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, October 20, 2009
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

1. *CALL TO ORDER*

2. *ROLL CALL*

3. *STUDY SESSION*, Peter Kirk Room

   a. Joint Meeting with Senior Council

4. *EXECUTIVE SESSION*

   a. To Discuss Potential Litigation

5. *SPECIAL PRESENTATIONS*

   a. Planning and Community Development Department Service Awards:

      25 Years of Service:
      Development Review Manager Nancy Cox
      Senior Planner Joan Lieberman Brill

      20 Years of Service:
      Planning Supervisor Dawn Nelson
      Senior Planner Dorian Collins
      Senior Planner Angela Ruggeri
      Senior Planner Janice Soloff
      Code Enforcement Officer Judd Tuberg

   b. Community Planning Month Proclamation

   c. Community Wildlife Habitat Certification

   d. King County Veterans and Human Services Levy Update

P - denotes a presentation from staff or consultant

6. REPORTS

a. City Council

(1) Regional Issues

b. City Manager

(1) 2010 King County Budget

(2) Calendar Update

7. COMMUNICATIONS

a. Items from the Audience

b. Petitions

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.

8. CONSENT CALENDAR

a. Approval of Minutes: October 6, 2009

b. Audit of Accounts:

Payroll $

Bills $

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.

c. General Correspondence

(1) Glenda Schmidt, Regarding Parking in Downtown Kirkland

d. Claims

(1) Mark K. Blakeley

(2) Janice Cowen

(3) Joene LaBou

(4) Nationwide Insurance for Ryan and Aimee Meats

(5) Puget Sound Energy

e. Award of Bids

f. Acceptance of Public Improvements and Establishing Lien Period

(1) Water Supply Station No. 2 Improvements Project

g. Approval of Agreements

(1) Resolution R-4780, Authorizing the City Manager to Sign the Interlocal Bridle View Annexation Agreement Regarding Water Facilities Between the Cities of Kirkland and Redmond

P - denotes a presentation from staff or consultant

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.

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.

h. Other Items of Business

(1) Ordinance No. 4209, Amending Chapter 11.16A of the Kirkland Municipal Code, "Defenses," and Amending Kirkland Municipal Code 11.36A.080 Defining Assault

(2) Ordinance No. 4210 and its Summary, Relating to Police False Alarms; and Amending Kirkland Municipal Code Chapter 21.35A

(3) Ordinance No. 4211, Relating to Penalties on Delinquent Accounts for Water and Sewer Utilities and Amending Section 15.20.020 of the Kirkland Municipal Code

(4) Surplus Equipment Rental Vehicles/Equipment for Sale

9. PUBLIC HEARINGS

10. UNFINISHED BUSINESS

a. Ordinance No. 4212 and its Summary, Relating to Comprehensive Planning and Land Use and Amending the Comprehensive Plan Ordinance 3481 as Amended and Amending Ordinance 3710 as Amended, the Kirkland Zoning Map, as Required by RCW 36.70A.130 to Ensure Continued Compliance with the Growth Management Act, and Approving a Summary for Publication, File No. ZON09-00001

b. Revised Surface Water Development Regulations

c. Sherman Report

d. Bank of America Project Review

11. NEW BUSINESS

* *a.* Plaza at Yarrow Bay Office Building Zoning and Planned Unit Development Permits:
Ordinance No. 4213, Relating to Land Use, Approval of Zoning Permits, Preliminary PUD, and Final PUD as Applied for by Keith Maehlum of HAL Real Estate Investments Incorporated in Department of Planning and Community Development File No. ZON08-00017 and Setting Forth Conditions of Said Approval

12. ANNOUNCEMENTS

13. ADJOURNMENT

P - denotes a presentation from staff or consultant

Council Meeting: 10/20/2009
Agenda: Study Session
Item #: 3. a.

CITY OF KIRKLAND
Department of Parks & Community Services
Peter Kirk Community Center
352 Kirkland Avenue, Kirkland, WA 98033 425.587.3360
www.ci.kirkland.wa.us

MEMORANDUM

To: Mayor and Members of the City Council
David Ramsay, City Manager

From: Kirkland Senior Council

CC: Jennifer Schroder, Parks and Community Services Director
Carrie Hite, Deputy Director
Linda Murphy, Recreation Manager
Dana La Rue, PKCC Supervisor

Date: October 7, 2009

Subject: Kirkland Senior Council Study Session with City Council

The Kirkland Senior Council is completing its eighth year with great success and members are eager to share their 2008 Accomplishments and discuss progress on this year's goals, as outlined in their 2009 Work Plan. For this study session, we propose the following agenda:

I. Introduction

II. Accomplishments 2008

III. Work Plan 2009 – Attachment C

ATTACHMENT A

CITY OF KIRKLAND
SENIOR COUNCIL

ACCOMPLISHMENTS 2008

A. Falls Prevention Campaign

In an effort to educate the public regarding the high incident of falls in older adults, the Senior Council partnered with the Peter Kirk Community Center, Kirkland Fire Dept., Evergreen Healthcare, King County Fire & Life Safety Association and the King County Fire Marshal's Office to sponsor a falls prevention fair "Live Safe and Strong: *Remain Upright – Prevent Falls!".* Participants learned fall prevention strategies to ensure functional independence through participation in seminars, demonstrations and interactive exhibits.
In addition, physical therapists provided balance screens and fall risk assessments. Fair attendees also benefited from the expertise of occupational therapists who answered questions regarding various types of therapy and assistive devices.

B. Good Neighbor Program

Vial of Life (VOL): The Senior Council in collaboration with Bellevue's Network on Aging, assembled and distributed the vials sponsored by Medic One Foundation and Bartell Drugs throughout Kirkland and Bellevue. The KSC distributed about 2,000 VOL with approximately 50 hours dedicated to their assembly. The VOL is designed to save lives in emergency situations. In a medical emergency, knowledge of history and other important information can assist emergency personnel in administering the proper medical treatment in a timely manner. Vials have been translated into Spanish and Russian.

C. Seniors on the Go

This committee was formed to celebrate the talents and activities of older adults in the community. Time was spent brainstorming and investigating how best to honor the uniqueness of older adults living in Kirkland. With a keen interest to host an art show, the committee conducted an informal poll of older adult artists in the community to determine if there was interest to participate in an event honoring their work. In addition, respondents were asked what type of event they would like to see. Facilitation of an Art Show as a project will be decided at the 2009 Annual Retreat.

D. Affordable Senior Housing

Recognizing that affordable housing is a challenge for many Kirkland residents and committed to being an advocate for older adults, the committee was dedicated to collecting data, identifying a project that best addressed their findings and then advocating for affordable senior housing to all levels of government.

E. Neighborhood Associations Participation and Other Community Involvement

KSC members continue to attend Neighborhood Association meetings and other community events to advocate for the needs and concerns of older adults.

In 2008, KSC members participated in the Peter Kirk Community Center Advisory Council, the City of Kirkland's Active Living task Force, Senior Lobby Day in the State Capitol, Celebrate Sidewalks, the Houghton Walk, the Evergreen Active Senior Fair, Park Lane Stakeholders Association, Safe Steps Falls Prevention Workshop, the SeaFair Marathon, and the July 4th Parade, the City-wide Food Drive. The committee also successfully sought Senior Pedestrian Crossing signage on Kirkland Avenue.

F. Relationship with Bellevue's Network on Aging

In an effort to have a broader voice advocating for the needs of older adults on the eastside, the KSC continues to partner on projects with Bellevue's Network on Aging. In 2008 they collectively produced and distributed the Vial of Life. For details see B.

G. Resource for Other Senior Councils

It is a goal of the Kirkland Senior Council to serve as a source of information and support to other entities on the eastside interested in forming their own senior council. The KSC worked diligently with Bellevue to implement their Network on Aging. In 2008, KSC members met with a Mercer Island citizens' group regarding their interest in forming a senior council.

H. Bus Buddy & Other Transportation Programs

At a 2008 study session, the Kirkland City Council requested that the KSC investigate and report on what transportation options are available to older adults living in Kirkland. The following programs were identified as transportation options for older adults.

1. Hopelink has funding to develop transportation programs. Its *Bus Buddy Program* teaches new riders how to navigate the bus system in the City. The Travel Ambassador program educates service providers on how to best meet their clients' transportation needs.
2. The *Eastside Easy Rider Collaborative* is a group of service agencies and other organizations that are exploring ways to partner in planning, funding and implementing transportation programs for older adult residents on the Eastside.

I. Improved Website Visibility

In an effort to improve the KSC website, improvements were made to simplify navigation of the website and a KSC member was trained to update pertinent information. The group views the website as a potentially valuable communication link between the Council and older adults and their families who live in Kirkland. The goal is to keep seniors informed about the KCS's projects, ongoing activities and special events geared to the needs and concerns of older adults.

J. Production of Video Materials

To raise community awareness on a variety of topics and issues, the KSC produces and distributes a variety of educational video programs which air on Klife, channel l75 and can be seen online at www.ci.kirkland.wa.us.

In 2008, the Committee explored options for producing a short falls prevention video. In addition, the KSC and City of Kirkland were honored with the national Silver and Bronze Telly Award and the Video Award of Excellence from Pegasus for "Abuse: *Elder Neglect & Self Neglect*". Also in 2008, the KSC video, *"Excel as a Pedestrian"* won the national Video Award of Excellence from Pegasus.

K. Support for Kirkland Steppers and Northwest Senior Games, Kirkland Swim Meet

The KSC continues to support the *Kirkland Steppers* walk program for adults age 50+, at PKCC and the NWSG Swim Meet. This effort dovetails nicely with their commitment to encourage and provide

opportunities for adult's age 50+, to take an active role in their continued good health, to be the generation teaching and creating a legacy of wellness and community spirit.

- KSC members attended the Steppers Kick-Off event and presented each walker with a pedometer. They also partnered with the PKCC Advisory Board to participate in community sponsored walks and Kirkland's July 4th Parade.
- KSC members assisted at the Swim Meet with registration, refreshments, awards ceremony and had a table at the event on the pool deck.

KIRKLAND SENIOR COUNCIL - 2009 (ATTACHMENT B)

Work Plan

Goal / Objective	Description	Timeline	Progress
Goal 1: ***Advocacy Committee*** **Advocate for senior needs and create programs that advance their well-being.**			
Objective 1.1: Continue Falls Prevention Campaign.	1. Review existing falls videos for possible introduction endorsement. 2. Write script for KSC-produced video using humor to encourage exercise and balance strengthening to prevent falls 3. Complete questionnaire for Mike Connor with the City's IT/Multi-Media Dept., to include goals and distribution. To be submitted to Mike by Dana 4. Determine individuals for role casting. 5. Filming schedule to be determined by Mike Connor. Goal: complete filming by October. 6. Consider preparation of a resource handout including information about senior-accessible exercise and strengthening opportunities.	February 2009 April 2009 May 2009 July 2009 October 2009 November 2009	Completed Completed Completed
Objective 1.2: Emergency Preparedness and Vial of Life (VOL).	1) Publish user-friendly Emergency Preparedness pamphlet for Kirkland's older adults living in private residences. a. Review literature from Red Cross, FEMA, and other agencies b. Draft text for informational flyer c. Publish Emergency Preparedness flyer for older adults d. Include preparedness information on the City's website (KSC web page) 2) Partner with Kirkland Fire & Building Dept. to disseminate Emergency Preparedness information geared for older adults via City website, utility billing and flyer publication. (Attachment C) a. Meet with Fire & Building representative(s) to discuss partnership 3) Explore development of a "*Seniors Helping Seniors*" program that would recruit and train capable older adults who will assist frail and homebound older adults in accessing resources during times of emergency.	Fall 2009 a. March 2009 b. May 2009 c. Fall 2009 d. Fall 2009 Ongoing 2009 March 2009 Fall 2009 – Spring 2010	Completed Completed Completed Completed Competed In Progress Completed In Progress

KIRKLAND SENIOR COUNCIL - 2009 (ATTACHMENT B)

Work Plan

Goal / Objective	Description	Timeline	Progress
Objective 1.3: Explore options for a joint project with Bellevue's Network on Aging.	1) In collaboration with BNOA, develop an advanced level of lobbying tactics and strategy. 2) Advance cause for passing relevant legislation at all levels. 3) Attend Washington's Senior Lobby Day 4) Host *"Meet & Greet"* with state representatives at Heritage Hall. 5) Keep KSC abreast of all developments at all levels outside of our organization to coordinate with other groups as necessary.	Ongoing 2009 Ongoing 2009 October 30, 2009 November 9, 2009 Ongoing 2009	
Objective 1.4 Seniors on the Go.	1) Committee decided to produce an art show highlighting the talents of Eastside seniors. 2) Researched other organizations that held annual art shows and determined their processes would work for KSC's event. 3) Merrill Gardens volunteered their lobby to coincide with the June Kirkland Art Walk 4) Area artists were enthusiastic about participating, and Committee limited art work to two a person and a total of 50 in the initial year 5) Event was a success and plans are to hold it again next year and possibly expand number of art pieces.	Jan – Feb 2009 March 2009 April 2009 June 2009	Completed Completed Completed Completed
Objective 1.5 Follow up report to City Council regarding the E-Z Rider Program.	Committee to report on findings.	October 20, 2009	

KIRKLAND SENIOR COUNCIL - 2009 (ATTACHMENT B)

Work Plan

Goal / Objective	Description	Timeline	Progress
Goal 2: ***Visibility Committee*** **Increase visibility of the KSC in the community and in government.**			
Objective 2.1: Partner with Evergreen and Active Living Task Force (ALTF) to sponsor an educational fair.	1) Meet and Discuss possible ALTF projects with Evergreen and KSC. a. The decision is a project that will invite the community to a "*Walk-In*" that will include walking paths and routes in and around Evergreen. 3) ALTF planning meeting with Evergreen and KSC 3) Community Event: *"Art/Heart"* will be held in 2010	March 25, 2009 June 4, 2009 February 2010	Completed Competed
Objective 2.2: Improve communication between the KSC and the community.	1) Update and keep current the KSC website. a. Include current KSC member photo b. Include 2008 KSC Accomplishments in Acrobat file c. Include 2009 Work Plan (update with committees' information) 4) Include Emergency Preparedness pamphlet information on City website (KSC web page).	Throughout 2009 a. Early 2009 b. May - June c. May - June June - December 2009	Ongoing a. Completed b. Ready to Add c. In Progress
Objective 2.3: Update KSC promotional and educational material.	Update, print and distribute Volunteer Opportunities brochure. a. Distribute to City Hall, Library, PKCC and Evergreen	March 2009	Completed
Objective 2.4: Recruitment for new KSC members will begin in the Summer and Fall of 2010.	Advertise position(s), interview and appoint selected candidates.	October: Recruitment November: Interviews December: Appointment Jan 2010: Term Begins	

KIRKLAND SENIOR COUNCIL - 2009 (ATTACHMENT B)

Work Plan

Goal / Objective	Description	Timeline	Progress
Goal 3: ***Senior Council Members*** **Represent senior needs at neighborhood and other community / civic meetings and special events.**			
Objective 3.1: Participate in local neighborhood association meetings and other community /civic committees and special events.	Continue and strengthen community outreach efforts by networking with local neighborhood associations and participating on various community committees. Senior Council members partnered with the following: 1. Active Living Task Force 2. Evergreen Healthcare 3. Bellevue's Network on Aging 4. City of Kirkland Fire & Building Dept 5. Washington State Senior Lobby 6. Aging & Disabilities Services (ADS) Senior Council members participated in the following; 1. Overlake Hospital/Senior Care Active Senior Fair 2. Community Safety for Older Adults 3. AARP's Taking Charge in Tough Times 4. Health & Safety Fair 5. Kirkland Karnival 6. ARCH - Quiet Crisis: Affordable Housing, King County 7. Emergency & Disaster Preparedness Fair 8. Overlake Hospital/Senior Care: Home is Where the Heart Is 9. NWSG Swim Meet in Kirkland 10. Kirkland Steppers: PKCC Walk Program for adults age 50+ 11. PKCC Advisory Board 12. Neighborhood Association Meetings 13. Kirkland's Downtown Action Team 14. Kirkland's July 4rth Parade	Throughout 2009	

Emergency Preparedness Tips For Older Adults

1. ***Build a Kit***
   - Bottled water and extra food
   - Flashlight, radio and extra batteries
   - First aid supplies and medications
   - Medical information and vital documents
2. ***Make a Plan***
   - Know where to go and who to call for help.
   - Ask your healthcare provider(s) about ways to manage prescription drugs, insulin, oxygen, and other medical needs during an emergency.
   - Write your plan down and keep it with your emergency kit.
3. ***Be Ready***
   - Store your emergency kit and plan in a safe place.
   - Keep the following telephone list handy:

Important Telephone Numbers

Life Threatening Emergencies: 911

Kirkland 24-Hour Emergency Info Hotline (Recorded updates):
425.587.3767

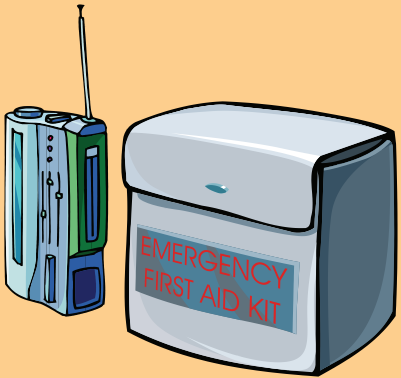
American Red Cross Community Disaster Education:
206.709.4528

Local Emergency Resources and Information:
211 or 1.800.621.4636

Weather and Road Warnings:
511 or 1.800.695.7623

Radio: AM 1000 or FM 97.3

City of Kirkland Emergency Web Page:
www.ci.kirkland.wa.us/emergency



NEIGHBORHOOD EMERGENCY TEAM (NET)

Natural disasters and other emergencies can strike at any time. Older adults in our community can be especially at risk. But there is something you can do to help!

The Kirkland Senior Council, in conjunction with the City of Kirkland's Office of Emergency Management, is piloting a new program, **Neighborhood Emergency Team (NET).** Local volunteers will be organized to help frail and homebound older adults who lack a personal support network in case of an area emergency.

Local emergency services will always respond to 911 calls and natural disasters. The goal of **NET** is to provide short-term logistical assistance for vulnerable older adults to help prevent urgent situations from becoming critical or life-threatening. For example, volunteers might pick up a prescription, assist with placing a cell phone call or just check in on a homebound neighbor. This will help frail older adults in our neighborhoods and it will free up local first responders to assist where they are needed most.

For more information, contact the Kirkland Senior Council:
ksrcouncil@ci.kirkland.wa.us

CITY OF KIRKLAND
SENIOR COUNCIL

CITY OF KIRKLAND WASHINGTON

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

To: David Ramsay, City Manager

From: Eric Shields, Planning Director

Date: October 12, 2009

Subject: Service Awards

Several employees in the Department of Planning and Community Development have recently reached major employment anniversaries. At the October 20, 2009 Council meeting I would like to recognize the following employees for their service to the City:

25 years of service:

- Nancy Cox: May 30, 1984
- Joan Lieberman Brill: August 20, 1984

20 years of Service:

- Janice Soloff: April 4,1988
- Judd Tuberg: April 20, 1988
- Dawn Nelson: July 10, 1989
- Angela Ruggeri: July 17, 1989
- Dorian Collins February 19, 1986

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

MEMORANDUM

To: David Ramsay

From: Eric Shields, Planning Director

Date: October 8, 2009

Subject: PROCLAMATION FOR NATIONAL COMMUNITY PLANNING MONTH

RECOMMENDATION

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

BACKGROUND DISCUSSION

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

cc: Planning Commission

A PROCLAMATION OF THE CITY OF KIRKLAND

Designating October 2009 as "Community Planning Month"

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

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

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

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

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

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

WHEREAS, the celebration of National Community Planning Month gives us the opportunity to publicly recognize the many valuable contributions made by planning commissioners, members of volunteer advisory committees, and land use professionals of the City of Kirkland and extend our heartfelt thanks for the continued commitment to public service by these professionals;

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

Signed this 20th day of October, 2009

_____

James L. Lauinger, Mayor

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: Dave Ramsay, City Manager

From: Jennifer Schroder, Director Parks and Community Services

Date: October 12, 2009

Subject: Community Wildlife Habitat Certification - Presentation

RECOMMENDATION:

That the City Council accept a certificate from the National Wildlife Federation acknowledging the City of Kirkland as a "Community Wildlife Habitat." Kirkland is the 34th city in the United States to be certified, the fifth in Washington State and the first on the Eastside.

BACKGROUND DISCUSSION:

A citizen team lead by John and Beth McCaslin have worked tirelessly in educating the community on how private and public properties can become certified Community Wildlife Habitats by the National Wildlife Federation.

Beth McCaslin will provide a brief report on how Kirkland achieved the designation as a Certified Community Wildlife Habitat and introduce the team responsible for the numerous hours of education and outreach on the benefits of this program.

A representative from National Wildlife Federation, Courtney Sullivan, will present a framed certificate to the mayor.

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: Dave Ramsay, City Manager

From: Jennifer Schroder, Director of Parks and Community Services
Carrie Hite, Deputy Director of Parks and Community Services
Sharon Anderson, Human Services Coordinator

Date: October 20, 2009

Subject: Update on the Veterans and Human Services Levy

RECOMMENDATION:
Each year, Council has requested to receive an update on the progress and distribution of the Veterans and Human Services Levy funds. King County staff representative Sadikifu Akina-James will be providing this special presentation to Council. This is information only, no action necessary.

POLICY IMPLICATIONS:
None

BACKGROUND INFORMATION:

Sadikifu Akina-James, Vets and Human Services Levy Manager, King County Department of Community and Human Services, will attend the October 20 Council meeting to provide updates on the efforts and activities related to the levy, to include the following:

- The amount of funding expended to date
- Addressing which contractors and populations are to receive funding in East King County
- The amount of funding allocated for services in East King County.

As Council may recall, in 2005 King County voters approved the Veteran's and Human Services Levy which provides approximately $13,300,000 per year ($0.05 per $1,000 assessed valuation) for six years starting in 2006. The levy's purpose is to fund health and human services such as housing assistance, mental health counseling, substance abuse prevention and treatment, and employment assistance; as well as capital facilities and improved access to and coordination of services for veterans, military personnel and their families. Fifty percent of the levy proceeds is dedicated to these services for

veterans, military personnel and their families; and fifty percent is dedicated to improving health, human services and housing for a wider array of people in need.

In April 2006, the Council passed Ordinance 15406 providing direction as to how the money from the Levy should be spent, including that "the proceeds shall be used primarily to prevent or reduce homelessness and unnecessary involvement in the criminal justice and emergency medical systems for veterans, military personnel and their families and other individuals and families most at risk."

A service improvement plan for the veteran's and human service levy was approved by Council in October, 2006 (via Ordinance 15362). The plan addresses key policy elements and issues identified by the Council in Ordinance 15406, which gave direction on development of a plan. In particular, the plan describes priority populations and investment areas, clarified the roles and process for recruiting and appointing the members of two new oversight boards.

The levy funds are dispersed into five broad strategy areas corresponding to the Council's direction: veterans, homelessness, behavioral health, strengthening families and resource management and evaluation. As stipulated in the ballot measure, funds are divided equally between veteran and non-veteran populations. The overarching strategies are outlined on the following page:

Strategy One	Enhancing services and access for veterans (Veterans Levy Fund only)
Strategy Two	Ending homelessness through outreach, prevention, permanent supportive housing and employment
Strategy Three	Increasing access to behavioral health services
Strategy Four	Strengthening families at risk (Human Services Levy Fund only)
Strategy Five	Increasing effectiveness of resource management and evaluation

Annually, at least $2 million of veterans funds are designated for enhancements to the existing King County Veterans' Program, and $1.5 million in non-veterans funds are dedicated to early childhood prevention and intervention. Levy administration costs are about five percent of the total funds.

The Regional Human Services Levy Oversight Board and the Veterans Citizens Levy Oversight Board were convened in February, 2007. Rather than just providing evaluation of levy funded programs and outcomes – the boards have played an integral role in reviewing the plans for expenditure of levy proceeds and monitoring progress of service and program implementation.

There are two kinds of implementation plans: program designs and procurement plans. Program designs describe activities that will be implemented by King County programs, such as the King County Veterans' Program. Procurement plans describe activities that will be implemented via contract with community based organizations. A procurement plan is prepared prior to the formal issuance of a Request for Proposal (RFP).

It has been a long process to develop the program designs and procurement plans and then issue and review RFPs. However, as of this date, there are only two procurement plans left for review. The role of the oversight boards has shifted in 2008 to review of the implementation of levy funded activities. The boards are receiving progress reports on levy funded projects, visiting agencies to see programs and service delivery first hand, reviewing monitoring reports prepared by King County staff, and reviewing reports from the levy evaluator.

Attachment:
King County's current overview of the status /and or fund recipients awarded through 2008.

Veterans and Human Services Levy
Fund Recipients through 2009
County-wide

*The "County-wide" category includes agencies that provide services across the county regardless of the particular location of the agencies. People served may live anywhere in the county, usually because the
agency has multiple locations and/or partners.

Total Commitments To Date **$36,546,538**

Strategy	Description – Status and/or Fund Recipients	Awarded through 2009 (Life of Levy)	Location of Agency by Subregion*
Overarching Strategy 1: Veterans			
1.1	**Expand geographic range of King County Veterans' Program** – Increase availability of services outside the City of Seattle via new office site at WorkSource Renton and mobile outreach for North and East King County		
	King County Veterans' Program	$1,184,909	South
1.2	**King County Veterans' Program service enhancements** - Increase capacity for Veterans' Incarcerated Project, Post Traumatic Stress Disorder counseling, financial aid, employment services, etc.		
	King County Veterans' Program Financial Assistance	$1,250,000	County-wide
	King County Veterans' Program Employment, outreach, and case management	$2,027,500	County-wide
	King County Veterans' Program subcontractors:		
	The Compass Center	$144,000	Seattle
	Salvation Army - William Booth Center	$225,300	Seattle
	WDVA-Veterans Conservation Corps	$62,500	County-wide
	WDVA-Veterans' Incarcerated Program - Auburn	$32,265	South
	WDVA-Veterans' Incarcerated Program - Renton	$32,265	South
	WDVA-Veterans' Incarcerated Program - Issaquah	$32,265	East/North
	WDVA-Veterans' Incarcerated Program - Kent	$32,265	South
	WDVA-Veterans' Incarcerated Program - Kirkland	$32,265	East/North
	WDVA-Veterans' Incarcerated Program - Enumclaw	$32,265	South
	WDVA-PTSD Services	$709,825	County-wide
	WDVA-Homeless Veterans	$168,447	County-wide
1.3	**Veterans' services dedicated phone resource** – Centralized source for veterans and their families to get information on range of veterans' services		TBD
1.4	**Training for cross system providers on federal VA, other vet services** – Increase knowledge for providers of range of veterans services to be able to better help vets and their families access their benefits		TBD
Overarching Strategy 2: Homelessness			
2.1	**Initiatives to identify/engage/house long term homeless and high utilizers**		
	King County DCHS (MHCADSD)	$296,194	County-wide
	King County DCHS & subcontractor:		
	Sound Mental Health	$382,000	South
2.1	**Initiatives to identify/engage/house chemically dependent chronically homeless in Seattle**		
	King County DCHS (MHCADSD) & subcontractor:	$413,000	Seattle

Veterans and Human Services Levy
Fund Recipients through 2009
County-wide

	Pioneer Human Services	$125,000	Seattle
2.1	**Mobile Medical Outreach in South King County**		
	Public Health-Seattle & King County	$402,500	South
2.2	**Increase permanent housing w/support** – Largest single investment is for the development of new, permanent housing units throughout King County		
	Compass Center	$2,781,250	South
	St. Andrews Housing Group	$701,762	East/North
	Catholic Community Services	$575,000	Seattle
	Friends of Youth	$599,488	East/North
	Plymouth Housing Group	$500,000	Seattle
	Valley Cities Counseling & Consultation	$520,000	South
	Low Income Housing Institute	$1,480,000	Seattle
	Highline West Seattle Mental Health	$800,010	Seattle
	YWCA of Seattle-King-Snohomish Counties	$981,825	South
	Community Housing Mental Health Agency	$300,000	Seattle
	Archdiocesan Housing Authority	$865,665	Seattle
	Plymouth Housing Group	$1,000,000	Seattle
	Downtown Emergency Service Center (DESC)	$350,000	Seattle
	Foundation for the Challenge (FFC)	$500,000	County-wide
	Housing Resources Group	$350,000	East/North
	Sound Mental Health (SMH)	$610,314	Seattle
	Vashon Household	$250,008	Seattle
	YWCA	$314,607	East/North
2.3	**Landlord risk reduction** – Risk reduction fund to help persuade landlords to rent to higher risk tenants, making it easier for them to find housing		
	YWCA	$1,000,000	County-wide
2.4	**Investment in support services for housing** – Improve the ability of formerly homeless people to retain permanent housing by providing comprehensive on-site services and connection to community resources		
	King County DCHS (CSD) & subcontractors:		
	Downtown Emergency Service Center (DESC)	$1,208,925	Seattle
	Valley Cities Counseling & Consultation	$133,645	South
	Evergreen Treatment Services	$923,430	Seattle
	Eastside Interfaith Social Concerns	$282,340	East/North
	SMH	$717,660	Seattle
	Public Health-Seattle & King County & subcontractors:	$46,000	County-wide
	NeighborCare Health	$109,000	Seattle
	HealthPoint	$95,000	South
2.5	**KC Criminal Justice Initiative** – Housing and coordinated services for chronically homeless individuals involved in the court and jail system		
	King County DCHS (MHCADSD) & subcontractor:		
	Forensic Assertive Community Treatment (FACT) Sound Mental Health	$200,000	County-wide
	Foresnic Intensive Supportive Housing (FISH) Sound Mental Health	$600,000	County-wide

Veterans and Human Services Levy
Fund Recipients through 2009
County-wide

2.6	**Increased supportive housing for parents coming out of jail/institutions** – Criminal justice histories make housing harder to find and levy will help with housing placement supports for parents with children		
	King County DCHS (CSD) & subcontractors:		
	First Place	$33,460	County-wide
	YWCA	$32,000	County-wide
2.7	**Housing stability program** – Countywide housing stability program to provide emergency financial assistance to prevent homelessness (rent, mortgage, move-in assistance) > **Under Negotiations**		
	King County DCHS (CSD) & subcontractors:		
	Solid Ground & subcontractors:	$94,035	County-wide
	Catholic Community Services	$62,400	South
	Crisis Clinic - Community Info Line	$72,261	County-wide
	First Place	$59,830	Seattle
	Friends of Youth	$24,600	East/North
	Hopelink	$59,600	East/North
	Multi-Service Center	$64,750	South
	Neighborhood House	$70,900	Seattle
	Salvation Army - Seattle	$59,830	Seattle
	Senior Servics	$95,500	Seattle
	Valley Cities	$125,920	South
	Vashon Youth & Family Services	$24,600	South
	YWCA - Renton	$98,450	South
	YWCA - Seattle	$59,830	Seattle
	YWCA Landlord Liaison	$250,000	County-wide
	Prorated to lead agency in 2009	$777,494	County-wide
2.8	**Increased employment connections for low-income people** – Expansion of education and employment programs linked to supportive housing to help individuals achieve stability		
	King County DCHS (CSD) & subcontractors:		
	Friends of Youth	$92,245	East/North
	Hopelink	$99,167	East/North
	Neighborhood House	$224,287	Seattle
	Seattle Jobs Initiative	$255,000	Seattle
	TRAC Associates ($158,000)	$118,500	Seattle
	TRAC Associates	$39,500	East/North
	WDVA ($120,333)	$60,166	South
	WDVA	$60,167	East/North
	YouthCare	$99,166	Seattle
	YWCA	$255,000	County-wide
	Valley Cities Counseling & Consultation	$146,108	South

Veterans and Human Services Levy
Fund Recipients through 2009
County-wide

Overarching Strategy 3: Behavioral Health			
3.1	**Integrate MH/CD into primary care clinics**		
	Public Health-Seattle & King County & subcontractors:	$420,138	County-wide
	HealthPoint	$333,723	South
	Valley Cities Counseling & Consultation	$19,291	County-wide
	King County Behavioral Health Safety Net Consortium	$407,416	County-wide
	HealthPoint		County-wide
	Country Doctor Community Health Centers		Seattle
	International Community Health Services	$36,833	Seattle
	Harborview Medical Center	$34,167	Seattle
	Public Health-Seattle & King County - Eastgate Clinic	$13,334	East/North
	NeighborCare Health		County-wide
	Sea Mar Community Health Centers		South
	Seattle Indian Health Board	$43,333	Seattle
	University of Washington School of Medicine Department of Psychiatry & Behavioral Sciences	$224,425	County-wide
	Center for Healthcare Improvement for Addictions, Mental Illness and Medically Vulnerable Populations (CHAMMP)	$42,340	County-wide
3.2	**Increased trauma/PTSD services** – Address unmet need for veterans and their families, children, and survivors of domestic violence		TBD
3.3	**Increased PTSD evidence based training** – Increase service providers' understanding of PTSD to improve services to survivors		TBD
3.4	**In-home services to treat depression in elderly vets, others** – PEARLS (Program to Encourage Active, Rewarding Lives for Seniors) model		
	City of Seattle, Human Services Department, Aging and Disability Services Division	$97,000	County-wide
	African American Elders Project	$61,500	Seattle
	International Drop-In Center	$61,500	Seattle
	University of Washington, Health Promotion Research Center	$4,000	County-wide

Veterans and Human Services Levy
Fund Recipients through 2009
County-wide

Overarching Strategy 4: Strengthening Families			
4.1	**Expand Nurse Family Partnership services** – Increase access to successful nurse/home visiting program as a proven early intervention with young, first-time pregnant women		
	Public Health-Seattle & King County	$479,930	County-wide
	King County DCHS (CSD)	$67,500	County-wide
4.2	**Pilot new services for maternal depression** – Six pilot sites will be selected to serve low-income mothers suffering from maternal depression to aid healthy maternal-child attachments and early child development		
	Public Health-Seattle & King County & subcontractors:	$53,719	County-wide
	HealthPoint	$85,135	South
	Country Doctor Community Health Centers	$88,167	Seattle
	International Community Health Services	$88,167	Seattle
	NeighborCare Health	$58,194	Seattle
	Sea Mar Community Health Centers	$57,500	South
	Valley Cities Counseling & Consultation	$30,319	County-wide
	University of Washington School of Medicine Department of Psychiatry & Behavioral Sciences	$148,139	County-wide
	Center for Healthcare Improvement for Addictions, Mental Illness and Medically Vulnerable Populations (CHAMMP)	$15,660	County-wide
4.3	**Increased training on child development for care givers and informal supports** – Expand curricula and training programs for those who care for children (formal and informal caregivers) to increase access to child care that is provided in culturally and lin		
	Public Health-Seattle & King County & subcontractors:	$94,657	County-wide
	University of Washington	$60,000	South
	Friends of Youth	$140,663	East/North
	Northshore Youth & Family Services	$31,958	East/North
	Renton Area Youth Services	$52,787	South
	Center for Human Services	$1,319	East/North
	Youth Eastside Services	$43,273	East/North
	Chinese Information Service Center	$75,000	Seattle
	Childcare Resources	$53,000	Seattle
	Odessa Brown Clinic	$20,361	Seattle
	Family Services	$15,467	Seattle
	Highline West Seattle Mental Health	$12,703	Seattle
	Funds assigned to agencies for training	$15,062	Seattle
4.4	**Increased services for single parents coming out of jail and residing in transitional housing** – Service enhancements such as housing, treatment services, other supportive services		
	King County DCHS (CSD) & subcontractors:		
	First Place	$55,700	County-wide
	YWCA	$269,629	County-wide
4.5	**Increased education and employment services for parents out of jail** – Helps parents achieve and maintain employment to promote family stability and prevent		

Veterans and Human Services Levy
Fund Recipients through 2009
County-wide

	recidivism		
	King County DCHS (CSD) & subcontractors:		
	First Place	$18,072	County-wide
	YWCA	$50,000	County-wide
4.6	**Treatment connections for people in Family Court** – Helps parents involved in dependency cases by intervening to ensure treatment needs and culturally relevant services are provided to promote family stability		
	King County Juvenile Court	$425,000	County-wide

Veterans and Human Services Levy
Fund Recipients through 2009
County-wide

Overarching Strategy 5: Resource Management and Evaluation			
5.1	**Evaluation** – Establish consistent outcomes logic framework in all levy funded projects and activities; Establish regional coordination of cross systems evaluation; Develop database of high utilizers of services to link them to appropriate services		
	King County DCHS	$900,000	County-wide
5.3	**Profile of offenders with MH & COD**		
	King County DCHS	$120,000	County-wide
5.5	**Safe Harbors Homeless Management Information System** – Provide agency level support to moving to new improved coordinated system		
	City of Seattle	$625,000	County-wide
5.7	**Consulting and training (HIPAA)**		
	King County DCHS (MHCADSD)	$150,000	County-wide
5.9	**Facilitation of ongoing partnerships** – Community outreach and new services coordination to respond to unmet and emerging need		
	King County DCHS	$450,000	County-wide

CITY OF KIRKLAND
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MEMORANDUM

To: David Ramsay, City Manager

From: Erin Leonhart, Intergovernmental Relations Manager
Carrie Hite, Deputy Director, Parks & Community Services

Date: October 8, 2009

Subject: 2010 KING COUNTY BUDGET

RECOMMENDATION

It is recommended that the City Council review this report on the proposed 2010 King County budget and potential impacts on the City of Kirkland.

BACKGROUND

King County is projecting a $56.4 million deficit in the 2010 General Fund. To address the deficit, King County Executive Kurt Triplett proposed a $620.9 million budget that includes significant programmatic cuts (see Attachment A – "Strategies for Closing the $56.4 Million General Fund Deficit" or the King County website: www.kingcounty.gov/operations/Budget.aspx for details). Some of the Executive's proposed cuts, if adopted, will have an impact on Human Services and Animal Care and Control currently provided to citizens in the city and the Potential Annexation Area. The Executive has also proposed elimination of funding for local parks in unincorporated areas.

Human Services
King County currently funds human services throughout King County. The proposed budget eliminates all human services funding from the general fund, and seeks to use Mental Illness and Drug Dependency (MIDD) funds for some of these programs, thus supplanting MIDD funded programs. This will create a secondary impact on currently funded MIDD funded programs.

Currently, the proposed 2010 budget will cut approximately $700,000 from eastside agencies, and an additional $900,000 from regional programs that serve eastside residents. The eastside agencies that are facing cuts from this budget include Eastside Domestic Violence Program, YWCA Family Village, Eastside and Northshore Adult Day Health, Friends of Youth, Youth Eastside Services, Eastside Baby Corner, Eastside Legal Assistance Program, Hopelink, Lake Washington Schools Foundation, and Sound Mental Health. The agencies that provide regional services that will be impacted by these cuts include YWCA, Child Care Resources, Crisis Clinic,

King County Sexual Assault Resource Center, Harborview's Children's Response Center, King County Coalition Against Domestic Violence, and Refugee Women's Alliance.

Currently, the Eastside Human Services Forum is drafting a letter to the editor, providing public input at County Council budget hearings, and is supporting the key messages presented by the King County Human Services Alliance. These key messages include:

- We urge the King County Council to maintain current funding for community health and human services for 2010 while we work together to find a long-term funding solution.

- Urgently needed human services have already been cut by almost 50% in the past three years, during a time of dramatically increasing needs and severe economic distress.

- Our communities cannot sustain any further cuts without deep losses to the human services infrastructure. In addition to reducing human misery, maintaining the infrastructure is also more cost effective.

- Maintaining funding to community health and human services now will save King County money in the long run. Eliminating or reducing human services will drive up the costs of public health and public safety, increasing both the human and financial costs to residents of King County.

- Maintaining current funding for 2010 will not solve the problem of adequate, stable funding for urgently needed community health and human services in the long-term. Our elected leaders must continue working, unabated, to implement long-term solutions so that services are available when King County residents find themselves in need. At least until those solutions are in place, this temporary set aside is a critical measure to ensure the strength of our communities.

<u>Animal Care and Control</u>
King County currently provides Animal Care and Control for most cities by contract. With the exception of special contracts for expanded services, these contracts have been funded with pet licensing revenues and a $1.5 million General Fund subsidy. According to 2008 information provided by Animal Care and Control, the license fees collected in most of the north King County cities, including Kirkland, adequately cover the expenditures in those areas so much of the shortfall occurs in south King County.

Executive Triplett has recommended that King County no longer provide this service and has included only six months of funding in the proposed 2010 budget. King County has convened an Animal Services Work Group consisting of representatives from a variety of cities to examine options for provision of these services after June 30, 2010. Erin Leonhart is participating in this process. The work group is meeting every two weeks starting on October 7, 2009 (see Attachment B – "Proposed Work Plan for Cities' Animal Services Work Group"). During the first meeting, the group agreed that the three services that need to be discussed are: pet licensing, animal control/field work and sheltering.

In addition to exploring options through this work group, staff is discussing a range of possibilities for Kirkland. Erin has been meeting with Kirkland departments that have interests

in the issue as well as with staff from Redmond and Bellevue. At this early juncture, it appears the options would be:

- Regional consortium of cities and King County (through the work group process);
- Sub-regional consortium of cities;
- City-provided service; or
- Contract with other city already providing service (i.e., Renton).

The Seattle Humane Society (located in Bellevue) has offered to provide sheltering services for any of these options but will not provide field services.

Another issue pushing the schedule for Animal Care and Control is the potential for flooding in the Green River Valley this winter due to structural problems at Howard Hanson Dam. The King County animal shelter is located in the flood plain in Kent and has been deemed a total loss in the event of a flood. To avoid this potential loss, King County is closing the shelter on November 1, 2009 to move to a transitional shelter scheduled to open in mid-November. Between the flood constraints and anticipated service changes due to budget reductions, King County has said reduced levels of service are likely:

- Field services limited to priority calls;
- No owner-releases accepted and limited pick up of stray animals; and
- No adoption services so animals will be transferred to adoption partners.

Local Parks in the Potential Annexation Area

King County maintains and operates 39 local parks throughout unincorporated areas, including six in Kirkland's Potential Annexation Area (PAA):

Site Name	Acreage
132nd Square	9.76
East Norway Hill*	25.97
Edith Moulton Park	26.71
Juanita Heights Park	3.23
Kingsgate Park	7.20
Windsor Vista Park	4.83

*The majority of East Norway Hill is in the Bothell PAA.

This funding augments Parks levy dollars, which may only be used to support rural and regional park facilities such as Big Finn Hill Park. The 2010 budget proposed by Executive Triplett terminates General Fund support for the 39 urban parks at the end of 2009. As a result, effective January 1, 2010 the parks will be mothballed unless the County can find partners to maintain them.

Kirkland staff has been in contact with King County staff from the Executive's Office and Department of Natural Resources and Parks about the parks in the PAA. If the annexation vote passes, interim maintenance of these parks will be discussed in the context of annexation. If there is a contract with community partners prior to the annexation effective date, Kirkland has asked to be part of those conversations.

King County Budget Timeline

After the County Council receives the Executive Proposed 2010 Budget in late-September, the full Council begins meeting as the Annual Budget Committee and holds four public hearings on the Executive's proposal. The final Council "budget striker" strikes out the language of the Executive's proposal and replaces it with the final ordinance the Council intends to adopt. Final Council adoption usually occurs on the last Monday before Thanksgiving. The timeline for the 2010 budget is shown below and details are available on the County Council's website www.kingcounty.gov/council/budget/budget_calendar.aspx.

KING COUNTY COUNCIL BUDGET TIMELINE

DATE(S)	ACTION
September 28	Executive presents proposed budget to Council
October 7, 13, 22, 29	Public hearings, 7pm-9pm
November 9	Final public hearing, 11am
November 19	Budget chair scheduled to submit final "budget striker"
November 20	Budget Committee scheduled to adopt "budget striker"
November 23	Council scheduled to adopt budget & ordinances, Executive must take action within 10 days

Attachments (2)

2010
EXECUTIVE PROPOSED BUDGET

STRATEGIES FOR CLOSING THE $56.4 MILLION GENERAL FUND DEFICIT

PREPARED BY THE OFFICE OF MANAGEMENT & BUDGET
SEPTEMBER 28, 2009

OVERVIEW

For 2010, the General Fund faces a $56.4 million deficit, caused by the on-going structural imbalance between the growth rates of revenues and expenditures and made worse by the most severe economic instability since the Great Depression. King County's General Fund is already relatively lean following the deficit years of 2002 through 2005 when the county closed a $137 million budget gap and recent actions to eliminate 2009's $93 million deficit. In fact, 2010 will mark the second consecutive year where the General Fund budget is actually *smaller* than the previous year's budget. At $620.9 million, the 2010 Executive Proposed Budget is $38.8 million less than the 2008 Adopted Budget and $26 million less than the 2009 Adopted Budget.

In exploring options for closing 2010's $56.4 million deficit, one quickly realizes that King County is left with some very difficult and painful decisions about which programs to reduce or eliminate. Simply put, there are no easy choices.

In framing the decision-making criteria for balancing the 2010 budget, the Executive seeks to preserve funding to the greatest extent possible for core mandatory services. In addition, the Executive prioritizes the preservation of direct services over administrative overhead costs. The Executive also emphasizes the elimination of programs over 'across the board' reductions, recognizing that the county programs can no longer be effective if faced with reductions on the margins. Finally, the Executive makes use of the tools provides to King County by the state legislature in 2009 – namely the ability to use MIDD revenue to support existing General Fund programs – to mitigate and offset some of the direct service reductions.

The table on the next page highlights the strategies used to close the $56.4 million General Fund deficit for 2010. Details about these reductions are provided in subsequent pages.

CROSSWALK

Cumulative Changes to Address Projected 2010 Deficit Based on Final Projected 2010 Deficit	Impact on Deficit Increase to Deficit	Decrease to Deficit
Projected Deficit (dollars in millions)	**56.4**	
Administrative and Overhead Reductions		
Administrative Service Reductions		4.1
Central Rate Reductions		3.3
Discretionary Program Funding		
Eliminate Parks Funding [1]		2.1
Eliminate Animal Control Subsidy		1.5
Eliminate Human Services Funding [2]		11.4
Funding Shift to MIDD		
MIDD Supplantation for LSJ Programs [3]		7.7
Other Balancing Strategies		
North Highline Annexation Savings		2.9
Employee Flex Benefit Program Change		2.8
Shut Down of Operations		6.5
Technical Adjustments and Other Changes		
PERS Savings		6.4
Other Changes		8.1
Changes to Reserves		
Release of Parks Reserve [1]		2.5
Establish Animal Control Reserve	3.0	
Establish Parks Partnership Reserve	0.5	
Establish Alder Facility Reserve	4.0	
Establish Green River Flood Planning Reserve	1.0	
Establish Retirement Contribution Stabilization Reserve	6.4	
Other Misc. Reserves		12.0
Subtotals	**71.3**	**71.3**
Net Projected 2010 Deficit		**0.0**

[1] - Total General Fund savings from Parks is $4.6 million, the sum of 2010 operating costs and release of the Parks reserve.

[2] - Nearly $5.0 million of this reduction is mitigated using supplanted MIDD dollars. An additional $2.7 million is offset by reallocating non-General Fund revenue in the Children and Family Services fund.

[3] - The 2010 Executive Proposed Budget relies on $12.6 million in MIDD supplantation dollars, $7.7 million to preserve criminal justice services and just under $5.0 million to mitigate lost General Fund support to human services.

ADMINISTRATIVE AND OVERHEAD REDUCTIONS

In response to the severe constraints facing the General Fund, as well as virtually every other county fund, the 2010 Executive Proposed Budget assumes $11.4 million in expenditure reductions and revenue increases for administrative and overhead functions including $4.1 million in reductions to the General Fund. These efforts underscore the Executive's commitment to seeking administrative efficiencies prior to the elimination of discretionary services and in order to preserve funding for mandatory and direct services to the residents of King County.

The proposed budget assumes deep reductions – totaling $1.9 million, or 13.6 percent from the status quo budget projections – to the General Fund county executive offices, including the County Executive; the Office of the Executive; the Office of Management and Budget; and the Office of Strategic Planning and Performance Management. The Office of Information Resource Management which is an internal service fund is reduced by 10 percent. These reductions will result in the elimination of 11 FTEs and 5 term-limited temporary positions. In addition, the Executive Fellow program will be eliminated.

The proposed budget is also balanced assuming reductions – 10 percent – to legislative branch agencies that are roughly commensurate with the reductions taken in the executive offices. This will generate $2.2 million in savings.

The collective impact of these reductions is that central service agencies that provide services to other county agencies under cost recovery models have been able to reduce their proposed 2010 charges to other agencies by $19.8 million less than originally anticipated. For example, charges to law, safety and justice agencies are reduced by $3.6 million. The reconfiguring of the employee training program and currently provided by the Human Resources Division (HRD) is an example of a reduction in central service agencies that will result in lower charges for services to county agencies. Under this proposal, HRD will eliminate the Training and Organizational Development program and create a pared down semi-annual supervisory education program in its place. This change lowers HRD's costs by $690,442.

ELIMINATING FUNDING FOR DISCRETIONARY PROGRAMS

PARKS: Relying on financial support from the General Fund, King County maintains and operates 39 local parks (including two outdoor pools) throughout urban unincorporated King County. This funding augments Parks levy dollars, which may only be used to support regional and rural park facilities. The 2009 Adopted Budget assumed the continuation of General Fund support for urban parks through 2011 to allow time for King County to work with cities and community organizations to transfer these assets. Given the magnitude of the General Fund challenges for 2010, the 2010 Executive Proposed Budget accelerates the termination of General Fund support for the 39 urban parks to the end of 2009. As a result, effective January 1, 2010 the parks will be mothballed. The mothballed parks will remain open to public access, but will not be maintained, beyond what is required to ensure public safety. In December 2009, Parks crews will post signs indicating the closure of these facilities, lock gates where possible, and lock and secure restrooms. This will save $2.1 million in operating costs in 2010 and allow for the release of the $2.5 million reserve that had been allocated to support parks operating costs for 2011.

King County is making every effort to continue working with community partners to develop viable options for transferring these important assets. To demonstrate this commitment, King County is allocating $500,000 in one-time money in a reserve to facilitate the transfer of these parks to external entities. In addition, King County will keep open for two months the six park facilities that are located in the southern portion of the North Highline annexation area pending its formal annexation into the City of Burien in March 2010.

Further reductions to the Parks budget due to the substantial reduction in the General Fund transfer include complete elimination of financial support to the King County Fair, the mothballing of the two remaining outdoor pools (Vashon and Cottage Lake), and reducing costs through efficiencies at the King County Aquatic Center.

ANIMAL CARE AND CONTROL: The 2010 Executive Proposed Budget eliminates the $1.5 million General Fund subsidy historically provided to King County Animal Care and Control to offset the shortfall from animal licensing fees in unincorporated King County and its contracting cities. The combination of the financial challenges in the General Fund and the fact that Animal Care and Control is not self-sustaining means that King County is no longer able to continue providing animal care and control services as it has in the past. Animal Care and Control's operational challenges are also exacerbated by the potential flooding of the Green River Valley that may result from the faulty federally-operated Howard Hanson Dam. The animal shelter is located in the flood plain and has been deemed a total loss in the event of a flood. To mitigate the budget shortfall and the risk posed by the Green River flood emergency, King County Animal Care and Control is partnering with its contract cities and community organizations to transition to an alternate, fiscally sustainable business model by June 2010. Reinforcing this commitment, the 2010 Executive Proposed Budget allocates $3 million in one-time money in a reserve to facilitate the transition of this function.

HUMAN SERVICES: In closing the $56.4 million 2010 deficit, the 2010 Executive Proposed Budget prioritizes mandatory services over discretionary services. In the wake of the $93 million 2009 deficit, it is no longer possible to make incremental reductions to multiple programs to close the deficit. Instead, the 2010 Executive Proposed Budget reduces entire discretionary programs, including the $11.4 million of General Fund support to DCHS, in an effort to preserve mandated programs. This decision was difficult; however, the services supported by the General Fund in DCHS are not mandated.

The $11.4 million in General Funds, which represents less than 3 percent of DCHS funding, had been allocated to support mental health and substance abuse programs, as well as a wide variety of programs in the Children and Family Services (CFS) fund. Even absent the General Fund support, the department's human services agencies will receive $385.7 million in non-General Fund revenues in 2010 to support a variety of human services. This includes several dedicated funding sources such as the Veterans and Human Services Levy and property tax millage.

The General Fund support to DCHS was allocated among three agencies:

Mental Health	$1,330,000
Substance Abuse	$3,240,000
Children and Family Services (CFS)	$6,810,000
Total Reduction	**$11,380,000**

The impact of the loss of General Fund support is mitigated through four steps: First, $4.9 million of MIDD sales tax revenues will be directed toward Mental Health and Substance Abuse as part of the 30 percent MIDD supplantation strategy. Second, revenues legally dedicated to services provided by DCHS agencies will flow directly to DCHS, rather than through the General Fund transfer. Third, the pass through to Public Health – Seattle & King County from CFS will end. And, fourth, because the pass through to Public Health is discontinued, all non-General Fund expenditures will be dedicated to DCHS. The cumulative impact of these four steps is to offset the General Fund reduction by $7.7 million.

Reduction Mitigation Plan

GF Reduction to DCHS	**($11,380,000)**
GF Reduction to DCHS Offset by	
MIDD Supplantation of Mental Health & Substance Abuse	$4,890,000
Dedicated Revenues	$540,000
End CFS Pass Through to Public Health	$1,820,000
CFS Non-GF Expenditure Increase	$460,000
Offset Total	**$7,710,000**
Total Impact to DCHS	**($3,670,000)**

MIDD SUPPLANTATION TO PRESERVE CRIMINAL JUSTICE & HUMAN SERVICES PROGRAMS

The MIDD sales tax is central to the Executive's strategy for balancing the 2010 General Fund budget and preserving – at least on a short-term basis – critical human services and criminal justice programs that would otherwise be in jeopardy of reduction or elimination.

King County initiated the MIDD one-tenth of a cent sales tax in 2007 to fund a range of new and enhanced strategies and programs outlined in a comprehensive Mental Illness and Drug Dependency (MIDD) Action Plan. The 2010 Executive Proposed Budget strives to implement as much of the Action Plan as possible given the pressure on MIDD revenues, including supplantation and a decline in sales tax collections due to the economic downturn.

SUPPLANTATION AUTHORIZATION: In recognition of the financial crisis facing all counties in the state, the State Legislature enabled counties to supplant up to 50 percent of the revenues generated by the MIDD sales tax in 2010 to fund existing programs (supplantation), rather than restricting the funds to new programs or program enhancements. The ability to supplant ramps down by 10 percent annually until it is eliminated in 2015. The Executive proposes using only $12.6 million, or 30 percent, of MIDD revenues in 2010, 2011, and 2012 to supplant current General Fund programs. To supplant more than 30 percent of MIDD revenue would threaten the integrity of the MIDD Action Plan, which relies on an integrated system of services. Limiting MIDD supplantation to 30 percent also provides a three-year sustainable strategy that ensures the county's ability to support its core mental health and chemical dependency services until 2012 and eases the impact of the ramp down as the ability to supplant diminishes. Finally, there are clear legislative restrictions on the types of programs eligible for MIDD funding: they must be therapeutic court programs, mental health programs, or chemical dependency programs. There are no programs beyond the $12.6 million identified in the 2010 Executive Proposed Budget that fit the legal eligibility requirements.

Programs that will be funded by supplanted MIDD funds form the core of mental health and drug dependency services and programs provided by the county. Many of the MIDD strategies identified in the Action Plan build upon these core services and would be undermined if the county discontinued them. Supplanted MIDD funds support:

Supplantation Programs (MIDD supported programs in 2010)		
Adult Drug Court	$	2,691,000
Family Treatment Court	$	201,000
Juvenile Drug Court	$	179,000
Mental Health Court (includes contribution from DCHS)	$	1,218,000
DAJD Mental Health Contracts	$	406,000
Jail Health Mental Health Treatment	$	3,107,000
DCHS Mental Health & Substance Abuse Programs	$	4,806,000
	$	**12,608,000**

HOW REDUCTIONS WERE MADE: The decision to supplant General Fund programs using MIDD revenues was not made without first seeking other revenue tools from the State Legislature. MIDD supplantation was the only viable revenue tool provided by the legislature to help counties address the underlying structural deficits that plague all counties. A total of $8.6 million in programmatic reductions to MIDD strategies have been identified using the following process and criteria:

- Administrative reductions in county agencies were identified first.
- Programs which had not yet begun were delayed, with the exception of the Crisis Diversion Center, which is an essential element of the MIDD Plan.
- Programs will not receive any new or expanded funding in 2010, with the exception of $2,000,000 in housing capital. Housing was ranked at the top of the prioritization list developed by the MIDD Oversight Committee and stable housing is crucial to the success of all MIDD programs.
- Finally, reductions in individual strategies were made based on an analysis of the impact of reducing service capacity and/or reducing staffing. In each case, reductions were calculated to generate savings without undermining the effectiveness of the strategy.

MIDD Strategies Being Delayed or Reduced		
Community Based Care	$	(1,935,000)
Programs Targeted to Help Youth	$	(4,102,000)
Jail and Hospital Diversion Programs	$	(2,189,000)
Domestic Violence, Sexual Assault, and Drug Diversion Court Programs	$	(360,000)
Transfer from Fund Balance	$	(4,022,000)
	$	**(12,608,000)**

While the delays to some programs and reductions to others are painful and disappointing, they do not represent the whole story of the MIDD Strategies in the 2010 budget. Due to built up fund balance from 2009 and the fact the MIDD sales tax is projected to generate $43 million in 2010, the 2010 Executive Proposed Budget includes $41 million in funding for ongoing MIDD strategies beyond the $12.6 million for programs that are eligible for supplantation.

OTHER BALANCING STRATEGIES

ANNEXATIONS: King County is the local service provider for urban unincorporated areas of King County. The cost to the General Fund in 2010 of providing these local services exceeds revenues generated by these areas by $15.8 million, thereby requiring the diversion of regional revenues to support these local services. As a mechanism for addressing the underlying structural nature of the General Fund deficits, King County has placed a priority in seeking the annexation or incorporation of these areas.

The 2010 Executive Proposed Budget reflects $2.9 million in net savings to the General Fund as a result of the anticipated March 2, 2010 annexation of the southern portion of the North Highline annexation area into the City of Burien, in keeping with the outcome of the August 2009 primary election.

EMPLOYEE BENEFITS: 2010 will be the first year of a new three-year benefits package for King County employees. Changes to the package contain cost growth by shifting a greater portion of cost to employees and their dependents. Specifically, the changes increase out-of-pocket expenses and encourage the use of cost-effective generic drugs. This agreement recognizes the financial difficulties facing the county by reducing projected costs growth by $37 million over the next three years, while delivering a comprehensive benefit package that ranks among the very best in the nation for both affordability and effectiveness. The total costs shifted or avoided are equivalent to a $70 per employee per month premium share, or 18 percent of healthcare costs.

The benefits package reflects a commitment by both labor and management that employees must share costs. Health policy experts and researchers have established that simply shifting costs to employees in the form of a premium share does not solve the problem of escalating health care costs. This plan controls overall costs to the county by tying employee cost share to actual utilization (i.e. co-insurance), encouraging employees and their dependents to effectively manage their use of healthcare resources.

OPERATIONAL SHUTDOWN: In the face of the severe fiscal challenges across all county funds, the 2010 Executive Proposed Budget includes savings assumptions in an effort to preserve direct services. For 2009, savings were achieved through the implementation of a ten-day building and/or operational closure program, resulting in labor furloughs. The 2010 budget is balanced across all funds assuming that a similar level of savings will be achieved in each agency based on the furlough eligible employees as was adopted for 2009, including 2009 County Council amendments. The specific details of the 2010 plan are still under development, and discussions with labor unions and individual agencies are on-going. Specific plans describing how the 2010 savings will be achieved will be transmitted to the County Council in the coming weeks. To the extent that savings, from labor or other expenses, cannot be fully achieved through temporary and short term building and/or operational closures, the plan will describe additional programmatic reductions and the elimination of additional positions.

ATTACHMENT B

Proposed Work Plan for Cities' Animal Services Work Group

	Topic	Desired Outcome
Meeting 1 (September 23rd, 2009)	Overview of King County Animal Control: 1) What KCACC does 2) Updated city data 3) Field service calls 4) Flood and transition timelines	• Have everyone leave with a good sense of what KCACC does • Establish Cities' Animal Services Work Group and a plan to move forward
Meeting 2 (October 7th , 2009)	Discussion of work group's tasks and desired end results	Agree to work group's tasks and desired results; identify needed information
Meeting 3 (October 21st, 2009)	Discussion about program priorities and principles (what do we care most about?) e.g. - • Response time • Euthanasia rate • Stray pick-up • Admissions policy • Cruelty investigations	Identify a shared set of key priorities/principles for the future provision of animal care and control services
Meeting 4 (November 4th, 2009)	Funding: 1) What do we currently have 2) Cost drivers in relationship to key principles 3) Other revenue options/structures	Understand: a) the current funding structure, b) what will be required to achieve principles from Week 2, c) what everyone is willing to commit to in terms of funding
Meeting 5 (November 18th, 2009)	Presentation of other models for service provision: • Inter-local Agreement • Not-for-profit • Current Model • Other	Understand what each of the alternatives would entail, in terms of: • Funding • Governance • Organizational structure • Other
Meeting 5 (December 2nd, 2009)	Discussion: • Merits of various models • Which model makes the most sense given context • How does funding work with respect to model	Select a high-level concept for the provision of animal services
Meeting 6 (December 16th, 2009)	Development of plan to move forward with specifics	Design next steps, i.e. specifics of what the model will look like and framework for negotiations if necessary

KIRKLAND CITY COUNCIL SPECIAL MEETING MINUTES
October 06, 2009

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

None

4. EXECUTIVE SESSION

a. To Discuss Labor Negotiations

5. SPECIAL PRESENTATIONS

a. American Public Works Association 2009 Top Ten Public Works Official Award to Public Works Director Daryl Grigsby

Dick McKinley, Past President of the Washington Chapter of the American Public Works Association, presented the award to Mr. Grigsby.

b. Introducing Kirkland Downtown Association Development Director Brenda Simmes and an Update on the Kirkland Classic Car Show

Economic Development Manager Ellen Miller-Wolfe introduced Ms. Simmes. Following her comments, Ms. Simmes then introduced Terri Fletcher, Co-Chair of the Kirkland Classic Car Show, who shared the podium with Art Larson, Secretary of Legends Car Club; Council was presented with a framed poster for the show.

c. Walk Your Child to School Proclamation

A.G. Bell Elementary volunteer Gretchen Benson and daughter Kalle accepted the proclamation, accompanied by Ped Bee.

d. Green Tips

Public Works Education/Outreach Specialist Betsy Adams presented "Go Green This Halloween!"

6. REPORTS

a. City Council

(1) Regional Issues

Councilmembers shared information regarding a recent Growth Management Planning Committee meeting; Meeting with King County Councilmember Jane Hague's staff; Enterprise Seattle Board meeting ; Lodging Tax Advisory Committee meeting; Affordable Housing Committee meeting; King County Solid Waste; Governing Magazine Managing Performance Conference; Puget Sound Regional Council Executive Board meeting; Residence XII luncheon; Transit Center groundbreaking ceremony; Suburban Cities Association Regional Board and Committee appointments; Annual Hopelink Turkey Trot; Youth Eastside Services Counseling Center grand opening in Juanita Bay Park; "Put this on the Map" movie premiere at Kirkland Performance Center; and the Lake Washington Technical College Allied Health Center groundbreaking.

Mayor Lauinger added the Sherman and Leary report as item 10.d. under Unfinished Business to tonight's agenda.

b. City Manager

(1) 2010 Community Survey

(2) Calendar Update

7. COMMUNICATIONS

a. Items from the Audience

Jack Rogers
Michael Heslop
Sally Mackle
Kevin Harrang
John Chadwick
John Gilday
Mark Nelson

b. Petitions

None.

8. CONSENT CALENDAR

a. Approval of Minutes: September 15, 2009

b. Audit of Accounts:
Payroll $1,967,295.16
Bills $3,614,597.40
run #855 check #'s 511636 - 511645
run #856 check #'s 511646 - 511753
run #857 check #'s 511780 - 511916
run #858 check #'s 511917 - 511976
run #859 check #'s 511977
run #860 check #'s 511978 - 512145

c. General Correspondence

(1) U.S. Senators Murray and Cantwell, Regarding Support of Federal Climate Legislation

(2) Washington State Transportation Commission, Regarding Implementation of Tolling on SR 520

(3) Gail Mason, Regarding Proposed Transfer of FIOS Franchise to Frontier

(4) Sherman and Brooke Stevens, Regarding Kingsgate Casino

(5) Douglas J. Steding, Stoel Rives on Behalf of Verizon NW Inc., Regarding Title 26 Code Amendments

(6) Jette A. Townsend, Regarding Juanita Bay Park Volunteer Ranger Program

d. Claims

(1) Anthony Hunter

(2) James Szabo

e. Award of Bids

(1) Everest Park Grandstands Replacement Project, Construction International, Inc., Kirkland, Washington

The bid was awarded to Construction International, Inc. in the amount of $388,725.

f. Acceptance of Public Improvements and Establishing Lien Period

g. Approval of Agreements

(1) Resolution R-4777, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING THE INTERLOCAL AGREEMENT BETWEEN THE CITY OF KIRKLAND AND SNOHOMISH COUNTY FOR THE HOUSING OF INMATES IN THE SNOHOMISH COUNTY JAIL AND ACCESS TO OTHER JAIL SERVICES"

(2) Downtown Transit Center

(a) Resolution R-4778, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND AUTHORIZING THE CITY MANAGER TO SIGN AN INTERAGENCY AGREEMENT WITH THE KING COUNTY DEPARTMENT OF NATURAL RESOURCES (KCDNR) TO PROVIDE FOR RELOCATION AND MODIFICATION OF A CITY WATERMAIN"

(b) Approving Additional Funding

Additional funding in the amount of $40,000 from the water/sewer capital contingency was approved.

h. Other Items of Business

(1) Ordinance No. 4208 and its Summary, entitled "AN ORDINANCE OF THE CITY OF KIRKLAND AMENDING AND REPEALING CERTAIN CHAPTERS IN TITLE 21 OF THE KIRKLAND MUNICIPAL CODE (KMC) RELATING TO BUILDINGS AND CONSTRUCTION"

(2) Resolution R-4779, entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND AUTHORIZING THE CITY MANAGER TO SIGN AN EASEMENT WITHIN A PORTION OF PETER KIRK PARK TO PROVIDE UTILITY VAULTS FOR PUGET SOUND ENERGY (PSE), INC.".

(3) Report on Procurement Activities

Motion to Approve the Consent Calendar.
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.

Council recessed for a short break.

9. PUBLIC HEARINGS

None.

10. UNFINISHED BUSINESS

a. Puget Sound Energy Juanita Substation Project

Associate Planner Tony Leavitt provided an overview of the project and response to issues raised by project neighbor Michael Heslop. Also responding to the issues and Council questions was Puget Sound Energy Government and Community Relations Manager Jim Hutchinson.

b. City Council Goals

Councilmember Asher suggested language under the goal for dependable infrastructure to maintain levels of service commensurate with growing community requirements at optimum life-cycle costs. Councilmember Burleigh suggested adding an ethics policy. Councilmember Sternoff recommended a calendared review process. Assistant City Manager Marilynne Beard received Council comment for inclusion in a future Council follow-up/review.

c. Lodging Tax Advisory Committee Appointment Process

Council received requested feedback from the current Committee members and discussed the options for changes to the appointment process. Council indicated that they would revisit the appointment process in January of 2010.

d. Sherman and Leary Report

Motion to express an intent to waive the attorney-client privilege for the Sherman document and related documents that were presented by the staff

yesterday at the next regular Council meeting on October 20, 2009.
Moved by Councilmember Dave Asher, seconded by Councilmember Jessica Greenway
Vote: Motion carried 4-3
Yes: Mayor Jim Lauinger, Councilmember Dave Asher, Councilmember Jessica Greenway, and Councilmember Tom Hodgson.
No: Deputy Mayor Joan McBride, Councilmember Mary-Alyce Burleigh, and Councilmember Bob Sternoff.

11. NEW BUSINESS

None.

12. ANNOUNCEMENTS

None.

13. ADJOURNMENT

The Kirkland City Council special meeting of October 6, 2009 was adjourned at 11:54 p.m.

City Clerk Mayor

CITY OF KIRKLAND
Public Works Department
123 Fifth Avenue, Kirkland, WA 98033 425.587.3000
www.ci.kirkland.wa.us

MEMORANDUM

To: David Ramsay, City Manager

From: Tami White, Parking Coordinator

Date: October 8, 2009

Subject: Response to Glenda Schmidt on the zoning code and parking modifications in downtown Kirkland

RECOMMENDATION**:**

It is recommended that the City Council authorize the Mayor to sign a letter of response to Ms. Schmidt who contacted staff about downtown Kirkland parking and the zoning code. Ms. Schmidt questioned the exceptions allowed in the zoning code and the funding mechanisms for additional public parking downtown.

BACKGROUND DISCUSSION:

The Zoning Code allows for exceptions (fewer stalls) when an applicant can justify a lesser need for parking. Downtown, several projects have been built with one parking stall per bedroom instead of the basic code requirement of 1.7 stalls per unit. No exceptions have been given on commercial or office parking requirements. The residential parking for such projects is usually behind a locked gate and therefore is not public parking. Therefore, requiring more residential parking would not result in an increase in public parking supply. The Parking Advisory Board directed staff to measure the actual parking rates in several buildings that are parked at one stall per bedroom. Observations performed in the early morning when occupancies are highest showed that parking was not fully utilized and that there was no "spill over" parking on adjacent streets.

The Parking Advisory Board is engaging in processes to look both at parking rates and at possible funding scenarios for additional parking supply. Ken Dueker, Vice Chair of the Parking Advisory Board has been in touch with Ms. Schmidt in response to her email and has invited her to participate in both processes.

From: Glenda Schmidt [mailto:glenda@schmidtfinancialgroup.com]
Sent: Wednesday, September 23, 2009 5:02 PM
To: Tami White
Subject: Downtown Kirkland Parking

It is my strong belief that Kirkland residents should NOT be asked to contribute to a municipal parking garage to solve Kirkland's current and future parking problems as long as Kirkland Zoning Code allows parking modifications.

It is my understanding we have parking requirements clearly spelled out for developers based on what the redevelopment project will provide (retail/commercial/residential use) in the Kirkland downtown core areas. Then we reduce the number of required parking slots based on the parking modification section of our Zoning Code which is a carryover from times past, exacerbates the parking problem and provides developers a quantifiable economic benefit.

There are two possible solutions. One, eliminate parking modifications from our zoning code which forces developers to provide adequate parking based on project usage (retail/commercial/residential). Two, eliminate parking modifications but allow some flexibility to developers who would like to pay into a parking trust in lieu of providing all the required underground parking.

According to our current DRB, one underground parking slot costs a developer $50k-$65k. Think about that. Waiving 100 parking slots is an economic benefit of $5 mil - $6.5 mil. How can we justify that to Kirkland residents? How can we ask Kirkland residents to reach into their pockets to solve our parking problem and allow this inequity to persist?

I could go on and point out the inequity of Private Amendment Requests where we waive required parking slots because a developer is selling the concept of 'shared parking' or 'public transportation incentives'.

But I'm not trying to be negative as much as I'm trying to provoke a public discussion. Tami, please distribute this email to City Council members, appropriate City Hall employees and the Parking Volunteer Committee(s) for consideration. I would sincerely appreciate a response back (City Council, City Hall, Parking Committee) as I am interested in feedback.

Thank You.

Schmidt
Financial Group, Inc.

Glenda Schmidt
620 Kirkland Way, Suite 205
Kirkland, WA 98033
(p) 425-893-9195
(f) 425-893-9824

October 20, 2009 **D R A F T**

Ms. Glenda Schmidt
620 Kirkland Way, Suite 205
Kirkland, WA 98033

Dear Ms. Schmidt:

Thank you for your recent email. We appreciate your interest in promoting discussion about parking in downtown Kirkland

The Parking Advisory Board (PAB) is working on two projects that directly impact the topics you mentioned in your email. First, the PAB is developing a stakeholder process that will help determine recommendations for sharing costs of additional public parking between property owners, those who park downtown and the general public. Representatives from a number of stakeholder groups, including downtown residents will be participating.

Second, the PAB is beginning to review the Zoning Code requirements for parking. They will be examining a number of questions including the subject of exemptions. This work will be conducted in conjunction with the Planning Commission and will be presented to Council for review and approval. There will be opportunity for public input along the way.

As you point out, the Zoning Code currently allows parking modifications when a study justifies the request. In the past, modifications have been allowed on the residential portion of developments, but not on the retail or office components. At the request of the Parking Advisory Board, staff has conducted follow up studies on the actual parking demand where residential parking reductions were granted. Several sets of observations found empty parking in the residential areas of the buildings and no "spill over" on the surrounding streets. These findings indicate that the modified amounts of residential parking are adequate.

Once again, City Council appreciates you taking the time to share your thoughts on downtown parking. We understand Ken Dueker, vice-chair of the Parking Advisory Board, has been in dialogue with you. If you have any additional questions, please contact Tami White, Parking Coordinator, at 425.587.3871.

Sincerely,

Kirkland City Council

James Lauinger, Mayor

cc: Parking Advisory Board

Council Meeting: 10/20/2009
Agenda: Claims
Item #: 8. d.

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

MEMORANDUM

To: David Ramsay, City Manager

From: Kathi Anderson, City Clerk

Date: October 8, 2009

Subject: CLAIM(S) FOR DAMAGES

RECOMMENDATION
It is recommended that the City Council acknowledge receipt of the following Claim(s) for Damages and refer each claim to the proper department (risk management section) for disposition.

POLICY IMPLICATIONS
This is consistent with City policy and procedure and is in accordance with the requirements of state law (RCW 35.31.(040).

BACKGROUND DISCUSSION
The City has received the following Claim(s) for Damages from:

(1) Mark K. Blakeley
10929 NE 60th St.
Kirkland, WA 98033

Amount: $362.00

Nature of Claim: Claimant states damage to vehicle resulted from paint spray used during street striping.

(2) Janice Cowen
11319 NE 129th St.
Kirkland, WA 98034

Amount: Unspecified amount

Nature of Claim: Claimant states damage to vehicle resulted from hitting a loose valve cover.

(3) Joene LaBou
13128 SE 95th Way
Newcastle, WA 98034

Amount: Unspecified amount

Nature of Claim: Claimant states damage resulted from release of personal emails.

(4) Nationwide Insurance for Ryan and Aimee Meats
One Nationwide Gateway Dept 5576
Des Moines, IA 50391

Amount: Unspecified amount

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

(5) Puget Sound Energy
10885 NE 4th St.
Bellevue, WA 98004

Amount: $8,627.18

Nature of Claim: Claimant states damage to electrical equipment resulted during installation of a storm sewer catch basin.

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

MEMORANDUM

To: David Ramsay, City Manager

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

Date: October 7, 2009

Subject: WATER SUPPLY STATION NO. 2 IMPROVEMENTS – ACCEPT CONSTRUCTION

RECOMMENDATION:

It is recommended that City Council accept the construction of the Water Supply Station No. 2 Improvements as completed by Award Construction, Inc. (ACI) of Ferndale, Washington, and establish the 45-day statutory lien period.

BACKGROUND DISCUSSION:

The City's Water Supply Station No. 2 is a water system facility that is located on the southeast corner of 132nd Avenue NE and NE 85th Street, just within the Redmond city limits (Attachment A). The facility provides water from Seattle's transmission main to the 650 and 545 pressure zones, and it is jointly owned by Kirkland and Redmond; pressure zones are each identified by the delivery pressure of the water to the customer within the zones. Kirkland has the overall responsibility for operation and upkeep of the facility; however, Redmond participates in the improvements through design review and cost sharing.

The plan to upgrade this station was originally identified in the Water Comprehensive Plan, and a corresponding project was funded in the 2004-2009 CIP. Improvements to this below ground facility consisted of replacing the existing manual control valves with hydraulic control valves in order to allow the station to operate in more efficient control modes, adding new energy efficient lighting and improved heating and ventilation for maintenance worker safety and convenience.

In 2008, during the project's design phase and after consultation with the City of Redmond, telemetry upgrades were added to the overall scope of work in order to coincide with a City-wide upgrade of telemetry being done at other water facilities. The telemetry system allows remote monitoring and control of the facilities by the City's maintenance personnel and the added telemetry communications panel is consistent with the City's current telemetry standards.

For these supply station improvements, and in order to have more control on the quality of the telemetry integration services, the telemetry system installation was performed by a separate vendor whose services were secured utilizing a Professional Services Agreement. The final amount of the telemetry improvements came to $45,439.25 (Attachment B).

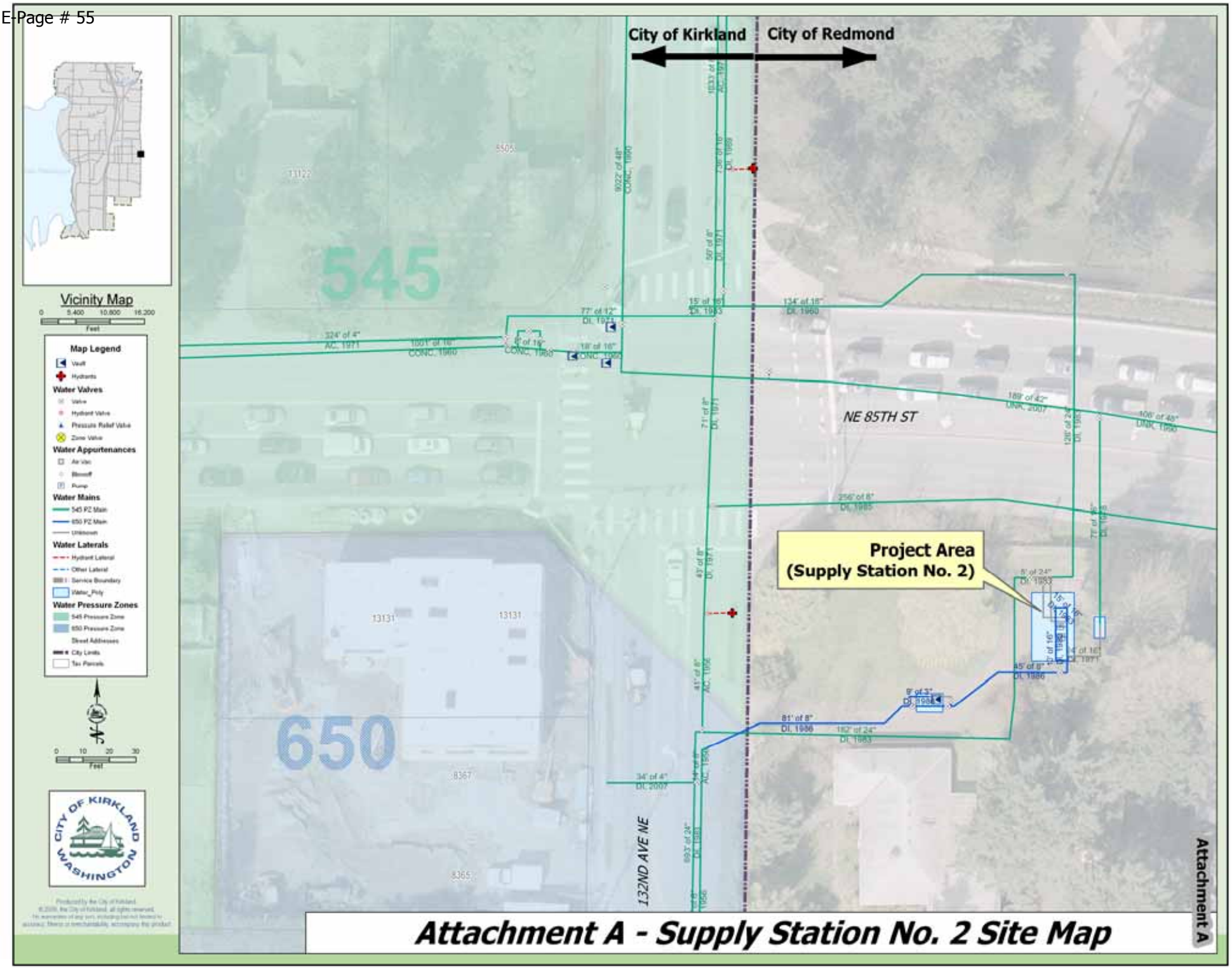
At the Council meeting of March 17th, 2009, City Council awarded the construction contract to Award Construction, Inc. (ACI) in the amount of $111,893.95, which included the base bid plus two additive alternates. At this same meeting Council also authorized the use of an additional $54,000 from the Water/Sewer Capital Contingency Fund to account for the addition of the new telemetry system to the project. The addition of those funds increased the total project budget to $269,000 (Attachment B).

During construction a few changes occurred resulting in three change orders; the total amount paid to ACI came to $117,380.20. These change orders included an adjustment for an increase in Washington State sales tax and some electrical and mechanical changes requested by the Water Division to aid in future maintenance operations. As such, the money for the O & M requested changes will be used to help pay for these changes. A breakdown of the project cost increases is as follows:

Increases to ACI's Contract ($5,490):	
• Sales tax rate change April 1, 2009	$515
• Installation of an additional pressure transducer	$2,600
• Switch plumbing of valves for easier maintenance	$795
• Wiring upgrades and dehumidifier receptacle	$1,225
• Replace & upsize circuit breaker	$355
Increases to Telemetry PSA ($8,700):	
• Addition of Limit Switch	$3,010
• Sales tax oversight plus sales tax rate change	$5,690
Total increases:	**$14,190**
Less project contingency:	($8,190)
TOTAL PROJECT COST INCREASE:	**$6,000**
Less Redmond's Portion (34%)	($2,040)
Transfer from Water Division Operating Fund	($3,960)
Additional Funds Needed	**$0**

As shown in the table above, with the added telemetry improvements and the other changes, the total project costs increased by $6,000 (from $269,000 to $275,000). Under the terms of the Joint Facility Agreement with Redmond, Kirkland's share is $181,500 and Redmond's contribution is $93,500 (Attachment B). Using the project contingency and deducting Redmond's contribution, the estimated additional funds needed from the Water Division's Joint Services Pump Maintenance Account is $3,960. This amount will be transferred to the CIP Project budget to close out the project.

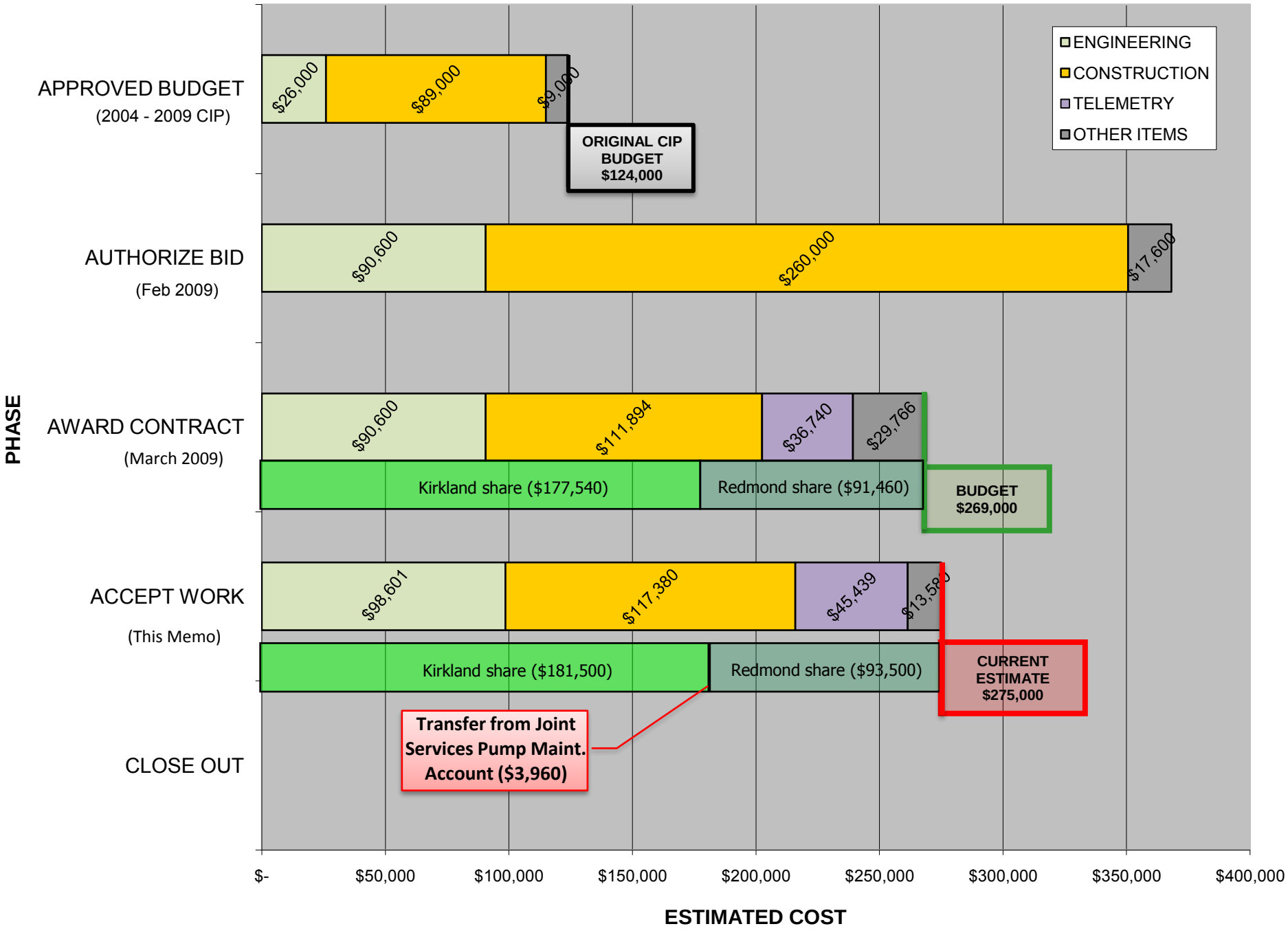
Attachments: (2)



Attachment A - Supply Station No. 2 Site Map

SUPPLY STATION NO. 2 IMPROVEMENTS (CWA-0065)

PROJECT BUDGET REPORT



Attachment B

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

MEMORANDUM

To: Dave Ramsay, City Manager

From: Rob Jammerman, Development Engineering Manager
Daryl Grigsby, Public Works Director

Date: October 20, 2009

Subject: Bridle View Annexation Interlocal Agreement Regarding Water Facilities

RECOMMENDATION
It is recommended that the City Council approve the attached Resolution authorizing the City Manager to sign the attached Bridle View Annexation Interlocal Agreement Regarding Water Facilities with the City of Redmond and pay the City of Redmond $21,787.00 from the Water Utility Reserves.

POLICY IMPLICATIONS
The Cities of Kirkland, Redmond, and Bellevue jointly own and operate portions of the water system that was previously owned and operated by the Rose Hill Water District. In 1997, the three Cities entered into an Interlocal Agreement that outlined how the water system will be jointly owned and operated. In order to transfer the water system in the Bridle View Annexation area from Redmond to Kirkland, an agreement between the two cities is needed.

BACKGROUND DISCUSSION
The interlocal agreement regarding water facilities is needed to recognize the following:

1. All of the existing water infrastructure (water mains, hydrants, meters, etc.) and customers are transferred to the City of Kirkland.

2. The South Rose Hill Pump Station (also referred to as the 650 Pump Station) is a joint facility that currently serves 14% of Redmond water customers and 86% of Kirkland water customers. In 2005, the City of Kirkland rebuilt the Pump Station. When the new pump station was complete, Redmond's share of ownership in the pump station was valued at $175,909. The Bridle View Annexation represents a 2% shift of Redmond's customers to Kirkland, which also results in a 2% shift in ownership of the pump station. Given the shift in ownership, Redmond is due $21,787, which includes five years of depreciation. A fiscal note is attached.

Please let us know if you have any questions.

Attachment 1 – Fiscal Note
Attachment 2 – Resolution
Attachment 3 – Resolution Exhibit A (1997 Interlocal Operation and Maintenance Agreement)
Attachment 4 – Resolution Exhibit B (Proposed Bridle View Annexation Agreement Regarding Water Facilities)
Attachment 5 – Bridle View Annexation Area (Attachment A to the Proposed Bridle View Annexation Agreement Regarding Water Facilities)

cc: Tracey Dunlap, Director of Finance and Administration
Ray Steiger, PE, Capital Projects Manager

ATTACHMENT 1

FISCAL NOTE

CITY OF KIRKLAND

Source of Request

Daryl Grigsby, Public Works Director

Description of Request

Request for funding of $21,787 from the Water/Sewer Capital Reserve to pay the City of Redmond for a portion of Redmond's share of the water/sewer infrastructure (specifically the 650 Pump Station) co-owned by Kirkland and Redmond. The payment is necessitated by the incorporation of the Bridle View subdivision, that was previously serviced by the City of Redmond, into the City of Kirkland. The Bridle View annexation represents a 2% shift in customers and ownership of the pump station to Kirkland.

Legality/City Policy Basis

Fiscal Impact

One-time use of $21,787 of the Water/Sewer Capital Reserve. The reserve is able to fully fund this request.

Recommended Funding Source(s)

	Description	2010 Est End Balance	Prior Auth. 2009-10 Uses	Prior Auth. 2009-10 Additions	Amount This Request	Revised 2010 End Balance	2010 Target
Reserve	Water/Sewer Capital Reserve	9,444,066	0	0	21,787	9,422,279	see below
	The Utility Construction Reserve accounts for capital contributions from utility rates and connections charges and is used to fund capital projects. Capital replacement cycles require that reserves accumulate to pay for future replacement of infrastructure to supplement the use of debt. The liability against this reserve occurs in future years as capital replacement needs peak.						
Revenue/Exp Savings							
Other Source							

Other Information

Prepared By	Sandi Hines, Financial Planning Manager	Date	October 7, 2009

RESOLUTION R-4780

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND AUTHORIZING THE CITY MANAGER TO SIGN THE INTERLOCAL BRIDLE VIEW ANNEXATION AGREEMENT REGARDING WATER FACILITIES BETWEEN THE CITIES OF KIRKLAND AND REDMOND.

WHEREAS, the City of Kirkland has annexed the Bridle View Annexation area; and

WHEREAS, in 1997, the Cities entered into an Interlocal Operation and Maintenance Agreement ("1997 Agreement" attached hereto as Exhibit A) whereby the Cities of Kirkland, Redmond, and Bellevue allocated the assets, liabilities and operations of the Rose Hill Water District, a former municipal corporation in King County Washington; and

WHEREAS, Section 2 of the 1997 Agreement assigned the service areas to the cities and provided that any unincorporated area which is subsequently annexed into a City shall remain in or be transferred to the service area of the annexing City; and

WHEREAS, Section 14 of the 1997 Agreement provides for that cities may agree to adjust the use or ownership of a joint facilities identified in the 1997 Agreement; and

WHEREAS, the City of Kirkland and the City of Redmond wish to transfer the ownership of the distribution facilities within the Bridle View Annexation Area; and

WHEREAS, the City of Kirkland and the City Redmond wish to adjust the ownership percentage of the South RoseHill Pump Station (650 Pump Station) and provide payment for the adjustment;

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

Section 1. The City Manager is hereby authorized to execute the Interlocal Bridle View Annexation Agreement Regarding Water Facilities," substantially similar to the document attached hereto as Exhibit B.

Passed by majority vote of the Kirkland City Council in open meeting this _____day of _____, 2009.

Signed in authentication thereof this _____day of _____, 2009

_____
MAYOR

Attest:

_____
City Clerk

ORIGINAL

EXHIBIT A R-4780

FILED NO. 24972
CITY OF BELLEVUE
DATE 10/13/97
CITY CLERK'S OFFICE

INTERLOCAL OPERATION AND MAINTENANCE AGREEMENT

This Agreement is made by and between the Cities of Kirkland ("Kirkland"), Redmond, ("Redmond"), and Bellevue, ("Bellevue"), municipal corporations in King County, Washington, collectively referred to as the "Cities" for the purposes set forth herein.

RECITALS

A. The Cities have previously approved an Assumption Agreement whereby the Cities have assumed the assets, liabilities and operations of the Rose Hill Water District, a municipal corporation in King County, Washington ("District").

B. Prior to the assumption of the District by the Cities, Kirkland and Bellevue maintained jointly owned water facilities with the District pursuant to various interlocal agreements providing for such. In addition, Redmond entered into certain interlocal agreements with the District regarding water system operation and water supply. Upon the effective date of the assumption of the District by the Cities, the Cities have assumed ownership and responsibility for the District's water supply facilities within the Cities' respective service areas. However, certain District facilities will continue to be jointly owned and operated by the Cities in accordance with the terms of the Assumption Agreement and their respective undivided ownership interests in such facilities.

C. The purpose of this Agreement is to provide for the respective responsibilities and obligations of the Cities to provide for the ongoing operation and maintenance of water supply facilities ("joint facilities") within the common service areas as further described in this Agreement.

D. The Cities are authorized by Chapter 39.34 RCW, the Interlocal Cooperation Act, to enter into interlocal agreements for the joint action referenced herein.

NOW, THEREFORE, in consideration of the terms and conditions contained herein, the parties agree as follows:

1. Modification of Assumption Agreement. Exhibit C to the Assumption Agreement describes the jointly owned facilities and the distribution of ownership believed appropriate at the time the Assumption Agreement was executed. After additional evaluation it has been determined that modifications to the designation of jointly owned facilities and the distribution of ownership are necessary. Therefore, Attachment "A" to this Interlocal Operation and Maintenance Agreement supersedes Exhibit C to the Assumption Agreement.

2. Service Areas. Each City shall be the direct provider of water service within its service area. For purposes of this Agreement, "service area" means that portion of the City's incorporated area that overlays a portion of the previous District area together with adjacent unincorporated areas as more generally described as follows:

a. The service area for Bellevue shall be that area existing within the Bellevue city limits as of the effective date of this Agreement.

b. The service area for Kirkland shall be that area existing within the Kirkland city limits as of the effective date of this Agreement and any District service areas that are in unincorporated King County lying west of 132nd Avenue NE and its northerly extension.

c. The service area for Redmond shall be that area existing within the Redmond city limits as of the effective date of this Agreement and any District service areas that are in unincorporated King County lying east of 132nd Avenue NE and its northerly extension.

d. Any unincorporated area previously within the Rose Hill Water District Boundaries which is subsequently annexed into a City shall remain in or be transferred to the service area of the annexing City.

3. Meter Areas. Within each City's service area there are hereby established "direct read meter areas" and "master meter areas."

a. Direct read meter areas are within the previous District service area between the Seattle meters in place as of the effective date of the Assumption Agreement and the points at which City master meters exist or are installed in the future. Direct read meter areas indicate retail water usage within that area.

b. Master meter areas are those areas previously served by the District outside of the previous District service area boundary and downstream from City master meters.

4. City Master Meters are those existing or future meters that meter water to master meter areas.

5. Water Supply:

a. Kirkland shall purchase water from The City of Seattle for supply to the service areas of Kirkland, Redmond and Bellevue and shall sell water to Redmond and Bellevue.

b. Where Bellevue's direct service area lies within a portion of Redmond's master meter area, Redmond shall sell water to Bellevue to serve such area.

c. In the event The City of Seattle chooses to modify the purveyor contract with Kirkland to limit the quantity of supply to Kirkland, Kirkland shall continue to supply the service areas of Redmond and Bellevue. The quantity to be supplied to Redmond and Bellevue shall then be the amount of supply allocated to Kirkland from Seattle divided amongst the three cities in proportion to the percent ownership in the joint facilities as stated in Section 4 of Attachment A. Bellevue customers served by Redmond or Kirkland shall continue to receive their allocation based upon the average of the demand for the previous three years limited in the same proportion as are Kirkland and Redmond customers. Kirkland shall not be obligated to supply water to Redmond and Bellevue in excess of the respective City's proportionate amount supplied by The City of Seattle.

d. In the event Seattle chooses to not renew its purveyor contract with Kirkland, Kirkland shall not be obligated to supply water to Redmond and Bellevue. In the event that the supply from the City of Seattle is limited or eliminated by Seattle, the Joint Board shall evaluate and make recommendations to the Councils of the three cities on the alternatives to be considered and pursued for additional or alternate source(s) of supply.

e. In the event a regional water supply authority or water supply other than The City of Seattle is formed, the Councils of Redmond and Kirkland shall determine if Kirkland, or Kirkland and Redmond should jointly contract for supply from the new authority and whether to amend or terminate the City of Seattle contract ("Purveyor Contract") and/or this Agreement.

6. Water Usage. The water usage within the direct read meter areas shall be referred to as "retail water" and the water usage through master meters shall be referred to as "wholesale water." The water loss within the direct read meter areas to uses including but not limited to flushing, construction, leakage and firefighting shall be referred to as "unaccounted water." The usage of each City shall be computed for retail water, wholesale water and unaccounted water separately. Unaccounted water usage shall be determined by subtracting the wholesale water usage and retail water usage for each of the three Cities from the quantity of water purchased from The City of Seattle. The unaccounted water shall then be allocated to each of the Cities in proportion to the amount of retail water used within each City's direct read meter areas.

7. Operation and Maintenance. Kirkland and Redmond shall be jointly responsible for performing the operation and maintenance of any facilities jointly owned by the Cities. Redmond shall operate, maintain and repair any jointly owned water lines within the Redmond service area. Kirkland shall operate, maintain and repair all other jointly owned facilities.

Kirkland, Redmond and Bellevue each agree to not operate their facilities which are not joint-use facilities in any way which would be detrimental to the operations of any city. If a situation arises between the cities, the Joint Board shall determine how the water system shall be operated and maintained to the benefit of all cities.

8. Establishment of a Joint Board. The Cities hereby establish a Joint Board which shall provide oversight for the planning and performance of operations, maintenance, extraordinary maintenance, repair, and replacement of the joint facilities. The Joint Board shall be authorized to negotiate and execute leases of joint facilities. The Joint Board shall meet at least annually and shall be comprised of the Public Works Director (or equivalent department head) of each City or his/her designee. Should the Public Works Director or equivalent department head of any city appoint an alternate representative to the Joint Board, such appointment shall be in writing to the other cities by the Public Works Director or equivalent department head.

A quorum at any meeting of the Joint Board shall consist of a simple majority of the Joint Board's membership. All Joint Board members shall have one equal vote and, except as provided otherwise herein, all actions required to be authorized by vote of the Joint Board shall require approval of a majority of those present; provided however, that if the proposed action directly pertains to the operations, maintenance, extraordinary maintenance, repair or replacement of a particular jointly-owned facility, then the Joint Board action shall be by weighted majority vote based on the percentage of ownership interest of each City in the particular jointly owned facility to be operated, maintained, repaired or replaced.

9. Water Supply, Operation and Maintenance Costs. Costs for water supply and water system operation, maintenance, extraordinary maintenance, repair and replacement as further defined herein, shall be shared by the Cities and shall consist of the following components:

a. Water Charges: The water rates for wholesale water, retail water and unaccounted water shall be the commodity rates charged by the City of Seattle for the type of water (old, new) and for the period consumed (summer, winter). This rate shall also include but not be limited to emergency surcharges and applicable commodity or other charges or surcharges established by the City of Seattle.

b. Meter Charges: The meter charges for the City of Seattle meters shall initially be allocated to each City as follows:

Kirkland:	65%
Redmond:	35%
Bellevue:	0%

The percentage allocation of meter charges to the Cities shall be reviewed annually by the Joint Board on or about January 1 and shall be adjusted, if deemed necessary by the Joint Board, based upon the total quantity of water usage by each City in proportion to the total quantity of water purchased through the Seattle meters for the previous year.

There shall be no charges for any City-operated master meter. Costs associated with the operation and maintenance of master meters shall be borne by the City served by the master meter. City operated master meters will be tested and calibrated in even numbered years by the City served by the master meter.

c. Operation Charges. Kirkland shall assess Redmond and Bellevue for their proportionate shares of labor and costs incurred in the daily operation of the joint facilities based on water usage. Operation of the joint facilities shall include but not be limited to the operation of the instrumentation/control systems for such joint facilities, and for controlling the rate of flow from the Seattle supply facilities. The operation charges shall be actual expenses incurred including overhead. These expenses shall be subject to periodic review by the Joint Board at least every two (2) years.

d. Maintenance Charges: Kirkland shall assess Redmond and Bellevue, and Redmond shall assess Kirkland and Bellevue, based on their respective ownership interests in the joint facilities, for providing routine maintenance of and repairs to the joint facilities for which Kirkland or Redmond is responsible based upon service area location. These maintenance and repair activities include but are not limited to maintenance and repair of the instrumentation/control system for the joint facilities, maintenance and repair of the reservoirs, jointly owned pipelines, pumping facilities, reservoir control facilities, landscape maintenance and groundskeeping for the various joint facilities, and other activities of a similar nature. Redmond shall make similar assessments for routine maintenance of joint pipeline facilities within its service area. The Cities' ownership interests in the joint facilities are identified in Attachment A to this Agreement.

The maintenance charges from Kirkland to Redmond and Bellevue shall be actual expenses incurred including overhead. The maintenance charges from Redmond to Kirkland and Bellevue shall be actual expenses incurred including overhead. These expenses shall be subject to periodic review by the Joint Board at least every two (2) years.

e. Administration Charges: Kirkland shall assess Redmond and Bellevue based on water usage for their proportionate shares of the administrative costs incurred by Kirkland to provide administrative activities and duties for this Agreement and operation and maintenance of the joint facilities for which Kirkland is responsible. These administrative activities include but are not limited to coordination with the City of Seattle, financial and accounting services, record keeping, and billing.

The administrative charges shall be actual costs incurred including overhead. These charges shall be subject to periodic review by the Joint Board at least every two (2) years.

f. Insurance: The Joint Board shall determine the nature and amount of hazard and liability insurance to be provided for the joint facilities and their operation. Each City may but shall not be required to maintain casualty insurance for all risks of direct physical loss from external cause on the jointly-owned facilities to the extent of their interest at the current replacement cost of such improvements, which costs shall be updated annually. The Cities may agree that one of the Cities may obtain such insurance

naming the other Cities as named insureds and for the sharing of the costs of such insurance based upon the percentage of ownership of the joint facilities by each respective City.

g. Special Assessments.

1) Special Assessments for Emergency Items. Special assessments shall be made for emergency maintenance, repair, and replacement activities of the joint facilities. Emergency maintenance, repair, or replacement activities shall be defined as maintenance, repair, or replacement of joint use facilities requiring immediate attention and, without such attention, could cause a disruption to water supply or quality. The Joint Board shall have the authority to approve and assess such special assessments based on actual costs of such emergency maintenance, repair, or replacement activities as demonstrated by an accounting of time and materials; provided, however, any such special assessment approved by the Joint Board, to the extent it exceeds ~~$50,000.00~~ $25,000.00 for any City, shall not obligate such City until and unless approved by that City, unless that City delegates by appropriate legislative action the authority to its representative on the Joint Board to approve a larger special assessment on its behalf. This amount may be adjusted every five (5) years by the Joint Board by an amount not to exceed increased costs due to inflation. In calculating such adjustments, the Joint Board may rely on consumer price indices for the Seattle-Metropolitan area and similar locally available indices. Time and materials shall include labor, benefits, overhead, materials, taxes and contract amounts. Each City shall be assessed such special assessment based on its respective ownership interest in the joint facility under emergency maintenance or repair.

Initials

9-29-97

2) Special Assessments for Extraordinary Items. Special assessments may also be made for extraordinary maintenance, repair and replacement activities of the joint facilities or joint capital improvement project for new or existing joint facilities. Extraordinary maintenance, repair and replacement activities may include but are not limited to coating, replacement, and structural repairs of the water storage facilities, and replacement of joint facilities (pipelines, pumps, motors, valves, vaults, supply meters and structures).

3) Destroyed or Damaged Facilities. In the event any of the joint facilities are destroyed or irreparably damaged by any cause, the facility so destroyed or damaged shall be promptly replaced by the Cities and the cost thereof shall be paid in the same proportion as the ownership of the facility. The Cities may, by unanimous agreement, determine that such facilities need not be replaced or reconstructed if the Joint Board finds the facilities are no longer necessary to the efficient provision of water supply.

h. Charges Between Cities. All charges assessed by one City against either of the other Cities for operation, maintenance, administration or special assessment shall include supporting documentation justifying said charges.

i. Demand Metering. Kirkland shall be responsible for demand metering as required in it's Purveyor Contract with the City of Seattle. During the demand metering period of June 1 through August 31, Redmond and Bellevue must notify Kirkland of their planned withdrawal rates by 8:00 a.m. daily to allow Kirkland sufficient time to set flow rates from the Seattle meters. The Joint Board will determine how to distribute the cost of a surcharge between the Cities.

j. Response to Emergencies. Costs of emergency response or repair activities to a joint facility by either City shall be allocated between the Cities based upon the percentage of ownership in the joint facility(s) involved.

10. Water Supply, Operation and Maintenance Payments.

a. Meter Reading. The Cities shall read their master meters and direct read meters as follows:

1) Redmond: Kirkland shall read Redmond's master meters at least monthly. Redmond shall read its direct read meters monthly or bimonthly in accordance with Redmond's policies and procedures. Redmond shall report to Kirkland the retail usage and the meter read dates within thirty (30) days of meter reading.

2) Bellevue: Kirkland shall read Bellevue's master meters at least monthly. Bellevue shall read its direct read meters monthly or bimonthly in accordance with Bellevue policies and procedures. Bellevue shall report to Kirkland the retail usage and meter read dates within thirty (30) days of meter reading.

3) Kirkland: Kirkland shall read its master meters at least monthly and shall read its direct read meters monthly or bimonthly in accordance with Kirkland policies and procedures.

b. Supply and Consumption Reports. Kirkland shall prepare a supply and consumption report for each month of the year within ninety (90) days of the end of each such month. The report shall indicate the total purchased supply, the wholesale usage and retail water usage reported by each City, and the unaccounted water usage calculated for each City. This report shall correlate the total purchased supply and reported usages to actual calendar periods of use as may be determined based on the varying meter read dates and frequency of meter readings. This report shall indicate the type of water used (old, new) and the period of use (summer, winter).

c. Billings and Payments. Kirkland shall invoice Redmond and Bellevue monthly for estimated water usage or any other charges as set forth herein. Estimated water usage shall be established from prior years' actual consumption records for retail water usage. Actual Master meter readings shall be used for the wholesale meter usage. With each monthly supply and consumption report an invoice shall be prepared based on actual usage.

d. Delinquent Payments. All payments between any of the Cities pursuant to the terms of this Agreement shall be made within 45 days of receipt of invoice. Payments not made within 45 days will be subject to 1% (one percent) per month interest charges on the outstanding balance.

11. Seattle Water Purveyor Contract. The parties acknowledge that the District has assigned its water purveyor contract with the City of Seattle to Kirkland pursuant to the Assumption Agreement and that Kirkland is a purveyor of water to Redmond and Bellevue. As set forth in the Assumption Agreement, Kirkland agrees to apportion its purveyor committee weighted votes between Kirkland and Redmond as allowed and provided by the Seattle Purveyors Committee By-laws. Kirkland further agrees to allocate between the Cities the flushing allowance provided for in the water purveyor contract in proportion to the total water used by each city as supplied by Kirkland in the previous year.

The water purveyor contract also provides in section III F therein for a purveyor facilities account. That section provides for identification and compensation for certain facilities that have been allocated to and paid for by the purveyors. Any allocation or credit to Kirkland under the purveyor contract in the event of the application of Section III F shall be reallocated by Kirkland to the three Cities based upon water purchased by each City in those years the allocation is made.

12. Status of Parties. This Agreement shall not be construed to establish a partnership, joint venture or any other legal relationship between the parties hereto except as common owners of the jointly owned facilities.

13. Successors. This agreement and its terms and conditions shall be binding upon the successors and assigns of the parties hereto.

14. Change in Proportion of Use or Ownership. The Cities may agree to adjust the use and/or ownership of the joint facilities identified in this Agreement and exhibits hereto as either a permanent amendment to this Agreement or as a temporary arrangement, and may agree that one party will pay the other party on an agreed basis for such permanent or temporary use of all or part of the other parties' contract share of the joint facilities.

15. Term and Termination. The term of this Agreement shall commence upon approval by the three cities. This Agreement shall remain in effect until terminated by mutual agreement of the three Cities. Upon termination of this Agreement, the disposition of the jointly owned facilities shall be in accordance with the ownership interests identified in Attachment A hereto; and all other property acquired during the life of this Agreement shall be distributed to the contributing City or Cities to the extent of such City's or Cities' contribution(s).

16. Emergencies, Notice and Response. In the event of an emergency condition occurring in the water system within the service areas of any of the Cities which affects the operation of the joint facilities, the City experiencing the emergency condition shall, upon learning of the condition, endeavor to immediately notify the other Cities. The Joint Board shall establish procedures for such notification providing as a minimum, a priority of names and telephone numbers for notification. The parties so notified shall, if requested and to the extent practicable, render emergency assistance to the other party and modify their system operations and control to the extent practicable as reasonably necessary to meet the emergency. In the event of such emergency, the party experiencing the emergency shall reimburse the other parties for the reasonable cost of any assistance provided.

17. Records. Kirkland shall maintain records indicating all operation and maintenance and administrative costs and charges and maintenance schedules for the joint facilities for which Kirkland is responsible and identifying actual maintenance performed.

18. Indemnification. Each City agrees to defend, indemnify, and hold the other Cities harmless from any and all losses, claims, demands, payments, suits, liabilities, or judgments of every nature and description brought or recovered against the other Cities for damages suffered, or alleged to be suffered by persons or property caused by or resulting from the operation or maintenance of the joint facility as described herein, except to the extent such damages resulted from the negligence of the other Cities.

19. Notice and Communications. All notices and other formal communications to be given or any documents to be delivered by any party to any other party shall be delivered in person or mailed by certified mail and addressed to the respective parties at the following addresses:

To Kirkland at: Director of Public Works
City of Kirkland
123 Fifth Avenue
Kirkland, Washington 98033

To Redmond at: Director of Public Works
City of Redmond
15670 NE 85th Street
Redmond, Washington 98052

To Bellevue at: Utility Director
City of Bellevue
PO Box 90012
Bellevue, WA 98009-9012

20. Modification of Agreement. This Agreement may be amended, modified or added to only by written instrument properly signed by all parties hereto.

initials

~~THIS NEXT PARAGRAPH WILL REMAIN HERE, FOR NOW, AS WE MAY PUT IT BACK INTO DOCUMENT.~~

9-29-97

21. Superseding Agreement. Several agreements and contracts have been approved and / or adopted by the District over the years. The following listed agreements and contracts constitute the entire list of agreements and contracts that were known to be in existance at the time of the signing of this Interlocal Operations and Maintenance Agreement.

In the event that this Interlocal Operations and Maintenance Agreement conflicts with the provisions of any other District agreement or contract presently in effect but not listed below, this Interlocal Operations and Maintenance Agreement shall govern. The Joint Board shall be responsible to consider any such agreements and contracts on an individual basis to nullify, modify or amend any such agreements or contracts and shall do so by amendment to this Interlocal Operations and Maintenance Agreement .

The following listed agreements and contracts are hereby null and void in their entirities:

RESOLUTION OF BOARD OF COMMISSIONERS OF ROSE HILL WATER DISTRICT ADOPTING INTERLOCAL GOVERNMENTAL AGREEMENT FOR CONSTRUCTION OF 14.3 MILLION GALLON RESERVOIR. (Resolution No. 737)

RESOLUTION OF THE BOARD OF COMMISSIONERS OF ROSE HILL WATER DISTRICT EXTENDING CONTRACT FOR WATER SALES TO THE CITY OF REDMOND. (Resolution No. 679)

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF ROSE HILL WATER AND SEWER DISTRICT APPROVING AGREEMENT WITH CITY OF REDMOND FOR WATER DISTRIBUTION SYSTEM. (Resolution No. 648)

RESOLUTION OF THE BOARD OF COMMISSIONERS OF ROSE HILL WATER AND SEWER DISTRICT APPROVING CONTRACT FOR SALE OF WATER TO THE CITY OF REDMOND. (Resolution No. 547)

RESOLUTION OF THE BOARD OF COMMISSIONERS OF KING COUNTY WATER DISTRICT NO. 81 APPROVING AMENDMENT TO JOINT WATER STORAGE AND DISTRIBUTION PROJECT AGREEMENTS. (Resolution No. 457)

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF KING COUNTY WATER DISTRICT NO. 81 REQUESTING THE ESTABLISHMENT OF A JOINT MAINTENANCE FUND. (Resolution No. 257)

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF KING COUNTY WATER DISTRICT NO. 81 ACCEPTING JOINT FACILITIES RESERVOIR CONSTRUCTION. (Resolution No. 250)

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF KING COUNTY WATER DISTRICT NO. 81 APPROVING THE EXECUTION OF A CONTRACT FOR TELEMETERING SERVICE FOR THE JOINT FACILITIES PROJECT. (Resolution No. 248)

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF KING COUNTY WATER DISTRICT NO. 81 ACCEPTING JOINT FACILITIES WATER MAIN CONSTRUCTION. (Resolution No. 246)

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF KING COUNTY WATER DISTRICT NO. 81 APPROVING AN AGREEMENT FOR JOINT CONSTRUCTION OF WATER STORAGE AND DISTRIBUTION FACILITIES. (Resolution No. 233)

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF KING COUNTY WATER DISTRICT NO. 81 APPROVING AN AGREEMENT FOR EXCHANGE OF WATER UTILITY FACILITIES WITH THE CITY OF KIRKLAND. (Resolution No. 232)

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF KING COUNTY WATER DISTRICT NO. 81 APPROVING A CONTRACT WITH THE CITY OF KIRKLAND. (Resolution No. 118)

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF KING COUNTY WATER DISTRICT NO. 81 APPROVING AN AGREEMENT WITH THE CITY OF KIRKLAND. (Resolution No. 180)

A RESOLUTION OF THE COMMISSIONERS OF KING COUNTY WATER DISTRICT NO. 81 AUTHORIZING THE CREATION OF A CONTRACT WITH THE CITY OF KIRKLAND FOR THE SUPPLY OF WATER AND THE SERVICING OF A WATER DISTRIBUTION SYSTEM. (Resolution No. 9)

22. Severability. The invalidity of any clause, sentence, paragraph, subdivision, section or portion of this Agreement shall not affect the validity of the remainder of the Agreement.

23. Counterparts. This Agreement may be signed in counterparts and, if so signed, shall be deemed one integrated document.

24. Filing and Effective Date. This Agreement shall be filed with the King County Department of Records and Elections and the Secretary of State of the State of Washington and shall take effect upon approval and signature by each City.

CITY OF KIRKLAND

By _____
Its City Manager
Dated 9-29-97

Approved as to Form:
OFFICE OF THE KIRKLAND CITY ATTORNEY

By _____
Its City Attorney
Dated 9-29-97

CITY OF REDMOND

By _____
Its EXEC ASST
Dated 9/25/97

Approved as to Form:
OFFICE OF THE REDMOND CITY ATTORNEY

By _____
Its Assistant City Attorney
Dated 9/4/97

CITY OF BELLEVUE

By _____
Its Deputy City Mgr.
Dated 10/9/97

Approved as to Form:
OFFICE OF THE BELLEVUE CITY ATTORNEY

By _____
Its Asst City Atty
Dated 10/6/97

3city94\operagre\rjp:nmw
4/21/94

BRIDLE VIEW ANNEXATION AGREEMENT REGARDING WATER FACILITIES

This Bridle View Annexation Agreement Regarding Water Facilities ("Agreement") is made by and between the cities of Kirkland ("Kirkland"), and Redmond ("Redmond"), municipal corporations in King County, Washington.

RECITALS

A. The cities of Kirkland, Redmond, and Bellevue previously entered into an Assumption Agreement whereby the cities assumed the assets, liabilities and operations of the Rose Hill Water District, a former municipal corporation in King County, Washington.

B. The cities of Kirkland, Redmond, and Bellevue previously entered into an Interlocal Operation and Maintenance Agreement dated October 9, 1997 (the "1997 Agreement").

C. Section 2 of the 1997 Agreement assigned the Service Areas to the three cities and provided that any unincorporated area which is subsequently annexed into a city shall remain in or be transferred to the service area of the annexing City.

D. The City of Kirkland has annexed the Bridle View Annexation area. (see Attachment A)

E. The 1997 agreement is silent on the process and mechanism to transfer the Bridle View Annexation service area and its associated facilities between the cities.

F. Section 14 of the 1997 Agreement provides that the cities may agree to adjust the use and/or ownership of the joint facilities identified in the 1997 Agreement either temporarily or permanently and may agree upon a payment for such transfer.

G. Kirkland and Redmond wish to adjust the ownership percentage of the South Rose Hill Pump Station and provide for payment.

H. Kirkland and Redmond wish to transfer the ownership of the distribution facilities within the Bridal View Annexation;

NOW, THEREFORE, in consideration of the terms and conditions contained herein, the parties agree as follows:

1. Redmond agrees to transfer ownership of the water distribution facilities within the Bridal View Annexation area consisting of approximately 5700 feet of 6-inch AC water mains, fire hydrants, water meters and other appurtenances

2. Redmond agrees to transfers 2% ownership of the South Rose Hill Pump Station.

3. Kirkland agrees that all assets transferred by Redmond to Kirkland under this agreement are transferred "as is, where is" without warranty of any kind. Kirkland agrees that Redmond is not responsible for any defects in the assets transferred under this agreement and that all responsibility for maintenance, repair, or correction of any defects in said assets shall be the sole responsibility of Kirkland upon transfer of the assets.

4. Kirkland hereby agrees to pay and Redmond agrees to accept $21,787 as fair compensation for the transferred assets.

5. Kirkland and Redmond administrative staff shall coordinate the transfer of the assets and customers. City Staff shall select a convenient date for Redmond to do a final reading of the transferred customers meters, for Kirkland to do a beginning read of the transferred customer's meters, and for Kirkland to make payment for the transfer of the assets. Redmond shall provide a bill of sale for the distribution assets that are transferred.

6. Severability. The invalidity of any clause, sentence, paragraph, subdivision, section or portion of this Amendment shall not affect the validity of the remainder of this Amendment.

7. This Amendment shall take effect upon signature by each City. Except as expressly modified by this Amendment, all terms and conditions of the 1997 Agreement and 2005 Amendment shall remain in full force and effect.

EXECUTED by the parties on the dates set forth below.

CITY OF KIRKLAND

By:_____
Its:_____
Dated:_____

APPROVED AS TO FORM:

By:_____
Kirkland City Attorney Date

CITY OF REDMOND

By:_____
Its:_____
Dated:_____

APPROVED AS TO FORM:

By:_____
Redmond City Attorney Date

ORDINANCE NO. 4204

AN ORDINANCE OF THE CITY OF KIRKLAND ANNEXING PURSUANT TO RCW 35A.14.120 ET SEQ. CERTAIN UNINCORPORATED TERRITORY DESCRIBED IN THE PROPERTY OWNERS PETITION FOR ANNEXATION; PROVIDING FOR THE ASSUMPTION OF THE EXISTING INDEBTEDNESS; AND ZONING SAID TERRITORY IN ACCORDANCE WITH SECTION 10.45 OF ORDINANCE NO. 3719, AS AMENDED, THE KIRKLAND ZONING CODE.

Whereas, a Petition for Annexation (circulation of which was authorized pursuant to Kirkland Resolution No. 4749) signed by owners of not less than 60% in value of the property in the annexation area according to the assessed valuation for general taxation of the property described in said Petition has been filed with the City and found to be valid in form; and

Whereas, pursuant to State Law, said proposed annexation has been approved by the King County Boundary Review Board; and

Whereas, pursuant to RCE 35A.14.120 et seq., a public hearing on said proposed annexation was held before the City Council on August 4, 2009; and

Whereas, pursuant to the State Environmental Policy Act RCW 43.21C.222, annexations are exempt from SEPA; and

Whereas, the Kirkland City Council finds said proposed annexation to be within the public interest,

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

Section 1. The unincorporated territory of King County, hereinafter described in Section 4, is hereby annexed to the City of Kirkland.

Section 2. Said territory shall be subject to the existing indebtedness of the City of Kirkland as of the effective date of this annexation ordinance.

Section 3. Said territory shall be zoned in accordance with Section 10.45 of the Kirkland Zoning Code, Ordinance 3719 as amended, which provides that upon annexation to the City, property will be deemed to be zoned with a classification the same as, or as nearly comparable as possible, with the classification that

the property was zoned immediately prior to annexation. Pursuant to said section of the Kirkland Zoning Code, the zoning for the annexed territory is hereby declared to be as set forth in this section and the Director of the Department of Planning and Community Development is hereby directed to make the necessary modifications and extensions of the Zoning Map of the City of Kirkland to so reflect. The real property described in Section 4 shall, under the Zoning and Land Use Policies and Regulations of the City of Kirkland, be zoned RSX 35.

Section 4. The territory annexed to the City of Kirkland by this ordinance is depicted on Exhibit A and is described as follows:

Bridle View Annexation Legal Description

That portion of the southwest quarter of Section 10, Township 25 North, Range 5 East, Willamette Meridian, in King County, Washington and further described as follows:

Beginning at the southwest corner of Section 10, Township 25 North, Range 5 East, Willamette Meridian, in King County, Washington;

Thence easterly, along the south line of said Section 10, a distance of 1312.50 feet, more or less, to the east line of the west half of the southwest quarter of said Section 10, also being the Redmond City Limits as established by Redmond Ordinance #309;

Thence northerly, along said east line, to the easterly extension of the north line of the Plat of Bridle View, as recorded in Volume 74 of Plats, on Page 59, records of King County, Washington, also being the Redmond City Limits as established by Redmond Ordinance #967;

Thence westerly, along said easterly extension, and the north line thereof, to the east line of the west 660 feet of the southwest quarter of said Section 10; also being the Redmond City limits as established by Redmond Ordinance #1578

Thence continuing westerly, along said north line and city limits, a distance of 90.50 feet.

Thence northerly, along said city limits, to the south margin of the Redmond City Limits as established by Redmond Ordinance # 2285, also being the south margin of the widened Old Redmond Rd.;

Thence westerly, along said south margin and its westerly extension to the west line of said Section 10;

Thence southerly, along said west line, to the true point of beginning.

EXCEPT that portion of the 132nd Avenue NE right-of-way as previously annexed under City of Kirkland Ordinance # 3064.

Section 5. The Director of Administration and Finance (ex officio City Clerk) is hereby directed to file certified copies of this annexation ordinance with the King County Council and with the State of Washington Office of Financial Management, together with such additional offices as may be required by law or regulation.

Section 6. This ordinance and annexation shall be effective upon the effective date of this ordinance which shall be October 2, 2009, which is more than 5 days after the date of passage of this ordinance and publication as required by law.

Passed by majority vote of the Kirkland City Council in open meeting this 1st day of September, 2009.

Signed in authentication thereof this 1st day of September, 2009.

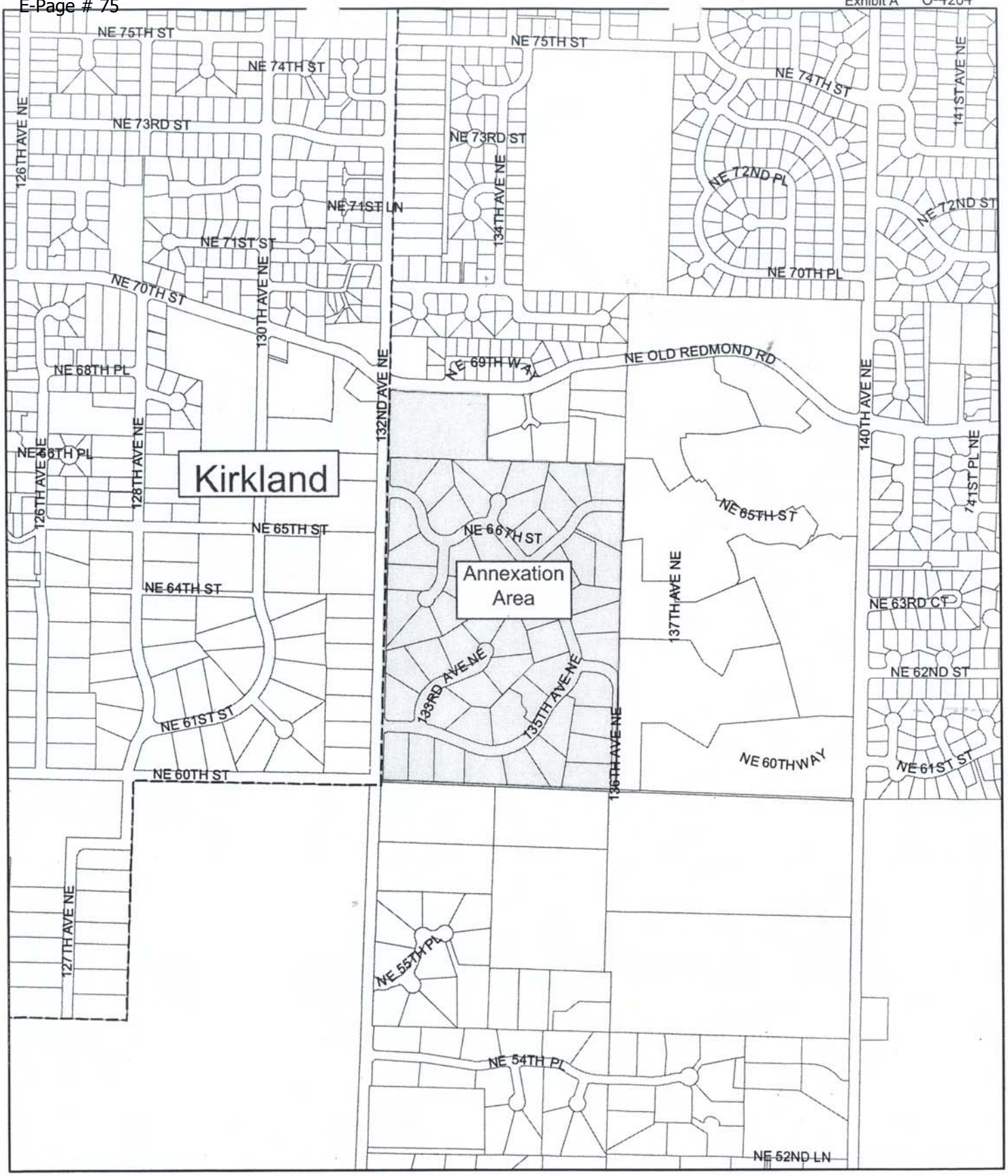
Mayor

ATTEST:

City Clerk

Approved as to Form:

City Attorney



Overview Map

Kirkland City Limits

parcel

Annexation Boundary

Produced by the City of Kirkland.
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No warranties of any sort, including
but not limited to accuracy, fitness or
merchantability, accompany this product.

1:8,000

CITY OF KIRKLAND
City Attorney's Office
123 Fifth Avenue, Kirkland, WA 98033 425.587.3030
www.ci.kirkland.wa.us

MEMORANDUM

To: Dave Ramsay, City Manager

From: Robin S. Jenkinson, City Attorney

Date: September 29, 2009

Subject: Ordinance Amending Criminal Code

Recommendation:

That the City Council passes the attached ordinance amending the Kirkland Municipal Code (KMC) relating to the crime of assault.

Background:

The City Prosecutors have requested that the City Council amend the KMC to make it consistent with State law by adding: 1) the language "with unlawful force" to the definition of "assault"; and 2) a defense for reasonable parental discipline.

Definition of Assault
Although there is not a State statute that specifically defines assault, case law holds that criminal assault requires the use of unlawful force. *Pasco v. Ross,* 39 Wn.App. 480 (1985). While the words, "unlawful force" are used in the first paragraph of the definition of assault in KMC 11.36.080, these words are omitted in the second paragraph of the definition. In *Ross* the Court found that because the Pasco city ordinance did not expressly require a showing of unlawful force, it unconstitutionally conflicted with State law and the defendant's conviction was overturned. In order to avoid a similar challenge, the addition of "unlawful force" to the second paragraph of KMC 11.36.080 is recommended.

Reasonable Parental Discipline Defense
Physical discipline of a child, by a parent or guardian "…is not unlawful when it is reasonable and moderate…" RCW 9A.16.100. (Copy attached.) This, under the State statute, is a defense available to parents and guardians who are charged with assaulting their child. The KMC does not currently include RCW 9A.16.100 as a defense to the charge of assault. A private defense attorney has recently argued that this is an unconstitutional conflict of law. The Prosecutors recommend the adoption of the defense in order to avoid future issues where a parent is charged with the assault on a child.

As requested by the City Prosecutors, the attached ordinance amends the definition of assault and adopts the defense of reasonable parental discipline.

Please let me know if there are any questions.

ORDINANCE 4209

AN ORDINANCE OF THE CITY OF KIRKLAND AMENDING CHAPTER 11.16A OF THE KIRKLAND MUNICIPAL CODE, "DEFENSES," AND AMENDING KIRKLAND MUNICIPAL CODE 11.36A.080 DEFINING ASSAULT.

The City Council of the City of Kirkland do ordain as follows:

Section 1. Kirkland Municipal Code Chapter 11.16A is amended to read as follows:

Chapter 11.16A
DEFENSES

Sections:

11.16A.010 Definitions.
11.16A.020 Use of force—When lawful.
11.16A.060 Duress.
11.16A.070 Entrapment.
11.16A.080 Use of Force on Children – Actions presumed unreasonable.

Kirkland Municipal Code Section	Section caption	RCW Section adopted by reference
11.16A.010	Definitions.	9A.16.010
11.16A.020	Use of force—When lawful.	9A.16.020
11.16A.020(1)		9A.16.020(1)
11.16A.020(3)		9A.16.020(3)
11.16A.020(5)		9A.16.020(5)
11.16A.060	Duress.	9A.16.060
11.16A.060(1)		9A.16.060(1)
11.16A.060(3)		9A.16.060(3)
11.16A.060(4)		9A.16.060(4)
11.16A.070	Entrapment.	9A.16.070
11.36A.040	Use of force on children – Actions presumed unreasonable.	9A.16.100

Section 2. Kirkland Municipal Code Section 11.36A.080 is hereby amended to read as follows:

11.36A.080 Assault defined.

An assault is an act, with unlawful force, done with intent to inflict bodily injury upon another, tending, but failing to accomplish it, and accompanied with the apparent present ability to inflict the bodily injury if not prevented. It is not necessary that bodily injury be inflicted but it is sufficient if an apprehension and fear of bodily injury is created in another.

An assault is also an intentional touching or striking or cutting or shooting of the person or body of another, with unlawful force, regardless of whether any actual physical harm is done to the other person.

An assault is also an intentional act, with unlawful force, which creates in another a reasonable apprehension and fear of bodily injury even though the actor did not actually intend to inflict bodily injury.

Section 3. If any provision of this ordinance or its application to any person or circumstance is held invalid, the remainder of the ordinance, or the application of the provision to other persons or circumstances is not affected.

Section 4. This ordinance shall be in force and effect five days from and after its passage by the Kirkland City Council and publication, as required by law.

Passed by majority vote of the Kirkland City Council in open meeting this _____ day of _____, 2009.

Signed in authentication thereof this _____ day of _____, 2009.

_____
MAYOR

Attest:

_____
City Clerk

Approved as to Form:

_____
City Attorney

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: Eric Olsen, Chief of Police
Tracey Dunlap, Director of Finance and Administration

Date: October 6, 2009

Subject: FALSE ALARM REDUCTION ORDINANCE REVISIONS

RECOMMENDATION**:**

That Council adopt amendments to the current ordinance of the City of Kirkland relating to Police False Alarms and Kirkland Municipal Code Chapter 21.35A because these amendments should further reduce false alarms without adversely impacting alarm users over the age of 62.

POLICY IMPLICATIONS:

These recommendations will strengthen our current ordinance and allow further reductions in the false dispatch rate while providing coverage of the administrative costs of the program.

BACKGROUND DISCUSSION:

The current Chapter 21.35A of the Kirkland Municipal Code relating to Police False Alarms was enacted on July 1, 2006. Implementation of the 2006 amendments has resulted in a 60% decrease in false alarms since the inception of the program. Recommendations to improve our current ordinance were presented to the Public Safety Committee on February 25, 2009, as part of a report on the effectiveness of the program. The Public Safety Committee supported these recommendations as long as there was no financial burden to our residents over 62. The recommendations have been tailored to have no adverse effect on our senior alarm users and their exemption from alarm registration fees and false alarm fines continues. Research has indicated that our proposed fees are in keeping with the fees imposed by like ordinances in our region. These ordinance enhancements were also reviewed by the Finance Committee on September 29, 2009 and they have recommended that they be put forward and adopted by the full Council.

A summary of the changes is provided in Attachment A, followed by the proposed ordinance.

cc: Captain Gene Markle
Patricia Ball

Attachment A
False Alarm Program Recommendations:

Recommendation (KMC Chapter 21.35A.020 and 21.35A.030)

- Add/Enhance definitions in current ordinance to coincide with recommendations II-V.

Recommendation (KMC Chapter 21.35A.050)

- Increase current registration/renewal fees for alarm permits from $20.00 per calendar year to $25.00 per calendar year while retaining exemption for residents over the age of 62 who do not operate a business out of their home. Based on 2008 registrations, this increase will bring in approximately $8500.00 in additions fees per calendar year.

Recommendation (KMC Chapter 21.35A.060 and 21.35A.090)

- Invoice $50.00 for first false alarm for non registered/non renewed alarm users. Registered users would continue to receive a warning only for the first false alarm in a 12 month period.
- Revise corrective action so that 6th false alarm in a 12 month period continues the existing escalating fine structure to $250.00. Retain the 90 Day suspension of police response, followed by a six month probationary period.
- Add a flat rate fine of $300.00 for all false alarms after the 6th false alarm in a 12 month period, incurred during any suspension or probationary period.

Recommendation (KMC Chapter 21.35A.140)

- Those with repeat false alarms that result in a suspension of police response can have the suspended status removed and go to a 6 month probation by making system upgrades specific to their type of repeat false alarms.

Entry/exit errors:	replace old key pad with CP-01 Control Panel Standard, developed to reduce false alarms.
False panic/hold up:	replace single action button with the dual action device developed to reduce false alarms.

A false alarm during this probation period would result in the return to the original suspension level followed by a new 6 month probation. (applies to residents under 62 and commercial accounts only).

Recommendation (KMC Chapter 21.35A.150)

- Revise existing verification wording to reflect Enhanced Call Verification (ECV). This is the national standard found to be effective in reducing false dispatches.

ORDINANCE 4210

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO POLICE FALSE ALARMS; AND AMENDING KIRKLAND MUNICIPAL CODE CHAPTER 21.35A.

The City Council of the City of Kirkland do ordain as follows:

Section 1. Section 21.35A.020 of the Kirkland Municipal Code is hereby amended to read as follows:

21.35A.020 Definitions.

For the purpose of this chapter, the following words and terms shall have the meaning ascribed to them below unless the context in which they are used clearly indicates otherwise:

(1) "Alarm business" shall mean a business operated by any individual, partnership, corporation, or other entity selling, leasing, maintaining, monitoring, servicing, repairing, altering, replacing, moving, or installing any alarm system or causing to be sold, leased, maintained, serviced, repaired, altered, replaced, moved, or installed any alarm system on real property.

(2) "Alarm monitoring company" shall mean a business operated for the purpose of monitoring the electronic transmission of an alarm signal when activated.

(3) "Alarm system" shall mean any system, device, or mechanism which, when activated, transmits an electronic signal to a private monitoring company or some other telephone number, or emits an audible or visible signal that can be heard or seen by persons outside the protected premises, or transmits a signal beyond the premises in some other fashion, except any system, device, or mechanism primarily protecting a vehicle or a medical alarm.

(4) "Alarm user" shall mean the person, firm, partnership, association, corporation, company, entity, or organization of any kind that has an alarm system installed in or on their premises.

(5) "Alarmed premises" shall mean any enclosed or open area and/or any portion of an area protected by an alarm system.

(6) "Burglary alarm system" shall mean an alarm system designed or used for detection and reporting of an unauthorized entry or attempted unauthorized entry upon real property protected by the system.

(7) "Communication center" shall mean the Kirkland police department communication center.

(8) "Corrective action report" shall mean a report, supplied by the city of Kirkland, requesting the alarm user to detail what steps were taken to correct an improperly functioning alarm.

(9) ~~"Duress/panic alarm system" shall mean an alarm system designed or used for alerting police or medical personnel of the need~~

~~for immediate assistance or aid in order to avoid injury, personal physical harm or other crimes against a person. Duress/panic alarms are commonly secondary features of burglary alarm systems.~~

"Duress Alarm" means a silent alarm system signal generated by the entry of a designated code into an arming station in order to signal that the alarm user is being forced to turn off the system and requires law enforcement response.

(10) "Entity" shall mean alarm user.

(11) "False alarm" shall mean the activation of any burglary, robbery, duress/panic alarm system when no crime is being committed or attempted upon a person, real, or other property or when no medical emergency exists. An alarm shall be presumed to be false if the responding police officers do not locate any evidence of an intrusion or commission of an unlawful act or emergency on the premises which might have been a legitimate cause for the alarm to activate. This does not include alarms caused by violent acts of nature or other extraordinary circumstances not reasonably subject to control by the alarm user or alarm business.

(12) "Managing employee" shall mean the finance and administration licensing employee assigned to administer the false alarm program.

(13) "Probationary period" or "probation" shall mean a six-month period following any service suspension during which if a false alarm is received the alarm user is moved to the next service suspension level.

(14) "Robbery alarm system" shall mean an alarm system designed or used for alerting others of a robbery or other crime in progress which involves potential serious bodily injury or death. See "Holdup Alarm".

(15) "Service suspension" shall mean a period of time when the Kirkland police department will not respond to reports of property-related alarms.

Three separate service suspension levels exist:

(A) Level I. A ninety-day service suspension for a site not currently on probation which has experienced six or more false alarms in a twelve-month period. This is followed by a six-month probation period.

(B) Level II. A three-hundred-sixty-five-day service suspension for a site which has experienced a false alarm while on a Level I six-month probationary period. This is followed by a six-month probation period.

(C) Level III. A permanent service suspension for a site which has experienced a false alarm during the six-month Level II probationary period.

(16) "System subscriber" shall mean a person, corporation, firm, partnership, association, company, organization, or other business entity who purchased, owns, or contracts for the use of any alarm system.

(17) "Verification" shall mean an independent method of authentication, used by the alarm monitoring company to determine that a signal from an automatic alarm system reflects the true need for an immediate police response. See Enhanced Call Verification.

(18) "Dual Action Device" means a panic/holdup or duress device that requires two simultaneous actions to activate. i.e. a holdup device with buttons on each side that must be simultaneously depressed or two buttons on a keypad that must be simultaneously depressed and held for 2-3 seconds.

(19) "Enhanced Call Verification (ECV) shall mean a monitoring procedure requiring that a minimum of two calls be attempted prior to making an alarm dispatch request. Should the first call be unsuccessful, a second call will be made to a different phone number where a responsible party can typically be reached. An alarm dispatch request may be made after the second call is attempted. ECV is not required for duress, holdup or panic alarms.

(20) "Holdup Alarm" shall mean a silent alarm signal generated by the manual activation of a device intended to signal a robbery in progress or immediately after it has occurred and requires law enforcement response.

(21) "Panic Alarm" shall mean an audible alarm system signal generated by the manual activation of a device intended to signal a life threatening or emergency situation requiring law enforcement response.

(22) "SIA CP-01 Control Panel Standard" shall mean the ANSI-American National Standard Institute approved Security Industry Association- SIA CP-01 Control Panel Standard, as may be updated from time to time, that details recommended design features for security system control panels and their associated arming and disarming devices to reduce the incidence of false alarms. Control panels built and tested to this standard by Underwriters Laboratory (UL), or other nationally recognized testing organizations, will be marked to state: "Design evaluated in accordance with SIA CP-01 Control Panel Standard Features for False Alarm Reduction.

Section 2. Section 21.35A.030 of the Kirkland Municipal Code is hereby amended to read as follows:

21.35A.030 Administration.

(a) The false alarm program shall be overseen by the managing employee. Personnel and volunteers may be assigned to this program as needed and will answer to the managing employee regarding the activities associated with this program.

(b) The managing employee shall coordinate the maintenance of records and correspondence necessary to support the false alarm program.

(c) The managing employee shall ensure the communication center has ~~an accurate and current list of alarm system suspension sites at all times. This list will designate the premises name, address, and clearly note the period of service suspension and any other pertinent information as determined by the managing employee.~~ accurate, up to date access to those sites on all levels of service suspension. The communication center will be notified by the suspension icon specific

to each suspended address. In addition, the managing employee will provide, upon request, a current list designating the premise name, address, and period of service suspension.

(d) The managing employee or their supervisor and the police chief or designee are the only individuals authorized to exercise discretion in administration of any portion of this program.

Section 3. Section 21.35A.050 of the Kirkland Municipal Code is hereby amended to read as follows:

21.35A.050 Registration fees.

(a) In addition to other fees set forth in this chapter, the following fees shall be assessed against the alarm user by the city:

Initial alarm registration	~~$20.00~~ $25.00
Annual renewal of alarm registration	~~$20.00~~ $25.00

(b) All fees shall be collected by the department of finance and administration licensing staff.

Section 4. Section 21.35A.060 of the Kirkland Municipal Code is hereby amended to read as follows:

21.35A.060 False alarm fees.

Within a twelve-month period the following false alarm fees will be assessed:

		*Applies to non registered/renewed permits only
First False Alarm *	$50.00	
Second False Alarm	$50.00	
Third False Alarm	$100.00	
Fourth False Alarm	$150.00	
Fifth False Alarm	$200.00	
Sixth False Alarm	$250.00	
Seventh False Alarm & Above	$300.00	

Section 5. Section 21.35A.090 of the Kirkland Municipal Code is hereby amended to read as follows:

21.35A.090 Corrective action.

(a) After the first false alarm during a twelve-month period, a letter shall be mailed to the alarm user detailing the false alarm program requirements and fees. If the alarmed premise has a current alarm permit registration, no alarm fine will be accessed. If the alarmed

premise is not currently registered or renewed, an invoice for fifty dollars shall be mailed to the alarm user.

(b) After the second false alarm during a twelve-month period, a reminder letter detailing the false alarm program requirements and an invoice for fifty dollars shall be mailed to the alarm user.

(c) After the third false alarm during a twelve-month period, a corrective action report will be provided to the alarm user by the licensing staff along with an invoice for one hundred dollars. Failure by the alarm user to respond to the corrective action report within fifteen business days from the date of the postmark on the notice sent by the city will result in a service suspension until such time as the fee and corrective action report response is received. The managing employee will notify the police communications center of the service suspension and effective dates.

(d) After the fourth false alarm during a twelve-month period, a reminder letter detailing the false alarm program requirements and an invoice for one hundred fifty dollars shall be mailed to the alarm user.

(e) After the fifth false alarm during a twelve-month period, a letter along with an invoice for two hundred dollars shall be delivered by certified mail to the alarm user informing them that service suspension will occur if there is one more false alarm during the twelve-month period.

(f) Following the sixth false alarm in a twelve-month period, the managing employee or their supervisor, with the approval of the police chief or designee, will set a service suspension date. Notification of the service suspension will be sent along with an invoice for two hundred and fifty dollars.

(g) A false alarm occurring during any suspension level or probationary period will incur a fine of three hundred dollars. This includes response to false panic, duress and holdup alarms.

Section 6. Section 21.35A.140 of the Kirkland Municipal Code is hereby amended to read as follows:

21.35A.140 Effect of service suspension.

(a) Suspension of response under this chapter shall apply only to burglary and property alarms and shall not apply to any holdup, robbery, panic, or duress alarms. However, all such alarms shall be counted in determining the total number of false alarms received.

(b) Those alarm systems on service suspension may request a waiver of suspension and be moved to a 6 month probation if written request and alarm company work orders are received to show that corrective measures have been taken to reduce the reoccurrence of the type of false alarms which resulted in the suspension:

Holdup/Panic Alarms:	Installation of dual action devices
Entry/Exit errors:	Upgrade control panel to SIA CP-01 Control Panel Standard

(c) If the alarm user remains false alarm free during the probationary period, they will be returned to full response status. Should a false alarm occur during this probationary period, the alarm user will be moved back to the original suspension status followed by a new 6 month probationary period.

Section 7. Section 21.35A.150 of the Kirkland Municipal Code is hereby amended to read as follows:

21.35A.150 ~~Verification required.~~ Enhanced call verification required.

~~No alarm monitoring company or business shall contact the licensing staff or the police communications center to report an alarm activation unless a verification procedure has been utilized by said company to ascertain whether the activation is a false alarm. Verification shall not be required on robbery, duress, or panic alarm activations.~~

(a) No alarm monitoring company or alarm business shall contact the police communications center to report an alarm activation unless Enhanced Call Verification (ECV) procedures have been utilized by said company to ascertain whether the activation is a false alarm. ECV shall not be required for robbery, holdup, duress or panic alarm activations. The alarm monitoring company or alarm business must indicate that the ECV was followed prior to requesting dispatch from the police communication center.

(b) At a minimum, the enhanced call verification procedure shall consist of:

(1) Attempt by the alarm business or alarm monitoring company to call the alarm site or a responsible party to determine if the alarm was accidentally activated by an authorized occupant of the building;

~~(2) Calling an emergency contact to determine if there should be an individual at the premises at the time the alarm was activated; or~~ In the event a call to the protected premise or primary responsible party is unsuccessful, a second call will be attempted to a responsible party to determine if there should be an individual at the premise at the time the alarm was activated: or

(3) Audibly or visually monitor the premise utilizing electronic means~~.~~ followed by a call to a responsible party to determine if there should be an individual at the alarmed premise at the time the audible or visual signal is received.

Section 8. If any provision of this ordinance or its application to any person or circumstance is held invalid, the remainder of the ordinance, or the application of the provision to other persons or circumstances is not affected.

Section 9 . This ordinance shall be in force and effect five days from and after its passage by the Kirkland City Council and publication pursuant to Section 1.08.017, Kirkland Municipal Code in the summary form attached to the original of this ordinance and by this reference approved by the City Council.

Passed by majority vote of the Kirkland City Council in open meeting this _____ day of _____, 2009.

Signed in authentication thereof this _____ day of _____, 2009.

_____
MAYOR

Attest:

_____
City Clerk

Approved as to Form:

_____
City Attorney

PUBLICATION SUMMARY
OF ORDINANCE NO. 4210

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO POLICE FALSE ALARMS; AND AMENDING KIRKLAND MUNICIPAL CODE CHAPTER 21.35A.

SECTION 1. Adds definitions for "Dual Action Device"; "Enhanced Call Verification" (EDV); "Holdup Alarm";"Panic Alarm" and "SIA CP-01 Control Panel Standard and amends the definitions of "Duress Alarm"; "Robbery alarm system" and "Verification."

SECTION 2. Amends the KMC Chapter 21.35A.030 related to Administration and updating data provided to the Communication Center.

SECTION 3. Amends KMC Chapter 21.35A.050 related to registration fees.

SECTION 4. Amends KMC Chapter 21.35A.060 related to false alarm fees.

SECTION 5. Amends KMC Chapter 21.35A.090 related to corrective action, invoice fees and fines.

SECTION 6. Amends KMC Chapter 21.35A.140 related to effect of service suspension.

SECTION 7. Amends KMC Chapter 21.35A.150 related to enhanced call verification required.

SECTION 8. Provides a severability clause for the ordinance.

SECTION 9. Authorizes publication of the ordinance by summary, which summary is approved by the City Council pursuant to Section 1.08.017 Kirkland Municipal Code and establishes the effective date as five days after publication of summary.

The full text of this Ordinance will be mailed without charge to any person upon request made to the City Clerk for the City of Kirkland. The Ordinance was passed by the Kirkland City Council at its meeting on the _____ day of _____, 2009.

I certify that the foregoing is a summary of Ordinance _____ approved by the Kirkland City Council for summary publication.

_____
City Clerk

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

MEMORANDUM

To: David Ramsay, City Manager

From: Tracey Dunlap, Director of Finance and Administration
Michael Olson, Deputy Director

Date: October 7, 2009

Subject: Utility Billing Late Fee Policy

Recommendation

Approve the attached ordinance amending Kirkland Municipal Code section 15.20.020 Due date—Delinquency—Penalty, authorizing the Finance Director to remove penalties on delinquent utility accounts in the circumstance of excusable neglect or extreme hardship.

Background

A utility customer recently requested City Council to change the late fee policy for utility billing. The customer would like the Utility Billing staff to have some discretion on waiving late fees based on the accounts good payment history. Utility Billing staff receive similar requests from other utility customers on a weekly basis. The e-mail from the customer who made the request has been copied at the end of this memo for your reference. (Attachment A)

The Kirkland Municipal Code (KMC) states that a penalty of ten percent is added to the delinquent amount due if payment is not received within thirty days of the billing date. There are no exceptions or latitude for waivers/penalty removal in the code for utility billing late penalties. Staff practice has been to provide one late fee waiver for the lifetime of the account as the customer would be aware of the timelines after that initial waiver.

For reference, the late fee practices of neighboring utility districts are listed below.

Utility District	Late Penalty	Amount	Waivers
Redmond	No	n/a	n/a
Bellevue	Yes	$10	1 time per year – not in code
Kirkland	Yes	10%	1 time only – not in code
Northshore Utility	Yes after 60 days. 5% discount if paid in 30 days.	10%	1 time per year – not in code

There are various places in the code which authorize directors to waive or modify the requirements addressed in the code. One example, authorizing the Finance Director to waive late penalties for business licenses, is listed below.

KMC 7.02.190 (4) *The director is authorized, but not obligated, to waive all or a portion of the penalties provided herein in the event that the director determines that the late payment was the result of excusable neglect or extreme hardship.*

Staff proposes to change the code to allow late penalty removal under certain circumstances consistent with the language cited above. Another option would be discontinuing the current practice so that no late penalties are removed.

Council Finance Committee reviewed and recommended the proposed change to the Kirkland Municipal Code at the August 25, 2009 meeting.

From: Paul R. Schechter [mailto:prschechter@gmail.com]
Sent: Thursday, August 13, 2009 6:04 PM
To: KirklandCouncil
Subject: Late Fee Policy - Utility Billing

I know this might seem trivial given the amount in question; this is more about the principal of the issue itself.

I recently received a statement from the Kirkland Utility Billing Department showing I had a past due bill and was being assessed a late fee ($8.02).

I just spoke to both the supervisor and the manager of the Kirkland Utility Billing Department (both of whom were very professional and courteous) and they informed me that they the governmental policy only allows them to waive one late charge per account, no matter the history or length of time of the account. I've been a resident of Kirkland since March, 1999. In that time, this is only the second time I've missed a payment. The first time was 2 years ago, for which the late charge was waived. I use the Wells Fargo online bill pay service and always go directly online when I receive a bill. It is entirely possible that I accidentally discarded the bill if it got intermingled with supermarket ads I receive as I routinely recycle those without looking at them. It is also possible that the bill was lost in the mail. I know this sounds like a typical excuse, and it does; however, things do get lost in the mail. I have had a real life experience with the Kirkland post office where their machine mangled one of the bills I mailed.

Anyway, the manager (Michael, forgot his last name…sorry) suggested I send an email to you suggesting a revision to the current policy. It seems to me that a customer's long standing good history should be taken into account and your staff should be allowed to make a judgment call and not be handcuffed by an arbitrary and antiquated policy. Any commercial business follows this model of good customer service.

I've just paid the bill, including the late charge, through the Wells Fargo bill pay service that I previously mentioned. I also just signed up to receive email notification in addition to the printed bill I receive in the mail (which was Michael's suggestion). I was not aware of this option; had I known of it, I might not be writing to you now.

Thank you for considering my request.

Regards,

Paul R. Schechter
(425) 820-2424

ORDINANCE 4211

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO PENALTIES ON DELINQUENT ACCOUNTS FOR WATER AND SEWER UTILITIES AND AMENDING SECTION 15.20.020 OF THE KIRKLAND MUNICIPAL CODE.

The City Council of the City of Kirkland do ordain as follows:

Section 1. Section 15.20.020 of the Kirkland Municipal Code is hereby amended to read as follows:

15.20.020 Due date—Delinquency—Penalty.
All charges for utility services furnished by the city shall be due and payable to the city on the date shown on the face of the bill. Charges for services remaining unpaid at the close of business on the thirtieth day following the billing date shall be considered delinquent and automatically subject to an additional charge, as a penalty, of ten percent of the delinquent amount. Payments will first be applied to the oldest delinquent charges. Remaining funds will be credited first against current charges from the garbage utility, then against current charges related to the sewer system, and then applied to current charges from the water utility. If the delinquent charges and penalties are still unpaid at the close of business on the fortieth day following the billing date, the services shall be discontinued and the water supply shall be turned off at the meter. The water service shall not be restored until all charges, penalties and fees shall have been paid. The Finance Director is authorized, but not obligated, to waive all or a portion of the penalties provided herein in the event the director determines the late payment was the result of excusable neglect or extreme hardship.

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

Passed by majority vote of the Kirkland City Council in open meeting this _____ day of _____, 2009.

Signed in authentication thereof this _____ day of _____, 2009.

_____
MAYOR

Attest:

_____
City Clerk

Approved as to Form:

_____
City Attorney

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: October 8, 2009

Subject: SURPLUS EQUIPMENT RENTAL VEHICLES/EQUIPMENT FOR SALE

RECOMMENDATION**:**

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

BACKGROUND DISCUSSION:

The surplusing of vehicles or equipment which has 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. 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.

Fleet #	Year	Make	VIN/Serial Number	License #	Mileage
BG-5	2004	Turf Gator Utility Vehicle (4x2)	W00TURF019555	N/A	N/A
M-8	2004	John Deere 1445 Mower	TC1445D040434	N/A	N/A
PU-03	2001	Chevrolet Silverado 1500	1GCEC14V41E269373	31820D	53,497
PU-44X	1998	Ford Winstar Van	2ETZA5445WBD99462	24000D	89,649
TL-07	1993	Garland Trailer	2183	N/A	N/A

For clarification purposes, BG-5 is a Parks Turf Gator Utility vehicle which exceend its expected useful life of 4 years by 1 year.. M-08 is a Parks John Deere 1445 Series II Mower which met its expected useful life of 4 years. TL-07 is a small trailer assigned to Parks Cemetery. I exceeded it anticipated useful life of 12 years, by 4 years.

PU-03 is a Parks Maintenance pickup which achieved its expected useful life of 8 years

PU-44X is cargo van which was retained after its normal 8 year life, in a surplus capacity for 3 years. It was utililized by a temporary inspector during that time,

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.

Cc: Donna Burris, Internal Services Manager

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: Joan Lieberman-Brill, AICP, Senior Planner
Paul Stewart, AICP, Deputy Planning Director

Date: October 7, 2009

Subject: 2009 City Initiated Comprehensive Plan Amendments (File ZON09-00001)

RECOMMENDATION

- Adopt the enclosed ordinance to approve the 2009 City Initiated Comprehensive Plan Amendments (CPA's).

BACKGROUND DISCUSSION

All amendments are included as Exhibit A to the ordinance.

On August 24, the Houghton Community Council unanimously recommended adoption of the 2009 amendments without modifications to the staff recommendation. Following the public hearing on September 10, the Planning Commission unanimously recommended adoption. The Commission also recommended that a definition or description of "superior urban design" in the context of the Totem Lake Urban Center be incorporated into the Comprehensive Plan. The section of this memorandum below entitled "Defining Superior Urban Design" explains the Commission's recommendation.

Policy Highlights - City Initiated Amendments

Each year the City reviews and makes changes to its Comprehensive Plan for any needed changes. The City-initiated 2009 amendments are primarily housekeeping amendments. Highlights of this cycle of city initiated amendments include:

- Policies and/or map amendments to implement a park acquisition expanding Forbes Lake Park and to extend the city limits to incorporate the new Bridle View Annexation.
- A new implementation procedure to ensure that recommended improvements and projects adopted with neighborhood plan updates are

included for consideration in either the CIP process, or the neighborhood connection and neighborhood grant programs.

- Revisions to the Totem Lake Neighborhood Plan to incorporate the Totem Lake Urban Center designation, which was adopted by the King County Growth Management Planning Council in 2003.

Additionally, the Capital Facilities Element must be updated to incorporate the adopted Capital Improvement Program (CIP) into the Capital Facilities Plan (CFP) so they are consistent. With this cycle of Plan amendments, the 2009-2014 Capital Improvement Program (CIP), adopted in September 2008, is incorporated into the Capital Facilities Plan (CFP). These amendments include the updated funded project lists for the major public facilities needed to support growth and development consistent with our adopted level of service standards (contained in the Capital Facilities Element) and the revised 2022 transportation project list including both funded and unfunded projects (contained in the Transportation Element).

A more detailed summary of the proposed city initiated amendments is available in the June 3 Planning Commission and Houghton Community Council meeting memo.

Links to staff memorandums, minutes, and audio recordings for all Planning Commission and Houghton Community Council meetings associated with this proposal, are provided below (all memorandums were the same for both advisory bodies):

September 10, 2009 meeting	*Planning Commission public hearing* Planning Commission Hearing memo and minutes and audio
August 24, 2009 meeting	*Houghton Community Council public hearing* memo (same as Planning Commission memo) and minutes and audio
June 11, 2009 meeting	*Planning Commission study* Planning Commission meeting memo part 1 and Planning Commission meeting memo Part 2 and minutes and audio
June 22, 2009 meeting	*Houghton Community Council study* memo Part 1 and memo Part 2 (same as Planning Commission memo) and minutes and audio

Defining Superior Urban Design

The Totem Lake Urban Center designation was adopted by the King County Growth Management Planning Council in 2003 into the King County Countywide Policy Plan (KCCPP). During the 2004 cycle of Comprehensive Plan Amendments, the Land Use Element of the Comprehensive Plan was updated to bring our Comprehensive Plan into consistency with the KCCPP.

This year, a map of the Urban Center is proposed to be added to the Totem Lake Neighborhood Plan. Maps for the Totem Lake Neighborhood and Totem Center are already contained in the neighborhood plan. A map to indicate the location of the Urban Center in relation to the other areas will clarify the boundaries of each area. While completing this mapping task, it came to our attention that in addition to the map, text amendments were also needed to bring the neighborhood plan into consistency with the Urban Center designation. These text and map amendments are attached to this memorandum as Attachments 1-4.

As noted in the attached Planning Commission transmittal memo, in addition to these proposed revisions, the Commission recommends defining superior urban design in the context of the Totem Lake Urban Center.

According to the King County Countywide Planning Policies (CPP) Framework Policy – 14, among those elements that characterize Urban Centers is an emphasis on superior urban design which reflects the local community. Additionally, the CPP's provide guidance in describing superior urban design. Pursuant to CPP Community Character Policy - 3, "All jurisdictions shall promote a high quality of design and site planning in publicly-funded construction (such as civic buildings, parks, bridges, transit stops), and in private development."

The Land Use Element of the Comprehensive Plan, updated in 2004, included Policy LU-5.4, "Support Totem Lake's development as an Urban Center with a diverse pattern of land uses." It lists the attributes of the Urban Center. Staff recommends that this policy be revised to address superior urban design.

In developing a local definition of superior urban design staff relied upon already adopted policies in the two documents that guide design within the urban center: the "Design Guidelines for Totem Lake Neighborhood", which addresses the portion of the neighborhood that lies outside of Totem Center, and the "Design Guidelines for Pedestrian Oriented Business Districts", which provides design guidance for the core area, Totem Center. Attachment 5 to this memo is the proposed amendment.

SEPA Compliance

State Environmental Policy Act (SEPA) materials are included as Attachment 6.

Public Process

Notice of public meetings and hearings were provided to the Seattle Times, the Neighborhood Associations and Kirkland Alliance of Neighborhoods, the neighborhood e-bulletin reaching 500 recipients that Kari Page, our Neighborhood Services Coordinator maintains, and the Kirkland Chamber of Commerce. In addition, a public notice sign was posted to provide notice of the site specific rezone of the Forbes Lake expansion property. (The rezone is to change the zoning from Planned Area 17B (a medium density residential zone) to Public Use Zone for park use.)

Other than one comment received at the Houghton Community Council's public hearing, no public testimony was received on the city initiated amendments to the Comprehensive Plan. The comment was to revise the description for the proposed 124th Avenue NE right-of-way Street Widening Project ST20-5 to include a landscape median, in Table T- 5 -Project Descriptions for the 2022 Transportation Project List. This request was reviewed by the Public Works Department, and the description has been revised.

Decisional Criteria for Amending the Comprehensive Plan

The following Factors to Consider in Approving an Amendment to the Comprehensive Plan, found in Zoning Code Section 140.25 must be considered when reviewing city initiated amendment requests:

1. The effect upon the physical, natural, economic, and/or social environments.

   For the physical, natural, and economic environments, approval of amendments to the Transportation and Capital Facilities elements to reflect the adopted 6-year 2009-2014 CIP, will increase funding for transportation capacity projects needed to complete the City's concurrency requirements by 2022, increase funding for non-motorized projects such as bike lanes and sidewalks, increase funding for the emergency Sewer Program, continue work on water projects that are based on the recently updated Water Comprehensive Plan and Rate Study, renovate existing parks and develop current and recently acquired park land.

   Addition of new park land to our various maps contained in the Comprehensive Plan reflects acquisition in 2008 of a parcel which expands the Forbes Lake Park. It will result in more open space and sensitive area protection of Forbes Lake and its wetland and buffer.

2. The compatibility with and impact on adjacent land uses and surrounding neighborhoods.

   The new Bridle View annexation area will continue the equestrian character in the Bridle Trails neighborhood.

3. The adequacy of and impact on public facilities and services, including utilities, roads, public transportation, parks, recreation, and schools.

   The various proposed revisions to the Comprehensive Plan, especially as a result of incorporating the adopted 2009 – 2014 CIP will ensure that the City does have adequate public facilities and services.

4. The quality and location of land planned for the proposed land use type and density.

   The majority of the proposed city initiated amendments to the Comprehensive Plan addressed in this memorandum are not site-specific. Only one map change, other than one to reflect park acquisition during this cycle, is proposed. It revises City boundaries to recognize the newly annexed Bridle View area, which includes the four acre Snyder's Corner Park and the 52 acre Bridle View subdivision.

5. The effect, if any, upon other aspects of the Comprehensive Plan.

   All Citywide Elements and Neighborhood Chapters in the Plan are interrelated and must be internally consistent. Each proposed amendment to the Plan has been reviewed to ensure consistency.

The city may amend the Comprehensive Plan only if it finds that the following Criteria found in Zoning Code Section 140.30 are met:

1. The amendment must be consistent with the Growth Management Act (GMA).
2. the amendment must be consistent with the countywide planning policies
3. The amendment must not be in conflict with other goals, policies, and provisions of the Comprehensive Plan.
4. The amendment will result in long term benefits to the community as a whole, and is in the best interest of the community.

   The proposed amendments are consistent with the GMA, countywide planning policies, and are internally consistent with other parts of the Comprehensive Plan. Finally, the city initiated amendments will be in the best interest of the

community as they reflect adopted city policies, acquisitions, and boundary changes.

Exhibit:

A. Planning Commission Recommendation

Attachments:

1. Totem Lake Neighborhood Plan Economic Development - text revisions
2. Totem Lake Neighborhood Plan Totem Center proposed - text revisions
3. Totem Lake Neighborhood Plan Transportation proposed - text revisions
4. Totem Lake Neighborhood Plan Totem Lake Urban Center – new map
5. Proposed amendment to the Land Use Element Policy 5.4 superior urban design
6. SEPA addendum (see all proposed amendments in Exhibit A to the ordinance)

cc: ZON09-00001
Planning Commission
Houghton Community Council
Kirkland Neighborhood Associations
Kirkland Alliance of Neighborhoods
Kirkland Chamber of Commerce

Exhibit A

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

MEMORANDUM

To: Kirkland City Council

From: Andrew Held, Chair
Kirkland Planning Commission

Date: October 6, 2009

Subject: Planning Commission Recommendation to adopt the 2009 City Initiated Comprehensive Plan Amendments (File ZON09-00001)

Introduction

We are pleased to submit the recommended annual city initiated Comprehensive Plan Amendments for 2009 for consideration by the City Council. This effort culminates the work started with the adoption of the 2009-2014 Capital Improvement Program, necessitating updates to the various chapters of the Plan to bring them into consistency with the biennial CIP.

Among highlights, are policies and/or map amendments to extend the city limits to incorporate the new Bridle View Annexation and to implement a park acquisition expanding Forbes Lake Park.

The Planning Commission wants to highlight a new implementation procedure, requested by us and implemented effectively and efficiently by staff, that ensures that recommended improvements and projects adopted with neighborhood plan updates are included for consideration in either the CIP process, or the neighborhood connection and neighborhood grant programs.

Another change revises the Totem Lake Neighborhood Plan to incorporate a map for the Totem Lake Urban Center designation along with some updated policy text. Finally, revisions during this cycle include recommended housekeeping amendments, updates to functional maps, and various other minor changes. All amendments are included as Exhibit A to the proposed ordinance.

Planning Commission Issues

Unlike the previous 2007-2008 cycle of Comprehensive Plan Amendments, this year's cycle had only one issue that the Commission focused upon. At our Planning Commission public hearing, we requested that the term "superior urban design" be defined within the context of the Totem Lake Urban Center designation.

In 2003, the Growth Management Planning Council adopted amendments to the Countywide Planning Policies designating Totem Lake an Urban Center. Already incorporated into the Land Use Element of the Comprehensive Plan in 2004, this cycle of CPA's revisions to the Totem Lake Neighborhood Plan reflects this designation. Proposed changes are shown in Attachments 1 through 4 of the staff memorandum to David Ramsay. The amendments to the Economic Development, Totem Center and Transportation Sections of the Totem Lake neighborhood Plan text, and addition of a map identifying the Urban Center's boundaries, are intended to bring the Plan into compliance with the Countywide Planning Policies. The description in Attachment 1, characterizing the Urban Center classification, uses the phrase superior urban design, which we think merits some additional definition or description.

At the hearing, planning staff suggested that "superior urban design" be interpreted through the existing Totem Lake and Pedestrian Oriented design guidelines and chapter 92 of the Zoning Code. The Commission recommended staff develop such a definition to be included in the Comprehensive Plan to provide guidance and predictability as Totem Lake develops.

The Planning Commission unanimously recommends adoption of the 2009 cycle of CPA's with the condition that this definition be provided.

Public Participation

The Planning Commission held one study session leading up to the September 10 public hearing. At the hearing there was no public testimony.

cc: ZON09-00001

Attachment 1

Totem Lake Neighborhood Plan
Economic Development

Framework Goal: Foster a diverse, vibrant economic environment, supplying broad commercial and employment opportunities.

The Totem Lake Neighborhood is a vital employment, retail and service center that serves the City of Kirkland and surrounding region. The Totem Lake Neighborhood is the City's largest employment center and the City's leader in retail sales. The neighborhood contains ~~one of~~ the City's ~~two activity~~only U~~u~~rban C~~c~~enter, ~~areas~~ designated by the Growth Management Planning Council in 2003. ~~in the Comprehensive Plan.~~

The "Urban Center" classification is described in the Countywide Planning Policies. It is characterized as having clearly defined boundaries, an intensity/density of land uses sufficient to support transit, abroad range of uses, and emphasis on the pedestrian, superior urban design, and limitations on the use of the single occupancy vehicle. The Totem Lake Neighborhood fits this description.

The policies in this section are intended to support and strengthen the economic environment in the Totem Lake Neighborhood. A healthy economy provides employment and helps pay for basic public services such as parks, transportation, police and fire protection and human services. The policies encourage a mix of retail, office, service and industrial uses, intensive development where supported by public services, and collaboration between the public and private sectors.

This section provides policy direction regarding economic development in the Totem Lake Neighborhood, and applies to land throughout the neighborhood, including Totem Center. Broad citywide economic development policies are found in the Economic Development Element. Those policies, while not repeated here, are applicable to the Totem Lake Neighborhood.

Goal TL-1: Nurture and strengthen the role of the Totem Lake Neighborhood as a community and regional center for retail, health care, vehicle sales, light industrial and office employment.

~~***Policy TL-1.4:***~~

~~Pursue an Urban Center designation for the Totem Lake Neighborhood.~~

~~Much of the Totem Lake Neighborhood is identified as an "Activity Center" in the Land Use Element of this Comprehensive Plan. The Countywide Planning Policies establish Activity Areas as locations within urban areas that contain a high concentration of commercial land uses, and adjacent and intermingled higher-density residential uses served by a transit center.~~

~~Under the updated plan for the Totem Lake Neighborhood set forth in this Chapter, the Totem Center area, and much of the neighborhood, may be more appropriately classified as an "Urban Center." An Urban Center, as described in the Countywide Planning Policies, is characterized by having clearly defined boundaries, an intensity/density of land uses sufficient to support transit, a broad range of uses, and emphasis on the pedestrian, superior urban design, and limitations on the use of the single occupant vehicle. The Totem Lake Neighborhood fits this description.~~

~~Designation of an Urban Center within the Totem Lake Neighborhood would be particularly helpful to the City, as grants for funding of transportation improvements are sought. Urban Centers are often given a higher priority in review for funding~~.

4. TOTEM CENTER

Framework Goal: Promote the strength and vitality of Totem Center.

Totem Center is home to the Evergreen Hospital Medical Center, the Totem Lake Mall retail center, a variety of office/commercial uses, and a planned transit station that will connect to the regional transit system. Currently, Totem Center is characterized by development of low to moderate intensity. While thriving in many ways, this district has significant potential for increased activity and vitality. Policies in this plan are intended to strengthen the role of Totem Center as the core of the Totem Lake Urban Center, providing a thriving employment, housing, and service ~~and activity~~ center for the city and the region.

The location of a compact mix of land uses and employment opportunities within the Center can provide the environment for increased use of transit, and a decreased need for vehicle travel outside of the district. The policies for Totem Center capitalize on the synergy created by existing and planned uses to create an attractive and vital community center. Ultimately, planned development in Totem Center will contribute to the sense of community and identity for the entire Totem Lake Neighborhood, as described in the Neighborhood Vision.

Goal TL-8: Ensure that public and private development contribute to a lively and inviting character in Totem Center.

The fundamental goal for Totem Center is to create a pedestrian-oriented urban ~~activity~~ center with a safe, lively and attractive 24-hour environment.

To achieve this goal, key design principles for Totem Center include:

- **Mix of Uses** – Over time, Totem Center should evolve into a diverse mix of uses, including office, retail, medical and hospital uses, and high-density residential. This mix of uses can be provided in

mixed-use buildings or in single use buildings located in close proximity and with good pedestrian connections.

- **Pedestrian Orientation** – Building entrances should face the street. Building mass should be broken up by offsets, step-backs or similar measures. Where compatible with the use, generous windows should be provided and oriented toward the street. Parking should not be the predominant use next to streets.

- **Public Spaces** – Development and redevelopment projects should provide publicly accessible open spaces that are focal points for the community. The City should identify park and recreation trail locations that encourage pedestrian activity throughout Totem Center.

Totem Lake Neighborhood
Transportation

Policy TL-29.3:

Actively explore a wide range of funding options to achieve the adopted road network and maintain an acceptable LOS.

The Growth Management Act requires local jurisdictions to identify and fund transportation improvements sufficient to achieve the adopted LOS. For the Totem Lake Neighborhood, the road network needed to achieve the adopted LOS requires an ambitious funding effort that must include public and private collaboration.

The City should ensure that private growth pays for its share of needed transportation improvements. The City has adopted an impact fee system to allow the collection of funds to pay for a portion of needed improvements caused by additional traffic from new development. The City should ensure that the impact fee schedule is updated to include necessary transportation facilities in the Totem Lake area. The City should also seek interlocal agreements with adjacent jurisdictions to mitigate the traffic impacts of new growth occurring outside of the city limits.

The City must also work with State and federal agencies to seek all available funding sources to support the adopted transportation network. The City should also consider the following revenue sources to finance needed improvements:

- General Revenue
- Impact Fees
- Local option gas taxes (if authorized)
- Surface Water Fees (based on new stormwater requirements)
- Special purpose taxing district

The Urban Center designation within the Totem Lake Neighborhood is particularly helpful to the City, when grants for funding of transportation improvements are sought. Urban Centers are often given a higher priority in review for funding.

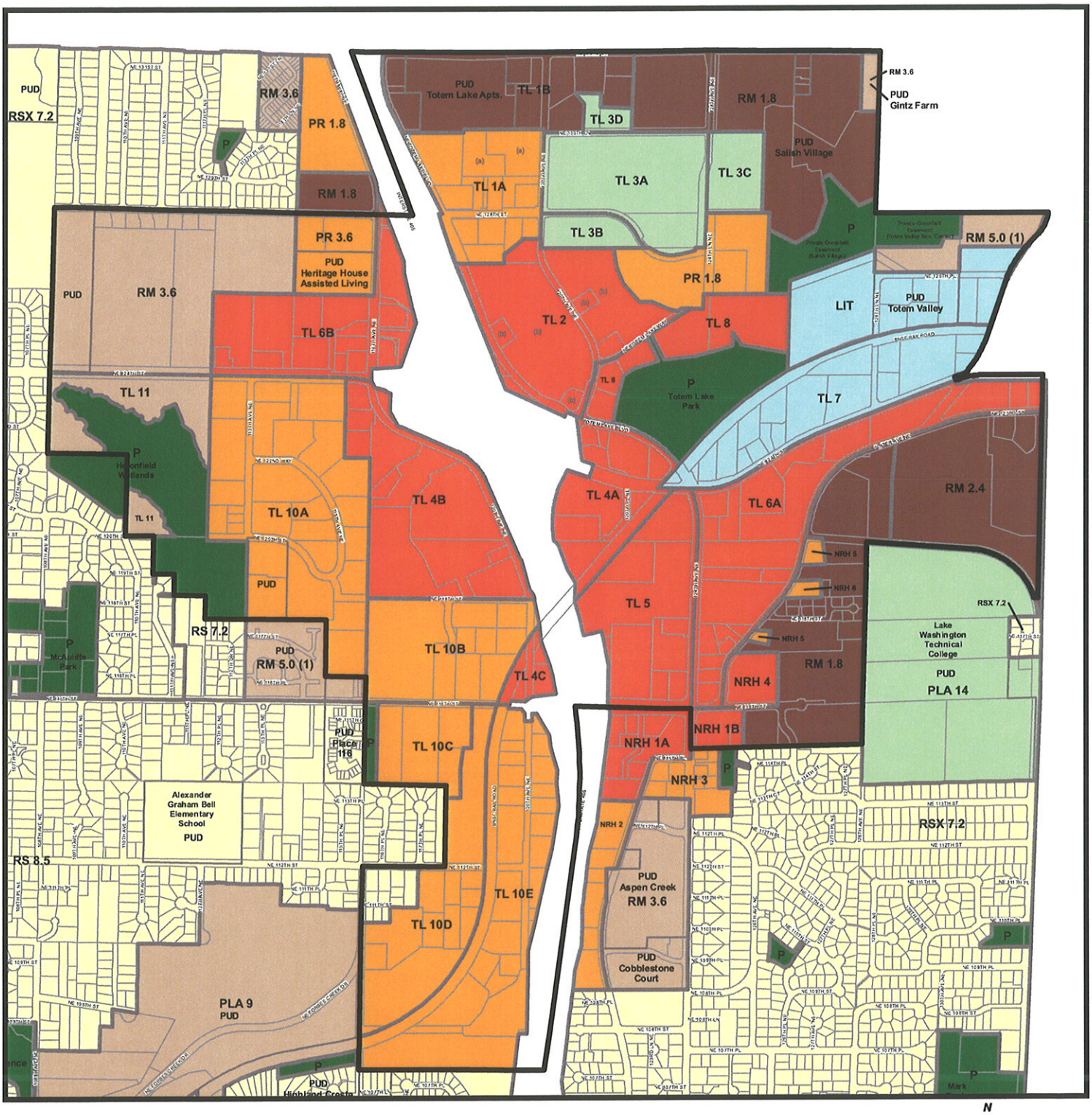
Policy TL-32.1:

Develop a safe, integrated on and off-street nonmotorized system emphasizing connections to schools, parks, transit, and other parts of Kirkland.

The Totem Lake Neighborhood needs many nonmotorized improvements, as identified in the City's Nonmotorized Transportation Plan. These include safe and appropriately scaled nonmotorized access to connect neighborhoods, activity and ~~activity~~ urban centers, with services, transit, and recreation areas. The relationship of the Totem Lake Neighborhood to other neighborhoods, as well as to Lake Washington Technical College, Juanita Beach, and the Forbes Creek Trail should be considered in developing regional connections.

The CrossKirkland trail, if it is developed, will provide an important recreational opportunity, as well as north-south bicycle and pedestrian route, within the Burlington Northern right-of-way through much of the Totem Lake Neighborhood. The trail could also be a precursor of a regional facility traveling through the hearts of many Eastside cities.

TOTEM LAKE URBAN CENTER



Urban Center

N

S

1,100 550 0 1,100 Feet

Produced by the City of Kirkland.

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Land Use Element

Policy LU-5.4: Support Totem Lake's development as an Urban Center with a diverse pattern of land uses.

- ***Recognize Totem Center, the area around Totem Lake Mall and Evergreen Healthcare Medical Center, as the "core" district where the highest densities and intensities of land use are focused.***

- ***Create a compact area to support the planned transit center and promote pedestrian activity.***

- ***Encourage uses which will provide both daytime and evening activities.***

- ***Provide sufficient public open space and recreational opportunities***

- ***Enhance the natural condition and function of Totem Lake.***

- ***Promote superior urban design throughout the Urban Center through standards that address human and architectural scale and design. Through coordination of improvements in the public realm, affirm and create a "sense of identity" for the Totem Lake Urban Center. Ensure that the built environment enhances and contributes to a highly successful pedestrian environment, particularly in Totem Center, where connections between business, transit and the living environment are key to establishing a vibrant community. The Design Guidelines for Totem Lake Neighborhood and the Pedestrian Oriented Design Guidelines provide specific direction for this area.***

- ~~***Affirm or create a "sense of identity" for the Totem Lake Urban Center.***~~

- ***Provide an interconnected street system for pedestrian and vehicular access.***

Attachment 6

NOTICE OF AVAILABILITY

July 15, 2009

The City of Kirkland has issued an addendum to the Draft and Final Environmental Impact Statements for the 2004 Kirkland Comprehensive Plan. The Draft and Final EIS's were issued on July 1, 2004 and October 15, 2004 respectively. **The subject of the EIS addendum is the City Initiated Comprehensive Plan Amendments (CPA) for 2009**, **pursuant to Chapters 130, 140 and 160 KZC - Process IV**. File No. ZON09-00001.

The City annually updates the city-wide element chapters of the Comprehensive Plan to revise the Capital Facilities Plan (CFP) in the Capital Facilities Element chapter and various tables and figures in the Transportation Element chapter to be consistent with annual changes to the Capital Improvement Plan (CIP). In addition, various city wide element chapters and neighborhood plan chapters are updated to revise out of date information, and to reflect any changed conditions.

The 2009 City initiated draft amendments to the Kirkland Comprehensive Plan address the newly adopted 6 year CIP for the period of 2009-2014. A revision to the Implementation Element adds a protocol for considering projects and improvements identified in the various neighborhood plans, in the yearly update of the CIP and the Neighborhood Grant Program. The Public Services Element is revised to reflect the current status of the Houghton Transfer Station. Proposed changes to the Kirkland Zoning Map, Land Use Map and Parks Map address a new park acquisition, to bring these maps into consistency with the existing park system. The North Rose Hill street connections list has been revised to acknowledge changed conditions on the ground. Kirkland's municipal boundary is expanded to include the Bridle View annexation area, along the Kirkland/Redmond boundary, which had previously been in unincorporated King County. The Totem Lake Neighborhood Plan is updated to reflect the 2003 designation of Totem Lake as an Urban Center by the Growth Management Planning Council. Various minor changes to functional maps are proposed, which are non policy related, housekeeping amendments.

The following steps will occur in the City of Kirkland's review of this proposal: Courtesy Public Hearing conducted by the Houghton Community Council on August 24, 2009; Public Hearing conducted by the Planning Commission on September 10, 2009; and tentative date for decision and action by City Council in October or November 2009. All dates are subject to change.

If you wish to receive a copy of the proposed 2009 City Initiated CPA or the EIS Addendum, or have any questions, please contact Joan Lieberman-Brill, Kirkland Senior Planner at (425) 587-3254. You may also send requests for copies via e-mail, at jbrill@ci.kirkland.wa.us.

Fact Sheet

Action Sponsor and Lead Agency	City of Kirkland Department of Planning and Community Development
Proposed Action	Legislative adoption of the **2009 Comprehensive Plan Amendments and related Zoning Map changes,** pursuant to Chapters 130, 140, and 160 KZC (Process IV).
Responsible Official	signed original in file **Eric R. Shields, AICP** **Planning Director**
Contact Person	Joan Lieberman-Brill AICP Senior Planner, City of Kirkland (425) 587-3254 or at jbrill@ci.kirkland.wa.us
Required Approvals	Adoption by Kirkland City Council Final Action by Houghton Community Council for amendments within its jurisdiction.
Location of Background Data	File ZON09-00001 City of Kirkland Department of Planning and Community Development 123 Fifth Avenue Kirkland, WA 98033
Date of Issuance	July 15, 2009

City of Kirkland

2009 Comprehensive Plan and Zoning Map Amendments

EIS Addendum dated July 15, 2009

File No. ZON09-00001

I. Background

The City of Kirkland proposes to **amend the Comprehensive Plan and Zoning Map.** The amendments will be reviewed using the Chapter 160 KZC, Process IV with adoption by City Council and final action by the Houghton Community Council for amendments within their jurisdiction.

This Environmental Impact Statement (EIS) Addendum is intended to fulfill the environmental requirements pursuant to the State Environmental Policy Act (SEPA) for the proposed Comprehensive Plan and Zoning Map amendments.

II. EIS Addendum

According to the SEPA Rules, an EIS addendum provides additional analysis and/or information about a proposal or alternatives where their significant environmental impacts have been disclosed and identified in a previous environmental document (WAC 197-11-600(2). An addendum is appropriate when the impacts of the new proposal are the same general types as those identified in the prior document, and when the new analysis does not substantially change the analysi1s of significant impacts and alternatives in the prior environmental document (WAC 197-11-600(4)(c) -625, and -706.

The City published a Draft and Final EIS on its Comprehensive Plan 10 year update in 2004. This EIS addressed the 2004 Comprehensive Plan, Zoning Code and Zoning Map updates required by the Washington State Growth Management Act (GMA). Elements of the environment addressed in this EIS include population and employment growth, earth resources, air quality, water resources, plants and animals, energy, environmental health (noise, hazardous materials), land use, socioeconomics, aesthetics, parks/recreation, transportation, and public services/utilities.

This addendum to the *City of Kirkland 2004 Draft and Final Comprehensive Plan 10-Year Update EIS* is being issued pursuant to WAC 197-11-625 to meet the City's SEPA responsibilities. The EIS evaluated plan alternatives and impacts that encompass the same general policy direction, land use pattern, and environmental impacts that are expected to be associated with the proposed **amendments to the Comprehensive Plan and Zoning Map** discussed herein. While the specific location, precise magnitude, or timing of some impacts may vary from those estimated in the 2004 EIS, they are still within the range of what was evaluated and disclosed there. No new significant impacts have been identified.

III. Non-Project Action

Decisions on the adoption or amendment of Comprehensive Plans and zoning regulations are referred to in the SEPA rules as "non-project actions" (WAC 197-11-704(2)(b)). The purpose of an EIS in analyzing a non-project action is to help the public and decision-makers identify and evaluate the environmental effects of alternative policies, implementation approaches, and similar choices related to future growth. While plans and regulations do not directly result in alteration of the physical environment, they do provide a framework within which future growth and development – and resulting environmental impacts – will occur. Both the adoption of the Comprehensive Plan evaluated in the *City of Kirkland 2004 Draft and Final Comprehensive Plan 10-Year Update EIS* and eventual action on the **amendments to the Comprehensive Plan and Zoning Map** are "non-project actions".

IV. Environmental Analysis

The *City of Kirkland 2004 Draft and Final Comprehensive Plan 10-Year Update EIS* evaluated the environmental impacts associated with adoption of proposed policies and land use designations. The plan's policies are intended to accomplish responsibilities mandated by the Washington State Growth Management Act (GMA), and to mitigate the impacts of future growth. In general, environmental impacts associated with the proposed 2009 Comprehensive Plan Amendments and related Zoning Map Amendment are similar in magnitude to the potential impacts disclosed in the *2004 Comprehensive Plan EIS*. As this proposal is consistent with the policies and designations of the Comprehensive Plan and the environmental impacts disclosed in the *Comprehensive Plan EIS*, no additional or new significant impacts beyond those identified in the EIS for the Comprehensive Plan are anticipated.

V. Description of the Proposed Amendments to the Comprehensive Plan and Zoning Map

The 2009 Comprehensive Plan amendments and Zoning Map changes are as follows:

1. <u>Capital Facilities Plan's tables and Transportation Element's maps and tables revised to reflect the changes in the 2007 Capital Improvement Program</u>

   The City made changes to the Capital Improvement Program (CIP) in September 2008 for funding and timing of projects. Since this was a major CIP update year there are changes to the 2022 transportation project list as well as revisions to all the other Capital Facilities Plan's tables and Transportation Element's maps and tables to reflect the changes to the CIP.

2. Implementation Element Table IS-1 Neighborhood Plans section addition.

   Proposed protocol to incorporate projects identified in Plan updates into the CIP process and into the neighborhood connection and grant program. This process would ensure that the loop is completed – from plan to implementation.

3. Update of Public Services Element to reflect status of Houghton Transfer Station.

   Amendment to replace out of date text, concerning policies to mitigate some of the adverse impacts the station was having on the surrounding neighborhood.

4. Comprehensive Plan and Zoning map to reflect new park acquisition.

   Corresponding Comprehensive Plan neighborhood land use map, the citywide land use map, park system map and the Zoning map needed to be revised to reflect the new park purchase that expands the existing Forbes Lake Park System.

5. North Rose Hill Neighborhood Plan minor revisions.

   Proposed changes to Table NRH-1 reflect the current status of completed or revised street connections.

6. Bridle Trails Neighborhood Plan update to add Bridle View Annexation area.

   If the annexation is effective prior to adoption of the 2009 CPA's, proposed changes to the neighborhood land use map, zoning map, and text are necessary. If the annexation is not effective by the time the CPA ordinance is adopted, these amendments will be dropped from this cycle of Plan amendments.

7. Totem Lake Neighborhood Plan revision to Economic Development, Totem Center, and Transportation sections.

   Proposed changes reflecting the 2003 Countywide Planning Policies amendment, which designated Totem Lake as an Urban Center.

8. Transportation, Utilities, Public Services, and Introduction, and Land Use Elements figures revised to reflect current services and facilities.

   Minor updates are provided for the following figures:

   - Figure T-1: Street Classification and State Routes
   - Figure T-2: Bicycle System Existing and Proposed
   - Figure T-3: Pedestrian Corridor System Existing and Proposed
   - Figure T-4: Transit Service
   - Figure T-7: Signalized Intersections

- Figure U-1: Water System
- Figure U-2: Sanitary Sewer System
- Figure U-3: Surface Water Management System
- Figure U-4: Northshore Water System
- Figure U-5: Northshore Sewer System
- Figure U-6: Existing and Planned/Desired Fiber Optic Network
- Figure PS-1: Fire Response Times within 5.5 minutes
- Figure PS-2: Emergency Medical Services Response Times within 5 minutes
- Figure I-2: Potential Annexation Areas
- Figure LU-1 City wide Land Use

VI. Public Involvement

The Planning Commission held a study session on June 11, 2009 and will hold a public hearing on September 10, 2009 on the 2007 City Initiated Comprehensive Plan Amendments. The Houghton Community Council held a study session on June 22, 2009 and will hold a courtesy public hearing on August 24, 2009. Hearings are advertised in the Seattle Times, via the City's cable channel and on a public notice signboard at the site in North Rose Hill where a rezone is proposed.

Public notice of the amendments and the public hearings are being provided in accordance with State law. The City Council will take final action on the proposal in October or November 2009 at a date yet to be determined. All dates are subject to change.

VII. Conclusion

This EIS Addendum fulfills the environmental review requirements for the proposed **amendments to the Comprehensive Plan and Zoning Map**. The impacts of the proposal are within the range of impacts disclosed and evaluated in the *2004 City of Kirkland Draft and Final Comprehensive Plan 10-year Update EIS* ; no new significant impacts have been identified. Therefore, issuance of this EIS Addendum is the appropriate course of action.

Attachments:

- Proposed City Initiated 2009 Comprehensive Plan Amendments and related Zoning Map change

Cc: Dept. of Ecology, CTED, and File No. ZON09-00001

ORDINANCE 4212

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO COMPREHENSIVE PLANNING AND LAND USE AND AMENDING THE COMPREHENSIVE PLAN ORDINANCE 3481 AS AMENDED AND AMENDING ORDINANCE 3710 AS AMENDED, THE KIRKLAND ZONING MAP, AS REQUIRED BY RCW 36.70A.130 TO ENSURE CONTINUED COMPLIANCE WITH THE GROWTH MANAGEMENT ACT,AND APPROVING A SUMMARY FOR PUBLICATION, FILE NO ZON09-00001.

WHEREAS, the Growth Management Act (GMA), RCW 36.70A.215, mandates that the City of Kirkland review, and if needed, revise its Comprehensive Plan and its official Zoning Map pursuant to RCW 36.70A.130; and

WHEREAS, the City Council has received a recommendation from the Kirkland Planning Commission and the Houghton Community Council to amend certain portions of the Comprehensive Plan for the City, Ordinance 3481 as amended, and the Kirkland Zoning Ordinance, Ordinance 3710 as amended, all as set forth in that certain reports and recommendations of the Planning Commission dated September 23, 2009 and bearing Kirkland Department of Planning and Community Development File No. ZON09-00001; and

WHEREAS, prior to making said recommendation the Planning Commission, following notice thereof as required by RCW 35A.63.070, held on September 10, 2009, a public hearing, on the amendment proposals and considered the comments received at said hearing; and

WHEREAS, prior to making said recommendation the Houghton Community Council, following notice thereof as required by RCW 35A.63.070, held on August 24, 2009, a courtesy hearing, on the amendment proposals and considered the comments received at said hearing; 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 regular public meeting the City Council considered the environmental documents received from the responsible official, together with the reports and recommendations of the Planning Commission and the Houghton Community Council; 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 ORDAINED by the City Council of the City of Kirkland as follows:

Section 1. Comprehensive Plan Text and Zoning Map Amended: The Comprehensive Plan, Ordinance 3481, as amended, and Zoning Map, Ordinance 3710, as amended, are hereby amended as set forth in Exhibit A attached hereto and by this reference incorporated herein as though fully set forth.

Section 2. If any section, subsection, sentence, clause, phrase, part or portion of this ordinance, including those parts adopted by reference, is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 3. To the extent that the subject matter of this ordinance is subject to the disapproval jurisdiction of the Houghton Community Council as created by Ordinance 2001, the ordinance shall become effective within the Houghton community either upon approval of the Houghton Community Council, or upon failure of said community council to disapprove this ordinance within 60 days of its passage.

Section 4. Except as provided in Section 3, this ordinance shall be in full force and effect five days from and after its passage by the City Council and publication pursuant to Kirkland Municipal Code 1.08.017, in the summary form attached to the original of this ordinance and by this reference approved by the City Council as required by law.

Section 5. A complete copy of this ordinance shall be certified by the City Clerk, who shall then forward the certified copy to the King County Department of Assessments.

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

SIGNED IN AUTHENTICATION THEREOF this _____ day of _____, 20___.

_____
Mayor

Attest:

_____
City Clerk

Approved as to Form:

_____
City Attorney

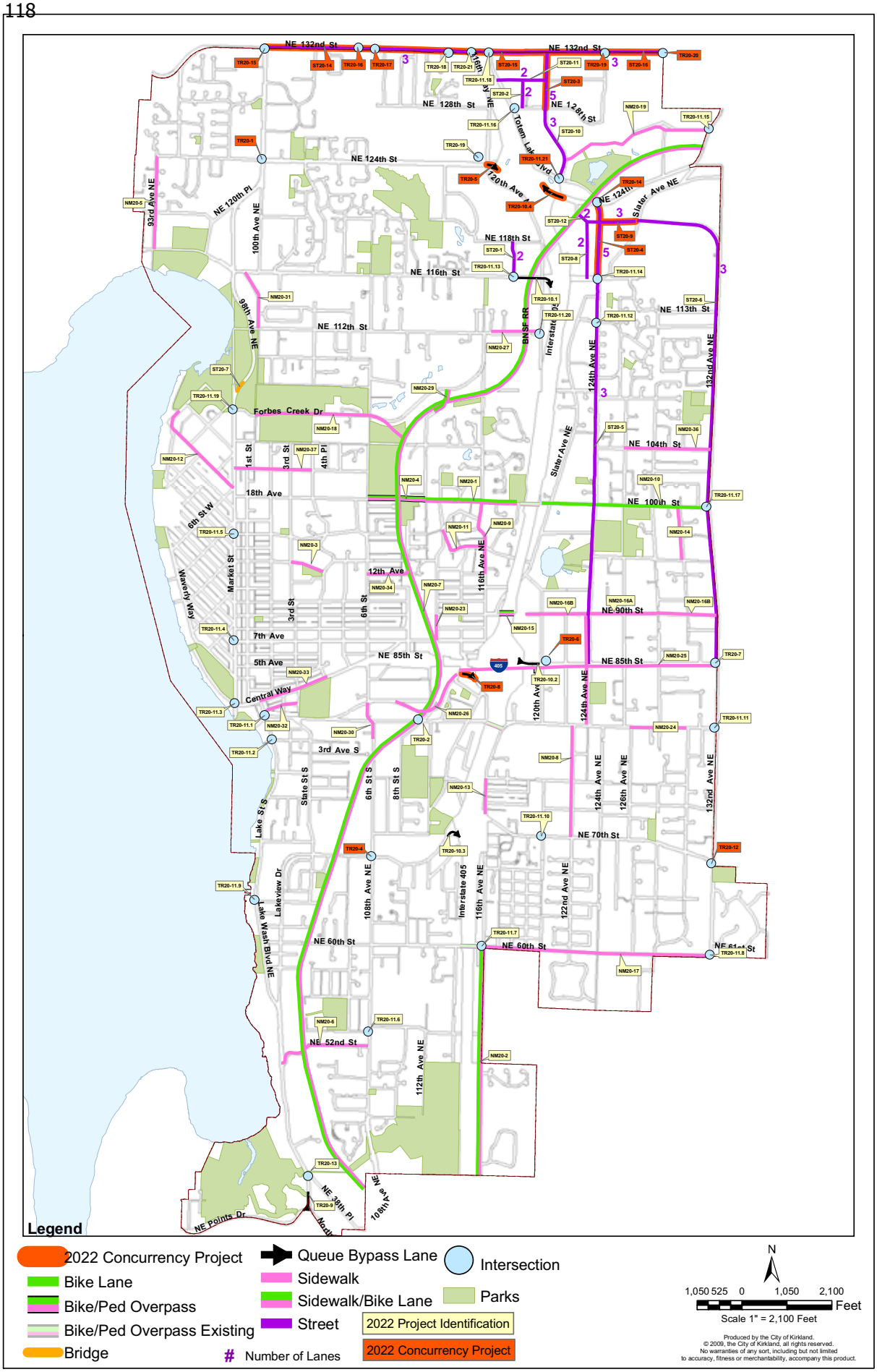


Figure T-6: Transportation Project List (Funded Unfunded)

Table CF - 8
Capital Facilities Plan: Transportation Projects

SOURCES OF FUNDS

Revenue Type	*Revenue Source*	*2009*	*2010*	*2011*	*2012*	*2013*	*2014*	*Six-Year Total*
Local	Surface Water Fees	963,600	149,850	455,830	1,486,950	1,055,700	1,129,600	5,241,530
Local	Real Estate Excise Tax	1,907,500	2,382,000	2,226,000	2,366,000	2,583,800	2,733,100	14,198,400
Local	Sales Tax	270,000	270,000	270,000	270,000	270,000	270,000	1,620,000
Local	Gas Tax	534,000	545,000	549,000	554,000	558,000	561,000	3,301,000
Local	Impact Fees	1,234,000	1,223,000	961,040	3,613,950	3,544,000	3,933,800	14,509,790
Local	Reserves	631,100	72,150		722,400			1,425,650
External	Sound Transit	60,000						60,000
External	Grants	710,000		616,030	1,914,300	1,669,800	1,853,500	6,763,630
Total Sources		6,310,200	4,642,000	5,077,900	10,927,600	9,681,300	10,481,000	47,120,000

USES OF FUNDS

Funded Projects

Project Number	*Project Title*	*2009*	*2010*	*2011*	*2012*	*2013*	*2014*	*Six-Year Total*
ST 0006	Annual Street Preservation Program	2,000,000	2,000,000	2,500,000	2,000,000	2,000,000	2,000,000	12,500,000
ST 0057*	NE 120th Street Roadway Extension (east section)	1,232,000		1,232,100	2,530,100			4,994,200
ST 0059*	124th Ave NE Roadway Improvements (north section)	224,000						224,000
ST 0080	Annual Striping Program	250,000	250,000	250,000	250,000	250,000	250,000	1,500,000
ST 8888	Annual Concurrency Street Improvements				2,272,000	2,522,000	2,799,400	7,593,400
ST 9999	Regional Inter-Agency Coordination	25,000	25,000	25,000	25,000	25,000	25,000	150,000
NM 0012	Crosswalk Upgrade Program	70,000		70,000		70,000		210,000
NM 0034*	NE 100th St at Spinney Homestead Park Sidewalk	56,000						56,000
NM 0044*	116th Avenue NE Sidewalk (Highlands)	568,000	333,000					901,000
NM 0051*	Rose Hill Business District Sidewalks	310,000	500,000					810,000
NM 0057	Annual Sidewalk Maintenance Program	200,000	200,000	200,000	200,000	200,000	200,000	1,200,000
NM 0060*	100th Ave NE/99 th Place NE Sidewalk	494,000						494,000
NM 0065	Central Way Ped Enhancements (Phase II-southside)					151,800	374,100	525,900
NM 0066*	12th Avenue Sidewalk		111,000	308,000	205,100			624,100
NM 8888	Annual Non-Motorized Program				1,100,000	1,100,000	1,100,000	3,300,000
TR 0078*	NE 85th St/132nd Ave NE Intersection Improv. (Phase I)	22,500	475,000					497,500
TR 0079*	NE 85th Street/114th Avenue NE Intersection Improv.	28,700	604,000					632,700
TR 0080*	NE 85th Street/124th Avenue NE Intersection Improv.	158,000	144,000					302,000
TR 0085*	NE 68th St/108th Ave NE Intersection Improvements	672,000						672,000
TR 0091*	NE 124th St/124th Ave NE Intersection (Phase III)			492,800	547,000	1,366,200	1,516,600	3,922,600
TR 8888*	Annual Concurrency Traffic Improvements				1,798,400	1,996,300	2,215,900	6,010,600
Total Funded Transportation Projects		6,310,200	4,642,000	5,077,900	10,927,600	9,681,300	10,481,000	47,120,000

SURPLUS (DEFICIT) of Resources		-	-	-	-	-	-	-

*These projects provide new capacity towards levels of service.

Table CF - 10A
Capital Facilities Plan: Utility Projects

SOURCES OF FUNDS

Revenue Type	*Revenue Source*	*2009*	*2010*	*2011*	*2012*	*2013*	*2014*	*Six-Year Total*
Local	Water and Sanitary Sewer Utility Rates	2,615,500	1,152,300	50,000	3,625,600	5,385,700	8,796,300	21,625,400
Local	Reserves	1,400,000		1,400,000		1,400,000		4,200,000
External	Public Works Trust Fund Loan							-
Local	Debt					3,150,000		3,150,000
External	Joint Facility Agreements Redmond/Bellevue	685,000	522,000					1,207,000
Total Sources		4,700,500	1,674,300	1,450,000	3,625,600	9,935,700	8,796,300	30,182,400

USES OF FUNDS

Funded Projects

Project Number	*Project Title*	*2009*	*2010*	*2011*	*2012*	*2013*	*2014*	*Six-Year Total*
WA 0090	Emergency Sewer Pgm Watermain Replacement Pgm	50,000		50,000		50,000		150,000
WA 0093	Vulnerability Analysis Facility Upgrades	297,900						297,900
WA 0094	North Reservoir Seismic Upgrades & Recoating	1,450,000	1,109,000					2,559,000
WA 0116*	132nd Av NE/NE 80th St Watermain Replacement				328,600	3,503,400		3,832,000
WA 0117	20th Avenue Watermain Replacement	200,000	335,100					535,100
WA 0141*	9th Avenue Watermain Replacement	200,000	230,200					430,200
WA 0142*	Third Street Watermain Upgrade	100,000						100,000
WA 8888	Annual Watermain Replacement Program						457,600	457,600
WA 9999	Annual Water Pump Station/System Upgrade Pgm						823,600	823,600
SS 0046*	Market Street Sewermain Replacement	652,600						652,600
SS 0056*	Emergency Sewer Construction Program	1,400,000		1,400,000		1,400,000		4,200,000
SS 0067	NE 80th Street Sewermain Replacement (Phase II)				1,230,200	1,992,900	4,515,300	7,738,400
SS 0074	Sewer System Telemetry Upgrades	150,000						150,000
SS 0075	Inflow And Infiltration Reduction Program	200,000						200,000
SS 0076	NE 80th Street Sewermain Replacement (Phase III)				1,230,200	1,992,900	1,654,600	4,877,700
SS 8888	Annual Sanitary Pipeline Replacement Program				492,100			492,100
SS 9999*	Annual Sanitary Pump Station/System Upgrade Pgm				344,500	996,500	1,345,200	2,686,200
Total Funded Utility Projects		4,700,500	1,674,300	1,450,000	3,625,600	9,935,700	8,796,300	30,182,400

SURPLUS (DEFICIT) of Resources		-	-	-	-	-	-	-

*These projects provide new capacity towards levels of service.

Table CF - 10B
Capital Facilities Plan: Surface Water Utility Projects

SOURCES OF FUNDS

Revenue Type	*Revenue Source*	*2009*	*2010*	*2011*	*2012*	*2013*	*2014*	*Six-Year Total*
Local	Surface Water Utility Rates	345,800	200,000	200,000	1,512,200	2,330,900	1,588,000	6,176,900
Total Sources		345,800	200,000	200,000	1,512,200	2,330,900	1,588,000	6,176,900

USES OF FUNDS

Funded Projects

Project Number	*Project Title*	*2009*	*2010*	*2011*	*2012*	*2013*	*2014*	*Six-Year Total*
SD 0047	Annual Replacement of Aging/Failing Infrastructure	200,000	200,000	200,000	200,000	200,000	200,000	1,200,000
SD 0051	Forbes Creek/KC Metro Access Road Culvert Enh.					733,700		733,700
SD 0053	Forbes Creek/Coors Pond Channel Grade Controls				101,000	570,700	184,200	855,900
SD 0058	Surface Water Sediment Pond Reclamation Phase II				115,400	603,200	114,200	832,800
SD 0065	Cochran Springs/Plaza at Yarrow Pt Flood Control	145,800						145,800
SD 0067	NE 129th Place/Juanita Creek Rockery Repair				115,500	223,300		338,800
SD 8888	Annual Streambank Stabilization Program				57,700		165,800	223,500
SD 9999*	Annual Storm Drain Replacement Program				922,600		923,800	1,846,400
Total Funded Surface Water Utility Projects		345,800	200,000	200,000	1,512,200	2,330,900	1,588,000	6,176,900

SURPLUS (DEFICIT) of Resources	-	-	-	-	-	-	-

*These projects provide new capacity towards levels of service.

Table CF - 11
Capital Facilities Plan: Parks Projects

SOURCES OF FUNDS

Revenue Type	*Revenue Source*	*2009*	*2010*	*2011*	*2012*	*2013*	*2014*	*Six-Year Total*
Local	Real Estate Excise Tax	1,350,000	1,102,500	1,157,600	1,215,500	1,276,300	1,321,000	7,422,900
Local	Park Impact Fees							-
Local	Reserves	100,000						100,000
Local	King County Property Tax Levy	118,000	118,000	118,000	118,000	118,000	118,000	708,000
External	Grant	450,000						450,000
Total Sources		2,018,000	1,220,500	1,275,600	1,333,500	1,394,300	1,439,000	8,680,900

USES OF FUNDS

Funded Projects

Project Number	*Project Title*	*2009*	*2010*	*2011*	*2012*	*2013*	*2014*	*Six-Year Total*
PK 0049*	Open Space and Pk Land Acq Grant Match Program	100,000						100,000
PK 0056*	Forbes Lake Park Development		877,500					877,500
PK 0066	Park Play Area Enhancements	100,000	100,000	50,000	100,000	100,000	50,000	500,000
PK 0078 600	A.G. Bell Elementary Playfields Improvements					200,000		200,000
PK 0078 800	International Comm. School Playfield Improvements				300,000			300,000
PK 0087	Waverly Beach Park Renovation		75,000	957,600				1,032,600
PK 0113	Spinney Homestead Park Renovation			50,000	690,500			740,500
PK 0115	Terrace Park Renovation					76,300	323,700	400,000
PK 0119	Juanita Beach Park Development	1,650,000				850,000	472,300	2,972,300
PK 0121	Green Kirkland Forest Restoration Program	50,000	50,000	50,000	50,000	50,000	50,000	300,000
PK 0124*	Snyder's Corner Park Site Development				75,000		425,000	500,000
PK 0125	Dock Renovations			50,000				50,000
PK 0131*	Park and Open Space Acquisition Program	118,000	118,000	118,000	118,000	118,000	118,000	708,000
Total Funded Parks Projects		2,018,000	1,220,500	1,275,600	1,333,500	1,394,300	1,439,000	8,680,900

SURPLUS (DEFICIT) of Resources		-	-	-	-	-	-	-

*These projects provide new capacity towards levels of service.

Table CF-13
Capital Facilities Plan: Fire and Building Department Projects

SOURCES OF FUNDS

Revenue Type	*Revenue Source*	*2009*	*2010*	*2011*	*2012*	*2013*	*2014*	*Six-Year Total*
Local	Interest Income	206,900	117,730	228,480	225,920	46,690	242,130	1,067,850
Local	Reserves							-
Local	Prior Year Project Savings	181,300						181,300
External	Fire District #41	59,100	41,370	43,520	34,580	16,410	85,070	280,050
Total Sources		447,300	159,100	272,000	260,500	63,100	327,200	1,529,200

USES OF FUNDS

Funded Projects

Project Number	*Project Title*	*2009*	*2010*	*2011*	*2012*	*2013*	*2014*	*Six-Year Total*
PS 0061	Mobile Data Computers Replacement	227,300						227,300
PS 0062	Defibrillator Unit Replacement			272,000				272,000
PS 0063	Breathing Air Fill Station Replacement		159,100					159,100
PS 0066	Thermal Imaging Cameras Replacement				133,000			133,000
PS 0067	Dive Rescue Equipment Replacement					63,100		63,100
PS 0068	Local Emergency/Public Communication AM Radio				127,500			127,500
PS 0070	Permanent Information Displays	220,000						220,000
PS 0071	Self Contained Breathing Apparatus (SCBA)						327,200	327,200
Total Funded Fire and Building Projects		447,300	159,100	272,000	260,500	63,100	327,200	1,529,200

SURPLUS (DEFICIT) of Resources	-	-	-	-	-	-	-

XIII. CAPITAL FACILITIES

TABLE CF-9
2022 Transportation Project List
(Funded - Unfunded)

Comp Plan ID Number	Project Description	Total Cost[1]	CIP Project Number	Funded in 6-yr CIP	Source Doc. [2]	Comp Plan Goal	2022 Concurrency Project
	Non-Motorized						
NM 20-1	Spinney Homestead/NE 100th Sidewalk, 111th Ave. NE to I-405	$ 0.3	NM 0034	✓	C, NM	T-2	
NM 20-2	116th Ave. NE Non-Motor Facilities (south), NE 60th St. to S. City Limits	$ 4.5	NM 0001	✓	C, NM	T-2	
NM 20-3	13th Ave. Sidewalk (Phase II)	$ 0.4	NM 0054	✓	C, NM	T-2	
NM 20-4	Crestwoods Park/BNSFRR Ped/Bike facility	$ 2.5	NM 0031		C, NM	T-2	
NM 20-5	93 Ave. NE Sidewalk, Juanita Dr. to NE 124th St.	$ 0.6	NM 0032		C, NM	T-2	
NM 20-6	NE 52nd St. Sidewalk	$ 1.1	NM 0007		C, NM	T-2	
NM 20-7	Cross Kirkland Trail	$ 6.1	NM 0024		C, NM	T-2, T-8	
NM 20-8	122nd Ave NE sidewalk	$ 2.7	NM 0055	✓	C, NM	T-2	
NM 20-10	NE 100th St. Bike lane, Slater Ave NE to 132nd Ave. NE	$ 1.6	NM 0036		C, NM	T-2	
NM 20-11	NE 95th St Sidewalk (Highlands)	$ 0.7	NM 0045		C, NM	T-2	
NM 20-12	18th Ave West Sidewalk	$ 2.3	NM 0046		C, NM	T-2	
NM 20-13	116th Ave NE Sidewalk (South Rose Hill))	$ 0.4	NM 0047		C, NM	T-2	
NM 20-14	130th Ave. NE Sidewalk	$ 0.8	NM 0037		C, NM	T-2	
NM 20-15	NE 90th St. Bicycle/Pedestrian Overpass Across I-405	$ 3.7	NM 0030		C, NM	T-2	
NM 20-16A	NE 90th St. Sidewalk (Phase I), 124th Ave. NE to 128th Ave. NE	$ 1.2	NM 0056		C, NM	T-2	
NM 20-16B	NE 90th St. Sidewalk (Phase II), 120th Ave NE. to 124th Ave NE & 128th Ave NE to 132nd Ave NE	$ 2.6	NM 0026		C, NM	T-2	
NM 20-17	NE 60th St Sidewalk	$ 5.0	NM 0048		C, NM	T-2	
NM 20-18	Forbes Valley Pedestrian Facility	$ 2.0	NM 0041		C, NM	T-2	
NM 20-19	NE 126th St Non-motorized facilities	$ 4.3	NM 0043		C,TL	T-2	
NM 20-20	Crosswalk Upgrades (various locations)	$ 0.2	NM 0012	✓	C, NM	T-2	
NM 20-21	Annual Pedestrian Improvements (various locations)	$ 32.3	various		NM	T-2	
NM 20-22	Annual Bicycle Improvements (various locations)	$ 2.3	various		NM	T-2	
NM 20-23	112th Ave NE Sidewalk	$ 0.5	NM 0049	✓	C, NM	T-2	
NM 20-24	NE 80th St Sidewalk	$ 0.9	NM 0050		C, NM	T-2	
NM 20-25	Rose Hill Business District Sidewalks	$ 4.3	NM 0051	✓	C, NM	T-2	
NM 20-26	Kirkland Way Sidewalk	$ 1.4	NM 0063		C, NM	T-2	
NM 20-27	NE 112th Street Sidewalk	$ 0.6	NM 0053		C, NM	T-2	
NM 20-28	Annual Sidewak Maintenance Program	$ 1.2	NM 0057	✓	C, NM	T-2	
NM 20-29	111th Ave non-motorized/emergency access connection	$ 1.5	NM 0058		Highlands	T-2	
NM 20-30	6th Street Sidewalk	$ 0.4	NM 0059	✓	C	T-2	
NM 20-31	100th Ave NE/NE 99th Place sidewalk	$ 0.7	NM 0060	✓	C	T-2	
NM 20-32	Park Place Pedestrian Corridor enhancements	$ 2.0	NM 0064	✓	C	T-2	
NM 20-33	Central Way Pedestrian enhancements (Phase II)	$ 0.5	NM 0065	✓	C	T-2	
NM 20-34	12th Avenue Sidewalk	$ 0.6	NM 0066		C	T-2	
NM 20-35	Annual Non-motorized program	$ 1.1	NM 8888		C	T-2	
NM 20-36	NE 104th Street Sidewalk	$ 1.8	NM 0061		C	T-2	
NM 20-37	19th Avenue Sidewalk	$ 0.8	NM 0062		C	T-2	
	SUBTOTAL (NON-MOTORIZED)	**$95.9**					
	Street						
ST 20-1	118th Ave. NE Road Extension, NE 116th to NE 118th St. (2 ln)	$ 6.4	ST 0060		C, TL	T-4	
ST 20-2	119th Ave. NE Road Extension, NE 128th St. to NE 130th St. (2 ln)	$ 5.6	ST 0061		C, TL	T-4	
ST 20-3	120th Ave. NE Road Improvement, NE 128th St. to NE 132 St. (5 ln)	$ 10.0	ST 0063	✓	C	T-1, T-4	✓
ST 20-4	124th Ave. NE Road Improvement, NE 116th St. to NE 124th St. (5 ln)	$ 6.0	ST 0059	✓	C	T-1, T-4	✓
ST 20-5	124th Ave. NE Road Improvement, NE 85th St. to NE 116th St. (3 ln)	$ 30.3	ST 0064		C	T-4	
ST 20-6	132nd Ave. NE Road Improvement, NE 85th St. to Slater Ave. NE (3 ln)	$ 25.2	ST 0056		C	T-4	
ST 20-7	98th Ave. NE Bridge Replacement at Forbes Creek (2 ln)	$ 9.7	ST 0055		C	T-4	
ST 20-8	120th Ave NE Road Extension, NE 116th St north to BNSFRR XING (2 ln)	$ 16.4	ST 0073		TL	T-4	
ST 20-9	NE 120th St. Road Extension (east), Slater Ave. NE to 124th Ave. NE (3 ln)	$ 6.4	ST 0057	✓	C	T-1, T-4	✓
ST 20-10	120th Ave. NE, Totem Lake Blvd. to NE 128th St. (3 ln)	$ 3.3	ST 0070		TL	T-4	
ST 20-11	NE 130th St. Road Extension, Totem Lake Blvd. to 120th Ave. NE (2 ln)	$ 10.0	ST 0062		C	T-4	
ST 20-12	NE 120th St. Road extension (west), 124th Ave NE to BNSFRR XING (2 ln)	$ 5.9	ST 0072		TL	T-4	
ST 20-13	Annual Street Preservation Program (various locations)	$ 39.0	ST 0006	✓	C	T-4	
ST 20-14	NE 132nd Street Improvements - Phase I (100th Ave to WSDOT interchange)	$ 1.3	ST 0077		C, 132	T-4	
ST 20-15	NE 132nd Street Improvements - Phase II (WSDOT interchange to 124th Ave)	$ 0.3	ST 0078		C, 132	T-4	
ST 20-16	NE 132nd Street Improvements - Phase III (124th Ave NE to 132nd Ave NE)	$ 1.1	ST 0079		C, 132	T-4	
	SUBTOTAL (STREETS)	**$ 176.9**					
	Traffic/Intersection						
TR 20-1	100th Ave NE/NE 124th St Intersection Improvements	$ 2.2	TR 0084		C	T-4	✓
TR 20-2	Kirkland Way/BNSFRR Abutment/Intersection Improvements	$ 6.9	TR 0067		C, NM	T-4, T-2	
TR 20-3	6th Street/Kirkland Way Traffic Signal	$ 0.7	TR 0065		C	T-4	
TR 20-4	NE 68th St/108th Ave NE Intersection Improvements	$ 1.4	TR 0085	✓	C	T-4	✓
TR 20-5	NE 124th St./I-405 queue By-pass @ I-405, EB to SB	$ 1.7	TR 0057		C	T-1, T-4, T-5	✓

Prepared June 2009

(1) '09 COSTS; funded projects are indexed for inflation (2) C=CIP, NM=Non-Cap list, TL = Totem Lake, P20=20 year list, 132=NE 132nd St Masterplan (2008)

XIII. CAPITAL FACILITIES

TABLE CF-9
2022 Transportation Project List
(Funded - Unfunded)

Comp Plan ID Number	Project Description	Total Cost[1]	CIP Project Number	Funded in 6-yr CIP	Source Doc. [2]	Comp Plan Goal	2022 Concurrency Project
TR 20-6	NE 85th St/120th Ave NE Intersction Improvements	$ 1.8	TR 0088	✓	C	BKR, T-1, T-4	✓
TR 20-7	NE 85th St/132nd Ave NE Intersection Improvements	$ 1.8	TR 0089		C	BKR, T-1, T-4	
TR 20-8	NE 85th St. HOV/I-405 queue By-pass @ I-405, EB to SB	$ 0.8	TR 0056		C	T-1, T-4, T-5	✓
TR 20-9	Lk. Wash Blvd. /Northup Way queue by-pass southbound to westbound	$ 6.6	TR 0068		C	T-4	
TR 20-10.1	NE 116th St./ I-405 queue by-pass EB to SB	$ 7.3	TR 0072		C	T-1, T-4, T-5	
TR 20-10.2	NE 85th St./ I-405 queue by-pass WB to NB	$ 1.8	TR 0074		C	T-1, T-4, T-5	
TR 20-10.3	NE 70th St./ I-405 queue by-pass EB to SB	$ 1.7	TR 0073		C	T-1, T-4, T-5	
TR 20-10.4	NE 124th St. / I-405 queue by-pass WB to NB	$ 1.3	TR 0075		C	T-1, T-4, T-5	✓
TR 20-11.1	Kirkland Avenue/Lake Street. S	$ 0.6			P20	T-4	
TR 20-11.2	Lake Street S./2nd Avenue S	$ 0.6			P20	T-4	
TR 20-11.3	Market Street/Central Way	$ 0.6			P20	T-4	
TR 20-11.4	Market Street/7th Avenue NE	$ 0.6			P20	T-4	
TR 20-11.5	Market Street/15th Avenue	$ 0.6			P20	T-4	
TR 20-11.6	NE 53rd Street/108th Avenue NE	$ 0.6			P20	T-4	
TR 20-11.7	NE 60th Street/116th Avenue NE	$ 0.6			P20	T-4	
TR 20-11.8	NE 60th Street/132nd Avenue NE	$ 0.6			P20	T-4	
TR 20-11.9	NE 64th Street/Lake Washington Blvd.	$ 0.6			P20	T-4	
TR 20-11.10	NE 70th Street/120th Avenue or 122nd Avenue NE	$ 0.6			P20	T-4	
TR 20-11.11	NE 80th Street/132nd Avenue NE	$ 0.6			P20	T-4	
TR 20-11.12	NE 112th Street/124th Avenue NE	$ 0.6			P20	T-4	
TR 20-11.13	NE 116th Street/118th Street NE	$ 0.6			P20	T-4	
TR20-11.14	NE 116th Street/124th Avenue NE northbound dual left-turns	$ 1.7	TR 0092		C	BKR	
TR 20-11.15	NE 126th Street/132nd Place NE	$ 0.6			P20	T-4	
TR 20-11.16	NE 128th Street/ Totem Lake Boulevard	$ 0.6			P20	T-4	
TR 20-11.17	NE 100th Street/132nd Ave NE	$ 0.4			P20	T-4	
TR 20-11.18	NE 132nd Street/Totem Lake Boulevard	$ 0.4			P20	T-4	
TR 20-11.19	Market Street and Forbes Creek Drive	$ 0.4			P20	T-4	
TR 20-11.20	NE 112th Street/120th Ave NE	$ 0.6			P20	T-4	
TR 20-11.21	Totem Lake Boulevard/120th Ave NE	$ 2.6	TR0099		P20	T-4	✓
TR 20-12	NE 70th St/132nd Ave NE Intersection Improvements	$ 2.2	TR 0086	✓	C	BKR, T-1, T-4	✓
TR 20-13	Lake Washington Blvd/NE 38th PL Intersection Improvements	$ 3.1	TR 0090		C	BKR, T-1, T-4	
TR 20-14	NE 124th Street/124th Ave NE Intersection Improvements (Phase II)	$ 4.2	TR 0091	✓	C	BKR	✓
TR 20-15	NE 132nd St/100th Ave NE Intersection Improvements	$ 3.0	TR 0083	✓	C	BKR, T-1, T-4	✓
TR 20-16	NE 132nd St/Juanita H.S. Access Improvements	$ 0.9	TR 0093		C, 132	T-4	✓
TR 20-17	NE 132nd St/108th Ave NE Intersection Improvements	$ 0.6	TR 0094		C, 132	T-4	✓
TR 20-18	NE 132nd St/Fire Station #27 Access Improvements	$ 0.4	TR 0095		C, 132	T-4	
TR 20-19	NE 132nd St/124th Ave NE Intersection Improvements	$ 5.7	TR 0096		C, 132	T-4	✓
TR 20-20	NE 132nd St/132nd Ave NE Intersection Improvements	$ 0.9	TR 0097		C, 132	T-4	✓
TR 20-21	NE 132nd St/116th Way NE Intersection Improvements	$ 0.3	TR 0098		C, 132	T-4	
	SUBTOTAL (TRAFFIC/INTERSECTIONS)	**$ 72.4**					
	2022 TRANSPORTATION PROJECT LIST TOTAL ---->	**$ 345.2**					

Prepared June 2009

(1) '09 COSTS; funded projects are indexed for inflation (2) C=CIP, NM=Non-Cap list, TL = Totem Lake, P20=20 year list, 132=NE 132nd St Masterplan (2008)

TABLE CF-10
2022 Concurrency Transportation Project List

Comp Plan ID Number	Project Description	Remaining Cost[1]	CIP Project Number	Funded in 6-yr CIP	Source Doc. [2]	Comp Plan Goal	2022 Concurrency Project
ST 20-3	120th Ave. NE Road Improvement, NE 128th St. to NE 132 St. (5 ln)	$ 8.8	ST 0063	✓	C	T-1, T-4	✓
ST 20-4	124th Ave. NE Road Improvement, NE 116th St. to NE 124th St. (5 ln)	$ 4.3	ST 0059	✓	C	T-1, T-4	✓
ST 20-9	NE 120th St. Road Extension (east), Slater Ave. NE to 124th Ave. NE (3 ln)	$ 5.8	ST 0057	✓	C, E	T-1, T-4	✓
TR 20-4	NE 68th St/108th Ave NE Intersection Improvements	$ 0.8	TR 0085	✓	II	T-4	✓
TR 20-5	NE 124th St./I-405 queue By-pass @ I-405, EB to SB	$ 1.7	TR 0057		C	T-1, T-4, T-5	✓
TR 20-6	NE 85th St/120th Ave NE Intersction Improvements	$ 1.8	TR 0088	✓	C	BKR, T-1, T-4	✓
TR 20-8	NE 85th St. HOV/I-405 queue By-pass @ I-405, EB to SB	$ 0.8	TR 0056		C	T-1, T-4, T-5	✓
TR 20-12	NE 70th St/132nd Ave NE Intersection Improvements	$ 2.2	TR 0086	✓	C	BKR, T-1, T-4	✓
TR 20-14	NE 124th Street/124th Ave NE Intersection Improvements (Phase II)	$ 4.2	TR 0091	✓	C	T-1, T-4, T-6	✓
TR 20-15	NE 132nd St/100th Ave NE Intersection Improvements	$ 3.0	TR 0083	✓	C	BKR, T-1, T-4	✓
TR 20-16	100th Ave NE/NE 124th St Intersection Improvements	$ 2.2	TR 0084		C	T-4	✓
TR 20-10.4	NE 124th St. / I-405 queue by-pass WB to NB	$ 1.3	TR 0075		C	T-1, T-4, T-5	✓
TR 20-16	NE 132nd St/Juanita H.S. Access Improvements	$ 0.9	TR 0093		C, 132	T-4	✓
TR 20-17	NE 132nd St/108th Ave NE Intersection Improvements	$ 0.6	TR 0094		C, 132	T-4	✓
TR 20-19	NE 132nd St/124th Ave NE Intersection Improvements	$ 5.7	TR 0096		C, 132	T-4	✓
TR 20-20	NE 132nd St/132nd Ave NE Intersection Improvements	$ 0.9	TR 0097		C, 132	T-4	✓
TR 20-11.21	Totem Lake Boulevard/120th Ave NE	$ 2.6	TR 0099		P20	T-4	✓

2022 CONCURRENCY PROJECT LIST TOTAL ('09 COSTS w/o INFLATION) —> $ 47.6

Years to attain 2022 network: 2009 —> 2022 = 14years

AVERAGE ANNUAL CONCURRENCY PROJECT EXPENDITURES —> 3.40

Note (1): Remaining costs with 2009 as "base year"

(1) '06 est;PROJECTS ARE NOT INDEXED FOR INFLATION (2) C=CIP, NM=Non-Cap list, TL= Totem Lake, P20= 20 yr list

Table T-5
Project Descriptions for the 2022 Transportation Project List (Funded – Unfunded)

Non-motorized Improvements ***(2009 update)***

NM20-1 Sidewalk

Location: NE 100th Street from 116th Avenue NE to approximately 114th Avenue NE

Description: Installation of curb, gutter, sidewalk and storm drainage along the north side. Partially funded CIP project NM 0034; schedule for completion is dependent on grant funding.

NM20-2 Non-motorized Facilities

Location: 116th Avenue NE (south section) (NE 60th Street to south City limits)

Description: Widen road to provide a paved five-foot bicycle lane north and southbound. Install pedestrian/equestrian trail along the east side of road. This trail will be separated from the roadway where possible. Partially funded CIP project NM 0001; schedule completion is dependent on grant funding.

NM20-3 Sidewalk

Location: 13th Avenue, Van Aalst Park to 3rd Street

Description: Install sidewalk and planter strip along the south side of 13th Avenue. Funded CIP project NM 0054, included as a part of annual non-motorized program NM 8888 scheduled for completion by 2014.

NM20-4 Pedestrian/Bicycle Facility

Location: 18th Avenue at Crestwoods Park/NE 100th Street, from 6th Street to 111th Avenue NE across BNR right-of-way

Description: Installation of paved path and overpass along the described corridor. Unfunded CIP project NM 0031.

NM20-5 Sidewalk

Location: 93rd Avenue NE from Juanita Drive to NE 124th Street

Description: Installation of curb, gutter, sidewalk and planter strip along the east side. Unfunded CIP project NM 0032, included as a part of annual non-motorized program NM 8888 scheduled for completion by 2014.

NM20-6 Sidewalk

Location: NE 52nd Street between approximately Lake Washington Boulevard and 108th Avenue NE

Description: Install curb, gutter and sidewalk along the north side of the street. Improve storm drainage along project alignment. Unfunded CIP project NM 0007.

NM20-7 Non-motorized Facilities

Location: Burlington Northern Santa Fe Railroad right-of-way, between south and north City limits (AKA "Cross Kirkland Trail")

Description: 10- to 12-foot-wide two-way bike/pedestrian multi-purpose asphalt trail. Unfunded CIP project NM 0024.

NM20-8 Sidewalk

Location: 122nd Avenue NE, between NE 70th Street and NE 80th Street

Description: Install curb, gutter and sidewalk along the east side between NE 70th Street and NE 75th Street, and along the west side between NE 75th Street and NE 80th Street. Funded CIP project NM 0055; included as a part of annual non-motorized program NM 8888 scheduled for completion by 2014.

NM20-9 Sidewalk

Location: 116th Avenue NE from NE 94th Street to NE 100th Street

Description: Install curb, gutter, sidewalk and storm drain along east side. Funded CIP project NM 0044, scheduled for completion in 2010.

NM20-10 Bike Lane

Location: NE 100th Street, Slater Avenue NE to 132nd Avenue NE

Description: Provide markings, minor widening and other improvements to create a bicycle connection from the 100th Street overpass to 132nd Avenue NE. Funded CIP project NM 0036, included as a part of annual non-motorized program NM 8888 scheduled for completion by 2014.

NM20-11 Sidewalk

Location: NE 95th Street from 112th Avenue NE to 116th Avenue NE

Description: Install curb, gutter, sidewalk and storm drain along north side. Unfunded CIP project NM 0045.

NM20-12 Sidewalk

Location: 18th Avenue West from Market Street to Rose Point Lane

Description: Install curb, gutter, sidewalk and storm drain along roadway. Funded CIP project NM 0046, included as a part of annual non-motorized program NM 8888 scheduled for completion by 2014.

NM20-13 Sidewalk

Location: 116th Avenue NE from NE 70th Street to NE 75th Street

Description: Installation of curb, gutter, sidewalk and storm drainage along east side of roadway. Unfunded CIP project NM 0047.

NM20-14 Sidewalk

Location: 130th Avenue NE, NE 95th Street to NE 100th Street

Description: Installation of curb, gutter, sidewalk and storm drainage along west side of roadway. Unfunded CIP project NM 0037.

NM20-15 Pedestrian/Bicycle Bridge

Location: NE 90th Street, 116th Avenue NE to Slater Avenue; across I-405

Description: Pedestrian/bicycle bridge approximately 10 feet wide, with approaches on each end. Unfunded CIP project NM 0030.

NM20-16A Sidewalk

Location: NE 90th Street, 124th Avenue NE to 128th Avenue NE (Phase I)

Description: Installation of curb, gutter and sidewalk along the north side. Unfunded CIP project NM 0056.

NM20-16B Sidewalk

Location: NE 90th Street, 120th Avenue NE to 124th Avenue NE, and 128th Avenue NE to 132nd Avenue NE (Phase II)

Description: Installation of curb, gutter and sidewalk along the north side. Unfunded CIP project NM 0026.

NM20-17 Pathway/Sidewalk

Location: NE 60th Street from 116th Avenue NE to 132nd Avenue NE

Description: Half-street improvements along the north side to include pathway/sidewalk, curb and gutter (where appropriate), storm drainage/conveyance (natural and/or piped) and minor widening; accommodations for equestrians will be reviewed during the design. Unfunded CIP project NM 0048.

NM20-18 Pedestrian Facility

Location: Forbes Creek Drive from Crestwoods Park to Juanita Bay Park

Description: Installation of curb, gutter and sidewalk along the north side of Forbes Creek Drive from approximately 108th Avenue NE to approximately Market Street. Unfunded CIP project NM 0041.

NM20-19 Pedestrian/Bicycle Facility

Location: NE 126th Street/Totem Lake Way from 120th Avenue NE to 132nd Place NE

Description: Installation of paved multi-purpose path and storm drainage along corridor. Funded CIP project NM 0043, included as a part of annual non-motorized program NM 8888 scheduled for completion by 2014.

NM20-20 Crosswalk Upgrades

Location: Various locations throughout City

Description: Pedestrian crossing improvements. Projects are combined and funded every two years under CIP project NM 0012.

NM20-21 Annual Pedestrian Improvements

Location: Various locations throughout City

Description: Continue to prioritize and install pedestrian improvements to meet the adopted level of service.

NM20-22 Annual Bicycle Improvements

Location: Various locations throughout the City

Description: Continue to prioritize and install bicycle improvements to meet the adopted level of service.

NM20-23 Sidewalk

Location: 112th Avenue NE from NE 87th Street to NE 90th Street

Description: Installation of curb, gutter, sidewalk and storm drain along west side of roadway. Funded CIP project NM 0049, included as a part of annual non-motorized program NM 8888 scheduled for completion by 2014.

NM20-24 Sidewalk

Location: NE 80th Street from 126th Avenue NE to 130th Avenue NE

Description: Installation of curb, gutter, sidewalk and storm drain along south side of roadway. Funded CIP project NM 0050, included as a part of annual non-motorized program NM 8888 scheduled for completion by 2014.

NM20-25 Sidewalk

Location: NE 85th Street from I-405 to 132nd Avenue NE and along 124th Avenue NE from NE 80th Street to NE 90th Street (AKA Rose Hill Business District Sidewalks)

Description: Install sidewalk, planter strip, storm drainage and other improvements to enhance Sound Transit bus route 540 ridership. Funded CIP project NM 0051, scheduled for completion in 2011.

NM20-26 Sidewalk

Location: Kirkland Way from 8th Street to Ohde Avenue

Description: Installation of curb, gutter, sidewalk and storm drain along the roadway. Unfunded CIP project NM 0063.

NM20-27 Sidewalk

Location: NE 112th Street from 117th Place NE to the Burlington Northern Santa Fe Railroad crossing

Description: Installation of curb, gutter, sidewalk and storm drain along north side of roadway. Funded CIP project NM 0053, included as a part of annual non-motorized program NM 8888 scheduled for completion by 2014.

NM20-28 Annual Sidewalk Maintenance Program

Location: Citywide

Description: Repair and replacement of existing sidewalks to provide safe pedestrian travel ways and to maintain the value of the sidewalk infrastructure. Funded CIP project NM 0057.

NM20-29 Nonmotorized/Emergency Access Connection

Location: 111th Avenue from Burlington Northern Santa Fe Railroad north to Forbes Creek Drive

Description: Install paved nonmotorized facility with retractable bollards and/or emergency vehicle actuated gate(s) to prevent through traffic. Identified in the Highlands Neighborhood Plan; unfunded CIP project NM 0058.

NM20-30 Sidewalk

Location: 6th Street from 1st Avenue South to Kirkland Way

Description: Installation of curb, gutter, sidewalk and storm drain along east side of roadway. Funded CIP project NM 0059, included as a part of annual non-motorized program NM 8888 scheduled for completion by 2014.

NM20-31 Sidewalk

Location: 100th Avenue NE/99th Place NE from NE 112th Street to NE 116th Street

Description: Installation of curb, gutter, sidewalk and storm drain along east side of roadway. Funded CIP project NM 0060; scheduled for completion in 2009.

NM20-32 Pedestrian Enhancements

Location: Park Lane from Lake Street to Peter Kirk Park

Description: Repair and replacement of aged and broken sidewalks, curb, gutter and storm drain along this heavily used downtown pedestrian corridor. Existing trees will be reviewed with the objective of improving the overall tree canopy; low impact development standards will be incorporated into the project. Unfunded CIP project NM 0064.

NM20-33 Pedestrian Enhancements

Location: Central Way at Lake Street, Main Street, and 4th Street

Description: Based on the results of the ongoing Central Way pilot program that is monitoring the overall traffic impact of temporary parking along the south curb lane of Central Way, this project will formalize crossings with such treatments as "bulb-outs," storm drainage, lighting and permanent parking configurations. Unfunded CIP project NM 0065.

NM 20-34 Sidewalk

Location: 12th Avenue from 6th Street to the BNSF Railroad adjacent to the east entrance to Peter Kirk Elementary School

Description: Install curb, gutter, sidewalk and storm drainage along north side of roadway. Partial funding by TIB Safe School Walking grant. Funded CIP project NM 0066.

NM 20-35 Annual Sidewalk and/or Bike Lanes

Location: City wide

Description: Install up to various funding levels in 2012, 2013, 2014 any number of funded or unfunded CIP projects based on the active transportation plan criteria. Funded CIP project NM 8888.

NM 20-36 Sidewalk

Location: NE 104th Street between 126th Avenue NE and 132nd Avenue NE

Description: Install curb, gutter, sidewalk and storm drainage along roadway to improve existing Mark Twain Elementary School walk route. Unfunded CIP project NM 0061.

NM 20-37 Sidewalk

Location: 19th Avenue from Market Street to 4th Street

Description: Install curb, gutter, sidewalk and storm drainage along south side of road to improve existing walk route to Kirkland Jr. High School. Unfunded CIP project NM 0062.

Street Improvements

ST20-1 New Street

Location: 118th Avenue NE, NE 116th Street to NE 118th Street

Description: Extend two-lane roadway, including sidewalk facilities, storm drainage and landscaping. Unfunded CIP project ST 0060.

ST20-2 New Street

Location: 119th Avenue NE, NE 128th Street to NE 130th Street

Description: Extend two-lane roadway, including sidewalk facilities, storm drainage and landscaping. Unfunded CIP project ST 0061.

ST20-3 Street Widening

Location: 120th Avenue NE, NE 128th Street to NE 132nd Street

Description: Reconstruct from the existing three-lane section to five lanes with sidewalks. Funded CIP project ST 0063, included as a part of the annual concurrency street improvements ST 8888 scheduled for completion by 2014.

ST20-4 Street Widening

Location: 124th Avenue NE, NE 116th Street to NE 124th Street

Description: Widen to five lanes, from existing three lanes with sidewalks. Partially funded CIP project ST 0059; design began in 2007 however completion is dependent upon grant funding.

ST20-5 Street Widening

Location: 124th Avenue NE, NE 85th Street to NE 116th Street

Description: Widen to three lanes, construct bicycle lanes, curb and gutter, sidewalk, storm drainage and landscaping. Unfunded CIP project ST 0064.

ST20-6 Street Widening

Location: 132nd Avenue NE/NE 120th Street

Description: Widen to three lanes with bike lanes, sidewalks, curb and gutter, landscaping and storm drainage improvements. Unfunded CIP project ST 0056.

ST20-7 Bridge Replacement

Location: 98th Avenue NE at Forbes Creek

Description: Reconstruct bridge across Forbes Creek from Market Street into Juanita area in order to meet current seismic requirements. Unfunded CIP project ST 0055.

ST20-8 New Street

Location: 120th Avenue NE from NE 116th Street to Burlington Northern Santa Fe Railroad crossing

Description: Construct 2/3 lanes as needed with pedestrian/bicycle facilities. Unfunded CIP project ST 0073.

ST20-9 New Street

Location: NE 120th Street (east section), from Slater Avenue NE to 124th Avenue NE

Description: Construct 2/3 lanes as needed with pedestrian/bicycle facilities. Funded CIP project ST 0057, design began in 2006 and completion is dependent upon grant funding.

ST20-10 Street Improvements

Location: 120th Avenue NE, from Totem Lake Boulevard to NE 128th Street and Totem Lake Plaza

Description: Install various traffic calming measures, on-street parking, pedestrian and landscape improvements. Unfunded CIP ST 0070.

ST20-11 New Street

Location: NE 130th Street, Totem Lake Boulevard to 120th Avenue NE

Description: Extend two-lane roadway including nonmotorized facilities, storm drainage and landscaping. Unfunded CIP project ST 0062.

ST20-12 New Street

Location: NE 120th Street (west section) from 124th Avenue NE to Burlington Northern Santa Fe Railroad crossing

Description: Construct 2/3 lanes as needed with pedestrian/bicycle facilities. Unfunded CIP project ST 0072.

ST20-13 Annual Street Preservation Program

Location: Various sites throughout the City based on Pavement Management Program

Description: Patch and overlay existing streets to provide safe travel ways and maintain the value of the street infrastructure. Funded CIP project ST 0006.

ST20-14 Street Widening

Location: NE 132nd Street from 100th Avenue NE to the WSDOT interchange

Description: Addition of landscape and median islands, repair of curb, gutter and sidewalk. Repaving and restriping to accommodate bike lanes. Configuration as outlined in the 2008 NE 132nd Street master plan. Unfunded CIP project ST 0077.

ST20-15 Street Widening

Location: NE 132nd Street from WSDOT Interchange to 124th Avenue NE

Description: Addition of landscape and median islands, repair of curb, gutter and sidewalk. Repaving and restriping to accommodate bike lanes. Configuration as outlined in the 2008 NE 132nd Street master plan. Unfunded CIP project ST 0078.

ST20-16 Street Widening

Location: NE 132nd Street from 124th Avenue NE to 132nd Avenue NE

Description: Addition of landscape and median islands, repair of curb, gutter and sidewalk. Repaving and restriping to accommodate bike lanes. Configuration as outlined in the 2008 NE 132nd Street master plan. Unfunded CIP project ST0079.

<u>Intersection Improvements</u>

TR20-1 Traffic Signal

Location: 100th Avenue NE/NE 124th Street

Description: Construct a northbound receiving lane on the north leg of the intersection and conversion of existing northbound right-turn lane to a through/right-turn configuration. Unfunded CIP project TR 0084.

TR20-2 Intersection Improvements

Location: Kirkland Way Underpass at Burlington Northern Santa Fe Railroad crossing

Description: New railroad undercrossing along Kirkland Way, installation of sidewalks and bike lanes in immediate vicinity, improve clearance between roadway surface and overpass, and improve sight distance. Unfunded CIP project TR 0067.

TR20-3 Traffic Signal

Location: 6th Street/Kirkland Way

Description: Construct a new signal at this intersection. The project will include controlled pedestrian crosswalks. Unfunded CIP project TR 0065.

TR20-4 Intersection Improvements

Location: NE 68th Street/108th Avenue NE

Description: Install westbound to northbound right-turn lane and other improvements identified as a part of Sound Transit's Route 540 improvements. Funded CIP project TR 0085, design began in 2009 and anticipate completion in 2010.

TR20-5 HOV Queue Bypass

Location: NE 124th Street and I-405, east to southbound

Description: Construct an additional lane and signal improvements to allow connection from NE 124th Street to the HOV lane on the southbound freeway access ramp. Unfunded CIP project TR 0057.

TR20-6 Intersection Improvements

Location: NE 85th Street/120th Avenue NE

Description: Project will add one northbound right-turn lane and one new westbound and one new eastbound travel lane on NE 85th Street. Funded CIP project TR 0088, included as a part of the annual concurrency traffic improvements TR 8888 scheduled for completion by 2014.

TR20-7 Intersection Improvements

Location: NE 85th Street/132nd Avenue NE

Description: Project will add one new westbound and one new eastbound travel lane on NE 85th Street. Unfunded CIP project TR 0089.

TR20-8 HOV Queue Bypass

Location: NE 85th Street and I-405, east to southbound

Description: Construct an additional lane and signal improvements to allow connection from NE 85th Street to the HOV lane on the southbound freeway access ramp. Unfunded CIP project TR 0056.

TR20-9 HOV Queue Bypass

Location: Lake Washington Boulevard at Northup Way

Description: Add southbound Lake Washington Boulevard queue bypass lane from Cochran Springs to westbound SR 520. Unfunded CIP project TR 0068.

TR20-10 Queue Bypass and HOV Facilities

Location: Various as identified

Description: Intersection improvements or HOV lanes that are not included in other projects as follows:

1. NE 116th Street/I-405 queue bypass eastbound to southbound (unfunded CIP project TR 0072)
2. NE 85th Street/I-405 queue bypass westbound to northbound (unfunded CIP project TR 0074)
3. NE 70th Street/I-405 queue bypass eastbound to southbound (unfunded CIP project TR 0073)
4. NE 124th Street/I-405 westbound to northbound (unfunded CIP project TR 0075)

TR20-11 Intersection Improvements

Location: Various as identified

Description: New signals or signal improvements that are not included in other projects are as follows:

1. Kirkland Avenue/Lake Street South
2. Lake Street South/2nd Avenue South
3. Market Street/Central Way
4. Market Street/7th Avenue NE
5. Market Street/15th Avenue NE

6. NE 53rd Street/108th Avenue NE
7. NE 60th Street/116th Avenue NE
8. NE 60th Street/132nd Avenue NE
9. NE 64th Street/Lake Washington Boulevard
10. NE 70th Street/120th Avenue NE or 122nd Avenue NE
11. NE 80th Street/132nd Avenue NE
12. NE 112th Street/124th Avenue NE
13. NE 116th Street/118th Avenue NE
14. NE 116th Street/124th Avenue NE (northbound dual left turn)
15. NE 126th Street/132nd Place NE
16. NE 128th Street/Totem Lake Boulevard
17. NE 100th Street/132nd Avenue NE
18. NE 132nd Street/Totem Lake Boulevard
19. Market Street/Forbes Creek Drive
20. NE 112th Street/120th Avenue NE
21. Totem Lake Boulevard/120th Avenue NE

TR20-12 Intersection Improvements

Location: NE 70th Street/132nd Avenue NE

Description: Install westbound and northbound right-turn lanes. Funded CIP project TR 0086, included as a part of the annual concurrency traffic improvements TR 8888 scheduled for completion by 2014.

TR20-13 Intersection Improvements

Location: Lake Washington Boulevard at NE 38th Place

Description: Add one northbound travel lane on Lake Washington Boulevard through this intersection. Unfunded CIP project TR 0090.

TR20-14 Traffic Signal

Location: 124th Avenue NE at NE 124th Street

Description: Install traffic signal improvements and new railroad crossing on the north leg of this intersection. Funded CIP project TR 0091; project is anticipated to start in 2012.

TR20-15 Intersection Improvements

Location: 100th Avenue NE/NE 132nd Street

Description: Construct a northbound receiving lane on the north leg of the intersection and conversion of existing northbound right-turn lane to a through/right-turn configuration. Construct a second southbound left-turn lane. Funded CIP project TR 0083, included as a part of the annual concurrency traffic improvements TR 8888 scheduled for completion by 2014.

Table IS-1
Implementation Tasks

TASK	PRIORITY
CF.2. Annually update the Capital Facilities Element to reflect capacity of facilities, land use changes, level of service standards, and financing capability. CF.3. Annually update the Capital Facilities Element consistent with the Capital Improvement Program. CF.4. Periodically update impact fees to reflect increases in road and park construction costs.	
NEIGHBORHOOD PLANS Ongoing NP.1. Regularly review neighborhood plans and amend as appropriate. NP.2. Incorporate the following capital project elements into the CIP and CFP processes and/or the neighborhood connection and neighborhood grant program: Highlands Neighborhood Emergency Access Bridge to Forbes Creek Drive Highlands Park facility improvement Non Motorized street enhancements to 116th Avenue Ne and NE 87th Street Cedar View Park play structure Market Neighborhood Neighborhood park development in north sector View stations at 4th and 5th Street West Improved Market Street access	*

Market Street Corridor

Pedestrian and bicycle facilities

Norkirk Neighborhood

Non motorized street enhancements to:

7th Avenue

19th Avenue

20th Avenue

6th Street

4th Street

Moss Bay Neighborhood

Lakeshore Plaza at Marina Park

Park walk promenade along east/west pedestrian spine

Public parking on public sites and /or in conjunction with private development

NE 85th Subarea

Sidewalks on north-south streets connecting to NE 85th Street

Traffic signal at 126th Avenue NE/NE 85th Street

Bike connection between Slater and NE 80th Street

Neighborhood park acquisition in south part of subarea or South Rose Hill

North Rose Hill Neighborhood

Non motorized enhancements:

Between bus stops and residential development

Along school routes

Connecting activity areas such as parks and Boys & Girls Club, and Lake Washington Technical College.

Between Redmond regional trail and I-405 pedestrian overpasses Between Lake WA Technical College and residential development to the west and south Along Seattle City Light Transmission Line Easement Non motorized arterial street enhancements: NE 116th Street, west of 124th Avenue NE Slater Avenue, south of NE 116th Street Sensitive areas property acquisition, restoration, or education Totem Lake Neighborhood Totem Lake Circulator 118th Avenue NE roadway extension 123rd Avenue NE roadway creation NE 120th Street extension	
OTHER Evaluate the cost/benefit, capital facilities and service implications of annexation.	

Public Services

Introduction

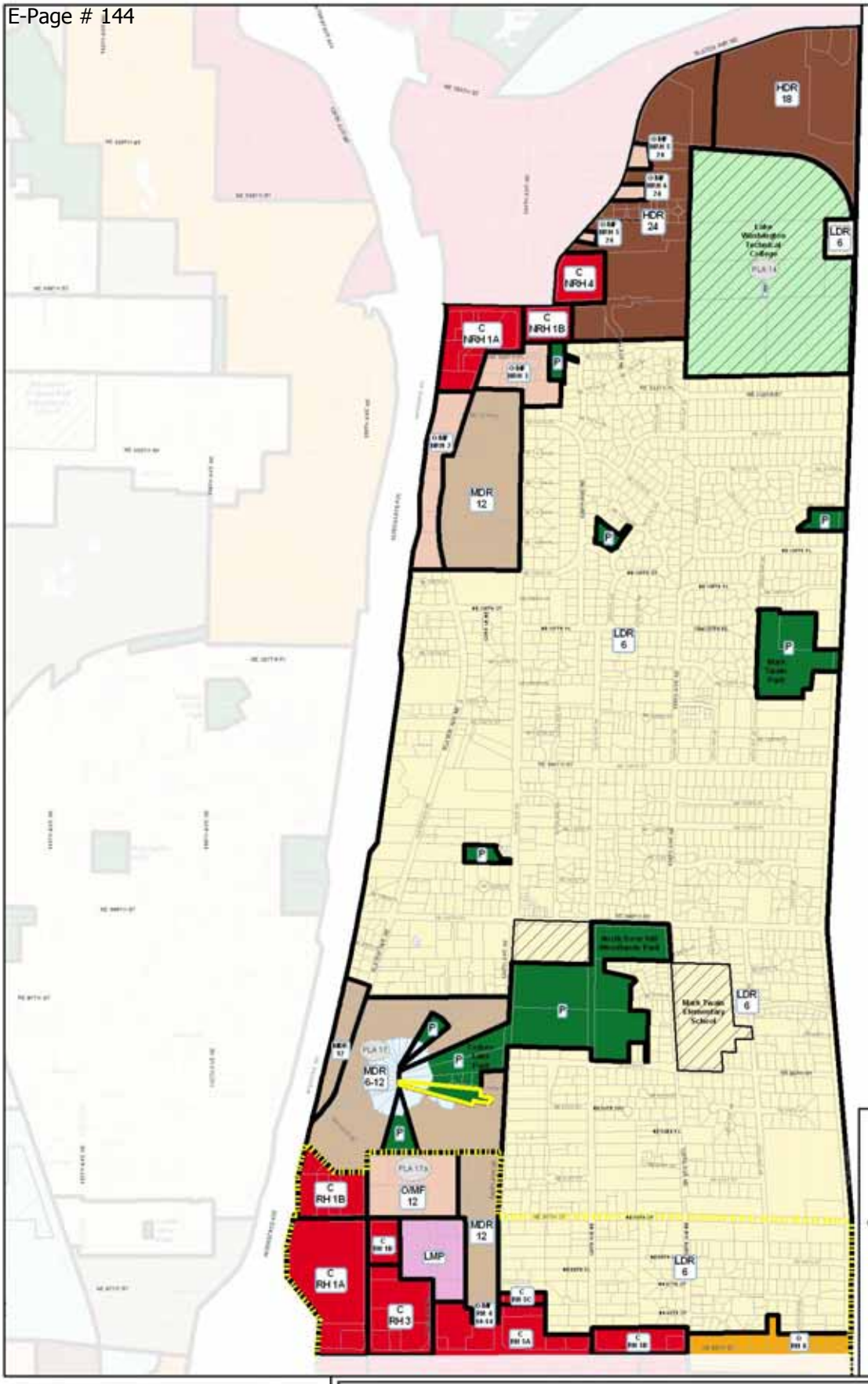
Existing Conditions

~~**Solid Waste Transfer** – King Country operates the Houghton Transfer Station in Kirkland where 98 percent of Kirkland's solid waste is collected and transferred to the Cedar Hills Regional Landfill. The Houghton Transfer Station also provides a recycling center available to the public. In addition, King County is responsible for monitoring and maintenance of the inactive Houghton Landfill north of the transfer station. The transfer station is currently operating beyond the facility's vehicle and tonnage capacities. King County Policy RTS-13 designates the Houghton Transfer Station as constrained from on-site expansion. The Cedar Hills Landfill is estimated to reach capacity in 2012. King County passed Ordinance Number 14971 in July, 2004, which requires the Solid Waste Division to work collaboratively with cities on a waste export system and will be incorporated into the next update of the County's Solid Waste Comprehensive Plan scheduled to begin in December, 2005. The waste export system plan includes analyses of the transfer system to determine when a station needs to be expanded on-site, relocated, or a new station needs to be built.~~

Solid Waste Transfer –The King County Solid Waste Division (KCSWD) owns and operates the Houghton Transfer Station (HTS) in Kirkland where 98 percent of Kirkland's solid waste is collected and transferred to the Cedar Hills landfill. The station currently processes an inordinate amount of waste relative to other King County transfer stations and accepts waste from surrounding communities such as Redmond and Bellevue. In 2007, the HTS processed 18 percent (182,000 tons) of the waste in the entire King County transfer system.

In October, 2005, the City of Kirkland and the KCSWD negotiated a Memorandum of Understanding (MOU) intended to mitigate some of the negative effects the station was having upon the surrounding residential community. The MOU agreement included mitigation measures to be implemented or constructed by King County and included commitments to prohibit the overnight parking of full or partially full trailers; to construct a pedestrian pathway and sound barrier; to install landscaping; and to provide other mitigation amenities. The city also worked closely with the KCSWD and local haulers to route trucks exiting the station exclusively to the west so as to protect the adjacent school zone and to restrict them from entering residential neighborhoods to the east. The MOU also included a proviso recommending that the KCSWD reduce the amount of waste processed at the HTS to a maximum annual tonnage of 135,000 ton/year over a ten year period. The proviso was supported by the City of Kirkland and the surrounding neighborhood. The KCSWD agreed only to abide by the Waste Export System Plan (2006) as adopted by the King County Council. The reduction in tonnage recommended in the proviso has not been implemented.

In developing the King County Solid Waste Transfer and Export Plan (September 2006), King County consulted with commercial haulers and other industry experts to develop a set of criteria to be used to evaluate the current urban transfer facility system's ability to meet the service needs of its users over the next few decades. The criteria applied to each station included level-of-service criteria, station capacity, and the effects upon the surrounding community. Based upon the evaluation, the Transfer and Export Plan recommended the permanent closure of the Houghton and Algona Transfer Stations pending the siting and construction of the new Northeast Washington and South County stations which are expected to be completed in or about 2016. In accordance with the Transfer and Export Plan, the 2009 draft update to the King County Comprehensive Solid Waste Management Plan also recommends the closure of the Houghton Transfer Station.



LAND USE CODES

- C - COMMERCIAL
- IND - INDUSTRIAL
- LMP - LIGHT MANUFACTURING PARK
- TOD - TRANSIT-ORIENTED DEVELOPMENT
- O - OFFICE
- O/MF - OFFICE/MULTI-FAMILY
- HDR - HIGH DENSITY RESIDENTIAL
- MDR - MEDIUM DENSITY RESIDENTIAL
- LDR - LOW DENSITY RESIDENTIAL
- I - INSTITUTIONS
- P - PARK/OPEN SPACE
- BP - BUSINESS PARK
- RH - ROSE HILL BUSINESS DISTRICT
- NRH - N. ROSE HILL BUSINESS DISTRICT
- JBD - JUANITA BUSINESS DISTRICT

North Rose Hill Neighborhood

Land Use Map

ORDINANCE NO. 4184
ADOPTED by the Kirkland City Council
March 26, 2009

- LAND USE BOUNDARIES
- SUBAREA BOUNDARY
- TOTEM CENTER
- PUBLIC FACILITIES
- PARCEL BOUNDARIES
- PLA PLANNED AREA NUMBER
- LDR 5* — LAND USE CODE / DENSITY (UNITS/ACRE)

NOTE: WHERE NOT SHOWN, NO DENSITY SPECIFIED
* INDICATES CLUSTERED LOW DENSITY

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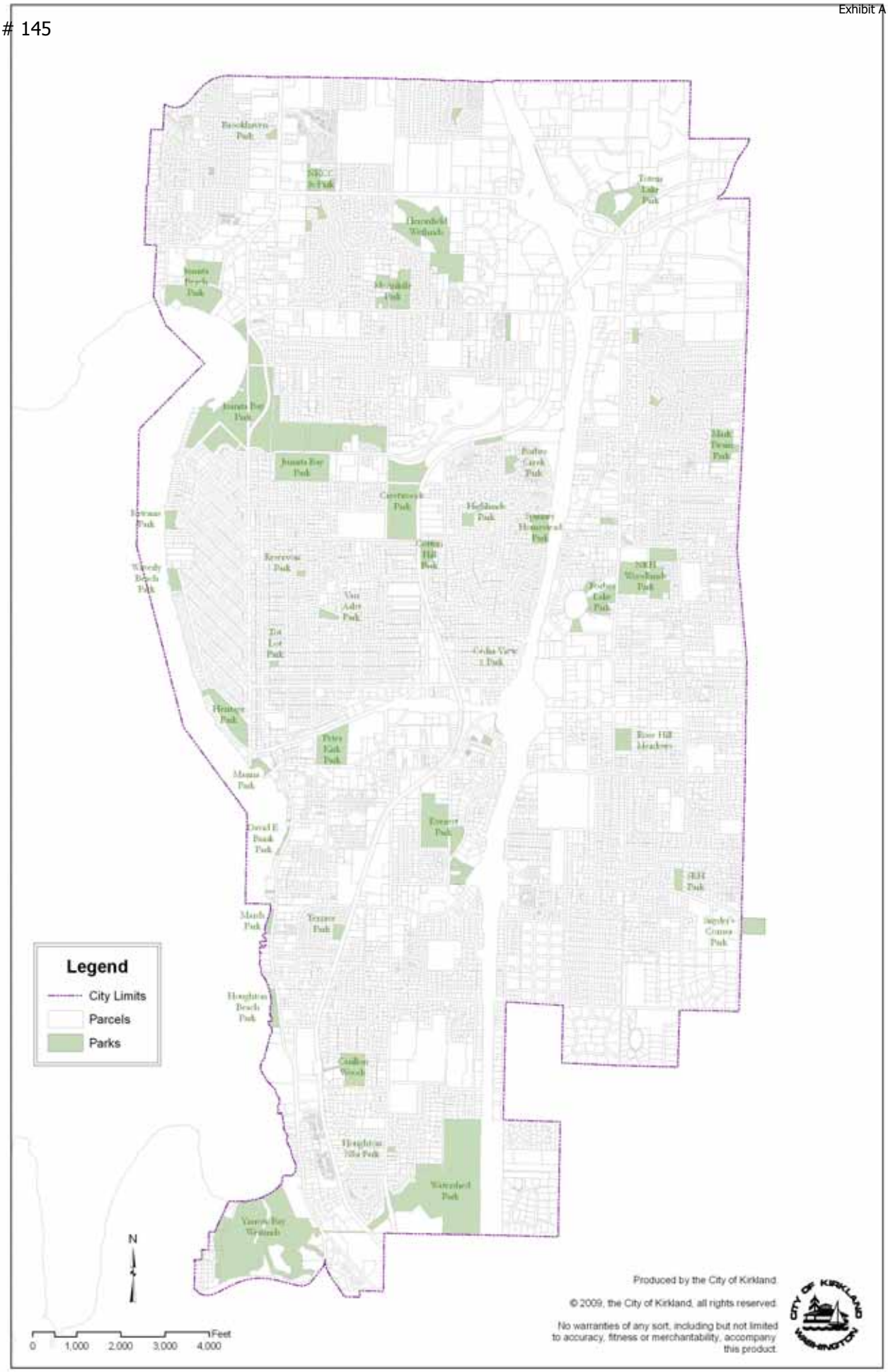


Figure PR-1: Kirkland Parks

Zoning Map Change

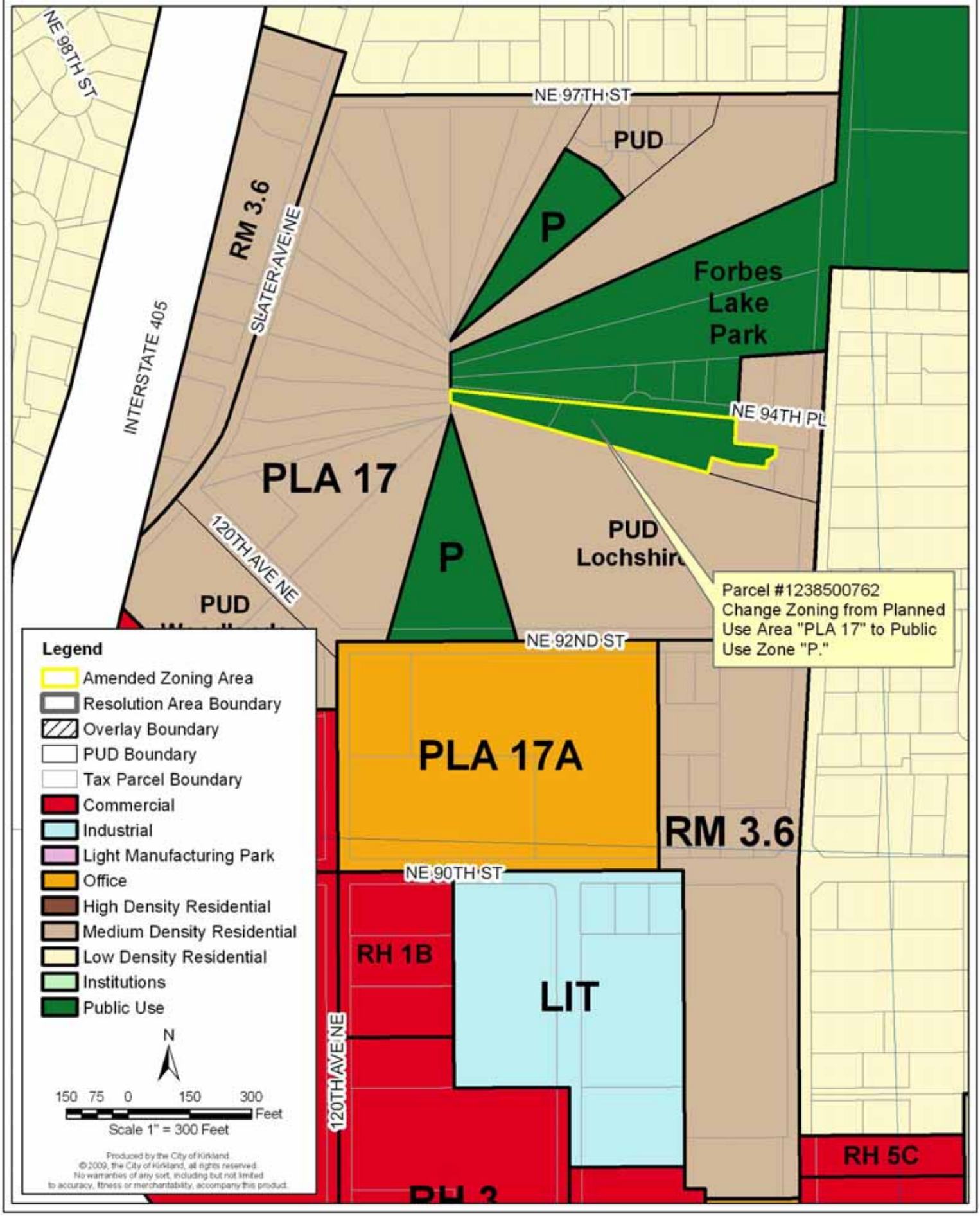


Table NRH-1: North Rose Hill Street Connection Plan Description List

1. NE 88TH STREET BETWEEN 124TH AVENUE NE AND 126TH AVENUE NE
2. NE 108TH STREET BETWEEN SLATER AVENUE NE AND 123RD AVENUE NE
3. NE 105TH STREET BETWEEN 129th ~~128TH~~ AVENUE NE AND 132ND AVENUE NE
4. NE 103RD PLACE BETWEEN 132ND AVENUE NE AND EXISTING CUL-DE-SAC END
5. NE 101ST PLACE BETWEEN 131ST PLACE NE AND 132ND AVENUE NE
6. NE 97TH STREET BETWEEN 130TH AVENUE NE AND 132ND AVENUE NE Completed
7. Delete this connection because property configuration makes it infeasible ~~NE 94TH STREET BETWEEN 125TH AVENUE NE AND 124TH AVENUE NE~~
8. 125TH AVENUE NE BETWEEN NE 91ST STREET AND NE 95TH STREET
9. 130TH AVENUE NE BETWEEN NE 87TH STREET AND NE 94TH STREET
10. NE 91ST STREET BETWEEN 130TH AVENUE NE AND 132ND AVENUE NE
11. NE 90TH STREET BETWEEN 128TH AVENUE NE AND 132ND AVENUE NE
12. 131ST AVENUE NE BETWEEN NE 90TH STREET AND NE 91ST STREET
13. 122ND AVENUE NE BETWEEN NE 90TH STREET AND NE 92ND STREET
14. 126TH PLACE NE BETWEEN NE 102ND PLACE AND NE 100TH PLACE Completed
15. NE 101ST PLACE BETWEEN 124TH AVENUE NE AND 125TH AVENUE NE
16. NE 116TH STREET BETWEEN 127TH AVENUE NE AND 132ND AVENUE NE
17. NE 109TH PLACE BETWEEN SLATER AVENUE AND 124TH AVENUE NE Completed

Bridle Trails Neighborhood Plan

Open Space/Parks

Bridle Trails State Park~~s~~ serves both local and regional open space/park needs.

Bridle Trails State ~~and County~~ Park~~s~~ comprises a 480-acre facility that provides primarily equestrian recreational facilities on a regional scale. In addition, the park serves a broader public interest as ~~they are~~it is used by joggers, hikers, nature groups, and picnickers. This large, mostly wooded tract also serves as a significant open space for local residents. Equestrian and pedestrian access to the parks should be made available from adjacent properties where appropriate and feasible. Signing which identifies access to the parks should be provided. ~~These~~ This park~~s~~ should remain essentially as a large wooded open space.

~~***Recreational opportunities exist, but a need for a neighborhood park is unmet.***~~

~~There are presently no parks in the Bridle Trails Neighborhood which contain a playground facility. Acquisition and development of a neighborhood park with playground facilities should be sought.~~

Development of Snyder's Corner Park should be completed.

The Snyder's Corner Park site is currently undeveloped. This 4.5 acre property is located at the southeast corner of NE 70th Street and 132nd Avenue NE. A storm water detention area comprises a portion of the site. Development of the park site should be completed.

Ben Franklin Elementary School provides important neighborhood park and recreation opportunities.

In 2007 the City of Kirkland invested in civic improvements to Ben Franklin Elementary School, including expansion of the school playground, improvements to the playfield, a new picnic shelter, group seating areas, and interpretive trails. These amenities are maintained by the City's Parks and Community

Services Department. Per the City's agreement with the School District, these amenities are available for community use during non-school hours, including evenings, weekends, and summer months. Neighborhood use of the school site during these times should be ensured as it helps meet many important park and recreation needs particularly for those residing in the southwest portion of the neighborhood.

Impacts from the King County Transfer Station and sports fields should be minimized.

Bridle Trails Neighborhood Plan

Living Environment

(4) Access for development west of the shopping center is primarily via 130th Avenue NE and not towards the west or south through the adjacent single-family development nor north via NE 70th Street. Access for the southern parcel should be primarily via NE 65th Street towards the east to 132nd NE and not west or south towards the adjoining single-family development.

(5) Parking areas are aggregated, landscaped, and visually screened from adjoining single-family development.

City's water tower and administrative facility should be permitted to remain.

The City's water tower and an administrative building are located south of NE 65th Street and the Bridle Trails commercial center and east of 130th Avenue NE. The City's facility should be permitted to remain, since it is necessary to permit effective service to the area. Expansion of the City's facility should be permitted if adequate setbacks and buffering are provided and if future buildings are compatible in scale and in design with adjoining single-family development.

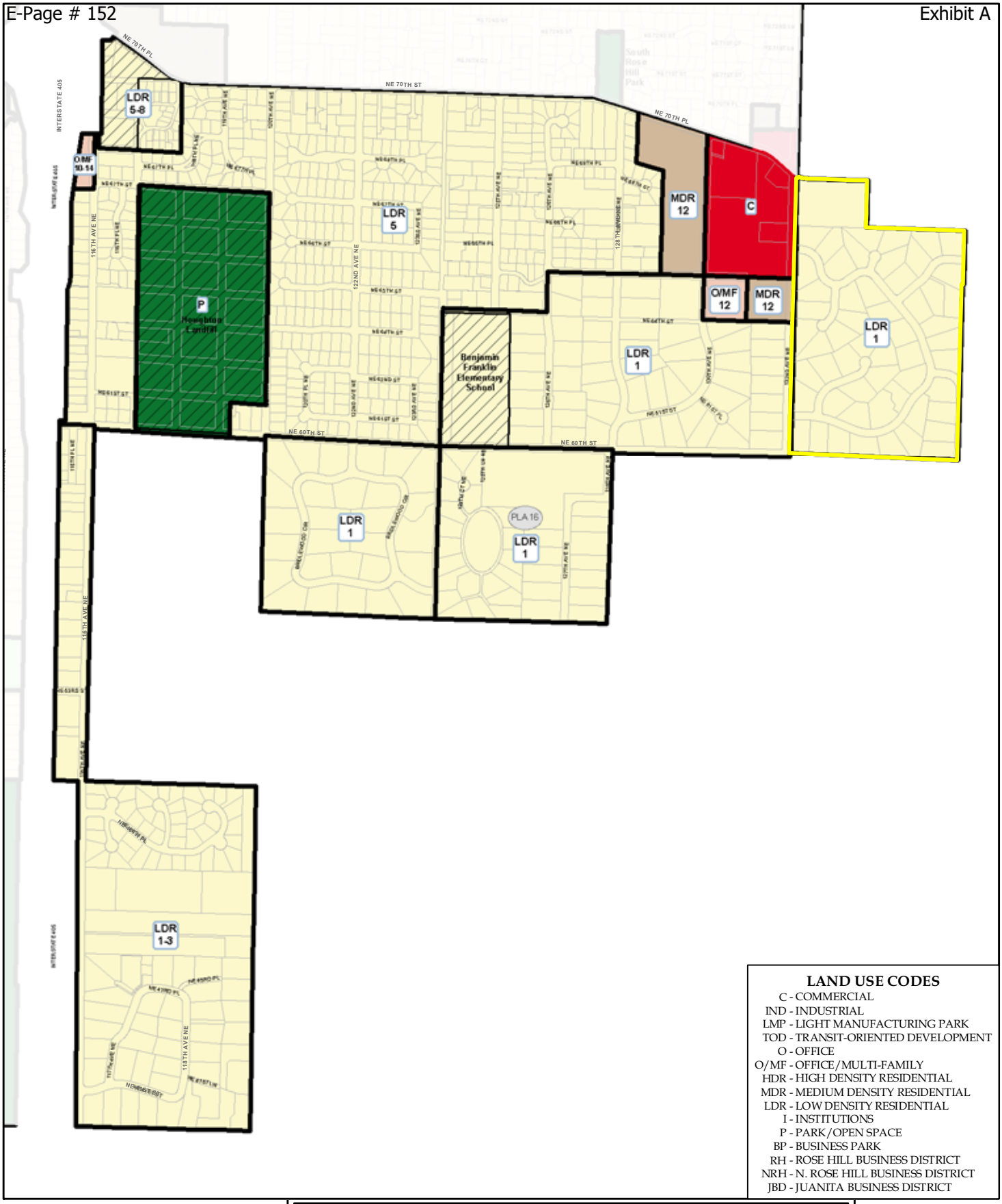
Bridlewood Circle, ~~and~~ Silver Spurs Ranch, and Bridle View should remain at a very low residential density.

Bridlewood Circle, ~~and~~ Silver Spurs, and Bridle View areas should remain very low density (one dwelling unit per acre) with private stable facilities permitted on these large lots.

Low-density development and equestrian facilities should be permitted along 116th Avenue NE southwest of Bridle Trails State Park.

Southwest of Bridle Trails State Park and adjacent to 116th Avenue NE is an area which contains low-density residential development (one to three dwelling units per acre) and large stable facilities. Existing equestrian access to Bridle Trails State Park from this area should be preserved.

Problems with utilities and traffic are discussed for the area.



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Bridle Trails Neighborhood

Land Use Map

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March 26, 2009

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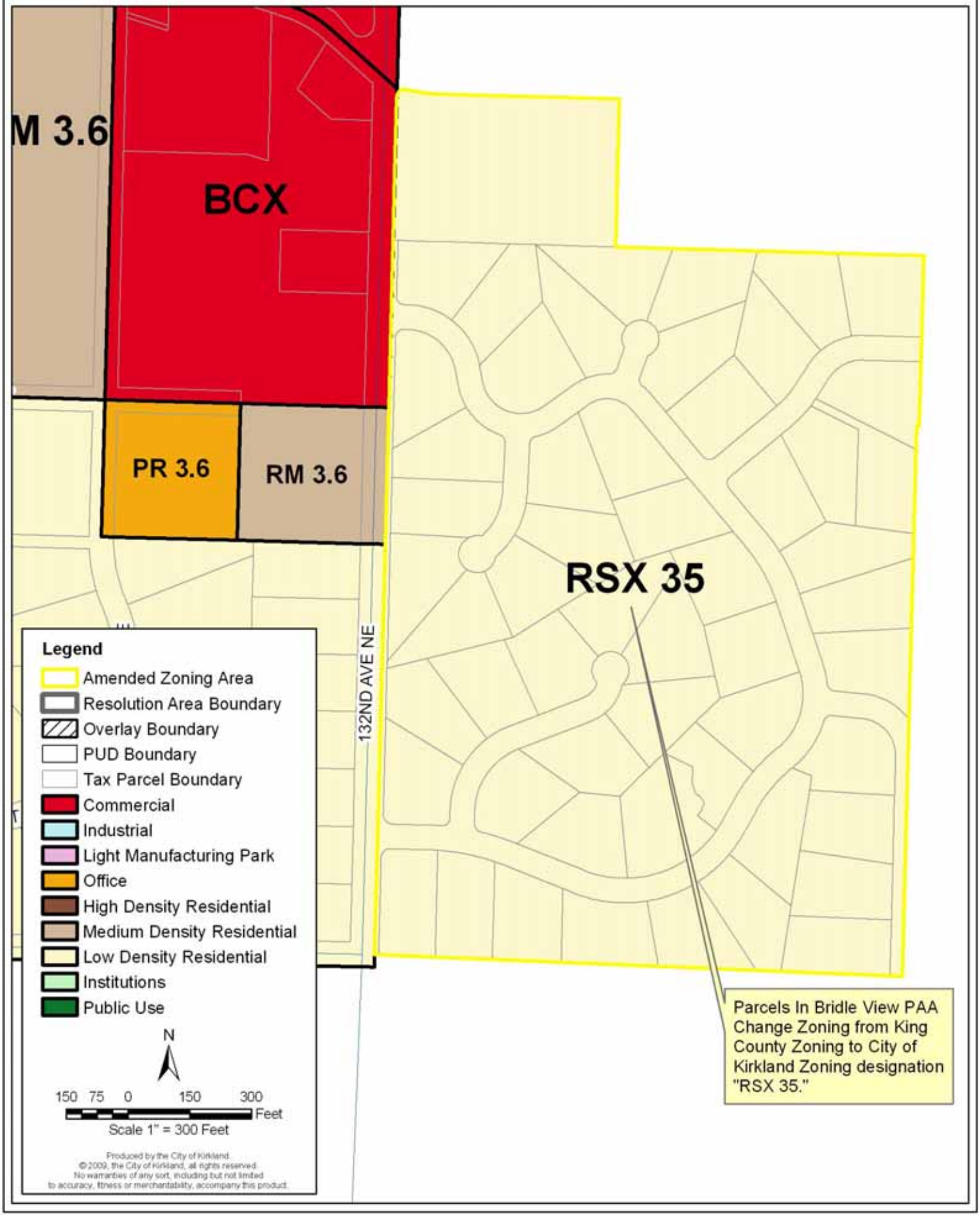
Zoning Map Change



Totem Lake Neighborhood Plan
Economic Development

Framework Goal: Foster a diverse, vibrant economic environment, supplying broad commercial and employment opportunities.

The Totem Lake Neighborhood is a vital employment, retail and service center that serves the City of Kirkland and surrounding region. The Totem Lake Neighborhood is the City's largest employment center and the City's leader in retail sales. The neighborhood contains ~~one of~~ the City's ~~two activity~~only U~~u~~rban C~~c~~enter, ~~areas~~ designated by the Growth Management Planning Council in 2003. ~~in the Comprehensive Plan.~~

The "Urban Center" classification is described in the Countywide Planning Policies. It is characterized as having clearly defined boundaries, an intensity/density of land uses sufficient to support transit, abroad range of uses, and emphasis on the pedestrian, superior urban design, and limitations on the use of the single occupancy vehicle. The Totem Lake Neighborhood fits this description.

The policies in this section are intended to support and strengthen the economic environment in the Totem Lake Neighborhood. A healthy economy provides employment and helps pay for basic public services such as parks, transportation, police and fire protection and human services. The policies encourage a mix of retail, office, service and industrial uses, intensive development where supported by public services, and collaboration between the public and private sectors.

This section provides policy direction regarding economic development in the Totem Lake Neighborhood, and applies to land throughout the neighborhood, including Totem Center. Broad citywide economic development policies are found in the Economic Development Element. Those policies, while not repeated here, are applicable to the Totem Lake Neighborhood.

Goal TL-1: Nurture and strengthen the role of the Totem Lake Neighborhood as a community and regional center for retail, health care, vehicle sales, light industrial and office employment.

~~***Policy TL-1.4:***~~

~~Pursue an Urban Center designation for the Totem Lake Neighborhood.~~

~~Much of the Totem Lake Neighborhood is identified as an "Activity Center" in the Land Use Element of this Comprehensive Plan. The Countywide Planning Policies establish Activity Areas as locations within urban areas that contain a high concentration of commercial land uses, and adjacent and intermingled higher-density residential uses served by a transit center.~~

~~Under the updated plan for the Totem Lake Neighborhood set forth in this Chapter, the Totem Center area, and much of the neighborhood, may be more appropriately classified as an "Urban Center." An Urban Center, as described in the Countywide Planning Policies, is characterized by having clearly defined boundaries, an intensity/density of land uses sufficient to support transit, a broad range of uses, and emphasis on the pedestrian, superior urban design, and limitations on the use of the single occupant vehicle. The Totem Lake Neighborhood fits this description.~~

~~Designation of an Urban Center within the Totem Lake Neighborhood would be particularly helpful to the City, as grants for funding of transportation improvements are sought. Urban Centers are often given a higher priority in review for funding~~.

4. TOTEM CENTER

Framework Goal: Promote the strength and vitality of Totem Center.

Totem Center is home to the Evergreen Hospital Medical Center, the Totem Lake Mall retail center, a variety of office/commercial uses, and a planned transit station that will connect to the regional transit system. Currently, Totem Center is characterized by development of low to moderate intensity. While thriving in many ways, this district has significant potential for increased activity and vitality. Policies in this plan are intended to strengthen the role of Totem Center as the core of the Totem Lake Urban Center, providing a thriving employment, housing, and service ~~and activity~~ center for the city and the region.

The location of a compact mix of land uses and employment opportunities within the Center can provide the environment for increased use of transit, and a decreased need for vehicle travel outside of the district. The policies for Totem Center capitalize on the synergy created by existing and planned uses to create an attractive and vital community center. Ultimately, planned development in Totem Center will contribute to the sense of community and identity for the entire Totem Lake Neighborhood, as described in the Neighborhood Vision.

Goal TL-8: Ensure that public and private development contribute to a lively and inviting character in Totem Center.

The fundamental goal for Totem Center is to create a pedestrian-oriented urban ~~activity~~ center with a safe, lively and attractive 24-hour environment.

To achieve this goal, key design principles for Totem Center include:

- **Mix of Uses** – Over time, Totem Center should evolve into a diverse mix of uses, including office, retail, medical and hospital uses, and high-density residential. This mix of uses can be provided in

mixed-use buildings or in single use buildings located in close proximity and with good pedestrian connections.

- **Pedestrian Orientation** – Building entrances should face the street. Building mass should be broken up by offsets, step-backs or similar measures. Where compatible with the use, generous windows should be provided and oriented toward the street. Parking should not be the predominant use next to streets.
- **Public Spaces** – Development and redevelopment projects should provide publicly accessible open spaces that are focal points for the community. The City should identify park and recreation trail locations that encourage pedestrian activity throughout Totem Center.

Totem Lake Neighborhood
Transportation

Policy TL-29.3:

Actively explore a wide range of funding options to achieve the adopted road network and maintain an acceptable LOS.

The Growth Management Act requires local jurisdictions to identify and fund transportation improvements sufficient to achieve the adopted LOS. For the Totem Lake Neighborhood, the road network needed to achieve the adopted LOS requires an ambitious funding effort that must include public and private collaboration.

The City should ensure that private growth pays for its share of needed transportation improvements. The City has adopted an impact fee system to allow the collection of funds to pay for a portion of needed improvements caused by additional traffic from new development. The City should ensure that the impact fee schedule is updated to include necessary transportation facilities in the Totem Lake area. The City should also seek interlocal agreements with adjacent jurisdictions to mitigate the traffic impacts of new growth occurring outside of the city limits.

The City must also work with State and federal agencies to seek all available funding sources to support the adopted transportation network. The City should also consider the following revenue sources to finance needed improvements:

- General Revenue
- Impact Fees
- Local option gas taxes (if authorized)
- Surface Water Fees (based on new stormwater requirements)
- Special purpose taxing district

The Urban Center designation within the Totem Lake Neighborhood is particularly helpful to the City, when grants for funding of transportation improvements are sought. Urban Centers are often given a higher priority in review for funding.

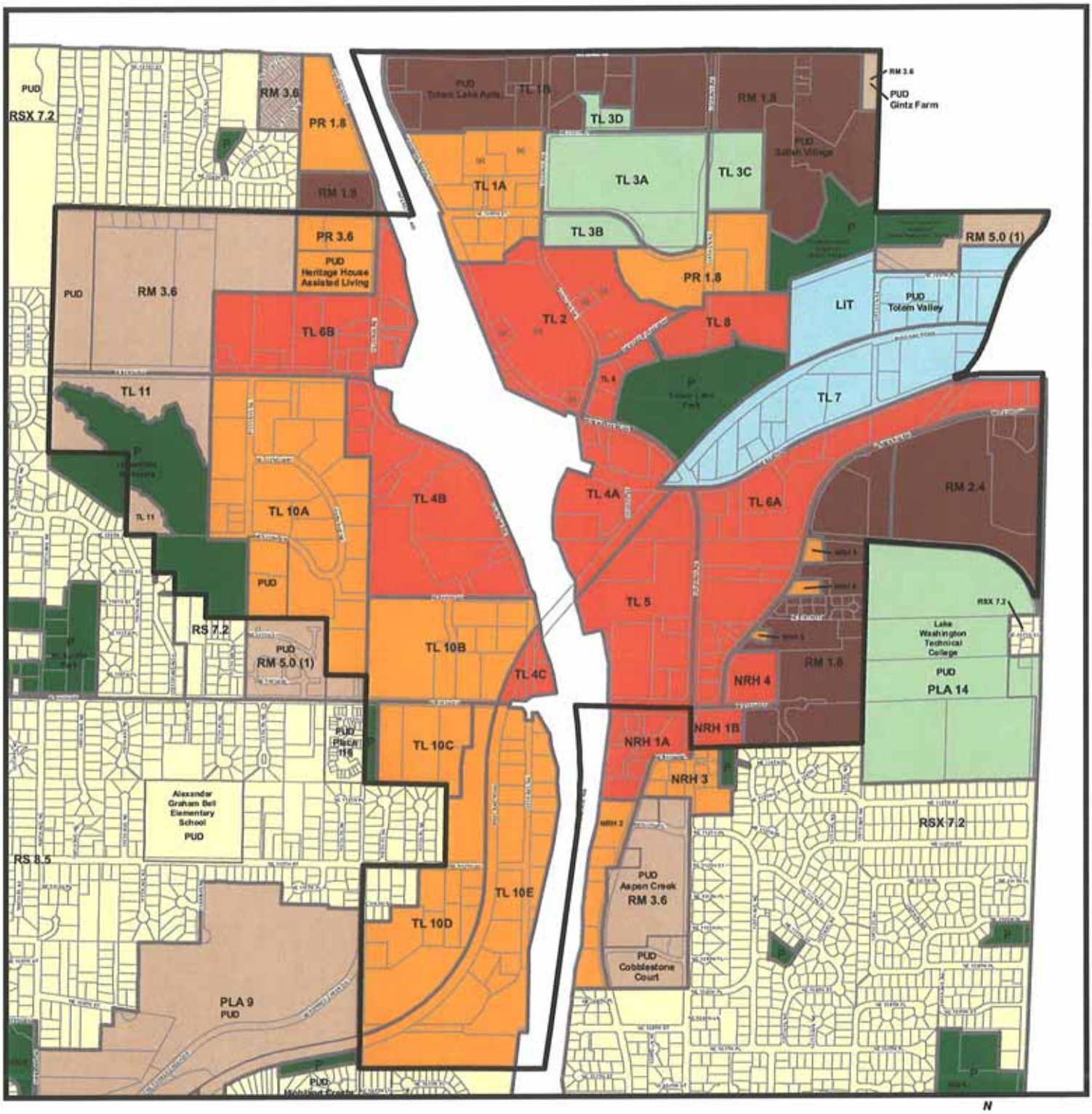
Policy TL-32.1:

Develop a safe, integrated on and off-street nonmotorized system emphasizing connections to schools, parks, transit, and other parts of Kirkland.

The Totem Lake Neighborhood needs many nonmotorized improvements, as identified in the City's Nonmotorized Transportation Plan. These include safe and appropriately scaled nonmotorized access to connect neighborhoods, activity and ~~activity~~ urban centers, with services, transit, and recreation areas. The relationship of the Totem Lake Neighborhood to other neighborhoods, as well as to Lake Washington Technical College, Juanita Beach, and the Forbes Creek Trail should be considered in developing regional connections.

The CrossKirkland trail, if it is developed, will provide an important recreational opportunity, as well as north-south bicycle and pedestrian route, within the Burlington Northern right-of-way through much of the Totem Lake Neighborhood. The trail could also be a precursor of a regional facility traveling through the hearts of many Eastside cities.

TOTEM LAKE URBAN CENTER



Urban Center

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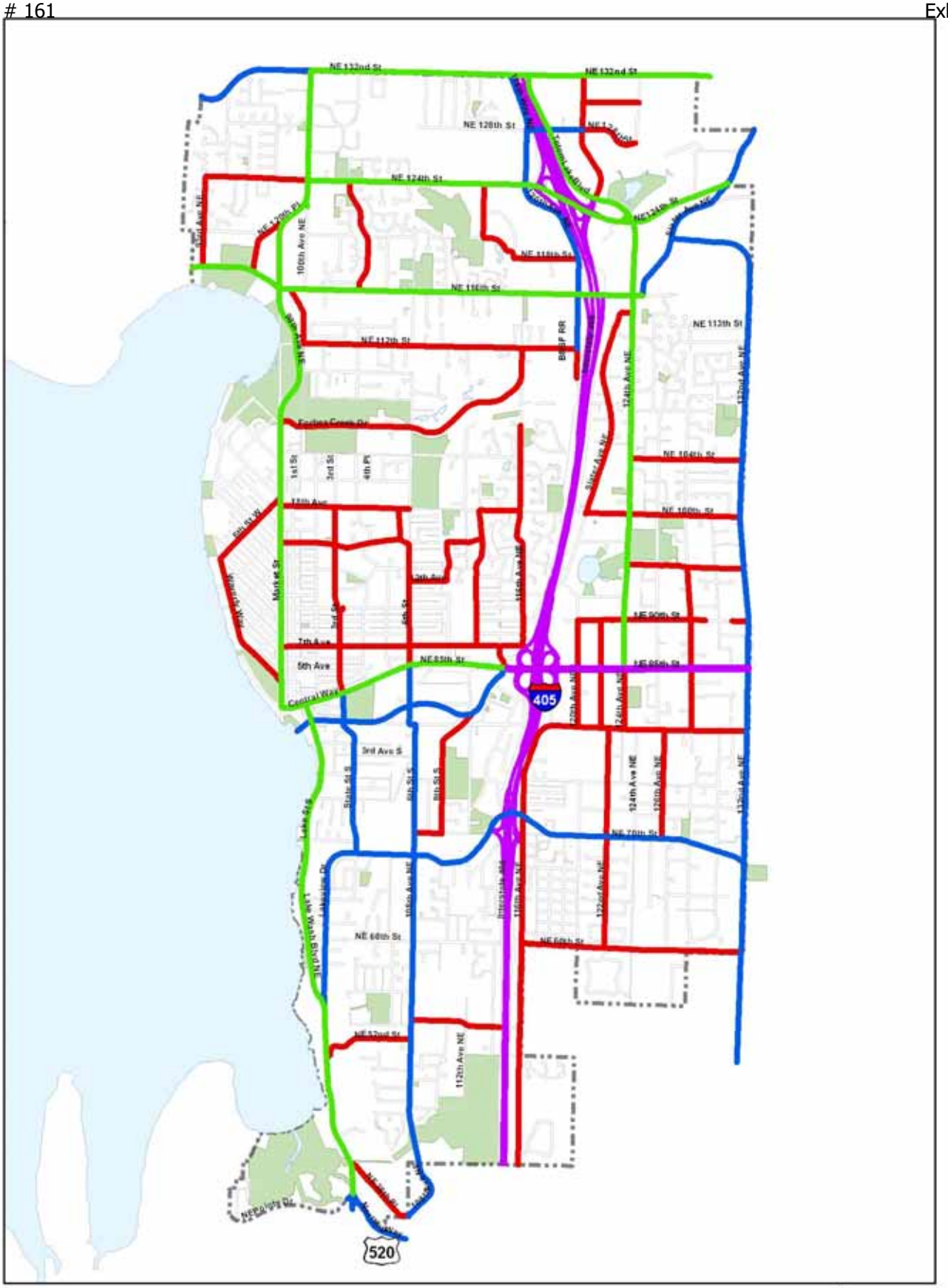

Legend

Functional Classification

- Principal Arterial
- Minor Arterial
- Collector
- State Routes and Interstate
- Lakes
- City of Kirkland
- Parks

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1 inch = 3,431 feet

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Figure T-1: Street Classifications and State Routes

100th Ave NE Sammamish River Trail, Bothell Bike lines begin at NE 140th
124th Ave NE Woodinville bike lanes
NE 132nd St Sammamish River Trail, low volume route. Steep hill
NE 132nd St Finn Hill No Improvements
BNSF Woodinville future trail
NE 124th St Sammamish River Trail bike lanes
Juanita Dr Kenmore Burke Gilman Trail wide shoulder
NE 100th St Remond via Willows Rd. Stairs planned by Redmond short term; trail long term.
NE 85th St - Redmond has no plans to develop connection.
NE 80th St - Remond via 140th Ave bike lanes
NE 70th St, Redmond via Old Remond Rd bike lanes
520 Trail No facilities planned by Bellevue
Points Drive 520 Trail connection planned in SR 520 bridge rebuild project
Lake Washington Blvd Bike lanes planned in Bellevue
108th Ave NE 112th Ave bike lanes planned in Bellevue
116th Ave NE Bellevue 520 Trail bike lanes
Bicycle System
Figure T-2
Legend
Network
Eastside Rail Corridor
BNSF Crossing Type
At Grade
Over Street
Under Street
Trail
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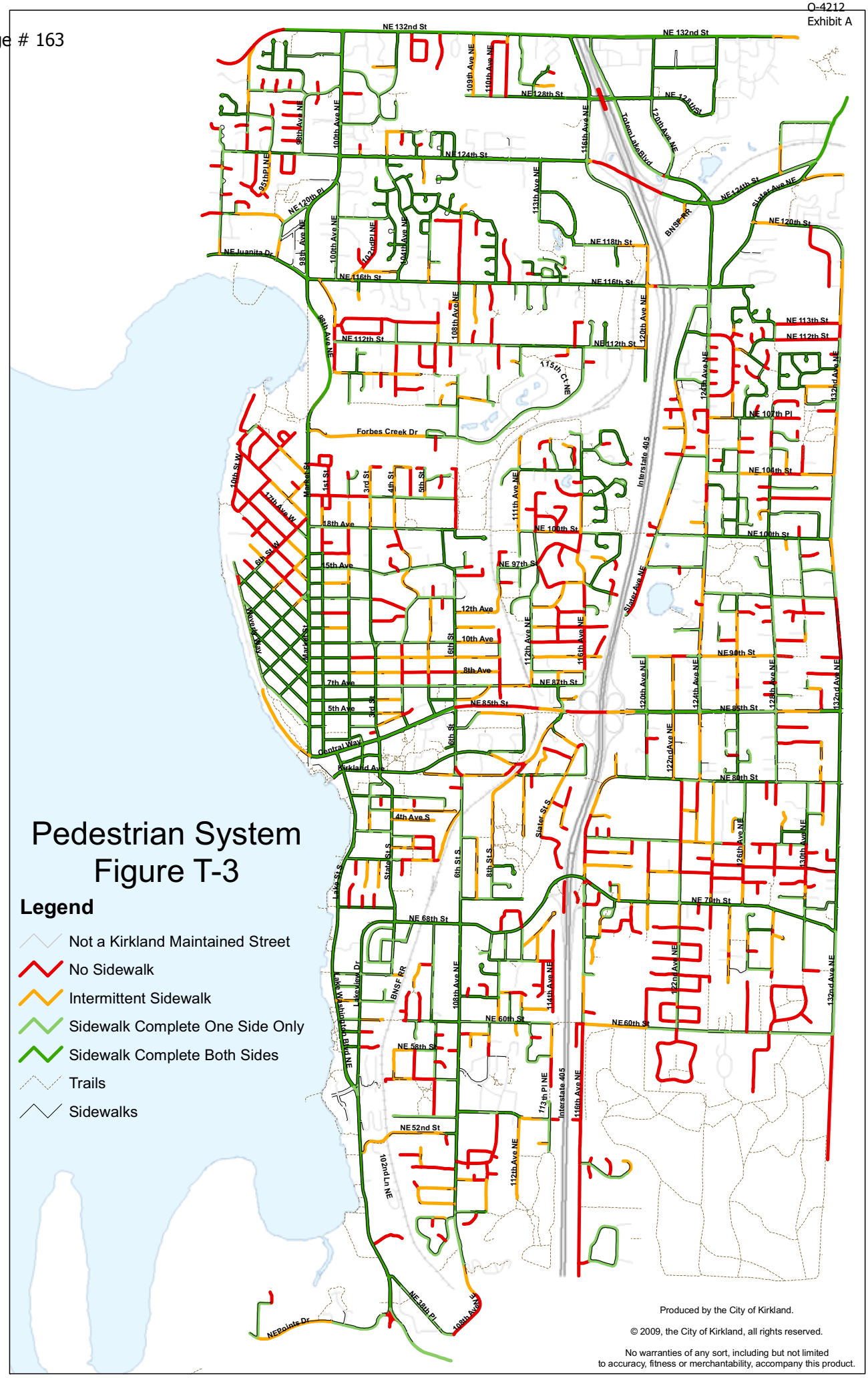

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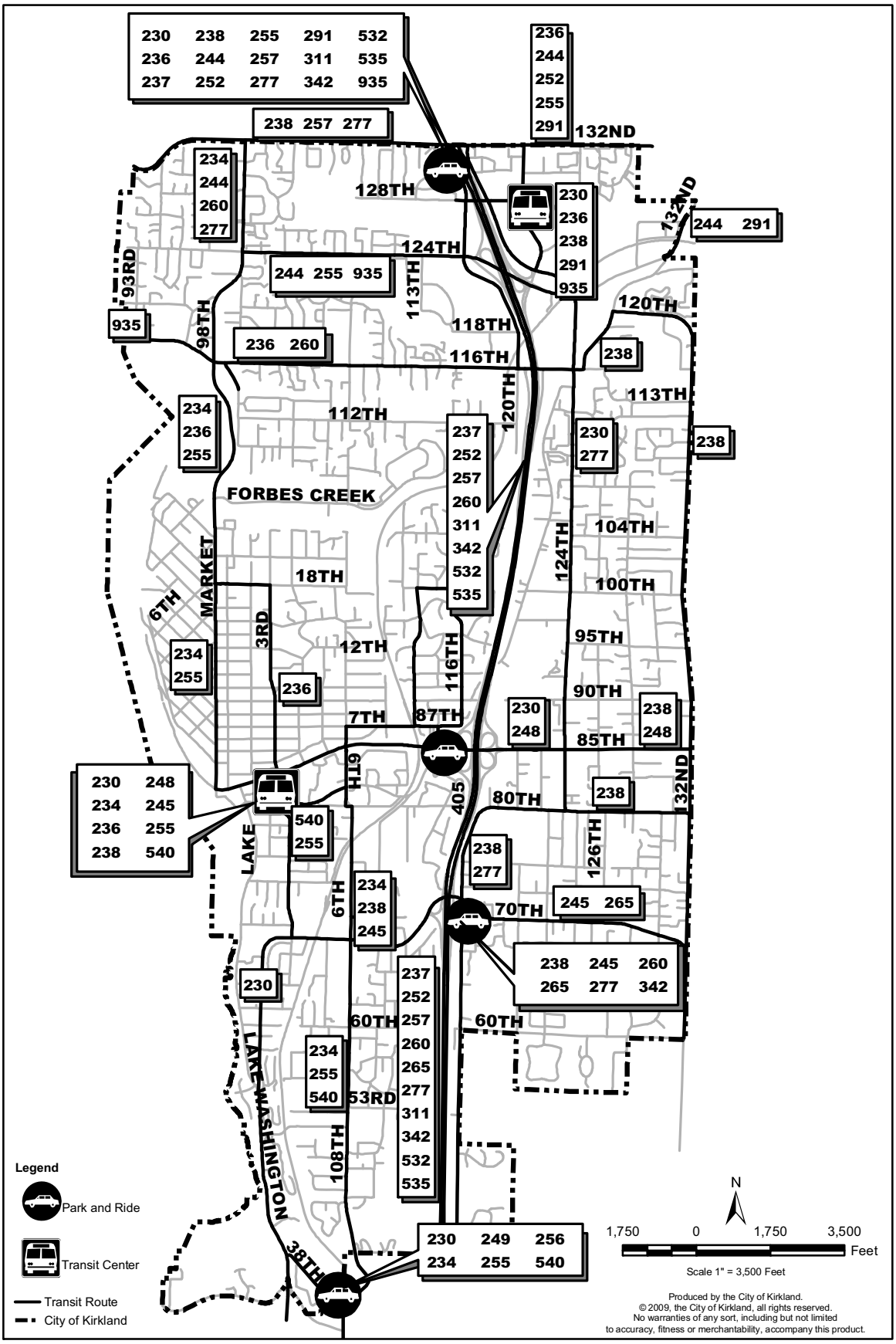


Figure T-4: Transit Service

Figure T-7: Signalized Intersections

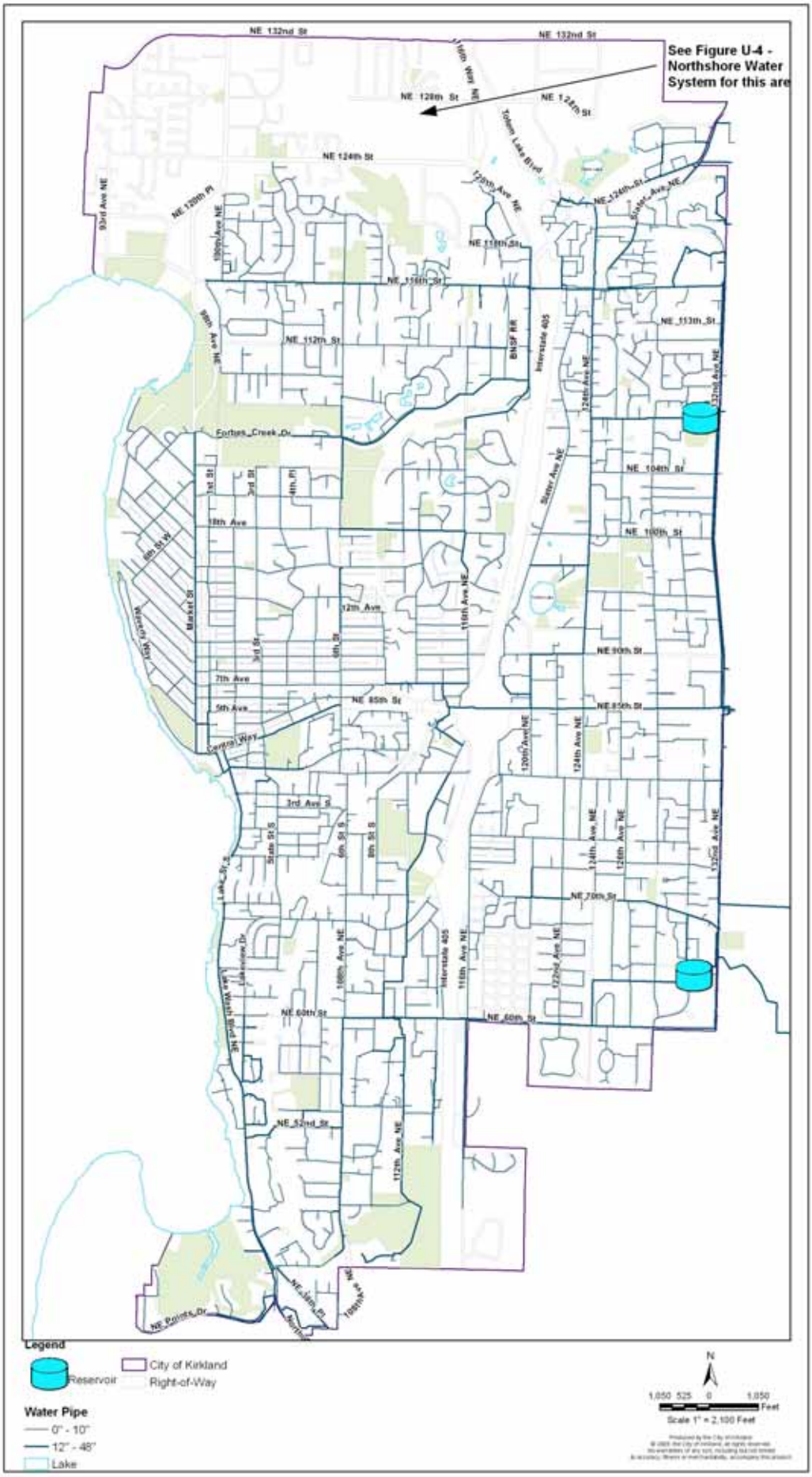


Figure U-1: Water System

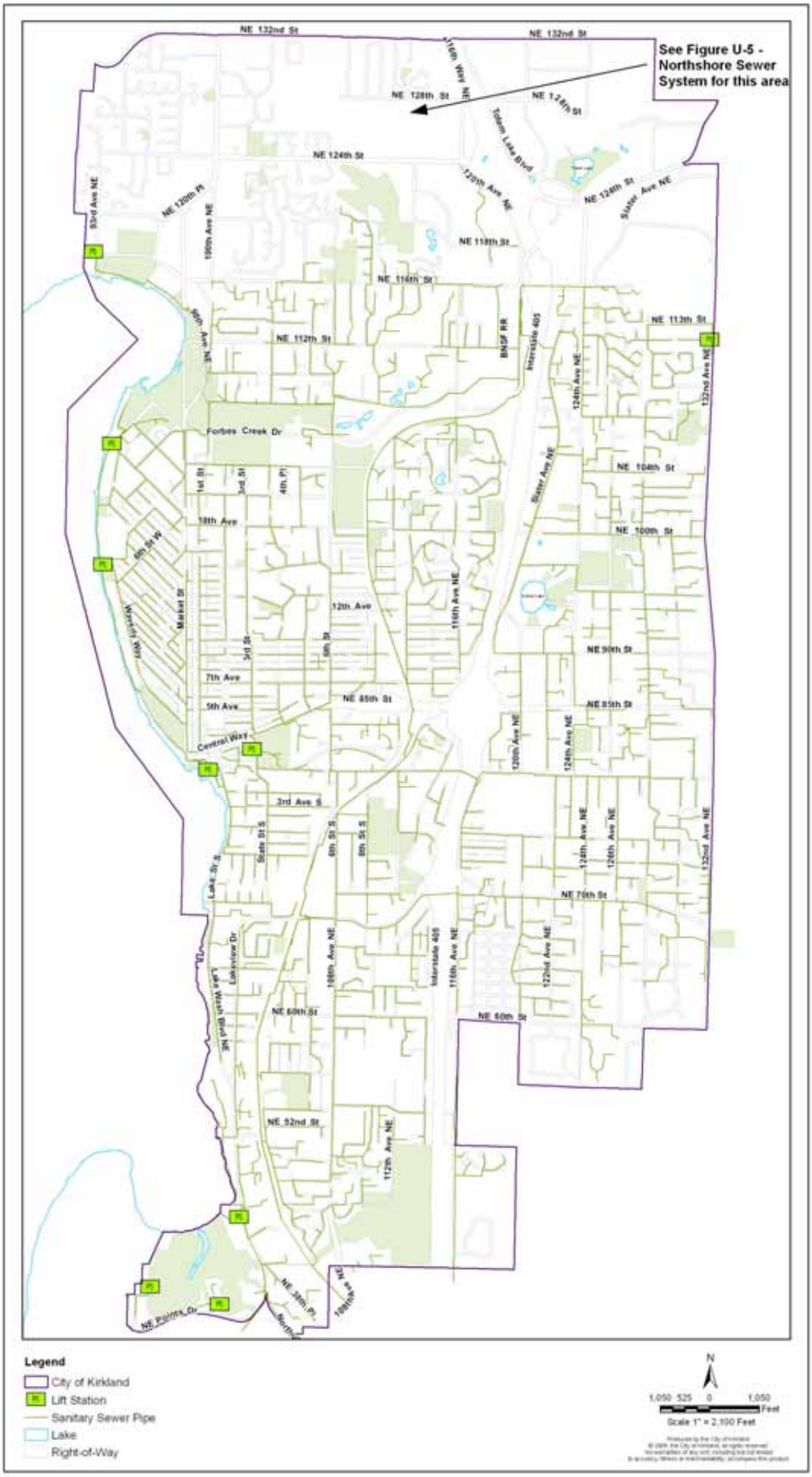


Figure U-2: Sanitary Sewer System

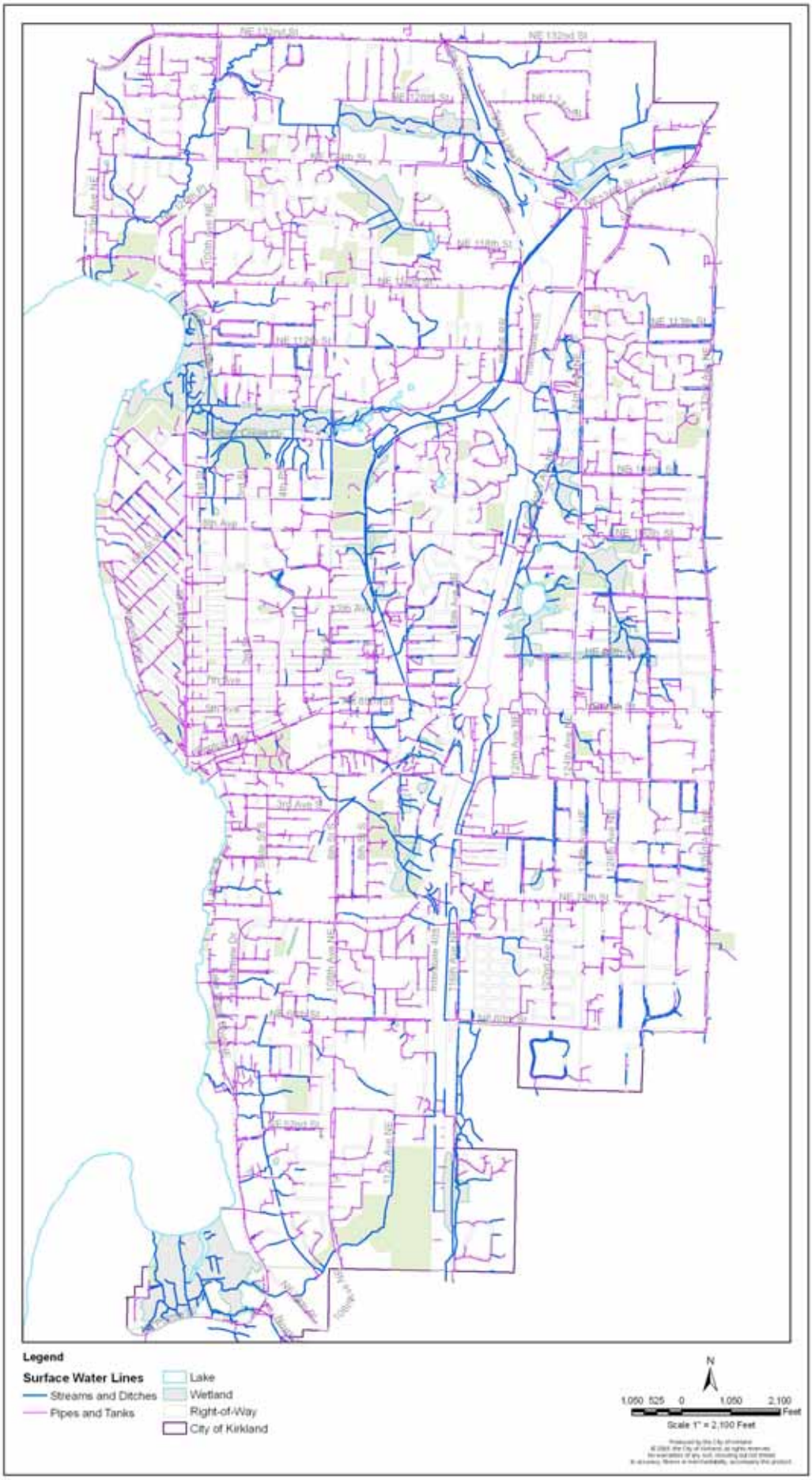


Figure U-3: Surface Water Management System

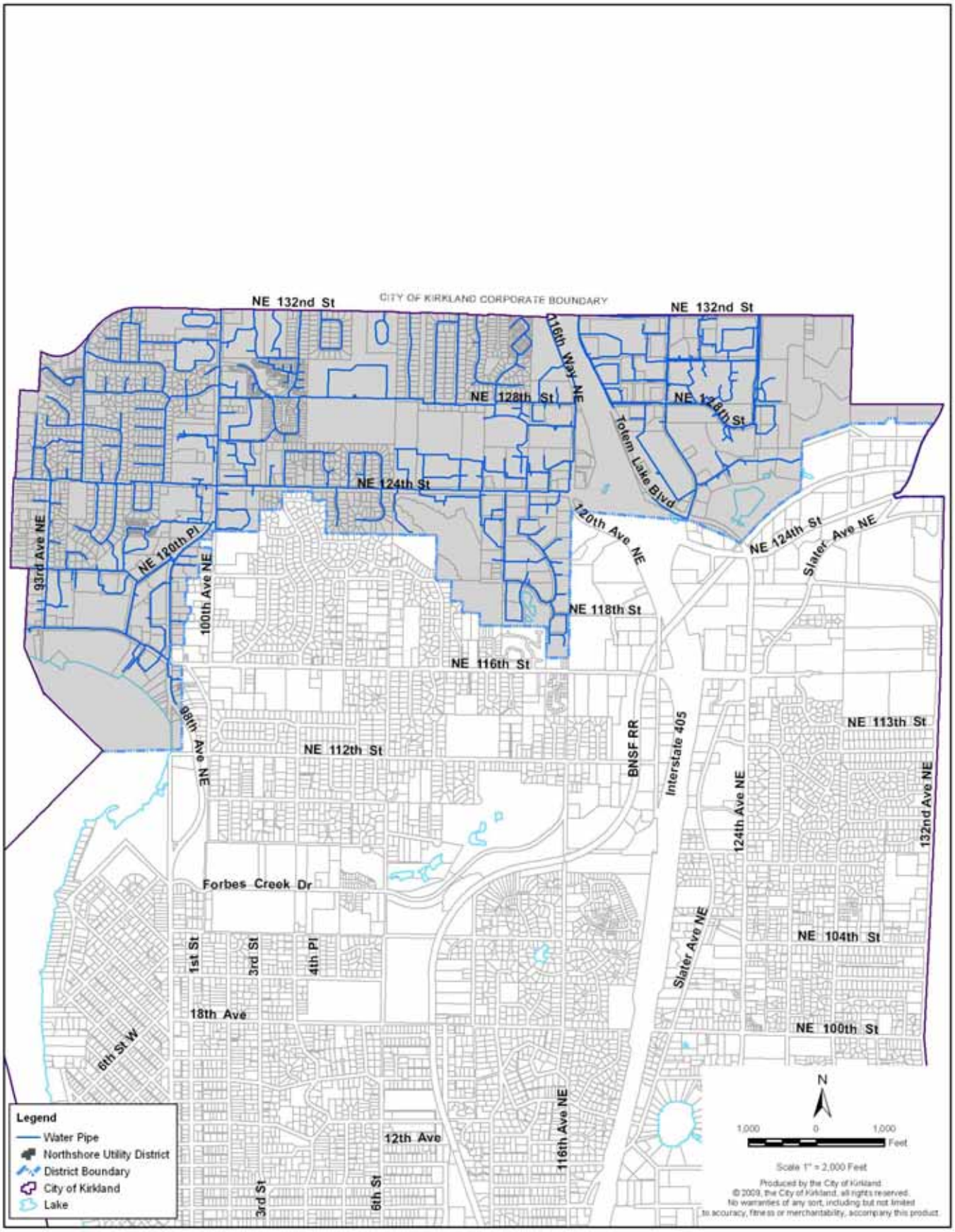


Figure U-4: Northshore Water System

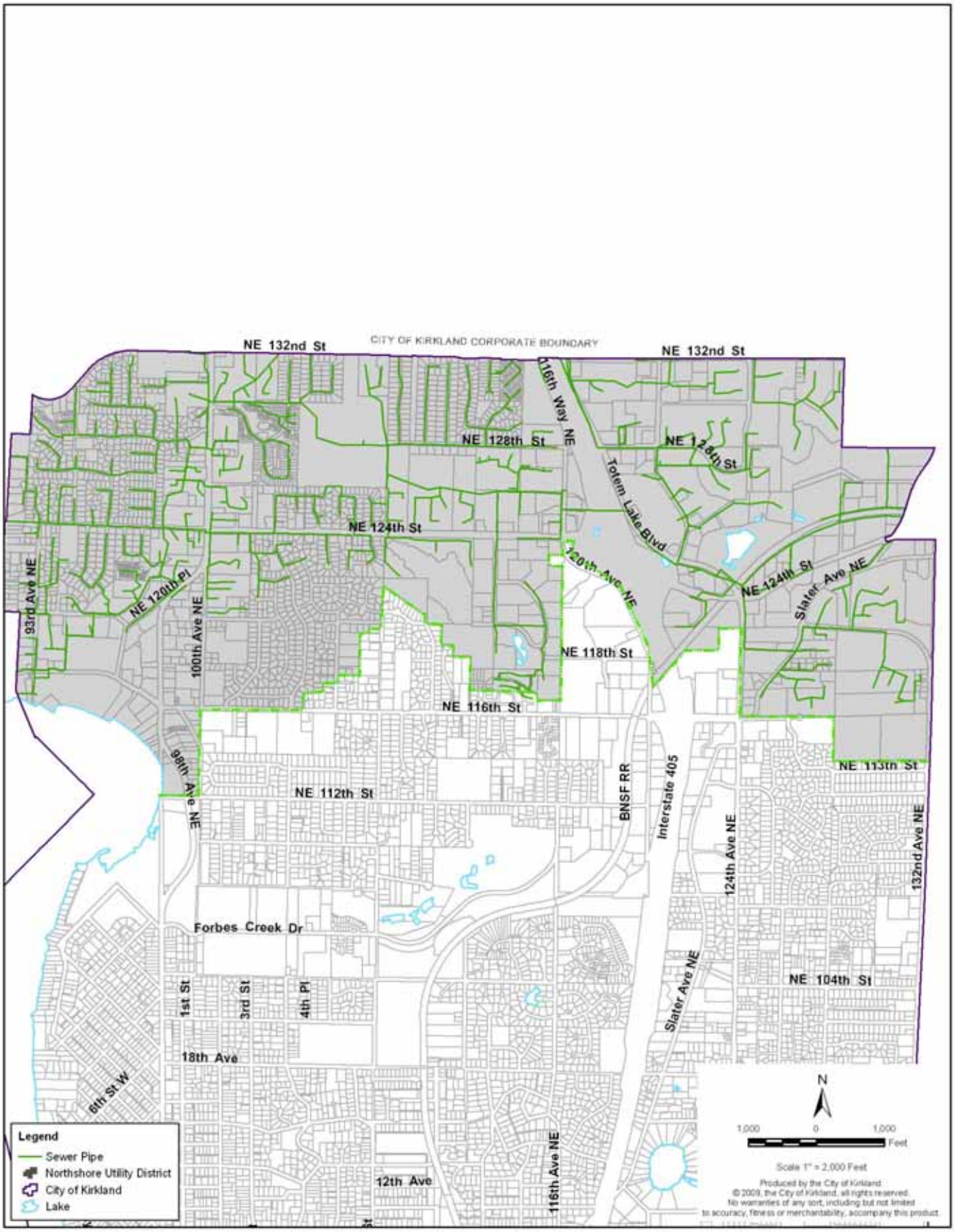


Figure U-5: Northshore Sewer System

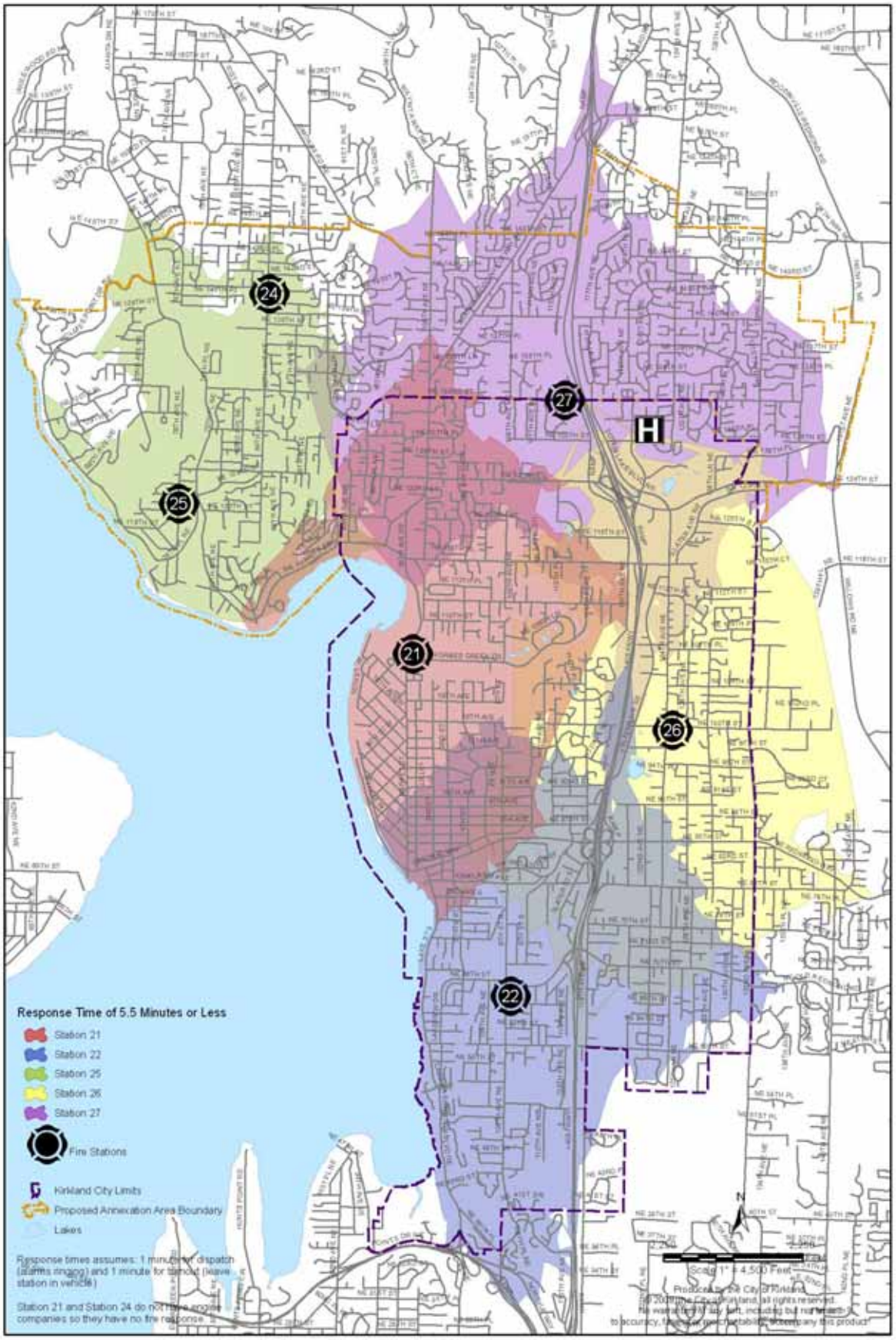


Figure PS-1: Fire Response Times within 5.5 minutes

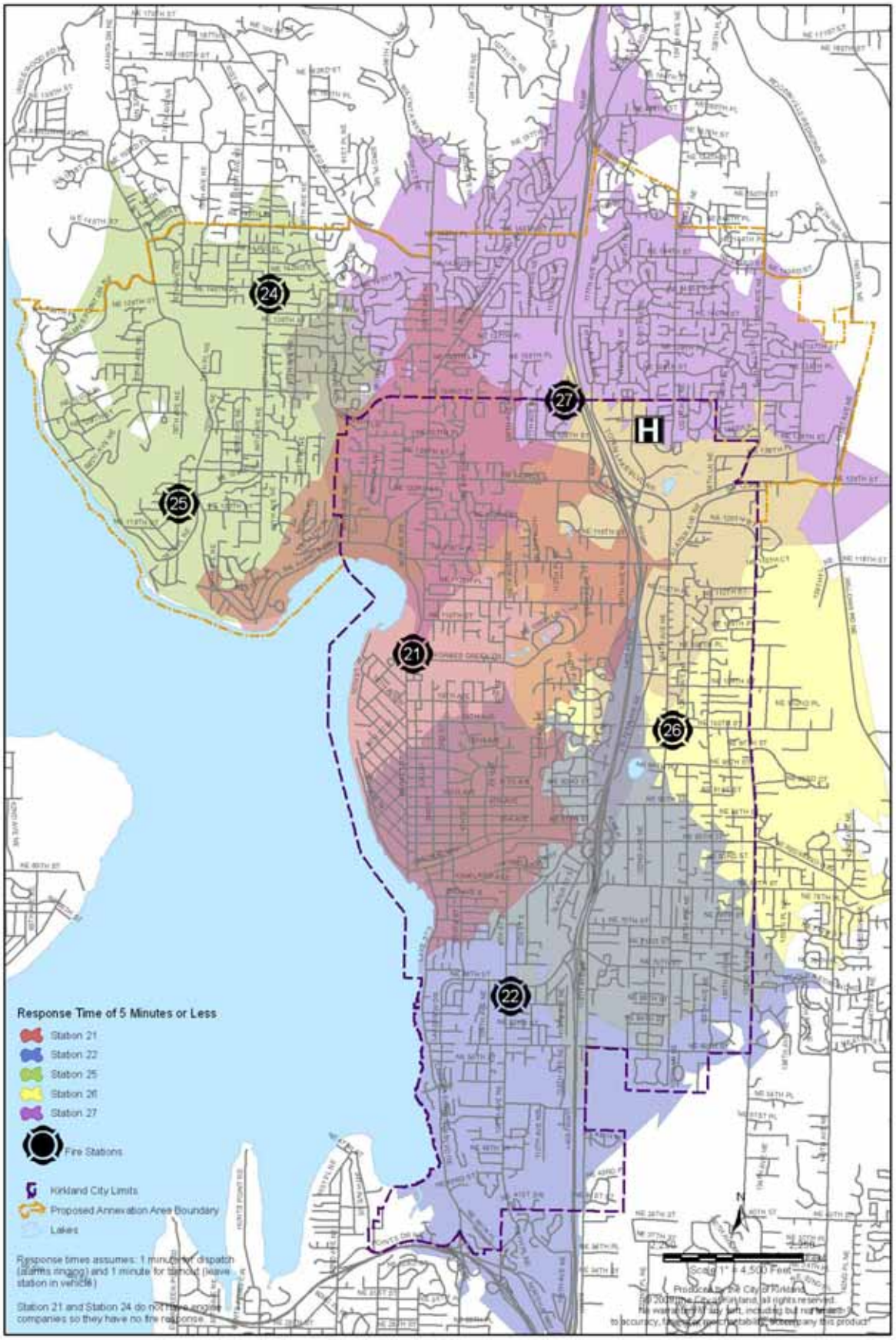
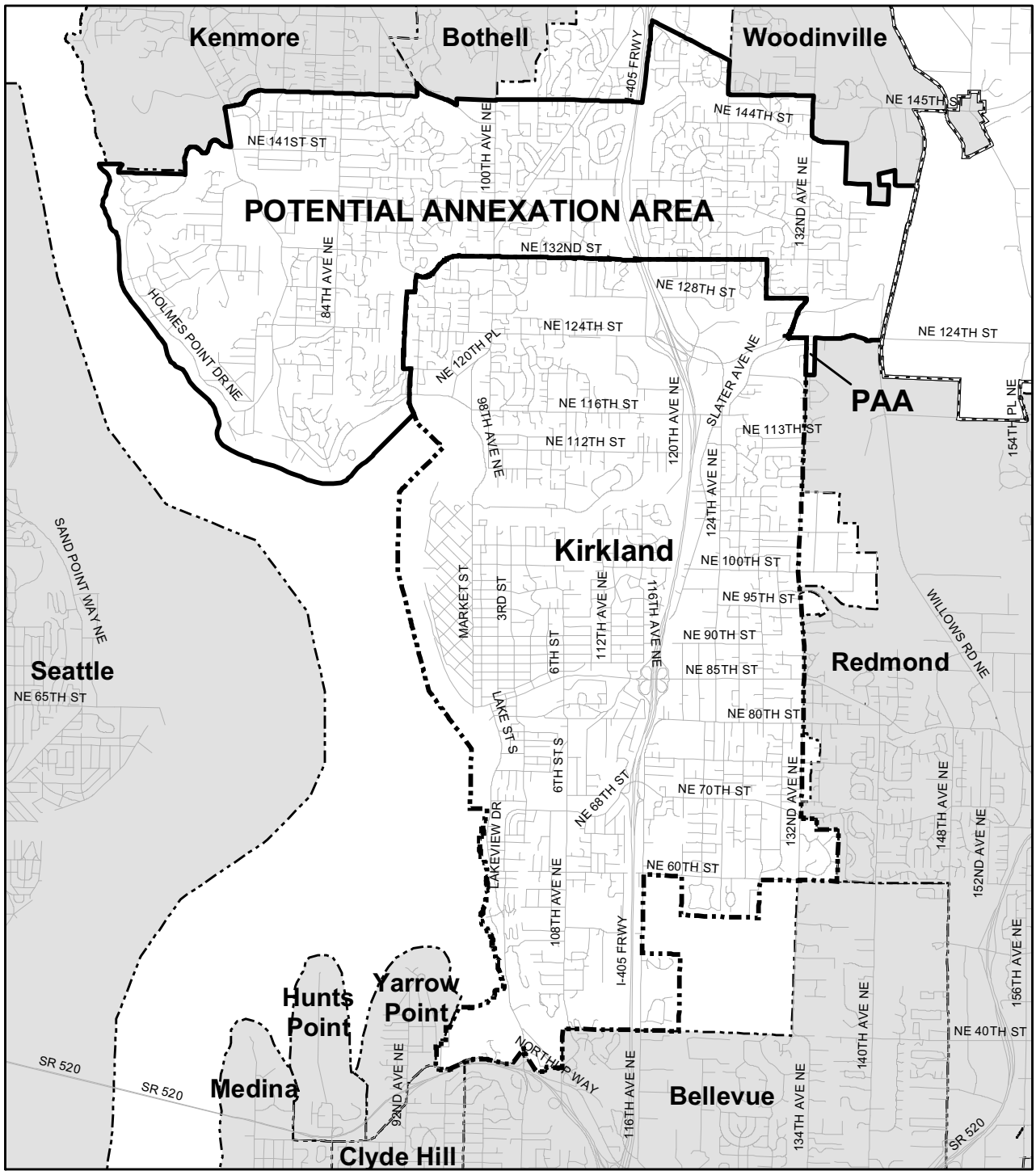


Figure PS-2: Emergency Medical Services Response Times within 5 minutes



Legend

- Kirkland Potential Annexation Area (PAA)
- City of Kirkland
- Other Cities
- King County Urban Growth Area Boundary
- Street Centerline

N

0.5 0.25 0 0.5 1 Miles

Scale 1" = 1 Mile

Produced by the City of Kirkland.
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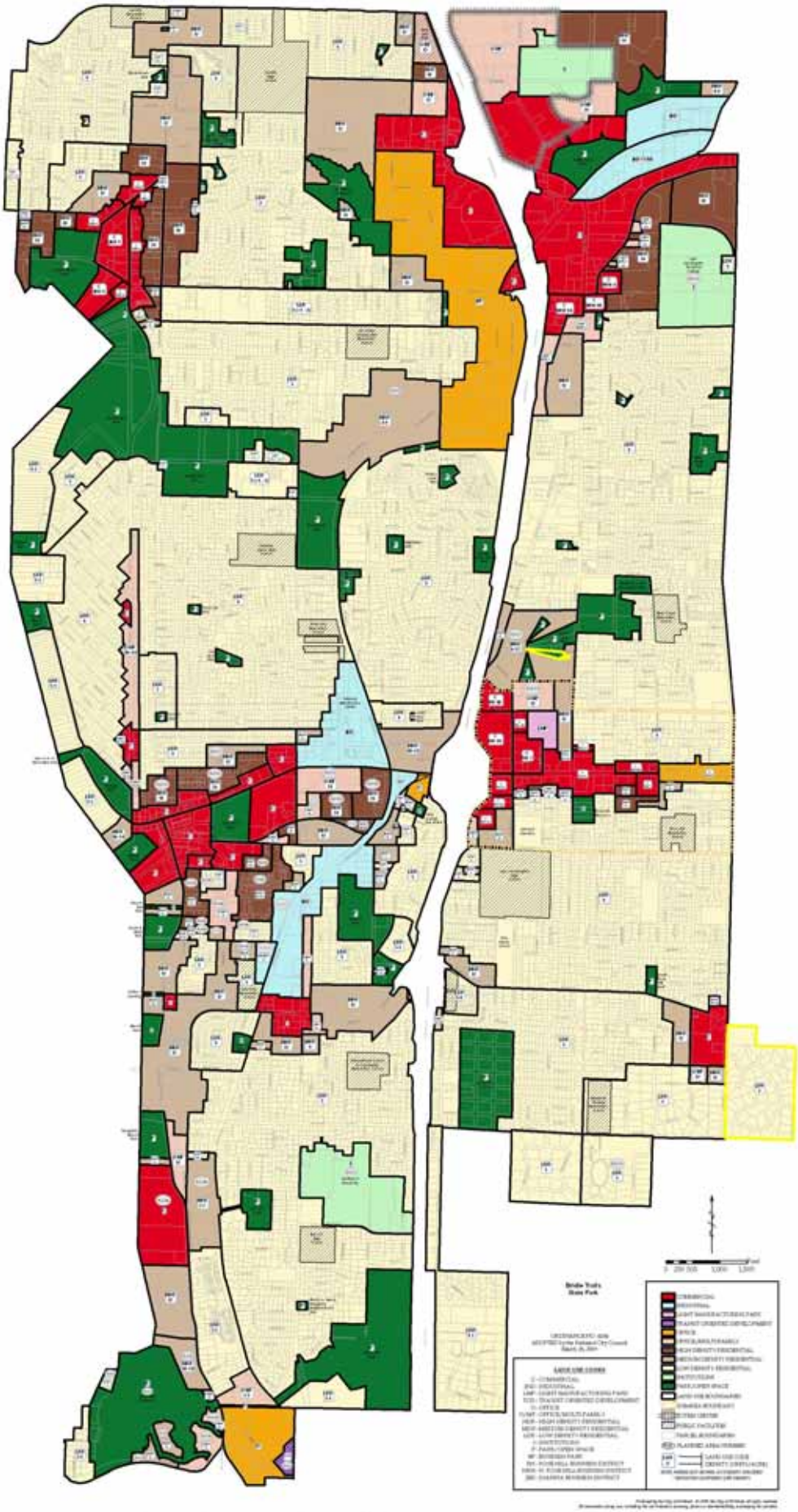
No warranties of any sort, including but not limited
to accuracy, fitness or merchantability, accompany this product.

Figure I-2: City of Kirkland Planning Area

CITY OF KIRKLAND COMPREHENSIVE LAND USE MAP

Department of Planning and Community Development



LU-1 Comprehensive Land Use Map

PUBLICATION SUMMARY
OF ORDINANCE NO. 4212

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO COMPREHENSIVE PLANNING AND LAND USE AND AMENDING THE COMPREHENSIVE PLAN ORDINANCE 3481 AS AMENDED AND AMENDING ORDINANCE 3710 AS AMENDED, THE KIRKLAND ZONING MAP, AS REQUIRED BY RCW 36.70A.130 TO ENSURE CONTINUED COMPLIANCE WITH THE GROWTH MANAGEMENT ACT, AND APPROVING A SUMMARY FOR PUBLICATION, FILE NO ZON09-00001.

SECTION 1. Amends the following portions of the Kirkland Comprehensive Plan and Kirkland Zoning Map:

A. CIP related Amendments to the Capital Facilities and Transportation Elements
B. Implementation Tasks related Amendments to the Implementation Element
C. Houghton Transfer Station related Amendments to the Public Services Element
D. Forbes Lake Park related Amendments to the North Rose Hill Land Use Map, Park Map and Zoning Map
E. North Rose Hill Street Connection Plan Description Amendments
F. Bridle View Annexation related Amendments to the Bridle Trails Neighborhood Plan and Land Use Map, Functional Maps, and Zoning Map
G. Urban Center related Amendments to the Land Use Element and Totem Lake Neighborhood Plan
H. Functional Map Amendments

SECTION 2. Directs the Director of Planning and Community Development to amend the official Zoning Map.

SECTION 3. Provides a severability clause for the ordinance.

SECTION 4. Provides that the effective date of the ordinance is affected by the disapproval jurisdiction of the Houghton Community Council.

SECTION 5. Establishes certification by City Clerk and notifification of King County Department of Assessments..

SECTION 6. Authorizes publication of the ordinance by summary, which summary is approved by the City Council

pursuant to Kirkland Municipal Code 1.08.017 and establishes the effective date as five days after publication of summary.

The full text of this Ordinance will be mailed without charge to any person upon request made to the City Clerk for the City of Kirkland. The Ordinance was passed by the Kirkland City Council at its meeting on the ____ day of _____, 20__.

I certify that the foregoing is a summary of Ordinance _____ approved by the Kirkland City Council for summary publication.

_____

City Clerk

Council Meeting: 10/20/2009
Agenda: Unfinished Business
Item #: 10. b.

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

MEMORANDUM

To: Dave Ramsay, City Manager

From: Stacey Rush, P.E., Surface Water Utility Engineer
Jenny Gaus, P.E., Environmental Services Supervisor
Daryl Grigsby, Director of Public Works

Date: October 8, 2009

Subject: Revised Surface Water Development Regulations

INTRODUCTION

The State Department of Ecology modified our Phase II National Pollutant Discharge Elimination System (NPDES) Permit last June, extending the adoption deadline for revised surface water development regulations to February, 2010. The regulations are designed to create better water quality in our streams, lakes, and wetlands. Adoption of an ordinance will be proposed to Council in November, adopting the 2009 King County Surface Water Design Manual (2009 KCSWDM) and an Addendum through changes to the stormwater code. The ordinance is still undergoing revisions by City staff, and will be finalized next month. The purpose of this memo is to provide information on the following changes:

- Propose adoption of a new stormwater manual for development
- Creation of Addendum to the new stormwater manual
- Identify regulatory items where the City has some flexibility
- Response by other jurisdictions
- Next steps – ordinance to be proposed in November

POLICY IMPLICATIONS

New Stormwater Manual

The Phase II NPDES Permit requires the City to adopt a new stormwater manual for development by February 16, 2010. The City currently uses the 1998 King County Surface Water Design Manual, which does not meet permit requirements. During public meetings with the development community, they requested the City adopt the 2009 KCSWDM instead of Ecology's stormwater manual. The 2009 KCSWDM contains more detailed engineering guidance and better technical support from King County. In addition, the 2009 KCSWDM was more thoroughly vetted with the development community; they were involved with its development and provided review comments. The 2009 KCSWDM has been deemed equivalent to Ecology's stormwater manual. Staff proposes adopting the 2009 KCSWDM with an effective date of January 1, 2010 to meet Phase II NPDES Permit requirements.

Development Regulation Changes

Attached is a table listing the primary development changes under the new regulations (Attachment A). There are increased levels of reporting, detention, and water quality for some projects. The type of projects most affected by the new regulations is redevelopment of existing buildings and paved areas draining to sensitive areas. The projects least affected by

the new regulations are new development of forested areas (because strict requirements are already in place for this type of development). The impacts to CIP projects vary greatly.

The new regulations will translate to additional costs for both public and private projects, but will provide better water quality for our streams, lakes and wetlands. The additional drainage requirements will translate to additional costs for upcoming public projects. For private projects, the cost increase will vary based on the impacts to water quality. The increased level of drainage review necessary by City staff may require us to increase development fees. At this time staff is anticipating a 50% to 70% increase in review hours for review and inspection generated by the new regulations. Staff will evaluate our surface water management rate structure, since the last increase was in 2006. A fee schedule will be presented to Council along with the ordinance in November.

On the other side of the cost/benefit ledger, Ecology's position is that the increased costs actually reflect the true cost of that projects' impact on the water resource. In addition, many in the environmental community still argue the new regulations do not fully cover the actual damages to the environment. Science has shown that watersheds are adversely impacted when they contain 10% impervious surface area. All of our watersheds in Kirkland contain significantly more than 10% impervious surface area.

Because of the significant development changes to the community, outreach has been ongoing throughout this year to educate and involve the residents, business owners, and the development community. Education was in the form of emails, websites & forum updates, news release, handouts, and open house workshops on May 7th and May 13th in 2009. Development regulations are just one piece of the overall water quality puzzle. The Phase II NPDES Permit requires us to address water quality degradation in the following five areas:

1. Public Education and Outreach,
2. Public Involvement and participation,
3. Illicit Discharge Detection and Elimination,
4. Controlling Runoff from New Development, Redevelopment and construction sites, and
5. Pollution Prevention and Operation and Maintenance for Municipal Operations.

The City is taking additional steps to help the development community comply with the new requirements. We are looking at basin planning through an existing Ecology grant in the Juanita Creek drainage basin, and we are examining the possibility of regional detention facilities in the Forbes Creek drainage basin. City staff is currently working with the University of Washington to develop a new geologic/soils map to identify feasible areas for low impact development (LID) in Kirkland. This map is based on actual soil data obtained from previous development projects in Kirkland.

The new regulations will encourage and require consideration of stormwater LID techniques. All projects will be required to evaluate the feasibility and applicability of dispersion and infiltration, and install at least one stormwater LID technique on site (a list is provided in the 2009 KCSWDM). Detention volume and water quality treatment can be reduced by incorporating stormwater LID techniques into a project.

Addendum to Manual
Because the 2009 KCSWDM was written for a Phase I jurisdiction (population greater than 100,000), it contains regulations stricter then we are required to adopt at this time. The main difference is Phase I jurisdictions must apply regulations to both small and large sites, whereas our Phase II NPDES Permit specifically refers to projects on sites one acre or larger. Approximately 1/3 of our project sites are 1 acre or larger (excluding single family).
Below is a table showing the breakdown of projects by size for the last 2 years:

	2007		2008	
Type of Permit	**Less than 1 acre**	**1 acre or larger**	**Less than 1 acre**	**1 acre or larger**
New commercial and multi-family	5	8	3	3
Short Plats	38	6	22	3
Subdivisions	1	1	0	2
Grading (separate)	3	2	3	0
Totals	**47**	**17**	**28**	**8**

The Phase II NPDES Permit gives us some flexibility in applying stormwater requirements for projects that are smaller than one acre. Staff reviewed the 2009 KCSWDM requirements and evaluated the feasibility of the regulations in Kirkland. The Phase II NPDES Permit states we cannot reduce our current standards (no backsliding), and we want to have some consistency with regulations, so we are proposing to adopt some of the same requirements for sites over and under one acre. Staff has prepared an Addendum to address items in the 2009 KCSWDM that are not being adopted at this time, along with Kirkland specific items that differ from King County. The Addendum is attached, but it is still in draft form and will be finalized based on council input (see Attachment B). A table of key issues that may be of interest to Council is also attached (Attachment C).

OTHER JURISDICTIONS

Kirkland is not the only community that will feel the impacts of more stringent environmental regulations. There are approximately 104 jurisdictions in Washington State that are subject to the NPDES Phase II Permit, and therefore will also be required to adopt revised surface water regulations. As part of our process preparing for this change, city staff contacted nine nearby cities and inquired about their regulation changes. Kirkland is generally following the same path as other cities. For detailed information, see the attached jurisdictional comparison table (Attachment D).

NEXT STEPS

Staff would like input from council regarding the issues outlined in Attachment C. An ordinance to adopt the 2009 KCSWDM and the Addendum through changes to the stormwater code (KMC 15.52) will be presented to Council on November 17th.

Should you have questions about the proposed regulations, please contact Stacey Rush at (425) 587-3854 srush@ci.kirkland.wa.us, or Jenny Gaus at (425) 587-3850.

Attachment A: Development Regulation Changes if Adoption of 2009 KC Surface Water Design Manual
Attachment B: Kirkland Addendum to the 2009 KC Surface Water Design Manual
Attachment C: Key issues with new regulations
Attachment D: Jurisdictional Comparison for Revised Stormwater Development Standards

Attachment A

City of Kirkland Development Regulation Changes Between Current Storm Manual and Proposed New Storm Manual

Item	Current Requirements under 1998 King County Surface Water Design Manual	Changes proposed in 2010 with adoption of 2009 King County Surface Water Design Manual
Threshold for Drainage Review	Minor review for projects adding between 500ft^2 - 4,999ft^2 impervious surface area, formal drainage review for projects adding 5,000ft^2 or more.	Minor review for projects adding between 500ft^2 - 1,999ft^2 impervious surface area, formal drainage review for projects adding 2,000ft^2 and more.
Drainage Technical Information Report	Full drainge TIR required for projects adding 10,000ft^2 or more new impervious; partial TIR for 5,000ft^2 or greater.	Lower threshold for Drainage Report, size of report depends on level of drainage review required: Small, Targeted, or Full.
Modeling of Predeveloped Conditions	Use existing coverage - credit given for most existing impervious areas.	For areas of Level 1 flow control, existing coverage allowed. For areas of Level 2 flow control, use historic condition (forested - no credit for existing impervious).
Detention Threshold	Required for projects creating 10,000ft^2 impervious area or more, applies only to new impervious.	Required for projects involving 10,000ft^2 impervious area or more, but is applied to all "effective" impervious on site (new and existing).
Flow Control Level	Level 2 for projects draining to sensitive areas, and Level 1/potential direct discharge exemption for areas draining directly to Lake WA.	No change; use existing flow control map.
Flow Control Exemptions	Minimum impervious area, peak flow, and direct discharge to Lake WA exemptions are available.	Minimum impervious area is reduced to 2,000ft^2, and now includes new and replaced. Direct discharge to Lake WA exemption remians. Peak flow exemption is still available, but must be based on historic condition of site. There is a 40% total impervious area basin exemption that may be applicable to certain areas of Kirkland, but more research and approval from DOE is needed.
Exemption for Road Related Projects	No exemption, treated same as other development.	If new impervious area in a road related project is less than 50% of the existing impervious within project limit, then requirements apply only to "new" impervious surface; otherwise apply to both new and replaced impervious.
Water Quality Threshold	Required if new or replaced pollution generating impervious surface area is 5,000ft^2 or greater.	Required for projects where the total "effective" (new and existing) pollution generating impervious surface is 5,000ft^2 or more.
Erosion Control	Basic erosion control required on all sites; site greater than 1 acre require Construction SW Pollution Prevention Plan.	All projects must prepare an ESC Report. Projects greater than 1 acre require a Construction SW Pollution Prevention Plan.
Low Impact Development (LID)	encouraged, but not required	Projects are required to evaluate the feasibility and applicability of dispersion and infiltration, and install at least 1 stormwater LID technique on site.
The following 2009 KCSWDM requirements will only apply to project sites 1 acre or larger:		
Enhanced Water Quality Treatment Level	not required	Basic level treatment for projects discharging directly to Lake WA. Enhanced treatment required for some single family residential, multi-family, commercial, and high AADT road projects.
SW Pollution Prevention and Spill Plan (SWPPS)	not required	Plan includes 3 elements: a site plan, a pollution prevention report, and a spill prevention and cleanup report.
Soil Amendment	not required	BMP T5.13, per Core Requirement #5. Includes mixing 2-3" of compost into upper 8" of topsoil. Compost needs to meet specific orgainc matter content and pH requirements.

DRAFT

Addendum to the 2009 King County Surface Water Design Manual

Proposed effective date: January 1, 2010

Introduction

This addendum to the 2009 King county Surface Water Design Manual (KCSWDM) applies to development and redevelopment proposals within the city of Kirkland. The KCSWDM has been adopted requirements of the Clean Water Act, the Endangered Species Act, and State Growth Management Act. This addendum includes minor revisions to the KCSWDM to address the differences between King County's and the City's organization and processes. No major substantive changes have been made to the KCSWDM in order to maintain equivalency in review requirements and level of protection provided by the manual. It is our intent to maintain equivalency with the 2005 Ecology Stormwater Management Manual for Western WA.

Addendum Organization

The information presented in this addendum is organized as follows:

I. Terminology: At times King County and City of Kirkland use different terminology to describe or to refer to equivalent subject matter. This section identifies these terms and the City of Kirkland's equivalent terminology.

II. Key Revisions: This section specifically identifies the minor revisions the City has made to the KCSWDM.

III. Code Reference Tables: King County code is referenced in many places throughout the KCSWDM. This section identifies these code references and equivalent city code where applicable.

IV. Reference Materials: This section identifies which reference materials provided in the KCSWDM are applicable and which are not. It also identifies if equivalent City of Kirkland reference materials are available.

V. Mapping: The City of Kirkland equivalents to the Flow Control Applications map, Landslide Hazard Drainage Areas map, and Sensitive/Critical Areas map are available online at:

http://www.ci.kirkland.wa.us/depart/Information_Technology/GIS.htm

Note: Clarifications and interpretations to the KCSWDM or this addendum are documented and made available through City Regulatory Code and the Public Works Pre-Approved Plans.

I. Terminology

At times King County and City of Kirkland use different terminology to describe or to refer to equivalent subject matter. This section identifies these terms and the City of Kirkland's equivalent terminology.

Critical Drainage Area (CDA) – refers to the City of Kirkland Sensitive Areas.

Department of Development and Environmental Services (DDES) – all references to DDES conducting drainage reviews or determinations shall refer to City of Kirkland Public Works and Planning and Community Development Departments.

Department of Natural Resources and Parks (DNRP) – references to DNRP shall refer to City of Kirkland Parks and Planning and Community Development Departments.

Director – refers to the City of Kirkland Public Works Director.

King County – refers to the City of Kirkland (COK).

King County Code (KCC) – refer to the City of Kirkland Municipal and Zoning Codes (KMC and KZC). Check code reference table for equivalent code sections.

King County Designated/Identified Water Quality Problem – This determination is made on a case-by-case basis.

King County Road Standards – refer to the City of Kirkland Public Works Pre-Approved Plans.

Sensitive Area Folio – refer to City of Kirkland Sensitive Areas Map at: http://www.ci.kirkland.wa.us/depart/Information_Technology/GIS.htm

Water and Land Resources (WLR) Division – refers to the City of Kirkland Surface Water Management Division.

Zoning Classifications: Where the KCSWDM references Agricultural (A) Zoning, Forest (F) Zoning, or Rural (R) Zoning – these zoning classifications are intended for areas outside of the Urban Growth Boundary, therefore the City of Kirkland contains no equivalent zoning. Refer to city zoning maps to determine which zoning classifications apply to your project. The City of Kirkland Land Use Map can be found at: http://www.ci.kirkland.wa.us/depart/Information_Technology/GIS.htm

II. Key Revisions

This section includes minor revisions to the KCSWDM to address the differences between King County's and the City of Kirkland's organization and processes, as well as to ensure equivalency.

Chapter 1: Drainage Review and Requirements

Applies with the revisions stated below:

1.1 Drainage Review

Criteria for review levels are defined in the COK Public Works Pre-Approved Plans, Policy D-2. Drainage review levels used in the City of Kirkland are listed below:

- Small Project drainage review
- Targeted drainage review
- Full drainage review

1.2 Core Requirements

1.2.2 Core Requirement #2: Offsite Analysis

1.2.2.1 Downstream Analysis

Exclude the section titled Downstream Water Quality Problems Requiring Special Attention. Water quality problems are addressed through educational programs and source control.

1.2.3 Core Requirement #3: Flow Control

Historic pre-developed conditions will be applied to all projects in a level 2 flow control area.

**A. NPDES Phase II Permit requires historic conditions for projects 1 acre or larger.*

1.2.3.1 Area-Specific Flow Control Facility Requirement

The Impervious Surface Percentage Exemption stated on page 1-38 is void and does not apply to the City of Kirkland.

1.2.5 Core Requirement #5: Erosion and Sediment Control

1.2.5.1 ESC Measures

Ecology's Amended Soil Requirement (BMP T5.13) is required for all projects 1 acre or larger. Amended soil is recommended on projects smaller than 1 acre.

**B. NPDES Phase II Permit requires amended soil on projects 1 acre or larger. King County requires it for all projects (regardless of size) in their clearing and grading codes. Current KZC 95.45 requires amended soil with organic content, but it does not include how much organic content is required and is intended for tree installation.*

1.2.5.2 ESC Performance and Compliance Provisions

B. Monitoring of Discharges

For projects that clear 2,000ft^2 or greater, the City may require the ESC Supervisor to have a turbidity meter onsite and use it to monitor surface and stormwater discharges from the project site and into onsite wetlands, streams, or lakes whenever runoff occurs from onsite activities and during storm events.

1.2.6 Core Requirement #6: Maintenance and Operations
Publicly maintained facilities will be maintained by City of Kirkland.

An Operation and Maintenance Manual is required for all privately maintained stormwater detention and water quality facilities, and is submitted as part of the permit application. A copy of the Operation and Maintenance Manual shall be retained on site and shall be transferred with the property owner to the new owner. A log of maintenance activity indicating when cleaning occurred and where waste was disposed of shall also be kept by the owner and available for inspection by the City.

1.2.7 Core Requirement #7: Financial Guarantees and Liability
This section is replaced by KMC 15.52.080, bonds and irrevocable license to enter.

1.2.8 Core Requirement #8: Water Quality
The road threshold is 7,500 ADT (not 2,000). For projects less than 1 acre in size meeting the Enhanced Basic WQ Treatment threshold, apply the enhanced treatment requirement unless it can be shown as not feasible.

**C. King County applies to all size projects meeting land use criteria, Ecology requires it for projects 1 acre or larger.*

1.2.8.1 B. Sensitive Lake WQ Treatment Areas
This section does not apply to the City of Kirkland.

1.2.8.1 C. Sphagnum Bog WQ Treatment Areas
This section does not apply to the City of Kirkland.

1.3.2 Special Requirement #2: Flood Hazard Area Delineation
Flood Hazard Area is any area adjacent to a Kirkland sensitive area, unless topography is such that the area will not flood.

1.3.3 Special Requirement #3: Flood Protection Facilities
This section does not apply to the City of Kirkland.

1.3.4 Special Requirement #4: Source Controls
Source Control requirements are replaced by Volume IV of the 2005 Ecology Stormwater Management Manual for Western WA.

1.4 Adjustment Process
Refer to the adjustment process defined in COK Pre-Approved Plans, Policy D-11.
**Policy must meet permit requirements for Exceptions/Variance process (App I – Section 6)*

Chapter 2 Drainage Plan Submittal

Applies with the revisions stated below:

2.1 Plans Required for Drainage Review
Refer to the COK Pre-Approved Plans, Policies G-7, D-2, and D-3.

2.2 Plans Required with Initial Permit

Refer to the COK Pre-Approved Plans, Policies G-7, D-2, and D-3.

2.3 Drainage Review Plan Specifications

2.3.1.1 Technical Information Report

An Operation and Maintenance Manual is required for all privately maintained stormwater detention and water quality facilities, and is submitted as part of the permit application.

2.3.1.2 – Site Improvement Plan

Refer to the COK Pre-Approved Plans, Policies G-7, D-2, and D-3.

2.3.1.3 – ESC Plan Section

Refer to the COK Pre-Approved Plans, Policies G-7, D-2, and D-3.

2.3.1.4 – Stormwater Pollution Prevention and Spill (SWPPS) Plan

Refer to the COK Pre-Approved Plans, Policies G-7, D-2, and D-3.

2.3.1.5 – Landscape Management Plan

Refer to the COK Pre-Approved Plans, Policies G-7, D-2, and D-3.

2.3.2 – Projects in Targeted Drainage Review (TDR)

Refer to the COK Pre-Approved Plans, Policies G-7, D-2, and D-3.

2.4 Plans Required After Drainage Review (pg 2-35)

Refer to the COK Pre-Approved Plans, policies G-7, D-2, and D-3.

Chapter 5 Flow Control Design

Applies with the revisions stated below:

5.2 Flow Control BMP Requirements

5.2.1 Individual Lot BMP Requirements

**E. 2009 KCSWDM requires this on small site and large projects. Ecology requires LID as feasible for projects 1 acre or larger.*

5.2.1.4 Implementation Requirements for Individual Lot BMPs

This section is replaced by KMC 15.52.080, bonds and irrevocable license to enter.

5.3 Detention Facilities

Use details located in the Public Works Pre-Approved Plans, if available.

5.3.4.1 Control Structures Design Criteria

Minimum orifice diameter is 0.5 inches.

5.3.5 Parking Lot Detention

Parking lot detention is not allowed in the City of Kirkland.

Chapter 6 Water Quality Design

Applies with the revisions stated below:

Use details located in the Public Works Pre-Approved Plans, if available.

Appendix A: Maintenance Requirements for Flow Control , Conveyance, and WQ Facilities

Applies. Other maintenance techniques may be used as directed by city staff.

Appendix B: Master Drainage Plan Objective, Criteria and Components, and Review Process

This Appendix does not apply to projects in the city of Kirkland.

III. Code Reference Tables

King County Code is referenced in many places throughout the KCSWDM. The following tables identify these code references and equivalent City of Kirkland code where applicable (Kirkland Municipal Code is KMC and Kirkland Zoning Code is KZC). Policies are in the Public Works (PW) Pre-Approved Plans.

King County Code Reference	Subject of Reference	COK Code / Policy Equivalent	Comment
KCC 2.98	Adoption procedures and Critical Drainage Areas	KZC Chapter 90	
Title 9	Surface Water Management	KMC 15.52	
KCC 9.04	Surface Water Run-off policy	KMC 15.52	
KCC 9.04.030	Drainage Review	PW Pre-Approved Plans	Policy D-2
KCC 9.04.050	Drainage Review-requirements	PW Pre-Approved Plans	Policy D-2
KCC 9.04.070	Engineering plans for the purposes of drainage review	KMC15.52.060 and PW Pre-Approved Plans	Policy D-2
KCC 9.04.090	Construction timing and final approval	KMC 15.52.060	
KCC 9.04.100	Liability Requirements	KMC 15.52.080	
KCC 9.04.115	Drainage Facilities accepted by King County	KMC 15.52.070	
KCC 9.04.120	Drainage Facilities accepted by King County	KMC 15.52.070	
KCC 9.12	Prohibited discharges in the water quality section	KMC 15.52.090	
KCC 9.12	Water Quality	KMC 15.52.090 – 15.52.110	
KCC 9.12	Water Quality: Stormwater Pollution Prevention Manual Adoption	KMC 15.52.100	
KCC 16.82	Erosion and Sediment Control, Clearing and Grading	KMC 15.52.060	
KCC 16.82.095(A)	ESC standards: seasonal limitation period	PW Pre-Approved Plans	Erosion/Sediment Control Plan Notes, item #9

KCC 16.82.100(F)	Grading standards: preservation of duff layer	KZC Chapter 95	
KCC 16.82.100(G)	Grading Standards: soil amendments	KZC Chapter 95	
KCC 16.82.150	Clearing standards in rural zone	Not applicable	COK does not contain rural zones
KCC 20.20	Land Use Review Procedures	KZC Title 23	
KCC 20.70.020	Critical Aquifer recharge area	Not applicable	No critical aquifer recharge areas in COK
KCC 21A	Critical Areas Requirements	KZC Title 23	Sensitive areas in Chapter 90
KCC 21A.14.180.D	On-site recreation space required	No equivalent City code exists	On-site recreation space is not required
KCC 21A.24	Critical Areas Code	KZC Chapter 90	
KCC 21A.38	Property specific development standards or special district overlays	KZC Chapter 90	
KCC 23.20	Code compliance: citations	KMC 15.52.140	
KCC 23.24	Code compliance: notice and orders	KMC 15.52.140	
KCC 23.28	Code compliance: stop work orders	KMC 15.52.140	
KCC 23.40	Code compliance: liens references on declaration of covenants form	KMC Title 15	

IV. Reference Materials

This section identifies which reference materials provided in the 2009 KCSWDM are applicable and which are not. Reference materials that have been struck through (i.e., ~~struck through~~) are not applicable to projects in the City of Kirkland. The list is followed by City of Kirkland equivalent reference materials.

~~1. KCC 9.04 – Surface Water Runoff Policy~~
~~2. Adopted Critical Drainage Areas~~
~~3. Other Adopted Area Specific Drainage Requirements~~
- ~~A. RA Zone Clearing Restrictions~~

4. Other Drainage Related Regulations and Guidelines
- A. Grading Code Soil Amendment Standard
- ~~B. Clearing & Grading Seasonal Limitations~~
- ~~C. Landscape Management Plan Guidelines~~
- ~~D. Shared Facility Maintenance Responsibility Guidance~~

5. Wetland Hydrology Protection Guidelines

Need to compare this with our COK Zoning Code

6. Hydrologic/Hydraulic Design Methods
- A. EPA Infiltration Rate Test
- B. Pond Geometry Equations

~~7. Engineering Plan Support~~

~~A. King County Standard Map Symbols~~
~~B. Standard Plan Notes and Example Construction Sequence~~
~~C. Stormfilter Access and Cartridge Configuration~~

8. Forms and Worksheets
   A. Technical Information Report (TIR) Worksheet
   B. Offsite Analysis Drainage System Table
   C. Water Quality Facility Sizing Worksheets
   D. Flow Control and Water Quality Facility Summary Sheet and Sketch
   E. CSWPPP Worksheet Forms
   ~~F. Adjustment Application Form and Process Guidelines~~
   ~~G. Dedication and Indemnification Clause – Final Recording~~
   ~~H. Bond Quantities Worksheet~~
   ~~I. Maintenance and Defect Agreement~~
   ~~J. Drainage Facility Covenant~~
   ~~K. Drainage Release Covenant~~
   ~~L. Drainage Easement~~
   ~~M. Flow Control BMP Covenant~~
   ~~N. Impervious Surface Limit Covenant~~
   ~~O. Clearing Limit Covenant~~
   ~~P. River Protection Easement~~
   ~~Q. Leachable Metals Covenant~~

~~9. Interim Changes to Requirements~~
   ~~A. Blanket Adjustments~~
   ~~B. Administrative Changes~~

~~10. King County Identified Water Quality Problems~~

City of Kirkland reference materials are listed below:

1. Area Specific Drainage Requirements
   Flow control map
   Drainage Basin and Sensitive areas map

2. Other Drainage Related Regulations and Guidelines
   KZC Chapter 90
   KMC 15.52
   PW Pre-Approved Plans, Policy G-7
   PW Pre-Approved Plans, Policy D-2
   PW Pre-Approved Plans, Policy D-3
   PW Pre-Approved Plans, Policy D-11
   PW Pre-Approved Plans, Erosion/Sedimentation Control – Plan Notes

3. Forms and Worksheets
   Surface Water Design Manual Requirements/Standards Adjustment Request form
   Stormwater Drainage Report Template

V. Mapping

Below is a list of City of Kirkland maps to be used during drainage design. The maps are available on the following website:

http://www.ci.kirkland.wa.us/depart/Information_Technology/GIS.htm

The maps can be viewed on-line, purchased on a CD, or viewed at the Public Works counter at City Hall.

1. Base Map
2. Flow Control Map
3. Sensitive Areas Map
4. Land Use Map

Table of 2009 King County Surface Water Design Manual (2009 KCSWDM) Key Items for Council

Attachment C

Kirkland is not required to meet Phase I requirements, but cannot reduce current program requirements (no backsliding). Kirkland is required to meet Phase II requirements (at a minimum).

Letters in the first column below correspond to sections in the Addendum to the 2009 KCSWDM.

		Requirements						
	Item	**NPDES Phase I (2009 KCSWDM)**	**NPDES Phase II (Minimum)**	**Current City Program**	**City Staff Recommendation**	**Impact to Private Development**	**Impact to Public Development Projects**	**Benefits to the Environment**
A	Use of "historic conditions" (fully forested) for pre-developed runoff modeling	Use on all projects in Level 2 flow control[1] areas	Only apply to project sites 1 acre or larger in Level 2 flow control[1] areas	Actual conditions are used (including impervious), not historic conditions	Use Ecology Phase I threshold, require it on all size projects in Level 2 flow control[1] areas.	Increased detention volumes, additional costs, can be partially offset by storm LID[2] techniques	Increased detention volumes, additional costs, can be partially offset by storm LID[2] techniques	The higher level of protection controls flow durations and peaks, which protects water quality and habitat functions essential to fish and other aquatic life.
B	Soil Amendment, including specific % organics and pH, mixed into the top 8 inches of soil	All projects required to include soil amendment, per King County clearing and grading code, and 2009 KCSWDM Core Requirement #5.	Only apply to project sites 1 acre or larger	Amended soil with organic content is currently required by KZC 95.45 *Installation Standards for Required Plantings* . It does not include an amount for organic content, ph, or minimum soil depth.	Use Ecology Phase II threshold, require it on all projects 1 acre or larger. Recommend on projects less than 1 acre, and create incentives to encourage soil amendment.	Additional landscaping cost for project sites 1 acre or larger	Additional landscaping cost for project sites 1 acre or larger	Amended soil promotes vegetation, pollutant decomposition, and water storage. It helps to control flows and increases water quality to protect fish and other aquatic life.
C	Enhanced Water Quality Treatment (requires removal of metals such as copper and zinc)	Treatment level determined by land use (for all project size). Enhanced treatment required for: (a) residential subdivisions if density is > 8 units per acre, (b) for all commercial, industrial, and multi-family, and (c) road with ADT[3] 2,000 +	Only applies to project sites 1 acre or larger, and applies to the following land uses: (a) no residential (b) all Industrial, Commercial, and multi-family, and (c) road with ADT[3] 7,500 +	No projects require enhanced treatment	Use Ecology Phase II threshold, require it only for projects 1 acre or larger, and for higher volume roads known to produce high levels of pollutants. Apply as feasible on projects less than 1 acre.	Additional cost for enhanced water quality treatment systems for industrial, commercial, and multi-family projects	Additional cost for enhanced water quality treatment systems for projects with higher volume roads	The higher level of water quality treatment removes metals (like copper and zinc) that are commonly found in stormwater runoff and can be toxic to fish and other aquatic life.
D	Stormwater Low Impact Development (LID) Techniques	All projects are required to evaluate the feasibility and applicability of dispersion first, then infiltration (requiring soils report). If neither is feasible then applicant must choose at least 1 stormwater LID[2] technique from list.	Required as feasible for project sites 1 acre or larger.	Projects are encouraged to implement stormwater LID[2] but are not required.	Use Ecology Phase I threshold, require it on all size projects.	Requiring LID[2] to be considered on all projects will result in more LID[2] facilities in private projects	Requiring LID[2] to be considered on all capital projects will result in more LID[2] facilities on public property. This may increase the need for more grounds crews to maintain the LID[2] facilities (such as rain gardens).	Projects with stormwater LID[2] facilities typically have less impervious area and less pollution generating areas, which reduces the impacts to water quality from development.

[1]**Level 2 flow control** (also called conservation flow control) refers to a higher level of flow control intended to protect sensitive areas.

[2]**LID** - low impact development

[3]**ADT** - average daily traffic counts

Jurisdictional Comparison for Revised Stormwater Development Standards Attachment D

Note: This information was gathered during August and September of 2009.

Jurisdiction	Primary Development Manual	Adoption Date	Extend to projects less than 1 acre (not small site)	Small Site Manual	Amended Soil on small sites	LID feasibility on small sites	Forested Conditions on small sites	Contact
Redmond	2005 Ecology Stormwater Manual for W WA	1/1/2007	Yes	2005 Ecology Manual	Required	Required as feasible	Required in level 2 areas	Andy Rhume 425-556-2741
Bothell	2005 Ecology Stormwater Manual for W WA	8/15/2009	Yes	2009 KCSWDM, Appendix C	Required	Required	Required in level 2 areas	Kristin Terpstra 425-486-2768 x4463
Bellevue	2005 Ecology Stormwater Manual for W WA	1/1/2010	Yes	undecided	staff will recommend	staff will recommend	staff will recommend	Pam Maloney (425-452-4625) Elissa Ostergaard (425-452-6879)
Edmonds	2005 Ecology Stormwater Manual for W WA	2/16/2010	Yes - but not LID	Edmonds specific Addendum	Required	No	Required in level 2 areas	Jerry Shuster
Federal Way	2009 King County Surface Water Design Manual	2/16/2010	Yes	2009 KCSWDM, Appendix C	Recommended but not required	Required	Required in level 2 areas	Fei Tang 253-835-2751
Renton	2009 King County Surface Water Design Manual	2/16/2010	Yes	2009 KCSWDM, Appendix C	Required	Required	Required in level 2 areas	Ron Straka 425-430-7248

Sammamish	2009 King County Surface Water Design Manual	2/16/2010	Staff will recommend	2009 KCSWDM, Appendix C	undecided	Already has City LID Ordinance requiring LID as feasible	undecided	Eric LaFrance 425-295-0562
Woodinville	2009 King County Surface Water Design Manual	2/16/2010	undecided	undecided	undecided	undecided	undecided	Clint Moyer 425-489-2700 x2294
Auburn	Slightly modified City of Tacoma Surface Water Management Manual	2/16/2010	Yes	Slightly modified City of Tacoma Surface Water Management Manual	not required for small site	Code change will "encourage" LID	Required in level 2 areas	Dan Repp 253-804-5062

Summary

Manual
2009 KCSWDM - 4 cities
2005 Ecology Manual - 4 cities
Tacoma Manual - 1 city

Adoption Date
Already in place - 2 cities
January 2010 - 1 city
February 2010 - 6 cities

Extend requirements to projects less than 1 acre
Yes, staff will recommend - 7 cities
Will extend some requirements (not LID) - 1 city
Undecided - 1 city

Small single family sites
Amended soils required - 4 cities
Amended soils recommended, but not required - 3 cities
Amended soils undecided - 2 cities

LID feasibility already required by code - 1 cities
LID feasibility required - 6 cities
LID feasibility not required - 1 city
LID feasibility undecided - 1 city

Forested condition required - 7 cities
Forested condition undecided - 2 cities

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

MEMORANDUM

To: David Ramsay, City Manager **QUASI-JUDICIAL**

From: Eric Shields, Planning Director
Tony Leavitt, Associate Planner

Date: October 8, 2009

Subject: PLAZA AT YARROW BAY OFFICE BUILDING ZONING AND PUD PERMITS, PCD FILE NO. ZON08-00017

RECOMMENDATION

Consider the Zoning Permit, Preliminary PUD and Final PUD applications and the Hearing Examiner recommendation, and direct staff to return to the November 3rd Council meeting with an ordinance to either:

- Grant the application as recommended by the Hearing Examiner; or
- Modify and grant the application; or
- Deny the application.

Option to adopt ordinance on October 20th: Under the Council Rules of Procedure, Section 26, the City Council shall consider a Process IIB application at one meeting and vote on the application at the next or a subsequent meeting. The City Council may, by a vote of at least five members, suspend the rule to vote on the matter at the next meeting and vote on the application at this meeting.

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

This application is subject to the disapproval of the Houghton Community Council. The decision of the City Council will not be effective unless and until it is affirmed by the Community Council.

RULES FOR CITY COUNCIL CONSIDERATION

The City Council shall consider the Zoning Permit application based on the record before the Hearing Examiner and Houghton Community Council and the recommendation of the Hearing Examiner. Process IIB does not provide for testimony and oral arguments. However, the City Council in its discretion may ask questions of the applicant and staff regarding facts in the record, and may request oral argument on legal issues.

BACKGROUND DISCUSSION

Proposal

Keith Maehlum of HAL Real Estate Investments Incorporated has applied for a zoning permit application to allow construction of a new 4 story; 74,101 gross square foot office building located within a surface parking lot of the existing Plaza at Yarrow Bay office development (see Hearing Examiner Recommendation Exhibit A, Attachments 2 and 3 for detailed project information and development plans). Additional parking for the project will be provided within a modified surface lot and a new underground parking garage.

The proposal includes the following permits and modifications:

- Process IIB zoning permit to allow an office use expansion within the Planned Area (PLA) 3A zone.
- Preliminary and Final Planned Unit Development permit to allow construction of an alternate City entryway design next to the street and to allow a reduced setback from Lake Washington Boulevard.
    - KZC requires that a City entryway design be provided on the subject property adjacent to Lake Washington Boulevard as follows: an earthen berm, 12 feet wide and with a uniform height of three feet at the center; lawn covering the berm; and London Plane at least two inches in diameter, planted 30 feet on center along the berm. As part of the proposed PUD, the applicant seeks to modify the entryway design requirements by installing a new pedestrian entry plaza at the southeast corner of the site, right-of-way improvements (including curb, 4.5 foot wide landscape strip, and a 5 foot wide sidewalk) and a 10 foot landscape buffer.
    - The proposed PUD seeks to reduce the required front yard setback from Lake Washington Boulevard from 90 feet to 77.5 feet
- A wetland buffer reduction by enhancing a Type 1 wetland buffer which is located on the subject property. The proposal is to reduce the required wetland buffer on the subject property from 100 feet to 67 feet.
- Parking modification to reduce the total number of required parking stalls for the project.
- Land use buffer modification to eliminate the requirement for a 6 foot high fence.

Public Hearing

The Hearing Examiner and Houghton Community Council held an open record public hearing on September 14, 2009. City Staff, Keith Maehlum of HAL Real Estate Investments Inc, and Rich Wagner of Baylis Architects testified and answered questions from the Hearing Examiner and the Houghton Community Council during the hearing.

After the conclusion of the public hearing, the Houghton Community Council deliberated and drafted a recommendation of approval with conditions per Staff's recommendation (see Enclosure 1, Exhibit G). On February 25, 2009, the Hearing Examiner recommended approval of the application with conditions per Staff's recommendation (see Enclosure 1).

Houghton Community Council and Hearing Examiner Recommendations

The Houghton Community Council concurred with the staff analysis and the recommendation of approval, however the HCC concluded that the applicant did not provided adequate public benefits to address the adverse impacts or undesirable effects of the proposed PUD, specifically the setback reduction. In order to address the negative impacts, the HCC recommended additional modulation of the upper story of the building.

The additional recommendation requires that as part of the development permit application, the applicant shall submit a building section demonstrating that no portion of the building exceeds the building setback increase (two feet for one foot) as depicted on Attachment 3, Sheet 18 of the Staff Advisory Report.

The Hearing Examiner agreed with the Houghton Community Council recommendation, but drafted the condition using different wording. The Hearing Examiner recommendation states that as part of the development permit application, the applicant shall submit plans showing a structure design that includes modulation in the upper story of proposed Building V, together with a building section drawing showing no portion of the building exceeding the front setback shown on page 52 of Exhibit A (Attachment 3, sheet 18 of the Staff Advisory Report).

After receiving a copy of the Hearing Examiner's Recommendation, a Houghton Community Council Member expressed concerns about the condition wording used by the Hearing Examiner. Staff discussed this issue with the Hearing Examiner and she explained that she agreed with the HCC that the upper story should be modulated and that it was her intention to clarify the requirement.

Staff recommends that the City Council modify and grant the application by incorporating the condition wording used by the Houghton Community Council. An Ordinance reflecting this recommendation is enclosed.

ENCLOSURES

1. Hearing Examiner Recommendation and Exhibits

CITY OF KIRKLAND
HEARING EXAMINER FINDINGS, CONCLUSIONS AND RECOMMENDATION

APPLICANT: Keith Maehlum for HAL Real Estate Investments Inc.

FILE NO: ZON08-00017

APPLICATION:

Site Location: 10230 NE Points Drive

Request: Zoning permit application for a new 4 story, 74,101 gross square foot office building located within a surface parking lot of the existing Plaza at Yarrow Bay office development. Additional parking will be provided within a modified surface lot and a new underground parking garage. The proposal includes the following permits and modifications:

- Process IIB zoning permit to allow an office use expansion within the Planned Area (PLA) 3A zone.
- Preliminary and Final Planned Unit Development permit to allow construction of an alternate City entryway design next to the street and to allow a reduced setback from Lake Washington Boulevard.
    - Kirkland Zoning Code requires that a City entryway design be provided on the subject property adjacent to Lake Washington Boulevard as follows: an earthen berm, 12 feet wide and with a uniform height of three feet at the center; lawn covering the berm; and London Plane trees at least two inches in diameter, planted 30 feet on center along the berm. As part of the proposed PUD, the applicant seeks to modify the entryway design requirements by installing a new pedestrian entry plaza at the southeast corner of the site, right-of-way improvements (including curb, 4.5 foot wide landscape strip, and a 5 foot wide sidewalk) and a 10 foot landscape buffer.
    - The proposed PUD seeks to reduce the required front yard setback from Lake Washington Boulevard by 12.5 feet, from 90 feet to 77.5 feet
- A wetland buffer reduction by enhancing a Type 1 wetland buffer which is located on the subject property. The proposal is to reduce the required wetland buffer on the subject property by 33 feet, from 100 feet to 67 feet.
- Parking modification to reduce the total number of required parking stalls for the project.
- Land use buffer modification to eliminate the requirement for a 6 foot high fence.

Review Process: Process IIB, Houghton Community Council and Hearing Examiner hold a public hearing and make recommendations; City Council makes

final decision. The Houghton Community Council has disapproval jurisdiction over the land use proposal.

Summary of Key Issues:

- Compliance with Process IIB Zoning Permit Approval Criteria
- Compliance with PUD Approval Criteria
- Compliance with Wetland Buffer Modification Approval Criteria
- Compliance with Applicable Development Regulations

SUMMARY OF RECOMMENDATIONS:

Department of Planning and Community Development	Approve with conditions
Houghton Community Council	Approve with conditions
Hearing Examiner	Approve with conditions

PUBLIC HEARING:

The Hearing Examiner and Houghton Community Council (Community Council) held a joint public hearing on the application at 7:00 p.m. on September 12, 2009, in the Council Chamber, City Hall, 123 Fifth Avenue, Kirkland, Washington. A verbatim recording of the hearing is available in the City Clerk's office. The minutes of the hearing and the exhibits are available for public inspection in the Department of Planning and Community Development. The Examiner visited the site in advance of the hearing.

PUBLIC COMMENT:

The public comment period ran from February 9, to March 9, 2009. The Planning Department received no comments during this period. No public testimony or written public comments were received at the joint public hearing. A list of the applicant and staff representatives who testified at the hearing, and a list of the exhibits offered are included at the end of this Recommendation. The testimony is summarized in the hearing minutes.

FINDINGS, CONCLUSIONS AND RECOMMENDATION:

For purposes of this recommendation, all section numbers refer to the Kirkland Zoning Code (KZC or Code) unless otherwise indicated. After considering the evidence in the record and inspecting the site, the Examiner enters the following findings of fact and conclusions:

A. Findings:

1. The Findings of Fact set forth at pages 2 through 16 of the Department's Advisory Report, Exhibit A, are adopted by reference except as noted below:

2. Section F.2.c (1) is amended to add new subsections (e) and (f) as follows:

<u>PUD Criterion 2</u>: Any adverse impacts or undesirable effects of the proposed PUD are clearly outweighed by specifically identified benefits to the residents of the city.

(1) Facts:

(a) KZC 60.20 lists the general regulations that apply to all uses within the PLA 3A Zone (see Attachment 11).

(b) General Regulation 7 states that the required yard of a structure abutting Lake Washington Boulevard must be increased two feet for each one foot that structure extends 25 feet above average building elevation.

(c) The proposed structure will be 60 feet above average building elevation, which would require a 90 foot setback from Lake Washington Boulevard.

(d) The proposed PUD seeks to reduce the required front yard setback from Lake Washington Boulevard from 90 feet to 77.5 feet (see Attachment 2, page 4).

(e) The Houghton Community Council (HCC) determined that the proposed PUD fails to provide adequate public benefits to outweigh the undesirable effects of the requested reduction in the front setback.

(f) The HCC recommended that the PUD provide the additional public benefit of modulation in the upper story of proposed Building V, with no portion of the building to exceed the front setback shown on page 52 of Exhibit A (Attachment 11, sheet 18).

(g) The applicant included a graphic representation that shows a 30' tall structure that could be built 20 feet from the front property line compared to the proposed structure (see Attachment 3, pages 6 thru 10).

(h) General Regulation 8 requires that a City entryway design be provided on the subject property adjacent to Lake Washington Boulevard as follows: an earthen berm, 12 feet wide and with a uniform height of three feet at the center; lawn covering the berm; and London Plane trees at least two inches in diameter, planted 30 feet on center along the berm.

(i) As part of the proposed PUD, the applicant seeks to modify the entryway design requirements by installing a new pedestrian entry plaza at the southeast corner of the site, right-of-way improvements (including curb, 4.5 foot wide landscape strip, and a 5 foot wide sidewalk) and a 10 foot landscape buffer (see Attachment 2, pages 6 and 7; and Attachment 3, pages 22 thru 28).

(j) The Public Works Department has reviewed the proposed right-of-way improvement plan and approves of the proposed design. London plane trees are no longer allowed as street trees due to the invasive roots.

(k) A reduction in the setback and a modification of the right-of-way improvements requirements could potentially result in the following impacts:
(l) The loss of open space along Lake Washington Boulevard
(m) Incompatible right-of-way improvements along the west side of Lake Washington Boulevard.
(n) The applicant is proposing the following site design benefits to mitigate the potential impacts:
(o) Installation of a new pedestrian entry plaza in the southeast corner of the site and within the adjoining right-of-way.
(p) New pedestrian pathways that lead to a new pedestrian plaza near existing Buildings 1 and 2.
(q) A 10 foot wide landscape buffer (on the property and within the right-of-way) between Lake Washington Boulevard and the proposed parking lot.
(r) A majority of the building has a height of 55.25 feet above average building elevation. The taller portions of the building (including rooftop appurtenance screening) are located away from Lake Washington Boulevard.

B. Conclusions:

1. The conclusions set forth in the Department's Advisory Report, Exhibit A, at pages 5 through 16 are adopted by reference except as noted below:
2. Section F.2.c (2) is amended to read as follows:

<u>Conclusions</u>:

(a) The requested reduction in the front setback will enable the applicant to increase the size of the central campus plaza at the west end of the proposed building. The occupants of three buildings in the Plaza at Yarrow Point will be the primary beneficiaries of the enlarged plaza. The reduction will move the back of the proposed building closer to the public way along Lake Washington Boulevard. Therefore, measures are needed to break up the mass and scale of the building.
(b) The applicant should submit, as part of the development permit application, plans showing a structure design that includes modulation in the upper story of proposed Building V, together with a building section drawing showing no portion of the building exceeding the front setback shown on page 52 of Exhibit A (Attachment 11, sheet 18).
(c) With the recommended conditions, the adverse impacts or undesirable effects of the proposed PUD will be minimized by a site design that lessens potential development related impacts. To the extent that they remain, the adverse impacts and undesirable effects will be outweighed by the PUD benefits including offsite and onsite pedestrian amenities, additional landscape buffering, and the design of the structure.

C. Recommendation:

Based upon the foregoing findings of fact and conclusions, the Hearing Examiner recommends that the Council approve the application subject to the following conditions:

1. This application is subject to the applicable requirements contained in the Kirkland Municipal Code, Zoning Code, and Building and Fire Code. It is the responsibility of the applicant to ensure compliance with the various provisions contained in these ordinances. Attachment 4 to Exhibit A, Development Standards, is provided in this report to familiarize the applicant with some of the additional development regulations. This attachment does not include all of the additional regulations. When a condition of approval conflicts with a development regulation in Attachment 4 to Exhibit A, the condition of approval shall be followed.
2. As part of any development permit application, the applicant shall:
    a. Submit development plans that incorporate the approved wetland buffer enhancement, monitoring, and maintenance plans (see Conclusion II.F.3 to Exhibit A).
    b. Submit plans that depict tree protection measures, as recommended in the arborist report, for all existing trees being retained (see Conclusion II.G.4 to Exhibit A).
    c. Submit a report from a qualified professional stating the size (DBH), species, and assessment of health and determination of viable trees within the public right-of-way (see Conclusion II.G.4 to Exhibit A).
    d. Submit an updated Geotechnical Report that addresses the criteria in KZC Section 85.15 and ensure that all plans incorporate the geotechnical recommendations, along with a written acknowledgment on the face of the plans signed by the architect, engineer, and/or designer that he/she has reviewed the geotechnical recommendations and incorporated these recommendations into the plans (see Conclusion II.G.5 to Exhibit A).
    e. Submit a financial security device to the Planning Department to cover the cost of completing the wetland buffer enhancement work. The security shall be consistent with the standards outlined in Zoning Code section 90.145 (see Conclusion II.G.6 to Exhibit A).
    f. Submit an erosion control plan, which depicts the location of a six-foot high construction phase fence along the upland boundary of the entire wetland buffer with silt screen fabric installed per City standard. The fence shall remain upright in the approved location for the duration of development activities (see Conclusion II.G.8 to Exhibit A).

g. Submit plans that include the proposed pedestrian entry plaza, onsite pedestrian improvements and all improvements within the public right-of-way. The plans shall also include a long-term maintenance plan for these areas (see Conclusion II.F.2.d to Exhibit A).

h. Submit plans showing a structure design that includes modulation in the upper story of proposed Building V, together with a building section drawing showing no portion of the building exceeding the front setback shown on page 52 of Exhibit A (Attachment 3, sheet 18 of the Staff Advisory Report).

3. As part of a building permit application, the applicant shall provide a lighting plan showing the location, height, fixture type and wattage of all proposed exterior lights. The lighting plan shall be consistent with the requirements in KZC Section 115.85 (see Conclusion II.G.9 to Exhibit A).

4. Prior to final inspection of any development permit, the applicant shall:

a. Complete installation of the wetland buffer enhancement plan, subject to inspection by the City's wetland consultant at the applicant's expense (see Conclusion II.F.3 to Exhibit A).

b. Provide proof of a written contract with a qualified professional who will perform the monitoring and maintenance program outlined in the wetland buffer enhancement plan, together with a completed contract and fees to fund review of the monitoring and maintenance activities, (i.e. inspection of plant materials, annual monitoring reports or replanting activities) by the City's wetland consultant. Alternatively, the applicant can provide a completed contract and fees to fund completion of the monitoring program by the City's wetland consultant (see Conclusion II.F.3 to Exhibit A).

c. Enter into an agreement with the City, which runs with the property, in a form acceptable to the City Attorney, indemnifying the City for any damage resulting from development activity on the subject property which is related to the physical condition of the property. The applicant shall record this agreement with the King County Department of Elections and Records see Conclusion II.G.5 to Exhibit A).

d. Submit to the Planning Department a financial security device to cover all monitoring and maintenance activities that will need to be done including consultant site visits, reports to the Planning Department, and any vegetation that needs to be replaced. The security should be consistent with the standards outlined in Zoning Code section 90.145 (see Conclusion II.G.6 to Exhibit A).

e. Dedicate a natural greenbelt protection easement encompassing the wetland and associated wetland buffer on the site (see Attachment 9). The boundaries of the Natural Greenbelt Protection Easement should be established by survey. The survey should be located on KCAS or plat bearing system and tied to known monuments (see Conclusion II.G.7 to Exhibit A).

f. Install either (1) a permanent three- to four-foot-tall split rail fence; or (2) permanent planting of equal barrier value; or (3) equivalent barrier, as approved by the Planning Official between the upland boundary of all wetland buffers and the developed portion of the site (see Conclusion II.G.8 to Exhibit A).

Entered this 17th day of September, 2009, per authority granted by KZC 152.70. A final decision on this application will be made by the City Council.

_____
Sue A. Tanner
Hearing Examiner

SUBSEQUENT MODIFICATIONS

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

CHALLENGES AND JUDICIAL REVIEW

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

CHALLENGE

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

Any response to the challenge must be delivered to the Planning Department within seven (7) calendar days after the challenge letter was filed with the Planning Department. Within the same time period, the person making the

response must deliver a copy of the response to the applicant and all other people who submitted comments or testimony to the Hearing Examiner.

Proof of such mail or personal delivery must be made by affidavit, available from the Planning Department. The affidavit must be attached to the challenge and response letters, and delivered to the Planning Department. The challenge will be considered by the City Council at the time it acts upon the recommendation of the Hearing Examiner.

JUDICIAL REVIEW

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

LAPSE OF APPROVAL

The applicant must submit to the City a complete building permit application approved under Chapter 125 within four (4) years after approval of the Final PUD, or the lapse provisions of Section 152.115 will apply. Furthermore, the applicant must substantially complete construction approved under Chapter 125 and complete the applicable conditions listed on the Notice of Approval within six (6) years after approval of the Final PUD, or the decision becomes void.

TESTIMONY:
The following persons testified at the public hearing:

From the City:	**From the Applicant:**
Tony Leavitt, Project Planner	Keith Maehlum, Applicant
	Rich Wagner, Baylis Architects

EXHIBITS:
The following exhibits were offered and entered into the record at the public hearing:
A. Department of Planning and Community Development Staff Advisory Report dated September 3, 2009, with 18 attachments
B. Applicant's List of Talking Points for Plaza at Yarrow Bay Building V
C. Copy of Portion of Landscape Plan (page 58 of Exhibit A) enhanced for Applicant's testimony
D. Copy of two pages from Staff Advisory Report in File IIB-01-015, Linbrook Office Park PUD, with highlighting
E. Copy of Site Plan overlain with footprint of building possible without PUD
F. Copy of Longitudinal Site Section (page 52 of Exhibit A) overlain with longitudinal site section of building possible without PUD
G. Recommendation of Houghton Community Council

PARTIES OF RECORD
Keith Maehlum, Vice President, HAL Real Estate Investments Inc, 2025 1st Avenue, Suite 700, Seattle, Washington 98121
Juan Garcini, Baylis Architects, 10801 Main Street, Bellevue, WA 98004
Rich Wagner, Baylis Architects, 10801 Main Street, Bellevue, WA 98004
Department of Planning and Community Development
Department of Public Works
Department of Building and Fire Services

CITY OF KIRKLAND
Planning and Community Development Department
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ADVISORY REPORT
FINDINGS, CONCLUSIONS, AND RECOMMENDATIONS

To: Houghton Community Council

Kirkland Hearing Examiner

From: _____ Tony Leavitt, Associate Planner

_____ Eric R. Shields, AICP, Planning Director

Date: September 3, 2009

File: PLAZA AT YARROW BAY OFFICE BUILDING PUD, WETLAND BUFFER MODIFICATION, AND ZONING CODE MODIFICATIONS; ZON08-00017

Hearing Date and Place: September 14, 2009
City Hall Council Chamber
123 Fifth Avenue, Kirkland

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Hearing Examiner Exhibit A
ZON08-00017

I. INTRODUCTION

A. APPLICATION

1. Applicant: Keith Maehlum of HAL Real Estate Investments Inc.
2. Site Location: 10230 NE Points Drive (see Attachment 1).
3. Request: Zoning permit application for a new 4 story; 74,101 gross square foot office building located within a surface parking lot of the existing Plaza at Yarrow Bay office development (see Attachments 2 and 3). Additional parking will be provided within a modified surface lot and a new underground parking garage. The proposal includes the following permits and modifications:
    - Process IIB zoning permit to allow an office use expansion within the Planned Area (PLA) 3A zone (see Section II.F.1).
    - Preliminary and Final Planned Unit Development permit to allow construction of an alternate City entryway design next to the street and to allow a reduced setback from Lake Washington Boulevard (see Section II.F.2).
        - KZC requires that a City entryway design be provided on the subject property adjacent to Lake Washington Boulevard as follows: an earthen berm, 12 feet wide and with a uniform height of three feet at the center; lawn covering the berm; and London Plane at least two inches in diameter, planted 30 feet on center along the berm. As part of the proposed PUD, the applicant seeks to modify the entryway design requirements by installing a new pedestrian entry plaza at the southeast corner of the site, right-of-way improvements (including curb, 4.5 foot wide landscape strip, and a 5 foot wide sidewalk) and a 10 foot landscape buffer.
        - The proposed PUD seeks to reduce the required front yard setback from Lake Washington Boulevard from 90 feet to 77.5 feet
    - A wetland buffer reduction by enhancing a Type 1 wetland buffer which is located on the subject property (see Section II.F.3). The proposal is to reduce the required wetland buffer on the subject property from 100 feet to 67 feet.
    - Parking modification to reduce the total number of required parking stalls for the project (see Section II.G.2).
    - Land use buffer modification to eliminate the requirement for a 6 foot high fence (see Section II.G.3).
4. Review Process: Process IIB, Houghton Community Council and Hearing Examiner conduct a public hearing and make recommendations; City Council makes final decision. The Houghton Community Council has disapproval jurisdiction over the land use proposal.
5. Summary of Key Issues:
    - Compliance with Process IIB Zoning Permit Approval Criteria (see Section II.F.1)
    - Compliance with PUD Approval Criteria (see Section II.F.2)
    - Compliance with Wetland Buffer Modification Approval Criteria (see Section II.F.3)
    - Compliance with Applicable Development Regulations (see Section II.G)

B. RECOMMENDATIONS

Based on Statements of Fact and Conclusions (Section II), and Attachments in this report, we recommend approval of this application subject to the following conditions:

1. This application is subject to the applicable requirements contained in the Kirkland Municipal Code, Zoning Code, and Building and Fire Code. It is the responsibility of the applicant to ensure compliance with the various provisions contained in these ordinances. Attachment 4, Development Standards, is provided in this report to familiarize the applicant with some of the additional development regulations. This attachment does not include all of the additional regulations. When a condition of approval conflicts with a development regulation in Attachment 4, the condition of approval shall be followed.

2. As part of any development permit application, the applicant shall:

   a. Submit development plans that incorporate the approved wetland buffer enhancement, monitoring, and maintenance plans (see Conclusion II.F.3).

   b. Submit plans that depict tree protection measures, as recommended in the arborist report, for all existing trees being retained (see Conclusion II.G.4).

   c. Submit a report from a qualified professional stating the size (DBH), species, and assessment of health and determination of viable trees within the public right-of-way (see Conclusion II.G.4).

   d. Submit an updated Geotechnical Report that addresses the criteria in KZC Section 85.15 and ensure that all plans incorporate the geotechnical recommendations, along with a written acknowledgment on the face of the plans signed by the architect, engineer, and/or designer that he/she has reviewed the geotechnical recommendations and incorporated these recommendations into the plans (see Conclusion II.G.5).

   e. Submit a financial security device to the Planning Department to cover the cost of completing the wetland buffer enhancement work. The security shall be consistent with the standards outlined in Zoning Code section 90.145 (see Conclusion II.G.6).

   f. Submit an erosion control plan, which depicts the location of a six-foot high construction phase fence along the upland boundary of the entire wetland buffer with silt screen fabric installed per City standard. The fence shall remain upright in the approved location for the duration of development activities (see Conclusion II.G.8).

   g. Submit plans that include the proposed pedestrian entry plaza, onsite pedestrian improvements and all improvements within the public right-of-way. The plans should also include a long-term maintenance plan for these areas (see Conclusion II.F.2.d).

3. As part of a building permit application, the applicant shall provide a lighting plan showing the location, height, fixture type and wattage of all proposed exterior lights. The lighting plan shall be consistent with the requirements in KZC Section 115.85 (see Conclusion II.G.9).

4. Prior to final inspection of any development permit, the applicant shall:

   a. Complete installation of the wetland buffer enhancement plan, subject to inspection by the City's wetland consultant at the applicant's expense (see Conclusion II.F.3).

   b. Provide proof of a written contract with a qualified professional who will perform the monitoring and maintenance program outlined in the wetland buffer enhancement plan, together with a completed contract and fees to fund review of the monitoring and maintenance activities, (i.e. inspection of plant materials, annual monitoring reports or replanting activities) by the City's wetland consultant. Alternatively, the applicant can provide a completed contract and fees to fund completion of the monitoring program by the City's wetland consultant (see Conclusion II.F.3).

   c. Enter into an agreement with the City, which runs with the property, in a form acceptable to the City Attorney, indemnifying the City for any damage resulting from development activity on the subject property which is related to the physical condition of the property. The applicant shall record this agreement with the King County Department of Elections and Records see Conclusion II.G.5).

   d. Submit to the Planning Department a financial security device to cover all monitoring and maintenance activities that will need to be done including consultant site visits, reports to the Planning Department, and any vegetation that needs to be replaced. The security should be consistent with the standards outlined in Zoning Code section 90.145 (see Conclusion II.G.6).

   e. Dedicate a natural greenbelt protection easement encompassing the wetland and associated wetland buffer on the site (see Attachment 9). The boundaries of the Natural Greenbelt Protection Easement should be established by survey. The survey should be located on KCAS or plat bearing system and tied to known monuments (see Conclusion II.G.7).

   f. Install either (1) a permanent three- to four-foot-tall split rail fence; or (2) permanent planting of equal barrier value; or (3) equivalent barrier, as approved by the Planning Official between the upland boundary of all wetland buffers and the developed portion of the site (see Conclusion II.G.8).

II. FINDINGS OF FACT AND CONCLUSIONS

A. SITE DESCRIPTION

1. Site Development and Zoning:

   a. Facts:

      (1) Size: 213,874 square feet (4.91 acres)

      (2) Land Use: Two existing office buildings (totaling 144,048 gross square feet) and associated surface and underground parking lots.

      (3) Zoning: Planned Area (PLA) 3A

      (4) Terrain:

         (a) The site slopes gradually from Lake Washington Boulevard towards the Yarrow Bay wetlands.

         (b) According to the Kirkland Sensitive Area Map, the entire site is located within a Seismic Hazard Area.

(5) Vegetation: The site contains a significant amount of vegetation including invasive plant species (e.g. Himalayan blackberry), wetland vegetation, and trees.

b. Conclusions:

(1) Lot size is not a relevant factor in the review of this application.

(2) Land use and zoning are relevant factors in the review of this application, due to the fact that the PLA 3A Use Zone Chart requires that an office use be approved thru a Process IIB Review Process (see Section II.F.1).

(3) The presence of sensitive areas and existing vegetation on the subject property is a relevant factor is the review of this application (see Sections II.F.3; II.G.4; II.G.5).

2. Neighboring Development and Zoning:

a. Facts: The neighboring properties are zoned as follows and contain the following uses:

North, West, and South: Zoned Park (P), Yarrow Bay Wetlands, Yarrow Creek, and Cochran Springs Creek.

East: Freeway Commercial (FC) III, Linbrook Office Development

b. Conclusion: The neighboring park zoning is a factor in the review of the application (see Section II.G.3).

B. HISTORY

1. Facts:

a. The existing Plaza at Yarrow Bay Development was approved as part of a Planned Unit Development (PUD) application in 1985. A subsequent PUD amendment was approved in 1987 that reduced the amount of allowable gross floor area to 278,000 square feet. Currently, the site contains a total of approximately 269,941 square feet of gross floor area.

b. The original site area for the development was approximately 74.71 acres. In 1990, the property owners conveyed approximately 66.73 acres of land area to the City.

2. Conclusion: Previously approved zoning permits and amendments are relevant factors in the review of the application.

C. PUBLIC COMMENT

The initial public comment period ran from February 9, 2009 to March 9, 2009. The Planning Department received no comments during the initial comment period or prior to the drafting of this memorandum.

D. STATE ENVIRONMENTAL POLICY ACT (SEPA)

1. Facts: A Determination of Nonsignificance (DNS) was issued on August 10, 2009. The Determination, Memorandum, Environmental Checklist and additional environmental information are included as Attachment 5.

2. Conclusion: The applicant and the City have satisfied the requirements of SEPA.

E. CONCURRENCY

1. Facts: The Public Works Department has reviewed the application for concurrency. A concurrency test was passed for traffic on September 5, 2008. An extension was granted by the Public Works Department on August 17, 2009 (see Attachment 6).

2. Conclusion: The project has complied with Traffic Concurrency requirements.

F. APPROVAL CRITERIA

1. Process IIB Zoning Permit

   a. Facts:

      (1) Kirkland Zoning Code (KZC) Section 60.22.040 requires that an office use in the Planned Area 3A zone receive Zoning Permit Approval thru a Process IIB Review.

      (2) Zoning Code section 152.70.3 states that a Process IIB application may be approved if:

         - It is consistent with all applicable development regulations and, to the extent there is no applicable development regulation, the Comprehensive Plan; and
         - It is consistent with the public health, safety, and welfare.

   b. Conclusion: The proposal complies with the criteria in section 152.70.3. It is consistent with all applicable development regulations (see Sections II.G) and the Comprehensive Plan (see Section II.H). In addition, it is consistent with the public health, safety, and welfare because it will allow infill development while minimizing impacts on adjoining sensitive areas and neighboring properties.

2. Planned Unit Development (PUD)

   a. KZC Chapter 125 Requirements

      (1) Facts: KZC Chapter 125 establishes three decisional criteria with which the proposed PUD request must comply in order to be granted. The applicant's response to these criteria can be found in Attachment 2. Sections II.F.2.b through 2.d contain staff's findings of fact and conclusions based on these three criteria.

      (2) Conclusions: Based on the following analysis, the application meets the established criteria for approval of a Preliminary and Final PUD.

   b. PUD Criterion 1: The proposed PUD must meet the requirements of Zoning Code Chapter 125.

      (1) Facts:

         (a) KZC Chapter 125 sets forth the procedures by which a PUD is to be reviewed, criteria for PUD approval, the Zoning Code provisions that may be modified through a PUD, and PUD density provisions.

         (b) The proposal is being reviewed through the process established by Chapter 125.

         (c) The proposal the meets the criteria for PUD approval (see the following sections).

         (d) The proposed modifications are allowed through the PUD process.

(2) Conclusion: The proposed PUD is consistent with the requirements of KZC Chapter 125.

c. PUD Criterion 2: Any adverse impacts or undesirable effects of the proposed PUD are clearly outweighed by specifically identified benefits to the residents of the city.

(1) Facts:

(a) KZC Section 60.20 lists the general regulations that apply to all uses within the PLA 3A Zone (see Attachment 11).

(b) General Regulation 7 states that the required yard of a structure abutting Lake Washington Boulevard must be increased two feet for each one foot that structure extends 25 feet above average building elevation.

(c) The proposed structure will be 60 feet above average building elevation, which would require a 90 foot setback from Lake Washington Boulevard.

(d) The proposed PUD seeks to reduce the required front yard setback from Lake Washington Boulevard from 90 feet to 77.5 feet (see Attachment 2, page 4).

(e) The applicant included a graphic representation that shows a 30' tall structure that could be built 20 feet from the front property line compared to the proposed structure (see Attachment 3, pages 6 thru 10).

(f) General Regulation 8 requires that a City entryway design be provided on the subject property adjacent to Lake Washington Boulevard as follows: an earthen berm, 12 feet wide and with a uniform height of three feet at the center; lawn covering the berm; and London Plane trees at least two inches in diameter, planted 30 feet on center along the berm.

(g) As part of the proposed PUD, the applicant seeks to modify the entryway design requirements by installing a new pedestrian entry plaza at the southeast corner of the site, right-of-way improvements (including curb, 4.5 foot wide landscape strip, and a 5 foot wide sidewalk) and a 10 foot landscape buffer (see Attachment 2, pages 6 and 7; and Attachment 3, pages 22 thru 28).

(h) The Public Works Department has reviewed the proposed right-of-way improvement plan and approves of the proposed design. London plane trees are no longer allowed as street trees due to the invasive roots.

(i) A reduction in the setback and a modification of the right-of-way improvements requirements could potentially result in the following impacts:

- The loss of open space along Lake Washington Boulevard
- Incompatible right-of-way improvements along the west side of Lake Washington Boulevard.

(j) The applicant is proposing the following site design benefits to mitigate the potential impacts:

- Installation of a new pedestrian entry plaza in the southeast corner of the site and within the adjoining right-of-way.
- New pedestrian pathways that lead to a new pedestrian plaza near existing Buildings 1 and 2.
- A 10 foot wide landscape buffer (on the property and within the right-of-way) between Lake Washington Boulevard and the proposed parking lot.
- A majority of the building has a height of 55.25 feet above average building elevation. The taller portions of the building (including rooftop appurtenance screening) are located away from Lake Washington Boulevard.

(2) Conclusions: The adverse impacts or undesirable effects of the proposed PUD have been minimized by a site design that lessens potential development related impacts. To the extent that they remain, the adverse impacts and undesirable effects are outweighed by the PUD benefits including offsite and onsite pedestrian amenities, additional landscape buffering, and the design of the structure.

d. PUD Criterion 3: The applicant is providing one or more of the following benefits to the City as part of the proposed PUD:

- The applicant is providing public facilities that could not be required by the City for development of the subject property without a PUD.
- The proposed PUD will preserve, enhance or rehabilitate natural features of the subject property such as significant woodlands, wildlife habitats or streams that the City could not require the applicant to preserve, enhance, or rehabilitate through development of the subject property without a PUD.
- The design of the PUD incorporates active or passive solar energy systems.
- The design of the proposed PUD is superior in one or more of the following ways to the design that would result from development of the subject property without a PUD:
  - Increased provision of open space or recreational facilities
  - Superior circulation patterns or location or screening of parking facilities
  - Superior landscaping, buffering, or screening in or around the proposed PUD
  - Superior architectural design, placement, relationship or orientation of structure(s)
  - Minimum use of impervious surfacing materials

(1) Facts: The applicant is proposing the following benefits to the City as part of the proposed PUD:

(a) A new pedestrian entry plaza will be constructed in the southeast corner of the site and within the adjoining right-of-way. The pedestrian plaza will consist of raised brick planters, stained concrete walkway, seating, and numerous trees and shrubs in the plaza area and within the right-of-way.

(b) The pedestrian entry plaza is also part of a new onsite pedestrian network that leads to a new pedestrian plaza located between the new building and existing buildings 1 and 2 (see Attachment 3, page 16).

(c) In addition to the wetland buffer enhancement work described in the next section, the applicant is proposing to enhance approximately 3,300 square feet of wetland buffer in the southern portion of the site (see Attachment 9, page 2).

(2) Conclusions:

(a) The proposed PUD provides a sufficient number of benefits to the City. The PUD will benefit the city by providing a site with superior landscape design, superior structure placement that incorporates pedestrian amenities including new plazas, and enhancement of a wetland buffer area. None of these benefits could be required by the City for development of the subject property without a PUD.

(b) As part of any development permit application, the applicant should submit plans that include the proposed pedestrian entry plaza, onsite pedestrian improvements and all improvements within the public right-of-way. The plans should also include a long-term maintenance plan for these areas.

3. Modification of a Wetland Buffer

a. Facts:

(1) KZC 90.60.2 establishes that a Wetland Buffer Modification may only be granted when the proposed development is consistent with all of the following:

(a) It is consistent with Kirkland's Streams, Wetlands and Wildlife Study (The Watershed Company, 1998) and the Kirkland Sensitive Areas Regulatory Recommendations Report (Adolfson Associates, Inc., 1998);

(b) It will not adversely affect water quality;

(c) It will not adversely affect fish, wildlife, or their habitat;

(d) It will not have an adverse effect on drainage and/or storm water detention capabilities;

(e) It will not lead to unstable earth conditions or create an erosion hazard;

(f) It will not be materially detrimental to any other property or the City as a whole;

(g) Fill material does not contain organic or inorganic material that would be detrimental to water quality or to fish, wildlife, or their habitat;

(h) All exposed areas are stabilized with vegetation normally associated with native wetland buffers, as appropriate; and

(i) There is no practicable or feasible alternative development proposal that results in less impact to the buffer.

(2) The applicant submitted a Wetland Buffer Enhancement Plan report prepared by Altmann Oliver Associates (see Attachments 7). This report included a response to the wetland buffer modification criteria, wetland buffer enhancement plan and drawings, monitoring plan, and maintenance plan.

(3) The wetland buffer enhancement plan will consist of the removal of existing parking and planting the area with a variety of native trees and shrubs. Strategic placement of habitat features such as down logs will also be a component of the plan.

(4) The Watershed Company reviewed the Wetland Buffer Enhancement Plan report and requested changes to the proposed plan (see Attachment 8).

(5) The applicant submitted a response email and revised plans to address The Watershed Company's comments (see Attachment 9).

(6) The Watershed Company reviewed the revised report and plans and determined they complied with applicable requirements (see Attachment 10).

b. Conclusions:

(1) Pursuant to the attachments included with this report, including the Wetland Buffer Enhancement Plan reports and the review letters from The Watershed Company, the proposed wetland buffer modification meets the criteria in the Zoning Code, subject to the preceding conditions.

(2) As part of any development permit application, the applicant should submit development plans that incorporate the approved wetland buffer enhancement, monitoring, and maintenance plans (as identified in Attachment 10).

(3) Prior to final inspection of any development permit, the applicant should:

(a) Complete installation of the wetland buffer enhancement plan, subject to inspection by the City's wetland consultant at the applicant's expense.

(b) Provide proof of a written contract with a qualified professional who will perform the monitoring and maintenance program outlined in the wetland buffer enhancement plan, together with a completed contract and fees to fund review of the monitoring and maintenance activities, (i.e. inspection of plant materials, annual monitoring reports or replanting activities) by the City's wetland consultant. Alternatively, the applicant can provide a completed contract and fees to fund completion of the monitoring program by the City's wetland consultant.

G. DEVELOPMENT REGULATIONS

1. Planned Area 3A Requirements

a. Facts:

(1) KZC Section 60.20 lists the general regulations that apply to all uses within the PLA 3A zone (see Attachment 11).

(2) General Regulation 3 states that the site must be designed to concentrate development away from and to minimize impacts on the wetlands.

(3) General Regulation 5 allows the height of the structure to be increased if:

(a) The structure does not exceed 60 feet above average building elevation,

(b) The amount of pervious surface on the subject property in this zone significantly exceeds 50 percent, and

(c) The site is designed to the maximum extent feasible to provide views through the subject property from Lake Washington Boulevard and Bellevue Way while complying with the General Regulations.

(4) The proposed structure will have a maximum height of 60 feet above average building elevation.

(5) Staff researched General Regulation 5.b and determined that this regulation was established as part of the original PUD and prior to the conveyance of approximately 66.73 acres of property by the owner to the City of Kirkland. The applicant has included an analysis that shows that the pervious area percentage, when this conveyance is taken into account, is currently 93.6 percent and will decrease to approximately 93.3 percent with the new development (see Attachment 2, page 2). The impervious lot coverage is currently at 60 percent and would be increased to 64 percent with the proposed development.

(6) The applicant has submitted a view study that looks at the existing and proposed views through the subject property from Lake Washington Boulevard and Bellevue Way (see Attachment 2, pages 3 thru 10).

(7) The applicant is seeking relief from General Regulations 7 and 8 through the PUD Review Process (see Section II.F.2).

(8) General Regulation 9 requires that vehicular circulation on the subject property must be designed to minimize traffic impacts on Lake Washington Boulevard and at the SR-520 interchange. The city may limit access points onto Lake Washington Boulevard and Points Drive and require traffic control devices and right-of-way realignment.

b. Conclusion:

(1) The proposed development complies with General Regulation 3 as it will be located outside of the surrounding wetlands and the wetland buffer enhancement work will help to increase the function of the existing buffer.

(2) The project complies with General Regulation 5 as the structure does not exceed 60 feet above average building elevation, the amount of

pervious area significantly exceeds 50%, and the proposed office building will have no impact on views through the subject property.

(3) The project does not comply with General Regulations 7 and 8; as a result the proposal requires approval through the PUD process.

(4) General Regulation 9 does not apply to the proposal, as the applicant is proposing to utilize existing access points to the site.

2. Required Parking

a. Facts:

(1) KZC Section 60.22.040 requires that an office use provide 1 parking stall per 300 square feet of gross floor area. The proposed office building with 74,101 square feet gross floor area would need to provide 247 parking stalls.

(2) The applicant is requesting a decrease in the required number of parking spaces for the project. The applicant is proposing a parking ratio of 1 stall per 355 square feet of gross floor area for the entire development, including the existing buildings.

(3) Pursuant to KZC Section 105.103.3.c. a parking modification request may be granted if the number of spaces proposed is documented by an adequate and thorough parking demand and utilization study to be sufficient to fully serve the use.

(4) A parking demand and utilization study was submitted by the applicant as part of this application (see Attachment 5, Enclosure 4).

(5) The study concluded that 49% of the existing parking supply is being used by the existing uses onsite. The observed peak parking demand rate was 1.69 spaces per 1,000 square feet of office. For the proposed 74,101 office building, the demand would calculate to be 125 parking stalls which is 122 stalls less than the code requires. However, currently the office park demand is much less than the supply leaving approximately 480 vacant spaces. The project site is near a park and ride and transit center and is a Transportation Management Program (TMP) designated site; this combination may contribute to the lesser amount of single occupancy vehicle and in respect lessen the needs for parking.

(6) The City's Transportation Engineer, Thang Nguyen, reviewed the parking study and concluded that the proposed parking supply can accommodate the proposed office building (see Attachment 5. Enclosure 5).

(7) KZC Section 105.103.2.a requires that a request for a modification will be considered as part of the zoning permit review process if applicable. Additionally, this section states that the City must find that the applicant meets the criteria listed KZC Section 105.103.3.c.

b. Conclusion: The proposed parking modification complies with the requirements of KZC Section 105.103.3.c. The City has determined, through the review of an adequate and thorough parking demand and utilization study, that the existing and proposed parking supply will be adequate to meet the demands of the uses on the subject property.

3. Required Landscape Buffers

a. Facts:

(1) KZC Section 95.40.4 requires that an office use adjoining a park use provide a 15-foot-wide landscaped land use buffer with a six-foot-high solid screening fence along the entire common boundary.

(2) The subject property adjoins a park to the north, west, and south. The park property contains sensitive areas including a wetland and streams.

(3) The applicant is requesting a landscape buffer modification to eliminate the requirement for a 6 foot high fence on the north and south sides of the proposed project (see Attachment 12).

(4) KZC Section 95.40.6.j states that The Planning Official may approve a modification if the owner of the adjoining property agrees to this in writing and the location of pre-existing improvements on the adjoining site eliminates the need or benefit of the required landscape buffer.

(5) The City of Kirkland is the adjoining property owner in this case. The City's Parks Department agrees to the proposed modifications (see Attachment 13).

(6) The adjoining property does not contain any improvements and due to the presence of wetlands, streams, and associated buffer will likely never have improvements.

b. Conclusion: The proposed landscape buffer modification complies with the requirements of KZC Section KZC Section 95.40.6.j.

4. Natural Features - Significant Vegetation

a. Facts:

(1) The applicant submitted a Tree Plan II, including an arborist report, for the project to assess the viability of 5 trees located near the north property line and within the required wetland buffer (see Attachment 14).

(2) KZC Section 95.35.2.b.2.b.i requires that all development plans depict tree protection measures, as recommended by a qualified professional, if existing trees are to be retained and their dripline is within the area of disturbance.

(3) The Public Works Department is requiring as part of any development permit, that all existing public right-of-way trees be assessed by a qualified professional to determine if the trees are viable trees.

b. Conclusion:

(1) As part of any development permit application, the applicant should:

(a) Submit plans that depict tree protection measures, as recommended in the arborist report, for all existing trees being retained.

(b) Submit a report from a qualified professional stating the size (DBH), species, and assessment of health and determination of viable trees within the public right-of-way.

5. Seismic Hazard Area

a. Facts:

(1) According to the Kirkland Sensitive Area Map, the entire site is located within a Seismic Hazard Area.

(2) KZC Section 85.15 requires that applicant submit a Geotechnical Report to address potential impacts of a proposed development.

(3) The applicant submitted a Geotechnical Review letter from Golder Associates (see Attachment 15). The letter concludes that "the project appears feasible from a geotechnical standpoint".

(4) KZC Section 85.25 states that the as part of any approval of development in a landslide hazard area or seismic hazard area, the City may require implementation of the geotechnical recommendations to mitigate identified impacts, along with a written acknowledgment on the face of the plans signed by the architect, engineer, and/or designer that he/she has reviewed the geotechnical recommendations and incorporated these recommendations into the plans.

(5) KZC Section 85.45 requires that the prior to issuance of any development permit, the applicant should enter into an agreement with the City, which runs with the property, in a form acceptable to the City Attorney, indemnifying the City for any damage resulting from development activity on the subject property which is related to the physical condition of the property (see Attachment 16). The applicant shall record this agreement with the King County Department of Elections and Records.

b. Conclusions:

(1) As part of any development permit application, the applicant should submit an updated Geotechnical Report that addresses the criteria in KZC Section 85.15 and ensure that all plans incorporate the geotechnical recommendations, along with a written acknowledgment on the face of the plans signed by the architect, engineer, and/or designer that he/she has reviewed the geotechnical recommendations and incorporated these recommendations into the plans.

(2) Prior to issuance of any development permit, the applicant should enter into an agreement with the City, which runs with the property, in a form acceptable to the City Attorney, indemnifying the City for any damage resulting from development activity on the subject property which is related to the physical condition of the property. The applicant shall record this agreement with the King County Department of Elections and Records.

6. Bonds and Securities

a. Facts: KZC Section 90.145 establishes the requirement for the applicant to submit a performance and/or maintenance bond to ensure compliance with any aspect of the Drainage Basin regulations contained in Chapter 90 of the Kirkland Zoning Code or any decision or determination made pursuant to the chapter.

b. Conclusions:

(1) Prior to issuance of any development permit, the applicant should submit a financial security device to the Planning Department to cover the cost of completing the wetland buffer enhancement work. The security shall be consistent with the standards outlined in Zoning Code section 90.145.

(2) Prior to final inspection of any development permit, the applicant should submit to the Planning Department a financial security device to cover all monitoring and maintenance activities that will need to be done including consultant site visits, reports to the Planning Department, and any vegetation that needs to be replaced. The security should be consistent with the standards outlined in Zoning Code section 90.145.

7. Natural Greenbelt Protection Easement

a. Facts: KZC Section 90.150 requires the applicant to grant a greenbelt protection easement to the City to protect sensitive areas and their buffers (see Attachment 17). Land survey information shall be provided by the applicant for this purpose.

b. Conclusion: Prior to final inspection of any development permit, the applicant should dedicate a natural greenbelt protection easement encompassing the wetland and associated wetland buffer on the site (see Attachment 9). The boundaries of the Natural Greenbelt Protection Easement should be established by survey. The survey should be located on KCAS or plat bearing system and tied to known monuments.

8. Wetland Buffer Fence or Barrier

a. Facts:

(1) KZC Section 90.50 requires that prior to the start of development activities, the applicant install a six-foot high construction-phase chain link fence or equivalent fence, as approved by the Planning Official, along the upland boundary of the entire wetland or stream buffer with silt screen fabric installed per City standard.

(2) KZC Sections 90.50 require the applicant to install either (1) a permanent three- to four-foot-tall split rail fence; or (2) permanent planting of equal barrier value; or (3) equivalent barrier, as approved by the Planning Official between the upland boundary of all wetland buffers and the developed portion of the site.

b. Conclusion:

(1) As part of any development permit application, the applicant should submit an erosion control plan, which depicts the location of a six-foot high construction phase fence along the upland boundary of the entire wetland buffer with silt screen fabric installed per City standard. The fence shall remain upright in the approved location for the duration of development activities.

(2) Prior to final inspection of any development permit, the applicant should install either (1) a permanent three- to four-foot-tall split rail fence; or (2) permanent planting of equal barrier value; or (3) equivalent barrier, as approved by the Planning Official between the upland boundary of all wetland buffers and the developed portion of the site.

9. Site Lighting

a. Facts: KZC Section 115.85 requires that the applicant use energy efficient light sources, comply with the Washington Energy Code with respect to the selection and regulation of light sources, and select, place, and direct light sources both directable and nondirectable so that glare produced by any light source, to the maximum extent possible, does not extend to adjacent properties or to the right-of-way. The current submittal does not contain a detailed lighting plan that would show the location, height, fixture type, and wattage of proposed lights.

b. Conclusion: As part of a building permit application, the applicant should provide a lighting plan showing the location, height, fixture type and wattage of all proposed exterior lights. The lighting plan shall be consistent with the requirements in KZC Section 115.85.

H. COMPREHENSIVE PLAN

1. Fact: The subject property is located within the Lakeview neighborhood. The Lakeview Neighborhood Land Use Map designates the subject property for multi-family and office use (see Attachment 18).

2. Conclusion: The proposal is consistent with the multi-family and office use designation within the Comprehensive Plan.

I. DEVELOPMENT STANDARDS

1. Fact: Additional comments and requirements placed on the project are found on the Development Standards, Attachment 4.

2. Conclusion: The applicant should follow the requirements set forth in Attachment 4.

III. SUBSEQUENT MODIFICATIONS

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

IV. CHALLENGES AND JUDICIAL REVIEW

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

A. CHALLENGE

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

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

Proof of such mail or personal delivery must be made by affidavit, available from the Planning Department. The affidavit must be attached to the challenge and response letters, and delivered to the Planning Department. The challenge will be considered by the City Council at the time it acts upon the recommendation of the Hearing Examiner.

B. JUDICIAL REVIEW

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

V. APPENDICES

Attachments 1 through 18 are attached

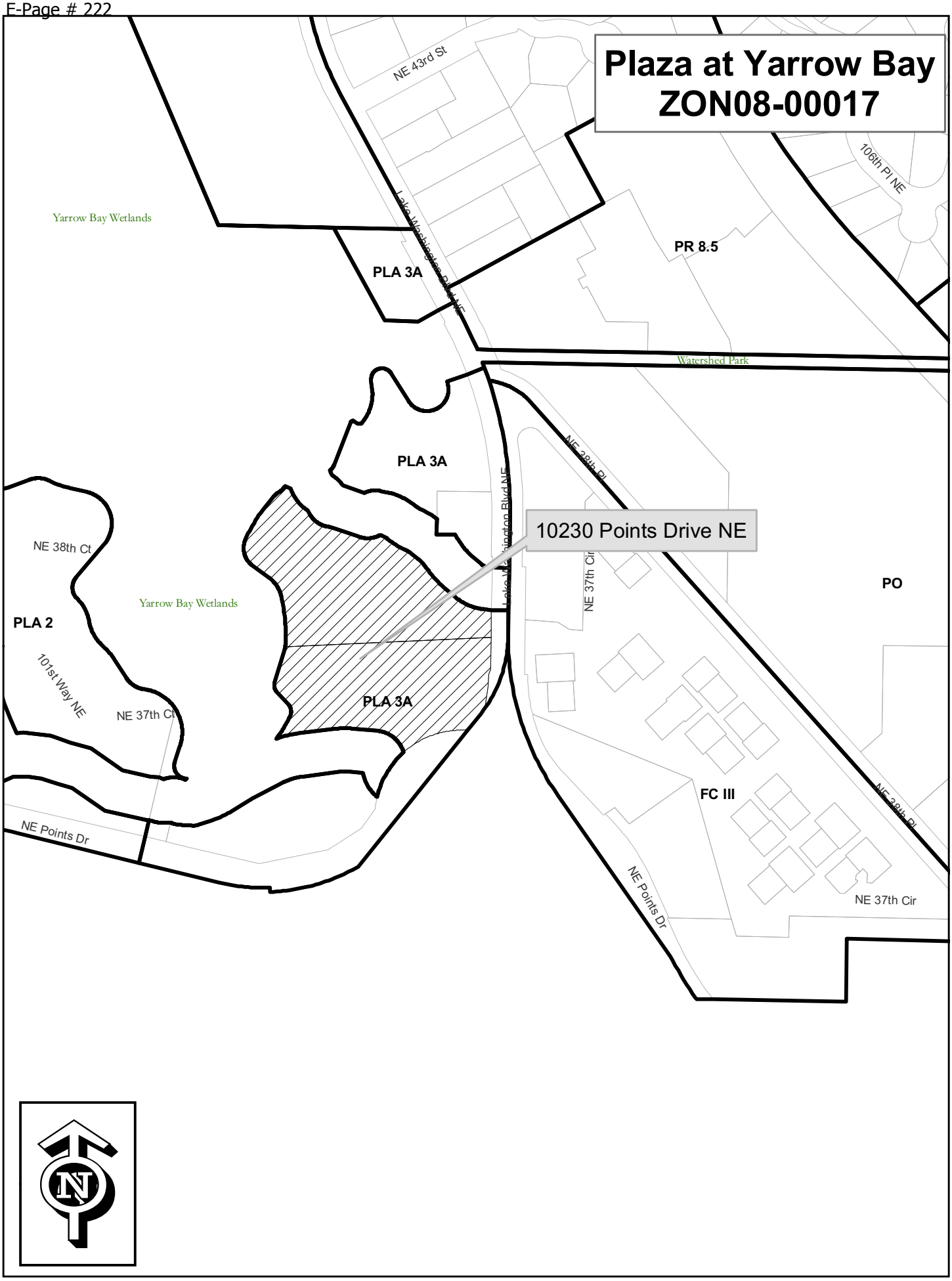
1. Vicinity Map
2. Project Narrative, PUD Criteria, and ABE Calculations
3. Development Plans
4. Development Standards
5. SEPA Determination and Enclosures
6. Concurrency Review Memorandum
7. Wetland Buffer Modification Report prepared by Altmann Oliver Associates dated October 24, 2008
8. Wetland Buffer Modification Review Letter from The Watershed Company dated December 19, 2008
9. Wetland Buffer Modification Response Email, Revised Plans, and Bond Worksheet prepared by Altmann Oliver Associates
10. Wetland Buffer Modification 2nd Review Letter from The Watershed Company dated January 30, 2009
11. PLA 3A Use Zone Chart
12. Buffer Fence Modification Letter from Baylis Architects dated January 20, 2009
13. Email from Michael Cogle, City of Kirkland Parks Department
14. Arborist Report prepared by GreenForest Inc dated January 12, 2009
15. Geotechnical Report prepared by Golder Associates dated May 12, 2009
16. Geologically Hazardous Areas Covenant
17. Natural Greenbelt Protection Easement
18. Lakeview Neighborhood Land Use Map

VI. PARTIES OF RECORD

Applicant: Keith Maehlum, Vice President, HAL Real Estate Investments Inc, 2025 1st Avenue, Suite 700, Seattle, Washington 98121
Agent: Juan Garcini, Baylis Architects, 10801 Main Street, Bellevue, WA 98004
Agent: Rich Wagner, Baylis Architects, 10801 Main Street, Bellevue, WA 98004
Department of Planning and Community Development
Department of Public Works
Department of Building and Fire Services

A written recommendation will be issued by the Hearing Examiner within eight calendar days of the date of the open record hearing.

Plaza at Yarrow Bay
ZON08-00017



Plaza at Yarrow Bay – Building V

Project Narrative and PUD Criteria

January 20, 2009
July 15, 2009 Revised
September 1, 2009 **Revised**

SUBJECT SITE

This Zoning Permit Application is for the approval of a new building with sub-grade parking, and for the approval of amendments of the underlying Preliminary and Final Planned Unit Development. This request is pursuant to the II-B Application Review Process. This Narrative is updated on July 15, 2009 to include information related to the PUD Criteria for Approval of a minor deviation for the interpretation of the front yard set-back along lake Washington Blvd as explained on page 4.

The site is part of the PLA 3A Zoning designation located in the northwest corner of the intersection of Lake Washington Blvd and NE Points Dr.

The proposed Building V is a four story structure totaling approximately 74,101 GSF, an underground parking structure for 214 stalls, and 73 new surface stalls. The building will be located in the existing surface parking area, forming on the west-end a new open air plaza defined by the existing Buildings I and II, and on the east-end, set back from Lake Washington Blvd and buffered by a treed and landscaped edge. The proposed building height is 54 ft above the apparent grade and 58.5 ft above average building elevation.

Particular attention has been give to the edges of the project to mitigate any negative impacts and highlight the environmental benefits. The north edge of the project abuts the Cochran Springs Creek, which the city is proposing for re-habilitation. This Building V project proposes to set back approximately 67 ft from both the creek and the associated wetlands. This setback moves the existing line of impervious surfaces back more than 40 ft from the creek and liberates approximately 10,000 SF of pavement back to landscaping. Further, along this edge, backfill will be used to bury the entire face of the proposed parking structure, and new landscaping will be blended into the natural landscaping of the re-habilitated creek.

On the east edge, the building has been held back approximately 70 ft from the Lake Washington Blvd. This façade has been designed to minimize the apparent height by avoiding vertical elements and including horizontal lines and sun shades. Buffering this building façade will be a tree-lined sidewalk and landscaped planter approximately level with the top of new parking structure.

The proposed building will be Type II-B-Sprinklered construction with a steel and concrete structural frame. The exterior materials and colors are inspired by the existing structures and will include exposed concrete columns and beams, masonry walls and accents, and aluminum and glass

windows. No highly reflected glass is proposed. All rooftop equipment will be concealed by screen walls extending approximately 12 ft above the building roofline. This mechanical equipment screen will be constructed of metal paneling, similar to that of the existing Buildings.

Pedestrian access to the site will be modified by relocating the existing mid-block accesses from the street to the gateway corner of the site. This allows for the corner to be redesigned as a pedestrian refuge from the heavily trafficked intersection. From this refuge space, pedestrians are lead to a "trellised" south-facing promenade extending from the frontage sidewalk to the new open air plaza and to all the building entrances.

Auto access to the subject site will remain unchanged. The existing entrance at NE Points Dr., west of the Lake Washington Blvd., will continue as the only access point. From here, autos will be directed down open air ramps to most of the parking, and up to surface parking.

View Analysis

View obstructions created by the proposed Building V, and especially the impacts on public views of Lake Washington, have been analyzed from twelve (12) different station points. As can be seen in the analysis, the views obstructed are only the views of the existing Buildings I and II. The proposed Building V has no impact on views of Lake Washington.

Stream and Wetland Impacts

Understanding potential impacts on the environmental areas surrounding the site were one of the design criteria for this proposal. The Yarrow Bay Wetlands are to the west and Cochran Creek, and its associated wetlands, are to the north. As is documented in the Wetlands Reports, the proposed project has a very positive environmental impact on both of these interconnected systems. This impact is primarily the result of the opening-up and the re-landscaping of the creek and wetlands corridor and the cooperation of the applicant with the city's proposed creek corridor re-habilitation.

Impervious Areas

As a result of the proposed Building V project, the impervious area of the subject property will be increased by approximately 9,948 SF. The impervious surface only increases from 60% to 64% which is a low rate of impervious surface.

MASTER CAMPUS SITE

The proposed Plaza at Yarrow Bay - Building V is part of a much larger campus plan of four existing structures developed on a 75 acre parcel, located on the southern edge of the City of Kirkland. This office campus was constructed under an approved preliminary PUD in 1982, Final PUD in 1984 and multiple subsequent amendments.

The original PUD and subsequent amendments approved the construction of five (5) office buildings totaling approximately 278,000 gross floor area, plus single-family townhouses. The total proposed office buildings equals five, and the proposed gross floor area is approximately 344,042, an increase of approximately 66, 042 GFA.

From its first design inception, this campus has laced the developable portions of the property into an environmentally sensitive site, allowing the users to enjoy the flora and fauna of the adjacent wetlands and stream corridors. Over the last two decades, the users of all four of the existing buildings have remained interconnected by paths, trails and sidewalks between the buildings. This connectivity, common to campus plans, allows everyone to share the many amenities, such as the gym/workout and showers, deli and barista, auto parking, bicycle storage, and outside gathering spaces, as well as the mundane, such as refuse and recycling collection stations.

The proposed Building V will continue and enhance this campus theme by the continued sharing of these many amenities and the addition of additional amenities, including the expansion of open air and covered plazas.

REQUEST for MODIFICATIONS

As a part of this Zoning Permit Application, the applicant requests the following modifications, deviations and approvals.

1) The addition of approximately 66,042 GFA over the existing 278,000 GFA previously approved in the amended PUD.
2) A reduction of the total count for parking stalls from 1 stall per 300 GFA to approximately 1 stall per 323 GFA for the campus; a reduction of approximately 6%.
3) A deviation from the entry design guidelines of the PUD, as described in the landscape narrative.
4) A modification of the wetland buffer requirements, as described in the Wetland Report.
5) A modification to the requirement for a 6 ft when adjoining a wetland park.

6) A deviation from the required building setback from Lake Washington Boulevard.

The proposed height of the building, above Average Building Elevation, is 53'-9" plus a 6feet high parapet, for a total of 60 feet.

The setback is calculated at 2 ft back for every 1 ft in height over 25 ft., plus the base 20 ft setback. Thus, the required setback is calculated as follows:
53.75' (height of bldg.) - 25' = 28.75' x 2 = 57.5' + 20' = 77.5'.
We propose a setback of 77.5 ft at the building closest dimension, and varies up to 87.25 ft.

Approval of this proposed deviation for the building set-back from Lake Washington Blvd. is requested as a part of the request of the overall PUD application for amendment. Certain existing site conditions make the proposed setback reasonable, including a jog in the existing ROW property line, but, more importantly is the many design benefits:

- The building is stretching to the boulevard at the southeast corner to bring itself closer to the site corner plaza and pedestrians approaching the entire campus by the adjacent transit and nearby park and ride.
- Holding the building an additional 8 ft creates a space between the building and the façade that is not readily usable.
- Every attempt is being made to keep the Central Campus Plaza at the west end of the proposed building as large as possible; to keep the shadows on the north elevation as far from the north stream and buffer; and to keep the south courtyard entry to the campus as gracious as possible.

Although this deviation will create no negative impact on the boulevard, the application does propose a substantial enhancement along the ROW. These enhancements include:

- Relocation of the sidewalk behind a landscaped edge immediately abutting the curb, and
- The addition of a double row of staggered trees creating a small urban forest buffering the building from the more-intense impacts of the auto/truck traffic and buffering the public ROW from the building.

These enhancements will mitigate the impacts that might be perceived from the approval of the deviation of the setback. This can be seen in the many view analysis provided.

SITE LANDSCAPE NARRATIVE

Landscape Concept

The site landscape for Building V provides a new entry landscape and plaza that includes on-structure and at grade plantings, a new landscaped parking lot on structure, landscape integration alongside the wetland, and new streetscape plantings along Lake Washington Boulevard NE and Points Drive.

Parking Lot Plantings

New landscape plantings will follow requirements per Kirkland City Code for rooftop parking landscaping.

Landscape Buffers

We are requesting a modification of the Landscape Buffers next to Park requirements to allow for an extension of the Phase 2 Upstream Left Bank planting proposed by City of Kirkland to the Wetland Buffer in lieu of 6 foot high fence on the north and south sides of the development. The new landscaping proposes a 15' buffer which includes 5' parking lot screening (Section 95.40.7) and 10'+ Phase 2 Upstream Left Bank Planting extension. The plan responds to the preliminary plan for wetland buffer plantings proposed by City of Kirkland and will be modified accordingly with future updates.

Wetland Buffer Modification

The project proposes to extend the City's proposed Phase 2 Upstream Left Bank Planting within the Wetland Buffer limits indicated on the site survey.

Irrigation

An automatic irrigation system is proposed to establish new plantings as shown on-structure, on-grade and within the Right-of-Way.

Existing Trees

Overall, the plan as configured impacts a preliminary count of 15 conifers and 74 deciduous trees, all onsite. These impacted trees are generally within the building/parking structure footprint and include trees within the current parking lot and trees within the main entry plaza. The majority of the plaza trees -- six Katsuras and 15 Honey Locusts -- are visibly in decline.

Impacted trees include the London Plane trees located within the property line along Lake Washington Boulevard. These trees are within five feet of the building/parking structure footprint. Two trees within the required landscape buffer are impacted.

Tree retention and protection requirements to be determined per Section 95.35 Kirkland Zoning Code. The site does not have a minimum tree density requirement per KZC 95.35.2.b.2.d but will comply with the required landscaping pursuant to KZC 95.40.

BAYLIS ARCHITECTS

PRINCIPALS
Brian Brand, AIA
Richard L. Wagner, AIA
Thomas Frye, Jr., AIA

January 20, 2009

City of Kirkland
Planning Department
123 Fifth Avenue
Kirkland, WA 98027

Re: Plaza at Yarrow Bay, Building "V"
File Number: ZON08-00017

Subject: Request for Deviation on Entryway Design
Job Number: 07-1062

Dear Ms. Swan:

In behalf of the owner, we request approval of a deviation from the Entryway Design requirements of the General Regulations, Section 60.20.8 for the PLA3A Zone.

The current regulations require that the frontage along Lake Washington Blvd provide:

a. An earthen berm, 12 ft wide and 3 ft high;
b. A lawn covering the berm;
c. 2" caliper London Plane trees at 30 ft on center.

These requirements were established with the original PUD, some 12 years ago, when the property frontage was a visual backdrop to the auto oriented boulevard and an aesthetic screen to the office buildings beyond. Today, conditions are dramatically different. As density and living patterns have matured in this neighborhood, the frontage now needs to be an active pedestrian space, not just a passive scrim. Further, the internal pedestrian circulation is being enhanced, better linked on-site, and dramatically connected to the gateway corner of the intersection of the rights-of-way.

The proposed frontage improvements start with a 4'-6" landscape buffer immediately behind the curb edge, planted with a densely spaced, double layer of shrubs and punctuated with new trees at 30 ft on center. This treatment is intended to visually protect and isolate the pedestrian from the high speed traffic of the arterial. Behind this landscape buffer is a 5 ft wide concrete paved sidewalk conforming to city standards. Inboard of this sidewalk is an even greater landscape buffer totaling more than 10 ft in width gently sloping up away from the sidewalk and planted with clusters of shrubbery, punctured by new trees spaced between the curb-side street trees, all carpeted with a wild strawberry ground cover.

At the gateway corner, the frontage improvements include a new, open air, reception plaza that connects directly to the integrated pathways around the entire project. The plaza is defined by raised planters that give emphasis to the entry and highlights the trees, shrubbery and ground covers. Special paving materials,

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patterns and colors, and special seating, will complete the design concept. The planter walls will use masonry to match existing buildings.

The design of the proposed Entrance Way modification is superior in many ways to the design that would result from development of the subject property without a PUD. In particular:

- *Any adverse impacts or undesirable effects of the proposed design are clearly outweighed by specifically identified benefits to the residents of the City.*
  The proposed frontage treatments do not have any adverse or undesirable impacts. The density of the proposed landscaping meets and exceeds city standards.
- *The proposal is providing public facilities that could not be required by the City for development of the subject property without a PUD.*
  The proposal exceeds the city standards by providing the landscape pedestrian buffer along the arterial, whereas the existing sidewalks are immediately adjacent the speeding autos.
  The entry plaza at the gateway intersection is superior to the existing mid-block entry in its size, scale and density of landscaping and in its more welcoming characteristics.
- *Superior circulation patterns or location or screening of parking facilities and superior landscaping, buffering, or screening.*
  The proposal moves the existing mid-block connector to the gateway intersection and connects directly to the building rather than through parked cars. The landscaping along the rights-of-way screen the cars by the conscientious selection of the plantings, sizes, colors and spacing of the landscape materials.

With all these reasons, we ask that the city find that the proposed design is superior to that which might be available without a PUD and grant this request for modification.

If you have any questions or comments, please do not hesitate to give me a call at (425) 454-0566 or e-mail me at garcinij@baylisarchitects.com.

Sincerely,

BAYLIS ARCHITECTS

Juan M. Garcini
Project Manager

Attachments: Site Plan
Conceptual Landscape Plan
Conceptual Perspective Sketch

cc: Keith Maehlum, HAL Properties

Plaza At Yarrow Bay - New Office Building

07-1062 Average Building Elevation Calculation

12/11/2008

Exhibit B

ABE Calculation

Option # 1

Formula * ABE= (Mid-point Elevation) x (Rectangle of Segment) / (Length of Rectangle Segment) + (Length of Rectangle Segment)

	208.16	39.82	175.25	37.80	175.25	38.50	208.16	41.80		
ABE =	8,288.93		6,624.45		6,747.13		8,701.09		=	30,361.59 / 766.75 = 39.60 '
			766.75							

ABE= 39.60 '

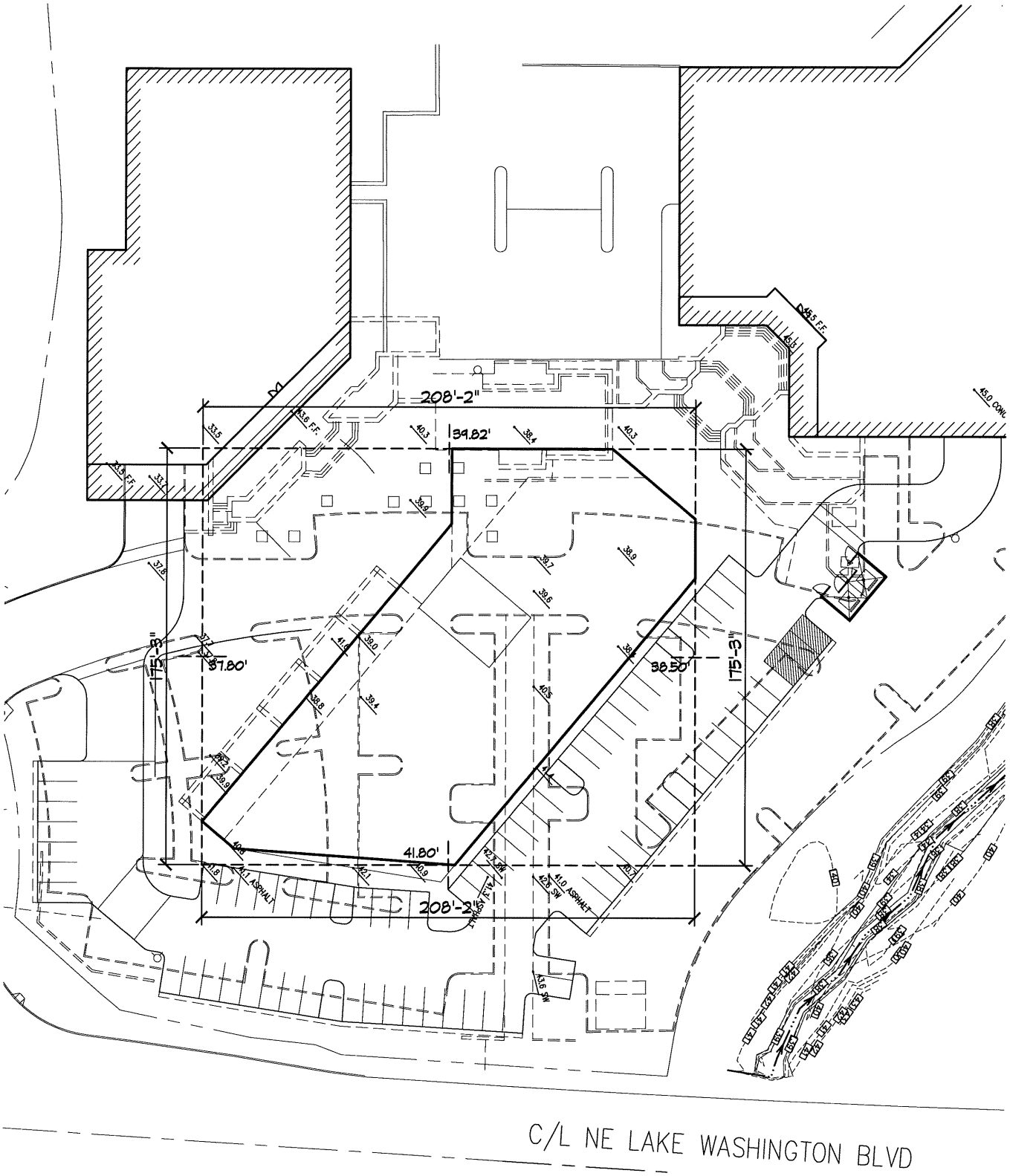
Option # 2

Formula * ABE= (Mid-point Elevation) x (Length of Segment) / (Length of Segment) + (Length of Segment)

	67.83	38.40	45.91	39.60	24.91	38.00	157.66	39.90	93.41	42.00	17.75	40.57	163.66	40.20	31.66	39.50		
ABE =	2,604.67		1,818.04		946.58		6,290.63		3,923.22		720.12		6,579.13		1,250.57		24,132.96 / 602.83	40.03 '
			602.83															

ABE= 40.03 '

* Height Regulations, Calculating Average Building Elevation (ABE) per KZC section 115.59



ABE - OPTION# 1

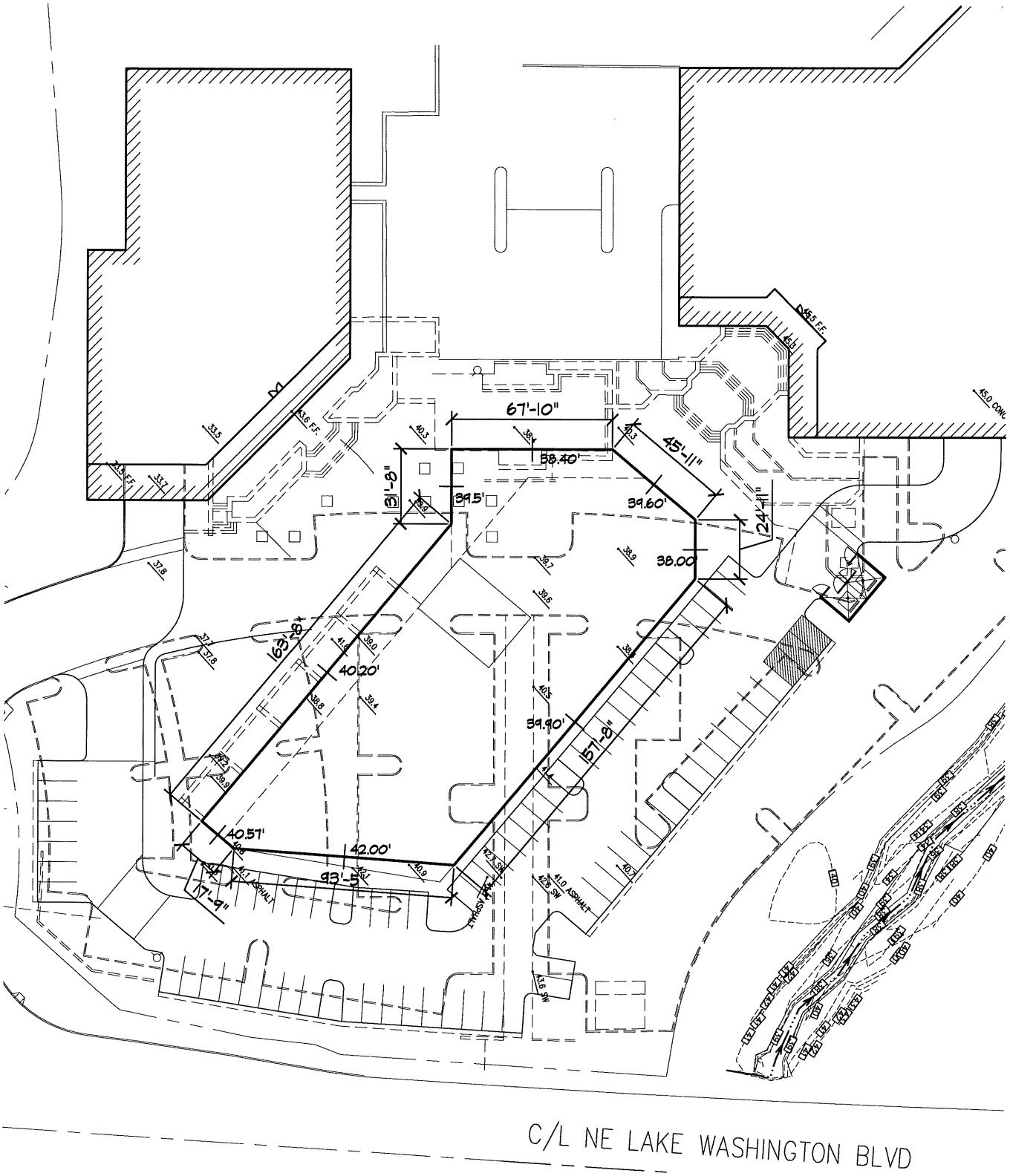
1"=60'-0" 0 15 30 60

RECTANGLE SEGMENTS

BAYLIS ARCHITECTS
10801 Main Street, Bellevue, WA 98004
F 425 453 8013 T 425 454 0566

Job No: 07-1062

PLAZA AT YARROW BAY - BLDG V | KIRKLAND, WA | PLAZA AT YARROW BAY, INC | Date: 12/12/2008



ABE - OPTION# 2

WALL SEGMENTS

1"=60'-0" 0 15 30 60

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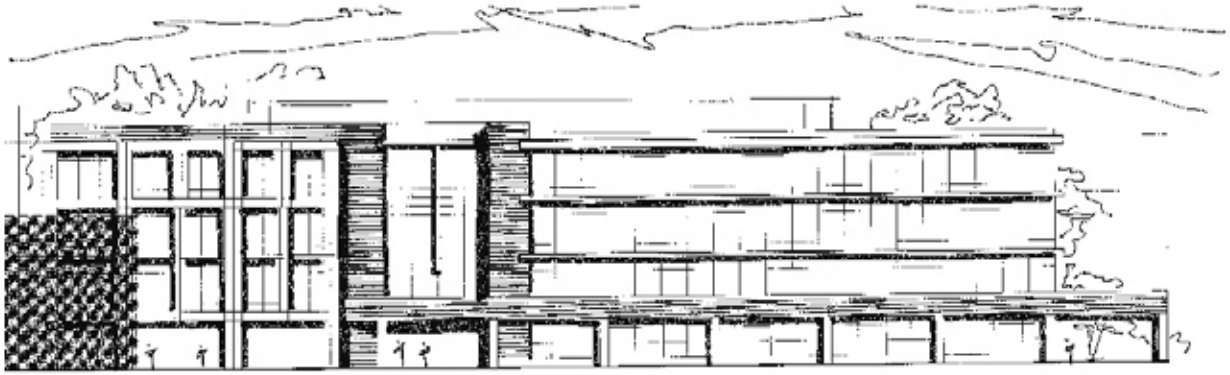
PLAZA AT YARROW BAY - BUILDING "V"

Kirkland, WA.



AERIAL VIEW WITH LANDSCAPE

ZONING MAP

VICINITY MAP

SHEET INDEX

0	COVER & VICINITY MAP
1	PROJECT DATA
C-1	CONCEPTUAL CIVIL PLAN
A002	SITE PLAN - GROUND LEVEL
* A003	SITE PLAN - PARKING LOT UNDERGROUND LEVEL
20	ENLARGED ENTRY WAY DESIGN, AND SECTIONS
21	ENTRY WAY DESIGN RENDERING
L101	LANDSCAPE PLAN
L102	LANDSCAPE PLANT LIST
L201	TREE PLAN II
W1.1	IMPACTS AND MITIGATION PLAN
W1.2	PLANTING PLAN AND DETAILS
W1.3	SPECIFICATIONS

* FOR REFERENCE ONLY

COVER & VICINITY MAP

NTS

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PLAZA AT YARROW BAY - BUILDING "V" | KIRKLAND, WA | PLAZA AT YARROW BAY, INC

RE-SUBMITTAL

ZONING PERMIT PACKAGE - PROCESS IIB

Job No 07-062 | Date 1/25/09

0

SUBJECT SITE DATA:

SITE DATA:

PARCELS:	2025059162, 2025059240
ADDRESS:	10220, 10230 POINTS DR. NE.
ZONING:	PLA 3A (PLANNED AREA), O/MF OFFICE MULTI-FAMILY LAKEVIEW NEIGHBORHOOD
SITE AREA:	213,874 SF (4.90 acres)
DESCRIPTION OF WORK:	THE PLAZA AT YARROW BAY-BLDG-V PROJECT PROPOSE TO ADD NEW OFFICE BUILDING TO THE EXISTING BUILDINGS COMPLEX. THE NEW BUILDING WILL BE A FOUR STORY STRUCTURE WITH ONE PARKING LEVEL UNDERGROUND. THIS BUILDING WILL BE DEVELOPED IN THE EXISITNG PARKING LOT IN FRONT OF EXISTING BUILDINGS I & II.
TYPE OF CONSTRUCTION:	II-B SPRINKLERED
USE PROPOSED:	"B" BUSINESS - OFFICE

DEVELOPMENT STANDARDS:

REQUIRED REVIEW PROCESS:	PROCESS IIB
SITE SIZE:	347,688 SF (7.98 AC)
PUD SITE AREA:	3,254,446 SF (74.71 AC)
LOT SIZE:	MINIMUM LOT SIZES FOR THIS USE IS 7,200 SF
BUILDING SETBACKS:	- FRONT YARD: 20 FEET - SIDE YARD: 5 FEET (BUT TWO SIDE YARDS MUST EQUAL AT LEAST 15 FEET) - REAR YARD: 10 FEET
BUFFERING LANDSCAPING:	-5' ALONG THE PERIMETER OF THE PARKING AREAS ABUTTING RIGHTS-OF-WAY -15' WIDE LANSCAPE BUFFER IS REQUIRED NEXT TO THE PARK (NORTH AND SOUTH SIDES OF THE SITE)
LANDSCAPE:	CATEGORY "C"
MAX. BUILDING HEIGHT:	30 FT. ABE (ABOVE BUILDING ELEVATION)
ALLOWABLE HEIGHT INCREASE:	60 FT. ABE (ABOVE BUILDING ELEVATION) PER GENERAL REGULATIONS SEC: 60.19
PROPOSED BUILDING HEIGHT:	52 FT ABOVE PARKING DECK 53.75 FT ABE (ABOVE AVERAGE BUILDING ELEVATION)
SIGN:	CATEGORY "D"

BUILDING AREA ANALYSIS:

PROPOSED BUILDING V	
1ST FLOOR	15,976 GFA
2ND FLOOR	19,375 GFA
3RD FLOOR	19,375 GFA
4TH FLOOR	19,375 GFA
TOTAL AREA OF NEW (BUILDING V)	74,101 GFA
EXISITING BUILDING AREA (BUILDING I)	48,452 GFA
EXISITING BUILDING AREA (BUILDING II)	95,596 GFA
TOTAL BUILDING AREA (BUILDING I, II, & V)	218,149 GFA
AREA OF PROPOSED PARKING GARAGE:	70,477 GFA

SUBJECT SITE DATA: (CONTINUED)

SUBJECT SITE PARKING ANALYSIS:

- EXISTING PARKING STALLS IN BUILDINGS I & II (UNDERGROUND & SURFACE SPACES): 508
- PARKING STALLS REMOVED (UNDERGROUND & SURFACE SPACES) <180>
  SUB-TOTAL 328
- PROPOSED NEW PARKING STALLS
  (UNDERGROUND LEVEL) 214
  (SURFACE LEVEL) 73
  SUB-TOTAL 287
- PROPOSED TOTAL PARKING STALLS 615

PROPOSED PARKING RATIO TO GFA: 218,149 GFA / 615 PKG = 1 SPACE PER 355 GFA

THE KIRKLAND ZONING CODE ALLOWS UP TO 50% COMPACT PARKING STALLS

PROPOSED STANDARD STALL	161	(57%)
PROPOSED COMPACT STALL	126	(43%)
TOTAL PROPOSED	287	

LOT COVERAGE ANALYSIS:

LOT COVERAGE: 70% MAX.

EXISTING LOT COVERAGE: 128,273 / 213,874 = .60 = 60%

	PERVIOUS	IMPERVIOUS	LOT AREA
BUILDING I		17,075 SF	
BUILDING II		24,663 SF	
PAVEMENT		86,535 SF	
LANDSCAPE	72,042 SF		
WALKWAYS 13,559 SF (50%)	6,779 SF		
LOT AREA			213,874 SF
TOTAL AREA	78,821 SF	128,273 SF	213,874 SF

PROPOSED LOT COVERAGE: 138,221 / 213,874 = .64 = 64%

	PERVIOUS	IMPERVIOUS	LOT AREA
BUILDING I		17,075 SF	
BUILDING II		24,663 SF	
NEW BUILDING V		19,770 SF	
PAVEMENT		76,713 SF	
LANDSCAPE	65,805 SF		
LANDSCAPE (over structure)	9,848 SF		
WALKWAYS 1,507 SF (50%)	753 SF		
LOT AREA			213,874 SF
TOTAL AREA	76,406 SF	138,221 SF	213,874 SF

LOT COVERAGE DESCRIPTION:
THE ACTUAL AMOUNT OF LANDSCAPING WOULD INCREASE, BECAUSE OF THE INCREMENT OF LANDSCAPE AREA AT THE WETLAND BUFFER, AND REDUCTION OF PAVED AREAS (PARKING LOT) ON SITE.

MASTER CAMPUS SITE DATA:

SITE AREA: 3,254,446 (74.71 acres) WITH ORIGINAL PUD

LOT COVERAGE ANALYSIS WITH WETLANDS AND 5 BUILDINGS:

EXISTING LOT COVERAGE: 211,059 / 3,254,446 = .064 = 6%
(see analysis below)

	PERVIOUS	IMPERVIOUS	LOT AREA
BUILDING III		26,951 SF	
PAVEMENT		13,706 SF	
LANDSCAPE	14,383 SF		
WALKWAYS 2,544 SF (50%)	1,272 SF		
LOT AREA			57,584 SF
TOTAL AREA	13,111 SF	40,657 SF	57,584 SF
BUILDING IV		16,309 SF	
PAVEMENT		25,820 SF	
LANDSCAPE	31,718 SF		
WALKWAYS 2,382 SF (50%)	1,191 SF		
LOT AREA			76,229 SF
TOTAL AREA	32,909 SF	42,129 SF	76,229 SF
BUILDING I & II			
TOTAL AREA	78,821 SF	128,273 SF	213,874 SF
TOTAL AREA	124,841 SF	211,059 SF	347,687 SF

PROPOSED LOT COVERAGE: 221,007 / 3,254,446 = .067 = 6%
(see analysis below)

	PERVIOUS	IMPERVIOUS	LOT AREA
BUILDING III	(see analysis above)		
TOTAL AREA	13,111 SF	40,657 SF	57,584 SF
BUILDING IV	(see analysis above)		
TOTAL AREA	32,909 SF	42,129 SF	76,229 SF
BUILDING I & II NEW BUILDING V	(see proposed lot coverage analysis)		
TOTAL AREA	76,406 SF	138,221 SF	213,874 SF
TOTAL AREA	122,426 SF	221,007 SF	347,687 SF

PARKING ANALYSIS WITH 5 BUILDINGS:

BUILDING	GFA	PARKING	PARKING RATIO/GFA
I	48,452	508	1/283
II	95,596	(included in Bldg "I")	
III	80,235	299	1/268
IV	45,658	150	1/304
SUB-TOTAL	269,941	957	1/282
Parking spaces removed		<180>	
V	74,101	289	NA
TOTAL	344,042	1,066	1/323

MAXIMUM BUILDING AREA IN AMENDED PUD: 278,000
PROPOSED BUILDING AREA AMENDMENT: 66,042

NTS

PROJECT DATA

BAYLIS ARCHITECTS
10801 Main Street, Bellevue, WA 98004
F 425 453 8013 T 425 454 0566

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NEIGHBORHOOD MAP

PEDESTRIAN WALKWAY
TRAFFIC SIGNAL
BUS STOP/ P&R

VIEW STUDY

PHOTO POINT OF VIEW 1

KEY SITE - PHOTO VIEWS

NTS

BAYLIS ARCHITECTS
10801 Main Street, Bellevue, WA 98004
F 425 453 8013 T 425 454 0566

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PLAZA AT YARROW BAY - BUILDING " V " | KIRKLAND, WA | PLAZA AT YARROW BAY, INC | ZONING PERMIT PACKAGE - PROCESS IIB

Job No: 07-1062
Date: 9/25/08

2

1. VIEW FROM NORTHUP WAY

2. VIEW FROM NORTHUP WAY

3. VIEW FROM NORTHUP WAY

4. VIEW FROM NORTHUP WAY & LAKE WASHINGTON BLVD. NE

5. VIEW FROM LAKE WASHINGTON BLVD. NE

6. VIEW FROM LAKE WASHINGTON BLVD. NE

EXISTING SITE CONTEXT

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10801 Main Street, Bellevue, WA 98004
F 425 453 8013 T 425 454 0566

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7. VIEW FROM LAKE WASHINGTON BLVD. NE

8. VIEW FROM CORNER OF NORTHUP WAY & LAKE WASHINGTON BLVD. NE

9. VIEW FROM BELLEVUE WAY NE

10. VIEW FROM BELLEVUE WAY NE

11. VIEW FROM BRIDGE 520

12. VIEW FROM BELLEVUE WAY NE

EXISTING SITE CONTEXT

NTS

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PLAZA AT YARROW BAY - BUILDING " V " | KIRKLAND, WA | HAL Real Estate Investments Inc | ZONING PERMIT PACKAGE - PROCESS IIB

Job No: 07-1062
Date: 9/25/08

4

1. VIEW FROM NORTHUP WAY - 30'

2. VIEW FROM NORTHUP WAY - 30'

1. VIEW FROM NORTHUP WAY - 60'

2. VIEW FROM NORTHUP WAY - 60'

VIEW STUDY

NTS

BAYLIS ARCHITECTS
10801 Main Street, Bellevue, WA 98004
F 425 453 8013 T 425 454 0566

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PLAZA AT YARROW BAY - BUILDING " V " | KIRKLAND , WA | PLAZA AT YARROW BAY, INC | ZONING PERMIT PACKAGE - PROCESS IIB

Job No: 07-1062
Date: 9/25/08

3. VIEW FROM NORTHUP WAY - 30'

4. VIEW FROM NORTHUP WAY & LAKE WASHINGTON BLVD. NE - 30'

3. VIEW FROM NORTHUP WAY - 60'

4. VIEW FROM NORTHUP WAY & LAKE WASHINGTON BLVD. NE- 60'

VIEW STUDY

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PLAZA AT YARROW BAY - BUILDING " V " | KIRKLAND, WA | PLAZA AT YARROW BAY, INC | ZONING PERMIT PACKAGE - PROCESS IIB

Job No: 07-1062
Date: 9/25/08

6

8. VIEW FROM CORNER OF NORTHUP WAY & LAKE WASHINGTON BLVD. NE - 30'

8. VIEW FROM CORNER OF NORTHUP WAY & LAKE WASHINGTON BLVD. NE - 60'

VIEW STUDY

NTS

BAYLIS ARCHITECTS
10801 Main Street, Bellevue, WA 98004
F 425 453 8013 T 425 454 0566

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PLAZA AT YARROW BAY - BUILDING " V " | KIRKLAND, WA | PLAZA AT YARROW BAY, INC | ZONING PERMIT PACKAGE - PROCESS IIB

Job No: 07-1062
Date: 9/25/08

9. VIEW FROM BELLEVUE WAY NE - 30'

10. VIEW FROM BELLEVUE WAY NE - 30'

9. VIEW FROM BELLEVUE WAY NE - 60'

10. VIEW FROM BELLEVUE WAY NE - 60'

VIEW STUDY

NTS

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PLAZA AT YARROW BAY - BUILDING " V " | KIRKLAND , WA | PLAZA AT YARROW BAY, INC | ZONING PERMIT PACKAGE - PROCESS IIB

Job No: 07-1062
Date: 9/25/08

12. VIEW FROM BELLEVUE WAY NE - 30'

12. VIEW FROM BELLEVUE WAY NE - 60'

VIEW STUDY

NTS

BAYLIS ARCHITECTS
10801 Main Street, Bellevue, WA 98004
F 425 453 8013 T 425 454 0566

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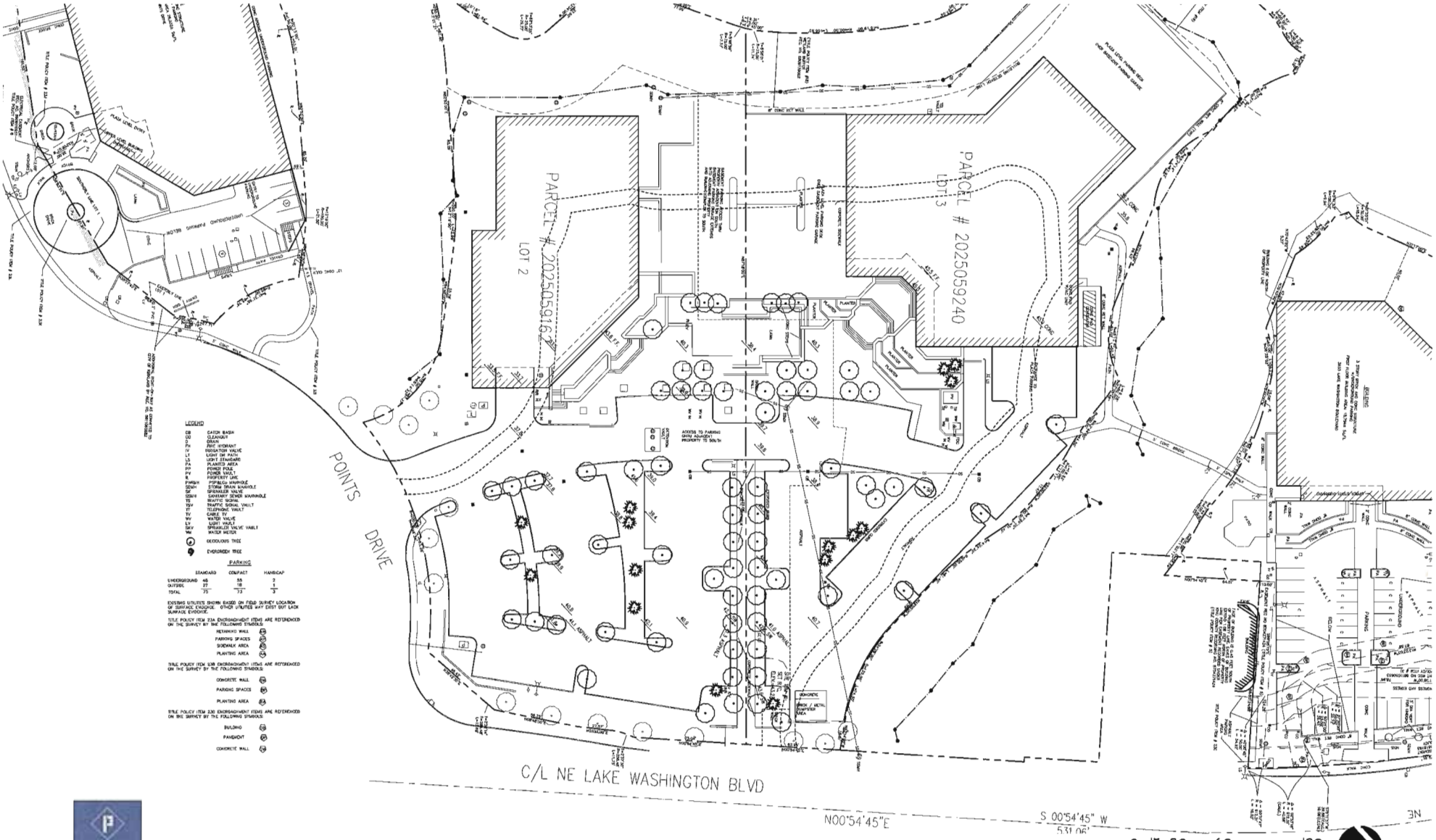

EXISITING SITE PLAN

SURVEY PROVIDED BY TRIAD ASSOCIATES

1"=60'-0" 0 15 30 60 120

BAYLIS ARCHITECTS
10801 Main Street, Bellevue, WA 98004
F 425 453 8013 T 425 454 0566

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PLAZA AT YARROW BAY - BUILDING " V " | KIRKLAND , WA | PLAZA AT YARROW BAY, INC | ZONING PERMIT PACKAGE - PROCESS IIB

Job No: 07-1062
Date: 9/25/08

TOPOGRAPHIC EXHIBIT

A Portion of Government Lot 1,
Section 20, Township 25 North, Range 5 East, W.M.,
King County, Washington

N

GRAPHIC SCALE
0 15 30 60
1 INCH = 30 FT.

PARCEL LEGAL DESCRIPTION:

LOT 2, KIRKLAND SHORT PLAT #SS-87-113, RECORDING NUMBER 8809139002, LOT LINE ADJUSTMENT 87-47, RECORDING NUMBER 8707200609, BEING A PORTION OF GOVERNMENT LOT 1 IN SECTION 20-25-5.

HORIZONTAL DATUM:

BASIS OF BEARING FOR THIS SURVEY IS THE MONUMENTED CENTERLINE OF NE LAKE WASHINGTON BLVD., ACCORDING TO THE YARROW BAY VILLAGE SHORT PLAT, BEARING BEING N 00°54'45" E.

SURVEYOR'S NOTES:

1-EQUIPMENT:
5" TOTAL STATION USED (ALL PHASES).
ALL EQUIPMENT MAINTAINED IN ADJUSTMENT TO MANUFACTURER SPECIFICATIONS.

2-PROCEDURES:
FIELD TRAVERSE BALANCED BY METHOD OF LEAST SQUARES.
TRAVERSE CLOSURE MEETS OR EXCEEDS MINIMUM REQUIREMENTS IN ACCORDANCE WITH WAC 332-130.

3-SITE ADDRESS:
THE PLAZA AT YARROW BAY I & II
10220 POINTS DRIVE NE
KIRKLAND, WASHINGTON 98033

4-THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A CURRENT TITLE SEARCH AND DOES NOT WARRANT AGAINST EASEMENTS, OR DEFECTS OF TITLE, THAT MAY OR MAY NOT AFFECT SAID PROPERTY UNLESS OTHERWISE NOTED OR SHOWN.

VERTICAL DATUM:

REFERENCE BENCH MARK:
NAVD 88
CITY OF BELLEVUE NO. 0352 ELEV.=47.77'
"CITY OF BELLEVUE" BRASS CAP STAMPED "0352", LOCATED ON THE EAST SIDEWALK AT LAKE WASHINGTON BLVD., 290'± SOUTH OF NE 38TH PL.

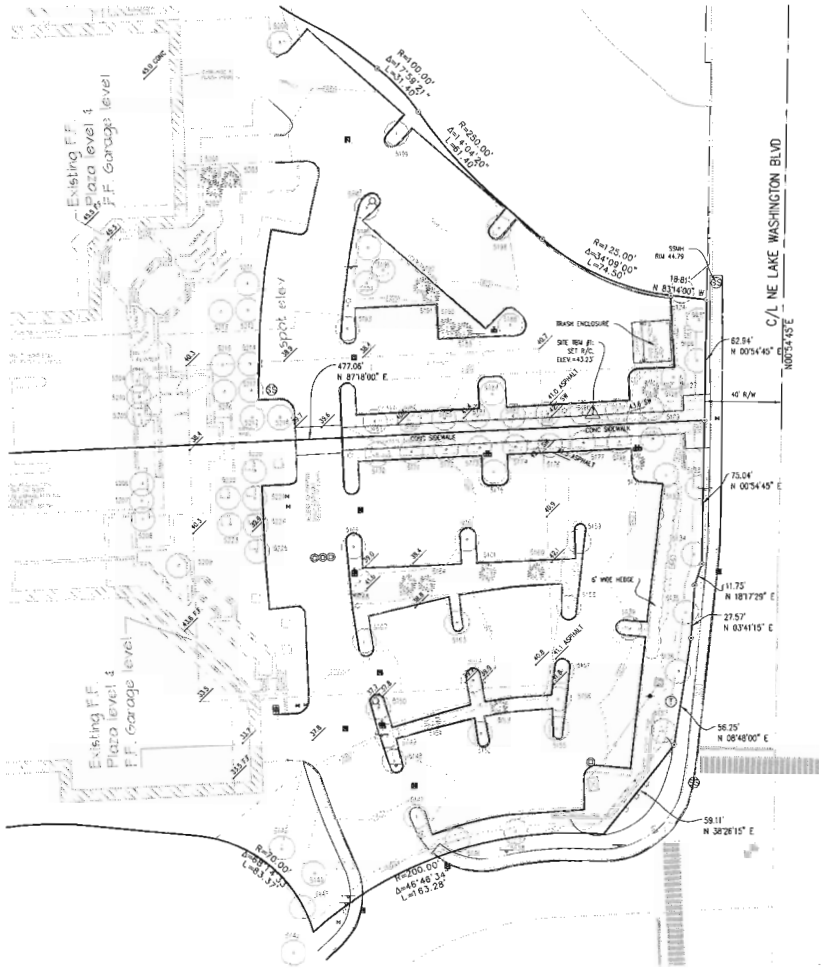
TEMPORARY BENCH MARK #1: ELEV.=43.23'
SET REBAR & CAP IN GRASS AT THE NORTH EDGE OF THE CONCRETE SIDEWALK, LOCATED AT THE EAST SIDE OF THE LOT.

LEGEND:

- CALCULATED POSITION
- SITE BENCH MARK
- SPOT ELEVATION
- POWER POLE
- POWER VAULT, SIZE VARIES
- JUNCTION BOX, SIZE VARIES
- ROAD SIGNAGE
- IRRIGATION CONTROL VALVE
- CATCH BASIN
- STORM DRAIN MANHOLE
- SANITARY SEWER MANHOLE
- TELEPHONE MANHOLE
- DECIDUOUS TREE-SIZE VARIES
- EVERGREEN TREE-SIZE VARIES

ABBREVIATIONS:

AFN .... AUDITOR'S FILE NUMBER
C/L .... CENTERLINE
LS ..... LICENSED SURVEYOR
NTS .... NOT TO SCALE
R/W ... RIGHT OF WAY
W.M. .. WILLAMETTE MERIDIAN
S.F. .... SQUARE FOOTAGE
AC. .... ACREAGE
R/C ... REBAR & CAP
IP ..... IRON PIPE
F.F. ... FINISHED FLOOR
SW .... SIDEWALK
CONC . CONCRETE
[+/-]. DISTANCE OF MONUMENT ABOVE/BELOW GROUND



TREE LEGEND			
PT. NO.	DESCRIPTION	DIAMETER	DRIPLINE
5124	MAPLE	8"	20'
5125	MAPLE	12"	22'
5126	DECIDOUS	7"	15'
5127	DECIDOUS	8"	20'
5128	FIR	6"	8'
5129	DECIDOUS	9"	18'
5130	DECIDOUS	10"	22'
5131	EVERGREEN	(TWIN)-7"	10'
5132	DECIDOUS	11"	20'
5133	DECIDOUS	12"	24'
5134	MAPLE	20"	24'
5135	MAPLE	14"	24'
5136	MAPLE	20"	28'
5137	MAPLE	19"	24'
5138	MAPLE	18"	24'
5139	DECIDOUS	10"	18'
5142	MAPLE	14"	26'
5143	DECIDOUS	11"	21'
5144	DECIDOUS	10"	24'
5145	DECIDOUS	11"	27'
5146	MAPLE	14"	24'
5147	DECIDOUS	6"	8'
5148	DECIDOUS	6"	10'
5149	DECIDOUS	8"	10'
5150	DECIDOUS	6"	10'
5151	FIR	9"	12'
5152	DECIDOUS	6"	8'
5153	FIR	10"	12'
5154	DECIDOUS	7"	8'
5155	DECIDOUS	6"	8'
5156	DECIDOUS	8"	12'
5157	DECIDOUS	6"	7'
5158	DECIDOUS	10"	14'
5159	DECIDOUS	6"	7'
5160	FIR	10"	12'
5161	FIR	17"	16'
5162	DECIDOUS	9"	12'
5163	DECIDOUS	7"	12'
5164	FIR	11"	14'
5165	FIR	12"	12'
5167	DECIDOUS	8"	12'
5168	DECIDOUS	13"	20'
5169	DECIDOUS	8"	13'
5170	DECIDOUS	10"	15'
5171	DECIDOUS	8"	15'
5172	DECIDOUS	6"	12'
5173	DECIDOUS	9"	16'
5174	DECIDOUS	9"	12'
5175	DECIDOUS	9"	15'
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5177	DECIDOUS	8"	12'
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5182	DECIDOUS	7"	10'
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5184	DECIDOUS	7"	15'
5185	DECIDOUS	8"	12'
5186	DECIDOUS	8"	9'
5187	DECIDOUS	10"	18'
5188	DECIDOUS	8"	10'
5189	FIR	10"	10'
5190	FIR	9"	12'
5191	FIR	14"	18'
5192	FIR	12"	12'
5193	DECIDOUS	7"	15'
5194	DECIDOUS	8"	14'
5195	DECIDOUS	9"	16'
5196	DECIDOUS	10"	20'
5197	DECIDOUS	9"	16'
5198	DECIDOUS	6"	15'
5199	DECIDOUS	7"	16'
5200	DECIDOUS	8"	22'
5201	FIR	6"	6'
5202	FIR	10"	13'
5203	FIR	10"	15'
5204	DECIDOUS	10"	15'
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5211	DECIDOUS	6"	9'
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5219	DECIDOUS	5"	9'
5220	DECIDOUS	5"	7'
5221	DECIDOUS	5"	8'
5222	DECIDOUS	5"	6'
5223	DECIDOUS	6"	9'
5224	DECIDOUS	6"	6'
5225	DECIDOUS	5"	7'

TOPOGRAPHIC EXHIBIT
A PTN GOVERNMENT LOT 1
SEC 20, T 25 N, R 5 E, W.M.
KING COUNTY, WASHINGTON

HAL REAL ESTATE INVESTEMENTS, INC
2025 1ST AVENUE STE 700
SEATTLE, WASHINGTON
206-839-9867

D.R. STRONG CONSULTING ENGINEERS
ENGINEERS PLANNERS SURVEYORS
10604 NE 38th PLACE, SUITE 101
KIRKLAND, WA 98033
425.827.3063 OFFICE
800.962.1452 TOLL FREE
425.827.2433 FAX
www.drstrong.com

DATE	REVISION	APR

DRAFTED BY: EJS
FIELD BOOK: 07221
PROJECT SURVEYOR: WBR
DATE: 09.15.2008
PROJECT NO.: 07221.100
SHEET 1 OF 1

SPOT ELEVATION EXHIBIT

A Portion of Government Lot 1,
Section 20, Township 25 North, Range 5 East, W.M.,
King County, Washington

N

GRAPHIC SCALE
0 15 30 60
1 INCH = 30 FT.

PARCEL LEGAL DESCRIPTION:

LOT 2, KIRKLAND SHORT PLAT #SS-87-113, RECORDING NUMBER 8809139002, LOT LINE ADJUSTMENT 87-47, RECORDING NUMBER 8707200809, BEING A PORTION OF GOVERNMENT LOT 1 IN SECTION 20-25-5.

HORIZONTAL DATUM:

BASIS OF BEARING FOR THIS SURVEY IS THE MONUMENTED CENTERLINE OF NE LAKE WASHINGTON BLVD., ACCORDING TO THE YARROW BAY VILLAGE SHORT PLAT, BEARING BEING N 00°54'45" E.

SURVEYOR'S NOTES:

1-EQUIPMENT:
5" TOTAL STATION USED (ALL PHASES).
ALL EQUIPMENT MAINTAINED IN ADJUSTMENT TO MANUFACTURER SPECIFICATIONS.

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FIELD TRAVERSE BALANCED BY METHOD OF LEAST SQUARES.
TRAVERSE CLOSURE MEETS OR EXCEEDS MINIMUM REQUIREMENTS IN ACCORDANCE WITH WAC 332-130.

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KIRKLAND, WASHINGTON 98033

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VERTICAL DATUM:

REFERENCE BENCH MARK:
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SET REBAR & CAP IN GRASS AT THE NORTH EDGE OF THE CONCRETE SIDEWALK, LOCATED AT THE EAST SIDE OF THE LOT.

LEGEND:

- CALCULATED POSITION
- SITE BENCH MARK
- 123.1' SPOT ELEVATION
- DECIDUOUS TREE-SIZE VARIES
- EVERGREEN TREE-SIZE VARIES

ABBREVIATIONS:

AFN .... AUDITOR'S FILE NUMBER
C/L .... CENTERLINE
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CONC . CONCRETE
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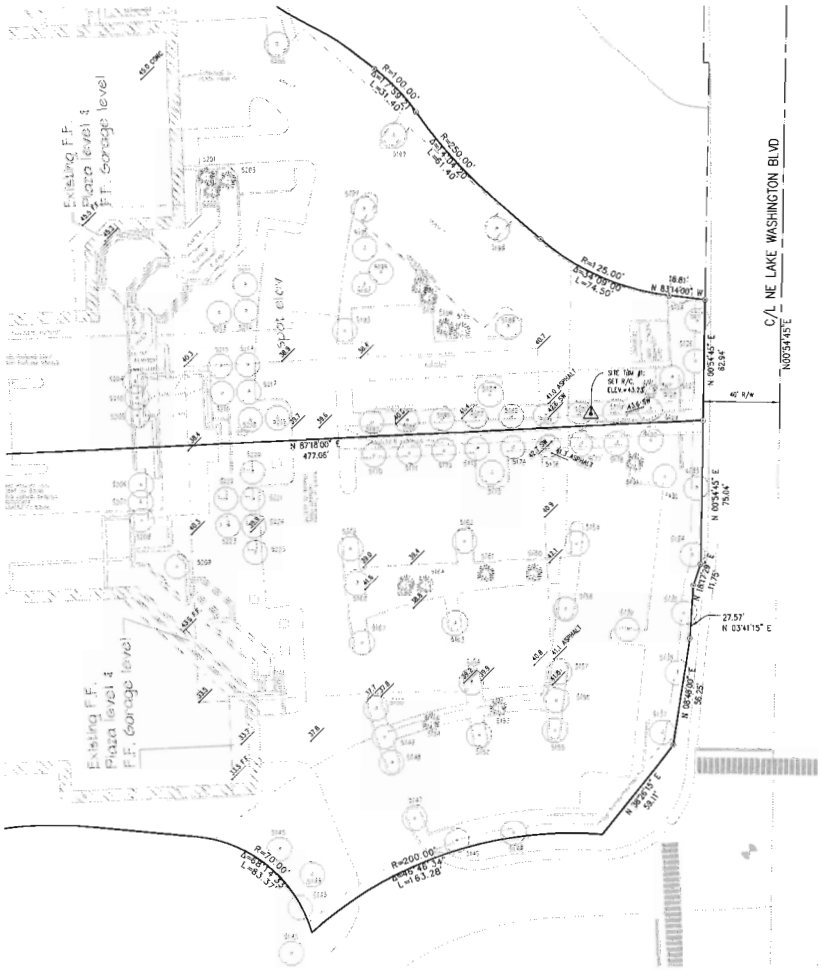

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SPOT ELEVATION EXHIBIT
A PTN. GOVERNMENT LOT 1
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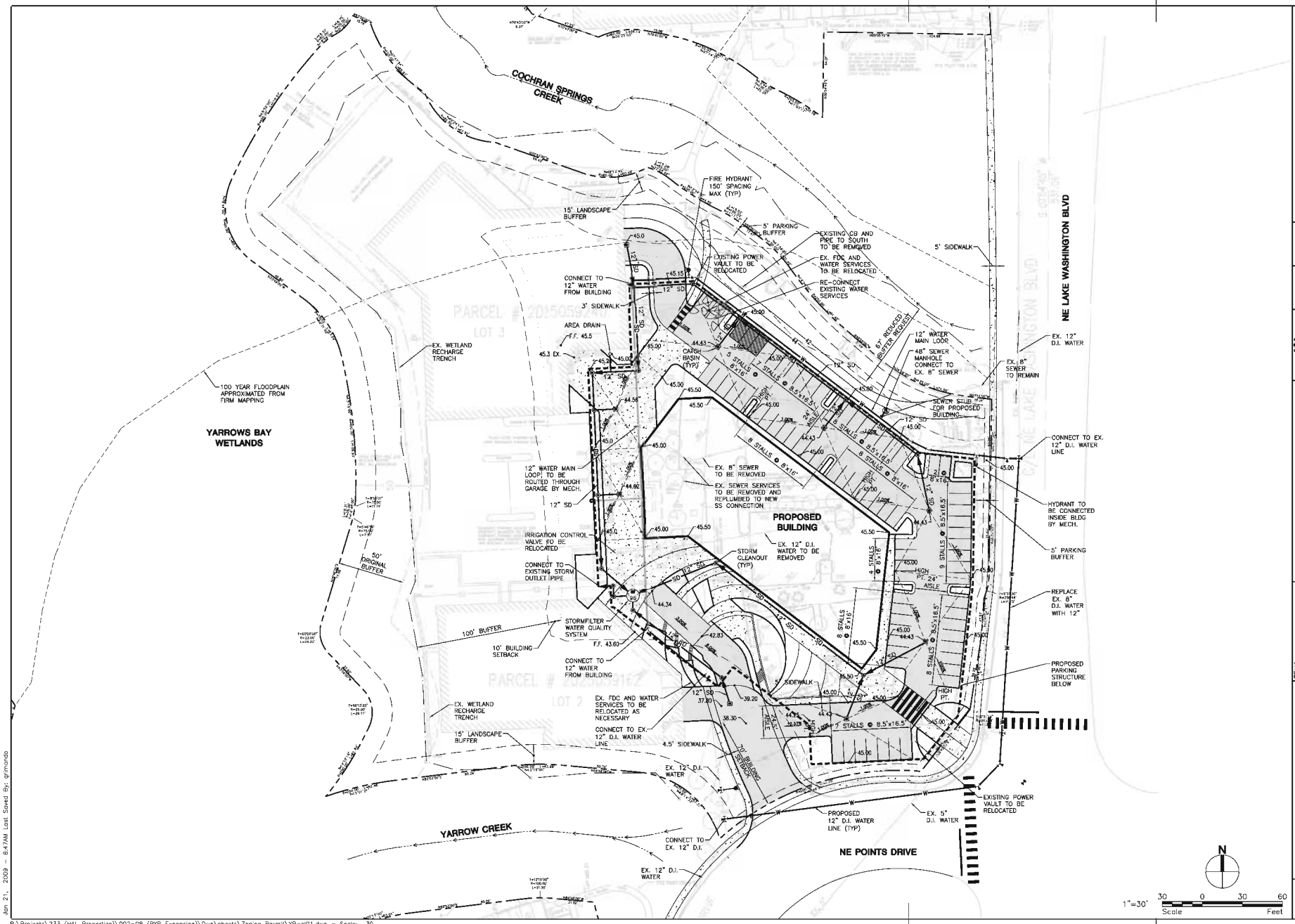
425.827.2423 FAX
www.drstrong.com

DATE	REVISION	APR

DRAFTED BY: EJS
FIELD BOOK: 07221
PROJECT SURVEYOR: WBR
DATE: 09.05.2008
PROJECT NO.: 07221.109
SHEET 1 OF 1



REVISIONS		
3	3RD ZONING PERMIT SUBMITTAL	1-09-09
2	2ND ZONING PERMIT SUBMITTAL	12-12-08
1	1ST ZONING PERMIT SUBMITTAL	9-26-08
No.	Description	Date

NKJ, JDZ
Drawn By
JJT
Designed By
JTT
Checked By
-
Approved By
1/09/2009
Date

1"=30'
Horiz. Scale
-
Vert. Scale
233-002-08
Project No.
C1-01

Site Development Associates, LLC
10117 Main Street; Bothell, Washington 98011
Office: 425-486-6533 Fax: 425-486-6573 www.sdaengineers.com

Client
Plaza at Yarrow Bay, Inc.
2025 First Ave, Suite 700
Seattle, WA 98121
Tel: (206) 448-8080
Contact
Keith Meehan

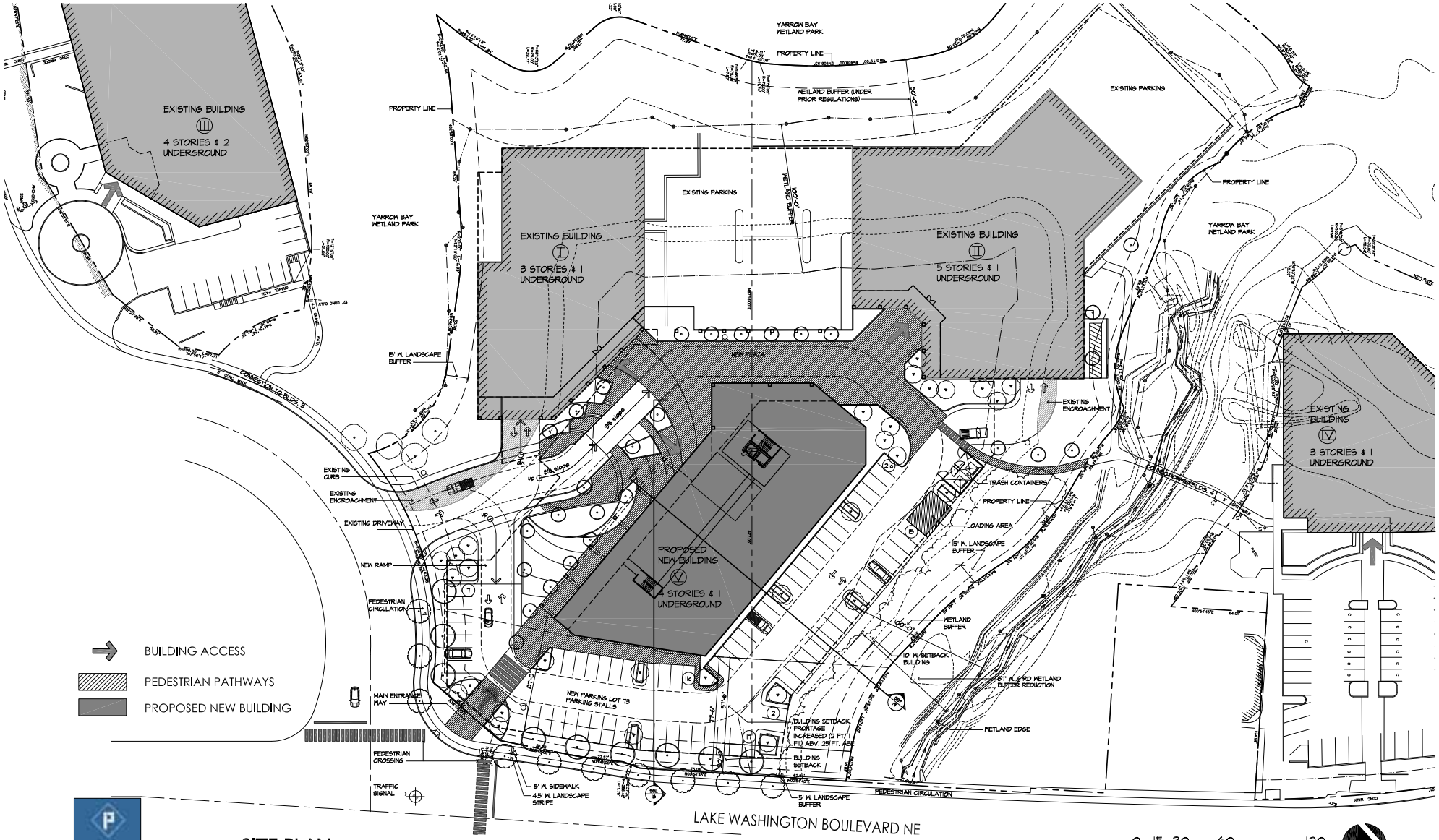
PLAZA AT YARROW BAY EXPANSION

CONCEPTUAL CIVIL PLAN

1

Jan 21, 2009 - 8:47AM Last Saved By: grimando

R:\Projects\233 (HAL Properties)\002-08 (PYB Expansion)\Dwg\sheets\Zoning Permit\YB-sl01.dwg - Scale: 30



SITE PLAN

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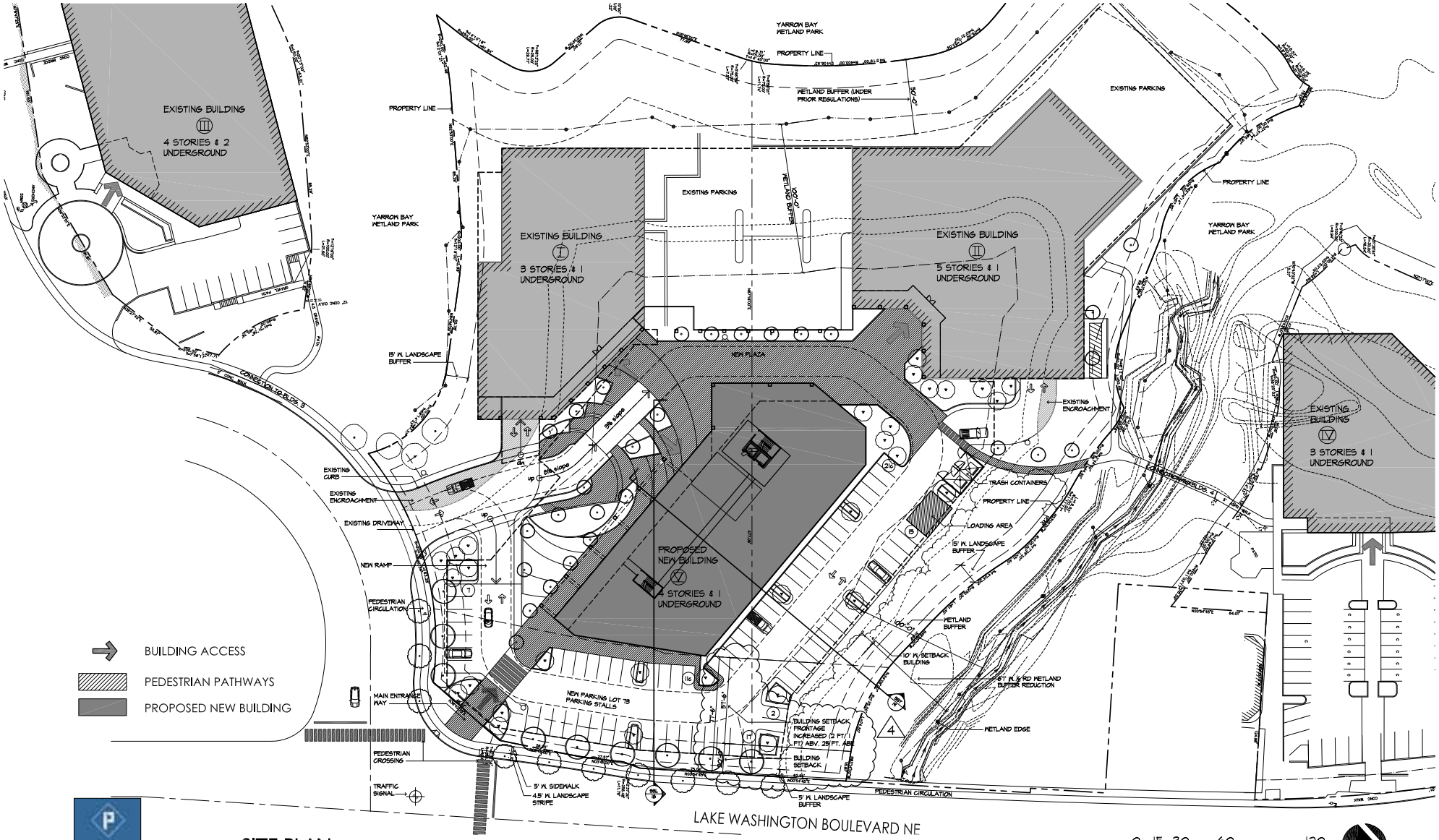
RE-SUBMITTAL (REVISION) 09-01-09

PLAZA AT YARROW BAY - BUILDING " V " | KIRKLAND , WA | PLAZA AT YARROW BAY, INC | ZONING PERMIT PACKAGE - PROCESS IIB

Job No: 07-1062 | Date: 9/01/09



SITE PLAN

1"=60'-0" 0 15 30 60 120

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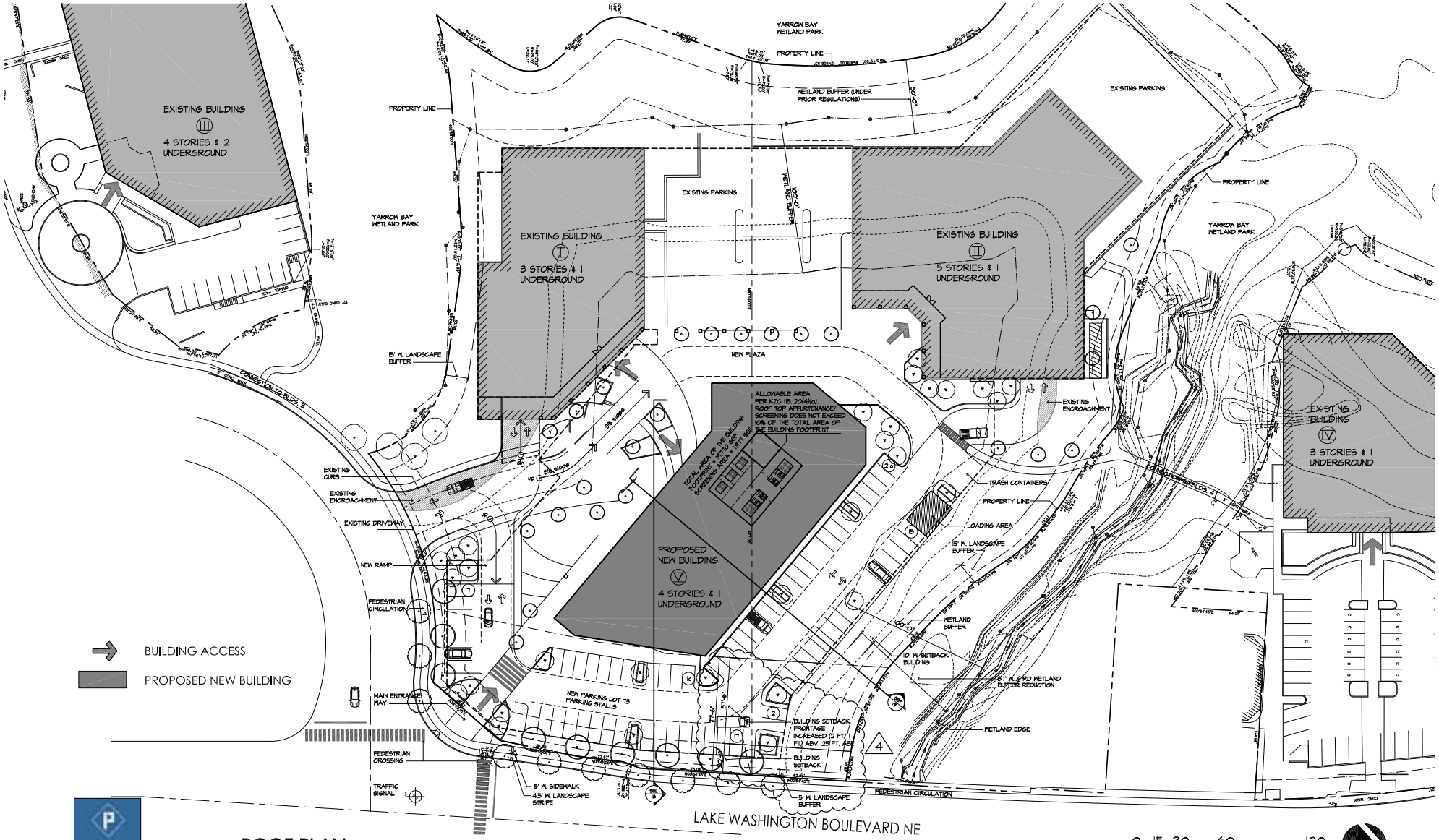
RE-SUBMITTAL 4 (REVISION) 6-23-09

PLAZA AT YARROW BAY - BUILDING " V " | KIRKLAND , WA | PLAZA AT YARROW BAY, INC | ZONING PERMIT PACKAGE - PROCESS IIB

Job No: 07-1062

Date: 6/23/09



ROOF PLAN

1"=60'-0" 0 15 30 60 120

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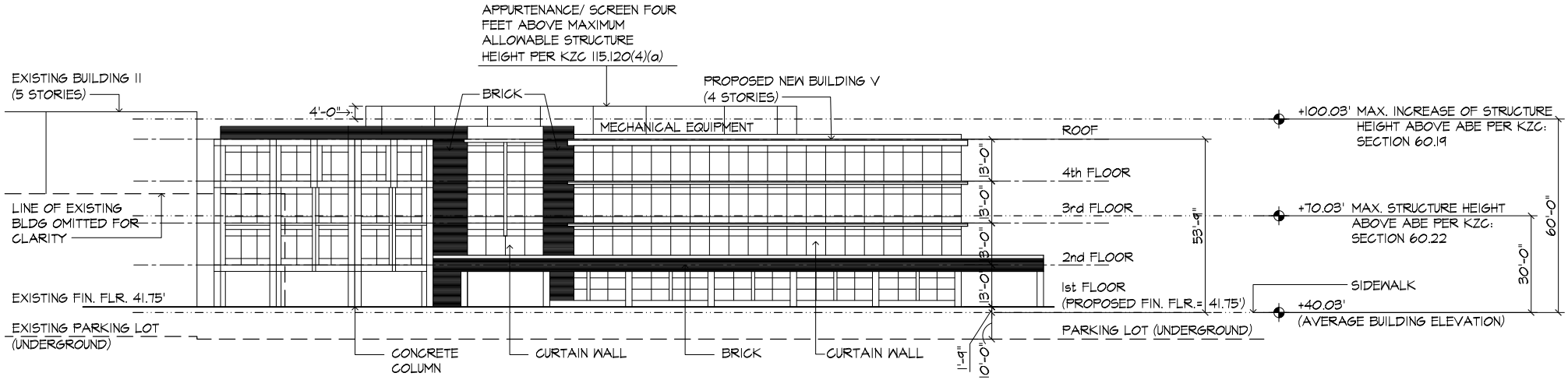
RE-SUBMITTAL 4 (REVISION) 6-23-09

PLAZA AT YARROW BAY - BUILDING " V " | KIRKLAND , WA | PLAZA AT YARROW BAY, INC | ZONING PERMIT PACKAGE - PROCESS IIB

Job No: 07-1062 | Date: 6/23/09

15A



SOUTH ELEVATION

1"=30'-0" 0 7.5 15 30 60

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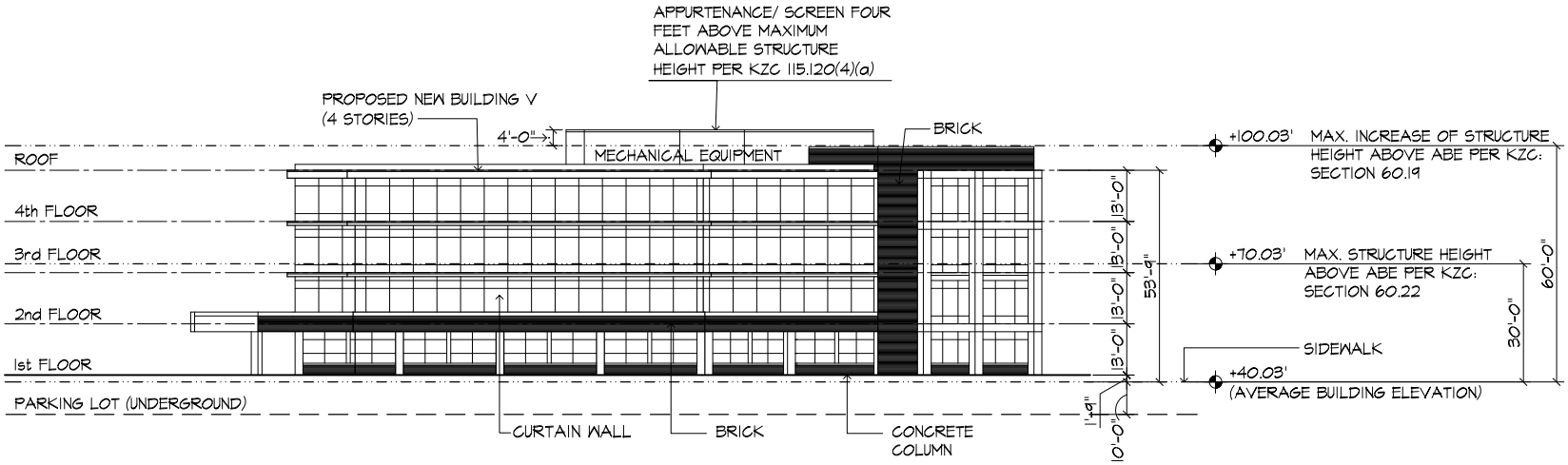
RE-SUBMITTAL (REVISION) 9-01-09

PLAZA AT YARROW BAY - BUILDING " V " | KIRKLAND , WA | PLAZA AT YARROW BAY, INC | ZONING PERMIT PACKAGE - PROCESS IIB

Job No: 07-1062 | Date: 9/01/09



EAST ELEVATION

1"=30'-0" 0 7.5 15 30 60

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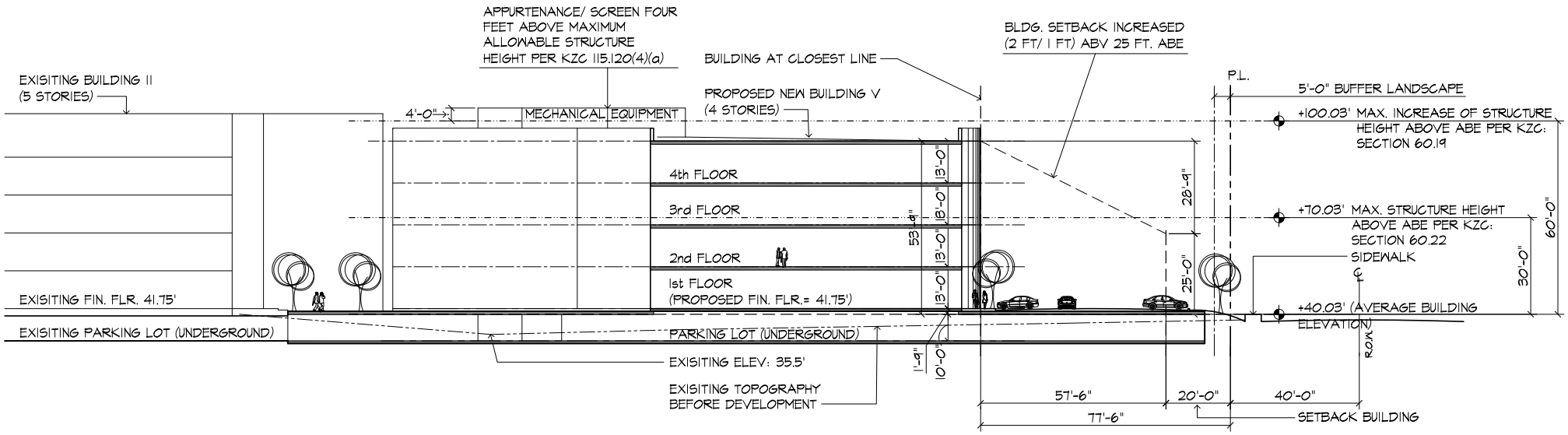
RE-SUBMITTAL (REVISION) 9-01-09

PLAZA AT YARROW BAY - BUILDING " V " | KIRKLAND , WA | PLAZA AT YARROW BAY, INC | ZONING PERMIT PACKAGE - PROCESS IIB

Job No: 07-1062
Date: 9/01/09



SITE SECTION - LONGITUDINAL

1"=30'-0" 0 7.5 15 30 60

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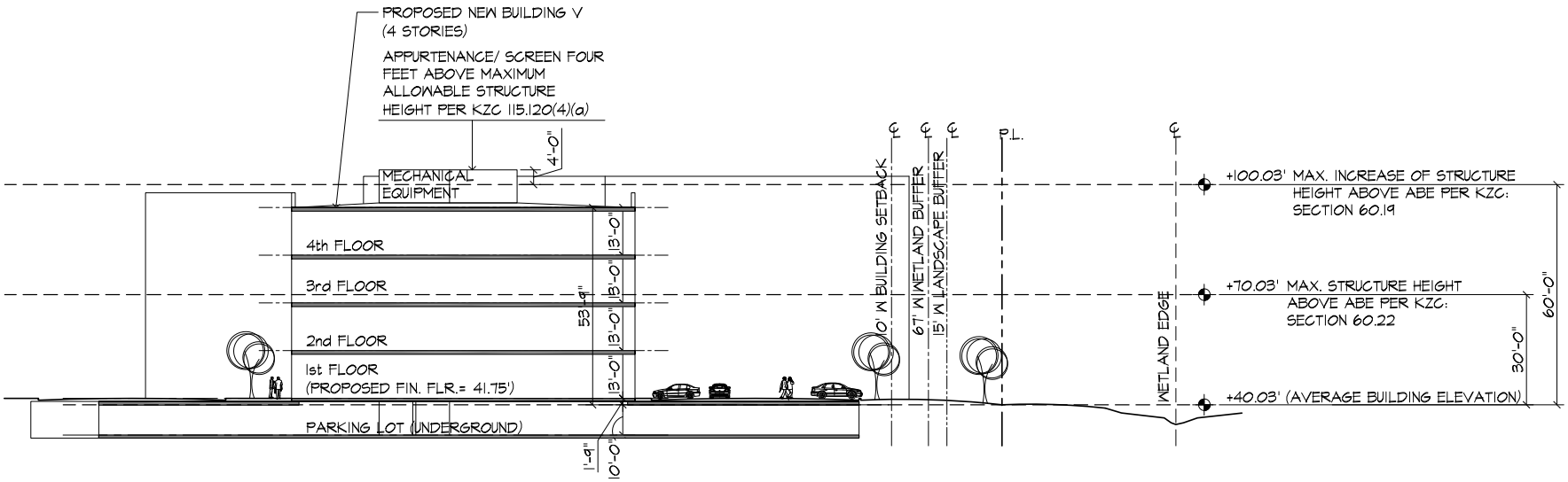
Job No: 07-1062 | Date: 9/01/09



SITE SECTION - TRANSVERSAL

1"=30'-0" 0 7.5 15 30 60

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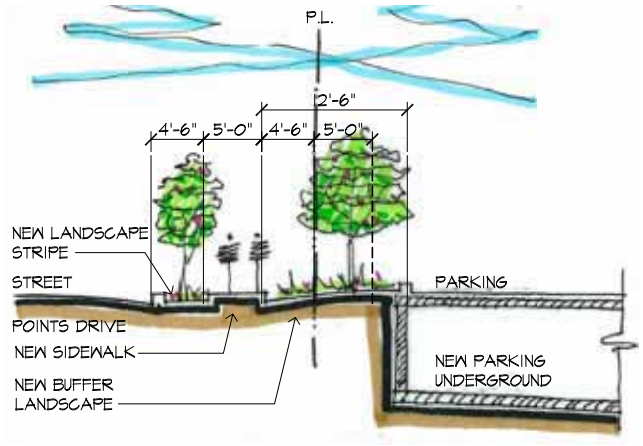
RE-SUBMITTAL (REVISION) 9-01-09

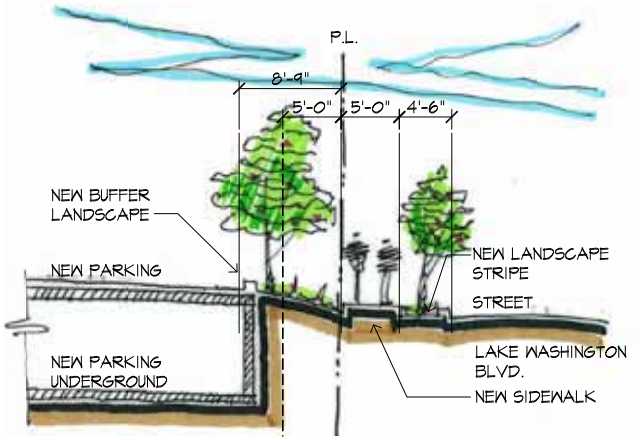
PLAZA AT YARROW BAY - BUILDING " V " | KIRKLAND , WA | PLAZA AT YARROW BAY, INC | ZONING PERMIT PACKAGE - PROCESS IIB

Job No: 07-1062 | Date: 9/01/09

LINE OF PARKING UNDERGROUND
5' W. OF LANDSCAPE BUFFER
PROPERTY LINE
1/20
LINE OF PARKING STRUCTURE BELOW
NEW CONCRETE SIDEWALK
LANDSCAPE STRIPE
POINTS DRIVE
TREES AND SHRUBS PER LANDSCAPE DRAWINGS
PEDESTRIAN PATHWAY, STAINED CONCRETE WALK WITH SCORE 36X36 TEXTURED, EARTH TONE COLOR
TREES AND SHRUBS PER LANDSCAPE DRAWINGS
LAKE WASHINGTON BLVD. NE
2/20
NEW CONCRETE SIDEWALK
LANDSCAPE STRIPE
PARKING AISLE WILL BE FLUSH TO THE WALKWAY FOR FREE BARRIER ACCESS
RAISED PLANTER MASONRY FINISH, COLORS TO MATCH EXISITING BUILDINGS
MAIN PEDESTRIAN ACCESS TO PLAZA AND BUILDINGS
PAINTED STRIPES FOR PEDESTRIAN CROSSING
PEDESTRIAN PATHWAY, CONCRETE WALK WITH SCORE 36X36 TEXTURED
NEW FIRE HYDRANT
NEW CONCRETE CURB
RAISED PLANTER MASONRY FINISH, COLORS TO MATCH EXISITING BUILDINGS
5' W. BUFFER LANDSCAPE
16'-6"
5'-0"
9'-9"
8'-6"
18'-6"
22'-6"
20'-0"
14'-1"
10'-9"



1 SOUTH SECTION 3/32"=1'-0"



2 EAST SECTION 3/32"=1'-0"

NOTE:
FOR PLANTING SPECIFICATIONS REF. TO LANDSCAPE DWGS L101 AND L102

3/32"=1'-0" 0 1 2 4 8 16

ENLARGED ENTRY WAY DESIGN

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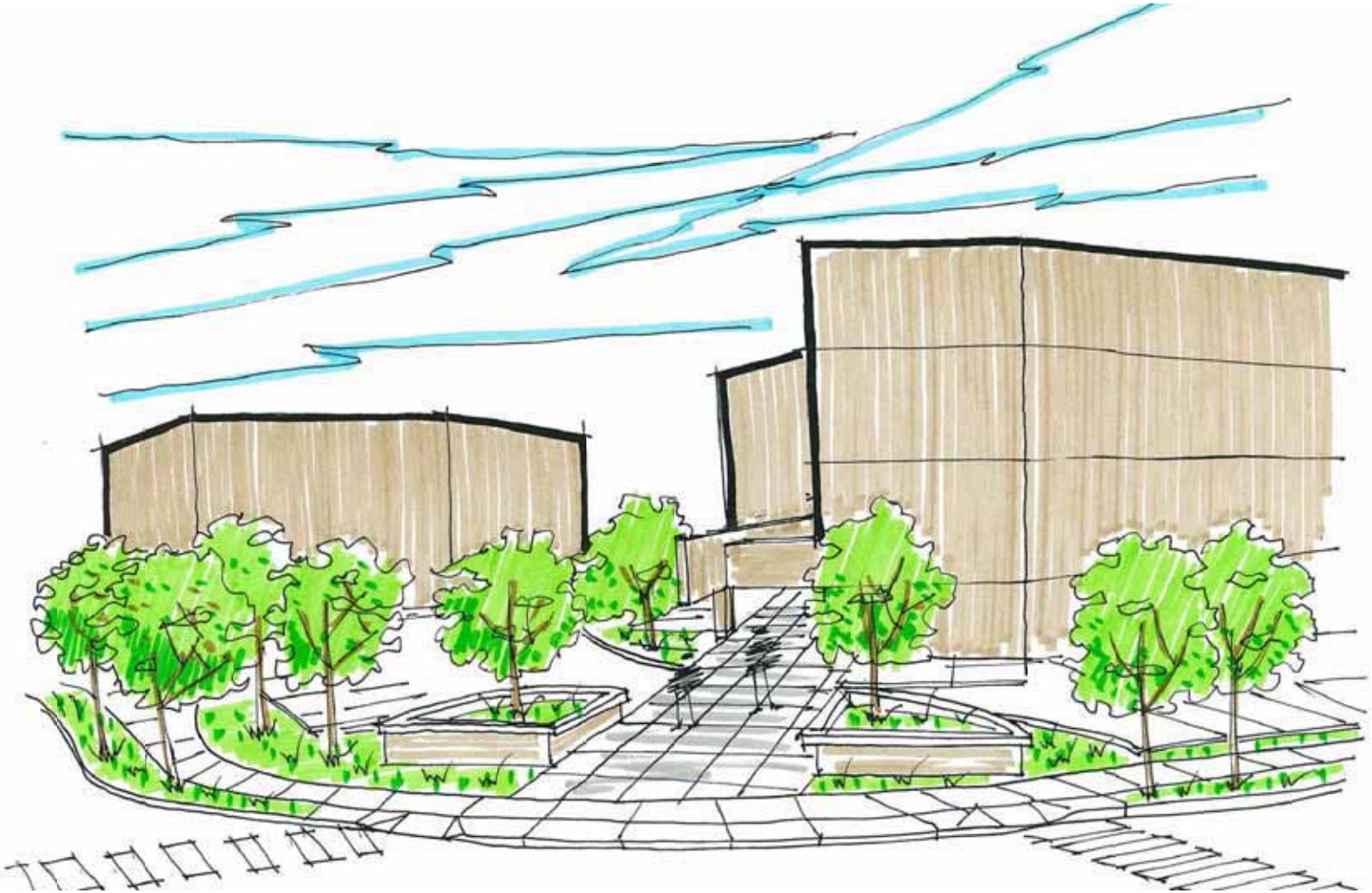
PLAZA AT YARROW BAY - BUILDING " V " | KIRKLAND , WA | PLAZA AT YARROW BAY, INC | ZONING PERMIT PACKAGE - PROCESS IIB

Job No: 07-1062
Date: 1/20/09



ENLARGED ENTRY WAY DESIGN - PERSPECTIVE

NTS

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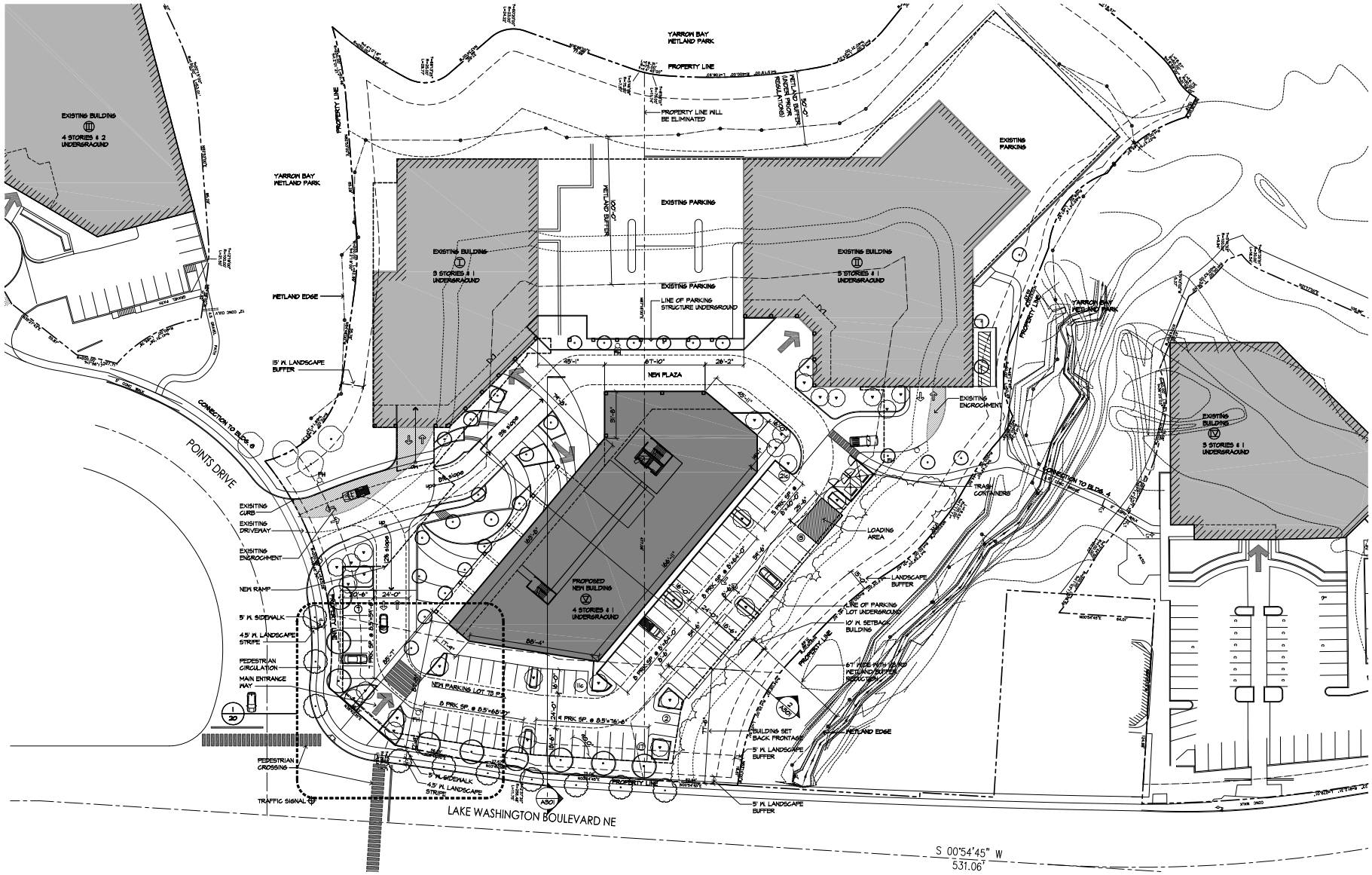
Job No: 07-1062

Date: 1/20/09



16 SITE PLAN - GROUND LEVEL
NOTES

1"=50'-0" 0 7.5 15 30 60 120

PRELIMINARY - NOT FOR CONSTRUCTION

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PLAZA AT YARROW BAY - BLDG-V

KIRKLAND, WA

RE-SUBMITTAL
ZONING PERMIT SET
12-12-08

PROJECT NUMBER:	07-1062
PROJECT MANAGER:	JG
DRAWN BY:	JMG
PLOT DATE:	Sep 02, 2009 - 11:49am

DATE:	9-25-2008	SUBMITTAL
DATE:	12-12-2008	RE-SUBMITTAL
DATE:	1-20-2009	RE-SUBMITTAL
DATE:	9-01-2009	RE-SUBMITTAL

REVISIONS:

1 RE-SUBMITTAL
2 RE-SUBMITTAL
3 RE-SUBMITTAL

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Bellevue, WA 98004
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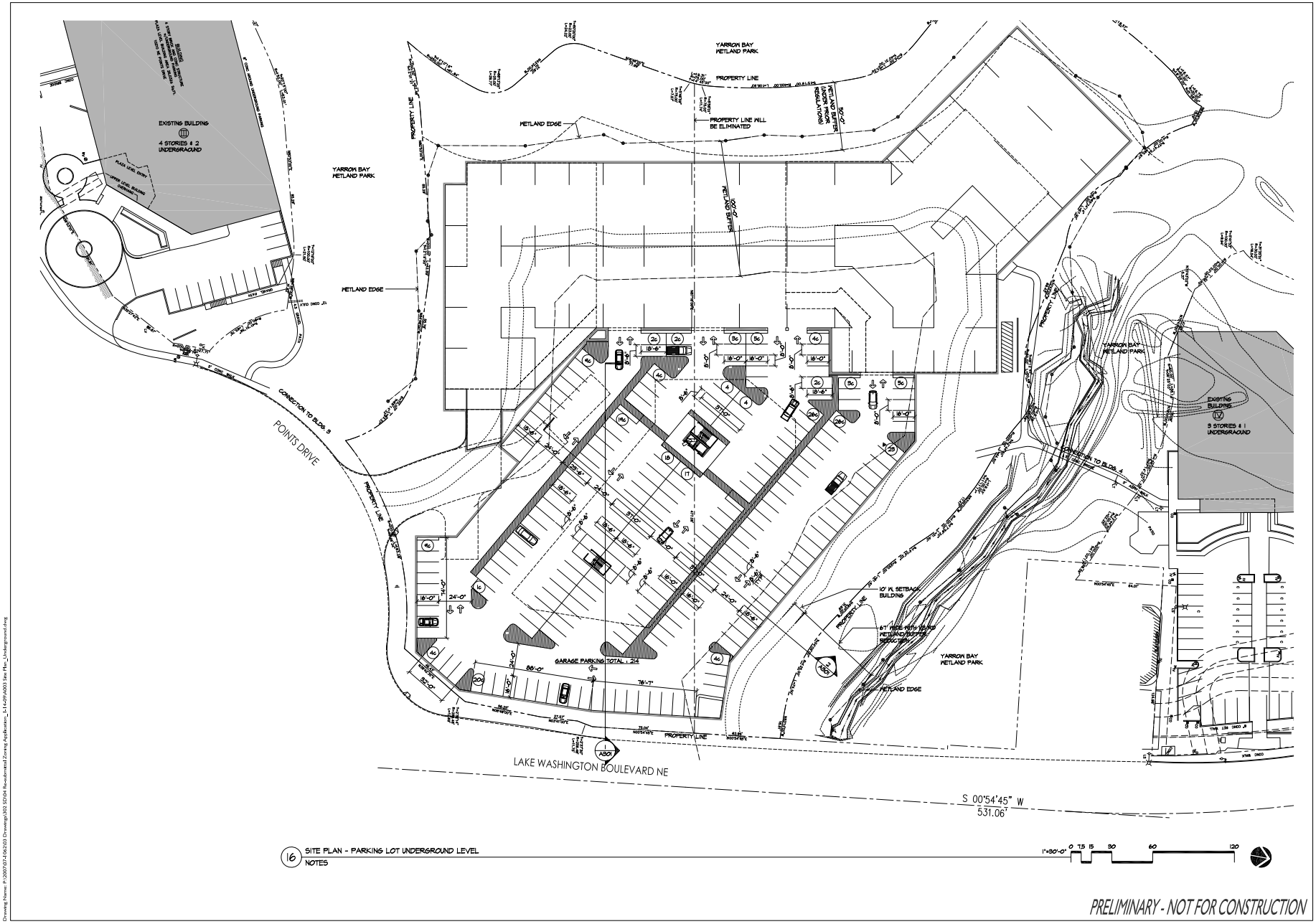
SITE PLAN - GROUND LEVEL

A002

Drawing Name: P:\2007\07-1062\09 Jurisdiction Permitting\09 Re-Submittal Zoning Apln_3\01 09\A002 Site Plan_3\01 09.dwg



16 SITE PLAN - PARKING LOT UNDERGROUND LEVEL
NOTES

1"=30'-0" 0 7.5 15 30 60 120

PRELIMINARY - NOT FOR CONSTRUCTION

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PLAZA AT YARROW BAY - BLDG-V

KIRKLAND, WA

RE-SUBMITTAL
ZONING PERMIT SET
12-12-08

PROJECT NUMBER:	07-1062
PROJECT MANAGER:	JG
DRAWN BY:	JMG
PLOT DATE:	Jan 22, 2009 - 3:43pm

DATE:	9-25-2008	SUBMITTAL
DATE:	12-12-2008	RE-SUBMITTAL
DATE:	1-20-2009	RE-SUBMITTAL

REVISIONS:

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Bellevue, WA 98004
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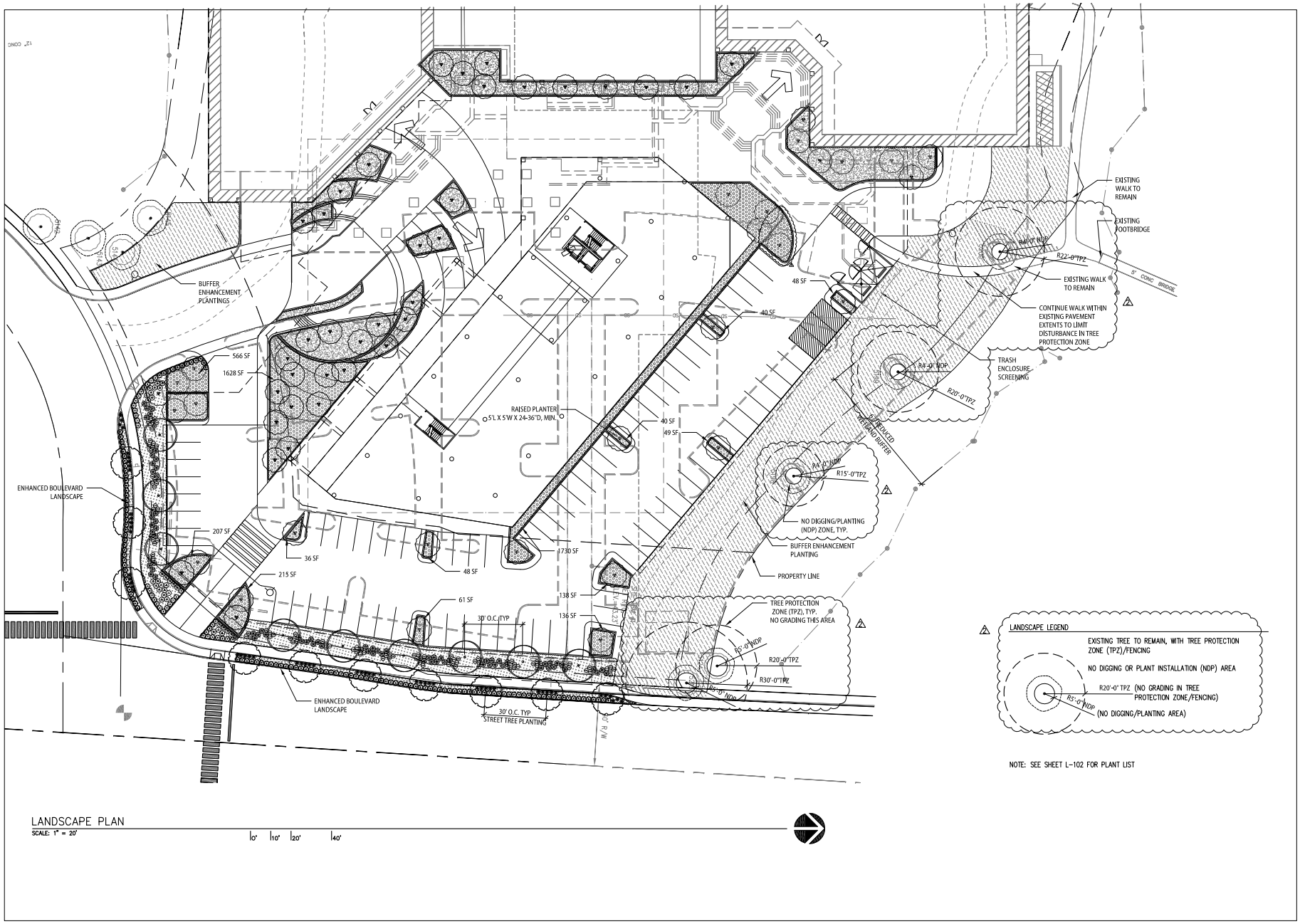
SITE PLAN
GARAGE
UNDERGROUND

A003

Drawing Name: P:\2007\07-1062\03 Drawings\03 SD\04 Residential Zoning Application_1-14-09\A003 Site Plan_Underground.dwg



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PLAZA AT YARROW BAY - BLDG-V

KIRKLAND, WA

PERMIT SET
01-16-09

PROJECT NUMBER:	07-1062
PROJECT MANAGER:	KK
DRAWN BY:	
PLOT DATE:	

DATE: 09-25-2008
1 12-11-2008
2 01-16-09

REVISIONS:

STATE OF WASHINGTON REGISTERED LANDSCAPE ARCHITECT KAREN E. KIEST CERTIFICATE NO. 850

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KAREN KIEST
landscape architects
111 west john street, suite 305
seattle washington 98119
tel: 206.323.6032

L101

PLANT LIST

SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	CONDITION	SPACING
	STREET TREES (TO BE APPROVED BY COK PUBLIC WORKS DIRECTOR)				
	CERCIDIPHYLLUM JAPONICUM	KATSURA	2½" CAL.	B&B	PER PLAN
	BETULA JACQUEMONTII	JACQUEMONTII BIRCH	2½" CAL.	B&B	PER PLAN
	ACER RUBRUM 'BOWHALL'	'BOWHALL' MAPLE	2½" CAL.	B&B	PER PLAN
	PLATANUS X. ACERIFOLIA	LONDON PLANE TREE	2½" CAL.	B&B	PER PLAN
	TREES				
	ACER CIRCINATUM*	VINE MAPLE	6'-8' HT.	MULTI., FIELD COLLECTED	PER PLAN
	ACER PALMATUM (GREEN)	JAPANESE MAPLE (GREEN)	8'-10' HT.	B&B	PER PLAN
	AMELANCHIER CANADENSIS	SERVICEBERRY	8'-10' HT.	B&B	PER PLAN
	CRATAEGUS X LAVALLEI	LAVALLE HAWTHORNE	8'-10' HT.	B&B	PER PLAN
	MAGNOLIA STELLATA	STAR MAGNOLIA	6'-8' HT.	B&B	PER PLAN
	STYRAX JAPONICUS	JAPANESE SNOWBELL	8'-10' HT.	B&B	PER PLAN
	CERCIDIPHYLLUM JAPONICUM	KATSURA	2½" CAL.	B&B	PER PLAN
	BETULA JACQUEMONTII	JACQUEMONTII BIRCH	2½" CAL.	B&B	PER PLAN
	ACER RUBRUM 'BOWHALL'	'BOWHALL' MAPLE	2½" CAL.	B&B	PER PLAN
	PLATANUS X. ACERIFOLIA	LONDON PLANE TREE	2½" CAL.	B&B	PER PLAN

LANDSCAPE TYPES

BUFFER ENHANCEMENT PLANTING
SEE ALTMANN OLIVER ASSOCIATES PLANTING PLAN DATED OCTOBER 24, 2008
SEE GREENFOREST INC, ARBORIST, LETTER DATED 1/12/2009 FOR PLANTING GUIDELINES WITHIN DRIPLINE OF EXISTING TREES TO BE RETAINED

OTHER LANDSCAPING
SHRUB MIX

20%	CORNUS SERICEA 'KELSEYI'	'KELSEYI' REDTWIG DOGWOOD	1 GAL.	CONT.	24" O.C.
20%	ESCALLONIA X 'NEWPORT DWARF'	'NEWPORT DWARF' ESCALLONIA	1 GAL.	CONT.	24" O.C.
10%	POLYSTICHUM MUNITUM	SWORD FERN	1 GAL.	CONT.	24" O.C.
20%	VIBURNUM DAVIDII	DAVID'S VIBURNUM	2 GAL.	CONT.	30" O.C.
20%	BUXUS MICROPHYLLA JAPONICA	JAPANESE BOXWOOD	2 GAL.	CONT.	24" O.C.
10%	RHODODENDRON 'HINO CRIMSON'	'HINO CRIMSON' AZALEA	1 GAL	CONT.	24" O.C.
	GROUNDCOVER				
	FRAGARIA CHILOENSIS	WILD STRAWBERRY	4" POTS	CONT.	18" O.C.

PARKING LOT PERIMETER BUFFER PER COK 95.40.7.B

CORNUS SERICEA 'KELSEYI'	'KELSEYI' REDTWIG DOGWOOD	1 GAL.	CONT.	24" O.C.
ESCALLONIA X 'NEWPORT DWARF'	'NEWPORT DWARF' ESCALLONIA	1 GAL.	CONT.	24" O.C.
POLYSTICHUM MUNITUM	SWORD FERN	1 GAL.	CONT.	24" O.C.
VIBURNUM DAVIDII	DAVID'S VIBURNUM	2 GAL.	CONT.	30" O.C.
FRAGARIA CHILOENSIS	WILD STRAWBERRY	4" POTS	CONT.	18" O.C.

1. PURPOSE IS TO BUFFER ALL PARKING AREAS AND DRIVEWAYS FROM ABUTTING RIGHTS-OF-WAY AND FROM ADJACENT PROPERTY WITH A FIVE-FOOT-WIDE STRIP ALONG THE PERIMETER OF PARKING AREAS AND DRIVEWAYS PLANTED AS FOLLOWS:

   A. ONE ROW OF TREES, TWO INCHES IN CALIPER AND PLANTED 30 FEET ON CENTER ALONG THE ENTIRE LENGTH OF STRIP

   B. LIVING GROUNDCOVER PLANTED TO ATTAIN COVERAGE OF AT LEAST 60 PERCENT OF THE STRIP AREA WITHIN TWO YEARS

LANDSCAPING AND BUFFERING STANDARDS FOR DRIVING AND PARKING AREAS
PER COK 95.40.7.A.1

CORNUS SERICEA 'KELSEYI'	'KELSEYI' REDTWIG DOGWOOD	1 GAL.	CONT.	24" O.C.
ESCALLONIA X 'NEWPORT DWARF'	'NEWPORT DWARF' ESCALLONIA	1 GAL.	CONT.	24" O.C.
POLYSTICHUM MUNITUM	SWORD FERN	1 GAL.	CONT.	24" O.C.
VIBURNUM DAVIDII	DAVID'S VIBURNUM	2 GAL.	CONT.	30" O.C.
FRAGARIA CHILOENSIS	WILD STRAWBERRY	4" POTS	CONT.	18" O.C.

INTERNAL PARKING LOT LANDSCAPE PLANTED AS FOLLOWS:
1) PARKING LOT MUST CONTAIN 25 SQUARE FEET OF LANDSCAPED AREA PER PARKING STALL.

2) LANDSCAPE ISLANDS OR PENNINSULAS ARRANGED TO SEPARATE GROUPS OF PARKING SPACES (GENERALLY EVERY EIGHT STALLS) FROM ONE ANOTHER AND EACH ROW OF SPACES FROM ANY ADJACENT DRIVEWAY THAT RUNS PERPENDICULAR TO THE ROW.

3) AT LEAST ONE DECIDUOUS TREE, TWO INCHES IN CALIPER OR A CONIFEROUS TREE FIVE FEET IN HEIGHT.

4) GROUNDCOVER SHALL BE SELECTED AND PLANTED TO ACHIEVE 60 PERCENT COVERAGE WITHIN TWO YEARS.

PARKING LOT LANDSCAPING REQUIRED: 1,925 SF (77 PARKING SPOTS x 25 SF)
PROVIDED: >1,925 SF

ROW PLANTING

VIBURNUM DAVIDII	DAVID'S VIBURNUM	2 GAL.	CONT.	30" O.C.
SPIRAEA 'MAGIC CARPET'	MAGIC CARPET SPIRAEA	2 GAL.	CONT.	30" O.C.
HEMEROCALLIS 'STELLA DE ORO'	DAYLILY	2 GAL.	CONT.	30" O.C.
FRAGARIA CHILOENSIS	WILD STRAWBERRY	4" POTS	CONT.	18" O.C.

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PLAZA AT YARROW BAY - BLDG-V

KIRKLAND, WA

PERMIT SET
01-16-09

PROJECT NUMBER: 07-1062
PROJECT MANAGER: KK
DRAWN BY:
PLOT DATE:

DATE: 09-25-2008
1 12-11-2008
2 01-16-09

REVISIONS:

STATE OF WASHINGTON REGISTERED LANDSCAPE ARCHITECT
KAREN E. KIEST
CERTIFICATE NO. 850

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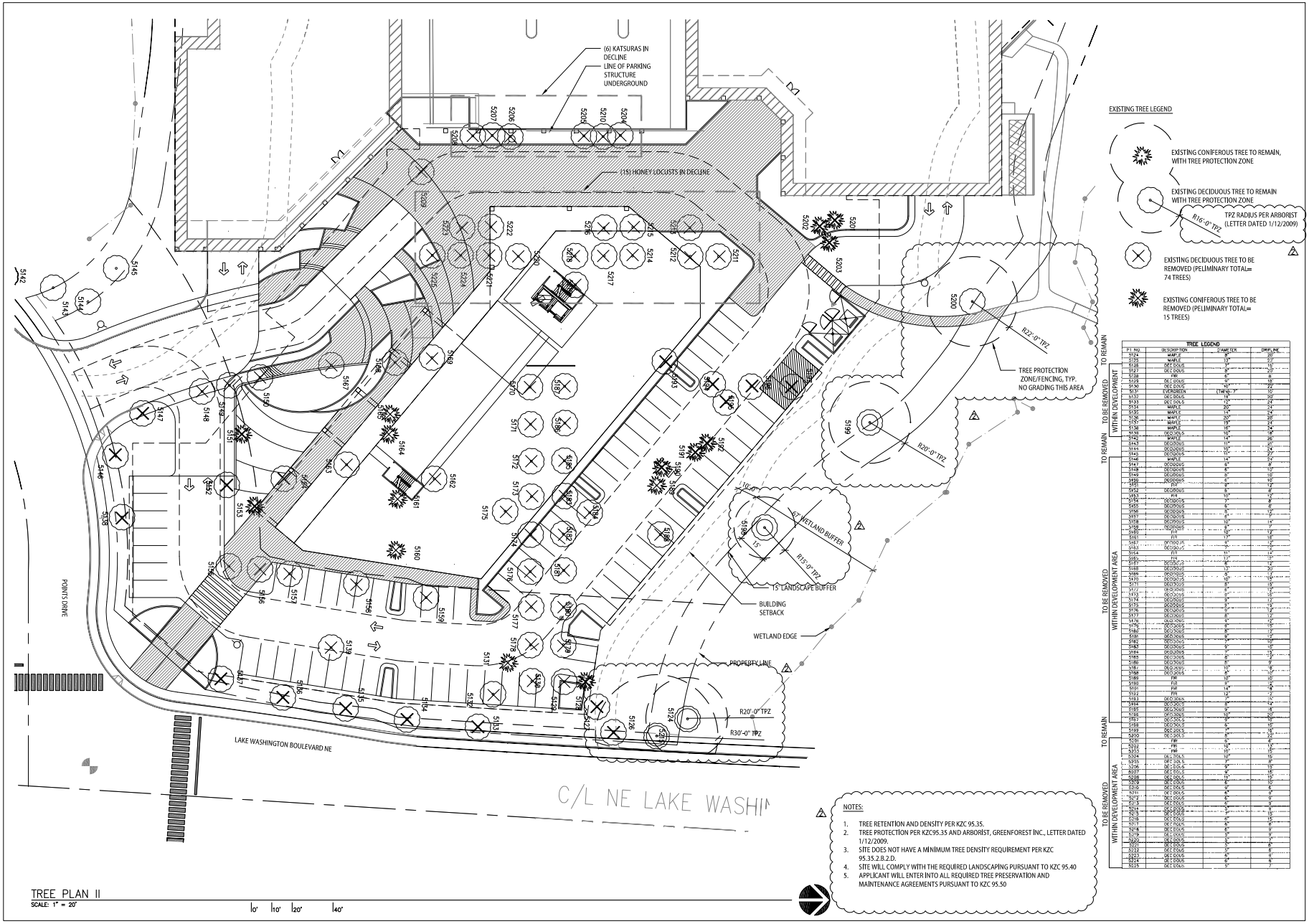
KAREN KIEST
landscape architects
111 west john street, suite 303
seattle washington 98119
tel: 206.323.6032

L102



	P.T. NO.	DESCRIPTION	DIAMETER	DRIP LINE
TO REMAIN	5124	MAPLE	8"	20'
	5125	MAPLE	13"	12'
	5126	DEC DOUS	6"	15'
	5127	DEC DOUS	9"	20'
	5128	FIR	6"	8'
	5129	DEC DOUS	6"	18'
	5130	DEC DOUS	40"	22'
TO BE REMOVED WITHIN DEVELOPMENT	5131	EVERGREEN	(14"+)-7"	10'
	5132	DEC DOUS	15"	30'
	5133	DEC DOUS	12"	21'
	5134	MAPLE	20"	24'
	5135	MAPLE	14"	24'
	5136	MAPLE	20"	20'
	5137	MAPLE	19"	24'
	5138	MAPLE	18"	24'
	5139	DECIDOUS	10"	18'
	5140	MAPLE	14"	26'
	5143	DECIDOUS	11"	21'
	5144	DECIDOUS	10"	24'
	5145	DECIDOUS	11"	27'
TO REMAIN	5146	MAPLE	14"	24'
	5147	DECIDOUS	8"	8'
	5148	DECIDOUS	6"	10'
	5149	DECIDOUS	8"	10'
	5150	DECIDOUS	6"	10'
	5151	FIR	8"	12'
	5152	DECIDOUS	8"	8'
	5153	FIR	10"	12'
TO BE REMOVED WITHIN DEVELOPMENT AREA	5154	DECIDOUS	7"	8'
	5155	DECIDOUS	6"	8'
	5156	DECIDOUS	5"	12'
	5157	DECIDOUS	6"	7'
	5158	DECIDOUS	10"	14'
	5159	DECIDOUS	8"	7'
	5160	FIR	16"	12'
	5161	FIR	13"	18'
	5162	DECIDOUS	6"	12'
	5163	DECIDOUS	5"	12'
	5164	FIR	11"	14'
	5165	FIR	11"	12'
	5167	DECIDOUS	8"	12'
	5168	DECIDOUS	13"	30'
	5169	DECIDOUS	6"	12'
	5170	DECIDOUS	10"	18'
	5171	DECIDOUS	8"	15'
	5172	DECIDOUS	6"	12'
	5173	DECIDOUS	5"	12'
	5174	DECIDOUS	5"	12'
	5175	DECIDOUS	5"	12'
	5176	DECIDOUS	5"	12'
	5177	DECIDOUS	8"	12'
	5178	DECIDOUS	6"	12'
	5179	DECIDOUS	8"	15'
	5180	DECIDOUS	5"	12'
	5181	DECIDOUS	9"	12'
	5182	DECIDOUS	24"	10'
	5183	DECIDOUS	9"	15'
	5184	DECIDOUS	7"	15'
	5185	DECIDOUS	6"	12'
	5186	DECIDOUS	8"	9'
	5187	DECIDOUS	15"	8'
	5188	DECIDOUS	6"	10'
	5189	FIR	10"	10'
	5190	FIR	8"	12'
	5191	FIR	14"	8'
	5192	FIR	12"	12'
	5193	DEC DOUS	5"	10'
	5194	DECIDOUS	6"	14'
	5195	DECIDOUS	9"	8'
	5196	DECIDOUS	14"	20'
	5197	DEC DOUS	10"	10'
	5198	DECIDOUS	6"	12'
	5199	DEC DOUS	6"	15'
	5200	DECIDOUS	6"	12'
TO BE REMOVED WITHIN DEVELOPMENT AREA	5201	FIR	8"	6'
	5202	FIR	16"	12'
	5203	FIR	10"	12'
	5204	DEC DOUS	10"	18'
	5205	DEC DOUS	8"	8'
	5206	DEC DOUS	9"	15'
	5207	DEC DOUS	6"	15'
	5208	DEC DOUS	10"	15'
	5209	DEC DOUS	6"	10'
	5210	DEC DOUS	6"	6'
	5211	DEC DOUS	6"	9'
	5212	DEC DOUS	6"	9'
	5213	DEC DOUS	5"	9'
	5214	DEC DOUS	5"	8'
	5215	DEC DOUS	5"	15'
	5216	DEC DOUS	6"	15'
	5217	DEC DOUS	6"	8'
	5218	DEC DOUS	6"	9'
	5219	DEC DOUS	6"	9'
	5220	DEC DOUS	5"	7'
	5221	DEC DOUS	5"	8'
	5222	DEC DOUS	5"	8'
	5223	DEC DOUS	6"	8'
	5224	DEC DOUS	6"	8'
	5225	DEC DOUS	5"	7'

NOTES:

1. TREE RETENTION AND DENSITY PER KZC 95.35.
2. TREE PROTECTION PER KZC95.35 AND ARBORIST, GREENFOREST INC., LETTER DATED 1/12/2009.
3. SITE DOES NOT HAVE A MINIMUM TREE DENSITY REQUIREMENT PER KZC 95.35.2.B.2.D.
4. SITE WILL COMPLY WITH THE REQUIRED LANDSCAPING PURSUANT TO KZC 95.40
5. APPLICANT WILL ENTER INTO ALL REQUIRED TREE PRESERVATION AND MAINTENANCE AGREEMENTS PURSUANT TO KZC 95.50

TREE PLAN II
SCALE: 1" = 20'

0' 10' 20' 40'

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PLAZA AT YARROW BAY - BLDG-V

KIRKLAND, WA

PERMIT SET
01-16-09

PROJECT NUMBER: 07-1062
PROJECT MANAGER: KK
DRAWN BY:
PLOT DATE:

DATE: 09-25-2008
1 12-11-2008
2 01-16-09

REVISIONS:

STATE OF WASHINGTON REGISTERED LANDSCAPE ARCHITECT
KAREN S. KIEST
CERTIFICATE NO. 850

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L201

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

DEVELOPMENT STANDARDS LIST
File: PLAZA AT YARROW AT YARROW BAY OFFICE, ZON08-00017

ZONING CODE STANDARDS

85.25.1 Geotechnical Report Recommendations. The geotechnical recommendations contained in the report by Golder Associates dated May 12, 2009 shall be implemented.

85.25.3 Geotechnical Professional On-Site. A qualified geotechnical professional shall be present on site during land surface modification and foundation installation activities.

90.45 Wetlands and Wetland Buffers. No land surface modification may take place and no improvement may be located in a wetland or within the environmentally sensitive area buffers for a wetland, except as specifically provided in this Section.

90.50 Wetland Buffer Fence. Prior to development, the applicant shall install a six-foot high construction phase fence along the upland boundary of the wetland buffer with silt screen fabric installed per City standard. The fence shall remain upright in the approved location for the duration of development activities. Upon project completion, the applicant shall install between the upland boundary of all wetland buffers and the developed portion of the site, either 1) a permanent 3 to 4 foot tall split rail fence, or 2) permanent planting of equal barrier value.

90.55 Monitoring and Maintenance of Wetland Buffer Modifications: Modification of a wetland buffer will require that the applicant submit a 5-year monitoring and maintenance plan consistent with the criteria found in 95.55 and which is prepared by a qualified professional and reviewed by the City's wetland consultant. The cost of the plan and the City's review shall be borne by the applicant.

95.50.2.a Required Landscaping. All required landscaping shall be maintained throughout the life of the development. The applicant shall submit an agreement to the city to be recorded with King County which will perpetually maintain required landscaping. Prior to issuance of a certificate of occupancy, the proponent shall provide a final as-built landscape plan and an agreement to maintain and replace all landscaping that is required by the City.

95.40.7.a Parking Area Landscape Islands. Landscape islands must be included in parking areas as provided in this section.

95.40.7.b Parking Area Landscape Buffers. Applicant shall buffer all parking areas and driveways from the right-of-way and from adjacent property with a 5-foot wide strip as provided in this section. If located in a design district a low hedge or masonry or concrete wall may be approved as an alternative through design review.

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

95.52 Prohibited Vegetation. Plants listed as prohibited in the Kirkland Plant List shall not be planted in the City.

100.25 Sign Permits. Separate sign permit(s) are required. In JBD and CBD cabinet signs are prohibited.

105.18 Pedestrian Walkways. All uses, except single family dwelling units and duplex structures, must provide pedestrian walkways designed to minimize walking distances from the building entrance to the right of way and adjacent transit facilities, pedestrian connections to adjacent properties, between primary entrances of all uses on the subject property, through parking lots and parking garages to building entrances. Easements may be required. In design districts through block pathways or other pedestrian improvements may be required. See also Plates 34 in Chapter 180.

105.32 Bicycle Parking. All uses, except single family dwelling units and duplex structures with 6 or more vehicle parking spaces must provide covered bicycle parking within 50 feet of an entrance to the building at a ratio of one bicycle space for each twelve motor vehicle parking spaces. Check with Planner to determine the number of bike racks required and location.

105.18 Entrance Walkways. All uses, except single family dwellings and duplex structures, must provide pedestrian walkways between the principal entrances to all businesses, uses, and/or buildings on the subject property.

105.18 Overhead Weather Protection. All uses, except single family dwellings, multifamily, and industrial uses, must provide overhead weather protection along any portion of the building, which is adjacent to a pedestrian walkway.

105.18.2 Walkway Standards. Pedestrian walkways must be at least 5' wide; must be distinguishable from traffic lanes by pavement texture or elevation; must have adequate lighting for security and safety. Lights must be non-glare and mounted no more than 20' above the ground.

105.18.2 Overhead Weather Protection Standards. Overhead weather protection must be provided along any portion of the building adjacent to a pedestrian walkway or sidewalk; over the primary exterior entrance to all buildings. May be composed of awnings, marquees, canopies or building overhangs; must cover at least 5' of the width of the adjacent walkway; and must be at least 8 feet above the ground immediately below it. In design districts, translucent awnings may not be backlit; see section for the percent of property frontage or building facade.

105.65 Compact Parking Stalls. Up to 50% of the number of parking spaces may be designated for compact cars.

105.60.2 Parking Area Driveways. Driveways which are not driving aisles within a parking area shall be a minimum width of 20 feet.

105.60.3 Wheelstops. Parking areas must be constructed so that car wheels are kept at least 2' from pedestrian and landscape areas.

105.60.4 Parking Lot Walkways. All parking lots which contain more than 25 stalls must include pedestrian walkways through the parking lot to the main building entrance or a central location. Lots with more than 25,000 sq. ft. of paved area must provide pedestrian routes for every 3 aisles to the main entrance.

105.77 Parking Area Curbing. All parking areas and driveways, for uses other than detached dwelling units must be surrounded by a 6" high vertical concrete curb.

110.60.5 Street Trees. All trees planted in the right-of-way must be approved as to species by the City. All trees must be two inches in diameter at the time of planting as measured using the standards of the American Association of Nurserymen with a canopy that starts at least six feet above finished grade and does not obstruct any adjoining sidewalks or driving lanes.

115.25 Work Hours. It is a violation of this Code to engage in any development activity or to operate any heavy equipment before 7:00 am. or after 8:00 pm Monday through Friday, or before 9:00 am or after 6:00 pm Saturday. No development activity or use of heavy equipment may occur on Sundays or on the following holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving, and Christmas Day. The applicant will be required to comply with these regulations and any violation of this section will result in enforcement action, unless written permission is obtained from the Planning official.

115.45 Garbage and Recycling Placement and Screening. For uses other than detached dwelling units, duplexes, moorage facilities, parks, and construction sites, all garbage receptacles and dumpsters must be setback from property lines, located outside landscape buffers, and screened from view from the street, adjacent properties and pedestrian walkways or parks by a solid sight-obscuring enclosure.

115.47 Service Bay Locations. All uses, except single family dwellings and multifamily structures, must locate service bays away from pedestrian areas. If not feasible must screen from view.

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

115.90 Calculating Lot Coverage. The total area of all structures and pavement and any other impervious surface on the subject property is limited to a maximum percentage of total lot area. See the Use Zone charts for maximum lot coverage percentages allowed. Section 115.90 lists exceptions to total lot coverage calculations See Section 115.90 for a more detailed explanation of these exceptions.

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

115.115 Required Setback Yards. This section establishes what structures, improvements and activities may be within required setback yards as established for each use in each zone.

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

115.115.3.p HVAC and Similar Equipment: These may be placed no closer than five feet of a side or rear property line, and shall not be located within a required front yard; provided, that HVAC equipment may be located in a storage shed approved pursuant to subsection (3)(m) of this section or a garage approved pursuant to subsection (3)(o)(2) of this section. All HVAC equipment shall be baffled, shielded, enclosed, or placed on the property in a manner that will ensure compliance with the noise provisions of KZC 115.95.

115.115.d Driveway Setbacks. Parking areas and driveways for uses other than detached dwelling units, attached and stacked dwelling units in residential zones, or schools and day-cares with more than 12 students, may be located within required setback yards, but, except for the portion of any driveway which connects with an adjacent street, not closer than 5 feet to any property line.

115.120 Rooftop Appurtenance Screening. New or replacement appurtenances on existing buildings shall be surrounded by a solid screening enclosure equal in height to the appurtenance. New construction shall screen rooftop appurtenances by incorporating them in to the roof form.

115.135 Sight Distance at Intersection. Areas around all intersections, including the entrance of driveways onto streets, must be kept clear of sight obstruction as described in this section.

152.22.2 Public Notice Signs. Within seven (7) calendar days after the end of the 21-day period following the City's final decision on the permit, the applicant shall remove all public notice signs.

Prior to issuance of a grading or building permit:

85.25.1 Geotechnical Report Recommendations. A written acknowledgment must be added to the face of the plans signed by the architect, engineer, and/or designer that he/she has reviewed the geotechnical recommendations and incorporated these recommendations into the plans.

85.45 Liability. The applicant shall enter into an agreement with the City, which runs with the property, in a form acceptable to the City Attorney, indemnifying the City for any damage resulting from development activity on the subject property which is related to the physical condition of the property (see Attachment 16).

90.50 Wetland Buffer Fence. Prior to development, the applicant shall install a six-foot high construction phase fence along the upland boundary of the wetland buffer with silt screen fabric installed per City standard. The fence shall remain upright in the approved location for the duration of development activities. Upon project completion, the applicant shall install between the upland boundary of all wetland buffers and the developed portion of the site, either 1) a permanent 3 to 4 foot tall split rail fence, or 2) permanent planting of equal barrier value.

90.150 Natural Greenbelt Protective Easement. The applicant shall submit for recording a natural greenbelt protective easement, in a form acceptable to the City Attorney, for recording with King County (see Attachment 17).

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

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

Prior to occupancy:

85.25.3 Geotechnical Professional On-Site. The geotechnical engineer shall submit a final report certifying substantial compliance with the geotechnical recommendations and geotechnical related permit requirements.

90.145 Bonds. The City may require a bond and/or a perpetual landscape maintenance agreement to ensure compliance with any aspect of the Drainage Basins chapter or any decision or determination made under this chapter. A bond is required for maintenance and monitoring of the wetland buffer plantings.

95.50.2.a Required Landscaping. All required landscaping shall be maintained throughout the life of the development. The applicant shall submit an agreement to the city to be recorded with King County which will perpetually maintain required landscaping. Prior to issuance of a certificate of occupancy, the proponent shall provide a final as-built landscape plan and an agreement to maintain and replace all landscaping that is required by the City

95.50.2.b Tree Maintenance. For detached dwelling units, the applicant shall submit a 5-year tree maintenance agreement to the Planning Department to maintain all pre-existing trees designated for preservation and any supplemental trees required to be planted.

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

110.60.5 <u>Landscape Maintenance Agreement</u>. The owner of the subject property shall sign a landscape maintenance agreement, in a form acceptable to the City Attorney, to run with the subject property to maintain landscaping within the landscape strip and landscape island portions of the right-of-way. It is a violation to pave or cover the landscape strip with impervious material or to park motor vehicles on this strip.

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

Date: 9/3/2009

DEVELOPMENT STANDARDS
CASE NO.: ZON08-00017
PCD FILE NO.:ZON08-00017

Parcels/lots must be consolidated. A Lot Consolidation and Restrictive Covenant will be provided by the City for signature by the property owner(s) and sent to King County for recording as a Notice on Title.

A geotechnical report is required to address development activity. The report must be prepared by a Washington State licensed Professional Engineer. Recommendations contained within the report shall be incorporated into the design of the Short Plat and subsequent structures.

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

Kirkland current codes are the 2006 editions of the building codes.

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

Structures must be designed for seismic design category D, wind speed of 85 miles per hour and exposure B.

The applicant is cautioned to investigate the implications of the Americans with Disabilities Act on the construction of this project. For more information the applicant may contact Mr. James Raggio, Office of the General Counsel, Architectural and Transportation Barriers Compliance Board, 1111 18th Street, N.W., Suite 501, Washington, DC 20036, Ph# (800) 514-0301.

A building code summary worksheet must be submitted with the building permit application. (Copy attached and an electronic copy is available).

Building types, sizes, allowable areas, heights, separations etc. have not been reviewed. Separation and type of buildings are a concern. As built plans will be reviewed showing code compliance.

FIRE DEPARTMENT CONDITIONS

Fire department access roads are required when any portion of exterior wall of first story is located more than 150 feet from fire apparatus access.

Fire Department turnaround required for roads in excess of 150 feet in length; or through-access shall be provided.

Access roadways shall be capable of supporting 68,000 lbs. (included are all bridges and parking decks, when required to be used as access).

Additional hydrants required.

Fire sprinkler system is required throughout. Standpipes may also be required; if standpipes are determined to be required, they may be combined with the sprinkler system.

A fire alarm system is required.

A key box is required for fire department access.

Fire extinguishers required.

The fire flow requirement for this project is approximately 3,000 gpm; this is based on a building of type IIB construction and approximately 76,000 square feet. Available fire flow in the area is approximately 3,400 gpm which is adequate for development.

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

PUBLIC WORKS CONDITIONS

Permit #: ZON08-00017
Project Name: Plaza at Yarrow Bay Building Expansion
Project Address: 10210 NE Points Drive
Date: November 24, 2008

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

Building and Land Surface Modification (Grading) Permit Process:
John Burkhalter, Development Engineering Supervisor
Phone: 425-587-3853 Fax: 425-587-3807
E-mail: jburkhal@ci.kirkland.wa.us

General Conditions:

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

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

3. Prior to submittal of a Building or Zoning Permit, the applicant must apply for a Concurrency Test Notice. Contact Thang Nguyen, Transportation Engineer, at 425-587-3869 for more information. A separate Concurrency Permit will be created.

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

5. All civil engineering plans which are submitted in conjunction with a building, grading, or right-of-way permit must conform to the Public Works Policy titled ENGINEERING PLAN

REQUIREMENTS. This policy is contained in the Public Works Pre-Approved Plans and Policies manual.

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

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

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

9. Prior to issuance of any commercial or multifamily Building Permit, the applicant shall provide a plan for garbage storage and pickup. The plan shall be approved by Waste Management and the City.

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

Sanitary Sewer Conditions:

1. The existing sanitary sewer main within the public right-of-way along the front of the property is adequate to serve the entire proposed project. There is an existing sewer main that serves existing building and crosses the site where the parking garage and building will be built. This sewer main will need to be relocated and a new sewer connection will need to be provided to the new building and parking garage (parking garage floor drains shall be connected to the sewer).

2. Provide a plan and profile design for the sewer line extension

3. A 20 foot wide public sanitary sewer easement must be recorded with the property for the new on-site sewer main.

4. Access for maintenance of the sewer manholes is required. Provide a 15' wide access easement from the right-of-way to each sanitary sewer manhole.

Water System Conditions:

1. The existing water main in the public right-of-way along the front of the subject property is adequate to serve this proposed development.

2. There is an existing water main that provides on-site service to the fire hydrants and building fire systems. This water main, which crosses the site where the parking garage and building will be built, will need to be relocated. In order to maintain adequate fire flow to the on-site hydrants, it appears that the on-site water main loop will need to be maintained. If so, more study will need to be done prior to Building Permit submittal to determine the best location for the water main loop. The applicant shall contact the Public Works Department prior to Building Permit submittal to discuss the water main design.

3. Provide a water service to the new building sized per the Uniform Plumbing Code. City of Kirkland will set the water meter.

4. Provide fire hydrants per the Fire Departments requirements.

5. The available fire flow at this project location is approximately 2300 gpm.

Surface Water Conditions:

1. Provide temporary and permanent storm water control per the 1998 King County Surface Water Design Manual. Under these regulations, it appears that the site will not be required to provide new or

additional surface water detention but the project Engineer hired for this project shall verify and document this in a Technical Information Report. If a surface water detentions system is required, it shall be designed to Level II standards.

2. Water Quality: this project appears to be replacing more than 5000 square feet of new impervious area that will be used by vehicles (PGIS - pollution generating impervious surface). If so, the 1998 King County Surface Water manual requires this surface water be conveyed to an approved surface water quality treatment facility. If one is already on-site, the condition and adequacy of the system in relation to the current standards will need to be verified.

3. Provide a level one off-site (downstream) analysis.

4. If this project disturbs greater than one acre, the applicant is responsible to apply for a Construction Stormwater General Permit from Washington State Dept. of Ecology. Specific permit information can be found at the following website:
http://www.ecy.wa.gov/programs/wq/stormwater/construction/
Among other requirements, this permit requires the applicant to prepare a Storm Water Pollution Prevention Plan (SWPPP) and identify a Certified Erosion and Sediment Control Lead (CESCL) prior to the start of construction. The CESCL shall attend the City of Kirkland Public Works Department pre-construction meeting with a completed SWPPP.

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

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

7. All roof and driveway drainage must be tight-lined to the storm drainage system.

Street and Pedestrian Improvement Conditions:

1. The subject property abuts Lake Washington Blvd (an Arterial type street) and NE Points Drive (a Collector type street) Zoning Code sections 110.10 and 110.25 require the applicant to make half-street improvements in rights-of-way abutting the subject property. Section 110.30-110.50 establishes that this street must be improved with the following:

A. Remove and replace any cracked curb and gutter and any sidewalk that will remain in place.
B. It appears that the existing London Plane trees along Lake Washington Blvd. (LWB) will be removed due to construction and because these tree species are no longer allowed as a street tree due to the invasive roots (arborist report recommending the removal is required). If the trees are removed then the Public Works Department would typically require a 10 ft wide sidewalk along the west side of LWB (this is the current standard for redevelopment along the west side of LWB). In this case, the applicant has proposed, and the Public Works Department agrees, that a 5 ft sidewalk separated by a 4.5 ft. landscape strip from the back of the curb would provide a more pleasant pedestrian area. Street trees shall be planted in the landscape strip 30 ft. on-center. The Public Works Department also favors a meandering sidewalk along the property frontage and will review a proposed plan from the applicants architect and landscape architect.

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

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

4. The traffic study shall analyze the driveways to the parking garage and deck in conjunction with

the parking stalls that back out onto the main entry.

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

6. Underground all new on-site transmission lines.

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

DETERMINATION OF NONSIGNIFICANCE (DNS) .

CASE #: SEP09-00014 DATE ISSUED: 8/10/2009

DESCRIPTION OF PROPOSAL

New 4 story building (known as Building 5), within the Plaza at Yarrow Bay Office Complex. The proposed office building will be approximately 74,101 gross square feet and a total of 287 (107 new) parking stalls associated with the structure.

PROPONENT:

LOCATION OF PROPOSAL

LOCATED AT 10230 NE POINTS DRIVE

LEAD AGENCY IS THE CITY OF KIRKLAND

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21.030 (2) (c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public upon request.

This DNS is issued under 197-11-340 (2); the lead agency will not act on this proposal for 14 days from the date above. Comments must be submitted by 5:00 p.m. 8/24/2009

Responsible official: 8/9/09

Eric Shields, Director Date
Department of Planning and Community Development
425-587-3225

Address: City of Kirkland
123 Fifth Avenue
Kirkland, WA 98033-6189

You may appeal this determination to the Planning Department at Kirkland City Hall, 123 Fifth Avenue, Kirkland, WA 98033 no later than 5:00 p.m., August 24, 2009 by WRITTEN NOTICE OF APPEAL.

You should be prepared to make specific factual objections. Contact the Planning Department at 425-587-3225 to read or ask about the procedures for SEPA appeals.

Please reference case # SEP09-00014.

Publish in the Seattle Times (date): 8/17/09

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

MEMORANDUM

To: Eric R. Shields, AICP, Planning Director

From: Tony Leavitt, Associate Planner

Date: August 6, 2009

File: ZON08-00017, SEP09-00014

Subject: **ENVIRONMENTAL DETERMINATION FOR PLAZA AT YARROW BAY BUILDING 5 PROJECT**

PROPOSAL

Keith Maehlum, representing Plaza at Yarrow Bay Inc., proposes a new 4 story building (known as Building 5), within the Plaza at Yarrow Bay Office Complex located at 10230 NE Points Drive (see Enclosure 1). The proposed office building will be approximately 74,101 gross square feet and a total of 287 (107 new) parking stalls associated with the structure (see Enclosure 2). The applicant has applied for a zoning permit per Kirkland Zoning Code Section 60.22.040 that requires any new office building to be approved thru a Process IIB Review Process. In addition to the office use zoning permit application, the applicant is seeking approval of a Planned Unit Development, a wetland buffer modification, and zoning code modifications as part of this proposal. The subject property contains a Type I wetland and a Seismic Hazard Area per the City of Kirkland's Sensitive Areas Map.

ENVIRONMENTAL ISSUES

I have had an opportunity to visit the site and review the environmental checklist (Enclosure 3) and the following reports:

- Updated Traffic Impact Analysis prepared by Transpo Group dated December 2008 (Enclosure 4)
- Traffic Impact Analysis Review Memo prepared by Thang Nguyen dated February 2, 2009 (Enclosure 5)
- Geotechnical Review prepared by Golder Associates dated May 12, 2009 (Enclosure 5)

Based on a review of these materials, the main environmental issues related to the development of this project are potential traffic and soil impacts.

Traffic Impacts

The Public Works Department has reviewed the Traffic Impact Analysis (see Enclosure 5) and recommends approval of the project subject to the outlined conditions.

Soil Impacts

The Geotechnical Review prepared by Golder Associates concludes that "the project appears feasible from a geotechnical standpoint" and recommends that additional design level geotechnical and hydrological studies after final design work completed. As part of the building permit application review process, the City has the authority to require that these additional studies be completed and that the project comply with all recommendations.

CONCLUSIONS AND RECOMMENDATION

It will be necessary to further analyze certain aspects of the proposal to determine if the project complies with all the applicable City codes and policies. That analysis is most appropriately addressed within the review of the zoning permit, Planned Unit Development, and wetland buffer modification applications. In contrast, State law specifies that this environmental review under the State Environmental Policy Act (SEPA) is to focus only on potential significant impacts to the environment that could not be adequately mitigated through the Kirkland regulations and Comprehensive Plan.[1]

Based on my review of all available information and adopted policies of the City, I am recommending that the proposal include the following mitigating measures so that a Determination of Non-significance (DNS) can be issued:

> Prior to occupancy of the new building, the applicant shall submit a Transportation Management Program that complies with the requirements established for the existing buildings. The TMP shall also be recorded with King County.

POLICY DIRECTION

This recommendation is based on adopted goals and policies of the City as found in the City's Comprehensive Plan. Specifically, the following elements of the 1995 Comprehensive Plan support the recommendations in the preceding section:

Transportation

Policy T-5.4: Require new development to mitigate site specific transportation impacts.

Policy T-5.6: Promote transportation demand management (TDM) strategies to help achieve mode split goals. TDM may include incentives, programs or regulations to reduce the number of single-occupant vehicle trips.

[1] ESHB 1724, adopted April 23, 1995

Policy LU-3.5: Incorporate features in new development projects which support transit and non-motorized travel as alternatives to the single-occupant vehicle.

SEPA ENCLOSURES

1. Vicinity Map
2. Development Plans
3. Environmental Checklist
4. Updated Traffic Impact Analysis prepared by Transpo Group dated December 2008
5. Traffic Impact Analysis Review Memo prepared by Thang Nguyen dated February 2, 2009
6. Geotechnical Review prepared by Golder Associates dated May 12, 2009

Review by Responsible Official:

I concur

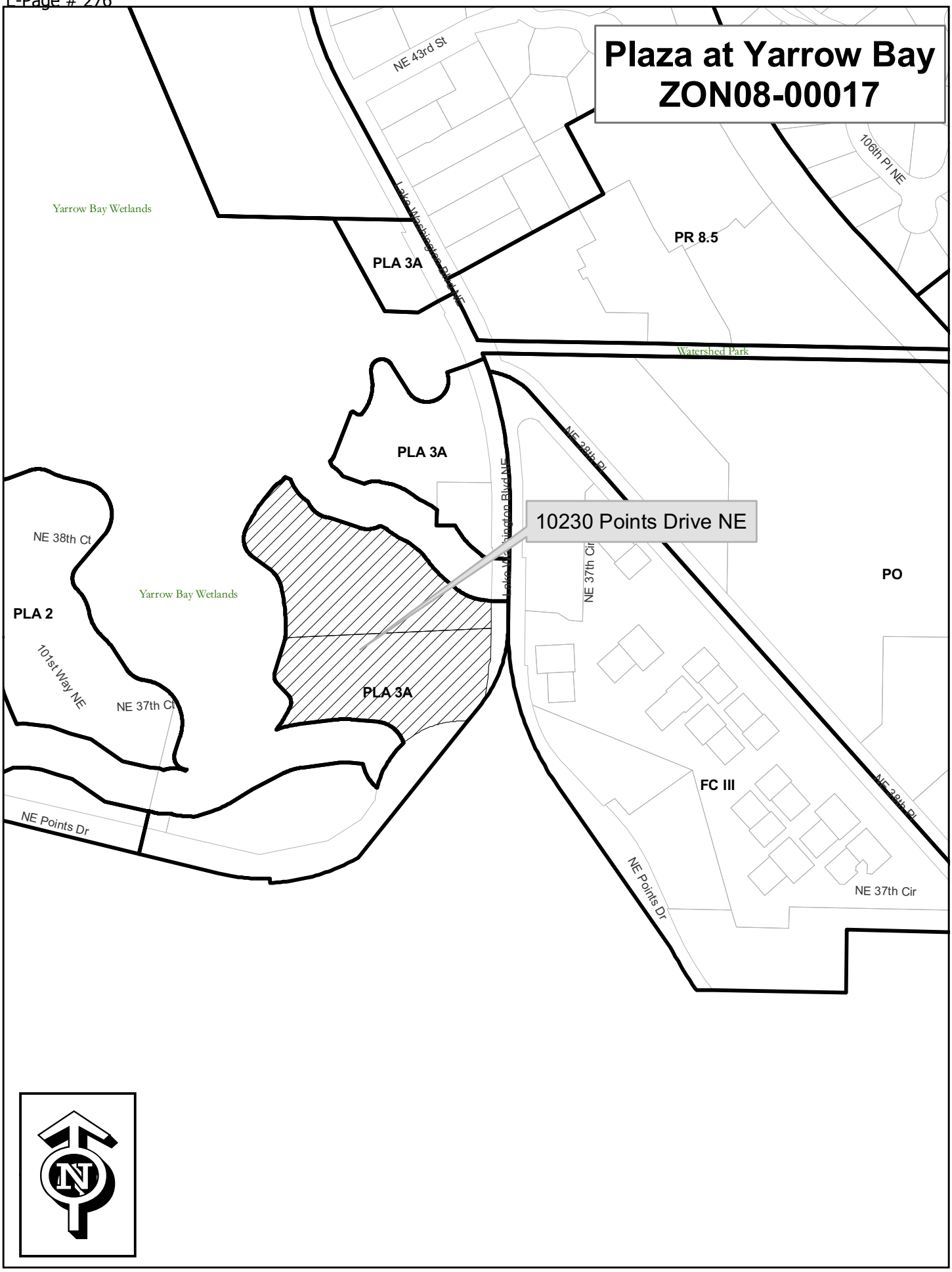
I do not concur

Comments:

_____
_____
_____
_____
_____

_____
Eric R. Shields, AICP
Planning Director

_____
Date


Plaza at Yarrow Bay
ZON08-00017
NE 43rd St
106th Pl NE
Yarrow Bay Wetlands
PR 8.5
PLA 3A
Lake Washington Blvd NE
Watershed Park
PLA 3A
NE 38th Pl
10230 Points Drive NE
NE 38th Ct
NE 37th Cir
PO
Yarrow Bay Wetlands
PLA 2
101st Way NE
NE 37th Ct
PLA 3A
FC III
NE 38th Pl
NE Points Dr
NE Points Dr
NE 37th Cir

SEPA Memorandum Enclosure 2

is the same as

Staff Advisory Report Attachment 3

CITY OF KIRKLAND ENVIRONMENTAL CHECKLIST

Purpose of Checklist:

The State Environmental Policy Act (SEPA), Chapter 43.21C RCW, requires all governmental agencies to consider the environmental impacts of a proposal before making decisions. An environmental impact statement (EIS) must be prepared for all proposals with probable significant adverse impacts on the quality of the environment. The purpose of this checklist is to provide information to help you and the City identify impacts from your proposal, and to reduce or avoid impacts from the proposal, whenever possible

Instructions for Applicants:

This environmental checklist asks you to describe some basic information about your proposal. Answer the questions briefly with the most precise information known, or give the best description you can.

You must answer each question accurately and carefully to the best of your knowledge. In most cases, you should be able to answer the questions from your own observations or project plans without the need to hire experts. If you really do not know the answer, or if a question does not apply to your proposal, write "do not know" or "does not apply." Complete answers to the questions now may avoid unnecessary delays later.

Some questions ask about governmental regulations, such as zoning, shoreline, and landmark designations. Answer these questions if you can. If you have problems, the City staff can assist you.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The City may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impacts.

Use of Checklist for Non-project Proposals:

Complete this checklist for non-project proposals also, even though questions may be answered "does not apply." IN ADDITION, complete the SUPPLEMENTAL SHEET FOR NON-PROJECT ACTIONS (Part D).

For non-project actions, the references in the checklist to the words "project," "applicant," and "property or site" should be read as "proposal," "proposer," and "affected geographic area," respectively.

A. BACKGROUND

1. Name of proposed project, if applicable: ***Plaza at Yarrow Bay - Bldg V***

2. Name of applicant: ***Applicant: The Plaza at Yarrow Bay, Inc. 2025 First Ave. Ste 700, Seattle, WA 98121, Ph: 206.839.9867, Atte: Keith Maehlum***

3. Tax parcel number: ***2025059162, 2025059240***

SEP09-00014 Memo
Enclosure 3

4. Address and phone number of applicant and contact person: ***Applicant & Contact: The Plaza at Yarrow Bay, Inc. 2025 First Ave. Ste 790, Seattle, WA 98121, Ph: 206.839.9867, Atte: Keith Maehlum***

5. Date checklist prepared: ***9/15/2008***

6. Agency requesting checklist: ***City of Kirkland, Planning and Community Development***

7. Proposed timing or schedule (including phasing, if applicable): ***Building Permit Application: aprox. 2010, Construction Start: aprox. 2011***

8. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal?

   None

9. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.

   Geotechnical Report prepared by Golder Associates, Wetland Study by The Watershed Company, Traffic Report by Transpo Group.

10. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.

    There are no known pending approvals or proposals

11. List any government approvals or permits that will be needed for your proposal, if known.

    Zoning Permit - Process IIB
    SEPA Environmental Review
    Building Permit

12. Give brief, complete description of your proposal, including the proposed uses, the size and scope of the project and site including dimensions and use of all proposed improvements. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page.

    PYB-Bldg V project: propose a new 4 story Office Building of 77,440 sq. ft. & 70,070 sq. ft. of parking garage underground connected to an exisiting parking garage. Site and off-site improvements will include new pedestrian Plaza, parking lot, landscape and walkways.

13. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

    The Plaza at Yarrow Bay - Building V is located on the northwest corner of Lake Washington Blvd. and Points Drive in City of Kirkland, Washginton.

Please see legal description and neighborhood map in the enclosed package.

TO BE COMPLETED BY APPLICANT

EVALUATION FOR AGENCY USE ONLY
REVIEWED BY:
Tony Leavitt, Assoc. Planner

B. ENVIRONMENTAL ELEMENTS

1. EARTH

a. General description of the site (circle one): Flat, rolling, hilly, steep, slopes, mountainous, other
The site has a slope toward the center of < 3% slope and on the north side boundary with the wetland edge

b. What is the steepest slope on the site (approximate percent slope)?
Steepest slope on the site is approximately 3%

c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any prime farmland.
Refer to the Geotech report

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.
No

e. Describe the purpose, type, and approximate quantities of any filling or grading proposed. Indicate source of fill.
No filling will be required, but excavation and mass grading will be required for new underground parking structure.

f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.
None likely

g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt, buildings)?
Final site development will have about 65% of impervious area, same as exisiting.

h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:
All surface waters will be collected on site, settled and piped to the existing storm piping. We expect to reduce and control erosion using erosion-prevention practices as recommended by the project soils engineer and approved by City of Kirkland.

2. AIR

a. What types of emissions to the air would result from the proposal (i.e., dust, automobile, odors, industrial wood smoke) during construction and when the project is completed? If any, generally describe and give approximate quantities, if known.
During construction, emissions to the air would include occasional dust raised during the clearing and construction process, plus some diesel exhaust fumes from operating earth-moving vehicles and trucks.
After the project is completed and in use, emissions to the air would be those associated with general parking uses: exhaust from automobiles entering and leaving the site.

b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.
No

c. Proposed measures to reduce or control emissions or other impacts to air, if any:
Comply with City Codes.
Dust emissions will be controlled by watering as required.

3. WATER

a. Surface

1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.
Yes, An existing stream on the north Conchran Springs Creek, and south side of the property Yarrow Creek.

2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.
Yes

3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.
None

4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.
No

5) Does the proposal lie within a 100-year floodplain? If so, note location on the

site plan.
No

6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.
No

b. Ground

1) Will ground water be withdrawn, or will water be discharged to ground water? Give general description, purpose, and approximate quantities if known.
No

2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals...; agricultural; etc.) Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.
none

c. Water Runoff (including storm water):

1) Describe the source of runoff (include storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.
Surface water from impervious areas will be connected to exisiting project storm drainage system.

2) Could waste materials enter ground or surface waters? If so, generally describe.
No

?roposed measures to reduce or control surface, ground, and runoff water impacts, if any:
All exposed open land resulting from grading and construction will be landscaped with appropriate ground cover planting to hold the soil and control any potential surface runoff. Comply with applicable codes.

4. PLANTS

a. Check or circle types of vegetation found on the site:

☒ deciduous tree: alder, maple, aspen, other
☒ evergreen tree: fir, cedar, pine, other

- [x] shrubs
- [x] grass
- [ ] pasture
- [ ] crop or grain
- [ ] wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
- [ ] water plants: water lily, eelgrass, milfoil, other
- [ ] other types of vegetation:

b. What kind and amount of vegetation will be removed or altered?
An approximately of 73,062 sq. ft. landscape area will be removed

c. List threatened or endangered species known to be on or near the site.
None

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:
Landscaped (pervious) areas are 73,062 sq. ft.(existing), and new proposed will be 73,595 sq. ft. (final site development), See landscape plan.

5. ANIMALS

a. Circle any birds and animals which have been observed on or near the site or are known to be on or near the site:

birds: hawk, heron, eagle, songbirds, other ***Songbirds***
mammals: deer, bear, elk, beaver, other ***Beaver & Nutria near the site***
fish: bass, salmon, trout, herring, shellfish, other

b. List any threatened or endangered species known to be on or near the site.
None

c. Is the site part of a migration route? If so, explain.
No

d. Proposed measures to preserve or enhance wildlife, if any:
None

6. ENERGY AND NATURAL RESOURCES

a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.
Electricity will provide power for lighting, cooling and heating. Gas will be used for heating.

b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.
No

c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:
All construction will meet the State Energy Codes.

7. ENVIRONMENTAL HEALTH

a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, describe.
No

1) Describe special emergency services that might be required.
None

2) Proposed measures to reduce or control environmental health hazards, if any:
None

b. Noise

1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?
The traffic noise from SR-520 and Lake Washington Blvd.

2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.
Short-term noises will be generated from construction equipment and materials delivery trucks. These noises would occur primarily Monday through Friday, between 7:00 a.m. and 8:00 p.m. and between 9:00am and 6:00 pm on Saturdays. On a long-term basis, only auto noise – entering and exiting – would be generated from the site.

3) Proposed measures to reduce or control noise impacts, if any:
During construction, this project will comply with all noise standards established by the City of Kirkland.

8. LAND AND SHORELINE USE

a. What is the current use of the site and adjacent properties?
Site Parcels
Lot#1: 3 story office building with underground parking garage
Lot#2: 5 story office building with underground parking garage

Adjacent Parcels
South, Lot#1: 4 story office building with underground parking
North Lot#4: 3 story office building with underground parking

b. Has the site been used for agriculture? If so, describe.
No

c. Describe any structures on the site.
Lot#1: Office Building, parking and plaza
Lot#2: Office Building, parking and plaza

d. Will any structures be demolished? If so, what?
No, other than surface parking lot.

e. What is the current zoning classification of the site?
Current Zoning:
PLA 3A (Planned Area), Lakeview Neighborhood

f. If applicable, what is the current shoreline master program designation of the site?
None

g. Has any part of the site been classified as an "environmentally sensitive" area? If so, specify.
Yes, property to the north and south has wetland and streams

h. Approximately how many people would reside or work in the completed project.
.The new building would have approximately 260 employes total.

i. Approximately how many people would the completed project displace?
None

j. Proposed measures to avoid or reduce displacement impacts, if any:
None

k. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:
Comply with the comprehensive plan and land use code

9. HOUSING

a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.
None

b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.
None

c. Proposed measures to reduce or control housing impacts, if any:
None

10. AESTHETICS

a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?
The tallest height will be 55', does not include HVAC's room equipment and elevator or stair penthouse
The principal building materials will be concrete, masonry, pre-cast panels and metal siding.

b. What views in the immediate vicinity would be altered or obstructed?
Minor impacts to views from Lake Washington Blvd. looking to the west.

c. Proposed measures to reduce or control aesthetic impacts, if any:
The new building will use proportions and materials compatible with the existing buildings.

11. LIGHT AND GLARE

a. What type of light or glare will the proposal produce? What time of day would it mainly occur?
During regular business hours on dark days and at night, there will be light from inside the building, low-level landscape lighting, from building signage, and

vehicles entering/exiting the site, and parking lot lighting.

b. Could light or glare from the finished project be a safety hazard or interfere with views?
No

c. What existing off-site sources of light or glare may affect your proposal?
Light from vehicular traffic and street lights.

d. Proposed measures to reduce or control light and glare impacts, if any:
Parking lighting is designed to illuminate downwards only and cut off at the property lines.

12. RECREATION

a. What designated and informal recreational opportunities are in the immediate vicinity?
Walking, biking, and jogging on streets adjacent to the property.

b. Would the proposed project displace any existing recreational uses? If so, describe.
No

c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:
None

13. HISTORICAL AND CULTURAL PRESERVATION

a. Are there any places or objects listed in, or proposed for, national, state, or local preservation registers known to be on or next to the site? If so, generally describe.
None

b. Generally describe any landmarks or evidence of historic, archaeological, scientific, or cultural importance known to be on or next to the site.
None

c. Proposed measures to reduce or control impacts, if any:
None

14. TRANSPORTATION

a. Identify public streets and highways serving the site, and describe proposed access to the existing street system. Show on-site plans, if any.
The site is accessed from north side of Points Drive, via Lake Washington Blvd. Please see the attached neighborhood map and site plan.

b. Is site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?
Yes. The closest bus stop is at the northeast side of the property and one block north of the property, both of them located on Lake Washington Blvd. The bus routes from Kirkland transit center connect to other parts of Kirkland, Seattle, Bellevue, and the Greater Puget Sound area.

c. How many parking spaces would the completed project have? How many would the project eliminate?
The new project will have a total of 642 parking stalls, none will be removed.

d. Will the proposal require any new roads or streets, or improvements to existing roads or streets, not including driveways? If so, generally describe (indicate whether public or private).
No

e. Will the project use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.
No

f. How many vehicular trips per day would be generated by the completed project? If know, indicate when peak volumes would occur.
Refer to traffic report

g. Proposed measures to reduce or control transportation impacts, if any:
Refer to traffic report

15. PUBLIC SERVICES

a. Would the project result in an increased need for public services (for example: fire protection, police protection, health care, schools, other)? If so, generally describe.
Yes, Those normally associated with office use.

b. Proposed measures to reduce or control direct impacts on public services, if any.
Comply with codes

16. UTILITIES

a. Circle utilities currently available at the site: electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other ***Electricity, natural gas, water, telephone, sanitary sewer, refuse service.***

b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.
Electricity: Puget Sound Energy, Natural Gas: Puget Sound Energy, Water: City of Kirkland, Refuse/Recycling: Waste management, Telephone: Verizon, Cable: Comcast, Sanitary sewer: City of Kirkland

C. SIGNATURE

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: Karl MacMillan The Plaza at Yarrow Bay, Inc.

Date Submitted: 9/25/08

Tony Leavitt

8/6/2009

D. SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS

(Do not use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

   Proposed measures to avoid or reduce such increases are:

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

Proposed measures to protect or conserve plants, animals, fish, or marine life are:

3. How would the proposal be likely to deplete energy or natural resources?

Proposed measures to protect or conserve energy and natural resources are:

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

Proposed measures to protect such resources or to avoid or reduce impacts are:

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

Proposed measures to avoid or reduce shoreline and land use impacts are:

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

Proposed measures to reduce or respond to such demand(s) are:

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

Updated Transportation Impact Analysis

PLAZA AT YARROW BAY EXPANSION

Prepared for:
HAL Real Estate Investments

December 2008

Prepared by:

transpoGROUP

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Phone: 425-821-3665
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07366.00

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Frequently Asked Questions

This section provides an executive summary of the Transportation impact analysis through a set of frequently asked questions (FAQs).

Where is the project located?

The Plaza at Yarrow Bay complex is located to the west of the Lake Washington Boulevard near the NE Points Drive/Bellevue Way/NE Northup Way intersection. The proposed expansion would be located east of buildings 1 and 2 and over the existing parking area.

What is the project land use and trip generation?

The proposed expansion of Plaza at Yarrow Bay would construct 77,200 square feet of office building. This expansion would generate 59 weekday AM peak hour trips and 67 weekday PM peak hour trips.

What are the future without-project conditions in the study area?

All intersections within the study area would operate acceptably at LOS D under future without-project conditions.

Would the project have any transportation impacts?

All study intersections would continue to operate at the same LOS without or with the proposed project. The addition of project traffic would increase average delays at each study intersection by less than one second. This falls within the range of day to day fluctuation and as such would not be noticed by the average user.

The proposed project meets City of Kirkland concurrency standard.

Increases in traffic volumes at study intersections would likely result in a proportionate increase in the probability of collisions. The proposed project would have little, if any, impact on existing non-motorized facilities or existing transit service.

The proposed parking supply would not meet Kirkland minimum parking supply requirements; however, the peak parking demand for the project would be served by the total parking supply for the Plaza at Yarrow Bay complex. A variance is recommended to allow the project to provide less than code requirements.

What mitigation measures are recommended?

Specific off-site mitigation measures are not recommended, nor required, to reduce/offset potential site-generated traffic impacts.

How would the site access operate?

The site access would operate acceptably during the weekday PM peak hour.

Introduction

The purpose of this transportation impact analysis (TIA) is to identify potential traffic-related impacts associated with the proposed Plaza at Yarrow Bay Expansion office development. As necessary, mitigation measures are identified that would offset or reduce significant impacts.

Project Description

Figure 1 illustrates the project site and the surrounding vicinity. The project would include the construction of a new four-story office building on the site of the existing Plaza at Yarrow Bay site, east of buildings 1 and 2 and over the existing parking area. Buildout of the project includes an underground parking structure and would provide a net increase of 135 parking stalls more than existing conditions. The project site is located east of Lake Washington Boulevard near the intersection with NE Points Drive/NE Northup Way.

The proposed site plan is illustrated in Figure 2. As shown, site access would be provided by the existing driveway immediately east of NE Points Drive/NE Northup Way. Buildout of the project is anticipated by the end of 2010.

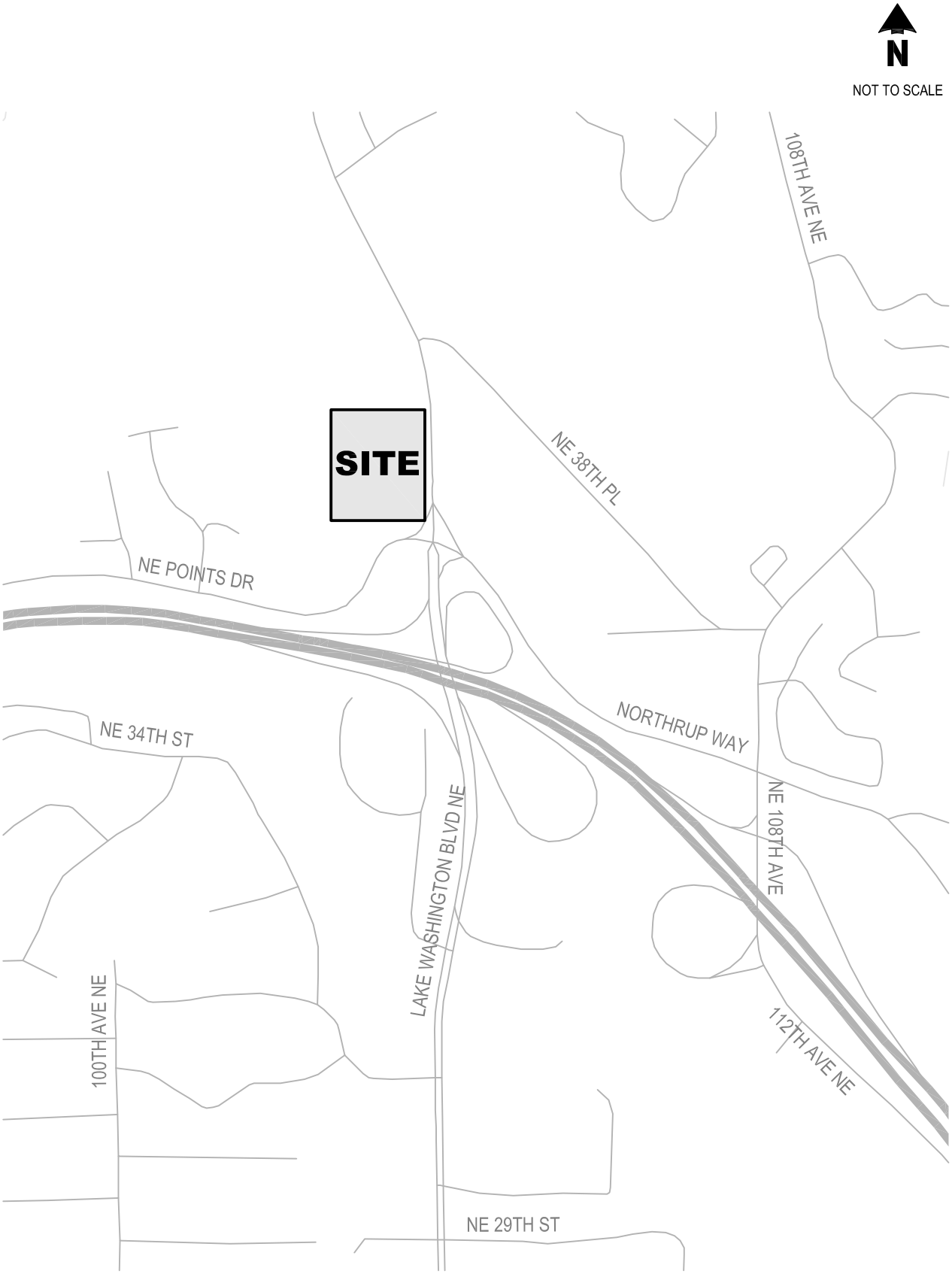
Study Scope

The City of Kirkland identifies study intersections based upon the project's trip distribution and assignment, and resulting proportionate share calculations for identifying study intersections (included in Appendix A). Due to the project's proximity to the Kirkland-Bellevue city limit, possible impacts to Bellevue intersections were also considered. Bellevue requires analysis of intersection traffic operations where intersections are impacted by more the 20 weekday PM peak hour trips.

Based upon these criteria for Kirkland and Bellevue, the project trip distribution identified by the concurrency run and the estimated trip generation documented later in this report, three study intersections were identified:

1. Lake Washington Boulevard/NE Points Drive/NE Northup Way
2. NE 108th Avenue/ NE Northup Way
3. NE 108th Avenue/SR 520 WB Ramps

For Bellevue study intersections, a horizon year of 2013 is required. Therefore, future conditions were modeled based upon information from the City of Bellevue and was used for all intersections.



Site Vicinity

FIGURE 1

Yarrow Bay Plaza Expansion

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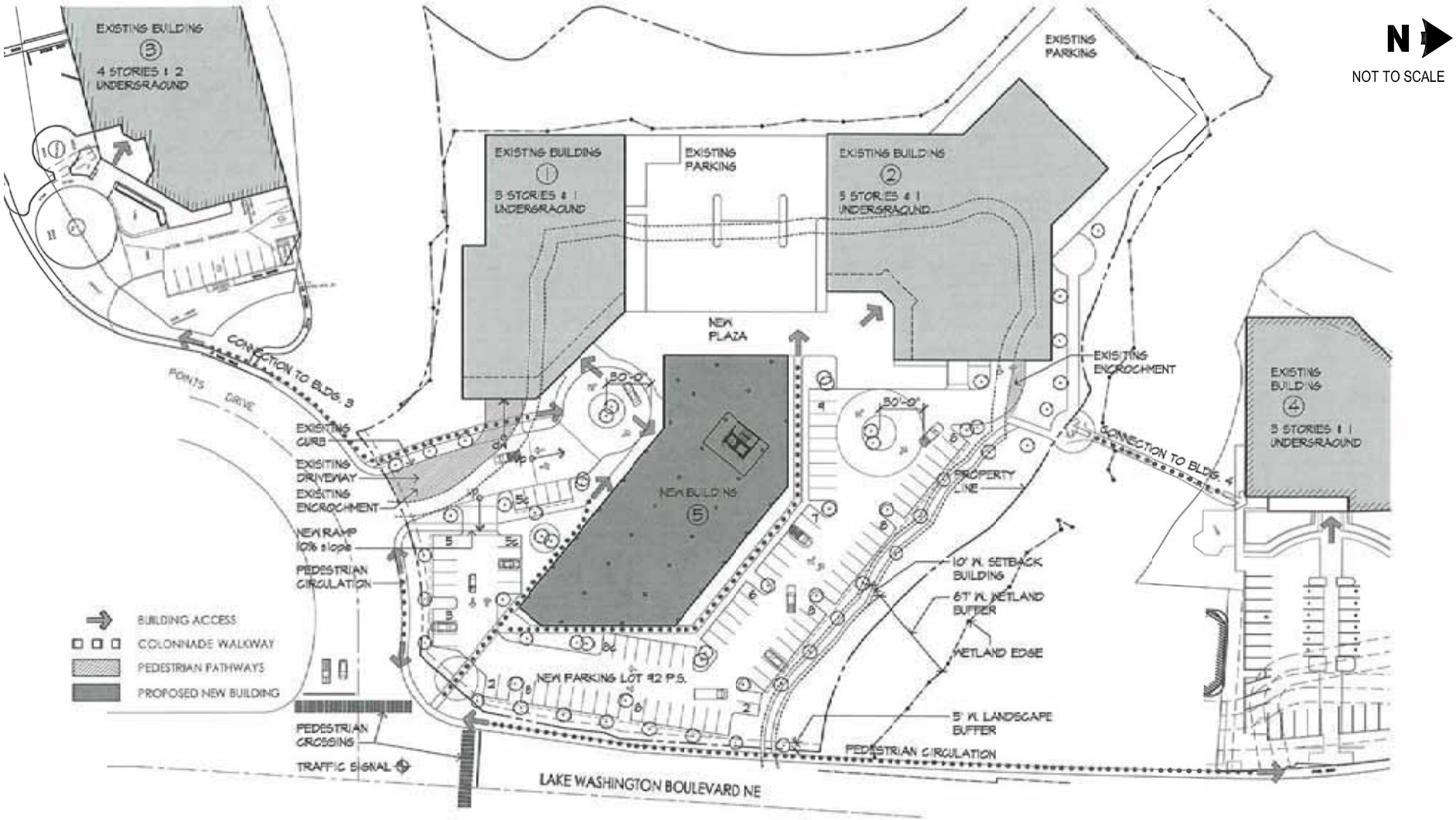

Site Plan

FIGURE **2**

Yarrow Bay Plaza Expansion

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Existing and Future Without-Project Conditions

This section describes both existing conditions and future without-project conditions within the identified study area. Study area characteristics are provided for the roadway network, planned improvements, existing and forecasted without-project volumes, traffic operations, traffic safety, and transit and non-motorized facilities.

Roadway Network

The existing roadway network is discussed along with planned improvements that would likely be installed before the proposed project horizon year, if any. In general, the roadway descriptions given apply to the roadways within the study area of the proposed project.

Existing Inventory

The existing roadway characteristics in the proposed project vicinity are described in detail below for relevant facilities. Roadway classification is based on roadway classification maps provided in the Kirkland and Bellevue Comprehensive Plans.

SR 520 is a four-lane state highway with a three-person carpool lane in the westbound direction. The posted speed limit is 60 mph within the project vicinity.

Lake Washington Boulevard NE/Bellevue Way NE is a five-lane principal/major arterial within the project vicinity. The posted speed limit is 35 mph and sidewalks are provided along both sides of the roadway. The Kirkland Comprehensive plan identifies this road as a shared roadway with bikes.

Northup Way is a three-lane minor arterial within the project vicinity and a posted speed limit of 30 mph. Sidewalks exist along the northern side of the roadway. No bike lanes are provided within the project vicinity.

NE Points Drive is a two-lane local road with a posted speed limit of 25 mph. A sidewalk exists along the north side of the roadway within the project vicinity. No bike lanes are provided within the project vicinity.

Planned Improvements

Within the study area, no roadway or intersection improvement projects were assumed for future without-project conditions.

Traffic Volumes

Future (2013) without-project intersection volumes are shown in Figure 3. Future without-project volumes were obtained from the City of Bellevue.

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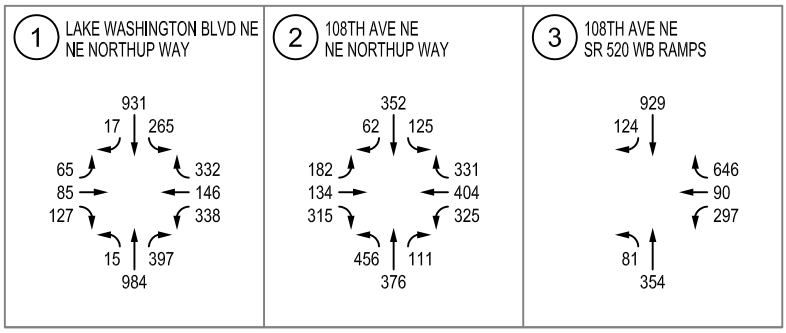

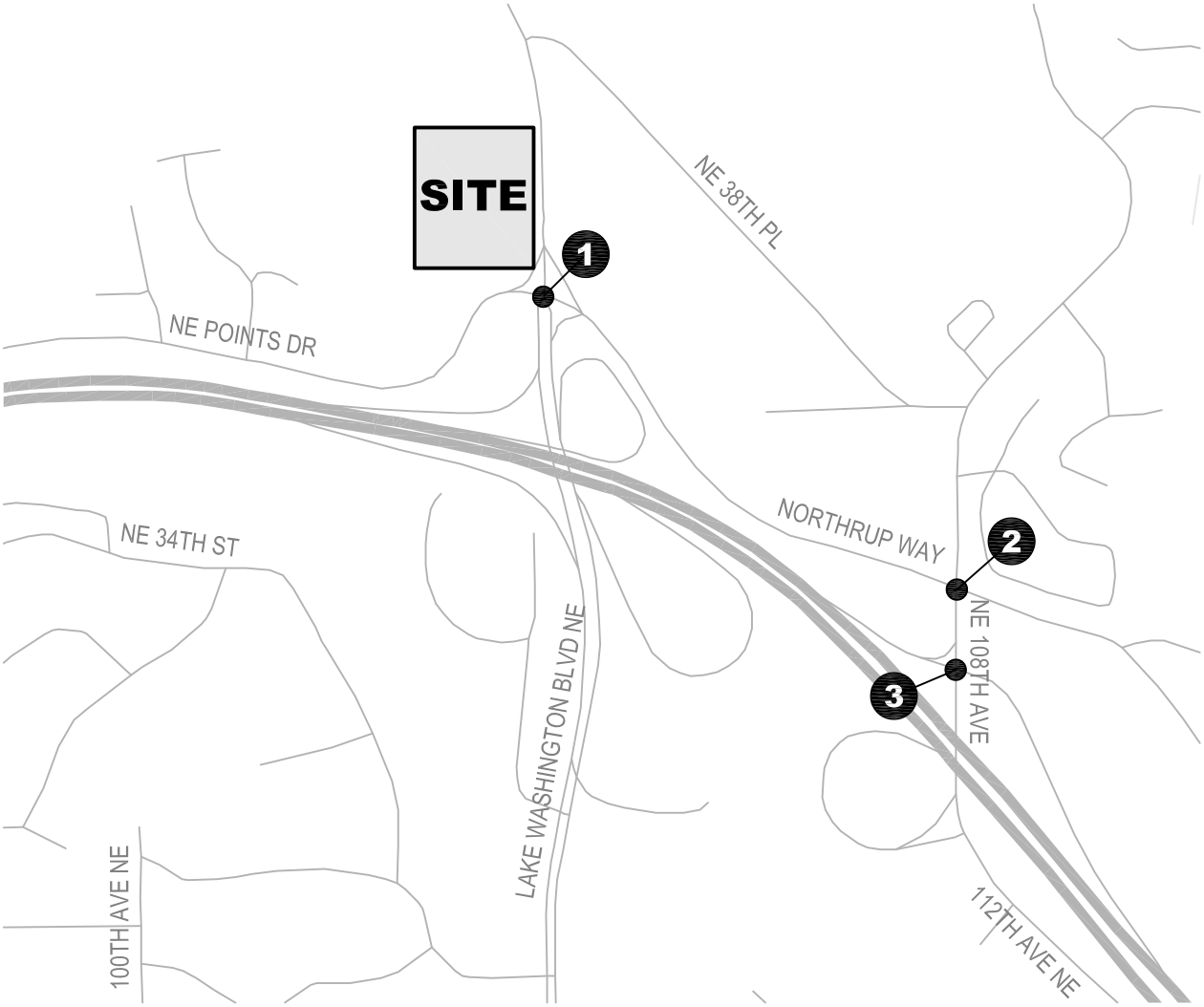

2013 Without-Project Weekday PM Peak Hour Traffic Volumes

FIGURE 3

Yarrow Bay Plaza Expansion

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Peak Hour Traffic Operations

The operational characteristics of an intersection are determined by calculating the intersection level of service (LOS). Level of service for intersection operations is described alphabetically (A through F). LOS is based on the calculated average control delay per vehicle and is typically reported for the whole intersection for signalized and all-way stop-controlled intersections, and by movement for two-way, stop-controlled intersections. . Control delay is defined as the combination of initial deceleration delay, queue move-up time, stopped delay, and final acceleration delay. Appendix B provides a more detailed explanation of LOS.

Consistent with the study scope identified earlier, all study intersection are located within City of Bellevue jurisdiction. Based upon City of Bellevue study requirements, peak hour LOS results were calculated at study intersections only for future conditions and are based on methodologies contained in the *Highway Capacity Manual* (Transportation Research Board, 2000). *Synchro 7.0* (Build 761). LOS results are summarized in Table 1. Detailed LOS worksheets for each intersection analysis are included in Appendix C.

Table 1. Intersection Peak Hour LOS – Future Without-project

	2013 Without-Project		
Intersection	**LOS[1]**	**Delay[2]**	**WM[3] or V/C[4]**
NE Points Dr/Bellevue Way/NE Northup Way	D	38.2	0.78
NE Northup Way/108th Ave NE	D	52.5	0.79
SR 520 WB Ramps/108th Ave NE	C	25.1	0.55

1. Level of Service (A – F) as defined by the *Highway Capacity Manual* (TRB, 2000)
2. Average delay per vehicle in seconds.
3. Volume-to-capacity ratio reported for signalized intersections.
4. Intersection approach movement; EB is eastbound, WB is westbound.

All study intersections currently operate at LOS D or better during 2030 average weekday PM peak hours. It should be noted that westbound SR 520 is typically congested during the PM peak period and the westbound on-ramp from Lake Washington Boulevard NE is metered to regulate the flow onto SR 520. Vehicular queuing from the metered ramp frequently backs up through the intersection of NE Points Drive/Bellevue Way/NE Northup Way, which increases delays and the efficiency of operations at this intersection.

Traffic Safety

The intersections of interest were reviewed for potential traffic safety inadequacies. The most-recent five-year accident history was requested from the City of Bellevue and is shown in the Table 2.

Table 2. Intersection Crash Summary – 2005 to 2007

	Number of Crashes				Annual Rate	Rate per MEV[1]
Intersection	**2005**	**2006**	**2007**	**Total**		
NE Points Dr/Bellevue Way/NE Northup Way	3	5	4	12	4.0	0.33
NE Northup Way/108th Ave NE	5	4	6	15	5.0	0.46
SR 520 WB Ramps/108t Ave NE	0	0	0	0	0.0	0.00

1. Accident rate per Million Entering Vehicles.

By incorporating the traffic volume at the intersection, the rate of accidents per million entering vehicles (MEV) allows a uniform standard for evaluating accident history. Generally,

an accident rate greater than 1.0 to 1.5 accidents per MEV is considered higher than normal. Based on this threshold, no intersections have a higher than normal collision rate.

Transit and Non-Motorized Facilities

Within the immediate project vicinity, sidewalks exist along the northern side NE Points Drive and Northup Way. Sidewalks also exist along both sides of Lake Washington Boulevard NE-Bellevue Way NE. Lake Washington Boulevard NE is identified as a shared roadway with bikes.

King County Metro operates route 230 within the project vicinity. Stops are located near the intersection of Lake Washington Boulevard and NE 38th Place. Headways between buses are approximately 15 minutes during AM and PM commuting hours, and 30 minutes during the remainder of the day.

Project Impacts

This section of the analysis documents project-generated impacts on the surrounding roadway network and at the intersections of interest. First, peak hour traffic volumes are estimated, distributed, and assigned to adjacent roadways and intersection within the study area. Next, potential impact to traffic volumes, traffic operations, safety, non-motorized facilities, and transit are identified.

Trip Generation

A trip generation study was conducted at three driveways that provide access to the existing buildings on-site (Buildings 1, 2, 3, and 4). Currently, Three days of data were collected for the AM and PM peak hours on August 13, and September 9 and 10, 2008. Trip generation data at the three driveways is summarized in Table 3.

Table 3. Existing Plaza at Yarrow Bay Trip Generation Summary

	Volume (In / Out)			
Date	**Building 1 & 2**	**Building 3**	**Building 4**	**Total Site**
AM Peak Hour				
Wednesday, August 13 (7:45-8:45 AM)	117 (102 / 15)	39 (37 / 2)	51 (46 / 5)	207 (185 / 22)
Tuesday, September 9 (8:00-9:00 AM)	127 (114 / 13)	56 (52 / 4)	52 (45 / 7)	235 (211 / 24)
Wednesday, September 10 (8:00-9:00 AM)	107 (95 / 12)	57 (52 / 5)	42 (37 / 5)	206 (184 / 22)
3-day Average				**216 (193 / 23)**
AM Peak Hour Trip Rate (280,550 sf)				**0.77 (89% in)**
PM Peak Hour				
Wednesday, August 13 (4:15-5:15 PM)	117 (15 / 102)	57 (5 / 52)	56 (22 / 34)	230 (42 / 188)
Tuesday, September 9 (5:00-6:00 PM)	128 (21 / 107)	68 (10 / 58)	61 (12 / 49)	257 (43 / 214)
Wednesday, September 10 (4:45-5:45 PM)	117 (17 / 100)	81 (15 / 66)	47 (8 / 39)	245 (40 / 205)
3-day Average				**244 (42 / 202)**
AM Peak Hour Trip Rate (280,550 sf)				**0.87 (17% in)**

As shown in Table 3, the existing Plaza at Yarrow Bay has the following trip generation rates during the weekday peak hours:

- AM Peak Hour = 0.77 trips per 1,000 sf with 89-percent inbound and 11-percent outbound
- PM Peak Hour = 0.87 trips per 1,000 sf with 17-percent inbound and 83-percent outbound

These rates account for a transportation management program (TMP) currently in place for the existing Plaza at Yarrow Bay. This TMP includes the following elements, with additional elements identified in the TMP:

- dedicated carpool/vanpool parking stalls
- a commuter information center
- transit/ferry subsidy
- promotion of 'Bike to Work Day'
- a nearby bus stop (within 0.25 miles)
- covered parking for bicycles
- carpool/vanpool subsidy or incentive
- guaranteed ride home program

The proposed expansion would also incorporate these TDM measures. Using these trip rates, Table 4 summarizes that estimated trip generation for the proposed expansion.

Table 4. Weekday Peak Hour Trip Generation Estimate – Plaza at Yarrow Bay Expansion

Land Use	Quantity	Rate[1]	Weekday Peak Hour In	Out	Total
AM Peak Hour					
Total Existing	280,550 sf	0.77	193	23	216
Total with Expansion	357,750 sf	0.77	245	30	275
AM Peak Hour Expansion Only	**77,200 sf**		**52**	**7**	**59**
PM Peak Hour					
Total Existing	280,550 sf	0.87	42	202	244
Total with Expansion	357,750 sf	0.87	53	258	311
PM Peak Hour Expansion Only	**77,200 sf**		**11**	**56**	**67**

1. Trip rates are based upon rates observed at the existing Plaza at Yarrow Bay (2008).

The proposed expansion is estimate to generate 59 weekday AM peak hour trips (52 inbound and 7 outbound) and 67 weekday PM peak hour trips (11 inbound and 56 outbound).

Trip Distribution and Assignment

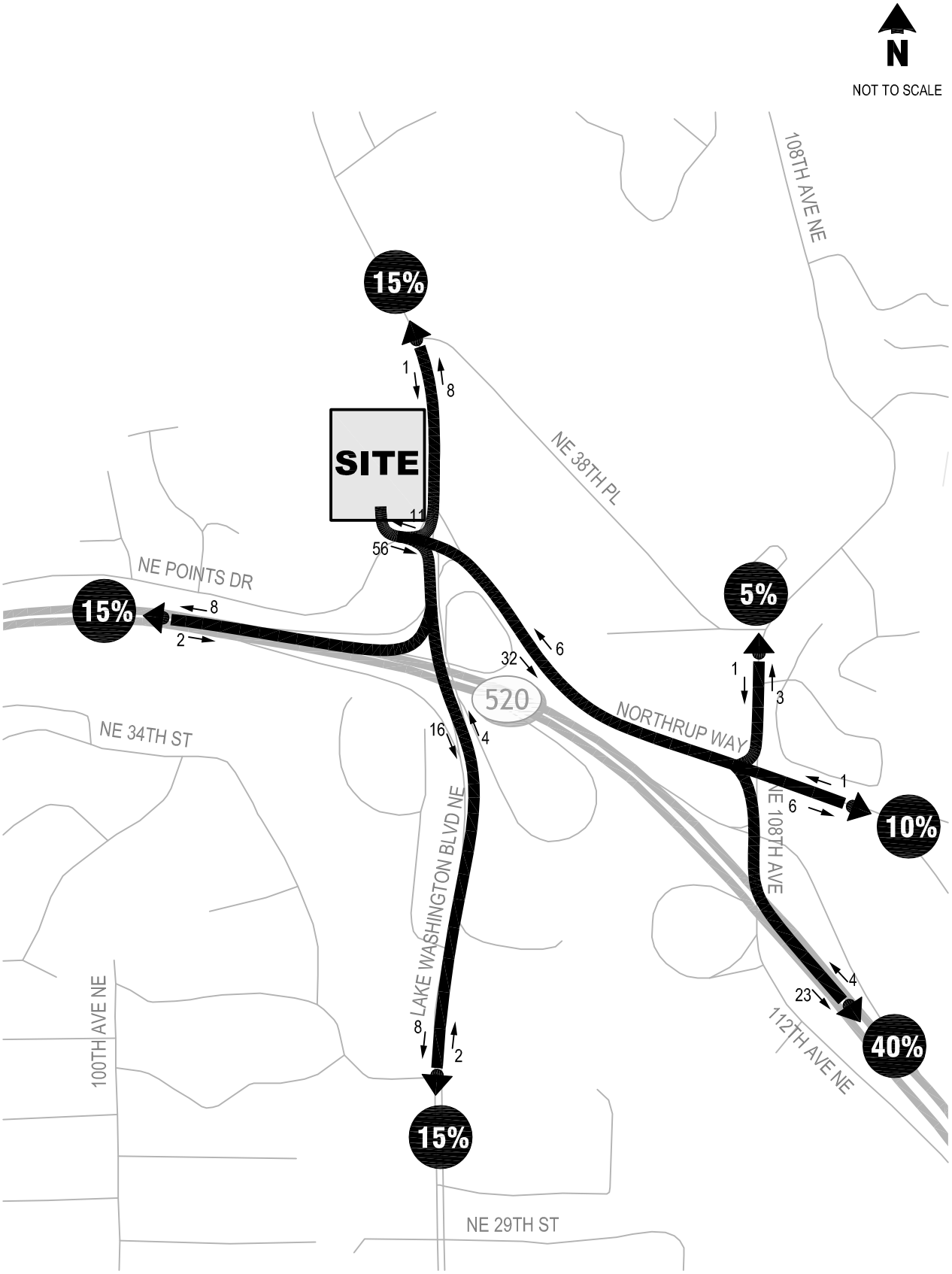
Traffic associated with the Plaza at Yarrow Bay Expansion project was distributed to the surrounding roadway network based on the City's transportation model and concurrency analysis. The results identified the following peak hour distribution:

- 15-percent of traffic to/from the north along Lake Washington Boulevard
- 5-percent of traffic to/from the north along 108th Avenue NE
- 10-percent of traffic to/from the east via Northup Way
- 15-percent of traffic to/from the south via Bellevue Way NE
- 55-percent of traffic to/from SR 520

The traffic model distribution output from the concurrency analysis is provided in Appendix D.[1] Figure 4 shows the project distribution and assignment.

The City of Kirkland identifies study intersections based upon the project's trip distribution and assignment, and resulting proportionate share calculations for identifying study intersections (included in Appendix A). Due to the project's proximity to the Kirkland-Bellevue city limit, possible impacts to Bellevue intersections were also considered. Bellevue requires analysis of intersection traffic operations where intersections are impacted by more the 20 weekday PM peak hour trips.

[1] Note that the trip assignment values shown in the model distribution output (Appendix D) are based upon a preliminary trip generation estimate using the Institute of Transportation Engineer's (ITE) *Trip Generation* (7th Edition) manual for General Office Building (LU #710).



Weekday PM Peak Hour Trip Distribution & Trip Assignment

FIGURE **4**

Yarrow Bay Plaza Expansion

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Traffic Volume Impact

Project traffic was added to future without-project daily, AM peak hour, and PM peak hour traffic volumes at the intersections of interest. The resulting 2013 with-project traffic volumes are illustrated in Figure 5. Table 5 summarizes the project impact of volumes at study intersections during the PM peak hour.

Table 5. 2013 Traffic Volume Impacts at Study Intersections

	PM Peak Hour Total Entering Vehicles			
Intersection	**2013 Without-Project**	**2013 With-Project**	**Project Generated**	**Total Attributable to Project**
NE Points Dr/Bellevue Way/NE Northup Way	3,063	3,130	67	2.2%
NE Northup Way/108th Ave NE	3,679	3,717	38	1.0%
SR 520 WB Ramps/108t Ave NE	2,521	2,547	26	1.0%

In 2013, it is estimated that of the total entering PM peak hour traffic volumes at study intersections, approximately 2-percent or less would be attributable to the proposed development.

Traffic Operations Impact

Table 6 compares future without- and with-project traffic operations for the 2010 horizon year. The signal timing parameters used in the 2010 without-project analyses were held constant for the with-project analysis. This provides a conservative analysis since the actuated traffic signal controls would adjust signal timing in response to with-project vehicle demands.

Table 6. Intersection Peak Hour LOS – Future Without- & With-Project

	2013 Without-Project			2013 With-Project		
Intersection	**LOS[1]**	**Delay[2]**	**WM[3] or V/C[4]**	**LOS**	**Delay**	**WM or V/C**
NE Points Dr/Bellevue Way/NE Northup Way	D	38.2	0.78	D	38.8	0.80
NE Northup Way/108th Ave NE	D	52.5	0.79	D	52.6	0.79
SR 520 WB Ramps/108t Ave NE	C	25.1	0.55	C	25.3	0.56

1. Level of Service (A – F) as defined by the *Highway Capacity Manual* (TRB, 2000)
2. Average delay per vehicle in seconds.
3. Volume-to-capacity ratio reported for signalized intersections.
4. Intersection approach movement; EB is eastbound, WB is westbound.

With addition of project traffic, all intersection would continue to operate at the same LOS as under 2013 without-project conditions. The increase in average intersection delay would be less than one second.

As previously mentioned, westbound SR 520 is typically congested during the PM peak period and the westbound on-ramp from Lake Washington Boulevard NE is metered to regulate the flow onto SR 520. Vehicular queuing from the metered ramp frequently backs up through the intersection of NE Points Drive/Bellevue Way/NE Northup Way, which increases delays and the efficiency of operations at this intersection. This is anticipated to continue in the future with the project and the addition of the project is not anticipated to significantly increase these delays.

Concurrency

A transportation concurrency test was completed for this project by City of Kirkland Staff on September 5, 2008. The proposed project passed the concurrency test based on 77,000 square feet of office. Unless a development permit and certificate of concurrency or an extension is granted, this certificate of concurrency will expire in one year from the date of issuance. The concurrency test results are shown in Appendix D.

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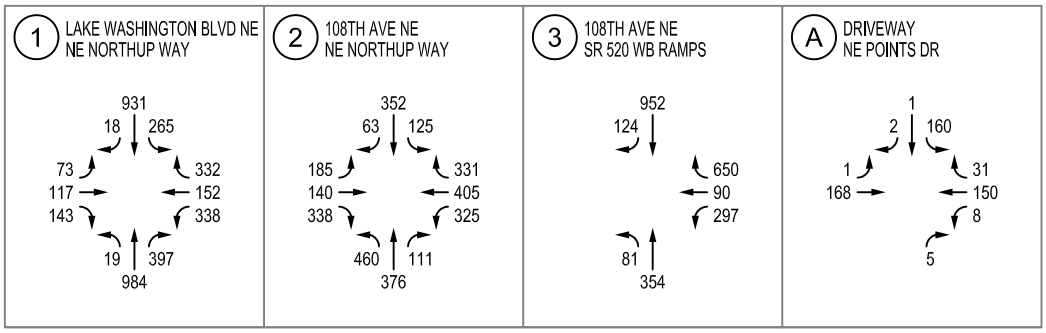

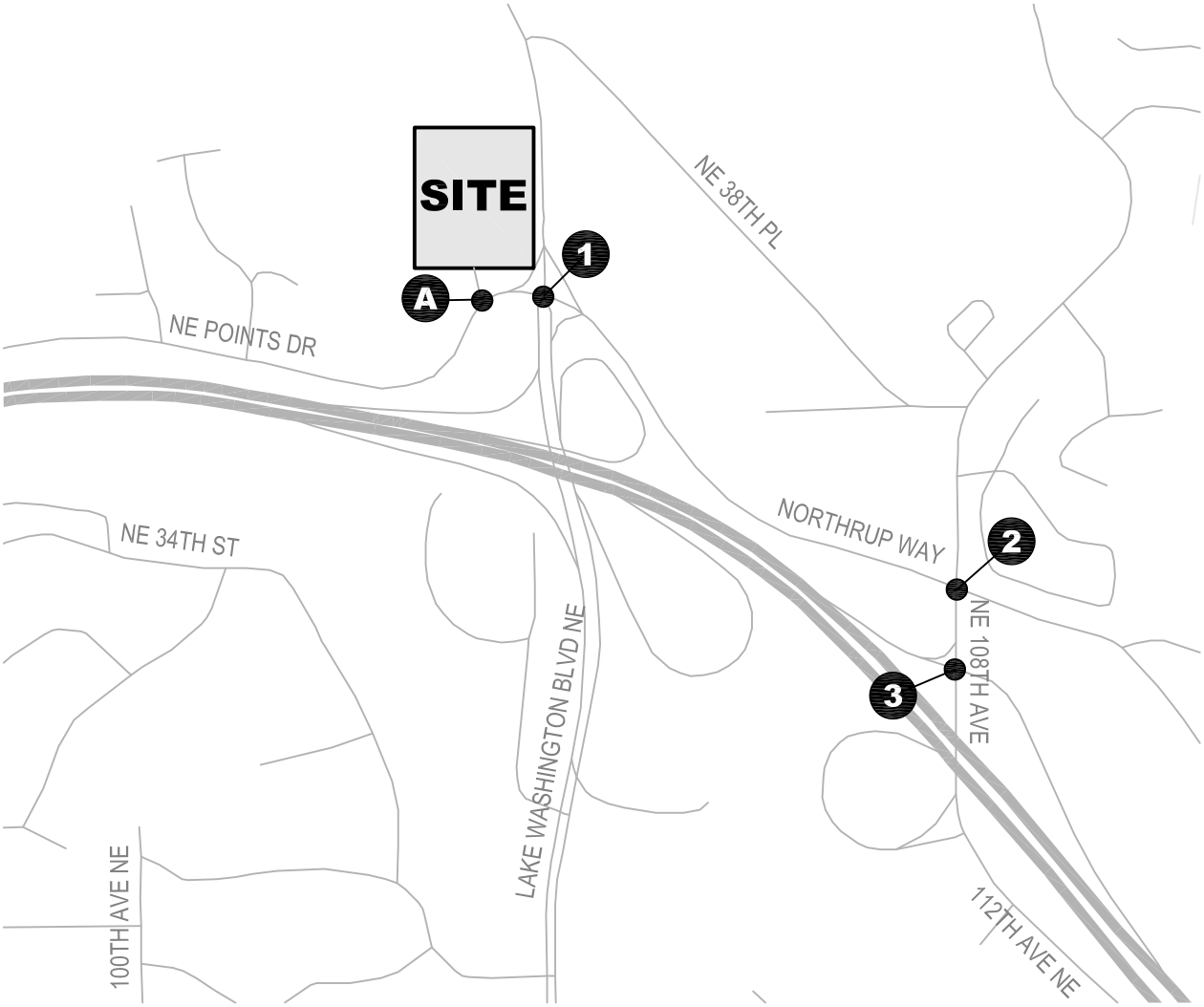

2013 With-Project Weekday PM Peak Hour Traffic Volumes

FIGURE 5

Yarrow Bay Plaza Expansion

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Site Access

As show in Figure 2, access to the proposed expansion would be provided by the existing driveway located on the north side of NE Points Drive immediately west of NE Points Drive/Bellevue Way/NE Northup Way. Under 2013 with-project conditions the southbound left-turn would operate acceptably at LOS B with an average of 10.8 seconds of delay.

Parking

This section describes parking impacts associated with the project, including an evaluation of the proposed supply compared to the anticipated demand, parking code compliance, and impacts associated with the displacement of existing parking from the site.

Proposed Parking Supply

Currently, a total of 949 parking stalls are located on the project site and serve all four of the existing buildings. The proposed project would displace 180 parking stalls and replace them with 315 parking stalls within a parking structure as part of the new building. With the construction of the proposed project a total of 1,084 parking stalls would be supplied for a net increase of 135 parking stalls.

Parking Demand

Parking utilization data was collected at the existing Plaza at Yarrow Bay site between 9:00 AM and 3:00 PM for three consecutive days (Tuesday December 2, 2008 through Wednesday December 4, 2008) and is provided in Appendix E. The peak average parking demand occurred at 11:00 a.m. with 469 occupied parking spaces. Currently, there is a small amount of vacant space. This equates to approximately 6-percent (15,699 sf leased but vacant and 1,885 sf not leased) which is typical occupancy rate for an office building. Based upon this and the existing supply of 949 on-site parking stalls, approximately 49-percent of the available parking is utilized with 480 parking stalls available. This observed peak demand equates to a rate of 1.67 stalls per 1,000 sf. This is a slightly lower demand than was observed in September 2008 but is within 9-percent and is consistent with data collected at other office complexes in Kirkland. This rate accounts for the transportation management plan (TMP) described previously.

As requested by the City of Kirkland staff the adjacent on-street parking was also monitored but was found to not be utilized during the three days data was collected. There are approximately 17 parking spaces on-street and if they were to be used this would represent a small portion of the total demand.

Parking demand for the proposed project was estimated using peak demand rates for the existing site. Based upon the increase of 77,200 sf with the proposed expansion, parking demand would increase by 129 parking stalls. With the proposal providing for an additional 135 parking spaces the demand would be met with just the new amount of parking being proposed. When adding the additional demand of 129 parked vehicles to the peak of 469 occupied spaces the total demand for the site would be approximately 600 parked vehicles. This represents a utilization of approximately 55 percent for the entire site with approximately 485 spaces still available. Based upon the existing parking utilization and the estimated demand of the proposed expansion, parking demand would be accommodated by the proposed parking supply and provides additional capacity should demand increase with changes in occupancy rates or specific tennants.

City of Kirkland Code Requirement

The proposed project is located City of Kirkland Planning Area 3. Based on this 1 parking stall is required for each 300 sf of gross floor space. Based upon the increase in total floor area of 77,200 sf with the proposed expansion, a total of 258 new parking stalls are required. This requirement would not be met by the proposed net increase of 135 parking stalls; however, the total proposed parking supply would serve the parking demand for the project. Based upon the parking demand analysis, a variance is recommended to allow the project to provide less than the code requirement of 258 net new parking stalls.

Traffic Safety Impacts

Traffic generated by the proposed project would likely result in a proportionate increase in the probability of collisions. However, it is not anticipated that the addition of project traffic would create a safety hazard or significantly increase the number of reported collisions.

Transit and Non-Motorized Impacts

Transit service currently operating in the area is anticipated to accommodate any anticipated increase in ridership demand due to the proposed project. The existing transit stops and routes in the immediate area should provide adequate transit access for patrons of the project site.

Findings and Recommendations

This transportation impact analysis summarizes the project traffic impacts of the proposed Plaza at Yarrow Bay Expansion project. The following outlines the general findings of the study.

- The proposed project is located to the west of the Lake Washington Boulevard near the NE Points Drive/Bellevue Way/NE Northup Way intersection. The proposed expansion would be located east of buildings 1 and 2 and over the existing parking area.
- The proposed expansion of Plaza at Yarrow Bay would construct 77,200 square feet of office building. This expansion would generate 59 weekday AM peak hour trips and 67 weekday PM peak hour trips.
- All intersections within the study area would operate acceptably at LOS D under future without-project conditions.
- All study intersections would continue to operate at the same LOS without or with the proposed project. The addition of project traffic would increase average delays at each study intersection by less than one second. This falls within the range of day to day fluctuation and as such would not be noticed by the average user.
- The proposed project meets City of Kirkland concurrency standard.
- Increases in traffic volumes at study intersections would likely result in a proportionate increase in the probability of collisions.
- The proposed project would have little, if any, impact on existing non-motorized facilities or existing transit service.
- The proposed parking supply would not meet Kirkland minimum parking supply requirements; however, the peak parking demand for the project would be served by the total parking supply for the Plaza at Yarrow Bay complex. A variance is requested to allow the project to provide less than code requirements.
- Specific off-site mitigation measures are not recommended, nor required, to reduce/offset potential site-generated traffic impacts.
- The site access would operate acceptably during the weekday PM peak hour.

Appendix A: Proportionate Share Impact Worksheets

Proportional Share Impact Worksheet

Input appropriate information in green cells

[1] See "*Intersection Description*" worksheet for descriptions

1. May Change without notice, call Thang Nguyen 425-587-3869 with questions

			Through Lanes[1]
Project Name:	The Plaza at Yarrow Bay		
Major Street[1]	Lake Washington Blvd	# of Lanes*=	1
Minor Street[1]	Lakeview Dr	# of Lanes*=	1

DATE:
9/8/2008

Daily Project Traffic Entering the Intersection

		Daily Volumes	*Entering Leg Volumes* *		
(Total of both approaches divided by two)	Major Street Volume V_1 =	49	72	26	***Major***
(Total of both approaches divided by two)	Minor Street Volume V_2 =	26.5	52	1	***Minor***

***Do not leave cell empty for zero volume**

Determine Geometric Factors

Number of Lanes		Geometric Factors			
Major Street	Minor Street	f_1	f_2	f_3	f_4
2	2	1.000	1.330	1.000	1.330
2	1	1.000	1.000	1.000	1.000
1	2	0.833	1.330	0.833	1.330
1	1	0.833	1.000	0.833	1.000

f_1	f_2	f_3	f_4
0.833	***1***	***0.833***	***1***

Calculate Base Percentages

$P_1=V_1/(10{,}000 \times f_1)$ =	0.59%
$P_2=V_2/(5{,}000 \times f_2)$ =	0.53%
$P_3=V_1/(15{,}000 \times f_3)$ =	0.39%
$P_4=V_2/(2{,}500 \times f_4)$ =	1.06%

Calculate Proportional Share

$S_1=(P_1+P_2)/2$=	0.56%
$S_2=(P_3+P_4)/2$=	0.73%

Intersection Proportional Share = Maximum of S1 and S2 = 0.73%

Significant Intersection? **no**

1. Number of through lanes. Do not count exclusive turn lanes. Use the smaller number of lanes if the number of lanes is unequal on two legs. For Example, if one minor leg has two lanes and one minor leg has one lane, the number of lanes on the minor leg is one.

Computed By:	JBB
Company:	Transpo Group

Proportional Share Impact Worksheet

Input appropriate information in green cells

[1] See "*Intersection Description*" worksheet for descriptions

1. May Change without notice, call Thang Nguyen 425-587-3869 with questions

			Through Lanes[1]
Project Name:	The Plaza at Yarrow Bay		
Major Street[1]	Lake Washington Blvd	# of Lanes*=	1
Minor Street[1]	NE 38th Pl	# of Lanes*=	1

DATE:
9/8/2008

Daily Project Traffic Entering the Intersection

		Daily Volumes	*Entering Leg Volumes* *		
(Total of both approaches divided by two)	Major Street Volume V_1 =	81.5	85	78	***Major***
(Total of both approaches divided by two)	Minor Street Volume V_2 =	1	1	1	***Minor***

***Do not leave cell empty for zero volume**

Determine Geometric Factors

Number of Lanes		Geometric Factors			
Major Street	Minor Street	f_1	f_2	f_3	f_4
2	2	1.000	1.330	1.000	1.330
2	1	1.000	1.000	1.000	1.000
1	2	0.833	1.330	0.833	1.330
1	1	0.833	1.000	0.833	1.000

f_1	f_2	f_3	f_4
0.833	***1***	***0.833***	***1***

Calculate Base Percentages

$P_1=V_1/(10{,}000 \times f_1)$ =	0.98%
$P_2=V_2/(5{,}000 \times f_2)$ =	0.02%
$P_3=V_1/(15{,}000 \times f_3)$ =	0.65%
$P_4=V_2/(2{,}500 \times f_4)$ =	0.04%

Calculate Proportional Share

$S_1=(P_1+P_2)/2$=	0.50%
$S_2=(P_3+P_4)/2$=	0.35%

Intersection Proportional Share = Maximum of S1 and S2 = 0.50%

Significant Intersection? **no**

1. Number of through lanes. Do not count exclusive turn lanes. Use the smaller number of lanes if the number of lanes is unequal on two legs. For Example, if one minor leg has two lanes and one minor leg has one lane, the number of lanes on the minor leg is one.

Computed By: JBB
Company: Transpo Group

Proportional Share Impact Worksheet

Input appropriate information in green cells

[1] See "*Intersection Description*" worksheet for descriptions

1. May Change without notice, call Thang Nguyen 425-587-3869 with questions

			Through Lanes[1]
Project Name:	The Plaza at Yarrow Bay		
Major Street[1]	Lake St	# of Lanes*=	1
Minor Street[1]	Kirkland Ave	# of Lanes*=	1

DATE:
9/8/2008

Daily Project Traffic Entering the Intersection

		Daily Volumes	*Entering Leg Volumes* *		
(Total of both approaches divided by two)	Major Street Volume V_1 =	26	26	26	***Major***
(Total of both approaches divided by two)	Minor Street Volume V_2 =	1	1	1	***Minor***

***Do not leave cell empty for zero volume**

Determine Geometric Factors

Number of Lanes		Geometric Factors			
Major Street	Minor Street	f_1	f_2	f_3	f_4
2	2	1.000	1.330	1.000	1.330
2	1	1.000	1.000	1.000	1.000
1	2	0.833	1.330	0.833	1.330
1	1	0.833	1.000	0.833	1.000

f_1	f_2	f_3	f_4
0.833	***1***	***0.833***	***1***

Calculate Base Percentages

$P_1=V_1/(10{,}000 \times f_1)$ =	0.31%
$P_2=V_2/(5{,}000 \times f_2)$ =	0.02%
$P_3=V_1/(15{,}000 \times f_3)$ =	0.21%
$P_4=V_2/(2{,}500 \times f_4)$ =	0.04%

Calculate Proportional Share

$S_1=(P_1+P_2)/2$=	0.17%
$S_2=(P_3+P_4)/2$=	0.12%

Intersection Proportional Share = Maximum of S1 and S2 = 0.17%

Significant Intersection? **no**

1. Number of through lanes. Do not count exclusive turn lanes. Use the smaller number of lanes if the number of lanes is unequal on two legs. For Example, if one minor leg has two lanes and one minor leg has one lane, the number of lanes on the minor leg is one.

Computed By: JBB
Company: Transpo Group

Proportional Share Impact Worksheet

Input appropriate information in green cells

[1] See "*Intersection Description*" worksheet for descriptions

1. May Change without notice, call Thang Nguyen 425-587-3869 with questions

			Through Lanes[1]
Project Name:	The Plaza at Yarrow Bay		
Major Street[1]	Central Way	# of Lanes*=	2
Minor Street[1]	Lake St	# of Lanes*=	1

DATE:

9/8/2008

Daily Project Traffic Entering the Intersection

		Daily Volumes	*Entering Leg Volumes* *		
(Total of both approaches divided by two)	Major Street Volume V_1 =	13.5	26	1	***Major***
(Total of both approaches divided by two)	Minor Street Volume V_2 =	11	21	1	***Minor***

***Do not leave cell empty for zero volume**

Determine Geometric Factors

Number of Lanes		Geometric Factors			
Major Street	Minor Street	f_1	f_2	f_3	f_4
2	2	1.000	1.330	1.000	1.330
2	1	1.000	1.000	1.000	1.000
1	2	0.833	1.330	0.833	1.330
1	1	0.833	1.000	0.833	1.000

f_1	f_2	f_3	f_4
1	***1***	***1***	***1***

Calculate Base Percentages

$P_1=V_1/(10{,}000 \times f_1)$ =	0.14%
$P_2=V_2/(5{,}000 \times f_2)$ =	0.22%
$P_3=V_1/(15{,}000 \times f_3)$ =	0.09%
$P_4=V_2/(2{,}500 \times f_4)$ =	0.44%

Calculate Proportional Share

$S_1=(P_1+P_2)/2$=	0.18%
$S_2=(P_3+P_4)/2$=	0.27%

Intersection Proportional Share = Maximum of S1 and S2 = 0.27%

Significant Intersection? **no**

1. Number of through lanes. Do not count exclusive turn lanes. Use the smaller number of lanes if the number of lanes is unequal on two legs. For Example, if one minor leg has two lanes and one minor leg has one lane, the number of lanes on the minor leg is one.

Computed By:	JBB
Company:	Transpo Group

Proportional Share Impact Worksheet

Input appropriate information in green cells

[1] See "*Intersection Description*" worksheet for descriptions

1. May Change without notice, call Thang Nguyen 425-587-3869 with questions

			Through Lanes[1]
Project Name:	The Plaza at Yarrow Bay		
Major Street[1]	Central Way	# of Lanes*=	2
Minor Street[1]	3rd St	# of Lanes*=	1

DATE:
9/8/2008

Daily Project Traffic Entering the Intersection

		Daily Volumes	*Entering Leg Volumes* *		
(Total of both approaches divided by two)	Major Street Volume V_1 =	1	1	1	***Major***
(Total of both approaches divided by two)	Minor Street Volume V_2 =	13	25	1	***Minor***

***Do not leave cell empty for zero volume**

Determine Geometric Factors

Number of Lanes		Geometric Factors			
Major Street	Minor Street	f_1	f_2	f_3	f_4
2	2	1.000	1.330	1.000	1.330
2	1	1.000	1.000	1.000	1.000
1	2	0.833	1.330	0.833	1.330
1	1	0.833	1.000	0.833	1.000

f_1	f_2	f_3	f_4
1	***1***	***1***	***1***

Calculate Base Percentages

$P_1=V_1/(10{,}000 \times f_1)$ =	0.01%
$P_2=V_2/(5{,}000 \times f_2)$ =	0.26%
$P_3=V_1/(15{,}000 \times f_3)$ =	0.01%
$P_4=V_2/(2{,}500 \times f_4)$ =	0.52%

Calculate Proportional Share

$S_1=(P_1+P_2)/2$=	0.14%
$S_2=(P_3+P_4)/2$=	0.26%

Intersection Proportional Share = Maximum of S1 and S2 = 0.26%

Significant Intersection? **no**

1. Number of through lanes. Do not count exclusive turn lanes. Use the smaller number of lanes if the number of lanes is unequal on two legs. For Example, if one minor leg has two lanes and one minor leg has one lane, the number of lanes on the minor leg is one.

Computed By: JBB
Company: Transpo Group

Proportional Share Impact Worksheet

Input appropriate information in green cells

[1] See "*Intersection Description*" worksheet for descriptions

1. May Change without notice, call Thang Nguyen 425-587-3869 with questions

			Through Lanes[1]
Project Name:	The Plaza at Yarrow Bay		
Major Street[1]	108th Ave NE	# of Lanes*=	1
Minor Street[1]	NE 68th St	# of Lanes*=	1

DATE:
9/8/2008

Daily Project Traffic Entering the Intersection

		Daily Volumes	*Entering Leg Volumes* *		
(Total of both approaches divided by two)	Major Street Volume V_1 =	13.5	26	1	***Major***
(Total of both approaches divided by two)	Minor Street Volume V_2 =	1	1	1	***Minor***

***Do not leave cell empty for zero volume**

Determine Geometric Factors

Number of Lanes		Geometric Factors			
Major Street	Minor Street	f_1	f_2	f_3	f_4
2	2	1.000	1.330	1.000	1.330
2	1	1.000	1.000	1.000	1.000
1	2	0.833	1.330	0.833	1.330
1	1	0.833	1.000	0.833	1.000

f_1	f_2	f_3	f_4
0.833	***1***	***0.833***	***1***

Calculate Base Percentages

$P_1=V_1/(10{,}000 \times f_1)$ =	0.16%
$P_2=V_2/(5{,}000 \times f_2)$ =	0.02%
$P_3=V_1/(15{,}000 \times f_3)$ =	0.11%
$P_4=V_2/(2{,}500 \times f_4)$ =	0.04%

Calculate Proportional Share

$S_1=(P_1+P_2)/2$=	0.09%
$S_2=(P_3+P_4)/2$=	0.07%

Intersection Proportional Share = Maximum of S1 and S2 = 0.09%

Significant Intersection? **no**

1. Number of through lanes. Do not count exclusive turn lanes. Use the smaller number of lanes if the number of lanes is unequal on two legs. For Example, if one minor leg has two lanes and one minor leg has one lane, the number of lanes on the minor leg is one.

Computed By: JBB
Company: Transpo Group

Proportional Share Impact Worksheet

Input appropriate information in green cells

[1] See "*Intersection Description*" worksheet for descriptions

1. May Change without notice, call Thang Nguyen 425-587-3869 with questions

			Through Lanes[1]
Project Name:	The Plaza at Yarrow Bay		
Major Street[1]	3rd Ave	# of Lanes*=	1
Minor Street[1]	Kirkland Ave	# of Lanes*=	1

DATE:
9/8/2008

Daily Project Traffic Entering the Intersection

		Daily Volumes	*Entering Leg Volumes* *		
(Total of both approaches divided by two)	Major Street Volume V_1 =	1	1	1	***Major***
(Total of both approaches divided by two)	Minor Street Volume V_2 =	25.5	25	26	***Minor***

***Do not leave cell empty for zero volume**

Determine Geometric Factors

Number of Lanes		Geometric Factors			
Major Street	Minor Street	f_1	f_2	f_3	f_4
2	2	1.000	1.330	1.000	1.330
2	1	1.000	1.000	1.000	1.000
1	2	0.833	1.330	0.833	1.330
1	1	0.833	1.000	0.833	1.000

f_1	f_2	f_3	f_4
0.833	***1***	***0.833***	***1***

Calculate Base Percentages

$P_1=V_1/(10{,}000 \times f_1)$ =	0.01%
$P_2=V_2/(5{,}000 \times f_2)$ =	0.51%
$P_3=V_1/(15{,}000 \times f_3)$ =	0.01%
$P_4=V_2/(2{,}500 \times f_4)$ =	1.02%

Calculate Proportional Share

$S_1=(P_1+P_2)/2$=	0.26%
$S_2=(P_3+P_4)/2$=	0.51%

Intersection Proportional Share = Maximum of S1 and S2 = 0.51%

Significant Intersection? **no**

1. Number of through lanes. Do not count exclusive turn lanes. Use the smaller number of lanes if the number of lanes is unequal on two legs. For Example, if one minor leg has two lanes and one minor leg has one lane, the number of lanes on the minor leg is one.

Computed By: JBB
Company: Transpo Group

Proportional Share Impact Worksheet

Input appropriate information in green cells

[1] See "*Intersection Description*" worksheet for descriptions

1. May Change without notice, call Thang Nguyen 425-587-3869 with questions

			Through Lanes[1]
Project Name:	The Plaza at Yarrow Bay		
Major Street[1]	NE 68th St	# of Lanes*=	1
Minor Street[1]	State St	# of Lanes*=	1

DATE:
9/8/2008

Daily Project Traffic Entering the Intersection

		Daily Volumes	*Entering Leg Volumes* *		
(Total of both approaches divided by two)	Major Street Volume V_1 =	32	38	26	***Major***
(Total of both approaches divided by two)	Minor Street Volume V_2 =	13.5	26	1	***Minor***

***Do not leave cell empty for zero volume**

Determine Geometric Factors

Number of Lanes		Geometric Factors			
Major Street	Minor Street	f_1	f_2	f_3	f_4
2	2	1.000	1.330	1.000	1.330
2	1	1.000	1.000	1.000	1.000
1	2	0.833	1.330	0.833	1.330
1	1	0.833	1.000	0.833	1.000

f_1	f_2	f_3	f_4
0.833	***1***	***0.833***	***1***

Calculate Base Percentages

$P_1=V_1/(10{,}000 \times f_1)$ =	0.38%
$P_2=V_2/(5{,}000 \times f_2)$ =	0.27%
$P_3=V_1/(15{,}000 \times f_3)$ =	0.26%
$P_4=V_2/(2{,}500 \times f_4)$ =	0.54%

Calculate Proportional Share

$S_1=(P_1+P_2)/2$=	0.33%
$S_2=(P_3+P_4)/2$=	0.40%

Intersection Proportional Share = Maximum of S1 and S2 = 0.40%

Significant Intersection? **no**

1. Number of through lanes. Do not count exclusive turn lanes. Use the smaller number of lanes if the number of lanes is unequal on two legs. For Example, if one minor leg has two lanes and one minor leg has one lane, the number of lanes on the minor leg is one.

Computed By:	JBB
Company:	Transpo Group

Appendix B: LOS Definitions

Highway Capacity Manual, 2000

Signalized intersection level of service (LOS) is defined in terms of the average total vehicle delay of all movements through an intersection. Vehicle delay is a method of quantifying several intangible factors, including driver discomfort, frustration, and lost travel time. Specifically, LOS criteria are stated in terms of average delay per vehicle during a specified time period (for example, the PM peak hour). Vehicle delay is a complex measure based on many variables, including signal phasing (i.e., progression of movements through the intersection), signal cycle length, and traffic volumes with respect to intersection capacity. Table 1 shows LOS criteria for signalized intersections, as described in the *Highway Capacity Manual* (Transportation Research Board, Special Report 209, 2000).

Table 1. Level of Service Criteria for Signalized Intersections

Level of Service	Average Control Delay (sec/veh)	General Description (Signalized Intersections)
A	≤10	Free Flow
B	>10 - 20	Stable Flow (slight delays)
C	>20 - 35	Stable flow (acceptable delays)
D	>35 - 55	Approaching unstable flow (tolerable delay, occasionally wait through more than one signal cycle before proceeding)
E	>55 - 80	Unstable flow (intolerable delay)
F	>80	Forced flow (jammed)

Source: *Highway Capacity Manual*, Transportation Research Board, Special Report 209, 2000.

Unsignalized intersection LOS criteria can be further reduced into two intersection types: all-way stop-controlled and two-way stop-controlled. All-way, stop-controlled intersection LOS is expressed in terms of the average vehicle delay of all of the movements, much like that of a signalized intersection. Two-way, stop-controlled intersection LOS is defined in terms of the average vehicle delay of an individual movement(s). This is because the performance of a two-way, stop-controlled intersection is more closely reflected in terms of its individual movements, rather than its performance overall. For this reason, LOS for a two-way, stop-controlled intersection is defined in terms of its individual movements. With this in mind, total average vehicle delay (i.e., average delay of all movements) for a two-way, stop-controlled intersection should be viewed with discretion. Table 2 shows LOS criteria for unsignalized intersections (both all-way and two-way, stop-controlled).

Table 2. Level of Service Criteria for Unsignalized Intersections

Level of Service	Average Control Delay (sec/veh)
A	0 - 10
B	>10 - 15
C	>15 - 25
D	>25 - 35
E	>35 - 50
F	>50

Source: *Highway Capacity Manual*, Transportation Research Board, Special Report 209, 2000.

Appendix C: LOS Worksheets

HCM Signalized Intersection Capacity Analysis
2: NE Points Dr & Bellevue Way

Yarrow Bay Plaza Expansion
2013 Baseline

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Volume (vph)	65	85	127	338	146	332	15	984	397	265	931	17
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Lane Width	12	14	13	11	12	12	11	12	15	11	11	12
Grade (%)		0%			0%			-2%			0%	
Total Lost time (s)	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	0.95	1.00	1.00	0.95	1.00
Frt	1.00	1.00	0.85	1.00	1.00	0.85	1.00	1.00	0.85	1.00	1.00	0.85
Flt Protected	0.95	1.00	1.00	0.95	1.00	1.00	0.95	1.00	1.00	0.95	1.00	1.00
Satd. Flow (prot)	1770	1987	1636	1711	1863	1583	1728	3575	1759	1711	3421	1583
Flt Permitted	0.95	1.00	1.00	0.95	1.00	1.00	0.95	1.00	1.00	0.95	1.00	1.00
Satd. Flow (perm)	1770	1987	1636	1711	1863	1583	1728	3575	1759	1711	3421	1583
Peak-hour factor, PHF	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95
Adj. Flow (vph)	68	89	134	356	154	349	16	1036	418	279	980	18
RTOR Reduction (vph)	0	0	122	0	0	253	0	0	85	0	0	3
Lane Group Flow (vph)	68	89	12	356	154	96	16	1036	333	279	980	15
Turn Type	Prot		Prot	Prot		Perm	Prot		Prot	Prot		Perm
Protected Phases	3	8	8	7	4		5	2	2	1	6	
Permitted Phases						4						6
Actuated Green, G (s)	6.0	9.3	9.3	30.2	33.5	33.5	2.6	44.8	44.8	25.3	67.5	67.5
Effective Green, g (s)	8.0	11.3	11.3	32.2	35.5	35.5	4.6	46.8	46.8	27.3	69.5	69.5
Actuated g/C Ratio	0.06	0.09	0.09	0.25	0.27	0.27	0.04	0.36	0.36	0.21	0.54	0.54
Clearance Time (s)	5.0	5.0	5.0	5.0	5.0	5.0	5.0	5.0	5.0	5.0	5.0	5.0
Vehicle Extension (s)	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0
Lane Grp Cap (vph)	109	173	143	425	510	434	61	1291	635	360	1835	849
v/s Ratio Prot	0.04	c0.04	0.01	c0.21	0.08		0.01	c0.29	0.19	c0.16	0.29	
v/s Ratio Perm						0.06						0.01
v/c Ratio	0.62	0.51	0.08	0.84	0.30	0.22	0.26	0.80	0.52	0.78	0.53	0.02
Uniform Delay, d1	59.3	56.5	54.4	46.2	37.2	36.4	60.8	37.2	32.6	48.3	19.5	14.1
Progression Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Incremental Delay, d2	7.8	1.1	0.1	12.9	0.1	0.1	0.8	3.5	0.4	9.2	0.2	0.0
Delay (s)	67.1	57.6	54.5	59.1	37.4	36.4	61.7	40.7	33.0	57.4	19.7	14.1
Level of Service	E	E	D	E	D	D	E	D	C	E	B	B
Approach Delay (s)		58.4			46.0			38.8			27.8	
Approach LOS		E			D			D			C	

Intersection Summary			
HCM Average Control Delay	38.2	HCM Level of Service	D
HCM Volume to Capacity ratio	0.78		
Actuated Cycle Length (s)	129.6	Sum of lost time (s)	12.0
Intersection Capacity Utilization	79.8%	ICU Level of Service	D
Analysis Period (min)	15		

c Critical Lane Group

HCM Signalized Intersection Capacity Analysis
3: NE Northup Way & 108th Ave NE

Yarrow Bay Plaza Expansion
2013 Baseline

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Volume (vph)	182	134	315	325	404	331	456	376	111	125	352	62
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Lane Width	12	11	9	11	11	10	13	12	11	12	12	11
Total Lost time (s)	3.0	3.0	3.0	3.0	3.0		3.0	3.0	3.0	3.0	3.0	
Lane Util. Factor	1.00	1.00	1.00	1.00	0.95		0.95	0.95	1.00	1.00	0.95	
Frt	1.00	1.00	0.85	1.00	0.93		1.00	1.00	0.85	1.00	0.98	
Flt Protected	0.95	1.00	1.00	0.95	1.00		0.95	0.99	1.00	0.95	1.00	
Satd. Flow (prot)	1770	1801	1425	1711	3190		1737	1759	1531	1770	3460	
Flt Permitted	0.95	1.00	1.00	0.95	1.00		0.95	0.99	1.00	0.95	1.00	
Satd. Flow (perm)	1770	1801	1425	1711	3190		1737	1759	1531	1770	3460	
Peak-hour factor, PHF	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95
Adj. Flow (vph)	192	141	332	342	425	348	480	396	117	132	371	65
RTOR Reduction (vph)	0	0	64	0	98	0	0	0	57	0	11	0
Lane Group Flow (vph)	192	141	268	342	675	0	427	449	60	132	425	0
Turn Type	Prot		pt+ov	Prot			Split		pm+ov	Split		
Protected Phases	1	6	6 4	5	2		4	4	5	3	3	
Permitted Phases									4			
Actuated Green, G (s)	17.8	31.1	73.1	30.5	43.8		37.0	37.0	67.5	21.4	21.4	
Effective Green, g (s)	19.8	33.1	75.1	32.5	45.8		39.0	39.0	71.5	23.4	23.4	
Actuated g/C Ratio	0.14	0.24	0.54	0.23	0.33		0.28	0.28	0.51	0.17	0.17	
Clearance Time (s)	5.0	5.0		5.0	5.0		5.0	5.0	5.0	5.0	5.0	
Vehicle Extension (s)	2.0	2.0		2.0	2.0		2.0	2.0	2.0	2.0	2.0	
Lane Grp Cap (vph)	250	426	764	397	1044		484	490	782	296	578	
v/s Ratio Prot	0.11	0.08	0.19	c0.20	c0.21		0.25	c0.26	0.02	0.07	c0.12	
v/s Ratio Perm									0.02			
v/c Ratio	0.77	0.33	0.35	0.86	0.65		0.88	0.92	0.08	0.45	0.74	
Uniform Delay, d1	57.9	44.3	18.5	51.6	40.2		48.3	48.9	17.4	52.5	55.4	
Progression Factor	1.00	1.00	1.00	1.00	1.00		0.96	0.96	1.50	1.00	1.00	
Incremental Delay, d2	12.0	2.1	0.1	16.6	3.1		15.5	20.1	0.0	0.4	4.2	
Delay (s)	69.9	46.4	18.6	68.2	43.3		61.9	67.2	26.2	52.9	59.5	
Level of Service	E	D	B	E	D		E	E	C	D	E	
Approach Delay (s)		39.3			50.9			60.1			58.0	
Approach LOS		D			D			E			E	

Intersection Summary			
HCM Average Control Delay	52.5	HCM Level of Service	D
HCM Volume to Capacity ratio	0.79		
Actuated Cycle Length (s)	140.0	Sum of lost time (s)	9.0
Intersection Capacity Utilization	79.4%	ICU Level of Service	D
Analysis Period (min)	15		

c Critical Lane Group

HCM Signalized Intersection Capacity Analysis
4: SR 520 WB On & 108th Ave NE

Yarrow Bay Plaza Expansion
2013 Baseline

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Volume (vph)	0	0	0	297	90	646	81	354	0	0	929	124
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)				3.0	3.0	3.0	3.0	3.0			3.0	3.0
Lane Util. Factor				0.95	0.91	0.95	1.00	1.00			0.95	1.00
Frt				1.00	0.90	0.85	1.00	1.00			1.00	0.85
Flt Protected				0.95	1.00	1.00	0.95	1.00			1.00	1.00
Satd. Flow (prot)				1681	1513	1504	1770	1863			3539	1583
Flt Permitted				0.95	1.00	1.00	0.22	1.00			1.00	1.00
Satd. Flow (perm)				1681	1513	1504	406	1863			3539	1583
Peak-hour factor, PHF	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95
Adj. Flow (vph)	0	0	0	313	95	680	85	373	0	0	978	131
RTOR Reduction (vph)	0	0	0	0	72	280	0	0	0	0	0	37
Lane Group Flow (vph)	0	0	0	282	340	114	85	373	0	0	978	94
Turn Type				Split		Perm	pm+pt					Perm
Protected Phases				4	4		1	6			2	
Permitted Phases						4	6					2
Actuated Green, G (s)				38.4	38.4	38.4	91.6	91.6			77.6	77.6
Effective Green, g (s)				40.4	40.4	40.4	93.6	93.6			79.6	79.6
Actuated g/C Ratio				0.29	0.29	0.29	0.67	0.67			0.57	0.57
Clearance Time (s)				5.0	5.0	5.0	5.0	5.0			5.0	5.0
Vehicle Extension (s)				2.0	2.0	2.0	2.0	2.0			2.0	2.0
Lane Grp Cap (vph)				485	437	434	379	1246			2012	900
v/s Ratio Prot				0.17	c0.22		0.02	c0.20			c0.28	
v/s Ratio Perm						0.08	0.13					0.06
v/c Ratio				0.58	0.78	0.26	0.22	0.30			0.49	0.10
Uniform Delay, d1				42.6	45.7	38.3	19.3	9.6			18.0	13.9
Progression Factor				1.00	1.00	1.00	1.00	1.00			0.58	0.44
Incremental Delay, d2				1.1	7.8	0.1	0.1	0.6			0.7	0.2
Delay (s)				43.7	53.5	38.4	19.4	10.2			11.1	6.3
Level of Service				D	D	D	B	B			B	A
Approach Delay (s)		0.0			45.5			11.9			10.5	
Approach LOS		A			D			B			B	

Intersection Summary				
HCM Average Control Delay	25.1	HCM Level of Service	C	
HCM Volume to Capacity ratio	0.55			
Actuated Cycle Length (s)	140.0	Sum of lost time (s)	6.0	
Intersection Capacity Utilization	58.7%	ICU Level of Service	B	
Analysis Period (min)	15			
c Critical Lane Group				

HCM Unsignalized Intersection Capacity Analysis
5: NE Points Dr & Driveway

Yarrow Bay Plaza Expansion
2013 Baseline

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Volume (veh/h)	1	172	0	8	151	19	0	0	5	100	1	2
Sign Control		Free			Free			Stop			Stop	
Grade		0%			0%			0%			0%	
Peak Hour Factor	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95
Hourly flow rate (vph)	1	181	0	8	159	20	0	0	5	105	1	2
Pedestrians												
Lane Width (ft)												
Walking Speed (ft/s)												
Percent Blockage												
Right turn flare (veh)												
Median type		None			None							
Median storage veh)												
Upstream signal (ft)					427							
pX, platoon unblocked												
vC, conflicting volume	179			181			282	379	91	284	369	89
vC1, stage 1 conf vol												
vC2, stage 2 conf vol												
vCu, unblocked vol	179			181			282	379	91	284	369	89
tC, single (s)	4.1			4.1			7.5	6.5	6.9	7.5	6.5	6.9
tC, 2 stage (s)												
tF (s)	2.2			2.2			3.5	4.0	3.3	3.5	4.0	3.3
p0 queue free %	100			99			100	100	99	84	100	100
cM capacity (veh/h)	1394			1392			642	548	949	640	555	951

Direction, Lane #	EB 1	EB 2	WB 1	WB 2	NB 1	SB 1	SB 2
Volume Total	92	91	88	99	5	105	3
Volume Left	1	0	8	0	0	105	0
Volume Right	0	0	0	20	5	0	2
cSH	1394	1700	1392	1700	949	640	768
Volume to Capacity	0.00	0.05	0.01	0.06	0.01	0.16	0.00
Queue Length 95th (ft)	0	0	0	0	0	15	0
Control Delay (s)	0.1	0.0	0.8	0.0	8.8	11.7	9.7
Lane LOS	A		A		A	B	A
Approach Delay (s)	0.0		0.4		8.8	11.7	
Approach LOS					A	B	

Intersection Summary			
Average Delay	2.9		
Intersection Capacity Utilization	29.6%	ICU Level of Service	A
Analysis Period (min)	15		

HCM Signalized Intersection Capacity Analysis
2: NE Points Dr & Bellevue Way

Yarrow Bay Plaza Expansion
2013 With-Project

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Volume (vph)	73	117	143	338	152	332	19	984	397	265	931	18
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Lane Width	12	14	13	11	12	12	11	12	15	11	11	12
Grade (%)		0%			0%			-2%			0%	
Total Lost time (s)	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	0.95	1.00	1.00	0.95	1.00
Frt	1.00	1.00	0.85	1.00	1.00	0.85	1.00	1.00	0.85	1.00	1.00	0.85
Flt Protected	0.95	1.00	1.00	0.95	1.00	1.00	0.95	1.00	1.00	0.95	1.00	1.00
Satd. Flow (prot)	1770	1987	1636	1711	1863	1583	1728	3575	1759	1711	3421	1583
Flt Permitted	0.95	1.00	1.00	0.95	1.00	1.00	0.95	1.00	1.00	0.95	1.00	1.00
Satd. Flow (perm)	1770	1987	1636	1711	1863	1583	1728	3575	1759	1711	3421	1583
Peak-hour factor, PHF	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95
Adj. Flow (vph)	77	123	151	356	160	349	20	1036	418	279	980	19
RTOR Reduction (vph)	0	0	139	0	0	260	0	0	85	0	0	3
Lane Group Flow (vph)	77	123	12	356	160	89	20	1036	333	279	980	16
Turn Type	Prot		Prot	Prot		Perm	Prot		Prot	Prot		Perm
Protected Phases	3	8	8	7	4		5	2	2	1	6	
Permitted Phases						4						6
Actuated Green, G (s)	7.9	8.2	8.2	30.2	30.5	30.5	4.0	43.9	43.9	25.3	65.2	65.2
Effective Green, g (s)	9.9	10.2	10.2	32.2	32.5	32.5	6.0	45.9	45.9	27.3	67.2	67.2
Actuated g/C Ratio	0.08	0.08	0.08	0.25	0.25	0.25	0.05	0.36	0.36	0.21	0.53	0.53
Clearance Time (s)	5.0	5.0	5.0	5.0	5.0	5.0	5.0	5.0	5.0	5.0	5.0	5.0
Vehicle Extension (s)	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0
Lane Grp Cap (vph)	137	159	131	432	475	403	81	1286	633	366	1802	834
v/s Ratio Prot	0.04	c0.06	0.01	c0.21	0.09		0.01	c0.29	0.19	c0.16	0.29	
v/s Ratio Perm						0.06						0.01
v/c Ratio	0.56	0.77	0.09	0.82	0.34	0.22	0.25	0.81	0.53	0.76	0.54	0.02
Uniform Delay, d1	56.8	57.6	54.4	45.0	38.8	37.5	58.6	36.8	32.3	47.1	20.0	14.4
Progression Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Incremental Delay, d2	3.1	18.9	0.1	11.5	0.2	0.1	0.6	3.6	0.4	8.2	0.2	0.0
Delay (s)	59.9	76.5	54.5	56.5	38.9	37.6	59.2	40.4	32.6	55.3	20.2	14.4
Level of Service	E	E	D	E	D	D	E	D	C	E	C	B
Approach Delay (s)		63.4			45.7			38.4			27.8	
Approach LOS		E			D			D			C	

Intersection Summary				
HCM Average Control Delay	38.8	HCM Level of Service	D	
HCM Volume to Capacity ratio	0.80			
Actuated Cycle Length (s)	127.6	Sum of lost time (s)	12.0	
Intersection Capacity Utilization	80.1%	ICU Level of Service	D	
Analysis Period (min)	15			
c Critical Lane Group				

HCM Signalized Intersection Capacity Analysis
3: NE Northup Way & 108th Ave NE

Yarrow Bay Plaza Expansion
2013 With-Project

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Volume (vph)	185	140	338	325	405	331	460	376	111	125	352	63
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Lane Width	12	11	9	11	11	10	13	12	11	12	12	11
Total Lost time (s)	3.0	3.0	3.0	3.0	3.0		3.0	3.0	3.0	3.0	3.0	
Lane Util. Factor	1.00	1.00	1.00	1.00	0.95		0.95	0.95	1.00	1.00	0.95	
Frt	1.00	1.00	0.85	1.00	0.93		1.00	1.00	0.85	1.00	0.98	
Flt Protected	0.95	1.00	1.00	0.95	1.00		0.95	0.99	1.00	0.95	1.00	
Satd. Flow (prot)	1770	1801	1425	1711	3191		1737	1759	1531	1770	3459	
Flt Permitted	0.95	1.00	1.00	0.95	1.00		0.95	0.99	1.00	0.95	1.00	
Satd. Flow (perm)	1770	1801	1425	1711	3191		1737	1759	1531	1770	3459	
Peak-hour factor, PHF	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95
Adj. Flow (vph)	195	147	356	342	426	348	484	396	117	132	371	66
RTOR Reduction (vph)	0	0	64	0	98	0	0	0	57	0	11	0
Lane Group Flow (vph)	195	147	292	342	676	0	431	449	60	132	426	0
Turn Type	Prot		pt+ov	Prot			Split		pm+ov	Split		
Protected Phases	1	6	6 4	5	2		4	4	5	3	3	
Permitted Phases									4			
Actuated Green, G (s)	17.9	31.1	73.1	30.5	43.7		37.0	37.0	67.5	21.4	21.4	
Effective Green, g (s)	19.9	33.1	75.1	32.5	45.7		39.0	39.0	71.5	23.4	23.4	
Actuated g/C Ratio	0.14	0.24	0.54	0.23	0.33		0.28	0.28	0.51	0.17	0.17	
Clearance Time (s)	5.0	5.0		5.0	5.0		5.0	5.0	5.0	5.0	5.0	
Vehicle Extension (s)	2.0	2.0		2.0	2.0		2.0	2.0	2.0	2.0	2.0	
Lane Grp Cap (vph)	252	426	764	397	1042		484	490	782	296	578	
v/s Ratio Prot	0.11	0.08	0.20	c0.20	c0.21		0.25	c0.26	0.02	0.07	c0.12	
v/s Ratio Perm									0.02			
v/c Ratio	0.77	0.35	0.38	0.86	0.65		0.89	0.92	0.08	0.45	0.74	
Uniform Delay, d1	57.9	44.4	18.9	51.6	40.3		48.5	48.9	17.4	52.5	55.4	
Progression Factor	1.00	1.00	1.00	1.00	1.00		0.96	0.96	1.49	1.00	1.00	
Incremental Delay, d2	12.6	2.2	0.1	16.6	3.1		16.6	20.1	0.0	0.4	4.2	
Delay (s)	70.5	46.6	19.0	68.2	43.4		63.3	67.1	26.0	52.9	59.6	
Level of Service	E	D	B	E	D		E	E	C	D	E	
Approach Delay (s)		39.2			51.0			60.6			58.0	
Approach LOS		D			D			E			E	

Intersection Summary				
HCM Average Control Delay	52.6	HCM Level of Service	D	
HCM Volume to Capacity ratio	0.79			
Actuated Cycle Length (s)	140.0	Sum of lost time (s)	9.0	
Intersection Capacity Utilization	79.8%	ICU Level of Service	D	
Analysis Period (min)	15			
c Critical Lane Group				

HCM Signalized Intersection Capacity Analysis
4: SR 520 WB On & 108th Ave NE

Yarrow Bay Plaza Expansion
2013 With-Project

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Volume (vph)	0	0	0	297	90	650	81	354	0	0	951	124
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)				3.0	3.0	3.0	3.0	3.0			3.0	3.0
Lane Util. Factor				0.95	0.91	0.95	1.00	1.00			0.95	1.00
Frt				1.00	0.90	0.85	1.00	1.00			1.00	0.85
Flt Protected				0.95	1.00	1.00	0.95	1.00			1.00	1.00
Satd. Flow (prot)				1681	1513	1504	1770	1863			3539	1583
Flt Permitted				0.95	1.00	1.00	0.21	1.00			1.00	1.00
Satd. Flow (perm)				1681	1513	1504	391	1863			3539	1583
Peak-hour factor, PHF	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95
Adj. Flow (vph)	0	0	0	313	95	684	85	373	0	0	1001	131
RTOR Reduction (vph)	0	0	0	0	72	282	0	0	0	0	0	36
Lane Group Flow (vph)	0	0	0	282	341	115	85	373	0	0	1001	95
Turn Type				Split		Perm	pm+pt					Perm
Protected Phases				4	4		1	6			2	
Permitted Phases						4	6					2
Actuated Green, G (s)				38.5	38.5	38.5	91.5	91.5			77.5	77.5
Effective Green, g (s)				40.5	40.5	40.5	93.5	93.5			79.5	79.5
Actuated g/C Ratio				0.29	0.29	0.29	0.67	0.67			0.57	0.57
Clearance Time (s)				5.0	5.0	5.0	5.0	5.0			5.0	5.0
Vehicle Extension (s)				2.0	2.0	2.0	2.0	2.0			2.0	2.0
Lane Grp Cap (vph)				486	438	435	369	1244			2010	899
v/s Ratio Prot				0.17	c0.23		0.02	c0.20			c0.28	
v/s Ratio Perm						0.08	0.14					0.06
v/c Ratio				0.58	0.78	0.26	0.23	0.30			0.50	0.11
Uniform Delay, d1				42.5	45.6	38.3	20.0	9.7			18.2	13.9
Progression Factor				1.00	1.00	1.00	1.00	1.00			0.61	0.50
Incremental Delay, d2				1.1	7.8	0.1	0.1	0.6			0.7	0.2
Delay (s)				43.6	53.4	38.4	20.1	10.3			11.8	7.1
Level of Service				D	D	D	C	B			B	A
Approach Delay (s)		0.0			45.4			12.1			11.2	
Approach LOS		A			D			B			B	

Intersection Summary				
HCM Average Control Delay	25.3	HCM Level of Service	C	
HCM Volume to Capacity ratio	0.56			
Actuated Cycle Length (s)	140.0	Sum of lost time (s)	6.0	
Intersection Capacity Utilization	59.3%	ICU Level of Service	B	
Analysis Period (min)	15			
c Critical Lane Group				

HCM Unsignalized Intersection Capacity Analysis
5: NE Points Dr & Driveway

Yarrow Bay Plaza Expansion
2013 With-Project

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Volume (veh/h)	1	172	0	8	151	30	0	0	5	156	1	2
Sign Control		Free			Free			Stop			Stop	
Grade		0%			0%			0%			0%	
Peak Hour Factor	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95
Hourly flow rate (vph)	1	181	0	8	159	32	0	0	5	164	1	2
Pedestrians												
Lane Width (ft)												
Walking Speed (ft/s)												
Percent Blockage												
Right turn flare (veh)												
Median type		None			None							
Median storage veh)												
Upstream signal (ft)					427							
pX, platoon unblocked												
vC, conflicting volume	191			181			282	391	91	289	375	95
vC1, stage 1 conf vol												
vC2, stage 2 conf vol												
vCu, unblocked vol	191			181			282	391	91	289	375	95
tC, single (s)	4.1			4.1			7.5	6.5	6.9	7.5	6.5	6.9
tC, 2 stage (s)												
tF (s)	2.2			2.2			3.5	4.0	3.3	3.5	4.0	3.3
p0 queue free %	100			99			100	100	99	74	100	100
cM capacity (veh/h)	1381			1392			642	540	949	634	551	943

Direction, Lane #	EB 1	EB 2	WB 1	WB 2	NB 1	SB 1	SB 2
Volume Total	92	91	88	111	5	164	3
Volume Left	1	0	8	0	0	164	0
Volume Right	0	0	0	32	5	0	2
cSH	1381	1700	1392	1700	949	634	762
Volume to Capacity	0.00	0.05	0.01	0.07	0.01	0.26	0.00
Queue Length 95th (ft)	0	0	0	0	0	26	0
Control Delay (s)	0.1	0.0	0.8	0.0	8.8	12.7	9.7
Lane LOS	A		A		A	B	A
Approach Delay (s)	0.0		0.3		8.8	12.6	
Approach LOS					A	B	

Intersection Summary			
Average Delay	4.0		
Intersection Capacity Utilization	33.1%	ICU Level of Service	A
Analysis Period (min)	15		

Appendix D: Concurrency Test Notice

CITY OF KIRKLAND
123 FIFTH AVENUE ● KIRKLAND, WASHINGTON 98033-6189 ● (425) 587-3000

DEPARTMENT OF PUBLIC WORKS
MEMORANDUM

To: Planning Department

From: Thang Nguyen, Transportation Engineer

Date: September 5, 2008

Subject: Plaza at Yarrow Bay Office Concurrency Test Notice, CON08-00002

The purpose of this memo is to inform you that the proposed redevelopment of the Plaza at Yarrow Bay Office development has passed traffic concurrency. This memo will serve as the traffic concurrency test notice.

Project Description
The applicant proposes to construct a new 77,000 square feet office building on the existing surface parking at the Yarrow Bay office complex located at the northwest corner of Lake Washington Blvd/Points Drive NE. The new office is estimated to generate 850 daily and 95 PM peak hour trips. The proposed development is anticipated to be built and occupied by the end of 2010.

The proposed project passed traffic concurrency. This memo will serve as the concurrency test notice for the proposed project. Per *Section 25.10.020 Procedures* of the KMC, this Concurrency Test Notice will expire in one year (September 5, 2009) unless a development permit and certificate of concurrency are issued or an extension is granted.

EXPIRATION
The concurrency test notice shall expire and a new concurrency test application is required unless:

1. A complete SEPA checklist, traffic impact analysis and all required documentation are submitted to the City within 90 calendar days of the concurrency test notice.

2. A Certificate of Concurrency is issued or an extension is requested and granted by the Public Works Department within one year of issuance of the concurrency test notice. (A Certificate of Concurrency is issued at the same time a development permit or building permit is issued if the applicant holds a valid concurrency test notice.)

3. A Certificate of Concurrency shall expire six years from the date of issuance of the concurrency test notice unless all building permits are issued for buildings approved under the concurrency test notice.

APPEALS

The concurrency test notice may be appealed by the public or agency with jurisdiction. The concurrency test notice is subject to an appeal until the SEPA review process is complete and the appeal deadline has passed. Concurrency appeals are heard before the Hearing Examiner along with any applicable SEPA appeal. For more information, refer to the Kirkland Municipal Code, Title 25. If you have any questions, please call me at x3869.

cc: Dan McKinney, Jr. - The Transpo Group
file

P	Plaza at Yarrow Bay	444 974		4) Transportation Concurrency Status	6) Transportation Concurrency Certificate Date:
2) Project Description:	construct a 77,000 sf new office building at the east parking lot of Yarrow Bay office complex	Enter 0 / Exit 0 / Enter 0 / Exit 0		PASS	
3) Build-out Year:	2010	factor = 1		5) Transportation Concurrency Test Date: Sept 3 2008	7) Certificate of Occupancy Date

SUMMARY OF TRAFFIC IMPACTS

8) Daily Trips	850	PM Peak Trips:	95	Impacted Subarea(s):	NW, NE, E, SW	TAZ:	236

Signalized Intersection PM Peak Traffic Impact

		Project PM Peak Turning Volumes															
		Eastbound			Westbound			Northbound			Southbound						
Code	Intersection	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT	PM Peak Trips	Daily Trips	Sum of Critical Vol*	Vol. Capacity Ratio*
	East Driveway/Points Drive NE													0			
														0			
														0			
														0			
101	Lake Wash/NE 38th Pl								15	1		2		18			
102	Lake Wash/Lakeview Dr	1							6	7		1		15			
103	State St/NE 68th St	5	2			1							1	9			
104	108th Ave NE/NE 68th St								2	2				4			
106	Central Way/3rd St								5					5			
107	Central Way/Lake St			1				4						5			
108	Lake St/Kirkland Ave								5			1		6			
111	Kirkland Ave/3rd Ave								5			1		6			
	#N/A													0			
	#N/A													0			
	#N/A													0			
	#N/A													0			
	#N/A													0			
	#N/A													0			
	#N/A													0			

Transportation Concurency Test

	LOS Standards		LOS with Project Impacts			
Subarea No	A= Max. Intersection LOS	B=Average 2014 V/C	a=No. exceeding 1.4	b=Average V/C	a <= A?	b<= B?
Southwest (1xx)	1.4	0.90	0	0.85	yes	yes
Northwest (2xx)	1.4	0.91	0	0.88	yes	yes
Northeast (3xx)	1.4	0.88	0	0.81	yes	yes
East(4xx)	1.4	1.05	0	0.85	yes	yes

TEST RESULTS

Result: **PASS**

* Based on Critical Movement, Planning Method TRC #212.
1. Number of intersection exceeding Average V/C LOS Standard (2022)
1. Sixth Year Target Average V/C ratio, see step 6, part 1 of the guidelines

City of Kirkland Traffic Concurrency Report

Projected Volumes & Impacts For year: 2010

	Northbound			Southbound			Eastbound			Westbound		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
101	5	1316	123	63	1006	3	16	11	37	160	3	131
102	98	636	845	3	460	46	53	110	177	324	60	15
103	1	7	23	271	8	126	421	581	1	20	261	294
104	102	479	208	220	253	112	304	644	93	227	389	165
105	194	344	523	123	118	68	75	776	74	250	829	247
106	203	496	344	120	72	35	27	451	62	192	782	95
107	596	0	72	0	0	0	0	329	335	191	584	0
108	4	534	63	13	405	24	19	57	36	130	51	129
109	16	92	534	539	29	10	5	1384	1	313	1402	293
110	60	621	118	174	258	94	81	18	50	67	24	283
111	89	382	135	86	177	70	123	158	49	103	164	166
112	99	453	32	39	196	82	129	184	60	53	144	42
113	0	12	0	0	30	0	1	3	0	0	5	0
201	617	942	153	207	356	113	91	275	221	79	508	98
202	51	1064	265	369	456	43	34	69	41	364	208	931
203	347	1560	218	263	678	102	94	183	179	151	316	630
204	402	45	339	15	30	20	13	420	167	292	877	32
205	5	1648	87	16	580	4	8	1	5	49	0	19
206	25	1030	4	9	635	176	148	2	28	4	1	11
207	0	0	0	14	0	64	24	524	0	0	978	44
208	10	5	25	69	5	165	92	534	9	1019	101	85
209	42	1219	6	72	615	0	2	3	21	4	4	174
211	0	62	0	0	17	0	0	0	0	0	0	38
301	281	12	323	5	1	2	5	431	115	170	496	6
302	28	400	162	38	264	19	23	23	50	177	11	77
303	46	524	94	5	514	24	29	25	68	197	16	34
304	337	327	26	64	374	218	48	191	169	121	64	177
305	0	0	0	0	0	0	0	0	0	0	0	0
306	185	536	238	171	286	204	172	719	98	248	1158	228
307	176	273	14	658	197	26	27	252	74	239	445	358
308	118	0	110	3	4	20	20	1065	102	109	1693	11

City of Kirkland Traffic Concurrency Report

Projected Volumes & Impacts For year: 2010

	Northbound			Southbound			Eastbound			Westbound		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
309	131	623	0	0	388	28	56	0	211	0	0	0
310	40	176	262	373	108	122	117	604	20	184	787	573
311	547	703	209	137	360	219	205	527	227	179	619	49
312	212	275	308	419	136	135	137	782	76	253	1366	412
313	193	16	169	61	11	32	38	556	29	42	1114	118
314	1	545	197	253	452	2	2	1	1	316	0	470
315	390	591	183	231	354	193	226	764	229	201	1208	321
316	409	221	83	9	63	148	129	491	158	29	625	25
317	0	0	0	568	0	613	0	835	690	0	1314	519
318	479	0	110	0	0	2	0	1074	366	0	1389	422
319	0	0	0	0	0	0	0	611	656	583	1572	0
320	703	0	345	0	0	0	0	645	0	0	1501	0
321	0	0	0	0	0	7	4	0	0	0	0	0
322	0	0	0	0	0	0	0	5	0	0	10	0
323	0	0	0	37	0	788	704	133	0	0	50	76
324	116	636	0	1	498	12	26	0	60	0	1	1
325	14	1	10	44	4	132	68	1003	9	7	1559	35
326	77	370	203	73	144	73	54	169	57	141	387	68
327	0	0	0	0	0	0	0	597	0	0	319	0
401	87	226	40	160	121	90	140	1108	84	41	1308	363
402	174	436	68	273	11	254	379	1521	31	34	1342	328
403	239	121	53	106	43	231	232	1646	109	27	1643	78
404	43	944	76	56	508	13	13	9	24	45	14	87
405	0	0	0	3	0	1	4	1	0	0	1	8
406	110	381	163	53	224	73	159	369	63	178	510	106
407	272	530	342	15	61	176	240	492	343	268	386	26
408	58	825	14	7	478	112	332	25	60	9	24	21
409	80	75	50	73	31	96	177	1521	72	38	1521	79
410	439	361	1	0	157	558	767	1	96	1	2	4
411	0	866	209	208	640	0	0	0	9	246	0	251
412	55	37	32	19	6	26	52	1384	51	27	1623	37

City of Kirkland Traffic Concurrency Report

Projected Volumes & Impacts For year: 2010

	Northbound			Southbound			Eastbound			Westbound		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
413	102	461	0	0	173	112	141	0	34	0	0	0
414	0	593	79	92	110	1	0	1	0	44	1	131
415	0	0	0	0	0	0	0	0	0	0	0	0
416	115	464	31	13	202	50	48	64	74	34	184	24
417	178	1001	23	8	231	21	16	9	50	9	10	11

Appendix E: Existing Parking Data

Yarrow Bay Parking Data

Tuesday, December 02, 2008	9:00 AM	10:00 AM	11:00 AM	12:00 PM	1:00 PM	2:00 PM
BUILDING 1 HNDCP	0	0	0	0	0	0
BUILDING 1 UNDERGROUND	61	77	73	76	73	71
BUILDING 1 OUTDOOR	19	22	23	26	24	24
BUILDING 2 HNDCP	0	0	0	0	0	0
BUILDING 2 UNDERGROUND	42	48	55	46	49	46
BUILDING 2 OUTDOOR	40	46	48	48	49	50
BUILDING 3 BASEMENT	7	29	34	30	34	37
BUILDING 3 MIDDLE	34	62	72	67	61	62
BUILDING 3 TOP (PLAZA)	41	53	56	54	57	52
BUILDING 3 HNDCP	1	1	1	1	1	1
BUILDING 4 HDCP	0	0	0	0	1	2
BUILDING 4 UNDERGROUND	53	64	69	60	64	71
BUILDING 4 OUTDOOR	26	30	32	29	33	35
LOT BTWN BUILDINGS 1 AND 2	8	10	10	8	9	5
NE POINTS DR	0	0	0	0	0	0
Total	332	442	473	445	455	456
3-Day Average	324	434	469	429	436	462

Yarrow Bay Parking Data

Wednesday, December 03, 2008	9:00 AM	10:00 AM	11:00 AM	12:00 PM	1:00 PM	2:00 PM
BUILDING 1 HNDCP	0	1	0	0	0	0
BUILDING 1 UNDERGROUND	66	79	80	63	80	81
BUILDING 1 OUTDOOR	14	21	26	27	30	30
BUILDING 2 HNDCP	0	1	1	1	1	1
BUILDING 2 UNDERGROUND	40	54	54	46	42	49
BUILDING 2 OUTDOOR	40	44	48	49	45	48
BUILDING 3 BASEMENT	14	22	28	24	33	33
BUILDING 3 MIDDLE	28	45	49	54	54	59
BUILDING 3 TOP (PLAZA)	39	46	47	43	46	50
BUILDING 3 HNDCP	1	2	1	1	1	1
BUILDING 4 HDCP	0	0	0	0	0	0
BUILDING 4 UNDERGROUND	44	62	70	65	70	69
BUILDING 4 OUTDOOR	29	39	42	37	34	34
LOT BTWN BUILDINGS 1 AND 2	7	12	12	9	9	10
NE POINTS DR	0	0	0	0	0	0
Total	322	428	458	419	445	465
3-Day Average	324	434	469	429	436	462

Yarrow Bay Parking Data

Thursday, December 04, 2008	9:00 AM	10:00 AM	11:00 AM	12:00 PM	1:00 PM	2:00 PM
BUILDING 1 HNDCP	0	0	0	0	0	0
BUILDING 1 UNDERGROUND	60	80	82	73	73	77
BUILDING 1 OUTDOOR	15	18	27	27	24	23
BUILDING 2 HNDCP	0	1	1	1	0	0
BUILDING 2 UNDERGROUND	40	50	51	43	39	49
BUILDING 2 OUTDOOR	34	49	48	45	47	47
BUILDING 3 BASEMENT	11	28	27	23	23	25
BUILDING 3 MIDDLE	29	52	65	58	57	59
BUILDING 3 TOP (PLAZA)	40	51	53	50	51	57
BUILDING 3 HNDCP	0	0	0	0	0	0
BUILDING 4 HDCP	0	0	0	0	0	0
BUILDING 4 UNDERGROUND	51	58	65	63	63	69
BUILDING 4 OUTDOOR	36	38	45	39	40	38
LOT BTWN BUILDINGS 1 AND 2	10	15	15	15	9	13
NE POINTS DR	0	0	0	1	1	1
Total	326	440	479	438	427	458
3-Day Average	324	434	469	429	436	462

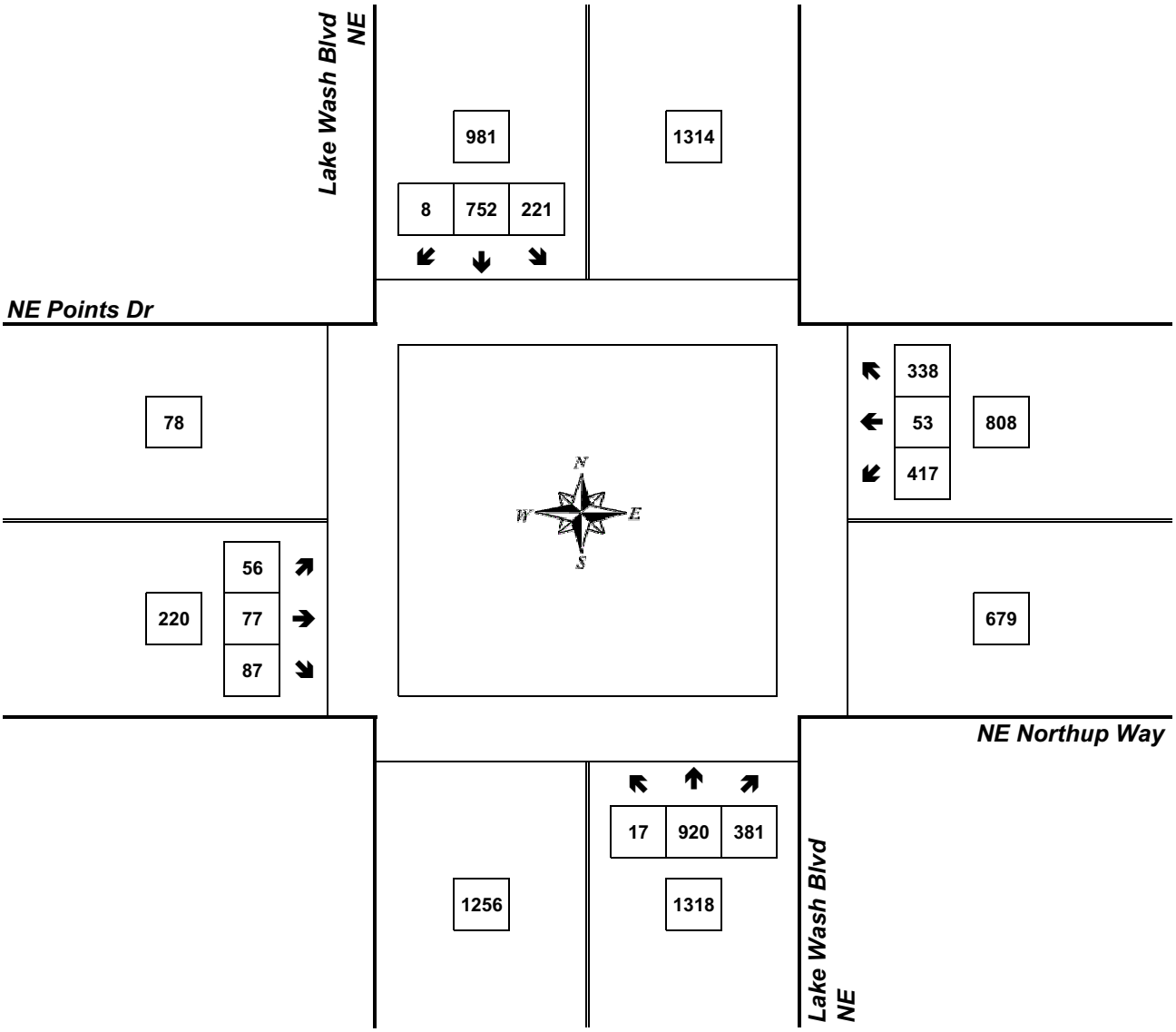
Appendix F: Existing PM Peak Hour Turning Movement Counts

Peak Hour Summary

All Traffic Data Services Inc.
Mark Skaggs
(206) 251-0300

Lake Wash Blvd NE & NE Northup Way

5:00 PM to 6:00 PM
Thursday, September 18, 2008

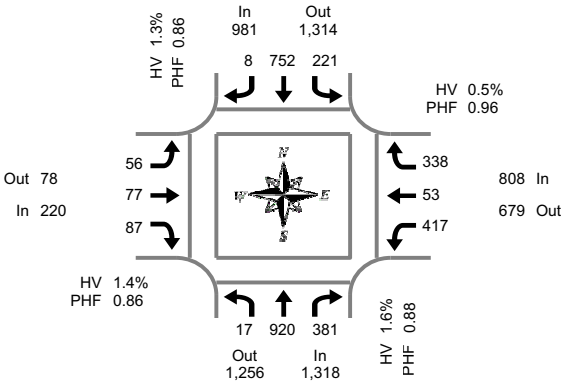


Approach	PHF	HV%	Volume
EB	0.86	1.4%	220
WB	0.96	0.5%	808
NB	0.88	1.6%	1,318
SB	0.86	1.3%	981
Intersection	0.98	1.2%	3,327

Count Period: 4:00 PM to 6:00 PM

Total Vehicle Summary

Mark Skaggs
(206) 251-0300



Lake Wash Blvd NE & NE Northup Way

Thursday, September 18, 2008
4:00 PM to 6:00 PM

Peak Hour Summary
5:00 PM to 6:00 PM

15-Minute Interval Summary
4:00 PM to 6:00 PM

Interval Start Time	Northbound Lake Wash Blvd NE				Southbound Lake Wash Blvd NE				Eastbound NE Points Dr				Westbound NE Northup Way				Interval Total
	L	T	R	HV	L	T	R	HV	L	T	R	HV	L	T	R	HV	
4:00 PM	5	208	89	9	56	157	6	3	8	10	15	0	62	4	51	2	671
4:15 PM	2	202	85	9	45	158	2	7	6	16	14	0	91	9	58	1	688
4:30 PM	5	180	107	10	51	167	4	6	12	5	18	0	86	9	80	0	724
4:45 PM	3	238	79	6	52	179	2	6	7	20	15	0	94	7	68	1	764
5:00 PM	4	209	80	5	61	173	1	4	18	25	21	2	115	17	66	1	790
5:15 PM	3	224	92	6	63	219	2	4	17	16	21	0	110	15	69	1	851
5:30 PM	2	235	94	6	50	199	4	3	14	21	27	0	91	14	101	1	852
5:45 PM	8	252	115	4	47	161	1	2	7	15	18	1	101	7	102	1	834
Total Survey	32	1,748	741	55	425	1,413	22	35	89	128	149	3	750	82	595	8	6,174

Peak Hour Summary
5:00 PM to 6:00 PM

By Approach	Northbound Lake Wash Blvd NE				Southbound Lake Wash Blvd NE				Eastbound NE Points Dr				Westbound NE Northup Way				Total
	In	Out	Total	HV	In	Out	Total	HV	In	Out	Total	HV	In	Out	Total	HV	
Volume	1,318	1,256	2,574	21	981	1,314	2,295	13	220	78	298	3	808	679	1,487	4	3,327
%HV	1.6%				1.3%				1.4%				0.5%				1.2%
PHF	0.88				0.86				0.86				0.96				0.98

By Movement	Northbound Lake Wash Blvd NE				Southbound Lake Wash Blvd NE				Eastbound NE Points Dr				Westbound NE Northup Way				Total
	L	T	R	Total	L	T	R	Total	L	T	R	Total	L	T	R	Total	
Volume	17	920	381	1,318	221	752	8	981	56	77	87	220	417	53	338	808	3,327
PHF	0.53	0.91	0.83	0.88	0.88	0.86	0.50	0.86	0.78	0.77	0.81	0.86	0.91	0.78	0.83	0.96	0.98

Rolling Hour Summary
4:00 PM to 6:00 PM

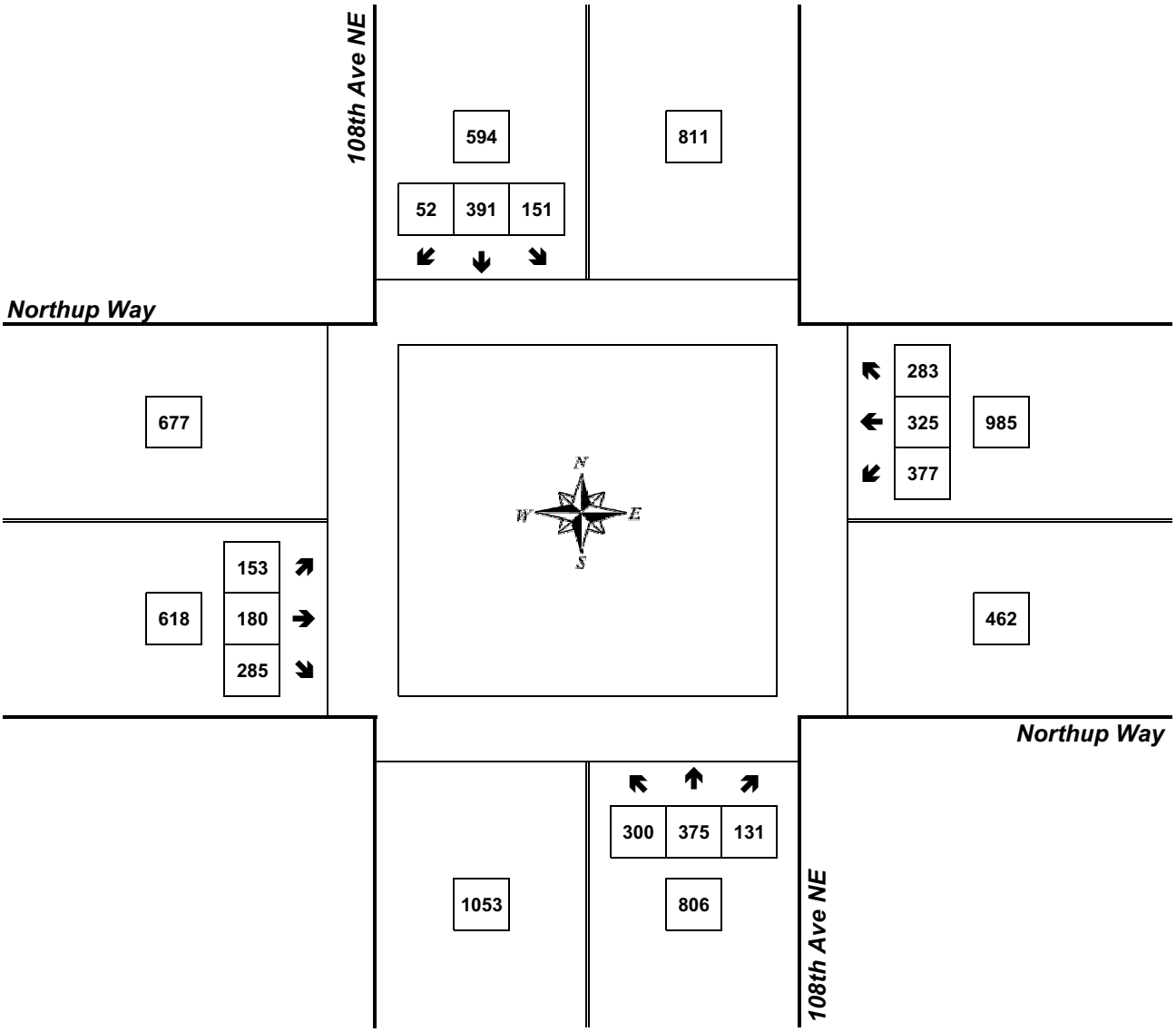
Interval Start Time	Northbound Lake Wash Blvd NE				Southbound Lake Wash Blvd NE				Eastbound NE Points Dr				Westbound NE Northup Way				Interval Total
	L	T	R	HV	L	T	R	HV	L	T	R	HV	L	T	R	HV	
4:00 PM	15	828	360	34	204	661	14	22	33	51	62	0	333	29	257	4	2,847
4:15 PM	14	829	351	30	209	677	9	23	43	66	68	2	386	42	272	3	2,966
4:30 PM	15	851	358	27	227	738	9	20	54	66	75	2	405	48	283	3	3,129
4:45 PM	12	906	345	23	226	770	9	17	56	82	84	2	410	53	304	4	3,257
5:00 PM	17	920	381	21	221	752	8	13	56	77	87	3	417	53	338	4	3,327

Peak Hour Summary

All Traffic Data Services Inc.
Mark Skaggs
(206) 251-0300

108th Ave NE & Northup Way

4:45 PM to 5:45 PM
Monday, September 22, 2008

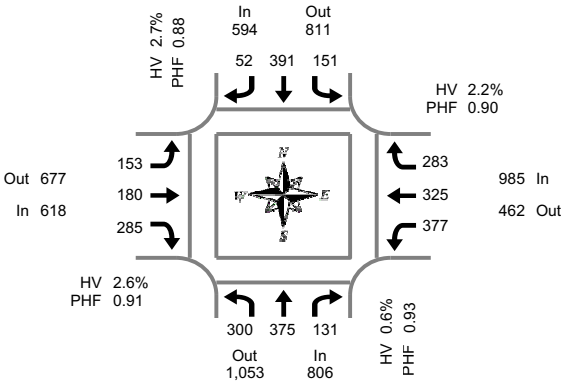


Approach	PHF	HV%	Volume
EB	0.91	2.6%	618
WB	0.90	2.2%	985
NB	0.93	0.6%	806
SB	0.88	2.7%	594
Intersection	0.94	2.0%	3,003

Count Period: 4:00 PM to 6:00 PM

Total Vehicle Summary

Mark Skaggs
(206) 251-0300



Peak Hour Summary
4:45 PM to 5:45 PM

108th Ave NE & Northup Way

Monday, September 22, 2008
4:00 PM to 6:00 PM

15-Minute Interval Summary
4:00 PM to 6:00 PM

Interval Start Time	Northbound 108th Ave NE				Southbound 108th Ave NE				Eastbound Northup Way				Westbound Northup Way				Interval Total
	L	T	R	HV	L	T	R	HV	L	T	R	HV	L	T	R	HV	
4:00 PM	64	84	29	4	31	102	8	4	18	33	89	6	96	79	61	1	694
4:15 PM	54	79	28	1	25	87	9	4	24	40	69	5	69	64	43	3	591
4:30 PM	68	74	45	5	36	90	11	1	39	49	73	7	96	86	69	4	736
4:45 PM	72	81	40	0	32	101	14	4	33	46	71	3	95	58	64	9	707
5:00 PM	69	94	34	1	42	103	13	4	35	44	76	4	89	81	65	5	745
5:15 PM	72	100	28	1	46	108	14	5	41	48	80	4	85	96	77	4	795
5:30 PM	87	100	29	3	31	79	11	3	44	42	58	5	108	90	77	4	756
5:45 PM	77	85	32	4	29	72	14	7	26	34	66	5	61	83	52	4	631
Total Survey	563	697	265	19	272	742	94	32	260	336	582	39	699	637	508	34	5,655

Peak Hour Summary
4:45 PM to 5:45 PM

By Approach	Northbound 108th Ave NE				Southbound 108th Ave NE				Eastbound Northup Way				Westbound Northup Way				Total
	In	Out	Total	HV	In	Out	Total	HV	In	Out	Total	HV	In	Out	Total	HV	
Volume	806	1,053	1,859	5	594	811	1,405	16	618	677	1,295	16	985	462	1,447	22	3,003
%HV	0.6%				2.7%				2.6%				2.2%				2.0%
PHF	0.93				0.88				0.91				0.90				0.94

By Movement	Northbound 108th Ave NE				Southbound 108th Ave NE				Eastbound Northup Way				Westbound Northup Way				Total
	L	T	R	Total	L	T	R	Total	L	T	R	Total	L	T	R	Total	
Volume	300	375	131	806	151	391	52	594	153	180	285	618	377	325	283	985	3,003
PHF	0.86	0.94	0.82	0.93	0.82	0.91	0.93	0.88	0.87	0.94	0.89	0.91	0.87	0.85	0.92	0.90	0.94

Rolling Hour Summary
4:00 PM to 6:00 PM

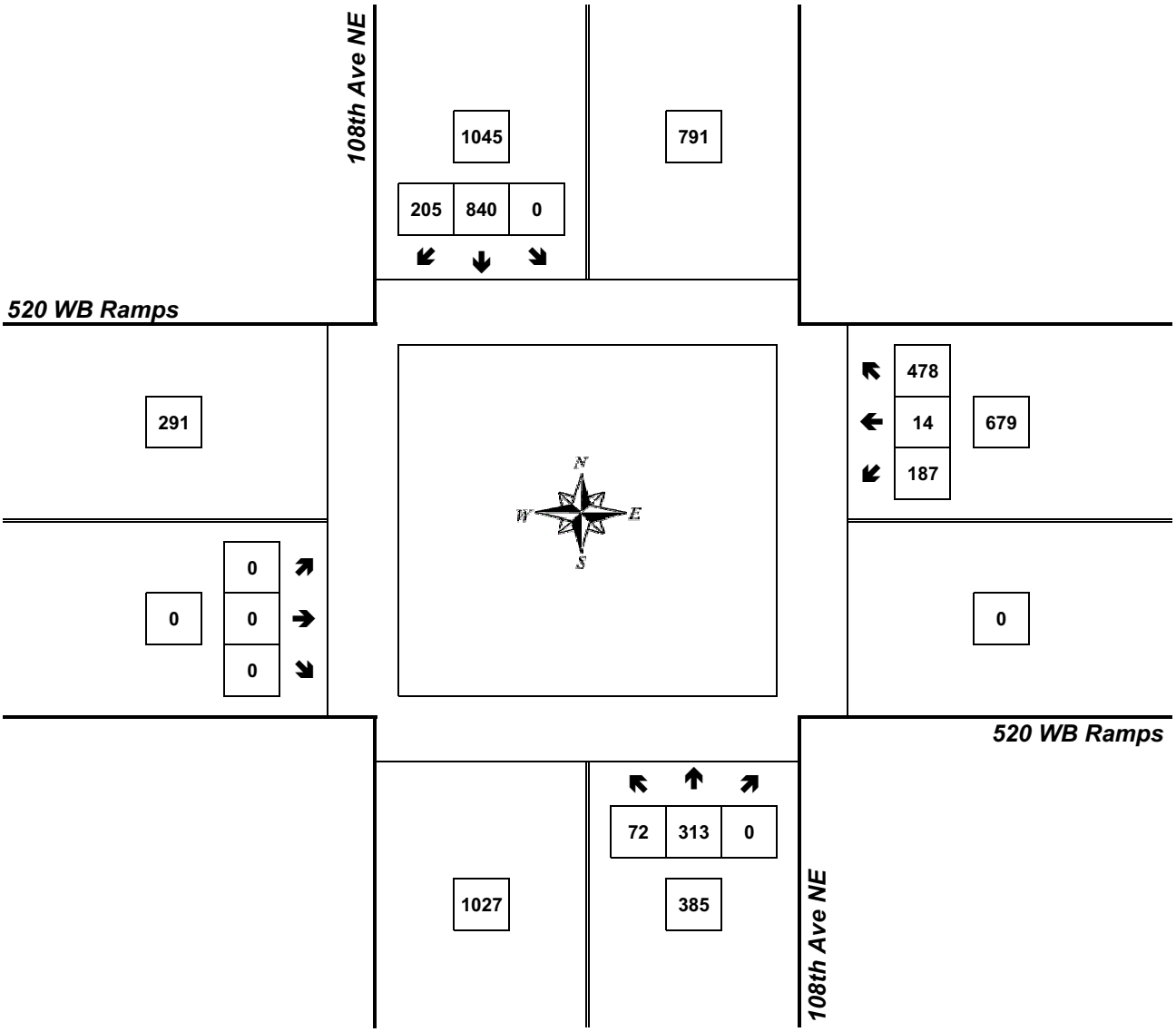
Interval Start Time	Northbound 108th Ave NE				Southbound 108th Ave NE				Eastbound Northup Way				Westbound Northup Way				Interval Total
	L	T	R	HV	L	T	R	HV	L	T	R	HV	L	T	R	HV	
4:00 PM	258	318	142	10	124	380	42	13	114	168	302	21	356	287	237	17	2,728
4:15 PM	263	328	147	7	135	381	47	13	131	179	289	19	349	289	241	21	2,779
4:30 PM	281	349	147	7	156	402	52	14	148	187	300	18	365	321	275	22	2,983
4:45 PM	300	375	131	5	151	391	52	16	153	180	285	16	377	325	283	22	3,003
5:00 PM	305	379	123	9	148	362	52	19	146	168	280	18	343	350	271	17	2,927

Peak Hour Summary

All Traffic Data Services Inc.
Mark Skaggs
(206) 251-0300

108th Ave NE & 520 WB Ramps

4:45 PM to 5:45 PM
Monday, September 22, 2008

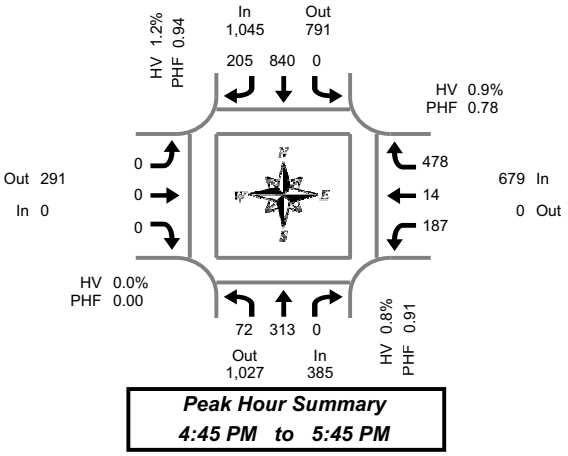


Approach	PHF	HV%	Volume
EB	0.00	0.0%	0
WB	0.78	0.9%	679
NB	0.91	0.8%	385
SB	0.94	1.2%	1,045
Intersection	0.97	1.0%	2,109

Count Period: 4:00 PM to 6:00 PM

Total Vehicle Summary

Mark Skaggs
(206) 251-0300



108th Ave NE & 520 WB Ramps

Monday, September 22, 2008
4:00 PM to 6:00 PM

15-Minute Interval Summary
4:00 PM to 6:00 PM

Interval Start Time	Northbound 108th Ave NE				Southbound 108th Ave NE				Eastbound 520 WB Ramps				Westbound 520 WB Ramps				Interval Total
	L	T	R	HV	L	T	R	HV	L	T	R	HV	L	T	R	HV	
4:00 PM	15	66	0	2	0	247	36	2	0	0	0	0	26	1	114	2	505
4:15 PM	14	59	0	1	0	180	44	3	0	0	0	0	33	0	100	3	430
4:30 PM	12	76	0	2	0	208	50	9	0	0	0	0	37	0	108	5	491
4:45 PM	22	74	0	0	0	203	61	4	0	0	0	0	38	1	118	1	517
5:00 PM	23	76	0	0	0	220	45	1	0	0	0	0	40	3	100	0	507
5:15 PM	22	84	0	0	0	222	55	4	0	0	0	0	41	0	120	1	544
5:30 PM	5	79	0	3	0	195	44	4	0	0	0	0	68	10	140	4	541
5:45 PM	13	61	0	1	0	170	32	4	0	0	0	0	38	0	129	2	443
Total Survey	126	575	0	9	0	1,645	367	31	0	0	0	0	321	15	929	18	3,978

Peak Hour Summary
4:45 PM to 5:45 PM

By Approach	Northbound 108th Ave NE				Southbound 108th Ave NE				Eastbound 520 WB Ramps				Westbound 520 WB Ramps				Total
	In	Out	Total	HV	In	Out	Total	HV	In	Out	Total	HV	In	Out	Total	HV	
Volume	385	1,027	1,412	3	1,045	791	1,836	13	0	291	291	0	679	0	679	6	2,109
%HV	0.8%				1.2%				0.0%				0.9%				1.0%
PHF	0.91				0.94				0.00				0.78				0.97

By Movement	Northbound 108th Ave NE				Southbound 108th Ave NE				Eastbound 520 WB Ramps				Westbound 520 WB Ramps				Total
	L	T	R	Total	L	T	R	Total	L	T	R	Total	L	T	R	Total	
Volume	72	313	0	385	0	840	205	1,045	0	0	0	0	187	14	478	679	2,109
PHF	0.78	0.93	0.00	0.91	0.00	0.95	0.84	0.94	0.00	0.00	0.00	0.00	0.69	0.35	0.85	0.78	0.97

Rolling Hour Summary
4:00 PM to 6:00 PM

Interval Start Time	Northbound 108th Ave NE				Southbound 108th Ave NE				Eastbound 520 WB Ramps				Westbound 520 WB Ramps				Interval Total
	L	T	R	HV	L	T	R	HV	L	T	R	HV	L	T	R	HV	
4:00 PM	63	275	0	5	0	838	191	18	0	0	0	0	134	2	440	11	1,943
4:15 PM	71	285	0	3	0	811	200	17	0	0	0	0	148	4	426	9	1,945
4:30 PM	79	310	0	2	0	853	211	18	0	0	0	0	156	4	446	7	2,059
4:45 PM	72	313	0	3	0	840	205	13	0	0	0	0	187	14	478	6	2,109
5:00 PM	63	300	0	4	0	807	176	13	0	0	0	0	187	13	489	7	2,035

CITY OF KIRKLAND

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

DEPARTMENT OF PUBLIC WORKS
MEMORANDUM

To: Teresa Swan, Senior Planner

From: Thang Nguyen, Transportation Engineer

Date: February 2, 2009

Subject: Plaza at Yarrow Bay Office TIA Review

This memo summarizes staff review of the traffic impact analysis report and recommendation for the proposed Plaza at Yarrow Bay office development.

Project Description

Based on the TIA, the applicant proposes to construct a new 77,200 square feet office building (four floors) on the existing surface parking at the Yarrow Bay office complex located at the northwest corner of Lake Washington Blvd/Points Drive NE. The new building will displace 180 existing parking spaces but will add 135 net new parking stalls to the Plaza at Yarrow Bay office complex for a total of 1,084 parking stalls. The proposed building will use the existing driveway off Point Drive Northeast. The proposed development is anticipated to be built and occupied by the end of 2010.

The revised plans submitted on January 22, 2009, show a slight reduction to the proposed new building from 77,200 square feet to 74,101 square feet. The new building will displace 180 existing parking spaces in the surface and underground parking areas, but will add 107 net new parking stalls for a total of 1,056 stalls in the office complex with a total of 354,651(280,550 sf + 74,101 sf) square feet of gross floor area.

Trip Generation

A trip generation study was completed for the existing office buildings at Plaza at Yarrow Bay. Based on the trip generation study, the current site has an AM and PM peak hour trip generation rates of 0.77 and 0.87 trip per 1,000 square feet of office space respectively. Using the local trip generation rate the proposed office building is estimated to generate approximately 59 AM and 67 PM peak hour trips respectively. Trip generation rate from the ITE Trip Generation Report was used to determine daily trip; using ITE's rate, the proposed project is estimated to generate approximately 850 daily trips.

Traffic Concurrency

ITE trip generation rates were used for the concurrency test and scoping of the traffic report. The ITE trip generation rates provide a conservative estimate of trip generation. For the concurrency test, it was estimated that the project would generate approximately 150 PM peak hour trips. 150 PM peak hour trips

were used to test traffic concurrency and the proposed project passed traffic concurrency and was granted a concurrency test notice valid until September 5, 2009. The current proposed project has a smaller building than what was analyzed in the traffic report. Since the current proposal is smaller, the trip generation would be less. Thus, the impact would be less and the result of the concurrency test is still valid.

APPEALS

The concurrency test notice may be appealed by the public or agency with jurisdiction. The concurrency test notice is subject to an appeal until the SEPA review process is complete and the appeal deadline has passed. Concurrency appeals are heard before the Hearing Examiner along with any applicable SEPA appeal.

Trip Distribution and Assignment

The City's traffic model provided a general PM peak hour trip assignment for the proposed project. Further adjustments were made by the traffic consultant to reflect the project driveway locations.

Traffic Impact

The traffic analysis followed the City's Traffic Impact Analysis Guidelines (TIAG). The TIAG requires a Level of Service (LOS) Analysis using the Highway Capacity Manual Operational Method for intersections that have a proportionate share greater than 1%. Based on the traffic assignment presented in the traffic report, three off-site intersections and the project driveways were analyzed for traffic impact and they are:

- Points Drive NE/Northup Way/Bellevue Way
- Northup Way/NE 108th Avenue
- SR 520 Westbound Ramp/108th Avenue NE

None of the above intersections are within the City of Kirkland jurisdiction.

The City requires developers to mitigate traffic impacts when one of the following two conditions is met:

1. An intersection level of service is at E and the project traffic is more than 15% of the intersection proportional share.
2. An intersection level of service is at F and the project traffic is more than 5% of the intersection proportional share.

Based on the LOS analyses, all impacted intersections analyzed are forecasted to operate at an acceptable level of service (LOS-D). Based on the mitigation criteria (as described above) within the City's TIA Guideline, specific off-site intersection improvement is not warranted.

The project driveway is calculated to operate at LOS-B, which is acceptable. There are no known conditions that would preclude project traffic from entering and exiting the driveway safely. Thus, no specific mitigation is required.

Parking

Based on the TIA, currently there are 949 parking spaces at the Plaza at yarrow Bay office complex. The proposed development would eliminate 180 surface parking spaces and replace them with 315 underground parking spaces for a net total of 1084 parking spaces. The newly revised plan would add 107 net new parking spaces for a total of 1,056 parking spaces for the entire office campus. The new parking supply provides a parking rate of approximately 1 parking stall per 336 square feet of gross building space. Based on the City of Kirkland code requirement (1 stall per 300 square feet of gross floor area), the proposed office building with 74,101 square feet gross floor area would need to provide 247 parking stalls.

Based on the revised plans submitted on January 22, 2009, the proposed development would eliminate 180 surface and underground parking spaces and replaced them with 287 parking spaces for a net total of 615 stalls for Buildings I and II. The new parking supply provides a parking rate of 1 parking stall per 355 square feet of gross building space. This is a net increase of 107 parking stalls. Based on the City of Kirkland code requirement, the proposed office building would need to provide 247 parking stalls.

The applicant is requesting for the parking modification to provide less parking than required by City's code. A parking utilization study was completed at the Plaza at Yarrow Bay office complex in accordance to City's requirements. Based on the study, 49% of the parking supply is being use by the offices. The observed peak parking demand rate is 1.69 spaces per 1,000 square feet of office. For the proposed 74,101 office building the demand would calculate to be 125 parking stalls which is 122 stalls less than the code requires. However, currently the office park demand is much less than the supply leaving approximately 480 vacant spaces. The project site is near a park and ride and transit center and is a Transportation Management Program (TMP) designated site; this combination may contribute to the lesser amount of single occupancy vehicle and in respect lessen the needs for parking. Staff agrees with the traffic analysis that the proposed parking supply can accommodate the proposed office building.

TMP

The City of Kirkland requires all office building with 50,000 gross square feet or more to implement a TDM program. The TMP for the proposed building shall be similar to the current TMP at the Plaza at Yarrow Bay. At the minimum, 13 high occupancy vehicle (HOV) preferential parking spaces shall be located to the nearest access to the new building or elevator. Ten additional bike racks shall be located under cover near the building of elevator entrances. The TDM should provide a commuter information center located in a prominent location within the building that provides commuters with information on commute options and promotions. Other existing TDM programs for the existing building shall be required with the new building. The TMP shall be recorded with King County.

Road Impact Fees

Per City's Ordinance 3685, Traffic Impact Fees per Impact Fee Schedule in effect January 1, 2009 is required for all developments. The fee for general office space (excluding medical office use) is $7.40 per square foot of gross floor area. For a 74,101 square foot office building, the transportation impact fee is calculated to be $548.347.40 ($7.40 x 74,101 sf). Final traffic fee will be determined at time of building permit issuance.

Staff Recommendations

Approve the parking modification request to provide a total of 1,056 parking spaces for the Plaza at Yarrow Bay office complex which is 107 spaces more than the current supply.

Staff recommends approval of the proposed new office building in the existing office complex with the following conditions:

- Pay road impact fee
- Develop a TDM program as described in this letter and recorded with King County

If you have questions or clarification, please contact me at x3869.

cc: Dan McKinney, Jr. - The Transpo Group
file

SEPA Memorandum Enclosure 6

is the same as

Staff Advisory Report Attachment 14

CITY OF KIRKLAND
123 FIFTH AVENUE ● KIRKLAND, WASHINGTON 98033-6189 ● (425) 587-3000

DEPARTMENT OF PUBLIC WORKS
MEMORANDUM

To: Tony Leavitt, Planner

From: Thang Nguyen, Transportation Engineer

Date: August 17, 2009

Subject: Plaza at Yarrow Bay Office Concurrency Test Notice Extension CON08-00002

Project Description
The applicant proposes to construct a new 77,000 square feet office building on the existing surface parking at the Yarrow Bay office complex located at the northwest corner of Lake Washington Blvd/Points Drive NE. The new office is estimated to generate 850 daily and 95 PM peak hour trips. The proposed development is now anticipated to be built and occupied by the end of 2011. The current concurrency test notice for the proposed development will expire on September 5, 2009.

The applicant at Plaza at Yarrow Bay is requesting a concurrency test notice extension. The applicant has indicated that they have been diligent in the process of obtaining the necessary development permits but are being delayed that is out of their control. The applicant is request additional time to complete the development application and permits.

Public Works is granting the applicant a one year extension on the Concurrency Test Notice. This letter will serve as the concurrency test notice extension. The concurrency test notice extension will expire on September 5, 2010 unless a development permit and certificate of concurrency are issued. Otherwise, the applicant will be required to submit a new concurrency test application and testing at the expiration of this concurrency test notice extension.

APPEALS
The concurrency test notice may be appealed by the public or agency with jurisdiction. The concurrency test notice is subject to an appeal until the SEPA review process is complete and the appeal deadline has passed. Concurrency appeals are heard before the Hearing Examiner along with any applicable SEPA appeal. For more information, refer to the Kirkland Municipal Code, Title 25. If you have any questions, please call me at x3869.

cc: Keith Maehlum, HAL Realestate
file

Altmann Oliver Associates, LLC | AOA

PO Box 578 Carnation, WA 98014 Office (425) 333-4535 Fax (425) 333-4509

Environmental Planning & Landscape Architecture

October 24, 2008

AOA-3773

Teresa Swan, Senior Planner
City of Kirkland
123 5th Ave.
Kirkland, WA 98033

SUBJECT: **Plaza at Yarrow Bay – Building V, Kirkland, WA**
Wetland Buffer Modification Report

Dear Teresa:

The purpose of this report is to outline the proposed wetland buffer enhancement and subsequent monitoring that will be conducted as part of a wetland buffer reduction proposal for the subject property.

The wetland on the property was delineated on November 7, 2007 by the Watershed Company (TWC) and was determined by TWC to meet the criteria for a Type 1 wetland located in a primary basin (i.e., Yarrow Creek). Type 1 wetlands in primary basins in the City of Kirkland require standard 100-foot buffers. The wetland delineation methodology and findings are described in the January 14, 2008 Wetland Delineation Study report prepared by TWC.

Most of the existing standard buffer for the wetland in the vicinity of the proposed project consists of existing asphalt parking. The only vegetated portion of the buffer is located off-site to the north and consists of a flood protection berm that is currently being installed by the City. It is our understanding that this portion of the buffer will be planted by the City in the near future.

Under the proposed project, 5,050 s.f. of the paved parking portion of the wetland buffer in the northern portion of the site would be reduced and 14,300 s.f. of existing developed buffer would be enhanced through the removal of pavement and planting with a variety of native tree and shrub species. As required by KZC 90.60.2.a.2, in no case would the standard 100-foot buffer be reduced by more than one third at any point adjacent to any new development (**Drawings W1.1, W1.2, and W1.3**). Furthermore, no buildings would be constructed within the 10-foot structure setback from the wetland buffer.

Following installation of the buffer enhancement plan, a split-rail fence will be installed along the buffer edge along the northern portion of the site. The 15-foot Standard 1 Category C landscape buffer for this area is included within the buffer enhancement area.

In addition, 3,300 s.f. of degraded buffer in the southern portion of the site would also be enhanced with native plantings (for a total buffer enhancement area of 17,600 s.f.). Since: 1) we are planting beyond the required 15-foot Standard 1 Category C landscape buffer for this area and 2) the adjacent park property consists of a narrow strip of land, we are hereby requesting a modification of the fence requirement in this area per KZC 95.40.6.j.

1.0 WETLAND BUFFER MODIFICATION

The City of Kirkland regulates the modification of wetland buffers under Chapter 90.60.2 of its Zoning Code. This section of the code stipulates that any City-approval of a request for a modification of a wetland buffer must be based on specific criteria. A rationale for how the proposed wetland buffer reduction and enhancement would satisfy these criteria is described below.

1. ***It is consistent with Kirkland's Streams, Wetlands and Wildlife Study (The Watershed Company, 1998) and the Kirkland Sensitive Areas Regulatory Recommendations Report (Adolfson Associates, Inc., 1998).***
   The proposed buffer enhancement will increase the overall function of the buffer and would be consistent with the goals of the above documents since the existing on-site buffer is primarily paved parking.

2. ***It will not adversely affect water quality.***
   The proposed project will provide a net gain in water quality treatment since the total amount of functioning buffer on the site will increase with removal of the pavement and all on-site buffer areas will be planted with native vegetation. In addition, the stormwater detention and water quality treatment components of the proposed project will not allow runoff from paved surfaces to be discharged into the wetlands without treatment.

3. ***It will not adversely affect fish, wildlife, or their habitat.***
   Currently the on-site wetland buffer consists of a non-functioning paved parking area. Implementation of the buffer enhancement plan will provide additional habitat. It will increase the plant species and structural diversity of the buffer while providing a currently lacking visual and physical screen to the wetland from the proposed development, thereby increasing the areas value to wildlife.

4. ***It will not have an adverse effect on drainage and/or stormwater detention capabilities.***
   The existing on-site wetland buffer is paved and does not currently provide a stormwater detention function. Through implementation of the buffer

enhancement plan, the existing paved buffer will be converted to a native forested habitat thus providing an additional detention capability that does not currently exist.

5. ***It will not lead to unstable earth conditions or create an erosion hazard.*** Removal of the parking area currently located within the wetland buffer is subject to an erosion control plan per City of Kirkland standards (see Civil plans). Furthermore, since the proposed buffer reduction area is not located on a steep slope, and the enhanced buffer will be vegetated with native plant species, it is not anticipated that an erosion hazard will be created.

6. ***It will not be materially detrimental to any other property or to the city as a whole.*** Since all buffer reduction and enhancement will occur on the subject property, the modification will not be materially detrimental to any other property.

7. ***Fill material does not contain organic or inorganic material that would be detrimental to water quality or to fish, wildlife, or their habitat.*** Through implementation of the buffer enhancement plan, the inorganic fill material associated with the paving and underlayment will be removed from the buffer area. Imported fill material will consist of native, organic topsoils to achieve pre-development grades within the buffer enhancement area and to aid in long-term sustainability of the planted vegetation.

8. ***All exposed areas are stabilized with vegetation normally associated with native wetland buffers, as appropriate.*** All exposed areas within the buffer will be stabilized through installation of native woody vegetation and seeding of herbaceous vegetation.

9. ***There is no practicable or feasible alternative development proposal that results in less impact to the buffer.*** It is our understanding that the proposed development cannot be constructed without the buffer reduction due to parking constraints associated with the re-development project. Although replacement parking is being provided in a below grade structure, the amount of parking provided cannot be reduced further and still meet the code and market requirements for office use. Furthermore, implementation of the buffer enhancement plan will increase the functions of the buffer over current conditions.

2.0 WETLAND BUFFER ENHANCEMENT

Wetland buffer enhancement will consist of the removal of existing parking and planting the area with a variety of native trees and shrubs. Strategic placement of habitat features such as down logs will also be a component of the plan. Following implementation of the wetland buffer enhancement plan, a split-rail fence would be installed along the northern buffer edge to prevent pedestrian intrusion into the planted buffer.

2.1 Goal, Objectives, and Performance Standards for Enhancement Area
The primary goal of the enhancement plan is to increase the buffer functions over current conditions. To meet this goal, the following objectives and performance standards have been incorporated into the design of the plan:

Objective A:
Increase the structural and plant species diversity within the enhancement area.
Performance Standard:
Following every monitoring event for a period of at least five years, the enhancement area will contain at least 12 native plant species. In addition, there will be 100% survival of all woody planted species throughout the enhancement area at the end of the first year of planting. Following Year 1, success will be based on an 80% survival rate or areal cover of planted or recolonized native species of 15% at construction approval, 25% after Year 1, 40% after Year 2, 60% after Year 3, and 80% after Year 5.

Objective B:
Limit the amount of invasive and exotic species within the enhancement area.
Performance Standard:
After construction and following every monitoring event for a period of at least five years, exotic and invasive plant species will be maintained at levels below 10% total cover in all planted areas. These species include, but are not limited to, Himalayan and evergreen blackberry, reed canarygrass, morning glory, Japanese knotweed, English ivy, thistle, and creeping nightshade.

2.2 Construction Management
Prior to commencement of any work in the enhancement area, the clearing limits will be staked and any existing vegetation to be saved will be clearly marked. A pre-construction meeting will be held at the site to review and discuss all aspects of the project with the landscape contractor and the owner.

A wetland consultant will supervise plan implementation during construction to ensure that objectives and specifications of the enhancement plan are met. Any necessary significant modifications to the design that occur as a result of unforeseen site conditions will be jointly approved by the City of Kirkland and the consultant prior to their implementation.

2.3 Monitoring Methodology
The monitoring program will be conducted for a period of five years, with two monitoring site visits a year (in the spring and fall). An annual report would then be submitted to the City of Kirkland.

Although the entire enhancement area will be reviewed, permanent vegetation sampling plots will be established at selected locations to incorporate all of the representative plant communities. The same monitoring points will be re-visited each year with a record kept of all plant species found. Vegetation will be recorded on the basis of relative percent cover of the dominant species within the vegetative strata.

Photo-points will be established from which photographs will be taken throughout the monitoring period. These photographs will document general appearance and progress in plant community establishment in the enhancement area. Review of the photos over time will provide a visual representation of success of the enhancement plan.

2.4 Maintenance Plan

Maintenance will be conducted on a routine, year round basis. Additional maintenance needs will be identified and addressed following a twice-yearly maintenance review. Contingency measures and remedial action on the site shall be implemented on an as-needed basis at the direction of the wetland consultant or the owner.

2.4a Weed Control

Routine removal and control of non-native and other invasive plants (e.g., Himalayan and evergreen blackberry, Scot's broom, reed canarygrass, Japanese knotweed, English ivy, morning glory, thistle and creeping nightshade) shall be performed by manual means whenever possible. Chemical means will only be used if necessary. Undesirable and weedy exotic plant species shall be maintained at levels below 10% total cover within any given stratum at any time during the five-year monitoring period. The following outlines treatment for specific species.

Himalayan and Evergreen Blackberry Control

Small patches (areas <3' x 3') need to be grubbed out, large areas (>3' x 3') need to be cut down. New shoots (approx. 6" in height) which reappear should be spot-sprayed with herbicide only if necessary and under the supervision of a wetland consultant.

Reed Canarygrass Control

Areas with reed canarygrass patches 3' x 3' or smaller need to be hand-grubbed. Patches greater than 3'x 3' shall be treated with a two-step process.

1. Areas shall be weed-whacked and selectively sprayed with Round-up only in designated spray areas if absolutely necessary (non-ponded areas). Spraying shall be done at a time when a dry period of one week or more is forecasted.
2. Areas shall be staked with cuttings (see **Staking List** and **Staking Specifications** below). During April 1 through November 30, one-gallon plants (minimum height of 18") shall be used in place of cuttings.

Staking List: Options for Planting (from wet to dry)

Wetter	Black twinberry	*Lonicera involucrata*
	Scouler willow	*Salix scouleriana*
Drier	Black cottonwood	*Populus trichocarpa*

Staking Specifications:

Cuttings can be purchased or gathered from approved mature sources. Cuttings shall be installed at 1' O.C. spacing over the infested reed canarygrass areas and

extending 2' in each direction, unless otherwise specified. Cuttings shall be 2-year old wood, 4' length, ½" diameter, with all side branches removed and installed to a minimum depth of 12 inches.

2.4b General Maintenance Items
Routine maintenance of planted trees shall be performed. Measures include resetting plants to proper grades and upright positions. Tall grasses and other competitive weeds shall be weeded at the base of plants to prevent engulfment. Weed control should be performed by; hand removal, installation of weed barrier cloth with mulch rings, or selective weed-whacking. If weed-whacking is performed, great care shall be taken to prevent damage to desired native species either planted or re-colonized. Woody plants shall only be pruned at the direction of the wetland consultant or to remove pest infestations.

2.5 Contingency Plan
All dead plants will be replaced with the same species or an approved substitute species that meets the goal of the enhancement plan. Plant material shall meet the same specifications as originally-installed material. Replanting will not occur until after reason for failure has been identified (e.g., moisture regime, poor plant stock, disease, shade/sun conditions, wildlife damage, etc.). Replanting shall be completed under the direction of the wetland consultant, City of Kirkland, or the owner.

2.6 As-Built Plan
Following completion of construction activities, an as-built plan for the enhancement area will be provided to the City of Kirkland. The plan will identify and describe any changes in relation to the original approved plan.

If you have any questions please call me at (425) 333-4535.

Sincerely,
ALTMANN OLIVER ASSOCIATES, LLC

John Altmann

John Altmann
Ecologist

THE WATERSHED COMPANY

SCIENCE & DESIGN

December 19, 2008

Teresa Swan
City of Kirkland
Planning and Community Development
123 – 5th Avenue
Kirkland, WA 98033

Re: **Plaza at Yarrow Bay – Buffer Modification Plan Review**
The Watershed Company reference number: 060701. 43

Dear Teresa:

Thank you for the opportunity to review the October 24, 2008 wetland buffer modification proposal prepared by Altmann Oliver Associates, LLC (AOA). This proposal consists of a six-page letter with attached figures, and a mitigation plan in the form of three half-size sheets. I also made a site visit to review the proposed buffer planting areas on December 16, 2008.

The applicant proposes a new office building with first-floor parking in an area that is currently parking lot and associated landscaping. The new building would be situated outside of stream and wetland buffers, though one row of parking stalls is proposed within the outer portion of the wetland buffer. Compensation for the proposed buffer reduction involves removal of existing parking, driveway, and associated non-native landscaping, and restoration with native vegetation and woody debris. An additional area of lawn and invasive blackberry is also proposed for restoration southwest of the proposed building.

Findings

The proposal is well presented and provides justification for how the proposal complies with the criteria for such reductions listed in Kirkland Zoning Code section 90.60.2. However, some plan changes and additional clarifications are required prior to a recommendation for approval to the planning department.

Douglas-fir and western red cedar trees are proposed within 10 feet of existing building 2. These trees attain great size when mature and may present future maintenance problems or hazards to the building. These trees should be replaced with smaller species in the immediate vicinity of the building. Additionally, all enhancement plantings should be held back by at least five feet where proposed directly adjacent to existing buildings 1 and 2 such that there is sufficient room for maintenance or repair of the structures.

A topographically low area is found approximately 80 feet south of existing building 2. This area is within the proposed buffer restoration area and is currently drained by a catch basin set into the parking lot driveway. No details are provided on the future drainage conditions for this area. If the catch basin and storm water system are to remain, it is likely the proposed large trees will pose a maintenance or damage risk to the pipe, either from root damage or from

750 Sixth Street South | Kirkland, WA 98033
p 425.822.5242 | f 425.827.8136 | watershedco.com

periodic clogging. If the system is to be removed, the area will likely pond water and a wetland condition will be created. The proposed vegetation will not be suitable to the wetter conditions. Finally, the ponded area may overflow into the parking lot to the south. The best solution may be to create a small channel to carry storm water south where it could enter the storm water system via a new catch basin fitted with a "trash rack" along the northern edge of the remaining paved area.

Similarly, Sheet W1.1 shows another storm water line running from Lake Washington Boulevard west through the planted buffer and ending at an intersection of two other storm water lines just west of the proposed new building staircase. Will this line be removed, retrofitted, or decommissioned? If it must remain in the buffer, will proposed large trees cause future maintenance or damage problems?

Shallow inundation was noted along the property line adjacent to Planting Plan A, and species proposed in this vicinity are appropriate for these conditions. However, areas along the property line at the west and east ends of the planting area are much drier. These drier areas are not suitable to the proposed Sitka spruce, Oregon ash, red-osier dogwood, and black twinberry plantings.

Portions of the area covered by Planting Plan B (Sheet W1.2) are currently maintained lawn. Is the intent of this plan to eliminate lawn in this area? If so, this detail should be added with specifics on how lawn is to be eradicated. Also, proposed plant density is likely not high enough to compete with lawn grasses and other weeds and meet specified performance standards. Area-wide mulch will assist in preventing reemergence of lawn grasses.

The proposed planting area directly abuts a City of Kirkland revegetation effort associated with an emergency flood relief project on Cochran Springs Creek. Temporary, biodegradable markers are needed along the boundary such that maintenance and monitoring crews can clearly differentiate between the two projects. A row of 2X2 cedar stakes along the property line would suffice, and would likely last for the full five-year management period.

The cutting installation detail on Sheet W1.2 contains illegible text that appears to be a text formatting problem.

No bond quantity worksheet or estimate was provided for review as required in KZC 90.145.

Recommendations

1) Specify smaller tree species or shrubs adjacent to buildings and provide a minimum of 5 feet of separation between buildings and proposed restoration plantings.
2) Consider a drainage channel or other proposal to manage water accumulation in the topographically low section of the restoration area.

3) Decommission or move the storm water line extending west from Lake Washington Boulevard within the revegetated buffer area. If it must remain, consider the need to move large trees from above the line to avoid future damage to the system.

4) Reevaluate suitability of wetland vegetation proposed along the property line of Planting Plan A at the east and west ends.

5) Clarify whether lawn will be removed in the area covered by Planting Plan A. If lawn removal is planned, consider increasing plant density or developing different performance standards for this area.

6) Propose cedar stakes or similar markers placed along the property line within Planting Plan A to demarcate the boundary between this and the adjacent City of Kirkland replanting area.

7) Reformat or otherwise clarify text accompanying detail 4 on Sheet W1.2.

8) Provide an itemized bond quantity estimate for review. The estimate should include all installation costs plus costs associated with monitoring and maintenance for the five-year establishment period.

The applicant should address each of the points noted above to ensure the buffer reduction proposal will be in conformance with the letter and intent of the Kirkland Zoning Code.

Please call with any questions.

Sincerely,

Hugh Mortensen, PWS
Senior Ecologist

Teresa Swan

From: Simone Oliver [simone@altoliver.com]
Sent: Wednesday, January 28, 2009 10:09 AM
To: hmortensen@watershedco.com
Cc: 'Juan Garcini'; 'Keith Maehlum'; Teresa Swan; 'Jon Turcott'
Subject: Plaza at Yarrow Bay - Buffer Modification - WC 060701.43 - AOA 3773

Hi Hugh,

I received your voice mail regarding the revised Buffer Enhancement Plan for the above-reference project. The report portion of this project did not change over the 10/24/08 version in response to your comments in the 12/19/08 letter to Teresa Swan. I apologize for not having provided a comment letter however, describing our responses to your comments to ease you in plan review. Following are our responses to your 8 recommendations in that letter.

1. The planting plan was revised to provide 5' of bark mulch between the building and the plantings for access. We also planted only vine maple and hazelnut (along with shrubs and groundcover) nearest the building and held the larger tree species a minimum of 20' away from the buildings.
2. The topographically low spot in the buffer will no longer be there after the enhancement plan is implemented as topsoil fill is being placed in the buffer to create a shallow slope down to the flood protection berm installed by the City to the north of the site. The existing storm system associated with this catch basin (and all others in the existing parking area) will be removed. See the revised civil plans that depict system removal and the proposed grades in the buffer. Our plan also depicts the proposed grading in the buffer and topsoil placement in the specifications.
3. The existing line through the buffer is a sanitary sewer line that will remain. We have moved the larger trees off the line and planted only vine maple, hazelnut and shrubs in the vicinity of the line.
4. We revised the planting plan to include more upland species on the east and west ends of Planting Plan A.
5. The planting plan was revised to include removal of all lawn and installation of kinnickinnik as a groundcover under the proposed dense shrub plantings within the area of Planting Plan B.
6. The specifications were revised to include survey and permanent staking of the boundary of the property line between Planting Plan A and the City's restoration project. See Part 1 – Survey / Stake / Flag Limits of Clearing and Property Line on Drawing W1.3.
7. This detail was revised.
8. The bond estimate was provided.

If you have any additional questions or need clarification on any of the plan revisions, please let me know.

Thank you Hugh,

Simone Oliver, LA
Altmann Oliver Associates, LLC
PO Box 578
Carnation, WA 98014
425.333.4535
simone@altoliver.com
www.altoliver.com

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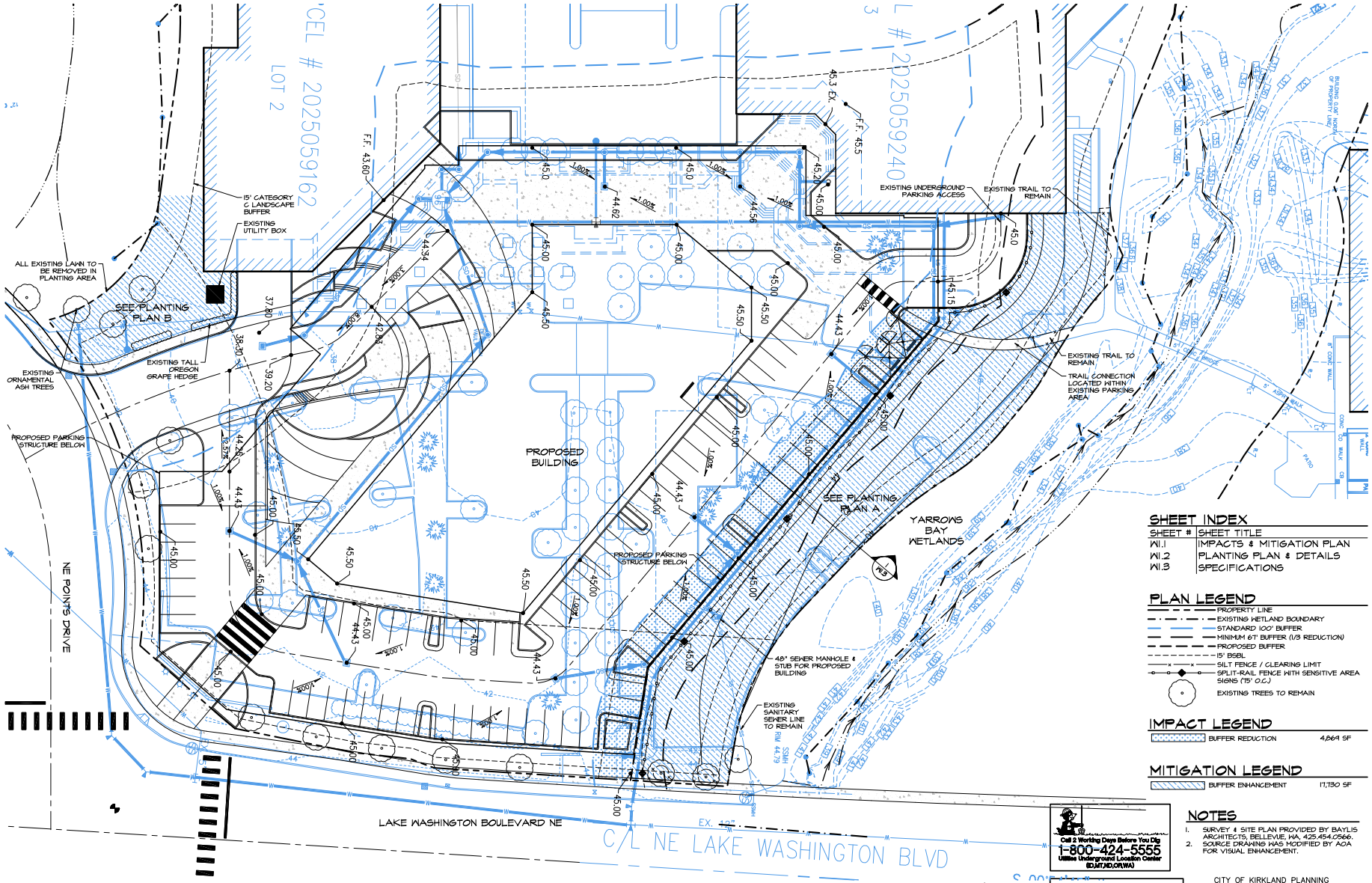


IMPACTS & MITIGATION PLAN

SHEET INDEX

SHEET #	SHEET TITLE
WI.1	IMPACTS & MITIGATION PLAN
WI.2	PLANTING PLAN & DETAILS
WI.3	SPECIFICATIONS

PLAN LEGEND

- PROPERTY LINE
- EXISTING WETLAND BOUNDARY
- STANDARD 100' BUFFER
- MINIMUM 67' BUFFER (1/3 REDUCTION)
- PROPOSED BUFFER
- 15' BSBL
- SILT FENCE / CLEARING LIMIT
- SPLIT-RAIL FENCE WITH SENSITIVE AREA SIGNS (75' O.C.)
- EXISTING TREES TO REMAIN

IMPACT LEGEND

BUFFER REDUCTION	4,869 SF

MITIGATION LEGEND

BUFFER ENHANCEMENT	17,730 SF

NOTES

1. SURVEY & SITE PLAN PROVIDED BY BAYLIS ARCHITECTS, BELLEVUE, WA, 425.454.0566.
2. SOURCE DRAINING WAS MODIFIED BY AOA FOR VISUAL ENHANCEMENT.

Call 2 Working Days Before You Dig
1-800-424-5555
Utilities Underground Location Center
(ID,MT,ND,OR,WA)

NOT FOR CONSTRUCTION
THESE PLANS HAVE BEEN SUBMITTED TO THE APPROPRIATE AGENCIES FOR REVIEW AND APPROVAL. UNTIL APPROVED, THESE PLANS ARE:
SUBJECT TO REVISION

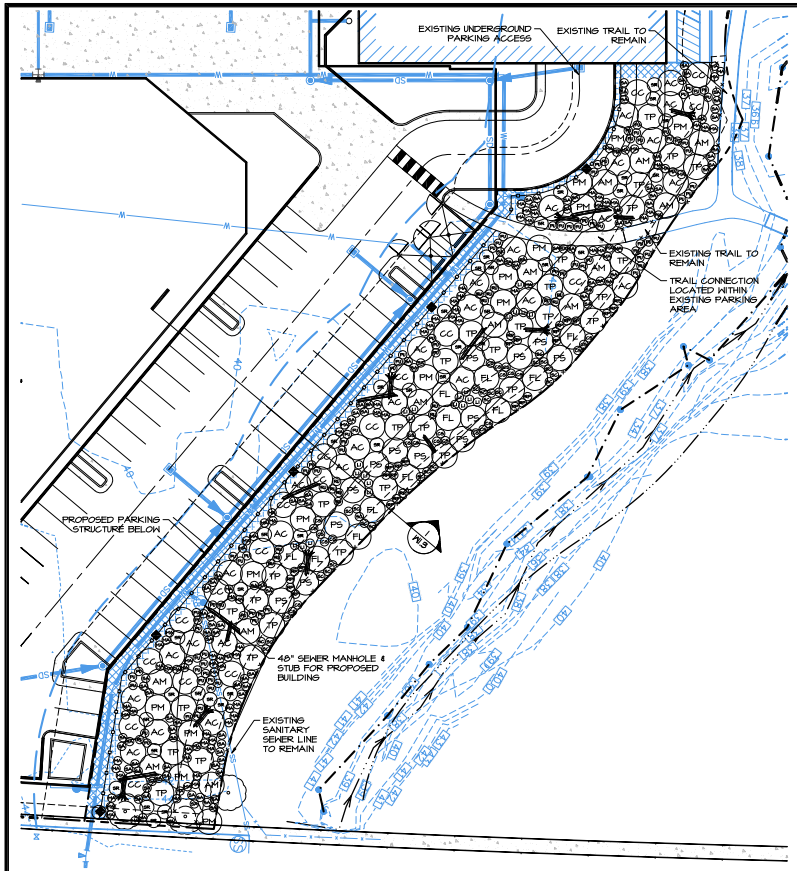
CITY OF KIRKLAND PLANNING AND DEVELOPMENT SERVICES
APPROVED FOR CONSTRUCTION
BY: _____
R/W PERMIT NO. _____

Altmann Oliver Associates, LLC
AOA
Environmental Planning & Landscape Architecture
P.O. Box 378 Carnation, WA 98014 Office (425) 333-4535 Fax (425) 333-4535

BUFFER ENHANCEMENT PLAN
IMPACTS & MITIGATION PLAN
PLAZA AT YARROW BAY - BUILDING "V"
KIRKLAND, WASHINGTON

Revisions	Date	By
CITY COMMENTS	01-04-09	SO

Date	12-30-08
Scale	AS NOTED
Project#	3713
Sheet #	WI.1



PLAN LEGEND

- PROPERTY LINE
- EXISTING WETLAND BOUNDARY
- STANDARD 100' BUFFER
- MINIMUM 67' BUFFER (1/3 REDUCTION)
- PROPOSED BUFFER
- 15' BSBL
- SILT FENCE / CLEARING LIMIT
- DOWNED LOGS / WOODY DEBRIS
- SPLIT-RAIL FENCE WITH SENSITIVE AREA SIGNS (15' O.C.)
- EXISTING TREES TO REMAIN

MITIGATION PLANT SCHEDULE

TREES

KEY	SCIENTIFIC NAME	COMMON NAME	SPACING	QTY	SIZE (MIN.)	NOTES
AC	ACER CIRCINATUM	VINE MAPLE	29' O.C.	29	2 GAL.	MULTI-STEM (3 MIN.)
AM	ACER MACROPHYLLUM	BIGLEAF MAPLE	4' O.C.	13	2 GAL.	SINGLE TRUNK, WELL BRANCHED
CC	CORYLUS CORNUTA	WESTERN HAZELNUT	4' O.C.	18	2 GAL.	MULTI-STEM (3 MIN.)
FL	FRAXINUS LATIFOLIA	OREGON ASH	4' O.C.	11	2 GAL.	SINGLE TRUNK, WELL BRANCHED
PS	PICEA SITCHENSIS	SITKA SPRUCE	4' O.C.	13	2 GAL.	FULL & BUSHY
PM	PSEUDOTSUGA MENZIESII	DOUGLAS FIR	4' O.C.	14	2 GAL.	FULL & BUSHY
TP	THUJA PLICATA	WESTERN RED CEDAR	4' O.C.	31	2 GAL.	FULL & BUSHY

SHRUBS

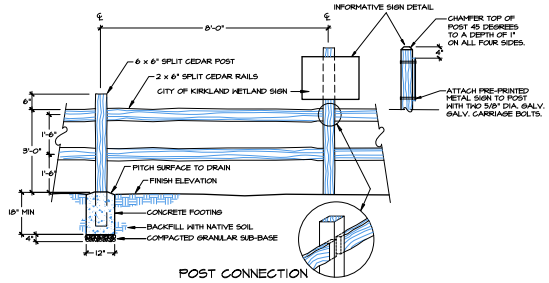
KEY	SCIENTIFIC NAME	COMMON NAME	SPACING	QTY	SIZE (MIN.)	NOTES
CS	CORNUS SERICEA	RED-OSIER DOGWOOD	3' O.C.	26	1 GAL.	MULTI-CANE (3 MIN.)
LI	LONICERA INVOLUCRATA	BLACK TWIN-BERRY	3' O.C.	38	1 GAL.	MULTI-CANE (3 MIN.)
MA	MAHONIA AQUIFOLIUM	TALL OREGON GRAPE	3' O.C.	135	1 GAL.	FULL & BUSHY
PU	POLYSTICHUM MUNITUM	SWORD FERN	3' O.C.	113	1 GAL.	FULL & BUSHY
RP	ROSA PISOCARPA	CLUSTERED ROSE	3' O.C.	41	1 GAL.	MULTI-CANE (3 MIN.)
RU	RUBUS SPECTABILIS	SALMONBERRY	3' O.C.	33	1 GAL.	MULTI-CANE (3 MIN.)
SC	SALIX SCOULERIANA	SCOULER WILLOW	3/SYMBOL	15	4' CUTTING	1/2" DIA. MIN., BARK INTACT
SR	SAMBUCUS RACEMOSA	RED ELDERBERRY	5' O.C.	51	1 GAL.	MULTI-CANE (3 MIN.)
SA	SYMPHORICARPOS ALBUS	SNOWBERRY	3' O.C.	134	1 GAL.	MULTI-CANE (3 MIN.)

GROUNDCOVER

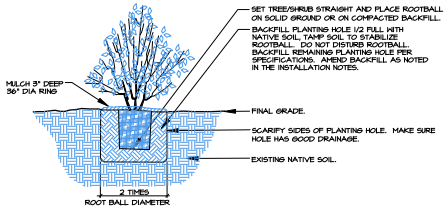
KEY	SCIENTIFIC NAME	COMMON NAME	SPACING	QTY.	SIZE (MIN.)	NOTES
	ARCTOSTAPHYLOS UVA-URSI	KINNIKINNICK	18" O.C.	834	1 GAL.	FULL & BUSHY
	GAULTHERIA SHALLON	SALAL	24" O.C.	18	1 GAL.	FULL & BUSHY
	BARK MULCH					

BUFFER SEED MIX

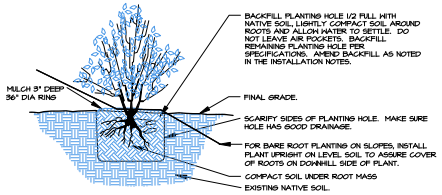
% SEED	#/acre	NAME	Application rate per acre
20%	10#	TRIFOLIUM REPENS - WHITE CLOVER	HYDROSEED 50#/ac.
80%	40#	REGREEN - STERILE WHEAT GRASS HYBRID	



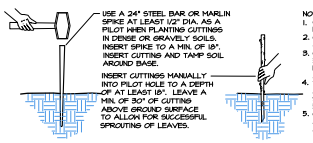
1 SPLIT-RAIL FENCE WITH SENSITIVE AREA SIGNS
SCALE: NTS



2 CONTAINER TREE/SHRUB PLANTING (TYP.)
SCALE: NTS



3 BARE-ROOT TREE/SHRUB PLANTING (TYP.)
SCALE: NTS

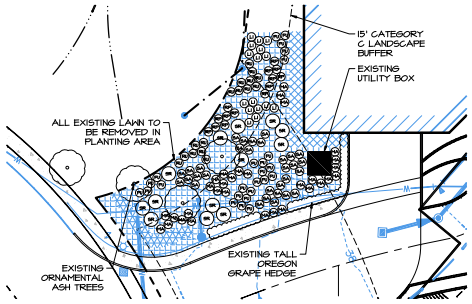


NOTES:
1. CUTTINGS SHALL BE SPECIES AS NOTED IN THE PLANT SCHEDULE.
2. CUTTINGS SHALL BE AT LEAST 1/2" DIA. AND 4' (MIN.) IN LENGTH.
3. CUTTINGS MUST BE ALIVE WITH SIDE BRANCHES CLEARLY REMOVED AND BARK INTACT. CUTTINGS SHALL BE PLANTED WITHIN 24 HOURS OF CUTTING.
4. THE BUTT ENDS SHOULD BE CLEANLY CUT AT AN ANGLE FOR EASY INSERTION INTO THE SOIL. THE TOP SHOULD BE CUT SQUARE OR BLUNT.
5. CUTTINGS MUST BE FRESH AND KEPT MOIST AFTER CUTTING. THEY SHOULD BE PRUNED AND INSTALLED THE SAME DAY.

4 CUTTING INSTALLATION (TYP.)
SCALE: NTS

PLANTING PLAN A

GRAPHIC SCALE (IN FEET)
0 10 20 30 40 60
SCALE: 1:20



PLANTING PLAN B

GRAPHIC SCALE (IN FEET)
0 10 20 30 40 60
SCALE: 1:20

GENERAL PLANTING INSTALLATION NOTES

1. PLANT TREE &/OR SHRUB 1/2" HIGHER THAN DEPTH GROWN AT NURSERY.
2. FOR CONTAINER TREES &/OR SHRUBS, SCORE FOUR SIDES OF ROOTBALL PRIOR TO PLANTING. BUTTERFLY ROOTBALL IF ROOT CIRCLING IS EVIDENT.
3. WATER IMMEDIATELY AND THOROUGHLY, HEAVIER AT FIRST, 2 OR 3 TIMES PER WEEK THROUGH THE DRY SEASON, THEN LESS UNTIL ESTABLISHED.
4. FERTILIZE ALL TREES AND SHRUBS WITH AN APPROVED SLOW RELEASE FERTILIZER APPLIED AT MANUFACTURER'S SUGGESTED RATES.
5. ALL PLANTING PITS SHALL BE AMENDED WITH A SOIL MOISTURE RETENTION AGENT TO ASSIST IN KEEPING THE SOIL MOIST DURING THE DRY SEASON.

Call 2 Working Days Before You Dig
1-800-424-5555
Utilities Underground Location Center
(ID,MT,ND,OR,WA)

NOT FOR CONSTRUCTION
THESE PLANS HAVE BEEN SUBMITTED TO THE APPROPRIATE AGENCIES FOR REVIEW AND APPROVAL. UNTIL APPROVED, THESE PLANS ARE:
SUBJECT TO REVISION

NOTES

1. SURVEY & SITE PLAN PROVIDED BY BAYLIS ARCHITECTS, BELLEVUE, WA. 425.454.0566.
2. SOURCE DRAWING WAS MODIFIED BY AOA FOR VISUAL ENHANCEMENT.

CITY OF KIRKLAND PLANNING AND DEVELOPMENT SERVICES
APPROVED FOR CONSTRUCTION
BY: _____
R/W PERMIT NO. _____

Altmann Oliver Associates, LLC
AOA
Environmental Planning & Landscape Architecture
PO Box 778 Carnation, WA 98014 Office (425) 333-4535 Fax (425) 333-4535

BUFFER ENHANCEMENT PLAN
PLANTING PLAN & DETAILS
PLAZA AT YARROW BAY - BUILDING "V"
KIRKLAND, WASHINGTON

Revisions	Date	By
CITY COMMENTS	01-04-08	SO

Date 12-30-08
Scale AS NOTED
Project# 3713

Sheet # W1.2

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SPECIFICATIONS

PART 1 - GENERAL SITE CONDITIONS

GENERAL SITE CONDITIONS
Contractor shall give AOA a minimum of ten (10) days notice prior to intention to proceed with construction.

No construction work shall commence until there is a meeting between the client, AOA, General, Clearing, and/or Earthwork Contractors, and participating Contractor. The approved plans and specifications shall be reviewed to allow parties involved to understand the intent and the specific details related to the construction documents, specifications, and site constraints.

Locations of existing utilities have been established by field survey or obtained from available records and should be considered approximate only and not necessarily complete. It is the sole responsibility of the Contractor to: (1) independently verify the accuracy of utility locations and (2) discover and avoid any utilities within the enhancement area(s) not shown, which may be affected by implementation of this plan. Such area(s) are to be clearly marked in the field. AOA shall resolve any conflicts with the approved plan prior to start of construction.

A copy of the approved plans must be on site whenever construction is in progress and shall remain on site until project completion.

Construction must be performed in accordance with the City of Kirkland standards, codes, permit conditions, and other applicable ordinances and policies.

The applicant is responsible for obtaining any other related or required permits prior to the start of construction.

A qualified wetland consultant shall be on site, as necessary, to monitor construction and approve minor revisions to the plan. At minimum, the following inspections and oversight by AOA or another qualified wetland professional is needed: a. An initial pre-construction meeting with the contractor and sub-contractors, b. Immediately following survey stake placement, c. Twice during clearing operations, d. Inspect woody debris selection, stockpiling and placement, e. Inspect and approve or reject delivered plant material, f. Inspect planting layout, g. Final as-built inspection and punch-list walkthrough with the contractor.

SURVEY/STAKE/FLAG LIMITS OF CLEARING & PROPERTY LINE
Prior to any construction, a licensed surveyor shall survey, stake, and flag the clearing limits. 2"X2"X24" cedar stakes shall be placed 12" deep at 20' o.c. along the property line within Planting Plan A to demarcate the boundary adjacent to the City of Kirkland replanting area. AOA shall review and approve flagging/staking prior to any earthwork.

Contractor shall be responsible for avoiding disturbance to all significant trees located within the enhancement area. Contractor shall exercise care to protect from injury to trunk, roots, or branches, of any trees or shrubs that are to remain. Any living woody plant that is damaged during construction shall be treated within 24-hours of occurrence. AOA shall be notified immediately of incident. Wound shaping treatment shall be done. Wound shaping includes, but is not limited to: evenly cutting broken branches, exposed roots and damaged tree bark immediately after damage occurs. Injured plants shall be thoroughly watered and additional measures shall be taken, as appropriate, to aid in plant survival.

EROSION CONTROL MEASURES
As construction progresses and seasonal conditions dictate, erosion control facilities shall be maintained and/or altered as required by AOA to ensure continued erosion/sedimentation control per the approved TESC plan prepared by the project civil engineer.

Where possible, natural ground cover vegetation shall be maintained for silt control.

Contractor shall ensure that adjacent roads are maintained and clear of soil and/or other debris at all times during construction. Contractor shall comply with City Of Kirkland codes regarding street maintenance/cleaning during construction.

SITE CLEARING & GRUBBING
During clearing of street trees on site, small trees and branches not being utilized as habitat features (see below), shall be ground up into coarse wood chips for later use as mulch around planted trees and shrubs. Contractor shall determine stockpile location for ground up wood chips.

CLEAR AND GRUB
Contractor shall clear all non-organic debris (asphalt, concrete, gravel, underlay, etc.) and grub invasive plants (including roots) within the enhancement area with the exception of flagged existing vegetation to remain. In areas of existing vegetation, Contractor shall remove blackberry and other invasive species by hand, with minimal disturbance to the existing vegetation. Cleared and grubbed vegetation shall be exported from the site. Particular care must be given to ensure complete removal of tops and roots of reed canarygrass plants and any other invasive/exotic plant species. Invasive/exotic plant species to be removed and treated in the enhancement area are: Scot's broom, English Ivy, Himalayan and evergreen blackberry, reed canarygrass, purple loosestrife, hedge bindweed (morning glory), Japanese knotweed, thistle, and creeping nightshade.

AOA to designate any additional plant species to be removed/treated prior to construction.

PLACE IMPORTED TOPSOIL
Upon completion of parking lot removal and grubbing of non-native vegetation, imported 3-way topsoil (Cedar Grove or equivalent) shall be placed within the enhancement area to proposed grades per the civil grading plan. AOA shall review topsoil placement prior to installation of plant material. On-site topsoil shall not be used due to the high quantity of non-native weeds within it.

PLACE HABITAT FEATURES
Place habitat features upon completion of imported topsoil placement as depicted on Drawing W1.2. All habitat features shall be broken into pieces (as defined below) prior to placement in the enhancement area. AOA shall approve locations prior to placement.

Down logs shall consist of a stump and a minimum length of 15' of trunk with a DBH of at least 12". Street trees cleared from the parking area can be utilized as down logs if they meet the minimum size requirements. Otherwise, down logs will need to be imported.

To cut/break down logs, first score the log at the desired length, by mechanical means; snap the log at the scored location to create a natural look to the break. Twist broken ends to disguise saw cuts. Cut ends of habitat features shall have no blunt ends.

AOA shall be notified 48 hrs prior to installation of the habitat features. AOA shall review habitat features during placement and any features deemed unsatisfactory by AOA (due to damage during relocation or installation) shall be replaced with imported material at Contractor's expense.

SOIL STABILIZATION
If there is a delay in construction for any reason, Contractor, unless otherwise stated in writing, shall be responsible for maintenance of erosion control measures, drainage and temporary drip irrigation during construction delay period.

WARRANTY
Contractor shall ensure that construction related activities do not damage off-site features or adjacent vegetation. AOA shall be notified immediately if accidental damage occurs.

Contractor shall ensure that adjacent roads are maintained and clear of soil and/or other debris at all times during construction. Contractor shall comply with the City Of Kirkland codes regarding street maintenance/cleaning during construction.

Any changes or modifications to this plan must receive prior approval from AOA.

PART 2 - PLANTING

GENERAL CONDITIONS
In the enhancement area, the Contractor shall remove weedy or exotic invasive species (e.g., Scot's broom, English Ivy, Himalayan and evergreen blackberry, reed canarygrass, purple loosestrife, hedge bindweed (morning glory), Japanese knotweed, Canada thistle, and creeping nightshade) prior to plant installation.

Contractor shall verify that plant installation conditions are suitable within the enhancement area. Any unsatisfactory conditions shall be corrected prior to start of work. When conditions detrimental to plant growth are encountered, such as rubble fill, adverse drainage conditions, significant vegetation, or obstructions, Contractor shall notify AOA prior to planting. Beginning of work constitutes acceptance of conditions as satisfactory.

Plants installed in undisturbed areas shall be integrated with existing native vegetation, and planted in a random, naturalistic pattern.

CONTRACTOR TO VERIFY PLANT SCHEDULE WITH PLAN
Contractor is responsible to verify plant locations and quantities of plants on the Plant Schedule with those represented on the plan.

Actual plant quantities shown on plans are to prevail over quantities shown on the Plant Schedule in the event of a discrepancy.

LOCATE/STAKE/VERIFY PLANTING AREAS
Contractor shall field locate, stake, and verify planting areas and configurations prior to planting. AOA shall review and approve locations prior to planting.

Proposed locations of trees and shrubs shall be staked and identified with an approved coding system or by placement of the actual plant material. For large groupings of a single species of shrub, Contractor may stake the planting boundaries. AOA shall review and approve locations of all plants and plant groupings prior to planting.

APPROVE PLANTING LOCATIONS AND SPACING
Planting locations shown on planting plans are approximate, based on anticipated site conditions. Actual planting locations may vary from those shown due to final site conditions and locations of existing vegetation. Nevertheless, any variations from the planting plan will require prior approval by AOA.

Plant spacing for species listed is to be random (naturalistic), and not in a regular grid pattern. On-center spacing called out on plant list indicates an average spacing dimension. For example, when the plan calls for 36" O.C., spacing shall vary from 30"-42" O.C., with an average spacing of 36 inches.

AOA shall review planting locations and spacing prior to plant installation.

PART 3 - PLANT MATERIAL STANDARDS

PLANT MATERIALS
AOA shall examine plant material prior to planting. Any material not meeting the required specifications shall be immediately removed from the site and replaced with like material that meets the required standards. Plant material shall meet the requirements of State and Federal laws with respect to plant disease and infestations. Inspection certificates, required by law, shall accompany each and every shipment and shall be submitted to AOA upon Contractor's receipt of plant material.

Plant materials shall be locally grown (western WA, western OR, or western BC), healthy, bushy, in vigorous growing condition, and be guaranteed true to size, name, and variety. If replacement of plant material is necessary due to construction damage or plant failure within one year of installation, the sizes, species, and quantities shall be equal to specified plants, as indicated on the plans.

Plants shall be nursery grown, well-rooted, of normal growth and habit, and free from disease or infestation. AOA reserves the right to require replacement or substitution of any plants deemed unsuitable.

Trees shall have uniform branching, single straight trunks, (unless specified as multi-stemmed), and the central leader intact and undamaged. Container stock shall be fully rooted but not root-bound. Plant material with damaged root zones or broken root balls will not be accepted.

Coniferous trees shall be nursery grown, full and bushy, and with uniform branching and a natural non-sheared form. Original central leader must be healthy and undamaged.

Shrubs shall be 1 gallon container stock.

Native plant cuttings shall be grown and collected in the maritime Pacific Northwest. Cuttings shall be of one- to two-year-old wood, 1/2" dia. minimum. Cuttings shall be a minimum of 4' in length with 4 lateral buds exposed above ground after planting. The top of each cutting shall be a minimum of 1" above a leaf bud, the bottom cut 2" below a bud. The basal ends of the cuttings shall be cut at a 45 degree angle and marked clearly so that the rooting end is planted in the soil. Cuttings must be kept covered and moist during storage and transport, and no cuttings shall be stored more than three days from date of cutting. Cuttings shall only be used if planting occurs between December 1st and April 1st. For planting between April 1st and December 1st, rooted cuttings or saplings shall be used.

Contractor shall submit documentation that specified plant materials have been ordered and secured. A list of supplier names, addresses, phone numbers and the storage/growing location of the materials shall be submitted to AOA within 30 days of contract award.

SUBSTITUTIONS
Substitutions of specified plant species, size, or condition will be allowed only if prior written approval is obtained by AOA and the City of Kirkland prior to ordering material.

Bareroot stock of equal size to specified container plantings may be substituted for deciduous container plantings when available, with the exception of Acer, Ribes, Ribes & Sambucus species. Evergreen plant material shall be container stock.

VERIFY NURSERY STOCK CONDITION
AOA shall inspect plant material at the job site, including previously tagged trees, for compliance with required standards for plant size and quality prior to planting. This includes, but is not limited to, size and condition of rootballs and rootsystems, presence of insects, latent injuries and defects. Trees must be untied and separated for inspections. AOA reserves the right to refuse any/all plant material any time prior to final acceptance if it is determined that such material does not meet the specifications as described herein. Rejected material shall be immediately removed from project site.

VERIFY STORAGE SITE AND METHOD
Plants shall be stored in a manner necessary to support their horticultural requirements. Plant material stored on-site shall be protected from weather damage, construction activity and the public.

Plant specimens shall be kept moist and shaded until the actual time of plant installation. Immediately after planting, soils in the planting area shall be saturated to prevent capillary stress.

PART 4 - PLANT INSTALLATION

SOIL PREPARATION/AMENDMENTS
Prior to installation of plantings, all construction debris and any other non-native material shall be removed from the enhancement area. Trees and shrubs shall be pit planted as shown in details on Drawing W1.2. A soil moisture retention agent (polymer) shall be included in planting backfill per manufacturer's specification (see General Planting Installation Notes on Drawing W1.2).

Planting pits shall be backfilled with a 30/70 mixture of imported, weed-free compost and the native soil from the planting pit.

In all planting areas, Contractor shall loosely tie a 2' piece of pink flagging to the top portion of all planted vegetation to facilitate post-construction performance and maintenance review by AOA and the City of Kirkland.

SOIL MOISTURE RETENTION AGENT
SoilMoist, or equivalent, shall be added to the topsoil backfill of all planting pits. The SoilMoist shall be hydrated before being added to topsoil backfill. Manufacturers recommended application rates and usage shall be followed.

MULCH
A 3" layer of hogfuel mulch (see above), or imported medium course bark mulch, shall be placed within a 36" diameter of all plantings or applied continuously throughout the mitigation area for erosion, weed control, and moisture retention.

PART 5 - IRRIGATION, SIGNS, AND CLEAN UP

TEMPORARY DRIP IRRIGATION SYSTEM
Contractor shall design build an above ground temporary drip irrigation system capable of providing 1/2" of flow to each newly installed plant.

Client shall provide water and electricity for the system. Irrigation is required within the enhancement area for at least three growing seasons following planting to ensure adequate establishment of plant material.

The Maintenance Contractor shall be responsible to activate, winterize, maintain, and to continually verify adequate operation of the temporary drip irrigation system. System function (including electronic valve and controller function) shall be inspected for operation and full coverage of all planted areas during each maintenance visit. The system shall be repaired immediately if found to be damaged or malfunctioning.

The system shall be activated by June 15 and winterized by October 15. If hot dry weather occurs either before or after these dates, the irrigation system shall be activated earlier in the season or remain active later into the fall. During the first year after installation, the irrigation system shall be programmed to provide ½" of water every three days. Irrigation rates may be increased as necessary during prolonged periods of hot, dry weather to prevent plant mortality. During the second year after installation, irrigation shall be programmed to provide ½" of water once a week. However, if more than 10% of plant replacement occurs, watering rates will be maintained at a rate of ½" of water every three days for the duration of the monitoring period.

A chart describing the location of all installed or open zones and corresponding controller numbers shall be placed inside the controller and given to the Owner's representative.

The irrigation bid shall include a one-year warranty against defects in materials and workmanship from the date of final project acceptance. The warranty shall include system activation and winterization for the first year and immediate repair of the system if it is observed to be malfunctioning.

INSTALL SPLIT-RAIL FENCE AND SIGNS
Contractor shall construct split-rail fence per Detail 1 on Drawing W1.2, 2' into the enhancement area from the proposed buffer boundary as depicted on W1.1. AOA shall approve fence location prior to construction.

Contractor shall install City of Kirkland Native Growth Protection Area (NGPA) signs (per Detail 1 on Drawing W1.2) at 75' spacing along the fence.

RESTORE EXISTING NATURAL OR LANDSCAPED AREAS
Existing natural or landscaped areas that are damaged during construction shall be restored to their original condition, unless improvements or modifications are specified for those areas.

CLEAN-UP
Contractor shall be responsible for the removal of construction materials and debris on the site following installation of plant materials.

PART 6 - FINAL ACCEPTANCE

PLANT WARRANTY
Contractor's warranty shall include replacement of plants (same size and species shown on the drawings) that prove either to be mislocated or unsuitable as to plant material standards. Except for loss due to excessively severe climatological conditions (substantiated by 10-year recorded weather charts), installed plant materials are required to be guaranteed for one year against defects and unsatisfactory growth, except for cases of neglect by Owner or abuse/damage by others. Plants replaced shall be reinitiated under plant guarantee conditions.

Any changes or modifications to this plan must receive prior approval from AOA.

FINAL ACCEPTANCE
Upon completion of planting, the Contractor shall provide AOA with a set of clearly marked prints designating the actual locations of plantings within the enhancement area. Contractor shall keep a complete set of prints at the job site during construction for the purpose of "red-lining" changes or modifications to the approved plans and shall update said information on a daily basis.

AOA shall approve planting locations. If items are to be corrected, a punch list shall be prepared by AOA and submitted to the Contractor for completion. After punch list items have been completed, AOA shall review the project for final acceptance of plan implementation.

The date of final acceptance shall constitute the beginning of the one-year plant guarantee period.

MAINTENANCE
Contractor shall review landscape maintenance recommendations with a qualified wetland biologist from AOA who is familiar with the stated goals and objectives of the enhancement plan.

Contractor shall maintain trees and shrubs, as needed, for a period of one year from final acceptance, to maintain healthy growth and habitat diversity, including a) tighten and repair tree stakes, b) reset plants to proper grades and upright positions, and c) correct drainage problems as required.

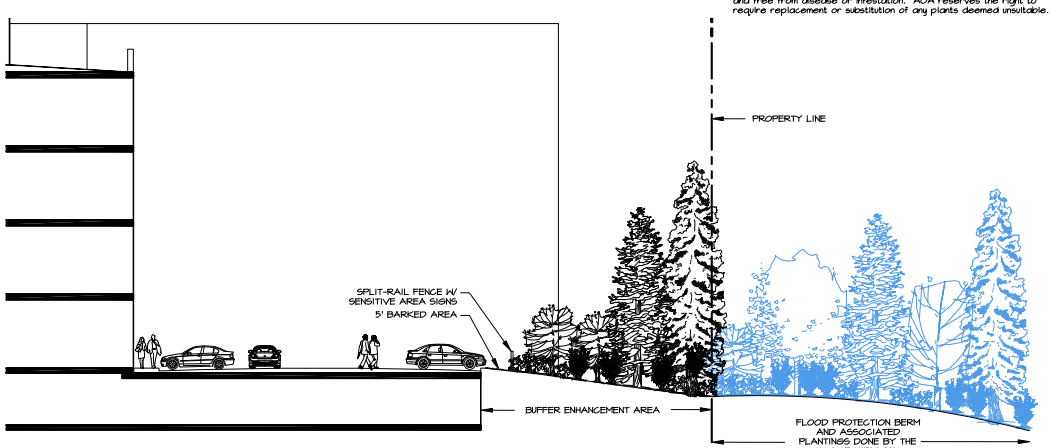
Contractor shall be responsible for watering plants immediately upon installation, and again over the entire planting area upon completion of landscape installation. Irrigation is required within the enhancement area for at least three growing seasons following planting to ensure adequate plant establishment.

Contractor shall correct erosion and drainage problems as required.

Contractor shall remove irrigation system 3-years after planting.

Upon completion of the one year maintenance, an inspection by AOA shall be conducted to confirm that the enhancement area was properly maintained. If items to be corrected, a punch list shall be prepared by and submitted to the Contractor for correction. Upon correction of the punch list items, the project shall be reviewed by AOA for final closeout of plan implementation.

PERFORMANCE MONITORING
Landscape Contractor shall provide an estimate for maintenance services of the enhancement area for the 5-year performance monitoring period. See the Buffer Enhancement Report prepared by AOA for maintenance specifications to be implemented during the 5-year performance monitoring period.



1 BUFFER SECTION
SCALE: 1"=20'

CITY OF KIRKLAND PLANNING
AND DEVELOPMENT SERVICES
APPROVED FOR CONSTRUCTION
BY: _____
R/W PERMIT NO. _____

Altmann Oliver Associates, LLC
AOA
Environmental Planning & Landscape Architecture
PO Box 378 Carnation, WA 98014 Office (425) 333-4535 Fax (425) 333-4539

BUFFER ENHANCEMENT PLAN
SPECIFICATIONS
PLAZA AT YARROW BAY - BUILDING "V"
KIRKLAND, WASHINGTON

Revisions	Date	By
CITY COMMENTS	01-04-04	SO

Date 12-30-08
Scale AS NOTED
Project# 3713

Sheet # W1.3

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King County

Critical Areas Mitigation
Bond Quantity Worksheet

Project Name: Plaza at Yarrow Bay - Building "V" **Date:** 1/9/2009 **Prepared by** AOA

Permit Number: ZON08-00017 **Applicant:** Keith Maehlum

Location: Kirkland, Washington **Phone #:** 425.333.4535

PLANT MATERIALS*

Type	Unit Price	Unit	Quantity	Description	Cost
PLANTS: Potted, 4" diameter, medium	$5.00	Each			$ -
PLANTS: Container, 1 gallon, medium soil	$11.50	Each	1423.00		$ 16,364.50
PLANTS: Container, 2 gallon, medium soil	$20.00	Each	128.00		$ 2,560.00
PLANTS: Container, 5 gallon, medium soil	$36.00	Each			$ -
PLANTS: Seeding, by hand	$0.50	SY			$ -
PLANTS: Slips (willow, red-osier)	$2.00	Each			$ -
PLANTS: Stakes (willow)	$2.00	Each	75.00		$ 150.00
PLANTS: Stakes (willow)	$2.00	Each			$ -
					$ -
					$ -
* All costs include installation				*TOTAL*	**$ 19,074.50**

INSTALLATION COSTS (LABOR, EQUIPMENT, & OVERHEAD)

Type	Unit Price	Unit			Cost
Compost, vegetable, delivered and spread	$37.88	CY	30.00		$ 1,136.40
Decompacting till/hardpan, medium, to 6" depth	$1.57	CY			$ -
Decompacting till/hardpan, medium, to 12" depth	$1.57	CY			$ -
Hydroseeding	$0.51	SY			$ -
Labor, general (landscaping)	$40.00	HR	24.00		$ 960.00
Labor, general (construction)	$40.00	HR			$ -
Labor: Consultant, supervising	$55.00	HR			$ -
Labor: Consultant, on-site re-design	$95.00	HR	6.00		$ 570.00
Rental of decompacting machinery & operator	$70.00	HR			$ -
Sand, coarse builder's, delivered and spread	$42.00	CY			$ -
Staking material (set per tree)	$7.00	Each			$ -
Surveying, line & grade	$250.00	HR			$ -
Surveying, topographical	$250.00	HR			$ -
Watering, 1" of water, 50' soaker hose	$3.62	MSF			$ -
Irrigation - temporary	$3,000.00	Acre	0.40		$ 1,200.00
Irrigation - buried	$4,500.00	Acre			$ -
Tilling topsoil, disk harrow, 20hp tractor, 4"-6" deep	$1.02	SY			$ -
					$ -
					$ -
				TOTAL	**$ 3,866.40**

HABITAT STRUCTURES*

ITEMS	Unit Cost	Unit			Cost
Fascines (willow)	$ 2.00	Each			$ -
Logs, (cedar), w/ root wads, 16"-24" diam., 30' long	$1,000.00	Each			$ -
Logs (cedar) w/o root wads, 16"-24" diam., 30'	$400.00	Each			$ -
Logs, w/o root wads, 16"-24" diam., 30' long	$245.00	Each			$ -
Logs w/ root wads, 16"-24" diam., 30' long	$460.00	Each			$ -
Rocks, one-man	$60.00	Each			$ -
Rocks, two-man	$120.00	Each			$ -
Root wads	$163.00	Each			$ -
Spawning gravel, type A	$22.00	CY			$ -
Weir - log	$1,500.00	Each			$ -
Weir - adjustable	$2,000.00	Each			$ -
Woody debris, large	$163.00	Each	16.00		$ 2,608.00
Snags - anchored	$400.00	Each			$ -
Snags - on site	$50.00	Each			$ -
Snags - imported	$800.00	Each			$ -
					$ -
					$ -
* All costs include delivery				*TOTAL*	**$ 2,608.00**

EROSION CONTROL

ITEMS	Unit Cost	Unit			Cost
Backfill and Compaction-embankment	$ 4.89	CY			$ -
Crushed surfacing, 1 1/4" minus	$30.00	CY			$ -
Ditching	$7.03	CY			$ -
Excavation, bulk	$4.00	CY			$ -
Fence, silt	$1.60	LF	377.00		$ 603.20
Jute Mesh	$1.26	SY			$ -
Mulch, by hand, straw, 2" deep	$1.27	SY			$ -
Mulch, by hand, wood chips, 2" deep	$3.25	SY			$ -
Mulch, by machine, straw, 1" deep	$0.32	SY			$ -
Piping, temporary, CPP, 6"	$9.30	LF			$ -
Piping, temporary, CPP, 8"	$14.00	LF			$ -
Piping, temporary, CPP, 12"	$18.00	LF			$ -
Plastic covering, 6mm thick, sandbagged	$2.00	SY			$ -
Rip Rap, machine placed, slopes	$33.98	CY			$ -
Rock Constr. Entrance 100'x15'x1'	$3,000.00	Each			$ -
Rock Constr. Entrance 50'x15'x1'	$1,500.00	Each			$ -
Sediment pond riser assembly	$1,695.11	Each			$ -
Sediment trap, 5' high berm	$15.57	LF			$ -
Sediment trap, 5' high berm w/spillway incl. riprap	$59.60	LF			$ -
Sodding, 1" deep, level ground	$5.24	SY			$ -
Sodding, 1" deep, sloped ground	$6.48	SY			$ -
Straw bales, place and remove	$600.00	TON			$ -
Hauling and disposal	$20.00	CY			$ -
Topsoil, delivered and spread	$35.73	CY	320.00		$ 11,433.60
					$ -
					$ -
				TOTAL	**$ 12,036.80**

GENERAL ITEMS

ITEMS	Unit Cost	Unit			Cost
Fencing, chain link, 6' high	$18.89	LF			$ -
Fencing, chain link, corner posts	$111.17	Each			$ -
Fencing, chain link, gate	$277.63	Each			$ -
Fencing, split rail, 3' high (2-rail)	$10.54	LF	333.00		$ 3,509.82
Fencing, temporary (NGPE)	$1.20	LF			$ -
Signs, sensitive area boundary (inc. backing, post, install)	$28.50	Each	5.00		$ 142.50
					$
					$ -
				TOTAL	**$ 3,652.32**

OTHER

(Construction Subtotal) **$ 41,238.02**

ITEMS	Percentage of Construction Cost	Unit			Cost
Mobilization	10%				$ 4,123.80
Contingency	25%				$ 10,309.51
				TOTAL	**$ 14,433.31**

MAINTENANCE AND MONITORING

Maintenance, annual					
Less than 1,000 sq.ft. and buffer impact only	$ 1.08	SF		(Includes monitoring)	$ -
Less than 1,000 sq.ft. with wetland or aquatic area impacts	$ 1.35	SF		(Includes monitoring)	$ -
Larger than 1,000 sq.ft. but < 0.5 acre -buffer impact only	$ 360.00	EACH	10.00	(8 hrs @ 45/hr)	$ 3,600.00
Larger than 1,000 sq.ft. but < 0.5 acre with wetland or aquatic area impacts	$ 450.00	EACH		(10 hrs @ $45/hr)	$ -
Larger than 1,000 sq.ft. but < 0.5 acre -buffer impact only	$ 450.00	EACH		(12 hrs @ 45/hr)	$ -
Larger than 1,000 sq.ft. but < 1 acre with wetland or aquatic area impacts	$ 630.00	EACH		(14 hrs @ $45/hr)	$ -
Larger than 1 acre but < 5 acres - buffer and / or wetland or aquatic area impacts	$ 1,600.00	DAY		(WEC crew)	$ -
Larger than 5 acres - buffer and / or wetland or aquatic area impacts	$ 2,000.00	DAY		(1.25 X WEC crew)	$ -
Monitoring, annual					
Larger than 1,000 sq.ft. but < 0.5 acre -buffer impact only	$ 720.00	EACH	10.00	(8 hrs @ $90/hr)	$ 7,200.00
Larger than 1,000 sq.ft. but < 0.5 acre with wetland or aquatic area impacts	$ 900.00	EACH		(10 hrs @ $90/hr)	$ -
Larger than 0.5 acre but < 1.0 acre -buffer impact only	$ 900.00	EACH		(10 hrs @ $90/hr)	$ -
Larger than 0.5 acre but < 1.0 acre with wetland or aquatic area impacts	$ 1,080.00	EACH		(12 hrs @ $90/hr)	$ -
Larger than 1 acre but < 5 acres - buffer and / or wetland or aquatic area impacts	$ 1,620.00	DAY		(18 hrs @ $90/hr)	$ -
Larger than 5 acres - buffer and / or wetland or aquatic area impacts	$ 2,400.00	DAY		(24 hrs @ $90/hr)	$ -
Maintenance and Monitoring Inspection (DDES), annual	$362.25	EACH	9.00	(2.5 hrs @ $144.90/hr)	$ 3,260.25
Maintenance and Monitoring Inspection (DDES), final	$579.60	EACH	1.00	(4 hrs @ $144.90/hr)	$ 579.60
				TOTAL	**$ 14,639.85**

Total **$70,311.18**

THE WATERSHED COMPANY

SCIENCE & DESIGN

January 30, 2009

Teresa Swan
City of Kirkland
Planning and Community Development
123 – 5th Avenue
Kirkland, WA 98033

Re: **Plaza at Yarrow Bay – Buffer Modification Plan - 2nd Review**
The Watershed Company reference number: 060701. 43

Dear Teresa:

Thank you for the opportunity to review the January 9, 2009 revised wetland buffer modification submittal prepared by Altmann Oliver Associates, LLC (AOA). This submittal consists of a mitigation plan in the form of three half-size sheets and a bond quantity worksheet. I also received an explanatory email regarding the project from AOA on January 28, 2009.

The email clarifies that, per civil drawings not copied to me, the stormwater drain within the mitigation area will be decommissioned and the depression area in the buffer will be filled to allow positive drainage towards the stream. I also understand the sanitary sewer line within the buffer will remain and the planting plan has been adjusted accordingly. As requested, details regarding the blackberry and lawn areas in Planting Area B have been clarified and the planting plan expanded as necessary. The bond quantity estimate accurately reflects the cost to build the project. Note that Kirkland requires the posted bond to be 125% of the estimate ($70,311.18*125% = $87,888.98).

All other details mentioned in my December 19, 2008 letter have been adequately addressed. The proposal meets the requirements of Chapter 90.

Please call with any questions.

Sincerely,

Hugh Mortensen

Hugh Mortensen, PWS
Senior Ecologist

750 Sixth Street South | Kirkland, WA 98033
p 425.822.5242 | f 425.827.8136 | watershedco.com

60.19 User Guide.

The charts in KZC 60.22 contain the basic zoning regulations that apply in Planned Area 3A, including sub-zones. 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.

	60.20 – 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. Developments in parts of this zone may be limited by Chapter 90 KZC, regarding development near streams, lakes, and wetlands.
	3. The site must be designed to concentrate development away from and to minimize impacts on the wetlands (does not apply to Detached Dwelling Unit, Attached or Stacked Dwelling Unit, Mini-School or Mini-Day-Care and Public Park uses).
	4. If the development includes portions of Planned Area 2, the applicant may propose and the City may require that part or all of the density allowed in Planned Area 2 be developed in Planned Area 3 (does not apply to Detached Dwelling Unit, Attached or Stacked Dwelling Unit, Public Utility, Government or Community Facility, and Public Park uses).
Zone PLA3A	5. The height of structures may be increased if: a. The structure does not exceed 60 feet above average building elevation, b. The amount of pervious surface on the subject property in this zone significantly exceeds 50 percent, and c. The site is designed to the maximum extent feasible to provide views through the subject property from Lake Washington Boulevard and Bellevue Way while complying with the General Regulations. (Does not apply to Detached Dwelling Unit, Attached or Stacked Dwelling Unit, Public Utility, Government or Community Facility, and Public Park uses).
	6. May not use lands waterward of the high waterline to determine lot size or to calculate allowable density.
	7. The required yard of a structure abutting Lake Washington Boulevard or Lake Street South must be increased two feet for each one foot that structure extends 25 feet above average building elevation.
	8. City entryway design must be provided on the subject property adjacent to Lake Washington Boulevard as follows: a. An earthern berm, 12 feet wide and with a uniform height of three feet at the center; b. Lawn covering the berm; c. London Plane at least two inches in diameter, planted 30 feet on center along the berm.
	9. Vehicular circulation on the subject property must be designed to minimize traffic impacts on Lake Washington Boulevard and at the SR-520 interchange. The city may limit access points onto Lake Washington Boulevard and Points Drive and require traffic control devices and right-of-way realignment (does not apply to Detached Dwelling Unit, Attached or Stacked Dwelling Unit, Public Utility, Government or Community Facility, and Public Park uses).
	10. May also be regulated under the Shoreline Master Program, KMC Title 24.

Section 60.22 Zone PLA3A USE ZONE CHART

Section 60.22	USE ⇩ / REGULATIONS ⇨	DIRECTIONS: FIRST, read down to find use...THEN, across for 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						
.040	Office Uses	Process IIB, Chapter 152 KZC.	Must be part of a development with a site area of at least 15 acres. See Special Regulation 1.	20′	5′, but 2 side yards must equal at least 15′.	10′	70%	30′ above average building elevation. See General Regulations.	C	D	If a Medical, Dental, or Veterinary office, then 1 per each 200 sq. ft. of gross floor area. Otherwise, one per each 300 sq. ft. of gross floor area.	1. The minimum lot size for this use is 7,200 square feet if the subject property has frontage on Lake Washington Boulevard. 2. The following regulations apply to veterinary offices only: a. May only treat small animals on the subject property. b. Outside runs and other outside facilities for the animals are not permitted. c. Site must be designed so that noise from this use will not be audible off the subject property. A certification to this effect, signed by an Acoustical Engineer, must be submitted with the development permit application. 3. Ancillary assembly and manufacture of goods on the premises of this use are permitted only if: a. The ancillary assembled or manufactured goods are subordinate to and dependent on this use. b. The outward appearance and impacts of this use with ancillary assembly or manufacturing activities must be no different from other office uses.

BAYLIS ARCHITECTS

PRINCIPALS
Brian Brand, AIA
Richard L. Wagner, AIA
Thomas Frye, Jr., AIA

January 20, 2009

City of Kirkland
Planning Department
123 Fifth Avenue
Kirkland, WA 98027

Re: Plaza at Yarrow Bay, Building "V"
File Number: ZON08-00017

Subject: Omitting the Fence next to the Park:
Job Number: 07-1062

Dear Ms. Swan:

By this letter and in behalf of the property Owners, we request approval of a modification of the fencing requirement of Section 95.40(6)a, as allowed under the modification provision of Section 95.40(6)j.

In particular, this section of the code requires that a fence be installed by a property owner when the abutting property is part of the City's park system. At the Plaza at Yarrow Bay, along the northern edge of the proposed Building V, the property abuts the Cochran Springs Creek corridor, which is the property of the City and is part of the parks system.

In this particular location, we propose omitting the fencing between the existing property and adjacent corridor. We think it will be more beneficial to have open space between both properties, let the landscaped corridor expand into the adjacent proposed landscape areas, and allow the flora and fauna to intermix through the connected environs. Additionally, by deleting the fence and integrating our project with the existing corridor, solar access and landscape growth will be greatly enhanced.

We request your approval in recognition of the following criteria for granting a modification.

1) *The owner of the adjoining property agrees to this in writing; and*
   Based on previous conversations with city staff, the city is in agreement to this modification and approval of this request will put into writing this agreement.

2) *The existing topography or other characteristics of the subject property or the adjoining Property, or the distance of development from the neighboring property decreases or eliminates the need for buffering; or*

10801 Main Street
Bellevue, WA 98004
T 425 454 0566
F 425 453 8013
www.baylisarchitects.com

As is shown on the civil drawings, the topography of the subject property and that of the city property are groomed to a common level, sloping gently down to the corridor. The proposed buffer to the corridor includes a 67 ft. buffer on each side of the corridor, which will provide an abundance of space for the landscaping and the critters.

3) *The modification will be more beneficial to the adjoining property than the required buffer by causing less impairment of view or sunlight; or*
By deleting the fence, the shadow of this solid man-made hulk is also deleted, allowing for far greater solar access to the combined environs.

4) *The Planning Official determines that it is reasonable to anticipate that the adjoining property will be redeveloped in the foreseeable future to a use that would require no, or a less intensive, buffer; or*
The adjacent owner is the City of Kirkland, which intends on preserving the corridor in a natural environment yielding a far less intensive use.

5) *The location of pre-existing improvements on the adjoining site eliminates the need or benefit of the required landscape buffer.*
The adjoining property was set aside under the approved PUD and deeded to the city years ago. Currently, the city is rehabilitating the environs for which the deletion of the fence will only make the rehabilitation more successful.

We hope you find our justification acceptable and look forward to your approval..

If you have any questions or comments, please do not hesitate to give me a call at (425) 454-0566 or e-mail me at garcinij@baylisarchitects.com.

Sincerely,

BAYLIS ARCHITECTS

Juan M. Garcini
Project Manager

JG:ssa
cc: Keith Maehlum, HAL Properties
Rich Wagner, Baylis Architects

Tony Leavitt

From: Michael Cogle
Sent: Tuesday, September 01, 2009 7:09 AM
To: Tony Leavitt
Subject: RE: Plaza at Yarrow Bay Project

Tony,
The Parks and Community Services Department is agreeable to a modification relieving the permit applicant of the responsibility to install a 6-foot fence along the common property line.

Let me know if you need anything else from us.

Michael

Michael Cogle
Park Planning Manager
City of Kirkland
mcogle@ci.kirkland.wa.us
(425) 587-3310

Greenforest Incorporated

Consulting Arborist

1/12/2009

Keith Maehlum
HAL Real Estate Investments Inc.
2025 First Ave. Ste- 700
Seattle, WA 98121

RE: Plaza at Yarrow Bay Building "V" Significant Tree Assessment

Dear Mr. Maehlum:

You contracted my services as a consulting arborist. My assignment is to inspect and assess five significant trees at the above referenced site. The purpose of this report is to establish the condition of the subject trees to satisfy City of Kirkland permit submittal requirements.

The project, known as Plaza at Yarrow Bay Building "V", is located in the northwest corner of NE Lake Washington Blvd. and NE Points Drive in the City of Kirkland, WA. The site is currently developed with one office building (three stories), and one office building (five stories) and parking lot. The new project consists of a new 74,000 sq. ft. five story office building over underground parking structure.

The subject trees stand along the north boundary of the parcel, within a wetland buffer. Three ash trees (*Fraxinus sp.*) stand within planting bulbs of an existing parking lot. Two sycamore trees (*Platanus acerifolia*) stand long or near the sidewalk of NE Lake Washington Blvd. (See attached site plan.)

I received from Juan M. Garcini of BAYLIS ARCHITECTS a site plan prepared by Karen Kiest Landscape Architects, dated 12/11/08. I discussed details about the proposed project by phone with both Mr. Garcini and Ms. Kiest. I also reviewed a Buffer Enhancement Plan prepared by AOA dated 12/20/2008. I visited the site 1/10/2009 and inspected the five trees indicated on the survey, which are the subject of this report.

4547 South Lucile Street, Seattle, WA 98118 Tel. 206-723-0656

TREE INSPECTION

I visually inspected each tree from the ground and rated both tree health and structure.

A tree's structure is distinct from its health. This inspection identifies what is visible with both. Structure is the way the tree is put together or constructed, and identifying obvious defects can be helpful in determining if a tree is predisposed to failure. Health assesses disease, insect infestation and old age.

No invasive procedures were performed on any trees. The results of this inspection are based on what was visible at the time of the inspection.

The following table provides the following information for each tree:

Tree number as shown on site plan.

Tree Species Common name.

DBH Stem diameter in inches measured 4.5 feet from the ground.

Dripline Live canopy radius measured in feet.

Structure and Health rating ('1' indicates no visible health-related problems or structural defects, '2' indicates minor visible problems or defects that may require attention if the tree is retained, and '3' indicates significant visible problems or defects and tree removal is recommended.

Visible defects Obvious structural defects or diseases visible at time of inspection, which in this case includes:

Asymmetric canopy – the tree's canopy is affected by the canopy of nearby trees and has an asymmetric shape. Should not be retained as a stand-alone tree, but could be retained in a group.

Suppressed – the tree is growing inside or within the canopy of another tree. Should not be retained as a stand-alone tree, but could be retained in a group.

Viability a determination by the arborist whether the tree is viable for retention; and, if so, in a group or as a stand-alone tree.

Tree No. 1. Tree Inspection Results

Tree No.	Tree Species	DBH	Dripline	Structure	Health	Visible Defects	Viable Tree?
5124	Sycamore	8	20	2	1	Asymmetric canopy, suppressed.	Yes; grove
5125	Sycamore	12	30	1	1		Yes; alone
5198	Ash	6	15	1	1		Yes; alone
5199	Ash	8	20	1	1		Yes; alone
5200	Ash	9	22	1	1		Yes; alone

Potential for disturbance of the roots and branches of these trees include:

1. Demolition of the pavement and curb of the existing parking lot, and
2. Landscape installation within the tree's root zone.

Based on the survey, the limit for the wetland buffer and the 10-foot setback is outside the dripline for all five trees. Limiting construction outside the 10-foot setback will prevent soil disturbance within the dripline of the trees.

The table below lists the limits of disturbance of each tree. I recommend protective fencing be installed at these limits to prevent injury to the tree's branches and trunk.

Table No. 2. Limits of Disturbance.

Tree no.	Species	North	East	South	West
5124	Sycamore	DL	SW	DL	DL
5125	Sycamore	DL	SW	DL	DL
5198	Ash	DL	DL	DL	DL
5199	Ash	DL	DL	DL	DL
5200	Ash	DL	DL	DL	DL

(SW = sidewalk, DL = dripline as measured in field)

Special Instructions For Work In The Limits Of Disturbance And/Or Critical Root Zone.

<u>Demolition of the existing parking lot</u> must be done without injuring existing structural roots, and minimizing injury to the absorbing roots that grow near the soil's surface, particularly at the soil/pavement interface.

- Pavement and curb sections shall be lifted from the surface, avoiding soil disturbance and root injury that could result by scraping broken pavement and curb along the soil surface.

- Particular care must be given to avoid injuring the tree's trunk and branches during demolition.

Buffer Enhancement Plan, and Planting Plan 'A' Currently, neither plan calls out and identifies the five subject trees as being retained, protected and preserved. The planting plan calls for installation of several native plants and features within the wetland buffer, and apparently inside the dripline of the subject trees.

- Identify protected trees and measures on the planting plans
- New plants for the wetland enhancement shall be installed without injuring or severing structural roots around the subject trees.
- No digging or plant installation shall occur within a 4-foot radius of the ash tree trunks, and in a 5-foot radius from the sycamore trunks. And only groundcovers and shrubs shall be planted in the remaining outer portion of the their driplines.
- The addition of mulch or compost shall not be placed on the rootcrowns of the subject trees.
- The project arborist must approve trenching for any reason, including an irrigation system, within the dripline of the trees.
- No motorized equipment shall be used within the driplines of the subject trees during the installation of the enhancement/planting plan.

Location And Type Of Protection Measures For Trees.

Minimum four-foot temporary chainlink fence shall be installed at the driplines, or along the sidewalk for the sycamores, of all retained trees as described in the limits of disturbance in table 2 above. Fence shall completely encircle the retained trees and shall follow the driplines indicated in table 1 above. Install fence posts using pier block only. A City planner must approve any modifications to the fencing material and location.

No stockpiling of materials, vehicular or pedestrian traffic, material storage or use of equipment or machinery shall be allowed within the protective fencing. Fencing shall not be moved or removed unless approved by a City planner. Any work, activity or soil disturbance within the protection fencing, or critical root zone, shall be reviewed, approved and monitored by the project arborist.

Instructions and specifications for pruning roots or branches shall be addressed individually for specific trees as a situation arises.

Fencing signage as detailed (see attached) must be posted every fifteen (15) feet along the fencing, and faced prominently on the south side of each tree.

Sincerely,

GreenForest, Inc.

By Favero Greenforest, M. S.
ASCA Registered Consulting Arborist #379
ISA Certified Arborist # PN -0143A

Attachments:
1. Assumptions
2. Protective Fencing and Signage Detail

---

1) Unless stated other wise: 1) information contained in this report covers only those trees that were examined and reflects the condition of those trees at the time of inspection as of 1/10/09; and 2) the inspection is limited to visual examination of the subject trees without dissection, excavation, probing, or coring. There is no warranty or guarantee, expressed or implied that problems or deficiencies of the subject tree may not arise in the future.

2) Construction activities can significantly affect the condition of retained trees. All retained trees should be inspected after construction is completed, and then inspected regularly as part of routine maintenance.

3) The consultant/appraiser shall not be required to give testimony or to attend court by reason of this report unless subsequent contractual arrangements are made.

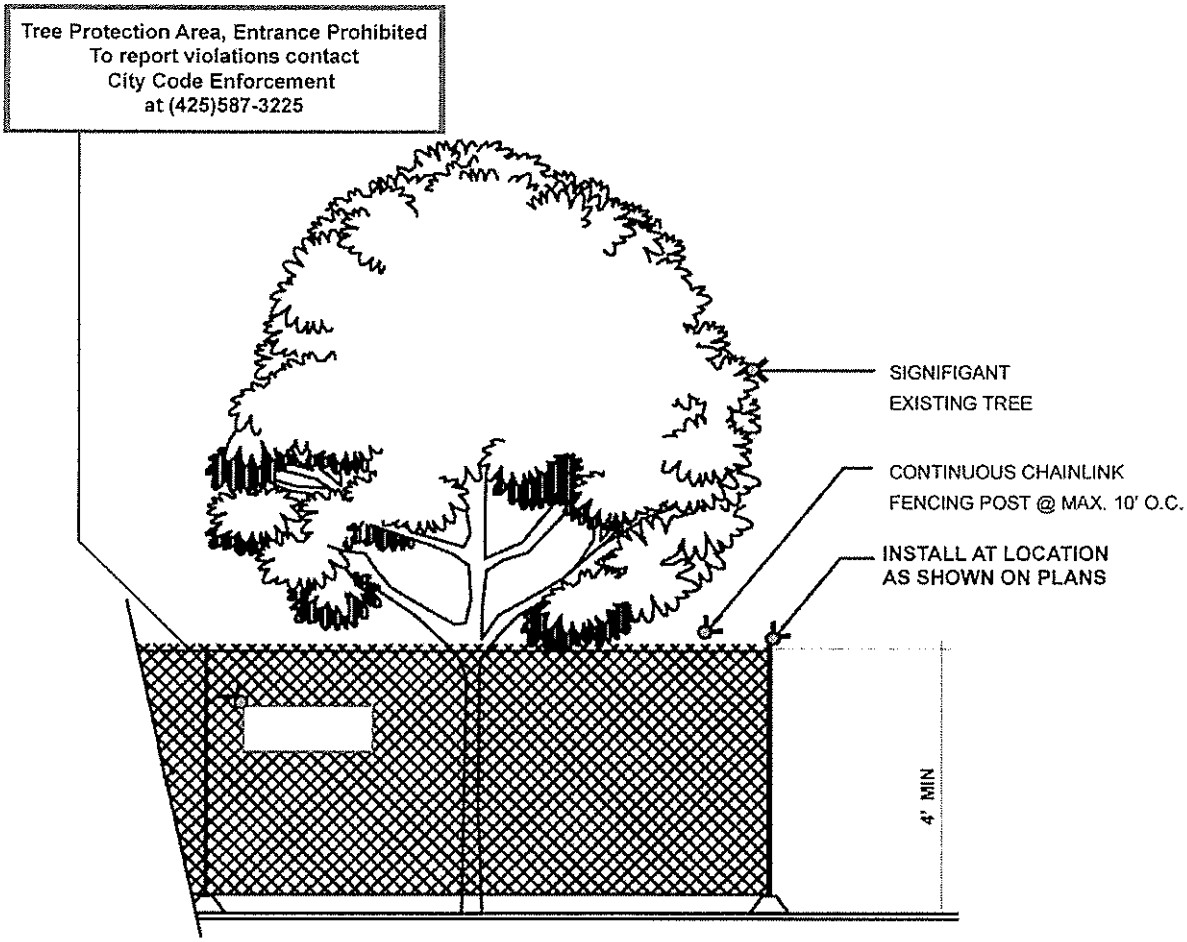
4) Loss or alteration of any part of this report invalidates the entire report.

5) This report and any values/opinions expressed herein represent the opinion of the consultant/appraiser, and the consultant's/appraiser's fee is in no way contingent upon the reporting of a specified value, a stipulated result, the occurrence of a subsequent event, nor upon any finding to be reported.

6) Ownership and use of consultant's documents, work product and deliverables shall pass to the Client only when all fees have been paid.

Attachment No. 2: Protective Fencing and Signage Detail

FENCING SIGN DETAIL



Golder Associates Inc.

18300 NE Union Hill Road, Suite 200
Redmond, WA USA 98052-3333
Telephone (425) 883-0777
Fax (425) 882-5498
www.golder.com

Golder Associates

May 12, 2009

Our Ref.: 093-93249

The Plaza at Yarrow Bay, Inc.
2025 First Avenue, Suite 700
Seattle, Washington 98121

Attention: Mr. Keith Maehlum

**RE: GEOTECHNICAL REVIEW
PLAZA AT YARROW BAY
KIRKLAND, WASHINGTON**

Dear Mr. Maehlum:

Golder Associates, Inc, (Golder) is pleased to present the results of our geotechnical review of existing documentation related to the Plaza at Yarrow Bay project in Kirkland. Golder has been involved with the geotechnical aspects of this project since 1984 and has conducted multiple geotechnical and hydrologic studies at the site.

Based on our conversations, we understand that you are currently working through the entitlement process with the City of Kirkland. You have requested that Golder review the preliminary development plans and our previous geotechnical reports to evaluate the feasibility of the currently proposed development.

Documents Reviewed

Golder conducted a review of the following documents associated with the Plaza at Yarrow Bay.

- Topographic Exhibit, prepared by D.R. Strong Consulting Engineers, dated September 15, 2008;
- Conceptual Civil Plan, Plaza at Yarrow Bay Expansion, prepared by Site Development Associates, LLC., dated December 12, 2008;
- Zoning Permit Package – Process IIB, Plaza at Yarrow Bay – Building "V" (Sheets 14-19), prepared by Baylis Architects, dated December 12, 2008;
- Hydrologic and Geotechnical Site Investigations, Yarrow Village Project, Kirkland, WA, prepared by Golder Associates, dated July, 1984;

- Geotechnical Investigation, Proposed Yarrow Village Office Park, Kirkland, Washington, prepared by Golder Associates, dated September, 1985;

- Supplementary Geotechnical Investigation, Building B and Relocated Points Drive, Proposed Yarrow Village Office Park, Kirkland, Washington, prepared by Golder Associates, dated June 1986;

- Yarrow Village Phase II, Supplemental Geotechnical Study, prepared by Golder Associates, dated April 1987; and

- Geotechnical Engineering Study, Phase III of the Yarrow Bay Office Park Development, prepared by Golder Associates, dated September 1988.

Project Understanding

The Plaza at Yarrow Bay currently consists of four multi-story office buildings (Plaza at Yarrow Bay, Buildings I-IV). Each building has at least one story of underground parking.

According to the conceptual plans, the proposed development is to include the construction of a four story office building with one story of underground parking. This building and associated parking garage will be located within the footprint of the current surface parking lot associated with Buildings I and II. The office building will be approximately 75,000 square feet and the underground parking garage will cover about 70,000 square feet. The proposed underground parking garage is intended to be connected to the existing parking garages associated with the adjacent buildings (Plaza at Yarrow Bay, Buildings I and II).

Geologic Conditions

Golder's previous investigations included numerous geotechnical borings and test pits across the Plaza at Yarrow Bay property. Two of the geotechnical borings (B-6 and B-8) were located in the vicinity of the currently proposed development. We also excavated two test pits (TP-1 and TP-21) in this area.

Generally, the subsurface geologic conditions identified in previous boreholes and test pits can be described by three units; near surface soils, shallow soils, and deep soils. The depths at which these units exist across the site can vary. The maximum depth explored in our previous studies was 30 feet below ground surface. Additional subsurface investigations will be required in the future to more accurately delineate the contacts between units. A brief description of the soil units are presented below:

- Near surface soils: may include loose, silty sand with varying amounts of organics;

- Shallow soils: may include compact, silty sand with trace organics; and

- Deep soils (shallower than 30 feet): may include dense to very dense, sand and gravel.

Groundwater

Relatively shallow groundwater is anticipated across the site. Previous studies have identified groundwater as shallow as 3.5 feet beneath ground surface in the area of the proposed development.

Temporary and/or permanent dewatering may be required for the proposed development. Future studies will be necessary in order to more clearly define the groundwater conditions beneath the site. We recommend that these studies be conducted after the overall project design been selected.

Feasibility Determination

Based on our review of the referenced documentation, the project (as currently conceived) appears feasible from a geotechnical standpoint. We recommend that additional design level geotechnical and hydrologic studies be conducted once the final site design has been selected.

We hope that this brief summary meets your immediate needs. Please feel free to contact us if we can be of service in the future.

Sincerely,

GOLDER ASSOCIATES INC.

Christopher S. King
Senior Project Manager

Andrew J. Walker, P.E.
Principal and Senior Consultant

CSK/AJW

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GEOLOGICALLY HAZARDOUS AREAS COVENANT

File No.:

Parcel No.:

Project Name:

Project Address:

Declarant _____ hereby declares and agrees as follows:

1. Declarant is the owner of the real property described below and incorporated herein by reference, which is the "property" referred to herein.
2. Declarant agrees to defend, indemnify, and hold the City of Kirkland harmless from all loss, including claim made therefor, which the City may incur as a result of any landslide or seismic activity occurring on the property and for any loss including any claim made therefor resulting from soil disturbance on the "property" in connection with the construction of improvements, including but not limited to storm water retention and foundations. "Loss" as used herein means loss including claim made therefor from injury or damage incurred on or off the "property," together with reasonable expenses including attorneys fees for investigation and defense of such claim.
3. This hold harmless is a perpetual covenant running with the "property" and is binding upon the Declarant's successor and assigns.
4. The real property subject to this Agreement is situated in Kirkland, King County, Washington, and described as follows:

(Insert legal description below:)

DATED at Kirkland, Washington, this _____ day of _____, _____.

NATURAL GREENBELT PROTECTIVE EASEMENT

Grantor: _____, owner of the hereinafter described real property, hereby grants to

Grantee: The City of Kirkland, a municipal corporation.

A natural greenbelt protective easement over and across the following described real property to wit ("Easement Area"):

No tree trimming, tree topping, tree cutting, tree removal, shrub or brush-cutting or removal of native vegetation, application of pesticides, herbicides, or fertilizers; construction; clearing; or alteration activities shall occur within the Easement Area without prior written approval from the City of Kirkland. Application for such written approval to be made to the Kirkland Department of Planning and Community Development who may require inspection of the premises before issuance of the written approval and following completion of the activities. Any person conducting or authorizing such activity in violation of this paragraph or the terms of any written approval issued pursuant hereto, shall be subject to the enforcement provisions of Chapter 170, Ordinance 3719, the Kirkland Zoning Code. In such event, the Kirkland Department of Planning and Community Development may also require within the immediate vicinity of any damaged or fallen vegetation, restoration of the affected area by planting replacement trees and other vegetation as required in applicable sections of the Kirkland Zoning Code. The Department also may require that the damaged or fallen vegetation be removed.

It is the responsibility of the property owner to maintain critical areas and their buffers by removing non-native, invasive, and noxious plants in a manner that will not harm critical areas or their buffers and in accordance with Kirkland Zoning Code requirements for trees and other vegetation within critical areas and critical area buffers.

The City shall have a license to enter the Easement Area (and the property if necessary for access to the Easement Area) for the purpose of monitoring compliance with the terms of this easement.

Development outside of this Natural Greenbelt Protective Easement may be limited by codified standards, permit conditions, or movement of the critical area.

Each of the undersigned owners agree to defend, pay, and save harmless the City of Kirkland, its officers, agents, and employees from any and all claims of every nature whatsoever, real or imaginary, which may be made against the City, its officers, agents, or employees for any damage to property or injury to any person arising out of the existence of said Natural Greenbelt Protective Easement over said owner's property or the actions of the undersigned owners in carrying out the responsibilities under this agreement, including all costs and expenses, and recover attorney's fees as may be incurred by the City of Kirkland in defense thereof; excepting therefrom only such claims as may arise solely out of the negligence of the City of Kirkland, its officers, agents, or employees.

This easement is given to satisfy a condition of the development permit approved by the City of Kirkland under Kirkland File/Permit No. _____, for construction of _____ upon the following described real property:

This easement shall be binding upon the parties hereto, their successors and assigns, and shall run with the land.

DATED at Kirkland, Washington, this _____ day of _____, _____.

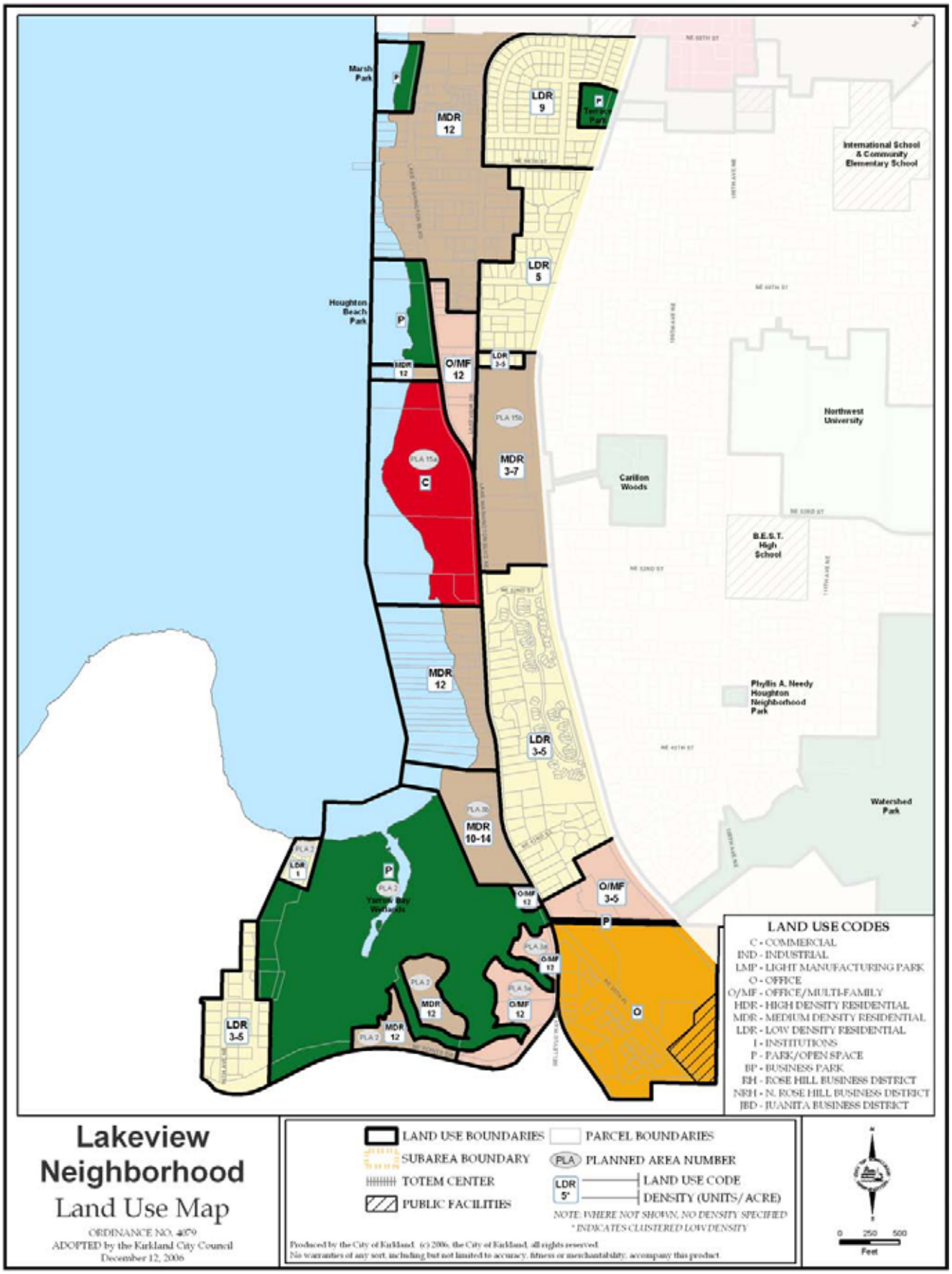


Figure L-1: Lakeview Land Use

PLAZA AT YARROW BAY

Building 5

Inspiration for pursuing an application at this time includes:

- Reposition the campus as a pedestrian-oriented corporate office environment
  - Nearby park-n-ride lot for transit accessibility, bike access, pedestrian route
  - Adjacent services; restaurant, banking, hotel
  - Pulling sidewalk away from Lake Washington Boulevard, separated by landscaping
  - Keeps office expansion along freeway and out of neighborhoods
  - Abundant and diverse housing choices nearby
  -

- Campus is almost 100% occupancy
  - Allows us to offer the site as a potential build-to-suit for an existing tenant
  - Attractive Microsoft / Google oriented tenants
  -

- Coordination with the planned SR-520 expansion currently under design
  - Expansion will not disrupt campus plan
  -

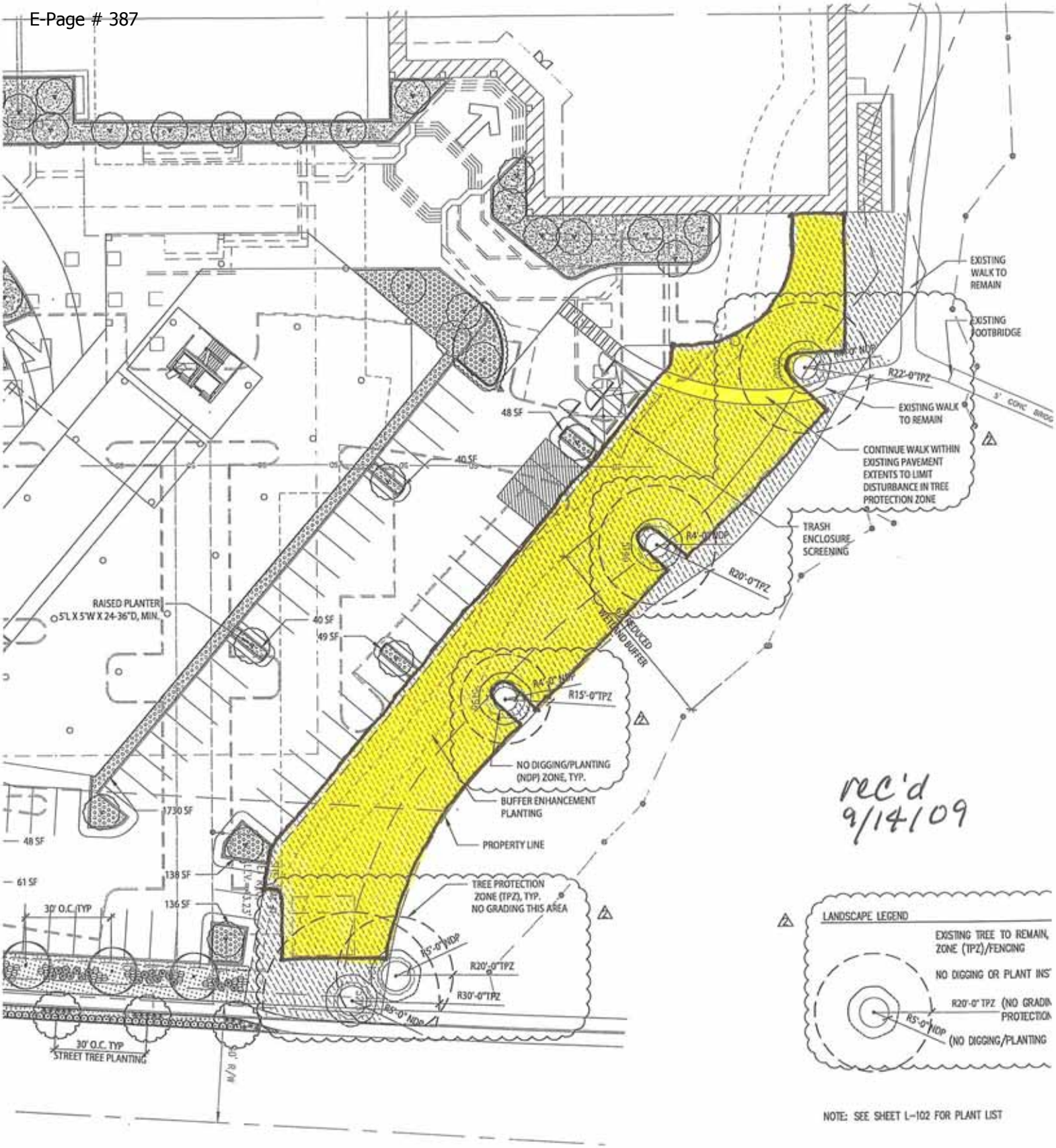
- Original PUD approval
  - Dedicated over 66 acres to City as a Park
  -

- Linbrook Office Park PUD
  - Prior office campus approved in 2003
  - Approx. 400,000 sf
  - Building height of 70 feet
  - This project will never be built due to creation of office condominium
  -

- Environmental features
  - Expanded and enhanced wetland buffer
  - Reduced storm water runoff due to structured parking
  - Reduced impervious surface
  -

CITY OF KIRKLAND
Hearing Examiner Exhibit
Applicant ✓
Department ____
Public ____
FILE # ZON08-00017

B



CITY OF KIRKLAND
Hearing Examiner Exhibit

Applicant ✓
Department ____
Public ____
FILE # ZON08-00017

C

rec'd 9/14/09

CITY OF KIRKLAND
Planning and Community Development Department
123 Fifth Avenue, Kirkland, WA 98033 425.828.1257
www.ci.kirkland.wa.us

ADVISORY REPORT
FINDINGS, CONCLUSIONS, AND RECOMMENDATIONS

To: Kirkland Hearing Examiner and Houghton Community Council

From: [signature] Jon Regala, Project Planner

Nancy Cox for Eric R. Shields, AICP, Planning Director

Date: January 22, 2003

File: IIB-01-15. LINBROOK OFFICE PARK PUD

Hearing Date and Place: February 3, 2003
7:00 pm
City Hall Council Chamber
123 Fifth Avenue, Kirkland

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CITY OF KIRKLAND
Hearing Examiner Exhibit
Applicant ✓
Department
Public
FILE # ZON08-00017
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I. INTRODUCTION

A. APPLICATION

1. Applicant: Gerry Gerron, with Mulvanny G2 Architects, on behalf of Stephen Yett, property owner of the Linbrook Office Park.

2. Site Location: 10406 NE 37th Circle, Kirkland (see Attachment 1)

3. Request: The applicant is proposing two 4-story office buildings; each 198,360 square feet for a total of 396,720 square feet (see Attachment 2). The applicant is requesting the following exceptions from the Zoning Code as part of this Process IIB review.

   a. *Increased Time.* The applicant is requesting an additional 18 months beyond the 4 year lapse of approval date. Zoning Code section 125.80, states that the City Council may, by the ordinance approving the final PUD or by the resolution or ordinance approving the preliminary PUD, extend the time limits of KZC section 152.115. See section II.F.1 for further discussion.

   b. *Exceed 30' Height Limit.* The applicant is proposing to construct two four-story buildings (see Attachment 3). The heights of the buildings are being increased above the 30' height limit allowed by the Zoning Code. Building 1 (northwest building) is proposed with a height of 70' or 40' above the height limit. Building 2 (southeast building) is proposed with a height of 68.75' or 38.75' above the height limit. The heights are measured above an Average Building Elevation (ABE) and do not include height for rooftop appurtenances. Rooftop appurtenances are proposed at approximately 13'. Underground parking is also being proposed. This request for additional height is required to meet the Planned Unit Development (PUD) criteria. See section II.F.2 for further discussion.

   c. *Reduce Stream Buffer Width.* The applicant is requesting to reduce the required stream buffer from Cochran Springs Creek from 75' to 50'. This request is required to be reviewed through a Process IIA and meet the criteria in KZC section 90.100 regarding stream buffer modifications. See section II.F.3 for further discussion.

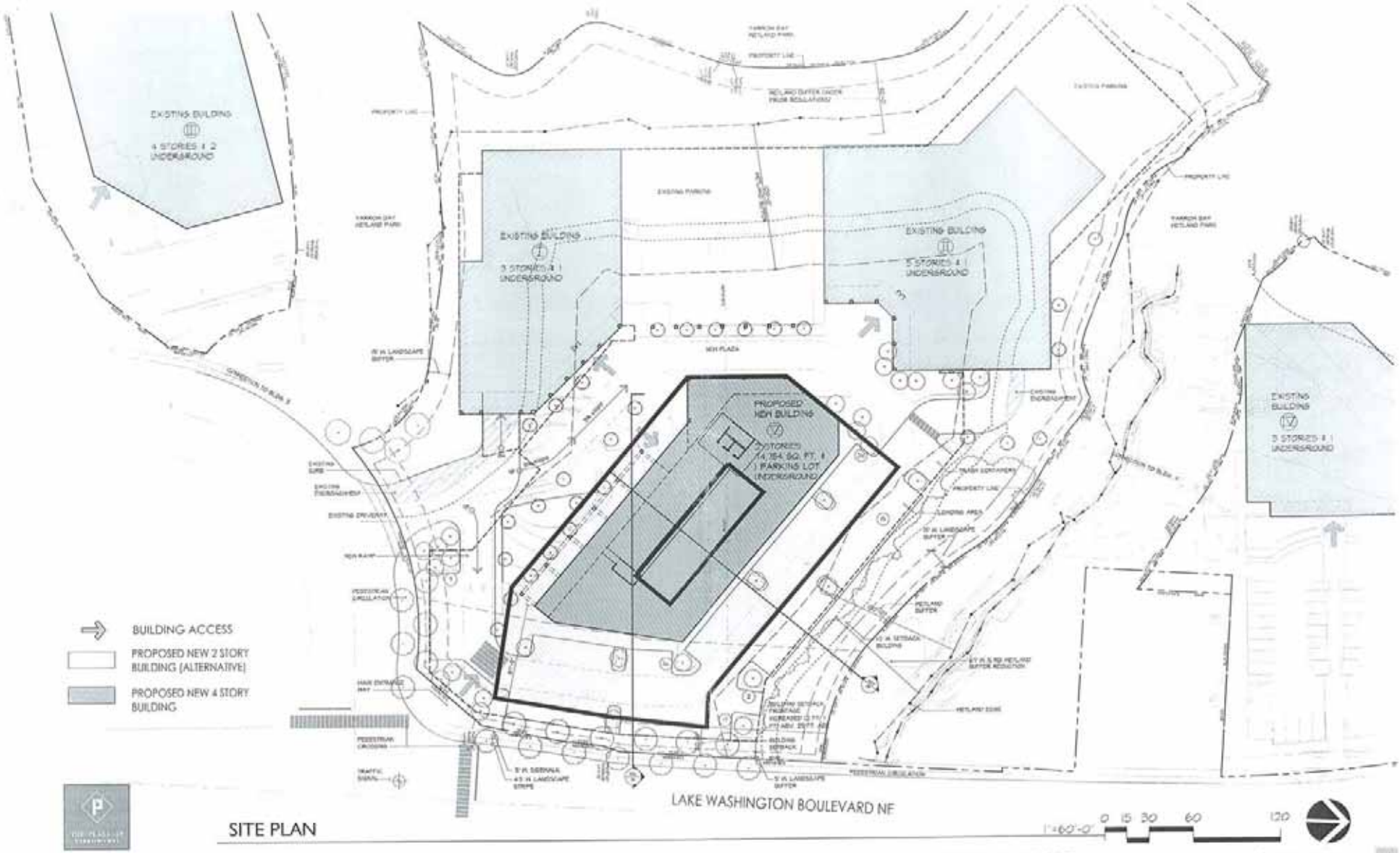
4. Review Process: Process IIB, Hearing Examiner and Houghton Community Council (HCC) conduct public hearing and make recommendation; City Council makes final decision. If the City Council approves the application, then the HCC will vote to approve or disapprove it.

5. Summary of Major Issues and Recommendations: The major issues are to determine if the applicant's proposal meets the criteria for a PUD and stream buffer modification. In addition, the applicant is requesting to extend the lapse of approval date for the PUD. Staff is recommending approval of the extension to the lapse of approval date, the PUD request for additional height, and the stream buffer modification based on the recommendations outlined in section I.B below.

B. RECOMMENDATIONS

Based on Statements of Fact and Conclusions (Section II), and Attachments in this report, we recommend approval of this application subject to the following conditions:

1. This application is subject to the applicable requirements contained in the Kirkland Municipal Code, Zoning Code, and Building and Fire Code. It is the responsibility of the applicant to ensure compliance with the various provisions contained in these ordinances. Attachment 4, Development Standards, is provided in this report to familiarize the applicant with some of the additional development regulations. This attachment does not include all of the additional



SITE PLAN

BAYLIS ARCHITECTS

PLAZA AT YARROW BAY - BUILDING "V"

RE-SUBMITTAL 09-14-09

ZONING PERMIT PACKAGE - PROCESS IIB

CITY OF KIRKLAND
Hearing Examiner Exhibit
Applicant ✓
Department
Public
FILE # ZON08-00017
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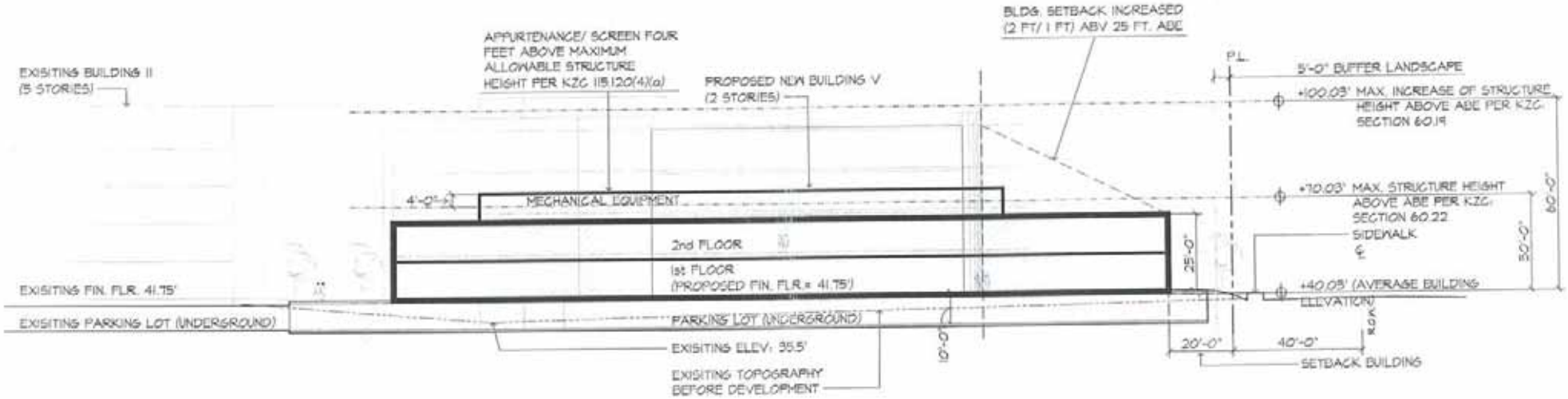

SITE SECTION - LONGITUDINAL

1"=30'-0" 0 7.5 15 30 60

BAYLIS ARCHITECTS

T 425 454 8546

PLAZA AT YARROW BAY - BUILDING " V "

RE-SUBMITTAL 9-14-09

ZONING PERMIT PACKAGE - PROCESS IIB

18

CITY OF KIRKLAND
Hearing Examiner Exhibit
Applicant
Department
Public
FILE # ZON 07-00017

F

Houghton Community Council
CITY OF KIRKLAND
123 Fifth Avenue, Kirkland, WA 98033 425.587-3225
www.ci.kirkland.wa.us

MEMORANDUM

To: Sue Tanner, Hearing Examiner

From: Rick Whitney, Chair, Houghton Community Council

Date: September 14, 2009

Subject: PLAZA AT YARROW BAY OFFICE BUILDING PUD AND WETLAND BUFFER MODIFICATION (ZON08-00017) RECOMMENDATION OF HOUGHTON COMMUNITY COUNCIL

Recommendation to the Hearing Examiner:

After consideration of the testimony and record presented at the public hearing on File ZON08-00017 held on September 14, 2009, the Houghton Community Council (HCC) concurs with the staff analysis and recommendation of approval, with the following additional recommendations:

Recommendation 1

The HCC concludes that the applicant has not provided adequate public benefits to address the adverse impacts or undesirable effects of the proposed PUD, specifically the setback reduction. In order to address the negative impacts, the applicant shall modulate the upper story of the building. In order to address this, as part of the development permit application, the applicant shall submit a building section demonstrating that no portion of the building exceeds the building setback increase (two feet for one foot) as depicted on Attachment 3, Sheet 18.

Motion – To approve this recommendation regarding the Plaza at Yarrow Bay Office Building PUD and Wetland Buffer Modification as written. (6 yes, 0 no).

Hearing Examiner Exhibit G
ZON08-00017

ORDINANCE NO. 4213

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO LAND USE, APPROVAL OF ZONING PERMITS, PRELIMINARY PUD, AND FINAL PUD AS APPLIED FOR BY KEITH MAEHLUM OF HAL REAL ESTATE INVESTMENTS INCORPORATED, IN DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT FILE NO. ZON08-00017 AND SETTING FORTH CONDITIONS OF SAID APPROVAL.

WHEREAS, the Department of Planning and Community Development has received an application, pursuant to Process IIB, for Zoning Permits, Preliminary Planned Unit Development (PUD), and Final Planned Unit Development (PUD) filed by Keith Maehlum of HAL Real Estate Investments Incorporated as Department of Planning and Community Development File No. ZON08-00017 to construct a new office building within a PLA 3A zone; and

WHEREAS, pursuant to the City of Kirkland's Concurrency Management System, KMC Title 25, a concurrency application has been submitted to the City of Kirkland, reviewed by the responsible Public Works official, the concurrency test has been passed, and a concurrency test notice issued; and

WHEREAS, pursuant to the State Environmental Policy Act, RCW 43.21C, and the Administrative Guidelines and local ordinance adopted to implement it, an environmental checklist was submitted to the City of Kirkland, reviewed by the responsible official of the City of Kirkland, and a negative determination reached on this action; and

WHEREAS, said environmental checklist and determination have been available and accompanied the application through the entire review process; and

WHEREAS, the application was submitted to the Kirkland Hearing Examiner who held hearing thereon at her special meeting of September 14, 2009; and

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

WHEREAS, the City Council did consider the environmental documents received from the responsible official, together with the recommendation of the Hearing Examiner; and

WHEREAS, the Kirkland Zoning Ordinance requires approval of this application for a Zoning Permit and PUD to be made by ordinance.

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

Section 1. Except as provided in Section 3, the Findings, Conclusions, and Recommendations of the Kirkland Hearing Examiner as signed by her and filed in the Department of Planning and Community Development File No. ZON08-00017 are adopted by the Kirkland City Council as though fully set forth herein.

Section 2. The Process IIB Permit shall be issued to the applicant subject to the conditions set forth in the Recommendations hereinabove adopted by the City Council.

Section 3. The Hearing Examiner recommended that upper story of the building be modulated. The City Council concludes that the applicant shall modulate the upper story of the building by submitting a building section demonstrating that no portion of the building exceeds the building setback increase (two feet for one foot) as depicted on Attachment 3, Sheet 18 of the Staff Advisory Report dated September 3, 2009.

Section 4. Nothing in this Ordinance shall be construed as excusing the applicant from compliance with any federal, state or local statutes, ordinances or regulations applicable to this project, other than expressly set forth herein.

Section 5. Failure on the part of the holder of the permit to initially meet or maintain strict compliance with the standards and conditions to which the Process IIB Permit is subject shall be grounds for revocation in accordance with Ordinance No. 3719, as amended, the Kirkland Zoning Ordinance.

Section 6. Notwithstanding any recommendations heretofore given by the Houghton Community Council, the subject matter of this Ordinance and the Permit herein granted are, pursuant to Ordinance 2001, subject to the disapproval jurisdiction of the Houghton Community Council, and therefore, this Ordinance shall become effective only upon approval of the Houghton Community Council or the failure of said Community Council to disapprove this Ordinance within 60 days of the date of the passage of this Ordinance.

Section 7. Except as provided in Section 6, this Ordinance shall be in full force and effect five (5) days from and after its passage by the City Council and publication pursuant to Kirkland Municipal Code 1.08.017, in the summary form attached to the original of this Ordinance and by this reference approved by the City Council as required by law.

Section 8. A complete copy of this Ordinance, including Findings, Conclusions and Recommendations adopted by reference, shall be certified by the City Clerk, who shall then forward the certified copy to the King County Department of Assessments.

Section 9. A certified copy of this Ordinance, together with the Findings, Conclusions, and Recommendations herein adopted shall be attached to and become a part of the Process IIB Permit or evidence thereof delivered to the permittee.

Passed by majority vote of the Kirkland City Council in open meeting this _____ day of _____, 2009.

SIGNED IN AUTHENTICATION THEREOF on this _____ day of _____, 2009.

_____
Mayor

Attest:

_____
City Clerk

Approved as to Form:

_____
City Attorney