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## **MEMORANDUM**

**To:** Eric R. Shields, AICP, SEPA Responsible Official

**From:** Jon Regala, Senior Planner

**Date:** September 16, 2013

**File:** SEP12-01379

**Subject:** STATE ENVIRONMENTAL POLICY ACT (SEPA) ENVIRONMENTAL DETERMINATION  
GOOGLE PHASE II

## **GENERAL**

The subject property is located at 451 7th Avenue South (see Attachment 1) and is currently undeveloped except for several remaining asphalt areas from the former use. The applicant, SRMK II, LLC, is proposing to construct a new 165,800 sq. ft. (approx.) two-story office building above a two-story 721 stall parking garage for Google. The new office building is located to the west of the existing campus (747, 777, and 787 6th Street South) across the Cross Kirkland Corridor (CKC). Vehicular access is proposed at the northeast corner of the subject property from 7th Avenue South and at the southeast corner of the subject property via an at-grade driveway which would cross the CKC from the existing Google campus. A pedestrian bridge is also proposed to provide access between the two office complexes over the CKC.

## **ANALYSIS**

The SEPA "threshold determination" is the formal decision as to whether the proposal is likely to cause a significant adverse environmental impact for which mitigation cannot be identified. Where City regulations have been adopted to address an environmental impact, it is presumed that such regulations are adequate to achieve sufficient mitigation [WAC 197-11-660(1)(e)]. Therefore, when requiring project mitigation based on adverse environmental impacts, the City would first consider whether a regulation has been adopted for the purpose of mitigating the environmental impact in question.

I have had an opportunity to visit the subject property and review the following documents:

- Attachment 2 – Environmental Checklist dated March 20, 2013
- Attachment 3 – Transportation Impact Analysis (revised) prepared by William Popp Associates, dated September 5, 2013
- Attachment 4 – Photometric Information prepared by the DLR Group dated August 2, 2013
- Attachment 5 – Photometric Information prepared by the DLR Group dated September 6, 2013
- Attachment 6 – Review of Traffic Impact Analysis Memo prepared by Thang Nguyen dated September 4, 2013.

- Various environmental documents on the Washington State Department of Ecology website in regards to site cleanup efforts - <https://fortress.wa.gov/ecy/gsp/Sitepage.aspx?csid=5063>
- Attachment 7 – Landscape Plan prepared by Thomas Rengstorf and Associates dated June 20, 2013
- Attachment 8 – Project Plans prepared by DLR Group dated June 20, 2013

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 with the grading and building permit review for the project. 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 Kirkland regulations and the Comprehensive Plan.<sup>1</sup> Below is an analysis of several key environmental elements identified by staff or brought up by the public.

### SITE CLEANUP

The subject property was previously home to the Pace National Corporation Facility which operated a chemical mixing and packaging facility from 1971 to 1990. The facility also contained underground storage tanks which contained a variety of alcohols, oils, and proprietary mixtures used to create products. All of the storage tanks (14) were removed in 1990. The site was then used for storage until 2006 when the warehouse building was demolished. Between 1999 and 2006 preliminary excavation, testing, cleanup, and removal of contaminated soils were completed on the subject property. The following substances were potential chemicals of concern (COC's) for soil and groundwater on the subject property:

- Petroleum hydrocarbons
- Semi-volatile organic compounds
- Chlorinated solvents

After further testing in 2006, it was determined that the only COC for the site was vinyl chloride which was found in the groundwater. The property owner started the more formal soil cleanup process with the Washington State Department of Ecology in December 2008. In January 2012, the property owner entered into a legal agreement (Consent Decree) with the Department of Ecology that specified the steps needed to treat and monitor vinyl chloride in the groundwater.

The Washington State Department of Ecology issued a SEPA Determination of Nonsignificance on January 12, 2012 for the cleanup work to be performed on the site. Detailed information regarding the cleanup process, the various technical reports, the Consent Decree, and the SEPA Determination of Nonsignificance can be found on the [Department of Ecology website](https://fortress.wa.gov/ecy/gsp/Sitepage.aspx?csid=5063) (<https://fortress.wa.gov/ecy/gsp/Sitepage.aspx?csid=5063>). The property owner is currently in the monitoring phase of the State approved cleanup action plan.

### TRAFFIC

The City received many emails and letters from the public during the early SEPA comment period for the project (see Attachment 9). The early public feedback provided information on probable adverse impacts, gave suggestions on how to reduce or eliminate impacts (mitigation requirements), and correct inaccuracies in the information provided. As a result, the City was able to act on comments received prior to making a SEPA determination. Many of the public comments resulted in additional analysis as provided in the updated Traffic Impact Analysis submitted by the applicant's transportation engineer (see Attachment 3).

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<sup>1</sup>ESHB 1724, adopted April 23, 1995

Most of the concerns raised by the public were in regards to traffic impacts and traffic safety in the area of the subject property. Thang Nguyen, Transportation Engineer with the City of Kirkland Public Works Department responded to the citizen concerns. His review memo also includes an analysis of the applicant's Traffic Impact Analysis report and a list of mitigation measures. Please refer to Attachment 6 for a detailed analysis by the City Transportation Engineer.

One of the City Transportation Engineer recommendations that I would like to highlight is the suggestion that the applicant reduce the proposed parking supply from 721 parking stalls to 621 stalls in order to promote trip reduction and the general principles of Transportation Demand Management. I recommend that the applicant maintain the proposed number of stalls (721) with the new office building.

Review of the SEPA checklist shows that the new office building may have up to 800 employees as Google occupies the building over time. The proposed 721 parking stalls in conjunction with a Transportation Management Plan (TMP) and/or Commute Trip Reduction program should be adequate to accommodate increases in parking demand since Transportation Management Program sites in Kirkland average an approximate 11% trip reduction rate (see Attachment 10). The data also shows that even with the current surplus parking (62% parking utilization) at Google, approximately 10% of the employees still bike or walk to work. This confirms that even with a parking stall surplus the existing TMP is still functioning and is not negatively affected by surplus parking. Keeping the proposed parking stall count at 721 stalls should also address neighborhood concerns regarding the potential for Google employees to park on nearby streets.

#### LANDSCAPING

Concern was expressed that the current Google campus on 6<sup>th</sup> Street South was not landscaped properly and that the new project should be better landscaped. The subject property is zoned PLA 6G(2) which allows for high-technology office uses. Review for compliance with the PLA 6G(2) zoning standards occurs with the building and grading permit review for the project. In terms of landscaping, the PLA 6G(2) zone requires that a minimum 20% of the lot area be pervious. One tree for every 1,000 square feet of pervious area will be required. In addition, a 15' wide landscape buffer will be required along portions of the property that adjoin residential uses and a 5' wide perimeter landscape strip will be required to buffer driveways and parking areas from adjoining property or streets. The applicant's landscape plan can be found in Attachment 7. Compliance with the City's landscape regulations will occur with the building permit review for the project.

#### SMOKING AREA

A public comment email suggested that the new office building include a smoking hut to accommodate smokers in areas away from the main entrance. The City does not have regulations that require a smoking hut. Areas where smoking is allowed are regulated by the State. The applicant may decide to include a smoking hut as part of the proposal but it is not a requirement of the City.

#### SITE LIGHTING

Concern was expressed by several neighbors regarding potential adverse impacts that may occur with onsite lighting. The applicant has provided building and exterior lighting information for the new Google office building (see Attachments 4 and 5). The lighting photometric information on Sheet E0.2 shows the foot candle light levels for the exterior parking lot lights that are 20' tall (25' light pole height callout on the drawings are incorrect) and have full cutoff LED light fixtures.

Foot candle is a unit of measurement used to quantify the amount of light falling on a surface. For reference, the following chart provides an example of outdoor light levels in terms of foot candles.

Condition	Illumination (foot candles)
Sunlight	10,000
Full Daylight	1,000
Overcast Day	100
Very Dark Day	10
Twilight	1
Deep Twilight	.1
Full Moon	.01
Quarter Moon	.001
Starlight	.0001
Overcast Night	.00001

Source:[http://www.engineeringtoolbox.com/light-level-rooms-d\\_708.html](http://www.engineeringtoolbox.com/light-level-rooms-d_708.html)

Projected light levels at the south property line of the residential homes to the north are 0.00 foot candles (see Attachment 5). Projected light levels along the south and east property line range from 0.01 to 0.63 foot candles. These light levels are expected to be lower given that trees and groundcover will be planted within a 5' wide driveway buffer where adjoining the school and a 15' wide landscape buffer (to include trees, shrubs, groundcover, and fencing) where adjoining residential uses along the west property line. The added vegetation and fencing should further obstruct light and thereby reduce light levels impacting neighboring properties.

The City of Kirkland prohibits glare from the subject property (KZC 115.85.1.c). The applicant is required to select, place, and direct light sources 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. As a reference, King County Code requires that light levels should not exceed 1 foot candle from onsite lighting systems as measured at the property line. This is an interpretation that King County uses (based on a Hearing Examiner decision in the 1990's) in applying the general lighting standards referred to in KCC 21A.18.110(G) – *Parking and Circulation* which states lighting shall be provided for safety of traffic and pedestrian circulation on the site and be designed to minimize direct illumination of abutting properties and adjacent streets. As shown in the photometric information provided by the applicant, light levels on adjoining property created by onsite lighting are not expected to exceed 0.63 foot candles.

In terms of light impacts from signage, commercial signage may adversely impact the neighboring residential areas to the north and northwest of the subject property. Electrical signs can create glare that can negatively impact those living in homes adjacent to the site. Of particular concern are signs that have a large translucent sign face with the sign face entirely illuminated. Signs that limit lighting to only the lettering are effective in minimizing glare concerns. Therefore, mitigating measures should be incorporated to eliminate glare produced by electrical signs that have entirely illuminated sign faces.

**CONCLUSION**

Based on my review of all available information and adopted policies of the City, I did not find any significant impacts created by the project as it relates to site cleanup, landscaping, and lack of a smoking hut. However, there is the potential for adverse lighting impacts from cabinet signs on nearby residences. Also, upon review of the City's Transportation Engineers memo, mitigation is necessary to reduce transportation related impacts that would be created by the project. Therefore, I am recommending that the proposal be changed or clarified to include the following mitigating measures as recommended by the City Transportation Engineer and myself, to be constructed or provided prior to building occupancy, so that a Mitigated Determination of Non-significance (MDNS) can be issued:

1. Cabinet signs are prohibited. Internally illuminated signs with channel letters and/or signs with faces which are opaque except for translucent lettering shall be allowed.
2. Install a traffic signal at the intersection of 6th Street South/Kirkland Way with exclusive left-turn lanes for all approaches per City guidelines. The City shall install the signal and the applicant shall pay for all costs including but not limited to engineering, construction, and right-of-way acquisition.
3. Mitigation volunteered by the applicant:
  - a. Install a traffic signal at the intersection of 6<sup>th</sup> Street South/9<sup>th</sup> Avenue South per City guidelines. The City shall install the signal and the applicant shall pay for all costs including but not limited to engineering, construction, and right-of-way acquisition.
  - b. Construct the missing link of sidewalk on the west side of 6<sup>th</sup> Street South between Kirkland Avenue and the Google campus per City guidelines. In addition, construct a crosswalk near 5<sup>th</sup> Place South as part of the sidewalk construction.
  - c. Construct the missing segment of sidewalk along 7<sup>th</sup> Avenue South between State Street and the project frontage per City guidelines.
4. Install roadway signs to restrict commercial trucks from accessing the site from 5<sup>th</sup> Place South.
5. Construct the necessary traffic barrier to exclude project traffic from using 7<sup>th</sup> Avenue South, west of the project site according to Public Works, AASHTO, and MUTCD design guidelines.
6. Install an at-grade crossing across the Cross Kirkland Corridor trail consistent with a design approved by the City to meet Public Works, AASHTO, and MUTCD design guidelines. The crossing design shall take into account potential future signalization.
7. Submit a final Transportation Management Plan (TMP) to be recorded with King County. The TMP shall include at a minimum the following items:
  - a. A minimum of 120 preferential HOV parking stalls to be provided near the building entrances.
  - b. A minimum of 80 bicycle racks, 80 lockers, and shower/changing facilities to be provided for bike commuters.

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 described above:

### **Land Use**

- Policy LU-5.1: Reflect the following principles in development standards and land use plans for commercial areas:
  - Protect residential areas from excessive noise, exterior lighting, glare, visual nuisances, and other conditions, which detract from the quality of the living environment.

### **Transportation**

- Policy T-1.2: Mitigate adverse impacts of transportation systems and facilities on neighborhoods.
- Policy T-1.3: Establish a street system that promotes and maintains the integrity of neighborhoods.

- Policy T-2.1: Promote pedestrian and bicycle networks that safely access commercial areas, schools, transit routes, parks, and other destinations within Kirkland and connect to adjacent communities, regional destinations, and routes.
- Policy T-2.2: Promote a comprehensive and interconnected network of pedestrian and bike routes within neighborhoods.
- Policy T-3.5: Implement the Commute Trip Reduction (CTR) Plan to reduce single occupancy vehicle (SOV) use and vehicle miles traveled (VMT) as set forth in Kirkland's CTR Plan.
- Policy T-4.1: Promote efficient use of existing right-of-ways through measures such as:
  - Intersection improvements;
  - Time-of-day parking restrictions along congested arterials;
  - Signal timing optimization;
  - Added center left-turn lanes; and
  - Limiting left turns along congested arterials.
- Policy T-4.4: Minimize bypass traffic and safety impacts on neighborhood streets.
- Policy T-4.6: Ensure adequate access to commercial and industrial sites.
- Policy T-4.7: Maintain a road system in a safe and usable form for all modes of travel where possible.
- Policy T-4.8: Provide for local vehicular access to arterials, while minimizing conflicts with through traffic.
- 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.
- Policy T-5.7: Assure that transportation improvements are concurrent with development to maintain the vehicular level of service standard for the development's subarea.

## **ATTACHMENTS**

1. Vicinity Map
2. Environmental Checklist dated March 20, 2013
3. Transportation Impact Analysis (revised) prepared by William Popp Associates, dated September 5, 2013
4. Photometric Information prepared by the DLR Group dated August 2, 2013
5. Photometric Information prepared by the DLR Group dated September 6, 2013
6. Review of Traffic Impact Analysis Memo prepared by Thang Nguyen dated September 4, 2013
7. Landscape Plan prepared by Thomas Rengstorf and Associates dated June 20, 2013
8. Project Plans dated June 20, 2013
9. Public Comment Emails/Letters
10. TMP Information

Review by Responsible Official: \_\_\_\_\_

I concur       I do not concur

Comments: \_\_\_\_\_  
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Eric R. Shields, Planning Director ..... 9/17/2013 Date

cc: Dave Tomson, Development Manager  
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