

MARINWOOD

Planned Unit Development - Preliminary Plat

Project Narrative / Benefit Analysis

September 29, 2014
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- II. Modifications Proposed Through PUD Process
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I. - Project Description

Site Description

The Pulte Group is proposing to develop the Marinwood site into a 48 lot single family Planned Unit Development (PUD). The site consists of 8.58 acres (post Lot Line Alteration), and is comprised of four parcels, and two existing homes with assorted outbuildings. The project is bounded by 136th Ave NE to the west, and developed single family residences to the north, and south. The site moderately slopes primarily from the northwest to the southeast. Vegetation consists primarily of a combination of residential landscaping with some forested areas. Existing trees are a combination of evergreen, deciduous with some fruit and ornamental trees. There are steep slope areas in the southeast portion of the site in Tract B. No other critical areas (streams or wetlands) are on or adjacent to the site. Access to the site is currently obtained via three private gravel driveways directly off of 136th Ave NE. The site is currently served by public water. Both of the existing residences have septic drain fields which will be abandoned per Code requirements.

The site boundary as depicted on the maps and other submittal materials is based upon the concurrent application and approval of a Lot Line Alteration (LLA) between three different properties. The LLA involves portions of properties off site to the west (see the Lot Line Adjustment application for details.) The LLA is proposed in order to provide expansion of the parcel which fronts on 136th Ave NE (Parcel No. 2726059083).

Neighborhood

The proposed development is within the Evergreen Hill neighborhood. Zoning for the site is RSA-6 as are properties to the south, north and east. Properties to the west across 136th Ave. N.E. are zoned RSA-8. Sites to the north and south are recently developed. To the south is the Willows Bluff subdivision. To the north is the Vintner's Ridge subdivision.

Proposed Site Plan

The proposed PUD has been carefully designed to include a variety of homes, on a variety of lots. Lot sizes range in size from 4,126 square feet up to 7,448 square feet. The average lot size is 4,936 square feet in size.

The applicant is proposing to install sidewalks on only one side of the internal public roads. Public Works has indicated they will support sidewalks on one side if the owner agrees to build offsite sidewalk in a location of the City's choosing at a cost equal to at least 75% of the value of the waived improvements.

The Pulte Group offers a unique consumer-inspired approach to homebuilding that customizes the buyer's experience and ensures their homes are built for the way homeowners live. They continually reach out to prospective home buyers and existing Pulte homeowners to get feedback to improve their home designs. It's a process they call "Life Tested." Plus, their homes are up to 30% more energy efficient than the average existing home.

Pulte's popular Pacific Northwest contemporary homes are planned for this neighborhood. Home sizes will range from 2,400 square feet to 3,000 square feet (not including basement space). Additionally, there will be a large variety in home widths (30', 35', and 40') as well as home styles (garage tuck-under, standard, and daylight-basement). The exterior of the buildings will be Cemplank siding with architectural accents and stone veneer. Interiors will feature a high specification level. They will feature upgraded fixtures, slab granite countertops, full height backsplashes, open rail, and hardwood floors. "Life Tested" features for these homes include the Pulte Planning Center, open functional living and entertaining areas, and a formal expanded entry drop zone.

Parks and Open Space

Approximately 19% of the site, 1.66 acres, will be devoted to passive and active public Open Space, which would not be required in a standard subdivision in this zone. Open space amenities include:

- Open, grassed play areas
- Bocce ball field
- Picnic areas
- Play equipment
- Panoramic views to the east from Tract B
- Seating benches

Landscaping

This site contains many significant trees, with stands existing throughout the development. Mass site grading to develop livable yards, will make it quite difficult to save the stands of trees, and leaving trees in a singular fashion will only present potential dangers to the neighbors and the future home owners from potential windthrow. The best opportunity to save existing trees is around the perimeter of the site and in Tract B in the eastern portion of the site. In addition to saving these trees the development will be planting 101 new trees in order to comply with the City of Kirkland tree credit requirements. Street trees will also be planted along all public roads in the proposed development

Circulation and Parking

Access to the site has been proposed in coordination with the proposed Vintners West PUD development on the west side of 136th Ave NE so that the intersections to both projects align. On-site improvements will include 24' of pavement which allows for parking on one side. A planter and sidewalk is proposed along one side of all interior plat roads, the other side of the road will have a planter only. This proposal for sidewalk on one side has conditional Public Works support, as is discussed later in this narrative.

Frontage improvements within 136th Ave NE include widening to provide 32 feet of pavement from the right-of-way centerline to the newly installed vertical curb. A 4.5' wide planter and a 5' wide sidewalk will also be installed adjacent to the proposed subdivision.

The majority of homes in Marinwood will front on internal public streets. Ten (10) homes will be provided access via proposed tract roads. These tract roads (Tracts A, C, and E) consist of a 21' wide tract with 20 feet of pavement. These tract roads will be privately owned and maintained jointly by the lots they serve. A public road (Road C) will connect to 137th PI NE to the north. A public road (Road D) will stub to the south property line for extension into future residential development.

Internal access will terminate in the eastern portion of the subdivision with a hammerhead turnaround which is comprised of portions of Roads B and D. A sidewalk in Road C will connect this project to the Vintners Ridge project to the north. Additionally, this development will construct sidewalk along its 136th Ave NE frontage and in front of the neighboring exception parcel to the north. This will fully complete the pedestrian connection along the east side of 136th Ave NE.

Each home will provide a minimum of 2 off street parking spaces in the garage. Garages will be set back a minimum of 20' from the right of way therefore allowing for an additional two stalls in front of each home.

The proposed project has passed Traffic Concurrency and the existing level of service will not be diminished by the development's additional traffic in the year 2017. See the Traffic Impact Analysis prepared by TENW dated December 18, 2014 that has been submitted with this application.

There are currently safe walking conditions for school age children.

Utilities

Site utilities are easily incorporated into the regional systems already in place. Drainage from the proposal will be collected and routed to a storm detention and water quality treatment system to be constructed within proposed Tract B at the eastern end of the subdivision. This facility will include a stormwater detention vault, that will be covered, which will allow the area above to be utilized as a recreation area as well. Viewing benches, a grass play area, and a bocce ball court will be constructed on this vault.

Sewer for the development will be provided in one of two ways to be determined by Woodinville Water District. One alternative would be a Lift Station at the east end of the site which would then pump up to the gravity sewer main located in the plat of Willows Bluff to the south. The second alternative would be to make a gravity connection to north into the Foxbrier sewer main.

Water will be connected from the existing line within 136th Ave NE, run through the site and connect to the water main located in the 137th PI NE in the plat of Vintner's Ridge to the north.

II. - Modifications Proposed through the PUD Process

City of Kirkland Zoning Code (KZC) section 125.20 details what elements may be modified with a PUD application. The following elements are requested as modifications to the PUD that would otherwise not be allowed in a standard subdivision:

- Minimum Lot Size
- Minimum Lot Width
- Front Building Setbacks
- Floor Area Ratio (FAR)
- Building height calculation
- Lot Coverage

The City may, per KZC 125.20, modify any of the provisions of the code for a PUD except:

- 1. The City may not modify any of the provisions of this chapter; and*
- 2. The City may not modify any provision of this code that specifically states that its requirements are not subject to modifications under a PUD; and*
- 3. The City may not modify any of the procedural provisions of this code; and*
- 4. The City may not modify any provision that specifically applies to development on a regulated slope; and*
- 5. The City may not modify any provision pertaining to the installation and maintenance of storm water retention/detention facilities; and*
- 6. The City may not modify any provision pertaining to the installation of public improvements; and*
- 7. The City may not modify any provision regulating signs; and*
- 8. The City may not modify any provision regulating the construction of one (1) detached dwelling unit.*

Minimum Lot Size

Requested Modification: Minimum lot size be measured as an average of the total area in lots, plus all open space not specifically encumbered by the proposed detention facility.

The minimum lot size for the RSA-6 zone is 5100 square feet. The average lot size, for this project, when calculating it on the area in lots only, is 4,936 square feet. The proposed average lot size based on gross area, less roads, and less the area of the detention vault is 6,276 square feet per lot.

The proposed lot size averaging formula allows the development to provide areas for recreation and open space, while reducing the average lot size to less than 200 square feet below that required by the underlying zone. This averaging also allows for compatible lot sizes and compatible housing opportunities for prospective home buyers, creating a greater sense of community.

Minimum Lot Width

Requested Modification: The lot width at the back of the required front yard shall not be less than forty feet.

The required lot width per KZC 22.28.50 is 50 feet. We are requesting it be reduced by 10 feet, to 40 feet.

The specific breakdown of lot widths is as follows:

<u>Lot Width</u>	<u>Number of lots</u>	<u>Percentage of all lots</u>
40 feet	2	4%
45 feet	26	54%
50 feet, plus	20	42%

Even though the requested modification is to reduce the lot width to 40 feet, only 2 lots are 40 feet wide. The remaining 46 lots are 45 feet or 50 feet plus, wide.

Allowing this reduction in lot width allows the development to provide additional area for recreation use by both the residents of Marinwood, and the general public. On-site passive and active open space allows developments to develop a sense of community and cohesiveness. This reduction in lot widths also means the project can approach the densities designated by the City of Kirkland for the underlying zone. Variable lot widths will result in varied housing opportunities and a varying streetscape.

Front Building Setbacks

Requested Modification: We are requesting that the front building setback for living space be reduced to 10' while maintaining the 20' garage setback.

Garages are setback 20' from the right of way line to provide for parking in the driveways without impeding vehicular or pedestrian traffic. Maintaining this 20' setback meets the requirements of the Kirkland Zoning Code.

Having living space setback only 10' from the right of way line creates an opportunity to develop a streetscape with modulation and character. It eliminates a flat home façade, setback 20' from the right of way line, dominated by garage doors. In fact, the reduced living space setback creates the opportunity for porches and other features within the front yard setback which can become focal points for neighbor interaction, creating a greater sense of community.

Floor Area Ratio (FAR)

Requested Modification: We are requesting that the FAR for the project be evaluated and measured on a site wide basis, as 50% of the net development area (gross site area less public roads.)

Chapter 125.20 of the KZC allows for provisions of the code to be modified when a PUD is proposed that is innovative or includes amenities that are otherwise beneficial to the project. Our request that the FAR be measured on a site wide basis, including the Open Space Tracts, reflects the fact that the areas within the proposed Open Space Tracts are not required to be provided under a standard subdivision. The project includes 32,357 square feet of passive and active public open space that is not required in a standard subdivision. Included within the Open Space Tracts are recreational improvements as listed previously, which are also not required in a standard subdivision.

Application of the FAR on an individual lots basis would promote significantly large homes on some lots, and significantly smaller homes on others. This approach would promote a fragmented neighborhood. Application of the FAR on an individual lot basis would also promote far more mass in the project as a whole.

The proposed modification actually would promote a more unified, yet diverse development promoting a progressive neighborhood atmosphere.

Building Height Calculation

Requested Modification: We are requesting that the building height calculation be based on the existing grade after site grading is completed.

Current City of Kirkland code requires that allowed building height be calculated based on average grade of a parcel prior to the time of construction. For individual residences on existing parcels this makes sense in order to protect view corridors, eliminate overly tall structures, etc.

Application of the strict building height calculation on this project creates inherent problems due to the diagonally sloping topography from northwest to southeast and the irregular shape of the property itself. These factors create challenges from not only a site design standpoint but also from a grading perspective. In order to maintain the home entries at street level, mass grading has to occur. This grading will alter the building pad elevations by up to 10 feet from pre-grading elevations. In fact, the site limitations are such that most of the homes, even after mass grading, will be daylight basements or tuck under garage style homes. This results in the high side of the lot being as much as 10 feet above the low side of the lot. To attempt to establish building height from pre-construction grades on a site like this will result in homes that do not fit the intended character and cohesiveness of the community. By utilizing post site construction grades to establish building height, as proposed, a more consistent and compatible community will be developed, which is the underlying intent of the building height calculation requirement.

Based on the proposed grading plan, approximately 22 lots will be fill lots. That means that 26 lots will be cut lots or lots with minimal grading. The proposed fill lots include; lots 1 thru 10, 14, 17,20, 21, and 22 thru 29. The applicant is still requesting that the Building Height Calculation modification be applied to the entire project.

Lot Coverage

Requested Modification: We are requesting that the Lot Coverage be evaluated and measured on a site wide basis, including lots and all open space tracts, at 45%.

As detailed and explained previously this proposed development is providing 1.66 acres in passive and active public Open Space that would not be required as part of a standard subdivision. This results in less area available to do a standard lot coverage calculation. The requested modification to allow the percentage to be calculated using the provided open space tracts and lots actually results in less than 45% lot coverage (43.19%.)

III. - PUD Conformance Criteria

KZC 125.35 states that the City may approve a PUD only if it finds all of the following requirements are met:

1. *The proposed PUD meets the requirements of this chapter.*
2. *Any adverse impacts or undesirable effects of the proposed PUD are clearly outweighed by specifically identified benefits to the residents of the City.*

3. *The applicant is providing one or more of the following benefits to the City as part of the proposed PUD:*
 - a. *The applicant is providing public access to the facilities that could not be required by the City for development of the subject property without a PUD.*
 - b. *The proposed PUD will preserve, enhance or rehabilitate natural features of the subject property such as significant woodlands, wildlife habitats or streams that the City could not require the applicant to preserve enhance or rehabilitate through development of the subject property without a PUD.*
 - c. *The Design of the PUD incorporates active or passive solar energy systems*
 - d. *The Design of the proposed PUD is superior in one or more of the following ways to the design that would result from development of the subject property without a PUD:*
 - i. *Increased provision of open space or recreational facilities.*
 - ii. *Superior circulation patterns or location of screening of parking facilities.*
 - iii. *Superior landscaping, buffering, or screening in or around the PUD.*
 - iv. *Superior architectural design, placement, relationship or orientation of structure.*
 - v. *Minimum use of impervious surfacing materials.*
4. *Any PUD which is proposed as special needs housing shall be reviewed for its proximity to existing or planned services (i.e. shopping centers, medical centers, churches, parks, entertainment, senior centers, public transit, etc.)*

Consistency with the PUD Criteria:

1. *The proposed PUD meets the requirements of this chapter*

The following responses to the approval criteria, in concert with the submittal materials will demonstrate that the project meets the requirements of the chapter.

2. *Any adverse impacts or undesirable effects of the proposed PUD are clearly outweighed by specifically identified benefits to the residents of the City.*

The terms that we need to analyze are “impacts” or “undesirable effects.” In order to approve the PUD as a subdivision overlay, public benefits must exceed the level of impact from the differing component.

An impact is the effect of the differing component, not the component itself. In the case of Marinwood the differing components are:

- Minimum Lot Size
- Minimum Lot Width
- Front Building Setbacks
- Floor Area Ratio (FAR)
- Building height calculation
- Lot coverage

The primary visual effect of the above components is that the homes will be closer to the internal project Public streets and Tract roads. Existing properties along the project boundaries are not affected by the request for the reduced front yard setback. With the reduction in the front yard setback there may be a minor visual difference but it will be effectively un-noticeable and will actually improve the appearance of the streetscape.

Further, the remaining requested modifications will have the positive impact of having a much more consistent, yet architecturally varied, community in terms of home size and scale. This will only result in a greater sense of community and belonging for future residents of the Marinwood PUD.

These differences must be weighed in comparison to the identified benefits of the PUD.

The proposed plat of Marinwood will provide the following **Public Benefits** intended to mitigate the requested modifications to the Kirkland Zoning Code:

- The creation of 1.66 acres of on-site active and passive public open space. The proposed improvements to the two open space tracts consist of :
 - Open, grassed play areas
 - Bocce ball field
 - Picnic areas
 - Play equipment
 - Panoramic views to the east from Tract B
 - Seating benches

These improvements are a Public Benefit, because in a standard subdivision they would not be required and their construction will lessen the impact that area residents have on existing public park facilities.

- The applicant will voluntarily provide frontage improvements in front of tax parcel 272805-9083, along 136th Ave NE, for a distance of 310 lineal feet. These improvements include pavement widening and the installation of curb, a 4.5" planter and a 5' sidewalk. These improvements will complete the sidewalk network along the east side of 136th Ave NE, from the plat of Momco to the existing sidewalk network on 132nd Ave NE.
- The installation of a Rectangular Rapid Flash Beacon crosswalk crossing 132nd Ave NE at its intersection with NE 134th Pl. This is a Public Benefit because it improves pedestrian safety for all especially school aged children many of whom will walk to school from this site and surrounding neighborhoods.

None of the above Public Benefit items are required as part of a standard subdivision, and clearly outweigh the minimally negligible impacts associated with the requested modifications.

Determination of an appropriate level of Public Benefit improvements

Chapter 125 - Planned Unit Development of the Kirkland Zoning Code (KZC) discusses the need to provide Public Benefits to mitigate the impacts of requested Code modifications as part of a PUD application. However, it does not clearly define the level of Public Benefits that coincide with the PUD Code. Absent any definitive guidance from the KZC, one can only look to Public Benefit improvements from past PUD applications. One of the most recent and geographically local PUD approval is the proposed PUD of Vintners West (SUB13-01508) which is located due west of Marinwood, on the west side of 136th Ave NE.

The PUD of Vintners West proposed Public Benefit improvements to the 100 foot wide Olympic Pipeline and Puget Sound Power and Light easement located on the west side of 136th Ave NE. These recreational improvements include: A play area with swing set, Lawn, Trails, Arbors, raised planting beds, compost bins, a plant garden, dog runs and dog waste stations. The Easement area will also be signed as a Public Park for the use of anyone, not just PUD residents.

A competitive bid by Art by Nature of Granite Falls (copy attached) bid the total cost of the Vintners West Public Benefit/Open Space improvements to be \$350,491.83. The same firm bid (copy attached) the cost of the Open Space improvements at Marinwood to be

\$283,906.45. So, the cost of the on-site Open Space improvements for Vintners West were \$68,727.31 more expensive than the on-site Open Space improvements for Marinwood.

To match the monetary level of Public Benefit proposed by Vintners West, the proposed Marinwood PUD proposes, in addition to their on-site Open Space improvements, Public Benefits in the form of:

- Construction of full frontage improvements in front of tax parcel 272805-9083, along 136th Ave NE, at a construction cost of \$101,436.00 based on a bid provided by Universal Land Construction (copy attached)
- A Rectangular Rapid Flash Beacon (RRFB) crosswalk crossing 132nd Ave NE at its intersection with NE 134th Pl. This will benefit elementary students walking to John Muir Elementary and middle school walking to Kamiakin Middle School, together with the general public. The City of Kirkland has indicated the typical construction cost for this improvement to be between \$45,000 and \$67,000. For the purposes of this comparison we will use a mid-range cost average of \$56,000.

These two additional Public Benefit improvements will combine with the on-site Open Space improvements for Marinwood to exceed the amount expended for the Vintners West Public Benefit improvements.

Public Benefit Summary

The approved PUD of Vintners West will expend \$350,491.83 for their Public Benefit improvements.

The proposed Marinwood PUD will expend \$441,342.45 for their Public Benefit improvements.

Clearly, Marinwood has exceeded the level of Public Benefit improvements provided by the approved Vintners West PUD.

KMC 27.06.010 Findings and Authority

The city council finds and determines that new residential growth and development in the city will create additional demand and need for public facilities (parks) in the city and finds that new residential growth and development should pay a proportionate share of the cost of new public facilities needed to serve the new growth and development. The city has conducted an extensive study documenting the procedures for measuring the impact of new residential development on public facilities and has prepared a rate study. The city council accepts the methodology and data contained in the rate study. Therefore, pursuant to Chapter 82.02 RCW, the city council adopts this chapter to assess impact fees for public facilities.

Pursuant to the above code section, the City of Kirkland recognizes that public parks are a finite resource to be scaled up with population. The City has established an impact fee system. Park Impact Fees fund the park needs of a growing City.

By providing on site recreation, the proposed passive and active public open space areas will reduce the use and impacts on other City facilities. It should also be noted that the project will also pay mitigation fees for impacts to parks, with no requested credit to off-set on-site improvements.

Tracts B and D clearly provide public open space and amenities that would otherwise not occur in a standard subdivision. Tract B also serves as a detention facility with an underground vault. Some may argue that it would be required anyway and no additional benefit is provided. The same facility could be built as a pond, less expensively, with no lid,

therefore providing no opportunity for recreation in the same area. In addition the pond area would be fenced and gated for safety and no pedestrian access would be available.

There will be an expense incurred by the applicant in the implementation of the proposed Public Benefit improvements noted above.

3. *The applicant is providing one or more of the following benefits to the City as part of the proposed PUD:*

a. *The applicant is providing public facilities that could not be required by the City for development of the subject property without a PUD.*

The following Public Benefits are being provided by the applicant which could not be required of a standard subdivision:

- The creation of 1.66 acres of on-site active and passive public open space. The proposed improvements to the two open space tracts consist of :
 - Open, grassed play areas
 - Bocce ball field
 - Picnic areas
 - Play equipment
 - Panoramic views to the east from Tract B
 - Seating benches
- The applicant will voluntarily provide frontage improvements in front of tax parcel 272805-9083, along 136th Ave NE, for a distance of 310 lineal feet. These improvements include pavement widening and the installation of curb, a 4.5" planter and a 5' sidewalk. These improvements will complete the sidewalk network along the east side of 136th Ave NE, from the plat of Willows Bluff to the existing sidewalk network on 132nd Ave NE.
- The Applicant will provide a Rectangular Rapid Flash Beacon (RRFB) crosswalk crossing 132nd Ave NE at its intersection with NE 134th Pl.

b. *The proposed PUD will preserve, enhance or rehabilitate natural features of the subject property such as significant woodlands, wildlife habitats or streams that the City could not require the applicant to preserve enhance or rehabilitate through development of the subject property without a PUD.*

N/A

c. *The design of the PUD incorporates active or passive solar energy systems.*

N/A

d. *The Design of the proposed PUD is superior in one or more of the following ways to the design that would result from development of the subject property without a PUD:*

i. *Increased provision of open space or recreational facilities.*

If the project was not developed as a PUD, the 1.66 acres of passive and active public Open Space would not be provided nor would the recreation improvements be constructed therein. Additionally, in this project the recreation facilities will be made available to the public for their use and enjoyment. In a standard subdivision

these open space tracts and recreation improvements would not be required, and if developed would not have to provide public access.

ii. Superior circulation patterns or location of screening of parking facilities.

The roadway network proposes only one access point onto 136th Ave NE thus reducing possible accident locations. This access point will align with the recently approved Vintner's West PUD located on the west side of 136th Ave NE. A connection will be made to 137th PI NE, in the Vintner's Ridge subdivision to the north, providing a second point of access to the subdivision. Stub roads are also provided to the south and west to insure an effective and efficient neighborhood circulation pattern in the future.

This project will significantly improve pedestrian circulation by completing the sidewalk segment on the east side of 136th Ave NE, along the Marinwood frontage, and along the frontage of tax parcel 272805-9083, which is not a part of the Marinwood application.

iii. Superior landscaping, buffering, or screening in or around the PUD.

N/A

iv. Superior architectural design, placement, relationship or orientation of structure.

N/A

v. Minimum use of impervious surfacing materials.

N/A

4. Any PUD which is proposed as special needs housing shall be reviewed for its proximity to existing or planned services (i.e. shopping centers, medical centers, churches, parks, entertainment, senior centers, public transit, etc.)

N/A

Closing

As proposed, and demonstrated in the submitted materials, the Marinwood PUD will provide many Public Benefits to the residents of the project, the neighborhood, and the City. We believe the proposed Public Benefits will increase safety and provide recreational improvements that more than off-set the impacts of the requested Code modifications. These elements will add to the character and quality of the neighborhood and go beyond those elements required as part of a standard subdivision. This proposed subdivision/PUD meets the goals and intent of the Planned Unit Development code as noted in this Narrative and in the other submitted materials. Respectfully, as such, it is worthy of approval by the City of Kirkland.

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DEVELOPMENT STANDARDS LIST FILE: MARINWOOD SUBDIVISION AND PUD, SUB14-01891

TREE RETENTION STANDARDS

A Tree Retention Plan was submitted with the short plat in which the locations of all proposed improvements were known. There are 231 viable significant trees on the site. The approved tree retention plan will save 24 significant trees. The approved tree retention plan is included as Attachment 9 of the Staff Advisory Report.

Modifications to the Tree Retention Plan must be approved per KZC 95.30(6)(b).

KZC 95.33 requires new developments to meet a minimum tree density for individual lots in a short subdivision or subdivision with an approved Tree Retention Plan. The tree density shall be calculated for each lot within the short plat or subdivision and for the entire site. The tree density may consist of existing trees pursuant to the tree's retention value, supplemental trees or a combination of existing and supplemental trees. As part of the land surface modification permit, the applicant will be required to ensure compliance with the tree density requirements for the site.

SUBDIVISION STANDARDS

22.28.030 Lot Size. Unless otherwise approved in the preliminary subdivision or short subdivision approval, all lots within a subdivision must meet the minimum size requirements established for the property in the Kirkland zoning code or other land use regulatory document.

22.28.130 Vehicular Access Easements. The applicant shall comply with the requirements found in the Zoning Code for vehicular access easements or tracts.

22.32.010 Utility System Improvements. All utility system improvements must be designed and installed in accordance with all standards of the applicable serving utility.

22.32.030 Stormwater Control System. The applicant shall comply with the construction phase and permanent stormwater control requirements of the Municipal Code.

22.32.050 Transmission Line Undergrounding. The applicant shall comply with the utility lines and appurtenances requirements of the Zoning Code.

22.32.060 Utility Easements. Except in unusual circumstances, easements for utilities should be at least ten feet in width.

27.06.030 Park Impact Fees. New residential units are required to pay park impact fees prior to issuance of a building permit. Please see KMC 27.06 for the current rate. Exemptions and/or credits may apply pursuant to KMC 27.06.050 and KMC 27.06.060. If a property contains an existing unit to be removed, a "credit" for that unit shall apply to the first building permit of the subdivision.

Prior to Recording:

22.16.030 Final Plat - Lot Corners. The exterior plat boundary, and all interior lot corners shall be set by a registered land surveyor.

22.16.040 Final Plat - Title Report. The applicant shall submit a title company certification which is not more than 30 calendar days old verifying ownership of the subject property on the date that the property owner(s) (as indicated in the report) sign(s) the subdivision documents; containing a legal description of the entire parcel to be subdivided; describing any easements or restrictions affecting the property with a description, purpose and reference by auditor's file number and/or recording number; any encumbrances on the property; and any delinquent taxes or assessments on the property.

22.32.020 Water System. The applicant shall install a system to provide potable water, adequate fire flow and all required fire-fighting infrastructure and appurtenances to each lot created.

22.32.040 Sanitary Sewer System. The developer shall install a sanitary sewer system to serve each lot created.

22.32.080 Performance Bonds. In lieu of installing all required improvements and components as part of a plat or short plat, the applicant may propose to post a bond, or submit evidence that an adequate security device has been submitted and accepted by the service provider (City of Kirkland and/or Northshore Utility District), for a period of one year to ensure completion of these requirements within one year of plat/short plat approval.

Prior to occupancy:

22.32.020 Water System. The applicant shall install a system to provide potable water, adequate fire flow and all required fire-fighting infrastructure and appurtenances to each lot created.

22.32.040 Sanitary Sewer System. The developer shall install a sanitary sewer system to serve each lot created.

ZONING CODE STANDARDS

95.50 Tree Installation Standards. All supplemental trees to be planted shall conform to the Kirkland Plant List. All installation standards shall conform to Kirkland Zoning Code Section 95.45.

95.52 Prohibited Vegetation. Plants listed as prohibited in the Kirkland Plant List shall not be planted in the City.

105.10.2 Pavement Setbacks. The paved surface in an access easement or tract shall be set back at least 5 feet from any adjacent property which does not receive access from that easement or tract. An access easement or tract that has a paved area greater than 10 feet in width must be screened from any adjacent property that does not receive access from it. Screening standards are outlined in this section.

105.47 Required Parking Pad. Except for garages accessed from an alley, garages serving detached dwelling units in low density zones shall provide a minimum 20-foot by 20-foot parking pad between the garage and the access easement, tract, or right-of-way providing access to the garage.

110.60.5 Street Trees. All trees planted in the right-of-way must be approved as to species by the City. All trees must be two inches in diameter at the time of planting as measured using the standards of the American Association of Nurserymen with a canopy that starts at least six feet above finished grade and does not obstruct any adjoining sidewalks or driving lanes.

115.25 Work Hours. It is a violation of this Code to engage in any development activity or to operate any heavy equipment before 7:00 am. or after 8:00 pm Monday through Friday, or before 9:00 am or after 6:00 pm Saturday. No development activity or use of heavy equipment may

occur on Sundays or on the following holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving, and Christmas Day. The applicant will be required to comply with these regulations and any violation of this section will result in enforcement action, unless written permission is obtained from the Planning official.

115.40 Fence Location. Fences over 6 feet in height may not be located in a required setback yard. A detached dwelling unit abutting a neighborhood access or collector street may not have a fence over 3.5 feet in height within the required front yard. No fence may be placed within a high waterline setback yard or within any portion of a north or south property line yard, which is coincident with the high waterline setback yard.

A detached dwelling unit may not have a fence over 3.5 feet in height within 3 feet of the property line abutting a principal or minor arterial except where the abutting arterial contains an improved landscape strip between the street and sidewalk. The area between the fence and property line shall be planted with vegetation and maintained by the property owner.

115.42 Floor Area Ratio (F.A.R.) Limits. Floor area for detached dwelling units is limited to a maximum floor area ratio in low density residential zones. See Use Zone charts for the maximum percentages allowed. This regulation does not apply within the disapproval jurisdiction of the Houghton Community Council.

115.43 Garage Requirements for Detached Dwelling Units in Low Density Zones. Detached dwelling units served by an open public alley, or an easement or tract serving as an alley, shall enter all garages from that alley. Whenever practicable, garage doors shall not be placed on the front façade of the house. Side-entry garages shall minimize blank walls. For garages with garage doors on the front façade, increased setbacks apply, and the garage width shall not exceed 50% of the total width of the front façade. These regulations do not apply within the disapproval jurisdiction of the Houghton Community Council. Section 115.43 lists other exceptions to these requirements.

115.75.2 Fill Material. All materials used as fill must be non-dissolving and non-decomposing. Fill material must not contain organic or inorganic material that would be detrimental to the water quality, or existing habitat, or create any other significant adverse impacts to the environment.

115.90 Calculating Lot Coverage. The total area of all structures and pavement and any other impervious surface on the subject property is limited to a maximum percentage of total lot area. See the Use Zone charts for maximum lot coverage percentages allowed. Section 115.90 lists exceptions to total lot coverage calculations See Section 115.90 for a more detailed explanation of these exceptions.

115.95 Noise Standards. The City of Kirkland adopts by reference the Maximum Environmental Noise Levels established pursuant to the Noise Control Act of 1974, RCW 70.107. See Chapter 173-60 WAC. Any noise, which injures, endangers the comfort, repose, health or safety of persons, or in any way renders persons insecure in life, or in the use of property is a violation of this Code.

115.115 Required Setback Yards. This section establishes what structures, improvements and activities may be within required setback yards as established for each use in each zone.

115.115.3.g Rockeries and Retaining Walls. Rockeries and retaining walls are limited to a maximum height of four feet in a required yard unless certain modification criteria in this section are met. The combined height of fences and retaining walls within five feet of each other in a required yard is limited to a maximum height of 6 feet, unless certain modification criteria in this section are met.

115.115.3.n Covered Entry Porches. In residential zones, covered entry porches on dwelling units may be located within 13 feet of the front property line if certain criteria in this section are met. This incentive is not effective within the disapproval jurisdiction of the Houghton Community Council.

115.115.3.o Garage Setbacks. In low density residential zones, garages meeting certain criteria in this section can be placed closer to the rear property line than is normally allowed in those zones.

115.115.3.p HVAC and Similar Equipment: These may be placed no closer than five feet of a side or rear property line, and shall not be located within a required front yard; provided, that HVAC equipment may be located in a storage shed approved pursuant to subsection (3)(m) of this section or a garage approved pursuant to subsection (3)(o)(2) of this section. All HVAC equipment shall be baffled, shielded, enclosed, or placed on the property in a manner that will ensure compliance with the noise provisions of KZC 115.95.

115.115.5.a Driveway Width and Setbacks. For a detached dwelling unit, a driveway and/or parking area shall not exceed 20 feet in width in any required front yard, and shall be separated from other hard surfaced areas located in the front yard by a 5-foot wide landscape strip. Driveways shall not be closer than 5 feet to any side property line unless certain standards are met.

115.135 Sight Distance at Intersection. Areas around all intersections, including the entrance of driveways onto streets, must be kept clear of sight obstruction as described in this section.

152.22.2 Public Notice Signs. Within seven (7) calendar days after the end of the 21-day period following the City's final decision on the permit, the applicant shall remove all public notice signs.

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Prior to recording:

110.60.5 Landscape Maintenance Agreement. The owner of the subject property shall sign a landscape maintenance agreement, in a form acceptable to the City Attorney, to run with the subject property to maintain landscaping within the landscape strip and landscape island portions of the right-of-way. It is a violation to pave or cover the landscape strip with impervious material or to park motor vehicles on this strip.

110.60.6 Mailboxes. Mailboxes shall be installed in the development in a location approved by the Postal Service and the Planning Official. The applicant shall, to the maximum extent possible, group mailboxes for units or uses in the development.

Prior to issuance of a grading or building permit:

95.30(4) Tree Protection Techniques. A description and location of tree protection measures during construction for trees to be retained must be shown on demolition and grading plans.

95.34 Tree Protection. Prior to development activity or initiating tree removal on the site, vegetated areas and individual trees to be preserved shall be protected from potentially damaging activities. Protection measures for trees to be retained shall include (1) placing no construction material or equipment within the protected area of any tree to be retained; (2) providing a visible temporary protective chain link fence at least 6 feet in height around the protected area of retained trees or groups of trees until the Planning Official authorizes their removal; (3) installing visible signs spaced no further apart than 15 feet along the protective fence stating "Tree Protection Area, Entrance Prohibited" with the City code enforcement phone number; (4) prohibiting excavation or compaction of earth or other damaging activities within the barriers unless approved by the Planning Official and supervised by a qualified professional; and (5) ensuring that approved landscaping in a protected zone shall be done with light machinery or by hand.

27.06.030 Park Impact Fees. New residential units are required to pay park impact fees prior to issuance of a building permit. Please see KMC 27.06 for the current rate. Exemptions and/or credits may apply pursuant to KMC 27.06.050 and KMC 27.06.060. If a property contains an existing unit to be removed, a "credit" for that unit shall apply to the first building permit of the subdivision.

Prior to occupancy:

95.51.2.a Required Landscaping. All required landscaping shall be maintained throughout the life of the development. The applicant shall submit an agreement to the city to be recorded with King County which will perpetually maintain required landscaping. Prior to issuance of a certificate of occupancy, the proponent shall provide a final as-built landscape plan and an agreement to maintain and replace all landscaping that is required by the City

95.51.2.b Tree Maintenance. For detached dwelling units, the applicant shall submit a 5-year tree maintenance agreement to the Planning Department to maintain all pre-existing trees designated for preservation and any supplemental trees required to be planted.

95.51.3 Maintenance of Preserved Grove. The applicant shall provide a legal instrument acceptable to the City ensuring the preservation in perpetuity of approved groves of trees to be retained.

110.60.5 Landscape Maintenance Agreement. The owner of the subject property shall sign a landscape maintenance agreement, in a form acceptable to the City Attorney, to run with the subject property to maintain landscaping within the landscape strip and landscape island portions of the right-of-way. It is a violation to pave or cover the landscape strip with impervious material or to park motor vehicles on this strip.

110.60.6 Mailboxes. Mailboxes shall be installed in the development in a location approved by the Postal Service and the Planning Official. The applicant shall, to the maximum extent possible, group mailboxes for units or uses in the development.

110.75 Bonds. The City may require or permit a bond to ensure compliance with any of the requirements of the Required Public Improvements chapter.



DEVELOPMENT STANDARDS

SUB14-01891

BUILDING DEPARTMENT

Contact: Tom Jensen – tjensen@kirklandwa.gov

1. A geotechnical report is required to address proposed development activity. The report must be prepared by a Washington State licensed Professional Engineer. Recommendations contained within the report shall be incorporated into the design of the Subdivision and subsequent structures.
2. Prior to issuance of Building, Demolition or Landsurface Modification permit applicant must submit a proposed rat baiting program for review and approval. Kirkland Municipal Ordinance 9.04.040
3. A demolition permit is required for removal of existing structures.
4. Plumbing meter and service line shall be sized in accordance with the current UPC. We are currently using the 2012 edition.
5. Any vault or retaining walls will require separate permits.
6. Building permits must comply with the International Building, Residential and Mechanical Codes and the Uniform Plumbing Code as adopted and amended by the State of Washington and the City of Kirkland. Kirkland currently has adopted the 2012 editions. Building permits applied for after June 30, 2016 must comply with the 2015 editions.
7. Structures must comply with International Energy Conservation Code as adopted and amended by the State of Washington. We are currently using the 2012 edition.
8. Kirkland reviews, issues and inspects all electrical permits in the city. Kirkland currently uses the 2014 Washington Cities Electrical Code chapters 1 and 3 as published by WABO.
9. Structures must be designed for seismic design category D, wind speed of 85 miles per hour and exposure B.
10. Fire apparatus loading is required for the area over and around the vault. Required Loading for Fire Department Apparatus: HS 20 loading required: Point load of 45,000 lbs., due to max reaction at stabilizer outrigger. This load must be applied on an 18 by 18-inch area and also applied as an unfactored load on a 10 by 14-inch area.

FIRE DEPARTMENT

Contact: Grace Steuart at 425-587-3660; or gsteuart@kirklandwa.gov

Hydrants are required to be installed as shown on the preliminary engineering plans. The new hydrants and the existing hydrant on 136th Ave NE shall be equipped with 5" Storz fittings.

PUBLIC WORKS DEPARTMENT

Public Works Staff Contacts

Land Use and Pre-Submittal Process:

Building and Land Surface Modification (Grading) Permit Process:

John Burkhalter, Development Engineer Supervisor

Phone: 425-587-3846 Fax: 425-587-3807

E-mail: jburkhalter@kirklandwa.gov

Building and Land Surface Modification (Grading) Permit Process:

Philip Vartanian, Development Engineer

Phone: 425-587-3856 Fax: 425-587-3807

E-mail: pvartanian@kirklandwa.gov

Building and Land Surface Modification (Grading) Permit Process:

Dan Carmody, Development Engineer

Phone: 425-587-3842 Fax: 425-587-3807

E-mail: dcarmody@kirklandwa.gov

General Conditions:

1. All public improvements associated with this project including street and utility improvements, must meet the City of Kirkland Public Works Pre-Approved Plans and Policies Manual. A Public Works Pre-Approved Plans and Policies manual can be purchased from the Public Works Department, or it may be retrieved from the Public Works Department's page at the City of Kirkland's web site at www.kirklandwa.gov.
2. This project will be subject to Public Works Permit and Connection Fees. It is the applicant's responsibility to contact the Public Works Department by phone or in person to determine the fees. The fees can also be reviewed on the City of Kirkland web site at www.kirklandwa.gov. The applicant should anticipate the following fees:
 - o Water and Sewer Connection/Meter Fees (charged by other purveyors)
 - o Surface Water Connection Fees (paid with the issuance of a Building Permit)
 - o Right-of-way Fee
 - o Review and Inspection Fee (for utilities and street improvements).
 - o Building Permits associated with this proposed project will be subject to the traffic, park, and school impact fees per Chapter 27 of the Kirkland Municipal Code. The impact fees shall be paid prior to issuance of the Building Permit(s). Any existing buildings within this project which are demolished will receive a Traffic Impact Fee credit, Park Impact Fee Credit and School Impact Fee Credit. This credit will be applied to the first Building Permits that are applied for within the project. The credit amount for each demolished building will be equal to the most currently adopted Fee schedule and is only good for 5 years from the date of Demo Final.
3. All street and utility improvements shall be permitted by obtaining a Land Surface Modification (LSM) Permit.
4. Submittal of Building Permits within a subdivision prior to recording:
 - Submittal of a Building Permit with an existing parcel number prior to subdivision recording: A Building Permit can be submitted prior to recording of the subdivision for each existing parcel number in the subject project, however in order for the Building Permit to be deemed a complete application, all of the utility and street improvements for the new home must be submitted with application. However, the Building Permit will not be eligible for issuance until after the Land Surface Modification Permit is submitted, reviewed, and approved to ensure the comprehensive storm water design required by the subdivision approval is reviewed and approved, and then shown correctly on the Building Permit plans to match the Land Surface Modification Permit.
 - Submittal of Building Permits within an Integrated Development Plan (IDP): If this subdivision is using the IDP process, the Building Permits for the new homes can only be applied for after the Land Surface Modification Permit has been submitted, reviewed, and approved.
 - Submittal of a Building Permit within a standard subdivision (non IDP): If this subdivision is not using the IDP process, the Building Permits for the new houses can be applied for after the subdivision is recorded and the Land Surface Modification permit has been submitted, reviewed, and approved.
 - Review of Expedited or Green Building Permits: A new single family home Building Permit within a subdivision can only be reviewed on an expedited or green building fast track if submitted electronically through MBP and the Land Surface Modification permit has been submitted, reviewed, and approved.
 - Review of detached multi-family building permits: Detached multi-family building permits can only be applied for after the Land Surface Modification permit is submitted, reviewed, and approved.
5. Subdivision Performance and Maintenance Securities:
 - The subdivision can be recorded in advance of installing all the required street and utility improvements by posting a performance security equal to 130% of the value of work. This security amount will be determined by using the City of Kirkland's Improvement Evaluation Packet. Contact the Development Engineer assigned to this project to assist with this process.
 - If the Developer will be installing the improvements prior to recording of the subdivision, there is a standard right of way

restoration performance security equal to 20% of the value of the work. This security will be determined by using the City of Kirkland's Improvement Evaluation Packet and held until the project has been completed.

- Once the subdivision has been completed there will be a condition of the permit to establish a two year Maintenance security.

6. Prior to submittal of a Building or Zoning Permit, the applicant must apply for a Concurrency Test Notice. Contact Thang Nguyen, Transportation Engineer, at 425-587-3869 for more information. A separate Concurrency Permit will be created.

7. All civil engineering plans which are submitted in conjunction with a building, grading, or right-of-way permit must conform to the Public Works Policy titled ENGINEERING PLAN REQUIREMENTS. This policy is contained in the Public Works Pre-Approved Plans and Policies manual.

8. All street improvements and underground utility improvements (storm, sewer, and water) must be designed by a Washington State Licensed Engineer; all drawings shall bear the engineers stamp.

9. All plans submitted in conjunction with a building, grading or right-of-way permit must have elevations which are based on the King County datum only (NAVD 88).

10. Because this project is within 150' of the Olympic Pipe Line (Gas), the applicant is required to locate the eastern edged of the pipeline easement on all plans and is required to give notice to Olympic Pipeline prior to any construction on this property. The City will not issue any construction related permits until proof of notice has been given and acknowledged by Olympic Pipe Line. Contact information:

Holly Williamson
Olympic Pipe Line Field Project Coordinator
2319 Lind AVE SW
Renton, WA 98057
Holly.Williamson@bp.com
425-235-7767

11. The required tree plan shall include any significant tree in the public right-of-way along the property frontage.

12. All subdivision recording Mylar's shall include the following language:

Utility Maintenance: Each property owner shall be responsible for maintenance of the sanitary sewer or storm water stub from the point of use on their own property to the point of connection in the City sanitary sewer main or storm water main. Any portion of a sanitary sewer or surface water stub, which jointly serves more than one property, shall be jointly maintained and repaired by the property owners sharing such stub. The joint use and maintenance shall "run with the land" and will be binding on all property owners within this subdivision, including their heirs, successors and assigns.

Public Right-of-way Sidewalk and Vegetation Maintenance: Each property owner shall be responsible for keeping the sidewalk abutting the subject property clean and litter free. The property owner shall also be responsible for the maintenance of the vegetation within the abutting landscape strip. The maintenance shall "run with the land" and will be binding on all property owners within this subdivision, including their heirs, successors and assigns.

Sanitary Sewer and Water System Conditions:

1. Woodinville Water District approval required for water and sewer service. A letter of sewer/water availability is required.

Surface Water Conditions:

1. Provide temporary and permanent storm water control per the 2009 King County Surface Water Design Manual and the Kirkland Addendum (Policy D-10). See Policies D-2 and D-3 in the PW Pre-Approved Plans for drainage review information, or contact city of Kirkland Surface Water staff at (425) 587-3800 for help in determining drainage review

requirements. Summarized below are the levels of drainage review based on site and project characteristics:

- Full Drainage Review

A full drainage review is required for any proposed project, new or redevelopment, that will:

- Adds 5,000ft² or more of new impervious surface area or 10,000ft² or more of new plus replaced impervious surface area,
- Propose 7,000ft² or more of land disturbing activity, or,
- Be a redevelopment project on a single or multiple parcel site in which the total of new plus replaced impervious surface area is 5,000ft² or more and whose valuation of proposed improvements (including interior improvements but excluding required mitigation and frontage improvements) exceeds 50% of the assessed value of the existing site improvements.
- There are significant flows from an upstream basin draining through the site. These flows need to be routed through the site and accounted for in the flow control design per Section 1.2.3.2F – Bypass of Runoff from Non-Target Surfaces.

2. Evaluate the feasibility and applicability of dispersion, infiltration, and other stormwater low impact development facilities on-site (per section 5.2 in the 2009 King County Surface Water Design Manual). If feasible, stormwater low impact development facilities are required. See PW Pre-Approved Plan Policy L-1 or L-2 (depending on drainage review) for more information on this requirement.

3. Because this project site is one acre or greater, the following conditions apply:

- Amended soil requirements (per Ecology BMP T5.13) must be used in all landscaped areas.
- If the project meets minimum criteria for water quality treatment (5,000ft² pollution generating impervious surface area), the enhanced level of treatment is required if the project is multi-family residential, commercial, or industrial. Enhanced treatment targets the removal of metals such as copper and zinc.
- The applicant is responsible to apply for a Construction Stormwater General Permit from Washington State Department of Ecology. Provide the City with a copy of the Notice of Intent for the permit. Permit Information can be found at the following website: <http://www.ecy.wa.gov/programs/wq/stormwater/construction/>
 - o Among other requirements, this permit requires the applicant to prepare a Storm Water Pollution Prevention Plan (SWPPP) and identify a Certified Erosion and Sediment Control Lead (CESCL) prior to the start of construction. The CESCL shall attend the City of Kirkland PW Dept. pre-construction meeting with a completed SWPPP.
- Turbidity monitoring by the developer/contractor is required if a project contains a lake, stream, or wetland.
- A Stormwater Pollution Prevention and Spill (SWPPS) Plan must be kept on site during all phases of construction and shall address construction-related pollution generating activities. Follow the guidelines in the 2009 King County Surface Water Design Manual for plan preparation.

4. Amended soil per Ecology BMP T5.13 is required for all landscaped areas.

5. If a storm water detention system is required, it shall be designed to Level II standards. Historic (forested) conditions shall be used as the pre-developed modeling condition.

6. This project is creating or replacing more than 5000 square feet of new impervious area that will be used by vehicles (PGIS - pollution generating impervious surface). Provide storm water quality treatment per the 2009 King County Surface Water Design Manual. The enhanced treatment level is encouraged when feasible for multi-family residential, commercial, and industrial projects less than 1 acre in size.

7. Provide a level one off-site analysis (based on the King County Surface Water Design Manual, core requirement #2).

8. It doesn't appear that any work within an existing ditch will be required, however the developer has been given notice that the Army Corps of Engineers (COE) has asserted jurisdiction over upland ditches draining to streams. Either an existing Nationwide COE permit or an Individual COE permit may be necessary for work within ditches, depending on the project activities.

Applicants should obtain the applicable COE permit; information about COE permits can be found at: U.S. Army Corps of Engineers, Seattle District Regulatory Branch

<http://www.usace.army.mil/Missions/CivilWorks/RegulatoryProgramandPermits.aspx>

Specific questions can be directed to: Seattle District, Corps of Engineers, Regulatory Branch, CENWS-OD-RG, Post Office Box 3755, Seattle, WA 98124-3755, Phone: (206) 764-3495

9. Provide an erosion control report and plan with Building or Land Surface Modification Permit application. The plan shall be in accordance with the 2009 King County Surface Water Design Manual.
10. Construction drainage control shall be maintained by the developer and will be subject to periodic inspections. During the period from May 1 and September 30, all denuded soils must be covered within 7 days; between October 1 and April 30, all denuded soils must be covered within 12 hours. Additional erosion control measures may be required based on site and weather conditions. Exposed soils shall be stabilized at the end of the workday prior to a weekend, holiday, or predicted rain event.
11. Provide collection and conveyance of right-of-way storm drainage.
12. Provide a separate storm drainage connection for each lot. All roof and driveway drainage must be tight-lined to the storm drainage system or utilize low impact development techniques. The tight line connections shall be installed with the individual new houses.
13. Pay Storm Latecomers Fee for the 12 inch storm stub provided south of this project at Lot 7 as proposed. The Storm stub connects to a system that is routed around the adjacent development's flow control facility. The easement and storm stub were specifically requested by Mr. Moore to ensure his property had drainage.
14. Provide a plan and profile design for the storm sewer system.
15. Provide a 15' wide access easement to the storm detention control manhole; easement must be improved with 10' of asphalt and drainage control to protect against erosion.

Street and Pedestrian Improvement Conditions:

1. The subject property abuts 136th Ave. NE (a collector type street) and has new internal neighborhood access type streets. Zoning Code sections 110.10 and 110.25 require the applicant to make half-street improvements in rights-of-way abutting the subject property. Section 110.30-110.50 establishes that this street must be improved with the following:

136th Ave NE

- A. Widen the street to match the new curb to the north in front of the recently completed Vintner's Ridge plat and the new curb to the south that will be installed with the Toll Brothers Momco Property Plat. The street shall be approximately 16-18 ft. wide from center line of road to face of new curb, varies as the curb line is such that it does not run parallel with ROW centerline. On the west side of the street there shall be at least 11 ft. of driving lane and a 2 ft. wide paved shoulder.
- B. Install storm drainage, curb and gutter, a 4.5 ft. planter strip with street trees 30 ft. on-center, and a 5 ft. wide sidewalk. Homes that do not front on this street may require an 8 ft. wide sidewalk with street trees in 4x6 tree wells 30 ft. on center in lieu of the said standard above. This type of improvement will lessen the need for maintenance of the ROW by the homeowners but still provide ample width for pedestrians to be away from the edge of the street.
- C. Dedicate right-of-way as necessary to encompass the said improvements.

New internal Neighborhood Access Streets:

- A. Dedicate 45 ft. of right-of-way and install 24 ft. of paving, curb and gutter, 4.5 wide land scape strips with street trees 30 ft. on-center, and a 5 ft. wide sidewalk both sides.
- B. The Public Works Department would support allowing the project to build sidewalk along only one side of the proposed internal streets, if the owner agreed to build off-site sidewalk in a location of the City choosing at a least 75% of the value of the waived improvements (to include property value of lessened ROW dedication).

2. Provide an 8' wide pedestrian path in a 10 ft. wide easement around Lots 7 and 8 connecting to the path constructed by the Toll Bros. Momco Subdivision to the south. The path may be 5 feet in width if concrete. Chapter 105 of the KZC requires structure to be setback 5 ft. (min.) from pedestrian easements.

3. Provide an 8' wide sidewalk in a 10 ft. wide easement from the end of the public improvements of the furthest east ROW to the Northeast corner of the project. The path may be 5' wide if concrete. Chapter 105 of the KZC requires structure to be setback 5 ft. (min.) from pedestrian easements. Our understanding is the development proposes to extend the path to the railroad corridor through an unopened right-of-way as a PUD public benefit. The Public Works Department supports this idea and shall determine the standard for the path, and may be a combination of 8' wide asphalt and timber stairs.
4. When three or more utility trench crossings occur within 150 lineal ft. of street length or where utility trenches parallel the street centerline, the street shall be overlaid with new asphalt or the existing asphalt shall be removed and replaced.
 - Existing streets with 4-inches or more of existing asphalt shall receive a 2-inch (minimum thickness) asphalt overlay. Grinding of the existing asphalt to blend in the overlay will be required along all match lines.
 - Existing streets with 3-inches or less of existing asphalt shall have the existing asphalt removed and replaced with an asphalt thickness equal or greater than the existing asphalt provided however that no asphalt shall be less than 2-inches thick and the subgrade shall be compacted to 95% density.
5. The driveway for each lot shall be long enough so that parked cars do not extend into the access easement, tract or right-of-way (20 ft. min.)
6. Provide sight distance analysis for all new street intersections. All street and driveway intersections shall not have any visual obstructions within the sight distance triangle. See Public Works Pre-approved Policy R.13 for the sight distance criteria and specifications.
7. Prior to the final of the building or grading permit, pay for the installation of stop and street signs at the new intersections.
8. Install "NO PARKING ANYTIME" signs as may be necessary.
9. Install new monument(s) at 136th Ave NE and the new internal public roads to the project.
10. It shall be the responsibility of the applicant to relocate any above-ground or below-ground utilities which conflict with the project associated street or utility improvements.
11. Underground all new and existing on-site utility lines and overhead transmission lines.
12. Underground any new off-site transmission lines.
13. Zoning Code Section 110.60.9 establishes the requirement that existing utility and transmission (power, telephone, etc.) lines on-site and in rights-of-way adjacent to the site must be underground. The Public Works Director may determine if undergrounding transmission lines in the adjacent right-of-way is not feasible and defer the undergrounding by signing an agreement to participate in an undergrounding project, if one is ever proposed. In this case, the Public Works Director has determined that undergrounding of existing overhead utility lines on 136th Ave NE is feasible at this time. This work will need to be done as part of this project or may be subject to a latecomer's agreement if the development across the street starts work first.
14. New street lights may be required per Puget Power design and Public Works approval. Contact the INTO Light Division at PSE for a lighting analysis. If lighting is necessary, design must be submitted prior to issuance of a grading or building permit.
15. A striping and sign plan for the streets must be submitted with the grading permit. A bike lane along the 136th Ave NE frontage is required. Contact the Building Department for Street Names and addressing to be shown on the Plans.

Johnny and Brenda Chan
13130 137th Pl NE
Kirkland, WA 98034

City of Kirkland
Planning and Community Development Department
Tony Leavitt
123 5th Ave
Kirkland, WA 98033

February 25, 2015

Dear Tony Leavitt –

I would like to take the time to introduce myself and write to you in regards to the proposed development being planned for Marinwood Plat and Planned Unit Development (Case No. SUB14-01891). My name is Johnny Chan and my wife is Brenda. We purchased our home in Vintner's Ridge (lot 9/tax ID 8946780090) in December 2013 after years of exhaustive searching. Since then we have expanded our family and made memories in what we consider to be our forever home.

After having had the chance to examine the proposal sent to us by the City of Kirkland/Planning and Community Development Department, we wish to voice our concerns. In no specific order, we are concerned that:

- a) The proposed development would destroy an area of natural beauty and impact the habitat for wildlife (such as the family of deer) that my family and I have come to cherish. We purchased our home (lot 9/tax ID 8946780090) specifically for the privacy the trees provide and the expansive Pacific Northwest mountain views – all which would be affected if the land behind us were to be developed. This would subsequently devalue our property value.
- b) Current plans to open 137th Pl NE, in addition to the already 120+ homes being proposed to be built within this general area all along 136th Ave NE in the next year, would increase the amount of congestion to/from/through our neighborhood. I cannot tell you how tough it already is to leave the neighborhood, as through traffic on 136th Ave NE is constant and a substantial amount of drivers use 136th Ave NE as a throughway to avoid traffic on 124th Ave NE. If the road were to be opened, drivers may choose to bypass the stop sign by cutting through our neighborhood. Opening the road also poses a safety concern for the families using the community park which is located along 137th Pl NE. And the last concern we have with opening the road is its close proximity to the neighboring homes being proposed to be built. Cars from the new community may end up parking in front of the homes in Vintner's Ridge and taking parking spots from current owners/guest as the builder's proposed plan show a much denser community by building more houses by having smaller lot sizes.
- c) In reviewing page 3 of the preliminary engineering plan, I noticed that the elevation of our backyard is 248ft above sea level, and that the houses being proposed behind lots 8 and 9 of Vintner's Ridge (tax ID 8948780080 and 8946780090) are on a very steep slope. We are concerned that by developing the land behind our home would compromise the integrity of our retaining wall as well as the foundation of the proposed homes – especially since we were initially told the area behind our home would be too steep to have houses built on them.
- d) According to the plan, the builder appears to be reducing both the size of the home as well as the roadway to/from lot 28 of the preliminary plan in a means to increase his profits without concern for safety. Taking into consideration that the average roadway would need to be a minimum of 20ft for emergency vehicles to have access, we do not feel that lot 28 of the preliminary plan would provide

adequate access to emergency vehicles if it were reduced to 12ft. Therefore I wish to specifically object a home being built in this location.

- e) Proposing a walkway near NE 131st Way would increase access to/from/through the proposed neighborhood. Since this walkway would be in close proximity to our backyard, this raises safety concerns for our two children who are both very young (as well as the families in both communities). As you may already be aware, there was a home invasion/attempted murder that occurred in October 2013, while our neighborhood was being developed, in which two men were charged. Though this was an isolated incident, we are concerned that open access to the community should be limited. Furthermore, it appears that the proposed walkway is located on neighboring property – and not that of the builder.

Since this development is still being proposed we strongly urge you to take these concerns, which have also been expressed by several families within our community, to be taken into consideration before moving forward. Thank you for allowing me to formally voice my concerns and objections.

Tony Leavitt

From: Michael Halcrow <mhalcrow@google.com>
Sent: Sunday, February 22, 2015 12:53 PM
To: Tony Leavitt
Cc: Shelley Kloba; Christian Knight
Subject: Comments regarding permit number SUB14-01891
Attachments: Prelim_Engineering_Plan.jpg

Tony -

I've Cc'd Shelley and Christian to make sure they're aware of the new rail corridor connection that the builder is proposing in this permit. I've previously communicated with them regarding the CKC.

I'm a homeowner in the Vintner's Ridge HOA. My address is 13645 NE 132nd Pl. My comments are independent of the comments that I expect the Vintner's Ridge HOA will submit.

In permit number SUB14-01891, the builder is proposing extending 137th Pl NE south into the new development, allowing the passage of motorized vehicles between the neighborhoods. This is "Road C" in the attached preliminary plans.

I oppose this proposal in its current form.

I suggest instead **connecting** the two neighborhoods with a **short trail**, similar to the one on NE 75th St east of 126th Ave NE in Bellevue.

<https://www.google.com/maps/@47.6715863,-122.1712381,19z>

<https://www.google.com/maps/@47.671696,-122.171189,3a,75y,262.95h,71.04t/data=!3m4!1e1!3m2!1sWI0Mj2autG-6aOIKf0l0QA!2e0>

I also suggest prioritizing **infrastructure upgrades on 136th Ave NE and NE 132nd Street** to accommodate the 175+ new homes coming online in the next year in the area.

There is no clear benefit for traffic heading north from the new development to use 137th Pl NE. The egress point from Vintner's Ridge is on 136th Ave NE north of NE 132nd Street. There are no connections outside of the residential neighborhoods to the north, and so the only way to leave the residential area is to turn left (south) onto 136th Ave NE to go through the T-intersection.

The proposed connection to 136th Ave NE ("Road A" in the attached preliminary plans) will allow residents to reach NE 132nd Street by simply turning right from the new access point to the neighborhood. It would make much more sense for the residents of the new neighborhood to use that.

This implies that some residents in Vintner's Ridge may be tempted to try to skip the T-intersection by cutting through the new neighborhood to the south.

Allowing motorized traffic through 137th Pl NE will impact safety for the residents, especially given that this road runs along the community park.

<https://www.google.com/maps/@47.7183905,-122.1566835,66m/data=!3m1!1e3>

Children crossing the street to get to and from the park will be at greater risk.

The attached preliminary plans include a trail on NE 131st Way to the rail corridor. This has a strong potential to become a key connection between the Kingsgate area and the Cross Kirkland Corridor. Limiting vehicular traffic through the neighborhoods connecting to the trail will help increase safety and trail accessibility.

By making infrastructure improvements on 136th Ave NE and NE 132nd Street while limiting 137th Pl NE traffic between developments to trail traffic only, Kirkland can further its goals toward making its neighborhoods safe and pedestrian-friendly while facilitating efficient vehicular travel in the area.

Thank you for your time,

Michael Halcrow
512-658-3231
13645 NE 132nd Pl, Kirkland, WA 98034

Tony Leavitt

From: Mark Hamburg <mhamburg.pub@gmail.com>
Sent: Friday, February 27, 2015 12:12 PM
To: Tony Leavitt
Subject: In regards to Permit # SUB14-01891

I am writing to provide public comment on Marinwood Plat and PUD SUB14-01891.

I own one of the houses in Vintners Ridge backing up — or partially backing up — to the easternmost portion of this proposed development. The position of my house gives me a clear sense of the area proposed for development and I see multiple concerns that I believe merit further review at least with regard to how houses are situated on the Marinwood property.

The key issue for any development here is that this back portion of the proposed development falls away relatively sharply as it goes down the hill toward the Eastside rail corridor. In particular, in the area backing up to my house and my neighbor's house, there is a natural gully that collects much of the run off from both Vintners Ridge and from the proposed Marinwood development. What is the plan regarding development around this natural drainage system? How close does the Marinwood developer plan to get to it? What effect will that development have on water runoff in the area? I've seen the proposed lot lines posted by the side of the road on 136th Ave NE and they do not seem to account for these natural issues.

As a related matter, because of this topography, my neighbors and I share a retaining wall near the property line that raises our houses above the falloff on the hillside. This raises questions about how the Marinwood development proposes to interact with this retaining wall. Is the plan to build at the lower level at the base of the wall and if so what will happen with respect to hillside erosion in the areas where they need to dig further down to level out the land? Is the plan to fill in further and raise the level up for construction?

Essentially, the proposed Marinwood development seems to be encroaching into areas that would seem unfriendly to development because of the topography of the land and the potential impacts on drainage and erosion from modifications to that topography and consideration of these issues would seem to call for pulling away from the property lines and focusing on the more construction friendly portions of the land.

Finally, knowing the concern in Kirkland for preserving trees, I note that while much of the land in question contains relatively unremarkable scrub, it also contains several sizable trees. Is the plan to preserve these trees or to cut them down? Cutting them down could again effect the drainage and erosion on the hillside but would also cost Kirkland some older growth vegetation.

Thank you for taking these concerns into account in reviewing not just the basic proposal but also the particular lot lines and other choices made within the proposed development.

Mark Hamburg
13204 137th Pl NE
Kirkland, WA 98034

(206) 250-3223

mhamburg.pub@gmail.com

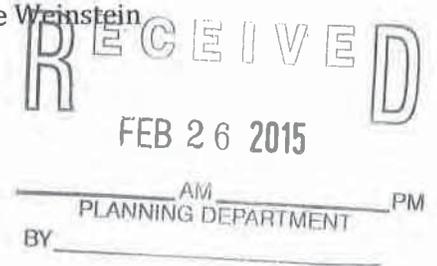
Rabbi Arthur A. Jacobovitz Institute

PO Box 9386 | Seattle WA 98109 | 206.285.0100

Trustees: Ty Alhadeff | David Brock | Steve Hemmat | Herb Pruzan | Joe Weinstein

February 24, 2015

City of Kirkland
Attn: Tony Leavitt, Project Planner
123-5th Avenue
Kirkland, WA 98033



RE: Marinwood Plat and PUD, SUB14-01891

Dear Mr. Leavitt;

I am the president of the Jacobovitz Institute which is the owner of Tax Parcel #272605-9034-05 which is located immediately to the East and downhill from the proposed Marinwood Plat and PUD. We are extremely concerned that development of the proposed 48 lots in Marinwood would result in significant water run-off further exacerbating the wetland and wetland buffer zones found on our property. These zones extend into the Lantzy/Marchand parcel which is part of the proposed development and inasmuch as our parcel is down-slope from that development, we can envision significant encroachment of wetland conditions should that property be developed as proposed. The encroachment of additional wetlands onto our parcel would further prevent us from utilization of our property.

I am attaching a map which we had prepared several years ago and which shows the extent of wetlands on our property as well as on the Lantzy/Marchand parcel which is part of the proposed PUD. Expansion of the wetland areas could make it impossible to utilize our property at all, and this is the concern we are expressing.

We also note, however, that the current easement area across our parcel, which had been granted for access to the Lantzy/Marchand property, would not be useable under the proposed PUD inasmuch as access to those lots, if approved, would be only from 136th NE and 137th NE.

We believe the proposed PUD requires further review because of the potential negative effects on our parcel should the 48-lot development be allowed to proceed.

Rabbi Arthur A. Jacobovitz Institute

Herbert Pruzan, President

Tony Leavitt

From: Christopher Kringel <ckringel@me.com>
Sent: Friday, February 27, 2015 11:06 AM
To: Tony Leavitt
Subject: Re: SUB14-01891

I am writing to express my concerns regarding SUB14-01891, Marinwood Plat.

My name is Chris Kringel and my wife and I purchased a lot in the neighboring development, Vintner's Ridge. We live in lot 8, which is in the SE corner and adjacent to two of the parcels that this PUD plans to develop.

We have several concerns about the proposed plat. First and foremost, we are strongly opposed to allowing the development of the four proposed lots on the east parcel (lots 25-28 and Tract C on 2726059073). The development of these lots would have a significant negative impact on our home and the value of our property. We selected our lot specifically because it backed up to undeveloped land. We spoke with surveyors and developers prior to purchase and every one was of the opinion that behind us was undevelopable because it was too steep and too wet. Had we known that a home could have been built directly behind us, we would not have purchased this lot. This plat not only places the front of these new homes directly in our view from the rear of our house but also the road leading to their homes. It essentially sandwiches our home between two roads completely and dramatically changing the feel of our property. Removing the vegetation and placing homes there will completely change the view from our house and destroys our privacy, which was the main reason we selected this lot. As I'm sure you are aware, buyers place significant value on views and privacy so diminishing those aspects of our home will diminish its value considerably. In addition, this green space provides valuable habitat to the area wildlife. We have seen hawks and eagles using it as feeding and nesting areas. We have also seen woodpeckers using the dead trees that this developer proposes to take down and we were told by an arborist that it was important to leave those trees as places for the woodpeckers so they don't start pecking on our homes. The stability of the hill is another concern. We have noticed several problems with erosion and water runoff in the short time we've been living there and are very concerned that building additional structures below us will contribute to destabilizing this hillside.

The extension of 137th PI NE will also result in a negative and unnecessary impact to our neighborhood, especially to our home. Given the lack of a signal light at the intersection of NE 132nd St and 136th Ave NE, many drivers may find it more convenient to go through one development to get to the other and this would obviously result in a dramatic increase in traffic in front of our home. Again, drastically changing the feeling of our property and negatively affecting the value of our home.

We are also concerned that this proposed development is too dense. Although I don't oppose the development of these properties in general, the proposed plat has too many houses in too small of an area and they are too close to each other. Personally, I feel that our neighborhood is too dense and this new development is even more dense. People need a little space between them and their neighbors. It also places an undue burden on the infrastructure (roads, utilities, etc.). I am not opposed to growth and development but taking a 9 acre area that had no homes and putting 48 homes on it without improvements to the infrastructure supporting the area is only asking for problems. Especially considering the development that we live in that was only recently built and nearing completion as well as the two other developments underway approximately 1 block to the south.

Thank you for considering our concerns when making your decision regarding this proposed development.

Sincerely,

Chris Kringel and Trina Bruchal

Sent from my iPad



Support Services Center
15212 NE 95TH Street • Redmond, WA 98052
Office: (425) 936-1100 • Fax: (425) 883-8387
www.lwsd.org

February 24, 2015

VIA EMAIL: tlevitt@kirklandwa.gov

Tony Leavitt
City of Kirkland Planning Department
123 Fifth Avenue
Kirkland, WA 98033

RE: Marinwood Plat and Planned Unit Development, Case No. SUB14-01891

Dear Mr. Leavitt:

The Lake Washington School District submits the following comments regarding the above-referenced project. We understand from our discussions with the project proponent that they plan to install sidewalks along 136th Ave NE to create an uninterrupted and continuous sidewalk along that street between the existing developments located to the north and south of the Marinwood project.

The District concurs with this proposal. A full sidewalk connection will provide a developed path to Muir Elementary and Kamiakin Middle School and will meet the requirements in RCW 58.17.110(2) for safe walking conditions to schools. The District respectfully requests that this proposal be made a condition of project approval.

Please let me know if you have any questions. Thank you.

Sincerely,

A handwritten signature in blue ink, appearing to read "Forrest Miller", is written over a light blue circular stamp.

Forrest Miller
Director of Support Services

Tony Leavitt

From: Larry Miller <larry.m.miller@gmail.com>
Sent: Friday, February 27, 2015 8:48 AM
To: Tony Leavitt
Cc: Larry Miller
Subject: SUB14-01891

Tony Leavitt, Associate Planner
City of Kirkland Planning and Community Development
Tleavitt@kirklandwa.gov

RE: permit number SUB14-01891

Dear Sir,

I'm writing to give my comments on the proposed Marinwood development.

I'm opposed to opening 137th PL NE to connect the Marinwood development with the Vintners Ridge development.

I feel it will open our community to be a bypass for Marinwood homeowners (specifically lots 18-36) to use our streets to get to either 136th Ave NE instead of using their own Road A to reach 136th Ave NE.

We have our own community park on 137th PL NE and Marinwood traffic will increase traffic next to our private community park. We have many small children in Vintners Ridge who will be put at additional risk with the new traffic where practically none exists today.

There is also no positive benefit to Vintners Ridge residents with this opening. Vintners Ridge residents would never have a need to use Road A to get to 136th Ave NE. All Vintners Ridge residents already have good egress using NE 132nd Pl.

The need of emergency vehicle egress is not diminished using Road A to reach Marinwood or using NE 132nd Pl to reach Vintners Ridge.

Our HOA bylaws restrict parking on our streets and opening up 137th PL NE would make it impossible to enforce our community bylaws and standards.

Opening up 137th PL NE would also create additional liability to the Vintners Ridge HOA. Our private community park would now be more accessible to non-residents. If non-residents use our private park and become injured this will add additional monetary risk to Vintners Ridge Homeowners.

There is also a planned pedestrian path NE 131st Way that will border our eastern boundary. I feel this will become a magnet for people to park in our development and use it as a way to reach the Eastside Corridor trail. Also, a planned marijuana dispensary near the Eastside Corridor trail and Willows road is sure to bring unwanted traffic .

Lastly, I would like know what landslide remediation is planned for the homes in Tract C. The land there is always wet since it is at the bottom of a hill. I'm also concerned these homes will block the views of homeowners directly west of Tract C.

Sincerely,

Larry Miller

13612 NE 132nd Pl

Kirkland WA 98034

Tony Leavitt

From: Matthew Tillman <matthewdtillman@yahoo.com>
Sent: Thursday, February 26, 2015 5:45 PM
To: Tony Leavitt
Cc: Vintners Ridge Home Owners Association
Subject: Comment for MARINWOOD PLAT AND PUD SUB14-01891

Dear Mr. Leavitt,

I write today to express my opinion on the proposed Marinwood project (permit number SUB14-01891) that's currently under review with your department.

I'm both a homeowner within the nearby Vintner's Ridge development, and a member of the HOA board.

While I support the idea of new developments in the general area, I do want to point out a few factors that will impact the immediate area:

1. The main road in the area: 136th Ave NE, is simple 2 lane road that already is heavily trafficked during rush hour. Mainly as a route for people heading to Willows Road while trying to avoid the traffic on 124th. This road is often heavily backed up by this non resident traffic.
2. Because of this, the intersection of NE 132nd St and 136th Ave NE is already dangerous. With several blind spots and only a single stop sign, cars whip around this corner and cause traffic accidents due to unsafe speeds.
3. There are already 2 developments on this road (listed below), which will effectively **Double** the number of homes on the immediate area and add a hundred plus cars to the above traffic. This is before taking into account the 48 new lots from Marinwood.
 1. The 26 home in construction at Willows Bluff
 2. The 36 homes in preliminary construction at Meritage Ridge
4. The new inroads created by the 3 communities in development (the above 2 and Marinwood) would further encourage traffic in the area to converge onto 136th Ave NE and 139th Ave NE - 2 road which can't handle the existing level of traffic. After the curve into Willows Rd NE, the backup is usually 4-6 blocks (1/3 of a mile) long anytime between 7-10AM. This section doesn't need more traffic, when it can't handle the current volume of cars.
5. This further stressed traffic would lead to longer traffic waits, higher number of traffic accidents and hundreds of very unhappy community owners (both current and new)
6. If 136th Ave NE is backed up, people will look for alternate ways to skip the wait, through back streets - namely through Vintner's Ridge. Which would make our community become more of arterial than a community. Obviously, this wouldn't be appreciated by residents.

We have faith that your department will take these factors into heavy consideration as you consider the Marinwood development.

Further development is great for Kirkland and it's residents, but only if the infrastructure is also upgraded to support it.

Thank you,

Matthew Tillman
Vintners Ridge HOA Board Member

Owner of 13628 NE 132nd Pl, Vintner's Ridge
Email: matthewdtillman@yahoo.com

Tony Leavitt

From: Karlie Valdez <karlie@vdzlaw.com>
Sent: Thursday, February 26, 2015 3:30 PM
To: Tony Leavitt
Subject: Permit number SUB14-01891

Dear Mr. Leavitt,

I write today to express some concerns I have with opening roads around our housing development, Vintner's Ridge, in Kirkland.

My husband and I have been homeowner's at Vintner's Ridge since April of last year. I have been a practicing traffic lawyer in Kirkland for eleven years.

A primary reason for purchasing our home at Vintner's Ridge is we enjoy the quiet, protected and safe environment it provides for children and pets.

The following is a list of my concerns regarding opening the road at 137th Place NE:

1. A private park with children's play equipment is owned by Vintner's Ridge and is the main attraction on 137th PI NE. If the road is opened the volume of cars driving by our private park will inevitably increase.
2. If the volume of cars increases next to that park the incidents of speeding & other traffic infractions will also increase.
3. If the incidents of speeding & infractions increase next to our private park the children and pets that reside in this neighborhood will be at a greater risk for injury or fatality.
4. Opening the road will inevitably lead to the public parking their vehicles in front of the homes in Vintner's Ridge and taking up valuable parking space that should belong to the homeowners within Vintner's Ridge.
5. Environmentally, opening this road would expose the residents of Vintner's Ridge to increased air pollution & debris from vehicles travelling through the neighborhood.
6. Emergency vehicles will not need this proposed road to properly service the residents in this neighborhood or any surrounding neighborhoods.

Thank you for making my concerns a part of the public record. Do not hesitate to contact me at the address below for further input regarding this proposal.

Regards,

Karlie M. Valdez, J.D.
Valdez Law PLLC
5400 Carillon Point
Building 5000 Floor 4
Kirkland, WA 98033

Ph: 206.718.4498

Fx: 425.823.1199
Email: karlie@vdzlaw.com



CITY OF KIRKLAND
Planning and Community Development Department
123 Fifth Avenue, Kirkland, WA 98033
www.kirklandwa.gov ~ 425.587.3225

DETERMINATION OF NON-SIGNIFICANCE (DNS)

CASE #: SEP14-01890

DATE ISSUED: APRIL 7, 2015

Project Name: MARINWOOD PRELIMINARY SUBDIVISION AND PUD

Project Location: 12860 136TH AVE NE

Project Description: PROCESS IIB PLANNED UNIT DEVELOPMENT (PUD) AND PRELIMINARY SUBDIVISION ZONING PERMIT TO SUBDIVIDE FIVE EXISTING PARCELS INTO 48 SEPARATE LOTS IN A RSA 6 ZONE. ACCESS TO THE LOTS WILL BE PROVIDED VIA A NEW ACCESS ROAD OFF OF 136TH AVENUE NE. A CONNECTION TO THE EXISTING 137TH PLACE NE RIGHT-OF-WAY, TO THE NORTH OF THE PLAT, IS ALSO PROPOSED.

Proponent: STEVE ANDERSON OF LDC REPRESENTING THE PULTE GROUP

Project Planner: TONY LEAVITT, ASSOCIATE PLANNER

Lead agency is the City of Kirkland

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21.030 (2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public upon request.

- This DNS is issued after using the Optional DNS process in WAC 197-11-355. There is no further comment period on the DNS.

Responsible official:

4/2/2015

Eric R. Shields, AICP, Planning Director Date
City of Kirkland
Planning & Community Development Department
123 Fifth Avenue, Kirkland, WA 98033 - (425) 587-3225

- You may appeal this determination to the Planning & Community Development Department at City of Kirkland, 123 Fifth Avenue, Kirkland, WA 98033 no later than 5:00 PM on April 21, 2015 by a Written Notice of Appeal. You should be prepared to make specific factual objections and reference case number SEP14-01890. Contact Tony Leavitt, project planner in the Planning & Community Development Department at (425) 587-3253 to ask about the procedures for SEPA appeals. See also KMC 24.02.230 Administrative Appeals.

Publish in The Seattle Times on: APRIL 9, 2015

Distribute this notice with a copy of the Environmental Checklist to:

GENERAL NOTICING

- Department of Ecology - Environmental Review
- Muckleshoot Tribal Council - Environmental Division, Tribal Archeologist
- Muckleshoot Tribal Council - Environmental Division, Fisheries Division Habitat
- Cascade Water Alliance – Director of Planning
- Evergreen Hill Neighborhood Association
- Lake Washington School District No. 414: Budget Manager and Director of Support Services

AGENCIES WITH JURISDICTION, AFFECTED AGENCIES, AND/OR INTERESTED PARTIES

- Department of Natural Resources – SEPA Center
- Woodinville Water District - General Manager
- Parties of Record
- Interested Citizens

cc: Applicant
Planning & Community Development File, Case No. SUB14-01891
Public Works Department Transportation Engineer

Distributed by:  _____ 4/7/15
Date



CITY OF KIRKLAND

Planning and Community Development Department
123 Fifth Avenue, Kirkland, WA 98033
425.587.3225 - www.kirklandwa.gov

MEMORANDUM

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

From: Tony Leavitt, Associate Planner

Date: March 30, 2015

File: SEP14-01890, SUB14-01891

Subject: **ENVIRONMENTAL DETERMINATION FOR MARINWOOD PRELIMINARY SUBDIVISION AND PLANNED UNIT DEVELOPMENT**

PROPOSAL

Steve Anderson of LDC Inc. representing the Pulte Group, the applicant, is requesting approval of a Process IIB Planned Unit Development (PUD) and Preliminary Subdivision zoning permit to subdivide five existing parcels (totaling 8.5 acres) into 48 separate lots in a RSA 6 Zone (see Enclosure 1 and 2). Access to the lots will be provided via a new access road off of 136th Avenue NE. A connection to the existing 137th Place NE right-of-way, to the north of the plat, is also proposed.

ENVIRONMENTAL ISSUES

I have had an opportunity to visit the site, review the environmental checklist (Enclosure 3), the Traffic Impact Analysis (Enclosure 4) prepared by the applicant's consultant, and the Traffic Impact Analysis Review Memo prepared by the City's Transportation Engineer (Enclosure 5). Based on a review of these materials, the main environmental issue related to the project is potential traffic impacts.

Additionally, during the initial comment period for the zoning permit application, the City received a total of 9 letters from neighboring property owners. Most of the issues raised in the comment letters (including 137th Place road connection, trees, storm water retention, soils impacts, etc.) will be addressed during Staff's review of the zoning permit application. Existing and future traffic on 136th Avenue NE was also raised in the letters.

TRAFFIC IMPACTS

The Public Works Department has reviewed the Traffic Studies for the proposed development (see Enclosure 4) and concluded that the project will not have a significant adverse traffic impact on existing facilities. Public Works recommends approval of the project subject to the following conditions:

- Pay road impact fees
- Installation of a stop sign at the new intersection of Road A and 136th Avenue NE.
- Comply with site distance requirements at the project entrance from 136th Avenue NE.

The City has the authority to require these conditions as part of the future land surface modification and building permit applications.

RECOMMENDATION

It will be necessary to further analyze certain aspects of the proposal to determine if the project complies with all the applicable City codes and policies. That analysis is most appropriately addressed within the review of the zoning permit application. In contrast, State law specifies that this environmental review under the State Environmental Policy Act (SEPA) is to focus only on potential significant impacts to the environment that could not be adequately mitigated through the Kirkland regulations and Comprehensive Plan.¹

Based on my review of the submitted information, I have not identified any significant adverse environmental impacts. Therefore, I recommend that a Determination of Non-Significance be issued for this proposed action.

SEPA ENCLOSURES

1. Vicinity Map
2. Site Plan
3. Environmental Checklist
4. Traffic Impact Analysis prepared by TENW dated December 18, 2014
5. Traffic Impact Analysis Review Memo prepared by Thang Nguyen

Review by Responsible Official:

 x I concur I do not concur



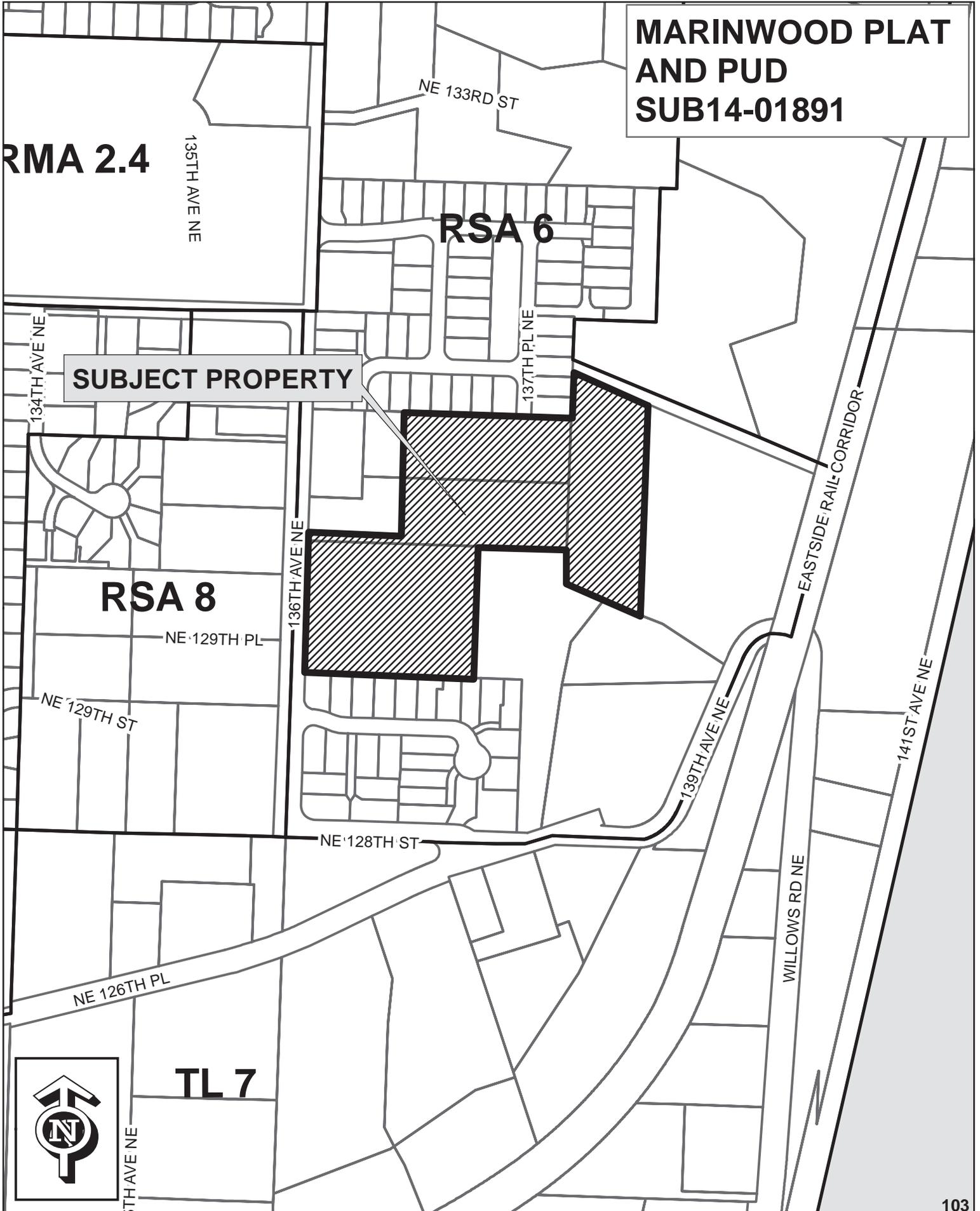
Eric R. Shields, Planning Director

April 2, 2015

Date

¹ESHB 1724, adopted April 23, 1995

MARINWOOD PLAT AND PUD SUB14-01891



SUBJECT PROPERTY

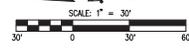
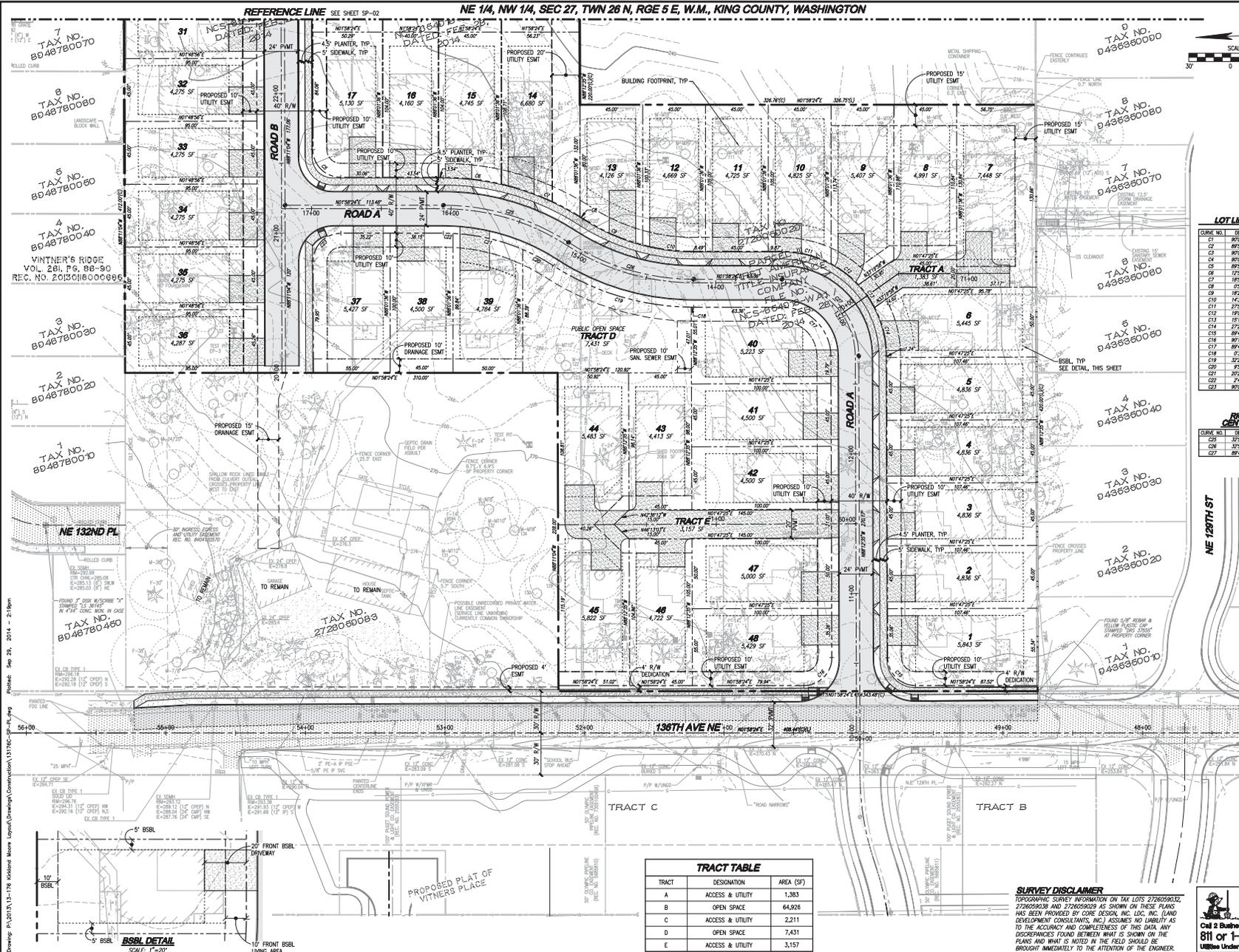
RSA 8

RSA 6

TL 7



NE 1/4, NW 1/4, SEC 27, T26N 26 N, R5E 5 E, W.M., KING COUNTY, WASHINGTON



LOT LINE CURVE TABLE

CURVE NO.	BEARS	LENGTH	RADIUS	TANGENT
C1	89°50'54"	31.42'	20.00'	18.00'
C2	89°50'54"	31.36'	20.00'	18.00'
C3	89°50'54"	31.41'	20.00'	18.00'
C4	89°50'54"	31.42'	20.00'	18.00'
C5	89°50'54"	31.36'	20.00'	18.00'
C6	127°21'04"	41.82'	185.00'	28.29'
C7	183°59'51"	81.30'	185.00'	28.29'
C8	127°21'04"	41.82'	185.00'	28.29'
C9	183°59'51"	81.42'	185.00'	28.41'
C10	127°21'04"	36.50'	145.00'	18.55'
C11	173°50'50"	36.50'	75.00'	18.60'
C12	173°50'50"	36.50'	75.00'	18.61'
C13	173°50'50"	36.50'	75.00'	18.60'
C14	173°50'50"	36.50'	75.00'	18.63'
C15	89°50'54"	31.37'	20.00'	18.00'
C16	89°50'54"	31.48'	20.00'	18.00'
C17	89°50'54"	31.47'	20.00'	18.00'
C18	132°29'	1.75'	185.00'	0.87'
C19	132°29'	184.50'	185.00'	18.72'
C20	173°50'50"	24.31'	145.00'	12.48'
C21	173°50'50"	31.56'	145.00'	26.08'
C22	173°50'50"	4.80'	145.00'	14.43'
C23	89°50'54"	31.47'	20.00'	20.00'

RIGHT-OF-WAY CENTERLINE TABLE

CURVE NO.	BEARS	LENGTH	RADIUS	TANGENT
C24	89°50'54"	84.87'	185.00'	48.79'
C25	173°50'50"	84.87'	185.00'	48.79'
C26	173°50'50"	84.87'	185.00'	48.79'
C27	89°50'54"	86.32'	55.00'	42.62'

TRACT TABLE

TRACT	DESIGNATION	AREA (SF)
A	ACCESS & UTILITY	1,363
B	OPEN SPACE	64,926
C	ACCESS & UTILITY	2,211
D	OPEN SPACE	7,431
E	ACCESS & UTILITY	3,157

SURVEY DISCLAIMER
 TOPOGRAPHIC SURVEY INFORMATION ON TAX LOTS 2726090132, 2726090138 AND 2726090209 AS SHOWN ON THESE PLANS HAS BEEN PROVIDED BY CORE DESIGN, INC. LLC, INC. (LAND DEVELOPMENT CONSULTANTS, INC.) ASSUMES NO LIABILITY AS TO THE ACCURACY AND COMPLETENESS OF THIS DATA. ANY DISCREPANCIES FOUND BETWEEN WHAT IS SHOWN ON THE PLANS AND WHAT IS NOTED IN THE FIELD SHOULD BE BROUGHT IMMEDIATELY TO THE ATTENTION OF THE ENGINEER.

Call 2 Business Days Before You Dig
 811 or 1-800-424-5555
 Utilities Underground Location Center

REVISIONS

NO.	DATE	DESCRIPTION

Engineering
 Structural
 Planning
 Survey

LDC
 THE CORE ENGINEERING GROUP
 1000 1st Ave., Ste. 1100
 Tacoma, WA 98402
 www.lcdc.com

PULTE GROUP
MARINWOOD
 PRELIMINARY PLAT
 PUD SITE PLAN

WILLIAM V. BIRDA
 LICENSED PROFESSIONAL ENGINEER
 No. 12500
 WASHINGTON STATE

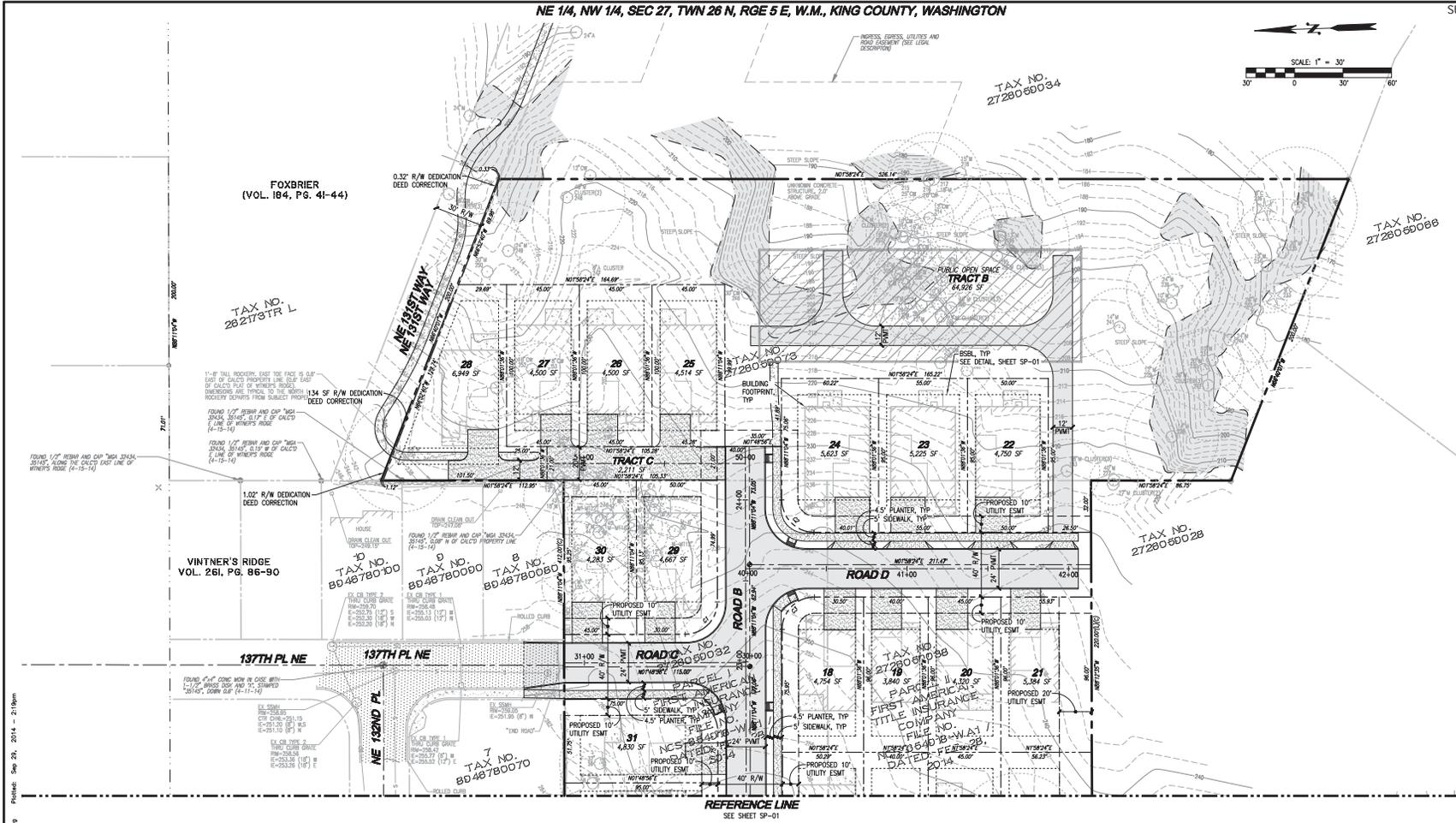
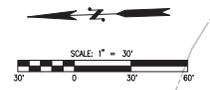
JOB NUMBER: 13-178
 DRAWING NAME: 13178C-SP-PL
 DESIGNER: MEV
 CHECKING BY: RCB
 DATE: 9-29-14
 SCALE: 1"=30'
 LOCATION: KIRKLAND

SP-01

SHEET 4 OF 23 106

NE 1/4, NW 1/4, SEC 27, TWN 26 N, RGE 5 E, W.M., KING COUNTY, WASHINGTON

SUB14-01891 Staff Report Attachment 6



TRACT TABLE		
TRACT	DESCRIPTION	AREA (SF)
A	ACCESS & UTILITY	1,383
B	OPEN SPACE	64,926
C	ACCESS & UTILITY	2,211
D	OPEN SPACE	7,431
E	ACCESS & UTILITY	3,157

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Call 2 Business Days Before You Dig
 811 or 1-800-424-5555
 Utilize Underground Location Center

REVISIONS	DESCRIPTION	NO.	DATE

LDC
 Engineering
 Structural
 Planning
 Surveying
 THE CIVIL ENGINEERING GROUP
 1001 1/2 AVENUE S, SUITE 100
 TACOMA, WA 98402
 WWW.LDCORP.COM

PULTE GROUP
MARINWOOD
 PRELIMINARY PLAT
 PUD SITE PLAN

WILLIAM V. BIRDA
 LICENSED PROFESSIONAL ENGINEER
 CIVIL ENGINEERING
 NO. 10000

JOB NUMBER: 13-178
 DRAWING NAME: 1317C-SP-PL
 DESIGNER: MEV
 CHECKING BY: RCB
 DATE: 9-29-14
 SCALE: 1"=30'
 JURISDICTION: KING COUNTY

SP-02

SHEET 5 OF 23 107

Drawing: P:\2013\13-178-Redmond-Meadow-Legacy\Drawings\Commission\1317C-SP-PL.dwg
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