

## Teresa Swan

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**From:** Atis Freimanis [atisfreimanis@yahoo.com]  
**Sent:** Wednesday, June 29, 2011 4:37 PM  
**To:** Eric Shields; Teresa Swan; Paul Stewart; Kathi Anderson; Desiree Goble; Kurt Triplett  
**Cc:** Thang Nguyen  
**Subject:** Appeal of SEP11-0004 decision

June 29, 2011

Dear Mr. Shields,

I am writing to appeal the SEPA determination for Potala Village (reference SEP11-00004) which has been paid for by VISA card (receipt number 00241021). I reside in the Park Bay Condominiums on the east property line of the proposed project so I am directly impacted.

The city's determination of non significance is entirely misguided and should be reversed.

How can the project's impact be determined non significant if the development application describes the project as a "Substantial Development Project"? (reference SHR11-00002)

The project has been submitted on a massive scale without consideration or proper consultation with the neighborhood residents that will be directly impacted. If we extrapolate that the project did not take into consideration area resident concerns, we must be wary that environmental concerns have similarly been glossed over and therefore we must err on the side of caution when it comes to SEPA review.

A significant project such as this requires at a minimum an environmental impact study which considers all the elements that are within the city's power to require under it's SEPA authority.

Specifically, the city should require additional study of density, bulk/height, setbacks, aesthetics, traffic/parking, hard surfaces, changes to waterflow entering lake Washington, plants and animals, recreation and environmental contamination. All of these are within the broad scope of mitigation that the city may deploy within it's SEPA mandate.

1) Density - The developer is exploiting poorly conceived rules in BN zoning to develop a purely profit based project with no regard to the concept of "neighborhood business" as intended by BN (Business Neighborhood) zoning.

The project specifies a density many times that of surrounding buildings which will most certainly have an impact on the environment.

2) Bulk/Height - The project calls for a single structure that spans three different properties and rises four stories in such a way to block significant natural light to be available to buildings and plants on the east boundary (My property is on the east boundary so I am directly impacted)

A large structure of this scale in a residential neighborhood should be limited to a 20 foot height restriction (and/or increase setbacks) to maintain light to the adjacent properties.

3) Setbacks - The existing setbacks are insufficient given that the property is ignoring the setbacks that would be in place should separate buildings be built on each of the three separate properties. The setback on the southside of the property is insufficient (see further comments related to water flow and plants/animals), The setback on the east side of the property is insufficient to provide light (unless the building height is reduced to 20 feet). The building spans three separate properties but does not re-allocate the setbacks that would have existed between each of the three separate properties. If a natural earth/plant boundary were maintained between these three properties the impact of natural filtration of water entering the lake would be improved. Even in the current plan the developer has parts of the building that encroach on the existing setbacks/buffers.

4) Aesthetics - This is a massive structure that will be completely out of character in the much lower density neighborhood in which it is proposed. The density/bulk/height of this project needs to be redesigned to be consistent with the surroundings.

5) Traffic/Parking - 143 units will add significant peak hour traffic and increased parking problems. At the last town hall meeting the developer stated that parking had been redesigned to avoid the need for a waiver, however the revised parking design has not been posted on kirklandpermits.net so that area residents may review. The comment period

should be extended (once the information has been posted on the website) to allow residents to review the traffic and parking proposal in detail. The posted notice (green paper) states that the proposal has been modified to mitigate impacts (verifying that impacts exist) yet the revised parking drawings have not been posted so that they may be carefully reviewed.

I have copied Thang Nguyen on the email distribution list so that I may be considered for the appeal to road concurrency issues. I am willing to pay whatever additional fees are required for road concurrency appeal.

6) Hard Surfaces - Increased hard surfaces will cause water (and contaminants) to flow directly into Lake Washington. Project should be redesigned to maximize natural filtration of water through the soil to protect the lake.

7) Waterflow entering lake Washington - Further to hard surface considerations, the reduced setback on the south side of the property will alter the flow of water from up the hill (note width of setback for Park Bay and Monterey Apartments which are uphill from Potala property). The stream that flows (assumedly underground) along the protected corridor near the south end of the property may be impacted by a building that digs so deep along the south property line. This requires further study.

8) Plants and Animals - The project proposes to remove virtually all existing trees, including one on the southwest corner of the property in the shoreline zone where I have seen eagles perch. The setbacks should be increased to both maintain existing trees along the south property line as well as reduced height along the east property line to allow for light to reach plants on neighboring properties.

9) Recreation - The environmental impact to the park across the street, which would have to now support 143 more residents and their guests has not been reviewed and needs consideration due to the park's close proximity to the lake.

10) Environmental Contamination - The site has been known to be an illegal dumping ground, has previously had gasoline tanks in the ground and currently has a dry cleaning operation. All of these pose huge risk of environmental contamination and require significant review by SEPA **prior** to the project being approved.

I am confident that many of my neighbors share the same concerns and request that the city re-open the comment window so that residents are not required to pay a fee to appeal or provide comments. I am aware of a number of residents that were not aware that a project of this scale was being planned.

I look forward to being able to discuss my petitions with the city in more detail during the appeal review process.

Regards,

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