



**CALL TO ORDER – 7:00 p.m.**

Hearing Examiner present: Sue Tanner  
Staff in attendance: Dawn Nelson, Jon Regala

The meeting was called to order at 7:00 p.m. by Ms. Tanner.

**PUBLIC HEARING – 7:00 p.m.**

**Shumway Mansion, File No. ZON04-00025, located at 11410 99<sup>th</sup> Place NE (Shumway 10 PUD – Planning Unit Development)**

Applicant: Robert Ketterlin

Ms. Tanner provided a brief summary of the applicant's requests:

- Convert the Shumway Mansion Bed and Breakfast and wedding reception facility back to a single-family residence
- Reduce the size of the Historic Landmark Overlay through a rezone
- Short plat the subject property into two parcels
- Preliminary and final PUD approval
- Stream and wetland buffer reduction through enhancement

Ms. Tanner said that the Hearing Examiner recommendation would be made to City Council within eight calendar days of the close of the hearing. Ms. Tanner issued an oath to Staff testifying and all others wishing to testify in this matter.

Mr. Regala entered the file and associated attachments into evidence. He offered a PowerPoint presentation with explanatory narrative of the history of the property as set forth in accompanying documents. He reviewed the Comprehensive Plan and Zoning Code provisions as pertain to this application. He stated that the applicant has provided a buffer plan consistent with the decisional criteria found in the Zoning Code. The City and the City's wetland consultant have reviewed this plan. The recommendations provided by the consultant have been included in a revised buffer enhancement plan as delineated in the Staff report dated December 14, 2005.

Mr. Regala reviewed the PUD criteria and found that the applicant has met them:

1. The PUD has met the requirements of PUD Chapter 125.
2. Any adverse impacts or undesirable effects of the PUD are clearly outweighed by specific, identified benefits.
3. The applicant is providing one or more of the benefits listed in the Zoning Code as part of the proposal.

Mr. Regala provided specifics, including slides, as to how the above criteria were met, as exhibited in documents provided. He stated that the proposal is consistent with all applicable development regulations; public health, safety, and welfare; the Comprehensive Plan; and preserves the mansion as an historical single-family residence. Staff recommends approval of Applicant's proposal.

Ms. Tanner thanked Mr. Regala for his presentation. She called Doug Yost to testify on behalf of the Applicant and swore him in.

**Doug Yost**, 11211 NE 102nd St, Kirkland, thanked Mr. Regala for his thorough analysis and his effort. He stated that he is proposing fewer units than are allowed by the Comprehensive Plan. He met with neighbors and tried to incorporate their ideas in the development. He is sensitive to view concerns and provided screening trees. His project matches the mansion in color and rooflines, windows, and trim. He feels that eliminating the commercial use of the property will lessen noise and traffic in the area. He stated that he is going above and beyond requirements in enhancing the buffers on this project. He requests approval of the project.

Ms. Tanner opened the meeting to public testimony and swore in additional persons who wished to testify. She invited those in support of the project to speak first.

In support:

**Harvey Sherman**, 11750 73<sup>rd</sup> PI NE, Kirkland, said that he has opposed previous proposals on this property but supports this effort.

**Andrea Wood**, 11315 101<sup>st</sup> PI NE, Kirkland, appreciates the developer's attitude toward all of the neighbors and supports this application.

**Megan Alayo**, 18032 NE 123<sup>rd</sup> St., Redmond, owns property near the project. She is excited about the project but concerned about how water run-off will affect her property. Also, she wanted to know what happened to proposed speed bumps in the area.

**Dean Scotton**, 10024 NE 115<sup>th</sup> Lane, Kirkland, said that he and all his neighbors support the project.

**Margaret Jacobsen**, 11430 99<sup>th</sup> PI NE, Kirkland, supports the project but is concerned about retaining wall issues, trees, and the stability of the hill behind her.

There was no one else in support and no one in opposition to the project. Ms. Tanner asked Staff and/or the Applicant to respond to issues raised by testimony.

Mr. Regala spoke to drainage issues. He said that the storm system will be designed to City standards and that the Public Works Department oversees this function. A traffic study was supplied in the Staff report and it shows that, because of the elimination of commercial uses on the property, it is projected that there will be a decrease of trips per week on the site. The Public Works Department's neighborhood traffic control program regulates speed bumps. Mr. Regala will follow up with them on this issue and report back to Ms. Alayo. The project's proposed tree removal on the subject property meets City standards. He stated that the proposed retaining wall and slope allows water to drain within the Shumway property that the new homes will be required to meet the City's drainage requirements.

Mr. Regala stated that the noise ordinance regulates noise from, e.g., mechanical equipment or air conditioning units. Noise from automobiles, voices, etc., are exempt from regulation. The only time the City would get involved is if the sound became a nuisance. Noise from construction is exempt if it occurs during allowed hours, which are 7:00 a.m. to 8:00 p.m., Monday through Saturday, except on observed City holidays.

Mr. Yost stated that construction is scheduled to begin this summer and he anticipates that it will be a 12-month project.

Ms. Tanner declared a short break to allow Mr. Tanner to discuss the project with an interested neighbor and how it affects her property specifically.

After the break, Mr. Yost said that he would meet with other neighbors to explain the project further. He said that drainage on the plat would be improved over what it is presently.

There being no further testimony, Ms. Tanner had questions of Staff that were addressed by Ms. Nelson and Mr. Regala. Staff will provide the Interim Ordinance for Tree Preservation at Ms. Tanner's request. Ms. Tanner pointed out some reference errors in documents provided and also requested clarification regarding "attached dwelling" and "enlargement and enhancement of the buffer area". Mr. Regala clarified those references for Ms. Tanner.

Ms. Tanner gave opportunity for Staff to add further information; there was nothing further. She closed the public hearing and reiterated that she will submit her recommendation within eight days. She thanked all who testified.

**ADJOURNMENT – 8:03 p.m.**

Ms. Tanner declared the hearing adjourned.

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Dawn Nelson, Planning Supervisor  
Department of Planning and Community Development