

My name is Molly Lawrence. I am a land use attorney at Van Ness Feldman in Seattle, Washington. Until Flicka Farms closed and we were forced to move due to the subject project, I boarded a horse on the subject property. While boarding at Flicka, I regularly used Bridle Trails Park for equestrian activities. I continue to use the Park, but now have to haul in from the Fall City area.

The applicant has not met the criteria for a rezone. The first of those criteria is that either conditions have substantially changed or the proposed rezone implements the Comp Plan. Here, the history section of the staff report demonstrates that conditions have not substantially changed since the City first zoned this property RS 35. Further, the City recently updated the Bridle Trails Neighborhood Plan, and made no changes to the Plan that affect or diminish the equestrian oriented nature of the subject property and surrounding area. *No change is evidence that conditions have not changed.*

The rezone is not consistent with the City's Comprehensive Plan (Comp Plan). Both the applicant's analysis and the staff report provide only a cursory list of a few Comp Plan policies. The applicant's materials entirely fail to acknowledge the Bridle Trails Neighborhood Plan, which is part of the City's Comp Plan and sets specific policies for this property.

Bridle Trails Neighborhood Plan provides – "Development in this area should be limited to low-density equestrian-oriented residential (one to three dwelling units per acre)."

Applicants have designed the project so that it is not possible to keep horses on any lots. That's NOT equestrian-oriented.

It is possible to both provide additional residential capacity and support equestrian residential – by leaving the zoning at RS 35.

NO HORSES ON RS 12.5 – The staff report failed to address the fact that it would be practically and legally not possible to keep horses in RS 12.5 zoning. (Opponents have provided an analysis of this in their comment letter, and during testimony tonight. Neither the applicant nor the staff report have contested that analysis of the Code.)

Instead, staff report asserts that there is no need to consider horse keeping because staff assumes with no evidence that there is no demand.

CORSUN HOA – From the staff report (pg 15): "The most compelling reason to retain the current RS 35 zone would be for the ability for a homeowner to keep a horse on site. All lots located to the south of the subject property, within the City of Kirkland, have lot sizes that exceed 35,000 square feet. Only one of the 40 lots has a paddock area and within the past 10 years another a barn and paddock area was removed."

Staff report fails to acknowledge that the Cor-Sun Ranch Estates CCRs recorded against the lots and the HOA effectively prohibits horses.

Also fails to acknowledge that the Corson properties were not originally laid out in a manner to support horse-keeping. See map.

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That is why it is so important that the subdivision approved for the subject property is designed NOW in a manner that will allow horsekeeping. Otherwise, that opportunity will effectively be lost, even if horse keeping could be permitted under the CCRs and zoning code.

Applicant also has failed to demonstrate that this application meets the other applicable criteria for a rezone. The applicant is not entitled to a rezone with demonstrating compliance with these criteria.

- Letters in record and people here at hearing tonight demonstrate that this rezone and subdivision is not in the interest of the community. This is not a matter of differing opinion – the community is against this application because of how it will adversely affect the equestrian community in this neighborhood.
- Applicant has not provided any evidence for how this rezone will support the community interest.

• ~~Developing~~ *Developing @ RS 35 is ⁱⁿ interest of community - allow 20 houses AND horses*
No evidence that it bears a substantial relationship to public health, safety or welfare. If the property were subdivided and developed into residences under RS 35, still get 20 lots – and all of the other benefits provided by this new development (wetland protection, stormwater upgrades, street frontage, etc.). NO ADDITIONAL BENEFITS – There are no benefits added by changing from RS 35 to RS 12.5. All benefits claimed by the applicant also apply if the zoning is maintained at RS 35. *(as compared to 35 SF only lots)*

Simply put, the applicant has not met its burden to support the rezone.

The property should remain RS 35 and RSX 35 and be developed consistent with that designation into equestrian friendly lots.

The staff report is correct that the City has not mandated that these properties contain horses. But the city absolutely can dictate the type of uses that it wants to be developed on particular properties – commercial in commercial zones, parks on recreationally zoned property.

Here the City has said – and repeated just last year when the Council reaffirmed the Bridle Trails Neighborhood Plan – that it wants this property to be EQUESTRIAN-ORIENTED. The proposed rezone will PROHIBIT that outcome.

PLAT – The proposed plat design does not allow for any horsekeeping.

Leave the zoning as is (RS 35 and RSX 35) and require the applicant to come back in with a lot design that enables horsekeeping. We believe that when the applicant begins to market the property for horse use – like the other properties around the Park – they will find a substantial market for their product.

HORSE ACCESS – Will be a lark/sham. Without horses on the property to use it, equivalent to building a bridge while eliminating all of the people who might have used it. Instead, keep the property horse-oriented and then the access will be meaningful.

Urge the Hearing Examiner to deny the rezone and subdivision approval and tell the developer to come back with an equestrian-oriented proposal – that allows for horse keeping and supports the Park and community.

**Comments on the Bridlestone Development, SUB15-00572
At the Hearing on March 9, 2016
Jim Erckmann**

My name is Jim Erckmann and I live at 26 Bridlewood Circle, Kirkland, WA 98033. I have been a resident of the Bridle Trails neighborhood since 1993, and a resident of the Eastside since 1976. I am a board member for the Bridle Trails Park Foundation, but I am speaking today as a resident of the area.

I have used Bridle Trails State Park extensively since the 1970s and support the park in many ways, and I know that the ability of the neighborhoods around the park to keep horses is important to the long-term well-being of this unique equestrian/pedestrian park. I oppose the proposed rezone from RS 35 and RS 35X to RS 12.5 for the following reasons and for other reasons stated in my letter of February 22, 2016, which is appended to the staff report for this project.

- The applicant has to meet each of the five criteria for a quasi-judicial rezone, the first four of which apply in this case, but has not done so with this proposal.
- **The applicant has not met the 1st criterion for a rezone, which requires that conditions have substantially changed or the proposed rezone implements the Comprehensive Plan.**
 - First, the history section of the staff report demonstrates that conditions have not substantially changed since the City first zoned these properties RS 35 and RS 35X. Neither the applicant nor the staff report provides any evidence that conditions have substantially changed, other than the City's desire to accommodate growth. However, there are much better areas to meet the City's growth targets than an equestrian-oriented neighborhood adjacent to our region's premier equestrian/pedestrian park, especially when the Comprehensive Plan directs a different emphasis for this specific area.
 - Second, the rezone is not consistent with the Comprehensive Plan. The applicant has provided only a cursory list of a few Comprehensive Plan policies, and the staff report fails to acknowledge a key statement in the BRIDLE TRAILS NEIGHBORHOOD PLAN, which is part of the City's Comprehensive Plan and sets specific policies for this property.
 - For the area of the proposed development, the Bridle Trails Neighborhood Plan provides that "Based upon the above considerations, development in this area should be limited to low-density equestrian-oriented residential (one to three dwelling units per acre)." This important policy statement was NOT quoted or analyzed in the staff report in the section on rezone criteria, and only cited later with the conclusion that the "The proposed use of the property is consistent with the Comprehensive Plan.

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- Applicants have designed the project so that it is not possible to keep horses on any lots. That is NOT equestrian-oriented. It is possible to both provide additional residential capacity and allow for equestrian-oriented residential development by leaving the zoning at RS 35.
 - But RS 12.5 zoning will not support horse-keeping under the Kirkland Zoning Code section 115.20.5, which addresses keeping horses. The staff report failed to address the fact that it would not be practically and legally possible to keep horses in RS 12.5 zoning, because typical lot sizes would be far too small. To meet the requirements of the Zoning Code for keeping horses, lot size would likely have to be considerably more than 20,000 square feet. For detailed justification of this point, please see the more extensive analysis in my letter Of February 22, 2016, which is appended to the staff report.
 - Neither the applicant nor the staff report contested that analysis of the Code. All of the benefits related to the Comprehensive Plan listed in the staff report, other than 15 additional houses, would accrue if the zoning remained RS 35 or RS X.
- **The applicant has also failed to meet the 3rd criterion for a rezone,** which requires that it bear a substantial relationship to the public health, safety, or welfare. The applicant gives no evidence that this is the case. If the property were subdivided and developed into residences under RS 35, the development would still have 20 lots, and would still produce all of the benefits provided, such as wetland protection, storm water upgrades, street frontage, etc. There would be NO ADDITIONAL BENEFITS added by changing from RS 35 to RS 12.5, other than 15 additional houses.
 - **The applicant has also failed to meet the 4th criterion for a rezone,** which requires the rezone to be in the best interest of the community of Kirkland. Letters in the record and people here at the hearing tonight demonstrate that this rezone and subdivision is not in the interest of the community. This is not a matter of differing opinion – the community is against this application because of how it will adversely affect the equestrian community in this neighborhood. The Bridle Trails neighborhood is unique in Kirkland BECAUSE it is equestrian oriented, thus adding to rich diversity of communities in our City. The health and well-being, as well as the recreational usefulness, of Bridle Trails State Park is dependent on having communities around the park that can support horses.

In summary, the applicant has failed to meet the criteria for a quasi-judicial rezone to RS 12.5, and the current zoning should be retained. There are much better areas to meet the City's growth targets than an equestrian-oriented neighborhood adjacent to our region's premier equestrian/pedestrian park. In fact, the Bridle Trails Neighborhood Plan singles out this specific area for equestrian-oriented development, which is not possible with RS 12.5 zoning. Thank you.

March 9, 2016

To the City of Kirkland
Planning Department

Re: Bridlestone Request for Rezone
File No. SUB15-00572

A few of us "horsey" folks have been thinking and mulling over this proposal and I'd like to share some of our thoughts with you.

The developer has purchased land along the west side of the Park, ^{which} has been zoned to allow for a horse to be kept in back yards. The zoning also allowed 2 well known stables that for years gave lessons as well as financially supported The Saddle Club and the interests of Bridle Trails State Park. Then, when the State was having financial difficulties threatening to end Park Ranger support, the equestrian and neighboring community banded together and formed the Bridle Trails Park Foundation which presently funds 1/2 of the net operating costs of the Park. This is all with donated monies which is significant because it demonstrates the degree to which the community is involved with the Park's healthy existence.

But, I've gotten off course. Since at least 1965 the former equestrian stables on the Bridlestone property supported horse shows, horse boarding and other park related activities. Zoned to reflect its equine neighborhood and its rural nature, this property has been valued, even treasured, as it played a role in teaching riding to hundreds of children and adults who used and supported the Park.

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We users are worried. The request by the developer to increase the zoning to provide 3 residences per acre will not support horse interests, nor does it fit with the rural nature of the area that surrounds it. At the same time, we also realize that the developer needs to make good on his investment and increasing the density to that level is one way to do this. We think it is not the only way.

The challenge is, how to help this builder develop the property in a way to benefit all concerned and involved? Our suggestion is to do essentially what was done with The Hunt Club that was developed on property that is also adjacent to the Park and could be a template for the future of the Bridlestone property.

An idea we've had is to save (and renovate) the big barn and adjoining arena, that's located on the northern perimeter of the property. Likely, a consortium of people would be willing to put up money to lease it and run it. Such an idea is exciting, fits with the neighborhood and ... there is an existing barn is there!

We know that negotiations with the City of Kirkland regarding Bridlestone have been going on for some time. With our concept, we suggest either a re-zone or perhaps a variance for the developer to allow ½ acre lots. Further details would have to be worked out by sitting down at a table and sharing and negotiating ideas and possibilities with the builder and the city.

I conclude on behalf of an interested group of Park supporters to ask the Planning Department to place a 90-day hold on proceedings. This will allow the community of concerned neighbors to come up with a fair proposal.

Keep in mind that we want the developer to come out whole, the equestrian community to have a place to board horses near the Park

and the Bridle Trails rural nature to be maintained. I think it would worthwhile to see if we can't negotiate a plan that would benefit all of us.

I urge you to please proceed in a way that could maintain the integrity of the equestrian nature of Bridle Trails. Let's see if we can't come together and work something out.

Thank you.

Mary Decher

Bridle Trails State Park user
5249 140th Ave NE
Bellevue, WA 98005

<marydecher@gmail.com>
425-885-1305

March 9, 2016

Deborah Giddings
4649 137th Ave NE
Bellevue
WA 98005

Re: SUB15-00572

Dear Sir/Madam

I am writing to oppose the rezoning for the Bridlestone development (SUB15-00572).

I have been riding and keeping horses in Bridle Trails for 20 years. Horses and backyard horsekeeping are an integral part of what makes Bridle Trails the unique neighborhood that it is. Because of this I am opposed to rezoning the properties southwest of Bridle Trails State Park from RS 12.5 to RS 35. It is not possible to keep horses on properties zoned RS 12.5. And the Bridle Trails Neighborhood Plan clearly states that, for the properties on the southwest of Bridle Trails State Park, "...development in this area should be limited to low-density equestrian-oriented residential...". The proposed development is not horse-oriented.

Please deny the rezone and preserve the unique character of Bridle Trails.

Yours faithfully

Deborah Giddings

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To all it may concern

I am writing to oppose the rezoning for the Bridlestone development (SUB15-00572).

I have been riding and keeping horses in Bridle Trails for over 20 years. Horses and backyard horse keeping are an integral part of what makes Bridle Trails the unique and special neighborhood that it is. I am completely opposed to rezoning the properties southwest of Bridle Trails State Park from RS 12.5 to RS 35. It is not possible to keep horses on properties zoned RS 12.5. The Bridle Trails Neighborhood Plan clearly states that, for the properties on the southwest of Bridle Trails State Park, "...development in this area should be limited to low-density equestrian-oriented residential..." The proposed development is not horse-oriented and would do detriment to this beautiful horse community. This rezone will be opposed by many and receive enormous objection.

Please deny the rezone and preserve the unique character of Bridle Trails as it was intended.

Jessica Reaves

17514 West Riverside Drive

Bothell, WA 98012

206-755-1403

opticalreflections@gmail.com

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FILE # SUB15-00572

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Kirkland Planning and Building Department
123 5th Avenue
Kirkland 98033
March 9, 2016

Comments in regards to BRIDLESTONE ESTATES, FILE NO. SUB15-00572

Dear Kirkland planners,

I urge you to reject the rezone of the area referred to as "Bridlestone Estates."

This rezone would tear yet another chunk out of the heart of the Bridle Trails neighborhood, replacing viable horsekeeping properties with yet another cramped subdivision.

A glance at Bridle Trails Park Foundation donations, both in money and time, shows how much support there is for Bridle Trails Park and its equestrian trails. The City of Kirkland has put substantial effort into keeping the Bridle Trails area viably horse-centric, both with equestrian zoning overlays and direct support. Permitting this re-zone will undermine that investment, and lower property values throughout the area.

Also, I question the sensibility of permitting more wetland destruction. This area already experiences localized flooding during heavy rains, and squeezing the water into ever smaller and less permeable areas not only exacerbates that problem, but causes damage to adjacent and downstream wet areas. Flooding is controlled best and most affordably by leaving wetlands intact, not by expensive public works sometime in the future.

If you appreciate Bridle Trails Park as a chunk of intact ecosystem as well as a trail system, allowing more high-density development at its borders is antithetical to its long-term well-being. In the twenty-some years I have lived near the park, the number of species of wildlife wandering through my yard has decreased noticeably. (For instance, we used to have a resident flock of quail. I have not seen one here in at least five years.) Keeping the equestrian zoning around the park provides at least some buffer to the native plants and animals there.

This is a unique area. If you allow developers to chip away at it piece by piece, soon there will be nothing left.

Thank you,
Jana Hobbs
13506 NE 66th St
Kirkland, WA 98033
urtica@frontier.com

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FILE # SUB15-00572

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Tanner, Sue

From: Klara Lukacs <klaracemily@gmail.com>
Sent: Wednesday, March 09, 2016 5:33 PM
To: Desiree Goble
Subject: Bridlestone Redevelopment

Dear City of Kirkland:

I am writing to ask Kirkland to not rezone the 17 acres into 35 home lots at 116th.

As a 11 year part-time resident, and a historical restoration contractor I am firmly against destroying the traditional horse community that makes us such a desirable area.

We have lost too many family homes to overly large McMansions of dubious architectural types (Spanish Mediterranean, faux Victorian, Tudor!) that do not blend into our community and destroy any chance of affordable housing.

And, there will be the negative environmental and animal habitat impact of removing trees and native vegetation. Plus the increased traffic on roads not designed to carry the burden of 35 more homes.

Thank you in advance for reviewing my letter.

Best regards,
Klara Lukacs

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Sent from Gmail Mobile

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FILE # SUB15-00572

S

Tanner, Sue

From: Desiree Goble <DGoble@kirklandwa.gov>
Sent: Thursday, March 10, 2016 4:27 PM
To: Tanner, Sue
Subject: Bridlestone Estates Rezone & Subdivision - SUB15-00572
Attachments: Bridlestone Redevelopment; Hearing Examiner Speaker Sign In - Bridlestone Estates Rezone and Subdivision.pdf

Ms. Tanner,

The staff report Section number II.A.1.a.(4) should have referenced Sheet 3 of 14 not Sheet 2 of 14. Sheet 3 shows topography in 10 foot contours and Sheet 2 shows topography in 2 foot contours.

Attached for your information is a copy of an e-mail from Klara Lukacs received 03.09.16 @17:33 and the speaker sign in sheet from the 03.09.16 Hearing.

Thanks,

Désirée Goble, AICP
Planner
Planning and Building Department
City of Kirkland
123 5th Ave
Kirkland WA 98033

425.587.3251

Applicant _____
Department _____
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FILE # SUB15-00572

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Desiree Goble

From: Andrea Lorig <alorig@comcast.net>
Sent: Friday, March 04, 2016 2:02 PM
To: Desiree Goble
Subject: REGARDING THE PROPOSED UP-ZONE FOR THE BRIDLESTONE DEVELOPMENT

Please refer my comments to all Kirkland entities that may be involved in decisions regarding the Bridlestone development hearings.

Since I am unable to attend the hearing March 9th, 2016, I hope you will note the following thoughts I cannot be there to express. I refer to Permit No. SUB15-00572.

MY BACKGROUND: For the past 4 decades I have operated horse boarding/training facilities in the Bridle Trails area and been an active supporter of the Bridle Trails Foundation and The Lake Washington Saddle Club. I received a Lifetime Achievement Award from the latter which I deeply appreciate. For the past 28 years I have owned and operated a stable at 4602-4604 116th Avenue N.E. which is now a part of the proposed Bridlestone development.

MY OPINION: While understanding the reluctance of equestrians in the Bridle Trails Community to see this development eliminate yet more horse keeping options in the neighborhood, reality forces me to support it even if it is a decision that conflicts me. My reasons are as follows.

- 1) The growth of Seattle and Bellevue have exerted tremendous pressure on owners of acreage in the area.
Given taxes and the constraints of city codes, horses are no longer the "highest and best use" of our properties. I, for one, have operated at a consistent loss for years and can no longer afford to do so. Others find themselves in similar positions.
- 2) In an ideal world, those who wish to preserve the equestrian nature of the Bridle Trails Community would come forward to purchase the properties in question and maintain their horse-friendly condition. Unfortunately, these are individual horse owners who haven't the financial resources to do so. Also, most have never operated an equine facility as a business. If they had, they would better understand the difficulty of maintaining such in a rapidly urbanizing area.
- 3) The history of equestrian areas is one of migration and has been for many years. When Seattle spread northward, emphasis shifted to the East Side. Now it is moving further east and north. I have watched as one facility after another in

our area fell to development and grieved over the loss of horse habitat along with others. Will there be horses if an up-zone in Bridlestone is not approved? I think not. Cor-Sun Ranch Estates on the south border of my property has acre lots but, no horses. In truth, the costs of land and construction are such that they do not encourage equestrian use. This is the sad reality as I see it.

I trust you will give the above consideration in your decisions. Sincerely, Andrea H. Lorig

Park Place Farm
4604 16th N.E.
Kirkland, 98033
206-232-4118
alorig@comcast

.net

Andy Lorig