

The gap study (conducted in August 2005) discussed in the traffic study records impulses (air impact) from vehicles crossing the tubes across the roadway. While it did not state it in the traffic study, these impulses would include bicycles crossing over the tubes as well as any vehicle. Thus the gap study does account for bicycles.

Pedestrian gaps are not something that is typically considered in evaluating access conditions. Vehicles entering and exiting the driveway would certainly be required to yield to any pedestrians crossing the driveway. The sight triangles as required by the City would allow for safe visibility of pedestrians in or near the driveway crossing.

5. *Diversion of NE 52nd St Residents*

This diversion comment may or may not be true. Using 108th Ave NE in lieu of Lake Washington Blvd does not appear to be a major inconvenience. However, it should be noted as shown in #2, the delay for any sidestreet movements is a pre-existing condition that the Yarrow Bay Marina project is not estimated to significantly exacerbate.

6. *Vehicles Using the TWTL at NE 52nd St*

Vehicles exiting the Breakwater and NE 52nd St are estimated to operate at LOS E conditions. This suggests there are large delays in entering onto Lake Washington Blvd. However, the comment that the Yarrow Bay Marina project traffic will make it impossible to safely navigate is not true. This point has been detailed in the response to comment #2.

7. *Breakwater Traffic Orientation*

The PM peak hour count for the Breakwater indicated 1 vehicle exiting to the north and 1 to the south. For whatever this is worth, it suggests that the distribution of traffic exiting the site is 50/50. However, considering that there was 1 vehicle entering the site from the south, it can be concluded that the majority of traffic is to and from the south (67%).

Furthermore, a cursory review of the Breakwater driveway traffic count for the full 2-hour period between 4pm and 6pm indicates 3 vehicles exiting to the south, 1 vehicle exiting to the north, 1 vehicle entering from the north, and 2 vehicles entering from the south. Thus, trips to and from the south would account for 5 of the 7 trips, or approximately 70%. This could be considered a majority.

PARKING

The parking study recommended some shared parking due to the distinctly different uses and the different peak demands for parking. The peak demand for the office building would be weekday mid-day and the peak demand for the Marina uses would be weekday after 5pm and on weekends. However, the decision by the City recommended a more conservative parking requirement that assumed coinciding peaks for the multiple uses, most likely for a conservative approach. Thus, no special considerations were given by the City.

CITY OF KIRKLAND

123 FIFTH AVENUE • KIRKLAND, WASHINGTON 98033-6189 • (425) 828-1243

**DEPARTMENT OF PUBLIC WORKS
MEMORANDUM**

To: Stacy Clauson, Planner
From: Thang Nguyen, Transportation Engineer
Date: June 14, 2006
Subject: Yarrow Bay Marina Redevelopment, Staff Response to the SEPA Appeal

This memo summarizes staff review of the SEPA appeal and response from the applicant's traffic consultant. The purpose of the staff review is to ensure that all issues raised in the appeal are adequately evaluated.

Eight traffic issues were raised in the SEPA appeal. The issues are summarized point by point with a response.

Issues Raised:

1. *The Breakwater Condominium driveway is offset from NE 52nd Street.*

The Breakwater driveway is offset from NE 52nd Street to the north. Because of the narrower driveway, this offset put the approaching lanes directly opposing each other making it easier for opposing drivers to see each other. Furthermore, it eliminates left-turn traffic conflict as supposed to the condition in which the driveway is aligned toward the south. This is the best alignment for the driveway.

2. *The increase traffic from the proposed project will make it more difficult to access the turn lane.*

Staff disagrees with the above assumption and agrees with the traffic assessment from William Popp Associates. The northbound queue into the site is not anticipated to block the ability for drivers from the Breakwater Condominium to access the two-way-left-turn-lane.

3. *What is the impact on the bicyclist?*

Lake Washington Boulevard has bike lanes in both directions. The bicycle lanes separate cyclist from vehicular traffic lane. As with any driveway and at any intersections, vehicles from the driveway and minor streets are required to yield to bicyclist. The bicycle lanes will remain as is. Traffic from the development are required by law to yield to through traffic include bicyclist. The gap count did include bicycle traffic.

4. *The traffic impact did not analyze pedestrian impacts.*

ATTACHMENT	13
STR06-00001	

Pedestrian activity level would continue as it is today. Traffic from the development are required to yield to pedestrians as they do today. The width of the driveway will only be widened by one foot. However, Public Works have required to driveway to provide a refuge island to minimize the crossing distance. There is no evidence that the proposed development would have a significant impact to pedestrian. There is sufficient sight distance for exiting drivers to see oncoming pedestrian.

5. *Residents living off NE 52nd Street are avoiding access onto to Lake Washington Boulevard and using 108th Avenue NE instead.*

Staff has not received any request from the public to realign the Lake Washington Blvd/NE 52nd Street intersection. Historical accident data do not suggest that this intersection has a pattern of traffic conflict. There is no evidence that residents are avoiding the intersection.

6. *Cars accessing NE 52nd Street and the Breakwater Condominium are having difficulty accessing the two-way-left-turn lane. Additional traffic from the proposed project would make it unsafe and exasperate the problem.*

Lake Washington Boulevard is has high traffic volumes during the commute peak period causing some delay to minor street traffic. However, there is no evidence to suggest that the Lake Washington Blvd/NE 52nd Street intersection is unsafe. There is no pattern of traffic conflict at this intersection. Increase traffic volumes do not directly cause traffic accident.

7. *The statement that the majority of vehicles exiting the Condominium turn right is not accurate.*

Based on the two-hour traffic count during the PM peak hour, 5 out 7 trips to/from the Breakwater Condominium are from the south. Three out of 4 exiting vehicles headed south on Lake Washington Boulevard. In summary, the majority of traffic is to the south (turning right).

8. *The City should require parking based on City's code.*

Public Works has carefully reviewed the parking demand for the proposed project. The proposed project is a mixed use with each use having different demand at different times. The parking minimum requirement allowed for the project is based on a supply that would satisfy the combined peak demand of all uses.

**WOLLINS
COLLIERMAN**

THE BROADWAY CENTER - SUITE 400
1000 BROADWAY
KIRKLAND, WA 98033

**YARROW BAY
MARINA SUITES
KIRKLAND,
WASHINGTON**



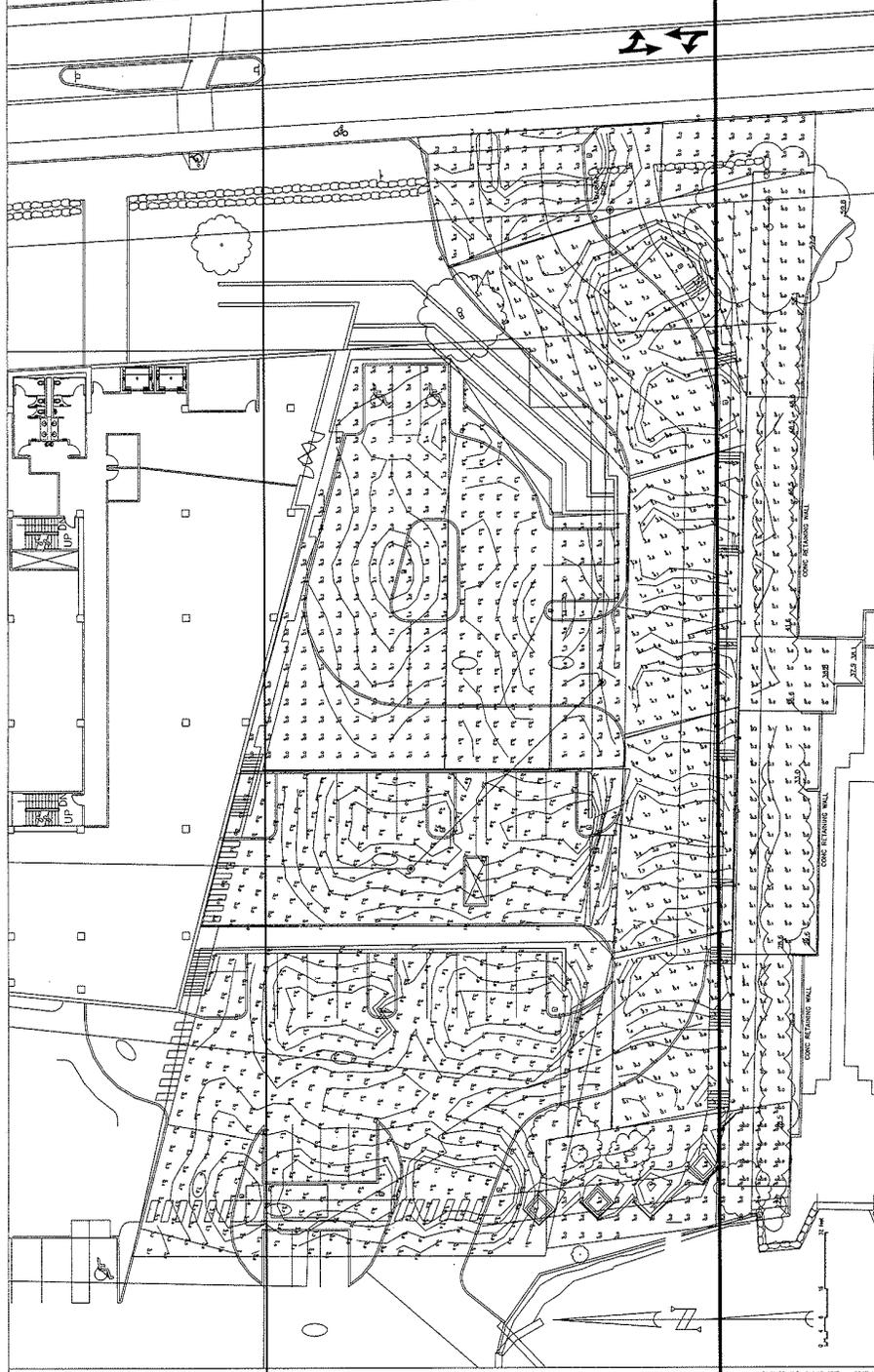
Lighting Design and Consulting
720 Olive Way • Suite 1100
20642-6211 • Fax: 206/844-0112
www.cadea.com

ISSUED	MARK	DATE	DESCRIPTION

PROJECT NUMBER	PUBLICATION DATE	DRAWN BY	DATE	DESCRIPTION
000100	06/20/06			

**PRELIMINARY SITE
LIGHTING
CALCULATIONS**

ATTACHMENT 14
SHEET - 02021



Luminaire Schedule
Project: All Projects

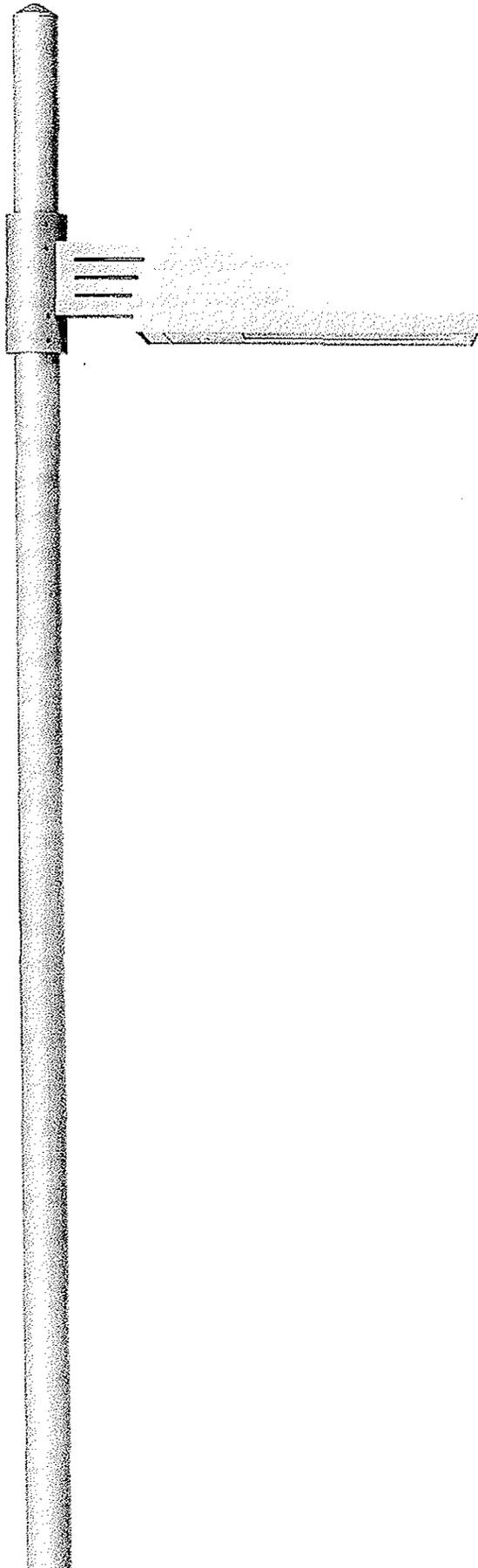
Symbol	Qty	Label	Lumens	LLF	Watts
⊕	5	Bollard	1250	0.559	18
⊕	13	Pole-70w-IV	6500	0.560	70
⊕	5	Pole-70w-III	6200	0.518	70



BOLLARD ⊕



POLE ⊕



PFA240

- MH 70 - 175 W
- HPS 70 - 150 W
- Type IV Asymmetric 'Forward Throw' distribution
- True Cutoff Glare control
- Pole mount/Wall mount

(IP66, dust and water jet tight). □ Marine grade die-cast aluminum alloy construction. 5CE superior corrosion protection, including PCS hardware. □ Clear tempered glass lens in hinged aluminum frame.

□ Weatherproof and durable silicone rubber gasket.

□ Anodized high purity aluminum Type IV reflector.

□ Convenient tool-less access to lamp compartment for lamp replacement. □ No-tool removable, hinged ballast tray with quick electrical disconnect for easy maintenance. □ Luminaire mounts to pole or building using PFA240 brackets. Brackets must be ordered separately. □ Integral HPF HID ballast for 120/208/240/277/347 Volt. Specify voltage. □ Standard finish: Black, RAL 9004, powdercoat with fine texture. Optional finishes: White, RAL 9016, or Grey Metallic RAL 9007 in fine texture. Specify finish. Consult WE-EF for special RAL color options. □ UL, UL: listed.

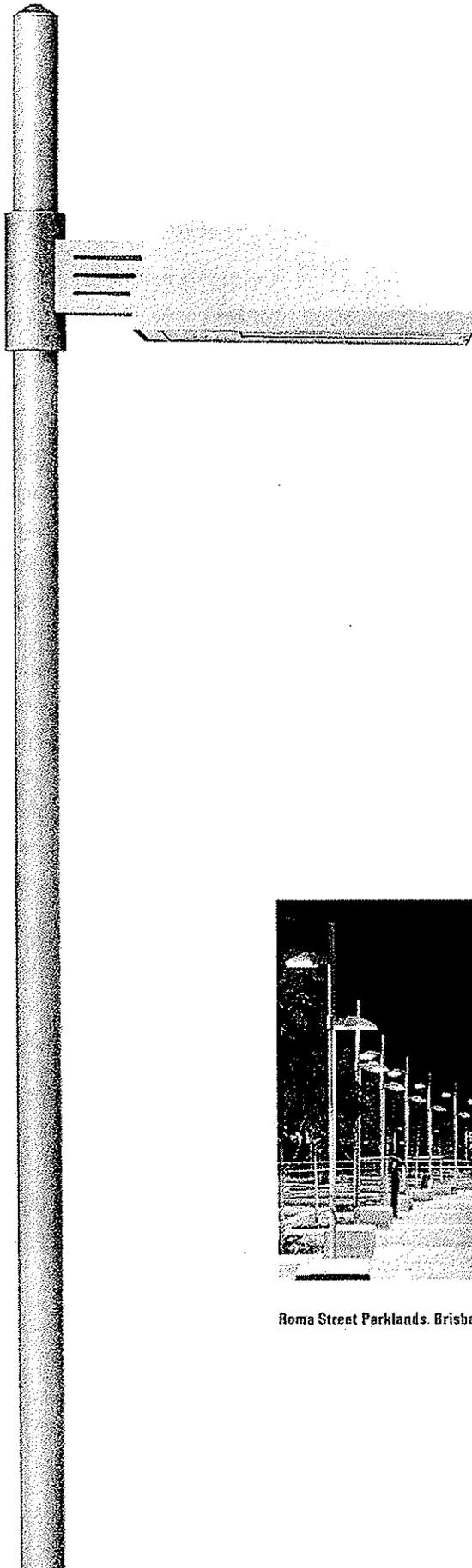
Suitable for wet locations.

High performance, architecturally styled Street and Area Luminaire with superior optics that address 'DARK SKIES' concerns, designed to minimize high angle glare in the 80 to 90 degree plane.

Suitable for area lighting applications, such as shopping centers, open parking lots, building facades, as well as the lighting of public and private roadways. Recommended mounting heights is 12' to 24' depending on lamp type selected.



Mounting accessories □ 10, 12, 14, 16, 18



Roma Street Parklands, Brisbane (AUS)

PFL240

- MH 70 - 175 W
- HPS 70 - 150 W
- Type III Streetlighting distribution
- True Cutoff Glare control
- Pole mount/Wall mount

IP66, dust and water jet tight. □ Marine grade die-cast aluminum alloy construction. 5CE superior corrosion protection, including PCS hardware. □ Clear tempered glass lens in hinged aluminum frame. □ Weatherproof and durable silicone rubber gasket. □ Anodized high purity aluminum Type III reflector. □ Convenient tool-less access to lamp compartment for lamp replacement. □ No-tool removable, hinged ballast tray with quick electrical disconnect for easy maintenance. □ Luminaire mounts to pole or building using PFL240 brackets. Brackets must be ordered separately. □ Integral HPF HID ballast for 120/208/240/277/347 Volt. Specify voltage. □ Standard finish: Black, RAL 9004, powdercoat with fine texture. Optional finishes: White, RAL 9016, or Grey Metallic RAL 9007 in fine texture. Specify finish. Consult WE-EF for special RAL color options. □ UL, ULc listed. Suitable for wet locations.

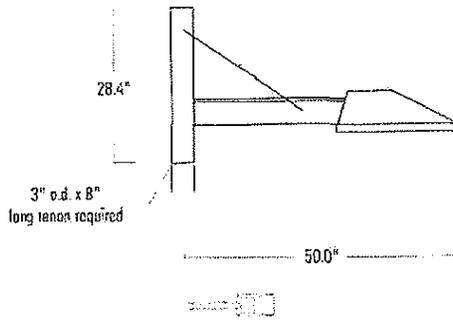
High performance, architecturally styled Street and Area Luminaire with superior optics that address 'DARK SKIES' concerns, designed to minimize high angle glare in the 80 to 90 degree plane.

Suitable for area lighting applications, such as shopping centers, open parking lots, building facades, as well as the lighting of public and private roadways. Recommended mounting heights is 12' to 24' depending on lamp type selected.

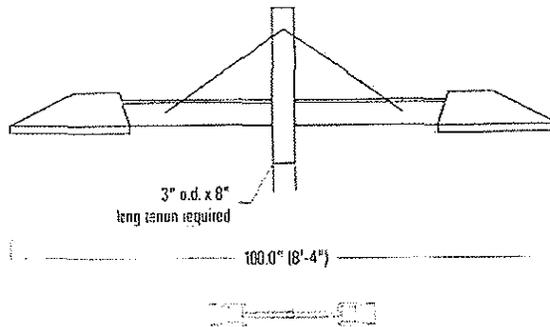


Mounting accessories - - - 10, 12, 14, 16, 18

660-9321
KL1-750
Single luminaire
pole top bracket for
(1) PFL240 or (1) PFA240



660-9322
KL2-750
Double luminaire
pole top bracket for
(2) PFL240 or (2) PFA240



KL

■ Decorative Pole Top Brackets for PFL240 and PFA240 luminaires

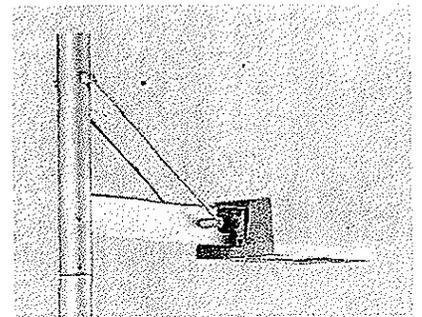
KL mounting brackets for mounting PFL240/PFA240 luminaires to pole top. □ All brackets manufactured using corrosion resistant aluminum. □ PCS hardware. □ *Standard finish:* Black RAL 9004 powder coat with fine texture to match luminaire. Optional colors: White, RAL 9016, or Grey Metallic RAL 9007 in fine texture. Consult WE-EF for special RAL color options.

Ordering guide:

Specify 7 digit code along with finish (color).

example: 660-9322 - RAL 9004

Must also specify luminaires (PFL240/PFA240)



KL1-750

Bollards for illuminating pathways

Post construction: One piece trapezoidal extruded aluminum, 3/16" wall thickness with one piece die cast aluminum top housing and base, internally welded into an assembly.

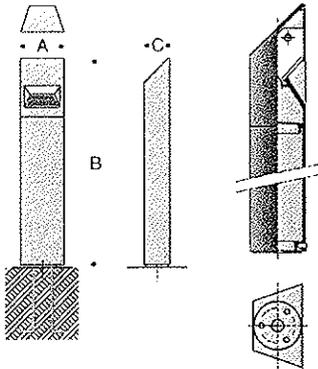
Lamp enclosure: Clear tempered glass, 1/8" thick. One piece die cast aluminum faceplate secured by four (4) flush, flathead stainless steel screws threaded into stainless steel inserts. Internal asymmetrical reflector/optical system. Fully gasketed using a molded "O-ring" high temperature silicone rubber gasket.

Electrical: Lampholders: Fluorescent are type G24q-3 rated 75W 250V. Ballasts are located on an upright bracket attached to the anchor base and are available in 120V or 277V, HPF - specify.

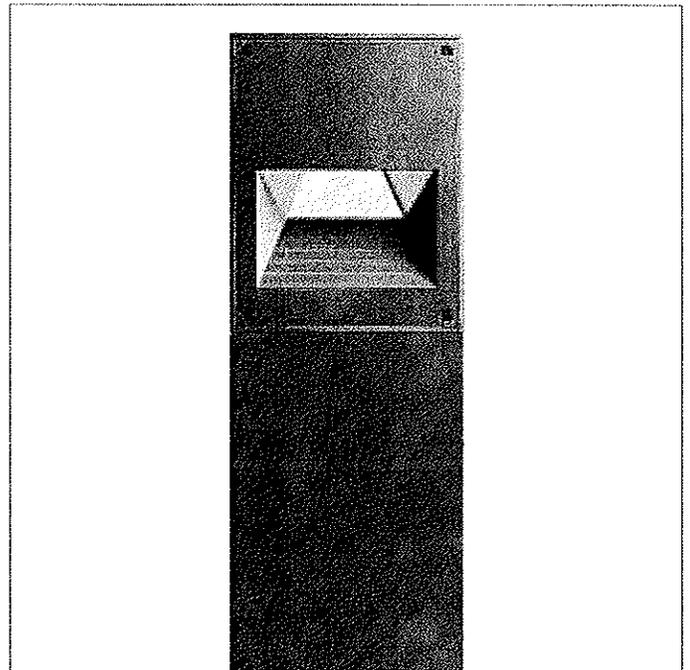
Anchor base: Heavy cast aluminum, slotted for precise alignment. Mounts to BEGA #895A anchorage kit (supplied). Bollards are secured to the post with one (1) socket head stainless steel screw.

Finish: These luminaires are available in five standard BEGA colors: Black (BLK); White (WHT); Bronze (BRZ); Silver (SLV); Eurocoat™ (URO). To specify, add appropriate suffix to catalog number. For complete description of BEGA finishing process, refer to technical information section at end of catalog. Custom colors supplied on special order.
U.L. listed, suitable for wet locations. Protection class: IP 65.

Type:
BEGA Product #:
Project:
Voltage:
Color:
Options:
Modified:



Bollards of extremely rugged construction with downward asymmetrical light distribution, step baffle faceplate, clear tempered glass and internal optical system.
U.L. listed, suitable for wet locations. IP 65.
Color: Standard BEGA finishes.



Lamp	Lumen	A	B	C
8534P Bollard 1 18W CF quad-4p	1250	97%	43%	5 1/2
895A Anchorage included				



Aerial photograph showing context

ATTACHMENT . 15

S:\HK26-00001



Aerial photograph showing context

Wilcox Site
ICPA IV d1 T1



Aerial detail showing site

Box Site

Our goal is to objectively study and assess relative view impacts to the Yarrow Hill Villas and Yarrow Hill Vistas Condominiums -- from the proposed Office Use and a 40' height limit (with development conditions), and the allowable Multifamily Use and a 35' height limit (with limited conditions).

We generated 2 development scenarios -- height and bulk envelopes only.

1

The multifamily option shows 2 buildings, separated by 20+ feet, staggered from one another, set back 20 feet (minimum) from Lk. Wash. Blvd., set back 80' (30% view corridor) from the south property line and 42.5' from the north property line (per code for a 35' building), 35' in height (bonus allowed due to break in building massing because of the two buildings staggered and the 20+ gap/view corridor between them), and each having mechanical penthouses for roof access/elevator overrun/HVAC equipment and screening of those. (The mechanical penthouses will be minimal in size for this type of thing and oriented parallel to the view as directed by code and good practice. They will be 12' high, as this is pretty much the minimum height for this activity.)

2

The office development option shows a single building, 40' in height, with additional setbacks at the uppermost story and without mechanical equipment on the roof or elevator overrun. It will be set back 20' minimum from Lk. Wash. Boulevard, 10' minimum from the north property line and above-sidewalk portions of the building will be set back behind a line connecting a point 30% of the east property frontage north of the south property line to a point 70% of the property frontage north of the south property line, as projected to the high-water line.

3

We built rough computer models of both scenarios and modeled the experience of these scenarios and their possible view impacts as follows:

4

We collected data, surveys and aerial photography to enable us to develop background information about the site and the surrounding areas. We stomped around the Yarrow Bay Villas and Yarrow Bay Vistas properties, taking photographs from a set of locations best simulating ground-floor unit views from these developments. (If we had been able to gain access to a ground-floor unit, we would gladly have done so.) We aimed our camera such that the center of the photograph is through the center of the Wilcox site and centered on the opposite shore of Lake Washington as the horizon. We utilized a 35 mm focal length lens for all photographs.

5

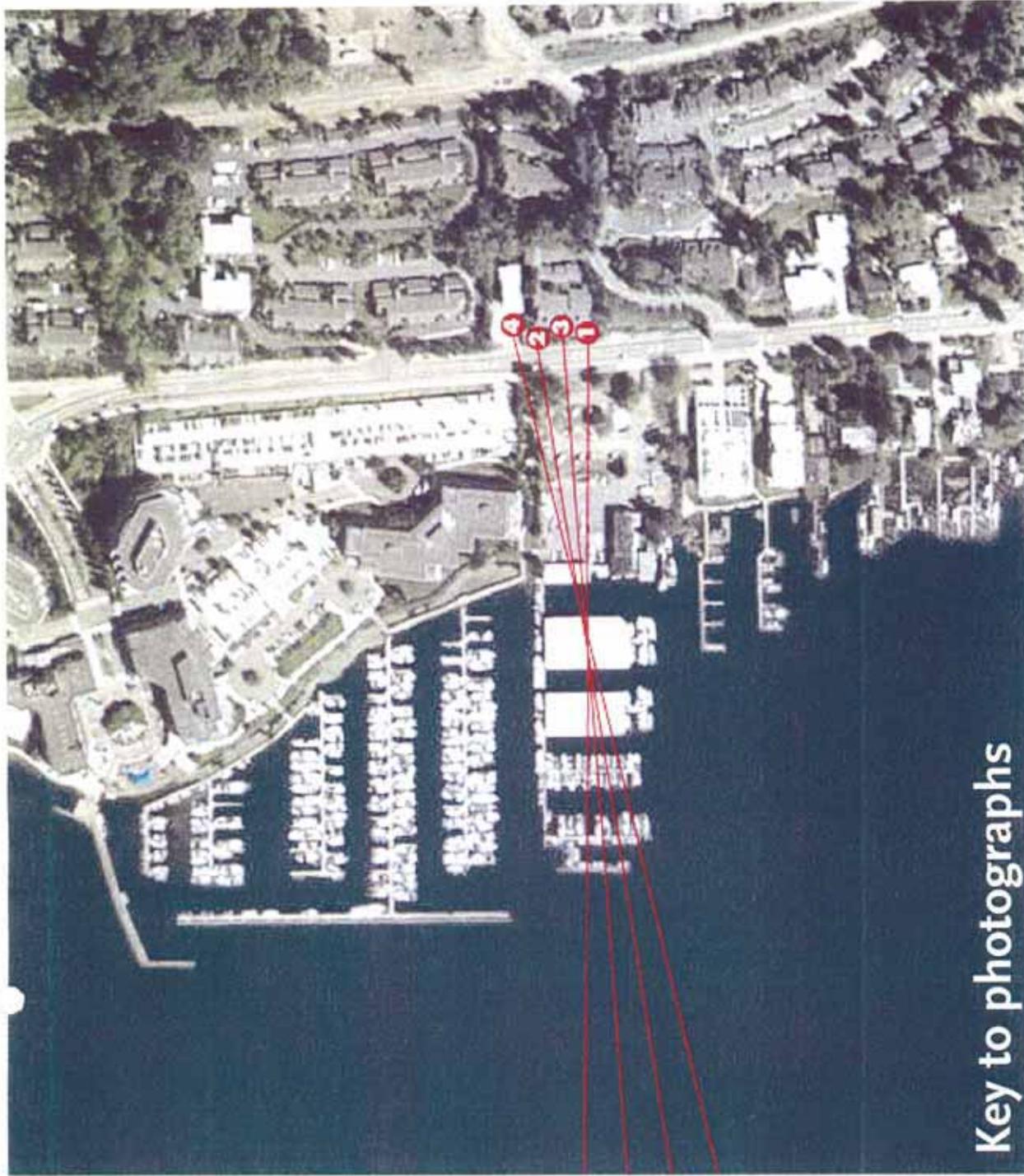
We also took panoramic photomontage images from the locations around Yarrow Bay Villas and Yarrow Bay Vistas to help establish the total view context for any proposal on the Wilcox property.

6

We then superimposed, in PhotoShop software, the shots of the models into the view photos. We placed the models into the scenes somewhat "transparently", enabling us to "see what we aren't seeing".

We have used this process in the past to analyze view blockage impacts resulting from other buildings, and know it can be quite effective and accurate -- assuming solid and consistent GIS, survey and/or aerial photographic data on the areas surrounding the site.

Study Goals and Method



1

Photographs taken at southwest corner of Yarrow Hill Villas lowest building, immediately in front of living room windows, with horizon centered on opposite shore of Lake Washington and focal axis over centerline of first large boat shed.

2

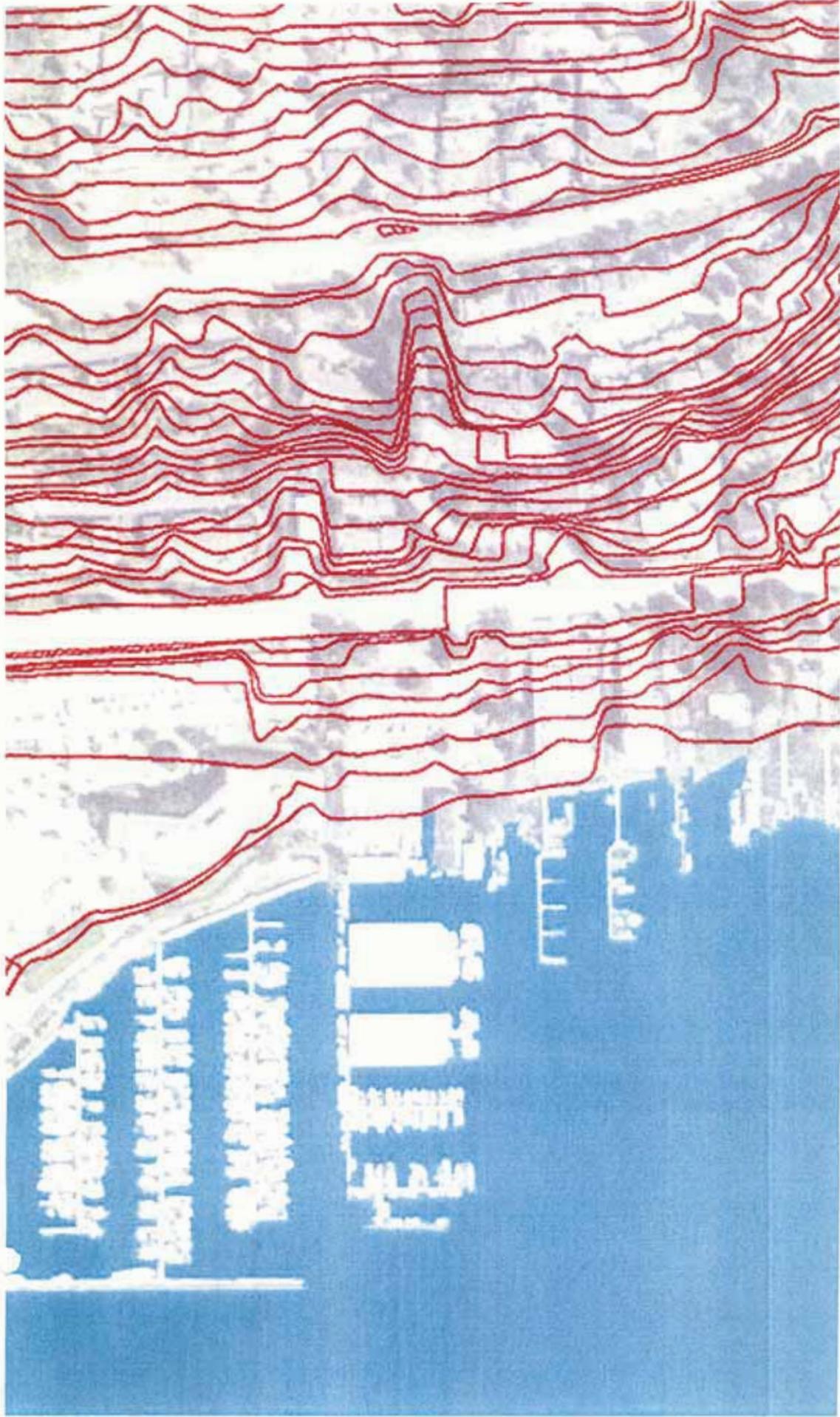
Photographs taken at northwest corner of Yarrow Hill Villas lowest building, immediately in front of living room windows, with horizon centered on opposite shore of Lake Washington and focal axis over centerline of first large boat shed.

3

Photographs taken at northwest corner of Yarrow Hill Villas lowest building, standing on terrace, with horizon centered on opposite shore of Lake Washington and focal axis over centerline of first large boat shed.

4

Photographs taken at northwest corner of Yarrow Hill Vistas building, immediately in front of lowest terrace level, with horizon centered on opposite shore of Lake Washington and focal axis over centerline of first large boat shed.



Wilcox Site
CPA IV 01 1

Aerial photo with contours



Wilcox Site
CPA IV 01 1

Area map showing site and context

Our goal is to objectively study and assess relative view impacts to the Yarrow Hill Villas and Yarrow Hill Vistas Condominiums -- from the proposed Office Use and a 40' height limit (with development conditions), and the allowable Multifamily Use and a 35' height limit (with limited conditions).

We generated 2 development scenarios -- height and bulk envelopes only.

1

The multifamily option shows 2 buildings, separated by 20+ feet, staggered from one another, set back 20 feet (minimum) from Lk. Wash. Blvd., set back 80' (30% view corridor) from the south property line and 42.5' from the north property line (per code for a 35' building), 35' in height (bonus allowed due to break in building massing because of the two buildings staggered and the 20+ gap/view corridor between them), and each having mechanical penthouses for roof access/elevator overrun/HVAC equipment and screening of those. (The mechanical penthouses will be minimal in size for this type of thing and oriented parallel to the view as directed by code and good practice. They will be 12' high, as this is pretty much the minimum height for this activity.)

2

The office development option shows a single building, 40' in height, with additional setbacks at the uppermost story and without mechanical equipment on the roof or elevator overrun. It will be set back 20' minimum from Lk. Wash. Boulevard, 10' minimum from the north property line and above-sidewalk portions of the building will be set back behind a line connecting a point 30% of the east property frontage north of the south property line to a point 70% of the property frontage north of the south property line, as projected to the high-water line.

3

We built rough computer models of both scenarios and modeled the experience of these scenarios and their possible view impacts as follows:

4

We collected data, surveys and aerial photography to enable us to develop background information about the site and the surrounding areas. We stomped around the Yarrow Bay Villas and Yarrow Bay Vistas properties, taking photographs from a set of locations best simulating ground-floor unit views from these developments. (If we had been able to gain access to a ground-floor unit, we would gladly have done so.) We aimed our camera such that the center of the photograph is through the center of the Wilcox site and centered on the opposite shore of Lake Washington as the horizon. We utilized a 35 mm focal length lens for all photographs.

5

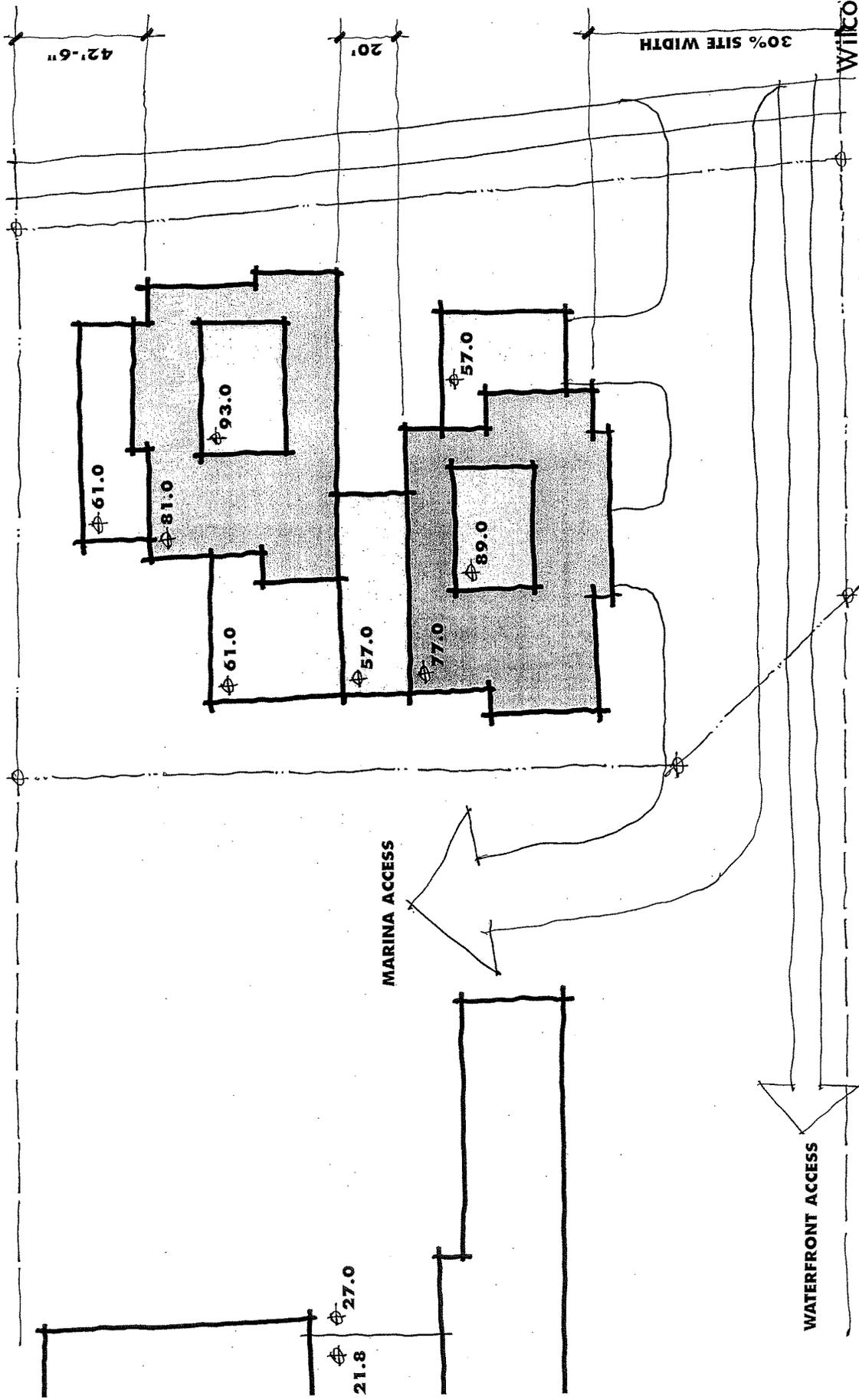
We also took panoramic photomontage images from the locations around Yarrow Bay Villas and Yarrow Bay Vistas to help establish the total view context for any proposal on the Wilcox property.

6

We then superimposed, in Photoshop software, the shots of the models into the view photos. We placed the models into the scenes somewhat "transparently", enabling us to "see what we aren't seeing".

We have used this process in the past to analyze view blockage impacts resulting from other buildings, and know it can be quite effective and accurate -- assuming solid and consistent GIS, survey and/or aerial photographic data on the areas surrounding the site.

Study Goals and Method

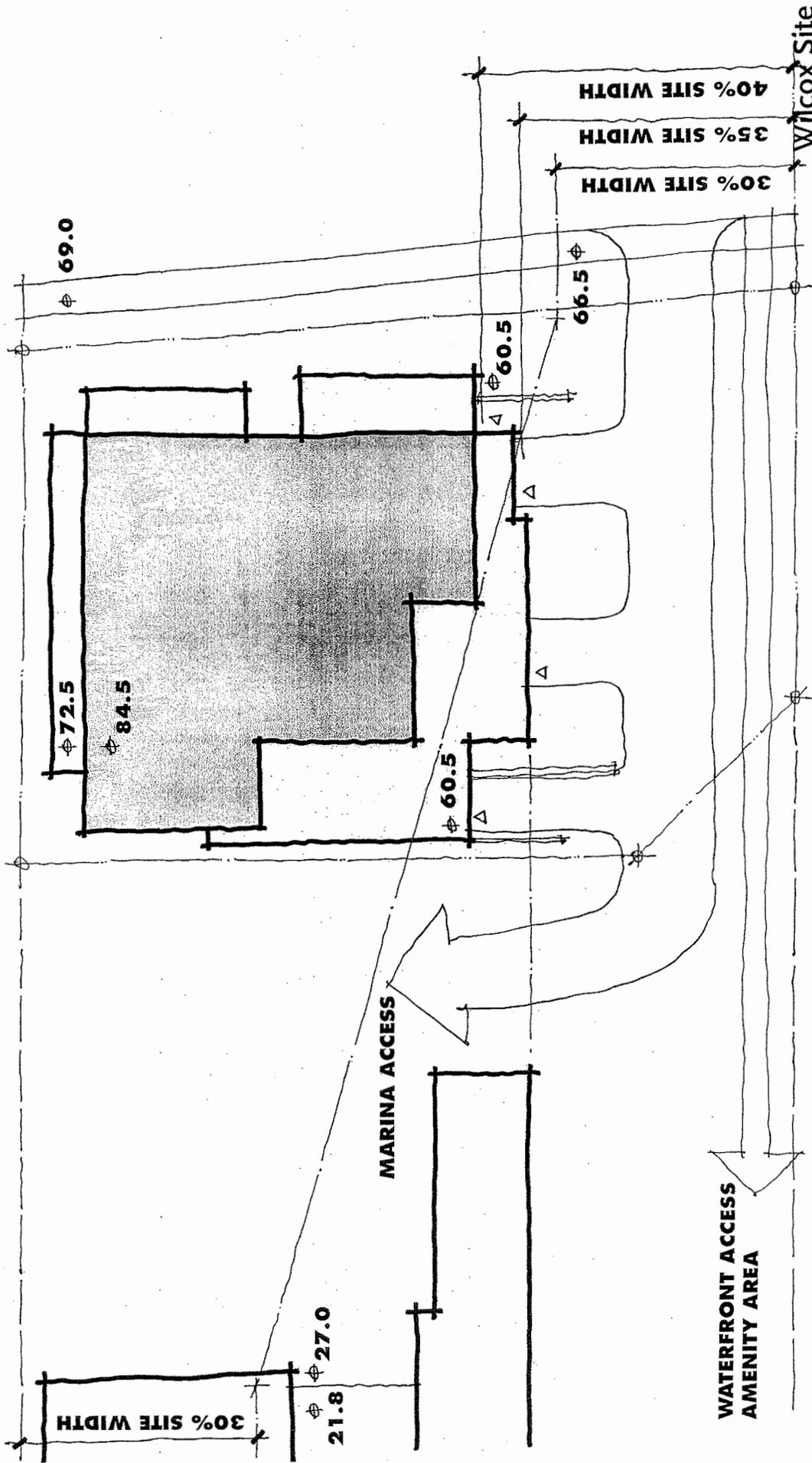


Wilcox Site
CPA IV 011

Development scenario — multifamily residential 35' ht. Limit

WATERFRONT ACCESS

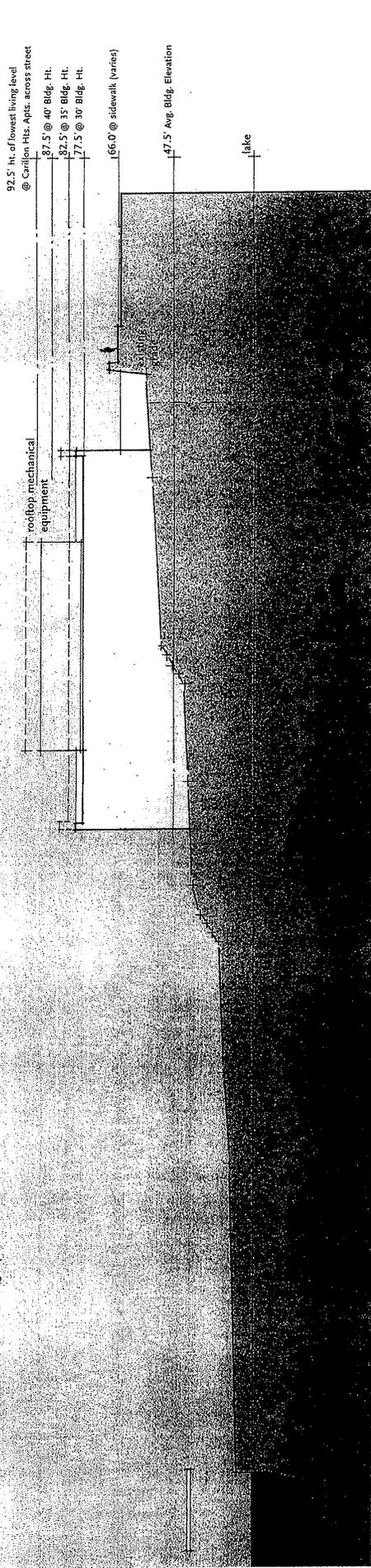
MARINA ACCESS



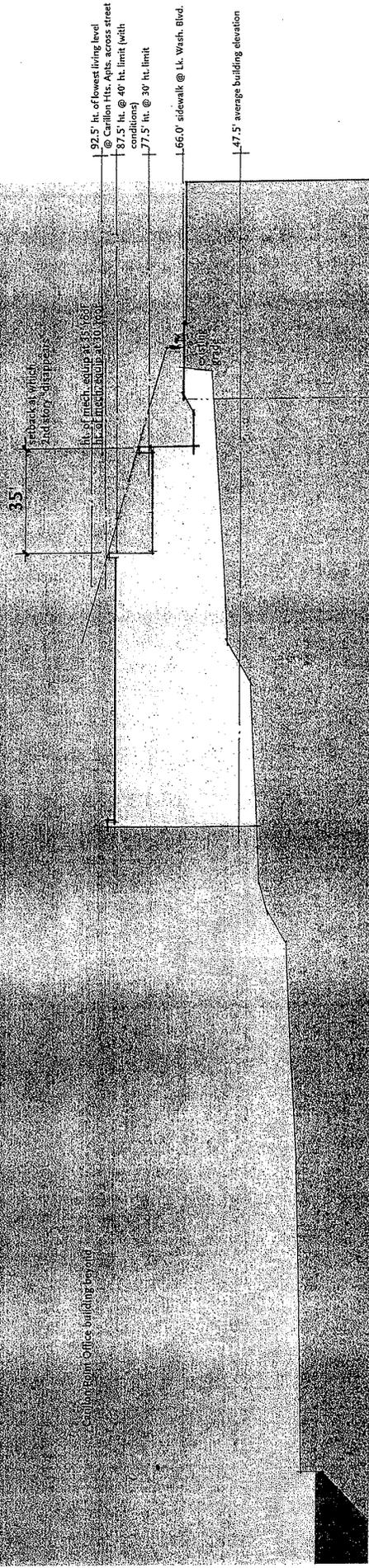
Development scenario — office 40' ht. limit

Whicox Site
CPA IV 011

Carillon Point Office building beyond



Carillon Point Office building beyond



Sections of scenarios / schemes developed

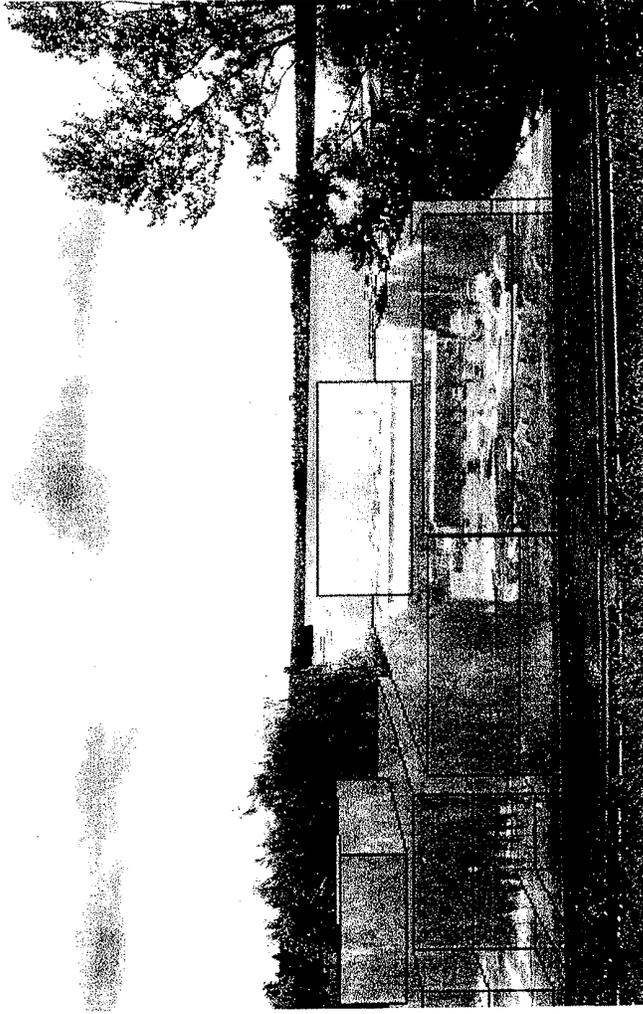
Wilcox Site
CPA IV 01 1



The photograph to the right, of the existing conditions, shows the view from location 1, looking across the centerline of the largest boat shed and focusing on the shoreline at the opposite side of the lake. The photographic composite below shows the panoramic view from this same location.



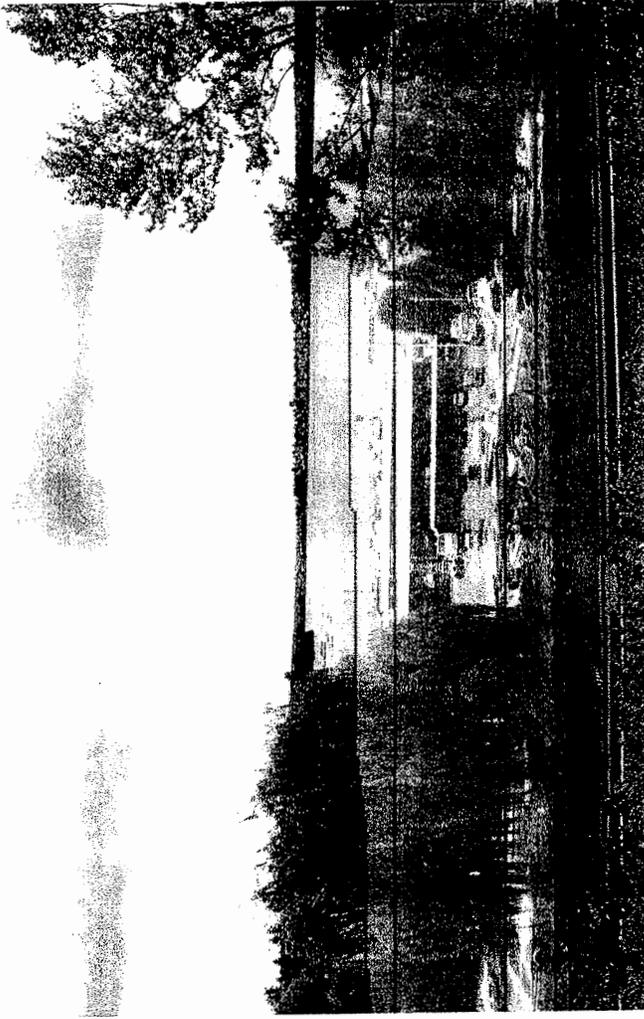
Photo Location 1



The photograph to the right superimposes the residential development onto the view from location 1. The photographic composite below shows the panoramic view from this same location.



Photo Location 1 showing residential development



The photograph to the right superimposes the office development onto the view from location 1. The photographic composite below shows the panoramic view from this same location.



Wilcox Site
CPA IV 01 1

Photo Location 1 showing office development



The photograph to the right, of the existing conditions, shows the view from location 2, looking across the centerline of the largest boat shed and focusing on the shoreline at the opposite side of the lake. The photographic composite below shows the panoramic view from this same location.



Photo Location **2**



The photograph to the right superimposes the residential development onto the view from location 2. The photographic composite below shows the panoramic view from this same location.



Photo Location 2 showing residential development



The photograph to the right superimposes the office development onto the view from location 2. The photographic composite below shows the panoramic view from this same location.



Photo Location 2 showing office development



The photograph to the right, of the existing conditions, shows the view from location 3, looking across the centerline of the largest boat shed and focusing on the shoreline at the opposite side of the lake. The photographic composite below shows the panoramic view from this same location.



Photo Location **3**



The photograph to the right superimposes the residential development onto the view from location 3. The photographic composite below shows the panoramic view from this same location.



Photo Location 3 showing residential development



The photograph to the right superimposes the office development onto the view from location 3. The photographic composite below shows the panoramic view from this same location.



Wilcox Site
CPA IV 01 1

Photo Location 3 showing office development



The photograph to the right, of the existing conditions, shows the view from location 4, looking across the centerline of the largest boat shed and focusing on the shoreline at the opposite side of the lake. The photographic composite below shows the panoramic view from this same location.



Photo Location **4**



The photograph to the right superimposes the residential development onto the view from location 4. The photographic composite below simulates the impact to the panoramic view from this same location.



Photo Location 4 showing residential development



The photograph to the right superimposes the office development onto the view from location 4. The photographic composite below simulates the impact to the panoramic view from this same location.

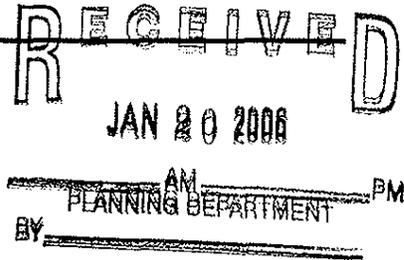


Photo Location 4 showing office development

Design Narrative Statement for
Proposed Marina Suites Office and Marina Services Buildings

Date: January 18, 2006

Project Address: 5001 & 5207 Lake Washington Blvd. NE
Kirkland, WA



1. 2002 Comprehensive Plan Amendment

a. General, PLA 15 Zoning

Response: Primary city objectives have been achieved through continuation of the existing marina use for the community and current patrons. Public access, use, and visual access to the lake have been incorporated into the overall project design.

This project is a mixed use of existing marina/marina service operations and new office space. As such, the proposed office building does not detract from the public orientation to the waterfront through its proximity to the marina and location on the site. Through its proximity to the marina and site location, the proposed office building does not detract from the public's orientation to the waterfront.

The existing use and character of this site is being upgraded and improved by:

- a) the removal of existing dry dock boat storage;
- b) site landscaping and beautification;
- c) public access amenities such as walkways and sitting areas ;
- d) removal of existing marina services building and construction of new outside
- e) shoreline view corridor created through site from boulevard;
- f) construction of Class 'A' commercial office building

The existing site is being enlivened through these proposed improvements and the streetscape will be enhanced. The proposed driveway access into the site will be approximately where the existing driveway entrance is located. Currently the project is planning to include a wider driveway, one (1) inbound lane and two (2) outbound lanes with a driveway median pedestrian crosswalk island, so as to better accommodate the expected traffic volume entering and leaving the site.

Enhancements to the View Corridor, Line-of-Sight Corridor, and Public Access are further described in the text below.

b. View Corridors

Response: The project has been designed to comply with the city's criteria to afford sidewalk pedestrians, boulevard traffic and residences to the east improved views of the lake by locating the proposed Marina Suites Office and Yarrow Bay Marina Services Buildings into the northerly portion of the site. The existing Yarrow Bay Marina Services Building is proposed for removal from the view corridor to be created through the site. See the *Project Summary* for view corridor width calculations.

ATTACHMENT <u>17</u>
<u>54206-0001</u>

Along with meeting the city's required 35' setback, the proposed Marina Suites Office Building will comply with the city's 40' maximum height guidelines. The result will be a building only 17' +/- above the existing sidewalk elevation along this high point of Kirkland's Lake Washington Boulevard.

c. Line of Sight Corridor

Response: The project has been designed to ensure that neither parked vehicles nor landscaping will obstruct the line-of-sight to the lake's shoreline from the boulevard or adjacent residences east of the view corridor.

d. Public Access

Response: The project has been designed to afford the public access down to the shoreline from Lake Washington Boulevard westerly via a walkway adjacent to the southern property line. The site's design proposes to connect north-south portions of the Kirkland Shoreline Pedestrian Access Trail already existing at Carillon Point and the Breakwater Condominiums. The proposed north/south walkway has been intentionally located to the east of the proposed Marina Services Building for public safety. This is because of the light industrial nature of the marina operations' fueling area, boat washing and fork-lift haul-outs for boat yard repairs. During the 2002 Comprehensive Plan Amendment decision process, public comment identified observing the boat yard activities was enjoyed as part of the personality of their neighborhood. When the existing marina services building is removed, the pedestrian public will be able to observe all of this activity at once from a safe distance at the trail's nearby proposed public amenity seating area and lake viewing node along the site's southerly shoreline.

The trail's shoreline access node area will be completely landscaped (existing site trees there will be retained) to include shoreline vegetation requirements of the permitting agencies. Landscaping will be continued along the southerly property line walkway to the boulevard. This will heighten the public's view enjoyment of Yarrow Bay, Lake Washington and the Olympic Mountain Range from the boulevard to the shoreline without obstruction by upland or marina moorage structures.

Our project team strongly recommends that the east-west public access be eliminated in favor of an additional landscaping buffer along the southerly property line to more fully screen the Breakwater Condominiums, as was requested by their residents at the January 15, 2006, Neighborhood Meeting. In the Kirkland Municipal Code, Section 24.05.135, (a), it states, "Access to the waterfront may be waived by the city if public access along the waterfront of the subject property can be reached from adjoining property." As the shoreline can be reached along the north of the site's lateral property line with Carillon Point and at the south end of the Breakwater site, this waiver is possible and would afford more driveway screening plantings for the Breakwater Condominiums.

e. Moorage Structures and Facilities

Response: Proposed structures and facilities are within the general and permitted use criteria of this regulation and its specific codes for providing additional general moorage tenant slips and private boat service and repair. A comprehensive analysis and thorough summary of how the proposed structures meet PLA15A development codes may be found in the Development Regulations response portion to the Substantial Development Permit application in Section A.2. Those responses speak to most of these Shoreline Regulations. A few added notes are made here, however. No bulkhead is being proposed. Shoremount pin piles for proposed G-2 walkway are upland of the existing bulkhead structure. Its proposed walkway deck does not exceed a height of 24 feet above sea level. No covered over water structures are proposed. Side setback regulation is exceeded at 20'. The proposed 'C' float extension is more than 25 feet from the condominium's existing fixed pier structure. A joint-use buoy system is proposed as an out-growth of the 1/11/06 neighborhood meeting's comments by the Breakwater Condominium residents attending. It will be utilized to separate the boating public lining up for fueling at the marina allowing tethering while waiting. A sign will be posted at its western end to the effect of fueling left and trespassing right. The boom will prevent the public from being able to get into the fueling area if they attempt to enter the condominiums' shorelands area. The 40' height above ABE of the proposed office building structure follows the view corridor and setback requirements of the 2002 CPA determination. Finally, the proposed mooring structures do not extend out to the Inner and Outer Harbor Lines.

2. Kirkland Zoning Code Use for PLA-15 Zoning

a. Proposed Marina Suites Office Building

Response: The proposed office building is a city-permitted use and is considered complementary to the marina use. The city's guidelines for building footprint, configuration as to lot size, set-backs, height and vehicle parking are all incorporated in the design. Further details may be found in the *Project Summary* which is a part of this Land Use Submittal.

The minimum number of parking stalls (including the marina's) will be provided. The parking layout consists of approximately 43 surface parking stalls and 168 below grade parking stalls. This design greatly enhances the site view corridor and improves the site character through less visible vehicles. Please refer to the accompanying *Traffic Impact Analysis*, which evaluates the requirements, needs, and vehicle parking provisions.

Parking has been configured in an efficient manner so as to minimize site parking areas. The exterior parking areas will be attractively landscaped with the required vegetation planting islands that will not obstruct views of the lake from the public right-of-way. In designing public pedestrian access trails on the site to and along the shoreline, care has been exercised to minimize potential for hazards occurring

between vehicular traffic and marina operations. Site planning has afforded visual and physical separation from adjacent neighbors.

The ownership will provide the appropriate easements to the city for recording site public access, liability, utilities, joint landscape maintenance and parking, joint property line water boom with Breakwater Condominiums, as required.

b. Proposed New Yarrow Bay Marina Services Building

Response: The new Marina Services Building is both an existing and city permitted use. The existing marina is considered complementary to the office building. The building footprint and design configuration includes lot size, required setbacks, building height, and vehicle parking and complies with the city's guidelines. Further details may be found in the *Project Summary* section of this Land Use Submittal.

The two (2) proposed buildings will have similar material, color, and detailing to complement each other.

The site's vehicle parking provision will be attained through a shared parking strategy, where the office tenants will utilize site parking during weekday business hours; the marina's mooring tenants during the evenings and weekends. This strategy reduces the total number of vehicle parking stalls on the site.

Please refer to the accompanying *Traffic Impact Analysis* for additional information.

c. Proposed Pier Extension

Response: To provide for increased small boat moorage demand, Yarrow Bay Marina proposes to extend existing Pier 'D' with a 66' +/- float pier extension to provide for six (6) additional moorages. A fire standpipe will be extended along Pier 'D' to within 120' of the ends of the proposed float as required by Kirkland Fire Department. Deck lights will also be incorporated within it as required by the city. (See: the marina extension project plan set for details in C.8).

At one parking stall per two proposed moorages, the proposed overall site parking configuration of 211 spaces will incorporate this requirement. Please see the accompanying Transportation Report for the August, 2005 parking study by the marina indicating sufficiency of 30 spaces during peak boating season. As part of its Corps Permit concurrence, the National Marine Fisheries Service has requested the float pier extension be grated. A connector walkway to G-2 Pier is proposed so that it may be readily accessed by marina staff for their in-water boat repairs. The existing

nearshore floats will be removed and eliminated from the proposed public shoreline access area.

As per the 1/11/06 Neighborhood Meeting, a joint-use boom is being proposed with the Breakwater Condominium Homeowners Association. It will start just south of the western end point of 'H' pier (the marina's boat rental pier on the south end of the site) and extend 240' westerly along the east-west lateral property line extended across Yarrow Bay. Purpose of the boom is to provide summer boaters the ability to temporarily moor while lined up and waiting for fueling at the marina during the busy summer boating season and thereby deter them from utilizing the Breakwater Condominium's pier for this purpose.

d. Proposed South Shoreline Area Plantings

Response: The South Shoreline Area will be planted with native plant material in accordance with the U.S. Army Corps of Engineers' recommended plant list for Lake Washington. The plan has been reviewed and accepted by project biologist, Amy Myers of The Watershed Company. The zone between ordinary high and low lake levels and the immediately adjacent upland shoreline slope will be planted with a mix of native emergent and wet tolerant plant materials. The higher elevations of the shoreline slope will be planted with drought tolerant native plant material suitable for this area and its west exposure.

The proposed shoreline planting conforms to the conditions of the Line-of-Sight Corridor. Existing trees in the shoreline area will be retained as per agreement with city. No new trees are being planted with the proposed plantings for this area. All plantings will remain under the three foot height restriction within the view corridor.

e. Proposed Marina Operations

Response: Yarrow Bay Marina will continue its existing operations of providing moorage space rentals, boat fueling (the only fueling place between Kenmore and Newport Shores on Lake Washington), boat haul-out, washing, repair services, cleaning, and rentals. The location of its gasoline and diesel fuel storage areas will be re-located to underneath the lower driveway turn-around parking island. Marina garbage dumpsters and pier walkway carts will be corralled in the very northwest corner of the lower site at the locked entrance gate to the main pier walkway and the private marina moorages.

The existing marina services building and HzMt storage structures will be demolished after the proposed new marina services building is completed north end of the lower site. Internal shop area HzMt storage will be provided in the new building. A full basement area is proposed for underneath the first floor shop and retail area as well as an office area upstairs above the retail area. A central HzMt materials station will be located and maintained at the building's entrance to accommodate clean-up needs of moorage tenants. This will facilitate marina staff monitoring usage and maintaining

clean-up materials stock. It has been the marina's past experience that some mooring tenants tend to rifle through these expensive supplies at HzMt stations located out on the piers in order supply their own boats as opposed to using them for clean-ups at the marina. Restrooms and shower facilities will continue to be offered to boat slip moorage tenants and their guests in the new marina services building.

The proposed building footprint and configuration is squeezed between the 15% average parcel width shoreline setback area requirement (approximately 68' +/-) and the existing sewer easement. Kirkland Public Works Director Rob Jammerman has pre-approved a request to accommodate an approximate 40' east-west length needed in the proposed building's shop service area space by reducing the existing 20' wide sewer easement to fifteen feet along only the 42' length of the shop's proposed eastern wall. Grasscrete blocks will be placed alongside the sewer easement in this stretch of the proposed public access trail to accommodate sewer utility vehicles and/or equipment needing access along there.

a. Substantial Development Permit.

i. WAC 173-27-140 Review criteria for all development.

(1) No authorization to undertake use or development on shorelines of the state shall be granted by the local government unless upon review the use or development is determined to be consistent with the policy and provisions of the Shoreline Management Act and the master program.

(2) No permit shall be issued for any new or expanded building or structure of more than thirty-five feet above average grade level on shorelines of the state that will obstruct the view of a substantial number of residences on areas adjoining such shorelines except where a master program does not prohibit the same and then only when overriding considerations of the public interest will be served.

The project will not obstruct views of any adjoining residential properties. The site designs follows the view corridor and building height conditions of the 2002 Kirkland Comprehensive Plan Amendment for the proposed 40' height above average building elevation, to the benefit of residences to the east of Lake Washington Boulevard.

ii. WAC 173-27-150 Review criteria for substantial development

permits. (1) A substantial development permit shall be granted only when the development proposed is consistent with:

(a) The policies and procedures of the act;

(b) The provisions of this regulation; and

(c) The applicable master program adopted or approved for the area. Provided, that where no master program has been approved for an area, the development shall be reviewed for consistency with the provisions of chapter 173-26 WAC, and to the extent feasible, any draft or approved master program which can be reasonably ascertained as representing the policy of the local government.

(2) Local government may attach conditions to the approval of permits as necessary to assure consistency of the project with the act and the local master program.

iii. Relevant Use Regulations: Refer to submittal responses found in Section B: Design Narrative Statement for below code use regulations.

1. KMC 24.05.160, Retail and Office use (refers to KMC 24.05.205)
2. KMC 24.05.165, Moorage structures and facilities
3. KMC 24.05.130, Parking
4. KMC 24.05.135, Public Access

Zoning Code Decisional Criteria:

- a. It is consistent with all applicable development regulations and, to the extent there is no applicable development regulation, the Comprehensive Plan; and
- b. It is consistent with the public health, safety and welfare.

Development Regulations. See PLA 15A zone.

1. *The proposed pier structures for the site are marina-use-related.*
2. *Pedestrian access is provided to the south shoreline area and away from the light industrial nature of the marina activities for public safety in the northern shoreline portion of the site. and covered moorages site while affording the neighborhood views of the boating activity and Yarrow Bay.*
3. *The proposed marina services building is set-back 15% of the overall parcel width from the shoreline. Please see: Section C6, page A-1.0 The public safety is paramount consideration in constraining access through the light industrial nature of the boat yard and marina operations at the northern portion of the shore area. The view corridor through the site and public access area affords the pedestrian complete views of its operation and boating activities.*
4. *The proposed Yarrow Bay Marina Services Building and Marina Suites Office Building follow the view corridor design criteria determined within the 2002 Kirkland Comprehensive Plan Amendment decision. The view corridor is further enhanced by proposed demolition of the existing marina services building.*
5. *The proposed 40' height above the site's Average Building Elevation is only 17' above the top back of Lake Washington Boulevard NE sidewalk. It enhances the view for residences across the street from what exists now by eliminating blocking cottonwood and willow trees, and only obstructs the marina's covered moorage structures for the bottom Yarrow Villa condo residences. A waterfront public access area is provided. The public may rent boats from the marina moored there at Pier 'H' by showing their current drivers license and credit card. Breakwater Condominiums requested at the 1/11/06 neighborhood meeting that Kirkland Planning Department seek to amend 2002 CPA's 3' planting height constraint within the boulevard to shore access 6' trail design and planting buffer design along their joint property line [with the site] so that trees may grow taller and create more screening from the proposed driveway use. As this is not allowed in the 2002 Comprehensive Plan Amendment's requirements, the proposed development cannot reflect this recommendation in its planting buffer design. No roof top appurtenances are in the design. The height of the proposed celestory windows are at the 40' above ABE and provide visual interest to view of the roof for upland residential properties.*
6. *A traffic impact analysis report is provided in Addendum D.7. A pedestrian refuge island is proposed within the median of the driveway cut sidewalk crossing area. The proposed ten additional moorages' five required parking spaces meet the 23 spaces required of the marina services building square footage (6980 /. 300/sf per parking space). The table developed in Addendum D8 justifies this approximate 30 parking space use by the marina operation. Marina staff noted business hours parking demand over two-hour day-time periods during one week in August, 2005. The table shows peak demand between 4-6pm on a Friday night and allows for complementary joint-use parking with the office building.*