 500 feet (\$1 million).
 - Juanita High School intersection – Add a 250-foot eastbound right turn lane (\$750,000).
 - 108th Avenue NE intersection – Add a 250-foot westbound right turn lane (\$500,000).
 - Modify the signal at the fire station to include a pedestrian actuated option (\$300,000).
 - NE 132nd Street West Segment: Overlay and restripe roadway, add landscaped center medians and perform sidewalk repairs between the east end of the 100th Avenue NE intersection project and the west end of the I-405 project (\$1.2 million).
 - NE 132nd Street Central Segment: Overlay and restripe roadway, add landscaped center medians and perform sidewalk repairs between the east end of the I-405 project and the west end of the 124th Avenue NE project (\$300,000).
 - 124th Avenue NE intersection – Continue to monitor this intersection to verify the traffic model conclusions of this study. If the eastbound to northbound left turn volumes remain as high as the model is anticipating then the City will need to extend the existing eastbound left turn lane to 500 feet and add a second 500-foot eastbound left turn lane. Widen and restripe east leg at the intersection to match west leg. Widen and restripe north leg for 1000 feet to provide two northbound through lanes, one southbound left turn lane and one southbound through/right turn lane. Restripe south leg at the intersection to match north leg (\$4.5 million).
 - NE 132nd Street East Segment: Overlay and restripe roadway, add landscaped center medians and perform sidewalk repairs between the

- east end of the 124th Avenue NE project and the west end of the 132nd Avenue NE project (\$1 million).
 - 132nd Avenue NE intersection – Extend eastbound left and right turn lanes to 500 feet (\$700,000).
- Integrate components of the Kirkland ITS Plan into the NE 132nd Street corridor as part of either Overlay or Intersection projects.
 - Upgrade the traffic signal controllers and consider video detection for the intersections
 - Install interconnect system from 100th Avenue NE to 132nd Avenue NE
 - Install CCTV cameras to monitor and manage traffic congestion and queues. Locations could include 100th Avenue NE, Totem Lake Boulevard and 124th Avenue NE intersections to provide visibility throughout the two-mile corridor.
 - Implement transit signal priority in the corridor to assist transit passage through the congested intersections. In particular, passage through the interchange area near I-405 will be critical for transit schedule maintenance.
- Work with King County Metro to consolidate transit stops with improved pedestrian crossing treatments in conjunction with overlay project segments and construction of landscaped medians through the corridor.
- Explore pedestrian-level lighting for the corridor, in conjunction with sidewalk and transit stop enhancements.

See Appendix A for corridor layouts and preliminary cost estimates.

Priorities for Implementation

There are many changes underway in the Totem Lake area that will influence travel patterns and traffic demand on NE 132nd Street. This corridor analysis reflects the expected traffic growth assigned to the corridor based on current traffic volumes and patterns.

Changes in circulation are expected with the new NE 128th Street arterial connection across I-405 that provides HOV direct access to I-405. WSDOT plans to construct a half-interchange at NE 132nd Street and this will likely result in additional shifts in traffic and circulation.

The intersection LOS analysis indicates that the 100th Avenue NE/124th Avenue NE intersection projects should be the first ones to be constructed, due to the high level of congestion. The project at 100th Avenue NE is likely warranted regardless of the circulation changes near I-405. A project to improve access at the Juanita High School signal would also be justified near-term.

Modifying the channelization east of I-405 temporarily to match the Alternate Roadway Section shown in Appendix A is also a near term recommendation. This will provide a consistent bike lane treatment for the corridor.

We recommend that the City monitor traffic volumes on NE 132nd Street, especially east of I-405 to affirm the sequence of the intersection projects in the proposed Master Plan for NE 132nd Street Roadway. The restriping, crosswalk and sidewalk enhancements

and center medians could be incorporated into the arterial overlay program or could be stand alone projects.