

## Stacy Clauson

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**From:** Peter Werle [werlegig@msn.com]  
**Sent:** Sunday, October 08, 2006 3:22 PM  
**To:** Stacy Clauson  
**Subject:** File # ZONO6-00024 - 11110 Forbes Creek Dr

Dear Ms. Clauson,

I am writing to urge you to support the applicants Zoning Permit to reduce the stream buffer for Forbes Creek and to support the project.

I see no reason to deny the request. There will be no negative impact to the stream. Thank you for your efforts.

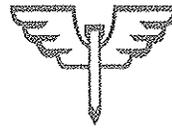
Sincerely,

Peter Werle

11508 NE 107th Pl  
Kirkland, WA 98033  
werlegig@msn.com

ATTACHMENT <u>9.a</u>
<u>ZONO6-00024</u>

10822 117<sup>TH</sup> Pl. NE  
Kirkland, WA 98033  
Email: [jacob@fanacofasteners.com](mailto:jacob@fanacofasteners.com)  
Web site: [www.fanacofasteners.com](http://www.fanacofasteners.com)  
Phone: (425) 806-7337  
Fax: (425) 806-0195



S.T.O. Industries, Inc.

**FANACO<sup>®</sup>**  
**FASTENERS**

Date: October 2, 2006

Miss Stacy Clauson  
City of Kirkland  
Planning and Community Development Department  
123 5<sup>th</sup> Ave.  
Kirkland, WA 98033  
[www.ci.kirkland.wa.us](http://www.ci.kirkland.wa.us)

RECEIVED

OCT - 4 2006

AM PM  
PLANNING DEPARTMENT

BY \_\_\_\_\_

RE: File Number – ZON06-00024

Dear Miss Clauson:

This letter is in reference to ZON06-00024 proposal, dated 09.21.06. We would like to thank you for your consideration of the stream buffer proposal. However, we'd also like to voice our concerns regarding this current proposal.

With this stream buffer proposal, we are extremely concerned with the contamination and/or spreading of unnecessary mosquitoes, insects, etc., into our working area. Forbes Creek is directly adjacent to our business.

We've received visits from Jon Morrow, Surface Water Systems Engineer, Public Works Department for the City of Kirkland. This past summer he sprayed the surrounding area(s) of Forbes Creek. So far we've been fortunate with minimum or no contact(s) of the insects from Forbes Creek.

However, if this proposal should be granted, this may cause a disturbance & spreading in our current area.

We are also extremely concerned about the loss of natural habitat surrounding Forbes Creek. This is still an active stream and the minimal buffer zone that already exists causes strain on this natural resource. There are many facilities located in the PARMAC Business Park, of Kirkland, which have little or no retention systems in place due to their age. We have noted numerous visits from the City of Kirkland to take water samples of the creek by our facility.

We appreciate your time and consideration in denying the stream buffer proposal and would be available if you need additional information.

Sincerely,

Jacob Davis  
President, STO Industries, Inc.

**Fanaco<sup>®</sup> Fasteners**  
DRIVEN TO PERFECTION™

ATTACHMENT 9.5

ZON06-00024

**From:** TDuffin199@aol.com  
**Sent:** Tuesday, September 19, 2006 5:04 PM  
**To:** Stacy Clauson  
**Subject:** I VOTE NO ON CHANGES TO FORBES CREEK CHANGES!!!!

Attention: Stacy Clauson:

I want it to be perfectly clear. **I want no changes made to the Forbes Creek 75-foot stream buffer for Forbes Creek area** as referred to in the file number **ZON06-00024**. I believe that it is not in the best interest of our community or the environment.

Sincerely,  
Thomas A. Duffin  
11025 - 111th NE  
Kirkland, WA 98033  
tduffin199@aol.com

ATTACHMENT <u>9.c</u>
<u>Zon06-00024</u>

**Stacy Clauson**

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**From:** JAMES CARLSON [jimec41@msn.com]  
**Sent:** Monday, September 25, 2006 2:30 PM  
**To:** Stacy Clauson  
**Subject:** Re: ZON06-00024

James E. Carlson  
11008 111th. Ave. N.E.  
Kirkland, WA 98033-5002

Hi Stacy,

I am very opposed to the proposal to reduce the Forbes Creek Buffer. There has been a longterm effort to restore Forbes Creek and establish buffer restrictions. I expect the City Hearing Examiner and the planning department to deny the zoning permit and to send a message that the zoning restrictions will be enforced. I personally will expect to be kept updated on the process so I can continue to fight this proposal.

Thanks,

Jim

9/25/2006

ATTACHMENT <u>9.d</u>
<u>ZON06-00024</u>

## Stacy Clauson

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**From:** Eric Shields  
**Sent:** Wednesday, November 29, 2006 11:05 AM  
**To:** Stacy Clauson  
**Subject:** FW: Opposing Forbes Creek rezone

For the record.

Eric Shields  
Director  
Kirkland Dept. of Planning & Community Development

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**From:** Andy Smith (ISA) [mailto:andysm@microsoft.com]  
**Sent:** Wednesday, November 29, 2006 10:46 AM  
**To:** Eric Shields; Paul Stewart  
**Subject:** Opposing Forbes Creek rezone

Dear sirs,

I'm writing to enter my opposition to the buffer adjustment being considered for Forbes Creek area in Totem Lake. Reducing the greenbelt there will impact the water quality by reducing natural filtration, especially in the case of storm run-off.

I worked in the Parmac Park near Forbes Creek for years. Although I don't work there anymore, I recall that the water pollution there was evident on a daily basis. I believe this is at least partially due to the fact that many of the older buildings along the creek do not have adequate retention systems. Some parts of the creek are in good condition too. So there is some balance at play that is being threatened by your rezone proposal. I would like to see the balance swing in favor of the salmon that spawn in the stream.

Please protect this fragile habitat.

Thanks for your time to consider my concern.

Andy Smith  
22110 Locust Way  
Lynnwood WA 98036\

ATTACHMENT 9.e

20N06-00024

11/29/2006



**DETERMINATION OF NONSIGNIFICANCE (DNS) .**

CASE #: SEP06-00028

DATE ISSUED: 10/24/2006

DESCRIPTION OF PROPOSAL

**Remodel and addition to the existing clubhouse at the Park at Forbes Creek apartment complex. The site contains Forbes Creek, a Class A stream. A reduction in the stream buffer is proposed in the area of the clubhouse, together with enhancement of the remaining buffer width. A seismic hazard area is mapped in the area of proposed construction.**

PROPONENT: **PAL OTTESEN**

LOCATION OF PROPOSAL

**11110 FORBES CREEK 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.

There is no comment period for this DNS.

Responsible official:



10/20/06  
Date

Eric Shields, Director  
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 **NANCY COX at Kirkland City Hall, 123 Fifth Avenue, Kirkland, WA 98033 no later than 5:00 p.m., Tuesday, November 07, 2006 by WRITTEN NOTICE OF APPEAL.**

You should be prepared to make specific factual objections. Contact Nancy Cox to read or ask about the procedures for SEPA appeals.

Please reference case # SEP06-00028.



Distributed By:

10-24-06

Date:

cc: Case # ZON06-00024

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Distributed By:

SEPA\_A, rev: 10/20/2006

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Date:



## MEMORANDUM

**To:** Eric R. Shields, AICP  
Planning Director

**From:** Stacy Clauson, Associate Planner *SC*

**Date:** October 20, 2006

**Subject:** Environmental Determination – Park at Forbes Creek  
File No. ZON06-00024

The Park at Forbes Creek is proposing to remodel and construct an addition to the existing clubhouse at the Park at Forbes Creek apartment complex, located at 11110 Forbes Creek Drive (see Enclosure 1). The proposed work would include construction to enclose an exterior courtyard located in the central portion of the building, an addition of a Porte Coshere over the access driveway, replacement of siding, windows, and re-roofing, as well as interior remodeling (see Enclosure 2.a).

The site contains Forbes Creek, a Class A stream (see Enclosure 3). A reduction in the stream buffer is proposed in the area of the clubhouse, together with enhancement of the remaining buffer width (see Enclosure 2.b). The proposed buffer reduction is being reviewed under a pending zoning permit (File No. ZON06-00024) for compliance with the provisions of KZC 90.100 relating to buffer reductions. A seismic hazard area is mapped in the area of proposed construction (see Enclosure 3). Regulations addressing seismic hazard areas are contained in KZC 85.15, and compliance with those regulations will be evaluated during the building permit review of the proposal.

I have had an opportunity to visit the site and review the environmental checklist (see Enclosure 4) for the project referenced above. 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, including the proposal for a stream buffer reduction. That analysis is most appropriately addressed within the staff advisory report, which will be presented at the public hearing. 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.<sup>1</sup>

I have not identified any significant adverse environmental impacts. Therefore, I recommend that a Determination of Non-Significance be issued for this proposed action.

Should you have any questions, please contact me.

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Review by Responsible Official:

I concur

I do not concur

Comments:

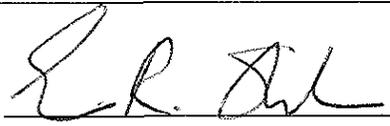
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Eric R. Shields, AICP  
Planning Director

10/20/06  
Date

# Park at Forbes Creek Stream Buffer Reduction

RS 8.5

11110 Forbes Creek Drive

PLA 9

TL 10D

TL 10E

P

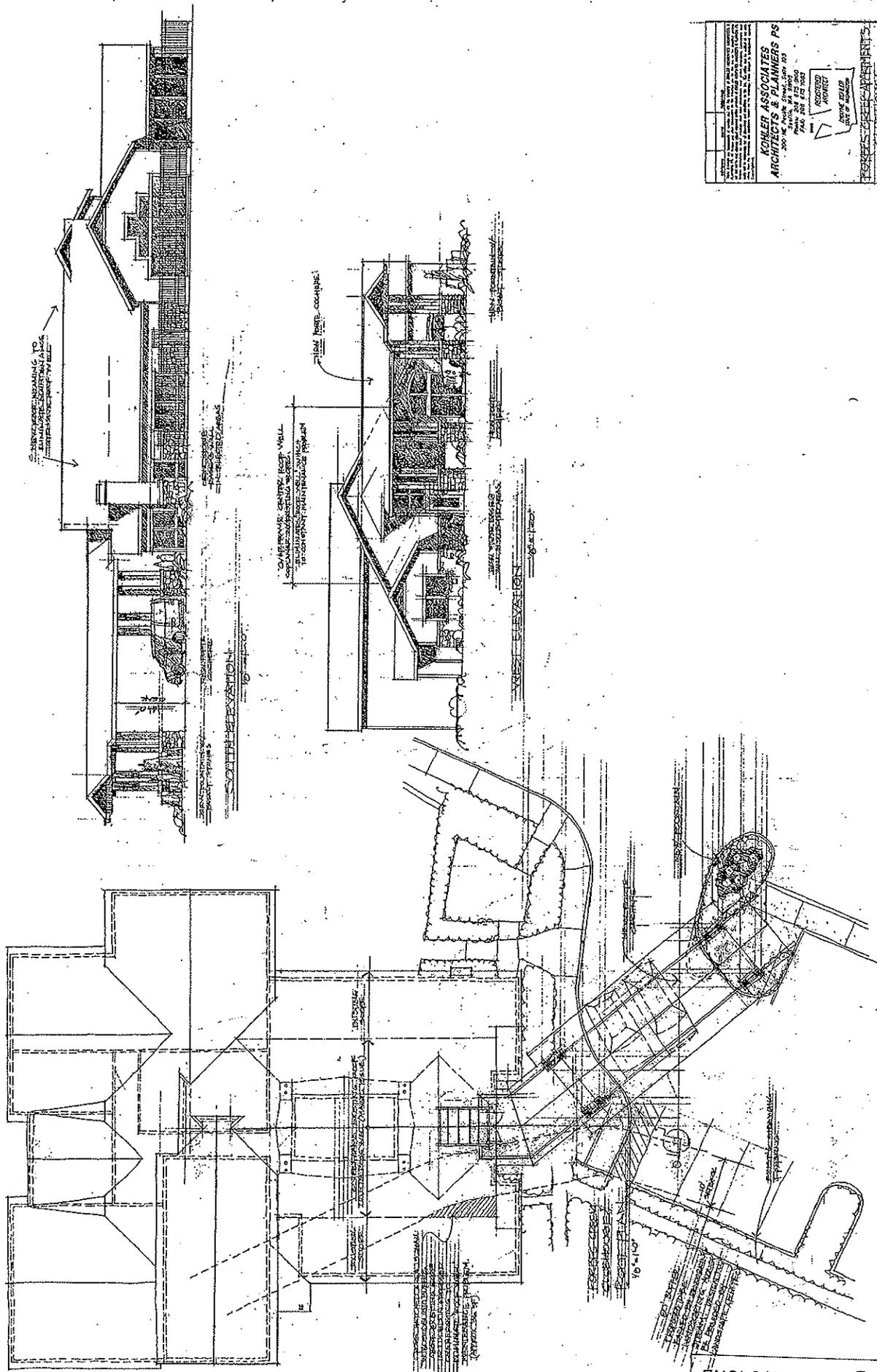
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RS 8.5



ENCLOSURE 1

SEP06.00028



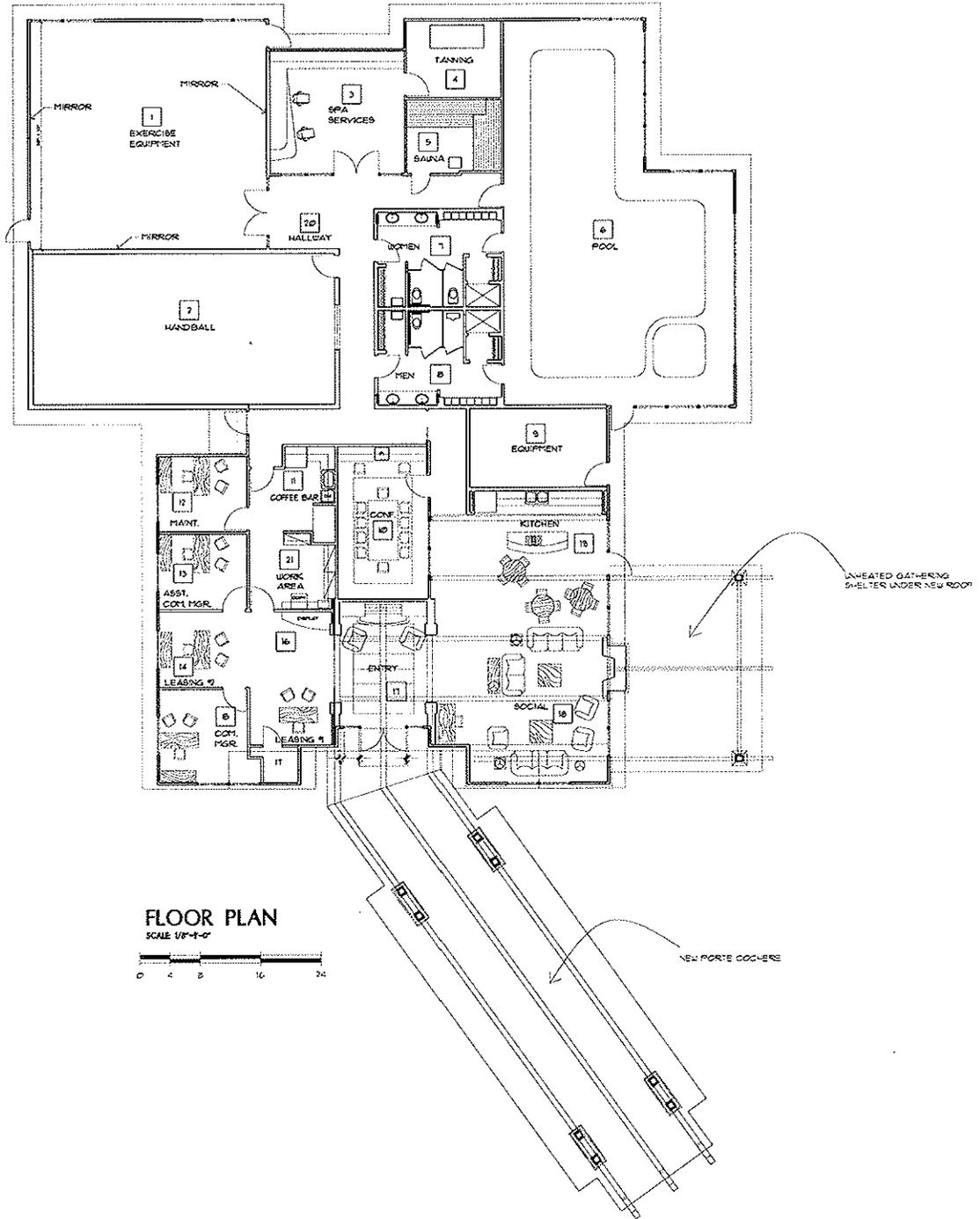
**KOHLER ASSOCIATES ARCHITECTS & PLANNERS P.S.**  
 300 N. MILWAUKEE AVENUE  
 MILWAUKEE, WISCONSIN 53211  
 PHONE: 414.224.1100  
 FAX: 414.224.1100

**PROFESSIONAL ARCHITECT**  
 STATE OF WISCONSIN

**PROFESSIONAL PLANNER**  
 STATE OF WISCONSIN

DATE: 10/1/88  
 DRAWING NO.: 300000001  
 SHEET NO.: A1

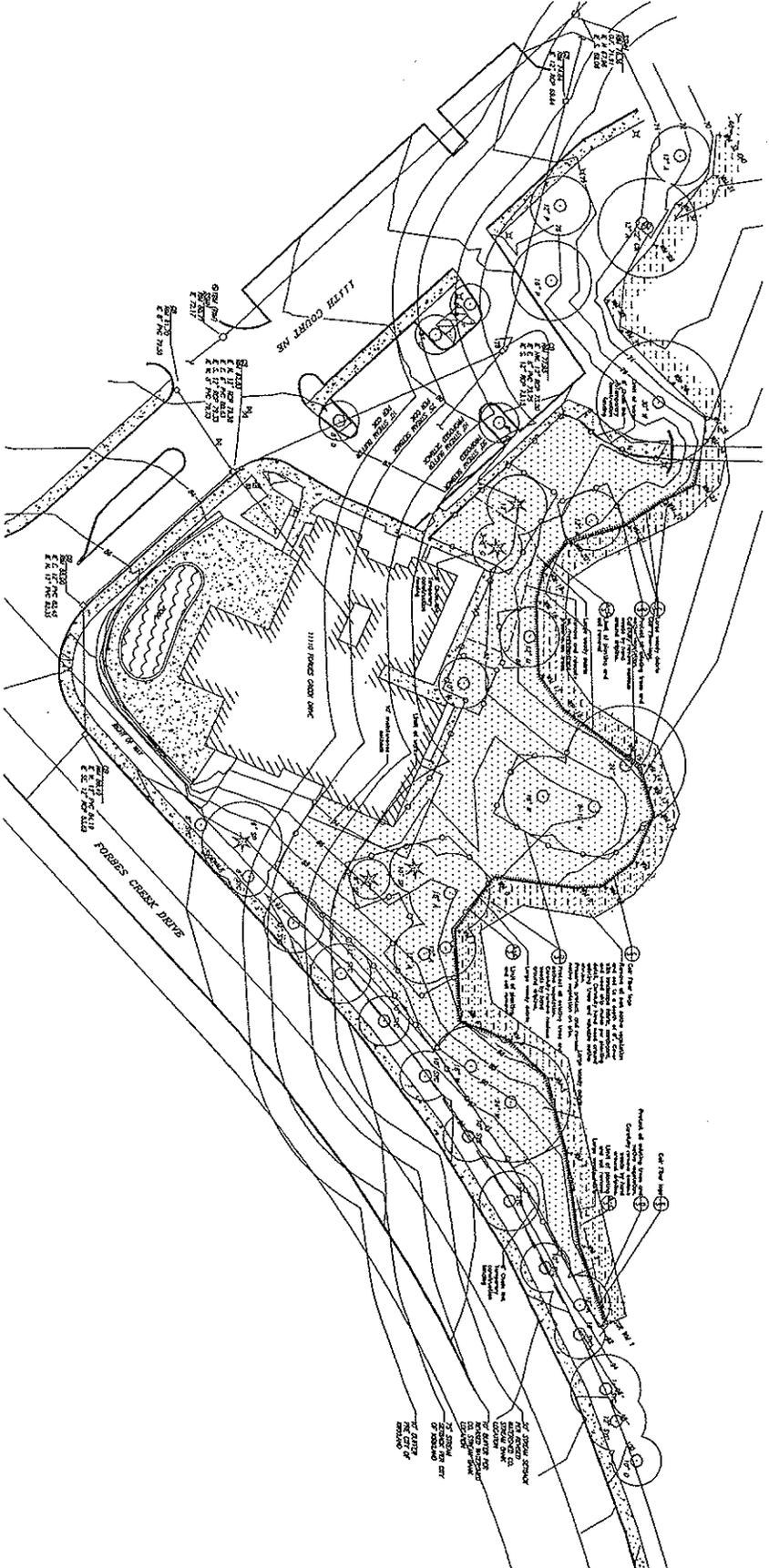
ENCLOSURE 2.a  
3EP010-00028





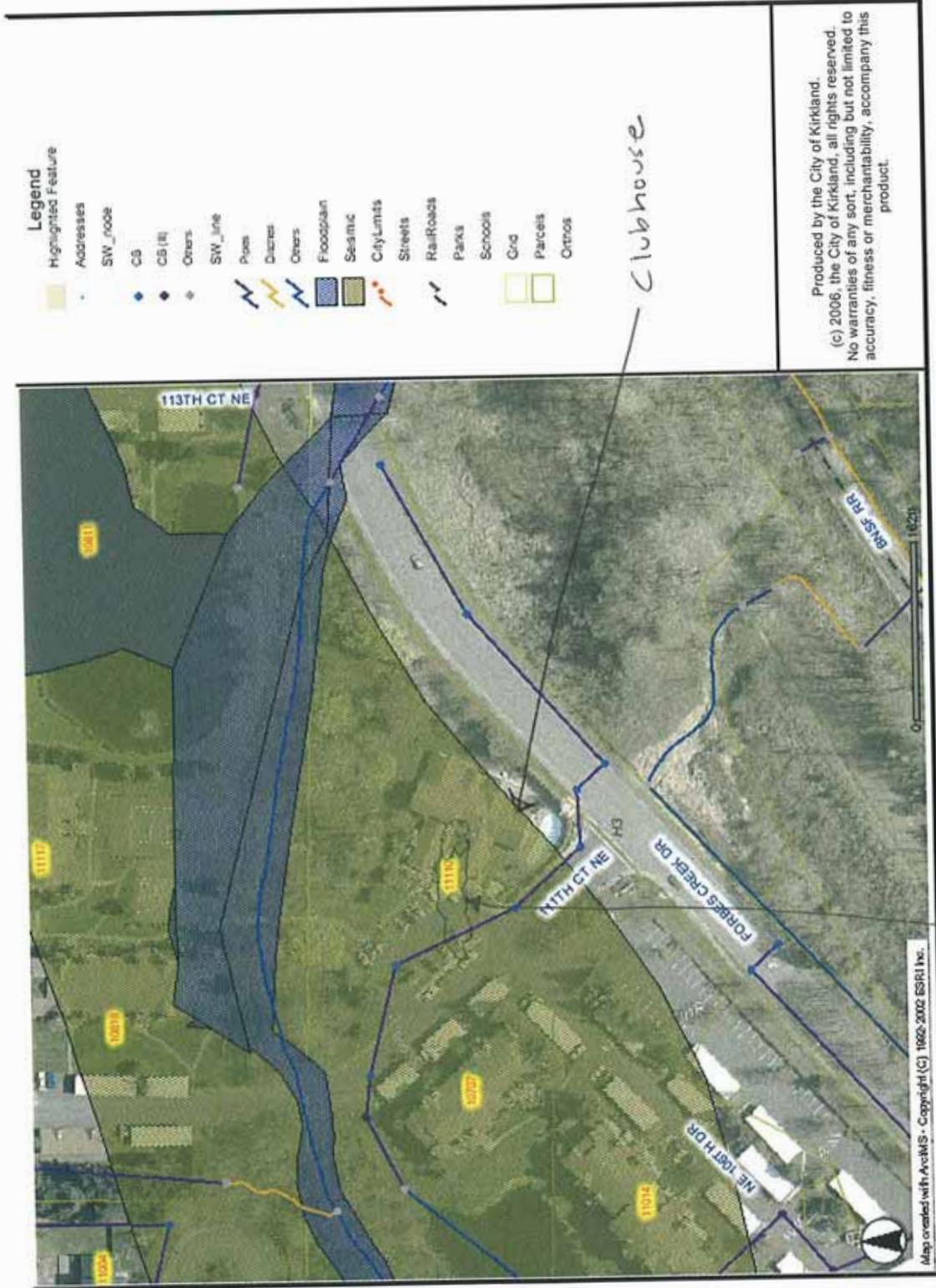
**TESSC LEGEND**

SYMBOL	DESCRIPTION
	of High Temporary Construction and Tree Production Framing
	Natural View and Soil Removal
	Cost Fair Risk
	Limits of Planting, Soil, and Soil Removal



	<h2 style="margin: 0;">FORBES CREEK RESTORATION PLANTING</h2> <p style="margin: 0;">11110 Forbes Creek Drive, Kirkland, WA.</p>	 <p style="font-size: 8px; margin: 0;">PARKETTE ARCHITECTS 11110 FORBES CREEK DRIVE KIRKLAND, WA 98033 TEL: 425.822.1111 WWW.PARKETTE.COM</p>	<p style="font-size: 8px; margin: 0;">DATE: 08/20/2018 PROJECT: 11110 FORBES CREEK DRIVE RESTORATION SUBMITTAL: LANDSCAPE TESSC SHEET</p>
<p style="font-size: 12px; margin: 0;">2</p> <p style="font-size: 8px; margin: 0;">OF 3 SHEETS</p>			





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 No warranties of any sort, including but not limited to  
 accuracy, fitness or merchantability, accompany this  
 product.

Clubhouse

Area of Addition

ENCLOSURE 3  
 SEP06-00028

RECEIVED

AUG - 9 2006

CITY OF KIRKLAND  
Planning and Community Development Department  
123 Fifth Avenue, Kirkland, WA 98033 425.828.1257  
www.ci.kirkland.wa.us

AM  
PLANNING DEPARTMENT  
BY

## SEPA ENVIRONMENTAL DOCUMENTS

If an application for a land use or building permit is subject to environmental review under Chapter 43.21C RCW, all SEPA environmental documents must be submitted with the filing of a land use permit or building permit application or the City will not accept the application.

The following is a list of the environmental documents that must be submitted with the land use or building permit application:

1. **Environmental Checklist.** The checklist form can be obtained from the Kirkland Planning Department.
2. **Road concurrency test decision memo.** Applicants must pass road concurrency *before* submitting for a land use or building permit and the environmental documents. Concurrency application forms are available from Public Works or the Planning Departments. If the application passes road concurrency, the Public Works Department's Transportation Engineer will provide the applicant or applicant's traffic engineer with a concurrency test decision memo and traffic information that needs to be included in the Traffic Impact Analysis. A copy of this memo must be submitted to show that road concurrency has been passed.
3. **Traffic Impact Analysis.** Traffic Impact Analysis Guidelines can be obtained from the Planning or Public Works Departments. The Traffic Impact Analysis is to be completed after the road concurrency test has been successfully passed. Information from the City's Transportation Engineer is to be included in the Traffic Impact Analysis along with all other information specified in the guidelines.
4. **Other supplemental environmental information.** Ask the assigned planner at the pre-application meeting what other environmental information will be required with the environmental submittal. All studies and reports must be prepared by a licensed and qualified specialist in the field and approved by the City. Supplemental impact assessment reports or studies that may be required include, but not be limited to the following:

- Lighting
- Environmental health hazard
- Historic
- Wetland and/or stream delineation and analysis, prepared or reviewed by the City's consultant
- Hydrology
- Wildlife
- Views
- Noise
- Geotechnical soils analysis

YOU ARE ENCOURAGED TO MEET WITH A PLANNER FROM THE DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT PRIOR TO AND DURING PROJECT DESIGN TO DISCUSS PROJECT DESIGN AND PROJECT COMPLIANCE WITH CITY REGULATIONS AND TO OBTAIN GUIDANCE ON THE ENVIRONMENTAL MATERIALS THAT YOU MUST SUBMIT.

1/02

ENCLOSURE	4
Page 1 of 5	
SEP06-20028	

# 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: **Buffer Reduction to Forbes Creek at Existing Forbes Creek Apartments Clubhouse and if, approved work noted under item 8 below.**
2. Name of applicant: **Pal Ottesen of HSC Real Estate, Inc., Property Managers of the Property**
3. Tax parcel number: **389310-0320 panel #13**

4. Address and phone number of applicant and contact person: *Pal Ottesen , HSC Real Estate 3101 Western Avenue, Suite 400 Seattle, WA 98121, 206 838 2410*

5. Date checklist prepared: *August 7, 2006t*

6. Agency requesting checklist: *Planning Department, City of Kirkland*

7. Proposed timing or schedule (including phasing, if applicable): *Buffer reduction process 16 weeks, followed by a building permit application, review and processing of building permit, and construction.*

8. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal?

*Buffer reduction is a first step toward a remodel of the existing clubhouse. The building is existing and outdated. The stream buffer enhancement is proposed in order to obtain a buffer reduction to allow maintenance and upgrading of the building as shown in the plans which I show a rework of the roof and infill of an internal courtyard within the existing footprint; 2 ).show a Porte Cochere addition with its foundations outside of the reduced buffer area. A small section (approx 3 sf) of the Porte Cochere roof would be within the ten foot buffer setback approx 14 feet in the air; 3).plans will show repair of siding, installation of better windows, new roofing, addition of some minor stone accents to the siding; and, 4) .extensive internal remodeling of the facility including new trusses in the area of the social room, new materials throughout, reworking of some internal walls, repainting overall, The existing roof and lack of entry protection make the existing building sub-standard. It is not practical nor monetarily feasible to relocate this important facility; and why, we are proposing the stream buffer reduction via planting and associated measures shown on the submitted plans to achieve the 4 aspects of repair and upgrade noted just above*

9. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.

*Architectural schematic plans and elevation (A1), Site Survey, Landscape plans (3 sheets) associated word files related to the project.*

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.

*NO*

11. List any government approvals or permits that will be needed for your proposal, if known.

*Buffer reduction, followed by building permit and permits as required to construct the described project when buffer reduction approved.*

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.

*Answer to Item 8 above provides this description*

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.

11110 Forbes Creek Drive

TO BE COMPLETED BY APPLICANT

EVALUATION FOR  
AGENCY USE ONLY  
REVIEWED BY:

Stacy Clauson

B. ENVIRONMENTAL ELEMENTS

1. EARTH

- a. General description of the site (circle one): Flat, rolling, hilly, steep, slopes, mountainous, other  
*Flat with slope down to stream to east, slope up to south to Forbes Creek Blvd, slope, fairly flat to west with slight cross slope downward from south to north at driveway, and slight down slope to north. NO SIGNIFICANT SLOPES*
- b. What is the steepest slope on the site (approximate percent slope)?  
*Estimate 3 to 4 % in immediate area of building*

*[near clubhouse building]*

- 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.

- Unknown, but existing construction on site is normally founded, so do not expect any untoward conditions*
- d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.

*Mapped as sensitive  
located near slope  
instability near clubhouse.*

- Planner required check list as mapping indicates some instability in general area. Mapping may be inaccurate as they are not usually very specific. The site of the building is not on a steep slope, is improved already, and has not experienced any adverse stability. The creek itself is affected by uphill offsite construction. The creek buffer planting improvements will reduce erosion in area of creek itself, so owner is ameliorating impact of upstream development*

- e. Describe the purpose, type, and approximate quantities of any filling or grading proposed. Indicate source of fill.  
*none*

- f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.

*Erosion could occur from exposed soils.*

- On, the contrary, proposal will enhance soil stability as it is specifically provided for such a purpose*

- g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt, buildings)?

- No significant change as port cohere will be over existing sidewalks, asphalt paving area and some a small parking lot planter*

- h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:  
*The planting at the stream bank per the plans including the TESC plans*

*Compliance with local stormwater regulations*

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.  
*minor construction equipment exhaust and noise,*
- 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.  
*none*

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, Forbes 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, per plans*
- 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.  
*The buffer reduction planting is from the stream edge and upslope per plans,*
- 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, the buffer planting provides soil stabilization, native habitat and reduction of chemicals normally found with lawn which is now eliminated in buffer area.*

*Floodplain shown to north of clubhouse. See Enclosure 3*

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.

N/A

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.

*Water from existing construction and paving areas and water from future remodeled building and addition of porte cochere will be put into existing catch basin system.*

2) Could waste materials enter ground or surface waters? If so, generally describe.

*Existing catch basin system should control water*

Proposed measures to reduce or control surface, ground, and runoff water impacts, if any:  
*Use existing system.*

*Compliance with local stormwater regulations.*

4. PLANTS

a. Check or circle types of vegetation found on the site:

<input checked="" type="checkbox"/>	deciduous tree:
<input checked="" type="checkbox"/>	evergreen tree:
<input checked="" type="checkbox"/>	shrubs
<input checked="" type="checkbox"/>	grass
<input type="checkbox"/>	pasture
<input type="checkbox"/>	crop or grain
<input type="checkbox"/>	wet soil plants:
<input type="checkbox"/>	water plants:
<input type="checkbox"/>	other types of vegetation:

- alder, maple, aspen, other
- fir, cedar, pine, other
- buttercup, bullrush, skunk cabbage, other
- water lily, eelgrass, milfoil, other

b. What kind and amount of vegetation will be removed or altered?

*In buffer area, clean out of undesirable plants and planting of recommended plants for buffer per plans*

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:  
*Extensive buffering, see plans*

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 *Small birds (species not determined) did not observe hawk, heron or eagles.*

mammals: deer, bear, elk, beaver, other *Not observed.*

fish: bass, salmon, trout, herring, shellfish, other *Not observed, Bill Way of Watershed would be more knowledgeable about stream species and as we are paying for his input on this project, he should be a source ofr this information for the City.*

b. List any threatened or endangered species known to be on or near the site.  
*None to our knowledge*

c. Is the site part of a migration route? If so, explain.  
*Not to our knowledge*

d. Proposed measures to preserve or enhance wildlife, if any:  
*Buffer planting provides significantly improved habitat for birds and small animals*

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.

*For the buffering fuel for the construction vehicles and electricity for some small tools; for the future construction, the remodeling and porte cochere, the same construction related fuels. In both cases on a temporary basis. For ongoing fuels, there will some improvements to the mechanical system which will improve energy efficiency. No new heated spaces are being added, so we see no significant change in energy use. GAS AND ELECTRICITY ARE THE ENERGY TYPES TO BE USED FOR THE BUILDING REMODEL. The building remodel is predicated on approval of the reduction in buffer requirements. Information*

*about the future building project tied to the buffer reduction is provided for the reviewer to have continuity in thinking about the overall project.*

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:  
*As the buffer reduction includes no affect on this, the answer is none. However, the future remodel and addition will incorporate improved mechanical systems yet to be determined. They will be designed in accordance with the Washington State Energy Code which is relatively stringent; and in accordance with thoughtful energy management from the owner's viewpoint as well.*

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.  
**None known**

1) Describe special emergency services that might be required.  
**Normal police and fire is appropriate if an emergency occurs**

2) Proposed measures to reduce or control environmental health hazards, if any:  
**Normal practices**

b. Noise

1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?  
**none**

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 only for construction activities**

3) Proposed measures to reduce or control noise impacts, if any:  
**hours of operation will be normal work day, mufflers on motorized equipment**

8. LAND AND SHORELINE USE

*Compliance with Energy code.*

- a. What is the current use of the site and adjacent properties?  
*clubhouse for apartment development*
- b. Has the site been used for agriculture? If so, describe.  
*no*
- c. Describe any structures on the site.  
*existing clubhouse*
- d. Will any structures be demolished? If so, what?  
*remodeling will require removal of some construction material*
- e. What is the current zoning classification of the site?  
*PLA9*
- f. If applicable, what is the current shoreline master program designation of the site?  
*unknown*
- g. Has any part of the site been classified as an "environmentally sensitive" area? If so, specify.  
*Forbes creek is environmentally sensitive, therefore, the buffer and therefore the extensive planting measures to seek a buffer reduction.*
- h. Approximately how many people would reside or work in the completed project.  
*the buffer aspect of the project: none*
- i. Approximately how many people would the completed project displace?  
*clubhouse facilities by apartment occupants on a daily basis.*  
*none*
- j. Proposed measures to avoid or reduce displacement impacts, if any:  
*NA*
- k. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:  
*Comply with governing codes and review processes and permits when issued*

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

*Apartment buildings*

*Not located within shoreline jurisdiction*

*Seminole Hazard Area  
underlies clubhouse*

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

- high, middle, or low-income housing.  
*none*
- c. Proposed measures to reduce or control housing impacts, if any:  
*NA*

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 buffer aspect of the project: whatever the mature height of trees becomes without restriction*  
*the existing clubhouse highest roof ridge (over the handball court) is approximately 27 feet. It will remain unchanged. When the internal courtyard is roofed in as a result of our future building permit submittal based on the buffer reduction, that portion of the building will have a new ridge at approximately 25 feet high (approx 2 feet lower than the highest element.*
- b. What views in the immediate vicinity would be altered or obstructed?  
*none*
- c. Proposed measures to reduce or control aesthetic impacts, if any:  
*the intended remodel is "the measure" to improve the existing aesthetics which are tired and require undue maintenance due to the existing roof well, both of which will be positively improved by the proposed remodel.*

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

11. LIGHT AND GLARE

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur?  
*In the remodel which would become possible via the buffer reduction, some building lighting is intended in the dark hours of the day. It will be primarily some soft uplighting and some porch lighting.*
- b. Could light or glare from the finished project be a safety hazard or interfere with views?  
*not likely*

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

- c. What existing off-site sources of light or glare may affect your proposal?  
*none*

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

- d. Proposed measures to reduce or control light and glare impacts, if any:  
*cut off fixtures or placement to not shield light fixture lamp source from being seen offsite*

12. RECREATION

- a. What designated and informal recreational opportunities are in the immediate vicinity?  
*the clubhouse*  
Westlands of  
Quanita Bay  
Park
- b. Would the proposed project displace any existing recreational uses? If so, describe.  
*no, it would enhance the existing facility*
- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:  
*remodel the clubhouse per schematic scheme attached with application*

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.  
*no*
- 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:  
*NA*

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.  
*Forbes Creek Way existing*
- b. Is site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?  
*unknown, whatever is available is not expected to change*
- c. How many parking spaces would the completed project have? How many would the project eliminate?  
*we would lose two spaces. the majority of people walk to the facility from the apartment complex, so we see no impact with this minor reduction*
- 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).

Yes, Rt 236

- e. *no*  
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.  
*no change from existing*
- g. Proposed measures to reduce or control transportation impacts, if any:  
*none*

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.  
*no*
- b. Proposed measures to reduce or control direct impacts on public services, if any.  
*NA*

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, SANITARY SEWER, REFUSE, TELEPHONE AND WATER ARE AVAILABLE AND IN USE IN RELATED TO THE EXISTING CLUBHOUSE. NO CHANGES TO UTILITIES IS EXPECTED**
- 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.  
**NO CHANGES TO EXISTING USES OF UTILITIES.**

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:  VP. HSC Real Estate, Inc.  
agent of owner.

Date Submitted: AUGUST 7, 2006

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?  
**NOT LIKELY**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Proposed measures to avoid or reduce such increases are:  
**COMMON SENSE**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. How would the proposal be likely to affect plants, animals, fish, or marine life?  
**BUFFER PLANTING WILL ENHANCE HABITAT FOR FISH AND ANIMALS. EXISTING AND NEW PLANTING WILL BE CONSISTENT WITH LANDSCAPE DESIGN FOR BUFFER**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Proposed measures to protect or conserve plants, animals, fish, or marine life are:  
**NEW BUFFER DESIGN PER LANDSCAPE DESIGN**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. How would the proposal be likely to deplete energy or natural resources?  
**IT WILL NOT DEplete**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Proposed measures to protect or conserve energy and natural resources are:  
**REPLANTING PER LANDSCAPE DESIGN, ADHERENCE TO WASHINGTON STATE ENERGY COD**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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?  
**POSITIVELY AS IT WAS DESIGN IN CONFORMANCE WITH JURISDICTIONAL DIRECTION FOR POSITIVE RESULT**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Proposed measures to protect such resources or to avoid or reduce impacts are:  
**NEW BUFFER PLANTING PER LANDSCAPE DESIGN**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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?  
**IT WILL PROTECT THE CREEK HABITAT FOR FISH AND WILDLIFE. IT IS CONSISTENT WITH CITY POLICIES REGARDING STREAM EDGES.**

Proposed measures to avoid or reduce shoreline and land use impacts are:  
**LANDSCAPE DESIGN SHOWS PLANTING CONSISTENT WITH CITY POLICIES REGARDING BUFFER ENHANCEMENTS AT STREAMS**

6. How would the proposal be likely to increase demands on transportation or public services and utilities?  
**NO**

Proposed measures to reduce or respond to such demand(s) are:  
**NA**

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.  
**IT IS CONSISTENT WITH CITY POLICIES**

- 12. Mitigation and Restoration Plantings in Critical Areas and Critical Area Buffers. Plants intended to mitigate for the loss of natural resource values are subject to the following requirements in addition to the other requirements of KZC 95.45. Where these requirements conflict with other requirements of this chapter, these requirements take precedence. Refer to Chapters 85 and 90 KZC for additional requirements for these areas.
  - a. Plant Source. Plant materials must be native and selected from the Kirkland Plant List. Seed source must be as local as possible, and plants must be nursery propagated unless transplanted from on-site areas approved for disturbance. These requirements must be included in the Mitigation Plan specifications.
  - b. Installation. Plant materials must be supported only when necessary due to extreme winds at the planting site. Where support is necessary, stakes, guy wires, or other measures must be removed as soon as the plant can support itself, usually after the first growing season. All fertilizer applications to turf or trees and shrubs shall follow Washington State University, National Arborist Association or other accepted agronomic or horticultural standards.
  - c. Fertilizer Applications. Fertilizers shall be applied in such a manner as to prevent its entry into waterways and wetlands and minimize its entry into storm drains. No applications shall be made within 50 feet of a waterway or wetland, or a required buffer as established by the City codes (such as Chapter 90 KZC) or Kirkland Shoreline Master Program (SMP, KMC Title 24), whichever is greater, unless specifically authorized in an approved mitigation plan or otherwise authorized in writing by the Planning Official.

ATTACHMENT <u>  il  </u>
<u>  20N06 00024  </u>

August 21, 2006

Stacy Clausen  
City of Kirkland Planning  
123 - 5<sup>th</sup> Avenue  
Kirkland, WA 98033

Re: The Park at Forbes Creek

Dear Stacy:

Thank you for the opportunity to review the Forbes Creek Stream Buffer Enhancement Plan completed by Barker Architects and dated July 2006. This plan includes three plan sheets, a project overview, a stream survey map, planting and maintenance plan text, and a written response to the Kirkland Zoning Code (KZC) Section 90.100.

### Findings

The plan represents an overall improvement in the stream buffer and complies with KZC 90.100, Stream Buffer Modification. If properly implemented and maintained, it will achieve its goals of restoring the buffer to native species, excluding invasive species, improving wildlife habitat, and reducing streambank erosion. Some revisions are necessary to clarify the plan and insure its success.

It is difficult to tell from the plans whether the number of plants proposed is adequate. 17,818 square feet of area would require 214 trees for 9-foot on-center (oc) spacing and 500 shrubs for 6-foot oc spacing. The numbers proposed do not appear adequate by these standards, but some of the enhancement area will be planted to willow and dogwood stakes and need not be included in the calculation. The plan does not give the size of the area to be planted to stakes, and thus the remaining area to be planted to trees and shrubs cannot be calculated from the plan. The plan would be clearer if trees, shrubs, and ground cover were grouped on the planting schedule.

The written description lacks detail. Please refer to the recommendations below for specific areas that need to be added or clarified. The complete written description can then be transferred onto plan sheet 1.

The plan calls for the removal of the top 6 inches of soil, but no topsoil or soils amendments are proposed to be added to the site.

The planting plan includes shore pine, which is native to eastern King County but not the Kirkland area. As well, sandbar willow is a central Washington species and not a good choice for the mitigation site.

The last line of the text states that "new planting should have a 10-foot-wide cleared strip around it." It is unclear whether the intent is to leave an additional, unplanted buffer around the mitigation area. If so, this area would benefit from the application of mulch, and may require maintenance as well.

No permanent buffer fence or barrier is proposed as required under KZC 90.95. A fence or plantings of equal barrier is required at the edge of the buffer. However, a fence is preferable, as plantings need constant ongoing maintenance to ensure they have an equivalent barrier value.

Herbicide control should conform to the following from KZC 95.50.6 Pesticides, Herbicides, and Fertilizer: "Pesticide, herbicide, and fertilizer applications shall be made in a manner that will prevent their unintended entry into waterways, wetlands, and storm drains. No application shall be made within 50 feet of a waterway or wetland or a required buffer as established by City codes, whichever is greater, unless done so by a state certified applicator with approval of the Planning Official, and is specifically authorized in an approved mitigation plan or otherwise authorized in writing by the Planning Official."

No bond estimate for the cost of the installation, monitoring or maintenance was provided. A simple and accurate bond quantity worksheet can be obtained from King County DDES or directly from this office.

## **Recommendations**

Ensure that the planting density is accurate by calculating the area to be planted to trees and shrubs (excluding areas to be staked with willow and dogwood) and determining the number of trees and shrubs needed for planting densities of 9 feet and 6 feet on-center, respectively. Multipliers that yield these densities are 0.012 for trees and 0.028 for shrubs.

Text containing the following should be submitted with the plan:

1. A brief description of existing buffer conditions, including native and non-native species, habitat quality, and adjacent land uses.
2. Performance standards. These should include percent survival (100 percent by the end of Year 1 and 85 percent in Years 2 through 5), cover by native shrubs and trees by the end of Year 5 (80 percent), cover by invasive plant species (less than 10 percent in all years), and diversity of native plant species (at least 3 trees species and 4 shrub species).
3. Monitoring methods. This should incorporate a 5-year plan that includes an as-built plan; late-summer monitoring visits in Years 1, 2, 3, and 5; and yearly reports. The as-built plan is in addition to the Year 1 report. A complete plant count should be conducted in Year 1, followed by visual survival estimates thereafter. Non-native vegetative cover should be estimated visually and described in each report, along with any intrusion or vandalism, photographic documentation from fixed points, and recommendations for maintenance and repair.

4. A performance bond estimate. A spreadsheet for estimating project costs can be obtained from King County DDES.
5. A contingency plan for implementation in the event that unforeseen circumstances affect the success of the plan.
6. Detailed construction notes and specifications. This should include work sequencing, details of invasive species removal methods, site preparation and planting methods, maintenance and irrigation details, and materials specifications.
7. A detailed maintenance plan calling for two visits per year to replace dead plants, control invasive vegetation, apply fertilizer (except in Year 1), mulch as needed, and weed around installed plants.

The existing text addresses some of these issues and can be incorporated into the document. Some portions of the text require revision, however. It should be included that installation will be supervised by an ecologist or landscape architect, and monitoring will be performed by a qualified professional. The likely need for additional topsoil and/or soil amendments should also be mentioned in the text. Shore pine and sandbar willow should be replaced by more appropriate species. Additional western red cedar or Sitka spruce can substitute for the pine (or, in drier areas, Douglas-fir), and Pacific willow or more Sitka willow can be used instead of the sandbar willow. The details of the "10-foot-wide cleared strip" around new planting should be clarified.

The addition of these recommendations will ensure the plan meets the letter and intent of the Kirkland Zoning Code.

Please call with any questions.

Sincerely,

Suzanne Tomassi  
Wetland/Wildlife Biologist

November 13, 2006

Stacy Clausen  
City of Kirkland Planning  
123 – 5<sup>th</sup> Avenue  
Kirkland, WA 98033

Re: The Park at Forbes Creek

Dear Stacy:

I have reviewed the revised Forbes Creek Stream Buffer Enhancement Plan completed by Barker Architects and dated November 8, 2006. This plan includes four plan sheets, planting, monitoring, and maintenance plan text, and a bond quantity worksheet. The plan was revised per the recommendations detailed in the August 21, 2006 review letter we prepared for the City.

### Findings

Most of the recommendations have been appropriately and comprehensively incorporated. A few small discrepancies remain, as follows.

1. The mitigation text and plan sheet 3 call for a temporary irrigation system to deliver 2 inches of water per week to the site from June 1 through September 30 for the first two years following installation. Plan sheet 2 specifies that the irrigation system will deliver 1 inch of water per week from July 1 to October 15 for the first year only.
2. Plan sheet three refers to “silt fence or coir logs,” while the bond quantity worksheet includes an estimate for coir logs only.
3. The mitigation text calls for 3 native coniferous species to be plants; only 2 are included in the plan.
4. One tree species, big leaf maple, is proposed to be planted from a 1-gallon container. We recommend using 2-gallon container plants for tree species, as they generally provide a higher likelihood of survival.
5. Stakes for each proposed tree are not included in the bond estimate. In the Maintenance and Monitoring section of the bond worksheet, no estimate is included for City inspections. Costs for both maintenance and monitoring are underestimated; annual maintenance quantity should be 10 (2 per year), and annual monitoring should be 5 (1 per year).

6. The contingency percentage for project construction is calculated at 30 percent; the City of Kirkland requires only a 25 percent contingency.

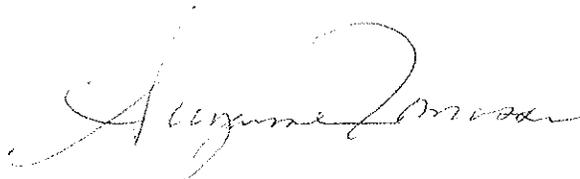
### **Recommendations**

1. Revise plan sheet 2 for consistency with the text and plan sheet 3. The area should be irrigated with 2 inches of water per week for the first 2 years after installation. Beginning and ending dates may be adjusted slightly depending on specific rain amounts in each year, but watering should start in early June and end in late September to mid-October.
2. Revise plan sheet 3 to omit "silt fence" and retain "coir logs." We advise the use of coir logs in this case, based on their proposed placement at the top-of-bank and related risk of erosion and siltation.
3. Revise text to reflect the number of coniferous tree species proposed.
4. Use 2-gallon big leaf maple plants in installation and revise the plans to reflect this.
5. Add tree stakes, inspections by the City, and maintenance and monitoring costs to the bond quantity worksheet, as described in Finding 5, above.
6. Recalculate the contingency cost at 25 percent on the bond quantity worksheet.
7. We recommend that the post-and-rail fence be extended to include the buffer to the west end of the property. The fenced area should include all vegetated areas within the regulatory buffer on the south side of the creek, but no paved or otherwise developed areas.

The addition of these recommendations will ensure the plan meets the letter and intent of the Kirkland Zoning Code.

Please call with any questions.

Sincerely,

A handwritten signature in cursive script, appearing to read "Suzanne Tomassi".

Suzanne Tomassi  
Wetland/Wildlife Biologist



King County

# Critical Areas Mitigation Bond Quantity Worksheet

Project Name: The Park at Forbes Creek Buffer Enhancement

Date Nov. 8, 2006

Prepared by: Barker Landscape Architects

Permit Number: ZON06-00024

Applicant: HSC REAL ESTATE

Location: 11110 FORBES CREEK DRIVE, KIRKLAND, WA

Phone #: 206-783-2870

### 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	723.00	NATIVE SHRUBS & TREES	\$ 8,314.50
PLANTS: Container, 2 gallon, medium soil	\$20.00	Each	63.00	NATIVE SHRUBS & TREES	\$ 1,260.00
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	679.00	WILLOW STAKES	\$ 1,358.00
PLANTS: Stakes (REDOSIER)	\$2.00	Each	574.00	REDOSIER DOGWOOD STAKES	\$ 1,148.00
					\$ -
					\$ -
* All costs include installation					
<b>TOTAL</b>					<b>\$ 12,080.50</b>

### INSTALLATION COSTS ( LABOR, EQUIPMENT, & OVERHEAD)

Type	Unit Price	Unit	Quantity	Description	Cost
Compost, vegetable, delivered and spread	\$37.88	CY	100.00		\$ 3,788.00
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	40.00		\$ 1,600.00
Labor, general (construction)	\$40.00	HR			\$ -
Labor: Consultant, supervising	\$55.00	HR	8.00		\$ 440.00
Labor: Consultant, on-site re-design	\$95.00	HR	5.00		\$ 475.00
Rental of decompacting machinery & operator	\$70.00	HR	8.00		\$ 560.00
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	0.41		\$ 1,230.00
Irrigation - buried	\$4,500.00	Acre			\$ -
Tilling topsoil, disk harrow, 20hp tractor, 4"-6" deep	\$1.02	SY	1979.00		\$ 2,018.58
					\$ -
					\$ -
<b>TOTAL</b>					<b>\$ 10,111.58</b>

RECEIVED  
NOV 10 2006

PLANNING DEPARTMENT  
BY \_\_\_\_\_

ATTACHMENT 13  
ZON06-00024







## SAVE HARMLESS AGREEMENT - STREAM

The undersigned, being all of the owners of the hereinafter described real property, hereby agree to indemnify, defend, and save harmless the City of Kirkland, its officers and employees from any claim, real or imaginary, filed against the City of Kirkland, its officers, or employees, alleging damage or injury caused by fault on the part of the undersigned, their employees or agents, and/or the City of Kirkland, its officers, or employees and arising out of maintenance, flooding, damming or enlargement of the stream existing on the hereinafter described real property; provided, however, this agreement shall not include damage resulting from the sole fault of the City of Kirkland, its officers, or employees. Fault as herein used shall have the same meaning as set forth in RCW 4.22.01. This Agreement shall also include all reasonable cost and expense, including attorney's fees, incurred by the City of Kirkland in investigation and/or defense of any such claim.

This Agreement shall be binding upon the heirs, successors, and assigns of the parties hereto and shall run with the land.

The real property subject to this Agreement is situated in Kirkland, King County, Washington, and described as follows:

DATED at Kirkland, Washington, this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

ATTACHMENT <u>14</u>
<u>20N06-00024</u>



**(Partnerships Only)**

OWNER(S) OF REAL PROPERTY

\_\_\_\_\_  
(Name of Partnership or Joint Venture)

\_\_\_\_\_  
By General Partner

\_\_\_\_\_  
By General Partner

\_\_\_\_\_  
By General Partner

**(Partnerships Only)**

STATE OF WASHINGTON)

) SS.

County of King )

On this \_\_\_\_\_ day of \_\_\_\_\_, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, \_\_\_\_\_ personally appeared \_\_\_\_\_ and \_\_\_\_\_

\_\_\_\_\_ to me, known to be \_\_\_\_\_ general \_\_\_\_\_ partners \_\_\_\_\_ of \_\_\_\_\_

\_\_\_\_\_ the partnership that executed the Save Harmless Agreement and acknowledged the said instrument to be the free and voluntary act and deed of each personally and of said partnership, for the uses and purposes therein set forth, and on oath stated that they were authorized to sign said instrument.

WITNES my hand and official seal hereunto affixed the day and year first above written

\_\_\_\_\_  
Notary Signature

\_\_\_\_\_  
Print Notary's Name

Notary Public in and for the State of Washington, Residing at: \_\_\_\_\_

My commission expires: \_\_\_\_\_

**(Corporations Only)**

OWNER(S) OF REAL PROPERTY

\_\_\_\_\_  
(Name of Corporation)

\_\_\_\_\_  
By President

\_\_\_\_\_  
By Secretary

**(Corporations Only)**

STATE OF WASHINGTON

) SS.

County of King )

On this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, before me, the undersigned, a Notary Public in and for the State of Washington duly commissioned and sworn, \_\_\_\_\_ personally appeared

\_\_\_\_\_ and \_\_\_\_\_ to me, known to be the President and Secretary, respectively, of

\_\_\_\_\_ the corporation that executed the Save Harmless Agreement and acknowledged the said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein set forth, and on oath stated that they were authorized to sign said instrument and that the seal affixed is the corporate seal of said corporation.

WITNESS my hand and official seal hereto affixed the day and year first above written.

\_\_\_\_\_  
Notary's Signature

\_\_\_\_\_  
Print Notary's Name

Notary Public in and for the State of Washington, Residing at:

\_\_\_\_\_  
My commission expires \_\_\_\_\_



## SENSITIVE AREAS COVENANT

The undersigned, being all of the owners of the hereinafter described real property, hereby acknowledge that pursuant to the City of Kirkland Zoning Code Sections 90.40 and/or 90.85, the City of Kirkland has determined that there are environmentally sensitive areas (i.e., wetlands or streams) present on the described real property. This determination is based on review of the development permit application submitted to the City by the applicant and contained in File Number \_\_\_\_\_.

The undersigned agree that they are fully aware of the City of Kirkland regulations established for the protection of environmentally sensitive areas. In addition, there may be other state and federal regulations related to development activity in or around the sensitive area. The undersigned further agree that no development activity, including grading, removal of vegetation or building may occur and that no pesticides, herbicides, or fertilizers shall be used within environmentally sensitive areas or environmentally sensitive area buffers defined by the Kirkland Zoning Code without prior written authorization from the City of Kirkland Department of Planning and Community Development.

The undersigned hereby agree to indemnify, defend, and save harmless the City of Kirkland, its officers and employees from any claim, real or imaginary, filed against the City of Kirkland, its officers, or employees alleging damage or injury caused by fault on the part of the undersigned, their employees or agents, and/or the City of Kirkland, its officers, or employees and arising out of maintenance, flooding, damming, or enlargement of the sensitive area existing on the hereinafter described real property; provided, however, this agreement shall not include damage resulting from the sole fault of the City or its officers, agents, or employees. "Fault" as herein used shall have the same meaning as set forth in RCW 4.22.01. This Agreement shall also include all reasonable cost and expense, including attorney's fees, incurred by the City of Kirkland in investigation and/or defense of any such claim.

This covenant is binding on all the owners of the real property hereinafter described and their heirs, successors, and assigns and runs with the land described as follows:

»Legal Description

DATED at Kirkland, this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

ATTACHMENT 15  
Z0106-00024

**(Sign in blue ink)**

**(Individuals Only)**

OWNER(S) OF REAL PROPERTY (INCLUDING SPOUSE)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**(Individuals Only)**

STATE OF WASHINGTON)

) SS.

County of King )

On this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, before me the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, \_\_\_\_\_ personally appeared \_\_\_\_\_ and \_\_\_\_\_

\_\_\_\_\_ to me known to be the individual(s) described herein and who executed the Sensitive Areas Covenant and acknowledged that \_\_\_\_\_ signed the same as \_\_\_\_\_ free and voluntary act and deed, for the uses and purposes therein mentioned.

WITNESS my hand and official seal hereto affixed the day and year first above written.

\_\_\_\_\_  
Notary's Signature

\_\_\_\_\_  
Print Notary's Name

Notary Public in and for the State of Washington, Residing at: \_\_\_\_\_

My commission expires: \_\_\_\_\_

**(Partnerships Only)**

OWNER(S) OF REAL PROPERTY

\_\_\_\_\_  
(Name of Partnership or Joint Venture)

\_\_\_\_\_  
By General Partner

\_\_\_\_\_  
By General Partner

\_\_\_\_\_  
By General Partner

**(Partnerships Only)**

STATE OF WASHINGTON)

County of King ) SS  
)

On this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, \_\_\_\_\_ personally appeared \_\_\_\_\_ and \_\_\_\_\_

\_\_\_\_\_ to me, known to be \_\_\_\_\_ general \_\_\_\_\_ partners \_\_\_\_\_ of \_\_\_\_\_,

the partnership that executed the Sensitive Areas Covenant and acknowledged the said instrument to be the free and voluntary act and deed of each personally and the said partnership, for the uses and purposes therein set forth, and on oath stated that they were authorized to sign said instrument.

WITNESSE my hand and official seal hereto affixed the day and year first above written.

\_\_\_\_\_  
Notary's Signature

\_\_\_\_\_  
Print Notary's Name

Notary Public in and for the State of Washington, Residing at:

My commission expires \_\_\_\_\_

**(Corporations Only)**

OWNER(S) OF REAL PROPERTY

\_\_\_\_\_  
(Name of Corporation)

\_\_\_\_\_  
By President

\_\_\_\_\_  
By Secretary

**(Corporations Only)**

STATE OF WASHINGTON)

County of King ) SS.  
)

On this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, \_\_\_\_\_ personally appeared \_\_\_\_\_ and \_\_\_\_\_

\_\_\_\_\_ to me, known to be the President and Secretary, respectively, of \_\_\_\_\_, the corporation that executed the Sensitive Areas Covenant and acknowledged the said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein set forth, and on oath stated that they were authorized to sign said instrument and that the seal affixed is the corporate seal of said corporation

WITNESS my hand and official seal hereto affixed the day and year first above written.

\_\_\_\_\_  
Notary's Signature

\_\_\_\_\_  
Print Notary's Name

Notary Public in and for the State of Washington, Residing at: \_\_\_\_\_

My commission expires \_\_\_\_\_



## GEOLOGICALLY HAZARDOUS AREAS COVENANT

<i>File No.:</i>
<i>Parcel No.:</i>
<i>Project Name:</i>
<i>Project Address:</i>

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 \_\_\_\_\_.

ATTACHMENT <u>16</u>
<u>20206-0024</u>

**(Sign in blue ink)**

**(Individuals Only)**

OWNER(S) OF REAL PROPERTY (INCLUDING SPOUSE)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**(Individuals Only)**

STATE OF WASHINGTON)

County of King ) SS.  
 )

On this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ before me, the undersigned a  
Notary Public in and for the State of Washington, duly commissioned ad  
sworn, \_\_\_\_\_ personally appe ed  
\_\_\_\_\_ ad

\_\_\_\_\_ to  
me known to be the individual(s) described herein and who executed he  
Geologically Hazardous Areas Covenant and acknowledged at  
\_\_\_\_\_ signed the s he  
as \_\_\_\_\_ free and volun ry  
act and deed, for the uses and purposes therein mentioned.

WITNESS my hand and official seal hereto affixed the day and year first a ve  
written.

\_\_\_\_\_  
Notary's Signature

\_\_\_\_\_  
Print Notary's Name

Notary Public in and for the State of Washington, Residing at

My commission expires: \_\_\_\_\_

**(Partnerships Only)**

OWNER(S) OF REAL PROPERTY

\_\_\_\_\_  
(Name of Partnership or Joint Venture)

\_\_\_\_\_  
By General Partner

\_\_\_\_\_  
By General Partner

\_\_\_\_\_  
By General Partner

**(Partnerships Only)**

STATE OF WASHINGTON )

County of King ) SS.  
)

On this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, \_\_\_\_\_ personally appeared \_\_\_\_\_ and \_\_\_\_\_ to me, known to be \_\_\_\_\_ general partner of \_\_\_\_\_, the partnership that executed the Geologically Hazardous Areas Covenant and acknowledged the said instrument to be the free and voluntary act and deed of each personally and of said partnership for the uses and purposes therein set forth, and on oath stated that they were authorized to sign said instrument.

WITNESS my hand and official seal hereto affixed the day and year first above written.

\_\_\_\_\_  
Notary's Signature

\_\_\_\_\_  
Print Notary's Name  
Notary Public in and for the State of Washington, Residing at:

\_\_\_\_\_  
My commission expires \_\_\_\_\_

***(Corporations Only)***

OWNER(S) OF REAL PROPERTY

\_\_\_\_\_  
(Name of Corporation)

\_\_\_\_\_  
By President

\_\_\_\_\_  
By Secretary

***(Corporations Only)***

STATE OF WASHINGTON)

County of King ) SS.  
)

On this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, \_\_\_\_\_ personally appeared \_\_\_\_\_ and \_\_\_\_\_

\_\_\_\_\_ to me known to be the President and Secretary, respectively, of \_\_\_\_\_, the corporation that executed the Geologically Hazardous Areas Covenant and acknowledged the said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein set forth, and on oath stated that they were authorized to sign said instrument and that the seal affixed is the corporate seal of said corporation.

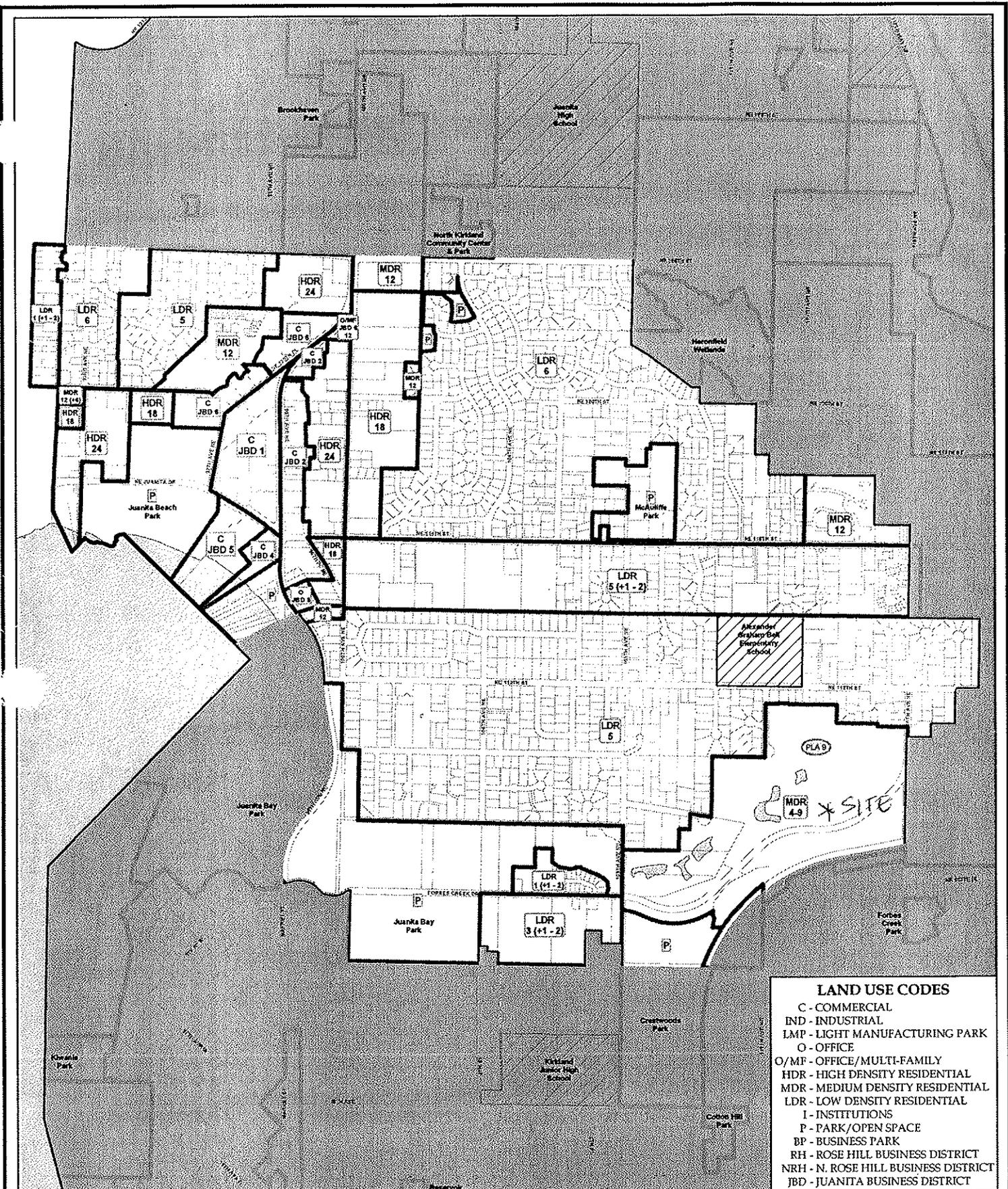
WITNESS my hand and official seal hereto affixed the day and year first above written:

\_\_\_\_\_  
Notary's Signature

\_\_\_\_\_  
Print Notary's Name

Notary Public in and for the State of Washington, Residing at: \_\_\_\_\_

My commission expires: \_\_\_\_\_



**LAND USE CODES**

- C - COMMERCIAL
- IND - INDUSTRIAL
- LMP - LIGHT MANUFACTURING PARK
- O - OFFICE
- O/MP - 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

# South Juanita Neighborhood Land Use Map

ORDINANCE NO. 3974  
 ADOPTED by the Kirkland City Council  
 December 14, 2004

- LAND USE BOUNDARIES
- PUBLIC FACILITIES
- PLANNED AREA NUMBER
- PARCEL BOUNDARY
- SUBAREA BOUNDARY
- LDR 5
- L/
- DI/
- TOTEM CENTER
- NOTE: WHERE NOT SHOWN \* INDICATES CLU.

Maps produced March 10, 2005.  
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 No warranties of any sort, including but not limited to accuracy, fitness or merchantability, are

ATTACHMENT 17  
 20NOV16 00024